

CITY OF MILFORD  
REGULAR MEETING  
JUNE 5, 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 5<sup>th</sup> day of June 2012 at 7:30 pm. Present were: Mayor Dean Bruha; Council members: Rick Fortune, Jeff Heckman, Dan Kral; Attorney Robert Blevens; Chief of Police Forrest Siebken and City Clerk Jeanne Hoggins. Absent: Jeff Baker and Maintenance Supt. Mark Frey. Also present: Elaine Plessel, Gary TeSelle, Marian Eicher and Jill Martin 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 Fortune and seconded by Kral to approve the minutes of the April 30, 2012 meeting. Roll call vote: Fortune yes, Kral yes, Baker 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 \$70,237.23; Bond Principal in the amount of \$25,000.00; Bond Interest in the amount of \$6,033.75 totaling \$101,270.98 and payroll in the amount of \$48,242.84 approved by the Auditing Committee be approved for payment. Roll call vote: Kral yes, Heckman yes, Baker absent, Fortune yes. Motion carried.

**SALARIES:**

53184	Ricky Fortune	141.52
53185	Dean Bruha	188.70
53186	Jeffery Baker	141.52
53187	Jeff Heckman	141.52
53188	Dan Kral	141.52
53194	Mark Frey	1516.38

53195	Forrest Siebken	1352.43
53196	Mavis Ferris	83.67
53197	Jeanne Hoggins	1358.40
53198	Gary TeSelle	873.81
53199	Robert Hull	1193.56
53200	David Dahle	1062.60
53201	George Matzen	684.54
53202	Tracy Yeackley	797.19
53203	Benjamin Rediger	724.03
53204	Craig Corder	1198.91
53205	Jason Meyer	1024.63
53206	Sean Stahly	144.68
53207	Jillian Boden	324.56
53208	Lisa Aschoff	587.98
53209	Erica Pallas	319.94
53210	Timothy Long	97.47
53211	Derek Tegtmeier	547.23
53559	Mark Frey	1516.38
53560	Forrest Siebken	1352.43
53561	Mavis Ferris	76.70
53562	Jeanne Hoggins	1358.40
53563	Gary TeSelle	935.97
53564	Robert Hull	1156.35
53565	Davis Dahle	1114.42
53566	George Matzen	684.54
53567	Tracy Yeackley	742.32
53568	Megan Kremer	122.65
53569	Benjamin Rediger	905.87
53570	Craig Corder	1202.37
53571	Jason Meyer	1050.14
53572	Sean Stahly	102.84
53573	Jillian Boden	160.39
53574	Lisa Aschoff	551.66
53575	Erica Pallas	358.00
53576	Timothy Long	138.51
53577	Derek Tegtmeier	547.23
53578	Dakotah Buchli	273.61
53579	Taylor Klein	246.94
53587	Ricky Fortune	141.52
53588	Dean Bruha	188.70
53589	Jeff Baker	141.52

53590	Jeff Heckman	141.52
53591	Dan Kral	141.52
53592	Mark Frey	1516.38
53593	Forrest Siebken	1352.43
53594	Mavis Ferris	66.24
53595	Jeanne Hoggins	1358.40
53596	Gary TeSelle	998.12
53597	Robert Hull	1025.22
53598	David Dahle	1211.58
53599	George Matzen	630.24
53600	Tracy Yeackley	750.07
53601	Larisa Roth	498.02
53602	Megan Kremer	721.78
53603	Benjamin Rediger	842.77
53604	Craig Corder	1329.46
53605	Josiah Jensen	142.47
53606	Jason Meyer	1238.70
53607	Dylan Tegtmeier	329.81
53608	Caleb Dahle	215.81
53609	Kyle Hoggins	331.64
53610	Rebecca Anderson	220.56
53611	Tiffany Blair	178.03
53612	Sean Stahly	125.50
53613	Allison Spath	163.52
53614	Jillian Boden	345.32
53615	Lisa Aschoff	544.22
53616	Erica Pallas	302.51
53617	Timothy Long	44.47
53618	Ian Rempel	345.44
53619	Derek Tegtmeier	492.51
53620	Dakotah Buchli	492.51
53621	Taylor Klein	429.82
<b>GENERAL FUND:</b>		
53189	Melanie Bacon- WA/SW Dep. Refund	50.32
53190	William Baden- WA/SW Dep. Refund	37.62
53191	Christina Cabell- WA/SW Dep. Refund	43.92
53192	Tracey Gabehart-WA/SW Dep. Refund	75.00
53193	US Postmaster- Postag	197.12
53212	Ameritas Group- Pension	1646.75
53213	Union Bank-HSA	705.00
53501	American Building Inspectors- Monthly Fee	260.00

53502	Aramark- Pants & Rags	519.01
53503	AT&T- Long Distance	5.62
53504	Berry- Directory Advertising	32.30
53505	Black Hills Energy- Service for April	258.67
53506	Card Service Center- Adapter converter 2 Computers	45.92
53507	Cash-WA Distributing- Paper plates & Supplies	151.00
53508	City of Milford- Pool Start up	20.00
53509	Coventry Health Care- Health Ins. 6/1-6/30/12	6909.50
53510	D&D Communications- Pagers, chargers	1961.00
53511	Data Technologies- Cemetery Support	42.50
53512	Diode Communications- Service for April	55.22
53513	Eakes Office Plus- Cash Rct. Journal, Photo Paper	553.95
53514	Emergency Medical Products-Stethoscope, pillowcases	233.55
53515	Erica Pallas- Mileage to Pleasant Dale	6.06
53516	Farmers Co-op- Gas/Diesel for April, oil filter, service	1479.64
53517	Feld Fire- Lights, Gloves, Boots	1003.00
53518	G&P Development- Solid Waste Tournament	15.75
53519	Gene Voigt- Reset Statue	440.00
53520	Graham Tire- Tires for Dump Truck	670.92
53521	Great Plains One-Call- Locate Requests	22.22
53522	Jones National Bank&Trust- Reimb. in car camera	6712.50
53523	Kremer's Inc.-Replace underground receptacle	4534.46
53524	Lynn Peavey Co.- Blood Alcohol Kits	39.99
53525	Marilyn Reil- Mail box replacement	9.60
53526	Matheson- Tanks for Welder	73.80
53527	Milford Supermarket- Food, Baking Soda	68.47
53528	Milford Fire & Rescue- 4 Fire school Registrations	460.00
53529	Mutual Of Omaha- Disability	30.24
53530	NE Motor Parts- Batteries, Circuit Breaker, Paint	32.49
53531	NE Public Health- Nitrate & Coliform	44.00
53532	NPPD- Service for April	5904.71
53533	Newman Traffic Signs- Signs, Brakes	127.01
53534	O'Keefe Elevator Co.-Elevator Inspection	920.00
53535	Omaha Wholesale Hardware- Door Closures	294.00
53536	PD Baseball- 2-10U League Tourn. Dues	400.00
53537	Pizza Kitchen- Meals 4/20 & 4/30	257.00
53538	Racom Corporation- Repair on Portable	254.98
53539	Recycle Link- Recycling	36.00
53540	Rediger Automotive- 2 Oil Changes	79.10
53541	Reimers Kaufman Concrete- Marble Dust	333.00
53542	Rogers Automated Entrance, Inc- Mounting Box	46.62

53543	Sew Co. Public Power Dist- Wells 1&2	202.30
53544	Seward County Independent- Notices, Minutes, Ads	420.39
53545	Seward Lumber- Gutter Spike	3.99
53546	Shell Fleet Plus- Fuel	886.71
53547		
53548	Subway Motors- Mount Tires	65.00
53549	The Garbage Company- Service for April	137.50
53550	TooFast Supply- Tape, Blaster	105.14
53551	Verizon Wireless- Cell Phone	93.48
53552	Verizon Wireless MD- Aircard Service for MDC	76.72
53553	Verizon Wireless-P- Cellular Phone	102.26
53554	Voight Enterprises- Infared Therm Gems	139.90
53555	Wergin's Lawn Service- Sprayed B St. & Pool	75.00
53556	Westover Rock & Sand, Inc.- Agri- Lime	3531.24
53557	Windstream- Service for April	611.86
53558	Sports Express- T-shirts, hats, socks, visors	2211.40
53580	Ameritas Group- Pension	1647.95
53581	Union Bank- HSA	705.00
53583	Companion Life Insurance- Dental Coverage	599.66
53584	Companion Life Insurance- Vision Coverage	19.93
53585	Fort Dearborn- Life Insurance	44.72
53586	Aflac- Dis, Cancer, Acc, Supplimental	661.39
53622	Ameritas Group- Pension	1647.86
53623	Union Bank- HSA	705.00
53624	All Pro Lanscaping- Sprinklers Valve/Service call	386.00
53625	Aloha Roth- Birthday Cake	20.00
53626	Baker & Taylor- Books	42.63
53627	Berry- Directory Assistance	32.30
53628	Blevens Law Office- Legal Service for May	350.00
53629	Card Service Center - Emergency Strobes	80.73
53630	Card Service Center- Swimsuits, Whistles. Lanyards	344.65
53631	Cash-Wa Distributing- Salads, Trash Can Liners	92.64
53632	Culligan Water Conditioning- Bottled Water/Cooler rent	75.05
53633	Don's Pioneer Uniforms- Utility Belt	77.75
53634	Eakes Office Plus- Plastic Guides for Chairs	34.00
53635	Earl Carter Lumber- Zinc Pulls, Nails	5.85
53636	Elite Umpires Association- Scheduling fee & Umpires	1196.00
53637	GreatAmerica Leasing- Meter Rental	80.00
53638	Hawkins Inc.- Sensors, Freight, Hydraulic Acid	3313.42
53639	Heartland Autobody- Insurance Deductable	50.00
53640	Heyen Tax & Accounting- Flag	28.62

53641	JR Welding- Weld Aluminum Pole	15.00
53642	Keith A. Swett	60.00
53643	Kremer's Inc.	230.39
53644	Milford A/C & Appliance	301.10
53645	Milford Plumbing- Stool Repair, Sewer	680.45
53646	Milford School Dist- Parking Fines	25.00
53647	Municipal Supply- Meters	1153.63
53648	Nebraska Library Commission- Overdrive Subscription	1000.00
53649	Nebraska Public Health-2 blood alcohol analysis	168.00
53650	Reader Service- Books	12.99
53651	Ikon Office Solutions- Meter Rent 5/4-6/3/12	196.88
53652	Roxanne Roth- Cleaning Services	100.00
53653	Seward Electronics- Repair Radio At pool	109.00
53654	Sunrise Country Manor- April Meals	735.00
53655	Tina Rockenbach- Emergency Scenario Training	50.00
53656	TooFast Supply- Step ladder, squeeze, brooms, handler	178.72
53657	Tracy Yeackley- Mileage to Pleasant Dale	18.18
53658	Union Bank- Gary TeSell Acct	431.50
53659	UpStart- Summer Reading Prizes	174.25
53660	Verizon Wireless- Well Control Monitor	36.89
53661	WalMart Community BRC- ¾ knit, brushes, food	256.83
53663	Windstream- Service for May	143.49

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Milford Housing Authority minutes for May 17, 2012; Milford Aging Services Commission minutes for May 22, 2012; MVFD Fire & Rescue NARSIS Report for May 2012. Fortune attended the Cemetery meeting and the Board will be recommending an increase of plot cost. This will be placed on the July agenda. The Civil War Soldier monument at Blue Mound Cemetery was rocking during the high winds during the Memorial Day Services. We need to look into finding a company that can restore the soldier. Heckman – Pool is open and everything is running smoothly. The guards had safety training on the Saturday prior to opening. Tina Rockenbach from Crete exposed the guards to scenario training and emergency situations. It was very well received and we hope to do it again next year. Kral thanked the City Maintenance Crew for all their hard work in preparation for the Memorial Day Weekend. TeSelle reported on the training and calibration of the mosquito sprayer. It is all ready to go for the summer. Well #3 is working at 20% capacity as the screens are clogged. It will be o.k. for the summer but repairs will need to be made soon. Tree trimming and cutting are underway and it has really helped to have 3 summer maintenance employees. Recreation Dept. has had several

tournaments this year and all has gone well. Council asked TeSelle to replace the stop sign at the south entrance of Welch Park and discussion was held regarding rumble bars at that intersection.

**COMMUNICATIONS:** \*Sales tax received for the month of March 2012 in the amount of \$14,262.19. \*NPPD lease agreement payment for the First Quarter of 2012 in the amount or \$45,121.32. \*Thank you received from Webermeier Recipient Dakotah Buchli.

**UNFINISHED BUSINESS:**

**Discuss permits for sales of goods/food stands:** Fortune – it's not about are we going to allow this, it's how are we going to allow it because we already allow food sales in the City Parks during special occasions. We just need to know if we have a liability issue or not. Kral still suggested meeting insurance requirements and having individuals carry a hold harmless indemnification agreement. We need to have some consistency in the amount of insurance required. Additional discussion included traffic congestion and what type of vendors should be allowed. Siebken suggested permits authorized after Council approval. Council still questioned how to regulate this situation. Blevens suggested maybe taking the position that they can do it for now and the Council will evaluate the situation later and adopt something if it's needed. The Council determined that they don't have any regulations to prohibit sales at this time.

**Discuss/Action to allow R.V. Hook-ups in Trailer Courts:** According to the Comprehensive Plan Section 5.17.06: 2.d) There shall be a minimum livable floor area of 500 square feet in each mobile home. At this time the request for R.V.'s to utilize a space in a mobile home park is denied. The Council is going to turn this over to the Planning & Zoning for discussion and addition to the Comprehensive Plan. The Council also discussed and encouraged the Maintenance Dept. to puts spaces for R.V. camping in the South Park.

**NEW BUSINESS:**

**Bid Announcement – Wading Pool Project:** On an estimated cost of \$200,000.00 one bid was received totaling \$387,274.00. A motion was made by Heckman and seconded by Kral to deny the bid submitted from Christiansen Construction in the amount of \$387,274.00. Roll call vote: Heckman yes, Kral yes, Baker absent, Fortune yes. Motion carried.

**Fun Days Street Closings – Marian Eicher:** Mrs. Eicher presented a drawing of the requested street closings for the Fun Days weekend and explained the same. They are similar to the requests made over the last several years. She asked for "B" Street to be barricaded off at around 4:00 am on Saturday due to parking issues with the Fun Run. There were no

problems with her request. Permission granted. A copy of the map is attached.

**Approve Head Lifeguard Position and Wage Increase – Dylan Tegtmeier:** Dylan Tegtmeier received his Pool Operators Certificate which puts him in line to be the Head Lifeguard. A motion was made by Heckman and seconded by Fortune to approve Dylan Tegtmeier as the Head Lifeguard and increase his pay to \$8.00 per hour, retroactive to opening day. Roll call vote: Heckman yes, Fortune yes, Baker absent, Kral yes. Motion carried.

**Approval of SCEDC Membership Agreement:** Mayor Bruha asked the Council if they had a chance to review the document. The Corporation is asking Milford to make a financial contribution of \$5,000.00 for the fiscal year 10/1/12 to 9/30/13. Kral asked what kind of return have we gotten in the past on our investments and is it big enough to increase our expense by 10%. On a direct business return to Milford, Bruha answered “no”. He suggested looking at it County wide, our return would be indirect but we are assisting in possible job placement within the County. Kral's second question is in light of the budget discussions we've had, is it reasonable to do a 10% increase this year since we are trying to hold the line on other areas. Bruha explained the funds come from the Economic Development Fund and not the general budget. Are all other entities increasing 10%? The Council decided it would be nice to know what the other communities are paying. They did not want to sign a blank contract. Item tabled.

**Discuss/Action on Conditional Use Permit – Request progress report to date on permit issued February 7, 2012 to Tom Rustemeier, dba Milford Dairy Queen:** Mayor Bruha updated everyone on the reason for the Conditional Use Permit. The original permit was issued February 7, 2012 and at this time nothing has been done about the change of traffic flow off of “D” Street. The current Manager informed Hoggins that he didn't know he was supposed to make this change. The minutes clearly state what changes were requested by the Council and cutting the curb so the patrons would enter the drive thru at a 90 degree turn was one of them. Chief Siebken informed us that Contractor Denny Yeackley has been contacted regarding cutting the curb. He also noted that the cone that was suggested for muffling the sound on the speaker could not be used on the Dairy Queens system. They have lowered the volume and it has seemed to help. We have learned that the current manager Chris Harrison has bought the franchise and is in the process of purchasing the property. The Council discussed the amount of time to be given for Mr. Rustemeier to make the corrections. A motion was made by Kral and seconded by Heckman to allow 60 days from 6/5/12 to complete the recommendation of the Conditional Use Permit or it will be revoked, unless they can show cause for the work to be extended.



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

**ADJOURNMENT:** A motion was made by Heckman and seconded by Kral to adjourn the meeting. Roll call vote: Heckman yes, Kral yes, Baker absent, Fortune yes. Motion carried and meeting adjourned at 8:35 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 June 5, 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