

CITY OF MILFORD
SPECIAL MEETING
APRIL 14, 2008
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 14th day of April 2008 at 5:30 pm. Present were: Mayor J. Elaine Plessel; Council members: Jeff Baker, Dean Bruha, Rick Fortune and Lyle Neal; Attorney Robert Blevens; Maintenance Supt. Mark Frey; Chief of Police Forrest Siebken; Secretary Tracy Yeackley. Absent: City Clerk Jeanne Hoggins. Also present: John Melena, Pat Rixstine, Terry Stutzman and Nancy McGill with the press.

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 5:33 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.

Discuss annexation of Golf Course and Terry Stutzman property: Discussion held regarding the Golf Course: Frey updated the council regarding problems with running utilities to the driving range area. Water would require quite a distance of piping to reach the driving range. Sewer would be near impossible without a lift station. City water service to the pro shop stops at 7th & D. The way the system is laid out now it would be very expensive to provide the Golf Course with water for irrigation purposes. Bruha noted that a portion of the driving range area is in the flood way and some of it is in the flood plain. Bruha noted that it is highly unlikely that a development might go in at this location. Fortune stated that without shooting the elevations it's impossible to tell what could be developed. The valuation of the property was discussed again. Bldg and putting greens assessed at \$329,000. The greens are assessed at \$195,000 and the building at \$134,000. Blevens noted that the greens would not be included in City sales tax. Bruha asked what the Council feels is equitable. Fortune disagrees with the way the Council is looking at the Golf Course. It's not

the same as any other business. No one owns the Course, it's not for profit. They are only making money to provide services for the following year. Neal mentioned he is not particularly wild about bringing in the driving range but is still open to bringing in the club house and the one putting green. He compared the Coop as a similar business. Melena disagreed with Neal explaining the Golf Course could make a million dollars and none of those monies would go back to the members. If the Golf Course lost money they would not ask board members to pay additional. Bruha noted that you could look at it either way but some citizens consider it a business and a profit maker. Melena asked the Council to set precedence and make a decision rather than continuing to draw out this process and continue to discuss the same issues. Bruha was in agreement to drop the driving range and continue with the Pro Shop and putting green. Baker agreed with Neal in eliminating the driving range and continuing with the Pro Shop and putting green.

Fortune contacted the League of NE Municipalities and there is no state statute that says a resident must hook up to City services within a year's time. It is up to the municipality to determine what a fair and equitable amount of time would be to allow an individual to hook up. There are certain City's in the state, Norfolk being one of them, allowing for private wells. Fortune questioned some method of fairness to allow more than 30 days for these individuals to hook up to City services. Can we grandfather these people and at the sale of their home require them to hook up to City services. Blevens didn't think this was a good idea. Fortune noted there is nothing in the code book requiring a time limit. The City could be accommodating and allow plenty of time for hook up. Bruha stated the properties involved are: Hueske, James Aschoff, Terry Stutzman, Randy & Jason Roth. Bruha noted giving them a year would be appropriate. Fortune and Baker agreed that 2 years would be appropriate. Terry Stutzman questioned why it's not a good idea to grandfather these properties. Blevens commented that anytime you set precedence then you are committed to follow it. Setting a grace period is a better way to go. Terry Stutzman noted that he will have to tear out part of his finished basement wall to get the water line in. Fortune questioned a fair time frame to hook up to City services because these individuals didn't ask to be annexed. There should be some way to allow them to continue to use their wells. Blevens informed the Council that whatever time frame they chose they could add it to the ordinance. Melena questioned annexation of the homes south of S.C.C. He was informed that those homes are being fed water off of a college main not a city main. Fortune also noted that the State has forbidden municipalities to construct dead water end lines, they must be looped. Blevens questioned whether he needed to have an ordinance prepared for the next meeting.

Fortune mentioned voting on the properties that we want to bring in. Next meeting vote on properties and the following meeting (June) have ordinance prepared for 1st reading. Fortune challenged the Council to give a little more thought to the time frame for the private well use. Terry Stutzman stated that if the annexation is going to go thru than he be reimbursed for the cost of placing the sewer main behind his property. Bruha asked to place this item on next month's agenda.

Approve Webermeier Scholarships: Neal stated that the Webermeier Committee approved 7 new scholarships for the graduating class of 2008. There are 19 continuing for a total of 26 scholarships. The dollar amount for next year is \$20,000 which will be divided among the 26 scholars in two equal installments. A motion was made by Neal and seconded by Bruha to approve 26 Webermeier scholarships for the 2008-2009 school year. Roll call vote: Neal yes, Bruha yes, Baker yes, Fortune yes. Motion carried.

Hire Library Director and set wage: Baker stated that there were 6 applicants for the Library Director and the Library Board recommended George Matzen. A motion was made by Baker and seconded by Fortune to approve hiring George Matzen as the Library Director starting May 2nd, 2008 at \$10.00 per hour. Roll call vote: Baker yes, Fortune yes, Bruha yes, Neal yes. Motion carried.

Discuss ball field rental per Recreation Board recommendation: Neal updated the Council on the recommendation of the Recreation Board to lower the field rental rate for any team, boys and girls, not part of the city recreation program. A motion was made by Neal and seconded by Fortune to approve the cost of field rental to \$20.00 for any team with 55% of their players living within the city limits of Milford. Roll call vote: Neal yes, Fortune yes, Baker yes, Bruha yes.

ADJOURNMENT: A motion was made by Bruha and seconded by Neal to adjourn the meeting. Roll call vote: Bruha yes, Neal yes, Baker yes, Fortune yes. Motion carried and meeting adjourned at 6:50 p.m.

Jeanne Hoggins, City Clerk

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 14, 2008 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