

CITY OF MILFORD  
SPECIAL MEETING  
APRIL 23, 2002  
MINUTES

A special meeting of the Mayor and City Council of the City of Milford, Nebraska was held at the City Hall Office, 505 1<sup>st</sup> St., in said City on the 23<sup>rd</sup> day of April 2002 at 5:00 pm. Present were: Mayor Elaine Plessel; Council members Scott Burroughs, Gary Cooper, Rick Fortune, Lyle Neal; Chief of Police Forrest Siebken; City Clerk Jeanne Hoggins. Also present: Building Inspector Roger Kness, Louis Bialas, Dean Bruha, Richard and Jan Dugdale.

Notice of the meeting was given in advance thereof by posting in three public places; a designated method for giving notice, as shown by the Certification of posting attached to these minutes. Notice of this 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 the 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 Plessel called the meeting to order at 5:05 pm.

**Approve Payments – New Water Storage Tank, Olsson Assoc.:** A motion was made by Fortune and seconded by Burroughs to approve the payment of invoice #51993 in the amount of \$710.18 for labor, easement and right-of-way acquisition. Roll call vote: Fortune yes, Burroughs yes, Cooper yes, Neal yes. Motion carried. A motion was made by Fortune and seconded by Cooper to approve the payment of invoice #51994 in the amount of \$1,119.42 for labor, reimbursements and boring test holes. Roll call vote: Fortune yes, Cooper yes, Burroughs yes, Neal yes. Motion carried. A motion was made by Fortune and seconded by Burroughs to approve the payment of invoice #51992 in the amount of \$5001.55 for project administration, surveying and design. Roll call vote: Fortune yes, Neal yes, Burroughs yes, Cooper yes. Motion carried. **Water System Modeling, Olsson Associates:** A motion was made by Fortune and seconded by Cooper to approve the payment of invoice #51955 in the amount of \$1,995.60. Roll call vote: Fortune yes, cooper yes, Burroughs yes, Neal yes. Motion carried. **Webermeier Scholarships 2002-2003:** A motion was made by Neal and seconded by Fortune to approve the 7 new recipients for the 2002 graduating class and continue the current scholarships for the classes of 1999, 2000 and

2001, totaling 28 scholarship recipients. Roll call vote: Neal yes, Fortune yes, Burroughs yes, Cooper yes. Motion carried.

**Sale of Property – L. Bialas:** Building Inspector Roger Kness explained to the Mayor and Council that the ground was built up at the time the Maintenance Building was constructed, forming a berm, which extends east onto Louis Bialas' property. If this soil was removed it could have adverse affects on the foundation of the Maint. Shop. Kness also questioned whether the existing 3-sided garage structure could even make the move. Any addition to the house would allow construction up to 5' from the Shop. Fortune noted that he had visited with Louis Bialas and that his intentions were to make the addition to the house no larger than where the existing garage is now. His garage is currently 1' from the property line. Louis Bialas would like to purchase 7' of ground, which would only allow for a proper setback. He thought this would be a better way to approach the situation rather than asking for a variance. Neal did not feel that the Council could sell the property for less than market value. Bialas was not interested in paying market value for the small strip of ground. The Council suggested that Bialas apply for a variance in this situation, as they could not sell the ground for less than market value.

Mayor Plessel moved the alley settlement agenda item to the end of the agenda with the Council's approval.

**8<sup>th</sup> & B St. – Richard & Jan Dugdale:** Jan Dugdale asked the Council of their intentions of extending B St. south. They are interested in purchasing ground in this area to build a new home. Larry Shaw with S.C.C. has informed the Dugdale's that they have purchased the ground to the east of the area and at this time have no intentions of opening 8<sup>th</sup> St. any further east. The land is zoned R-2 which does not require the Dugdale's to purchase 3 acres. There is no problem with accessing public utilities. Richard Dugdale noted that they would follow the required setbacks as if 8<sup>th</sup> & "B" Streets were there. Platting a minor subdivision would allow the development of up to 4 lots. Attorney Blevens arrived at 5:30. It was asked of Blevens if the City could annex only 1 lot. Blevens noted that it is possible to subdivided 1 lot at a time but felt it would be more feasible to plat a minor subdivision and assess the paving.

**Vacation Reimbursement – Siebken:** Cooper informed the Council that he and Siebken had talked and due to the work schedule that has occurred since Craghead resigned and Johnson & Winkelmann are attending the academy, Siebken has had no opportunity to take any vacation time and is carrying 160 hours from the year 2000. Cooper suggested granting a variance to the policy and allowing Siebken to carry this vacation time to a later date, rather

than loosing it, or reimburse him for the time he is carrying over. Siebken would prefer to be reimbursed. Sgt. Fosler would work days to cover for Siebken when he was gone. Mayor Plessel questioned Siebken regarding his salary budget. Siebken noted that he is well ahead on salaries and his overall budget looks good at this point. Burroughs noted that it is good for the employees to “get away” once in a while, just to keep a fresh outlook. He suggested allowing Siebken to be reimbursed for 80 hours and also allowing him to carry over 2 weeks of vacation time for an additional 12 months. Council felt strongly about this being a one-time situation due to the circumstances. Siebken had requested a two-week vacation around Christmas of 2001. Craghead turned in his resignation the beginning of December, which did not allow Siebken to utilize his vacation request. A motion was made by Burroughs and seconded Cooper to allow Siebken to be reimbursed for 80 hours of vacation time and allow 80 hours of vacation time to be carried over and used by January 3, 2004. It was also noted as part of the motion that this situation is a one-time deal and that the Council is not setting precedence and only due to this employment situation, which was beyond their control, that they are allowing this to happen. Roll call vote: Burroughs yes, Cooper yes, Fortune yes, Neal yes. Motion carried.

**Alley Settlement:** A motion was made by Neal and seconded by Fortune to go into Executive Session. Roll call vote: Neal yes, Fortune yes, Burroughs yes, Cooper yes. Motion carried and Council adjourned from regular session at 5:50 pm.

A motion was made by Fortune and seconded by Cooper to return to Regular Session. Roll call vote: Fortune yes, Cooper yes, Burroughs yes, Neal yes. Motion carried and Council returned to regular session at 6:10 pm.

**ADJOURNMENT:** A motion was made by Burroughs and seconded by Cooper to adjourn the meeting. Roll call vote: Burroughs yes, Cooper yes, Fortune yes, Neal yes. Motion carried and meeting adjourned at 6:11 pm.

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City Clerk

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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 April 23, 2002 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)

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Jeanne Hoggins, City Clerk