

CITY OF MILFORD
REGULAR MEETING
NOVEMBER 2, 2010
MINUTES

A regular meeting of the Mayor and Council of the City of Milford, Nebraska was held at the Fire Station in said City on the 2nd day of November 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: Joe Shandrew and Larry Jantze.

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. 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 south wall of the Fire Station Meeting Room.

MINUTES: A motion was made by Kral and seconded by Baker to approve the minutes of the October 5, 2010 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 \$44,545.84 and payroll in the amount of \$25,614.78 approved by the Auditing Committee be approved for payment. Roll call vote: Kral yes, Heckman yes, Baker yes, Fortune absent. Motion carried.

SALARIES:

50467	Mark Frey	1438.29
50468	Forrest K Siebken	1335.89
50469	Mavis Lynn Ferris	50.22
50470	Jeanne M Hoggins	1344.92
50471	Gary Lee TeSelle	777.07
50472	Robert L Hull	1004.24
50473	Beverly J Wehrs	375.82

50474	David R Dahle	1059.60
50475	George A Matzen	660.06
50476	Tracy L Yeackley	754.58
50477	Benjamin L Rediger	853.02
50478	Craig A Corder	1227.78
50479	Nathen T Gortemaker	1007.88
50480	Deondra J Lashley	347.68
50481	Shawna M Fredericksen	132.23
50482	Aaron M Hostetler	105.45
50535	Mark Frey	1438.29
50536	Forrest K Siebken	1335.89
50537	Mavis Lynn Ferris	60.25
50538	Jeanne M Hoggins	1344.92
50539	Gary Lee Teselle	777.07
50540	Robert L Hull	943.41
50541	Beverly J Wehrs	602.08
50542	David R Dahle	1071.99
50543	George A Matzen	599.66
50544	Tracy L Yeackley	754.58
50545	Benjamin L Rediger	807.83
50546	Craig A Corder	1232.33
50547	Nathen T Gortemaker	845.13
50548	Deondra J Lashley	333.42
50549	Shawna M Frederickson	140.60
50550	Aaron M Hostetler	113.82
50553	Ricky Fortune	138.52
50554	Dean Alan Bruha	184.70
50555	Jeffrey M Baker	138.52
50556	Jeff Lee Heckman	138.52
50557	Dan V Kral	138.52

GENERAL FUND:

50460	Stoney Burton –WA/SW Deposit Refund	50.50
50461	Cindy Casady – WA/SW Deposit Refund	17.51
50462	Austin Clayton – WA/SW Deposit Refund	9.98
50463	Michael Curd – WA/SW Deposit Refund	50.00
50464	Jacob Unvert – WA/SW Deposit Refund	48.37
50465	Justin Wetzel – WA/SW Deposit Refund	47.48
50466	US Postmaster – Utility Billing Postage	274.48
50483	Ameritas Group – Pension, Pension X	1554.55
50484	Union Bank – H.S.A, H.S.A-City Contract	3451.00
50485	American Building Inspectors – Inspections & Fee	815.00

50486	Ameritas Group – Dental & Vision	848.92
50487	Ameritas Life Ins – Annual Base/Recordkeeping	1080.00
50488	Aramark Uniform Service – Pants & Rags	440.80
50489	AT&T – Long Distance	3.34
50490	Beverly Wehrs – Reimburse for McClain Program	200.00
50491	Black Hill Utility Holdings – Service for September	156.86
50492	Blue River Transmissions – Repair '06 Cruiser	517.35
50493	Chem Dry – Carpet Cleaning @ Sr Center	340.00
50494	Constellation NewEnergy – Service for September	21.54
50495	Crestview Care Center – September Meals	756.00
50496	Culligan Water Conditioning – Soft Water	21.00
50497	Deep Rock – Drinking Water	39.95
50498	Diode Communications – Service for September	54.16
50499	Eakes Office Plus – Binders, PO Books	81.80
50500	Farmers Coop – Gas/Diesel for September	855.06
50501	Forrest Seibken – Thermal Imaging Training	198.46
50502	Great Plains One-Call – Locate Requests	29.11
50503	Heyen Tax & Acct – W-2 Forms & Envelopes	104.06
50504	Ikon Office Solutions – Meter Rental 7/22-10/21/10	555.66
50505	JR Welding – Shear Time	25.00
50506	Kremer Electric – Receptacle for Security Camera	1217.23
50507	LINWELD – Oxygen, Compressed Air	40.50
50508	Meyer Ford – Oil Change, Labor, Pad, Seal	865.76
50509	Municipal Supply – Curb Stop, E-coders	1305.91
50510	National Casualty Co – Premium Statement	737.08
50511	NE Dept of Revenue – Sept Sales Tax	2182.51
50512	NE Motor Parts – Spray Paint, Antifreeze	8.43
50513	NPPD – Service for September	6064.54
50514	NT&T – Service for September	418.53
50515	NMC – Darts, Labor, Misc Charge	970.18
50516	Pizza Kitchen – Catered Meal 9/8 & 9/27	152.50
50517	Roxanne Roth – Cleaning Services	75.00
50518	Servi- Tech – Ammonia Nitrogen, Wastewater	72.70
50519	SPPD- Wells 1 & 2	714.43
50520	Seward Co Ind – Notice, Minutes, Subscriptions	558.14
50521	Shell Fleet Plus – Fuel '08 Truck	93.32
50522	Shell Fleet Plus – Car Gas	7.48
50523	The Garbage Co – Service for September	130.24
50524	The Longhorn – Ad For Yearbook	10.00
50525	Tvrdy's Lock & Key – Day Timer, Transformer	670.16
50526	Verizon Wireless – Cell Phone	89.97

50527	Verizon Wireless – Dept Cellular	135.52
50528	Wergin’s Lawn Service – Mow @ Franzens	60.00
50529	Windstream – Local/Internet	133.30
50530	AFLAC – Dis, Cancer, Acc, Suppl	463.96
50531	Coventry Health Care – Health Insurance	3801.08
50532	Fort Dearborn Life Ins. – Life Insurance	113.52
50533	Mutual of Omaha – Disability	30.24
50534	Shell Fleet Plus – Fuel for October	712.08
50551	Ameritas Group – Pension, Pension X	1554.55
50552	Union Bank & Trust – HAS	445.00
50558	Baker & Taylor – Books	34.81
50559	Biblinox – Automation System	1490.00
50560	Blevens Law Office – Legal Services for October	350.00
50561	City of Milford – Petty Cash – Postage, File Lien	35.93
50562	Country Woman – Magazine Subscription	19.98
50563	Demco, Inc – Folders, Supplies, Label Protectors	476.59
50564	Electronic Engineering – Diagnosis Malfunctioning Siren	86.25
50565	Gale – Books	99.66
50566	George Matzen – Office Supplies	155.97
50567	Gerhold concrete Company Inc. – Concrete, Delivery	150.53
50568	GreatAmerican Leasing – Meter Rent	80.00
50569	Heartsong Presents – Books	12.99
50570	Milford Plumbing – Materials	22.85
50571	Milford School Dist – Parking Fines	5.00
50572	Municipal Supply – Hymax Coupling	339.43
50573	NELTC – Certificate Activation Fee	50.00
50574	NE Public Health – Coliform, Lead , Copper	1160.00
50575	Pack-O-Fun – Magazine Subscription	21.97
50576	POAN – 4 Memberships	40.00
50577	Racom – Smart Siren Replacement, Radio Repair	1427.05
50578	Roxanne Roth – Cleaning Services	50.00
50579	Rural Apprehension Program – Matching Funds (Drug)	1035.00
50580	Seward Co Road Dept – Demolish Park Restrooms	100.00
50581	Sport Supply Group – Soft Touch Base	122.84
50582	Super Spray Car Wash – Car Wash Tokens	150.00
50583	Taste of Home – Book	24.98
50584	Tool Fast Supply – Anti-Sieze	11.98
50585	Union Bank – Gary TeSelle Acct, Medicare Part D	447.20
50586	Verizon Wireless – Well Control Monitor	43.03

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Milford Aging Services Board minutes for October 26,

2010; Library Board minutes for September 16, 2010 and October 26, 2010; Recreation Board minutes for October 19, 2010; Police Dept. activity report for October 2010; Milford Rescue NARSIS report for October 2010. Frey – the pot holes along the curve of Hwy 6 have been repaired. The State will be looking into mud-jacking the approach of the bridge as there is a dip. A community service worker will be cleaning up the gravel of the alley approaches. The installation of the playground equipment at Welch Park has been completed by Sean Landkamer as an Eagle Scout project. Siebken highlighted the monthly report and noted his absence at the October meeting was due to attending a Thermal Imaging class in Wisconsin. Chief Siebken is now a certified Thermographer. Officer Corder will be attending “Desert Snow” a training class on transporting money and drugs. Baker has requested the City of Milford’s participation in funding for the second siren during the 2011-2012 fiscal year. We are currently waiting on the survey cost which will be submitted towards the grant.

COMMUNICATIONS: *Sales tax received for the month of August 2010 was \$14,070.49. *Letter received from Linda Mendoza, 2341 Shepard Rd., Grover, requesting a zoning change of this property back to commercial.

PUBLIC HEARINGS:

Citizen Advisory Committee:

Mayor Bruha opened the Public Hearing at 7:51 pm. Mayor Bruha explained that periodically a public hearing needs to be held to update the activity of the Economic Development happenings. There has been no activity on the local level. Mayor Bruha attended a Seward County Economic Dev. Meeting and noted interest in a rail site development. Discussion has been held regarding future development of the Industrial site west of town by Jason & JoAnn Roth. Bruha noted water would be okay but sewer may be a problem. Nancy McGill arrived. One tenth of one percent of the City sales tax is still being collected for Economic Development. Estimated balance of \$85 - \$90,000.00 is currently in the fund. Amendment 1 is on the ballot today promoting use of tax dollars towards Economic Development project only after a vote of the public. Metro mail has been purchased by a Seed Co. and is being used for storage. No further comments Mayor Bruha closed the public hearing at 7:57 pm.

UNFINISHED BUSINESS:

Fire Station Roof Repair: Dean and Jeanne visited with Dennis Kubicek about financing a new roof. Dennis looked at the situation as ”why would you get a loan and pay the interest when you have the cash?” The Fire Dept. has plenty of cash in their reserve and the council could budget x amount of dollars back into the reserves every year to pay back what was used thus eliminating any interest payments. In reviewing past minutes and

conversation with fire members Kral noted that the roof has been a problem from day 1. There was an agreement made of a \$12,000 cash out to the City for the roof. There have been repairs made for the last 2 years and we have never got it water tight. Kral received comments from 2 roofers that the roof will never be water tight as it keeps shifting. Jim Conner gave a 10 year guarantee on the roof if they did an overlay of insulation and new roof. He guarantees a 20 year roof if it is repaired the way he requested with his proposal. The proposal given did not change the structures slope of the roof. Frey noted heat tape has been placed in the drains to keep ice and snow from building up. Kral noted that they have already spent approximately \$5,000 on the roof over the last 2 years. It was suggested to get quotes from both Conner Roofing and Weathercraft Roofing.

NEW BUSINESS:

Introduction and Adoption of Resolution – R.A.P.: Chief Siebken reported that the Rural Apprehension Program covers a 13 county area and has been very beneficial to the Dept. A motion was made by Baker and seconded by Heckman to authorize Mayor Bruha to sign the R.A.P. Interlocal Agreement. Roll call vote: Baker yes, Heckman yes, Fortune absent, Kral yes. Motion carried.

RESOLUTION NO. 462

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MILFORD, NEBRASKA:

WHEREAS, law enforcement agencies within the following counties: Butler, Fillmore, Hamilton, Jefferson, Merrick, Polk, Saunders, Seward, Thayer, Webster, and York desire to enter into a cooperative law enforcement effort; and

WHEREAS, the above agencies have submitted a grant application known as the RURAL APPREHENSION PROGRAM (hereafter RAP 21 #10-DA-313); AND

WHEREAS, the R.A.P. project has been funded by the Nebraska Crime Commission; and

WHEREAS, the various counties, communities and agencies within those jurisdictions desire to make the most efficient use of the power by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors; and

WHEREAS, an interlocal agreement, consistent with Nebraska Revised Statutes 13-801 et.seq., would be in the best interest of all participating agencies; and

WHEREAS, the agencies desire to enter into a written interlocal agreement for the purpose of carrying out the RAP objectives and grant requirement of the Nebraska Crime Commission.

BE IT RESOLVED THAT:

The City of Milford authorizes Chief Forrest Siebken to enter City of Milford into an interlocal agreement for joint and cooperative action pursuant to the provisions of Section 13-801 through 13-807 of Nebraska Revised Statutes. The interlocal agreement shall be for the strict administration of the RAP project and all funds allocated by the Nebraska Crime Commission, and Match dollars allocated by the RAP members. Further, this interlocal agreement shall not establish a separate legal entity, rather as a joint and cooperative undertaking between public agencies i.e. state, county, city and village. (Nebraska Revised Statute 13-801)

Amount of match dollars allocated by the City of Milford for the 2010- 2011 grant period (RAP 21) will be \$1035.00. (2000 census 2,070 x \$0.50)

Dated this 2nd day of November, 2010.

City Clerk

Mayor

(SEAL)

Approve Fire Dept. Roster: Heckman asked if there are requirements that the Fire Dept. members live in the City limits? Mayor Bruha mentioned that the City does not require members to live in the city limits and he is not aware of the Fire Dept. having this requirement. Kral explained that the dept. has a duty roster for specific areas. A motion was made by Heckman and seconded by Kral to approve the Fire Dept. roster as presented. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune absent. Motion carried.

Hire Volleyball Director and Youth Basketball Coaches: A motion was made by Baker and seconded by Kral to approve the Recreation Boards recommendation to hire Bruce Stutzman as the coed volleyball director for the 2010-2011 season. Roll call vote: Baker yes, Kral yes, Fortune absent, Heckman yes. Motion carried. A motion was made by Baker and seconded by Heckman to approve the Recreation Boards recommendation to hire Craig Bontrager as the youth basketball coach for boys and girls K-3 grades. Roll call vote: Baker yes, Heckman yes, Fortune absent, Kral yes. Motion carried.

Award Bid – 1974 Dodge Dump Truck: Hoggins reported that 3 bids had been opened: Ron Leichty - \$1425.00; Terry Rediger - \$166.00 and D & M Bldg Systems - \$551.00. A motion was made by Heckman and seconded by Kral to accept the high bid and award Ron Leichty the truck in the amount of \$1,425.00. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune absent. Motion carried.

Appointments: Item tabled.

Larry Jantze – Subdivision Plans: Council member Rick Fortune asked Larry to inform the Council on current subdivision progress and plans for future development. Larry highlighted the number of lots sold, houses built and lots available. He also talked about future development north of Oak Ave behind Eden's. Lot sizes were discussed along with individuals already showing interest in this area. Larry had preliminary plans and information that he presented to the Council. Frey was questioned regarding water and sewer services. The Council thanked Larry for this information.

Diseased Trees: Council member Heckman has had complaints from his neighbors regarding the dying trees surrounding the elementary school. The School removed several trees this summer but more have been affected. Mark Frey visited with Kevin Wingard about assisting with the removal of the trees as the City could be looking at potential liability issues if this situation isn't addressed. The plan would be to use the high ranger and quickly drop all the branches and burn them. Then Tim could cut up the trunks and haul them out to the burn pile. Heckman noted the City has no obligation to help the School but we are all working toward the same purpose. Frey suggested working on this in the fall because they will not have time this spring. It will probably take 2 of the City guys away for approximately 1 to 2 weeks. Frey reported other affected trees that have been removed: 1 tree along Hwy 6 one out at the cemetery and 5 at Welch Park. A motion was made by Kral and seconded by Heckman to authorize the City maintenance employees and equipment to assist in removing the trees at the Elementary School. Roll call vote: Kral yes, Heckman yes, Baker yes, Fortune absent. Motion carried.

Hire Police Officer and Set Wage: Item tabled to special meeting as 1 more interview needs to be held.

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 9:04 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 November 2, 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