

CITY OF MILFORD  
SPECIAL MEETING  
AUGUST 22, 2018

A special meeting of the Mayor and City Council of the City of Milford, Nebraska was held at the Fire Station, 612 First Street in said City on the 22<sup>nd</sup> day of August 2018 at 4:30 pm. Present were: Mayor Nick Glanzer; Council members: Jeff Baker, Scott Bashore, Patrick Kelley, Dan Kral; Chief of Police Forrest Siebken, Maintenance Supt. Gary TeSelle, Building Inspector Kendall Hoggins and City Clerk Jeanne Hoggins. Public attendance roster is attached.

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 Glanzer called the meeting to order at 4:35 pm. Mayor Glanzer 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 Fire Station meeting room.

**Presentation of new municipal building – Matt Krause, CWP:** Matt Krause with CWP shared a presentation of the new municipal building. He is asking the Council to approve the project to move forward and to go out to bid. The bid period will take 4 weeks and about 2 weeks in a pre-bid meeting will be held on site. The pre-bid meeting gives the contractors and subs an opportunity to meet Matt, look at the site, and ask questions. Questions over the phone will be addressed by addendums to all potential bidders so all information is shared fairly. Advertising will take place in the Milford Times along with Plan Houses located in Columbus, Fremont, Lincoln, Omaha, Hastings, Grand Island plus a couple national sites. Bids will be due to the City Clerk Office and opening is usually scheduled for 2:00 pm. Bid opening will be held in Milford at which time bids will be opened to make sure they have all their paperwork. No selection is made at that point; the bids are just read out loud. CWP will spend the next week vetting the general contractors. A recommendation will be made at the Council meeting to award a bid. Shortly after that the contractor will start mobilizing. The Council was very pleased with the building and had minimal questions. A motion was made by Bashore and seconded by Kelley

to approve the project as presented and to move forward to go out for bid. Roll call vote: Bashore yes, Kelley yes, Baker yes, Kral yes. Motion carried. Agenda items were adjusted by Mayor Glanzer.

**Hire Receptionist and set wage:** Clerk Hoggins shared that the individual hired earlier in the month declined the position. A recommendation was made to the Council to hire Ardella (Susie) Huber at a wage of \$12.00 per hour pending back ground investigation and per-employment drug screening. A motion was made by Baker and seconded by Bashore to approve hiring Ardella (Susie) Huber at \$12.00 per hour for the part-time receptionist position. Roll call vote: Baker yes, Bashore yes, Kelley yes, Kral yes. Motion carried.

**Introduction and Adoption of Resolution – Sales Tax Appropriation for Economic Development:** Jonathan Jank shared; the Economic Development Plan has reached its 10 year sunset. If the City is interested in renewing the program they need to place it on the General Election Ballot for public consideration. There is a good track record of projects that have been approved over the last 10 years and a couple in the pipe-line that Jonathan is excited to move forward. As we think about the future of the community and the strategic plan that's in place, these tools will need to be in place to support the community. The Economic Development fund is supported by a percentage of the sales tax, equaling 1/10 of the city sales tax. The City Sales Tax is still at 1% which will not be any extra burden on the taxpayers. Gerry Dunlap asked what projects have been considered in the last 3 years. Jonathan shared, the lot beside the Methodist Church, Bluestem Fiber project and Eagle Fitness. Gerry - is there was an active committee handling this money. Jonathan – yes there is an active committee. There were some projects that weren't moved forward for various reasons. The committee set guidelines to consider how they designate the funds. Good consideration was taken on how to recycle the funds. The fund balance is approximately \$120 – 125K. This fund is used to fill the gap from a private lending entity.

Gerry commented, he did not think this money has been administered very well in the past. As a business man he didn't think it was something he would support. The past record has been pretty poor.

Mayor Glanzer read the ballot language on the resolution: “ SHALL THE CITY OF MILFORD CONTINUE AN ECONOMIC DEVELOPMENT PROGRAM AS DESCRIBED IN THE MILFORD, NEBRASKA ECONOMIC DEVELOPMENT PLAN APPROPRIATING ANNUALLY FROM CITY SALES TAX 1/10 OF THE TOTAL AMOUNT OF SALES TAX COLLECTED FOR A PERIOD OF 1 YEARS?”

A motion was made by Baker and seconded by Kelley to adopt the following resolution:

RESOLUTION NO. 561

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

WHEREAS, Milford seeks to be progressive to ensure a high quality of life and a stable future for the community businesses and residents;

WHEREAS, there is a high degree of competition among states and municipalities to provide incentives for business expansion and/or location and at the time when such incentives are necessary, municipalities do not have sufficient time to raise capital for the incentive;

WHEREAS, the Nebraska Legislature has empowered municipalities to affect the economic well-being of their community as well as the State of Nebraska through funds raised in advance through local taxation via the Local Option Municipal Economic Development Act, LB 840, when the voters in the municipality determine that it is in the best interest of their community to do so;

WHEREAS, the voters of Milford elected to utilize LB840 for the benefit of the community in 1998 through 2018;

**WHEREAS, the re-election of LB840 will not increase current taxes but rather continue the one-tenth of the total amount of sales tax appropriation for economic development;**

THEREFORE BE IT RESOLVED by the Mayor and the City Council of Milford, Nebraska that said plan for economic development entitled "Milford, Nebraska Economic Development Plan" enclosed herein and hereby adopted by the City of Milford shall be presented to the voters of Milford, Nebraska for approval at the next general election on November 6, 2018 and that the language of the ballot question as it will appear on the ballot shall be as follows:

**"SHALL THE CITY OF MILFORD CONTINUE AN ECONOMIC DEVELOPMENT PROGRAM AS DESCRIBED IN THE 'MILFORD, NEBRASKA ECONOMIC DEVELOPMENT PLAN' APPROPRIATING ANNUALLY FROM CITY SALES TAX 1/10 OF THE TOTAL AMOUNT OF SALES TAX COLLECTED FOR A PERIOD OF 10 YEARS?"**

\_\_\_\_ YES  
\_\_\_\_ NO"

**Milford, Nebraska Economic Development Plan**

Milford's economic development strategy involves building on existing strengths, promoting our existing businesses, working to retain existing jobs, expanding current businesses, promoting entrepreneurship, and recruiting new businesses. It is also beneficial to strengthen our workforce, develop community resources, attract new capital investment, broaden the community's tax base, and provide local community services needed to maintain a good quality of life.

The City of Milford recognizes that retention and expansion, along with the attraction of new businesses, is occurring in a very competitive market place. In order to make Milford as competitive as possible, the community would like to use all financial and human resources available by using federal, state, municipal, and private sources. The community seeks to provide viable and unique financing opportunities for expansion, retention, and new business ventures.

### **General Intent**

The Local Option Municipal Economic Development Act was passed by Milford voters in 1998 with some successes yielded. The goal of implementing a non-volunteer development coordinator was realized in the creation of Seward County Economic Development in 2006. Businesses have been assisted with loans and a process including application for funding applicants has been created.

It is the intent of the City of Milford to continue the economic development program implemented in 1998 with expanded utilization due to Milford's participation in the newly formed county-wide Economic Development effort. The purposes of the Milford Economic Development program will be to:

- create and retain jobs and generate employment opportunities within the area labor market;
- attract new capital investment and residents to the community;
- ensure adequate housing opportunities for the workforce
- broaden the tax base; and
- provide economic diversification to ensure economic stability and vitality for the City of Milford and the surrounding area;
- update and develop appropriate online resources including existing or future community and City of Milford economic development-related websites.

### **Eligible Recipient**

Any corporation, partnership, limited liability company, or sole proprietorship, without regard to its principal source of income, shall be a qualifying business under the Milford Economic Development Program. A qualifying business need not be located within the territorial boundaries of the City, but will need to meet requirements as set out by the acting Economic Development group.

Other entities, organizations and causes may be determined eligible recipients by the Review Committee only if the project qualifies as an eligible activity.

### **Eligible Activities**

Eligible activities under Milford's Economic Development shall include any project or program for the purpose of providing direct or indirect financial assistance to a qualifying applicant and the payment of related costs and expenses.

Examples of eligible activities include, but are not limited to:

- 1) The purchase of real estate, options for such purchases, and the renewal or extension of such options;
- 2) Public works improvements essential to the location or expansion of a qualifying business;
- 3) Expenses for locating a qualifying business into the area or relocating an existing business to a more suitable location;
- 4) Job creation incentives;
- 5) Grants to qualifying businesses;
- 6) Loans to qualifying businesses;
- 7) Loan guarantees to qualifying businesses;
- 8) The provisions of technical assistance such as marketing assistance, management counseling, preparing business plans, engineering assistance, recruitment activities, etc.;
- 9) Job training grants or agreements;
- 10) Tourism promotion related activities;
- 11) Activities created to facilitate the intent of the economic development program as listed above;
- 12) All other activities allowed by law, both now and through future amendments to the Local Option Municipal Economic Development Act.

Real estate purchases or option to purchase shall be approved by the City Council. The proceeds from the sale or lease of land purchased and/or developed with funds generated may be used for the purchase and development of additional real estate or for any other eligible activities under the program.

### **Source of Funding for the Economic Development Program**

The Milford Economic Development Program will receive funding from a 1/10 (one-tenth) of the total amount of local sales and use tax collected for a period of 10 years.

### **Duration of Program**

The time period during which the program will be in existence will be from November 1, 2018 to November 30, 2032. Although the sales tax will be collected for a period of 10 years (November 1, 2018 to November 30, 2028), the program will continue until November 30, 2032 so that unused funds within the program (and funds generated through leases, real estate sales, loan repayments, and interest) can continue to be spent on program activities. Income may also include interest, sale of property, and loan repayments.

### **Future Funding/Bonding Authority**

Milford may have a business opportunity or other economic development project that requires initial funds that exceed funds on hand. In order to take advantage of such an opportunity, the City of Milford shall have the authority to issue bonds pursuant to the Local Option Municipal Economic Development Act to provide funds to carry out the program, following a public hearing. The City shall also have the authority to commit future funding through contracting and other

methods available to the City to respond to opportunities in which time is of the essence.

### **Application Process**

To be considered for direct financial assistance under the Milford Economic Development Program, an applicant must provide the following unless waived by the Program Administrator:

A completed application form as designated by the acting Economic Development group. (The existing application may be revised from time to time to include pertinent information. Applications will be made available at the City of Milford offices.);

Additional information, to determine the economic viability of the proposed project(s), may be requested by the Program Administrator.

Generally, applications will be reviewed in the order in which they are received. When an application is received that is deemed “urgent” by the Program Administrator, it may be reviewed and approved, before other applications received. Other pending applications will then be addressed in a timely manner.

### **Administrative Process**

A description of the administration of the plan follows. Additional responsibilities, as well as positions may be needed to carry out the program during the course of the economic development program and may be approved by the City Board at some point in the future.

It is the intent of the City of Milford that the county-wide economic development director will serve as the Program Administrator for the Milford’s Economic Development Program. The Program Administrator will facilitate the review through a Review Committee, whose members are knowledgeable in areas pertaining to business, economic development, the community of Milford and/or areas pertaining to the goals of the program.

Although, it is the intent of the City Council to contract the administration of Milford’s Economic Development Program to the county-wide economic development group, the City retains the option to contract with another appropriate organization or may choose to administer the program within City government.

The Program Administrator will be responsible for procedures to insure that all applicable laws, regulations and requirements are met by the municipality and the qualifying businesses that receive financial assistance. These procedures will be subject to review and approval by the City Council.

The Program Administrator may use the City Attorney to review all contracts, official documents, land transactions, and other official actions related to the economic development program, as well as applicable laws annually, to ensure compliance with applicable laws, regulations, and requirements.

**Citizen Advisory Review Committee**

As per the Act, the ordinance establishing the economic development program shall provide for the creation of a Citizen Advisory Review Committee. This committee is a supervisory committee and not a committee that influences the decision-making process in regard to where program funds are spent. The committee shall consist of not less than five or more than ten registered voters of the City who shall be appointed by the Mayor subject to approval by the City Council. At least one member of the committee shall have expertise or experience in the field of business finance or accounting. No member of the Citizen Advisory Review Committee shall be an elected or appointed City official, an employee of the City, a participant in a decision-making position regarding the expenditure of funds, or an official or employee of any qualifying business receiving financial assistance under the economic development program or of any financial institution participating directly in the economic development program.

Upon roll call vote as follows: Baker yes, Kelley yes, Bashore yes, Kral yes.  
Motion carried.

Dated this 22nd day of August 2018.

Attest: \_\_\_\_\_  
Jeanne Hoggins, City Clerk

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Nick Glanzer, Mayor

(SEAL)

Mayor Glanzer announced that it was 6:00 and as stated, we would wait to start this portion of the meeting at that time.

Mayor Glanzer opened agenda item #5: **Discuss/Action – Trail Plan Phase I to General Election:** Bashore noted: In light of the attendance we had at the August 9<sup>th</sup> meeting and the showing of opposition and in an attempt to save the city time and expense. Bashore made a motion to no longer pursue the LPA program agreement federal-aid funds, seconded by Kral.

Discussion was held as this motion was not made on the agenda item that Mayor Glanzer recognized. Attorney Carlson noted it was on the same topic. She stated this would be to not put it on the ballot at all just to not pursue it any further.

Glanzer announced to the public, the motion on the table is to not send it to the general election but to not pursue the federal-aid fund for phase I. Discussion: Bashore noted, just to be clear a yes vote is to no longer pursue the funding and a no vote is to continue pursuit of funding.

Roll call vote: Bashore yes, Kral yes, Baker no, Kelley no, Glanzer – to explain his vote: the past couple weeks he has a lot of time to discuss with

individuals in the city as well as reflect on past meetings regarding this agenda item. The people he has talked to reflect about a 50/50 split on whether people wanted this specific trail. A lot of people wanted a trail but their view of a trail is outside of the town and they didn't want it down Main Street. The overwhelming concern was having it run down Main Street. As the Mayor he feels it is his responsibility to listen to the people to an extent. He would like to pursue Phase 2, 3 and 4 and voted yes. Motion carried.

**ADJOURNMENT:** A motion was made by Baker and seconded by Kelley to adjourn the meeting. Roll call vote: Baker yes, Kelley yes, Bashore yes, Kral yes. Motion carried and meeting adjourned at 6:05 pm.

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Jeanne Hoggins, City Clerk

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Mayor, Nick Glanzer

### 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 August 22, 2018 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