

CITY OF MILFORD  
REGULAR MEETING  
DECEMBER 3, 2002  
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 3<sup>rd</sup> day of December 2002 at 7:30 pm. Present were: Mayor J. Elaine Plessel; Council members: Robert Anderson, Dean Bruha, Rick Fortune, Lyle Neal; Attorney Robert Blevens; Chief of Police Forrest Siebken; City Clerk Jeanne Hoggins. Also present: Steve Gilmore, Jim Hanson, Jean Culla, Craig Vincent and Bill Johnson with N.P.P.D., and Wilbur & LuAnn Thole.

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 pm.

**AFFIRMATION OF OATH:** Anderson and Bruha City Clerk Jeanne Hoggins read the affirmation of oath to new Council members Robert Anderson and Dean Bruha swearing them into office for their 4 year terms.

**MINUTES:** A motion was made by Fortune and seconded by Neal to approve the minutes of the November 5, 2002 meeting. Roll call vote: Fortune yes, Neal yes, Anderson yes, Bruha yes. Motion carried.

A motion was made by Neal and seconded by Anderson to approve the minutes of the November 18, 2002 meeting. Roll call vote: Neal yes, Anderson yes, Bruha yes, Fortune yes. Motion carried.

**PAYMENT OF BILLS BOND PRINCIPAL & INTEREST:** A motion was made by Neal and seconded by Fortune that the following bills in the amount of \$40,512.46 bond principal of \$45,000.00 and bond interest of \$24,148.13 totaling \$109,660.59 approved by the Auditing Committee be approved for payment. Roll call vote: Neal yes, Fortune yes, Anderson yes, Bruha yes. Motion carried.

**SALARIES:**

35968	Mark Frey	1096.48
35969	Forrest K Siebken	1040.40
35970	Mavis Lynn Ferris	25.72
35971	Jeanne M. Hoggins	929.22
35972	Gary Lee TeSelle	667.50
35973	Scott Dean Fosler	956.32
35974	Robert L Hull	801.24
35975	Beverly J Wehrs	369.15
35976	Edna A Riedl	330.06
35977	David R Dahle	761.24
35978	Louis J Bialas	753.38
35979	Pamela J Slama	242.91
35980	Arlene F Sieck	776.78
35981	Lucy B. Honig	262.95
35982	Zachary D. Eden	133.28
35983	Bryce C Johnson	983.22
35984	Philip Winkelmann	762.16
35985	Lindsey S. Troyer	560.03
35988	Mark Frey	1096.48
35989	Forrest K Siebken	1040.40
35990	Mavis Lynn Ferris	28.30
35991	Jeanne M. Hoggins	929.22
35992	Gary Lee TeSelle	692.50
35993	Scott Dean Fosler	1073.44
35994	Robert L Hull	776.15
35995	Beverly J Wehrs	301.44
35996	Edna A Riedl	300.79
35997	David R Dahle	788.16
35998	Louis J Bialas	753.38
35999	Pamela J. Slama	247.98
36000	Lucy B. Honig	185.53
36001	Zachary D. Eden	121.19
36002	Bryce C. Johnson	770.64
36003	Philip Winkelmann	762.16
36004	Lindsey S. Troyer	539.91
<b>GENERAL FUND:</b>		
35917	U. S. Postmaster – Utility Billing Postage	136.63
35918	Aflac – Disabl,Cancer,ACC, Suppl	152.90
35919	Alcopro – Mouth pieces,BAC wheel	95.50
35920	Alltel – Pager,Mobile,Internet,Pay Phone-Oct.	270.45
35921	Alltel – Long Distance – Oct.	1.54

35922	Scott Burroughs – Cable, Ink ctrg, EMT license	105.50
35923	Buman's Mechanical Services – Tire Repairs	19.50
35924	Butchs Welding & Repair – Flats, Labor, Pipes	174.78
35925	Centaur Enterprises, Inc. – Plastic Anchors	19.08
35926	Culligan Water Conditioning – Soft Water	41.00
35927	Farmers Cooperative – Gas/Diesel for Oct.	1299.20
35928	D & D Communications – Ear Phones, Adptrs	290.00
35929	Eakes Office Plus – Ribbon, Calendar, Binder	112.27
35930	Farmers & Merchants Agency – Bond Renewal	450.00
35932	The Garbage Company – Services for October	87.00
35933	Gene's Electric – Fxtrs, wire, tape, connctrs	1142.75
35935	Great Plains-One Call Service – Locate Emer reqsts	20.66
35936	Brad Havener Construction – Garage Door	1200.00
35937	Heartland Auto Body – Parts, Paint, Labor	64.40
35938	Heyen Tax & Accounting, Inc. – 100 W-2 Blank Form	36.00
35939	Industrial Chem Labs & Svcs – Root Begone/Freight	458.96
35940	Kustom Signals, Inc. – 3 microphones-remote trnsmttr	64.00
35941	Memorial Health Care Systems – Shots	609.00
35942	Merle's Garden Center – 4-10" Grass Seed	71.80
35943	Milford Supermarket – Paper towels, tape, potatoes	56.51
35944	Milford Times – Mtg ntes, Paper, Envelopes	397.93
35945	Milford Fire Dept. – Pediatric Kit Training	360.00
35946	Mutual of Omaha Co. – Disability	69.23
35947	Ne Dept of Revenue – Sales Tax for October	1804.64
35948	Nebraska Motor Parts Co. – Antifreeze, wire, screw	128.98
35949	Nebraska Public Power – Service for October	4428.78
35950	Nebraska Tech & Telecom, Inc. – Service for Oct.	474.46
35951	O'Keefe Elevator Co., Inc. – Service for Elevator	290.00
35952	Aquila – Service for October	280.15
35953	Pizza Kitchen – Sept. 26 Meal	122.25
35954	Rami's Photograph & Framing – Film Processing	6.51
35955	Roxanne Roth – Cleaning Services	280.00
35956	Mrs. Wayne Roth – 2 Birthday Cakes	28.00
35957	Rumery Sod & Sprinkler – Toro Snowthrower	471.95
35958	Schlegel's Groceries – Milk, Groceries, Hamburger	118.00
35959	Seward Public Power – Service for Oct. Well 1&2	291.58
35960	Seward County Ford – Minor Tune Up '98	83.65
35961	SCC Lincoln Campus – EMT Refresher	900.00
35962	Subway Motors – 3 bulbs, fuse, Jump Start on Car	128.98
35963	Sunrise Country Manor – 341 Meals for October	1108.25
35964	Uniservice – Pants and Rags	125.58

35965	Craig Shook – Water/Sewer Deposit Refund	50.00
35966	Welsh Electric – Electric for Backroom/Garage	489.60
35967	Richard Wieting – Water/Sewer Deposit Refund	28.38
35986	Ameritas Life Insurance Corp. – Retirement	1312.03
35987	United Health Care – Group Health	7298.17
36005	Ameritas Life Insurance Corp. – Retirement	1256.67
36012	Atco International – Ice Melt	185.00
36013	Best Way, Inc. – Snow Removal Sign	97.97
36014	Blevens Law Office – Legal Services for Nov.	350.00
36015	Bob’s Automotive – Meals,Registration,Motel,Travel	459.49
36016	Bound to Stay Bound Books – 10 Books	157.70
36017	Centaur Enterprises – Click pin, Sawzall, Hammer	423.99
36018	City of Milford – Petty Cash, Postage, Sign	59.07
39019	Don’s Pioneer Uniforms – Shirt, Belt	119.30
36020	Heartland Auto Body – Wheel Cover –98	49.00
36021	Heiman Fire Equipment – Jet Siphon	112.45
36022	Holiday Inn – Room for Meeting	69.95
36023	Ingram Library Services – 47 Books	397.83
36024	Kel-Welco of Lincoln – Sawzall/Torch	224.44
36025	Leisure Arts – “Afgans for all Seasons”	29.91
36026	Milford School Dist. #5 – Park Fines,Tobacco Lic	50.00
36027	Midwest Vehicle Professionals – Service Repair	155.00
36028	Miller-Monroe Co. – Liability Insurance	707.00
36029	Nebraska MachineryCo. – 1 Switch	25.81
36030	National Geographic Society – 1 Book	15.90
36031	Nebraska Health Laboratory – Nitrate,Colidorm	50.00
36032	NE HHSR&L Credentialing – Renewal Fee-TeSelle	10.00
36033	Nebraska Safety Council, Inc. – Sftwre for training	104.00
36034	Olsson Associates – Water Storage Tank	5245.32
36035	Omaha Life Insurance Company – Life Insurance	66.65
36036	Pitney Bowes – Qtrly Rental Fee	326.69
36037	Pizza Kitchen – 35 Evening Meals/Chicken	138.95
36038	Regent Book Co. – 30 Books	420.94
36039	Roxanne Roth – Cleaning Services	275.00
36040	Servi-Tech – ammn,nitro,oxyg,ww,analysis	70.15
36041	Seward County Independent – 1 yr. Subscription	32.00
36042	US Filter Distribution Group – Curb box & Lid	218.07
36043	Union Bank – Gary TeSelle #5562939	300.00
36044	Utility Equipment Co – Meter Conn,3/4 Meters	1009.05
36045	Walmart – Index Cards,Oil,Office Supplies	26.64
36046	Water Products Inc. – Curbstop fiptxflare	324.93

36047	Young Adult Resources – 39 Books	871.70
36048	Nicki Lovitt – Sewer Refund	2.44
36049	Demos – 2 Books	48.90

**REPORTS OF OFFICERS, BOARDS AND COMMITTEES:** Written reports received were Planning & Zoning minutes for November 14, 2002; Police Dept. Activity Report for November 2002. Fortune – Water project coming along. Siebken – Total calls for service for the month of November was 1429. Milford Police Dept. is now using the AMBER alert system, which is a notification across the Emergency Broadcasting System when a child under the age of 17 is abducted, an alert will be posted on the system.

**COMMUNICATIONS:** Sales tax received for the month of September 2002 was \$12,492.02. N.P.P.D. lease payment received for the 3<sup>rd</sup> Quarter in the amount of \$53,768.87. Effective January 2003 Galaxy Cable basic rate will increase from 36.20 to 38.45. The Hallmark Channel and National Geographic Channel will be added to the basic rate.

**PUBLIC HEARING: Land & Water Conservation fund Conversion, Welch Park:** Mayor Plessel opened the Public Hearing at 7:37 pm. It was mentioned by Fortune that the City needed to allow the public a chance to comment on the conversion of the ground being taken away from the park for the water tower. Fortune explained to the public that any possible growth to Milford would likely be west of town. Locating the tower in this position will allow the best possible scenario for development. This area is also the highest ground in Milford. The positioning of the tower along the west edge of the Park will not disturb any existing recreational facilities. The area requested for the tower is a 40’ x 40’ square. No further comments, Mayor Plessel closed the public hearing at 7:40 pm.

**UNFINISHED BUSINESS: Alltel, Wireless Communications Antenna/Contract:** Fortune contacted Alltel and the generator in question would be too large to fit inside the required area at the base of the tower. Alltel noted that they could strike this request from the contract if they were allowed to bring one in if needed. Blevens noted that the Engineers have no problem with the antenna’s being placed on the tower. A motion was made by Fortune and seconded by Neal to allow Mayor Plessel to sign the contract with Alltel. Roll call vote: Fortune yes, Neal yes, Anderson yes, Bruha yes. Motion carried.

**NEW BUSINESS:**

With the Councils permission Mayor Plessel moved agenda item j. after agenda item c.

**Appointments – Council Departments:** Mayor Plessel informed the Council of their assigned departments: Fortune – Water, Sewer, Fire Dept. Neal – Parks, Pool, Rec., Webermeier Scholarships & Auditing Committee

**Anderson** – Library, Sr. Center, Cemetery **Bruha** – Streets, Police, Auditing Committee, ADA & OSHA Compliance.

**Chief of Police/City Clerk:** A motion was made by Bruha and seconded by Fortune to approve the Mayors appointments of Forrest Siebken as Chief of Police and Jeanne Hoggins as City Clerk. Roll call vote: Bruha yes, Fortune yes, Anderson yes, Neal yes. Motion carried.

**Election: President of Council** – A motion was made by Fortune to elect Lyle Neal as President of Council. Voting AYE: Fortune, Anderson, Bruha, Neal. Voting NAY: None. **Acting President of Council** – A motion was made by Anderson and seconded by Neal to elect Dean Bruha as Acting President of Council. Voting AYE: Anderson, Neal, Fortune, Bruha. Voting NAY: None.

**U.S. Dept. of Agriculture/Argonne:** Steve Gilmore with the Dept. of Agriculture noted that a presentation by Argonne would allow the Council information regarding the findings of the area Southeast of town. Jean Culla presented information from the Final Phase II Interim Report. Hand outs were given to the Council showing the location of the former Milford CCC/USDA facility and the results of carbon tetrachloride; A depth chart showing concentration levels of carbon tetrachloride; A cross section chart showing the shallow aquifer between the Milford CCC/USDA facility and the Big Blue River; Locations of groundwater samples analyzed for nitrate-nitrogen results; Groundwater flow chart towards the Big Blue River and a chart showing the plume boundary with maximum carbon tetrachloride values recorded at each sampling location. (These documents made part of the permanent record) Due to access problem, these are only interim reports. This information is being made available to the City for any future discussion of development in this area.

**N.P.P.D. – PRO Agreement:** Craig Vincent with N.P.P.D. provided extensive information regarding current contract provisions and possible changes to the upcoming contract. Areas of discussion were: terms, termination, lease payment, assignment, sale of lease distribution facilities, proceeds from sale of facilities, privatization of N.P.P.D., information to support GASB standards and annexation. Bruha suggested adding to “Article IV Payments” a clause stating the franchise fee will remain at 12% after the first 15 years if the City does not choose to terminate the N.P.P.D. contract. Blevens questioned an insurance issue, which Mr. Vincent will need to research and present an answer back to the Council. The Council will review the contract and the PRO Agreement will be placed on the January agenda for further action.

**Introduction and Adoption of Resolution – Depository of Funds:** A motion was made by Neal and seconded by Bruha to approve Resolution No. 389. (Copy attached to these minutes)

**Appointment – Recreation Committee:** A motion was made by Fortune and seconded by Bruha to approve the Mayor’s appointment of Craig Shaw to the Recreation Committee. Roll call vote: Fortune yes, Bruha yes, Anderson yes, Neal yes. Motion carried.

**Re-appointment – Housing Authority:** A motion was made by Bruha and seconded by Neal to approve the Mayor’s re-appointment of Marge Danekas to the Housing Authority Committee. Roll call vote: Bruha yes, Neal yes, Anderson, Fortune yes. Motion carried.

**Approve Continuation Order – Webermeier Scholarships:** Lyle Neal reported 27 scholarship recipients receiving \$456.74 each for the 2<sup>nd</sup> semester of the 2002 – 2003 school year. Scholarships totaling \$12,331.98. A motion was made by Neal and seconded by Fortune to approve the continuation order for the 27 scholarships at \$456.74 per student. Roll call vote: Neal yes, Fortune yes, Anderson yes, Bruha yes. Motion carried.

**Change Order #1 – Olsson Assoc./Rogge Eng., Water Mains:** A motion was made by Fortune and seconded by Bruha to approve Change Order #1 as an increase from a 4” water main to an 8” water main along Welch Park Road totaling an addition of \$35,446.68. Roll call vote: Fortune yes, Bruha yes, Anderson yes, Neal yes. Motion carried.

**Approve Payments – Olsson Assoc./Maguire Iron:** A motion was made by Fortune and seconded by Neal to approve payment of Certificate No. 1 from Maguire Iron totaling \$29,250.00. Roll call vote: Fortune yes, Neal yes, Anderson yes, Bruha yes. Motion carried. A motion was made by Fortune and seconded by Bruha to pay engineering fees totaling \$5,245.32 to Olsson Associates for the water storage tank project. Roll call vote: Fortune yes, Bruha yes, Anderson yes, Neal yes. Motion carried.

**ADJOURNMENT:** A motion was made by Fortune and seconded by Neal to adjourn the meeting. Roll call vote: Fortune yes, Neal yes, Anderson yes, Bruha yes. Motion carried and meeting adjourned at 9:22 pm.

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City Clerk

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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 December 3, 2002 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