

CITY OF MILFORD
REGULAR MEETING
JUNE 5, 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 5th day of June, 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: Mark & Theresa Ferris, Susan Harding, Dorothy Bockoven, Irene Boshart, Jack Zimmerman, Dean Bruha, Brian Utter, Roger Wittrock, Joyce Lauer, Sean Kremer, Chief of Police Forrest Siebken and 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 7:34 pm.

MINUTES: A motion was made by Fortune and seconded by Burroughs to approve the minutes of the May 1, 2001 meeting. Roll call vote: Fortune yes, Burroughs yes, Cooper yes, Neal yes. Motion carried.

A motion was made by Burroughs and seconded by Fortune to approve the minutes of the May 7, 2001 meeting. Roll call vote: Burroughs yes, Fortune yes, Cooper abstain, Neal yes. Motion carried.

PAYMENT OF BILLS AND BOND INTEREST: A motion was made by Cooper and seconded by Neal that the following bills in the amount of \$38,051.43, bond interest payment of \$24,918.13 totaling \$62,969.56 approved by the Auditing Committee be approved for payment. Roll call vote: Cooper yes, Neal yes, Burroughs yes, Fortune yes. Motion carried.

SALARIES:

32987	Mark Frey	1014.28
32988	Forrest K. Siebken	962.38
32989	Mavis Lynn Ferris	32.10
32990	Jeanne M. Hoggins	837.01
32991	Gary Lee TeSelle	708.00
32992	Scott Dean Fosler	795.71

32993	Robert L. Hull	627.57
32994	Beverly J. Wehrs	418.06
32995	Edna A. Riedl	260.89
32996	David R. Dahle	722.76
32997	Louis J. Bialas	673.89
32998	Pamela J. Slama	252.94
32999	Arlene F. Sieck	513.96
33000	Lucy B. Honig	191.13
33001	Marcus A. Siebken	68.16
33002	Chad A. Craghead	628.46
33003	Andrea K. Henrichson	175.84
33065	Mark Frey	1014.28
33066	Forrest K. Siebken	962.38
33067	Mavis Lynn Ferris	28.53
33068	Jeanne M. Hoggins	837.01
33069	Gary Lee TeSelle	633.67
33070	Scott Dean Fosler	895.08
33071	Robert L. Hull	954.18
33072	Beverly J. Wehrs	349.75
33073	Edna A. Riedl	245.02
33074	David R. Dahle	699.49
33075	Louis J. Bialas	673.89
33076	Pamela J. Slama	250.01
33077	Bryce Roth	111.72
33078	Arlene F. Sieck	580.46
33079	Lucy B. Honig	308.36
33080	Marcus A. Siebken	132.50
33081	Chad A. Craghead	660.23
33082	Andrea K. Henrichson	134.78
33084	Gary W. Cooper	138.52
33085	Roger L. Kness	414.04
33086	Joyce Elaine Plessel	184.70
33087	Ricky Gene Fortune	138.52
33088	Scott C. Burroughs	138.52
33089	Emerson L. Neal	138.52
33090	Mark Frey	1014.28
33091	Forrest K. Siebken	962.38
33092	Mavis Lynn Ferris	23.78
33093	Jeanne M. Hoggins	837.01
33094	Gary Lee TeSelle	633.67

33095	Scott Dean Fosler	856.86
33096	Robert L. Hull	729.78
33097	Beverly J. Wehrs	337.04
33098	Edna A. Riedl	158.72
33099	David R. Dahle	722.76
33100	Sara J. Roether	44.87
33101	Louis J. Bialas	673.89
33102	Pamela J. Slama	290.59
330103	Bryce Roth	354.18
33104	Arlene F. Sieck	577.50
33105	Lucy B. Honig	255.18
33106	William J. Sauer	171.40
33107	Marcus A. Siebken	346.20
33108	Amanda R. Fichtner	177.32
33109	Jamie L. Opfer	503.21
33110	Sheri J. Condreay	65.02
33111	Chad A. Craghead	675.74
33112	Andrea K. Henrichson	122.20
33113	Benjiman McCullough	44.32
33114	Melissa McCall	144.29

GENERAL FUND:

33004	Ameritas Life Insurance Corp - Retirement	1091.23
33305	U.S. Postmaster – Utility Billing Postage	116.36
33306	Sports Express – Partial Payment / Pony Uniforms	800.00
33007	Ackerman Rock & Gravel – 3 Loads of Gravel	840.42
33008	Advanced Graphix Inc – Decal Repair on 2001	53.75
33009	All Makes Office Equip – Clean/Repair Typewriter	48.00
33010	Alltel – Phone Service for April	207.42
33011	Alltel – April Cellular	60.05
33012	Alltel – Long Distance for April	5.70
33013	Bob’s Automotive – Work & Parts on Tanker	166.60
33014	Butch’s Welding & Repair – Labor/Weld Banner Brkt	6.50
33015	Sports Express – Balance on Pony Uniforms	366.00
33016	City of Milford (Petty Cash) – Cash Box for Pool	20.00
33017	Culligan Water Conditioning – Soft Water	17.00
33018	Dorchester Coop – Gas & Diesel, Battery, Tire Repair	1022.55
33019	Eakes Office Plus – Copier Toner, Copy Paper	61.95
33020	Farm Plan – Parts for JD Mower	49.24
33021	Fast Signs – Signs for Pool	90.89
33022	The Garbage Company – Service for April	87.00

33023	Graham Tire Lin. North – Replacement Tire for '01	61.75
33024	Great Plains One-Call – Locate Request, Surcharge	29.19
33025	Heartland Auto Body – Balance owed on '01 Repair	358.64
33026	JWC Environmental – Work/Replace Muffin Monster	4321.34
33027	Kirkham Michael – Flood Mitigation	334.00
33028	Kustom Signals, Inc. – Remote Wiring, VHS Clnr Tape	42.72
33029	League of NE Municipalities – Acctng & Finance Conf	195.00
33030	Lesco Inc – Fertilizer	420.00
33031	Linweld – Oxygen	31.40
33032	Sport Supply Group – Supplies, Balls	661.41
33033	MARC – Pur-Solv, ZAP	115.32
33034	Menards–Rip Hammer, Green Treat, Door Latch, Tray	123.66
33035	Milford Economic Devel – Domain Regist. Renewal	35.00
33036	Milford Plumbing Inc – Kitchen Disposal	302.50
33037	Milford Supermarket – Batteries & Donuts	12.05
33038	The Milford Times – Notices, Minutes, Meetings, Ads	247.07
33039	Milford Volunteer Fire Dept – Fire School	685.00
33040	Mutual of Omaha Companies – Group Insurance	5040.71
33041	NE Crime Commission – Updated Criminal Justc Dir	14.00
33042	NE Dept of Labor – Elevator Inspection	75.00
33043	NE Dept of Revenue – Sales Tax for April	1230.28
33044	NE Motor Parts Co – Brake Fluid, Switch, Spk Plugs	184.76
33045	NE Public Power District – Service for April	3549.23
33046	Nebraska Tech & Telecomm – Service for April	912.85
33047	NE Fire Sprinkler Corp – Annual Inspection	209.00
33048	Pack N Ship – Shipping Vault Box for In-Car Video	37.01
33049	Peoples Natural Gas – Service for April	344.30
33050	Pitney Bowes – Qtrly Rental	326.69
33051	Pizza Kitchen – 55 Evening Meals	192.50
33052	Accord Capital Corp–Flow Meter, Safety Rope, Gauge	301.25
33053	Roxanne Roth – Clean City Hall, Fire Hall, Library	285.00
33054	Mrs. Wayne Roth – 2 Birthday Cakes	28.00
33055	Salem Oil Company – Oil for HiRanger	193.20
33056	Schlegel's Groceries – Cat Food, Film Processing, Groc	73.22
33057	Seward County Rural Public Power Dist – Wells 4 & 5	278.19
33058	Subway Motors Co–Replace Water Pump, ByPass Hose	53.35
33059	Sunrise Country Manor – 422 Meals for April	1266.00
33060	Beverly Wehrs – Mothers Day Lunch, Paper Towels	23.50
33061	Williams Christmas Trees – Tree Spade Time	325.00
33062	Tim Churchill – Water & Sewer Deposit Refund	30.76

33063	Char TeSelle – Senior Center Program Food	41.00
33064	Susan Trabert – Replace 1 Head	6.95
33083	Ameritas Life Insurance Corp – Retirement	1091.23
33115	Ameritas Life Insurance Corp – Retirement	1091.23
33116	A.S.A. – 18’s State Fee	100.00
33117	Am S-Ball Assoc – 14’s State Fee	100.00
33118	American Girl – 2 Year Subscription	36.00
33119	Am. Softball Assoc – 12’s Purple State Fees	100.00
33120	Amateur Softball Assoc – 12’s White State Fees	100.00
33121	American Fence Co., Inc – Pipe, Bar, Carriage Bolts	16.64
33122	ACCO – Liq Chl Carboy, Reconditioning	387.44
33123	Thomas T. Beeler, Publisher – 12 Books	173.91
33124	Best Western Riverside Inn – State Fire School/Hotel	709.99
33125	Blevens Law Office – Legal Services for May	350.00
33126	Bound to Stay Bound Books – “Color of His Own”	9.09
33127	Terry Buchli – Mileage/Meals = State Fire School	647.45
33128	Centaur Enterprises, Inc – Seafoam, Gloves	116.83
33129	Center Point Publishing – 4 Books	40.03
33130	City of Milford (Petty Cash) – Office Supplies, Postage	30.18
33131	Don’s Pioneer Uniforms – 2 Shirts	77.90
33132	Follett Software Co – Service Agreement	160.00
33133	Good Housekeeping – 3 Year Subscription	57.97
33134	Heartsong Presents – 8 Books	19.94
33135	Lucy Honig – Basic Skills / Mileage & Parking	37.74
33136	Holiday Inn/Kearney – LECC Conference/Hotel	117.83
33137	I J Janitorial Srvc–Clean/Was Kitchen & 4 Bathrooms	80.00
33138	Ingram Library Services – 19 Books	206.61
33139	Law Enforcement Equip Co – Gun Racks & Cases	115.30
33140	The Library Store – Office Supplies	49.85
33141	Lincoln Winlectric Co – 9V Batteries	33.48
33142	Member Service Center – 6 Books	19.37
33143	Milford School Dist #5 – Fines/Liq Lic for May	715.00
33144	Milford Volunteer Fire Dept – VCR	73.46
33145	Midwest Laboratories, Inc – Lead Test/Water Tower	30.50
33146	Midwest Radar & Equip – Radar Unit Certification	90.00
33147	Mutual of Omaha Companies – Disability	109.23
33148	National Geographic Society – “Ancient Pioneers”	13.90
33149	Nebraska Health Laboratory – Coliform Tests	30.00
33150	Ollis Book Corporation – 25 Books	300.40
33151	Omaha Life Insurance Co – Life Insurance	75.25

33152	OMB Police Supply – Dimmer Switches	91.92
33153	Oswald Electric – Water Heater Fuse	40.65
33154	Organic Gardening – 1 Year Subscription	19.96
33155	Oxmoor House – “Crochet with Heart”	29.91
33156	Perma-Bound – 3 Books	35.87
33157	Regent Book Co., Inc. – 1 Book	15.40
33158	Reiman Publications – 2 Year Birds & Blooms	29.98
33159	Richert’s Floor Service – Carpet Repair	27.50
33160	Roxanne Roth – Clean City Hall, Fire Hall, Library	200.00
33161	Seward County Rural Public Power – Wells 4 & 5	370.59
33162	Sister Act – Barrel Planted, Work at Sr Cntr-Matt	88.62
33163	Southeast Library Systems – 13 Requests LL	26.00
33164	Union Bank – Gary TeSelle Account	250.00
33165	Uniservice, Inc – Pants & Rags	135.29
33166	Unites States Postal Service – Postage for Meter	200.00
33167	Wal Mart – Paper Towels, Coffee, Supplies	18.73
33168	Watts Up – Lights for Score Boards	248.80
33169	A.S.A. – 10’s Purple State Fees	100.00
33170	Am S-Ball Assoc – Dist Fees/10’s,2-12’s, 14’s,18s	500.00

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Housing Authority minutes for May 14, 2001; Library Board minutes for May 24, 2001; Planning & Zoning minutes for May 15, 2001; Police Dept. Activity Report for May 2001.

Burroughs – There has been electrical damage on baseball field #3. A pole was struck by lightning causing damage to the electrical panel. Gene Kremer has assessed the damage and ordered parts for repair. Some games will need to be rescheduled. The statue at the cemetery was hit on Memorial Day by a vehicle, causing it to be off centered at the base. An estimate for repairs is being gathered. The swimming pool lights have not been installed due to the wrong poles being sent and engineering requirements taking more time for approval. The pool has only been open 2 days due to inclement weather. Fortune – The Council will need to hire an engineer at the July meeting to prepare a copper study, which needs to be in place by December 31, 2001. A significant amount of money will need to be budgeted next year for this study. Plessel – The 3 year contract with the Auditor has expired. Mayor Plessel reviewed the costs from last year and presented estimated costs for the upcoming year. If GASB 34 is implemented the cost will increase dramatically, roughly up to \$7,000. Mayor Plessel informed the Council that they have received their budget worksheets and need to be checking their calendars for a date in early July to meet. Mayor Plessel also

noted information had been submitted by Joyce Forst regarding the "Independence Day Parade". They requested closing off the streets around the Uptown City Park from 6:30 pm to 7:00 pm on July 3, 2001. Chief of Police Siebken stated that last year they didn't block any streets off, they just escorted the parade around the block after it was assembled in the Milford Clinic parking lot.

COMMUNICATIONS: Sales tax received for the month of March 2001 was \$12,168.77. NPPD lease payment received in the amount of \$26,558.46. Chief of Police Siebken – 607 total calls for the month of May. The individual that hit the cemetery statue has been located. Several individuals were cited after shooting out streetlights and windows at the pool.

UNFINISHED BUSINESS:

Discussion of Opening Alley between 1st & Park Ave. and "C" & "D": Mayor Plessel addressed the representatives of the Ferris family as they had asked to meet with the Council and have some questions answered. Mark Ferris offered the floor to anyone present who was in favor of opening the alley. Irene Boshart noted that they have tried to get the alley open for some time now. People that use the alley have to back out or use Scott Stutzman's driveway to turn around. She noted that all the other neighbors would like to see the alley open. Mark Ferris noted that opening the alley does not benefit the entire community. He asked for a number of people that wanted the alley opened. Susan Harding noted that there is a utility easement in place for access if repairs are needed. When the alley was partially opened, neighbors knew at that time the alley would only be accessible that far. Ferris' lot would be split right in half if an alley would be placed all the way through. It was asked if the other property owner had been approached about the alley. Bruha noted that he had spoke with them and they were agreeable to open their portion of the alley. Fortune mentioned that his main concern was with the maintenance dept. and the use of large equipment for upkeep of the alley and snow removal. It is difficult to turn that size of equipment around in an alley they have to back out. Fortune noted that this alley should be opened and would pursue that effort. Irene Boshart noted that Scott Stutzman and Elwood Hershberger approached Mildred Ferris regarding opening the alley when she was still living there and offered to clean up the bushes and pay for the first load of rock. Cooper explained that there are some alleys in town that are not open all the way through. This case usually exists when there is not a street accessible at the other end. Blevens noted that an appraisal has been started on the property but is not complete. Mrs. Boshart mentioned that it would be nice if the garbage

trucks had access to the alley so they wouldn't have to place their trash on 1st Street. Mayor Plessel asked for further comments or questions. The Council had none. Mark Ferris mentioned again, "Who is everyone that wants the alley open?" Theresa Ferris noted that the communication has been poor. Mayor Plessel confirmed that they would contact the family "Mark Ferris" when a decision was made as to where the issue was headed.

Carnival Site – Roger Wittrock, Brian Utter and Sean Kremer: Roger Wittrock recapped using "B" Street south of 1st for the Carnival and felt the Council was not in favor of this proposal. The Chamber looked into an alternate site of using the South Park, down by the swimming pool. Problems arose with this site as well. Traffic congestion at the entrance of the park with 8th Street, "D" Street and Fairway Drive all coming together at one main point. Chamber looked into tents, which were very expensive. Concern with parking at the Golf Course and Police Patrol. The paper had mentioned using Walnut Street as a possibility. Brian Utter and Sean Kremer were present to oppose that option. With all this in mind, Roger Wittrock presented to the Council to block off 1st Street, from "B" to Walnut for the carnival from Thursday, August 17th at 5:00 pm to Sunday, August 19th at 6:00 pm. The carnival would then have that evening to tear down the rides. 1st Street should be open by Monday morning. There were a number of people in the community that had contacted Roger Wittrock and Joyce Lauer with opinions on leaving the carnival on 1st Street like it was in the past. This is the Chamber's way of saying Thank you to the community for all their support over the year. A motion was made by Neal and seconded by Cooper to accept the proposal of closing 1st Street from "B" to Walnut for the carnival during the Fun Days. Roll call vote: Neal yes, Cooper yes, Burroughs yes, Fortune yes. Motion carried.

PUBLIC HEARING – Amend Zoning Ordinance to change street side yard setback: Mayor Plessel opened the public hearing at 8:25 pm. She read the proposal presented by the Planning & Zoning Committee. (attached to these minutes) Blevens commented regarding a concern for establishing a new zoning area. Blevens reviewed procedure of condemnation. R-1, R-2 and R-3 have a front yard setback of 15' for a single family dwelling with accessory bldgs. at a 25' setback. Bruha noted the concern had been brought up at the P & Z meeting regarding small lots in the old part of town. Bruha presented the Council with a map of the town showing out 139 corner lots in the designated area 10 of them are single lots. The rest of the corner lots have 2 or more 40' lots that the home sits on. In a residential area the focal point should be the home not an accessory building. Fortune noted this item needs some more thought and he suggested tabling this matter until July.

Neal asked when the 15' and 25' setbacks had been established. The comprehensive plan was completed in 1993. Bruha suggested to the Council to leave the plan as it is to have uniformity throughout the town. Mayor Plessel closed the public hearing at 8:43 pm.

NEW BUSINESS:

Introduction and Adoption of Ordinance – Amend Zoning Ordinance:

A motion was made by Fortune and seconded by Cooper to table this item. Roll call vote: Fortune yes, Cooper yes, Burroughs yes, Neal yes. Motion carried. A joint meeting will be held between the Council and the Planning & Zoning.

Hire Library Clerk: A motion was made by Neal and seconded by Fortune to hire Zach Eden as the library clerk at an hourly wage of \$5.15. Roll call vote: Neal yes, Fortune yes, Burroughs yes, Cooper yes. Motion carried.

Authorize Notice to Bidders – General Insurance: A motion was made by Cooper and seconded by Neal to advertise notice to bidders for the general insurance. Roll call vote: Cooper yes, Neal yes, Burroughs yes, Fortune yes. Motion carried.

Firework Permits: One application was received by Rich Ludvik with ½ Price Fireworks to be located at 410 S. State Hwy near Mini Mart. Dates of sale are June 24 thru July 5. A motion was made by Burroughs and seconded by Fortune to approve the application for sale of fireworks to Rich Ludvik with ½ Price Fireworks. Roll call vote: Burroughs yes, Fortune yes, Cooper yes, Neal yes. Motion carried.

Police/Traffic Matters – Jack Zimmerman: Compliments were given to the Police Dept. for their fine job of reducing the speed of vehicles on 4th street near Casey's. Mr. Zimmerman noted that a new family has moved into the house on the corner of 4th and Maple, which adds to the number of children in the neighborhood. He is concerned with the amount of traffic in the area and the number of children playing in their yards but occasionally going into the street without looking. He noted the public should be made aware of children playing in this area. Chief Siebken suggested placing a "Children at Play" sign in the area to bring this to the attention of individuals operating motor vehicles. Chief also noted that they would step up patrol in this area but it is hard to be in one place all the time. Mr. Zimmerman also mentioned that he felt the Council should start looking into another officer, as patrolling the town is difficult when only one officer is on duty.

Award Bid – Valley View Lift Station: Four bids were received. The bids came in higher than anticipated but in order to alleviate the problems in this area Fortune did not want to down grade the plans. After reviewing the budget and the time line for payment Fortune suggested proceeding with this

project. A motion was made by Fortune and seconded by Cooper to award the bid to General Excavating in the amount of \$95,583.00 with work substantially complete on or before October 31, 2001 and completion date for final payment on or before November 10, 2001. Roll call vote: Fortune yes, Cooper yes, Burroughs yes, Neal yes. Motion carried.

Authorize Signature – Maintenance Agreement, Dept. of Roads: A motion was made by Fortune and seconded by Burroughs to authorize the Mayor’s signature on the maintenance agreement with NE Dept. of Roads. Roll call vote: Fortune yes, Burroughs yes, Cooper yes, Neal yes. Motion carried.

Private Well Permit: A motion was made by Fortune and seconded by Cooper to approve the private well permit of Johnnie Walters at 117 S. “F” St. Roll call vote: Fortune yes, Cooper yes, Burroughs yes, Neal yes. Motion carried.

ADJOURNMENT: A motion was made by Burroughs and seconded by Neal to adjourn the meeting. Roll call vote: Burroughs yes, Neal yes, Cooper yes, Fortune yes. Motion carried and meeting adjourned at 8:55 pm.

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 of June 5, 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