

**City of Bennet, Nebraska**  
**City Council**  
**Minutes November 13, 2023**  
**Regular Meeting**

The Bennet City Council (the "Council") of the City of Bennet, Nebraska (the "City") held a regular business meeting on Monday, November 13, 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 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.

**CONSENT AGENDA**

- a. MINUTES of October 9, 2023, City Council Regular Meeting Approval
- b. CLAIMS FOR PAYMENT
- c. TREASURER'S REPORT
- d. **RESOLUTION 2023-11.1** authorizing the Mayor to sign the Year-End Certification of City Street Superintendent appointing Justin R. Stark.
- e. **RESOLUTION 2023-11.2** establishing wages and approving salary increases for City employees.

Zieg 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.

Mayor Cheney announced that public comment would be received on all agenda items with a three-minute time limit.

Senator Carolyn Bosn attended the meeting to introduce herself to the Council. Governor Pillen appointed Bosn to fill Suzanne Geist's Senate position for Nebraska Legislative District 25 serving part of Lincoln and Lancaster County. She encouraged the Council to reach out to her so she could advocate on our behalf on the floor of the Senate.

Palmyra FCCLA member Madeline Wood and FFA member Jake Wood addressed the Council to explain the school-wide Community Service Day and to request assistance with project ideas. Community Service Day will be April 26th. They are looking for 3 - 3 1/2 hour projects where they can give back to their communities that have given to them. Project ideas can be emailed to Mrs. Paxton (FCCLA) or Mrs. Beach (FFA) with District OR-1.

A petition received from residents abutting the north side of Outlot A in the Evergreen Place 1st Addition (Corrected Replat) opposing a proposed walking path on that outlot spawned a conversation

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regarding the walking path and the Master Trail Plan. Mark Schmidt, the developer of Evergreen Place 1st Addition, has intended on developing the walking path and then deeding it to the City since the initial platting process. He intentionally included the extra space in the outlot for the trail which supports the Bennet Comprehensive Plan. Engineer Brian Schuele said that a walking path could be on Cottonwood Street and done in conjunction with the Cottonwood Street paving. Outlot A is private property; therefore, the Council cannot control whether a walking path is established but could decide whether to accept the donation of the outlot when the time comes.

Jackie Bates of 35 Fir Street filed a claim for reimbursement of expenses incurred to remove an old meter which was leaking in the service line portion of the water line, requested relief from charges from the excess water used due to the leak and requested that the City supply white rock to resurface the excavation site. The Council decided to address the issue at the end of the meeting so they could go into executive session.

Larry Kramer of the Bennet Community Builders Association submitted a site plan for the new preschool playground equipment in Bennet Park for approval. Bettendorf, who is on the Park Committee, stated that the proposed location on the site plan was not what they had discussed when the Park Committee met with them. They had been looking at an area further west in the park which would make the area around the splash pad less congested. The subject will be tabled until the following month and request that Larry Kramer attend for further discussion.

Zieg moved and Bettendorf seconded a motion to authorize the Mayor to sign the Cooperative Service Agreement with Uribe Refuse Services for a five-year agreement for disposal services associated with the compactor at the Bennet Refuse Site. Roll call vote: Simmons, Zieg, Bettendorf voted YES. Motion carried.

The Homeowners Association for the Nemaha Valley Subdivision wanted to purchase speed bumps on Hackberry Street between Harrison Street and Garden Street with the City installing them. Engineer Brian Schuele thought four or five would be appropriate for that span. Zieg, who is a member of the Homeowners Association, stated that they had agreed to purchase up to three speed bumps, but they thought the cost would be much more. The Homeowners Association will pay \$1,286.55 for the three speed bumps which will be properly installed by the City according to Schuele's recommendation.

A comparison fee schedule was presented to the Council that compared municipal fees from Hickman, Springfield, and Waverly to Bennet's established fees. The Council will review prior to the December meeting where they will make a determination on what the appropriate municipal fees will be.

Simmons moved and Bettendorf seconded a motion to hire Tailored Landscape to install Christmas lights on City Hall for \$200.00. Roll call vote: Simmons, Zieg, Bettendorf voted YES. Motion carried.

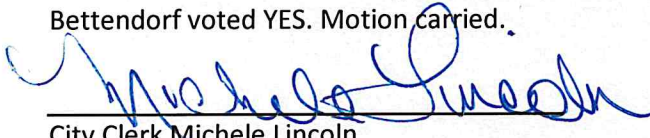
Submitted reports include Utility Superintendent, Sheriff's Office, Engineer and November 1, 2023 Planning Commission Minutes. Engineer Brian Schuele stated that he would like to arrange a meeting with Lancaster Rural Water District #1 representatives at 6:00 p.m. prior to the December 11th meeting to discuss the water situation. Utility Superintendent Russ Jones reported that the final water sample

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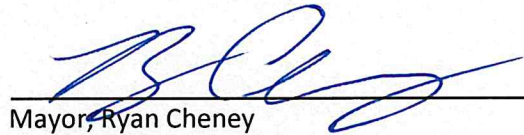
for the water tower had been taken and that we were waiting for approval from NDEE to place the water tower back into service.

Zieg moved and Bettendorf seconded a motion to go into executive session at 8:02 to protect public interest from pending litigation and threat against the city. Roll call vote: Simmons, Zieg, Bettendorf voted YES. Motion carried. Bettendorf moved and Simmons seconded a motion to reconvene in open session at 8:31. Mayor Cheney informed Jackie Bates that the other meter that is under her home needed to be removed and that the City would do it with her consent. Bates agreed. Bettendorf moved and Simmons seconded a motion to approve payment of the claim from Jackie Bates of 35 Fir Street for reimbursement of repair costs to remove an old water meter from the service line in the amount of \$5,500.00; waive the charge of 16,000 gallons of excess water above the average 1,000 gallons usage; the City to supply white rock to resurface the excavation site; and authorize the Mayor to sign any releases.

Simmons moved and Zieg seconded a motion to adjourn at 8:38 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