

CITY OF MILFORD  
REGULAR MEETING  
MAY 5, 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 5<sup>th</sup> day of May 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; City Clerk Jeanne Hoggins. Also present: Building Inspector Bill Fuelling, Terry Stutzman, Bob Anderson 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 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 7:30 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 Bruha to approve the minutes of the April 1, 2008 meeting. Roll call vote: Baker yes, Bruha yes, Fortune yes, Neal yes. Motion carried.

A motion was made by Fortune and seconded by Neal to approve the minutes of the April 14, 2008 meeting. Roll call vote: Fortune yes, Neal yes, Baker yes, Bruha yes. Motion carried.

**PAYMENT OF BILLS:** A motion was made by Bruha and seconded by Neal that the following bills in the amount of \$51,051.19 approved by the Auditing Committee be approved for payment. Roll call vote: Bruha yes, Neal yes, Baker yes, Fortune yes. Motion carried.

**SALARIES:**

45851	Mark Frey	1356.27
45852	Forrest K Siebken	1286.25
45853	Mavis Lynn Ferris	62.06
45854	Jeanne M Hoggins	1273.78
45855	Gary Lee TeSelle	882.17

45856	Scott Dean Fosler	961.92
45857	Robert L Hull	822.61
45858	Beverly J Wehrs	542.85
45859	Edna A Riedl	366.92
45860	David R Dahle	938.58
45861	Louis J Bialas	936.22
45862	Bryce C Johnson	928.47
45863	Philip Winkelmann	888.33
45864	Lindsey S Troyer	287.22
45865	George A Matzen	255.38
45866	Joshua S Wiley	88.66
45867	Tracy L Yeackley	646.39
45868	Hannah L Troyer	72.03
45869	Rose M Kenney	140.83
45932	Mark Frey	1356.27
45933	Forrest K Siebken	1286.25
45934	Mavis Lynn Ferris	59.10
45935	Jeanne M Hoggins	1273.78
45936	Gary Lee TeSelle	796.77
45937	Scott Dean Fosler	970.37
45938	Robert L Hull	822.61
45939	Beverly J Wehrs	502.55
45940	Edna A Riedl	286.34
45941	David R Dahle	938.58
45942	Louis J Bialas	969.05
45943	Bryce C Johnson	932.56
45944	Philip Winkelmann	888.33
45945	Lindsey S Troyer	245.43
45946	George A Matzen	238.72
45947	Joshua S Wiley	121.91
45948	Tracy L Yeackley	646.38
45949	Brett Allan Muller	238.90
45950	Hannah L Troyer	66.50
45951	Rose M Kenney	117.74
45952	Courtney L Bashore	72.63
45954	Joyce Elaine Plessel	184.70
45955	Ricky Gene Fortune	138.52
45956	Dean Alan Bruha	138.52
45957	Emerson L Neal	138.52
45958	Jeffrey M Baker	138.52

**GENERAL FUND:**

45818	Michael Arkfeld – WA/SW Deposit Refund	36.29
45819	Shad Pekarek – WA/SW Deposit Refund	24.49
45820	Crysta Rivera – WA/SW Deposit Refund	74.24
45850	US Postmaster – Utility Billing Postage	167.57
45870	Ameritas – Pension	1594.59
45871	Alltel – Cellular	99.63
45872	VOID	
45873	Aramark – Pants & Rags	339.08
45874	American Legion – US Flag	246.19
45875	Butch’s Welding – Bolts & Nuts	15.20
45876	Culligan – Soft Water	39.68
45877	Farmers Cooperative – Gas & Diesel for March	1458.16
45878	Diode Communications – Service for March	54.16
45879	Deep Rock – Drinking Water	21.21
45880	Eakes – Cash Rcpts, Paper, PO Books	214.54
45881	VOID	
45882	Ehlers TV – Cell phone (Fire Dept)	80.00
45883	EMP – Penlights, Head Immobilizer	360.92
45884	The Garbage Co – Garbage Pickup	161.95
45885	Gerhold Concrete – Concrete	138.13
45886	Golden Rule Contractors – Repair Lower Level Door	100.00
45887	Great Plains One Calls – Emergency Locates & Requests	13.60
45888	Hawkins – Chlorinator	3200.00
45889	Heiman – Rope	1131.73
45890	Jeanne Hoggins – Sam’s Club	26.26
45891	Ikon Office Solutions – Lease Rental 1/22-4/21.08	504.00
45892	Linweld – Air, Retest, Safety	215.00
45893	Lynn Peavey Co – Evidence Supplies	146.90
45894	Meyer-Century Laboratory – Traffic Paint, Pool Paint	3044.32
45895	Memorial Health – T Buchli Flu Shot	25.00
45896	Menards – Paint & Lumber	184.40
45897	Milford A/C & Appl – Grille-Lower Level Wall	39.68
45898	Milford Plumbing – Repair Stool	43.00
45899	VOID	
45900	Midwest Unlimited – Scaling Chisel 2”, Breaker	1009.40
45901	Municipal Supply – Pro-Read Gal, Water Meter	1578.89
45902	Mutual of Omaha – Disability	79.33
45903	NE Dept of Revenue – March Sales Tax	1604.29
45904	NE Motor Parts Co – Battery, Oil & Air Filters	557.41
45905	NPPD – Service for March	4748.22
45906	NT&T – Service for March	407.14

45907	Aquila – Service for March	1407.70
45908	Pizza Kitchen – Catered Meal (March)	102.50
45909	Roxanne Roth – Cleaning Services	250.00
45910	Mrs Wayne Roth – Birthday Cake	18.00
45911	Seward Co Ind. – Notices, Minutes, Lifeguard Ad	222.12
45912	SPPD – Wells 1 & 2	401.23
45913	Meyer Ford – Transmission Fluid, Oil	184.76
45914	Share Corp – Pool Cleaner	256.00
45915	Shell Fleet Plus – Car Gas	19.41
45916	Super Spray Car Wash – Tokens	150.00
45917	Sunrise Country Manor – March Meals	906.75
45918	Tractor Supply – Nozzles, Brackets, Clamps	70.91
45919	Tvrdy’s Lock & Key – Masterlock, Rekey	113.00
45920	Windstream – Local/Internet, Civil Defense	242.05
45921	Don Yeackley – CPR Class	90.00
45922	American Chemicals Inc – Eye Wash Solution/Station	661.50
45923	Helmink Printing – Warning/Defect Tickets	458.00
45924	Omaha Standard – Front Com, Cap, Washer	80.10
45925	Ameritas Group – Dental & Vision	1066.76
45926	Windstream – Long Distance	5.53
45927	Milford Volunteer Fire – Membership, Food	308.30
45928	AFLAC – Dis, Cancer, Acc, Suppl	406.26
45929	Coventry Health – Health Insurance	8282.50
45930	Fort Dearborn Life Ins – Life Insurance	113.52
45931	Shell Fleet Plus – March Fuel	682.30
45953	Ameritas – Pension	1594.59
45959	American Bldg Inspectors – Inspect. For Jan-Mar	1045.40
45960	Blevens Law Office – Legal Services for April	350.00
45961	City of Milford – Petty Cash	16.50
45962	Colin Electric Motor Service – Waste Mate Pump	326.38
45963	Crafts-n-Things – 2 Yr Subscription	36.97
45964	EMP – Wrap roll, Cold packs, sheets	382.78
45965	GE Landscape Supply – 21.72 Tons of pea Gravel	1064.28
45966	Gerhold Concrete Co – Fill Sand, Road Gravel	183.75
45967	Heartsong Presents – 4 Books	10.99
45968	Heartland Auto Body – Decal Repair on Cruisers	122.00
45969	Hawkins – Instrument Kit	33.09
45970	Heiman Inc – Fire Dept Gear	120.95
45971	Ingram Library Services – 26 Books	236.86
45972	Kelly Supply Company – Pipe & Filling for School	333.54
45973	Key Equipment & Supply Co – Screw, Bracket	60.28

45974	Kremer Electric – Fixture Replacement	292.70
45975	George Matzen – 25 Books, Toner, Stapler	286.90
45976	Menard’s – Pipe Hangers, Cement Patch	140.37
45977	Milford Plumbing – Galv Tee, plug, Galv pipe	52.39
45978	Milford School Dist – Parking Fines	20.00
45979	Municipal Supply Inc – Reset key, Coupling	39.63
45980	Nebraska Public Health – Nitrate/Nitrite, Coliform	56.00
45981	NWOD – Membership Dues	40.00
45982	Office Depot – Flash Drive, Norton Antivirus, Toner	149.94
45983	Pack-O-Fun – 2 yr subscription	36.97
45984	Edna Riedl – Norton 1 yr subscription	42.95
45985	Roxanne Roth – Cleaning Services	350.00
45986	Sack Lumber Co – Concret mix, Concrete patch	81.85
45987	Seward Co Independent – Ad for Library Clerk	26.80
45988	Meyer Ford – Oil Change-Unit 3	24.95
45989	Stutzman Digging – Water main	110.70
45990	Union Bank – Gary TeSelle Acct	300.00
45991	Upstart – Summer Reading Program Supplies	74.30
45992	Grainger Inc – Marking Paint	13.20
45993	Walmart – DVDs, Paper, Foamboard	217.34
45994	Wergins Lawn Service – Fertilize B St & Sr Center	51.00
45995	William Tree Service – Moving Trees	382.50
45996	Windstream Nebraska Inc – Paging Wide-Area, Local	13.60
45997	Local Insight Yellow Pages – Directory Advertising	14.60
45998	Central Management Group – 2 <sup>nd</sup> Coat of Paint	197.50
45999	Dan Kral – 5 x 8 Flag	86.00
46000	The Hearst Corp – 1 yr subscription	19.97
46001	Seward Co Aging – Volunteer Supplies	60.33

**REPORTS OF OFFICERS, BOARDS AND COMMITTEES:** Written reports received were Library Board minutes for 4/10/08; Milford Fire Dept. minutes for February 12, 2008 and March 11, 2008; Park Board minutes for 9/22/07; Economic Development minutes for April 14, 2008; Pool Board minutes for April 28, 2008; Rescue NARSIS report for April 2008. Fortune will be updating the Council on the fluoridation requirements coming up with the passing of LB245. Neal - the Park Board met with the Kiwanis Park Board and prioritized items for the Uptown City Park. Restrooms and lighting were among the 2 top items. Pool Board met and the items are on the agenda. Bruha – asphalt alleys in the business district are starting to crack and break down. Frey was contacted regarding tree trimming. A mud issue has developed on 7<sup>th</sup> street, Larry Jantze will be contacted to place silt fencing in the needed area. Sean Kremer arrived. Baker reported the pipe

has been replaced on the south side of the Sr. Center. Hopefully this will take care of the drainage problem. Baker informed the Council that with the Hazard Mitigation study, storm shelters can be built in the City Park with a 75%/25% grant. The storm shelter could then be used as a restroom. Chief Siebken reported that the new cruiser is completed and on the street. Officer Johnson attended a seminar in Chicago on Thermal Imaging and they have already had the opportunity to use it.

**COMMUNICATIONS:** \*Sales tax received for the month of February 2008 was \$10,725.36. \*Safety Group Dividend from EMC Insurance Co. received in the amount of \$2015.74. \*2008 Franchise Fee from Aquila, Inc. in the amount of \$21,357.38. \*AYSO Soccer organization donated a Hoover vacuum cleaner to the Webermeier Bldg. for use of the building all these years.

**NEW BUSINESS:**

**Discuss municipal utility hook-up time frame:** Fortune – in all fairness with this being a forced annexation we should allow the current homeowners to keep their utilities until they sell their home, at that time they would be required to switch over to City utilities. This annexation will create a hardship for some people. Neal – when these people built their homes they put in the services because the City could not provide them at that time. Now they will be asked to put in the same services again. Allowing a longer period to hook up should make it easier to budget down the road. This annexation is different; the others have been developed subdivisions. Mark Frey arrived. Baker – in all fairness we should let the people with private wells use them for potable water. Bruha suggested a sunset for utility hook-up. Two years seems to be a reasonable amount of time. Terry Stutzman stated he has been a resident of Milford all his life and he knows what kind of community Milford is. Milford wants to be the best community they can be. Things aren't always black and white. We need to look at this situation and do what is best. Annexation needs to happen to better the community, but there are additional costs involved here besides property tax. Terry will have to remodel a portion of his basement and tear out a basement wall to connect the water. He would like the Council to look at each individual and give room for allowances. Terry plans on remaining very involved in the Community. Bruha asked if anyone else has approached the City. No one had at this point. Blevens noted that last month we talked about picking a number of years. If a well goes bad will these individuals be required to hook-up to city services. Fortune – we should be able to write this up to make everyone happy; this only affects a few people. The Council suggested a 24 month time frame for sewer hook-up and private wells could

be used until inoperable or property sold. Neal thought this would be a nice compromise.

**Introduction and Adoption of Ordinance – Amend Section 3-113:** Item tabled.

**Introduction and Adoption of Ordinance – Amend Section 3-204:** Item tabled.

**Vote on properties for annexation:** The Council confirmed all properties considered for annexation: Gerry Dunlap property along Park Ave. excluding tax lot 148. All properties west of the School Addition to the west right-of-way of 252nd/Welch Park Rd.; homes along south side of Hwy 6 between 252<sup>nd</sup> and east to corporate limits. 182' in length of Golf Course property surrounding the Pro Shop. The driving range and rest of Golf Course will not be considered for annexation. A motion was made by Bruha and seconded by Baker to proceed with annexation procedures for the above listed properties. Roll call vote: Bruha yes, Baker yes, Fortune – for the record he disagrees with the Golf Course annexation but because of the importance of the rest of the properties he voted yes, Neal yes. Motion carried.

**Hazard Mitigation MOU Agreement-Seward EMA:** Baker informed the Council that Milford has to participate and their share of fees equal \$1,125.00. The amount is calculated according to population within Seward County. JEO is responsible for writing the plan. A motion was made by Baker and seconded by Bruha to authorize Mayor Plessel to sign the Memorandum of Understanding for the MOU Hazard Mitigation Plan. Roll call vote: Baker yes, Bruha yes, Fortune yes, Neal yes. Motion carried.

**Reimbursement for sewer line placement, Terry Stutzman:** Fortune stated that he's not sure we owe him anything. The City can take over the responsibility of the line. Blevens noted there are 1 of 2 ways to handle this situation: 1) The City would take total responsibility of the line and a utility easement would be necessary since it runs along the Golf Course property. 2) The line would remain private and the original owners would provide upkeep to the main. Frey stated that the sewer main was built according to previous City sewer main specifications and he would be comfortable with taking responsibility of it. The main follows the fence line to a manhole and is on the playing surface of the Golf Course. Fortune informed Terry Stutzman that the City will assume maintenance of the line if that's what the owners want. Terry would prefer the City buy it from him. A motion was made by Fortune and seconded by Bruha that the City does not reimburse Terry Stutzman for the sewer main line. Roll call vote: Fortune yes, Bruha yes, Baker yes, Neal yes. Motion carried.

**Review contract and expense fees for Building Inspector Bill Fuelling:**

Bill - with the increase in gas prices the guys are not making much money with the \$30.00 inspection fee. He would like the Council to consider raising it to \$40.00. A motion was made by Bruha and seconded by Neal to increase the inspection fee to \$40.00. Roll call vote: Bruha yes, Neal yes, Baker yes, Fortune yes. Motion carried. The Council will review the permit fee ordinance next month.

**Reimbursement for rock – Don Williams:** Don Williams inquired about having a portion of the rock paid for this year as the cost has gone up quite a bit. He paid for all the rock last year (2007) totaling \$411.45 and the 2008 bill totaled \$685.78. A motion was made by Fortune and seconded by Neal to reimburse Don Williams \$500.00 for rock on the shared driveway to the south well. Roll call vote: Fortune yes, Neal yes, Baker yes, Bruha yes. Motion carried.

**Sean Kremer – Replace mobile home trailers on existing site:** Sean approached the Council regarding his concern with the mobile home parks designation as Commercial and Residential Districts. Fortune explained the RM - Mobile Home Residential District (overlay). The following sections of the Comprehensive Plan were noted: Pg. 75; 5.17.08 Non-conforming Existing Uses under RM District, Pg. 40; 4.20 Non-conforming Uses (Land and Structures). Discussion was held regarding setbacks and lot requirements. Sean was under the impression that the City Council had given him permission to replace trailers of the same size in the same location after removing them. The Council stated that he had to meet the setbacks required in the RM Section. Discussion was held regarding the 12 month time frame to replace the trailers. Sean thought the trailer park was considered as a whole unit and replacing 1 trailer at a time would allow him to put it back on the same footprint. Sean was aware that #2 trailer in Skyline would never meet setbacks because it is currently setting next to the sidewalk. The question came up regarding the Elm Street trailers and if they could meet the setback requirements. Fortune thought Todd Aerni had measured those trailers at the time of the Comprehensive Plan update and noted that they were close, maybe one foot good or bad. The Council noted that Sean could keep doing what he's currently doing as long as he follows the rules. If a trailer burns or blows away Sean has 12 months to replace the same size trailer into the same footprint of the previous trailer. If Sean is just replacing a trailer then the setbacks need to be followed. There was a lot of confusion as to what was discussed at the Comprehensive Plan update meetings and what was actually printed in the Comprehensive Plan Book. In order to get clarification for everyone involved the Council suggested taking the issue back to the Planning & Zoning for further review and



consideration. A motion was made by Fortune and seconded by Baker to send the mobile home trailer park issues back to the Planning & Zoning for clarification. Roll call vote: Fortune yes, Baker yes, Bruha yes, Neal yes. Motion carried.

**Hire Pool Employees & Set Wages:** A motion was made by Neal and seconded by Bruha to approve hiring the following pool employees and set wages as presented: First year guards at \$6.55 per hour – Larisa Roth, Megan Kremer, Celena Malmkar, Tori Blair and Austin Heckman. Returning guards at \$6.70 per hour – Whitney Lauber, Paige McAvoy and Jenna Jolly. Assistant Manger Josh TeSelle at \$3500.00 for the season and Beth Bierberger Manager at \$4800.00 for the season. Roll call vote: Neal yes, Bruha yes, Baker yes, Fortune yes. Motion carried.

**Open Bids and Award bid for operation of Concession Stand:** Hoggins informed the Council that Tim Springer had submitted a bid for his youth group to run the stand with 10% of the profits being paid back to the City. His only concern was getting a firm commitment from the kids. He wanted to check with them and let the City know by May 6<sup>th</sup> whether this proposal was going to work. The City Council discussed how the contracted pop would work. The decided to keep the pop sales separate from the other items. A motion was made by Fortune and seconded by Bruha to award the bid to Tim Springer with 10% of profits going back to the City excluding pop upon final notification from Tim. Roll call vote: Fortune yes, Bruha yes, Baker yes, Neal yes. Motion carried.

**Introduction and Adoption of Ordinance – Amend Chapter 9, Article 3: Building Code; Update to 2006 Edition:** Council member Bruha introduced the following ordinance seconded by Baker:

ORDINANCE NO. 803

AN ORDINANCE TO ADOPT THE INTERNATIONAL BUILDING CODE, REGULATING AND GOVERNING THE CONDITION AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES IN THE CITY OF MILFORD, NEBRASKA AND ITS ZONING JURISDICTION; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT

HEREWITH INCLUDING SECTIONS 9-301 THROUGH 9-340. (See Ordinance Record)

ORDINANCE NO. 803a

AN ORDINANCE TO ADOPT THE INTERNATIONAL EXISTING BUILDING CODE, REGULATING AND GOVERNING THE REPAIR, ALTERATION, CHANGE OF OCCUPANCY, ADDITION, AND RELOCATION OF EXISTING BUILDINGS, INCLUDING HISTORIC BUILDINGS, IN THE CITY OF MILFORD, NEBRASKA AND ITS ZONING JURISDICTION; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH. (See Ordinance Record)

**Introduction and Adoption of Ordinance – Amend Chapter 9, Article 4: Plumbing Code; Update to 2006 Edition:** Council member Fortune introduced the following ordinance seconded by Baker:

ORDINANCE NO. 804

AN ORDINANCE TO ADOPT THE INTERNATIONAL PLUMBING CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF PLUMBING SYSTEMS IN THE CITY OF MILFORD AND ITS ZONING JURISDICTION; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; REPEALING ARTICLE 4, SECTION 4-101 AND 4-102 OF THE MUNICIPAL CODE; AND ALL OTHER PROVISIONS IN CONFLICT HEREWITH, AND PRESCRIBING THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

**Introduction and Adoption of Ordinance – Amend Chapter 9, Article 7: International Residential Code; Update to 2006 Edition:** Council member Baker introduced the following ordinance seconded by Fortune:

ORDINANCE NO. 805

AN ORDINANCE TO ADOPT THE INTERNATIONAL RESIDENTIAL CODE, REGULATING AND GOVERNING CONSTRUCTION, ALTERATION, MOVEMENT, ENLARGEMENT, REPLACEMENT, REPAIR, EQUIPMENT, LOCATION, REMOVAL AND DEMOLITION OF DETACHED ONE AND TWO FAMILY DWELLINGS AND MULTIPLE SINGLE FAMILY DWELLINGS (TOWNHOUSES) NOT MORE THAN 3 STORIES IN HEIGHT WITH SEPARATE MEANS OF EGRESS IN THE MUNICIPAL ZONING JURISDICTION; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES;

REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND PRESCRIBING THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

**Introduction and Adoption of Ordinance – Amend Chapter 9, Article 8: International Mechanical Code; Update to 2006 Edition:** Council member Neal introduced the following ordinance seconded by Fortune:

ORDINANCE NO. 806

AN ORDINANCE TO ADOPT THE INTERNATIONAL MECHANICAL CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF MECHANICAL SYSTEMS IN THE CITY OF MILFORD AND ITS ZONING JURISDICTION; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, AND PRESCRIBING THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

**Introduction and Adoption of Ordinance – Amend Chapter 9, Article 9: International Energy Conservation Code; Update to 2006 Edition:** Council member Baker introduced the following ordinance seconded by Bruha:

ORDINANCE NO. 807

AN ORDINANCE TO ADOPT THE INTERNATIONAL ENERGY CONSERVATION CODE, REGULATING AND GOVERNING ENERGY EFFICIENT BUILDING ENVELOPES AND INSTALLATION OF ENERGY EFFICIENT MECHANICAL, LIGHTING AND POWER SYSTEMS IN THE CITY OF MILFORD, NEBRASKA, AND ITS ZONING JURISDICTION; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH. (See Ordinance Record)

**Authorize Mayor Plessel to sign Interlocal Agreement for Affordable Housing:** A motion was made by Fortune and seconded by Baker to authorize Mayor Plessel to sign the Interlocal Agreement for Affordable Housing. Roll call vote: Fortune yes, Baker yes, Bruha yes, Neal yes. Motion carried.

**Approve Firework Permit – Phantom Fireworks:** A motion was made by Bruha and seconded by Fortune to approve the sale of fireworks by Phantom

Fireworks at 921 W 5<sup>th</sup> St. Roll call vote: Bruha yes, Fortune yes, Baker yes, Neal yes. Motion carried.

**Increase in Pool Rates:** A motion was made by Neal and seconded by Fortune to approve the following pool rate increases: Family Pass \$75.00, Rural \$80.00; Single Pass \$40.00, Rural \$45.00; Lessons: \$25.00 with pass, \$30.00 without pass; Rural - \$30.00 with pass, \$35.00 without pass. Pool Parties - \$75.00. Roll call vote: Neal yes, Fortune yes, Baker yes, Bruha yes. Motion carried.

**ADJOURNMENT:** A motion was made by Bruha and seconded by Baker to adjourn the meeting. Roll call vote: Bruha yes, Baker yes, Fortune yes, Neal yes. Motion carried and meeting adjourned at 10:17 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 on May 5, 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)

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Jeanne Hoggins, City Clerk