

**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 21<sup>ST</sup> DAY OF AUGUST, 2018, AT 6:00 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 6:00 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 July 17<sup>th</sup>, 2018, and the special meeting of August 1<sup>st</sup>, 2018, were approved as mailed with a motion from McLaughlin and seconded by Peterson. Upon roll call vote was as follows: YEA: Long, Beck, McLaughlin, and Peterson. NO: None. Motion carried. The July Treasurer's report was accepted as submitted.

- 1) Claims - Motion was made by Long and seconded by McLaughlin to pay all claims. Upon roll call vote was as follows: YEA: Long, Beck, McLaughlin and Peterson. No: None. Motion carried. Claims list: Badger Meter 112.14; Biblionix 800.00; Brase 85.00; Bromm Lindahl 725.00; Cardmember Services 2,151.91; Companion Life 121.30; Cubby's 365.08; Ferguson 319.44; Fontenelle Forest 130.00; Friends of the Yutan Public Library 234.01; Frontier Coop 2,128.39; Gretna Sani 125.00; Int Rev 4,586.80; JEO 10,790.00; Katy Mattheis 331.99; Konecky 38.31; Laurie VanAckeren 76.85; Lowes 211.53; Mary Bailey 149.00; Maxim Containers 2,000.00; Menards 16.56; MUD 84.00; NE Dept of Rev 1,874.12; NE DHHS 515.00; NE Law Enforcement Training Center 604.00; NE Public Health 60.00; NE Library Comm 500.00; Olympia Book Corp 91.50; One Call 8.67; OPPD 4,903.59; Payroll 17,454.76; Railroad Management Co 214.01; Redfield & Co 179.65; SE Library System 120.00; Tys Outdoor Power 266.37; U.S. Cellular 176.42; U.S.P.O. 141.40; Viki Miller 14.71; Vine St Market 55.04; Wahoo Newspaper 404.97; Windstream 262.02; Insuf Chk 53.81; Insuf Chk 62.25;
- 2) Open Discussion from Public – Don Dooley asked to be heard regarding the Prairie Wolf subdivision agreement. He stated his belief that developing this industrial area without extending utilities to that development is irresponsible. He went on to say that the upfront cost of extending utilities does not compare to the long-term benefits to this development and other future developments that may occur. He also stated that allowing private wells in this area should not be allowed, as the City may eventually need a fourth well in that

area which would no longer be feasible. Don Dooley also emphasized the need for all buildings in this subdivision to have a sprinkler system to mitigate fire risk to life and property in the area. He also informed the City Council that he would resign from the Planning Commission and encourage other members to do so if the City Council decides to proceed in a way that he feels is irresponsible, that it is not the City's responsibility to help the land developer make his development more profitable.

- 3) Building permits #1528-1531 were submitted for approval. A motion was made by McLaughlin and seconded by Long to approve permits #1528-1531. Upon roll call vote was as follows. YEA: Beck, Long, McLaughlin and Peterson. NO: None. Motion carried.
- 5) Ed Schroeder, CPA, was in attendance to discuss the proposed budget for the upcoming fiscal year. He presented the currently proposed budget and explained the valuation information received from Saunders County. It was decided that Mr. Schroeder would use these current figures on the state's budget forms and that public hearing for the budget's consideration would be held at the regular meeting on September 18, 2018, to approve the budget.
- 4) Supervisor's reports were submitted.
- 6) **Resolution #2018-5: Authorization to borrow funds from a financial institution for street project and purchase of pickup.** The City Clerk-Treasurer explained the different terms of the loan listed, primarily the interest rate of 3.80%. A motion was made by Long and seconded by Beck to approve Resolution #2018-5. Upon roll call vote was as follows. YEA: Beck, Long, McLaughlin and Peterson. NO: None. Motion carried.
- 7) **ORDINANCE 739 - AN ORDINANCE OF THE CITY OF YUTAN, SAUNDERS COUNTY, NEBRASKA, TO PROVIDE FOR PERMITTED DATES, TIMES AND TERMS FOR THE USE, DISCHARGE AND EXPLOSION OF FIREWORKS IN THE MUNICIPALITY;** A motion was made by Long and seconded by Peterson to approve the third reading of Ordinance 739. Upon roll call vote was as follows: YEA: Beck, Long, McLaughlin and Peterson. NO: None. Motion carried. A motion to approve Ordinance 739 was made by Peterson and seconded by Long. Upon roll call vote was as follows: YEA: Beck, Long, McLaughlin, and Peterson. NO: None. Motion carried.
- 8) Discussion was held regarding potential revisions to the previously proposed Ordinance 740: Excessive Noise. Council member Peterson expressed that she would like to proceed with the ordinance, setting timelines for certain specific activities for which the City has received complaints, such as mowing lawns early in the morning. This matter will be discussed further at a later meeting.
- 9) The Mayor and City Council discussed the need for leaf disposal options for the community this autumn. Possible locations, such as the north side of Itan Ballfield or a section of land near the City's current burn pile, were suggested for leaf disposal from September 1 through November 30th. The Council also made it clear that there would

need to be signs with expressed instructions and stipulations, such as only leaves and garden vegetation would be accepted without paper or plastic bags. It was decided that an area by the concrete sewer blocks near the current City burn pile was likely the better option and could be left open at least over the weekends rather than continuing the check-out process that the City currently uses for the key to the gate. If approved by the fire department and NDEQ, the leaves would likely be burned once a year at this location.

- 10)** Utility Superintendent Wilke informed the Mayor and City Council of a broken piece of playground equipment at Timbercrest Park. Council member Long stated that he believes there are sufficient funds in the park budget to accommodate both replacing the broken equipment and renovating the park pavilion. A motion to approve the purchase of the playground equipment replacement was made by McLaughlin and seconded by Peterson. Upon roll call vote was as follows: YEA: Beck, Long, McLaughlin, and Peterson. NO: None. Motion carried.
- 11)** Utility Superintendent Wilke recounted his conversations with a street striping company regarding the cost to restripe sections of City streets as well as the possible addition of a crosswalk at 2nd and Oak Street. Wilke also explained that there are citizens concerned about kids who cross at Oak Street and his belief that a crosswalk at this location would create safer conditions for kids walking home from school. A motion was made by Long and seconded by Peterson to restripe 2nd Street and add the crosswalk at 2nd and Oak Street in the next fiscal year. Upon roll call vote was as follows: YEA: Beck, Long, McLaughlin, and Peterson. NO: None. Motion carried.
- 12)** Utility Superintendent Wilke described some of the sewer main repairs discovered during the sewer main jetting and camera work completed earlier this year. However, the City has not yet received a quote for these repairs, so this item will be discussed at a later meeting.
- 13)** Multiple members of the public were in attendance to speak regarding the desire to legalize UTVs and other currently prohibited vehicles. Tim Ortmeier explained that UTVs are legal in Hooper and that the police chief there, who was originally against the idea of legalizing UTVs, has had no issue in the years with them since their legalization. Mr. Ortmeier explained their licensing process and some basic information about what their police department does and does not enforce. Matt Thompson mentioned that he spoke with officers in Fremont, where it is also legal, who also stated that they have had no serious issues with it. Council member Long explained that, based on his conversations with Yutan's police chief, he believes that Police Chief Hannan would not oppose the legalization of UTVs and golf carts but would prefer not to include legal provisions for ATVs in the ordinance. Council member Peterson mentioned that, with the recommendation of the attorney against golf carts, she would prefer that golf carts are not included in the ordinance either. Council members mentioned putting operating hours, like only during daylight hours, into place, and Utility Assistant Tom Sieburg interjected that there are individuals who might use UTVs for plowing snow, which could occur outside of daylight hours. They discussed different potential requirements, such as turn

signals, seatbelts, and flags, for the legal operation of these vehicles on City streets. It was decided that the City Clerk would coordinate with Police Chief Hannan on putting together an ordinance.

- 14)** Zach Schulz, a project engineer for JEO, informed the Mayor and Council of the results of the bidding process completed for the 2018 County Road 5 Water Main Extension project. A motion was made by Long and seconded by Beck to award the construction contract to Melvin Sudbeck Homes, Inc. in the amount of \$53,970.00 and to authorize Mayor Egr to execute the same. Upon roll call vote was as follows: YEA: Beck, Long, and Peterson. NO: None. ABSTAIN: McLaughlin. Motion carried.
- 15)** The Mayor and City Council reviewed the final draft of the proposed subdivision agreement from the City's attorneys. The City Clerk explained that no action is necessary, as this agreement and the replat plans must be submitted by the developer to the Planning Commission for review prior to any consideration by the Council. Mayor Egr mentioned that the land developer's engineers are putting together the plat plans now for submission. Zach Schulz, an engineer with JEO, mentioned that the plat may also need to go through the Saunders County Planning Commission, due to the location of the subdivision.
- 16)** Council discussions: Council member Long asked Matt Thompson about his earlier phone call to the office about putting an AED at Itan Ballfield, and Matt provided preliminary numbers about the expense involved to purchase and service the AED, expenses that could potentially be split between the school, fire department, and City. He will bring more information about the expenses to the next meeting, so the Council can render a decision.

Meeting adjourned at 7:03 p.m.

Next regular meeting of the Yutan City Council will be held September 18, 2018, at 7:00 p.m.

Darin Egr, Mayor

Katy Mattheis, City Clerk-Treasurer