

CITY OF MILFORD  
SPECIAL MEETING  
MAY 17, 2004  
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 17<sup>th</sup> day of May 2004 at 5:30 pm. Present were: Mayor J. Elaine Plessel; Council members: Dean Bruha, Rick Fortune, Lyle Neal; City Clerk Jeanne Hoggins; Attorney Robert Blevens; Chief of Police Forrest Siebken. Absent: Council member Robert Anderson. Also present: Nancy McGill with the press.

Notice of the meeting was given in advance thereof by posting in three public places; a designated method for giving notice, as shown by the Certification of Posting attached to these minutes. Notice of this 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 the 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 attendance of the public.

**CALL TO ORDER:** Mayor Plessel called the meeting to order at 5:30 p.m.  
**NEW BUSINESS: Discussion - Zoning of 909 First Street:** The Planning & Zoning met on the 13<sup>th</sup> of May and have not decided if they are ready to move the line running down "D" Street, which divides R1 and R2. Fortune noted, there is not a lot of difference in homes from one side of the street to the other. Council questioned the concerns of the individuals that showed up for the Public Hearing at the Planning & Zoning meeting. Bruha stated that Gary Armstrong was concerned with the 6 garages and the traffic flow increase. Eicher was present at the P & Z meeting and offered to go down to 4 garages and a storage shed. Blevens commented that zoning is planned growth for the community. Neal stated that there is a process in place. P & Z had a Public Hearing and after listening to comments voted unanimously to approve the proposal. The Council held a Public Hearing with no public opposition or comments by anyone. This process works. Neal noted that the Council has more control of what is proposed to be built if spot zoning is allowed rather than moving the zoning line. Blevens stated that some form of criteria is needed to allow for change. He suggested allowing a special use permit for this type of situation. Fortune suggested that the P & Z should proceed with allowing for "special use permits" in zoning situations. Fortune also stated that if this would have been a 5 story brick building that did not fit in the neighborhood he would not be in favor for it. The building that Jon Eicher has presented Fortune feels would fit in this neighborhood.

**Introduction and Adoption of Ordinance – Zoning of 909 First Street:**

Council member Neal introduced the following Ordinance:

**ORDINANCE NO. 757**

AN ORDINANCE TO CHANGE THE ZONING OF DESCRIBED PROPERTY FROM R1 TO R2; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT. (See Ordinance Record)

**ADJOURNMENT:** A motion was made by Fortune and seconded by Bruha to adjourn the meeting. Roll call vote: Fortune yes, Bruha yes, Anderson absent, Neal yes. Motion carried and meeting adjourned at 5:53 pm.

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Jeanne Hoggins, City Clerk

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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 May 17, 2004 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)

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Jeanne Hoggins, City Clerk