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

phone 308.832.1820
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www.MindenNebraska.org

The Christmas City
Minden NEBRASKA

Minutes of Council Meeting
City of Minden, Nebraska
September 16, 2019

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: Larry Evans, Teresa Sumstine, and Bob Carlson. Absent: Roger Jones. The following City Officials were present: 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. Mayor Griess thanked all for their patience during the continued construction.

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

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

911 Custom 824.00, Amazon 883.53, Armando Leal Sr. 250.00, Aurora Cooperative 28.31, Baker & Taylor Books 655.02, Black Hills Energy 131.29, Blessing Construction 366531.62, Carol Ransdell 10.00, Cenage/Gale 126.05, Computer Hardware 100.00, Cooperative Producers, Inc. 1390.99, Core & Main Lp 208.52, Curlys Radiator Service 189.00, Dollar General 227.45, Ems Billing 893.05, Fifth St Printing 510.50, First Ag Inc 307.19, Fyr-Tek, Inc. 57.32, Gary Thompson Agency, Inc. 3020.64, Gary's Auto Repair 479.41, Gd Concrete Construction 87388.20, Gilmore & Bell, Pc 4250.00, Intellicom Computer Consulting 997.25, Isw 9.92, Jim Huff 179.99, Jims Ok Tire Minden Llc 450.50, Joy's Floral & Gifts 175.00, Kearney Hub Publishing Co. 275.60, L. T. Pedley Drug 28.00, Landmark Implement Carquest 257.87, League Of Nebr. Municipalities 1755.00, League Of Nebr. Municipalities 7723.00, L. Johnson 19.32, Mason's Market 51.93, Matheson Tri-Gas Inc 42.16, Midwest Laboratories 119.25, Midwest Tapes 852.85, Miller & Associates 1208.00, Minden Exchange Bank & Trust C 6654.13, Minden Hardware 402.23, Minden Lumber & Concrete Co. 107.42, Minden Office Supply, Inc 1310.85, Minden Rural Fire. 20836.89, Municipal Code Corporation 250.00, Napa Auto Parts 272.03, Ne Mosquito And Vector Control 100.00, Neofunds 39.00, New Mexico Library Association 210.00, Nppd Kwh 190864.64, Nppd O&M 43932.27, One Call Concepts Inc 124.56, Oneill Heinrich Damkroger 1240.00, Pony Express Ford 525.00, Presto X Co. 67.00, Spectrum Business 29.99, Wex Bank 4598.60, Xerox Corporation 162.07.

Evans motioned to approve the consent agenda and Sumstine seconded. On roll call, the following voted aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

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Agenda Item #5, Consider Approval of Pay Request #2, of $87,388.20 to GD Concrete Construction for Minden Downtown Sidewalk Improvements (Phase 1).

Carlson motioned to approve the Pay Request #2 of $87,388.20 to GD Concrete Construction and Sumstine seconded. On roll call, the following voted aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

Agenda Item #6, Consider Approval of Payment for the Downtown Revitalization II for CDBG 15-DTR-105 to GD Concrete Construction, Inc. in the amount of $87,388.20 for Public Facilities & Infrastructure and Architectural Barriers.

Sumstine motioned to approve Payment of $87,388.20 to GD Concrete Construction and Carlson seconded. On roll call, the following voted aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

Agenda Item #7, Consider Approval of Payment for the Downtown Revitalization II for CDBG 15-DTR-105 to Al's Old House in the amount of $250.00 for Public Facilities & Infrastructure and Architectural Barriers.

Evans motioned to approve Payment to Al's Old House in the amount of $250 and Sumstine seconded. On roll call, the following voted aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

Agenda Item #8, Consider Approval of Draw #27 for $67,796.14; this amount will be drawn on CDBG 15-DTR-105 from NE Dept. of Economic Development.

Carlson motioned to approve Draw #27 for $67,796.14 and Evans seconded. On roll call, the following voted aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

Agenda Item #9, Consider Approval of Change Order #3 for the Minden Paving, Drainage, & Water Improvements of $9,767.42 for unmarked sewer line on 8th St, Line stops on 8th St and Holland St, and 8" 90-degree bend on 8th Street.

Evans motioned to approve Change Order #3 for the Minden Paving, Drainage, & Water Improvements of $9,767.42 and Sumstine seconded. On roll call, the following voted aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

Agenda Item #10, Consider Approval of Pay Request #3, of $366,632.62 to Blessing Construction for Minden Paving, Drainage, & Water Improvements.

Jordan stated that the pay request was for $366,531.62 and was incorrectly stated on the agenda.

Evans motioned to approve Pay Request #3 of $366,531.62 to Blessing Construction for Minden Paving, Drainage, & Water Improvements. Sumstine seconded. On roll call, the following voted aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

Agenda Item #11, Consider Approval to Proceed with storm water piping at 8th St and Hubbard Ave for the Minden Paving, Drainage, & Water Improvements with revised estimate of approximately $92,000.

Discussion took place concerning the revised estimate amount. The engineers of Olsson Associates recommended the City not proceed with the project. No action taken.

Agenda Item #12, Public Hearing to Consider Fiscal Year 2019-20 City Budget

a. Consider Approval to Increase the Total Restricted Funds Authority by an Additional 1%
b. Consider Approval of the Fiscal Year 2019-20 Budget as Proposed

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Lieske opened the public hearing at 6:18 p.m. Cederburg provided an overview of the major budget items. The hearing was closed at 6:21 p.m.

Sumstine motioned to approve to increase the total restricted funds authority by an additional 1% and Evans seconded. On roll call, the following voted aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

Carlson motioned to approve the fiscal year 2019-20 budget as proposed and Evans seconded. On roll call, the following voted aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

Agenda Item #13, Public Hearing to Consider Setting the Final Property Tax Request at a Different Amount than the Prior Year Tax Request

a. Consider Approval of Resolution for Property Tax Request.

Lieske opened the public hearing at 6:24 p.m. No one spoke in favor or in opposition. The hearing was closed at 6:25 p.m.

RESOLUTION NO. 1702
PROPERTY TAX REQUEST

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Governing Body of the City of Minden passes by a majority vote a resolution or ordinance setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the Governing Body of the City of Minden, resolves that:

1. The 2019-2020 property tax request be set at $1,159,263.36.

2. The total assessed value of property differs from last year's total assessed value 1%.

3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be $.571486 per $100 of assessed value.

4. The General Fund of the City of Minden proposes to adopt a property tax request that will cause its tax rate to be $.448438 per $100 of assessed value.

   The Bond Fund of the City of Minden proposes to adopt a property tax request that will cause its tax rate to be $.130000 per $100 of assessed value.

5. Based on the proposed property tax request and changes in other revenue, the total operating budget of the City of Minden will be under last years by 1%.

6. A copy of this resolution be certified and forwarded to the County Clerk on or before October 13, 2019.

Council Member Evans moved for the adoption of the foregoing Resolution. Council Member Sumstine seconded the motion.

On roll call the following voted Aye: Evans, Sumstine, and Carlson. Nay: none. Absent and not voting: Jones.

The passage of said Resolution having been consented to by a majority of the members of the City Council, the Mayor declared the Resolution passed and adopted, this 16th day of September 2019.

PASSED AND APPROVED this 16th day of September, 2019.

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/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

Evans motioned to approve Resolution No. 1702 and Sumstine seconded. On roll call the following voted Aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

Agenda Item #14, Consider Approval of Annual Appropriations Bill, an Ordinance to adopt the 2019-20 Budget Statement.

Sumstine introduced Ordinance No. 1247 for its first reading,

ORDINANCE NO. 1247

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE.

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

Section 1. That after complying with all procedures required by law, the budget presented and set forth in the budget statement is hereby approved as the Annual Appropriation Bill for the fiscal year beginning October 1, 2019, through September 30, 2020. All sums of money contained in the budget statement are hereby appropriated for the necessary expenses and liabilities of the City of Minden. A copy of the budget document shall be forwarded as provided by law to the Auditor of Public Accounts, State Capital, Lincoln, Nebraska and the County Clerk of Kearney County, Nebraska, for use by the levying authority.

Section 2. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and adopted this 16th day of September, 2019.

/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

(SEAL)

Evans seconded. On roll call the following voted aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

Sumstine motioned to suspend the three readings and Carlson seconded. On roll call the following voted aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

Sumstine motioned to adopt Ordinance No. 1247 by title and Carlson seconded. On roll call the following voted aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

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Agenda Item #15, Consider Setting a Hearing for Possible Condemnation of the Property at 705 N. Yates Avenue or more Particularly Described as the East 70' South of the Railroad Right-of-way, Block 27, Railroad Addition, Minden, Kearney County, Nebraska.

Evans motioned to set the hearing for Monday, October 14, 2019 at 6:00 p.m. and Carlson seconded. On roll call the following voted aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

Agenda Item #16, Consider Issuance of Order of Condemnation for the property located at 531 E. 4th Street, Minden, NE or more particularly described as the West 60' of Lots 1 & 2, Block 35, Original Town, Minden, Kearney County, Nebraska.

Carlson motioned to issue an Order of Condemnation to demolish the buildings and have the debris cleared within 30 days at 531 E. 4th Street. Evans seconded. On roll call the following voted aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

Agenda Item #17, Consider Issuance of Order of Condemnation for the property located at 527 N. Smith Avenue, Minden, NE or more particularly described as Lot 4, Block 24, Railroad Addition, Minden, Kearney County, Nebraska.

Carlson motioned to table the Issuance of Order of Condemnation and review the status of the property at the October 7th City Council Meeting and Sumstine seconded. On roll call the following voted aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

Agenda Item #18, Consider Approval of City of Minden employee cost of living increase of 4% effective for paycheck dated October 11, 2019.

Sumstine motioned to approve a cost of living increase of 4% effective for paycheck dated October 11, 2019 and Carlson seconded. On roll call the following voted aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

Agenda Item #20 was moved up on the agenda. Consider Approval of Purchase of Police Cruiser and accessories for $40,070.55.

Evans motioned to approve the Purchase of a Police Cruiser and accessories for $40,070.55 and Carlson seconded. On roll call the following voted aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

Agenda Item #19, Discussion only of changes to the prescription drug portion of the City's health care plan.

Sumstine motioned to enter closed session at 6:54 p.m. for protection of the public interest. Evans seconded. On roll call the following voted aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

Evans motioned to enter open session at 7:17 p.m. and Carlson seconded. On roll call the following voted aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

Agenda Item #21, Public Comments

No public comments were made.

Agenda Item #22, Adjournment.

Evans motioned to adjourn at 7:18 pm and Carlson seconded. On roll call the following voted aye: Evans, Sumstine, and Carlson. Absent and not voting: Jones. Motion carried.

/s/ Ted Griess
Ted Griess, Mayor

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ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

(SEAL)