City of Minden
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The Christmas City
Minden NEBRASKA

Minutes of Council Meeting
City of Minden, Nebraska
November 1, 2021

The City Council of the City of Minden, Nebraska, met on this day at 6:00 p.m. in regular session in the Council Chambers, pursuant to advance notice of said meeting simultaneously transmitted to all members of the Council and to the public as shown by the copy thereof posted in the Minden City Hall, Outside the Minden City Hall, First Bank & Trust Co., Minden Exchange Bank & Trust Co., and the Post Office. A copy of the notice is on file in the office of the City Clerk.

Mayor Griess called the meeting to order at 6:00 p.m. The following City Council members were present: Jack Yant, Bob Carlson, Teresa Sumstine, and Larry Evans. The following City Officials were present: City Attorney Tom Lieske, Mayor Ted Griess, City Administrator Matt Cederburg, and City Clerk Abbey Jordan.

All proceedings hereinafter were taken while the convened meeting was open to the attendance of the public.

After roll was called, Mayor Griess led those in attendance in the Pledge of Allegiance.

Then Griess made the following statement:

> "Pursuant to the Open Meetings Act and Public Records Law Requirements a current copy of the Open Meetings Act is posted for public inspection on the east wall of the 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 gave his appreciation to Street Superintendent, Chris Klahn and other City staff putting the Christmas Lights up.

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 Special Designated Liquor Permit for Saturday, November 13, 2021 from 5:00 PM to 11:30 PM for the Minden Country Club at the Kearney County Fairgrounds for a wedding reception.
e. Consider Reports that are Enclosed in the Council Packets for This Council Meeting

911 Custom--Supplies 208.80, Accent Wire-Tie--Supplies 1,310.39, Anderson Bros Ele Inc--Maintenance 795.30, B. Butler--Training 75.00, C. Oberg--Supplies 28.00, Carrot Top Industries--Supplies 725.67, Central Community College--Training 150.00, Core & Main Lp--Supplies 103.09, Cummins Central Power, Llc--Repairs 1,289.50, Dana F Cole & Company, Llp--Fees 975.00, Dutton Lainson Co--Supplies 224.46, Ecnalubma, Inc.--Supplies 98.01, Electric Pump--Supplies 704.06, F. Rogers--Cleaning 591.25, First Bank & Trust Co--Financing 2,205.09, Fyr-Tek, Inc.--Uniforms 12,255.80, Hawkins Water Treatment--Chemical 2,665.43, Industrial Systems Inc--Repairs 498.00, Isw--Supplies 100.20, J. Carter--Maintenance 213.50, John Deere Financial--Supplies 47.52, K&K Auto Repair Inc--Repairs 705.87, K&K Auto Repair Inc--Repairs 188.66, Ke Co Health Payment Cntr--Medical 393.36, Ke Co Treasurer--Fees 5,358.32, Landmark Implement Carquest--Supplies 1,121.93, Lawson Products, Inc.--Supplies 131.41, League Of Nebr. Municipalities--Membership 555.71, Lieske, Lieske & Ensz P. C., Llo--Legal 1,000.00, Lieske, Lieske & Ensz P. C., Llo--Legal 902.50, M. Morey--Fees 500.00, M. Raffaeli--Cleaning 158.40, Mason's Market--Supplies 34.19, Menards Of Kearney--Supplies 35.91, Mid Plains Heating & Air--Maintenance 626.63, Minden Exchange Bank & Trust C--Financing 6,654.13, Minden Office Supply, Inc--Supplies 106.76, Minden Utility Dept.--Utilities 2,820.36, Nphe--Supplies 259.00, Olsson Associates--Tech/Engineering 6,819.64, Pony Express Ford--Repairs

691.52, Protex Central Inc.--Maintenance 160.00, Rose Equipment Inc.--Repairs 2,840.25, Share Corp.--Supplies 93.64, T. Oltman--Training 174.26, The Lockmobile Inc.--Repairs 170.00, The Minden Courier--Printing 47.37, United States Postal Service--Fees 561.00, Usa Communications--Phone/Internet 49.90, Verizon Wireless--Phone/Internet 641.31, Village Cleaners Inc--Uniforms 165.10, Witmer Public Safety Group--Uniforms 50.98, Wpci--Fees 308.60, 10-22-21 Payroll— $54,308.64.

Evans asked about the claim for the jaws of life. Cederburg replied the current jaws of life doesn't have a powr to access certain vehicles.

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

Agenda Item #5, Treasurer's Report, September 2021

Cederburg reviewed the Treasurers report provided.

Evans asked the percentage of the insurance payments for the roof damages. Cederburg explained that they payout about 70% and that the rest will be paid out when the work is completed. Cederburg also explained that the City is working with Kevin Krull to get the final estimates before bidding out the work.

Evans asked where Premier Claims is at on this project. Cederburg explained that they evaluated the Library with no changes and there were changes to the claims for City Hall.

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

Agenda Item #6, Consider Approval of NPPD Project #5403961 for the South Substation Rebuild for $1,159,000.

Bob Jensen, Dale Schoening, and Stan Clouse with NPPD were present and explained the options and recommendations for the rebuild of the South Substation. Option 1 is to build a 4-column substation with the current substation energized. The transformer will be moved over and re-energized.

Option 2 is recommended by NPPD and is built similar to Option 1 but allows room for a 2nd transformer to be installed in the event of expansion. Option 3 would cause the south substation to be out an all city electricity would be dependent upon the north substation. And this option does not allow for any expansion. Option 4

Cederburg clarified that the current transformer will be used for at least another 10 years. NPPD confirmed that this was true and that the current one has a couple of years of life still on it.

Yant motioned to approve Option #2 of the South Substation Rebuild for $1,159,000 and Carlson seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

Agenda Item #7, Consider Approval to contribute up to $10,000 for Chamber of Commerce Director wages.

Angie Horine, Cassandra Tomsen, and Nikkila VanHorn, all chamber board members, were present to speak. Horine said the Chamber was having an extremely difficult time finding a qualified individual. One individual had been offered the position, yet declined. The ideal candidate will be from the Minden area with a background in marketing, finances, and management. Per VanHorn, the Chamber can afford up to $15 per hour for approximately 20 hours per week. A contribution from the City would allow higher wages and/or more hours depending upon experience.

Cederburg added the new director's initial goal is to focus on Chamber responsibilities, but could eventually assist with City grants and other ED projects. The goal is to keep everyone working together to attract and retain businesses.

Evans motioned to approve a $10,000 contribution to the Chamber of Commerce. Sumstine seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

Agenda Item #8, Consider Approval of purchase of Grinder for Lift Station 2 from Electric Pump for $11,487.85.

Carlson motioned to approve the purchase of a Grinder for Lift Station 2 from Electric Pump for $11,487.85 plus installation costs. Yant seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

Agenda Item #9, Consider Approval of Olsson Associates Agreement for Street Superintendent & Consulting Services.

Evans motioned to approve the Olsson Associates Agreement for Street Superintendent & Consulting Services. Yant seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

Agenda Item #10, Motion to appoint Jeff R. Palik, Class A License number S-1269 A, as the city street superintendent for calendar year 2022, January 1 thru December 31, 2022, for the purpose of the 2022 calendar year Highway Incentive payment, to be issued to the City, by the Nebraska Department of Transportation, in February 2023.

Jordan stated this year the NDOT is requiring a separate agenda item appointing Palik. Carlson motioned to appoint Jeff R. Palik, Class A License number S-1269 A, as the city street superintendent for calendar year 2022, January 1 thru December 31, 2022, for the purpose of the 2022 calendar year Highway Incentive payment, to be issued to the City, by the Nebraska Department of Transportation, in February 2023. Evans seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

Agenda Item #11, Consider Approval of an Ordinance amending Section 30-35, Nuisances of the Minden Municipal Code, first reading.

Discussion took place concerning monitoring and notifications. Evans was concerned about a recent trip he made out of town and his toter was left out longer than 24 hours. Cederburg replied it wouldn't be monitored that closely. It is aimed to get the toters continuously left out in the street off of the street.

Carlson introduced Ordinance 1262 for its first reading:

ORDINANCE NO. 1262

AN ORDINANCE TO AMEND CHAPTER 30, ARTICLE II OF THE MUNICIPAL CODE OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY AMENDING SECTION 30-35 AS THE SAME RELATES TO NUISANCES.

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

Section 1. That Section 30-35 of the Code of the City of Minden, Nebraska, is hereby amended to reads as follows:

Section 30-35. Keeping certain substances.

It shall be unlawful for any person to allow any substance enumerated in section 30-34 which is unsightly, or which is liable to become

putrid, offensive or injurious to the public health to be on any premises in this city, owned or occupied by him, or in his care, custody or control as agent or otherwise for any person, or to allow any of such substances enumerated in section 30-34 to be remain in or upon any alley or street or city right-of-way adjoining such premises for more than 24 hours.

It shall be unlawful for any receptacle containing any substance enumerated in section 30-34 which is unsightly, or which is liable to become putrid, offensive or injurious to the public health to be or remain in or upon any alley or street or city right-of-way adjoining such premises for more than 24 hours.

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. 1262 and shall be in full force and effect from and after its passage, approval and publication according to law.

Passed and approved this 1st day of November, 2021.

/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

(SEAL)

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

Yant motioned to waive the three readings of Ordinance No. 1262 and Sumstine seconded. On roll call, the following voted aye: Yant, Carlson, and Sumstine. Nay: Evans. Motion carried.

Carlson motioned adopt Ordinance No. 1262 by title. Sumstine seconded. On roll call, the following voted aye: Yant, Carlson, and Sumstine. Nay: Evans. Motion carried.

Agenda Item #12, Consider Approval of Ordinance adding Sections 1-23, Complaints and 1-24, Agenda Item Requests to the Minden Municipal Code, second reading.

Carlson introduced Ordinance No. 1261 for its second reading.

ORDINANCE NO. 1261

AN ORDINANCE TO AMEND CHAPTER 1 OF THE MUNICIPAL CODE OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY ADDING SECTION 1-23 AS THE SAME RELATES TO COMPLAINTS AND BY ADDING SECTION 1-24 AS THE SAME RELATES TO REQUEST FOR FUTURE AGENDA ITEM.

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

Section 1. That the Code of the City of Minden, Nebraska, is hereby amended by adding a section, to be numbered 1-23, which reads as follows:

Section 1-23. Complaints.

Any person feeling himself/herself aggrieved for any reason must complete the form "Municipal Complaint Form" and present his/her complaint to the City Administrator. City Staff will attempt to resolve the problem. If the person is not satisfied with the result, the person must complete the form "Request for Future Agenda Item" to request to present his/her complaint to the City Council as addressed in Section 1-24.

Section 2. That the Code of the City of Minden, Nebraska, is hereby amended by adding a section, to be numbered 1-24, which reads as follows:

Section 1-24. Request for Future Agenda Item

Any person may make a Request for Future Agenda Item. City staff reserves the right to address and/or resolve any requests. by City Staff. Requests are not guaranteed to be presented to the City Council. If the person previously completed a "Municipal Complaint Form" and was not satisfied with the result, then the request will automatically be presented to the City Council.

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. 1261 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: Yant, Carlson, Sumstine, and Evans. Motion carried.

Agenda Item #13, Consider Approval of Ordinance adding Section 2-3, Internal Service Fund to the Minden Municipal Code.

Cederburg explained that the City has utilized the Internal Service Fund loan process before, but it has never been codified.

Evans introduced Ordinance No. 1263 for its first reading.

ORDINANCE NO. 1263

AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE I OF THE MUNICIPAL CODE OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY ADDING SECTION 2-3 AS THE SAME RELATES TO INTERNAL SERVICE FUND.

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

Section 1. That Section 2-3 of the Code of the City of Minden, Nebraska, is hereby amended by adding a section, to be numbered 2-3, which reads as follows:

Section 2-3. Internal Service Fund

A special fund to be known as the "Internal Service Fund" is hereby established. All monies allocated to such fund shall come from the enterprise fund and be appropriated or expended for the operation and capital upgrades for tax fund supported departments of the City. As used herein, the term "capital upgrades" shall include, but not be limited to, vehicles of all kinds, heavy duty equipment or machinery,

office equipment, buildings, land and other capital items of similar or like character.
All amounts paid from the Internal Service Fund for the purposes hereinabove stated shall be reimbursed to said fund by the particular tax supported fund, or activity benefited by such payment. Such reimbursement shall be made at such time, and during such periods, as funds are available therefor in such particular fund, or as provided in the internal service agreement amortization schedule.
Such disbursements from the Internal Service Fund shall be approved by Resolution by City Council. Resolution shall include loan agreement with amortization schedule. Terms of the loan shall not exceed 5 years and rates shall not exceed the current rate of the City's pooled cash account plus 0.50%.

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. 1263 and shall be in full force and effect from and after its passage, approval and publication according to law.

Passed and approved this 1st day of November, 2021.

/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

(SEAL)

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

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

Evans motioned adopt Ordinance #1263 by title and Sumstine seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

Agenda Item #14, Consider Approval of Resolution for Loan Agreement between the Enterprise Fund and the Police Tax Fund for $200,000.

RESOLUTION NO. 1725

INTERNAL SERVICE FUND LOAN AGREEMENT AND APPROPRIATION
POLICE DEPARTMENT FINANCING

RESOLUTION ESTABLISHING LOAN AGREEMENT AND TRANSFER OF THE SUM OF $200,000 FROM THE CITY OF MINDEN INTERNAL SERVICE FUND TO THE CITY OF MINDEN POLICE TAX FUND AND APPROPRIATING $200,000 FOR THE PURCHASE OF POLICE UPGRADES INCLUDING VEHICLES, UNIFORMS AND OTHER EQUIPMENT.

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WHEREAS, the City desires to purchase such equipment and borrow $200,000 for use by the Police Department Tax Fund; and

WHEREAS, pursuant to the City of Minden Code section 2-3, a special fund known as the Internal Service Fund has been established, and

WHEREAS, there is a need for funds in the sum of $200,000 to cover the aforementioned police upgrades; and

WHEREAS, the Enterprise Fund has sufficient funds to fund the Internal Service Fund to loan the sum of Two Hundred Thousand and No/100 ($200,000) to the Police Tax Fund for a period of up to four (4) years;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MINDEN, AS FOLLOWS:

1. The sum of Two Hundred Thousand and No/100 ($200,000) from the current Minden Internal Service Fund is hereby ordered transferred to the Police Tax Fund, as a loan for the above-described purpose in accordance with the following terms:

   a. Said loan shall be for a term of ten (4) years, commencing September 15, 2020 and expiring September 15, 2024;

   b. Interest rate shall be 0.70% and shall be calculated and paid annually on the outstanding balance of said loan.

   c. Principal shall be payable annually on November 15th in accordance with the attached payment schedule.

   d. Notwithstanding the foregoing, said loan may be repaid without penalty at any time during the term thereof by fully paying and transferring the remaining balance of principal and interest currentto date of repayment to the Internal Service Fund.

2. The aforementioned sum is transferred and appropriated for the purpose hereinabove specified for expenditure during the period, July 2020 – September 2021, and shall be in addition to all other sums appropriated for suchpurpose during such fiscal year.

Loan Amortization Schedule

Payment Number	Payment Date	Principal	Interest Rate	Interest	Total Payment
1	15-Nov-21	$49,478.30	0.70%	$1,400.00	$50,878.30
2	15-Nov-22	$49,824.65	0.70%	$1,053.65	$50,878.30
3	15-Nov-23	$50,173.42	0.70%	$704.88	$50,878.30
4	15-Nov-24	$50,523.63	0.70%	$353.67	$50,877.30
Total		**$200,000.00**		**$3,512.21**	**$203,512.21**

Note: Interest rate is %0.25 above current bank rate of 0.45%.

Passed and approved on the 1st day of November, 2021.

/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

Evans motioned to approve Resolution #1725 and Sumstine seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

Agenda Item #15, Open Mic Public Comments.

No comments were made.

Agenda Item #16, Adjournment.

Yant motioned to adjourn at 7:20 pm and Evans seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

_____
Ted Griess, Mayor

ATTEST:

_____
Abbey Jordan, City Clerk

(SEAL)