

Village of Bennet, Nebraska
Board of Trustees Minutes; November 12, 2018

The Bennet Board of Trustees (the "Board") of the Village of Bennet, Nebraska (the "Village") held a regular meeting on Monday, November 12, 2018 at 7:00 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 7:00 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 Cheney, second by Dorn to approve minutes for the October 2018 business meeting. Roll call vote; Murray, Cheney, Ruzicka, Nider, Dorn voted YES. Motion carried.

A list of claims for payment was considered. Motion by Cheney, second by Ruzicka to approve payment of all claims including a correction in the amount to the Health Lab of \$30.00. Roll call vote; Cheney, Ruzicka, Dorn, Nider, Murray voted YES. Motion carried.

Rule provided the monthly Treasury report and quarterly Keno report. Motion by Ruzicka, second by Nider to approve the Treasurers Report. Roll call vote; Nider, Murray, Cheney, Dorn, Ruzicka voted YES. Motion carried.

Reports: Village Engineer Ryan Brandt requested assistance of Ken Maahs to evaluate drainage problems on Adams Street. The street and drainage project should be ready to bid and project awarded in December.

The Utility Superintendent reported a sewage backup on Vince Drive and efforts to resolve the problem and prevent additional backups down line.

The Clerk reported progress of efforts to clean up junk vehicles, and of payments received to satisfy special assessments against two properties.

Written reports were received from the Lancaster County Sheriff's Department and the Village Planning Commission.

Resolution 2018-11.1 was introduced: A RESOLUTION APPROVING THE REAPPOINTMENT OF TWO PLANNING COMMISSION MEMBERS IN ACCORDANCE WITH SECTION 32.01 OF THE CODE OF BENNET.

Motion by Murray, second by Nider approving Resolution 2018-11.1 reappointing Commissioners Dina Rathje and Joshua Buck. Roll call vote; Cheney, Dorn, Ruzicka, Nider, Murray voted YES. Motion carried.

Item 6.a was placed on hold pending attendance of an Olsson representative.

Ordinance 2018-9.1 was introduced by title on third reading: 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 adopt Ordinance 2018-9.1 on third and final reading. Roll call vote; Murray, Dorn, Nider, Cheney, Ruzicka voted YES. Motion carried.

A sludge report and recommendations for future disposal were discussed. Trustees agreed a sludge press for dewatering was the most efficient disposal method. The subsequent product could be sold and land applied to farm fields. The Village Engineer and Utility Superintendent would meet to discuss a layout for the additional equipment and shop space.

Emily Bausch of Olsson and Associates addressed the Board regarding progress with trail grants applications.

Resolution 2018-11.2 was introduced: A RESOLUTION APPROVING A PARTIAL RELEASE OF THE PLATTED 12-FOOT UTILITY EASEMENT ON OUTLOT A, BUSH PINES NORTH 5TH ADDITION CORRECTED PLAT AND AUTHORIZING THE CHAIRMAN TO EXECUTE A RELEASE OF EASEMENT ON BEHALF OF THE VILLAGE. Discussion concerned the area of release. Motion by Murray, second by Cheney to approve Resolution 2018-11.2. Roll call vote; Cheney, Murray, Ruzicka, Dorn, Nider voted YES. Motion carried.

A preliminary plat of an area on the east side of Hackberry Street, south of Cottonwood Street was considered. A final plat for five lots was also discussed. Resolution 2018-11.3 was introduced approving a preliminary plat of a subdivision know as Evergreen Place. Motion by Murray, second by Dorn approving Resolution 2018-11.3. Roll call vote; Nider, Murray, Cheney, Dorn, Ruzicka voted YES. Motion carried.

Resolution 2018-11.4 was introduced; A RESOLUTION ACCEPTING AND APPROVING THE PLAT DESIGNATED AS EVERGREEN PLACE, FILED IN THE OFFICE OF THE VILLAGE CLERK/TREASURER OF THE VILLAGE OF BENNET, NEBRASKA, UPON CERTAIN CONDITIONS HEREIN SPECIFIED AND PROVIDING FOR SURIETIES CONDITIONED UPON THE STRICT COMPLIANCE WITH SUCH CONDITIONS. Motion by Murray, second by Ruzicka to approve Resolution 2018-11.4. Roll call vote; Cheney, Dorn, Ruzicka, Nider, Murray voted YES. Motion carried.

Action on an agreement with Kirkham Michael for assistance in preparation of annual street report was tabled pending review of the agreement.

Trustees discussed the condition of Tyler Street, north of Cottonwood. The Clerk was directed to contact Lancaster County maintenance department and request for gravel on Tyler Street.

Chad Yost and Stuart Howerter of SpectrAir, llc addressed the Board with a proposal to supply the Village with 'air fiber' internet by using existing fiber. The new system would provide a higher speed delivery system of wireless internet. The Village attorney noted that special use permits may be necessary for towers, and a lease agreement for use of existing Village structures. Yost and Howerter had reviewed the Villages current leases and requested Board support to move forward in communicating with Nebraska City Utilities.

Motion by Murray, second by Nider to approve the Village Attorney to work with SpectrAir, llc on a lease agreement and proceed with preliminary development. Roll call vote; Murray, Dorn, Nider, Cheney, Ruzicka voted YES. Motion carried.

The annual holiday dinner for Trustees and staff was discussed. Trustee Nider suggested a restaurant party room rather than pot luck in Village Hall. Trustees agreed and suggested December 5th as the best night for the dinner.

Motion by Murray, second by Dorn to adjourn at 8:43 pm. Roll call vote; Cheney, Ruzicka, Murray, Dorn, Nider voted YES. Motion carried.

Patricia Rule, Village Clerk