

CITY OF MILFORD  
SPECIAL MEETING  
JULY 12, 2016

A gathering of the following individuals was held at the Milford Sr. Center, 105 S. B Street, Milford, NE at 5:30 pm for a tour and presentation by Lezlie Patton regarding the remodeling of the Sr. Center. Present: Council members: Jeff Baker and Jeff Heckman. Also present: Maintenance Supt. Gary TeSelle, City Clerk Jeanne Hoggins, Sr. Center Director Nancy Buchli, Lezlie Patton, Roy Cast, Vi Stutzman, Elna Lambert, Rosalie Huss, Ray Hostetler and Emily Hemphill with the press.

**Sr. Center – Proposed Remodel Tour with Lezlie Patton:** Lezlie presented a flooring and cabinet sample along with a computer image of her ideas for transforming the Sr. Center into a warm, inviting gathering place for members of the community. Her presentation included changes to the following: Flooring, paint, hardware, cabinetry, storage, coffee bar, comfortable “living room” type area, countertops, tile, new chairs, tables, ceiling fans, lighting, coat rack area as well as updates to the Director’s office. A cost estimate will be presented to the City Council at their August 2<sup>nd</sup> meeting.

A special meeting of the Mayor and City Council of the City of Milford, Nebraska was held at the City Hall Office, 505 First Street in said City on the 12<sup>th</sup> day of July 2016 at 6:00 pm. Present were: Council members: Jeff Baker, Rick Fortune, Jeff Heckman; Maintenance Supt. Gary TeSelle, Chief of Police Forrest Siebken and City Clerk Jeanne Hoggins. Absent: Mayor Dean Bruha and Council member Dan Kral. Also present: Bill White and Emily Hemphill 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:** Acting President of Council Rick Fortune called the meeting to order at 6:23 pm.

Fortune 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/Action – Coop Truck Route, Grain Elevator and Scale:**

Heckman reported that a conversation was held with the Coop Manager, Ron Velder and his areas of concern with closing the Walnut Street crossing. Mr. Velder would like the curbs removed along Park Ave. north of the tracks so the trucks can maneuver better and wouldn't have to jump the curbs. It would also be helpful if the City would assist with a new scale on the north side of the tracks. The scale would cost approximately \$80,000.00. Mr. Velder didn't think the truck turn-around was necessary if we remove the curbs. Coop has noticed a drop in sales of diesel. It is a hassle for the trucks to turn around on Park Ave. Fortune questioned, "Is this the route we want to take?" Truck traffic and designated routes need to be established and marked. Bill White asked, "Why are we taking away another crossing? We use to have 4 now we'll be down to 1." Council replied the horn noise is the main concern. We have had many residents of the community attend past meetings encouraging the council to close the crossing. This has been a discussion/concern for years. The issue constantly comes back to the Council. The people that they have heard from want the crossing silenced. White noted a safety concern with the additional truck traffic coming down Main Street and going thru "B" Street which is a residential area. The intersection at First and Hwy 6 is another concern. It will be dangerous pulling out onto the Hwy with the trucks. The Council has considered and talked about all these concerns and are at a point of needing to take action. White wanted the Council to take this decision to a vote of the people. The Council noted that they are trying to develop to the north and conversation has taken place to silence the Easter Seal crossing as well. No one will want to build north of town if they have to listen to the RR horn. It is time to take action. A motion was made by Heckman and seconded by Baker to assist the Coop in purchasing a scale not to exceed \$80,000.00 and after installation has taken place. Roll call vote: Heckman yes, Baker yes, Fortune yes, Kral absent. Motion carried.

**Introduction and Adoption of Resolution – Agreement to permanently close Walnut Street RR Crossing:** Councilmember Fortune read the following resolution. A motion was made by Baker and seconded by Heckman to introduce the following resolution:

**RESOLUTION NO. 534**

**WHEREAS**, the City Council of Milford has determined that it is in the best interest of the City to close the railroad crossing, described as a public road crossing, located on Walnut Street at BNSF Railway DOT # 073216G.

**NOW, THEREFORE, BE IT RESOLVED** the City Council of Milford hereby authorizes the Mayor to sign agreements with the State of Nebraska, Department of

Roads and the BNSF Railway for the permanent closure and vacation of the public crossing located on Walnut Street at BNSF Railway at DOT # 073216G.

**BE IT FURTHER RESOLVED**, the City will enter into agreements with the Nebraska Department of Roads and the BNSF Railway providing that:

1. The BNSF Railway will pay the City of Milford, NE Two Hundred Fifty Thousand (\$250,000.00) upon the permanent closure and vacation of the crossing and upon receiving an invoice from the City. The City of Milford shall own and maintain their end-of-road treatment.
2. The State of Nebraska, Department of Roads will pay the City of Milford \$5,000 upon the closure of the crossing, and will also pay the City of Milford the actual cost of closure not to exceed \$12,000 upon the closure of DOT # 073216G and upon the City furnishing the State an invoice for the closure and documentation of any associated costs.

Upon roll call vote: Baker yes, Heckman yes, Fortune yes, Kral absent. Motion carried.

Resolved this 12<sup>th</sup> day of July, 2016.

CITY OF MILFORD, NEBRASKA

Attest: \_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

(SEAL)

**Authorize Mayor to sign Highway-rail grade crossing closure agreement at Walnut Street:** A motion was made by Baker and seconded by Heckman to authorize the Mayor to sign the Highway-rail grade crossing closure agreement at Walnut Street with BNSF. Roll call vote: Baker yes, Heckman yes, Fortune yes, Kral absent. Motion carried. (Agreement attached)

**Budget Preparation for 2016-2017 Fiscal Year:** Budget figures were presented for the 2016-2017 fiscal year and discussion was held as needed. Areas of discussion: New municipal building, new well, new development, repair drainage issues on the west side of the Sr. Center, new A/C units at the Sr. Center and bond payments.

**Salaries 2016-2017 Fiscal Year:** Item tabled until the August 2<sup>nd</sup> meeting.

**ADJOURNMENT:** A motion was made by Heckman and seconded by Baker to adjourn the meeting. Roll call vote: Heckman yes, Baker yes, Fortune yes, Kral absent. Motion carried and meeting adjourned at 8:58 pm.

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Jeanne Hoggins, City Clerk

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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 of July 12, 2016 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