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The Christmas City
Minden NEBRASKA

Minutes of Council Meeting
City of Minden, Nebraska
September 7, 2021

The City Council of the City of Minden, Nebraska, met on this day in regular session commencing immediately upon adjournment of the preceding budget hearing, which begins at 5:30 p.m. on 9-7-2021, and continues until all attendee testimony has concluded. The meeting was held 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 5:45 p.m. The following City Council members were present: Jack Yant, Bob Carlson, and Larry Evans. The following City Officials were present: Mayor Ted Griess, City Administrator Matt Cederburg, City Attorney Tom Lieske, and City Clerk Abbey Jordan. Absent: Council Member: Teresa Sumstine.

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.

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

A. Jordan--Supplies 16.11, Amazon Capital Services--Supplies 119.11, Bill's Plumbing & Htg. Inc--Repairs 70.80, Black Hills Energy--Utilities 19.97, Blankenau Wilmoth Jarecke Llp--Legal 600.00, B. Butler--Supplies 1,516.49, Carey's Pest Control, Inc.--Maintenance 107.50, C. Klahn--Supplies 772.00, City Of Hastings--Fees 398.52, Construction Rental, Inc.--Supplies 267.70, Core & Main Lp--Fees 15,758.16, Curb-It Inc.--Maintenance 301.00, Dana F Cole & Company, Llp--Fees 215.00, Danko Emergency Equip. Co--Supplies 1,123.25, Dollar General-Regions 410526--Supplies 32.50, E. Vanhorn--Supplies 245.16, First Bank & Trust Co--Financing 4,839.25, Hawkins Water Treatment--Chemical 1,017.82, Intellicom Computer Consulting--Tech/Engineering 1,557.00, J. Benson--Maintenance 800.00, Jims Ok Tire Minden Llc--Repairs 2,014.64, Kansas City Life Ins. Co.--Fees 2,925.00, Ke Co Treasurer--Fees 5,200.00, Kearney Powersports--Repairs 762.45, Landmark Implement Carquest--Repairs 152.47, Lawson Products, Inc.--Supplies 124.59, Lieske, Lieske & Ensz P. C., Llo--Legal 1,463.50, Lieske, Lieske & Ensz P. C., Llo--Legal 1,000.00, Macqueen

Emergency Group--Supplies 416.28, Mason's Market--Supplies 77.62, Menards Of Kearney--Supplies 105.28, Minden Exchange Bank & Trust C--Financing 6,654.13, Minden Hardware--Supplies 794.35, Minden Office Supply, Inc--Supplies 170.10, Minden Opera House--Fees 137.00, Minden Utility Dept.--Utilities 4,565.62, Minden Volunteer Fire Dept--Fees 6,000.00, Ne Dept Of Agriculture--Fees 175.00, Nebraska Planning And Zoning--Training 190.00, Nmc, Inc.--Supplies 940.00, Nphe--Chemical 36.00, One Call Concepts Inc--Fees 74.59, Penguin Management--Fees 774.00, Presto X Co.--Maintenance 118.00, Reams Sprinkler Supply Co--Repairs 215.50, Rek Enterprises Llc--Repairs 333.98, The Minden Courier--Printing 68.63, T. Beck--Printing 128.36, T. Dowling--Supplies 124.62, United States Postal Service--Fees 92.00, Usa Blue Book--Supplies 301.20, Usa Communications--Phone/Internet 49.90, Verizon Wireless--Phone/Internet 765.95, Village Cleaners Inc--Cleaning 165.10, Wex Bank--Gas 4,594.58, City Of Kearney--Supplies 2,450.00, 8-27-21 Payroll–53,357.57.

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

Agenda Item #5 , Public Hearing to Consider Setting the Final Property Tax Request at a Different Amount than the Prior Year Tax Request.

Lieske opened the public hearing at 5:47 p.m. Cederburg stated the property tax request has increased about $50,000 with a 4% valuation increase. No one else spoke in opposition of or in favor of. The hearing was closed at 5:48 p.m.

Agenda Item # 6, Consider Approval of Resolution for the Property Tax Request.

RESOLUTION NO. 1723

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Governing Body of the 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 Minden resolves that:

1. The 2021-2022 property tax request be set at:
   General Fund: $981,386.00
   Bond Fund: $262,614.00

2. The total assessed value of property differs from last year's total assessed value by 4.18 percent.

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 0.545628 per $100 of assessed value.

4. The Minden proposes to adopt a property tax request that will cause its tax rate to be 0.568438 per $100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of the Minden will increase or decrease last year's budget by 10.08 percent.

6. A copy of this resolution be certified and forwarded to the County Clerk on or before October 13, 2021.

Councilmember Carlson moved for the adoption of the foregoing Resolution. Councilmember Evans seconded the motion.

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

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 7th day of September, 2021.

_____
Ted Griess, Mayor

Attest:

_____
Abbey Jordan, City Clerk

Carlson motioned to Resolution No. 1723 and Evans seconded. On roll call, the following voted aye: Yant, Carlson, and Evans. Absent: Sumstine. Motion carried.

Agenda Item # 7, Consider Approval to Increase the Total Restricted Funds Authority by an Additional 1%.

Evans motioned to approve the Total Restricted Funds Authority by an Additional 1%. Yant seconded. On roll call, the following voted aye: Yant, Carlson, and Evans. Absent: Sumstine. Motion carried.

Agenda Item # 8, Consider Approval of the Fiscal Year 2021-22 Budget as Proposed.

Yant motioned to approve the Fiscal Year 2021-22 Budget as Proposed and Carlson seconded. On roll call, the following voted aye: Yant, Carlson, and Evans. Absent: Sumstine. Motion carried.

Agenda Item # 9, Consider Approval of Annual Appropriations Bill, an Ordinance to adopt the 2021-22 Budget Statement.

Evans introduced Ordinance No. 1250 for its first reading.

ORDINANCE NO. 1259

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, 2021, through September 30, 2022. 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 7th day of September, 2021.

_____
Ted Griess, Mayor

Attest:

_____
Abbey Jordan, City Clerk

(SEAL)

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

Yant motioned to waive the three readings of Ordinance No. 1259 and Evans seconded. On roll call, the following voted aye: Yant, Carlson, and Evans. Absent: Sumstine. Motion carried.

Carlson motioned to adopt Ordinance No. 1259 by title and Evans seconded. On roll call, the following voted aye: Yant, Carlson, and Evans. Absent: Sumstine. Motion carried.

Agenda Item # 10, Consider Approval of agreement with Miller & Associates for the Comprehensive Plan Update for $26,000.

Jennie Kozal with Miller and Associates joined the meeting via phone. Kozal reminded the council that this was presented at the previous meeting, but tonight's agreement has a specific cost. This is an 18-month process with half of the cost in the upcoming budget year.

Yant motioned to agreement with Miller & Associates for the Comprehensive Plan Update for $26,000. Carlson seconded. On roll call, the following voted aye: Yant, Carlson, and Evans. Absent: Sumstine. Motion carried.

Agenda Item # 11, Consider Approval of agreement with Miller & Associates for the Entryway Pilot Study for $3,700.

Kozal stated this is a lump sum fee of $3,700 billing at 50% and 100% of the project with it all being in the upcoming budget year.

Carlson motioned to approve the agreement with Miller & Associates for the Entryway Pilot Study for $3,700 and Yant seconded. On roll call, the following voted aye: Yant, Carlson, and Evans. Absent: Sumstine. Motion carried.

Agenda Item # 12, Conduct Public Hearing for CDBG Downtown Revitalization Project – Discuss the project scope and budget.

Lieske opened the public hearing at 6:02 p.m. Joene Crocker with Miller and Associates reminded the Council the application is for a total of $435,000 with matching funds of $113,510 composed of the City's budget and business owner's 50% down payment for façade improvements. The anticipated completion date is May 2024. This is the third application the City has made. The first was the downtown plan and the second was the construction on the west side of the square along with the façade improvement program.

The appointed steering committee unanimously approved the construction of sidewalks, pedestrian lighting and curb and gutter to take place on the north side of the square. The façade improvement program can be any business in the blighted 9 block area. The application is due September 15th.

Kevin Krull, downtown business owner on the south side of the square and steering committee member, thanked the City for applying for this grant a third time to keep improving the downtown. Krull appreciates the continuance of efforts to spruce up the downtown area to attract businesses and is looking forward to having the entire downtown sidewalks improved in the future.

No one else spoke in opposition of in favor of the Fiscal Year 2020-21 City Budget. The hearing was closed at 6:07 p.m.

Agenda Item # 13, Consider Approval of Resolution authorizing the Mayor to sign an application for CDBG Funds.

RESOLUTION AUTHORIZING CHIEF ELECTED OFFICIAL TO SIGN AN APPLICATION FOR CDBG FUNDS

Resolution No. 1724

Whereas, the City of Minden, Nebraska, is an eligible unit of a general local government authorized to file an application under the Housing and Community Development Act of 1974 as amended for Small Cities Community Development Block Grant Program, and,

Whereas, the City of Minden, Nebraska, has obtained its citizens' comments on community development and housing needs; and has conducted public hearing(s) upon the proposed application and received favorable public comment respecting the application which for an amount of $435,000 for Downtown Revitalization Implementation within the City of Minden; and,

NOW, THEREFORE, BE IT RESOLVED BY

The City Council of the City of Minden, that the Mayor be authorized and directed to proceed with the formulation of any and all contracts, documents or other memoranda between the City of Minden and the Nebraska Department of Economic Development so as to effect acceptance of the grant application.

_____
Chief Elected Official Signature

Ted Griess, Mayor

Chief Elected Official Typed Name, Title

9-7-2021
Date

Carlson motioned to approve Resolution No. 1724 authorizing the Mayor to sign an application for CDBG Funds and Evans seconded. On roll call, the following voted aye: Yant, Carlson, and Evans. Absent: Sumstine. Motion carried.

Agenda Item # 14, Consider Approval of Purchase of new Server for $14,336 from Intellicom.

Cederburg stated the current server is 7 years old and will no longer be supported starting in January. Evans asked how the new police server interconnects with the City Hall server if at all? Cederburg will get clarification from Intellicom. Evans also asked if the quote is still valid as it's dated January of 2021. Cederburg replied he had confirmed it is still valid.

Carlson motioned to approve the Purchase of new Server for $14,336 from Intellicom and Yant seconded. On roll call, the following voted aye: Yant, Carlson, and Evans. Absent: Sumstine. Motion carried.

Agenda Item # 15, Consider Approval of an Ordinance amending Section 82-76 and deleting Section 82-80 of the Minden Municipal Code.

Jordan reviewed the 50' extension 25-mph speed limit on Highway 74 by the hospital. On Highway 10, the start of the 60-mph speed limit will be starting 60' sooner to the south. The speed of 45-mph on the east side of Highway 6/34 does not change locations, but the inside city limits width is being updated.

Jordan also reviewed the proposed code updates on 1st Street as the City's current code has two sections that address the speed limits for this street and they are in conflict with each other.

Evans introduced Ordinance No. 1260 for its first reading.

ORDINANCE NO. 1260

AN ORDINANCE TO AMEND CHAPTER 50 ARTICLE III OF THE MUNICIPAL CODE OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY AMENDING SECTION 82-76 AND REPEALING SECTION 82-80, AS THE SAME RELATES TO SPEED RESTRICTIONS.

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

Section 1. That Section 82-76, Specified Areas, of the Municipal Code of the City of Minden, Kearney County, Nebraska, be amended to read as follows:

Sec. 82-76. - Specified areas.

(a) It shall be unlawful for any person to operate any motor vehicle upon the streets of the city at a greater speed than is reasonable and proper under existing conditions for the safety of persons and property, and in no event a speed greater than:

(1) Congested area: Twenty miles per hour. The congested area is defined as that portion of Fourth Street from Nebraska Avenue to Kearney Avenue, that portion of Fifth Street from Nebraska Avenue to Kearney Avenue, that portion of Colorado Avenue from Third Street to Sixth Street, and that portion of Minden Avenue from Third Street to Sixth Street.

(2) First Street: Twenty-five miles per hour from a point 210 feet east of the centerline of Garber Avenue to 1000 feet west of Sears Avenue, and 35 miles per hour from 1000 feet west of Sears Avenue to 31 Road/Piester Avenue.

(3) Brown Avenue (Highway 10): Forty-five miles per hour from a point 1,000 feet south of the centerline of Hastings Avenue to the centerline of St. Clair Avenue; 35 miles per hour from the centerline of St. Clair Avenue to the centerline of 13th Street, and 45 miles per hour from the centerline of 13th Street to a point 1580 feet north of the centerline of 13th Street.

(4) State and Federal Highways No. 6 and 34: Forty-five miles per hour from a point 200 feet west of the centerline of McIntyre Avenue to a point 100 feet west of the centerline of Smith Avenue; 35 miles per hour from a point 100 feet west of the centerline of Smith Avenue to a point 200 feet east of the east line of Kearney Avenue; and 45 miles per hour from a point 200 feet east of the east line of Kearney Avenue to a point 50 feet east of the centerline of Garber Avenue; provided, however, if at any time or for any reason such highways, or either of them, are detoured or relocated upon any city street, the speed limit for the portion of the highway so detoured or relocated shall be the same as the speed limit then established for such city streets.

(5) All other streets within the corporate limits: Twenty-five miles per hour, except as designated by ordinance by the city council. When any street within the city shall be designated as having a speed other than 25 miles per hour, the speed on that street shall be posted with signs informing the public of such speed as soon as practicable.

(b) This section shall not apply to members of the fire department, physicians or ambulance drivers driving in response to an emergency requiring greater speed, or to members of the city police or the office of the county sheriff in the exercise of official duties requiring a greater speed.

Section 2. That Section 82-80, Speed limit on First Street; of the Municipal Code of the City of Minden, Kearney County, Nebraska, be repealed.

Section 3. 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 4. This ordinance shall be known as Ordinance No. 1260 and shall be in full force and effect from and after its passage, approval and publication according to law.

Passed and approved this 7th day of September, 2021.

_____
Ted Griess, Mayor

ATTEST:

_____

Abbey Jordan, City Clerk

(SEAL)

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

Carlson motioned to waive the three readings of Ordinance 1260 and Evans seconded. On roll call, the following voted aye: Yant, Carlson, and Evans. Absent: Sumstine. Motion carried.

Evans motioned to adopt Ordinance 1260 by title and Yant seconded. On roll call, the following voted aye: Yant, Carlson, and Evans. Absent: Sumstine. Motion carried.

Agenda Item # 16, Open Mic Public Comments.

No comments made.

Agenda Item # 17, Adjournment.

Yant motioned to adjourn at 6:28 pm and Carlson seconded. On roll call, the following voted aye: Yant, Carlson, and Evans. Absent: Sumstine. Motion carried.

_____
Ted Griess, Mayor

ATTEST:

_____
Abbey Jordan, City Clerk

(SEAL)