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

phone 308.832.1820
fax 308.832.1949
www.MindenNebraska.org

The Christmas City
Minden NEBRASKA

Minutes of Council Meeting
City of Minden, Nebraska
May 19, 2025

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: David Bunger, Teresa Sumstine, Jack Yant, and Alyssa Schneider. The following City Officials were present: Mayor Larry Mayor Evans, City Attorney Andrew Olson, City Administrator Michael City Administrator Krings, and City Clerk Abbey Jordan. Jordan left the meeting at 6:45 p.m.

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 Mayor 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. Dave Anderbery, 495 L Road, Axtell, commented that he'd received notice on Thursday of the proposed paving district, and it was short notice. Anderbery believes he will be responsible for 40% of the cost of the project.

Chuck Woodside, CEO of KAAPA, stated they submitted their application for a paving district. Looking at their future, a clear deficit of the location is traffic patterns. KAAPA has developed a traffic plan to serve their business and their customers. There is ¼ of a mile of K Road that the County did not abandon. KAAPA owns just over 60% of the road frontage on the requested paving district.

Anderbery asked Woodside how he figured Anderbery could afford 40% of the cost of the paving due to the price of corn. Woodside stated this is required since the road wasn't abandoned. Mayor Evans stopped the conversation.

Jane Lammers, 141 S. Nance, asked if the road would be a property tax increase or if the city has funds for it? Mayor Evans replied the City does not have funds for it. City Administrator Krings added this would be assessed to the property owners.

James Hays, owner of 530 N. Tower, gave a progress report. A new roof has been put on and the siding is halfway up. Hays wishes to circumvent the condemnation process. Hays requests to have more time to finish the repairs. He plans to install new windows and take down a tree on the west side.

Heath Anderbery, 606 W. 3rd St, Axtell, wants to know a dollar value on the requested paving district. City Administrator Krings replied this will be addressed during the discussion on the agenda item. Is there any consideration for a multi-million-dollar company versus a private landowner?

Agenda Item #4, Council Announcements. Mayor Evans congratulated all graduates! Mayor Evans thanked Tammy and Bruce Petersen for their daily efforts to water the trees along 5th Street by Rhynalds south location. Also, Faith In Action has assisted in many yard and property clean ups. Mayor Evans is very frustrated by the vandalism at Jaycee Park and is requesting high resolution cameras at Jaycee Park and the underpass. Yant added he would like cameras at all parks.

Jordan added this weekend is the Opera House's 25th celebration. Bunger added Memorial Day is coming up. City Administrator Krings added the splash pad opens Wednesday and the pool opens Saturday.

Agenda item #5, CONSENT AGENDA

a. Consider Approval of Minutes of Previous City Council Meetings
b. Consider Approval of Bills & Claims for this Council Meeting
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 a Consider Approval of a Special Designated Liquor License for Ramirez Corporation at the Kearney County Fairgrounds for a Quinceañera on June 28, 2025 from 3:30 p.m. to 1:00 a.m.

3N's Inc--Repairs $148.82, 7aa Investments--Supplies $147.83, A&L Leveling Inc--Cleaning $12,403.74, A. Jordan--Training $170.00, Amazon Capital Services--Supplies $1,747.35, Aurora Cooperative Elevator Company--Fuel $1,171.54, B&R Stores, Inc--Supplies $52.34, B. Petersen--Incentive $2,400.00, Black Church Llc--Vegetation $150.00, Black Hills Gas Holdings, Llc--Utilities $106.12, Btac United Acquisition Holding Company--Supplies $396.50, Cengage Learning, Inc--Supplies $65.58, City Of Holdrege--Fees $7,037.30, Core & Main Lp--Supplies $410.70, Dana F Cole & Company, Llp--Fees $50.00, D. Phillips--Supplies $260.00, Dutton-Lainson Company--Supplies $901.07, Eakes Inc--Supplies $523.74, Elan Financial Services--Supplies $1,130.10, Electronic Systems, Inc--Repairs $264.40, E. Cline--Training $357.60, F. Rogers--Cleaning $376.25, Fire Catt, Llc--Maintenance $4,626.30, Five Points Bank--Rental $262.16, Fyr-Tek Inc.--Supplies $694.98, Great Plains Communications--Phone/Internet $124.92, Greatamerica Financial Services Corporation--Fees $148.75, Hawkins Water Treatment--Chemical $4,902.86, Innovative Pharmacists, Inc.--Supplies $1,097.98, Integrated Security Solutions, Llc--Tech/Engineering $560.00, Intellicom Computer Consulting--Tech/Engineering $3,480.75, Ironside Fitness Llc--Supplies $409.97, Isw--Supplies $78.55, Jnr Adjustment Company, Inc--Repairs $3,331.74, John Deere Financial--Supplies $184.89, Ke Co Health Payment Cntr--Fees $200.00, Kearney Powersports--Supplies $188.95, Landmark Implement Carquest--Supplies $94.59, League Of Nebr. Municipalities--Training $395.00, L.L.P. Mcgee--Supplies $6,640.70, Menards Of Kearney--Supplies $106.09, M. Shelton--Training $91.08, Mid Nebraska Aggregate, Inc--Supplies $534.20, Midwest Laboratories--Supplies $133.55, Minden Public Schools--Fees $6,440.00, Napa Auto Parts--Supplies $481.87, Nebraska Generator Service Llc--Repairs $1,308.17, Nppd Kwh--Utilities $113,839.01, Nppd O&M--Maintenance $32,597.87, Olsson Associates--Tech/Engineering $903.36, One Billing Solutions, Llc--Fees $735.61, One Call Concepts Inc--Fees $54.66, Oriental Trading--Supplies $160.34, Platte Valley Laboratories, Inc--Chemical $20.00, Powertech--Maintenance $1,430.00, Presto X Co.--Maintenance $99.34, Quadient Finance Usa, Inc.--Fees $400.00, Rek Enterprises Llc--Repairs $58.00, Southern Power District--Utilities $68.01, Spectrum Business--Phone/Internet $448.80, S. Yant--Supplies $681.83, Syndicate Publishing, L.L.C.--Fees $142.50, The Library Store--Supplies $409.59, The Lockmobile Inc.--Repairs $800.00, The Pittsburgh Paints Co.--Supplies $933.93, T. Fuller--Supplies

$3,609.83, T. R. Beck--Supplies $360.00, Town And Country Farm And Home Inc--Supplies $1,599.45, United Parcel Service, Inc--Fees $14.33, Village Cleaners Inc--Uniforms $50.12, Western Pathology Consultants, Inc.--Fees $68.00, Wex Bank--Fuel $4,996.58, Witmer Public Safety Group--Supplies $372.98, E. Cline—Health & Dependent Care Reimbursement $610.60, 5-16-25 Payroll $62,620.06.

Yant asked about the payment to Minden Public Schools labeled tobacco and liquor license fees. Jordan replied this is state statute driven to remit tobacco license fees and liquor license fees to the school. It is done each May or June. Yant questioned the $835 payment to PowerTech in the recycle fund. City Administrator Krings and Jordan stated they will get the details on this.

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

Agenda Item #6, Consider Approval of Treasury Report, April 2025.

Bunger motioned to approve the April 2025 Treasury Report. Schneider seconded. Jordan reminded the council of the large expenses in April of $328,000 to Jones Group for insurance and $237,000 to Versatile Roofing. The total City treasury is just over $10 million. On roll call, the following voted aye: Bunger, Sumstine, Yant, and Schneider. Motion carried.

Agenda Item #7, Consider Approval of Budget Report, April 2025.

Bunger motioned to approve the April 2025 Budget Report. Sumstine seconded. Jordan reviewed the budget status. On roll call, the following voted aye: Bunger, Sumstine, Yant, and Schneider. Motion carried.

Agenda Item #8, Consider Approval of an Ordinance creating Street Improvement District No. 2025-1, First Reading.

Mayor Evans read a portion the NE State Statute 17-510, "If a petition is signed by the owners of the record title representing more than sixty percent of the front footage of property directly abutting upon the streets, alleys, public ways, or public grounds proposed to be improved in an improvement district created pursuant to section 17-509 and presented and filed with the city clerk or village clerk, the governing body of the city or village shall by ordinance create an improvement district, cause such work to be done or such improvement to be made, contract for such improvement, and levy special assessments on the lots and parcels of land abutting on or adjacent to such streets or alleys specially benefited by such improvement."

Sumstine finished reading NE State Statute 17-510, "lots and parcels of land abutting on or adjacent to such streets or alleys specially benefited by such improvement in such district in proportion to such benefits, except as provided in sections 19-2428 to 19-2431, to pay the cost of such improvement. The governing body may deny the formation of the proposed improvement district when the area has not previously been improved with a water system, sewer system, and grading of streets. If the governing body denies a requested improvement district formation, it shall state the grounds for such denial in a written letter to interested parties."

Schneider introduced Ordinance No. 1303 for its first reading.

ORDINANCE NO. 1303

AN ORDINANCE OF THE CITY OF MINDEN, NEBRASKA, CREATING A CERTAIN STREET IMPROVEMENT DISTRICT WITHIN THE CITY OF MINDEN TO BE KNOWN AS STREET IMPROVEMENT DISTRICT NO. 2025-1; DEFINING THE BOUNDARIES OF SAID DISTRICT AND THE PROPERTY CONTAINED THEREIN; AND, PROVIDING FOR THE CONSTRUCTION OF

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IMPROVEMENTS THEREIN CONSISTING OF GRADING, AND CONSTRUCTION OF PORTLAND CEMENT PAVING OR ASPHALTIC PAVING, SUBGRADE PREPARATION, EXCAVATION, AND DRAINAGE IMPROVEMENTS, SEEDING AND SUCH OTHER IMPROVEMENTS, ACCESSORIES AND APPURTENANCES AS MAY BE NECESSARY AND INCIDENTAL THERETO AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MINDEN, NEBRASKA AS FOLLOWS:

Section 1. The Mayor and City Council of the City of Minden, Kearney County, Nebraska, hereby find and determine that it is in the best interests of the City that all of the lots and lands which are immediately adjacent to and with front footage on the east ¼ mile of K Road between 25 Road and 26 Road, be improved as hereinafter described; and that it is in the best interests of the City of Minden to create a street improvement district for the construction of the said improvements.

Section 2. There is hereby created within the City of Minden, Nebraska, a street improvement district to be known and designated as Street Improvement District No. 2025-1, which shall contain the following property:

The East ¼ mile of K Road between 25 Road and 26 Road or more particularly described as: A tract of land being 66 feet wide, 33' North and 33' South of a line described as follows: Beginning at the Northeast corner of Section 24, Township 6 North, Range 16 West of the 6th P.M. Kearney County, Nebraska; Thence Westerly on the North Line of the Northeast Quarter of the Northeast Quarter (NE¼ NE¼) said of Section 24, 1,333.34' to the west line of the Northeast Quarter of the Northeast Quarter (NE¼ NE¼) said section 24.

Within Street Improvement District No. 2025-1, the City Council hereby finds and determines that it is in the best interests of the City that all of the lots and lands which are immediately adjacent to and with front footage on the east ¼ mile of K Road between 25 Road and 26 Road, shall be and is hereby ordered improved by construction of improvements therein consisting of grading, and construction of Portland Cement paving or asphaltic paving, subgrade preparation, excavation, and drainage improvements, seeding, and such other improvements, accessories and appurtenances as may be necessary and incidental thereto.

Section 3. All of said improvements shall be constructed to the established grades as fixed by ordinances of the City of Minden, and shall be constructed in accordance with plans and specifications to be prepared by the City's Engineers and approved by the Mayor and City Council. Said improvements shall be made and levied by special assessment on the parcels of land abutting on or adjacent to such streets or alleys specifically benefitted by such improvement district in proportion to such benefits.

Section 4. Notice of the creation of said Street Improvement District No. 2025-1 shall be published in the *Minden Courier*, a legal newspaper of general circulation within the City of Minden, for two weeks after the publication of this Ordinance.

Section 5. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any of the other provisions of this Ordinance.

Section 6. This Ordinance shall be published and take effect as provided by law.

PASSED AND APPROVED this ____ day of _____, 2025.

_____
Larry Mayor Evans, Mayor

ATTEST:

_____
Abbey Jordan, City Clerk

(SEAL)

Sumstine seconded. City Administrator Krings stated the City received a petition from KAAPA Ethanol last Tuesday to pave the east ¼ mile of K Road. KAAPA owns a total of 60.65% of the road frontage. 39.35% is not owned by KAAPA. It is owned by the Anderberys. State Statute requires that if 60% or more is owned by the petition, then the City shall go ahead and create the district and make the improvements.

Schneider asked if there is a known cost. City Administrator Krings replied that the process is to create the district then engage an engineering firm to engineer the street and provide a cost estimate. The Council would approve each step of the project. Tonight is just to create the district, but unless there is a reason, approving the district will start the process for the project.

Yant states he sees this as only benefiting one party and creating a large expense for the other party. Sumstine asked if the project would include a water system, sewer system, and grading of the street? City Administrator Krings replied only the street would be done. Sumstine asked who would pay for the cost of the engineering? City Administrator Krings answered the City's understanding is the City will pay that expense.

Mayor Evans wants to know why there is not a cost estimate yet for the paving as Olssons has been out at KAAPA. City Administrator Krings replied Olssons has not been engaged to engineer the paving yet. Sumstine stated she believes by law the Anderberys do not have to be contacted during this process. City Administrator Krings agreed and Jordan stated the ordinance would be published the Thursday of the following week with a notice of creation of the district published for two weeks following the ordinance. City Administrator Krings stated there was no notification required prior to creation of the district. Sumstine asked about the ordinance approval process. City Administrator Krings stated it requires three readings of the ordinance, but the three readings can be waived.

Sumstine asked how the Anderberys would be billed for the paving. City Administrator Krings stated there is an option to pay over the course of 15 years plus interest. The interest rate would equal the bond rate the city would have to pay. It would be assessed to their property.

Woodside reviewed the map of the KAAPA area and the portion to be paved. KAAPA will pave the vacated portion of K Road at their expense.

On roll call, the following voted aye: none. Voting nay: Bunger, Sumstine, Yant, and Schneider. The Ordinance was not passed.

Agenda Item #9, Consider Issuance of Order of Condemnation for the Property known as 530 N. Tower Avenue or more Particularly Described as Lot 9, Block 16, Railroad Addition, Minden, Kearney County, Nebraska.

The open motion from the April 21, 2025 City Council meeting is: Sumstine motioned to Issue an Order of Condemnation for 530 N Tower to make repairs making the foundation, floor, wall, ceiling, roof, windows, and doors weathertight, watertight, and rodent proof within 90 days or the City may proceed to demolish the building at the expiration of the 90 days. Schneider seconded.

Yant asked Hays what timeline he would need to make the house livable inside and out? Hays requests a 60-day timeline to meet city codes. He plans to put in new carpet and paint. The siding will be finished in the next 20 days. The foundation is solid and it's structurally fine. Ninety days would be a hard push to get it all done. Hays wants to circumvent legal issues. Hays ends with stating he can probably get it done within 60 days.

Yant encouraged Hays to sell all his properties in Minden. Hays countered there is a need for rentals. Sumstine wishes to proceed with the 90 days as stated in the motion.

Bunger motioned to amend the motion to 60 days with the option to extend it due to materials. Sumstine seconded. On roll call, the following voted aye to amend the motion: Bunger, Sumstine, Yant, and Schneider. Motion passed.

ORDER OF CONDEMNATION

Now on this **19th day of May 2025**, during the regular City Council Meeting, the review of the order of condemnation took place of the property located on:

Lot 9, Block 16, Railroad Addition, Minden, Kearney County, Nebraska.

Discussion was had concerning the condition of the property at the above-captioned location. Evidence was submitted to the council concerning the condition of the property including the buildings at the above-captioned location. Pictures were presented to the Council and received as evidence by the Council. The Council then discussed the appropriate action to be taken with respect to the following described property:

Lot 9, Block 16, Railroad Addition, Minden, Kearney County, Nebraska.

It was moved by Sumstine and seconded by Schneider to condemn the building(s) on said property.

The following repairs must be made:

- Make the foundation, floor, wall, ceiling, roof, windows, and doors weathertight
- Make the foundation, floor, wall, ceiling, roof, windows, and doors watertight
- Make the foundation, floor, wall, ceiling, roof, windows, and doors rodent proof

The repairs must be made and inspections conducted by July 18, 2025 or the City may proceed to demolish the building at the expiration of the July 18, 2025 deadline.

The Council voted in the affirmative to condemn the property by a vote of 4 ayes to condemn the property.

Dated this 19th day of May, 2025.

_____
Larry Mayor Evans, Mayor

ATTEST:

_____
Abbey Jordan, City Clerk

On roll call, the following voted aye to Issue an Order of Condemnation for 530 N Tower to make repairs making the foundation, floor, wall, ceiling, roof, windows, and doors weathertight, watertight, and rodent proof within 60 days or the City may proceed to demolish the building at the expiration of the 60 days with the option to extend it due to materials: Bunger, Sumstine, Yant, and Schneider. Motion passed.

Agenda Item #10, Informational Update from Paws Up Kearney County on Their First Year.

Jane Lammers, 141 S. Nance, stated their mission is to put together a shelter in Minden. They have rehomed many cats and spayed and neutered many slowly reducing the cats in several colonies around town. Lammers reviewed vet charges for spaying/neutering and euthanizing. Before the start of this group, Allison Lempka and Beth Dolan took care of cats using their personal funds. The Minden vet clinic does not offer any discounts. They have worked with many rescues across the state.

Sumstine mentioned a nuisance violation has been sent to the Melroys. There are no ordinances against feral cats. Sumstine has mentioned the feral cat problem before and couldn't get it addressed. Paws Up is doing their best to get them their shots and reduce the colonies, but cats can live up to 20 years. She does recognize the need for cats to help keep the rodent population down.

Yant commended Paws Up for their work. Yant recommends the Melroys seal up the building to keep the cats from living in the building. Arguing ensued about how to take care of the cats. Lammers state that the Melroys building and cats are already there.

Mayor Evans stated the letter from Paws Up claims the City has taken no action to address animals. The City has spent $7,175 on a new dog kennel and $175 annually for a dog kennel license. The Kearney County Foundation has $9,000 set aside for Paws Up. Lammers clarified the $9,000 was money they put in there.

Lammers asked if anyone had been out there? Mayor Evans replied he is there daily. City Administrator Krings stated he has purchased an A/C unit for the kennel, and it will go out there once it's hot enough.

Sumstine asked Jarvis Kring, Police Chief, the laws concerning shooting a firearm. Kring replied a firearm cannot be discharged in the City. Also, during the really hot days, dogs picked up are placed in the police station or the city's street building to keep cool.

Lammers asked if there was an option for City support. Olson replied the agenda item was an informational update only and instructed them to contact Mayor Evans to set up a meeting.

No action taken.

Agenda Item #11, Consider approval of bid estimate with R.W. Sorensen Construction for concrete removal and replacement of $25,968.

Schneider motioned to approve the bid estimate with R.W. Sorensen Construction for concrete removal and replacement of $25,968. Yant seconded. City Administrator Krings stated the City is attempting to take a proactive approach to street and alley repairs. This bid is only for the labor of concrete replacement in two alleys. The concrete is estimated at $14,000. On roll call, the following voted aye: Bunger, Sumstine, Yant, and Schneider. Motion carried.

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Agenda Item #12, Consider approval of bid estimate with Wilke Contracting for concrete repair, removal and replacement of $18,253.25.

Bunger motioned to approve the bid estimate with Wilke Contracting for concrete repair, removal and replacement of $18,253.25. Schneider seconded. City Administrator Krings stated two are gutter edges on intersections and the third is gutter replacement. On roll call, the following voted aye: Bunger, Sumstine, Yant, and Schneider. Motion carried.

Agenda Item #13, Adjournment

Bunger motioned to adjourn at 7:12 p.m. and Sumstine seconded. On roll call, the following voted aye: Bunger, Sumstine, Yant, and Schneider. Meeting adjourned.

_____
Larry Mayor Evans, Mayor

ATTEST:

_____
Abbey Jordan, City Clerk

(SEAL)