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

phone 308.832.1820
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www.MindenNebraska.org

The Christmas City
Minden NEBRASKA

Minutes of Council Meeting
City of Minden, Nebraska
September 18, 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 6:00 p.m. The following City Council members were present: Jarvis Kring, Teresa Sumstine, and Alyssa Schneider. The following City Officials were present: City Attorney Andrew Olson, Mayor Larry Evans, City Administrator Michael Krings and City Clerk Abbey Jordan. Absent: Council Member, Jack Yant.

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 council will take comments on an agenda item, not related to a public hearing, during the public forum only. Please state your name and address prior to commenting."

Agenda Item #3, Council Announcements. Sumstine state that the Wondra Memorial Shoot will be taking place this Sunday at 12:00 p.m. at the Gun Club. Evans reminded the public that the Joint Public Hearing is on September 21st at 6:30 p.m. at the Fairgrounds. He also reminded citizens that there will be a special Council Meeting on Monday, September 25th at 6:00 p.m. for the Budget Hearing.

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

Amazon Capital Services--Supplies 84.20, Aurora Cooperative--Chemical 2,051.88, Baker & Taylor Books--Supplies 218.53, B. Norgaard--Repairs 1,461.43, Black Hills Energy--Utilities 45.99, Business World--Supplies 67.43, Business World Products--Supplies 144.46, Cardmember Service--Supplies 1,396.98, Cengage/Gale--Supplies 158.35, Central Plains Library System--Fees 50.00, City Of Holdrege Landfill--Fees 7,186.51, Cooperative Producers,Inc.--Gas 1,567.11, Core & Main Lp--Fees 25,053.48, Crystal Clean Carpet Care--Cleaning 1,923.00, D. Hazlett--Supplies 864.98, Dier,Osborn & Cox, P.C., L.L.O--Legal 4,128.50, Downey Drilling, Inc--Repairs 10,130.33, Eakes Office Plus--Supplies 940.37, Emergency Medical Products--Supplies 2,106.71, Entenmann Rovin Co--Uniforms 150.25, E. Vanhorn--Supplies 127.58, Essential Resource Group Inc--Fees 33.99, Great Plains Communications--Utilities 135.45, Greatamerica Financial Services Corporation--Financing 236.68, Innovative Pharmacists, Inc.--Supplies 42.78, Intellicom Computer

Consulting--Tech/Engineering 2,341.73, Isw--Supplies 9.92, J. Collison--Repairs 1,729.04, Jims Ok Tire Minden Llc--Repairs 105.50, Ke Co Health Payment Cntr--Medical 2,524.00, Kearney Crete & Block Co.--Supplies 166.96, K. Riley--Supplies 14.00, Lee Bhm Corp--Fees 462.59, Mason's Market--Supplies 207.15, Menards Of Kearney--Supplies 11.96, M. Krings--Training 455.00, M. Olson--Fees 140.00, M. Raffaeli--Cleaning 752.73, Michael Todd & Company, Inc.--Supplies 1,159.78, Midwest Laboratories--Supplies 369.54, Midwest Tapes--Supplies 322.91, Minden Hardware--Supplies 726.86, Minden Lumber & Concrete Co.--Supplies 2,568.58, Minden Rural Fire Dept.--Fees 172.06, Municipal Supply-Nebraska--Supplies 641.93, Napa Auto Parts--Repairs 679.26, Ndee--Operator Certification Program--Training 380.00, Ne Mosquito And Vector Control--Fees 50.00, Ne Municipal Clerks Assoc--Fees 100.00, Nppd Kwh--Utilities 205,919.03, Nppd O&M--Maintenance 51,974.50, One Call Concepts Inc--Fees 64.10, Penguin Management--Repairs 786.00, Platte Valley Communications Of Kearney, Inc.--Repairs 60.25, Presto X Co.--Utilities 90.31, Quadient Finance Usa, Inc.--Financing 445.57, Quick Med Claims--Fees 50.12, R. Hurst--Fees 1,000.00, Siteone Landscape Supply Holding, Llc--Chemical 339.76, Southern Power District--Utilities 67.19, Spectrum Business--Utilities 1,216.77, Syndicate Publishing, Llc--Printing 855.30, The Library Store--Supplies 102.29, The Lockmobile Inc.--Fees 166.00, T. Beck--Fees 97.50, T. Arner--Fees 79.97, Wex Bank--Fees 5,076.77, Witmer Public Safety Group--Supplies 1,183.22, 9-08-23 Payroll $48,511.88.

Sumstine motioned to approve the consent agenda and Schneider seconded. On roll call, the following voted aye: J. Kring, Sumstine, and Schneider. Absent and not voting: Yant. 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 and Schneider. Abstain: J. Kring. Absent and not voting: Yant. Motion carried.

Agenda Item #6, Public Forum

No action taken.

Agenda Item #7, Consider Approval of Treasury Report, August 2023.

Jordan presented the state of the Treasury for August 2023. Overall the treasury is down $1,011,378.

Schneider motioned to accept the Treasury Report, August 2023 as filed, and J. Kring seconded. On roll call, the following voted aye: J. Kring, Sumstine, and Schneider. Absent and not voting: Yant. Motion carried.

Agenda Item #8, Consider Approval of Budget Report, August 2023.

Jordan reviewed the August 2023 Budget Report.

J. Kring motioned to approve Budget Report, August 2023, and Sumstine seconded. On roll call, the following voted aye: J. Kring, Sumstine, and Schneider. Absent and not voting: Yant. Motion carried.

Agenda Item #9, Public Hearing to Change the Zoning of the following described real estate to wit: Lots 7-12, Block 35, McCool's Addition to Minden, Kearney County, Nebraska, together with 10 feet of ground abutting the North side of said Lot 12, being formerly a portion of St. Clair Street, now vacated, and EXCEPT the West 14.9 feet thereof, previously conveyed to the State of Nebraska. The parcel is presently zoned "Residential 1 (R1)" and the request as filed, proposes that said parcels be changed to a zoning designation of "Outlying Commercial (C2)."

Olson opened the public hearing at 6:10 p.m. M. Krings read a letter that was received. Tanner and Ashley Benge, 885 S Nebraska, stated that they were against the rezoning. They stated that they like the open space and the piece of mind it brings. They do not like the potential activity that this could bring.

Joe Anderson, 836 S Nebraska, stated that he was against the rezoning for future possible development. He stated that in the Comprehensive Plan there was a green space buffer and if this whole space is rezoned that buffer would not be there.

Brad Janda, 886 W St. Clair, stated that him and his wife are the ones asking for this to be rezoned. He stated that this would be for personal storage. He stated that the way the City Code states, that this property meets all the criteria to be rezoned.

Brent Lockhorn, 111 E Palmer, stated that this will clean-up the lot and will inspire growth in the community.

Lynette Beahm, 243 Yates, local realtor, stated the lot has been vacant for 30+ years, this will add to the tax revenue and utilities revenue.

Dawn Thompson, 401 E 4th, local realtor, stated that this has been on the market a couple times for about a year each time. She stated that even though a house won't be built here it wont be an eyesore and will add revenue to the City.

Anderson asked if there was a way to keep the lot residential as their use is an accessory use to residential without rezoning? No response was given.

The hearing was closed at 6:18 p.m.

Agenda Item #10, Consider Approval of Ordinance Rezoning the Lots 7-12, Block 35, McCool's Addition to Minden, Kearney County, Nebraska, together with 10 feet of ground abutting the North side of said Lot 12, being formerly a portion of St. Clair Street, now vacated, and EXCEPT the West 14.9 feet thereof, previously conveyed to the State of Nebraska from Residential One (R1) to Outlying Commercial (C2), First Reading.

Sumstine stated that this building will enhance the area as the land has been stagnant for years. Not rezoning the property is preventing future growth of Minden. There is fear of the rezoning which is a fear of the unknown. Most of the time none of this will happen in their lifetime. Fear shouldn't grip the council or the city. The good of the city should be looked at for any rezoning and not personal feelings. Several other businesses in Minden exist right next to residential and they've learned to co-exist. This helps progress happen. Also, fear makes one stuck. This property is stuck as it has been empty and undeveloped for 30+ years. The highway is a good argument for commercial. There could be a buffer along the alley if needed. Sumstine is for the rezoning.

Schneider asked where the vehicle access point will be? M. Krings replied it could be off the alley or St. Clair Street.

Evans stated that the recommendation from the Planning and Zoning Board was to not approve the rezoning. Sumstine stated that 23 property owners received the notice of rezoning and only a couple are in attendance.

Sumstine introduced Ordinance 1284 for its first reading.

ORDINANCE NO. 1284

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AN ORDINANCE TO AMEND THE CITY ZONING MAP OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA, WHICH MAP IS PROVIDED FOR IN SECTION 94-5 OF THE MUNICIPAL CODE OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA.

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

Section 1. That the following described real estate which lies within the Zoning Jurisdiction of the City of Minden, Kearney County, Nebraska, to-wit;

Lots 7-12, Block 35, McCool's Addition to Minden, Kearney County, Nebraska, together with 10 feet of ground abutting the North side of said Lot 12, being formerly a portion of St. Clair Street, now vacated, and EXCEPT the West 14.9 feet thereof, previously conveyed to the State of Nebraska.

The above parcel is presently zoned "Residential One (R1)" and the request as filed, proposes that said parcel be changed to a zoning designation of "Outlying Commercial (C2)."

Source: ORD NO., 1284, 09/18/2023.

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.

Section 4. This ordinance shall be known as Ordinance No. 1284 and shall be in full force and effect from and after its passage, approval and publication according to law.

Passed and approved this 18th day of September, 2023.

_____
Larry Evans, Mayor

ATTEST:

_____
Abbey Jordan, City Clerk
(SEAL)

Schneider seconded. On roll call, the following voted aye: J. Kring, Sumstine, and Schneider. Absent and not voting: Yant. Motion carried.

Sumstine motioned to waive the third readings and Schneider seconded. On roll call, the following voted aye: J. Kring, Sumstine, and Schneider. Absent and not voting: Yant. Motion carried.

Sumstine motioned to adopt Ordinance 1284 by title and Schneider seconded. On roll call, the following voted aye: J. Kring, Sumstine, and Schneider. Absent and not voting: Yant. Motion carried.

Agenda Item #11, Consider Approval of a Resolution Adding Section 10.07 Cafeteria Plan to the City of Minden Personnel Manual.

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RESOLUTION NO. 1783

Whereas, the City of Minden recognizes the importance of offering benefits to employees; and,

Whereas, the City Council of the City of Minden is desirous of making certain changes to section 10 Insurance, Pension, and Other Benefits;

Now Therefore Be It Resolved, by the City Council of the City of Minden, Kearney County, Nebraska, that Section 10.07 Cafeteria Plan of the City of Minden Personnel Manual be added to read as follow, to wit:

Section 10.07 Cafeteria Plan
All full-time and regular part-time employees of the City of Minden, excluding seasonal employees, are eligible to participate in a Cafeteria Plan. The Cafeteria Plan consists of a Health Flexible Spending Account (includes medical and dental) and a Dependent Care Flexible Spending Account. The plan outlines eligibility, enrollment, contribution limits, and reimbursement policies.

Dated this 18th day of September, 2023.

_____
Larry Evans, Mayor

ATTEST:

_____
Abbey Jordan, City Clerk

Schneider motioned to approve Resolution 1783 Adding Section 10.07 Cafeteria Plan to the City of Minden Personnel Manual, and Sumstine seconded. On roll call, the following voted aye: Sumstine and Schneider. Abstain: J. Kring. Absent and not voting: Yant. Motion carried.

Agenda Item #12, Discussion of Personnel.

Schneider motioned to enter closed session at 6:31 p.m. and Sumstine seconded. On roll call, the following voted aye: Sumstine, and Schneider. Abstain: J. Kring. Absent and not voting: Yant. Motion carried. J. Kring exited the council chambers and did not participate in the closed session.

Schneider motioned to exit closed session and enter open session at 6:51 p.m. and Sumstine seconded. On roll call, the following voted aye: J. Kring, Sumstine, and Schneider. Absent and not voting: Yant. Motion carried.

Agenda Item #13, Adjournment

Schneider motioned to adjourn at 6:51 pm and Sumstine seconded. On roll call, the following voted aye: J. Kring, Sumstine, and Schneider. Absent and not voting: Yant. Motion carried.

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Larry Evans, Mayor

Attest:

_____
Abbey Jordan, City Clerk

(SEAL)