City of Minden
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The Christmas City
Minden NEBRASKA

Minutes of Council Meeting
City of Minden, Nebraska
April 19, 2021

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. 21-02, 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, and City Clerk Abbey Jordan. Absent: City Attorney Tom Lieske.

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. Griess reminded Residents of the Kearney County Cleanup on Friday, May 7th from 10am-6pm and Saturday, May 8 from 8am-12pm. Griess also reminded residents of the Volunteer Fire Department Pancake feed on Saturday, May 8th at the Fire Hall.

Griess stated that a grievance was filed with the Nebraska Public State Auditor for preventing public comments at council meetings & not allowing council members to submit agenda items for council meetings. He has been cleared of any wrong doing. A new procedure will be taking place starting tonight; anyone can speak during the open mic comments portion, and was asked to keep comments civil & maintain decorum. There will be no conversation on the comment and the Mayor will acknowledge the comment with "duly noted".

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 approval of hiring of immediate family members, as required by the Nebraska Political Accountability and Disclosure Act, for the pool.
f. Consider Special Designated Liquor Permit for Friday, May 7, 2021 from 1:00 PM to 1:00 AM and Saturday, May 8, 2021 from 8:00 AM to 1:00 AM for Platte Valley / CJV Investments for a cornhole tournament at Kearney County Fairgrounds.
g. Consider Special Designated Liquor Permit for Dave and Carolyn Bunger, d.b.a. Windmill Studios on Saturday, May 22, 2021 from 12:00 PM to 1:00 AM for a Quinceanera at Kearney County Fairgrounds.

h. Consider Special Designated Liquor Permit for Dave and Carolyn Bunger, d.b.a. Windmill Studios on Saturday, May 29, 2021 from 12:00 PM to 1:00 AM for a wedding at the Kearney County Fairgrounds.

A. Jordan-Zoom 16.11, Amazon Capital Services-Supplies, Books, Ink, Canopy 300.25, A. Spracklin Pc-Physicals 240.00, Baker & Taylor Books-Books 946.07, Bill's Plumbing & Htg. Inc-Repairs 137.87, Black Hills Energy-Natural Gas 166.71, Cengage/Gale-Books 123.42, Central District Health Dept-Water Testing 153.00, Central Hydraulic Systems-Supplies 132.00, City Of Hastings--Scales-Membership 1,000.00, City Of Holdrege Landfill-Tipping Fees 6,002.14, Construction Rental, Inc.-Rental 132.00, Cooperative Producers, Inc.-Diesel 966.22, Cornhusker Cleaning System Inc-Supplies 54.04, C. Lupkes-Training 115.00, Dhhs Div Of Public Health-Training 260.00, Dollar General-Regions 410526-Supplies 42.70, Electric Pump-Supplies 173.70, Emergency Medical Products-Supplies 2,616.22, E. Vanhorn-Supplies 69.98, Essential Resource Group Inc-Screening 41.50, Intellicom Computer Consulting-Tech Services 1,305.60, Isw-Supplies 9.92, Johnstone Supply-Supplies 127.16, L. T. Pedley Drug-Supplies 906.10, Lawson Products, Inc.-Supplies 194.56, Loveland Grasspad-Supplies 1,125.00, M. Melroy-Training 115.00, M. Cederburg-Ed, Job Ad 412.69, Midwest Laboratories-Supplies 179.05, Minden Hardware-Supplies 494.00, Minden Lumber & Concrete Co.-Supplies 414.65, Minden Office Supply, Inc-Sleeves 32.38, Minden Rural Fire Dept.-Amul Revenues 7,509.46, Napa Auto Parts-Supplies 484.53, Ne Mosquito And Vector Control-Mosquito Machine Calibration & Annual Dues 40.00, Nebraska Life-Annual Renewal 24.00, Nphe-Water Tests 18.00, Nppd-Electric 111,978.13, Nppd-O & M 15,255.61, One Call Concepts Inc-Locates 50.36, Overhead Door Of Kearney-Repairs 758.29, Presto X Co.-Extermination 70.00, Share Corp.-Chemical 532.83, Southern Power District-Electric 79.10, Spectrum Business-Phone / Internet 1,497.43, The Library Store-Supplies 64.84, The Minden Courier-Job Ad 28.20, Xerox Corporation-Copier Contract 148.92.

Evans had correction of an address on the previous minutes' consent agenda. Evans also asked about the status of the application for the City credit card. Cederburg explained that the wrong application was given to the city and the new application is being completed.

Griess explained the reasoning for item e. on the consent agenda.

Evans gave an update of 531 E 4th, stating that a lot of trash has been removed from the property.

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

Agenda Item #5, Consider Approval of Ordinance amending Section 82-99 (o), No Parking Area designated on Gilman Avenue to the Minden Municipal Code, First Reading.

Jim Widdifield, Minden Public Schools Superintendent, explained they are planning to expand the sidewalk on west side of Gilman. Widdifield suggested that the times be for 7:30am-8:30am and 3:00pm-4:00pm

Cederburg stated that the residents that were contacted by City Police did not have an issue with the proposed Ordinance.

Sumstine introduced Ordinance #1252 for its first reading.

ORDINANCE NO. 1252

AN ORDINANCE TO AMEND CHAPTER 82, ARTICLE V, OF THE MUNICIPAL CODE OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY AMENDING SECTION 82-99 AS THE SAME RELATES TO PARKING.

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

Section 1. That Section 82-99 (o), of the Municipal Code of the City of Minden, Kearney County, Nebraska, be amended in the Municipal Code of the City of Minden, the same to read as follows:

Section 82-99 (o). No Parking Area Designated on Gilman Avenue in the City of Minden, Kearney County, Nebraska. It shall be unlawful for the driver of any motor vehicle to park the motor vehicle on the EAST side of Gilman Avenue from First Street to Third Street between the hours of 7:00 a.m. and 4:00 p.m. on school days. All of said streets are in the City of Minden.

(C.O. Ord No. 1233, 07/02/2018; C.O. Ord No. 1252, 04/22/2021)

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. 1252 and shall be in full force and effect from and after its passage, approval and publication according to law.

Passed and approved this 22nd day of April, 2021.

/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

(SEAL)

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

Carlson motioned to waive the 3 readings for Ordinance #1252 and Sumstine seconded. On roll call, the following voted aye: Sumstine, Carlson, and Yant. The following voted nay: Evans. Motion carried.

Carlson motioned to adopt Ordinance #1252 by title and Sumstine seconded. On roll call, the following voted aye: Sumstine, Carlson, and Yant. The following voted nay: Evans. Motion carried.

Agenda Item #6, Consider Approval of Ordinance adding Section 82-99 (p), No Parking Area designated on Hillcrest Avenue to the Minden Municipal Code, First Reading.

Cederburg stated that most homeowners were in favor of no parking on both sides of the street. Two residents were concerned about not having street parking which prompted the change to the west side only. The biggest concern is the ability of the sanitation truck to be able to get down the street easily. Currently there are no parking signs on the west side already in this area, but the city's code does not officially have this no parking area in it.

Chris Klahn, Street Superintendent, stated that the no parking designation cannot only be on school days as the sanitation truck is used on non-school days especially during the summer. Jordan stated that the residents on the west side do have Gilman addresses so they would most likely to park on Gilman. In addition to no parking signs, the street department will paint the curb ends to avoid intersection parking.

Cederburg said the goal of the City and MPS to analyze this for the rest of the school year and throughout the summer. Widdifield reminded the council that part of the student parking problem is due to 14-year-olds now being able to drive to school. Carlson also stated that the north entrance cannot currently be used by students due to Covid and therefore the students are not utilizing the north parking area.

Carlson introduced Ordinance #1253 for its first reading.

ORDINANCE NO. 1253

AN ORDINANCE TO AMEND CHAPTER 82, ARTICLE V, OF THE MUNICIPAL CODE OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY AMENDING SECTION 82-99 AS THE SAME RELATES TO PARKING.

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

Section 1. That Section 82-99 (p), of the Municipal Code of the City of Minden, Kearney County, Nebraska, be added to the Municipal Code of the City of Minden, the same to read as follows:

Section 82-99 (p). No Parking Area Designated on Hillcrest Avenue in the City of Minden, Kearney County, Nebraska. It shall be unlawful for the driver of any motor vehicle to park the motor vehicle on the west side in the 200 block of Hillcrest Avenue to Third Street. All of said streets are in the City of Minden.

(C.O. Ord No. 12XX, __/__/20__)

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. 1253 and shall be in full force and effect from and after its passage, approval and publication according to law.

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

Agenda Item #7, Consider Approval of Ordinance amending Section 10-2, Slaughtering, in the Minden Municipal Code, First Reading.

Harold and Rachel Colby were present to speak about the location and their plans. They would like to relocate to Minden. They have looked at the Miska Meats location, but many updates would be needed for USDA regulations. The building would have to be torn down and rebuilt. The plan is to do 10-20 cows per week.

Cederburg stated that there have been many discussions with the Colbys especially concerning their disposal process. In explaining the process, the Kolby's stated that most items will be shipped out of the facility with very little going down the sewer system. The City is working on bringing an ordinance to a future meeting concerning industrial waste. Harold recommends regulations similar to the City of Ord as they have a similar size city and a processing center too.

Sumstine shared her concern that the Miska's were not notified that their property is being removed from the allowable areas for slaughtering. Sumstine spoke to Patti Miska and they still want to slaughter their deer there. Cederburg and Jordan called them earlier in the day and they said they still want to process meat at their facility. The Miska's are concerned about the resale of their property. Sumstine wishes to keep the Miska's area in the ordinance too.

Harold shared his concerns about wanting to get the building process going as construction costs have greatly gone up and continue to go up.

Yant introduced Ordinance #1254 for its first reading.

ORDINANCE NO. 1254

AN ORDINANCE TO AMEND CHAPTER 10 ARTICLE I OF THE MUNICIPAL CODE OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY AMENDING SECTION 10-2, AS THE SAME RELATES TO SLAUGHTERING:

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

Section 1. That Section 10-2 (b) be amended in the Municipal Code of the City of Minden, Kearney County, Nebraska, the same to read as follows:

Section 10-2. Unlawful within zoning jurisdiction; exception. It shall be unlawful to slaughter any beeves, sheep, swine or other animals within the zoning jurisdiction of the city, except at such location within the industrial zone which lies north of U.S. Highway No. 6 and east of State Highway No. 10; and south of U.S. Highway No. 6 and east of 33 Road, specifically Lot 3, except the E. 270', MEB Addition, Minden at such locations as may be approved by the mayor and city council of the city.

(C.O. Ord No. 12XX, __/__/20__)

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. 1254 and shall be in full force and effect from and after its passage, approval and publication according to law.

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

Agenda Item #8, Consider Approval of Ordinance amending Sections 14-51, Adoption of International Building Code; Section 14-81, Adoption of National Electrical Code; and Section 14-106, Adoption of Uniform Plumbing Code in the Minden Municipal Code, First Reading.

Darin Fischer, Utilities Superintendent, reminded the council that the City of Kearney does the inspections of all of Minden's new construction and additions. They are using the 2018 IRC and IBC. It is recommended to stay in line with them.

Evans introduced Ordinance #1255 for its first reading.

ADOPTING ORDINANCE
ORDINANCE NO. 1255

AN ORDINANCE TO AMEND CHAPTER 14 OF THE MUNICIPAL CODE OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY AMENDING SECTIONS 14-51, 14-81, AND 14-106 AS THE SAME RELATES TO UNIFORM CODES.

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

Agenda Item #9, Consider Approval of Resolution for the sale of surplus property less than $5,000 for transformers.

RESOLUTION NO. 1715

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A RESOLUTION DIRECTING THE SALE OF SURPLUS PERSONAL PROPERTY
OF THE CITY OF MINDEN, NEBRASKA.

WHEREAS, the City of Minden does have in its possession certain property deemed to be surplus property to the City, with a fair market value of less than $5,000, and wishes to dispose of this property; and

WHEREAS, the City of Minden may sell surplus items by sealed bids, public auction, or by the standards set forth in the Interlocal Cooperation Act allowing the City of Minden to sell surplus equipment to other governmental subdivisions of the State of Nebraska by negotiated price.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Minden that the following City property is declared surplus and will be sold for at least the minimum listed below. All units to be sold without any warranty or any expressed warranty.

- 25KVA Transformer SN: N412946YMTA ($25.00)
- 500 Pool Transformer SN: I7240 ($25.00)
- 75KVA Transformer SN: 74G771059 ($25.00)
- 25KVA Transformer SN: G541043-66Y ($25.00)
- 37.5KVA Transformer SN: 71900-5 ($25.00)
- 37.5KVA Transformer SN: N726219-YDX ($25.00)
- 37.5KVA Transformer SN: N585889-YEW ($25.00)
- 37.5KVA Transformer SN: N582556-YEW ($25.00)
- 25KVA Transformer SN: 70402116 ($25.00)
- 25KVA Transformer SN: K452876K71 ($25.00)
- 15KVA Transformer SN: E866699-62Y ($25.00)
- 25KVA Transformer SN: N412944YMTA ($25.00)
- 25KVA Transformer SN: C8646 ($25.00)
- 25KVA Transformer SN: M98A10432 ($25.00)
- 112.5KVA Transformer SN:H269598-70P ($25.00)
- 112.5KVA Transformer SN:H269599-70P ($25.00)

Council Member Evans moved for the adoption of the foregoing Resolution. Council Member Carlson seconded the motion. On roll call the following voted Aye: Evans, Sumstine, Carlson, and Yant. The following voted Nay: none. The following were absent and not voting: none.

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 19th day of April, 2021.

PASSED AND APPROVED this 19th day of April, 2021.

/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

Evans motioned to approve Resolution #1715 and Carlson seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Yant. Motion carried.

Agenda Item #10, Consider Approval of Resolution for the sale of surplus property less than $5,000 for a Chevy Pickup, Ford Econoline Van, Ford Explorer, and Ford Crown Vic.

RESOLUTION NO. 1716

A RESOLUTION DIRECTING THE SALE OF SURPLUS PERSONAL PROPERTY
OF THE CITY OF MINDEN, NEBRASKA.

WHEREAS, the City of Minden does have in its possession certain property deemed to be surplus property to the City, with a fair market value of less than $5,000, and wishes to dispose of this property; and

WHEREAS, the City of Minden may sell surplus items by sealed bids, public auction, or by the standards set forth in the Interlocal Cooperation Act allowing the City of Minden to sell surplus equipment to other governmental subdivisions of the State of Nebraska by negotiated price.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Minden that the following City property is declared surplus and will be sold for at least the minimum listed below. All units to be sold without any warranty or any expressed warranty.

- 1982 Chevy Pickup VIN: 1GCEK14C7CJ160644 ($100)
- 1990 Ford Econoline Van VIN:1FDHS34MXLHA85586 ($100)
- 1998 Ford Explorer VIN:1FMZU35P5WZBO9332 ($100)
- 2011 Ford Crown Vic VIN:2FABP7BV9BX122677 ($100)

Council Member Carlson moved for the adoption of the foregoing Resolution. Council Member Evans seconded the motion. On roll call the following voted Aye: Evans, Sumstine, Carlson, and Yant. The following voted Nay: none. The following were absent and not voting: none.

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 19 day of April, 2021.

PASSED AND APPROVED this 19th day of April, 2021.

/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

Carlson motioned to approve Resolution #1716 and Evans seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Yant. Motion carried.

Agenda Item #11, Consider Approval of NPPD Project Order No. 5386338 for electric pole inspections for approximately $21,024.55.

Griess stated that the inspection process has already began. Cederburg noted that this project is for 50% of our poles. Next year any necessary repairs will be made. 2023 will be the inspections of the remaining poles.

Evans motioned to approve NPPD Project Order No. 5386338 for electric pole inspections for approximately $21,024.55. Sumstine seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Yant. Motion carried.

Agenda Item #12, Consider Approval of recommendations for City Hall one time deep clean and weekly cleaning services.

Cederburg that the current cleaner is no longer cleaning City Hall. The position has been advertised with no applications received. The City has contacted 4 cleaners to get quotes on an initial deep cleaning and a weekly cleaning.

Carlson motioned to approve the deep cleaning by Yellow Van and the weekly cleaning by Victory Cleaning. Sumstine seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Yant. Motion carried.

Agenda Item #13, Consider Approval of Agreement for Permanent Utilities Easement with Sandra S. Danielson of the East 5' of Lot 11, Block 2, Minden West Estates, Kearney County, Nebraska.

Jordan provided the necessity of this easement. A street light is needed to be placed on Cade Craig's property. There is already a 5' easement on the west part of Craig's property which already contains the street light conduit. There is also a water main on the property line between Craig and Danielson. The easement is for 5' on the east side of Danielson's property which would provide the City with a total of 10' for repairs of the water main. Jordan spoke with Danielson and she had no problems with the easement.

Evans motioned to approve the Agreement for Permanent Utilities Easement with Sandra S. Danielson of the East 5' of Lot 11, Block 2, Minden West Estates, Kearney County, Nebraska. Carlson seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Yant. Motion carried.

Agenda Item #14, Open Mic Public Comments.

No comments.

Agenda Item #15, Adjournment.

Sumstine motioned to adjourn at 7:30 pm and Evans seconded. On roll call, the following voted aye: Evans, Sumstine, Carlson, and Yant. Motion carried.

/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

(SEAL)