

CITY OF MILFORD
REGULAR MEETING
JANUARY 2, 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 2nd day of January 2001 at 7:30 P.M. 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: Accountant Dennis Kubicek, David Bledsoe, Gleason Grimes, Terry Rediger, Dennis Jeppson with JEO, Dean Bruha, John & Patricia Imig, Chief of Police Forrest Siebken, Todd Neeley 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 p.m.

MINUTES: A motion was made by Fortune and seconded by Burroughs to approve the minutes of the December 4, 2000 meeting. Roll call vote: Fortune yes, Burroughs yes, Cooper yes, Neal yes. Motion carried.

A motion was made by Cooper and seconded by Fortune to approve the minutes of the December 11, 2000 meeting. Roll call vote: Cooper yes, Fortune yes, Burroughs abstain, Neal yes. Motion carried.

PAYMENT OF BILLS: A motion was made by Neal and seconded by Cooper that the following bills in the amount of \$51,136.36 approved by the Auditing Committee be approved for payment. Roll call vote: Neal yes, Cooper yes, Burroughs yes, Fortune yes. Motion carried.

SALARIES:

32328	Mark Frey	1011.97
32329	Forrest K. Siebken	981.01
32330	Mavis Lynn Ferris	24.97
32331	Jeanne M. Hoggins	837.01
32332	Gary Lee TeSelle	819.52
32333	Scott Dean Fosler	795.71

32334	Robert L. Hull	665.89
32335	Beverly J. Wehrs	360.87
32336	Edna A. Riedl	289.49
32337	David R. Dahle	759.82
32338	Louis J. Bialas	825.51
32339	Pamela J. Slama	258.76
32340	Arlene F. Sieck	534.03
32341	Lucy B. Honig	160.79
32342	Chad A. Craghead	620.72
32343	Andrea K. Henrichson	116.36
32346	Mark Frey	1014.28
32347	Forrest K. Siebken	982.16
32348	Mavis Lynn Ferris	13.07
32349	Jeanne M. Hoggins	837.01
32350	Gary Lee TeSelle	675.49
32351	Scott Dean Fosler	877.24
32352	Robert L. Hull	729.78
32353	Beverly J. Wehrs	295.75
32354	Edna A. Riedl	206.90
32355	David R. Dahle	819.73
32356	Louis J. Bialas	673.89
32357	Pamela J. Slama	235.42
32358	Arlene F. Sieck	544.71
32359	Lucy B. Honig	174.28
32360	Chad A. Craghead	676.57
32361	Andrea K. Henrichson	64.64
32362	Gary W. Cooper	138.52
32363	Roger L. Kness	164.70
32364	Joyce Elaine Plessel	184.70
32365	Ricky Gene Fortune	138.52
32366	Scott C. Burroughs	138.52
32367	Emerson L. Neal	138.52

GENERAL FUND:

32273	United States Postal Service – Postage for Meter	200.00
32274	U.S. Postmaster – Utility Billing Postage	600.67
32275	Alltel – Service for November	771.14
32276	Alltel – Monthly Cell Bill	35.93
32277	Alltel – Long Distance Service	8.43
32278	Bob’s Service – Mlg to Classes, Pipe Fittings/Valves	282.39
32279	Butch’s Welding & Repair – Flex Rods, Labor/Chains	13.88

32280	Centaur Enterprises, Inc. – Carriage Bolts	9.98
32281	Central States Lab – Liq Ice Melt	243.23
32282	Century Labs, Inc – White Vulkem	299.14
32283	Quality Stores, Inc. – Supplies for Lights	20.98
32284	Culligan Water Conditioning – Soft Water / Salt	43.50
32285	Culp Floor Service – Install Carpet / City Hall	745.01
32286	Dorchester Farmes Coop – Kerosene	11.93
32287	Dorchester Coop – Gas & Diesel, Blue Guard	785.36
32288	Custom Woods – Report / Ticket Holder	75.65
32289	D & D Communications–Lowband Mobile, Antenna	3950.00
32290	Digitec, Inc. – 12V Batteries	90.96
32291	Don’s Pioneer Uniforms–Pants, Shirts, Dickys, Bttns	197.70
32292	Eakes Office Plus – PO Books, Envelopes, Paper	215.52
32293	Ernie’s In Ceresco – Extra for Carpet Install	233.88
32294	Farm Plan – Filter Ele, Stihl Chain, Ball Joint	171.76
32295	Ford Motor Credit – 1 st Least Pyment / ’01 Cruiser	7322.13
32296	The Garbage Company – Garbage Pickup / November	85.50
32297	Great Plains-One Call–Locate, Req, Emer, Surcharge	22.73
32298	Hershberger & Troyer Ins–Add’l - 91 Dodge, Boom	90.00
32299	Ingram Library Services – Replace Ck #23550	314.75
32300	Lehr Floors & Decorating–Carpet/Partial on Blinds	1937.94
32301	Lincoln Winlectric Co – 9V & AAA Batteries	40.32
32302	Master Cleaners – Cleaning & Repairs	12.90
32303	The Milford Times – Mtg, Notices, Min, Ads, Bids	278.67
32304	Mutual of Omaha Companies – Disability	109.23
32305	NE Dept of Revenue – Sales Tax for November	1376.10
32306	NE Health Laboratories – Coliform Tests	76.00
32307	NE Motor Parts – Flashers, Tool Table, Brake Fluid	71.87
32308	NE Public Power District – Service for November	3524.49
32309	NE Supreme Court Publications – 2 Books	65.55
32310	Olsson Associates – Water Tank Evaluation	1600.00
32311	Pegler-Sysco Food Services – Napkins, Pans/Covers	130.12
32312	Peoples Natural Gas – Service for November	745.78
32313	Pizza Kitchen – Evening Meals	127.35
32314	Rixstine Trophy Co – Bruha Plaque	53.75
32315	Roxanne Roth – Clean Fire Hall & Library	185.00
32316	Mrs. Wayne Roth – 2 Birthday Cakes	25.00
32317	Schlegel’s Groceries – Dog Food, Groceries	36.32
32318	Sam’s Club – Bath Tissue, Paper Towels, Cleaners	123.61
32319	Seward Co Rural Public Power Dist – Wells 4 & 5	207.57

32320	Seward County Ford – Work on #50	74.03
32321	Solutions for your Office – Deliv Fee/Filing Cabinet	35.00
32322	Streicher’s – Console for 2001 Cruiser	189.95
32323	Sunrise Country Manor – 386 Meals for November	1158.00
32324	U.S. Bank – Administration Fee	258.75
32325	Uniservice, Inc – Pants & Rags	103.15
32326	Watts Electric Co – 1 ½ PVC 40 Conduit, Trench	1962.50
32327	Travis Tibbetts – Water & Sewer Deposit Refund	50.00
32344	Ameritas Life Insurance Corp – Retirement	1089.23
32345	Mutual of Omaha – Group Insurance	5040.71
32368	Ameritas Life Insurance Corp – Retirement	1089.23
32369	American Water Works Assoc – Annual Dues	50.00
32370	Alltel – Mobile Phone	20.19
32371	Barco Municipal Products – Snowplow Blade	208.57
32372	Best Way, Inc – Traffic Cones	122.44
32373	Blevens Law Office – Legal Services for December	350.00
32374	City of Milford (Petty Cash) – Postage	17.93
32375	Culp Floor Service – Install Carpet/Back Room	136.66
32376	Earnest Well Drilling Inc – 1” x 5’ Iowa Hydrant	118.00
32377	EDM Equipment Co – Parts for Sweeper	212.21
32378	Farmers & Merchants Agency – Slama Bond	175.00
32379	Gall’s Inc – Armrest, Outlet Box	69.97
32380	Heartsong Presents – 4 Books	9.97
32381	Ingram Library Services – 1 Book + Credit	4.27
32382	Kirkham Michael – Flood Mitigation	2004.00
32383	The Library Store – Office Supplies	104.55
32384	Matt Friend Truck Equip – Snowplow Markers	26.06
32385	Marshall Cavendish Corp – Books	278.99
32386	Midwest Heating & A/C – Replace Thermostat	82.00
32387	Milford A/C & Appliance – Floor Registers	26.70
32388	Milford Plumbing Co – 1/2 Valve	7.78
32389	Milford School Dist #5–Fine /Tobacco Lic for Dec	125.00
32390	The Milford Times – 4 Desk Calendars	13.20
32391	Municipal Clerks’ School – Clerk’s Academy	175.00
32392	National Geographic Society – Slipcase, Book	31.10
32393	Nebraskaland Conf of Bldg Offcls – Member Fee	15.00
32394	Nebraska Health Laboratory – Blood Analysis	55.00
32395	NE Rural Water Assoc – Annual Dues	150.00
32396	Newman Traffic Signs – 4 Special Signs	135.61
32397	Nebraska Trust Company, N.A. – Bond Fee	237.00

32398	Office Depot–Disks, Book Rack, Software, Chairs	305.33
32399	Omaha Life Insurance Co – Life Insurance	60.20
32400	Omaha World-Herald – 1 Year Subscription	65.00
32401	Oxmoor House – “A Year of Afghans 2000”	29.91
32402	Roxanne Roth – Clean Fire Hall & Library	160.00
32403	Seward County Clerk – 2000 Gen Elect Costs	82.23
32404	Seward County Ford – Oil Change, Wheel Cover	95.52
32405	Sister Act – Swag	20.00
32406	Subway Motors – W/Strips, Trim Plates	124.50
32407	Union Bank – Gary TeSelle Account	250.00
32408	Don Williams – Annual Easement/Water Line	50.00
32409	World Book, Inc. – “World Adventure”	21.00
32410	Quentin Bowen – Water & Sewer Deposit Refund	38.17
32411	Shawn Filbert – Water & Sewer Deposit Refund	50.00
32412	Jeremy Goracke – Water Deposit Refund	45.17
32413	Matt Kallhoff – Water & Sewer Deposit Refund	38.55
32414	Aaron Schroeder – Water & Sewer Deposit Refund	41.59

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Housing Authority minutes for December 11, 2000, Police Activity Report for December 2000. Fortune informed Council of failure of coliform testing, city will be chlorinating again soon. Looking in to changing testing labs. Neal noted the drapes and carpeting at the library community room had been cleaned in the amount of \$181.25. Burroughs - Ice skating rink in the uptown city park has been made available.

COMMUNICATIONS: Chief of Police Siebken noted the total number of calls was down for December. A Dept. meeting was held 12/14/00, the following policies were instituted: Code of Conduct and Code of Ethics, Response Codes and Parking and Towing. Mayor Plessel noted the following: The League of NE Municipalities submitted information to City Hall regarding Highway-Rail Grade Crossing Safety and Consolidation Act. Letter received from Peoples Natural Gas on the increase in rates. Letter received from Mark Ferris and family regarding their concern with closing the alley located between 1st & Park Ave. and “C” & “D” St. Sales tax received for the month of October 2000 was \$10,714.88.

PUBLIC HEARING: Regulate and Abate Nuisance Ordinance No. 697
Mayor Plessel opened the Public Hearing at 7:37 p.m. She then asked for comments from those present. David Bledsoe, a property owner in Grover, wondered how this affected him as he is on the other side of the river. He noted that his children have to pay more to go to the pool and library because they are outside of the City limits, yet the City can enforce an

ordinance outside the City limits. “How can the two be different”. He has improved the looks of his house by siding it. He keeps the property mowed. He has asked the County for a building permit to build a shed to place some of his vehicles in and they deny his request due to the fact that he is in the flood plain. Mr. Bledsoe has roughly 30–40 vehicles on his property, some of which he is working on for other people. He does not feel that he has a rat or mouse problem. Fortune informed Mr. Bledsoe that he is in between a rock and a hard place but the fact is, he is not in compliance with the ordinance at hand. The Council informed Mr. Bledsoe that he would need to pick up an application for building permit at the City Hall Office in Milford because Grover is within the zoning jurisdiction of the City.

John and Patricia Imig, also property owners in Grover, moved into their home in the 80’s and did not realize they fell within the zoning of the City of Milford. They expressed that they are all for abiding by the set rules and if given time could make improvements on the property. When asked how long it might take him to make these improvements, he noted that there were 2 porches to be repaired, roof needs repairs, fallen trees need to be cleared out and 30 some vehicles need to be removed. Mr. Imig anticipated 2 years to complete all these projects. The question was raised as to whether a fence could be placed around the vehicles rather than an enclosed structure. Blevens suggested giving the individuals an ample amount of time to clean up their property. Burroughs asked that each individual write up a plan of action that included a time frame and present it to the Council at the next regular meeting. Dean Bruha commented that Grover is a gray area and any current structure that may be damaged could be rebuilt. If a structure was tore down it could also be replaced as long as the current building codes/zoning regulations were followed. Mayor Plessel asked if there were any further comments, there being none a motion was made by Burroughs and seconded by Neal to close the public hearing. Roll call vote: Burroughs yes, Neal yes, Cooper yes, Fortune yes. Motion carried.

A motion was made by Fortune and seconded by Burroughs to have the individuals write up a proposal for a plan of action with a time line for adequate clean up of the properties and present it to the City Council at the next regular meeting. A letter is to be sent to Mr. Harry Bachman informing him of the Councils decision. Roll call vote: Fortune yes, Burroughs yes, Cooper yes, Neal yes. Motion carried.

Introduction and Adoption of Resolution-Remedy of Public Nuisance:

No action taken on this agenda item.

UNFINISHED BUSINESS:

Introduction and Adoption of Ordinance-Vacate 3rd Street: Fortune noted his concern with vacating the alley to the adjoining property owners. Will this come back on the City since we are just dealing with the School. Blevens presented two different ordinances, one for the street and one for the alley. He explained to the Council the procedure for vacating streets and alleys. When a street or alley is vacated the land reverts back to the adjoining property owners, allowing the City to create a utility easement if necessary. Vacating the alley will be a separate ordinance and since it was not listed on the agenda that way the Council will need to act on it at a later date. Council member Burroughs introduced the following Ordinance:

ORDINANCE NO. 711

AN ORDINANCE OF THE CITY OF MILFORD, NEBRASKA TO VACATE 3RD STREET IN THE CITY OF MILFORD, NEBRASKA, LYING BETWEEN BLOCK SEVEN AND BLOCK TEN, OF LAUNE'S 3RD ADDITION TO THE CITY OF MILFORD, NEBRASKA; TO RETAIN AN EASEMENT OVER AND ACROSS SAID ABANDONED STREET FOR LOCATION OF WATER, SEWER, ELECTRICAL, TELEPHONE, AND OTHER MUNICIPAL PURPOSES; TO PROVIDE THE MANNER FOR DETERMINATION OF DAMAGES BY CITIZENS OF THE CITY OR BY OWNERS OF PROPERTY THEREIN; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PRESCRIBING THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

Water Tower Repair: Fortune talked with the engineer at Olsson Assoc. and noted that this project was not to go over the budgeted amount of \$60,000. Olsson Assoc. are refiguring the project and a special meeting may need to be called for further approval.

Authorize signature of Contract Amendment No. 1: A motion was made by Fortune and seconded by Neal to authorize the signature of Contract Amendment No. 1 for the Elevated Water Storage Tank. Roll call vote: Fortune yes, Neal yes, Burroughs yes, Cooper yes. Motion carried. Contract Amendment No. 1 includes Phase III – Bidding Phase Services and Phase IV – Construction Phase Services.

Authorize Final Payment – Eng. Serv. State Street Project: No information received at time of the meeting. Item tabled until next regular meeting.

NEW BUSINESS:

Approval of 2001 Committee List: Mayor Plessel asked for a motion to approve the board members listed on the 2001 Committee List. A motion was made by Burroughs and seconded by Fortune to approve the board

members listed on the 2001 Committee List. Roll call vote: Burroughs yes, Fortune yes, Cooper yes, Neal yes. Motion carried. (Committee list attached to these minutes)

One & Six Year Road Program – Dennis Jeppson: Legislature passed a 20-year program back in 1969 to help with funding of road projects. The program no longer has a deadline. It has established itself as an ongoing program. Money allocated to each municipality comes from a Highway Trust Fund which is money generated from gasoline tax, individual vehicle tax and registration. The funds distributed to the municipalities are based on population, lane miles and motor vehicle registration. The system asks the municipality to match 25% of these funds on a yearly bases. The funds have to be used for street projects and any unused funds need to be budgeted back into the street dept. Dennis presented information showing expenses for normal operating procedures. The normal maintenance expense runs roughly at \$100,000. Only expenses showing on this years report is normal maintenance and paying off bonds. Dennis asked the Council if they had any projects that they would like to add. No projects were mentioned the report remained as presented.

Set date for Public Hearing-One & Six Year Plan: Mayor Plessel set the Public Hearing date for the One & Six Year Plan for the next regular meeting scheduled for February 6, 2001.

Investments – Dennis Kubicek: It was noted that the City Council had previously had a financial advisor speak to them regarding investing some of the City's funds. The Council decided to try to keep the funds local. Hoggins provided interest rates from 4 different banks within the county. Kubicek informed the Council that if they wanted to invest in another bank besides Farmers & Merchants in Milford they would need to pass a resolution naming that bank as a depository. Kubicek also suggested laddering the CD's so that one would come due each month. He noted to immediately transfer a large amount into a CD for a one-year term and also a small amount for a 6-month term allowing a monthly interest check to be paid to the City on each CD. A motion was made by Neal and seconded by Cooper to allow City Clerk Jeanne Hoggins to proceed with transferring funds to a CD as instructed by Accountant Dennis Kubicek. Roll call vote: Neal yes, Cooper yes, Burroughs yes, Fortune yes. Motion carried.

Snow Removal – Rediger Chevrolet: Cooper informed the Council that there had been some concern about the maintenance dept. having to haul away Rediger Chevrolet snow from their used car lot west of the barber shop. Another concern was while pushing the snow off the car lot they are driving over the City sidewalk and curb, which could cause damage. Cooper

wanted Council's consensus as to how this should be handled. Terry Rediger was approached by Maint. Supt. Mark Frey during removing snow from his lot and Frey told him he was warned about pushing the snow across the sidewalk and curb. They discussed a method for charging Rediger Chevrolet for hauling the snow away. Terry has always tried to clear the snow from the alley that runs behind the Post Office and directly behind their dealership. There is limited space on his lots to push the snow into piles. This may cause visibility problems for vehicles coming out of the alleys. Terry has tried to find private contractors with the proper equipment to remove snow and they are busy with other snow removal. He is willing to pay a fee to have the snow hauled away. The Council agreed to use the rates that are in place for equipment rental and man-hours to bill Rediger Chevrolet for snow removal and Frey would need to determine the length of time it takes for hauling the additional snow.

Executive Session - Personnel and 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 9:05 p.m.

A motion was made by Fortune and seconded by Burroughs to return to Regular Session. Roll call vote: Fortune yes, Burroughs yes, Cooper yes, Neal yes. Motion carried and Council returned to regular session.

A motion was made by Fortune and seconded by Cooper to drop the tort claim filed with the Seward County Clerk and County Commissioners. Roll call vote: Fortune yes, Cooper yes, Burroughs yes, Neal yes. Motion carried.

Salary Increase-Officer Craghead: Cooper advised Council that Chief of Police Siebken had evaluated Officer Craghead after his 6-month probationary period and was asking for a .25 per hour increase. Siebken asked if the increase could be retroactive to December 12, 2000 as this was the official 6-month date. A motion was made by Fortune and seconded by Cooper to increase Officer Craghead's salary .25 per hour and make it retroactive to December 12, 2000. Roll call vote: Fortune yes, Cooper yes, Burroughs yes, Neal yes. Motion carried.

Approve Payment-Kirkham Michael, Flood Mitigation: A motion was made by Fortune and seconded by Burroughs to approve payment to Kirkham Michael for Flood Mitigation Project of invoice #43907 in the amount of \$2,004.00. Roll call vote: Fortune yes, Burroughs yes, Cooper yes, Neal yes. Motion carried.

Authorize signature, Engineering Services for Valley View Lift Station, Olsson Assoc.: Fortune would like to discuss the dollar amount with Olsson

Associates before proceeding with this project. This item tabled to next meeting.

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 9:34 p.m.

City Clerk

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 January 2, 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)

Jeanne Hoggins, City Clerk