

Minutes of Council Meeting
City of Minden, Nebraska
July 07, 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.

Mayor Jones 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: Mayor Roger Jones, City Administrator Matthew Cederburg, City Attorney Tom Lieske 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 Jones led those in attendance in the Pledge of Allegiance.

Mayor 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. d. Consider Mayoral Appointment of Sonja Budd to the Housing Agency Board of Commissioners replacing Genene Hansen with a term ending 12/31/2014. e. Consider a Special Designated Liquor Permit for Saturday, August 2, 2014 from 4:00 PM to 1:00 AM for the Upland Volunteer Fire Department at the Kearney County Fairgrounds, Minden, NE for the Steinkruger Wedding reception.

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-1 Heating Av Inc 1,531.78, A. Jordan 85.34, C. Blum 525, City Of Minden 205, Civicplus Inc 3,000.00, Clia Laboratory Program 150, D & M Security 55.5, Dan Pittner 90, Darin Fischer 17.04, Eakes Office Plus 124.5, Fireguard, Inc. 372, First Bank & Trust Co 8,106.06, Fyr-Tek, Inc. 286, Ground Up Tree Service 495, Hawkins Water Treatment 2,755.63, Hd Supply

Waterworks, Ltd 1,024.68, Island Supply Welding Co 80.57, J. Anderson 125, John Deere Financial 182.11, Johnson Service Company 787.5, June Quadhamer 340, K. Salpas 155.42, Ke Co Treas Barb Lynn 3,333.33, K. Nielsen 60, Landmark Implement Carquest 390.68, Mason's Market 47.64, Midlands Contracting Inc 2,700.00, M. Gokie 170, Minden Office Supply, Inc 488.69, Minden Opera House 25, Minden Public Schools 2,961.67, Minden Utility Dept. 7,895.56, Nebraska Power Review Board 389.59, Olsson Associates 13,348.74, Platte Valley Communications 75, Revenue Bond Payment Account 32,314.05, R. G. Young 455, Servi-Tech, Inc. 412.05, Sos Portable Toilets Inc 250, Sourcegas 67.85, Southern Power District 3,755.45, T. Johnson 125, The Lockmobile 70, The Minden Courier 142.84, T. G Lieske 1237.5, Uncle Neals #1 675, USA Blue Book 413.78, Verizon Wireless 413.68, Village Cleaners Inc 29.2, Wesco Receivables Corp 160

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

Agenda item #4, Consider approval of Resolution updating City-County-State cost share amounts for Street Lights at intersection of 31 Road and Hwy 6&34 by Vet Clinic.

City Administrator Matthew Cederburg gave a brief summary of the City's cost. Council Member Griess introduced Resolution No. 1613:

RESOLUTION NO. 1618
Street Lights at 31 Road and Hwy 6&34

WHEREAS, the State of Nebraska desires to make improvements on a portion of Highway 6&34 within the Corporate Limits of the City of Minden under a highway improvement project denoted as Project No. ELEC-6-4(1023), and

WHEREAS, the improvements to be completed within the municipal boundaries are adequately described in the agreement, and

WHEREAS, the municipality's responsibilities under this agreement are adequately described in the agreement and are understood by the municipality, and

WHEREAS, the City of Minden concurs to enter into this agreement with the State of Nebraska, Department of Roads, for said improvement,

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF MINDEN, NEBRASKA, that the Mayor of the City of Minden is authorized by the City Council to execute this agreement with the State of Nebraska, Department of Roads for Project Number ELEC-6-4(1023).

Council Member Griess moved for the adoption of the foregoing Resolution. Council Member Thompson seconded the motion. On roll call the following voted Aye: Evans, Sumstine, Griess, and Thompson. The following voted Nay: none.

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 7th day of July 2014.

PASSED AND APPROVED this 7th day of July 2014.

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

Attest:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

Council Member Thompson seconded the motion. On roll call the following voted Aye: Evans, Sumstine, Griess, and Thompson. The following voted Nay: none.

Agenda item #5, Discussion and Approval of City and Property Owner Responsibilities concerning tree maintenance as outlined in Chapter 90 of the municipal code.

NPPD Representative Bryan Smith explained the guideline and process for tree maintenance. City Administrator Matthew Cederburg outlined the packet to be provided to property owners about maintaining the trees in the power lines which includes the City codes, safety warnings, tree trimming and planting guidelines, and a list of certified tree trimmers.

Council member Thompson motioned that the City accepts and approve the City and Property Owner Responsibilities concerning tree maintenance as presented and discussed. Seconded by Griess. On roll call the following voted aye: Evans, Griess, and Thompson. Nay: Sumstine. Motion carried.

Agenda item #6, Consider approval of Ordinance for Municipal Code changes to Chapter 93-Vegetation--Tree Code, Third and Final Reading.

Council member Evans performed the third reading of the Ordinance regarding Municipal Code changes to Chapter 93-Vegetation.

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 July 7, 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. 1196, 7/07/2014.

Passed and adopted by the City Council on this 7th day of July, 2014.

/s/ Roger L. Jones
Roger Jones, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

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

Agenda item #7, Closed Session—Pending Litigation, Honomichl

Griess made a motion to enter closed session concerning litigation at 6:37 p.m. and was seconded by Sumstine. On roll call the following voted aye: Evans, Sumstine, Griess, and Thompson. Motion carried.

Council member Griess motioned to exit the closed session at 6:51 p.m. Seconded by Thompson. On roll call the following voted aye: Evans, Sumstine, Griess, and Thompson. Motion carried.

Agenda item #8, Adjournment.

It was moved by Council Member Griess and seconded by Sumstine to adjourn the meeting at 6:52 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)