



CITY OF MILFORD, NEBRASKA
COUNCIL AGENDA

Tuesday, May 4, 2021, 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
- b. Council members
- c. City Clerk
- d. 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 6, 2021 and April 20, 2021
- b. Approve Claims by Auditing Committee
- c. Approve Treasurer's Report for March 2021 by Auditing Committee
- d. Accept letter of resignation from Officer Austin Tucker
- e. Hire additional pool staff and set wages.
- f. Appointment to Library Board and Park Board

5. PUBLIC HEARINGS AND PRESENTATIONS

Public Hearing to discuss the Preliminary Engineering Report to replace various water mains and appurtenances throughout the City and the potential impact to the existing water rates. A requirement for State Revolving Loan Funding from the Nebraska Department of Environment and Energy and other funding Agencies. All local citizens and any other interested parties, governmental agencies or groups are encouraged to comment.

6. CURRENT BUSINESS

- a. Webermeier Scholarships
 - 1. Review of Foundations Terms
 - 2. Conflict of Interest Policy
 - 3. Review of Scholarships
- b. Consider dates for a Retreat.
- c. Consider changing date of July meeting.
- d. Consider RFP for the CDBG Pre-planning DTR Project
- e. Consider Uptown Park Revitalization Project which includes a Splash Pad
- f. Consider hiring Police Officer and setting wage

7. RESOLUTIONS AND ORDINANCES

RESOLUTION NO. 617 – Second Amendment to the United States Constitution

2nd Reading as amended:

ORDINANCE NO. 957 - AN ORDINANCE OF THE CITY OF MILFORD AMENDING THE CITY CODE AS PROVIDED HEREIN TO CREATE AN APPOINTED OFFICIAL POSITION TO OVERSEE BUILDING INSPECTIONS AND CODE ENFORCEMENT.

8. ADJOURNMENT

CITY OF MILFORD
REGULAR MEETING
MAY 4, 2021
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 4th day of May 2021 at 7:00 pm. Present were: Mayor Patrick Kelley; Council members: Tony DeLong, Becky Freeman, Kelli Keib, Mike Roth; Attorney Anthony Aerts; Maintenance Supt. Gary TeSelle, Chief of Police Forrest Siebken and City Clerk Jeanne Hoggins. Also present: Kevin Keib, Tara Langenburg, Zane Francescato, Larry TeSelle, Brad Havener, Leslie & Emmy Toovey, Dane Simonsen and Misty Ahmic.

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 Freeman and seconded by DeLong to approve the agenda as submitted. Mayor Kelley noted an appointment to the Community Betterment Committee will be included in Appointments 4.(f). Roll call vote: Freeman yes, DeLong yes, Keib yes, Roth yes. Motion carried.

SUBMITTAL OF REQUESTS FOR FUTURE ITEMS:

REPORTS/COMMUNICATIONS: Written reports received: Pool Board minutes for April 29, 2021; Police Dept. Activity Report for March 2021; Fire Dept Report for April 2021. Library Report for March and April. Senior Center Newsletter for May.

Mayor Kelley – *Taken calls on various items: street cracks, weeds, mowing. *He is working with SCC to provide meals for the Sr. Center. Sunrise is no longer interested in this contract. *Park Board met to introduce start discussion on an Uptown Park Revitalization project.

Keib – *Several headstones have fallen or are in need of repair. Bill Lauber has been contacted to coordinate repair. Chuck Wergin is mowing at the cemetery. Cemetery Board will meet on 5/13/21. *Pool Board met and hired additional lifeguards, 14 total for the year. Lessons to be determined depending on lifeguard availability. Working with Megan Kahler on a grant to provide fitness classes at the pool. Maintenance dept. will be cleaning the pool this week and painting next week. There is a current chlorine shortage, but Gary has ordered all our chlorine for the year. *SSCSWMA will meet June 17. Reviewing tipping fees. Landfill contract coming up. *Library report provided.

Roth – *No fire calls for April. 29 rescue calls. *4 different water main breaks have been repaired. Timber Creek water main may be installed in May instead of June. Water tower overflowed this weekend due to alarm failure.

Freeman - *Recreation activities are in full swing. Cabinets are installed at the concession stand, the sink still needs to be set. Hosted the first tournament of the year this last

weekend. Soccer will end this Saturday. *Almost all services are available at the Sr. Center. Still working on congregate meals, Amy is still cooking the meals currently. Computer services will be available soon. Craft activities are being planned. Center is open except from 11:00 – 1:00 when Amy is delivering meals. When the new meal contract is in place, Amy will no longer need to deliver meals.

DeLong – *4 water services repaired, the new guys did all of them. Large pavement project at North F St. and Cottonwood. *Speed signs purchased, 1 is up and the other one is coming. D Street is a target area as people tend to speed down the hill. Looking into 2 gradual speed bumps down D Street to control speed year-round. DeLong's written report attached to these minutes.

Clerk Hoggins – *Sales tax received for the month of February 2021 in the amount of \$18,834.74. *NPPD lease rebate payment for the month of March 2021 received in the amount of \$14,136.87. *Clay Petersen delivered a dividend check from EMC in the amount of \$15,288.97, which is the largest dividend check we have ever received. EMC has been able to provide dividend checks 18 out of 25 years. *Black Hills Energy annual franchise tax received in the amount of \$15,805.76.

Zane Francescato with SCCDP shared that Seward County had received a Notice of Award from DED for the 2020 NE Rural Workforce Housing Fund in the amount of \$631,500. With public and private contributions, the county will have access to 1,263,000.00 for housing loans available to developers or rehab projects. Milford led in contribution dollars with \$75,000 from the Community Betterment Fund and \$35,000 from LB840 Funds. A representative from each committee will serve on a county board to determine project funding.

CONSENT AGENDA: Mayor Kelley read the Consent Agenda:

- a. Approve Meeting Minutes of – April 6, 2021 and April 20, 2021
- b. Approval of Claims: Accounts Payable - \$129,091.96; Payroll - \$37,188.44. Totaling \$166,280.40 by Auditing Committee.
- c. Approve Treasurer's Report for March 2021 by Auditing Committee.
- d. Accept letter of resignation from Officer Austin Tucker
- e. Hire additional pool staff and set wages.
- f. Appointment to the Library Board and Park Board.

A motion was made by DeLong and seconded by Freeman to approve items on the consent agenda as presented. Council member Keib requested pulling item (e) for further discussion. Roll call vote: DeLong yes, Freeman yes, Keib yes, Roth yes. Motion carried.

SALARIES:

70282	Forrest Siebken	1916.57
70283	Jeanne Hoggins	1427.94
70284	Gary Teselle	1065.34
70285	George Matzen	855.58
70286	Craig Carritt	30.58
70287	Jon Wiedemeyer	367.97
70288	Amy Salistean	901.74
70289	Ardella Huber	1031.77
70290	James Palensky	1605.74
70291	Owen Eickhoff	100.36
70292	Marissa Parman	733.83
70293	Hannah Fougeron	142.45
70294	Dustin Hultgrien	995.07
70295	Austin Tucker	1056.89

70296	Joseph Kallhoff	1106.98
70345	Mark Frey	627.94
70346	Forrest Siebken	1608.08
70347	Jeanne Hoggins	1427.94
70348	Gary Teselle	1065.34
70349	George Matzen	849.68
70350	Craig Carritt	28.39
70351	Jon Wiedemeyer	110.69
70352	Amy Salistean	939.17
70353	Ardella Huber	970.10
70354	James Palensky	1666.09
70355	Owen Eickhoff	187.04
70356	Charles Wergin	136.21
70357	Marissa Parman	643.36
70358	Hanna Fougeron	118.13
70359	Dustin Hultgrien	1000.16
70360	Austin Tucker	1338.98
70361	Joseph Kallhoff	1127.18
70364	Patrick Kelley	184.70
70365	Waylon DeLong	138.52
70366	Becky Freeman	138.52
70367	Kelli Keib	138.52
70368	Michael Roth	138.52

GENERAL FUND:

70297	RETIREMENT PLANS DIVISION	PENSION-133011	1,424.36
	IRS-FEDERAL WITHHOLDINGS	FED/FICA TAX	3,959.59
	NE DEPT OF REVENUE	STATE TAX	575.08
70298	UNION BANK	HSA	675.00
70299	AFLAC	MARCH SUPPLEMENTAL INSURANCE	570.42
70300	ARAMARK	INV. 45270-PANTS,TOWELS	551.91
70301	BLACK HILLS ENERGY	CITY HALL GAS SERV.	949.40
70302	BRYAN MEDICAL CENTER	2015-TODD BLAND EMERG.RM	6,336.97
70303	CASH-WA DISTRIBUTING	PAPER TOWELS, SUPPLIES	182.35
70304	CORNHUSKER PRESS	CAT & DOG PET TAGS	132.80
70305	CREATIVE INK	BASEBALL/SOFTBALL UNIFORMS	4,031.73
70306	CRETE LUMBER & FARM SUPPLY	SEEDING/SEWER LINE/COON CREEK	119.00
70307	CULLIGAN WATER CONDITIONING	SOFTENER RENT/COOLER RENT/SR.C	33.00
70308	CYRA C/O: APRIL OTTO	10 U. SOFTBALL TOURN/MILFORD	200.00
70309	DCAC	8 UNDER/TEAM 1 SOFTBALL	250.00
70310	EAKES OFFICE SOLUTIONS	COPY PAPER,ENVELOPES,CORR.TAPE	95.48
70311	FARMERS COOPERATIVE	FUEL	1,271.21
70312	GPM	ANNUALL FLOW METER CALIBRATION	412.00
70313	JER'S REPAIR	SERVICE PUMP #61	402.07
70314	JOHN DEERE FINANCIAL	RADIATOR KIT	791.80
70315	KELLY HANEY	2 YOGA CHAIR SESSIONS	60.00
70316	KELLY SUPPLY COMPANY	ALUM.COUPLING/WATER LINE REPAI	8.54
70317	KENDALL HOGGINS	FEB/MARCH BLD. INSPECTIONS	790.00
70318	LINCOLN RADIOLOGY GROUP	AUG.2015-T.BLAND RADIOLOGY	641.00

70319	LINCOLN WINWATER WORKS	WATER SERV.INSTALL PARTS	410.93
70320	MATHESON TRI-GAS,INC	COMPRESSED GAS/OXYGEN,HAZ.MAT	219.79
70321	MIDWEST AUTO PARTS	ELEC. BATTERY,TAPE,DRILL BITS	662.50
70322	MIDWEST SERVICE & SALES CO.	4-8'TREATED BLADES/RD. GRADER	557.80
70324	NE PUBLIC HEALTH ENV. LAB	MERCURY WATER TESTING	82.00
70325	NEBRASKA PUBLIC POWER DISTRICT	2-23-21 TO 3-24-21 ELECT.	3,541.01
70326	NORRIS PUBLIC POWER DIST	ACCT. 40700 NORTH WELL	266.50
70327	POWERPLAN	JD. 310 2 WHEELS	1,112.53
70328	REDIGER AUTOMOTIVE	SR.CTR. SHUTTLE REPAIRS	709.22
70329	REMBOLT LUDTKE LLP	MARCH LEGAL SERVICE	2,066.00
70330	SEWARD COUNTY INDEPENDENT	WATER QUALITY REPORT	935.50
70331	TCA OUTDOOR POWER	PUMP BELT FOR MOWER	29.99
70332	TOOFAST SUPPLY	SEALANT, 12 GAUGE SPADE	99.18
70333	TVRDY'S LOCK & KEY	REKEY SR. CFTR.	280.00
70334	UBO	8 U. MILFORD GREY TOURNAMENT	100.00
70335	UNION BANK	5 EMPLOYEES HSA @ \$2.00 EACH.	10.00
70336	UNIVERSAL PREMIUM	FUEL 3-6 TO 4-5-21	537.89
70337	URIBE REFUSE SERVICES, IN	MARCH 3 ROLLOFF/DISPOSAL RECY	579.46
70338	VERIZON WIRELESS	INTERNET AMBULANCE	92.92
70339	VERIZON WIRELESS-P	PHONE SERVICE 2 LINES	96.24
70340	WERGIN'S LAWN SERVICE	PRE-EMERGENT FERTILIZER	1,245.00
70341	WINDSTREAM ENTERPRISE	6 PHONE RENTALS	234.44
70343	WINDSTREAM NEBRASKA INC	LIBRARY PHONE	124.89
70362	RETIREMENT PLANS DIVISION	PENSION	1,424.36
	IRS-FEDERAL WITHHOLDINGS	FED/FICA TAX	4,040.19
	NE DEPT OF REVENUE	STATE TAX	569.07
70363	UNION BANK	HSA	675.00
	IRS-FEDERAL WITHHOLDINGS	FED/FICA TAX	122.44
70375	ACKERMAN ROCK & GRAVEL	15 TON LOAD GRAVEL	795.86
70376	ALOHA ROTH	SR.CTR. BIRTHDAY SHEET CAKE	25.00
70377	AMY SALISTEAN	SR.CTR. SHUTTLE GAS	15.51
70378	BLUE CROSS & BLUE SHIELD	MAY HEALTH INSURANCE COVERAGE	9,027.84
70379	CANON FINANCIAL SERVICES	APRIL COPIER CONTRACT	165.00
70380	CARD SERVICE CENTER	LIBRARY PRINTER/LAMINATOR	2,034.76
70381	CARD SERVICES (VISA)	NYLON WEBBING & TIE DOWNS	56.97
70382	PETTY CASH	WATER SUPPLY MAILINGS	30.79
70383	DEARBORN GROUP	MAY ACCIDENTAL LIFE INSURANCE	127.28
70384	DRAGONFLY	11 TACO SALAD MEALS	225.50
70385	HARTMANN CUSTOM SERVICE CO.	16.69 TONS CRUSH ROCK	298.42
70386	HOA SOLUTIONS	WELL #3 FIELD LABOR	330.00
70387	INGRAM LIBRARY SERVICES	BOOKS FOR LIBRARY	994.57
70388	JEO CONSULTING GROUP, INC.	HIGHWAY WATER MAIN RELOCATION	1,783.75
70389	JER'S REPAIR	TANKER UNIT #40 18 HP. PUMP	135.79
70390	KELLY HANEY	2 SESSIONS CHAIR YOGA	60.00
70391	KELLY SUPPLY COMPANY	ALUMINUM COUPLING	13.36
70392	LINCOLN WINWATER WORKS	CULVERT SECT/CR.MEMO	577.94
70393	MICHELLE FOLKERS	4 HRS. CLEANING	100.00

70394	MILFORD FIRE & RESCUE	CONF. MEALS/FRI.WINTER CONF.	260.85
70395	MUNICIPAL SUPPLY, INC.	CURB STOP RISERS	198.36
70396	NE PUBLIC HEALTH ENV. LAB	COLIFORM TEST	30.00
70397	NEBRASKA FIRE SPRINKLER	SR.CTR. ANNUAL FIRE INSPECTION	295.00
70398	NEBRASKA PUBLIC POWER DISTRICT	WELL ELECT.	1,636.99
70399	PIZZA KITCHEN	36 MARCH BIRTHDAY MEALS SR. CT	207.36
70400	SEWARD COUNTY INDEPENDENT	APRIL 6, 21 MINUTES PUBLISHED	51.85
70401	STRYKER SALES CORPORATION	MONITOR	49,427.71
70402	TOP SHAPE TREE LLC	TREE REMOVAL (301 1ST STREET)	2,400.00
70403	TRAVIS KEILIG	CORDLESS SCREWDRIVER/SETS	133.65
70404	GARY TESELLE	GARY TESELLE	476.70
70405	URIBE REFUSE SERVICES, IN	WELCH PARK- REC.	710.00
70406	VAN KIRK BROTHERS CONST.	WATER SERV.LABOR/MATERIALS	13,964.00
70407	VERIZON WIRELESS	4-11 TO 5-10 WATER PH SERVICE	85.15
70408	WALMART COMMUNITY BRC	SR. CTR. GROCERIES	586.37
70409	WINDSTREAM NEBRASKA INC	MAINT. PHONES	355.29
70410	ZITO MEDIA	INTERNET SERV.	5.59
	NE DEPT OF REVENUE	MARCH SALES TAX	2,485.31
1121	SCC	CONCESSION STAND CABINETS	1,100.00
1122	CITY OF MILFORD	CONC STAND START UP MONEY	150.00
1120	PEPSI BOTTLING CO.	POP FOR CONCESSION STAND	1,711.25
	Total Paid On: 4/12/21		13,338.81
	Total Paid On: 4/26/21		13,844.48
	Total Paid On: 5/03/21		738.78
	***** REPORT TOTAL *****		166,280.40

PUBLIC HEARING AND PRESENTATIONS:

Public Hearing to discuss the Preliminary Engineering Report to replace various water mains and appurtenances throughout the City and the potential impact to the existing water rates. A requirement for State Revolving Loan Funding from the Nebraska Department of Environment and Energy and other funding Agencies. All local citizens and any other interested parties, governmental agencies or groups are encouraged to comment. Mayor Kelley opened the public hearing at 7:27 pm. It is the Council's intent to utilize the SRF Program to enter into a loan for funding to replace the aging water mains in the original part of town. Dane Simonsen with JEO explained that a public hearing is required with the SRF application process to allow the community an opportunity to express concerns or ask questions. Those concerns/questions will be passed on to SRF to determine if Milford would qualify for funding. TeSelle noted this project will address the new lead and copper regulations as well as eliminate the brown/discolored water. SRF allows a forgiveness totaling \$850,000 for the entire project. The application process will need to be completed in the next 45 days. The pre-application has been submitted and an analysis of environmental concerns will be conducted. Funding for this project is earmarked for 3 years which takes the project to the end of construction. With no further comments or discussion, the public hearing was closed at 7:35 pm.

CURRENT BUSINESS:

a. Webermeier Scholarships: Supt. of Milford School District, Kevin Wingard updated the Council on the process in which Wells Fargo worked with us to update our procedures according to the original document of William Webermeier. The will stated the Supt. of Schools will be involved in the process and present the grant information to the City

Council. One suggestion from Wells Fargo was to reduce the number of scholarships given to reflect a prestigious award. 3 scholarships will be given each year.

Review of Foundations Terms - Mr. Wingard reviewed the terms of the Foundation's governing documents. The funds income shall be used to award scholarships.

Conflict of Interest Policy – The Conflict of Interest Policy was reviewed and adopted. Each member of the Council affirmed that based on the information and belief formed after reasonable inquiry, no attendee has a potential conflict of interest with respect to any grant under consideration. Duly appointed secretary Jeanne Hoggins was directed to sign the policy as adopted. A copy is attached to these minutes.

Review of Scholarships – Mr. Wingard noted the presentation this evening will reflect only numbers as the scholarships will be presented at Honors Night on May 10, 2021. A total of 23 scholarships were reviewed. 3 new scholarships totaling \$2,842.11 were approved. 16 renewal scholarships totaling \$15,157.92 were approved. Three were not selected. One scholarship was declined for not meeting renewal requirements. A motion was made by Freeman and seconded by Keib to award 16 renewals and 3 new scholarships totaling \$18,000.00. Roll call vote: Freeman yes, Keib yes, DeLong yes, Roth yes. Motion carried.

b. Consider dates for a Retreat. May 18 & 19 starting at 6:00 pm.

c. Consider changing date of July meeting. A motion was made by DeLong and seconded by Keib to change the date of the July regular meeting to Tuesday, July 13 @ 7:00 pm. Discussion: Freeman suggested a 6:00 pm start time. A motion was made by DeLong and seconded by Keib to amend the original motion changing the time to 6:00 pm. Roll call vote: DeLong yes, Keib yes, Freeman yes, Roth yes. Motion carried. Roll call on date change: DeLong yes, Keib yes, Freeman yes, Roth yes. Motion carried.

d. Consider RFP for the CDBG Pre-planning DTR Project. A motion was made by Keib and seconded by DeLong to approve the Request for Proposal for the CDBG Pre-planning Downtown Revitalization Project. Roll call vote: Keib yes, DeLong yes, Freeman yes, Roth yes. Motion carried.

e. Consider Uptown Park Revitalization Project which includes a Splash Pad: Mayor Kelley has had interest in pursuing a splash pad into the community since he was the pool liaison. He has received positive community input regarding this project. He has met with Dave Henke from JEO several times to come up with the conceptual before you. Tonight is an introduction to the project allowing open discussion on what we might call the 1st draft. Trees to allow for Christmas lights, improvements to sidewalks, upgrades to the basketball court and additional lights to brighten things up. The goal is to update our park making it an attraction for our community.

The Park Board met last night, and DeLong shared that good conversation was held. He reiterated that this is a conception not something set in stone. He shared his passion to upgrade the basketball court similar to Pleasant Dales. This project hits many different demographics. After some research he discovered that many small communities have splash pads. Ex. Dorchester, Firth and the Fall Brook area which some of the ideas came from their facility. Funding may be our biggest challenge. Mayor Kelley is researching reimbursable grants and having philanthropy \$ talks.

Freeman glad to see the basketball court was not being eliminated. She questioned the upkeep of a Splash Pad. Mayor Kelley thought it would be best to have Dave Henke involved in that conversation. Roth thought it was a good idea but questioned the \$600,000 price tag. Keib thought there would be advantages of placing it by the pool. The pump would handle the Splash Pad. There is a concern with vandalism even though it happens

everywhere. When it is not running kids will be climbing on the equipment. It would be great for the community, but she doesn't want to take away from the pool.

Community comments which included: park needs facelift, excited about upgrades to the basketball court, kids in the park all the time, enjoy the splash pad evenings after pool closes, possible community fundraising/donations, very appealing to the community. Pretty big ticket item.

f. Consider hiring Police Officer and setting wage. A motion was made by DeLong and seconded by Roth to approve hiring Lisa Huschka as Police Officer at a starting wage of \$20.00 per hour with a .50 increase at 6 months and 1 year under the city's contract of a 4-year commitment. Roll call vote: DeLong yes, Roth yes, Freeman yes, Keib yes. Motion carried.

h. Hire additional pool staff and set wages. Councilmember Keib agreed with hiring the additional staff as presented. She reviewed the pool budget thoroughly and made the following recommendation: Manager - \$12.00 p/h; Asst. Manager - \$11.00 p/h; returning guards pending Pool Operator Certification: Joselyn Bell - \$10.00 p/h; Kaitlyn Klug - \$9.75 p/h; Ashlyn Zegers - \$9.75 p/h; Jayla Policky - \$9.75 p/h and all new guards starting at \$9.50 p/h. Wages will be more competitive with Beaver Crossing and Seward. A motion was made by Keib and seconded by Freeman to approve wages as presented. Roll call vote: Keib yes, Freeman yes, DeLong yes, Roth yes. Motion carried.

RESOLUTIONS AND ORDINANCES

Resolution No. 617 – Second Amendment to the United States Constitution:

RESOLUTION NO. 617

WHEREAS, the Second Amendment to the United States Constitution adopted in 1791 as a part of the Bill of Rights, protects the inalienable and individual right of the people to keep and bear arms, and that right shall not be infringed; and,

WHEREAS, the United States Supreme Court in *District of Columbia v. Heller*, 554 U.S. 570 (2008), affirmed an individual's right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home; and

WHEREAS, the United States Supreme Court in *McDonald v. Chicago*, 561 U.S. 742 (2010), affirmed that the right of an individual to "keep and bear arms," as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment against the states; and

WHEREAS, Article I, Section 1-1 of the Nebraska Constitution provides that the right to keep and bear arms, specifically for "security or defense of self, family, home and others, and for lawful common defense, hunting, recreational use, and all other lawful purposes" is a right that shall not be denied or infringed by the state or any subdivision thereof; and

WHEREAS, the members of the City of Milford City Council took an oath to support and defend the United States and Nebraska Constitutions; and

WHEREAS, it is the desire of the City of Milford City Council to declare its support of the Second Amendment to the United States Constitution and Article I, Section 1-1 of the Nebraska Constitution.

NOW, THEREFORE, BE IT RESOLVED, that the City of Milford City Council hereby declare that we support the rights and liberties of all City of Milford citizens guaranteed by the United States and Nebraska Constitutions.

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

Dated this 4th day of May 2021, at Milford, Nebraska.

ATTEST:


City Clerk/Treasurer




Mayor

ORDINANCE NO. 957 - AN ORDINANCE OF THE CITY OF MILFORD, NEBRASKA AMENDING THE CITY CODE AS PROVIDED HEREIN TO CREATE AN APPOINTED OFFICIAL POSITION TO OVERSEE BUILDING INSPECTIONS AND CODE ENFORCEMENT.

Mayor Kelley noted that taking the street duties away from this position does not warrant a full-time position. If creating this as a new position, where is the funding coming from? Funding from the streets is no longer an option.

Lengthy discussion was held regarding all the responsibilities Gary has, how he is pulled in so many different directions and that some areas of the city are not being attended to in a timely manner. Several areas were mentioned that need immediate attention. Gary noted he is overburdened. Mayor Kelley was trying to lessen Gary's burden by creating this new position and taking the street responsibilities off his plate. Knowledge of concrete work falls in line with building.

DeLong noted that the maintenance department needs more staff and removing the street duties will not help Gary out. Gary's biggest responsibility right now is being tasked with training his new employees; he needs to get his 3rd person. DeLong agreed the Building Inspector position and the Nuisance Enforcement position is needed and would like to figure this out during budget conversation. Roth suggested adjusting building permit fees to cover the cost of a subcontracted Building Inspector. This position requires overall knowledge of building.

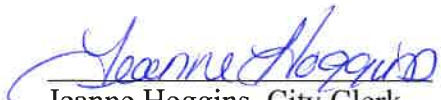
2nd Reading – May 4, 2021:

ORDINANCE NO. 957

AN ORDINANCE OF THE CITY OF MILFORD, NEBRASKA AMENDING THE CITY CODE AS PROVIDED HEREIN TO CREATE AN APPOINTED OFFICIAL POSITION TO OVERSEE BUILDING INSPECTIONS AND CODE ENFORCEMENT.

After much conversation and no consensus, a motion was made by Keib and seconded by Roth to postpone the 2nd reading of Ordinance No. 957 to a later meeting. Roll call vote: Keib yes, Roth yes, DeLong yes, Freeman yes. Motion carried.

ADJOURNMENT: A motion was made by Keib and seconded by DeLong to adjourn the meeting. Roll call vote: Keib yes, DeLong yes, Freeman yes, Roth. Motion carried and meeting adjourned at 9:47 pm.

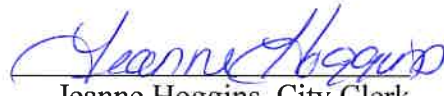

Jeanne Hoggins, City Clerk


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 4, 2021 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

