

Minutes of Council Meeting
City of Minden, Nebraska
May 05, 2014
6:00 p.m.



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.

Council President Ted Griess called the meeting to order at 6:00 p.m. The following City Council members were present: Larry Evans, Teresa Sumstine, Ted Griess, and Lathan Thompson. The following City Officials were present: City Administrator Matthew Cederburg, City Attorney Tom Lieske and City Clerk Abbey Jordan. The following City Officials were absent: Mayor Roger Jones.

All proceedings hereinafter were taken while the convened meeting was open to the attendance of the Public.

After roll was called, Council President Ted Griess led those in attendance in the Pledge of Allegiance.

Council President Ted Griess next 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 door located in the back 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 City Council will take public comments on an agenda item, if it is deemed necessary, before the Council begins discussion of the agenda item.”

The following items were listed under the agenda item “consent agenda” for this meeting: a. Consider Approval of Minutes of Previous City Council Meeting (s) b. Consider Approval of Bills & Claims for this Council Meeting. c. Consider Reports that are Enclosed in the Council Packets for This Council Meeting.

The following bills and claims were submitted for approval under the “consent agenda” and are on file in the office of the City Clerk.

Big John's Ford, Inc 53.16, Builders Warehouse 431.75, Central Nebraska Bobcat, Inc. 388.25, City Of Minden 205.00, Emergency Medical Products 779.00, First Bank & Trust Co 8106.06, Fyr-Tek, Inc. 157.11, Grainger 386.50, Hd Supply, Waterworks, Ltd 1235.47, John Deere Financial 260.83, J. Quadhamer 340.00, J. Glanzer 70.00, Ke Co Health Payment Cntr 236.00, Ke Co Treas Barb Lynn 3333.33, Landmark Implement Carquest 113.75, Lewis Landscape

99.99, T. G Lieske 1200.75, Menards Of Kearney 329.40, The Minden Courier 551.00, Minden Fbla 325.00, Minden Office Supply, Inc 215.60, Minden Rural Fire Dept. 1639.13, Minden Utility Dept. 4687.43, Mower Medic Llc 455.03, Municipal Automation & Control 535.12 Municipal Chemical Supply 250.00, Municipal Supply-Nebraska 2192.76, Ncs Equipment, Inc. 2420.00, Ne Environmental Products 258.41, Nmc, Inc. 1149.31, Ne Public Health Environmental 48.00, Olsson Associates 190.70, Platte Valley Communications 130.00, Northland Pcc, Inc. 1419.02, Revenue Bond Payment Account 32314.05, R. G. Young 455.00, Robert White 10.00, Sourcegas 582.89, Southern Power District 3755.45, Steinbrink Landscaping 103.99, Verizon Wireless 411.82

Council Member Thompson moved to approve the consent agenda. Council Member Evans seconded the motion. On roll call the following voted Aye: Evans, Sumstine, Griess, and Thompson. Motion Carried.

Agenda item #4, March 2014 Budget Report.

City Administrator Matthew Cederburg gave a report regarding the March 2014 Budget Report. No action taken.

Agenda item #5, Consider approval of hiring of immediate family member, as required by the Nebraska Political Accountability and Disclosure Act.

After brief discussion, it was moved by Council Member Sumstine to approve hiring of immediate family member, as required by the Nebraska Political Accountability and Disclosure Act. Seconded by Evans. On roll call the following voted Aye: Evans, Sumstine, Griess, and Thompson. Motion Carried.

Agenda item #6, Discussion on recent sewer issues.

There were multiple audience members present expressing concerns about the recent sewer issues. Council addressed these concerns and highlighted a plan of action moving forward. The plan included:

1. Hiring Johnson Service Company to scope the sewer lines to check for any obstructions or damages.
2. if necessary, verify City sewer lines for the proper slope.
3. if necessary, verify lift station for proper function.
4. if necessary, verify private sewer line slope.

No action taken.

Agenda item #7, Public Hearing to Consider Fiscal Year 2013-2014 City Budget Amendment and Take Appropriate Action.

City Administrator and Finance Director Matthew Cederburg highlighted the proposed budget amendments and stated the net present value benefit by refinancing the bond was \$86,360.63.

City Attorney Tom Lieske opened the public hearing at 6:34 P.M to Consider Fiscal Year 2013-2014 City Budget Amendment and Take Appropriate Action. Those wishing to speak at this hearing concerning the proposed Budget Amendment for the refinancing of the city utility bonds

were given an opportunity to speak. No one present at the hearing spoke for or against the City's proposed amendment. City Attorney Tom Lieske closed the public hearing at 6:35 P.M.

Council Member Evans moved in favor of adopting the proposed Fiscal Year 2013-14 City Budget Amendment. Seconded by Council Member Thompson. On roll call the following voted Aye: Evans, Sumstine, Griess, and Thompson. Motion Carried.

Agenda item #8, Consider discussion and approval of Sunday Liquor Sales Ordinance Second Reading.

Council member Thompson performed the second reading of the Ordinance regarding Sunday Liquor Sales.

ORDINANCE NO. 1194

AN ORDINANCE TO AMEND CHAPTER 6 BY AMENDING ARTICLE 1, SECTION 6-4 OF THE MUNICIPAL CODE OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA AS THE SAME RELATES TO ALCOHOLIC LIQUORS.

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

Section 1. That Section 6-4 of the Municipal Code of the City of Minden, Kearney County, Nebraska, be and the same is hereby amended to read as follows:

Section 6-4 Hours of Sale.

(a) It shall be unlawful for any licensed person, regardless of the class of license issued to the holder thereof, to dispense or sell any alcoholic beverages within the municipality except during the hours provided in this section:

Alcoholic liquors, except beer and wine, beer and wine:

Any day, including Sunday

Off sale.....7:00 a.m. to 1:00 a.m.

On sale.....7:00 a.m. to 1:00 a.m.

(b) No person shall consume any alcoholic beverages on licensed premises for a period of time longer than 15 minutes after the time fixed in this section for stopping the sale of alcoholic beverages on the premises. For the purposes of this section, on sale shall be defined as alcoholic beverages sold by the drink for consumption on the premises of the licensed establishment or dispensed under the authority of a bottle club license. Off sale shall be defined as alcoholic beverages sold at retail in the original container for consumption off the premises of the licensed establishment.

(c) Nothing in this section shall be construed to prohibit licensed premises from being open for other business hours during which the sale or dispensing of alcoholic beverages is prohibited by this section.

Source: Ord No. 905, §1(7-105), 11-16-87; Ord. No. 1013, §1, 12-4-95; Ord. No. 1100, §1, 6-2-03, Ord. No. 1112, §1, 2-2-04, Ord. No. _____, Sect. 1, __-__, 2014.

Section 2. That any other ordinance or section passes 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. 1194 and shall be in full force and effect from and after its passage, approval and publication according to law.

Council Member Evans expressed several concerns received from citizens that values and morals have changed. He suggested putting this issue up for election again. Council Member Sumstine stated that she wants to help support the businesses we still have in town.

Seconded by Sumstine. On roll call the following voted aye: Sumstine, Griess, and Thompson. The following voted nay: Evans. Motion carried.

The third reading will be at the May 19th council meeting.

Agenda item #9, Consider Approval of Pepsi Contract for Legion Ball Field Scoreboard & Swimming Pool.

City Administrator Matthew Cederburg highlighted the Pepsi Contract for Legion Ball Field Scoreboard & Swimming Pool. Council Member Griess thinks competition could provide the City with the best deal possible. He also pointed out that both parties are benefitting from this agreement. The City is responsible for installing and maintaining the scoreboard that Pepsi will provide. It was suggested that the Authorized Legion Baseball Signature be changed to the Legion Post 52 as the Baseball Committee has frequent turnover.

This item was tabled for further discussion and possible request for other proposals.

Agenda item #10, Discussion & Approval of Resolution for Charter Franchise Agreement.

Administrator Matthew Cederburg said the agreement will allow us to continue with the current 3% franchise fee that Charter pays to the City for all revenues. It was recommended to renew this for a year as the current contract has expired and then have an in depth review in an upcoming meeting to renew the contract for 5-10 years. The one year renewal agreement can be changed at any time. Council Member Griess brought up concerns about Charter's product and service.

This item was tabled for further discussion.

Agenda item #11, Adjournment.

It was moved by Council Member Thompson and seconded by Sumstine to adjourn the meeting at 7:01 p.m. On roll call the following voted Aye: Evans, Sumstine, Griess, and Thompson. Motion Carried. Meeting adjourned.

/s/ Roger Jones
Roger L. Jones, Mayor

Attest:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

(SEAL)