

CITY OF MILFORD  
SPECIAL MEETING  
APRIL 12, 2007  
MINUTES

A special meeting of the Mayor and Council of the City of Milford, Nebraska was held at the City Hall Office in said City on the 12<sup>th</sup> day of April 2007 at 5:00 pm. Present were: Mayor J. Elaine Plessel; Council members: Jeff Baker, Dean Bruha, Rick Fortune, Lyle Neal; Attorney Robert Blevens; City Clerk Jeanne Hoggins. Also present: Pat Bruha, Kathy Eberly and Steve Rogge.

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 5:03 p.m. Mayor Plessel 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 meeting room at the City Hall Office.

**Approve contract for storm sewer improvements between 6<sup>th</sup> & 7<sup>th</sup> Street:** Mayor Plessel asked if the City is completing the work to 8th Street and beyond. Bruha noted, not at this time as there isn't an erosion problem. The water can spread out as it drains south of 7<sup>th</sup> Street. Rogge commented that there doesn't seem to be standing water in this area. Mayor Plessel had received a concern with the debris from the Hwy being carried down this waterway. Bruha noted that if trash blows out of garbage cans or if people litter than it probably will wash down.

Bruha explained that water will move underground and not disturb or affect the property. There are areas that create a retention cell for the water until the tube can handle it.

Bruha called both property owners involved with the project to address easements. They both agreed verbally and we have a signed agreement with Bruce and Janel Stutzman but Mr. Don Eberspacher has concerns that he would like to visit with Bruha about. Access to Eberspacher's property would allow the contractor to remove the silt build up.

Blevens questioned the supervision of the project since Rogge engineered it and will also be the general contractor. Rogge suggested Frey oversee the

project. The City has never received plans and specifications of the project. Basically the proposal letter is what we are working from. The difference in cost from the original estimate and now is the addition of a 30" round corrugated metal pipe, which meets NDOR specifications. Originally Rogge proposed a concrete tube. Blevens wanted it known that the fees for engineering are completed. Rogge will present a letter of credit and make the few minor changes to the contract. Bruha read the proposal and noted the cost of the project being \$18, 500.00. A motion was made by Fortune and seconded by Bruha to authorize the Mayor's signature of the contract after the revisions had been made and a letter of credit was received by the City Clerk. Roll call vote: Fortune yes, Bruha yes, Baker yes, Neal yes. Motion carried.

**Introduction and Adoption of Resolution – Acquire Real Estate for Municipal Purpose:** A motion was made by Baker and seconded by Neal to authorize the Mayors signature on the option to purchase 319 1<sup>st</sup> Street and directing the City Clerk to publish notice of Public Hearing upon the purchase of said real estate on April 30, 2007 at 7:30 pm. Roll call vote: Baker yes, Neal yes, Bruha yes, Fortune yes. Motion carried.

**Discuss lighting in the Uptown City Park:** Kiwanis representative Pastor Geary contacted NPPD regarding installation of a light near the new playground equipment. There is already a pole. NPPD Executive Craig Vincent contacted Hoggins and presented the situation stating there is no problem with the installation of a light but they cannot proceed without Council approval. The cost per month for the light would be \$6.50. A motion was made by Fortune and seconded by Neal to authorize the installation of a light in the Uptown City Park overlooking the new playground equipment. Roll call vote: Fortune yes, Neal yes, Baker yes, Bruha yes. Motion carried.

**ADJOURNMENT:** A motion was made by Bruha and seconded by Fortune to adjourn the meeting. Roll call vote: Bruha yes, Fortune yes, Baker yes, Neal yes. Motion carried and meeting adjourned at 5:34 pm.

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Jeanne Hoggins, City Clerk

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J. Elaine Plessel, 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 of April 12, 2007 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