

CITY OF MILFORD
REGULAR MEETING
MAY 5, 2020
MINUTES

A regular meeting of the Mayor and Council of the City of Milford, Nebraska was held online via Zoom, pursuant to Executive Order 20-03 issued by the Governor of the State of Nebraska in said City on the 5th day of May 2020 at 7:00 pm. Present via Zoom were: Mayor Patrick Kelley; Council members: Scott Bashore, Tony DeLong, Becky Freeman, Jason Stahl; Attorney Mark Fahlson; Chief of Police Forrest Siebken; Maintenance Supt. Gary TeSelle and City Clerk Jeanne Hoggins. Attorney Fahlson noted 34 individuals attended the meeting via Zoom.

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 via Zoom.

CALL TO ORDER: Mayor Kelley called the meeting to order at 7:04 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 east wall in the City Hall meeting room. Waived as conducting meeting thru Zoom.

REPORTS/COMMUNICATIONS: Written reports received: Fire Dept Report for April 2020. Police Dept. Activity Report for March 2020.

Mayor Kelley has continued to participate in calls every Tuesday and Friday with Four Corners Health to discuss COVID health concerns with respect to other Leaders and Hospital Leaders in our area. He continues to participate in calls with Governor Ricketts. He has worked with Rescue Chief Troy Pickerill to insure we have proper PPE. Taken calls regarding the Recycling Trailer and worked with Gary on a plan of action. Taken calls regarding ideas on golf cart ordinance.

Clerk Hoggins - Sales tax received for the month of February 2020 in the amount of \$14,479.85. NPPD lease rebate payment for the month of March 2020 received in the amount of \$13,654.76. Black Hills Energy Franchise Tax received in the amount of \$14,441.50. All requirements met pertaining to the 2019 Water Quality Report.

Stahl – reported 14 Rescue calls and no Fire calls for April. PPE's received: 17 splash visors, 50 surgical masks and a gallon of hand sanitizer. No gowns

are available. Webermeier Scholarship met last week, interviewed 12 candidates. Requesting 16 renewals and 6 new scholarships.

Bashore - Mud jacking at Library is complete. Curbside book delivery is not being used a tremendous amount. Library will be ready to open when the City is ready to open it up. Wading pool has been repainted. Gary is doing what he can to prepare the pool if we are able to open. Suggested date by the Governor is July 15th, not a mandated date. Water/Sewer - reports of some brown water, which is seasonal. Flushing hydrants next week and suggested increasing to quarterly flushing. Replaced a fire hydrant damaged at 4th & Elm Streets.

Mayor Kelley asked Gary to touch on the 2019 Water Quality Report. TeSelle - No violations during 2019. It is posted on the website and is currently published in the Milford Times. Milford has a manganese situation which is a natural occurring mineral in water. State is reviewing this situation but no direction currently. The fact that we blend our deep wells with our shallow wells on a regular basis, there should not become an issue.

Freeman - All recreation activities are on hold solely due to COVID. Conversation has taken place with Amy regarding opening the Sr. Center. There are a lot of logistics to work out: serving meals, they cannot have salad bar, concerned with people wearing masks as it is difficult to eat with a mask or drink coffee. Amy suggested a soft opening, maybe allowing use of the exercise room and see how that goes and as things progress with COVID, start opening the coffee bar and slowly move into reopening. She is still delivering meals with over 40 the last 2 weeks. The highest was 69 meals in one week.

DeLong - Streets: Gary has contacted DOR to gather information on repairs to Hwy 6. No concrete information has been received. Alleys have been graded and graveled. The loose tar on the streets has been cleaned up. For whatever reason, there must have been a different chemical that didn't set well with our streets. When Gary and the guys put the tar down, it didn't stick, which is unfortunate. A curve survey was done, and it was quite extensive. They will be looking into how they can move forward with these repairs. Additional help from 3 summertime employees will allow for painting bathrooms, curbs and stripes in the downtown area. Areas of the parks have been reseeded.

Discussion was held regarding the Hwy 6 project that is underway. A traffic light has been installed north of town. Bashore shared that bridge preparation is usually done before a planned overlay.

Chief Siebken received PPE equipment, masks and face shields. Officer Bailey will start the Academy on May 17, 2020. Officer Childers started Monday, April 27, 2020.

The recycling trailer is back out at Welch park. TeSelle shared they will wait until it is full, park for 1 week to remove any potential virus then take to Lincoln to unload.

CONSENT AGENDA: Mayor Kelley read the Consent Agenda:

1. Approve Minutes of the Regular Meeting – April 7, 2020 and Special Meeting – April 20, 2020.
2. Approval of Claims: Accounts Payable - \$92,320.93; Payroll - \$34,791.56. Totaling \$127,112.49.
3. Disbursement of Webermeier Scholarships
4. Appointments to the Park Board

A motion was made by DeLong and seconded by Bashore to approve the consent agenda as presented. Roll call vote: DeLong yes, Bashore yes, Freeman yes, Stahl yes. Motion carried.

SALARIES:

68495	Mark Frey	635.98
68496	Forrest Siebken	1867.55
68497	Kendall Hoggins	1255.39
68498	Jeanne Hoggins	1315.60
68499	Gary TeSelle	1034.18
68500	George Matzen	828.46
68501	Travis Fougeron	109.01
68502	Amy Salistean	871.77
68503	Cathleen Fosler	96.77
68504	Ardella Huber	974.63
68505	Denver Trojan	909.11
68506	James Palensky	1472.02
68507	Christopher Bailey	1477.02
68554	Mark Frey	504.82
68555	Forrest Siebken	1566.59
68556	Kendall Hoggins	1296.62
68557	Jeanne Hoggins	1315.60
68558	Gary TeSelle	1034.18
68559	George Matzen	828.46
68560	Travis Fougeron	1010.78
68561	Amy Salistean	880.89
68562	Ardella Huber	948.85
68563	Denver Trojan	238.04
68564	James Palensky	1472.02
68565	Christopher Bailey	1427.12
68568	Scott Bashore	138.52
68569	Patrick Kelley	184.70
68570	Waylon DeLong	138.52

68571	Jason Stahl	138.52
68572	Becky Freeman	138.52

GENERAL FUND:

68508	RETIREMENT PLANS DIVISION	PENSION	1,823.56
2085216	IRS-FEDERAL WITHHOLDINGS	FED/FICA TAX	3,765.52
2085217	NE DEPT OF REVENUE	STATE TAX	549.26
68509	UNION BANK	HSA	769.96
68510	AMERITAS LIFE INSURANCE CORP.	DENTAL COVERAGE 5-1 TO 5-31	704.04
68511	ATCO INTERNATIONAL	2 CASES CLEANING TOWELS	318.00
68512	BLACK HILLS ENERGY	GAS SERVICE 3-5 TO 3-31-20	775.19
68513	BROADVIEW NETWORKS	4-2 TO 5-1-20 RENT 6 PHONES	247.35
68514	CASH-WA DISTRIBUTING	MILK FOR SR. CENTER	43.30
68515	PETTY CASH	POSTAGE, HOOKS, MAG. FILES	76.74
68516	CRETE LUMBER & FARM SUPPLY	50# FESCUE/BUEGRASS MIX	125.00
68517	CULLIGAN WATER CONDITIONING	SOFTENER RENTAL & COOLER RENT	55.50
68518	DAS STATE ACCTG-CENTRAL FINANC	MARCH 2020 MONTHLY FEE	93.00
68519	FARMERS COOPERATIVE	FUEL	778.79
68520	FIRSTAR FIBER INC.	FEB. 2020 RECYCLING SERVICES	60.00
68521	G & P DEVELOPMENT LANDFILL	2 DUMP TRUCK LOADS WASTE	45.64
68522	HAMILTON EQUIPMENT COMPANY	BOBCAT/TRAILER RENTAL FIELD 2	425.69
68523	HEARTLAND ORGANICS	VEGGIES	10.00
68524	IACP	1-1-20/12/31/20 ANNUAL MEMBER.	190.00
68525	JOHN DEERE FINANCIAL	REPLACE BROOM/SPRAYER	4,392.90
68526	LINCOLN WINWATER WORKS	REPAIR & TAPPING	46.04
68527	MATHESON TRI-GAS,INC	MONTHLY RENTAL CHARGE	219.79
68528	MIDWEST AUTO PARTS	SPRAYERS,CLAMPS,PAINT,STUDS	380.27
68529	MILFORD A/C & APPLIANCE, INC.	REPAIR GAS LINE/LABOR/SERV.CAL	150.00
68530	MILFORD FIRE & RESCUE	REIM. 6 MEALS NEMSA CONF/MILEA	316.17
68531	MILFORD PHARMACY	BATTERIES	38.95
68532	MILLER PAINTING	PAINTING WADING POOL	1,750.00
68533	MUNICIPAL SUPPLY, INC.	METER & GASKETS	1,402.19
68534	NEBRASKA PUBLIC HEALTH	COLIFORM COLLECT LAB SAMPLES	30.00
68535	NEBRASKA PUBLIC POWER DISTRICT	2-25 TO 3-24-20 ELECT.	4,049.19
68536	NEBRASKA STATE PATROL	TRACS 2020 USER FEES	112.50
68537	NORRIS PUBLIC POWER DIST	2-27 TO 3-27 ACCT. ELEC	293.11
68538	OLD DEPOT FARM	VEGGIES FOR SR. CENTER	15.35
68539	PAPER TIGER SHREDDING	2 LOADS OLD RECORDS DESTROYED	169.35
68540	PIZZA KITCHEN	8 MARCH BIRTHDAY MEALS	53.99
68541	POTTER REPAIR, INC.	2005 GMC REPLACE FUEL TANK	2,932.64
68542	REMBOLT LUDTKE LLP	MARCH LEGAL SERVICES	2,830.50
68543	RUSS DLOUHY	301 4TH STREET REPAIR	250.00
68544	SEWARD COUNTY INDEPENDENT	MAINTENANCE HELP WANTED ADS	101.70
68545	SEWARD LUMBER	8' 2X6 & 2X10 TREATED LUMBER	37.56
68546	THRASHER	POLYJACKING/FOUNDATION SETTLIN	11,798.88
68548	UNIVERSAL PREMIUM	FUEL	439.96
68549	VAN KIRK BROTHERS CONST.	SIDEWALK REPLACEMENT	640.00
68550	VERIZON WIRELESS	4-2 TO 5-1 ACCT.	111.66

68551	VERIZON WIRELESS-P	2-29 TO 3-28	100.82
68552	WERGIN'S LAWN SERVICE	AERATE & FERTILIZE	1,475.00
68553	WINDSTREAM NEBRASKA INC	3-25 TO 4-24 PHONE	112.85
68566	RETIREMENT PLANS DIVISION	PENSION-	1,695.80
2085218	IRS-FEDERAL WITHHOLDINGS	FED/FICA TAX	3,701.72
2085219	NE DEPT OF REVENUE	STATE TAX	542.38
68567	UNION BANK	HSA	769.96
2085220	IRS-FEDERAL WITHHOLDINGS	FED/FICA TAX	122.44
68620	UNITED STATES POSTMASTER	APRIL BILLING, MAILED IN MAY	210.05
68573	ADAM HILL	UB Refund	70.36
68574	COOPER KISER	UB Refund	37.08
68575	JORDAN STUTZMAN	UB Refund	66.75
68576	DENVER & KALA TROJAN	UB Refund	54.60
68577	AMOS UTECHT	UB Refund	40.86
68586	ACKERMAN ROCK & GRAVEL	1 LOAD 3/4' CLEAN ROCK	1,018.40
68588	ADVANCED GRAPHIX INC	3 DROP BOX DECALS	49.50
68587	AFLAC	APRIL SUPP. INSURANCES	376.80
68600	ASHLEY STUTZMAN	REFUND BALL REGISTRATION	65.00
68589	ATCO INTERNATIONAL	DEVOUR DEGREASER	6,679.80
68592	BLUE CROSS & BLUE SHIELD	5-1 TO 6-1-20 HEALTH INSURANCE	10,535.05
68610	BLACK HILLS ENERGY	3-5 TO 4-3 GAS	253.48
68585	CANON FINANCIAL SERVICES	APRIL CHARGE FOR COPIER	165.00
68583	CARD SERVICE CENTER	POSTAGE, MARKING FLAGS	1,174.04
68599	CARD SERVICES	COVID 19 ROPE FOR PLAYGROUNDS	515.99
68595	CORNHUSKER PRESS	100 DOG TAGS	71.05
68598	DEARBORN GROUP	5-1-20 TO 5-31-20 LIFE INS.	120.40
68602	DRAGONFLY	SR. CTR. MEALS MARCH/APRIL	423.50
68596	EAKES OFFICE SOLUTIONS	2'BINDERS, CATALOG FILE, PAPER	556.00
68597	FIRSTAR FIBER INC.	MARCH 2020 RECYCLING SERVICE	60.00
68616	GRAINGER, INC.	30-60 LB. BAGS PAVEMENT PATCH	1,260.00
68603	INGRAM LIBRARY SERVICES	BOOKS	958.00
68604	JEO CONSULTING GROUP, INC.	SEWER STUDY/NEW DEV.	2,151.25
68605	LYNN PEAVEY COMPANY	200 EA. MED./LARGE NIT. GLOVES	71.70
68606	MILFORD FIRE & RESCUE	REIM. A.YODER/NEMSA EMS CONF.	225.00
68594	MUNICIPAL SUPPLY, INC.	HYDRAT.REPLACE & FITTINGS	2,625.14
68584	NE DEPT OF HEALTH & HUMAN	FINAL FEE B-D STREET	388.57
68607	NE LAW ENFORCEMENT TRAINING	CODY BAILEY BASIC MATERIAL FEE	136.00
68593	NEBRASKA FIRE SPRINKLER	ANNUAL FIRE SPRINKLER INSPECT.	290.00
68608	NEBRASKA PUBLIC POWER DISTRICT	3-25 TO 4-23 ELEC.	959.81
68609	PAC-N-SAVE MILFORD	POTATOES FOR SR. CENTER	37.55
68611	POWERPLAN	MILEAGE/LABOR	315.50
68612	SEWARD COUNTY INDEPENDENT	LEGAL MINUTES/CLAIMS	118.24
68581	TOOFAST SUPPLY	24 CANS MARKING PAINT	95.76
68613	TVRDY'S LOCK & KEY	REMOVE OLD LOCKS/REP.CITY LIB	120.00
68614	GARY TESELLE	GARY TESELLE	472.40
68591	UNION BANK & TRUST COMPANY	MARCH HSA 7 EMPLOYEE FEES	14.00
68615	URIBE REFUSE SERVICES, IN	2 CONTAINERS	403.50

68578	VERIZON WIRELESS-P	4-11 TO 5-10 3 PH. LINES POLIC	120.03
68580	VERIZON WIRELESS	4-11 TO 5-10 WELL CONTROL LINE	85.15
68617	WALMART COMMUNITY BRC	GROCERIES FOR SR. CENTER	296.42
68601	WESTECH	12 POOL FILTERS & FREIGHT	10,732.32
68579	WESTOVER ROCK & SAND, INC	RED BALL LIME	2,072.88
68618	WINDSTREAM NEBRASKA INC	SR. CTR. 4-19 TO 5-18	400.33
68590	ZITO MEDIA	HD. ADAPT/FIRE	5.09
	NE DEPT OF REVENUE	SALES TAX APRIL 2020	2,163.69
	Total Paid On: 4/13/20		12,847.49
	Total Paid On: 4/27/20		12,523.97
	Total Paid On: 5/01/20		738.78
	***** REPORT TOTAL *****		127,112.49

PUBLIC HEARINGS & PRESENTATIONS:

Public Hearing – Timber Creek Development Final Plat, Phase I: Mayor Kelley opened the Public Hearing at 7:26 pm. Joe Schluckebier with Timber Creek Development stated they are submitting the Final Plat for Phase I which includes 18 lots on the west portion of the subdivision. Joe and the development group have worked on the recommendations presented to them by the City Council. Joe shared that Jeff Ray and Kyle Crouch with JEO are participating in the Zoom meeting if anyone would have questions of them. Building Inspector Kendall Hoggins representing the Planning & Zoning Commission. At last night's meeting the P & Z reviewed the plans and are recommending to the City Council to approve the Final Plat as it meets all the requirements of the Subdivision Regulations.

Zane Francescato representing SCCDP is recommending this project moves forward. The Seward County Housing Study identified substantial housing needs such as the Timber Creek Development in Milford. He thanked the Council for their support in the project.

Mayor Kelley asked for public opinion either for or against this subdivision project. Now is the time to comment.

Whitney Parks, 611 7th St: Is there just one way in and out of the development? Mayor Kelley noted, yes, the entrance is planned at the corner of 8th & B Streets.

With no further comments Mayor Kelley closed the Public Hearing at 7:41 pm.

CURRENT BUSINESS:

Consider approval of Timber Creek Development Final Plat, Phase I: A motion was made by DeLong and seconded by Freeman to approve the Final Plat, Phase I of the Timber Creek Development. Roll call vote: DeLong yes, Freeman yes, Bashore yes, Stahl yes. Motion carried.

Consider Subdivision Agreement with City of Milford and Timber creek Development: Mayor Kelley noted the Council has before them a Subdivision Agreement. Discussion with the developers has been held at length regarding the regulations of the Comprehensive Plan,

recommendations from the P & Z and working with the Building Inspector to determine what would be suitable to allow this project to move forward. Mayor Kelley is recommending approving and include the listed items in the Subdivision Agreement.

- A. All ROW will be a minimum of 55' wide
- B. Streets will measure 27' in width
- C. City agrees to pay cost of installation and material for all fire hydrants
- D. City will extend the manholes to ground level on existing sanitary sewer main
- E. City will contribute to the cost of installing 1" water service to all lots. City will pay for materials associated with installing the water service lines from the water main to the curb stop, the Developer will pay for installation.
- F. City will pay for installation and materials including the subgrade preparation and concrete only at all intersections, this does not include cul-de-sacs.
- G. City and Developer will choose a Project Manager/Inspector, the cost of which will be shared equally by both parties.

Bashore asked to consider adding verbiage regarding committing to one phase at a time. He also questioned if the developers would pay for the items and the city would then reimburse? Mayor Kelley stated, this has been discussed and this agreement will focus on Phase I. Further development of TCD would require the developer to approach the city with an additional agreement for consideration. Reimbursement would be the case for all these items except for expenses of oversight provided by JEO.

Dave Henke with JEO noted billing will be handled monthly as a pay request for the services.

Stahl liked the idea of different agreements per phase. With Jantze Agreement in 2006, the city established a maximum amount of money that the city would put toward the project. Stahl suggested establishing a maximum. He truly wants the subdivision to work, but also wants the city to be getting a solid investment and appreciation for this project. He would like to see as much oversight and input as we had with city hall. Specific details of what the city is planning to pay for will help us down the road instead of some type of verbal agreement. Verbal agreements are non-binding. No discussion has been held with regards to the budget or where this money is coming from. He just received the numbers last night and would have liked a little more time to review them. Stahl has no quarrels with the final plat. He wants to make sure the agreement is done correctly, and we are not missing out on certain items and protecting the citizens while the development is moving forward. He questioned why we are doing this as a stock option only. Regulations say it can be done with cash, stock or performance bond with an escrow account.

With the stock market being as volatile as it has been, can we guarantee the funds will be there. To Stahl this should be more of an all cash or performance bond situation where we have a financial guarantee that the project can go forward.

Other items to consider: We do not know the cost of the project manager or inspector yet. Subdivision and Escrow Agreement should be done for each phase as each phase can be different. Looking at \$150,000.00 from the city budget. Conversations need to take place regarding paying for these items. He doesn't want to short all other public departments at this time. He has questions regarding performance standards mentioned on page 6 of the agreement. *Narrow this down to say minimum, exceed or made to construction standards, not just reasonable.

Bashore agrees with Stahl. The water main of \$91,000.00 is an item to be discussed later. The portion of the \$77,000.00 is required to come out of the water budget and has been budgeted this year. As far as water and sewer goes it was included in the budget. We accounted for it and budgeted as best we could with the little information provided. We did not think it would happen so quickly and maybe fall into next year's budget. Water and sewer budgets are completely prepared.

DeLong - Street budget, kept this project in mind while trying to plan for other projects.

Stahl questioned the group as to their thoughts on a cap or not to exceed amount.

Attorney Fahlsen referred to Dave Henke with JEO for a number.

Dave Henke - roughly the intersection cost was about \$34,000.00, just the manholes \$2600.00, fire hydrants \$31,500.00 totaling approximately \$68,000.00 with contingency we are right at the \$75,000.00. The number of \$77,000.00 is close but might not include materials for the water services.

Stahl - do we have an estimated cost of the project manager to include in the not to exceed total?

Dave Henke - keep in mind discussion needs to take place regarding details of JEO's services. For now, preparation of numbers to be submitted to DEE, Construction phase services, construction staking, post construction comes to \$19,540.00. On top of that the onsite inspection is estimated at \$22,000.00 at an estimate of 160 hours. \$900.00 per month not knowing the true construction timeline at this point. \$41,000.00 plus \$900.00 per month.

Stahl - is this an addition to the \$77,000.00 previously mentioned. Henke noted yes this is construction management services which would be on top of the \$75,000.00. Bashore questioned if this was proposed to be split. 1. (G) of the agreement states: *City and Developer will choose a Project Manager/Inspector, the cost of which will be shared equally by both parties.*

Stahl – that puts us at approximately \$95,000.00 for capital improvement project costs.

Stahl questioned the attorney as to why are we dealing with stock options of 110% of the escrow instead of cash or performance bond? Fahleson was not part of the negotiation, he suspects it was a request from the developer. He has seen it done all the ways mentioned, cash is rare, performance bond is more common, stock is an option if acceptable by all parties. Stahl is not a fan of the stock option the market is too volatile right now. He is more inclined to go with a performance bond.

Joe Schluckebier noted they have other options but not for discussion in open meeting.

Attorney Fahlsen summarized the concerns: To authorize the Mayor to sign the agreement on the condition that the changes recommended by the development teams and professionals are incorporated. That escrow and security other than common stock is provided recommendations being such things as cash or performance bond and that the final agreement is satisfactory from a legal perspective of the city attorney. Add: A desire to state an amount not to exceed.

Discussion was held regarding contingency amount. Council agreed on 20% with a not to exceed amount of \$120,000.00.

A motion was made by Stahl and seconded by Bashore to approve the subdivision agreement with the City of Milford and Timber Creek Development without stock options and consider alternative methods either by cash or performance bond and if the agreement is acceptable to the city attorney the Mayor may then execute that agreement. The agreed maximum amount for the city or not to exceed is \$120,000.00, for Phase I shared expenses. Roll call vote: Stahl yes, Bashore yes, DeLong yes, Freeman yes. Motion carried.

Consider Agreement with JEO for Professional Services to Extend 6" Water Main from 8th and D Streets south and then east to the proposed Timber Creek Subdivision near "A" Circle.

Dave Henke with JEO provided two options for the water main extension. Option #1 is a 6" water main from Timber Creek to "D" Street to 8th Street connecting to a 6" main. Option #2 is a 6" water main from Timber Creek to 8th Street connecting to a 4" main. Both options will work but Option 1 will provide better fire protection for the entire area. Bashore noted connecting to the 4" line is not an adequate option at this time. The water budget has accounted for this improvement. Mayor Kelley appreciated the 2nd option provided by JEO and noted when it comes to fire protection and the safety of the community option 1 would be his recommendation to the council.

A motion was made by Bashore and seconded by DeLong to authorize the Mayor to sign the revised agreement with JEO for professional services to

extend the 6" water main from 8th and D Streets south and then east to the proposed Timber Creek Subdivision. Roll call vote: Bashore yes, DeLong yes, Freeman yes, Stahl yes. Motion carried.

Hire Full-time Maintenance Employee and Set Wage:

Interviews were held with 4 individuals. A motion was made by DeLong and seconded by Stahl to extend an offer of full-time employment to Shane Noble with a starting wage of \$14.50 per hour, a .50 raise after 6 months and within the first year a .50 increase for each water and sewer certification. Roll call vote: DeLong yes, Stahl yes, Bashore yes, Freeman yes. Motion carried.

Hire Part-time Summer Maintenance Employee and Set Wage:

A motion was made by DeLong and seconded by Bashore to hire Chuck Wergin as part-time summer maintenance employee at a starting wage of \$10.00 per hour. Chuck has extensive lawn care experience. Roll call vote: DeLong yes, Bashore yes, Freeman yes, Stahl yes. Motion carried.

Open Bids and Consider Awarding Bid for sale of metal shelving:

No bids received; no action taken.

Consider Amendment to Municipal Code Section 5-412: Golf Carts; Operation and Section 5-413 Golf Carts; Permits: Mayor Kelley has taken calls from the public regarding changes to the golf cart ordinance. The public would like to utilize the carts for more than just the golf course. Barry Erb, 117 S Maple St.: Barry made a request to use golf carts more like ATV/UTV's. Allow use downtown, to the grocery store, getting mail and general use around town excluding use on the Highway. The current ordinance would work fine if items (f) and (g) were removed. Other communities of similar size are allowing use of golf carts in this fashion. The speed limit in the business district is 20 mph and golf carts are capable of approximately 18-20 mph. The current ordinance states operation from sunrise to sunset. Barry questioned the use of carts, coming home only, if attendance to an event carried over past sunset. Headlights and taillights would be required. Pleasant Dale has stiffened penalties regarding use making individuals responsible for their actions. Barry would like the Council to consider amending the golf cart ordinance to allow additional use around town.

Mayor Kelley allowed comments from the public as there were 34 people attending the Zoom meeting.

Comments were heard from 9 additional individuals in support of changing the current ordinance. Comments focused around: Lowering the age requirement of operation from 20 years of age or older to 16 years of age or older with a valid driver's license. ATV/UTV's are allowed on streets at a much higher speed, most golf carts only go 20 mph. All public comments were in support of making suggested changes to the ordinance.

Mayor Kelley noted the recurrence of support to operate carts around town,

other than just to and from the golf course and reducing the age from 20 to 16. He is in support of amending the ordinance and removing items (f) & (g). The streets of Milford appear to be quiet and allowing golf carts should not be harmful. There is a concern with no available seat belts, but ATV's do not have belts either. Mayor Kelley would like the Council to consider amending the ordinance.

Attorney Fahlsen - allow everyone a chance to voice their opinion and if directed by the Council he would draft a proposed ordinance for consideration at the June meeting.

DeLong is in favor of use around town and a proponent of lights, dropping the age to 16 if they have a valid class O driver's license.

Freeman for them most part agrees and suggested liability insurance on the cart.

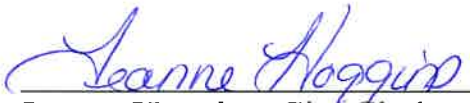
Bashore researched statewide and nationally noting the bottom line is safety. He is not as opposed as he was at the beginning. He suggested retaining section (f) as large trucks, fuel trucks and tractors consistently operate in this area. Insurance should absolutely be required. Age is open for discussion; he likes the verbiage of a class O driver's license. We must respect the others that do not have a golf cart.

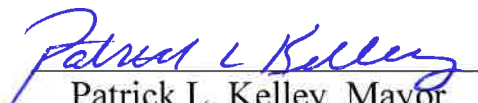
Stahl agrees with several people suggesting requirements of remaining seated, rearview mirrors, obey rules of the road, brake lights, turn signals and raising the permit fee from \$15.00 to \$50.00. Enforce penalties if violate the law. Insurance is necessary, class O driver's license, education is important as it is a privilege to operate a golf cart and to be mindful of others.

Chief Siebken noted suggestions are well thought out.

Fahlsen – common issue with 13,14,15 years of age, chat with parents, they will take care of issue, no violations. An amended ordinance will be drafted for review and consideration at the June meeting.

ADJOURNMENT: A motion was made by Bashore and seconded by Freeman to adjourn the meeting. Roll call vote: Bashore yes, Freeman yes, DeLong yes, Stahl yes. Motion carried and meeting adjourned at 9:02 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 5, 2020 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

