

CITY OF MILFORD
REGULAR MEETING
OCTOBER 2, 2001
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 2nd day of October 2001 at 7:30 pm. Present were: Mayor Elaine Plessel; Council members Scott Burroughs, Gary Cooper, Lyle Neal. Absent: Rick Fortune. Also present: Bruce Rediger, Warren Spellman, Larry & Bev TeSelle, Mark & Carma Meierdierks, Dean Bruha, Chief of Police Forrest Siebken and Rob Hightshoe 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 pm.

MINUTES: A motion was made by Burroughs and seconded by Neal to approve the minutes of the September 4, 2001 meeting. Roll call vote: Burroughs yes, Neal yes, Cooper yes. Motion carried.

A motion was made by Cooper and seconded by Burroughs to approve the minutes of the September 11, 2001 meeting. Roll call vote: Cooper yes, Burroughs yes, Neal yes. Motion carried.

PAYMENT OF BILLS: A motion was made by Neal and seconded by Cooper that the following bills in the amount of \$151,841.40 approved by the Auditing Committee be approved for payment. Roll call vote: Neal yes, Cooper yes, Burroughs yes. Motion carried.

SALARIES:

33706	Mark Frey	1002.44
33707	Elaine J. Soukup	19.02
33708	Forrest K. Siebken	962.38
33709	Mavis Lynn Ferris	27.34
33710	Jeanne M. Hoggins	837.01
33711	Gary Lee TeSelle	773.58
33712	Scott Dean Fosler	998.45

33713	Robert L. Hull	935.02
33714	Beverly J. Wehrs	292.57
33715	Edna A. Riedl	181.27
33716	David R. Dahle	765.43
33717	Louis J. Bialas	673.89
33718	Pamela J. Slama	223.73
33719	Arlene F. Sieck	499.82
33720	Lucy B. Honig	52.93
33721	William J. Sauer	192.08
33722	Marcus A. Siebken	56.81
33723	Amanda R. Fichtner	177.32
33724	Chad A. Craghead	722.20
33725	Dustin R. Lindgren	139.03
33726	Melissa McCall	181.82
33727	Victoria L. Melch	58.18
33728	Jessie J. Danekas	11.54
33729	Zachary D. Eden	111.72
33783	Mark Frey	1002.44
33784	Elaine J. Soukup	21.40
33785	Forrest K. Siebken	962.38
33786	Mavis Lynn Ferris	23.78
33787	Jeanne M. Hoggins	837.01
33788	Gary Lee TeSelle	615.61
33789	Scott Dean Fosler	786.97
33790	Robert L. Hull	728.86
33791	Beverly J. Wehrs	375.16
33792	Edna A. Riedl	264.08
33793	David R. Dahle	715.01
33794	Louis J. Bialas	685.27
33795	Pamela J. Slama	229.57
33796	Arlene F. Sieck	499.82
33797	Lucy B. Honig	245.07
33798	Marcus A. Siebken	73.84
33799	Chad A. Craghead	628.46
33800	Zachary D. Eden	143.15
33802	Gary W. Cooper	138.52
33803	Roger L. Kness	206.26
33804	Joyce Elaine Plessel	184.70
33805	Ricky Gene Fortune	138.52
33806	Scott C. Burroughs	138.52

33807 Emerson L. Neal 138.52

GENERAL FUND:

33705 US Postmaster – Utility Billing Postage 124.54

33730 Ameritas Life Insurance Corp – Retirement 1091.23

33731 Ameritas Investment Corp–Annual Fee/Fire Dept Bond 103.00

33732 Alltel – Local, Internet, Pay Phone, Pager for August 181.57

33733 Alltel – August Cellular 40.34

33734 Barco Municipal Products – Insulated Boots, Tape Tnd 242.12

33735 Bonsall Pool Co – DE Filter Powder 22.95

33736 Buman’s Mech Services – Spool, Maruyama, Clutches 190.21

33737 Butchs Welding – Labor on Strng Winder, Flt Wshr 75.48

33738 CCP Industries – Earplugs 33.28

33739 Culligan Water Conditioning – Soft Water 40.00

33740 Dorchester Coop – Gas/Diesel, Tires/Tubes, Batteries 1824.22

33741 D & D Communications – 1 Portable Radio 754.00

33742 Eakes Office Plus – Binders, Paper, PO Books 64.39

33743 Farm Plan – Extension, Knob, 5/16 x 2 28.78

33744 The Garbage Company – Garbage Service for August 87.00

33745 Gene’s Electric – Materials for Outlet, Labor 270.85

33746 General Excavating – Wk on V-View Lift Station 50000.00

33747 Great Plains-One Call – Locate Request Surcharge 21.19

33748 Kirkham Michael – Flood Mitigation 334.00

33749 Kustom Signals Inc – Transmitter, Case, Microphone 155.00

33750 Milford Plumbing Inc – Rod Bush, Tee Nipples, Brass 9.87

33751 The Milford Times – Notices, Minutes, Mtgs, Minutes 282.92

33752 Midwest Vehicle Professionals–Stryker Cot EZPro II 3150.00

33753 NE Dept of Revenue – Sales Tax for August 1687.09

33754 NE Motor Parts – Oil, Chain Oil, Nuts, Bolts, Tire Fm 106.19

33755 NE Public Power Dist – Service for August 5983.78

33756 NE Tech & Telecomm, Inc – Service for August 499.65

33757 NE Dept of Revenue – Recycling Fee 25.00

33758 Olsson Associates – Const V-View Lift Station 550.00

33759 Omaha Wholesale Hardware – Master Padlocks 49.89

33760 OMB Police Supply – ReChargeable Flashlight 143.43

33761 Pegler-Sysco Food Svcs – Disposable Earplugs 31.40

33762 Peoples Natural Gas – Service for August 646.23

33763 Pizza Kitchen – 45 Birthday Dinners 157.50

33764 Public Safety Center, Inc – Collars 86.04

33765 B & R Electronics – Computer & Installation 1233.00

33766 Roxanne Roth – Clean City Offices, Fire Hall, Library 200.00

33767	Mrs Wayne Roth – 2 Birthday Cakes	28.00
33768	Schlegel's Groceries – Groceries & Milk, Potato Bake	102.42
33769	Seward Co Rural Pub Power District – Wells 4 & 5	406.57
33770	Southeast Community College/Milford – Bookshelf	150.00
33771	Technical Maint – Labor, Travel, Mileage, Svc Bd	574.20
33772	Sunrise Country Manor – 385 Meals for August	1155.00
33773	TMCO Inc – Bushings, Bearings, Pins, Wlking Sprknlr	253.90
33774	Uniservice Inc – Pants & Rags	134.64
33775	United States Postal Service – Postage for Meter	200.00
33776	Utility Equip Co – Flare Adapter, Curb Box	368.20
33777	Vollbracht's Inc – Clutch	326.92
33778	Dean Davis – Water & Sewer Deposit Refund	12.78
33779	Wayne Divis – Water & Sewer Deposit Refund	28.33
33780	Gene's Electric – Work on Lights @ Pool	12600.00
33781	HUMANA – Group Insurance for Nov	5826.16
33782	Mutual of Omaha Companies – Group Insurance-Oct	4947.15
33801	Ameritas Life Insurance Corp – Retirement	1091.23
33808	AFLAC – Supplemental Accident, Cancer, Disability	152.90
33809	Alltel – Directory Advertising, Paging & Internet	60.70
33810	Alltel – Mobile Phone for September	20.67
33811	Alltel – Long Distance for September	1.96
33812	Alltel – Maintenance Contract	513.00
33813	Arrakis Publishing/Fire Programs – Software	1084.75
33814	Blevens Law Office – Legal Services for September	350.00
33815	Sports Express – Pony Caps	50.00
33816	City of Milford – Petty Cash, Postage, Supplies	101.41
33817	Christian Book Distributors – 9 Books	146.18
33818	The Cosgrave Company – Flags	166.10
33819	Data Technologies – 2002 Summit Lic/Supp Fees	1878.59
33820	Void	
33821	Farmers & Merchants Agency – Employee Blnkt Bond	171.00
33822	Gerhold Concrete Company – 1.5 Yds Concrete	104.25
33823	Heartsong Presents – 4 Books	9.97
33824	Jeanne Hoggins – Mileage to Sam's for Supplies	7.75
33825	Ingram Library Services – 61 Books	420.39
33826	Marvin E Jewell & Co – Budget Work	6170.00
33827	Lincoln Journal Star – Ad for 5 th Officer	301.04
33828	Kids Discover – 1 Year Subscription	19.95
33829	League of NE Municipalities – Membership Dues	1583.00
33830	League of NE Municip / Util Sect – Membership Dues	368.00

33831	MARC – Veg-A-Kill	153.76
33832	Milford School Dist #5 – Fines collected for September	25.00
33833	Miller-Monroe Co – General Liability Insurance	30839.00
33834	Motorola – Labor	36.00
33835	Moses Motor Co., Inc – Labor & Parts	146.99
33836	Mutual of Omaha Companies – Disability	69.23
33837	National Geographic – “Exploring the Solar System”	13.90
33838	NE Society of Fire Service Instr – Books & Packets	189.00
33839	NE Rural Water Assoc – Backflow Pamphlets	83.00
33840	Northern Pump & Irrigation – Nozzles, Spray Heads	60.69
33841	Olsson Associates – Water Tower Payment	2666.00
33842	Omaha Life Insurance Company – Life Insurance	68.80
33843	Pavers Inc – Remove/Replace Asphalt	2014.00
33844	Police Officers’ Assoc of NE – Handbooks & Updates	45.00
33845	Rediger Chevrolet – Work on Equipment	382.15
33846	Edna Riedl – Reimb for Books, CASTL Mtg Mileage	134.05
33847	Roxanne Roth – Clean City Offices, Fire Hall, Library	200.00
33848	Sesame Street – 2 Year Subscription	29.80
33849	Forrest Siebken – Meals/Mileage to POAN/NSA Conf	161.52
33850	Southeast NE Dev Dist – FY 2002 Membership	1226.00
33851	Wayne Stohlmann – Reimburse for Class	65.00
33852	The Gale Group – 1 Book	26.39
33853	Union Bank – Gary TeSelle Account	250.00
33854	Wal-Mart – Card Stock, Dryline, Binders, Polywrap	55.37
33855	ZEP Manufacturing Co – Sewer Aid	140.24
33856	Velma Conkling – Sewer Backup Cleanup Reimburse	100.00
33857	Christine Kasel – Water & Sewer Deposit Refund	26.98
33858	Chris Morris – Water & Sewer Deposit Refund	36.34
33859	Jason Stedman – Water Deposit Refund	28.07
33860	Dennis Stutzman – Sewer Backup Cleanup Reimburse	95.00
33861	Jay Weber – Water & Sewer Deposit Refund	25.87
33862	Educational Service Unit #6 – Conference Room Fee	35.00

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Housing Authority minutes for September 10, 2001; Planning & Zoning minutes for September 18, 2001; Milford Aging Services Commission minutes for September 19, 2001; Police Dept. Activity Report for September 2001. Cooper – Improvements of the alley behind Sister Act have been made according to the survey results of our last meeting. Olsson Assoc. has been contacted to survey the alley behind Rediger Chevrolet. Discussion has been held on a design for the alley

approach on “B” Street between 5th & 6th St. Neal – Sr. Center Board met and discussed the deficit. Efforts are being made to come up with ways to bring in additional funds. Meal contract presented was the same cost as last year. Siebken – 794 total calls for service. Members of the Seward County E911 Agency Board traveled to West Point to look at their communication systems. Several items are on the table and it looks like the 300’ tower will probably not occur in Seward County. Agency Board is looking at possibly a multiple repeater sight or trunk UHF System.

COMMUNICATIONS: Sales tax received for the month of July 2001 was \$11,348.24. Mayor Plessel visited with County Clerk, Schweitzer to discuss changing the voting wards within the City of Milford. With a population of 2070, the ideal number would be 1035 per ward. We are currently: Ward 1- 975 and Ward 2 – 1095. This allows for an 11.6% deviation and the maximum deviation should be 10%. By using 3rd St. as the dividing line from one end of the City limits to the other, the numbers would be as follows: Ward 1 – 1037 and Ward 2 – 1033. The County Clerk needs the change made by Ordinance before November 1st. Mayor Plessel requested a special meeting be held. October 8, 2001 at 5:00 pm was the date decided for the special meeting.

PUBLIC HEARING: Citizen Advisory Committee: Mayor Plessel opened the public hearing at 7:40 pm. Dean Bruha advised the Council that the Economic Development Committee met Sept. 27th and is still trying to solicit business to the community. Bruha has received several calls from local business wanting to expand and/or make improvements. He explained that the State funds are tied to new jobs created. Funds for the immediate community would come from the .10%, which has been set aside from sales tax income. A company has inquired about a distribution sight. Locations within the county have been looked at. This process is very competitive and the company naturally is looking out for their best interest. Bruha informed the Council that activity is taking place. The group is pursuing locations inside and out of the city limits of interested parties to sell ground. They will then list these properties on the website for promotional sites. No expenditures at this time. Neal added, the group couldn’t actively promote a sight unless they have an agreement. There being no further comments the Mayor closed the public hearing at 7:45 pm.

UNFINISHED BUSINESS:

Executive Session – Litigation: A motion was made by Burroughs and seconded by Neal to go into Executive Session. Roll call vote: Burroughs yes, Neal yes, Cooper yes. Motion carried and the Council adjourned from regular session at 7:45 pm. A motion was made by Cooper and seconded by

Burroughs to return to regular session. Roll call vote: Cooper yes, Burroughs yes, Neal yes. Motion carried and Council returned to regular session at 8:30 pm.

Water Damage – Meierdierks & Rediger: A motion was made by Cooper and seconded by Burroughs to table this item until the Nov. 6th meeting. Roll call vote: Cooper yes, Burroughs yes, Neal yes. Motion carried.

NEW BUSINESS:

Award Sr. Center Meal Bid: A motion was made by Neal and seconded by Cooper to award the Sr. Center meal bid to Sunrise Country Manor in the amount of \$3.00 per meal. Roll call vote: Neal yes, Cooper yes, Burroughs yes. Motion carried.

Stand-by Generator: Burroughs reported that the generator has been maintained and is operational. In order to hook it up, a transformer and throw switch need to be installed. Fortune received an estimate from Gene's Electric of \$19,650.00. Fortune has reviewed the bid. A motion was made by Burroughs and seconded by Cooper to accept the bid from Gene's Electric in the amount of \$19,650.00 to install the transformer and switch to the generator. Roll call vote: Burroughs yes, Cooper yes, Neal yes. Motion carried.

Hire Volleyball Director: A motion was made by Burroughs and seconded by Neal to accept the recommendation of the Recreation Board to hire Monty Troyer as the Volleyball Director. Roll call vote: Burroughs yes, Neal yes, Cooper yes. Motion carried.

Youth Basketball Coaches: A motion was made by Burroughs and seconded by Neal to accept the recommendation of the Recreation Board to hire Eric Millikan as the youth boy's basketball coach for the Saturday morning program. Roll call vote: Burroughs yes, Neal yes, Cooper yes. Motion carried. It was mentioned that a girl's coach has not been found yet.

Beverly TeSelle – Concerns about 725 1st St.: Larry and Bev TeSelle own the property directly west of 725 1st St. Bev presented pictures of the property noting the condition of the roof and porch roof. There are holes in the roof, which a squirrel could take a cigarette into and cause a fire. The appearance is poor for anyone traveling on 1st St. There are three storage units, in the back yard, that are never used. Mrs. TeSelle is concerned about mice and snakes in the storage buildings. An issue for the police dept., a vehicle is normally parked over the sidewalk in front of the house. Mr. Bruha noted to the Council that a Housing Authority should be created to inspect rental properties on an annual basis. If inspection fails and repairs are not made within 30 days then the Certificate of Occupancy would be removed. Neal questioned if codes were in place to relate to the issues in the

photos. Blevens noted the Uniform Building Code should have a section to abate a nuisance. The Council decided to have Building Inspector Roger Kness inspect the property and report back to the City Council in November. TeSelle's main concern is a fire hazard.

Award Bid – “A” Street Storm Sewer: Cooper reported that Sealcoat Services out of Omaha turned in the low bid of \$34,059.50. Kirkham Michael has worked with them before and they stated that they could start on the project this fall. Burroughs noticed we had a local contractor that turned in a bid of only \$2,000.00 more. Cooper felt \$2,000 would make a difference in the street budget. A motion was made by Cooper and seconded by Burroughs to award the bid to Sealcoat Services in the amount of \$34,059.50 for the “A” Street Storm Sewer Project. Roll call vote: Cooper yes, Burroughs yes, Neal yes. Motion carried.

Approve Payment –Olsson Assoc., Valley View Lift Station: A motion was made by Neal and seconded by Cooper to approve payment of Invoice #48952 in the amount of \$550.00 to Olsson Associates for 10% of the completed project for the Valley View Lift Station. Roll call vote: Neal yes, Cooper yes, Burroughs yes. Motion carried.

Approve payment – Kirkham Michael, Flood Mitigation: A motion was made by Burroughs and seconded by Neal to approve payment in the amount of \$334.00 to Kirkham Michael for the flood mitigation study. Roll call vote: Burroughs yes, Neal yes, Cooper yes. Motion carried.

Approve Fire Dept. Membership Roster: A motion was made by Burroughs and seconded by Cooper to approve the Fire Dept. membership roster. Roll call vote: Burroughs yes, Cooper yes, Neal yes. Motion carried.

Introduction and Adoption of Resolution - R.A.P.: Attorney Blevens read the resolution. A motion was made by Burroughs to approve the following resolution seconded by Neal.

RESOLUTION NO. 380

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

WHEREAS, law enforcement agencies within the following counties: Butler, Clay, Fillmore, Hamilton, Jefferson, Merrick, Nuckolls, Saline, Saunders, Seward, Thayer, Webster, and York desire to enter into a cooperative law enforcement effort; and

WHEREAS, the above agencies have submitted a grant application as the RURAL APPREHENSION PROGRAM (hereafter R.A.P.); and

WHEREAS, the R.A.P. project has been funded by the Nebraska Crime Commission; and

WHEREAS, the various counties, agencies and communities within those counties desire to make the most efficient use of the power by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors; and

WHEREAS, an interlocal agreement, consistent with Nebraska Revised Statutes 13-801 et.seq., would be in the best interest of all participating agencies; and

WHEREAS, the agencies desire to enter into a written interlocal agreement for the purpose of carrying out the R.A.P. objectives and grant requirement of the Nebraska Crime Commission.

BE IT RESOLVED THAT:

The City of Milford authorizes R.A.P. to enter City of Milford into an interlocal agreement for joint and cooperative action pursuant to the provisions of Section 13-801 through 13-807. The interlocal agreement shall be for the strict administration of the R.A.P. project and all funds allocated by the Nebraska Crime Commission, and Match dollars allocated by the R.A.P. members. Further, this interlocal agreement shall not establish a separate legal entity, rather as a joint and cooperative undertaking between public agencies i.e. state, county, city and village. (Nebraska Revised Statute 13-801)

Amount of match dollars allocated by the City of Milford for the 2001 - 2002 (R.A.P. 12) grant period will be \$943.00.

Upon roll call vote as follows: Burroughs yes, Neal yes, Cooper yes. Motion carried.

Dated this 2nd day of October 2001.

(SEAL)

City Clerk

Mayor

Approve Payment – Olsson Assoc. Water Tank: A motion was made by Neal and seconded by Cooper to approve the payment in the amount of \$2,666.00 to Olsson Assoc. for the Water Tank project. Roll call vote: Neal yes, Cooper yes, Burroughs yes. Motion carried.

Introduction and Adoption of Ordinance – Offenses Against Public Peace: Chief Siebken noted 21 disturbance calls in the 500 block of “D” St. in the month of September. Passing this ordinance would make the manager or property owner more responsible for activities being allowed which disturb public peace. Fine of \$500.00 could be assessed. Chief Siebken

informed the Council of an incident in Lincoln and after the ordinance was passed they noticed a decrease in disturbance calls. A motion was made by Cooper and seconded by Burroughs to introduce the following Ordinance:

ORDINANCE NO. 718

AN ORDINANCE ENACTING ARTICLE 5, TO THE MILFORD MUNICIPAL CODE RELATING TO OFFENSES AGAINST PUBLIC PEACE; TO ENACT SECTIONS 6-501 THROUGH 6-505 RELATING TO THE SUPPRESSION OF NUISANCES TO INCLUDE UNREASONABLE INTERFERENCES WITH THE HEALTH, SAFETY, WELFARE AND PROPERTY OF THE CITIZENS OF THE CITY AS A NUISANCE; TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

Executive Session – Personnel: A motion was made by Neal and seconded by Burroughs to go into Executive Session. Roll call vote: Neal yes, Burroughs yes, Cooper yes. Motion carried and Council adjourned from regular session at 9:00 pm. A motion was made by Burroughs and seconded by Cooper to return to regular session. Roll call vote: Burroughs yes, Cooper yes, Neal yes. Motion carried and Council returned to regular session at 9:11 pm.

ADJOURNMENT: A motion was made by Burroughs and seconded by Cooper to adjourn the meeting. Roll call vote: Burroughs yes, Cooper yes, Neal yes. Motion carried and meeting adjourned at 9:12 pm.

City Clerk

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 October 2, 2001 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