

**Village of Bennet, Nebraska**  
**Board of Trustees Minutes; October 14, 2019**

The Bennet Board of Trustees (the "Board") of the Village of Bennet, Nebraska (the "Village") held a regular business meeting on Monday, October 14<sup>th</sup>, 2019 at 8:00 p.m., at the regular meeting place of the Board, the Village Hall, 685 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 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 to public inspection at the office of the Village Clerk.

Chairman Justin Dorn called the meeting to order at 8:00 p.m. and announced the location of the Open Meetings Act posted near the entrance of the room for access by the public. Village Clerk Patricia Rule conducted roll call and recorded the minutes. Trustees in attendance were Ryan Cheney, Brad Ruzicka, Jerris Nider, Justin Dorn and 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.

Motion by Cheney, second by Nider to approve minutes for the September 9, 2019 regular business meeting. Roll call vote; Cheney, Murray, Dorn, Nider, Ruzicka voted YES. Motion carried.

A list of claims was considered. Motion by Cheney, second by Murray to approve the claims for payment. Roll call vote; Cheney, Dorn, Ruzicka, Nider, Murray voted YES. Motion carried. Resolution 2019-10.1 was introduced by title; A RESOLUTION DIRECTING THE ABATEMENT OF A NUISANCE (DEAD OR DISEASED TREES) AT 510 MADISON STREET, WITH THE COST OF SUCH WORK, WHEN DONE, BEING LEVIED AND ASSESSED AGAINST THE BENEFITED PROPERTY.

Motion by Murray, second by Nider approving Resolution 2019-10.1. Roll call vote; Murray, Cheney, Ruzicka, Nider, Dorn voted YES. Motion carried.

Ordinance 2019-9.1 was introduced by title; AN ORDINANCE ACCEPTING AND APPROVING THE PLAT DESIGNATED AS EVERGREEN PLACE 1ST ADDITION, FILED IN THE OFFICE OF THE VILLAGE CLERK OF THE VILLAGE OF BENNET, NEBRASKA, UPON CERTAIN CONDITIONS HEREIN SPECIFIED AND PROVIDING FOR SURETIES CONDITIONED UPON THE STRICT COMPLIANCE WITH SUCH CONDITIONS.

Discussion concerned culvert improvements on Cottonwood Street. Motion by Dorn, second by Ruzicka to approve Ordinance 2019-9.1 on second reading. Roll call vote; Cheney, Dorn, Nider, Murray, Ruzicka voted YES. Motion carried.

Resolution 2019-10.2 was introduced by title; A RESOLUTION ACCEPTING A QUITCLAIM DEED FROM RICHARD ANTHOLZ CONVEYING THE EAST 33 FEET OF LOT 22 IT 3-8-8 FOR RIGHT-OF-WAY PURPOSES. The action would correct a statement in the County Engineers field notes regarding ½ of Tyler Street. Motion by Ruzicka, second by Cheney approving Resolution 2019-10.2. Roll call vote; Nider, Dorn, Cheney, Ruzicka, Murray voted YES. Motion carried.

Resolution 2019-10.03 was introduced; A RESOLUTION ACCEPTING AND APPROVING THE MINOR SUBDIVISION OF ALEXANDER'S 1<sup>ST</sup> ADDITION WITH CONDITIONS FOR REMOVAL OF A NONCONFORMING BUILDING. Motion by Murray, second by Nider approving Resolution 2019-10.3. Roll call vote; Ruzicka, Murray, Nider, Dorn, Cheney voted YES. Motion carried.

An amended route to remove the old railroad depot from 785 Jackson Street was considered. Motion by Dorn, second by Murray to approve the amended route. Roll call vote; Ruzicka, Nider, Murray, Cheney, Dorn voted YES. Motion carried.

Emily Bausch addressed the Board regarding an amendment to the letter agreement with Olsson, to include staking and grading. Motion by Ruzicka, second by Cheney approving an amendment to the scope of services in the Letter Agreement for Professional Services with Olsson dated December 7, 2018 for the Whispering Pines Park project. Roll call vote; Ruzicka, Murray, Nider, Dorn, Cheney voted YES. Motion carried.

Trustee Nider led a discussion regarding effects of a proposed Lancaster County wheel tax. County Commissioner Roma Amundson was introduced and offered clarification regarding a proposed *Joint Public Agency* that would include representation from all entities that joined. Bennet Village could:

1. Do nothing and its residents would not be effected by the tax.
2. Join the JPA.
3. Create its own wheel tax for the sole benefit of Bennet residents.

Amundson noted that communities could join at any time, once the JPA was established. Nider expressed concerns that the wheel tax generated a very small amount of revenue compared to the extent of repairs needed. Amundson expressed that we all use the county roads; Farm-to-Market, Home-to-School, Home-to-Work.

In continued business, concerns were expressed for the condition of the 600 block of Tyler Street. Written complaints were also noted regarding the condition of Garden Street, east of Monroe. Richmond Hill Homes, owner/building of a new house under construction at 600 Tyler, was present for discussion. Trustees agree the armor coat streets are substandard and susceptible to damage. Richmond Hill representatives offered to pay for a portion of repairs. Continued discussion was for the need of a professional analysis of the condition of Bennet's streets. Trustees agreed to advertise for Request for Proposals to bid the study, including a scope of services.

The following actions were taken upon recommendation of the Street Superintendent:

Motion by Murray, second by Ruzicka to approve the application for a new culvert placement for Lot 2, Alexander's 1<sup>st</sup> Addition. Roll call vote; Murray, Nider, Dorn, Cheney, Ruzicka voted YES. Motion carried.

Motion by Murray, second by Ruzicka to approve the application for new culvert placement for Lot 4, Alexander's 1<sup>st</sup> Addition. Roll call vote; Dorn, Cheney, Ruzicka, Murray, Nider voted YES. Motion carried.

Regarding an application for an additional culvert for a second access at 100 Adams Street, the Village Engineer recommended consulting the Village Attorney prior to approving the culvert.

Resolution 2019-10.4 was introduced; A RESOLUTION CONSENTING TO USE OF VILLAGE RIGHT-OF-WAY BY WINDSTREAM NEBRASKA, INC. FOR THE INSTALLATION OF COMMUNICATION CABLE. Motion by Dorn, second by Cheney approving Resolution 2019-10.4. (Windstream, INC work Order #715092559;OSP-15043.) Roll call vote; Nider, Dorn, Cheney, Ruzicka, Murray voted YES. Motion carried.

Resolution 2019-10.5 was introduced; A RESOLUTION CONSENTING TO USE OF VILLAGE RIGHT-OF-WAY BY WINDSTREAM NEBRASKA, INC. FOR THE INSTALLATION OF COMMUNICATION CABLE. Motion by Dorn, second by Cheney approving Resolution 2019-10.4. (Windstream, INC work Order #715092557;OSP-15049.) Roll call vote; Dorn, Cheney, Murray, Nider, Ruzicka voted YES. Motion carried.

Reports received included Treasurer, Maintenance, Sheriff, Engineer, Planning Commission and Health Board.

Motion by Cheney, second by Murray to approve the Treasurer's Report for October 2019. Roll call vote; Murray, Cheney, Ruzicka, Nider, Dorn voted YES. Motion carried.

Motion by Dorn, second by Murray to adjourn at 9:25 pm. Roll call vote; Dorn, Cheney, Ruzicka, Nider, Murray voted YES. Motion carried.

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Patricia Rule, Village Clerk