

**REGULAR MEETING
CITY COUNCIL, YORK, NEBRASKA
FEBRUARY 17, 2011**

A meeting of the Mayor and City Council of the City of York, Nebraska, was convened in open and public session at 7:00 o'clock p.m. in the Council Chambers.

The Mayor announced that the Open Meetings Act is posted on the east wall of the Council Chambers.

ROLL CALL

Present were: Mayor Harris; Councilmembers: North, Leggett, Brink, Redfern, Toms, Wolfe, Obermier and Mogul. Absent: None. Also present were the City Clerk, City Administrator, City Attorney and Director of Public Works.

Notice of this meeting was given in advance thereof by publication in the York News Times on February 14, 2011, the City's designated method for giving notice, a copy of the proof of publication being attached to these Minutes. Notice of this meeting was given to the Mayor and all members of the City Council and a copy of their acknowledgment and receipt of notice and the agenda is attached to these Minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and City Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

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MINUTES

Councilmember Leggett moved and Councilmember Toms seconded that the Minutes of the February 3, 2011, meeting be approved.

Roll Call Vote: Ayes: North, Leggett, Brink, Redfern, Toms, Wolfe, Obermier and Mogul. Nays: None. Motion Carried.

REPORTS

Councilmember Mogul moved and Councilmember Obermier seconded that the Departmental Activities Report, and Water and Sewer Operational Statements be approved.

Roll Call Vote: Ayes: North, Leggett, Brink, Redfern, Toms, Wolfe, Obermier and Mogul. Nays: None. Motion Carried.

FUND BALANCES AND BUDGET COMPARISON

Councilmember Brink moved and Councilmember Wolfe seconded that the Fund Balances and Budget Comparison Reports be approved.

Roll Call Vote: Ayes: North, Leggett, Brink, Redfern, Toms, Wolfe, Obermier and Mogul. Nays: None. Motion Carried.

CLAIMS OF ELECTED OFFICIALS

Councilmember Redfern moved and Councilmember Toms seconded that the claim of Cy North for North Office Supply in the amount of \$91.68 and York Printing Co. in the amount of \$66.70 be approved and paid. .

Roll Call Vote: Ayes: Leggett, Brink, Redfern, Toms, Wolfe, Obermier and Mogul. Nays: None. Councilmember North declared a Conflict of Interest inasmuch as he is owner of North Office Supply and York Printing Co. and abstained from voting. Motion Carried.

Councilmember Redfern moved and Councilmember Leggett seconded that the claim of Ron Mogul, Jr. for Mogul's Transmissions, Inc. in the amount of \$57.98 be approved and paid.

Roll Call Vote: Ayes: North, Leggett, Brink, Redfern, Toms, Wolfe, and Obermier. Nays: None. Councilmember Mogul declared a Conflict of Interest inasmuch as he is owner of Mogul's Transmissions, Inc. and abstained from voting. Motion Carried.

CLAIMS

Councilmember Redfern moved and Councilmember Mogul seconded that the claims for the period February 4, 2011 through February 17, 2011 be approved and paid.

Roll Call Vote: Ayes: North, Leggett, Brink, Redfern, Toms, Wolfe, Obermier and Mogul. Nays: None. Motion Carried.

REGISTERED WARRANTS

Councilmember Redfern moved and Councilmember Redfern moved and Councilmember Wolfe seconded that the City Clerk/Treasurer be directed to register a warrant payable to Kikham, Michael in the amount of \$484.17 and the State of Nebraska Department of Roads in the amount of \$119,287.73; both for Nebraska Avenue improvements.

Roll Call Vote: Ayes: Obermier, Mogul, North, Leggett, Brink, Redfern, Toms and Wolfe. Nays: None. Motion Carried.

CITY ADMINISTRATOR REPORT

The Director of Public Works reported: 1) that the salt storage building is almost done and 2) on the progress of Nebraska Avenue and advised how the water lines will be pushed under East 6th Street so as not to close said street.

CODE VIOLATION

The Public Works Project Manager reported on a code violation at 558 West 7th Street and asked that the Council authorize court proceedings.

Councilmember Brink moved and Councilmember Redfern seconded to authorize the County Attorney to proceed with court proceedings on this property.

Roll Call Vote: Ayes: North, Leggett, Brink, Redfern, Toms, Wolfe, Obermier and Mogul. Nays: None. Motion Carried.

FORGIVE LOAN

The City Administrator reported that Teeuwissen LLC had received a CDBG “performance based” loan in the amount of \$250,000 which required that if the company retained jobs for a “maintenance “ period, said Performance Based Loan would be forgiven by the City. A second loan of \$250,000 as an “Economic Development Loan” will continue to be repaid to the City over a ten year period.

Councilmember Brink moved and Councilmember Redfern seconded that the Performance Based Loan be forgiven.

Roll Call Vote: Ayes: North, Leggett, Brink, Redfern, Toms, Wolfe, Obermier and Mogul. Nays: None. Motion Carried.

APPROVE SPECIAL DESIGNATED PERMIT APPLICATIONS

Councilmember Obermier moved and Councilmember Leggett seconded to an application for a Special Designated Permit filed by Kerry’s Restaurant and Catering to sell alcoholic beverages in the Cornerstone Event Center for a Chamber After Hours Event to be held on March 18, 2011.

Roll Call Vote: Ayes: North, Leggett, Brink, Redfern, Toms, Wolfe, Obermier and Mogul. Nays: None. Motion Carried.

Councilmember Leggett moved and Councilmember Redfern seconded to an application for a Special Designated Permit filed by Fraternal Order of Eagles to sell

alcoholic beverages in the Cornerstone Event Center for a fund raising event to be held on March 19, 2011.

Roll Call Vote: Ayes: North, Leggett, Brink, Redfern, Toms, Wolfe, Obermier and Mogul. Nays: None. Motion Carried.

ADJOURNMENT

There being no further business to come before the meeting, The Mayor adjourned the meeting, the time being 7:14 o'clock p.m.

C. Jean Thiele, City Clerk

Charles Harris, Mayor