

City of Bennet, Nebraska
Board of Trustees
Minutes August 8, 2022
Budget Workshop & Regular Meeting

The Bennet Board of Trustees (the "Board") of the City of Bennet, Nebraska (the "City") held a budget workshop on Monday, August 8, 2022 at 6:00 p.m., at City Hall, 685 Monroe Street in the City, 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 City Office, Post Office and First Nebraska Bank.

Chairperson Ryan Cheney called the workshop to order at 6:08 p.m. and announced the location of the Open Meetings Act. Michele Lincoln, Village Clerk conducted roll call and recorded the minutes. Trustees responding as present were Ryan Cheney, Pete Simmons, Don Murray, Brad Ruzicka, 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 Board discussed some additional budget considerations that were not included with the Capital Improvement Plan (CIP). After meeting with a couple service providers for water tower rehab, the Utility Committee recommended going with an extended service plan that would stretch the payment schedule out four to five years to cover the water tower rehab and future inspections, cleaning, and repairs. Bennet Builders requested that the City contribute \$10,000 to \$15,000 towards the new preschool playground equipment in Bennet Park that they are fund raising for. City Accountant Michael Hoback suggested that the Keno funds be used for this project. As the Planning Commission and Zoning Administrator work with the consultant on the draft Zoning Ordinance it has become apparent that the Comprehensive Plan adopted in 2019 does not address the substantial growth and barriers to overcome to allow that growth. Lincoln recommended budgeting \$20,000 for a new Comprehensive/Trail Plan. Hoback stated that this could come from General Fund.

Hoback provided a detailed report of income and expense projections for 2022/2023 with the Capital Improvement Plan (CIP) projects included. The 2021/2022 Budget will need to be amended due to the carry over expense of the street project, Wastewater Lagoon Cleaning project being \$85,000 more than budgeted and the unforeseen repairs to the wastewater system. The Sewer Fund has negative cash reserves. Hoback recommended increasing the transfer from the Sales Tax Fund to the Sewer Fund. With all the projections included we will be able to slightly lower the levy rate with the same tax asking as the past four years. The Budget Hearing will be September 12th, 2022 at 6:00 p.m. Hoback commended the Board for going through the Capital Improvement Plan process and scheduling out budget items prior to the budget workshop.

Cheney moved and Murray seconded a motion to adjourn at 6:46 p.m. Roll call vote: Simmons, Murray, Cheney, Ruzicka, Dorn voted YES. Motion carried.

The Bennet Board of Trustees (the "Board") of the City of Bennet, Nebraska (the "City") held a regular business meeting on Monday August 8, 2022 at 7:00 p.m., at the Bennet City Hall, 685 Monroe Street in the City, 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

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for the meeting, kept continuously current, was available for public inspection at the office of the Village Clerk and posted at the City 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, 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.

CONSENT AGENDA

- a. MINUTES of July 11, 2022 Regular Meeting Approval
- b. CLAIMS FOR PAYMENT
- c. TREASURER'S REPORT
- d. **RESOLUTION 2022-8.1**, filing lien on 155 Madison for delinquent utilities.
- e. **RESOLUTION 2022-8.2**, a resolution assessing the cost of removing an overgrowth of grass, weeds and worthless vegetation that were declared a nuisance against the benefitted property (510 Madison Street).
- f. **RESOLUTION 2022-8.3**, amending section 7 of the city's personnel policies and procedures and adopting a travel expense policy for elected and appointed officials

Murray moved and Simmons seconded a motion that all items under the consent agenda be approved and accepted as presented. Roll call vote: Simmons, Murray, Ruzicka, Cheney, Dorn voted YES. Motion carried.

Chairperson Cheney introduced Ordinance 2022-6.1, AN ORDINANCE OF THE CITY OF BENNET, LANCASTER COUNTY, NEBRASKA, VACATING THE EAST-TO-WEST ALLEY IN BLOCK 55, WITH TITLE REVERTING TO THE ABUTTING PROPERTY OWNERS; MAKING FINDINGS; RESERVING RIGHTS; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE. Cheney moved and Ruzicka seconded a motion to approve the third reading of Ordinance 2022-6.1. Roll call vote: Simmons, Murray, Ruzicka, Cheney, Dorn voted YES. Motion carried.

A Block Party Application was received from Kristi and Jake Sittner (Tailored Landscapes) to close a portion of Fir Street between Monroe Street and Madison Street for a pop-up market September 30th through October 2nd, 2022 which was on July's agenda for approval. After discussion regarding the street closing request with Kristi Sittner and Mandy Packett, the subject was tabled until the August meeting. The application was amended to take place September 30th through October 1st and to include an additional street closing on a portion of Madison south of the Post Office to Garden Street. Jake and Kristi Sittner and Mandy Packett shared their plans which will include community groups, local vendors, and food trucks. Cheney moved and Dorn seconded a motion to approve Resolution 2022-7.1, a resolution approving the application of Kristi and Jake Sittner, 360 Fir Street, for permission to hold a block party (pop-up market) on Fir Street between Monroe Street and Madison Street and Madison Street between Fir Street and Garden Street. Roll call vote: Simmons, Murray, Ruzicka, Cheney, Dorn voted YES. Motion carried.

Paul Selivanoff appeared before the Board to request they review the new water usage for new construction sod. Resolution 2022-5.1 approved in May which establishes a Sod Permit states that the

City of Bennet, Nebraska
Board of Trustees
Minutes August 8, 2022
Budget Workshop & Regular Meeting

“watering shall occur before 8:00 AM each day”. Paul is a contractor constructing new homes in Bennet and believes new sod laid during high temperatures needs to be watered throughout the day to get established. He had a professional sod expert in attendance that concurred watering after 8:00 am would be necessary for the sod to establish in the extreme heat. Murray moved and Ruzicka seconded a motion to draft a new resolution for a sod permit eliminating the requirement that watering must occur before 8:00 a.m. and to immediately waive the before 8:00 a.m. requirement. Roll call vote: Simmons, Murray, Ruzicka, Cheney, Dorn voted YES. Motion carried.

The Board discussed the installation of a four-way stop at the corner of Cottonwood Street and Tyler Street. Engineer Brian Schuele provided documentation and studies supporting the ineffectiveness of using four-way stops as a traffic calming device and stated that it would increase the risk to the public. His recommendation was to install a series of speed humps on Cottonwood Street and to request the Sheriff to patrol that area more actively and to issue tickets. Cheney moved and Murray seconded a motion to approve Resolution 2022-8.4, a resolution of the city of Bennet, Lancaster County, Nebraska, to implement a four-way stop at the intersection of Cottonwood St and Tyler St. Roll call vote: Murray voted YES. Simmons, Ruzicka, Cheney, Dorn voted NO. Motion Failed.

Engineer Brian Schuele recommended that the stop sign on Apple Street at the Jefferson Street intersection be removed. He explained that stop signs on through streets are inappropriate attempts to slow traffic and increase the risk of an accident. Cheney moved and Ruzicka seconded a motion to remove the stop sign on Apple Street at the Jefferson Street intersection. Roll call vote: Simmons, Murray, Ruzicka, Cheney, Dorn voted YES. Motion carried.

The water tower is scheduled for interior and exterior painting this next fiscal year. While meeting with the potential contractors it was suggested that this would be a good time to change the design on the tower and Simmons proposed having the Bennet Elementary School do a design contest. The Utility Committee, Utility Superintendent and Clerk met with representatives from Maguire Iron, Inc., and Viking Industrial Painting to discuss plans for the water tower rehab. Both recommended a scheduled maintenance plan which would spread the upfront renovation costs over multiple years. The Utility Committee recommended contracting with Maguire Iron, Inc. They felt the representative gave a more professional presentation and they have provided the maintenance for Bennet for many years. Ruzicka moved and Simmons seconded a motion to contract with Maguire Iron, Inc. spreading the initial rehab out four years and then ongoing annual maintenance plan. Roll call vote: Simmons, Murray, Ruzicka, Cheney, Dorn voted YES. Motion carried.

Dorn reported that the estimate for the South Ballpark rehabilitation project was not ready yet, but he thought it would be closer to \$8,000 – \$9,000 for materials versus the \$15,000 budgeted. The repairs will include repainting the concession stand & doors, replace bathroom stall dividers, repairs to the crow’s nest and new windows. Josh Buck was willing to volunteer his time and it would be nice if they could find a couple more volunteers. Murray moved and Dorn seconded a motion to allow the Chairperson to approve the scope of work and costs as specified by Josh Buck for the South Ballfield rehab project. Roll call vote: Simmons, Murray, Ruzicka, Cheney, Dorn voted YES. Motion carried.

Utility Superintendent Russ Jones requested approval to video camera the old asbestos sewer mains to verify their integrity. He is concerned a stretch of sewer main that backed up west of Van Buren and Cherry Street is degrading. Lovell Excavation will do it for a dollar a foot at an estimated 800 feet. Tinius bid was \$3,784.00 and they would provide a USB drive and written log sheet of inspection. Cheney

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Board of Trustees
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moved and Simmons seconded a motion to have Lovell Excavating camera the old asbestos sewer mains. Roll call vote: Simmons, Murray, Ruzicka, Cheney, Dorn voted YES. Motion carried.

Submitted reports included Treasurer's Report, Engineer Report, Sheriff's Report, Maintenance Report and Code Enforcement Report. Engineer Brian Schuele suggested that we need to be working on a trail plan as we update the subdivision regulations. He will provide a draft plan to review. Code Enforcement Officer Marlene Sturdy reported that with the water restrictions in place the City's July usage was 207,000 gallons less than July of 2021.

Cheney moved and Ruzicka seconded motion to adjourn at 8:20 p.m. Roll call vote: Simmons, Murray, Ruzicka, Cheney, Dorn voted YES. Motion carried.

Michele Lincoln, CMC
Village Clerk