

**REGULAR MEETING
CITY COUNCIL, YORK, NEBRASKA
AUGUST 7, 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 Mayor announced that the Open Meetings Act is posted on the East wall of the Council Chambers.

Present were: Obermier, Mogul, North, Leggett, Brink, Redfern and Toms. Absent: Wolfe. 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 August 4, 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 Toms moved and Councilmember Obermier seconded that the Minutes of the July 17, 2008 meeting be approved.

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

APPROVE CLAIMS

Councilmember Redfern moved and Councilmember Mogul seconded that the claims for the period July 18, 2008 to August 7, 2008 be approved.

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

APPROVE ELECTED OFFICIAL'S CLAIMS.

Councilmember Redfern moved and Councilmember Leggett seconded that the claim of Cy North for North Office Supply in the amount of \$369.90 and York Printing Co. in the amount of \$705.14 be paid.

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

APPROVE REGISTERED WARRANT

Councilmember Redfern moved and Councilmember Obermier seconded that the City Clerk be directed to register a warrant payable to A & R Construction Co. in the amount of \$160,326.23 for Paving districts 07-1, 07-2 and 07-3.

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

CITY ADMINISTRATOR REPORT

The City Administrator reported (1) that the Mayor's proposed budget has been handed out to the Council and that work sessions are scheduled for August 20 and 21 at 5:00 p.m. and (2) that at the August 21st meeting an ordinance will be presented to create a temporary Community Redevelopment Authority to consider a request filed by Councilmember Obermier for TIF funds – the temporary CRA will remain enforce for the one project only. The Mayor will appoint five members to the temporary CRA.

Fire Chief Stuhr introduced Jim Yost to the Council.

APPROVE SPECIAL DESIGNATED PERMIT APPLICATION

Councilmember Redfield moved and Councilmember Leggett seconded that an application filed by JWs Catering & Concessions Co. to sell alcoholic beverages at the Cornerstone Event Center on September 20, 2008 be approved.

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

APPROVE GRANT AGREEMENT

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

RESOLUTION NO. 2008-12

RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF A STATE GRANT AGREEMENT FOR PROJECT NO. 3-31-0104-08/10 TO BE SUBMITTED TO THE DEPARTMENT OF AERONAUTICS OF THE STATE OF NEBRASKA TO OBTAIN STATE FINANCIAL AID IN THE DEVELOPMENT OF THE MUNICIPAL AIRPORT

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

The City of York, Nebraska, shall enter into a State Grant Agreement with the Nebraska Department of aeronautics for Project No. 3-31-0104-08/10 for the purpose of obtaining state financial aid in the development of the Municipal Airport and that such agreement shall be set forth herein below.

The Mayor and City Clerk of York, Nebraska, are hereby authorized and directed to execute said State Grant Agreement on behalf of the City of York, Nebraska, and the City Clerk is hereby authorized and directed to attest said execution.

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

PRESENTATION ON EAST HILL RESTROOMS/CONCESSION STAND

Dave Johnson of Studio 951 in Lincoln presented a proposed site plan, interior elevations and drawings of a restroom and concession stand. The site will consist of two buildings connected with over-all roof – the north building will house a storage garage, concession stand, ticket booth and dressing room for the referees/umpires – the south building will consist of two men's restrooms and two women's restrooms with an interior walkway between for mechanical and storage – one set of restrooms will face east and one set will face west to East Hill Park – the projected cost is \$333,194 without contingencies.

APPROVE MAYOR'S RE-APPOINTMENT

The Mayor announced his re-appointment of Dr. Harold Nordlund to the Housing Authority for a five year term terminating September 1, 2013.

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

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

ADJOURN INTO EXECUTIVE SESSION TO DISCUSS WATER WELL FIELD NEGOTIATIONS
AND EMINENT DOMAIN LITIGATION

The Mayor announced that the Council will be adjourning into executive sessions to discuss water well field negotiations and eminent domain litigation.

Councilmember Leggett moved and Councilmember Brink seconded that the Council adjourn into Executive Session to discuss said water well field negotiations and eminent domain litigation, the time being 7:35 o'clock p.m.

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

ADJOURN FROM EXECUTIVE SESSION

Councilmember Leggett moved and Councilmember Obermier seconded that the Council adjourn from Executive Session, the time being 8:13 o'clock p.m.

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

ADJOURNMENT

There being no further business to come before the Council, Councilmember Redfern moved and Councilmember Mogul seconded that the meeting be adjourned, the time being 8:13 o'clock p.m.

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

C. Jean Thiele, City Clerk

Charles W. Harris, Mayor