

**CITY OF YUTAN  
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EXTRACT FROM MINUTES OF A SPECIAL MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF YUTAN, IN THE COUNTY OF SAUNDERS, STATE OF NEBRASKA HELD AT CITY HALL, YUTAN, NEBRASKA ON THE 2ND DAY OF JULY 2018, AT 6:00 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 6:00 p.m. by City Council President JC Long. Council President Long opened the meeting with the Pledge of Allegiance. Council members Beck, Long, McLaughlin, and Peterson were present. Mayor Egr was absent. Council President Long informed all of the individuals present of the location of the poster regarding the Open Meetings Act.

The agenda items were rearranged as follows to accommodate the schedule of JEO engineer Zach Schulz.

- 2) Discussion was held regarding the scope of services that Steve Wolf, Director of Community Engagement at JEO, provided to the City Clerk. Zach Schulz from JEO briefly reviewed the agreement with the Council, pointing out what services were included and the general cost for those services. Essentially, Steve Wolf would arrange and attend several community meetings with a committee established for the purpose of determining whether the residents would like to pass a sales tax measure and, if so, what areas they would support a sales tax to fund. JEO's marketing department would create informational brochures for distribution, but the cost and time for printing and distributing these materials would be the responsibility of the community members. They discussed the legal boundaries of how involved City employees and elected officials could be in this process. Council President Long commented that officials with Saunders County had told him that they would need to be informed by September 4th of whether the City intends to have a sales tax measure on the ballot for the November election. A motion to approve the scope of services agreement with JEO not to exceed \$8,000.00 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.
  
- 5) Zach Schulz from JEO outlined the length of County Road 5 that the City would be financially responsible for improving. Utility Superintendent Wilke explained that the most pressing concern from the City's standpoint is the entrance to Timbercrest off County Road 5, which is steep and not in ideal condition. Making improvements to this section of the street, however, would be an additional cost

on top of Saunders County's estimate for the City's participation in this project. Currently, the County's estimate comes in just under \$50,000 but is dependent on the unknown quality of the base of the street. They discussed the different bids that the County received for this project, and Council member McLaughlin inquired as to whether the City legally needed to undergo the bidding process for their section of the street. JEO representative Schulz stated that he believed it wouldn't be necessary, as the City should be able to use the County's bidding procedure for this project. The biggest unknown for this project's overall expense is the line item for patching work, as the amount of patching needed depends on the quality of the street's base. First State Bank in Yutan will work with the City on financing this project. They also discussed options for the entrance to Timbercrest, as the proposed increase in elevation on County Road 5 will make it even steeper, and decided that the issue should be addressed during the completion of this project. A motion to participate in the Saunder's County street overlay project for County Road 5 for an amount not to exceed \$60,000.00 was made by Peterson and seconded by Long. Upon roll call vote was as follows: YEA: Long, Beck, McLaughlin, and Peterson. No: None. Motion carried.

- 6) Zach Schulz from JEO explained that their engineers sent a letter of comments and revisions to the plans that Melvin Sudbeck submitted for Phase IV of the Itan Parkview Subdivision. Sudbeck responded by altering the initial designs to accommodate the City's suggestions. Zach Schulz recommended approving the current plans, as they are soundly designed. They briefly discussed the water main lines in terms of size and valve placement. A motion to approve the sanitary sewer, water, and paving plans for Itan Parkview Phase IV (Lots 62 through 79) 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.
- 1) **ORDINANCE 738-AN ORDINANCE OF THE CITY OF YUTAN, SAUNDERS COUNTY, NEBRASKA, TO PROVIDE FOR THE WAGES AND SALARIES OF CERTAIN OFFICERS, APPOINTEES, AND EMPLOYEES OF THE CITY OF YUTAN, NEBRASKA;** Council member Long explained that the Utility Assistant passed his water certification test and had been told when offered the position that he would receive a \$0.50/hour raise for receiving this certification. Council member Long stated that he personally felt that the raise should be effective upon the issuance of the certification from the State, and Council member Peterson suggested making it contingent upon the employee submitting all necessary paperwork to the State for the issuance of the certification, as the time it takes to process that paperwork and issue the license is not within the employee's control. Ultimately, they decided that it was not necessary to put these stipulations on the raise and that the City Clerk would work with the Utility Assistant to ensure that the paperwork would get submitted by the end of the week. A motion to waive the three readings of Ordinance 738 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 approve Ordinance 738 was made by Beck and seconded by Peterson. Upon roll call vote was as follows: YEA: Long, Beck, McLaughlin, and Peterson. No: None. Motion carried.
- 3) **ORDINANCE 739-AN ORDINANCE OF THE CITY OF YUTAN,**

**SAUNDERS COUNTY, NEBRASKA, TO PROVIDE FOR PERMITTED DATES, TIMES AND TERMS FOR THE USE, DISCHARGE AND EXPLOSION OF FIREWORKS IN THE MUNICIPALITY;** Council member Peterson presented current codes from other local municipalities on this matter. They discussed the various merits and drawbacks of the way other cities handle the issue of fireworks. Ultimately, they decided that fireworks would be allowed in City limits on June 25th through July 4th from 8 a.m. to 11 p.m. They also debated whether to allow fireworks for a period of time around New Year's as well and decided that they would be permitted from 9 p.m. on December 31st to 12:30 a.m. on January 1st. A special permit could also be obtained outside of these dates for the purpose of firework shows occurring during a different time of the year, namely the Yutan Days celebration; it was determined that a fee probably wouldn't need to be charged for this permit, but the Council emphasized that it would be necessary to make an application to the Yutan City Office to allow City employees the opportunity to inform the fire department of any upcoming firework shows. A motion to approve the first reading of Ordinance 739 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.

- 4) **ORDINANCE 740- AN ORDINANCE OF THE CITY OF YUTAN, SAUNDERS COUNTY, NEBRASKA, TO AMEND CHAPTER 3 OF THE MUNICIPAL CODE FOR THE PURPOSE OF REGULATING EXCESSIVE NOISE IN THE MUNICIPALITY;** They discussed whether it would be necessary to add a provision that allows individuals to apply for a special permit to engage in the named activities outside of the allowed hours. They also discussed whether it would an alternate timeframe should be set for the weekend. Members of the City Council emphasized their belief that, especially in summer months, it may be necessary for work crews to start earlier in the morning due to heat. Council member Peterson reiterated that she would like to see an alternate time set for weekends but conceded that revisions could be made to this code later on, if necessary. A motion to approve the first reading of Ordinance 740 was made by Peterson and seconded by Long. Upon roll call vote was as follows: YEA: Long, Beck, McLaughlin, and Peterson. No: None. Motion carried.

- 7) No council discussion was held.

Meeting was adjourned at 6:42 p.m.

Katy Mattheis, Clerk/Treasurer

JC Long, City Council President