REGULAR MEETING
CITY COUNCIL – YORK, NEBRAKSA
April 4, 2024
5:30 PM

A meeting of the Mayor and City Council of the City of York, Nebraska, was convened in open and public session at 5:30 o'clock p.m. in the Council Chambers.

The Mayor announced that the Open Meetings Act was posted on the East Wall of the Council Chambers.

Mayor: Barry Redfern: Present. Councilmembers: Vicki Northrop: Present, Tony North: Present, Jennifer Sheppard: Present, Stephen Postier: Present, Jerry Wilkinson: Present, Matt Wagner: Present, Jeff Pieper: Present, Scott Van Esch: Present. The following City Officials were present: City Administrator Dr. Sue Crawford, City Attorney Charley Campbell, Police Chief Ed Tjaden, Public Works Director James Paul and City Clerk Amanda Ring.

Notice of this meeting was given in advance thereof by publication in the York News Times on March 28, 2024, 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 advance notice to the Mayor and City Council for this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Minutes

Motion to approve the minutes of the March 21, 2024 meeting. Ayes with a motion by Jeff Pieper and a second by Jennifer Sheppard. Vicki Northrop: Yea, Tony North: Yea, Jennifer Sheppard: Yea, Stephen Postier: Yea, Jerry Wilkinson: Yea, Matt Wagner: Yea, Jeff Pieper: Yea, Scott Van Esch: Yea .

Claims of Elected Officials

Motion to approve the claim for Tony North of North Printing and Office Supply in the amount of $1,089.39. Ayes with a motion by Jerry Wilkinson and a second by Matt Wagner. Vicki Northrop: Yea, Tony North: Abstain (With Conflict), Jennifer Sheppard: Yea, Stephen Postier: Yea, Jerry Wilkinson: Yea, Matt Wagner: Yea, Jeff Pieper: Yea, Scott Van Esch: Yea.

Motion to approve the claim for Stephen Postier of the York County Development Corporation in the amount of $8,598.34. Ayes with a motion by Jerry Wilkinson and a second by Matt Wagner. Vicki Northrop: Yea, Tony North: Yea, Jennifer Sheppard: Yea, Stephen Postier: Abstain (With Conflict), Jerry Wilkinson: Yea, Matt Wagner: Yea, Jeff Pieper: Yea, Scott Van Esch: Yea.

Claims

Motion to approve the claims for March 22, 2024 through April 4, 2024. Ayes with a motion by Jerry Wilkinson and a second by Matt Wagner. Vicki Northrop: Yea, Tony North: Yea, Jennifer Sheppard: Yea, Stephen Postier: Yea, Jerry Wilkinson: Yea, Matt Wagner: Yea, Jeff Pieper: Yea, Scott Van Esch: Yea.

City Administrator Report

Dr. Crawford had a request from the Council to do research on rural trail safety. This is a short summary of that research. One report showed that per 100,000 population there were 19 muggings in one year, and in that same year, there were zero muggings on rural trails, there were 203 assaults per 100,000 population and there were .01 assaults on rural trails. The City of Lincoln police department received 115,488 calls for service in 2023. Of those calls, 56 calls were trail related. Three of the 56 calls were related to accusations of personal violent incidents. York police department has averaged over 8,000 calls for service annually over the last three years. In the area between 21st street and the I-80 interchange, over the last three years, the average number of homicide calls was zero, the average number of kidnapping/abduction calls was zero, the average number of sex offense calls was less than one and the average number of assault calls was less than four per year. The police are busy proactively working throughout the community, not busy responding to high levels of violent crime in the interchange area. York is a great community from the northern industrial area to the Huddle House south of the interstate. She stated it is a wonderful and safe community to work, play, live and visit.

Pavelka Concrete Crushing

James told Council that two estimates were received. Pavelka's cost was $10 per ton and the other estimate was $12.50/$17.00 per ton.

Motion to approve the estimate from Pavelka Trucking in the amount of $50,000.00 to crush 5,000 tons of concrete. Ayes with a motion by Scott Van Esch and a second by Tony North. Vicki Northrop: Yea, Tony North: Yea, Jennifer Sheppard: Yea, Stephen Postier: Yea, Jerry Wilkinson: Yea, Matt Wagner: Yea, Jeff Pieper: Yea, Scott Van Esch: Yea.

HDR Task Order 44 Amendment 01

James requested more regular visits from HDR along with training for employees as this is the first cell any have filled. HDR will also do the methane migration monitoring and provide corrective action if necessary.
Motion to approve Task Order 44 Amendment 01 with HDR Engineering, Inc, to provide a continuation of on-call engineering services and NDEE required methane migration monitoring and reporting services, not to exceed $29,500.00. Ayes with a motion by Jeff Pieper and a second by Jerry Wilkinson. Vicki Northrop: Yea, Tony North: Yea, Jennifer Sheppard: Yea, Stephen Postier: Yea, Jerry Wilkinson: Yea, Matt Wagner: Yea, Jeff Pieper: Yea, Scott Van Esch: Yea.

Bobcat Compact Excavator for the water department

James spoke about this piece of equipment. He stated there is $85,000 in the budget and he will be able to cover the remainder from elsewhere in his budget. There is also an older backhoe that will be sent to auction once this one is received.
Motion to approve the quote from York Equipment for the purchase of an E60 R2-Series Bobcat Compact Excavator in the amount of $88,700.00 for the water department. Ayes with a motion by Scott Van Esch and a second by Tony North. Vicki Northrop: Yea, Tony North: Yea, Jennifer Sheppard: Yea, Stephen Postier: Yea, Jerry Wilkinson: Yea, Matt Wagner: Yea, Jeff Pieper: Yea, Scott Van Esch: Yea.

MOU between Police Department and the York Public Schools

Chief Tjaden shared that the schools and police department have been working to strengthen the normal presence of police in the school setting. This agreement will assign a current officer to the public schools for nine months of the year. Dr. Bartholomew, School Superintendent, also stated that this is a wonderful opportunity for the schools.
Motion to approve the Memorandum of Understanding between the City of York Police Department and the York Public Schools for the assignment of one peace officer as a school resource officer, with shared costs from each entity, effective through December 31, 2024 and automatically renewing each year. Ayes with a motion by Stephen Postier and a second by Jennifer Sheppard. Vicki Northrop: Yea, Tony North: Yea, Jennifer Sheppard: Yea, Stephen Postier: Yea, Jerry Wilkinson: Yea, Matt Wagner: Yea, Jeff Pieper: Yea, Scott Van Esch: Yea.

Resolution 2024-5

RESOLUTION 2024-5

PRELIMINARY ENGINEERING SERVICES AGREEMENT SUPPLEMENTAL AGREEMENT NO. 1 - BK2301

CITY OF YORK

Resolution 2024-5

Whereas: City of York and Olsson, Inc. have previously executed a Preliminary Engineering Services Agreement (BK2301) for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds; and

Whereas: City of York understands that it must continue to strictly follow all Federal, State, and local laws, rules, regulations, policies, and guidelines applicable to the funding of this Federal- aid project; and

Whereas: City of York and Olsson, Inc. wish to enter into a preliminary engineering services supplemental agreement, setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

Be It Resolved: by the City Council of York, Nebraska that:

Barry Redfern, Mayor of City of York, is hereby authorized to sign the attached Preliminary Engineering Services Supplemental Agreement No. 1 between the City of York and Olsson, Inc.

NDOT Project Number: DPS-93(15) NDOT Control Number: 43010

NDOT Project Description: Project Access York

Mayor Redfern stated this was for preliminary engineering costs associated with the grant. The City approved the grant and for Olsson to do engineering and for the Department of Transportation to oversee this project. The next open house for the proposed trail plans will be held May 28, 2024.

Brandon Lehman, 1430 S. Grant Ave., wanted to make sure the Council had the opportunity to review the full plan in hand for this project and all Council members were moving in the same direction. He expressed concern about the Open House being on the 28th and the day after Memorial Day, stating there might not be as much public input the day after the holiday.

Motion to approve Resolution 2024-5, authorizing the Mayor to sign the attached Preliminary Engineering Services Supplemental Agreement No. 1 between the City of York and Olsson Inc. in the amount of $14,839.19. Ayes with a motion by Tony North and a second by Jerry Wilkinson. Vicki Northrop: Yea, Tony North: Yea, Jennifer Sheppard: Yea, Stephen Postier: Yea, Jerry Wilkinson: Yea, Matt Wagner: Yea, Jeff Pieper: Yea, Scott Van Esch: Yea.

Ryan Gieck to address the Council

Ryan Gieck, 1110 S. Grant Ave., wanted to inform the Council about his landowner meeting he had with City staff and the engineers. He was one of the 21 people to receive a letter stating this trail would affect his property. This was the first correspondence that he had regarding this project. He and his wife had three questions going into the meeting: 1. How much land is being discussed in acres? 2. What changed from the original grant to the proposed route now? 3. Concerned about the safety of the proposed route. He shared that they felt the staff and engineers didn't care about their concerns. He urged the Council to represent all the people of the City, the ones that will benefit from the trail and the ones who may pay the costs for those benefits.

Amy Lehman to address the Council

Amy Lehman, 1430 S. Grant Ave., shared that keeping our children safe is a community effort. Many have signs in yards who oppose the connecting trail. Children matter more than the economic success this portion of the trail may or may not bring. With sitting at the intersection of Interstate 80 and Highway 81, this makes York different from other rural communities that have trails. She is concerned about adding pedestrian/bike trails at the interstate where there isn't pedestrian access right now. Connecting the trail brings more problems than it solves.

Dalane Epp, 1615 S. Lincoln Ave., questioned why adjacent landowners weren't given meetings during late March. The Mayor stated it was for affected landowners who, it appeared, the trail crossed their ground, and did not run adjacent to it.

Hannah Epp, 1615 S. Lincoln Ave., was curious whether the Council was given the names of the 21 affected landowners prior to the letters being sent out. She also questioned whether the Council had access to or been given copies of any proposed changes in the trail alignment. She also questioned if the Council understood who the LPA was for this project.

Roger Wolfe Jr. to address the Council

Roger Wolfe Jr., 1229 N. Delaware Ave., wanted to address the Council about the City's concealed carry ordinance with regard to the law passed at the state level. He raised concern about not allowing citizens to protect themselves in the City parks and trailways. He requested that this be reviewed. The Mayor stated it would be given to the ordinance committee to review.

Adjournment

There being no further business to come before the Council, the Mayor adjourned the meeting, the time being 6:17 o'clock p.m.

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Amanda Ring, City Clerk Barry Redfern, Mayor