

**CITY OF YUTAN  
P.O. BOX 215 - 112 VINE ST.  
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 18<sup>TH</sup> DAY OF DECEMBER, 2018, 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 Yutan 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. City Councilors Beck, Long, McLaughlin, and Peterson were present. 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 November 20<sup>th</sup>, 2018, were approved as mailed with a motion from Peterson and seconded by Beck. Upon roll call, vote was as follows. YEA: Beck, Long, McLaughlin, and Peterson. NO: None. Motion carried. The November Treasurer's Report was accepted as submitted.

- 1) Claims – A motion to pay the claims was made by Peterson and seconded by Beck. Upon roll call, vote was as follows. YEA: Beck and Peterson. NO: McLaughlin. ABSTAIN: Long. Mayor Egr was called to vote. YEA: Egr. Motion carried. Claims list: Badger Meter 112.14; Big Rig Repair 150.00; Bromm, Lindahl 1,692.22; Cardmember Services 1,950.22; Companion Life 168.71; Cubby's 465.22; D&D Concrete Sawing 250.00; Des Moines Stamp 68.00; Eric Wilke 963.07; Gretna Sani 150.00; Gwen Stokey 88.81; Int Rev 4,524.16; JEO 595.00; Katy Mattheis 135.86; Laurie Van Ackeren 103.72; Lowes 133.60; Maguire Iron 2,008.00; Melvin Sudbeck Companies 46,433.44; Menards 92.34; MUD 592.87; NE Dept of Rev 3,261.76; OPPD 4,784.85; Payroll 17,521.41; U.S. Cellular 177.59; U.S.P.O. 144.90; Wahoo-Waverly 21.49; Windstream 269.24; Insuf Chk 65.41
- 2) Open Discussion from Public – None held.
- 3) No building permits were submitted for this meeting.
- 4) Supervisor reports were given.

Mayor Egr opened the public hearing at 7:07 p.m. to obtain public comment prior to consideration of a request to replat Lot 2, Prairie Wolf Place, an Administrative Subdivision in the SE Quarter of the SE quarter of the Section 27 Township 15 North, Range 9 east of the Principle Meridian, Saunders County, Nebraska. Public comment was taken; JEO engineer Zach Schulz explained that all materials were updated and resubmitted as requested. Public hearing was closed at 7:09 p.m.

- 5) A motion to accept the Planning Commission's recommendation was made by McLaughlin and seconded by Long. Upon roll call, vote was as follows. YEA: Beck, Long, McLaughlin, and Peterson. NO: None. Motion carried.
- 6) Engineer Zach Schulz explained the criteria for granting the replat with a waiver to preclude the requirement to tie on to city-provided utilities, per the proposed subdivision agreement for this property. Per Section 8.01 of the City's Subdivision Regulations, he explained that there must be unique circumstances, reasonable and acceptable development in spite of the waived requirements being requested, and lack of detrimental repercussions to the public or adjacent properties. He stated that, as the city's engineer, he feels these criteria have been met but encouraged the council to discuss the specific circumstances of this particular replat. Such discussion was held. A motion to approve application for replat of Lot 2, Prairie Wolf Place, an Administrative Subdivision in the SE Quarter of the SE quarter of the Section 27 Township 15 North, Range 9 east of the Principle Meridian, Saunders County, Nebraska as requested with the aforementioned waiver was made by Long and seconded by Beck. Upon roll call, vote was as follows. YEA: Beck, Long, McLaughlin, and Peterson. NO: None. Motion carried.
- 7) **ORDINANCE 740 - AN ORDINANCE OF THE CITY OF YUTAN, SAUNDERS COUNTY, NEBRASKA, TO AMEND CHAPTER 3 OF THE MUNICIPAL CODE FOR THE PURPOSE OF REGULATING EXCESSIVE NOISE IN THE MUNICIPALITY;** A motion to approve second reading was made by Long and seconded by Peterson. Upon roll call, vote was as follows. YEA: Long, Beck, McLaughlin, and Peterson. NO: None. Motion carried.
- 8) Zach Schulz, an engineer with JEO, was in attendance to explain Change Order #1 for the 2018 County Road 5 Water Main Extension Project. There will be no change to the timeframe listed in the contract, but there was a deduction in the overall price of the project. A motion to approve Change Order #1 was made by McLaughlin and seconded by Peterson. Upon roll call, vote was as follows. YEA: Long, Beck, McLaughlin, and Peterson. NO: None. Motion carried.
- 9) Zach Schulz also presented Pay Application #1 for the 2018 County Road 5 Water Main Extension Project. The contractor is requesting \$46,433.44 as payment for what has been installed at this time. A motion to authorize payment per Pay Application #1 was made by Peterson and seconded by Long. Upon roll call, vote was as follows. YEA: Long, Beck, McLaughlin, and Peterson. NO: None. Motion carried.
- 10) **ORDINANCE NO. 743—AN ORDINANCE OF THE CITY OF YUTAN, SAUNDERS COUNTY, NEBRASKA, TO PROVIDE FOR THE WAGES AND SALARIES OF CERTAIN OFFICERS, APPOINTEES, AND EMPLOYEES OF THE CITY OF YUTAN, NEBRASKA;** Mayor Egr informed the council that the applicant he would like to hire is a relative of his, and she is requesting \$20/hr to take the position. He explained that this would be an interim position until a long-term solution for the Clerk-Treasurer's absence can be worked out. They decided to change the salary range for part-time office personnel and deputy city clerk from \$10.00-15.00/hr to \$10.00-20.00/hr. Councilor Long emphasized that he would like the council to revisit this matter at next month's meeting to discuss raises for the other city employees. A motion to waive the three readings of Ordinance #743 with the aforementioned changes was made by Long and seconded by Beck. Upon roll call, vote was as follows. YEA: Long, Beck, McLaughlin, and Peterson. NO: None. Motion carried. A motion to approve

Ordinance #743, with the intention of reviewing it again in January, was made by Long and seconded by Beck. Upon roll call, vote was as follows. YEA: Long, Beck, McLaughlin, and Peterson. NO: None. Motion carried.

- 11) Councilor McLaughlin made a motion to table this item until an agreement is drafted by the fire department's attorney, but there was no second to his motion. Discussion was held on different aspects that would need to appear in the contract, including a right to terminate agreement at any time, due to the city's potential need to use the location as a mitigation site. They discussed parking concerns and how the site would be set up; Matt Thompson explained there would be no parking on the road, which was the primary concern. Councilor Beck asked whether the fire department was satisfied with the location proposed and was informed by Thompson that the fire department was. Mayor Egr stated that the city's attorney didn't foresee any issues with this plan thus far but that the attorneys will need to review any contract that is drawn up.
- 12) Councilor Long explained that Paul Rupp approached city personnel regarding the tennis court's current state of disrepair with a proposal to replace it with a baseball field. Councilor Long explained that the heavy use of city baseball fields makes scheduling games and practices difficult. He would like to be back at the next meeting with Paul Rupp with more specifics on how to make this transition and an estimate on the overall cost. Councilor McLaughlin expressed concern that this was not a budgeted project. Councilor Peterson requested the City Clerk-Treasurer look grant opportunities for this project.
- 13) A motion to authorize the annual contribution to eligible employees' individual retirement accounts with the December 31st payroll was made by Peterson and seconded by Long. Upon roll call, vote was as follows. YEA: Long, Beck, McLaughlin, and Peterson. NO: None. Motion carried.
- 14) It was decided that this item would be discussed at a later date, after the council had sufficient time to review resumes.
- 15) Council discussions: Councilor Long was thanked for his many years of dedicated service to the City of Yutan.

Meeting adjourned at 7:54 p.m.

**Reorganization meeting was opened by Mayor Egr at 7:54 p.m.**

- 1) Mayor Egr, Councilor Beck, and Councilor Thompson took their oaths of office.
- 2) A motion to elect Jim McLaughlin as City Council President was made by Peterson and seconded by Thompson. Upon roll call, vote was as follows. YEA: Thompson, Beck, McLaughlin, and Peterson. NO: None. Motion carried.
- 3) A motion to approve the Mayor's appointments of Katy Mattheis as City Clerk-Treasurer and TIF Administrator, Tim Hannan as Police Chief, Eric Wilke as Utility Superintendent and Building Inspector, and Curtis Bromm of Bromm, Lindahl, Freeman-Caddy, & Lausterer as City Attorney was made by McLaughlin and seconded by Peterson. Upon roll call, vote was as

follows. YEA: Thompson, Beck, McLaughlin, and Peterson. NO: None. Motion carried.

- 4) A motion to approve the council committee appointments of Johanna Peterson to “Parks and Recreation” and “Personnel and Finance,” Jim McLaughlin to “Water, Sewer, Streets, and Equipment,” Claude Beck to “Zoning, Building, and Industrial,” and Matt Thompson to “Ordinances and Legal; Police” was made by McLaughlin and seconded by Thompson. Upon roll call, vote was as follows. YEA: Thompson, Beck, McLaughlin, and Peterson. NO: None. Motion carried.
- 5) A motion to approve the board and commission appointments of William “Matt” Dillon to Planning Commission, Kevin Shea to Planning Commission, Mary Kay Arp to Library Board, Joshua Watson to Park Board, Kevin Johnson to Community Redevelopment Authority, and Jim McLaughlin to Community Redevelopment Authority was made by McLaughlin and seconded by Peterson. Upon roll call, vote was as follows. YEA: Thompson, Beck, McLaughlin, and Peterson. NO: None. Motion carried.
- 6) A motion to approve the appointment of Don Dooley as Hearing Officer was made by McLaughlin and seconded by Peterson. Upon roll call, vote was as follows. YEA: Thompson, Beck, McLaughlin, and Peterson. NO: None. Motion carried.
- 7) A motion to approve the appointment of Steven A. Parr as Street Superintendent was made by McLaughlin and seconded by Peterson. Upon roll call, vote was as follows. YEA: Thompson, Beck, McLaughlin, and Peterson. NO: None. Motion carried.
- 8) A motion to approve the appointment of JEO Consulting Group, Inc. as City Engineer and Zoning Administrator was made by Peterson and seconded by Thompson. Upon roll call, vote was as follows. YEA: Thompson, Beck, McLaughlin, and Peterson. NO: None. Motion carried.
- 9) Council discussions: Wilke explained that there is a concrete panel by a fire hydrant on 2nd Street that is not compacted well and needs to be replaced. He stated that it is only 3 yards of concrete and shouldn't cost more than he is generally authorized to spend. He was instructed to get it completed; the claim will be approved at the next regular meeting.

A motion to adjourn was made by Peterson and seconded by Thompson. Upon roll call, vote was as follows. YEA: Thompson, Beck, McLaughlin, and Peterson. NO: None. Motion carried.

Meeting was adjourned at 8:07 p.m.

Next regular meeting of the Yutan City Council will be held January 15, 2019, at 7:00 p.m.

Darin Egr, Mayor

Katy Mattheis, City Clerk-Treasurer