

Yutan City Council
Tuesday, January 20th, 2026
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 20TH DAY OF JANUARY 2026, 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, Mach, and Smith 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 December 16th, 2024 Regular Meeting
- b. Approve Minutes of the January 9th, 2026 Special Meeting/Awards Dinner
- c. Treasurer's Report
- d. **Claims-ARCS-LLc \$4,210.61, BCBS \$2,585.05, Bomgaars \$32.97, Capital Business Systems, Inc. \$368.04, Cardmember Services \$2,123.04, Column Software PBC \$147.75, Concentra/Occupational Health Care \$104.00, Cubby's \$411.21, Culligan \$197.25, CW Electrical Contracting \$1,182.72, DataShield \$61.67, Double K Farms \$6,112.14, DropIns Portables \$107.00, Eakes \$571.00, EFTPS-Federal Payroll Taxes \$11,674.04, Engel, Vicki \$135.00, Grainger \$190.35, Guardian \$42.50, Hometown Leasing \$69.74, JJM Enterprises \$1,598.33, J.P. Cooke Company \$105.95, Konecky Oil Company \$205.00, Lowes \$743.03, Luthy II, Terry \$1,889.33, MUD \$376.93, Mid-States Organized Crime \$100.00, NE. Dept. of Labor \$17.49, NE. Dep. of Revenue Charitable Gaming \$3,727.84, NE. Dept. of Revenue \$5,743.01, Nebraska Public Health Environmental Lab \$46.00, NMC \$451.52, One Call Concepts, Inc. \$1.64, OPPD \$5,966.10, Pitney Bowes Purchase Power \$603.75, Road Runner Transportation LLC \$415.00, The Lincoln National Life Insurance Company \$392.42, U.S. Cellular \$106.83, Verizon Business \$40.01, Water Engineering \$45.55, Zoom Drain \$950.00. Total w/o Payroll \$52,856.32, Payroll \$38,272.46, Total w/Payroll \$91,128.78.**
- i. A motion to approve the consent agenda was made by Lawton and seconded by Mach. Upon roll call vote was as follows: YEAH: Lawton, Schimenti, Mach, Smith. NO: None, Motion Carried.

2) Open Discussion from the Public

- a. Lindsey Nelson-spoke about the utility rate increase.

3) Presentation From Guests

- a. Annual Report for the Yutan Public Library-Dawn Ford presented the libraries annual report for the Yutan Public Library.

4) Public Hearings

- a. Ordinance 816-Zoning Code Revision (Third Reading)

- i. Staff Reporting-Costa presented the third reading of Ordinance 816-Zoning Code Revision and that he believes that it is ready to go. Costa did state that with how the zoning code revision went that the floodplain provisions were removed from the code. Costa commented that the floodplain provisions are attached to the communities participation within the National Floodplain Insurance Program. Costa is presenting the floodplain code within an ordinance of its own for if we do not address the floodplain our participation will lapse, which means rates for floodplain insurance will increase and become harder to obtain. Which is one of the benefits of participating in the floodplain insurance program. Councilmember Smith had a question about perimeter fencing for businesses. Costa addressed Smith's question about perimeter fencing above six feet, that previously they would need to go through a conditional use review. With this revision, fences do not require a permit, but we've installed recommended or guided heights for fences rather than strict dictation and prohibitions. Councilmember Smith had another question about wind energy systems and where they are permitted. Costa stated that he believes that they are only allowed within Transitional Ag (TA), but would need more time to check into the light and heavy industrial areas. Councilmember Smith had one more question about satellite antennas and the maximum diameter being 10 feet and if we would want that, and if that was for under review if it is 10 feet and under? Costa stated that is correct and that satellite antennas are starting to fade out.
- ii. Public Hearing Mayor Thompson opened the public hearing at 7:10 p.m.
 - 1. Lindsey Nelson asked if there is two different zoning for the eastern and western sides of town. Community Planner Costa stated that the difference between the two is primarily the setbacks. He went on to state that the standards for the western residential zoning district were adopted for what was previously known as R2, so it does allow for a little more density. The eastern zone primarily adapted the R1 standards, including all of the setbacks. R-West, as proposed, the setbacks there fit more of what the development patterns historically were. Costa stated another aspect of the zoning is trying to recognize the spot zoning that has occurred along second street. So under the new zoning if someone has property along second street within the R-West zoning district and they wanted to put up another plumbing shop or a small business that would have minimal impacts, they would have to come to the council for a conditional use permit. Nelson asked about what would happen if a new developer wants to build a new development would they have to base their zoning on their own covenants or would they fall into one of the existing zoning districts. Costa stated that it would be part of the

subdivision review process, but that it ultimately falls under the review of the council. Nelson asked about the change of accessory buildings and the height requirement. Costa stated that all buildings regardless of whether or not they're accessory or single-family residential, are going to be allowed the same max height, whether they are in R-West or R-East. Nelson asked if you could have a max height of 35 feet, regardless of whether it's your accessories or main dwelling, and if this was a new ordinance for code? Costa stated that 35 feet has always been the existing height within the zoning code and if you built a new home in any of those zoning districts, it could be 35 feet. Nelson believes that 35 feet is too high for an accessory structure and then asks about Itan Park and if they are allowed to have a 35 feet accessory structure or if it is handed the same way as R-West and R-East and that their covenants do not allow it. Mayor Thompson stated that there are no covenants within Itan.

2. Mayor Thompson closed the public hearing at 7:17 p.m.
 - iii. Ordinance 816: A motion to approve the third reading and the passage of Ordinance 816-Zoning Code Revision was made by Lawton and seconded by Smith. Upon roll call vote was as follows: YEAH: Schimenti, Mach, Smith, Lawton. No: None, Motion Carried.
- b. Ordinance 818-Floodplain Management Code (First Reading)
- i. Staff Reporting-Costa stated that the regulations are required for the communities participation within the National Floodplain Insurance Program. The ordinance that is being presented is a combination of State and Federal code for managing floodplains. This is the base minimum in order for our participation within the program. The code presented has a few things that are written differently, but for the most part does not change from what we currently have in the books. The one change, which has to do with requirements for elevation on properties that actually do not have the floodplain measured. Basically what this means is that if one does not want to spend the money on engineering and review of their base flood elevation, they would have to go three feet above the natural grade of the land. The way that it is written in our current zoning is it's only two feet, so we're raising it by one foot. Costa mentioned that violations under this code were open. A lot of Nebraska communities are using \$100 per day as the violation number, which has been included with this ordinance.
 - ii. Public Hearing-Mayor Thompson opened the public hearing at 7:22 p.m. Opened at 7:22, No comments were made. Mayor Thompson closed the public hearing at 7:23 p.m.
 - iii. Ordinance 818-A motion to approve the first reading of Ordinance 818-Floodplain Management Code and to waive the next two readings was made by Smith and seconded by Schimenti. Upon roll call vote was as follows: YEAH: Mach, Smith, Lawton, Schimenti. NO:None, Motion Carried.
- c. Ordinance 819-Utility Rates (First Reading)
- i. Staff Reporting-Administrator Oliva stated that the purpose of this is to cover the debt service for the two state revolving funds for the water and sewer projects that were completed within the last two to three years. It was also asked to phase this in over a period of time. Initially, in the first reading of the ordinance, have it set for a 24-month period on 12-month phases. It would be a

\$5.73 raise over each period, the first one would be effective upon passage, and then the second one would be 12 months after that, and then 24 months after the first one for the third phase. The way this was done, there were no adjustments at this time to the use per thousand gallons of water or sewer. Oliva stated that Councilmember Smith asked if we could include a fee for mailing out paper bills because it has become quite expensive to mail out paper bills with the postage and everything involved, so there has been a fee added in for that. If you choose electronic billing via email, it will be at no cost. We have also included a senior citizen relief program and initially have that setup for anyone that is 65 years and older that's the head of their household would get a 20% discount on their total bill. The tap fees for the water and sewer remain the same. Administrator Oliva stated that the things that need to be discussed would be the implementation timeline, the base fees, whether we want to charge more for consumption charges and lower base fees; also, if we want to raise tap fees for sewer and water, and if you are okay with the senior relief discount. Mayor Thompson stated that he feels that 24 months is a bit of a continuous thing and feels that 12 may be better instead of two years. Oliva stated that the reasoning behind the 24 months was that there possibly could become other sources of income made available and then you could go back and suspend the increase. It was asked if we wanted to put a time limit on the senior citizen relief program and if there was if you were already in the program you could be grandfathered in.

- ii. Public Hearing-Mayor Thompson opened the public hearing at 7:31 p.m.
 1. Kevin Bradford asked about a military vet/disabled vet discount.. Administrator Oliva said that he would look into it.
 2. Mayor Thompson closed the public hearing at 7:33 p.m.
- iii. Ordinance 819-A motion to approve the first reading of Ordinance 819-Utility Rates was made by Schimenti and seconded by Mach. Upon roll call vote was as follows: YEAH:Smith, Lawton, Schimenti, Mach. NO: None, Motion Carried.

5) Other Action Items

- a. Appointment of City Council President-
 - i. A motion to nominate Kyle Schimenti as City Council President was made by Lawton and seconded by Smith. Upon roll call vote was as follows: YEAH: Lawton, Schimenti, Mach, Smith. NO: None, Motion Carried.
- b. Correction to the appointment of Cody Cardin as the Street and Sewer Superintendent at the December 16th, 2025 meeting
 - i. Appointment of Cody Cardin to the Street Maintenance Department and Sewer Department- A motion to correct the appointment of Cody Cardin as the Street Maintenance Department and Sewer Department was made by Schimentni and seconded by Lawton. Upon roll call vote was as follows: YEAH: Schimenti, Mach, Smith, Lawton. NO: None, Motion Carried.
- c. Appointment of Jon Chittenden as alternate to the Planning Commission-A motion to appoint Jon Chittenden as the alternate to the Planning Commission was made by Smith and seconded by Lawton. Upon roll call vote was as follows: YEAH: Mach, Smith, Lawton, Schimenti. NO: None, Motion Carried.

6) **Discussion Items**

- a. The Morris family came to speak about the possibility of a car show to help raise awareness for suicide and kidney disease. Right now the initial date is May 31, 2026 and the timing would be from 2:00-5:00 p.m. with the ice cream cruise. They are expecting around 200 plus cars. Mayor Thompson spoke to Todd Baker with Gathering Place Church about using the parking lot, food trucks or anything else. Administrator Oliva stated that the sooner they can get us all of the information the better for insurance purposes and what may need to be picked up for additional insurance.

7) **Supervisor Reports**

- a. Library Director
- b. Water & Parks-Councilmember Schimenti asked about the blowing out of the hydrants and what the cadence is on that. Woster stated that Nebraska Rural Water will come in and exercise valves, with no cost to the city. That he tries to hit all hydrants within the year, time permitting. Mayor Thompson asked if on the GIS mapping if they are able to record what they are putting out. Woster stated that he is able to input data on everything that they have pin pointed. Councilmember Schimenti asked about the soccer fields and if there is any way to even out the field like they do the ballfields. Woster said that they could, and that we could look into different options. Kevin Bradford suggested using a different seed that would hold up better than the current seeding.
- c. Sewer & Street
- d. Police Chief
- e. Community Planner
- f. City Clerk
- g. City Administrator

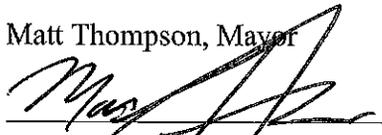
Meeting Adjourned-A motion to adjourn at 7:49 pm was made by Lawton and seconded by Schimenti. Upon roll call vote was as follows: YEAH: Smith, Lawton, Schimenti, Mach. NO: None, Motion Carried.

NEXT MEETING DATES

Planning Commission - February 10th 2026, 7:00 P.M.
City Council Meeting - February 17th, 2026, 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

