Yutan City Council
Tuesday, July 21st, 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 21ST DAY OF JULY 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 Council President Schimenti. Councilmembers Lawton, Mach, and Smith were present. Mayor Thompson was absent. Council President Schimenti 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 June 16th, 2026 Regular Meeting
b. Approve Minutes of the July 8th, 2026 Special Meeting
c. Treasurer's Report
d. Claims: **ARCS-LLC** $10,842.84, **Ari's Mobile Detailing** $350.00, **Bluecross Blueshield** $3,356.85, **Bomgaars** $69.99, **Bromm, Lindahl, Freeman-Caddy & Lausterer** $838.50, **Capital Business Systems, Inc.** $384.04, **Cardmember Services** $1,127.89, **City of Wahoo** $2,250.00, **CleanUp Containers** $2,500.00, **Column Software PBC** $124.19, **Cubby's** $906.13, **Culligan** $219.12, **DataShield** $61.67, **DropIns LLC** $567.10, **Eakes** $1,238.68, **EFTPS-Federal Payroll Tax** $11,565.73, **Fontenelle Forest** $200.00, **Frontier Cooperative** $1,641.53, **Grass Pad Inc.** $711.85, **Guardian** $42.50, **Hometown Leasing** $69.74, **JEO Consulting** $1,580.00, **Jorgensen Grading** $1,570.00, **Konecky Auto & Tire** $300.63, **Lowes** $337.28, **Menards** $106.38, **MUD** $52.96, **Municipal Supply Inc.** $1,411.20, **NE Dept. of Revenue-Charitable Gaming** $3,727.84, **NE Public Health Environmental Lab** $46.00, **One Call Concepts, Inc.** $16.75, **OPPD** $5,936.80, **Pitney Bowes** $321.30, **Rise Internet** $120.00, **RoadRunner Transportation** $415.00, **Southeast Nebraska Development District** $1,979.00, **Stomp, Chomp, Roar** $375.00, **The Lincoln National Life Insurance Company** $235.75, **Thompson & Sons LLC** $1,187.49, **Trade Well Pallet, Inc.** $360.00, **Tys Outdoor Power & Service** $591.49, **ULine** $11,013.34, **US Cellular** $106.82, **Verizon** $40.01, **Willmer Welding LLC** $140.00, **Security Deposit Returns** $245.05, **Total w/o Payroll** $71,104.43, **Payroll** $36,174.80, **Total w/Payroll** $107,034.18.
e. A motion to approve the consent agenda was made by Lawton and seconded by Smith. Upon roll call vote was as follows: YEAH: Schimenti, Mach, Smith, Lawton. NO: None, Motion Carried.

2) **Open Discussion from the Public**

a. Toby Davis: Expressed appreciation to the Thompson family for their contributions to the Yutan community's growth. Mr. Davis then voiced concerns regarding a proposed variance that would reduce the commercial building setback buffer from twenty-five feet to ten feet. He requested that if the Council approves the variance, they also implement protective conditions.

b. Lindsay Nelson: Expressed opposition to the commercial setback variance request and urged the Council not to move forward with the proposal.

c. Shawn Reynolds: Addressed the Council regarding a new sidewalk being installed in the right-of-way along his property, stating he had not received any prior notification of the project. Mr. Reynolds expressed concern regarding the feasibility of maintaining the sidewalk during the winter months and stated his objection to being held responsible for future repairs. Council President Schimenti acknowledged Mr. Reynolds' concerns.

3) **Resolutions**

a. Resolution 2026-12 LARM 2026-2027 Renewal Proposal

   i. A motion to approve Resolution 2026-12 LARM 2026-2027 Renewal Proposal for a 90 day Notice Option with No Year Commitment was made by Smith and seconded by Lawton. Upon roll call vote was as follows: YEAH:Mach, Smith, Lawton, Schimenti. NO: None, Motion Carried.

b. Resolution 2026-13 Changing of the Automated Clearing House (ACH) Utility Payment Date

   i. A motion to approve Resolution 2026-13 Changing of the Automated Clearing House (ACH) Utility Payment Date was made by Lawton and seconded by Mach. Upon roll call vote was as follows: YEAH: Smith, Lawton, Schimenti, Mach. NO: None, Motion Carried.

4) **Zoning Board of Adjustment**

a. Motion and Vote to convene as the Zoning Board of Adjustment for Consideration of:

   i. A motion to convene as the Zoning Board of Adjustment for the Consideration of: Thompson and Sons Variance Request was made by Smith and seconded by Lawton. Upon roll call vote was as follows: YEAH: Lawton, Schimenti, Mach, Smith. NO:None, Motion Carried.

   ii. Thompson & Sons Variance Request

      1. Staff Reporting: Community Planner Costa presented a zoning variance request for the property located at 510 First Street, owned by Thompson & Sons, noting that granting a variance requires specific findings of fact. Staff provided background on the parcel, explaining that a lot-split occurred and zoning changes were granted in 2025. However, due to a delay by the Saunders County Assessor's Office in updating assessor records and County GIS data, JEO's updated zoning maps did not accurately reflect the split into three separate tax parcels. Staff member Costa assured Council member Lawton that the split was filed and documented correctly despite the mapping error. The applicant is requesting to reduce the required twenty-five-foot setback to ten feet, while volunteering an additional five-foot setback on the south side of

the building. In response to Council President Schimenti, Costa confirmed that conditions regarding building height and water runoff would be included with the variance approval.

2. **Applicant Address and Council Discussion** Applicant Jake Thompson addressed the Council, explaining that a business is interested in constructing a building on the site. Acknowledging the Davis family's concerns regarding noise from AC units, Mr. Thompson noted their willingness to offer the five-foot buffer, while also pointing out that several existing properties in the city currently operate with zero-foot buffers between residential and commercial zones. Council President Schimenti inquired if the applicant could move the south property line to accommodate the standard twenty-five-foot setback, given that the family owns the adjacent property. Mr. Thompson explained that rotating the building would cause lighting and parking issues for the neighbors, and a boundary line adjustment would require relocating existing utilities. Costa then outlined the administrative plat process at Schimenti's request. Mr. Thompson emphasized his desire to keep the parcels separate and find a reasonable compromise. During the discussion, Mr. Davis asked how the proposed changes might affect neighboring property values.

3. Public Hearing: Council President Schimenti opened the public hearing at 7:51 pm

    a. During the hearing, Lindsay Nelson inquired about the proposed dimensions for the new building. Council President Schimenti then asked Jake Thompson if he would be willing to disclose the specific type of business slated for the property. Mr. Thompson declined to share those details at this time, observing that while the community generally desires commercial growth, specific development proposals often face local resistance. Mr. Davis responded by clarifying that he is not opposed to the new business, but simply wants the standard easements and setbacks to be recognized and respected.

    b. Council President Schimenti closed the public hearing at 7:55 p.m.

    c. **Council Discussion** Following the public hearing, Council member Lawton stated his general support for private property rights, so long as developments do not negatively affect neighboring owners. He then asked staff member Costa if the proper setbacks might have been overlooked for this specific situation. Costa explained that the current twenty-five-foot setback requirement was carried over from the previous zoning regulations, adding that mixed-use zoning areas like Yutan's Community Business District could allow for greater flexibility regarding this kind of setback through conditional use review and approval, if the code was modified to allow it.

4. Final Action:
    a. Vote to approve, deny, table, or not act.
        i. A motion to table the variance until August 11th at 6:00 pm was made by Schimenti and seconded by Smith. YEAH: Lawton, Schimenti, Mach, Smith. NO: None, Motion Carried.

b. Motion and vote to adjourn as the Zoning Board of Adjustment and continue to Council Agenda.
    i. A motion to adjourn as the Zoning Board of Adjustment and continue to the Council agenda was made by Lawton and seconded by Smith. Upon roll call vote was as follows: YEAH: Mach, Smith, Lawton, Schimenti. NO: None, Motion Carried.

5) Action items

a. Purchase of 4 gas meter
    i. A motion to approve the purchase of a 4 gas meter from Feld Fire in the amount of $2,880.16 along with a safety harness and lanyard with hook was made by Smith and seconded by Schimenti. Upon roll call vote was as follows: YEAH: Smith, Lawton, Schimenti, Mach. NO: None, Motion Carried.

6) Discussion Items

a. Wellhead Protection Update
    i. Community Planner Costa provided an update regarding ongoing work with the DWEE (Nebraska Department of Water, Energy, & Environment) and the NRD (Natural Resources District). He informed the Council that the city's recent grant application was unfortunately not selected for funding. However, a representative from the DWEE has since reached out regarding the possibility of gathering the information originally intended for the grant program at little to no cost to the city. The representative offered to attend next month's Council meeting to discuss the city's specific goals and available options. The Council agreed to host the representative at the next meeting.

7) Supervisor Reports

a. Library Director
b. Utilities Superintendent
c. Police Chief
d. Community Planner
e. City Clerk
f. City Administrator

8) Items for Next Meeting Agenda

Meeting Adjourned-A motion to adjourn at 8:32 pm was made by Smith and seconded by Lawton. Upon roll call vote was as follows: YEAH: Lawton, Schimenti, Mach, Smith. NO: None, Motion

Carried.

NEXT MEETING DATES
Library Board Meeting- August 3rd, 2026, 6:30 pm
Planning Commission Meeting- August 11th, 2026, 7:00 pm
City Council Meeting-August 18th, 2026, 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.