

CITY OF MILFORD
REGULAR MEETING
MAY 7, 2003
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 7th day of April 2003 at 7:30 pm. Present were: Mayor J. Elaine Plessel; Council members: Robert Anderson, Dean Bruha, Rick Fortune, Lyle Neal; City Clerk Jeanne Hoggins. Also present: Bob Ficke, Larry Lindquist, Warren Spellman, Susan Trabert, Christopher Hull, Thelma Havekost, Maury Hansen, Sean Kremer and Tim Laux 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 7:35 p.m.

MINUTES: A motion was made by Fortune and seconded by Bruha to approve the minutes of the April 1, 2003 meeting. Roll call vote: Fortune yes, Bruha yes, Anderson yes, Neal yes. Motion carried.

A motion was made by Neal and seconded by Anderson to approve the minutes for the April 11, 2003 meeting. Roll call vote: Neal yes, Anderson yes, Bruha yes, Fortune yes. Motion carried.

PAYMENT OF BILLS: A motion was made by Bruha and seconded by Neal that the following bills in the amount of \$232,243.95 approved by the Auditing Committee be approved for payment. Roll call vote: Bruha yes, Neal yes, Anderson yes, Fortune yes. Motion carried.

SALARIES:

36623	Mark Frey	1097.63
36624	Forrest K Siebken	1040.69
36625	Mavis Lynn Ferris	25.72
36626	Jeanne M. Hoggins	929.22
36627	Gary Lee TeSelle	767.49
36628	Scott Dean Fosler	868.50
36629	Robert L Hull	675.74

36630	Beverly J Wehrs	431.37
36631	Edna A Riedl	315.42
36632	David R Dahle	779.77
36633	Louis J Bialas	878.20
36634	Pamela J. Slama	237.86
36635	Lucy B. Honig	170.89
36636	Zachary D. Eden	39.17
36637	Bryce C Johnson	694.20
36638	Philip Winkelmann	694.20
36639	Lindsey S. Troyer	572.59
36640	Regan Beranek	137.05
36696	Mark Frey	1097.63
36697	Forrest K Siebken	1040.69
36698	Mavis Lynn Ferris	27.01
36699	Jeanne M. Hoggins	929.22
36700	Gary Lee TeSelle	692.50
36701	Scott Dean Fosler	868.50
36702	Robert L Hull	675.74
36703	Beverly J Wehrs	425.87
36704	Edna A Riedl	282.48
36705	David R Dahle	784.26
36706	Louis J Bialas	851.58
36707	Pamela J. Slama	274.94
36708	Lucy B. Honig	231.27
36709	Zachary D. Eden	44.77
36710	Bryce C Johnson	694.20
36711	Philip Winkelmann	694.20
36712	Lindsey S. Troyer	539.91
36713	Regan Beranek	129.29
36716	Roger L Kness	220.11
36717	Joyce Elaine Plessel	184.70
36718	Ricky Gene Fortune	138.53
36719	Dean Alan Bruha	138.53
36720	Emerson L. Neal	138.53
36721	Robert E. Anderson	138.53
36722	Mark Frey	1097.63
36723	Forrest K Siebken	1040.69
36724	Mavis Lynn Ferris	25.72
36725	Jeanne M Hoggins	929.22
36726	Gary Lee TeSelle	687.51

36727	Scott Dean Fosler	868.50
36728	Robert L Hull	675.74
36729	Beverly J Wehrs	427.70
36730	Edna A Riedl	384.95
36731	David R Dahle	752.84
36732	Ann M. Miller	16.81
36733	Louis J Bialas	758.40
36734	Pamela J. Slama	271.61
36735	Lucy B. Honig	316.36
36736	Zachary D. Eden	22.39
36737	Bryce C Johnson	713.32
36738	Philip Winkelmann	694.20
36739	Lindsey S Troyer	554.99
36740	Regan Beranek	137.05

GENERAL FUND:

36641	Ameritas – Retirement	1256.67
36642	U. S. Postmaster – Utility Billing	133.86
36643	Aflac – Cancer,Acc,Disabl,Supp'l	129.08
36644	American Plus – Caution Chlorine Area	62.80
36645	Alltel – Service for March	288.77
36646	All Pro Landscaping – Payment for work on field	23102.01
36647	Buman's Mechanical Services – Clutch for mower	156.20
36648	Butch's Welding & Repair – Flat, Labor	12.87
36649	CCP Industries – Spark Plugs	115.14
36650	Central States Lab – Knockout	217.97
36651	Culligan Water Conditioning – Soft Water	47.75
36652	Farmers Coop – Gas/Diesel for March	1867.53
36653	D & D Communications – Front Housing	77.78
36654	Eakes – Copy Paper,Ribbon	91.31
36655	EDM Equipment – Spray Nozzles	27.04
36656	Gall's Inc. – Arrowstik	121.98
36657	The Garbage Company – Garbage Service for Mar.	90.50
36658	Great Plains – Emer Locate, Locate Request	11.66
36659	Hawkins Water Treatment – Solution Environmental	93.50
36660	Heiman Fire Equipment – Arrow stick	512.52
36661	Kelly Supply – Protective Eye Glass	8.34
36662	Sport Supply Group – Duffle Bags	41.02
36663	Milford Plumbing – Piping, Sewer Backing	305.12
36664	The Milford Times – Notice, Minutes	201.91
36665	Milford Volunteer Fire – Reimbursement for meal	269.54

36666	Municipal Supply – Iron Service Saddle	64.40
36667	NE Dept of Labor – Elevator Inspector	75.00
36668	Nebraska Health Laboratory – Nitrate, Coliform	1107.00
36669	Nebraska Motor Parts – Battery, Silicone	36.87
36670	NE Public Power – Service for March	4129.46
36671	Nebraska Tech & Telecomm – Service for March	477.05
36672	Void	
36673	Nifco Mechanical Systems – Galv, Ells	96.38
36674	Olsson Assoc. – Work on Water Tower	2702.13
36675	Aquila – Service for March	885.47
36676	Pizza Kitchen – 34 Meals @ 3.50 for March	119.00
36677	Powerplan – Part for 210 C JD	302.27
36678	Rediger Chevrolet – Parts for 2000 Chevrolet	22.74
36679	MSMSS Rogge Enterprises – Work on Well House	968.00
36680	Roxanne Roth – Cleaning Services	250.00
36681	Mrs. Wayne Roth – Birthday Cake	28.00
36682	Schlegel’s Groceries – Supplies, Ziploc Bags	52.12
36683	Sam’s Club – Pledge, Tissue, Cleaners	61.46
36684	Seward County Independent – 1 yr. Subscription	33.00
36685	Seward Co Public Power – Wells 1 & 2	378.73
36686	Subway Motors Co. – Battery	73.50
36687	Sunrise Country Manor – 298 Meals @ 3.25 for Mar.	968.50
36688	Lindsey Troyer – Travel Miles to Meeting	9.92
36689	Aramark – Uniform Services	165.23
36690	Utility Equipment – Curb Box adapter	429.74
36691	Adam Behrendt – Water/Sewer Deposit Refund	29.50
36692	Jaramie Diederichs – Water/Sewer Deposit Refund	23.63
36693	Wrey Martinson – Water Deposit Refund	2.16
36694	Diana Francis – Water/Sewer Deposit Refund	26.83
36695	NE Dept. of Revenue – Sales Tax for March	1619.30
36715	United Health Care – Group Health	6463.52
36743	Aflac – Acc, Cancer, Disabl, Supp’l	129.08
36744	Alltel – Directory Advertising, Paging	28.34
36745	Anaconda Sports – Balls & Bats	85.24
36746	Blevens Law Office – Service for Jan, Feb, Mar, Apr	1400.00
36747	Braun Motor Works – Blades & Freight	221.41
36748	Centaur Enterprises – Sq Hd Set	17.94
36749	City of Milford – Postage, Petty Cash	39.60
36750	Data Technologies – Update Release	14.00
36751	Doubleday Book Club – One Book	16.98

36752	Don's Pioneer Uniforms - #32783 & 32815	242.61
36753	EMP – Gloves, Canisters	475.69
36754	Farm Plan – Tractor Parts	178.53
36755	Heartsong Presents – 8 Books	21.98
36756	Heiman Fire Equipment – Cable Harness	74.41
36757	Ingram Library Services – 11 Books	125.30
36758	JEO Consulting – Service for Lead & Copper	4046.00
36759	Johnson Service Company – Clean T.V. Storm Sewer	1636.80
36760	Lynn Peavey Company – 2 Blood Alcohol Kits	7.98
36761	Memorial Health Care – Blood Analysis	355.40
36762	Milford A/C & Appliance – Maintenance	123.00
36763	Milford Mini Mart – Fuel Purchased	58.05
36764	Milford Plumbing – Galv Pipe, Poly Supply	23.64
36765	Milford School Dist – Parking Tickets	200.00
36766	Midwest Service & Sales – GR Bolts & Nuts	42.00
36767	Municipal Supply – Tap Sleeve, Neptune Meter	786.83
36768	Mutual of Omaha – Disability Insurance	69.23
36769	NE HHS Regulation & Licensure – Final Fee to State	216.52
36770	Nebraskaland Glass of Seward – Replace Window	200.68
36771	Void	44.95
36772	Office Depot – 4 x 6 Chalkboard	99.99
36773	Void	
36774	Omaha Life Insurance Company – Group Life	62.35
36775	Oswald Electric – Fixture	88.35
36776	Orschelns – Drill Pit	54.82
36777	B & R Electronics – Wireless Card	239.00
36778	Regent Book Co. – 3 Books	39.46
36779	Reimer Kaufman Concrete – Marble Dust	254.00
36780	Edna Riedl – Telephone Order, DVD Movie	51.34
36781	Roxanne Roth – Cleaning Services	250.00
36782	Sack Lumber Company – Concrete Mix	29.90
36783	Milford Flowers & Gifts – Flowers For Planter	15.18
36784	Void	
36785	Union Bank – Gary TeSelle Account	300.00
36786	Wal-mart Community – 3 Outlet Covers	26.88
36787	Goldsmith Tree Service – Removed Stump	48.00
36788	Coney Safety Products – Ear Plugs	65.37
36789	Dave Dickinson – Water/Sewer Refund	50.00
36790	Mitzi Hiatt – Water/Sewer Refund	50.00
36791	Thelma Roth – Water/Sewer Refund	50.00

36792	Wanda-Lam I.D. Cards – 5 Police ID Cards	83.96
36793	Maguire Iron – Payment on Water Tower	167310.00
36794	MSMSS Rogge – Lead & Copper	52470.33
36795	SCC Lincoln – EMT Registry	610.00

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Library Board minutes for April 24, 2003; Milford Aging Services Commission minutes for April 24, 2003; Planning & Zoning minutes for April 10, 2003 and April 28, 2003; Recreation Board minutes for March 31, 2003 and April 24, 2003; Police Dept. Activity Report for April 2003. Anderson – Sr. Center has 6 wooden tables considered surplus and would like to take sealed bids to dispose of them. Bruha – Several street intersections that will be repaired are: 5th & “B”, Park Ave. & N. “A”, and 4th & Walnut. Attorney Blevens arrived. Bruha also referred to the memo that was sent to the public regarding alley restoration, water restrictions and grass clippings and debris being blown into the streets. Maury Hansen asked for the type of repair to be made on the streets. Bruha noted, tear out concrete and pour new.

COMMUNICATIONS: Sales tax received for the month of February 2003 was \$9,448.56. Aquila annual franchise tax received in the amount of \$15,571.95. Received Aquila’s notice of intent to change rates. Chief Siebken arrived. Siebken total calls for service for the month of April are 1128. A new radar unit was purchased with the grant money received. Building Inspector Roger Kness and Dennis Plachy with Capital Sign Co. arrived.

UNFINISHED BUSINESS:

Introduction and Adoption of Ordinance – Sidewalks; Repair: Discussion was held regarding erosion of sidewalks over time and the need to have them repaired. When a sidewalk becomes dangerous and is considered a safety issue a request can be made by the City to have the repairs done within 21 days. Fortune and Neal noted a concern that this issue not be abused. A motion was made by Bruha and seconded by Neal to introduce the following ordinance as amended from 60 days to 30 days:

ORDINANCE NO. 738

AN ORDINANCE TO AMEND CHAPTER 8-204 OF THE MUNICIPAL CODE BY CHANGING THE TIME FOR REPAIR OR REPLACEMENT OF SIDEWALKS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT. (See Ordinance Record)

Off Street Parking Concerns: Bruha presented current municipal codebook information along with regulations from the City of Omaha pertaining to off street parking. Bruha concerned about parking on grass areas in the front and back of residential homes and also noted parking should be forbid in setback areas. Omaha regulations state parking allowed only on a paved, hard-surfaced area. The City currently has an ordinance in place regarding no parking across sidewalks. Individuals would drive across the sidewalk to park in the yard area. After this situation arose, Chief Siebken spoke with the individuals, asking them not to drive across the sidewalks and they complied with the request. Bruha mentioned parking space is limited when a single-family dwelling has been turned into an apartment and several individuals, each owning vehicles, are renting the space. The problem seems to be too many people residing at a dwelling. Bruha also noted that holding a Public Hearing would allow comments from the public regarding this matter. After further discussion the Council requested the Planning & Zoning Commission review the situation, as it seems to be a zoning issue, and make a proposal back to the City Council.

NEW BUSINESS:

Hire Part time Maintenance Employees and Set Wages: A motion was made by Neal and seconded by Anderson to approve hiring the returning employees from last summer at the following wages: Bryce Roth at \$6.75 per hour, Marcus Siebken at \$6.60 per hour and Kendra Hoggins at \$6.30 per hour. Roll call: Neal yes, Anderson yes, Bruha yes, Fortune yes. Motion carried.

Water Tower Lettering & Color: Ken Fougeron arrived at 8:15. Light colors are more common for the water tank. Hansen suggested poling the community for color selection. Fortune noted, there is not enough time, as painting will occur sometime in June. It was decided to paint the tank “tank white” and the block style lettering, as per the specs, “purple haze”.

Introduction and Adoption of Ordinance – Amend meetings section, agenda: Council member Fortune introduced the following ordinance:

ORDINANCE NO. 739

AN ORDINANCE TO AMEND CHAPTER 1-503.01 OF THE MUNICIPAL CODE BY CHANGING THE CUTOFF TIME FOR AMENDMENT OF THE AGENDA OF MUNICIPAL MEETINGS TO 12:00 NOON ON THE WEDNESDAY PRECEDING SAID MEETING; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT. (See Ordinance Record)

Approve Ball Field Rental Rates: Neal mentioned the Recreation Board has met twice on this issue and compared rates with the surrounding area. The rates presented are competitive with this area. A motion was made by Neal and seconded by Fortune to approve the ball field rates as presented in the Recreation minutes. (April 24, 2003) Roll call vote: Neal yes, Fortune yes, Anderson yes, Bruha yes. Motion carried.

Milford Sr. Center Board of Directors – Certificate of Deposit: Bob Ficke presented to the Council a request to transfer the money from the Sr. Center C.D. and the cash available from the special account (24) to the Friends of the Sr. Center to be spent on items that would benefit the Sr. Center. The value of the C.D. is at approximately \$11,300.00 and the amount of cash in the special account is approximately \$14,000.00. Mayor Plessel informed the individuals present that the City was in no way trying to keep this money from the Sr. Center. The accountant has given the City the authority to spend all the money available in the special account (24) if the need would arise. The money has always been there for any item the Sr. Center felt they needed to budget for. Mayor Plessel also informed the members of the Milford Aging Services Commission that they would need to hold a special meeting and vote on this issue and present their decision to the Council as part of their minutes.

Webermeier Scholarship Procedure Change: Neal informed the Council that when the policy of the college is to reduce the scholarship they have awarded to the student by the amount of outside scholarships, the Webermeier Scholarship can be awarded directly to the student, provided the following conditions are met:

1. The Student will provide proof of the College Policy.
2. The Student will present proof of payment for college expenses not covered by college scholarships.
3. Qualifying expenses include: (Tuition, books, student fees, dorm cost).

A motion was made by Neal and seconded by Bruha to approve the policy change. Roll call vote: Neal yes, Bruha yes, Anderson yes, Fortune yes. Motion carried. Hoggins will check with bank to see if they will cut a check directly to the student.

Approve Payments: J.E.O., OCCT Implementation – A motion was made by Fortune and seconded by Neal to approve payment of \$4,046.00 to J.E.O. for OCCT Implementation. Roll call vote: Fortune yes, Neal yes, Anderson yes, Bruha yes. Motion carried.

Maguire Iron, Water Tower - A motion was made by Fortune and seconded by Bruha to approve certificate of payment no. 4 in the

amount of \$167,310.00 for fabrication and transportation. Roll call vote: Fortune yes, Bruha yes, Anderson yes, Neal yes. Motion carried.

MSMSS Ent., Pay application #2 – A motion was made by Fortune and seconded by Neal to approve application of payment no. 2 in the amount of \$52,470.33. Roll call vote: Fortune yes, Neal yes, Anderson yes, Bruha yes. Motion carried.

Approve Firework Sales – 410 S. State Hwy.: A motion was made by Fortune and seconded by Bruha to approve the sale of fireworks at 410 S. State Hwy. (Mini Mart) by Richard Ludvik. Roll call vote: Fortune yes, Bruha yes, Anderson yes, Neal yes. Motion carried.

Appointments: A motion was made by Neal and seconded by Anderson to approve the Mayor's recommendation of appointing Dan Anderson to the Recreation Board. Roll call vote: Neal yes, Anderson yes, Bruha yes, Fortune yes. Motion carried.

A motion was made by Fortune and seconded by Bruha to approve the Mayor's recommendation of appointing Bill Lauber, Glenn Weaver, Connie Lindquist and Dan Troyer to the Cemetery Board. Roll call vote: Fortune yes, Bruha yes, Anderson yes, Neal yes. Motion carried.

Change Order #1 – Corrosion Control Treatment: A motion was made by Fortune and seconded by Neal to authorize the Mayor's signature on change order #1 for the Optimal Corrosion Control Treatment Installation increasing the project amount by \$1,386.64. Roll call vote: Fortune yes, Neal yes, Anderson yes, Bruha yes. Motion carried.

Trailer Court Regulations: Discussion was held regarding trailer park lot lines and standards. The current trailer courts are inspected yearly and regulated by State Codes. Bruha noted that current regulations require zoning of R3 for trailer courts, which the City of Milford does not have. He also noted that the trailers do not meet municipal code regulations requiring 10' to 20' of distance between each unit. Fortune noted that if the trailers meet State Code they should be O.K. The current trailer parks should be grandfathered as they have been in existence for a long time. Hansen & Kremer were present and stated that if the Council would adopt the Seward County Regulations it would be impossible for them to comply. A question arose when Sean Kremer was approached about selling a portion of his trailer court. Would he need to comply with new regulations or be allowed to keep his trailer court as is? If he subdivided his court would he lose the grandfather status? The Council stated additional discussion needs to be held by the Planning & Zoning Commission to make further recommendations for future trailer park development.

Open/Vacant Buildings: Building Inspector Roger Kness notified Steve Stabenow, owner of property on Elm St., as to the condition of his trailer home, requesting the home be demolished or a building permit be taken to make improvements to the home. Mr. Stabenow complied with the request and asked for an extension to demolish the trailer early this Fall when he would be traveling back to NE. Completion of the building on 1st St. by Dan Troyer was also mentioned. Bruha noted the building has no door or windows and it detracts from the downtown area. The longevity of the building permit was questioned and what arrangements the City had with Dan Troyer to complete the building. The Council suggested Mayor Plessel inform Dan Troyer that doors and windows need to be placed into the building and the back of the building needs to be secured with an all weather covering.

ADJOURNMENT: A motion was made by Neal and seconded by Bruha to adjourn the meeting. Roll call vote: Neal yes, Bruha yes, Anderson yes, Fortune yes. Motion carried and meeting adjourned at 9:44 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 of May 7, 2003 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