Minutes of Council Meeting
City of Minden, Nebraska
May 18, 2020

The City Council of the City of Minden, Nebraska, met on this day at 6:00 p.m. in a regular session via Zoom per Governor Rickett's Executive Order No. 20-003, 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, Bob Carlson, and Roger Jones. The following City Officials were present: Mayor Ted Griess, City Administrator Matt Cederburg, City Attorney Tom Lieske, 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 extended a congratulations to the Class of 2020 and thanked the teachers for continuing education online and their extra efforts.

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:

A. Jordan 16.11, Amazon 142.13, Aurora Cooperative 29.65, Baker & Taylor Books 682.62, Black Hills Energy 674.23, Carey's Pest Control, Inc. 102.13, Cengage/Gale 24.69, City Of Holdrege Landfill 5765.85, Commercial Recreation Specialists 5874.00, Cooperative Producers, Inc. 655.62, C. Lupkes 63.50, D. Conyers 14.38, Electric Pump 7095.07, Essential Resource Group Inc 78.00, Figgins Construction Inc 24430.00, Hawkins Water Treatment 2523.28, Isw 9.60, Carter Electric 75.00, Cornerstone Electric 37252.80, Jim's Ok Tire Minden Llc 203.56, Joy's Floral & Gifts 17.00, Landmark Implement Carquest 431.40, Matheson Tri-Gas Inc 55.75, Mh Equipment Company 7125.22, Midwest Laboratories 79.55, Miller Body Shop Inc. 110.00, Minden Hardware 807.29, Minden Lumber & Concrete Co. 25.82, Minden Office Supply, Inc 2245.78, Municipal Supply-Nebraska 183.99, Nebraska Truck Center, Inc. 653.37, Nppd Kwh 112302.71, Nppd O&M 12481.80, Olsson Associates 2133.55, One Call Concepts Inc 66.11, Philadelphia Insurance Companies 301.00, Platte Valley Communications Of Kearney, Inc. 2315.52, Pony Express Ford 55.11, Presto X Co. 67.00, Quadient 351.85, Southern Power District 66.69, Spectrum Business 1506.81,

Sunbelt Rentals, Inc 2336.31, The Library Store 178.84, T. Beck 131.39, Usa Communications 50.90, Ward Laboratories, Inc 445.00, Wex Bank 2833.42, William D. Simmerman 1044.34, Xerox Corporation 151.54.

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

Agenda Item #5, Presentation of Economic & Demographic Trends for Minden & Kearney County by Rick Nelsen, NPPD.

Rick Nelsen and Stan Clouse from NPPD, gave a presentation on the employment and employment trends in Kearney County. No action taken.

Agenda Item #6, Presentation of Audit Report for Fiscal Year 2018 (Oct 2018 through Sept 2019), by Dana F. Cole & Company.

Karen Labenz, with Dana Cole, gave a presentation on the Audit Report for the recent annual audit that was conducted. No action taken.

Agenda Item #7, Consider Approval of Ordinance calling the series 2015 bonds and issuing general obligation water refunding water bonds, series 2020, in an amount not to exceed $2,560,000.

Brad Slaughter with Stadler and Company shared the City's Refinancing of the Outstanding Water Bonds. Carlson motioned for the first reading Ordinance #1249:

ORDINANCE NO. 1249

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION WATER REFUNDING BONDS OF THE CITY OF MINDEN, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED TWO MILLION FIVE HUNDRED SIXTY THOUSAND DOLLARS ($2,560,000) FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF $2,465,000 OF GENERAL OBLIGATION WATER BONDS, SERIES 2015; DIRECTING THE APPLICATION OF THE PROCEEDS OF SAID BONDS; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

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

Section 1. The Mayor and City Council hereby find and determine that there have been heretofore issued and are now outstanding and unpaid valid and interest-bearing bonds of the City of Minden, Nebraska, as follows:

a) General Obligation Water Bonds, Series 2015, date of original issue – October 22, 2015, in the principal amount of Two Million Four Hundred Sixty-Five Thousand Dollars ($2,465,000), numbered as shown on the books of the Paying Agent becoming due and bearing interest as follows:

Principal Amount	Maturing December 15 Of Year	Interest Rate	CUSIP No.
$125,000	2020	1.70%	602618 BT6
130,000	2021	2.00	602618 BU3
130,000	2022	2.20	602618 BV1
135,000	2023	2.40	602618 BW9
135,000	2024	2.55	602618 BX7
140,000	2025	2.70	602618 BY5
145,000	2026	2.85	602618 BZ2
150,000	2027	3.00	602618 CA6
150,000	2028	3.10	602618 CB4
155,000	2029	3.25	602618 CC2
160,000	2030	3.40	602618 CD0
910,000	2035	3.80	602618 CE8

Said bonds are hereinafter referred to as the "2015 Bonds". The 2015 Bonds are subject to redemption at any time on or after October 22, 2020, at the principal amount thereof plus accrued interest, and said interest is payable semiannually. The proceeds of the 2015 Bonds were issued for the purpose of the paying costs of improvements to the City's Water System;

[Remainder of page left intentionally blank.]

that the 2015 Bonds are valid, interest bearing obligations of the City of Minden, Nebraska, and that all or a portion of the 2015 Bonds are authorized herein to be irrevocably called for redemption on such date as determined by the Authorized Officers (defined herein); that since the 2015 Bonds were issued, the rates of interest available in the market have declined such that by taking up and paying off all or a portion of the 2015 Bonds through the issuance of refunding bonds as provided herein, a savings in the amount of yearly running interest will be made to the City; for the purpose of making said redemption, it is for the best interest of the City to issue general obligation water refunding bonds of the City in the principal amount of not to exceed $2,560,000 (the "Bonds"), pursuant to Section 10-142, R.R.S. Neb. 2012, and all laws amendatory thereof or supplementary thereto, and all conditions, acts and things required by law to exist or to be done precedent to the issuance of such refunding bonds do exist and have been done as required by law.

Section 2. To provide funds for the purpose of refinancing the Refunded Bonds (defined herein) as set out in Section 1 hereof, there shall be and there are hereby ordered issued the Bonds, in one or more series, in the aggregate stated principal amount of not to exceed $2,560,000. The Bonds or any portion thereof are hereby authorized to be sold pursuant to a negotiated sale with Piper Sandler & Co., as initial purchaser (the "Underwriter"). In connection with such sale, the Mayor, City Administrator or City Clerk-Treasurer (each, an "Authorized Officer") are hereby authorized to specify, determine, designate, establish and appoint, as the case may be, in one or more written designations which may be included in a bond purchase agreement (each, a "Designation"), (i) the aggregate purchase price of the Bonds and the underwriting discount which shall not exceed 1.42% of the aggregate stated principal amount thereof, (ii) the form and contents of any bond purchase agreement in connection with such sale, (iii) the title (including series designation), aggregate principal amount (including the aggregate principal amounts of serial Bonds and term Bonds, if any), which aggregate stated principal amount shall not exceed $2,560,000, and the final maturity date, which shall not be later than December 15, 2035, (iv) the principal amounts maturing in each year, (v) the rate or rates of interest to be borne by each principal maturity, provided that present value savings results from refunding the Refunded Bonds and the true interest cost of the Bonds shall not exceed 3.25%, (vi) the principal payment dates and interest payment dates, (vii) whether the Bonds will be subject to redemption prior to their stated maturity, and if subject to such optional redemption, the provisions governing such redemption, (viii) the amount and due date of each sinking fund installment for any of the Bonds issued as term Bonds, (ix) the designation of the Paying Agent and Registrar and the form and content of any agreement between the City and such entity and (x) all other terms and provisions of the Bonds not otherwise specified or fixed by this Ordinance.

The Authorized Officers, or each individually, are hereby authorized to irrevocably call any or all of the 2015 Bonds (as called for redemption, the "Refunded Bonds") for redemption on such date or dates he or she determines appropriate in accordance with their call provisions to be determined pursuant to the Designation, which date or dates shall be the Redemption Dates hereunder. The Authorized Officers, or each individually, are hereby authorized to designate, approve, execute and deliver, as the case may be (i) the form, content, terms and provisions of any published and/or mailed notice of redemption with respect to the payment and redemption of the Refunded Bonds, (ii) an Escrow Agent, (iii) the form, content, terms and provisions of an Escrow Agreement with the Escrow Agent for the purpose of providing for the deposit in trust with the Escrow Agent a portion of the net proceeds of the Bonds, the investment of such net proceeds pending their application, the application of such proceeds and any investment income to the payment of all of the principal of and interest on the Refunded Bonds maturing on or before the Redemption Date and the application of the balance of such proceeds and any investment income thereof to the redemption and retirement of the Refunded Bonds on the Redemption Date.

The Bonds shall be issued in fully registered form in the denomination of $5,000 or any integral multiple thereof. The date of original issue for the Bonds shall be the date of delivery thereof. Interest on the Bonds, at the respective rates for each maturity, shall be payable as determined in the Designation, (each of said dates an "Interest Payment Date") and the Bonds shall bear such interest from the date of original issue or the most recent Interest Payment Date, whichever is later. The interest due on each Interest Payment Date shall be payable to the registered owners of record as of the close of business on the fifteenth day immediately preceding the Interest Payment Date (or such other date as may be determined in the Designation, the "Record Date"), subject to the provisions of Section 4 hereof. The Bonds shall be numbered from 1 upwards in the order of their issuance. No Bond shall be issued originally or upon transfer or partial redemption having more than one principal maturity. The initial bond numbering and principal amounts for each of the Bonds issued shall be designated by the City's Treasurer as directed by the initial purchaser thereof. Payments of interest due on the Bonds prior to maturity or date of redemption shall be made by the Paying Agent and Registrar, as designated pursuant to Section 3 hereof, by mailing a check or draft in the amount due for such interest on each Interest Payment Date to the registered owner of each Bond, as of the Record Date for such Interest Payment Date, to such owner's registered address as shown on the books of registration as required to be maintained in Section 3 hereof. Payments of principal and accrued interest thereon due at maturity or at any date fixed for redemption prior to maturity shall be made by said Paying Agent and Registrar to the registered owners upon presentation and surrender of the Bonds to said Paying Agent and Registrar. The City and said Paying Agent and Registrar may treat the registered owner of any Bond as the absolute owner of such Bond for the purpose of making payments thereon and for all other purposes and neither the City nor the Paying Agent and Registrar shall be affected by any notice or knowledge to the contrary, whether such Bond or any installment of interest due thereon shall be overdue or not. All payments on account of interest or principal made to the registered owner of any Bond in accordance with the terms of this Ordinance shall be valid and effectual and shall be a discharge of the City and said Paying Agent and Registrar, in respect of the liability upon the Bonds or claims for interest to the extent of the sum or sums so paid.

Section 3. The Paying Agent and Registrar designated pursuant to the Designation shall serve in such capacities under the terms of an agreement entitled "Paying Agent and Registrar's Agreement" between the City and said Paying Agent and Registrar, in a form approved by an Authorized Officer. The Paying Agent and Registrar shall keep and maintain for the City books for the registration and transfer of the Bonds at its principal corporate trust office. The names and registered addresses of the registered owner or owners of the Bonds shall at all times be recorded in such books. Any Bond may be transferred pursuant to its provisions at the principal corporate trust office of said Paying Agent and Registrar by surrender of such Bond for cancellation, accompanied by a written instrument of transfer, in form satisfactory to said Paying Agent and Registrar, duly executed by the registered owner in person or by such owner's duly authorized agent, and thereupon the Paying Agent and Registrar on behalf of the City will deliver at its office (or send by registered mail to the transferee owner or owners thereof at such transferee owner's or owners' risk and expense), registered in the name of such transferee owner or owners, a new Bond or Bonds of the same interest rate, aggregate principal amount and maturity. To the extent of the denominations authorized for the Bonds by this Ordinance, one such bond may be transferred for several such bonds of the same interest rate and maturity, and for a like aggregate principal amount, and several such bonds may be transferred for one or several such bonds, respectively, of the same interest rate and maturity and for a like aggregate principal amount. In every case of transfer of a Bond, the surrendered Bond or Bonds shall be canceled and destroyed. All Bonds issued upon transfer of the Bonds so surrendered shall be valid obligations of the City evidencing the same obligations as the Bonds surrendered and shall be entitled to all the benefits and protection of this Ordinance to the same extent as the Bonds upon transfer of which they were delivered. The City and said

Paying Agent and Registrar shall not be required to transfer any Bond during any period from any Record Date until its immediately following Interest Payment Date or to transfer any Bond called for redemption for a period of 30 days next preceding the date fixed for redemption.

Section 4. In the event that payments of interest due on the Bonds on an Interest Payment Date are not timely made, such interest shall cease to be payable to the registered owners as of the Record Date for such Interest Payment Date and shall be payable to the registered owners of the Bonds as of a special date of record for payment of such defaulted interest as shall be designated by the Paying Agent and Registrar whenever monies for the purpose of paying such defaulted interest become available.

Section 5. If the date for payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent and Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

Section 6. In addition to any mandatory sinking fund redemptions as may be provided for as set out in Section 2 of this Ordinance, the Bonds shall be subject to redemption at the option of the City, in whole or in part, prior to maturity at any time on or after such date as may be provided in the Designation, at par plus accrued interest on the principal amount redeemed to the date fixed for redemption. The City may select the Bonds to be redeemed for optional redemption in its sole discretion. Bonds for mandatory redemption shall be selected by the Paying Agent and Registrar using any random method of selection determined appropriate by the Paying Agent and Registrar. Bonds redeemed pursuant to the requirements for mandatory redemption shall be redeemed at par plus accrued interest on the principal amount redeemed. The Bonds shall be redeemed only in amounts of $5,000 or integral multiples thereof. Bonds redeemed in part only shall be surrendered to said Paying Agent and Registrar in exchange for a new Bond evidencing the unredeemed principal thereof. Notice of redemption of any Bond called for redemption shall be given, at the direction of the City in the case of optional redemption and without further direction in the case of mandatory redemption, by said Paying Agent and Registrar by mail not less than 30 days prior to the date fixed for redemption, first class, postage prepaid, sent to the registered owner of such Bond at said owner's registered address. Such notice shall designate the Bond or Bonds to be redeemed by maturity or otherwise, the date of original issue, series and the date fixed for redemption and shall state that such Bond or Bonds are to be presented for prepayment at the office of said Paying Agent and Registrar. In case of any Bond partially redeemed, such notice shall specify the portion of the principal amount of such Bond to be redeemed. No defect in the mailing of notice for any Bond shall affect the sufficiency of the proceedings of the City designating the Bonds called for redemption or the effectiveness of such call for Bonds for which notice by mail has been properly given and the City shall have the right to further direct notice of redemption for any such Bond for which defective notice has been given.

Section 7. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA

STATE OF NEBRASKA

COUNTY OF KEARNEY

GENERAL OBLIGATION WATER REFUNDING BONDS OF

THE CITY OF MINDEN, NEBRASKA

SERIES 2020

No. R-___ **$_____**

Interest Date	Maturity Date	Date of Original Issue	CUSIP No.
%	_____,	_____, 2020	

Registered Owner: **Cede & Co.**

13-2555119

Principal Amount:

KNOW ALL PERSONS BY THESE PRESENTS: That the City of Minden, in the County of Kearney, in the State of Nebraska, hereby acknowledges itself to owe and for value received promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above in lawful money of the United States of America on the date of maturity specified above with interest thereon to maturity (or earlier redemption) from the date of original issue or most recent Interest Payment Date, whichever is later, at the rate per annum specified above, payable semiannually on _____ and _____ of each year, commencing _____, ____ (each of said dates an "Interest Payment Date"). Said interest shall be computed on the basis of a 360-day year consisting of twelve 30-day months. The principal hereof and unpaid accrued interest thereon due at maturity or upon redemption prior to maturity are payable upon presentation and surrender of this bond at the principal corporate trust office of _____, the Paying Agent and Registrar, in _____, Nebraska. Interest on this bond due prior to maturity or earlier redemption will be paid on each Interest Payment Date by a check or draft mailed by the Paying Agent and Registrar to the registered owner of this bond, as shown on the books of record maintained by the Paying Agent and Registrar, at the close of business on the fifteenth day immediately preceding the Interest Payment Date, to such owner's registered address as shown on such books and records. Any interest not so timely paid shall cease to be payable to the person entitled thereto

as of the record date such interest was payable, and shall be payable to the person who is the registered owner of this bond (or of one or more predecessor bonds hereto) on such special record date for payment of such defaulted interest as shall be fixed by the Paying Agent and Registrar whenever monies for such purpose become available. For the prompt payment of this bond, principal and interest, as the same become due, the full faith, credit and resources of said City are hereby irrevocably pledged.

This bond is one of an issue of fully registered bonds of the total principal amount of _____ _____ Dollars ($_____), of even date and like tenor except as to date of maturity, rate of interest and denomination which were issued by the City for the purpose of paying and redeeming the City's General Obligation Water Bonds, Series 2015, dated October 22, 2015, in the principal amount of $_____ maturing in the years _____ through _____, in strict compliance with Section 10-142, R.R.S. Neb. 2012, as amended. The issuance of said bonds has been authorized by proceedings duly had and an ordinance legally passed, approved and published by the Mayor and Council of said City.

All Bonds of this issue are subject to redemption at the option of the City, in whole or in part, at any time on or after _____, at par plus interest accrued on the principal amount redeemed to the date fixed for redemption.

[In addition, the Bonds maturing in the years ____, ____ and ____ shall be subject to mandatory sinking fund redemption payments (with bonds being redeemed at par plus accrued interest) as follows:

$ Principal Maturing , 20
$ to be called _____, 20
$ to be called _____, 20
$ Payable _____, 20

$ Principal Maturing , 20
$ to be called _____, 20
$ to be called _____, 20
$ Payable _____, 20

$ Principal Maturing 5, 20
$ to be called _____, 20
$ to be called _____, 20
$ Payable _____, 20

Such mandatory redemptions shall be at a price equal to 100% of the principal amount redeemed plus interest accrued on the principal amount being redeemed to the date fixed for redemption. The Paying Agent and Registrar shall select the Term Bonds for mandatory redemption using any random method of selection deemed appropriate by the Paying Agent and Registrar.]

Notice of redemption shall be given by mail to the registered owner of any bond to be redeemed at said registered owner's address in the manner specified in the Ordinance authorizing said issue of bonds. Individual bonds may be redeemed in part but only in $5,000 amounts or integral multiples thereof.

This bond is transferable by the registered owner or such owner's attorney duly authorized in writing at the principal corporate trust office of the Paying Agent and Registrar upon surrender and cancellation of this bond, and thereupon a new bond or bonds of the same aggregate principal amount, interest rate and maturity will be issued to the transferee as provided in the ordinance authorizing said issue of bonds, subject to the limitations therein prescribed. The City, the Paying Agent and Registrar and any other person may treat the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment due hereunder and for all purposes and shall not be affected by any notice to the contrary, whether this bond be overdue or not.

If the date for payment of the principal of or interest on this bond shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent and Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

IT IS HEREBY CERTIFIED AND WARRANTED that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this bond and in the issuance of the bonds refunded hereby did exist, did happen and were done and performed in regular and due form and time as required by law and that the indebtedness of said City, including this bond and the bonds refunded hereby, does not exceed any limitation imposed by law. The City agrees that it will cause to be levied and collected annually a tax by valuation on all the taxable property in the City, in addition to all other taxes, sufficient in rate and amount to fully pay the principal and interest of this bond and the other bonds of this issue as the same become due.

AS PROVIDED IN THE ORDINANCE REFERRED TO HEREIN, UNTIL THE TERMINATION OF THE SYSTEM OF BOOK-ENTRY-ONLY TRANSFERS THROUGH THE DEPOSITORY TRUST COMPANY, NEW YORK, NEW YORK (TOGETHER WITH ANY SUCCESSOR SECURITIES DEPOSITORY APPOINTED PURSUANT TO THE ORDINANCE, "DTC"), AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THE ORDINANCE TO THE CONTRARY, A PORTION OF THE PRINCIPAL AMOUNT OF THIS BOND MAY BE PAID OR REDEEMED WITHOUT SURRENDER HEREOF TO THE PAYING AGENT AND REGISTRAR. DTC OR A NOMINEE, TRANSFEREE OR ASSIGNEE OF DTC OF THIS BOND MAY NOT RELY UPON THE PRINCIPAL AMOUNT INDICATED HEREON AS THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID. THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID SHALL FOR ALL PURPOSES BE THE AMOUNT DETERMINED IN THE MANNER PROVIDED IN THE ORDINANCE.

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED OFFICER OF DTC (A) TO THE PAYING AGENT AND REGISTRAR FOR REGISTRATION OF TRANSFER OR EXCHANGE OR (B) TO THE PAYING AGENT AND REGISTRAR FOR PAYMENT OF PRINCIPAL, AND ANY BOND ISSUED IN REPLACEMENT HEREOF OR SUBSTITUTION HEREOF IS REGISTERED IN THE NAME OF DTC AND ANY PAYMENT IS MADE TO DTC OR ITS NOMINEE, ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSONS IS WRONGFUL BECAUSE ONLY THE REGISTERED OWNER HEREOF, DTC OR ITS NOMINEE, HAS AN INTEREST HEREIN.

This bond shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar.

IN WITNESS WHEREOF, the Mayor and Council of the City of Minden, Nebraska, have caused this bond to be executed on behalf of the City with the facsimile signatures of the Mayor and the City Clerk and by causing the official seal of the City to be imprinted hereon or affixed hereto, all as of the date of original issue specified above.

CITY OF MINDEN, NEBRASKA

ATTEST:

/s/ Ted Griess

Mayor

/s/ Abbey Jordan

City Clerk

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds authorized by the Ordinance of the Mayor and City Council of the City of Minden, in the State of Nebraska, described in the foregoing bond.

_____,

_____, Nebraska

Paying Agent and Registrar

By: _____

Authorized Signature

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

_____

Print or Type Name, Address and Social Security Number

or other Taxpayer Identification Number of Transferee

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____ agent to transfer the within Bond on the Bond Register kept by the Paying Agent for the registration thereof, with full power of substitution in the premises.

Dated: _____ _____

NOTICE: The signature to this assignment must correspond with the name of the Registered Owner as it appears upon the face of the within Bond in every particular.

Medallion Signature Guarantee:

* * * * *

Section 8. Each of the Bonds shall be executed on behalf of the City with the facsimile signatures of the Mayor and the City Clerk and shall have imprinted thereon the City's seal. The Bonds shall be issued initially as "book-entry-only" bonds under the services of The Depository Trust Company (the "Depository"), with one typewritten bond per maturity being issued to the Depository. In such connection said officers are authorized to execute and deliver a Letter of Representations (the "Letter of Representations") in the form required by the Depository (which may be in the form of a blanket letter, including any such letter previously executed and delivered), for and on behalf of the City, which shall thereafter govern matters with respect to registration, transfer, payment and redemption of the Bonds. With respect to the issuance of the Bonds as "book-entry-only" bonds, the following provisions shall apply:

(a) The City and the Paying Agent and Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which the Depository holds Bonds as securities depository (each, a "Bond Participant") or to any person who is an actual purchaser of a Bond from a Bond Participant while the Bonds are in book-entry form (each, a "Beneficial Owner") with respect to the following:

(i) the accuracy of the records of the Depository, any nominees of the Depository or any Bond Participant with respect to any ownership interest in the Bonds,

(ii) the delivery to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or

(iii) the payment to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the Bonds. The Paying Agent and Registrar shall make payments with respect to the Bonds only to or upon the order of the Depository or its nominee, and all such payments shall be valid and effective fully to satisfy and discharge the obligations with respect to such Bonds to the extent of the sum or sums so paid. No person other than the Depository shall receive an authenticated Bond, except as provided in (e) below.

(b) Upon receipt by the Paying Agent and Registrar of written notice from the Depository to the effect that the Depository is unable or unwilling to discharge its responsibilities, the Paying Agent and Registrar shall issue, transfer and exchange Bonds requested by the Depository in appropriate amounts. Whenever the Depository requests the Paying Agent and Registrar to do so, the Paying Agent and Registrar will cooperate with the Depository in taking appropriate action after reasonable notice (i) to arrange, with the prior written consent of the City, for a substitute depository willing and able upon reasonable and customary terms to maintain custody of the Bonds or (ii) to make available Bonds registered in whatever name or names as the Beneficial Owners transferring or exchanging such Bonds shall designate.

(c) If the City determines that it is desirable that certificates representing the Bonds be delivered to the ultimate beneficial owners of the Bonds and so notifies the Paying Agent and Registrar in writing, the Paying Agent and Registrar shall so notify the Depository, whereupon the Depository will notify the Bond Participants of the availability through the Depository of bond certificates representing the Bonds. In such event, the Paying Agent and Registrar shall issue, transfer and exchange bond certificates representing the Bonds as requested by the Depository in appropriate amounts and in authorized denominations.

(d) Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bond is registered in the name of the Depository or any nominee thereof, all payments with respect to such Bond and

all notices with respect to such Bond shall be made and given, respectively, to the Depository as provided in the Letter of Representations.

(e) Registered ownership of the Bonds may be transferred on the books of registration maintained by the Paying Agent and Registrar, and the Bonds may be delivered in physical form to the following:

(i) any successor securities depository or its nominee; or

(ii) any person, upon (A) the resignation of the Depository from its functions as depository or (B) termination of the use of the Depository pursuant to this Section and the terms of the Paying Agent and Registrar's Agreement.

(f) In the event of any partial redemption of a Bond unless and until such partially redeemed bond has been replaced in accordance with the provisions of this Ordinance, the books and records of the Paying Agent and Registrar shall govern and establish the principal amount of such bond as is then outstanding and all of the Bonds issued to the Depository or its nominee shall contain a legend to such effect.

If for any reason the Depository is terminated or resigns and is not replaced, the City shall immediately provide a supply of printed bond certificates for issuance upon the transfers from the Depository and subsequent transfers or in the event of partial redemption. In the event that such supply of certificates shall be insufficient to meet the requirements of the Paying Agent and Registrar for issuance of replacement certificates upon transfer or partial redemption, the City agrees to order printed an additional supply of such certificates and to direct their execution by manual or facsimile signatures of its then duly qualified and acting Mayor and City Clerk and by imprinting thereon or affixing thereto the City's seal. In case any officer whose signature or facsimile thereof shall appear on any Bond shall cease to be such officer before the delivery of such bond (including such certificates delivered to the Paying Agent and Registrar for issuance upon transfer or partial redemption), such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer or officers had remained in office until the delivery of such bond. The Bonds shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar. The Bonds shall be delivered to the Paying Agent and Registrar for registration and authentication. Upon execution, registration and authentication of the Bonds, they shall be delivered to the City Treasurer, who is authorized to deliver them to the Underwriter upon receipt of the total stated principal amount of the Bonds, plus accrued interest thereon to date of payment for the Bonds, less Underwriter's discount in an amount determined in the Designation. Such purchaser and its agents, representatives and counsel (including the City's bond counsel) are hereby authorized to take such actions on behalf of the City as are necessary to effectuate the closing of the issuance and sale of the Bonds, including without limitation, authorizing the release of the Bonds by the Depository at closing. Said initial purchaser shall have the right to direct the registration of the Bonds and the denominations thereof within each maturity, subject to the restrictions of this Ordinance. The City Clerk shall make and certify a transcript of the proceedings of the Mayor and Council with respect to the Bonds, a copy of which shall be delivered to the initial purchaser of the Bonds. The Authorized Officers are hereby each individually authorized to execute the Bond Purchase Agreement, in the form such Authorized Officers may deem necessary and appropriate, and are further authorized to do any and all things necessary and appropriate in connection with the issuance of the Bonds and the redemption of the Refunded Bonds.

Section 9. The net sale proceeds of the Bonds, along with any necessary funds of the City on hand, shall be applied to the payment and satisfaction of all of the principal of and the interest on the Refunded Bonds falling due prior to, and as called for redemption on, the Redemption Date. Accrued interest

received from the sale of the Bonds, if any, shall be applied to pay interest first falling due on the Bonds. Expenses of issuance of the Bonds may be paid from the proceeds of the Bonds. In order to satisfy the City's obligation on the Refunded Bonds, if determined necessary and appropriate by an Authorized Officer, such proceeds of the Bonds along with funds of the City on hand shall be set aside and held and invested in a special trust account which is hereby ordered established with such bank or trust company as determined by an Authorized Officer to act as escrow agent (the "Escrow Agent"). The Escrow Agent shall have custody and safekeeping of the funds and investments which are to be set aside for the payment of the Refunded Bonds. For purposes of governing such escrow account and the holding and application of such funds and investments, the City shall enter into a contract entitled "Escrow Agreement" with the Escrow Agent. The Authorized Officers, or each individually, are hereby authorized and directed to execute and deliver on behalf of the City said Escrow Agreement, including necessary counterparts, in substantially the form and content as presented to the meeting at which this resolution is adopted, but with such changes and modifications therein as to them seem necessary, desirable, or appropriate for and on behalf of the City. Said Authorized Officers are further authorized to approve the investments provided for in said Escrow Agreement, and to make any necessary subscriptions for United States Treasury Securities, State and Local Government Series, or to contract for the purchase of securities in the open market. Said proceeds shall be invested in obligations of the United States Government, direct or guaranteed, including United States Treasury Securities, State and Local Government Series. To the extent that such proceeds are held in a bank depository account, such deposits shall be insured by insurance of the Federal Deposit Insurance Corporation or, to the extent not fully insured, fully collateralized in the same manner as is required for deposit of public funds. Any investment from the proceeds of the Bonds herein authorized shall mature not later than the Redemption Date. As provided in said Escrow Agreement, the proceeds of the Bonds herein authorized and investment earnings thereon shall be applied to the payment of the principal of and interest on the Refunded Bonds as the same become due on and prior to the Redemption Date, and as called for redemption on the Redemption Date. The City agrees that on the date of original issue of the Bonds, or as soon thereafter as practicable, it shall deposit or otherwise have on hand with the Escrow Agent, from tax levy or other available sources, funds sufficient after taking into consideration available proceeds of the Bonds and investment earnings to provide funds for all payments due on the Refunded Bonds on or before the Redemption Date, and as called for redemption on the Redemption Date.

Section 10. The holders of the Bonds shall be subrogated to all rights of the holders of the Refunded Bonds including the right to have special assessments set aside as a sinking fund for the payment of principal thereof and interest thereon, from and after their payment and redemption on each Redemption Date. The City agrees that it shall cause to be levied and collected annually a special levy of taxes on all the taxable property in this City, in addition to all other taxes, sufficient in rate and amount to fully pay the principal of and interest on the Bonds when and as such principal and interest become due.

Section 11. The City hereby covenants and agrees that it will make no use of the proceeds of the Bonds which would cause the Bonds to be arbitrage bonds within the meaning of Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and further covenants to comply with said Sections 103(b)(2) and 148 and all applicable regulations thereunder throughout the term of said issue, including all requirements with respect to payment and reporting of rebates, if applicable. The City hereby covenants to take all action necessary to preserve the tax-exempt status of the interest on the Bonds for federal income tax purposes under the Code with respect to taxpayers generally. The City further agrees that it will not take any actions which would cause the Bonds to constitute "private activity bonds" within the meaning of Section 141 of the Code. The City hereby designates the Bonds as its "qualified tax-exempt obligations" pursuant to Section 265(b)(3)(B)(i)(III) of the Code and covenants and warrants that it does not

reasonably expect to issue bonds or other obligations aggregating in principal amount more than $10,000,000 during the calendar year or years in which the Bonds are issued (taking into consideration the exception for current refunding issues). The Mayor is hereby authorized to make, or cause to be made, any and all certifications deemed necessary in connection with the designation of the Bonds as “qualified tax-exempt obligations”, including “deemed designating” the Bonds.

Section 12. The City's obligations under this Ordinance with respect to any or all of the Bonds herein authorized shall be fully discharged and satisfied as to any or all of such Bonds and any such Bond shall no longer be deemed to be outstanding hereunder if such Bond has been purchased by the City and canceled or when the payment of the principal of and interest thereon to the respective date of maturity or redemption (a) shall have been made or caused to be made in accordance with the terms thereof or (b) shall have been provided for by depositing with the Paying Agent and Registrar, or with a national or state bank having trust powers, or trust company, in trust, solely for such payment (i) sufficient money to make such payment and/or (ii) direct general obligations (including obligations issued or held in book entry form on the books of the Department of Treasury of the United States of America) of or obligations the principal and interest of which are unconditionally guaranteed by the United States of America (herein referred to as "U.S. Government Obligations") in such amount and bearing interest payable and maturing or redeemable at stated fixed prices at the option of the holder as to principal, at such time or times, as will ensure the availability of sufficient money to make such payment; provided, however, that with respect to any Bond to be paid prior to maturity, the City shall have duly called such bond for redemption and given notice of such redemption as provided by law or made irrevocable provision for the giving of such notice. Any money so deposited with a bank or trust company or the Paying Agent and Registrar may be invested or reinvested in U.S. Government Obligations at the direction of the City, and all interest and income from U.S. Government Obligations in the hands of such bank or trust company or Paying Agent and Registrar in excess of the amount required to pay principal of and interest on the Bonds for which such monies or U.S. Government Obligations were deposited shall be paid over to the City as and when collected.

Section 13. The Authorized Officers or any one or more of them is authorized to approve, deem final and deliver a Preliminary Official Statement and a final Official Statement with respect to the Bonds for and on behalf of the City, all in accordance with the requirements of Reg. Sec. 240.15c2-12 of the Securities and Exchange Commission.

Section 14. The City hereby (a) authorizes and directs that an Authorized Officer execute and deliver, on the date of issue of the Bonds, a continuing disclosure undertaking in accordance with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission in such form as determined necessary and appropriate by such Authorized Officer (the “Continuing Disclosure Undertaking”) and (b) covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Undertaking. Notwithstanding any other provision of this ordinance, failure of the City to comply with the Continuing Disclosure Undertaking shall not be considered an event of default hereunder; however, any Participating Underwriter (as such term is defined in the Continuing Disclosure Undertaking) or any Beneficial Owner or any Registered Owner of a Bond (as such terms are defined in the Continuing Disclosure Undertaking) may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the City to comply with its obligations under this section, and under the Continuing Disclosure Undertaking. An Authorized Officer may appoint a Dissemination Agent for the Bonds in the Authorized Officer’s discretion.

Section 15. This Ordinance shall be in force and take effect from and after its passage and publication in pamphlet form as provided by law.

PASSED AND APPROVED this 18th day of May, 2020.

/s/ Ted Griess

Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan

Abbey Jordan, City Clerk

(SEAL)

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

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

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

Agenda Item # 8, Approval of Final Plat for BC Estates in Kearney County, Nebraska; a subdivision being part of the North Half of the Northeast Quarter (N ½ NE ¼) of Section Twenty-Four (24), Township Six (6) North, Range Fifteen (15) West of the Sixth Principal Meridian, Kearney County, Nebraska.

Jones motioned to approve the final plat and seconded by Carlson. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Jones.

Agenda Item #9, Consider Approval of Payment for the Water Treatment Plant Electrical Upgrades to Cornerstone Electric in the amount of $37,252.80.

Sumstine motioned to approve the payment for the Water Treatment Plant Electrical Upgrades to Cornerstone Electric and seconded by Carlson. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Jones.

Agenda Item #10, Consider Approval of repair estimate of $24,553 by Titan Machinery for the New Holland Tractor.

Chris Klahn, gave an update on repairs done in the past and ones needed now. A new engine will be needed to repair the current tractor.

Carlson motioned to approval of repair estimate of $24,553 by Titan Machinery for the New Holland Tractor and seconded by Sumstine. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Jones.

Agenda Item #11, Consider opening of the pool for the 2020 season.

Griess expressed his concerns and stated his recommendations on not opening the pool until July 15 or until the health restrictions are lifted.

Tiffany Weeder, nurse practitioner at the Minden Clinic, spoke and gave an overview of the letter given to the council members on the KCHS staff's recommendations. The letter stated that they felt that the pool could open with the guidelines outlined by the pool along with the CDCs recommendations. They believe that the pool is one of the safer places as the chlorine will kill the virus, and expressed her confidence in the pool staff and the plan they have proposed. Weeder expressed her concerns of the limited activities that are offered within our community for the youth. Weeder stated that if the pool is not open, then she felt the Library and High School weight room should not open because of the difficulties of cleaning and disinfecting items inside.

Loree Johnson, Pool Manager of 612 Garfield Street, stated that they have been working hard to make a plan to help with the opening of the pool. Stated that she was very confident in the pool staff that they have this year. Jayleen Landstrom, 219 5th Street, Axtell, helps manage the Minden Pool, informed the council of the training and the confidence that she has in the pool staff.

Cederburg spoke about the consideration of City Hall, Recycling, Baseball, and the Library that will be discussed at the next Council Meeting on June 1, 2020.

Sumstine clarified the earliest date that the pool can open. Griess stated that the Governor recommended that the pools not open until July 15, 2020. Cederburg and Griess stated that an opening date of July 15th would not be a very feasible option. Jones stated that at first, he was opposed to the pools opening and since reading the packet that was provided would like to table the decision until the next council meeting on June 1, 2020 for a consideration of an open date of June 15, 2020. Jones agreed with the statement of July 15th not being a feasible option for opening the pool. Lieske stated the liability risks that will come with opening the pool and other venues.

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The Christmas City
Minden NEBRASKA

Lieske proposed handing everyone a waiver and/or posting it in all locations in multiple places, for the pool, baseball, and library. Evans suggested that the temperatures of the youth and their parents be taken prior to entry. Carlson asked about the possibility of entry for Kearney County only and Jayleen said that that has been in the discussion. Lieske recommended that a resolution be proposed to the council, with restrictions from out of town entry.

Jones motioned to table the pool discussion until the June 1, 2020 Council Meeting and seconded by Sumstine. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Jones.

Agenda Item #12, Consider Temporary Ban of Peddlers and Solicitors within City Limits.

Lieske recommended a 2 month ban on Peddlers and Solicitors, until July 18, 2020.

Carlson motioned to put a 2 month ban on Peddlers and Solicitors and seconded by Evans. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Jones.

Agenda Item #13, Public Comments.

Dave Thompson, from Norman, requested that the Legion Baseball be added to the June 1st Council Meeting Agenda for discussion.

Agenda Item #14, Adjournment.

Sumstine motioned to adjourn at 8:22 pm and Evans seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, Jones. Meeting adjourned.

/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

(SEAL)