

**CITY COUNCIL MEETING  
CITY COUNCIL, YORK, NEBRASKA  
APRIL 21, 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: Toms, Wolfe, Mogul, North, Leggett, Brink and Redfern. Absent: Obermier. 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 April 18, 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 Mogul moved and Councilmember Leggett seconded that the Minutes of the April 7, 2011, meeting be approved.

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

**REPORTS**

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

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

**FUND BALANCES AND BUDGET COMPARISON**

Councilmember Leggett moved and Councilmember Mogul seconded that the Fund Balances and Budget Comparison Reports be approved.

Roll Call Vote: Ayes: Toms, Wolfe, Mogul, North, Leggett, Brink and Redfern. Nays: None. Absent & Not Voting: Obermier. 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 \$62.46 be approved and paid. .

Roll Call Vote: Ayes: Toms, Wolfe, Mogul, Leggett, Brink and Redfern. Nays: None. Absent & Not Voting: Obermier. Councilmember North declared a Conflict of Interest inasmuch as he is owner of North Office Supply and abstained from voting. Motion Carried.

**CLAIMS**

Councilmember Redfern moved and Councilmember Toms seconded that the claims for the period April 8

paid.

Roll Call Vote: Ayes: Toms, Wolfe, Mogul, North, Leggett, Brink and Redfern. Nays: None. Absent & Not Voting: Obermier. 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 the State of Nebraska Department of Roads in the amount of \$166,595.69 for the City's share of Nebraska Avenue improvements.

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

#### CITY ADMINISTRATOR REPORT

The City Administrator advised that the audit has been completed. Councilmember Brink asked for an update on Nebraska Avenue and the Director of Public Works outlined the process of work so far.

#### APPROVE PLAT

The Mayor announced that this was the time and place advertised for a hearing on a preliminary and final plat filed by Gus and Coleen Brown for Irregular Tract No. 5, Section 10, Township 11 North, Range 3 West of the 6<sup>th</sup> P.M., York County. Gus Brown advised that he has purchased farm ground and wishes to plat off approximately four acres with building and sell the same. The Director of Public Work advised that the plat meets the land subdivision regulations and that the Planning Commission had recommended approval.

Following discussion, Councilmember Leggett moved and Councilmember Brink seconded to approve said plat.

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

#### SECOND READING OF ORDINANCES

Ordinance No. 2046 came on for second reading

Ordinance No. 2047 came on for second reading

Ordinance No. 2048 came on for second reading

Ordinance No. 2049 came on for second reading

#### APPROVE CONTRACTOR REGISTRATION

Councilmember Mogul moved and Councilmember Brink seconded that the contractor registrations for doing business in the City of York for the period April 30, 2011 through April 30, 2012 be approved.

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

#### APPROVE OCCUPATION TAX LISTING

Councilmember Toms moved and Councilmember Brink seconded that the occupation tax listing for persons/firms doing business in the City of York for the period April 30, 2011 through April 30, 2012 be approved.

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

SIGNATED PERMIT APPLICATIONS

1) Councilmember Mogul moved and Councilmember Leggett seconded that the Council recommend approval of a special designated permit application filed by JWø Catering and Concessions to sell alcoholic beverages in the Cornerstone Event Center for a wedding reception on May 14, 2011.

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

2) Councilmember Leggett moved and Councilmember Brink seconded that the Council recommend approval of a special designated permit application filed by JWø Catering and Concessions to sell alcoholic beverages in the Cornerstone Event Center for a wedding reception on May 21, 2011.

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

3) Councilmember Mogul moved and Councilmember Wolfe seconded that the Council recommend approval of a special designated permit application filed by JWø Catering and Concessions to sell alcoholic beverages in the Cornerstone Event Center for a wedding reception on June 25, 2011. .

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

ADJOURNMENT

There being no further business to come before the meeting, The Mayor adjourned the meeting, the time being 7:15 o'clock p.m.

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C. Jean Thiele, City Clerk

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Charles Harris, Mayor