

**CITY OF YUTAN
P.O. BOX 215 - 112 VINE
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 17TH DAY OF OCTOBER, 2017, 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 7:00 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 September 19, 2017, 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 Treasurer's report was accepted as submitted.

- 1) Claims - Motion was made by Peterson and seconded by Beck to pay all claims. Upon roll call vote was as follows: YEA: Long, Beck, McLaughlin and Peterson. No: None. Motion carried. Claims list: Alex Case 150.00; Badger Meter 89.89; Brase 3,138.74 Brodart Order Center 3.79; Bromm 652.50; Cardmember Services 1,848.27; CJK 594.68; Cubby's 242.89; Debra Hall 117.30; Gretna Sani 125.00; Int Rev 1,446.08; Internal Rev 1,576.62; Jackson Services 29.75; Johnson Service Co 9,990.00; Katy Mattheis 11.76; Konecky 22.00; Laurie Van Ackeren 10.27; Lowes 50.24; McAtee 9,172.50; Menards 56.95; MUD 84.00; Michael Frederick 25.00; Midwest Impressions 374.00; Midwest Service & Supply 122.45; Municipal Service & Supply 3,214.00; NE Dept of Rev 1,340.00; NE Dept of Rev 3,011.93; NE UC fund 109.81; Nebr Library Comm 500.00; Odeys 4,863.00; One Call 10.59; OPPD 4,388.04; Payroll 12,007.59; Petty Cash 16.52; Read Aloud 15.00; SENDD 1,575.00; Spectra 272.50 Three Rivers Clerks 10.00; Tim Hannan 180.00; U.S. Cellular 173.00; U.S.P.O. 230.26; Valley Corp 488.20; Vine Street Market 45.65; Wahoo-Waverly 114.10; Wahoo Newspapers 45.00; Wiese Plumbing 775.10; Windstream 375.95; Insufficient Chk 105.00
- 2) Open Discussion from Public – Dixie Trost expressed her concerns on the proposed resolution related to booster pumps and the requirement of backflow prevention devices in Bull Run. She was informed that Utility Superintendent Wilke would be in attendance for that agenda item and would be able to answer any of her questions at that time. Glenn Sievers came to discuss parking concerns on Maple Street and was also told that he would be able to speak on that matter during that item for the meeting.
- 3) Building permits #1484-1493 were submitted. A motion was made by Long and seconded by Beck to approve permits #1484-1492 as submitted and to also approve

#1493 with the contingency that the building plan must be further reviewed and approved by the building inspector. Upon roll call vote was as follows. YEA: Long, Beck, McLaughlin and Peterson. NO: None. Motion carried.

- 4) Supervisor's reports were submitted.

Mayor opened public hearing at 7:12 p.m. to obtain public comment prior to consideration of a request to change the zoning classification from A-1 District to I-1 District, by JLMM Investments Co., Owner, and Joshua Dietrich, Contract Buyer, to discuss a request to change the zoning classification from A-1 District to I-1 District, Lot 2, Prairie Wolf Place, an Administrative Subdivision in the SE Quarter of the SE quarter of Section 27 Township, 15 North, Range 9 East of the Principle Meridian, Saunders County, Nebraska. Joe Vandennack, the owner of the property spoke in favor of the rezone and the contract buyer's dedication to plan future development properly, in a way that benefits the community. Carrie Duffy, a representative for the contract buyer, explained aspects of the process that this property has gone through to determine the need for a change in zoning. A member of the public expressed concern about a lack of explicit planning for the future development of the property and the potential for traffic backups on Highway 92; it was mentioned that the property could have access to County Road 5 to reduce the potential for traffic congestion. Public hearing was closed at 7:22 p.m.

- 5) A motion was made by Peterson and seconded by Long to receive the Planning Commission recommendation for the rezoning of Prairie Wolf Place. Upon roll call vote was as follows: YEA: Long, Beck, McLaughlin and Peterson. NO: None. Motion carried.
- 6) **ORDINANCE NO. 731-AN ORDINANCE OF THE CITY OF YUTAN, SAUNDERS COUNTY, NEBRASKA, FOR THE PURPOSE OF AMENDING "THE OFFICIAL ZONING MAP OF THE CITY OF YUTAN". BE IT RESOLVED AND ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF YUTAN, SAUNDERS COUNTY, NEBRASKA, AS FOLLOWS:** A motion to waive the three readings of Ordinance #731 was made by Beck and seconded by McLaughlin. Upon roll call vote was as follows: YEA: Long, Beck, McLaughlin and Peterson. NO: None. Motion carried. A motion to adopt Ordinance #731 was made by Beck and seconded by McLaughlin. Upon roll call vote was as follows: YEA: Long, Beck, McLaughlin and Peterson. NO: None. Motion carried.
- 7) Discussion was held regarding SENDD's proposed strategic plan. Councilmember Peterson spoke in favor of the strategic plan and mentioned the community's support shown for the plan in the past and the funds spent by the City to develop the plan. A motion to approve the proposed strategic plan was made by Peterson and seconded by McLaughlin. Upon roll call vote was as follows: YEA: Beck, McLaughlin and Peterson. NO: Long. Motion carried.
- 8) Discussion was held regarding the no-parking signs on Itan Drive. Police Chief Hannan was in attendance to voice his concerns for the section of Itan Drive in which the signs were placed and to ask the council what action they would like to see taken in regards to the no-parking signs. A resident from Itan Drive was also present to discuss this issue and stated that he does not feel that parking on this section of the street is a safety issue and that he believes more residents will complain if he is forced to park on a different section

of the street rather than by his residence. Councilmember Long explained that the residents on Itan Drive that he has spoken have given mixed responses on what they believe should be done but that many expressed frustration at the congestion around the entrance to the subdivision. Councilmember Peterson emphasized the need to enforce whatever plan they decide to implement. Ultimately, Police Chief Hannan was instructed to create no-parking sections by painting the curb in certain setbacks from the stop sign at the entrance to the subdivision and from the curve in the road.

- 9) Discussion was held regarding parking concerns on Maple Street. Police Chief Hannan explained his perspective on the parking issue between two residents living on Maple Street between 3rd and 4th Street. Both residents were in attendance to give their opinions on the problem. One of the residents explained that he does not believe his neighbor has any need to park on his side of the street and that he feels that his neighbor's vehicles are a nuisance. The other resident described some of the disputes that she and her neighbor have had over the years and pointed out that her neighbor will also park his vehicles on her side of the street and by the side of her house. One of the residents proposed that the council vote to ban parking on the north side of Maple Street, but Police Chief Hannan and some members of the council expressed their belief that doing so would be unfair to the other residents in the area, as these two residents are the only ones experiencing an issue with parking. A motion was made by Peterson to ban parking on the north side of Maple Street from 10 p.m. to 9 a.m., but no second was made. Motion failed. At this time, several members of the council stated that they did not feel that continued discussion of this matter was solving the problem, so they decided to move on to the next item on the agenda.
- 10) **ORDINANCE 732—AN ORDINANCE OF THE CITY OF YUTAN, NEBRASKA, TO AMEND CHAPTER 4, ARTICLE 1—TRAFFIC REGULATIONS SECTION 4-108: GENERAL SPEED LIMIT; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR EFFECTIVE DATE THEREOF.** A motion to waive the three readings of Ordinance #732 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 adopt Ordinance #732 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) **ORDINANCE 733— AN ORDINANCE OF THE CITY OF YUTAN, SAUNDERS COUNTY, NEBRASKA, TO PROVIDE FOR THE REGULATION OF GOLF CARTS ON THE CITY STREETS AND PENALTIES;** A motion to approve the first reading of Ordinance #733 was made by McLaughlin and seconded by Long. Upon roll call vote was as follows: YEA: Long, Beck, and McLaughlin. NO: Peterson. Motion carried.
- 12) **RESOLUTION 2017-09: WHEREAS, it is in the best interest of the City of Yutan to participate in an Interlocal Agreement with members of the III Corps Drug Task Force;** A motion to approve Resolution 2017-09 was made by McLaughlin and seconded by Long. Upon roll call vote was as follows: YEA: Long, Beck, McLaughlin and Peterson. NO: None. Motion carried.

- 13) RESOLUTION 2017-10: WHEREAS, under Municipal Code of the City of Yutan, Section 7-217 (A), the City's Utility Superintendent may require a Water Department customer to install and maintain a properly sized and located backflow prevention device at his/her expense, appropriate to the potential hazards set forth in Title 179, Nebraska Department of Health and Human Services Regulation and Licensure;** A motion to approve Resolution 2017-10, contingent on revising the resolution to reflect that the City will incur the cost of the annual testing of the backflow prevention devices regardless of whether or not the City employs a Grade VI water operator capable of performing the test, was made by Peterson and seconded by Beck. Upon roll call vote was as follows: YEA: Beck and Peterson, NO: McLaughlin and Long. Mayor Egr called to vote to break tie. YEA: Egr. Motion carried.
- 14)** Utility Superintendent Wilke explained his plan for the addition of a roof on the batting cage at Hayes Ballfield and the cost associated with the project, as well as the agreement to split the cost between the Yutan Public Schools, the youth baseball league, and the summer softball league. A motion to authorize Utility Superintendent Wilke to spend up to \$1,300.00 on the City's share of expenses to install a roof on the Hayes batting cage 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.
- 15)** JEO representative Lucas Billesbach was in attendance to present JEO's proposal for beginning the process of expanding City infrastructure. He explained some of the different services they would provide in the initial phases, such as identifying easements, conflicts with other potential utilities in the area, environmental concerns, and the necessary volume for utilities in the area. These services would be provided in the agreement on an hourly basis not to exceed \$5,000. A motion to enter into the proposed agreement with JEO 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.
- 16)** Council discussions were held regarding the previous ban of burn barrels within City limits. Councilmember Beck posed the question of whether the City would provide a dump site for leaves during the fall. The matter will be discussed at a later date.

Meeting adjourned at 8:28 p.m.

Next regular council meeting will be held November 21, 2017 at 7:00 p.m.

Darin Egr, Mayor

Katy Mattheis, City Clerk-Treasurer