

**City of Bennet, Nebraska**  
**City Council**  
**Minutes August 14, 2023**  
**Budget Workshop & Regular Meeting**

The Bennet City Council (the "Council") of the City of Bennet, Nebraska (the "City") held a budget workshop on Monday, August 14, 2023 at 6:00 p.m., at 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 an agenda for the meeting, kept continuously current, was available for public inspection at the offices of the City Clerk and posted at the City Office, Post Office and First Nebraska Bank.

Mayor Cheney called the workshop to order at 6:00 p.m. and announced the location of the Open Meetings Act. Michele Lincoln, City Clerk conducted roll call and recorded the minutes. 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.

Hoback provided a detailed report of income and expense projections for 2023/2024 with the Capital Improvement Plan (CIP) projects included. With all of the CIP projects included there will be a significant depletion of cash reserves. The Council agreed that the \$500,000.00 that was designated for the new office and maintenance shop for 2023/2024 could be moved to the 2024/2025 fiscal year. Hoback pointed out that the tax request for the last six years has been the same, but at this point he is recommending that they increase the tax request the most we can without having to go through the joint public hearing with the other taxing authorities in the county requirement. The Budget Hearing will be September 11<sup>th</sup>, 2023 at 6:00 p.m. Hoback commended the Board for going through the Capital Improvement Plan process and scheduling out budget items prior to the budget workshop.

Bettendorf moved and Zieg seconded a motion to adjourn at 6:49 p.m. Roll call vote: Simmons, Zieg, Bettendorf voted YES. Motion carried.

The Bennet City Council (the "Council") of the City of Bennet, Nebraska (the "City") held a regular business meeting on Monday, August 14, 2023 at 7:00 p.m., 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 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.

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CONSENT AGENDA

- a. MINUTES of July 18, 2023, City Council Regular Meeting Approval
- b. CLAIMS FOR PAYMENT
- c. TREASURER'S REPORT
- d. **RESOLUTION 2023—8.1**, authorizes the signing of the Municipal Annual Certification of Program Compliance to the Nebraska Board of Public Roads Classifications and Standards.
- e. Approval of City of Bennet Right-of-Way Permit.
- f. Approve letter agreements for audit services with AMGL CPA's & Advisors.
- g. Approval of Bennet Social Media Policy.
- h. **RESOLUTION 2023-8.2**, approving request from Kristi Sittner of Tailored Life for a Block Party Permit to close a portion of Madison Street from Garden Street to Fir Street and Fir Street between Monroe Street and Madison Street for a Fallidays event October 13 and 14th, 2023.

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

Jake and Kristi Sittner of Tailored Life 360 were present to request approval for a Block Party Permit for their Fallidays event October 13<sup>th</sup> and 14<sup>th</sup>. The planned event will be very similar to last year's event. They requested use of the City's barricades and that the event be advertised in the monthly newsletter that the City sends out. Zieg thanked them for their efforts. Zieg moved and Simmons seconded a motion to approve RESOLUTION 2023-8.2, a resolution approving a request from Kristi Sittner of Tailored Life 360 for a Block Party Permit to close a portion of Madison Street from Garden Street to Fir Street and Fir Street between Monroe Street and Madison Street for a Fallidays event October 13 and 14th, 2023. Roll call vote: Simmons, Zieg, Bettendorf voted YES. Motion carried.

Brock Hanisch and Chris Schroeder were in attendance to represent Lincoln-Lancaster County Health Department in a discussion regarding the proposed updated Interlocal Agreement. Lancaster County protects the public's health and environment from pollution, regulates and permits individual sewage disposal systems, provide assistance with public health nuisance conditions, review transfers of properties with individual domestic water wells and onsite wastewater treatment systems and review proposed subdivisions not served by public water and wastewater systems. The City Clerk pointed out that the new version of the agreement needed to clarify that it was for services within the corporate limits and the extra territorial jurisdiction. The Council relayed reluctance to giving Lancaster County authority over Bennet's jurisdiction and disagreed with a recent denial for a proposed house burn in Bennet. Councilman Simmons questioned the need for the audit and employment practices language in the agreement. Attorney Solheim pointed out that it has the City of Bennet indemnify the City of Lincoln, but not vice versa. Hanisch stated that he would take Bennet's concerns back to their legal division and work with Attorney Solheim on the agreement.

Josh Buck who is a contractor with BIC Construction working on the Bennet Elementary School renovation project represented the School's request for a proposed traffic flow design during

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construction. Zieg moved and Bettendorf seconded a motion to approve a temporary traffic flow for School District OR-1 to consist of the following: Jefferson Street to be one-way heading south from Cottonwood Street to Elm Street; Dogwood Street to be a one-way heading west from Madison Street to Adams Street; Adams Street to be a one-way heading south from Dogwood Street to Elm Street; install temporary no parking on the east side of Jefferson Street between Cottonwood and Dogwood Street; install stop sign on Dogwood Street and Jefferson Street pending approval of the City Engineer; install temporary no parking signs on the east side of Adams Street between Dogwood Street and Elm Street. Roll call vote: Simmons, Zieg, Bettendorf voted YES. Motion carried.

The Council again discussed Bennet's water issues. Administrative Aide Marlene Sturdy composed a spreadsheet for high-end users. The high end is seasonal with May, June, July and August having the most consumption. There are six or seven that use over 30,000 gallons monthly and around twenty using over 25,000 gallons. It was questioned whether the splash pad water features could be experimented with to limit the water usage and again there was mention of the concern about the Lincoln daycares using the splashpad. Engineer Schuele stated he has been watching the usage and there is a big gap between the daily limit versus the monthly limit. On one day we were close with 95% of the daily limit, but it averaged out on the monthly usage. The agreement with Lancaster County Rural Water District (LRWD) is for 180,000 gallons per day, but the meter is read on a monthly basis. He said we are probably out of the weeds for this summer but will likely exceed the limit at least one day next year. He questioned whether there was a way to optimize the water tower level or a way to store the excess daily limit, but the water tower may be too small to try and manage the difference between the daily and monthly limit. The agreement with LRWD does not address the consequences of exceeding the daily limit. We are at the point where we need to meet with LRWD to see where they are at on their Saltillo project that could increase their ability to serve Bennet and if we were able to subsidize the project what kind of increased capacity could we get.

Code Enforcement Officer/Administrative Aide Marlene Sturdy reported that we received \$3,384.00 in grant funds for the cleanup day in April.

City Clerk Michele Lincoln reported that the Community Daycare Survey will be out soon, there were around 215 responses to the Comprehensive/Economic Development survey and that she will be meeting with Dr. Tang and the UNL class to help provide background information for their Downtown Revitalization/Community Economic Development Plan on August 21<sup>st</sup> and that the students will be touring Bennet following that.

Lincoln stated that she failed to point out an additional claim to Lovell Excavating for \$6,500.00. Simmons moved and Zieg seconded a motion to amend the August monthly claims adding the \$6,500.00 for Lovell Excavating. Roll call vote: Simmons, Zieg, Bettendorf voted YES. Motion carried.

Submitted reports include Utility Superintendent, Sheriff's Office, and Engineer.

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Zieg moved and Bettendorf seconded a motion to adjourn at 8:30 p.m. Roll call vote: Simmons, Zieg, Bettendorf voted YES. Motion carried.

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City Clerk Michele Lincoln  
City of Bennet, NE

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Mayor, Ryan Cheney  
City of Bennet, NE