

CITY OF YUTAN
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EXTRACT FROM MINUTES OF A YUTAN PLANNING COMMISSION MEETING, IN THE COUNTY OF SAUNDERS, STATE OF NEBRASKA HELD AT THE YUTAN CITY HALL IN SAID CITY ON THE **10th DAY OF DECEMBER IN 2024, AT 7:00 pm.**

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 all members of the Yutan Planning Commission, 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.

The meeting was called to order at 7:03 pm. by Commissioner Smith, acting as chairperson at the request of Chair Duffy. Planning Commissioners Gay, Shea, Smith, and Vandenack were present. Commissioners Duffy, Ortmeier, and Winn were absent.

Smith informed all individuals present of the location of the Open Meetings Act.

1. Approval of the meeting minutes for October 1, 2024.
 - a. Motion to approve the meeting minutes was made by Gay and seconded by Shea; motion passed unanimously (4-0).
2. No open discussion occurred.
3. Public Hearing: Vacation of Mason Acres II
 - a. Community Planner Robert Costa presented the staff report for the Commission's consideration of the vacation request.
 - b. Before the public hearing was opened, Commissioner Vandenack stated his history as former legal counsel to an adjacent neighbor of the subject property during initial discussions between the original subdivider (Thompson & Sons) and the adjacent neighbor. Vandenack stated that he removed himself from involvement in the case upon commencement of litigation and declared no conflict in reviewing the vacation request due to those circumstances.
 - c. Acting Chair Smith opened the public hearing at 7:11pm.
 - i. The applicants, Jay & Jill Hoellen, spoke briefly on behalf of their application.
 - ii. Public comment was allowed; no public comment was given.Public hearing was closed at 7:12pm.
 - d. Motion to adopt the findings of fact and recommend approval was made by Vandenack and seconded by Shea; upon voting, Commissioner Smith initially recused himself. (During the 2024 general election, Will Smith was elected to the City Council;

his installation as a member of that body is expected to occur during the same meeting that the Hoellen's vacation request will be reviewed by the City Council; by recusing himself, Commissioner Smith sought to avoid potential conflicts in the review process.) Discussion occurred between City Staff and Commissioners regarding the votes needed for passage of a motion. Upon research and advice by staff and further discussion amongst Commissioners, Smith chose to vote for the motion, opting to recuse himself from voting on the item during City Council review. Motion passed unanimously (4-0). [Editor's Note: During the December 17, 2024, City Council meeting, Will Smith abstained from voting on the vacation request as a member of City Council.]

4. During general Commission Discussion, Commissioner Smith officially resigned. Commissioners congratulated Smith on his election to City Council and discussed his many years of service as a Planning Commissioner. No additional discussion occurred.

Meeting adjourned at 7:31pm.

Next scheduled meeting: Tuesday, January 14, 2024, at 7:00 pm.

Meeting minutes prepared by City Staff, and approved by vote of

the Planning Commission on the _____ day of _____, 2025.