

CITY OF MILFORD
REGULAR MEETING
FEBRUARY 5, 2013
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 5th day of February 2013 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: Elaine Plessel 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 7:33 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 Baker and seconded by Kral to approve the minutes of the January 2, 2013 meeting. Roll call vote: Baker yes, Kral yes, Fortune absent, Heckman yes. Motion carried.

A motion was made by Kral and seconded by Baker to approve the minutes of the January 30, 2013 meeting. Roll call vote: Kral yes, Baker 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 \$80,239.38 and payroll in the amount of \$26,640.42 totaling \$106,879.80 approved by the Auditing Committee be approved for payment. Roll call vote: Kral yes, Heckman yes, Baker yes, Fortune absent. Motion carried.

SALARIES:

| | | |
|-------|-----------------|---------|
| 54775 | Mark Frey | 1501.18 |
| 54776 | Forrest Siebken | 1334.60 |
| 54777 | Mavis Ferris | 62.67 |
| 54778 | Jeanne Hoggins | 1304.32 |

| | | |
|----------------------|--|---------|
| 54779 | Gary TeSelle | 827.62 |
| 54780 | Robert Hull | 1069.88 |
| 54781 | David Dahle | 1061.89 |
| 54782 | George Matzen | 315.77 |
| 54783 | Tracy Yeackley | 767.88 |
| 54784 | Benjamin Rediger | 824.37 |
| 54785 | Craig Corder | 1598.86 |
| 54786 | Jason Meyer | 1114.39 |
| 54787 | Lisa Aschoff | 540.44 |
| 54788 | Erica Pallas | 301.60 |
| 54789 | Timothy Long | 41.01 |
| 54790 | Leslie Frazier | 147.76 |
| 54836 | Mark Frey | 1501.89 |
| 54837 | Forrest Siebken | 1334.60 |
| 54838 | Mavis Ferris | 73.11 |
| 54839 | Jeanne Hoggins | 1304.32 |
| 54840 | Gary TeSelle | 792.74 |
| 54841 | Robert Hull | 1094.24 |
| 54842 | David Dahle | 1048.99 |
| 54843 | George Matzen | 682.41 |
| 54844 | Tracy Yeackley | 783.63 |
| 54845 | Benjamin Rediger | 851.00 |
| 54846 | Craig Corder | 1301.74 |
| 54847 | Jason Meyer | 1022.30 |
| 54848 | Sean Stahly | 241.97 |
| 54849 | Lisa Aschoff | 603.09 |
| 54850 | Erica Pallas | 332.77 |
| 54851 | Timothy Long | 117.89 |
| 54861 | Ricky Fortune | 138.52 |
| 54862 | Dean Bruha | 184.71 |
| 54863 | Jeffery Baker | 138.52 |
| 54864 | Jeff Heckman | 138.52 |
| 54865 | Dan Kral | 138.52 |
| GENERAL FUND: | | |
| 54769 | Brent Bogenrief- WA/SW Refund | 38.21 |
| 54770 | Travis Fougeron- WA/SW Refund | 50.00 |
| 54771 | Gerald Henthorn- WA/SW Refund | 23.48 |
| 54772 | Mike Sheets- WA/SW Refund | 59.86 |
| 54773 | Miranda Vater- WA/SW Refund | 21.18 |
| 54774 | US Postmaster- Utility Billing Postage | 190.68 |
| 54791 | Ameritas- Pension | 1684.08 |

| | | |
|-------|--|---------|
| 54792 | Union Bank- HSA | 705.00 |
| 54793 | American Building Inspectors- Inspection Fees | 1295.00 |
| 54794 | American Water Works Assc.- Membership | 70.00 |
| 54795 | Aramark- Pants & Rags | 663.46 |
| 54796 | AT&T- Long Distance | 14.77 |
| 54797 | Berry- Directory Advertising | 16.75 |
| 54798 | Black Hills Energy- Service for December | 1171.31 |
| 54799 | Blue Valley Pest Control- Rodent Bait | 80.00 |
| 54800 | City of Milford- Food, Postage, Cards, Key | 44.89 |
| 54801 | Data Technologies- W-2 Forms | 70.71 |
| 54802 | Diode Communications- Service for December | 55.22 |
| 54803 | Eakes Office Plus- Stapler, Server back-up Tapes | 189.49 |
| 54804 | Elliot Equipment- Tiger Tail, Freight | 81.34 |
| 54805 | Farmer's Co-op- Gas/Diesel for Dec, Heet | 1572.16 |
| 54806 | Hawkins- Azone, LPC, Freight | 1029.14 |
| 54807 | Image Trend- Field Bridge Annual Support | 500.00 |
| 54808 | JR Welding- Drill Hole for Hitch Tube | 8.25 |
| 54809 | JWC Environmental- Reducer, Coupling, Freight | 1966.13 |
| 54810 | Kremer's, Inc.- Material & Labor | 1400.00 |
| 54811 | Matheson Tri-Gas- Oxygen | 76.26 |
| 54812 | Midwest Medical Transport- ALS Assist | 101.45 |
| 54813 | Midwest Refuse- Service for December | 146.25 |
| 54814 | Murphy Tractor & Equip.- Grill Frame Bumper | 100.00 |
| 54815 | NE Rural Water Assc.- Membership Dues | 200.00 |
| 54816 | UNO- Clerk Institute Tracy & Jeanne | 446.00 |
| 54817 | NE Motor Parts- Air Filter, Spark Plug, Fuel Cap | 61.69 |
| 54818 | NPPD- Service for December | 6063.18 |
| 54819 | OCE Imagistics- Copies, Maint. Base | 56.85 |
| 54820 | One Call Concepts- Locates | 11.40 |
| 54821 | Pac-N-Save- Dog Food, Food | 50.32 |
| 54822 | Pizza Kitchen- December Meals | 281.30 |
| 54823 | Rediger Automotive- Repair Oil Cooler Lens | 250.71 |
| 54824 | Roxanne Roth- Cleaning Service | 50.00 |
| 54825 | SCPPD- Wells 1&2 | 487.56 |
| 54826 | Seward Co. Independent- Mintues, Ordinances, Ad | 429.10 |
| 54827 | Shell Fleet Plus- Gas | 104.58 |
| 54828 | Sunrise Country Manor- December Meals | 567.00 |
| 54829 | Travis Fougeron- Batteries for Airpacks | 67.97 |
| 54830 | Uribe – VOID | |
| 54831 | Verizon Wireless- Cell Phone Bill | 94.30 |
| 54832 | Verizon Wireless- Air Cards | 80.02 |

| | | |
|-------|--|----------|
| 54833 | Verizon Wireless- Dept. Cellular | 102.28 |
| 54834 | Wergin's Lawn Service | 219.00 |
| 54835 | Windstream- December Service | 173.26 |
| 54852 | Ameritas- Pension | 1684.08 |
| 54853 | Union Bank- HSA | 735.00 |
| 54854 | AFLAC- Dis, Cancer, Acc, Supplementary | 540.51 |
| 54855 | Companion Life- Dental Coverage | 595.52 |
| 54856 | Companion Life- Vision Coverage | 23.39 |
| 54857 | Coventry Health Care- Health Ins (Feb 2013) | 8516.12 |
| 54858 | Mutual of Omaha- Disability | 30.24 |
| 54859 | Recyclelink- Recycling Service | 36.00 |
| 54860 | Shell Fleet Plus- Fuel | 788.65 |
| 54866 | Baker & Taylor- Books | 129.83 |
| 54867 | Berry- Directory Advertising | 33.50 |
| 54868 | Blevens Law Office- Legal Services for Feb | 350.00 |
| 54869 | Bruce Stutzman- Volleyball Director | 1100.00 |
| 54870 | Canon Financial Service- Contract Charge | 254.00 |
| 54871 | Card Service Center- Mosquito Mtg Regist. | 562.01 |
| 54872 | CBS-12 Mo. Membership Thru Dec | 15.00 |
| 54873 | City of Milford (Petty Cash)- Kleenex, Postage | 20.45 |
| 54874 | Concrete Works- Pool Contract | 30485.00 |
| 54875 | Culligan- Drinking Water, Cooler Rent, Softener | 72.70 |
| 54876 | Demco- Book Covers | 52.92 |
| 54877 | Fort Dearborn Life Insurance- Life Insurance | 103.20 |
| 54878 | George Matzen- Blue-Ray, Books | 40.11 |
| 54879 | GreatAmerica Leasing- Meter Rent | 80.00 |
| 54880 | IACP- Membership | 120.00 |
| 54881 | JEO Consulting- Service for Pool | 145.00 |
| 54882 | JR Welding- Repair on Snow Blade | 90.00 |
| 54883 | Kelly Supply Co.- Ell, Primer, Bushing | 301.90 |
| 54884 | Menard's- Materials Pool Pump House | 1646.94 |
| 54885 | Midwest Mailing Solutions- New Rate Chip | 305.00 |
| 54886 | Milford School Dist- Parking Fines, Tobacco&Liq Lic. | 375.00 |
| 54887 | Municipal Supply- Coupling, Insert, Seals | 1157.81 |
| 54888 | Nebraska Public Health- Coliform, Parameter | 1501.00 |
| 54889 | Office Depot- Lazer Labels | 47.98 |
| 54890 | Osceola Implement & Supply- Ball, Spring | 22.98 |
| 54891 | Reader Service- Books | 12.99 |
| 54892 | Roxanne Roth- Cleaning Services | 50.00 |
| 54893 | Sack Lumber- 1X4-10 (Select Pine) | 42.90 |
| 54894 | Shell Fleet Plus- Car Gas | 76.13 |

| | | |
|-------|--|--------|
| 54895 | TooFast Supply- Blades, Shovels, Blades | 50.32 |
| 54896 | Union Bank- Gary TeSelle Acct, Medicare Part D | 431.50 |
| 54897 | Uribe Refuse Services- Garbage Pickup | 37.00 |
| 54898 | Verizon Wireless- Well Control Monitor | 40.07 |
| 54899 | Walmart Community BRC- Food | 79.66 |
| 54900 | Windstream- Service for Jan. | 242.94 |

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Milford Housing Authority minutes for January 17, 2013; Milford Aging Services Commission minutes for January 22, 2013; Recreation Board minutes for January 14, 2013; Milford Police Dept. Activity Report for December 2012; MVFD Rescue NARSIS Report for January 2013. Heckman – Pool construction is going very well. The ad for lifeguards is in the paper and the Pool Board will be revising the Pool Manual to add rules for the new wading pool. Movie Night at the Library has been very successful. 130 people have utilized the Overdrive Program (electronic books). We are having trouble finding someone to fill the Assistant Library Director position and are currently re-advertising for the position. Kral reported no fire calls. Chief Siebken reported December and January to be very busy months. A new Ford Police Sedan, Taurus, has been ordered and will be purchased with Drug Seizure Money. The 2006 cruiser is starting to show its age. Frey reported the floor of the building at the new wading pool has been poured and they are ready to construct the building itself. Piping needs to be run from the big pool to the wading pool and then work will begin on the decking and fencing. The new loader is working very well. Baker attended the Milford Chamber of Commerce meeting and discussion was held regarding the banners at the ball fields and the First Impressions Program. A Strategic Planning meeting was held with Mayor Bruha, Clerk Hoggins, Councilmember Baker and NPPD representatives Craig Vincent and Keith Ellis. NPPD has sent us 3 very good samples of surveys and we will be getting together again to review the surveys and move forward. Baker attended a Seward County Economic Development Housing planning session which included a Milford Contractor, a Milford Realtor and himself. Recreation Board met and discussed ball registration as well as touring the ball fields to go over field concerns. He met with the Seward Mayor and discussed the Regional YMCA. Everything at the Sr. Center is going well. The activities are getting more people to come. The Sr. Center and Linden Village are working together to enhance Sr. Living. “Empowering people to better their lives.”

COMMUNICATIONS: *Sales tax received for the month of November 2012 in the amount of \$12,297.71. *Household Hazardous Waste Collection

Day in Seward scheduled for March 23, 2013. Mayor Bruha noted bills for consideration: *LB113 changes when a Mayor of the 2nd class City can vote. LB377 changes provisions relating to annexation. LB643 regarding nuisances.

PUBLIC HEARING – One & Six Year Plan: Mayor Bruha opened the Public Hearing at 7:52 pm noting projects of paving Welch Park Rd from 5th or Hwy 6 to Oak Ave. and Oak Ave. from Oak Circle West to F Street. With no further comments Mayor Bruha closed the Public Hearing at 7:55 pm.

UNFINISHED BUSINESS:

Economic Development Funding Guidelines: At last month's meeting the Council decided to suspend granting loans or grants until a standard application and guidelines could be established. The members of the Milford Economic Development Committee (MEDC) relayed correspondence this past month with members of the City Council and asked for direction of what the City Council wants. Baker proceeded with some questions to the Council, what amount will we give, how are we going to give it – grants/loans, who's eligible, who's not eligible. The MEDC has looked at Seward's application form and they have a good application to use. Bruha recommended the following: a business plan, are other funds being engaged from a commercial bank, what is their track record. Blevens commented that the City doesn't have a lot of money in their fund and we need to consider some type of guidelines to retain them. Maybe look at the size of the loans/grants or even the need. If a loan is available thru a Bank then why contribute with a grant. Kral noted it is hard to put down specifics when you can't see what's ahead. Heckman suggested looking at other communities guidelines and see what they have done with projects. Hopefully they have learned along the way and revised their plans accordingly. Sound business plan, working with a bank regarding financing, track record of running a business, limits on grants/loans, is there a need, credit worthiness, promoting new and existing if there is a need. Baker will get them 5 different copies of guidelines from second class cities to review. A motion was made by Baker and second by Kral to pass Deans list on to the MEDC for purpose of establishing guidelines. Roll call vote: Baker yes, Kral yes, Fortune absent, Heckman yes. Motion carried.

NEW BUSINESS:

Introduction and Adoption of Resolution – One & Six Year Plan:

RESOLUTION NO. 485

The following resolution was introduced by Kral, who moved its adoption, seconded by Baker,

“WHEREAS, the City Street Superintendent has prepared and presented a One Year and Six year Plan for Street Improvement Program for the City of Milford, Nebraska, and

WHEREAS, a public meeting was held on the 5th day of February, 2013, to present this plan and there were no objections to said plan;

THEREFORE, BE IT RESOLVED BY THE Mayor and City Council of Milford, Nebraska, that the plans and data as furnished are hereby in all things accepted and adopted.”

Upon roll call vote as follows: Kral yes, Baker yes, Fortune absent, Heckman yes. Motion carried.

Attest: _____

City Clerk

Mayor

(SEAL

Appointments/Reappointments:

A motion was made by Baker and seconded by Kral to approve the Mayor’s recommendation to appoint Susan Trabert to the Cemetery Board for a 3 year term. Roll call vote: Baker yes, Kral yes, Fortune absent, Heckman yes. Motion carried.

A motion was made by Heckman and seconded by Kral to approve the Mayor’s recommendation to appoint Mary Hanneman and Elaine Plessel to the Library Board for a 4 year term. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune absent. Motion carried.

A motion was made by Heckman and seconded by Kral to approve the Mayor’s recommendation to appoint Craig Bontrager and Carrie Maple to the Pool 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 Kral to approve the Mayor’s recommendation to appoint Keith Heckman and Vera Havener to the Milford Aging Services Commission for a 2 year term. Roll call vote: Baker yes, Kral yes, Fortune absent, Heckman yes. Motion carried.

A motion was made by Heckman and seconded by Kral to approve the Mayor’s recommendation to appoint Bill Wiley, Jean Ferrill and Roger Kontor to the Planning & Zoning Commission for a 3 year term. 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 appoint DeAnn Portz to the Housing Authority Board for a 3 year term. 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 appoint Gary Satchell and Sharon Hull (for 1 year as a sub for Lyle Neal) to the Webermeier Scholarship Committee. Roll call vote: Baker yes, Kral yes, Fortune absent, Heckman yes. Motion carried. Heckman stated for the record that Jeff Baker is doing an outstanding job on the Webermeier Scholarship Board.

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

Review Term Limits: It was questioned why some Boards/Committees have term limits? When we have willing people to serve on committees it's too bad the term limits dictate the inability to reappointment. The "2 term limit" is set by State Statute for the Milford Aging Services Committee and the Milford Municipal Code Book reflects the same. The Code Book did not reflect a term limit for the Library Board so Heckman will check the Library By-laws. Item tabled.

Discuss/Action Amend Ordinance 5-512: Parking Snow Removal: Chief Siebken questioned changing the 48 hour parking restriction to 24 hours. Discussion was also held regarding vehicles parked on the streets during snow removal. Snow Emergency routes were noted as 1st St., B St., C St., D St. and F St. Frey was instructed to purchase and install Snow Emergency Route signs immediately. Other discussion was held regarding informing the public thru the media as to when a snow emergency is in effect. Council member Kral suggested posting the signs, reviewing the current ordinance and bringing back suggestions. Item tabled.

Authorize Mayor's Signature for Public Membership Agreement (SCEDC): The agreement presented was incomplete. A motion was made by Kral and seconded by Heckman to table this item until an accurate agreement was presented. Roll call vote: Kral yes, Heckman yes, Baker yes, Fortune absent. Motion carried.

Discuss/Action – Amend Parking Ordinance relating to parking vehicles in front/side yards: Mayor Bruha mentioned a couple of residents that have several vehicles parked in the front yard and it's not very pleasing to the eye when you drive thru town. Mud is being tracked into the street when they exit the property. Baker asked, if we have communicated with these individuals? We already have an ordinance in place allowing residents and their guests to park on a paved, graveled or rocked driveway. Council member Kral questioned a person's right to property as well as determining front yard status. The Chamber of Commerce is trying to enact a "First Impressions" project and Bruha was trying to assist in this matter. The item

was dropped and Baker suggested enforcing the ordinance already on the books.

Discuss/Action on T.I.F. Program: The first step of action is determining who the Community Redevelopment Authority (CRA) will be. The Council's consensus is to act as the CRA. The next item is to decide where the money will come from to pay JEO for the study. JEO noted the use of LB840 funds as a possibility. Baker was not in favor of using LB840 funds. It was also mentioned to split the cost between Streets, Water and Sewer. Brief discussion held regarding the amount of the town to be considered. A motion was made by Baker and seconded by Heckman that the City of Milford pursue implementing the T.I.F. program and ask JEO Consulting Group to develop/present an official proposal for a Blight Substandard Determination Study for the Council's review. Roll call vote: Baker yes, Heckman yes, Fortune absent, Kral yes. Motion carried.

ADJOURNMENT: A motion was made by Kral and seconded by Baker to adjourn the meeting. Roll call vote: Kral yes, Baker yes, Fortune absent, Heckman yes. 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 February 5, 2013 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