

Yutan City Council  
Tuesday, October 8th, 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 8th DAY OF OCTOBER 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, Chittenden, and Peterson were present. Council President Schimenti was absent. 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 the September 23rd, 2024, Special Meeting
- b. Treasurer's Report
- c. Claims-ARCS-LLC \$207.00, Bomgaars \$63.06, Canon \$334.62, Cardmember Services \$2432.51, Column Software PBC \$291.98, Costa, Robert \$8.00, Cubby's \$517.89, Culligan \$120.50, Eakes \$787.52, ECS \$316.00, Engel, Vicki \$270.00, Frontier Cooperative \$350.00, Grass Pad Warehouse \$68.46, Heldt, Ashley \$337.50, Hometown Leasing \$69.74, JEO \$8172.50, Konecky \$89.67, LARM \$49,094.00, Lowes \$1680.44, Martin Marietta \$2106.51, MUD \$48.00, Midwest Labs \$199.57, Nebraska Department of Revenue \$947.21, NE Public Health Environmental Lab \$60.00, Neenah Foundry \$213.00, NMC Cat \$1046.63, Odeys \$1080.85, One Call Concepts \$15.58, PepperBall \$2240.00, Pitney Bowes Global Finance \$46.22, Purchase Power \$619.91, Ric Ortmeier CPA \$6000.00, RoadRunner Transportation \$370.75, The Diamonds Groundskeeper \$3260.00, The Lincoln National Life Insurance \$334.36, Thiele Geotech Inc. \$2283.50, United States Treasury \$31,325.70, US Cellular \$91.26, Wilke Plumbing \$155.00, Total w/o Payroll \$117,385.38, Payroll \$24,451.29, Total w/Payroll \$141,836.67.
- 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- Spoke on how he came to last month's regular council meeting and asked for assistance for the park board from the city council and the city office and that he still has not received any assistance or guidance. He also stated that he did not realize that the council was looking at dissolving the park board until this meeting and that having a

heads up would have been nice. Mr. Archer also believes that it would be a mistake and that if he received the help he needs, the park board can continue running accordingly.

- b. Justin Barney-Mentioned that at the special meeting that was held last month that it was mentioned dissolving the park board and that he has thought a lot about it and whether there continues to be a park board or not he is going to continue to help the community in any way possible. Mr. Barney also brought to the council the possibility of placing a pavilion by the pickleball courts.

### 3) Action Items

#### a. Dissolving of the Park Board

- i. Mayor Matt Thompson stated that he asked for this to get placed on the agenda after talking to the city attorney, it may be easier to dissolve the park board and change it to a committee, thereby easing the group's requirements to follow the Open Meetings Act. City Attorney Maureen Freeman-Caddy stated that if they were to stay under their current organizational form, then they must follow the Open Meetings Act; if they are just going to be a committee, then they could meet informally and bring ideas/proposals to the council, Freeman-Caddy also stated that any action to change the board must be done by ordinance. Council member Chittenden asked if an informal committee format would require appointment of its members. Freeman-Caddy confirmed Council's appointment of members to the committee, but the committee would not have authority to act or make spending decisions without council approval. Mayor Thompson asked if it would have to be an ordinance to dissolve the park board as well. Administrator Oliva asked if it could all be done in one ordinance or if they would have to be separate ordinances. Freeman-Caddy informed the Council that it can all be done in one ordinance. Council member Chittenden likes the idea of a committee, but worries that it would eventually fizzle out. He was under the belief that the park board was already a committee and did not have as much authority as they have. Mayor Thompson asked what had been brought to the council by the park board in the past. Aaron Archer said that early on that he had requested the park board budget and that the city said that they could not do that and that it was never done. Council member Peterson asked if it stays as is, can the park board take the budget and do what they want with it whereas if it's a committee they would come and ask the city council for their thoughts? Administrator Oliva confirmed that the park board can spend the parks budget as they see fit and that they have a say in what the park employees work on. City attorney Freeman-Caddy will draft a skeleton ordinance and the council and members of the park board can work together to fill in what their duties will be.
- ii. A motion to have city attorney Maureen Freeman-Caddy draft a skeleton ordinance for the November council meeting was made by Peterson and seconded by Chittenden. Upon roll call vote was as follows: YEAH: Chittenden, Peterson, Lawton. NO:None, Motion Carried.

#### b. Pay Application #4 to HD Grading & Utilities in the amount of \$64,277.04

- i. A motion to approve pay application #4 to HD Utilities and Grading in the amount of \$64,227.04 was made by Chittenden and seconded by Lawton. Upon roll call vote was as follows: YEAH: Peterson, Lawton, Chittenden. NO: None, Motion Carried.

- c. Appointment of a new Community Redevelopment Authority Board member
  - i. A motion to appoint Grady Shacke to the CRA board was made by Chittenden and seconded by Peterson. Upon roll call vote was as follows: YEAH: Lawton, Chittenden, Peterson. NO: None, Motion Carried.
- d. :Acceptance of bids for concrete work Schimenti joined at 7:29
  - i. Council member Kyle Schimenti joined the meeting at 7:29 p.m.
  - ii. A motion to accept Cody's Custom Concrete bid in the amount of \$123, 750.00 for the concrete work on Vine Street, Second Street, and HWY 92 was made by Peterson and seconded by Lawton. Upon Roll call vote was as follows. YEAH: Lawton, Chittenden, Peterson. NO: None. ABSTAIN: Schimenti, Motion Carried.
- e. Acceptance of Ric Ortmeier contract for yearly audit
  - i. A motion to accept Ric Ortmeiers contract for the yearly audit was made by Peterson and seconded by Chittenden. Upon roll call vote was as follows: YEAH: Chittenden, Peterson, Lawton, Schimenti, NO: None. Motion Carried.

#### 4) Discussion Items

- a. Community Planner-Hazard Mitigation
  - i. Community Planner Robert Costa went over the updated hazard mitigation plan and process that is renewed every 5 years. He stated that the point of this plan is for FEMA to plan for budgeting in case there were to ever be a disaster and what the emergency plan would be for the city. The NRD does not allow the council to modify this plan and the council gets the choice to accept or deny it. Costa is just wanting to bring this to the council's attention ahead of time so that if they have any input they would have a chance to provide input and take part in it before it is too late for them to have a say. Council member Schimenit asked if another part of accepting the plan would be grant money. Costa stated that yes it would be.
- b. Entrance Sign Upgrade
  - i. City Clerk Bolter stated that there have been several issues with the marquee sign by the highway due to connectivity issues. The sign is also outdated and could use and update to the electrical parts of the sign. Discussion was held over whether to get just a wireless router and not use the antenna for the connection if that would help or if we should look at replacing it. The council has asked City Clerk Bolter to get a few more quotes on what it would cost to update the sign.
- c. Mayor Thompson brought up the sidewalk that the council was looking at widening may need to be pushed off until next year. Mayor Thompson stated that Administrator Oliva and Community Planner Costa had found a grant that would pay for up to 80% of the project. Administrator Oliva stated that if we start working on the leg work of this and have everything ready to attempt to apply it for the grant for next year.
- d. Mayor Thompson wanted to talk about updating the Christmas decorating for the city. The current ones are timeless and outdated. Currently we have a quote from Hardman Lawn and Landscaping for the purchasing and installing of the new decorations. The council just needs to pick out which ones they would prefer. Mayor Thompson also stated that we are looking at placing a Christmas Tree at the intersection of Vine and Second Streets

- 5) **Supervisor Reports**
  - a. Library Director
  - b. Utility Superintendent
  - c. Police Chief
  - d. Community Planner
  - e. City Administrator

6) **Items for Next Meeting Agenda**

**Meeting Adjourned-** A motion to adjourn at 8:06 p.m. was made by Peterson and seconded by Chittenden. Upon roll call vote was as follows: **YEAH: Lawton, Schitmenti, Chittenden, Peterson, NO: None, Motion Carried.**

**NEXT MEETING DATES**

**Special Meeting-October 22nd, 2024, 6:00 P.M.**  
**Planning Commission - November 12th, 2024, 7:00 P.M.**  
**City Council Meeting - November 19th, 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.

Matt Thompson, Mayor

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Brandy Bolter, City Clerk/Treasurer

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