

Yutan City Council
Tuesday, September 17th, 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 17th DAY OF SEPTEMBER 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 Council President Kyle Schimenti. Councilmembers Lawton, Schimenti, Chittenden, and Peterson were present. Mayor Matt Thompson was absent. Council President Schimenti 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.

Council President Schimenti called for a moment of silence in remembrance of former council member Claude Beck who had passed away that morning.

1) Consent Agenda -

- a. Approve Minutes of September 9th, 2024, Special Meeting-Budget Meeting
- b. Treasurer's Report
- c. **Claims-All Phase Electric \$973.75, ARCS-LLC \$104.00, Bomgaars \$212.98, Bromm, Lindahl, Et Al \$1691.50, Canon \$106.00, Capital Business \$177.10, Cardmember Services \$2067.78, City of Wahoo \$900.00, Column Software PBC \$208.32, Corrigan, Mike \$750.00, Cubby's \$834.76, Culligan \$205.75, DataShield \$56.00, Davis, Ken \$123.30, Drews Farm \$3370.86, Drop In Portables \$535.00, Eakes \$991.14, ECS \$463.12, Engel, Vicki \$270.00, Garthright, Amanda \$96.88, Hometown Leasing 69.74, Jeff Subbert Irrigation LLC \$1043.29, JEO \$7577.25, Jones Group \$1414.75, Konecky \$32.62, LARM \$48.95, Love Signs \$458.10, Luthy, Terry \$466.06, Menards \$22.67, MUD \$48.00, Midwest Laboratories \$112.85, NDEE \$150.00, Nebraska Department of Revenue \$939.39, Nebraska Library Association \$105.00, Nebraska Library Commission \$500.00, One Call Concepts \$35.46, OPPD \$4929.08, Pitney Bowes Purchase Power \$414.19, Railroad Management Company \$1677.88, Rental City \$2392.80, Resource Rental Center \$535.00, RoadRunner Transportation \$370.75, Russell, Kristen \$22.98, SENDD \$1979.00, The Lincoln Financial Group \$444.70, Thiele Geotech Inc. \$1387.25, Todd Valley Farms \$1890.00, Trade Well Pallet \$480.00, Tri-Point Tree & Landscaping \$2500.00, ULine \$1417.36, U.S. Cellular \$91.26, Wahoo Newspaper \$93.60, Wahoo-Waverly-Ashland Newspaper \$224.95, Wilke Plumbing \$235.00, Total w/o Payroll \$47,619.83, Payroll \$27,703.46, Total w/Payroll \$75,323.29.**
- d. A motion to approve the consent agenda was made by Chittenden and seconded by

Lawton. Upon roll call vote was as follows: YEAH: Lawton, Chittenden, Peterson. NO: None, Motion carried.

2) **Open Discussion from the Public**

- a. Aaron Archer- Wanted to talk to the council about his role as the park board chairperson. Archer stated that he has not been receiving answers to his emails from the city office workers and states that he is upset that Brett Lawton and Justin Barney asked that he step down as chairperson and believes that it was not handled properly. Administrator Oliva responded to Mr. Archer and stated that he had suggested that Mr. Barney and Mr. Lawton goes to Aaron and talks to him up-front instead of blind siding with him in a meeting. Mr. Oliva stated that he has always responded to Mr. Archer's emails and that the last one he sent was not a question, just a statement and that it did not warrant a response. Council President Schimenti asked Mr. Archer what he wants from the council and that it appears we have lost track of what the park board was intended for. Council member Chittenden asked Mr. Archer where the problem stems from? Is it from the City? Mr. Archer stated that he is not getting any help from anyone when he emails with questions and that he does not understand where his being asked to step down came from.

3) **Ordinances and Public Hearings**

- a. One & Six year Highway and Street Improvement Program
 - i. Staff Report- Administrator Oliva stated that the one and six year plan was presented in last month's meeting by himself and JEOs Steve Parr. The changes that the council asked for were made to the plan by updating the Vine Street, Second Street, and HWy 92 off ramp updated to one year projects.
 - ii. Public Hearing -The open hearing opened at 7:20 p.m.- Justin Barney asked about the Vine street project and what all it entails and what it means for the residents that live on that street. Administrator Oliva stated that it should not interfere with anyone coming and going on Vine Street and that the project should only take a few days. Public meeting closed at 7:21 p.m.
 - iii. Resolution 2024-7 -A motion to approve resolution 2024-7 the One and Six year Highway and street improvement program was made by Chittenden and seconded by Peterson. Upon roll call vote was as follows: YEAH: Chittend, Peterson, Lawton. NO: None, Motion Carried.
- b. Ordinance 806- Amending Section 9-102 of Municipal Code to Update Building Code Requirements for One & Two-Family Dwellings, Third and Final Reading
 - i. Staff Reporting - Community Planner Costa went over the changes that were discussed from last month and added some language that would define what a non-structural project is. Costa also added in the discussion of the board of appeals that a member from the public could be added by the Mayor and that he added the monolithic foundations as approved.
 - ii. Public Hearing -Public hearing was opened at 7:23 p.m. and closed at 7:24 p.m.
 - iii. Ordinance 806- A motion to approve Ordinance 806-Amending section 9-102 of Municipal Code to Update Building Code Requirements for One & Two-Family Dwellings, was made by Lawton and seconded Peterson. Upon roll call vote was as follows; YEAH: Peterson, Lawton, Chittenden. NO: None, Motion carried.

4) Other Action Items

- a. Pay Application #3 HD Utilities & Grading
 - i. A motion to approve pay application #3 to HD Utilities and Grading in the amount of \$156, 768.02 was made by Chittenden and seconded by Lawton. Upon roll call vote was as follows; YEAH: Lawton, Chittenden, Peterson. NO: None, Motion Carried
- b. Approve Bid for 2024 3046 R Tractor, AKRs Gretna-
 - i. Bob Oliva brought to the board two bids for utility tractors to help improve efficiency for the utility workers. The tractor would be used for mowing, plowing, water line repairs, and any other use deemed necessary for its use. After doing extensive research Oliva has decided on the John Deere 3046R Compact Utility Tractor with several attachments. Oliva stated that this should be a 10 year tractor if not longer. The loaders would not tear up the grass or turf as much as the mows are doing. The skid loader is averaging 200 hours a year on it and it will still be good for quite some time. Council member Peterson asked if we are going to get rid of a mower if this will be taking over 70% of the mowing in town. Administrator Oliva stated that we will still need the zero turn mowers for the ballfields and other smaller locations. Council member Chittenden stated that the backhoe can be a pain to use and that by the time we even get the whole dug the people to repair it would already be there. Council member Chittenden would like to see the plow more than the backhoe. Administrator Oliva stated that the biggest eye opener for him was how much time it is taking to mow, especially in the spring season. Council member Peterson asked if we still need to have extra summer help or would this help cut back on needing the extra help and also asked if it could still go on the trailer. Administrator Oliva stated yes it could still fit on a trailer to take to the lagoons and that we would have to reassess the extra summer help after we receive the mower. Council members Peterson and Chittenden asked if we could get an interlocal with the school and if they would have any use for it. Council member Chittenden asked where this would fit into the budget. Administrator Oliva stated that we have the money and would not have to borrow anything for this. Justin Barney wanted to bring up the warranty with all of the accessories. Administrator Oliva said that each attachment has its own warranty. Aaron Archer suggested that maybe we should consider renting the attachments instead of buying the attachments.
 - ii. A motion to approve the bid from AKRS Equipment Solutions-minus the backhoe in the amount of \$66,349.00 was made by Lawton and seconded by Chittenden. Upon roll call vote is as follows; YEAH: Chittenden, Peterson, Lawton. NO: None, Motion carried.
- c. Approve Bid for street overlay project for Vine St., Second St., and Off Ramp.
 - i. A motion to approve the bid from OMNI Engineering in the amount of \$156, 789.35 for the street overlay project for Vine street, Second street, and the Highway 92 off ramp was made by Chittenden and seconded by Peterson. Upon roll call vote was as follows; YEAH: Peterson, Chittenden. NO: None ABSTAIN: Lawton, Motion Carried.
- d. Appointment of Ryan Chapman as alternate to the Board of Adjustments

- i. Ryan Chapman submitted his application to be the adjustment for the board of adjustments.
- ii. A motion to appoint Ryan Chapman as the alternate to the Board of Adjustments was made by Chittenden and seconded by Peterson. Upon roll call vote was as follows; YEAH: Lawton, Chittenden, Peterson. NO: None, Motion carried.
- e. Acceptance of Gabriel Bolter's Resignation from the Community Redevelopment Authority (CRA).
 - i. A motion to accept Gabriel Bolter's resignation from the CRA was made by Lawton and seconded by Chittenden. Upon roll call vote was as follows; YEAH: Chittenden, Peterson, Lawton. NO: None, Motion Carried

5) Supervisor Reports

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

: Meeting Adjourned - A motion to adjourn at 8:16 p.m. was made by Chittenden and seconded by Lawton. Upon roll call vote was as follows; YEAH: Lawton, Chittenden, Peterson. NO: None, Motion carried.

NEXT MEETING DATES

Planning Commission Meeting-October 1st, 2024, 7:00 P.M.

City Council Meeting- October 8th, 2024, 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 the city clerk prior to the meeting. All speakers shall address the mayor and city council only. Anyone attending the meeting who may require auxiliary aid or service should contact the city clerk in advance.

Kyle Schimenti, Council President

Brandy Bolter, City Clerk/Treasurer
