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The Christmas City
Minden NEBRASKA

Minutes of Council Meeting
City of Minden, Nebraska
January 05, 2026

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 Evans, City Attorney Andrew Olson, City 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 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, Council Announcements. Bunger stated a first responders appreciation is being held at The Windmill on Saturday from 9am-11am. Krings provided two Water System CDBG Planning Study packets from two engineering firms to council members for their review. Closing date for additional firms to submit a CDBG Planning Study is Wednesday, January 14, 2026. Krings stated if additional Water System CDBG Planning Study packets are received, he will deliver to council members so that a selection will take place at the January 20, 2026 council meeting.

Krings also asked the council how they'd prefer to continue the discussion of the future of recycling. Krings suggested a special meeting or meeting individually with himself and the mayor. Council members voiced they wanted to meet individually to discuss. Evans would like to make a decision by April 1st. Krings added the decision will be made by the city council.

Agenda Item #4, Public Forum. Jason Tira, 128 W. 6th Street, spoke about proposed ordinance 1312, e-bikes. He was concerned that the language in the proposed ordinance is different from the state law LB138. He is worried about deterring people from the downtown area, such as businesses with bike racks and ZuHaus Flats. The goal is to grow the city and attract young professionals. The young professionals are the people who will be using the e-bikes the most, yet these regulations are deterring the young professionals.

JoAnn Sumstine, 212 E Palmer Street, wanted to know the difference in safety concerns between e-bikes and regular bicycles. She could ride her bicycle to work at the courthouse, but not an e-bike. Stated She would like this looked into more before passing as there is not a clear difference between the two. Sumstine sees more adults riding them than kids and adults tend to be more careful.

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 Acceptance of Excused Absence of Mayor or Council Member(s)
d. Consider Reports that are Enclosed in the Council Packets for This Council Meeting

7aa Investments--Supplies $32.76, A. Jordan--Fees $16.00, B & S Painting & Powerwashing--Repairs $2,079.00, Black Hills Gas Holdings, Llc--Utilities $1,415.55, Bound Tree Medical Llc--Supplies $817.66, B. Carlson--Energy Rebate $299.80, Business World Products Of Hastings, Inc--Supplies $35.98, Capital One--Infrastructure Capital $3,907.00, City Of Hastings--Fees $751.05, C. Bryant--Repairs $3,750.89, Colonial Research Chemical Corp--Repairs $138.09, Eakes Inc--Supplies $1,324.73, Elan Financial Services--Fees $35.00, Elliott Equipment Company--Repairs $890.03, E. Wheeler, Llc--Supplies $148.61, Fyr-Tek Inc.--Supplies $3,210.30, Greater Nebraska Cities--Legal $5,000.00, Hd Supply Facilities Maintenance Ltd--Chemical $877.98, Isw--Supplies $78.40, Jims Ok Tire Minden Llc--Repairs $1,066.00, J. Ciemnoczolowski--Energy Rebate $61.99, John Deere Financial--Supplies $2,144.03, Ke Co Treasurer--Fees $6,033.33, Kt Diesel & Equipment--Refunds $2,060.73, Landmark Implement Carquest--Supplies $206.07, Longshot Property Development, Llc--Energy Rebate $2,000.00, Menards Of Kearney--Supplies $761.99, Michael Todd & Company, Inc.--Supplies $615.25, Midwest Hydraulic Service & Equipment Co.--Repairs $1,442.08, Minden Exchange Bank & Trust C--Financing $6,050.40, Minden Utility Dept.--Utilities $4,545.21, Municipal Supply-Nebraska--Supplies $3,430.70, Ne Municipal Clerks Assoc--Membership $150.00, Northwest Electric Llc--Repairs $5,577.35, Nphe--Fees $70.50, Olsson Associates--Tech/Engineering $17,704.95, Overhead Door Co--Repairs $422.66, P. Carkoski Construction--Repairs $2,510.00, Platte Valley Laboratories, Inc--Chemical $215.00, Police Officers Association Of Nebraska--Membership $180.00, Pony Express Ford--Repairs $82.95, Presto X Co.--Maintenance $178.18, Rdo Truck Center--Repairs $333.32, Rek Enterprises Llc--Repairs $461.06, Revenue Bond Payment Account--Fees $2,000.00, Revenue Bond Payment Account--Fees $2,525.00, Revenue Bond Payment Account--Fees $8,950.00, Syndicate Publishing, L.L.C.--Fees $95.71, T. Fuller--Repairs $4,421.31, Tyler Technologies--Fees $18,803.84, Verizon Wireless--Phone/Internet $785.58, Village Cleaners Inc--Uniforms $50.12, Wilke Contracting Corporation--Infrastructure Capital $29,125.00, Witmer Public Safety Group--Supplies $115.77, Woodward Disposal--Fees $32.50, 12-26-25 Payroll $67,587.05.

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, Oath of office, Police Officer Chance Eikenberry.

Evans swore-in Police Officer, Chance Eikenberry. No action taken.

Agenda Item #7, Consider approval of ordinance adding Chapter 70, Article V Lightweight E-scooter, E-bike, and Hoverboard usage on public property to the Minden Municipal Code, third reading.

Yant introduced Ordinance No. 1312 for its third reading.

ORDINANCE NO. 1312

AN ORDINANCE TO AMEND CHAPTER 70 BY ADDING ARTICLE V, LIGHTWEIGHT E-SCOOTER, E-BIKE AND HOVERBOARD USAGE ON PUBLIC PROPERTY TO THE MUNICIPAL CODE 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 Article V., and Sections 70-90 through 70-92 – LIGHTWEIGHT E-SCOOTER, E-BIKE AND HOVERBOARD USAGE ON PUBLIC PROPERTY be added to the Municipal Code of the City of Minden, Kearney County, Nebraska, the same to read as follows:

ARTICLE V. - LIGHTWEIGHT E-SCOOTER, E-BIKE AND HOVERBOARD USAGE ON PUBLIC PROPERTY

Section 70-90. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Business District: the entirety of the area running north-to-south from the north side of 5th Street to the south side of 3rd Street, and running east-to-west from the east side of Minden Avenue to the west side of Colorado Avenue, and all those buildings and storefronts, roadways, sidewalks, green spaces, and public areas or accessways therein, and all sidewalks and alleys immediately bordering or adjoining said streets in any direction.

Lightweight E-Scooter: propelled by an electronic or gas motor, stand on deck, with handlebars, two to three wheels, 12" or smaller wheels.

Hoverboard: Self-balancing single- or double-wheel electronic board scooter or electric skateboard.

E-bike: Propelled by electronic or gas motor, fully operative pedals for human propulsion, capable of exceeding 15 miles per hour, two to three wheels.

Electric Personal Assistive Mobility Device: Any motorized wheelchair or other self-balancing, two-non-tandem-wheeled device designed to transport only one person, powered solely by such a propulsion system, not capable of exceeding 20 miles per hour on a level surface.

Section 70-91. Penalties for Violation of this Article.

Unless otherwise specifically stated, any person violating any of the provisions of this article shall be deemed guilty of an infraction and, upon conviction thereof, shall be fined in any sum not less than $10.00 or exceeding $50.00 for the first offense; not less than $50.00 nor more than $100.00 for the second offense and $150.00 for the third offense or successive offenses.

Section 70-92. Regulations.

(a) No person shall ride a lightweight e-scooter, e-bike, or hoverboard upon a roadway within the corporate limits or extraterritorial jurisdiction of the City of Minden in which the posted speed limit is greater than 25 miles per hour. Any person riding a lightweight e-scooter, e-bike, or one-wheeled scooter may cross such roadways at a marked intersection, obeying all posted signage and warnings and in accordance with all applicable laws.

(b) No person shall ride a lightweight e-scooter, e-bike, or hoverboard within the Business District. No person shall be permitted to park, store, or otherwise leave unattended their lightweight e-scooter, e-bike, or hoverboard within the Business District. However, any such person is permitted to carry or walk alongside such lightweight

e-scooter, e-bike, or hoverboard on the sidewalk located in the business district if such person is passing through the Business District to another area.

(c) It shall be lawful for any person to operate an e-scooter, e-bike, or hoverboard on hike and bike trails, unless such activity is expressly prohibited by posted signage. Any person riding on such a hike and bike trail must travel at a speed deemed safe and reasonable, but in no event to exceed 25 miles per hour or the posted speed limit for the bordering street, if less than 25 miles per hour.

(d) Any person operating a lightweight e-scooter, e-bike, or hoverboard shall obey all applicable Nebraska Statutes and local Ordinances, and the instruction of official traffic control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a law enforcement officer.

(e) Any person operating a lightweight e-scooter, e-bike, or hoverboard upon a street shall clearly signal their intention for turning left and right by utilizing hand signals in a clear and visible manner. Such person shall ride as near to the right side of the street as practicable, exercising due care when passing a standing vehicle or pedestrian. In no event shall any person operating a lightweight e-scooter, e-bike, or hoverboard pass a vehicle which is moving in the same direction.

(f) It shall be unlawful for any person to ride, use or operate any lightweight e-scooter, e-bike or hoverboard and attach such or themselves to any vehicle upon a street and no person shall hitch to or cling upon any vehicle which is in motion.

(g) Any person operating an e-scooter, e-bike, or hoverboard shall be in compliance with all applicable helmet safety laws.

(h) Any lightweight e-scooter, e-bike, or hoverboard being ridden at nighttime shall be equipped with a light on the front which shall emit a white light visible from a distance of a least five hundred (500) feet to the front on a clear night and with a red reflector on the rear which shall be visible on a clear night from all distances between one hundred (100) feet and six hundred (600) feet to the rear when directly in front of lawful lower beams of headlights on a motor vehicle. A light emitting a red light visible from a distance of five hundred (500) feet to the rear may be used in addition to such red reflector.

(i) When riding a lightweight e-scooter, e-bike, or hoverboard on a sidewalk, hike and bike trail or other pedestrian walkway, the user shall yield the right of way to all pedestrians and give an audible signal before overtaking and passing such pedestrians. When three or more lightweight e-scooters, e-bikes, and or hoverboards ride in a group, such group must proceed in a single file so as not to impede others.

(j) The operator of a lightweight e-scooter, e-bike, or hoverboard emerging from an alley, driveway, or building, shall upon approaching a sidewalk, or the sidewalk area extending across any alleyway, yield the right of way to all pedestrians approaching on the sidewalk or sidewalk area, and upon entering the roadway shall yield the right of way to all vehicles approaching on the roadway.

(k) Any person operating an Electric Personal Assistive Mobility Device is exempt from the provisions of this section. This exemption applies to devices designed primarily for individuals with mobility impairments and operated in accordance with applicable state and federal accessibility laws and regulations.

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. 1312 and shall be in full force and effect from and after its passage, approval and publication according to law.

Passed and approved this 5th day of January, 2026.

_____
Larry Evans, Mayor

ATTEST:

_____
Abbey Jordan, City Clerk

(SEAL)

Schneider seconded. Krings stated that there is nothing new to report on this. Yant was clarified the speed limit for e-bikes is included in the ordinance and that there was an e-bike could be ridden in the downtown district as long as it wasn't being used electronically. Sumstine asked why it was stated before that e-bikes would have to be walked around the downtown square? Sumstine clarified if it was ridden as a regular bicycle, why would it have to be walked through the downtown square?

Evans stated that the bicycle section would need to be visited as well to address regular bikes. Sumstine stated that the City of Kearney does allow e-bikes in the downtown district on the streets, but not on the sidewalks. The streets are taxpayers' streets and doesn't believe residents can be told they can't utilize a taxpayer street. Bunger added Minden's downtown square has difficulty with vehicles backing up and into each other. Sumstine said this could be done on a bicycle, on a motorcycle, in a car, and to a person walking in the street because the sidewalks are bad. Sumstine clarified the downtown square sidewalks are good.

As far as safety, Sumstine stated she learned general traffic regulations when riding her bike to the pool at 5 years old. The police officers could be downtown watching the bikes and trying to determine whether a bike is an e-bike or a regular bike but feels that they could be doing other things that are more important to keep the community safe. She added that the incident reports need worked on. They need to focus on motorist assists, suspicious activity, traffic stops, animal complaints, building checks, welfare checks, crimes reported, and DHHS intakes. These are items that she feels are important to keep the community safe. Sumstine stated citizens need to be responsible for themselves and does not think that kids will not be able to ride bicycles in Minden. Yant added bicycles can be ridden around the square. Sumstine is concerned with Evans' statement of needing an ordinance for bicycles.

Sumstine added, citizens need to stop and look and be careful on the square. It is a messed-up square with people going the wrong way on the wrong side. Evans stated that he has seen people going the wrong way as well countless times and doesn't want to add e-bikes to that mess. Sumstine explained it is a law to be able to ride it as a bicycle on a public street. Doesn't believe there's discrimination against people wanting to ride a bike. The e-bikes do require pedaling to make it go.

Sumstine read the City of Kearney's ordinance on bicycles section stating it was unlawful to ride, use, or operate an e-bike or e-scooter in a careless manner, or without due caution or to endanger any person or property; in a negligent manner; in such a manner as to endanger or to interfere with the lawful traffic or use of the streets.. Believes the bike types can't easily be identified yet, could identify if the rider is being careless or negligent. Wishes to make it unlawful to ride them on the sidewalks.

Yant stated that his opinions are strictly for safety purposes on the square. Evans stated that the ordinance was mirrored from the City of Hastings. Sumstine stated that during the initial discussion the council was shown the Kearney one. On roll call, the following voted aye: Bunger, Yant, and Schneider. Voting nay: Sumstine. Motion carried.

Agenda Item #8, Consider approval of ordinance amending Section 2-116, Duties of city attorney and city prosecutor, of the Minden Municipal Code, first reading.

Bunger introduced Ordinance No. 1313 for its first reading.

ORDINANCE NO. 1313

AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE IV, OF THE MUNICIPAL CODE OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY AMENDING SECTION 2-116 AS THE SAME RELATES TO DUTIES OF CITY ATTORNEY AND CITY PROSECUTOR; 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:

Section 1. That Section 2-116 be amended in the Municipal Code of Minden, Nebraska, to read as follows:

SECTION 2-116. – Duties of city attorney and city prosecutor.

The city legal department shall consist of the city attorney and the city prosecutor.

(1) The city attorney shall be the legal advisor of the city council. He shall commence, prosecute and defend all civil actions and all actions not involving the imposition of a fine or imprisonment necessary to be commenced, prosecuted and defended on behalf of the city or that may be ordered by the city council. He shall attend meetings of the council and shall perform such other duties as may be imposed upon him by general law or ordinance.

(2) It shall be the duty of the city prosecutor to commence and prosecute all cases for violations of the city ordinances for the imposition of a fine or imprisonment, which are not otherwise a violation of a state criminal statute or a traffic infraction. The city prosecutor shall be paid at the same hourly rate as set by the city council for the city attorney.

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. 1313 and shall be in full force and effect from and after its passage, approval and publication according to law.

Passed and approved this 5th day of January, 2026.

_____
Larry Evans, Mayor

ATTEST:

_____
Abbey Jordan, City Clerk
(SEAL)

Sumstine seconded. Krings stated that this is just a language cleanup. The code currently has both an attorney and prosecutor with different ways of paying them. These are the same person, and the ordinance is a language cleanup. On roll call, the following voted aye: Bunger, Sumstine, Yant, and Schneider. Motion carried.

Bunger motion to waive the three readings of Ordinance No. 1313 and Schneider seconded. On roll call, the following voted aye: Bunger, Sumstine, Yant, and Schneider. Motion carried.

Schneider motion to adopt Ordinance No. 1313 by title and Sumstine seconded. On roll call, the following voted aye: Bunger, Sumstine, Yant, and Schneider. Motion carried

Agenda Item #9, Consider approval of agreement with PSK LLC for the relocation of utility lines.

Schnieder motion to approve the agreement with PSK LLC for the relocation of utility lines and Bunger seconded. Krings reminded council that Fill-N-Chill had purchased the property behind their current store and plans to build a new store. As part of this project the electrical lines will need to be relocated, and this agreement will require them to pay a majority of that cost. Evans asked about the water and sewer lines. Krings stated the water lines were already looked at and they are in great shape and are fine where they are in the street. He stated that the sewer line will be capped and Fill-N-Chill will have to put in a new private line and tap the city line. On roll call, the following voted aye: Bunger, Sumstine, Yant, and Schneider. Motion carried.

Agenda Item #10, Consider approval of NPPD work order #5609455 for utility relocation in the amount of $265,860.

Yant motion to approve NPPD's work order #5609455 for electric line relocation in the amount of $265,860 and Sumstine seconded. Krings stated that this will give NPPD to go ahead with the relocation work. He stated that that this cost is to keep it above ground, but when doing something like this we would look at going underground as it is in the City's best interest for the stability of these lines. He stated that that is why there is a difference in the cost and that the city will take that. On roll call, the following voted aye: Bunger, Sumstine, Yant, and Schneider. Motion carried.

Agenda Item #11, Consider approval of petition for annexation submitted by the Community Redevelopment Authority for Lot 1, Block 1, Overleese Addition to the City of Minden.

Bunger motion to approve the petition for annexation submitted by the Community Redevelopment Authority for Lot 1, Block 1, Overleese Addition to the City of Minden and Schneider seconded. Krings stated the plat for this was approved last month. He confirmed with Jordan the actual annexation will come later. He stated a study on blight and substandard done for the property and declared blighted and substandard. In order for any Community Redevelopment Authority to get involved in any property, it needs to be in a redevelopment area, and this will get the CRA into compliance. On roll call, the following voted aye: Bunger, Sumstine, Yant, and Schneider. Motion carried.

Agenda Item #12, Adjournment

Bunger motioned to adjourn at 6:29 p.m. and Schneider seconded. On roll call, the following voted aye: Bunger, Sumstine, Yant and Schneider. Meeting adjourned.

/s/ Larry Evans
Larry Evans, Mayor

ATTEST:

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