

CITY OF MILFORD
REGULAR MEETING
OCTOBER 6, 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 6th day of October 2015 at 7:30 pm. Present were: Mayor Dean A. Bruha; Council members: Jeff Baker, Rick Fortune, Jeff Heckman, Dan Kral; Attorney Krista Carlson; Maintenance Supt. Gary TeSelle; Chief of Police Forrest Siebken; Library Director George Matzen and City Clerk Jeanne Hoggins. Also present: Dane Simonsen with JEO.

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 Baker and seconded by Kral to approve the minutes of the September 1, 2015 meeting. Roll call vote: Baker yes, Kral yes, Fortune abstain, Heckman yes. Motion carried.

A motion was made by Fortune and seconded by Heckman to approve the minutes of the September 10, 2015 meeting. Roll call vote: Fortune yes, Heckman yes, Baker yes, Kral yes. Motion carried.

PAYMENT OF BILLS: A motion was made by Kral and seconded by Heckman that the following accounts payable bills in the amount of \$316,002.24 payroll in the amount of \$61,974.80 totaling \$377,977.04 approved by the Auditing Committee be approved for payment. Roll call vote: Kral yes, Heckman yes, Baker yes, Fortune yes. Motion carried.

SALARIES:

59795	Mark Frey	453.73
59796	Forrest Siebken	1396.62
59797	Forrest Siebken	13545.39
59798	Kendall Hoggins	1117.88

59799	Mavis Ferris	44.32
59800	Jeanne Hoggins	1307.65
59801	Jeanne Hoggins	1425.88
59802	Gary TeSelle	860.20
59803	Robert Hull	1052.38
59804	Robert Hull	2782.52
59805	Bryce Johnson	184.70
59806	George Matzen	757.61
59807	George Matzen	1822.67
59808	Jenna Filbert	351.20
59809	Benjamin Rediger	983.41
59810	Erica Pallas	818.31
59811	Joshua Dalton	348.91
59812	Kile Jackson	1528.60
59813	Scott McNeil	1118.24
59814	Sarah Long	108.97
59815	Craig Carritt	18.47
59816	Jessica Wang	118.20
59817	Jeffery Troyer	876.76
59818	Marilu Fichtner	538.63
59819	Brenda Kalnins	358.72
59835	Rick Fortune	138.52
59836	Dean A. Bruha	184.70
59837	Jeffrey Baker	138.52
59838	Dan V. Kral	138.52
59839	Mark Frey	426.37
59840	Forrest Siebken	1424.30
59841	Kendall Hoggins	1192.69
59842	Mavis Ferris	59.10
59843	Jeanne Hoggins	1335.46
59844	Gary TeSelle	934.53
59845	Robert Hull	1207.70
59846	George Matzen	771.94
59847	George Matzen	711.41
59848	Jenna Filbert	373.70
59849	Benjamin Rediger	1026.97
59850	Erica Pallas	836.08
59851	Scott McNeil	1137.84
59852	Sarah Long	125.60
59853	Craig Carritt	18.47
59854	Jessica Wang	125.60

59855	Jeffery Troyer	961.56
59856	Marilu Fichtner	600.05
59857	Brenda Kalnins	197.40

GENERAL FUND:

59718	Ameritas—Pension	1648.10
59719	Kansas Payment Center—Child Support	177.23
59720	Union Bank—HAS	778.00
59721	Jacob Davenport—WA/SW Deposit Refund	45.98
59722	Frances Erb—WA/SW Deposit Refund	75.00
59723	Jason Kerst—WA/SW Deposit Refund	23.80
59724	Ed Klein—WA/SW Deposit Refund	50.00
59725	Roger Kontor—WA/SW Deposit Refund	50.00
59726	Kach 420M, LLC—WA/SW Deposit Refund	49.62
59727	Milford Apts & Rentals, LLC—WA/SW Dep. Refund	75.00
59728	Betty Springer—WA/SW Deposit Refund	50.00
59729	Jason Stahl—WA/SW Deposit Refund	49.89
59730	Barry Stauffer—WA/SW Deposit Refund	75.00
59731	Andrew Troyer—WA/SW Deposit Refund	44.27
59733	U.S. Postmaster—Utility Billing Postage	324.95
59734	Accurate Forms & Supplies—Property Reports	554.40
59735	Aloha Roth—Birthday Cake	40.00
59736	Anderson Ford—2016 F 250-SD	24274.00
59737	Anne Bremer—Entertainment B-Day Dinner	75.00
59738	Aramark—Pants & Rags	858.86
59739	AT&T—Library Long Distance	17.41
59740	Black Hills Energy—Services for August 2015	163.19
59741	Bonsall Pool Co.—Water Test Supplies	25.28
59742	Canon Financial Services—Contract Charge	254.00
59743	Canon Solution—Maintenance & Copies	102.62
59744	Card Services Center—Phone Case, Laptop, DVD's	1377.15
59745	City Petty Cash—Postage, Swiffer Cleaner, Batteries	44.64
59746	Concrete Works, Inc.—Sidewalk, Alley & 5 th & C	59748.00
59747	Crete Glass Company—Rear Overhead Door Window	214.87
59748	Dudley's Dew-Right Tree Serv.—Tree Removal	2200.00
59749	Eakes Office Solutions—End of the Year Supplies	68.13
59750	Emergency Medical Products Inc.—Medical Supplies	392.24
59751	Farmers COOP—Tire/Mower Repair, Weed Spray	1258.30
59752	Fire Fox Rescue Equipment—Unit 99 Cot Maintenance	279.36
59753	Gerhold Concrete Company—Replace Street H2O	235.00
59754	Hawkins Inc.—ECH Valve, Water Chemical	684.61
59755	Hydraulic Equipment Serv.—Truck Repair	227.61

59756	Interstate All Battery Center—Well Control Batteries	386.90
59757	JEO Consulting Group, Inc.—Engineer Fees	993.25
59758	John Deere Financial—Weed eater parts & Repair	631.21
59759	JR Welding—4” Pipe 6’ Long Turnstop	43.20
59760	Layne Christensen Co.—Well Testing	1268.13
59761	Martin Excavating—Clean Up Site	300.00
59762	Marvin E Jewell & Co—2015/2016 Budget Prep	6600.00
59763	Matheson Tri-Gas, Inc.—Bottle Rental & Fill	287.46
59764	Mike Roth—Mechanical Inspections	470.00
59765	Milford A/C & App—A/C Check	186.00
59766	NE Dept. of Labor/Finance—Elevator Inspection	140.00
59767	NE Dept. of Revenue—Waste & Recycling Fee	25.02
59768	Nebraska Environmental Prod.—Sweeper Repairs	427.39
59769	Nebraska Motor Parts—Mower Repairs	97.39
59770	NPPD--Services for August 2015	8962.64
59771	NMVCA-Gary—Mosquito meeting & TR	50.00
59772	One Call Concept—One Calls	27.10
59773	Pac-N-Save—Ice, Food, Fundraiser Hamburger	115.63
59774	Physio-Control, Inc—Lucas II CPR Machine	10854.20
59775	Pizza Kitchen—Birthday Meal	212.50
59776	Recyclelink—Recycling Services	36.00
59777	Reimers Kaufman—Marble dust, Delivery charge	351.86
59778	SPPD—Wells 1&2	875.54
59779	Sew. Co. Ind.—Legal, Minutes, Envelopes, Timecards	260.97
59780	Shell Fleet Plus—Fuel	307.97
59781	Shell Fleet Plus—Gas, Shuttle Car	26.31
59782	Sports Express—Coach Shirts	67.95
59783	Sunrise Country Manor—Dailey Meals	693.00
59784	TCA Outdoor Power—New Push Mower	1249.99
59785	Uribe—Trash Service	133.00
59786	Verizon Wireless—Cell Phone	95.62
59787	Verizon Wireless—Jet Packs	50.08
59788	Verizon Wireless—Police & Building Insp. Cell	142.09
59789	Vermeer High Plains—Chipper Repair	930.19
59790	Vi Stutzman—Temp Sr. Center Mgr 3/15-5/15	589.00
59791	Waste Connections—Trash Service August	108.39
59792	Windstream—Service for August	650.90
59793	Wing Construction—Replace South Door	1645.00
59794	Wolfe, Snowden, Hurd, Luers—Legal Services 8/15	1228.75
59820	Ameritas—Pension	4713.04
59821	Kansas Payment Center—Child Support	177.23

59822	Union Bank—HAS	778.00
59823	Aflac—Dis, Cancer, Supple, Accident	380.83
59824	Baker & Taylor—Books	61.32
59825	Cash-Wa Distributing—Fundraising Supplies	140.56
59826	George Matzen—Magazines CPU Station, Keyboard	1174.87
59827	Great Plains Uniforms—Uniforms & Supplies	352.50
59828	Seward Co Register of Deed—File 2 Ordinances	68.00
59829	Shell Fleet Plus—Fuel	574.15
59830	Show Me Books—Books	660.00
59831	Union Bank—Gary TeSelle, Medicare Part D	388.50
59832	Verizon Wireless—Well Control Monitor	40.01
59833	Zito Media—H.D. Adapter	3.00
59834	Milford A/C & App—New A/C& Heat Unit	11997.82
59858	Ameritas—Pension	1580.97
59859	Kansas Payment Center—Child Support	177.23
59860	Union Bank—HSA	778.00
59862	ALCOPRO—Breath Tubes, PBT's	141.00
59863	Allied Insurance--Crime Bond	100.00
59864	Aloha Roth—Birthday Cake	25.00
59865	Ameritas—Annual Base Fee	1100.00
59866	AT&T—Library Long Distance	10.62
59867	Black Hills Energy—Service for September	166.38
59868	Blue River Transmissions—Brake Job Unit 1	167.99
59869	Card Service Center—Stamps, Hot Dog Roller, Case	431.79
59870	Central States Lab—Triple Melt, Mun 316, A WE	3032.26
59871	Colin Electric Motor Service—Motor Repair	451.78
59872	Culligan Water Conditioning—B/W, Cooler Rent	156.85
59873	D & D Communications—Radio Antenna	11.25
59874	Data Technologies Inc.—W-2 Forms	112.62
59875	Dean Bruha—Reimb. Meals @ P&Z Mtg.	14.20
59876	Dearborn National Life—Life Insurance	116.96
59877	Eakes Office Solutions—Staples, Paper, Back up tape	170.66
59878	EMC—General Insurance	59633.00
59879	Farmers Cooperative—Fuel, Tire Repair	1153.95
59880	Federated Health Insurance—Health Ins. Oct. 2015	6894.01
59881	Holiday Inn Express—Kendall & Dean P&Z Mtg.	89.95
59882	IIMC—Jeanne & Erica's Membership	250.00
59883	Kendall Hoggins—Mileage & Meals-Kearney	162.26
59884	League of NE Municipalities—Util. Membership Dues	698.00
59885	League of NE Municipalities—Membership Dues	3220.00
59886	Matheson TRI-Gas—Air & Bottle Rent	100.80

59887	Menards-Lincoln—Fence Repair	123.49
59888	Meyer Automotive—2000 Chevy Repairs	46.75
59889	Mid America Recycling—Residential Single Stream	22.00
59890	Midwest Auto Parts—Tree Trim Supplies, Water	207.01
59891	Midwest Unlimited—Jack Hammer Repair	168.48
59892	Municipal Pipe Services—Freeze Line Repair	400.00
59893	Municipal Pipe Services—Line Freeze Kit	617.02
59894	NPPD—Services for September	7728.54
59895	Ne Rural Water Association—Water Class Ben & Gary	150.00
59896	NE Public Heath—10 Water Tests	1669.00
59897	One Call Concepts—42-One Calls	40.60
59898	Sack Lumber-Material Bldg. Repairs	208.92
59899	SEND D—Membership Dues	1777.00
59901	Seward County Independent—Newspaper Legals, Bids	590.76
59902	TCA Outdoor Power—Gravelly Repairs	135.45
59903	Gary Teselle—Mileage to McCool Junction	122.48
59904	TooFast Supply—Street/Water Supplies	752.55
59905	Union Bank & Trust—3 rd Quarter HAS Fees	30.00
59906	Walmart—Water, Brooms, Supplies, Food	356.34
59907	Waste Connections—Trash Pickup	91.56
59908	Wergin’s Lawn Services—Summer Fertilizer	1072.00
59909	Windstream—Services for September	556.47
59910	Zito Media—H.D. T.V.	5.09

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Milford Housing Authority minutes for August 13, 2015; Milford Aging Services Commission minutes for September 22, 2015; Website overview for September 2015; Milford Police Dept. activity report for September 2015; Building Inspector report for September 2015; Library Annual Report for 2014/2015. Heckman – 5th & F Street sidewalk is progressing on behalf of the Community Betterment funds. Matzen – 6-7 SCC architect students visited with the Library staff to design a new Library as a class project. New A/C unit has been installed. Kral – Fire Dept. reports no fire calls in September; 13 Rescue calls - 12 in Milford and 1 in Seward. TeSelle - working on a couple water main repairs, cutting trees, mowing and involvement with RR project. Chief Siebken – incident with Officer Hull and the individual taken to Bryan West for treatment may set the City back around \$6400.00. Working on restitution and getting the individual to take care of the billing. The application process continues and interviews will be conducted soon. None of the applicants are certified. The next available camp would be in March 2016. Baker met with members of the Sr. Center and conducted a strategic planning session. The group focused

on long and short term goals. They also met with a JEO consultant and did a walk-thru of the facility. The contract will be ready for next month's meeting. Baker is no longer the president for SCEDC. Dave Cumm from Concordia will fill that position for next year. Jonathan will be attending the November meeting to update the Council on current activity with SCEDC. We will be working with the Elementary School on a project for the South Park. They are looking into fundraising projects.

COMMUNICATIONS: *Sales tax received for the month of July 2015 in the amount of \$16,610.76.

UNFINISHED BUSINESS:

Discuss/Action – Hydrogeological Evaluation Services, LBG: JEO representative Dane Simonsen gave a recap of the proposed study by LBG. The proposal covers different areas and the item that we are concerned with at this time is Task #1, which covers pumping detail data. The maintenance dept. provided all the data needed to complete the study, LBG just needs the approval of the City. A motion was made by Kral and seconded by Fortune to approve Task #1 allowing LBG to complete the study. Roll call vote: Kral yes, Fortune yes, Baker yes, Heckman yes. Motion carried.

Dane explained that they will get us the results to see if everything looks good with the well site. We will then contact DHHS and get approval to use this site. If approval is given, we will drill a test hole and if it yields good results then a new well will be designed. Dane is looking into grant funding thru NRD.

NEW BUSINESS:

Discuss/Action – Public Membership Agreement for SCEDC: Baker reported that this is the standard agreement. Milford's annual contribution is \$10,000.00, which is the same as last year. A motion was made by Baker and seconded by Kral to authorize Mayor Bruha to sign the Public Membership agreement as presented. Roll call vote: Baker yes, Kral yes, Fortune yes, Heckman yes. Motion carried.

Discuss/Action – Funding Agreement with SCEDC: Baker reported that Seward County is researching the effects of combining resources of several small Seward County groups to work together towards a better good. A motion was made by Baker and seconded by Fortune to approve the SCEDC funding agreement as submitted. Roll call vote: Baker yes, Fortune yes Heckman yes, Kral yes. Motion carried.

Award bid for 2016 Ambulance: Kral reported that the Fire Dept. advertised for bids as well as made personal contacts with companies regarding the purchase of a new ambulance. 1 bid was received from Fire Fox of York, NE. The 2016 ambulance bid came in at \$229,350.00. There is a 2,000.00 discount for immediate payment of the chassis. The City has

received \$32,000.00 from Rural Fire District and will be contributing another \$100,000.00 after Council approves purchase. John Melena reported that this new unit is 4 wheel drive. It's a little bit more money but it's our job to take care of people and the weather is not the best Nov. thru March. One of the ambulances will be sold thru sealed bids. A motion was made by Kral and seconded by Fortune to award the bid to Fire Fox for the purchase of the 2016 Ambulance in the amount of \$229,350.00. Roll call vote: Kral yes, Fortune yes, Baker yes, Heckman yes. Motion carried.

Amend Ordinance #879 – Pro-rate license fees for ATV's/UTV's: Fortune had someone approach him about pro-rating the license fee when a new vehicle is purchased mid-year. He did not have an answer for the individual as to why we wouldn't so he presented it to the Council for discussion. He suggested pro-rating it quarterly. Hoggins was asked if this would create more work in the office. She didn't think it would as long as it only pertained to new purchases. She did not want it to trickle over to prorating existing licenses if they failed to license the vehicle in the appropriate month. Chief Siebken agreed and noted that some may push the issue. John Melena spoke on behalf of someone who just licensed his UTV and said the City is doing the community a favor by allowing the use of these vehicles on the public streets. He did not think the \$50.00 was out of line. The Council decided not to change the ordinance. License fees will remain at \$50.00 for all ATV's and UTV's.

Approve Fire Dept. membership roster: John Melena reported a full roster of 42 members with 16 EMT's. A motion was made by Heckman and seconded by Kral to approve the 2015 membership roster as presented. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune yes. Motion carried.

Amend Ordinance #897 to vacate a portion of Maple Ave., near the RR. Tracks: A small portion of the legal description was inadvertently left out. A motion was made by Kral and seconded by Fortune to amend Ordinance #897 with the addition.

ORDINANCE NO. 897

AN ORDINANCE OF THE CITY OF MILFORD, NEBRASKA TO VACATE A PORTION OF MAPLE AVENUE IN THE CITY OF MILFORD, SEWARD COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 16 BLOCK A, DAVISON AND CULVER'S ADDITION IN THE CITY OF MILFORD, AND SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTHERLY, ALONG THE WEST LINE OF BLOCK A, DAVISON AND CULVER'S ADDITION; TO THE SOUTHWEST CORNER OF LOT 17, BLOCK A, DAVISON AND CULVER'S ADDITION; THENCE NORTHWESTERLY TO THE INTERSECTION OF THE EAST LINE OF BLOCK B, DAVISON AND CULVER'S ADDITION AND A LINE PARALLEL WITH AND 50 FEET NORMALLY DISTANT SOUTHERLY FROM THE CENTERLINE OF THE BNSF RAILWAY COMPANY'S MOST SOUTHERLY TRACK; THENCE NORTHERLY, ALONG THE EAST LINE OF SAID BLOCK B, TO THE NORTHEAST CORNER OF LOT 1, BLOCK B, DAVISON

AND CULVER'S ADDITION, THENCE EASTERLY TO THE POINT OF BEGINNING;

TO RETAIN TITLE TO, AND AN EASEMENT OVER AND ACROSS SAID AVENUE FOR LOCATION OF WATER, SEWER, ELECTRICAL, TELEPHONE, UTILITIES, AND OTHER MUNICIPAL PURPOSES, AND TO ALLOW THE SAME TO BE USED BY BNSF RAILWAY COMPANY FOR RAILROAD PURPOSES;

TO PLACE REASONABLE CONDITIONS ON SAID VACATION AND ON USE OF THE VACATED PROPERTY BY BNSF RAILWAY COMPANY;

TO PROVIDE FOR THE MAINTENANCE OF SAID AVENUE;

TO PROVIDE THE MANNER FOR DETERMINATION OF DAMAGES BY CITIZENS OF THE CITY OR BY OWNERS OF PROPERTY THEREIN; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PRESCRIBING THE TIME THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT. (See Ordinance Record)

Approve Co-ed Volleyball Director: A motion was made by Baker and seconded by Kral to approve Bruce Stutzman as the Co-ed Volleyball Director for 2015-2016. Bruce has organized the Co-ed Volleyball program for years. Roll call vote: Baker yes, Kral yes, Fortune yes, Heckman yes. Motion carried.

Discuss/Action to amend Section V – Meeting: Library By-Laws: Heckman read Section V regarding the change in meetings. A motion was made by Heckman and seconded by Kral to approve the change to the Library By-Laws. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune yes. Motion carried.

Closed Session – Real Estate: A motion was made by Fortune and seconded by Heckman to adjourn from regular session into closed session. Roll call vote: Fortune yes, Heckman yes, Baker yes, Kral yes. Motion carried and Council entered into closed session at 8:23 pm.

A motion was made by Fortune and seconded by Kral to adjourn from closed session and return to regular session. Roll call vote: Fortune yes, Kral yes, Baker yes, Heckman yes. Motion carried and Council returned to regular session at 9:01 pm.

ADJOURNMENT: A motion was made by Fortune and seconded by Kral to adjourn the meeting. Roll call vote: Fortune yes, Kral yes, Baker yes, Heckman yes. Motion carried and meeting adjourned at 9:03 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 October 6, 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