

**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 VIRTUALLY VIA ZOOM ON THE 21ST DAY OF APRIL 2020, 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 and Certificate of Posting Notice attached to these minutes. Notice of this meeting was given to Mayor Egr 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 7:01 p.m. by Mayor Egr. Council Members Beck, McLaughlin, Peterson, and Thompson were present. Mayor Egr opened the meeting with the Pledge of Allegiance. Egr then informed all of the individuals present of the online location of the Open Meetings Act and Code of Conduct.

- 1) **Consent Agenda:** A motion was made by Thompson and seconded by Peterson to approve the consent agenda: approve minutes from March 17, 2020 regular and April 3, 2020 emergency council meetings, accept the March Treasurer's Report as submitted, and authorize payment on all submitted claims. Upon roll call, vote was as follows: YEA: Beck, McLaughlin, Peterson, and Thompson. NO: None. Motion carried. Claims: Badger Meter 128.16; BASE 400.00; Bromm Lindahl 214.50; Canon Financial 212.00; Cardmember Services 1,696.20; Cole Bockelmann 304.58; Companion Life 219.72; Cubbys 313.87; Elkhorn Computer 965.16; Eric Wilke 480.00; First State Insurance 32,924.00; General Fire and Safety 197.75; Gretna Sani 150.00; Int Rev 8,576.10; Konecky 58.20; La Quinta 419.80; Lowes 64.59; Meadsigns 120.00; Menards 10.70; Midwest Labs 11.83; MUD 292.59; NE Dept of Environment 150.00; NE Dept of Rev 1,619.00; NE Dept of Rev 1,729.62; NE Dept of Rev 2,104.38; NE Public Health Lab 217.00; NE UC Fund 282.82; NeRWA 750.00; One Call 22.28; OPPD 4,588.60; Payroll 30,796.18; SYNCB/AMAZON 474.12; Tim Hannan 100.00; Tom Sieburg 201.84; Tys Outdoor Power 729.16; U.S.P.O. 207.25; U.S. Cellular 148.80; United Rentals 1,347.00; Vine Street Market 10.00; Wahoo-Waverly-Ashland Newspaper 312.52
- 2) **Open Discussion from Public:** None held.
- 3) **Presentation from Guests**
 - a) Melvin Sudbeck attend the meeting virtually to present information regarding his proposed redevelopment project. He explained that the purpose of his participation in this meeting is to determine whether the council has interest in the completion of the proposed project. He explained that utilizing tax increment financing (TIF) is necessary to make this project financially viable, as the infrastructure needed is cost-prohibitive to the redevelopment of this area. Mr. Sudbeck noted that he did speak with financial institutions regarding setting up a sanitary improvement district (SID) but was told by each that it would not be a feasible funding option for this project. He stated that he would like to begin the previously discussed blight study but

wanted to make sure that the council is open to considering the blight study and TIF for this project before spending the money to get the study completed. Council President McLaughlin explained that he and Council Member Thompson had previously spoken on this topic and agreed that it would be most beneficial to have a meeting with the other affected taxing jurisdictions; however, he noted that, with the current gathering limitations imposed due to COVID-19, they are not sure when this meeting could reasonably be scheduled. Mr. Sudbeck reiterated that a blight study could be completed in the interim but that he would like reassurance that the council is still open to the project. Council Member Thompson mentioned that the school has submitted a letter in opposition to using TIF and that, while the fire department hasn't issued any official statement, he believes the fire department is against the use of TIF as well. Yutan Public School Superintendent Mitch Hoffer said that the school is willing to entertain figures on this project but that the current belief is that the school could not take the increase of students without the associated property tax funding of a new development. The council then discussed holding a virtual meeting or waiting until restrictions are reduced to the point of being able to hold a meeting at the school or activity center where meeting participants could be adequately spaced out. Mr. Sudbeck was asked when he would need the meeting held, and he explained that it's hard to say for sure, as it is less of an issue of this particular meeting and more related to how long it will take between steps before he gets a firm answer on the project as a whole. They discussed holding a meeting on May 6th in person, if the governor lifts the gathering limitation, or virtually. The council decided to plan on holding a meeting in early May.

4) **Ordinances and Public Hearings**

- a) City Administrator Bockelmann explained that the limitations on accessory structures in the R-1 zoning district disproportionately affects the larger lots located outside of City limits, which led to the drafting of this ordinance. Council Member Thompson asked whether those lots could be rezoned to the RS district instead, but the city administrator explained that the minimum lot size for RS zoning is 3 acres, which is larger than a majority of these lots. The city administrator further stated that the City could create a new zoning designation for these neighborhoods but that he felt this ordinance was a simpler fix to the problem. Mayor Egr opened the public hearing to consider the zoning text amendment to amend Sections 4.11 (Accessory Buildings and Uses), 5.07 (Low Density Residential District), and 5.08 (Medium/High Density Residential District) at 7:18 p.m. Council President McLaughlin mentioned that he felt this ordinance is a step in the right direction. The public hearing was closed at 7:20 p.m. A motion to waive the three readings and approve Ordinance 761 was made by Thompson and seconded by McLaughlin. Upon roll call, vote was as follows: YEA: Beck, McLaughlin, Peterson, and Thompson. NO: None. Motion carried.

City Administrator Bockelmann requested that the city council address Resolution 2020-6 after speaking with Lamp Rynearson engineer Caleb Snyder during agenda item 6C; the council had no objections.

6) **Other Action Items**

- a-b) Utility Superintendent Wilke explained that Johnson Service Co.'s bids were to repair the worst infiltration issues identified in JEO's utility study and to clean

approximately one-fourth of the City's sewer main. He explained that it is his goal to get the City set on an annual schedule to clean one-fourth of the sewer main so the entire main is cleaned out every four years. A motion to approve the sewer infiltration repair agreement with Johnson Services Co. for an amount not to exceed \$15,300.00 to approve the sewer main cleaning agreement with Johnson Services Co. for an amount not to exceed \$8,086.00 was made by Thompson and seconded by McLaughlin. Upon roll call vote was as follows: YEA: Beck, McLaughlin, Peterson, and Thompson. NO: None. Motion carried.

- c) City Administrator Bockelmann informed the council that the original bid provided to them would include having a construction observer or engineer from Lamp Rynearson at the project site daily, which may not be necessary. He stated that another option to consider would be weekly inspections or an agreement to an hourly rate for inspections and assistance as determined necessary by City staff. Caleb Snyder from Lamp Rynearson told council that the bulk of the cost of this bid was the cost for having someone onsite daily; he then explained the other items included in the scope of work. Council Member Thompson asked Mr. Snyder if he felt it was necessary to have someone from Lamp Rynearson onsite each day, and Mr. Snyder said that he didn't believe so, as Utility Superintendent Wilke would be able to oversee a majority of the work. Mr. Snyder recommended having someone from Lamp Rynearson present during the overlay process and the construction of the speed table. Mayor Egr asked if one weekly meeting would be sufficient, and Mr. Snyder agreed that a weekly meeting should suffice, as long as someone is also onsite during the sections of construction he previously mentioned. City Administrator Bockelmann suggested setting up the agreement to include a weekly meeting with an agreed-upon hourly rate for additional time onsite, if needed. Council President McLaughlin expressed concern about the on-call hourly rate option causing the project to go over budget, and Mr. Snyder agreed that it is a possibility if something were to go wrong during the construction process, which he doesn't anticipate. The council discussed rewording the agreement to set an overall dollar amount that could not be exceeded without either additional council action or staff approval. Mr. Snyder stated that he would get a revised proposal to the city administrator. A motion to approve the construction services agreement with Lamp Rynearson for an amount not to exceed \$14,600.00 with the change to scope as noted was made by Thompson and seconded by Peterson. Upon roll call vote was as follows: YEA: Beck, McLaughlin, Peterson, and Thompson. NO: None. Motion carried.

5) Resolutions

- a) The city administrator explained that this resolution sets up the financing for the Cedar Drive Asphalt Overlay and would need to be amended if any of the costs for construction or administration come in differently than expected. Council Member Thompson asked whether the resolution could leave the dollar amount open, but City Administrator Bockelmann explained that by state statute this resolution must be specific to the exact cost of the loan being sought. Mayor Egr suggested tabling the item until next month, and the city administrator said that doing so would be fine, as there would still be enough time to get the loan issued before the first construction payment. A motion to table Resolution 2020-6 until the next regular council meeting was made by Thompson and seconded by McLaughlin. Upon roll call, vote was as follows: YEA: Beck, McLaughlin, and Peterson, and Thompson. NO: None. Motion

carried.

7) Discussion Items

- a) Brief discussion was held regarding the City's COVID-19 policies and response. City Administrator Bockelmann explained that the state-issued Directive Health Measure (DHM) for Saunders County and City of Yutan are both currently set to expire on May 6th. He noted that the city office is still closed to the public. The library is also closed to the public but is also doing curbside pickup and home delivery to continue to serve the public, which is consistent with other libraries in the county. The police department is still operating but attempting to be more conscious of social distancing. The city administrator mentioned that staff, after speaking with several elected officials, made the decision to close the City's parks and ballfields completely, due to instances of larger gatherings of people at the facilities. City Administrator Bockelmann asked the council for their input on whether they would like these facilities to remain closed until May 6th or potentially reopen prior to the expiration of the DHM. Council President McLaughlin expressed his belief that the City is handling the COVID-19 response well. Council Member Thompson said that he felt that leaving the parks closed until the DHM expires is the best option. City Administrator Bockelmann noted that the Board of Health physician Dr. Pehrson concurred with that, as well. Council Members Peterson and Beck both indicated their agreement.

8) Supervisor's Reports

- a) Library Director's report was submitted.
- b) Chief of Police's report was submitted.
- c) Maintenance Department's report was submitted. Utility Superintendent Wilke informed the council that he received a quote of \$1,305.00 to replace the doors in the splash pad bathrooms. They discussed the doors and locking mechanisms available, but ultimately, Utility Superintendent Wilke was instructed to purchase and install whatever doors that he felt were the best option.
- d) Tax Increment Financing report was submitted to council, pursuant to Nebraska Revised Statute 18-2117.02. This report was mailed to the other affected taxing entities on Friday, April 17th.
- d) City Administrator's report was submitted.

9) Council Discussions: None held.

Meeting adjourned at 7:58 p.m.

Next regular meeting of the Yutan City Council will be held May 19, 2020, at 7:00 p.m.

Darin Egr, Mayor

Katy Neukirch, City Clerk-Treasurer