

CITY OF MILFORD
REGULAR MEETING
AUGUST 1, 2000
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 1st day of August, 2000 at 7:30 P.M. Present were: Mayor Dean Bruha; Councilmembers Dorothy Bockoven, Scott Burroughs, Gary Cooper, Rick Fortune; Attorney Robert Blevens; City Clerk Jeanne Hoggins. Also present: Building Inspector Roger Kness, Elaine Plessel, Jim Chambers with Dain Rauscher, Chief of Police Forrest Siebken and Todd Neeley 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 Bruha called the meeting to order at 7:33 P.M.

MINUTES: A motion was made by Fortune and seconded by Burroughs to approve the minutes of the July 10, 2000 meeting. Roll call vote: Fortune yes, Burroughs yes, Bockoven yes, Cooper yes. Motion carried.

A motion was made by Cooper and seconded by Bockoven to approve the minutes of the July 27, 2000 meeting. Roll call vote: Cooper yes, Bockoven yes, Burroughs yes, Fortune yes. Motion carried.

PAYMENT OF BILLS: A motion was made by Cooper and seconded by Bockoven that the following bills, approved by the Auditing Committee be approved for payment. Roll call vote: Cooper yes, Bockoven yes, Burroughs yes, Fortune yes. Motion carried.

SALARIES:

31455	Mark Frey	972.60
31456	Forrest K. Siebken	946.86
31457	Mavis Lynn Ferris	24.97
31458	Stephanie A. Chicoine	46.17
31459	Jeanne M. Hoggins	807.19
31460	Gary Lee TeSelle	559.05
31461	Scott Dean Fosler	844.58

31462	Robert L. Hull	793.19
31463	Beverly J. Wehrs	343.83
31464	Edna A. Riedl	240.77
31465	David R. Dahle	680.26
31466	Sara J. Roether	218.67
31467	Amanda L. Lambe	161.79
31468	Louis J. Bialas	668.28
31469	Pamela J. Slama	229.23
31470	Bryce Roth	237.15
31471	Arlene F. Sieck	500.41
31472	Lucy B. Honig	169.93
31473	William J. Sauer	338.00
31474	Marcus A. Siebken	253.99
31475	Shawn D. Matthiessen	314.57
31476	Amanda R. Fichtner	430.01
31477	Jamie L. Opfer	502.63
31478	Susan P. Dugan	351.51
31479	Sheri J. Condreay	393.07
31480	Lindsey C. Heyen	365.05
31481	Chad A. Craghead	767.33
31482	Kelly Brown	178.93
31528	Mark Frey	987.68
31529	Elaine J. Soukup	9.51
31530	Forrest K. Siebken	946.86
31531	Mavis Lynn Ferris	26.16
31532	Jeanne M. Hoggins	807.19
31533	Gary Lee TeSelle	728.87
31534	Scott Dean Fosler	790.74
31535	Robert L. Hull	644.70
31536	Beverly J. Wehrs	162.96
31537	Edna A. Riedl	322.62
31538	David R. Dahle	644.24
31539	Sara J. Roether	27.22
31540	Amanda L. Lambe	134.78
31541	Louis J. Bialas	650.77
31542	Pamela J. Slama	238.79
31543	Bryce Roth	273.50
31544	Arlene F. Sieck	510.41
31545	Lucy B. Honig	266.90
31546	William J. Sauer	340.77

31547	Marcus A. Siebken	313.83
31548	Shawn D. Matthiessen	334.76
31549	Amanda R. Fichtner	415.57
31550	Jamie L. Opfer	502.63
31551	Susan P. Dugan	351.51
31552	Sheri J. Condreay	229.16
31553	Lindsey C. Heyen	261.15
31554	Chad A. Craghead	706.83
31555	Kelly Brown	164.51
31556	Gary W. Cooper	138.52
31557	Roger L. Kness	220.11
31558	Ricky Gene Fortune	138.52
31559	Dean Alan Bruha	184.70
31560	Dorothy J. Bockoven	138.52
31561	Scott C. Burroughs	138.52

GENERAL FUND:

31483	Ameritas Life Insurance Corp - Retirement	993.10
31484	Alltel – Service for June	960.79
31485	Alltel – Mobile Phone	21.52
31486	Les Amory – Ball Tournament Reimburse	20.00
31487	Jan Bell – Patch R/R x 3 – Fosler	15.00
31488	Bob’s Service – Oil, Filters, Lube, Mileage, Battery	298.68
31489	Amity Bruns – Umpire 10’s & 12’s	180.00
31490	Butch’s Welding & Repair – Clamps & Labor	106.20
31491	Casey’s General Store – Donuts for Water Mtgs	41.88
31492	Centaur Enterprises Inc – Concrete Cutting Wheels	96.66
31493	Culligan Water Conditioning – Soft Water	38.00
31494	Dorchester Coop – Tire Repair	11.00
31495	Dorchester Coop/Gas – Gas & Oil, Tire Repairs	1529.30
31496	Graham Tire Co – Addt’l Chg – Tire Fee	2.03
31497	The Garbage Co – Service for June, 2 YD Dumpster	100.00
31498	Gene’s Electric – New Wiring at Pool	512.95
31499	Gerhold Concrete Company – Limestone	434.38
31500	Great Plains-One Call – Meet, Locate, Emer, Surchg	34.46
31501	IHS at Milford – 321 Meals for May	1043.25
31502	Zach Kinnett – Umpire Ponys	120.00
31503	Master Cleaners – Patches R/R Hull	11.00
31504	Milford A/C & Appl–Filters, Fix Fridge, Thermostat	418.62
31505	Milford Plumbing Co – Replace Ice Maker	22.00
31506	Milford Supermarket – Trash bags, Pens, Lysol, Groc	51.38

31507	The Milford Times – Notices, Min, Ord, Envelopes	494.60
31508	NE Dept of Revenue – Sales Tax for June	1783.11
31509	Nebraska Motor Parts – Spray Paint, HiDri, Battery	29.19
31510	Nebraska Public Power District – Service for June	5224.67
31511	Peoples Natural Gas – Service for June	1752.41
31512	Pepsi-Cola of Lincoln – Pop for Pool	222.75
31513	Chris Reiger – Umpire 14's	60.00
31514	Heath Reiger – Umpire Ponys	120.00
31515	Roxanne Roth – Clean Library & Fire Station	160.00
31516	Mrs. Wayne Roth – Birthday Cakes	25.00
31517	Sam's Club/GECF – Candy for Pool	269.08
31518	Sack Lumber Company – White Paint	35.98
31519	Schlegel's Groceries – Pictures, Batteries, Milk/Groc	272.42
31520	Seward County Rural Public Power – Wells 4 & 5	333.02
31521	Mike Stinson – Umpire 12's	30.00
31522	Vahl Drug & Paint Co – Gray & Red Paint	266.27
31523	Wal-Mart Store – Soap, Clean Supplies, Offc Supp	108.93
31524	Winnie Daniels – Water & Sewer Deposit Refund	9.65
31525	Jamie Opfer – Water & Sewer Deposit Refund	29.74
31526	Eugene Summers – Water & Sewer Deposit Refund	50.00
31527	Mutual of Omaha Companies – Group Insurance	3719.84
31562	Ackerman Rock & Gravel – Gravel & Rock	1096.78
31563	AT & T – Long Distance Service	21.60
31564	Ameritas Life Insurance Corp – Retirement	993.10
31565	Associated Libraries Prebound – 4 Books	35.76
31566	Katie Baker – Umpire Wee Pee & Jr Pee Wee	25.00
31567	Marty Baker – Umpire 18's	30.00
31568	Barco Municipal Products – Hi Duty Chisels, Signs	465.89
31569	Baton Rouge Police Supplies – Streamlight SL20X	107.95
31570	Best Way, Inc. – Drainspade	52.16
31571	Blevens Law Office – Legal Services for July	350.00
31572	Simon Boaz – Umpire 10's & 12's	35.00
31573	Century Labs, Inc – Traffic Paint Thinner	184.50
31574	City of Milford – Petty Cash, Index Cards/Box, Pstge	60.38
31575	Christian Book Distributors – 6 Books	82.89
31576	Chief Supply Corporation – Orange Marking Paint	253.94
31577	Colin Electric Motor – ½ HP 2-3" Waste Mate	329.17
31578	Quality Stores, Inc. – Spring Ext, Quik Change, etc	39.25
31579	D & D Communications–Portables, Speakers, Mic's	1516.00
31580	Eakes Office Plus – Computer Paper, PO's, Copies	732.83

31581	Fire Master – Fire Extinguishers	193.83
31582	Tim Fichtner – Umpire 10's & 12's	20.00
31584	Gerhold Concrete Company, Inc – Fill Sand	33.00
31585	Derek Grauel – Umpire 10's & 12's, Pee Wee's	45.00
31586	1 st Choice Credit Union – Gary TeSelle Account	250.00
31587	Heartsong Presents – 4 Books	9.97
31588	IHS at Milford – 404 Meals for June	1313.00
31589	Ingram Library Services – 8 Books	44.77
31590	Kelly Supply Company – Protective Eyewear, Reducer	40.03
31591	Kirkham Michael – 10% Flood Mitigation Study	3340.00
31592	Ladies Home Journal – 2 Year Subscription	16.97
31593	Zach Lauer – Umpire 18's	30.00
31594	The Library Store – 30 VHS	34.20
31595	Menard's – Shoe Handle Brush, Putty Knife, Rake	80.15
31596	Midwest Tape – "My Dog Skip"	16.79
31597	Milford A/C & Appliance – Filters, Refrig & Disposal	93.64
31598	Milford Plumbing Co – Copper, Coupling	12.33
31599	Milford School Dist #5 – Fines Collected for July	35.00
31600	Midwest Service & Sales Co – 1 ½ & 1 ¾ Posts	425.00
31601	Mohrhoff Power Equipment – Parts for Weed Eater	28.34
31602	Mutual of Omaha Companies – Disability	109.23
31603	National Geographic Society – Yellowstone to Yukon	13.90
31604	NE Dept of Revenue – State W/H for July	1083.45
31605	Newman Traffic Signs – Oak Cir West, Welch Pk Dr	166.06
31606	Olsson Associates – State Street Project	9233.00
31607	OMB Police Supply – Name Tags	25.48
31608	Accord Capital Corp (Poolmart) – Chlorine, Chl Calc	1105.47
31609	Edna Riedl – Mileage to CASTL Mtg in Wymore	44.64
31610	Reiman Publications – 2 Yr Subscrip Country Woman	29.98
31611	Roxanne Roth – Clean Fire Station & Library	215.00
31612	Caitlin Rowland – Umpire 14's, Wee Pee, Jr Pee Wee	55.00
31613	Marty Rowland – Umpiring through 7/11/00	265.00
31614	Sack Lumber Company – Caulk, Concrete Mix, Acid	88.08
31615	Seward Co Treasurer – 911 Comm, Milford Dispatch	300.00
31616	Seward Co Ford – Tuneup, Fuel Filter, Oil Change	130.97
31617	Marcus Siebken – Ump Pony's, Wee Pee, Jr Pee Wee	45.00
31618	Pam Slama – Clean City Hall for June & July	170.00
31619	Wayne Stohlman – Reimburse Hotel in Kearney	146.82
31620	TeSelle Services – Umpire through 6/28	55.00
31621	Monty Troyer – Umpire Pee Wee's	10.00

31622	Uniservice, Inc. – Pants & Rags	96.40
31623	United States Postal Service – Postage for Meter	200.00
31624	Chaise Vegas – Umpire 14’s & Pee Wee’s	25.00
31625	Watts Up – 100A/CL 130V Bulbs	147.80
31626	Meagan Wells – Umpire through 6/30	60.00
31627	Don Yeackley – Umpire 10’s & 12’s	35.00
31628	Travis Yeackley – Umpire 10’s & 12’s	25.00
31629	Zep Manufacturing Co – Sewer Aid	246.16
31630	Luke Bolyard – Water & Sewer Deposit Refund	22.74
31631	Jack Duke III – Water & Sewer Deposit Refund	12.96
31632	Aaron Nelson – Water & Sewer Deposit Refund	9.25

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Milford Aging Services Commission minutes for June 28, 2000; Library Board Minutes for July 20, 2000; Fire/Rescue minutes for June 13, 2000; Police Dept. Activity Report for July 2000.

Cooper updated the Council on the State Street Project: They have finished pouring the concrete and the dirt work is almost complete. N.P.P.D is staking for poles, should have them in within 2 weeks. Northern Irrigation will begin installation of the sprinkler system on August 7, 2000. Project breakdown information was presented to Council. It was noted that item #26 (Place Sod) and all but \$242.72 of item #27 (Seeding) is being pulled from the project total. The college has agreed to pick up the cost of the sod, which would allow them to sod the majority of the area for only \$1500.00, a savings of \$357.05. #28 (Striping for Cross Walks) will also be pulled as the College and City will work together to do their own striping. Paint and materials for striping will cost around \$140.00.

Curb & gutter repair in front of Schlegel’s Grocery Store is underway. The west side will be completed in 2 phases which will allow parking for patrons.

M.E. Collins will begin making repairs to the streets, in approximately 2 weeks, at 3 different locations in town. (1st & Walnut, Locust St. and 1st & “A”)

Burroughs: The pool will be closing August 13, 2000 due to lifeguards and managers leaving for the start of school and sport practices.

Fortune informed Council of a letter received from the State of NE regarding inspection of the Lagoon on July 19, 2000. The overall appearance of the facility was well operated and maintained. There was water on the floor of the lift station which was coming in through a wall. The State suggested repairs to correct the problem.

COMMUNICATIONS: Sales tax received for the month of May 2000 was \$14,141.39. Siebken reviewed totals of July's Activity Report and noted that the new officer, Chad Craghead was doing a fine job. Mayor Bruha read resignation letters from Planning & Zoning Board members; Glenn Pasho, Howard Reidl and Paul Carter. Bockoven informed Council that Wells Fargo & Co. has acquired National Bank of Commerce, which holds the funds donated by William Webermeier for the Scholarships. A signature is required by the City for approval of fee arrangements between NBC and Wells Fargo Funds. Bockoven was also approached about creating a resolution honoring Howard Wurst for the beautification of the right-of-ways at 1st St. and Hwy 6. A special meeting of the Council will be held on August 17, 2000 at 5:00 p.m. to discuss employee evaluations.

NEW BUSINESS:

City Investments: Jim Chambers with Dain Rauscher presented information to the Council regarding investing of municipal funds. He suggested using a time tested Bond Ladder of FDIC Insured CD's. A bond ladder is a portfolio of bonds with staggered maturities. Auditors encourage this way of investing because of its accuracy. Literature and documents were presented to illustrate how the ladder works. Idle funds are held in a Government Money Market that is totally liquid. Mr. Chambers suggested writing an Investment Policy for the City of Milford.

Introduction and Adoption of Ordinance – Egress Window/Setbacks: Building Inspector Roger Kness noted his concern with the fact that the egress windows are too close at the duplexes located on Thornridge Acres Dr. Fortune commented that a variance was granted to allow them to be so close. The Planning & Zoning had requested an addition to the comprehensive plan for egress window setbacks. Fortune felt the setbacks that are currently in place are adequate for the rest of the City. The issue on Thornridge Acre Dr. is private due to the fact that it is a planned development area. Cooper commented that the addition of the ordinance would not make an individual decrease the size of home but to relocate the egress window. Discussion was held as to how other towns are currently handling egress windows. Other communities do not make it a requirement but a recommendation. The Uniform Building Code requires an egress window for any basement bedroom as does the City of Milford. It was suggested that this ordinance would pertain to new construction only and existing homes in need of an egress window would be handled on an individual basis. Burroughs placed the question, with the standard 8' side yard setback that is currently in R1 zoning district and leaving 16' between homes, does the egress window need to be considered part of the structure. If 3' egress windows were adjacent to

each other it would still leave 10' between homes. It was asked if the eaves were considered part of the structure, as with new homes they can possibly extend 3' out just as the egress window. Further discussion was held as to whether the ordinance should specify a difference between R1 and R2 setbacks for egress windows. Blevens reviewed and revised the verbiage of the ordinance which was presented to the Council. Fortune asked if there was a plan in place as to how long the egress windows should be. Hoggins stated that there was a plan at City Hall. Kness explained the dimension and height requirements for an egress window.

Council member Burroughs introduced the following ordinance:

ORDINANCE NO. 705

AN ORDINANCE TO ADD SECTION 4.17 TO THE MUNICIPAL CODE ENTITLED EGRESS WINDOWS; TO PREVENT ENCROACHMENT OF EGRESS WINDOWS INTO EASEMENT AREAS; TO PREVENT ENCROACHMENT OF EGRESS WINDOWS WITHIN 5' OF RESIDENTIAL SIDE YARD AND/OR REAR YARD LOT LINES; AND TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

Approve Payment-Olsson Assoc., State Street Paving: A motion was made by Cooper and seconded by Bockoven to approve payment of Invoice No. 42975 in the amount of \$9,233.00 for professional services rendered to Olsson Associates through June 30, 2000. Roll call vote: Cooper yes, Bockoven yes, Burroughs yes, Fortune yes. Motion carried.

Approve Initial Order- Webermeier Scholarships: A motion was made by Bockoven and seconded by Burroughs to approve initial order of scholarships to 29 students in the amount of \$1,034.00 for the 1st Semester. Roll call vote: Bockoven yes, Burroughs yes, Cooper yes, Fortune yes. Motion carried.

Concession Stand-High School Softball: A motion was made by Burroughs and seconded by Cooper to allow use of the concession stand at Welch Park for sale of concessions at the High School softball games and to work closely with Fougersons. Roll call vote: Burroughs yes, Cooper yes, Bockoven yes, Fortune yes. Motion carried.

Authorize purchase of Tar Kettle: Cooper presented a quote from Logan Contractors Supply, Inc. for an EZ Pour 100 gallon tar kettle in the amount of \$15,925.00. The maintenance dept. is currently working with a 1970 model, which they have to combine 2 mixtures of materials and heat to get the correct consistency for pouring. The new model will heat faster and uses a 24 lb. keg of tar which is dropped into the pit. Burroughs asked about trade –in value of the old unit. Cooper suggested the possibility of selling the

old unit. Tarring street cracks is an important part of maintaining the streets. A motion was made by Cooper and seconded by Fortune to authorize purchase of a tar kettle, E-Z Pour 100P model in the amount of \$15,925.00. Roll call vote: Cooper yes, Fortune yes, Bockoven yes, Burroughs yes. Motion carried.

Authorize purchase of Floor Jack: A motion was made by Fortune and seconded by Burroughs to authorize purchase of a hydraulic floor jack in the amount of \$1500.00. Roll call vote: Fortune yes, Burroughs yes, Bockoven yes, Cooper yes. Motion carried.

Close 1st St. between “B” & “C” – Fire Dept.: Burroughs asked the Council for permission to close 1st St. on Friday, August 18, 2000 from 8:00 p.m. to 10:00 p.m. in conjunction with the Family Fun Days. The Milford Vol. Fire Dept. along with N.P.P.D. will be presenting a Fire & Ice demonstration involving a liquid propane burn. Chief of Police Siebken will work closely with Fire Dept. to close off the area for public safety. A motion was made by Cooper and seconded by Fortune to approve closing 1st St. between “B” & “C” on Friday, August 18, 2000 between the hours of 8:00 p.m. and 10:00 p.m. Roll call vote: Cooper yes, Fortune yes, Bockoven yes, Burroughs yes. Motion carried.

Authorize payment, Kirkham Michael, Flood Mitigation Plan: It was mentioned that these funds will be reimbursed to the City. A motion was made by Fortune and seconded by Cooper to authorize payment to Kirkham Michael in the amount of \$3,340.00 for professional engineering services in conjunction with the flood mitigation study. Roll call vote: Fortune yes, Cooper yes, Bockoven yes, Burroughs yes. Motion carried.

Executive Session – Personnel: No action taken.

ADJOURNMENT: A motion was made by Fortune and seconded by Bockoven to adjourn the meeting. Roll call vote: Fortune yes, Bockoven yes, Burroughs yes, Cooper yes. Motion carried and meeting adjourned at 9:08 P.M.

City Clerk

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 August 1, 2000 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