

CITY OF MILFORD
REGULAR MEETING
APRIL 1, 2014
MINUTES

A regular meeting of the Mayor and Council of the City of Milford, Nebraska was held at the Webermeier Library Building in said City on the 1st day of April at 7:30 pm. Present were: Mayor Dean A. Bruha; Council members: Jeff Baker, Rick Fortune, Jeff Heckman, Dan Kral; Chief of Police Forrest Siebken; Attorney Robert Blevens; Maintenance Supt. Mark Frey; Deputy City Clerk Tracy Yeackley. Absent: City Clerk Jeanne Hoggins. Also present: Elaine Plessel, Brad Slaughter with Ameritas and Logan Tuttle 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 the 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 Dean Bruha called the meeting to order at 7:34 pm. and 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 Meeting Room.

MINUTES: A motion was made by Kral and seconded by Baker to approve the minutes of the March 4, 2014 meeting pending removal of the duplicate entry of checks 56674 and 56675. Roll call vote: Kral yes, Baker yes, Fortune abstain, Heckman yes. Motion carried.

A motion was made by Fortune and seconded by Kral to approve the minutes of the March 13, 2014 meeting. Roll call vote: Fortune yes, Kral yes, Baker yes, Heckman abstain. Motion carried.

PAYMENT OF BILLS: A motion was made by Kral and seconded by Heckman that the following accounts payable bills in the amount of \$67,707.16; Bond Interest in the amount of \$8,327.50 and payroll in the amount of \$26,259.50 totaling \$102,294.16 approved by the Auditing Committee be approved for payment. Roll call vote: Kral yes, Heckman yes, Baker yes, Fortune yes. Motion carried.

SALARIES:

56780 Mark Frey

1465.31

56781	Forrest Siebken	1362.49
56782	Mavis Ferris	72.79
56783	Jeanne Hoggins	1343.93
56784	Gary TeSelle	980.83
56785	Robert Hull	1330.84
56786	David Dahle	1426.97
56787	George Matzen	696.29
56788	Tracy Yeackley	818.64
56789	Jenna Filbert	346.33
56790	Benjamin Rediger	1212.51
56791	Lisa Aschoff	630.37
56792	Timothy Long	118.53
56793	Cady Vaverka	122.19
56794	Kile Jackson	1027.21
56795	Heather Wiles	321.20
56842	Mark Frey	1465.31
56843	Forrest Siebken	1362.49
56844	Mavis Ferris	71.01
56845	Jeanne Hoggins	1343.93
56846	Gary TeSelle	779.09
56847	Robert Hull	1095.02
56848	David Dahle	1092.84
56849	George Matzen	696.29
56850	Tracy Yeackley	790.74
56851	Jenna Filbert	330.12
56852	Benjamin Rediger	1025.56
56853	Lisa Aschoff	552.37
56854	Timothy Long	120.28
56855	Cady Vaverka	115.50
56856	Kile Jackson	1132.40
56857	Heather Wiles	271.34
56863	Rick Fortune	138.52
56864	Dean Bruha	184.70
56865	Jeffrey Baker	138.52
56866	Jeff Heckman	138.52
56867	Dan Kral	138.52
GENERAL FUND:		
	NE Dept. of Revenue-February Sales Tax	1672.97
56778	Amy Saltzman-Utility Refund	21.87
56779	U.S. Postmaster-Utility Billing Postage	204.22
56796	Ameritas-Pension	1585.78

56797	Union Bank-H.S.A	895.00
56798	American Building Inspectors-Monthly Fees	1200.00
56799	Aramark-Pants & Rags	932.78
56800	AT&T-Long Distance	4.64
56801	Black Hills Energy-Service for February	1704.34
56802	Canon Solutions America-Copies, Maint Base	147.01
56803	Cash-Wa Distributing-Plastic Gloves	25.20
56804	Concrete Works-Help on Water Leak	675.00
56805	Diode Communications-Service for February	55.22
56806	Eakes Office Plus-Printer Cartridges, Binder	182.25
56807	EBS-RMSCO-Vision Insurance	139.70
56808	Farmers Coop-Gas/Diesel for February	1321.87
56809	Gerhold Concrete Company-Crush Concrete	350.00
56810	Hawkins Inc.-Azone, FRT, LPC-4	1725.56
56811	JEO Consulting Group-Pool Project	4581.50
56812	John Deere Financial-Oil Filter, Engine Bre	150.44
56813	Kremer's Inc.-Repair Flashing Light on Hwy	94.54
56814	Matheson Tri-Gas Inc.-Bottle Rental	84.00
56815	Midwest Refuse-Service for February	118.14
56816	Milford Fire & Rescue-NEMSA Conference, Dues	1425.00
56817	Municipal Pipe Services-Tee & Valve 6" Water Leak	1700.00
56818	Municipal Supply-Meters, Gate Valve, Gasket	8339.77
56819	Mutual of Omaha-Disability	30.24
56820	NE Motor Parts Co-Oil- Filters, Battery, Aerosol	367.42
56821	NPPD-Service for February	6662.93
56822	One Call Concepts-Locates	4.85
56823	Pac-N-Save-Dog Food, Food, Meat-Fundraiser	155.76
56824	Pizza Kitchen- February Catered Meal	177.50
56825	Rediger Automotive-Repair 2000 Chevy Dump Truck	260.74
56826	Robert Boshart-Vehicle Maint. Reimbursement	25.00
56827	Roxanne Roth-Cleaning Services	50.00
56828	Seward County Public Power Dist.-Wells 1&2	651.36
56829	Seward County Independent-Notices,Minutes,Ads	459.53
56830	Seward County Public Transit-Transport to Seward	40.00
56831	Shell Fleet Plus-Gas for 08' Pickup	302.06
56832	Shell Fleet Plus-Car Gas	33.47
56833	Subway Motors Co-Windshield Molding	130.00
56834	Sunrise Country Manor-February Meals	535.50
56835	Super Spray Car Wash-Tokens	150.00
56836	Toyne, Inc.-#30,#40,#41 Maint/Repair	3402.55
56837	Tracy Yeackley-Mileage to Crete & Seward	28.31

56838	Uribe Refuse Services-Garbage Pickup	133.00
56839	Verizon Wireless-EPT Cellular	104.99
56840	Windstream Nebraska-Services for February	601.58
56841	Zito Media-TV HD Adaptor	8.78
56858	Ameritas-Pension	1587.38
56859	Union Bank-H.S.A	870.00
56860	Aflac-Dis,Cancer,ACC,Suppl	563.80
56861	BC&BS-Health/Dental April	7965.99
56862	Fort Dearborn Life Insurance-Life Insurance	113.52
56868	Advanced Associate Management-Graphic Design	275.00
56869	American Legion Post-Flag	47.29
56870	Ashley Cameron-Website Project	1832.50
56871	Baker & Taylor-Books	81.71
56872	Blevens Law Office-Legal Services	350.00
56873	Canon Financial Services-Contract Charges	254.00
56874	Card Services Center-Postage, Monthly Fees	429.16
56875	Card Services Center-NEMSA Conference Meals	100.00
56876	Concrete Works, Inc.-Final Payment Wading Pool	6400.00
56877	VOID	
56878	EMC-Workers Comp	539.00
56879	George Matzen-TV Cart	454.06
56880	Jeanne Hoggins-Mileage & Meals Clerk School	144.36
56881	Kremer's Inc.-Hand Dryer Repair	100.00
56882	Menards-Lincoln North-Materials for Well House	1002.47
56883	Meyer Automotive-Repair 2000 Chevy, HVAC	2417.70
56884	Milford Plumbing Inc.-Valve, Flushers	472.50
56885	Milford School Dist. #5-Parking Tickets	50.00
56886	Municipal Supply Inc.-Shears, Coupling	114.53
56887	Nebraska Public Health-Nitrate, Coliform	78.00
56888	Nebraska.Gov-Credit Card Swipe Machine	88.51
56889	Reader Service-Books	12.99
56890	Roxanne Roth-Cleaning Services	50.00
56891	Shell Fleet Plus-Fuel	744.23
56892	Stutzman Digging-8" Mj Accy Pack with Gland	67.50
56893	TJ Buchli-Office Supplies	55.40
56894	Toofast Supply-Wood Handles, Tool Jaw	35.19
56895	Tracy Yeackley-Mileage, Meals for Clerk School	31.37
56896	Union Bank-Gary TeSelle Acct, Medicare Part D	431.50
56897	Verizon Wireless-Cell Phones	96.53
56898	Verizon Wireless-Well Control Monitor	40.01
56899	Walmart Community Branch-Fundraising Food	181.79

56900	Windstream Nebraska-Service for March	520.96
56901	Zito Media-HDTV Box	4.39

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Milford Housing Authority minutes for March 13, 2014; Milford Aging Services Committee minutes for March 25, 2014; Planning and Zoning Commission minutes for March 11, 2014; Recreation Board Minutes for March 20, 2014 and March 31, 2014; Police Dept. Activity Report for March 2014; MVFD Rescue & Fire NARSIS Report for March 2014. Heckman – The pool board will be holding more lifeguard interviews in April for the 2014 season. The new pool slide is on order. Frey is working with subcontractors on some minor installation work for the slide. Kral – The fire department will not be issuing any burn permits. Frey – Sr Center lost some shingles due to the wind. Met with Upper Big Blue NRD and toured the community. Maintenance Dept will be flushing hydrants April 21st-25th which may cause some brown water. Chief Siebken – Officer McNeil started with the Police Dept. March 31, 2014. Baker – He attended a Sr. Housing meeting with a private developer along with a contingent of Milford Residents, Representatives from the Sr Center and Linden Village as well as Mark Frey and Jeanne Hoggins. This private developer is looking at developing Sr. Housing approximately 7-10 units. He attended the Milford Chamber of Commerce Fun Days Planning Meeting and Jeanne Hoggins and Tracy Yeackley have agreed to coordinate the Fun Run. He attended the team selection meeting with the Rec Board and conducted a field Walk-thru at the ball fields with members of the Rec Board as well as a couple local ball organizations going over concerns and comments. The Rec Board will take these suggestions and try to form some type of long term strategy for the Rec Dept. He also met with Glenda Maury with Linden Village as they are interested in developing a storm shelter for their property and residents and gave an application to apply for a grant through the City's Hazard Mitigation. Also visited with Crestview as they are interested in getting a generator for their facility and they can also apply for that under the Hazard Mitigation. He attended a Senior Aging Services meeting and they will be hosting a community meal every 4th Wednesday of the month. Also Jonathan Jank is completing his semi-annual report for Seward County Economic Development and will be coming to give that report in May/June as well as requesting funding for the next fiscal year.

COMMUNICATIONS: *Sales tax received for the month of January 2014 in the amount of \$16,015.46. *Letter received from Teresa TeSelle as she is resigning from the Planning & Zoning Commission. *Letter received from David Dahle as he is resigning from the Maintenance Dept. as of March 28, 2014.

PUBLIC HEARINGS:

Front Yard requirements in R2 – Medium Density Residential District:

Mayor Bruha opened the public hearing at 7:47 pm. Mayor Bruha noted the Planning & Zoning Commission met on March 11 and held a Public Hearing at the same. It was recommended to change the verbiage of Section 5.08.05 item #2 on page 49 to allow setbacks to be consistent with the neighborhood. With no further comments Mayor Bruha closed the Public Hearing at 7:50 pm.

Sidewalk installation by developers: Mayor Bruha opened the Public Hearings. Discussion was held at the Planning & Zoning Commission regarding placement of sidewalks by the developer. This item was a concern of Larry Jantze's at a previous Council meeting. The 1993 version of the Zoning Regulations required the developer to install the sidewalks. That notation is not included in the current 2007 Zoning Reg's. The owner of the lot will be responsible for installation of sidewalks.

Mobile Home Non-Conforming minimum requirements: Mayor Bruha read the recommendation by the P & Z Committee, adding #5 to 4.20.03: Replacement mobile homes shall meet all current HUD standards for mobile homes and shall have said sticker dating such or title for mobile homes conforming with manufacturing date as of 6/15/1976 or newer. Bruha also noted that the P & Z wanted the Council to consider a minimum size requirement. Other communities have a 500 sq. ft. requirement; Lincoln has a 512 sq. ft. requirement. (500 for interior and 512 for exterior) Fortune questioned what is to be gained by restricting the size? As long as they meet the setbacks and HUD requirements they should be ok. There has to be a reason why we're designating a certain size of mobile home and he is wondering what that reason is? Kral agreed as we already have an ordinance relating to R.V's and asked if there's a big difference between 470 and 500 sq. ft. when it comes to a mobile home. Fortune noted that the square footage is not such a concern as if they are built to code. Blevens noted there is more to the HUD requirements than just the sticker. That just covers the construction of the unit. He asked if the council wanted to add all the HUD requirements regarding safety.

Milford Economic Development Committee: Baker updated the public as to the requirement to hold a public hearing twice a year to report on Economic Development activities. Two applications had been submitted since the new guidelines were established. One application was denied because it was outside the city limits and the other project had already been completed. We have new businesses looking into our community so we are encouraged by that and they are also looking at using LB840 funds. Mayor Bruha closed the public hearings at 8:10 pm.

UNFINISHED BUSINESS:

Authorize Mayors signature on the “Managed Agency (Discretionary) document from Union Bank Endowment Accounts (3): Item tabled.

Introduction and Adoption of Ordinance – Create Board for City of Milford Endowment Account “Milford Community Betterment Committee”: Item tabled.

NEW BUSINESS:

Mayor Bruha approved moving item (h) to the top of the agenda:

Discuss/Action to hire part time employees and set wages: Frey recommended the hiring of Ashley Kontor, Alison Walla and Josh Schaben for summer maintenance at \$7.25/hr. Kral made a motion and Heckman seconded to hire Ashley Kontor, Alison Walla and Josh Schaben for the summer maintenance positions at \$7.25/hr. Roll call vote: Kral yes, Heckman yes, Baker, yes Fortune yes. Motion carried.

The Rec Board recommended the hiring of Craig Carritt to perform inventory at the Concession stand as well as in Spring/Summer emptying the trashcans. He would work 3-5 hours per week. Baker made a motion and Fortune seconded for the hiring of Craig Carritt to work with the Rec and Park Dept at \$7.25/hr not to exceed 3-5 hours per week. Roll call vote: Baker yes, Fortune yes, Heckman yes, Kral yes. Motion carried.

Approve Fire Dept. membership roster: Motion made by Kral and seconded by Fortune to approve the fire department roster as submitted. Roll call vote: Kral yes, Fortune yes, Baker yes, Heckman yes. Motion carried.

Introduction and Adoption of Resolution – Refund Bonds: A motion was made by Fortune and seconded by Kral to introduce the following resolution:

RESOLUTION NO. 499

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

Section 1. That the following bonds, in accordance with their option provisions, are hereby called for payment on May 6, 2014, after which date interest on the bonds will cease:

Refunding Bonds, dated March 12, 2009, in the principal amount of \$455,000, numbered as they are shown on the books and records of the Paying Agent and Registrar, maturing in the principal amount and bearing CUSIP numbers as follows:

<u>Principal Amount</u>	<u>Maturity Date</u>	<u>CUSIP NO.</u>
\$40,000	September 15, 2014	599556 FU6
\$40,000	September 15, 2015	599556 FV4
\$45,000	September 15, 2016	599556 FW2
\$45,000	September 15, 2017	599556 FX0
\$50,000	September 15, 2018	599556 FY8
\$55,000	September 15, 2019	599556 FZ5
\$55,000	September 15, 2020	599556GA9
\$60,000	September 15, 2021	599556GB7
\$65,000	September 15, 2022	599556GC5

Section 2. These bonds are to be paid at the office of the City Treasurer in Milford, Nebraska, as Paying Agent and Registrar.

Section 3. A true copy of this Resolution shall be filed by the City Clerk with the Paying Agent at least thirty (30) days prior to call date and the Paying Agent is hereby irrevocably instructed to take appropriate action to mail notice to the registered owner at least thirty (30) days prior to the call date.

Roll call vote: Fortune yes, Kral yes, Baker yes, Heckman yes. Motion carried.

PASSED AND APPROVED this 1st day of April, 2014.

Attest: _____
Deputy City Clerk

Mayor

(SEAL)

Introduction and Adoption of Ordinance – Refund Bonds: A motion was made by Heckman and seconded by Kral to introduce the following ordinance:

ORDINANCE NO. 880

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION WATER REFUNDING BONDS, OF THE CITY OF MILFORD, NEBRASKA, IN THE PRINCIPAL AMOUNT OF FOUR HUNDRED SIXTY-FIVE THOUSAND DOLLARS (\$465,000) TO REFUND CERTAIN OUTSTANDING BONDS OF THE CITY;

PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR A SINKING FUND AND FOR THE LEVY AND COLLECTION OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM. (See Ordinance Record)

Introduction and Adoption of Ordinance – Amend Zoning Regulation 5.08.05 regarding Front Yard setback requirements in R2 Medium Density Residential Zoning District: A motion was made by Heckman and seconded by Kral to introduce the following ordinance:

ORDINANCE NO. 881

AN ORDINANCE TO AMEND SECTION 5.08.05 OF THE ZONING/BUILDING ORDINANCE TO ALLOW FRONT YARD SET BACKS IN R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT TO CONFORM WITH EXISTING SET BACKS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH. (See Ordinance Record)

Introduction and Adoption of Ordinance – Amend Zoning Regulations Ordinance #814, Section 4.20.03 regarding Mobile Home Non-conforming minimum requirements: Item Tabled.

Introduction and Adoption of Ordinance – Amend Zoning Regulations Section 2.02.137 #3, Definition of Dwelling, Mobile Home: Item Tabled.

Discuss/Action on amending Ordinance #825 regarding Golf Carts upon public streets: No action.

Hire Library Clerk(s) and set wage: Motion made by Heckman and seconded by Fortune to hire Sarah Long as the Library Clerk at \$7.25/hour. Roll call vote: Heckman yes, Fortune yes, Baker yes, Kral yes. Motion carried.

Approve Recreation Coaches Rules and Regulations: Motion made by Heckman and seconded by Baker to approve the Recreation Coaches Rules and Regulations. Roll call vote: Heckman yes, Baker yes, Fortune yes, Kral yes. Motion carried.

ADJOURNMENT: A motion was made by Fortune and seconded by Kral to adjourn the meeting. Roll call vote: Fortune yes, Kral yes, Baker yes, Heckman yes. Motion carried and meeting adjourned at 8:39 pm.

Tracy Yeackley, Deputy City Clerk

Dean A. Bruha, 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 April 1, 2014 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)

Tracy Yeackley, Deputy City Clerk