

CITY OF MILFORD
REGULAR MEETING
APRIL 7, 2009
MINUTES

A regular meeting of the Mayor and Council of the City of Milford, Nebraska was held at the Webermeier Library Building in said City on the 7th day of April 2009 at 7:30 pm. Present were: Mayor Dean Bruha; Council members: Jeff Baker, Rick Fortune, Jeff Heckman, Dan Kral; Attorney Robert Blevens; Chief of Police Forrest Siebken; Maintenance Supt. Mark Frey, Secretary Tracy Yeackley. Also present: Nancy Swarts. 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 the 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 these 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 Bruha called the meeting to order at 7:33 p.m. Mayor Bruha publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act is available for review and is posted on the east wall of the Webermeier Community Meeting Room.

MINUTES: A motion was made by Baker and seconded by Kral to approve the minutes of the March 3, 2009 meeting. Roll call vote: Baker yes, Kral yes, Fortune yes, Heckman yes. Motion carried.

A motion was made by Fortune and seconded by Baker to approve the minutes of the March 12, 2009 meeting. Roll call vote: Fortune yes, Baker yes, Heckman yes, Kral yes. Motion carried.

PAYMENT OF BILLS, BOND PRINCIPAL AND INTEREST: A motion was made by Kral and seconded by Heckman that the following bills in the amount of \$66,116.60; Bond Principal of \$30,000.00; Bond Interest of \$2,785.00 and payroll in the amount of \$27,693.96 totaling \$126,595.56 approved by the Auditing Committee be approved for payment. Roll call vote: Kral yes, Heckman yes, Baker yes, Fortune yes. Motion carried.

SALARIES:

47553	Mark Frey	1439.78
47554	Forrest K Siebken	1350.82
47555	Mavis Lynn Ferris	60.49
47556	Jeanne M Hoggins	1335.14

47557	Gary Lee TeSelle	819.95
47558	Scott Dean Fosler	1026.08
47559	Robert L Hull	889.25
47560	Beverly J Wehrs	591.30
47561	David R Dahle	993.63
47562	Bryce C Johnson	996.47
47563	Philip Winkelmann	941.68
47564	George A Matzen	584.25
47565	Tracy L Yeackley	700.57
47566	Julia M Wang	231.59
47567	Courtney L Bashore	84.68
47568	Anna E Tremmel	102.84
47569	Tiffany Fougeron	298.74
47570	Benjamin L Rediger	702.53
47576	Mark Frey	1480.00
47577	Forrest K Siebken	1350.82
47578	Mavis Lynn Ferris	60.49
47579	Jeanne M Hoggins	1372.45
47580	Gary Lee TeSelle	1179.82
47581	Scott Dean Fosler	1059.77
47582	Robert L Hull	896.55
47583	Beverly J Wehrs	598.27
47584	David R Dahle	1004.95
47585	Bryce C Johnson	1015.88
47586	Philip Winkelmann	941.68
47587	George A Matzen	584.25
47588	Tracy L Yeackley	710.16
47589	Julia M Wang	249.41
47590	Courtney L Bashore	96.78
47591	Anna E Tremmel	102.84
47592	Tiffany Fougeron	402.84
47593	Benjamin L Rediger	698.43
47595	Ricky Gene Fortune	138.52
47596	Dean Alan Bruha	184.70
47597	Jeffrey M Baker	138.52
47598	Jeff Lee Heckman	138.52
47599	Dan V Kral	138.52
GENERAL FUND:		
47508	Wendy Dale – WA/SW Deposit Refund	50.00
47509	Adam Pallas – WA/SW Deposit Refund	50.00
47510	US Postmaster – Utility Billing Postage	162.62

47511	Ameritas Group – Dental & Vision	1028.92
47512	Alltel – Cellular Charges	99.44
47513	Aramark – Pants & Rags	341.44
47514	Constellation New Energy – Service for February	1770.62
47515	Culligan – Soft Water	20.00
47516	Coventry Health Care – Health Insurance	9280.01
47517	Farmers Cooperative – Gas/Diesel for February	646.45
47518	Diode Communications – Service for February	54.16
47519	Deep Rock – Drinking Water	27.42
47520	Eakes – Greenbar Paper, Envelopes, Telephone	267.85
47521	EMP – Gloves, Epi-Pen Injectors	479.04
47522	The Garbage Co – Service for Feb	139.35
47523	Great Plains One Call – Emergency Locates	6.71
47524	Latsch’s – Mousepad, Binder, Post-Its	124.74
47525	Lawson Products – Drill Bit Sharpener	200.45
47526	The Library Store – Labels	24.90
47527	Martin Excavating – Sand	42.50
47528	Menard’s – Lumber & Bolts	134.75
47529	Milford Plumbing – Repair Kitchen Sink	101.25
47530	Momar – Week Killer	211.95
47531	Municipal Supply – Replacement Battery Pack	76.78
47532	NMC – Lens, Oil Filter, Lamp	66.18
47533	NE Dept of Revenue – February Sales Tax	1470.46
47534	NE Motor Parts – Oil, Funnel, Wrench, Jack	483.20
47535	NPPD – Service for February	4256.52
47536	NT&T – Service for February	397.78
47537	O’Keefe Elevator – Elevator Inspection	794.88
47538	Black Hills Utility Holdings – Service for February	434.00
47539	Pizza Kitchen – Meals	197.00
47540	Precision Industries – Bits, Washers, O-ring	43.41
47541	Roxanne Roth – Cleaning Services	250.00
47542	Mrs Wayne Roth – Birthday Cake	16.00
47543	Roth & Troyer Const. – Footings and walls	11865.00
47544	Sack Lumber Co – Material for Restrooms	2141.84
47545	Seward Co Ind – Notices for P&Z, Council, Sr. Ctr	150.90
47546	SPPD – Wells 1 & 2	494.49
47547	Sioux Sales Co – Taser Holsters	160.00
47548	Shell Fleet Plus – Car Gas	32.70
47549	Shell Fleet Plus – Fuel for February	189.77
47550	Sunrise Country Manor – February meals	912.00
47551	Windstream – Local/Internet, Library Phone	163.64

47552	Local Insight Yellow Pages – Directory Advertising	14.60
47571	Ameritas – Pension	1646.15
47572	AFLAC – Dis, Cancer, Acc, Suppl	399.96
47573	Fort Dearborn Life Ins. – Life Insurance	116.96
47574	Mutual of Omaha – Disability	79.33
47575	Shell Fleet Plus – Fuel for Feb/March	449.58
47594	Ameritas – Pension	1646.15
47606	American Chemicals, Inc – Asphalt Patch	1320.28
47607	Baker & Taylor – Books	708.10
47608	Blevens Law Office – Legal Services for April	350.00
47609	Blue River Transmissions – Reprogram ECM	82.50
47610	California Contractors – Headlamp	107.70
47611	City of Milford (Petty Cash) – Postage	13.21
47612	Rapid Magazine Collection – Subscription	72.00
47613	D&D Communications – Pager	390.00
47614	D & M Building Systems – Street Repair on Oneida	2766.61
47615	Department of Labor – Elevator Inspection	100.00
47616	DEMCO, Inc – Book Covers	83.24
47617	Great America Leasing Corp – Meter Rent	80.00
47618	Heartsong Presents – Books	10.99
47619	Jeanne Hoggins – Mileage to Sam’s	28.60
47620	Hydraulic Equipment Service – Repair on 72 Ford	1284.12
47621	IACP – Membership Fee (Annual)	250.00
47622	JEO – Pool Repair for Spa and Safety Act	960.00
47623	Kids Discover – Magazine Subscription	38.90
47624	Kustom Signals – Radar Remotes	133.50
47625	John Deere Landscaping – 2 Tires	147.00
47626	LINWELD – Oxygen, Delivery	93.60
47627	Martin Excavating – 12 Yards of Sand	102.00
47628	Milford Plumbing – Repair kitchen sink at Sr Center	171.75
47629	Milford School Dist – Parking Fines, Liquor Lic	200.00
47630	Milford Supermarket – Cat Food & Paper Plates	6.92
47631	Milford Fire & Rescue – EMT Conv & Fire School	1620.00
47632	Municipal Supply Inc – 3 Water Meters	879.91
47633	NMC – 8V Batteries, Acid	1110.95
47634	Precision Industries – Nuts, Washers, Lockwashers	15.76
47635	Quality Inn & Suites – Room for Clerks School	294.75
47636	Roxanne Roth – Cleaning Services	320.00
47637	Sleep Inn & Suites – NEMSA Rooms	769.90
47638	Sack Lumber Co – Materials for Restrooms, Lumber	VOID
47639	Taste of Home – Subscription	19.97

47640	Today's Christian Woman – Subscription	37.50
47641	Union Bank – Gary TeSelle Acct #5562939	442.20
47642	UPSTART – Summer Reading Program materials	156.37
47643	Uribe Refuse Service – Garbage Pickup	37.00
47644	Walmart – Carpet Cleaning Materials, Books, DVDS	407.29
47645	Weathercraft – Repair to City Office Roof	359.10
47646	Windstream – Civil Defense Phone	90.00
47647	Local Insight Yellow Pages – Directory Advertising	14.60
47648	Tracy Yeackley – Meals & Mileage (Clerk School)	278.05
47649	Ron Eberspacher – Mileage (Senior Center)	13.75
47650	Elwood Hershberger – Mileage (Senior Center)	13.75
47651	Robert Robothom – Mileage (Senior Center)	28.60
47652	IPMA-HR – Oral Interview HB	80.00
47653	Scott Bashore – Meals at EMT Conference	95.71
47654	Lonny Radford – Fuel	20.07
47655	Toby Pickerill – National Registration Fee	70.00

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Housing Authority minutes for March 11, 2009; Recreation Board minutes for March 17, 2009 and March 31, 2009; Pool Board minutes for March 30, 2009; Police Dept. Activity Report for March 2009; MVFD Rescue NARSIS report for March 2009; Fire Report for March 2009. Heckman – Webermeier Scholarship Committee approved 7 new recipients. Baker – Recreation Board finalized teams, extended the deadline for registrations for a 2 week period and is still looking for a Recreation Director. City Clerk Jeanne Hoggins arrived.

COMMUNICATIONS: *Sales tax received for the month of January 2009 was \$13,492.48. *Safety Dividend received from INSPRO Insurance in the amount of \$8,330.78. *Mayor Bruha will be sending out a letter in the water bills to all the citizens addressing alley clean-up, trimming trees, cat & dog licensing, bike licensing and safety tips.

PUBLIC HEARING - Citizen Advisory Committee: Mayor Bruha opened the public hearing at 7:43 pm. Mayor Bruha reviewed the revenues and expenses for the Economic Development Program. Mayor Bruha was also approached by an individual wanting to move forward with an expansion of their business. He asked them to put together and submit a plan to the Economic Development Committee. With no further comments Mayor Bruha closed the public hearing at 7:45 pm.

NEW BUSINESS:

Approve Fire Dept. membership roster: A motion was made by Kral and seconded by Fortune to approve the Fire Dept. membership roster. Baker questioned the Pleasant Dale members and Kral explained they are assigned

to the Milford Fire Dept. to assist with calls until Pleasant Dale is licensed. Roll call vote: Kral yes, Fortune yes, Baker yes, Heckman yes. Motion carried.

Approve Private Well Permits: A motion was made by Fortune and seconded by Kral to approve the following permits for private wells in the corporate limits: Jim Stutzman, 465 North F Street; Rick Bell, 905 Park Ave.; Miles McGonigle, 303 N. F St. Roll call vote: Fortune yes, Kral yes, Baker yes, Heckman yes. Motion carried. The reason for the permit is to cover loss of revenue to the City and an inspection to make sure well is not being used for inside use. Discussion will be held between Frey and Fortune to review private well inspections.

Hire Pool Employees & Set Wages: A motion was made by Heckman and seconded by Baker to approve the recommendation of employees by the Pool Board and wages as submitted. Roll call vote: Heckman yes, Baker yes, Fortune yes, Kral yes. Motion carried. Pool staff for the 2009 season is as follows: Manager: Vicki Lintt - \$4200.00/season; Asst. Manager: Josh TeSelle - \$3500.00/season; Head Lifeguard: Paige McAvoy - \$6.85 hr; Lifeguards: Larisa Roth - \$6.70 hr, Abigail Ahmed - \$6.55 hr; Whitney Lauber - \$6.85 hr; Kyle Herman - \$6.70 hr; David Jensen - \$6.70 hr; Austin Heckman - \$6.70 hr; Keaton Schweitzer - \$6.70 hr; Megan Kremer - \$6.70 hr; Celena Malmkar - \$6.70 hr; Tori Blair - \$6.70 hr. Subs: Shannon Horsley - \$6.55 hr; Kirk Frederickson - \$6.55 hr and Chase Jones - \$6.55 hr.

Introduction and Adoption of Ordinances:

Amend Section 6-112 Impounding Animals – Council member Bruha introduced the following ordinance seconded by Kral:

ORDINANCE NO. 822

AN ORDINANCE TO AMEND SECTION 6-112 OF THE MUNICIPAL CODE RELATING TO IMPOUNDING OF ANIMALS; CHANGE OF IMPOUNDMENT FEES; AND REQUIREMENTS FOR RELEASE OF IMPOUNDED ANIMALS; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

Amend Section 6-108 Penalties, Animals running at large – Council member Kral introduced the following ordinance seconded by Fortune:

ORDINANCE NO. 823

AN ORDINANCE TO AMEND SECTION 6-108 OF THE MUNICIPAL CODE TO PROVIDE MINIMUM PENALTIES FOR VIOLATION OF SAID SECTION; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PRESCRIBE THE

TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT.
(See Ordinance Record)

Award Webermeier Scholarships: A motion was made by Heckman and seconded by Fortune to approve the renewal of 20 applicants and 7 new. Roll call vote: Heckman yes, Fortune yes, Baker yes, Kral yes. Motion carried.

Award Bid for Sr. Center Car: A motion was made by Fortune and seconded by Heckman to award the bid of the Sr. Center car (1992 Chrysler Fifth Avenue) to Dean's Garage in the amount of \$126.92. Roll call vote: Fortune yes, Heckman yes, Baker yes, Kral yes. Motion carried.

Award Bid for Maintenance Pickups: There were 3 bids submitted for each vehicle, a 1983 Dodge pickup and a 1991 Dodge pickup with a utility box. A motion was made by Kral and seconded by Fortune to award the high bid of \$331.80 for the 1983 and \$277.80 for the 1991 to Folts Enterprises. Roll call vote: Kral yes, Fortune yes, Baker yes, Heckman yes. Motion carried.

Award Bid for Operation of Welch Park Concession Stand: The City received one bid for operation of the concession stand. Nancy Swarts submitted a bid for 15% of her net income along with \$1.00 per bottle of pop to be paid to the City of Milford. She is still waiting to see if she can get liability coverage thru her homeowners insurance. A motion was made by Kral and seconded by Fortune to award the bid to Nancy Swarts to operate the Welch Park Concession Stand with the stipulation that she's able to get the proper insurance. Roll call vote: Kral yes, Fortune yes, Baker yes, Heckman yes. Motion carried.

Approve Firework Permit – Phantom Fireworks: A motion was made by Fortune and seconded by Heckman to approve the firework application from Phantom Fireworks for 921 5th Street. Roll call vote: Fortune yes, Heckman yes, Baker yes, Kral yes. Motion carried.

Addition of Beer Garden – Sheri's Grill & Bar: Mayor Bruha questioned the availability of 2 exits with the drawings that were presented. It looks as if there is a door on the south side of the fence. VS Investments will need to meet the State requirements as well as the Building Inspector Codes. A motion was made by Heckman and seconded by Fortune to approve the addition of the fenced in area as a beer garden at 121 N. State Hwy. Roll call vote: Heckman yes, Fortune yes, Baker yes, Kral yes. Motion carried.

Deconstruction Project: Kral presented a grant program through the Echo Store in Lincoln where funds could be used towards demolishing old buildings and in turn use the materials to recycle/reuse. If the City of Milford is aware of any property it could possibly create internship and part-time job opportunities for college students. A couple properties where

mentioned but more as an effort to clean up the grounds instead of tearing down buildings. Kral will research the boundaries of the grant to see if property clean-up is included. It was suggested to put an article in the paper asking if there is anyone that needs assistance in this manner. Kral will report back on his findings.

Executive Session – Personnel: A motion was made by Baker and seconded by Fortune to adjourn from regular session into executive session. Roll call vote: Baker yes, Fortune yes, Heckman yes, Kral yes. Motion carried and council went into executive session at 9:03 pm. A motion was made by Fortune and seconded by Heckman to return to regular session. Roll call vote: Fortune yes, Heckman yes, Baker yes, Kral yes. Motion carried and Council returned to regular session at 9:10 pm.

ADJOURNMENT: A motion was made by Fortune and seconded by Heckman to adjourn the meeting. Roll call vote: Fortune yes, Heckman yes, Baker yes, Kral yes. Motion carried and meeting adjourned at 9:11 pm.

Jeanne Hoggins, City Clerk

Dean A. Bruha, 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 on April 7, 2009 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)

Jeanne Hoggins, City Clerk