

Village of Bennet, Nebraska
Board of Trustees
Minutes November 8, 2021
Regular Meeting

The Bennet Board of Trustees (the "Board") of the Village of Bennet, Nebraska (the "Village") held a regular business meeting on Monday November 8, 2021 at 7:00 p.m., at the Bennet 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 for public inspection at the office of the Village Clerk and posted at the Village Office, Post Office and First Nebraska Bank.

Chairperson 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, Pete Simmons, Don Murray, Brad Ruzicka, Justin Dorn. Absent: None. 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.

Murray moved and Cheney seconded a motion to approve minutes for the October 11, 2021 special meeting for the budget hearings and regular meeting. Roll call vote: Cheney, Simmons, Murray, Ruzicka, Dorn voted YES. Motion carried.

Dorn moved and Ruzicka seconded a motion to approve the claims for payment. Roll call vote: Cheney, Simmons, Murray, Ruzicka, Dorn voted YES. Motion carried.

Chairperson Cheney introduced Ordinance 2021-9.1, AN ORDINANCE AMENDING § 53.46 OF THE CODE OF BENNET RELATING TO SEWER RATES BY INCREASING THE BASE FEE AND USAGE FEE FOR RESIDENTIAL, NON-RESIDENTIAL, AND NON-RESIDENT CONTRIBUTORS; AND REPEALING § 53.46 OF THE CODE OF BENNET AS HITHERTO EXISTING. Ruzicka moved and Murray seconded a motion to approve the third reading of Ordinance 2021-9.1. Roll call vote: Cheney, Simmons, Murray, Ruzicka, Dorn voted YES. Motion carried.

Carl Abbott, Dan Patton, and Jeff Kohrs with Nebraska City Utilities attended the meeting to share their intentions of installing new powerlines and building two new substations in Bennet. Carl Abbott spoke on their behalf. Due to the growth of Bennet and need to provide good service, Nebraska City Utilities has been working on a two-phase project. The first was to have better lines to Bennet and the second part is to improve within Bennet. The upgrade of the twelve miles of powerlines between Unadilla and Palmyra and between Douglas and Panama is now complete which improves capacity and reduces power outages. They will now be installing two new substations in Bennet that will double the capacity to serve Bennet and provide better voltage to the customer.

Cheney moved and Simmons seconded a motion to approve the Application and Certificate for Payment #4 to Constructors, Inc. in the amount of \$155,854.17 for the 2021 Bennet Street Improvement Project. Roll call vote: Cheney, Simmons, Murray, Ruzicka, Dorn voted YES. Motion carried.

Three RFP (Request for Proposal) were received to fill the Village Attorney position. Ryan Cheney and Don Murray serving as the Personnel Committee opened the bids at 3:00 p.m. that afternoon. They recommended going with David C Solheim with Solheim Law Firm out of Crete. Murray moved and Dorn seconded a motion to accept the proposal from David C Solheim with Solheim Law Firm with a monthly retainer of \$1,000.00. Roll call vote: Cheney, Simmons, Murray, Ruzicka, Dorn voted YES. Motion carried.

In September Tim Norris represented the Bennet Rural Fire District in a request for funding from the ARP (American Rescue Plan) funds to assist with the purchase of a new CAAS standard ambulance, power cot and power lift, stair chair, and updated patient monitor and defibrillator. After investigation of authorized uses of funds, they requested funding for the patient monitor. Murray moved and Dorn seconded a motion to contribute up to \$12,000 for the ambulance patient monitor to be paid from the second half of the ARP (American Rescue Funds) which are to be received in 2022. Roll call vote: Cheney, Simmons, Murray, Ruzicka, Dorn voted YES. Motion carried.

The Board of Trustees discussed a proposed interlocal agreement for GIS addressing with the City of Lincoln. The purpose of this interlocal is to have all village addresses listed on a database to improve law enforcement and fire protection for the citizens when NextGen911 services become available. NextGen911 is new technology that enhances the capabilities of the 911 call centers. This interlocal would allow the City of Lincoln to create, maintain and remove any addresses within the Village of Bennet. The Board felt like they needed more information and requested that a representative from the City of Lincoln attend the next meeting to provide more information.

Cheney moved and Ruzicka seconded a motion to approve the Tyler and Cottonwood Street Water Main Design Contract with Olsson. Roll call vote: Cheney, Simmons, Murray, Ruzicka, Dorn voted YES. Motion carried. Engineer Brian Schuele stated that we may be able to get a zero percent loan from the Drinking Water State Revolving Fund through Nebraska Department of Environment and Energy.

Engineer Brian Schuele reached out to Brad Slaughter with Piper Sandler & Co. to investigate the financing options for paving Cottonwood and Tyler Streets since the interest rates are so low. The cost to pave Cottonwood and Tyler Streets to the corporate limits is approximately \$1,250,000. The annual payment on a 15-year street improvement district bond would be \$95,000 to \$100,000. If the entire amount was levied it would be 12 to 13 cents or \$120-\$130 per \$100,000 of valuation. Schuele recommended waiting to make a decision until we know how much money the village will receive from the new infrastructure bill for roads and bridges.

One Request for Proposal (RFP) was received for the Bennet Zoning Code and Subdivision Regulation update. The RFP received was over the budgeted amount and did not comply with the requested \$4 million umbrella policy. The consultant submitting the RFP stated that it would cost an additional \$5,000 to increase his umbrella from \$1 million to \$4 million. The Planning Commission moved to amend the RFP to require a \$1 million umbrella and to redistribute with a deadline of December 20th at 3:30 p.m.

Cheney moved and Dorn seconded a motion to approve the agreement with Network Consulting Services, Inc. (NCS) for IT services to include auto patching, endpoint protection, cloud backup and the Office 365 package. Roll call vote: Cheney, Simmons, Murray, Ruzicka, Dorn voted YES. Motion carried.

The Transition Team recommendations regarding the transition to a city of the second class was submitted to the board and are as follows:

- Establish two wards
- Four council members with two from each ward and mayor at large
- Board to declare population by resolution to certify with Secretary of State after March 8th.
- Ordinance passed to establish wards. (April, May, June)
- Certification for Special Election to Election Commissioner by June 15th
- July 15th incumbent filing deadline. August 1st non-incumbent filing deadline.
- November 8, 2022 Special Election in conjunction with General Election.
- December 2022 Mayor & Council take office

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

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

Village Engineer Brian Schuele from Olsson reported that there was one bid received for the Lagoon Cleaning Project for \$285,000, which is \$85,000 more than budgeted for. Schuele stated that he spoke with a local contractor, and they discussed the possibility of being short on space using the Village owned ten acres which may require a change order to the contract. It was his recommendation to postpone the award of contract to the December 13th meeting. Johnson Service Company was in town to evaluate sealing the manholes along Hackberry Street and north of Cottonwood. They will be submitting an estimate for repairs. Last month Schuele reported they had discovered a void under the rock surface at the intersection of Hackberry Street and Harrison Street that looked like it angled towards the sanitary sewer main. That manhole was in good shape.

Cheney moved and Dorn seconded a motion to adjourn at 8:22 p.m. Roll call vote: Cheney, Simmons, Murray, Ruzicka, Dorn voted YES. Motion carried.

Michele Lincoln, CMC
Village Clerk