

**Village of Bennet, Nebraska**  
**Board of Trustees Minutes; September 10, 2018**

The Bennet Board of Trustees (the "Board") of the Village of Bennet, Nebraska (the "Village") held a regular meeting and public hearings on Monday, September 10th, 2018 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 Don Murray called the meeting to order at 8:00 pm 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 Justin Dorn, Jerris Nider, Brad Ruzicka, Ryan Cheney and Don Murray. A quorum being present and the meeting duly commenced, the following proceedings were taken while the session remained open to attendance by the public.

Motion by Dorn, second by Nider to approve minutes for the August 13, 2018 regular business meeting. Roll call vote; Nider, Dorn, Cheney, Ruzicka, Murray voted YES. Motion carried.

A list of claims was considered. Additional claims were to Midwest Labs \$195.48 for waste water test, All-Pro Plumbing for repairs at the Waste Water Treatment Plant and backflow testing \$954.00, and remove a claim for payment to Office Depot. Motion by Cheney, second by Ruzicka to approve the claims for payment. Roll call vote; Dorn, Cheney, Ruzicka, Nider, Murray voted YES. Motion carried.

Motion by Ruzicka, second by Cheney to approve the Treasurer's Report for September 2018. Roll call vote; Murray, Cheney, Ruzicka, Nider, Dorn voted YES. Motion carried.

Village Engineer Ryan Brandt reported his review of Bush Pines 6<sup>th</sup> Addition, preliminary and final plats, and an update on the Apple Street paving completion.

Josh Buck reported for the Planning Commission regarding progress on development of a new Comprehensive Plan and good rapport with Hanna: Keelan, consultants for the project. A steering committee would be formed for additional input.

During the maintenance report, Trustee Nider questioned closure dates for the parks and asked about bathroom doors at the main park.

The Clerk reported a grant was approved for trees from ReTree Nebraska, progress of removing unlicensed 'junk' vehicles in the community, and receipt of plats for a new subdivision.

Communications included a letter regarding legal retainer fees and a card for appreciation of a donation to the park fund.

Ordinance 2018-9.1 was introduced by title: 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 BY 5% EACH YEAR FOR THE NEXT FIVE (5) YEARS; AND REPEALING § 53.46 OF THE CODE OF BENNET AS HITHERTO EXISTING.

Motion by Murray, second by Dorn to approve Ordinance 2018-9.1 on first reading. Roll call vote; Dorn, Nider, Murray, Cheney, Ruzicka voted YES. Motion carried.

Discussion continued regarding the open storm sewer drainage system in the Village. Problem areas of step ditches and heavy water flow are mainly on the west side of town in the older neighborhoods. Solutions considered included culverts with inlets, or curb and gutter. The Village engineer cautioned that buried culverts alone were not a solution. Numerous water inlets were needed to provide for the drainage off the streets, and could be a source of additional maintenance. The Village Utility Superintendent expressed concerns for inlets plugging with leaves and grass clippings. Paving districts with cost assessed to property owners, or subsidizing cost of curb and gutter were considered. Trustees agreed that public input and cost estimates were needed. Preference was expressed to fix the problem, rather than bandage it. Resident Greg Arp also questioned if the Village might mow his ditch. In

conclusion; Trustees would investigate and determine areas in greatest need. The Village Engineer would provide a brief cost estimate of culverts with inlets, and paved curb and gutter. Public input sessions would follow.

The next order of business regarded a request for final payment for a paving project on Apple Street. The Village Engineer recommended approval of the payment after a manhole is repaired. Motion by Murray, second by Ruzicka to approve the final pay request in the amount of \$11,407.72 to Constructors Inc. for the Apple Street Paving Project. Roll call vote; Cheney, Nider, Dorn, Murray, Ruzicka voted YES. Motion carried.

Public Hearing #1 was called to order at 8:42 pm to receive comment on the proposed 2018/2019 budget document. Copies were available for the public. The Chairman called for comment. None received, the hearing closed at 8:45 pm.

Public Hearing #2 was called to order at 8:45 pm to receive comment on the final tax request for the 2018/2019 fiscal year budget. Trustees recognized the levy would remain same, however increased tax revenue would come from an increased valuation. Receiving no further comments the hearing closed at 8:47 pm.

Motion by Murray, second by Cheney to approve an additional 1% increase in restricted funds authority. Roll call vote; Dorn, Cheney, Ruzicka, Nider, Murray voted YES. Motion carried.

Resolution 2018-9.1 was introduced approving the tax levy for the 2018/2019 fiscal year. Motion by Murray, second by Dorn to approve Resolution 2018-9.1. Roll call vote; Cheney, Ruzicka, Nider, Dorn, Murray voted YES. Motion carried.

Murray introduced Resolution 2018-9.2; A RESOLUTION APPROVING THE FISCAL YEAR 2018/2019 BUDGET FOR THE VILLAGE OF BENNET. Motion by Murray, second by Ruzicka approving Resolution 2018-9.2. Roll call vote; Dorn, Cheney, Nider, Murray, Ruzicka voted YES. Motion carried.

In continued business a complaint of a non-permitted fence at 115 Elm Street was discussed. Resident Greg Arp claimed the fence protrudes into the alley. A letter from the property owner and photos of the alley behind the property were presented. Enforcement of fence permits was also discussed. The property owner volunteered to move the fence. No action was taken.

Resolution 2018-9.3 was introduced; A RESOLUTION APPROVING SPECIAL DESIGNATED LICENSES AS REQUESTED BY THE SONS OF AMERICAN LEGION SQUADRON NO. 280 FOR 970 MONROE STREET. Motion by Murray, second by Cheney approving Resolution 2018-9.3. Roll call vote; Dorn, Cheney, Nider, Ruzicka voted YES. Murray ABSTAINED. Motion carried.

Motion by Cheney, second by Ruzicka to adjourn at 8:58 pm. Roll call vote; Dorn, Cheney, Ruzicka, Nider, Murray voted YES. Motion carried.

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Patricia Rule, Village Clerk