

CITY OF MILFORD  
REGULAR MEETING  
OCTOBER 2, 2007  
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 2<sup>nd</sup> day of October 2007 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, Maintenance Supt. Mark Frey; City Clerk Jeanne Hoggins. Also present: Pat Bruha and Leslie Patton.

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 Fortune and seconded by Bruha to approve the minutes of the September 4, 2007 meeting. Roll call vote: Fortune yes, Bruha yes, Baker yes, Neal yes. Motion carried.

A motion was made by Baker and seconded by Fortune to approve the minutes of the September 13, 2007 meeting. Roll call vote: Baker yes, Fortune yes, Bruha yes, Neal yes. Motion carried.

**PAYMENT OF BILLS BOND INTEREST AND PRINCIPAL:** A motion was made by Neal and seconded by Bruha that the following bills in the amount of \$73,766.90; bond interest of \$19,052.50 and bond principal of \$30,000.00 totaling \$122,819.40 approved by the Auditing Committee be approved for payment. Roll call vote: Neal yes, Bruha yes, Baker yes, Fortune yes. Motion carried.

Craig Vincent with NPPD and Nancy McGill with the press arrived.

**SALARIES:**

44907	Mark Frey	1306.37
44908	Forrest K Siebken	1240.98

44909	Mavis Lynn Ferris	38.42
44910	Jeanne M Hoggins	1275.21
44911	Gary Lee TeSelle	759.15
44912	Scott Dean Fosler	1022.19
44913	Robert L Hull	900.81
44914	Beverly J Wehrs	460.01
44915	Edna A Riedl	316.89
44916	David R Dahle	903.61
44917	Louis J Bialas	984.07
44918	Bryce C Johnson	980.87
44919	Philip Winkelmann	1008.18
44920	Lindsey S Troyer	150.31
44921	George Matzen	217.44
44922	Joshua S Wiley	87.62
44923	Tracy L Yeackley	623.22
44924	Hanna L Troyer	66.50
44987	Mark Frey	1306.37
44988	Forrest K Siebken	1240.98
44989	Mavis Lynn Ferris	35.46
44990	Jeanne M Hoggins	1275.21
44991	Gary Lee TeSelle	871.10
44992	Scott Dean Fosler	935.35
44993	Robert L Hull	805.74
44994	Beverly J Wehrs	507.61
44995	Edna A Riedl	316.89
44996	David R Dahle	893.01
44997	Louis J Bialas	1030.74
44998	Bryce C Johnson	896.88
44999	Philip Winkelmann	916.30
45000	Lindsey S Troyer	310.94
45001	George A Matzen	233.45
45002	Joshua S Wiley	124.79
45003	Tracy L Yeackley	623.23
45004	Hannah L Troyer	55.41
45006	Joyce Elaine Plessel	184.70
45007	Ricky Gene Fortune	138.52
45008	Dean Alan Bruha	138.52
45009	Emerson L Neal	138.52
45010	Jeffrey M Baker	138.52
<b>GENERAL FUND:</b>		
44904	David Cunningham – WA/SW Deposit Refund	30.58
44905	Sarah Jones – WA/SW Deposit Refund	25.55

44906	US Postmaster – Utility Billing Postage	246.55
44925	Ameritas Group – Pension	1542.08
44926	AFLAC – Dis, Cancer, Acc, Suppl	406.26
44927	American Plus, Inc. – Earplugs	57.43
44928	Alltel – Cellular Charges	113.58
44929	Windstream – Long Distance for Aug	7.18
44930	American Building Inspectors – 5 Inspections	250.00
44931	All Pro Landscaping – Sprinklers	116.22
44932	Aramark – Pants & Rags	285.27
44933	American Legion – New Flag	28.62
44934	Barco Municipal Products – Wrench, Hardhat bands	169.97
44935	Butch’s Welding – Handle, Shovel, Labor	92.28
44936	Centaur Enterprises – Pinclips	7.08
44937	City of Milford – Petty Cash	54.72
44938	Culligan – Soft Water	20.00
44939	Farmers Cooperative – Gas & Diesel for August	1653.34
44940	Diode Communications – Service for August	54.16
44941	Deep Rock – Drinking Water	47.28
44942	Don’s Pioneer Uniform – Shirts & Boot Laces	122.38
44943	Eakes Office Plus – PO Books, Calendars, Stapler	395.45
44944	The Garbage Co – Garbage Pickup	138.82
44945	Gene’s Electric – Flag Pole Light, Temporary Box	4441.60
44946	Great Plains One Call – Locate Requests	21.86
44947	Great American Leasing – 3 months meter rental	285.00
44948	Heiman Inc. – Hydrant & Spanner Set	245.84
44949	Marvin E Jewell & Co – 07-08 Budget Assistance	6300.00
44950	Kelly Supply Co – Connectors, tubing	17.86
44951	Milford School Dist – Parking Fines	10.00
44952	Milford Volunteer Fire – Firefighter 1 Books	81.20
44953	Municipal Supply – Lid, Blade, Valve Box	299.42
44954	Mutual of Omaha – Disability	79.33
44955	Ne Dept of Revenue – August Sales Tax	2213.85
44956	NE Public Health – Coliform, VOC’s	549.00
44957	NE Motor Parts – Wire, Clip, Oil, Duct Tape, Spray	436.57
44958	NPPD – Service for Aug	7759.27
44959	NT&T – Service for Aug	402.00
44960	NE Dept of Revenue – Waste Reduction & Recycling	25.00
44961	Office Depot – Toner, Markers, Post-Its	122.05
44962	Aquila – Service for August	277.80
44963	Pizza Kitchen – Thursday Meal 8/16	82.50
44964	Pioneer Overhead – Wire, spring, labor	173.00
44965	Roxanne Roth – Cleaning Services	250.00

44966	Mrs. Wayne Roth – Birthday Cake	16.00
44967	Sam’s Club – Trashbags, Pledge, Febreeze	320.81
44968	Seward County Independent – Notices, minutes	306.46
44969	SPPD – Wells 1 & 2	369.47
44970	Meyer Ford – Vehicle Repair, Valve Repair	551.09
44971	Shell Fleet Plus – Gas For August	811.85
44972	Subway Motors – Tire Repair, Headlamp, Fuel Pump	623.22
44973	TCA Outdoor Power – V Belt, Sheave, Filters	210.56
44974	Sunrise Country Manor – Meal for August	871.00
44975	Union Bank – Gary TeSelle Account	300.00
44976	Walmart – Office Supplies, Scotch tape, Scrub bucket	39.25
44977	Wergins Lawn Service – Fert B St & Sr Center	46.00
44978	Windstream NE – Local/Internet, Civil Defense	292.96
44979	Jeremy Dinges – Food @ Hastings	65.55
44980	Golden Rule Contractors – Repair Garage Roof	2800.00
44981	Kiwanis Club of Seward – Repair Flagpole	30.00
44982	Law Enforcement Systems – Accident Exchange Forms	34.24
44983	Oak River Insurance – Fallen Limb Claim	250.00
44984	Quality Hotel & Convention Center – Hotels	319.80
44985	Lonny Radford – Mileage to Hastings	93.45
44986	Meyer Ford – New Truck	28673.00
45005	Ameritas Group – Pension	1542.08
45011	Ameritas Group – Dental & Vision	1104.06
45012	Blevens Law Office – Legal Services for September	350.00
45013	FamilyCircle – 2 yr subscription	19.98
45014	InsureNebraska – Lindsey Sec. Bond, City Crime Bond	346.00
45015	Fort Dearborn Life Ins. – Life Insurance	110.08
45016	Galaxy Cablevision – Annual Internet	419.86
45017	Gene’s Electric – Repair Garage Door	188.50
45018	Heartsong Presents – 4 Books	10.99
45019	Highsmith Inc. – Office Supplies	48.76
45020	IIMC – Annual Membership Fee	115.00
45021	Ingram Library – 34 Books	280.18
45022	Kapco – Office Supplies	99.90
45023	Kids Discover – 2 yr subscription	38.90
45024	Library Store – Office Supplies	111.29
45025	Marshall Cavendish – 5 Books	137.07
45026	NE Municipal Clerks – 07-08 Dues	25.00
45027	NE Library Commission – NEBASE Membership	60.00
45028	NPPD – Blood Alcohol analysis	77.00
45029	Edna Riedl – 3 Magazine Subscriptions	96.00
45030	Roxanne Roth – Cleaning Services	250.00

45031	RAP – Matching Fund Share	1035.00
45032	Sack Lumber – 6 Bags of Concrete	17.94
45033	Forrest Siebken – DARE Training Expense	72.61
45034	Show Me Books – 14 Books	108.00
45035	Watts Up – Bulbs for Traffic Signal	47.88
45036	Windstream – Paging Wide-Area/Local	13.55
45037	Windstream – Directory Advertising	14.15
45038	Romantic Homes – 2 Yr Subscription	39.95
45039	Scrapbooks Inc. – 2 Yr Subscription	24.00

**REPORTS OF OFFICERS, BOARDS AND COMMITTEES:** Written reports received were Recreation Board minutes for September 27, 2007; Police Dept. Activity Report for September 2007 and Rescue NARSIS reports for September 2007. Baker – still working on the mold issue at the Sr. Center. Bruha – received letter from Cindy Engel regarding a tree branch that fell on their vehicle. The City’s insurance paid for the damage costing \$1196.74. Continuous attempts are being made to re-seed the waterway between 6<sup>th</sup> & 7<sup>th</sup> Street. Neal – Park Board toured all the parks and will meet again in January to make recommendations. Chief Siebken reviewed the September Police Dept. activity report. The garage roof at City Hall has been repaired, but further repairs are needed on the actual building roof. Water is leaking through the seams and we had an extreme amount of water in the garage, along with noticing a few tiles in the City Clerk’s office have brown spots, which just recently appeared. Golden Rule contracting has given us a ballpark figure for replacement. Another method of repair may be to apply a coating over the top to seal the seams. This procedure may last 5 years and cost half of total replacement costs. Bruha reported that he, Frey, Siebken and TeSelle met with BNSF representative to discuss the preliminary plans for double tracking through Milford. The new track will run south of the current track. A retaining wall will be placed on the south side of the track along First Street. The flowers will be removed from the area and a sidewalk will be placed along First Street heading west and joining with the existing sidewalk, which is currently covered up. BNSF will be upgrading the crossing electronics at Walnut and Park Ave. The City has not received anything in writing, but there is a possibility of using the electronics to make use of a directional horn. The Railroad plans to start this project in March 2008 and completion is scheduled for October 2008.

**COMMUNICATIONS:** \*Sales tax received for the month of July 2007 was \$12,306.03.

**PUBLIC HEARING – Citizen Advisory Committee:** Mayor Plessel opened the Public Hearing at 7:46 pm. Bruha reported on the total amount of revenue (\$119,573.51); expense (\$50,629.11) and balance \$68,934.40.

Loans and grants distributed to CY Manufacturing (grant=\$12,500.00, loan=\$12,500.00) and Dragonfly Desserts (grant=\$5,000.00, loan=\$10,000.00) balance of loan as of October 1, 2007 for Dragonfly Desserts is \$8,999.98. Economic Development Committee met with Lana Zumbrunn on October 1, 2007 and there are business's interested in expanding their operation. Lana would like to work closely with the Milford group. Neal commented that the Economic Development Board will be meeting on the first Monday of each month. Lana will submit minutes of these meetings to the Mayor and Council. With no further comments Mayor Plessel closed the Public Hearing at 7:51 pm.

**UNFINISHED BUSINESS:**

**Change out electric meters for automated system, Craig Vincent – NPPD-Outages for October:** Nebraska Public Power District representative Craig Vincent gave a synopsis of the new automated meter reading equipment and installation. These installations will cause electric outages that will be occurring during the month of October. Residents of the community will receive a phone call prior to their individual outage. The replacement of meters on each individual home will be handled in three Phases. The first phase will include a change out of approximately 400 meters in Milford, to be completed by the end of October. NPPD will absorb the cost of the meters and there may be a potential for allowing the City of Milford to utilize the system to read water meters.

**Jack Zimmerman – Police Observations:** Jack was not in attendance.

**Discuss increase of water/sewer deposit:** Fortune informed the council that the deposit has been at \$50.00 since 1987. With the increase of water and sewer rates over the last few years the deposit is not covering the balance when people move out and already have delinquent accounts. Discussion was held regarding the dollar amount of increase. It was decided that \$75.00 should cover most bills over a 2 month period. Councilmember Fortune introduced the following resolution:

RESOLUTION NO. 436

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

Pursuant to Section 3-106 of the Municipal Code, all new water/sewer consumers of the City of Milford, and all existing water/sewer customers whose water service is disconnected for non-payment of water/sewer service charges in accordance with Ordinance No. 467, shall deposit with the Clerk the sum of \$75.00, if a deposit is not currently on file, to guarantee payment of water charges and service fees incurred by the depositor, and no interest shall be paid thereon.

Roll call vote: Fortune yes, Bruha yes, Baker yes, Neal yes. Motion carried.

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

City Clerk

\_\_\_\_\_

Mayor

(SEAL)

**Approve Fire Dept. membership roster:** A motion was made by Fortune and seconded by Neal to approve the Fire Dept. roster presented by Secretary Marcy Hostetler. There are currently 40 members. Roll call vote: Fortune yes, Neal yes, Baker yes, Bruha yes. Motion carried.

**Approve Volleyball Director:** A motion was made by Neal and seconded by Baker to approve hiring Bruce Stutzman as the coed volleyball director. Roll call vote: Neal yes, Baker yes, Bruha yes, Fortune yes. Motion carried.

**Approve Youth Basketball Coaches, Boys and Girls:** A motion was made by Neal and seconded by Bruha to approve Terry Hauder as the youth boy's basketball coach for the Saturday morning program. Roll call vote: Neal yes, Bruha yes, Baker yes, Fortune yes. Motion carried.

There were no applications received for the girl's position.

**Reappointment – Cemetery Board:** A motion was made by Baker and seconded by Fortune to approve the reappointment of Carma Meierdierks to the Cemetery Board, term ending October 1, 2010, made by Mayor Plessel. Roll call vote: Baker yes, Fortune yes, Bruha yes, Neal yes. Motion carried.

**Temporary “No Parking”, Load/Unload Zone, “A” Street by the Elevator:** Bruha reported on what he considered to be a potentially hazardous situation. Currently parking is allowed on the west side of North “A” Street between 1<sup>st</sup> Street and Park Ave. When vehicles are parked in this area it is difficult for grain trucks to turn into the elevator. It is also dangerous for vehicles turning onto “A” St. from Park Ave. They come face-to-face with the grain trucks. Bruha suggested a temporary “No Parking” sign be posted during harvest. Neal asked, “how that would impact the resident?” Siebken noted an ongoing issue with the residents and they were notified by Srgt. Fosler to move vehicles. Improvements have been made since they were notified. Discussion was held on dates of harvest.

**Introduction and Adoption of Resolution – Temporary “No Parking” on “A” Street by elevator:**

RESOLUTION NO. 437

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

Section 1. Pursuant to Article 5, Chapter 5, Section 503 of the Municipal Code, it shall be unlawful for any person to park any vehicle, including but not limited to any truck, tractor, automobile, motorcycle, trailer or other vehicle upon North “A” Street between the intersections of

First Street and Park Ave, between the dates of September 1 and November 15 of each year, except for the purpose of loading or unloading thereof.

Section 2. This Resolution shall remain in force and effect until amended or repealed by the Governing Body.

Passed and approved on October 2, 2007.

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

City Clerk

(SEAL)

\_\_\_\_\_

Mayor

**ADJOURNMENT:** A motion was made by Baker and seconded by Neal to adjourn the meeting. Roll call vote: Baker yes, Neal yes, Bruha yes, Fortune yes. Motion carried and meeting adjourned at 8:38 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 on October 2, 2007 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