

City of Bennington  
City Council Meeting Minutes  
Monday, September 10, 2018; 6:30 p.m.  
Community Room, 15505 Warehouse Street  
Bennington, NE  
402-238-2375

Call to Order - Roll Call – Open Meetings Act

Mayor Matt John called the regular monthly meeting to order on Monday, September 10, 2018 at 6:30 p.m. In attendance were City Council members Larry Arp, Kaye Bridgeford, Chris Foltz and Zac Johns. City Clerk Mindi Laaker identified the location of the Open Meetings Act that is available to the public.

Approval of Consent Agenda

- A. August 6, City Council Budget Meeting Minutes
- B. August 13, City Council / School District Meeting Minutes
- C. August 13, 2018 City Council Meeting Minutes
- D. August 22, City Council Budget Meeting Minutes
- E. August 28, City Council Special Meeting Minutes
- F. August 2018 Bills Paid
- G. Keno Receipts: 8.75%: \$2,068.45

**BILLS PAID IN AUGUST**

**CITY**

Reliance Standard	116.24
Douglas County Post Gazette	217.32
NE Dept of Revenue	878.88
US Dept of Treasury	2,940.70
Edward Jones	762.03
MINDI LAAKER	1,376.83
JENNIFER RAUSCHER	630.81
Cox	88.68
Inspro	200.00
Old Republic Surety	200.00
Mindi Laaker	132.00
MUD	392.20

Cox	75.60
Great America Financial	75.35
League of NE Municipalities	4,599.00
Young & White	3,282.08
NE Dept of Treasury	3,009.44
Edward Jones	782.49
MINDI LAAKER	1,376.84
JENNIFER RAUSCHER	310.31
UHS Premium Billing	855.52
OPPD	414.14
US Dept. of Treasury	786.28
PLIC-SBD Grand Island	36.66
Bank of Bennington	20,426.25
Reliance Standard	116.64
<b>CITY TOTAL</b>	<b>44,082.29</b>

**SEWER**

City of Omaha	15,739.03
One Call Concepts	41.82
PeopleService	1,115.00
<b>SEWER TOTAL</b>	<b>16,895.85</b>

**LIBRARY**

ABDO - Spotlight - Magic Wagon	450.80
Amazon Credit Plan	1,215.61
Reliance Standard	103.30
Penworthy	163.72

DALENE CLARK	429.25
LISA FLAXBEARD	1,276.53
JOANNE MANCUSO	277.75
CHASE MARTIN	499.51
DEBRA KOIS	138.47
Baker & Taylor Books	343.20
Bryan Hill Entertainment	690.00
Ingram	410.44
Office Depot	186.80
Joanne Mancuso	282.67
MUD	136.20
Lisa Flaxbeard	42.44
Chase Martin	37.96
Amazon Credit Plan	307.35
Cox	180.00
NE Library Assoc	160.00
Olympia Book Corp	52.85
Omaha World Herald	195.00
DALENE CLARK	476.02
LISA FLAXBEARD	1,276.51
JOANNE MANCUSO	338.97
CHASE MARTIN	472.97
DEBRA KOIS	169.56
UHS Premium Billing	893.58
OPPD	198.00
PLIC-SBD Grand Island	36.66

Reliance Standard	103.70
<i>Roloff Building Group</i>	<i>40,006.26</i>
<i>Roloff Building Group</i>	<i>86,571.75</i>
<i>Engaging Technologies</i>	<i>19,808.44</i>
<b>LIBRARY TOTAL</b>	<b>157,932.27</b>
<i>JEO</i>	<i>8,437.50</i>
<i>JEO</i>	<i>1,687.50</i>
<b><u>POLICE</u></b>	
Sam Bowen	168.56
Reliance Standard	192.56
US Bank Voyager Fleet	261.53
Verizon	295.36
Andrew Hilscher	135.65
JOHN LICHTY	71.74
TIMOTHY PITTMAN	1,404.16
MARK SUNDERMEIER	101.73
TREVOR THRASHER	83.11
Cox	136.66
MUD	159.20
Galls, Inc.	570.88
Great Plains Uniforms	213.50
Douglas County Treasurer	18.80
H & H Buick	62.83
National Pen Co.	163.94
Publication Printing	22.00
Samuel Bowen	152.60

Andrew Hilscher	169.55
Mark Kula	138.42
Donald McGuire	33.91
Steven Miserez	76.30
TIMOTHY PITTMAN	1,383.92
ABC Termite & Pest	44.00
Cubbys	222.48
Embroidery Connection	103.00
UHS Premium Billing	2,006.76
OPPD	351.10
Estate of Lester Johnson	2,571.53
Galls, Inc.	344.77
PLIC-SBD Grand Island	73.32
US Bank Voyager Fleet	135.69
Culligan	16.43
Reliance Standard	85.13
<b>POLICE TOTAL</b>	<b>11,971.12</b>

**PARKS**

Reliance Standard	209.28
Verizon	21.42
TYSON BAUMERT	41.56
STEVEN BOULTON	946.02
JOHN BOHRER	1,146.39
STUART ELLISON	119.51
NATHAN JOHNSON	510.47

JACK SALMON	354.66
Atrium Tree Service	1,200.00
Barco Muni Products	212.59
Knudsen Oil & Feedq	407.50
Culligan	4.50
Home Depot	127.91
MUD	165.90
Purfect Dreamscape	1,427.00
Menards	102.28
NE Arborists Assoc	75.00
Menards	36.20
TYSON BAUMERT	118.13
STEVEN BOULTON	967.73
JOHN BOHRER	1,138.22
STUART ELLISON	141.92
NATHAN JOHNSON	468.35
JACK SALMON	456.65
Cubbys	239.88
Little Engines	84.46
UHS Premium Billing	601.06
OPPD	526.50
Cox	26.95
Omaha Door & Window	107.15
PLIC-SBD Grand Island	36.66
Port a Johns	325.00
Reliance Standard	210.08

**PARKS TOTAL** **12,556.93**

**STREETS**

Michael Todd	2,009.18
Verizon	21.42
Barco Muni Products	212.58
Culligan	4.50
Home Depot	127.91
MUD	120.50
Purfect Dreamscape	300.00
Menards	102.28
Menards	36.19
Cubbys	143.34
Little Engines	84.46
Michael Todd	313.70
UHS Premium Billing	601.07
OPPD	4,480.45
Cox	26.95
Omaha Door & Window	107.14

**STREETS TOTAL** **8,691.67**

**CITY** **44,082.29**

**SEWER** **16,895.85**

**LIBRARY** **157,932.27**

**POLICE** **11,971.12**

**PARKS** **12,556.93**

**STREETS** **8,691.67**

**TOTAL OF ALL BILLS**

**252,130.13**

Motion by Foltz, second by Arp to approve the Consent Agenda. All voted in favor and the motion carried.

2018-2019 Budget Hearing and Budget Summary

City Accountant Gene Garrelts presented an overview of the budget. A new property tax rate for fiscal year 2018-2019 totals \$0.778 and is calculated at \$0.498743 for the General Fund and \$0.279257 for the Bond Fund.

John opened a public hearing and there were no comments.

Motion by Bridgeford, second by Arp to approve the 2018-2019 Budget Summary. All voted in favor and the motion carried.

2018-2019 Budget Resolution No. 2018-10 Setting Final Tax Request

The 2018-2019 property tax request is set at \$629,873.18 for the General Fund and \$352,679.82 for the Bond Fund, for a total of \$982,553.00.

John opened a public hearing and there were no comments.

Motion by Johns, second by Bridgeford to approve a 1% increase in allowable growth. All voted in favor and the motion carried.

Motion by Arp, second by Johns to approve the Budget Resolution as proposed. All voted in favor and the motion carried.

Motion by Foltz, second by Bidgeford to approve the Final Tax Request as proposed. All voted in favor and the motion carried.

Consideration of a Preliminary Plat in a TA Transitional Agricultural District developing approximately 142 acres located south and west of Bennington Road and 168<sup>th</sup> Street for a subdivision to be known as the Newport Vista Subdivision

City Engineer Tyler Hevlin, Jim Lang of Lang Law, and Doug Kellner of Thompson, Dressen and Dorner presented a preliminary plat for the Newport Vista Subdivision. The development includes 369 single family dwellings and 7 outlots for storm water. City Council Members discussed a Traffic Impact Study currently in draft form and recommendation of a traffic signal at the middle school intersection, the City Engineer's comment letter, and the Preliminary Plat's compliance with the City's Zoning and Subdivision Regulations and updated Comprehensive Plan.

John opened a public hearing and questions were raised regarding nesting eagles, traffic at 168<sup>th</sup> Street and Bennington Road, safety, sidewalks, and trails.

Motion by Johns, second by Foltz to approve the Preliminary Plat as presented. All voted in favor and the motion carried.



Consideration of Rezoning approximately 142 acres located south and west of Bennington Road and 168<sup>th</sup> Street from a TA Transitional Agricultural District to an R-3 Medium Density Residential District for a subdivision to be known as the Newport Vista Subdivision

Motion by Foltz, second by Arp to approve rezoning the 142 acres to an R-3 Medium Density Residential District. All voted in favor and the motion carried.

Consideration of a Final Plat in an R-3 Medium Density Residential District developing approximately 20.15 acres located south of Highway 36 between 156<sup>th</sup> Street and 153<sup>rd</sup> Circle for a subdivision to be known as the Prairie Hollow Subdivision

City Engineer Tyler Hevlin of JEO Consulting and Kyle Haase of E & A Consulting Group presented a final plat for the Prairie Hollow Subdivision including changes in street layout designed to slow down traffic.

John opened a public hearing and there were no comments.

Motion by Foltz, second by Arp to recommend approval of the final plan. All voted in favor and the motion carried.

Special Designated Liquor License Request - JDUB's, Saturday October 13, 2018

Motion by Johns, second by Bridgeford to approve a Special Designated License for a Barbeque Cook-off from 10 a.m. to 2 a.m. All voted in favor and the motion carried.

Consideration of Adjustments to the City of Bennington's Shared Extraterritorial Zoning Jurisdiction Boundaries with the City of Omaha between 138<sup>th</sup> and 180<sup>th</sup> Streets and South of Highway 36, in Sections 12, 13, 15, 16, 22 and 23, Township 16 North, Range 11 East of the 6<sup>th</sup> P.M., Douglas County, NE

City Engineer Hevlin explained that the property described above contained shared zoning jurisdiction boundaries with the City of Omaha. By adjusting parcel lines in both jurisdictions, appropriate changes can be made to both the Bennington and Omaha extraterritorial jurisdiction boundaries.

John opened a public hearing and there were no comments.

Motion by Bridgeford, second by Arp to approve adjusted zoning jurisdictional boundaries. All voted in favor and the motion carried.

Consideration of Ordinance No. 463 Amendments to City of Bennington Zoning Regulations 5.06.05(A) and 5.07.05(A) regarding Height and Lot Requirements for Accessory Buildings in the R-1 Lakeside and the R-2 Low Density Residential Zoning Districts

City Engineer Hevlin explained that accessory buildings in the Lakeside and Low Density Residential Districts had been evaluated and changes recommended including changes to the Lakeside height maximum from 15 to 20 feet and Low Density Residential height maximum from 15 to 20 feet, size maximum from 600 to 900 square feet.

John opened a public hearing and there were no comments.

Motion by Bridgeford, second by Arp to introduce and waive three reading of Ordinance No. 463 AN ORDINANCE AMENDING SECTIONS 5.06.05(A) AND 5.07.05(A) OF THE CITY OF BENNINGTON'S ZONING REGULATIONS AS ENACTED IN CITY OF BENNINGTON ORDINANCE NO. 463 REGARDING THE HEIGHT AND LOT REQUIREMENTS FOR ACCESSORY BUILDINGS IN THE R-1 LAKESIDE AND R-2 LOW DENSITY RESIDENTIAL DISTRICTS. All voted in favor and the motion carried.

Motion by Johns, second by Foltz to approve Ordinance No. 463. All voted in favor and the motion carried.

#### Ordinance No. 464 Regarding Sanitary Sewer Rates and Collections

Garrett Johnson JEO Consulting Group presented the 2019 projected rate increases to be effective January 1, 2019.

John opened a public hearing and there were no comments.

Motion by Johns, second by Bridgeford to introduce and approve the first reading of Ordinance No. 464 AN ORDINANCE AMENDING SECTION 6-202 OF THE CITY OF BENNINGTON'S MUNICIPAL CODE AS ENACTED IN CITY OF BENNINGTON ORDINANCE NO. 458 REGARDING SANITARY SEWER USE RATES AND COLLECTIONS. All voted in favor and the motion carried.

#### North 2<sup>nd</sup> Street Asphalt Overlay Project

City Engineer Hevlin explained that the project includes two blocks from 156<sup>th</sup> to 157<sup>th</sup> Streets, a two inch milling and overlay and includes a speed hump. Costs are estimated at \$53,000.

Motion by Bridgeford, second by Foltz to approve the Final Plans and Specifications. Roll Call vote: Arp – no, Bridgeford – yes, Foltz – yes, Johns – yes. The motion carried.

Motion by Bridgeford, second by Foltz to authorize for the Advertisement of Bids and set the bid letting date and time for October 4, 2018 at 10:00 a.m. at the City offices.

Roll Call vote: Arp – no, Bridgeford – yes, Foltz – yes, Johns – yes. The motion carried.

#### Bennington Public Library Renovation Project

Angie Smith presented landscaping plans for the Library building from the Landscape Committee.

#### Project Invoices

A. 156<sup>th</sup> Street Project Invoice No. 104727 to JEO Consulting Group for \$1,300.00

B. Bennington General Engineering Invoice No. 104728 to JEO Consulting Group for 13,630.00

Motion by Bridgeford, second by Foltz to approve project invoices A and B listed above.

All voted in favor and the motion carried.

Snow Removal Bids

John Bohrer informed the Council regarding the snow removal bids received.

Motion by Foltz, second by Johns to approve DJL Properties, LLC for snow removal services. All voted in favor and the motion carried.

Library, Police, Public Works, City Office and Project Tracker Reports

All monthly reports are on file in the City Office.

Adjourn

Motion by Bridgeford, second by Johns to adjourn the meeting at 8:48 p.m.