

**REGULAR MEETING
CITY COUNCIL, YORK, NEBRASKA
OCTOBER 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: North, Leggett, Brink, Redfern, Toms, Wolfe, Obermier and Mogul. Absent: None. Also present were the City Clerk, City Administrator, and Director of Public Works.

Notice of this meeting was given in advance thereof by publication in the York News Times on October 15, 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.

MINUTES

Councilmember Leggett moved and Councilmember Brink seconded that the Minutes of the October 6, 2011 meeting be approved.

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

REPORTS

Councilmember Brink 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 Leggett 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 OFFICIAL

Councilmember Redfern moved and Councilmember toms seconded that the claim of Margaret Brink in the amount of \$73.50 for conference expenses be approved and paid.

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

Councilmember Redfern moved and Councilmember Mogul seconded that the claim of Chuck Harris in the amount of \$55.50 for conference expenses be approved and paid.

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

Councilmember Redfern moved and Councilmember Brink seconded that the claim of Ron Mogul, Jr. for

Mogul's Transmissions in the amount of \$96.56 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 an owner of Mogul's Transmissions and abstained from voting. Motion Carried. .

Councilmember Redfern moved and Councilmember Wolfe seconded that the claim of Cy North for North Office Supply in the amount of \$683.00 and York Printing Co. in the amount of \$383.20 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 the owner of North Office Supply and York Printing Co. and abstained from voting. Motion Carried.

CLAIMS

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

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

STAN SCHULZ

Stan advised that he will be retiring as Library Director on June 6, 2012 with the last day worked April 6, 2012 after 28 years of service. He advised "it has been an honor and privilege to serve as Library Director and it is time to move on to other long anticipated personal endeavors. The Mayor and Council thanked him for his dedication and service.

REPORT ON NEBRASKA AVENUE

The Director of Public Works reported on the progress of Nebraska Avenue – sod is laid through 7th Street – box culvert installed up to 11th Street – RCP to be installed from 11th to 14th Street.

RECOMMEND APPROVAL OF LIQUOR LICENSE MANAGER

Brandon Johnson, Manager of the local Bag n Save store was present regarding the Class D Liquor License of Bag n Save. He advised that the store had been sold and that the new owners wished to appoint President Louis Stinebaugh as Manager of their Liquor License.

Following discussion, Councilmember Brink moved and Councilmember Obermier seconded that the Council recommend approval of said Manager to the Liquor Control Commission.

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

RE-AFFIRM TIF APPLICATION

Councilmember Toms moved and Councilmember Obermier seconded that the Council as a City Council and reconvene as a Community Redevelopment Authority.

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

Councilmember Redfern moved and Councilmember North seconded that the following Resolution be adopted:

BEFORE THE CITY COUNCIL OF THE CITY OF YORK, NEBRASKA

RESOLUTION NO. 2011-19

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF YORK, NEBRASKA, as

follows:

The York, Nebraska City Council, acting as the Community Development Agency, has approved a redevelopment plan, pursuant to the Nebraska Community Development Law, Section 18-2103 and Section 18-2111 reissue of 1991 items (1) through (6) and Section 18-2113 for painting of building at 619 Lincoln Avenue, filed by Schweser's in the amount of \$500.00 in TIF funds and the eventual consideration of entering into an agreement with the subject property owner for tax increment financing for said improvements contingent on the following conditions:

- a. Delivery of the following to the York City Administration for their review.
 1. Development proforma including the sources and uses of funds proposed for the subject property; and
 2. Income and expense proforma for the time period proposed for all funding sources.
- b. Proof of securement of all other financial sources proposed for the development of the subject project including, but not limited to:
 1. Letter of credit for both construction and permanent financing.
 2. Legal proof of securement of any and all, both public and private funding sources identified in item "a".

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

Councilmember Leggett moved and Councilmember Brink seconded that the Council adjourn as a Community Redevelopment Authority and reconvene as a City Council.

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 7:11 o'clock p.m.

C. Jean Thiele, City Clerk

Charles Harris, Mayor