

**CITY OF YUTAN
P.O. BOX 215 - 112 VINE
YUTAN, NE 68073
(402) 625-2112**

EXTRACT FROM MINUTES OF A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF YUTAN, IN THE COUNTY OF SAUNDERS, STATE OF NEBRASKA HELD AT THE CITY OFFICE IN SAID CITY ON THE 19TH DAY OF SEPTEMBER, 2017, AT 7:00 p.m.

Notice of the meeting was given in advance thereof by posting notice, a designated Method for giving notice, as shown by the (Affidavit of Publication) (Certificate of Posting Notice) 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 of receipt of notice and the agenda is attached to these minutes. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Meeting was called to order at 7:00 p.m. by Mayor Egr. Council Members: Beck, McLaughlin, and Peterson were present. Councilman Long was absent. Mayor Egr opened the meeting with the Pledge of Allegiance. Egr then informed all of the individuals present of the location of the poster regarding the Open Meetings Act. The minutes of the regular meeting on August 15, 2017; the special meeting on August 17, 2017; the special meeting on August 22, 2017; and the special meeting on September 11, 2017, were approved as mailed with a motion from Peterson and seconded by McLaughlin. Upon roll call vote was as follows: YEA: Beck, McLaughlin and Peterson. NO: None. Motion carried. The Treasurer's report was accepted as submitted.

- 1) City Attorney Curt Bromm was in attendance to present Resolution 2017-08. Mr. Bromm gave his perspective on his meeting with the Nebraska Department of Transportation and explained what will be required by the state and federal governments to withdraw from the trail project with the possibility of forgiveness of incurred expenses. RESOLUTION 2017-08: WHEREAS, the City of Yutan, Nebraska, previously entered into an agreement with the State of Nebraska, Department of Roads (now Department of Transportation), with respect to Project No. ENH-SRTS-78(27), State Control No. 12881, Yutan Trail-Phase I. A motion was made by McLaughlin and seconded by Beck to approve Resolution 2017-08 with a revision being added to reference that the trail is no longer necessary due to the school's bus service extending to the neighborhood of Timbercrest. Upon roll call vote was as follows: YEA: Beck, McLaughlin and Peterson. NO: None. Motion carried.

- 2) Claims - Motion was made by Peterson and seconded by Beck to pay all claims. Upon roll call vote was as follows: YEA: Beck, McLaughlin and Peterson. No: None. Motion carried. Claims list: 2DS Contracting 1,150.00; All Star 100.00; Badger Meter 89.00; Brodart Order Center 231.25; Bromm 478.50; Builders Supply 160.20; Cardmember Services 968.03; Clint Bartlett 160.00; Crete Library 18.99; Cubby's 216.10; Des Moines Stamp 71.00; Ed Schroeder 3,985.00; Eyman Plumbing 2,087.50; FHP 53.80; Frontier Coop 750.29; Gretna Sani 125.00; Int Rev 3,044.44; Internal Rev 1,928.30; Jackson Services 29.75; JEO 913.00; Jeremiah Thompson 75.00; Johnson Service Co 37,518.00; Jonathan Chittenden 300.00; Jorgensen Awnings 1,200.00; Katie DeGroff 200.00; Katy Mattheis 22.47; Kenneth Davis Jr. 150.00; Kirk Sake 150.00; Laurie Van Ackeren

348.46; Liz Girmus 75.00; LTD Commodities 383.29; Lynn Prchal 150.00; Matt Thompson 500.00; Maxim Containers 225.00; Menards 73.87; Metering & Tech 1,652.49; MUD 84.00; Municipal Service & Supply 3,541.00; NE Dept of Rev 1,940.08; NE Dept of Rev 25.00; Nebr Public Health 361.00; One Call 14.37; OPPD 4,490.27; Payroll 15,896.27; Railroad Management Co 1,173.12; Sargent Drilling 19,300.00; Saunders Medical 288.00; State Treasurer 268.40; Stephen Vortmann 150.00; Ty's Outdoor 61.46; U.S. Cellular 172.81; U.S.P.O. 131.58; U.S.P.O. 49.00; Viki Miller 1,221.40; Wahoo-Waverly 129.16; Windstream 376.87; Yutan Trucking 1,356.16; Insufficient Chk 128.05; Insufficient Chk 64.75; Insufficient Chk 102.02;

- 3)** Open Discussion from Public – Steve Hayes inquired about the frequency of the city’s newsletter and was informed that it will, ideally, be created and distributed on a quarterly basis. He also discussed numerous local nuisances, ordinance violations, and building code violations. Police Chief Hannan was in attendance and took note of these violations for further follow-up.
- 4)** Building permits #1481-1483 were submitted. A motion was made by McLaughlin and seconded by Peterson to approve permits #1481, 1482, and 1483 as submitted. Upon roll call vote was as follows. YEA: Beck, McLaughlin and Peterson. NO: None. Motion carried.
- 5)** Supervisor’s reports were submitted.
- 6)** Mayor opened public hearing at 7:33 p.m. to discuss the adoption of the budget for the 2017-2018 fiscal year. No public comment was taken. Public hearing was closed at 7:34 p.m.

 - a)** A motion was made by Peterson and seconded by McLaughlin to approve a 1% increase in restricted funds. Upon roll call vote was as follows. YEA: Beck, McLaughlin and Peterson. NO: None. Motion carried.
 - b)** ORDINANCE #729 – AN ORDINANCE ADOPTED BY THE CITY OF YUTAN, SAUNDERS COUNTY, NEBRASKA, TO ADOPT BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR THE NECESSARY EXPENSES AND LIABILITIES, TO PROVIDE FOR AN EFFECTIVE DATE THEREOF.
A motion was made by McLaughlin and seconded by Beck to waive the three readings of Ordinance #729. Upon roll call vote was as follows. YEA: Beck, McLaughlin and Peterson. NO: None. Motion carried. A motion was made by McLaughlin and seconded by Peterson to adopt Ordinance #729. Upon roll call vote was as follows. YEA: Beck, McLaughlin and Peterson. NO: None. Motion carried.
- 7)** Neal Bedlan was in attendance to represent the Economic Development Committee. He discussed the timeline and collaborative process of creating the proposed strategic plan for the City of Yutan. He explained the various benefits that a community gains from the approval of a strategic plan, including a more focused vision for the future of the community that extends beyond the term of an elected official and more opportunities for grant applications. A motion was made by Peterson to adopt the proposed strategic plan, but no second was made. Motion failed. Upon further discussion, it was decided that this item would be tabled until next month’s meeting to allow the Mayor and Council further

review of the proposal.

- 8) Luke Woster was present to seek council advice and approval for the location of a batting cage at the Itan ballfield. After discussion regarding the various possibilities for its location, Woster was given verbal permission to place the batting cage by the tennis courts but was instructed to, first, place flags in the location for council inspection and approval before any construction is to take place. Woster also explained the need for a purchase of turf for the baseball fields and discussed the various uses he has planned for that turf. A motion was made by McLaughlin and seconded by Peterson to authorize Luke Woster to spend \$1,300.00 on the turf, contingent on the purchase being billed to and paid by the City after October 1st, when the new fiscal year begins. Upon roll call vote was as follows. YEA: Beck, McLaughlin and Peterson. NO: None. Motion carried.
- 9) Police Chief Hannan was present to discuss the various nuisances related to some local grain bins. He described the issues, including the overgrowth of weeds and the presence of rodents, and asked the council for their advice on how to handle the situation. The council suggested that Hannan contact the railroad, as the property is being leased from them, about possible lease violations. The Police Chief will begin the process by writing a nuisance letter to the owner of the grain bins. Hannan was also informed that, depending on the owner's response and compliance, it may be necessary to contact the City Attorney for further action.
- 10) Utility Superintendent Wilke presented a depiction of the proposed design of an awning for the city's splash pad. A motion was made by McLaughlin and seconded by Peterson to approve the purchase and installation of an awning at the splash pad as long as the cost does not exceed the \$10,000.00 for which the city has budgeted. Upon roll call vote was as follows. YEA: Beck, McLaughlin and Peterson. NO: None. Motion carried.
- 11) Discussion was held regarding the need for further amendments to the city's speed zones. It was decided that Resolution 2017-07 would be tabled until next month's meeting to allow for revisions.
- 12) Utility Superintendent Wilke discussed the extent of the damage caused by the flooding of the sewer lift station. He asked the council for their input on whether to submit an insurance claim to seek reimbursement for the expenses or to use reserve funds. Councilman McLaughlin stated that the purpose of the reserve funds is to pay for these unexpected expenses whereas Mayor Egr expressed the opinion that that is the purpose of the city's insurance coverage. McLaughlin mentioned his concern for the consequences that a second claim would have when attempting to shop for an insurance policy in the future.
- 13) The types of employment listed in the City of Yutan Employee Handbook were discussed. A motion was made by Beck and seconded by Peterson to remove the designation of "permanent part-time" from the terms of employment in the handbook. Upon roll call vote was as follows. YEA: Beck, McLaughlin and Peterson. NO: None. Motion carried.

Council discussions were held regarding a letter received from a resident in Yutan about some damaged trees behind the resident's property. The council questioned whether the trees being discussed fall onto railroad property and expressed intent to look into this matter further. Discussions were also held regarding no-parking signs that have been placed on a portion of Itan Drive. A resident of Itan Drive was in attendance to voice his opposition to the placement of these signs, which he felt were placed arbitrarily without real cause. Police Chief Hannan explained his concerns for the safety of parking in that area, that it causes congestion to the entrance of the subdivision and creates a potential for accidents. Different solutions were discussed, and this item will be placed on the agenda for the next meeting for further discussion and potential action.

Meeting adjourned at 9:00 p.m.

Next regular council meeting will be held October 17, 2017 at 7:00 p.m.

Darin Egr, Mayor

Katy Mattheis, City Clerk-Treasurer