

Village of Bennet, Nebraska
Board of Trustees
Minutes August 9, 2021
Budget Workshop & Regular Meeting

The Bennet Board of Trustees (the "Board") of the Village of Bennet, Nebraska (the "Village") held a budget workshop on Monday, August 9, 2021 at 6:00 p.m., at 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 an agenda for the meeting, kept continuously current, was available for public inspection at the offices of the Village Clerk and posted at the Village Office, Post Office and First Nebraska Bank.

Chairperson Ryan Cheney called the workshop to order at 6:01 p.m. and announced the location of the Open Meetings Act posted near the entrance of the room for access by the public. Michele Lincoln, Village Clerk conducted roll call and recorded the minutes. Trustees responding as present were Ryan Cheney, Pete Simmons, Don Murray and Brad Ruzicka. Absent: Justin Dorn

A quorum present, and the meeting duly commenced, the following proceedings were taken while the meeting remained open to attendance by the public.

Village accountant Michael Hoback provided a detailed report of income and expense projections for 2021/2022 with capital projects included. Discussion concerned individual project cost and project priorities. The 2020/2021 Budget will need to be amended due to the \$1,000,000 Street Project. With all of the projections included we will be slightly lowering the levy rate. Hoback emphasized the imparity of a sewer rate increase. He felt raising the base rate from \$14.89 to \$21.25 monthly and the average gallons rate from \$3.75 to \$4.25 as suggested for year one by Nebraska Rural Water Association would be sufficient without the additional rate increased recommended for the following two years. The Board agreed to have an ordinance for the sewer rate increase drafted for the September meeting. The Board agreed to save the sales tax funds to use towards a new water tower.

Motion by Cheney, second by Ruzicka to adjourn at 6:57 p.m. Roll call vote: Simmons, Murray, Cheney, Ruzicka voted YES. Motion carried.

The Bennet Board of Trustees (the "Board") of the Village of Bennet, Nebraska (the "Village") held a regular business meeting on Monday August 9, 2021 at 7:00 p.m., at the Bennet 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 Statures 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.

Chairperson Ryan Cheney called the meeting to order at 7:00 p.m. and announced the location of the Open Meetings Act. Village Clerk Michele Lincoln conducted roll call. Trustees in attendance were Ryan Cheney, Pete Simmons, Don Murray, Brad Ruzicka. Absent: 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. The Pledge of Allegiance was recited.

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

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

Adam Stahr and Kyle Crouch with JEO Consulting Group presented the Cedar Brook Residential Subdivision Final Plat for approval. This would be a 15-lot development consisting of Outlot A, Sweetgrass Prairie; Lots 2-4, Alexander's 1st Addition; and the north half of the vacated Birch Street. The Planning Commission had recommended approval contingent on the conditions recommended from the Cedar Brook Final Plat Review from Olsson being met. Chairperson Cheney introduced ORDINANCE 2021-8.1, AN ORDINANCE ACCEPTING AND APPROVING THE PLAT DESIGNATED AS CEDAR BROOK ADDITION, FILED IN THE OFFICE OF THE VILLAGE CLERK OF THE VILLAGE OF BENNET, NEBRASKA. UPON CERTAIN CONDITIONS HEREIN SPECIFIED AND PROVIDING FOR SURETIES CONDITIONED UPON THE STRICT COMPLIANCE WITH SUCH CONDITIONS. Cheney moved and Murray seconded a motion to approve the first reading of Ordinance 2021-8.1. Roll call vote: Cheney, Simmons, Murray, Ruzicka voted YES. Motion carried.

Cheney moved and Ruzicka seconded a motion to remove the Review and Action on Deer Trail Valley First Addition Final Plat (Resolution 2021-8.1) from the agenda. Roll call vote: Cheney, Simmons, Murray, Ruzicka voted YES. Motion carried.

Cheney moved and Simmons seconded a motion to approve Resolution 2021-8.2, a resolution revising the parking restrictions established with Resolution 2016-8.1. Roll call vote: Cheney, Simmons, Murray, Ruzicka voted YES. Motion carried.

Cheney moved and Ruzicka seconded a motion to approve Resolution 2021-8.3, a resolution authorizing the signing of the Municipal Annual Certification of Program Compliance 2021. Roll call vote: Cheney, Simmons, Murray, Ruzicka voted YES. Motion carried.

The Board reviewed a Permit Application for Building Moving by Kyle Asche to Lot 1 of the W3 Addition (NW corner of Fir & Madison). Murray moved and Cheney seconded a motion to amend Resolution 2021-8.4, a resolution approving an application for the moving of a building, to alter the route, require a Certificate of Insurance with the Village of Bennet listed as an additional insured, and to require a \$1,000.00 corporate surety bond. Roll call vote: Cheney, Simmons, Murray, Ruzicka voted YES. Motion carried. Cheney moved and Ruzicka seconded a motion to approve Resolution 2021-8.4, a resolution to approve the application for the moving of a building within the Village, approving their proposed route, and setting the amount of the surety bond. Roll call vote: Cheney, Simmons, Murray, Ruzicka voted YES. Motion carried.

Cheney moved and Simmons seconded a motion to approve Resolution 2021-8.5, a resolution releasing an encumbrance from a Deed filed for Lot D, County Clerk Subdivision of Lots 1 and 2, Block 40, Village of Bennet. Roll call vote: Cheney, Simmons, Murray, Ruzicka voted YES. Motion carried.

Engineer Brian Schuele with Olsson reported on the findings from the camera inspection and smoking of the sewer mains. There were no significant findings as to the source of storm water infiltration in the sanitary sewer and there were no breaks in the sanitary sewer main. A minor break was found in the storm sewer that could be repaired with a sleeve. There are a couple manholes south of Hackberry Street that should be raised and sealed. It was revealed that the sewer tap for 1325 Hackberry was in the side of the sewer main versus the top and the service line did not have the appropriate slope. This could cause sewer to backup into the service line before the main gets to capacity. Schuele still recommends implementing a program to ensure sump pumps are not being discharged into the sanitary sewer and suggested we may want to offer a cost share program to assist residents in redirecting the outlet for their sump pumps.

Cheney moved and Ruzicka seconded a motion to approve the Application and Certificate for Payment #1 to Constructors, Inc. in the amount of \$162,302.85 for the 2021 Bennet Street Improvement Project. Roll call vote: Cheney, Simmons, Murray, Ruzicka voted YES. Motion carried.

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. Building Inspector Rob Mierau was able to do an interior inspection and had submitted his findings. Mierau's findings included attempted repairs to the deck were not in compliance with International Residential Code; the new windows were not correctly installed; water leak in the kitchen; no landing outside a French door on the east side with a 30" drop; a cistern which was only covered with a piece of OSB; siding removed leaving exposed insulation, rim board studs and wall framing; a saturated foundation wall with water coming from the foundation; and insufficient water pressure. Tyler Wright was to be the new person in charge of overseeing the repairs for the owner Sharon Wright and had reviewed the needed repairs with Mierau. Mr. Wright informed Mierau that the tenants were to be moved out by August 1st, but the tenants are still occupying the home. The Board agreed that the priority was to get the tenants to vacate the property until all repairs are made and they were ready to aggressively pursue the abatement of the unsafe building and nuisance. Attorney Austin said he would review our options and start the official process to get the tenants to vacate the premises.

Submitted reports included the Sheriff's Office, Maintenance Report, Code Enforcement Officer, and Farmers' Market.

The Clerk reported Uribe was the only one that had submitted a bid for the recycling containers. It was approved for \$3,952.00

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

Village Engineer Brian Schuele from Olsson reported that he had spoke with someone regarding the spreading of the sludge from the lagoon cleaning and was given a list of several landowners that may be interested in having it spread on their fields. Schuele said he will compile a list of the frequently asked questions.

Cheney moved and Simmons seconded a motion to adjourn at 7:52 p.m. Roll call vote: Cheney, Simmons, Murray, Ruzicka voted YES. Motion carried.

Michele Lincoln, CMC

Village Clerk