

Yutan City Council
Tuesday, May 17, 2022
7:00 P.M. – Yutan City Office

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 MAY 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 Thompson, Beck, Kelly, and Peterson were present. Mayor Egr informed all the individuals present of the location of the Open Meetings Act and Code of Conduct. Mayor Egr then opened the meeting with the Pledge of Allegiance.

1) Consent Agenda

- a. Approve Minutes of April 19, 2022, Regular Meeting.
- b. March & April Treasurer's Reports
- c. Claims: All Star Plumbing \$674.19; Badger Meter \$162.87; Baum Hydraulics \$78.47; Cardmember Service \$1,051.18; Companion Life \$245.59; Cubby's \$790.92; Culligan \$32.00; Eakes Office Solutions \$421.72; ECS \$3,073.66; Engel, Vicki \$250.00; First State Insurance Agency \$248.00; Five Rule Rural Planning \$5,500.00; General Fire & Safety \$127.50; Gretna Sanitation \$379.00; JEO Consulting Group \$29,785.00; Jeff Subbert Irrigation \$8,106.25; Konecky Oil Company \$37.99; Loveland Grasspad \$743.75; Lowe's \$887.92; Mack Bros Groundskeeping \$3,500.00; Menard's \$56.07; MUD \$241.51; Midwest Labs \$468.00; OPPD \$4,503.69; One Call Concepts \$15.12; Quality Irrigation \$240.00; Roadrunner Transportation LLC \$30.00; Sargent Drilling \$637.98; SYNCB/Amazon \$530.66; Ty's Outdoor Power & Service \$306.05; USPO \$192.80; Wahoo Newspapers \$960.49; Woster, Luke \$10.12 **Total: \$64,288.50**
- d. City Clerk Gay explained the treasurer's reports are not available at this time due to software issues. A motion to approve the consent agenda and table treasurer's reports was made by Thompson and seconded by Beck. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, Peterson. NO: None. Motion carried.

2) Special Designations Liquor License Application Consideration.

- a. Mayor Egr moved this item to the beginning of the meeting. Yutan Days Committee member Jaime Long presented the liquor license application for Yutan Days. She plans to include the location of the ballfields on Sunday.
- b. A motion to approve the Special Designations Liquor License Application was made by Thompson and seconded by Peterson. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, Peterson. NO: None. Motion carried.

3) Open Discussion from the Public

- a. Jon Chittenden reported he has a raised bed garden and maintains it. Councilmember Kelly explained concerns about liability when these are placed on city property. City Administrator Heaton will look into getting property lines better defined.
- b. Justin Barney stated the ditch on East Vine is an eyesore. He does not feel he should be responsible to maintain the ditch. He is also bothered by the condition of the vacant house next door. Mayor Egr will have City Administrator Heaton follow up on the status of the property.
- c. Elizabeth Barney reported the sidewalk near their driveway has a lip that she has seen people struggle to get strollers over. Mayor Egr said the construction company will be expected to fix the issue if warranted.

4) Presentations from Guests

- a. Lowell Schroeder with Five Rule Rural Planning was scheduled to give a report on the downtown revitalization plan; however, he was unable to attend. No discussion was had on this topic.

5) Ordinances and Public Hearings

- a. Ordinance 790 – Updated Fence Regulations
 - i. City Administrator Heaton informed all present that the Planning Commission tabled this matter at the last meeting. He recommends passing this ordinance to update the language of eligible fences in town and to establish the fence standard through the permit process.
 - ii. A public hearing was opened by Mayor Egr at 7:16 p.m. No comments were made, and the hearing was closed at 7:17 p.m.
 - iii. A motion to waive the three readings of Ordinance 790 was made by Thompson and seconded by Peterson. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, Peterson. NO: None. Motion carried.
 - iv. A motion to approve Ordinance 790 was made by Thompson and seconded by Kelly. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, Peterson. NO: None. Motion carried.
- b. Ordinance 793 – Adding Additional Options for Off-street Parking
 - i. City Administrator Heaton informed council that Ordinance 793 needs to be tabled because the Planning Commission has not yet decided on the matter.
 - ii. A motion to table Ordinance 793 was made by Peterson and seconded by Kelly. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, Peterson. NO: None. Motion carried.
- c. Ordinance 794 – Defining Lot Coverage to Include Pave, Rock Areas, Pools, and Decks
 - i. City Administrator Heaton informed council that Ordinance 794 needs to be tabled because the Planning Commission has not yet decided on the matter.
 - ii. A motion to table Ordinance 794 was made by Kelly and seconded by Peterson. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, Peterson. NO: None. Motion carried.
- d. Ordinance 795 – Updating Utility Rates
 - i. City Administrator Heaton recommended increasing the utility rates by \$1.00 because regular small price increases will be better than a sudden large rate increase. Councilmember Beck feels it is not the time to make any changes

because there is a recession. Councilmember Thompson would like to see a comparison of Yutan's rates with comparable communities.

- ii. A motion to table ordinance 795 was made by Thompson and seconded by Beck. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, Peterson. NO: None. Motion carried.

6) Resolutions

- a. Resolution 2022-4 Master Fee Schedule Update
 - i. City Administrator Heaton recommended updating the Yutan Master Fee Schedule to make fees more current. Council wants to see a comparison of Yutan's fee schedule to other comparable communities to see if the change is warranted.
 - ii. A motion to table Resolution 2022-4 was made by Thompson and seconded by Kelly. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, Peterson. NO: None. Motion carried.

7) Other Action Items

- a. Consider contract award for 2022 water meter improvement project.
 - i. A motion to approve Midtown Plumbing, Inc.'s bid for water meters in the amount of \$257,174.00 was made by Thompson and seconded by Peterson. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, Peterson. NO: None. Motion carried.
- b. Approval to spend ARPA funds on digitizing city records.
 - i. City Administrator Heaton recommended digitizing city records for efficiency and proper record retention. City Clerk Gay explained digitizing records will streamline the process of complying with state statute.
 - ii. A motion to approve spending ARPA funds on digitizing city records was made by Peterson and seconded by Kelly. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, Peterson. NO: None. Motion carried.
- c. Permit to allow private gardens on city property.
 - i. City Administrator Heaton reported he spoke to the city attorney who does not recommend allowing any personal items on city property for liability reasons.
 - ii. A discussion was held about citizens having gardens on city property. Council would like to have more time to think about this matter before deciding.
 - iii. A motion to deny creating a permit to allow private gardens on city property was made by Thompson and seconded by Beck. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, Peterson. NO: None. Motion carried.
- d. Selection of date for the budget workshop. A motion to approve June 14 as the budget workshop date was made by Thompson and seconded by Peterson. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, Peterson. NO: None. Motion carried.
- e. Approval to pay out employees' retirement prior to the start of the 457B plan. A motion to approve paying out retirement benefits prior to the start of the 457B plan was made by Thompson and seconded by Peterson. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, Peterson. NO: None. Motion carried.
- f. Approval to amend Employee Handbook to reflect new retirement benefit. A motion to amend the employee handbook was made by Thompson and seconded by Kelly. Upon roll call, vote was as follows YEA: Thompson, Beck, Kelly, Peterson. NO: None.

Motion carried.

8) Discussion Items

- a. City Administrator Heaton updated mayor and council on the status of the Heldt property. The state has a protected corridor on this land due to the potential of erecting a highway at some point. Because of this, the Heldt's were unable to build on this land and have purchased land in Ashland for their business. The protected corridor also covers the city's lift station. The state will be responsible to replace the lift station should it be taken down for a highway.

9) Supervisor's Reports

- a. Library Director's report was not submitted.
- b. Police Chief's report was not submitted.
- c. Utilities Superintendent's report was submitted.
- d. City Administrator's report was submitted.

10) Items for Next Meeting Agenda – none

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, Peterson. NO: None. Motion carried.

Meeting Adjourned at 8:17 p.m.

NEXT MEETING DATE – June 21, 2022, 7:00 P.M.


Darin Egr, Mayor


Rachelle K. Gay, Clerk-Treasurer

