

CITY OF MILFORD
REGULAR MEETING
SEPTEMBER 2, 2008
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 2nd day of September 2008 at 7:30 pm. Present were: Mayor J. Elaine Plessel; Council members: Jeff Baker, Dean Bruha, Lyle Neal; Attorney Robert Blevens; Maintenance Supt. Mark Frey; Chief of Police Forrest Siebken; City Clerk Jeanne Hoggins. Absent: Council member Rick Fortune. Also present: Dennis Kubicek, Jay Bittner and Nancy McGill 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 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 7:32 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 Baker and seconded by Bruha to approve the minutes of the August 5, 2008 meeting. Roll call vote: Baker yes, Bruha yes, Fortune absent, Neal yes. Motion carried.

PAYMENT OF BILLS: A motion was made by Neal and seconded by Bruha that the following bills in the amount of \$66,417.43; payroll in the amount of \$28,992.68 approved by the Auditing Committee be approved for payment. Roll call vote: Neal yes, Bruha yes, Baker yes, Fortune absent. Motion carried.

SALARIES:

46587	Mark Frey	1356.27
46588	Forrest K Siebken	1286.25
46589	Mavis Lynn Ferris	60.49
46590	Jeanne M Hoggins	1273.78
46591	Gary Lee TeSelle	1014.99
46592	Scott Dean Fosler	1004.11

46593	Robert L Hull	822.61
46594	Beverly J Wehrs	558.52
46595	David R Dahle	944.13
46596	Louis J Bialas	969.05
46597	Bryce C Johnson	944.82
46598	Philip Winkelmann	928.49
46599	Lindsey S Troyer	348.16
46600	Elizabeth A Dierberger	645.05
46601	George A Matzen	565.59
46602	Tracy L Yeackley	642.33
46603	Julia M Wang	149.76
46604	Josh Steven TeSelle	538.70
46605	Paige M McAvoy	77.35
46606	Whitney J Lauber	142.32
46607	Jenna M Jolly	61.88
46608	Courtney L Bashore	145.17
46609	Anna E Tremmel	133.08
46610	David Tell Jensen	84.68
46611	Kyle Herman	57.47
46612	Keaton Brent Schweitzer	72.59
46613	Austin Lee Heckman	30.25
46614	Larisa M Roth	75.61
46615	Celena R Malmkar	81.58
46616	Megan Ashley Kremer	220.79
46617	Tori J Blair	80.15
46618	Michael L Troyer	66.55
46623	Mark Frey	1356.27
46624	Forrest K Siebken	1286.25
46625	Mavis L Ferris	63.52
46626	Jeanne M Hoggins	1273.78
46627	Gary Lee TeSelle	900.48
46628	Scott Dean Fosler	961.92
46629	Robert L Hull	822.61
46630	Beverly J Wehrs	554.04
46631	David R Dahle	977.10
46632	Louis J Bialas	952.72
46633	Bryce C Johnson	928.47
46634	Philip Winkelmann	888.33
46635	Lindsey S Troyer	332.01
46636	George A Matzen	565.59
46637	Tracy L Yeackley	609.74

46638	Julia M Wang	165.58
46639	Courtney L Bashore	72.59
46640	Anna E Tremmel	102.84
46641	Michael L Troyer	57.47
46643	Joyce Elaine Plessel	184.70
46644	Ricky Gene Fortune	138.52
46645	Dean Alan Bruha	138.52
46646	Emerson L Neal	138.52
46647	Jeffrey M Baker	138.52

GENERAL FUND:

46521	Josalyn Taylor – WA/SW Deposit Refund	50.00
46522	Lee J Vales – WA/SW Deposit Refund	50.00
46523	Brandon Wacker – WA/SW Deposit Refund	50.00
46524	Soloman Wang – WA/SW Deposit Refund	50.00
46525	Vic Weber – WA/SW Deposit Refund	50.00
46526	Kevin Wingard – WA/SW Deposit Refund	50.00
46527	Aflac – Dis, Cancer, Suppl, Acc	406.26
46528	Ameritas Group – Dental & Vision	1066.76
46529	Alltel – Cellular	104.94
46530	Windstream – Long Distance for July	5.44
46531	Aramark – Pants & Rags	279.80
46532	Atco – Liberator	1750.00
46533	Butch’s Welding – Bolts, Steel, Oxygen, Pipe	1258.41
46534	Centaur Enterprises – Washer, Blades	93.07
46535	Colin Electric – Fasco Blower Motor	91.82
46536	Culligan Water – Soft Water	20.00
46537	Farmers Coop – Gas/Diesel for July	2475.43
46538	Diode Communications – Service for July	54.16
46539	Deep Rock – Drinking Water	30.29
46540	Eakes Office – Ribbon, paper, desk calendar	259.80
46541	FMC Technologies – Encased Assembly	185.05
46542	G & P Development – 2 Loads of Trash	42.74
46543	The Garbage Co – Garbage Pickup	167.91
46544	Gene’s Electric – Fuses for Well Houses	11.55
46545	Gerhold – Concrete	100.82
46546	Great Plains One Call – Locate Requests	18.18
46547	Hawkins – Calcium Hypochlorite, Azon 15	2590.38
46548	Jeanne Hoggins – Mileage to Lincoln	19.30
46549	IKON Office Solutions – Copies 5/22/08-8/21/08	637.82
46550	Johnson Service Company – TV Inspection	250.00
46551	League of NE Municipalities – Membership Dues	2211.00

46552	League of NE Muni Utilities – Membership Dues	531.00
46553	Meyer-Century Laboratory – 55 Gal Liner, Tissue	295.65
46554	Menard’s – Masking, Rollers, Painter	134.23
46555	Milford Plumbing – Galv Tee	17.75
46556	NE Dept of Revenue – Sales Tax for July	1654.83
46557	NE Public Health – VOC’s, Coliform	578.00
46558	NE Dept of Ag – Animal Shelter Lic Renewal	150.00
46559	NE Motor Parts – Belt, Bicycle Repair, Switch	70.59
46560	NPPD – Service for July	6028.57
46561	NT&T – Service for July	428.60
46562	NE Environmental Products – C-Clam, Freight	5.89
46563	Office Depot – Post-Its, Correction Tape	29.15
46564	Black Hills Utility Holdings – Service for July	316.48
46565	Pizza Kitchen – Catered Meal	102.50
46566	Poolmart – Diving Board, Freight	3405.75
46567	Reimers Kaufman – Marble Dust, Drop Charge	327.75
46568	Roxanne Roth – Cleaning Services	405.00
46569	Sam’s Club – Pool Candy	534.15
46570	Scheels – Bicycle Repair	77.99
46571	Servi- Tech – Wastewater Analysis pack	46.20
46572	Seward County Independent – Notice, Minutes, Ads	149.52
46573	SPPD – Wells 1 & 2	181.77
46574	Shell Fleet Plus – Car Gas	30.81
46575	Shell Fleet Plus – Gas for July (08 Truck)	346.38
46576	TCA Outdoor Power – Lawn Mower	678.26
46577	Sunrise Country Manor – Meals for July	997.75
46578	Tvrdy’s Lock & Key – Work on Pool Lock	30.00
46579	Vermeer High Plains – Sharpen Knife	24.00
46580	Voss Lighting – Light Globes	8.25
46581	Wergins Lawn Service – Fertilize Sr Center & B St	168.00
46582	Windstream – Local/Internet, Pool & Library Phone	228.32
46583	Desch-Paine Memorials – Repair Broken Stones	1096.00
46584	Johnson Controls – Ignitor	383.43
46585	Alan Whitford – Refund for Pool Party	75.00
46586	United Rentals – Belts	67.47
46619	Ameritas – Pension	1607.52
46620	Coventry – Health Insurance	8282.50
46621	Fort Dearborn Life Ins – Life Insurance	116.96
46622	Shell Fleet Plus – Fuel Expense (Police)	852.23
46642	Ameritas – Pension	1607.52
46648	Alert-All Corp – Bands, Stickers	240.00

46649	Barco Municipal – Wrench Set, Socket	433.34
46650	Biblinox LLC – Apollo Automation System	897.00
46651	Blevens Law Office – Legal Services for August	350.00
46652	Branding Inc – Portable Toilets & Handwash	470.00
46653	Country Woman – 1 yr subscription	19.98
46654	Cornhusker Press – Pet Tags	62.07
46655	D&D Communications – V Pager	390.00
46656	Goldsmith Tree Service – Removed Stumps	531.00
46657	Heartsong Presents – Books	10.99
46658	Marvin E Jewell & Co – 08-09 Budget	6300.00
46659	Kremer Electric – Em. Power for Cabinet, Labor	215.15
46660	George Matzen – Stamp, Books	93.40
46661	Milford Plumbing – Couplings, Nipple	31.51
46662	Milford School Dist – Parking Fines, Liquor Lic	65.00
46663	Milford Supermarket – Food for Potato Bake	176.18
46664	Mutual of Omaha – Disability	79.33
46665	NE Library Association – Membership Dues	45.00
46666	NE DOL/Boiler – Inspection of Boiler	81.00
46667	Office Depot – Correction Tape, Post-Its	119.14
46668	Roxanne Roth – Cleaning Services	250.00
46669	Stutzman Digging – Repair Sewer Line @ SCC	7905.02
46670	Union Bank – Gary TeSelle Acct # 5562939	300.00
46671	Walmart – Craft Supplies, Movies & Books	197.96
46672	Beverly Wehrs – Paper supplies	28.76
46673	Windstream – Civil Defense, Paging-Wide Area, Local	102.91
46674	Tori Blair – Reimburse Lifeguard Certification	50.00
46675	Beth Dierberger – Reimburse Lifeguard Certification	50.00
46676	Austin Heckman – Reimburse Lifeguard Certification	50.00
46677	Kyle Herman – Reimburse Lifeguard Certification	50.00
46678	David Tell Jensen – Reimburse Lifeguard Certification	50.00
46679	Megan Kremer – Reimburse Lifeguard Certification	50.00
46680	Celena Malmkar – Reimburse Lifeguard Certification	50.00
46681	Larisa Roth – Reimburse Lifeguard Certification	50.00
46682	Keaton Schweitzer – Reimburse Lifeguard Certification	50.00
46683	Josh TeSelle – Reimburse Lifeguard Certification	50.00
46684	Womans Day – 1 yr Subscription	19.99

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Pool Board minutes for August 26, 2008; Fire and Rescue NARSIS report for August 2008; Milford Police Dept. activity report for August 2008. Baker would like to look into an ordinance pertaining to

Pit Bulls and vicious dogs. Chief Siebken – reviewed Police Activity Report for August 2008.

COMMUNICATIONS: *Sales tax received for the month of June 2008 was \$12,754.33. *NPPD lease agreement payment for the second quarter of 2008 received in the amount of \$32,370.01. *Galaxy Cablevision rate increase for October 2008: Basic \$1.24 increase, Digital THS Package \$2.00 increase, Express Package \$2.00 increase. *Resignation letters from Louis Bialas and Lindsey Troyer.

UNFINISHED BUSINESS:

Drainage Study Proposal: Jay Bittner with the Upper Big Blue Natural Resources District presented information outlining the planning stages of a community wide drainage study. The end result will give the City a map with contours every ½ foot showing direction of water flow and size of recommended piping for drainage. Potential developers can use this information to create subdivisions with adequate storm sewer drainage. NRD will provide funding for 25% of the total project. The City’s portion is \$46,500, NRD \$15,500 totaling \$62,000. Aerial photography is the big ticket item (\$26,000) they offered to spread out payment over a 2 year period. A motion was made by Bruha and seconded by Baker to table item until next month. Roll call vote: Bruha yes, Baker yes, Fortune absent, Neal yes. Motion carried.

NEW BUSINESS:

Introduction and Adoption of Resolution – Exceed Budget Limit by 1%:

Councilmember Neal moved the adoption of the following Resolution seconded by Bruha.

RESOLUTION NO. 441

RESOLVED, that the City of Milford, Nebraska exceed the budget limit for the 2008-2009 fiscal year by an additional 1%. Roll call vote: Neal yes, Bruha yes, Baker yes, Fortune absent. Motion carried and Mayor declared Resolution #441 passed and adopted.

Jeanne Hoggins, City Clerk

J. Elaine Plessel, Mayor

(SEAL)

Introduction and Adoption of Ordinance – Salaries 2008-2009 Budget Year: A motion was made by Bruha and seconded by Baker to introduce the following ordinance:

SALARY ORDINANCE
NO. 812

AN ORDINANCE TO ESTABLISH SALARIES FOR FULL TIME AND PART TIME CITY EMPLOYEES OF THE CITY OF MILFORD, NEBRASKA FOR THE FISCAL YEAR 2008-2009; 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)

Discussion was held regarding George Matzen's hourly rate. George was hired as Library Director in May 2008 establishing a new full time position. He is on probation for 1 year and the Council agreed to leave his hourly rate at \$10.00 until his probation period is over.

Introduction and Adoption of Resolution – 2008-2009 Budget:

After due consideration, Baker moved the adoption of the following Resolution, which was seconded by Neal.

RESOLUTION # 442 ADOPTING BUDGET

WHEREAS, the Mayor and Council of the City of Milford, Nebraska have proposed a budget for the fiscal year 2008-2009; 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	3,487,735.00
Cash Reserve	1,828,615.00
Total	5,316,350.00

BOND FUND

Principal & Interest	229,600.00
Cash Reserve	267,263.00
Total	496,863.00

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	303,000.00
Bond Levy	222,200.00
Total	525,200.00

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": Baker, Neal, Bruha
Voting "NAY": None. Absent and not voting: Fortune

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

(SEAL)

Introduction and Adoption of Ordinance – 2008-2009 Budget: Council member Bruha introduced the following ordinance seconded by Neal.

ORDINANCE NO. 813

"THE ANNUAL APPROPRIATION BILL OF THE CITY OF MILFORD, NEBRASKA, FOR THE FISCAL YEAR FROM OCTOBER 1, 2008 TO SEPTEMBER 30, 2009; 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 Tax Request:

Council member Bruha introduced the following resolution, which was seconded by Baker.

RESOLUTION NO. 443

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 2008 – 2009 property tax request be set at:

REQUIRED FOR BONDS	\$222,200	<u>Levy</u> .2779
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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 2, 2008 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