

Yutan City Council
Tuesday, November 18th, 2025
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 18TH DAY OF NOVEMBER 2025, 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, and Smith were present. Councilmember Mach 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 October 21st, 2025 Regular Meeting
- b. Treasurer's Report
- c. Claims-**AKRS Equipment** \$500.56, **ARCS** \$1,171.12, **Astro Buildings** \$33,072.00, **Benefit Plans Inc.** \$176.25, **Berney, Shaulee** \$150.00, **Blue Cross Blue Shield** \$2,585.05, **Capital Business Systems** \$184.02, **Cardmember Services** \$3,895.69, **City of Wahoo** \$450.00, **Column Software PBC** \$120.03, **Cubby's** \$416.62, **Culligan** \$197.75, **CW Electrical Contracting** \$4,000.00, **DataShield** \$61.67, **DR Containers** \$2,450.00, **Drews Farms** \$1,144.00, **DropIns Portables** \$486.85, **Eakes** \$716.51, **EFTPS-Federal Payroll Taxes** \$15,021.09, **Engel, Vicki** \$270.00, **Frontier Cooperative** \$140.96, **Garage Door Services** \$150.00, **Grainger** \$118.16, **Guardian** \$42.50, **Holiday Inn Express & Suites** \$485.92, **Hometown Leasing** \$69.74, **Konecky Oil Company** \$799.54, **LARM** \$3,753.00, **Lowe's** \$302.16, **Menards** \$144.18, **Metropolitan Utilities District** \$57.22, **Midwest Laboratories** \$234.17, **NE Dept. of Revenue** \$933.73, **NE Public Health Environmental Lab** \$30.00, **One Call Concepts** \$6.56, **OPPD** \$4,825.89, **Osborne, Airelle** \$150.00, **Pitney Bowes** \$484.80, **Purchase Power** \$975.38, **RoadRunner Transportation** \$442.00, **Scholz Small Engine** \$375.96, **T Rowe Price** \$587.50, **The Blue Cell** \$7,000.00, **The Diamonds Groundskeeper** \$8,476.00, **The Lincoln Life Insurance Compnay** \$392.49, **U.S. Cellular** \$106.83, **Van Ackeren, Laurie** \$36.36, **Verizon Business** \$40.01, **Village of Mead** \$169.61, **Wahoo Newspaper** \$93.60, **Wahoo-Waverly-Ashland Newspaper** \$227.34, **Zone Coverage** \$720.00. **Total w/o Payroll** \$98, 940.26, **Payroll** \$29,824.32, **Total w/Payroll** \$128,764.58. **Various Purpose Bond Payment** \$45,000.00
- d. A motion to approve the consent agenda was made by Schimenti and seconded by Lawton. Upon roll call vote was as follows: YEAH: Lawton, Schimenti, Smith. NO:

None, Motion Carried.

2) **Open Discussion from the Public**

- a. Lindsay Nelson asked who was responsible for the grading on Fifth Street and the dirt road section on Hillside Avenue. He stated that there are several pot holes and that they need attention. Mr. Nelson also asked about the building and zoning codes for garages due to the one being built on Anderson Way that backs up onto Vine Street.

3) **Ordinances and Public Hearing**

- a. Ordinance 816-Zoning Code Revision
 - i. Staff Reporting-Community Planner Costa addressed the changes that were incorporated from the previous meeting. Costa stated that the definitions are still being refined and will be ready by the third hearing.
 - ii. Public Hearing-Mayor Thompson opened the public hearing at 7:08 pm.
 - 1. **Non-conforming structures repairs:**
 - a. Whether to prohibit repairs if more than 60% of the structure is damaged or altered. The current code allows rebuilding if the addition complies with zoning.
 - i. Council consensus leaned toward eliminating the 60% prohibition, allowing rebuilding within zoning standards.
 - 2. **Abandoned conditional use timeframe:**
 - a. Deciding between six months or one year for abandonment before revoking conditional use permits. Consensus favored one year.
 - 3. **Wireless communication towers:**
 - a. Discussion of increasing the surety bond from \$50,000 to \$100,000, with flexibility for more. The council has asked Mr. Costa to look into it further.
 - 4. **Screening of auto body repair shops:**
 - a. Clarification that vehicles awaiting repair should be screened from residential views but screening requirements were debated with some favoring removal of screening mandates.
 - 5. **Noise in industrial zones:**
 - a. Note that zoning technically prohibits noise producing tools, which is impractical. Council favored allowing noise within light and heavy industrial zones, reflecting their nature.
 - 6. **Prohibiting ethanol and poison manufacturers in industrial zones:**
 - a. Council agreed this was a good idea due to safety concerns and issues that other cities have encountered.
 - 7. **Exhaust fumes:**
 - a. Should not meet state and federal standards.
 - 8. Mayor Thompson closed the public hearing at 7:21 pm.
 - iii. A motion to approve the second reading of Ordinance 816-Zoning Code Revision was made by Smith and Seconded by Schimenti. Upon roll call vote was as follows: YEAH: Schimenti, Smith, Lawton. NO: None. Motion Carried.

- b. Ordinance 817-Designating City Council as the Zoning Board of Adjustment

- i. Staff Reporting-Mayor Thompson stated that Community Planner Costa helped get these changes pushed through legislation. Community Planner Costa stated that the purpose of the zoning board of adjustment was to make three decisions based on the complaint presented, which are questioning the zoning/planning administrator, a map, or not complying with the zoning code.
- ii. Public Hearing-Mayor Thompson opened the public hearing at 7:24; no comment was made. Mayor Thompson closed the public hearing at 7:27 pm.
- iii. Ordinance 817-A motion to approve the first reading of Ordinance 817-Designating City Council as the Zoning Board of Adjustments and to waive the three readings was made by Lawton and seconded by Schimenti. Upon roll call vote was as follows: YEAH:Smith, Lawton, Schimenti. NO: none, Motion Carried.

4) Resolutions

- a. Resolution 2025-8 Year-end Certification of City Street Superintendent
 - i. A motion to approve Resolution 2025-8 Year-End Certification of City Street Superintendent was made by Schimenti and seconded by Smith. Upon roll call vote was as follows: YEAH: Lawton, Schimenti, Smith NO: None, Motion Carried.
- b. An appointment of Robert L. Oliva as City Street Superintendent for 2026.
 - i. A motion to appoint Robert L. Oliva as Street Superintendent for 2026 was made by Schimenti and seconded by Lawton. Upon roll call vote was as follows: YEAH: Schimenti, Smith, Lawton. NO:None, Motion Carried.

5) Other Action Items

- a. Acceptance of Mary Kay Arps Resignation from the Library Board.
 - i. A motion to accept the resignation of Mary Kay Arp from the Library Board was made by Schimenti and seconded by Smith. Upon roll call vote was as follows: YEAH: Smith, Lawton, Schimenti. NO:None, Motion Carried.
- b. Maguire Iron-Power Washing Water Tower
 - i. Jake Duggar with Maguire Iron presented to the board the cost of repainting the water tower and a payment plan. Mr. Duggar also went over the inspection of the water tower and the benefits of repainting the water tower.
 - 1. A motion to enter into the maintenance agreement with Maguire Iron for the water tower was made by Schimenti and seconded by Lawton. Upon roll call vote was as follows: YEAH: Lawton, Schimenti, Smith. NO: None, Motion Carried.

6) Discussion Items

- a. Utility rates for Sewer and Water
 - i. Discussion was held over the raising of the utility rates and the rates survey that was done when the city applied for the state revolving funds.

7) Supervisor Reports

- a. Library Director
- b. Water & Park-Not Submitted
- c. Sewer & Street-Not Submitted

- d. Police Chief
- e. Community Planner
- f. Clerk
- g. City Administrator

8) Items for Next Meeting Agenda

Meeting Adjourned-A motion to adjourn at 8:15 pm was made by Smith and seconded by Schimenti. Upon roll call vote was as follows: YEAH: Smith, Lawton, Schimenti, NO: None, Motion Carried.

NEXT MEETING DATEs

Planning Commission - December 9th, 2025, 7:00 P.M.

City Council Meeting - December 16th, 2025, 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
