

CITY OF MILFORD
REGULAR MEETING
OCTOBER 6, 1998
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 6TH day of October, 1998 at 7:30 P.M. Present were: Mayor Dean Bruha; Councilmembers Rick Fortune, Charles Rich, Steve Sauer; Attorney Robert Blevens; City Clerk J. Elaine Plessel. Absent: Councilmember Dorothy Bockoven. Also present: Teresa Ferris, Susan Harding, Jeff Petersen, Leroy Girard, Scott Rathjan, Todd Neeley, Brad and Donna Havener.

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.

MINUTES: A motion was made by Sauer and seconded by Rich to approve the minutes of the September 1, 1998 special meeting. Roll call vote: Sauer yes, Rich yes, Fortune yes. Motion carried.

A motion was made by Rich and seconded by Fortune to approve the minutes of the September 1, 1998 regular meeting. Roll call vote: Rich yes, Fortune yes, Sauer abstained as he was not present.

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

SALARIES:

28031	Mark Frey	931.59
28032	Joyce Elaine Plessel	717.66
28033	Forrest K. Siebken	902.10
28034	Kendall Arthur Hoggins	765.99
28035	Mavis Lynn Ferris	39.24
28036	Jeanne M. Hoggins	492.09
28037	Gary Lee TeSelle	708.77
28038	David Lee Smith	852.35

28039	Scott Dean Fosler	757.13
28040	Robert L. Hull	641.62
28041	Beverly J. Wehrs	306.71
28042	Edna A. Riedl	245.45
28043	David R. Dahle	574.94
28044	Ann M. Miller	180.86
28045	Amanda L. Lambe	104.15
28098	Mark Frey	931.59
28099	Joyce Elaine Plessel	717.66
28100	Forrest K. Siebken	808.09
28101	Kendall Arthur Hoggins	1,569.50
28102	Mavis Lynn Ferris	40.45
28103	Jeanne M. Hoggins	492.09
28104	Gary Lee TeSelle	583.18
28105	David Lee Smith	852.35
28106	Scott Dean Fosler	722.27
28107	Robert L. Hull	576.80
28108	Beverly J. Wehrs.	324.17
28109	Edna A. Riedl	276.78
28110	David R. Dahle	587.56
28111	Ann M. Miller	254.17
28112	Amanda L. Lambe	117.63

GENERAL FUND:

28046	Ameritas Life Insurance – Retirement	992.15
28047	Aliant Communications - Service	703.80
28048	Best Buy Co., Inc. – Computer Supplies	1,465.85
28049	Betty’s Bunch – Contract	529.38
28050	Butch’s Welding & Repair – Repairs & Labor	59.25
28051	Clint’s Service Shop – Refrigerator Repair	4.50
28052	Culligan Water Cond. – Softener Rental	43.50
28053	Countryside Co-op -- Supplies	550.03
28054	Voided Check	
28055	Countryside Co-op – Gas	663.46
28056	Sylvia Dimas – Cleaning	340.00
28057	Eakes Office Products - Copy, Fax Paper	21.90
28058	Ed. M. Feld Equip. Co. – Supplies	2,761.43
28059	Farmers & Merchants Bank – Loan Payment	1,100.11
28060	Farm Plan - Bearings	63.28
28061	The Garbage Co. – Service for August	65.50
28062	Gene’s Electric – New Service at Water Tower	1,543.50

28063	Great Plains-One Call Service – Local Requests	11.53
28064	Jack’s Shop - Disc Assembly Belt	30.50
28065	Lincoln Journal Star – Public Hearing Notice	11.90
28066	Ron Leichty Excavating - Haul Clay to Lot	430.00
28067	MLR Construction – Repair Stair Railing	80.00
28068	MCI – Long Distance Service	39.84
28069	Milford Times – Proceedings & Notices	303.69
28070	Municipal Supply, Inc. - Supplies	519.61
28071	Murray Electric – Repair Fire Whistle	35.00
28072	NE Dept. of Revenue – Sales Tax - Aug. ’98	1,373.12
28073	NE Dept. of Revenue – State W/H – Aug. ’98	1,072.87
28074	Nebraska Health Lab. – Water Testing	209.90
28075	NE Motor Parts – Supplies	81.67
28076	NE Public Power Dist. – Service to 8-24	3,186.23
28077	NE Dept. of Revenue – Water Recycle Fee	25.00
28078	Office Depot, Inc. - Supplies	14.13
28079	Peoples Natural Gas – Service to 8-26	545.83
28080	Pizza Kitchen – Meal & Birthday Certificate	128.25
28081	Elaine Plessel – Insurance	115.89
28082	Bob Redler – PC & Network Setup/Library	176.00
28083	Rediger Chevrolet – Oil Filter	67.42
28084	Beulah Roth – Quilting Supplies	23.25
28085	Mrs. Wayne Roth – 2 Birthday Cakes	25.00
28086	Sam’s Club/GECF – Cleaning Supplies	27.96
28087	Schlegel’s Groceries – Supplies	84.85
28088	Sew. Co. Rural Public Power – Wells 4 & 5	340.31
28090	Sister Act – Potting Soil/Stick	5.49
28091	Troyer Concrete – Post Office Curbing	4,160.00
28092	Vermeer Equipment of NE – Sharpen Knives	66.00
28093	Wall-Mart Store - Supplies	108.81
28094	Jennifer Butler – Deposit Refund	50.00
28095	Randall Williams – Deposit Refund	50.00
28096	Vance Zuerlein – Deposit Refund	50.00
28128	AT & T – Long Distance Service	10.59
28129	Ameritas Life Insurance Corp. - Retirement	1,891.10
28130	Aliant Cellular – Mobile Phone	17.46
28131	Better Books, Inc. - Books	48.44
28132	Betty’s Bunch – Part Time Employee	529.38
28133	Blevens Law Office – Legal Service	350.00
28134	Birds & Blooms – Subscription	29.98

28135	Thomas Bouregy & Co., Inc. - Books	57.35
28136	Sports Express – Logo Disk	31.00
28137	Century Labs/Pro Clean Inc. - Supplies	391.01
28138	Central Community College – Training (Dahle)	150.00
28139	City of Milford – Petty Cash	81.70
28140	Christian Book Distributors – Books	41.85
28141	Chief Supply Corp. – Supplies	547.14
28142	Crafts – Subscription	19.98
28143	Eakes Office Products	130.99
28144	Farmers & Merchants Agency – Treas. Bond	371.00
28145	Gerhold Concrete – Concrete	636.76
28146	Health Care Federal – TeSelle Acct.	200.00
28147	Heartsong Presents – Books	9.97
28148	Jeanne Hoggins	124.90
28149	IIMC – Membership	135.00
28150	Ingram Library Services	198.98
28151	International Conference – Membership Dues	85.00
28152	Marvin E. Jewell & Co. – 98-99 Budget Doc.	3,145.00
28153	League of NE Municipalities – Membership. Dues	1,392.00
28154	League of NE Municipalities – Util. Section. Dues	327.00
28155	The Library Store – Office Supplies	282.05
28156	Milford School Dist. # 5 – Fines	55.00
28157	Milford Times – Publications	627.47
28158	Micro Firmware, Inc.	65.65
28159	Midwest Radar & Equip. – Radar Recertification	90.00
28160	Mutual of Omaha - Disability Ins.	233.89
28161	NE Muni Clerks Assn. - Membership Dues	40.00
28162	National Geographic Society – Subscriptions	40.90
28163	NE Dept. of Revenue – State Withholding	714.59
28164	Void	
28165	NE Public Power Dist. – Service to 9/23	4,013.25
28166	NE Law Enforcement Intelligence – Conf. Regis.	65.00
28167	NAPE – Membership Dues	20.00
28168	Office Max – Supplies	9.99
28169	Olsson Associates – W.W.T.F.	297.68
28170	Omaha Life Ins. Co. – Fire Dept. Ins.	68.00
28171	Oxmoor House – Subscription	32.91
28172	Pizza Kitchen – Dinners, B. Day Certificate	102.15
28173	Mrs. Wayne Roth – 2 Birthday Cakes	25.00
28174	Saturday Evening Post – Subscription	13.97

28175	Seward Co. Independent – Subscription	27.00
28176	Seward Co. Rural Public Power – Wells 4 & 5	347.51
28177	Seward Co. Communications – Communications	300.00
28178	Seward Co. Ford - Oil Change Special	20.95
28179	Pam Slama – Office Cleaning	100.00
28180	Southeast NE Dev. Dist. – Membership Dues	1,132.00
28181	Southeast Library Systems – Skills Class	50.00
28182	Subway Motors – Gasket, Filters	114.63
28183	Teen – Subscription	19.94
28184	Bob Troyer – Drywall	50.00
28185	Troyer Concrete – Replace Sidewalk	325.00
28186	United Healthcare – Insurance 10/98	2,923.00
28187	Uniservice, Inc. – Paint Supplies	76.20
28188	U.S. New & World Report – Subscription	88.00
28189	Water Environment Fed. – Membership Dues	80.00
28190	Watts Up – Lights	171.60
28191	Williams Christmas Trees – Trees/Hansen Proj.	510.00
28192	Zillions – Subscription	26.00
28193	Dwight Schliefert – Deposit Refund	50.00
28194	Ryan Terwilliger – Deposit Refund	50.00
28195	Travis Tuttle – Deposit Refund	15.61

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were: Housing Authority minutes for September 14, 1998 and Notice for October 12, 1998; Aging Services Commission minutes for September 23, 1998; Planning and Zoning minutes for September 21 and 28, 1998.

Rich advised that they had seen a demonstration of a new street sweeper and will be writing specs for a bid on a sweeper.

Sauer informed Council that the pool concrete has been cut and guttering is in. Negotiating will need to be done with a local contractor for repair of the pool wall. The Senior Center elevator is not completely completed. A change order in the amount of \$700 for a sump pump will need to be signed. This change was requested by the State Inspector.

Bruha reported to Council that the final report from Olsson stated that the repair on the library will probably not exceed \$7,000 instead of the possible \$40,000 which was first quoted. It appears that it was not properly backed filled and tamped.

A request was received by the library personnel to have the library opened from 12:30 to 5:00 on Tuesday. There does not appear to be any problem with this.

The property split for Jo Newton at 714 1st to enable the back portion to be sold to Scott Stutzman at 711 Park Avenue has not be completed. There is no easement for sewer through that area and some of the residents in the area want to lengthen the alley that does not go the full length of the block.

COMMUNICATIONS: The sales tax received for the month of July is \$10,919.84.

Rich attended the SEWCOG meeting and advised that Lynn Rex with the League of Nebraska Municipalities spoke in opposition to Initiative 413 coming up in the November election.

Maintenance position: Applications have been received and interview dates will be set up.

Interlocal Agreement-Copper Bruha inquired as to whether or not we should send in our payment of \$1,886 or if this is still an issue. Before sending the check, Bruha will check with the League and see where we are at this time.

NEW BUSINESS: Approve Payments-Kirkham, Michael and Olsson Associates. Bruha asked that the payments of Kirkham, Michael be tabled to the October 13th meeting as he has not had time to review information that was given to him.

A motion was made by Fortune and seconded by Rich to approve the payment to Olsson & Associates in the amount of \$297.68 for Construction Phase services from July 12th through September 5th. Roll call vote: Fortune yes, Rich yes, Sauer yes. Motion carried.

Engineer Acceptance of Certification for Lagoon Council advised that Bond Counsel needs the Engineer's Certification of Acceptance approved by the Council. A motion was made by Fortune to accept the Certificate of Acceptance Milford Lagoon Facility, for an amount of \$1,109,351.62 seconded by Sauer. Roll call vote: Fortune yes, Rich yes, Sauer yes. Motion carried. Jeff Peterson with US Bancorp presented to Council information on rates at the present time on bonds. Also included in his report were the steps that now need to be taken to get bonds completed? He advised that at the October 13 meeting, an ordinance to issue bonds and a resolution calling the outstanding notes would need to be passed. Council was presented a DRAFT copy of ordinance that they could review prior to the meeting.

Paving Dist.-Approval of Final Figure Girard and Rathjan went over the steps that need to be taken on bonds for the paving districts. Information was distributed as to the costs and the assessments. Questions with regard to the storm sewer were brought up and information will need to be looked up as to how this was to be handled. A motion was made by Sauer and seconded by Rich to approve the final figure for 1997 Paving District No.

97-1 in the amount of \$139,572.68. Roll call vote: Sauer yes, Rich yes, Fortune yes. Motion carried. A motion was made by Rich and seconded by Sauer to approve the final figure for 1997 Paving District No. 97-2 in the amount of \$96,262.43. Roll call vote: Rich yes, Sauer yes, Fortune yes. Motion carried. The advertising for a hearing for these assessments must be made for 5 weeks. The public Hearing will be held at the regular December 1, 1998 meeting

Introduction and Adoption of Resolution-Set Public Hearing Assessment

The Clerk presented to the Council the final certificates of the special engineer on the completion of the construction of street improvements in Paving Districts Nos. 97-1 and 97-2 of the City showing the total costs of work and material furnished, which certificates have been filed in the Clerk's office.

After consideration thereof, Councilmember Fortune offered the following Resolution and moved its adoption:

RESOLUTION NO. 349

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

1. The Council shall meet at the Webermeier Community Room in said City on the 1st day of December, 1998 at 7:30 o'clock p.m. for the purpose of sitting as a Board of Equalization and levying special assessments on the lots and parcels of land abutting on or adjacent to the streets, avenues and alleys improved in connection with Paving Districts Nos. 97-1 and 97-2. Notice of the time of holding such meeting and the purpose for which it is held shall be published in the Milford Times, a legal newspaper published in Milford and of general circulation in said City, at least four weeks (five consecutive weekly publications) before the date of said hearing or in lieu thereof personal service may be had on persons owning or occupying property to be assessed. All actions taken by the City Clerk with respect to the publication of such notice is hereby ratified. The Clerk is directed to cause said notice to be mailed to owners of property subject to assessment as provided by statute.
2. The special engineer is directed to prepare and file in the office of the Clerk prior to the first publication of the Notice of the said hearing on special assessments a map of the property benefited by the improvements constructed in connection with Paving Districts Nos. 97-1 and 97-2 and a tentative schedule of the assessments, which shall be open to the public.

City Clerk

Mayor

Approve Fee-MBU Sewer Bond A motion was made by Fortune and seconded by Rich to approve payment to MBU in the amount of \$234 for sewer bond fees. Roll call vote: Fortune yes, Rich yes, Sauer yes. Motion carried.

Lot Split-Missionary Church, 4th & B The Planning and Zoning recommended that lot split should be sent to the Council for approval. There are four lots with a replat to three lots. It was noted that the required set backs on the new plat. A motion to approve the Grace Missionary Church Addition replat was made by Fortune and seconded by Rich. Brad Havener advised that this would be a single-family dwelling but was not sure when this would happen. It could possibly be next spring. Roll call vote: Fortune yes, Rich yes, Sauer yes. Motion carried.

Executive Session-Personnel A motion was made by Sauer and seconded by Rich to adjourn to executive session. Roll call vote: Sauer yes, Rich yes, Fortune yes. Motion carried and Council went into executive session at 8:45 p.m.

A motion was made by Sauer and seconded by Rich to return to regular session. Roll call vote: Sauer yes, Rich yes, Fortune yes. Motion carried and Council returned to regular session at 9:29 p.m.

ADJOURNMENT: A motion was made by Sauer and seconded by Fortune to adjourn the meeting. Roll call vote: Sauer yes, Fortune yes, Rich yes. Motion carried and meeting adjourned at 9:30 p.m.

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 on October 6, 1998 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)

J. Elaine Plessel, City Clerk