

City of Bennington
City Council Meeting Minutes
Monday, September 9, 2019; 6:30 p.m.
City Office, 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 9, 2019 at 6:30 p.m. In attendance were City Council members Kaye Bridgeford, Zac Johns, and Shane Pekny. City Council member Jody Stier was absent. City Clerk Mindi Laaker identified the location of the Open Meetings Act that is available to the public.

Approval of Consent Agenda

- A. August 5, 2019 City/School Meeting Minutes
- B. August 5, 2019 City Council Budget Meeting Minutes
- C. August 12, 2019 City Council Meeting Minutes
- D. August 26, 2019 City Council Budget Meeting Minutes
- E. August 2019 Bills Paid
- F. Keno Receipts: August 8.75%: \$3,384.45

BILLS PAID IN AUGUST

CITY

PLIC - GRAND ISLAND	38.46
RELIANCE STANDARD	117.24
HOME DEPOT CREDIT SERVICES	219.48
U.S. DEPT OF TREASURY	2,468.78
EDWARD JONES	1,008.26
MINDI LAAKER	1,367.68
JENNIFER RAUSCHER	639.74
NEBRASKA DEPT OF REVENUE	631.94
MUD	61.95
COX	163.97
CURTIS CARPET & UPHOLSTERY SYSTEMS	205.00
GREAT AMERICA FINANCIAL SERVICE	75.35
JEO CONSULTING	6,635.00

YOUNG & WHITE LAW OFFICES	4,113.40
U.S. DEPT OF TREASURY	2,283.22
EDWARD JONES	946.03
MINDI LAAKER	1,367.69
JENNIFER RAUSCHER	208.92
PLIC - GRAND ISLAND	38.46
UHS PREMIUM BILLING	935.45
OPPD	353.34
DOUGLAS COUNTY POST GAZETTE	460.87
RELIANCE STANDARD	117.24
BANK OF BENNINGTON	19,426.25
CITY TOTAL	43,883.72

SEWER

ONE CALL CONCEPTS	71.88
CITY OF OMAHA CASHIER	16,561.16
CITY OF OMAHA CASHIER	17,614.92
PEOPLE SERVICE	1,145.00
SEWER TOTAL	35,392.96

LIBRARY

PETTY CASH	200.00
BELLEVUE LIBRARY FOUNDATION	10.00
COX BUSINESS SERVICES	72.78
JESSICA ROWE DESILVA	120.00
CITY OF GRAND ISLAND	792.00
INGRAM	521.69
PLIC - GRAND ISLAND	38.46

CASSANDRA OZBIRN	118.11
RELIANCE STANDARD	104.30
AMAZON CREDIT PLAN	526.42
DALENE CLARK	631.73
LISA FLAXBEARD	1,277.10
JOANNE MANCUSO	548.67
CASSANDRA OZBIRN	381.75
BENNINGTON WOMENS CLUB	30.00
BAKER & TAYLOR BOOKS	615.52
JOANNE MANCUSO	105.80
SOUTHEAST LIBRARY SYSTEM	105.00
MUD	144.55
LISA FLAXBEARD	300.00
COX BUSINESS SERVICES	180.00
CURTIS CARPET & UPHOLSTERY SYSTEMS	545.00
INGRAM	295.39
NEBRASKA LIBRARY ASSOCIATION	180.00
DALENE CLARK	472.28
LISA FLAXBEARD	1,277.09
JOANNE MANCUSO	427.33
CASSANDRA OZBIRN	680.94
AMAZON CREDIT PLAN	1,824.33
PLIC - GRAND ISLAND	38.46
SAM'S CLUB	1,475.69
UHS PREMIUM BILLING	917.38
OPPD	138.60
BAKER & TAYLOR BOOKS	193.71

COX BUSINESS SERVICES	72.77
DOUGLAS-SARPY COUNTIES 4-H EXTENSION	160.00
FINDAWAY WORLD, LLC.	483.58
INGRAM	615.51
RECORDED BOOKS INC.	407.80
RELIANCE STANDARD	104.30
LIBRARY TOTAL	17,134.04

POLICE

WAYNE D. HUDSON - DCS CONSULTANT	1,495.00
VERIZON	250.79
COX BUSINESS SERVICES	137.90
DOUGLAS COUNTY SHERIFF	15,600.00
MUD	273.55
CULLIGAN OF OMAHA	10.00
ABC TERMITE	44.00
OPPD	360.12
POLICE TOTAL	18,171.36

PARKS

BENNINGTON AUTO	67.60
COX BUSINESS SERVICES	26.95
NEBRASKA ARBORISTS ASSOC	35.00
PLIC - GRAND ISLAND	38.46
ELLIOTT WAGNER	350.00
RELIANCE STANDARD	211.28
VERIZON	21.79
SHERMAN PLUMBING	1,787.29

HOME DEPOT CREDIT SERVICES	339.12
JOHN BOHRER	978.36
STEVEN BOULTON	967.14
JACOB HYTREK	494.96
NATHAN JOHNSON	454.94
BRAYDEN OBORNY	462.18
DULTMEIER SALES	12.98
SEE-FINE MARKER CO.	1,062.02
MUD	145.95
ELLEN DAHLSTET	315.09
CUBBY'S	94.69
LITTLE ENGINES	60.74
MENARDS	292.08
CULLIGAN OF OMAHA	49.15
MIRACLE RECEPTION	1,042.18
K M W ENTERPRISES, LLC.	29,700.00
NEBRASKA ARBORISTS ASSOC	315.00
JOHN BOHRER	1,017.82
STEVEN BOULTON	967.15
JACOB HYTREK	482.45
NATHAN JOHNSON	409.22
BRAYDEN OBORNY	444.02
CROUCH RECREATION, INC.	545.00
H & R CONSTRUCTION	1,301.22
HONEYMAN RENT-ALL	509.71
LOCK-CRAFTERS	70.00
PLIC - GRAND ISLAND	38.46

ROB'S OIL COMPANY, INC.	496.98
UHS PREMIUM BILLING	589.54
OPPD	679.45
JOHN BOHRER	53.49
COX BUSINESS SERVICES	26.95
PORT A JOHNS INC.	100.00
RELIANCE STANDARD	211.28
PARKS TOTAL	47,267.69

STREETS

COX BUSINESS SERVICES	26.95
VERIZON	21.79
UNIQUE PAVING MATERIALS CORP.	1,299.20
MUD	84.00
H&L ASPHALT	10,000.00
CUBBY'S	65.32
JEO CONSULTING, INC.	13,113.75
LITTLE ENGINES	15.18
CULLIGAN OF OMAHA	49.15
BARCO MUNICIPAL PRODUCTS INC.	201.58
H & R CONSTRUCTION	41,541.87
UHS PREMIUM BILLING	589.54
OPPD	4,799.38
JOHN BOHRER	53.50
COX BUSINESS SERVICES	26.95
UNIQUE PAVING MATERIALS CORP.	2,598.40
STREETS TOTAL	74,486.56

CITY	43,883.72
SEWER	35,392.96
LIBRARY	17,134.04
POLICE	18,171.36
PARKS	47,267.69
STREETS	74,486.56
TOTAL OF ALL BILLS	236,336.33

Motion by Pekny, second by Johns to approve the consent agenda. All voted in favor and the motion carried.

2019-2020 Budget Hearing and Budget Summary

City Accountant Gene Garrelts presented an overview of the budget. A new property tax rate for fiscal year 2019-2020 totals \$0.778 and is calculated at \$.48215 for the General Fund and \$.29585 for the Bond Fund.

John opened a public hearing and there were no comments.

Motion by Bridgeford, second by Pekny to approve the 2019-2020 Budget Summary. All voted in favor and the motion carried.

2019-2020 Budget Resolution No. 2019-05 Setting Final Tax Request

The 2019-2020 property tax request is set at \$680,460.55 for the General Fund and \$417,545.45 for the Bond Fund, for a total of \$1,098,006.

John opened a public hearing and there were no comments.

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

Motion by Pekny, second by Johns to approve the Budget Resolution 2019-05 and Final Tax Request as proposed. All voted in favor and the motion carried.

Review and Approval of 2019-2020 One and Six Year Street Plan

Street Superintendent Julie Ogden explained that the Street Plan affiliated with Highway Allocation Funds received by the City will now be in conjunction with the City's Fiscal Budget Year in September rather than the calendar year.

John opened a public hearing and there were no comments.

Motion by Bridgeford, second by Johns to Approve Resolution No. 2019-06 and Adopt the One and Six Year Street Plan. All voted in favor and the motion carried.

Ordinance No. 480 Amending Municipal Code Sections 1-702, 1-703 and 1-209 regarding City Police Officers and Removal, Demotion, Suspension and Procedures and Appeals and the Duties of the Police Chief

Laaker read the Ordinance by title. Motion by Bridgeford, second by Pekny to approve the second reading and waive the third reading of Ordinance No. 480 AN ORDINANCE AMENDING SECTIONS 1-702, AND 1-703 OF ARTICLE VII OF CHAPTER I OF THE CITY OF BENNINGTON MUNICIPAL CODE REGARDING THE REMOVAL, DEMOTION, AND SUSPENSION OF CITY POLICE OFFICERS AND PROCEDURES AND APPEAL, AND AMENDING SECTION 1-209 OF ARTICLE II OF CHAPTER I OF THE CITY OF BENNINGTON MUNICIPAL CODE REGARDING THE DUTIES OF THE CITY POLICE CHIEF. All voted in favor and the motion carried.

Motion by Pekny, second by Bridgeford to approve and adopt Ordinance No. 480. All voted in favor and the motion carried.

Ordinance No. 481 Amending Municipal Code Section 1-102 regarding City Council Members and Redesignating City Council Election Wards

Laaker read the Ordinance by title. Motion by Pekny, second by Johns to introduce and approve the first reading of Ordinance No. 481 AN ORDINANCE AMENDING SECTION 1-102 OF ARTICLE I OF CHAPTER I OF THE MUNICIPAL CODE OF THE CITY OF BENNINGTON AS ENACTED IN CITY OF BENNINGTON ORDINANCE NO. 456 REGARDING CITY COUNCIL MEMBERS AND REDISIGNATING CITY COUNCIL ELECTION WARDS. All vote in favor and the motion carried.

Ordinance No. 482 Confirming the City of Bennington Corporate Limits as shown in the Official Corporate Limits Map dated September 9, 2019

Laaker read the Ordinance by title. Motion by Johns, second by Pekny to introduce and approve the first reading of Ordinance No. 482 AN ORDINANCE OF THE CITY OF BENNINGTON CONFIRMING THE CORPORATE LIMITS OF THE CITY OF BENNINGTON AS SHOWN AND DEPICTED ON THE CITY OF BENNINGTON OFFICIAL CORPORATE LIMITS MAP DATED SEPTEMBER 9, 2019. All voted in favor and the motion carried.

2019 Street Improvements – Bid Approval

Motion by Pekny, second by Johns to approve the bid of Omni Engineering for improvements to North 4th Street west of 156th Street totaling \$58,467. All voted in favor and the motion carried.

The City Engineer was authorized to draft plans and advertise for bids to micro-surface Bennington Road from 168th Street east to the Papio Creek bridge.

2019 Logemann Park Ballfield Parking Lot Improvements

Motion by Bridgeford, second by Johns to approve Change Order No. 1 installing 88 parking stalls in Group B. All voted in favor and the motion carried.

Group A installed 113 previously approved parking stalls. Group A and B costs total \$91,387.

Bennington General Engineering

Motion by Bridgeford, second by Johns to approve Invoice No. 111392 to JEO Consulting Group for \$11,198.75. All voted in favor and the motion carried.

Bennington 156th Street Project

Motion by Johns, second by Pekny to approve Invoice No. 111391 to JEO Consulting Group for \$1,013.50. All voted in favor and the motion carried.

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

All monthly reports are on file in the City Office.

Police Report

Motion by Johns, second by Pekny to table the Police Chief Memorandum of Understanding. All voted in favor and the motion carried.

Public Works Report

Motion by Pekny, second by Johns to approve and roll an additional 37 Vacation/Flex hours into 2019-2020 for the Public Works Manager. All voted in favor and the motion carried.

Public Comments

Concerns were raised regarding activities in Prairie Hollow.

Executive Session with the City Attorney for purposes of Strategy Session with respect to Contracts Negotiations, Real Estate Acquisition, and Litigation

John stated that Agenda Item 19 was an Executive Session with the City Attorney for purposes of strategy session with respect to contracts negotiations, real estate acquisition, and litigation.

Motion by Pekny, second by Johns to go into Executive Session for purposes of strategy session with respect to contracts negotiations, real estate acquisition, and litigation. All voted in favor and the motion carried.

John stated that the record should show that at 7:40 p.m., the City Council went into Executive Session and the limitation of the subject matter is a strategy session with respect to contracts negotiations, real estate acquisition, and litigation.

Motion by Bridgeford, second by Johns to reconvene in open session at 8:07 p.m. All voted in favor and the motion carried.

John stated that the record should show that at 7:40 p.m., the City Council went into Executive Session and the limitation of the subject matter is a strategy session with respect to contracts negotiations, real estate acquisition, and litigation.

Motion by Bridgeford, second by Johns to reconvene in open session at 8:07 p.m.
All voted in favor and the motion carried.

Adjourn

Motion by Bridgeford, second by Johns to adjourn the meeting at 8:07 p.m.