

CITY OF MILFORD
REGULAR MEETING
APRIL 30, 2012
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 30th day of April 2012 at 7:30 pm. Present were: Mayor Dean Bruha; Council members: Jeff Baker, Rick Fortune, Jeff Heckman, Dan Kral; Attorney Robert Blevens; Chief of Police Forrest Siebken; Maintenance Supt. Mark Frey and City Clerk Jeanne Hoggins. Also present: Jerry Penry, Jim Eberly, Dale Bruha, Elaine Plessel, Howard and Marvene Wurst, Becky Haufle with INSPRO 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 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 Bruha called the meeting to order at 7:30 pm.

Presentation of Poppies: American Legion Auxiliary Unit 171 representative Marvene Wurst presented poppies to the Mayor, Council, Clerk and Attorney as a recognition of Poppy Day which is Friday. The poppies are made by Veterans to help support their families.

Mayor Bruha 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: Council member Kral noted a correction to the minutes: under NEW BUSINESS: Approve Fire Dept. Roster: The message Kral was trying to convey is that the current EMT's will be redesignated when the EMT rating is split into an A and B. All of our members will probably be EMTB's to start with but with additional training required, the specifics are not yet available. Kral reported this for budgeting for additional training. A motion was made by Fortune and seconded by Kral to approve the minutes of the April 30, 2012 meeting with the correction. Roll call vote: Fortune yes, Kral yes, Baker yes, Heckman yes. Motion carried.

PAYMENT OF BILLS: A motion was made by Kral and seconded by Heckman that the following bills in the amount of \$57,796.52 and payroll in

the amount of \$26,700.63 approved by the Auditing Committee be approved for payment. Roll call vote: Kral yes, Heckman yes, Baker yes, Fortune yes. Motion carried.

SALARIES:

53061	Mark Frey	1522.03
53062	Forrest Siebken	1358.08
53063	Mavis Ferris	69.73
53064	Jeanne Hoggins	1361.22
53065	Gary TeSelle	774.20
53066	Robert Hull	914.22
53067	David Dahle	1051.06
53068	George Matzen	685.95
53069	Tracy Yeackley	756.65
53070	Benjamin Rediger	812.22
53071	Craig Corder	1458.78
53072	Jason Meyer	1115.96
53073	Sean Stahly	123.76
53074	Jillian Boden	318.90
53075	Lisa Aschoff	585.70
53076	Erica Pallas	328.65
53077	Timothy Long	85.51
53127	Mark Frey	1516.38
53128	Forrest Siebken	1352.43
53129	Mavis Ferris	76.70
53130	Jeanne Hoggins	1358.40
53131	Gary TeSelle	789.60
53132	Robert Hull	905.18
53133	David Dahle	1163.01
53134	George Matzen	684.54
53135	Tracy Yeackley	755.24
53136	Benjamin Rediger	858.60
53137	Craig Corder	1373.54
53138	Jason Meyer	975.11
53139	Sean Stahly	120.28
53140	Jillian Boden	201.91
53141	Lisa Aschoff	590.28
53142	Erica Pallas	318.20
53143	Timothy Long	119.71
53144	Derek Tegtmeier	218.90

GENERAL FUND:

53017	Aaron Cadlo- WA/SW Refund	55.88
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53018	Marilla Griffiths- WA/SW Refund	75.00
53019	Chad Koehler- WA/SW Refund	50.00
53020	Sam Oertel- WA/SW Refund	18.35
53021	Toby Pickerill- WA/SW Refund	47.79
53022	Andrew Smith- WA/SW Refund	59.63
53023	Brian Yosten- WA/ SW Refund	52.92
53024	US Postmaster- Utility Billing Postage	196.00
53078	Amertitas Group- Pension	1637.16
53079	Union Bank- HSA	705.00
53080	American Building Inspectors- Inspections for March	460.00
53081	American Legion Post 171- 2 Flags	68.75
53082	Aramark- Pants & Rags	617.34
53083	AT&T- Long Distance	7.21
53084	ATCO International- Nut Buster	165.00
53085	Berry- Directory Advertising	16.15
53086	Black Hills Utility- Service for March	683.11
53087	Cash-Wa Distributing- Food & Supplies	375.33
53088	CBS Reporting- Yearly Membership	60.00
53089	Colin Electric Motor Service- Repair motor controls	201.50
53090	Coventry Health Care- Health Insurance 5/1-5/31	6909.50
53091	D&D Communications- Charger, inserts, shipping	73.05
53092	Diode Communications- Service for March	55.22
53093	Eakes Office Plus- Paper, Ink cartridge, staples	125.45
53094	Farmers Cooperative- Tire Repair, Bulbs, Fuel	1379.57
53095	Great Plains One Call- Locate Requests	14.97
53096	Hawkins, Inc.- Azone, FRT, LPC-4	1814.92
53097	Hydraulic Equipment- Labor, Oil, Hardware	767.00
53098	Kremer's Inc.- Lamp, Cover, Labor	399.45
53099	Matheson- Oxygen	76.26
53100	Merle's Garden Center- Grass Seed	145.00
53101	Milford Mini Mart- Dog Food, Oil	11.87
53102	Milford Supermarket- Food	275.83
53103	Misko Sports- Bats	165.00
53104	Municipal Supply- Bolts, Nuts, Valve	493.53
53105	Mutual Of Omaha- Disability	30.24
53106	Nebraska Motor Parts- Battery, Cable, Blades	117.66
53107	Nebraska Public Health- Water Test	733.00
53108	Nebraska Public Power- Service for March	5749.61
53109	Pizza Kitchen- Meals for March	237.00
53110	Reeves- Name Plate	24.37
53111	Roxanne Roth- Cleaning Services	50.00

53112	Seward Co. Public Power- Wells 1&2	418.04
53113	Seward Co. Independent- Adds, PZ Notice	247.53
53114	Seward Electronics- Antenna, Repair, Labor	373.50
53115	Shell Fleet Plus- Fuel	757.22
53116	Sleep Inn & Suites- NEMSA-J Shald	165.98
53117	SLS League- 2012 League Dues	100.00
53118	Sport Supply Group- Baseballs, Softballs, Bases	734.70
53119	Subway- Gearbox, Labor	95.10
53120	The Garbage Company- Service for March	137.50
53121	U.S. Postmaster- Permit Renewal Fee	190.00
53122	Verizon Wireless- Service for March	94.72
53123	Verizon Wireless- Air Cards for MDC	86.02
53124	Verizon Wireless- Cell Phone	103.68
53125	Wergin's Law Service- Fertilize Pool& Sr Center	219.00
53126	Windstream- Service for March	608.39
53145	Ameritas Group- Pension	1646.75
53146	Union Bank- HSA	705.00
53147	Aflac- Dis, Cancer, Acc, Supplimental Insurance	661.39
53148	Fort Dearborn- Life Insurance	134.16.
53149	Companion Life- Dental Coverage	599.66
53150	Companion Life- Vision Coverage	19.93
53151	Alamar Uniforms- Shirt, Pants, Belt	146.86
53152	Baker & Taylor- Books	471.17
53153	Blevens Law Office- Legal Services for April	350.00
53154	Card Service Center-Hard Drive Memory cards	640.27
53155	Cash-Wa Distributing- Napkins & paper plates	131.25
53156	Central States Lab- Asphalt, Freight, Cleaner	953.88
53157	City of Milford- Petty Cash	89.04
53158	Concrete Works- Street Repair 8 th & D	8300.00
53159	Culligan Water Conditioning- Drinking water, rent	86.40
53160	Gall's- Vehicle Unlock tool	104.48
53161	Graham Tire- Tires	907.32
53162	Great America Leasing- Meter Rent	80.00
53163	HOA Solutions- Touch Panel	2600.00
53164	Ikon- Meter Rent 4/4-5/3/12	583.75
53165	JR Welding- Acetylene, work on sand	117.00
53166	Kelly Supply Company- Bushings, Couplers	26.25
53167	Milford Plumbing Inc- PVC Cement, Adapters	327.39
53168	Milford School Dist- Parking tickets, Liquor Lic	930.00
53169	Misko- Tees, Tee Replacement tube	66.98
53170	Municipal Supply Inc- Meters	384.13

53171	NE Fire Sprinkler Co.- Fire Sprinkler Inspection	248.00
53172	NWOD- Memberships	40.00
53173	Orscheln- Strainers, Nozzles, Cap	21.52
53174	Reader Service- Books	25.98
53175	Roxanne Roth- Cleaning Services	50.00
53176	Sack Lumber Company- Concrete	51.66
53177	Shell Flee Plus- Gas	529.50
53178	Shell Fleet Plus-Car Gas	45.26
53179	Sunrise Country Manor- Meals for Feb & March	2115.75
53180	Too Fast Supply- Ear Plugs, Tape, Nuts	127.20
53181	Union Bank- Gary TeSelle Acct, Medicare Part D	431.50
53182	Wal-Mart Community BRC- Wireless Router, Food	257.67
53183	Windstream- Service for April	199.88

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Milford Housing Authority minutes for April 19, 2012; Milford Aging Services Commission minutes for April 24, 2012; Recreation Board minutes for April 25, 2012; MVFD Fire & Rescue NARSIS Reports for April 2012. Baker – still waiting on installation of lights in the Park. Frey reported that the installation crew is not available until June so Bill Johnson is going to rent an auger and put them in himself. The use of a timer was mentioned by Mayor Bruha and it was decided to have the inner lights illuminated all night long and the outer lights will be set on a timer. Frey – the “thru” alleys have been maintained and rock has been added to the potholes. There are some trees that need trimming back off the alley to complete the process. The Arbor Day tree planting was cancelled due to lightening and inclement weather. Mark is waiting to reschedule the event when the High School teacher and students are available. Pool was painted today. Chief Siebken just graduated his 10th D.A.R.E. class and this year he is also teaching a program called, “Keep It Real” to the middle school. A deer was struck by one of the cruisers while assisting the Sheriff’s Dept. with an injury accident on Hwy 6. The car has been repaired and is back in service. Heckman reported that 1 bid was received for the wading pool project and it came in way over the allotted budget. JEO has been working with other contractors. They will be reporting their findings to the Council at the June meeting. Fortune – there is a cemetery board meeting scheduled for 5/4/12 at noon.

COMMUNICATIONS: *Sales tax received for the month of February 2012 in the amount of \$12,058.19. *Black Hills Energy Annual Franchise Tax received in the amount of \$15,920.58.

NEW BUSINESS:

Presentation of Dividend Check with INSPRO – Becky Haufle: Becky Haufle presented a dividend check from EMC. She explained that every year all the NE cities and villages insured thru EMC go together and when all the claims are under a certain amount EMC will divvy it out according to a certain percentage. The percentage paid back this year was 8.5% totaling \$3,471.23. Over the last 3 years the dividend checks have totaled \$14,340.00. Kral asked if this was a compensation dividend? Becky explained that no, it was not, it comes from other parts of the package. Excluding the Umbrella section, E & O, break down of Equipment, Law Enforcement Liability and Bonds all the other areas covered are calculated into this dividend.

Approve Webermeier Scholarship Recipients: Webermeier Scholarship Committee interviewed 14 very good applicants. The committee decided to add 6 new recipients and renew 18 for a total of 24. Each recipient will receive \$375.00 per semester for the 2012-2013 school year. A motion was made by Baker and seconded by Heckman to approve the 24 scholarship recipients as noted. Roll call vote: Baker yes, Heckman yes, Fortune yes, Kral yes. Motion carried.

Presentation/Approval for location of W.W. Memorial Monument – Jerry Penry, Jim Eberly and Dale Bruha: Jerry Penry thanked the City Council and informed them that they are ready to move forward on construction of the new monument which is marked out to be placed in the N.W. corner of the public square. The group is asking permission to move forward with the reconstruction of a monument that will be very similar, in looks, to the original one. Jim Eberly informed the Council that a committee of individuals (Jerry Penry, Dale Bruha, Nancy McGill, George Matzen and himself) were formed to help with design and location ideas. The group is trying to design and reconstruct the monument, as close as possible, to the original. Jim knocked off the last of the mortar that was left on the stone and was able to salvage 99% of the stone. Jim presented a building permit application, if it is needed, and a drawing of the monument showing a 6'x6' concrete base for a foundation. Denny Yeackley will be the contractor for the project. Jim reviewed the specifics of the construction. A stainless steel sealed compartment will be constructed into the monument holding the mason jar and documents that were found in the original monument along with a current copy of a Legion and Auxiliary roster. The original plaque and a new plaque dated 5/30/2012, which is 81 years from the time the original one was dedicated, will be placed on the west side of the structure. They are hoping to have everything completed by Memorial Day. The cost of the new structure is approximately \$5500.00 and the Legion has the

money to do the project. Jim Eberly asked for the Council's approval on the structure and location and if approved they would like to start immediately. A few questions were asked about the construction. The Council agreed that the building permit was good to have but they decided to waive the fee. Baker asked for this to be on the record: The Legion held a fundraiser and he wanted Mr. Eberly to report how they did. Jim reported, they hired the Waffleman and it went well with 308 people attending, 65 of those were kids under the age of 5. They had a clear profit of about \$2100.00. Without the Waffleman Fundraiser they wouldn't have been able to fund this project. The Legion has some money tucked away and with that they will be able to fund the construction. Baker questioned Eberly about none of the money that the Legion is spending is from the general operating fund, it's from the baseball fund? Eberly replied, "I don't think that the Council needs to know that." Baker did not want it published but asked if it was accurate to say we did not deplete the Legion's general operating fund. Eberly noted that they do not want it noted under the baseball fund because a lot of the baseball parents helped a great deal with expenses for the baseball team and he doesn't want to offend the baseball parents. Baker stated for the record that the City did not tear down the monument, it was decommissioned. Baker also told Eberly that he appreciated all the work that he did and his efforts are the reason why this project is being accomplished. He thanked Mr. Eberly. A motion was made by Baker and seconded by Heckman to authorize Jim Eberly from the American Legion to construct a WWI Memorial, in replacement of the old WWI Memorial Monument, in the NW corner of the City Square. Roll call vote: Baker yes Heckman yes, Fortune yes, Kral yes. Motion carried.

Pay Increase for Sr. Center Director Lisa Aschoff: A motion was made by Baker and seconded by Fortune to approve a .25 pay increase to Sr. Center Director Lisa Aschoff after her 6 month review bringing her hourly pay rate to \$11.50. Roll call vote: Baker yes, Fortune yes, Heckman yes, Kral yes. Motion carried. It was also noted that Lisa is eligible for a cost of living raise at budget time if so awarded.

Award bid for operation of Concession Stand at Welch Park: One bid was received and opened at the City Council meeting. The bid was from Tracy Yeackley and Erica Pallas for 100% of the profit and reimbursing the City of Milford \$1.25 per soda sold as specified in the concession stand contract. A motion was made by Baker and seconded by Heckman to award the bid to Tracy Yeackley and Erica Pallas as presented. Roll call vote: Baker yes, Heckman yes, Fortune yes, Kral yes. Motion carried.

Re-appointment: A motion was made by Baker and seconded by Fortune to approve the Mayor's recommendation to re-appoint Angela Muller to the

Park Board for a 3 year term starting 5/1/12 thru 5/1/15. Roll call vote: Baker yes, Fortune yes, Heckman yes, Kral yes. Motion carried.

Discuss permits for sales of goods/food stands: Hoggins was approached by a Milford resident as to whether they could sell shaved ice at the Welch Park Ballfields as well as at the Milford Swimming Pool. Hoggins questioned whether permits are required since they would be on public grounds. Mayor Bruha questioned whether we want to open up a can of worms and allow anyone or everyone to set up stands on public property. Kral noted if anybody was to put a stand anywhere, they need to have a harmless indemnification insurance policy so the City doesn't get involved in any wrong doing suit. Blevens reported that Seward has never been asked about permits to sell goods and they allow sales on the court house lawn. Fortune doesn't have anything against it he just wants to know the responsibilities of the City. The Council's main concern is sales for profit on City property. The Council decided to table the issue so it could be researched further.

Approval to advertise to let bids for demolition of Good Shepherd Lutheran Church: The Council received an inspection report and asbestos was found in the form of old linoleum, which the Church members removed. The other is sandwiched between two concrete floors in the basement. The inspector suggested taking down the building, getting down to the flooring and removing it separately notifying the landfill of the asbestos. Heckman asked if the Church members were going to remove the asbestos in the floor. Mayor Bruha noted that removing the asbestos would be included in the bid submitted by the contractor. Heckman asked if the cost of demolition will increase with the removal of this asbestos. Blevens suggested that when the bid specs are put together that the removal of the flooring including the asbestos should be identified separately on the bid. This information can then be used to determine if the City of Milford will sign the contract for purchase. A motion was made by Heckman and seconded by Fortune to approve advertising to let bids for the demolition of the Good Shepherd Lutheran Church with a separate line identifying the cost to remove the asbestos in the flooring. Roll call vote: Heckman yes, Fortune yes, Baker yes, Kral yes. Motion carried.

Discuss/Action to allow R.V. hook-ups in Trailer Courts – permit costs: Darrin Gingerich, owner of College View Rentals was approached about allowing an R.V. to park in an empty lot space for a couple months during the summer. According to codes regarding trailers and mobile homes a building permit must be issued for moving in a trailer and taking out a trailer, costing \$100.00 per move. The intent of this code is based around actual mobile homes, where they would remain a permanent structure for a

while. Is this something the Council wants to allow and if so, does the cost need to be reduced for R.V.'s. Discussion was held regarding the building permit process, number of lots that may open up in the future, securing the structure, water and sewer service and the size of the mobile home. Mayor Bruha questioned the Council again about the fee schedule. Kral mentioned, it really comes down to what the Council wants to allow in the trailer parks. If you allow one R.V. then be prepared for more. Baker suggested limiting the number of spaces and length of stay allowed for R.V.'s per trailer park. The Council would like to talk to the owner and see exactly what he is interested in. The item was tabled to the next regular meeting.

ADJOURNMENT: A motion was made by Heckman and seconded by Fortune to adjourn the meeting. Roll call vote: Heckman yes, Fortune yes, Baker yes, Kral yes. Motion carried and meeting adjourned at 8:52 pm.

Jeanne Hoggins, 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 30, 2012 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