



CITY OF MILFORD, NEBRASKA
COUNCIL AGENDA

TUESDAY, MARCH 5, 2024, 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. 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: February 5, 2024 and February 22, 2024
- b. Approve Claims by Auditing Committee
- c. Approve Treasurer's Report for January 2024 by Auditing Committee
- d. Reports/Communications filed by Governing Board and City personnel.
- e. Approve Application #10 from K2 Construction on the Water Main Improvement Project for payment with city water funds in the amount of \$43,310.53.
- f. Consider Drawdown #1 Owner-Occupied Housing Rehabilitation Program 23-TFHO-16023 in the amount of \$850.00.

4. PUBLIC HEARING:

Public Hearing to obtain public comment prior to the City Council's consideration of: (1) a proposed amendment to the Redevelopment Plan of the City of Milford, Nebraska, which amendment shall involve a specific redevelopment project known as "Main Street Market" proposing to utilize tax increment financing (TIF) to construct improvements in an area of the City generally located at 115 S. Hwy 6, Milford, Nebraska, that has been declared blighted and substandard and in need of redevelopment pursuant to the Community Development Law; (2) a cost-benefit analysis for said project; and (3) approval of a Redevelopment Agreement to implement said project.

5. CURRENT BUSINESS

- a. Consider Amendment to Agreement for the 2020 Highway 6 Water Main Improvement Project, Amendment #3.
- b. Consider Additional Handicap stalls around the Sr. Center.
- c. Consider Change Order #3 for the 2021 Water Main Replacement, SRF Project No. D311663
- d. Consider Amendment to Redevelopment Plan of the City of Milford, which amendment shall include a redevelopment project that will utilize tax increment financing for new construction of a grocery store and associated improvements to be known as "Main Street Market" generally located at 115 S. Hwy 6, Milford, NE.
- e. Consider authorizing Community Development Agency to enter Redevelopment Agreement related to the "Main Street Market" redevelopment project.

6. RESOLUTIONS AND ORDINANCES

RESOLUTION NO. 662 - A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MILFORD, NEBRASKA, APPROVING AN AMENDMENT TO THE GENERAL REDEVELOPMENT PLAN OF THE CITY AND AGREEING TO A REDEVELOPMENT AGREEMENT FOR THE MAIN STREET MARKET PROJECT INVOLVING THE CONSTRUCTION OF A GROCERY STORE TO BE KNOWN AS THE "MAIN STREET MARKET" PROJECT AND ASSOCIATED IMPROVEMENTS ON VACANT LOTS GENERALLY LOCATED AT 115 SOUTH HIGHWAY 6, MILFORD, NEBRASKA, AND THE PLEDGE OF TAXES IN A REDEVELOPMENT AREA FOR THE BENEFIT OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF MILFORD, NEBRASKA.

7. ADJOURNMENT

CITY OF MILFORD
REGULAR MEETING
MARCH 5, 2024
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 5th day of March 2024 at 7:00 pm. Present were Mayor Patrick Kelley; Council members: Tony DeLong, Becky Freeman, Kelli Keib, Mike Roth, Chief of Police Darrin Kremer, Maintenance Supt. Gary TeSelle and City Clerk Jeanne Hoggins. Also present: Whitney Parks, Tim Dworak, Craig & Karen Bontrager, Andrew Willis, Jonathan Jank, Mike & Arlene Moritz, Kylie Schildt, Jim & Kathy Eberly, Gerry Dunlap, Justina Roth, Ken Reinsch, Misty Ahmic, Dane Simonsen, Ethan Hall 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. The availability of the agenda was communicated in advance 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 Keib and seconded by Freeman to approve the consent agenda as submitted allowing Mayor Kelley to address an update related to item (d). Roll call vote: Keib yes, Freeman yes, DeLong 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 Department Activity Report for February 2024; Milford Sr Center Board minutes from February 8, 2024 and the March Newsletter; Pool Board minutes from February 13, 2024 and Recreation Board minutes from February 19, 2024, Planning Commission minutes from March 4, 2024.

CONSENT AGENDA: Mayor Kelley read the Consent Agenda:

- a. Approve Minutes: February 5, 2024, and February 22, 2024.
- b. Approval of Claims: Accounts Payable - \$229,205.70; Payroll - \$49,060.22; Totaling \$278,265.92 by the Auditing Committee.
- c. Approve Treasurer's Report for January 2024 by Auditing Committee
- d. Reports/Communications filed by Governing Board and City Personnel.
- e. Approve Application #10 from K2 Construction on the Water Main Improvement Project for payment with city water funds of \$43,310.53.
- f. Consider Drawdown #1 Owner-Occupied Housing Rehabilitation Program 23-TFHO-16023 in the amount of \$850.00.

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

SALARIES:

4492	Mark Frey	105.63
4493	Mavis Ferris	152.73
4494	Jeanne Hoggins	1675.45
4495	Gary Teselle	1211.87
4496	Whitney Parks	1206.36
4497	George Matzen	753.63
4498	Benjamin Rediger	1403.92
4499	Craig Carritt	29.09
4500	Ardella Huber	1093.66
4501	Lisa Wiedemeyer	933.02
4502	Steve Fiala	1115.66
4503	Darrin Kremer	2131.55
4504	Lance Sprouse	1847.05
4505	Katherine Pauley	129.18
4506	Klaus Schachtschabel	1849.21
4507	Mystique Lauer	1183.45
4508	Tanner Paap	1231.93
4509	Sadie Frazier	201.21
4574	Mavis Ferris	143.03
4575	Jeanne Hoggins	1675.45
4576	Gary Teselle	1211.87
4577	Whitney Parks	1221.31
4578	George Matzen	753.63
4579	Benjamin Rediger	1342.94
4580	Craig Carritt	26.67
4581	Ardella Huber	1114.07
4582	Lisa Wiedemeyer	1110.87
4583	Steven Fiala	677.97
4584	Darrin Kremer	2131.55
4585	Lance Sprouse	1612.14
4586	Katherine Pauley	389.12
4587	Klaus Schachtschabel	1802.33
4588	Mystique Lauer	1183.45
4589	Tanner Paap	1145.46
4590	Sadie Frazier	164.84
4594	Patrick Kelley	184.70
4595	Waylon DeLong	138.52
4596	Becky Freeman	138.52
4597	Kelli Keib	138.52
4598	Michael Roth	138.52

GENERAL FUND:

4453	NICHOLAS BRANDT	UB Refund	70.49
4454	UNITED STATES POSTMASTER	JAN. USAGE, FEB. BILLING U.B.	265.30
4510	RETIREMENT PLANS DIVISION	PENSION	1,397.44
4511	OMNIFY BENEFITS	HSA	610.00
4512	ACKERMAN ROCK & GRAVEL	1 LOAD 1' SCREENED ROCK	1,383.22
4513	AFLAC	JANUARY SUPPLEMENTAL INS	1,263.51
4514	ALLO COMMUNICATIONS	PHONE/INTERNET	471.22

4515	AMERICAN WATER WORKS ASSOC.	3-1-24 TO 2-28-25 MEMBERSHIP	229.00
4516	AMERITAS LIFE INSURANCE CORP.	MARCH DENTAL COVERAGE	609.28
4517	AMIE SPLITT	SOFTBALL REFUND FOR AURORA	105.00
4518	ARAMARK	9 INV. DEC. 1/JAN.26 SR.CTR.	1,139.12
4519	ASHLEY CAMERON	WEB MAINTENANCE & RETAINER	375.00
4520	BLACK HILLS ENERGY	FIRE HALL GAS SERV.	2,769.96
4521	BLUE RIVER TRANS	REPLACE BRAKE LINE TRUCK	231.32
4522	CAPITAL ONE	GROCERIES FOR SR. CTR	914.78
4523	CASH-WA DISTRIBUTING	TOWELS, RINSE AID LIMEAWAY	484.28
4524	COMPANY CARE	1-2-24 TESTING ANALYSIS.S.F.	22.00
4525	CULLIGAN WATER COND	SALT, FILTER, RENT	231.26
4526	EAKES OFFICE SOLUTIONS	INK CARTRIDGES	368.26
4527	ELECTRONIC CONTRACTING CO	4 SERVICE CALLS	1,286.50
4528	EMERGENCY MED PROD	BANDAGES, SHEETS, MASKS	230.73
4529	ESRI	MAP SOFTWARE	550.00
4530	FARMERS COOPERATIVE	FUEL FOR VARIOUS DEPT.	2,760.40
4531	GREAT WESTERN DINING	56 SR. MEALS FOR JAN. 2024	389.20
4532	HBE LLP	22/23 FISCAL YR. AUDIT	20,921.91
4533	HEATHER MULLER	ADULT REC. V-B. LEAGUE	1,100.00
4534	JOHN DEERE FINANCIAL	FILTERS-2 TIRES-2 BRUSHES	1,707.01
4535	LAURA KELLER	6 SR.CTR.MEALS REIMB.	42.00
4536	MAIN STREET MARKET	JAN. SR. CTR. MEAL ITEMS	10.49
4537	MATHESON TRI-GAS, INC	BOTTLED GASES / FIRE DEPT.	323.23
4538	MIDWEST AUTO PARTS	OIL FILTERS	290.82
4539	MIDWEST SERVICE & SALES CO.	CHAIN & BLADES	1,769.00
4540	MILFORD VOLUNTEER FIRE DEPT.	LABOR AND PARTS	1,061.65
4541	MUNICIPAL SUPPLY, INC.	2 - 3/4' CURB STOPS/BALL VALVE	343.95
4542	NATASHA VERWEY	SOFTBALL REFUND	105.00
4543	NE PUBLIC HEALTH ENV. LAB	WATER TESTING	448.00
4544	NEBR.STATE FIRE MARSHAL	ANNUAL INSP. SR.CTR. ELEVATOR	120.00
4545	NEBRASKA ENVIRONMENTAL	POOL PERMITS	140.00
4546	NEBRASKA PUBLIC POWER	ELECT. SERVICE	5,480.74
4547	NEBRASKA STATE PATROL	2024 MACH/TRACS LICENSES	332.50
4548	NORRIS PUBLIC POWER DIST	NORTH WELL	353.25
4549	ONE CALL CONCEPTS	252 LOCATES, DISCOUNTS	273.78
4550	PETTY CASH	REPLENISH PETTY CAS	64.80
4551	POWERPLAN	FLOOD LAMP	58.94
4552	REBEKAH FREY	CLEANING CITY HALL	100.00
4553	REDIGER AUTOMOTIVE	SR.CTR. CAR BATTERY	302.34
4554	REMBOLT LUDTKE LLP	JAN. 24 LEGAL COUNSELING	4,125.00
4555	SANDRA ERICKSON	REPLACE MAILBOX/PLOW	21.75
4556	SCHUMACHER ELEVATOR CO.	ELEVATOR SERVICE	357.09
4557	SEILER INSTRUMENT & MANU.	CATALYST ON DEMAND	130.00
4558	SEWARD COUNTY IND	PLANNING PUBLIC HEAR.	58.64
4559	SHEILA ROWE	REIMB. SOFTBALL REG	105.00

4560	SUSAN TRABERT	REIMB. SR. CTR. FOOT TUBS	10.41
4561	TANNER PAAP	REIMB. FOR CLEANER	21.43
4562	TERRY WICHT	REPLACE MAILBOX/PLOW	33.66
4563	TOOFAST SUPPLY	3 SHOVELS	77.97
4564	TRAVIS FOUGERON	9 VOLT BATTERIES FIRE DEPT	111.29
4565	TRAVIS YEACKLEY	15 CPR RECERT	675.00
4566	TRUCK CENTER COMPANIES	TRUCK FILTERS	26.57
4567	U-SAVE PHARMACY	GLUCOSE TEST STRIPS	8.94
4568	OMNIFY BENEFITS	EMPLOYEES HSA FEE	14.00
4569	UNIVERSAL PREMIUM	FUEL FOR POLICE VEHICLES	666.36
4570	URIBE REFUSE SERVICES, IN	4 RECYCL/DISPOS.	851.78
4571	VERIZON WIRELESS	FIRE DEPT.	93.55
4572	WINDSTREAM NEBRASKA INC	I.T. OFFICE PHONE	57.98
4573	ZITO MEDIA	FEB. 2024 FIRE DEPT. T.V.	6.09
4591	RETIREMENT PLANS DIVISION	PENSION	1,397.44
4592	OMNIFY BENEFITS	HSA	610.00
4593	FARMERS & MERCHANTS BANK	CITY HALL BOND	67,693.63
4601	AMANDA HROMEK	FEB.REC. COORDINATOR	500.00
4602	AMERICAN FENCE CO.	100 ALUMINUM FENCE TIES	131.00
4603	CANON FINANCIAL SERVICES	FEBRUARY CANON COPIER	174.87
4604	CAPITAL ONE	SR.CTR. FOOD ITEMS	455.73
4606	CARD SERVICE CENTER	APPLE 27' MONITOR, COMP	4,696.07
4607	CONCRETE WORKS, INC	N.ELM/PARK ST. REPAIR	48,123.00
4608	DAS STATE ACCT CENTRAL	JAN.2024 STATE RADIO FEES	104.00
4609	DATAVIZION	FEB.SYSTEM MANAGED & BACKUP	1,078.10
4610	DEARBORN GROUP	MARCH INS FIREMEN	123.84
4611	DIGITAL ALLY, INC	BODY CAM /CAMERA HEAD	145.00
4612	EAKES OFFICE SOLUTIONS	INK CART/ INK PAD	269.71
4613	INGRAM LIBRARY SERVICES	LIBRARY BOOKS	397.62
4614	JEANNE HOGGINS	MILEAGE REIMB.	101.17
4615	JEO CONSULTING GROUP, INC.	WATER MAIN REPLACE	13,312.50
4616	JOYCE DAAKE	REIMB. COFFEE/JELLO	85.26
4617	KELLY HANEY	8 SR.CTR. YOGA	160.00
4618	MEDICA HEALTH PLAN	PREV. MONTHS HEALTH INS	16,186.16
4619	MIDWEST SERVICE & SALES CO.	CHAINS/BLADES, CURB GUARD	2,313.00
4620	MUNICIPAL SUPPLY, INC.	2-3' WATER METERS	6,054.18
4621	NEBRASKA PUBLIC POWER	ELECTRIC FEES	439.82
4622	PERCH MERCH	VINYL COUNCIL RM. BRICK LOGO	494.27
4623	PIZZA KITCHEN	BIRTHDAY MEALS	345.55
4624	REBEKAH FREY	CLEANING CITY HALL	100.00
4625	SEWARD COUNTY INDEPENDENT	2-5-24 LEGAL PROCEEDINGS	300.73
4626	GARY TESELLE	GARY TESELLE	600.00
4627	URIBE REFUSE SERVICES, IN	FEB/MAR/MAINT. SHOP	406.00
4628	VERIZON WIRELESS-P-CITY OFFICE	POLICE MOB.INTE	149.73
4629	VERIZON WIRELESS	JAN/FEB.I-PAD	28.07

4630	WINDSTREAM NEBRASKA INC	FIRE DEPT.FEB/JAN.	232.95
	NE DEPT OF REVENUE	SALES TAX	1,037.11
	IRS-FEDERAL WITHHOLDINGS	FED/FICA TAX	5,405.12
	NE DEPT OF REVENUE	STATE TAX	844.22
	IRS-FEDERAL WITHHOLDINGS	FED/FICA TAX	5,191.23
	NE DEPT OF REVENUE	STATE TAX	797.13
	IRS-FEDERAL WITHHOLDINGS	FED/FICA TAX	122.44
	Total Payroll: 2/12/24		18,254.60
	Total Payroll: 2/26/24		17,706.70
	Total Payroll: 3/01/24		738.78
	***** REPORT TOTAL *****		278,265.92

PUBLIC HEARING:

Public Hearing to obtain public comment prior to the City Council's consideration of: (1) a proposed amendment to the Redevelopment Plan of the City of Milford, Nebraska, which amendment shall involve a specific redevelopment project known as "Main Street Market" proposing to utilize tax increment financing (TIF) to construct improvements in an area of the City generally located at 115 S. Hwy 6, Milford, Nebraska, that has been declared blighted and substandard and in need of redevelopment pursuant to the Community Development Law; (2) a cost-benefit analysis for said project; and (3) approval of a Redevelopment Agreement to implement said project. Mayor Kelley opened the Public Hearing at 7:05 pm. Craig Bontrager is the current owner of Main Street Market. Last May Subway Motors suffered a fire. The building was in a blighted area. The family plans to build a new building & move the store there. This will benefit the community, bringing people into town. The new store will be a great entry into town. They are requesting TIF funding to complete the project. The project meets all TIF requirements. Craig said they are grateful for the support of the Mayor and Council.

Andrew Willis of Lincoln. TIF will assist with the cost of building. It will help finance the project. The cost to build the store will be \$1.1M; TIF request is for \$131,500.00. The plan is to complete construction by the end of 2024. The expected value of the building will be \$500,000.00. The project meets all the boxes of the Community Development Law. The obligation is with the owner, there is no risk to the city.

Gerry Dunlap spoke on behalf and in full support of the project. The new building will fill up the vacated area. Craig Bontrager runs a great grocery store, and it will be a great benefit to the community. The store will be much more visible at the Hwy location. He will add additional employment opportunities to Milford.

With no further comments or questions, Mayor Kelley closed the public hearing at 7:14pm.

CURRENT BUSINESS:

Mayor Kelley updated the council regarding funding from the Federal Government related to a water treatment facility. We completed an application to request help with funding a new water treatment facility. We were hoping to get \$2.8M however Senator Flood's office indicated they could get us \$1M. This would be a multi-year application for funding. We could use the \$1M to initiate phase 1 of the project to help formulate a plan, purchase ground, engineering services. We should hear back within a week or so.

Consider Amendment to Agreement for the 2020 Highway 6 Water Main Improvement Project, Amendment #3. Dane Simonsen with JEO informed the council that JEO has been working with NDOT the last 18 months to make updates to the Hwy 6 project. Additional water main updates at Fairway Drive, along with other water

connections. With the project beginning in April they are catching up with Amendment #3 to address the additional engineering services. Amendment #3 totals \$17,000.00. A motion was made by Freeman and seconded by Roth to approve the amendment to Agreement #3 for the 2020 Highway 6 Water Main Improvement project. Roll call vote: Freeman yes, Roth yes, DeLong yes, Keib yes. Motion carried.

Consider Additional Handicap stalls around the Sr. Center. Jim Eberly of Milford received a phone call from the Sr Center Director, Misty, saying the idea was to remove the benches, memorial, and tree to add-in more handicap parking stalls. Gary indicated that no plan has been made at this time. Jim suggested removing the sidewalk on the East & West to incorporate about 3 stalls vs the North side of the building. Jim asked if the benches, memorial, and tree are to be moved, that it be done so in a respectful manner.

Council liaison, Keib said there was talk about moving the benches and memorial to another location. Removing them completely was not part of that idea.

Gary Teselle said he met with Mr. Brown to go over some possible ideas, however it is up to the Sr Center Board to formulate an initial plan. Sr Center Director, Misty is working on that. The next board meeting will be March 14, 2024, at 12:30 pm.

Kathy Eberly, 303 2nd St. asked if anyone has checked about legally moving the memorial stone. She also questioned how often all the handicap stalls are used. During the election the voter board places a temporary handicap stall at the Fire Station. Could we place signs for temporary stalls during fundraising events like the Potato Bake.

Kathy is willing to share the records for the headstone, she could get it from the women's auxiliary.

Mayor Kelley shared with everyone that this is not something the council is pursuing. They were approached by an individual that attends the Sr. Center due to individuals that need assistance walking and have to park a distance away from the door. They were to work with Maint. Supt. TeSelle on ideas. At this time nothing has been presented to the council. He suggested anyone interested in sharing their idea attend the Sr. Center Board meeting. He suggested this item be tabled and not placed on the agenda until some proposals are in place.

A motion was made by Keib and seconded by Roth to table this discussion until a substantial plan is in place. Roll call vote: Keib yes, Roth yes, DeLong yes, Freeman yes. Motion carried.

Consider Change Order #3 for the 2021 Water Main Replacement, SRF Project No. D311663. Ethan Hall has been monitoring the Water Main Replacement project and Change Order #3 includes two pieces. 1. Extension of substantial completion date from March 19, 2024 to April 30, 2024. Mainly due to inclement weather in January. 2. A net deduction of \$69,626.00 due to quantity correction in as-built conditions. Items include: concrete, valves, fittings, etc... adjustments throughout the project. Also, the lump sum remobilization bid item from change order #2 was removed from this project.

A motion was made by Roth and seconded by Keib to approve Change Order #3 for the 2021 Water Main Replacement, SRF Project No. D311663. Roll call vote: Roth yes, Keib yes, DeLong yes, Freeman yes. Motion carried.

Consider Amendment to Redevelopment Plan of the City of Milford, which amendment shall include a redevelopment project that will utilize tax increment financing for new construction of a grocery store and associated improvements to be known as "Main Street Market" generally located at 115 S. Hwy 6, Milford, NE.

A motion was made by Keib and seconded by DeLong to approve the Amendment to the Redevelopment Plan as read. Attorney Aerts noted that all conditions have been met and

he has no concerns with the project. Roll call vote: Keib yes, DeLong yes, Freeman yes, Roth yes. Motion carried.

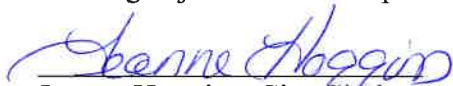
Consider authorizing Community Development Agency to enter Redevelopment Agreement related to the "Main Street Market" redevelopment project.

A motion was made by Keib and seconded by DeLong to approve authorizing the Community Development Agency to enter into Redevelopment Agreement related to the Main Street Market redevelopment project. Attorney Aerts noted that by approving this agreement they are giving the Mayor the authority to complete the closing and promissory note. Roll call vote: Keib yes, DeLong yes, Freeman yes, Roth yes. Motion carried.

RESOLUTIONS AND ORDINANCES:

RESOLUTION NO. 662 – A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MILFORD, NEBRASKA, APPROVING AN AMENDMENT TO THE GENERAL REDEVELOPMENT PLAN OF THE CITY AND AGREEING TO A REDEVELOPMENT AGREEMENT FOR THE MAIN STREET MARKET PROJECT INVOLVING THE CONSTRUCTION OF A GROCERY STORE TO BE KNOWN AS THE "MAIN STREET MARKET" PROJECT AND ASSOCIATED IMPROVEMENTS ON VACANT LOTS GENERALLY LOCATED AT 115 SOUTH HIGHWAY 6, MILFORD, NEBRASKA, AND THE PLEDGE OF TAXES IN A REDEVELOPMENT AREA FOR THE BENEFIT OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF MILFORD, NEBRASKA. A motion was made by DeLong and seconded by Roth to approve Resolution No. 662 as read. Roll call vote: DeLong yes, Roth yes, Freeman yes, Keib yes. Motion carried. (Resolution attached to these minutes.)

ADJOURNMENT: A motion was made by Keib and seconded by Roth to adjourn the meeting. Roll call vote: Keib yes, Roth yes, DeLong yes, Freeman yes. Motion carried and meeting adjourned at 7:48 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 March 5, 2024 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

RESOLUTION NO. 662

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MILFORD, NEBRASKA, APPROVING AN AMENDMENT TO THE GENERAL REDEVELOPMENT PLAN OF THE CITY AND AGREEING TO A REDEVELOPMENT AGREEMENT FOR THE MAIN STREET MARKET PROJECT INVOLVING THE CONSTRUCTION OF A GROCERY STORE TO BE KNOWN AS THE “MAIN STREET MARKET” PROJECT AND ASSOCIATED IMPROVEMENTS ON VACANT LOTS GENERALLY LOCATED AT 115 SOUTH HIGHWAY 6, MILFORD, NEBRASKA, AND THE PLEDGE OF TAXES IN A REDEVELOPMENT AREA FOR THE BENEFIT OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF MILFORD, NEBRASKA.

WHEREAS, the City of Milford, Nebraska, a municipal corporation and city of the second class (the “City”) has determined it to be desirable to undertake and carry out redevelopment projects in areas of the City which are determined to be substandard and blighted and in need of redevelopment; and

WHEREAS, the Nebraska Community Development Law, Chapter 18, Article 21, Nebraska Reissue Revised Statutes of 2012, as amended (the “Act”), prescribes the requirements and procedures for the planning and implementation of redevelopment projects; and

WHEREAS, the City has previously declared an area of the City to be substandard and blighted and in need of redevelopment and a specific portion of said redevelopment area is further described on the attached **Exhibit A** (the “Redevelopment Area”); and

WHEREAS, the Community Development Agency of the City of Milford, Nebraska (the “CDA”) adopted on March 4, 2024, **Resolution No. 2024-04**; a copy of which is attached hereto as **Exhibit B**, approving an Amendment to the General Redevelopment Plan of the City (the “Amendment”) for a redevelopment project known as the “Main Street Market” project, which Amendment is attached to the aforementioned CDA Resolution as Schedule 2 and incorporated herein by this reference, and the City Council has also received the recommendation of the Planning and Zoning Commission of the City (the “Planning Commission”) related to the adoption of the Amendment; and

WHEREAS, the City published notices of a public hearing and mailed notices as required pursuant to Section 18-2115 of the Act and has, on the date of the Resolution held a public hearing on the proposal to adopt the Amendment and an associated Redevelopment Agreement;

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

1. The Amendment to the General Redevelopment Plan for the Redevelopment Area as approved by the CDA is hereby determined to be feasible and in conformity with the general plan for the development of the City as a whole, and the Amendment is in conformity with the legislative declarations and determinations set forth in the Act; and it is hereby

found and determined, based on the analysis conducted by the CDA, that: (a) the redevelopment project set forth in the Amendment would not be economically feasible without the use of tax-increment financing; (b) the redevelopment project would not occur in the Redevelopment Area without the use of tax-increment financing; and (c) the costs and benefits of the redevelopment project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the City and have been found to be in the long-term best interest of the community impacted by the redevelopment project. The City acknowledges receipt of notice from the CDA of its intent to enter into a Redevelopment Agreement in accordance with Section 18-2119 of the Act. The form of the Redevelopment Agreement is attached hereto as **Exhibit C**. The CDA is hereby authorized to take all actions contemplated and required by the Redevelopment Agreement including, without limitation, the issuance of TIF Indebtedness as set forth in the Redevelopment Agreement.

2. Approval of the Amendment is hereby ratified and affirmed by the City Council, and the CDA is hereby directed to implement the Amendment in accordance with the Act.

3. Pursuant to Section 18-2147 of the Act, ad valorem taxes levied upon real property in the Redevelopment Project, which is legally described in the attached **Exhibit A** shall be divided, for a period not to exceed 15 years after the effective date of this provision, which effective date shall be January 1, 2025. The Redevelopment Project Valuation is the value of the Project certified for 2024. The taxes shall be divided as follows:

a. That proportion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the Redevelopment Project Valuation shall be paid into the funds of each such public body in the same proportion as all other taxes collected by or for the bodies; and

b. That proportion of the ad valorem tax on real property in the Redevelopment Project in excess of such amount, if any, shall be allocated to, is pledged to, and, when collected, paid into a special fund of the CDA to pay the principal of, the interest on, and any premiums due in connection with the bonds, loans, notes or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such CDA for financing or refinancing, in whole or in part, such Redevelopment Project. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premium due have been paid, the CDA shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in such Redevelopment Project shall be paid into the funds of the respective public bodies.

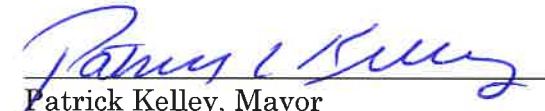
c. The Clerk is authorized and directed to execute and file with the Treasurer and Assessor of Seward County, Nebraska, a Notice of Pledge of Taxes with respect to the Redevelopment Project.

4. The City hereby finds and determines that the proposed land uses and building requirements in the Redevelopment Area are designed with the general purposes of accomplishing, in accordance with the general plan for development of the City, a coordinated, adjusted and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order,

convenience, prosperity; and the general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of a healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations, or conditions of blight.

5. The Mayor and the appropriate officers of the CDA are hereby authorized and directed to execute and deliver the Redevelopment Agreement, in substantially the form presented at this meeting, but with such changes, additions or deletions as they deem reasonable or necessary to carry out the intent of this resolution, together with all documents, certificates or instruments contemplated thereby or necessary in connection therewith, and carry out all transactions and take all actions contemplated by the foregoing.

**THIS RESOLUTION IS PASSED AND APPROVED THIS 5th DAY OF MARCH 2024,
BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MILFORD, SEWARD
COUNTY, NEBRASKA.**


Patrick Kelley, Mayor

ATTEST:


Jeanne Hoggins, Milford City Clerk



EXHIBIT A

Redevelopment Area

Tax Lot 139 in the Southeast Quarter (SE $\frac{1}{4}$) of Section 2, Township 9 North, Range 3 East of the 6th P.M., Seward County, Nebraska, a tract of land described as follows: Beginning at the Southeast corner of Lot 28, Block N, Davisson & Culver's Addition to Milford, Seward County, Nebraska, thence East 71.8 feet to the West right-of-way line to U.S. Highway 6, thence North along said right-of-way line 125 feet, thence West 71.7 feet to the Northeast corner of Lot 24, Block N, thence South 125 feet to the point of beginning; AND

Lots 24, 25, 26, 27 and 28, Block N, Davisson & Culver's Addition to Milford, Seward County, Nebraska and the adjacent 7 feet of Elm Street.

The Site consists of two separate parcels identified as Parcel ID 800067231 and Parcel ID 800063252 and is generally located at 115 South Hwy 6, Milford, Nebraska.