

CITY OF MILFORD
REGULAR MEETING
AUGUST 3, 1999
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 3RD day of August, 1999 at 7:30 P.M. Present were: Mayor Dean Bruha; Councilmembers Dorothy Bockoven, Scott Burroughs, Gary Cooper, Rick Fortune; City Clerk J. Elaine Plessel; Deputy Jeanne Hoggins; Attorney Robert Blevens. Also present: Merlyn Davids, Chief of Police Dave Smith, Al Hatavy and LeRoy Gerard with Kirkham Michael and Bill Stoner with Olsson Associates.

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: The meeting was called to order by Mayor Bruha at 7:34 P.M.

MINUTES: A motion was made by Burroughs and seconded by Cooper to approve the minutes of the 7/15/99 meeting. Roll call vote: Burroughs yes, Cooper yes, Bockoven yes, Fortune abstain. Motion carried.

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

SALARIES:

29611	Mark Frey	932.12
29612	Joyce Elaine Plessel	730.57
29613	Mavis Lynn Ferris	47.57
29614	Jeanne M. Hoggins	589.88
29615	Gary Lee TeSelle	547.84
29616	David Lee Smith	865.76
29617	Scott Dean Fosler	921.31
29618	Camille D. Troyer	316.89

29619	Robert L. Hull	648.58
29620	Andrea L. Troyer	46.17
29621	Beverly J. Wehrs	313.81
29622	Edna A. Riedl	263.25
29623	Cati E. Troyer	310.07
29624	Tiffany J. Troyer	733.05
29625	David R. Dahle	639.38
29626	Ann M. Miller	165.72
29627	Tami L. Troyer	306.62
29628	Anika S. Stutzman	288.51
29629	Sara J. Roether	317.47
29630	Jonathan W. Roth	250.74
29631	Andrew J. Sauer	279.70
29632	Amanda L. Lambe	180.77
29633	Louis J. Bialas	586.14
29634	Pamela J. Slama	218.70
29635	Robert S. DeCoste	632.88
29636	Bryce Roth	215.57
29638	Mark Frey	932.12
29639	Elaine J. Soukup	9.51
29640	Joyce Elaine Plessel	730.57
29641	Mavis Lynn Ferris	32.12
29642	Jeanne M. Hoggins	545.13
29643	Gary Lee TeSelle	572.70
29644	David Lee Smith	865.76
29645	Scott Dean Fosler	757.95
29646	Camille D. Troyer	249.92
29647	Robert L. Hull	627.86
29648	Beverly J. Wehrs	365.52
29649	Edna A. Riedl	299.26
29650	Cati E. Troyer	313.81
29651	Tiffany J. Troyer	733.05
29652	Ascha J. Armstrong	30.31
29653	David R. Dahle	661.58
29654	Ann M. Miller	271.12
29655	Tami L. Troyer	315.66
29656	Anika S. Stutzman	326.52
29657	Sara J. Roether	304.79
29658	Jonathan W. Roth	308.67
29659	Andrew J. Sauer	297.80

29660	Amanda L. Lambe	159.84
29661	Louis J. Bialas	583.00
29662	Pamela J. Slama	268.57
29663	Robert S. DeCoste	583.73
29664	Bryce Roth	70.19
29666	Gary W. Cooper	138.52
29667	Roger L. Kness	372.49
29668	Ricky Gene Fortune	138.52
29669	Dean Alan Bruha	184.70
29670	Dorothy J. Bockoven	138.52
29671	Scott C. Burroughs	138.52

GENERAL FUND:

29572	Aliant Communications – Serv. to 7/1/99	689.24
29573	Simon Boaz – Umpiring (bases)	20.00
29574	Butch’s Welding & Repair – Parts/Labor	417.77
29575	Credit Bureau of Lincoln – Monthly Charge	10.00
29576	Culligan Water Conditioning – Soft Water	16.00
29577	Dorchester Farmers Cooperative – Supplies	496.30
29578	Dorchester Farmers Coop – Gas	701.45
29579	Chad Danker – Umpiring Chad & Lyle	210.00
29580	Farmers & Merchants Bank – Loan Payment	1,025.32
29581	Brandon Garner – Umpiring	70.00
29582	The Garbage Co. – Serv. for June/Pick-up	82.75
29583	Gerhold Concrete – Seward – Exp. Joint/Concrete	441.45
29584	Jessie Heyen – Umpiring	45.00
29585	Jack’s Shop – Saw Repair/Filter	54.00
29586	Milford A/C & Appliance – Repairs	227.93
29587	Milford Economic Development – Prof. Serv.	90.00
29588	Milford Plumbing – Pool Repairs/Parts	417.14
29589	Milford Supermarket – Food Coloring	4.64
29590	Mutual of Omaha Co. – Disability Ins.	197.92
29591	NE Dept. of Revenue – Sales Tax/June	1,636.90
29592	NE Dept. of Revenue – State W/H June	796.09
29593	NE Motor Parts – Supplies	193.06
29594	NE Public Power Dist. – Serv. to 6/23	4,394.17
29595	Peoples Natural Gas – Serv. to 7/2/99	1,438.28
29596	Elaine Plessel – Insurance	124.10
29597	Chris Reiger – Umpiring/Tony Conell	35.00
29598	Rixstine Trophy Co. - Medals/Trophy	205.80
29599	Mrs. Wayne Roth – 2 B-Day Cakes	25.00

29600	Marty Rowland – Umpiring	20.00
29601	Sam’s Club – Candy for Pool	451.48
29602	Schlegel’s Groceries – Supplies	74.95
29603	Seward County Independent – Env., Proc., Ads	652.83
29604	Seward County Rural Public Power – Wells 4 & 5	236.79
29605	St Paul Stamps Works – Bicycle License	67.06
29606	Sister Act – Flowers/Barrel	54.02
29607	Kyle Sorensen – Umpiring	20.00
29608	Wal-Mart – Supplies	91.07
29609	Tim Leithead – Deposit Refund	50.00
29610	Roxanne Roth – Cleaning	185.00
29637	Ameritas Life Insurance – Retirement	996.18
29665	Ameritas Life Insurance – Retirement	996.18
29672	Ackerman Rock & Gravel – 2 loads of rock	908.90
29673	Alfax Wholesale Furniture – Folding Tables	495.80
29674	AT & T – Long Distance	14.58
29675	Aliant Cellular – Mobile Phone	18.63
29676	Congressman Doug Bereuter – Flag U.S. Capitol	14.19
29677	Best Way, Inc. – 100’ Orange Fence	105.02
29678	Blevens Law Office – July Legal Serv.	350.00
29679	Centaur Enterprises Inc. – Hose Clamps	57.42
29680	Century Labs/Pro Clean Inc. – Broom/Tissue etc.	255.84
29681	Central Community College – Dahle/Bialas Reg.	300.00
29682	Christian Book Distributors – Balance due	1.08
29683	Chief Supply Corporation – Battery Pager (12)	78.38
29684	Colin Electric Motor Serv. – Lift Station Pump, Repair	599.10
29685	Danko Emergency Equipment – Apparatus	375.00
29686	Daylight Donuts – Golf Tourney Donuts	40.00
29687	Eakes Office Products – Calendars, Copies	115.04
29688	Ed M Feld Equipment – Quaker	1,045.00
29689	Ehlers TV – Batt/Pad/Clip	144.97
29690	Emergency Medical Prod. – Supplies	72.73
29691	Farmers & Merchants Agency – Clerk Treas. Bond	450.00
29692	Farm Plan – Spindle/Sheave etc.	138.14
29693	Firemaster – Midwest Region – Extinguishers	36.00
29694	Stan Geertz – Mtg. Reg.	166.29
29695	Gerhold Concrete – Concrete	360.25
29696	Great Plains-One Call Serv. – Locate Requests	20.19
29697	1 st Choice Credit Union – TeSelle Acct. #48052	250.00
29698	Heartsong Presents – 4 books	9.97

29699	Holiday Inn – Room Charge/Geertz	134.00
29700	IHS at Milford - Meals for Jan.	1,290.00
29701	Ingram Library Services – 11 Books	40.63
29702	KAPCO – Rep. Laminating Film	32.66
29703	Law Enforcement Equipment – 2 sex crime lab kits	69.75
29704	The Library Store – Repair Tape	35.40
29705	Library & Educational Serv. – 1 set books	22.67
29706	Matrix Medical Inc. – Fitted Sheets/Stethoscope	113.60
29707	MARC – Insecticide	102.48
29708	Milford Plumbing Co. – Plumbing, Rod Line, Pipe	137.33
29709	Milford School Dist. #5 – Fines/July	30.00
29710	Mohrhoff Power Equipment – Head Trimmers	23.86
29711	Moore Business Forms – 10 Uniform Citation Book	44.20
29712	NE Dept. of Revenue – State W/H July	851.93
29713	NE Health & Human Services – Coliform Test	17.50
29714	Office Depot, Inc. – Access Book/Cassette	21.98
29715	Pepsi Cola Bottling Co. – Pop for Pool	179.50
29716	Pizza Kitchen – 25 Dinners	88.75
29717	Poolmart Inc. - #2 Reagent, Filter Clean/Pool Therm.	393.36
29718	Roxanne Roth – Cleaning	160.00
29719	Sam’s Club – Candy for pool	227.62
29720	Seward County Treasurer – 911 Comm. Dispatch	300.00
29721	Seward County Ford L/M – Turn Signal Bulb	3.19
29722	Share Corp. – Brisk Beads White & Frt	133.70
29723	Kyle Sorensen – Umpiring	10.00
29724	Troyer Concrete – Curb grinding/Lift St. Clair Ln.	545.00
29725	United Healthcare – Insurance	3,599.71
29726	Uniservice – Pants & Rags	84.54
29727	Vollbracht’s – Easy couple	11.80
29728	Beverly Wehrs – Reimb. Golf Tourney	200.00
29729	YM – 1 yr. Sub.	13.97
29730	Chris Blum – Deposit Refund	50.00
29731	Office Timesavers, LLC – 6 Zip Code Books	49.95
29732	Amy Burns – Hubbell Deposit Refund	50.00
29733	Brent Shelton – Deposit Refund	27.11

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Housing Authority minutes for 7/12/99 meeting and notice of 8/9/99; Planning and Zoning minutes for 7/19/99. Fortune reported that the lift stations are in need of being replaced. Plans to replace one of them would be worked into the 99/00 budget. Burroughs informed council

of a boiler inspection, which was completed by the State of NE. One of the boilers was condemned and several items need to be repaired in different areas. The paint at the pool is beginning to chip; maintenance crew will sandblast prior to painting next year. Cooper reported on bridge (Cloy Stutzman and D.Q.) progress. S.C.C. Design Class would be interested in potential drawings for the bridge. The designs will then be looked at and then an estimated cost will be needed. Council can then decide if this is something they want to proceed with. S.C.C. Welding Dept. would like to work on the project.

A curb cut has been done at Larry Meyer's property to allow drainage and Cooper felt continuing curb cut to the east would be appropriate to help situation. Flow line needs to be lower than his property.

Fred Schlegel approached Cooper regarding height of curb in front of his store at 1st & "B". Schlegel was interested in an accessible ramp for anyone with a disability. An estimate from Troyer Concrete was presented for replacement of curb & gutter.

Burdette Boshart has completed painting of all interior walls at the Fire Station. Cooper is working with Brad & Roxanne Roth to clean carpets.

COMMUNICATIONS: Sales tax received for the month of May 1999 was \$10,786.82. Bruha was contacted by Mark Saltzman–Milford Plumbing who expressed his interest in purchasing a portion of the vacant uptown lot. Transaction between the City and Dunlap has not yet been completed. The survey shows this area as 3 lots. Meierdierks – Sister Act are also interested in a portion of this property. Blevens noted that Gerry Dunlap's interest was only to make sure the property would bring a reasonable price. Dunlap would probably be interested in signing over contracts to the individuals.

NEW BUSINESS: Merlyn Davids/Sheri's – Beer Garden, 121 N. State Hwy: On August 21, 1999 in conjunction with the Milford Family Fun Days, a request for a beer garden from 10:00 a.m. to 12:00 midnight was made by Merlyn Davids. An area 44' x 44' south of the building would be fenced off with a 6' plastic construction fence. Live entertainment and karaoke will be provided. A motion was made by Fortune and seconded by Bockoven to approve the beer garden. Roll call vote: Fortune yes, Bockoven yes, Burroughs yes, Cooper yes. Motion carried.

Larry Jantze – Thornridge Detention Pond: Jantze has the opportunity to sell Lots 1 & 2 on Thornridge Acres Dr. Lot 1 has an easement for a detention pond. Jantze had an Engineering firm re-evaluate the detention pond and presented this information to the Planning & Zoning Commission. The cell could be moved further to the west but then it would encroach onto another lot. Regarding Larry Meyer's property, the Planning & Zoning

Commission recommended that Jantze get a letter from the Engineering Firm to the effect that the drainage system as it has been designed falls within the guidelines of the Nebraska Drainage laws and the drainage system will not defer waters which would exceed any other direction onto any other adjacent properties. This action was to minimize any liability to the City or the developer. It was also noted that there has been run-off from Jantze's other developments causing mud to flow onto the streets. Bruha noted that siltation screens needed to be installed. An earthen structure was mentioned to prevent any further drainage problems to the north. Fortune asked if Jantze had been billed for the curb cuts? It was noted that Meyer did not have this problem before the addition. Cooper inquired as to whom changed the grades. A meeting between Larry Meyer, Vilas Stutzman, Keith Heckman, Dennis Stutzman and Les Schweitzer needed to try to solve the problem of the run off. It was noted that trees, etc need to be removed and cleaned out before detention pond is moved. Fortune felt that this pond is Jantze's and he should take care of it.

Approve Initial Webermeier Scholarship Orders: There are 29 scholarships available with an annual amount of \$724.00 going to each student. A motion was made by Bockoven and seconded by Cooper to approve the initial order for the Webermeier Scholarships. Roll call vote: Bockoven yes, Cooper yes, Burroughs yes, Fortune yes. Motion carried.

Proposals for Design – State Street through S.C.C. Al Hatavy and LeRoy Gerard with Kirkham Michael expressed their concern with some unique items. They felt it was necessary to align the intersection on the south end. The county project would be let in December. It would take 45 days to get ready for bid. Phasing will be a big issue with the college in session. They presented 2 designs. A traffic study will be done to see if a light system for pedestrians would be necessary. It was suggested that we apply for federal aid funds in December for Street Scape.

Bill Stone with Olsson Associates presented three options with all three being fairly close in cost. Some ideas were raised crosswalk (speed hump) and the boulevard approach with green space. It was noted that the estimates of fees and time frame were listed in proposals. The recommendation would be that this is started next spring or summer. It should take from 2 to 4 months. Following the presentations a motion was made by Fortune and seconded by Burroughs to use Olsson Associates as the engineer for the street project through Southeast Community College. Roll call vote: Fortune yes, Burroughs yes, Bockoven yes, Cooper yes. Motion carried.

Bidding on SCC Ball field lights: A set of ball field lights from the S.C.C. has been taken down and will be up for auction on August 28, 1999. A motion was made by Cooper and seconded by Burroughs to authorize bidding on the lights not to exceed the estimated value. Roll call vote: Cooper yes, Burroughs yes, Bockoven yes, Fortune yes. Motion carried.

Dave Smith – Communications Cost: Prior to '93 the Cities cost was \$1200 per year plus the 911-phone bill. After completion of the Communication Center in '96 discussion to raise costs was considered. From '97 to current the annual increase was \$3600.00. According to the Interlocal Agreement signed by the City of Seward and the County after this 3rd year there was discussion of an increase again. A figure of \$42,000.00 was brought up by the City of Seward. Smith attended several meeting to come up with a way to divide costs equally between the parties involved. Milford over a 5 year period will have an increase of 6%. This annual increase of \$5600.00 will begin with the budget year starting July 1, 2000. The decision was brought about by the percentage of calls of service the Communication Center handled for the City of Milford. Percentage increases for the following years: 2001 – 3%, 2002 – 4%, 2003 – 5% and 2004 – 6%. For the percentage increase, starting this year, the City of Milford will have a position as a voting member on the Agency Board. It would be too expensive to set up our own Communication Center. The current budget for Seward Center is \$316,000.00. It was mentioned that money included in an Interlocal Agreement would not need to be figured into the lid.

Set Budget Work Night date: Figures need to be available prior to the next Council meeting. Budget work night was set for Tuesday, August 17, 1999 7:00 P.M. at the City Hall Office.

Introduction and Adoption of Resolution: Stop Sign Welch Park Rd. & Oak Ave. Rick Fortune introduced the following resolution seconded by Cooper:

RESOLUTION #353

The following resolution was introduced by Fortune, who moved its adoption, seconded by Cooper,

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

That pursuant to 5-216 of the Municipal Code, the governing body hereby directs the placement and location of a stop sign located on Oak Avenue where it intersects with Welch Park Road.

Upon roll call vote as follows: Fortune yes, Cooper yes, Bockoven yes, Burroughs yes. Motion carried.

Mayor

Attest: _____
City Clerk

Welch Park Road & Oak Ave. Intersection: Cooper noted that there was some concern about the approach which is not hard surfaced at Oak Ave. and Welch Park Road. There is a 15-foot stretch. When talking to the County they indicated that the developers should take care of the intersections. Cooper said that perhaps the city should excavate and put in the asphalt as Welch Park Road will not be having any major repairs before 2007. This needs to be done before school starts. A motion was made by Cooper and seconded by Fortune that the City asphalts this area. Roll call vote: Cooper yes, Fortune yes, Bockoven yes, Burroughs yes. Motion carried.

ADJOURNMENT: A motion was made by Bockoven and seconded by Fortune to adjourn the meeting. Roll call vote: Bockoven yes, Fortune yes, Burroughs yes, Cooper yes. Motion carried and meeting adjourned at 9:27 P.M.

Dean A. Bruha, Mayor

J. Elaine Plessel, City Clerk

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 3, 1999 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)

J. Elaine Plessel, City Clerk