

CITY OF MILFORD
REGULAR MEETING
FEBRUARY 5, 2008
MINUTES

A regular meeting of the Mayor and Council of the City of Milford, Nebraska was held at the Webermeier Library Community Room in said City on the 5th day of February 2008 at 7:30 pm. Present were: Mayor J. Elaine Plessel; Council members: Jeff Baker, Dean Bruha, Rick Fortune; Attorney Robert Blevens; Chief of Police Forrest Siebken; Maintenance Supt. Mark Frey; City Clerk Jeanne Hoggins. Absent: Council member Lyle Neal. Also present: Dan Kral, Pat Rixstine John Melena, Joe Schluckebier, Ken Hueske, Terry Stutzman, James Aschoff, Jason Roth, Joyce Bruha, Kelly Newton 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 Community Room.

MINUTES: A motion was made by Baker and seconded by Fortune to approve the minutes of the January 3, 2008 meeting. Roll call vote: Baker yes, Fortune yes, Bruha yes, Neal absent. Motion carried.

PAYMENT OF BILLS, BOND PRINCIPAL AND INTEREST: A motion was made by Fortune and seconded by Bruha that the following bills in the amount of \$44,953.70; Bond principal of \$10,000.00; Bond Interest of \$2,837.50 totaling \$57,791.20 approved by the Auditing Committee be approved for payment. Roll call vote: Fortune yes, Bruha yes, Baker yes, Neal absent. Motion carried.

SALARIES:

45446	Mark Frey	1356.27
45447	Forrest K Siebken	1286.25
45448	Mavis Lynn Ferris	50.24
45449	Jeanne M Hoggins	1322.12

45450	Gary Lee TeSelle	778.45
45451	Scott Dean Fosler	1186.98
45452	Robert L Hull	960.65
45453	Beverly J Wehrs	413.04
45454	Edna A Riedl	259.49
45455	David R Dahle	949.70
45456	Louis J Bialas	952.74
45457	Bryce C Johnson	993.91
45458	Philip Winkelmann	995.17
45459	Lindsey S Troyer	216.80
45460	George Matzen	158.83
45461	Joshua S Wiley	88.66
45462	Tracy L Yeackley	646.38
45463	Hanna L Troyer	72.03
45508	Mark Frey	1356.27
45509	Forrest K Siebken	1286.25
45510	Mavis Lynn Ferris	48.76
45511	Jeanne M Hoggins	1322.12
45512	Gary Lee TeSelle	996.97
45513	Scott Dean Fosler	1130.71
45514	Robert L Hull	837.61
45515	Beverly J Wehrs	531.65
45516	Edna A Riedl	366.92
45517	David R Dahle	982.54
45518	Louis J Bialas	919.69
45519	Bryce C Johnson	928.47
45520	Philip Winkelmann	920.48
45521	Lindsey S Troyer	316.02
45522	George A Matzen	232.07
45523	Joshua S Wiley	77.57
45524	Tracy L Yeackley	406.11
45525	Hanna L Troyer	110.82
45527	Joyce Elaine Plessel	184.70
45528	Ricky Gene Fortune	138.52
45529	Dean Alan Bruha	138.52
45530	Emerson L Neal	138.52
45531	Jeffrey M Baker	138.52
45532	Mark Frey	1356.27
45533	Forrest K Siebken	1286.25
45534	Mavis Lynn Ferris	59.10
45535	Jeanne M Hoggins	1322.12

45536	Gary Lee TeSelle	790.67
45537	Scott Dean Fosler	1004.11
45538	Robert L Hull	837.61
45539	Beverly J Wehrs	554.04
45540	Edna A Riedl	366.92
45541	David R Dahle	960.80
45542	Louis J Bialas	952.75
45543	Bryce C Johnson	1002.09
45544	Philip Winkelmann	888.33
45545	Lindsey S Troyer	307.02
45546	George A Matzen	245.39
45547	Joshua S Wiley	77.57
45548	Tracy L Yeackley	646.38
45549	Hanna L Troyer	77.57
GENERAL FUND:		
45403	Nick Beaty – WA/SW Deposit	37.49
45404	Nicholas Clark – WA/SW Deposit	37.42
45405	Jan & Lori Fricke – WA/SW Deposit	32.37
45406	Andrew Sprague – WA/SW Deposit	19.92
45407	Crystal Thies – WA/SW Deposit	2.95
45408	US Postmaster – Utility Billing Postage	166.67
45464	Ameritas – Pension	1594.59
45465	Ameritas Group – Dental & Vision	1066.76
45466	Alltel – Cellular	93.90
45467	Windstream – Long Distance December	5.77
45468	American Bldg Inspectors – Inspect (Oct Nov Dec)	1239.58
45469	Aramark – Pants & Rags	306.91
45470	Butch’s Welding – Conduit & FID	10.47
45471	Culligan – Soft Water	20.00
45472	Coventry – Health Insurance	8004.39
45473	Farmers Cooperative – Gas/Diesel for Dec	1201.21
45474	Diode Communications – Dec Service	54.16
45475	Deep Rock – Drinking Water	34.89
45476	Eakes – Folders, Sweeper	131.54
45477	VOID	
45478	Gateway – Top Cartridge	291.65
45479	Garbage Co – Garbage Pickup	154.69
45480	Great Plains One-Call – Locate Requests	9.92
45481	IACP – Membership Dues	120.00
45482	Meyer Century Labs – Ice Melt	1096.50
45483	Menard’s – Panel Heater, Radiator	84.87

45484	Milford Chamber of Commerce – Membership Dues	75.00
45485	Milford School Dist – Window Painting	25.00
45486	Milford Supermarket – Supplies	26.77
45487	Mutual of Omaha – Disability	79.33
45488	NE Dept of Revenue – December Sales Tax	1557.09
45489	NE Motor Parts – Fuse, Gear oil, Knife	379.79
45490	NPPD – Service for December	4628.07
45491	NT&T – Service for December	378.75
45492	Aquila – Service for December	487.81
45493	Pizza Kitchen – Birthday Dinner	142.50
45494	Roxanne Roth – Cleaning Services	250.00
45495	Mrs. Wayne Roth – Birthday Cake	32.00
45496	Sam’s Club – Paper towels, Coffee, Softsoap	120.52
45497	Seward Co Ind – Notice, Envelopes	328.38
45498	SPPD – Wells 1 & 2	443.49
45499	Meyer Ford – Belt Repair	35.31
45500	Shell Fleet Plus – Fuel for December	609.51
45501	Robert Smejkal – Starter	19.03
45502	Sunrise Country Manor – December Meals	715.00
45503	Tee’s Plus – Dare Supplies	53.00
45504	Tractor Supply – Top Lock, Pin	4.30
45505	Windstream – Library, Local/Internet	153.60
45506	Lothrop Farms – Fescue Sod	49.00
45507	Terry Hauder – Boys Basketball Program	225.00
45526	Ameritas Group – Pension	1594.59
45550	Ameritas Group – Pension	1594.59
45551	AFLAC – Dis, Cancer, Acc, Suppl	406.26
45552	ATCO International – Liberator	1155.00
45553	Blevens Law Office – Legal Services for January	350.00
45554	Central States – Triple Melt, Freight	2123.56
45555	Creative Consultants – Recover Database, Run Wire	152.50
45556	D & D Communications – Parts for Radio	136.50
45557	Ed M Feld Equip – Suspenders	108.00
45558	EMP – Latex Gloves, Regulator	293.58
45559	Fort Dearborn - Life Insurance	106.64
45560	VOID	
45561	George Matzen – Toner for Copier, Mileage	125.00
45562	Marshall Cavendish – 5 Books	137.09
45563	Menard’s – Anchors, AC2 Treated	556.15
45564	Milford Econ. Development – Survey Cost	2000.00
45565	Milford School Dist – Parking Tickets , Tobacco Lic	195.00

45566	Milford Times – Thank You - Trees	5.20
45567	Milford Volunteer Fire Dept – NEMSA Dues	302.00
45568	Midwest Mailing – Ultimail Brush, Sponge	28.45
45569	Midwest Vehicle – Foam	1820.00
45570	Municipal Supply – Return Vale Box, Curb Box	326.06
45571	NE Public Health – Nitrate Test	118.00
45572	Quilters Newsletter – 2 yr subscription	38.92
45573	Roxanne Roth – Cleaning Services	250.00
45574	Sapp Bros Pet. – Oil	1901.70
45575	Seventeen – 2 yr subscription	24.97
45576	Seward Electronics – Modulator & Cable for DVD	19.00
45577	Meyer Ford – Repairs on Unit 2	143.27
45578	Share Corp – Citra-Lene	354.78
45579	Union Bank – Gary TeSelle Acct	300.00
45580	Grainger, Inc. – Hammer Drill Bit	239.75
45581	Walmart – DVDs, Food, Trashbags, DVD-VCR	138.51
45582	Watchguard – 10 Pk DVDs, Mounting Bracket	75.00
45583	Windstream – Civil Defense, Paging Wide-Area, Local	99.64
45584	Local Insight Yellowpages – Directory Advertising	14.15
45585	Robert Boshart – Mileage to Ogallala	231.40
45586	Image Trend Inc. – License Fee	250.00
45587	John Melena – Bunker Gear Storage, Notebooks	36.91
45588	Natalie Nitzsche – 5 Sessions Girls Basketball Prog	75.00
45589	Pioneer Publishing – Rec Director Ad	21.00
45590	Brianna Roth – 5 Sessions Girls Basketball Program	50.00

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Milford Aging Services Commission minutes for January 22, 2008; Library Board minutes for November 15, 2007 and January 24, 2008; Recreation Board minutes for January 28, 2008; Planning & Zoning Commission minutes for January 7, 2008; Police Dept. Activity Report for January 2008; Rescue NARSIS report for January 2008 and 2007 year end report. Baker reported that he attended the Hazard Mitigation meeting last month and the next step needed was to designate every building, whether it be commercial, residential or government, on a city plat map. Gary Peterson has completed the map for Milford. Chief Siebken – reviewed the January Police activity report.

COMMUNICATIONS: *Sales tax received for the month of November 2007 was \$10,485.53. *Windstream annual occupation tax received in the amount of \$600.00. *Thank you from the Milford High School Art Club for allowing the City to paint their window during the holiday season.

PUBLIC HEARING - One & Six Year Plan: Mayor Plessel opened the Public Hearing at 7:35 pm. It was noted that there are no major projects on the one & six year road plan only maintenance items. With no further discussion Mayor Plessel closed the public hearing at 7:36 pm.

PUBLIC HEARING – Annexation: Mayor Plessel opened the Public Hearing at 7:36 pm. Mayor Plessel asked for comments from anyone present. John Melena who lives on 252nd Rd. had questions regarding the criteria used to determine annexation. Bruha explained that there are 3 different methods to determine annexation. 1) Request from the property owner 2) City decides to annex contiguous property 3) Development of a new subdivision brought into city limits. The Council looked at abutting property to the corporate limits that is receiving the same services as the rest of the community. Melena noted that not a lot of changes had been made from 12 years ago when annexation was discussed. Water & Sewer was available when they built their homes. Melena expressed his concern that the criteria remain the same for everyone. Fortune commented that the City brought adequate services to this part of the neighborhood and the growth of the community will eventually develop to the west. Fortune also mentioned that the growth of the community should reflect in the census for financial gain. Terry Stutzman spoke on behalf of his property along the south side of Hwy 6. Terry noted that he is not against annexation as he enjoys the city services that the rest of the community has, although he does not want to hookup to City water. He has had a well for 35 years that produces very good water. Currently the city's water is chemically treated due to federal regulations. Terry also noted that if annexed he will have to pay an additional fee for his private well. He doesn't feel this is right. The sewer main that was placed behind his home was paid for by the 3 individual home owners at the time Stutzman's lagoon failed. He noted the City has not done anything to benefit him as a home owner. Bruha mentioned that once the sewer main is placed and active the City assumes responsibility for the main. Dan Kral mentioned that the police and fire service should be included in city services and the paying for these services should be distributed evenly between everyone that receives them. Baker - JEO laid out areas of annexation when the comprehensive plan was being updated according to services provided. Blevens – City provides more than just water and sewer. The other benefits provided in the community are police, fire, library, swimming pool etc. Joe Schluckebier spoke on behalf of the Thornridge Golf Course. It was written in the Milford Times that the Planning & Zoning Commission recommended leaving out the Golf Course from the annexation. Joe wanted to know the Council's thoughts on this. Fortune mentioned the criteria discussed doesn't apply to the Golf Course. It deviates

from the initial discussion of annexation. With no further comments from the public Mayor Plessel closed the Public Hearing at 8:25 pm.

NEW BUSINESS:

**Introduction and Adoption of Resolution – Adopt One & Six Year Plan:
RESOLUTION NO. 438**

The following resolution was introduced by Bruha, who moved its adoption, seconded by Baker.

“WHEREAS, the City Street Superintendent has prepared and presented a One Year and Six Year Plan for Street Improvement Program for the City of Milford, Nebraska, and

WHEREAS, a public meeting was held on the 5th day of February, 2008, to present this plan and there were no objections to said plan;

THEREFORE, BE IT RESOLVED BY THE Mayor and City Council of Milford, Nebraska that the plans and data as furnished are hereby in all things accepted and adopted.”

Upon roll call vote: Bruha yes, Baker yes, Fortune yes, Neal absent. Motion carried.

Attest: City Clerk
(Seal)

Mayor

Introduction and Adoption of Ordinance – Annexation: Council decided to table item until next month.

Hire Recreation Director and set wage: The Council reviewed the notes provided by Lyle Neal regarding the recommendation of co-chairs for the Recreation Director position. A motion was made by Fortune and seconded by Bruha to approve hiring Rose Kenney and LeAnn Hauder as co-chairs for the Recreation Director position until May 1, 2008 at a rate of \$10.00 per hour. Roll call vote: Fortune yes, Bruha yes, Baker yes, Neal absent. Motion carried.

Appointments: A motion was made by Baker and seconded by Fortune to approve the Mayor’s recommendation to appoint Mary Costello to the Webermeier Scholarship Committee. Roll call vote: Baker yes, Fortune yes, Bruha yes, Neal absent. Motion carried.

Review Market & Feasibility Analysis Summary Report for Assisted Living Facility: Mainland Valuation Services provided a summary of the study that was completed for an assisted living facility. It does not look at

this time to be a favorable venture. There is essentially no growth forecasted in the 75+ age group over the next five years. Presently there is an adequate amount of assisted living units in the primary trade area. The Economic Development Committee paid \$2,000.00 towards the study.

ADJOURNMENT: A motion was made by Fortune and seconded by Bruha to adjourn the meeting. Roll call vote: Fortune yes, Bruha yes, Baker yes, Neal absent. Motion carried and meeting adjourned at 8:39 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 February 5, 2008 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