

Bennet Planning Commission
Special Meeting & Public Hearing Minutes
March 2, 2023

The Bennet Planning Commission held a special meeting and public hearing on Thursday, March 2, 2023 at 7:00 p.m. at City Hall, 685 Monroe Street in the City. The session was open to the public and proceeded 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 by posting at the City Clerk Office, the Post Office, and First Nebraska Bank.

Chairperson Josh Buck called the meeting to order at 7:00 p.m. and announced the Open Meetings Act was posted. Michele Lincoln, City Clerk/Zoning Administrator conducted roll call and recorded the minutes. Roll call: Josh Buck, Greg Pohl, Marilyn Maney, Kevin Hiatt and alternate Boyd Batterman present. Planners Keith Marvin and Mason Herman from Marvin Planning Consultants were also present.

Buck moved and Maney seconded a motion to approve the minutes from the February 15, 2023 regular meeting. Roll call vote: Buck, Pohl, Maney, Hiatt, Batterman voted YES. Motion carried.

Amber Bogle's resignation was noted and will be forwarded to the City Council.

Pohl moved and Maney seconded a motion to make a recommendation to the City Council that alternate member Boyd Batterman be appointed to fill the unexpired term of Amber Bogle as a permanent member. Roll call vote: Buck, Pohl, Maney, Hiatt voted YES. Batterman abstained. Motion carried.

"Discussion/Action regarding requiring the city engineer to perform testing and inspections for new subdivision. Keith Marvin to introduce sample verbiage regarding taking this action." was on the agenda. Keith Marvin mentioned that this was something Engineer Schuele wanted included in the Subdivision Regulations and purposed that we wait until a consensus has been reached and add it as an amendment to the regulations later on when we also add the telecom and gas language Engineer Schuele requested. Batterman stated that he did not know what would need to be added regarding the gas and electric. The developers already work with the utility companies, and they inform the developers what their requirements are. He also stated that requiring the developers to use the city engineering firm for testing and inspections would be taking on liability on behalf of the City and the cost and timeliness of the testing could put the developer at more risk. Hiatt stated that requiring the city engineering firm to do the testing and inspections takes away the checks and balances by only having one firm involved. Buck stated that the testing and inspections need to be performed by a certified inspector. Marvin suggested some additional language in the Subdivision Regulations to include the following: 1. In Section 5.13 Materials Testing and Inspection Requirements add the language "All testing shall be completed by professionals certified in inspection and testing services." 2. In Section 6.04 Street Signs, Lighting and Electric Power change title to Section 6.04 Street Signs, Lighting, Electric Power, Natural Gas and Telecom. Add telecom to Section 6.04 #3. Add Section 6.04 #4, All natural gas lines shall be installed underground per the design criteria of Black Hills Energy Utilities or subsequent providers.

Buck opened the Public Hearing for the purpose of hearing testimony regarding the adoption of a new Zoning Ordinance and Subdivision Regulations at 7:25 pm. Keith Marvin reported that the parcel

where Nebraska Bulk Transports is was changed from the Flex District to the Industrial District on the Zoning Map. Buck closed the Public Hearing at 7:43 pm.

Pohl moved and Buck seconded a motion to recommend approval of the Zoning Ordinance to the City Council. Roll call vote: Buck, Pohl, Maney, Batterman voted YES. Hiett voted NO. Motion carried.

Buck moved and Pohl seconded a motion to move the Subdivision Regulations forward for approval of the City Council with the noted changes to include: 1. In Section 5.13 Materials Testing and Inspection Requirements add the language "All testing shall be completed by professionals certified in inspection and testing services." 2. In Section 6.04 Street Signs, Lighting and Electric Power change title to Section 6.04 Street Signs, Lighting, Electric Power, Natural Gas and Telecom. Add telecom to Section 6.04 #3. Add Section 6.04 #4, All natural gas lines shall be installed underground per the design criteria of Black Hills Energy Utilities or subsequent providers. Roll call vote: Buck, Pohl, Maney, Batterman voted YES. Hiett voted NO. Motion carried.

Buck moved and Maney seconded a motion to adjourn at 7:54 p.m. Roll call vote: Roll call vote: Buck, Pohl, Maney, Hiett, Batterman voted YES. Motion carried.

The next regular meeting will be April 19, 2023 at 7:00 pm at City Hall.

Michele Lincoln, CMC
City Clerk/Zoning Administrator