

Village of Bennet, Nebraska
Board of Trustees
Minutes May 10, 2021

The Bennet Board of Trustees (the "Board") of the Village of Bennet, Nebraska (the "Village") held a regular business meeting on Monday May 10, 2021 at 7:00 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 and posted at the Village Office, Post Office and First Nebraska Bank.

Chairman Ryan Cheney called the meeting to order at 7:01 p.m. and announced the location of the Open Meetings Act. Village Clerk Michele Lincoln conducted roll call. Trustees in attendance were Ryan Cheney, Don Murray, Pete Simmons. Justin Dorn and Brad Ruzicka absent. The Pledge of Allegiance was recited.

Cheney moved and Simmons seconded a motion to approve minutes for the April 12, 2021 regular meeting. Roll call vote: Cheney, Simmons, Murray voted YES. Motion carried.

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

Cheney moved and Simmons seconded a motion to approve the Street Improvements Invitation for Bids for advertisement. Roll call vote: Cheney, Simmons, Murray voted YES. Motion carried. The Invitation for Bid will print May 20, May 27, and June 3rd. The final reviews of the street improvements will be done this week and be ready to be finalized and signed next week.

Although the Board had agreed to post notice that the Recycling Site would be closing at the April Meeting; additional information was received following the meeting regarding the grant parameters. The Board discussed the challenges with revamping the layout of the Refuse and Recycling Center and whether there is sufficient staff to monitor both the refuse and recycling if it was limited to strictly refuse permit holders. The Board believed they made a valent effort to retain the Recycling Site, but felt it was time to close it down. Murray moved and Cheney seconded a motion to close the Recycling Site, decline the grant awarded from the Nebraska Environmental Trust and to sell the recycling bins effective June 1st. Roll call vote: Cheney, Simmons, Murray voted YES. Motion carried.

Clay Peterson with Inspro presented a dividend check in the amount of \$4,871.00 from EMC Insurance. This dividend is a result of a good loss history.

Chairman Cheney introduced ORDINANCE 2021-5.1, AN ORDINANCE VACATING CENTER STREET BETWEEN COTTONWOOD STREET AND BIRCH STREET; VACATING A PORTION OF CHERRY STREET BETWEEN VAN BUREN AND TYLER STREET; VACATING THE NORTH-SOUTH ALLEY IN BLOCK 5, ALEXANDER'S ADDITION; AND VACATING THE EAST-WEST ALLEY IN BLOCK 8, ALEXANDER'S ADDITION WITH THE RIGHT-OF-WAY SO VACATED REVERTING TO THE OWNERS OF THE ABUTTING REAL ESTATE, ONE-HALF ON EACH SIDE THEREOF. A request to waive the three-reading rule had been received on behalf of Nemaha Farms, L.L.C., but since a major majority of the board members were not present this was not an option. Cheney moved and Simmons seconded a motion to approve the first reading of Ordinance 2021-5.1. Roll call vote: Cheney, Simmons, Murray voted YES. Motion carried.

There was discussion regarding vacating the remaining portion of Cherry Street in the Alexander's Addition that is not addressed with the vacation Ordinance 2021-5.1. Cherry Street was believed to have been vacated in the past and there are discrepancies on various maps. Based on documentation from an

investigation in the mid '90's and finding no ordinance reflecting the vacation we have determined this portion of Cherry Street has not been vacated. The Board agreed not to initiate the vacation of that part of Cherry Street at this time.

The Board spoke with a couple of people interested in contracting with the Village for the building inspector position. Rob is with Nebraska Code Consulting and Inspections, LLC out of Firth and is one of the two partners. He has worked for the City of Beatrice for over 19 years. The last 6 1/2 years he has served as the Code Enforcement Officer, Chief Building Inspector, and now as the Community Development Coordinator. He holds 15 International Code Council (ICC) inspector certifications. He would request a 24–48-hour notice for inspections. Rob felt he would need a little more than the current inspector to fill the position which could be accomplished by either increasing the inspection fees by \$5.00 or increasing the monthly retainer by \$62. Tim Thompson was also interested in filling the position. Tim is currently a Building & Safety Inspector for the City of Lincoln and lives here in Bennet. He is a certified Residential and Commercial Building Inspector with over 20 years of working in the residential and commercial construction field. Murray moved and Simmons seconded a motion to contract with Nebraska Code Consulting and Inspections, LLC for a monthly retainer of \$300.00 plus \$45.00 per inspections. Roll call vote: Cheney, Simmons, Murray voted YES. Motion carried.

Kristen McMann represented the Celebrate Bennet Committee to give an update on the July 2nd and 3rd celebration plans. The US Flag retirement ceremony and Fireworks will be Friday the 2nd at the South Ballfield. The activities planned for Saturday the 3rd include 1 mile Freedom Fun Run, breakfast at the Fire Station, parade, pie eating contest, grilled hot dog lunch, firehose fun, RockIT kids' games, kids' pedal pull, show & shine, bingo, farmers' market/craft fair, NoWear BMX, and Bennet history display. Kristen inquired as to whether the Village could include a flyer with the June water bills and if the office could assist with notification to the property owners on the parade route. The Clerk assured that the office staff could help with those things and requested that the information be provided by May 24th. The Committee wanted to request assistance in maintaining the bathrooms and emptying trash during the events at the park on the 3rd. Chairman Cheney mentioned that we could get a dumpster or dump trailer for the trash and volunteered to pay for it. Trustee Simmons and Code Enforcement Officer/Administrative Aide Marlene Sturdy volunteered to assist in maintaining the bathrooms and emptying the trash.

The request for a Block Party permit to close a portion of the east/west alley in Block 41 for a beer garden and outdoor concert on July 2nd and 3rd for the Sesquicentennial Celebration and the resolution approving a Special Designated Liquor License for Big Ten Tavern will be on the agenda for the June 14th meeting.

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. There was not any owner representation in attendance. Marlene Sturdy, the Code Enforcement Officer, reported that the foundation tuck work was being completed by a professional and should be completed that week. The east porch has been torn off and will be replaced with a cement patio.

Ken Maahs, the Utility Superintendent, had informed the Board of Trustees of his pending retirement at the end of this year. The Board discussed the possibility of promoting the Maintenance Man Russ Jones. The Personnel Committee will meet with Russ and Ken to discuss the promotional opportunity and the considerations for filling the vacancy.

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

The Clerk reported that it was time to schedule the Capital Improvement Plan meetings. The CIP requests are due to the Clerk's Office by June 1st. The Clerk questioned the Board about the Al Williams Community Service Award. The resolution establishing the guidelines for the Community Service Award stated that it was to be done by resolution and no such resolution had been approved. This will be on the agenda for the June's meeting. There had been past discussion regarding the dedication of the Whispering Pines Park to Al Williams. Trustee Murray did recall that.

Submitted reports included the Engineer's Report, Sheriff's Office, Planning Commission, Maintenance Report, Code Enforcement Officer, Farmers' Market and Health Board.

Village Engineer Brian Schuele from Olsson inquired about whether the Village had found any local landowners interested in having the lagoon sludge applied to the fields after harvesting this fall. There have not been any interested landowners yet. Schuele will be contacting Randy Hellbusch with Nebraska Rural Water Association regarding the water rate study now that the Water Module is available. He will be checking on the financing options through NDEE. He thought the looping of the water mains may qualify for zero-interest financing.

Cheney moved and Murray seconded a motion to adjourn at 8:45 p.m. Roll call vote: Cheney, Simmons, Murray voted YES. Motion carried.

Michele Lincoln, CMC
Village Clerk