



CITY OF MILFORD, NEBRASKA
COUNCIL AGENDA

Tuesday, May 2, 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: April 4, 2023
- b. Approve Claims by Auditing Committee
- c. Approve Treasurer's Report for March 2023 by Auditing Committee
- d. Approve amendment to Drawdown #16 of the OOR 19-TFHO-16065 program adjusting the lead base paint amount by \$270.00. Total ask of \$4,648.25.

5. PRESENTATION – Randy Hellbusch with NE Rural Water Association. Present findings from water rate study.

6. CURRENT BUSINESS

- a. Webermeier Scholarships
 - 1. Review of Foundations Terms
 - 2. Conflict of Interest Policy
 - 3. Review and approval of Scholarship Selection
- b. Consider pay increase for current Police Officers and part-time Officers.
- c. Consider amending Employee Handbook, Section 1.25: Residence Policy. Remove requirement of Police Officers to reside in the City of Milford. Change response time to within 30 minutes.
- d. Troy Pickerill – update on 2005 Ambulance remount with new chassis and funding options.
- e. Request for agenda item by Jim Eberly regarding property at 312 3rd St.
- f. Consider a formal declaration of nuisance condition at 312 3rd Street.
- g. Consider E911 Budget for 2023-2024 fiscal year – Spencer Conradt

7. ADJOURNMENT

CITY OF MILFORD
REGULAR MEETING
MAY 2, 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 2nd day of May 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: Jim Eberly, Shane Noble, Matthew Sell, Troy Pickerill, Randy Hellbusch, Kevin Wingard, Craig Bontrager, Eric Fowler, several High School students 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 DeLong and seconded by Keib to approve the agenda as submitted. Roll call vote: DeLong yes, Keib yes, Freeman yes, Roth 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 April 2023; Milford Aging Services Commission minutes for April 18, 2023; Fire and Rescue report for April 2023.

Keib - Cemetery- All quiet in the cemetery. Next board meeting scheduled for Tuesday May 9th, 7pm at City Hall. **Senior Center** met April 18th. Staples is still working on new signage. A decision was made to find a new home for the piano in the basement to make room for classes and activities that continue to grow. The Public Relations Committee is being formed. Marian Eicher, Linda Nelson, and Amy Salistean are on it and will pick one other who is not on the board to complete it. This committee will promote what the Senior Center has to offer to the public and encourage community participation. Sharon Bender will use her past involvement in promotion of activities to help with ideas for what has worked. The Center will be hosting a 'Spring Tea', on May 12th. Next meeting is scheduled for May 16th at 4pm at the Senior Center. SSCSWMA- Next meeting is June 29th at 7pm at City Hall.

Roth –11 Fire calls for April; 6 grass, 3 mutual aid grass fires with P.D., 1 cut gas line, 1 false alarm. Rescue calls: 11 medical and 1 accident. **Water/Sewer:** K2 has started water main replacement project. Water rate study is on the agenda.

Chief Kremer – Reported on the thefts that occurred early Monday morning, three individuals were apprehended, and many items have been returned.

Mayor Kelley – Communicated with Chief Kremer and Gary TeSelle relating to the thefts, K2 water main project and ALLO Communications. Advised of a notice received from

State of NE DOR an interstate project which will begin in 2024. The project will rebuild 7 miles of interstate, adding a third lane between P.D. exit and Lincoln. Completion date scheduled for 2026. Received a letter from Congressman Mike Flood related to the Community Project Funding request for a potential water treatment plant. They will keep us updated as the appropriations process continues along with the status of the funding request. Met with Eric Crouch to finalize details of the Splash Pad. The plan is to open on Memorial weekend.

Freeman – Pool – lifeguards are hired, planning to open May 28 and they are scheduling a training session with the Fire Department. The maintenance department is planning to paint the pool soon. The Recreation Board met and discussed fundraising options, involving families and players to assist with park clean-up and different options to concession stand workers. Soccer goals will need to be replaced next fall. Line of communication with the Recreation Coordinator needs to be open between maintenance and council. Application to the Community Betterment Committee for shade on field 3 was discussed.

Webermeier Scholarship Committee met April 20th and Council member Freeman shared that Milford continues to produce fine students.

DeLong – Gary is working on the splash pad project. There are streets showing signs of needing repair. We need to address these, so they don't become a bigger issue. Travis Keilig submitted his letter of resignation; his last day will be 5/12/23. The City is advertising to find a replacement.

Clerk Hoggins: *Sales tax received for the month of February 2023 in the amount of \$21,761.84. *NPPD lease payment for March 2023 received in the amount of \$16,506.30. *Black Hills Energy annual franchise fee received in the amount of \$27,658.98. *JEO Project Status Report through April 26, 2023. *Thank you from SCCDP for the contribution towards the Rural Workforce Housing from both LB840 and Community Betterment Funds.

CONSENT AGENDA: Mayor Kelley read the Consent Agenda:

- a. Approve Minutes: April 4, 2023
- b. Approval of Claims: Accounts Payable - \$129,238.37; Payroll - \$46,174.30; Totaling \$175,412.67 by the Auditing Committee.
- c. Approve Treasurer's Report for March 2023 by Auditing Committee.
- d. Approve amendment to drawdown #16 for the 19-TFHO-16065 OOR Program adjusting the lead base paint amount by \$270.00. Total ask of \$4,648.25.

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

SALARIES:

2768	Mark Frey	27.70
2769	Forrest Siebken	1849.36
2770	Mavis Ferris	122.81
2771	Jeanne Hoggins	1512.75
2772	Gary Teselle	1140.58
2773	Whitney Parks	1235.58
2774	George Matzen	695.01
2775	Craig Carritt	25.98
2776	Amy Salistean	1026.15
2777	Cathleen Fosler	371.12
2778	Ardella Huber	1069.40
2779	Lisa Wiedemeyer	138.52

2780	Jeremiah Taylor	250.87
2781	Dustin Hultgrien	1079.12
2782	Steven Fiala	1130.26
2783	Travis Keilig	1396.95
2784	Darrin Kremer	2101.82
2785	Lance Sprouse	1537.07
2786	Katherine Pauley	203.63
2787	Naomi Jones	138.18
2853	Mark Frey	317.36
2854	Forrest Siebken	1849.36
2855	Mavis Ferris	144.08
2856	Jeanne Hoggins	1512.75
2857	Gary Teselle	1140.58
2858	Whitney Parks	1057.22
2859	George Matzen	695.01
2860	Craig Carritt	23.62
2861	Amy Salistean	1075.06
2862	Cathleen Fosler	403.77
2863	Ardella Huber	1028.10
2864	Lisa Wiedemeyer	46.17
2865	Jeremiah Taylor	202.66
2866	Dustin Hultgrien	1030.73
2867	Steven Fiala	1144.67
2868	Travis Keilig	1212.99
2869	Darrin Kremer	2054.12
2870	Lance Sprouse	1537.07
2871	Katherine Pauley	174.54
2872	Naomi Jones	167.27

GENERAL FUND:

2767	UNITED STATES POSTMASTER	MARCH USAGE U.B./MAILED APRIL	248.53
2788	RETIREMENT PLANS DIVISION	PENSION	1,809.96
2789	UNION BANK	HSA	572.00
2790	ADAMS VILLAGE OFFICE	1 - 14U LEAGUE FEES @ \$300 EA.	600.00
2791	AFLAC	MAR.SUPPL. INS COVERAGE	855.24
2792	AMERICAN LEGAL PUBLISHING CORP	2023 CODE PROGRAM SUBSCRIPT	650.00
2793	AMERITAS LIFE INSURANCE CORP.	MAY DENTAL INSURANCE	677.08
2794	ANDREW YODER	3 LITHIUM BATTERIES	96.00
2795	ARAMARK (AUCA CHICAGO LOCKBOX)	5 INVOICES/MAINT.PANTS/TOWELS	790.28
2796	BARCO MUNICIPAL PRODUCTS, INC.	36' MESH ROLLUP REFECT.MATERIA	192.56
2797	BCVFD	3-10U LEAGUE FEES @ \$300.00 EA	900.00
2798	BECCA'S CLEANING SERVICE	MARCH CLEANING FIRE STATION	150.00
2799	BLACK HILLS ENERGY	CITY OFFICE	2,106.98
2800	CAPITAL ONE (WALMART)	SR. CTR. GROCERIES	657.53
2801	CITY OF SEWARD	3- 8U LEAGUE FEES @ \$150.00 EA	450.00
2802	CONCRETE WORKS, INC	521 1ST ST/ A,A STEP REPAIR	380.00
2803	CREATIVE INK	SOCCER UNIFORMS	803.25
2804	CULLIGAN WATER CONDITIONING	ACCT. 21410-SR.CTR/SOFTENER	77.50
2805	DARRIN KREMER	REIMB.GEN.CLEANING SUPPLIES	46.16

2806	DAS STATE ACCTG-CENTRAL FINANC	MARCH SRS MONTHLY FEE	104.00
2807	DOLLAR GENERAL-REGIONS 410526	SR.CTR. GROCERIES	71.55
2808	EAKES OFFICE SOLUTIONS	BUS.CARDHOLDER/CORR.TAPE	32.96
2809	FARMERS COOPERATIVE	FIRE DEPT. BATTERIES	1,391.71
2810	GARLAND YOUTH SPORTS	BLUE RIVER LEAG/I-80 LEAG.FEE	50.00
2811	GERHOLD CONCRETE COMPANY, INC.	3 INV. CRUSHED CONCRETE	462.00
2812	GREAT PLAINS UNIFORMS LLC	3 PR. UNIFORM PANTS/HAT	293.00
2813	GREAT WESTERN DINING	3-23 TO 3-29 101 SR. MEALS	1,887.60
2814	HYDRO OPTIMIZATION & AUTO	TOTALIZER REPLACEMENT/LABOR	1,666.40
2815	INGRAM LIBRARY SERVICES	5 INVOICES LIBRARY BOOKS	373.99
2816	JER'S REPAIR	LABOR CHARGE	238.52
2817	JOHN DEERE FINANCIAL	GATOR REPAIRS	506.06
2818	JR WELDING	SIDE BOARD METAL	140.60
2819	KELLY HANEY	6 SR.CTR. YOGA CLASSES	120.00
2820	KELLY SUPPLY COMPANY	PUMP REPAIRS	30.85
2821	LINCOLN WINWATER WORKS	WATER LINE REPAIR PARTS	1,252.92
2822	MATHESON TRI-GAS, INC	NITROGEN,OXYGEN,BREATHING GAS	295.12
2823	MIDWEST AUTO PARTS	SUPPLIES/REPAIR PARTS	61.84
2824	MILFORD A/C & APPLIANCE, INC.	LABOR/SERVICE CALL	262.00
2825	MILFORD VOLUNTEER FIRE DEPT.	NEMSU CONFERENCE/DEREK YODER	459.37
2826	MILFORD SCHOOL DIST. #5	JAN.30/3-31-23 POLICE FINES	50.00
2827	MYGOV, LLC	6 SUB. FOR MAINT. DEPT.COMPUTE	5,040.00
2828	NEBRASKA PUBLIC POWER DISTRICT	2-23 TO 3-24 ELECTRICITY	5,538.77
2829	NEMSA	BAL.NEMSA-17 MEMBERSHIP	90.00
2830	NORRIS PUBLIC POWER DIST	NORTH WELL	400.40
2831	ONE CALL CONCEPTS	276 LOCATES/MINUS.DIS/ADM.FEE	226.50
2832	PETTY CASH	JUICE CONTAINER/SIEBKEN RETIR	98.00
2833	REDIGER AUTOMOTIVE	POLICE UNIT ADD FREON	292.16
2834	REIMERS KAUFMAN CONCRETE PROD	MANHOLE REPAIRS	713.15
2835	REMBOLT LUDTKE LLP	MARCH MONTHLY LEGAL FEES	2,302.50
2836	SAM'S CLUB	COOKIES/CUPCAKES/SIEBKEN RETIR	261.50
2837	SEWARD CO REGISTER OF DEEDS	REG.DEED/BUTLER/RELEASE LIEN	10.00
2838	SEWARD COUNTY INDEPENDENT	4 LISTING SIEBKEN RETIRE.	359.42
2839	SHERWIN WILLIAMS CO.	PAINT FOR BLEACHERS	250.05
2840	THE POLICE AND SHERIFFS PRESS	5 I.D. CARDS FOR POLICE DEPT.	78.05
2841	TIM DWORAK	FEB/MAR.BLDG.INSPECTION/MILEAGE	1,259.36
2842	TOYNE, INC.	7 RETAINER MAGNETS	98.42
2843	UNION BANK	7 EMP. HSA ACCT.@ \$2.00 EACH	14.00
2844	UNIVERSAL PREMIUM	197.64 GAL.POLICE FUEL CHARGE	673.71
2845	URIBE REFUSE SERVICES, IN	2-27 RECYCLING/DISPOSAL	928.50
2846	VABA	12 U LEAGUE FEES	300.00
2847	VERIZON WIRELESS	FIRE DEPT.	93.46
2848	VOSS LIGHTING	SHOP LIGHTS	1,707.54
2849	WERGIN'S LAWN SERVICE	PRE-EMERGENT/CRABGRASS PREV.	1,220.00
2850	WESTOVER ROCK & SAND, INC	RED BALL LIME	2,313.33

2851	WINDSTREAM NEBRASKA INC	CITY HALL PHONE	57.07
2852	ZITO MEDIA	4-1 TO 4-30 FIRE DEPT. BILL	6.09
2873	RETIREMENT PLANS DIVISION	PENSION	1,809.96
2874	UNION BANK	HSA	647.00
2880	911 CUSTOM	2-1200 AMP.JUMPSTARTER POLICE	425.00
2881	AMANDA HROMEK	APRIL-22 HRS. REC.COORDINATOR	500.00
2882	AMERICAN LEGAL PUBLISHING CORP	PDF FILE/S-18 SUPP.CODE BOOK	50.00
2883	BECCA'S CLEANING SERVICE	APRIL CLEANING FIRE HALL	150.00
2884	BLACKBURN MFG.CO	MARKING FLAGS/SOLVENT/BLUE/GR.	595.48
2885	CANON FINANCIAL SERVICES	APRIL COPIER USAGE	330.00
2886	CAPITAL ONE (WALMART)	4-3-23 SR. CTR.FOOD	480.35
2888	CARD SERVICE CENTER	CONCESSION SUPPLIES/SOCCER	2,045.98
2889	ACCOUNTS RECEIVABLE	14' COMBO SAW BLADE	169.91
2890	CONCRETE WORKS, INC	3RD & B ST. REMOVE/REPLACE WALK	31,284.00
2891	DARRIN KREMER	2 NAME TAGS/D.KREMER	35.07
2892	DEARBORN GROUP	MAY FIREMENS DEATH/DISME.INS.	41.28
2893	EAKES OFFICE SOLUTIONS	KEYBOARD & MOUSE	278.85
2894	EMERGENCY MEDICAL PROD,INC	STIFFNECK ADJ. COLLAR	48.95
2895	GERHOLD CONCRETE CO, INC.	6 LOADS CRUSHED CONCRETE	966.00
2896	INGRAM LIBRARY SERVICES	LIBRARY BOOKS	814.40
2897	JEO CONSULTING GROUP, INC.	MAIN/AMEND.#2 FINAL DESIGN	23,781.25
2898	KETCH-ALL COMPANY	3-4' PET CATCH POLES	289.25
2899	LYNN PEAVEY COMPANY	1 PKG. 100 EVIDENCE BAGS	141.59
2900	MEDICA HEALTH PLAN	10 OF 11 EMP. MAY HEALTH INS.	8,883.00
2901	MITCHELL CARLSON	4-26 1 GAME UMPIRE	55.00
2902	NE FIRE SPRINKLER CORP.	ANNUAL FIRE SPRINKLER INSPECT.	455.00
2903	NE PUBLIC HEALTH ENV. LAB	WATER TESTING COLIFORM	30.00
2904	NE RURAL WATER ASSOCIATION	9-13/15 FALL CONF./G/TESELLE	225.00
2905	NEBR.STATE VOL.FIREFIGHTERS	A.& D.YODER/KEILIG FIRE SCHOOL	450.00
2906	OSWALD ELECTRIC	LABOR/WIRE LIFT PUMP MOTOR	65.00
2907	PIZZA KITCHEN	45 BIRTH.MEALS/5 LG. PIZZA	413.40
2908	REBEKAH FREY	4-9(2HR.) CLEANING CITY OFFICE	100.00
2909	REEVES CO., INC.	1 ENGRAVED NAME PIN	19.20
2910	SEWARD COUNTY INDEPENDENT	4-19 LEGAL/WATER QUALITY	631.45
2911	STUTZMAN DIGGING	REPAIR SEWER MAIN/NURSING HOME	865.00
2912	SUPER SPRAY CAR WASH	50 CAR WASH TOKENS @ 2.00 EA.	100.00
2913	SUSAN TRABERT	TOTES FOR STORAGE	40.00
2914	T.J. AUSTIN	1 GAME 4-26 UMPIRE	55.00
2915	TAYLOR HAUDER	CONCESSION STAND SIGN	11.50
2916	THE POLICE AND SHERIFFS PRESS	1 ID.CARD/L.WIEDEMEYER	17.60
2917	TIMOTHY STEWART	REIMB. GAS 4-7 & 4-11	95.19
2918	TVRDY'S LOCK & KEY	LABOR/SERV.CALL/DOOR CLOSURE	199.78
2919	GARY TESELLE	4-28/G.TESELLE	600.00
2920	UNITED RENTALS	TAMPUR/RAMMER/RENTAL	117.16
2921	URIBE REFUSE SERVICES, IN	MAINT. BLDG.	332.00

2922	VERIZON WIRELESS-P-CITY OFFICE	OFFICE PHONE	175.80
2923	VERIZON WIRELESS	WELL CONTROLS	155.47
2924	WINDSTREAM NEBRASKA INC	FIRE DEPT. PHONE	276.90
	IRS-FEDERAL WITHHOLDINGS	FED/FICA TAX	5,020.04
	NE DEPT OF REVENUE	STATE TAX	778.62
	NE DEPT OF REVENUE	SALES TAX MARCH 2023	1,029.35
	IRS-FEDERAL WITHHOLDINGS	FED/FICA TAX	4,891.37
	NE DEPT OF REVENUE	STATE TAX	753.05
	IRS-FEDERAL WITHHOLDINGS	FED/FICA TAX	122.44
	PEPSI-COLA BOTTLING-LINCOLN	POP CONCESSION STAND	1,137.16
	PEPSI-COLA BOTTLING-LINCOLN	POP CONCESSION STAND	1,673.55
	Total Payroll On: 4/2/23		738.78
	Total Payroll On: 4/10/23		17,052.87
	Total Payroll On: 4/24/23		16,817.13
	***** REPORT TOTAL *****		175,412.67

PRESENTATION: Randy Hellbusch with NE Rural Water Association. Present findings from water rate study. Randy Hellbusch with NRWA was asked to conduct a water rate study as the new water main replacement project will be funded with a State Revolving Fund Loan. Randy provided an expense report for the water department for fiscal years 19-20 and 20-21. We experienced a loss in 19-20 but rebounded in 20-21. Randy commented on the package that we received. Our timing was impeccable, we will probably never see this again. There are also ARPA funds to be utilized with this project. This will bring the total cost down a lot. He provided information on our current rates and what he would propose moving forward. We will have roughly 2 to 3 years before we start paying on the SRF loan. Spring is not the best time to raise rates. He suggested waiting until Fall. The rate proposal information is attached to these minutes.

CURRENT BUSINESS:

Webermeier Scholarships – (Minutes attached)

Review of Foundation Terms

Conflict of Interest Policy

Review and approval of Scholarship Selection

Kevin Wingard noted that of all the committees he is involved with this one is the toughest. The Committee does a great job.

Consider pay increase for current Police Officers and part-time Officers: Chief of Police Kremer would like to recommend changing the full-time and part-time officer pay to \$28.00 per hours. The current rate is \$25.00 per hour. Mayor Kelley asked if he had reviewed his budget and Chief Kremer was confident his budget could handle the increase. A motion was made by Roth and seconded by Keib to increase the officers' pay from \$25.00 to \$28.00 per hour immediately. DeLong inquired about the reason: retention and recruitment are both issues. With no further questions, roll call vote: Roth yes, Keib yes, DeLong yes, Freeman yes. Motion carried.

Consider amending Employee Handbook, Section 1.25: Residence Policy. Remove requirement of Police Officers to reside in the City of Milford. Change response time to within 30 minutes. Chief Kremer shared there is a lot of interest in working in Milford but not living in town. Interest is coming from Seward and the surrounding area. Mayor Kelley has had conversations with other law enforcement agencies and members of law enforcement agencies and has been told that there is interest in working in small

communities if they did not have to live in the community. We are close enough to Seward and it is hard enough to get officers and if they are required to live in our boundaries it makes it really tough. Mayor Kelley supports this change and encourages the council to consider the change. A motion was made by DeLong and seconded by Freeman to change the verbiage of Section 1.25 of the Employee Handbook. Roll call vote: DeLong yes, Freeman yes, Keib yes, Roth yes. Motion carried.

E911 Director Spenser Conradt shared that when Milford has an emergency, they send a Seward County Deputy for back-up. With the short staffing issue Seward County is actively patrolling Milford.

Troy Pickerill – Update on 2005 Ambulance remount with new chassis and funding options. The Fire Department has a 2005 E350 Ambulance with about 45,000 miles. They've had to replace the motor in it, and they are having some issues with it now. The department voted to have a remount of a 2025 chassis onto the current box. Possession will take place in 2025. They have secured a State ARPA grant in the amount of \$75,000.00 and are doing some fundraising. Their hope is to fundraise and not utilize taxpayer funds. Troy wanted to inform the council of what was taking place and noted they have about 2 ½ years to raise the money, which will be about \$160,000.00. Troy is waiting for one more quote which will give them 3 to consider. DeLong questioned the cost difference between this option and purchasing new. Troy mentioned a new ambulance would cost between \$250,000 and \$275,000. With the grant they have to take possession of the vehicle by 2026. The council thanked Troy for informing them of this project.

Request for agenda item by Jim Eberly regarding property at 312 3rd Street: Jim Eberly approached the Board about the property at 312 3rd St. as it has been a nuisance for close to 2 years now. They hauled junk, old cars, and tires to the residence. Last summer there was a large collection of washing machines, dryers, and debris in which they spent four to five days trying to push these items into a pile with a skid loader during all hours of the night. They cut down a couple of trees in the back yard, one of which fell on the swing set of the neighbor (Matt Sell) and never offered to pay for or repair it. He has 3 little girls. Last summer was very bad, there were times at night they would be grinding, cutting with torches, hammering/banging at all hours of the night. Junk was piled up against the privacy fence of the neighbor (Matt Sell) to protect his family. They block the sidewalk in front of the residence constantly as well as the alley. Multiple citations have been written and they do nothing. Jim was out one evening taking his dog for a walk near the alley and someone turned into the alley, drove up into Jim's yard near his parked camper, he thought they were going to hit him. They flew up the alley with total disregard for anyone. Last summer there were cars parked in the alley with no lights on and when they saw Jim they would back out of the alley instead of coming by Jim. There is something suspicious going on. They disappeared last November 2022 and reappeared this year in April. They started hauling in trailer loads of junk. Two pick-up loads with a horse trailer of junk were brought in and the following day another pick-up load with a smaller trailer of junk was brought in. In 2022 the police department patrolled this residence, front and back, constantly. He was constantly monitoring these people. He knows Chief Siebken stopped and talked to them and told them they needed to clean up the property and they completely ignored him. We cannot let this continue this summer; we have to move on this. Between 2nd & 3rd, Maple to Walnut is zoned for residential not for a salvage yard or landfill. That is what we have and with a landfill you get rodents.

There is an abatement process for nuisances. This is a class 3 misdemeanor. Citations can be written after proper notification. We need to do everything physically possible to take care of this. As a city you cannot continue to allow this to happen.

Mayor Kelley shared that the city has taken steps to try and abate the nuisance. The Governing Body is aware of the nuisance, and we get monthly reports on the property, first from Chief Siebken and now from Chief Kremer. We have been trying to address this property for over a year. The problem is we issue tickets, and he gets 30 days to appear in court. He appears in court; the judge issues a fine which has been between \$250.00 and \$500.00. When he left his dogs at the property during the winter and was issued a bigger fine for the dogs than the property code enforcement issue. Our challenge has been that the courts have not enforced hard enough punishment for it to make a difference for our community. Now we need to pursue other avenues which require different tools, using civil tools. In regard to abatement, the city must be mindful that the property being removed is owned by the property owner and not by someone else. Night after night they would haul stuff into the yard and the next day, they would be out in the yard looking through it. This went on for quite a while.

Mayor Kelley informed Jim that the city has pursued this path as far as we can take it. Now we must take another avenue and it will take some time and be a greater burden on the taxpayers. The funds for this type of project have not been allocated in this fiscal year. This is our challenge; the funds will need to be budgeted.

Matt Sell who lives beside this property noticed some shady things going on. He noted, there is obviously criminal intent. Mayor Kelley strongly encouraged that if anyone sees criminal intent to please call the Police Department. Mayor Kelley stated from a standpoint of quality of life over there, it is frustrating, and he does not live next to this property. This property and one other property in Milford are at the top of Mayor Kelley's list and is constantly working on. If we could clean this property up tomorrow, we would do it.

Jim is just asking the board to do everything physically possible to rectify this issue. If it takes budgeting funds, then so be it. Jim also asked that the lines of communication remain open between himself, neighbors, and the board.

The city will continue to pursue, and review and drive by properties to ensure you and the neighbors are protected.

Mayor Kelley stated that he is already planning to budget accordingly for this next fiscal year, so we have the necessary tools to take different measures to pursue this from a different angle.

Shane Noble, 300 Block of 3rd St.; asked if there was a health and safety issue with the house. Mayor Kelley may need to revert to others, but the Chief of Police and Building Inspector have been to the house to evaluate the property and if the present danger exists and we have not been given the information that supports that. The dog issue has gone to court and now he believes it is a building permitting issue. Shane mentioned the amount of cars that are on the property and he is changing oil and engines, there is gas and oil contaminates that are being left on the ground that are being tilled back into the soil.

Matt Sell asked if there is some sort of house inspection that the neighbors could pay for. There has been construction going on and no permits have been pulled. During tree removal they pulled down the electric wire. He has completely ripped the house to shreds. I can't believe there isn't anything that can be done to say this is a condemned house. Matt mentioned they moved to Milford 5 years ago to raise a family with a good school system, and this is what we have to live next to. I've had to build a privacy fence to protect his daughter from the dogs they have. He has video of one of the dogs attacking his dog with his daughter on the porch. I've gone through enough!

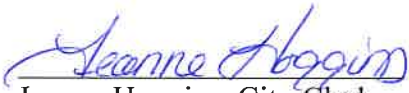
Mayor Kelley stated that the commitment to you folks is that the city of working on this situation. The next step is condemnation which requires specific steps and funding. We will continue to work towards a resolution.

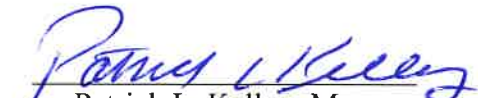
Consider a formal declaration of nuisance condition at 312 3rd Street: Agenda item will be placed on future agenda.

Consider E911 Budget for 2023-2024 fiscal year – Spencer Conradt: Communication Director Spencer Conradt presented on the 2023-2034 budget for the E911 Center. He noted a 5% increase mainly due to county wage scale. Milford will continue with its 4% commitment. They are on pace to come in under budget approximately 9% which will carry over and reduce next year's increase. The budget has been approved by the E911 Board and Seward.

A motion was made by Freeman and seconded by Keib to approve the E911 Budget for fiscal year 2023-2034. Roll call vote: 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 8:21 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 May 2, 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

MEETING MINUTES
for the Scholarship Selection Committee
of the William Webermeier Scholarship Fund
Meeting Date: May 2, 2023

Scholarship Committee Members: Pursuant to the provisions of the governing document, the Committee shall be composed of the Town Board of Milford Nebraska and the Superintendent of Milford, Nebraska School District.

Name:	Title/Position:
<u>Tony DeLong</u>	<u>President of the Town Board of Milford</u>
<u>Becky Freeman</u>	<u>Acting President of the Town Board of Milford</u>
<u>Kelli Keib</u>	<u>Member of Town Board of Milford</u>
<u>Mike Roth</u>	<u>Member of Town Board of Milford</u>
<u>Kevin Wingard</u>	<u>Superintendent of Milford, NE School District</u>

Attendees: All of the above were present.

The following guests attended: Several High School Students from Government Class, Jim Eberly, Shane Noble, Matthew Sell, Troy Pickerill, Randy Hellbusch, Craig Bontrager, Eric Fowler and Emily Hemphill with the press.

- I. Call to Order.** The meeting was called to order by Mayor Patrick Kelley at 7:00 p.m. City Clerk Jeanne Hoggins was appointed to take the minutes of this meeting.
- II.** Superintendent of Milford School District, Kevin Wingard reviewed with the Committee all applicable terms of the Foundation's governing document, including that the Fund's income shall be used to award scholarships to assist students who are residents of Milford, Nebraska in obtaining a college education. All scholarships are awarded on an objective and non-discriminatory basis.
- III. Conflict of Interest Policy.** The Conflict-of-Interest Policy attached hereto as Exhibit A was reviewed and adopted. The Conflict-of-Interest Policy was reviewed by Kevin Wingard. Each Committee member affirmed that based on information and belief formed after reasonable inquiry, no attendee has a potential conflict of interest with respect to any grant under consideration.
- IV. Review of Scholarships.**
A total of 17 scholarships were reviewed. 3 new scholarships totaling \$3,999.99 were approved. 12 renewal scholarships totaling \$15,999.96 were approved. 2 scholarships totaling \$0.00 were declined.

After a careful review of all scholarship proposals, the following scholarships were approved:
See Exhibit B attached hereto.

The Committee confirmed, based on information and belief formed after reasonable inquiry, that (1) each approved scholarship is consistent with all applicable terms of the Foundation's governing documents (including but not limited to any and all recipient eligibility requirements, scholarship

amount limitations, and scholarship purpose restrictions); and (2) no Committee member (or family member thereof) will receive any personal benefit of any kind or nature, no matter how incidental or seemingly insignificant, in connection with any approved scholarship (including but not limited to the satisfaction of any personal pledge made to any proposed grantee).

V. Adjournment. The meeting was adjourned at 8:21 pm

Respectfully submitted,



Signature of Appointed Secretary

Jeanne Hoggins
Printed/Typed Name of Appointed Secretary

**Conflict of Interest Policy
for
William Webermeier Scholarship Fund
("Foundation")**

1. Purpose

The Foundation strives to maintain the highest code of conduct in all its activities and instill public trust in its governance. The Foundation acknowledges the importance of making objective and fair decisions by adopting this Conflict of Interest Policy. This policy applies to all parties with authority to make decisions on the Foundation's behalf or grant recommendations, which may include trustees, board and committee members, consultants, and staff members of the Foundation as applicable ("Interested Persons"). Each Interested Person will receive a copy of this policy when asked to serve the Foundation. This policy is subject to the terms of the Foundation's governing documents, which will control in the event of any conflict.

Interested Persons and their Family Members (as defined below) may participate in other civic activities such as serving as (paid or unpaid) nonprofit board members, trustees, staff members, or volunteers. A situation may arise in which such an organization seeks financial assistance from the Foundation, which could lead to potential conflicts of interest or the appearance of such conflicts. It is the Foundation's policy to address potential conflicts of interest as openly and appropriately as possible.

Potential conflicts of interest may include, but are not limited to: (i) Interested Persons or their Family Members serving as board members, trustees, or advisory committee members of organizations applying for grants from the Foundation; and (ii) Interested Persons or their Family Members being employed by, doing business with, or receiving any personal benefit from organizations that apply for Foundation grants.

For purposes of this policy, "Family Members" of an individual includes such individual's spouse, domestic partner, parents, siblings, and children, as well as any other relative who resides in the same household as such individual.

2. Procedures Relating to Grants

- a. To avoid a potential conflict of interest or the appearance thereof, an Interested Person will disclose any potential conflict before participating in any related grantmaking decision.
- b. After the Interested Person discloses the potential conflict and all material facts, and after any related discussion with the Interested Person, the Interested Person will not participate in the determination of whether an actual conflict of interest exists. The remaining Interested Persons will make this determination.
- c. If it is determined that there is an actual conflict of interest, the Interested Person with the conflict may participate in the discussion of the grant proposal but will abstain from voting on that grant. Such action will be reflected in the minutes of the grant meeting or otherwise documented per Section 5 below.

- d. The other Interested Persons will evaluate the proposed grant and investigate whether alternative grants that do not give rise to a conflict of interest should be considered.
- e. The other Interested Persons will determine by a majority vote whether the proposed grant best serves the Foundation's charitable purposes and whether it is consistent with donor intent. In the event of a tie vote, the grant will not be made.
- f. If a grant is inadvertently awarded to a disqualified person and the award may be deemed self-dealing as described in IRC Section 4941, the award will be void and any funds that have been paid will be recovered by the Foundation in compliance with IRC Section 4941.

3. Procedures Relating to Scholarship Programs

To further avoid potential conflicts of interest or the appearance thereof and certain forms of self-dealing described in Section 4941 of the Internal Revenue Code (IRC):

- a. The following persons shall not be eligible to apply for or receive any scholarship or student loan from the Foundation: (i) Interested Persons and employees and board members of the Foundation and of Wells Fargo Bank, N.A.; and (ii) their spouses, ancestors, children, grandchildren and great-grandchildren; and (iii) the spouses of their children, grandchildren, and great-grandchildren. The Center for Scholarship Administration has been engaged to support scholarship administration for the Foundation. The Center for Scholarship Administration employees and their spouses, ancestors, children, grandchildren, great-grandchildren and the spouses of their children, grandchildren, and great-grandchildren are not eligible to apply for or receive any scholarship or student loan from the Foundation.
- b. If a scholarship is inadvertently awarded to a disqualified person and the award may be deemed self-dealing as described in IRC Section 4941, the award will be void and any scholarship funds that have been paid will be recovered by the Foundation in compliance with IRC Section 4941.

4. Conflicts of Interest Not Relating to Grants

- a. An Interested Person with a conflict of interest may make a presentation pertaining to the proposed action to the other Interested Persons, but after the presentation, he/she will not participate in the discussion of, and the vote on, the transaction or arrangement (hereinafter "transaction") involving the conflict of interest.
- b. The other Interested Persons will evaluate the proposed transaction and investigate alternatives that would not involve an actual or potential conflict.
- c. After exercising due diligence, the other Interested Persons will determine whether the Foundation can make with reasonable efforts an alternative transaction with another person or entity that would not give rise to a conflict of interest.
- d. If an alternative transaction as described above is not reasonably possible, the other Interested Persons will determine by a majority vote whether the transaction is in the Foundation's best interest and whether it is fair and reasonable. In conformity with the above determination, the other Interested Persons will decide whether to enter into the transaction.

5. Documenting Conflicts of Interest

a. The minutes of meetings among Interested Persons will contain:

- i. The name of each person (if any) who disclosed or was otherwise found to have an actual or potential conflict of interest; the nature of such interest; any action taken to determine whether a conflict of interest existed; and the decision of the other Interested Persons as to whether an actual conflict of interest existed.
- ii. The name of each person who was present for discussions and votes relating to any grant or transaction for which an actual or potential conflict was disclosed; the content of the discussion, including any alternatives to the proposed grant or transaction; and a record of any votes taken in connection with the proceedings.

b. Documentation relating to any grant or transaction resulting from decisions or recommendations made by Interested Persons without a meeting will include the above information as applicable.

6. Undisclosed Conflicts of Interest

- a. If an Interested Person inadvertently participated in the vote with respect to a grant applicant or other party with whom the Interested Person or their Family Member is affiliated, the other Interested Persons should be advised of the conflict of interest and such other Interested Persons (including any Interested Persons who were unable to attend the meeting when the original vote was taken) will be asked to confirm their vote.
- b. If an Interested Person has reasonable cause to believe another Interested Person has not disclosed an actual or potential conflict of interest, the first Interested Person will describe the basis for this belief and give such other Interested Person an opportunity to explain. After the explanation, the other Interested Persons will take such action as they deem appropriate.

7. Certification of Adoption

The undersigned certifies that the above Conflict of Interest Policy was adopted by the Scholarship Selection Committee of the William Webermeier Scholarship Fund on 5/4/2021. This policy will remain in effect until modified or revoked.

Signature: Jeanne Hoggins

Date: 5-2-23

Print Name: Jeanne Hoggins

Title: Duly Appointed Secretary

William Webermeier Scholarship Applicants 2023-2024

New Applicants

First Name	MI	Last Name	College Planning to Attend	GPA	GPA Points	Class Rank	Class Size	Rank Points	Academic Points	Cumulative Points	Award Amount 2023-2024
Autumn	E	Wissenburg	Carleton College	4.00	25	1	45	10	35	35	\$1,333.33
Bo	C	Kepler	University of Nebraska	3.96	20	4	45	10	30	30	\$1,333.33
Kaitlin	E	Kontor	Concordia University	3.97	20	5	45	8	28	28	\$1,333.33

\$3,999.99

Reapply Applicants

First Name	MI	Last Name	College Planning to Attend	# of Years Awarded	GPA	Academic Points	Cumulative Points	Award Amount 2020-2021	Award Amount 2021-2022	Award Amount 2022-2023	Award Amount 2023-2024
Madaux	A	DeLong	University of Nebraska	1	4.00	25	25			\$	\$1,333.33
Sydney		Stelling	Northeast Community College	1	4.00	25	25			\$	\$1,333.33
Cassidy	L	June	University of Nebraska	1	3.93	20	20			\$	\$1,333.33

Makennen		Havlat	Chadron State College	2	4.00	25	25			\$	\$1,333.33
Hannah		Kepler	Regis University	2	3.95	20	20			\$	\$1,333.33
Alayna		Piening	Nebraska Wesleyan University	2	3.47	15	15			\$	\$1,333.33

Devon	W	Reitz	Concordia University	3	4.00	25	25	\$	837.21		\$	1,250		\$1,333.33
Calyn	J	Mowinkel	University of Nebraska	3	3.99	20	20	\$	837.21		\$	1,250		\$1,333.33
Naudia	R	Larsen	Wayne State College	3	3.94	20	20	\$	837.21		\$	1,250		\$1,333.33
Klena		Schnack	University of Nebraska	3	3.85	20	20	\$	837.21		\$	1,250		\$1,333.33
Elizabeth	S	Ross	South Dakota State University	3	3.59	20	20	\$	837.21		\$	1,250		\$1,333.33
Isabella	J	Bias	University of Nebraska	3	3.58	20	20	\$	837.21		\$	1,250		\$1,333.33

\$15,999.96