

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

A regular meeting of the Mayor and Yutan City Council was held at City Hall on January 19, 2021 at 7:00 p.m.

Meeting was called to order at 7:00 p.m. by Mayor Egr. Council Members Beck, Kelly, Peterson, and Thompson were present. Mayor Egr opened the meeting with the Pledge of Allegiance. Egr then informed all the individuals present of the location of the Open Meetings Act and Code of Conduct.

1) Consent Agenda:

a) A motion was made by Thompson and seconded by Peterson to approve the consent agenda: approve the minutes of the December 15th, 2020 regular meeting, the December 15th, 2020 reorganization meeting, and the January 16th, 2021 special meeting; accept the December Treasurer's Report as submitted; and authorize payment on all submitted claims. YEA: All. NO: None. Motion carried. Claims: Badger Meter \$162.87; Bank Fees (Dec.) \$7.50; Brandy Thompson \$75.00; Bromm, Lindahl, et. al \$319.00; Canon \$106.00; Cardmember Services \$1,217.18; Companion Life \$219.72; Credit Management Services \$855.94; Cubby's \$497.81; Deluxe Check \$94.50; ECS Tech \$346.00; Electric Pump \$35,485.00; Eric Wilke \$877.91; First State Bank \$2,855.78; Frontier Coop \$1,421.30; GovDeals \$3,600.00; Gretna Sani 150.00; Int Rev \$8,870.98; JEO \$4,782.50; J.P. Cooke \$68.31; Lowe's \$63.87; Midwest Service 136.71; MUD \$446.39; NDOT \$48,134.24; NE Dept. of Revenue \$6,924.01; NE Public Health Lab \$580.00; NE UC Fund 117.29; NMC 759.01; One Call Concepts \$19.23; OPPD \$5,092.96; Paige Talacko \$118.17; Payroll \$35,193.73; Railroad Management 258.95; SYNCB/AMAZON \$1,516.74; Thompson & Sons \$58.03; Ty's Outdoor Power \$16,000.00; USPO \$156.80; U.S. Cellular \$125.66; Wahoo Newspaper \$182.95; Wiese Plumbing \$5,464.00; Yutan Trucking \$836.49; Insuf Chk \$56.97; Insuf Chk \$58.03; Insuf Chk \$79.53.

2) Open Discussion from Public: Matt Dillon addressed the council regarding his plans to move out of town and the ongoing maintenance for the train park, which he has taken on for several years. He thanked the council for the addition of swings and a slide to this park, and the council thanked him for his years of service in maintaining the park. Jean Janecek stated that he was present to discuss the zoning matter to be considered by the council later in the meeting, and Mayor Egr invited him to participate in that discussion when it came up on the agenda.

3) Presentation from Guests

a) Ed Schroeder, CPA, was in attendance to discuss the annual audit. Lisa Flesner presented the audit results for FY 19-20. A motion to accept the audit results was made by Thompson and seconded by Beck. YEA: All. NO: None. Motion carried.

4) Ordinances and Public Hearings

- a) City Administrator Bockelmann stated that this ordinance would allow the City to treat snow removal issues as a nuisance that follows abatement procedure rather than merely issue citations. The drawback, he explained, is that state statute requires five days' notice to homeowners before the City could remove snow at the homeowner's expense. He also mentioned that the council could increase the fine for each snow removal citation to incentivize timely snow removal. A motion was made by Thompson and seconded by Peterson to approve the first reading of Ordinance 770. YEA: All. NO: None. Motion carried.
- b) The city administrator informed the council that Ordinance 771 is the first of three agenda items related to the proposed construction of an apartment building. He further explained that the ordinance would allow multi-family residences as a conditional use in the B-2 zoning district. Mayor Egr opened the public hearing regarding the proposed zoning text amendment to Section 5.11 of the zoning ordinance at 7:44 p.m. Jean Janecek raised concerns about water drainage on the proposed site of the apartment building. City Administrator Bockelmann told Mr. Janecek and the council that he has spoken with an engineer regarding water drainage and relayed the engineer's opinion that the City would be requiring the building to be set in a way that should not worsen water drainage. Mayor Egr closed the public hearing at 7:52 p.m. A motion was made by Peterson and seconded by Kelly to waive the three readings and approve Ordinance 771. YEA: Beck, Kelly, and Peterson. NO: None. ABSTAIN: Thompson. Motion carried.
- c) City Administrator Bockelmann told the council that he recommends the approval of Ordinance 772, which would rezone Lots 2-3 of Gingers Run Addition. Mayor Egr opened the public hearing on the proposed zoning map amendment at 7:55 p.m. Council Member Peterson asked if this ordinance just rezoned the property or if it also included approval for the apartment building; City Administrator Bockelmann answered that this ordinance simply approves the rezone and that the next agenda item would be the conditional use permit that the developers would need approved in order to build the apartment building. Council Member Peterson stated that she would be willing to waive the three readings and approve the rezone, as long as the conditional use permit was not approved until the council received more input from the City's engineers on the previously discussed drainage issue. Council Member Kelly asked when the paving of the adjacent street is planned and was told that the city administrator believed it was scheduled for FY 23-24. Mayor Egr closed the public hearing at 7:58 p.m. A motion to approve the first reading of Ordinance 772 was made by Kelly and seconded by Peterson. YEA: Beck, Kelly, and Peterson. NO: None. ABSTAIN: Thompson. Motion carried.

5) Resolutions

- a) City Clerk-Treasurer Neukirch requested that this resolution be tabled, as the property requesting the conditional use permit has not yet been rezoned as needed. A motion to table Resolution 2021-1 until the February council meeting was made by Peterson and seconded by Beck. YEA: Beck, Kelly, and Peterson. NO: None. ABSTAIN: Thompson. Motion carried.

- b) City Administrator Bockelmann informed the council that this resolution adopts a fair housing policy, which is required for the grant funding the City received for a Downtown Revitalization plan. A motion to approve Resolution 2021-2 was made by Thompson and seconded by Peterson. YEA: All. NO: None. Motion carried.
 - c) The city administrator explained that this resolution would approve the sale of the City's Western Tornado 1.8 Yard Hopper Spreader, and he requested that the council include a minimum bid amount in the motion to approve. A motion was made by Thompson and seconded by Beck to approve Resolution 2021-3 with a minimum bid of \$2,500.00. YEA: All. NO: None. Motion carried.
- 6) Other Action Items**
- a) City Administrator Bockelmann explained that the proposed change to the scope of services would increase the cost by \$3,000.00 and would add a compliance review for requirements of the Drinking Water State Revolving Fund. A motion to approve the change in scope of services with JEO Consulting Group for an additional \$3,000.00 was made by Thompson and seconded by Peterson. YEA: All. NO: None. Motion carried.
 - b) A motion to approve Eric Wilke's resignation as Utility Superintendent, Floodplain Administrator, and Building Inspector was made by Peterson and seconded by Beck. YEA: All. NO: None. Motion carried.
 - c) A motion to approve Mayor Egr's appointment of Tom Sieburg as Utility Superintendent, Floodplain Administrator, and Building Inspector was made by Peterson and seconded by Beck. YEA: All. NO: None. Motion carried.
 - d) A motion to approve Mayor Egr's appointment of Elizabeth Bullington to the Library Board was made by Peterson and seconded by Beck. YEA: All. NO: None. Motion carried.
- 7) Discussion Items**
- a) Matt Keiser was present to ask the council about purchasing an easement of City property that would connect his property to Vine Street, and he explained that he would like to turn the area into a park. Mayor Egr invited him to return to next month's meeting to discuss his matter further and give the council time to review the proposed plans for this property.
- 8) Supervisor's Reports**
- a) Library Director's report was not submitted.
 - b) Police Department's report was submitted.
 - c) Maintenance Department's report was submitted.
 - d) City Administrator's report was submitted.
- 10) Council Discussions:** None.

Meeting adjourned at 8:32 p.m.

Next regular meeting of the Yutan City Council will be held February 16, 2021, at 7:00 p.m.

Darin Egr, Mayor

Katy Neukirch, City Clerk-Treasurer