



CITY OF MILFORD, NEBRASKA  
COUNCIL AGENDA

TUESDAY, DECEMBER 3, 2024, 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.

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**Oath of Office –** Patrick L. Kelley – Mayor  
Dustin Bauer – Ward 1  
Dainton Parks – Ward 2

**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: November 5, 2024
- b. Approve Claims by Auditing Committee
- c. Approve Treasurer's Report for October 2024 by Auditing Committee
- d. Reports/Communications filed by Governing Board and City personnel.

## 5. PUBLIC HEARING

Public Hearing to hear testimony in favor of, or opposition to, and to answer questions in relation to request from Jason Vosta, 2585 Pioneer Rd, Milford, for a Conditional Use Permit to conduct automobile and small equipment repairs and sales.

## 6. CURRENT BUSINESS

### a. Election of Officers

President of Council

Acting President of Council

### b. Council Assignments

### c. Appointments

City Attorney

Chief of Police

City Clerk/Treasurer

Maintenance Superintendent

Street Superintendent – Julie Ogden from JEO Consulting Group, Inc, January to December 2025

City Engineer – JEO Consulting Group for 2025

Housing Authority – LeAnn Troyer, Term ending 12/31/27

### d. Consider maintaining Amanda Hromek as the Recreation Coordinator at \$500.00 per month for 2025.

### e. Authorize Mayor's signature on NDOT Agreement Renewal and Certificate of compliance for Maintenance Agreement No. 95.

### f. Consider Planning Commission recommendation – Jason Vosta, 2585 Pioneer Rd, Milford, for a Conditional Use Permit to conduct automobile and small equipment repairs and sales.

### g. Consider Municipal Procurement Policy

### h. John Hancock Employee Retirement Plan – Payment of Quarterly Administrative Fees by City of Milford.

## 7. RESOLUTION AND ORDINANCES

**(Second Reading) ORDINANCE NO. 981** – AN ORDINANCE OF THE CITY OF MILFORD, NEBRASKA, TO EXTEND THE BOUNDARIES OF THE CITY AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX INTO THE CITY OF MILFORD, NEBRASKA, A TRACT OF LAND THAT IS CONTIGUOUS AND ADJACENT TO THE CURRENT MUNICIPAL LIMITS AS MORE FULLY DESCRIBED HEREIN; DIRECTING THE SAME TO BE RECORDED BY THE SEWARD COUNTY REGISTER OF DEEDS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; TO PROVIDE FOR THE EFFECTIVE DATE THEREOF; AND TO ORDER THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

**ORDINANCE NO 983** – AN ORDINANCE OF THE CITY OF MILFORD, NEBRASKA, AMENDING MILFORD MUNICIPAL CODE SECTION 8-103, TO MODIFY PROVISIONS RELATED TO THE SALE OF REAL AND PERSONAL PROPERTY OWNED BY THE CITY OF MILFORD, NEBRASKA, IN ACCORDANCE WITH APPLICABLE STATE STATUTE.

## 8. ADJOURNMENT

CITY OF MILFORD  
REGULAR MEETING  
DECEMBER 3, 2024  
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 3<sup>rd</sup> day of December 2024 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: Whitney Parks, Misty Ahmic, Tim Dworak, Jason, Lindsey, John and Sam Vosta.

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 DeLong and seconded by Bauer to approve the agenda as submitted striking items (e) and (g). Roll call vote: DeLong yes, Bauer yes, Freeman 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. (No comments)

**REPORTS/COMMUNICATIONS:** Written reports received: Police Department Activity Report for November 2024; Milford Sr Center Board minutes from November 7, 2024; Water sample lab results.

**CONSENT AGENDA:** Mayor Kelley read the Consent Agenda:

- a. Approve Minutes: November 5, 2024.
- b. Approval of Claims: Accounts Payable - \$118,319.53; Payroll - \$44,626.61; Totaling \$162,946.14 by the Auditing Committee.
- c. Approve Treasurer's Report for October 2024 by Auditing Committee
- d. Reports/Communications filed by Governing Board and City Personnel.

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

**SALARIES:**

5856	Patrick Kelley	184.70
5857	Waylon DeLong	138.52
5858	Becky Freeman	138.52
5859	Kelli Keib	138.52
5860	Michael Roth	138.52

5861	Mavis Ferris	122.41
5862	Jeanne Hoggins	1728.63
5863	Gary Teselle	1260.26
5864	Whitney Parks	1101.78
5865	George Matzen	775.48
5866	Craig Carritt	24.98
5867	Jessica Swanson	482.03
5868	Jon Wiedemeyer	103.44
5869	Ardella Huber	1124.65
5870	Lisa Wiedemeyer	741.09
5871	Darrin Kremer	2080.32
5872	Lance Sprouse	1885.53
5873	Katherine Pauley	227.53
5874	Klaus Schachtschabel	1970.80
5875	Mystique Lauer	1184.00
5876	Tanner Paap	1137.70
5877	Michelle Richards	211.94
5981	Mark Frey	42.95
5982	Mavis Ferris	102.42
5983	Jeanne Hoggins	1728.63
5984	Gary Teselle	1260.26
5985	Whitney Parks	1109.49
5986	George Matzen	770.03
5987	Craig Carritt	27.48
5988	Jessica Swanson	584.84
5989	Ardella Huber	1124.65
5990	Lisa Wiedemeyer	628.07
5991	Darrin Kremer	2080.32
5992	Lance Sprouse	1945.02
5993	Katherine Pauley	193.25
5994	Klaus Schachtschabel	1945.27
5995	Mystique Lauer	1184.00
5996	Tanner Paap	1159.55
5997	Michelle Richards	211.94

**GENERAL FUND:**

5878	OMNIFY BENEFITS	HSA	560.00
5922	UNITED STATES POSTMASTER	OCT. U. B. /NOV.MAILING	278.72
5937	AFLAC	OCTOBER SUPPLEMENTAL INS	870.64
5938	ALLO COMMUNICATIONS	OCT. 24, 2024 PHONES/INTERNET	684.87
5939	BLACK HILLS ENERGY	ACCT. 9391 CITY OFFICE GAS SER	524.74
5940	BOUND TREE EMERGENCY MED.	RESCUE SUPPLIES AIRWAY KIT/ETC	85.43
5941	BPI BENEFITPLANSINC.	414(H) QTR.END 9-30-24,5500	267.50
5942	CANON FINANCIAL SERVICES	MAINTENANCE CONTRACT COPIER	237.76
5943	CASH-WA DISTRIBUTING	NAPKINS,TOWEL ROLL, TISSUES	299.10
5945	CULLIGAN WATER CONDITIONING	ACCT. 21410 SOFTNER/COOLER	81.00
5946	DARRIN KREMER	REIMB. HALLOWEEN CANDY	31.31
5947	DAS STATE ACCTG-CENTRAL FINANC	OCT. STATE RADIO FEES	104.00
5948	DATAVIZION	CONFIGURATION,HOST INST.LIC	5,946.66

5949	DOLLAR GENERAL-REGIONS 410526	TRUNK/TREAT HALLOWEEN CANDY	57.50
5950	FARMERS COOPERATIVE	LOADER TIRES	2,330.32
5951	FELD FIRE	UNIT 40 COMPRESS/COUPLER	1,416.26
5952	GREAT WESTERN DINING	264 OCT. SR.CTR.MEALS @ 7.21EA	1,903.44
5953	GREEN THUMB LAWN SERV. LLC	4 OCT. CITY PARK MOWINGS	3,269.00
5954	HYDRO OPTIMIZATION & AUTO	WELL 4 SERVICE LESS TAX CHARGE	644.20
5955	JER'S REPAIR	UNIT #40 REPAIRS & PARTS	454.08
5957	MATHESON TRI-GAS,INC	BOTTLED GASES FOR FIRE DEPT.	369.74
5958	MIDWEST AUTO PARTS	BATTERY	185.01
5959	MILFORD PLUMBING INC.	POOL PLUMBING PARTS	191.15
5960	MUNICIPAL SUPPLY,INC. OF OMAHA	LINE BRASS	1,315.34
5961	MYSTIQUE LAUER	REIMB. ICE BUCKET FOR SR.CTR.	27.99
5962	NEBRASKA PUBLIC POWER DISTRICT	ELECT. ALL CITY ACCT.9-25/1024	6,156.65
5963	NORRIS PUBLIC POWER DIST	#2 SOUTH WELL	437.16
5964	ONE CALL CONCEPTS	157 LOCATES MINUSE DISCOUNT	130.16
5965	PIZZA KITCHEN	9-25 40 BIRTHDAY MEALS	655.00
5966	POLICE OFFICERS' ASSOC OF NE	4 MEMBERSHIPS @ \$20.00 EACH	80.00
5967	REBEKAH FREY	OCT. 4 HRS. CLEAN @ \$25.00 EA.	100.00
5968	REMBOLT LUDTKE LLP	ZITO ORD./REV. ANAL.BANK ACCT.	3,216.00
5969	RON OSWALD	BATHROOM FAN,LABOR/TRAVEL/INST	75.26
5970	SCHUMACHER ELEVATOR CO.	QUARTERLY ELEV. MAINT. SR.CTR.	369.42
5971	SEWARD COUNTY	2024 LB 644, 778 POST CARDS	390.00
5972	SEWARD COUNTY INDEPENDENT	6 HELP WANTED MAINT./1 YR.SUB	370.50
5973	STOREY KENWORTHY/MATT PARROTT	LASER UTILITY BILL FORMS	691.16
5974	TRUCK CENTER COMPANIES	#30 TRANSMISSION WORK	4,032.36
5975	UNIVERSAL PREMIUM	POLICE VEHICLE FUEL	29.93
5976	VERIZON WIRELESS	FIRE DEPT.IPA	95.56
5977	VESTIS - SR.CTR.	SR.CTR.NOT PAY .NO SERV.	164.60
5978	WERGIN'S LAWN SERVICE	SPRAY PARK SLAB	50.00
5979	WINDSTREAM NEBRASKA INC	IT PHONE CHARGES	58.06
5980	ZITO MEDIA	FIRE DEPT. T.V. CHARGES-NOV.	6.09
5998	OMNIFY BENEFITS	HSA	560.00
6000	EMILY PRATT	UB Refund	71.86
6027	AMANDA HROMEK	NOV. 2024 REC. COORD.	500.00
6028	AMERICAN LEGION POST 171	2 NYLON 4X6 USA FLAGS	78.62
6029	AMERITAS LIFE INSURANCE CORP.	DECEMBER DENTAL FOR CITY EMPL.	482.40
6030	BIBLIONIX	ONLINE APOLLO CAT.	1,350.00
6031	BILLY TROY	MAR.26 SR.CTR.BIRTH.ENTERTAIN.	225.00
6032	BIZCO TECHNOLOGIES	1 PANASONIC TOUGHBOOK-POLICE	4,037.60
6033	BLUE VALLEY PEST CONTROL	TREAT LIBRARY FOR PEST CONTROL	75.00
6034	CARD SERVICE CENTER	G.TESELLE TRADE ASSOC. CONVENT	1,046.12
6035	CONCRETE WORKS, INC	9 LOADS GRAVEL/10 LDS 1' ROCK	21,095.63
6036	CULLIGAN WATER CONDITIONING	LIBRARY COOLER RENT	18.00
6037	DAN PEARSON	SEPT-NOV. PLUMBING INSP	315.00
6038	DATAVIZION	MANAGEMENT SERV/LICENG	1,281.60

6039	DEARBORN GROUP	FIREMANS INSURANCE	123.84
6040	EAKES OFFICE SOLUTIONS	BAUER/PARKS/NAME PLATE	146.45
6041	ENVIROTECH SERVICES, INC.	MELT APEX & FREIGHT	1,393.55
6042	FIRSTAR FIBER INC.	OCT. RECYCLING SERVICES	181.70
6043	FUELMAN FLEET PROGRAM	FUEL FOR POLICE VEHICLES	744.76
6044	HAWKINS INC.	AZONE & CONDITIONER	6,171.10
6045	INGRAM LIBRARY SERVICES	LIBRARY BOOKS	752.99
6046	KELLY HANEY	YOGA SR.CT 10-25 THRU 11-15	170.00
6047	MACQUEEN EQUIPMENT	FILL HOSE FOR SWEEPER/REPAIRS	355.49
6048	MALACHI MILLER	SR.CTR.APRIL 2025 BIRTH.ENTERT	100.00
6049	MEDICA HEALTH PLAN	HEALTH INSURANCE. PRE	7,728.37
6050	MIKE WIESE	REIM.CRAFT SUPP.SR.CTR.	54.99
6051	MYSTIQUE LAUER	REIMB. BUNN COFFEE FILTERS	16.79
6052	NE PUBLIC HEALTH ENV. LAB	COLIFORM/NITRATE TESTING	254.00
6053	NEBRASKA SALT & GRAIN CO.	8 TOTES FOR ICE MELT SALT	1,540.72
6054	PETTY CASH	AIR FRESHNERS/WINDEX/CLEANER	25.77
6055	PIONEER OVERHEAD DOOR	1 HR.LABOR/FIX/ADJ.DOOR	115.00
6056	POTTER REPAIR, INC.	2000 GMC TRUCK SERV.	1,720.38
6057	SEWARD COUNTY INDEPENDENT	11-5 CITY LEGAL MINUTES	92.72
6058	SWEET CANVAS CAKES	40 CUPCAKES/NOV.BIRTH.SR.CTR.	52.50
6059	TCA OUTDOOR POWER	STIHL 131 POSTHOLE AUGER/BITS	1,049.89
6060	GARY TESELLE	G.TESELLE ACCT	600.00
6061	VERIZON WIRELESS	I PAD PHONE	120.27
6062	WINDSTREAM NEBRASKA INC	FIRE HALL PHONE	230.74
	IRS-FEDERAL WITHHOLDINGS	FED/FICA TAX	122.44
	IRS-FEDERAL WITHHOLDINGS	FED/FICA TAX	4,995.71
	JOHN HANCOCK LIFE INS CO	PENSION	2,848.59
	NE DEPT OF REVENUE	STATE TAX	759.69
	NE DEPT OF REVENUE	OCTOBER 2024 SALES TAX	1,169.83
	FARMERS & MERCHANTS BANK	STOP PAY ON CHECK	30.00
	IRS-FEDERAL WITHHOLDINGS	FED/FICA TAX	4,986.67
	JOHN HANCOCK LIFE INS CO	PENSION	2,848.59
	NE DEPT OF REVENUE	STATE TAX	762.58
	CONCRETE WORKS, INC	PARK EQUIPMENT INSTALLATION	17,300.00
	Total Payroll On: 11/01/24		738.78
	Total Payroll On: 11/04/24		16,162.57
	Total Payroll On: 11/18/24		16,098.17
	***** REPORT TOTAL *****		162,946.14

## **PUBLIC HEARING**

**Public Hearing to hear testimony in favor of, or opposition to, and to answer questions in relation to request from Jason Vosta, 2585 Pioneer Rd, Milford, for a Conditional Use Permit to conduct automobile and small equipment repairs and sales.**

Mayor Kelley opened the public hearing at 7:05 pm.

Jason Vosta introduced himself noting that he and his family live west of town. His boys are interested in cars and working on them. Jason is working on getting his state dealers license to fix up cars and flip them. He used to work for Big Iron and may utilize them as

a resource. He does not plan to have a lot of vehicles sitting around. They will be stored behind the buildings. They will be required to place a sign which is visible from the road but they plan to make it small and inconspicuous. They would like to nurture the boys and their love of cars and mechanics plus make a little money. This is just one of many steps that must be taken to obtain a dealer's license. The plan is to be up and running by spring or early summer 2025.

With no further questions or comments Mayor Kelley closed the public hearing at 7:10 pm.

**CURRENT BUSINESS:**

**Election of Officers**

**President of Council** – A motion was made by DeLong and seconded by Bauer to nominate Becky Freeman as the President of Council. Roll call vote: DeLong yes, Bauer yes, Freeman yes, Parks yes. Motion carried.

**Acting President of Council** – A motion was made by DeLong and seconded by Freeman to nominate Dainton Parks as Acting President of Council. Roll call vote: DeLong yes, Freeman yes, Bauer yes, Parks yes. Motion carried.

**Council Assignments** – (List of Council assignment attached to these minutes.)

A motion was made by Freeman and seconded by DeLong to approve the council assignments as presented by Mayor Kelley. Roll call vote: Freeman yes, DeLong yes, Bauer yes, Parks yes. Motion carried.

**Appointments**

**City Attorney** – Anthony Aerts with Rembolt/Ludtke

**Chief of Police** – Darrin Kremer

**City Clerk/Treasurer** – Jeanne Hoggins

**Maintenance Superintendent** – Gary TeSelle

**Street Superintendent** – Julie Ogden from JEO Consulting Group, Inc, January to December 2025

**City Engineer** – JEO Consulting Group for 2025

**Housing Authority** – LeAnn Troyer, Term ending 12/31/27

A motion was made by DeLong and seconded by Bauer to approve the Mayor's recommendation of appointments as read. Roll call vote: DeLong yes, Bauer yes, Freeman yes, Parks yes. Motion carried.

**Consider maintaining Amanda Hromek as the Recreation Coordinator at \$500.00 per month for 2025.** Discussion was held regarding the staff shortage of the maintenance department and the scope of work that the Recreation Coordinator is responsible for. A conversation may be needed with coaches and the High School maintenance department to determine a solution for field prep if the maintenance crew is called to a higher level of job responsibility. Spring is a busy time of year for the maintenance crew. DeLong would like to work with Parks on job responsibilities for this position. A motion was made by Parks and seconded by DeLong to approve maintaining Amanda Hromek as the Recreation Coordinator at \$500.00 per month for 2025. Roll call vote: Parks yes, DeLong yes, Bauer yes, Freeman yes. Motion carried.

**Authorize Mayor's signature on NDOT Agreement Renewal and Certificate of compliance for Maintenance Agreement No. 95.** - No action taken.

**Consider Planning Commission recommendation – Jason Vosta, 2585 Pioneer Rd, Milford, for a Conditional Use Permit to conduct automobile and small equipment repairs and sales.** A motion was made by DeLong and seconded by Freeman to approve the Vosta's endeavor as read. Building Inspector Tim Dworak noted if complaints arise, the Planning Commission would revisit the Conditional Use Permit. Roll call vote: DeLong yes, Freeman yes, Bauer yes, Parks yes. Motion carried.

**Consider Municipal Procurement Policy** – No action taken

**John Hancock Employee Retirement Plan – Payment of Quarterly Administrative Fees by City of Milford.** Mayor Kelley noted that when the city switched from Ameritas to John Hancock the administrative fees that were being paid to Ameritas came from a pool of unvested money held in the account. We no longer have that option, and the fees are coming out of the employee accounts. City Clerk Hoggins is asking the board to consider paying the administrative costs and if we ever get to the point of having unvested funds available we can utilize those funds again. A motion was made by Freeman and seconded by DeLong to approve paying the John Hancock quarterly administration fees for the employee retirement plan. Roll call vote: Freeman yes, DeLong yes, Bauer yes, Parks yes. Motion carried.

## **RESOLUTION AND ORDINANCES**

**(Second Reading – December 3, 2024)**

### **ORDINANCE NO. 981**

#### **(Annexation of Timber Creek Development, Phase II)**

Councilmember DeLong introduced Ordinance No. 981, seconded by Councilmember Bauer entitled:

AN ORDINANCE OF THE CITY OF MILFORD, NEBRASKA, TO EXTEND THE BOUNDARIES OF THE CITY AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX INTO THE CITY OF MILFORD, NEBRASKA, A TRACT OF LAND THAT IS CONTIGUOUS AND ADJACENT TO THE CURRENT MUNICIPAL LIMITS AS MORE FULLY DESCRIBED HEREIN; DIRECTING THE SAME TO BE RECORDED BY THE SEWARD COUNTY REGISTER OF DEEDS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; TO PROVIDE FOR THE EFFECTIVE DATE THEREOF; AND TO ORDER THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

Mayor Kelley read Ordinance No. 981 by title. Roll call vote: DeLong yes, Bauer yes, Freeman yes, Parks yes. Motion carried.

Ordinance No. 981 passed on second reading only.

**ORDINANCE NO 983** – AN ORDINANCE OF THE CITY OF MILFORD, NEBRASKA, AMENDING MILFORD MUNICIPAL CODE SECTION 8-103, TO MODIFY PROVISIONS RELATED TO THE SALE OF REAL AND PERSONAL PROPERTY OWNED BY THE CITY OF MILFORD, NEBRASKA, IN ACCORDANCE WITH APPLICABLE STATE STATUTE.


A motion was made by DeLong and seconded by Freeman to approve Ordinance No. 983. A motion was made by DeLong and seconded by Freeman to suspend the rules to waive the three readings. Roll call vote: DeLong yes, Freeman yes, Bauer yes, Parks yes. Motion carried.

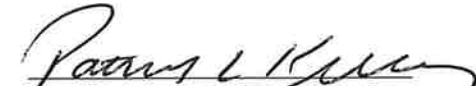
Discussion: Attorney Aerts stated we had reason to look into city code as it directly relates to real property or personal property owned by the city. When we looked it up, we were surprised to see the city code is significantly more burdensome in terms of what is required to sell real or personal property than what state law requires. It is unusual to see municipal code more burdensome than state law. This ordinance brings the municipal code more in line with state law requirements when it comes to selling real or personal property. The big distinction is whether it is worth more or less than \$5,000.00. The procedures are different, now it tracks state law.

Roll call vote on the original motion: DeLong yes, Freeman yes, Bauer yes, Parks yes. Motion carried.



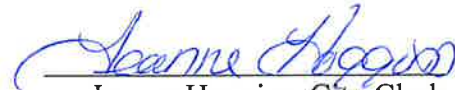
**ADJOURNMENT:** A motion was made by Bauer and seconded by Parks to adjourn the meeting. Roll call vote: Bauer yes, Parks yes, DeLong yes, Freeman yes. Motion carried and meeting adjourned at 7:43 pm.

  
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 December 3, 2024 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 DECEMBER 3, 2024, MEETING

### **Rescue Calls for November – Troy Pickerill**

13 total calls

1 Canceled prior to arrival, 2 Accidents, 9 Medical

1 Mutual Aid Accident in Pleasant Dale

### **Fire Calls for November – Mike Roth**

6 total calls

2 structure (1 restart from original fire), 2 smoke but no fire (1 furnace and 1 from cooking)

1 grass fire, 1 false alarm (had burn permit from another jurisdiction)

### **TESELLE: Maintenance Report – November 2024**

#### **Water:**

Lead and copper Letters of notification have gone out.

Lots of time spent doing one calls for highway project. More than I had expected.

Timber Creek Water and sewer testing is done. Hope to put Inservice this week.

Main Street Market water and sewer has been put in.

Water main break in Vally View. May need to look and replacement on that side of town.

All wells are now available to be used for providing water and blending. Working with the state for the use the blending sets that have been tested for use.

#### **Sewer:**

Main cleaning for the winter hope to get done this week. Timber Creek sewer mains are ready for testing. And to be put Inservice.

#### **Parks:**

New playground equipment has been completed. Sidewalks and grounds work to be done in the spring.

All park sprinklers and bathrooms are winterized. Uptown bathrooms will be done soon.

#### **Streets:**

Streetlights and driveways are being finished up to from D to Welch Park. Highway is poured to the west end. There will be grounds work to be finished in the spring. The new highway is not to be salted this first season. Only sanded. Heads up!

Street sweeping had started. Sweeper has a hydraulic issue. Hope it gets repaired this week.

Salt and most equipment are ready for winter.

Tree limb pickups have been done multiple times in November.

Contractor has been put on call to help with the downtown snow removal if needed.

#### **Pool:**

Has been drained pumps and filters have been winterized. Along with sprinkler system.

Floor drains and a gate issue needs to be addressed before opening next year.

#### **Cemetery:**

Footing has been poured for the monument.

### **Working on getting full-time positions filled.**

**HOGGINS:** \*Sales tax received for the month of September 2024 in the amount of \$23,271.90. \*NPPD lease payment for October 2024 received in the amount of \$13,788.48. \*Gaming Account balance as of 12/3/24, \$33,617.05. \*Letter from County Commissioners regarding submitting budget. \*Annual Audit was conducted November 18 – 21, 2024. \*Certification of Election Votes for November 5, 2024. \*JEO Project Status Report through 11-25-24.

# November Library Report

## Circulations

	In Library	OverDrive	
<b>November</b>	263	212	<b>475</b>

- Waiting on the building inspector to look over the door bids we got, should be able to get it started next month.
- Otherwise things are pretty quiet right now. Hope you all had a nice Thanksgiving.

George



12/3/2024

Mayor Patrick L. Kelley

General,  
ADA & OSHA Compliance

Councilmembers:

**Dustin Bauer**

Police  
Fire  
Water  
Sewer  
Auditing Committee

**Tony DeLong**

Streets  
Sr Center  
Citizen Advisory Committee (Ec Dev)  
Community Betterment Committee  
Seward County Chamber Development

**Becky Freeman**

Pool  
Community Betterment Committee  
Webermeier Scholarship  
Auditing Committee

**Dainton Parks**

Parks  
Recreation  
Library  
Cemetery  
Seward/Saline County Solid Waste  
Management Agency (SSCSWMA)

**ORDINANCE NO. 983**

**AN ORDINANCE OF THE CITY OF MILFORD, NEBRASKA, AMENDING MILFORD MUNICIPAL CODE SECTION 8-103, TO MODIFY PROVISIONS RELATED TO THE SALE OF REAL AND PERSONAL PROPERTY OWNED BY THE CITY OF MILFORD, NEBRASKA, IN ACCORDANCE WITH APPLICABLE STATE STATUTE.**

**WHEREAS**, Milford Municipal Code § 8-103 provides certain guidelines and procedures related to the sale and conveyance of real property and personal property owned by the City of Milford, Nebraska, a city of the second class (the “City”); and

**WHEREAS**, Neb. Rev. Stat. §§ 17-503, 17-503.01, and 17-503.02 sets forth certain general procedures and parameters related to sale of real property and/or personal property by any city of the second class; and

**WHEREAS**, the City wishes to amend the existing provisions of its municipal code related to the sale of real property and personal property by the City to harmonize with current state law related to the same.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MILFORD, SEWARD COUNTY, NEBRASKA, AS FOLLOWS:**

**Section 1:** That Milford Municipal Code § 8-103 shall be repealed in its entirety and replaced with the following in lieu thereof:

**§ 8-103 SALE AND CONVEYANCE OF MUNICIPAL REAL PROPERTY AND PERSONAL PROPERTY.**

(1) Except as provided in subsection (10) of this section, the power of the City to convey any real property owned by it, including land used for park purposes and public squares, except real property used in the operation of public utilities, shall be exercised by resolution directing the sale of such real property and the manner and terms thereof.

(2) In the event the City Council, through the authorizing resolution described in subsection (1) above, directs, in its discretion, the sale of such real property at public auction or by sealed bid, the City Council may establish a minimum price for such real property at which bidding shall begin, or which shall serve as a minimum price for any such sealed bid process.

(3) After the passage of the resolution directing the sale, notice of all proposed sales of real property described in subsection (1) of this section, and the terms of such sales, shall be published once each week for three consecutive weeks in a legal newspaper in or of general circulation in the City.

(4) If within thirty (30) days after the third publication of the notice, a remonstrance petition against such sale is signed by the registered voters of the City equal in number to thirty percent (30%) of the registered voters of the City voting at the last regular municipal election held in the City and is filed with the City Council, such property shall not then, nor within one year thereafter, be sold. If the date for filing the remonstrance petition

falls upon a Saturday, Sunday, or legal holiday, the signatures shall be collected within the 30-day period, but the filing shall be considered timely if filed or postmarked on or before the next business day.

(5) Upon receipt of the remonstrance petition, the City Council, with the aid and assistance of the County Clerk, shall determine the validity and sufficiency of the signatures on the remonstrance petition. The City Council shall deliver the remonstrance petition to the County Clerk by hand carrier, by use of law enforcement officials, or by certified mail, return receipt requested. Upon receipt of the remonstrance petition, the County Clerk shall issue to the City Council a written receipt that the remonstrance petition is in the custody of the County Clerk. The County Clerk shall compare the signature of each person signing the remonstrance petition with the voter registration records to determine if each signer was a registered voter on or before the date on which the remonstrance petition was filed with the City Council. The County Clerk shall also compare the signer's printed name, street and number or voting precinct, and city or post office address with the voter registration records, to determine whether the signer was a registered voter. The signature and address shall be presumed to be valid only if the County Clerk determines that the printed name, street and number or voting precinct, and city or post office address matches the registration records and that the registration was received on or before the date on which the remonstrance petition was filed with the City Council. The determinations of the County Clerk may be rebutted by any credible evidence which the City Council finds sufficient. The express purpose of the comparison of names and addresses with the voter registration records, in addition to helping to determine the validity of the remonstrance petition, the sufficiency of the remonstrance petition, and the qualifications of the signer, shall be to prevent fraud, deception, and misrepresentation in the remonstrance petition process. Upon completion of the comparison of names and addresses with the voter registration records, the County Clerk shall prepare in writing a certification under seal setting forth the name and address of each signer found not to be a registered voter and the signature page number and line number where the name is found, and if the reason for the invalidity of the signature or address is other than the nonregistration of the signer, the County Clerk shall set forth the reason for the invalidity of the signature. If the County Clerk determines that a signer has affixed his or her signature more than once to the remonstrance and that only one person is registered by that name, the County Clerk shall prepare in writing a certification under seal setting forth the name of the duplicate signature and shall count only the earliest dated signature. The County Clerk shall certify to the City Council the number of valid signatures necessary to constitute a valid remonstrance petition and shall deliver the remonstrance petition and the certifications to the Council within forty (40) days after the receipt of the remonstrance petition from the City Council. The delivery shall be by hand carrier, by use of law enforcement officials, or by certified mail, return receipt requested. Not more than twenty (20) signatures on one signature page shall be counted.

(6) The City Council shall, within thirty (30) days after the receipt of the remonstrance petition and certifications from the County Clerk, hold a public hearing to review the remonstrance petition and certifications and receive testimony regarding the same. Following the hearing, the City Council shall vote on whether or not the remonstrance petition is valid and shall uphold the remonstrance petition if sufficient valid signatures have been received.

(7) Real property now owned or hereafter owned by the City may be conveyed

without consideration to the State of Nebraska for state armory sites or, if acquired for state armory sites, such property shall be conveyed strictly in accordance with the conditions of Neb. Rev. Stat. §18-1001 to 18-1006.

(8) Following: (a) passage of the resolution directing the sale; (b) publishing of the notice of the proposed sale; and (c) passage of the 30-day right-of-remonstrance period as set forth above, the real property shall then be sold. Such sale shall be confirmed by passage of an ordinance stating the name of the purchaser and terms of the sale.

(9) Notwithstanding the procedures in subsections (1) through (8) of this section, real property owned by the City may be directly conveyed when such property:

(a) Is being sold in compliance with the requirements of federal or state grants or programs; or

(b) Is being conveyed to another public agency; or

(c) Consists of streets and alleys.

(10) Notwithstanding the foregoing or anything to the contrary herein contained, subsections (1) to (9) of this section shall not apply to the sale of real property if the authorizing resolution directs the sale of real property, the total fair market value of which is less than five thousand dollars (\$5,000.00). Rather, in the case of real property for which the fair market value is less than \$5,000.00, notice of the sale shall be posted in three (3) prominent places within the City for a period of not less than seven (7) days prior to the sale of such property. The notice shall give a general description of the property offered for sale and state the terms and conditions of the sale. Confirmation of the sale by passage of an ordinance by the City Council may be required through the resolution authorizing the sale.

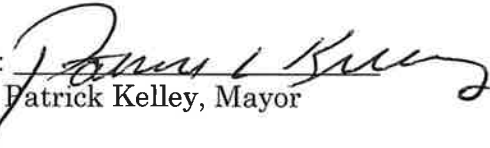
(11) The power of the City to convey any personal property owned by it shall be exercised by resolution directing the sale and the manner and terms of the sale. Following passage of the resolution directing the sale of the personal property, notice of the sale shall be posted in three (3) prominent places within the City for a period of not less than seven (7) days prior to the sale of the property. If the fair market value of the personal property is greater than five thousand dollars (\$5,000), notice of the sale shall also be published once in a legal newspaper in or of general circulation in the City at least seven (7) days prior to the sale of the property. The notice shall give a general description of the property offered for sale and state the terms and conditions of sale. Personal property may be conveyed notwithstanding the procedure in subsection (11) when: (a) such property is being sold in compliance with the requirements of federal or state grants or programs; or (b) such property is being conveyed to another public agency.

**Section 2:** That all Ordinances and Code provisions or portions thereof in conflict herewith are hereby repealed to that extent.

**Section 3:** That this Ordinance shall be in full force and effect from and after publication as provided by law and shall be published in pamphlet form.

PASSED AND APPROVED THIS 3<sup>rd</sup> DAY OF December, 2024.

CITY OF MILFORD, NEBRASKA

BY:   
Patrick Kelley, Mayor

ATTEST:

  
Jeanne Hoggins, City Clerk

4875-5646-9495, v. 1

