

CITY OF MILFORD
REGULAR MEETING
JUNE 3, 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 3rd day of June 2008 at 7:30 pm. Present were: Mayor J. Elaine Plessel; Council members: Jeff Baker, Dean Bruha, Rick Fortune, Lyle Neal; Attorney Robert Blevens; Chief of Police Forrest Siebken. Also present: Tracy Yeackley, Howard Wurst, Terry Stutzman and Sean Kremer. Absent: Maintenance Supt. Mark Frey and City Clerk Jeanne Hoggins

Notice of the meeting was given in advance thereof by posting in three public places; 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 7:33 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 May 5, 2008 meeting. Roll call vote: Baker yes, Fortune 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 \$57,129.32, Bond principal of \$15,000.00, Bond Interest of \$19,910.00 totaling \$92,039.32 approved by the Auditing Committee be approved for payment. Roll call vote: Bruha yes, Neal yes, Baker yes, Fortune yes. Motion carried.

SALARIES:

46011	Mark Frey	1356.27
46012	Forrest K Siebken	1286.25
46013	Mavis Lynn Ferris	59.10
46014	Jeanne M Hoggins	1273.78
46015	Gary Lee TeSelle	942.95
46016	Scott Dean Fosler	961.92

46017	Robert L Hull	822.61
46018	Beverly J Wehrs	515.99
46019	Edna A Riedl	137.32
46020	David R Dahle	927.46
46021	Louis J Bialas	936.22
46022	Bryce C Johnson	928.47
46023	Philip Winkelmann	888.33
46024	Lindsey S Troyer	312.42
46025	George A Matzen	351.05
46026	Joshua S Wiley	99.73
46027	Tracy L Yeackley	646.39
46028	Brett Allan Muller	465.97
46029	Leanne R Hauder	78.50
46030	Courtney L Bashore	97.78
46086	Mark Frey	1356.27
46087	Forrest K Siebken	1286.25
46088	Mavis Lynn Ferris	47.29
46089	Jeanne M Hoggins	1273.78
46090	Gary Lee TeSelle	1123.00
46091	Scott Dean Fosler	961.92
46092	Robert L Hull	822.61
46093	Beverly J Wehrs	538.37
46094	David R Dahle	960.80
46095	Louis J Bialas	1066.00
46096	Bryce C Johnson	928.47
46097	Philip Winkelmann	888.33
46098	Lindsey S Troyer	233.28
46099	George A Matzen	545.70
46100	Joshua S Wiley	130.22
46101	Tracy L Yeackley	589.37
46102	Brett Allan Muller	579.95
46103	Courtney L Bashore	83.80
46105	Joyce Elaine Plessel	184.70
46106	Ricky Gene Fortune	138.52
46107	Dean Alan Bruha	138.52
46108	Emerson L Neal	138.52
46109	Jeffrey M Baker	138.52
GENERAL FUND:		
46002	Coventry – Reissue Underwriting Check	7271.91
46003	Don Williams – Rock	500.00
46004	US Postmaster – Utility Billing Postage	168.02

46005	Lance Frieson – WA/SW Deposit Refund	74.33
46006	Tim Hergenrader _ WA/SW Deposit Refund	50.00
46007	Rob & Shari Parks – WA/SW Deposit Refund	50.00
46008	Crystal Pierce – WA/SW Deposit Refund	33.26
46009	Lisa Sandage – WA/SW Deposit Refund	45.49
46010	Jack Zimmerman – WA/SW Deposit Refund	11.31
46031	Ameritas – Pension	1594.59
46032	Ameritas Group – Dental & Vision	1066.76
46033	Alltel – Cellular	20.15
46034	Windstream – Long Distance for April	6.05
46035	Aramark – Pants & Rags	296.73
46036	Butch’s Welding – Labor, Bolts, Nuts, Oxygen	91.06
46037	Central States – Asphalt	540.50
46038	City of Milford – Petty Cash	25.00
46039	Conner Roofing – Roof Pool House	9200.00
46040	Farmers Cooperative – Gas/Diesel for April	1690.61
46041	D&D Communications – Radio Antenna Repair	94.00
46042	Diode Communications – Service for April	54.15
46043	Deep Rock – Drinking Water	29.21
46044	Drummond American Corp – Curved jaw pliers	29.99
46045	Eakes – Typewriter Insurance	240.10
46046	InsureNebraska – Bond Renewal-Marcy	200.00
46047	G&P Development – Trash From Ball Tournament	19.15
46048	The Garbage Co – Garbage Pickup	165.26
46049	Great Plains-One Call – Locate Requests	14.97
46050	Ikon Office Solutions – Additional Images	32.92
46051	Kelly Supply Co – 90 Deg Elbow	4.10
46052	Key Equip – A/C Compressor Field ke	768.83
46053	Kremer Electric – Receptacle cover, Plate, Lamp	811.45
46054	Menard’s – Paint and fans	316.07
46055	Milford A/C & App – Service A/C	85.74
46056	Milford Times – 1 yr subscription	24.00
46057	Midwest Mailing – Rate Card for Postage Meter	210.00
46058	Municipal Supply – 4 water meters, cap	1077.39
46059	Mutual of Omaha – Disability	79.33
46060	NE Dept of Revenue – April Sales Tax	1522.09
46061	NE Motor Parts – Spot light bulb, knife, drill, clamp	74.85
46062	NPPD – Service for April	4474.43
46063	NT&T – Service for April	430.69
46064	NE Fire Sprinkler Corp – Annual & 5 Yr. Inspection	296.00
46065	Aquila – Service for April	850.67

46066	Pizza Kitchen – April Meals	222.50
46067	Poolmart, Inc. – Filter cleaner, clocks	1331.50
46068	Reimers Kaufman Concrete – Marble Dust & Delivery	322.50
46069	Roxanne Roth – Cleaning Services	250.00
46070	Mrs. Wayne Roth – 2 Birthday Cakes	36.00
46071	Sam’s Club – Cleaning Supplies, Paper towels	236.61
46072	Seward Co Independent – Notices, Minutes, Ads	366.56
46073	SPPD – Wells 1 & 2	477.96
46074	Share Corp – Windshield Washer	124.47
46075	Shell Fleet Plus – Car Gas	27.59
46076	Wayne Stohlmann – Registration & Lodging	256.00
46077	Subway Motors – Gasket	4.00
46078	TCA – Rebuild Starter, Labor	115.00
46079	Sunrise Co Manor – April Meals	1088.75
46080	US Postmaster – Permit Renewal	175.00
46081	Windstream – Civil Defense, Local/Internet	168.48
46082	Camille Wanetka – Grass Seed Reimbursement	28.87
46083	AFLAC – Dis, Cancer, Acc, Suppl	406.26
46084	Coventry Health Ins – Health Insurance	8282.50
46085	Shell Fleet Plus – Fuel for April	767.22
46104	Ameritas – Pension	1607.52
46110	American Lifeguard Products – Swimsuits, whistles	659.71
46111	Blevens Law Office – Legal Services	350.00
46112	BSN Sports – Home Plate, Bases, Balls	237.48
46113	Centaur Enterprises – Grinder, Washers, Nuts	144.05
46114	City of Milford – Petty Cash (Deed, Postage, Workshop	71.57
46115	Fast Signs – Signs for pool	134.62
46116	Fort Dearborn Life Ins – Life Insurance	113.52
46117	Gerhold Concrete – Concrete, Lime Stone	218.00
46118	Great American Leasing Corp – Seward Co Prop Tax	45.50
46119	Hawkins – Calcium Hypochlorite	689.70
46120	I-80 Pony League – League Fee Registration	20.00
46121	Kelly Supply Co – Coupling, Bushing	44.06
46122	Layne Christensen Co – Sonar Well & Pump	7905.50
46123	The Library Store – Barcode Labels & Tape	42.84
46124	Lincoln Winwater Works – Flange, Reducer	188.43
46125	Linweld – Oxygen	126.15
46126	Menards – Pickup Tool, Battery	47.93
46127	Milford A/C & Appliance – A/C Maintenance	189.99
46128	Milford Plumbing – Galv Pipe, Galv Nipple	34.63
46129	Holiday Inn – Rooms for Fire School	1100.00

46130	Midwest Unlimited – Lubricator, coupler	73.43
46131	Brett Muller – Mileage for Concessions, Umpiring	626.81
46132	Municipal Supply – Flange, Gasket, pipe	362.65
46133	NE Public Health – Coliform Test	32.00
46134	NIFCO Mechanical Systems – Galv Sch 40	102.18
46135	Roxanne Roth – Cleaning Services	345.00
46136	SLS – SLS U10’s and U8’s Registration	270.00
46137	The Sprinkler Guy – Sprinkler, labor	43.00
43138	Union Bank – Gary TeSelle Acct #5562939	300.00
46139	Voss Lighting – Bulbs, Globes	168.30
46140	Walmart – First Aid Kits, Bankers Box, Towel	84.48
46141	Wergins Lawn Service – Spray	337.50
46142	Windstream – Paging-Wide Area, Local	13.60
46143	Local Insight Yellow Pages – Directory Advertising	14.60
46144	Jeremy Dinges – Food @ Fire School	72.92
46145	Rose Kenney – Incrediballs	53.89
46146	Troy Pickerall – Mileage	106.05
46147	Brett Troyer – Umpire 2 games	60.00

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Milford Fire Dept. minutes for April 8, 2008; Police Dept. Activity Report for April 2008; Fire report for May 2008 and Rescue NARSIS report for May 2008. Bruha – tree trimming needs to be done, clean up right-of-way. Fortune – cost of fluoridation put on next months agenda. Chief Siebken – word is out regarding the dept’s thermal imager and they have been contacted by other dept’s. Bruha - The Economic Development Board met with J. Bittner, Project Manager, of the Upper Big Blue Resources District to discuss what could be done to spur more development in the community. The Business District doesn’t lend itself to much development. Water run off is an issue for some residential area development. NRD would be willing to do a study of the drainage areas for the entire community. This information could be retained for years down the road and future development. They are willing to try and put together a proposal for the July council meeting. The aerial photos will need to be taken when there is no foliage, earliest would be this fall. Bruha met with John Olsson regarding future projects and Bruha mentioned this project. John Olsson is willing to put together some numbers to do the similar study.

COMMUNICATIONS: *Sales tax received for the month of March 2008 was \$9,636.56. *1st Quarter Lease Payment from NPPD - \$34,527.76. *Thank you notes received from Webermeier Scholarships recipients Brad Rediger, Josh Wiley and Shauna Stauffer.

UNFINISHED BUSINESS:

Introduction and Adoption of Ordinance – Amend Section 3-113:

Council member Neal introduced the following ordinance:

ORDINANCE NO. 809

AN ORDINANCE TO AMEND 3-113 OF THE MUNICIPAL CODE; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

Introduction and Adoption of Ordinance – Amend Section 3-204:

Council member Fortune introduced the following ordinance:

ORDINANCE NO. 810

AN ORDINANCE TO AMEND 3-204 OF THE MUNICIPAL CODE; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

NEW BUSINESS:

Introduction and Adoption of Ordinance - Amend Ordinance 798, Section 9-205; adjust Permit Fees: After discussion the Council decided to leave the permit fees the same and keep an eye on the difference between the inspection fees and permit fees for the next year.

Introduction and Adoption of Ordinance – Annexation, First Reading:

Council member Bruha introduced the following ordinance:

ORDINANCE NO. 811

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN LANDS THAT ADJOIN THE BOUNDARY OF THE CITY OF MILFORD, SEWARD COUNTY, NEBRASKA TO THE CORPORATE LIMITS OF SAID CITY AND EXTENDING THE CITY LIMITS OF SAID CITY ACCORDINGLY; TO DECLARE SAID LANDS AS CONTINGUOUS AND ADJACENT TO THE CITY OF MILFORD, NEBRASKA; AND TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

Request for Hydrant at 1st Street & Hwy 6-Howard Wurst: Howard Wurst expressed his concern with laying a hose across the street to water his flowers. He suggested that we install a hydrant behind the WELCOME sign as there is a shut-off valve located there. Mayor Plessel reported that she had visited with Mark Frey and Frey stated he has no problem with installing a hydrant for the purpose of watering the flowers but he is waiting to hear from the Railroad whether or not the water main is going to be moved due to expansion of the crossing. Council agreed to put in a temporary service for

this year and if the railroad moves the line they will be responsible for replacing it. Fortune will tell Frey to proceed with hydrant.

Discuss Restrooms in Uptown City Park – Howard Wurst: Howard wanted to share his joy of knowing there is work in progress to have restrooms built in the Uptown City Park. Neal shared tentative information with the group regarding a joint storm shelter/restroom. Bruha suggested placing signs on the Webermeier Bldg. that public restrooms are available during regular business hours. Neal stated that the plans are similar to the Welch Park restrooms and to save money, one women's stall and 1 men's stall could be removed. The location for the restroom would be south of the new playground equipment in close proximity to where it was previously located. Neal doesn't have a cost estimate but is looking into having the college students help with the framing and possibly the plumbing. Fortune encouraged the sign suggestion and Bruha stated Frey could look into this. It was also suggested to place a port-a-potty in the park during the summer months. Howard Wurst gave his theory behind keeping up with vandalism. As soon as it is vandalized, clean it up. The vandal's will loose interest if it's taken care of right a way.

Recommendation from Planning & Zoning on Mobile Home Park Regulations: Fortune stated Planning & Zoning were of the opinion that the 12 month ordinance would come into play. The recommendation was that the mobile home that was brought in is now out of compliance because of the 12 month regulation. Jeanne called JEO to get Keith Marvin's opinion on the wording of the regulations. He stated that you can interpret it several different ways. One thing to remember it's not just the mobile home that is non-conforming it is the entire trailer park. Bruha mentioned that the P & Z researched both the old and the new Comprehensive Plan to see if the 12 month rule was in place at the time the trailer burned down. They discovered that both books had the written rule in place. Fortune commented on the College View trailer park and how Snyder's have trailers going in and out. If there comes a time when he can't fill the spot over a 12 month period than are we going to ban him from moving in a new trailer because of these regulations. Fortune – if we look at the trailer park as a whole and not each mobile home individually then the 12 month rule would not apply. The entire trailer park would need to be empty for a 12 month period before this rule would apply. Bruha noted that the City needs to have something in place that is clear and concise. Bruha also commented on the need for RV parking in town and possibly designing regulations allowing short term use of stalls for RV's. Sean Kremer recalled at the end of the Comprehensive Plan meetings that he and Maury Hansen were happy with the decision that was made regarding the trailer parks. This leads him to believe that the

trailer park is to be looked at as whole, not individual units. Blevens explained that the trailer park has been non-conforming for many years and the City has allowed trailers to be removed and replaced in the past. You don't want to take away the business opportunity that they've had in the past. The other question is whether you allow the same size trailer to be placed on the same footprint as the previous. The original question arose as to the size of the new trailer in Skyline Trailer Park, in comparison to the size of the trailer that burned. Bruha suggested documenting the size of the trailers as they presently sit on the lots for future replacement. Kremer stated that he is working on providing this information to City Hall. Blevens suggested rezoning the trailer parks to a RM District and you wouldn't have this trouble. Bruha recalls discussion where the Council didn't want the trailer parks. The idea of having regulations for non-conforming uses or structures gives some kind of guidelines for the future. If the same size trailer can't be found within 12 months then the ground reverts back to its originally zoned use. After the opinion of Attorney Blevens and Keith Marvin, Fortune doesn't know how the City can tell Sean he can't leave the trailer where it is. If the P&Z had the information that was presented to the Council they may have made a different recommendation. The concept is quite confusing and Fortune suggested bringing Keith Marvin back to a meeting for further input. Sean has a couple of things he would like clarified: can he bring in a trailer of the same size or larger if the rules permit and explanation of the 12 month rule. Sean also questioned why Skyline Trailer Park was zoned different than the other trailer courts. The Council agreed to invite Keith Marvin back for a special meeting for clarification of the issues addressed.

Set Date for Budget Work Night: Council members agreed to meet on June 26, 2008 at 5:30 pm for Budget Work Night.

Special Designated Liquor License-Beer Garden, VS Investments: The Council approved the Liquor License for a Beer Garden on July 26, 2008 from the hours of 10:00am to 1:00am for Sheri's Grill and Bar. Roll Call Vote: Fortune yes, Baker yes, Bruha yes, Neal yes. Motion carried.

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 yes. Motion carried and meeting adjourned at 9:11 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 June 3, 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