

City of Minden

P.O. Box 239, 325 N. Colorado
Minden, Nebraska 68959

phone 308.832.1820
fax 308.832.1949
www.MindenNebraska.org



Minutes of Council Meeting City of Minden, Nebraska May 15, 2023

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 Evans called the meeting to order at 6:01 p.m. The following City Council members were present: Jarvis Kring, Teresa Sumstine, Jack Yant and Alyssa Schneider. The following City Officials were present: Mayor Larry Evans, City Attorney Andrew Olson, 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, Evans led those in attendance in the Pledge of Allegiance.

Then Evans 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, Council Announcements. Kring wanted to thank all police officers for all the sacrifices and all that they do in recognition of Police Week. Evans wanted to thank the Chamber of Commerce for a successful Dawg Days. Evans also stated that on June 3rd there will be a large group of cars coming through Minden and taking a break while they are here. Evans shared that Kayla Farrell with Homeland Security had emailed Evans thanking the Minden Police Department for all their efforts on various cases including human and sex trafficking. Evans also stated that Brown Ave/Highway 10 is under construction and will remain that way for quite some time and that the intersection of 1st Street & Brown Avenue will be closed beginning next Monday.

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 excluding the Police Department
- 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 Special Designated Liquor Permits for Windmill Studios for June 3, 2023 from 12 pm to 1 am at the Kearney County Fairgrounds for a Wedding Reception.

Amazon Capital Services--Supplies 309.86, Anderson Jewelry--Supplies 74.80, A. Spracklin Pc--Fees 120.00, Aurora Cooperative--Gas 34.67, Baker & Taylor Books--Supplies 423.07, Black Hills Energy--Utilities 156.67, Cardmember Service--Supplies 92.19, Cengage/Gale--Supplies 102.66, City Of Holdrege Landfill--Fees 5,143.32, Cooperative Producers, Inc.--Gas 1,759.69, C. Lupkes--

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Fees 150.00, Dept Of Treasury--Fees 172.98, Dier, Osborn & Cox, P.C., L.L.O--Legal 4,175.25, Dollar General-Regions 410526--Supplies 119.85, Eakes Office Plus--Supplies 48.89, Emergency Medical Products--Supplies 1,153.40, F. Rogers--Cleaning 30.00, Fyr-Tek, Inc.--Supplies 9,034.38, Gary's Auto Repair--Repairs 314.80, Great Plains Communications--Utilities 134.84, Greatamerica Financial Services Corporation--Financing 224.56, Innovative Pharmacists, Inc.--Supplies 2.59, Intellicom Computer Consulting--Tech/Engineering 4,180.50, Isw--Supplies 9.60, Ke Co Health Payment Cntr--Medical 329.00, Kearney Co. Clrk Myra Johnson--Fees 80.00, League Of Nebr. Municipalities--Training 505.00, Les Lee P. Mcgee--Infrastructure Repair 12,196.00, Macqueen Emergency Group--Repairs 4,282.35, M. Raffaelli--Cleaning 202.73, Midwest Laboratories--Fees 94.30, Midwest Tapes--Supplies 605.88, Minden Exchange Bank & Trust C--Financing 6,654.13, Minden Hardware--Supplies 494.14, Minden Lumber & Concrete Co.--Supplies 16.49, Minden Office Supply, Inc--Supplies 107.71, Napa Auto Parts--Supplies 321.09, Nppd Kwh--Utilities 116,843.82, Nppd O&M--Maintenance 17,551.29, One Call Concepts Inc--Fees 137.88, Pony Express Ford--Repairs 97.90, Presto X Co.--Fees 153.68, Quadient Leasing--Fees 801.78, Quick Med Claims--Fees 210.38, Rdo Truck Center--Repairs 241.90, Rek Enterprises Llc--Repairs 81.42, Revenue Bond Payment Account--Fees 130,191.10, Share Corp.--Supplies 206.63, Siteone Landscape Supply Holding, Llc--Supplies 96.93, Sos Portable Toilets Inc--Fees 254.00, Southern Power District--Utilities 86.09, Spectrum Business--Utilities 1,298.12, Syndicate Publishing, Llc--Printing 72.31, United States Postal Service--Fees 63.00, Usa Blue Book--Supplies 476.62, Verizon Wireless--Utilities 627.55, Wex Bank--Gas 5,663.33, 5-05-23 Payroll \$58,109.59.

Jordan stated that there was a change from the original agenda to add agenda item 4e.

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

Agenda Item #5, Consider Approval of Police Department's Bills & Claims for this Council Meeting.

Sumstine motioned to approve the Police Department's Bills & Claims for this Council Meeting and Schneider seconded. On roll call, the following voted aye: Sumstine, Yant and Schneider. Abstain: Kring. Motion carried.

Agenda Item #6, Public Forum

No comments were made.

Agenda Item #7, Employee Service Recognition.

- Janice Coon, 8 years
- Lynda Stangl, 7 years
- David Graham, 6 years
- MaryJo Froid, 6 years
- Dave Conyers, 4 years

No action taken.

Agenda Item #8, Consider Approval of Treasury Report, April 2023.

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Jordan reviewed the state of the City Treasury. She then went through the higher items for expenses and revenues on each side of the accounts. Utilities Superintendent, Darin Fischer stated that there is still some plumbing and electrical work to be done at the pool. At the moment they are waiting on supplies. He stated that as long as parts arrive in time, the pool is set to open as usual.

Jordan also stated that after meeting with the auditors last week, the City can now start paying ourselves back for the bonds. The funds are in the investments and will be transferred to the checking appropriately.

Yant motioned to approve the Treasury Report, April 2023 and Schneider seconded. On roll call, the following voted aye: Kring, Sumstine, Yant, and Schneider. Motion carried.

Agenda Item #9, Consider Approval of Budget Report, April 2023.

Yant motioned to approve the Budget Report, April 2023 and Kring seconded. On roll call, the following voted aye: Kring, Sumstine, Yant, and Schneider. Motion carried.

Jordan stated that there was an error in the previous month's budget report. The error had been fixed last month on the report, but not in the accounting software. She will make the correction.

Agenda Item #10, Consider Selection of Bidder for West Water Tower Painting.

Jeff Palik, Olsson Associates, stated the City had received eight bids. He stated that the bids were very competitive. He said that they have not done any prior work with the lowest bidder, O&A Classic Coatings out of Texas. Palik did some research and does not have any concerns with this company and are recommending them. Sumstine asked where the other bidders were from. Palik replied they are from all over the US as these are very specialized companies. He also stated that this project would not start until fall and that it will approximately take 8 weeks to complete.

Yant motioned to approve the O&A Classic Coatings bid for \$220,522 for the base bid, alternate bid A, and alternate bid B. Schneider seconded. On roll call, the following voted aye: Kring, Sumstine, Yant, and Schneider. Motion carried.

Agenda Item #12, Consider Approval of Ordinance Amending Chapter 94, Article III, C1 Central Commercial District Use Regulations of the Minden Municipal Code, Third Reading.

Yant introduced Ordinance 1280 for its third reading.

ORDINANCE NO. 1280

AN ORDINANCE TO AMEND CHAPTER 94, ARTICLE III, OF THE MUNICIPAL CODE OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY AMENDING SECTION 94-69, AS THE SAME RELATES TO C1 CENTRAL COMMERCIAL DISTRICT USE REGULATIONS WITHIN THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

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

Section 1. That Section 94-69 be amended in the Municipal Code of the City of Minden, Kearney County, Nebraska, to read as follows:

Section 94-69. C1 Central Commercial District Use Regulations.

(a) Permitted uses. In the C1 central commercial district, the following buildings and uses are permitted

- (1) Any use permitted in the R1 residential district.
- (2) Automotive sales and service, such as filling or service stations, commercial garages, enclosed salesrooms, and enclosed buildings for vehicle repair.
- (3) Business service, such as banks, office buildings, and postal stations.
- (4) Clothing services, such as laundry agencies, self-service laundries, dressmaking, millinery, shoe repair and dry cleaning and pressing establishments and using only cleaning materials safe from fire hazards.
- (5) Equipment service, such as radio shops, electric appliance shops, record shops.
- (6) Personal service, such as barber shops, beauty salons, reducing salons, and photographic studios.
- (7) Retail sales, such as food markets, drugstores, haberdashers, stationers, newsdealers, apparel shops, showrooms, and flower shops.
- (8) Food service, such as eating and drinking establishments.
- (9) Service establishments and wholesale trade conducted completely within an enclosed building.
- (10) Transportation terminals.
- (11) Warehouse buildings and commercial storage.
- (12) Hotels and motels.
- (13) The upper levels above street level of a building may be used for multiple dwellings. No more than 35% of the street level may be used for residential space if there are dwellings on the upper levels.
- (14) Accessory or secondary buildings, structures or uses, subordinate and customarily incidental to and located in the same lot with any of the foregoing principal uses, provided that no person who is not a resident of the premises shall be employed in such accessory or secondary use thereof.

(b) Height and area requirements. The required height and area regulations in the C1 central commercial district are as follows:

Maximum Building Height

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Stories	3
Feet	45

Minimum Lot Requirements for new family dwelling structures

	Single-family	Two-family
Area (square feet)	7,920	9,240
Lot frontage (feet)	<u>66</u>	<u>66</u>
Front yard depth	<u>25</u>	<u>25</u>
Rear yard depth	30	30
Total side yard width	12	12
One side yard width	6	6

Source: Code 1982, SS 15-206.01, 15-206.02; Ord. No. 1131, SS 1, 1-15-07; Ord No. 1280, 05/15/2023.

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. 1280 and shall be in full force and effect from and after its passage, approval and publication according to law.

Passed and approved this 15th day of May, 2023.

/s/ Larry Evans
Larry Evans, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

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

Agenda Item #12, Consider Approval of Resolution Rescinding the Nuisance at Lots 7-12 and vacated portions of Block 35, McCool's Addition, Minden, Kearney County, Nebraska.

Evans gave a history of the resolutions to rescind the nuisance of some properties. The City previously declared 17 properties owned by the Sumstine's or King of Kars as nuisances in 2010. A resolution was approved for each and filed on the property. A court order in 2011 required the city to release the nuisance declarations. It is unknown why this wasn't done at this time.

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RESOLUTION 1757

A Resolution of the City of Minden, Nebraska, rescinding a nuisance on a property in McCool's Addition.

WHEREAS, per Resolution 1537 dated May 17, 2010, the Mayor and City Council declared Lots 7-12 and vacated portions of Block 35, McCool's Addition, Minden, Kearney County, Nebraska and known as parcel number 4860.03 to be a public nuisance because the property was in violation of Section 30-27 (1)-(5) and Section 30-28 (3), (6), (7) and (9), of the City Code of the City of Minden, Kearney County, Nebraska. Mike Sumstine, Teresa Sumstine and King of Kars, Inc., the owners or individuals in control of the property described as Lots 7-12 and vacated portions of Block 35, McCool's Addition, Minden, Kearney County, Nebraska and known as parcel number 4860.03 were to remedy this nuisance within 30 days and if not done then the City was hereby authorized to move onto the premises and clean up the property at the expense of the owner or individual in control per Resolution 1537, dated May 17, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Minden, Nebraska:

In accordance with the ruling issued by the District Court of Kearney County, Nebraska on or about August 5th, 2011, the nuisance order is being rescinded from the property described as Lots 7-12 and vacated portions of Block 35, McCool's Addition, Minden, Kearney County, Nebraska and known as parcel number 4860.03. The City of Minden has taken no action to the detriment of the landowner in violation of said ruling since the date of its issuance.

This Resolution shall become effective upon its passage and approval. Passed and approved on 15th day of May, 2023.

/s/ Larry Evans
Larry Evans, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

Schneider motioned to approve Resolution 1757, rescinding a nuisance on a property in McCool's Addition and Yant seconded. On roll call, the following voted aye: Kring, Yant, and Schneider. Abstain: Sumstine. Motion carried.

Agenda Item #13, Consider Approval of Resolution Rescinding the Nuisance at the E 1/2 of Lots 7, 8, and 9, Block 3, Original Town, Minden, Kearney County, Nebraska.

RESOLUTION 1758

A Resolution of the City of Minden, Nebraska, rescinding a nuisance on a property in Original Town.

WHEREAS, per Resolution 1532 dated May 17, 2010, the Mayor and City Council declared E 1/2 of Lots 7,8, and 9, Block 3, Original Town, Minden, Kearney County, Nebraska and known as parcel number 4024.00 to be a public

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nuisance because the property was in violation of Section 30-27 (1)-(5) and Section 30-28 (3), (6), (7) and (9), of the City Code of the City of Minden, Kearney County, Nebraska. Mike Sumstine, Teresa Sumstine and King of Kars, Inc., the owners or individuals in control of the property described as E 1/2 of Lots 7, 8, and 9, Block 3, Original Town, Minden, Kearney County, Nebraska and known as parcel number 4024.00 were to remedy this nuisance within 30 days and if not done then the City was hereby authorized to move onto the premises and clean up the property at the expense of the owner or individual in control per Resolution 1532, dated May 17, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Minden, Nebraska:

In accordance with the ruling issued by the District Court of Kearney County, Nebraska on or about August 5th, 2011, the nuisance order is being rescinded from the property described as E 1/2 of Lots 7,8, and 9, Block 3, Original Town, Minden, Kearney County, Nebraska and known as parcel number 4024.00. The City of Minden has taken no action to the detriment of the landowner in violation of said ruling since the date of its issuance.

This Resolution shall become effective upon its passage and approval. Passed and approved on 15th day of May, 2023.

/s/ Larry Evans
Larry Evans, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

Yant motioned to approve Resolution 1758, rescinding a nuisance on a property in Original Town and Kring seconded. On roll call, the following voted aye: Kring, Yant, and Schneider. Abstain: Sumstine. Motion carried.

Agenda Item #14, Consider Approval of Resolution Rescinding the Nuisance at Lot 4 Lying South of CB&Q R.R. R.O.W. and all of Lot 5, Block 9, Original Town, Minden, Kearney County, Nebraska.

RESOLUTION 1759

A Resolution of the City of Minden, Nebraska, rescinding a nuisance on a property in Original Town.

WHEREAS, per Resolution 1533 dated May 17, 2010, the Mayor and City Council declared Lot 4 Lying South of CB&Q R.R. R.O.W. and all of Lot 5, Block 9, Original Town, Minden, Kearney County, Nebraska and known as parcel number 4062.00 to be a public nuisance because the property was in violation of Section 30-27 (1)- (5) and Section 30-28 (3), (6), (7) and (9), of the City Code of the City of Minden, Kearney County, Nebraska. Mike Sumstine, Teresa Sumstine and King of Kars, Inc., the owners or individuals in control of the property described as Lot 4 Lying South of CB&Q R.R. R.O.W. and all of Lot 5, Block 9, Original Town, Minden, Kearney County, Nebraska and known as parcel number 4062.00 were to remedy this nuisance within 30 days and if not done then the City was hereby authorized to move onto the premises and clean up the property at the expense of the owner or individual in control per Resolution 1533, dated May 17, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Minden, Nebraska:

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In accordance with the ruling issued by the District Court of Kearney County, Nebraska on or about August 5th, 2011, the nuisance order is being rescinded from the property described as Lot 4 Lying South of CB&Q R.R. R.O.W. and all of Lot 5, Block 9, Original Town, Minden, Kearney County, Nebraska also known as parcel number 4062.00. The City of Minden has taken no action to the detriment of the landowner in violation of said ruling since the date of its issuance.

This Resolution shall become effective upon its passage and approval. Passed and approved on 15th day of May, 2023.

/s/ Larry Evans
Larry Evans, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

Schneider motioned to approve Resolution 1759, rescinding a nuisance on a property in Original Town and Yant seconded. On roll call, the following voted aye: Kring, Yant, and Schneider. Abstain: Sumstine. Motion carried.

Agenda Item #15, Consider Approval of Resolution Rescinding the Nuisance at Lot "C" NE1/4 12-6-15 Hayes, 4.17 acres of Evan's Addition, Minden, Kearney County, Nebraska.

RESOLUTION 1760

A Resolution of the City of Minden, Nebraska, rescinding a nuisance on a property in Evan's Addition.

WHEREAS, per Resolution 1530 dated May 17, 2010, the Mayor and City Council declared Lot "C" NE1/4 12-6-15 Hayes, 4.17 acres of Evan's Addition, Minden, Kearney County, Nebraska and known as parcel number 2080.00 to be a public nuisance because the property was in violation of Section 30-27 (1)-(5) and Section 30-28 (3), (6), (7) and (9), of the City Code of the City of Minden, Kearney County, Nebraska. Mike Sumstine, Teresa Sumstine and King of Kars, Inc., the owners or individuals in control of the property described as Lot "C" NE 1/4 12-6-15 Hayes, 4.17 acres of Evan's Addition, Minden, Kearney County, Nebraska and known as parcel number 2080.00 were to remedy this nuisance within 30 days and if not done then the City was hereby authorized to move onto the premises and clean up the property at the expense of the owner or individual in control per Resolution 1530, dated May 17, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Minden, Nebraska:

In accordance with the ruling issued by the District Court of Kearney County, Nebraska on or about August 5th, 2011, the nuisance order is being rescinded from the property described as Lot "C" NE 1/4 12-6-15 Hayes, 4.17 acres of Evan's Addition, Minden, Kearney County, Nebraska also known as parcel number 2080.00. The City of Minden has taken no action to the detriment of the landowner in violation of said ruling since the date of its issuance.

This Resolution shall become effective upon its passage and approval. Passed and approved on 15th day of May, 2023.

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/s/ Larry Evans
Larry Evans, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

Yant motioned to approve Resolution 1760, rescinding a nuisance on a property in Evans’s Addition and Schneider seconded. On roll call, the following voted aye: Kring, Yant, and Schneider. Abstain: Sumstine. Motion carried.

Agenda Item #16, Consider Approval of Resolution Rescinding the Nuisance at South 1.27 acres of Lot “D” 12-6-15 Hayes, 1.27 acres part of Evan’s Addition, Minden, Kearney County, Nebraska.

RESOLUTION 1761

A Resolution of the City of Minden, Nebraska, rescinding a nuisance on a property in Evan’s Addition.

WHEREAS, per Resolution 1531 dated May 17, 2010, the Mayor and City Council declared South 1.27 acres of Lot “D” 12-6-15 Hayes, 1.27 acres part of Evan’s Addition, Minden, Kearney County, Nebraska and known as parcel number 2081.00 to be a public nuisance because the property was in violation of Section 30-27 (1)-(5) and Section 30-28 (3), (6), (7) and (9), of the City Code of the City of Minden, Kearney County, Nebraska. Mike Sumstine, Teresa Sumstine and King of Kars, Inc., the owners or individuals in control of the property described as South 1.27 acres of Lot “D” 12-6-15 Hayes, 1.27 acres part of Evan’s Addition, Minden, Kearney County, Nebraska and known as parcel number 2081.00 were to remedy this nuisance within 30 days and if not done then the City was hereby authorized to move onto the premises and clean up the property at the expense of the owner or individual in control per Resolution 1531, dated May 17, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Minden, Nebraska:

In accordance with the ruling issued by the District Court of Kearney County, Nebraska on or about August 5th, 2011, the nuisance order is being rescinded from the property described as the South 1.27 acres of Lot “D” 12-6-15 Hayes, 1.27 acres part of Evan’s Addition, Minden, Kearney County, Nebraska and known as parcel number 2081.00. The City of Minden has taken no action to the detriment of the landowner in violation of said ruling since the date of its issuance.

This Resolution shall become effective upon its passage and approval. Passed and approved on 15th day of May, 2023.

/s/ Larry Evans
Larry Evans, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

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Kring motioned to approve Resolution 1761, rescinding a nuisance on a property in Evans's Addition and Schneider seconded. On roll call, the following voted aye: Kring, Yant, and Schneider. Abstain: Sumstine. Motion carried.

Agenda Item #17, Consider Approval of Resolution Rescinding the Nuisance at West 80' of Lot 7, Block 19, Original Town, Minden, Kearney County, Nebraska.

RESOLUTION 1762

A Resolution of the City of Minden, Nebraska, rescinding a nuisance on a property in Original Town.

WHEREAS, per Resolution 1534 dated May 17, 2010, the Mayor and City Council declared West 80' of Lot 7, Block 19, Original Town, Minden, Kearney County, Nebraska and known as parcel number 4148.00 to be a public nuisance because the property was in violation of Section 30-27 (1)-(5) and Section 30-28 (3), (6), (7) and (9), of the City Code of the City of Minden, Kearney County, Nebraska. Mike Sumstine, Teresa Sumstine and King of Kars, Inc., the owners or individuals in control of the property described as West 80' of Lot 7, Block 19, Original Town, Minden, Kearney County, Nebraska and known as parcel number 4148.00 were to remedy this nuisance within 30 days and if not done then the City was hereby authorized to move onto the premises and clean up the property at the expense of the owner or individual in control per Resolution 1534, dated May 17, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Minden, Nebraska:

In accordance with the ruling issued by the District Court of Kearney County, Nebraska on or about August 5th, 2011, the nuisance order is being rescinded from the property described as the West 80' of Lot 7, Block 19, Original Town, Minden, Kearney County, Nebraska and known as parcel number 4148.00. The City of Minden has taken no action to the detriment of the landowner in violation of said ruling since the date of its issuance.

This Resolution shall become effective upon its passage and approval. Passed and approved on 15th day of May, 2023.

/s/ Larry Evans
Larry Evans, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

Schneider motioned to approve Resolution 1762, rescinding a nuisance on a property in Original Town and Kring seconded. On roll call, the following voted aye: Kring, Yant, and Schneider. Abstain: Sumstine. Motion carried.

Agenda Item #18, Consider Approval of Resolution Rescinding the Nuisance at Lots 1-4 Amjo Development, Minden, Kearney County, Nebraska.

RESOLUTION 1763

A Resolution of the City of Minden, Nebraska, rescinding a nuisance on a property in Amjo Development.

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WHEREAS, per Resolution 1535 dated May 17, 2010, the Mayor and City Council declared Lots 1-4 Amjo Development, Minden, Kearney County, Nebraska and known as parcel number 4454.01. to be a public nuisance because the property was in violation of Section 30-27 (1)- (5) and Section 30-28 (3), (6), (7) and (9), of the City Code of the City of Minden, Kearney County, Nebraska. Mike Sumstine, Teresa Sumstine and King of Kars, Inc., the owners or individuals in control of the property described as Lots 1-4 Amjo Development, Minden, Kearney County, Nebraska and known as parcel number 4454.01. were to remedy this nuisance within 30 days and if not done then the City was hereby authorized to move onto the premises and clean up the property at the expense of the owner or individual in control per Resolution 1535, dated May 17, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Minden, Nebraska:

In accordance with the ruling issued by the District Court of Kearney County, Nebraska on or about August 5th, 2011, the nuisance order is being rescinded from the property described as Lots 1-4 Amjo Development, Minden, Kearney County, Nebraska and known as parcel number 4454.01. The City of Minden has taken no action to the detriment of the landowner in violation of said ruling since the date of its issuance.

This Resolution shall become effective upon its passage and approval. Passed and approved on 15th day of May, 2023.

/s/ Larry Evans
Larry Evans, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

Yant motioned to approve Resolution 1763, rescinding a nuisance on a property in the Amjo Development and Schneider seconded. On roll call, the following voted aye: Kring, Yant, and Schneider. Abstain: Sumstine. Motion carried.

Agenda Item #19, Consider Approval of Resolution Rescinding the Nuisance at Lot 6 Amjo Development, Minden, Kearney County, Nebraska.

RESOLUTION 1764

A Resolution of the City of Minden, Nebraska, rescinding a nuisance on a property in Amjo Development.

WHEREAS, per Resolution 1536 dated May 17, 2010, the Mayor and City Council declared Lot 6, Amjo Development, Minden, Kearney County, Nebraska and known as parcel number 4455.02. to be a public nuisance because the property was in violation of Section 30-27 (1)- (5) and Section 30-28 (3), (6), (7) and (9), of the City Code of the City of Minden, Kearney County, Nebraska. Mike Sumstine, Teresa Sumstine and King of Kars, Inc., the owners or individuals in control of the property described as Lot 6, Amjo Development, Minden, Kearney County, Nebraska and known as parcel number 4455.02. were to remedy this nuisance within 30 days and if not done then the City was hereby authorized to move onto the premises and clean up the property at the expense of the owner or individual in control per Resolution 1536, dated May 17, 2010.

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Minden, Nebraska:

In accordance with the ruling issued by the District Court of Kearney County, Nebraska on or about August 5th, 2011, the nuisance order is being rescinded from the property described as Lot 6, Amjo Development, Minden, Kearney County, Nebraska and known as parcel number 4455.02. The City of Minden has taken no action to the detriment of the landowner in violation of said ruling since the date of its issuance.

This Resolution shall become effective upon its passage and approval. Passed and approved on 15th day of May, 2023.

/s/ Larry Evans
Larry Evans, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

Schneider motioned to approve Resolution 1764, rescinding a nuisance on a property in Amjo Development Town and Yant seconded. On roll call, the following voted aye: Kring, Yant, and Schneider. Abstain: Sumstine. Motion carried.

Agenda Item #20, Discussion of Abatement Procedures for Nuisance Properties.

Evans stated that he has sent out nuisance letters for mowing and other items. Evans stated that he has sent out about 20 letters in the last month. He stated that for example the City has mowed the property at 442 W. 1st Street and the cost will be billed to the property owner.

Evans stated that properties that go un-mowed are difficult to handle in a timely manner. The City notifies the property owner after the lawns is above 12 inches and then the property owner has 2 weeks after receipt of notice to address it. This is too long. Evans went over the fees that could be applied if the City handles it. Jordan also stated that the City would have to get with Olson and see if this something that can be billed to an active utility account. Yant requested to have the City's fees that may apply added to the notices mailed to the homeowners.

Evans stated that he recommended nuisance code changes from a previous City Intern that handled nuisance properties and would like to review the nuisance codes.

Agenda Item #21, Consider Approval of the City Administrator Contract With Michael Krings.

Evans stated that under 10b. Termination by Employer reads 90 days and should be 60 days. He stated that 60 days is the correct.

Yant motioned to approve the City Administrator Contract with the change in 10b to 60 days and Schneider seconded. On roll call, the following voted aye: Kring, Sumstine, Yant, and Schneider. Motion carried.

Agenda Item #22, Adjournment

City of Minden

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Kring motioned to adjourn at 6:50 pm and Sumstine seconded. On roll call, the following voted aye: Kring, Sumstine, Yant and Schneider. Motion carried.

/s/ Larry Evans
Larry Evans, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

(SEAL)