

CITY OF MILFORD
REGULAR MEETING
SEPTEMBER 5, 2006
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 5th day of September 2006 at 7:30 pm. Present were: Mayor J. Elaine Plessel; Council members: Dean Bruha, Terry Good, Lyle Neal; Attorney Robert Blevens; Chief of Police Forrest Siebken, Maintenance Supt. Mark Frey, City Clerk Jeanne Hoggins. Absent: Council member Rick Fortune. Also present: Dennis Kubicek, Larry Jantze, John Melena, Craig Wulf, Dennis Jeppson with JEO, Jack and Travis Zimmerman 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 7:30 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 Library Community Room.

MINUTES: A motion was made by Bruha and seconded by Good to approve the minutes of the August 1, 2006 meeting. Roll call vote: Bruha yes, Good 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 \$47,939.78 approved by the Auditing Committee be approved for payment. Authorization was given by the Auditing Committee to pay JEO \$8,145.00 for engineering services with the middle of the month bills. Roll call vote: Neal yes, Bruha yes, Fortune absent, Good yes. Motion carried.

SALARIES:

42873	Mark Frey	1259.95
42874	Forrest K Siebken	1212.88
42875	Mavis Lynn Ferris	40.41
42876	Jeanne M Hoggins	1179.98

42877	Gary Lee TeSelle	785.70
42878	Scott Dean Fosler	915.16
42879	Robert L Hull	809.00
42880	Beverly J Wehrs	486.03
42881	Edna A Riedl	394.03
42882	David R Dahle	936.18
42883	Louis J Bialas	912.95
42884	Arlene F Sieck	284.05
42885	Bryce C Johnson	831.94
42886	Philip Winkelmann	817.19
42887	Elizabeth A Dierberger	570.51
42888	Daniel A Dejong	630.28
42889	George A Matzen	208.64
42890	Micaela Daley	464.14
42891	Britney S Schweitzer	395.38
42892	Brooke A Schweitzer	502.92
42893	Joshua S. Wiley	108.60
42894	Tracy L Yeackley	600.09
42895	Darrin D Velder	495.00
42896	Julia M Wang	103.44
42897	Nicholas D Bernasek	400.96
42898	Josh Steven Rublee	601.87
42947	Mark Frey	1259.95
42948	Forrest K Siebken	1212.88
42949	Mavis Lynn Ferris	34.63
42950	Jeanne M Hoggins	1179.98
42951	Gary Lee TeSelle	805.53
42952	Scott Dean Fosler	915.16
42953	Robert L Hull	787.56
42954	Beverly J Wehrs	529.76
42955	Edna A Riedl	373.20
42956	David R Dahle	890.93
42957	Louis J Bialas	852.35
42958	Arlene F Sieck	297.88
42959	Bryce C Johnson	802.37
42960	Philip Winkelmann	851.60
42961	Elizabeth A Dierberger	570.51
42962	Daniel Dejong	223.37
42963	George A Matzen	181.10
42964	Micaela Daley	464.14
42965	Britney S Schweitzer	104.38
42966	Brooke A Schweitzer	169.22

42967	Joshua S Wiley	103.44
42968	Tracy L Yeackley	600.09
42969	Darrin D Velder	179.43
42970	Julia M Wang	103.44
42971	Kara Jacobsen	41.56
42972	Nicholas D Bernasek	426.42
42973	Josh Steven Rublee	166.35
42975	Mark Frey	1259.95
42976	Forrest K Siebken	1212.88
42977	Mavis Lynn Ferris	40.41
42978	Jeanne M Hoggins	1179.98
42979	Gary Lee TeSelle	726.16
42980	Scott Dean Fosler	899.52
42981	Robert L Hull	787.56
42982	Beverly J Wehrs	486.03
42983	Edna A Riedl	310.72
42984	David R Dahle	860.11
42985	Louis J Bialas	867.61
42986	Arlene F Sieck	337.28
42987	Bryce C Johnson	802.37
42988	Philip Winkelmann	820.89
42989	George A Matzen	184.16
42990	Joshua S Wiley	100.85
42991	Tracy L Yeackley	600.09
42992	Julia M Wang	72.40
42993	Nicholas D Bernasek	113.59
42995	Joyce Elaine Plessel	184.70
42996	Ricky Gene Fortune	138.52
42997	Dean Alan Bruha	138.52
42998	Emerson L Neal	138.52
42999	David Terry Good	138.52

GENERAL FUND:

42863	U.S. Postmaster – Utility Billing Postage	151.87
42864	Brenda Arnot – WA/SW Deposit Refund	33.40
42865	Devin Bastemeyer – WA/SW Deposit Refund	33.88
42866	Ed Burkey – WA/SW Deposit Refund	50.00
42867	Darin Ditch – WA/SW Deposit Refund	15.38
42868	McCalla Gillies – WA/SW Deposit Refund	50.00
42869	Rachel Hulbert – WA/SW Deposit Refund	18.29
42870	Timothy Kotas – WA/SW Deposit Refund	50.00
42871	Chris Newton – WA/SW Deposit Refund	50.00
42872	Doug Roth – WA/SW Deposit Refund	50.00

42899	Ameritas – Pension	1474.62
42900	Aflac – Dis,Cancer,Acc,Supp'l	306.96
42901	Alltel – Cellular	70.17
42902	Aramark Uniform – Pants & Rags	203.88
42903	American Legion – 4 US Flags	107.48
42904	Amertias Life Ins. – Dental & Vision	1046.08
42905	Blue River Transmissions – Overhaul Kit, Labor	1357.70
42906	CCP Industries – Absorbal-Lite Pop up 9B x 120	106.54
42907	Culligan Water – Soft Water	48.00
42908	Farmers Cooperative – Gas/Diesel for July	951.10
42909	Deep Rock – Drinking Water	17.26
42910	Eakes Office Plus – New Copier, Paper, Cash Rcpts	5111.21
42911	Earnest Well Drilling – Coupling, Pipe	297.69
42912	Garbage Co – Garbage Pickup	123.48
42913	Great Plains-One Call – Locate Requests	24.06
42914	Great American Leasing – Late Fee	26.00
42915	Healthplan Services, Inc. – Health Ins.	6582.86
42916	Informed Publishing – Nims Guides	48.52
42917	Menards – Coupling, Pipe, Tax	19.71
42918	Milford Supermarket – Bleach, pens, batteries	13.89
42919	Milford Value-Rite – Alcohol for electrical cleaning	4.87
42920	Moses Motor Co. – Repair Ambulance	309.18
42921	NE Dept of Revenue – Sales Tax for July	2110.51
42922	NE Motor Parts – Fuel & Air Filter, Hose, Antifreeze	612.03
42923	NPPD – Service for July	6643.79
42924	NE Tech & Telecomm – Service for July	450.95
42925	NE Code Consulting – 12 Inspections, Platte Copies	510.82
42926	Roger O'Hara – Asphalt Work	1750.00
42927	Aquila – Service for July	808.94
42928	Pizza Kitchen – Meals 7/20; Meals 8/4	114.99
42929	Racom Corp – Microphone	80.00
42930	Regional Repair – Printer Repair	172.00
42931	Roxanne Roth – Cleaning Services	350.00
42932	Mrs. Wayne Roth – Birthday Cake	16.00
42933	Sam's Club – Paper towels, Bounty, Notepads, Candy	838.42
42934	Seward Co Ind. – Notices, Minutes, Fire Dept Bid	201.76
42935	SPPD – Wells 1 & 2	591.44
42936	SCC – Training Equip-Target Holders	82.38
42937	Subway Motors – Install Shocks	159.32
42938	Technical Maintenance – Labor, Cable, ICS Board	970.00
42939	Sunrise Country Manor – June & July Meals	1545.60
42940	Tvrdy's Lock & Key – Labor, 3 Master Locks	64.00

42941	Beverly Wehrs – Pictures (Ruth Barker Memorial)	85.58
42942	Windstream Nebraska Inc. – Dir Ad, Local/Internet	246.32
42943	VOID	
42944	Michelle Havlet – Refund Swimming Lessons	17.00
42945	Structural Design Group – Structural Appraisal @ City	1800.00
42946	American Legion Post 171 – Daybreak (Cleaner)	280.00
42974	Ameritas Life Insurance – Pension	1474.62
42994	Ameritas Life Insurance – Pension	1474.62
43000	Blevens Law Office – Legal Services	350.00
43001	Branding Inc – Portable Toilets for Fun Days	420.00
43002	City of Milford – Postage (Petty Cash)	14.28
43003	Creative Consultants – 5 User License, Troubleshoot	290.00
43004	Fort Dearborn Life Ins. – Life Ins.	123.84
43005	Gerhold Concrete – Fill Sand	55.92
43006	Heartsong Presents – 4 Books	21.98
43007	Hornady – Ammunition	84.30
43008	Ingram Library Service – Books	409.32
43009	Merle’s Garden Center – Giant Destroyer	57.50
43010	Milford School Dist – Parking Fines	95.00
43011	Milford Supermarket – Potatoes & Supplies Potato Bake	68.98
43012	Mutual of Omaha Co – Disability	79.33
43013	Nebraska Library Commission – NE Base Cat Express	970.00
43014	Nebraska Health Lab – Nitrate, Coliform	141.00
43015	Nebraska Dept of Ag – Animal Shelter Renewal Lic.	150.00
43016	Office Depot – 10’ of USB Cable	53.11
43017	Orschelns – Acid, Tape, Nipple, Elbow	30.32
43018	Regent Book Co – Underpaid Inv #440759	37.97
43019	Edna Riedl – 4 Books	16.47
43020	Reiman Publications – 1 Yr Subscrip. Country Woman	14.98
43021	Roxanne Roth – Cleaning Services	250.00
43022	Shell Fleet Plus – July/Aug Fuel	782.74
43023	Stutzman Digging – Work on water leak	510.00
43024	Union Bank – Gary TeSelle Acct#5562939	300.00
43025	Walmart – Light Bulbs, index cards, spray paint	191.77
43026	Micaela Daley – Reimburse for Lifeguard Cert.	50.00
43027	Danko – Flasher for Lightbar	74.38
43028	Daniel DeJong – Reimburse for Lifeguard Cert.	50.00
43029	Elizabeth Dierberger – Reimburse for Lifeguard Cert.	50.00
43030	Josh Rublee – Reimburse for Lifeguard Cert.	50.00
43031	Schmeiding Photography – Dept Photo Framing	142.37
43032	Britney Schweitzer – Reimburse for Lifeguard Cert.	50.00
43033	Brooke Schweitzer – Reimburse for Lifeguard Cert.	50.00

43034 Darrin Velder – Reimburse for Lifeguard Cert. 50.00

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Milford Aging Services Commission minutes for August 29, 2006; and the Police Dept. Activity Report for August 2006. Bruha – an attempt will be made to finish the curb and approach in the 500 block of First Street, formerly Schlegel’s grocery store. Frey informed Neal that the partitions had arrived for the Welch Park restrooms. Chief Siebken presented the August 2006 Police Report. The NARSIS and Fire Reports for August were submitted. Laura Peterson arrived.

COMMUNICATIONS: *Sales tax received for the month of June 2006 was \$14,813.31. *NPPD Lease Agreement payment received for the Second Quarter 2006 in the amount of \$35,259.51. *Resignation letter received from Council member Terry Good effective September 30, 2006.

PUBLIC HEARING:

Creation of Street Improvements – Districts 2006-1 and 2006-2:

Mayor Plessel opened the Public Hearing at 7:36 pm and asked for any comments from the public. No objections were received by City Clerk Hoggins for the creation of paving districts 2006-1 & 2006-2. With no further comments Mayor Plessel closed the public hearing at 7:37 pm.

NEW BUSINESS:

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

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

RESOLUTION NO. 422

RESOLVED, that the City of Milford, Nebraska exceed the budget limit for the 2006-2007 fiscal year by an additional 1%. Roll call vote: Bruha yes, Neal yes, Fortune absent, Good yes. Motion carried and Mayor declared Resolution #422 passed and adopted.

Jeanne Hoggins, City Clerk

J. Elaine Plessel, Mayor

(SEAL)

Introduction and Adoption of Ordinance – Salaries 2006-2007 Budget Year: Council member Good introduced the following ordinance:

ORDINANCE NO. 782

AN ORDINANCE TO ESTABLISH SALARIES FOR FULL TIME AND PART TIME CITY EMPLOYEES OF THE CITY OF MILFORD, NEBRASKA FOR THE FISCAL YEAR 2006-2007; 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 – 2006-2007 Budget:

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

RESOLUTION # 423 ADOPTING BUDGET

WHEREAS, the Mayor and Council of the City of Milford, Nebraska have proposed a budget for the fiscal year 2006-2007; 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 3,230,706.00

Cash Reserve 1,563,740.00

Total 4,794,446.00

BOND FUND

Principal & Interest 211,370.00

Cash Reserve 80,363.00

Total 291,733.00

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 208,060.00

Bond Levy 212,100.00

Total 420,160.00

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": Neal, Bruha, Good. 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 – 2006-2007 Budget: Council member Neal introduced the following Ordinance:

ORDINANCE NO. 783

“THE ANNUAL APPROPRIATION BILL OF THE CITY OF MILFORD, NEBRASKA, FOR THE FISCAL YEAR FROM OCTOBER 1, 2006 TO SEPTEMBER 30, 2007; 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 Neal introduced the following resolution, which was seconded by Bruha.

RESOLUTION #424

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 2006 – 2007 property tax request be set at:

		<u>Levy</u>
REQUIRED FOR BONDS	\$212,100	.3077
REQUIRED FOR ALL OTHER PURPOSES	\$208,060	.3018
TOTAL PROPERTY TAX REQUEST	\$420,160	.6095

- 2. A copy of this request be certified and forwarded to the Seward County Clerk on or before October 13, 2006.

Upon roll call vote as follows: Neal yes, Bruha yes, Fortune absent, Good yes. Motion carried.

J. Elaine Plessel, Mayor

Jeanne Hoggins, City Clerk

(SEAL)

Award Bid – Sr. Meals: A motion was made by Good and seconded by Bruha to award the Sr. Center meals bid to Sunrise Country Manor at \$3.25 per meal. Roll call vote: Good yes, Bruha yes, Fortune absent, Neal yes. Motion carried.

Introduction and Adoption of Resolution – Rural Apprehension Program: A motion was made by Neal and seconded by Bruha to approve the following resolution:

RESOLUTION NO. 425

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

WHEREAS, law enforcement agencies with the following counties: Butler, Clay, Fillmore, Hamilton, Jefferson, Merrick, Nuckolls, 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 known as the RURAL APPREHENSION PROGRAM (hereafter RAP 17); AND

WHEREAS, the RAP project has been funded by the Nebraska Crime Commission; and

WHEREAS, the various counties, communities and agencies within those jurisdictions desire to make the most efficient use of their 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 13-801et.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 RAP objectives and grant requirement of the Nebraska Crime Commission.

BE IT RESOLVED THAT:

The City of Milford authorizes the Chief of Police, Forrest Siebken 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 of Nebraska Revised Statutes. The interlocal agreement shall be for the strict administration of the RAP project and all funds allocated by the Nebraska Crime Commission, and Match dollars allocated by the RAP members. Further, this interlocal agreement shall not establish a separate legal entity, rather as a joint and cooperative undertaking between public agencies i.e. county, city and village. (Nebraska Revised Statute 13-801)

Amount of match dollars allocated by the City of Milford for the 2006 - 2007 grant period (RAP 17) will be \$943.00.

Upon roll call vote as follows: Neal yes, Bruha yes, Fortune absent, Good yes. Motion carried.

Dated this 5th day of September 2006.

J. Elaine Plessel, Mayor

Attest: _____
Jeanne Hoggins, City Clerk

(Seal)

Award Bid – Tanker: John Melena informed the Council that they had received 3 bid proposals for the 2000 gallon tanker; Heiman Fire Equipment, Fire Guard Fire Equipment and Ed M Feld Equipment Co. Inc. The Milford Fire and Rescue truck committee would like to recommend the Ed M Feld truck which meets all the bid specs totaling \$128,798.00. This is a Toyne truck with a single axle and is similar to the other tanker they already have only smaller. The Fire Dept. is requesting to use money received from the Rural Fire District and also \$65,000.00 from the Fire Dept. sinking fund to finance the truck. There is an additional cost of \$2,000.00 for equipment to outfit this truck with hoses, nozzles and hydrant fill equipment. The Fire Dept. will ask the Council for the additional funds at the October meeting as this is not currently on the agenda. A motion was made by Neal and seconded by Good to award the bid to Ed M Feld for the purchase of a 2000 gallon tanker. Roll call vote: Neal yes, Good yes, Bruha yes, Fortune absent. Motion carried.

Approval for Park Grant Application – Wal-Mart: Kiwanis representative Laura Peterson thanked the City of Milford for their support with the park equipment project. Peterson applied for a grant thru Wal-Mart for matching funds after their successful Pancake feed at the Milford Fun Days, raising between \$2,000 and \$2500. Wal-Mart informed them that because they are not a 501C3 category they could not apply for the matching funds. Peterson asked the Council's permission to apply for the grant thru the City of Milford due to their tax status. The City of Milford would qualify as a 501C3 status and eventually the equipment will belong to the City of Milford. A motion was made by Bruha and seconded by Good to authorize the application of the grant with Wal-Mart using the City of Milford name and tax status. Roll call vote: Bruha yes, Good yes, Fortune absent, Neal yes. Motion carried.

ADJOURNMENT: A motion was made by Bruha and seconded by Good to adjourn the meeting. Roll call vote: Bruha yes, Good yes, Fortune absent, Neal yes. Motion carried and meeting adjourned at 7:59 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 September 5, 2006 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