

CITY OF MILFORD
REGULAR MEETING
JANUARY 6, 2004
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 January 2004 at 7:30 pm. Present were: Mayor J. Elaine Plessel; Council members: Robert Anderson, Dean Bruha, Rick Fortune, Lyle Neal; City Clerk Jeanne Hoggins; Attorney Robert Blevens; Chief of Police Forrest Siebken. Also present: John Melena, Travis Yeackley, Don Yeackley, Wayne Stohlman, John Trecek with Ameritas and Sandi Danskin 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 7:33 p.m.

MINUTES: A motion was made by Fortune and seconded by Neal to approve the minutes of the December 2, 2003 meeting. Roll call vote: Fortune yes, Neal yes, Anderson yes, Bruha yes. Motion carried.

PAYMENT OF BILLS: A motion was made by Neal and seconded by Bruha that the following bills in the amount of \$64,873.64 approved by the Auditing Committee be approved for payment. Roll call vote: Neal yes, Bruha yes, Anderson yes, Fortune yes. Motion carried.

SALARIES:

37940	Mark Frey	1141.92
37941	Forrest K Siebken	1099.92
37942	Mavis Lynn Ferris	26.55
37943	Jeanne M Hoggins	970.87
37944	Gary Lee TeSelle	687.99
37945	Scott Dean Fosler	919.22
37946	Robert L Hull	722.84
37947	Beverly J Wehrs	443.22
37948	Edna A Riedl	171.30

37949	David R Dahle	865.38
37950	Louis J Bialas	856.86
37951	Pamela J Slama	337.50
37952	Lucy B. Honig	330.73
37953	Bryce C Johnson	730.12
37954	Philip Winkelmann	730.12
37955	Lindsey S. Troyer	561.93
37956	Regan Beranek	133.22
38012	Mark Frey	1180.58
38013	Forrest K Siebken	1099.92
38014	Mavis Lynn Ferris	18.59
38015	Jeanne M. Hoggins	987.09
38016	Gary Lee TeSelle	885.20
38017	Scott Dean Fosler	1127.27
38018	Robert L Hull	730.11
38019	Beverly J Wehrs	331.94
38020	Edna A Riedl	166.92
38021	David R Dahle	813.45
38022	Louis J Bialas	749.45
38023	Pamela J Slama	279.71
38024	Lucy B. Honig	287.92
38025	Bryce C Johnson	783.76
38026	Philip Winkelmann	843.92
38027	Lindsey S. Troyer	571.52
38028	Regan Beranek	173.18
38030	Roger L. Kness	150.85
38031	Joyce Elaine Plessel	184.70
38032	Ricky Gene Fortune	138.52
38033	Dean Alan Bruha	138.52
38034	Emerson L. Neal	138.52
38035	Robert E. Anderson	138.52

GENERAL FUND:

37935	League of NE Municipalities – NSAWWA Oper. Train	25.00
37936	Maguire Iron – Payment on Water Tower	46127.00
37937	LFW Sandblasting – Removal Old Tower	18500.00
37938	Void	
37939	U.S. Postmaster – Utility Billing Postage	142.51
37957	Ameritas – Retirement Plan	1319.19
37958	Aflac – Cancer,Acc,Disabl,Supp'l	295.16
37959	American Water Works Assoc. – Dues	57.00

37960	Alltel – Pager, Mobile, Pay Phone	509.17
37961	Bob’s Automotive – Battery, Generator	260.00
37962	Cather & Sons – 2.5 ton asphalt	82.50
37963	Centaur Enterprises – Washers, Vinyl Disc	78.35
37964	Culligan Water Conditioning – Soft Water	18.00
37965	Farmers Coop – Gas/Diesel Tires	1815.82
37966	Deep Rock – Drinking water	15.78
37967	Eakes Office Plus – Cartridges, Binder, Label Maker	318.72
37968	Fremont National Bank – Bond Issue	450.00
37969	The Garbage Company – Garbage Service for Nov.	90.50
37970	Gene’s Electric – Work on Well	650.70
37971	Great Plains – Emer Locate, Locate Request	14.83
37972	Law Enforcement Acc – Duty Belt	60.75
37973	Layne Christensen – Materials for Well	3388.66
37974	Lincoln Winlectric – Batteries	93.67
37975	Matthew Bender – NE Criminal & Traffic Law	87.15
37976	Memorial Health Care – Flu/Tetanus Shot	574.85
37977	The Milford Times – Notices, Min., Subscription	351.69
37978	Nebraskaland Conf – Membership Fees	100.00
37979	NE Dept of Revenue – Sales Tax	1412.08
37980	Nebraska Health Lab – Nitrate, Lead Copper	605.00
37981	Nebraska Motor Parts – 2 Keys Cut, Glass Cleaner	18.96
37982	Nebraska Public Power Dist. – Service for Nov.	3795.35
37983	Nebraska Tech & Telecomm – Service for Nov.	420.96
37984	NE Rural Water Assoc – Membership Dues	125.00
37985	Aquila – Service for Nov.	621.01
37986	Powerplan – Fuel Filter, Thermostat	685.05
37987	Roxanne Roth – Cleaning Services	320.00
37988	Schlegel’s Groceries – Light Bulbs, groceries	28.65
37989	Seward County Independent – Envelopes	299.50
37990	Seward Co Public Power Dist. – Wells 1 & 2	415.02
37991	Share Corp. – Hi Temp Grease	234.06
37992	Sports Express – T-shirts/Screen Printing	262.50
37993	Subway Motors – Wheel Weights, Tires	291.28
37994	Sunrise Country Manor – 320 Meals for Nov.	1072.00
37995	U.S. Bank – Sewer Bond	373.75
37996	Aramark – Pants & Rags	143.61
37997	Beverly Wehrs – Paper Supplies	50.51
37998	Zim International – Shop pac 3	296.00
37999	Bill White – Web Rent Refund	35.00

38000	Great America – Operating Supplies	190.00
38001	Pam Mehaffey – Water Deposit Refund	8.74
38002	Chad Carraher – Water/Sewer Deposit Refund	50.00
38003	James Grauel – Water/Sewer Deposit Refund	50.00
38004	Wayne Roth – Water/Sewer Deposit Refund	50.00
38005	E Dean Rosenthal – Water/Sewer Deposit Refund	50.00
38006	Gene Voigt – Total on Work for Stones	1925.00
38007	LFW Sandblasting – Installed vent for Res	325.00
38008	A & C Tree Service – Stump Removal	250.00
38009	Weathercraft – Roof Work on Library	3975.00
38010	Government Leasing Company – 1 st Lease Payment	7796.00
38011	Jalic G.T. – Group Health	7912.59
38029	Ameritas – Retirement Plan	1319.19
38036	American Legal Publishing – 2004 Municipal Ord.	350.00
38037	Alltel – Directory Advertising,Paging-Wide Area, Loc	28.36
38038	Amazon.com – 1 Book	15.31
38039	Barco – Snow Plow Blade	134.10
38040	Blevens – Legal Services for Dec.	350.00
38041	Blue River Implement – New Tractor	5375.00
38042	City of Milford – Petty Cash,Postage	51.61
38043	Christian Book Dist. – 6 Books	56.26
38044	Columbia House – 1 Video	58.22
38045	D & D Communications – Pagers, Remote Speaker	1758.00
38046	Emergency Medical – Laerdal Compact Suction	469.89
38047	Ingram Library Services – 37 Books	264.97
38048	Kapco – Office Supplies	196.51
38049	The Library Store – Office Supplies	118.70
38050	Milford Plumbing – Repaired Urinal	31.75
38051	Milford School Dist. #5 – Fines, Tabacco Licenses	45.00
38052	Milford Volunteer Fire Dept – 6 Registrations	750.00
38053	Mutual of Omaha – Disablity Insurance	69.23
38054	National Geographic – 2 Slipcases	19.70
38055	Nebraska Machinery – 12 amp converter	62.33
38056	NE Library Assoc. – Membership Dues	55.00
38057	Nebraska Health Lab – Carbamates & Coliform	372.00
38058	Nifco Mechanical – Labor for thread & pipe	40.00
38059	Olsson Assoc – Water Tower	7000.00
38060	Omaha Life Insurance – Group Life	141.90
38061	Omaha World Herald – 1 yr. Subscription	65.00
38062	OMB Police Supply – Radio Shelf for Police Vehicle	160.99

38063	Orschelns – 2 Snow Shovels	25.54
38064	Perma-Bound – 28 Books	350.34
38065	Regent Book – 34 Books	419.92
38066	Roxanne Roth – Cleaning Services	250.00
38067	Union Bank – Gary TeSelle Acct #556293	300.00
38068	Walmart Community – Radio Supplies	51.73
38069	Zep Manufacturing – 2 40lb., Sewer Aid	169.14
38070	Zim International – Lift Station	790.00
38071	Troy & Shelly Houk – Water/Sewer Deposit Refund	50.00
38072	Jake Otte – Water/Sewer Deposit Refund	28.16
38073	Danny Anderson – B-ball Asst. Coach	82.50
38074	Craig Shaw – B-ball Asst Coach	82.50
38075	Troy Martin – B-ball Asst Coach	105.00
38076	Stephanie Spearman – B-ball Head Coach	90.00
38077	Leroy Lafollette – Water/Sewer Deposit Refund	26.94
38078	Joshua O’Neil – Water/Sewer Deposit Refund	41.37
38079	Scott Schmitz – Water/Sewer Deposit Refund	40.46
38080	Stephanie Barth – Water/Sewer Deposit Refund	37.48
38081	Randy Freye – Water/Sewer Deposit Refund	44.89
38082	Stan Weidner – Water/Sewer Deposit Refund	42.23
38083	Joe Bornemeier – Water/Sewer Deposit Refund	41.18
38084	Troy & Sandra Watson – Water/Sewer Deposit Refund	23.22
38085	Lincoln Truck Center – Lube, Filter	187.79

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Planning & Zoning minutes for December 11, 2003, Library Board minutes for November 20, 2003 and Police Dept. Activity Report for December 2003. Anderson reported the flat part of the Library roof has been repaired. He will check with Frey and the contract regarding the length of the guarantee. 12 stones at the cemetery were repaired or reset during the month of November. Neal reported for the Economic Development Committee regarding the update of the community website. Ginny Backes has worked approximately 6 months to update the site and currently there are 125 businesses listed. The committee would like to add a calendar of events to the website and find someone to keep it updated. Chief Siebken reviewed the monthly report for December noting a total of 10,821 calls for service for the year 2003. Siebken also informed the Council that the new Police car has arrived and is at Anderson Ford. Chief Siebken explained the communication needs that have come up with Seward County and the inability to communicate with other departments. With ample funds in the budget Chief Siebken would like to purchase outright new radio

equipment for the cars. He will continue to make the lease payment of \$7,796.00 for the next three years on the car as planned. The purchase through Raycom of 2-way band radios with 800 mega hurts would cost \$12,000.00, which includes installation, plus \$25.00 per month per radio. These radios will have UHF capability which will allow for communication to Saline Co. and Fillmore Co. Portables could be used from the office.

COMMUNICATIONS: *Sales tax received for the month of October 2003 was \$14,253.45.

UNFINISHED BUSINESS:

Introduction and Adoption of Resolution – Employee Appreciation

Policy: Mayor Plessel informed the Council that she has sent out letters to 3 different communities; Geneva, David City and Wahoo to see how they address this issue.

5th & “D” Street – Sidewalk Improvement: Bruha informed the Council that there is 2’ of City right-of-way from the west edge of the curb on the west side of “D” street at the corner of 5th & “D”. On the south side of the Hwy the sidewalk that Jones Bank put in runs just along the curb. Different options were discussed: possibly get an easement so the sidewalk could be moved to the west and be widened, purchase additional ground from the home owner. Bruha noted purchasing the entire lot with Economic Development Funds, which did not seem feasible. Discussion held as to who would pay for the sidewalk and what direction the sidewalk would take north of the alley. Neal mentioned visiting with the home owner to discuss some of the options and see how they feel. Council decided that a letter should be written asking the homeowners to meet with them to discuss the matter.

NEW BUSINESS:

Committee List: A motion was made by Fortune and seconded by Neal to approve the Committee list as presented. Roll call vote: Fortune yes, Neal yes, Anderson yes, Bruha yes. Motion carried. (Committee list attached to these minutes)

Set Public Hearing Date – One & Six Year Plan: Mayor Plessel set the One & Six Year Plan Public Hearing for the next regular meeting of February 3, 2004 at 7:30 pm.

Bond Council – Fire Dept. Equipment: John Trecek with Ameritas presented to the Council a schedule of payments for a Public Safety Bond. A Public Safety Bond is figured at .5 cents per \$100 of valuation but cannot exceed 90%. Approximately \$325,000 would be the maximum that the City of Milford could bond. This type of bond could not be combined with the current bond on the Fire Station. Travis Yeackley informed the Council that

the Fire Dept. is looking at approximately \$300,000 to \$315,000 of actual funds. A General Obligation Bond would require a vote of the people. This bond would then be part of the tax levy. Fire Chief John Melena spoke on behalf of the Fire Dept. asking that this issue be decided by a vote of the people. It was decided to place the item on the General Election in November.

Amend Ordinance #529 – Fire Dept. Life Insurance: Council member Bruha introduced the following Ordinance:

ORDINANCE NO. 751

AN ORDINANCE RELATING TO THE FIRE DEPARTMENT; TO CHANGE THE AMOUNT OF AND OTHER PROVISIONS RELATED TO THE REQUIRED MINIMUM LIFE INSURANCE DEATH BENEFIT TO HARMONIZE WITH STATE LAW; TO CHANGE PROVISIONS RELATING TO COMPENSATION OR REIMBURSEMENT OF VOLUNTEERS; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE. (See Ordinance Record)

Concern – Zoning Use Violation: Anderson noted the property rezoned last month is in violation according to the Comprehensive Plan. He stated that the Council needs to finish the procedure that was started. The violation occurs with CI zoning which does not allow for automobile sales. A couple of options are available: amend the Comprehensive Plan to allow automobile sales in CI under permitted principal uses or allow automobile sales in CI under permitted special uses. Discussion was held as to the difference between CI and CE and if both zoning designations were needed. Blevens suggested and the Council agreed to have a Public Hearing at the next Planning & Zoning meeting to amend section CI of the Comprehensive Plan to allow for automobile sales & service as a permitted special use. A Public Hearing will also be held at the March Council meeting for the same reason.

Park Avenue Parking: Chief Siebken gave a presentation showing the congestion of semi trailers that are parking for an extended amount of time on Park Ave. At this time parking is allowed on both sides of Park Ave. and is designated as a truck route. The majority of Park Ave. has curb cuts to allow access to the businesses. The concern comes with the difficulty of maneuvering thru Park Ave. with Fire Dept. equipment or Coop grain trucks. Siebken offered a few suggestions: 1) Leave it as is; 2) Restrict parking to only one side of Park Ave. (south side); 3) Restrict parking on both side of street. Fortune asked if Park Ave. was designated for truck parking at an earlier date. Park Ave. was available for individual truckers that needed a place to park for a few days when they were home. A problem

arose recently with an individual using Park Ave. as a depot for his trucks. This issue has been resolved. Several options were discussed and it was suggested that truck parking be allowed in the 200 block of Park Ave. along the south curb area. This item will be placed on the February agenda for further action.

R.R. Crossing – Seasonal Closing: Discussion was held regarding the railroad crossing on Walnut Ave. and the number of accidents that have occurred due to the lack of snow removal by the railroad and the condition of the tracks. Remarks regarding the train whistles in the middle of the night were also discussed. It was decided that the City follows the new law according to LB259 and write a letter to the Dept. of Roads asking for their assistance in correcting the problems. Chief Siebken will contact the D.O.R. and if Council action is needed we will address the issue again in February.

R.R. Embankment: After the construction of the highway, buffalo grass was planted along the railroad embankment, the weeds took over and now the embankment looks terrible. The City mowed the embankment and billed the railroad for equipment and man hours but the railroad would never pay. When the City maintenance dept. tried again to mow and clean it up they were asked by the railroad to stay off their property. The railroad has never made an attempt to mow or clean up the embankment. The Council agrees that something needs to be done with regards to mowing and cleaning up the embankment. A letter will be written to the railroad asking them for their assistance in maintaining the embankment to keep it looking nice since it is on the main street entering our business district.

Discussion – Depository of Funds: The council was asked about pursuing a Resolution for Depository of Funds thru Jones Bank since they will be opening in Milford on the 12th of January 2004. This will allow the City Clerk to compete for interest rates on time CD's and if needed, an account can be opened at Jones Bank for the City of Milford. Council decided to place the Resolution on the February 3rd agenda.

ADJOURNMENT: A motion was made by Neal and seconded by Fortune to adjourn the meeting. Roll call vote: Neal yes, Fortune yes, Anderson yes, Bruha yes. Motion carried and meeting adjourned at 9:35 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 of January 6, 2004 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