

City of Bennington
City Council Meeting Minutes
Monday, August 13, 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, August 13, 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. July 9, 2018 City Council Meeting Minutes
- B. July 2018 Bills Paid
- C. Keno Receipts: 8.75%: \$2,308.89
- D. Attendance Awareness Month Proclamation

BILLS PAID IN JULY

CITY

MUD	190.20
LOCK-CRAFTERS	250.00
EDWARD JONES	770.47
U.S. DEPT OF TREASURY	3,294.52
MINDI LAAKER	1,389.22
JENNIFER RAUSCHER	398.27
BENNINGTON SCHOOL	200.00
COX BUSINESS SERVICES	88.77
GREAT AMERICAN FINANCIAL	75.35
DOUGLAS COUTY POST GAZETTE	196.11
BANK OF BENNINGTON	395.00
NEBRASKA WORKFORCE DEVELOPMENT	151.08
NE DEPT OF REVENUE	1,055.50

Y

YOUNG & WHITE LAW OFFICES	3,108.71
OMAHA NEON SIGN CO	95.00
JEO CONSULTING	9,842.50
OXEN TECHNOLOGY	36.00
UHS PREMIUM BILLING	855.52
OPPD	418.48
POSTMASTER	134.63
EDWARD JONES	803.40
U.S. DEPT OF TREASURY	2,904.04
MINDI LAAKER	1,377.24
JENNIFER RAUSCHER	475.32
PLIC - PRINCIPAL FINANCIAL	36.66
HSMC ORIZON	625.00
CITY TOTAL	29,166.99

SEWER

CITY OF OMAHA CASHIER	16,301.03
PEOPLE SERVICE	1,115.00
SID 531	4,735.00
SID 544	1,894.00
CITY OF OMAHA CASHIER	9,796.72
SEWER TOTAL	33,841.75

LIBRARY

INGRAM	441.34
MUD	136.20
BAKER & TAYLOR BOOKS	293.22

DALENE CLARK	676.18
LISA FLAXBEARD	1,293.77
DEBRA KOIS	135.65
JOANNE MANCUSO	423.24
CHASE MARTIN	287.87
COX BUSINESS SERVICES	255.60
KEENE MEMORIAL LIBRARY	33.95
MIDAMERICA BOOKS	109.78
SAM'S CLUB	184.14
NEBRASKA LIBRARY ASSOC	60.00
INGRAM	198.08
BAKER & TAYLOR BOOKS	301.76
PENWORTHY	50.00
UHS PREMIUM BILLING	893.58
OPPD	198.00
DALENE CLARK	635.45
LISA FLAXBEARD	1,276.31
JOANNE MANCUSO	416.34
CHASE MARTIN	386.23
DEBRA KOIS	135.64
PLIC - PRINCIPAL FINANCIAL	36.66
SOUTHEAST LINRARY SYSTEM	50.00
LIBRARY TOTAL	8,908.99
<i>CITY OF BENNINGTON</i>	<i>2,132.00</i>
<u>POLICE</u>	
GALLS, LLC	34.99

MUD	159.20
VERIZON	336.51
SHEA DEGAN	228.56
ANDREW HILSCHER	84.78
LESTER JOHNSON	1,470.51
JOHN LICHTY	139.56
TIMOTHY PITTMAN	1,257.47
MARK SUNDERMEIER	178.53
COX BUSINESS SERVICES	136.91
US BANK VOYAGER FLEET SYSTEM	512.92
BLUE WARRIOR TACTICS	250.00
UHS PREMIUM BILLING	2,006.76
CUBBYS	207.39
OPPD	349.48
ANDREW HILSCHER	135.64
KYLE KRAMER	101.73
JOHN LICHTY	37.81
TIMOTHY PITTMAN	1,390.35
MARK SUNDERMEIER	126.65
TREVOR THRASHER	110.82
PLIC - PRINCIPAL FINANCIAL	73.32
VICTOR SMITH	200.00
POLICE TOTAL	9,529.89
<u>PARKS</u>	
MUD	165.90
MENARDS	112.23

LITTLE ENGINES	359.99
VERIZON	21.45
TYSON BAUMERT	271.38
JOHN BOHRER	1,162.19
STEVE BOULTON	941.80
STUART ELLISON	100.84
JACK SALMON	377.44
CHRISTIANSON TRASH	2,250.00
CULLIGAN OF OMAHA	34.12
ROB'S OIL COMPANY	521.94
HOME DEPOT CREDIT SERVICES	451.37
MENARDS	159.50
UHS PREMIUM BILLING	601.06
CUBBYS	119.06
OPPD	696.77
PORTAJOHNS	1,000.00
TYSON BAUMERT	289.44
STEVEN BOULTON	941.80
JOHN BOHRER	1,152.95
STUART ELLISON	276.37
NATHAN JOHNSON	241.45
JACK SALMON	153.75
PLIC - PRINCIPAL FINANCIAL	36.66
COX BUSINESS SERVICES	26.95
PARKS TOTAL	12,466.41

STREETS

MICHAEL TODD & COMPANY	1,032.80
MUD	120.50
MENARDS	112.23
VERIZON	21.45
CULLIGAN OF OMAHA	34.13
ROB'S OIL COMPANY	130.49
HOME DEPOT CREDIT SERVICES	130.52
MENARDS	210.34
JEO CONSULTING	556.25
UHS PREMIUM BILLING	601.07
CUBBYS	53.59
OPPD	4,509.51
COX BUSINESS SERVICES	26.95
STREETS TOTAL	7,539.83
CITY	29,166.99
SEWER	33,841.75
LIBRARY	8,908.99
POLICE	9,529.89
PARKS	12,466.41
STREETS	7,539.83

TOTAL OF ALL BILLS **101,453.86**

Motion by Bridgeford, second by Johns to approve the Consent Agenda as presented.
All voted in favor and the motion carried

Consideration of a Conditional Use Permit for Subdivision Identification Signs in a Lake Residential District located at Outlots 4 and 9 Newport Landing (corners of 168th Street and Bennington Road and 180th Street and Highway 36

Newport Landing Homeowner's Association representative Bill Bedford requested that the current signage be replaced by new signs made of precast concrete 10 feet wide, 18 feet 8 inches tall with 12 inch lettering. The signs would be placed on an existing 2 foot berm.

John opened a public hearing and there were no comments.

Motion by Foltz, second by Johns to approve the conditional use permit for the subdivision identification signs, subject to the locations being approved by the City Engineer as providing a fall zone free of sidewalks, trails, public right-of-way, and areas of future expanded right-of-way. All voted in favor and the motion carried.

Consideration of a Preliminary Plat in a TA Transitional Agricultural District developing approximately 20.15 acres located south of Highway 36 between 156th Street and 153rd Circle

City Engineer Tyler Hevlin, Brent Beller of Fullenkamp, Jobeun, Johnson & Beller, City Attorney Jeff Miller, and Mark Westergard of E & A Consulting Group presented a preliminary plat for the previously named Hidden Hollow and currently named Prairie Hollow Subdivision. The development includes 45 single family dwellings, 38 townhomes and 3 outlots for storm water. City Council Members discussed the Traffic Impact Study, the City Engineer's comment letter, the Clustered/Mixed Use Overlay District, 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 traffic, safety, sidewalks, lot density and site grading.

Motion by Bridgeford, second by Johns to recommend approval of the Preliminary Plat as presented. All voted in favor and the motion carried.

Consideration of Rezoning approximately 20.15 acres located south of Highway 36 between 156th Street and 153rd Circle from a TA Transitional Agricultural District to an R-3 Medium Density Residential District with a CMD Clustered/Mixed Use Overlay District

The public hearing was held in conjunction with the prior agenda item.

Motion by Foltz, second by Johns to approve rezoning the 20.15 acres to an R-3 Medium Density Residential District with a CMD Clustered/Mix Use Overlay District. All voted in favor and the motion carried.

Special Designated Liquor License Request - JDUB's, Saturday September 15, 2018

Motion by Johns, second by Bridgeford to approve the request as presented. All voted in favor and the motion carried.

PeopleService Renewal Contract 10-1-2018 through 9-30-2021

Motion by Bridgeford, second by Foltz to approve the contract as presented. All voted in favor and the motion carried.

Unsafe and Dangerous Buildings 11505 and 11506 North 156th Street Resolutions

11505 N. 156th St. – City Attorney

Resolution 2018-08 A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BENNINGTON, NEBRASKA, DIRECTING AND ORDERING THAT THE BUILDING AT 11505 NORTH 156TH STREET, BENNINGTON, DOUGLAS COUNTY, NEBRASKA, WHICH HAS BEEN FOUND AND DETERMINED TO BE UNSAFE, DANGEROUS, UNFIT FOR HUMAN OCCUPANCY AND A PUBLIC NUISANCE BECAUSE OF NUMEROUS VIOLATIONS OF THE CITY OF BENNINGTON'S UNSAFE AND DANGEROUS BUILDINGS CODE, BE DEMOLISHED AND THE DEBRIS REMOVED AND THE PREMISES PLACED IN A SAFE CONDITION IN ORDER TO ABATE THE PUBLIC NUISANCE AND THE UNSAFE AND DANGEROUS CONDITIONS AND THE NUMEROUS VIOLATIONS OF THE CITY OF BENNINGTON'S UNSAFE AND DANGEROUS BUILDINGS CODE.

City Attorney Jeff Miller explained the current status of the matter, the lack of any action by the Owners, and read the title of the Resolution for the record.

Motion by Arp, second by Johns to approve Resolution 2018-08 as presented. All voted in favor and the motion carried.

11506 N. 156th St. – City Attorney

Resolution 2018-09 A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BENNINGTON, NEBRASKA, DIRECTING AND ORDERING THAT THE HOUSE AT 11506 NORTH 156TH STREET, BENNINGTON, DOUGLAS COUNTY, NEBRASKA, WHICH HAS BEEN FOUND AND DETERMINED TO BE UNSAFE, DANGEROUS, UNFIT FOR HUMAN OCCUPANCY AND A PUBLIC NUISANCE BECAUSE OF NUMEROUS VIOLATIONS OF THE CITY OF BENNINGTON'S UNSAFE AND DANGEROUS BUILDINGS CODE, BE DEMOLISHED AND THE DEBRIS REMOVED AND THE PREMISES PLACED IN A SAFE CONDITION IN ORDER TO ABATE THE PUBLIC NUISANCE AND THE UNSAFE AND DANGEROUS CONDITIONS AND THE NUMEROUS VIOLATIONS OF THE CITY OF BENNINGTON'S UNSAFE AND DANGEROUS BUILDINGS CODE.

City Attorney Jeff Miller explained the current status of the matter, the lack of any action by the Owners, and read the title of the Resolution for the record.

Motion by Bridgeford, second by Arp to approve Resolution 2018-09 as presented. All voted in favor and the motion carried.

Budget Review

The budget workpapers have been updated and are ready for consideration by CPA, HSMC Orizon and a budget meeting scheduled for Wednesday August 22 at 6:30 p.m. in the old library site.

Bennington Public Library Renovation Project

A. Invoice No. 103235 to JEO Consulting Group for \$5,062.50

B. Invoice No. 103850 to JEO Consulting Group for \$3,375.00

C. Change Order No. 4 Roloff Building Group for \$2,339.70
(Installation of Concrete Step and Handrails at Library)

D. Change Order No. 5 Roloff Building Group for \$7,109.98
(Installation of 2 Auto Operator Front Doors)

E. Roloff Building Group Pay Application No. 2 for \$40,006.26

F. Library Board Resolution No. 080718 for Funding Reimbursement

Motion by Bridgeford, second by Johns to approve Items A-F as approved by the Library Board. All voted in favor and the motion carried.

Motion by Johns, second by Arp to expend General Fund monies for future reimbursement by the Library Expansion Fund. All voted in favor and the motion carried.

Project Invoices:

Bennington General Engineering

Motion by Foltz, second by Arp to approve Invoice No. 104059 to JEO Consulting Group for \$14,857.00. 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.

Executive Session for purposes of strategy session with respect to contracts and negotiations

Motion by Arp, second by Bridgeford to go into Executive Session for purposes of strategy session with respect to contracts and negotiations at 7:50 p.m.

Motion by Bridgeford, second by Arp to reconvene in open session at 8:12 p.m.

Adjourn

Motion by Bridgeford, second by Johns to adjourn at 8:12 p.m.