



CITY OF MILFORD, NEBRASKA
COUNCIL AGENDA

Wednesday, July 5, 2023, 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. REPORTS/COMMUNICATIONS

- a. Mayor/Council members
- b. City Clerk/Department Heads

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: June 6, 2023
- b. Approve Claims by Auditing Committee
- c. Approve Treasurer's Report for May 2023 by Auditing Committee
- d. Approve Fire Department membership roster
- e. Approve Application #3 from K2 Construction on the Water Main Improvement Project for payment with Seward County ARPA Funds in the amount of \$390,989.11.

5. PUBLIC HEARING:

- a. Citizen Advisory Review Committee Semi Annual Report

6. CURRENT BUSINESS

- a. Consider authorizing an additional 1% increase in restricted funds limitation for the 2023-2024 budget for the City of Milford.
- b. Consider Hiring Sr. Center Manager and set wage
- c. Request for Agenda Item from Jim Eberly – K-2 Construction Water Main Improvement project; sidewalks, lawn damage, tree damage and street damage.
- d. Consider Interlocal Agreement for Prosecution Services for city ordinance violations between the Board of Commissioners (County) and the City of Milford (City).
- e. Request for Agenda Item from Wesley Burgess to license his Mahindra Roxor vehicle titled as off road use UTV, but not fitting current UTV requirements.
- f. Request for Agenda Item from Susie Huber requesting Health Insurance Reimbursement.
- g. Consider Hiring Fulltime Maintenance Employee and set wage
- h. Request for Agenda Item Chamber of Commerce Splash Pad use during Fun Days
- i. Consider NextLink contract.
- j. Consider use of Street Funds for sidewalks/sprinklers at Park Project
- k. Consider recommendation from Citizen Advisory Review Committee (CARC) on the LB840 application from Kathi & Kylie Schildt, Childhood Learning Center funding request.
- l. Consider recommendation from Community Betterment Committee (CBC) on the funding request from Kathi & Kylie Schildt, Childhood Learning Center.

7. RESOLUTIONS AND ORDINANCES

RESOLUTION NO. 650 – A RESOLUTION OF THE CITY OF MILFORD, NEBRASKA ESTABLISHING A SEPARATE BUDGET ACCOUNT (38) FOR PROCEEDS FROM THE OPERATION OF A KENO LOTTERY WITHIN THE CITY LIMITS PURSUANT TO THE NEBRASKA COUNTY AND CITY LOTTERY ACT.

RESOLUTION NO. 651 – RESOLUTION OF CORPORATE AUTHORIZATION DEPOSITORY – JONES BANK, GAMING/LOTTERY ACCOUNT

ORDINANCE NO. 970 – AN ORDINANCE OF THE CITY OF MILFORD, NEBRASKA AMENDING MILFORD MUNICIPAL CODE SECTION 10-506 TO EXEMPT LOTTERIES CONDUCTED PURSUANT TO THE NEBRASKA COUNTY AND CITY LOTTERY ACT FROM THE LEVY OF THE OCCUPATION TAX IMPOSED THEREIN

ORDINANCE NO. 971 - AN ORDINANCE OF THE CITY OF MILFORD, NEBRASKA, AMENDING CHAPTER 10 OF THE MILFORD MUNICIPAL CODE TO ADD A NEW ARTICLE 9 AUTHORIZING AND IMPLMENTING A CITY LOTTERY WITHIN THE MUNICIPAL LIMITS OF THE CITY OF MILFORD, NEBRASKA, TO BE OPERATED IN ACCORDANCE WITH THE NEBRASKA COUNTY AND CITY LOTTERY ACT, AND TO ESTABLISH CERTAIN RULES AND

**REGULATIONS RELATED TO THE IMPLEMENTATION, SELECTION, LOCATION, AND
OPERATION OF THE LOTTERY WITHIN THE CITY.**

8. ADJOURNMENT

CITY OF MILFORD
REGULAR MEETING
JULY 5, 2023
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 5th day of July 2023 at 7:00 pm. Present were Mayor Patrick Kelley; Council members: Tony DeLong, Becky Freeman, Kelli Keib, Mike Roth; Attorney Anthony Aerts; Chief of Police Darrin Kremer, Maintenance Supt. Gary TeSelle and City Clerk Jeanne Hoggins. Also present: Jonathan Jank and Jacob Jennings with SCCDP, Diane Kemper, Tom Smith, Susie Huber, Roy Cast, Susan Trabert, Dane Simonsen and Ethan Hall with JEO, James Douty, Mike & Tara Langenberg, Wes Burgess, Mike and Matt with K-2 Construction, Kathi & Rod Schildt, Kylie Schildt, Megan Casey, Coryn Beckstead, Maria Reich, Don Mitchell, Marian Eicher, Jessica Mathis, Britney Watson, Jim Eberly, Dr. Henley and Emily Hemphill with the press.

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. 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 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 Keib and seconded by Roth to approve the agenda as submitted. Roll call vote: Keib yes, Roth yes, DeLong yes, Freeman yes. Motion carried.

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

REPORTS/COMMUNICATIONS: Written reports received: Police Dept. Activity Report for June 2023; Milford Aging Services Commission minutes for June 20, 2023; Fire and Rescue report for June 2023; Milford Mailer Newsletter for July 2023.

Keib - All quiet in the Cemetery. With all this rain the grass will green up nicely out there. Senior Center-Regular meeting was June 20th. The amount to be spent on special events was raised from \$60 to \$100. Working on a set of Bylaws for the Senior Center Board, using Utica's as a model. Paid a repair bill for Center Shuttle of a little over \$600. Discussion was had on whether or not this is the beginning of nickel and diming us, and if it was time to replace it. Vehicle is otherwise sound and has regular maintenance so that idea was tabled. Area churches have stepped up to help at the center with everyday operations in the absence of a director. We greatly appreciate their outreach. Microwave and sneeze-guard issues have been resolved at no cost to the Center. Two microwaves were donated that the volunteers love, so a commercial one is not needed. A sneeze-guard was moved out of the county office to be used in the serving window since Sandy and Kathy now each have an office. Interviews were conducted June 27th & 28th at the Senior Center involving four applicants for the Director's position. Applicant chosen and wage will be discussed later on the agenda. Trip to Brownville is being planned.

SSCSWMA- Meeting was June 29th. Still waiting on a couple of inter-locals to be returned. Discussion was had on whether inter-locals will have to be re-done since a couple of municipalities have dropped off. We are in the process of transferring accounts to the new Treasurer. The Financial status of the Association has greatly improved, raising the reimbursement for recycling will be discussed at the next meeting.

The Next meeting is September 28th at 7pm at City Hall.

No Library Report.

Roth – 19 Total medical calls. 6 Total Fire calls: 2 structure fires, 2 rekindle with smoke, 1 dumpster fire and 1 false alarm.

Chief Kremer – 312 3rd St. property, sale going forward. 517 S. D St. property received the mail and requested a hearing.

Mayor Kelley – attended 2 nights of interviews for the Sr. Center Manager position. Splash Pad is officially open. Working towards sprinkler installation, landscaping, and sod placement. Excited to see this project up and running and near completion.

Freeman – Summer Recreation program is winding down. Ramping up for fall soccer. Planning a couple of fundraisers in the next couple months. Recreation Board will be meeting next week. Pool employees met to work out some kinks, they have had some growing pains, cleaning etc...

DeLong – Streets, Clair Lane about 50% done, 2nd St B & C dirt work remains, Welch Park Rd sealing starting approximately 7/12/23. Fliers will be distributed to residents. JEO reported potentially in August they will start the bid process on Hwy 6.

One of the applicants of the Community Betterment Committee was Amanda Hromek requesting to place a canopy over field #3 bleachers at Welch Park. Working on other options and ideas, this item was tabled. CBC met on June 26 & 28 and CARC met June 27.

Clerk Hoggins: *Sales tax received for the month of April 2023 in the amount of \$29,066.31. *JEO Project Status Report through June 28, 2023.

CONSENT AGENDA: Mayor Kelley read the Consent Agenda:

a. Approve Minutes: June 6, 2023

b. Approval of Claims: Accounts Payable - \$278,909.12; Payroll - \$50,800.59; Totaling \$329,709.71 by the Auditing Committee.

c. Approve Treasurer's Report for May 2023 by Auditing Committee.

d. Approve Application #3 from K2 Construction on the Water Main Improvement Project for payment with Seward County ARPA Funds in the amount of \$390,989.11.

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

SALARIES:

3051	Patrick Kelley	184.70
3052	Waylon DeLong	138.52
3053	Becky Freeman	138.52
3054	Kelli Keib	138.52
3055	Michael Roth	138.52
3056	Mavis Ferris	103.92
3057	Jeanne Hoggins	1512.75
3058	Gary Teselle	1140.58
3059	Whitney Parks	1021.61
3060	George Matzen	695.01
3061	Craig Carritt	21.26

3062	Jon Wiedemeyer	122.47
3063	Cathleen Fosler	333.03
3064	Ardella Huber	1024.92
3065	Cole Toovey	465.67
3066	Lisa Wiedemeyer	69.26
3067	Jeremia Taylor	665.53
3068	Charles Wergin	516.64
3069	Dustin Hultgrien	1137.86
3070	Jackson Toovey	250.54
3071	Kaitlin Kontor	132.47
3072	Steven Fiala	940.80
3073	Darrin Kremer	2054.12
3074	Mazie Kolb	128.56
3075	Avery Roth	104.13
3076	Addison Sample	39.71
3077	Hailey Jones	479.75
3078	Izabelle Yeackley	173.74
3079	Lance Sprouse	2052.62
3080	Katherine Pauley	167.27
3081	Naomi Jones	111.51
3082	Aydenn Freeman	101.81
3083	Brett Bousquet	60.61
3084	Adyson Kroese	181.82
3085	Hannah Reynolds	96.97
3086	Sarah Reynolds	63.03
3087	Lilly Kenning	87.27
3088	Emily Kenning	87.27
3089	Westin DeLong	60.61
3090	Amber Gurnsey	123.64
3140	Mark Frey	290.33
3141	Mavis Ferris	125.18
3142	Jeanne Hoggins	1512.75
3143	Gary Teselle	1140.58
3144	Whitney Parks	1075.02
3145	George Matzen	695.01
3146	Craig Carritt	9.45
3147	Trey Frey	490.34
3148	Jon Wiedemeyer	279.86
3149	Cathleen Fosler	441.50
3150	Ardella Huber	1024.92
3151	Cole Toovey	940.55
3152	Lisa Wiedemeyer	8.31
3153	Jeremia Taylor	592.27
3154	Charles Wergin	256.27
3155	Dustin Hultgrien	1089.49
3156	Jackson Toovey	561.11
3157	Kaitlin Kontor	488.30
3158	Steven Fiala	1197.53
3159	Darrin Kremer	2054.12

3160	Maizie Kolb	309.08
3161	Avery Roth	441.89
3162	Addison Sample	246.80
3163	Hailey Jones	746.96
3164	Brecken Yoder	413.96
3165	Izabelle Yeackley	357.40
3166	Lance Sprouse	1773.74
3167	Katherine Pauley	206.06
3168	Naomi Jones	135.76
3169	Aydenn Freeman	135.76
3170	Brett Bousquet	174.54
3171	Adyson Kroese	273.94
3172	Hannah Reynolds	383.03
3173	Sarah Reynolds	130.90
3174	Lilly Kenning	99.40
3175	Emily Kenning	135.76
3176	Westin DeLong	133.34
3177	Amber Gurnsey	181.82
3178	Klaus Schachtschabel	1796.64

GENERAL FUND:

3091	RETIREMENT PLAN DIVISION	PENSION	1,309.92
3092	UNION BANK	HSA	622.00
	IRS-FEDERAL WITHHOLDINGS	FED/FICA TAX	4,596.41
	NE DEPT OF REVENUE	STATE W/H TAX	682.72
3131	AUSTIN FAGAN	UB REFUND	12.70
3132	KELLY FALKEN	UB REFUND	19.44
3133	RYAN LEWIS	UB REFUND	62.17
3134	ROBIN WILLIAMS	UB REFUND	70.29
3135	US POSTMASTER	UB POSTAGE	257.32
3137	NEBRASKA ENVIRONMENTAL DEPT.	PRINCIPAL DRINKING H2O SRF PAY	34,313.74
3138	SEWARD COUNTY CHAMBER AND	RURALL WORKFORCE FUND CONTRIB.	125,000.00
3139	SEWARD COUNTY CLERK	KENO ELECTION COSTS	3,550.17
2003	JEO CONSULTING GROUP, INC.	PROFESSIONAL SERV SPLASH PAD	1,612.00
98	PEPSI COLA OF LINCOLN	POP CONCESSION STAND	1,137.16
3181	A & G CONCRETE INC.	PUBLIC WALK INTER.T.CREEK LANE	1,830.00
3182	AFLAC	MAY SUPPLEMENTAL INSURANCE	773.70
3183	AMANDA HROMEK (REIMB)	REIMB HOT DOGS & BUNS	72.60
3184	AMERITAS LIFE INSURANCE CORP.	JULY DENTAL INSURANCE	278.20
3263	RETIREMENT PLANS DIVISION	PENSION	1,309.92
3185	ARAMARK	4 INV., SHORTS/TOWELS, MAT	766.97
3186	BLACK HILLS ENERGY	ACCT 3482 - POOL	1,131.00
3187	BLUE BLOSSOM FLORAL	WEBERMEIER GRAVE FLOWERS	220.00
3188	BRAD VANCURA	2 GAMES 14U ON JUNE 5TH	165.00
3189	CADEN BENEDICT	6-6 UMPIRE 10U & 12U	220.00
3190	CARD SERVICES (VISA)	SPRAYER NOZZLES/ELBOW/CLAMP	21.47
3191	CASH-WA DISTRIBUTING	SR.CTR.POTATOES,CHEESE	262.80
3192	COMPANY CARE	PRE-EMP.DRUG SCREEN/POOL EMPLO	624.00

3193	CROSS CREEK ANIMAL CENTER	BOARD FEE/SCOTT PERRY'S DOGS	2,668.00
3194	CULLIGAN WATER CONDITIONING	IRON EATER/DRAIN CLIP/SALT	409.41
3195	DAS STATE ACCTG-CENTRAL FINANC	MAY SRS MONTHLY FEE-POLICE DEP	104.00
3196	DOLLAR GENERAL-REGIONS 410526	CONC.STAND HOT DOGS	152.94
3197	DRAGONFLY	MARCH-MAY-JUNE SR. MEALS	598.00
3198	DUSTIN HULTGRIEN	REIMB. SAFETY BIT FOR MAINT.	13.93
3199	EAKES OFFICE SOLUTIONS	YELLOW & CYAN TONER	420.20
3200	EMERGENCY MEDICAL PROD, INC	GLOVES, SHEETS, PILLOWCASES	292.29
3201	FARMERS COOPERATIVE	CITY FUEL	1,214.51
3202	FRANKLIN HRONIK	JUNE BIRTHDAY ENT.SR. CTR.	125.00
3203	G & P DEVELOPMENT LANDFILL	SOLID WAST DISPOSAL	156.00
3204	GREAT PLAINS UNIFORMS LLC	4 POLICE PANTS/BUCKLE	365.49
3205	GREEN THUMB LAWN SERV. LLC	MOWING 4 TIMES CITY PARK	1,950.00
3206	INGRAM LIBRARY SERVICES	LIBRARY BOOKS	134.07
	IRS-FEDERAL WITHHOLDINGS	FED/FICA TAX	5,985.89
3207	JEO CONSULTING GROUP, INC.	AGOL SETUP GIS/IMPORT DATA	3,405.00
3208	JEREMY BENEDICT	UMPIRE 10U & 12U	220.00
3209	JOHN DEERE FINANCIAL	BRUSHCUTTER/OIL/LINE	687.05
3210	JR WELDING	LABOR WELD FITTING MAIN REPAIR	45.00
3211	JUSTIN HARTMAN	6-5 UMPIRE 14U, 2 GAMES	110.00
3212	KELLY HANEY	5-24 THRU 6-5 SR.CTR. YOGA	120.00
3213	KELLY SUPPLY COMPANY	SPRINKLER REPAIR/BUSHING/PIPE	426.36
3214	KIWANIS CLUB OF MILFORD	PRIMO TURF SHOCK PAD/1/2 COST	12,500.00
3215	LAWSON LUEBBE	6-9 14U UMPIRE	110.00
3216	MAIN STREET MARKET	SR. CTR. MEALS	397.31
3217	MARIAN EICHER	GLOVE DISPENSER SR. CTR.REIMB.	29.21
3218	MARK CHRISTENSEN	REPAIR FIRE DEPT. #61	1,221.22
3219	MATHESON TRI-GAS,INC	NITROGEN,OXYGEN,BREATHING GAS	295.12
3220	MEDICA HEALTH PLAN	8 OF 9 FULL TIME JULY HEALTH	6,325.86
3221	MIDWEST AUTO PARTS	CABLE TIES FOR SOCCER NETS	11.38
3222	MUNICIPAL SUPPLY,INC. OMAHA	WATER LINE REPAIRS	2,889.40
	NE DEPT OF REVENUE	STATE W/H TAX	857.14
	NE DEPT OF REVENUE	MAY SALES TAX	1,449.65
3223	NEBRASKA WATER RESOURCES ASS	NE.RURALWATER CHAMB MEMBERSHIP	105.00
3224	NE. DEPT, OF REVENUE	LOTTERY LICENSE FEE	100.00
3225	NEBR.STATE FIRE MARSHAL	SR.CTR.ELEVATOR ANNUAL INSPECT	120.00
3226	NEBRASKA PUBLIC POWER DISTRICT	ELECTRICITY 4-25 T 5-23-23	3,758.30
3227	NEBRASKA STATE PATROL	TRACS USER LICENSE FEE	208.50
3228	NORRIS PUBLIC POWER DIST	NORTH WELL #1	502.65
3229	ONE CALL CONCEPTS	103 LOCATES/MINUS DIS/ADM.FEE	85.06
3230	PIZZA KITCHEN	NACHO CHEESE/MINI PIZZA/REC.	1,417.88
3231	POLICE OFFICERS' ASSOC OF NE	OCT.SPROUSE/KEARNEY CONF/LAW	130.00
3232	PROSOURCE SPECIALTIES LLC	1 ROLL 1000 POLICE BADGE STICK	729.47
3233	REDIGER AUTOMOTIVE	REP.BLOWER MOTEER/MODULE/DIAG	686.80
3234	REMBOLT LUDTKE LLP	MAY LEGAL COUNSEL	2,750.00

3235	RENT WORKS	TIF PAYMENT	1,534.22
3236	RUNZA	6-2, 21 RUNZA & FRIES/SR.CTR.	514.72
3237	RUNZA INC	TIF PAYMENT	1,864.43
3238	SAM'S CLUB	POOL SUPPLIES	1,452.78
3239	SEWARD COUNTY INDEPENDENT	MAINTENANCE HELP WANTED AD	100.42
3240	SHELDON CROAN	6-1 10U UMPIRE	170.00
3241	STUTZMAN DIGGING	S. STUTZMAN DRIVE REPAIR/WATER	2,250.00
3242	SUSAN TRABERT	REIMB. BINGO PRIZES	24.37
3243	TODD BERNER	14U UMPIRE WITH PARTNER	55.00
3244	TONY ROTH	MAY 30, JUNE 1 (10U & 12U)	230.00
3245	U-SAVE PHARMACY	ALBUTEROL & GLUTOSE	27.03
3180	UNION BANK	HSA	622.00
3246	UNION BANK	8 EMPLOY. HSA FOR MAY 2023	16.00
3247	UNIVERSAL PREMIUM	UNM82-61923 POLICE FUEL	613.48
3248	UPTOWN TAVERN	18 TACO'S SR.CTR. 6-6-23 MEALS	67.10
3249	URIBE REFUSE SERVICES, IN	5-9 RECYCLING/DISP.	309.50
3250	VERIZON WIRELESS	FIRE DEPT.6/2-7/1	93.46
3251	VERIZON WIRELESS-P-CITY OFFICE	CITY PHONES	175.80
3252	VERIZON WIRELESS	WELL--5-11/	149.57
3253	VOSS LIGHTING	SECURITY LIGHTS AT POOL	155.30
3254	WERGIN'S LAWN SERVICE	PRE-EMERGENT CRABGRASS PREV.	360.00
3255	WINDSTREAM NEBRASKA INC	LIBRARY PHONE	243.95
3256	YVETTE YODER	EMT CLASS/BOYS TOWN, NE	1,200.00
3257	ZITO MEDIA	6-1 TO 6-30 INTERNET-FIRE DEPT	6.09
3267	UNITED STATES POSTMASTER	JULY UB. BILLING/JUNE USEAGE	258.59
3264	JOHN BURT	UB Refund	50.24
3265	ELIZABETH KOTERA	UB Refund	34.54
3266	NICOLE LEONI	UB Refund	53.96
3312	12 POINTS TECHNOLOGIES	PARKS CAMERA/5 YR. LICENSE	1,851.64
3313	AMANDA HROMEK	JUNE REC. COORD. 30 HRS.	500.00
3314	ARAMARK	SR.CTR.MOPS	110.00
3315	BLAKE HANSEN	14UNDER 6-26 UMPIRE	55.00
3316	CADEN BENEDICT	14 U UMPIRE FOR 2 GAMES	110.00
3317	CANON FINANCIAL SERVICES	6-1 TO 6-30 CANON PRINTER CONT	165.00
3318	CAPITAL ONE (WALMART)	SR.CTR. GROCERIES/SUPPLIES	710.70
3320	CARD SERVICE CENTER	WATER SUPPLIES	2,191.97
3321	DEARBORN GROUP	JULY FIREMENS DEATH/DIS.INS.	116.96
3322	DIGITAL ALLY, INC	POLICE BODY CAM	153.00
3323	EAKES OFFICE SOLUTIONS	2 CASES PAPER/ADD.TAPE/STAPLES	136.53
3324	HARTMANN CUSTOM SERV CO.	10.4 TNS CRUSH CONCRETE	231.24
3325	HAWKINS INC.	WATER TREATMENT CHEMICALS	3,891.31
3326	INGRAM LIBRARY SERVICES	LIBRARY BOOKS 3 INVOICES	577.64
3327	JEO CONSULTING GROUP, INC.	AMEND.2 4TH ST.WATER MAIN REP	22,382.50
3328	JEREMY BENEDICT	14 U PONY UMPIRE 2 GAMES 6-19	110.00
3329	JOSH LOOS	14U UMPIRE FOR 6-26	55.00

3330	JR WELDING	REPAIR BALLPARK GROOMER	45.00
3331	KELLY HANEY	JUNE 7,9,12,14,16,19 (6 CLASS)	120.00
3332	LANDON ROTH	10 U, 12U 5-30 UMPIRE	110.00
3333	LINCOLN WINWATER WORKS	SPRINKLER PARTS	28.67
3334	MAIN STREET MARKET	16 SR.CTR.SANDWICHES/6-27-23	102.24
3335	MARIAN EICHER	2 SIDEWALK SIGNS/SR.CTR.	300.90
3336	MARY WIESE	REIMB. FOOD POTATO BAKE	55.96
3337	MIKE MORITZ	REIMB. 6 BAGS ICE/POTATO BAKE	17.70
3338	MILFORD VOLUNTEER FIRE DEPT.	DERRRIK YODER EMT CLASSES	550.00
3339	MILFORD PLUMBING INC.	WATER REPAIR PARTS/AERATOR	90.24
3340	MUNICIPAL SUPPLY,INC. OMAHA	1' METER & PARTS	763.01
3341	NATIONWIDE	SURETY BOND DARRIN KREMER	50.00
3342	NE PUBLIC HEALTH ENV. LAB	WATER TESTING	30.00
3343	PETTY CASH	CASH FOR SR.CTR. PETTY CASH	73.10
3344	PRESTIGE CHEMICALS INC	WEED KILLER, INV. 841	1,181.68
3345	QUINN BERNER	14 U. UMPIRE ON 6-23	55.00
3346	REBEKAH FREY	JUNE 3 & JUNE 16, 4HRS CLEAN.	100.00
3347	REIMERS KAUFMAN CONCRETE	42 - 50 LB.BAGS MARBLE DUST	565.28
3348	SAM'S CLUB	OFFICE SUPPLIES/TOLIET TISSUE	110.45
3349	SEWARD COUNTY INDEPENDENT	JUNE 6 LEGAL MINUTES	81.60
3350	SUSAN TRABERT	PLASTIC SHEET FOR SALAD BAR	9.79
3351	SWEET CANVAS CAKES	2- 9X13 CAKES (2) SR. CTR.	56.00
3352	TODD BERNER	6-23 PONY UMPIRE	55.00
3353	GARY TESELLE	G.TESELLE ACCT	600.00
3354	UPTOWN TAVERN	16 SR.CTR. CHEESEBURGERS	132.06
3355	URIBE REFUSE SERVICES, IN	ACCT. MAINT. PLANT	350.00
3356	WEGNER MOUNMENT CO	STRAIGHTEN 4 MONUMENTS	2,000.00
3357	WINDSTREAM NEBRASKA INC	ACCT. 1137-FIRE DEPT.	211.77
	PAYROLL: 6/5/23		16,328.76
	PAYROLL : 6/19/23		22,349.67
	***** REPORT TOTAL *****		329,709.71

PUBLIC HEARING:

Citizen Advisory Review Committee Semi Annual Report. Kevin Wingard was not in attendance but provided an update on the last 6 months of activity of the Citizen Advisory Review Committee. Report attached to these minutes.

CURRENT BUSINESS:

Consider authorizing an additional 1% increase in restricted funds limitation for the 2023-2024 budget for the City of Milford. A motion was made by DeLong and seconded by Keib to approve the additional 1% increase in restricted funds limitation for the 2023-2024 budget for the City of Milford. Roll call vote: DeLong yes, Keib yes, Freeman yes, Roth yes. Motion carried.

Consider Hiring Sr. Center Manager and set wage. Mayor Kelley was part of the interviews conducted for the Sr. Center Manager position and would like to make an offer of employment to Mystique Lauer at a starting wage of \$18.00 per hour with a .50 increase after 6 months pending a background check and drug screen. A motion was

made by Keib and seconded by Roth to approve the same. Roll call vote: Keib yes, Roth yes, DeLong yes, Freeman yes. Motion carried.

Request for Agenda Item from Jim Eberly – K-2 Construction Water Main Improvement project; sidewalks, lawn damage, tree damage and street damage.

Jim Eberly, 303 2nd St.: Since the last council meeting, Jim has met with the K-2 Foreman, Mike Dupuis and has a better understanding of the project. There are others in the neighborhood that may want to talk. The only item of concern was during the rain, and he suggested getting a sediment sock to catch the mud/debris from running down the streets.

Mike Langenburg, 102 Maple St.: Mike noted areas of concern, sidewalks sinking, all the water, basement concerns, curbs broken, grass, condition of house. He questioned the timetable to have all this resolved.

Mike with K-2 Construction addressed the public: They have an extensive restoration crew that will come in prior to completion, it is a large group of people that come in at the end. They may be starting the restoration while K-2 is still laying pipe. They acknowledge and try to minimize the impact of construction. Business cards were provided in case someone needed to report an issue. Matt Johnson with K-2 will also be onsite soon, he is finishing a project that took longer than expected. The projected completion date is around Thanksgiving. Gary wanted to share that they energized some of the new water main on First St. today.

Mayor Kelley thanked Mike and Matt for their attendance and willingness to answer questions of the community.

Consider Interlocal Agreement for Prosecution Services for city ordinance violations between the Board of Commissioners (County) and the City of Milford (City). Roth made a motion and seconded by Keib to approve the Interlocal Agreement for Prosecution Services for city ordinance violations between the Board of Commissioners and the City of Milford. Roll call vote: Roth yes, Keib yes, DeLong yes, Freeman yes. Motion carried.

Request for Agenda Item from Wesley Burgess to license his Mahindra Roxor vehicle titled as off road use UTV, but not fitting current UTV requirements. Wes Burgess purchased a Mahindra Roxor vehicle about a year ago and would like the council to consider allowing him to license it similar to the UTV license. Ordinance 879 sets standards for ATV/UTV's and this vehicle does not meet the length, weight or tire specs of a UTV. It is designated as an "Off-Road Use Only" vehicle and the County will not license it. It does not go over 45 mph. Wes has it insured. Roth asked if Chief Kremer had any concerns – he had no issues with the vehicle. A motion was made by DeLong and seconded by Roth to consider the request from Wesley Burgess to license his Mahindra Roxor vehicle titled as off-road use UTV but not fitting the current UTV requirements. Discussion: Roth – do we need to change the code? DeLong – it is probably measured to fit trails, no safety issue. Attorney Aerts shared State Statute reads: 180" or less, and dry weight of 2000 lbs. or less. Mayor Kelley asked if other communities allow this type of vehicle? It is allowed in KS. A motion was made by DeLong and seconded Roth to table the item allowing the attorney to look into legal issues. Roll call vote: DeLong yes, Roth yes, Freeman yes, Keib yes. Motion carried.

Request for Agenda Item from Susie Huber requesting Health Insurance Reimbursement. Susie Huber presented her case as to why she felt the city should reimburse her for health insurance. The cover letter of her presentation is attached to these minutes. Mayor Kelley stated this was addressed last year and explained, the health insurance coverage is a benefit and if she chooses not to take it that is her decision. It is not the city's responsibility to reimburse employees if they choose to get their health insurance through some other source. A motion was made by DeLong and seconded by

Freeman to unfortunately deny the health insurance request. Roll call vote: DeLong yes, Freeman yes, Keib yes, Roth yes. Motion carried.

Consider Hiring Fulltime Maintenance Employee and set wage. Gary TeSelle would like to make an offer of employment to Caleb Faulkner with a starting wage of \$17.00 per hour and .50 increase at 6 months pending background investigation and drug screening. A motion was made by DeLong and seconded by Roth to approve the same. Roll call vote: DeLong yes, Roth yes, Freeman yes, Keib yes. Motion carried.

Request for Agenda Item Chamber of Commerce Splash Pad use during Fun Days. Jessica Mathis with the Chamber of Commerce was present to request limited hours on the splash pad during Fun Days. They provide inflatables for the day and are concerned that mud may be drug onto them from the park grounds and become a safety issue. They are trying to control the chaos.

Mayor Kelley shared that the area will be roped off as we will be trying to get sprinklers and grass established. The splash pad just opened and he wants to show it off. It will be a good opportunity for people to cool off as it is usually super-hot. The little ones can stick their feet in the water.

Jessica stated they would like the board to consider shutting it down during the parade. Mayor Kelley stated this is an open public place and he will not shut down the splash pad.

Consider NextLink contract. Attorney Aerts, Mayor Kelley and Clerk Hoggins have worked diligently and spent many hours to finalize this contract with NextLink. The final product allows for free internet service at all municipal buildings, ballfields, pool and uptown park. Discussion on terms were revisited up until the last day. They agreed upon revisiting the contract after the first 5 years and then every 2 years after that. It was stated in the agreement that NextLink could end the agreement, but they never allowed the city the same opportunity. Mayor Kelley held strong allowing both parties to have the same opportunity. It is a good agreement and eliminates the original Bluestem and Future Technologies contracts. They will continue to pay rent of \$154.50 for the equipment on the water tower. A motion was made by Keib and seconded by Roth to consider the NextLink contract. Discussion: The city can cancel anytime with a 60 day notice. Item #10 needs to be renamed. A motion was made by Keib and seconded by Roth to amend the motion authorizing the Mayor's signature to the NextLink contract and pending the title change of item #10. Roll call vote: Keib yes, Roth yes, DeLong yes, Freeman yes. Motion carried.

Consider use of Street Funds for sidewalks/sprinklers at Park Project. Mayor Kelley had legal counsel research the use of street funds to construct and complete the sidewalks in the Uptown Park. State Statute allows for use of street funds for landscaping, outdoor sprinklers systems, fountains, decorative water ponds, lighting systems and construction of sidewalks. There has been a gracious offer to place 20' of sod around the splash pad but we do not want to try and grow grass without a sprinkler system. The sprinkler system was budgeted into the park fund but due to some unforeseen issues the splash pad may come in higher than anticipated. Mayor Kelley would like to complete this project and get the sidewalks installed and the grass planted. Looking at the repair & maintenance line item in streets we budgeted \$350,000. We have used 100,000+ and Gary will need approximately \$60,000 for Hwy 6 repairs. There seems to be roughly \$150,000 available to work with. A motion was made by DeLong and seconded by Freeman to move forward with the use of street funds not to exceed \$30,000.00 for the finalization of the park project. Roll call vote: DeLong yes, Freeman yes, Keib yes, Roth yes. Motion carried.

Consider recommendation from Citizen Advisory Review Committee (CARC) on the LB840 application from Kathi & Kylie Schildt, Childhood Learning Center funding request.

Kylie Schildt presented the Milford Childhood Learning Center (MCLC) project scope and the overall request from the LB840 committee ending with the advised request of a \$70,000 non-repayable grant to commence the site build and architect and engineer fees. Schildt reiterated the immense need for childcare expansion in Milford and the lack of access to full-time care for 52 children citywide and 284 county-wide. Schildt currently does not have access to care in Milford for her own two children and has had to secure a spot in August for her daughter. Her son is unable to start until October and she must pay to hold his spot until he is of age to start while also working from home. Schildt did not go into detail regarding the project scope as she had presented it directly to the LB840 committee as well as met with each city council member personally, so they felt they were well informed prior to voting. She stated her feedback from the LB840 committee was that this is a great community need and they are in support of her project and the impact it will have on economic development and workforce concerns in Milford. Schildt expressed gratitude for those attending in support of the MCLC project and stated the city councilpersons should apply the comments made by other attendees in support to also be applied to the following agenda item for the sake of time and repetition.

Jacob Jennings with SCCDP provided a letter of support which was included in Kylie's DHHS Business Partnerships Grant. SCCDP just recently re-did their strategic plan with community and member surveys and one of the top items was childcare. There are 2 licensed daycares in Milford which account for the 2 infants spots available. They are hoping in the next 10 years every child in the community in Milford and Seward County will have a licensed spot to go to. They have been working on this childcare topic for about 18 months. Families are missing out on about 2.7 million dollars per year due to lack of childcare during employment opportunities. There have been in-home providers closing their doors as well as preschool providers. A study showed that over the next 5 years 50% of the in-home daycares plan to exit the field. It is an issue now and will only get worse. They were very excited when Kylie approached them about this opportunity. Milford has added living units with the First Street Flats and Timbercreek Development, new residents are asking about childcare. Jacob asked that the council consider this request and the request of the next item.

Susie Bogus, 211 N. F Street, moved here in September and both work in Lincoln. They have 3 children and would really like to get their 5-year-old in a program. Kylie has a great project here. Britney (Schweitzer) Watson, York NE, her heart is in Milford and Kylie asked her to help as she has experience in education in the early childhood world. She started a non-profit childcare facility, and it is still successfully running. The timeline is immediate and the request for funds is crucial to continue moving forward so the use of the other funds can be used to provide quality standards which is above licensing standards. Britney is familiar licensing, fire and safety codes, if anyone has questions. Meghan Casey is a P.A. at the Milford Clinic and lives in Seward. She is hoping to start a family soon and was told once you get pregnant you must get your application in to get on the waiting list. She does WellCare checks and realizes the need for childcare in this community. She stated her mother has been working in non-profits as long as she can remember. She knows how to get a non-profit on their feet and guarantee sustainability. She has 21 non-profits that her business oversees, and they are all thriving. Marian Eicher, 707 Fairway Dr. is part of the CAR Committee and noted their presentation was put together very well. Zach Eicher's are expecting their 4th baby in October and there has been discussion regarding

what to do with this baby. There is no childcare for infants in town, they must be 18 months old before they can get in. She is impressed that they reached out to SCC to build the house and it is exciting that the doors could potentially be open in January. She congratulated them on a job well done. Kathi Schildt, 1125 160th Rd. She moved her business to Milford and has seen firsthand with her staff the hardship of finding daycare. They are working to expand childcare, not replace, complimenting each other not compete. We have a wonderful Montessori School that is not full due to transportation. This center would compliment the school as it would be right across the parking lot. They are working with a very tight timeline due to the grant deadlines. Meeting with the engineers to design the facility is the next big step. James Douty, 486 Locust – they moved here a year ago, are invested in the community and along came child number 2. They were having to utilize 3 part-time providers until one fulltime opened. It is not fun to plan your family growing around planned childcare. A motion was made by DeLong and seconded by Roth to award the amount of \$70,000.00 of LB840 funds recommended by the CARC towards the Milford Childhood Learning Center. Roll call vote: DeLong yes, Roth yes, Freeman yes, Keib yes. Motion carried.

Consider recommendation from Community Betterment Committee (CBC) on the funding request from Kathi & Kylie Schildt, Childhood Learning Center.

Kylie Schildt presented the non-profit MCLC project request for the Milford Community Betterment fund and her request of \$118,000 for the structural build aspects of her project. Schildt stated concerns around the way the Betterment meetings were conducted with respect to the Open Meetings Act. She stated the public was dismissed from the meeting held on June 26 and that the meeting concluded with a motion and unanimous vote to allocate \$100,000 to the MCLC. She stated she received a meeting notice following the June 26 meeting for a reconsideration meeting to be held on June 29. She attended that meeting and was again initially excused by the committee. She objected per the Open Meetings Act statute and advised the committee's need for executive session to commence private discussion. She noted the committee entered into executive session without a reason of entering stated with their motion. Per her review of the June 29 meeting minutes there was an initial motion and second to allocate \$100,000 toward the MCLC project. She noted the motion was then amended and voted 4-1 to allocate \$0 in funding to the MCLC project. Schildt advised that the motion noted that they do not disburse funds to revenue generating companies. Schildt stated she reviewed all existing Betterment committee minutes since 2016 and noted that the committee previously funded a conflicting project to that motion, through Bluestem Fiber, a for-profit revenue generating company, as well as had never entered executive session discussions in any other meetings. Schildt asked for feedback of the MCLC project on the basis of immense community need and the conflicting funds allocated to Bluestem and if there was any reconsideration as she felt she met all eligibility criteria in the Betterment Committee charter.

Kathi Schildt noted their 501c3 is under review and pending from the State of NE. She read the requirements of the CBC and noted that reconsideration of an application must wait 1 year. Are we in violation of this requirement?

Tara Langenburg, 102 S. Maple Ave. is on the CBC and praised the plan and proposal. The board needed more time to review the application and did not feel they were prepared. These are donation dollars not tax dollars and she did not want to take away from other upcoming projects.

Kylie noted they did not want all the funds but maybe something.

Kathi noted the Betterment programs are to benefit the City of Milford. This definitely would benefit the community and would keep from transporting kids to Lincoln for those employed there.

Mike Langenburg works in aviation and if something is moving too fast, something could go wrong. No need to spearhead all the funds to one business. How do you guarantee Milford kids get the spots.

Jonathan Jank, SCCDP - the need keeps getting bigger and normally takes years to get something like this going. These funds are unprecedented, this is a once in a lifetime opportunity and the need is now, we need to spend the funds quickly. The support of the council matters, as it clearly sets up the capital campaign and Jonathan is asking for the consideration of support with this project.

Mayor Kelley asked how this got started, what got the ball rolling?

Kylie shared there are 2 licensed daycares in town: Little Leaps of Faith and Tess Riley. Tess carries our only 2 infant spots in town. She operates out of her home but did not qualify for any DHHS expansion grant. Kylie offered to write one for her and to see if she had any interest in expansion, she did not. Little Leaps of Faith were not interested in opening up their infant room, Kylie offered to write a grant for LLoF as well, but they declined. Employee retention was also discussed. Scheduling was an issue and Kylie is learning from their mistakes.

Mayor Kelley mentioned with the other funding opportunities, is there a possibility to reimburse the CBC funds? Kylie could not project this opportunity as they are not open yet and would need to look at the profit/loss analysis. Staffing eats away 90-95% of the childcare business. She couldn't promise anything.

Freeman asked if the DHHS grant is still pending? Kylie noted it is still in review.

Are there other avenues of funding that you are looking into? Kylie is meeting with the Scott Foundation, she noted that community investment is key to these applications. Kylie's goal is to create a community capital match campaign.

Mayor Kelley recognizes the need, it's just a matter of how you get there.

DeLong noted the recommendation from the CBC was to not award the funding.

A motion was made by DeLong and seconded by Freeman to unfortunately deny the CBC funding request from Kathi & Kylie Schildt for the Childhood Learning Center.

Discussion: DeLong – pretty tough motion, this is a wonderful thing that you are doing. Being on the CBC, that was the biggest flip flop between the two meetings. Tuesday's meeting had a great presentation and a lot of information as this was reflected in the motion. A lot of conversation continued afterwards. A lot of things came up and with no set guidelines they do the best they can. Keeping in mind that the funding is limited at \$156,000. One of the things that came up with the new motion and second was the Scott Foundation. They want to see community buy-in before they make a decision. He felt like they had some. CBC was interested in seeing what kind of gaps they could close before moving forward with a decision. One area that is defined in the CBC guidelines for eligibility is 501c3 status and DeLong realizes this is in motion for the Schildt's. That is what led them to their decision.

Kylie questioned if there was an opportunity to receive any amount after the 501c3 is established? Kylie's biggest conflict is the Bluestem funding which is a for profit entity generating revenue.

DeLong was not part of the board at that time so he could not speak on that decision. He noted they could get back together when the 501c3 is awarded and see how the other funding opportunities fill the gap.

Keib suggested tabling the item due to the stipulation of not being able to reapply for one year. They can come back to the board with additional funding information and their 501c3 status.

Roth was in favor of awarding funding towards this application. SCC has partnered with them. They will have to have this structure done to move off the foundation. The Scott Foundation has a ton of money. They would like to see the city apply money toward the application.

Britney Watson – community buy-in is huge in the application process and you are more likely to get funding if there is community support.

A motion was made by DeLong to amend his motion to table the item allowing Schildt's time to bring additional information forward and the CBC time to continue discussion. Seconded by Freeman. Roll call vote: DeLong yes, Freeman yes, Keib yes, Roth yes. Motion carried.

RESOLUTIONS AND ORDINANCES:

RESOLUTION NO. 650

A RESOLUTION OF THE CITY OF MILFORD, NEBRASKA ESTABLISHING A SEPARATE BUDGET ACCOUNT (38) FOR PROCEEDS FROM THE OPERATION OF A KENO LOTTERY WITHIN THE CITY LIMITS PURSUANT TO THE NEBRASKA COUNTY AND CITY LOTTERY ACT.

WHEREAS, the City of Milford, Nebraska (the "City") expects to be a recipient of proceeds from the operation of a keno lottery within the City limits pursuant to the Nebraska County and City Lottery Act (the "Act"); and

WHEREAS, the City has been advised that the Act and the Nebraska Department of Revenue requires cities that receive lottery proceeds pursuant to the Act to create a separate budgetary account for the deposit of such funds.

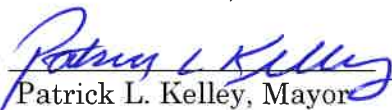
NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MILFORD, NEBRASKA, that a new budget account is hereby established for City Lottery Funds to be designated as Account No. 38.

Roll call vote: Roth yes, Keib yes, DeLong yes, Freeman yes. Motion carried.

PASSED AND APPROVED THIS 5TH DAY OF JULY 2023.

CITY OF MILFORD, NEBRASKA

BY:


Patrick L. Kelley, Mayor

ATTEST:


Jeanne Hoggins, City Clerk



RESOLUTION NO. 651 – RESOLUTION OF CORPORATE AUTHORIZATION DEPOSITORY – JONES BANK, GAMING/LOTTERY ACCOUNT

A motion was made by Roth and seconded by Keib to approve Resolution No. 651. Roll call vote: Roth yes, Keib yes, DeLong yes, Freeman yes. Motion carried.

ORDINANCE NO. 970 – AN ORDINANCE OF THE CITY OF MILFORD, NEBRASKA AMENDING MILFORD MUNICIPAL CODE SECTION 10-506 TO EXEMPT LOTTERIES CONDUCTED PURSUANT TO THE NEBRASKA COUNTY AND CITY LOTTERY ACT FROM THE LEVY OF THE OCCUPATION TAX IMPOSED THEREIN. (See attached)

A motion was made by DeLong and seconded by Roth to approve Ordinance No. 970 as read.

A motion was made by DeLong and seconded by Roth to suspend the rules to waive the three readings. Roll call vote: DeLong yes, Roth yes, Freeman yes, Keib yes. Motion carried.

With no further discussion, roll call on the original motion: DeLong yes, Roth yes, Freeman yes, Keib yes. Motion carried.

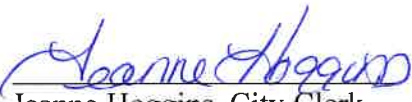
ORDINANCE NO. 971 - AN ORDINANCE OF THE CITY OF MILFORD, NEBRASKA, AMENDING CHAPTER 10 OF THE MILFORD MUNICIPAL CODE TO ADD A NEW ARTICLE 9 AUTHORIZING AND IMPLMENTING A CITY LOTTERY WITHIN THE MUNICIPAL LIMITS OF THE CITY OF MILFORD, NEBRASKA, TO BE OPERATED IN ACCORDANCE WITH THE NEBRASKA COUNTY AND CITY LOTTERY ACT, AND TO ESTABLISH CERTAIN RULES AND REGULATIONS RELATED TO THE IMPLEMENTATION, SELECTION, LOCATION, AND OPERATION OF THE LOTTERY WITHIN THE CITY. (See attached)

A motion was made by Freeman and seconded by Keib to approve Ordinance No. 971 as read.

A motion was made by Freeman and seconded by Keib to suspend the rules to waive the three readings. Roll call vote: Freeman yes, Keib yes, DeLong yes, Roth yes. Motion carried.

With no further discussion, roll call on the original motion: Freeman yes, Keib yes, DeLong yes, Roth yes. Motion carried.

ADJOURNMENT: A motion was made by Keib and seconded by Freeman to adjourn the meeting. Roll call vote: Keib yes, Freeman yes, DeLong yes, Roth yes. Motion carried and meeting adjourned at 9:38 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 July 5, 2023 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

Milford's Citizen Advisory Review Committee
Public Hearing - Milford City Council Meeting
Wednesday, July 5, 2023

Committee Members: Amy Danekas, Marian Eicher, Stacy Hartgerink, Jim Kremer, Isabella Peterson, Kevin Wingard, and Roger Wittrock

City Council Representative: Tony DeLong

Program Administrator:

Items for the Public Hearing:

1. Report submitted by Kevin Wingard representing the Milford Citizen Advisory Review Committee and the Program Administrator.
2. This is the Semi Annual Report covering January 2023 through June 2023.
3. Current balance of the LB840 Fund as of June 28, 2023 was \$118,780.28
 - a. The account receives approximately \$1,200 per month. Original goal was \$1,000 per month.
4. Committee activities to point out for the first quarter - January 1, 2023 to March 31, 2023:
 - a. The Affordable Housing Project is still wrapping up their projects.
 - b. Otherwise there was minimal activity this quarter.
5. Committee activities to point out for the second quarter - April 1, 2023 to June 30, 2023:
 - a. The Eagle Fitness loan was paid in full.
 - b. The Owner Occupied Rehab (OOR) program was finalized June 30th.
 - c. Seward County Rural Workforce Housing Grant was awarded at \$50,000. The county did receive the matching grant it applied for.
 - d. Held a meeting June 28th to discuss the Childhood Learning Center application.
6. Outstanding commitments of the LB840 Fund include:
 - a. None at this time.
 - b. Eagle Fitness loan was paid in full ahead of schedule.
7. City Clerk Report:
 - a. Jeanne has been busy!
 - i. Time is spent on: managing the sales tax payments, processing payments and revenue for the Owner Occupied Rehab Funds, planning for and attending meetings, planning and managing activities for the Downtown Revitalization Project, placing documents on social media and websites, etc.

Wednesday, July 5, 2023

Dear City Council of Milford, Nebraska,

Thank you for allowing me to present health insurance concerns to you tonight from a full time city employee. I am requesting reimbursement of my current health insurance costs as I am the ONLY full time employee not covered on the City's health insurance plan.

Here's why my reimbursement should be approved:

1. My current annual health insurance premiums are \$3,000, and this amount would need to be grossed up to \$4,579.46 to cover taxes so the net amount coming to me is the full \$3,000 in a separate check apart from my regular pay check. All of the City employees' health insurance premiums are paid "tax free" as the city pays our insurance company Medica directly for the premiums and they are not withheld from employee paychecks. This \$4,579.46 amount represents treating me fairly and impartially as all other city employees since they are paying not taxed on this benefit, I also would not be paying the taxes.
2. Reimbursing me the gross amount of \$4,579.46 ***the City of Milford is actually saving \$1,437.34 in annual employee insurance costs*** as if I went on the City plan my single annual premium would cost the city \$6,016.80.
3. Reimbursing me directly for my health insurance annual premiums also saves the City money in this additional way: if I were to be added to the City Health Insurance Plan the premiums for all employees are subject to going up significantly as the Medica company does "age banding" and being an older employee this could increase the overall age banding rating on the City of Milford company insurance plan.

Thank you again for allowing me time this evening to present to you this request for reimbursement for my annual health insurance premiums. I greatly appreciate you approving this reimbursement of \$4,579.46 for me.

Sincerely,



Susie Huber
City of Milford Employee Since August 2018

ORDINANCE NO. 970

AN ORDINANCE OF THE CITY OF MILFORD, NEBRASKA AMENDING MILFORD MUNICIPAL CODE SECTION 10-506 TO EXEMPT LOTTERIES CONDUCTED PURSUANT TO THE NEBRASKA COUNTY AND CITY LOTTERY ACT FROM THE LEVY OF THE OCCUPATION TAX IMPOSED THEREIN.

WHEREAS, pursuant to a special election held on May 9, 2023, a majority of the registered voters of the City of Milford, Nebraska (the "City"), authorized the establishment and operation of a lottery to be conducted in accordance with the provisions the Nebraska County and City Lottery Act ("Act"); and

WHEREAS, the gross proceeds resulting from the conduct of such a lottery pursuant to the Act are to be used solely for the awarding of prizes, taxes, authorized expenses, and for community betterment purposes, all as further defined in the Act; and

WHEREAS, existing Milford Municipal Code § 10-506 currently imposes a general occupation tax equal to 5% of gross receipts on anyone conducting games of chance or a lottery within the City limits; and

WHEREAS, the imposition of such an occupation tax against the gross proceeds resulting from the conduct of a lottery pursuant to the Act would be contrary to the benefit accruing to the residents of the City from such lottery being conducted within the City pursuant to the Act by reducing the amount of gross proceeds available for community betterment purposes and related use; and

WHEREAS, the City finds it to be expedient and in the best interest of the City's residents to amend portions of Code § 10-506 to exempt lotteries conducted within the City limits pursuant to the Act from the occupation tax imposed therein, as hereinafter set forth.

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 § 10-506(I) shall be repealed in its entirety and replaced with the following in lieu thereof:

§ 10-506 OCCUPATION TAX; GAMES OF CHANCE AND/OR LOTTERIES.

I. Exemption. Nonprofit organizations that desire to participate in games of chance and/or lotteries, that are in compliance with the Small Lotteries and Raffles Act of the State of Nebraska, and lotteries conducted pursuant to and in compliance with the Nebraska County and City Lottery Act, are exempt from the provisions of this Article.

Section 2: Except as otherwise modified herein, all other sections and provisions of Milford Municipal Code § 10-506 shall remain unchanged and are hereby ratified in all respects and shall hereafter remain in full force and effect.

Section 3: That all Ordinances and Code provisions or portions thereof in conflict

herewith are hereby repealed to that extent.

Section 4: That this Ordinance shall be in full force and effect from and after publication as required by law and shall be published in pamphlet form.

PASSED AND APPROVED THIS 5th DAY OF JULY, 2023.

CITY OF MILFORD, NEBRASKA

BY: *Patrick L. Kelley*
Patrick Kelley, Mayor

ATTEST:

Jeanne Hoggins
Jeanne Hoggins, City Clerk



ORDINANCE NO. 971

AN ORDINANCE OF THE CITY OF MILFORD, NEBRASKA, AMENDING CHAPTER 10 OF THE MILFORD MUNICIPAL CODE TO ADD A NEW ARTICLE 9 AUTHORIZING AND IMPLMENTING A CITY LOTTERY WITHIN THE MUNICIPAL LIMITS OF THE CITY OF MILFORD, NEBRASKA, TO BE OPERATED IN ACCORDANCE WITH THE NEBRASKA COUNTY AND CITY LOTTERY ACT, AND TO ESTABLISH CERTAIN RULES AND REGULATIONS RELATED TO THE IMPLEMENTATION, SELECTION, LOCATION, AND OPERATION OF THE LOTTERY WITHIN THE CITY.

WHEREAS, pursuant to a special election held on May 9, 2023, a majority of the registered voters of the City of Milford, Nebraska (the "City"), authorized the establishment and operation of a lottery to be conducted in accordance with the provisions the Nebraska County and City Lottery Act ("Act"); and

WHEREAS, the gross proceeds resulting from the conduct of such a lottery operated pursuant to the Act are to be used solely for the awarding of prizes, taxes, authorized expenses, and for community betterment purposes, all as further defined in the Act; and

WHEREAS, the City finds it to be expedient and in the best interest of the City's residents to amend Chapter 10 of the Municipal Code to add certain provisions to codify the authorization and implementation of a municipal lottery within the City pursuant to the Act, as hereinafter set forth.

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

Section 1: That Chapter 10 of the Milford Municipal Code shall be amended to create a new Article 9, which new Article 9 shall read as follows:

ARTICLE 9: LOTTERY

§ 10-901 AUTHORIZATION OF A MUNICIPAL LOTTERY.

Approval by a majority of the registered voters of the City of Milford, Nebraska, having been received in accordance with Neb. Rev. Stat. 9-625, the City Council is authorized to establish and conduct a lottery, as defined in Neb. Rev. Stat. 9-607. The lottery shall be conducted by a lottery operator pursuant to contract and subject to the provisions of the Nebraska County and City Lottery Act (the "Act"). Gross proceeds from the lottery shall be used solely for the awarding of prizes, taxes, authorized expenses and for community betterment purposes, as defined in the Act.

§ 10-902 LOTTERY OPERATOR.

A. The lottery shall be operated by a Lottery Operator. "Lottery Operator" shall mean any individual, sole proprietorship, partnership, or corporation which operates the lottery on behalf of the City pursuant to written contract.

B. The Lottery Operator's selection shall be at the sole discretion of the Governing Body of the City of Milford pursuant to a duly-approved resolution, except in the case where the Lottery Operator is selected pursuant to a valid Interlocal Agreement (an "Interlocal Agreement") to be entered between the City and another political subdivision of the State of Nebraska to cooperate in the establishment and operation of a lottery within the City pursuant to the Act.

C. In all events, the Lottery Operator shall: (a) be a resident of Nebraska, or if a partnership or corporation, shall be organized under the laws of the State of Nebraska; and (b) be licensed by the Nebraska Department of Revenue to conduct a lottery pursuant to the Act.

D. In addition to any obligations set forth in this document, the rights and obligations of the Lottery Operator shall be as set forth in a contract between the City of Milford and the Lottery Operator, except in the case where such operational contract with the Lottery Operator already exists between the Lottery Operator and another political subdivision of the State of Nebraska with whom the City has entered a valid Interlocal Agreement to cooperate in the establishment and operation of a lottery within the City pursuant to the Act.

E. The Lottery Operator shall be required to install and maintain security devices and measures to ensure the integrity, honesty, and fairness of the lottery operation. Any such security system is subject to the approval and inspection of the City of Milford.

**§ 10-903 SALES OUTLET LOCATIONS; APPROVAL REQUIRED;
QUALIFICATION STANDARDS.**

A. The Lottery Operator selected by the Governing Body shall not operate the lottery at a sales outlet location, other than the location of the Lottery Operator, without prior approval of the sales outlet location by the Governing Body pursuant to a duly-approved resolution. The Governing Body shall approve or disapprove each sales outlet location, and each individual, sole proprietorship, partnership, limited liability company, or corporation which desires to conduct the lottery at such sales outlet location, solely on the basis of the qualification standards prescribed in this subsection.

B. The following qualification standards are hereby established by the City of Milford and must be met by any individual, sole proprietorship, partnership, limited liability company, or corporation seeking to have its location qualify as an authorized sales outlet location for conducting a lottery within the corporate limits of the City of Milford pursuant to the Act.

1. Each applicant for a lottery sales outlet location shall submit to the following materials to the Municipal Clerk:
 - a. A copy of the completed Nebraska Schedule II / Form 50g-County/City Lottery Sales Outlet Location application as required by the Division of Charitable Gaming of the Nebraska Department of Revenue.

- b. A copy of the written agreement between the Lottery Operator and the sales outlet location, which is sometimes referred to herein as a "satellite location."
 - c. Any other information reasonably requested by the City of Milford.
2. In reviewing any application to establish a satellite location within the City of Milford, the following qualification criteria shall be applied:
- a. In the event that the City of Milford has entered into an Interlocal Agreement to conduct the lottery, all locations must comply with any and all requirements and criteria set forth therein.
 - b. All locations must provide sufficient parking.
 - c. All locations must provide seating capacity sufficient to accommodate persons who may wish to come to the location to observe or play lottery or to engage in any other activities conducted on the premises.
 - d. All locations must have sufficient facilities to permit the sale of tickets for the lottery.
 - e. All locations must have a board or other monitor, clearly visible to players, on which the winning numbers are displayed.
 - f. All locations must have proper security for the lottery operations and associated activities.
 - g. All persons with any direct or indirect financial interest in the operation of the lottery at any location must be of good character and financially responsible.
 - h. The operation of the lottery at any satellite location must not create any undue impact on the surrounding neighborhood due to noise, congestion, or other circumstances.
 - i. All locations and operations at all locations must meet all requirements of applicable federal, state, and local law.
 - j. All locations must be fit, willing, and able to properly provide the service proposed in conformance with all provisions and requirements of the Act and the rules and regulations adopted and promulgated pursuant to the act.
 - k. No individual, sole proprietorship, partnership, or corporation which seeks to have its location approved as an authorized sales outlet location shall: (a) have been convicted of, forfeited bond upon a charge of, or pleaded guilty to forgery, larceny, extortion, conspiracy to defraud, willful failure to make required payments or reports to a governmental agency at any level, filing false reports with any such agency, or any similar offense or offenses or any crime, whether felony or misdemeanor, involving gambling activity or moral turpitude; or (b) have had a gaming license revoked or canceled under the Nebraska Bingo Act, the Nebraska Pickle Card Lottery Act, the Nebraska Lottery and Raffle Act, or the Nebraska County and City Lottery Act.
 - l. If the person seeking to have its location approved as an authorized sales outlet location is a partnership or corporation, the qualification standards shall apply to every partner of such partnership, every officer of such corporation and stockholder owning more than ten percent (10%) of the stock of such corporation.

3. The City shall notify the Department of Revenue of all approved lottery locations within thirty (30) days of approval.
4. The City of Milford must be immediately notified of any interruption or cessation of operations at any satellite location.
5. The direct or indirect transfer of any financial interest in the satellite location will automatically terminate the City's approval of said satellite location; provided, however, the satellite operator will be permitted to remain in operation for a period not to exceed one hundred twenty (120) days under an agency agreement with the prior existing satellite operator. During said one hundred twenty (120) day period, the applicant will diligently pursue the application process and procedure. Notwithstanding the foregoing, during said one hundred twenty (120) day period, the City may revoke continued operation of the proposed application for due cause. Conduct of the keno lottery at said satellite location will thereafter continue only upon application to the City of Milford and approval thereof pursuant to the terms and conditions articulated herein.

§ 10-904 LIQUOR LICENSE

Alcoholic liquor may be sold at the location where the lottery is conducted within the City, provided that the location and operator comply with all applicable federal, state, and local laws in obtaining the appropriate liquor licenses and approvals, including but not limited, to the Nebraska Liquor Control Act (Neb. Rev. Stat. §§ 53-101 *et seq.*).

§ 10-905 PARTICIPATION RESTRICTIONS.

A. No person under nineteen (19) years of age shall play or participate in any way in the lottery established herein.

B. No owner or officer of a Lottery Operator contracted to conduct this lottery shall play the lottery established herein.

C. No employee or agent of the City of Milford, Lottery Operator, or any authorized sales outlet location shall play a lottery conducted pursuant to the Act during which he or she is working at that lottery or is on duty with the lottery.

D. Nothing shall prohibit the following persons from playing the lottery established herein:

1. Any member of the Milford City Council, any other municipal official, or the immediate family of such Council member or official; or

2. An owner or officer of an authorized sales outlet location within the City.

E. For purposes of this section, immediate family of a member of the Milford City Council or other municipal official shall mean spouses, children, grandchildren, siblings, or

parents, including those individuals with the same relationship to the spouse, residing in the same household under the control and support of the head of such household.

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 required by law and shall be published in pamphlet form.

PASSED AND APPROVED THIS 5th DAY OF JULY, 2023.

CITY OF MILFORD, NEBRASKA

BY: *Patrick Kelley*
Patrick Kelley, Mayor

ATTEST:

Jeanne Hoggins
Jeanne Hoggins, City Clerk



