

AGENDA  
CITY COUNCIL, YORK, NEBRASKA  
Thursday, October 24, 2019  
12:00 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. Roll Call
3. Minutes of October 17, 2019
4. Permanent Easements for Quiet Zone
5. Consider payment for easement to Burlington Northern Railroad in the amount of \$5,500.00 plus \$2,000 Administrative/processing fee
6. Adjournment

**REGULAR MEETING  
CITY COUNCIL, YORK, NEBRASKA  
OCTOBER 17, 2019  
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. The Council and all present said the Pledge of Allegiance.

**ROLL CALL**

Present were: Councilmembers: Saathoff, Pieper, , Lones, VanEsch, Wagner and Hubbard. Absent Mogul.

Notice of this meeting was given in advance thereof by publication in the York News Times on October 12,, 2019, 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 VanEsch moved and Councilmember Hubbard seconded that the Minutes of the October 3, 2019 meeting be approved.

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

**REPORTS**

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

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

**CLAIMS OF ELECTED OFFICIALS**

Councilmember VanEsch moved and Councilmember Lones seconded that the claim of Clarence Hoffman for Penner's Tire & Auto in the amount of \$756.00 be approved and paid.

Roll Call Vote: Ayes: , Saathoff, Pieper, Lones, VanEsch, , Wagner and Hubbard. Nays: None. Absent & Not Voting: Mogul. Councilmember Hoffman declared a conflict of interest inasmuch as he is an owner of Penner's Tire & Auto and abstained from voting. Motion Carried.

Councilmember VanEsch moved and Councilmember Lones seconded that the claim of Jeff Pieper for Pieper's, Inc. in the amount of \$6.46 be approved and paid.

Roll Call Vote : Ayes Saathoff, , Lones , VanEsch, Hoffman, Wagner and Hubbard. Nays: None. Absent & Not Voting Mogul. . Councilmember Pieper declared a conflict of interest due to the fact that he is the Vice President of Pieper's, Inc. and abstained from voting. Motion. Carried.

**CLAIMS**

Councilmember VanEsch moved and Councilmember Lones seconded that the claims for the October 4, 2019 through October 17, 2019 be approved and paid.

Roll Call Vote: Ayes: , Saathoff, Pieper, Lones, VanEsch, Hoffman, Wagner and Hubbard. Nays:

None. Absent & Not Voting: Mogul. Motion Carried.

#### OPEN FORUM

The Mayor announced that this was a public forum for citizens to address the Council on any matter not on the agenda, but the Council could take no action on any issue, but can ask questions for clarification.

No one addressed the Council.

#### CITY ADMINISTRATOR REPORT

The City Administrator reported: 1) a pedestrian walkway has been installed on East 12<sup>th</sup> Street & Maine. Lights and signage are being looked into; 2) Saturday the 19<sup>th</sup> will be a city' wide clean up day for residents only – dumpsters are being locate at Skate Park parking lot – Miller Park parking lot – Family Aquatic Center parking lot; Beaver Creek Trail parking lot (Blackburn entrance – East Hill Park parking lot; 4) Councilmember Saathoff reported that Mike Collinger from Champion Home Builder had advised that they are having an open house on Saturday October 19th that from 10:00 to 2:00 – there will be activities for families etc.

#### LANDFILL REPORT

Lori Calub of HDR presented a comprehensive report giving the pro and cons of three options – Phases 6-10 on existing infrastructure; - transfer station while would require hauling disposal to another site – and closing the existing site. No action was taken.

#### BUILDING RENOVATIONS FOR CITY AUDITORIUM

Trane representatives David Raymond and Brent Jackson gave an overview of possible costs for HVAC renovation in the amount of \$1,000,000 -\$1,500,000 and building upgrades which includes new windows etc. would be approximately \$500,000-\$750,000.

#### PARK AND RECREATION ANNUAL REPORT

The Park & Recreation Director and Kenneth Lenke of Nebraska Public Power outlined the Economic Impact of the park and recreation facilities in the City. The Director of Parks and Recreation outlined the numbers of citizens using the various facilities.

#### ADDENDUM TO CONSULTANT'S CONTRACT FOR THE QUIET ZONE

The City Administrator advised that the additional cost of \$14,900 was for the pedestrian gate revisions, Division Avenue driveway and negotiation and preparation of Easement with BNF.

Councilmember Pieper moved and Councilmember VanEsch seconded to approve said addendum.

Roll Call Vote: Ayes: Saathoff, Pieper, Lones, VanEsch, Hubbard. Nays: Hoffman and Wagner. Absent & Not Voting: Mogul. Motion Carried.

#### ADJOURNMENT

There being no further business to come before the Council, the Mayor adjourned the meeting, the time being 8:57 o'clock p.m.

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C. Jean Thiele, City Clerk

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Barry Redfern, Mayor

Permanent Easement No. 1

A tract of land located in two Sections; the East  $\frac{1}{2}$  of Section 36, Township 11 North, Range 3 West and the West  $\frac{1}{2}$  of Section 31, Township 11 North, Range 2 West, York County, Nebraska, described as follows:

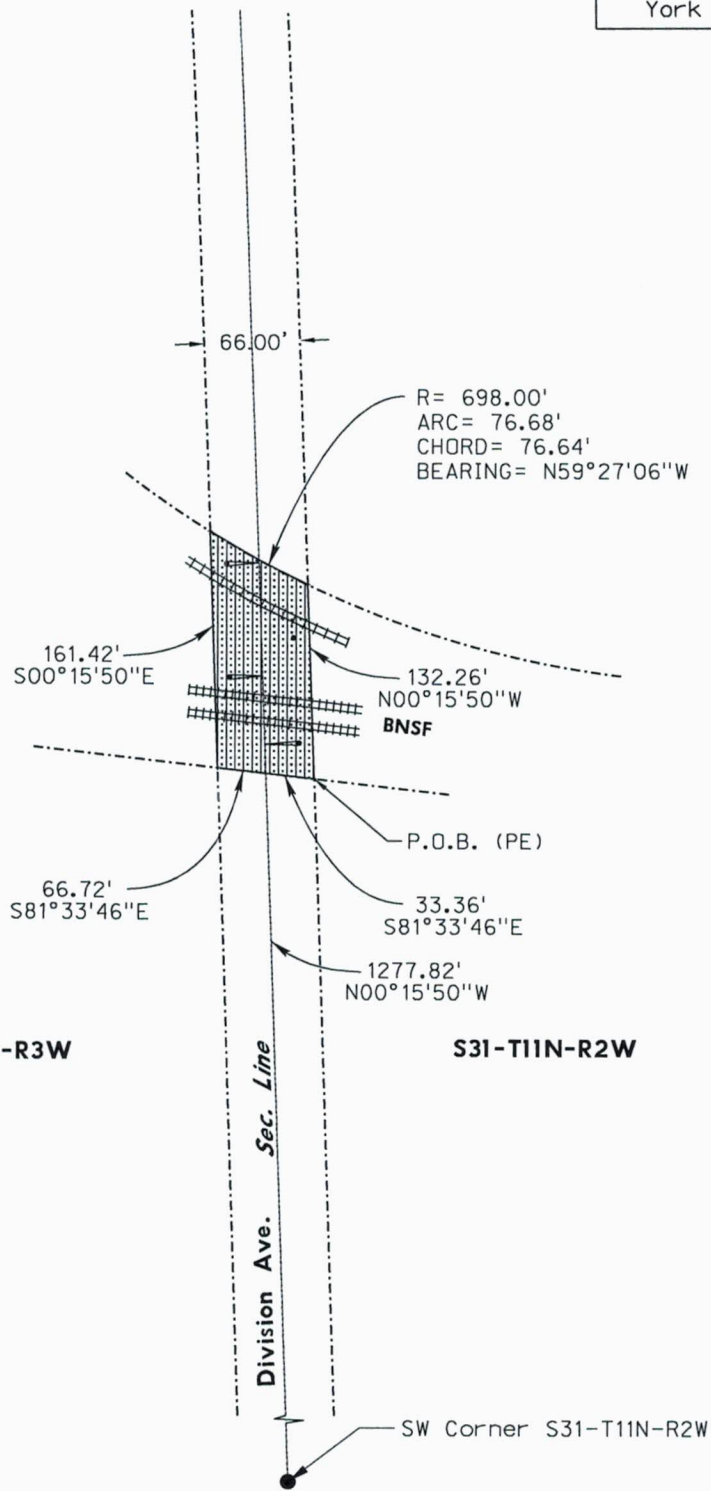
Referring to the South West corner of said Section 31, thence North  $00^{\circ} 15' 50''$  West (assumed bearing), a distance of 1277.82 feet; thence South  $81^{\circ} 49' 36''$  East, a distance of 33.36 feet to the Point of Beginning, said point also being on the East right of way line of Division Avenue; thence North  $00^{\circ} 15' 50''$  West, a distance of 132.26 feet; thence northwest a distance of 76.68 feet; to a point on a curve to the northwest and having a radius of 698.00 feet for an arc distance of 76.68 feet, chord bearing North  $59^{\circ} 27' 06''$  West, a distance 76.64 feet; thence South  $00^{\circ} 15' 50''$  East, a distance of 161.42 feet; thence South  $81^{\circ} 33' 46''$  East, a distance of 66.72 feet to the Point of Beginning containing an area of 9638 square feet more or less.



PROJECT NO.  
York QZ

Scale 1"=100'

S36-T11N-R3W

S31-T11N-R2W



	LAND ACQUISITION	0
	PERMANENT EASEMENT	9638
	TEMPORARY EASEMENT	0

LEGEND: S.F.

PROJECT NO. York QZ  
TRACT NO. 1  
DATE: October 2019

OWNER: BNSF Railway Company

LEAD AGENCY:  
CITY OF YORK  
PUBLIC WORKS DEPARTMENT

10/9/2019 10:28:55 AM

Project No. York Quiet Zone  
Tract No. 2

Permanent Easement No. 1

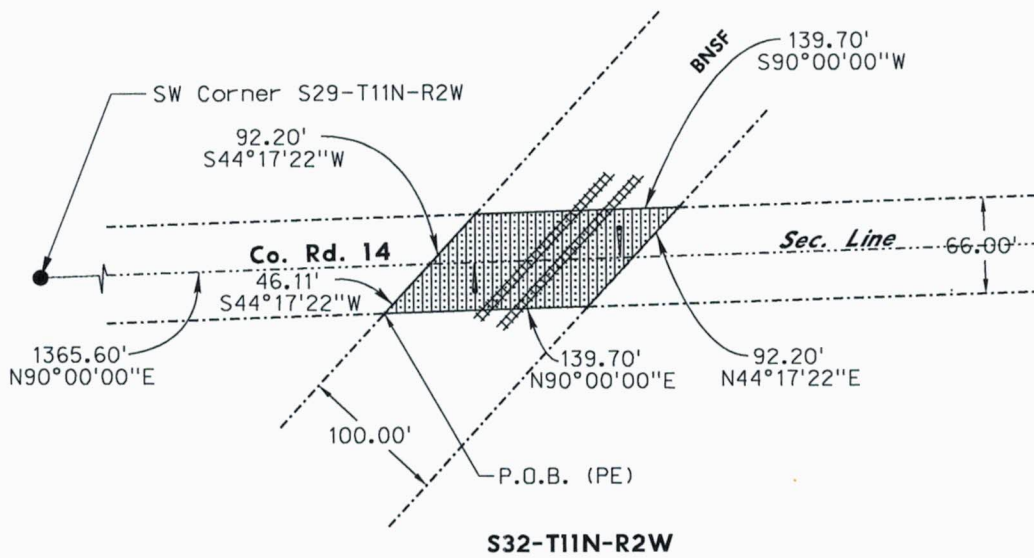
A tract of land located in two Sections; the West  $\frac{1}{2}$  of Section 29, Township 11 North, Range 2 West and the West  $\frac{1}{2}$  of Section 32, Township 11 North, Range 2 West, York County, Nebraska the described as follows:

Referring to the Southwest corner of said Section 29, thence Due East (assumed bearing), a distance of 1365.60 feet; thence South  $44^{\circ} 17' 22''$  West, a distance of 46.11 feet to the Point of Beginning, said point also being on the South right of way line of County Road 14; thence Due East, a distance of 139.70 feet; thence North  $44^{\circ} 17' 22''$  East, a distance of 92.20 feet; thence Due West, a distance of 139.70 feet; thence South  $44^{\circ} 17' 22''$  West, a distance of 92.20 feet to the Point of Beginning and containing 9220 square feet, more or less.

PROJECT NO.  
York QZ



**S29-T11N-R2W**



**S32-T11N-R2W**

	LAND ACQUISITION	0
	PERMANENT EASEMENT	9220
	TEMPORARY EASEMENT	0

LEGEND: S.F.

PROJECT NO. York QZ  
TRACT NO. 2  
DATE: October 2019

OWNER: BNSF Railway Company

LEAD AGENCY:  
CITY OF YORK  
PUBLIC WORKS DEPARTMENT

10/9/2019 11:00:44 AM