

City of Bennington
City Council Meeting Minutes
Monday, March 9, 2020; 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, March 9, 2020 at 6:30 p.m. In attendance were City Council members Kaye Bridgeford, Zac Johns, Shane Pekny and Jody Stier. City Clerk Mindi Laaker identified the location of the Open Meetings Act that is available to the public.

Approval of Consent Agenda

- A. February 10, 2020 City Council Meeting Minutes
- B. February 2020 Bills Paid
- C. Keno Receipts: Febr. 8.75%: \$5,066.27

BILLS PAID IN FEBRUARY

CITY

EDWARD JONES	1,007.42
U.S. DEPT OF TREASURY	3,886.90
MINDI LAAKER	1,393.33
JENNIFER RAUSCHER	520.11
BENNINGTON CHAMBER OF COMMERCE	75.00
COX BUSINESS SERVICES	88.60
OFFICE DEPOT	107.03
POSTMASTER	76.00
TOWN WEB	1,383.00
MUD	62.10
NEBRASKA DEPT OF REVENUE	857.47
INTUIT MARKET	486.98
COX BUSINESS SERVICES	75.60
GREAT AMERICAN FINANCIAL SERVICE	75.35
PRESTO-X	10.50

OLD REPUBLIC SURETY GROUP	100.00
YOUNG & WHITE LAW OFFICES	2,142.70
JEO CONSULTING, INC.	5,946.25
DOUGLAS COUNTY REGISTER OF DEEDS	64.00
EDWARD JONES	1,065.57
U.S. DEPT OF TREASURY	3,563.56
MINDI LAAKER	1,393.13
JENNIFER RAUSCHER	457.38
OPPD	351.72
FINKEN & ASSOCIATES, LLC.	135.00
OFFICE DEPOT	78.64
PLIC -SBD GRAND ISLAND	39.81
RELIANCE STANDARD	116.24
UHS PREMIUM BILLING	1,173.27
BANK OF BENNINGTON	219,426.25
CITY TOTAL	246,158.91

SEWER

CITY OF OMAHA	15,576.00
RYAN SCHWARTZ	75,000.00
ONE CALL CONCEPTS	53.08
PEOPLE SERVICE	1,175.00
SEWER TOTAL	91,804.08

LIBRARY

LISA FLAXBEARD	1,218.16
DALENE CLARK	485.38

JOANNE MANCUSO	426.19
CASSANDRA OZBIRN	43.65
DESIGN 4	47.58
MASON CREST	477.00
OFFICE DEPOT	63.93
MUD	98.00
ALL MAKES OFFICE EQUIPMENT CO.	122.74
BAKER & TAYLOR BOOKS	217.85
COX BUSINESS SERVICES	180.00
PRESTO-X	21.00
SAM'S CLUB/SYNCHRONY BANK	119.85
JESSICA ROWE-DESILVA	120.00
LYNN BARNA	220.95
DALENE CLARK	508.28
LISA FLAXBEARD	1,217.95
JOANNE MANCUSO	497.50
JOANNE MANCUSO	81.74
OPPD	138.60
AMAZON CREDIT PLAN	616.17
BAKER & TAYLOR BOOKS	292.74
COX BUSINESS SERVICES	75.51
INGRAM	536.01
LOOKOUT BOOKS	720.63
PLIC -SBD GRAND ISLAND	39.81
RELIANCE STANDARD	103.30
UHS PREMIUM BILLING	1,097.75

JESSICA ROWE-DESILVA	100.00
LIBRARY TOTAL	9,888.27
<i>WINDOW INNOVATIONS</i>	<i>4,187.89</i>
<i>STRATEGIC ELECTRIC GROUP</i>	<i>800.00</i>
<i>CITY OF BENNINGTON</i>	<i>100.00</i>
<u>POLICE</u>	
PETTY CASH	100.00
TRAVIS HERBOLSHEIMER	1,464.99
SHEA DEGAN	71.22
DONALD MCGUIRE	275.98
ANDREW HILSCHER	2,314.62
DANIEL STOCKER	1,785.58
COX BUSINESS SERVICES	137.70
CUBBY'S	512.97
GREAT PLAINS UNIFORMS LLC.	523.50
OLD REPUBLIC SURETY GROUP	500.00
MUD	273.90
CULLIGAN OF OMAHA	10.00
PRESTO-X	37.00
OFFICE DEPOT DEPT.	91.48
ANDREW HILSCHER	2,155.64
TRAVIS HERBOLSHEIMER	1,352.38
DANIEL STOCKER	1,545.86
MARK SUNDERMEIER	111.14
SUNSET LAW ENFORCEMENT	2,522.80
OPPD	400.93

ANDREW HILSCHER	144.29
DANIEL STOCKER	17.56
OFFICE DEPOT CREDIT PLAN	91.48
PLIC -SBD GRAND ISLAND	270.68
RELIANCE STANDARD	300.75
UHS PREMIUM BILLING	5,962.87
POLICE TOTAL	22,975.32

PARKS

JOHN BOHRER	942.05
STUART ELLISON	281.22
NATHAN JOHNSON	658.69
JEFFREY MELIES	209.10
JOHN BOHRER	732.93
COX BUSINESS SERVICES	44.44
CUBBY'S	20.40
GLOBAL EQUIPMENT COMPANY	382.32
HOME DEPOT CREDIT SERVICES	272.88
MICHAEL TODD & COMPANY	305.30
MUD	160.10
CULLIGAN OF OMAHA	5.00
FORESTRY SUPPLIERS, INC.	41.02
PRESTO-X	5.25
JOHN BOHRER	994.76
STUART ELLISON	461.30
NATHAN JOHNSON	803.71
ELLEN DAHLSTET	79.99

JOHN BOHRER	40.32
UNIVERSITY OF NEBRASKA-LINCOLN	45.00
SOUTHWEST COMFORT, INC.	1,177.50
OPPD	457.11
COX BUSINESS SERVICES	31.94
PLIC -SBD GRAND ISLAND	39.81
RELIANCE STANDARD	142.98
UHS PREMIUM BILLING	1,351.58
PARKS TOTAL	9,686.70

STREETS

COX BUSINESS SERVICES	44.43
CUBBY'S	195.89
HOME DEPOT CREDIT SERVICES	272.87
MICHAEL TODD & COMPANY	305.30
MUD	144.90
CULLIGAN OF OMAHA	5.00
DJL PROPERTIES, LLC.	20,205.00
FORESTRY SUPPLIERS, INC.	41.01
NEBRASKA IOW SUPPLY CO. INC.	1,104.00
PRESTO-X	5.25
YOUNG & WHITE LAW OFFICES	5,137.60
KNUDSEN OIL & FEED	15.00
JEO CONSULTING, INC.	3,086.25
RYAN SCHWARTZ	75,000.00
ELLEN DAHLSTET	79.98
JOHN BOHRER	40.32

MICHAEL TODD & COMPANY	216.71
OPPD	4,866.62
COX BUSINESS SERVICES	31.95
DOUGLAS COUNTY TREASURER	2,283.50
KNUDSEN OIL & FEED	102.66
KUBOTA OF OMAHA	30.02
UNIQUE PAVING MATERIALS CORP.	952.00
STREETS TOTAL	114,166.26
CITY	246,158.91
SEWER	91,804.08
LIBRARY	9,888.27
POLICE	22,975.32
PARKS	9,686.70
STREETS	114,166.26
TOTAL OF ALL BILLS	494,679.54

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

Consideration of a Final Plat including Medium Density Residential (R-3) and Clustered/Mix Use Overlay District (CMD) for a development of approximately 79 acres located south of Bennington Road and west of North 156th Street for a subdivision to be known as Kempton Creek

City Engineer Julie Ogden and the developer's attorney Larry Jobeun presented the residential subdivision including single family residential and 4-plex townhome dwellings. A connector street from North 156th Street to Bennington Road includes a walking trail. Speed control and slowing traffic on Kempton Creek Drive is a concern. Kempton Creek Drive will also include turn lanes where intersecting North 156th Street and Bennington Road.

John opened a public hearing and there were concerns regarding entrances and exits not existing on the plat map and street width.

Motion by John, second by Bridgeford to approve the final plat subject to subdivision, sewer, and HOA agreements being finalized and executed and compliance with the

requirements set forth in the City Engineer's Comments Letter including access points, prior to the release of the final plat. All voted in favor and the motion carried.

Ordinance No. 486 Creating a New Subsection 4.11.06 to the Bennington Zoning Regulations regarding Permitted Obstructions in Required Yards and Subterranean Egress Window Access Structures in Side Yards

Ogden presented the proposed Zoning Regulations for subterranean egress window access structures in side yards.

John opened a public hearing and there were no comments.

Motion by John, second by Johns to table consideration of Ordinance No. 486. All voted in favor and the motion carried.

Acquisition of Real Estate for Recreational Uses via Purchase and Donation being located southwest of North 156th Street and Bennington Road in the NE ¼ of S15, T16N, R11 east of the 6th P.M., Douglas County, NE.

John opened a public hearing and there were no comments.

Motion by John, second by Bridgeford to table consideration of the acquisition. All voted in favor and the motion carried.

Bennington 156th Street Project

Motion by Johns, second by Pekny to approve Resolution 2020-02 pledging funds and awarding the construction of Project STPC-3805(5) to K2 Real Estate Development totaling \$7,607,576.08. All voted in favor and the motion carried.

Motion by Bridgeford, second by Johns to approve Resolution 2020-04 recalling the City's General Obligation Refunding Bond Series 2012. All voted in favor and the motion carried.

Motion by Pekny, second by Johns to introduce and waive three readings of Ordinance No. 488 AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020, OF THE CITY OF BENNINGTON, NEBRASKA, IN THE PRINCIPAL AMOUNT OF ONE MILLION TWO HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$1,235,000) TO REFUND CERTAIN OUTSTANDING BONDS OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR A SINKING FUND FOR THE LEVY AND COLLECTION OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS AND AUTHORIZING THE CITY TO ENTER INTO A BOND PURCHASE AGREEMENT; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM. The City Clerk read the Ordinance by title. All voted in favor and the motion carried.

Motion by Bridgeford, second by Pekny to Adopt Ordinance No. 488. All voted in favor and the motion carried.

Motion by Bridgeford, second by Johns to approve Invoice No. 114955 to JEO Consulting Group for \$3,528.75. All voted in favor and the motion carried.

The Project Tracker for 156th Street will continue to monitor developments and progress of the project.

Ordinance No. 487 Amending the Bennington Municipal Code regarding Abandoned and Trespassing Vehicles

Further review of the Ordinance is needed.

Motion by John, second by Pekny to table Ordinance No. 487. All voted in favor and the motion carried.

Ordinance No. 485 Bennington Arterial Street Improvement Program and Fund

Motion by Pekny, second by Bridgeford to approve the second reading and waive the third reading of Ordinance No. 485 AN ORDINANCE TO CREATE A NEW ARTICLE VI IN CHAPTER V OF THE MUNICIPAL CODE OF THE CITY OF BENNINGTON SO AS TO CREATE AN ARTERIAL STREET IMPROVEMENT PROGRAM AND FUND FOR STREET IMPROVEMENTS IN THE CITY OF BENNINGTON AND ITS ZONING JURISDICTION; TO CREATE A SPECIAL FUND FOR THE DESIGN AND CONSTRUCTION OF SUCH ARTERIAL STREET IMPROVEMENTS; AND TO CREATE CERTAIN FEES FOR NEW RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL BUILDING PERMITS. The City Clerk read the Ordinance by title. All vote in favor and the motion carried.

Motion by Pekny, second by Johns to adopt Ordinance No. 485. All voted in favor and the motion carried.

Bennington General Engineering

Motion by Pekny, second by Johns to approve Invoice No. 114956 to JEO Consulting Group for \$6,230.00. All voted in favor and motion carried.

Police Report

Motion by Pekny, second by Johns to approve Resolution 2020-03 revising the Personnel Manual regarding overtime pay for non-exempt City Police Officers. All voted in favor and the motion carried.

Motion by John, second by Bridgeford to authorize the purchase of updates to servers, firewalls and Windows 10 for the City Police Department totaling approximately \$10,000. All voted in favor and the motion carried.

Public Works Report

A culvert will be put in at the BAL 4-plex for improvements and access to Logemann Park.

Office Report

A new City sign will be ordered for the building.

Library, Police, Public Works, and Project Tracker Reports

All monthly reports are on file in the City Office.

Adjourn

Motion by Bridgeford, second by Stier to adjourn the meeting at 8:21 p.m. All voted in favor and the motion carried.