

City of Bennington
City Council Meeting Minutes
Monday, April 12, 2021; 6:00 p.m.
City Office, 15505 Warehouse Street
Bennington, NE
402-238-2375

Call to Order - Roll Call – Open Meetings Act

Mayor Zac Johns called the regular monthly meeting to order on Monday, April 12, 2021 at 6:00 p.m. In attendance were City Council members Clint Adams (6:07 p.m. arrival), Kaye Bridgeford, Joshua Dowding and Shane Pekny. Mindi Laaker identified the Open Meetings Act location that is available to the public.

Approval of Consent Agenda

- A. March 8, 2021 City Council Meeting Minutes
- B. March 2021 Bills Paid
- C. Keno Receipts: March 8.75%: \$5,557.25

BILLS PAID IN MARCH

CITY

EDWARD JONES	1,520.46
U.S. DEPT OF TREASURY	4,096.18
MINDI LAAKER	1,409.71
JENNIFER RAUSCHER	691.13
NEBRASKA DEPT OF REVENUE	1,324.15
ALL MAKES OFFICE EQUIPMENT CO.	112.80
RELIANCE STANDARD	115.96
YOUNG & WHITE LAW OFFICES	3,169.75
BERGANKDV, LLC.	7,400.00
COX BUSINESS SERVICES	165.12
DLR GROUP	24,950.00
DOUGLAS COUNTY POST GAZETTE	171.26
JEO CONSULTING, INC.	7,490.00
MUD	57.90
BANK OF BENNINGTON	5,030.00

BANK OF BENNINGTON	8,505.00
BANK OF BENNINGTON	16,866.25
EDWARD JONES	1,439.83
U.S. DEPT OF TREASURY	3,761.46
MINDI LAAKER	1,409.69
JENNIFER RAUSCHER	370.38
OLD REPUBLIC SURETY GROUP	200.00
PRINCIPAL LIFE INSURANCE COMPANY	39.81
UHS PREMIUM BILLING	1,307.97
OPPD	349.91
RURAL FIRE DISTRICT	28,230.00
EDWARD JONES	1,414.91
U.S. DEPT OF TREASURY	3,913.82
MINDI LAAKER	1,409.70
JENNIFER RAUSCHER	743.64
ALL MAKES OFFICE EQUIPMENT CO.	112.80
ALL MAKES OFFICE EQUIPMENT CO.	8.76
RELIANCE STANDARD	115.96
CITY TOTAL	127,904.31
 <u>SEWER</u>	
CITY OF OMAHA CASHIER	21,789.48
ONE CALL CONCEPTS	35.03
PEOPLE SERVICE	1,210.00
SEWER TOTAL	23,034.51
 <u>LIBRARY</u>	
DALENE CLARK	315.65

HEIDI CURZON	518.76
LISA FLAXBEARD	1,292.29
JOANNE MANCUSO	368.60
ALL MAKES OFFICE EQUIPMENT CO.	101.33
BAKER & TAYLOR BOOKS	303.01
COX BUSINESS SERVICES	77.56
INGRAM	397.49
RELIANCE STANDARD	103.02
COX BUSINESS SERVICES	180.00
CURZON PRODUCTIONS	10.50
INGRAM	58.37
PRESTO-X	21.00
SAM'S CLUB MC/SYNCB	131.57
SAM'S CLUB/SYNCHRONY BANK	117.50
MUD	135.10
DALENE CLARK	123.80
HEIDI CURZON	407.04
LISA FLAXBEARD	1,292.30
JOANNE MANCUSO	470.25
SHAY SNOW	156.64
JESSICA ROWE-DeSILVA	230.00
PRINCIPAL LIFE INSURANCE COMPANY	39.81
UHS PREMIUM BILLING	1,256.34
OPPD	138.60
ANGELA PETERSON	124.67
DALENE CLARK	201.18
HEIDI A CURZON	477.58

LISA FLAXBEARD	1,292.29
JOANNE MANCUSO	99.44
SHAY SNOW	365.59
AMAZON CREDIT PLAN	291.33
COX BUSINESS SERVICES	72.01
DESIGN 4	30.00
INGRAM	171.08
RELIANCE STANDARD	103.02
LIBRARY TOTAL	11,474.72
<i>HEARTLAND LAWNS LLC.</i>	<i>90.95</i>
<u>POLICE</u>	
JOSHUA DAMME	1,382.29
TRAVIS HERBOLSHEIMER	1,565.64
ANDREW HILSCHER	2,076.06
DONALD MCGUIRE	134.87
DANIEL STOCKER	1,545.27
MARK SUNDERMEIER	7.83
ANDREW HILSCHER	426.00
ANDREW HILSCHER	73.36
BENNINGTON AUTO SALE	198.39
HOME DEPOT CREDIT SERVICES	933.40
RELIANCE STANDARD	213.76
VERIZON	243.39
BENNINGTON AUTO SALE	318.07
COX BUSINESS SERVICES	152.30
JOHN E. REID & ASSOCIATES, INC.	350.00

MUD	261.10
JOSHUA DAMME	1,382.28
TRAVIS HERBOLSHEIMER	1,526.79
ANDREW HILSCHER	2,076.06
DONALD MCGUIRE	134.86
DANIEL STOCKER	1,550.33
TREVOR THRASHER	89.90
CUBBY'S	620.78
PRINCIPAL LIFE INSURANCE COMPANY	310.49
UHS PREMIUM BILLING	4,868.94
OPPD	404.71
JOSHUA DAMME	1,382.29
TRAVIS HERBOLSHEIMER	1,526.78
ANDREW HILSCHER	2,076.07
DONALD MCGUIRE	125.86
DANIEL STOCKER	1,545.27
MARK SUNDERMEIER	77.99
TREVOR THRASHER	98.90
BENNINGTON AUTO SALE	612.27
NEBRASKA LAW ENFORCEMENT TRAINING CENTER	200.00
RELIANCE STANDARD	213.76
POLICE TOTAL	30,706.06
<u>PARKS</u>	
JOHN BOHRER	984.69
STUART ELLISON	607.78
JOSEPH GRIER	778.29
NATHAN JOHNSON	874.03

COX BUSINESS SERVICES	31.94
CULLIGAN OF OMAHA	5.50
HOME DEPOT CREDIT SERVICES	151.88
RELIANCE STANDARD	142.70
VERIZON	20.56
VERIZON	40.04
ARBOR DAY FOUNDATION	25.00
MENARDS	1,329.98
NEBRASKA IOWA SUPPLY CO INC.	229.83
MUD	220.40
JOHN BOHRER	967.89
STUART ELLISON	121.19
JOSEPH GRIER	528.71
NATHAN JOHNSON	759.65
CUBBY'S	16.26
PRINCIPAL LIFE INSURANCE COMPANY	39.81
UHS PREMIUM BILLING	739.69
OPPD	472.98
JOHN BOHRER	937.10
STUART ELLISON	91.95
JOSEPH GRIER	384.43
NATHAN JOHNSON	693.68
CARSON STONE & SUPPLY	92.16
COX BUSINESS SERVICES	31.94
SHERMAN PLUMBING	220.00
RELIANCE STANDARD	142.70
PARKS TOTAL	11,682.76

STREETS

COX BUSINESS SERVICES	31.95
CULLIGAN OF OMAHA	5.50
HOME DEPOT CREDIT SERVICES	198.09
NEBRASKA DEPARTMENT OF TRANSPORTATION	3,298.40
VERIZON	20.56
JOHN BOHRER	40.05
DJL PROPERTIES, LLC.	16,728.00
JEO CONSULTING, INC.	1,350.00
JOHN DEERE FINANCIAL	15.81
MICHAEL TODD & COMPANY	2,066.66
MENARDS	1,925.29
NEBRASKA IOWA SUPPLY CO INC.	919.29
SID DILLON CHEVROLET	165.28
UNIQUE PAVING MATERIALS CORP.	3,220.00
MUD	162.50
CUBBY'S	546.24
UHS PREMIUM BILLING	739.69
OPPD	4,863.03
CARSON STONE & SUPPLY	92.16
COX BUSINESS SERVICES	31.95
STREETS TOTAL	36,420.45

TOTAL OF ALL BILLS **241,222.81**

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

Street Closure Application – G.E.A.R.S. Car Show, Sunday May 30, 2021 from 6 a.m.-6 p.m.

G.E.A.R.S. Car Club representative Ron Brown presented the application.

Motion by Pekny, second by Dowding to approve the application as presented. All voted in favor and the motion carried.

Street Closure Application – Bennington Farmer’s Market, Saturdays 9 a.m. -12 p.m. and Wednesdays 6-9 p.m.

June 16, July 3 / 21, August 7 / 18, September 4 / 22, October 2

Bennington Chamber of Commerce and Community Foundation representative Nikki Thomsen presented the application.

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

Ordinance No. 501 Amending the Future Land Use Plan in the Bennington 2018 Comprehensive Plan to designate as Commercial certain properties North of Highway 36 between 159th and 168th Streets

City Engineer Julie Ogden lead discussions regarding potential commercial uses and amending the City’s Future Land Use Plan to designate commercial for the areas north of Highway 36 between 156th and 168th Streets.

Johns opened a public hearing and there were no comments.

Motion by Bridgeford, second by Adams to introduce and waive three readings of Ordinance No. 501 AN ORDINANCE AMENDING THE FUTURE LAND USE PLAN IN THE BENNINGTON 2018 COMPREHENSIVE PLAN SO AS TO DESIGNATE AS COMMERCIAL CERTAIN PROPERTIES NORTH OF HIGHWAY 36 BETWEEN NORTH 168TH STREET AND NORTH 159TH STREET. All voted in favor and the motion carried.

Motion by Bridgeford, second by Adams to approve and adopt Ordinance No. 501. All voted in favor and the motion carried.

Ordinance No. 490 Adopting Regulations for Applications and the Deployment of Small Wireless Facilities by Telecommunications Companies

City Attorney Jeff Miller reviewed edits to the Ordinance.

Motion by Pekny, second by Dowding to approve the second reading and waive the third reading of Ordinance No. 490 AN ORDINANCE OF THE CITY OF BENNINGTON, NEBRASKA, ADOPTING AND CODIFYING A NEW ARTICLE VII TO CHAPTER V OF THE CITY OF BENNINGTON MUNICIPAL CODE ENTITLED “TELECOMMUNICATIONS-SMALL WIRELESS FACILITIES” AND PROVIDING REGULATIONS FOR THE CITY OF BENNINGTON’S PROCESSING OF APPLICATIONS FOR AND FOR THE DEPLOYMENT OF SMALL WIRELESS

FACILITIES BY TELECOMMUNICATIONS COMPANIES; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF. All voted in favor and the motion carried.

Motion by Pekny, second by Bridgeford to approve and adopt Ordinance No. 490. All voted in favor and the motion carried.

Ordinance No. 497 Approving a New Non-Exclusive Cable Television Franchise Agreement with Cox Communications Omaha, L.L.C.

Motion by Bridgeford, second by Adams to approve the second reading and waive the third reading of Ordinance No. 497 AN ORDINANCE OF THE CITY OF BENNINGTON APPROVING THE RENEWAL OF A NONEXCLUSIVE CABLE FRANCHISE WITH COX COMMUNICATIONS OMAHA, L.L.C.; AUTHORIZING THE EXECUTION OF THE NONEXCLUSIVE FRANCHISE AGREEMENT; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE. All voted in favor and the motion carried.

Motion by Bridgeford, second by Adams to approve and adopt Ordinance No. 497. All voted in favor and the motion carried.

Ordinance No. 499 Rezoning The Heritage Replat Six Subdivision Lots 1-37 and Outlots A-C located in S14, T16N, R11E to include a CMD Clustered/Mixed Use Overlay District

Motion by Pekny, second by Dowding to introduce and waive three readings of Ordinance No. 499 AN ORDINANCE AMENDING THE ZONING MAP IN CITY OF BENNINGTON ZONING REGULATION 3.02 AS ADOPTED VIA CITY OF BENNINGTON ORDINANCE NO. 460 FROM AN R-3 MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT FOR THE LAND BEING PLATTED AS THE HERITAGE REPLAT SIX SUBDIVISION LOTS 1-37 AND OUTLOTS A-C TO AN R-3 MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT WITH A CMD CLUSTERED/MIXED USE OVERLAY DISTRICT, LOCATED IN THE SOUTH HALF OF SECTION 14, TOWNSHIP 16 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA. All voted in favor and the motion carried.

Motion by Pekny, second by Dowding to approve and adopt Ordinance No. 499. All voted in favor and the motion carried.

Ordinance No. 500 Rezoning Lot 4 of the Off's Addition located at 11506 North 156th Street from an R-4 High Density Residential Zoning District to a C-3 Downtown Commercial Zoning District

Motion by Dowding, second by Pekny to introduce and waive three readings of Ordinance No. 500 AN ORDINANCE AMENDING THE ZONING MAP IN CITY OF BENNINGTON ZONING REGULATION 3.02 AS ADOPTED VIA CITY OF BENNINGTON ORDINANCE NO. 460 FROM AN R-4 HIGH DENSITY RESIDENTIAL ZONING DISTRICT FOR LOT 4 BLOCK 0 OF OFT'S ADDITION TO BENNINGTON LOCATED AT 11506 NORTH 156TH STREET, BENNINGTON, DOUGLAS COUNTY,

NEBRASKA, TO A C-3 DOWNTOWN COMMERCIAL ZONING DISTRICT. All voted in favor and the motion carried.

Motion by Bridgeford, second by Adams to approve and adopt Ordinance No. 500. All voted in favor and the motion carried.

156th Street Project

Motion by Pekny, second by Bridgeford to approve Nebraska Department of Transportation Invoice No. 0644401 totaling \$109,912. All voted in favor and the motion carried.

Project Schedule Update – 156th Street between Bennington Road and North Second Street is torn out and will be paved. 156th Street from North Second Street to Howard Lane tear out and paving will follow.

Motion by Adams, second by Pekny to approve JEO Consulting Group Invoice No. 123024 totaling \$453.75. All voted in favor and the motion carried.

General Engineering Payable to JEO Consulting Group

Motion by Bridgeford, second by Adams to approve Invoice No. 123025 totaling \$5,770. All voted in favor and the motion carried.

C. W. Hadan Parking

Motion by Dowding, second by Pekny to approve JEO Consulting Group Invoice No. 123026 totaling \$732.50. All voted in favor and the motion carried.

This project is planned for completion prior to Memorial Day and Bennington Daze.

Library Report

Library Renovation Account Expenses include:

Motion by Dowding, second by Pekny to approve Patera Landscaping Estimate dated April 9, 2021 totaling \$14,347.22. All voted in favor and the motion carried.

Motion by Dowding, second by Pekny to approve Irrigation Costs via the City Public Works Department totaling \$1,100. All vote in favor and the motion carried.

Motion by Bridgeford, second by Adams to approve Heartland Lawns Tree Care totaling \$197.70. All voted in favor and the motion carried.

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

All monthly reports are on file in the City Office.

Adjourn

Motion by Bridgeford, second by Dowding at adjourn the meeting at 6:58 p.m. All voted in favor and the motion carried.