

**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 17th DAY OF APRIL, 2018, 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. Councilmembers 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 March 20, 2018; the special meeting on April 3, 2018; and the special meeting on April 9, 2018, 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 March Treasurer's report was accepted as submitted.

- 1) Claims - Motion was made by Peterson and seconded by Long to pay all claims except for a claim from Landmark Implements. Upon roll call vote was as follows: YEA: Beck, Long, McLaughlin and Peterson. No: None. Motion carried. Claims list: Badger Meter 105.02; Cardmember Services 1,671.75; Comfort Inn 379.80; Cubby's 396.77; Ferguson 316.65; FSI 26,613.00; Gretna Sani 125.00; Int Rev 4,065.92; Jeff Subbert 1,857.00; KM Landscaping 75.00; Konecky 215.47; Mallard Sand 685.52; McAtee 13,519.50; Menards 250.82; MUD 309.20; Midwest Lab 28.50; Midwest Radar 80.00; MES 101.98; Municipal Supply 28.34; NE Dept of Rev 1,845.60; NE Dept of Rev 1,471.00 NE Dept of Rev 1,163.34; NeRWA 500.00; NE UC Fund 379.22; Odeys 745.95; One Call 15.84; OPPD 4,723.33; Payroll 15,624.39; Schmader Electric 626.75; Tys Outdoor Power 500.98; U.S. Cellular 173.34; U.S.P.O. 138.60; Wahoo-Waverly 188.08; Wiese 4,003.45; Windstream 263.53; Insuf Chk 58.03; Insuf Chk 66.47;
- 2) Open Discussion from Public – Carrie Duffy and Josh Dietrich both requested permission to speak during item #5 and were given permission to do so.
- 3) Building permits #1517-1521 were submitted. A motion was made by McLaughlin and seconded by Peterson to approve permits #1517-1521 as submitted. Upon roll call vote was as follows. YEA: Beck, Long, McLaughlin and Peterson. NO: None. Motion carried.
- 4) Supervisor's Reports were submitted.
- 5) Carrie Duffy discussed the importance of cost analysis in land development, including not only the initial purchase price of the land but also the cost of development, including infrastructure and the time involved in developing the land. She expressed that she feels that it makes the most sense to spread the cost amongst those being affected by the

possible utility extension, and she asked the Council to keep that in consideration when making their decisions on this matter. Landowner and developer Josh Dietrich was also in attendance to discuss his position on this matter. He explained that he specifically chose Yutan for the location of his own building and additional developments, because he knows how much a development can benefit a small town in terms of growth and tax revenue. He also stated that, in spite of his desire to help Yutan grow in this way, he would not be able to do so if the numbers don't add up. JEO representative Zach Schulz was present to give their firm's professional opinion on the proposed development of Prairie Wolf Place. He emphasized the need to develop in a way that is responsible, as many small towns have experienced long-term issues as consequence to developing too quickly and without proper infrastructure. Josh Dietrich mentioned that, if the City adheres to JEO's timeline, he would be unable to develop or sell a lot for a minimum of one year, which he feels is even an optimistic estimate due to the need for approval from the railroad. Zach Schulz informed him that there were alternate plans to extend the water/sewer lines in a different route that would avoid the railroad, which could expedite the process. Dietrich stated that, even with the reduced timeline, the cost of developing with the City's utility infrastructure is higher than the value of the land, making it unfeasible for any developer. Zach Schulz asked if the developer had any other concerns with JEO's recommendation; Mr. Dietrich and Ms. Duffy mentioned the requirement to add sidewalks, potentials to cost-share the constructing and paving of roads, and the Fire Chief's issue with the plan to use cul-de-sacs rather than a through street. They discussed the potential total expense of the utility extension. The Mayor and Council expressed interest in spending more time discussing this matter and researching possible financial sources for the utility extension before making a decision.

- 6) The Mayor and City Council discussed the Yutan Fire Department's request to construct a training site on City property. Councilmember Long stated that he was unable to meet with anyone from the Fire Department since the last time that this item was discussed. Councilmember McLaughlin mentioned ongoing concerns regarding legal and liability issues. This item was tabled until the next regular meeting.

Item #7 was postponed for discussion with item #14.

- 8) After discussing the benefits of hosting a community clean-up, it was decided that the City would allocate the same dollar amount, \$2,000.00, to the expense of dumpsters, and the event would end after that dollar amount had been expended or at noon, whichever occurs first. Utility Superintendent Wilke mentioned that he would like to speak with Luke Woster regarding Legion baseball schedules to ensure there is no conflict. The community clean-up is scheduled to take place on June 9th, starting at 8:00 a.m. A motion to approve the aforementioned terms for the City clean-up 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.
- 9) Discussion was held regarding the need for a new generator at a City well. Utility Superintendent presented two bids—one from CAT and one from Cummins—that he received for the purchase and installation of a new generator. Mayor Egr informed the Council that he spoke with the City's accountant regarding this matter, who stated that the City's water reserves contains more than enough funds to cover this expense and, due to the unplanned and somewhat urgent nature of this expense, using reserve funds would be appropriate. Tim Ortmeier discussed the different fuel options, specifically the various

benefits and drawbacks of propane versus diesel. A diesel with a portable unit, for example, would provide more flexibility in many circumstances. The Mayor and Council recognized a need to look into more options before making a decision and noted that the current generator could be usable until next month. Therefore, this item will be addressed at the next meeting.

- 10) A motion to issue a special designated liquor license to the Chieftain Community Club for the Yutan Days Festival, located at 108 Vine Street, Yutan, NE 68073, on June 22nd, 23rd, and 24th from 6:00 a.m. to 2:00 a.m. was made by Peterson and seconded by McLaughlin. Upon roll call vote was as follows: YEA: Beck, Long, McLaughlin and Peterson. NO: None. Motion carried.
- 11) The Mayor and City Council discussed the City's emergency sirens. Utility Superintendent informed the Mayor and Council of the issues recently experienced with the sirens, including an issue with one of the batteries; the City had an electric company come service the sirens, so everything is operational now. The sirens will be tested on the first Saturday of every month from now on. Mayor Egr said that the individual from the electric company suggested installing another siren near the northeast portion of town. The City will look into funding sources for that purpose and make a decision at a later date.
- 12) **ORDINANCE 737—AN ORDINANCE OF THE CITY OF YUTAN, SAUNDERS COUNTY, NEBRASKA, TO CREATE THE APPOINTED POSITION OF HEARING OFFICER AND AMEND CHAPTER 1 OF THE MUNICIPAL CODE; TO PROVIDE THE DESCRIPTION OF DUTIES AND RESPONSIBILITIES FOR SAID HEARING OFFICER AND THE TERM OF OFFICE;** A motion to waive the three readings of Ordinance 737 was made by Beck and seconded by Long. Upon roll call vote was as follows: YEA: Beck, Long, McLaughlin and Peterson. NO: None. Motion carried. A motion to approve Ordinance 737 was made by Beck and seconded by Long. Upon roll call vote was as follows: YEA: Beck, Long, McLaughlin and Peterson. NO: None. Motion carried.
- 13) A motion to adopt the proposed Hearing Rules of Procedure was made by Long and seconded by Beck. Upon roll call vote was as follows: YEA: Beck, Long, McLaughlin and Peterson. NO: None. Motion carried.
- 7) Discussion regarding the employees' salaries was held. It was decided that a 10% raise would be given to the Utility Superintendent and the City Clerk-Treasurer, effective April 16, 2018. It was also agreed that the City's building inspector would receive \$25 per building permit requiring inspection and \$100 per new house/commercial structure building permit which would be paid on the final paycheck of the month. A motion to waive the three readings of Ordinance 736 with the aforementioned changes was made by Peterson and seconded by Long. Upon roll call vote was as follows: YEA: Beck, Long, and Peterson. NO: McLaughlin. Motion carried. A motion to approve Ordinance 736 with the aforementioned changes was made by Peterson and seconded by Long. Upon roll call vote was as follows: YEA: Beck, Long, and Peterson. NO: McLaughlin. Motion carried.
- 14) Discussion regarding the employee handbook revisions was held. Utility Superintendent

Wilke and the City Clerk-Treasurer explained some of their questions with the regulations of Health Reimbursement Arrangements, or HRAs, and presented a quote from a company that administrates HRAs. Councilmember Peterson expressed that she would like to hear from the City's accountant regarding the expense he would charge to administrate the plan.

15) No council discussions were held.

Meeting adjourned at 8:18 p.m.

Next regular meeting of the Yutan City Council will be held May 15, 2018, at 7:00 p.m.

Darin Egr, Mayor

Katy Mattheis, City Clerk-Treasurer