

**REGULAR MEETING
CITY COUNCIL, YORK, NEBRASKA
SEPTEMBER 17, 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 Mayor announced that the Open Meetings Act is posted on the east wall of the Council Chambers.

ROLL CALL

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

Notice of this meeting was given in advance thereof by publication in the York News Times on September 14, 2009, 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 September 3, 2009 meeting be approved.

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

REPORTS

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

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

FUND BALANCES AND BUDGET COMPARISON

Councilmember Redfern moved and Councilmember Toms seconded that the Fund Balances and Budget Comparison Reports be approved.

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

CLAIM OF ELECTED OFFICIALS

Councilmember Redfern moved and Councilmember Wolfe seconded that the claim of Cy North for North Office Supply in the amount of \$581.22 be approved and paid. .

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

CLAIMS

Councilmember Redfern moved and Councilmember Mogul seconded that the claims for the period September 3, 2009 through September 17, 2009 be approved and paid.

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

REGISTERED WARRANTS

Councilmember Redfern moved and Councilmember Obermier seconded that the City Clerk/Treasurer be directed to register warrant payable to Kirkham, Michael, in the amount of \$31,818.57 for design of production wells and transmission main; and warrant payable to MSMSS Rogge Enterprises in the amount of \$5,820.67 for water improvements.

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

CITY ADMINISTRATOR REPORT

The City Administrator reported: 1) met with representatives of the Federal Highway Administration and the Department of Roads on Nebraska and some progress was made; and 2) met with representatives of York College, York Public Schools and baseball representatives regarding the concept for a concession area.

APPROVE SPECIAL USE PERMIT

At 7:00 o'clock p.m. the Mayor announced that this was the time and place set for a public hearing on an application for a special use permit filed by Columbus Rescue Mission d/b/a Living Water Rescue Mission to operate a temporary shelter/group home for the homeless and operated by a non-profit religious institution in the C-2 zone on Lot 1 of Reetz Subdivision and the City Clerk presented the legal notice regarding said matter. Chaplain Ted Pearson was present in support of the application.

Following considerable discussion, Councilmember Leggett moved and Councilmember Wolfe seconded that the special use permit be approved.

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

APPROVE SPECIAL DESIGNATED PERMIT APPLICATION

Councilmember Redfern moved and Councilmember Leggett seconded to recommend approval of a special designated permit application filed by the Fraternal Order of Eagles No. 3990 to sell alcoholic beverages in the City Auditorium on October 4, 2009 for a Czech Festival be recommended for approval.

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

APPLICATION WITHDRAWN

An application for a Class I liquor license filed by Solica Acousta, Inc. d/b/a El Mexico Lindo .was withdrawn by the applicant.

AWARD OF BIDS

Upon recommendation of the City's Engineers, Kirkham, Michael, Councilmember Obermier moved and Councilmember Toms seconded that the low bid of Sargent Drilling in the amount of \$1,736,820.00 for six wells and the low bid of Rutjens Construction, Inc. in the amount of \$645,422.45 for water transmission mains be approved.

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

ADJOURNMENT

There being no further business to come before the meeting, The Mayor adjourned the meeting, the time being 7:16 o'clock pm.

C. Jean Thiele, City Clerk

Charles Harris, Mayor

