

CITY OF MILFORD
REGULAR MEETING
NOVEMBER 6, 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 6th day of November 2012 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; Maintenance Supt. Mark Frey and City Clerk Jeanne Hoggins. Also present: Jenni Kellis with US Cellular and Paul Anderson with Unite Private Networks.

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 Baker and seconded by Kral to approve the minutes of the October 2, 2012 meeting. Roll call vote: Baker yes, Kral yes, Fortune yes, Heckman yes. Motion carried.

A motion was made by Fortune and seconded by Heckman to approve the minutes of the October 9, 2012 meeting. Roll call vote: Fortune yes, Heckman yes, Baker yes, Kral abstain. Motion carried.

PAYMENT OF BILLS: A motion was made by Kral and seconded by Heckman that the following bills in the amount of \$186,927.20 and payroll in the amount of \$41,646.78 approved by the Auditing Committee be approved for payment. Roll call vote: Kral yes, Heckman yes, Baker yes, Fortune yes. Motion carried.

SALARIES:

54336	Mark Frey	1531.26
54337	Forrest Siebken	1367.58
54338	Mavis Ferris	84.59
54339	Jeanne Hoggins	1336.16

54340	Gary TeSelle	779.85
54341	Robert Hull	1003.80
54342	David Dahle	1109.30
54343	George Matzen	690.77
54344	Tracy Yeackley	771.66
54345	Benjamin Rediger	844.45
54346	Craig Corder	1647.69
54347	Jason Meyer	1183.26
54348	Sean Stahly	169.22
54349	Jillian Boden	382.33
54350	Lisa Aschoff	546.64
54351	Erica Pallas	291.34
54352	Timothy Long	79.12
54353	Derek Tegtmeier	348.86
54405	Mark Frey	1530.47
54406	Forrest Siebken	1365.95
54407	Mavis Ferris	78.26
54408	Jeanne Hoggins	1335.38
54409	Gary TeSelle	788.72
54410	Robert Hull	925.56
54411	David Dahle	1109.11
54412	George Matzen	697.79
54413	Tracy Yeackley	786.11
54414	Benjamin Rediger	950.28
54415	Craig Corder	1283.31
54416	Jason Meyer	1076.49
54417	Sean Stahly	122.72
54418	Jillian Boden	230.68
54419	Lisa Aschoff	618.49
54420	Erica Pallas	305.42
54421	Timothy Long	101.23
54422	Derek Tegtmeier	300.97
54433	Ricky Fortune	141.52
54434	Dean Bruha	188.70
54435	Jeffery Baker	141.52
54436	Jeff Heckman	141.52
54437	Dan Kral	141.52
54446	Mark Frey	1530.47
54447	Forrest Siebken	1365.95
54448	Mavis Ferris	96.03
54449	Jeanne Hoggins	1335.38

54450	Gary TeSelle	788.72
54451	Robert Hull	925.56
54452	David Dahle	1069.47
54453	George Matzen	821.29
54454	Tracy Yeackley	786.11
54455	Benjamin Rediger	871.55
54456	Craig Corder	1349.65
54457	Jason Meyer	1071.89
54458	Sean Stahly	124.50
54459	Lisa Aschoff	554.29
54460	Erica Pallas	339.05
54461	Timothy Long	87.27
GENERAL FUND:		
54330	Tyson Brown- WA/SW Deposit Refund	49.43
54331	Zachary Jameson- WA/SW Deposit Refund	56.09
54332	Kyle Petsch- WA/SW Deposit Refund	50.00
54333	Tyler Pflug- WA/SW Deposit Refund	58.09
54334	Shane Upson- WA/SW Deposit Refund	37.88
54335	US Postmaster- Utility Billing Postage	289.17
54354	Ameritas Group- Pension	1647.95
54355	Union Bank- HSA	705.00
54356	Advanced Graphix, Inc.- Graphics Repair Kit	50.00
54357	All Pro Landscaping-Move Lines for Shelter	943.43
54358	Aloha Roth-Cake	36.00
54359	America Building Inspectors- Inspections Mo. Fee	460.00
54360	Aramark Uniform- Pants & Rags	637.28
54361	AT&T- Long Distance	7.83
54362	Black Hills Energy- Service for September	147.15
54363	Bob's Automotive- Mount, Balance 4 Tires	70.00
54364	Concrete Works- Street Repair	26,646.00
53465	Culligan- Softener & Cooler Rent	42.75
54366	D&D Communications	391.00
54367	Diode Communications- Service for Sept.	55.22
54368	Eakes- Printer Cartridge, Binders, Post Its	234.98
54369	Ed Roehr Products- XDPM For Tasers	88.40
54370	EMC- General Insurance	57,553.00
54371	Farmer's Co-op- Gas/ Diesel for Sept	1520.25
54372	Fire Programs- Support & Service	485.00
54373	Gerhold Concrete Company- Concrete	180.00
54374	Great Plains-One Call- Locate Request	21.68
54375	John Deere- Saw Bar	45.24

54376	JR Welding- Repair Road Closed Sign	50.00
54377	Kremer's Inc.- Phase Monitors, Relay	1084.99
54378	Matheson Tri-Gas- Medical Oxygen	342.75
54379	National Casualty- Premium Statement	737.08
54380	NE Motor Parts- Duct Tape	8.69
54381	Nebraska Public Health- Coliform, Nitrate	42.00
54382	NPPD- Service for September	7335.89
54383	Office Depot- File Labels, Tripod	48.98
54384	Pac'N Save- Food	66.21
54385	Pizza Kitchen- Catered Meal	162.50
54386	Police Officers Assoc- 4 memberships	40.00
54387	Potter Farms- Sod	972.00
54388	Rediger Automotive- Oil Change	39.55
54389	Roxanne Roth- Cleaning Services	50.00
54390	Sam's Club- Paper Towels, Batteries, Trash Bags	139.86
54391	Servi-Tech- Wastewater Analysis Package	140.15
54392	Sew. Co. Public Power Dist- Wells 1&2	1132.40
54393	Seward County Independent- Notices, Minutes	497.87
54394	Shell Fleet Plus- Fuel '08 Truck	238.39
54395	Shell Fleet Plus- Car Gas	40.54
54396	Sunrise Country Manor- September Meals	924.00
54397	Super Spray Car Wash- Car Wash Tokens	150.00
54398	Talley Communications- Lithium-Ion Battery	73.94
54399	Terry Buchli- Cord Reel	91.98
54400	The Garbage Co. - Service for September	143.75
54401	Tvrdy's Lock & Key- Repair Lock	50.00
54402	Verizon Wireless- Air Cards	80.02
54403	Verizon Wireless- Dept Cell Phone	102.12
54404	Windstream- Service for September	527.38
54423	Ameritas Group- Pension	1684.08
54424	Union Bank- HSA	705.00
54425	Aflac- Dis, Cancer, Acc, Supplement	567.66
54426	Card Service Center- Electronic Sign	1015.36
54427	Companion Life- Dental Coverage	678.74
54428	Companion Life- Vision Coverage	61.45
54429	Coventry Health Care- Health Insurance	8516.12
54430	Ft. Dearborn- Life Insurance	113.52
54431	Mutual of Omaha- Disability	30.24
54432	Shell Fleet Plus- Fuel Expense	941.61
54438	Michael Baldwin- WA/SW Deposit Refund	42.06
54439	Bartolo Celedon- WA/SW Deposit Refund	31.52

54440	Jesse Corrin- WA/SW Deposit Refund	44.48
54441	Robert Engel- WA/SW Deposit Refund	50.00
54442	Roger Hostetler- WA/ SW Deposit Refund	75.00
54443	Faye Houk- WA/SW Deposit Refund	75.00
54444	Eunice Stutzman- WA/SW Deposit Refund	75.00
54445	US Postmaster- Utility Billing Postage	194.88
54462	Ameritas- Pension, Pension X	1684.08
54463	Union Bank- HSA	705.00
54464	Alamar Uniforms- Uniform Shirts	124.96
54465	Aloha Roth- Cake	20.00
54466	Baker & Taylor- Books	443.98
54467	Berry- Directory Advertising	16.75
54468	Blevens Law Office- Leagal Services	350.00
54469	Brownells, Inc- Sight Post for AR-15	26.59
54470	Canon Financial- Contract Charge, Paper processing	319.00
54471	Card Services Center- Back up	177.79
54472	Chem Dry- Spot/Grease Remover, Carpet Cleaning	357.00
54473	Petty Cash- Postage, Bulb	84.06
54474	Culligan Water Conditioning- Drinking water, Rent	43.15
54475	Data Technologies- Summit Lic/ Support	4107.97
54476	Demco, Inc- Book Covers	143.95
54477	George Matzen- Computer, DVD's	191.87
54478	GreatAmerica Leasing- Meter Rental	80.00
54479	Hawkins, Inc.- Azone, LPC-4, Freight	2774.34
54480	JEO Consulting- Bidding, Negotiation	500.00
54481	Joey Boden- Magazines	124.75
54482	Junior Library Guild- Books	684.00
54483	Milford A/C & Appliance- Service Furnace	68.40
54484	Milford High School- Magazines	277.00
54485	Milford Plumbing, Inc- Coupling, Hose Fitting	14.14
54486	Milford School Dist.- Parking Fines, Liquor Lic.	125.00
54487	Municipal Supply- Gaskets, Couplings, 3/4" meters	4567.44
54488	NE Municipal Clerks Assoc.- Membership Dues	25.00
54489	Card Service Center- Elbow, Sprinkler	23.76
54490	Penworthy- Books	307.12
54491	Reader Service- Books	12.99
54492	Sack Lumber- Concrete	116.70
54493	Show Me Books- Books	660.00
54494	Tvrdy's Lock & Key- Install Door Closure	50.00
54495	Union Bank- G. TeSelle Acct, Medicare Part D	431.50
54496	Verizon Wireless- Phone Bill	94.76

54497	Verizon Wireless- Well Control Monitor	40.01
54498	Wal Mart Community- Tape, Movie Night Supplies	241.23
54499	Windstream- Phone, Sewer phone, Sr Center Phone	344.18

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Milford Housing Authority minutes for October 11, 2012; Milford Aging Services Commission minutes for October 23, 2012; Planning & Zoning minutes for October 16, 2012; Library Board minutes for September 18, 2012; MVFD Fire & Rescue NARSIS Report for October 2012 and Milford Police Dept. activity report for September and October 2012. Baker – met with Mayor Bruha and members of JEO regarding T.I.F. funding and opportunities. Lt. Governor Sheehy will be touring Seward County and attending a luncheon at S.C.C. on November 27 at 12:30. Council member Baker will be hosting the luncheon as well as briefing those attending on the happenings of Milford. Chief Siebken attended the Chiefs of Police seminar in San Diego, CA which was a very valuable learning experience. Heckman noted a good start on the pool project. Frey reported that they are waiting on a plumbing piece and if it arrives tomorrow they may pour the concrete on Friday. Due to lack of communication a special meeting will need to be held to hire a new assistant library director. Fortune reported the audit showed a 21.9% increase in water revenue, partially due to accurate readings of the new meters.

COMMUNICATIONS: *Sales tax received for the month of August 2012 in the amount of \$13,028.08. *Planning & Zoning met October 16 and discussed fences, right-of-way encroachment and setbacks and are gathering information from other communities.

PUBLIC HEARINGS:

Conditional Use Permit application for 165’ self-supporting wireless communication tower and shelter: Mayor Bruha opened the Public Hearing at 7:42 pm. U.S. Cellular agent Jenni Kellis explained where the tower is scheduled to be built (west of 238th Rd on Old Cheney Rd.) and the intent is to bring stronger in-building coverage to the City of Milford. The rental area owned by Tom Troyer is 100’x 100’. There will be room for 3 other co-locators such as Verizon or N.T.&T. Discussion was held regarding allowing the City of Milford access to the tower for any type of emergency broadcast services. Kellis noted that U.S. Cellular will be happy to work with the city, they do it all the time. They typically work with a letter of understanding and since we do not know at this time how many antennas or the requested height needed, it is very difficult to enter into any type of agreement. She is not in the position to make any type of offer to the City of Milford, this is not her area but she stated, “they are willing to work

with us”. With no further discussion Mayor Bruha closed the public hearing at 7:56 pm.

UNFINISHED BUSINESS:

Action on Franchise Agreement with Unite Private Networks, LLC:

Paul Anderson with United Private Networks explained that they are asking for a right-of-way agreement as they have purchased the fiber optics from Zito Media. They service the schools in the southeast corner of NE. This would include Southeast Community College, Milford High School, Milford Elementary School and E.S.U. #6 in Milford. The agreement would include access to the whole City. A motion was made by Heckman and seconded by Baker to authorize Mayor Bruha to sign the franchise agreement with Unite Private Networks, LLC. Roll call vote: Heckman yes, Baker yes, Fortune yes, Kral yes. Motion carried.

Introduction and Adoption of Ordinance – Delinquent WA/SW Accounts: Fortune noted that according to our Code Book, delinquent bills are to be brought to the Council every June for consideration of filing a lien against the said property. Blevens presented ordinances for review which would allow the Council to act on delinquent bills anytime the City Clerk presents them to the Council. This agenda item is being tabled for further review of the ordinances presented.

NEW BUSINESS:

Action on Conditional Use Permit for Wireless Communication Tower and Shelter: A motion was made by Fortune and seconded by Heckman to approve the Conditional Use Permit for the wireless communication tower and shelter. Roll call vote: Fortune yes, Heckman yes, Baker yes, Kral yes. Motion carried.

Introduction and Adoption of Ordinance – Increase WA/SW Deposit: No action taken.

Action on changes to regulations & use of rentals, Webermeier Bldg. and Fire Station: Areas of discussion: Increase rent of Webermeier Community Bldg., retain half the deposit if reservation cancelled within a week of reservation; add “no linens will be provided”. Changes were made to the guidelines and approved. Copy attached to these minutes.

Discussion/Action – T.I.F. Implementation and Economic Update SCEDC, Jonathan Jank: Mayor Bruha and Council member Baker explained T.I.F. to the best of their knowledge. Tax Increment Financing, or TIF, is a tool to assist in financing redevelopment project in designated blighted and substandard areas of the City. The purpose of TIF is to help communities undertake redevelopment activities for urban renewal or municipal growth. A blight study would be required prior to utilizing the T.I.F. program and LB840 funds could be used. Mr. Jank was just leaving

Seward and the Council decided to have him present the T.I.F. information at the next meeting.

Authorize signature of Disbursement Agreement, SCEDC: Discussion was held regarding the need for a disbursement agreement. The City of Seward had some concerns with funding and also wanted to set goals for the Economic Development Director. Council member Baker suggested a similar agreement for Milford but did not think the City of Milford would need the “certified” status or even want to go thru the process or expense of being certified. Questions arose with the “certified” status so Baker suggested getting Seward’s agreement for Milford to review. Item tabled.

ADJOURNMENT: A motion was made by Kral and seconded by Fortune to adjourn the meeting. Roll call vote: Kral yes, Fortune yes, Baker yes, Heckman yes. Motion carried and meeting adjourned at 8:52 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 6, 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