

**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 16TH DAY OF OCTOBER, 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 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 7:01 p.m. by Mayor Egr. Council members 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 September 18th, 2018, were approved as mailed with a motion from Peterson and seconded by Long. Upon roll call, vote was as follows. YEA: Beck, Long, and Peterson. NO: None. ABSTAIN: McLaughlin. Motion carried. The September Treasurer's Report was accepted as submitted with updated year-to-date totals from an error made in a previous report.

- 1) Claims - Motion was made by Long and seconded by Peterson to pay all claims, except for an \$8,000 bill from JEO. Upon roll call, vote was as follows. YEA: Beck, Long, McLaughlin, and Peterson. No: None. Motion carried. Claims list: Advanced Irrigation Solutions 218.50; Angel Hull 150.00; Badger Meter 112.14; Barco 143.42; Bobcat of Omaha 320.36; Bromm, Lindahl 1,218.00; Cardmember Services 1,395.09; Companion Life 168.71; Cubby's 295.34; Eric Wilke 513.87; Frontier Coop 718.24; Fud & Tracys 104.58; Gretna Sani 150.00; Int Rev 3,569.76; JEO 1,400.00; Lowes 47.71; Meadsigns 61.00; Metering & Technology Solutions 1,800.61; Michael Haffke 150.00; MUD 84.00; NE Dept of Rev 1,523.00; NE Dept of Rev 1,680.18; NE Dept of Rev 1,831.27; NE UC Fund 111.11; One Call 43.74; OPPD 4,475.06; Paulette Mayfield 53.15; Payroll 15,113.30; RCIS 362.00; Rebecca Ringer 102.19; SENDD 1,575.00; Shelah Fenner 59.97; Spectra 272.50; Three Rivers Clerk Assoc 10.00; Tim Hannan 180.00; Tom Sieburg 180.00; U.S. Cellular 176.78; U.S.P.O. 143.50; Vine St Market 74.17; Wahoo-Waverly 281.14; Windstream 266.18; Yutan Public Library Foundation 196.00; Insuf Chk 63.30; Insuf Chk 54.86; Insuf Chk 53.81; Insuf Chk 6.75; Insuf Chk 53.81;
- 2) Open Discussion from Public – Matt Dillon signed up to discuss the odor of the water and asked for a timeframe for the problem being resolved. Egr explained that, with the repair of one of the City's wells, he hopes the water quality will improve. Mr. Dillon also asked about the permitting process for the addition of a handicap rail off his deck, and the

building inspector said that he would discuss it with Mr. Dillon in more detail after the meeting. Lastly, he inquired whether the City Council would be willing to add additional equipment to the train park in place of the wooden bear carving that was recently removed. Todd Baker also signed up to speak but asked if he could wait until agenda item 6 to represent the interests of the Yutan Vision Group. The rest of those present asked to be heard during the discussion of the ATV/UTV/Golf Cart ordinance.

Due to the number of those present wishing to speak regarding the ATV/UTV/Golf Cart ordinance, agenda item 9 was handled next.

- 9) **ORDINANCE #742 - AN ORDINANCE OF THE CITY OF YUTAN, SAUNDERS COUNTY, NEBRASKA, TO APPROVE PERMITTING THE USE OF ALL-TERRAIN, UTILITY-TYPE, AND GOLF CAR VEHICLES WITHIN THE CORPORATE LIMITS OF THE CITY OF YUTAN UNDER TERMS SPECIFIED HEREIN.** Brandon Juedes spoke in favor of the ordinance except for certain restrictions placed on ATVs. He feels that street safety is reliant on the driver of the vehicle, not on the type of vehicle being operated. Tom Sieburg agreed with what Mr. Juedes said and went on to note that many communities have passed similar ordinances and have had no real issues since doing so. Tim Ortmeier wanted to clarify what restrictions were present in the most current version of this ordinance, and those present discussed in general terms what this ordinance states. Mr. Ortmeier stated that he doesn't feel that the individuals who go through the licensing process are going to be the ones creating a problem and that he is generally in favor of how this ordinance is written. Kenneth Breyer stated that he feels the currently proposed annual license fee of \$150.00 is too high, especially in comparison to other communities he researched that have a lower or no fee involved. Mayor Egr explained that the City wanted to set the fee high enough to deter individuals who are not serious about following the rules. They discussed possibly setting a lower renewal fee after the initial licensing period. Tom Sieburg explained that he had a custom license plate designed on behalf of the City and showed the Council the design. The City Council clarified that if this ordinance is approved, the legal use of these vehicles wouldn't begin until January 1, 2019. A motion was made by Long and seconded by Beck to approve the first reading of Ordinance 742 with the revision of the licensing fee section to include a lower renewal fee rate. Upon roll call, vote was as follows. YEA: Beck, Long, McLaughlin, and Peterson. NO: None. Motion carried.
- 5) Steve Parr was in attendance to ask the City Council to review the 1 & 6 year plan and submit any changes they would like to make for next year. He explained what is currently listed in the plan and gave updates on the projects being completed. Discussion was held on which projects could reasonably be expected to be completed in the next year.
- 3) Building permits #1535-1536 were submitted for approval by the building inspector. The building inspector informed the Council that the applicants for permit #1535 did not submit building plans for the new home; the building inspector was told that a permit would not be issued until plans had been submitted. A motion was made by Peterson and seconded by McLaughlin to approve permit #1536. Upon roll call, vote was as follows. YEA: Beck, Long, McLaughlin, and Peterson. NO: None. Motion carried.

- 4) Supervisor's reports were submitted. While presenting the maintenance department report, Utility Superintendent Wilke and the City Council discussed the progress of the well repair. The Council instructed him to get the well repaired per the quote by Sargent Drilling, and the expense would be approved at the next meeting. They all emphasized the risk in operating with only one working well and the need to get this well back into operation as soon as possible.
- 6) Todd Baker was in attendance to represent the vision group. They discussed the open house meeting to be held on Oct. 18th and possible advertisement methods. Mr. Baker explained the general process that the vision group went through to reach these recommendations. He emphasized that the group did not want to put any pressure on the Council to feel that they need to enact every recommendation, as he felt that there was a strong push by JEO to get more engineering projects in front of the City Council. Tim Ortmeier, another member of this vision group, explained that the group was told quite strongly not to consider the financing options for their ideas. Mr. Ortmeier stated that he also believes that these meetings were pushed towards more expensive engineering projects that JEO would profit from, and the Council expressed their disappointment at how this process was handled. The City Clerk explained that, by approving this resolution, the Council would simply be giving priority to these items but would not be bound to complete only these projects. A motion was made by McLaughlin and seconded by Peterson to approve Resolution 2018-8. Upon roll call, vote was as follows. YEA: Beck, Long, McLaughlin, and Peterson. NO: None. Motion carried.
- 7) Mayor Egr presented a bid he received from Fair-Play by Translux for the addition of three scoreboards for Hayes Ballfield and a bid that Shawn Wentworth received from another company. Mayor Egr explained that there were multiple interested parties that would potentially contribute funding. Council member McLaughlin questioned what cost would be associated with getting power to the scoreboards and was told that sufficient infrastructure is in place for fields 1 and 2 at Hayes. The Council explained that capital outlay funds could be used for the scoreboards but would prevent other proposed projects from being completed this year. A motion to order two scoreboards from Fair-Play by Translux, with the understanding that another entity is paying for one of the scoreboards the City is ordering, 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.
- 8) Mayor Egr discussed trading in the City's pull-behind tractor mower for a three-point hydraulic blade, as the City has not used the mower in several years. He stated that it isn't necessary to get rid of the pull-behind tractor mower but that he feels it would make more sense to trade it in for something that the City may actually need. Council member McLaughlin questioned whether a blade would really be used often enough to justify buying one, and Mayor Egr mentioned a couple of possible uses over the course of a year. A motion to trade in the pull-behind tractor mower and spend \$500 for 3-point hydraulic blade was made by Peterson and seconded by Long. Upon roll call, vote was as follows. YEA: Beck, Long, and Peterson. NO: McLaughlin. Motion carried.

- 10)** Discussion was held regarding regulating excessive noise. The City Council discussed the various benefits and drawbacks of the different cities' ordinances on this subject. The City Clerk will put together an ordinance to be discussed at the next meeting.
- 11)** No council discussion was held.

Meeting adjourned at 8:36 p.m.

Next regular meeting of the Yutan City Council will be held November 20, 2018, at 7:00 p.m.

Darin Egr, Mayor

Katy Mattheis, City Clerk-Treasurer