

**REGULAR MEETING  
CITY COUNCIL, YORK, NEBRASKA  
DECEMBER 2, 2010**

A meeting of the Mayor and City Council of the City of York, Nebraska, was convened in open and public session at 6:00 o'clock p.m. in the Council Chambers.

The President of the Council announced that the Open Meetings Act is posted on the East wall of the Council Chambers.

Present were: Councilmembers Redfern, Toms, Obermier, Mogul, Leggett and Brink. . Absent: Mayor Harris, North and Wolfe. Also present were the City Clerk, and City Administrator.

Notice of this meeting was given in advance thereof by publication in the York News Times on November 29, 2010, 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.

**MINUTES**

Councilmember Mogul moved and Councilmember Obermier seconded that the Minutes of the November 18, 2010 meeting be approved.

Roll Call Vote: Ayes: Redfern, Toms, Obermier, Mogul, Leggett and Brink. Nays: None. Absent & Not Voting: Wolfe and North. Motion Carried.

**APPROVE ELECTED OFFICIAL CLAIMS**

Councilmember Toms moved and Councilmember Leggett seconded that the claims for Councilmember North for North Office Supply in the amount of \$386.49 and York Printing Co. in the amount of \$1,332.46 be approved and paid.

Roll Call Vote: Ayes: Redfern, Toms, Obermier, Mogul, Leggett and Brink. Nays: None. Absent & Not Voting: Wolfe and North. Motion Carried.

**APPROVE CLAIMS**

Councilmember Toms moved and Councilmember Mogul seconded that the claims for the period November 19, 2010 through December 2, 2010 be approved and paid.

Roll Call Vote: Ayes: Redfern, Toms, Obermier, Mogul, Leggett and Brink. Nays: None. Absent & Not Voting: Wolfe and North. Motion Carried

#### APPROVE LIQUOR LICENSE MANAGER

Evelyn Campbell was present in support of an application filed by The Lounge to name her as Manager of said license.

Councilmember Leggett moved and Councilmember Brink seconded to recommend approval of said application.

Roll Call Vote: Ayes: Ayes: Redfern, Toms, Obermier, Mogul, Leggett and Brink. Nays: None. Absent & Not Voting: Wolfe and North. Motion Carried

#### APPROVE RAP PARTICIPATION

Councilmember Leggett moved and Councilmember Obermier seconded to adopt the following Resolution:

#### RESOLUTION NO 2010-29

WHEREAS, law enforcement agencies within the following counties: Butler, Clay, Fillmore, Hamilton, Jefferson, Merrick, Nuckolls, Saline, Saunders, Seward, Thayer, Webster, and York desire to enter into a cooperative law enforcement effort, and

WHEREAS, the above agencies have submitted a grant application known as the RURAL APPREHENSION PROGRAM (hereafter RAP 18 # 07-DA-311); and

WHEREAS, the RA.P. project has been funded by the Nebraska Crime Commission; and

WHEREAS, the various counties, agencies and communities within those jurisdictions desire to make the most efficient use of the power by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors; and

WHEREAS, an interlocal agreement, consistent with Nebraska Revised Statutes 13-801 et.sq., would be in the best interest of all participating agencies; and

WHEREAS, the agencies desire to enter into a written interlocal agreement for the purposes of carrying out the R.A.P. objectives and grant requirements of the Nebraska Crime Commission.

BE IT RESOLVED THAT:

The Mayor and City Council of the City of York, Nebraska authorizes Donald Klug, Police Chief to enter the City of York, Nebraska into an interlocal agreement for joint and cooperative action pursuant to the provisions of Section 13-801 through 13-807. The interlocal agreement shall be the strict administration of the R.A.P. project and all funds allocated by the Nebraska Crime Commission, and Match dollars allocated by the R.A.P. members. Further, this interlocal agreement shall not establish a separate legal entity, rather as a joint and cooperative undertaking between public agencies, i.e. state, county, city, or village. (Nebraska Revised Statute 13-801)

Amount of Match dollars allocated by the City of York, Nebraska for the 2010-2011 grant period will be \$ 4,040.50

Roll Call Vote: Ayes: Redfern, Toms, Obermier, Mogul, Leggett and Brink.  
Nays: None. Absent & Not Voting: Wolfe and North. Motion Carried

#### ORDINANCE NO. 2042

AN ORDINANCE TO AMEND A PORTION OF CHAPTER 37 UTILITIES, SECTION 37-43, OF THE MUNICIPAL CODE OF THE CITY OF YORK, NEBRASKA, TO PRESCRIBE WATER RATES; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith AND TO PROVIDE FOR THE EFFECTIVE DATE OF SAID ORDINANCE

This ordinance was presented for third reading. The City Administrator advised that the rates will be increased approximately 4.5%.

Councilmember Brink moved and Councilmember Leggett seconded that Ordinance No. 2042 be passed and adopted.

Roll Call Vote: Ayes: Redfern, Toms, Obermier, Mogul, Leggett and Brink.  
Nays: None. Absent & Not Voting: Wolfe and North. Motion Carried Ordinance No.2042 was declared adopted.

#### ORDINANCE NO. 2043

AN ORDINANCE TO AMEND PORTIONS OF CHAPTER 37 OF THE MUNICIPAL CODE OF THE CITY OF YORK, NEBRASKA, PRESCRIBING SEWER RATES; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith AND TO PROVIDE FOR THE EFFECTIVE DATE OF SAID ORDINANCE

This ordinance was presented for third reading. The City Administrator advised that the rates will be increased approximately 4.5%.

Councilmember Obermier moved and Councilmember Toms seconded that Ordinance No. 2043 be passed and adopted.

Roll Call Vote: Ayes: Redfern, Toms, Obermier, Mogul, Leggett and Brink.  
Nays: None. Absent & Not Voting: Wolfe and North. Motion Carried Ordinance No.2043 was declared adopted.

#### ADJOURNMENT

There being no further business to come before the Council, the President of the Council adjourned the meeting, the time being 7:10 o'clock p.m.

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C. Jean Thiele, City Clerk

Charles W. Harris, Mayor