

CITY OF MILFORD
REGULAR MEETING
DECEMBER 6, 2005
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 6th day of December 2005 at 7:30 pm. Present were: Mayor J. Elaine Plessel; Council members: Dean Bruha, Rick Fortune, Terry Good, Lyle Neal; Chief of Police Forrest Siebken, City Clerk Jeanne Hoggins. Absent: Attorney Robert Blevens. Also present: Gary TeSelle and Wayne Stohlman.

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.

MINUTES: A motion was made by Fortune and seconded by Good to approve the minutes of the November 1, 2005 meeting. Roll call vote: Fortune yes, Good yes, Bruha yes, Neal yes. Motion carried.

PAYMENT OF BILLS, BOND PRINCIPAL AND INTEREST: A motion was made by Bruha and seconded by Neal that the following bills in the amount of \$52,409.93, Bond principal of \$60,000.00 and Bond interest of \$19,492.06 approved by the Auditing Committee be approved for payment. Roll call vote: Bruha yes, Neal yes, Fortune yes, Good yes. Motion carried.

SALARIES:

41462	Mark Frey	1257.07
41463	Forrest K Siebken	1211.73
41464	Mavis Lynn Ferris	40.41
41465	Jeanne M Hoggins	1179.40
41466	Gary Lee TeSelle	534.27
41467	Scott Dean Fosler	979.74
41468	Robert L Hull	878.48
41469	Beverly J Wehrs	538.09
41470	Edna A Riedl	377.37
41471	David R Dahle	858.94

41472	Louis J Bialas	851.19
41473	Arlene F Sieck	276.14
41474	Marcus A Siebken	68.57
41475	Bryce C Johnson	801.98
41476	Philip Winkelmann	801.98
41477	George A Matzen	242.32
41478	Joshua S. Wiley	134.46
41479	Tracy L Yeackley	600.10
41480	Julia M Wang	36.20
41541	Mark Frey	1257.07
41542	Forrest K Siebken	1211.73
41543	Mavis Lynn Ferris	25.98
41544	Jeanne M Hoggins	1179.40
41545	Gary Lee TeSelle	736.94
41546	Scott Dean Fosler	917.14
41547	Robert L Hull	923.89
41548	Beverly J Wehrs	321.52
41549	Edna A Riedl	277.40
41550	David R Dahle	869.22
41551	Louis J Bialas	861.37
41552	Arlene F Sieck	270.20
41553	Bryce C Johnson	801.98
41554	Philip Winkelmann	841.37
41555	George A Matzen	199.45
41556	Joshua S Wiley	113.77
41557	Tracy L Yeackley	600.09
41558	Julia M Wang	85.33
41560	Joyce Elaine Plessel	184.70
41561	Ricky Gene Fortune	138.52
41562	Dean Alan Bruha	138.52
41563	Emerson L. Neal	138.52
41564	David Terry Good	138.52

GENERAL FUND:

41461	US Postmaster – Utility Billing Postage	142.41
41481	Ameritas – Pension	1474.62
41482	Alltel – Local, internet, cellular	468.75
41483	Alltel – Long Distance	3.77
41484	All Pro Landscaping – Underground Sprinklers	4740.50
41485	Aramark Uniform – Pants & Rags	190.38
41486	Ameritas Life Ins. – Dental & Vision	1046.08
41487	Butch’s Welding – Fiberglass Rake	24.90
41488	Centaur Enterprises – Nuts, Bolt, Washers	176.14

41489	Central States – Knockout, Frt.	398.66
41490	Concrete Ind. – Concrete Tube, Elbow	476.50
41491	Culligan – Soft Water	19.00
41492	Farmers Cooperative – Gas/Diesel for Oct	1469.94
41493	Deep Rock – Drinking Water	18.89
41494	Eakes Office Plus – Copies	331.02
41495	Ed M Feld Equip – AV-2000 Lens	50.00
41496	Garbage Co – Garbage Pickup	115.14
41497	Great Plains-One Call – Locate Requests	25.83
41498	Hawkins Water Treatment – Frt., phosphate	1720.84
41499	Heiman Fire Equip – Silvex, Adapter	473.44
41500	Healthplan Services – Health Ins. (December)	6486.71
41501	Husker Auto Group – Work on '05 GMC	132.27
41502	IIMC – Membership Fee	100.00
41503	JEO Consulting – Comprehensive Plan	995.00
41504	JMJ Outdoor Power – Fuel tank, Friction Wheel	45.10
41505	Milford Chamber – Membership Dues	75.00
41506	Milford Plumbing – Coupling, Valve	1.85
41507	Milford Times – Minutes, Notices, Ad for Tanker Bid	211.98
41508	Milford Volunteer Fire Dept. – NEMSA Membership	454.00
41509	Midtown Holiday Inn – NSA POAN Conference	224.95
41510	Miller-Monroe – Add on QRT & Tanker	2118.00
41511	Municipal Supply – Coupling, Swivel	292.59
41512	NE Dept. of Revenue – Sales Tax for Oct	1882.15
41513	NAPA – nuts, bolts, ext cord, plug, cleaner	104.32
41514	NPPD – Service for Oct.	4401.36
41515	NE Tech & Telecomm – Service for Oct	469.38
41516	NE Cod Consulting – 25 Inspections	850.00
41517	NE Supreme Court – '04 Supplement	92.45
41518	Aquila – Service for Oct.	295.79
41519	Pizza Kitchen – Thursday Meals (20)	87.00
41520	POAN – POAN Handbooks	37.50
41521	Roxanne Roth – Cleaning Services	250.00
41522	Mrs. Wayne Roth – Birthday Cake	18.00
41523	Schlegel's Groceries – Kleenex, Dog Food, Groceries	76.77
41524	Seward Co. Ind. – Sealed Bid Ad for Tanker	47.20
41525	SPPD – Wells 1 & 2	732.34
41526	Forrest Siebken – Spanish for Law Enforcement	150.69
41527	Sister Act – Prizes for Victorian Lunch	9.28
41528	Stutzman Concrete – Concrete Work	2450.00
41529	Special Occasions – Gifts & Door Prizes for Lunch	9.50
41530	Subway Motors – Seals, plug, gaskets	82.40

41531	Sunrise Country Manor – October Meals	870.40
41532	Vermeer Equip – Labor, materials, frt.	3124.96
41533	Wergin’s Lawn Service – Fertilize “B” St. & Sr. Ctr	40.00
41534	Robert Boshart – Meals, Fire Conference, Mileage	237.41
41535	Credit Management – Gary TeSelle CI 05 364	225.34
41536	Mark Lautzenhiser – WA/SW Deposit Refund	50.00
41537	Sue McCauley – WA/SW Deposit Refund	50.00
41538	Willis Stutzman – WA/SW Deposit Refund	50.00
41539	LaDonna Wulf – Showcase Locks	13.98
41540	Tina Zegers – WA/SW Deposit Refund	50.00
41559	Ameritas – Pension	1474.62
41565	AFLAC – Dis, Cancer, Acc, Supp’l	306.95
41566	Atco International – See-thru	115.00
41567	Better Homes & Gardens – 1 yr. Subscription	21.00
41568	Blevens Law Office – Legal Services for November	350.00
41569	Centaur Enterprises – Charger	97.70
41570	City Of Milford – Title for Rescue, petty cash Library	109.00
41571	Christian Book Dist. – Book & DVD’s	465.35
41572	Colin Electric – Labor, repair materials for Pool	467.40
41573	Demos Medical Publishing – Book	14.96
41574	Enslow Publishing – 5 Books	123.76
41575	Follet Software – Support Circ & Catalog	480.00
41576	Fort Dearborn Life Ins. – Group Life Ins 12/05-1-/06	103.20
41577	Gale Group – Book	8.67
41578	Gerhold Seward – Gravel	75.00
41579	Heartsong Presents – 4 Books	10.99
41580	Heiman Fire Equip – Chrome Adapter	69.40
41581	Jeanne Hoggins – Mileage to Sam’s	26.19
41582	Ingram Library Services – 4 Books	58.20
41583	JEO Consulting – Comprehensive Plan	841.50
41584	Library Store – Office Support	34.70
41585	Marshall Cavendish Corporation	124.94
41586	Midwest Heating – Service Furnaces @ Fire Hall	81.00
41587	Milford Plumbing – Repair, pipe, elbow	528.66
41588	Milford School Dist. – Parking fines, Tobacco Lic	70.00
41589	Milford Supermarket – Batteries	3.40
41590	Midwest Unlimited – Cutting Bit, Alum, Level	39.65
41591	Mutual (Disability)	79.33
41592	National Geographic – Book (American Journal)	15.90
41593	NE Library Commission – Basic Training	35.00
41594	NE Dept. of Env. Quality – Wastewater Treatment	150.00
41595	NE Health Laboratory – Nitrate/Nitrite	52.00

41596	Nebraska Life – 2 year subscription	34.00
41597	Newman Signs – Street Signs	790.50
41598	Orschelns – Hose Reel	78.44
41599	Pack-O-Fun – 2 year subscription	36.97
41600	Quill Corp – Ink Cartridges	33.76
41601	Regional Repair – Printer Cable	4.68
41602	Regent Book Co. – Books	22.98
41603	Edna Riedl – Mileage, Books	111.19
41604	Roxanne Roth – Cleaning Services	250.00
41605	Sack Lumber Co – Bolts, Treated Lumber	119.04
41606	Sam’s Club – Renewal Membership	30.00
41607	Seward Electronics – Labor, materials for new control	1133.32
41608	Meyer Ford – Repair on ’98 Crown Vic	441.50
41609	SewNews – 3 yr subscriptions	52.98
41610	Stutzman Digging – 1.5 hr work on WA Service	127.50
41611	Union Bank – Gary TeSelle Acct#5562939	300.00
41612	Walmart Community – Office Supplies, food products	201.56
41613	Watts Up – Light Bulbs	94.40
41614	World Almanac – Books	9.95
41615	Chem Dry of Stromsburg – Carpet Cleaning	435.84
41616	Duane Compton – Truck Cleaning Supplies	108.37
41617	Credentialing Division – Water Operator Renewal	188.00
41618	Lisa Jones – WA Deposit Refund	8.99
41619	Lacey Koch – Umpiring	30.00
41620	Sara Peterson – WA/SW Deposit Refund	50.00

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Planning & Zoning Commission minutes from November 10, 2005; Police Dept. Activity Report for November 2005. Neal presented a drawing of the remodel project to the Welch Park Restroom/Concession Stand. An estimate was received for the plumbing and fixtures at approximately \$10,500.00. Plans are to begin construction this spring. Community members have offered to volunteer their time to help with this project. SCC students will also help out in areas. Wayne Stohlman reminded the Council of becoming NIMS compliant. Chief Siebken is organizing a night for everyone to take the class and test at one time. Lyle Neal offered the college as a meeting site. Gary TeSelle reported that the sewer jet has arrived, a 4” water main broke along Welch Park Rd and the maintenance dept. has one snow plow down. The chipper has been repaired costing \$3,100.00. Chief Siebken reported 950 total calls for the month of November. He also ordered a new 2006 Crown Vic police car to replace the 1998. No tax dollars will be spent to purchase or outfit this vehicle. The

funds will come directly from the Seward County Drug Board. The sinking fund will allow the purchase of a new vehicle next year to replace the 2001. Bruha brought to the Council's attention Municipal Code 5-512 relating to snow emergency routes and snow removal. This ordinance has never really been enforced but after discussion the Council ordered Hoggins to post and publish notice of this ordinance to inform the citizens of the emergency snow removal procedure. Signs will be placed on "B" & "C" Streets designating them as emergency snow route streets.

COMMUNICATIONS: *Sales tax received for the month of September 2005 was \$11,569.44. *NPPD Third Quarter 2005 Lease Agreement Payment received in the amount of \$49,121.36. *Aquila cost increase for StreamLINE customers of 40% starting December 2005. * Galaxy Cable rate increase from \$42.75 to \$44.75 starting in January 2006.

UNFINISHED BUSINESS:

Structural Integrity of Library: Item deleted from agenda.

Front Yard Vehicle Parking: Bruha reviewed an ordinance that the City of Lincoln uses for parking issues relating to front yard and property parking. The information will be distributed to the other Council members for discussion next month. It was suggested to contact other smaller communities to see what their regulations are regarding this matter.

Contract for Building Inspector: A motion was made by Neal and seconded by Bruha to approve the Building Inspector contract as submitted. Roll call vote: Neal yes, Bruha yes, Fortune yes, Good yes. Motion carried.

NEW BUSINESS:

Review Bldg. Permit Fees: After some discussion on fees, number of inspections needed per project and amount of money paid to building inspector it was decided to have Todd Aerni, Building Inspector present at the next Council meeting to get his opinion on some of these issues.

Introduction and Adoption of Ordinance – Amend Ordinance No. 744:

Item not needed at this time.

Appointments: A motion was made by Bruha and seconded by Neal to approve the Mayor's recommendation to re-appoint Forrest Siebken as Chief of Police. Roll call vote: Bruha yes, Neal yes, Fortune yes, Good yes. Motion carried.

A motion was made by Fortune and seconded by Good to approve the Mayor's recommendation to re-appoint Jeanne Hoggins as the City Clerk/Treasurer. Roll call vote: Fortune yes, Good yes, Bruha yes, Neal yes. Motion carried.

Continuation Order 2nd Semester – Webermeier Scholarships: A motion was made by Neal and seconded by Bruha to approve 26 scholarships at \$490.40 per student for the Webermeier Scholarships 2nd semester. Roll call vote: Neal yes, Bruha yes, Fortune yes, Good yes. Motion carried.

Introduction and Adoption of Resolution – Rural Apprehension Program: A motion was made by Bruha and seconded by Fortune to approve the following resolution:

RESOLUTION NO. 417

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

WHEREAS, law enforcement agencies with the following counties: Butler, Clay, Fillmore, Hamilton, Jefferson, Merrick, Nuckolls, Saunders, Seward, Thayer, Webster, and York desire to enter into a cooperative law enforcement effort; and

WHEREAS, the above agencies have submitted a grant application known as the RURAL APPREHENSION PROGRAM (hereafter RAP 15); AND

WHEREAS, the RAP project has been funded by the Nebraska Crime Commission; and

WHEREAS, the various counties, communities and agencies within those jurisdictions desire to make the most efficient use of their power by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors; and

WHEREAS, an interlocal agreement, consistent with Nebraska Revised Statutes 13-801 through 23-2207 et seq, would be in the best interest of all participating agencies; and

WHEREAS, the agencies desire to enter into a written interlocal agreement for the purpose of carrying out the RAP objectives and grant requirement of the Nebraska Crime Commission.

BE IT RESOLVED THAT:

The City of Milford authorizes the Chief of Police, Forrest Siebken to enter City of Milford into an interlocal agreement for joint and cooperative action pursuant to the provisions of Section 13-801 through 13-807 of Nebraska Revised Statutes. The interlocal agreement shall be for the strict administration of the RAP project and all funds allocated by the Nebraska Crime Commission, and Match dollars allocated by the RAP members. Further, this interlocal agreement shall not establish a separate legal entity, rather as a joint and cooperative undertaking between public agencies i.e. county, city and village. (Nebraska Revised Statute 13-801)

Amount of match dollars allocated by the City of Milford for the 2005 - 2006 grant period (RAP 15) will be \$943.00.

Upon roll call vote as follows: Bruha yes, Fortune yes, Good yes, Neal yes. Motion carried.

Dated this 6th day of December 2005.

J. Elaine Plessel, Mayor

Attest: _____
Jeanne Hoggins, City Clerk
(Seal)

Reappointment of Milford Housing Authority: A motion was made by Fortune and seconded by Neal to approve the Mayor's recommendation to reappoint Carol Stauffer to the Milford Housing Authority for a 5 year term. Roll call vote: Fortune yes, Neal yes, Bruha yes, Good yes. Motion carried.

Approve Committee List: A motion was made by Fortune and seconded by Bruha to approve the Committee list for the calendar year 2006. Roll call vote: Fortune yes, Bruha yes, Good yes, Neal yes. Motion carried. Mayor Plessel will assign term limits for the recreation board starting January 2006.

Introduction and Adoption of Resolution – REAP-CDBG: A motion was made by Bruha and seconded by Neal to approve the following resolution:

RESOLUTION NO. 418

WHEREAS, the City of Milford, Nebraska in Seward County is an eligible unit of general government authorized to participate in Community Development Block Grant (DCBG) programs through the State of Nebraska Department of Economic Development (NDED); and,

WHEREAS, our community and surrounding area has a strong need for business development services and we agree that our community is part of a REAP-CDBG service area in Nebraska; and

WHEREAS, our community would like the services of REAP to be available for start-up and existing entrepreneurs, as needed; and,

WHEREAS, the work of the REAP Program is consistent with local and area-wide strategic plans for community and economic development and will be coordinated with other economic development activities in the project area; and,

WHEREAS, working together will create more opportunities for entrepreneurs and will further enhance the overall effectiveness of all program partners;

NOW THEREFORE, BE IT RESOLVED, that the City of Milford, Nebraska supports the provision of services by the Rural Enterprise Assistance Project (REAP) in the City and surrounding area.

Passed and approved by the City Council of the City of Milford, Nebraska, this 6th day of December 2005.

Roll call vote: Bruha yes, Neal yes, Fortune yes, Good yes. Motion carried.

J. Elaine Plessel, Mayor

Attest: _____
Jeanne Hoggins, City Clerk
(Seal)

Executive Session – Litigation: A motion was made by Fortune and seconded by Bruha to go into Executive Session. Roll call vote: Fortune yes, Bruha yes, Good yes, Neal yes. Motion carried and Council adjourned from regular session at 8:32 pm. A motion was made by Fortune and seconded by Bruha to return to regular session. Roll call vote: Fortune yes, Bruha yes, Good yes, Neal yes. Motion carried and Council returned to regular session at 8:50 pm.

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 December 6, 2005 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