

CITY OF MILFORD
SPECIAL MEETING
JANUARY 15, 2007
MINUTES

A special meeting of the Mayor and Council of the City of Milford, Nebraska was held at the City Hall Office in said City on the 15th day of January 2007 at 5:00 pm. Present were: Mayor Plessel; Council members: Baker, Bruha, Fortune; Attorney Blevens; Chief of Police Siebken; City Clerk Hoggins. Absent: Neal.

Notice of the meeting was given in advance by publishing in the Milford Times; as required by law.

CALL TO ORDER: Mayor Plessel called the meeting to order at 5:10 p.m. Mayor Plessel 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 south wall of the City Hall Meeting Room.

PUBLIC HEARING: Special Assessments for Street Improvement District 2006-1 and 2006-2: Mayor Plessel opened the public hearing at 5:11 pm. The Clerk reported that, pursuant to the order heretofore entered by the Council, notice has been published that the Mayor and Council would hold a meeting at this time and place for the purpose of considering the levy of special assessments to pay for paving improvements in Street Improvement Districts Nos. 2006-1 and 2006-2 of said City.

The Mayor then stated that the Board was in session for said purpose and all persons interested would be heard. The following filed written objections: None. The following appeared in person or by agent or by attorney and were heard: None. With no comments Mayor Plessel closed the Public Hearing at 5:12 pm.

Introduction and Adoption of Resolution – Levying special assessments for Street Improvement Dist. #2006-1 and 2006-2: All persons who desired a hearing having considered the recommendations of the engineer in charge of said improvements and the members of the Board having heretofore personally inspected the paving improvements and the real estate abutting upon and adjacent thereto, Council member Bruha offered the following Resolution and moved its adoption. Council member Baker seconded the motion for its passage and adoption, and after consideration, the roll was called upon the passage and adoption of said resolution and the following Council members voted AYE: Bruha, Baker, Fortune. The following voted NAY: None. Absent and not voting: Neal. The passage of the resolution having been concurred in by a majority of all

members elected to the Council was declared passed and adopted. A true, correct and complete copy of said resolution is as follows:

RESOLUTION NO. 427

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY MILFORD, NEBRASKA:

1. The Mayor and Council find and determine: That the Council has heretofore designated this time and place for considering and levying special assessments upon property specially benefited by paving improvements in Street Improvement Districts Nos. 2006-1 and 2006-2 to pay the cost of constructing same; that notice of the time and place of holding this meeting for said purpose has been duly given as provided by statute by publication in the Milford Times, a legal newspaper published in the City of Milford, for more than four weeks (five consecutive weekly publications) before the time designated therein for holding this meeting said publication being made in the issues of said paper published on December 13, 20, 27, January 3, and 10, 2007; that the Mayor and Council have at this session heard all persons who desired to be heard in reference to the special benefits or damages thereto by reason of the construction of said improvements and with reference thereto have considered the advice of the engineer in charge of the construction of said improvements.

2. The Mayor and Council find and determine that at the hearing all assessments have been adjusted and equalized with reference to the benefits resulting from the improvements and have been apportioned among the several lots and parcels of land subject to assessment in proportion to the special benefits accrued to said lots and parcels of land respectively from such improvements; that no lot or parcel of land in said Districts has been damaged by the construction of said improvements; that the amounts of benefits specially accruing to each lot and parcel of land in said projects by reason of the construction of said paving improvements exceeds the amount assessed against each lot or parcel of land to pay the cost of said improvements. The benefits are equal and uniform and the assessments shown on the schedule hereinafter set out are according to front footage of the lots or real estate within the Districts.

3. There are hereby levied and assessed upon the several lots and parcels of land in Street Improvement Districts Nos. 2006-1 and 2006-2 special assessments to pay the cost of constructing said improvements in the amount in dollars and cents set out in the schedule below in the column headed "Special Assessments".

(INSERT SCHEDULE OF ASSESSMENTS)

4. Said special assessments shall be a lien on the property on which they are levied from the date of the passage of this resolution and shall be certified by the City Clerk to the Treasurer of this City for collection; that the City Clerk shall also at the time provided by law cause such assessments or the portion thereof then remaining unpaid to be certified to the City Treasurer for entry upon the proper tax list; that said assessments shall be payable to and collected by the City Treasurer.

5. Said assessments are payable in fifteen equal installments, the first of which shall become delinquent not less than fifty (50) days from the date of adoption of the resolution, and the remaining installments shall become delinquent the 6th day of March subsequent to the date of levy and thereafter, in one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen and fourteen years respectively; that each of said installments shall draw interest from the date of the passage of this resolution at the rate of six per centum (6 %) per annum, until the same become delinquent, and after the same become delinquent interest at the rate specified by law for delinquent special assessments for such projects shall be paid thereon; provided all said assessments may be paid at one time on any lot or land within fifty (50) days from the date of levy without interest.

PASSED AND APPROVED this 15th day of January 2007.

Attest: _____
City Clerk

Mayor

(SEAL)

Appointments – Cemetery Board: A motion was made by Fortune and seconded by Baker to approve the Mayor’s recommendation to appoint Dale Bruha to the Cemetery Board for a 3 year term. Roll call vote: Fortune yes, Baker yes, Bruha yes, Neal absent. Motion carried. Dale is involved with the American Legion and does a lot of work out at the cemetery.

Silent R.R. Crossing – Walnut & Park Ave.: Bruha informed the Council that Kirkham Michael is putting together a proposal and he should have it for the February meeting. Bruha also had pictures of the crossing that he passed around.

Council member Neal arrived.

Dean will be checking on the status with the Federal Railroad Administration on the crossing at Easter Seal Camp.

Correct Ordinance #786 – verbiage: Council member Bruha reintroduced Ordinance #786 as amended seconded by Fortune. Ordinance to be corrected and posted according to law in three public places.

ORDINANCE NO. 786

AN ORDINANCE TO ESTABLISH THE PARK BOARD CONSISTING OF FIVE MEMBERS; TO FIX THE TERM OF SAID MEMBERS; TO PROVIDE THE DUTIES THEREOF; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

ADJOURNMENT: A motion was made by Fortune and seconded by Neal to adjourn the meeting. Roll call vote: Fortune yes, Neal yes, Baker yes, Bruha yes. Motion carried and meeting adjourned at 5:25 pm.

Jeanne Hoggins, City Clerk

J. Elaine Plessel, 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 of January 15, 2007 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.

(SEAL)

Jeanne Hoggins, City Clerk