

Village of Bennet, Nebraska
Board of Trustees Minutes; April 8, 2019

The Bennet Board of Trustees (the "Board") of the Village of Bennet, Nebraska (the "Village") held a regular meeting on Monday, April 8, 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 session 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 Brad Ruzicka, Don Murray, Jerris Nider, Justin Dorn and Ryan Cheney. 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 Ruzicka, second by Murray to approve minutes for the regular meeting held March 11, 2019. Roll call vote; Cheney, Murray, Dorn, Nider, Ruzicka voted YES. Motion carried.

A list of claims for payment was presented. Motion by Cheney, second by Ruzicka to approve payment of claims presented. Roll call vote; Murray, Ruzicka, Nider, Dorn, Cheney voted YES. Motion carried.

Reorganization of agenda business was noted, providing for *Reports* and *Communications* to follow *New Business*.

Emily Bausch of Olsson provided an update regarding the Whispering Pines Park Project. Options for a pedestrian bridge were considered with a preference for designs numbered 2 and 3. Design #1, box culvert, was eliminated. Trustees agreed their preference was to not increase the net rise in water for the area and to stay within budget. Trail surfacing and the project timeline were also discussed. Concrete was preferred over aggregate.

Motion by Dorn, second by Ruzicka to amend the agenda to delay discussion on items 4.b. *Discuss Tyler Street and Cottonwood Street improvements*, and 4.c. *Approve a letter agreement for Hackberry Street improvement project*. Roll call vote; Cheney, Murray, Dorn, Nider, Ruzicka voted YES. Motion carried.

Resolution 2019-4.1 was introduced: A RESOLUTION APPROVING AMENDMENT TO THE LOTTERY OPERATOR AGREEMENT BETWEEN THE VILLAGE AND FOUR SONS, INC. TO PROVIDE FOR A SHARING OF THE COSTS OF THE KENO AUDIT. Motion by Dorn, second by Murray approving Resolution 2019-4.1. Roll call vote; Nider, Murray, Ruzicka, Dorn, Cheney voted YES. Motion carried.

Placement of fiber optic in Village right-of-way, and in new developments was discussed.

Resolution 2019-4.2 was introduced approving the appointment of James E. Lovell Jr. to a part time seasonal maintenance position according to §33.47 of the Code of Bennet. Motion by Dorn, second by Nider approving Resolution 2019-4.2. Roll call vote; Cheney, Nider, Ruzicka, Murray, Dorn voted YES.

Motion by Dorn, second by Nider to amend the agenda to place items 4.b. and 4.c. at the end of the agenda. Roll call vote; Murray, Dorn, Cheney, Nider, Ruzicka voted YES. Motion carried.

A Treasurers report was considered. Motion by Ruzicka, second by Cheney to accept the April 2019 Treasury report. Roll call vote; Murray, Cheney, Dorn, Nider, Ruzicka voted YES. Motion carried.

Village Engineer Ryan Brandt reported work on the preliminary design for the sludge de-watering project and maintenance building, and review for Evergreen Place 1st Addition. Josh Buck reported for the Planning Commission and noted attendance at a workshop on hazard mitigation. The Clerk reported for the Farmers Market Committee.

Lillie Chambers reported plans underway by the *Celebrate Bennet* group for the annual July Fourth celebration. The group was interested in larger shells for the fireworks display and would need to move

the launch area further back from the audience. Trustees did not object to use of the Refuse Site driveway. The fire department would be available and insurance provided. Chambers will provide a full list of activities and request street closing for the parade.

The Health Board reported progress.

A communication was received listing the Village ISO fire rating.

Final discussion regarded improvements to Tyler Street and Cottonwood streets, north and east of their intersection. Village Engineer Brandt provided an *Opinion of Probable Cost*. Ideas included amending the current budget. The Clerk provided information on current budget expenditures. Expanding the project was also discussed. Brad Slaughter, *Ameritas Investment Corp.* offered financial ideas for funding the project and provided current information for cost of General Obligation bonds. Village Attorney W. F. Austin advised Trustees on restrictions regarding special assessments benefiting a select group or area. Further discussion was on evaluating all Village streets on condition, traffic numbers, and consider life span of materials and maintenance. Trustees questioned the cost of an official street study, conducted by a consulting professional. Trustees would begin by looking at streets.

Motion by Murray, second by Ruzicka to approve a letter agreement with Kirkham Michael for design, bid and construction services for Hackberry Street improvement project. Roll call vote; Nider, Cheney, Murray, Dorn, Ruzicka voted YES. Motion carried.

Motion by Dorn, second by Nider to adjourn at 10:17 p.m. Roll call vote; Nider, Dorn, Ruzicka, Cheney, Murray voted YES. Motion carried.

Patricia Rule, Village Clerk