

Agenda
Yutan City Council
Tuesday, July 15, 2024
7:00 P.M. – Yutan City Hall
112 Vine St, Yutan NE 68073

The mayor and city council reserve the right to enter into a closed session per Section 84-1410 of Nebraska State law. The sequencing of agenda items is provided as a courtesy; the mayor and city council reserve the right to address each item in any sequence they see fit.

- 7:00 Meeting to Order
Statement from the Mayor Regarding the Posted Location of Open Meetings Act
Statement from the Mayor Regarding the Meeting Code of Conduct
Roll Call
Pledge of Allegiance
- 1) **Appointment of East Ward Council Member**
 - 2) **Consent Agenda**
 - a. Approve Minutes of June 17th, 2025, Regular Meeting
 - b. Treasurer's Report
 - c. Claims
 - 3) **Open Discussion from the Public**
 - a. Those wishing to speak on agenda items or other items relating to city business, not on the agenda may speak at this time only. Speakers must sign in with the Clerk or Administrator prior to the commencement of the meeting. Each speaker will be limited to three minutes. No action will be taken on these discussion items at this time.
 - 4) **Action Items**
 - a. Appointment of Jon Chittenden as an alternate member to the Board of Appeals for the Adopted Building Codes
 - b. Chieftain Community Club SDL for Yutan Days
 - c. Verizon right of way access agreement
 - d. Mowing agreement
 - e. Engagement Letter with Ortmeier CPA
 - 5) **Discussion Items**
 - a. Street construction for extending First street (Jake Thompson)
 - b. Water Main Upgrade
 - c. Pavilion project
 - d. Benches along walking trail (Brett Lawton)
 - e. Budget Workshop #1 (Bob Oliva)

6) Supervisor Reports

- a. Library Director
- b. Water & Park
- c. Sewer & Street
- d. Police Chief
- e. Community Planner
- f. City Administrator

7) Items for Next Meeting Agenda

Meeting Adjourned

NEXT MEETING DATES

Planning Commission Meeting- August 12th, 2025 at 7:00 pm

City Council Meeting-August 19th, 2025 at 7:00pm

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 that may require auxiliary aid or service should contact the city clerk in advance.



City of Yutan Board and Commission Expression of Interest Form

Instructions:

1. Please print legibly in black ink or type, if possible.
2. Please do not write on the back of this form; attach another sheet of paper if needed.
3. Return the completed form to the Yutan City Office by mail (P.O. Box 215, Yutan, NE 68073), by email (bbolter@cityofyutan.com), or in person (112 Vine Street).

Please note that all information provided by you on this form is subject to Nebraska Open Public Record Statutes, meaning it can be requested by members of the public and can be discussed in public meetings.

Please indicate which of the following boards and commissions meet your interest:

- | | |
|--|--|
| <input type="checkbox"/> Board of Adjustment | <input type="checkbox"/> Board of Health |
| <input type="checkbox"/> Parks and Recreation Committee | <input type="checkbox"/> Library Board |
| <input type="checkbox"/> Community Redevelopment Authority | <input type="checkbox"/> Planning Commission |

Name: Wendy Mach

Home Address: 128 Wolen Arrow Circle Yutan

Email Address: wmach16@gmail.com

Phone Number: 402-613-2353

Total Number of Years You Have Lived in Yutan: slightly of 2

Occupation: Athletic trainer Employer: Ortho Nebraska

Highest Level of Education Completed: College

Prior Appointed or Elected Offices Held (if any): _____

Present/Past Community Volunteer Activities: _____

Reasons for Your Desire to Serve on this Board/Commission (specific interests, experience, and/or qualifications that would make you an effective board/commission member): _____

to bring fresh new ideas to the board +
community

For City Use Only:

Appointed to: _____ Date: _____



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Please indicate which of the following boards and commissions meet your interest:

☒ Board of Adjustment

☒ Board of Health

☒ Parks and Recreation Committee

☐ Library Board

☒ Community Redevelopment Authority

☒ Planning Commission

Name: James Royal

Home Address: 30 Pine Crest Dr. Yutan, NE 68073

Email Address: JRoyal1976@gmail.com

Phone Number: 402-213-8312

Total Number of Years You Have Lived in Yutan: 10

Occupation: Industrial Maint. Employer: Lozier Corp.

Highest Level of Education Completed: High School

Prior Appointed or Elected Offices Held (if any): N/A

Present/Past Community Volunteer Activities: N/A

Reasons for Your Desire to Serve on this Board/Commission (specific interests, experience, and/or qualifications that would make you an effective board/commission member): Looking to

give back to my community. I am a licensed
Realtor that gives myself the knowledge + experience
in Development of Yutan.

For City Use Only:

Appointed to: _____ Date: _____



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Please indicate which of the following boards and commissions meet your interest:

- | | |
|--|--|
| <input type="checkbox"/> Board of Adjustment | <input type="checkbox"/> Board of Health |
| <input type="checkbox"/> Parks and Recreation Committee | <input type="checkbox"/> Library Board |
| <input type="checkbox"/> Community Redevelopment Authority | <input type="checkbox"/> Planning Commission |

City Council
Eastward

Name: Justin Barney

Home Address: 510 E Vine St.

Email Address: barney4yutan@gmail.com

Phone Number: 402-779-1221

Total Number of Years You Have Lived in Yutan: 5 years

Occupation: Sales Employer: Baxter Subaru Omaha

Highest Level of Education Completed: GED

Prior Appointed or Elected Offices Held (if any): Park Board Member

Present/Past Community Volunteer Activities: Pumpkins in the Park,
Clean up Day

Reasons for Your Desire to Serve on this Board/Commission (specific interests, experience, and/or qualifications that would make you an effective board/commission member):

Active member of the community.

For City Use Only:

Appointed to: _____ Date: _____

Yutan City Council
Tuesday, June 17th, 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 17th DAY OF JUNE 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. 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 May 20th, 2025, Regular Meeting
- b.** Treasurer's Report
- c.** Claims-**ARCS-LLC** \$214.00, **Blue Cross Blue Shield** \$1,900.17, **Bomgaars** \$17.45, **Cardmember Services** \$5,740.07, **City of Wahoo** \$450.00, **Column Software PBC** \$88.67, **Cooper, Wade** \$150.00, **Cubby's** \$576.14, **Culligan** \$38.08, **DataShield** \$61.67, **DropIn Portables** \$593.85, **Eakes** \$622.17, **EFTPS** \$10,300.25, **Engel, Vicki** \$270.00, **Frontier** \$542.03, **Grainger** \$454.50, **Hometown Leasing** \$74.74, **Humbolt Specialty Mfg** \$156.63, **Hydro Optimization & Automation Solutions Inc.** 1,097.00, **Kahlandt Rock & Trucking** \$710.91, **Lopeman Photography** \$200.00, **Lowes** \$320.67, **Martin Marietta** \$1,574.39, **Mead Signs** \$395.00, **Menards** \$72.95, **MUD** \$62.71, **Municipal Supply** \$1,328.10, **Mutual of Omaha** \$36.00, **NE Department of Revenue** \$518.77, **Nebraska Turf Product** \$586.25, **Nebraska Water Resources Association** \$105.00, **One Call Concepts, Inc.** \$17.51, **OPPD** \$4,953.92, **Purchase Power** \$548.39, **Road Runner Transportation** \$442.00, **Sargent Drilling** \$1,096.23, **The Lincoln National Life Insurance Company** \$392.49, **Thompson Construction** \$4,450.00, **US Cellular** \$106.82, **Van Ackeren, Laurie** \$54.18, **Wilke Plumbing** \$1,275.00, **Total w/o Payroll** \$42,594.71, **Payroll** \$29,472.12, **Total w/Payroll** \$72,066.83.
- d.** A motion to approve the consent agenda was made by Lawton and seconded by Schimenti. Upon roll call vote was as follows: YEAH: Lawton, Schimenti, Smith. NO: None, Motion Carried.

2) Discussion Items

- a.** Well head protection area-

- i. Community Planner Robert Costa went over the possibility of being approved for a grant for updating the well head protection act. The current plan is around 20-25 years old and it contains good information even though it is outdated. Costa suggested updates to the plan due to potential hazards and the potential of adding a new well along with the location. Looking through the current water quality report is minimal and is not considered a violation by the state. Costa also talked about the “issues” with the smell and residue left from the current water and what are potential possibilities to improve it. Costa went over how they can find new potential well locations and how run off can affect the ground around it. Currently he is recommending that we continue having conversations with the NRD and UNL to potentially see what is involved with potential well heads and identify what we are wanting to pursue and what we are wanting to regulate. Administrator Oliva went over the current plan and how outdated it is and that it should have been updated periodically but it never was. He also spoke on the grant that SENDD sent out about the median household income and that they can be used for grants like these to help fund future projects. Mayor Thompson agrees that we should still look at pursuing this grant even if we are only a few thousand dollars over the required amount. Councilmember Schimenti asked where the household income statistics were coming from, it was stated that it is coming from the census. The council agrees that this is something that does need to be upgraded due to the current plan being so outdated.

b. ETJ legal description-

- i. Community Planner Robert Costa went over what the ETJ (Extra Territorial Jurisdiction) covers and the authority that the city has within a mile of the city's jurisdiction. Costa went over the fact that Clear Creek Acres is at the very edge of our ETJ and that two plots are actually within the county's jurisdiction. Costa's suggestion is that we work on defining our jurisdiction to either lot lines or road boundaries. He also stated that we need a legal description for plots within our ETJ and city boundaries. As of right now there is no legal jurisdiction and that we need to provide a legal description to specific property boundaries. Costa would like to potentially approach different surveyors to see what it would cost to obtain metes-and-bounds descriptions. Costa stated that he would work with the planning commission next month. Councilmember Schimenti asked about where the center point is for the current ETJ or if it goes off the city limits. Administrator Oliva stated that it should mirror what our current city limits look like. Mayor Thompson asked how far we can take our ETJ or if we can shrink the ETJ line. Councilmember Smith stated that we would not want to shrink our boundaries. Administrator Oliva stated that you can change it every time you annex a new area. Mayor Thompson asked if it would help limit some of the risk, and time that the current employees put into it currently. The council agrees that Costa should look into what it would cost to survey our ETJ and squaring up the one mile of the ETJ.

c. Pavillion rebuild-

- i. Administrator Oliva is just looking for some direction on the old pavilion and that the CRA has never gone any farther with wanting to rebuild it and would like to know if the council would like to rebuild it. Mayor Thompson stated that we should rebuild it and if in the future we wanted to enclose it we could.

Administrator Oliva stated that if it was left as an open structure it could be left in its original location and not have any issues with the floodplain. It was asked about building it with steel beams instead of the original old ones. Oliva stated that if it was built with steel it would be a higher cost, but it is something that he can look into. Councilmember Smith stated that even if we wanted to go with steel we could potentially look into updating it in the future.

d. Expanding coverage for Police Department-

- i. Mayor Thompson has talked to Chief Hannan about the issues with covering night and weekend shifts. We currently have one employee who currently is covering a lot of daytime shifts, along with two other officers. As of right now we are not getting any night coverage, we have one officer who is willing to work night shifts and weekends but wants to do a 40 hour week, but remain part-time with a pay of \$ 50 an hour. Councilmember Schimenti asked if we have run into a situation where additional coverage is needed immediately. Mayor Thompson stated not immediately but in the evenings/weekends it could be useful to have a police presence, along with taking on the Mead coverage.

e. JEO water line updates

- i. Administrator Oliva wanted to bring to the council an update of the city's water line and the potential cost. The current Thompson building is being run off of a 1 inch line and it needs to be running off of a 2 in line. Mayor Thompson said that this may be something that is bonded, Oliva stated that we could qualify for a new SRF loan.

3) Supervisor Reports

- a.** Library Director
- b.** Water & Parks
- c.** Sewer & Street
- d.** Police Chief
- e.** Community Planner
- f.** City Administrator-Update to the potential Verizon project for the water tower and that they will be presenting a new lease and plans to the council.

4) Items for Next Meeting Agenda

Meeting Adjourned-A motion to adjourn at 7:53 p.m. was made by Smith and seconded by Lawton. Upon roll call vote was as follows: YEAH: Schimenti, Smith, Lawton. NO: None, Motion Carried.

NEXT MEETING DATES

Planning Commission Meeting-July 8th, 2025, 7:00 P.M.

City Council Meeting - July 15th, 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 that may require auxiliary aid or service should contact the city clerk in advance.

Matt Thompson, Mayor

Brandy Bolter, City Clerk/Treasurer

Banking

Account #	Account Name	Balance
3377	General Checking	\$ 300,698.76
7727	General Money Market	\$ -
7948	Water Bill	\$ 102,022.68
7970	Sewer Account	\$ -
Total Operating Funds(Liquid)		\$ 402,721.44
6578	Bond Fund	\$ 103,135.22
7725	Reserve Account	\$ 5,400.36
7959	Keno Checking	\$ 144,117.21
Total Reserve Funds (Liquid)		\$ 252,652.79
3101	City of Yutan CD	\$ 203,596.34
*3103	City of Yutan CD	\$ 376,133.62
**5415	City of Yutan CD	\$ 107,969.02
Total of CD Accounts		\$ 687,698.98
Total Liquid Funds		\$ 655,374.23
Total of all Funds		\$ 1,343,073.21

5469	Community Redevelopment	\$392,459.30
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Total Funds In all Accounts	\$ 1,735,532.51
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NOTE

* Used as colateral on 1st & Poplar Loan

** Used as colateral on Cedar Drive Loan

Date	7/10/25
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Bonds & Loans					
Account #	Account Name	Origin Date	Balance	Yearly Obligation	Paid From
8179	Cedar Drive Asph. Overlay	7/15/2020	\$ -	\$ -	3377 Gen
8435	Cruiser Purchase & BLDG	3/20/2023	\$ 51,691.68	\$ 12,700.32	3377 Gen
8407	2023 GMC Sierra & Access	10/31/2022	\$ 55,682.48	\$ 14,185.80	3377 Gen
8053	Skid Loader & UTV	5/1/2019	\$ -	\$ -	3377 Gen
2012	G.O. Bonds	3/27/2012	\$ 96,007.50	\$ 49,770.00	6578 Bond
2014	2014 Water Bonds	3/18/2014	\$ -	\$ -	6578 Bond
8325	Street Improvements	12/21/2021	\$ 581,164.55	\$ 106,405.48	CRA
7609	Splash Pad TIF	7/20/2016	\$ 143,647.08	\$ 12,022.00	CRA
7345	Thompson	5/26/2015	\$ 46,618.81	\$ 9,237.60	CRA
C318035	CWSRF	12/21/2021	\$ 869,107.65	\$ 53,139.75	7948 Water
D311662	DW311662	7/9/2023	\$ 640,337.80	\$ 22,995.86	7948 Water
	Sudbeck 1 TIF (Frontier 5897)	2015	\$ 567,989.40	\$ 73,464.84	CRA
	Sudbeck 2 TIF (Frontier 5898)	2017	\$ 495,105.70	\$ 64,283.56	CRA
	Sudbeck 3 TIF (Frontier 5899)	2020	\$ 415,316.22	\$ 54,054.36	CRA
	Mason Creek Apts. II	2024	\$ 182,000.00	\$ 18,570.00	CRA
8579	1st & Poplar Street 2019	2024	\$ 524,649.86	\$ 100,021.46	Gen/CRA

50/50 split

	Balance	Yearly Obligation
Bond Obligation	\$ 96,007.50	\$ 49,770.00
Gen Fund Obligation	\$ 369,699.09	\$ 76,896.85
CRA Obligation	\$ 2,656,785.48	\$ 388,048.57
Water/Sewer Funds	\$ 1,509,445.45	\$ 76,135.61
Total Obligation	\$ 4,631,937.52	\$ 590,851.03

[illegible]



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Please indicate which of the following boards and commissions meet your interest:

☒ Board of Appeals (Alternate)

☐ Board of Adjustment

☐ Board of Health

☐ Parks and Recreation Committee

☐ Library Board

☐ Community Redevelopment Authority

☐ Planning Commission

Name: Jon Chillenden

Home Address: 702 5th St.

Email Address: jchillende@fremontelectricinc.com

Phone Number: 402-720-1039

Total Number of Years You Have Lived in Yutan: 9 years

Occupation: Electrician Employer: Fremont Electric

Highest Level of Education Completed: Trade School, Associate in business

Prior Appointed or Elected Offices Held (if any): City Council

Present/Past Community Volunteer Activities: Youth sports Coach

Reasons for Your Desire to Serve on this Board/Commission (specific interests, experience, and/or qualifications that would make you an effective board/commission member): _____

For City Use Only:

Appointed to: _____ Date: _____

Memorandum

To: Mayor and City Council
From: Brandy Bolter, City Clerk
Date: 7/10/2025
Re: Chieftain Community Club SDL

The Chieftain Community Club is seeking a motion to approve the SDL for Yutan Days. Attached are the application and plan for the SDL that is required by the state.

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION: Looking for a motion and a second

SDL - LOCAL RECOMMENDATION

NEBRASKA LIQUOR CONTROL COMMISSION

301 CENTENNIAL MALL SOUTH

PO BOX 95046

LINCOLN, NE 68509-5046

PHONE: (402) 471-2571

FAX: (402) 471-2814

EMAIL: lcc.sdl.licensing@nebraska.govWEBSITE: www.lcc.nebraska.gov

151608

License #

Chieftain Community Club

Licensee Name/Non-Profit Organization

Event location name: Downtown Yutan

Event address/location: 1st and Vine St Yutan, NE 68013

Event Type: Community

Event date(s): 8/15/25 8/16/25 8/17/25

Event start time(s): 12p 12pm 12pm

Event end time(s): 2am 2am 5pm

Indoor area to be licensed in length & width: X

Outdoor area to be licensed in length & width: 55 x 107 (Must submit a diagram)

Estimated number of attendees: 500

Alternate dates/times: NA

Alternate location name/location: NA

Type of alcohol to be served: Beer ☒ Wine ☐ Distilled Spirits ☒

Event contact name: Angie Woster Event contact phone number: 402-650-7777

Event contact Email: wosterangie@gmail.com

*Signature Authorized Representative: [Signature]

Local Governing Body completes below:

The local governing body for the City of Yutan OR
County of _____ approves the issuance of a Special Designated License as
requested above.[Signature]
Local Governing Body Authorized Signature6-4-25
Date

SDL – OUTDOOR AREA DIAGRAM

NEBRASKA LIQUOR CONTROL COMMISSION

301 CENTENNIAL MALL SOUTH

PO BOX 95046

LINCOLN, NE 68509-5046

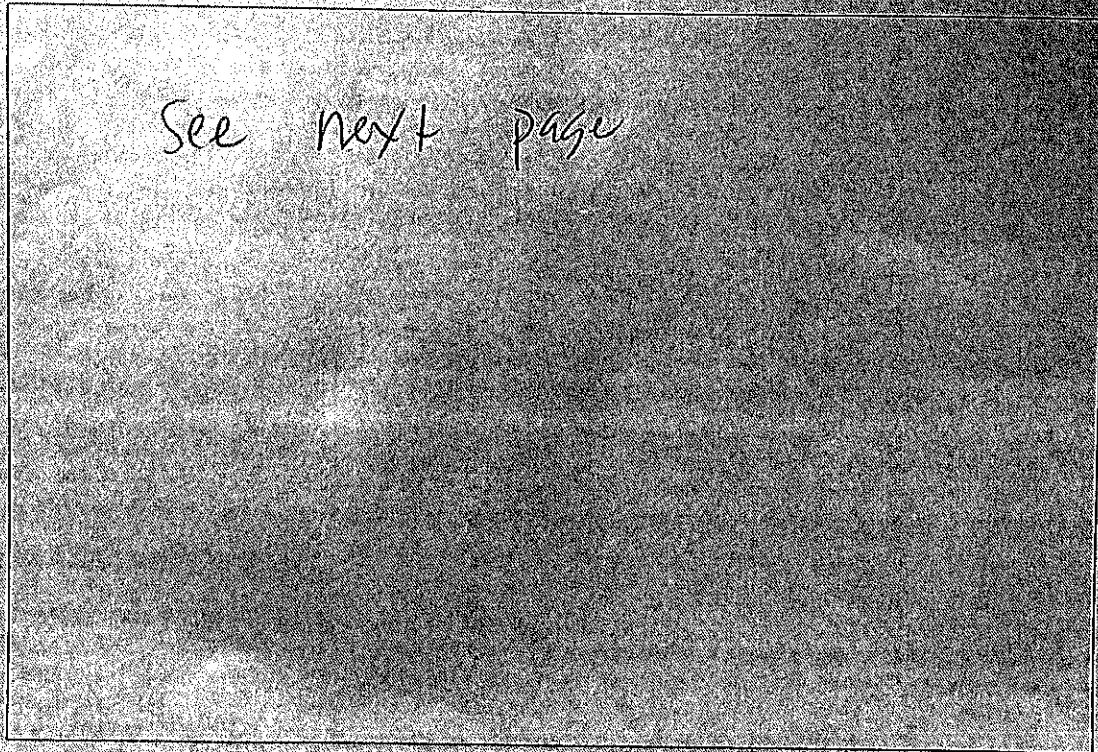
PHONE: (402) 471-2571

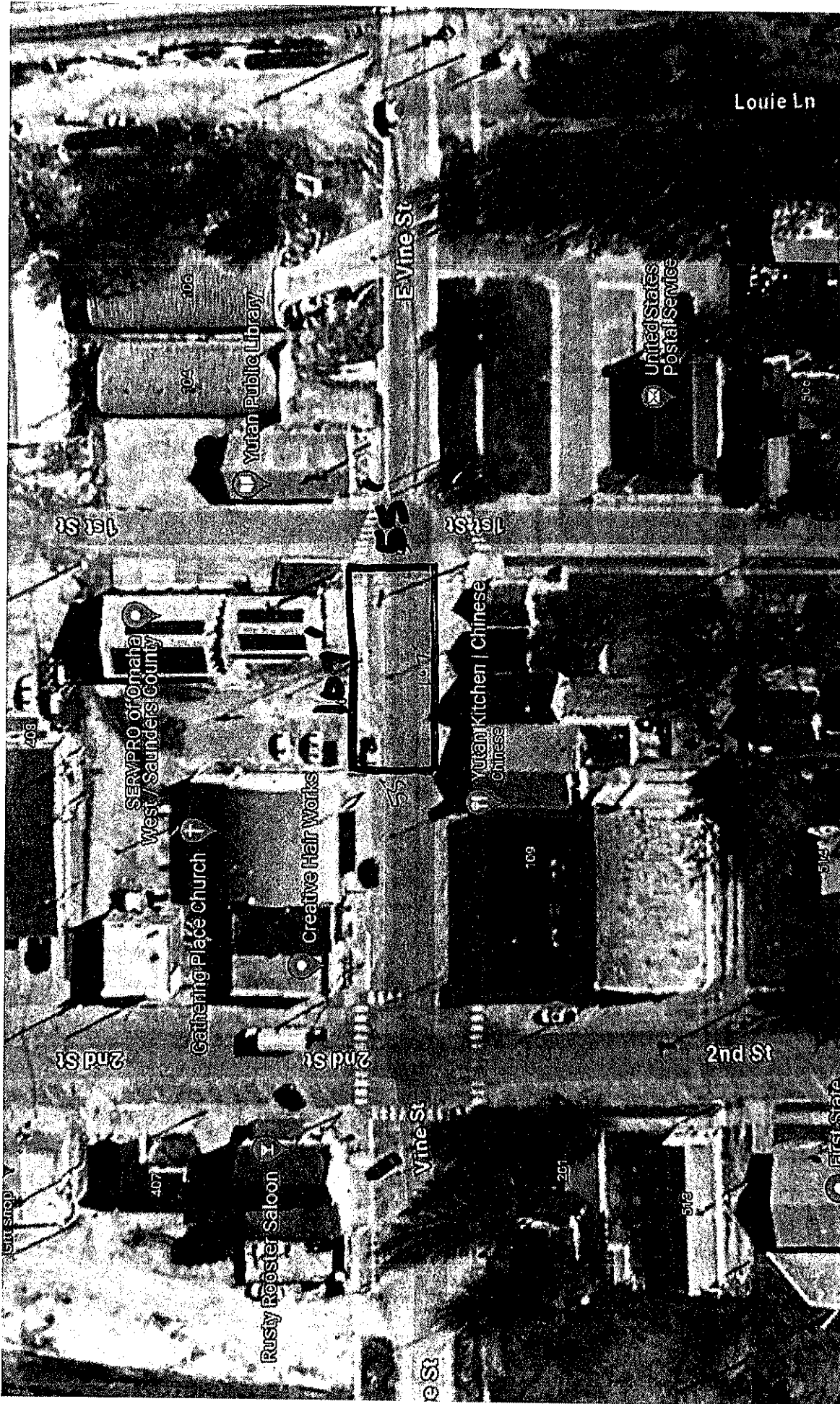
FAX: (402) 471-2814

EMAIL: lcc.sdl.licensing@nebraska.govWEBSITE: www.lcc.nebraska.gov

- IF APPLICABLE, OUTDOOR AREA MUST BE CONNECTED TO INDOOR AREA IF INDOOR AREA IS LICENSED
- MEASUREMENT OF OUTER WALLS OF AREA TO BE LICENSED MUST INCLUDE LENGTH & WIDTH IN FEET

HOW AREA WILL BE PATROLLED: Area to be patrolled by
police department

DIAGRAM OF PROPOSED AREA:



Non-Profit Organization Application for Special Designated License

NEBRASKA LIQUOR CONTROL COMMISSION

301 CENTENNIAL MALL SOUTH

PO BOX 95046

LINCOLN, NE 68509-5046

PHONE: (402) 471-2571

FAX: (402) 471-2814

EMAIL: lcc.frontdesk@nebraska.gov

WEBSITE: www.lcc.nebraska.gov

Affidavit of Non-Profit Status

I HEREBY DECLARE THAT THE CORPORATION MAKING APPLICATION FOR A SPECIAL DESIGNATED LICENSE UNDER THE NEBRASKA LIQUOR CONTROL ACT IS EITHER A MUNICIPAL CORPORATION, A FINE ARTS MUSEUM INCORPORATED AS A NONPROFIT CORPORATION, A RELIGIOUS NONPROFIT CORPORATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, A POLITICAL ORGANIZATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, OR ANY OTHER NONPROFIT CORPORATION THE PURPOSE OF WHICH IS FRATERNAL, CHARITABLE, OR PUBLIC SERVICE AND WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES AS PER §53-124.11(1).

AS SIGNATORY I CONSENT TO THE RELEASE OF ANY DOCUMENTS SUPPORTING THIS DECLARATION AND ANY DOCUMENTS SUPPORTING THIS DECLARATION WILL BE PROVIDED TO THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY AGENT OF THE LIQUOR CONTROL COMMISSION IMMEDIATELY UPON DEMAND. I ALSO CONSENT TO THE INVESTIGATION OF THIS CORPORATE ENTITY TO DETERMINE ITS NONPROFIT STATUS.

I AGREE TO WAIVE ANY RIGHTS OR CAUSES OF ACTION AGAINST THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY PARTY RELEASING INFORMATION TO THE AFOREMENTIONED PARTIES.

Chieftain Community Club
NAME OF CORPORATION

82-0606459
FEDERAL ID NUMBER

L. Wos - President
SIGNATURE OF TITLE OF CORPORATE OFFICERS

THE ABOVE INDIVIDUAL STATES THAT THE STATEMENT ABOVE IS TRUE AND CORRECT. IF ANY FALSE STATEMENT IS MADE ON THIS APPLICATION, THE APPLICANT SHALL BE DEEMED GUILTY OF PERJURY AND SUBJECT TO PENALTIES PROVIDED BY LAW. (SEC. 53-131.01) NEBRASKA LIQUOR CONTROL ACT

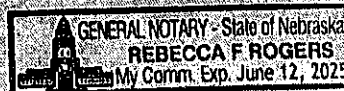
SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 4

DAY OF

June

2025

Rebecca Rogers
NOTARY PUBLIC SIGNATURE & SEAL



Memorandum

To: Mayor and City Council
From: Brandy Bolter, City Clerk
Date: 7/10/2025
Re: Verizon Access Agreement

City Administrator Oliva has been in contact with a representative from Verizon about a contract for a right away access agreement. Oliva sent the agreement over to the city attorney to look over.

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION: A motion and a second

RIGHT OF ENTRY AGREEMENT

THIS RIGHT OF ENTRY AGREEMENT ("Agreement"), made as of the ____ day of _____ 2025, between Alltel Corporation d/b/a Verizon Wireless, with an address at One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920 ("VERIZON WIRELESS") and City of Yutan, Nebraska, with a mailing address of 112 Vine Street, Yutan, Nebraska 68073 (hereinafter referred to as "LICENSOR").

WITNESSETH:

WHEREAS, LICENSOR owns or has the rights to certain real property in Sanders County, NE as identified in Exhibit A attached hereto and incorporated herein (the "Site"), and has the authority to grant the access permitted by this agreement, to the Site where VERIZON WIRELESS desires to construct a communications tower or collocate on an existing structure and to install related equipment;

WHEREAS, VERIZON WIRELESS and LICENSOR are in the process of negotiating an agreement for the lease or purchase of the Site, and in order for VERIZON WIRELESS to determine the viability and feasibility of the Site, VERIZON WIRELESS desires to enter upon and inspect the Site and/or to temporarily locate communications equipment on the Site to conduct short term radio propagation tests such that it can determine the suitability of the Site for its intended use;

WHEREAS, as an accommodation to VERIZON WIRELESS, LICENSOR is willing to grant permission to VERIZON WIRELESS, its employees, agents or contractors, to enter onto the Site in order to conduct such investigations, under the terms and conditions stated herein.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound, the parties hereto agree as follows:

1. LICENSOR grants to VERIZON WIRELESS a right of entry and license to enter upon the Site as identified on Exhibit A attached hereto and incorporated herein to conduct and perform boundary surveys, tree surveys, environmental testing, and radio propagation studies (the "Permitted Activities"). VERIZON WIRELESS' entry rights are specifically limited to the Permitted Activities and to the Site and shall not include any other activities or any other portion of the real property surrounding the Site. VERIZON WIRELESS shall be responsible for any and all costs related

to the Permitted Activities, including installation, operation and removal of equipment on the Site.

2. VERIZON WIRELESS agrees to comply with all local, state and federal laws, rules and ordinances applicable to the Permitted Activities. VERIZON WIRELESS further agrees to exercise due care in the performance of all Permitted Activities on the Site, and not to unreasonably interfere with LICENSOR or any other party's activities on the Site.
3. VERIZON WIRELESS agrees to indemnify and save LICENSOR, its employees, agents or contractors, harmless from and against any and all liability, damage, expense, claims, liens or judgments, resulting from injury to person or damage to property to the extent caused by the activities of VERIZON WIRELESS, its agents, employees, contractors, or invitees, upon the Site or any property surrounding the Site, including without limitation, the Permitted Activities, except to the extent such claims or damages may be due to or caused by the negligence or willful misconduct of the LICENSOR, or its employees, contractors or agents. This indemnification obligation shall survive the expiration or termination of this Agreement. Licensor shall: Provide prompt notice of any claim; reasonably cooperate with VERIZON WIRELESS in the management and defense of covered claims; and allow VERIZON WIRELESS to defend and manage any claim with employees, consultants, contractors and attorneys of its choosing.
4. The term of this Agreement shall be from the date on which this Agreement has been executed by both LICENSOR and VERIZON WIRELESS to the earlier of LICENSOR and VERIZON WIRELESS entering into a Lease Agreement or consummation of a purchase with respect to the Site, or a decision by VERIZON WIRELESS that the site is unsuitable.
5. In the event this Agreement expires or is terminated without the existence of a fully executed lease agreement or consummation of a purchase for the Site, VERIZON WIRELESS will promptly remove any and all of its equipment from the Site and restore the Site to a condition substantially similar to that which existed immediately prior to VERIZON WIRELESS' entry, damage not caused by VERIZON WIRELESS, reasonable wear and tear, excepted.
6. LICENSOR will ensure that VERIZON WIRELESS, its agents, employees, invitees, are granted access to the Site at the scheduled time(s) that the Permitted Activities will be performed.
7. VERIZON WIRELESS shall not take any actions that unreasonably interrupt

the normal operations of LICENSOR on the Site. VERIZON WIRELESS agrees that its Permitted Activities shall not cause interference to the use or enjoyment of the property of LICENSOR and any other parties or licensees located at the Site or neighboring landowners, including, but not necessarily limited to interference with radio communication facilities. In the event that VERIZON WIRELESS' equipment or Permitted Activities cause such interference to such use or enjoyment, VERIZON WIRELESS agrees to promptly cease operations until such interference is removed by VERIZON WIRELESS, at its sole expense.

8. Neither party shall be responsible for lost profits or other consequential damages that may arise out of a breach of this agreement.
9. This Agreement constitutes the entire understanding between the parties with respect to the activities contemplated by this Agreement. All prior agreements or understandings, whether oral or written, are superseded. This Agreement may be amended only by a witnessed document executed by the parties.
10. This Agreement shall be governed by the laws of the State wherein the Site is located.

[SIGNATURE PAGE IMMEDIATELY FOLLOWING]

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their respective seals the day and year first above written.

VERIZON WIRELESS:
Alltel Corporation
D/B/A VERIZON WIRELESS

By: _____

Print Name: _____

Title: _____

Date: _____

LICENSOR:
City of Yutan, Nebraska

By: _____

Print Name: _____

Title: _____

Date: _____

EXHIBIT A

SITE TO BE TESTED

<u>SITE NAME</u>	<u>SITE ADDRESS</u>
NE05 DT Yutan	xxxx Poplar Street, Yutan, NE 68073 PARCEL NUMBER: 006967001

Memorandum

To: Mayor and City Council

From: Brandy Bolter, City Clerk

Date: 7/10/2025

Re: Mowing Agreement

The City Attorney has been working on a mowing agreement for the property by the library. Part of the property that the library parking lot sits on is owned by the adjacent property. This agreement will ensure that the city mows that portion of the property.

FISCAL IMPACT:

N/A

STAFF RECOMMENDATION: A motion and a second

EASEMENT

LMB & EJS Revocable Family Trust, LLC, a Nebraska Limited Liability Company, Grantor , in consideration of the conditions hereinafter stated and other valuable consideration, does hereby grant and convey unto the City of Yutan, Saunders County, Nebraska, a political subdivision of the State of Nebraska, Grantee, its successors, assigns, and franchisees, an easement, over, across, and under the following, to wit:

The West Ten feet of Lot 1 Gingers Run Addition to the City of Yutan, Saunders County, Nebraska, hereinafter called “Easement Area”, subject to the following conditions:

1. Grantee shall have the right to utilize the above-described real estate for maintenance of a portion of the library building and parking lot, and any appurtenances thereto, including an air conditioning unit for said building.
2. Grantee shall have the right of ingress and egress over, across, and under the above-described real estate for the purposes hereinbefore granted. Such ingress and egress shall be exercised in a reasonable manner.
3. Grantee shall restore the surface of the soil if there are any necessary excavations in the maintenance of the structure located thereon, the parking lot and the air conditioning unit. Grantee will keep in repair and replace the surface of any walks or driveways which may have been disturbed for any purpose hereunder as near as may be possible.
4. Grantee shall at all times, in utilizing this Easement Area, exercise all due care and diligence to avoid any injury or damage to the personal property of the Grantor and the Grantee agrees to indemnify and save harmless the Grantor from any and all such damage and loss arising or occurring to such property solely by reason of the use, operation and maintenance of the aforementioned building, parking lot and air conditioning unit.
5. As additional consideration of said easement, the Grantee shall mow and maintain the vegetation in the easement area as well as maintain the parking lot.
6. Said easement shall terminate at such time as the building is no longer used as a public library.

DATED this ____ day of _____, 2025.

LMB & EJS Revocable Family Trust, Grantor

City of Yutan, Nebraska, Grantee

By: _____
Lanida Bielenberg, Trustee

By: _____
Matt Thompson, Mayor

STATE OF NEBRASKA)
) ss.
COUNTY OF _____)

The foregoing Easement was acknowledged before me on this _____ day of _____, 2025, by Lanida Bielenberg, Trustee, known to me to be the identical person whose name is affixed to said Easement, and they acknowledged the execution thereof to be her voluntary act and deed.

Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF _____)

The foregoing Easement was acknowledged before me on this _____ day of _____, 2025, by Matt Thompson, Mayor, known to me to be the identical person whose name is affixed to said Easement, and they acknowledged the execution thereof to be his voluntary act and deed.

Notary Public

Memorandum

To: Mayor and City Council
From: Brandy Bolter, City Clerk
Date: 7/10/2025
Re: Engagement Agreement with Ortmeier CPA

This engagement agreement is for the budgeting year of 2025-2026. With the changes to the legislation on how the budgeting system will be implemented this year we are asking Ortmeier CPA to assist with the budgeting process.

FISCAL IMPACT:

\$6,300.00

STAFF RECOMMENDATION: A motion and a second

ORTMEIER CPA, P.C.
CERTIFIED PUBLIC ACCOUNTANT

1835 E. Military Avenue * Suite 121 * Fremont, Nebraska 68025
Telephone & Fax (402) 721-4224

July 11, 2025

To the Mayor and Members of the Board
City of Yutan, Nebraska

This letter is to confirm our acceptance and understanding of the terms and objectives of our engagement and the nature and limitations of the services we will provide to the City of Yutan.

Our Responsibilities

The objective of our engagement is to-

Prepare, from data provided by you and obtained through discussions with you regarding the financial needs of the city for the 2025-2026 year, and in accordance with the budgetary laws of the State of Nebraska, the 2025-2026 State of Nebraska City/Village Budget Form for the period October 1, 2025 through September 30, 2026.

We will conduct our compilation engagement in accordance with the Statements for Accounting and Review Services (SSARS) promulgated by the Accounting and Review Services Committee of the AICPA and comply with applicable professional standards, including the AICPA's Code of Professional Conduct and its ethical principles of integrity, objectivity, professional competence, and due care, when performing the compilation engagement.

We are not required to, and will not, verify the accuracy or completeness of the information you will provide to us for the engagement or otherwise gather evidence for the purpose of expressing and opinion or a conclusion. Accordingly, we will not express an opinion, a conclusion, nor provide any assurance on the financial statements. Our engagement cannot be relied upon to identify or disclose any financial statement misstatements, including those caused by fraud or error, or to identify or disclose any wrongdoing within the entity or noncompliance with laws and regulations.

If, for any reason, we are unable to complete the budget we will bill you for the time expended on the engagement through cessation of work.

Additional Services

Our fees for these services will be \$6,300.

We appreciate the opportunity to be of service to you and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know, If, you acknowledge and agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Sincerely,

Ortmeier CPA, P.C.

Ortmeier CPA, P.C.

RESPONSE:

This letter correctly sets forth the understanding of the City of Yutan.

By: _____

Title: _____

Date: _____

Yutan Public Library Board Minutes

Monday July 7, 2025 at 7:00 PM Location: Yutan Public Library

Notice of meeting was posted at the Post Office, City Office, and the library by Director Laurie Van Ackeren

1. Call to Order:

a. The meeting was called to order by President Lynn Hapke at 7:05 PM. She advised the Open Meeting Act is posted on the east wall. The front door was left unlocked for visitors to enter.

2. Roll Call:

Lynn Hapke, Alicia Archer, Jane Scott, and Mary Jo Robinson

Absent: Mary Kay Arp

Also present: Director Laurie Van Ackeren

3. Visitors: none

4. Approval of June Minutes (Minutes were available for inspection)

**a. Motion to approve June Minutes was made by Archer, seconded by Hapke
Yeas – Hapke, Archer, Scott, and Robinson Motion carried 4-0**

5. Open Discussion from the public: No Visitors

6. Presentation from Guests: No Guests

7. Approval of June Financial Claims

a. Motion to approve June Financial Claims was made by Robinson, seconded by Archer Yeas – Hapke, Archer, Scott, and Robinson Motion carried 4-0

8. Directors Report:

a. Stats for June

Fines \$ 5.84 Country Cards \$ 100.00

b. Circulation Statistics

Check outs – 798 (470)

Member amount saved - \$ 9.621/21 (5,955.64)

Over Drive / Libby checkouts -

Patron visits – Adults 353 (279) Juv 359 (197) Total 712 (476)

**Adult Craft Night – 4 average (1)
Coffee Time – 13 average (12)
Adult Book Club - 6
Kids Cookbook club – 8
Kids UNL Extension Program – Average 17
Dog Biscuit Workshop - 3
Youth Book Club – Average 4
Chalk the Walk – Rained Out**

Laurie had attended the City Council Meeting on May 20, 2025. She brought up the damaged ceiling tiles in the bathroom, front sidewalk repair, painting the bench in front of the Library, planting grass or sod on the north side and maintenance/weeds on the south side of the building. As of today July 7, nothing has been done to correct the above items.

Maleah Johnson was hired to work part time and substitute when needed.

9. Discussion Items:

- a. Budget Discussion: A preliminary budget was discussed and updated. Laurie will attend Budget Workshops with the City and report back to the Library Board**
- b. The City Clerk, Brandy Bolter recommended someone to check out the old computer and see if the files could be transferred.**

10. Adjournment:

- a. Motion to Adjourn at 8:05 PM by Archer, seconded by Scott Yeas - Hapke, Archer, Scott, and Robinson Motion carried 4-0**

The next regular Library Board Meeting will be August 4, 2025 at 6:30 PM

**Respectfully submitted
Mary Jo Robinson, Secretary**

Claims (June 2025)

6/27	Amazon	Programs #1311	\$24.99
6/27	Amazon	Programs #1311	\$23.98
6/27	Amazon	Programs #1311	\$13.97
6/23	Amazon	Collection #1310	\$27.86
6/23	Amazon	Collection #1310	\$58.91
6/23	Amazon	Collection #1310	\$56.43
6/19	Amazon	Programs #1311	\$19.46
6/13	Amazon	Collection #1310	\$14.79
6/13	Amazon	Collection #1310	\$6.98
6/13	Amazon	Maintenance #1315	\$87.12
6/13	Amazon	Maintenance #1315	\$21.92
6/13	Amazon	Maintenance #1315	\$59.25
6/12	Amazon	Supplies #1326	\$9.99
6/9	Amazon	Supplies #1326	\$9.99
6/9	Amazon	Collection #1310	\$50.98
6/2	Amazon	Collection #1310	\$64.31
6/2	Amazon	Collection #1310	\$14.32
6/2	Amazon	Collection #1310	\$44.07
6/2	Amazon	Supplies #1326	\$33.34
5/29	Amazon	Supplies #1326	\$48.04
5/29	Amazon	Collection #1310	\$48.74
5/29	Amazon	Collection #1310	\$10.99
6/14	Post Office	Programs #1311	\$13.63
6/11	Family Fare	Programs #1311	\$41.27
6/11	ECS Tech	Technology #1330	\$561.75
6/19	Biblionix	Apollo #1332	\$880.00

President.....

Date:

Secretary.....

Date:

Director.....

Date:

CITY OF YUTAN MAINTENANCE DEPARTMENT
MONTHLY REPORT FOR July 2025

WATER DEPARTMENT

1. MONTHLY TESTS: all tests were good.
2. LOCATES: performed as needed.
3. Flush/Overfilled water tower. Called to schedule our 2-year inspection on the tower with McGuire Iron.

PARKS AND BALLFIELDS

1. New mulch put down trees and flag poles at Itan.
2. Over seeded the ballfield and fertilized them. Put up the temporary fence for the high school season.
3. Sprayed weeds all over town.
4. Trim trees along the walking path.
5. Put up new volleyball nets.

NEXT MONTH

1. Spray weed killer on all fencelines and ditches.
2. Cut edges on ballfields.
3. Paint buildings at Itan.
4. Reset bases, home plate and foul poles on Hayes 3.
5. Mike Davis will be done July 31, Peyton Lewis first week of Aug.
6. Setup/take down for Yutan Days, Aug 15-17.

10-July-2025

L. Woster

CITY OF YUTAN MAINTENANCE DEPARTMENT
MONTHLY REPORT FOR July 2025

SEWER DEPARTMENT

1. INFLUENT ANNUAL TESTING PREFORMED
2. Sprayed weeds at Lagoons
3. Inspected sewer manholes looking for blockages.
4. Power washed wet well at the lift station.

STREETS

1. Pot holes throughout town being filled with asphalt patch.
2. Replaced stop signs.
3. Ordered street signs, speed limit, no parking ect.
4. Located street panels and sewer drains needing to be replaced.
5. Street swept the westside of town and Carlson Heights.
6. Added rock to gravel road 2nd and poplar & 5th and hillside
7. Painted streets.
8. Set up a water wheel for the high school practice field, need to order a speed bump house cover for the street.
9. Used sickle bar to cut around lagoons and CO RD. 5 to Hwy 92

NEXT MONTH

1. Street sweep
2. Replace street signage
3. Meet with Pat Peterson (Nebraska rural water) to be trained on DMR's
4. Discharge lagoon #3 using pivot.
5. Get trees removed from the creek that are leaning against sewer main.
6. Burn tree pile
7. Mike Davis will be done July 31
8. Setup/take down for Yutan Days, Aug 15-17.

10-July-2025

C.Cardin

The City of Yutan Police Department

P.O. Box 215, 112 Vine Street

Yutan, Nebraska 68073

*(402) 625-2468 * (402) 625-2112 (fax)*

June 2025 Activity

July 2025 Meeting

Calls for Service:

YUTAN	6
MEAD	2
Stops	0
Warning Tickets	0
Traffic Citations Issued	0
Driver License Pick up	0
Traffic Arrest (DUI etc.)	0
Alcohol Citation	0
Drug Citations	0
Criminal Citation	0
Warrant Attempts	0
Misdemeanor Arrest	0
Felony Arrest	0
Search Warrants	0
Motor Vehicle Accident	0
Investigations	1
HHS Intakes	1
Assist another agency	3
Fire Department Assist	2

Business Checks:

YUTAN	340
MEAD	197
Community Engagement	
Citizens assist.	2
City Ordinance Violations	
Abatement Notice	
Nuisance Letters	
Dog Letters	
Towed Vehicles	
Animal Neglect	
Parking Citations	
Open Doors	
Vehicle Searches	
Alarm Calls	
UTV/ATV Inspections	

COMMUNITY ENGAGEMENT

Officers worked the Mead Street Dance on June 20th and June 21st. The Yutan Police Department participated in the Mead Days Parade by leading the Parade and handing out candy.

Officers have been busy in both Yutan and Mead by building positive relationships with our youth. Our "sticker" program has been a great way to interact with the youth and build that trust.

The Yutan Police will be hosting National Night Out on August 5th. This is a national event aimed at building a positive relationship with the local youth. This is our 3rd year of hosting this fun filled event. You all are welcome to attend.

Yutan Days is August 15th 16th and 17th. The Yutan Police Department will play a key roll in keeping everybody safe and again building a report with our local youth. This will be a great opportunity to utilize our new police UTV.

MEMORANDUM

FROM: Robert Costa, Community Planner
TO: City Council & Mayor of Yutan, Nebraska
DATE: July 10, 2025
SUBJECT: **Community Planner's July 2025 Report**

Gentlemen:

We have crossed the halfway point of the 2025 permitting cycle. The list below shows the number of permit reviews/approvals issued and unresolved applications as of today's date:

- Fifteen permits issued:
 - Eight building permits:
 - One for a new commercial building
 - Two for new residential accessory structures
 - Two for additions to existing residences
 - One for a new residential accessory swimming pool
 - Two for remodels of existing residences
 - Six mechanical permits (HVAC)
 - One floodplain development permit
- Five applications that require additional information/material in order to permit

Next month, the League of Nebraska Municipalities will begin discussions for potential legislation for the 2026 session of the Nebraska Legislature; these discussions will last through to the end of October. I anticipate submitting at least one proposal to them. Please communicate with Matt, Bob, or myself if you have ideas related to the state laws which govern our municipal business or that impact our community.

The application deadline for wellhead protection project financial assistance is September 1st. I will be preparing that application and attending at least one training session to update my skills in grantwriting before that deadline.

Finally – yes! – the zoning revision is close. I anticipate one more working session with the Planning Commission and then coordinating with Matt & Bob about how we want to begin public review of the formal ordinance. I expect we will handle that business after the budget workshops have concluded.

MEMORANDUM

TO: Yutan City Council

FROM: Bob Oliva

DATE: July 10, 2025

SUBJECT: Administrator's Report for July Council Meeting

Dear Council Members,

Please find below a summary of recent activities and important updates for your consideration at the upcoming meeting:

- **City Office Patio Completion:** I am pleased to report that the new patio at the City Office was successfully completed this month. This addition significantly enhances the outdoor space and will be a valuable asset for city staff.
- **Overgrown Vegetation Violations:** In an ongoing effort to maintain city aesthetics and safety, violations for overgrown vegetation were issued. We will continue to monitor and enforce these regulations to ensure a tidy and safe environment for all residents.
- **Accounting and Finance Conference:** I recently attended the Accounting and Finance Conference held in Lincoln. This conference provided valuable insights into the current best financial practices and regulatory changes pertinent to municipal operations.
- **New Budget Requirements:** Please be advised that new budget requirements are set to go into effect this year. I will be providing a detailed explanation at the council meeting regarding the ramifications of these changes and how they will impact our city's financial planning and operations.
- **Wellhead Protection Area Update:** Robert and I met with the Natural Resources District (NRD) to discuss the process of establishing a new wellhead protection area. The initial step involves conducting a survey to identify potential new well locations, followed by drilling test wells. Subsequently, a new city well will be drilled to establish the boundary of the protection area. The final step in this process is the creation of the official wellhead protection area map.
- **New Pavilion Construction Project:** I have met with four different contractors regarding the new pavilion construction project. As of today, only one bid has been submitted. I anticipate having additional information to share by the time of the council meeting.
- **Library Repairs:** The concrete sidewalk repair at the library is scheduled to be completed within the next six weeks by Cody's Concrete, as contractors are very booked this time of year. Other requested repairs at the library, including ceiling tile replacement, planting new grass, and cleaning up the weedy area next to the parking lot, will be addressed soon.

I look forward to discussing these matters further at the meeting.

Sincerely,

Bob Oliva City Administrator City of Yutan