

CITY OF MILFORD
REGULAR MEETING
SEPTEMBER 5, 2017
MINUTES

The regular meeting of the Mayor and Council of the City of Milford, Nebraska resumed at 7:45 pm on the 5th day of September 2017.

CALL TO ORDER: Mayor Glanzer called the meeting to order at 7:45 p.m.

ROLL CALL: Mayor Nick Glanzer; Council members: Jeff Baker, Scott Bashore, Patrick Kelley, Dan Kral; Attorney Krista Carlson.

Introduction and Adoption of Resolution – Final Tax Request: Council member Baker introduced the following resolution seconded by Kral.

RESOLUTION NO. 554

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

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purpose of the levy set by the County Board of Equalization unless the Governing Body of the City of Milford passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of the City of Milford that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE, the Governing Body of the City of Milford, by a majority vote, resolves that:

1. The 2017 – 2018 property tax request be set at:

		<u>Levy</u>
REQUIRED FOR BONDS	\$65,400	.065951
REQUIRED FOR ALL OTHER PURPOSES	\$479,192	.483228
TOTAL PROPERTY TAX REQUEST	\$544,592	.549179

2. A copy of this request be certified and forwarded to the Seward County Clerk on or before October 13, 2017.

Upon roll call vote as follows: Baker yes, Kral yes, Bashore yes, Kelley yes. Motion carried.

Nick Glanzer, Mayor

Jeanne Hoggins, City Clerk

(SEAL)

UNFINISHED BUSINESS:

Discuss/Action – Seward County request to pay back funds for new 911 Radio System: Chief Siebken updated the group about the system that was placed in the new 911 Center and paid for by the inheritance fund thru Seward County. The County is now requesting Milford to pay back 4% of the total or \$12,641.36. In an earlier meeting one the county commissioners mentioned paying the County back in 5 installments over a 5 year period. During the budget process Chief calculated \$2600.00 to be paid back each year for 5 years and then another letter was received later asking for payment in full by December 31, 2017. Chief Siebken was asked to check with the City of Seward to see what their plan was and at this time he believes the City of Seward is going to pay 50% of their share now and 50% next year. After discussion a motion was made by Baker and second by Kral to authorize the City Attorney to draft a letter, signed by the Mayor, requesting the City of Milford to repay its contribution in five interest free payments. Roll call vote: Baker yes, Kral yes, Bashore yes, Kelley yes. Motion carried.

NEW BUSINESS:

Discuss/Action – Flag Pole placement, Mark Soneson: Mark & Jeanine Soneson were present to discuss the placement of the flagpole they erected in the right-of-way. TeSelle notified the couple that by city code it is unlawful to construct or place any permanent item in the city right-of-way. Jeanine Soneson researched the code and did not think the flagpole fit the definition of an obstruction, encumbrance or nuisance. Bashore questioned if the poles were permanent? Soneson's stated they were not, they were removable. Bashore noted the liability of damaging the pole, possibly during snow removal, and having to pay to replace it. If mailboxes are damaged during snow removal the City is liable. Bashore questioned; are we committed to replacing everything that's in a place it's not supposed to be. Mrs. Soneson stated, she would hate to move it, they aren't saying they won't move it. It looks nice and it's not impeding things. They would be willing to sign something that states the City is not liable or would have to pay to replace it if it's damaged. Bashore suggested for the safety of the pole and the flag that you move it away from the curb. Kral questioned if the couple had made a call into the "One Call – Digger hotline"? The couple stated they did not. Kral informed them, they could've saved you this headache. Jeanine mentioned she still would've looked up the regulation and the regulation doesn't say it can't be done. Bashore - State law requires a "One Call". Further discussion was held regarding other properties in

town with items in the right-of-way and the actual verbiage of the city ordinances. Baker – The issue is that a hole was dug and a pole was placed in the ground prior to checking the ordinance. If moving the flagpole is the issue Baker stated he would help them move the pole. The Council needs to investigate the code and if the ordinance states you can't put up a pole then we need to be consistent. We need to enforce the rule or change the rule.

We need consistency throughout the community. Chrissy Matzen commented that when they moved to town it was her understanding that nothing went between the sidewalk and the street other than mailboxes. No sign, decorations only the established trees were allowed and the City owns that property. Kelley – That is true and it is our responsibility to uphold and follow our city code and support it. Kral asked to table the item for further research and keep communications open with Soneson's. Bashore suggested no action, dismissing it and working on the ordinance. Kral stated we need to take action on the ordinance. Mayor Glanzer recommended tabling the item until next time and address the ordinance after doing a little homework. A motion was made by Kral and seconded by Baker to table the item. Discussion: Baker noted the Council needs to take a position, whether we are going to enforce the ordinance or change the ordinance. It's not even about the "flagpole" it's about putting stuff in the right-of-way or not. If you are willing to allow items in the right-of-way then we change the ordinance if not then we need to enforce it. Roll call vote: Kral yes, Baker yes, Bashore no, Kelley yes. Motion carried.

Award Sr. Center Meal Bid: A motion was made by Baker and second by Kral to award the bid to serve meals at the Sr. Center to Sunrise Country Manor at \$5.25 per meal. Roll call vote: Baker yes, Kral yes, Bashore yes, Kelley yes. Motion carried.

Appointment: A motion was made by Kelley and second by Bashore to approve the Mayor's recommendation to appoint Leslie Toovey to the Pool Board completing Carrie Maple's term expiring February 1, 2019. Roll call vote: Kelley yes, Bashore yes, Baker yes, Kral yes. Motion carried.

Discuss/Action – Hire Library staff and set wages (Assistant Library Director and P.T. Clerk): A motion was made by Bashore and second by Kelley to approve hiring Cathleen Fosler as Assistant Director at \$10.50 per hour and Liliana Alaniz as part-time Clerk at \$9.00 per hour. Roll call vote: Bashore yes, Kelley yes, Baker yes, Kral yes. Motion carried.

Discuss/Action – Sr. Center part-time position (Kitchen & Dining Room Coordinator): A motion was made by Baker and second by Bashore to authorize the Sr. Center to advertise for a part-time kitchen & dining room coordinator. Roll call vote: Baker yes, Bashore yes, Kelley yes, Kral yes. Motion carried.

Award bid for General Insurance package: Bid opening was held on Monday, August 28, 2017 at 3:00 pm. and four bids were received. Kral, Kelley and J. Hoggins were present. The bids were reviewed thoroughly by the Council members. Kral started by asking a few questions regarding the general liability coverage. Becky explained, the 1 million is per occurrence, the 2 million is an aggregate limit (after they would pay out 2 1 million dollar claims then the general liability is exhausted) so we have 1 million underlying and the 4 million umbrella. We will always have 5 million. Kral then asked if we went with the Fire Dept package is there an additional 5 million. Mandy explained, it is two different policies. The City is in one box and the Fire Dept. is in another. The Fire Dept. has a 5 million each occurrence and 10 million aggregate. The limits are high due to the tort claim limits of the State. The bid package the Council was most interested in was where EMC covered the City side carrying all the workers comp. including the firefighters and then Continental Western would cover all the Fire Dept. items including their building and all equipment. Mandy Craig shared that there are 50 enhancements provided with the Fire Dept. package thru Continental Western. After due consideration a motion was made by Kral and second by Kelley to award the General Insurance bid to EMC & CWG combined package in the amount of \$62,781.00. Roll call vote: Kral yes, Kelley yes, Baker yes, Bashore yes. Motion carried. Becky Haufle informed the Council of some inland marine items that had just been added by the Police Dept. that were not reflected in this bid. Also, they will be reevaluating the property values on the buildings as they do every year.

Bond Counsel presentation – Christine Klinker, Gilmore & Bell: Christine Klinker with Gilmore & Bell informed the Mayor and Council of her firm's role as it pertains to bond counsel. Gilmore & Bell would work to represent the City on all legal aspects including preparation of legal documents, make sure from a legal standpoint the bonds are validly issued. Federal tax law is complied with and federal securities law is complied with. She explained the 2 main statutory ways that we could finance our project. The first is a bank loan paid out of the general fund which would avoid an election. The second is holding a bond election, if the election is successful, statute 17-953 allows us to build a building and finance it thru the issuance of bonds. Gilmore & Bell always takes the position of representing the City as their client. They would draft the resolution calling the election and making sure all the notices are published at the appropriate time. If the election is successful they would draft the bond ordinance. Kral asked for an anticipated cost. Christine – for a bond election, the firm's standard fee is usually around \$7,500.00. For a project around 1 million dollars they would charge \$6,000.00. Gilmore & Bell will only get paid once the bonds are

issued. They are willing to work with either a banking institute or an underwriter. The information that needs to be in the ballot language is the project description and the maximum principle amount of bonds we would issue. Educating the public - Christine stated they take the position that they can only do what the City Officials in their official capacity would be able to do. Once an election is called, there is a statute that prohibits city official or city employees from promoting voting yes on an election. City officials can educate or provide information but once the election is called promoting cannot take place. There are options with financing if the bond election passes. RFP's could go out for a competitive look at debt service payments. The pre-planning of leaving the levy flat will allow the City a substantial down payment to keep the bond under the 1 million dollar amount. Keeping the original bond principle amount under 1 million dollars will eliminate the annual EMMA filings required while the bond is outstanding. This only applies if the bond is handled thru an underwriter. Everyone thanked Christine for attending.

SCCDP – Annual Report, Jonathan Jank: Jonathan thanked the City of Milford for investing in the organization and the participation of Mayor Glanzer on the Board of Directors representing the City of Milford. Jonathan briefly reviewed the Public Sector Funding Agreement with the Council. The agreement is attached to these minutes. Shane Baack, Chair of the Board of Directors spoke on behalf of SCCDP and the Boards involvement promoting projects and their involvement in the County. He presented a list of nine strategic marching orders the Board had created to produce structure. Working together as a County makes us more marketable. The funding agreement has been increased by 10-20% from last year. An increase has not been addressed for a number of years. The increase is based on the growth of services and the ability to impact economic development in the County and the City of Milford. The private sector out paces the public sector by 1/3 of the total budget. Jank asked the City of Milford to support SCCDP in the upcoming fiscal year with an investment of \$11,500.00.

Discuss/Action – Public Sector Membership Agreement & Funding Request for 2017-2018: Mayor Glanzer recommended to the Council approve the increase in funding as Jonathan and his team have made a substantial impact on Seward County and the City of Milford. A motion was made by Kral and second by Kelley to authorize the Mayor to sign the agreement supporting SCCDP with \$11,500.00 for the next fiscal year of their operations. Baker commented, as he travels around the State of NE and talks economic development, Jonathan's name comes up! He is a leader not only in Seward County but across the State and we are very fortunate to have him here. As an implant, he is totally invested in Seward County. On

behalf of the City we really appreciate all he does. Kelley echoed the comment and thanked Jonathan for bringing Senator Fischer to Milford. Roll call vote: Kral yes, Kelley yes, Baker yes, Bashore yes. Motion carried.

Hire Maintenance Employee & Set Wage: After interviews TeSelle made a recommendation to hire Matthew Taylor. A motion was made by Kral and second by Kelley to hire Matthew Taylor as full time maintenance employee at \$14.50 per hour with a .50 increase after 6 months. Roll call vote: Kral yes, Kelley yes, Baker yes, Bashore yes. Motion carried. A .50 increase per Water and Sewer Certification will apply after successful completion and as per the employee handbook probationary period remains at one year. Matthew can start on Monday, Sept. 11, 2017.

Discuss/Action – SENDD request for membership dues, General & Housing: Discussion was held as to what SENDD can offer the City of Milford and after due consideration a motion was made by Bashore and second by Kral to table the item and invite a representative from SENDD to attend the October meeting. Roll call vote: Bashore yes, Kral yes, Baker yes, Kelley yes. Motion carried.

GIS Mapping Contract: A motion was made by Bashore and seconded by Kral to authorize the Mayor to sign the contract with GIS Workshop, LLC with a City site development set-up fee of \$17,250.00 and annual subscription fee of \$4,200.00. Roll call vote: Bashore yes, Kral yes, Baker yes, Kelley yes. Motion carried. This mapping system will allow updates to the information JEO has provided on our water, sewer and storm sewer mapping as well as additional sign, tree, fire hydrant locations.

ADJOURNMENT: A motion was made by Kral and seconded by Bashore to adjourn the meeting. Roll call vote: Kral yes, Bashore yes, Baker yes, Kelley yes. Motion carried and meeting adjourned at 10:17 pm.

Jeanne Hoggins, City Clerk

Nick Glanzer, 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 September 5, 2017 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.

Jeanne Hoggins, City Clerk

(SEAL)