

Village of Bennet, Nebraska
Board of Trustees
Minutes April 12, 2021

The Bennet Board of Trustees (the "Board") of the Village of Bennet, Nebraska (the "Village") held a regular business meeting on Monday April 12, 2021 at 8:00 p.m., at the Bennet American Legion Hall, 970 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 Ryan Cheney called the meeting to order at 8:00 p.m. and announced the location of the Open Meetings Act. Village Clerk Michele Lincoln conducted roll call. Trustees in attendance were Ryan Cheney, Brad Ruzicka, Pete Simmons. I

Ruzicka moved and Simmons seconded a motion to approve minutes for the March 15, 2021 regular meeting. Roll call vote: Cheney, Ruzicka, Simmons voted YES. Motion carried.

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

Cheney moved and Ruzicka seconded a motion to approve a contract with Olsson for Lagoon Cleaning and Land Application of Liquid Biosolids. Roll call vote: Cheney, Ruzicka, Simmons voted YES. Motion carried.

Village Engineer Brian Schuele from Olsson reported on the status of the Water Modeling project. The field work for the project has been completed and information is being compiled. The highlights of the report will be recommending the looping of water mains from Cottonwood Street north on Tyler Street to Sweetgrass Prairie; looping the line from Sweetgrass Prairie east to Monroe Street; and upgrading and connecting the main on Cottonwood east of Tyler Street to where the main dead ends by the Evergreen Place 1st Addition. The anticipated cost of upgrades will be around \$475,000. Schuele will be collaborating with Nebraska Rural Water Association to complete a water rate study.

Dave Pool represented the Bennet Ball Club in further discussion regarding the purchase of a new scoreboard for the ballfield. He presented a couple additional bids for smaller scoreboards than originally requested along with installation quotes for the scoreboards previously suggested. The Clerk informed the Board that there was \$6,000 left from what was budgeted for the holiday lights that could be used for this purpose. Cheney moved and Dorn seconded a motion that the Village pay for the Spectrum Corporation Model 9410 for \$5,835 with the \$300 wireless device and the Bennet Ball Club will be responsible for funding the installation expense. Roll call vote: Cheney, Ruzicka, Simmons, Dorn voted YES. Motion carried.

The Board again discussed the Recycling Center and the excessive use by non-residents. With recycling sites in surrounding communities shutting down our site has seen a significant increase. The roll-offs fill in two days and then people tend to dispose of their recycling on the ground creating additional work for the employees. Residents are getting frustrated at constantly finding it full. To limit use strictly for Bennet residents it would need to be monitored which would require revamping the layout of the dump site or hiring additional personnel. The Village of Bennet was approved for a grant from Nebraska Environmental Trust for \$10,954 to assist in the funding of the Recycling Center for 2021 and an intent to award an additional \$27,648 to fund the following two years. The current cost incurred by the Village to support the recycling from December through March totals \$4,097.81. The board agreed to post notice that the Recycling Site would be closing.

The status of the abatement of the unsafe building and nuisance at 610 Cottonwood, legally described as ALEXANDERS ADDITION TO BENNET, BLOCK 7, EX E176' S124' & EX N88' S258' W124' & EX E134.25' N140' & EX PT STARTING IN NE BLOCK 7 S140' THEN W176' THEN N10' THEN E34' THEN N88' THEN E8' THEN N42' THEN E134.25', was discussed. Owner Sharon Wright and her contractor Matt Rieck with Precision Roofing & Home Improvements were in attendance to give a progress update. Mr. Rieck reported that he should have the shingles done in 3 days and then he would address the foundation. He stated he tore the east porch and deck off. New windows have been ordered. He thought that in 60-90 days he could have a big chunk of the work complete, but there was quite a bit of work to do so probably 90 days. Ms. Wright iterated how much experience she had as an appraiser and as owner of Action Realty; she did not believe the building was unsafe or a nuisance. It was mentioned the Village's main concern was the structural safety of the building. Building Inspector Dale Stertz stated there needed to be a center beam inserted on the south porch in which Mr. Rieck responded that he would do it right away. Stertz purposed they should get a written report from a qualified structural engineer with a Nebraska seal addressing the structural integrity of the foundation and what measures need to be taken to ensure proper repairs. The Board supported Mr. Stertz recommendation and directed Ms. Wright to have the report by the certified structural engineer filed in the Village Office within 10 days.

Building Inspector Dale Stertz had submitted his resignation notice with his last day being Friday, May 28th. The Clerk's Office reached out to surrounding communities in search of qualified candidates interested in assuming the position and found Rob Mierau with Nebraska Code Consulting and Inspections, LLC. He will be invited to attend the next meeting.

Josh Buck presented his request for approval of the Deer Trail Valley 1st Addition Preliminary Plat. This is a plat that would divide lot 3 and 4 of Deer Trail Valley. The preliminary plat shows the creation of lots 1-3 and Outlot A. The intent of Outlot A was to potentially sell to the adjacent owners of Lot 1 and 2 of Deer Trail Valley Addition. Outlot A does not comply with the zoning regulations and will not be shown on the final plat. The final plat will either eliminate Outlot A or include the expansion of Lot 1 and 2 Deer Trail Valley Addition. A dedication of easement will need to be established for an extension of the sewer main. Cheney moved and Dorn seconded a motion to approve Resolution 2021-4.1, a resolution approving the Deer Valley 1st Addition Preliminary Plat. Roll call vote: Cheney, Ruzicka, Simmons, Dorn voted YES. Motion carried.

Cheney moved and Ruzicka seconded a motion to approve Resolution 2021-4.2, a resolution to hire James E. Lovell, Jr. as part-time/seasonal maintenance. Roll call vote: Cheney, Ruzicka, Simmons, Dorn voted YES. Motion carried.

Cheney moved and Ruzicka seconded a motion to approve Resolution 2021-4.3, a resolution to hire Ladonna Sue Biltoft as part time Clerical Assistant. Roll call vote: Cheney, Ruzicka, Simmons, Dorn voted YES. Motion carried.

Cheney moved and Dorn seconded a motion to approve a lease agreement with the Bennet Community Builders Association for use of the Marquette sign for Farmers' Market advertising. Roll call vote: Cheney, Ruzicka, Simmons, Dorn voted YES. Motion carried.

Chairman Cheney introduced Ordinance 2021-4.1, AN ORDINANCE AMENDING SECTION 33.01 OF THE CODE OF BENNET TO PROVIDE THAT REGULAR MEETINGS OF THE BOARD SHALL COMMENCE AT 7:00 P.M. YEAR AROUND; AND REPEALING § 33.01 OF THE CODE OF BENNET AS HITHERTO EXISTING. Cheney moved and Simmons seconded a motion to waive the three-reading rule for Ordinance 2021-4.1. Roll call vote: Cheney, Ruzicka, Simmons, Dorn voted YES. Motion carried. Cheney moved and Ruzicka seconded a motion

to approve Ordinance 2021-4.2. Roll call vote: Cheney, Ruzicka, Simmons voted YES. Dorn voted No. Motion carried.

The Clerk reported that she received a request from Tim Norris with Home & Farm Insurance that the Village go out for bids for next years insurance coverage. A request for proposals will be issued in September. The Celebrate Bennet Committee requested that the Village cover the payment to All Road Barricades for the barricades needed for the 4th of July celebration. The Board agreed to cover that expense.

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

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

Village Engineer Brian Schuele from Olsson gave an update on the Street Project. They are 60% done working through the elevations, the survey data is complete, and the plan should be set to preview prior to the next meeting. The bid specs will be ready to be authorized at the next meeting and then the bid opening can be at the June 9th meeting. He mentioned that he would like to add a raised curb on Hackberry east of Monroe Street to prevent the trucks entering the Frontier Cooperative property from breaking the edge of the paving. Schuele will advise the Coop of the plans to install the curb.

Josh Buck, Planning Commission Chair, reported the Planning Commission is recommending the Board of Trustees seek a consultant to assist with the updating of zoning and subdivision regulations.

Ken Maahs, Utility Superintendent, reported that there was graffiti on the old sewer treatment plant. He requested authorization to purchase the new street sweeper that was budgeted for. The Board authorized the purchase.

Code Enforcement Officer/Administrative Aide Marlene Sturdy reported that the pods on Fir Street have been removed, Randall Weber still has the pod at his business and John Simms still has the pod like container on his property at the corner of Madison & Garden. The clean up day is scheduled for May 1st at 8:00 a.m. and we were approved for two grants to help fund it. She made a request for volunteers in helping with the cleanup.

Larry Kramer was unable to attend to give a Farmers' Market report but had submitted a diagram of the market layout for this season.

During Communications Josh Buck mentioned that there needed to be a four way stop at the corner of Cottonwood and Tyler Street. Engineer Brian Schuele stated that he would look into the requirements for that.

Cheney moved and Dorn seconded a motion to adjourn at 9:46 p.m. Roll call vote: Cheney, Ruzicka, Simmons, Dorn voted YES. Motion carried.

Michele Lincoln, CMC
Village Clerk