

**CITY OF YUTAN
P.O. BOX 215 - 112 VINE
YUTAN, NE 68073
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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 20th DAY OF FEBRUARY, 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 January 16, 2018, approved as mailed with a motion from Peterson and seconded by McLaughlin. Upon roll call vote was as follows: YEA: Long, Beck, McLaughlin, and Peterson. NO: None. Motion carried. The Treasurer's report was accepted as submitted.

- 1) Claims - Motion was made by McLaughlin and seconded by Peterson to pay all claims, including a \$273.00 claim from JustinCase Enterprises LLC that was submitted to the Clerk immediately prior to the commencement of the meeting. Upon roll call vote was as follows: YEA: Beck, Long, McLaughlin and Peterson. No: None. Motion carried. Claims list: B's Bones & Sauce 423.35; Badger Meter 101.46; Brase 85.00; Brodart 18.50; Cardmember Services 1,638.78; Commercial Ice Control 2,174.20 Cubby's 348.46; Gen. Fire & Safety 188.60; Gretna Sani 125.00; Int Rev 6,175.08; Jackson Services 57.50; JEO 780.00; Jason Kempkes 75.00; JustinCase Enterprises 273.00; Konecky 17.99; L&L Towing 70.00; Lowes 126.95; Mallard Sand 118.48; Menards 70.60; MUD 703.96; Midwest Lab 6.80; Midwest Service 128.10; Monte Mueller 3,250.00; Municipal Service & Supply 12,000.00; NE Dept of Rev 1,636.94; NE Public Health Lab 299.00; NeRWA 445.00; One Call 10.56; OPPD 5,126.61; Raider Nation 336.54; Petty Cash 29.75; Payroll 16,906.47; Schemmer 422.38; U.S. Cellular 265.98; U.S.P.O. 138.25; Wahoo-Waverly 221.30; Wiese Plumbing 3,642.30; Windstream 304.95; Yutan Trucking 98.73; Insuf Chk 58.03; Insuf Chk 176.06; Insuf Chk 270.00;
- 2) Open Discussion from Public – Glenn Sievers requested permission to potentially speak during agenda item #13 and was told that he would be given the opportunity to speak then, if he chooses. Matt Dillon praised the library staff's efforts to host fun activities for the community, especially those held for the children in Yutan. He emphasized that these events are incredibly beneficial to the community, and he would like to thank the library staff for doing so much.
- 3) Building permits #1506-1508 were submitted. A motion was made by McLaughlin and seconded by Peterson to approve permits #1506-1508 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. Utility Superintendent Wilke informed the Mayor

and City Council that the maintenance department will be away at a conference from March 12th through the 14th.

Mayor Egr opened the public hearing at 7:06 p.m. and asked for public comment regarding the City of Yutan's proposed 1-6 year plan. Councilmember Long asked whether the repair of a bridge approach would need to be added to the 1 & 6 year plan in order to be completed. JEO representative Zach Schulz stated that, in order to use highway allocation funds, the project should appear in the plan, but if there was a different funding source, it wouldn't be needed. Due to the relatively low cost of the project, it was determined that it would not require use of highway allocation funds and therefore did not need to be added to the 1 & 6 year plan. Public hearing was closed at 7:08 p.m.

- 5) Resolution #2018-1 – Be It Resolved by the Mayor and City Council of the City of Yutan, Nebraska, that the 2017 One & Six Year Plan for the construction, maintenance, and repair of the streets of the City of Yutan, Nebraska, as prepared by the City Street Superintendent, be and is hereby adopted. A motion was made by Long and seconded by McLaughlin to approve Resolution #2018-1. Upon roll call vote was as follows: YEA: Beck, Long, McLaughlin and Peterson. NO: None. Motion carried.
- 6) JEO representative Zach Schulz was in attendance to discuss the master services agreement for General Engineering services provided by JEO to the City of Yutan. It was decided that Utility Superintendent Eric Wilke and Mayor Darin Egr would solely have authority to request these services and would be allowed to spend \$5,000.00 per request to a maximum of \$25,000.00 in a budget year. A motion was made by Peterson and seconded by Long to approve the Master Services Agreement for Professional Services related to providing General Engineering to the City of Yutan with the aforementioned terms. Upon roll call vote was as follows: YEA: Beck, Long, McLaughlin and Peterson. NO: None. Motion carried.
- 7) A motion was made by Peterson and seconded by Long to approve the Master Services Agreement for Professional Services related to providing General Planning and Zoning Administration to the City of Yutan with Utility Superintendent Eric Wilke and Mayor Darin Egr having the sole authority to request services with a limit of \$3,000.00 per request to a maximum of \$15,000.00 annually. Upon roll call vote was as follows: YEA: Beck, Long, McLaughlin and Peterson. NO: None. Motion carried.
- 8) Resolution #2018-2 – WHEREAS, certain municipalities and fire protection districts located in Saunders County, Nebraska desire to enter into an Interlocal cooperation agreement for the creation of a Mutual Finance Organization pursuant to Legislative Bill 1120, 1998. A motion was made by McLaughlin and seconded by Peterson to approve Resolution #2018-1. Upon roll call vote was as follows: YEA: Beck, Long, McLaughlin and Peterson. NO: None. Motion carried.
- 9) A motion was made by Peterson and seconded by McLaughlin to authorize City Clerk/Treasurer and Council President to sign documents regarding new property and liability insurance policy for the city beginning March 1, 2018. Upon roll call vote was as follows: YEA: Beck, Long, McLaughlin and Peterson. NO: None. Motion carried.

Mayor opened public hearing at 7:25 p.m. to discuss a change in the zoning classification from R-1 District to I-1 District, by Dan Josoff and Justin DeGroff, Owners, and Eric Bean, Contract

Buyer, to discuss a request to change the zoning classification from R-1 (Single Family Residential) District to I-1 (Light Industrial) District, Lots 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, and 21, Block 37 Original Town, Yutan, Saunders County, Nebraska, AKA 101 Maple Street, Yutan, Saunders County, Nebraska.

Eric Bean, contract buyer of 101 Maple Street, handed out copies of the proposed building that would be constructed if the land was rezoned to I-1. Councilmember McLaughlin asked about water drainage on the property, and Bean stated that he is having the land examined by his father, who works at the NRD, to ensure that it will not be an issue. Councilmember Long questioned if I-1 was the correct zoning designation or if B-1 would be appropriate; he was informed that, for the purposes of the contract buyer's building, I-1 is the only zoning designation that would work. Councilmember Peterson asked if the contract buyer would be interested in a lot on Highway 92 instead, where a large lot was just rezoned to industrial for the purpose of splitting and selling to other businesses, because 101 Maple Street is surrounded by residential properties. Matt Dillon, a member of the Planning Commission, wanted to know whether or not contractors would be coming into town in large trucks to pick up windows and was told that those transactions would only occur at his Omaha location. Sean Gibb and Kelly Keuhl, owners of an adjoining property, stated that they were also concerned about the waterway on the property and were told that the situation is expected to improve upon Mr. Bean's purchase of the land, as it will be maintained more regularly. Councilmember Peterson noted that the City has not received a definitive answer from the City's attorney on whether or not the wetland mitigation would be impacted by this change in zoning.

Public hearing was closed at 7:35 p.m.

- 10) The Planning Commission's recommendation for the rezone of 101 Maple Street was received by the Mayor and City Council.
- 11) **AN ORDINANCE OF THE CITY OF YUTAN, SAUNDERS COUNTY, NEBRASKA, FOR THE PURPOSE OF AMENDING "THE OFFICIAL ZONING MAP OF THE CITY OF YUTAN". BE IT RESOLVED AND ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF YUTAN, SAUNDERS COUNTY, NEBRASKA, AS FOLLOWS:** – A motion to waive the three readings of Ordinance #735 was made by McLaughlin and seconded by Beck. Upon roll call vote was as follows: YEA: Beck and McLaughlin. NO: Peterson. ABSTAIN: Long. Motion carried. A motion to adopt Ordinance #735 was made by McLaughlin and seconded by Beck. Upon roll call vote was as follows: YEA: Long, Beck, and McLaughlin. NO: Peterson. Motion carried.
- 12) Utility Superintendent Wilke requested permission from the Mayor and City Council to spend the \$2,000.00 budgeted for general park improvements on renovating the bathrooms at the Itan Ballfield. He outlined the improvements he hopes to make with the \$2,000.00 budget. A motion to approve the spending of an amount up to \$2,000.00 on renovating the Itan Ballfield bathrooms 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.
- 13) Discussion on the parking issue on Maple Street between 3rd and 4th Street was held. It was explained that, in order to change the parking on more than a temporary basis, a resolution was needed. A motion was made by Long and seconded by McLaughlin to approve Resolution #2018-3 – WHEREAS, there exists a need to restrict parking on north side of Maple Street between 3rd and 4th Street to a no-parking zone from 10:00

p.m. to 9:00 a.m. by request of the Yutan Police Department; Upon roll call vote was as follows: YEA: Long and McLaughlin. NO: Beck. ABSTAIN: Peterson. Motion carried.

- 14)** Discussion was held regarding the need of a new pickup truck with snow equipment for the maintenance department. Utility Superintendent Wilke explained the difficulty that his department has experience with the City's Chevy pickup. He also stated that, as the maintenance department has two employees, he feels that it is not necessary to have three vehicles. He would like to trade in the Chevy and the Ford F-150 and purchase a new pickup instead. He detailed the figures from the two bids he received and mentioned that he believes that the F-450 (instead of the F-350) would handle the salt spreader better. Mayor Egr informed the council that the City's accountant suggested paying for the new pickup with payments over a four- or five-year term, whichever offered better interest rates. A motion to approve the purchase of a new pickup and snow equipment for an amount not to exceed \$27,709 with either four or five year financing 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.
- 15)** A motion was made by Long and seconded by Peterson to enter into closed session to discuss the declaration of an unsafe building because of potential litigation at 7:58 p.m. with Mayor, Council, Utility Superintendent Eric Wilke, City Engineer representative Zach Schulz, and City Clerk-Treasurer Katy Mattheis remaining present for the closed session. Upon roll call vote was as follows: YEA: Beck, Long, McLaughlin and Peterson. NO: None. Motion carried. A motion was made by Long and seconded by McLaughlin to come out of closed session at 8:16 p.m. Upon roll call vote was as follows: YEA: Beck, Long, McLaughlin and Peterson. NO: None. Motion carried. Regular meeting resumed at 8:16 p.m., and no action was taken related to this item.
- 16)** Council discussions: Councilmember McLaughlin informed the Council that the shop generator is malfunctioning and that Utility Superintendent Wilke will be getting bids for a new generator. The Fire Chief provided the City Council with his request to change City code to require businesses to install Knox boxes to allow easier entry for the fire department and rescue squad in case of an emergency. The Mayor and Council voiced opposition to mandating that businesses install, at the business owners' own expense, these Knox Boxes. It was expressed that business owners should be allowed to make the decision of whether or not these measures are necessary to prevent potential damage to their property. The Mayor and Council also discussed general emergency preparedness, especially in the event of a tornado, and having a safe shelter for residents.

Meeting adjourned at 8:27 p.m.

Next regular meeting of the Yutan City Council will be held March 20, 2018, at 7:00 p.m.

Darin Egr, Mayor

Katy Mattheis, City Clerk-Treasurer