City of Minden

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The Christmas City
Minden NEBRASKA

Minutes of Council Meeting
City of Minden, Nebraska
March 7, 2022

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 6:01 p.m. The following City Council members were present: Jack Yant, Bob Carlson, Teresa Sumstine, and Larry Evans. The following City Officials were present: Mayor Ted Griess, City Attorney Tom Lieske, 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, 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 the Council of the Comprehensive Plan Meeting on Wed, March 16th at 6:00 pm at the Opera House.

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

Amazon Capital Services--Supplies 111.54, Bill's Plumbing & Htg. Inc--Supplies 27.30, Black Hills Energy--Utilities 867.88, Bsn Sports--Supplies 1,763.49, Chemsearch--Supplies 813.72, City Of Hastings--Scales--Membership 1,000.00, Danko Emergency Equip. Co--Supplies 648.00, Department Of Enviroment And Energy--Training 260.00, F. Rogers--Cleaning 537.50, K&K Auto Repair Inc--Repairs 180.95, Ke Co Treasurer--Fees 5,358.32, Kearney Co. Clrk Myra Johnson--Fees 22.00, Landmark Implement Carquest--Supplies 16.82, Lee Bhm Corp--Printing 110.80, Lieske, Lieske & Ensz P. C., Llo--Legal 1,715.35, Lieske, Lieske & Ensz P. C., Llo--Legal 1,000.00, Mason's Market--Supplies 94.23, M. Cederburg--Training 641.28, Miller & Associates--Tech/Engineering 919.50, Minden Hardware--Supplies 135.51, Minden Office Supply, Inc--Supplies 330.09, Minden Rural Fire Dept.--Fees 11,205.69, Minden Utility Dept.--Utilities 3,808.99, Municipal Supply-Nebraska--Supplies 370.77, Nphe--Fees 241.00, Olsson Associates--Tech/Engineering 41,845.91, One Call Concepts Inc--Fees 23.80, Penguin Management--Fees 780.00, Presto X Co.--Maintenance 122.00, Southern Power District--Utilities 77.62, The Minden Courier--Printing 472.30, T. Beck--Printing 289.00, United Healthcare Services Inc--Fees 923.60, United States Postal Service--Fees 265.00, Usa Communications--Phone/Internet 49.90, Verizon Wireless--Phone/Internet 661.35, Village Cleaners Inc--Cleaning 221.66, Westech--Supplies 925.37, Witmer Public Safety Group--Supplies 85.98, 2-25-22 Payroll--$50,519.80.

Yant had corrections to the February 22, 2022 minutes to change from Yant to Griess to opening the meeting, Griess leading the pledge of Allegiance, and Griess making the open meeting statement.

Evans asked the budget status of the generator project in respect to the charges with Miller & Associates. Cederburg will provide the contrat amount versus amount paid. Yant asked for clarification on the bill from Olsson Associates for the environmental services on the old recycle lot. Cederburg will review with OA, but believes the charge is for the initial call with OA. Cederburg also noted the state should be out soon to conduct the analysis.

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, Consider Approval of Entryway plan, Miller & Associates.

Jennie Kozal, Miller & Associates, presented the design for the City's north entryway by the fairgrounds. The welcome sign is one of the first impressions of the City. What message does Minden want to send? Based on traffic counts, the north entryway is the first one that will be redone. Kozal met several times with Cederburg, City Street Superintendent, Chris Klahn, and NDOT to ensure the City meets the state's specifications.

The City wishes to highlight what Minden has to offer with possible themes such as The Christmas City, the Opera House, and the Pioneer Village. The north entryway proposal includes a Christmas tree and ornaments. The north entryway also focused on a hike-bike trail for citizens to get to the fairgrounds.

The project has been split into phases. The sign and decorations are phase 1 and the concrete trail is the second phase. Miller & Associates estimates phase 1 will cost approximately $37,000. Phase 2 will cost approximately $390,000 at today's costs with an estimated cost of $500,000 in 2027. The city plans to explore grant options to assist with funding for both phases.

Kozal stressed the designs presented are just conceptual at this point and are not final. The City is exploring options to work with MPS along with local artists and plans to present the entryway study at upcoming Comprehensive Plan meetings.

A high school student brought up concerns about the trail being close to the highway and keeping kids away from it. Another high school student was concerned about golf balls hitting trail users as she personally has hit many golf balls through the trees. Yant wishes to have a new sign installed as the current ones are busy and the advertising on the back is from a business no longer in existence.

Sally Buss, local artist, is happy to help as needed, but is concerned about the community's perception of spending funds on the beautification versus other needs. Cederburg stated the entryways are about first impressions for incoming traffic along with this was a primary goal from the City's current 10-year comprehensive plan.

Kozal stated the goal of this was to get the discussion going and to foster new ideas which has come out of this. The discussion will continue at the Comprehensive plan meeting on March 16th.

No action taken.

Agenda Item #6, Presentation of Jensen Memorial Library Annual Report by Library Director, Janene Hill.

Hill reviewed the highlights of the prior year. The biggest change was the internet wiring acquiring 5x higher speeds and a separate network for staff versus patrons. Hill said last year's numbers weren't as high for attendance as everyone was just getting back to regular life after covid shutdowns.

Griess asked about the electronic holdings. Hill replied the JML participates in the state-wide consortium called Overdrive which provides audiobooks and electronic books on phones and tablets to library patrons. Sumstine asked for an update on the online viewing of newspaper. Hill said it was finished and they'd received the film. However, it was not up to the company's standards, so it was sent back and is currently being redone. No action taken.

Agenda Item #7, Consider Approval of an Ordinance creating Street Improvement District No. 2022-1, Second Reading.

Evans introduced Ordinance No. 1267 for its second reading.

CITY OF MINDEN, NEBRASKA

ORDINANCE NO. 1267

AN ORDINANCE OF THE CITY OF MINDEN, NEBRASKA, CREATING A CERTAIN STREET IMPROVEMENT DISTRICT WITHIN THE CITY OF MINDEN TO BE KNOWN AS STREET IMPROVEMENT DISTRICT NO. 2022-1; DEFINING THE BOUNDARIES OF SAID DISTRICT AND THE PROPERTY CONTAINED THEREIN; AND, PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS THEREIN CONSISTING OF GRADING, AND CONSTRUCTION OF PORTLAND CEMENT PAVING OR ASPHALTIC PAVING, SUBGRADE PREPARATION, EXCAVATION, STORM SEWER PIPE AND RELATED STORM SEWER STRUCTURES AND DRAINAGE IMPROVEMENTS SEEDING AND SUCH OTHER IMPROVEMENTS, ACCESSORIES AND APPURTENANCES AS MAY BE NECESSARY AND INCIDENTAL THERETO.

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

Section 1. The Mayor and City Council of the City of Minden, Kearney County, Nebraska, hereby find and determine that it is in the best interests of the City that Oak Street from Industrial Street south to 1st Street; Evergreen Street from its eastern terminal point to Oak Street; and Birch Street from its eastern terminal point to Oak Street, all in the City of Minden, be improved as hereinafter described; and that it is in the best interests of the City of Minden to create a street improvement district for the construction of the said improvements.

Section 2. There is hereby created within the City of Minden, Nebraska, a street improvement district to be known and designated as Street Improvement District No. 2022-1, which shall contain the following property:

LEGAL DESCRIPTION
A TRACT OF LAND LOCATED IN PART OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION TWELVE (12), TOWNSHIP SIX (6) NORTH, RANGE FIFTEEN (15) WEST OF THE 6TH P.M., KEARNEY COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 21; THENCE ON AN ASSUMED BEARING OF S89°12'17"W A DISTANCE OF 914.10 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF C.R.A. ADDITION TO THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKAS; THENCE CONTINUING S89°12'17"W A DISTANCE OF 402.85 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4); THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER (1/4),

SOUTHWEST QUARTER (1/4), N00°45'37"W A DISTANCE OF 1127.01 FEET TO A POINT ON THE SOUTH LINE OF MINDEN WEST ESTATES THIRD SUBDIVISION; THENCE N86°44'28"E ALONG SAID SOUTH LINE MINDEN WEST THIRD ESTATES A DISTANCE OF 922.91 FEET; THENCE ON SAID SOUTH LINE MINDEN WEST THIRD N89°06'09"E A DISTANCE OF 388.30 FEET TO POINT ON WEST LINE OF A TRACT OF LAND SURVEYED BY BRIAN L LANGENBERG, LS 546, DATED SEPTEMBER 27, 2004; THENCE S53°52'45"W ON THE WEST LINE OF SAID SURVEYED TRACT, A DISTANCE OF 245.62; THENCE S34°12'27"W ON THE WEST LINE OF SAID SURVEYED TRACT, A DISTANCE OF 997.72 FEET; THENCE S00°49'22"E ON THE WEST LINE OF SAID SURVEYED TRACT, A DISTANCE OF 55.15 FEET TO THE NORTHEAST CORNER OF LOT 1, OF SAID C.R.A. ADDITION; THENCE S89°20'12"W ALONG THE NORTH LINE OF SAID LOT 1, C.R.A. ADDITION A DISTANCE OF 41.55 FEET; THENCE S44°323'48"W ALONG THE NORTHWESTERLY LINE OF SAID LOT 1, C.R.A. ADDITION, A DISTANCE OF 94.00 FEET; THENCE S16°031'30"W ALONG THE WEST LINE OF SAID LOT 1 C.R.A ADDITION, A DISTANCE OF 90.91 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 922592 SQUARE FEET OR 21.180 ACRES MORE OR LESS OF WHICH 3.713 ACRES ARE NEW DEDICATED ROAD RIGHT-OF-WAY.

Within Street Improvement District No. 2022-1, the City Council hereby finds and determines that it is in the best interests of the City that Oak Street from Industrial Street south to 1st Street; Evergreen Street from its eastern terminal point to Oak Street; and Birch Street from its eastern terminal point to Oak Street, all in the City of Minden, shall be and is hereby ordered improved by construction of improvements therein consisting of grading, and construction of Portland Cement paving or asphaltic paving, subgrade preparation, excavation, storm sewer pipe and related storm sewer structures and drainage improvements, seeding, and such other improvements, accessories and appurtenances as may be necessary and incidental thereto.

Section 3. All of said improvements shall be constructed to the established grades as fixed by ordinances of the City of Minden, and shall be constructed in accordance with plans and specifications to be prepared by the City's Engineers and approved by the Mayor and City Council. Said improvements shall be made at public cost.

Section 4. Notice of the creation of said Street Improvement District No. 2022-1 shall be published in the Minden Courier, a legal newspaper of general circulation within the City of Minden, for three weeks after the publication of this Ordinance.

Section 5. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any of the other provisions of this Ordinance.

Section 6. This Ordinance shall be published and take effect as provided by law.

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

Agenda Item #8, Consider Approval of storm sewer construction and maintenance Easement with the Community Redevelopment Authority of the City of Minden in Lot 9, Minden West Estates Subdivision in the City of Minden.

Cederburg recommends this easement as it allows the remaining lot to be built upon. There is a builder ready to buy the lot as soon as the storm sewer is relocated. Evans asked about the curb inlet. Klahn stated the inlet will remain the same, but the pipe will be relocated going west, then north, then back east to meet up with the existing storm sewer.

Evans motioned to approve the storm sewer construction and maintenance Easement and Carlson seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine and Evans. Motion carried.

Agenda Item #9, Consider Preliminary Approval of a replat of 418 E. Country Club Drive for Kevin & Julie Krull for Krull to begin site preparation at their own expense.

Cederburg reminded council they were favorable to this project on Sept 20, 2021. Krull wants to put two buildings on the property east of his property line. NPPD has reviewed the guidelines for how far the buildings need to be from the power lines. Krull would like to begin removing trees and grading the property. Krull understands this is not an approval of the replat and these would be at his expense.

Kevin Krull joined via phone. He understands the risk of his expenses. His goal is to clear enough trees to get the small building off of the property to the south of his so the new owners can begin their house build.

Yant motioned to give the preliminary approval of the replat of 418 E. Country Club Drive and Carlson seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine and Evans. Motion carried.

Agenda Item #10, Consider Approval of Ordinance vacating a tract of land being in part of the northeast quarter of section 7, T6N, R14W, of the 6th p.m., Kearney County, Nebraska, abutting the east side of lot 6, country club estates subdivision to the City of Minden, Kearney County, Nebraska described as follows. Beginning at the NE corner of lot 6, country club estates subdivision to the City of Minden; thence N89°03'53"E on the easterly extension of the north line of said lot 6, 60.63'; thence S03°33'42"W, 165.86' to the point of intersection with the south line of said lot 6 as extended easterly; thence S89°O4'58"W on said easterly extended south line, 48.18' to the se corner of said lot 6; thence N00°44'33"E on the east line of said lot 6, 165.35' to the point of beginning, containing 9,010 square feet more or less.

No discussion and no action taken.

Agenda Item #11, Consider options and approval to proceed with financing of the City's tanker truck and streetsweeper.

Cederburg recommended utilizing local banks for financing while they can offer low interest rates. The City's internal service fund could be utilized when rates increase. Cederburg stated to get tax-free financing, an opinion would be needed from a legal firm such as Gilmore-Bell. Cederburg recommends 4 years of financing.

Yant motioned to approve to proceed with financing of the City's tanker truck and streetsweeper by getting 3 bids from local banks for interest-free financing. Carlson seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine and Evans. Motion carried.

Agenda Item #12, Discussion of City's ARPA Plan and use of funds.

Cederburg stated the allowable uses of funds has changed. In January, it was declared that funds can now be spent on government services if it is elected to use the standard revenue loss figure. Cederburg reviewed the steps to follow for funds use. Cederburg recommends spending on the more-financially burdened tax side for a splash pad, tennis court resurfacing, and streets paving. The League of Nebraska Municipalities agreed with the parks and recreation and street improvements. It is also recommended having Olsson Associates assist with these funds to ensure the City follows all federal guidelines. Evans stated the guidelines have changed as to what the funds can be used for.

No action taken.

Agenda Item #13, Open Mic Public Comments

No comments were made.

Agenda Item #18, Adjournment

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Evans motioned to adjourn at 7:12 pm and Sumstine seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

(SEAL)