

**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 18th DAY OF JANUARY 2022, 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 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 Beck, Kelly, and Peterson were present. Councilmember Thompson was absent. 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 the December 28, 2021, Regular Meeting. A motion to Approve Minutes of the December 28, 2021, Regular Meeting was made by Peterson and seconded by Beck. Upon roll call, vote was as follows YEA: Beck, Kelly, Peterson. NO: None. Motion carried.
- b. December Treasurer's Report. Treasurer Gay explain she worked with City Accountant Schroeder on the December Treasurer's Report and it will be presented at the next meeting. A motion to table the report was made by Peterson and seconded by Kelly. Upon roll call, vote was as follows YEA: Beck, Kelly, Peterson. NO: None. Motion carried.
- c. Claims: **Advantage Computer Enterprises, Inc** \$499.00; **Badger Meter** \$161.98; **BBQ Mann** \$400.00; **Blue Valley Public Safety** \$1,634.00; **Cardin, Cody** \$161.28; **Cubby's** \$356.48; **Culligan** \$68.50; **ECS Technology Solutions** \$342.00; **Edward W. Schroeder, P.C.** \$8,895.00; **Engel, Vicki** \$250.00; **First State Bank Cardmember Service** \$5,263.01; **Gay, Rachele K.** \$164.08; **Holiday Inn Express & Suites Grand Island** \$289.90; **JEO Consulting Group** \$6,018.75; **Konecky Oil** \$139.29; **League of Nebraska Municipalities** \$477.00; **Lowe's** \$843.71; **Luthy, Terry** \$31.77; **MUD** \$463.68; **Nebraska Department of Environment & Energy** \$115.00; **Nebraska Public Health Environmental Lab** \$217.00; **One Call Concepts** \$8.85; **OPPD** \$3,863.31; **Payroll** \$18,255.75; **Publication Printing** \$44.85; **R & R Design & Remodeling** \$300.00; **Spectra Associates, Inc.** \$347.00; **SYNCB/Amazon** \$642.19; **US Cellular** \$75.58; **USPO** \$184.80; **Van Ackeren, Laurie** \$806.47; **Wahoo-Waverly-Ashland Newspapers** \$141.24; **Water Engineering, Inc** \$136.62; **Woster, Luke** \$320.11; **Ziamba, Trevor** \$188.20. A motion to approve the claims was made by Peterson and seconded by Kelly. Upon roll call, vote was as follows YEA: Beck, Kelly, Peterson. NO: None. Motion carried.

2) Open Discussion from Public

- a. Those wishing to speak on agenda items or other items relating to city business not on the agenda may speak at this time only. Speakers must sign in with Clerk or Administrator prior to commencement of meeting. Each speaker will be limited to three minutes.
 - i. Dwight Thompson approached the council about improvements he made to the back of his home. He stated he put crushed rock down so he could park a camper in the back, so it was not an eye sore. Councilmember Kelly explained

there was no plan to take action, it just might not meet code, as it is not paved.

- ii. JC Long approached the council about the Heldt property on Yutan Road. He requested permission to use JEO Consulting Group for engineering services for the day care that is going to be built. Zach Schulz with JEO explained there is a potential for conflict of interest; however, JEO is the City Engineer, so the city will take priority. JC stated he is familiar with JEO and would like to meet with them. City Administrator Heaton said there is a meeting with the City Attorney on Thursday and JC agreed to attend.

3) **Presentations from Guests**

- a. Presentation for FY20-21 Audit from Ed Schroeder, CPA. Ed Schroeder presented the audit for fiscal year ending on September 30, 2021. He proposed in 2022 staff focuses on getting new employees comfortable with accounting and focusing on getting financing for projects before they begin. A motion to approve the audit was made by Kelly and seconded by Peterson. Upon roll call, vote was as follows YEA: Beck, Kelly, Peterson. NO: None. Motion carried.

4) **Ordinances and Public Hearings**

- a. Application to Rezone Parcel# 003857500 from TA to R-1
 - i. Kyle with E & A Consulting presented the preliminary plat for Westridge Estates. This neighborhood consists of 15, 1-acre lots, located southeast of town. One lot is unbuildable due to a cell tower, one lot already has a home, leaving 13 buildable lots. The builder is requesting four waivers, including one for a 25' street rather than the required 28'. He noted street parking in this neighborhood will be prohibited and the homes are set back from the street due to lot size.
 - ii. Staff recommends following the recommendation of the Planning Commission and approving all waivers and Ordinance 786.
 - iii. A public hearing was opened by Mayor Egr at 7:50 p.m. No public comment was made, and the hearing was closed at 7:52p.m.
 - iv. Ordinance 786. A motion to adopt Ordinance 786 was made by Peterson and seconded by Beck. Upon roll call, vote was as follows YEA: Beck, Kelly, Peterson. NO: None. Motion carried.
- b. Preliminary Plat for Westridge Estates Subdivision
 - i. A Public Hearing was opened by Mayor Egr at 7:53 p.m. No public comment was made. Councilmember Kelly expressed concern about a 25' street being too narrow. The public hearing was closed at 7:57 p.m.
 - ii. Consideration of Waivers
 - Waiver Request 1: Waiver to have one vehicular access point to the subdivision (Section 4.09). A motion to approve Waiver Request 1 was made by Peterson and seconded by Kelly. Upon roll call, vote was as follows YEA: Beck, Kelly, Peterson. NO: None. Motion carried.
 - Waiver Request 2: Waiver to 10' pedestrian easement for blocks over 600' (Section 4.14). A motion to approve Waiver Request 2 was made by Kelly and seconded by Peterson. Upon roll call, vote was as follows YEA: Beck, Kelly, Peterson. NO: None. Motion carried.
 - Waiver Request 3: Waiver for a subdivision without sidewalks (Section 5.10). A motion to approve Waiver Request 3 was made by Kelly and seconded by Peterson. Upon roll call, vote was as follows YEA: Beck, Kelly, Peterson. NO: None. Motion carried.
 - Waiver Request 4: Waiver for curb and gutter (Section 5.12). A motion to approve Waiver Request 4 was made by Kelly and seconded by Beck. Upon roll call, vote was as follows YEA: Beck, Kelly, Peterson. NO: None. Motion carried.
 - Waiver Request 5: Waiver for 25' street width with no street parking. A motion to

approve Waiver Request 5 was made by Peterson and not seconded. A motion to table Waiver Request 5 until the next meeting was made by Kelly and seconded by Beck. Upon roll call, vote was as follows YEA: Beck, Kelly, Peterson. NO: None. Motion carried.

- iii. Resolution 2022-1. A motion to approve Resolution 2022-1 was made by Peterson and seconded by Kelly. Upon roll call, vote was as follows YEA: Beck, Kelly, Peterson. NO: None. Motion carried.
- c. Ordinance 787: Cell Phone Reimbursement Policy. Ordinance 787, Section 6 shall read "The City Administrator, Utilities Superintendent, Utility Assistant, and Police Chief shall receive a \$15.00 payment per pay period for personal cell phone use for work-related matters during their employment with the City of Yutan." A motion to waive the three readings and approve Ordinance 787 was made by Peterson and seconded by Kelly. Upon roll call, vote was as follows YEA: Beck, Kelly, and Peterson. NO: None. Motion carried.

5) Resolutions

- a. None

6) Other Action Items

- a. Reappoint Mary Jo Robinson to Library Board. A motion to reappoint Mary Jo Robinson to the Library Board was made by Peterson and seconded by Beck. Upon roll call, vote was as follows YEA: Beck, Kelly, and Peterson. NO: None. Motion carried.
- b. Consideration of Pay Application #7 for 5th Street/Hillside Ave. Water Main Project. A motion to approve Pay Application #7 in the amount of \$13,313.68 was made by Peterson and seconded by Kelly. Upon roll call, vote was as follows YEA: Beck, Kelly, and Peterson. NO: None. Motion carried.
- c. Consideration of Change Order #9 for water valve replacements. A motion to approve Change Order #9 in the amount of \$77,000.00 was made by Peterson and seconded by Kelly. Upon roll call, vote was as follows YEA: Beck, Kelly, and Peterson. NO: None. Motion carried.
- d. Consideration of Bids for Sanitary Sewer Repairs. Zach Schulz with JEO reviewed bids from Wiese Plumbing and Thompson Construction. He stated the Thompson bid is lower and they have historically done good work. A motion to approve the Thompson bid for \$19,820.00 was made by Peterson and seconded by Kelly. Upon roll call, vote was as follows YEA: Beck, Kelly, and Peterson. NO: None. Motion carried.
- e. Consideration of Task Order 170720.06 - 2022 Water and Sanitary Sewer Extensions. Zach Schulz with JEO reviewed options and pricing for extension plans to the Heldt property. A motion to table Task Order 170720.06 - 2022 was made by Kelly and seconded by Peterson. Upon roll call, vote was as follows YEA: Beck, Kelly, and Peterson. NO: None. Motion carried.
- f. ROW Permit: City Administrator Heaton presented a right-of-way (ROW) application to the council. He explained this will be required by anyone wanting to do work in the city's ROW. A ten-dollar filing fee will be required with the application. A motion to approve the ROW permit and ten-dollar filing fee was made by Peterson and seconded by Kelly. Upon roll call, vote was as follows YEA: Beck, Kelly, and Peterson. NO: None. Motion carried.
- g. Consideration of Claim from Mack Bros. Groundskeeping for \$5,160 for improvements at Hayes Ballfields. Mayor Egr explained he spoke to Mack Bros. and they maintain they followed instructions. He would like this bill to be paid to protect the city's reputation. A motion to pay the Mack Bros. bill was made by Peterson and seconded by Kelly. Upon roll call, vote was as follows YEA: Beck, Kelly, and Peterson. NO: None. Motion carried.
- h. Consideration of estimate for cleaning wet well from Subbert Pumping. Utilities Superintendent Woster said Pat Peterson recommended cleaning the wet well and he concurs it needs to be cleaned. Mayor Egr agreed it has not been done in years. A motion to approve

paying up to \$1,000.00 to Subbert Pumping was made by Peterson and seconded by Beck. Upon roll call, vote was as follows YEA: Beck, Kelly, and Peterson. NO: None. Motion carried.

- i. Selection of City Council President. Councilmember Beck made a motion to appoint Councilmember Peterson as City Council President. Councilmember Kelly seconded the motion. Upon roll call, vote was as follows YEA: Beck, Kelly, and Peterson. NO: None. Motion carried.

7) Discussion Items

- a. City Administrator Heaton reviewed the information he has gained from several retirement agencies. A retirement plan for city employees is a work in progress.
- b. City Administrator Heaton and Utilities Superintendent Woster reported there is an interest in teams outside of town renting the baseball fields. Council members are interested in the possibility of renting the fields. City Administrator Heaton, Utilities Superintendent Woster, and City Clerk Gay will work together to design a plan for renting the fields and present it to council next month.

8) Supervisor's Reports

- a. Library Director's report was submitted.
- b. Police Chief's report was submitted.
- c. Maintenance Director's report was submitted.
- d. City Administrator's report was submitted.

9) Council Discussions: none

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

Meeting adjourned at 9:36 p.m.

NEXT MEETING DATE – February 15, 2022, 7:00 P.M.


Dain Egr, Mayor


Rachelle K. Gay, City Clerk