

City of Minden

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Minutes of Council Meeting City of Minden, Nebraska October 3, 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 6:00 p.m. The following City Council members were present: Jack Yant, Bob Carlson, Teresa Sumstine, and Larry Evans. The following City Officials were present: Mayor Ted Griess, City Attorney Tom Lieske, and City Clerk Abbey Jordan. Absent: City Administrator Matt Cederburg.

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 Council Chambers. In addition, for public inspection, there is located on the table to the south of the chairs in the Council Chambers, 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 congratulated Minden’s Homecoming King and Queen, Sloane Beck and Alex Boudreau. Congratulations to the band for their performance at Harvest of Harmony and to the girl’s golf team!

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

Alert-All Corp.--Supplies 1,365.00, B. Norgaard--Repairs 176.58, Bill's Plumbing & Htg. Inc--Repairs 169.92, Black Hills Energy--Utilities 37.65, Central Community College--Training 1,134.00, D. Vitito--Uniforms 544.34, Eakes Office Plus--Financing 8,458.06, F. Rogers--Cleaning 591.25, Fraser Stryker Pc Llo--Legal 2,087.50, Great Plains Communications--Utilities 146.23, J. Carter--Repairs 700.00, Jims Ok Tire Minden Llc--Repairs 45.50, Ke Co Treasurer--Fees 12.00, Ke Co Treasurer--Fees 5,516.66, Landmark Implement Carquest--Repairs 722.51, Lieske, Lieske & Ensz P. C., Llo--Legal 1,000.00, Lieske, Lieske & Ensz P. C., Llo--Legal 1,797.61, Minden Exchange Bank & Trust C--Financing 3,630.24, Minden Exchange Bank & Trust C--Financing 2,420.16, Minden Utility Dept.--Utilities 4,217.18, Plains Tree Farm Inc--Vegetation 3,270.00, Quadiant Leasing--Financing 657.60, Syndicate Publishing, Llc--Printing 91.52, Verizon Wireless--Phone/Internet 653.14, 9-23-22 Payroll--\$53,992.12.

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



Agenda Item #5, Public Hearing for Application submitted by the Masons Market Inc for the Final Plat for CRS Fourth Subdivision, a tract of land being part of the Southeast Quarter of the Northeast Quarter of the Northeast Quarter (SE1/4 NE1/4 NE1/4) of Section Twelve (12), Township Six (6) North, Range Fifteen (15) West of the Sixth Principal Meridian, Kearney County, Nebraska, together with Lot One (1), now vacated, CRS Second Subdivision, a subdivision being part of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 12, Township 6 North, Range 15 West of the Sixth Principal Meridian, Kearney County, Nebraska, all more particularly described as follows: Referring to the Southwest Corner of the Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of said Section 12 and assuming the West line of said Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4 as bearing N 00°00'48" E and all bearings contained herein are relative thereto; thence N 00°00'48" E on the aforesaid West line a distance of 330.58 feet to the ACTUAL PLACE OF BEGINNING, said point being the southwest corner of said Lot 1; thence continuing N 00°00'48" E on the aforesaid West line and the west line of said Lot 1 a distance of 325.00 feet to the northwest corner of said lot; thence N 89°55'14" E on the north line of said lot a distance of 266.00 feet to the northeast corner of said lot; thence S 00°00'48" W on the east line of said lot a distance of 325.00 feet to the southeast corner of said lot; thence N 89°55'14" E on the North line of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of said Section 12 a distance of 68.95 feet; thence S 00°05'35" W on the west line, if extended northerly, of Lot 1, Jestes Subdivision, a subdivision being part of the S 1/2 of the SE 1/4 of the NE 1/4 of the NE 1/4 of Section 12 Township 6 North, Range 15 West of the 6th Principal Meridian, Kearney County, Nebraska a distance of 298.45 feet; thence S 89°53'57" W a distance of 51.65 feet; thence S 00°12' E a distance of 32.00 feet to a point on the South line of said Northeast 1/4 of the Northeast 1/4; thence S 89°53'57" W a distance of 213.50 feet; thence N 00°05'02" E a distance of 330.55 feet to a point on the south line of Lot 1, in said CRS Second Subdivision; thence S 89°55'14" W on the aforesaid south line a distance of 69.90 feet to the place of beginning.

Lieske opened the public hearing at 6:05 p.m. No one spoke. The hearing was closed at 6:06 p.m. Yant motioned to approve the Final Plat for the CRS Fourth Subdivision and Carlson seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

Agenda Item #6, Discussion and Resolution of private water main replacements.

Carlson motioned to enter closed session at 6:07 p.m. and Yant seconded. On roll call, the following voted aye: Yant, Carlson, and Sumstine. Voting nay: Evans. Motion carried.

Yant motioned to exit closed session at 6:35 p.m. and Carlson seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

Yant motioned to enter open session at 6:36 p.m. and Carlson seconded. On roll call, the following voted aye: Yant, Carlson, Sumstine, and Evans. Motion carried.

Kevin Krull, representing Keith Johnson as his insurance agent, stated the ground below your property between the property lines is covered by a homeowner's insurance policy. Any property owned outside of the property lines is not covered by the homeowner's policy. Krull requested the council look at assisting property owners with longer water lines as it appears there are several throughout town. Jordan stated a majority of the homeowner's curbstops are not located on private property. Lieske stated the City's ordinances do require them to be located on the city's right-of-way.

Lieske confirmed the alley containing Johnson's water line is a dedicated alley still. Darin Fischer, Utilities Superintendent, stated he believes it to be as there are city utilities underground in there. Griess stated the City is bound by ordinance that the City cannot pay for the water line repair as the City doesn't own it.

Krull thought there might be an opportunity to assess the costs to the property owner. Lieske stated special assessments can be done if a utility district is created but is questioning whether the process can be done as the work has already been done.

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Sumstine wanted to clarify the City's responsibility of the water line and Johnson's water line. Fischer clarified Johnson's water line goes a long distance to the City's main. Yant stated the customer is responsible for their water line from the curbstop, which is typically in the city's right-of-way, to their house. Sumstine asked if a water line could be brought closer to Johnson? Fischer stated it is possible. Lieske conferred.

Krull asked if the City would consider taking over ownership from the property lines. Fischer stated no.

Johnson stated he was losing money with the water constantly running. He walked the line along with Fischer and Cederburg and the leak couldn't be found.

No action was taken.

Agenda Item #7, Open Mic Public Comments.

None were made.

Agenda Item #8, Adjournment

Yant motioned to adjourn at 6:58 pm and Evans 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)