

**City of Bennet, Nebraska  
City Council  
Minutes February 12, 2024  
Regular Meeting**

The Bennet City Council (the "Council") of the City of Bennet, Nebraska (the "City") held a regular business meeting on February 12, 2024 at 7:00 PM, at the Bennet City Hall, 685 Monroe Street in the City, the same being open to the public and preceded by advance publicized notice duly given in strict compliance with the provisions of the Open Meetings Act, Chapter 84, Article 14, Reissue Revised Statutes of Nebraska, as amended, and having set forth (a) the time, date and place of the meeting; (b) that the meeting would be open to the attendance of the public; and (c) that the agenda for the meeting, kept continuously current, was available for public inspection at the office of the City Clerk and posted at the City Office, Post Office and First Nebraska Bank.

Mayor Ryan Cheney called the meeting to order at 7:00 p.m. and announced the location of the Open Meetings Act. City Clerk Michele Lincoln conducted roll call. Council Members in attendance were Pete Simmons, Dan Zieg, Steve Bettendorf, and Mayor Ryan Cheney. Justin Dorn was absent. A quorum being present, and the meeting duly commenced, the following proceedings were taken while the meeting remained open to attendance by the public. The Pledge of Allegiance was recited.

**CONSENT AGENDA**

- a. MINUTES of January 8, 2024, City Council Regular Meeting Approval
- b. CLAIMS FOR PAYMENT
- c. TREASURER'S REPORT
- d. RESOLUTION 2024-2.1, A Resolution approving a Block Party Application from Bennet Fire & Rescue to hold a fundraiser on Fir Street from Monroe Street to Van Buren Street and on Quincy Street from Elm Street to Fir Street on June 1, 2024.

Simmons moved and Bettendorf seconded a motion that all items under the consent agenda be approved and accepted as presented. Roll call vote: Simmons, Zieg, Bettendorf voted YES. Motion carried.

Michael Hoback with AMGL, P.C. presented the audit report for fiscal year 2022/2023. Per capita our valuation is much higher than the average. The unrestricted net position is a little lower than recommended. Bennet has been consistent with spending over the years and has little debt to valuation. The levy rate is about 10.5 cents below other cities our size. The sewer rate increase implemented in April of 2023 helped the sewer fund. They recommend that we review water, sewer and trash rates for possible increases and that we increase our capitalization policy from \$1,000 to \$2,500.00 or \$5,000.00.

Dan Rosenthal with REGA Engineering Group, Inc. presented the Henry Addition Preliminary Plat pointing out that they had added phase 1 and phase 2. Zieg moved and Bettendorf seconded a motion to approve Henry Addition Preliminary Plat. Roll call vote: Simmons, Zieg, Bettendorf voted YES. Motion carried. Since there was a question on whether a subdivision agreement or escrow were needed and no resolution had been made for approval, the Henry Addition Final Plat will be on the March agenda. Engineer Brian Schuele stated that there wasn't a need for a subdivision agreement or escrow.

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Zieg moved and Bettendorf seconded a motion to adopt the December 2023 Downtown Economic Development Plan drafted by the UNL CRPL 990 Planning Studio. Roll call vote: Simmons, Zieg, Bettendorf voted YES. Motion carried.

Lincoln shared that District OR-1 Superintendent Michael Hart started the conversation of creating a Community Based Daycare to address the desperate need for daycare in Bennet. The Regional Childcare Survey completed in October 2023 and the Community Survey for the Comprehensive Plan and Downtown Economic Development Plan both provide the documentation to support the need. Lincoln questioned whether the Council was willing to support the initiative to establish a community-based daycare. The Council agreed that they support the concept, but not sure at what capacity they could support it. They were concerned about venturing into an area of funding and questioned the difference in funding a daycare versus other private businesses.

Lincoln told the Council about the Local Option Municipal Economic Development Act (LB840) which authorizes cities to collect a tax for economic development purposes if voters approve. To implement an LB840 program there must be a written economic development plan for the collection and expenditure of local tax revenues for economic development. Attorney Solheim offered to get some sample LB840 plans. These will be reviewed at the next meeting.

Councilman Bettendorf suggested having the Utility Committee meet with Allo Communications on the feasibility of providing internet access to Bennet citizens. The Utility Committee will initiate a conversation with Allo Communications and report back to the Council.

Zieg moved and Simmons seconded a motion to approve the Master Agreement Work Order with Olsson for SCADA Services. Roll call vote: Simmons, Zieg, Bettendorf voted YES. Motion carried. This is to allow Olsson to put together a detailed RFP and assist in the process of updating a number of outdated components for the Wastewater Treatment Plant, Lift Station, and Water Tower.

Engineer Brian Schuele questioned whether the Council would consider purchasing an asphalt crack sealing machine to be cost shared with surrounding communities. If five or six communities went in on the purchase, use and maintenance of a machine it could be a considerable cost savings for asphalt sealing. An interlocal agreement between the communities to address the specifics of the use, repair, maintenance and where it would be housed would need to be established. The Council agreed that they were interested in pursuing the idea.

The Bennet Builders Association had an alternate location for the Preschool Playground Equipment in Bennet Park they were requesting approval for. Deb Boell was in attendance representing the Bennet Builders Associations request. Their alternate location would be

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located between the monkey bars and the swings which would allow the monkey bars to remain there. She said there were a lot of people that would like the monkey bars to remain. Josh Buck stated that there is a "fall zone" that is required around playground equipment, and he didn't think there would be enough space. Engineer Brian Schuele said that Olsson had a playground specialist and that he would confer with him. This will be further discussed next month.

The Council reviewed the Master Fee Schedule as revised by the Utility Committee. They pointed out that the biggest amendments were to the garbage fees and building fees. Zieg moved and Bettendorf seconded a motion to approve Resolution 2024-2.2, a resolution adopting the Master Fee Schedule. Roll call vote: Simmons, Zieg, Bettendorf voted YES. Motion carried.

The development fees for the new subdivisions will be reviewed by the Utility Committee. Engineer Brian Schuele provided spreadsheets that showed what fees would have been generated from the Evergreen Place and Cedar Brook Additions with the rates Springfield, Hickman, and Waverly use.

The Council discussed the Garbage Transfer Site. A new Transfer Site Attendant was hired and scheduled to start February 13<sup>th</sup>. The previous month the Council discussed getting proposals from service providers for a franchise agreement for city wide curbside service. Nebraska State Statute 18-1752.02 requires municipalities to pass a proclamation one year in advance of commencing municipal solid waste collection unless they contract with the private entity currently providing service to the community. They decided to have the proclamation on the agenda for next month's meeting, but to reach out to Uribe Refuse Services, Inc. to see what they would be willing to do with a franchise agreement. The Council agreed that it was time to start the process of having the conversation with the community.

Submitted reports include Utility Superintendent, Lancaster County Sheriff's Office, Engineer, and January 17, 2024 Planning Commission minutes. Zieg requested an update on the Safe Streets for All (SS4A) grant. Lincoln reported that she had done an initial federal grant webinar and that there was a kick-off meeting scheduled with the State Division Officer on completing the grant agreement the following Friday.

Mayor Cheney announced that Russ Jones had submitted his resignation as Utility Superintendent, thanked him for his years of service, stated that he was great help and congratulated him on his new position.

Zieg moved and Simmons seconded a motion to adjourn at 8:41 p.m. Roll call vote: Simmons, Zieg, Bettendorf voted YES. Motion carried.



City Clerk Michele Lincoln  
City of Bennet, NE



Mayor, Ryan Cheney  
City of Bennet, NE