

Minutes of Council Meeting
City of Minden, Nebraska
April 6, 2015
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 Griess called the meeting to order at 6:00 p.m. The following City Council members were present: Larry Evans, Teresa Sumstine, Bob Carlson and Lathan Thompson. The following City Officials were present: Mayor Ted Griess, 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 Griess led those in attendance in the Pledge of Allegiance. Then Mayor Griess 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.”

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 Approval of Volunteer Firefighter, Betty Sowles.

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

5th Street IGA 198.64, A. Jordan 183.82, BNSF Railway Company 84.42, Careerbum.com 249.00, Charter Communications 1,211.13, City Of Minden 670.00, D & M Security 55.50, D. Moon 100.00, Fireguard, Inc. 6,807.79, First Bank & Trust Co 12,646.47, Fleet Pride 90.98, Front Range Fire Apparatus 32.64, Fyr-Tek, Inc. 21,840.15, Galls 94.17, Hawkins Water Treatment 2,671.02, In The Swim 222.94, Island Supply Welding Co 18.11, J. Gillespie 30.00, John Deere Financial 28.31, J. Quadhamer 340.00, Kansas City Power & Light 299.00, KE CO Treas Barb Lynn 3,333.33, Kearney Hub Publishing Co. 270.54, Krull Agency Of Minden, Inc. 129,844.00, Lieske, Lieske & Ensz P C, Llo 1,000.00, Mailfinance 825.00, Mason's Market 30.06, M. Cederburg 275.25, Minden Office Supply, Inc 246.19, Minden Rural Fire Dept. 2,575.16, Minden Utility Dept. 6,434.27, NE Forest Service 110.00, NE Public Health Environmental 295.00, NE Society Of Cpa's 140.00, NMC, Inc. 15,550.53, Olsson Associates 23,974.96, P. Pettz 193.20, Platte Valley Communications 165.28, Revenue Bond Payment Account 25,353.00, R. Young 455.00, Source Gas 693.99, Southern Power District 3,346.45, T. Griess 67.85, The Minden Courier 1,135.00, Trade Well Pallet Inc 750.00, Usa Blue Book 79.53, Verizon Wireless 451.83, Village Cleaners Inc 29.20, Wilson Automotive 35.22

Thompson moved to approve the consent agenda and Sumstine seconded. On roll call the following voted Aye: Evans, Sumstine, Carlson, and Thompson. Motion carried.

Agenda item #5, Presentation of Sewer Jetting completed in 2015 by Lewis Hyatt of Johnson Service Co. Lewis Hyatt gave a brief overview of the work that had been done within the last year. Hyatt also highlighted areas that require attention throughout the city. No action was taken.

Agenda item #6, Consider Approval to Close City Streets and 33 Road to Highway 74 and City-County traffic control on Highway 6&34 out to 37 Road for Triathlon as requested by Ryan Wakefield and to accept the duties and responsibilities of LB 589.

Roy Wakefield gave a brief summary about the details of the triathlon and changes from last year. Council discussion ensued concerning cost of manpower, signs, and law enforcement. Council Member Thompson expressed concerns about utilizing city finances for the event.

Evans moved to approve to Close City Streets and 33 Road to Highway 74 and City-County traffic control on Highway 6&34 out to 37 Road for Triathlon as requested by Ryan Wakefield and to accept the duties and responsibilities of LB 589. Sumstine seconded the motion. On roll call the following voted Aye: Evans, Sumstine, and Carlson. On roll call the following voted No: Thompson. Motion carried.

Agenda item #7, Consider approval of Corrective Agreement for Utilities Construction Easement with Subway.

Agenda item #8, Consider approval of Corrective Agreement for Permanent Utilities Easement with Subway.

Agenda item #9, Consider approval of Corrective Agreement for Utilities Construction Easement with Runza.

Agenda item #10, Consider approval of Corrective Agreement for Permanent Utilities for Easement with Runza.

Due to the similarity of agenda items 7, 8, 9, 10, the council considered all four easements in one single motion. Jordan briefly mentioned the correction made in the legal descriptions due to a surveying error.

Thompson moved to approve the Corrective Agreement for Utilities Construction Easement with Subway, the Corrective Agreement for Permanent Utilities Easement with Subway, the Corrective Agreement for Utilities Construction Easement with Runza, and the Corrective Agreement for Permanent Utilities Easement with Runza, Carlson seconded. On roll call the following voted Aye: Evans, Sumstine, Carlson, and Thompson. Motion carried.

Agenda item #11, Consider approval of Larry Lempka's application for a water well for lawn irrigation purposes only. Council briefly discussed legal restrictions, well capacity, and concerns about the proximity of other non-potable wells. This item was tabled until further information is provided.

Agenda item #12, Consider discussion and approval of 9-10 blocks of armor coat street maintenance for approximately \$38,600.

Street Superintendent Chris Klahn gave a brief summary of the proposed areas to be armor coated including the amount of repairs that need to be done prior to coating.

Thompson moved to approve 9-10 blocks of armor coat street maintenance for approximately \$38,600 and Carlson seconded. On roll call the following voted Aye: Evans, Sumstine, Carlson, and Thompson. Motion carried.

Agenda item #13, Consider approval of the Vacation of Gilman Avenue from 3rd Street to 5th Street for construction of the new high school to be effective May 22, 2015.

Council member Thompson introduced Ordinance No. 1200 for the first reading.

ORDINANCE NO. 1200

AN ORDINANCE TO VACATE A PORTION OF GILMAN AVENUE AS ORIGINALLY ESTABLISHED IN GILMAN'S ADDITION TO THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA

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

Section 1. That all of Gilman Avenue between Third Street and Fifth Street in Gilman's Addition to the City of Minden, Kearney County, Nebraska, be and the same is hereby vacated. The vacation of Gilman Street as set out in this Ordinance shall be effective on May 22, 2015.

Section 2. That the title to the vacated portion of the street herein described shall and does hereby revert to the owners of the adjacent land.

Section 3. That the Council finds that no persons or property will be in any way damaged by this vacation and, therefore, no provision is made for determination of damages.

Section 4. 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 5. This Ordinance shall be known as Ordinance No. 1200 and shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed and approved this 6th day of April, 2015.

/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

Evans seconded. On roll call the following voted Aye: Evans, Sumstine, Carlson, and Thompson. Motion carried.

Council Member Evans motioned to waive the 3 readings and Sumstine seconded. On roll call the following voted Aye: Evans, Sumstine, Carlson, and Thompson. Motion carried.

Council Member Evans motioned to adopt Ordinance No. 1200 by title, an ordinance to vacate a portion of Gilman Avenue as originally established in Gilman's Addition to the City of Minden, Kearney County, Nebraska, and Thompson seconded. On roll call the following voted Aye: Evans, Sumstine, Carlson, and Thompson. Motion carried.

Agenda item #15, Public Comments.

Item #15 was moved prior to the closed session. No comments were made at that time.

Agenda item #14, Closed Session, Utilities Superintendent Update.

Thompson motioned to go into closed session for the Utilities Superintendent update at 7:46 p.m. and Evans seconded. On roll call the following voted Aye: Evans, Sumstine, Carlson, and Thompson. Motion carried.

At 8:07 p.m., Evans motioned to go into open session and was seconded by Thompson. On roll call the following voted Aye: Evans, Sumstine, Carlson, and Thompson. Motion carried.

Agenda item #16, Adjournment. Thompson moved to adjourn the meeting at 8:07 pm and was seconded by Carlson. On roll call the following voted Aye: Evans, Sumstine, Carlson, and Thompson. Meeting adjourned.

/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

(SEAL)