

CITY OF MILFORD  
REGULAR MEETING  
MARCH 2, 1999  
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 2<sup>ND</sup> day of March, 1999 at 7:30 P.M. Present were: Mayor Dean Bruha; Councilmembers Dorothy Bockoven, Gary Cooper, Rick Fortune; Attorney Robert Blevens; City Clerk J. Elaine Plessel. Also present: Paul Carter, Gary TeSelle, John Melena, Brian Bennett, Jeanne Hoggins, and Todd Neeley and Laura Dahlke 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 Bruha called the meeting to order at 7:30 P.M.

**MINUTES:** Tabled to April 6, 1999.

**PAYMENT OF BILLS:** A motion was made by Bockoven and seconded by Cooper that the following bills, approved by the Auditing Committee be approved for payment. Roll call vote: Bockoven yes, Cooper yes, Fortune yes. Motion carried.

**SALARIES:**

28781	Mark Frey	932.12
28782	Joyce Elaine Plessel	730.57
28783	Mavis Lynn Ferris	41.64
28784	Jeanne M. Hoggins	520.01
28785	Gary Lee TeSelle	564.41
28786	David Lee Smith	865.76
28787	Scott Dean Fosler	823.14
28788	Robert L. Hull	611.30
28789	Beverly J. Wehrs	353.89
28790	Edna A. Riedl	274.62
28791	David R. Dahle	615.46
28792	Ann M. Miller	225.39

28793	Amanda L. Lambe	94.50
28794	Louis J. Bialas	583.00
28795	Pamela J. Slama	257.66
28842	Mark Frey	932.12
28843	Joyce Elaine Plessel	730.57
28844	Mavis Lynn Ferris	39.24
28845	Jeanne M. Hoggins	520.02
28846	Gary Lee TeSelle	583.05
28847	David Lee Smith	865.76
28848	Scott Dean Fosler	841.90
28849	Robert L. Hull	635.12
28850	Beverly J. Wehrs	251.40
28851	Edna A. Riedl	338.34
28852	David R. Dahle	683.80
28853	Ann M. Miller	240.81
28854	Amanda L. Lambe	109.93
28855	Louis J. Bialas	584.12
28856	Pamela J. Slama	136.11
28857	Robert S. DeCoste	323.67
28858	Gary W. Cooper	138.52
28859	Roger L. Kness	206.26
28860	Ricky Gene Fortune	138.52
28861	Dean Alan Bruha	184.70
28862	Dorothy J. Bockoven	138.52

**GENERAL FUND:**

28780	U.S. Postmaster – Utility Bill Postage	115.05
28797	Aliant Communications – Service to 2/1/99	737.60
28798	Butch’s Welding & Repair – Flat & Labor	28.28
28799	Casey’s General Store – Donuts for Mtg.	17.45
28800	Culligan Water Conditioning – Soft Water	43.50
28801	Dorchester Farmers Co-op – Supplies	140.35
28802	Dorchester Farmers Co-op – Gas/Diesel	472.36
28803	Judy Davenport – Thurs. Volleyball Director	288.00
28804	Ehlers TV – Antenna Connectors/Labor	198.63
28805	Farmers & Merchants Bank –Loan Payment	1,065.07
28806	Farm Plan – Tractor Parts	346.38
28807	Tim Fichtner – Sat. Basketball Program	180.00
28808	The Garbage Co. – January Service	82.75
28809	Gene’s Electric – Thermostat & Labor	67.50
28810	Great Plains One-Call - Locate Requests	4.46

28811	IHS at Milford – Senior Dinners	1,224.00
28812	Int'l. Chiefs of Police – '99 Membership	100.00
28813	Johnson, Erickson – Road Program	477.44
28814	M & S Auto – Repairs & Labor	484.81
28815	Milf. Comm. Chamber of Commerce – '99 Dues	75.00
28816	Milford School Dist. #5 – Fines & Tobacco Lic.	55.00
28817	Milford Times – Notices/Proceedings	143.19
28818	MOCIC Leadership & Mgmt. – '99 Dues	100.00
28819	NE Dept. of Revenue – Jan. Sales Tax	1,057.31
28820	Nebraska Health Laboratory – Coliform Test	43.75
28821	NE Motor Parts – Supplies	304.88
28822	NE Public Power Dist. – Service to 1/24/99	3,661.64
28823	Office Depot, Inc. – Computer Stand, Bookends	473.95
28824	Omaha Life Ins. Co. – Fire Dept. Ins.	70.00
28825	Peoples Natural Gas – Serv. to 2/1/99	1,044.53
28826	Pizza Kitchen – B-Day Cert.	185.00
28827	Elaine Plessel – Insurance	115.89
28828	Wes Reil – Refund Troyer Bldg. Permit	34.00
28829	Regency Inn of Kearney – Mtg. In Kearney	70.77
28830	Roxanne Roth – Cleaning	215.00
28831	Mrs. Wayne Roth – B-Day /Farewell Cakes	40.00
28832	Sam's Club – Supplies, Membership	118.94
28833	Schlegel's Groceries – Film Proc.,Supplies	108.68
28834	Servi-Tech Inc. – Wastewater Analysis	46.00
28835	Seward County Rural Public Power – Wells 4 & 5	411.88
28836	Pam Slama – Cleaning City Hall	100.00
28837	Dave Smith – Mlg. To Crawford	256.32
28838	SCC Milford Campus – Copies/Vol. Notes	20.50
28839	Super 8 Motel – One Night Lodging	38.59
28840	Uniservice – Pants & Rags	76.44
28841	Wal-Mart – Supplies	118.31
28863	Ameritas Life Insurance – Retirement	996.18
28864	Barco Municipal Products – Snow Blade, Chains	1,089.02
28865	Thomas T. Beeler, Publisher – 5 Books	35.72
28866	Jan Bell – Repair Ball Pants	43.84
28867	Best Buy Co. – Storage box, Disk	22.28
28868	Blevens Law Office – Legal Service	350.00
28869	Centaur Enterprises – Rubber Straps	26.62
28870	Christian Book Distributors – 15 Books	160.22
28871	Chief Supply Corp. – Battery Minitor, Collar	765.95

28872	Credit Bureau of Lincoln – Membership Charge	66.75
28873	Crafts & Things – Subscription	17.97
28874	D & D Communications – Radio Repair	263.00
28875	Eakes Office Products – Purchase Order Books,Paper	123.31
28876	Ed M Feld Equipment – Black Diamond Boot	89.00
28877	EMED Company – Smoke Free Signs	190.70
28878	Gall’s Inc. – Rubber Gloves	26.97
28879	1 <sup>st</sup> Choice Credit Union – TeSelle Acct. #48052	250.00
28880	Heartsong Presents – 4 Books	9.97
28881	Hydraulic Equipment Service – Fitting	2.00
28882	Ingram Library Services – Books	66.47
28883	Lincoln Journal Star – Dump Truck Bid Ad	8.92
28884	Menard’s – Snow Shovels	18.87
28885	Milford School Dist. #5 – Fines	70.00
28886	Milford Times – Notices, Proceedings	296.32
28887	Milford Volunteer Fire Dept. – Buchli, Lock Box	57.54
28888	Mutual of Omaha Companies – Disability Ins.	197.92
28889	NE Dept. of Revenue – State W/H	608.23
28890	NE Health & Human Services – Pool Permit	3.00
28891	Newman Signs – Signs	86.05
28892	Office Depot – Computer Stand	209.98
28893	Pegler Sysco Food Serv. – Supplies balance payment	50.45
28894	Pitney Bowes – Qtrly Charges	326.69
28896	Marge Root – NE Mosq. & Vector Dues	15.00
28897	Roxanne Roth – Cleaning	105.00
28898	SSG Mac Youth Division – Mask Pads	4.76
28899	Seward County Treasurer – 911 Comm. Dispatch	300.00
28900	Subway Motors – Repair Ignition Switch	54.69
28901	The Trophy Shop – Memorial Plaque, Printing	75.90
28902	United Healthcare – Insurance	3,342.65
28903	Western Athletic Supply – Ball Supplies	450.41
28904	McCullough & Son Lawn Serv. – Mailbox post/Labor	75.00
28905	Eugene Rediger – Water Refund	13.86
28906	U S Postal Service – Postage for Meter	200.00

**REPORTS OF OFFICERS, BOARDS AND COMMITTEES:** Written reports received were Housing Authority minutes for 2/8/99 meeting and notice of 3/8/99; Planning & Zoning minutes for 2/15/99; Milford Aging Services Commission minutes for 1/27/99; Library Board Minutes 1/21/99 and 2/25/99.

**COMMUNICATIONS:** Sales tax received for the month of December, 98 was \$11,076.83.

N.P.P.D. 4<sup>th</sup> quarter Lease Payment check in the amount of \$23,936.71 was received.

A letter dated 2/26/99 was received from N.P.P.D. notifying Milford of the closing of the office.

Bruha attended the meeting regarding the Lead & Copper Issue. He noted that the State, DEQ & EPA have not come to a resolution on the issue. The City may have to pay for & hold a lead & copper study.

The City was contacted by the Dept. of Roads regarding obstructions in the right-of-way. State Aid funds could be held back if the issue is not taken care of. A letter will be drafted and delivered to individuals not complying with this issue.

Bockoven reported of fire personnel that had paid for the use of the building during the month of December and were requesting a refund. The use policy was changed and fire personnel will not be required to pay for the use of the building. It was noted that at a fire meeting the department decided that fire personnel will be allowed to use the building two times a year for no fee and after that will pay the same as the general public. Three individuals will be refunded their money.

Cooper advised council of a meeting at 496 Locust with Rod Troyer, son of Royden Troyer, property owner. The concern was the concrete street shifting and pushing against the driveway which in turn was forcing itself against the property. It was decided that 6" expansion joints will be placed on Locust St. and Cottonwood St. for monitoring the situation for movement.

Bruha received a letter from Russ Daehling with Seward County Roads Dept. regarding the review of the speed limit on Welch Park Rd. The Commissioners would gather data and recommend the changes.

**NEW BUSINESS:** Approval & Appointment – Ward 1 Councilmember  
Mayor Bruha recommended appointment of Paul Carter for Councilmember position until the year 2002. Carter is currently serving on the Planning & Zoning Commission which would leave a vacancy at that position. Fortune noted his concern with Councilmember Gary Cooper of S.C.C. being Carter's immediate supervisor. He also noted that he would abstain during the vote due to his concern. Cooper also noted that he would abstain during the vote due to the fact that he was Carter's immediate supervisor and any conflict of interest. Blevens noted that if it had been at an election there would be no conflict of interest as anyone could run for the position. Bruha advised that all Councilmembers must vote for or against. Roll call vote:

Bockoven yes, Cooper Abstain, Fortune Abstain. Position for Councilmember not filled.

Concession Stand Proposal – Milford Ball Association Brian Bennett asked the Council to forgo their percent of the net profit for 1 tournament a year to be given to the Ball Association. Fortune commented that the hard work by the Ball Association was much appreciated. Bockoven made a motion to accept the proposal. Roll call vote: Bockoven yes, Fortune yes, Cooper yes. Motion carried.

Award Concession Stand Bid A motion was made by Fortune and seconded by Bockoven to accept the bid from Steve and Marcy Fougeron for 18% of the net earnings. Roll call vote: Fortune yes, Bockoven yes, Cooper yes. Motion carried.

Award Dump Truck Bid There were 4 bids opened at 5:00 P.M. on 2/26/99. The bids were reviewed by Cooper, Frey and TeSelle. (See attached sheet for bid information) A motion was made by Bockoven and seconded by Cooper to accept the bid from Nebraska Truck Center in the amount of \$51,718.00. Roll call vote: Bockoven yes, Cooper yes, Fortune yes. Motion carried.

Introduction and Adoption of Ordinance: P&Z Board Members

#### ORDINANCE NO. 690

AN ORDINANCE RELATING TO DUTIES AND POWERS OF THE PLANNING COMMISSION; TO REQUIRE A RECOMMENDATION FROM THE PLANNING COMMISSION TO THE GOVERNING BODY ON MATTERS RELATING TO THE ANNEXATION OF TERRITORY; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; TO PROVIDE FOR AN EFFECTIVE DATE. (See ordinance record)

Economic Development Committee Bennett advised council that after meeting with an individual from DED the ordinance passed at the December 1<sup>st</sup> council meeting did not meet the spirit of the statute. Bennett commented on a second committee called the Citizen Advisory Review Committee which acts as the “watchdog” committee and would meet with the council twice a year. Members on this committee cannot be on the Economic Development Committee. The council will review the change and Ordinance will be placed on April agenda.

Milford Aging Services-Set Dates for Board Members A motion was made by Bockoven and seconded by Fortune to set term expiration dates as follows: Havekost - Jan. 02 1<sup>st</sup> Term, Heyen - Jan. 01 2<sup>nd</sup> Term, Johnson - Jan.02 1<sup>st</sup> Term. Roll call vote: Bockoven yes, Fortune yes, Cooper yes. Motion carried.

Executive Session – Personnel A motion was made by Bockoven and seconded by Cooper to go into executive session at 8:25 P.M. Roll call vote: Bockoven yes, Cooper yes, Fortune yes. Motion carried.

Councilmember Bockoven excused from meeting at 9:00 P.M.

Motion to return to regular session made by Fortune and seconded by Cooper. Roll call vote: Fortune yes, Cooper yes. Motion carried and returned to regular session at 9:34 P.M.

**ADJOURNMENT:** A motion was made by Fortune and seconded by Cooper to adjourn the meeting. Roll call vote: Fortune yes, Cooper yes. Motion carried and meeting adjourned at 9:35 P.M.

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Dean A. Bruha, Mayor

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J. Elaine Plessel, City Clerk

### 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 March 2, 1999 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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J. Elaine Plessel, City Clerk