The Bennet Board of Trustees (the “Board”) of the Village of Bennet, Nebraska (the “Village”) held a regular business meeting on Monday January 11, 2020 at 7:00 p.m., at the Bennet American Legion Hall, 970 Monroe Street in the Village, 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 Statures 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 to public inspection at the office of the Village Clerk.

Chairman Ryan Cheney called the meeting to order at 7:00 p.m. and announced the location of the Open Meetings Act. Village Clerk Michele Lincoln conducted roll call. Trustees in attendance were Ryan Cheney, Brad Ruzicka, Don Murray, Justin Dorn, Pete Simmons. A quorum being present and the meeting duly commenced, the following proceedings were taken while the meeting remained open to attendance by the public.

Ruzicka moved and Simmons seconded a motion to approve minutes for the December 14, 2020 regular meeting. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried.

A list of claims was considered with the addition of late claims received to Midwest Laboratories for $538.60 and to Mark Howard for HVAC inspections for $40.00. Dorn moved and Ruzicka seconded a motion to approve the claims for payment. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried.

Justin Dorn took the Oath of Office as the elected incumbent Trustee.

Clay Peterson with Inspro presented the annual insurance coverage update. He reported that the premium increase was less then 5% which is good in today’s market. A liability concern had been brought to the Boards’ attention regarding the purposed disc golf plan for Whispering Pines Park. Clay reported that he shared the plan with the underwriter and they approved of the plan. The Village will need to notify them when the baskets are installed.

A public hearing was called to order at 7:09pm to receive comment on the 2020 and 2021 *One- and Six-Year Street Plans* for the Village. The Village Engineer Brian Schuele from Olsson presented the plans. The Public Hearing was closed at 7:28 p.m. Cheney moved and Murray seconded a motion to approve Resolution 2021-1.1, a resolution adopting the Bennet One- and Six-Year Street Plan for 2020. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried. Murray moved and Cheney seconded a motion to amend the 2021 Bennet One- and Six-Year Plan to remove Project #M-151(16) and #M-151(17) which were completed projects of overlay on Elm Street and Adam Street and move Project #M151(15) to the one-year plan which is overlay for Hackberry from Monroe to Harrison Street. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried. Cheney moved and Dorn seconded a motion to approve Resolution 2021-1.2, a resolution adopting the 2021 Bennet One- and Six-Year Street Plan. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried.

Engineer Brian Schule estimated the street repairs to be at 1.8 million dollars to be bonded for. This would accommodate a $75,000 annual bond payment over 20 years. We need to figure what will work for us for an annual bond payment of which the highway allocation funds can be used for. He stated that the rates were historically low right now. There will be an open house to gather public input on street improvements on February 22nd from 5-8pm. We should be ready to go out to bid mid-April, open bids in May and start construction the beginning of June.

A contract with Olsson for Street Improvements was discussed. Brian Schuele clarified that the typographic survey and work in the highway right-of-way were not included in the contract. It also does not include the construction administration fees which will be eligible to use highway allocation funds and can be rolled into the cost of improvements to be bonded. Cheney moved and Dorn seconded a motion to approve the contract with Olsson for Street Improvements. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried.

Cheney moved and Ruzicka seconded a motion to approve a contract with Olsson for Water System Modeling. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried.

Cheney moved and Ruzicka seconded a motion to approve a final pay request from Olsson to Constructors, Inc. in the amount of $25,627.14 for the Whispering Pines Trail and Bridge project. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried.

Cheney moved and Dorn seconded a motion to approve the final pay request from Constructors, Inc. in the amount of $6,679.92 for the 2019 Adams Street Pavement project. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried.

Ruzicka moved and Murray seconded a motion to approve Resolution 2021-1.3, a resolution approving the request by Windstream, Inc. to occupy the right-of-way within the corporate limits of Bennet as detailed in Work Order# 71500008101236; OSP-24190 along Prairie Clover Lane then south on Tyler Street. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried.

A discussion was had regarding the status of a contract with Kirkham Michael for the Biosolids Dewatering System. Chairman Cheney sent a letter to Kirkham Michael addressing concerns regarding services rendered for the $57,520 billed. According to Chad Marsh with Kirkham Michael they had completed a topographic survey, geotechnical investigation, and architectural and structural plans/specs for the dewatering building. He provided a copy of the Geotechnical Engineering Report and the structural plans/specs for the dewatering building.

The Clerk reported that Randy Hellbusch with Nebraska Rural Water Association was scheduled for water and sewer rate studies. She also reported on the status of the Recycling Site. The cost of supporting the site for the month of December was approximately $850. There are concerns regarding the breaking down of cardboard boxes and non-acceptable items being placed in the bins. Public educational efforts have been taken.

Cheney moved and Murray seconded a motion to approve the Treasurer’s Report. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried.

Submitted reports included the Sheriff’s Office and Maintenance Report.

Josh Buck, Planning Commission Chair, reported the Planning Commission had their reorganizational meeting and he was nominated to continue as chair. Adam Stahr had come before the Planning Commission for a pre-application meeting for a 12-unit purposed plat. It was emphasized to him to address the water retention and detention on his plan. They also told him they were waiting for a preliminary water study to confirm we had the capacity to support additional subdivisions. The Planning Commission voted to recommend an amendment to the Central Business District (B-2) zoning regulations to allow for residences in conjunction with businesses by special use permit.

Code Enforcement Officer/Administrative Aide Marlene Sturdy reported that the building at 590 Monroe Street has been demolished.

During Communications Chairman Cheney shared a letter from Zachary Hertzler requesting the Village consider installing a dirt BMX track with decent sized ramps and to share his feelings that he is not in favor of railroad quiet zones. Jake Sittner addressed the board to share his interest in getting involved with the community. He would like to donate some trees for the t-ball field to offer shade for the spectators.

Cheney moved and Dorn seconded a motion to adjourn at 8:23 pm. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried.

Chairman Ryan Cheney called the Board of Appeals Hearing to order at 8:23 p.m. and announced the location of the Open Meetings Act. Village Clerk Michele Lincoln conducted roll call. Trustees in attendance were Ryan Cheney, Brad Ruzicka, Pete Simmons, Justin Dorn, Don Murray. 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 hearing was for an appeal of Unsafe Building Notice issued for property legally described as ALEXANDERS ADDITION TO BENNET, BLOCK 7, EX E176' S124' & EX N88' S258' W124' & EX E134.25' N140' & EX PT STARTING IN NE BLOCK 7 S140' THEN W176' THEN N10' THEN E34' THEN N88' THEN E8' THEN N42' THEN E134.25'. (610 Cottonwood).

Matt Rieck of Precision Roofing & Home Improvement represented the owner Sharon Wright regarding the Unsafe Building Notice. He was appealing the list of violations stating that the roof did not leak, the house had been painted five years ago, the foundation had been tuckpointed and they did not think the house was unsafe. They were willing to repair windows, replace the patio door and replace the deck on the east side. The Board of Appeals denied the appeal. Notice will be sent to the property owner directing the conditions addressed in the Unsafe Building Notice be remedied or the building demolished.

Cheney moved and Simmons seconded a motion to adjourn at 8:32 p.m. Roll call vote: Cheney, Ruzicka, Murray, Dorn, Simmons voted YES. Motion carried.

Michele Lincoln, CMC

Village Clerk