

ORDINANCE NO. 688

AN ORDINANCE TO ESTABLISH ECONOMIC DEVELOPMENT PROGRAM; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT.

Section 1. The governing body of the City of Milford, Nebraska has completed a proposed economic development plan, pursuant to Section 18-2701 et. Seq. R.R.S. Neb, a copy of which is attached hereto and incorporated herein by reference as fully as if set forth at length herein.

Section 2. Said economic development plan has been presented for public comment and discussion at a public hearing held on September 1, 1998 at the hour of 7:00 o'clock p.m., pursuant to published notice.

Section 3. The voters have approved the proposed economic program as provided in Section 18-2713 R.R.S. and with funding derived from existing sales tax revenues of the City of Milford over a 10 year period in an amount of the greater of \$10,000.00 or 10% of the net local option sales tax revenues received by said municipality during each fiscal year commencing October 1, 1998, in addition to non-city funds received from donations or other non-municipal sources, or gifts or grants to the municipality for such purposes, may be used in said program.

Section 4. The governing body hereby adopts and approves said economic development plan attached hereto and incorporated herein by reference as fully as if set forth at length herein.

Section 5. In accordance with said plan, the number of persons serving on the Citizen Advisory Review Committee shall be 8, (not less than five or more than ten registered voters of the city) and such number may be amended from time to time by Ordinance. The Citizen Advisory Review Committee may also be commonly referred to as the "Milford Economic Development Committee". The Committee is further authorized to create such other sub-committees it may deem desirable. The following people are appointed to the committee by the mayor as approved by the Council: Bill Anderson, Lyle Neal, Daryl Hackbart, Terry Rediger, Jean Petsch, Donna Havener, Brian Bennett and Dean Bruha.

Designated member with expertise in business finance or accounting: Bill Anderson.

City official or employee with responsibility for the administration of the economic development program to serve as an ex officio member of the committee with responsibility for assisting the committee and providing it with necessary information and advise on the economic development program: Dean Bruha.

Section 6. At least monthly regular meetings of the citizen advisory review committee shall be held to review the functioning and progress of the economic development program and to advise the City Council with regard to the program. At least

once in every six-month period after the effective date of the ordinance, the committee shall report to the governing body on its findings and suggestions at a public hearing called for that purpose.

Section 7. This ordinance shall be in force and take effect from and after its passage and publication as provided by law.

Section 8. All ordinances in conflict herewith are hereby repealed.

Passed and adopted this 1st day of December, 1998.

Mayor

Attest: _____
City Clerk

**Economic Development Plan
City of Milford
August 3, 1998**

**The Economic
Development Committee of
Milford**

ECONOMIC DEVELOPMENT PLAN FOR MILFORD, NEBRASKA AS ALLOWED BY THE LOCAL OPTION MUNICIPAL ECONOMIC DEVELOPMENT ACT

I. LEGISLATIVE FINDING:

The Nebraska Legislature has found:

- (1) There is a high degree of competition among states and municipalities in our nation in their efforts to provide incentives for businesses to expand or to locate in their respective jurisdictions;
- (2) Municipalities in Nebraska are hampered in their efforts to effectively compete because of their inability under Nebraska law to respond quickly to opportunities or to raise sufficient capital from local sources to provide incentives for business location or expansion decisions which are tailored to meet the needs of the local community;
- (3) The ability of a municipality to encourage business location and expansion has a direct impact not only upon the economic well-being of the community and its residents but upon the whole state as well; and
- (4) There is a need to provide Nebraska municipalities with the opportunity of providing assistance to business enterprises in their communities, whether for expansion of existing operations or the creation of new businesses, by the use of funds raised by local taxation when the voters in the municipality determine that it is in the best interest of their community to do so.

II. COMMUNITY STRATEGY

Building upon the findings of the Legislature, A community and economic development strategy is a description of how the community will seize the opportunities and address the problems the community will face in the future. The strategy is based on efforts to understand what economic changes are taking place in the community and why. A strategy incorporates the strengths which hold opportunities for community growth and weaknesses that are causing or may cause decline. As an outgrowth from the Economic Development Committee of the Milford Community Chamber of Commerce, a new group was formed to undertake extensive community assessment and development.

A strategic planning committee entitled "Milford Community Planning 2000 and Beyond" was developed. An effort was made to establish a committee that would represent a cross section of the community in order to discuss community planning issues. On April 16, April 28, and May 13 of 1998, the strategic planning committee met. Over 40 people were involved in the strategic planning sessions. A list of names of those involved in the process are attached. The strengths and challenges were discussed and assessed by the strategic planning committee. Internal and external forces and research materials were reviewed in order to develop the "critical issues" facing Milford as it enters the 21st century.

Several critical issues were identified including those in the following area:

- A. Economic
 - 1. Continuing to build and reinforce the positive impact created by Southeast Community College.
 - 2. Presently there are limited viable commercial land opportunities in Milford.
 - 3. It is necessary to grow businesses that are well suited to Milford light industrial and service industries.
- B. Community
 - 1. We need jobs and housing to keep our young people in the community.
 - 2. We need to increase housing opportunities.
 - 3. We need to activate those commuting residents to become interested and involved in our community and be a positive force in community pride and development.
- C. Education
 - 1. Southeast Community College (SCC)
 - a. We need to continue to take advantage of the many benefits that SCC offers
 - b. We need to...

- c. We need to form additional business and community partnerships with SCC
- 2. We need to support the creation of multi-purpose facilities including an auditorium to allow public educational opportunities to be maximized.
- 3. We need to make sure that appropriate housing and services are available so the educators working in Milford may reside in and be involved in the community.
- D. Services
 - 1. We need to continue to support our public housing needs such as Linden Village.
 - 2. We need to continue with the improvement of the handicapped accessibility.
 - 3. An all purpose community center needs to be considered.
- E. Facilities
 - 1. The water system (including the water tower) needs to be evaluated. Plans need to be considered for upgrading the system and its capacity.
 - 2. The possible expansion of the community infrastructure needs to be considered. If commercial, industrial or educational expansion occurs, plans must be in place to make sure that the community infrastructure can support the expansion.
 - 3. Maintenance of the public areas of the community must be continued.
- F. Recreation
 - 1. Youth and adult recreational activities need to be supported and possibly expanded, i.e. swimming pool renovations, community auditorium, bowling alley.

After the goals and strategies were discussed and developed the next step was to assign new groups involving yet more people to develop action plans for the implementation of the strategies. Four separate "action teams" were developed. The following are the goals and possible strategies which were identified by the committee:

III. GOALS

After the assessment of our strengths and challenges, the review of research materials, and the identification of critical issues, goals we established in the following areas:

- A. Develop Economic Growth and Stability
- B. Retain and Grow Current Population
- C. Develop a Technology Infrastructure for Milford
- D. Increase Community Pride and Involvement

Possible strategies for each goal have been identified and are as described on the attachment.

After the goals were established action teams including additional people to work on each team. Three of the four action teams have met and have established action plans to promote economic development, develop a technology infrastructure for Milford and increase community pride and involvement. Copies of the Action Plans are attached. The Economic Development Committee of the Chamber of Commerce then met to review the action plans and to assemble this report for presentation to the Milford City Council.

IV. STATEMENT OF PURPOSE DESCRIBING GENERAL INTENT AND GOALS

The Economic Development Committee has, though recognizing that all of the stated goals and plans are important, have prioritized those goals considering the possible financial and human resources available in order to maximize the benefit of this program.

In the past various groups and entities within the community have undertaken economic development and planning discussions. There has been some limited success in the past. However, since all past efforts have depended entirely upon volunteer work, it has been difficult to maintain continuity and follow-up of the various efforts which have been made. It appears necessary that a method of organizing and coordinating the efforts of the volunteers is necessary to sustain organized economic and community development. While different groups have been willing to volunteer in various areas, the community has lacked a developmental coordinator to take advantage of various federal, state and local programs and to work for the common good of the community by promoting cooperation between the governmental and educational entities, business, and the members of the community. For this reason, funding is requested for the establishment of an Economic Development Coordinator which will be under the authority of the Citizen Advisory Review Committee as defined by Neb Rev Stat 1A-2715 enacted by the City. This Coordinator will assist in the implementation of

V. CITIZEN ADVISORY REVIEW COMMITTEE:

(1) The ordinance establishing the economic development program shall provide for the creation of a citizen advisory review committee. The committee shall consist of not less than five or more than ten registered voters of the city who shall be appointed to the committee by the mayor or chairperson subject to approval by the governing body of the city. At least one member of the committee shall have expertise or experience in the field of business finance or accounting. The ordinance shall designate an appropriate city official or employee with responsibility for the administration of the economic development program to serve as an ex officio member of the committee with responsibility for assisting the committee and providing it with necessary information and advice on the economic development program.

(2) 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 expenditures of program 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.

(3) The ordinance shall provide for regular meetings of the citizen advisory review committee to review the functioning and progress of the economic development program and to advise the governing body of the city with regard to the program. At least once in every six-month period after the effective date of the ordinance, the committee shall report to the governing body on its findings and suggestions at a public hearing called for that purpose.

(4) Members of the citizen advisory review committee, in their capacity as members and consistent with their responsibilities as members, may be permitted access to business information received by the city in the course of its administration of the economic development program, which information would otherwise be confidential (a) under Neb.Rev.Stat. section 84-712.05, (b) by agreement with a qualifying business participating in the economic development program, or (c) under any ordinance of the city providing access to such records to members of the committee and guaranteeing the confidentiality of business information received by reason of its administration of the economic development program. Such ordinance may provide that unauthorized disclosure of any business information which is confidential under Neb.Rev.Stat. section 84-712.05 shall be a Class III misdemeanor.

VI. TYPES OF BUSINESSES THAT WILL BE ELIGIBLE UNDER THE PROGRAM

Any corporation, limited liability company, partnership or sole proprietorship, regardless of its principal source of income, may be benefited from funds collected. In order to be considered for economic assistance in any way, the business or industry must include the growth or retention of employees within the Milford, Nebraska, trade area and may include the following:

- A. The manufacturer of articles of commerce.
- B. The conduct of research and development.
- C. The processing, storage, transport or sale of goods or commodities which are sold or traded in interstate commerce.
- D. The sale of services in interstate commerce.
- E. Telecommunications/technological activities.
- F. Tourism related activity.
- G. Headquarters for facilities for an entity whose activities are included in any of the above activities.

VII. LENGTH OF TIME THE PROGRAM WILL BE IN EXISTENCE

This program will be in existence for an initial period of ten (10) years. After the 9th year of operation, the program will be reconsidered to be re-approved by the City Council and/or the voters of the community.

VIII. BASIC PRELIMINARY BUDGET

The preliminary budget is intended to provide the City with an opportunity to evaluate the proposed program. However, flexibility is very important as economic development needs may change from time to time. Each budget will be reviewed and approved by the council. This will give the council and any interested citizens the opportunity to add input and make practical planning decisions. The committee chose to generally identify the proposed budget in terms of the overall goals and strategies developed by the Strategic Planning Committee

- A. Developing economic growth and stability 40%
- B. Developing a technology Infrastructure for Milford 20%
- C. Increasing community pride and involvement 10%
- D. Program administration/Economic Development Coordinator 30%

The costs of administration and the hiring of an Economic Development Coordinator will include salaries, travel expenses, printing, office equipment, loan funds, postage, and other administrative expenses. It is anticipated that a significant amount of the economic development growth and stability funds allocated will be dedicated to developing, obtaining, purchasing or acquiring options for commercial development sites. All of the income for this program will be derived by taking one-tenth (1/10th) of the city sales tax.

IX. CONFIDENTIALITY OF BUSINESS INFORMATION RECEIVED

Information may be obtained and received by and from a qualifying business. If such confidential business information is released it could cause harm to the business or give an unfair advantage to its competitors. In order to encourage business applying for assistance to make full and frank disclosures of business information, this program shall include:

- A. The adoption of an ordinance which makes the information provided by a business confidential and publishes disclosure of such information.
- B. A restriction on the number of people with access to the information with only one person primarily responsible for the safekeeping of records.
- C. Requiring personnel involved in the program to sign statements of confidentiality regarding all personal and private submittals by qualified businesses.

X. ASSURANCE THAT LAWS AND REGULATIONS ARE MET BY PARTICIPATING BUSINESSES

All participating businesses shall provide for such assurances that all laws and regulations are met by them and such assurances shall be regularly reviewed. The chairman of the Economic Development Committee appointed by the City Council shall be responsible to review such assurances and in the event of questions, may consult with the City Attorney or other person designated by the city. The City Attorney shall also be responsible for keeping the municipality informed of any relevant changes in the law that could affect the program.

XI. APPLICATION PROCESS AND SELECTION OF PARTICIPANTS

- A. Eligible qualifying businesses may apply for and receive benefits more than once.
- B. Applications will be accepted in the chronological order of their receipt by the program administrator beginning August 1 of each year. The program review committee will also have the authority to commit future program funds in response to opportunities in which time is of the essence.
- C. Submission of application and selection of participation participants involved in a three-phase process which includes:
 1. Phase one determines the potential financing for a proposed project. Based on the information obtained from the business which is listed in the SBA Form IV Application, or any application form which replaces SBA Form IV and through discussions with potential lenders or other providers of financial assistance.
 2. Phase two determines the potential economic benefit of the program, as determined through such resources as are available to the committee.
 3. Phase three involves a comparison of the costs of the project, the amount of economic assistance and financing available with the potential economic benefits of the project.
- D. Applications shall then be prioritized by the committee with the most cost-effective project receiving a priority for use of funds.

XII. PURCHASE OR OPTION TO PURCHASE LAND

If land is to be purchased or optioned for a general purpose, commercial or industrial site or park, the following characteristics will be considered as minimum characteristics:

- A. Be properly zoned with no excessive easements, covenants or other encumbrances and shall also conform to the city or county's comprehensive plan. In the event that changes in zoning are necessary, such zoning changes shall be duly considered by the appropriate zoning jurisdiction.
- B. The area must not be in a flood plain.
- C. The site must have access to city water if reasonably available, otherwise be connected to an on-site private well.
- D. If infrastructure is not in place at the site, there should be plan of action developed for the extension of utilities and ingress and egress.

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