

CITY OF MILFORD  
REGULAR MEETING  
MARCH 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 5<sup>th</sup> day of March 2013 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 and City Clerk Jeanne Hoggins. Also present: Elaine Plessel, Jeff Ray with JEO, Bill Johnson with NPPD 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 7:30 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 Heckman and seconded by Kral to approve the minutes of the February 5, 2013 meeting. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune abstain. Motion carried.

**PAYMENT OF BILLS:** A motion was made by Heckman and seconded by Kral that the following bills in the amount of \$57,968.67 and payroll in the amount of \$26,852.51 approved by the Auditing Committee be approved for payment. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune yes. Motion carried.

**SALARIES:**

54906	Mark Frey	1501.89
54907	Forrest Siebken	1334.60
54908	Mavis Ferris	80.07
54909	Jeanne Hoggins	1304.32
54910	Gary TeSelle	728.61
54911	Robert Hull	901.87
54912	David Dahle	1184.45

54913	George Matzen	709.58
54914	Tracy Yeackley	767.88
54915	Benjamin Rediger	993.57
54916	Craig Corder	1307.19
54917	Jason Meyer	962.74
54918	Sean Stahly	247.19
54919	Lisa Aschoff	554.35
54920	Erica Pallas	301.60
54921	Timothy Long	102.51
54968	Mark Frey	1501.89
54969	Forrest Siebken	1334.60
54970	Mavis Ferris	69.64
54971	Jeanne Hoggins	1304.32
54972	Gary TeSelle	728.61
54973	Robert Hull	1036.13
54974	David Dahle	1203.80
54975	George Matzen	646.16
54976	Tracy Yeackley	844.04
54977	Benjamin Rediger	1063.46
54978	Craig Corder	1290.86
54979	Jason Meyer	962.75
54980	Sean Stahly	141.01
54981	Lisa Aschoff	538.11
54982	Erica Pallas	325.84
54983	Timothy Long	140.09
54992	Rick Fortune	138.52
54993	Dean Bruha	184.70
54994	Jeff Baker	138.52
54995	Jeff Heckman	138.52
54996	Dan Kral	138.52

**GENERAL FUND:**

54901	Brian Bashore- Refund for Overpayment	48.78
54902	Charles Kaczor- WA/SW Deposit Refund	2.47
54903	Tyler Labenz- WA/SW Deposit Refund	42.06
54904	Lindsay Margerum- WA/SW Deposit Refund	27.18
54905	US Postmaster- Utility Billing Postage	193.61
54922	Ameritas- Pension	1684.08
54923	Union Bank- HSA	785.00
54924	Aloha Roth- Birthday Cake	20.00
54925	Aramark Uniforms- Pants & Rags	556.20
54926	AT&T- Library Long Distance	3.72

54927	Bill Hord- Valentine's Day Entertainment	70.00
54928	Black Hills Energy- Service for January	1512.86
54929	Blue River Transmission- Switch, Supplies	285.66
54930	Brad Freeman- Bandages	17.97
54931	Canon Financial- Contract Charge	254.00
54932	Canon Solutions America- Copies, Main Base	102.33
54933	Craig Bontrager- 10 Hrs. B-ball Clinic	150.00
54934	Diode Communications- Service for January	55.22
54935	Eakes Office Plus- Stapler, Tape, Paper	47.42
54936	Emergency Medical Products- Gloves, C-Collar	307.05
54937	Farmers Co-op- Gas/Diesel for Jan, Tire Repair	852.95
54938	JEO Consulting- Pool Project	145.00
54939	John Ahl- Door Stops, Cleaning Supplies	38.09
54940	Kelly Supply Company- Ell, Bushing	301.90
54941	Matheson Tri-Gas- Oxygen	79.78
54942	Menard's- Lumber, Nails	129.86
54943	Midwest Refuse- Service for January	153.55
54944	Milford A/C & Appliance- Service Call	539.85
54945	Milford Fire & Rescue- NESMA Dept Membership	420.00
54946	Municipal Supply- Tee, Ball Valve, 22 ½ Bend	964.26
54947	Mutual of Omaha- Disability	30.24
54948	Nebraska Motor Parts- Bulbs, Gasket, Thermostat	69.66
54949	NPPD- Service for January	6701.10
54950	One Call Concepts- Locates, Discount	4.05
54951	Pac N Save- Food, Supplies	95.51
54952	Pizza Kitchen- Meals for January	162.50
54953	Rediger Automotive- Cruiser repairs	91.98
54954	Roxanne Roth- Cleaning Services	75.00
54955	Sam's Club- Paper towels, Bath Tissue	118.50
54956	SPPD- Wells 1&2	500.13
54957	Seward County Independent- Legals, Ads, Envelopes	607.72
54958	Shell Fleet Plus- Fuel	106.34
54959	Shell Fleet Plus- Fuel Expense	759.80
54960	Shell Fleet Plus- Car Gas	71.95
54961	Subway Motors- Replace Heater Core	384.97
54962	Travis Yeackley- CPR Recertifications	560.00
54963	Verizon Wireless- Fire Dept Cell	93.06
54964	Verizon Wireless- Wireless Air Cards	80.84
54965	Verizon Wireless- Dept Cellular	102.18
54966	Windstream- Service for January	628.25
54967	Xpeditor Technology- RMS Support	500.00

54984	Ameritas Group- Pension	1684.08
54985	Union Bank- HSA	785.00
54986	AFLAC- Dis, Cancer, Acc, Suppl	513.36
54987	American Building Inspectors- Inspections & Fees	980.00
54988	Companion Life- Dental Coverage	595.52
54989	Companion Life- Vision Coverage	23.39
54990	Coventry Health Care- Health Insurance for March	8516.12
54991	Fort Dearborn Life Insurance- Life Insurance	120.40
54997	Alamar Uniforms Sweaters/Turtle Necks	201.47
54998	Aloha Roth- Birthday Cake	20.00
54999	American Legal Publishing- Code of Ordinances	1980.00
55000	Baker & Taylor- Book	6.59
55001	Blevens Law Office- Legal Services for March	350.00
55002	Blue River Transmissions- Shift Cable	195.35
55003	Card Service Center- Antivirus Subscrip., Hotels	403.12
55004	Cash-Wa Distributing- Food	38.18
55005	Culligan Water- Drinking water/ Cooler Rent	47.75
55006	Digital Ally- Microphone pouches	80.00
55007	Elliot Equipment Co.- Hose, Freight	155.50
55008	GreatAmerica Leasing- Meter Rent	80.00
55009	Kelly Supply- Drain, PVC, Freight	32.53
55010	Menard's- Materials for Building/ Nails	775.41
55011	Milford School Dist.- Fines for Feb, Tobacco Lic.	65.00
55012	Nebraska Public Health- 2 Coliform Tests	28.00
55013	NMC Exchange- Fuel Filter, Oil Filter, Strip Test	186.28
55014	Office Depot- Casters, Laser Print	41.48
55015	Reader Service- Books	12.99
55016	Roxanne Roth- Cleaning Services	25.00
55017	Schmader Electric- Siren Maintenance, Blown Fuse	220.00
55018	Seward Co. Independent- Want Ads	164.40
55019	Sunrise Country Manor- Food- January	834.75
55020	The Island Supply Co.- Tar Sealant for Streets	3899.76
55021	Tracy Yeackley- Mileage to Valparaiso	42.18
55022	US Postmaster- Permit Renewal Fee	200.00
55023	Union Bank- Gary TeSelle Acct, Medicare Part D	431.50
55024	United Industries- Contract	8967.35
55025	Verion Wireless- Well Control Monitor	40.01
55026	Wal-Mart- Supplies	31.58
55027	Windstream- Service for Feb	494.28

**REPORTS OF OFFICERS, BOARDS AND COMMITTEES:** Written reports received were Milford Housing Authority minutes for February 20,

2013; Milford Aging Services Commission minutes for February 26, 2013; Library Board minutes for January 22, 2013; Economic Development Committee minutes for February 26, 2013; Milford Police Dept. Activity Report for January 2013; MVFD Rescue NARSIS Report for February 2013. Fortune – working with JEO on water situation if we are in a drought again this summer. Heckman – everything good with the Library, Pool construction moving right along. Kral – reported 2 fire calls and the ambulance report has been submitted. The Maintenance Dept. is looking to replace the small, 10 year old, orange tractor. This would be an opportune time to buy a new tractor due to the savings when the loader was purchased. This tractor will improve time of snow removal on sidewalks as well as spraying for weeds. The cab does not seal on the current tractor, which causes a risk during spraying. The quote received is around \$26,000.00 and \$5,000.00 will come out of water and sewer with streets picking up the remainder. Siebken – monthly report for January 2013 submitted. The new car has been ordered but has not yet shipped. With the new statewide radio system the State Patrol has gone to MPD cannot talk to them. Chief Siebken ordered a new radio that will transmit UHF, VHF and 700 & 800MHz. There is money available in the sinking fund to support this purchase. The cost of the radio is right around \$7,000.00. He is looking for funding to update the other car radios. Chief Siebken may be attending a meeting in Minneapolis the first of April. Baker attended meetings of the Seward County Strategic Planning Committee learning results of their survey, Linden Village Board discussing energy related cost and Strategic Planning Committee for Milford which is working on creating a survey for rating Milford.

**COMMUNICATIONS:** \*Sales tax received for the month of December 2012 in the amount of \$14,296.79. \*NPPD Lease Rebate for the Quarter 2012 in the amount of \$41,874.75.

**UNFINISHED BUSINESS:**

**Discuss/Action Economic Development Guidelines/Revise & Update Ordinance #688 relating to Economic Development:** After reviewing the original ordinance changes needed to be made to update the verbiage to coincide with State Statute. Council member Baker introduced the following ordinance:

ORDINANCE NO. 869

AN ORDINANCE TO AMEND SECTION 5 AND SECTION 6 OF ORDINANCE NO. 688 WHICH ESTABLISHED THE ECONOMIC DEVELOPMENT PROGRAM FOR THE CITY OF MILFORD, NEBRASKA; TO REPEAL ALL ORDINANCES IN CONFLICT

HEREWITH; AND TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

**Authorize Mayor's Signature for Public Membership Agreement (SCEDC):** Seward and Utica have authorized their Mayor to sign and the County is waiting for Milford to act on this agreement. A motion was made by Baker and seconded by Kral to authorize Mayor Bruha to sign the Public Membership Agreement of the Seward County Economic Development Corporation. Roll call vote: Baker yes, Kral yes, Fortune yes, Heckman yes. Motion carried.

**NEW BUSINESS:**

**Appointments/Reappointments:**

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

Discussion was held which may allow the City Council to act as the Board of Adjustments if we cannot fill the positions needed. Attorney Blevens will look into this.

**Street Lighting along Hwy 6, west of "F" Street:** It was brought to the Cities attention that additional street lighting is needed along Hwy 6 going west out of town. Contact was made with NPPD representative Craig Vincent about positioning of the lights and whether the wiring would be overhead or underground. Lighting along the Hwy would involve trenching along the north side, which would be the Cities responsibility. NPPD would then place the poles. It was also mentioned to add lights along Welch Park Road north of Hwy 6. Bill Johnson with NPPD noted there are 3 existing poles on the west side of Welch Park Rd that can be used for lights. Council member Heckman also requested a light north of 1<sup>st</sup> Street along Welch Park Rd. There is an existing pole also making this possible. The City will work with Bill Johnson to get numbers for the trenching expense and bring those back to the City Council next month. A motion was made by Kral and seconded by Fortune to authorize NPPD to place 3 lights along Welch Park Rd south of First Street and 1 light north of First Street. Roll call vote: Kral yes, Fortune yes, Baker yes, Heckman yes. Motion carried.

**Introduction and Adoption of Ordinance – Designate Emergency Snow Routes:** A motion was made by Fortune and seconded by Heckman to introduce the following ordinance:

ORDINANCE NO. 870

AN ORDINANCE TO AMEND CHAPTER 5, ARTICLE 5, SECTION 5-512 OF THE MUNICIPAL CODE RELATING TO SNOW EMERGENCIES, SNOW REMOVAL AND SNOW MAINTENANCE; TO

DESIGNATE EMERGENCY SNOW ROUTES; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

**Discuss/Action on Blight Substandard Determination Study Proposal from JEO:** Discussion was held regarding creating a C.R.A. (Community Redevelopment Agency). This will be presented at the next Council meeting. A motion was made by Baker and seconded by Heckman to authorize Mayor Bruha to sign the agreement between the City of Milford and JEO in regards to the Blight Substandard Determination Study. Roll call vote: Baker yes, Heckman yes, Fortune yes, Kral yes. Motion carried.

**Hire Assistant Library Director and set wage:** A motion was made by Heckman and seconded by Fortune to approve hiring Sommer Hoff as the Assistant Library Director at an hourly rate of \$9.00 for 20 hours per week. Roll call vote: Heckman yes, Fortune yes, Baker yes, Kral yes. Motion carried.

**Amend Ordinance 6-101, Dog and Cat License Fee:** A motion was made by Heckman and seconded by Fortune to introduce the following ordinance:

ORDINANCE NO. 871

**AN ORDINANCE TO AMEND SECTION 6-101 OF THE MUNICIPAL CODE TO REQUIRE THE LICENSING OF ALL CATS AND DOGS WITHIN 30 DAYS AFTER SAID DOG OR CAT IS ACQUIRED, OR WITHIN 30 DAYS OF SAID DOG OR CAT ATTAINS THE AGE OF FOUR MONTHS, WHICHEVER OCCURS LAST; TO REQUIRE THAT ALL DOGS AND CATS OVER THE AGE OF 4 MONTHS BE LICENSED EACH YEAR BETWEEN THE FIRST DAY OF FEBRUARY THROUGH THE 28<sup>TH</sup> DAY OF FEBRUARY; REQUIRING THE PAYMENT OF MUNICIPAL LICENSING FEES AND STATE LICENSING TAX; TO PROVIDE PENALTIES FOR VIOLATION OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PRESCRIBED THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)**

**Discuss/Action City of Milford website update:** Council member Baker would like the Council to consider updating our website or creating one that will allow access by the public as well as changing the information by City staff. This website could allow the public to print off forms, research the municipal code, comprehensive plan, agenda and minutes of all meetings as well as public event information. Baker is hoping for increased community involvement if the information is accessible. Chief Siebken and Clerk Hoggins volunteered to research capabilities and cost.

**Discuss/Action of uniform email accounts for Mayor, Council and Employees:** It was decided to have Siebken and Hoggins add uniform emails for the City of Milford to their research with the website.

**Discuss/Action Milford Clean-up day:** Council member Baker has been attending the Chamber of Commerce meetings and one project they are fundraising for is, Community Clean-Up Day. In the past the City has paid half the cost of the landfill fees and the Chamber would pay the other half. Baker is wondering if this really should be the Chamber's responsibility. He would like to see their fundraising efforts go toward the First Impressions Program they are implementing. Baker suggested using the General Fund account to pay for the Community Clean-up expenses. Hoggins was asked to look at the General Fund for the additional money to fund this project. Mayor Bruha mentioned the Seward/Saline County Solid Waste Agency as a possible source of income. He will approach the SSSWMA and bring the information back to the City Council.

**Introduction and Adoption of Ordinance – Amend 1-503.1 Agenda Deadline:** A motion was made by Baker and seconded by Heckman to introduce the following ordinance:

ORDINANCE NO. 872

AN ORDINANCE TO AMEND CHAPTER 1, ARTICLE 5, SECTION 503.01 OF THE MUNICIPAL CODE TO CHANGE THE PROCEDURE AND TIMING OF REQUESTS TO BE PLACED ON A MEETING AGENDA OF THE MAYOR AND COUNCIL; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

**Approve Firework Application from Ka-Boomers Ent.:** A motion was made by Fortune and seconded by Baker to approve the Firework permit application by Ka-Boomers Enterprises to sell fireworks at 410 South State Hwy 6, Milford, NE. Roll call vote: Fortune yes, Baker yes, Heckman yes, Kral yes. Motion carried.

**Discuss/Action for safety prescription eyewear for employees:** Mayor Bruha brought to the attention of the Council that a member of the Maintenance Dept. is making a request for assistance with the cost of his safety glasses. The cost of his safety glasses range between \$400.00 and \$500.00. Chief Siebken noted, do for one, do for all. When the Police Dept. shoot at the range they have hearing protection, vests and safety glasses. There is one officer that would wear glasses and one officer wears contacts. Mayor Bruha noted S.C.C. provides a pair of safety glasses every 12 months. Z87 are OSHA standard glasses. It was questioned whether the maintenance dept. wears safety shoes? City Clerk Hoggins was asked to check other communities and see what they provide for their employees.



**ADJOURNMENT:** A motion was made by Heckman and seconded by Kral to adjourn the meeting. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune yes. Motion carried and meeting adjourned at 9:27 pm.

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Jeanne Hoggins, City Clerk

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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 March 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)

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Jeanne Hoggins, City Clerk