

**REGULAR MEETING
CITY COUNCIL, YORK, NEBRASKA
MAY 6, 2010**

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: Toms, Wolfe, Obermier, Mogul, North, Leggett, Brink and Redfern. 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 May 3, 2010, 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 Obermier seconded that the Minutes of the April 15, 2010 meeting be approved.

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

APPROVE CLAIMS

Councilmember Redfern moved and Councilmember Toms seconded that the claims for the period April 16, 2010 through May 6, 2010 be approved.

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

APPROVE ELECTED OFFICIAL CLAIMS

1) Councilmember Redfern moved and Councilmember Mogul seconded that the claim for Councilmember North for North Office Supply in the amount of \$566.78 and York Printing Co. in the amount of \$983.95 be approved.

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

2) Councilmember Redfern moved and Councilmember Brink seconded that the claim for Councilmember Mogul for Moguls Transmission in the amount of \$153.16 be approved.

Roll Call Vote: Ayes: Toms, Wolfe, Obermier, North, Leggett, Brink and Redfern. Nays: None. Motion Carried. Councilmember Mogul declared a conflict of interest inasmuch as he is an owner of Moguls Transmission and abstained from voting. Motion Carried.

APPROVE PROPOSAL BY SOUTHEAST NEBRASKA DEVELOPMENT DISTRICT

Kent Harmer, representing SENDD, advised that they would like to initiate an application for a \$300,000 for housing rehabilitation in York – the applications are due July 30th but there are a number of steps. They would like permission to develop and distribute “pre-application” materials to see what level of interest my be documented in York.

Following discussion, Councilmember Leggett moved and Councilmember Brink seconded to allow SENDD to proceed with the marketing process.

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

EXTEND AGREEMENT WITH ADOPT A PET

Councilmember Toms moved and Councilmember Wolfe seconded to extend the agreement currently in effect to subsidize the utilities of York Adopt a Pet to the new shelter at 1511 Platte and discuss the matter further during the budget process.

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

LEASE TAX TIF PROJECT

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

RESOLUTION NO. 2010-17

WHEREAS, The Mayor and City Council, acting as the Community Development Agency, 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 the area adjacent to and including the site proposed by TAC the eventual consideration of entering into an agreement with the subject developer for Tax Increment Financing; and

WHEREAS, the Mayor and City Council, acting as the Community development Authority, entered into a Redevelopment contract between the Community Redevelopment Authority of the City of York, Nebraska and TAC, on November 1, 1996, for the use of Tax Increment Financing on Lot 2, Block 1, York Industrial Park, City of York, York County, Nebraska; and

WHEREAS, The Mayor and City Council, executed a note with Cornerstone Bank in the principal amount of \$22,100.00 on November 1, 199 for said above referenced project; and

WHEREAS, TAC has sold said property and paid the loan to Cornerstone Bank in full for said note dated November 1, 1996 NOW

THEREFORE, BE IT RESOLVED BY the Mayor and City Council of the City of York, Nebraska:

That the tax increment financing project known as TAC be declared complete; that all loans and/or liabilities have been paid in full; that the City Clerk be directed to notify the County Assessor and County Treasurer of said release and completion of said Tax Increment Financing Project.

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

APPROVE AGREEMENT WITH NEBRASKA DEPARTMENT OF AERONAUTICS

Councilmember Leggett moved and Councilmember Brink seconded that the following resolution be

adopted:

RESOLUTION 2010-18

RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF AN AGREEMENT TO WAIVE RECEIPT OF THE NON-PRIMARY ENTITLEMENT FUNDS APPORTIONED TO THE YORK MUNICIPAL AIRPORT IN FISCAL YEAR 2007 AND TRANSFERRING THESE FUNDS TO ANOTHER NEBRASKA AIRPORT.

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

- 1) The City shall enter into an Agreement with the Federal Aviation Administration waiving the airport's right to the specified non-primary entitlement funds and transferring those funds to the Wayne Airport Authority.
- 2) The Mayor is hereby authorized and directed to execute said Agreement on behalf of the City.
- 3) The Agreement referred to hereinabove is attached hereto as Exhibit "O" and made a part hereof be reference.

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

APPROVE AERIAL APPLICATOR'S LEASE AGREEMENT

The Director of Public Works advised that the Aurora Coop wishes to conduct an aerial applicator or crop spraying services from the York Municipal Airport. The City Attorney had concerns with the term of the lease and the amount of insurance.

Councilmember Redfern moved and Councilmember Toms seconded that the agreement be approved subject to the revision as to the term of the lease and the amount of insurance.

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

APPROVE MAYOR'S APPOINTMENTS

1) The Mayor announced his re-appointment of Sharon Hansen to the Planning Commission for a three year term.

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

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

2) The Mayor announced his re-appointment of Daryl Wilton and Darcy McBride to the Advisory Board of Park and Recreation Commissioners for a three year term.

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

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

3) The Mayor announced his re-appointment of Ron Skaden to the Examining Board of Plumbers and Mechanical Contractors for a two year term.

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

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

ADJOURNMENT

There being no further business to come before the Council, the President of the Council adjourned the meeting, the time being 7:17 o'clock p.m.

C. Jean Thiele, City Clerk

Charles W. Harris, Mayor