

Village of Bennet, Nebraska
Board of Trustees
Minutes July 13, 2020

The Bennet Board of Trustees (the "Board") of the Village of Bennet, Nebraska (the "Village") held a regular business meeting on Monday July 13, 2020 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, Don Murray, Jerris Nider, Justin Dorn. A quorum being present and the meeting duly commenced, the following proceedings were taken while the meeting remained open to attendance by the public.

Dorn moved and Nider seconded a motion to approve minutes for the June 15, 2020 Special Meeting. Roll call vote: Cheney, Murray, Ruzicka, Nider, Dorn voted YES. Motion carried.

A list of claims was considered. Ruzicka moved and Cheney seconded to approve the claims for payment. Roll call vote: Cheney, Murray, Ruzicka, Nider, Dorn voted YES. Motion carried.

Ryan Brandt, the City Engineer with Kirkham Michael, reported he is still waiting to hear back from the Water/Wastewater Advisory Committee regarding funding recommendations for the sludge press.

The status of Whispering Pines Park was discussed. The stone veneer on the bridge has fallen off in multiple locations. Utility Superintendent Ken Maahs recommended requiring the contractor reinstall all of the stone veneer on the bridge. Trustee Murray has been unsuccessful getting ahold of Mark Schmidt regarding running his storm sewer across the walking path.

The Board discussed the status of the Coronavirus (COVID-19) situation and decided with the increase in the threat level we will continue to not take reservations for the picnic shelter, ball fields and Village Hall. The Village Office will also remain closed.

There will be no street work for fiscal year 2019/2020. Ryan Brandt, the City Engineer with Kirkham Michael stated that the highway allocation funds can be rolled into a bigger project next year.

Cheney moved and Ruzicka seconded a motion to waive the third reading for Ordinance #2020-6.1, an ordinance amending section 152.026-45 of the Code of Bennet relating to "lot width" to define the building line; amending section 152.044.5 of the Code of Bennet relating to the Rural Residential (A-2) Zoning District by reducing the minimum width of a lot from 250 feet to 175 feet and by limiting the minimum front yard requirement to a depth of not less than 50 feet; and repealing §§ 152.026-45 and §§ 152.044.5 of the Code of Bennet. Roll call vote: Ruzicka, Dorn, Cheney voted YES. Murray, Nider voted NO. Motion failed.

Cheney moved and Dorn seconded a motion to approve the second reading of Ordinance 2020-6.1, AN ORDINANCE AMENDING SECTION 152.026-45 OF THE CODE OF BENNET RELATING TO "LOT WIDTH" TO DEFINE THE BUILDING LINE; AMENDING SECTION 152.044.5 OF THE CODE OF BENNET RELATING TO THE

RURAL RESIDENTIAL (A-2) ZONING DISTRICT BY REDUCING THE MINIMUM WIDTH OF A LOT FROM 250 FEET TO 175 FEET AND BY LIMITING THE MINIMUM FRONT YARD REQUIREMENT TO A DEPTH OF NOT LESS THAN 50 FEET; AND REPEALING §§ 152.026-45 AND §§ 152.044.5 OF THE CODE OF BENNET. Roll call vote: Ruzicka, Dorn, Cheney voted YES. Murray, Nider voted NO. Motion carried.

Cheney moved and Dorn seconded a motion to postpone the review and action on Nemaha Ridge Addition Final Plat until the ordinance amending the Code of Bennet relating to “lot width” to define the building line, reducing the minimum width from 250 feet to 175 feet and limiting the minimum front yard requirement to depth of not less than 50 feet in the Rural Residential (A-2) Zoning District is approved. Roll call vote: Cheney, Murray, Ruzicka, Nider, Dorn voted YES. Motion carried.

Clay Peterson with Inspro presented a \$4,195.67 dividend check from EMC Insurance to the Board of Trustees. This was a dividend payout for good loss experience.

The Board of Trustees discussed with Jeff Colson, the developer of the Bennet Ridge Addition, whether a side walk should be put in on the north side of the Bennet Ridge Addition between Vince Drive and Jefferson Street. There is concern that a sidewalk would disrupt the flow of the storm water in the ditch. Attorney Austin suggested that Jeff Colson go to the Planning Commission to request they revise the Bennet Ridge Addition Final Plat to remove the requirement of the sidewalk and recommend the release of the escrow funds.

Brad Rathje of 1325 Hackberry came to speak with the Board about sewage backing up into his basement and the water backing up onto his property on June 18th, 2020 when we received 5.25” of rain. There is concern that the Evergreen Place First Addition development is creating storm water drainage issues and that the storm drainage for the purposed cul de sac is not centered and at the depth it was supposed to be. There was discussion that the sewage backup in the basement could have been caused by too much storm water infiltration into the sewer mains. There are several manholes extending towards higher elevation that are at ground level and if they were raised it would prevent the storm water from infiltrating the sewer main. Ken Maahs, the Utility Superintendent, stated that he had checked the lift station that night. The pumps were working correctly and the level in the wet wells was good. Trustee Murray suggested we raise the manholes to help prevent the storm water infiltration into the sewer mains. He said he would talk to the Evergreen Place First Addition developer regarding getting his storm drain ran across the walking path and the drainage issues. The City Engineer Ryan Brandt was asked to take a look at the sewer infrastructure. There was also discussion about the flow of the creek running through Whispering Pines Park and whether it was too shallow and narrow to handle the storm water runoff.

Notification of the resignation of Nancy Taylor from the Planning Commission was received. Cheney moved and Murray seconded a motion to approve Resolution 2020-7.1, a resolution appointing alternate planning commission member Ryan Moore to fill the unexpired term of Nancy Taylor on the Planning Commission for a term expiring October 31, 2020. Roll call vote: Cheney, Murray, Ruzicka, Nider, Dorn voted YES. Motion carried. Cheney moved and Murray seconded a motion to approve Resolution 2020-7.2, a resolution appointing Greg Pohl as the alternate Planning Commission member for the remainder of the term ending October 31, 2020. Roll call vote: Cheney, Murray, Ruzicka, Nider, Dorn voted YES. Motion carried.

Josh Buck, Chairman of the Planning Commission, recommended to the Board of Trustees that they consider updating the building, HVAC and plumbing codes to the 2018 version and to adopt the amended codes as adopted by Lincoln/Lancaster County. He also suggested that the Board consider contracting with an electrical inspector for electrical inspection instead of using the state electrical inspector. This would help the contractors get more timely inspections. The Board agreed with Buck's recommendations and directed the Clerk to purchase the 2018 Building Codes in preparation for their adoption.

Larry Kramer reported that he had met with the Park Committee and had determined the location of the Christmas Tree the Bennet Area Community Foundation will be planting in the Bennet Park. He also requested the Board's support in an initiative "150 trees for Bennet" which would challenge the community to plant 150 trees in celebration of Bennet's 150th year in 2021.

The Board discussed the upcoming 2021 Sesquicentennial Celebration and decided to contact the Celebrate Bennet committee to see if they have any additional plans for next years 150th anniversary.

Notification had been received from the City of Lincoln that they will be discontinuing the collection service for the Recycling Site on or before December 31, 2020. The Clerk reported that she learned of potential grants through Nebraska Environmental Trust that may support the continuation of the Recycling Site. The Board agreed to continue to support the Recycling Site and to apply for a grant through the Nebraska Environmental Trust to help offset the cost.

Cheney moved and Dorn seconded a motion to waive the three-reading rule for Ordinance 2020-7.1, AN ORDINANCE AMENDING 33.47 OF THE CODE OF BENNET ESTABLISHING THE POSITION OF CODE ENFORCEMENT OFFICER/ADMINISTRATIVE AIDE, ESTABLISHING A SALARY RANGE FOR SUCH POSITION, AND REPEALING SECIONT 33.47 OF THE CODE OF BENNET AS HITHERTO EXISTING. Roll call vote: Cheney, Murray, Ruzicka, Nider, Dorn voted YES. Motion carried. Cheney moved and Dorn seconded a motion to approve Ordinance 2020-7.1, AN ORDINANCE AMENDING 33.47 OF THE CODE OF BENNET ESTABLISHING THE POSITION OF CODE ENFORCEMENT OFFICER/ADMINISTRATIVE AIDE, ESTABLISHING A SALARY RANGE FOR SUCH POSITION, AND REPEALING SECIONT 33.47 OF THE CODE OF BENNET AS HITHERTO EXISTING. Roll call vote: Cheney, Murray, Ruzicka, Nider, Dorn voted YES. Motion carried. Murray moved and Dorn seconded a motion to approve Resolution 2020-7.3, a resolution hiring Marlene Sturdy to the Code Enforcement Officer/Administrative Aide position and setting the salary. Roll call vote: Cheney, Murray, Ruzicka, Nider, Dorn voted YES. Motion carried.

Dorn moved and Murray seconded a motion to approve Resolution 2020-7.4, a resolution establishing the salary for the Village Clerk/Treasurer. Roll call vote: Cheney, Murray, Ruzicka, Nider, Dorn voted YES. Motion carried.

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

Cheney moved and Nider seconded a motion to adjourn at 9:52 p.m. Roll call vote: Cheney, Ruzicka, Nider, Dorn, Murray voted YES. Motion carried.

Michele Lincoln, Village Clerk