

CITY OF MILFORD  
REGULAR MEETING  
AUGUST 1, 2006  
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 1<sup>st</sup> day of August 2006 at 7:30 pm. Present were: Mayor J. Elaine Plessel; Council members: Dean Bruha, Rick Fortune, Terry Good, Lyle Neal; Attorney Robert Blevens; Chief of Police Forrest Siebken, Maintenance Supt. Mark Frey, City Clerk Jeanne Hoggins. Also present: Jason Suelter with Structural Design Group, Ron Bottorff with JEO, Shelly Roth and 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 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 Plessel called the meeting to order at 7:30 p.m. Mayor Plessel 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 Library Community Room.

**MINUTES:** A motion was made by Fortune and seconded by Neal to approve the minutes of the July 11, 2006 meeting. Roll call vote: Fortune yes, Neal yes, Bruha abstain, Good yes. Motion carried.

A motion was made by Bruha and seconded by Good to approve the minutes of the July 24, 2006 meeting. Roll call vote: Bruha yes, Good yes, Fortune yes, Neal yes. Motion carried.

**PAYMENT OF BILLS:** A motion was made by Bruha and seconded by Neal that the following bills in the amount of \$45,084.31 approved by the Auditing Committee be approved for payment. Roll call vote: Bruha yes, Neal yes, Fortune yes, Good yes. Motion carried.

**SALARIES:**

42782	Mark Frey	1259.95
42783	Forrest K Siebken	1212.88
42784	Mavis Lynn Ferris	40.41
42785	Jeanne M Hoggins	1179.98

42786	Gary Lee TeSelle	765.84
42787	Scott Dean Fosler	899.52
42788	Robert L Hull	787.56
42789	Beverly J Wehrs	515.18
42790	Edna A Riedl	373.20
42791	David R Dahle	958.74
42792	Louis J Bialas	1002.38
42793	Arlene F Sieck	275.14
42794	Bryce C Johnson	802.37
42795	Philip Winkelmann	802.37
42796	Elizabeth A Dierberger	570.51
42797	Daniel A Dejong	689.16
42798	George A Matzen	233.13
42799	Micaela Daley	464.14
42800	Britney S Schweitzer	513.98
42801	Brooke A Schweitzer	589.90
42802	Joshua S. Wiley	103.44
42803	Tracy L Yeackley	600.09
42804	Darrin D Velder	561.51
42805	Julia M Wang	103.44
42806	Kara Jacobsen	115.44
42807	Nicholas D Bernasek	402.17
42808	Josh Steven Rublee	523.23
42810	Joyce Elaine Plessel	184.70
42811	Ricky Gene Fortune	138.52
42812	Dean Alan Bruha	138.52
42813	Emerson L Neal	138.52
42814	David Terry Good	138.52

**GENERAL FUND:**

42727	American Red Cross – Admin Fees Swim Lessons	280.00
42728	Alltel – Directory Ad, Local, Internet, Cellular	372.27
42729	Alltel – Long Distance	4.84
42730	Aramark – Pants & Rags	260.71
42731	Assured Fire Protection – Fire Extinguisher Maint.	271.00
42732	Ameritas Life Ins. – Dental & Vision	1046.08
42733	American Lifeguard – Swim Suits	207.06
42734	Bonsall Pool – Acid Demand, PH, CHL	76.20
42735	Branding Inc – Port-A-Johns	247.50
42736	Butch’s Welding – Move Bricks	46.25
42737	Culligan – Soft Water	19.00
42738	Farmers Cooperative – Gas/Diesel for June, 2-4D	1415.94
42739	Deep Rock – Drinking Water	17.26

42740	Eakes Office – Adding Machines, tape	174.62
42741	InsureNebraska – Bond Renewal – Tracy	175.00
42742	G&P Development – Trash from Ball Tournaments	57.11
42743	Garbage Co – Garbage Pickup	123.48
42744	Great Plains One Call – Locate Requests	25.07
42745	Healthplan Services – Health Ins	6582.86
42746	JEO – Milford Road Program	800.00
42747	Meyer-Century Labs – Traffic Paint Thinner	119.20
42748	Menard’s Lincoln – Whole House Fans	477.00
42749	Milford Chamber – ½ Community Clean-Up	161.73
42750	Milford Supermarket – Batteries, Pop	8.23
42751	Austin Millikan – Umpire 2 Games	50.00
42752	Municipal Supply – 8” Tap, Oil plugs, valve	351.78
42753	NE Machinery – Filter	95.34
42754	NE Dept of Revenue – Sales Tax for June	2065.77
42755	NE Motor Parts – Spotlight, fuses, air filter, belts	260.56
42756	NPPD – Service for June	6122.18
42757	NE Tech & Telecomm – Service for June	499.92
42758	NE DOL/Boiler – Boiler Inspection	81.00
42759	NE Code Consulting – 16 Inspections	580.00
42760	Northern Pump – Tube Nylon, O-Ring	12.81
42761	OMB Police Supply – Uniform Polos & Shorts	162.93
42762	Aquila – Service for June	2351.27
42763	Pizza Kitchen – Meals 6/15; Meal 6/22 LAAA	320.00
42764	Powerplan – Screen, Filter	133.00
42765	Roxanne Roth – Cleaning Services	250.00
42766	Sam’s Club – Candy, Gloves, Paper towels	718.59
42767	Sack Lumber – 2 Gallon Primer	41.94
42768	Schwarck Trenching – Bore in new water line	200.00
42769	Seward Co Independent – Notices, Minutes, Envelopes	505.26
42770	SPPD – Wells 1 & 2	591.44
42771	Shell Fleet Plus – June Fuel	663.75
42772	SCC (Lincoln) – Pulse Oximeter Training	70.00
42773	Special Occasions – Memorial Day Flowers	150.00
42774	State Fire Marshall – Firefighter Certification	100.00
42775	Beverly Wehrs – Supplies, Food, Valance & Panels	140.00
42776	Brian Bashore – Mileage to Fire School	74.32
42777	Jeff Bluhm – Umpire 2 Games	50.00
42778	Janelle Kremer – Lesson Refund (Brett & Natalie)	34.00
42779	Dustan Riley – Refund Overpayment of WA Bill	6.83
42780	Jason Vosta – Reimburse Meals	104.81
42781	Rod Walther – Umpire 2 Games	50.00

42809	Ameritas – Pension	1474.62
42815	American Legal Publishing – State Statute-Model	450.00
42816	Aflac – Dis, Cancer, Acc, Suppl	306.96
42817	Adamson Industrial – Strobe Power Supply	170.95
42818	Blevens Law Office – Legal Services	350.00
42819	Bonsall Pool Co – Strip Kwik	12.95
42820	Central States – TMS S717	477.06
42821	Data Technologies – Software Updates	14.00
42822	Earl Carter Lumber – 8 Shingles	367.68
42823	Follet Software – Support/Web Collection	180.00
42824	Fort Dearborn Life Ins – Life Insurance	116.96
42825	Heartsong Presents – 4 Books	10.99
42826	Hawkins Water Treatment – Tablets, Fuel Surcharge	3490.15
42827	Jeanne Hoggins – Mileage to Sam’s & Wal-Mart	34.71
42828	Holiday Inn – Rooms for EMT Convention	1369.20
42829	Ingram Library Services – 24 Books; 1 DVD	351.20
42830	Johnson Service Company – Clean & TV Pipe	759.60
42831	Lynn Peavey Company – Evidence Bags, assault kits	120.17
42832	Menards – Propane Cylinder, primer	529.47
42833	Milford Plumbing – Stop Chain, PVC	44.16
42834	Eric Millikan – Tear off & Replace Shingles	925.00
42835	Mutual of Omaha – Disability	79.33
42836	National Geographic – 1 yr subscription	34.00
42837	National Geographic – 1 book	15.90
42838	NE Dept of Environmental Quality – Renewal Bond Fee	150.00
42839	NE Health Lab – Coliform Test	30.00
42840	NeLein – NeLein Conference	95.00
42841	Northern Pump & Irrigation	139.13
42842	Office Depot – Compressed Air, Office Upgrade	188.40
42843	OMB Police Supply – Uniform Shorts & Shirts	199.97
42844	Orschelns – White Paint, Shovel, Hose Hanger, Nozz	137.42
42845	PoolMart – Heavy Duty Pool Net	65.40
42846	Powerplan – Water Pump, thermostat	440.70
42847	Reader Service – 4 Books	16.47
42848	Edna Riedl – 2 Books	28.61
42849	Reiman Publications – 3 yr subscriptions	35.84
42850	Roxanne Roth – Cleaning Services	320.00
42851	Sack Lumber Co – Concrete Mix, Edging	51.92
42852	Sur-Tec Inc – Repair of Surveillance	108.50
42853	Tvrdy’s Lock & Key – Locks @ City Park	245.00
42854	Union Bank – Gary TeSelle Account	300.00
42855	Utility Equipment – 10” x 1” Saddle	477.99

42856	Wal-Mart Community – Bug Spray, cake, fruit	33.05
42857	Water Products – Curb Box, Rod	179.76
42858	Wergins Lawn Service – Grub/Fertilize Sr Ctr & B St	80.00
42859	Travis Yeackley – Mileage for Ambulance Repair	62.30
42860	NSA/POAN – Conference Fees (Fosler)	80.00
42861	Troy Pickerill – Mileage to Kearney for EMT Conv.	106.80
42862	Michelle Rogge – Reimburse Swim Lessons	21.00

**REPORTS OF OFFICERS, BOARDS AND COMMITTEES:** Written reports received were Milford Aging Services Commission minutes for July 18, 2006; and the Police Dept. Activity Report for July 2006. Fortune – the City will be enforcing water restrictions. Chief Siebken presented the July 2006 Police Report. The NARSIS and Fire Reports for July were submitted.

**COMMUNICATIONS:** \*Sales tax received for the month of May 2006 was \$11,568.94. \*Legal notice from DEQ to approve the modification to the permit for G & P Development Inc. to allow an alternative method of daily cover for a 180-day trial period. This system is as effective as a 6” covering of soil.

**UNFINISHED BUSINESS:**

**Introduction and Adoption of Ordinance – Water Rates Increase:** A motion was made by Fortune and seconded by Neal to introduce the following ordinance:

ORDINANCE NO. 780

AN ORDINANCE TO AMEND ARTICLE 3, SECTION 3-106.01 OF THE MUNICIPAL CODE BY AMENDING THE WATER RATES FOR THE MUNICIPALITY; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith AND TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT. (See Ordinance Record)

**NEW BUSINESS:**

**Street Closing for Chamber of Commerce “Fun Days”:** Shelly Houk presented the following street closings for Fun Days: 1<sup>st</sup> St. between B & C @7:00 am to 1:00 pm; 1<sup>st</sup> St. between B & C @6:30 pm; 2<sup>nd</sup> St. between B & C Friday @ 5:00 pm and Saturday @ 9:00 am; 3<sup>rd</sup> St. between B & C 7:00 am to 3:30 pm; B St. alley between 1<sup>st</sup> & 3<sup>rd</sup> @ 7:00 am to end of parade; C St. between 2<sup>nd</sup> & 3<sup>rd</sup> from 9:00 am to 1:00 pm. The list of events for the street closings is attached to the minutes. A motion was made by Neal and seconded by Fortune to approve the street closings as presented. Roll call vote: Neal yes, Fortune yes, Bruha yes, Good yes. Motion carried.

**Structural Integrity of City Hall Bldg. – Presentation:** Jason Suelter with Structural Design Group performed a visual observation of the City Hall Office and presented his findings to the Mayor and Council. A copy of his report is attached to these minutes.

Donna Havener arrived.

**Webermeier Scholarships – Initial Order:** A motion was made by Neal and seconded by Bruha to approve the initial order for 26 scholarships at \$538.50 each totaling \$14,000.00. Roll call vote: Neal yes, Bruha yes, Fortune yes, Good yes. Motion carried.

**South Milford Drainage Project – Storm Sewer:** Bruha presented an estimated cost of \$25,000.00 from Environmental Solutions to engineer and repair the most troubled area of the proposed project. The idea is to abut a 24” tube to the existing buried tube in the area between 6<sup>th</sup> & 7<sup>th</sup> Streets. There are other issues north of this area and under Hwy 6, but to do the entire project would be quite costly. Repairing this area as phase 1 would be the most economical and take care of the immediate problems. Bruha would like the Council’s permission to proceed with the bid process and complete phase 1 of this project. Blevens commented that the City should consider a “City Engineer” for all the upcoming projects, which would give an overall interest of the City. Neal agreed with Blevens idea of having an engineer to oversee the interest of the entire City. Fortune questioned the size and capability of the 24” tube and wanted assurance that the project would mesh together since we are starting at the bottom and eventually working our way up to Hwy 6. Fortune suggested having a written document approving the size of tubing and proper drainage. A motion was made by Fortune and seconded by Bruha to proceed with the engineering and bid process for this project. Roll call vote: Fortune yes Bruha yes, Good yes, Neal yes. Motion carried.

**Professional Engineering Services Contract – JEO:** Attorney Blevens informed the Council that he had reviewed the contract and everything looked fine. Ron Bottorff stated that a final document would be presented for signatures. A motion was made by Bruha and seconded by Good to approve the agreement with JEO for professional engineering services for the paving design along 6<sup>th</sup> & 7<sup>th</sup> Streets in Phase III of the Jantze Thornridge First Addition. Roll call vote: Bruha yes, Good yes, Fortune yes, Neal yes. Motion carried.

**Introduction and Adoption of Ordinance – Create Paving Districts, 6<sup>th</sup> & 7<sup>th</sup> Streets:** Council member Fortune introduced the following Ordinance:

ORDINANCE NO. 781

AN ORDINANCE CREATING STREET IMPROVEMENT DISTRICTS NOS. 2006-1 AND 2006-2 IN THE CITY OF MILFORD, NEBRASKA, ORDERING THE CONSTRUCTION OF STREET IMPROVEMENTS THEREIN AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM. (See Ordinance Record)

**Introduction and Adoption of Resolution – Set hearing date for objections, creating paving improvements:** A motion was made by

Fortune and seconded by Bruha to adopt the following resolution. Roll call vote: Fortune yes, Bruha yes, Good yes, Neal yes. Motion carried.

RESOLUTION NO. 421

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MILFORD, NEBRASKA, as follows:

The Mayor and Council hereby find and determine that the Mayor and Council will meet on the 5<sup>th</sup> day of September, 2006 at 7:30 pm at the regular meeting place of the Council, at which time a hearing will be held as to the sufficiency of the written objections filed objecting to the creation of Street Improvement Districts Nos. 2006-1 and 2006-2 of the City and as to the existence of the required facts and conditions relative to the creation of the Districts. The Clerk is hereby instructed to cause notice of this hearing to be included in the Notice of Creation of the Districts, published as provided by law and copy of the Notice in the form published be mailed by certified mail with return receipt requested to all owners of property in the Districts who are nonresidents of Seward County according to the current tax rolls.

PASSED AND APPROVED this 1<sup>st</sup> day of August, 2006.

---

Mayor

ATTEST:

---

City Clerk

(SEAL)

Ron Bottorff wanted it noted that JEO has entered into engineering contracts with Larry Jantze on the Phase III development of water, sewer and storm sewer. He noted that the detention pond that was originally constructed is now filled in with dirt and no longer functioning. JEO had nothing to do with the filling or redesign of the detention pond. If there are future problems with the detention pond they will not be JEO's concern.

Ron Bottorff also noted that before any further subdivision development takes place (ex: Phase IV) JT First Addition the City needs to address the water run-off issue from the Jones Bank/Storage units area south. Appropriate easements must be created.

**ADJOURNMENT:** A motion was made by Fortune and seconded by Neal to adjourn the meeting. Roll call vote: Fortune yes, Neal yes, Bruha yes, Good yes. Motion carried and meeting adjourned at 8:50 pm.

---

Jeanne Hoggins, City Clerk

---

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 on August 1, 2006 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