

**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 15th DAY OF MAY, 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, McLaughlin, and Peterson were present. Councilmember Long 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 17, 2018, was approved as mailed with a motion from Peterson and seconded by McLaughlin. Upon roll call vote was as follows: YEA: Beck, McLaughlin, and Peterson. NO: None. Motion carried. The April Treasurer's report was accepted as submitted.

- 1) Claims - Motion was made by Peterson and seconded by McLaughlin to pay all claims. Upon roll call vote was as follows: YEA: Beck, McLaughlin and Peterson. No: None. Motion carried. Claims list: All Sweep 2,400.00; Badger Meter 105.02; Bobcat of Omaha 76.71; Bromm, Lindahl, et. al 188.50; Cardmember Services 2,307.90; Carl Jarl 71.25; CJK 187.50; Cubby's 557.60; Demco 65.20; Elkhorn Computer 560.00; First Wireless 35.00; Frontier Coop 375.00; Gretna Sani 125.00; Int Rev 4,297.96; JEO 2,070.00; Landmark Implements 780.79; Laurie VanAckeren 96.79; Lowes 1,078.23; Menards 433.16; MUD 224.67; Midwest Lab 151.00; NE Public Health 30.00; NE Dept of Rev 1,949.63; Odeys 92.00; One Call 12.45; OPPD 4,684.93; Ortmeier Tech 586.80; Payroll 17,369.42; Petty Cash 26.34; Publication Printing 234.85; Todd Valley 57.25; Trade Well Pallet 810.00; Tys Outdoor Power 223.18; U.S. Cellular 233.34; U.S.P.O. 363.25; Wahoo-Waverly 230.57; Windstream 267.80; Yutan Schools 700.00; Yutan Trucking 702.42; Insuf Chk 63.30; Insuf Chk 62.25; Insuf Chk 171.84;
- 2) Open Discussion from Public – Scott Brown and John Dunn asked to be heard regarding their complaints about a pond that was constructed on a lot in Sunset Acres that they believe is the cause of drainage in basements within their subdivision. John Dunn explained that, according to the City's zoning ordinances, the pond should not have been allowed without meeting certain specifications for the City. The Mayor informed them that the Council would be considering the matter later on in the meeting. Mr. Brown reiterated that all he is asking is that this homeowner is required to meet the standards set forth in the zoning ordinances.
- 3) No building permits applications were submitted this month.
- 4) Supervisor's Reports were submitted. A budget workshop was tentatively scheduled for June 6th at 6:00 p.m. The City Clerk-Treasurer will check the City attorney's and accountant's availability for that date.

- 5) Justin Lewandowski was unable to attend the meeting to discuss this meeting, so Utility Superintendent Wilke explained that the committee formerly known as the Chieftain Community Club has disbanded to act on its own and would, instead, like to be adopted by the City of Yutan as the official committee responsible for Yutan Days. A motion was made by Peterson and seconded by McLaughlin to approve the City of Yutan's adoption of the Chieftain Community Club and to hereby declare that all decisions made by this committee will be approved by the City of Yutan or the City's appointed members: Jaime Long, Angie Woster, and Eric Wilke. Upon roll call vote was as follows: YEA: McLaughlin and Peterson. NO: Beck. Motion carried. Therefore, this committee, acting on behalf of the City, will be responsible for scheduling events, organizing sponsors, and following through with Yutan Days in its entirety; the committee will still operate under the Chieftain Community Club name but will be an organization of the City of Yutan.
- 6) Steve Wolf, Director of Community Engagement from JEO, was in attendance to speak with the Mayor and City Council regarding implementing a sales tax within the City. Steve Wolf explained that his role is to inform the community and gain support for the measure on the ballot. He suggested the creation of a community group that can collaborate and review what the community would be in favor of. Councilmember Beck asked what the Council's role would be, as they are not supposed to personally promote measures like this. Steve Wolf stated that, while the Mayor and Council cannot attempt to persuade the voters to support the sales tax, they can—and should—inform residents of the factual basis for the financial need. They discussed the prior public meetings held by the Economic Development Committee and the ideas generated; however, it was noted that attendance was not very high at those meetings. Wolf explained that publicity and visibility for these meetings and their purpose is crucial. Councilmember McLaughlin inquired about the cost associated with their services, and Wolf responded that, without working out all of the specifics, he would estimate a few thousand dollars over the next 90 days while preparing to add this to the ballot. Mayor Egr asked what percentages of sales tax is typical for municipalities in this area, and Lucas Billesbach, another representative of JEO, explained that there is a 1.5% cap unless an interlocal agreement exists. Mayor Egr decided that more time was needed to reflect on whether or not they feel it is necessary to obtain JEO's services for community engagement. Councilmember Peterson stressed that a decision needs to be made quickly to allow enough time for the formation of a community group and to hold an adequate number of meetings. It was decided that this item would be discussed and decided upon at the upcoming budget workshop, tentatively scheduled on June 6th at 6:00 p.m.
- 7) Discussion was held regarding the City of Yutan pioneering water and sewer utility extensions to the Prairie Wolf Place subdivision. Lucas Billesbach and Zach Schulz were present to discuss the current development plan for this area. They explained that the developer reduced the number of lots in this subdivision, which has reduced the health and safety concerns for allowing private well and septic versus requiring City utilities. They explored different options that the City and developer could look into with the new plans. They discussed various financial options, including connection fees and cost-sharing with either the City or the developer paying upfront costs. Billesbach mentioned that this extension could have potential benefits beyond the properties within this development; if a residential subdivision is developed nearby, this would make it much easier to connect the area to the City's utilities. Billesbach also explained that it is not unusual for cities to extend utilities to an area that has not yet been annexed, when

councilmembers voiced concern that, without annexation, there is a lack of tax benefits to extending utilities to this area. Mayor Egr extended the opportunity to speak to Tim Ortmeier, who explained that he feels it is difficult for the City to make this decision with so many unknown factors; without the knowledge of what the future lots will be, it is impossible to know what their needs will be, and without the guarantee of when the lots will be sold and utilized, the City is taking the risk of being responsible for these costs without prospects for reimbursement. Carrie Duffy asked for permission to speak on this issue. She explains that the utility extension project would provide the infrastructure for many more acres than the 18 acre parcel Josh Dietrich is developing. Councilmember McLaughlin expressed that he is not comfortable taking this risk that, if the development fails, the taxpayers would be financially responsible for, and Councilmember Beck concurred on that point. Tim Ortmeier emphasized the need for advanced planning, as this project would potentially tie up a lot of City funds, in regards to the other long-term needs of the City. Carrie Duffy explained that it is impossible to start selling lots or glean interest, as she cannot give detailed information regarding cost to potential buyers until the City makes their decisions on these points; she stated that this development could lead to more utilization of nearby land for development. McLaughlin stated that he feels that the future development will occur at some point but that he is not comfortable spending this kind of sum on what is currently only four or five lots being developed. It was ultimately decided that private well and septic would be allowed on these lots with the understanding that it would be mandated within the subdivision agreements that the owners of these lots would be required to connect to the City's utilities once they are extended to their lots.

- 8) Discussion was held regarding the Sunset Acres zoning violation and the subsequently resulting drainage issues in the area. Utility Superintendent Wilke stated his belief that the attorney should be consulted on taking action on this point to ensure that the City will be able to rectify this issue. He explained the process for removing the pond but reiterated that he wants the attorney's input on all aspects of this process. Lucas Billesbach encouraged the City to rely on the attorney to interpret the legal language of the covenants, plat, and other documents as there may be some limitations to the City's legal jurisdiction on this issue. A motion to engage the attorney on this matter was made by McLaughlin and seconded by Peterson. Upon roll call vote was as follows: YEA: Beck, McLaughlin and Peterson. No: None. Motion carried.
- 9) Utility Superintendent Wilke explained that the City budgeted some funds this fiscal year to complete more camera work and sewer main jetting. He is requesting permission to utilize \$25,000.00 of the budgeted funds to hire a company to perform more of this work and explained the need for this camera work and jetting. Mayor Egr asked how many companies would complete this kind of work, and Utility Superintendent Wilke stated that, while many companies would do this, he believes the company previously used by the City did an excellent job and would be able to pick up where they left off last year. A motion to authorize Utility Superintendent Wilke to find a company to perform the camera work and jetting of the sewer main for an amount not to exceed \$25,000.00 was made by Peterson and seconded by McLaughlin. Upon roll call vote was as follows: YEA: Beck, McLaughlin and Peterson. NO: None. Motion carried.
- 10) The Mayor and City Council decided to table this item until the next regular City Council meeting, as they have not received answers regarding issues of location, liability, and maintenance.

11) The Mayor and City Council discussed the different bids for a new generator and the related electrical work involved. Utility Superintendent Wilke presented updated bid information that he received prior to the meeting. Utility Superintendent Wilke explained that, due to the difference in cost, he believes that the CAT bid is the logical choice, and Tim Ortmeier, when asked for his input on the two bids, explained that he has had good luck with both brands for which the City received bids. Wilke also mentioned that the representative from CAT stated that, in the case of an emergency, they would bring out a portable generator to allow the City to remain operational. A motion was made by McLaughlin and seconded by Beck to approve the CAT and Ortmeier bids for the generator and electrical work. Upon roll call vote was as follows: YEA: Beck, McLaughlin and Peterson. NO: None. Motion carried.

12) No council discussions were held.

Meeting adjourned at 8:28 p.m.

Next regular meeting of the Yutan City Council will be held June 19, 2018, at 7:00 p.m.

Darin Egr, Mayor

Katy Mattheis, City Clerk-Treasurer