

City of Bennington
City Council Meeting Minutes
Monday, October 11, 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 meeting to order on Monday, October 11, 2021 at 6:00 p.m. In attendance were City Council members Clint Adams, 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. September 13, 2021 City Council Budget Meeting Minutes
- B. September 13, 2021 City Council Meeting Minutes
- C. September 27, 2021 City Council Special Meeting Minutes
- D. September 2021 Bills Paid
- E. Keno Receipts: September 8.75%: \$6,462.73

BILLS PAID IN SEPTEMBER

CITY

EDWARD JONES	1,273.75
MINDI LAAKER	1,409.61
JENNIFER RAUSCHER	595.51
RELIANCE STANDARD	115.95
MINDI LAAKER	189.77
NEBRASKA DEPT OF REVENUE	1,217.68
180 CARPET CLEANING LLC	338.00
ALL MAKES OFFICE EQUIPMENT CO.	112.80
COX BUSINESS SERVICES	165.44
NEBRASKA MUNICIPAL CLERKS ASSOCIATION	35.00
BANK OF BENNINGTON	110,401.25
MUD	57.90
EDWARD JONES	1,243.82
U.S. DEPT OF TREASURY	3,821.64
MINDI LAAKER	1,409.60
JENNIFER RAUSCHER	499.94
MINDI LAAKER	25.00
JEO CONSULTING, INC.	10,543.75
YOUNG & WHITE LAW OFFICES	1,945.90
ALL MAKES	10.82
BERGANKDV, LLC	6,492.00
DOUGLAS COUNTY POST GAZETTE	94.34
FILTER SHOP	8.28

OFFICE DEPOT, INC.	59.05
PRESTO-X	10.50
OPPD	367.69
DLR GROUP	24,950.00
EDWARD JONES	1,249.68
U.S. DEPT OF TREASURY	4,248.04
MINDI LAAKER	1,483.38
JENNIFER RAUSCHER	625.71
ALL MAKES OFFICE EQUIPMENT CO.	112.80
PRINCIPAL LIFE INSURANCE COMPANY	41.40
RELIANCE STANDARD	115.95
CITY TOTAL	175,271.95

SEWER

CITY OF OMAHA CASHIER	23,450.69
CITY OF OMAHA CASHIER	23,419.87
ONE CALL CONCEPTS	96.16
PEOPLE SERVICE	1,260.00
SEWER TOTAL	48,226.72

LIBRARY

LYNN BARNA	302.68
DALENE CLARK	147.01
LISA FLAXBEARD	1,292.22
ANGELA PETERSON	672.98
SHAY N SNOW	562.16
RELIANCE STANDARD	103.01
BAKER & TAYLOR BOOKS	472.13
COX BUSINESS SERVICES	71.92
OFFICE DEPOT, INC.	123.88
180 CARPET CLEANING LLC	1,528.80
ALL MAKES OFFICE EQUIPMENT CO.	90.55
COX BUSINESS SERVICES	180.00
INGRAM	1,110.76
JESSICA ROWE-DESILVA	184.00
MUD	135.10
LYNN BARNA	348.18
DALENE CLARK	232.14
LISA FLAXBEARD	1,292.21
NATALIE HARTLEY	60.03
ANGELA PETERSON	888.22
SHAY SNOW	531.40
DESIGN 4	75.00

JASON NOCITA	885.00
LAURITZEN GARDENS	75.00
SAM'S CLUB	292.39
AMAZON CREDIT PLAN	1,885.66
BAKER & TAYLOR BOOKS	209.60
FONTENELLE FOREST	300.00
BENNINGTON LION'S CLUB	70.00
FILTER SHOP	14.23
INGRAM	455.97
NEBRASKA LIBRARY ASSOCIATION	100.00
PAMELA HAMBURGER	60.00
PRESTO-X	21.00
SAM'S CLUB/SYNCHRONY BANK	58.48
SAM'S CLUB MC/SYNCB	1,554.00
OPPD	138.60
LYNN BARNA	215.47
DALENE CLARK	147.01
LISA FLAXBEARD	1,362.52
NATALIE HARTLEY	375.07
ANGELA PETERSON	869.95
SHAY SNOW	746.31
SHAY SNOW	20.27
ANGELA PETERSON	29.82
AMAZON CREDIT PLAN	3,378.80
BAKER & TAYLOR BOOKS	773.01
COX BUSINESS SERVICES	72.09
DEMCO	245.00
FARONICS	1,668.00
INGRAM	473.02
JESSICA ROWE-DESILVA	184.00
LUCAS HOLDINGS, LLC DBA/LUCAS COLOR GUARD	1,235.60
NEBRASKA LIBRARY ASSOCIATION	29.00
NEBRASKA LIBRARY COMMISSION	510.50
OFFICE DEPOT, INC.	277.32
PRINCIPAL LIFE INSURANCE COMPANY	41.40
RELIANCE STANDARD	103.01
SAM'S CLUB MC/SYNCB	755.96
LIBRARY TOTAL	30,037.44
<i>CITY OF BENNINGTON</i>	<i>6,644.09</i>

POLICE

JOSHUA DAMME	1,431.45
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SHEA DEGAN	80.92
ANDREW HILSCHER	2,075.97
GREGORY KELLY	1,234.03
DANIEL STOCKER	1,545.18
MARK SUNDERMEIER	7.84
MARK WILKINS	143.85
RELIANCE STANDARD	275.69
MODERN MARKETING	589.61
SHERMAN PLUMBING	150.00
VERIZON	243.38
BENNINGTON AUTO SALE	264.21
COX BUSINESS SERVICES	152.13
CULLIGAN OF OMAHA	58.00
NICK PRESCOTT	1,950.00
MUD	265.10
JOSHUA DAMME	1,529.97
ANDREW HILSCHER	2,075.97
GREGORY KELLY	1,234.02
DONALD MCGUIRE	121.36
DANIEL STOCKER	1,545.19
MARK WILKINS	161.82
FILTER SHOP	3.50
PRESTO-X	44.00
OPPD	333.98
CUBBY'S	1,327.92
JOSHUA DAMME	1,513.79
SHEA DEGAN	98.89
ANDREW HILSCHER	2,261.81
GREGORY KELLY	1,368.67
DONALD MCGUIRE	148.34
DANIEL STOCKER	1,795.53
MARK SUNDERMEIER	147.56
MARK WILKINS	125.86
PRINCIPAL LIFE INSURANCE COMPANY	463.65
RELIANCE STANDARD	275.69
SABER TORCH	115.20
VERIZON	243.18
CONSOLIDATED MANAGEMENT CO.	102.66
NEBRASKA LAW ENFORCEMENT TRAINING CENTER	460.00
POLICE TOTAL	27,965.92

PARKS

MICHAEL ANDERSON	169.70
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JOHN BOHRER	976.19
STUART ELLISON	433.54
JOSEPH GRIER	540.41
JESSE GROTHENDICK	161.36
HUNTER THOMPSON	178.26
JAYDON WEINMAN	178.47
RELIANCE STANDARD	142.69
COX BUSINESS SERVICES	31.94
NAPA AUTO PARTS	93.07
VERIZON	20.57
NEBRASKA ARBORISTS ASSOCIATION	77.00
CULLIGAN OF OMAHA	5.75
LANOHA	10,260.00
LITTLE ENGINES	9.55
THREE B'S SAW & TOOL, INC.	25.60
MUD	220.40
MICHAEL ANDERSON	230.30
JOHN BOHRER	987.40
STUART ELLISON	167.17
JOSEPH GRIER	101.01
JESSE GROTHENDICK	185.03
HUNTER THOMPSON	395.67
MENARDS	341.00
MARTIN MARIETTA MATERIALS	716.15
JD SERVICES LLC	24.00
THREE B'S SAW & TOOL, INC.	32.00
ELLEN DAHLSTET	400.00
H & R CONSTRUCTION	7,500.00
KUBOTA OF OMAHA	15,992.11
PORT A JOHNS INC	100.00
PRESTO-X	1.75
OPPD	508.82
CUBBY'S	75.71
MICHAEL ANDERSON	117.17
JOHN BOHRER	1,066.46
STUART ELLISON	179.72
JESSE GROTHENDICK	174.87
HUNTER THOMPSON	365.59
H & R CONSTRUCTION	2,112.00
ARBOR DAY FOUNDATION	35.00
COX BUSINESS SERVICES	31.94
HOME DEPOT	41.60
KUBOTA OF OMAHA	193.59

PRINCIPAL LIFE INSURANCE COMPANY	41.40
RELIANCE STANDARD	142.69
VERIZON	20.52
PARKS TOTAL	45,805.17

STREETS

COX BUSINESS SERVICES	31.95
NAPA AUTO PARTS	93.07
VERIZON	20.56
CULLIGAN OF OMAHA	5.75
LITTLE ENGINES	2.39
THREE B'S SAW & TOOL, INC.	6.40
MUD	162.50
MENARDS	341.01
JEO CONSULTING, INC.	1,871.25
JD SERVICES	6.00
YOUNG & WHITE LAW OFFICES	174.00
H & R CONSTRUCTION	149,352.00
KUBOTA OF OMAHA	91.82
PRESTO-X	1.75
OPPD	4,330.00
CUBBY'S	15.69
COX BUSINESS SERVICES	31.95
HOME DEPOT	41.61
VERIZON	20.53
STREETS TOTAL	156,600.23

CITY	175,271.95
SEWER	48,226.72
LIBRARY	30,037.44
POLICE	27,965.92
PARKS	45,805.17
STREETS	156,600.23
TOTAL OF ALL BILLS	483,907.43

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

Consideration of a Preliminary Plat for 9.68 acres located South of Highway 36 and East of 149th Circle in Ridgewood

Consideration of Change of Zoning from Low Density Residential (R-2) to Medium Density Residential (R-3) located South of Highway 36 and East of 149th Circle in Ridgewood

City Engineer Julie Ogden and Andrew Koster with TD2 explained that the parcels in Ridgewood were originally platted for housing. The cul-de-sac located at North 149th Circle will be vacated and replaced with a through street to accommodate 22 lots including duplexes, two-story, patio-style and ranch homes. The property is contiguous with Medium Density Residential property west of the development.

Johns opened a public hearing and comments were made regarding the existing Home Owners Association and the new development.

Motion by Adams, second by Pekny to approve the Preliminary Plat as presented, subject to compliance with the requirements in the City Engineer's comment letter. All voted in favor and the motion carried.

Motion by Bridgeford, second by Adams to approve a change in zoning for approximately 10 acres in Ridgewood from Low Density Residential to Medium Density Residential. All voted in favor and the motion carried.

Consideration of Interlocal Agreement for Adjustments with the City of Bennington's and Douglas County's Zoning Jurisdiction Designations South of the County Line between approximately North 133rd Street and North 169th Street in Section 1, 2, 3 and 4, Township 16 North, Range 11 East of the 6th P.M., in Douglas County, and East and West of North 168th Street Between Highway 36 and Military Road in Sections 8 and 16, Township 16 North, Range 11 East of the 6th P.M., in Douglas County

City Attorney Jeff Miller explained that proposed adjustments are being made to a northern section along the Washington and Douglas County line and a small western portion of Bennington's one-mile zoning jurisdiction. Both Douglas County and City of Bennington boundaries will change via an interlocal agreement.

Johns opened a public hearing and there were no comments.

Motion by Pekny, second by Bridgeford to approve the zoning adjustment with Douglas County as presented. All voted in favor and the motion carried.

Consideration of Interlocal Agreement for Adjustments with the City of Bennington's and the Village of Washington's Zoning Jurisdiction Designations South of the County Line between approximately North 158th Street and North 171st Street in Sections 4 and 5, Township 16 North, Range 11 East of the 6th P.M., in Douglas County

City Attorney Miller explained that proposed adjustments are being made to a northwest section of the Village of Washington's and Bennington's zoning jurisdiction. Both the

Village of Washington and City of Bennington boundaries will change via an interlocal agreement.

Johns opened a public hearing and there were no comments.

Motion by Bridgeford, second by Adams to approve the zoning adjustment with the Village of Washington as presented. All voted in favor and the motion carried.

Consideration of Change of Zoning from Transitional Agriculture (TA) to Flex Business District (C-4) located at 16029 Nebraska Highway 36

City Engineer Julie Ogden explained that the property owners were interested in erecting a building for offices, a showroom and storage for a window, siding and door business. The property had been looked at for commercial use and it is contiguous with commercial property south of Highway 36. Property Owners Jeff Vollmer and Jennifer Haase indicated the tree farm will remain as part of the 25 total acres.

Johns opened a public hearing and there were no comments.

Motion by Pekny, second by Dowding to approve a change in zoning at 16029 Nebraska Highway 36 from Transitional Agriculture to Flex Business District (C-4). All voted in favor and the motion carried.

Event Applications – Street Closures

On Saturday October 23 from 5am to 12am South Second Street will be closed for one block between Molley and Stark Streets for a BBQ Competition and Founder's Day Celebration.

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

On Sunday October 31 from 12-4pm South Second Street, including the intersections of Molley, Warehouse and South Second Streets, will be closed for one block for a Halloween Party.

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

Ordinance No. 503 Salary Updates

Motion by Pekny, second by Adams to introduce and waive three readings of Ordinance No. 503 AN ORDINANCE RELATING TO AND AMENDING THE SALARIES OF THE EMPLOYEES OF THE CITY OF BENNINGTON, NEBRASKA. All voted in favor and the motion carried.

Motion by Pekny, second by Adams to approve and adopt Ordinance No. 503. All voted in favor and the motion carried.

Ordinance No. 504 Approving Rezoning from Transitional Agriculture to Flex Business District part of 16029 NE Highway 36

Motion by Dowding, second by Adams to introduce and waive three readings of Ordinance No. 504 AN ORDINANCE AMENDING THE ZONING MAP IN CITY OF BENNINGTON ZONING REGULATION 3.02 AS ADOPTED VIA CITY OF BENNINGTON ORDINANCE NO. 460 FROM A TA TRANSITIONAL AGRICULTURE ZONING DISTRICT TO A C-4 FLEX BUSINESS ZONING DISTRICT FOR THE LAND MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE WHICH IS LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF S10,T16N,R11 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA. All voted in favor and the motion carried.

Motion by Bridgeford, second by Adams to approve and adopt Ordinance No. 504. All voted in favor and the motion carried.

156th Street Project

Project Schedule Update – 156th Street and C. W. Hadan Drive is open. A project walk through was held and a punch list of items distributed.

Motion by Bridgeford, second by Pekny to approve JEO Consulting Group Invoice No. 127067 totaling \$2,512.50. All voted in favor and the motion carried.

Tim Ohrt Park

The Land and Water Conservation Grant recommendations should be determined in November or December.

Motion by Dowding, second by Pekny to approve JEO Consulting Group Invoice No. 127069 totaling \$1,332.50. All voted in favor and the motion carried.

Neumeyer Park Update

Committee meetings have been held with DLR Group and Olsson, Inc. regarding phasing, site planning, fundraising, sponsorships and renderings. The remainder of the DLR contract invoice has been paid by the Bennington Community Foundation.

General Engineering Payable to JEO Consulting Group

Motion by Bridgeford, second by Adams to approve Invoice No. 127068 totaling \$3,281.25. All voted in favor and the motion carried.

Library Report

Motion by Adams, second by Pekny to approve Design 4 Quote 5180 for Signage on the Library Tower totaling \$5,300. 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.

Public Comments

Comments were made regarding food trucks and Tim Ohrt Park improvements.

Adjourn

Motion by Bridgeford, second by Pekny to adjourn the meeting at 7:10 p.m. All voted in favor and the motion carried.