

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
September 3, 2024

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: Teresa Sumstine, Jack Yant and Alyssa Schneider. One seat on the North Ward is vacant. The following City Officials were present: City Attorney Andrew Olson, Mayor Larry Evans, City Clerk Administrator Michael Krings, 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, Mayor 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, Public Forum. Matt Cederburg, KAAPA Ethanol, spoke concerning agenda item #9. The goal is to clean up the easements within the Golden Energy Addition. The road was previously vacated and there are no city utilities nearby. Tom Barnes, 441 W. Lexington asked if Chief Butler is an agenda item. Evans responded no.

Agenda item #4, Council Announcements. Evans stated the Junction 6/10 Cruiserz event was great.

Evans read the following statement: “As of today, Brad Butler is no longer employed with the City of Minden as our police chief pursuant to city policies pertaining to personnel matters. No further information will be shared at this time. I have asked police captain Jarvis Kring to take on a portion of the police chief’s responsibilities to ensure that the public safety and the citizens of Minden remains our top priority. He has accepted those responsibilities, and I thank him. I would like to thank Captain Kring for his commitment to the community. And in order to ensure the proper administration of Captain Kring’s interim duties, he has submitted his letter of resignation from his seat on the Minden City Council. As such, I will be conducting an immediate search for a replacement for council member Kring’s seat on the City Council. Eligible residents of the north ward of Minden are encouraged to submit their names for consideration. Over the next few weeks, we plan to publish a notice in the Minden Courier and across social media regarding this. Thank you.”

Agenda Item #5, 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

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- c. Consider Approval of Cafeteria Plan Reimbursements for this Council Meeting
- d. Consider Acceptance of Excused Absence of Mayor or Council Member(s)
- e. Consider Reports that are Enclosed in the Council Packets for This Council Meeting
- f. Consider Approval of Volunteer Firemen Alex Brais

7aa Investments--Supplies \$67.47, Bound Tree Medical Llc--Supplies \$218.29, Capital One--Repairs \$203.09, Caspian Group, Inc--Economic Development \$1296.00, Commercial Recreation Specialists--New Infrastructure \$4392.86, Core & Main Lp--Supplies \$1205.41, Eakes Office Plus--Supplies \$18.93, Grayson Tool, Inc--Repairs \$768.00, Great Plains Communications--Phone/Internet \$79.30, J. Carter--Repairs \$1054.85, Jims Ok Tire Minden Llc--Repairs \$49.50, Ke Co Court--Fees \$50.00, Ke Co Health Payment Cntr--Fees \$533.25, Landmark Implement Carquest--Supplies \$86.93, Mid Plains Heating & Air--New Infrastructure \$16,500.00, Minden Lawn & Sprinkler--Repairs \$1,620.00, Minden Utility Dept.--Utilities \$4,287.28, Minden Volunteer Fire Dept--Supplies \$6000.00, Motorola Solutions, Inc.--Supplies \$415.80, Municipal Supply-Nebraska--Supplies \$606.91, Ne Dept Of Agriculture--Fees \$175.00, Olsson Associates--Tech/Engineering \$1,800.00, Oriental Trading--Supplies \$279.93, Pony Express Ford--Repairs \$123.38, Presto X Co.--Maintenance \$238.24, Raynor Doors Of Ce Ne Inc--Repairs \$135.00, Rdo Truck Center--Supplies \$25.58, Syndicate Publishing, L.L.C.--Fees \$139.06, United Parcel Service--Fees \$761.54, Verizon Wireless--Phone/Internet \$791.98, Village Cleaners Inc--Uniforms \$48.20, 8-23-24 Payroll \$67,197.49.

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

Agenda Item #6, Consider Approval of Police Department's Bills & Claims for this Council Meeting.

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

Agenda Item #7, Consider Approval of a Resolution for the One and Six Year Street Plan.

Krings stated no new information since the last meeting. Schneider motioned to approve Resolution 1803 for the One and Six Year Street Plan. Yant seconded. On roll call, the following voted aye: Sumstine, Yant and Schneider. Motion carried.

RESOLUTION NO. 1803 One and Six Year Plan

WHEREAS, a One and Six Year Plan has been prepared by authority of the Mayor and City Council; and

WHEREAS, a Public Hearing was held on said plans for August 19, 2024; and

WHEREAS, notice of said public hearing has been published as required by law; and

WHEREAS, after a full hearing on said plan, no objections have been made thereto; and

WHEREAS, it is appearing that the proposed plan should be approved.

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NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF MINDEN, NEBRASKA:

The One and Six Year Plan attached hereto is hereby approved and subject to modification, and the City Street Superintendent is directed to forward said plan to the Board of Public Roads Classifications and Standards.

Council Member Schneider moved for the adoption of the foregoing Resolution. Council Member Sumstine seconded the motion. On roll call the following voted Aye: Sumstine, Yant, and Schneider.

The passage of said Resolution having been consented to by a majority of the members of the City Council, the Mayor declared the Resolution passed and adopted, this 3rd day of September, 2024.

PASSED AND APPROVED this 3rd day of September, 2024.

/s/ Larry Evans
Larry Evans, Mayor

Attest:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

Agenda Item #8, Consider Approval of Resolution Authorizing the Mayor and Street Superintendent to Sign the 2024 Nebraska Board of Public Roads Classification and Standards, Annual Certification of Program Compliance.

Yant motioned to approve Resolution 1804 Authorizing the Mayor and Street Superintendent to Sign the 2024 Nebraska Board of Public Roads Classification and Standards, Annual Certification of Program Compliance. Sumstine seconded. On roll call, the following voted aye: Sumstine, Yant and Schneider. Motion carried.

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The
Christmas
City

Minden
NEBRASKA

Do not recreate or revise the pages of this document, as revisions and recreations will not be accepted. Failure to **return both pages of the original document** by the filing deadline (October 31, 2024) may result in the suspension of Highway Allocation funds until the documents are filed.

RESOLUTION

**SIGNING OF THE
MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE
2024**

Resolution No. 1804

Whereas: State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and standards; and

Whereas: State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include the resolution of the governing body of the municipality authorizing the signing of the certification.

Be it resolved that the Mayor Village Board Chairperson of City of Minden is hereby authorized to sign the Municipal Annual Certification of Program Compliance.

Adopted this 3rd day of Sept, 2024 at Minden Nebraska.

City Council/Village Board Members

Teresa Sunstine
Jack Yant
Alyssa Schneider

City Council/Village Board Member Yant
Moved the adoption of said resolution
Member Sunstine Seconded the Motion
Roll Call: 3 Yes 0 No 0 Abstained 0 Absent
Resolution adopted, signed, and billed as adopted.

Attest:

Abbey Jordan
(Signature of Clerk)

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Agenda Item #9, Consider Approval of an Ordinance Vacating All Utility Easements in the Golden Energy Addition Subdivision, First Reading.

Yant introduced Ordinance No. 1295 for its first reading:

ORDINANCE NO. 1295

AN ORDINANCE TO VACATE THE FOLLOWING ROADS OR PORTIONS THEREOF ALL LYING WITHIN THE GOLDEN ENERGY ADDITION TO 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 all 25' Utility Easements that lie within the GOLDEN ENERGY ADDITION subdivision be vacated as shown on Exhibit A.

Section 2. That the Council finds that no persons or property will be in any way damaged by this vacation and, thereof, no provision is made for the determination of damages.

Section 3. That any 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. 1295 and shall be in full force and effect from and after its passage, approval and publication according to law.

Passed and approved this 3rd day of September, 2024.

/s/ Larry Evans
Larry Evans, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

(SEAL)

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

Schneider motioned to waive the three readings of Ordinance No. 1295. Sumstine seconded. On roll call, the following voted aye: Sumstine, Yant and Schneider. Motion carried.

Yant motioned to adopt Ordinance No. 1295 by title and Schneider seconded. On roll call, the following voted aye: Sumstine, Yant and Schneider. Motion carried.

Agenda Item #10, Consider Approval of an Ordinance Clarifying the Name of 16th Street within City Limits, First Reading.

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Yant introduced Ordinance No. 1296 for its first reading:

ORDINANCE NO. 1296

AN ORDINANCE TO CLARIFY THE NAME OF 16TH STREET 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. An existing street in the City of Minden will be known as 16th Street and better described as that portion of existing ROW beginning at the East ROW line of HWY 10 and terminating at the east ROW of North Colorado Street which said street falls in parts of the SW ¼ of Section 6 & NW ¼ of Section 7, Township 6 North, Range 14 West of the 6th PM, all within the city limits of the City of Minden, Nebraska.

Section 2. An existing street in the City of Minden will be known as 16th Street and better described as that portion of existing ROW beginning at the West ROW line of HWY 10 and terminating at the West City Limit line which said street falls in parts of the SE ¼ of Section 1 & NE ¼ of Section 12, Township 6 North, Range 15 West of the 6th PM, all within the city limits of the City of Minden, Nebraska.

Section 3. That any 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. 1296 and shall be in full force and effect from and after its passage, approval and publication according to law.

Passed and approved this 3rd day of September, 2024.

/s/ Larry Evans
Larry Evans, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

(SEAL)

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

Schneider motioned to waive the three readings of Ordinance No. 1296. Sumstine seconded. On roll call, the following voted aye: Sumstine, Yant and Schneider. Motion carried.

Schneider motioned to adopt Ordinance No. 1296 by title and Yant seconded. On roll call, the following voted aye: Sumstine, Yant and Schneider. Motion carried.

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Agenda Item #11, Consider Approval of Claim of \$620 to Minden Lawn and Sprinkler for Sterilizing Grounds around Lift Stations and Wastewater Plant.

Sumstine motioned approve of Claim of \$620 to Minden Lawn and Sprinkler for Sterilizing Grounds around Lift Stations and Wastewater Plant. Schneider seconded. On roll call, the following voted aye: Sumstine and Schneider. Abstain: Yant. Motion carried.

Agenda Item #12, Consider Approval of Claim of \$1000 to Minden Lawn and Sprinkler for Fertilizing the Legion Baseball Field.

Sumstine motioned approve of Claim of \$1000 to Minden Lawn and Sprinkler for Fertilizing the Legion Baseball Field. Schneider seconded. On roll call, the following voted aye: Sumstine and Schneider. Abstain: Yant. Motion carried.

Agenda Item #13, Consider Approval to Adopt a Resolution Authorizing Chief Elected Official to Sign an Application for CDBG Funds.

Lori Ferguson, SCEDD, reminded all of the CDBG grant deadlines and process.

Schneider approved Resolution No. 1805 Authorizing Chief Elected Official to Sign an Application for CDBG Funds and Sumstine seconded. On roll call, the following voted aye: Sumstine, Yant and Schneider. Motion carried.

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**RESOLUTION AUTHORIZING CHIEF ELECTED OFFICIAL
TO SIGN AN APPLICATION FOR CDBG FUNDS
Resolution # 1805**

Whereas, the City of Minden, Nebraska, is an eligible unit of a general local government authorized to file an application under the Housing and Community Development Act of 1974 as amended for Small Cities Community Development Block Grant Program, and,

Whereas, the City of Minden, Nebraska, has obtained its citizens' comments on community development and housing needs; and has conducted public hearing(s) upon the proposed application and received favorable public comment respecting the application which for an amount of \$292,000.00 for sidewalk improvements along the south side of E. 4th Street between N. Colorado and N. Minden; and,

NOW, THEREFORE, BE IT RESOLVED BY

The City Council of City of Minden, that the Mayor be authorized and directed to proceed with the formulation of any and all contracts, documents or other memoranda between City of Minden and the Nebraska Department of Economic Development so as to effect acceptance of the grant application.

Larry Evans, Mayor
Chief Elected Official Signature

Larry Evans, Mayor
Chief Elected Official Printed Name, Title

9-3-24
Date

Agenda Item #14, Review and Adoption of the following Items as part of the Application for CDBG Funds: Statement of Assurances and Certifications, Citizen Participation Plan, and Residential Anti-Displacement and Relocation Assistance Plan.

Ferguson provided a brief overview of the documents.

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Schneider motioned to approve the Statement of Assurances and Certifications, Citizen Participation Plan, and Residential Anti-Displacement and Relocation Assistance Plan. Sumstine seconded. On roll call, the following voted aye: Sumstine, Yant and Schneider. Motion carried.

Agenda Item #15, Review of the Following Items as part of the Application for CDBG Funds: Waiver of Procurement Process, Local Cost-Share Letter Required of City, and Chief Elected Official Document.

Ferguson reviewed the provided documents. Yant motioned to approve the Waiver of Procurement Process, Local Cost-Share Letter Required of City, and Chief Elected Official Document. Schneider seconded. On roll call, the following voted aye: Sumstine, Yant and Schneider. Motion carried.

Agenda Item #16, Consider Approval of the 2024-2025 Fiscal Year Employee Pay Plan.

Yant motioned to approve the 2024-2025 Fiscal Year Employee Pay Plan with an effective date of 9-29-2024. Schneider seconded. Krings reminded the council this is the 2nd year of the plan that includes a 3% cost of living increase. If an employee is recommended for a merit increase, then they will move up a step and get an additional 3% increase. Sumstine asked the process to keep new employees from earning a higher wage than current employees? Krings answered that most new employees will start at step one but could start higher due to certifications and credentials.

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

Agenda Item #17, Consider Approval to Authorize Precision Sprinklers to Install Underground Sprinklers at Chautauqua Park in the Amount of \$15,850 and to Authorize Sunset Lawns & Landscaping to Seed Chautauqua Park in the Amount of \$11,120.

Schneider motioned to Authorize Precision Sprinklers to Install Underground Sprinklers at Chautauqua Park in the Amount of \$15,850 and to Authorize Sunset Lawns & Landscaping to Seed Chautauqua Park in the Amount of \$11,120. Sumstine seconded.

Krings stated Benjamin's is not able to complete the project due to staffing issues. Several companies were contacted and provided quotes. Yant requested more information as he doesn't believe the quoted price will even cover the parts costs. Schneider asked if the company has ever been worked with before? Krings stated he has worked with them before, but it has since sold and has a Minden owner, Jeremy Eckhardt.

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

Agenda Item #18, Consider Approval of an Interlocal with the City of Kearney for building inspections for 10/1/24 to 9/30/27.

Yant motioned to approve the Interlocal with the City of Kearney for building inspections for 10/1/24 to 9/30/27. Sumstine seconded.

The new interlocal is on a per permit basis. On roll call, the following voted aye: Sumstine, Yant and Schneider. Motion carried.

Agenda Item #19, Discussion with Legal Counsel Regarding Personnel Matters to Prevent the Needless Injury to the Reputation of a Person, and Strategy Related to Potential and/or Threatened Litigation.

No discussion.

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Agenda Item #20, Adjournment

Schneider motioned to adjourn at 6:34 pm and Sumstine seconded. On roll call, the following voted aye: Sumstine, Yant and Schneider. Meeting adjourned.

/s/ Larry Evans
Larry Evans, Mayor

Attest:

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