

CITY OF MILFORD  
REGULAR MEETING  
DECEMBER 4, 2001  
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 4<sup>th</sup> day of December 2001 at 7:30 pm. Present were: Mayor J. Elaine Plessel; Council members Scott Burroughs, Gary Cooper, Rick Fortune, Lyle Neal; Attorney Robert Blevens; City Clerk Jeanne Hoggins. Also present: Ron Bottorff with J.E.O., Dean Bruha and Rob Hightshoe 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 Plessel called the meeting to order at 7:30 pm.

**MINUTES:** A motion was made by Cooper and seconded by Fortune to approve the minutes of the November 6, 2001 meeting. Roll call vote: Cooper yes, Fortune yes, Burroughs yes, Neal yes. Motion carried.

**PAYMENT OF BILLS:** A motion was made by Cooper and seconded by Neal that the following bills in the amount of \$74,921.23 approved by the Auditing Committee be approved for payment. Roll call vote: Cooper yes, Neal yes, Burroughs yes, Fortune yes. Motion carried.

**SALARIES:**

34074	Mark Frey	1043.98
34075	Forrest K. Siebken	1004.08
34076	Mavis Lynn Ferris	44.96
34077	Jeanne M. Hoggins	880.24
34078	Gary Lee TeSelle	584.66
34079	Scott Dean Fosler	908.29
34080	Robert L. Hull	794.63
34081	Beverly J. Wehrs	366.29
34082	Edna A. Riedl	284.49
34083	David R. Dahle	718.01
34084	Louis J. Bialas	738.97

34085	Pamela J. Slama	242.76
34086	Arlene F. Sieck	522.17
34087	Lucy B. Honig	324.95
34088	Marcus A. Siebken	59.64
34089	Chad A. Craghead	734.51
34090	Zachary D. Eden	101.02
34092	Gary W. Cooper	138.52
34093	Mark Frey	1043.98
34094	Roger L. Kness	206.26
34095	Joyce Elaine Plessel	184.70
34096	Forrest K. Siebken	1004.08
34097	Mavis Lynn Ferris	19.99
34098	Jeanne M. Hoggins	880.24
34099	Gary Lee TeSelle	638.14
34100	Scott Dean Fosler	929.64
34101	Ricky Gene Fortune	138.52
34102	Robert L. Hull	739.77
34103	Beverly J. Wehrs	249.31
34104	Edna A. Riedl	281.15
34105	David R. Dahle	742.48
34106	Louis J. Bialas	738.97
34107	Pamela J. Slama	214.83
34108	Scott C. Burroughs	138.52
34109	Arlene F. Sieck	522.17
34110	Lucy B. Honig	251.59
34111	Chad A. Craghead	726.52
34112	Emerson L. Neal	138.52
34113	Zachary D. Eden	81.36

**GENERAL FUND:**

34023	AFLAC – Supplemental Cancer, Acc, Disability	152.90
34024	All Makes Office Equip Co – Repair Typewriter	56.00
34025	Alltel – Local, Internet, Pay Phone, Paging for Oct.	244.74
34026	Alltel – October Cell Bill	49.15
34027	Alltel – Long Distance for October	2.96
34028	Bob’s Automotive – Tires, Mileage, Labor, Parts	828.36
34029	Buman’s Mechanical – Parts/Labor, Fuel Stabilizer	464.40
34030	Terry Buchli – Repair Tank	17.50
34031	Butchs Welding & Repair – Labor & Service Call	56.00
34032	Quality Stores, Inc – Batteries, Supplies	70.86
34033	Culligan Water Conditioning – Soft Water & Salt	39.00

34034	Dorchester Coop – Gas/Oil for October, Grease	704.63
34035	D & D Communications – Radio Replacement	25.00
34036	Eakes Office Plus – Copies through Copier, Supplies	377.33
34037	Ed M. Feld Equipment Co., Inc – Nozzle	399.00
34038	Farmers & Merchants Agency–Hoggins / Sieck Bonds	625.00
34039	Galaxy Cablevision – Modem, Internet Charges	104.90
34040	The Garbage Co – Service for October	87.00
34041	Gene’s Elec–Thermostat, Labor, Generator, Lights	20,228.05
34042	Great Plains One-Call - Locate Request Surcharge	25.00
34043	Hach Company – Electrode, PH, Potassium Chlor	220.50
34044	Lincoln Journal Star – “A” St Project	190.87
34045	Lincoln Winlectric Co – Batteries	39.12
34046	Milford A/C & Appliance – Install Furnace	1453.03
34047	Milford Plumbing Inc – Repair Urinal	49.87
34048	Milford Supermarket – Garbage Bags, Band-aids, Groc	40.45
34049	Milford Times–Mtgs, Notices, Minutes, Envelopes	481.80
34050	Midwest Laboratories Inc – Biomonitoring	539.25
34051	Midwest Radar & Equip – Radar Cert Verifications	90.00
34052	Midwest Service & Sales – Sign Post, Nuts, Bolts	582.00
34053	Municipal Supply Inc – Levers	109.39
34054	Mutual of Omaha Companies – Disability	69.23
34055	NE Dept of Revenue – Sales Tax for October	1518.35
34056	NE Motor Parts – Antifreeze, Air Filters, Muffler	395.36
34057	NE Public Power District – Service for October	3820.18
34058	NE Tech & Telecomm, Inc – Service for October	560.93
34059	Newman Traffic Signs – 7 Signs	116.83
34060	Pack N Ship – Ship Handguns back to shipper	54.22
34061	Peoples Natural Gas – Service for October	188.78
34062	Pizza Kitchen – Pizza for 10 People	22.45
34063	Roxanne Roth – Clean City Offices, Fire Hall, Library	200.00
34064	Mrs. Wayne Roth – 2 Birthday Cakes	28.00
34065	Schlegel’s Groc – Film Processing, Cat Food, Groc	67.15
34066	Seward Co Rural Public Power Dist – Wells 4 & 5	401.06
34067	Seward County Clerk – File Deed	21.00
34068	Seward Sew-N-Vac – Repair Vacuum	35.50
34069	Robert Smejkal – Waukesha Pump, Postage	148.80
34070	Wayne Stohlmann – Class in Omaha	48.00
34071	Sunrise Country Manor – 401 October Meals	1203.00
34072	Uniservice, Inc – Pants & Rags	142.57
34073	United States Postal Service – Postage for Meter	200.00

34091	Ameritas Life Insurance Corp – Retirement	1165.96
34114	Ameritas Life Insurance Corp – Retirement	1165.96
34115	American Library Preview – 6 Books	122.32
34116	Alltel – Directory Advertising, Wide Area/Local Paging	25.90
34117	Alltel – October Cellular	20.67
34118	Arkfeld Floor Pro – Shampoo Carpets	207.00
34119	Barco Municip Products – Broom, Handles, Barricade	167.50
34120	Thomas T. Beeler Publisher – 2 Books	41.24
34121	Blevens Law Office – Legal Services for November	350.00
34122	Terry Buchli – Printer Stand, Bulletin Board	137.50
34123	Centaur Enterprises – Drywall Screws, Vinyl Eyelets	20.22
34124	Central States Lab – Soap, Dispenser, Hand Cleaner	303.65
34125	City of Milford – Petty Cash, Misc Offc Supp, Postage	50.25
34126	Christian Book Distributors – 10 Books	97.80
34127	Country Woman – 2 Year Subscription	22.98
34128	D & D Communications – Portable Radios	1200.00
34129	Dummer Publishing – “Romans Hook”	12.00
34130	Farm Plan – Covers, Belt	10.57
34131	Galaxy Cablevision – Internet	54.95
34132	Gateway Accessory Store – Cable Router	144.02
34133	Gerhold Concrete Co – 4.75 & 2.75 CY Concrete	521.26
34134	Heartsong Presents – 8 Books	19.94
34135	Heiman Fire Equipment Inc – Blitzfire Package	2515.00
34136	Jeanne Hoggins – Mlg to Lincoln for Supplies	31.00
34137	Lucy Honig – Mlg & Parking for Basic Skills	45.67
34138	Ingram Library Services – 56 Books	533.82
34139	Kirkham Michael – Service for A St Storm Sewer	1230.00
34140	Marshall Cavendish Corp – 4 Books	95.21
34141	Milford School Dist #5 – Fines Collected for November	35.00
34142	The Milford Times – 1 Year Subscription	19.00
34143	Movies Unlimited – “The Hobbitt”	20.49
34144	Nebraska Trust Company N.A. – Annual Fee	449.90
34145	Office Depot – Stamp, Bookends, Cards, Batteries	54.90
34146	Olympia Book Corp – 87 Books	1161.47
34147	Omaha Life Insurance Co – Life Insurance	77.40
34148	Oxmoor House – “Afghans for All Seasons”	29.91
34149	Pitney Bowes – Qtrly Rental Fee	326.69
34150	PowerPlan – Starter, Gasket	312.37
34151	Quill Corporation – Labels	36.66
34152	Regent Book Co Inc – 1 Book	12.35

34153	Edna Riedl – CASTL Meeting Mileage	4.96
34154	Reiman Publications – 2 year “Light & Tasty”	23.98
34155	Romantic Homes – 2 Year Subscription	39.95
34156	Roxanne Roth – Clean City Offices, Fire Hall, Library	225.00
34157	Sam’s Club – Membership Renewal	30.00
34158	SCS Construction Inc – “A” Street Project	23299.20
34159	Sack Lumber Company – Saw Blade, Pine	78.44
34160	Servi-Tech Inc – Wastewater Anal, Amon-Nitro, Oxy	68.15
34161	Seward Sew-N-Vac – Fix Vacuum	79.95
34162	Smart Apple Media – 14 Books	223.30
34163	Union Bank – Gary TeSelle Account	300.00
34164	Wal Mart – Paint, Brushes, 2 Movies, Supplies	54.30
34165	Tina Roth – Water & Sewer Deposit Refund	50.00

**REPORTS OF OFFICERS, BOARDS AND COMMITTEES:** Written reports received were Library Board minutes of November 15, 2001; Police Dept. Activity Report for November 2001. Neal – Library Board are checking into solutions to improve the book drop. Sr. Citizens Bldg. possibly opening up for other groups to use. Cooper – “A” St. drainage project is almost complete. Final grade work and seeding will need to be completed this spring. Material has arrived for the repair of the alley drainage problem behind Bruce Rediger’s Apartments. We will be getting to this project soon. Sealcoat Services submitted a bid proposal in the amount of \$7,076.27 for the alley approach project. The bid came in \$1400.00 less than the engineers estimate. We will be moving forward to complete this project.

**COMMUNICATIONS:** Sales tax received for the month of September 2001 was \$11,773.29. N.P.P.D. 3<sup>rd</sup> quarter lease payment received in the amount of \$43,438.57. Effective January 1, 2001 Galaxy Cable will be increasing their basic rate \$1.00 and H.B.O. will increase \$.97.

**UNFINISHED BUSINESS: Health Insurance – Employees:** The City of Milford employees have been approved for coverage with United Healthcare of the Midlands. We have not received our cards yet but have been given a group number.

With the Council’s approval Mayor Plessel moved the executive session and the water damage discussion to the end of the agenda.

**NEW BUSINESS: Discussion of Annexation:** Chief Siebken not present, Council will come back to this item when he arrives.

**Appointments: Council Departments:** Mayor Plessel recommended leaving the Council assignments as they are presently. **Chief of Police:** A motion was made by Cooper and seconded by Burroughs to approve the

Mayor's recommendation of Forrest Siebken as Chief of Police for the year 2002. Roll call vote: Cooper yes, Burroughs yes, Fortune yes, Neal yes. Motion carried. **City Clerk:** A motion was made by Fortune and seconded by Neal to approve the Mayor's recommendation of Jeanne Hoggins as City Clerk for the year 2002. Roll call vote: Fortune yes, Neal yes, Burroughs yes, Cooper yes. Motion carried.

**Approve Continuation Order – Webermeier Scholarships:** A motion was made by Neal and seconded by Fortune to approve the continuation order for 26 Webermeier Scholarships in the amount of \$629.50 each for the 2<sup>nd</sup> semester of 2001-2002 school year. Roll call vote: Neal yes, Fortune yes, Burroughs yes, Cooper yes. Motion carried.

**Copper Corrosion Control Study – Ron Bottorff:** Ron Bottorff with J.E.O. Consulting Group presented to the City Council the study that was conducted to determine the treatment for the Lead and Copper Administrative Order passed down from the State of NE, Department of Health and Human Services. A complete copy of the study is on file at the City Hall Office.

Chief Siebken arrived at 7:42 pm.

The recommended Optimal Corrosion Control Treatment Alternative is using a phosphate base inhibitor, more particularly an orthopolyphosphate blend. It was noted that chlorinating goes along with this treatment.

After thorough discussion of the water system a motion was made by Fortune and seconded by Burroughs to accept the study and have it submitted to the NE Health and Human Services for review and approval. Roll call vote: Fortune yes, Burroughs yes, Cooper yes, Neal yes. Motion carried.

**Communications Cont.:** Chief Siebken reported 1,602 calls for service for the month of November. 428 of these calls were security checks.

**Discussion of Annexation:** Two different areas of annexation were discussed, the first being 238<sup>th</sup> Rd south of the college. At the present time there is an area south of the college where half of the road is in the City limits and the other half is in the County. (See attached City plat map.) There has been discussion at the County level as to who is responsible to set the transition zone for the speed limit coming into the College. Chief Siebken would like to square off the City limits in this area and allow the City Council to set the speed limit of 25mph to start at the edge of the City limits for north bound traffic. State law requires 500' between speed limit changes and no more than a 20mph reduction in speed between speed limit zones. Since the last speed study, which was done in 1992, there have been two new homes constructed just south of this area and also families, which

have moved into the trailer court south of the bridge. Concern for pedestrians, families with children and the additional flow of traffic from residents in this area is cause to lower the speed limit. Council member Fortune questioned the ownership of the bridge if we squared off the City limits. Council was not receptive to taking the bridge into the City limits. The County did a speed study on the 19<sup>th</sup> of November 2001 but the area observed was the area 700' to 1600'south of the Coon Creek Bridge. The 85<sup>th</sup> percentile of this area came back at 51.2 mph. The area in question was not included in the Counties study. In order to change a speed limit a speed study must be conducted and the speed limit cannot exceed the findings of the 85<sup>th</sup> percentile. Mayor Plessel asked if we should ask for another speed study? After lengthy discussion, the Council agreed to write a letter to the County Commissioners asking them to place the 25 mph speed limit at the edge of the City limits according to the east side of 238<sup>th</sup> Rd, or the north bound traffic lane. The transition buffer would then need to be applied in a southward direction from this point.

The next area discussed for annexation was on the west edge of First Street, the eastbound lane. Again, half the street is in the City limits and half is in the County. Reference attached City Plat Map. Blevens was asked to research legalities for annexation of just the street and right-of-way.

**Approve Payment – “A” St. Drainage Improvement, S.C.S.:** Cooper noted that an engineering design problem was discovered with the elevation of the discharge line. Cooper has been in contact with LeRoy Gerard and they will be monitoring this situation and possibly make changes this spring. A motion was made by Cooper and seconded by Fortune to approve the payment of \$23,299.20 to Seal Coat Services for the “A” St. Drainage Improvement project. Roll call vote: Cooper yes, Fortune yes, Burroughs yes, Neal yes. Motion carried.

**Discussion of alley easement – 1<sup>st</sup> & Park Ave. and “C” & “D”:** Cooper and Plessel met with the new homeowners of 706 1<sup>st</sup> St. (Scott & Karen Guthrie). The Guthrie's were in favor of opening the alley and are asking \$500.00 for the loss of property. They would also like the City to remove the lilac bushes when the groundwork is done for the alley. A motion was made by Burroughs and seconded by Cooper to accept the proposal by the Guthrie's. Roll call vote: Burroughs yes, Cooper yes, Fortune yes, Neal yes. Motion carried. Blevens noted that he thought another homeowner was involved. Cooper and Plessel will visit with the Shively family.

**Introduction and Adoption of Ordinance – Truck Parking:** Council member Fortune introduced the following Ordinance:

ORDINANCE NO. 720

AN ORDINANCE TO ADD SECTION 5-518 TO THE MILFORD MUNICIPAL CODE RELATING TO TRUCK PARKING; TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

**Approve payment – “A” St. Drainage Imp., Kirkham Michael:** A motion was made by Cooper and seconded by Fortune to approve payment of invoice #48479 in the amount of \$1,230.00 to Kirkham Michael. Roll call vote: Cooper yes, Fortune yes, Burroughs yes, Neal yes. Motion carried. Fortune questioned the engineering problem. Cooper explained that the discharge of the new tube should be lower than it is. This may cause some erosion around the drop tube.

**UNFINISHED BUSINESS cont.: Executive Session – Litigation:** A motion was made by Fortune and seconded by Burroughs to go into Executive Session. Roll call vote: Fortune yes, Burroughs yes, Cooper yes, Neal yes. Motion carried and Council adjourned from regular session at 9:45 pm. A motion was made by Fortune and seconded by Neal to return to regular session. Roll call vote: Fortune yes, Neal yes, Burroughs yes, Cooper yes. Motion carried and Council returned to regular session at 9:55 pm.

**Water Damage – Meierdierks –** No action taken.

**ADJOURNMENT:** A motion was made by Burroughs and seconded by Cooper to adjourn the meeting. Roll call vote: Burroughs yes, Cooper yes, Fortune yes, Neal yes. Motion carried and meeting adjourned at 9:55 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 of December 4, 2001 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