

Agenda
Yutan City Council
Tuesday, December 21, 2021
7:00 P.M. – Yutan City Office

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 28th DAY OF DECEMBER 2021, 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 and Certificate of Posting Notice attached to these minutes. Notice of this meeting was given to Mayor Egr and all members of the Yutan 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 Thompson, Beck, Kelly, and Peterson 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. Approve Minutes of November 16 and December 21, 2021, Regular Meetings and December 1 and 14, 2021, Special Meetings
- b. November Treasurer's Report
- c. Claims: **Card Member Services \$2,320.19; ECS Technology Services \$21.00; Gay, Rachelle Kwasny \$763.08; Headlee, Don & Sandy (Estate) \$10.00; Hidden Expressions Art Market \$78.00; Publication Printing of Nebraska \$349.85; SYNCB/Amazon \$1,027.92; Two Rivers Sand & Gravel \$25.00; Wiese Plumbing & Excavating \$131.04; Woster, Gregory Luke \$131.04.**
- d. A motion to approve the Consent Agenda 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.

2) Open Discussion from Public

- a. None

3) Presentations from Guests

- a. None

4) Ordinances and Public Hearings

- a. Ordinance 781: Zoning Text Amendment to Sections 5.07.03 and 7.10.06 to allow Wireless Communication Towers as a Conditional Use in the R-1 Zoning District.

A motion to waive the three readings and approve Ordinance 781 was made by Peterson and seconded by Beck. Upon roll call, vote was as follows YEA: Beck, Peterson, and Egr. NO: Thompson and Kelly. Motion carried.

- b. Ordinance 782: Salary Updates for 2022. A motion to waive the three readings and approve Ordinance 782 made by Peterson and seconded by Kelly. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried. Councilmember Peterson recommended increasing the cell phone reimbursement to \$30.00 per month and include the City Administrator in the plan.
- c. Ordinance 783: Establishment of Wards for the City of Yutan. A motion to waive the three readings and approve Ordinance 783 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.
- d. Ordinance 784: Amendment to Section 3-502 (Nuisances; Specifically Defined; Declared) of the Yutan Municipal Code. A motion to waive the three readings and approve Ordinance 784 was made by Thompson and seconded by Kelly. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried.
- e. Ordinance 785: Amendment to Section 7-211 (Repairs and Maintenance; Defective Meter) of the Yutan Municipal Code. A motion to waive the three readings and approve Ordinance 785 was made by Thompson and seconded by Kelly. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried.

5) Resolutions

- a. Resolution 2021-17: Year-End Certification of City Street Superintendent. A motion to approve Resolution 2021-17 was made by Kelly and seconded by Peterson. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried.
- b. Resolution 2021-18: Parking Limitations for Broken Arrow Circle. A motion to approve Resolution 2021-18 was made by Thompson and seconded by Beck. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried.

6) Other Action Items

- a. Authorization of Retirement Contribution to Full-Time Employees and Appointed Part-Time Employees. A motion to approve Authorization of Retirement Contribution to Full-Time Employees and Appointed Part-Time Employees was made by Thompson and seconded by Kelly. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried. Councilmember Peterson inquired as to starting retirement accounts for eligible employees. Councilmember Thompson would like to see this on January's agenda.
- b. Consideration of Pay Application #7 for 5th Street/Hillside Ave. Water Main Project. City Administrator Bockelmann reported there are discrepancies in the Pay Application and it would be best to table it until next month. A motion to table Pay Application #7 until January 2022 was made by Peterson and seconded by Thompson. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion

carried.

- c. Consideration of Engineering Services with JEO Consulting Group for 2022 Water Meter Replacement Project. A motion to approve Consideration of Engineering Services with JEO Consulting Group for 2022 Water Meter Replacement Project was made by Thompson and seconded by Kelly. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried.
- d. Update to Employee Handbook for Exempt and Non-Exempt Employee Classifications. City Administrator Bockelmann reported the only change made to the Employee Handbook are updates for salary versus hourly employees. A motion to approve the Update to Employee Handbook for Exempt and Non-Exempt Employee Classifications was made by Kelly and seconded by Peterson. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried.
- e. Consideration of Claim from Mack Bros. Groundskeeping for \$5,160 for Improvements at Hayes Ballfields. City Administrator Bockelmann explained the City received invoices from Mack Bros. Groundskeeping that were above the original bid amount. Councilmember Thompson stated he disputes the charges and wants to table the discussion until he can talk to the company. A motion to table the Consideration of Claim from Mack Bros. Groundskeeping was made by Thompson and seconded by Kelly. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried.

7) Discussion Items

- a. Discussion on Possible Water/Sewer Extension to Yutan Road. City Administrator Bockelmann stated expanding water and sewer service in a commercial area would be a worthwhile expenditure. City Engineer Zach Schulz estimated the cost would be \$250,000 - \$300,000.
- b. Review of Draft ROW Permit Ordinance. City Administrator Bockelmann explained this would provide extra protection for permits for curb cutting, driveways, and other construction work in the right-of-way. He agreed to draft an application for the next meeting.
- c. A discussion on City Administrator purchasing authority was had by Staff and Council.

8) Supervisor's Reports

- a. Library Director's Report was submitted
- b. Police Department's Report was submitted
- c. Maintenance Department Director's Report was submitted
- d. Occupation Tax Report from City Clerk-Treasurer was submitted
- e. City Administrator's report was submitted

9) Council Discussions

- a. Mayor Egr stated St. John's Church wants to put an electronic sign on their property but cannot because of current zoning regulations. Councilmember Kelly is concerned the sign might be too bright for neighboring homes. City Administrator Bockelmann said

this could be addressed in a conditional use permit.

Meeting Adjourned at 8:10p.m.

Reorganization meeting was opened by Mayor Egr at 8:15 p.m.

- 1) A motion was made by Councilmember Kelly to elect Councilmember Thompson as Council President. No second was made. Motion not carried.
- 2) Appoint the following positions:
 - CJ Heaton as City Administrator and TIF Administrator
 - Rachelle Gay as City Clerk/Treasurer
 - Tim Hannan as Police Chief
 - Luke Woster as Utilities Superintendent
 - Tom Sieburg as Building Inspector, and Floodplain Administrator
 - Maureen Freeman-Caddy of Bromm, Lindahl, Freeman-Caddy, & Lausterer as City Attorney
 - JEO Consulting Group, Inc. as City Engineer and Zoning Administrator
- a) A motion to appoint the above positions was made by Thompson and seconded by Kelly. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried.
- 3) Appoint Council Members to standing committees.
 - Claude Beck: Parks and Recreation
 - Mike Kelly: Zoning, Building, and Industrial
 - Johanna Peterson: Personnel and Finance
 - Matt Thompson: Water, Sewer, Streets, and Equipment and Ordinances and Legal; Police
- a) A motion to appoint Council Members to standing committees was made by Kelly and seconded by Peterson. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried.
- 4) Board/Commission appointments:
 - Vicki Wolkins to Library Board
 - Kevin Shea to Planning Commission
 - Lori Kitt to Planning Commission
- a) A motion to appoint Board Members Wolkins, Shea, and Kitt 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) Reappoint Don Dooley as Nuisance Hearing Officer for the City of Yutan. A motion to reappoint Don Dooley 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) Reappoint Steven A. Parr as Street Superintendent for the City of Yutan. A motion to reappoint Steven A. Parr was made by Peterson and seconded by Thompson. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion

carried.

- 7) Designate the physical posting at the Yutan City Office, post office, and First State Bank-Yutan as the method of the published notice of the time and place of each meeting. A motion to designate the physical posting at the Yutan City Office, post office, and First State Bank-Yutan was made by Kelly and seconded by Peterson. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried.
- 8) Designate the First State Bank-Yutan as the qualifying financial institution for the deposit of all funds of the City. A motion to designate the First State Bank-Yutan as the qualifying financial institution for the deposit of all funds of the City was made by Thompson and seconded by Beck. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried.
- 10) Submittal of Conflict-of-Interest Forms
- 11) A motion was made by Councilmember Peterson to elect Councilmember Beck as Council President. No second was made. Motion not carried.

A motion to adjourn the meeting was made by Peterson and seconded by Kelly. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried.

Meeting adjourned at 8:19 p.m.

NEXT MEETING DATE – January 18, 2022, 7:00 P.M.

Anyone desiring to speak before the Mayor and City Council should contact the City Clerk by the Monday preceding the City Council Meeting by 4:00 p.m. Anyone desiring to speak on any item on the agenda is invited to do so but should limit himself/herself to 3 minutes. After being recognized by the Mayor, give your name and address for the record. Anyone desiring to speak for a longer period of time should make arrangements with City Clerk prior to the meeting. All speakers shall address the Mayor and City Council only. Anyone attending the meeting that may require auxiliary aid or service should contact the City Clerk in advance.



Darin Egr, Mayor



Rachelle K. Gay, City Clerk

