

CITY OF MILFORD  
REGULAR MEETING  
MARCH 1, 2005  
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 1<sup>st</sup> day of March 2005 at 7:30 pm. Present were: Mayor J. Elaine Plessel; Council members: Dean Bruha, Terry Good, Lyle Neal; Attorney Robert Blevens; City Clerk Jeanne Hoggins; Chief of Police Forrest Siebken and Maintenance Supt. Mark Frey. Absent: Rick Fortune. Also present: Travis Yeackley, Wayne Stohlman, Jeff Heckman, Dennis Kubicek 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 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 Bruha and seconded by Good to approve the minutes of the February 1, 2005 meeting. Roll call vote: Bruha yes, Good yes, Fortune absent, Neal yes. Motion carried.

**PAYMENT OF BILLS:** A motion was made by Neal and seconded by Bruha that the following bills in the amount of \$60,651.52 approved by the Auditing Committee be approved for payment. Roll call vote: Neal yes, Bruha yes, Fortune absent, Good yes. Motion carried.

**SALARIES:**

40039	Mark Frey	1219.03
40040	Forrest K Siebken	1199.64
40041	Mavis Lynn Ferris	27.89
40042	Jeanne M Hoggins	1072.83
40043	Gary Lee TeSelle	709.02
40044	Scott Dean Fosler	870.31
40045	Robert L Hull	759.73
40046	Beverly J Wehrs	444.65
40047	Edna A Riedl	319.42
40048	David R Dahle	872.43

40049	Louis J Bialas	854.43
40050	Bryce C Johnson	776.84
40051	Philip Winkelmann	776.84
40052	Regan Beranek	128.72
40053	George A Matzen	202.12
40054	Tracy L Yeackley	555.98
40055	Barbara L Shurtleff	269.19
40104	Mark Frey	1219.03
40105	Forrest K Siebken	1199.64
40106	Mavis Lynn Ferris	29.28
40107	Jeanne M Hoggins	1072.83
40108	Gary Lee TeSelle	1018.87
40109	Scott Dean Fosler	870.31
40110	Robert L Hull	982.16
40111	Beverly J Wehrs	527.10
40112	Edna A Riedl	303.34
40113	David R Dahle	1028.07
40114	Louis J Bialas	1028.10
40115	Bryce C Johnson	787.60
40116	Philip Winkelmann	776.84
40117	Regan Beranek	120.32
40118	George A Matzen	225.79
40119	Tracy L Yeackley	555.98
40120	Barbara L Shurtleff	287.31
40122	Roger L Kness	224.73
40123	Joyce Elaine Plessel	184.70
40124	Ricky Jean Fortune	138.52
40125	Dean Alan Bruha	138.52
40126	Emerson L Neal	138.52
40127	David Terry Good	138.52
<b>GENERAL FUND:</b>		
40056	Ameritas Life Insurance Corp – Pension	1396.15
40057	U.S. Postmaster – U.B. Billing Postage	142.72
40058	Alltel – Service for January	271.13
40059	Aramark – Pants & Rags	164.36
40060	Best Buy – Memory stick for camera, pigtail for laptop	81.98
40061	Blue Valley Pest – Treat for ground squirrels	95.00
40062	Butch’s Welding – 3” Rod, plate, flat, labor	92.53
40063	Centaur Enterprises – 4 x ¼ x 5/8 A24R	36.68
40064	Central States – 2800 LBS Triple Melt	2297.76
40065	Colin Electric – Repair well motor, labor	1520.87
40066	Culligan Water – Soft water	19.00

40067	Farmers Cooperative – Gas/Diesel for January	1704.85
40068	Deep Rock – Drinking Water	18.39
40069	Don’s Pioneer Uniforms – 2 Uniform Shirts	106.01
40070	Eakes – Copies, correction tape, toner cartridge	374.17
40071	Forties Benefits – Health Insurance	7242.91
40073	Garbage Co. – Garbage pickup for January	111.25
40074	Gene’s Electric – Meter socket, hub, labor	464.40
40075	Great Plains One Calls – One calls	3.83
40076	Holiday Inn – Room for Service Meeting	66.00
40077	Marvin E. Jewell – Audit Services	10500.00
40078	Leichty Excavating – Demolish Uptown Restroom	1500.00
40079	Milford A/C & Appliance – Repair Heater, fan	378.50
40080	Milford Supermarket – Soup Lunch	48.24
40081	Milford Times – Notices, minutes, 6 year plan	158.40
40082	Milford Valu-Rite – Supplies for shock treatment	193.20
40083	Miller-Monroe – Add on 2005 Dump Truck	519.00
40084	Municipal Supply – Elbow, coupling, valves	932.89
40085	Mutual of Omaha – Disability	79.33
40086	NCBOI – Building Official Seminar 2005	150.00
40087	NE Dept of Revenue – January Sales Tax	1452.09
40088	Nebraska Motor Parts – Fuel filter, Oil filter	357.50
40089	NPPD – January Services	4681.29
40090	NE Tech & Telecomm – Service for January	501.81
40091	Aquila – Service for January	2040.21
40092	Pizza Kitchen – January 20 evening meal	81.50
40093	Poolmart – Funbrella	4191.90
40094	Racom – mobile radios	618.00
40095	Roxanne Roth – cleaning services	250.00
40096	Schlegel’s Groceries – coffee, lightbulbs, milk, groceries	112.45
40097	VOID	
40098	SPPD – Wells 1 & 2	241.20
40099	Special Occasions – Mylan Décor	19.95
40100	Stutzman Digging – New Manhole & Line	7250.00
40101	Technical Maintenance – Labor, travel time, mileage	168.80
40102	Sunrise Country Manor – January Meals	1054.80
40103	St. Paul Stampworks – Golf cart licenses	79.34
40121	Ameritas – Pension	1396.15
40128	ACI Nebraska Chapter – Membership Dues	30.00
40129	AFLAC – Dis, Cancer, Acc, Supp’l	334.16
40130	Blevens Law Office – Legal Service for Feb.	350.00
40131	Centaur Enterprises – Hose Clamp, Blades	26.55
40132	Center Point Publishing – 1 Book	23.06

40133	City of Milford – Pocket folders, postage	4.23
40134	Christian Book – 9 Books	92.31
40135	Colin Electric – Deductible for Motor	500.00
40136	D & D Communication – Equipment Repair	99.00
40137	EMP – Emergency Supplies	247.67
40138	Fort Dearborn – Group Life Ins.	127.28
40139	Gall’s Inc. – First Aid Kits, CPR Masks	387.88
40140	Hawkins Water Treatment – Injection Check Valve	66.20
40141	Ingram Library Services – 18 Books	203.76
40142	Kelly Supply Co – Thread Tape, Ell, Nipple	32.34
40143	Layne Christensen Co. – Labor, Parts	1257.77
40144	Lynn Peavey Com – Finger Print Kits	100.86
40145	Midwest Tape – DVD’s	87.11
40146	Milford Plumbing – Fountain Kit, cement & labor	110.50
40147	Milford School Dist. – Parking Fines	75.00
40148	Milford Times – 1 Year Subscription	23.00
40149	MVP – Siren Driver	175.48
40150	NE Crime Commission – Video Catalog	7.00
40151	NE Health Laboratory – 2 Coliform	30.00
40152	NE HHS Regulation – 05 Pool Permit	50.00
40153	Orschelens – Materials	42.63
40154	Edna Riedl – Mileage & Parking	21.00
40155	Roxanne Roth – Cleaning Services	250.00
40156	Sister Act – Red Ribbon for CY Mfg.	15.50
40157	Southeast Library Services – 3 Registrations	45.00
40158	Tools Plus Ind. – Safety Glasses	107.53
40159	Union Bank – Gary TeSelle Acct 5562939	300.00
40160	Walmart Community – Coffeemaker	17.72
40161	Husker Auto Group – Paint job on Dump Truck	125.00

**REPORTS OF OFFICERS, BOARDS AND COMMITTEES:** Written reports received were Planning & Zoning Commission minutes for February 10, 2005; Library Board minutes for February 24, 2005; Milford Aging Services Commission minutes from February 15, 2005; Recreation Board minutes for February 21, 2005 and Police Dept. Activity Report for February 2005. Bruha noted the NPPD Facts Book is almost ready to print. The website had 148 hits nationally last year. The book should have a minor update every 2 ½ years with a complete update every 5 years. Good reported to the Library Board that the restrooms in the Webermeier Library would be used for Uptown Park activities. The Library Board was concerned about the safety of the Library with the glass walls at the entrance and also the additional cleaning responsibility of the restrooms after events. It was noted that Brad and Roxie Roth would need to be contacted for

additional cleaning if it was needed. Chief Siebken reported 1050 calls for service for the month of February. Officer Winkelmann will be having an evaluation on his shoulder on Friday, March 4, 2005. Officer Winkelmann has been a great help in the office as he has been typing policies for the Dept. Mark Frey reported that the well is back on line. The new dump truck has arrived and discussion was held regarding getting rid of the old one. It was noted to advertise for sealed bids. Rescue Chief Travis Yeackley reported for the month of February 2005: 14 calls for service, 9 medical and 5 trauma with majority of the calls between 4-8 pm. Stohlman reported the new siren on "F" Street has been ordered.

**COMMUNICATIONS:** \*Sales tax received for the month of December 2004 was \$15,562.17. \*NPPD 4<sup>th</sup> Qtr. Lease Payment received in the amount of \$29,287.17. \*Galaxy Cable Annual Franchise Fee received in the amount of \$7,115.99.

**NEW BUSINESS:**

**Award Bid – Ambulance:** Travis Yeackley informed the Council that the bids for the ambulance were opened on Friday, February 25, 2005. Only 1 bid was received from MVP in the amount of \$134,899.00. Yeackley explained that 3 personal letters had been sent out and a notice was published in the paper. He also noted that the ambulance is somewhat a custom design and that not all vendors have the ability to customize units. A motion was made by Neal and seconded by Good to award the bid of \$134,899.00 to MVP. Roll call vote: Neal yes, Good yes, Bruha yes, Fortune absent. Motion carried.

**Audit Report – Dennis Kubicek:** The audit report for the fiscal year ending September 30, 2004 was presented by Mr. Kubicek. He explained the new format of the document and highlighted on different financial pages. GASB 34 was in affect for Cities of the second class. The MD and A (Management Discussion and Analysis) report is attached to the audit document. Government-Wide Financial Statements and Fund Financial Statements are two ways of reporting. The funds/departments of the City are now categorized as major and minor funds. The document outlines a description of each major or minor fund. The financial statements include activities for the fiscal year for these funds. The State of NE still allows for modified cash basis reporting. Other states report on an accrual basis. The last two pages of the document report the findings from Marvin E. Jewell & Co. The City had unsecured deposits of \$102.00 at Jones National Bank. Hoggins reported that this had been taken care of.

**Water Disconnect Discussion:** Frey informed the Council that the maintenance dept. has been dealing with water disconnect issues that may be a potential problem. There are several apartment complexes in town that only have one curb stop to disconnect service. The problem arises when one

of the tenants doesn't pay and the other tenants have paid. The City cannot shut the entire unit off at the curb; this forces them to have to enter the apartment to shut off the water at the meter. This is a very unsafe method for liability reasons. Frey requested an ordinance that makes the property owner responsible for the water and sewer billing if the apartments do not have separate curb stop shut offs.

Dorothy Bockoven arrived at 8:30 pm.

It was mentioned to give the property owners an option of plumbing separate services to each apartment unit with individual curb stops or paying the water and sewer bill themselves. Blevens suggested having the property owners sign a letter stating they would be responsible for the bill if it did not get paid. The Council decided to table this item until next month and Attorney Blevens will work on an ordinance.

**Introduction and Adoption of Resolution – Sale of Surplus Property:** Council member Bruha introduced the following resolution seconded by Good.

RESOLUTION NO. 411

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MILFORD, NEBRASKA:

WHEREAS, the City of Milford, Nebraska will sell surplus and abandoned equipment and property, with a value less than \$100.00 per item and a total value of less than \$5,000.00, at the Bee Consignment Auction in Bee, Nebraska, on March 25, 2005 and March 26, 2005, as authorized by Section 17-503.01 RRS,

A copy of this resolution shall be posted in three public places not less than 7 days prior to said sale.

Upon roll call vote as follows: Bruha yes, Good yes, Fortune absent, Neal yes. Motion carried.

Passed and approved this 1<sup>st</sup> day of March, 2005.

CITY OF MILFORD, NEBRASKA

Attest: \_\_\_\_\_

City Clerk

\_\_\_\_\_

Mayor

**Hire Receptionist and set wage:** A motion was made by Neal and seconded by Bruha to approve the Mayor's recommendation of hiring Arlene Sieck for the part-time receptionist position at \$8.50 per hour. Roll call vote: Neal yes, Bruha yes, Fortune absent, Good yes. Motion carried.

**Appoint Steering Committee for Comprehensive Plan Update:** A motion was made by Bruha and seconded by Neal to approve the Mayor's recommendation of appointing the following individuals to the Comprehensive Plan Steering Committee: Planning & Zoning Committee;

Building Official Roger Kness; Mayor and City Council members; Jim Kremer, Gerry Dunlap, Dave Whitney, Kendall Hoggins and Mark Frey. Roll call vote: Bruha yes, Neal yes, Fortune absent, Good yes. Motion carried. Responsibilities of the group, per the Mayor, are reviewing the current plan, making any necessary changes and reviewing and updating the zoning and subdivision regulations.

**Employee Handbook Update:** Dorothy Bockoven had met with Maintenance Supt. Mark Frey, Chief of Police Forrest Siebken and City Clerk Jeanne Hoggins to review the current policy and update changes made by the Fair Labor Standards Act as of August 2004. Bockoven went over the changes, which included areas of discussion over the safety policy, examinations, hours of work, employee categories, workers' comp. retirement, military leave, maternity leave, performance evaluations and department liaisons. The employee handbook will be placed on the agenda for the next regular meeting for final approval.

**Concession Stand Remodel:** Jeff Heckman presented a proposed plan for remodeling the concession stand/restrooms at the Welch Park Ball fields. Heckman stated that he is willing to research grants for possible funding of this project. The Recreation Board would like to look into hanging advertising banners along the fence line for a source of income on the project. The plans will need to have an engineer stamp to approve the ADA compliant restrooms. Heckman noted that a structural evaluation of the current facility should be done to see what direction the board will need to take. Is it worth adding on to the current building or do we need to start fresh? It was suggested to have our Building Official Roger Kness and an Instructor from the College evaluate the building and give a recommendation for construction. A motion was made by Neal and seconded by Bruha to have Roger Kness and a SCC Instructor evaluate the structural integrity of the current facility and review the proposed design for addition of ADA compliant restrooms. Roll call vote: Neal yes, Bruha yes, Fortune absent, Good yes. Motion carried.

**Request for Proposals - 1<sup>st</sup> Street Revitalization Project:** Bruha questioned the Council for their opinion to piece meal the sidewalk project on 1<sup>st</sup> Street or do the entire project at once. Bruha would like to see sidewalk improvements, which would include curb and gutter, from Walnut St. west to "C" Street on both sides of 1<sup>st</sup> Street. Bruha mentioned the age and appearance of the current light poles and that maybe they need to be replaced. A general obligation bond was mentioned for funding the project. Blevens suggested creating an improvement district and levying special assessments. Hoggins offered to walk 1<sup>st</sup> Street and conduct a survey to see who was interested in moving forward with sidewalk improvements. This item was tabled until the next regular meeting.

**Hwy 6 Sidewalk/Crosswalk Project:** Bruha was asking for input regarding sidewalks and a designated crosswalk for Hwy 6. He asked about starting at “F” Street or the edge of the City limits and how far east the Council was interested in going. The current sidewalks stop at Walnut heading east towards the College. Bruha thought there should be sidewalks on both sides of the College entrance. As the Hwy curves north there should be sidewalks along the west side of the Hwy to 1<sup>st</sup> St. and then turning east on 1<sup>st</sup> St. to Elm St. abutting to the current sidewalk. Discussion regarding a crosswalk was held. Traffic control seems to be the problem. It was suggested to write up a proposal for review along Hwy 6 between “B” St. and “F” St. for sidewalks and a crosswalk.

**ADJOURNMENT:** A motion was made by Bruha and seconded by Good to adjourn the meeting. Roll call vote: Bruha yes, Good yes, Fortune absent, Neal yes. Motion carried and meeting adjourned at 10:50 pm.

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Jeanne Hoggins, City Clerk

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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 March 1, 2005 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)

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Jeanne Hoggins, City Clerk