

Minutes of Council Meeting  
City of Minden, Nebraska  
August 18, 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.

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

Baker & Taylor 96.90, Bill's Plumbing & Htg. Inc 5.79, Brandon Grams 135.00, G. Cenage 23.39, Charter Communications 1,258.28, City Of Holdrege Landfill 4,821.51, Construction Rental, Inc. 120.00, Cooperative Producers, Inc. 2,251.96, Demco 180.58, Ems Billing 41.27, Fifth Street Printing 1,385.78, Fyr-Tek, Inc. 2,201.30, G. Edson 15.96, Grayson Tool, Inc 148.50, Total Funds By Hasler 400.00, Hawkins Water Treatment 2,553.77, Hd Supply Waterworks, Ltd 171.83, Intellicom Computer Consulting 645.50, Island Supply Welding Co 8.68, J. Hill 44.85, K&K Auto Repair Inc 357.43, Kearney Centre Vacuum 27.00, Landmark Implement Carquest 685.90, Lawson Products, Inc. 337.44, League Of Nebr. Municipalities 6,942.00, Light And Siren 3,723.78, M. Kleen 53.49, Minden Hardware 484.59, The Minden Courier 171.00, Minden Lumber & Concrete Co. 1,375.09, Minden Office Supply, Inc 489.09, Minden Opera House 25.00, Municipal Automation & Control 843.81, Municipal Chemical Supply

250.00, Municipal Code Corporation 700.00, Municipal Supply-Nebraska 403.09, Napa Auto Parts 59.41, Nebraska Library Association 107.00, Nebraska Public Power District 201,589.89, Ne Public Power District 22,977.31, One Call Concepts Inc 58.80, N T & T 80.50, Pepsi Cola Bottling Company 108.63, Platte Valley Communications 38.50, Presto X Co. 45.07, Servi-Tech, Inc. 300.00, Sos Portable Toilets Inc 65.00, Southern Power District 17.00, Stadler Implement Inc. 176.34, Teen Vogue 10.00, United Suppliers, Inc. 2,461.2, United States Postal Service 84.00, Utility Service Co, Inc 84,610.00, Village Cleaners Inc 49.40, Wex Bank 5,625.98, Western Pathology Consult Inc 79.30, Xerox Capital Services Inc 40.29

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

Agenda item #4, July 2014 Treasury Report.

City Administrator Matthew Cederburg gave a brief report regarding the state of the City's bank accounts. No action taken or needed.

Agenda item #5, July 2014 Budget Report

City Administrator Matthew Cederburg reported on the current state of the budget explaining where the City should be at this time of the year. Additionally, he highlighted any variances that were outside of what the City would normally see at this time of the year. No action was taken or needed regarding this agenda item.

Agenda item #6, Consider Approval to Close Streets and Highway for Bandfest (October 18, 2014) as Requested By the Minden Chamber of Commerce and to accept the duties of LB 589.

It was brought to question as to whether the City is renting signage for this event or if the City already owns the signage. Upon discussion, the City does not own the signage for this event, but City Administrator Cederberg suggested that the City eventually obtain signage for the event as it is occurring on a regular basis and would be financially beneficial in the long run.

Council Member Sumstine motioned for the approval to Close Streets and Highway for Bandfest (October 18, 2014) as Requested By the Minden Chamber of Commerce and to accept the duties of LB 589. Council Member Thompson seconded the motion. On roll call the following voted Aye: Evans, Sumstine, Griess, and Thompson. Motion Carried.

Agenda item #7, Consider approval of an Interlocal Agreement with the City of Kearney for Building Inspection Services, totaling \$6,500 to include inspection services for up to 5 new structures.

This agreement is a renewal with the City of Kearney. City Administrator Cederberg stated that Kearney has been a fantastic entity to work with and that we are very fortunate to have this opportunity.

Council member Thompson made a motion to approve an Interlocal Agreement with the City of Kearney for Building Inspection Services, totaling \$6,500 to include inspection services for up to 5 new structures. Council Member Griess seconded the motion. On roll call the following voted aye: Evans, Sumstine, Griess, and Thompson. Motion Carried.

Agenda item #8, Consider approval to rescind Resolution #1622 proposing and submitting to voters at the 2014 General Election an Increase of the Local Sales and Use Tax of an Additional One Percent (1%) to Two Percent (2%).

The Department of Revenue raised some concerns upon receipt of Resolution No. 1622 and ballot. City Administrator Cederburg explained that state statute states any tax rate above one and one-half percent (1.5%) must be used for public infrastructure projects and will terminate after ten years unless the sales tax is pledged for payment of bonds or if 3/8% is pledged to the interlocal agreement. For the interlocal, it means that 75% of the last ½% would be used for the purpose of the interlocal agreement and wouldn't secure the necessary funds for the water system improvements, thus making the last ½% increase a moot point. Therefore, the resolution is being proposed for a second time with a new ballot question that proposes a 1% increase with at least 50% to be for infrastructure project, specifically water system improvements and will be pledged for bond payments.

Council member Thompson motioned to rescind Resolution #1622. Seconded by Griess. On roll call the following voted aye: Evans, Sumstine, Griess, and Thompson. Motion carried.

Agenda item #9, Consider discussion and approval of Resolution proposing and submitting to voters at the 2014 General Election an Increase of the Local Sales and Use Tax of an Additional One Percent (1%) to Two Percent (2%).

Council Member Evans introduced Resolution No. 1623:

### **RESOLUTION NO. 1623**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MINDEN, NEBRASKA PURSUANT TO THE LOCAL OPTION REVENUE ACT PROPOSING AND SUBMITTING TO VOTERS AT THE 2014 GENERAL ELECTION AN INCREASE OF THE LOCAL SALES AND USE TAX RATE OF AN ADDITIONAL ONE PERCENT FROM ONE PERCENT (1%) TO TWO PERCENT (2%).

WHEREAS, the City of Minden local sales and use tax rate currently is one percent (1%) pursuant to Nebraska Statutes Section 77-27, 142, and Ordinance No. 956; and

WHEREAS, State Statute Section 77-27, 142, upon an affirmative vote of at least 70% of all of the members of the governing body of the City of Minden, permits the City to submit to voters a proposal to increase the City sales and use tax to a rate greater than one and one-half percent (1 ½%) at a primary or general election held within the City; and

WHEREAS, the City desires to propose to qualified electors of the City at the 2014 general election to increase the City's sales and use tax rate by an additional one percent (1%) from one percent (1%) to two percent (2%); and

WHEREAS, a proposed ballot question for such purpose is submitted with this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Minden, Nebraska that all of the following actions are hereby adopted and approved:

1. The Mayor and City Council hereby propose to increase the City of Minden sales and use tax rate by an additional one percent (1%) from one percent (1%) to two percent (2%).
2. Said proposal to increase the City of Minden sales and use tax rate by an additional one percent (1%) from one percent (1%) to two percent (2%) shall be submitted to a vote of qualified electors of the City of Minden at the November 2014 general election.
3. The question, in the form and content presented with this Resolution as "OFFICIAL BALLOT – CITY OF MINDEN – PROPOSAL TO INCREASE LOCAL SALES AND USE TAX RATE" and incorporated herein by this reference, is hereby approved and shall appear on the ballot for qualified

electors of the City of Minden at the November 2014 general election, subject to any modifications the City Administrator or his designee determines necessary or advisable.

4. The City Clerk or her designee is authorized, directed and ordered to submit said question by attesting to and submitting a certified copy of this Resolution to the Election Commissioner or County Clerk in accordance with applicable law.
5. The City Administrator or designee is hereby authorized and directed to take any other actions as necessary or appropriate to carry out the actions approved in this Resolution, including without limitation providing any notice required of the governing body or otherwise by applicable law.

Council Member Evans moved for the adoption of the foregoing Resolution. Council Member Griess seconded the motion. On roll call the following voted Aye: Evans, Sumstine, Griess, and Thompson.

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 18<sup>th</sup> day of August 2014.

PASSED AND APPROVED THIS 18TH DAY OF AUGUST, 2014.

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

ATTEST:

/s/ Abbey Jordan  
Abbey Jordan, City Clerk

Council Member Evans motioned for the adoption of the forgoing Resolution. Council member Griess seconded the motion. On roll call the following voted aye: Evans, Sumstine, Griess, and Thompson. Motion carried.

Agenda item #10, Consider Discussion and Selection of financing bid for the 2015 Horton Type 1 Ambulance.

Council Member Griess motions to accept the First Bank and Trust Company financing bid for the 2015 Horton Type 1 Ambulance. Seconded by Thompson. On roll call the following voted aye: Evans, Sumstine, Griess, and Thompson. Motion Carried.

Agenda item #11, Consider Approval of Resolution Adopting the Tri-Basin NRD's Hazard Mitigation Plan.

Council Member Griess introduced Resolution No. 1624:

#### **RESOLUTION NO. 1624**

##### **A RESOLUTION ADOPTING THE TRI-BASIN NRD'S HAZARD MITIGATION PLAN**

WHEREAS, the Federal Disaster Mitigation act of 2000 was signed in to law on October 30, 2000, placing new emphasis on state and local mitigation planning for natural hazards and requiring communities to adopt a hazard mitigation action plan to be eligible for pre-disaster and post-disaster federal funding for mitigation purposes; and

WHEREAS, a Multi-jurisdictional Hazard Mitigation Plan was prepared by Tri-Basin Natural Resources District with assistance from Olsson and Associates, of Grand Island, NE.

WHEREAS, the purpose of the mitigation plan was to lessen the effects of disasters by increasing the disaster resistance of the District and participating jurisdictions located within the planning boundary by identifying the hazards that affect the District and prioritize mitigation strategies to reduce potential loss of life and property damage from those hazards, and

WHEREAS, FEMA regulations require documentation that the plan has been formally adopted by the governing body of Tri-Basin Natural Resources District in the form of a resolution and further requesting approval of the plan at the Federal Level; and

NOW, THEREFORE, the governing body of the Tri-Basin Natural Resources District does herewith adopt the Tri-Basin Natural Resources District Multi-Jurisdictional Hazard Mitigation Plan in its entirety and request approval of the plan at the Federal Level.

Council member Evans suggested an amendment to the final paragraph of the resolution so it reads, "NOW, THEREFORE, the governing body of the City of Minden does herewith adopt the Tri-Basin Natural Resources District Multi-Jurisdictional Hazard Mitigation Plan." The motion died for lack of a second.

Agenda item #12, Adjournment

It was moved by Council Member Thompson and seconded by Sumstine to adjourn the meeting at 6:44 p.m. On roll call the following voted Aye: Evans, Sumstine, Griess, and Thompson. Motion Carried. Meeting adjourned.

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

Attest:

/s/ Abbey Jordan  
Abbey Jordan, City Clerk

(SEAL)