

# 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  
December 17, 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.

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

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

After roll was called, Council President Evans led those in attendance in the Pledge of Allegiance.

Then Evans 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. Evans announced the Scott Wilber award was given to Ryan Hurst. Evans wished everyone a Blessed Holiday and a thank you to all the high school students 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 Special Designated Liquor Permit for Saturday, January 12, 2019 from 12:00 PM to 11:59 PM for Minden Opera House, Inc. for a fundraiser at the Minden Opera House

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

Amazon 473.02, Baker & Taylor 804.66, Ben's Auto Clinic 813.9, Big John's Ford, Inc 340.9, Black Hills Energy 882.76, Bodywork 345.96, Cenage/Gale 273.54, Central Hydraulic Systems 84, Charter Communications 1333.46, Chemsearch 759.97, City Of Holdrege Landfill 4713.88, C. Beck 315.31, Core & Main Lp 2182.08, Crystal Clean Carpet Care 1520, Danko Emergency Equip. Co 641.86, Demco 216.87, Dollar General-Regions 410526 111.3, Emergency Medical Products 3992.91, Ems Billing 1743.47, Fifth Street Printing 272.93, First Bank & Trust Co 140, Grafix Shoppe 391.99, Hawkins Water Treatment 3794.81, Intellicom Computer Consulting 1385.25, Isw 79.92, Jan Carter 461.75, J. Hill 101.52, Jims Ok Tire Minden Llc 222, Johnstone Supply 98.12, Kearney County Health Service 580, Kearney Hub Publishing Co. 200.04, Kim Carver Specialized Hauling 200, Landmark Implement Carquest 591.82, Lawson Products, Inc. 51.27, Mason's Market 30.43, Matheson Tri-Gas Inc 216.57, Michael Raffaeli 119.26, Midwest Laboratories 71.25, Midwest Tapes 284.97, Minden Hardware 842.62, Minden Lumber & Concrete Co. 139.48, Minden Machine Shop Inc 237.26, Minden Office Supply, Inc 93.83, Minden Rural Fire Dept. 1893.86, Municipal Supply-Nebraska 660.68, N T & T 81.19, Ne Main Street Network Inc 300, Ne Recycling Council 150, Neofunds 400, Nppd Kwh 142423.88, Nppd O&M 75936.67, Olsson Associates 231.42, One Call Concepts Inc 25.29, Oneill Heinrich Damkroger 248, Oriental Trading 241.27, Platte Valley Communications 642.25, Presto X Co. 63, Protex Central Inc. 238, Rembolt Ludtke Llp 310, Roy Nelson Construction 262.5, Southern Power District 29.16, The Library

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Store 131.56, Tribasin Nrd 27.5, Tyler Technologies 11869.57, United Methodist Church 190, Usa Blue Book 552.23, Western Pathology Consult Inc 79.3, Wex Bank 3889.6, Xerox Corporation 160.26.

Jones 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**, Consider Approval of recommendation from the DTR Steering Committee to let for bids the City Infrastructure portion of the DTR project.

Luke Dutcher with Miller and Associates discussed the project details including the varying heights for each store front and the extension of the sidewalk and curb. The change in ramp and railing layout allows for large items to be carried in and out of the businesses' front door. Dutcher outlined all items to be completed with the project. Completion date for the project is August 31, 2019, with a sixty-day construction timeline. Bids will be opened January 29, 2019 at 2 pm.

Jones motioned to approve the recommendations of the DTR Steering Committee to let out bids on January 29, 2019 at 2pm and Carlson seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried.

**Agenda Item #6**, Consider Approval of 5-year Sensus Software Agreement.

Sumstine motioned to approve the 5-year Sensus software agreement and Jones seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried.

**Agenda Item #7**, Consider Approval of Ordinance creating Street Improvement District Nos. 2018-1, 2018-2, and 2018-3 and Financing of them.

Carlson introduced Ordinance 1239, first reading:

## ORDINANCE NO. 1239

AN ORDINANCE OF THE CITY OF MINDEN, NEBRASKA CREATING STREET IMPROVEMENT DISTRICT NOS. 2018-1, 2018-2 AND 2018-3; DEFINING THE BOUNDARIES AND LIMITS THEREOF; PROVIDING FOR PAVING, GRADING, CURBING, GUTTERING, AND OTHER NECESSARY AND INCIDENTAL WORK; APPROVING PLANS, SPECIFICATIONS, AND ESTIMATES OF COST; PROVIDING FOR THE SECURING OF BIDS; PROVIDING FOR THE PAYMENT OF SUCH IMPROVEMENTS AND OTHER INCIDENTAL EXPENSES BY THE ISSUANCE OF WARRANTS, BOND ANTICIPATION NOTES AND BONDS; PROVIDING FOR ASSESSMENT OF THE COSTS OF SUCH IMPROVEMENTS AGAINST THE PROPERTY SPECIALLY BENEFITED THEREBY AND THE LEVY OF GENERAL TAXES; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND RELATED MATTERS

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MINDEN, NEBRASKA:

Section 1. Street Improvement District Nos. 2018-1, 2018-2, and 2018-3 (the "Districts") of the City of Minden, Nebraska (the "City") is hereby created pursuant to Sections 17-508 to 17-521, inclusive, Reissue Revised Statutes of Nebraska, as amended.

Section 2. The Districts shall include and encompass certain designated portions of the streets included within the Districts and the limits, boundaries and improvements in the Districts are defined and established as follows:

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## STREET IMPROVEMENT DISTRICT NO. 2018-1

The streets to be improved by grading, paving, curbing, guttering, drainage and related incidental work are all streets, including intersections, included within the boundaries of Street Improvement District No. 2018-1, which boundaries are described as follows, and all of the parcels of land, or portions thereof, located within such boundaries are subject to assessment:

The outer boundaries of the district consist of a boundary line which encompasses all of the lots abutting Campbell Street from the intersection of Blaine Avenue to the intersection of Colorado Avenue, including such section of Campbell Street.

## STREET IMPROVEMENT DISTRICT NO. 2018-2

The streets to be improved by grading, paving, curbing, guttering, drainage and related incidental work are all streets, including intersections, included within the boundaries of Street Improvement District No. 2018-2, which boundaries are described as follows, and all of the parcels of land, or portions thereof, located within such boundaries are subject to assessment:

The outer boundaries of the district consist of a boundary line which encompasses all of the lots abutting Holland Street from the intersection of Lincoln Avenue to the intersection of Nebraska Avenue, including such section of Holland Street.

## STREET IMPROVEMENT DISTRICT NO. 2018-3

The streets to be improved by grading, paving, curbing, guttering, drainage and related incidental work are all streets, including intersections, included within the boundaries of Street Improvement District No. 2018-3, which boundaries are described as follows, and all of the parcels of land, or portions thereof, located within such boundaries are subject to assessment:

The outer boundaries of the district consist of a boundary line which encompasses all of the lots abutting 8th Street from the intersection of Kearney Avenue to the intersection of Garber Avenue, including such section of 8th Street.

Section 3. The City's special engineer, Olsson Associates, Grand Island, Nebraska, has prepared detailed plans, specifications and an estimate of costs, all of which have been filed with the Clerk and are hereby approved.

Section 4. The City shall advertise for bids for the construction of the improvements to be made in the Districts in accordance with all applicable provisions of law. Upon acceptance of any such bid, the Mayor and Clerk are hereby authorized to enter into a contract for and on behalf of the City for the completion of such work. The Mayor and Council hereby reserve the right to reject any and all bids received.

Section 5. The improvements to be constructed in the Districts shall be made at public cost.

Section 6. For the purpose of paying the costs of the improvements to be made in the Districts, the Mayor and Council may issue warrants or bond anticipation notes of the City in the form and manner provided by law. To effect the final payment and retirement of such warrants and bond anticipation notes, or to pay for any of the improvements authorized herein, the Mayor and Council shall issue bonds in the manner and form provided by law and shall assess the costs of such improvements to the property in the Districts in proportion to the benefits derived from such improvements.

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Section 7. If any section or other part of this Ordinance is for any reason held invalid, the invalidity thereof shall not affect the validity of any other provision of this Ordinance.

Section 8. All ordinances, resolutions or orders, or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Section 9. This Ordinance shall be published in pamphlet form in the manner and form provided by law and shall take effect and be in full force from and after its due passage, approval and publication as provided by law.

PASSED AND APPROVED this 17th day of December, 2018.

/s/ Ted Griess  
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan  
Abbey Jordan, City Clerk

Sumstine seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried.

Sumstine motioned to suspend the three readings of Ordinance 1239 and Carlson seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried.

Sumstine motioned to adopt Ordinance 1239 by title and Carlson seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried.

**Agenda Item #8**, Consider Approval of Ordinance creating Street Improvement Project No. 2018-4 and Financing of it

Jones introduced Ordinance 12340, first reading:

## ORDINANCE NO. 1240

AN ORDINANCE OF THE CITY OF MINDEN, NEBRASKA CREATING STREET IMPROVEMENT PROJECT NO. 2018-4; DEFINING THE BOUNDARIES AND LIMITS THEREOF; PROVIDING FOR PAVING, GRADING, CURBING, GUTTERING, AND OTHER NECESSARY AND INCIDENTAL WORK; PROVIDING FOR THE PAYMENT OF SUCH IMPROVEMENTS AND OTHER INCIDENTAL EXPENSES BY THE ISSUANCE OF WARRANTS, BOND ANTICIPATION NOTES AND BONDS; PROVIDING FOR ASSESSMENT OF THE COSTS OF SUCH IMPROVEMENTS AGAINST THE PROPERTY SPECIALLY BENEFITED THEREBY AND THE LEVY OF GENERAL TAXES; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE; AND RELATED MATTERS

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MINDEN, NEBRASKA:

Section 1. The Mayor and Council of the City of Minden, Nebraska (the "City") hereby find and determine as follows:

(a) Pursuant to Section 18-2001 to 18-2004, inclusive, Reissue Revised Statutes of Nebraska, as amended (the "Act"), the City is authorized to grade, curb, gutter, and pave any unpaved street or alley that intersects a paved street for a distance of not to exceed one block on either side of such paved street.

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(b) Colorado Avenue in the City is a paved street and the Act authorizes the City to pave Holland Street for a distance of one block east of its intersection with Colorado Avenue.

(c) It is necessary, desirable, advisable, and in the best interest of the City to grade, curb, gutter, and pave Holland Street for a distance of not to exceed one block east of its intersection with Colorado Avenue under and pursuant to the Act, such work to be known as Street Improvement Project No. 2018-4 of the City of Minden, Nebraska (the "Project").

Section 2. The Project is hereby authorized to be constructed pursuant to the Act and shall include the grading, curbing, guttering, and paving of Holland Street for a distance of not to exceed one block east of its intersection with Colorado Avenue including all incidental drainage improvements.

Section 3. The property to be included in the Project consists of the area described as follows:

The outer boundaries of the project consist of a boundary line which encompasses all of the lots abutting Holland Street from the intersection of Colorado Avenue to the intersection of Minden Avenue, including such section of Holland Street.

Section 4. The City's special engineer, Olsson Associates, Grand Island, Nebraska (the "Engineer"), has been engaged to prepare detailed plans and specifications for the Project. Prior to the letting of bids for the construction of the Project, the Engineer shall submit the plans and specifications for and an estimate of the costs of the Project to the Mayor and Council for approval.

Section 5. The City shall advertise for bids for the construction of the improvements to be made in the District in accordance with all applicable provisions of law. Upon acceptance of any bid therefor, the Mayor and Clerk are authorized to enter into a contract on behalf of the City for such work, and such contract shall be executed by the Mayor and attested by the Clerk. The City Council shall have and hereby reserves the right to reject any and all bids received.

Section 6. The costs of the Project shall be paid for at public cost.

Section 7. For the purpose of paying the costs of the Project, the Mayor and Council may issue warrants or bond anticipation notes of the City in the form and manner provided by law. To effect the final payment and retirement of such warrants and bond anticipation notes, or to pay for any of the improvements authorized herein, the Mayor and Council shall issue bonds in the manner and form provided by law and shall assess the costs of such improvements to the property in the Project area in proportion to the benefits derived from such improvements.

Section 8. If any section or other part of this Ordinance is for any reason held invalid, the invalidity thereof shall not affect the validity of any other provision of this Ordinance.

Section 9. All ordinances, resolutions or orders, or parts thereof in conflict with the provisions of this Ordinance, are to the extent of such conflict or conflicts hereby repealed.

Section 10. This Ordinance shall be published in the manner and form provided by law and shall take effect and be in full force from and after its due passage, approval and publication as provided by law.

PASSED AND APPROVED this 17th day of December, 2018.

/s/ Ted Griess  
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan  
Abbey Jordan, City Clerk

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Carlson seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried.

Sumstine motioned to suspend the three readings and Carlson seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried.

Carlson motioned to adopt Ordinance 1240 by title and Jones seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried.

**Agenda Item #9**, Consider Ordinance amending Minden Municipal Code Section 82-80, Speed Limit on First Street, Third Reading

Evans introduced Ordinance 1238 for its third reading:

ORDINANCE NO. 1238

AN ORDINANCE TO AMEND CHAPTER 82, ARTICLE IV, OF THE MUNICIPAL CODE OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY AMENDING SECTION 82-80 AS THE SAME RELATES TO SPEED RESTRICTIONS.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA.

Section 1. That Section 82-80, of the Municipal Code of the City of Minden, Kearney County, Nebraska, be amended to read as follows:

Section 82-80. Speed Limit on First Street. The speed limit on First Street from Brown Avenue to 1000 feet west of Sears Avenue in the City of Minden, Kearney County, Nebraska shall be no greater than 25 miles per hour, and further the speed limit on First Street from 1000 feet west of Sears Avenue to 31 Road/Piester Avenue in the City of Minden, Kearney County, Nebraska shall be no greater than 35 miles per hour.

Section 2. That any other ordinance or section passed and approved prior to the passage, approval and publication or posting of this ordinance and in conflict with its provisions is hereby repealed.

Section 3. This ordinance shall be known as Ordinance No. 1238 and shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED AND APPROVED this 17th day of December, 2018.

/s/ Ted Griess  
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan  
Abbey Jordan, City Clerk

Jones seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried

**Agenda Item #10**, Consider Approval of Payments for the Façade Improvement Program for CDBG 15-DTR-105 to Al's Old House in the amount of \$2,250 for the project at 345 N Colorado.

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Carlson motioned to approve the payments for the Façade Improvements Program to Al's Old House and Jones seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried

**Agenda Item #11**, Consider Approval of Draw #18 for \$1,250; this amount will be drawn on CDBG 15-DTR-105 from NE Dept. of Economic Development.

Carlson motioned to approve Draw #18 on CDBG 15-DTR-105 and Sumstine seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried

**Agenda Item #12**, Public Comments.

No public comments were made.

**Agenda Item #13**, Adjournment.

Jones motioned to adjourn at 6:43 pm and Sumstine seconded. On roll call, the following voted aye: Jones, Evans, Sumstine, and Carlson. Motion carried.

\_\_\_\_\_  
Ted Griess, Mayor

ATTEST:

\_\_\_\_\_  
Abbey Jordan, City Clerk

(SEAL)