

CITY OF MILFORD
REGULAR MEETING
SEPTEMBER 3, 2002
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 3rd day of September 2002 at 7:40 P.M. Present were: Mayor J. Elaine Plessel; Council members Scott Burroughs, Gary Cooper, Rick Fortune, Lyle Neal; Chief of Police Forrest Siebken, Attorney Robert Blevens; City Clerk Jeanne Hoggins. Also present: Bob Anderson, Dean Bruha and Dennis Kubicek with Marvin Jewell Co.

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 7:58 pm.

MINUTES: A motion was made by Fortune and seconded by Burroughs to approve the minutes of the August 6, 2002 meeting. Roll call vote: Fortune yes, Burroughs yes, Cooper yes, Neal yes. Motion carried.

A motion was made by Cooper and seconded by Fortune to approve the minutes of the August 14, 2002 meeting. Roll call vote: Cooper yes, Fortune yes, Burroughs abstain, Neal yes. Motion carried.

PAYMENT OF BILLS: A motion was made by Cooper and seconded by Neal that the following bills in the amount of \$62,937.79 approved by the Auditing Committee be approved for payment. Roll call vote: Cooper yes, Neal yes, Burroughs yes, Fortune yes. Motion carried.

SALARIES:

35452	Mark Frey	1069.36
35453	Forrest K. Siebken	1013.76
35454	Mavis Lynn Ferris	24.98
35455	Stephanie A. Chicoine	62.34
35456	Jeanne M. Hoggins	903.32
35457	Gary Lee TeSelle	607.74
35458	Scott Dean Fosler	877.99
35459	Robert L. Hull	655.56

35460	Beverly J. Wehrs	402.41
35461	Edna A. Riedl	263.05
35462	David R. Dahle	731.98
35463	Louis J. Bialas	750.06
35464	Pamela J. Slama	249.41
35465	Bryce Roth	342.47
35466	Arlene F. Sieck	530.71
35467	Lucy B. Honig	280.46
35468	William J. Sauer	49.50
35469	Marcus A. Siebken	402.10
35470	Amanda R. Fichtner	686.81
35471	Jamie L. Opfer	568.27
35472	Sheri J. Condreay	396.69
36573	Dustin R. Lindgren	237.42
35474	Melissa McCall	544.40
35475	Jessie J. Danekas	473.33
35476	Zachary D. Eden	173.98
35477	Bryce C. Johnson	751.54
35478	Philip Winkelmann	694.20
35479	Kendra M. Hoggins	363.49
35480	Patricia A. Whitney	405.65
35481	Joel J. Condreay	568.15
35532	Mark Frey	1069.36
35533	Forrest K. Siebken	1013.76
35534	Mavis Lynn Ferris	27.48
35535	Jeanne M. Hoggins	903.32
35536	Gary Lee TeSelle	661.22
35537	Scott Dean Fosler	894.00
35538	Robert L. Hull	736.02
35539	Beverly J. Wehrs	423.75
35540	Edna A. Riedl	309.30
35541	David R. Dahle	731.98
35542	Louis J. Bialas	762.96
35543	Pamela J. Slama	196.40
35544	Arlene F. Sieck	530.71
35545	Lucy B. Honig	280.46
35546	Marcus A. Siebken	94.71
35547	Zachary D. Eden	120.31
35548	Bryce C. Johnson	719.69
35549	Philip Winkelmann	694.20
35552	Gary W. Cooper	138.53

35553	Roger L. Kness	303.22
35554	Joyce Elaine Plessel	184.70
35555	Ricky Gene Fortune	138.53
35556	Scott C. Burroughs	138.53
35557	Emerson L. Neal	138.53

GENERAL FUND:

35482	Ameritas Life Insurance Corp – Retirement	1225.94
35483	Alltel – Pager, Cellular, Pay Phone, Internet/July	184.48
35484	Alltel – Long Distance for July	3.09
35485	Alltel – Maintenance Contract	42.75
35486	Bob’s Automotive – Work on Ladder Truck	441.77
35487	Buman’s Mechanical Services – Tire Repair	11.00
35488	Butchs Welding–Pipe, Weld Marker, Wk / Well Pump	92.40
35489	City of Milford – Postage, Filing Fees, Supplies	63.40
35490	Culligan Water Conditioning – Soft Water, Salt	45.75
35491	Dorchester Coop – Gas/Diesel for July, Tie Rods	1266.08
35492	Eakes Office Plus – Avery Labels, Paper	139.31
35493	Farm Plan – Tire & W, Plug, Washer	99.91
35494	The Garbage Company – Service for July	87.00
35495	Great Plains-One Call – Locate Request Surcharge	22.00
35496	Brad Havener Construction – Quilting Frames	22.00
35497	Heiman Fire Equip Inc – Bullard MX + Trk Mount	16855.00
35498	Holiday Inn/Kearney – Room/Meal for Sewer Class	93.98
35499	Milford Plumbing Inc – Water Heater, Fittings	1879.95
35500	The Milford Times – Mtgs, Min, Ord, Notices, Env	430.94
35501	Milford Vol Fire Dept – Ann Memberships/Dues	254.00
35502	NE Law Enforcement Training – Radar Training x 2	84.00
35503	NE Dept of Revenue – Sales Tax for July	2150.68
35504	NE Motor Parts – Receptacle, Thread Lock, Gas Cans	62.60
35505	NE Public Power Dist – Service for July	6641.02
35506	NE Tech & Telecomm Inc – Service for July	515.03
35507	NeLEIN – NeLEIN Conference	70.00
35508	Pack N Ship – Shipping Charges	67.00
35509	Aquila – Service for July	375.46
35510	Pizza Kitchen – 38 Dinners for July	142.50
35511	PowerPlan – Ball Joint	15.58
35512	Rami’s Photograph & Framing – Film Development	47.21
35513	Rediger Chevrolet – Replace Switch, Delco	91.14
35514	Roxanne Roth – Clean City Offices, Fire Hall, Library	300.00
35515	Mrs. Wayne Roth – 2 Sheet Cakes	28.00
35516	Sam’s Club – Candy	422.68

35517	Schlegel's Groceries – Cat Food, Milk & Groc, Ham	90.54
35518	Seward Co Rural Public Power Dist – Wells 4 & 5	658.67
35519	Robert Smejkal – Fire School	12.00
35520	Cloy Stutzman – Painting of Fire Station	550.00
35521	Wayne Stohlmann – Mounts & Antenna	66.12
35522	Subway Motors Co – Check Brakes	39.01
35523	Super Spray Car Wash – Car Wash Tokens	50.00
35524	Sunrise Country Manor – 373 July Dinners	1119.00
35525	Uniservice, Inc – Pants & Rags	114.94
35526	James Dalton – Swimming Lessons Refund	18.00
35527	Karla Hightshoe – Water & Sewer Deposit Refund	7.60
35528	NSA/POAN Conference – Fall Conference	65.00
35529	Christin Sutter – Water & Sewer Deposit Refund	14.81
35530	Bob Unger – Ump 16's	50.00
35531	Shelly VanScyoc – Water & Sewer Deposit Refund	29.75
35550	Ameritas Life Insurance Corp – Retirement	1225.94
35551	United Healthcare of the Midlands – Group Health	5594.59
35558	U.S. Postmaster – Utility Billing Postage	216.13
35559	Adolph Kiefer & Assoc – 3 Rescue Tubes	123.06
35560	AFLAC – Accident, Disability, Cancer Supplements	152.90
35561	Alltel – Direct Advertising, Paging/Wide Area, Local	26.35
35562	Alltel Communications – Service Agreement	551.39
35563	Applied Electronics Inc – Printer Repair	140.52
35564	Blevens Law Office – Legal Services for August	350.00
35565	Bound to Stay Bound Books – “Going to Town”	9.11
35566	Centaur Enterprises – Duct Tape, Bolts	64.97
35567	Central States Lab – Knockout	405.65
35568	Christian Book Distrubuters – Amt short on prev bill	1.95
35569	D & D Comm – Radios, Batteries, Charger	8595.00
35570	Doubleday Book Club – 5 Books	85.49
35571	Emergency Medical Products – Supplies, Masks	573.76
35572	Farmers & Merchants Agency – Notary Fees	60.00
35573	Gerhold Concrete Co – Concrete, Fill Sand	102.50
35574	Hornady – Ammunition	43.15
35575	Ingram Library Services – 20 books	140.94
35576	International Conf of Bldg Officials – 1 year Subscript	30.49
35577	Midwest Tape – “Lord of the Rings”	16.99
35578	Milford School Dist #5 – Fines for Aug, Spec Liq Lic	45.00
35579	Milford Supermarket – Masking Tape, Supplies, Rug	86.41
35580	Municipal Emerg Srvcs – Filter, Screen, Hyd Fluid	928.44
35581	Mutual of Omaha Companies – Disability	69.23

35582	National Geographic Society – “Adventure America”	15.90
35583	NE Dept of Env Quality – Renewal Fee	150.00
35584	NE Health Lab – Nitrite/Nitrate, Coliform Tests	126.00
35585	NE Rural Water Assoc – 700 Backflow Brochures	74.00
35586	NewsWeek – 1 year subscription	24.00
35587	Ollis Book Corporation – 21 Books	257.00
35588	Olsson Associates – Welch Park Water Mains Srvc	2374.88
35589	Omaha Life Insurance Co – Life Insurance	60.20
35590	OMB Police Supply – Light Bar Repair	43.49
35591	Oxmoor House – ’02 Christmas w/Country Living	29.91
35592	Pitney Bowes – Qtrly Rental Fee	326.69
35593	Pizza Kitchen – 42 Meals / Birthday Day	147.00
35594	Publishers Quality Library Service – 3 Books	33.40
35595	Accord Capital Corp – Leaf Net Pole	215.20
35596	B & R Electronics – Computer Work	1260.00
35597	Regent Book Co., Inc – 6 Books	141.78
35598	Roxanne Roth – Clean City Offices, Fire Hall, Library	245.00
35599	Sack Lumber Co – Disks, Shingles, Felt, Nuts, Bolts	702.22
35600	Union Bank – Gary TeSelle Account	300.00
35601	Utility Equipment – Safety O-Ring, Mueller Flaire	187.87
35602	Wal Mart – Supplies, Erasers, Crate, Fan, Soap	106.44
35603	Beverly Wehrs – Paper Products, Food (Sam’s)	55.02
35604	Zep Manufacturing – ZEP Fast Gasket Blue	125.93
35605	Frank Keller – Water & Sewer Deposit Refund	21.80

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Housing Authority minutes for July 8, 2002 and August 12, 2002; Planning & Zoning minutes for August 8, 2002; Police Dept. Activity Report for August 2002. Cooper noted that 2 bids had been received on the alley project located north of John Treu. Frey was going to check with the low bid to assure accuracy. Burroughs noted an unexpected \$3,000 net at the Swimming Pool this summer. Neal stated that Riedl and Redler will attend an informational meeting on the Bill Gates Computer Grant. Redler will be in attendance due to protocol in connecting the computers. The computers should be arriving in 2 to 3 months. Fortune will be meeting with H.H.S. (Jack Daniels) to discuss the construction phase of the private well ordinance that was just passed. We may have to revise the Ordinance at the October meeting. Chief Siebken reported 1,167 total calls for service, which strongly reflects the 5 Officer Department.

COMMUNICATIONS: Sales tax received for the month of June 2002 was \$12,242.44. Thank You note received from the Senior Center Water Aerobics Class. Resignation letter received from Recreation Board member

Richard Rardin. NPPD Retail Community Customer meeting to be held at the Ramada Inn, Kearney on Wed. Sept. 25, 2002 from 3:30 to 5:30 pm. NPPD 2nd quarter Lease Payment received in the amount of \$32,633.60.

NEW BUSINESS:

Introduction and Adoption of Ordinance – Salaries 2002-2003 Budget Year: Council member Neal introduced the following Ordinance:

ORDINANCE NO. 731

AN ORDINANCE TO ESTABLISH SALARIES FOR FULL TIME AND PART TIME CITY EMPLOYEES OF THE CITY OF MILFORD, NEBRASKA FOR THE FISCAL YEAR 2002-2003; AND TO PRESCRIBE THE TIME WHEN THE ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT; AND TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH. (See Ordinance Record)

Introduction and Adoption of Resolution – 2002-2003 Budget:

After due consideration, Fortune moved the adoption of the following Resolution, which was seconded by Burroughs.

RESOLUTION # 386 ADOPTING BUDGET

WHEREAS, the Mayor and Council of the City of Milford, Nebraska have proposed a budget for the fiscal year 2002-2003; and

WHEREAS, a public hearing has been held upon said proposed budget; and

WHEREAS, no objections or remonstrances have been made concerning said budget; and

WHEREAS, the budget shall be adopted in the form as presented.

NOW, THEREFORE, BE IT RESOLVED that the annual budget of the City of Milford, Nebraska, be and the same hereby is adopted as follows:

GENERAL FUND

General Government	2,712,908.00
Cash Reserve	1,453,982.00
Total	4,166,890.00

BOND FUND

Principal & Interest	936,975.00
Cash Reserve	129,257.00
Total	1,066,232.00

BE IT FURTHER RESOLVED that the portion of said expenditures to be raised by public taxation collected by a property tax levied upon the assessed valuation of property in the City of Milford, Nebraska in the following sums, to-wit:

General All Purpose Levy	169,680.00
Bond Levy	171,700.00

Total 341,380.00

BE IT FURTHER RESOLVED that the Clerk is hereby ordered and directed to certify to the County Clerk of Seward County, Nebraska the taxes levied under this Resolution.

Upon roll call vote, the vote was as follows: Voting "AYE": Fortune, Burroughs, Cooper, Neal. Voting "NAY": None. Absent and not voting: None.

The Mayor declared said Resolution duly adopted and directed the Clerk to file a copy thereof with the County Clerk of Seward County.

Jeanne Hoggins, City Clerk

J. Elaine Plessel, Mayor

Introduction and Adoption of Ordinance – 2002-2003 Budget: Council member Neal introduced the following Ordinance:

ORDINANCE NO. 732

“THE ANNUAL APPROPRIATION BILL OF THE CITY OF MILFORD, NEBRASKA, FOR THE FISCAL YEAR FROM OCTOBER 1, 2002 TO SEPTEMBER 30, 2003; TO PROVIDE FOR THE LEVYING OF TAXES FOR THE USE OF THE CITY OF MILFORD, NEBRASKA, FOR ALL MUNICIPAL PURPOSES FOR SAID FISCAL YEAR AS SHOWN ON THE ASSESSMENT ROLL FOR SAID YEAR, AND TO PROVIDE FOR CERTIFYING ALL TAX LEVIES AND DELINQUENT SPECIAL ASSESSMENTS TO THE COUNTY CLERK OF SEWARD COUNTY, NEBRASKA; AND TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT.” (See Ordinance Record)

Introduction and Adoption of Resolution – Final Mill Levy: Council member Fortune introduced the following resolution, which was seconded by Burroughs.

RESOLUTION #387

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

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purpose of the levy set by the County Board of Equalization unless the Governing Body of the City of Milford passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of the City of Milford that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE, the Governing Body of the City of Milford, by a majority vote, resolves that:

1. The 2002 – 2003 property tax request be set at:

		<u>Levy</u>
REQUIRED FOR BONDS	\$171,700	.2784
REQUIRED FOR ALL OTHER PURPOSES	\$169,680	.2751
TOTAL PROPERTY TAX REQUEST	\$341,380	.5535

2. A copy of this request be certified and forwarded to the Seward County Clerk on or before October 13, 2002.

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

J. Elaine Plessel, Mayor

Jeanne Hoggins, City Clerk

Change Order – Safety Rail for Water Tower: A motion was made by Fortune and seconded by Cooper to approve the \$5,000 change order for a safety rail in the water tower. Roll call vote: Fortune yes, Cooper yes, Burroughs yes, Neal yes. Motion carried.

Adopt Ordinance No. 730: Council member Fortune reintroduced Ordinance No. 730 and waived the 3 readings, seconded by Neal. Roll call vote: Fortune yes, Neal yes, Cooper yes, Burroughs yes. Motion carried.

ORDINANCE NO. 730

AN ORDINANCE TO REZONE CERTAIN LANDS FROM RESIDENTIAL (R-2) TO COMMERCIAL (C-2) USE; TO AMEND THE ORDINANCES OF THE CITY IN CONFLICT HEREWITH; TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT.

A motion was made by Burroughs and seconded by Cooper to approve the final reading of Ordinance No. 730. Roll call vote: Burroughs yes, Cooper yes, Fortune yes, Neal yes. Motion carried.

Approve Payments – Valley View Lift Station, Olsson Assoc.: A motion was made by Fortune and seconded by Neal to approve payment of invoice #54248 in the amount of \$5,407.50 for professional services rendered from 2/10/02 thru 7/27/02. Roll call vote: Fortune yes, Neal yes, Burroughs yes, Cooper yes. Motion carried.

Water Storage Tank – Olsson Assoc.: A motion was made by Fortune and seconded by Burroughs to approve the following payment to Olsson Associates: Invoice #54337 in the amount of \$47.82, Invoice #54340 in the amount of \$1,239.10, Invoice #54339 in the amount of \$798.50, Invoice #54338 in the amount of \$289.46. Roll call vote: Fortune yes, Burroughs yes, Cooper yes, Neal yes. Motion carried.

Discussion – Patrol Fees, S.C.C.: Chief Siebken noted the additional amount budgeted as income for patrolling S.C.C. The Police Dept. will be tracking time spent at the College. Cooper noted the services provided by the Police Dept. to S. C. C. are very important. A \$100.00 increase per month was discussed and if this item should be presented to the S.C.C. Board. Neal suggested submitting the invoice with the additional amount. A motion was made by Cooper and seconded by Burroughs to increase the Fire and Police Patrol at S.C.C. to \$600.00 per month effective October 1, 2002. Roll call vote: Cooper yes, Burroughs yes, Fortune yes, Neal yes. Motion carried.

Appointment – Recreation Board: A motion was made by Burroughs and seconded by Fortune to accept the Mayor’s recommendation of Norma Miller to the Recreation Board. Roll call vote: Burroughs yes, Fortune yes, Cooper yes, Neal yes. Motion carried.

ADJOURNMENT: A motion was made by Fortune and seconded by Cooper to adjourn the meeting. Roll call vote: Fortune yes, Cooper yes, Burroughs yes, Neal yes. Motion carried and meeting adjourned at 8:20 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 on September 3, 2002 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