

**REGULAR MEETING  
CITY COUNCIL, YORK, NEBRASKA  
DECEMBER 1, 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.

Present were: Redfern, Toms, Wolfe, Obermier, Mogul, North, Leggett and Brink. 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 26, 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 Brink moved and Councilmember Leggett seconded that the Minutes of the November 17, 2011 meeting be approved.

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

**APPROVE ELECTED OFFICIAL CLAIMS**

Councilmember Redfern moved and Councilmember Mogul seconded that the claim for Councilmember North for North Office Supply in the amount of \$209.92 and York Printing Co. in the amount of \$344.25 be approved and paid.

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

**APPROVE CLAIMS**

Councilmember Redfern moved and Councilmember Toms seconded that the claims for the period November 18, 2011 through December 1, 2011 be approved and paid.

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

**NEBRASKA AVENUE REPORT**

The Director of Public Works reported that paving on both sides has been completed to 11<sup>th</sup> Street – that the main culvert has been installed to 14<sup>th</sup> Street – that 230 days of 255 working days have been completed. He further reported that a “plan in hand” meeting had been held on East 19<sup>th</sup> Street and there has been a “kick-off” meeting on Division Avenue.

ORDINANCE 2055

AN ORDINANCE TO AMEND CHAPTER 20 OF THE YORK CITY CODE TO CREATE A LIBRARY ADVISORY BOARD AND PROVIDE FOR THE APPOINTMENT OF MEMBERS TO THE BOARD; TO PROVIDE TERMS FOR BOARD MEMBERS AND STATE THE DUTIES AND RESPONSIBILITIES OF THE BOARD, TO REPEAL ALLE XISTING ORDINANCES IN CONFLICT HEREWITH AND TO PROVIDE FORE THE EFFECTIVE DATE FOR THIS ORDINANCE

Councilmember Leggett moved and Councilmember Obermier seconded that Ordinance No. 2055 be adopted.

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

FIRST READING OF ORDINANCE NO. 2056

AN ORDINANCE OF THE CITY OF YORK, NEBRASKA TO DIRECT THE SALE AND CONVEYANCE OF CERTAIN REAL ESTATE IN THE CITY OF YORK, NEBRASKA, MORE PARTICULARLY DESCRIBED AS HEREIN SET FORTH, AND PROVIDING FOR THE PUBLICATION OF NOTICE OF SUCH CONVEYANCE AND THE TERMS THERE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS THIS ORDINANCE

Ordinance No. 2056 came on for first reading. The City Administrator reported that this property formerly housed a well but that the well had been abandoned and the York General Hospital wishes to acquire the lot for employee parking access – the purchase price being \$5,667.00

JOIN RURAL APPREHENENSION PROGRAM

Councilmember Leggett moved and Councilmember Brink seconded that the following Resolution be adopted:

RESOLUTION NO. 2011-22

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 (hereinafter RAP 22 # 11-DA-309) and

WHEREAS, the RAP 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 RAP 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 RAP project and all funds allocated by the Nebraska Crime Commission, and Match dollars allocated by the RAP members. Further, this interlocal agreement shall not establish a separate legal entity, rather as a joint and cooperative undertaking between public agencies, ie. State, county, city or village (Nebraska Revised Statute 13-801).

Amount of Match dollars allocated by the City of York, Nebraska for the 2011-2012 grant period (RAP 22) will be \$00.00.

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

#### APPROVE ACQUISITION

The City Administrator advised there is existing an easement for the north side of East 4<sup>th</sup> Street east of Maine Avenue adjacent to the N/2 of the SW/4 of Section 5, Township 10 North, Range 2 West of the 6<sup>th</sup> P.M. The owners of said property wish to deed said easement to the City of York.

Councilmember Obermier moved and Councilmember Toms seconded that the City approve said acquisition.

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

#### APPROVE CONTRACT

The City Administrator advised that the City and the Fraternal Order of Police had reached an agreement for a three year contract for the period September 26, 2011 through September 23, 2014 and outlined the terms of the agreement.

Following discussion, Councilmember Leggett moved and Councilmember Brink seconded that the contract be approved.

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

#### ADJOURNMENT

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

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C. Jean Thiele, City Clerk

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Charles W. Harris, Mayor