

AGENDA  
CITY COUNCIL, YORK, NEBRASKA  
Thursday, July 15, 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 July 1, 2021 meeting
5. Cash Balances for June, 2021
6. Departmental Activities Report for June, 2021
7. Claims of Elected Officials
  - 7.1. Claim of Tony North for North Printing & Office Supply in the amount of \$1,110.50
  - 7.2. Claim of Jeff Pieper for Pieper's, Inc. in the amount of \$145.15
8. Claims for the period July 2, 2021 through July 15, 2021
9. City Administrator Report
10. Public Hearing on a preliminary and final Plat of Staehrway business Park - 2nd Platting filed by McLean Beef, Inc.
11. Issuance of Limited Sales and Property Tax support infrastructure and refunding bonds of the City in the aggregated principal amount of not to exceed \$5,750,000. - Resolution 2021-18 and Ordinance No. 2287
  - 11.1. Approve Resolution No. 2021-18 - Call of Refunded Bonds
  - 11.2. Suspend the rules on Ordinance 2287

- 11.3. Approve Ordinance 2287
12. Discuss bonding for roads
13. Close TIF Project of Scannell Properties # 160 LLC - Resolution No. 2021-17
14. Consider approval of a Resolution to approve retention bonus for police department employees - Resolution 2021-19
15. Discuss two remaining budget items - 1) just clarification on trade in value and 2) fuel tank question
16. Mayor's appointment of Tony North to LB 357 Committee
17. Mayor's appointment of Sally Ruben to the Housing Agency for a five year term, terminating November 1, 2026
18. Mayor's appointments to the Anna Bemis Palmer Museum Advisory Board:
  - Councilmember Christi Lones
  - Councilmember Scott VanEsch
  
  - Citizen Members:
    - Brent Manger for a three year term
    - Mary Scott for a two year term
    - Jean Vincent for a two year term
    - Nancy Beach for a one year term
  
  - Youth Member:
    - Chloe Holmes for a one year period
19. Consider going into Executive Session to discuss Union Contracts
20. Consider adjourning from Executive Session
21. Adjournment

**REGULAR MEETING  
CITY COUNCIL, YORK, NEBRASKA  
JULY 1, 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. at the Council Chambers

The Mayor announced that the Open Meetings Act is posted on the east wall of the Council Chambers and the City Clerk has a copy at this meeting.

**ROLL CALL**

Present were: Mayor Redfern. Councilmembers: North, Wilkinson, Hubbard, Pieper, Lones, VanEsch and Wagner. Absent: None.

Notice of this meeting was given in advance thereof by publication in the York News Times on June 26, 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 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 Hubbard moved and Councilmember Wilkinson seconded that the Minutes of the June 17, 2021 meeting be approved.

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

**CLAIMS OF ELECTED OFFICIAL**

Councilmember Lones moved and Councilmember Wilkinson seconded that the claim of Tony North for North Printing and Office Supply Co. in the amount of \$1376.79 be approved and paid.

Roll Call Vote: Ayes: Wilkinson, Hubbard, Pieper, Lones, VanEsch and Wagner. Nays: None. Councilmember North declared a conflict of interest inasmuch as he is the owner of North Printing and Office Supply and abstained from voting. Motion Carried.

**CLAIMS**

Councilmember Lones moved and Councilmember Wilkinson seconded that the claims for the period June 18, 2021 through July 1, 2021 be approved and paid.

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

**CITY ADMINISTRATOR REPORT**

The City Administrator advised that she has been working JEO on the "York Flood Mitigation Overview Map" to see if changes can be made to the flood plain areas.

**DECLARE A VACANCY ON THE COUNCIL**

Notice is hereby given that there is a vacancy on the York City Council due to the resignation of Clarence Hoffman.

**APPROVE SPECIAL DESIGNATED PERMIT APPLICATION**

Warren Thomas addressed the Council regarding an application filed by Grand Central Foods to hold a

wine and beer tasting event at the York County Fairgrounds in conjunction with the York County Fair on August 5, 2021. He advised that he has done this for several years.

Councilmember Pieper moved and Councilmember Wilkinson seconded to recommend approval of the permit.

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

#### APPROVE HONOR FLIGHT DISPLAY

Councilmembers Wilkinson and Hubbard advised that Bill Williams has rented the auditorium for an Honor Flight Display during Yorkfest. Wilkinson advised that he and other will cover the \$500 rent but like to have the \$150.00 set up fee and \$150.00 tear down fee waived.

Councilmember Lones moved and Councilmember Wagner seconded that the set up fee and tear down fee be waived for said event.

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

#### APPROVE TASK ORDER 33 FOR PHASE 6 AT THE YORK SOLID WASTE AGENCY LANDFILL SITE

Councilmember Hubbard moved and Councilmember VanEsch seconded to approve Task Order 33 for landfill phase 6 design.

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

#### APPROVE OPEN ACCOUNT

Councilmember Wilkinson move and Councilmember Pieper seconded to approve an open account for employee Daniel W. Aude d/b/a Junction Electric.

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

#### ADJOURNMENT

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

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C. Jean Thiele, City Clerk

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Barry Redfern, Mayor

**CITY OF YORK  
CASH BALANCES  
for the Month of June 2021**

Fund #	Fund	10/1/2020 Balance	Current Month Receipts	YTD Receipts	Current Month Disbursements	YTD Disbursements	Ending Balance
10-101	General	\$3,115,749.28	\$674,399.88	\$5,993,123.62	\$678,287.94	\$5,591,584.28	\$3,517,288.62
10-102	Auditorium	\$0.00	\$10,117.83	\$94,228.38	\$6,119.51	\$83,957.30	\$10,271.08
10-103	Park	\$0.00	\$44,330.50	\$415,411.13	\$37,234.34	\$299,368.77	\$116,042.36
10-104	Police	\$0.00	\$192,729.41	\$1,670,176.39	\$172,678.20	\$1,375,825.54	\$294,350.85
10-105	Community Center	\$0.00	\$32,989.50	\$320,925.58	\$7,332.92	\$249,597.43	\$71,328.15
10-106	Aquatic Center	\$0.00	\$81,442.58	\$227,191.46	\$66,396.66	\$151,400.00	\$75,791.46
10-110	Senior Center	\$0.00	\$1,392.75	\$12,534.75	\$471.41	\$9,746.17	\$2,788.58
10-201	Convention Center	\$0.00	\$45,490.88	\$320,056.60	\$34,627.06	\$305,955.26	\$14,101.34
10-111	Ball Field	\$0.00	\$74,479.05	\$317,270.32	\$54,094.15	\$246,087.02	\$71,183.30
13	User Fees	\$13,000.00	\$1,020.00	\$2,010.00	\$0.00	\$0.00	\$15,010.00
22	Ambulance	\$0.00	\$117,736.19	\$1,240,821.29	\$140,826.44	\$1,109,987.45	\$130,833.84
22	Fire	\$0.00	\$34,115.08	\$334,477.70	\$30,432.02	\$330,931.32	\$3,546.38
24	Library	\$0.00	\$33,894.17	\$327,739.55	\$34,504.17	\$294,126.05	\$33,613.50
14-144	General Capital-Auditorium	(\$522,690.00)	(\$281,000.00)	\$3,118,250.00	\$60.72	\$2,877,234.59	(\$281,674.59)
14-145	General Capital-Comm Ctr	(\$7,147.54)	\$281,000.00	\$981,750.00	\$122,250.00	\$778,626.89	\$195,975.57
	<b>General Balances (unallocated and available)</b>	<b>\$2,598,911.74</b>	<b>\$1,344,137.82</b>	<b>\$15,375,966.77</b>	<b>\$1,385,315.54</b>	<b>\$13,704,428.07</b>	<b>\$4,270,450.44</b>
11	Keno	\$44,147.54	\$452.76	\$4,189.61	\$0.00	\$634.28	\$47,702.87
20	Aviation	\$607,252.10	\$25,573.20	\$184,308.16	\$30,326.80	\$251,286.02	\$540,274.24
20	Aviation - Federal Funds	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
31	Fire Pension	\$326,983.87	\$132.79	\$1,078.24	\$12,248.63	\$115,995.50	\$212,066.61
30	Police Pension	\$223,492.71	\$109.77	\$798.77	\$4,996.00	\$46,233.71	\$178,057.77
32	911 Surcharge	\$52,726.27	\$1,770.60	\$8,270.46	\$0.00	\$0.00	\$60,996.73
33	Health Insurance	\$1,266,042.99	\$99,929.22	\$901,788.58	\$96,182.86	\$731,453.70	\$1,436,377.87
	<b>Total Tax Funds</b>	<b>\$5,119,557.22</b>	<b>\$1,472,106.16</b>	<b>\$16,476,400.59</b>	<b>\$1,529,069.83</b>	<b>\$14,850,031.28</b>	<b>\$6,745,926.53</b>
50	Street	\$893,206.19	\$264,372.46	\$2,320,311.34	\$228,453.07	\$1,241,049.14	\$1,972,468.39
70	Landfill-Cash & Invest	\$1,651,058.06	\$151,791.70	\$1,116,796.56	\$39,815.81	\$800,520.39	\$1,967,334.23
	Landfill-Operations	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Landfill-Debt Service	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
78	Old Landfill Closure	\$11,767.65	\$7.58	\$67.05	\$0.00	\$0.00	\$11,834.70
79	Landfill Post Closure	\$2,363,417.14	\$1,545.25	\$90,811.27	\$0.00	\$0.00	\$2,454,228.41
	C&D Site Closure/Post Clo	\$163,608.54	\$108.93	\$17,568.76	\$0.00	\$0.00	\$181,177.30
75	Landfill Construction	(\$55,779.17)	\$0.00	\$0.00	\$0.00	\$9,766.95	(\$65,546.12)
	<b>Total Non-Tax Funds</b>	<b>\$ 5,027,278.41</b>	<b>\$ 417,825.92</b>	<b>\$ 3,545,554.98</b>	<b>\$ 268,268.88</b>	<b>\$ 2,051,336.48</b>	<b>\$ 6,521,496.91</b>
12	CDBG Revolving Loan	\$28,487.87	\$4,182.03	\$37,629.40	\$0.00	\$0.00	\$66,117.27
12	Housing Grant - Federal Fund	\$58,208.82	\$3,163.68	\$252,259.01	\$0.00	\$201,457.49	\$109,010.34
12	Buy Rehab Sell	\$82,017.24	\$0.00	\$93,231.67	\$2,000.00	\$2,177.56	\$173,071.35
60	Federal Street Projects	\$771,633.08	\$565.96	\$170,636.04	\$0.00	\$0.00	\$942,269.12
60	Shadow Brook Project	(\$11,894.68)	\$0.00	\$0.00	\$0.00	\$0.00	(\$11,894.68)
19-192	Land Acq - Indust. Park	\$1,028,333.02	\$4,246.82	\$105,123.60	\$0.00	\$4,883.56	\$1,128,573.06
19-193	Land Acq - Right-of-ways	\$21,140.13	\$0.00	\$0.00	\$0.00	\$0.00	\$21,140.13
19-194	Land Acq - Parks	\$66,046.21	\$0.00	\$0.00	\$0.00	\$0.00	\$66,046.21
19-194	Council of Gov'ts CD's	\$32,289.01	\$0.00	\$0.00	\$0.00	\$0.00	\$32,289.01
16	<b>Total Bond Funds</b>	<b>\$469,551.06</b>	<b>\$65,284.24</b>	<b>\$591,307.93</b>	<b>\$0.00</b>	<b>\$902,217.50</b>	<b>\$158,641.49</b>
40	<b>Total TIF Funds</b>	<b>\$565,487.41</b>	<b>\$4,754.37</b>	<b>\$98,944.50</b>	<b>\$30,482.90</b>	<b>\$151,205.67</b>	<b>\$513,226.24</b>
	<b>Total Misc. Funds</b>	<b>\$ 3,111,299.17</b>	<b>\$ 82,197.10</b>	<b>\$ 1,349,132.15</b>	<b>\$ 32,482.90</b>	<b>\$ 1,261,941.78</b>	<b>\$ 3,198,489.54</b>
	<b>Total All Funds</b>	<b>\$ 13,258,134.80</b>	<b>\$ 1,972,129.18</b>	<b>\$ 21,371,087.72</b>	<b>\$ 1,829,821.61</b>	<b>\$ 18,163,309.54</b>	<b>\$ 16,465,912.98</b>

LB 357 Cash Available	(from Page 2)	\$1,530,356.32
Wastewater Cash Available	(from Page 3)	\$2,455,119.95
Water Cash Available	(from Page 3)	\$7,038,374.87
		<b>\$ 27,489,764.12</b>

**City of York**  
**LB 357 Funds Summary**

	31-May-21	30-Jun-21
<b>LB 357 Funds Allocation</b>		
Cash Balance	\$13,841,315.61	\$13,962,316.96
Less: Quiet Zone	(\$1,503,528.97)	(\$1,503,528.97)
School-Owned Properties	(\$673,520.34)	(\$673,520.34)
Ball Field	(\$9,479,276.31)	(\$9,479,276.31)
City-Owned Properties	(\$732,301.68)	(\$775,635.02)
Total Cash Available	\$1,452,688.31	\$1,530,356.32
Less Restricted Funds		
Debt Service	(\$85,590.84)	(\$128,386.26)
Debt Service Reserve	\$0.00	\$0.00
Total Unallocated LB 357 Funds	\$1,367,097.47	\$1,401,970.06

**City of York  
Public Works Summary**

	<u>31-May-21</u>	<u>30-Jun-21</u>
<b>Wastewater</b>		
Cash Balance	\$5,843,091.64	\$6,014,670.19
Less: Construction Fund	(\$3,559,550.24)	(\$3,559,550.24)
Total Cash Available	\$2,283,541.40	\$2,455,119.95
Less Restricted Funds		
Operations	\$0.00	\$0.00
Debt Service	\$0.00	\$0.00
Debt Service Reserve	\$0.00	\$0.00
Renewal & Replacement	\$0.00	\$0.00
Total Unrestricted Funds	<u>\$2,283,541.40</u>	<u>\$2,455,119.95</u>
<b>Water</b>		
Cash Balance	\$6,493,119.54	\$6,845,771.36
Less: Construction Fund	(\$497,894.02)	(\$498,588.97)
Add: Farm Management Acct	\$691,674.99	\$691,192.48
Total Cash Available	\$6,686,900.51	\$7,038,374.87
Less Restricted Funds		
Operations	(\$108,577.00)	(\$108,577.00)
Debt Service	(\$178.75)	(\$30,590.23)
Debt Service Reserve	(\$266,500.00)	(\$266,768.69)
Total Unrestricted Funds	<u>\$6,311,644.76</u>	<u>\$6,632,438.95</u>

**City of York**  
for the Month of June 2021

Auditors Grouping	<u>Total Amount</u>	<u>Restricted or Assigned</u>	<u>Unrestricted</u>	<u>Notes</u>
10 General:				
General	\$3,517,288.62	1,004.31	\$3,516,284.31	Restricted amount is York Community Foundation
Senior Center	\$2,788.58		\$2,788.58	
Police	\$294,350.85		\$294,350.85	
Community Center	\$71,328.15		\$71,328.15	
Park	\$116,042.36		\$116,042.36	
Auditorium	\$10,271.08		\$10,271.08	
Convention Center	\$14,101.34		\$14,101.34	
Aquatic Center	\$75,791.46		\$75,791.46	
Ball Park	\$71,183.30		\$71,183.30	
Total	<u>\$4,173,145.74</u>	<u>\$1,004.31</u>	<u>\$4,172,141.43</u>	
13 User Fees	\$15,010.00	\$15,010.00		Assigned
14 General Capital Projects	(\$85,699.02)		(\$85,699.02)	
22 Fire/EMS	\$134,380.22		\$134,380.22	
24 Library	\$33,613.50		\$33,613.50	
30 Police Pension	\$178,057.77		\$178,057.77	
31 Fire Pension	\$212,066.61		\$212,066.61	
Total General	<u>\$4,660,574.82</u>	<u>\$16,014.31</u>	<u>\$4,644,560.51</u>	
50 Street	\$1,972,468.39	\$1,972,468.39		
20 Aviation	\$540,274.24	\$540,274.24		Assigned
16 Debt Service	\$158,641.49	\$158,641.49		
15 LB 357	\$1,530,356.32	\$1,530,356.32		
60 Capital Projects	\$930,374.44	\$930,374.44		
12 CDBG	\$348,198.96	\$348,198.96		
11 Keno	\$47,702.87	\$47,702.87		
19 Sinking	\$1,248,048.41	\$32,289.01	\$1,215,759.40	
32 E911	\$60,996.73	\$60,996.73		
40 TIF	\$513,226.24	\$513,226.24		
Total Governmental	<u>\$12,010,862.91</u>	<u>\$6,150,543.00</u>	<u>\$5,860,319.91</u>	
70 Landfill:				
Landfill	\$1,967,334.23		\$1,967,334.23	
Landfill-Operations	\$0.00	\$0.00		Bond Requirements
Landfill-Debt Service	\$0.00	\$0.00		Bond Requirements
Old Landfill Closure	\$11,834.70	\$11,834.70		
Landfill Closure/Post	\$2,454,228.41	\$2,454,228.41		
C&D Site Closure/Post	\$181,177.30	\$181,177.30		
Construction	(\$65,546.12)		(\$65,546.12)	
Total Landfill	<u>\$4,549,028.52</u>	<u>\$2,647,240.41</u>	<u>\$1,901,788.11</u>	
80 Wastewater	\$2,455,119.95	\$0.00	\$2,455,119.95	
90 Water	\$7,038,374.87	\$405,935.92	\$6,632,438.95	
Total Enterprise	<u>\$14,042,523.34</u>	<u>\$3,053,176.33</u>	<u>\$10,989,347.01</u>	
33 Health Insurance	\$1,436,377.87	\$1,436,377.87		Assigned for insurance claims needs
Total City	<u><u>\$27,489,764.12</u></u>	<u><u>\$10,640,097.20</u></u>	<u><u>\$16,849,666.92</u></u>	

# **DEPARTMENTAL REPORTS**

**JUNE 2021**

**COMMUNITY CENTER**

**FIRE**

**KILGORE MEMORIAL LIBRARY**

**POLICE**

**PUBLIC WORKS**

Community Center

Daily Totals at the City Auditorium:

Tuesday	6/1/2021	10		Wednesday	6/16/2021	18
Wednesday	6/2/2021	17		Thursday	6/17/2021	20
Thursday	6/3/2021	67		Friday	6/18/2021	37
Friday	6/4/2021	26		Saturday	6/19/2021	5
Saturday	6/5/2021	3		Sunday	6/20/2021	CLOSED
Sunday	6/6/2021	CLOSED		Monday	6/21/2021	4
Monday	6/7/2021	12		Tuesday	6/22/2021	38
Tuesday	6/8/2021	29		Wednesday	6/23/2021	B-BALL CAMP
Wednesday	6/9/2021	24		Thursday	6/24/2021	18
Thursday	6/10/2021	B-BALL CAMP		Friday	6/25/2021	
Friday	6/11/2021	16		Saturday	6/26/2021	9
Saturday	6/12/2021	31		Sunday	6/27/2021	CLOSED
Sunday	6/13/2021	CLOSED		Monday	6/28/2021	6
Monday	6/14/2021	2		Tuesday	6/29/2021	B-BALL CAMP
Tuesday	6/15/2021	36		Wednesday	6/30/2021	6

York College: Included in Daily Totals

Museum: Closed for Renovations

**Total Income (Unofficial): \$2,617.50**

	CASH	CHECK	CREDIT	TOTAL	Center Admission	FAC Admission	Center Programs	FAC Programs	Center Rentals	Aud. Admission	Auditorium F	Miscellaneous
TOTALS	\$1,030.00	\$445.00	\$1,142.50	\$2,617.50	\$22.50	\$0.00	\$1,295.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,300.00

**Adult/Community/Youth Programs/Leagues:**

The programs/leagues in June included Pickleball Open Rec, Noon Ball, Story Walk, T-Ball, Sandbox Saturdays, Creative Cookin', Swimming Lessons, Float 4 Life, Youth Summer Camp, Water Babies, Coed 6's Sand Volleyball League, Women's 3's Sand Volleyball League, Trap Camp Fun Shoot, Midnight Swim, Art in the Park, Father's Day Special, Tot-Time, Soaring High, Ready, Set, Rally, and FAC Family Fun Night.

Programs/leagues that were previously at the Community Center are now at the City Auditorium due to the Community Center closure until tentatively early next year.

There were no Community Center rentals/reservations in June due to Community Center renovations.

Auditorium

There were 40 Auditorium rentals/reservations in June for YPR programs/leagues (Pickleball Open Rec, Noon Ball, Youth Summer Camp, & Tot-Time), basketball practices, and girls and boys team basketball camps.

## Parks

There were 15 East Hill Park shelter rentals/reservations for YPR programs (Sandbox Saturdays, Coed 6's Sand Volleyball League, Women's 3's Sand Volleyball League, Youth Summer Camp, & Art in the Park), a church picnic/meeting, and a family picnic, 10 Harrison Park shelter rentals/reservations for a 4 Corners shot clinic, YPR programs (Coed 6's Sand Volleyball League & Youth Summer Camp), a gathering, a family reunion, and 1 Mincks Park shelter rental/reservation for a YPR program (Soaring High) in June.

## Family Aquatic Center

There were 21 FAC rentals/reservations in June for York Dolphins swim meets, YPR programs (Swimming Lessons, Water Babies, Midnight Swim, & Family Fun Night), a splash party, and an after hours rental.

**Total Admissions Income (Unofficial): \$43,414.00**

	AdmissionCASH	AdmissionCHECK	AdmissionCREDIT	AdmissionTOTAL	Programs	FAC TOTAL	Attendance
TOTALS	\$15,402.00	\$11,239.00	\$18,208.00	\$43,414.00	\$1,435.00	\$44,849.00	7767

**Total Concessions Income (Unofficial): \$15,321.67**

ConcessionCASH	ConcessionCHECK	ConcessionsDEBIT	ConcessionTOTAL
\$12,481.05	\$257.50	\$2,583.12	\$15,321.67

## Ballpark Complex

There were 33 Miller Park rentals/reservations in June for Fusion softball practices & a game, a T-Ball practice, Knights baseball practices and games, an Optimist baseball practice.

There were 2 Beaver Creek rentals/reservations in June for Knights baseball practices.

There were 36 Ballpark Complex batting cage rentals/reservations in June for Knights baseball practices and Fusion softball practices.

There were 182 Ballpark Complex field rentals/reservations in June for Optimist baseball practices & games, T-Ball games, Knights baseball practices, games, and a tournament, Fusion softball practices & games, a softball tournament, a baseball game, and USSSA tournaments.

**Total Income (Unofficial): \$56,359.88**

	CASH	CHECK	CREDIT	TOTAL	Sponsorships	Complex Conc	Miller	Concessic	TOTAL	Concessio	Rental Fee
Total	\$35,916.79	\$15,893.00	\$4,550.09	\$56,359.88		\$40,846.13		\$383.75	\$41,229.88		\$15,180.00

### Supplyworks:

C. Center	47.62
Auditorium	209.56

Police Dept.	120.50
City Office	34.72
Library	268.79
F.A.C.	393.45
Parks	171.56
Y.B.C.	460.55
Total:	1706.75

**Report Completed by Cheree Folts, Director of Parks and Recreation 7/13/2021**

Kilgore Memorial Library  
Director's Report  
Prepared for the July 15, 2021  
York City Council meeting

1. The Elmer Baker Display Case is filled with a summer collection of seashells and lakeside objects. The Kent Bedient Gallery is displaying a fun "eye-spy" collage.
2. The Early Childhood Discovery Center continues to be a popular destination for families.
3. Summer Reading Clubs for preschool, elementary and young adult have finished for the year. A Dance Party was the final event when prizes were awarded for all the youth events for Summer Fun at the library activities.
4. Library staff members, Carol Baker and Kat Karabel, are enrolled in a CE course through the Nebraska Library Commission's certification program in July.
5. Our American Library Association, Libraries Transforming Communities grant funds helped us purchase a new electronic message board that sits in our entryway greeting visitors with announcements about events taking place at the library. The board includes an interactive touch-screen that will allow us to conduct surveys and other interactive information for our community.
6. The Community Conversation that was held on June 22 was a huge success. There were a total of 16 people at two separate sessions. The larger conversation was at noon and the group decided that their conversation needed to continue. The second session was held on July 6<sup>th</sup> where a brainstorming session created six categories to be explored by subcommittees of people with a passion for the topic. The subcommittees will discuss the potential for the community if a library service was developed to fill a need in their area of discussion. Subcommittee chairs will bring the findings of their group back to the steering committee who will determine where the greatest need can be met by developing new library provided services. They hope to have a positive impact on library service to the community by 2025.
7. Our partnership with the YPS Sixpence Program continues again this year. With their generous support we will be installing a Music Garden outside of the library. Twelve instruments, two benches and the funds for the concrete have all been delivered. Our Public Works department is working on assembly and installation for this project. What a wonderful gift to the community!

Respectfully submitted by,



Debora Robertson  
Director, Kilgore Memorial Library

### LIBRARY DATA AT A GLANCE

Data Type	Oct 2020	Nov 2020	Dec 2020	Jan 2021	Feb 2021	March 2021	April 2021	May 2021	June 2021	July 2021	Aug 2021	Sept 2021	Year to Date
Added to Physical Collections	313	297	267	357	221	178	306	271	409				2,619
Added to E-Book Collections	669	410	700	473	484	729	630	284	1,180				5,559
Physical item circulation	5,104	4,457	4,594	4,336	4,381	4,579	4,497	4,646	5,669				42,263
E-books Circulations	1,433	1,416	1,473	1,668	1,411	1,495	1,423	1,498	1,651				13,468
New Patrons	24	15	28	18	10	31	31	25	42				224
Public Computer logins	602*	476*	515*	390*	350*	504*	476*	556	539				4,408
Door Count	3,444	3,024	3,146	3,453	3,638	3,979	5,024	4,298	6,019				36,025
Website visits	1,392	1,820	1,714	1,614	1,526	1,787	1,796	2,030	1,884				15,563
Meeting Room Use	803	127	47	79	159	270	553	167	531				3,036

\*We have removed four public computers to create social distance between stations since reopening in June 2020.

\*\*All eleven public workstations were put in use on May 28

Data Type	Total 2020	Total 2019	Total 2018
Physical Collections	63,037	63,921	61,933
E-Book Collections	57,200	52,276	47,755
Physical item circulation	45,885	64,409	67,385
E-book Circulations	16,935	12,790	11,587
Registered Borrowers	5,348	8,276	8,527
Public Computer logins	6,391	13,864	12,126
Door Count	36,276	52,003	51,756
Website visits	51,633	59,600	55,582
Meeting Room Use	3,576	5,331	7,963

# YORK FIRE DEPARTMENT

## June 2021 Monthly Report

York Fire Department responded to 132 calls for service in June of 2021. On the fire side we responded to 6 automatic alarms, 4 wildland fires, 1 animal rescue, 1 smoke scare, and 2 structure fires, 1 was a garage and the other was a reported structure fire that was fireworks. We were called out for storm spotting once.

We responded to 81 – 911 calls for EMS service, 49 of those 911 calls were for Advanced Life Support and 29 of those 911 calls were for Basic Life Support with 6 lift assists. We did 26 Inter-Agency transfers for the month of June, 22 of those being ALS and 4 of those transfers being BLS.

Training for the month was varied. We did an inhouse trauma class on June 8th. On the 15<sup>th</sup> and 22<sup>nd</sup> of June we did fire training dealing with nozzles and fire attack, we also debuted our new task books. The last Tuesday of the month we had a Sepsis class at York General Hospital that was open to all York County Mutual Aid members. 3 of our members finished and tested out of their FF1 class in Geneva. A lot of inhouse trainings have been done to get our newest career members trained up. We continued testing hose.

We had 2 members of our department give a fire prevention program at the York Middle School for their summer program. Soul Quest came to the station and washed trucks, did some housekeeping, and helped load hose. The Acting Fire Chief attended a Local Emergency Planning Committee meeting in Seward, and Zoomed a regional TIM Meeting.

As of today, July 8<sup>th</sup> we have not heard anything on our radio grant. Hopefully soon. We have been told that the budget is mostly done. The specifications for our new ambulance are done. We are waiting for approval to go out for bids or purchase through a Purchasing Coop.

Respectfully submitted,

Anthony Bestwick

Acting Fire Chief

**Board of Public Works**  
June 15, 2020 4:00 PM  
City Administrator's Office

Attendance taken at 4:01 P.M.

Present Board Members:

Bill Williamsen  
Matt Leif  
Marlowe Wall  
Kenny Ekeler

Absent:

Greg Staehr

Also Present:

Sue Crawford, City Administrator  
Brandon Osentowski, Interim Public Works Director/Water Foreman

1. Agenda

2. Roll Call

3. Review Minutes of Last Meeting

**Motion Passed:** Minutes of the May meeting passed with a motion by Bill Williamsen and a second by Matt Leif.

Marlowe Wall	Yes
Matt Leif	Yes
Bill Williamsen	Yes
Greg Staehr	Absent
Kenny Ekeler	Yes

4. Farm Management Report

**Motion Passed:** The May Farm Management Report passed with a motion by Kenny Ekeler and a second by Marlowe Wall.

Marlowe Wall	Yes
Matt Leif	Yes
Bill Williamsen	Yes
Greg Staehr	Absent
Kenny Ekeler	Yes

5. Wastewater Financial Reports

**Motion Passed:** The May Wastewater Financial Reports passed with a motion by Bill Williamsen and a second by Marlowe Wall.

Marlowe Wall	Yes
Matt Leif	Yes
Bill Williamsen	Yes
Greg Staehr	Absent
Kenny Ekeler	Yes

#### 6. Water Financial Reports

**Motion Passed:** The May Water Financial Reports passed with a motion by Bill Williamsen and a second by Kenny Ekeler.

Marlowe Wall	Yes
Matt Leif	Yes
Bill Williamsen	Yes
Greg Staehr	Absent
Kenny Ekeler	Yes

#### 7. Wastewater Claims

**Motion Passed:** The May Wastewater Claims passed with a motion by Kenny Ekeler and a second by Bill Williamsen.

Marlowe Wall	Yes
Matt Leif	Yes
Bill Williamsen	Yes
Greg Staehr	Absent
Kenny Ekeler	Yes

#### 8. Water Claims

**Motion Passed:** The May Water Claims passed with a motion by Kenny Ekeler and a second by Bill Williamsen.

Marlowe Wall	Yes
Matt Leif	Yes
Bill Williamsen	Yes
Greg Staehr	Absent
Kenny Ekeler	Yes

#### 9. Director of Public Works Report

**Motion Passed:** The May Director of Public Works Report passed with a motion by Bill Williamsen and a second by Marlowe Wall.

Marlowe Wall	Yes
Matt Leif	Yes
Bill Williamsen	Yes
Greg Staehr	Absent
Kenny Ekeler	Yes

Meeting Adjourned at 4:29 P.M.

Heidi Gregg

**DEPARTMENT OF PUBLIC WORKS**

**MONTHLY REPORT**

June — 2021

**STREET DEPARTMENT**

During the month of June, the central garage serviced and repaired equipment for all city departments as follows:

Street	38	Airport	11	Park	19	Fire	12
Police	4	Landfill	41	Wastewater	22	Water	10

The street sweeper operated 62 hours in June, during which time 306 miles were swept and 100 cubic yards of material were removed from the city streets.

Other major labor activities included:

Job	Hours
General maintenance	42
Right-of-way maintenance	212
Gravel street/alley maintenance	67
Lane & curb painting	5
Snow removal	0
Mowing/weed control	181
Tree/shrub maintenance	27
Building maintenance	11
Paved surface maintenance	536
Equipment services	2
Traffic signing/signal installation/repair	40
Shop cleaning	27
Storm sewer/bridge repair	7
Property Maintenance	16
<b>TOTAL</b>	<b>1173</b>

**PARK DEPARTMENT**

Park personnel performed the following activities:

Job	Hours
Trash removal	73
Restroom cleaning	108
Sidewalk repair	79
Property maintenance	80
Mowing/weed control	435
Tree/shrub maintenance	95
Building maintenance	2
Ball field maintenance	114
Playground equipment maintenance	8
<b>TOTAL</b>	<b>994</b>

**FAMILY AQUATIC CENTER**

Park personnel performed the following activities:

Job	Hours
System maintenance	0
Mowing/weed control	8
Building maintenance	0
Tree/Shrub maintenance	4
Property maintenance	2
<b>TOTAL</b>	<b>14</b>

**AUDITORIUM**

Park/Street personnel performed the following activities:

Job	Hours
General maintenance	91
Mowing/weed control	3
Building maintenance	0
Property maintenance	0
<b>TOTAL</b>	<b>94</b>

## WASTEWATER TREATMENT PLANT

Plant operation for June and the comparison figures for June of last year:

	Last Month	2021	2020	Units
Total flow	29,108,170	28,702,257	17,454,210	gallons
Average flow/day	938,973	956,741	581,807	gallons
Average flow/person	117	120	73	gallons
Grit and screenings to landfill	58.27	62.56	37.58	tons
Bio solids wasted	1.511508	1.396532	1.113385	MG

Wastewater Treatment Plant personnel performed the following activities:

Job	Hours
Plant wages	182
Laboratory testing	59
Mowing / weed control	35
Sludge removal	10
Equipment maintenance	90
Building maintenance	18
Sewer system maintenance	127
Property maintenance	116
One-call locates	11
<b>TOTAL</b>	<b>648</b>

## WATER DEPARTMENT

Plant operation figures for June and the comparison figures for June of last year follow:

	Last Month	2021	2020	Unit
Total water pumped	34,395,000	56,821,000	61,715,000	gallons
Total water billed	19,540,200	34,648,575	38,452,673	gallons
Average use per day	1,146,500	1,894,033	2,057,167	gallons
Average use per person	143	237	257	gallons
Total electricity used	47,824	80,685	89,059	kW
Pumps yield	719	704	693	gallons/kW
Peak pumping date	11 <sup>th</sup>	17 <sup>th</sup>	25 <sup>th</sup>	
Peak amount	1,730,000	2,762,000	2,941,000	gallons

Report of office operations for June and comparison figures for June of last year:

	2021	2020
Water bills	1,859	1,827
Sewer bills	1,783	1,755
New taps	1" - 2	1" - 1
Service leaks	1	0
Main leaks	0	0
Diggers Hotline calls	127	128

Water Department personnel performed the following activities:

Job	Hours
Plant wages (monitoring wells, etc.)	40
Meter reading	33
Building maintenance	2
Meter maintenance	15
Pump/well maintenance	0
Final notice collection	2
Mowing/weed control	27
Distribution maintenance	195
Tower maintenance	13
One-call locates	11
Property Maintenance	8
<b>TOTAL</b>	<b>346</b>

**SOLID WASTE RECEIVING CENTER AND LANDFILL**

Solid Waste Receiving Center operation figures for June as reported by scale:

	2021		2020	
	Trips	Tons	Trips	Tons
Landfill	854	2521.36	852	2445.46
C & D	151	360.52	135	340.68
Transfer Station	168	33.36	203	40.79
Brush Pile	188	93.96	754	264.31
Tire Pile	13	0.00	4	0.00
Metal Roll-off	12	0.00	12	0.00
Recyclables	8	9.97	0	0.00
<b>Total</b>	<b>1394</b>	<b>3019.17</b>	<b>1960</b>	<b>3091.24</b>

Revenue collected during June totaled \$148,516.45. The same period last year totaled \$130,365.50.

Landfill personnel performed the following activities:

Job	Hours
Scale/Transfer Station Operation	220
Landfill Equipment	577
Wind screen & litter control	0
Recycling Act	0
<b>TOTAL</b>	<b>797</b>

**AIRPORT**

Public Works personnel performed the following activities:

Job	Hours
Airport Attendant	91
Building maintenance	0
Mowing/weed control	0
<b>TOTAL</b>	<b>91</b>

**CONVENTION CENTER**

Public Works personnel performed the following activities:

Job	Hours
Property maintenance	3
Building maintenance	0
Paved Surface maintenance	67
Mowing/weed control	1
<b>TOTAL</b>	<b>71</b>

**SUMMARY BY DEPARTMENT**

Department	Hours	Percentage	Full Time Equivalent
Street	1173	28	7.3
Parks/FAC	1008	24	6.3
Auditorium	94	2	0.6
Landfill	797	19	5.0
Convention Center	71	2	0.4
Wastewater	648	15	4.1
Water	346	8	2.2
Airport	91	2	0.6
<b>TOTAL</b>	<b>4228</b>	<b>100</b>	<b>26.5</b>

## **BUILDING INSPECTIONS AND PERMITS**

Our building inspection activity for June and comparison figures for June of last year are as follows:

Inspections:	2021	2020	Permits Issued:	2021	2020
Building	41	39	Building	28	34
Electrical	33	37	Electrical	33	5
Plumbing	26	35	Plumbing	26	3
Mechanical	18	28	Mechanical	18	14
Property Pin Locates	0	0	Curb/Street	4	4
<b>Total</b>	<b>118</b>	<b>139</b>	<b>Total</b>	<b>109</b>	<b>60</b>

Twenty-eight (28) permits were issued in June for a value of \$841,058.57, which brings the total for the year to \$5,4642,02.16. (See attached.)

Permits of note issued:

- Zach Holoch                      Addition & Remodel                      \$230,000.00
- PT USA York LLC                      Canvas building                      \$223,857.97.
- Super 8 Motel                      Interior remodel                      \$192,000.00

## **BOARD OF PUBLIC WORKS**

The Board of Public Works met on June 15, 2021. Minutes of the meeting are attached.

**Building Permits issued in June 2021**

09-Jul-21

	<b>OWNER</b>	<b>ADDRESS</b>	<b>LEGAL DESCRIPTION</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
97893	Scott Hulse	1400 Kennedy Dr.		Privacy fence	2,500.00
97894	Dianna Groenke	1337 Meadow Lane		Chain link fence	2,000.00
97895	Marty Barrett	1406 Kennedy Dr.		Privacy fence	2,500.00
97897	Bob Murphey	701/702/703/704 Nicholas		Enclose patio - screen	13,000.00
97898	Farmer's Cooperative	1120 S. Lincoln Ave		Re-roof	3,400.00
97899	Tim Wellman	224 W. 5th St.		Remodel for half bathroom	2,000.00
97900	Zach Holoch	1412 Road 11		Addition & remodel	230,000.00
97901	Mark Nannen	1214 E. 14th St.		Privacy fence	6,800.00
97902	Super 8 Motel	4112 S. Lincoln Ave.		Interior remodel	192,000.00
97903	Sue Donahue	830 Florida Ave.		Replace & extend driveway	4,700.00
97904	Juan Rojas	520 Academy Ave.		Replace windows	500.00
97905	PT USA York LLC	2941 N. Division Ave		Enclose existing storage building	69,400.60
97911	Ron Tuttle	1022 N. Nebraska Ave.		Chain link fence	1,500.00
97913	Marcus McClelland	921 E. Nobes Rd.		Egress window	3,200.00
97914	Candido Rodriguez	1703 N. Platte Ave.		Shed/dog house - on slab	2,000.00
97917	John Mohning	1623 Raell Dr.		Privacy fence	3,500.00
97918	Cindy Weber	611 N. Lincoln Ave.		Tuck point brick & awning	10,000.00
97919	Jeff Beins	116 N. Platte Ave.		Replace approach	500.00
97920	Fredy Garcia	928 Academy Ave.		Extending roof in back yard	700.00
97922	Brandon Clarkson	312 W. 5th St.		Re-side	10,000.00
97923	Nick Stauffer	1621 E. 5th St.		Re-side	20,000.00
97924	Allen Osentowski	317 College Ave.		Convert back porch to laundry room	8,000.00

	<b>OWNER</b>	<b>ADDRESS</b>	<b>LEGAL DESCRIPTION</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
97926	Evan Neville	1332 N. Maine Ave.		Replace existing fence with privacy	1,000.00
97927	Juan Rojas	520 Academy Ave.		Re-roof	4,000.00
97928	DeeDee Novatney	1318 E. 6th St.		Re-side	6,000.00
97930	John Simons	2128 N. Nebraska Ave.		Replace basement wall	13,000.00
97931	PT USA York LLC	2941 N. Division Ave		Canvas building with metal truss	223,857.97
97934	Kathleen Harwick	558 W. 7th St.		Re-side	5,000.00
					<b>\$841,058.57</b>
					<b>Permits Issued: 28</b>

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 VENDOR CLASS(ES): ALL CLASSES

ACCOUNTS PAYABLE  
 DISBURSEMENT REPORT

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SORTED BY VENDOR

VENDOR	NAME	NO# INVOICES	TOTAL AMOUNT	1099 G/L ACCT NO#	G/L NAME	G/L AMOUNT
01-00010	GALE	3	121.47	N		
01-00090	THE HOME DEPOT PRO	4	1,198.15	N		
01-00110	MATHESON TRI-GAS	4	288.06	N		
01-00120	JACKSON SERVICES INC	8	489.26	N		
01-00150	ICMA-RETIREMENT TRUST 457	2	1,127.98	N		
01-00200	NEBRASKA MACHINERY CO	5	1,209.83	N		
01-00210	EAKES OFFICE PLUS	3	974.38	N		
01-00290	NORTH PRINTING & OFFICE S	8	1,110.50	N		
01-00300	BLACK HILLS ENERGY	5	4,183.17	N		
01-00340	BOUND TREE MEDICAL LLC	3	479.26	N		
01-00360	CITY OF YORK	4	5,021.30	N		
01-00410	CAROLINA SOFTWARE	1	500.00	N		
01-00560	J&R HEATING & A/C, INC.	1	5,349.00	N		
01-00640	NEBRASKA PUBLIC POWER DIS	3	44,246.09	N		
01-00680	NE DEPT. OF AERONAUTICS	1	543.33	N		
01-00710	OVERLAND SAND & GRAVEL	4	10,836.00	N		
01-00750	PIEPERS INC	1	145.15	N		
01-00800	BURST, LLC	8	139.82	N		
01-00840	16TH STREET CAR WASH	1	300.00	N		
01-00990	ANGLE, MURPHY, VALENTINO	1	28.82	N		
01-01090	BAKER & TAYLOR, INC	3	1,047.96	N		
01-0120	RANDY BARNES	1	413.25	N		
01-01270	NABER'S REPAIR SERVICE	1	2.25	Y		
01-01280	PLATTE VALLEY COMMUNICATI	1	329.50	N		
01-01290	GRAND CENTRAL FOODS, INC.	24	821.95	N		
01-01330	JLC, INCORPORATED	7	278.71	N		
01-01340	KOPCHOS SANITATION, INC	8	1,740.25	N		

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ACCOUNTS PAYABLE  
 DISBURSEMENT REPORT

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VENDOR	NAME	NO# INVOICES	TOTAL AMOUNT	G/L 1099 ACCT NO#	G/L NAME	G/L AMOUNT
01-01350	PROTEX CENTRAL INC.	1	245.00	N		
01-01420	NE CHILD SUPPORT PAYMENT	1	104.77	N		
01-0145	ANTHONY BESTWICK	1	57.29	N		
01-01470	SERVI-TECH LABORATORIES	2	140.30	N		
01-01490	NE DEPT OF REVENUE	3	9,779.55	N		
01-01510	HACH CO.	2	144.08	N		
01-01640	INTERNAL REVENUE SERVICE	8	54,933.52	N		
01-01650	UNION BANK	5	26,558.30	N		
01-01840	CORNERSTONE BANK	2	120.00	N		
01-02040	YORK NEWS-TIMES	1	225.00	N		
01-02060	NE DEPT OF ENVIRONMENT &	2	9,787.19	N		
01-02090	JM MONOGRAMS, INC.	2	288.15	N		
01-02230	MCCORMICK HEATING & AC	3	35,039.01	N		
01-02250	MILLER SEED & SUPPLY CO	6	1,324.49	N		
01-02560	CITYSERVICEVALCON LLC	1	33.32	N		
01-02650	O'REILLY AUTO PARTS	7	323.66	N		
01-02810	YORK STATE BANK	1	48,449.98	N		
01-03360	DIAMOND VOGEL PAINT CENTE	1	4,092.90	N		
01-03370	FEHLHAFFER'S INC.	1	250.00	N		
01-03380	POWER SERVICE INC	2	125.50	N		
01-04050	GALLS INCORPORATED	1	258.25	N		
01-05150	LINCOLN JOURNAL STAR	3	3,596.06	N		
01-05310	SAPP BROTHERS PETROLEUM,	6	7,716.09	N		
01-05380	NE STATE FIRE MARSHAL	1	120.00	N		
01-05450	BAIRD, HOLM LLP	1	777.50	Y		
01-05600	YORK GENERAL HOSPITAL	1	772.50	N		
01-05870	WEX BANK	1	8,066.28	N		

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VENDOR	NAME	NO# INVOICES	TOTAL AMOUNT	G/L 1099 ACCT NO#	G/L NAME	G/L AMOUNT
01-06410	CASH-WA DISTRIBUTING	4	2,651.96	N		
01-06490	CROSSROADS AWARDS	1	72.00	Y		
01-06630	FASTENAL	1	3.50	N		
01-06970	NISSEN ELETRIC	1	155.00	Y		
01-08950	PIZZA HUT	1	2,055.16	N		
01-09220	CENTRAL NEBRASKA REFRIGER	2	476.89	N		
01-1	MISCELLANEOUS VENDOR	1	35.00	N		
01-10110	BADGER METER INC	1	185.00	N		
01-10840	TOTAL ADMINISTRATIVE SERV	3	3,299.95	N		
01-11190	MEAD LUMBER & RENTAL	3	171.49	N		
01-11670	STEVE HOLMES	1	26.85	N		
01-11780	OVERHEAD DOOR CO OF LINCO	1	50.96	N		
01-12480	WESTERN EDGE	2	61.28	N		
01-12540	TRACTOR SUPPLY COMPANY	2	4,104.98	N		
01-13160	HERPOLSHEIMERS INC	1	764.00	N		
01-14410	LINCOLN WINWATER WORKS	2	685.72	N		
01-14470	FARMERS COOPERATIVE	2	202.50	N		
01-14670	OCLC INC	1	466.79	N		
01-14740	BRIAN QUICK	1	41.69	N		
01-14810	BRANDON OSENTOWSKI	1	40.00	N		
01-14880	ALFRED BENESCH & CO	1	118.50	N		
01-15880	CHARLIE'S U-SAVE RX	1	180.38	N		
01-15930	STERICYCLE INC	1	402.09	N		
01-15980	HDR ENGINEERING INC	4	29,030.99	N		
01-16050	DAWSON ELECTRIC INC	2	529.03	N		
01-16710	ONE CALL CONCEPTS INC	1	113.43	N		
01-16900	AQUA-CHEM INC	2	3,078.76	N		

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ACCOUNTS PAYABLE  
 DISBURSEMENT REPORT

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VENDOR	NAME	NO# INVOICES	TOTAL AMOUNT	1099	G/L ACCT NO#	G/L NAME	G/L AMOUNT
01-17090	BLUE RIVER POWER	1	130.00		N		
01-17810	DEBORA ROBERTSON	1	110.00		N		
01-19280	PARAMOUNT LINEN & UNIFORM	11	57.79		N		
01-19320	CCS PRESENTATION SYSTEM	1	470.00		N		
01-19370	NE TECHNOLOGY & TELECOMMU	3	173.16		N		
01-19570	AED PROFESSIONALS	1	1,493.61		N		
01-19640	ELECTRONIC CONTRACTING CO	1	87.00		N		
01-21320	CULLIGAN	1	77.00		N		
01-21420	TRANE US INC	4	93,529.91		N		
01-21830	MOTION PICTURE LICENSING	1	135.83		N		
01-22050	HEAVY METAL SUPPLY CO	1	34.95		N		
01-22100	SLACK AUTO SUPPLY LLC	9	177.28		N		
01-22660	SPECTRUM ENTERPRISE	1	1,845.74		N		
01-22700	SPECTRUM BUSINESS	3	321.91		N		
01-23070	AMERICAN RED CROSS	1	40.00		N		
01-23560	ANIMAL CONTROL TRAINING S	1	744.09		N		
01-24090	AXIA PAYMENTS	1	318.84		N		
01-24440	QUALITY SOUND & COMMUNICA	1	35.00		Y		
01-24700	WOODS & AITKEN	1	91.50		Y		
01-24800	HAYLIE ZIMA	1	66.08		N		
01-25530	SAM'S CLUB MC/SYNCB	1	5,418.20		N		
01-25820	MERCHANT SERVICES	1	1,648.47		N		
01-26010	SOARIN GROUP	1	790.50		N		
01-26020	POMP'S TIRE SERVICE INC	1	506.00		N		
01-26510	QUADIENT LEASING	1	630.00		N		
01-27010	ICON IMPROVEMENTS LLC	1	89,240.00		N		
01-27150	ROADBUILDERS MACHINERY &	1	543.12		N		

07-13-2021 10:37 AM  
 VENDOR SET: 01 CITY OF YORK  
 VENDOR CLASS(ES): ALL CLASSES

ACCOUNTS PAYABLE  
 DISBURSEMENT REPORT

PAGE: 5  
 BANK: ALL

SORTED BY VENDOR

VENDOR	NAME	NO# INVOICES	TOTAL AMOUNT	G/L 1099	ACCT NO#	G/L NAME	G/L AMOUNT
01-27210	MIDWEST AUTO PARTS INC.	1	132.67	N			
01-27400	WY-AD ENTERPRISES LLC	1	171,301.15	Y			
01-27480	BRIAN ROWE	1	975.00	N			
01-27490	SUE CRAWFORD	2	176.64	N			
01-27500	NEBRASKA GENERATOR SERVIC	1	24,425.12	N			
01-27510	KIESLER POLICE SUPPLY	1	348.00	N			
01-27570	LINCOLN CREEK ELECTRIC	1	1,570.84	Y			
01-27640	EMILY PERRY	1	59.92	N			
01-27650	ASHLEIGH HILLS	1	61.04	N			
01-27660	PORTER TRUSTIN CARLSON CO	1	1,378.40	N			
01-27670	TODAY'S BUSINESS SOLUTION	1	420.00	N			
01-27680	CUSTOM PROJECT LLC	1	4,745.00	N			
01-27690	CRYSTAL COX	1	20.00	N			
01-27700	MODERN OFFICE	1	1,775.00	N			
01-27720	SEWARD COUNTY CHAMBER & D	1	50.00	N			
01-27730	BEN FRANCISCO	1	102.93	N			
*** REPORT TOTALS ***		294	751,515.72				

# STAEHRWAY BUSINESS PARK - 2ND PLATTING

## CITY OF YORK, YORK COUNTY, NEBRASKA

**DEED OF DEDICATION:**

KNOW ALL MEN BY THESE PRESENTS, THAT ME, MCLEAN BEEF, INC., JEANETTE F. MCLEAN, PRESIDENT/SECRETARY AND HENDERSON STATE BANK, STEPHEN R. PETERSON, VICE PRESIDENT, BEING THE OWNERS OF THE LAND DESCRIBED HEREON HAVE CAUSED THE SAME TO BE SURVEYED, PLATTED AND DESIGNATED AS STAEHRWAY BUSINESS PARK - SECOND PLATTING AS SHOWN ON THE ACCOMPANYING PLAT THEREOF, AND DO HEREBY FREELY AND VOLUNTARILY DEDICATE THE STREETS AND EASEMENTS AS SHOWN THEREON FOR THE LOCATION, CONSTRUCTION, AND MAINTENANCE OF PUBLIC SERVICE UTILITIES, FOREVER, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS THEREON, AND THAT THE FOREGOING DEDICATION IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS AND PROPRIETORS.

BY: MCLEAN BEEF, INC., JEANETTE F. MCLEAN, PRESIDENT/SECRETARY

BY: HENDERSON STATE BANK, STEPHEN R. PETERSON, VICE PRESIDENT

**ACKNOWLEDGMENT:**

STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_  
 ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY (NAME THE ABOVE NAMED MCLEAN BEEF, INC., JEANETTE F. MCLEAN, PRESIDENT/SECRETARY, TO BE PERSONALLY KNOWN TO ME TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE DEDICATION OF THIS PLAT AND SHE ACKNOWLEDGES THE EXECUTION THEREOF TO BE HER VOLUNTARY ACT AND DEED.

MY COMMISSION EXPIRES ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

NOTARY PUBLIC:

**ACKNOWLEDGMENT:**

STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_  
 ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY (NAME THE ABOVE NAMED HENDERSON STATE BANK, STEPHEN R. PETERSON, VICE PRESIDENT, TO BE PERSONALLY KNOWN TO ME TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE DEDICATION OF THIS PLAT AND HE ACKNOWLEDGES THE EXECUTION THEREOF TO BE HIS VOLUNTARY ACT AND DEED.

MY COMMISSION EXPIRES ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

NOTARY PUBLIC:

**CITY COUNCIL ACCEPTANCE:**

THIS PLAT OF STAEHRWAY BUSINESS PARK - SECOND PLATTING IN THE SE 1/4 OF SECTION 13, TOWNSHIP 10 NORTH, RANGE 3 WEST OF THE 6TH PM, YORK COUNTY, NEBRASKA WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF YORK, NEBRASKA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021 A.D.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021 A.D.

BY: BARRY H. PETERSON - MAYOR

ATTEST: C. JEAN THIBEL - CITY CLERK

**APPROVAL OF THE CITY PLANNING COMMISSION:**

THIS PLAT OF STAEHRWAY BUSINESS PARK - SECOND PLATTING IN THE SE 1/4 OF SECTION 13, TOWNSHIP 10 NORTH, RANGE 3 WEST OF THE 6TH PM, YORK COUNTY, NEBRASKA WAS APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF YORK, YORK COUNTY, NEBRASKA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021 A.D.

BY: CHAIRPERSON

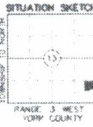
**APPROVAL OF THE PUBLIC WORKS DIRECTOR:**

THIS PLAT IS HEREBY APPROVED AND ACCEPTED BY THE DIRECTOR OF PUBLIC WORKS, YORK NEBRASKA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021 A.D.

BY: DIRECTOR

**COUNTY TREASURER CERTIFICATE:**

THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBARRASSED IN THE PLAT AS SHOWN BY RECORDS OF THIS OFFICE.



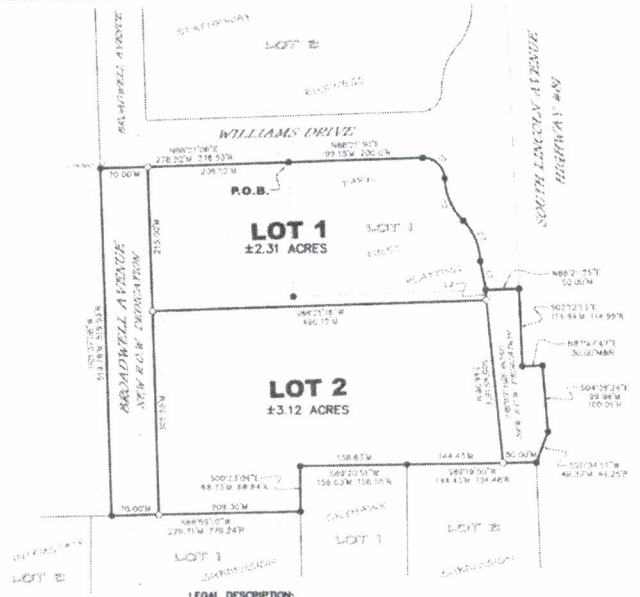
**LEGEND**

- P PLATTED DISTANCE
- M MEASURED DISTANCE
- R RECORDED DISTANCE
- G GOVERNMENT DISTANCE
- POINT 3/4" REBAR UNLESS NOTED OTHERWISE
- SET 6"X6"X24" REBAR W/YELLOW PLASTIC CAP STAMPED "THIS IS A WEST"
- ▣ SECTION CORNER
- △ CALCULATED POINT
- ▽ SET CHISELED "X"
- FENCE LINE

CHORD BEARING	CHORD LENGTH	ARC BEARING	ARC LENGTH
S00°13'07"W	48.73	S00°13'07"W	48.73
S00°13'07"W	48.73	S00°13'07"W	48.73
S00°13'07"W	48.73	S00°13'07"W	48.73
S00°13'07"W	48.73	S00°13'07"W	48.73

**LINE TABLE**

LINE NO.	BEARING	DISTANCE	POINT
1	S00°13'07" W	48.73	1
2	S00°13'07" W	48.73	2
3	S00°13'07" W	48.73	3
4	S00°13'07" W	48.73	4



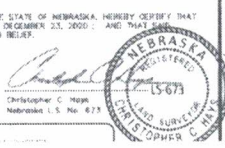
**LEGAL DESCRIPTION:**

A TRACT OF LAND COMPRISING A PART OF LOT 1, STAEHRWAY BUSINESS PARK FIRST PLATTING, AND A PART OF THE SE 1/4 OF SECTION 13, TOWNSHIP 10 NORTH, RANGE 3 WEST OF THE 6TH PM, YORK COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS, BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE N89°15'50"E, AND ON THE NORTH LINE OF SAID LOT 1, 196.15 FEET TO A POINT OF CURVATURE; THENCE ON A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 50.00 FEET, A RADIUS OF 25.00 FEET, A CHORD BEARING OF S48°42'47"E, AND A CHORD LENGTH OF 45.24 FEET TO A 3/4" REBAR; THENCE WITH A REVERSE CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 71.00 FEET, A RADIUS OF 35.50 FEET, A CHORD BEARING OF S21°20'25"E, AND A CHORD LENGTH OF 89.54 FEET TO A 3/4" REBAR; THENCE WITH A REVERSE CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 86.70 FEET, A RADIUS OF 43.35 FEET, A CHORD BEARING OF S22°07'27"E, AND A CHORD LENGTH OF 63.04 FEET TO A 3/4" REBAR; THENCE S11°01'07"E, 43.33 FEET TO A 5/8" REBAR WALCAP; THENCE N89°15'50"E, 50.00 FEET TO A 3/4" REBAR; THENCE S02°12'37"E, 114.84 FEET TO A 3/4" REBAR; THENCE N87°47'47"E, 30.00 FEET TO A 3/4" REBAR; THENCE S04°32'24"E, 98.98 FEET TO A 3/4" REBAR; THENCE S02°34'51"W, 49.37 FEET TO A 3/4" REBAR; THENCE S89°15'50"W, 184.43 FEET TO A 3/4" REBAR; THENCE S89°20'51"W, 158.63 FEET TO A 3/4" REBAR; THENCE S82°07'04"E, 86.73 FEET TO A 1" IRON BAR; THENCE S89°10'10"W, 278.31 FEET TO A 3/4" REBAR; THENCE N01°37'08"W, 519.78 FEET TO A 5/8" REBAR WALCAP; THENCE N89°15'04"E, 278.52 FEET TO THE POINT OF BEGINNING AND CONTAINING 6.61 ACRES MORE OR LESS.

**SURVEYOR'S CERTIFICATE:**

I, CHRISTOPHER C. HAYS, A REGISTERED SURVEYOR OF THE STATE OF NEBRASKA, HEREBY CERTIFY THAT THIS SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION, DECEMBER 23, 2020; AND THAT SAID SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

VITAL SURVEYOR



DATE: \_\_\_\_\_ TITLE: \_\_\_\_\_

**RESOLUTION 2021-18**

BE IT RESOLVED by the Mayor and City Council of the City of York, Nebraska:

Section 1. The following bonds, in accordance with their option provisions are hereby authorized to be irrevocably called for redemption on a date to be determined, as provided in a Direction for Call (as defined below):

Limited Sales and Property Tax Supported Infrastructure Bonds, Series 2020, of the City of York, Nebraska, issued in the authorized principal amount of Five Million Dollars (\$5,000,000).

Said bonds are hereinafter referred to as the "Refunded Bonds."

Section 2. The Refunded Bonds are to be paid off by the designated Paying Agent and Registrar for the Refunded Bonds (the "Paying Agent").

Section 3. The Mayor, City Administrator or City Treasurer (each, an "Authorized Officer") each are individually hereby authorized at any time on or after the date of this resolution to direct the irrevocable call of all or a portion of the Refunded Bonds on behalf of the City and such direction, when made in writing (the "Direction for Call"), shall constitute the action of the City without further action of the City. The Direction for Call shall include a description of that portion of the Refunded Bonds called for redemption as determined appropriate by the Authorized Officers. The Call Date shall be determined in the Direction for Call, and such direction shall be made by an Authorized Officer not later than June 30, 2022, after which date the Authorized Officers shall have no authority to make any such determination hereunder without further action of the City and this resolution shall be of no further force and effect.

Section 4. An executed Direction for Call shall be filed with the Paying Agent, which is necessary in order for the call of the Refunded Bonds as called for redemption in the Direction for Call to be effective hereunder. The Paying Agent shall be directed in the Direction for Call to mail notice to each registered owner of the Refunded Bonds, all in accordance with the ordinance authorizing the issuance of the Refunded Bonds.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

ORDINANCE NO. 2287

AN ORDINANCE OF THE CITY OF YORK, NEBRASKA, AUTHORIZING THE ISSUANCE OF LIMITED SALES AND PROPERTY TAX SUPPORTED INFRASTRUCTURE AND REFUNDING BONDS OF THE CITY OF YORK (THE "CITY"), IN THE AGGREGATED STATED PRINCIPAL AMOUNT OF NOT TO EXCEED FIVE MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$5,750,000) TO REFUND CERTAIN OUTSTANDING BONDS OF THE CITY AND TO PROVIDE FUNDS TO CONSTRUCT IMPROVEMENTS AND ADDITIONS TO THE COMMUNITY CENTER AND AUDITORIUM OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE APPLICATION OF CERTAIN SALES TAX REVENUES AND FOR THE LEVY AND COLLECTION OF PROPERTY TAXES (WITHIN CERTAIN LIMITATIONS) TO PAY THE SAME; AUTHORIZING THE OFFICERS OF THE CITY TO DESIGNATE FINAL TERMS FOR SAID BONDS WITHIN STATED PARAMETERS; AUTHORIZING THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

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

Section 1. Findings and Determinations. The Mayor and City Council of the City of York, Nebraska (the "City") hereby find and determine the following matters:

(a) that the City has issued and there remain outstanding the following bonds, which were issued as interim financing to finance improvements to the City Community Center and Auditorium (the "2020 Project"):

Limited Sales and Property Tax Supported Infrastructure Bonds, Series 2020, in the authorized principal amount of \$5,000,000 (the "Refunded Bonds");

(b) that the issuance of the Refunded Bonds was approved at the general election held on November 4, 2014 (the "General Election"), where there was submitted to the qualified electors of the City a ballot question (the "Additional Sales Tax Question") for the imposing of a sales and use tax increasing the current rate to a rate greater than one and one-half percent in the form of an additional one-half percent (for an aggregate sales tax rate to be in effect of two percent) (the "Additional Sales Tax");

(c) that the Additional Sales Tax Question, according to the report of the County Clerk of York County, and upon proper canvass of the results of the General Election, received votes cast "Yes" in the number of 1,226, and votes cast "No" in the number of 1,186, and that such question received the affirmative vote of a majority of votes cast at the General Election;

(d) that notice of the submission of such proposition was published as required by law;

(e) that, under the terms of the Additional Sales Tax Question, the proceeds from the Additional Sales Tax are to be used to fund local public recreation and public infrastructure projects with the Additional Sales Tax to apply for ten years or until payment of bonds or refunding bonds is complete, whichever occurs later;

(f) that included within the projects and purposes as set forth in the Additional Sales Tax Question was construction of a multi-ballfield complex, implementation of a quiet zone for railroad crossings, completion of a new press box and lockers at Levitt Stadium, resurfacing of tennis courts and tracks and other projects for the benefit of the City, such as the 2020 Project (collectively, the “Projects”);

(g) that as required under the terms of Section 77-27,142 R.R.S., as amended (including predecessor sections thereto in effect from time to time, “Section 77-27,142”), the City has entered into and is currently a party to an interlocal agreement under the Interlocal Cooperation Act with the York County School District 0012 (the “Required Interlocal Agreement”) for the public infrastructure projects funded with a portion of the receipts from the Additional Sales Tax;

(h) that the Required Interlocal Agreement (A) provides for the creation of a separate administrative entity relating to the covered public infrastructure projects and such entity was not in existence for one calendar year or more preceding the submission of the Additional Sales Tax Question, and (B) also contains provisions, including benchmarks, relating to the long term development of unified governance of public infrastructure projects with respect to the parties;

(i) that the Refunded Bonds have been authorized to be called for redemption in accordance with their call provisions on a date to be determined by an Authorized Officer of the City (the “Redemption Date”);

(j) since the Refunded Bonds were issued, the rates of interest available in the market have declined such that by taking up and paying off all or a portion of the Refunded Bonds through the issuance of refunding bonds as provided herein, a savings in the overall amount of interest cost will be realized by the City;

(k) that in addition to paying off the Refunded Bonds, the City also desires to issue additional funds to finance the completion of the Projects;

(l) In addition to the Refunded Bonds, the City has heretofore issued and outstanding the following bonds which are a lien upon and secured by a pledge of the Additional Sales Tax (collectively, the “Outstanding Bonds”):

- (1) Limited Sales and Property Tax Supported Infrastructure Refunding Bonds, Series 2021, dated April 1, 2021, issued in the original stated principal amount of \$7,700,000.

The Refunded Bonds and the Outstanding Bonds constitute the only presently outstanding indebtedness of the City payable from the Additional Sales Tax.

(m) that all conditions, acts and things required by law to exist and to be done according to law, specifically the provisions of Sections 77-27,142 and 10-142, R.R.S. Neb. 2012, as amended, do exist and have been done as required for the issuance of the City's Limited Sales and Property Tax Supported Infrastructure and Refunding Bonds, in the aggregate principal amount of up to \$5,750,000 do exist and have happened.

Section 2. Authorization of Bonds; Designation of Terms; Limitations. For the purposes described in Section 1 hereof, there shall be and there are hereby ordered issued Limited Sales and Property Tax Supported Infrastructure and Refunding Bonds of the City of York, Nebraska, to be issued in the aggregate stated principal amount of not to exceed Five Million Seven Hundred Fifty Thousand Dollars (\$5,750,000) (the "Bonds"); provided, that the Bonds shall be issued in such amounts, shall mature on such dates and in such amounts, be subject to redemption, shall bear interest at the rate or rates per annum and shall be issued and sold on such terms as shall be determined in a written designation for the Bonds (the "Designation") signed by the Mayor, City Administrator or City Treasurer (each, an "Authorized Officer") on behalf of the City and which may be agreed to by Piper Sandler & Co. (the "Underwriter"), all within the following limitations:

(a) the aggregate principal amount of the Bonds shall not exceed \$5,750,000, provided, however, in the event the Bonds are sold at a net original issue discount such aggregate principal amount may be increased in such amount as is necessary to compensate for any such net original issue discount;

(b) the aggregate amount of original issue premium and original issue discount (if any) may result in an aggregate net original issue discount (if any) not in excess of two percent (2.00%) of the stated principal amount of the Bonds;

(c) the longest maturity of the Bonds may not be later than December 31, 2042;

(d) the true interest cost of the Bonds may not exceed 3.00%;

(e) the Bonds shall bear interest at such rates per annum so that debt service payable on the Bonds provides at least a net present value savings to the City over the debt service payable on the Refunded Bonds in an amount satisfactory to the City (the execution of the Designation by an Authorized Officer shall be conclusive evidence that such net present value savings is satisfactory to the City);

(f) two or more of the principal maturities may be combined and issued as "term bonds" and the Authorized Officer may determine the mandatory sinking fund payments and mandatory redemption amounts. Any Bonds issued as "term bonds" shall be redeemed at a redemption price equal to 100% of the principal amount thereof plus accrued interest thereon to the date of redemption and may be selected for redemption by any

random method of selection determined appropriate by the Registrar (as hereinafter designated) or by the Depository (as hereinafter designated).

The Authorized Officers (or any one of them) are hereby authorized to make such determinations for the Bonds on behalf of the Mayor and Council and to evidence the same by execution and delivery of a Designation (which may be, or be a part of, a bond purchase agreement as described in Section 9 below) and such determinations, when made and agreed to by the Underwriter, shall constitute the action of the Mayor and Council without further action of the Mayor and Council.

The Bonds shall be issued in fully registered form in the denomination of \$5,000 or any integral multiple thereof. The date of original issue for the Bonds shall be the date of delivery thereof. Interest on the Bonds, at the respective rates for each maturity, shall be payable on April 1, 2022, and semi-annually thereafter on April 1 and October 1 of each year (or such other interest payment date or dates as may be set out in the applicable Designation, each an "Interest Payment Date"), and the Bonds shall bear such interest from the date of original issue or the most recent Interest Payment Date to which interest has been paid or provided for, whichever is later. The interest due on each Interest Payment Date shall be payable to the registered owners of record as of the fifteenth day immediately preceding the Interest Payment Date (or such other record date as may be set out in the applicable Designation, the "Record Date"), subject to the provisions of Section 4 hereof. The bonds shall be numbered from 1 upwards in the order of their issuance. No Bond shall be issued originally or upon transfer or partial redemption having more than one principal maturity. The bond numbering and principal amounts for each of the Bonds issued shall be as directed by the initial purchaser thereof. Payments of interest due on the Bonds prior to maturity or earlier redemption shall be made by the Paying Agent and Registrar, as designated pursuant to Section 3 hereof, by mailing a check or draft in the amount due for such interest on each Interest Payment Date to the registered owner of each Bond, as of the Record Date for such Interest Payment Date, to such owner's registered address as shown on the books of registration as required to be maintained in Section 3 hereof. Payments of principal due at maturity or at any date fixed for redemption prior to maturity, together with any unpaid accrued interest thereon, shall be made by said Paying Agent and Registrar to the registered owners upon presentation and surrender of the Bonds to said Paying Agent and Registrar. The City and said Paying Agent and Registrar may treat the registered owner of any Bond as the absolute owner of such Bond for the purpose of making payments thereon and for all other purposes and neither the City nor the Paying Agent and Registrar shall be affected by any notice or knowledge to the contrary, whether such Bond or any installment of interest due thereon shall be overdue or not. All payments on account of interest or principal made to the registered owner of any Bond in accordance with the terms of this Ordinance shall be valid and effectual and shall be a discharge of the City and said Paying Agent and Registrar, in respect of the liability upon the Bonds or claims for interest to the extent of the sum or sums so paid.

Section 3. Paying Agent and Registrar; Books of Registration. Unless otherwise provided in the Designation, Cornerstone Bank of York, Nebraska is hereby designated to serve as initial Paying Agent and Registrar for the Bonds. Said Paying Agent and Registrar shall serve in such capacities under the terms of this Ordinance and an agreement between the City and the Paying Agent and Registrar. Such Paying Agent and Registrar may be replaced with a successor Paying Agent and Registrar as may be determined by the Mayor and Council. The officers of the

City are authorized to approve and enter into any agreements with said Paying Agent and Registrar or successor Paying Agent and Registrar, as applicable, in connection therewith (said initial Paying Agent and Registrar, and any successor Paying Agent and Registrar appointed pursuant to this Section 3, is hereby referred to as the "Paying Agent and Registrar"). The Paying Agent and Registrar shall keep and maintain for the City books for the registration and transfer of the Bonds at its principal office. The names and registered addresses of the registered owner or owners of the Bonds shall at all times be recorded in such books. Any Bond may be transferred pursuant to its provisions at the office of said Paying Agent and Registrar by surrender of such Bond for cancellation, accompanied by a written instrument of transfer, in form satisfactory to said Paying Agent and Registrar, duly executed by the registered owner in person or by such owner's duly authorized agent, and thereupon the Paying Agent and Registrar, on behalf of the City, will deliver at its office (or send by registered mail to the transferee owner or owners thereof at such transferee owner's or owners' risk and expense), registered in the name of the transferee owner or owners, a new Bond or Bonds of the same series, interest rate, aggregate principal amount and maturity. To the extent of the denominations authorized for the Bonds by this Ordinance, one Bond may be transferred for several such Bonds of the same series, interest rate and maturity, and for a like aggregate principal amount, and several such Bonds may be transferred for one or several such Bonds, respectively, of the same series, interest rate and maturity and for a like aggregate principal amount. In every case of transfer of a Bond, the surrendered Bond shall be canceled and destroyed. All Bonds issued upon transfer of the bonds so surrendered shall be valid obligations of the City evidencing the same obligation as the Bonds surrendered and shall be entitled to all the benefits and protection of this Ordinance to the same extent as the Bonds upon transfer of which they were delivered. The City and said Paying Agent and Registrar shall not be required to transfer any Bond during any period from any Record Date until its immediately following Interest Payment Date or to transfer any Bond called for redemption for a period of 30 days next preceding the date fixed for redemption.

Section 4. Delinquent Payments; Special Record Date. In the event that payments of interest due on the Bonds on an Interest Payment Date are not timely made, such interest shall cease to be payable to the registered owners as of the Record Date for such Interest Payment Date and shall be payable to the registered owners of the Bonds as of a special date of record for payment of such defaulted interest as shall be designated by the Paying Agent and Registrar whenever monies for the purpose of paying such defaulted interest become available.

Section 5. Redemption of Bonds. The Bonds shall be subject to redemption at the option of the City, in whole or in part, prior to maturity at any time on or after the fifth (5<sup>th</sup>) anniversary of the date of delivery thereof (or such other early redemption date as may be set out in the Designation) at par plus accrued interest on the principal amount redeemed to the date fixed for redemption. The City may select the Bonds to be redeemed for optional redemption in its sole discretion. Bonds shall be redeemed only in amounts of \$5,000 or integral multiples thereof. Bonds redeemed in part only shall be surrendered to said Paying Agent and Registrar in exchange for a new Bond or Bonds evidencing the unredeemed principal thereof. Notice of redemption of any Bond called for redemption shall be given at the direction of the City for optional redemption by said Paying Agent and Registrar by mail not less than 30 days prior to the date fixed for redemption, first class, postage prepaid, sent to the registered owner of such Bond at said owner's registered address. Such notice shall designate the Bond or Bonds to be redeemed by maturity or

otherwise, the date of original issue and the date fixed for redemption and shall state that such Bond or Bonds are to be presented for prepayment at the office of said Paying Agent and Registrar. In case of any Bond partially redeemed, such notice shall specify the portion of the principal amount of such Bond to be redeemed. No defect in the mailing of notice for any Bond shall affect the sufficiency of the proceedings of the City designating the Bonds called for redemption or the effectiveness of such call for Bonds for which notice by mail has been properly given and the City shall have the right to further direct notice of redemption for any such Bond for which defective notice has been given. In the event term maturities and mandatory redemption amounts are determined in the Designation, the provisions of this Section 5 shall apply generally to mandatory redemptions.

Section 6. Non-Business Days. If the date for payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the city where the office of the Paying Agent and Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

Section 7. Form of Bonds. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA  
STATE OF NEBRASKA  
COUNTY OF YORK

LIMITED SALES AND PROPERTY TAX SUPPORTED INFRASTRUCTURE AND  
REFUNDING BOND  
OF THE CITY OF YORK, NEBRASKA  
SERIES 2021B

No. R\_\_ - \_\_

<u>Interest Rate</u> %	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
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Registered Owner:           Cede & Co.

Principal Amount:

KNOW ALL PERSONS BY THESE PRESENTS: That the City of York, in the County of York, in the State of Nebraska (the "City"), hereby acknowledges itself to owe and for value received promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above in lawful money of the United States of America on the date of maturity specified above with interest thereon to maturity (or earlier redemption) from the date of original issue or the most recent Interest Payment Date to which interest has been paid or provided for, whichever is later, at the rate per annum specified above, payable \_\_\_\_\_, \_\_\_\_\_ and semiannually thereafter on April 1 and October 1 of each year (each an "Interest Payment Date"). Said interest shall be computed on the basis of a 360-day year consisting of twelve 30-day months. The principal hereof, together with unpaid accrued interest due at maturity or upon earlier redemption, is payable upon presentation and surrender of this bond at the office of Cornerstone Bank (or any successor), as the Paying Agent and Registrar, in York, Nebraska. Interest on this bond due prior to maturity or earlier redemption will be paid on each Interest Payment Date by a check or draft mailed on such Interest Payment Date by the Paying Agent and Registrar to the registered owner of this bond, as shown on the books of record maintained by the Paying Agent and Registrar, at the close of business on the fifteenth day immediately preceding the Interest Payment Date (the "Record Date"), to such owner's address as shown on such books and records. Any interest not so timely paid shall cease to be payable to the person entitled thereto as of the record date such interest was payable and shall be payable to the person who is the registered owner of this bond (or of one or more predecessor bonds hereto) on such special record date for payment of such defaulted interest as shall be fixed by the Paying Agent and Registrar whenever monies for such purpose become available.

This bond is one of an issue of fully registered bonds of the total principal amount of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), of even date and like tenor herewith, except as to date of maturity and rate of interest and denomination, which were issued by the City to refund the City's Limited Sales and Property Tax Supported Infrastructure Bonds, Series 2020, and to provide funds to pay the cost of construction of improvements and additions to the community center and

auditorium of the City, in pursuance of Sections 77-27,142 and 10-142, R.R.S. Neb., as amended, and other applicable statutes and has been duly authorized by ordinance legally passed, approved and published and by proceedings duly had by the Mayor and City Council of said City (the "Ordinance"). The Ordinance authorizes the bonds in an aggregate principal amount of up to \$5,750,000.

The bonds of this issue are subject to redemption at the option of the City, in whole or in part, prior to maturity at any time on or after the fifth anniversary of the date of original issue thereof, at par plus interest accrued on the principal amount redeemed to the date fixed for redemption. Notice of redemption shall be given by mail to the registered owner of any bond to be redeemed in the manner specified in the Ordinance. Individual bonds may be redeemed in part but only in \$5,000 amounts or integral multiples thereof. If less than all of the principal sum hereof is to be redeemed, in such case upon the surrender hereof, there shall be issued to the registered owner hereof, without charge therefor, a registered bond or registered bonds for the unpaid principal balance, maturity and interest rate in any of the authorized denominations provided for in the Ordinance.

This bond is transferable by the registered owner or such owner's attorney duly authorizing in writing at the office of the Paying Agent and Registrar upon surrender and cancellation of this bond, and thereupon a new bond or bonds of the same aggregate principal amount, interest rate and maturity will be issued to the transferee as provided in the Ordinance, subject to the limitations therein prescribed. The City, the Paying Agent and Registrar and any other person may treat the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment due hereunder and for all purposes and shall not be affected by any notice to the contrary, whether this bond be overdue or not.

If the date for payment of the principal or interest on this bond shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the city where the office of the Paying Agent and Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such date shall have the same force and effect as if made on the nominal date of payment.

IT IS HEREBY CERTIFIED AND WARRANTED that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this bond do exist, have happened and were done and performed in regular and due form and time as required by law and that the indebtedness of said City, including this bond, does not exceed any limitation imposed by law. The City hereby pledges receipts from the additional sales and use tax approved by the electors of the City at the general election held on November 4, 2014 for the payment of the principal and interest on this bond and the other bonds of this issue and all other bonds issued pursuant to Section 77-27,142 R.R.S. Neb. (such bonds, the "Infrastructure Bonds"), equally and ratably, and, in addition, the City agrees that it will cause to be levied and collected annually a tax by valuation on all the taxable property in the City, in addition to all other taxes, subject to the applicable limitations provided for in Section 77-3442, R.R.S. Neb., as amended, sufficient in rate and amount to fully pay the principal and interest of this bond and the other bonds of this issue, and all other Infrastructure Bonds, equally and ratably, as the same become due.

AS PROVIDED IN THE ORDINANCE REFERRED TO HEREIN, UNTIL THE TERMINATION OF THE SYSTEM OF BOOK-ENTRY-ONLY TRANSFERS THROUGH THE DEPOSITORY TRUST COMPANY, NEW YORK, NEW YORK (TOGETHER WITH ANY SUCCESSOR SECURITIES DEPOSITORY APPOINTED PURSUANT TO THE ORDINANCE, "DTC"), AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THE ORDINANCE TO THE CONTRARY, A PORTION OF THE PRINCIPAL AMOUNT OF THIS BOND MAY BE PAID OR REDEEMED WITHOUT SURRENDER HEREOF TO THE REGISTRAR. DTC OR A NOMINEE, TRANSFEREE OR ASSIGNEE OF DTC OF THIS BOND MAY NOT RELY UPON THE PRINCIPAL AMOUNT INDICATED HEREON AS THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID. THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID SHALL FOR ALL PURPOSES BE THE AMOUNT DETERMINED IN THE MANNER PROVIDED IN THE ORDINANCE.

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED OFFICER OF DTC (A) TO THE REGISTRAR FOR REGISTRATION OF TRANSFER OR EXCHANGE OR (B) TO THE REGISTRAR FOR PAYMENT OF PRINCIPAL, AND ANY BOND ISSUED IN REPLACEMENT HEREOF OR SUBSTITUTION HEREFOR IS REGISTERED IN THE NAME OF DTC AND ANY PAYMENT IS MADE TO DTC OR ITS NOMINEE, ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL BECAUSE ONLY THE REGISTERED OWNER HEREOF, DTC OR ITS NOMINEE, HAS AN INTEREST HEREIN.

This bond shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar.

IN WITNESS WHEREOF, the Mayor and City Council of the City of York, Nebraska, have caused this bond to be executed on behalf of the City with the manual or facsimile signatures of the Mayor and the City Clerk and by causing the official seal of the City to be impressed or imprinted hereon, all as of the date of original issue specified above.

CITY OF YORK, NEBRASKA

ATTEST:

Sample – do not sign  
Mayor

Sample – do not sign  
City Clerk

[SEAL]

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds authorized by ordinance passed and approved by the Mayor and City Council of the City of York, Nebraska as described in said bond.

CORNERSTONE BANK, York, Nebraska,  
as Paying Agent and Registrar

Sample – do not sign

(FORM OF ASSIGNMENT)

For value received \_\_\_\_\_ hereby sells, assigns and transfers unto \_\_\_\_\_ the within bond and hereby irrevocably constitutes and appoints \_\_\_\_\_, attorney, to transfer the same on the books of registration in the office of the within mentioned Paying Agent and Registrar with full power of substitution in the premises.

Date: \_\_\_\_\_

\_\_\_\_\_  
Registered Owner

Witness: \_\_\_\_\_

Note: The signature(s) of this assignment must correspond with the name(s) as written on the face of the within bond in every particular, without alteration, enlargement or any change whatsoever.

Section 8. Execution of Bonds; Book-Entry System. Each of the Bonds shall be executed on behalf of the City with the manual or facsimile signatures of the Mayor and City Clerk and shall have impressed or imprinted thereon the City's seal. The Bonds shall be issued initially as "book-entry-only" bonds using the services of The Depository Trust Company (the "Depository"), with one typewritten bond per maturity being issued to the Depository. In such connection said officers are authorized to execute and deliver a letter of representations (the "Letter of Representations") in the form required by the Depository (including any blanket letter previously executed and delivered), for and on behalf of the City, which shall thereafter govern matters with respect to registration, transfer, payment and redemption of the Bonds. Upon the issuance of the Bonds as "book-entry-only" bonds, the following provisions shall apply:

(a) The City and the Paying Agent and Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which the Depository holds Bonds as securities depository (each, a "Bond Participant") or to any person who is an actual purchaser of a Bond from a Bond Participant while the Bonds are in book-entry form (each, a "Beneficial Owner") with respect to the following:

(i) the accuracy of the records of the Depository, any nominees of the Depository or any Bond Participant with respect to any ownership interest in the Bonds,

(ii) the delivery to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or

(iii) the payment to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the Bonds.

The Paying Agent and Registrar shall make payments with respect to the Bonds only to or upon the order of the Depository or its nominee, and all such payments shall be valid and effective fully to satisfy and discharge the obligations with respect to such Bonds to the extent of the sum or sums so paid. No person other than the Depository shall receive an authenticated Bond, except as provided in (e) below.

(b) Upon receipt by the Paying Agent and Registrar of written notice from the Depository to the effect that the Depository is unable or unwilling to discharge its responsibilities, the Paying Agent and Registrar shall issue, transfer and exchange Bonds requested by the Depository in appropriate amounts. Whenever the Depository requests the Paying Agent and Registrar to do so, the Paying Agent and Registrar will cooperate with the Depository in taking appropriate action after reasonable notice (i) to arrange, with the prior written consent of the City, for a substitute depository willing and able upon reasonable and customary terms to maintain custody of the Bonds or (ii) to make available Bonds

registered in whatever name or names the Beneficial Owners transferring or exchanging such Bonds shall designate.

(c) If the City determines that it is desirable that certificates representing the Bonds be delivered to the Bond Participants and/or Beneficial Owners of the Bonds and so notifies the Paying Agent and Registrar in writing, the Paying Agent and Registrar shall so notify the Depository, whereupon the Depository will notify the Bond Participants of the availability through the Depository of bond certificates representing the Bonds. In such event, the Paying Agent and Registrar shall issue, transfer and exchange bond certificates representing the Bonds as requested by the Depository in appropriate amounts and in authorized denominations.

(d) Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bond is registered in the name of the Depository or any nominee thereof, all payments with respect to such Bond and all notices with respect to such Bond shall be made and given, respectively, to the Depository as provided in the Letter of Representations.

(e) Registered ownership of the Bonds may be transferred on the books of registration maintained by the Paying Agent and Registrar, and the Bonds may be delivered in physical form to the following:

(i) any successor securities depository or its nominee;

(ii) any person, upon (A) the resignation of the Depository from its functions as depository or (B) termination of the use of the Depository pursuant to this Section (and the Paying Agent and Registrar's Agreement, if any).

(f) In the event of any partial redemption of a Bond unless and until such partially redeemed Bond has been replaced in accordance with the provisions of this Ordinance, the books and records of the Paying Agent and Registrar shall govern and establish the principal amount of such Bond as is then outstanding and all of the Bonds issued to the Depository or its nominee shall contain a legend to such effect.

If for any reason the Depository resigns and is not replaced, the City shall immediately provide a supply of printed bond certificates for issuance upon the transfers from the Depository and subsequent transfers or in the event of partial redemption. In the event that such supply of certificates shall be insufficient to meet the requirements of the Paying Agent and Registrar for issuance of replacement Bonds upon transfer or partial redemption, the City agrees to order printed an additional supply of certificates and to direct their execution by manual or facsimile signature of its then duly qualified and acting Mayor and City Clerk of said City. In case any officer whose signature or facsimile thereof shall appear on any Bond shall cease to be such officer before the delivery of such Bond (including any bond certificates delivered to the Paying Agent and Registrar for issuance upon transfer or partial redemption), such signature or such facsimile signature shall

nevertheless be valid and sufficient for all purposes the same as if such officer or officers had remained in office until the delivery of such Bond.

Section 9. Authentication, Delivery and Sale of Bonds; Bond Purchase Agreement. The Bonds shall not be valid and binding on the City until authenticated by the Paying Agent and Registrar. The Bonds shall be delivered to the Paying Agent and Registrar for registration and authentication. Upon execution, registration and authentication of the Bonds, such bonds shall be delivered to the City Treasurer, who is authorized to deliver them to Underwriter, as initial purchaser thereof, upon receipt of the purchase price to be determined in the Designation plus accrued interest thereon to date of payment of the Bonds. The Underwriter shall have the right to direct the registration of the Bonds and the denominations thereof within each maturity, subject to the restrictions of this Ordinance. The Bonds shall be sold to the Underwriter pursuant to the terms of a bond purchase agreement in form and substance acceptable to an Authorized Officer (subject to the terms set out in Section 2 above), and either of such officers is hereby individually authorized to approve, execute and deliver such agreement for and on behalf of the City.

Section 10. Application of Proceeds. Accrued interest, if any, received from the sale of the Bonds shall be applied to pay interest first falling due on the bonds. Expenses of issuance of the Bonds may be paid from the proceeds of the Bonds. The remaining proceeds of the Bonds, together with other available City funds as required for such purpose, shall be applied to refund the Refunded Bonds and provide funds to pay costs of the Projects.

Section 11. Pledge of Additional Sales Tax; Property Tax. The City hereby pledges receipts from the Additional Sales Tax (as approved by the electors of the City at the general election held on November 4, 2014) equally and ratably for the payment of the principal and interest on the Bonds and the Outstanding Bonds as the same fall due and, in addition, further covenants and agrees that it will cause to be levied and collected annually a tax by valuation on all the taxable property in the City, in addition to all other taxes, subject to the applicable limitations provided for in Section 77-3442, R.R.S. Neb., as amended, sufficient in rate and amount to fully pay the principal and interest of this bond and the other bonds of this issue and the Outstanding Bonds as the same become due, as and to the extent not paid from receipts the Additional Sales Tax as provided in this Ordinance.

Section 12. Debt Service Fund; Sub-Accounts. There has been established in the books and accounts of the City the "Infrastructure Bonds Debt Service Fund" (the "Debt Service Fund"). The Debt Service Fund, and such sub-account, shall be held separate and apart from all other funds and accounts of the City by the City Treasurer. Monies set aside and held in the sub-account within the Debt Service Fund shall be held exclusively for the payment of the Bonds for which they are established. The City hereby agrees that so long as the Bonds remain outstanding, the City shall set aside monies each month from the Additional Sales Tax for the Debt Service Fund in accordance with the following:

A. *Debt Service Fund.* From receipts from the Additional Sales Tax, there shall be deposited to the sub-account for the Bonds in the Debt Service Fund on or before the fifteenth (15th) day of each month the following amounts for the periods indicated:

(1) Commencing with the fifteenth (15th) day of the calendar month following the month in which the date of delivery of the Bonds takes place (the “Initial Deposit Date”), and continuing on the corresponding day of each month thereafter, an amount which, when combined with additional equal monthly amounts to be deposited to the applicable sub-account pursuant to this subparagraph prior to the next falling Interest Payment Date, will be sufficient to provide funds to pay the installment of interest due with respect to the Bonds; and

(2) Commencing with the Initial Deposit Date and continuing on the corresponding day of each month thereafter, an amount which, when combined with additional equal monthly amounts to be deposited to the applicable sub-account pursuant to this subparagraph prior to the next principal maturity date for such Bonds (or mandatory sinking fund redemption date, if applicable), will be sufficient to provide funds to pay such maturing principal amount (or make such mandatory sinking fund redemption payment, if applicable) for such Bonds on such date.

All deposits to the Debt Service Fund and the sub-accounts therein shall be made in such amounts and at such times so that there will be sufficient sums in such fund to meet the payments required to be made by the Paying Agent and Registrar with respect to the Bonds on each interest and principal payment date.

Monies on deposit in the Debt Service Fund may to the extent practicable and reasonable be invested in lawful investments for the City maturing at such times and in such amounts as shall be required to provide monies to make the payments to be made from said Fund. All monies and income from investments made from monies deposited to the Debt Service Fund shall, when realized and collected, be credited to the fund (and sub-account, as applicable) from which such investments were made, unless there shall then be credited thereto the respective full amounts then required by Subsection A of this Section 12, in which event such interest and income shall be treated as other Excess Sales Tax Receipts. All investments held for the credit of any such fund may be sold when required to make the payments to be made from such fund. Any monies credited to any such fund which are not invested shall be deposited and secured in the manner provided by law for deposits of public funds.

Section 13. Tax Covenants; Bank Qualified Bonds. The City hereby covenants with the purchasers and holders of the Bonds herein authorized that it will make no use of the proceeds of said Bonds, including monies held in any sinking fund for the payment of principal and interest on said Bonds, which would cause said Bonds to be arbitrage bonds within the meaning of Sections 103 and 148 and other related sections of the Internal Revenue Code of 1986, as amended, and further covenants to comply with said Sections 103 and 148 and related sections and all applicable regulations thereunder throughout the term of said issue. The City hereby covenants and agrees to take all actions necessary under the Internal Revenue Code of 1986, as amended, to maintain the tax exempt status (as to taxpayers generally) of interest payable on the Bonds. As and to the extent not “deemed designated” the City hereby designates the Bonds as its “qualified tax-exempt obligations” under Section 265 (b)(3)(B)(i)(III) of the Internal Revenue Code of 1986, as amended, and covenants and warrants that it does not reasonably anticipate issuance of tax-exempt bonds or

other tax-exempt interest bearing obligations aggregating in principal amount more than \$10,000,000 during the calendar year that the Bonds are issued. The City agrees to take all further actions, if any, necessary to qualify the Bonds herein authorized as such “qualified tax-exempt obligations,” as and to the extent permitted by law.

Section 14. Discharge of Bonds. The City’s obligations under this Ordinance with respect to any or all of the Bonds herein authorized shall be fully discharged and satisfied as to any or all of such Bonds and any such Bond shall no longer be deemed to be outstanding hereunder if such Bond has been purchased by the City and canceled or when the payment of the principal of and interest thereon to the respective date of maturity or redemption (a) shall have been made in accordance with the terms thereof or (b) shall have been provided for by depositing with a national or state bank having trust powers or trust company, in trust, solely for such payment (i) sufficient money to make such payment and/or (ii) direct general obligations of or obligations the principal and interest of which are unconditionally guaranteed by the United States of America (herein referred to as “U.S. Government Obligations”) in such amount and bearing interest and maturing or redeemable at stated fixed prices at the option of the holder as to principal, at such time or times, as will insure the availability of sufficient money to make such payment; provided, however, that with respect to any Bond to be paid prior to maturity, the City shall have duly called such Bond for redemption and given notice thereof or made irrevocable provisions for the giving of such notice. Any money so deposited with such bank or trust company may be invested or reinvested in U.S. Government Obligations at the direction of the City, and all interest and income from U.S. Government Obligations in the hands of such bank or trust company in excess of the amount required to pay principal of and interest on the Bonds for which such monies or U.S. Government Obligations were deposited shall be paid over to the City as and when collected.

Section 15. General Authority; Approval of Preliminary Official Statement. The Authorized Officers are further authorized to take such action and execute such documents and instruments as may be necessary or appropriate to carry out the foregoing. Without limitation of the generality of the foregoing, the Authorized Officers each are hereby authorized to do all things and execute all documents as may by them (or any one of them) be deemed necessary and proper to complete the issuance and sale of the Bonds contemplated by this Ordinance and the application of the proceeds of the Bonds in accordance with the terms of this Ordinance, including, without limitation, to review and approve a bond purchase agreement and a preliminary official statement related to the Bonds and approval of a final official statement on behalf of the City, and said final official statement, as applicable, shall be delivered in accordance with the requirements of Reg. Sec. 240.15c2-12 of the Securities and Exchange Commission.

Section 16. Continuing Disclosure. In accordance with the requirements of Rule 15c2-12 (the “Rule”) promulgated by the Securities and Exchange Commission, the City, being the only “obligated person” with respect to the Bonds, is hereby authorized and directed to enter into a continuing disclosure undertaking for the Bonds in form and substance acceptable to the officer or officers executing the same on behalf of the City, as and to the extent that the Rule is applicable to the Bonds.

Section 17. Post-Issuance Compliance. In order to promote compliance with certain federal tax and securities laws relating to the Bonds herein authorized (as well as other

outstanding bonds) the policy and procedures attached hereto as Exhibit "A" (the "Post-Issuance Compliance Policy and Procedures") are hereby adopted and approved in all respects. To the extent that there is any inconsistency between the attached Post-Issuance Compliance Policy and Procedures and any similar policy or procedures previously adopted and approved, the Post-Issuance Compliance Policy and Procedures shall control.

Section 18. Effectiveness. This Ordinance shall take effect upon its publication in pamphlet form as provided by law.

PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

[SEAL]

Motion for adjournment was duly made, seconded and on roll call vote was declared adopted by the Mayor.

**Policy and Procedures  
Federal Tax Law and Disclosure Requirements for  
Tax-exempt Bonds and/or Tax Advantaged Bonds**

ISSUER NAME: City of York, Nebraska  
COMPLIANCE OFFICER (BY TITLE): City Treasurer

**POLICY**

It is the policy of the Issuer identified above (the "Issuer") to comply with all Federal tax requirements and securities law continuing disclosure obligations for its obligations issued as tax-exempt bonds (or as tax credit, direct pay subsidy or other tax-advantaged bonds, as applicable) to ensure, as applicable (a) that interest on its tax-exempt bonds remains exempt from Federal income tax, (b) that the direct payments or tax credits associated with its bonds issued as tax advantaged bonds are received in a timely manner and (c) compliance with any continuing disclosure obligations of the Issuer with respect to its outstanding bonds.

**PROCEDURES**

Compliance Officer. Review of compliance with Federal tax requirements and securities law continuing disclosure obligations as generally outlined below shall be conducted by the Compliance Officer identified above (the "Compliance Officer"). To the extent more than one person has been delegated specific responsibilities, the Compliance Officer shall be responsible for ensuring coordination of all compliance review efforts.

Training. The Compliance Officer shall evaluate and review educational resources regarding post-issuance compliance with Federal tax and securities laws, including periodic review of resources published for issuers of tax-exempt obligations by the Internal Revenue Service (either on its website at <http://www.irs.gov/taxexemptbond>, or elsewhere) and the Municipal Securities Rulemaking Board (either on its Electronic Municipal Market Access website ["EMMA"] at <http://www.emma.msrb.org>, or elsewhere).

Compliance Review. A compliance review shall be conducted at least annually by or at the direction of the Compliance Officer. The review shall occur at the time the Issuer's annual audit takes place, unless the Compliance Officer otherwise specifically determines a different time period or frequency of review would be more appropriate.

Scope of Review.

Document Review. At the compliance review, the following documents (the "Bond Documents") shall be reviewed for general compliance with covenants and agreements and applicable regulations with respect to each outstanding bond issue:

- (a) the resolution(s) and/or ordinance(s), as applicable, adopted by the governing body of the Issuer authorizing the issuance of its outstanding bonds, together with any documents setting the final rates and terms of such bonds (the "Authorizing Proceedings"),
- (b) the tax documentation associated with each bond issue, which may include some or all of the following (the "Tax Documents"):
  - (i) covenants, certifications and expectations regarding Federal tax requirements which are described in the Authorizing Proceedings;
  - (ii) Form 8038 series filed with the Internal Revenue Service;
  - (iii) tax certificates, tax compliance agreements, tax regulatory agreement or similar documents;
  - (iv) covenants, agreements, instructions or memoranda with respect to rebate or private use;
  - (v) any reports from rebate analysts received as a result of prior compliance review or evaluation efforts; and
  - (vi) any and all other agreements, certificates and documents contained in the transcript associated with the Authorizing Proceedings relating to federal tax matters.

- (c) the Issuer's continuing disclosure obligations, if any, contained in the Authorizing Proceedings or in a separate agreement (the "Continuing Disclosure Obligations"), and
- (d) any communications or other materials received by the Issuer or its counsel, from bond counsel, the underwriter or placement agent or its counsel, the IRS, or any other material correspondence relating to the tax-exempt status of the Issuer's bonds or relating to the Issuer's Continuing Disclosure Obligations.

*Use and Timely Expenditure of Bond Proceeds.* Expenditure of bond proceeds shall be reviewed by the Compliance Officer to ensure (a) such proceeds are spent for the purpose stated in the Authorizing Proceedings and as described in the Tax Documents and (b) that the proceeds, together with investment earnings on such proceeds, are spent within the timeframes described in the Tax Documents, and (c) that any mandatory redemptions from excess bond proceeds are timely made if required under the Authorizing Proceedings and Tax Documents.

*Arbitrage Yield Restrictions and Rebate Matters.* The Tax Documents shall be reviewed by the Compliance Officer to ensure compliance with any applicable yield restriction requirements under Section 148(a) of the Internal Revenue Code (the "Code") and timely calculation and payment of any rebate and the filing of any associated returns pursuant to Section 148(f) of the Code. A qualified rebate analyst shall be engaged as appropriate or as may be required under the Tax Documents.

*Use of Bond Financed Property.* Expectations and covenants contained in the Bond Documents regarding private use shall be reviewed by the Compliance Officer to ensure compliance. Bond-financed properties shall be clearly identified (by mapping or other reasonable means). Prior to execution, the Compliance Officer (and bond counsel, if deemed appropriate by the Compliance Officer) shall review (a) all proposed leases, contracts related to operation or management of bond-financed property, sponsored research agreements, take-or-pay contracts or other agreements or arrangements or proposed uses which have the potential to give any entity any special legal entitlement to the bond-financed property, (b) all proposed agreements which would result in disposal of any bond-financed property, and (c) all proposed uses of bond-financed property which were not anticipated at the time the bonds were issued. Such actions could be prohibited by the Authorizing Proceedings, the Tax Documents or Federal tax law.

*Continuing Disclosure.* Compliance with the Continuing Disclosure Obligations with respect to each bond issue shall be evaluated (a) to ensure timely compliance with any annual disclosure requirement, and (b) to ensure that any material events have been properly disclosed as required by the Continuing Disclosure Obligation.

Record Keeping. If not otherwise specified in the Bond Documents, all records related to each bond issue shall be kept for the life of the indebtedness associated with such bond issue (including all tax-exempt refundings) plus six (6) years.

Incorporation of Tax Documents. The requirements, agreements and procedures set forth in the Tax Documents, now or hereafter in existence, are hereby incorporated into these procedures by this reference and are adopted as procedures of the Issuer with respect to the series of bonds to which such Tax Documents relate.

Consultation Regarding Questions or Concerns. Any questions or concerns which arise as a result of any review by the Compliance Officer shall be raised by the Compliance Officer with the Issuer's counsel or with bond counsel to determine whether non-compliance exists and what measures should be taken with respect to any non-compliance.

VCAP and Remedial Actions. The Issuer is aware of (a) the Voluntary Closing Agreement Program (known as "VCAP") operated by the Internal Revenue Service which allows issuers under certain circumstances to voluntarily enter into a closing agreement in the event of certain non-compliance with Federal tax requirements and (b) the remedial actions available to issuers of certain bonds under Section 1.141-12 of the Income Tax Regulations for private use of bond financed property which was not expected at the time the bonds were issued.

I, the undersigned City Clerk for the City of York, Nebraska, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and City Council on \_\_\_\_\_, 2021; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held and such location was announced at the beginning of the meeting; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

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City Clerk

[SEAL]

RESOLUTION NO. 2021-17

WHEREAS, The Mayor and City Council, acting as the Community Development Agency, 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 the area adjacent to and including the site proposed by Scannell Properties # 160 LLC. and the eventual consideration of entering into an agreement with the subject developer for Tax Increment Financing; and

WHEREAS, the Mayor and City Council, acting as the Community development Authority, entered into a Redevelopment contract between the Community Redevelopment Authority of the City of York, Nebraska and Scannell Properties # 160 LLC on July 18, 2013, for the use of Tax Increment Financing for land acquisition cost and site work and site preparation on the following described premises: Lot 1 of Replat of Lots 1 and 2, Block 2, York Industrial Park, and Lots 3, 8 and 9, Block 2, York Industrial Park 2<sup>nd</sup> Platting to the City of York located in the West Half of Section 30, Township 11 North, range 2 West of the 6<sup>th</sup> P.M., York County, Nebraska.

WHEREAS, The Mayor and City Council entered into an agreement wherein the City would be the lender in the amount of \$650,000.00 for a period not to exceed 10 years from July 18, 2013.

WHEREAS, said amount of \$650,000.00 plus interest of 7% has been repaid to the City of York through taxes.

THEREFORE, BE IT RESOLVED BY the Mayor and City Council of the City of York, Nebraska:

That the tax increment financing project known as Scannell Properties # 160, LLC be declared complete; that all loans and/or liabilities have been paid in full; that the City Clerk be directed to notify the County Assessor and County Treasurer of said release and completion of said Tax Increment Financing Project; and that the City Clerk be further directed to return any funds on hand to the County Treasurer.

PASSED AND APPROVED this \_\_\_\_ day of July, 2021.

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

ATTEST:

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

RESOLUTION 2021 – 19

WHEREAS The City of York Police Department has been severely short-staffed over the past fiscal year, down 2 to 4 officers throughout the fiscal year;

WHEREAS Officers with the City of York Police Department have maintained the same level of services through sacrifices throughout the past fiscal year;

WHEREAS York Police officers have a reputation of being well-trained and thus likely to be recruited to other jurisdictions;

WHEREAS Salary funds appropriated by the Council for this fiscal year exceed the expected need due to the savings created by the shortages;

THEREFORE, BE IT RESOLVED that the City Council approves a \$3,000 retention bonus for the sworn employees employed with the Police Department as of July 15, 2021 to be paid in the first August pay period.

Passed and adopted this 15<sup>th</sup> day of July, 2021.

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Mayor Berry Redfern

ATTEST:

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C. Jean Thiele, City Clerk