

AGENDA  
CITY COUNCIL, YORK, NEBRASKA  
Thursday, June 3, 2021  
7:00 PM



THE OPEN MEETINGS ACT IS POSTED ON  
THE EAST WALL OF THE COUNCIL  
CHAMBERS

1. The Open Meetings Act is posted on the East Wall of the Council Chambers
2. Pledge of Allegiance
3. Roll Call
4. Minutes of May 20, 2021 meeting
5. Claims of Elected Officials
  - 5.1. Claim of Tony North for North Printing & Office Supply in the amount of \$1,250.43
6. Claims for the period May 21, 2021 through June 3, 2021
7. City Administrator Report
8. Appointment of Human Relations Director
9. Report from York Chamber of Commerce and York County Development Corporation
10. Consider Passage of Resolution regarding the future of the Anna Bemis Palmer Museum
11. Purchase West 40 feet of the East 100 Feet of Lots 5 and 6, Block 2, East Lawn Plaza Addition for the sum of \$65,000.00. - Ordinance No. 2286  
Funds would be provided through re-use funds from the Community Block Development Program - buy/rehab/sell
  - 11.1. Suspend the rules on Ordinance 2286
  - 11.2. Passage of Ordinance 2286

12. Sale of West 40 feet of East 100 Feet of Lots 5 and 6, Block 2, East Lawn Plaza Addition for the sum of \$90,000 - Ordinance 2287  
Part of Community Block Grant Development Program - buy/rehab/sell
  - 12.1. Suspend the rules on Ordinance 2287
  - 12.2. Passage of Ordinance 2287
13. Proposed Contract with Wyad Enterprises LLC for old wastewater treatment plant demolition in an amount not to exceed \$52,500.00
14. Mayor's Appointments to the Personnel Board
  - 14.1. Paulette (Pete) Cordes for a four year term terminating June 1, 2025
  - 14.2. Mark Way for a three year term terminating June 1, 2024
  - 14.3. Marilyn Jackman for a two year term terminating June 1, 2023
  - 14.4. Bre Ronne for a one year term terminating June 1, 2022
15. Adjournment

**REGULAR MEETING  
CITY COUNCIL, YORK, NEBRASKA  
MAY 20, 2021  
7:00 O’CLOCK P.M.**

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 Redfern, . Councilmembers: Hoffman, Wagner, North, Wilkinson, Hubbard, Pieper, Lones and VanEsch. Absent: one. 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 May 15, 2021, 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 President of the Council Redfern 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 President of the Council Redfern 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 Hubbard moved and Councilmember Wilkinson seconded that the Minutes of the May 6, 2021 meeting be approved.

Roll Call Vote: Ayes: Wagner, North, Wilkinson, Hubbard, Pieper, Lones and VanEsch. Nays: None. Absent & Not Voting: Hoffman. Motion Carried.

**REPORTS**

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

Roll Call Vote: Ayes: Wagner, North, Wilkinson, Hubbard, Pieper, Lones and VanEsch. Nays: None. Absent & Not Voting: Hoffman. Motion Carried.

**CASH BALANCES FOR APRIL, 2021**

Councilmember Wilkinson moved and Councilmember Hubbard seconded that the Cash Balances report for April, 2021 be approved.

Roll Call Vote: Ayes: Wagner, North, Wilkinson, Hubbard, Pieper, Lones and VanEsch. Nays: None. Absent & Not Voting: Hoffman. Motion Carried.

**CLAIM OF ELECTED OFFICIAL**

Councilmember Lones moved and Councilmember Wagner seconded that the claim of Councilmember North for North Printing and Office Supply in the amount of \$1,138.16 be approved and paid.

Roll Call Vote Ayes: Wagner, Wilkinson, Hubbard, Pieper, Lones and VanEsch. Nays: None. Absent & Not Voting: Hoffman. Councilmember North declared a Conflict of Interest in as much as he is an owner of North Printing and Office Supply and refrained from voting. Motion Carried

**CLAIMS**

Councilmember Lones moved and Councilmember Wilkinson seconded that the claims for the period

May 7, 2021 through May 20, 2021 be approved and paid. Councilmember Wagner addressed an on-going claim which has to do with the Fraternal Order of Police regarding an officer who is no longer here and now is being appealed costing the City more money – the total spent so far is \$51,522.27.

Roll Call Vote: Ayes: Wagner, North, Wilkinson, Hubbard, Pieper, Lones and VanEsch. Nays: None. Absent & Not Voting: Hoffman. Motion Carried.

Councilmember Hoffman now takes his place at the Council table.

#### CITY ADMINISTRATOR REPORT

The City Administrator advised that there will be a planning retreat for the Council; she advised she has hired an HR person and a Public Works Asset Manager and interview someone for the Director of Public Works position. She advised she has been working to refresh the web site.

#### APPROVE LICHTI PLAT

The Mayor announced that this was the time and place set for a public hearing on a preliminary and final plat of Lichti 1<sup>st</sup> Subdivision. The plat meets the land subdivision regulations and the Planning Commission had recommended approval. Darrin Lichti addressed the Council stating that Lichti will be construction a storage warehouse on Lot 1 and there are no plans for Lot 2 at this time. The Mayor closed the public hearing.

Councilmember Pieper moved and Councilmember Wilkinson seconded to approve said plat.

Roll Call Vote: Ayes: Hoffman, Wagner, North, Wilkinson, Hubbard, Pieper, Lones and VanEsch. Nays: None. Motion Carried.

#### HEAR COMMENTS FROM JANEEN BERG REGARDING SWIMMING POOL SAFETY

Janeen Berg addressed the Council regarding public safety and private swimming pools. She is concerned that City ordinances do not address fences around inground and above ground pools – her neighbor in the back has an above ground pool. She outlined her conversations with me and Joe Frei. (I did send her the International Property Maintenance Code dealing with swimming pools.) The Mayor advised that the City would look into the matter and enforce any existing codes dealing with swimming pools.

#### APPROVE LEASE AGREEMENT WITH SOUTHEAST COMMUNITY COLLEGE

A proposed Lease Agreement from Southeast Community College to lease Rooms 113, 121 and 129 at the Holthus Convention Center for a period of 12 months at the rate of \$21,000, payable in 12 equal monthly payments of \$1,750 per month was presented to the Council.

Following discussion, Councilmember North moved and Councilmember Hoffman seconded to approve said agreement.

Roll Call Vote: Ayes: Hoffman, Wagner, North, Wilkinson, Hubbard, Pieper, Lones and VanEsch. Nays: None. Motion Carried.

#### TABLE LEASE-PURCHASE AGREEMENT WITH MOTOROLA SOLUTIONS, INC. FOR RADIO EQUIPMENT

The Police Chief advised the Council that the City Attorney had objected to some of the language in the agreement and therefore, is asking that the matter be tabled at this time.

Councilmember Pieper moved and Councilmember Wilkinson moved to table the agreement

Roll Call Vote: Ayes: Hoffman, Wagner, North, Wilkinson, Hubbard, Pieper, Lones and VanEsch. Nays: None. Motion Carried.

#### APPROVE CONSULTING SERVICE AGREEMENT WITH BENESCH

The City Administrator advised the Council that Benesch has agreed to provide professional engineering

services to be completed at the request of the City Administrator or Public Works Director to assist with city engineering services on a time and materials basis.

Following discussion, Councilmember Wilkinson moved and Councilmember Wagner seconded that the agreement be approved.

Roll Call Vote: Ayes: Hoffman, Wagner, North, Wilkinson, Hubbard, Pieper, Lones and VanEsch. Nays: None. . Motion Carried

#### TABLE APPOINTMENTS TO THE PERSONNEL BOARD

Councilmember Wagner moved and Councilmember North seconded to table the appointments to the Personnel Board.

Roll Call Vote: Ayes: Hoffman, Wagner, North, Wilkinson, Hubbard, Pieper, Lones and VanEsch. Nays: None. . Motion Carried.

#### RE-APPOINTMENT OF REED HITZ TO THE PLANNING COMMISSION

The Mayor announced his re-appointment of Reed Hitz to the Planning Commission for a three year term terminating January1, 2024.

Councilmember Hubbard moved and Councilmember VanEsch seconded to approve the re-appointment.

Roll Call Vote: Ayes: Hoffman, Wagner, North, Wilkinson, Hubbard, Pieper, Lones and VanEsch. Nays: None. . Motion Carried

#### ADJOURNMENT

There being no further business to come before the meeting, The Mayor adjourned the meeting, the time being 7:25 o'clock p.m.

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C. Jean Thiele, City Clerk

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Barry Redfern, Mayor

SORTED BY VENDOR

VENDOR	NAME	NO# INVOICES	TOTAL AMOUNT	1099	G/L ACCT NO#	G/L NAME	G/L AMOUNT
01-00001	CITY OF YORK - WATER DEPT	1	4,303.16	N			
01-00010	GALE	3	140.22	N			
01-00090	THE HOME DEPOT PRO	3	1,293.22	N			
01-00110	MATHESON TRI-GAS	1	35.63	N			
01-00120	JACKSON SERVICES INC	10	577.77	N			
01-00150	ICMA-RETIREMENT TRUST 457	2	2,081.12	N			
01-00200	NEBRASKA MACHINERY CO	5	2,044.72	N			
01-00210	EAKES OFFICE PLUS	1	182.74	N			
01-00230	CORNHUSKER STATE IND.	1	18.50	N			
01-00290	NORTH PRINTING & OFFICE S	8	1,250.43	N			
01-00300	BLACK HILLS ENERGY	12	3,643.17	N			
01-00340	BOUND TREE MEDICAL LLC	1	431.40	N			
01-00360	CITY OF YORK	3	5,309.37	N			
01-00540	GLOBAL TECH, INC.	6	4,737.05	N			
01-00640	NEBRASKA PUBLIC POWER DIS	2	4,994.42	N			
01-00701	OLSSON ASSOCIATES	1	264,170.00	N			
01-00710	OVERLAND SAND & GRAVEL	2	702.00	N			
01-00740	TK ELEVATOR CORP	1	21,048.00	N			
01-00780	PRESTO X COMPANY	9	399.67	N			
01-00800	BURST, LLC	17	538.21	N			
01-01090	BAKER & TAYLOR, INC	2	359.17	N			
01-01270	NABER'S REPAIR SERVICE	2	48.50	Y			
01-01290	GRAND CENTRAL FOODS, INC.	8	229.07	N			
01-01330	JLC, INCORPORATED	4	506.96	N			
01-01390	AFLAC	4	1,019.30	N			
01-01420	NE CHILD SUPPORT PAYMENT	1	104.77	N			
01-0145	ANTHONY BESTWICK	1	28.45	N			

SORTED BY VENDOR

VENDOR	NAME	NO# INVOICES	TOTAL AMOUNT	1099	G/L ACCT NO#	G/L NAME	G/L AMOUNT
01-01460	PERENNIAL POWER	1	11,434.50	N			
01-01470	SERVI-TECH LABORATORIES	3	210.45	N			
01-01490	NE DEPT OF REVENUE	3	7,153.51	N			
01-01510	HACH CO.	1	435.29	N			
01-01640	INTERNAL REVENUE SERVICE	6	39,623.28	N			
01-01650	UNION BANK	5	24,490.43	N			
01-01670	FRATERNAL ORDER OF POLICE	2	650.00	N			
01-01750	NEBRASKA PUBLIC HEALTH EN	1	654.50	N			
01-01990	WAGNER DECORATING	1	64.99	N			
01-02060	NE DEPT OF ENVIRONMENT &	2	940,194.60	N			
01-02090	JM MONOGRAMS, INC.	1	104.50	N			
01-02130	NE-IA IND. FASTENERS CORP	1	431.55	N			
01-02210	KING'S GLASS	1	26.89	N			
01-02530	PEPSI COLA OF LINCOLN/ TO	3	365.95	N			
01-02620	LEAGUE OF NEBRASKA MUNICI	1	167.00	N			
01-02650	O'REILLY AUTO PARTS	9	534.22	N			
01-0268	KENNETH EKELER	1	495.00	N			
01-02920	FALLER LANDSCAPE	1	520.00	N			
01-03240	YORK COUNTY DEVELOPMENT C	1	14.00	N			
01-03300	GOPHER	1	627.97	N			
01-03590	PENNER'S TIRE & AUTO	1	28.87	N			
01-03920	ROSE EQUIPMENT INC	1	17,882.00	N			
01-04050	GALLS INCORPORATED	2	169.98	N			
01-05250	MURPHY TRACTOR	1	118.78	N			
01-06410	CASH-WA DISTRIBUTING	3	1,137.25	N			
01-06630	FASTENAL	1	3.50	N			
01-07160	PAVERS INC	1	2,214.08	N			

SORTED BY VENDOR

VENDOR	NAME	NO# INVOICES	TOTAL AMOUNT	1099	G/L ACCT NO#	G/L NAME	G/L AMOUNT
01-09970	DAN'S CONSTRUCTION INC	1	525.00	N			
01-1	MISCELLANEOUS VENDOR	9	465.00	N			
01-10840	TOTAL ADMINISTRATIVE SERV	3	3,740.35	N			
01-10880	RASMUSSEN MECHANICAL SERV	1	115.50	N			
01-11010	VERIZON	1	1,047.16	N			
01-11670	STEVE HOLMES	1	222.52	N			
01-12550	INTERSTATE ALL BATTERY CE	1	35.86	N			
01-12920	WATCHGUARD VIDEO	1	179.53	Y			
01-14740	BRIAN QUICK	1	26.99	N			
01-14880	ALFRED BENESCH & CO	3	9,268.89	N			
01-15670	HOA SOLUTIONS INC	2	3,426.56	N			
01-15930	STERICYCLE INC	1	402.09	N			
01-15980	HDR ENGINEERING INC	4	19,753.11	N			
01-16290	MICHAELA STUHR	1	105.28	N			
01-16900	AQUA-CHEM INC	2	2,415.88	N			
01-16930	BRUCE WAGNER	1	26.99	N			
01-17470	COAST TO COAST	1	636.06	N			
01-17610	AFTER HOURS GRAFIC	1	106.91	Y			
01-17620	PATHIAN LLC	3	102.32	N			
01-17830	NORTH AMERICAN DIRECTORY	2	210.55	N			
01-18410	REGIONAL CARE INC	1	31,245.78	N			
01-19320	CCS PRESENTATION SYSTEM	1	750.00	N			
01-19590	COLONIAL LIFE	4	735.80	N			
01-19600	AMERITAS	3	370.30	N			
01-19980	JEO CONSULTING GROUP INC.	1	1,300.00	N			
01-20170	AMAZON	8	437.18	N			
01-20310	KERFORD LIMESTONE CO	1	1,574.91	N			

SORTED BY VENDOR

VENDOR	NAME	NO# INVOICES	TOTAL AMOUNT	1099	G/L ACCT NO#	G/L NAME	G/L AMOUNT
01-20980	IOWA PUMP WORKS INC	1	2,134.34	N			
01-22050	HEAVY METAL SUPPLY CO	1	81.06	N			
01-22100	SLACK AUTO SUPPLY LLC	2	167.59	N			
01-22700	SPECTRUM BUSINESS	3	1,600.98	N			
01-23060	ELECTRIC PUMP INC	1	929.45	N			
01-24000	SANDRY FIRE SUPPLY LLC	1	3,354.25	N			
01-25730	MUNSTER TINT & VINYL LLC	1	35.00	N			
01-26330	QUICK MED CLAIMS	4	21,286.81	N			
01-26480	CONNER PSYCHOLOGICAL SERV	1	385.00	N			
01-26570	HYDRO SCAPE	1	120.00	Y			
01-26990	PINNACLE BANK	1	19,575.79	N			
01-27030	JAMCO ABATEMENT SERVICES	1	1,340.00	N			
01-27210	MIDWEST AUTO PARTS INC.	1	8.23	N			
01-27400	WY-AD ENTERPRISES LLC	1	4,010.00	Y			
01-27470	ROWE LAWN SERVICE	1	195.00	N			
01-27480	BRIAN ROWE	1	390.00	N			
01-27490	SUE CRAWFORD	1	40.00	N			
01-27500	NEBRASKA GENERATOR SERVIC	1	4,051.35	N			
01-27510	KIESLER POLICE SUPPLY	1	658.60	N			
01-27520	YORK CREEKSIDE APARTMENTS	1	15,511.01	N			
01-27530	BARKING DOG INTERPRETIVE	1	3,811.88	N			
*** REPORT TOTALS ***		252	1,528,862.97				

SELECTION CRITERIA

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VENDOR SET: 01 CITY OF YORK  
VENDOR: ALL  
BANK: ALL  
VENDOR CLASS(ES): ALL CLASSES

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TRANSACTION SELECTION

REPORTING: PAID ITEMS

	=====PAYMENT DATES=====	=====ITEM DATES=====	=====POSTING DATES=====
PAID ITEMS DATES	: 5/21/2021 THRU 6/03/2021	0/00/0000 THRU 99/99/9999	0/00/0000 THRU 99/99/9999

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PRINT OPTIONS

REPORT SEQUENCE: VENDOR #  
G/L EXPENSE DISTRIBUTION: NO  
CHECK RANGE: 000000 THRU 999999

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RESOLUTION 2021 - 15

WHEREAS, the Anna Palmer Museum has provided access to the historic collections of Anna Palmer that she granted to the city to improve access to historical and citizenship education, particularly for children; and

WHEREAS, the museum has been sustained for years due to the dedicated work of Ken Bedient and the extensive volunteer hours and contributions of Nancy Beach without substantial city or private funding support; and

WHEREAS, Anna Palmer's vision for the collection was to share history and citizenship lessons with future generations;

THEREFORE, the City of York gratefully acknowledges the work of the volunteers who have maintained Anna Palmer's artifacts and her legacy and seeks to engage an advisory board that will identify a sustainable strategy for the artifacts to continue to enhance the education of York children and visitors to the city.

NOW

THEREFORE, the governing body of the City of York, Nebraska, does herewith adopt the Anna Palmer Collection Advisory Committee to develop a plan for the future of the Anna Palmer collection that will be more sustainable and more integrated into educational experiences for children than the current funding and staffing structure and the previous Community Center location. Said committee will also advise the city on the appropriate management of the other artifacts currently in the Anna Palmer museum collection.

PASSED AND APPROVED this 3rd day of June, 2021.

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Mayor Barry Redfern

ATTEST:

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C. Jean Thiele, City Clerk

ORDINANCE NO. 2286

AN ORDINANCE TO AUTHORIZE THE PURCHASE OF REAL ESTATE BY THE CITY OF YORK AND TO ESTABLISH THE EFFECTIVE DATE OF THIS ORDINANCE.

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

Section 1. Pursuant to a Notice of public hearing that has been properly published to authorize the purchase of real estate by the City of York, Nebraska as provided by Neb. Rev. Stat. §18-1755 (Reissue 2012) and a public hearing held upon said Notice before the York City Council, the Council hereby authorizes the purchase of the following described real estate on behalf of the City of York, which property is to be acquired for the purpose of rehabilitation and resale of the property. The property is located at 1019 E. 12<sup>th</sup> Street, York, Nebraska, and is legally described as follows:

West 50 feet of the East 100 feet of Lots Five (5) and Six (6), in Block Two (2), in East Lawn Addition to the City of York, in York County, Nebraska.

Section 2. The City of York, Nebraska is authorized to purchase the real estate described above from the owner for the purchase price of Sixty Five Thousand Dollars and no/100 (\$65,000.00) through the Community Block Grant Development program.

Section 3. This ordinance shall be in force and effect from its passage, approval and publication as required by law.

Section 4. All ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED by the York City Council this 3<sup>rd</sup> day of June, 2021.

\_\_\_\_\_  
Barry Redfern, Mayor

ATTEST:

\_\_\_\_\_  
C. Jean Thiele, York City Clerk

ORDINANCE NO. 2287

AN ORDINANCE OF THE CITY OF YORK, NEBRASKA TO AUTHORIZE THE SALE AND CONVEYANCE OF CERTAIN REAL ESTATE IN THE CITY OF YORK, NEBRASKA MORE PARTICULARLY DESCRIBED AS HEREIN SET FORTH, AND PROVIDING FOR THE PUBLICATION OF NOTICE OF SUCH CONVEYANCE AND THE TERMS THEREOF; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

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

Section 1. Pursuant to Neb. Rev. Stat. §16-202 (Cum. Supp. 2018) the Mayor and City Clerk are hereby directed to execute and deliver a Municipal Deed for the following described real estate owned by the City of York, Nebraska to Collin M. Tucker, a single person, as set forth herein, following publication of Notice as set forth below and successful passage of the thirty day remonstrance period.

Section 2. The real estate to be conveyed is described as follows:

West 50 feet of the East 100 feet of Lots Five (5) and Six (6), in Block Two (2), in East Lawn Addition to the City of York, in York County, Nebraska.

Section 3. Such real estate shall be conveyed by the City of York to Collin M. Tucker in exchange for the purchase price of Ninety Thousand and no/100 Dollars (\$90,000.00).

Section 4. Notice of such sale and conveyance of real estate and the terms thereof shall be published for three consecutive weeks in the York News-Times as required by law.

Section 5. All ordinances and parts of ordinances in conflict herewith are repealed.

Section 6. This ordinance shall take effect and be in full force and effect from and after its passage, approval and publication as required by law.

PASSED AND APPROVED by the York City Council this \_\_\_\_\_ day of June, 2021.

\_\_\_\_\_  
Barry Redfern, Mayor

ATTEST:

\_\_\_\_\_  
C. Jean Thiele, York City Clerk

To: WyAd Enterprises, LLC  
CC: Chris Wize, Mayor Redfern, City Council members  
From: City of York  
Date: June 2, 2021  
Subject: Proposed Wastewater Treatment Plant Demolition Agreement

The City of York proposes the following work agreement for demolition of the old wastewater treatment plant, pending City Council approval June 3, 2021

- 1) Demolition Area
  - a. East of Brick Buildings (Break and pull 4 tank floors, fill in holes behind office with rubble, grade and slope area from the north fence towards the creek)
  - b. Brick Building Southeast of Office Demo (Demo building and surrounding attached tank, demo and break floor)
- 2) Price Agreement
  - a. If all demolition occurs by August 1: \$47,500
  - b. Partial payment available before August 1 for completion of demolition area (a) (\$30,000) or demolition area (b) (\$17,500)
  - c. Any work not completed by August 1 will require a new price agreement
  - d. If the city is unable to haul rubble, WyAd may charge up to \$5,000 for hauling rubble
- 3) Landfill Charges
  - a. The Wastewater Department of the City of York will pay landfill charges for rubble that cannot be placed in demolition holes.
- 4) Dirt
  - a. WyAd Enterprises has access to dirt located at the current Waste Water Treatment facility property designated for use in leveling land on the demolition site.
  - b. The City of York will move the dirt to the demolition site.
- 5) Previous agreements
  - a. This agreement supersedes any previous agreement between the City of York and WyAd Enterprises for demolition on this property.

Council Approval:

WyAd Enterprises, LLC

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Mayor Barry Redfern

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Authorized Agent

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Clerk Jean Theile