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

phone 308.832.1820
fax 308.832.1949
www.MindenNebraska.org

The Christmas City
Minden NEBRASKA

Minutes of Council Meeting
City of Minden, Nebraska
December 21, 2020

The City Council of the City of Minden, Nebraska, met on this day at 6:00 p.m. in regular session in the Fire Hall and via Zoom per Governor Rickett's Executive Order No. 20-036, 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 Jack Yant. 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 Fire Hall. In addition, for public inspection, there is located on the table on the east side of the Fire Hall, 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. On behalf of the Council, Griess wished everyone a Merry Christmas and a Happy New Year.

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. Mayoral Appointment of Nick Collins to the Parks and Recreation Board for a term of 1/01/2021 to 12/31/2022
f. Mayoral Appointment of Andy Craig as the City Health Officer for a term of 1/01/2021 to 12/31/2021

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 659.47, Amazon Capital Services 523.29, American Concrete Products, Llc 5874.40, American Fence Company 24834.00, Aqua Aerobic Systems Inc 7996.50, Baker & Taylor Books 299.76, Black Hills Energy 133.64, B. Butler 315.57, Cengage/Gale 100.71, City Of Holdrege Landfill 98.85, Construction Rental, Inc. 585.00, Eakes Office Plus 1103.79, Electronic Systems 75.00, Emergency Medical Products 2483.12, Fyr-Tek, Inc. 1200.00, Intellicom Computer Consulting 1503.75, Isw 53.96, J. Carter 1015.10, John Deere Financial 151.49, K&K Auto Repair Inc 286.32, L. T. Pedley Drug 37.69, Lawson Products, Inc. 291.10, Mason's Market 35.98, Matheson Tri-Gas Inc 38.00, M. Morey 500.00, M. Raffaeli 500.00, Midwest Connect 290.00, Midwest Laboratories 1174.50, Midwest Tapes 157.14, Minden Chamber Of Commerce 25.00, Minden Hardware 3.99, Minden Lumber & Concrete Co. 293.31, Minden Machine Shop Inc 953.36, Minden Office Supply, Inc 1.03, Nphe 105.00, Nppd Kwh 120319.44, Olsson Associates 3580.02, Presto X Co. 70.00, Quadient 848.50, Quick Med

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Claims 279.37, Rdo Truck Center 1066.37, Rockmount Research And Alloys, Inc. 261.19, Rose Equipment Inc. 1600.51, Sandry Fire Supply Llc 2036.50, Southern Power District 77.21, Spectrum Business 2932.90, Superior Industries Llc 317.84, The Library Store 229.04, Tyler Technologies 1499.32, Usa Blue Book 67.66, Xerox Corporation 149.90.

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

Agenda Item #5, Consider Approval of Resolution for the signing of the Year-End Certification of City Street Superintendent Form for 2020.

Cederburg went over Resolution #1711 to the council for approval.

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Do not recreate or revise the pages of this document, as revisions and recreations will not be accepted.
Failure to complete and return: If a municipality had an appointed and Licensed City Street Superintendent for all or part of Calendar Year 2020 and the municipality does not complete and return the **original** Signing Resolution, **original** Year-End Certification, and a copy of the documentation of the city street superintendent(s) appointment to the NDOT **by December 31, 2020, the municipality will not receive an Incentive Payment for Calendar Year 2020.**

RESOLUTION

SIGNING OF THE
YEAR-END CERTIFICATION OF CITY STREET SUPERINTENDENT
2020

Resolution No. 1711

Whereas: State of Nebraska Statutes, sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive Payment; and

Whereas: The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31st of each year) the appointment of the City Street Superintendent to the NDOT using the Year-End Certification of City Street Superintendent; and

Whereas: The NDOT requires that such certification shall also include a copy of the documentation of the city street superintendents appointment, i.e., meeting minutes; showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), their License Number and Class of License (if applicable), and type of appointment, i.e., employed, contract (consultant, or interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment; and

Whereas: The NDOT also requires that such Year-End Certification of City Street Superintendent shall be signed by the Mayor or Village Board Chairperson and shall include a copy a resolution of the governing body authorizing the signing of the Year-End Certification of City Street Superintendent by the Mayor or Village Board Chairperson.

Be it resolved that the Mayor ☒ Village Board Chairperson ☐ of City of Minden
(Check one box) (Print Name of Municipality)
is hereby authorized to sign the attached Year-End Certification of City Street Superintendent.

Adopted this 21st day of Dec (Month), 2020 at Minden, Nebraska.

City Council/Village Board Members

Larry Evans
Teresa Sumstine
Bob Carlson
Jack Yant

City Council/Village Board Member Sumstine
Moved the adoption of said resolution
Member Yant Seconded the Motion
Roll Call: 4 Yes Ø No Ø Abstained Ø Absent
Resolution adopted, signed and billed as adopted.

Attest: Abbey Jordan
(Signature of Clerk)

Page 1 of 3

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Year-End Certification of City Street Superintendent
For Determining Incentive Payment

January 1, 2020 to December 31, 2020

*This certifies that Jeff R. Palik (Print name of Superintendent as appears on license card), License Number S- 1269 Class A (A or B),
was the appointed City Street Superintendent of City of Minden (Print name of City or Village)
from Jan (Month) 1 (Date), 2020 to Dec (Month) 31 (Date), 2020

and actually performed all of the following duties:

1. Developing and annually updating a long-range plan based on needs and coordinated with adjacent local governmental units;
2. Developing an annual program for design, construction, and maintenance;
3. Developing an annual budget based on programmed projects and activities;
4. Submitting such plans, programs, and budgets to the local governing body for approval; and
5. Implementing the capital improvements and maintenance activities provided in the approved plans, programs, and budgets.

And further certifies that the superintending services of the above listed individual were provided by: *(Check one box)*

☐ Employment with this Municipality ☑ Contract (consultant) with this Municipality ☐ Contract (interlocal agreement) between this Municipality and the following listed Municipality(ies) and/or County(ies)

Signature of Mayor ☒ *Village Board Chairperson* ☐

* **If more than one individual or the City Council or Village Board provided street superintending services during the calendar year, list each successive superintendent using a separate certification.** The amount will be computed based on (a) your most recent Federal Census as certified by the Tax Commissioner; (b) whether or not your municipality appointed a licensed City Street Superintendent for all 12 months; (c) class of license, A or B; and (d) whether or not the Superintendent performed all of the duties listed. *Reference Neb. Rev. Stat. §§39-2302 and 39-2511 through 39-2515.* **If your city or village did not have an appointed City Street Superintendent, write "City Council" or "Village Board" as the name of "Superintendent." Failure to return the resolution, certification, and documentation of the superintendents appointment will result in your municipality not receiving an Incentive Payment for Calendar Year 2020.**

* * * * *

Note: *In addition to this annual, Year-End Certification of Superintendent to the Nebraska Department of Transportation, (**due December 31st**), the municipality is also responsible for filing the "Municipal Annual Certification of Program Compliance" and "Signing Resolution" with the Board of Public Roads Classifications and Standards (due October 31st). Reference Neb. Rev. Stat. §§39-2115, 39-2119, 39-2120, 39-2121 and 39-2520(2).*

Return the completed original resolution and certification, and a copy of the documentation of appointment by December 31, 2020 to:

Highway Local Liaison Coordinator
Boards-Liaison Services Section
Local Assistance Division
Nebraska Department of Transportation
PO Box 94759
Lincoln NE 68509-4759

Page 2 of 3

Sumstine motioned to approve Resolution #1711, for the signing of the Year-End Certification of City Street Superintendent Form for 2020 and Yant seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Yant. Motion carried.

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Agenda Item #6, Consider Approval to Solicit Bids for a Tanker Truck per recommendation from the City-Rural Fire Board.

Fire Chief, Tom Brown, stated that no one drives the current Tanker Truck. This will bring the tanker up to current standards, and this will be in line with the surrounding towns. There are required items to be included to meet the NFPA standards. Evans clarified the size of the tank that will be hauled with this truck. It was clarified that the cost will be split between the City and the Rural Fire District.

Carlson motioned to approve to Solicit Bids for a Tanker Truck and Evans seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Yant. Motion carried.

Agenda Item #7, Consider Approval of Software Sharing Agreement with the Nebraska State Patrol.

Police Chief, Brad Butler, stated that the software agreement is to use TraCS. It is a free software to report motor vehicle accidents to the state. It is owned by the NE Crime Commission and maintained by the Nebraska State Patrol. This will keep the police department in compliance with the new state regulations.

Yant motioned to approve the Software Sharing Agreement with the Nebraska State Patrol and Sumstine seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Yant. Motion carried.

Agenda Item #8, Consider Approval of Sublicense Agreement with the Nebraska Crime Commission.

Carlson motioned to approve the Sublicense Agreement with the Nebraska Crime Commission and Evans seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Yant. Motion carried.

Agenda Item #9, Consider Approval of NSP Software Agreement with the Nebraska State Patrol.

Evans motioned to approve the NSP Software Agreement with the Nebraska State Patrol and Sumstine seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Yant. Motion carried.

Agenda Item #10, Consider Approval of Emergency Ordinance for a mask mandate adding Article III, Sections 38-27 through 38-37 entitled "Reduction in the Spread of the Novel Coronavirus (COVID-19)" to the Minden Municipal Code per recommendation of the Board of Health.

Griess stated that the Board of Health met on November 20, 2020 without a consensus. On December 7, 2020 the Council had a discussion concerning COVID-19 with local Health Professionals, Two Rivers Public Health Department, and Bob Tank, director of Bethany Home, about the risk within the community. The Board of Health met on December 18, 2020 and voted unanimously to present the Ordinance to the City Council

Carlson motioned to Approve the Emergency Ordinance for a mask mandate adding Article III, Sections 38-27 through 38-37 entitled "Reduction in the Spread of the Novel Coronavirus (COVID-19)" to the Minden Municipal Code, no second. Due to lack of a second the motion died.

Agenda Item #11, Status Update on Order of Condemnation for the property located at 146 W. Highway 6, Minden, NE or more particularly described as all of Lots 8-14 and the West 25' of Lots 5-7 and the West 25' of the South half of Lot 4, Block 4, Evan's Addition, Minden, Kearney County, Nebraska.

Marshall Nelson, stated that the fascia repairs have been completed per Cederburg's recommendation. Believes all requirements have been met. Cederburg stated that the windows being operational was not confirmed, but that Nelson has informed them the building will be used for storage and not for residential housing. Nelson challenged the council to review other older houses in this town and they will find boarded up and painted over windows. He will gladly board up the windows, but believes it will make it look worse that leaving the glass windows.

Carlson clarified that the property will be used for storage and not a rental. Nelson confirmed. If the Foundation Board decides to make a rental in the future, then items will be addressed.

Yant asked to know why the Board wants to keep this property. Nelson answered it's not his decision. The Board will decide at a later time. Yant requested to know their intentions.

Evans stated that a year ago the goal was to make it rentable. Nelson corrected him that the statement then was if it was to be rented, then additional repairs would be need to be made. No city codes state that it cannot be used for storage.

No action taken.

Agenda Item #12, Consider Rescinding Order of Condemnation for the property located at 146 W. Highway 6, Minden, NE or more particularly described as all of Lots 8-14 and the West 25' of Lots 5-7 and the West 25' of the South half of Lot 4, Block 4, Evan's Addition, Minden, Kearney County, Nebraska.

Nelson stated that the final demolition permit has been received including the post asbestos inspection by the City office.

Sumstine motioned to Rescind the Order of Condemnation for the property located at 146 W. Highway 6, Minden, NE and Carlson seconded. On roll call, the following voted aye: Sumstine, Carlson, and Griess. The following voted nay: Evans and Yant. Motion carried.

Agenda Item #13, Public Comments.

Katie Sinsel, 618 31 Road, stated that she was grateful for the way the council voted on the mask mandate especially with the vaccines becoming available soon. She wanted to bring to everyone's attention that on October 23, 2020 the drug HCQ can now be used at the doctor's offices.

Justin Curtis, 223 N Smith, thanked the council for their vote on the mask mandate also. Curtis wants to repair the relationship between the police and the public.

Council Member, Jack Yant, suggested a resolution encouraging people to wear masks. He suggested working with the Chamber asking its members to encourage masks.

Council Member, Teresa Sumstine, thanked everyone that has continued to work through these times.

Council Member, Larry Evans, thanked everyone for wearing masks out in public.

Fire Chief, Tom Brown, appreciates how civil the mask mandate agenda item was handled.

Agenda Item #14, Adjournment.

Evans motioned to adjourn at 6:55 pm and Yant seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Yant. Motion carried.

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/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

(SEAL)