



CITY OF MILFORD, NEBRASKA
COUNCIL AGENDA

WEDNESDAY, APRIL 2, 2025, 7:00 pm

All agenda items are for discussion and action will be taken as deemed appropriate. The City Council reserves the right to go into executive session in accordance with Section 84-1410.

1. CALL TO ORDER

Pursuant to Section 84-1412(8) of the Nebraska Open Meeting Act a current copy of the Open Meetings Act is posted on the west wall of this meeting room and is available for viewing by the public.

1. Roll Call
2. Pledge of Allegiance
3. Approve agenda as submitted.

2. SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

Individuals who have appropriate items for City Council consideration should complete the **Request for Future Agenda Items** form located near the entrance of the meeting room. If the issue can be handled administratively without Council action, notification will be provided. If the item is scheduled for a committee or Council meeting, notification of the date will be given.

3. PUBLIC COMMENT Members of the public wishing to present to the Mayor and City Council on any matter of public interest will be invited to do so during this segment of the meeting. Each individual presenter will be limited to no more than three (3) minutes of speaking time.

4. CONSENT AGENDA The following items are considered to be routine by the city council and will be enacted by one motion. There will be no separate discussion of these items unless a city council member or citizen so requests, in which event the item will be removed from consent status and considered in its normal sequence on the agenda.

- a. Approve Minutes: March 4, 2025
- b. Approve Claims by Auditing Committee
- c. Approve Treasurer's Report for February 2025 by Auditing Committee
- d. Reports/Communications filed by Governing Board and City personnel.
- e. Approve drawdown #3 for 23-TFHO-16023 OOR program in the amount of \$36,699.60.

5. CURRENT BUSINESS:

- a. Consider hiring Pool Staff and setting wages for the 2025 season per the Pool Board recommendation.
- b. Set a date for Special Meeting to approve Webermeier Scholarship selection
- c. Consider Agreement between City of Milford and JEO Consulting Group, Inc. for Professional Services for 2025 Water Main Replacement.
- d. Discussion on purchasing a new generator for the Fire Station, not to exceed \$20,000.00.

6. RESOLUTION AND ORDINANCES:

RESOLUTION NO. 671 – Completion of Timber Creek Development Phase II

7. ADJOURNMENT

CITY OF MILFORD
REGULAR MEETING
APRIL 2, 2025
MINUTES

A regular meeting of the Mayor and Council of the City of Milford, Nebraska was held at the City Hall Building in said City on the 2nd day of April 2025 at 7:00 pm. Present were: Mayor Patrick Kelley; Council members: Dustin Bauer, Tony DeLong, Becky Freeman, Dainton Parks, Maintenance Supt. Gary TeSelle; Chief of Police Darrin Kremer and City Clerk Jeanne Hoggins. Also present: Tim Dworak, Troy Pickerill, Jeremy Dinges, Wayne Stohlman, Misty Ahmic, Tim Troyer, Brad Freeman and Whitney Parks.

Notice of the meeting was given in advance thereof by publishing in the Milford Times a designated method for giving notice, as shown by the Affidavit of Publication attached to these minutes. Notice of the 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 these minutes. The availability of the agenda was communicated in advance 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 public.

CALL TO ORDER: Mayor Kelley called the meeting to order at 7:00 pm. and 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 west wall in the City Hall meeting room.

PLEDGE OF ALLEGIANCE:

APPROVE AGENDA AS SUBMITTED: A motion was made by Bauer and seconded by Freeman to approve the agenda as presented. Roll call vote: Bauer yes, Freeman yes, DeLong yes, Parks yes. Motion carried.

SUBMITTAL OF REQUESTS FOR FUTURE ITEMS: Mayor Kelley shared that the forms are available on the east table.

PUBLIC COMMENT Members of the public wishing to present to the Mayor and City Council on any matter of public interest will be invited to do so during this segment of the meeting. Each individual presenter will be limited to no more than three (3) minutes of speaking time.

Gary TeSelle, 909 4th St.: Huge Thank You to NPPD, Pete Jardee and Norris Public Power for their service during the storm.

REPORTS/COMMUNICATIONS: Written reports received: Police Department Activity Report for March 2025, Senior Center Board minutes from 3/6/25; Pool Board minutes from 3/12/25; Water sample lab results from March.

CONSENT AGENDA: Mayor Kelley read the Consent Agenda:

- a. Approve Minutes: March 4, 2025.
- b. Approval of Claims: Accounts Payable - \$191,528.26; Payroll - \$45,103.53; Totaling \$236,631.79 by the Auditing Committee.
- c. Approve Treasurer's Report for February 2025 by Auditing Committee
- d. Reports/Communications filed by Governing Board and City Personnel.
- e. Approve drawdown #3 for 23-TFHO-16023 OOR Program in the amount of \$36,699.60.

A motion was made by Parks and seconded by Bauer to approve items on the consent agenda as read. Roll call vote: Parks yes, Bauer yes, DeLong yes, Freeman yes. Motion carried.

SALARIES:

6481	Mavis Ferris	109.91
6482	Jeanne Hoggins	1731.17

6483	Gary Teselle	1263.71
6484	Whitney Parks	1121.02
6485	George Matzen	781.18
6486	Craig Carritt	24.98
6487	Jessica Swanson	498.43
6488	Ardella Huber	1115.23
6489	Lisa Wiedemeyer	726.43
6490	Darrin Kremer	2101.20
6493	Lance Sprouse	1939.10
6492	Katherine Pauley	249.34
6493	Klaus Schachtschabel	1989.66
6494	Mystique Lauer	1188.48
6495	Tanner Paap	1436.20
6496	Michelle Richards	152.73
6591	Mark Frey	157.46
6592	Mavis Ferris	104.92
6593	Jeanne Hoggins	1731.17
6594	Gary Teselle	1263.71
6595	Whitney Parks	1176.85
6596	George Matzen	478.75
6597	Craig Carritt	24.98
6598	Jessica Swanson	456.66
6599	Ardella Huber	1147.08
6600	Lisa Wiedemeyer	726.43
6601	Darrin Kremer	2101.20
6602	Lance Sprouse	1789.68
6603	Katherine Pauley	162.08
6604	Klaus Schachtschabel	1681.76
6605	Mystique Lauer	1204.61
6606	Tanner Paap	1498.18
6607	Michelle Richards	211.94
6608	Dominic Rocolle	498.69
6610	Patrick Kelley	184.70
6611	Waylon DeLong	138.52
6612	Becky Freeman	138.52
6613	Dustin Bauer	138.52
6614	Dainton Parks	138.52

GENERAL FUND:

6479	UNITED STATES POSTMASTER	FEB. USEAGE/MARCH BILL U.B.	271.63
6480	NATE HOSTETLER	UB Refund	50.76
6497	OMNIFY BENEFITS	HSA	575.00
6498	GENE ANDERSON	UB Refund	75.00
6499	KURTIS ANDERZHON	UB Refund	75.00
6500	DUSTIN BAUER	UB Refund	75.00
6501	AMY BELLEFEUILLE	UB Refund	75.00
6502	ALAN BROEKER	UB Refund	50.00
6503	LONNIE BURKEY	UB Refund	75.00
6504	KARISSA DIERBERGER	UB Refund	75.00
6505	JANICE DONOGHUE	UB Refund	75.00

6506	TIM EICKHOFF	UB Refund	75.00
6507	KAYLA GRADEKEN	UB Refund	75.00
6508	ALEX GURNSEY	UB Refund	75.00
6509	GARY INSELMAN	UB Refund	75.00
6510	MARTIN JANTZE	UB Refund	25.00
6511	DENNIS KRAMER	UB Refund	25.00
6512	GREG LOCKARD	UB Refund	75.00
6513	BRENDA LUEBBE	UB Refund	75.00
6514	JEFF MIERS	UB Refund	75.00
6515	SUSAN MILLER	UB Refund	75.00
6516	AMELIA ORTIZ	UB Refund	75.00
6517	AMELIA ORTIZ	UB Refund	75.00
6518	NED PAULEY	UB Refund	50.00
6519	TREVOR PLESSEL	UB Refund	75.00
6520	CHASE ROESLER	UB Refund	75.00
6521	ROBERT SCHUTZ	UB Refund	75.00
6522	ZACH SEIBERT	UB Refund	75.00
6523	JOHN STABENOW	UB Refund	25.00
6524	PETER STAHLY	UB Refund	75.00
6525	TRACI STEWART	UB Refund	75.00
6526	JANELLE ULRICH	UB Refund	75.00
6527	DEMARCUS WEAVER	UB Refund	75.00
6528	ERIK WHITFORD	UB Refund	50.00
6529	DEREK YODER	UB Refund	75.00
6530	CORANA CULVER	UB Refund	44.27
6531	SARA PIPER	UB Refund	47.41
6532	OPAL VANCE	UB Refund	6.84
6533	YVETTE YODER	UB Refund	34.49
6534	AFLAC	FEBRUARY ALFAC INSURANCE	870.64
6535	ALLO COMMUNICATIONS	FEBR. 2025 PHONE/INTERNET	626.56
6536	ANTHONY MANZELLA	SR.CTR.MARCH ENTERTAINMENT	250.00
6537	BEAVER HARDWARE	BROOM SCREWS-SIGNS,SIGN PULLER	183.24
6538	BLACK HILLS ENERGY	FIRE STATION GAS	2,041.34
6539	BLUE RIVER LEAGUE	BLUE RIVER LEAGUE FEES	1,375.00
6540	CANON U.S.A., INC.	MARCH CONTRACT CHARGE	179.95
6541	CARLA KETNER	SR.CTR. PRESENTATION	200.00
6542	CASH-WA DISTRIBUTING	80 (50 LB) SR/CTR/POTATO'S	38.25
6543	CAYDEN RILEY	SOCCER REFUND/REG/UNIFORM	35.00
6544	CONNIE LANGUAGEIN	3 POLICE OFFICERS CPR TRAINING	150.00
6545	CULLIGAN WATER CONDITIONING	6-5GAL. BOTTLED WATER	97.50
6546	DAN REYNOLDS	SR.CTR. OCT. 25 ENTERTAINMENT	175.00
6547	DAS STATE ACCT-CENTRAL FINANC	FEB. 25 STATE RADIO FEE	104.00
6548	DATAVIZION	MICR.LICENS.CONTRACT/BACKUP	1,514.46
6549	EAKES OFFICE SOLUTIONS	2 CASES COPIER PAPER/STAMPLES	117.14
6551	EVON KOEPPEN	1GEL AIRWAY TRAINING	250.00
6552	FARMERS COOPERATIVE	FUEL FOR STREET DEPT.	1,704.74

6553	GREAT WESTERN DINING	97 SR. CTR. MEALS FOR FEB.	699.37
6554	HEIDI BERAN	SR.CTR.OCT.BIRTH.ENTERTAINMENT	150.00
6555	HOTSY EQUIPMENT CO	3/8' PLUG	6.50
6556	HYDRO OPTIMIZATION & AUTO	LABOR/MILEAGE REMOTE CONTROL	735.13
6557	INTERSTATE ALL BATTERY CENTER	3 LIFT STATION BATTERIES	105.30
6558	JEO CONSULTING GROUP, INC.	GENERAL ENGINEERING	1,015.00
6559	JERRY'S TRANSMISSION SERVICE	REPAIR/MAINT. #99	1,267.78
6560	JOHN DEERE FINANCIAL	REAR BLADE HOSES	325.91
6561	JOHN HANCOCK LIFE INS CO	FEBR. - FEB. 28 ADMIN. FEE	83.33
6562	JOY HUBER	SR. CTR. ENTERTAINMENT	250.00
6563	JR WELDING	RECYCLE TRAILER NEW FENDERS	495.00
6564	KELLY HANEY	FEB.3,7,10,12,14,17 SR.YOGA	170.00
6565	LINCOLN WINWATER WORKS	2 BALL VALVES	209.67
6566	MIDWEST AUTO PARTS	LAMP,NEEDLES,LOCK NUTS,SQUEEZE	57.36
6567	MILFORD PLUMBING INC.	WATER DEPT. REPAIR PARTS	18.80
6568	MOTOROLA SOLUTIONS	AUG.25/AUG.26 WARRANTY SERVICE	345.00
6569	MUNICIPAL SUPPLY, INC. OMAHA	FREEZE PLATES	135.05
6570	NATALIE YODER	JAN. FEB. CLEANING	300.00
6571	NEBR.STATE VOL.FIREFIGHTERS	6 @ \$150.00 FIRE SCHOOL	900.00
6572	NEBRASKA PUBLIC POWER DIST	ELECT.1-25/2-24/25	6,395.71
6573	NEBRASKA STATE PATROL	2025 TRACS LICENSES	332.50
6574	NORRIS PUBLIC POWER DIST	#2 SOUTH WELL	272.28
6575	ONE CALL CONCEPTS	30 LOCATES MINUS DISCOUNT	26.16
6576	PIZZA KITCHEN	1-22-25 84 BIRTHDAY MEALS SR.	942.75
6577	POWERPLAN	310 JOHN DEERE LAMPS	57.96
6578	REDIGER AUTOMOTIVE	UNIT 3 BATTERY REPLACED	430.19
6579	REMBOLT LUDTKE LLP	FEB.LEGAL COUNSEL	3,647.50
6580	SEWARD COUNTY INDEPENDENT	LEGAL MTG. NOTICE	8.64
6581	STRYKER SALES CORPORATION	SERV.CONTRACT.MAIN.CONTRACT	1,112.83
6582	TANNER PAAP	REIM. FOR FUEL	7.00
6583	TROY PICKERILL	REIMB. 8 FIRE REG. @100.00 EA.	800.00
6584	TROYER CONCRETE	CUT BRANCHES/BLUE MD.CEMETERY	400.00
6585	TYLER TECHNOLOGIES	WORK ORDERS/ASSET MANAGEMENT	5,544.00
6586	VERIZON WIRELESS	FIRE DEPT.PHONE	128.67
6587	VESTIS	4 INVOICES/PANTS,RUGS.	702.32
6588	WEGNER MOUNMENT CO	FINAL PAY.COLUMBARIUM 1/2 PAY.	114,000.00
6589	WINDSTREAM NEBRASKA INC	IT PHONE	58.41
6590	ZITO MEDIA	T.V. FIRE DEPT.	6.09
6609	OMNIFY BENEFITS	HSA	575.00
6615	AMANDA HROMEK	19.5 HRS. MAR. REC. COORDINATO	500.00
6616	AMANDA HROMEK (REIMB)	REIMB. FOR CATCHERS GEAR SET	298.39
6617	AMERITAS LIFE INSURANCE CORP.	APRIL DENTAL INSURANCE	482.40
6618	BEAVER HARDWARE	HAND TOOLS PURCHASE/MAINT.DEPT	69.99
6619	BLACK HILLS ENERGY	SR.CTR.GAS SERV.2-5/3-7-25	311.70
6620	BLUE RIVER LEAGUE	BLUE RIVER LEAGUE FEES	100.00
6621	CAPITAL ONE (WALMART)	SR.CTR.FOOD ITEMS	528.10

6623	CARD SERVICE CENTER	2018 I-CODE COLLECTION SET	5,499.53
6624	COMFORT INN	D.STAUFFER 2 NIGHTS LODGING	249.90
6625	CREATIVE PRODUCT SOURCE, INC	STICKERS-DARE SUPPLIES	363.95
6626	CULLIGAN WATER CONDITIONING	LIBRARY COOLER RENTAL	13.00
6627	DANAE PLESSEL	24-SEWARD GIVES-FIREPIT SHARE	30.00
6628	DEARBORN GROUP	APRIL FIRE DEPT. INSURANCE	127.28
6629	DERREK YODER	MARCH FIRE HALL CLEANING	150.00
6630	DUSTIN BAUER	D-BAT REG.REFUND	50.00
6631	FAIRFIELD BY MARRIOTT	MAR.7-8, 5 FIREMEN'S ROOMS	1,299.50
6632	FUELMAN FLEET PROGRAM	PATROL CARS FUEL	604.74
6633	HARTMANN CONSTRUCTION LLC	29.25 TONS CONCRETE/LOADING	675.68
6634	INGRAM LIBRARY SERVICES	LIBRARY BOOKS	568.91
6635	JEO CONSULTING GROUP, INC.	GIS UPDATES/WATER SYSTEM	1,168.75
6636	JONES AUTOMOTIVE	MISC.PARTS/LABOR/MILEAGE	708.16
6637	JR WELDING	LABOR/TAILGATE REPAIR	65.00
6638	KELLY HANEY	SR.CTR. 6 YOGA CLASSES	160.00
6639	MARRIOTT	PARKS-CLERKS MTG.MAR.16-212025	550.00
6640	MARY WIESE	REIMB.SR.CTR.VERTICAL BLINDS	56.66
6641	MEDICA HEALTH PLAN	APRIL MEDICAL PREMIUMS	7,728.37
6642	MENARDS-LINCOLN NORTH	WADING POOL WATER LINE REPAIRS	218.76
6643	MILFORD PLUMBING INC.	POOL WATER LINE ANCHORS/VALVES	85.85
6644	MYSTIQUE LAUER	PINE SOL CLEANER REIMB.	14.98
6645	NE PUBLIC HEALTH ENV. LAB	WATER TESTING CHARGES	78.00
6646	NEBR.STATE VOL.FIREFIGHTERS	2 NEW MEMBERS DUES @ \$25 EACH	50.00
6647	NEBRASKA PUBLIC POWER DIST	1ST ST.POWER	1,434.24
6648	PETTY CASH	POLICE MAILINGS	14.67
6649	REBEKAH FREY	MAR.9 & 23, CLEAN.CITY HALL	100.00
6650	SACK LUMBER - SEWARD	SILICONE SEALANT/GLUE	18.98
6651	SCHUMACHER ELEVATOR CO.	SR.CTR.ELEVATOR TROUBLE	617.50
6652	SEWARD COUNTY INDEPENDENT	2024 ANNUAL WATER REPORT	530.85
6653	SUSAN BOGUS	8U SOFTBALL REG/UNIFORM REFUND	85.00
6654	SWEET CANVAS CAKES	39 SR.CTR. BIRTHDAY CUPCAKES	48.75
6655	GARY TESELLE	MARCH.G.TESELLE ACCT.	600.00
6656	VERIZON WIRELESS-P-CITY OFFICE	POLICE AIR CD	120.03
6657	VERIZON WIRELESS	I-PAD/PHONE	120.65
6658	VESTIS - SR.CTR.	INV. 6280475990-SR.CTR.MOPS	125.72
6659	WERGIN'S LAWN SERVICE	3-24/25 PRE-EMERG.CRABGRASS	1,535.00
6660	WHITNEY PARKS	W.PARKS 320 MILES MILEAGE	316.36
6661	WINDSTREAM NEBRASKA INC	FIRE DEPT.PHONE	295.54
6662	ZITO MEDIA	4-1 TO 4-30 FIRE HALL T.V.	6.09
	NE DEPT OF REVENUE	FEB.SALES TAX	1,055.15
	IRS-FEDERAL WITHHOLDINGS	FED/FICA TAX	5,045.82
	JOHN HANCOCK LIFE INS CO	PENSION	2,880.35
	NE DEPT OF REVENUE	STATE TAX	732.07
	IRS-FEDERAL WITHHOLDINGS	FED/FICA TAX	4,923.92
	JOHN HANCOCK LIFE INS CO	PENSION	2,880.35

NE DEPT OF REVENUE	STATE TAX	695.58
IRS-FEDERAL WITHHOLDINGS	FED/FICA TAX	122.44
Total Payroll: 3/10/25		16,428.77
Total Payroll: 3/24/25		16,416.15
Total Payroll: 4/01/25		738.78
***** REPORT TOTAL *****		236,531.79

CURRENT BUSINESS:

Consider hiring Pool Staff and setting wages for the 2025 season per the Pool Board recommendation. A motion was made by Freeman and seconded by DeLong to approve the additional 3 guards; Elsa Schweitzer, Jax Hansen and Elizabeth Struwe as a sub at \$13.50 per hour for the 2025 pool season. Roll call vote: Freeman yes, DeLong yes, Bauer yes, Parks yes. Motion carried.

Set date for a Special Meeting to approve Webermeier Scholarship selection: Special meeting will be scheduled for April 23, 2025, at 6:30 pm.

Consider Agreement between City of Milford and JEO Consulting Group, Inc. for Professional Services for 2025 Water Main Replacement. Engineering has been completed north of 1st Street to include F, Park Ave, Cottonwood, Locust, Clair Lane, Cayuga, Oneida and surrounding streets if funding is available. This project will be financed through the State Revolving Funds. A motion was made by DeLong and seconded by Parks to approve the agreement between City of Milford and JEO Consulting Group, Inc. for Professional Services for 2025 Water Main Replacement. Discussion: Councilmember Parks asked if the water main would interfere with the future Oak Avenue connection and water drainage. Gary reported there has not been a storm sewer problem since the Railroad cleaned out the culverts.

Roll call vote: DeLong yes, Parks yes, Bauer yes, Freeman yes. Motion carried.

Discussion on purchasing a new generator for the Fire Station, not to exceed \$20,000.00. Councilmember Bauer noted that conversation has been held regarding the need of a generator. A grant has been applied for in the amount of \$15,000.00. Bauer has read through the LEOP (Local Emergency Operations Plan) as well as reviewed the Hazard Mitigation Plan. The Hazard Mitigation Plan (HMP) notes the Fire Station as having a generator but does not note it as a shelter. This was overlooked and will be corrected at the next update. The HMP notes purchasing a generator should be funded through the General Fund. With the recent blizzard and loss of electricity, Bauer was inquiring about a source of funding through the general budget so the generator could be purchased immediately instead of waiting to see if the grant was awarded. The grant is scheduled to be awarded by end of July. Misty Ahmic was happy to write the grant as she recognized the need and wanted to help the department. The Fire Department just had their Pancake Feed fundraiser but did not have numbers to share with the council. DeLong inquired about a designation for the funds from the pancake feed. Fire Chief Jeremy Dinges stated they have not earmarked the money for any specific items/projects at this time. Question arose regarding if the generator will be stationary or portable? The infrastructure is in place at the Fire Station for a stationary generator. Misty Ahmic asked why the Fire Department is not participating in Seward County Gives this year with the generator being an item of need that would benefit the community. Dinges reported there was no one to coordinate this effort. Council member Freeman's opinion is the cost of the generator should be split in half. Half should come from the city overall budget and half from the Fire Departments fundraising. Hoggins shared general fund is not capable of handling this type of expense. The civil defense line item had only budgeted \$500.00 for training.

Mayor Kelley noted there is a good plan in place; wait and see if the grant is awarded and consider the amount of fundraising money that may be available. If the grant is not awarded in July, the timeframe puts us at budget planning and it can be considered at that time.

RESOLUTION AND ORDINANCES:

Discussion was held regarding the street light installation. NPPD is aware that they must be installed prior to the first home being occupied. TCD developer has completed all other utilities and inspection documentation has been provided.

RESOLUTION NO. 671

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILFORD, NEBRASKA, TO ACCEPT AND APPROVE THE DEDICATION OF CERTAIN COMPLETED PUBLIC INFRASTRUCTURE IMPROVEMENTS INSTALLED BY TIMBER CREEK DEVELOPMENT, LLC, IN CONNECTION WITH PHASE II, LOTS 19 THROUGH 39, OF THE TIMBER CREEK SUBDIVISION OF THE CITY OF MILFORD, NEBRASKA, AND TO PROVIDE FOR AND AUTHORIZE THE RELEASE OF ALL OR A PORTION OF THE ESCROW BEING HELD FOR THE BENEFIT OF THE CITY TO SECURE THE COMPLETION OF SAID IMPROVEMENTS.

WHEREAS, on or about February 5, 2024, the City Council of the City of Milford, Nebraska (the "City"), approved, pursuant to Resolution No. 660, the Final Plat (the "Final Plat") for Phase II, Lots 19 through 39, of the Timber Creek Subdivision (the "Subdivision"), located on certain real property legally described on **Exhibit A** attached hereto and incorporated herein by this reference, subject to certain conditions and requirements as set forth in said authorizing resolution; and

WHEREAS, pursuant to City's approval of the Final Plat, and as required by the applicable City of Milford Subdivision Regulations (the "Regulations"), Timber Creek Development, LLC, a Nebraska limited liability company ("Subdivider") and the City entered into that certain Subdivision Agreement dated May 1, 2024 (the "Subdivision Agreement"), in which Subdivider covenanted and agreed to construct certain public improvements within Phase II of the Subdivision, all in accordance with the Subdivision Agreement and the Regulations; and

WHEREAS, pursuant to Section 7.04 of the Regulations, and as required as a condition of the Subdivision Agreement, Subdivider and the City entered into that certain Escrow Agreement dated May 1, 2024 (the "Escrow Agreement") pursuant to which Subdivider deposited the initial sum of **\$827,200.00** (representing approximately 110% of the estimated cost of the required improvements to be completed by Subdivider under the Subdivision Agreement) into a time certificate of deposit account at Union Bank & Trust to be held in escrow as security for Subdivider's performance of its obligations under the Subdivision Agreement (the "Escrow"); and

WHEREAS, pursuant to Section 7.10 of the Regulations, Subdivider, by and through its designated professional engineers, has filed with the City one or more Statements of Substantial Completion (collectively, the "Statements"), along with certain other inspection reports and other background and substantiation materials, all of which are attached hereto as **Exhibit A** and incorporated herein by this reference, stipulating and certifying that the public infrastructure improvements

required to be completed by the Subdivider under the Subdivision Agreement have been substantially completed in compliance with the minimum standards set forth in the Subdivision Agreement and the Regulations, and that said completed improvements are free of defects and clear of any liens or encumbrances (collectively referred to herein as the "Completed Improvements"); and

WHEREAS, pursuant to Section 7.10 of the Regulations, the City Engineer has certified its agreement with the Statements submitted by Subdivider's designated agent, and that the Completed Improvements have been completed, are free from defects, liens, or encumbrances, and have been substantially constructed and completed in accordance with the Regulations and Subdivision Agreement; and

WHEREAS, Section 7.10 of the Regulations further provides that the City Council may accept the dedication of all, or any portion, of the improvements that have been certified by the City Engineer; and

WHEREAS, Section 7.12 of the Regulations provides that the City Council may reduce and/or release all or a part of the Escrow held as guarantee for completion of the required improvements upon the City's acceptance of the dedication of such improvements.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MILFORD, NEBRASKA, that the City of Milford hereby agrees and resolves as follows:

Section 1. The City acknowledges that Subdivider has substantially fulfilled its obligations with respect to the Completed Improvements pursuant to the Subdivision Agreement and in accordance with the Regulations. For avoidance of any doubt, the City acknowledges that certain streetlights remain to be installed within the Subdivision, but that Developer has substantially performed its obligations related to the same, and that such obligation largely rests with the applicable public power district with jurisdiction over the Subdivision.

Section 2. The City, by and through the City Council, and on the recommendation of the City Engineer, hereby accepts the dedication of the Completed Improvements as certified by the Subdivider.

Section 3. The City hereby finds that the Subdivider has substantially performed its obligations under the Subdivision Agreement, such that the City hereby authorizes and directs Union Bank & Trust to release the entire current balance of the Escrow (inclusive of all interest earned thereon) to the Subdivider.

PASSED AND APPROVED THIS 2nd DAY OF APRIL, 2025.

CITY OF MILFORD, NEBRASKA



ATTEST:  
Jeanne Hoggins, City Clerk Patrick L. Kelley, Mayor




EXHIBIT A

Legal Description of Property for Phase II of the Timber Creek Development Subdivision

A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 9 NORTH, RANGE 3 EAST OF THE SIXTH P.M., SEWARD COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 18, TIMBER CREEK SUBDIVISION LOTS 1 THROUGH 18; THENCE S89°51'10"E (ASSUMED BEARING) ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11, A DISTANCE OF 904.18 FEET TO A POINT ON THE WESTERLY LINE OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 201400477; THENCE SOUTHERLY ON SAID WESTERLY LINE THE FOLLOWING 3 COURSES: S00°09'51"W, 305.12 FEET; S87°54'08"W, 421.19 FEET; S18°54'30"W, 85.00 FEET; THENCE N71°05'10"W, A DISTANCE OF 175.01 FEET; THENCE N18°54'50"E, A DISTANCE OF 25.10 FEET; THENCE N89°51'10"W, A DISTANCE OF 193.47 FEET TO THE NORTHEAST CORNER OF LOT 16, OF SAID TIMBER CREEK SUBDIVISION LOTS 1 THROUGH 18; THENCE ON THE EASTERLY LINE OF SAID TIMBER CREEK SUBDIVISION LOTS 1 THROUGH 18, THE FOLLOWING FOUR COURSES: N89°51'10"W, 123.23 FEET; N00°08'50"E, 126.73 FEET; S89°51'10"E, 18.45 FEET; N00°08'50"E, 195.30 FEET TO THE POINT OF BEGINNING, CONTAINING 6.87 ACRES, MORE OR LESS.

ADJOURNMENT: A motion was made by Bauer and seconded by Parks to adjourn the meeting. Roll call vote: Bauer yes, Parks yes, DeLong yes, Freeman yes. Motion carried and meeting adjourned at 7:46 pm.


Jeanne Hoggins, City Clerk


Patrick L. Kelley, 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 2, 2025 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



MONTHLY REPORTS FOR APRIL 2, 2025, MEETING

BAUER

March Fire/EMS Report.

EMS

19 total calls:

6 Accidents

13 medical

0 mutual aid

Fire

6 total calls:

3-Cancel prior to arrival (1-mutual aid grass fire, 1-tree line fire under control, 1 false alarm due to power restoration)

2-Mutual aid (Grass Fires with Pleasant Dale)

1-Car fire

New member voted on: Lisa Wiedemeyer

FREEMAN

PARKS

Cemetery: The blizzard of 2025 took quite a few trees down, will probably need a company to come out and take out the badly damaged trees. Still have concrete work to get done around the columbarium.

Park: Spoke with SSCSWMA about getting 3 new benches donated. I need to find out how much they are and present it to them at the next meeting.

Alot of work still to do, sidewalk, fence around the new court, painting lines on the court, new lights, there's probably more that I don't know about.

Recreation: Where do I start with the rec board. I'm getting a lot of push back about Dans Legion team not paying to rent the field, he doesn't want to run the concession stand during the games and is wanting to have his own concessions close to field 3. It would put the city in breach of contract with Pepsi if he sold his own pop, as far as food, I'm not sure how that works. I have a meeting with them on April 10th and I hope Jeanne can make it to that meeting to help straighten things out and answer questions that I can't. Still waiting for Nemaha Sports construction to get his equipment fiasco figured out and get field 3 regraded. As soon as I get a date from them ill contact Amanda to make sure it works and contact Gary so he can prepare the field for the work to be done. I had also asked the REC board to write a letter to SSCSWMA for donations towards new bleachers for field 3 but I never received anything from them to present to the SSCSWMA board.

SSCSWMA: Another interesting meeting was had, they asked for the surrounding cities that participate in the association to come up with things that they can donate to, I asked for 3 new benches in the park like the last ones they donated, and possibly donate money to the rec board for new bleacher seating around field 3. Also asked them to revisit the percentage on money they give back for the recycling bill. There are questions on how the extra money should be spent and who gets it. We are revisiting that at the next meeting and going over the bylaws to make sure they are being followed correctly.

TESELLE: Maintenance Report – March 2025

Water:

Water testing.

Working with JEO water main replacement.

K2 will be back around to do warranty work in the spring.

Water testing and reports being completed for April deadlines.

New company hired for water tower inspection. Past inspector can't be available in the time needed.

Sewer:

Two main backup and cleaned. Caught before any damage was done

Parks:

Limb and trash pickup done multiple times.

Ground work is in process to be done.

Nebraska sod has been contacted for park bids.

Sprinkler Guy is where of repairs to be done in the park.

Streets:

Tree limb pick ups done multiple times in March.

High ranger was able to be repaired this time. Will need to start looking at a replacement. Next budget.

Highway project punch list items will be taken care of in soon. Lines will be repainted as well.

Mush time spent on moving snow.

Tree limb pick up from two snow storms and one wind storm.

Highway signage application was turned in.

Pool:

New swing gate and floor drains ordered and scheduled.

Cemetery:

A full day was spent picking up tree damage at the cemetery

We take the recycling trailer to Lincoln twice a week. If not, people stack items on the ground.

Mark will be returning this spring to help with mowing. Also was a great help with the snow hauling and limb pick up!

HOGGINS: *Sales tax received for the month of January 2025 in the amount of \$24,288.63. *NPPD lease payment for February 2025 received in the amount of \$21,391.72. *Gaming Account balance as of 4/2/25, \$41,183.58. *Zito West Annual Franchise fees 2024 received in the amount of \$115.75. *JEO Project Status Report through 3/27/25.