

# City of Minden

P.O. Box 239, 325 N. Colorado  
Minden, Nebraska 68959

phone 308.832.1820  
fax 308.832.1949  
www.MindenNebraska.org



## Minutes of Council Meeting City of Minden, Nebraska November 5, 2018

The City Council of the City of Minden, Nebraska, met on this day at 6:00 p.m. in a regular session in the Council Chambers, pursuant to advance notice of said meeting simultaneously transmitted to all members of the Council and to the public as shown by the copy thereof posted in the Minden City Hall, Outside the Minden City Hall, First Bank & Trust Co., Minden Exchange Bank & Trust Co., and the Post Office. A copy of the notice is on file in the office of the City Clerk.

Mayor Griess called the meeting to order at 6:00 p.m. The following City Council members were present: Roger Jones, Larry Evans, Teresa Sumstine, and Bob Carlson. The following City Officials were present: City Attorney Tom Lieske, Mayor Ted Griess, City Administrator Matt Cederburg, and City Clerk Abbey Jordan.

All proceedings hereinafter were taken while the convened meeting was open to the attendance of the public.

After roll was called, Mayor Griess led those in attendance in the Pledge of Allegiance.

Then Griess made the following statement:

"Pursuant to the Open Meetings Act and Public Records Law Requirements a current copy of the Open Meetings Act is posted for public inspection on the east wall of the Council Chambers. In addition, for public inspection, there is located on the table to the south of the chairs in the Council Chambers, a copy of the Council packet that was distributed to the members of the Council prior to this meeting. The City Council will take public comments on an agenda item if it is deemed necessary. Please state your name and address prior to commenting."

**Agenda Item #3**, Mayoral Announcements. Griess noted the water department cleaned 3,200 feet of water mains with ice pigging and thanked those who were affected by the interruption of service. Griess also thanked the Chamber and business who participated in the Halloween Parade, over 400 were in attendance.

**Agenda item #4**, The following items were listed under the agenda item "**consent agenda**" for this meeting:

- a. Consider Approval of Minutes of Previous City Council Meetings
- b. Consider Approval of Bills & Claims for this Council Meeting
- c. Consider Acceptance of Excused Absence of Mayor or Council Member(s)
- d. Consider Reports that are Enclosed in the Council Packets for This Council Meeting
- e. Consider Mayoral Appointment of Dr. Eddie Pierce as the City Health Officer for a term of 1/1/2019 to 12/31/2019

The following bills and claims were submitted for approval under the "consent agenda" and are on file in the office of the City Clerk:

A. Jordan 43.2, All Roads Barricades, Inc 695, B & S Painting & Powerwashing 2554.2, Bauer Underground 41763, Big Johns Arctic Cat & Hustler 11263.27, Big John's Ford, Inc 655.62, Black Hills Energy 297.83, Central Hydr. Sys. & Eq. Co. 164, Charter Communications 1308.35, Core & Main Lp 1430.05, Cornhusker Marriott 238, Cozy Corner Cafe 844.78, Diamond Exterminating Inc 161.25, Dutton Lainson Co 5696.15, Ellis Wheeler 1370.77, Eugene Worley 15358, Fifth Street Printing 889.25, First Bank & Trust Co 9414.57, Fyr-Tek, Inc. 405, Gpm 1605.5, Island Supply Welding Co 60.95, Jan Carter 356.9, J. Hlavinka 21.3, K&K Auto Repair Inc 103.2, Ke Co Treas Barb Lynn 5000, Knispel Custom Carpentry

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7983.13, Landmark Implement Carquest 337.17, Layne Christensen Co. 13124.11, Lieske, Lieske & Ensz P C, Llo 2641, L. Stangl 10.68, Mason's Market 138.92, Michael Todd & Company, Inc. 940.25, Minden Office Supply, Inc 657.21, Minden Utility Dept. 3453.41, Municipal Supply-Nebraska 553.83, Ne Public Health Environmental 311, Ne Statewide Arboretum 130, Ne Turf Grass Association 630, Nebr Municipal Clerks Assoc 35, Olsson Associates 20437.69, Pepsi Cola Of Hastings 47.41, Presto X Co. 63, Revenue Bond Payment Account 22838, Richard G. Young 455, Servi-Tech, Inc. 17, Southern Power District 2989.96, Sunbelt Rentals, Inc 50.86, The Minden Courier 355.5, Tyler Technologies 5527.8, Verizon Wireless 806.71, Village Cleaners Inc 174.72, Warren T Plumbing Services 205, William D Simmerman 512.29.

Evans motioned to approve the consent agenda and Sumstine seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried.

## **Agenda Item #5, NPPD O&M agreement review—2017-18 and 2018-19, Stan Clouse & Todd Warren, NPPD.**

Stan Clouse with NPPD discussed the 2017-18 Operations and Maintenance budget versus actual, pointing out the City came in under budget. He also give a review of the upcoming 2018-19 Operations and Maintenance budget and the various small projects. Todd Warren, NPPD, discussed the MWE project and all work that was completed.

Clouse went on to give an update on the Sub-Transmission project, stating that most of the work is finished except for the tie-ins at both ends. Minden's work cannot be completed until after Southern Power has finished their part. Although not complete, he believed the project would come in at or under budget. I be at the projected costs.

Clouse also discussed the Facilities Study Agreement and Facilities Agreement for Bay 302 Minden Substation. He pointed out the reason for the Bay Agreement was due to the City's load not being large enough by NPPD's standards to have a second breaker. The City of Minden's breaker is an older model and will need replaced in the future. The agreement outlines what the City will pay NPPD an annual fee to cover this failure event without having to make a large payment at one time. This agreement continues the length of the wholesale contract.

## **Agenda Item #6, Consider approval of Facilities Study Agreement with NPPD--project over \$10,000.**

Evans motioned to approve the Facilities Study Agreement with NPPD and Jones seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried.

## **Agenda Item #7, Consider approval of Facilities Agreement for Bay 302 Minden Substation.**

Jones motioned to approve the Facilities Study Agreement with NPPD and Evans seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried

## **Agenda Item #8, Consider approval and selection of Bid Sections for the Minden Paving, Drainage, & Water Improvements 2018 and selection of contractor.**

Cederburg reviewed the projected costs for street lights, water mains, and the paving. Costs were also provided for design and construction engineering. Jeff Palik, Olsson Associates presented the bids that were received and recommended Blessing Construction for the entire project. Palik also stated that he would bring a different recommendation if the council wasn't going to award all bid sections.

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Evans motioned to select Blessing Construction as the contractor for all bid sections and Sumstine seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried

**Agenda Item #9**, Consider Selection of Engineer for 2019 Street Superintendent.

Jeff Palik with Olsson Associates discussed Olsson Associates history with the City of Minden as Street Superintendent. Palik also highlighted the proposed contract with the City of Minden if selected as Street Superintendent. Craig Bennet with Miller and Associates highlighted the proposal for Chris Miller as the Street Superintendent and services provided.

Jones motioned to approve Jeff R. Palik of Olsson Associates as the 2019 Street Superintendent and Sumstine seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried

**Agenda Item #10**, Discussion only of sanitation truck purchase and curb-side pickup.

Chris Klahn, Street Superintendent, stated the need for a new sanitation truck with the self-automated side dump which would create curbside pickups only. Klahn shared that the current trucks tear up the dirt/gravel alleys and there are a lot of tight corners turning into and out of alleys forcing the truck to drive on private property causing damage.

No action taken.

**Agenda Item #12**, Consider Approval of Minor Subdivision for Mark S. Binderup Et. Al at 617 S Ridge.

Scott Binderup, 558 S Lincoln, stated he wanted to divide 617 S Ridge into two lots. The house would be on the north lot and the south lot would be an empty lot to be sold. The south lot will meet minimum lot size requirements.

Sumstine motioned to approve the minor subdivision for Mark S. Binderup et. all at 617 S. Ridge and Jones seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried

**Agenda Item #13**, Discussion only of Minden Municipal Code Sec. 94-66 Residential District use regulations and Airbnbs.

Cederburg stated that the code does not currently address the use of houses to be rented out like Airbnbs. The handout provided had suggested code changes providing definitions for this type of lodging and adding a permitted use to R-1 and R-2. No action taken.

**Agenda Item #14**, Review of Uninhabitable House and Order of Condemnation for 536 N Kearney.

Griess informed council of the items to be addressed yet and the agreed upon date of November 15, 2018 for that. The property would then be reviewed at the November 19, 2018 City Council Meeting. No action taken.

**Agenda Item #15**, Consider Setting a Hearing for Possible Condemnation of the Property at 311 S Nebraska or more Particularly Described as Lots 1 & 2 Block 7, Regan's Addition, Minden, Kearney County, Nebraska.

Chief Huff discussed the condition of the house and shared that he had spoken to the home owner this summer about getting the house repaired or a condemnation process would be pursued. Pictures were presented to council to show items needing to be fixed.

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Evans motioned to set a Condemnation Hearing for 311 S. Nebraska at 6:00 pm on December 3, 2018 and Carlson seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried

**Agenda Item #16**, Consider Approval of Payments for the Façade Improvement Program for CDBG 15-DTR-105 to:

- a. Eugene Worley in the amount of \$6,244.00 for the project at 310, 316, & 324 N Colorado
- b. Eugene Worley Construction in the amount of \$2,214.00 for the project at 328 N Colorado
- c. B&S Painting and Powerwashing in the amount of \$2,554.00 for the project at 441 N Colorado
- d. George and Stacy Sinsel in the amount of \$844.78 for the project at 441 N Colorado

Sumstine motioned to approve the façade improvement program payments outlined in item a, b, c, and d and Jones seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried

**Agenda Item #17**, Consider Approval of Draw #15 for \$6,798.32; this amount will be drawn on CDBG 15-DTR-105 from NE Dept. of Economic Development.

Evans motioned to approve Draw \$15 for \$6,798.32 and Jones seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried

**Agenda Item #18**, Discussion only of adding a \$1.00 charge to utility customers that choose to receive a physical bill.

Cederburg mentioned the charge would offset some of the costs incurred to mail paper utility bills. Carlson did voice concern that the charge would be against current policy. Sumstine mentioned the city will be covering costs incurred for credit card charges and this charge would go against that. No action taken.

**Agenda Item #19**, Consider Approval of Resolution updating utility deposits, reconnection fees, and reconnection process for utility customers.

Jordan stated the intention was to cover utility costs when a utility customer defaults on their account. Council members made recommendations to lessen the deposit amount and suggested updating the resolution to return the entire deposit upon good payment history. No action taken.

**Agenda Item #20**, Consider Approval of Resolution updating sections 8.02 Personal Leave and 7.01 Vacation Leave of the City Employee Manual.

Cederburg outlined the current personal and vacation leave accruals and rules. No action taken.

**Agenda Item #21**, Consider approval of Employee Appreciation Turkey/Ham Gift Certificates and Chamber Bucks in the amounts of \$100 for full-time and \$50 for part-time.

Carlson motioned to approve the Employee Appreciation Certificates and Chamber Bucks and Jones seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried

**Agenda Item #11**, moved to after Agenda #21, Strategy session for contract negotiations of Health Insurance Plan.

Carlson motioned to enter closed session due to contract negotiations at 7:54 pm and Evans seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried

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Evans motioned to enter open session for public comments at 7:56 pm and Carlson seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried

## **Agenda Item #23, Public Comments.**

Katrina Tomsen, commented that if people receive an email for statements it may not be considered a legal document. Tomsen also proposed the question what if the resident does not have access to email. Katrina commented the deposit rate change could force people into debt. James Huff, Police Chief, stated the low number of items taken in during the bi-annual drug take back that took place on October 27<sup>th</sup>.

## **Agenda Item #11, Strategy session for contract negotiations of Health Insurance Plan.**

Evans motioned to enter closed session for contract negotiations at 7:59 pm and Jones seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried

Sumstine motioned to enter open session at 8:26 pm and Carlson seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried

No action taken.

## **Agenda Item #22, Discussion and Approval of City Administrator contract with Matthew Cederburg.**

Evans motioned to enter closed session at 8:26 pm and Jones seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried

Jones motioned to enter open session at 9:12 pm and Carlson seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried

Jones motioned to approve the City Administrator contract with Cederburg as presented and Carlson seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried

## **Agenda Item #24, Adjournment.**

Carlson motioned to adjourn at 9:14 pm and Sumstine seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried.

/s/ Ted Griess  
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan  
Abbey Jordan, City Clerk

(SEAL)