

Yutan City Council  
Tuesday, November 15, 2022  
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 15<sup>th</sup> DAY OF NOVEMBER 2022, 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 Egr and all members of the Yutan City Council, 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.

Meeting was called to order at 7:00 p.m. by Mayor Egr. Councilmembers Beck, Kelly, and Peterson were present. Councilmember Thompson was absent at the beginning of the meeting. Mayor Egr 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 October 18, 2022, Regular Meeting
- b. Approve Minutes of September 27, 2022, Special Meeting
- c. Approve Minutes of October 25, 2022, Special Meeting
- d. Treasurers report
- e. Keno report
- f. Claims: Be Seen Signs \$527.50; BenefitPlansInc \$168.75; Canon Financial Services \$106.00; Capital Business Systems \$134.75; Cardmember Service \$2,392.20; Colonial Research \$404.50; Cubby's \$819.60; Culligan of Omaha \$99.25; DataShield \$45.00; ECS Technology Solutions \$218.00; Engel, Vicki \$250.00; First State Bank Nebraska (EFT) \$22,542.14; Frontier Cooperative \$350.00; Gay, Rachele \$36.26; IBTS \$400.00; JEO Consulting Engineers \$7,545.00; Konecky Oil \$283.67; Kroksh, Connie \$283.67; Lowe's \$539.93; Midwest Radar & Equipment \$40.00; Miller, Viki \$72.65; MUD \$228.78; Nebraska Municipal Power Pool (NMPP) \$15,995.00; NMC CAT \$1,673.13; One Call Concepts \$17.56; OPPD \$4,010.99; Payroll (October) \$22,329.50; Pitney Bowes Global Financial \$242.40; Pitney Bowes, Inc \$84.99; Quality Irrigation \$7,350.00; R & R Design and Remodeling \$500.00; Roadrunner \$322.50; Sargent Drilling \$1,107.75; Security Protection Systems \$6,646.50; Seiler Instrument & Mfg Co Inc \$1,037.07; The Lincoln National Life Insurance Co \$318.33; USPO \$206.36; Witte, Craig \$3,323.43; Woster, Luke \$35.14; Vogt Concrete Construction Inc \$3,165.00. Total without payroll: \$83,266.71. Total with payroll: \$105,596.21.
- g. A question was asked by Mayor Egr about the NMC CAT bill. Egr inquired as to whether a warranty exists for the generator. City Clerk-Treasurer Gay will contact NMC CAT to ensure the bill is correct. The bill will be paid upon confirmation of amount due. A motion to approve the consent agenda was made by Peterson and seconded by Beck.

Upon roll call, vote was as follows YEA: Beck, Kelly, and Peterson. NO: None. Motion carried.

- 2) Open Discussion from the Public
  - a. Aaron Gay supports the installation of a four-way stop at Second Street and Vine Street.
  - b. Rick Hancock presented a letter to council. He opposes the way items are posted in town and would like to see better advanced notice to community members. He says he has a new political sign that says Biden/Fetterman is a no brainer.
- 3) No presentation from guests
- 4) Ordinances and Public Hearings
  - a. None
- 5) Resolutions
  - a. Resolution 2022-9
    - i. Clerk-Treasurer Gay informed all present that Nebraska State statute requires the city to pass a resolution appointing a street superintendent to receive Incentive Payment for the 2022 calendar year. Failure to pass a resolution by December 31, 2022, will make the city ineligible for Incentive Payment. Staff recommends certifying Steven Parr as the City Street Superintendent for the entire year of 2022 and passing Resolution 2022-9.
    - ii. A motion to certify Steven Parr as the City Street Superintendent and approve Resolution 2022-9 was made by Peterson and seconded by Kelly. Upon roll call, vote was as follows YEA: Beck, Kelly, and Peterson. NO: None. Motion carried.
  - b. Resolution 2022-10
    - i. City Administrator Heaton informed all present that the State of Nebraska requires a resolution be passed when a city of the second class directly borrows from a financial institution. An exception was given due to time constraints. Passing this resolution will allow Heaton to sign the loan documents for the new utility truck. The total loan for the truck, plow, and box is \$84,870.15. Monthly payments will be \$1,182.15 at 4.5% interest for seven years. Staff recommends approving Resolution 2022-10.
    - ii. A motion to approve Resolution 2022-10 was made by Kelly and seconded by Peterson. Upon roll call, vote was as follows YEA: Beck, Kelly, and Peterson. NO: None. Motion carried.
  - c. Resolution 2022-11
    - i. Councilmember Thompson arrived at the meeting at this point (7:08 p.m.).
    - ii. City Administrator Heaton informed all present that several concerns have been raised about installing a four-way stop at the intersection of Second Street and Vine Street. Will Smith has been at the last two council meetings in support of installing a four-way stop at this site. City Engineer Schulz does not believe a traffic study is necessary. City ordinance authorizes the council to pass a resolution to place street signs as necessary. Staff recommends passing Resolution 2022-11.
    - iii. Mayor Egr reported Russ Oviatt and JC Long voiced to him that they support a stop sign. Egr said there have been "a lot of near misses" in this intersection.

Heaton said nearby business might lose a few parking spots if stop signs are placed at the intersection. Councilmember Thompson said stop signs cause accidents rather than preventing them. Thompson is concerned about high traffic times like before and after school, as well as when highway traffic is diverted through town. Councilmember Peterson does not feel it is a good idea to plan based solely on extreme situations like high traffic times. Egr would like to revisit this topic at the next meeting. Egr would like to see a traffic study. City Administrator Heaton reiterated this is not necessary due to city ordinance.

- iv. A motion to table Resolution 2022-11 was made by Peterson and seconded by Kelly. Upon roll call, vote was as follows: YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried.

**6) Other Action Items**

- a. City Administrator Heaton informed all present that the payment of \$3,300.00 to Five Rule Rural Planning will be the final payment for the Downtown Revitalization Plan. Heaton will begin working to submit paid invoices for reimbursement through grants that have already been obtained. A motion to approve paying the invoice from Five Rule Rural Planning in the amount of \$3,300.00 was made by Thompson and seconded by Kelly. Upon roll call, vote was as follows: YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried.
- b. Community member Nathan (Nate) Rath has submitted a board interest form for the Community Redevelopment Authority (CRA) Board. A motion to approve appointing Nate Rath to the CRA Board was made by Peterson and seconded by Thompson. Upon roll call, vote was as follows: YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried.

**7) Discussion Items**

- a. City Administrator Heaton informed all present that Councilmember Kelly has been working on collecting ideas and pricing for a new pickleball court in town. Price estimates have been submitted for council review. Staff is requesting council input on possible locations and funding sources.
  - i. Councilmember Kelly presented his findings to council. He proposed using the existing tennis court or creating a new court in Timbercrest. However, Kelly reported he is unsure if the existing tennis court ground is suitable for development. City Administrator Heaton proposed a pickleball court at the tennis court with soccer fields. Councilmember Thompson would like information about the financial impact of installing a multi-sport court rather than just (a) pickleball court(s). This matter will be discussed at later meetings.
- b. City Administrator Heaton informed all present that M.E. Collins has completed the construction phase of the paving project on Hillside and County Road Five. These areas are now suitable for maintenance by adjacent property owners. Staff will notify homeowners in writing that construction is complete and right-of-way maintenance will be their responsibility.

**8) Supervisor's Reports**

- a. Library Director's report was submitted.
- b. Police Chief's report was submitted.

- c. Utilities Superintendent's report was submitted. Councilmember Peterson asked Utilities Superintendent Woster if he can clean up the leaves around town before they end up in storm drains.
- d. City Administrator's report was submitted and reviewed. Heaton reported the switch to Power Manger is almost complete. The city's website is still under construction, but Heaton stated it should be complete soon. ECS found a bug in the server and had to start over, which is why it is still not completed. Eakes is finished scanning city documents and they will be easier to post on the city website. The water meter project is continuing, and the next round of meters should arrive next month. A review of possible office remodeling ideas was provided.

9) No items requested for next meeting agenda

At this time, Councilmember Peterson said thank you to Mayor Egr and Councilmember Beck for their 15 and 8 years of service, respectively. Their final council meeting will be next month.

A motion to adjourn the meeting was made by Thompson and seconded by Peterson. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, and Peterson. NO: None. Motion carried.

Meeting adjourned at 7:47 p.m.

NEXT REGULAR MEETING DATE – December 20, 2022, 7:00 P.M.

  
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Darin Egr, Mayor

  
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Rachelle K. Gay, City Clerk- Treasurer

