

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

A regular meeting of the Mayor and Yutan City Council was held at City Hall on April 20, 2021 at 7:00 p.m.

Meeting was called to order at 7:00 p.m. by Mayor Egr. Councilmembers Beck, Kelly, Peterson, and Thompson were present. Mayor Egr informed all the individuals present of the location of the Open Meetings Act and Code of Conduct. Mayor Egr then opened the meeting with the Pledge of Allegiance.

1) Consent Agenda:

A motion was made by Peterson and seconded by Thompson to approve the consent agenda: approve the minutes of the March 16, 2021 regular meeting and April 13, 2021 special meeting; accept the March Treasurer's Report as submitted; and authorize payment on all submitted claims. Upon roll call, vote was as follows: YEA: Beck, Kelly, Peterson, and Thompson. NO: None. Motion carried. Claims: Badger Meter \$161.98; Barco \$2,316.31; Base \$600.00; Bromm, Lindahl, Freeman-Caddy & Lausterer \$93.00; Canon Financial Services \$212.00; Cardmember Services \$1,700.04; Cole Bockelmann \$864.74; CPR Associates \$150.00; Comfort Suites \$185.00; Cowbell Insurance Agency \$919.00; Cubby's \$569.48; ECS Technology Solutions \$21.00; Elmer Smith \$1,975.00; First State Bank \$1,427.89; First State Insurance \$32,024.00; GovDeals \$187.50; Internal Revenue Service \$ 9,121.54; Insufficient Checks \$ 344.68; JEO Consulting Group \$4,125.00; JustinCase Enterprises \$825.00; Konecky Oil \$13.47; Lanie's Photography \$45.90; Laurie Van Ackeren \$70.92; Lowe's \$21.34; Martin Marietta \$2,042.81; Menards-Elkhorn \$202.45; Metropolitan Utilities District \$870.78; Nebr Department of Revenue \$10,342.48; Nebr Public Health Environmental Lab \$76.00; Nebraska Turf Products \$1,192.00; Nebraska UC Fund \$241.74; Odeys Inc \$1,067.60; One Call Concepts, Inc \$51.20; OPPD \$4,781.70; Payroll \$37,781.11; Petty Cash Refill \$68.03; Ron Scott \$150.00; SNYCB/Amazon \$613.01; Titan Machinery \$8,500.00; Todd Valley Farms, Inc. \$84.00; U.S. Cellular \$132.35; U.S.P.O. \$99.00; Wahoo-Waverly-Ashland Newspapers \$172.44; Weise Plumbing & Excavating \$655.00; and Yutan Trucking \$1,223.13.

2) Open Discussion from Public:

Rick Hancock was asked if he wanted to speak and he passed. Theresa Akenson spoke about the proposed solar farm and presented a packet to the Mayor and Council. She stated concerns about losing farm ground and the placement of the solar farm being too close to the city's ETJ. A Saunders County Planning Board meeting is scheduled for May 3, 2021 at 7:00 p.m. Duvane Dreesen addressed the Council about rezoning his property. He is unable to remortgage his home because it is zoned industrial, and he wants it zoned residential. This item is on the agenda for this meeting. Kent Schemnti asked a question about the solar farm being in the city's ETJ.

Bockelmann explained it will not initially be in the ETJ but if the city annexes more territory, it may become an issue. He is going to continue following up on this matter. Ken raised concerns that the solar farm will not actually be moved out of the city's jurisdiction.

3) Presentation from Guests:

None

4) Ordinances and Public Hearings:

- a) This item was incorrectly listed as Ordinance 771 on the agenda and has been renumbered to Ordinance 773.** Ordinance 773: Zoning Map Amendment to Rezone Parcel #007010000 (306 Hillside Ave.) from I-1 Light Industrial to R-1 Single Family Residential: Bockelmann explained that the current use does not match with the zoning and that it is considered a spot zone. Bockelmann also noted that the rezoning would make the accessory structure nonconforming, meaning it cannot be enlarged upon or repaired if damaged more than 60%. Councilmember Thompson questioned if any business would move into that property once this house is sold or if the property could be zoned for commercial use. Bockelmann stated that some business activity could be allowed through a home occupation. Mayor Egr opened the public hearing at 7:14. No public comment was made and Mayor Egr closed the public hearing at 7:15. A Motion to waive the three readings and approve Ordinance 773 was made by Peterson and seconded by Beck. Upon roll call, vote was as follows: YEA: Beck, Kelly and Peterson. NO: Thompson. Motion carried.
- b) This item was incorrectly listed as Ordinance 772 on the agenda and has been renumbered to Ordinance 774.** Ordinance 774: Updates to Salary Ordinance for New Employees. A motion to waive three readings and approve Ordinance 774 was made by Peterson and seconded by Beck. Upon roll call, vote was as follows: YEA Thompson, Beck, Kelly, and Peterson. NO: none. Motion carried.

5) Resolutions:

- a) Resolution 2021-10: Approval of Request for Proposals for Downtown Revitalization Plan, Housing Study, and Comprehensive Plan.** A motion to adopt Resolution 2021-10 was made by Thompson and seconded by Peterson. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried.

6) Other Action Items:

- a) Appointment of Rachelle Gay as City Clerk-Treasurer:** A motion to appoint Rachelle Gay as the City-Clerk Treasurer was made by Thompson and seconded by Peterson. Upon roll call, vote was as follows: YEA Thompson, Beck, Kelly, and Peterson. NO: none. Motion carried.
- b) Approval for City Administrator to Spend up to \$10,000 for an Asphalt Overlay for the Library Parking Lot:** Bockelmann explained need for parking lot paving at library lot due to safety issues. More than likely will need a little more than \$10,000. This money will come out of the Keno fund. A motion to approve OMNI quote for \$9,950.00 was made by Thompson and seconded by Peterson. Upon roll call, YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried.

- c) Approval to Reimburse Yutan Public Schools for Porta Potties at Itan Ballfield: Councilmember Thompson felt it was the City's responsibility to provide additional restrooms if it was too cold to turn water on at City parks. Councilmember Peterson requested that the City set a date to turn on water next year. Motion was made by Thompson to approve payment until Friday, April 23, seconded by Peterson. Upon roll call, YEA: Thompson, Beck, Kelly, and Peterson. Motion carried.
- d) Approval of Change Order#1 for 5th and Hillside Water Main Project: City Engineer Zach Schulz with JEO Consulting explained that Change Order #1 included four separate change order requests. Councilmember Thompson asked why only one had been pre-approved, and Schulz noted that prior approval is not common in utility work and the final decision on approving the change order remains with the Council. A motion was made by Thompson and seconded by Kelly to approve Change Order #1 for \$10,175.00. Upon roll call, vote was as follows: YEA: Thompson, Beck, Kelly, and Peterson. Motion carried.
- e) Approval of Pay Application #1 to Thompson Construction, Inc. for 5th and Hillside Water Main Project: Schulz explained that this payment included all work through April 16th. A motion to approve Pay Application #1 for \$138,047.45 was made by Thompson and seconded by Peterson. Upon roll call, YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried.
- f) Approval of Change Order #2 for the 5th and Hillside Water Main Project: Bockelmann explained that Thompson Construction agreed to reduce the mobilization fee by \$5,500 and to start work on Vine Street immediately after 5th and Hillside is completed. Schulz stated completion is scheduled for mid-June. He proposed a later completion date so seeding could be done in the fall. Councilmember Thompson & City Utilities Administrator Sieburg agreed the city can handle watering the seed and it would be better to finish the project. Motion to approve Change Order# 2 for \$242,623.00 was made by Thompson and seconded by Peterson. Upon roll call, YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried.
- g) Approval of Engineer Agreement Change to Scope of Services – Form No. 1: A motion to approve was made by Thompson and seconded by Kelly. Upon roll call, YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried.

7) Discussion Items:

- a) Discussion FY20-21 Outlook: Bockelmann discussed the current state of FY20-21 and asked the Council if they had any additional projects to complete this fiscal year. Councilmember Thompson requested sunshades and batting cages for the ball fields. Bockelmann said CRA funding may be an option for those projects once financing for the CRA's paving project is finalized.

8) Supervisor's Reports:

- a) Library
- b) Police Department
- c) Maintenance Department: Utilities Superintendent Sieburg reported the generator at the shop is causing problems. He is waiting for next Monday to see if the problem continues. He may consider switching service contract provider.
- d) Tax Increment Financing Report pursuant to Nebraska Revised 18-2117.02

e) City Administrator: Councilmember Peterson requested that the police department begin issuing ordinance violations now that the weather is nicer. Bockelmann said he will talk to Chief Hannan.

9) Council Discussions:

a) Councilmember Thompson asked if the City should ask Thompson Construction to fill the culvert located by Timbercrest Park while they are working on Vine Street. Schulz asked if Council is interested in a bid because the cost he is estimating is \$300,000-\$400,000. Thompson said the maximum the City should spend is \$150,000 because this is a community betterment issue not a necessity. Will Smith requested a 4-way stop at 2nd Street and Vine. He stated there are parking and traffic problems. Mayor Egr said we will investigate it before the next meeting.

Meeting Adjourned at 7:53p.m.

Next regular meeting of the Yutan city Council will be held May 18, 2021 at 7:00pm.

Darin Egr, Mayor

Rachelle K. Gay, City Clerk-Treasurer