

**City of Bennet, Nebraska
City Council
Minutes January 9, 2023
Regular Meeting**

The Bennet City Council (the "Council") of the City of Bennet, Nebraska (the "City") held a regular business meeting on Monday January 9, 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, Justin Dorn, Dan Zieg, Steve Bettendorf, and Mayor Ryan Cheney. 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 December 28, 2022 City Council Special Meeting Approval
- b. CLAIMS FOR PAYMENT
- c. TREASURER'S REPORT
- d. RESOLUTION 2023-1.1, resolution establishing the payrate for Maintenance Person.
- e. RESOLUTION 2023-1.2, resolution authorizing the City Clerk to approve certain Special Designated Liquor Licenses that fall within established parameters.
- f. Approval of Special Designated Liquor License for the Panther Football Club Fundraiser for February 28, 2023 and March 18, 2023 at the Bennet American Legion, 970n Monroe Street, Bennet.
- g. RESOLUTION 2023-1.3 approving a request by Windstream, Inc. to occupy right-of-way within the corporate limits of Bennet as detailed in Work Order #71502246100000; PR-11213 to place 4089' of buried 48 fiber cable in 1.25" duct along and across various locations as shown in the Work Order.
- h. RESOLUTION 2023-1.4 approving a request by Windstream, Inc. to occupy right-of-way within the corporate limits of Bennet as detailed in Work Order #71502246000000; PR-11252 to bore and plow 2155' of buried 12 and 24 48 fiber cable in 1.25" duct along and across various locations as shown in the Work Order.

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

The Mayor and Council discussed which paint scheme they preferred for the water tower. They agreed that they preferred exhibit number 8 which had the American Flag, BENNET in block letters and a dark blue base, but it would be an additional \$10,000 to \$15,000 to change the base to the dark blue color. Exhibit number 5 had the same design keeping the lighter blue base. They requested the City Clerk to inquire if there would be an additional cost to change the base to white.

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The Celebrate Bennet 4th of July Committee informed the Board of Trustees in September of 2022 that 2023 would be their last year to organize the 4th of July activities. The City Council is continuing the effort to find a way to maintain the annual event. In December a notice was sent with the utility bills emphasizing the imperativeness of finding volunteers for its continuation. This notice only spawned one interested community member. The Mayor and Council discussed asking the Fire Department to spearhead the celebration and scaling down activities to only include the parade, fireworks and hotdog feed as a one-day event. It was mentioned that during the parade this year we could advertise this is the final or last celebration unless volunteers step up. Public awareness efforts will be maintained on the monthly newsletter, and they agreed to keep it on the agenda so the discussion continues.

Mayor Cheney introduced Ordinance 2023-1.1, *AN ORDINANCE INTRODUCED BY THE CITY OF BENNET CREATING FLOODWAY AND FLOOD FRINGE DISTRICTS DEFINING THE SAME AND SETTING FORTH REGULATIONS THEREOF*. Zieg moved and Simmons seconded a motion to waive the three-reading rule for Ordinance 2023-1.1. Roll call vote: Simmons, Dorn, Zieg, Bettendorf voted YES. Motion carried. Zieg moved and Bettendorf seconded a motion to approve Ordinance 2023-1.1.

Mayor Cheney introduced Ordinance 2023-1.2, *AN ORDINANCE OF THE CITY OF BENNET, LANCASTER COUNTY, NEBRASKA, TO APPROVE THE FINAL PLAT OF THE PHEASANT RIDGE 2ND ADDITION, CITY OF BENNET, LANCASTER COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND AN EFFECTIVE DATE; AND TO REPEAL ALL CONFLICTING ORDINANCES*. Zieg moved and Simmons seconded a motion to waive the three-reading rule for Ordinance 2023-1.2. Roll call vote: Simmons, Dorn, Zieg, Bettendorf voted YES. Motion carried. Zieg moved and Bettendorf seconded a motion to approve Ordinance 2023-1.2.

The Mayor and Council discussed whether the Farmers' Market should be continued as a City appointed advisory committee. This is a subject that the Board of Trustees discussed the prior year due to the constraints on office staff. Lincoln reported that the committee had stepped up and took care of many tasks and that she was willing to continue as Treasurer with the Farmers' Market funds running through the City. Larry Kramer, Market Manager, stated that there has been a steady decrease in both vendors and customers in the last few years and that they needed new people and ideas. Council Member Dorn stated that the mandated insurance requirements made it cost inhibitive for the small vendors. The Council agreed to continue with the Farmers' Market as a City appointed advisory committee.

Dorn moved and Zieg seconded a motion to approve Resolution 2023-1.5, a resolution authorizing the Mayor and certain City officials to sign checks and other financial instruments on behalf of the City. Roll call vote: Simmons, Dorn, Zieg, Bettendorf voted YES. Motion carried. The authorized signers include Mayor Cheney, City Clerk Michele Lincoln, and Council Member Pete Simmons.

Engineer Brian Schuele instigated a discussion with the City Council regarding implementing certain development fees for new subdivisions. Development fees establish an equitable division of costs between the developer and the City to ensure orderly, cost effective growth. This should be considered so it could be included in our update of the Subdivision Regulations that we are currently working on. Some of the fees to consider include Arterial Street Improvement Fees, Sewer Connection/Capital Facilities Fees, Water Connection/Capital Facilities Fees, Watershed Management Fees and Park and

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Open Space Fees. Schuele will coordinate with our Planning Consultant Keith Marvin to get them included in the draft Subdivision Regulations. The Utility Committee, Council Members Zieg and Simmons, will review the fee schedules from Hickman, Waverly, and Springfield and then make a recommendation to the City Council as to what appropriate fees for Bennet would be.

Engineer Brian Schuele also instigated a discussion on testing and inspections in new subdivisions. Bennet's current Subdivision Regulations do not specify who is to do the inspections. Schuele is suggesting that to protect the City's interest, we could require that the City's engineering firm be hired by the developer for the testing and inspections. The City Council agreed that they did not like the idea of mandating whom the developers could hire, but they also acknowledged that it would be beneficial to know that the inspector had the City's welfare in mind. The Council relayed that there would need to be an agreement with assurances from Olsson.

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

Dorn moved and Bettendorf seconded a motion to adjourn at 8:34 p.m. Roll call vote: Simmons, Dorn, Zieg, Bettendorf voted YES. Motion carried.



City Clerk Michele Lincoln
City of Bennet, NE



Mayor, Ryan Cheney
City of Bennet, NE