

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

A regular meeting of the Mayor and City Council was held at the Yutan City Office on May 23, 2019, at 7:00 p.m.

Meeting was called to order at 7:00 p.m. by Mayor Egr. Councilmembers McLaughlin, Peterson and Thompson were present. Councilmember Beck was absent. 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 April 16th, 2019 and special meeting on April 24th, 2019 were approved as mailed with a motion from Peterson and seconded by Thompson. Upon roll call, vote was as follows. YEA: McLaughlin, Peterson, and Thompson. NO: None. ABSENT: Beck. Motion carried. The April 2019 Treasurer's Report was accepted as submitted.

- 1) Councilmember McLaughlin asked what CleanUP Containers and Plumbing was for. Utility Superintendent Thiessen explained that the payment was for pumping the water out of the Hayes bathroom. Claims – A motion to pay the claims was made by Peterson and seconded by McLaughlin. Upon roll call, vote was as follows. YEA: Thompson, McLaughlin, Peterson. NO: None. ABSENT: Beck. Motion carried. Claims list: All Star 685.00; All Sweep 2,400.00; Axon Enterprise 67.52; Badger Meter 116.59; Broom Lindahl Freeman-Caddy Lausterer 464.00; Cardmember Services 3,247.86; Central Plains Library System 181.13; CleanUp Containers 200.00; Cline Williams Attorney 2,068.56; Companion Life 128.39; Cubby's 664.42; Dr. Oxygen Science Show 185.00; Egan Supply 78.70; Frontier Coop 992.77; GameTime 1,264.26; Gretna Sani 150.00; Harvest Auto 92.40; Heimes Corp 1,160.36; Jayhawk Software 62.50; JEO Consulting 6,847.50; Konecky Oil 41.69; Laurie VanAckeren 31.67; League of NE Munc. 150.00; Loftus Septic 450.00; Martin Marietta 3,809.81; Megan Schulz 119.07; Menards 473.71; MUD 147.14; Midwest Service 148.95; Miktom 2,300.00; NE Public Health Envir. Lab 74.00; NE Rural Water Assoc. 175.00; Nygren Welding 500.00; Odeys 905.90; One Call 16.51; OPPD 4,634.56; Payroll 20,554.65; Petty Cash 10.02; Publication Printing 44.85; Sargen Drilling 300.00; Saunders County Clerk 514.75; Smisek Const. 1,290.00; Thiele Geotech 1,950.00; Trade Well Pallet 221.55; Transportation 3,235.95; TrezenBold 673.55; U.S. Cellular 65.28; U.S.P.O. 379.20; Utility Equip Co. 76.34; Wahoo Newspaper 119.95; Wahoo-Waverly 189.29; Walvoord Excavating 400.08; Watch Guard 112.00; Winstream 183.23; YPS 700.00; Yutan Public Library Foundation 621.14.

- 2) Open Discussion from Public:
Shandy Shea spoke regarding an incident with her brother Adam at the Hayes concession stand. Shea stated that her brother has helped for nearly twenty years and that she believes he is extremely helpful.
Councilmember Thompson explained that there is confusion on what transpired with Adam and that the City has not banned Adam from any property or activity.
Shawn Wentworth stated that there was not a specific incident with Adam at the Hayes concession stand.
Shandy Shea explained that Adam and his family would like him to be involved in some capacity, whether or not in the concession stand, because he enjoys being at the ballfields and helping out.
Shawn Wentworth gave an overview of the concession stand sign up process. Wentworth stated

that he enjoys having Adam at the ballgames but was concerned with preventing anyone from out of town from signing up to work concessions.

Caleb Snyder stated that Adam is not an outsider and has been known to the community for thirty years.

Councilmember Thompson stated that there is no issue with Adam being present at the ballfields but that it is difficult for volunteers to supervise him.

Shandy Shea explained that Adam has always been a part of the community and that is difficult when he is excluded from certain activities. Shea highlighted the many times Adam has helped throughout the community.

Susan Egr stated that Adam and his brother Bear are an important part of the community but that some guidance may be needed if Adam is going to continue to help at the ballfields. Egr noted a past incident with Adam at the concession stand but reiterated that all parties need to set him up for success and include him in some capacity. Egr stated that she believed the situation has been blown out of proportion.

Shandy Shea agreed and stated that it can be difficult to communicate over social media.

Carrie Knowlton explained that her father was notified that Adam was no longer able to work the concession stand while he was at work, which may have led to some confusion.

Matt Dillon stated he believes Adam is being victimized and is always helpful when he is around.

Mayor Egr stated that the City is working to find a solution where Adam can still be involved at the ballfields.

Carla Snyder stated that Adam made a positive impact on her family and her children as they were growing up. She stated that some people are comfortable with Adam and that others are not. Snyder explained that Adam has helped in the past by cleaning the restrooms and that he did a great job.

Shawn Wentworth stated that they could have Adam help pick up foul balls or trash but that he was concerned how it would be viewed by others.

Susan Egr stated that giving Adam a specific job would be beneficial for everyone.

Mayor Egr thanked everyone for coming and voicing their opinion.

Carla Snyder asked Mayor and Council why those that complained about Adam did not attend the meeting.

Mayor Egr replied that Shawn Wentworth was in attendance to address baseball's concerns.

3) Building permits #1554-1561 were submitted. City Administrator Bockelmann expressed

concern that building permit #1558 for a pool did not show a fence in the drawing. A motion was made by Peterson and seconded by Thompson to approve permits #1554-1561 on the contingency that building permit #1558 can only be approved once documentation of a fence is provided. Upon roll call vote was as follows: YEA: Thompson, McLaughlin, Peterson. NO: None. ABSENT: Beck. Motion carried.

- 4) Supervisor reports were given by Library Director Van Ackeren, Utility Superintendent Thiessen, and City Administrator Bockelmann. Officer David Page introduced himself.
- 5) City Engineer Zach Schulz from JEO Consulting Group gave an overview of Change Order #2 for the County Road 5 Water Main Extension project. A motion was made by Thompson and seconded by Peterson to approve Change Order #2 for the County Road 5 Water Main Extension. Upon roll call vote was as follows: YEA: Thompson, McLaughlin, Peterson. NO: None. ABSENT: Beck. Motion carried.
- 6) City Engineer Zach Schulz from JEO Consulting Group gave an overview of Pay Application #2 for the County Road 5 Water Main Extension project. Mayor Egr asked if gravel had been put on County Road 5 by Sudbeck Homes. Schulz stated that Sudbeck Homes had provided documentation that they had. Councilmember Thompson stated that he had not seen gravel placed. Councilmember McLaughlin asked about seeding. Schulz stated that Sudbeck Homes had fulfilled those requirements but could pursue further action if the grass does not germinate.

A motion was made by Thompson and seconded by Peterson to approve Pay Application #2 for the County Road 5 Water Main Extension. Upon roll call vote was as follows: YEA: Thompson, McLaughlin, Peterson. NO: None. ABSENT: Beck. Motion carried.
- 7) City Engineer Zach Schulz from JEO Consulting Group gave an overview of the Certificate of Substantial Completion for the County Road 5 Water Main Extension project. A motion was made by Thompson and seconded by Peterson to approve Certificate of Substantial Completion for the County Road 5 Water Main Extension. Upon roll call vote was as follows: YEA: Thompson, McLaughlin, Peterson. NO: None. ABSENT: Beck. Motion carried.
- 8) A motion was made by Thompson and seconded by McLaughlin to accept the bid from Asphalt Maintenance to repair the approach to the Union Pacific railroad tracks near the intersection of Vine Street and 3rd Street. Upon roll call vote was as follows: YEA: Thompson, McLaughlin, Peterson. NO: None. ABSENT: Beck. Motion carried.
- 9) Councilmembers Thompson and McLaughlin stated that they did not want to sell the shore box, as they believe that staff will use it in the future. Discussion held on potential use of the shore box and sealed sale process. Administrator Bockelmann encouraged Mayor and Council to table Resolution 2019-5. A motion to table Resolution 2019-5 was made by Thompson and seconded by Peterson. Upon roll call vote was as follows: YEA: Thompson, McLaughlin, Peterson. NO: None. ABSENT: Beck. Motion carried.
- 10) Utility Superintendent Thiessen explained the location and need for the settle spot repairs on Vine Street. Discussion was held on how to pave the excavated areas. A motion to accept the bids from Kardell Excavating to repair the two settle spots on Vine Street was made by

Thompson and seconded by Peterson. Upon roll call vote was as follows: YEA: Thompson, McLaughlin, Peterson. NO: None. ABSENT: Beck. Motion carried.

- 11)** Councilmember Thompson explained the need for sealing the cracks and joints of City streets. Administrator Bockelmann explained that staff recommends approval of the project after revising the staff report. Councilmember McLaughlin stated that he would prefer staff do this work themselves in the future. A motion to accept the bid from Asphalt Maintenance Inc. to seal the cracks and joints of Yutan's streets was made by Peterson and seconded by Thompson. Upon roll call vote was as follows: YEA: Thompson, McLaughlin, Peterson. NO: None. ABSENT: Beck. Motion carried.
- 12)** City Administrator Bockelmann asked if Asphalt Maintenance should seal the new concrete from this project. Mayor Egr asked Council if they would like to split the project. Councilmember McLaughlin asked if bids were needed for this project. Bockelmann stated that bids were not legally required. A motion to accept McAtee Concrete Construction's bid for curb and gutter removal and replacement on 2nd Street between Vine Street and Maple Street was made by Peterson and seconded by Thompson. Upon roll call vote was as follows: YEA: Thompson, McLaughlin, Peterson. NO: None. ABSENT: Beck. Motion carried.
- 13)** Utility Superintendent Thiessen explained why the previous commitment from Weise Plumbing to this project fell through. Councilmember Thompson asked Thiessen if staff could complete this project. Thiessen stated that they could. Councilmember McLaughlin asked what equipment was needed to complete this repair. Thiessen explained what was needed. Peterson asked how much it would cost to hire an operator for a backhoe. Thompson stated \$125 an hour. Thiessen explained how staff would obtain the required materials for this project.

A motion to have staff reconstruct and replace the area inlet at Hayes Ballfield was made by Peterson and seconded by Thompson. Upon roll call vote was as follows: YEA: Thompson, McLaughlin, Peterson. NO: None. ABSENT: Beck. Motion carried.

- 14)** Council Discussions: Councilmember Thompson expressed interest in renting a backhoe for several months next summer. Discussion was held on this topic.

Discussion was held regarding opening all valves to the City's water system.

Meeting adjourned at 8:30 p.m.

Next regular meeting of the Yutan City Council will be held June 18, 2019, at 7:00 p.m.

Darin Egr, Mayor

Megan Schulz, City Clerk-Treasurer

