

Bennet Planning Commission
Regular Meeting Minutes
June 30, 2021

The Bennet Planning Commission held a regular meeting on Wednesday, June 30, 2021 at 7:30 p.m. at Village Hall, 685 Monroe Street in the Village. 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 Village Hall, the Post Office, and First Nebraska Bank.

Chairperson Josh Buck called the meeting to order at 7:30 p.m. and announced the Open Meetings Act was posted. Roll call: Josh Buck, Audrey Roesler, Ryan Moore, Marilyn Maney and alternate Greg Pohl present. Absent: Dina Rathje. Dina Rathje arrived at 7:32 p.m.

Receiving no additions or corrections, Buck declared the minutes from the regular meeting May 26, 2021, approved as written.

During Communications Chairperson Buck pointed out and read out loud the Planning Commission objectives. Commission member Rathje stated that it was imperative that the Commission vacate the meeting hall after their meetings have adjourned to ensure compliance with the Open Meetings Act and not to be perceived as having an after meeting that does not conform.

Appointment of a Secretary was discussed. The Clerk stated that due to the importance of having the minutes completed and on file in the Village Office prior to the Board of Trustees regular meetings that perhaps she should continue to prepare the minutes. The Commission agreed and would appoint a secretary to record the minutes in her absence. Maney moved and Rathje seconded a motion to appoint Ryan Moore as Secretary. Roll call: Maney, Roesler, Moore, Rathje, Buck voted Yes. Motion carried.

Adam Stahr came before the Planning Commission for review and approval of his Cedar Brook Residential Subdivision Preliminary Plat. Stahr explained that his plan included the Sweetgrass Prairie Outlot A which he has not acquired ownership of yet. His retention pond purposed would account for the removal of

the retention pond currently located on Outlot A. The Clerk informed the Planning Commission that she had conferred with the Village Attorney regarding the approval of the preliminary plat including property that the developer did not own. The Attorney's response was that approval of the preliminary would be acceptable, but not the final. Rathje questioned whether they had contacted the Core of Engineers, DNR and NDEQ to address the stormwater. Bruce Stahr stated that these were not required, but they could confer with them. Village Engineer Brian Schule with Olsson had submitted a review with a list of requirements that needed to be met. Buck moved and Roesler seconded a motion to recommend approval of the Cedar Brook Residential Subdivision Preliminary Plat contingent on the conditions recommended from the Cedar Brook Preliminary Plat Review from Olsson being met. Roll call: Maney, Buck, Roesler, Moore voted Yes. Rathje voted No. Motion carried.

The Planning Commission had conference calls with two of the consultants interested in conducting a regulation audit and update of Bennet's Zoning and Subdivision Regulations.

- Keith Marvin with Marvin Planning Consultants, Inc.: Keith spoke of the importance of having control of our growth area. He said that there is a statute that allows jurisdictions to petition the county board for control beyond the 1 mile extra territorial jurisdiction. He stressed the importance of having a strong definition section and evaluating what districts we need. His first step would be to find out what is and is not working for us with our current regulations. He would put together a draft and sit down with the Planning Commission monthly to review and then walk us through the hearing process. He estimated the process taking 8 to 12 months. Keith works with David Ptak who is legal council for the Nebraska Planning and Zoning Association (NPZA). Some of the communities Keith has worked with included Syracuse, Valley, Cozad and Otoe County.
- Bobbi Pettit with Five Rule Planning: Bobbi specializes in economic development and community planning for small communities (under 5,000). She talked about the necessity to have regulations that are understandable and specific to our community. She spoke of the important pieces that include defining definitions, establishing the districts, the dimensions for the districts, the supplemental regulations (which include addressing things like cardboard, fences and livestock), and establishing the process. She would be available to start the project this

fall and estimated it would be a 6–9-month process. Her rate is \$100 per hour and foresees about 100 hours for the project which would include the meetings before the Planning Commission and Village Board.

The Planning Commission decided to have the Clerk issue a request for proposals to send to these two firms and other consultants to get proposals submitted.

Rathje moved and Maney seconded a motion to recommend approval of Ordinance 2021-7.1, an ordinance adopting the 2018 International Property Maintenance Code. Roll call: Maney, Roesler, Moore, Rathje, Buck voted Yes. Motion carried.

Sighting no further business, Buck adjourned the meeting at 9:19 p.m.

Michele Lincoln, CMC
Village Clerk/Zoning Administrator