

Yutan City Council  
Tuesday, July 16th, 2024  
7:00 p.m. Yutan City Hall

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 16th DAY OF JULY 2024, 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 Thompson and all members of the Yutan City Council, and a copy of their acknowledgment of receipt of the 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.

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

**1) Consent Agenda**

- a. Approve Minutes of June 25th, 2024, Regular Meeting
- b. Treasurer's Report
- c. Claims-**ARCS-LLC** \$1260.78, **Biblionix** \$880.00, **Bomgaars** \$62.96, **Canon** \$106.00, **Capital Business Solutions** \$177.10, **Cardmember Services** \$4061.48, **CHI Health** \$39.00, **Cody's Custom Concrete** \$1260.00, **Column Software PBC** \$261.40, **Cubby's** \$435.71, **Culligan** \$166.50, **Des Moines Stamps** \$44.00, **Drews Ag Repair** \$465.14, **Double K Farms** \$2301.94, **Eakes** \$1448.93, **ECS** \$473.25, **Engel, Vicki** \$270.00, **Frontier Cooperative** \$1834.32, **Great Plains Uniforms** \$1129.50, **Hometown Leasing** \$139.48, **Industrial Sales** \$288.10, **JEO** \$5475.00, **Lowes** \$451.91, **MUD** \$48.00, **One Call Concept** \$19.54, **One Source Background** \$37.00, **OOP Inc.** \$457.50, **OPPD** \$5183.99, **Purchase Power** \$440.00, **RoadRunner Transportation** \$370.75, **Saunders County Deed of Register** \$22.00, **Lincoln Life Insurance** \$154.97, **Thiele Geotech** \$932.00, **Thompson & Sons** \$55.23, **Todd Valley Farms** \$32.50, **ULine** \$705.30, **U.S. Cellular** \$91.26, **Workman HVAC** \$2945.00, **Woster, Luke** \$20.31, **Total w/o Payroll** \$26821.53, **Payroll** \$25695.91, **Total w/Payroll** \$52517.44
- d. A motion to approve the consent agenda was made by Peterson and seconded by Lawton. Upon roll call vote was as follows: YEAH: Lawton, Schimenti, Chittenden, Peterson. NO: None, Motion Carried

**2) Open Discussion from the Public**

- a. Shane Wieczorek- wanted to talk about his property in Itan and that he has started to notice sinkholes in his backyard, poles leaning, and sidewalks sinking. He is concerned about erosion, and everything eventually sinking into a sinkhole. He is asking if they could get surveyors out to inspect for sinkholes and the sinking of the sidewalk.
- b. Justin Barney-wanted to congratulate Brett Lawton on his new position as council member and Kyle Schimenti as new council president.

### 3) **Ordinances and Public Hearings**

- a. Ordinance 806- Amending Section 9-102 of Municipal Code to Update Building Code Requirements for One & Two-Family Dwellings0121
  - i. First reading of Ordinance 806- Community Engagement Coordinator Costa stated that the City is still under the 2015 building codes and that he is working on updating the City to the 2021 building codes. The amendments within the ordinance are for the fire suppression system, including radon preventative system, where all new buildings will require it. Councilmember Peterson asked if this would be for buying and selling of property and what the cost would be. Council member Chittenden stated that new homes usually come with it but it usually is a choice of the homeowner. Mayor Thompson stated that he does not believe the 48 hour notice should be a requirement. Councilmember Chittenden and Peterson said that it is okay to be in there, but at the same time it should still be accessible to do an inspection the day of. Councilmember Peterson asked about the one-story detached accessory structures being exempt from a permit. Councilmember Chittenden feels like if it needs footings it should need a permit, but if it is a small shed that does not require footings then it shouldn't need a permit. Council member Chittenden asked to see what other cities do and their wording on the radon requirement. Councilmember Schimenti agrees with Council member Chittenden that the radon thing should not be forced on someone, and that the shed situation is that less is more. Council member Lawton asked about the fences and the amendment for it and the water tanks. Community Engagement Coordinator Costa stated that the building codes do not have any regulations for fences and that the water tanks are more for agricultural land.
- b. A motion to approve the first reading of ordinance 806 was made by Chittenden and seconded by Schimenti. YEAH: Schimenti, Chittenden, Peterson, Lawton. NO: None, Motion Carried.

### 4) **1 Resolutions**

- a. Resolution 2024-04 LARM Renewal
  - i. A motion to approve Resolution 2024-04 LARM Renewal for the 180 day notice with the 2 % discount for 1 year was made by Schimenti and seconded by Lawton. Upon roll call vote was as follows: YEAH: Chittenden, Peterson, Lawton, Schimenti. No: None, Motion Carried.

### 5) **Other Action Items**

- a. Brett Lawton Resignation from the Park Board
  - i. A motion to approve the resignation of Brett Lawton from the Park Board was made by - Schimenti and seconded by Peterson. Upon roll call vote was as follows: YEAH: Peterson, Schimenti, Chittenden. NO: None, ABSTAIN: Lawton, Motion carried.
- b. JEO Pay Application #1 in the amount of \$68,908.18
  - i. A motion to approve pay application #1 to JEO in the amount of \$68,908.18 was made by Lawton and seconded by Chittenden. Upon roll call vote was as follows: YEAH: Lawton, Schimenti, Chittenden, Peterson. NO: None, Motion Carried.
- c. Chieftain Community Club Special Designated License-Liquor License
  - i. A motion to approve the Special Designated License for the Chieftain Community Club was made by Chittenden and seconded by Peterson. Upon roll call vote was as follows: YEAH: Schimenti, Chittenden, Peterson, Lawton. NO: None, Motion Carried.

- d. Renaming the Community Engagement Coordinator position to Community Planner  
A motion to renaming the Community Engagement Coordinator position to Community Planner was made by Schimenti and seconded by Peterson. Upon roll call vote was as follows: YEAH: Chittenden, Peterson, Lawton, Schimenti, NO: None, Motion carried.

**6) Discussion Items**

- a. Budget Workshop #1
  - i. August 5th at 7:30 pm
  - ii. August 20th at 7:00pm

**7) Supervisor Reports**

- a. Library Director
- b. Utility Superintendent
- c. Police Chief
- d. Community Engagement Coordinator
- e. City Administrator

**8) Items for Next Meeting Agenda**

**Meeting Adjourned**-A motion to adjourn at 7:39 pm was made by Chittenden and seconded by Peterson. Upon roll call vote was as follows: YEAH: Peterson, Lawton, Schimenti, Chittenden. NO: None, Motion carried.

**NEXT MEETING DATES**

- Budget Workshop #1- August 5th, 2024 at 7:30pm**
- Planning Commission Meeting- August 13th, 2024 at 7:00pm**
- Regular Council Member-August 20th, 2024 at 7:00pm**
- Budget Workshop #2-August 20th, 2024, following the Council Meeting**

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 the 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.

Matt Thompson, Mayor

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Brandy Bolter, City Clerk/Treasurer

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