

City of Minden

P.O. Box 239, 325 N. Colorado
Minden, Nebraska 68959

phone 308.832.1820
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www.MindenNebraska.org



Minutes of Council Meeting
City of Minden, Nebraska
August 1, 2016
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: City Attorney Tom Lieske, Mayor Ted Griess, City Administrator Matthew Cederburg 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 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 east wall 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. Please state your name and address prior to commenting."

Agenda item #3, Mayoral Announcements. Griess thanked Evans for running the July 18th meeting in his absence. He also reminded the council of the upcoming budget meeting August 11th at 5:30 pm at the Opera House.

Agenda item #4, The following items were listed under the agenda item "**consent agenda**" for this meeting: a. Consider the Approval of Minutes of Previous City Council Meetings, b. Consider Approval of Bills & Claims for this Council Meeting, c. Consider Acceptance of Excused Absence of Mayor or Council Member(s), d. Consider Approval of Amendment #2 of the Well Abandonment and Landfill Closure Agreement with Olsson and Associates, e. Consider Reports that are Enclosed in the Council Packets for This Council Meeting, f. Consider the following Special Designated Liquor Permits for David W. Bunger and Carolyn Bunger d.b.a. Windmill Studios from 12:00 PM to 1:00 AM at the Kearney County Fair Grounds: Saturday, August 27, 2016 for the Brickner Wedding Reception; Saturday, September 3, 2016 for the Pena Wedding Reception; Saturday, October 8, 2016 for the Esparza Wedding Reception; and Saturday, October 15, 2016 for the Pesek 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:

Baker & Taylor 130.11, Bill's Plumbing & Htg. Inc 67.94, Carey's Pest Control, Inc. 96.75, Carrot Top Industries 223.26, Cenage/Gale 38.92, City Of Minden 45.00, Demco 87.73, Deterding Classic Pool/Spa 6659.79, Eakes Office Plus 23.13, E. Johnson 400.00, First Bank & Trust Co 12646.47, Fyr-Tek, Inc. 550.00, Hawkins Water Treatment 2466.56, John Deere Financial 314.93, Joy's Floral & Gifts 285.00, K&D Motor & Electric Inc 1217.50, Ke Co Health Payment Cntr 385.35, Ke Co Treas Barb Lynn 3333.33, J. K. Benson 850.00, K. Olson 207.48, Lawson Products, Inc. 125.19, Lieske, Lieske & Ensz P C, Llo 1698.25, Mason's Market 108.00, M. Cederburg 141.62, Mh Equipment Company 771.19, Midwest Tapes 231.28, The Minden Courier 28.40, Minden Office Supply, Inc 137.52, Minden Rural Fire Dept. 2040.31, Minden Utility Dept. 4508.25, Morton Building 8860.33, Ne Arborists Association 1200.00, Ne Dept Of Health/Human Svcs 178.00, Nebraska Power Review Board 367.54, Ne Public Health Environmental 78.00, Olsson Associates 540.99, Premier Pyrotechnics Inc 5000.00, Presto X Co. 140.00, Revenue Bond Payment Account 25165.00, R. Young 455.00, Source Gas 37.08, Southern Power District 3063.14, Spectrum Aquatics 494.00, T&R Service Company 900.00, Michael

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Raffaeli 119.35, United Suppliers, Inc. 1809.25, Usa Blue Book 65.96, United States Postal Service 84.00, Xerox Capital Services Inc 65.54.

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

Agenda item #5, Consider Approval of street closure of the 400 block of N. Minden, southbound only, for an Inflatable Maze sponsored by the Chamber of Commerce on November 25th through December 4th.

Kevin Krull, Chamber of Commerce, shared their idea of creating a winter wonderland downtown again this year. Currently, the Chamber is looking at an inflatable maze which would be inflated only during the activities and deflated each evening. The maze would be setup on the southbound lane of the 400 block of N Minden Avenue. There will not be a request for funds from the City.

Carlson motioned to approve the street closure and Thompson seconded. On roll call, the following voted Aye: Evans, Sumstine, Carlson, and Thompson. Motion carried.

Agenda item #6, Consider Approval of an Ordinance repealing Ordinance No. 1204 concerning one way streets on Third Street and Gilman Avenue.

Police Chief James Huff stated that the intersection of Gilman and Third has been fully repaired and can handle two-way traffic.

Thompson introduced Ordinance No. 1212 for its first reading.

ORDINANCE NO. 1212

AN ORDINANCE TO REPEAL ORDINANCE NUMBER 1204 BY REPEALING SECTIONS 82-10(b) AND 82-10(c) OF THE MUNICIPAL CODE OF THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKA, AS THE SAME RELATES TO ONE WAY STREETS ON THIRD STREET AND GILMAN AVENUE IN MINDEN, KEARNEY COUNTY, NEBRASKA.

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

Section 1. That Ordinance No. 1204 passed by the City Council of Minden, Kearney County, Nebraska on August 17, 2015, be and the same is hereby repealed.

Section 2. 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 3. This Ordinance shall be known as Ordinance No. 1212 and shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed and approved this 1st day of August, 2016.

/s/ Ted Griess
Ted Griess, Mayor

ATTEST:

/s/ Abbey Jordan
Abbey Jordan, City Clerk

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

Evans motioned to suspend the three readings and Thompson seconded. On roll call the following voted Aye: Evans, Sumstine, Carlson, and Thompson. Motion carried.

Thompson motioned to adopt Ordinance No. 1212 by title. Sumstine seconded. On roll call the following voted Aye: Evans, Sumstine, Carlson, and Thompson. Motion carried.

Agenda item #7, Consider Approval of Ordinance concerning private pools, an addition to Chapter 14 of the Municipal Code of Minden. Thompson introduced Ordinance No. 1211 for its first reading.

ORDINANCE NO. 1211

AN ORDINANCE TO AMEND CHAPTER 14, OF THE MUNICIPAL CODE OF MINDEN, KEARNEY COUNTY, NEBRASKA, BY ADDING ARTICLE 12 SECTION 14-322 THROUGH 14-329, AS THE SAME RELATES TO THE PRIVATE SWIMMING POOLS AND PROVIDING FOR PUBLICATION OF THE ORDINANCE IN PHAMPLET FORM.

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

Section 1. That Section 10-39, of the Municipal Code of the City of Minden, Kearney County, Nebraska, be and the same is hereby repealed.

Section 2. 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 3. This Ordinance shall be known as Ordinance No. 1211 and shall be in full force and effect from and after its passage, approval and publication as provided by law.

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

Agenda item #8, Consider Selection of financing bid for the purchase of the Global Street Sweeper.

Evans motioned to select First Bank for the financing of \$150,000 for the Global Street Sweeper with four year monthly payments at an interest rate of 2.6%. Thompson seconded. On roll call, the following voted Aye: Evans, Sumstine, Carlson, and Thompson. Motion carried.

Agenda item #9, Consider Approval of Appointments to the Downtown Revitalization Steering Committee.

Griess stated that he had gone around the downtown square and spoke to business owners and employees and provided the council with a list of those interested in participating. He stated that Cederburg or Jordan will be the City representative with only one attending each meeting. Also, Evans, Sumstine, or myself (Griess) will be the City Council representative again with only one per meeting. After discussion, it was decided that each council member will vote for 7 members and the mayor will tally votes and announce the committee later in the week.

Agenda item #10, Consider Approval to include \$150,000 for implementation of the Downtown Revitalization Plan Phase 1 in the 2016-17 budget.

Cederburg reviewed the required City match of \$112,000 for Phase II Implementation portion of the Downtown Revitalization Grant. He went on to state that this would limit other capital budget items on the tax side but is recommending the City increase by \$38,000 to bring the total City match to \$150,000 in the 2016-17 budget for this.

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Evans motioned to include \$150,000 in the upcoming budget and Carlson seconded. On roll call, the following voted Aye: Evans, Sumstine, Carlson, and Thompson. Motion carried.

Agenda item #11, Consider Approval of Resolution for the Airport Authority Budget Tax Request of \$57,000, same as prior year.

RESOLUTION NO. 1653

A RESOLUTION AUTHORIZING THE AIRPORT AUTHORITY'S LEVY REQUEST

WHEREAS, the Mayor and Council of the City of Minden is in receipt of the City of Minden Airport Authority Resolution No. 16-1, and

WHEREAS, The Mayor and Council of the City of Minden has been considering the budget for Fiscal Year 2016-2017, and

WHEREAS, Nebraska Statute 77-3443 (3) requires all political subdivisions subject to city/village levy authority to submit a preliminary request for levy allocation to the City Council, and

WHEREAS, the Mayor and Council shall consider the preliminary request for levy request in full or in part, and as a part of the budget for Fiscal Year 2016-2017, and

WHEREAS, the Mayor and Council realize the City of Minden Airport Authority is requesting \$57,000, a proposed levy that is the same as the levy requested for Fiscal Year 2015-2016, and

WHEREAS, the Mayor and Council authorized a levy in the amount of \$57,000 for the final levy amount for Fiscal Year 2016-2017.

NOW THEREFORE IT BE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MINDEN:

1. As required by Nebraska Statute 77-3443 (4), the final allocation of levy authority for the Minden Airport Authority for Fiscal Year 2016-2017 shall be \$57,000.
2. As required by Nebraska Statute 77-3443 (4), a copy of this Resolution shall be forwarded to the Chairperson of the City of Minden Airport Authority after its passage according to law.

Council member Thompson moved for the adoption of the foregoing Resolution. Council member Sumstine seconded the motion. On roll call, the following voted Aye: Evans, Sumstine, Carlson, and Thompson. Motion carried.

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 1st of August, 2016.

PASSED and APPROVED this 1st day of August, 2016.

/s/ Ted Griess
Ted Griess, Mayor

/s/ Abbey Jordan
Abbey Jordan, City Clerk

Thompson motioned to approve Resolution 1653 and Sumstine seconded. On roll call, the following voted Aye: Evans, Carlson, Sumstine, and Thompson. Motion carried.

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Agenda item #12, Consider Approval of an Interlocal Agreement with the City of Kearney for Building Inspection Services, totaling \$6,825 to include inspection services for up to 5 new structures.

Cederburg said the process has been going well with Kearney providing inspection services and hopes it continues.

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

Agenda item #13, Consider Approval to recommend Rezoning from Residential One (R01) to Outlying Commercial (C-2) of parcels 5361.08, owned by Ed Sheen, and parcels 5361.15 and 5361.07, both owned by Andy Grollmes, to the Planning and Zoning Commission.

Ed Sheen stated that he wants to add a storage building to his property, but due to the property's current zoning regulations, he is not able to. The property's zoning should have been changed years ago. Cederburg stated that a change in zoning will better fit the use of all parcels involved. Lieske mentioned that City code allows the City Council to recommend zoning changes to the Planning and Zoning Commission.

Thompson motioned to recommend a change in zoning to the Planning and Zoning Commission and Evans seconded. On roll call, the following voted Aye: Evans, Sumstine, Carlson, and Thompson. Motion carried.

Agenda item #14, Public Comments. Sheen recommended that the steering committee have an odd number of members for voting purposes. Sumstine asked about how to handle the watering restrictions and the hydro-seeding. Jordan responded that she'd told residents to follow the instructions and to just water the seeded area on their off days. Ed Sheen expressed interest in the Downtown Revitalization Steering Committee.

Agenda Item #15, Adjournment. Evans motioned to adjourn the meeting at 6:54 pm and Thompson seconded. 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