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

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The Christmas City
Minden NEBRASKA

ORDINANCE NO. 1287

AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE IV, OF THE MUNICIPAL CODE OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY ADDING SECTIONS 2-103 AND 2-104 AS THE SAME RELATES TO DISCHARGE AND DISCIPLINE OF POLICE MEMBERS; 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 2-103 be added to the Municipal Code of the City of Minden, the same to read as follows:

Section 2-103. Discharge or Discipline of Police Members. Any police officer of the City's Police Chief may be disciplined or immediately discharged from duty for any gross misconduct, neglect of duty or disobedience of lawful orders of the Mayor or the City Council as a whole.

(C.O. Ord No. 1287, 11/20/2023)

Section 2. That Section 2-104 be added to the Municipal Code of the City of Minden, the same to read as follows:

Section 2-104. Appeal Procedure for Discharged or Disciplined Police Officers. In the event of discharge for any of the causes set forth in § 1-604, the police officer or City's Police Chief shall have the right to appeal his or her dischar4ge or disciplinary action to the City Council. Such appeal shall be made within 30 days of his or her discharge or disciplinary action by filing a written application for a hearing before the Council. Such written application shall be made to the City Clerk and, if such application is made, the Clerk shall immediately notify the Mayor of the receipt of such application. Upon notice of the filing of such application, the Mayor shall call a special meeting of the City Council, within 20 days of receipt of the written application, to consider such application. Both the police officer and the individuals causing such disciplinary action or discharge shall have the right at the hearing to be heard and to present evidence to the City Council for its consideration. Not later than 30 days following the adjournment of the meeting at which the hearing was held, the City Council shall vote to uphold, reverse, or modify the removal or disciplinary action. The failure of the City Council to act within 30 days or the failure of a majority of the elected board members to vote to reverse or modify the removal or disciplinary action shall be construed as a vote to uphold the removal or disciplinary action. The decision of the City Council shall be based upon its determination that, under the facts and evidence presented at the hearing, the challenged removal or disciplinary action was necessary for the proper management and the effective operation of the Police Department in the performance of its duties under the statutes of the state.

(C.O. Ord No. 1287, 11/20/2023)

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.

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Section 4. This ordinance shall be known as Ordinance No. 1287 and shall be in full force and effect from and after its passage, approval and publication according to law.

Passed and approved this 20th day of November, 2023.

/s/ Larry Evans
Larry Evans, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk
(SEAL)