

CITY OF MILFORD  
REGULAR MEETING  
APRIL 6, 2004  
MINUTES

A regular meeting of the Mayor and Council of the City of Milford, Nebraska was held at the Webermeier Community Room in said City on the 6<sup>th</sup> day of April 2004 at 7:30 pm. Present were: Mayor J. Elaine Plessel; Council members: Robert Anderson, Dean Bruha, Lyle Neal; City Clerk Jeanne Hoggins; Attorney Robert Blevens; Chief of Police Forrest Siebken. Absent: Council member Rick Fortune. Also present: Barb Liska with Communication Center for Seward County, Paul Grieger with Kirkpatrick Pettis, Jon & JoAnn Eicher, Jennifer Butler, Wayne Stohlman, Building Inspector Roger Kness, Nancy McGill with the press.

Notice of the meeting was given in advance thereof by publishing in the Milford Times; a designated method for giving notice, as shown by the Affidavit of Publication attached to these minutes. Notice of this meeting was given to the Mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

**CALL TO ORDER:** Mayor Plessel called the meeting to order at 7:30 p.m.

**MINUTES:** A motion was made by Anderson and seconded by Bruha to approve the minutes of the March 2, 2004 meeting with the following change: Under Unfinished Business – The statement “The Friends of the Library have a dinner for their volunteers.” appears to be made by Bob Anderson, it was actually made by another council member. Roll call vote: Anderson yes, Bruha yes, Fortune absent, Neal yes. Motion carried.

**PAYMENT OF BILLS, BOND PRINCIPAL AND INTEREST:** A motion was made by Neal and seconded by Bruha that the following bills in the amount of \$64,512.74, bond principal of \$45,000.00 and bond interest of \$28,215.00 totaling \$137,727.74 approved by the Auditing Committee be approved for payment. Roll call vote: Neal yes, Bruha yes, Anderson yes, Fortune absent. Motion carried.

**SALARIES:**

|       |                   |         |
|-------|-------------------|---------|
| 38360 | Mark Frey         | 1141.92 |
| 38361 | Forrest K Siebken | 1099.92 |
| 38362 | Mavis Lynn Ferris | 30.53   |
| 38363 | Jeanne M Hoggins  | 970.87  |
| 38364 | Gary Lee TeSelle  | 672.30  |

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| 38365 | Scott Dean Fosler    | 894.06  |
| 38366 | Robert L Hull        | 868.96  |
| 38367 | Beverly J Wehrs      | 425.96  |
| 38368 | Edna A Riedl         | 418.72  |
| 38369 | David R Dahle        | 822.89  |
| 38370 | Louis J Bialas       | 800.82  |
| 38371 | Pamela J. Slama      | 307.73  |
| 38372 | Bryce C Johnson      | 797.16  |
| 38373 | Philip Winkelmann    | 730.12  |
| 38374 | Lindsey S. Troyer    | 561.92  |
| 38375 | Regan Beranek        | 114.57  |
| 38376 | George Matzen        | 72.73   |
| 38434 | Mark Frey            | 1141.92 |
| 38435 | Forrest K Siebken    | 1099.92 |
| 38436 | Mavis Lynn Ferris    | 34.52   |
| 38437 | Jeanne M Hoggins     | 970.87  |
| 38438 | Gary Lee TeSelle     | 682.77  |
| 38439 | Scott Dean Fosler    | 894.06  |
| 38440 | Robert L Hull        | 722.84  |
| 38441 | Beverly J Wehrs      | 424.03  |
| 38442 | Edna A Riedl         | 311.28  |
| 38443 | David R Dahle        | 808.73  |
| 38444 | Louis J Bialas       | 800.82  |
| 38445 | Pamela J. Slama      | 302.48  |
| 38446 | Bryce C Johnson      | 730.12  |
| 38447 | Philip Winkelmann    | 730.12  |
| 38448 | Lindsey S. Troyer    | 561.92  |
| 38449 | Regan Beranek        | 138.54  |
| 38450 | George A. Matzen     | 229.90  |
| 38452 | Roger Kness          | 261.67  |
| 38453 | Joyce Elaine Plessel | 184.70  |
| 38454 | Ricky Gene Fortune   | 138.52  |
| 38455 | Dean Alan Bruha      | 138.52  |
| 38456 | Emerson L. Neal      | 138.52  |
| 38457 | Robert E. Anderson   | 138.52  |
| 38458 | Mark Frey            | 1141.92 |
| 38459 | Forrest K Siebken    | 1099.92 |
| 38460 | Mavis Lynn Ferris    | 30.53   |
| 38461 | Jeanne M. Hoggins    | 970.87  |
| 38462 | Gary Lee TeSelle     | 688.00  |
| 38463 | Scott Dean Fosler    | 894.06  |
| 38464 | Robert L Hull        | 738.64  |

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|-------|-------------------|--------|
| 38465 | Beverly J. Wehrs  | 448.99 |
| 38466 | Edna A Riedl      | 361.17 |
| 38467 | David R Dahle     | 808.73 |
| 38468 | Louis J Bialas    | 842.85 |
| 38469 | Pamela J. Slama   | 298.97 |
| 38470 | Bryce C Johnson   | 730.12 |
| 38471 | Philip Winkelmann | 730.12 |
| 38472 | Lindsey S. Troyer | 630.60 |
| 38473 | Regan Beranek     | 133.22 |
| 38474 | George A. Matzen  | 232.86 |

**GENERAL FUND:**

|       |  |         |
|-------|--|---------|
| 38359 | U. S. Postmaster – Utility Billing                 | 139.86  |
| 38377 | Ameritas – Retirement Plan                         | 1292.47 |
| 38378 | Ackerman Rock & Gravel – 2 loads rock, gravel      | 1538.50 |
| 38379 | Alltel – Pay phone, Pager, Cellular                | 354.91  |
| 38380 | Alltel – Long Distance for Jan. & Feb.             | 2.59    |
| 38381 | Atco International – Zap                           | 115.00  |
| 38382 | Scott Burroughs – Equipment                        | 612.05  |
| 38383 | Blue River Implement – Oil Filter, Parts for Agco  | 207.55  |
| 38384 | Butchs Welding – Washers                           | 2.88    |
| 38385 | Culligan Water Conditioning – Soft Water           | 18.00   |
| 38386 | Farmers Coop – Gas/Diesel for Feb.                 | 1386.01 |
| 38387 | Deep Rock – Drinking Water                         | 37.28   |
| 38388 | Eakes Office Plus – Copy Paper                     | 140.27  |
| 38389 | Scott Fosler – Reimbursement for Gas               | 36.30   |
| 38390 | The Garbage Co. – Service for Feb.                 | 90.50   |
| 38391 | Gene’s Electric – Replace Heater in Treatment      | 362.80  |
| 38392 | Great Plains – Emer Locate, Locate Request         | 8.32    |
| 38393 | International Code Council – Int’l Code Books ’00  | 125.99  |
| 38394 | Layne Christensen – Labor & Materials              | 6730.33 |
| 38395 | League of NE Municipalities – 2 Training Workshops | 50.00   |
| 38396 | Meyer-Century Labs – Hole patch, Gloves            | 460.58  |
| 38397 | Memorial Health Care – TB Screening, Hep B Shot    | 140.00  |
| 38398 | Menard’s – Masonry Bit, Block, Turn                | 44.56   |
| 38399 | Milford Community – 2004 Dues                      | 75.00   |
| 38400 | The Milford Times – Minutes, Notice, Ad            | 261.05  |
| 38401 | Milford Fire Dept. – NEMSA Spring Conference       | 1400.00 |
| 38402 | Midwest Sales & Service – Blades & Bolts           | 267.25  |
| 38403 | Milford Pharmacy – 2 Comfort Strips                | 68.00   |
| 38404 | NE Dept of Revenue – Sales Tax for Feb.            | 1371.12 |
| 38405 | Nebraska Motor Parts – Floor Mats & Key            | 71.95   |
| 38406 | Nebraska Public Power Dist. – Service for Feb      | 4402.61 |

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| 38407 | Nebraska Tech & Telecomm – Service for Feb          | 477.68   |
| 38408 | Newman Signs – No Parking Signs, Stop Sign          | 301.50   |
| 38409 | NE Supreme Court – Reissue 2003                     | 56.75    |
| 38410 | Olivia Audio Visual – Laser Printer                 | 95.00    |
| 38411 | Aquila – Service for January                        | 1625.92  |
| 38412 | Pizza Kitchen – Thurs Meal 2/19 34 @ 3.75           | 128.75   |
| 38413 | Quality Inn & Suites – CJIS Conf., Room Charges     | 122.00   |
| 38414 | Racom Corp. – 2 Orion Radio System                  | 11202.50 |
| 38415 | Roxanne Roth – Birthday Cakes                       | 570.00   |
| 38416 | Mrs. Wayne Roth – Birthday Cakes                    | 28.00    |
| 38417 | Schlegel’s Groceries – Groc. & Milk, Chicken        | 27.55    |
| 38418 | Sam’s Club – Bath Tissue, Paper Towels              | 167.13   |
| 38419 | Seward County Independent – Wanted Ad, 1 yr. Sub.   | 68.50    |
| 38420 | Seward Co. Public Power Dist. – Wells 1 & 2         | 364.92   |
| 38421 | Servicemaster of Seward – Hoby Vacuum               | 66.95    |
| 38422 | Seward County Ford – Batteries                      | 165.90   |
| 38423 | St. Paul Stamp Works – Bicycle License              | 76.01    |
| 38424 | Subway Motors – Wiper,Release Hood                  | 179.85   |
| 38425 | Sunrise Country Manor – 246 Meals – Feb.            | 824.10   |
| 38426 | The Trophy Shop – Engrave Plates                    | 19.72    |
| 38427 | Lindsey Troyer – Travel miles to meeting            | 15.50    |
| 38428 | Uniservice – Pants & Rags                           | 144.73   |
| 38429 | Watts Up – Clob Lights                              | 175.60   |
| 38430 | Zim International – Knock Out                       | 227.00   |
| 38431 | Steve Charleston – 2004 APA Institute               | 70.00    |
| 38432 | American Fence – Repair Backstops & Gates           | 5235.00  |
| 38433 | John Alden – Group Health                           | 7912.59  |
| 38451 | Ameritas – Retirement Plan                          | 1292.47  |
| 38475 | Ameritas – Retirement Plan                          | 1292.47  |
| 38476 | Aflac – Acc,Dis,Cancer,Supp’l                       | 295.16   |
| 38477 | Alltel – Directory Advertising,Paging-Wide Area,Loc | 28.30    |
| 38478 | All Pro Landscaping – Spray Heads, Rain Shutoff     | 2149.24  |
| 38479 | Blevens Law Office – Legal Services for Mar.        | 350.00   |
| 38480 | Centaur Enterprises – 6 Bit Driver                  | 36.98    |
| 38481 | City of Milford – Postage, Petty Cash               | 33.33    |
| 38482 | Christian Book Dist. – 8 Books                      | 87.91    |
| 38483 | Country Home Magazine – 2 yr. Subscription          | 37.97    |
| 38484 | Creative Consultants – Update, Install, Cleanup Com | 645.00   |
| 38485 | D & D Communications – Equip. Repair                | 142.35   |
| 38486 | Days Inn – Motel Rooms for Fire School              | 1087.20  |
| 38487 | Ingram Library Services – 9 Books                   | 122.82   |
| 38488 | Kustom Signals – In Car Video Repair                | 174.65   |

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| 38489 | Lee Booksellers – One Book                       | 33.95   |
| 38490 | Memorial Health Care – 6 people for class        | 150.00  |
| 38491 | Sport Supply Group – Equip. for SB/BB            | 507.15  |
| 38492 | Midwest Tape – 1 DVD                             | 13.64   |
| 38493 | Milford School Dist. – Parking Fines,Liquor Lic  | 165.00  |
| 38494 | Milford Vol. Fire Dept – Fire School             | 770.00  |
| 38495 | Municipal Supply – Flange,Gasket Kit             | 92.17   |
| 38496 | Mutual of Omaha – Disability Insurance           | 75.55   |
| 38497 | Nebraska Health Lab – Nitrate,Coliform           | 64.00   |
| 38498 | Nebraska Motor Parts – Towels                    | 7.56    |
| 38499 | Fort Dearborn Life – Group Life Insurance        | 103.20  |
| 38500 | Organic Gardening – One yr. Subscription         | 23.96   |
| 38501 | Orschelns – Spray Nozzle                         | 67.97   |
| 38502 | Racom Corp. – 7 month service fee                | 350.00  |
| 38503 | Regent Book Co. – 2 Books                        | 26.46   |
| 38504 | Edna Riedl – One Book, Meeting, Workshop         | 58.28   |
| 38505 | Ri Tec Industrial Products – Asphalt             | 218.56  |
| 38506 | Roxanne Roth – Cleaning Services                 | 250.00  |
| 38507 | Southeast Comm. College – Bookstore Charges      | 2471.41 |
| 38508 | SLS League – SLS League Fees                     | 475.00  |
| 38509 | Sack Lumber Co. – Treated Lumber                 | 28.55   |
| 38510 | Schmader Electric – Siren Maint.                 | 839.38  |
| 38511 | Seward County Court – Court Fees                 | 18.00   |
| 38512 | Stutzman Concrete – Coed Volleyball              | 800.00  |
| 38513 | Tee’s Plus – Dare Certs, Awards                  | 76.00   |
| 38514 | Union Bank – Gary TeSelle Acct.                  | 300.00  |
| 38515 | Walmart – Brushes & Paint                        | 44.07   |
| 38516 | Water Products – Rep Clamp                       | 136.86  |
| 38517 | Matt Herz – Water/Sewer Deposit Refund           | 26.35   |
| 38518 | Dallas Nielsen – Water/Sewer Deposit Refund      | 31.30   |
| 38519 | Jennifer Laakso – Water/Sewer Deposit Refund     | 10.65   |
| 38520 | Nathan Hartmann – Water/Sewer Deposit Refund     | 33.27   |
| 38521 | John Hernandez – Water/Sewer Deposit Refund      | 34.02   |
| 38522 | Chad Nelson – Water/Sewer Deposit Refund         | 17.30   |
| 38523 | Jennifer Wohlgemuth – Water/Sewer Deposit Refund | 36.80   |
| 38524 | Eric Mentzer – Water/Sewer Deposit Refund        | 41.09   |
| 38525 | NLA Joan Birnie – NLA Spring Meeting             | 15.00   |
| 38526 | Quilters Newsletter – 2 Yr. Subscription         | 38.92   |
| 38527 | U.S. Postmaster – Utility Billing Postage        | 141.82  |

**REPORTS OF OFFICERS, BOARDS AND COMMITTEES:** Written reports received were Planning & Zoning minutes for March 11, 2004 and March 25, 2004; Recreation Board minutes for March 29, 2004; Cemetery

Board minutes for March 23, 2004; Milford Aging Services Commission minutes for March 16, 2004; Swimming Pool Board minutes for March 22, 2004 and Police Dept. Activity Report for March 2004.

Neal – met with Pool Board to discuss Managers and Lifeguards. Met with Recreation Board several times to finalize team selections, there is another meeting tomorrow night. Anderson – Edna has reported that the Library has been without the internet since Thursday. Alltel has been contacted. It doesn't appear to be a Library equipment problem. Bruha informed the Council that the Fire Dept. is burning the R.R. embankment in order to take care of the dead weeds and grass. Bruha and Frey have been working on the uptown sidewalk project. The Maintenance Dept. has been trying to straighten up some of the alleys. Thursday, April 8, 2004 the Economic Development Committee will be meeting to work on the facts book, which is prepared by N.P.P.D. This information then goes onto the Milford website. This booklet is updated every three years. Chief Siebken reviewed the activity report for the month of March 2004. Discussion was held with a BNSF rep. regarding the Park Ave. and Walnut St. R.R. Crossing. There are plans to work on the crossing to correct the problems. The concrete pads will be moved to the east 3 feet. There is concern with the drainage that occurs under the pads and the R.R. may approach the Council for help to correct this situation. Chief Siebken also presented pictures of City Hall, as the metal sheeting that was on the front of the building was removed today and exposed some turn of the century brick work. Siebken also presented a few photos of the basement area and structural supports, which probably need to be assessed. Siebken encouraged the Council to take an interest and view the structure of City Hall.

**COMMUNICATIONS:** \*Sales tax received for the month of January 2004 was \$12,698.90. \* Letter of resignation received from Pool Board member Lori Matthiessen.

**PUBLIC HEARINGS – Request to Rezone Property at 909 First Street:** Mayor Plessel opened the public hearing at 7:55 pm. Building Inspector Roger Kness reported that the Planning & Zoning Commission voted 5-0 to approve the zoning change for Jon Eicher to place a 4-plex at the property of 909 1<sup>st</sup> Street. Fortune had visited with Kness prior to the meeting, indicating that he would not be in attendance, and voiced his opinion regarding the zoning map and the arbitrary line dividing R1 and R2 noting to consider eliminating the line. In order to change the official zoning map, Public Hearings for both the Planning & Zoning and City Council would need to be held. Bruha suggested the Planning & Zoning Commission should review and making recommendations to update the Comprehensive Plan on an annual basis. Kness attended a statewide meeting, noting that all comprehensive plans older than 10 years should be updated. Jon Eicher

reviewed the plans of the 4-plex, showing all setback requirements had been met. Bruha questioned spot zoning. Eicher commented that some of the individuals attending the P & Z meeting were opposed to the idea until they were informed and viewed the plans of the new structure. Eicher would like to gear the duplex towards responsible adults. He is trying to make an esthetic contribution to the community. Eicher plans on using local contractors as much as possible. This unit would increase the tax base for the community. Neal commented that there is no question that our community needs this type of housing. Eicher would be providing a much needed service to the community. Bruha stated that the biggest hurdle he is facing is the fact that the property is currently zoned R1, which only allows for single family dwellings. The neighborhood is surrounded with single family dwellings. Bruha is not for spot zoning, which in this case would place an apartment complex in the middle of single family residences. Eicher commented that there are well over 20 multi-family units already grandfathered in this particular R1 zoning area. Plessel spoke on behalf of Fortune mentioning to erase the current line that runs along "D" Street dividing R1 and R2, and keep the R1 designation for Thornridge and the property north of the elementary school. Bruha asked Eicher if given the opportunity would he consider building this structure in an area of town that was already zoned R2. Eicher responded with "I already own these lots". Neal commented about the lack of availability of lots in the community for a structure of this nature and the need for the same. Anderson questioned if it was better for the neighborhood to place a 4-plex on these lots than to leave the existing home. Eicher stated the home was in very bad shape. The barn was falling down and the yard was left with much debris. Anderson stated the problem that we are facing is the current property is zoned R1, which is designated for a single family dwelling. Eicher stated that change is hard but it needs to happen once in a while. Plessel asked if there was anyone from the public present that would like to comment one way or the other on the issue. No comments were made from the public at this time. Blevens commented that a lot of the discussion held tonight was held regarding violating the R1 regulations. Eicher is asking to rezone the property. Blevens stated the line between R1 and R2 needs to be updated. Blevens gave 2 different ways to resolve the problem: a) Approve the request for rezoning and go back to the Planning & Zoning and expand the zoning change. 2) Reject his request and go back to the Planning & Zoning to review the zoning and put off his construction for 6 months. Neal stated that the City has a P & Z for a purpose and it is their job to weigh this issue and they approved it unanimously. We shouldn't ignore their decision or treat their advice as inadequate information. Neal stated that the Council should

look at this as a situation that would better the community. The line probably should be moved to the west but how far should be determined by the P & Z. Bruha commented that the sign which was posted on the property had either blown away or had been taken. Roger Kness mentioned that he had hand delivered letters to each of the surrounding neighbors prior to the Planning & Zoning meeting informing them of the upcoming item for discussion. Anderson noted that if there are to be changes to the Comprehensive Plan we should have an organized meeting and have expert advice from an Engineering Firm. If we spot zone this property then we may have someone coming back to the Council in the near future asking for the same request. Bruha discussed strongly his concern for spot zoning. Anderson voiced his opinion regarding abiding by the current Comprehensive Plan policy. Neal noted the need for this type of housing and the benefit it would have towards economic growth to the community. With no further comments Mayor Plessel closed the public hearing at 8:55 pm.

**Citizen Advisory Committee:** Mayor Plessel opened the public hearing at 8:55 pm. Bruha reported the financial status of the Economic Development Committee – income since 1999 \$70,588.73, expenses \$8,377.07 for a balance of \$62,211.66. The committee is updating the NPPD facts book. With no further comments the Mayor closed the public hearing at 8:58 pm.

**UNFINISHED BUSINESS:**

**Introduction and Adoption of Resolution – Employee Appreciation Policy:** Attorney Blevens read the resolution. A motion was made by Bruha and seconded by Neal to approve the following resolution.

RESOLUTION NO. 397

WHEREAS, the effectiveness and efficiency of government depends in large measure on public employees, whose task it is to provide a broad range of services of the quality and quantity required and expected by the public on a daily basis; and

WHEREAS, the importance of public service rendered by public employees and the exemplary manner of their performance are too often forgotten, ignored or underestimated; and

WHEREAS, the City of Milford recognizes the dedication, talents and contributions made to the municipality by its employees in all levels of government and the Mayor and Council of the City find it fitting to set aside a special time to honor and thank these dedicated individuals who perform such a vital role for the municipality.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MILFORD, NEBRASKA;

1. The Mayor and Council are hereby authorized to provide a recognition dinner for the elected and appointed officials, employees or volunteers of the City, for the purpose of



recognizing the dedication, talents and contributions made to the municipality by them. The cost of such recognition dinner (including food and non-alcoholic beverage) shall not exceed \$25.00 per person and may be paid by the municipality. (This Resolution does not authorize the expenditure of public funds to pay for any expenses incurred by a spouse of an elected or appointed official, employee or volunteer unless the spouse is also an elected or appointed official, employee, or volunteer of the local government.) The annual recognition dinner may be held separately for employees of each department or separately for volunteers, or any of them in combination.

2. The following policy providing for the expenditure of municipal funds for plaques, certificates of achievement, or items of value awarded to elected or appointed officials, or volunteers, including persons serving on local government boards or commissions, who are not included under paragraph 1 above, is hereby adopted.

For all other officials, part time employees, or volunteers (not included in paragraph 2 above), not exceeding \$25.00 per person.

3. The Mayor and Council are authorized to give said plaques, certificates of achievement, or items of value awarded to appointed officials or employees of value not exceeding \$25.00 per recipient.

Upon roll call vote as follows: Bruha yes, Neal yes, Anderson yes, Fortune absent. Motion carried.

Dated this 6<sup>th</sup> day of April, 2004.

CITY OF MILFORD, NEBRASKA

By \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_

City Clerk

(SEAL)

**NEW BUSINESS:**

**Authorize Kirkpatrick- Pettis to proceed with Refunding Bonds:**

Paul Grieger with Kirkpatrick Pettis (K.P.) informed the Council of the savings to the City of Milford if the General Obligation Sewer Bonds 1998 were called for redemption. The net savings after fees are paid would be \$66,398.05. The amount of the 2004 General Obligation Sewer Refunding Bonds would be \$1,010,000. A motion was made by Neal and seconded by Bruha to authorize Kirkpatrick-Pettis to proceed with refunding the 1998 General Obligation Sewer Bonds. Roll call vote: Neal yes, Bruha yes, Anderson yes, Fortune absent. Motion carried.

**Introduction and Adoption of Ordinance – Rezone Property at 909 First Street:** A motion was made by Bruha and seconded by Anderson to table this item until a special meeting can be organized. Roll call vote: Bruha yes, Anderson yes, Fortune absent, Neal no. Motion carried.

**Introduction and Adoption of Resolution – K.P. Calling Old Bonds:** A motion was made by Bruha and seconded by Neal to approve the following resolution:

RESOLUTION NO. 398  
RESOLUTION CALLING GENERAL OBLIGATION  
SEWER BONDS, SERIES 1998  
FOR REDEMPTION

BE IT RESOLVED by the Mayor and City Council of the City of Milford, Nebraska, as follows:

Section 1. That the following bonds are hereby called for redemption at a premium of 1% plus accrued interest on May 15, 2004 after which date said bonds shall cease to bear interest:

**General Obligation Sewer Bonds, Series 1998,** dated November 15, 1998, in the principal amount of \$980,000, numbered as shown on the records of the paying agent and registrar, becoming due on November 15 in each year from November 15, 2004, through November 15, 2018, issued by the City to provide funds to pay the costs of constructing improvements to the City's sanitary sewer system, and to pay costs of issuance and underwriting associated with issuance of the Series 1998 Bonds.

Section 2. Said bonds are payable at the office of U.S. Bank National Association, in Lincoln, Nebraska.

Section 3. A copy of this resolution shall be filed at least 30 days prior to the date of call with U.S. Bank National Association, in Lincoln, Nebraska, as Paying Agent and Registrar and said Paying Agent and

Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

PASSED AND APPROVED this 6<sup>th</sup> day of April, 2004.

\_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk

(SEAL)

**Introduction and Adoption of Ordinance – K.P. Issue New Bonds:**  
Council member Neal introduced the following Ordinance entitled:

**ORDINANCE NO. 754**

AN ORDINANCE OF THE CITY OF MILFORD, NEBRASKA, AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION SEWER REFUNDING BONDS, SERIES 2004, OF THE CITY OF MILFORD, IN THE PRINCIPAL AMOUNT OF ONE MILLION TEN THOUSAND DOLLARS (\$1,010,000) FOR THE PURPOSE OF REFUNDING \$980,000 OF OUTSTANDING GENERAL OBLIGATION SEWER BONDS, SERIES 1998; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME; AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM. (See Ordinance Record)

Mayor Plessel authorized a 5 minute break.

**Approve Fire Dept. membership roster:** A motion was made by Bruha and seconded by Neal to approve the Fire Dept. membership roster as provided. (Attached to these minutes) Roll call vote: Bruha yes, Neal yes, Anderson yes, Fortune absent. Motion carried.

**Hire Pool Employees & Set Wages:** A motion was made by Neal and seconded by Bruha to approve the following individuals as Pool employees for the 2004 season: Manager, Pat Whitney – salary \$4,210.71; Assistant Manager, Amanda Fichtner – salary \$3,254.80; Head Lifeguard, Dustin Lindgren - \$7.00 per hr; Full time Lifeguards – Kristina Hartmann - \$6.55 per hr; Micaela Daley - \$6.85 per hr; Whitney Page - \$6.55 per hr; Part-time Lifeguards – Kirsten Langewisch - \$6.55 per hr; Nicole Anderson - \$6.55 per hr. Roll call vote: Neal yes, Bruha yes, Anderson yes, Fortune absent. Motion carried.

**Private Wells:** A motion was made by Neal and seconded by Anderson to approve the following private well permits for 2004. Justyn Peterson-742 1<sup>st</sup>

St., Miles McGonigle-303 N. "F" St., Rick Bell-905 Park Ave., Jim Stutzman-465 N. "F". Roll call vote: Neal yes, Anderson yes, Bruha yes, Fortune absent. Motion carried.

**Change May Council meeting date:** With Council approval the Mayor rescheduled the regular meeting to May 3, 2004 at 7:30 pm.

**Update receivers on Sirens – Wayne Stohlman:** Civil Defense Director Wayne Stohlman informed the Council that the sirens are in need of repair. The siren on 5<sup>th</sup> street was taken into the factory. Seward County is upgrading to the 453.375 UHF band. The cost to update both sirens is \$4500.00. Stohlman has applied for a federal grant. The Council discussed the availability of funds this budget year. Stohlman was asked to review the terms of the grant application to see if the City would be reimbursed with federal funds if the City paid for the update prior to receiving the grant. A line item for Civil Defense will be added to the General account budget.

**Amend Interlocal Agreement E-911 – Barb Liska:** Barb presented an amendment to the Interlocal Agreement Creating Seward County Communications Agency. This agreement was drawn up to clarify and identify the ownership of the new 300' tower. The tower is owned by the Agency Board and is built on County Property. The insurance on the tower is paid through the County and covered by NERMA. A motion was made by Bruha and seconded by Anderson to authorize the Mayor to sign the Interlocal Agreement as presented. Roll call vote: Bruha yes, Anderson yes, Fortune absent, Neal yes. Motion carried.

**Cemetery By-Laws:** After reviewing the by-laws Mayor Plessel had a few corrections to consider. A motion was made by Bruha and seconded by Anderson to table this item until the next regular meeting so the changes could be made. Roll call vote: Bruha yes, Anderson yes, Fortune absent, Neal yes. Motion carried.

**Introduction and Adoption of Ordinance – Amend 1-817 Fiscal Management; Deposit of Funds:** Council member Bruha introduced the following Ordinance:

ORDINANCE NO. 755

AN ORDINANCE RELATING TO FINANCE AND REVENUE; TO CHANGE PROVISIONS RELATING TO DEPOSITS OF PUBLIC FUNDS TO ELIMINATE THE REQUIREMENT THAT THE CITY COUNCIL ANNUALLY DESIGNATE ONE OR MORE DEPOSITORIES AND SELECT, WITHOUT PREFERENCE, ALL DEPOSITORIES LOCATED IN THE CITY THAT APPLY FOR THE PRIVILEGE OF BEING A DEPOSITORY; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE. (See Ordinance Record)

**Appointment to Pool Board:** A motion was made by Bruha and seconded by Neal to approve the Mayor's recommendation to appoint Keri Jakub to the Swimming Pool Board for a 3 year term starting immediately. Roll call vote: Bruha yes, Neal yes, Anderson yes, Fortune absent. Motion carried.

**ADJOURNMENT:** A motion was made by Bruha and seconded by Anderson to adjourn the meeting. Roll call vote: Bruha yes, Anderson yes, Fortune absent, Neal yes. Motion carried and meeting adjourned at 9:59 pm.

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Jeanne Hoggins, City Clerk

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J. Elaine Plessel, Mayor

### CERTIFICATION

I, the undersigned, City Clerk of the City of Milford, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council of April 6, 2004 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

(SEAL)

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Jeanne Hoggins, City Clerk