

Minutes of Council Meeting  
City of Minden, Nebraska  
June 03, 2014  
5:30 p.m.



The City Council of the City of Minden, Nebraska, met on this day at 5:30 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 Roger Jones called the meeting to order at 5:30 p.m. The following City Council members were present: Larry Evans, 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: Teresa Sumstine.

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

After roll was called, Mayor Roger Jones led those in attendance in the Pledge of Allegiance.

Mayor Roger Jones 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.

A. Kuehn 100.00, A. Horner 100.00, Barco Products 186.87, Boarders Inn & Suites 712.00, C.A.N.D.O. 1500.00, City of Minden 205.00, C. Jensen 100.00, Computer Warehouse #4 39.97, C. Beck 36.60, C. Vahl 50.00, First Bank & Trust Co 8106.06, Gangwish Turf 185.40, Hach Company 101.12, Hawkins Water Treatment 1018.88, Hd Supply Waterworks, Ltd 517.02, Island Supply Welding Co 67.35, J. Wright 162.00, J. Horner 211.45, John Deere Financial 325.20, June Quadhamer 340.00, J. Glanzer 70.00, Ke Co Health Payment Cntr 158.00, Ke Co Treas Barb Lynn, 3333.37, Landmark Implement Carquest 103.10, Logan Contractors Supply 1530.68,

Loveland Grasspad 517.40, Marcia Davis 160.00, Mason's Market 78.88, Menards of Kearney 199.00, M. Raffaeli 100.98, Minden Rural Fire Dept. 3332.87, Minden Utility Dept. 4316.73, Ne Public Health Environmental 78.00, Olsson Associates 2838.42, Platte Valley Communications 703.15, Revenue Bond Payment Account 32314.05, R.G. Young 455.00, S. Lupkes 216.65, Source gas 249.49, Southern Power District 3755.45, T. Johnson 60.00, T.G. Lieske 1000.00 T. Jacobsen 100.00, Turfwerks 29.28, WeRer Construction 36483.24, Woodward Disposal 3146.11

Council Member Evans moved to approve the consent agenda. Council Member Thompson seconded the motion. On roll call the following voted Aye: Evans, Griess, and Thompson. Not present and not voting: Sumstine. Motion Carried.

Agenda item #4, Consider Project Update of 2013 Street Paving Project (Olsson Associates) and Approval of Certificate of Payment #4.

Matt Rief of Olsson Associates gave a brief presentation about the final costs for the paving project. Discussion took place concerning the project engineering costs and the engineer presence on the paving projects. After which, Council member Griess motioned for the approval of Certificate of Payment #4. Seconded by Evans. On roll call the following voted Aye: Evans, Griess, and Thompson. Not present and not voting: Sumstine. Motion Carried.

Agenda item #5, Consider approval of Resolution #1615, Acceptance of the Work for the 2013 Street Paving Project, which includes Street Paving Improvement District 2007-1.

Council Member Evans introduced Resolution No. 1615

### **RESOLUTION NO. 1615**

**RESOLUTION OF ACCEPTANCE OF THE WORK IN THE 2013 STREET PAVING PROJECT, INCLUDING STREET IMPROVEMENT DISTRICT NO. 2007-1, IN THE CITY OF MINDEN, NEBRASKA.**

WHEREAS, the City of Minden, Nebraska did heretofore enter into contract with Werner Construction, Hastings, Nebraska, for the construction of improvements of the 2013 Street Paving Project, including Street Improvement District No. 2007-1, which contract was duly approved by the Mayor and City Council and executed in accordance with such action.

WHEREAS, the contract for the street improvements of the 2013 Street Paving Project, including work in Street Improvement District No. 2007-1, in the City of Minden, Nebraska, has heretofore been completed in accordance with the terms and stipulations of the plans and specifications according to the reports and recommendations of the City's Engineers.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Minden, Nebraska, that the certificates of completion and the recommendations of acceptance by the City's Engineers, Olsson Associates, and the work completed for the 2013 Street Paving Project, including the Street Improvement District No. 2007-1 in the City of Minden, Nebraska, have heretofore been accepted by action of the Mayor and City Council and now be and hereby are accepted, and that the improvements constructed under the contracts referred to above be accepted and that the prior actions of the Mayor and City Council, the City Administrator

and the City Clerk in approval and payment of the amounts due the Contractor are in all respects approved, ratified and confirmed.

Passed and approved this 3rd day of June 2014.

ATTEST:

/s/ Abbey Jordan  
Abbey Jordan, City Clerk

/s/ Roger L. Jones  
Roger L. Jones, Mayor

Seconded by Council Member Griess. On roll call the following voted Aye: Evans, Griess, and Thompson. Not present and not voting: Sumstine. Motion Carried.

Agenda item #6, Consider approval of Resolution #1616, Resolution Receiving and Filing Plats and Schedules of Assessments based on the Report of Cost as Certified by the City's Engineers for the Calculation of Special Assessments Proposed to Be Levied in Street Paving Improvement District 2007-1.

Matt Rief of Olsson Associates provided details on the property assessment totals. Council Member Griess introduced Resolution No. 1616

### **RESOLUTION NO. 1616**

**RESOLUTION RECEIVING AND FILING PLATS AND SCHEDULES OF ASSESSMENTS BASED ON THE REPORT OF COST OF THE IMPROVEMENTS AS CERTIFIED BY THE CITY'S ENGINEERS FOR THE CALCULATION OF SPECIAL ASSESSMENTS PROPOSED TO BE LEVIED IN STREET IMPROVEMENT DISTRICT NO. 2007-1 AND SETTING A DATE FOR A HEARING ON THE LEVY OF SPECIAL ASSESSMENTS**

Whereas the City of Minden has heretofore contracted for and accepted the work of the contractor in Street Improvement District No. 2007-1 and based on the Engineers' statement of costs and certificates of completion plats and schedules of assessments proposed to be levied in said District have been prepared in preliminary form.

Now, therefore, be it resolved by the Mayor and City Council that said plats and schedules of assessments in Street Improvement District No. 2007-1 are hereby ordered to be received and placed on file in the Office of the City Clerk, and

And now therefore be it further resolved as follows:

Section 1. That the Mayor and City Council will meet as a Board of Equalization at 6 o'clock p.m., on the 21st day of July, 2014, at the City Hall in Minden, Nebraska to consider the levy of special assessments in Street Improvement District No. 2007-1; and

Section 2. That the notice of said meeting shall be given to all persons appearing to have an interest in said properties subject to assessment in said Street Improvement District No. 2007-1 by publication in five (5) issues of the Minden Courier, a newspaper published and of general circulation in the City of Minden, Nebraska, on the following dates:

June 11, 2014

June 18, 2014

June 25, 2014

July 2, 2014

July 9, 2014

Section 3. That the City Clerk be and hereby is instructed to mail a copy of said Notice to all known resident and non-resident owners of property in Street Improvement District No. 2007-1 and to any other party appearing to have a direct interest in such action or proceedings; and

Section 4. That at said time and place, the Mayor and City Council of said City will grant a hearing to all persons interested and will pass a resolution making said special assessments as provided by law.

Passed this 3rd day of June 2014.

ATTEST:

/s/ Roger L. Jones  
Roger L. Jones, Mayor

/s/ Abbey Jordan  
Abbey Jordan, City Clerk

Council Member Thompson seconded the motion. On roll call the following voted Aye: Evans, Griess, and Thompson. Not present and not voting: Sumstine. Motion Carried.

Agenda item #7, April 2014 Budget Report.

City Administrator Matthew Cederburg reported on the April 2014 Budget status. No action taken.

Agenda item #8, Consider approval of Cruiser & set-up equipment for Police Department for approximately \$29,485, as approved in 2013-14 budget.

Council Member Griess moved for the approval of the Cruiser & set-up equipment. Council Member Thompson seconded the motion. On roll call the following voted Aye: Evans, Griess, and Thompson. Not present and not voting: Sumstine. Motion Carried.

Agenda item #9, Consider approval of Adopting Ordinance for Municipal Code changes to Chapter 90-Vegetation, Article II--Trees.

Evans discussed the tree trimming responsibility of homeowners when trees are in or near utility lines. Jordan stated that this topic is not included in the ordinance changes.

Council member Griess introduced the Ordinance regarding Municipal Code changes to Chapter 90-Vegetation, Article II--Trees.

ADOPTING ORDINANCE  
ORDINANCE NO. 1196

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR TREES FOR THE CITY OF MINDEN, NEBRASKA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MINDEN, NEBRASKA:

**Section 1.** The Code Section entitled "Trees", consisting of Chapter 90, Article II, is hereby adopted.

**Section 2.** All ordinances applicable to Trees enacted on or before \_\_\_\_ \_\_\_\_, 2014, and not included in the Code or recognized and continued in force by reference therein, are repealed.

**Section 3.** The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

**Section 4.** This ordinance shall become effective after publication which may be by pamphlet form and shall be known as Ordinance No. 1196.

Source: C.O. \_\_\_\_\_, \_\_/\_\_/2014.

Passed and adopted by the City Council on this \_\_\_\_ day of \_\_\_\_\_.

ATTEST:

/s/ Roger L. Jones  
\_\_\_\_\_  
Roger L. Jones, Mayor

/s/ Abbey Jordan  
Abbey Jordan, City Clerk

This first reading was seconded by Council Member Thompson. On roll call the following voted Aye: Griess, Thompson. Nay: Evans. Not present and not voting: Sumstine. Motion carried. The second reading will be at the June 16<sup>th</sup> council meeting.

Agenda item #10, Consider Discussion and Endorsement of Economic Development Investment Club.

City Administrator Matthew Cederburg gave a brief introduction about the workings of the Central City Investment Club. Mayor Roger Jones provided more details and stressed that this is not a City run project. No action taken.

Agenda item #11, Adjournment.

It was moved by Council Member Evans and seconded by Griess to adjourn the meeting at 6:38 p.m. On roll call the following voted Aye: Evans, Griess, and Thompson. Not present and not voting: Sumstine. Meeting adjourned.

/s/ Roger Jones  
Roger L. Jones, Mayor

Attest:

/s/ Abbey Jordan  
Abbey Jordan, City Clerk

(SEAL)