

**REGULAR MEETING
CITY COUNCIL, YORK, NEBRASKA
JULY 2, 2009**

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

Notice of this meeting was given in advance thereof by publication in the York News Times on June 29, 2009. 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 June 18, 2009 meeting be approved.

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

CLAIMS

Councilmember Toms moved and Councilmember Mogul seconded that the claims for the period of June 19, 2009 through July 2, 2009 be approved and paid.

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

APPROVE ELECTED OFFICIALS CLAIMS

Councilmember Mogul moved and Councilmember Toms seconded that the claim of Cy North for North Office Supply in the amount of \$102.67 and York Printing Co. in the amount of \$536.10 be approved and paid.

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

CITY ADMINISTRATOR'S REPORT

The City Administrator advised that he, the City Attorney and Kirkham, Michael met with the County Board, sitting as a Board of Equalization, to protest real estate taxes on the well field. Stan Schulz, Library Director, invited the Council to an open house on Thursday, July 9 at 7:00 p.m.

APPROVE SPECIAL DESIGNATED PERMIT APPLICATION

Jan Hurlbut was present seeking approval to hold an outdoor event on licensed premises on July 25, 2009. She advised the area will be fenced and arm bands will be required.

Councilmember Leggett moved and Councilmember Obermier seconded that the Council recommend approval to the Liquor Control Commission.

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

APPROVE APPLICATION TO EXPAND LICENSED PREMISES

Jim Williamsen of Camelot Inn was present seeking approval to expand his liquor license at 4817 South Lincoln Avenue to add a beer garden and gazebo. He advised that the area is enclosed with a 6' fence with a camera and alarm on the gate.

Councilmember Obermier moved and Councilmember Mogul seconded that the Council recommend approval to the Liquor Control Commission.

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

APPROVE TIF APPLICATION

Councilmember Toms moved and Councilmember Leggett seconded that the Council adjourn as a City Council and reconvene as a Community Redevelopment Authority.

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

An application filed by Mary Doremus d/b/a The True Vine was presented. Mrs. Doremus is seeking TIF funds in the amount of \$2,700 to upgrade the front of her building at 121 East 6th. Councilmember Leggett advised that the TIF Advisory Group had met and recommends approval of the application.

Following discussion, Councilmember North moved and Councilmember Toms seconded that the following Resolution be adopted:

RESOLUTION NO. 2009-12

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF YORK, NEBRASKA, as follows:

The York, Nebraska City Council, acting as the Community Development Agency, has 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 Finish front with EFIS, new windows upstairs, new front windows, awning and signage, filed by The True Vine in the amount of \$2,700.00 in TIF funds and the eventual consideration of entering into an agreement with the subject property owner for tax increment financing for said improvements contingent on the following conditions:

- a. Delivery of the following to the York City Administration for their review.
 1. Development proforma including the sources and uses of funds proposed for the subject property; and
 2. Income and expense proforma for the time period proposed for all funding sources.
- b. Proof of securement of all other financial sources proposed for the development of the subject project including, but not limited to:
 1. Letter of credit for both construction and permanent financing.
 2. Legal proof of securement of any and all, both public and private funding sources identified in item "a".

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

Councilmember Obermier moved and Councilmember Leggett seconded to adjourn as a Community Redevelopment Authority and reconvene as a City Council.

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

ADJOURNMENT

There being no further business to come before the Council, the President of the Council adjourned the meeting, the time being 7:10 o'clock p.m.

C. Jean Thiele, City Clerk

Charles W. Harris, Mayor