

AGENDA
CITY COUNCIL, YORK, NEBRASKA
Thursday, August 26, 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 August 19, 2021 meeting
5. Public Hearing on 2021-2022 Budget
6. Adjournment

**REGULAR MEETING
CITY COUNCIL, YORK, NEBRASKA
AUGUST 19, 2021
7:00 O’CLOCK P.M.**

A meeting of the Mayor and City Council of the City of York, Nebraska, was convened in open and public session at 7:00 o'clock p.m. in the Council Chambers.

The Mayor announced that the Open Meetings Act is posted on the east wall of the Council Chambers.

NEW COUNCIL MEMBER SWORN IN

The City Clerk administered the Oath of Office to Jennifer Sheppard, whereupon she signed her Oath of Office and Bond and was seated as an Official of the Governing Body of the City of York.

ROLL CALL

Present were: Mayor Redfern, . Councilmembers: Lones, VanEsch, Sheppard, Wagner, North, Wilkinson, Hubbard and Pieper. Also present were the City Clerk, City Administrator and City Attorney.

Notice of this meeting was given in advance thereof by publication in the York News Times on August 14, , 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 Mayor Redfern and all members of the City Council and a copy of their acknowledgment and receipt of notice and the agenda is attached to these Minutes. Availability of the agenda was communicated in the advance notice and in the notice to Mayor Redfern and City Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

APPOINTMENT TO COMMITTEES

The Mayor announced his appointment Jennifer Sheppard to the Ordinance & Judiciary Committee and Asset Management Committee

Councilmember Pieper moved and Councilmember Hubbard seconded that the appointments be approved.

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

MINUTES

Councilmember Wilkinson moved and Councilmember Hubbard seconded that the Minutes of the August 5, , 2021 meeting be approved.

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

CASH BALANCES FOR JULY, 2021

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

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

REPORTS

Councilmember VanEsch moved and Councilmember Lones seconded that the Departmental Activities Report, be approved.

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

CLAIMS OF ELECTED OFFICIAL

Councilmember Lones moved and Councilmember Wilkinson seconded that the claim of Councilmember North for North Printing and Office Supply in the amount of \$626.31 be approved and paid.

Roll Call Vote Ayes: Lones, VanEsch, Sheppard, Wagner, Wilkinson, Hubbard and Pieper. Nays: None. Councilmember North declared a Conflict of Interest in as much as he is an owner of North Printing and Office Supply and abstained from voting. Motion Carried

Councilmember Lones moved and Councilmember North seconded that the claim of Jeff Pieper for Pieper's, Inc. in the amount of \$172.961 be approved and paid.

Roll Call Vote: Ayes: Lones, VanEsch, Sheppard, Wagner, North, Wilkinson and Hubbard. Nays: None. Councilmember Pieper declared a Conflict of Interest inasmuch as he is the Vice President of Pieper's, Inc. and abstained from voting; Motion Carried.

CLAIMS

Councilmember Wilkinson moved and Councilmember North seconded that the claims for the period August 6, 2021 through August 19, 2021 be approved and paid.

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

CITY ADMINISTRATOR REPORT

The City Administrator said that she is amazed at the great City staff and thanked the City Treasurer for her work on the budget. She reminded the Council of the August 26 meeting at 7:00 p.m. – that the notice will be published in the News Times on Saturday, August 21st and will be posted on the City's web site. She advised that the budget is aggressive with conservative spending – the final hearing on the budget will be September 2nd. She advised that she will be meeting with the Solid Waste Agency to discuss the proposed new cell at the landfill.

APPOINTMENT OF NEW PUBLIC WORKS DIRECTOR

The City Administrator introduced James Paul II as the new Public Works Director.

Following comments by Mr. Paul, Councilmember Lones moved and Councilmember Hubbard seconded to approve said appointment.

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

BUDGET DISCUSSION

The Council made no changes to the proposed budget. The City Administrator advised that \$250,000 from LB357 funds had been added to the budget for the Mincks Park infrastructure of the Peyton, Parker Lane Playground - \$240,000 from the LB357 funds and \$10,000 from an NRD Grant. Other changes were: \$48,000 for a splash pad; \$300,000 for lead pipe replacement - \$320,00 for an ambulance; roll \$5,000 for outside concrete repairs to next year at the Library – add administrative intern \$5,200 – added gas line to library budget – increased legal advertising by \$12,000 and \$125,000 into the capital plan for air conditioning units at the Senior Center.

PUBLIC MEETING TO CONSIDER AMENDING ARTICLE XXV TO ADD SECTION 10 – SHIPPING CONTAINERS

The Mayor opened the public hearing. The Asset Manager advised that he has had requests from persons wishing to use shipping containers as storage buildings. He also advised that there are several being used. No one addressed the Council regarding the matter. The Mayor closed the public hearing.

The following Ordinance was introduced:

ORDINANCE NO. 2291

AN ORDINANCE TO AMEND ARTICLE XXV, ADDITIONAL HEIGHT, AREA AND USE REGULATIONS TO ADD SECTION 10, SHIPPING CONTAINERS; AND TO PROVIDE FOR THE PLACFMENT AND REGULATION OF SHIPPING CONTAINERS IN THE ZONING DISTRICTS; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE

Councilmember Pieper moved and Councilmember Wilkinson seconded that the Statutory Rule requiring reading on three different days of Ordinance No. 2291 be suspended.

Roll Call Vote Ayes: Lones, VanEsch, Sheppard, Wagner, North, Wilkinson, Hubbard and Pieper. Nays: None. The motion was adopted by a three-fourths vote of the Council and the Statutory Rule suspended for consideration of said Ordinance on its second and third reading.

Councilmember Hubbard moved and Councilmember Wilkinson seconded that Ordinance No. 2291 be passed and adopted.

Roll Call Vote: Ayes: Lones, VanEsch, Sheppard, Wagner, North, Wilkinson, Hubbard and Pieper. Nays: None. Ordinance No. 2291 was declared adopted.

APPROVE SPECIAL DESIGNATED PERMIT APPLICATIONS FOR YORK SIP & STROLL

Madonna Mogul, Executive Director of the Greater York Area Chamber of Commerce, addressed the Council regarding a Sep & Stroll event on October 7, 2021. She advised that this has been very successful in the past and there have been no problems.

Councilmember Wagner moved and Councilmember North seconded that the Council recommend approval of the following special designated permit applications to the Liquor Control Commission:

- 1) Prairie Creek Vineyards for McNeill Floral Co.
- 2) United Way for Mr. Dukes Mercantile and Little Racers Child Care
- 3) York Chamber of Commerce for – Dragonfly Studios, McCormick’s Heating & Air Conditioning, Pieper Plumbing, the Hair Benders – the Personal Touch and Cinch Law Firm
- 4) Yorkshire Playhouse for Peterson’s Petal Company – Carquest Auto Parts – Crossroad Awards – Goody Pop – H & R Block and Kinectic by Windstream
- 5) York Community Foundation for – B & B on Sixth – Coldwell Banker – NHS Real Estate – Ginny’s Hallmark – Kirtsey’s Clothing & Gift Boutique – Sevehla Law Office and the Quilt Basket
- 6) York County Development Corporation for 4th Street Boutique – Ameriprise Financial Services – Mid America Vision Center – Penner’s Tire & Auto – The Jeweler’s Vault and Wagner Decorating

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

PURCHASE AND SALE OF NORTH 50 FEET LOT 3, BLOCK 71 ORIGINAL TOWN

This property is being purchased from Virginia Kleinholz in the amount of \$70,000 – this is part of the Buy/Rehab/Sell CDBG Program and then sold to Caleb & Amalia Magner for \$84,000.00.

The following ordinance was introduced:

ORDINANCE NO. 2292

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

Councilmember Hubbard moved and Councilmember North seconded that the Statutory Rule requiring reading on three different days of Ordinance No. 2292 be suspended.

Roll Call Vote Ayes: Lones, VanEsch, Sheppard, Wagner, North, Wilkinson, Hubbard and Pieper. Nays: None. The motion was adopted by a three-fourths vote of the Council and the Statutory Rule suspended for consideration of said Ordinance on its second and third reading.

Councilmember Pieper moved and Councilmember Lones seconded that Ordinance No. 2292 be passed and adopted.

Roll Call Vote: Ayes: Lones, VanEsch, Sheppard, Wagner, North, Wilkinson, Hubbard and Pieper. Nays: None. Ordinance No. 2292 was declared adopted.

ORDINANCE NO. 2293

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

Councilmember Lones moved and Councilmember Hubbard seconded that the Statutory Rule requiring reading on three different days of Ordinance No. 2293 be suspended.

Roll Call Vote Ayes: Lones, VanEsch, Sheppard, Wagner, North, Wilkinson, Hubbard and Pieper. Nays: None. The motion was adopted by a three-fourths vote of the Council and the Statutory Rule suspended for consideration of said Ordinance on its second and third reading.

Councilmember Pieper moved and Councilmember Lones seconded that Ordinance No. 2293 be passed and adopted.

Roll Call Vote: Ayes: Lones, VanEsch, Sheppard, Wagner, North, Wilkinson, Hubbard and Pieper. Nays: None. Ordinance No. 2293 was declared adopted.

FIRST READING OF ORDINANCE 2294

AN ORDINANCE TO AMEND PORTIONS OF CHAPTER 37 OF THE MUNICIPAL CODE OF THE CITY OF YORK, NEBRASKA, PRESCRIBING SEWER RATES, REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR THE EFFECTIVE DATE OF SAID ORDINANCE.

This ordinance came on for first reading.

AMEND INTERLOCAL AGREEMENT

The City Administrator advised that the original interlocal agreement between the County of York and City of York to establish a joint communication agency called for the payment of landline surcharge fees between the City and County. It was noted that this has not been done and due to the fact that there are not many landlines, it was felt by the joint commission that this section be deleted.

Councilmember Wilkinson moved and Councilmember VanEsch seconded that the following Resolution be adopted:

RESOLUTION NO. 2021-22

WHEREAS, the City of York and the County of York entered into a Interlocal Agreement to establish a joint communications agency on October 10, 2017 and an amended agreement on July 17, 2018; and

WHEREAS, said agreements addressed surcharge fees; and

WHEREAS, the joint community agency met on August 6, 2021 and discussed said agreement. NOW

THEREFORE, BE IT RESOVLED by the City Council of the City of York that Section 10 regarding the 911 surcharge be stricken from said agreement.

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

AMEND SECTION 37-12.1 TO REQUIRE PERMIT TO TAP INTO THE
WATER AND SANITARY SEWER SYSTEMS

The following Ordinance was introduced:

ORDINANCE NO. 2290

AN ORDINANCE TO AMEND SECTION 37-12.1 OF THE YORK CITY CODE TO REQUIRE A PERMIT TO TAP INTO THE WATER SYSTEM AND SANITARY SEWER SYSTEM, AND TO AUTHORIZE TAPPING FEES; TO REPEAL ALL ORDINANCES IN CONFLICT HERWITH AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE

Councilmember Hubbard moved and Councilmember Wilkinson seconded that the Statutory Rule requiring reading on three different days of Ordinance No. 2290 be suspended.

Roll Call Vote Ayes: Lones, VanEsch, Sheppard, Wagner, North, Wilkinson, Hubbard and Pieper. Nays: None. The motion was adopted by a three-fourths vote of the Council and the Statutory Rule suspended for consideration of said Ordinance on its second and third reading.

Councilmember Pieper moved and Councilmember Lones seconded that Ordinance No. 2290 be passed and adopted.

Roll Call Vote: Ayes: Lones, VanEsch, Sheppard, Wagner, North, Wilkinson, Hubbard and Pieper. Nays: None. Ordinance No. 2290 was declared adopted.

REQUIRE TAPPING FOR UTILITY SERVICE TO BE MADE UNDER
DIRECTION OF DIRECTOR OF PUBLIC WORKS

The following ordinance was introduced:

ORDINANCE NO. 2295

AN ORDINANCE TO AMEND SECTION 37-18 TO REQUIRE TAPPING FOR UTILITY SERVICE TO BE MADE UNDER THE SUPERVISION OF THE DIRECTOR OF PUBLIC WORKS; REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE

Councilmember VanEsch moved and Councilmember Lones seconded that the Statutory Rule requiring reading on three different days of Ordinance No. 2295 be suspended.

Roll Call Vote Ayes: Lones, VanEsch, Sheppard, Wagner, North, Wilkinson, Hubbard and Pieper. Nays: None. The motion was adopted by a three-fourths vote of the Council and the Statutory Rule suspended for consideration of said Ordinance on its second and third reading.

Councilmember Pieper moved and Councilmember Wilkinson seconded that Ordinance No. 2295 be passed and adopted.

Roll Call Vote: Ayes: Lones, VanEsch, Sheppard, Wagner, North, Wilkinson, Hubbard and Pieper. Nays: None. Ordinance No. 2295 was declared adopted.

CREATE EXCEPTION FOR SCHOOL PROPERTIES TO KEEP ANIMALS ON SCHOOL
PROPERTY

The Asset Manager advised that this is for a FAA project. The following ordinance was introduced:

ORDINANCE NO. 2296

AN ORDINANCE TO AMEND SECTION 7-3 OF THE YORK CITY CODE TO CREATE AN EXCEPTION FOR SCHOOL PROPERTIES; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

Councilmember Wagner moved and Councilmember Wilkinson seconded that the Statutory Rule requiring reading on three different days of Ordinance No. 2296 be suspended.

Roll Call Vote Ayes: Lones, VanEsch, Sheppard, Wagner, North, Wilkinson, Hubbard and Pieper. Nays: None. The motion was adopted by a three-fourths vote of the Council and the Statutory Rule suspended for consideration of said Ordinance on its second and third reading.

Councilmember Hubbard moved and Councilmember North seconded that Ordinance No. 2296 be passed and adopted.

Roll Call Vote: Ayes: Lones, VanEsch, Sheppard, Wagner, North, Wilkinson, Hubbard and Pieper. Nays: None. Ordinance No. 2296 was declared adopted.

SET TAPPING FEES

Councilmember VanEsch moved and Councilmember Lones seconded that the following Resolution be adopted:

RESOLUITON 2021-22

WHEREAS, §37-12.1 of the York City Code authorizes the City Council to establish tap fees for tapping into the city water system by resolution; and

WHEREAS, the City incurs expenses when a property taps into the city water system, and the City should recover the costs that are incurred by the city.

NOW, THEREFORE, BE IT HEREBY RESOLVED that a tap fee of \$185.00 for one inch copper tube size service tap shall be charged prior to a tap into city water service.

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

APPROVE INTERLOCAL AGREEMENT WITH UPPER BIG BLUE NRD

The City Administrator reported that the Upper Big Blue NRD had agreed to pay the sum of \$10,000 toward the infrastructure at Mincks Park for the Peyton Parker Lane Playground and recommended that the City enter into an interlocal agreement with said NRD for said payment.

Councilmember Lones moved and Councilmember Wilkinson seconded that the agreement be approved.

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

ADJOURNMENT

There being no further business to come before the meeting, The Mayor adjourned the meeting, the time being 7:43 o'clock p.m.

C. Jean Thiele, City Clerk

Barry Redfern, Mayor

City or Village of York
IN
York County, Nebraska

NOTICE OF BUDGET HEARING AND BUDGET SUMMARY

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Sections 13-501 to 13-513, that the governing body will meet on the 26 day of August 2021, at 7:00 o'clock P.M., at the Municipal Building for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the following proposed budget. The budget detail is available at the office of the Clerk during regular business hours.

2019-2020 Actual Disbursements & Transfers	\$ 28,161,990.00
2020-2021 Actual/Estimated Disbursements & Transfers	\$ 33,374,436.00
2021-2022 Proposed Budget of Disbursements & Transfers	\$ 45,174,079.00
2021-2022 Necessary Cash Reserve	\$ 23,511,611.00
2021-2022 Total Resources Available	\$ 68,685,690.00
Total 2021-2022 Personal & Real Property Tax Requirement	\$ 1,990,816.00
Unused Budget Authority Created For Next Year	\$ 1,895,071.51
Breakdown of Property Tax:	
Personal and Real Property Tax Required for Non-Bond Purposes	\$ 1,990,816.00
Personal and Real Property Tax Required for Bonds	\$ -

2021-2022

York City Budget





Budget Process





Budget Highlights

- No property tax levy increase – remains low at .33
- Healthy sales tax revenue
- One-time revenue
 - Federal Covid/Relief Funds
 - Reserves
 - Bond refinancing
- 1% increase in budget from last year
- No property taxes levied for bond debt



Select One-Time Investments

Peyton Parker Lane Playground Infrastructure

Ambulance and life saving equipment

Tot playground and Splashpad

Police truck

City hall ceiling and lights

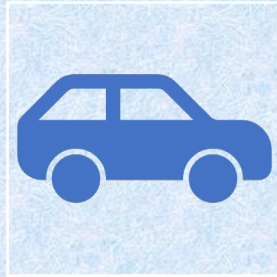
Street equipment



Capital Highlights



Complete Community
Center Renovation



Major Road Project and
Blackburn Bridge



Landfill cell

City or Village of York
IN
York County, Nebraska

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Breakdown of Property Tax:

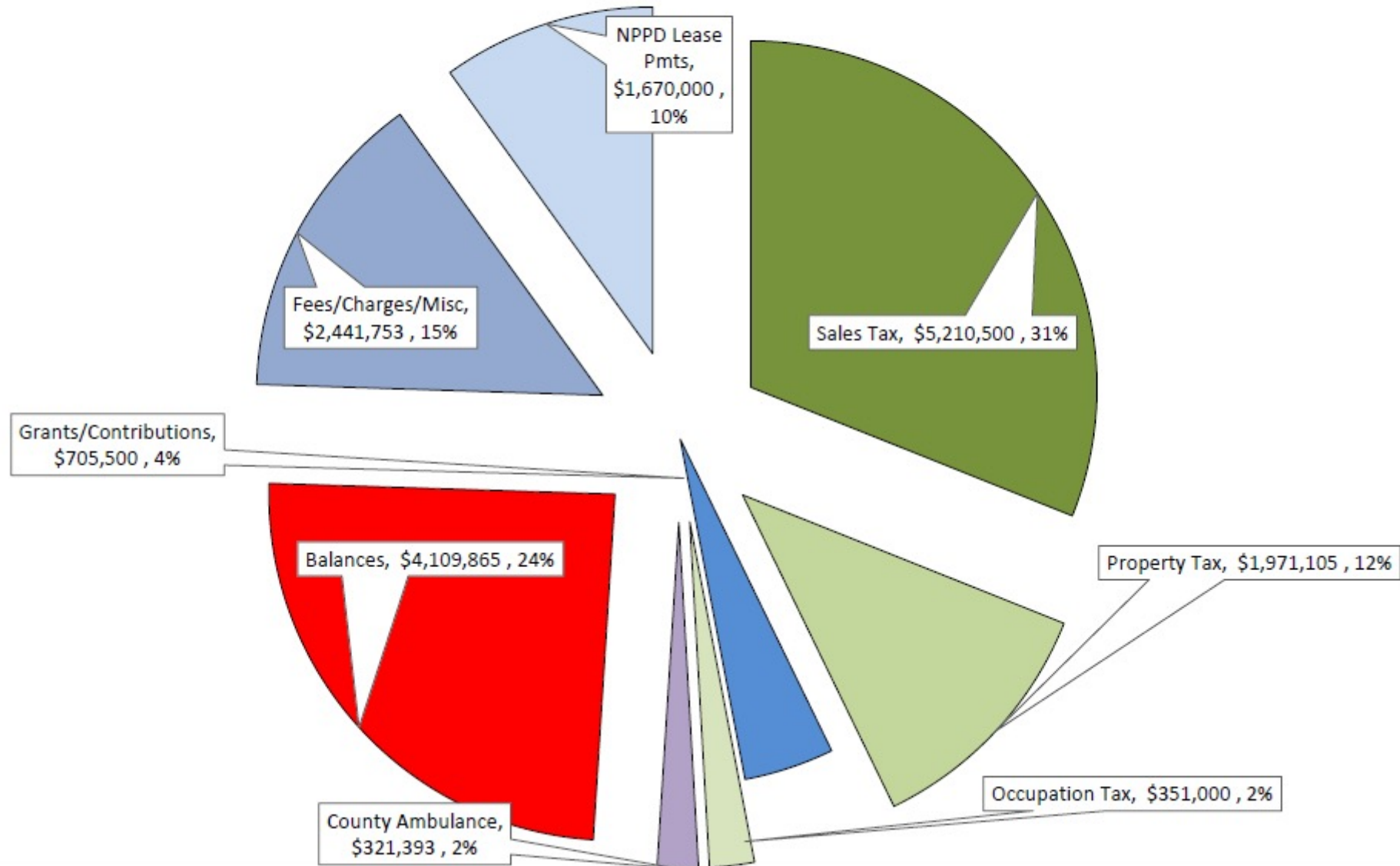
Personal and Real Property Tax Required for Non-Bond Purposes	\$ 1,990,816.00
Personal and Real Property Tax Required for Bonds	\$ -

NOTICE OF SPECIAL HEARING TO SET FINAL TAX REQUEST

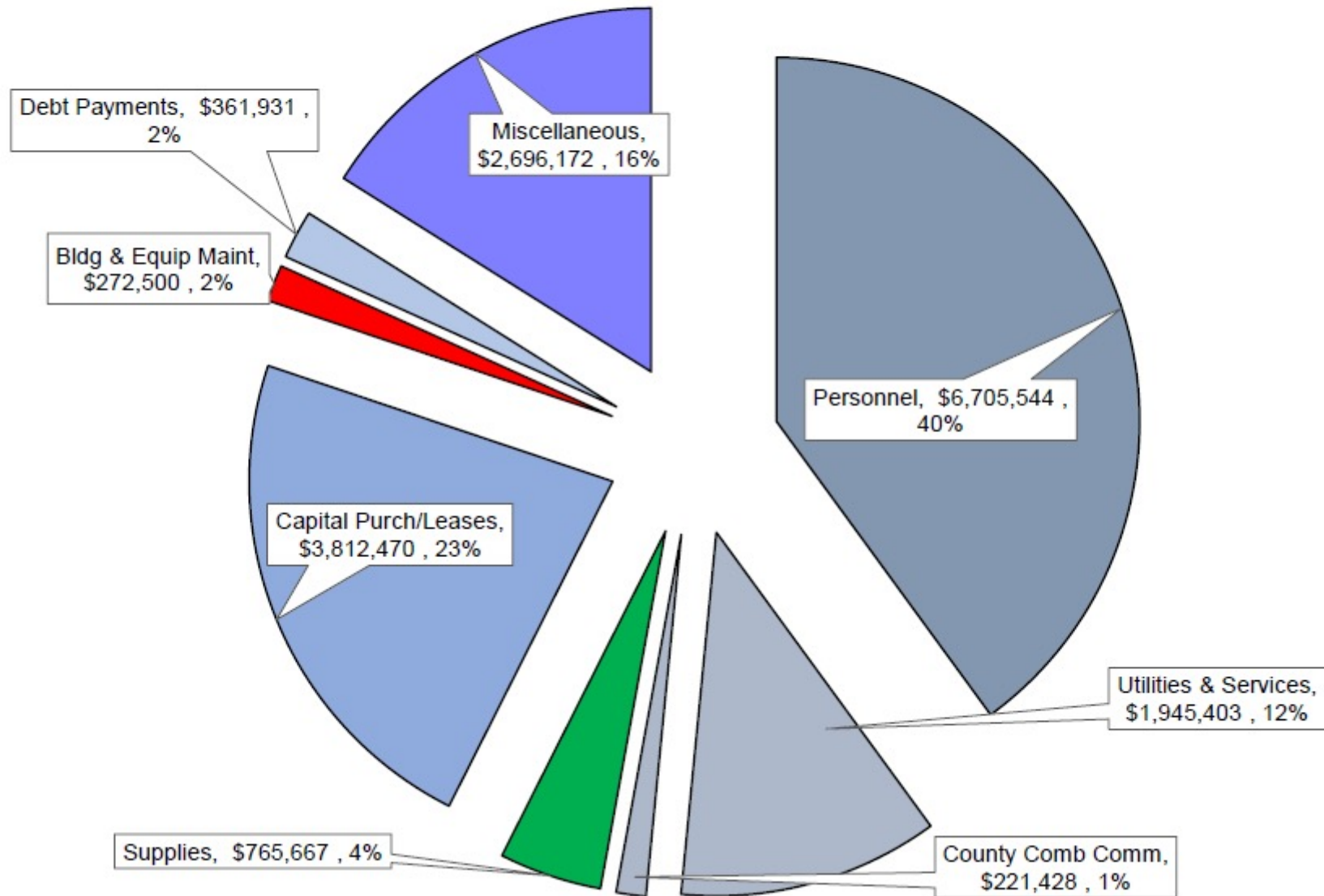
PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Section 77-1601.02, that the governing body will meet on the 2 day of September 2021, at 7:00 o'clock P.M., at the Municipal Building for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request.

	2020	2021	Change
Operating Budget	44,537,231.00	45,174,079.00	1%
Property Tax Request	\$ 1,918,333.00	\$ 1,990,816.00	4%
Valuation	581,312,904	603,277,494	4%
Tax Rate	0.330000	0.330000	0%
Tax Rate if Prior Tax Request was at Current Valuation	0.317985		

2020-2021 REVENUES (TAX SUPPORTED FUNDS)



2020-2021 EXPENDITURES (TAX SUPPORTED FUNDS)





Enterprise Funds

Water – No rate increases

Sewer – 2 ½% rate increase

Landfill – New cell needed

Airport – Federal grants for snow removal equipment
