

**REGULAR MEETING
CITY COUNCIL, YORK, NEBRASKA
JANUARY 20, 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: Obermier, Mogul, North, Leggett, Brink, Redfern, Toms and Wolfe. 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 January 17, 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 January 6, 2011, meeting be approved.

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

FUND BALANCES AND BUDGET COMPARISON

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

Roll Call Vote: Ayes: Obermier, Mogul, North, Leggett, Brink, Redfern, Toms and Wolfe. 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 \$501.63 and York Printing Co. in the amount of \$11.35 be approved and paid. .

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

CLAIMS

Councilmember Redfern moved and Councilmember Mogul seconded that the claims for the period January 7, 2011 through January 20, 2011 be approved and paid.

Roll Call Vote: Ayes: Obermier, Mogul, North, Leggett, Brink, Redfern, Toms, and Wolfe. 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 City Administrator reported that 1) the City had received a memo stating that NIMS orientation will be held on February 22nd at the York City Council Chambers at 6:30 o'clock p.m.; 2) provided the Council with tax levies for all 30 first class cities as well as Lincoln and Omaha; and 3) provided that sales tax received to day.

ORDINANCE NO. 2044

AN ORDINANCE OF THE CITY OF YORK, NEBRASKA, TO AMEND SECTION 35-102 OF THE YORK CITY CODE TO PROVIDE FOR AN OCCUPATION TAX TO

BE LEVIED UPON TELEPHONE COMPANIES; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH AND TO PROVIDE FOR THE EFFECTIVE DATE FOR THIS ORDINANCE

Councilmember Leggett moved and Councilmember Toms seconded that the Statutory Rule requiring reading on three different days of Ordinance No. 2044 be suspended.

Roll Call Vote: Ayes: Obermier, Mogul, North, Leggett, Brink, Redfern, Toms and Wolfe. Nays: None. The motion was adopted by a three-fourths vote of the Council and the Statutory Rule suspended for consideration of said Ordinance on its second and third reading.

Councilmember Leggett moved and Councilmember Mogul seconded that Ordinance No. 2044 be passed and adopted.

Roll Call Vote: Ayes: Obermier, Mogul, North, Leggett, Brink, Redfern, Toms and Wolfe Nays: None. Ordinance No. 2944 was declared adopted.

APPROVE PRE-APPLICATION

Councilmember Toms moved and Councilmember Brink seconded to approve the submission of a Pre-Application for a Nebraska Affordable Housing Grant from the Nebraska Department of Economic Development.

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

APPROVE AGREEMENT

Councilmember Obermier moved and Councilmember Brink seconded to approve an agreement with Kirkham, Michael for Professional Services for Wastewater Treatment Plan Improvements, which includes an Ultralight Disinfection Facilities Design in the maximum amount of \$34,500.00.

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

ADJOURNMENT

There being no further business to come before the meeting, The Mayor adjourned the meeting, the time being 7:13 o'clock p.m.

C. Jean Thiele, City Clerk

Charles Harris, Mayor