

CITY OF MILFORD  
REGULAR MEETING  
DECEMBER 7, 2010  
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 7<sup>th</sup> day of December 2010 at 7:30 pm. Present were: Mayor Dean Bruha; Council members: Jeff Baker, Jeff Heckman, Dan Kral; Attorney Robert Blevens; Chief of Police Forrest Siebken; Maintenance Supt. Mark Frey and City Clerk Jeanne Hoggins. Absent: Council member Rick Fortune. Also present: John Melena, Dennis Kubicek 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. 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:** A motion was made by Baker and seconded by Kral to approve the minutes of the November 2, 2010 meeting. Roll call vote: Baker yes, Kral yes, Fortune absent, Heckman yes. Motion carried.

A motion was made by Baker and seconded by Kral to approve the minutes of the November 10, 2010 meeting. Roll call vote: Baker yes, Kral yes, Fortune absent, 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 \$74,656.78; Bond Principal of \$65,000.00; Bond Interest of \$17,455.00 and payroll in the amount of \$39,052.26 approved by the Auditing Committee be approved for payment. Roll call vote: Kral yes, Heckman yes, Baker yes, Fortune absent. Motion carried.

**SALARIES:**

50587	Mark Frey	1438.29
50588	Forrest K Siebken	1285.89
50589	Mavis Lynn Ferris	63.61

50590	Jeanne M Hoggins	1344.92
50591	Gary Lee TeSelle	916.21
50592	Robert L Hull	1034.66
50593	Beverly J Wehrs	546.57
50594	David R Dahle	1059.61
50595	George A Matzen	660.06
50596	Tracy L Yeackley	754.58
50597	Benjamin L Rediger	807.83
50598	Craig A Corder	1268.58
50599	Nathen T Gortemaker	902.10
50600	Deondra J Lashley	319.02
50601	Shawna M Fredericksen	125.54
50602	Aaron M Hostetler	120.52
50653	Mark Frey	1438.29
50654	Forrest K Siebken	1285.89
50655	Mavis Lynn Ferris	50.22
50656	Jeanne M Hoggins	1344.92
50657	Gary Lee Teselle	817.23
50658	Robert L Hull	1284.16
50659	Beverly J Wehrs	585.18
50660	David R Dahle	1041.02
50661	George A Matzen	660.06
50662	Tracy L Yeackley	761.83
50663	Benjamin L Rediger	812.85
50664	Craig A Corder	1631.08
50665	Nathen T Gortemaker	931.9.
50666	Deondra J Lashley	320.82
50667	Shawna M Frederickson	115.50
50668	Aaron M Hostetler	118.84
50680	Mark Frey	1438.29
50681	Forrest K Siebken	1285.89
50682	Mavis Lynn Ferris	46.86
50683	Jeanne M Hoggins	1344.92
50684	Gary Lee Teselle	790.46
50685	Robert L Hull	1105.63
50686	Beverly J Wehrs	476.44
50687	David R Dahle	1090.56
50688	George A Matzen	634.41
50689	Tracy L Yeackley	754.58
50690	Benjamin L Rediger	807.83
50691	Craig A Corder	1232.33

50692	Nathen T Gortemaker	1024.14
50693	Deondra J Lashley	254.23
50694	Shawna M Frederickson	83.70
50695	Aaron M Hostetler	95.40
50675	Ricky Fortune	138.52
50676	Dean Alan Bruha	184.70
50677	Jeffrey M Baker	138.52
50678	Jeff Lee Heckman	138.52
50679	Dan V Kral	138.52

**GENERAL FUND:**

50603	Ameritas – Pension, Pension X	1554.55
50604	Union Bank – HSA, HSA- City Contribution	1998.00
50605	Joe Langenfeld – WA/SW Deposit Refund	22.40
50606	Jeff Oatman – WA/SW Deposit Refund	12.72
50607	Paul Pierce – WA/SW Deposit Refund	28.70
50608	David Swartzentruber – WA/SW Deposit Refund	50.00
50609	Skye Wederski – WA/SW Deposit Refund	50.00
50610	U.S. Postmaster – Utility Billing Postage	164.64
50611	Union Bank – HSA Dave Dahle Acct	1499.00
50612	American Building Inspectors – Bldg Inspections	1780.00
50613	American Legal Publishing – Statutory Update	650.00
50614	Ameritas Group – Dental & Vision	937.64
50615	Aramark Uniform Service – Pants & Rags	364.23
50616	Black Hills Utility – Service for October	188.63
50617	Central State Lab – Asphalt	542.93
50618	Constellation NewEnergy – Final Bill	3.18
50619	Cornhusker Press – Dog License Tags	59.61
50620	Coventry Health Ins – Health Insurance	6124.12
50621	Culligan Water Conditioning – Soft Water	62.25
50622	Deep Rock – Drinking Water	58.10
50623	Diode Communications – Service for Oct	54.16
50624	Eakes Office Plus – Greenbar Paper, Water Bills	834.99
50625	EMC – Gen Liab/Workers Comp Audit	314.00
50626	EMP – Gloves, Defib Electrodes	456.76
50627	Farmers Coop – Gas/Diesel for October	944.90
50628	Great Plains-One Call – Locate Requests	23.05
50629	Ikon Office Solutions – Additional Images, Meter Rent	409.55
50630	Meyer Ford – Repair Unit 99	2532.29
50631	Milford Supermarket – Dog Food, Food(Spec Prog)	35.40
50632	Mrs Wayne Roth – Birthday Cake	16.00
50633	Mutual of Omaha – Disability	30.24

50634	NE Dept of Revenue – Sales Tax for Oct	1893.50
50635	NE Motor Parts – Glue, Antifreeze, Cleaner & Brush	93.93
50636	NPPD – Service for October	5067.50
50637	NT&T – Service for October	406.82
50638	Randall Williams – Front Bezel for Computer	60.00
50639	Rediger Chevrolet – Oil Change Unit 2	39.55
50640	Roxanne Roth – Cleaning Services	50.00
50641	Rural Apprehension Program – Matching Funds	1035.00
50642	Sam’s Club – Card Renewal (Jeanne & Heckman)	70.00
50643	SPPD – Wells 1 & 2	560.62
50644	Seward County Independent – Notices, Minutes, Ads	171.19
50645	Shell Fleet Plus – Fuel for ’08 Truck	282.13
50646	Sunrise Country Manor – October Meals	731.50
50647	The Garbage Co – Service for October	130.24
50648	Tool Fast Supply – Cordless Saw	199.00
50649	Uribe Refuse – Garbage Pickup	37.00
50650	Verizon Wireless – Dept Cellular	102.47
50651	Wergin’s Lawn Service – Mow, Fert Sr Center	98.00
50652	Windstream – Local/Internet, Library Phone	309.58
50669	Ameritas Group – Pension, Pension X	1554.55
50670	Union Bank – HSA	495.00
50671	AFLAC – Dis, Cancer, Acc, Suppl	463.96
50672	Fort Dearborn Life Ins – Life Insurance	113.52
50673	Shell Fleet Plus – Fuel for October	652.83
50674	Verizon Wireless – Cell Phone	92.06
50696	Ameritas Group – Pension, Pension X	1554.55
50697	Union Bank – HSA, HSA-City Contr	1831.00
50698	Ackerman Rock & Gravel – Road Gravel	1424.61
50699	American Red Cross – First Aid Cert	180.00
50700	VOID	
50701	Blevens Law Office – Legal Services	350.00
50702	Concrete Works – Street Work	9008.00
50703	D.J Gongol & Assoc – Hour Meter	35.76
50704	Data Tech – 2011 Summit Lic & Support Fee	3869.70
50705	Federal Signal Corp – Smart Siren Repair	106.00
50706	Gale – Books	49.83
50707	George Matzen – Toner	99.99
50708	Gerhold Concrete – Concrete, Delivery	64.50
50709	Great American Leasing – Meter Rent	80.00
50710	Hawkins – Azone 15, LPC-4, Freight	2318.54
50711	Heartsong Presents – Books	12.99

50712	Ikon – Meter Rent	51.25
50713	Insurenebraska – Jeanne Bond Renewal	450.00
50714	Kremers Inc – Work On Wells 3 & 6	651.34
50715	VOID	
50716	Marvin Jewell – Audit Serv Year End 9/30/10	11700.00
50717	Matt Friend Truck Equip – Bearings, Freight	52.25
50718	Milford School Dist – Parking Fines	10.00
50719	NE Environmental Products – Hose, Gutter Broom	327.89
50720	NE Public Health – Coliform Test	32.00
50721	Newman Traffic Signs – Signs	247.76
50722	Pat McCarthy – Training Video	194.00
50723	Penworthy – Kids Books	448.15
50724	Quill – ½ Case Copy Paper	15.95
50725	Roxanne Roth – Cleaning Services	50.00
50726	Union Bank – Gary TeSelle Acct, Medicare Part D	447.20
50727	VOID	
50728	VOID	
50729	Verizon Wireless – Well Control Monitor	43.01
50730	Walmart – Portable Hard Drive, Labels, Whiteout	219.82

**REPORTS OF OFFICERS, BOARDS AND COMMITTEES:** Written reports received were Milford Housing Authority minutes for November 11, 2010; Milford Aging Services Board minutes for November 23, 2010; Recreation Board minutes for November 15, 2010; Police Dept. activity report for November 2010; Milford Rescue NARSIS report for November 2010 and Milford Fire Report for November 2010. Baker – is trying to organize a meeting between the County Commissioners and the committee that was formed by the City of Milford to discuss closing the railroad crossing out by the Easter Seals Camp. They will then in turn visit with the landowners. Baker also met with Laura Peterson to discuss new playground equipment for toddlers in the Uptown City Park. They discussed fundraising efforts and location. This project will not financially flow thru the City budget as we didn't plan for it. Mayor Bruha questioned Frey about budgeting for the sidewalks around the City Park. Frey mentioned the lighting project and Baker informed the group that with the possibility of this new equipment the sidewalk and lighting may have to wait. Kral – Police, Fire and Rescue reports are available. Chief Siebken reviewed the November 2010 Police activity report. Frey – The strong winds have caused the welds on the Christmas ornaments to break and several of them have fallen off the street light pole. We have been lucky they haven't caused any damage/injury to a vehicle or pedestrian. Frey would like the Council to

keep this in mind as we may need to purchase a different style (wrapped) ornament or a smaller ornament.

**COMMUNICATIONS:** \*Sales tax received for the month of September 2010 in the amount of \$11,422.46. \*NPPD 3<sup>rd</sup> Quarter Lease payment received in the amount of \$59,733.13.

**UNFINISHED BUSINESS:**

**Hire Police Officer and set wage:** Mayor Bruha reminded the Council that at the last special meeting it was requested to table the vote until there was a full quorum. Mayor Bruha suggested waiting for Fortune's return to vote on the issue. Chief Siebken has notified the applicants regarding further discussion of hiring and has told them not to pass up any job offers.

**NEW BUSINESS:**

**Council Assignments:** Heckman asked to be removed from the Webermeier Scholarship Committee for one year as he has a Senior this year. All other council assignments remained the same. A motion was made by Heckman and seconded by Kral to approve the Council assignments recommended by Mayor Bruha. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune absent.

**Election of Officers:** A motion was made by Kral and seconded by Heckman to approve the Mayor's recommendation leaving Jeffrey Baker as President of Council and Rick Fortune as Acting President of Council. Roll call vote: Kral yes, Heckman yes, Baker yes, Fortune absent.

**Appointments/Reappointments:** A motion was made by Heckman and seconded by Baker to approve the Mayor's recommendation to reappoint Forrest Siebken as Chief of Police. Roll call vote: Heckman yes, Baker yes, Fortune absent, Kral yes. Motion carried.

A motion was made by Heckman and seconded by Kral to approve the Mayor's recommendation to reappoint Jeanne Hoggins as City Clerk/Treasurer. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune absent. Motion carried.

A motion was made by Kral and seconded by Heckman to approve the Mayor's recommendation to reappoint Mark Frey as Maintenance Supt. Roll call vote: Kral yes, Heckman yes, Baker yes, Fortune absent. Motion carried.

A motion was made by Baker and seconded by Kral to approve the Mayor's recommendation to reappoint Mike Walkowiak to the Recreation Board for a 3 year term. Roll call vote: Heckman yes, Baker yes, Fortune absent, Kral yes. Motion carried.

A motion was made by Heckman and seconded by Kral to approve the Mayor's recommendation to reappoint Jodi Roth to the Recreation Board for

a 3 year term. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune absent. Motion carried.

A motion was made by Baker and seconded by Heckman to approve the Mayor's recommendation to appoint Troy Johnston with JEO as the Street Supt. Roll call vote: Baker yes, Heckman yes, Fortune absent, Kral yes. Motion carried.

**Audit Report for 9/30/10 – Dennis Kubicek:** Mr. Kubicek read the opinions for both cash and accrual financial statements and noted that both present fairly. He highlighted different areas of the water and sewer reports and reviewed the projected and actual 2009-2010 budget worksheets.

He explained the Webermeier Trust is not City money and the Trust document should be reviewed to make sure the application process is being conducted properly. Over time the process can change and if those changes work better they need to be amended thru the trustee. Dennis also briefed the Council on the importance of reviewing documents pertaining to revenue bonds. The Council thanked Mr. Kubicek for his insight and hard work.

**Continuation Order 2<sup>nd</sup> Semester – Webermeier Scholarships:** A motion was made by Heckman and seconded by Kral to approve 21 scholarships for the 2<sup>nd</sup> semester of the 2010-2011 school year in the amount of \$476.19 per recipient. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune absent. Motion carried.

**Authorize Mayor to sign Tree City USA Application:** A motion was made by Baker and seconded by Kral to authorize Mayor Bruha to sign the Tree City USA Application. Roll call vote: Baker yes, Kral yes, Fortune absent, Heckman yes. Motion carried.

**Fire Station Bids:** Item tabled.

**Discuss/Authorize City of Milford credit card:** Hoggins informed the Council that she had been approached by Chief Siebken and Gary TeSelle regarding a City of Milford credit card. When purchases need to be made online we have to use our personal cards and get reimbursed. Gary found a part cheaper online but was unable to purchase it without an account. Frey explained that some vendors are only used 1-2 times a year and a credit application needs to be filled out to set up a charge account. A credit card would work much nicer in this case. Heckman agreed that it's worth looking into to. Baker has a card thru the County that he uses for meals during out of town training or meetings. Hoggins questioned the tax exempt status of the City and how that would work with a credit card. Each vendor must be contacted individually to set up the tax exempt status when ordering. Once this is established and a Form 13 is issued then we shouldn't have to contact them on other purchases. Discussion was held regarding who would get

cards and limits on spending. Hoggins will make some additional contacts regarding cards and present the information in January.

**Introduction and Adoption of Resolution – Call Combined G.O. Bond 11/8/04:** A motion was made by Heckman and seconded by Baker to adopt the following resolution:

RESOLUTION NO. 463

BE IT RESOLVED AND ENACTED BY THE MAYOR AND CITY 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 January 10, 2011, after which date interest on the bonds will cease:

Refunding Bonds, dated November 8, 2004, in the principal amount of \$95,000, 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	March 15, 2011	599556 EL7
15,000	March 15, 2012	599556EM5
20,000	March 15, 2013	599556EN3
20,000	March 15, 2014	599556EP8

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: Heckman yes, Baker yes, Fortune absent, Kral yes. Motion carried.

PASSED AND APROVED this 7<sup>th</sup> day of December, 2010.

Attest: \_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

(SEAL)



**Burn Permits:** Dan Kral presented Legislative Bill 408 which lays out the guidelines pertaining to burning. In the bill it notes the fire chief of a local department or his or her designee may waive the open burning ban when conditions are acceptable. There was some concern regarding the two burns in town with the Elementary School trees. Discussion was held regarding who to contact for burns in the City limits. Kral was concerned with individuals that were told “no” to burning initially and they went elsewhere to get permission. “This cannot happen.” Procedure needs to be developed and followed. Fire Chief John Melena is the individual to go to for a burn permit. Burning requests in the City limits can be approved by Chief Siebken with communication and acceptance from Melena.

**Speed limit First Street: “F” Street to Welch Park Rd:** Chief Siebken presented an Ordinance similar in language to the one used for the State Street flashing lights. The lights are up on First Street. Chief Siebken and/or Supt. of Schools Kevin Wingard will be receiving a garage door style device to over ride the system when the school has an early out. A motion was made by Baker and seconded by Kral to introduce the following ordinance:

ORDINANCE NO. 838

AN ORDINANCE TO AMMEND ARTICLE 3, SECTION 5-303 OF THE MILFORD MUNICIPAL CODE RELATING TO SPEED LIMITS; TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

**ADJOURNMENT:** A motion was made by Kral and seconded by Heckman to adjourn the meeting. Roll call vote: Kral yes, Heckman yes, Baker yes, Fortune absent. Motion carried and meeting adjourned at 9:25 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 December 7, 2010 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