

**REGULAR MEETING  
CITY COUNCIL, YORK, NEBRASKA  
APRIL 3, 2008**

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

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

Notice of this meeting was given in advance thereof by publication in the York News Times on March 31, 2008, 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 March 20, 2008 meeting be approved.

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

**APPROVE CLAIMS**

Councilmember Leggett moved and Councilmember Brink seconded that the claims for the period March 21, 2008 through April 3, 2008 be approved.

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

**APPROVE ELECTED OFFICIALS CLAIMS**

1) Councilmember Leggett moved and Councilmember Brink seconded that the claim of Charles Harris in the amount of \$2,441.91 for conference expenses be approved.

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

2) Councilmember Leggett moved and Councilmember Brink seconded that the claim of Cy North for North Office Supply in the amount of \$3.50 and York Printing Co. in the amount of \$32.00 be approved.

Roll Call Vote: Ayes: Leggett, Brink, Redfern, Toms, Wolfe, Obermier and Mogul. Abstained: North declared a conflict of interest inasmuch as he is the owner of North Office Supply and York Printing Co. and abstained. Nays: None. Motion Carried.

3) Councilmember Brink moved and Councilmember Obermier seconded that the claim of Barry Redfern in the amount of \$85.85 for mileage be approved.

Roll Call Vote: Ayes: Leggett, Brink, Toms, Wolfe, Obermier, Mogul and North. Abstained:

Redfern declared a conflict of interest and abstained. Motion Carried.

#### APPROVE REGISTERED WARRANT

Councilmember Leggett moved and Councilmember Brink seconded that the City Clerk/Treasurer be directed to register a warrant in the amount of \$445,761.00 for payment of the 2008-2009 insurance premium.

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

#### CITY ADMINISTRATOR REPORT

The City Administrator reported that he and the Fire Chief have been meeting with the Rural Fire District to finalize an agreement between the City and the Rural Fire District and should be bringing the agreement to the Council in the next month.

#### APPROVE TABLED ITEMS FROM MARCH 20, 2008 MEETING

1) Councilmember Leggett moved and Councilmember Brink seconded that the claim of Cy North in the amount of \$86.50 for conference expenses, the claim of North Office Supply in the amount of \$624.96 and the claim of York Printing Co. in the amount of \$1,104.13 be paid.

Roll Call Vote: Ayes: Leggett, Brink, Redfern, Toms, Wolfe, Obermier and Mogul. Abstain: Councilmember North declared a conflict of interest inasmuch as he is the owner of North Office Supply and York Printing Co. Nays: None. Motion Carried.

2) Councilmember Leggett moved and Councilmember Brink seconded that the claim of Ron Mogul, Jr. in the amount of \$62.50 for conference expenses be approved.

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

3) Councilmember Leggett moved and Councilmember Brink seconded that the claim of Randy Obermier in the amount of \$56.50 for conference expenses be approved.

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

#### APPROVE CONTRACTS AT YORK MUNICIPAL AIRPORT

Councilmember Obermier moved and Councilmember Wolfe seconded that a contract be awarded to J. C. Excavation in the amount of \$208,613.30 for Section 1 (grading) for Runway 17 Safety Area Grading and Threshold Relocation.

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

Councilmember Obermier moved and Councilmember Wolfe seconded that a contract be awarded to Kayton Electric in the amount of \$131,026.35 for Section 2 (marking runway and updating lighting) for Runway 17 Safety Area Grading and Threshold Relocation.

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

#### AMEND AQUATIC CENTER RATES

The Park and Recreation Director was present advising that the Park and Recreation Board had recommend amending the Senior-non-swimmer rate to \$1.00.

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

RESOLUTION NO 2008-3

BE IT RESOLVED by the Mayor and City Council that the following rates for the Aquatic Center be adopted, effective May 1, 2008:

OUTDOOR SWIMMING POOL:

Daily:

0-2	Free
3-17	\$ 3.00
Adult	\$ 5.00
55+	\$ 3.00
Senior Non-Swimmer	\$ 1.00

Season:

Child 3-17	\$ 40.00
Adult	\$ 75.00
Family	\$120.00

Coupon Books \$ 20.00 for ten tickets – one ticket Children/Seniors - two tickets Adults

Groups:

10-29	\$2.75/Children - \$4.75/Adults
30-59	\$2.50/Children - \$4.50/ Adults
60+	\$2.25/Children - \$4.25/Adults

Rental

Saturday A.M.	\$ 90.00
Rental – After Hours (8:00 pm-10:00 pm)	\$250.00

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

CONSIDER APPROVAL OF CHANCES R LIQUOR LICENSE MANAGER

Councilmember Leggett moved and Councilmember Obermier seconded that the Council recommend approval of the Manager Application of Tom Vanous in connection with the Chances R, Inc. d/b/a Chances R. Restaurant to the Liquor Control Commission.

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

APPROVE ADDITIONAL ASPHALT WORK

Councilmember Brink moved and Councilmember Leggett seconded that the Council approval additional asphalt projects to the existing contract in the approximate amount of \$388,342.69.

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

APPROVE OCCUPATION TAX & CONTRACTOR REGISTRATION

Councilmember Obermier moved and Councilmember Brink seconded that the Occupation Tax and Contractor Registrations for 2008-2009 be approved.

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

APPROVE AGENCY AGREEMENT FOR PROJECT 3-31-0104-10-2008

Councilmember Mogul moved and Councilmember Obermier seconded that the following Resolution be adopted:

RESOLUTION NO. 2008-4

A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF AN AGENCY AGREEMENT WITH THE DEPARTMENT OF AERONAUTICS OF THE STATE OF NEBRASKA FOR PROJECT NO. 3-31-0104-10-2008 TO BE SUBMITTED BY THE DEPARTMENT TO THE FEDERAL AVIATION ADMINISTRATION TO OBTAIN FEDERAL ASSISTANCE FOR THE DEVELOPMENT OF THE AIRPORT

BE IT RESOLVED by the Mayor and City Council of the City of York, Nebraska, that:

1. The City of York shall enter into an Agency Agreement with the Department of Aeronautics for Project No. 3-31-0104-10-2008 for the purpose of obtaining Federal assistance in the development of the Airport and that such agreement shall be set forth hereinbelow.
2. The Mayor of the City of York is hereby authorized and directed to execute said Agency Agreement on behalf of the City of York and the City Clerk is hereby authorized to attest said execution.
3. The said agreement, referred to hereinabove, is inserted in full and attached herewith and made a part hereof as Exhibit O.

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

ADJOURNMENT

There being no further business to come before the Council, Councilmember Leggett moved and Councilmember Mogul seconded that the meeting be adjourned, the time being 7:35 o'clock p.m.

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

---

C. Jean Thiele, City Clerk

---

Charles W. Harris, Mayor