

Yutan City Council
Tuesday, December 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 DECEMBER 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 the November 19, 2024, Regular Meeting
- b. Treasurers report
- c. Claims-**All Star Plumbing** \$750.00, **ARCS-LLC** \$2,088.03, **Axon Enterprise Inc.** \$6,670.13, **Bomgaars** \$664.08, **Brite Ideas Decorating** \$663.75, **Cardmember Services** \$1,723.99, **Cody's Custom Concrete** \$53,059.43, **Column Software PBC** \$171.19, **Cubby's** \$573.00, **Daniels Construction** \$525.00, **DataShield** \$56.00, **Des Moines Stamp** \$24.50, **Drews Farms** \$1,323.40, **Eakes** \$1,399.92, **ECS Technology Solutions** \$188.00, **Engel, Vicki** \$270.00, **HomeTown Leasing** \$69.74, **JEO** \$1,817.50, **LARM** \$308.03, **Lowes** \$236.49, **MUD** \$108.86, **Midwest Laboratories Inc.** \$431.14, **NE Department of Environment and Energy** \$38,095.34, **NE Department of Revenue** \$930.96, **NMC CAT** \$691.93, **NE Public Health Environmental Lab** \$46.00, **NE Rural Water Association** \$350.00, **Nebraska Turf Products** \$481.25, **One Call Concepts** \$10.78, **OPPD** \$4,890.78, **Ortmeier and Associates** \$18,000.00, **P & R Sales** \$30,250.00, **Purchase Power** \$312.43, **RoadRunner Transportation** \$370.75, **The Lincoln National Life Insurance Company** \$334.36, **United States Treasury** \$12,054.58, **U.S. Cellular** \$106.18, **Total w/o Payroll** \$180, 197.52, **Payroll** \$45,628.84, **Total w/Payroll** \$225,826.36.
- d. A motion to approve the consent agenda was made by Schimenti and seconded by Peterson. Upon roll call vote was as follows: YEAH: Lawton, Schimenti, Chittenden, Peterson. NO: None, Motion Carried.

2. Public Hearing

- a. Public Hearing-Uniform Policy for Elected and Appointed Officials, Employees and Volunteers Awards and Recognition Dinner.
 - i. Public Hearing opened at 7:02 p.m.. No comments from the public were taken. The public hearing closed at 7:03 p.m..

3. Action Items

- a. Resolution 2024-11- A Uniform Policy Authorizing a Recognition Dinner and Setting a Dollar Limit on the Value of any Plaque, Certificate of Achievement, or Item of Value to be provided.

- i. A motion to approve Resolution 2024-11 A Uniform Policy Authorizing a Recognition Dinner and Setting a \$50 Limit on the Value of any Plaques, Certificates of Achievements, or Item of Value to be provided was made by Chittenden and seconded by Schimenti. Upon roll call vote was as follows: YEAH: Schimenti, Chittenden, Peterson, Lawton. NO: None, Motion Carried.
 - b. Resignation of Will Smith from the Planning Commission
 - i. A motion to accept the Resignation of Will Smith was made by Lawton and seconded by Chittenden. Upon roll call vote was as follows: YEAH: Chittenden, Peterson, Lawton, Schimenti. NO: None, Motion Carried.

4. Adjournment Sine Die

- a. The term *adjournment sine die* refers to the close of a session of several meetings: where the adjournment dissolves the assembly as in the case of a session of a legislative or by the bylaws or constitution of a body. The motion should be similar to the following. *"I move that we adjourn sine die."* This motion is made only after any unfinished business that has been carried forward has been addressed.
 - i. A motion to adjourn sine die was made at 7:04 p.m. by Chittenden and seconded by Lawton. Upon roll call vote was as follows: YEAH: Peterson, Lawton, Schimenti, Chittenden. NO: None, Motion carried.

5. Transition to New Council Meeting -7:06pm

- a. Restate Open Meetings Act and Code of Conduct is posted as referenced
- b. Roll Call

6. Reorganization

- a. Swearing in New Council Members
 - i. Council Members
 - 0. Jon Chittenden-East Ward
 - 1. Will Smith-West Ward
- b. Elect Council President
 - i. A motion to appoint Kyle Schimenti as council President was made by Lawton and seconded by Chittenden. Upon roll call vote was as follows: YEAH: Chittenden, Smith, Lawton. NO: None. Abstain: Schitmenti. Motion Carried.
- c. Appointments of the following positions
 - i. City Administrator/TIF Administrator-Bob Oliva
 - ii. City Clerk/Treasurer-Brandy Bolter
 - iii. Police Chief-Tim Hannan
 - iv. Utility Superintendent-Luke Woster
 - v. Community Planner, Building Inspector, and Zoning Administrator-Robert Costa
 - vi. City Attorney-Maureen Freeman-Caddy
 - vii. City Engineer-Zach Schultz
 - 0. A motion to approve appointments as listed was made by Chittenden and seconded by Schimenti. Upon roll call vote was as follows: YEAH: Lawton, Schimenti, Chittenden, Smith. NO: None. Motion Carried.
- d. Appoint Council Members to Standing Committees
 - i. Parks & Recreation/Police-Brett Lawton

- ii. Ordinance/Legal-Kyle Schimenti
 - iii. Personnel & Finance/Building and Zoning-Jon Chittenden
 - iv. Utilities/Streets/-Will Smith
 - v. A motion to appoint council members to standing committees was made by Schimenti and seconded by Smith. Upon roll call vote was as follows: YEAH: Schimenti, Chittenden, Smith, Lawton. NO: None, Motion Carried.
- e. Appoint a Nuisance Hearing Officer for the City of Yutan
- i. A motion to table a nuisance hearing officer was made by Chittenden and seconded by Lawton. Upon roll call vote was as follows: YEAH: Chittenden, Smith, Lawton, Schimenti. NO: None, Motion Carried.
- f. Designate Physical Posting locations at the Yutan City Office, Post Office, and First State Bank Yutan as the Method of the Published Notice of the Time and Place of Each Meeting.
- i. A motion to approve the Designated Physical Posting Locations was made by Schimenti and seconded by Chittenden. Upon roll call vote was as follows: YEAH: Smith, Lawton, Schimenti, Chittenden. NO: None. Motion Carried.
- g. Designate First State Bank-Yutan as the Qualifying Financial Institution for the Deposit of All Funds of the City
- i. A motion to approve First State Bank Yutan as the Qualifying Financial Institution was made by Smith and seconded by Schimenti. YEAH: Lawton, Schimenti, Chittenden, Smith. NO: None, Motion Carried.
- h. Submittal of Conflict-of-Interest Forms
- i. No Action was taken due to no forms being submitted.
- i. Authorize Mayor to Sign the Retainer Agreement for City Attorney
- i. A motion to authorize the Mayor to Sign the Retainer Agreement for City Attorney was made by Chittenden and seconded by Lawton. Upon roll call vote was as follows: YEAH: Schimenti, Chittenden, Smith, Lawton. NO: None. Motion Carried.

7. **Open Discussion**

- a. Justin Barney-Wanted to congratulate Council member Jon Chittenden and Council member Will Smith on their new positions.
Laurie Van Ackeren- Wanted to thank Council member Brett Lawton for coming to toddler time in November for national read out loud month.
Mayor Thompson- Wanted to congratulate Chief Tim Hannan for being awarded a \$34,000 grant for a new UTV for the police officers which will also be split with the fire department who is giving \$10,000 to put new tracks on for use during the winter months. Mayor Thompson wanted to also acknowledge the work of the utilities department on getting the roads salted after the ice.

8. **Presentation from guest**

- a. Denis Maggart from LIGHT-Discussion of health insurance for employees.
- i. Went over the different health insurance programs that fit different cities of different sizes and discussed what Administrator Oliva had picked for the city that would work best for the City of Yutan and its employees. Maggart went over the different types of plans and what they are and how they work. He also went over how they also offer life insurance, long time disability insurance, dental and the two different plans and the voluntary coverages. He also went over the issues that can happen with cities our size and how LIGHT streamlined lined it to make it easier for employees and the administration to access the health insurance plans. Council member Schimenti asked what are the criteria to get accepted into the program. Maggart stated that what is required to get accepted is a medical underwriting and to insure that the City can meet

the needed criteria. Administrator Oliva went over that he did get a soft approval from the council to go over numbers for the insurance and that this is reasonable with what we are doing with our current HRA plan.

9. Public Hearings

- a. Ordinance 810-Vacation of Mason Acres II
 - i. Staff Reporting-Robert Costa-Discussed what a vacation of a subdivision plot is and that it is an unusual process. That it is currently an 8-lot subdivision and if the council approves the vacation it will revert back to approximately a 24 acre lot.
 - ii. Public Hearing-the public hearing was opened at 7:37p.m.. The public hearing was closed: 7:38 p.m. there was no public comment. Community Planner Costa wanted to state for the record that when it was reviewed in 2022 that there was discussion about an easement with a neighbor and that based on the records from back then the City had nothing to do with this issue and that it was a private matter handed outside the cities purview and that going forward this will be handled in the same way.
 - iii. Ordinance 810- A motion to approve the first reading of ordinance 810 and waive the next two readings was made by Chittenden and seconded by Schimenti. Upon roll call vote was as follows: YEAH: Chittenden, Lawton, Schimenti. NO: None. Abstain: Smith. Motion Carried.

10. Resolutions

- a. Resolution 2024-12 to Authorize Membership in the League Insurance Government Health Team (LIGHT)
 - i. A motion to approve resolution 2024-12 to Authorize Membership in the League Insurance Government Health was made by Lawton and Seconded by Chittenden. Upon roll call Vote was as follows: YEAH: Smith, Lawton, Schimenti, Chittenden. NO: None, Motion Carried.

11. Other Action Items

- a. League Insurance Government Health Team Interlocal Agreement
 - i. A motion to approve the Interlocal Agreement with the League Insurance Government Health Team was made by Chittenden and seconded by Lawton. Upon roll call vote was as follows: YEAH: Lawton, Schitmenti, Chittenden, Smith. NO: None, Motion Carried.
- b. League Insurance Government Health Team Membership Agreement
 - i. A motion to approve the League Insurance Government Health Team Membership was made by Schimenti and seconded by Chittenden. Upon roll call vote was as follows: YEAH:Schimenit, Chittenden, Smith, Lawton. NO: None, Motion Carried.
- c. Reappointment of Kevin Shea to Planning Commission
 - i. A motion to reappoint Kevin Shea to the planning commission was made by Smith and seconded by Lawton. Upon roll call vote was as follows: YEAH: Chittenden, Smith, Lawton, Schimenti. NO: None, Motion Carried.
- d. Acceptance of Change Order #2 for the 1st and Poplar Street Project
 - i. A motion to acceptChange order #2 for the 1st and Poplar Street Project was made by Schimenti and seconded by Chittenden. Upon roll call vote was as follows: YEAH: Smith, Lawton, Schimenti, Chittenden. NO: None. Motion Carried.
- e. Acceptance of Change Order #3 for the 1st and Poplar Street Project
 - i. A motion to accept change order #3 for the 1st and Poplar Street Project was made

by Chittenden and seconded by Lawton. Upon roll call vote was as follows: YEAH: Lawton, Schimenti, Chittenden, Smith. NO: None, Motion Carried.

- f. Acceptance of pay application #6 and Final payment to HD Utilities & Grading in the amount of \$21,353.86
 - i. A motion to accept pay application #6 and final in the amount of \$21,353.86 to HD Utilities and Grading was made by Chittenden and seconded by Lawton. Upon roll call vote was as follows: YEAH: Lawton, Schimenti, Chittenden, Smith. NO: None, Motion Carried.

12. Discussion Items

13. Supervisor's Reports

- a. Library
- b. Police Department
- c. Utility Superintendent
- d. Occupation Tax Report – City Clerk/Treasurer
- e. Community Planner
- f. City Administrator

14. Items for Next Meeting

Agenda Meeting Adjourned-A Motion to adjourn at 7:50 p.m. was made by Chittenden and seconded by Schimenti. Upon roll call vote was as follows: YEAH: Schimenti, Chittenden, Smith, Lawton. NO: None, Motion Carried.

NEXT MEETING DATES

Planning Commission- January 14th, 2024, 7:00 P.M.

City Council Meeting-January 21st, 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

Brandy Bolter, City Clerk/Treasurer
