

CITY OF MILFORD
REGULAR MEETING
MAY 5, 2015
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 May 2015 at 7:30 pm. Present were: Mayor Dean A. Bruha; Council members: Jeff Baker, Rick Fortune, Dan Kral; Chief of Police Forrest Siebken, Maintenance Supt. Gary TeSelle and City Clerk Jeanne Hoggins. Absent: Council member: Jeff Heckman. Also present: Building Inspector Kendall Hoggins, Leah Kottwitz and Dane Simonsen with JEO, Sharon Bender, Josie Stauffer, Rian Harkins with SENDD George Matzen, Roger Wittrock and Emily Hemphill 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 7:32 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 Fortune and seconded by Kral to approve the minutes of the April 7, 2015 meeting. Roll call vote: Fortune yes, Kral yes, Baker yes, Heckman absent. Motion carried.

PAYMENT OF BILLS: A motion was made by Kral and seconded by Fortune that the following accounts payable bills in the amount of \$57,186.61 payroll in the amount of \$27,530.56 totaling \$84,717.17 approved by the Auditing Committee be approved for payment. Roll call vote: Kral yes, Fortune yes, Baker yes, Heckman absent. Motion carried.

SALARIES:

58796	Forrest Siebken	1396.62
58797	Kendall Hoggins	1259.24
58798	Mavis Ferris	81.26
58799	Jeanne Hoggins	1307.66
58800	Gary TeSelle	860.20

58801	Rob Hull	1099.95
58802	George Matzen	757.62
58803	Jenna Filbert	340.79
58804	Ben Rediger	962.20
58805	Erica Pallas	815.73
58806	Kile Jackson	1014.76
58807	Scott McNeil	826.86
58808	Sarah Long	136.67
58809	Craig Carritt	11.09
58810	Jessica Wang	160.69
58811	Jeff Troyer	819.66
58812	Sarah Heliker	274.81
58813	Shannon Stone	329.92
58814	Marilu Fichtner	231.12
58907	Mark Frey	278.01
58908	Forrest Siebken	1396.62
58909	Kendall Hoggins	1206.13
58910	Mavis Ferris	77.57
58911	Jeanne Hoggins	1307.66
58912	Gary TeSelle	860.20
58913	Rob Hull	1373.98
58914	Bryce Johnson	350.16
58915	George Matzen	757.62
58916	Jenna Filbert	300.80
58917	Ben Rediger	1069.50
58918	Craig Corder	369.40
58919	Erica Pallas	834.70
58920	Kile Jackson	1386.32
58921	Scott McNeil	826.86
58922	Sarah Long	125.60
58923	Craig Carritt	20.32
58924	Jessica Wang	134.83
58925	Jeff Troyer	854.52
58926	Sarah Heliker	316.36
58927	Marilu Fichtner	220.96
58931	Mark Frey	278.01
28940	Mark Frey	532.45
58941	Forrest Siebken	1396.62
58942	Kendall Hoggins	1136.39
58943	Mavis Ferris	70.19
58944	Jeanne Hoggins	1307.66

58945	Gary TeSelle	860.20
58946	Robert Hull	877.50
58947	Jenna Filbert	363.69
58948	Benjamin Rediger	965.18
58949	Erica Pallas	800.31
58950	Kile Jackson	1119.50
58951	Scott McNeil	998.89
58952	Sarah Long	125.60
58953	Craig Carritt	12.93
58954	Jessica Wang	125.60
58955	Jeffery Troyer	849.53
58956	Sarah Heliker	305.98
58957	Marilu Fichtner	256.34
58961	George Matzen	757.62
58964	Ricky Fortune	138.52
58965	Dean Bruha	184.70
58966	Jeffery Baker	138.52
58967	Dan Kral	138.52

GENERAL FUND:

58862	Aloha Roth- 2 Cakes	80.00
58863	Aramark- Pants & Rags	1100.22
58864	AT&T- Library Long Distance	24.71
58865	Black Hills Energy- Service for March 2015	1049.39
58866	BSN Sports Inc.- Pitching Anchors	336.00
58867	Canon Financial Services	254.00
58868	Canon Solutions America- Copies	115.85
58869	Cash-WA Distributing- Supplies, Food	139.25
58870	Consolidated Management Co.- Meals, McNeil	302.25
58871	Culligan Water Conditioning- Bottled Water	68.75
58872	D&D Communications- Radio Unit 60	906.00
58873	Dempsters, LLC- Recycling Trailer Repairs	92.31
58874	Eakes Office Solutions- Labels	160.00
58875	Emergency Medical Products, Inc.- Gloves, Sheets	823.01
58876	Erica Pallas- Mileage to Walmart	12.08
58877	Eugene Riser- Refund H2O Overpayment	40.86
58878	Farmers Cooperative- Fuel for March 2015	1015.18
58879	Gerhold Concrete Company, Inc.- Sand Around Dig	70.41
58880	Hawkins Inc. - Pump for Tablet Feeder	385.91
58881	HD Supply Waterworks LTD- Mud Plugs	36.90
58882	John Deere Financial- 855 Repairs	69.39
58883	Kiner Supply- Shower Repair	118.06

58884	Matheson Tri-Gas, Inc. - O2 & Air Bottle Rental	96.72
58885	Memorial Health Care Systems- T.Stewart EMT Shots	379.50
58886	Menards- Lincoln North- Shower Stall Repair	907.00
58887	Meyer Automotive- Dump Truck Glow Plugs	498.22
58888	Meyer Laboratory, Inc.- Street Brooms	148.80
58889	Midland Recycling- March Recycling Services	54.00
58890	Milford Fire & Rescue- EMT Class	2022.50
58891	Milford Plumbing Inc. - Equipment & Repair	460.41
58892	Municipal Supply, Inc. of NE- 3- R900	939.27
58893	Nebraska Motor Parts Co.- Return Supplies	797.11
58894	NPPD- Service for March 2015	5046.68
58895	One Call Concepts- One Call Concepts	28.50
58896	Pac-N-Save Milford- Fundraising Potato Bake	119.55
58897	Pizza Kitchen- Birthday Meal	192.50
58898	Ramada Inn- Hotel for Jeanne Clerk School	140.00
58899	Seward Lumber- Door Repairs Well #3	74.50
58900	Shell Fleet Plus- Gas	164.51
58901	Sunrise Country Manor- Meals for March 2015	640.50
58902	TCA Outdoor Power- Mower Air Unit	181.98
58903	Union Bank & Trust Company- Quarterly HSA Fees	15.00
58904	Verizon Wireless-FJ- Jet Packs	53.32
58905	Verizon Wireless- Police Dept. Cell Phone	104.92
58906	Windstream Nebraska Inc. - Service for March 2015	656.15
58928	Ameritas- Pension	1663.76
58929	Kansas Payment Center- Child Support	177.23
58930	Union Bank- HSA	778.00
1036	Police Grant Fund- Amazing Pizza	250.00
1084	Rec. Concessions- Pepsi Cola Delivery	1935.60
58932	Aflac- Dis. Cancer, Suppl, Accident	380.83
58933	American Legal Publishing Corp.-Code of Ordinances	992.00
58934	Blue Cross & Blue Shield- Health & Dental April 15'	8103.52
58935	Dearborn National Life Ins. Co.- Life Insurance	116.96
58936	Lifetime Benefit Solutions- Vision April 2015	91.09
58937	Seward County Independent- Legals, Notices	413.57
58938	Verizon Wireless- Cellphones	96.81
58939	Verizon Wireless- Well Control Monitor	40.01
58959	Kansas Payment Center- Child Support	177.23
58960	Union Bank- HSA	753.00
58963	Union Bank- HSA	25.00
58972	Aloha Roth- Birthday Cake	40.00
58973	Baker & Taylor- Books	384.99

58974	BSN Sports- Pitching Anchors	112.00
58975	Card Service Center- Phone, Postage, Stamps.com	602.23
58976	Carroll Construction Supply-Floor Patch	135.87
58977	Consolidated Management- Meals McNeil	172.25
58978	Culligan- B/W, Cooler Rent	61.60
58979	Hawkins- Chem & Drums for Treatment	1234.54
58980	I-80 Pony League- League Fee 2015	20.00
58981	JEO- NDEQ Planning Grant	4033.00
58982	Meyer Laboratory- Red & White Paint, Pool Paint	2789.17
58983	VOID	
58984	VOID	
58985	NE Public Health- Blood Analysis, Coliform Tests	240.00
58986	NMVCA- Mosquito Class	60.00
58987	Orschlens- Compressor & Supplies	359.78
58988	Reader Service- Books	13.99
58989	Sack Lumber- Barricades	62.94
58990	Shell Fleet Plus- Fuel March/April	840.69
58991	Too Fast Supply-3/8" Lock Washers, Gloves, Paint	235.91
58992	Tvrdy's Lock & Key- Locks for Gate	120.69
58993	Union Bank- Gary TeSelle, Medicare Part D	388.50
58994	Walmart- Tote, Plastic Bags, First-Aid Kits	385.31
58995	Windstream- Service for April 2015	186.16
58996	Zito Media- HD Digital	3.00
58998	Milford School Dist- Liquor License, Parking Fines	480.00
58999	Municipal Supply-Meter for SCC Bldg.	1923.89

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Milford Aging Services Commission minutes for April 28, 2015; Milford Housing Authority minutes for April 14, 2015; Library Board minutes for March 17, 2015; Community Betterment Committee minutes for April 22, 2015; Seward County Communications Board minutes for February 26, 2015; Website overview for April 2015; Library Report for April 2015; Police Dept. Activity Report for March 2015. Kral reported 11 rescue calls all in Milford, 3 fire calls all false alarms. TeSelle – ball season has started, prepping ball fields and mowing is keeping them busy. Chief Siebken – McNeil graduated from the Academy on April 23, 2015. He returned to work April 24th. Chief was very pleased with his performance at the Academy. Baker - the Community Betterment Committee met and discussed different projects. Quotes will be gathered for the sidewalk project from F St. to First St. When Marilu is back full time they will be touring Sr. Center to gather ideas to make improvements to the kitchen and

upgrading the main level at our Sr. Center. Hoggins reported on the special meeting scheduled for May 12th with BNSF.

COMMUNICATIONS: *Sales tax received for the month of February 2015 in the amount of \$14,880.10. *Black Hills Energy Annual Franchise fee in the amount of \$17,732.87.

PUBLIC HEARING:

Application to the NDED for a CDBG: Mayor Bruha opened the Public Hearing at 7:40 pm. Rian Harkins with SENDD noted that they were asked to work alongside the committee to assist with the application process in the DTR category. The City is eligible under the blight and substandard area. Phase I is for planning services with a max grant of \$30,000.00. A 25% match would be required if grant is awarded. The Committee has been meeting with business owners and gathering letters of support. Seven consultant RFQ's have been received and 2 were interviewed. A recommendation for approval will be brought to the City Council. Jonathan Jank arrived. Consultant will only be hired if the grant is approved. If awarded, work would begin in the fall. There will be a lot of interaction with the downtown business owners, property owners and community members to gather input regarding the vision for downtown. Baker commented on a letter of support from the City to make a match in funds of \$7,500.00. With no further comments Mayor Bruha closed the public hearing at 7:47 pm.

UNFINISHED BUSINESS:

Discuss/Action – Utility Easement @ 107 & 109 B Street: Kendall Hoggins noted that Dennis Troyer was receptive to hooking up sewer but would like some assistance. The other owner was not willing to work with the City at all. Kral noted this owner will be withdrawing his plans to build on the lot so he is reluctant to incur cost right now. Kendall noted the effect on the city is if something would go wrong with the sewer line at the Sr. Center we would need to access it. Bruha suggested pursuing the easement. Without legal representation the Council decided to hold off on making any decisions as to our next step with this process.

NEW BUSINESS:

Approve application to NDED for CDBG: A motion was made by Baker and seconded by Kral to adopt resolution #518 authorizing Mayor Bruha to sign the grant application.

RESOLUTION NO. 518

Whereas, the City of Milford, Nebraska, is an eligible unit of a general local government authorized to file an application under the Housing and Community Development Act of 1974 as Amended for Small Cities Community Development Block Grant Program, and,

Whereas, the City of Milford, Nebraska, has obtained its citizens' comments on community development and housing needs; and has conducted public hearing(s) upon the proposed application and received favorable public comment respecting the application which for an amount of \$39,300 for Phase 1 Pre-Development of a "Downtown Revitalization" program; and,

NOW, THEREFORE, BE IT RESOVED BY

City Council of Milford, Nebraska, that the Mayor be authorized and directed to proceed with the formulation of any and all contracts, documents or other memoranda between the City of Milford and the Nebraska Department of Economic Development so as to effect acceptance of the grant application.

May 5, 2015

Dean A. Bruha, Mayor

(SEAL)

Water Study Report – JEO: Project Engineer, Dane Simonsen with JEO used this time to educate the Mayor and Council regarding the water system in relation to our well capacity, water demands, nitrate levels, future water demand projections as well as alternate recommended improvements. His report, in its entirety, is attached to these minutes. He explained the risk and vulnerability of the system if well #3 goes down. A portable generator should be considered in the case of a power outage. Fortune questioned increasing the volume of the booster and Bruha asked the cost of a test well. Dane thought right around \$40,000.00. Dane explained the blending process and possibly having only 1 location for treatment of the water. There were no further questions from the Council. Dane will be out next month with a more detailed report. Dan and Kate Matthes arrived.

Approve payment to JEO for NDEQ Water Planning Grant: A motion was made by Fortune and seconded by Kral to approve payment to JEO in the amount of \$4,033.00 for the water planning grant. Roll call vote: Fortune yes, Kral yes, Baker yes, Heckman absent. Motion carried.

Discuss/Action – Vacate part of easement for Dan Matthes, Yeackley Addition: Dan Matthes is interested in building a house on a lot in the Yeackley Addition. The back of the lot has a 35' utility easement to the north. He presented a photo copy of the lot for discussion. Matthes has met

with NPPD and they are willing to abandon the single phase line in this easement in order for Matthes to utilize 10' of the easement for buildable space. Kendall Hoggins noted that this is far enough away from the power line and the sewer line and he doesn't see a problem with it. Mayor Bruha encouraged that the Matthes' get a survey. A motion was made by Baker and seconded by Kral to allow the vacation of 10' of the existing utility easement for additional building space. Roll call vote: Baker yes, Kral yes, Fortune questioned if we needed something in writing. It was agreed that this action will need to be in writing but the Matthes' could go ahead and start the process. Fortune yes, Heckman absent. Motion carried.

Discuss Swimming Pool – Sharon Bender: Sharon had questions regarding making improvements to the inside of the pool bath house. She noted that there is interest in swim classes as they carried over into November. Gary TeSelle had photos of the work that had already been done and showed them to Ms. Bender. The shower fixtures have been cleaned or replaced and the shower stalls have been wrapped with a vinyl type material. She was pleased with the progress thus far. Gary will meet with Sharon at the pool next week and show her the progress. She asked about having lanes painted for swimmers to do laps. Gary noted that takes a lot of extra work to paint the lines. Sharon then asked the Council what vision they have for Milford in the next 15 years. She noted we have great kids in the High School and what can be done to keep them in Milford. She also asked what the Council is doing to promote S.C.C. She is afraid the college is in trouble as they are taking classes to Lincoln. Baker noted we need to stay on task as the agenda item is related to the swimming pool. He suggested that he and Heckman meet with Ms. Bender to discuss the pool further.

Hire part-time summer maintenance employees and set wage: Gary explained that he had 5 individuals apply for the maintenance position and only one fit the criteria regarding age and availability. An application from a past summer employee was submitted but he did not meet the deadline. He is a very good worker and Gary would like to hire him back for this summer. The Council recommended Gary re-open the help wanted ad and proceed from there. A motion was made by Baker and seconded by Kral to approve hiring Josh Dalton as part time summer maintenance employee at an hourly rate of \$8.00. Roll call vote: Baker yes, Kral yes, Fortune yes, Heckman absent. Motion carried.

Discuss/Action – Interlocal Agreement for prosecution services for City of Milford, Introduction and Adoption of Resolution: Chief reviewed the City of Seward interlocal agreement and it would basically be the same for Milford. City of Seward entered into an interlocal with the County Attorney's Office to do their prosecutions for criminal offenses, traffic and

anything that would lobby a fine. They do not handle any civil offenses; this would fall back onto the new City Attorney. The County Attorney would charge the City of Milford \$3,000.00 per year. It was suggested to wait until we find a new City Attorney to review the document or see if they are interested in handling both the criminal and civil responsibilities. A motion was made by Kral and seconded by Baker to table the agenda item until a new Attorney is established. Roll call vote: Kral yes, Baker yes, Fortune yes, Heckman absent. Motion carried.

Discuss/Action – change date of June meeting: The Council agreed to change the meeting date to Wednesday, June 10, 2015 at 7:30 pm.

Discuss/Action – Special Liquor License – Rock the Bricks Beer Garden, Milford Fun Days: The Council reviewed the application and discussion was held regarding option 2 and its proximity to the Methodist Church. Without actually measuring the distance, they noted the State of NE would probably review the application and determine whether it is too close to the Church. A motion was made by Baker and seconded by Kral to approve the Special Designated Liquor License for VS Investments or Sheri's Grill & Bar for a beer garden during Milford Fun Days to support the Rock the Bricks concert. Roll call vote: Baker yes, Kral yes, Fortune yes, Heckman absent. Motion carried.

Discuss/Action – Interlocal Cooperation Agreement, Natural Disaster Emergency; Introduction and Adoption of Resolution: This document is being presented by Seward County to cover any assistance cost they may incur during a disaster. Kral noted the verbiage in the agreement that states Milford agrees to indemnify and hold harmless, protect and defend Seward County against any and all claims ... Dan questioned why we would defend Seward County in matters they would be directly involved in. The Council agreed to hold off on approving this agreement until we have new legal counsel. A motion was made by Kral and seconded by Fortune to table this item until reviewed by our new attorney. Roll call vote: Kral yes, Fortune yes, Baker yes, Heckman absent. Motion carried.

Discuss/Action on Municipal Building: Mayor Bruha asked the Council to go on record as to whether we are going to pursue the replacement of a Municipal Building. Fortune noted we need to fix the roof until we decide what to do. We aren't going to be able to build a new building in the next 6 months. Kral noted the other side of the issue is; it doesn't take care of repairs to the front window, the basement or a lot of other things. Dan's perspective is if we are going to spend one dollar on that building it should be a dollar we can afford to throw away, because that's what we would be doing. He said Rick is correct in that we are not going to be able to build in the next 6 months but the question is, do we want to start doing something in

the next 6 month, 1 year or 5 years. Can we band-aid the problems, yes. Will we continue to have problems, yes. Kral and K. Hoggins have tried to get contractor to give us a bid on the repairs and they aren't interested because they don't think they'll get the job or want the job. The real cost will be getting the building up to code if we start making repairs. Fortune doesn't want to put a ton of money into the building, he just wants to maintain it until we can get something done. Bruha - we've kicked around some ideas but haven't taken any steps to move forward with anything. Baker mentioned that several years ago the voters didn't like the idea because we didn't have a plan, design or cost estimate. We need to formulate a building committee that meets with architects. If our intention is to build a new municipal building; than this is what we need to do. Baker then noted at the same time, he doesn't for see this happening in the next 6 months to a year and if we are going to build it, how are we going to fund it? His initial thought is it will probably be bonded and in about 18 months we will have about a .4 hike in our county taxes to pay for a jail. The plan must be rock solid and we need to get the community members on board. Bruha stated maybe we need to get a building committee together and start exploring this. Kral noted that we have a Community Betterment Committee already and it seems like a substantial overlapping, if they were objective in their approach, he couldn't think of anything that would benefit the community like a new City Office. Maybe we should submit the idea to this committee. Baker's idea is to bring in business owners from Main Street to talk to. It behooves us to form a committee that will be behind the idea if this is what we want to do. Baker mentioned we should at least address the roof. Kral noted that we have a price of \$28,000.00 to replace the roof as long as they don't find anything underlying. Fortune questioned just a repair. The roofers don't want to do that type of quick fix. Fortune agreed we need a new building, most people that walk into the office realize we need a new building. J. Hoggins asked who would pursue talking to these people to get names for this committee. Bruha offered to visit with the citizens and get something going.

ADJOURNMENT: A motion was made by Baker and seconded by Kral to adjourn the meeting. Roll call vote: Baker yes, Kral yes, Fortune yes, Heckman absent. Motion carried and meeting adjourned at 9:13 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 May 5, 2015 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