

**REGULAR MEETING
CITY COUNCIL, YORK, NEBRASKA
NOVEMBER 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: Brink, Redfern, Toms, Wolfe, Obermier, Mogul, North and Leggett. 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 November 12, 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 Redfern seconded that the Minutes of the November 3, 2011 meeting be approved.

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

REPORTS

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

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

FUND BALANCES AND BUDGET COMPARISON

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

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

CLAIMS OF ELECTED OFFICIAL

Councilmember Redfern moved and Councilmember Wolfe seconded that the claim of Ron Mogul, Jr. for Mogul's Transmissions in the amount of \$243.33 be approved and paid.

Roll Call Vote: Ayes: Brink, Redfern, Toms, Wolfe, Obermier, North and Leggett. 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 Toms seconded that the claim of Cy North for North Office Supply in the amount of \$282.15 be approved and paid.

Roll Call Vote: Ayes: Brink, Redfern, Toms, Wolfe, Obermier, Mogul, and Leggett. Nays: None. 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 November 4, 2011 through November 17, 2011 be approved and paid.

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

CITY ADMINISTRATOR REPORT

The City Administrator reported that on October 25th he last met with the FOP and thought that they had agreed on everything – there are now issues with the funeral leave and he will be meeting with them again next – week and hopes to bring the contract to the December 1st meeting.

REPORT ON NEBRASKA AVENUE

The Director of Public Works reported on the progress of Nebraska Avenue. SCS is working on sidewalks and driveways up to 11th Street – working on paving up to 11th Street and hope to have the storm sewer installed by Friday, the 18th – 86% done – 219 day s of 255 working days.

APROVE PLAT

The Mayor announced that this was the time and place set for a public hearing on a preliminary and final plat of a Replat of Lot 1, Block 2, St. Andrews Court and the City Clerk read the required legal notice. Gayle Coffin was present in support of the plat which subdivides said property into two lots. No one appeared in opposition. The Director of Public Works advised that the plat meets the land subdivision regulations and the R-3 zone requirements and that the Planning Commission had recommended approval of said plat. .

Following discussion, Councilmember Brink moved and Councilmember North seconded that the Council recommend approval of said Plat.

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

ORDINANCE NO. 2055

Councilmember Obermier moved and Councilmember Wolfe seconded to suspend the rules on Ordinance No. 2055.

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

The City Administrator reported that he, the City Attorney, Councilmember Redfern and the Library Board had met and agreed to the adoption of said ordinance.

Library President Leonard Hoskins advised that the Library Board would prefer to be Administrative rather than Advisory.

Following discussions, Councilmember Leggett moved for passage of Ordinance No. 2055 and Councilmember North seconded.

Roll Call Vote: Ayes: Redfern, Obermier, Mogul, North and Leggett. Nays: Brink, Toms and Wolfe. . Motion Failed. The Ordinance will come on for final reading on December 1, 2011.

MAYOR'S APPOINTMENTS

The Mayor announced his re-appointment of Craig Vincent to the Board of Adjustment for a three year term.

Councilmember Leggett moved and Councilmember Obermier seconded that the appointment be approved.

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

The Mayor announced his re-appointment of Bill Sutter to the Housing Authority for a five year term.

Councilmember North moved and Councilmember Leggett seconded that the appointment be approved.

Roll Call Vote: Ayes: Brink, Redfern, Toms, North and Leggett. Nays: Wolfe, Obermier and Mogul. .
Motion Carried

The Mayor announced his re-appointment of Paulette "Pete" Cordes to the Civil Service Commission for a six year term.

Councilmember Brink moved and Councilmember Wolfe. seconded that the appointment be approved.

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

TABLE RE-AFFIRMATION OF THE APPOINTMENT OF THE LIBRARY BOARD

Councilmember Leggett moved and Councilmember Mogul seconded that the re-affirmation of the appointment of the Library Board be tabled until the December 1, 2011 meeting.

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

AWARD OF BID

The Director of Public Work advised that three bids were received for front and west entry doors and front entry windows at the Kilgore Memorial Library but only the bid of King's Glass met the specifications – said bid being in the amount of \$25,040.00.

Councilmember Obermier moved and Councilmember Toms seconded that award be made to King's Glass for said doors and windows at the Kilgore Memorial Library in the amount of \$25,040.00.

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

ADJOURNMENT

There being no further business to come before the meeting, The Mayor adjourned the meeting, the time being 7:25 o'clock p.m.

C. Jean Thiele, City Clerk

Charles Harris, Mayor