

City of Bennington
City Council Meeting Minutes
Monday, April 11, 2022; 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, April 11, 2022 at 6:00 p.m. In attendance were City Council members Clint Adams, Kaye Bridgeford, Josh Dowding (6:04 arrival) and Shane Pekny. Mindi Laaker identified the Open Meetings Act location that is available to the public.

Approval of Consent Agenda

- A. March 14, 2022 City Council Meeting Minutes
- B. March 2022 Bills Paid
- C. Keno Receipts: March 8.75%: \$7,713.72
- D. JEO Consulting 156th Street Invoice No. 131229 for \$625.00
- E. JEO Consulting General Engineering Invoice No. 131230 for \$13,420.00
- F. JEO Consulting Warehouse Street Improvements Invoice No. 13132 for \$4,758.75
- G. JEO Consulting Tim Ohrt Park Improvements Invoice No. 131231 for \$3,440.00

BILLS PAID IN MARCH

CITY

EDWARD JONES	1,804.78
MINDI LAAKER	1,466.50
JEN RAUSCHER	586.18
NEBRASKA DEPT OF REVENUE	1,591.29
RELIANCE STANDARD	115.74
ALL MAKES OFFICE EQUIPMENT CO.	112.80
BERGANKDV, LLC	11,935.00
DES MOINES STAMP	32.90
OLD REPUBLIC SURETY GROUP	100.00
PRESTO-X	21.00
EDWARD JONES	1,727.90
U.S. DEPT OF TREASURY	4,491.86
MINDI LAAKER	1,466.50
JENNIFER RAUSCHER	550.25
ALL MAKES OFFICE EQUIPMENT CO.	2.85
COX BUSINESS SERVICES	166.16
MUD	64.65
BANK OF BENNINGTON	29,823.75
BERGANKDV, LLC	6,500.00
FILTER SHOP	10.07
DOUGLAS COUNTY POST GAZETTE	246.17
JEO CONSULTING INC	19,068.75

OFFICE DEPOT, INC	70.04
OPPD	319.25
POSTMASTER	116.00
HYVEE	51.17
SUBWAY	136.77
ALL MAKES OFFICE EQUIPMENT CO.	112.80
ALL MAKES OFFICE EQUIPMENT CO.	8.34
EDWARD JONES	1,717.55
U.S. DEPT OF TREASURY	4,605.98
MINDI LAAKER	1,541.37
JENNIFER RAUSCHER	578.88
RELIANCE STANDARD	115.74
UHS PREMIUM BILLING	1,372.71
YOUNG AND WHITE LAW OFFICES	3,137.80
PRESTO-X	10.50
CITY TOTAL	95,780.00
<i>Nebraska Dept. of Revenue</i>	<i>100.00</i>

SEWER

ONE CALL CONCEPTS	33.78
PINE CREST HOMES	45.00
SEWER TOTAL	78.78

LIBRARY

LISA FLAXBEARD	1,363.90
NATALIE HARTLEY	569.41
ANGELA PETERSON	956.12
SHAY SNOW	768.45
RELIANCE STANDARD	102.80
BAKER & TAYLOR BOOKS	32.03
COX BUSINESS SERVICES	78.39
JESSICA ROWE-DESILVA	184.00
INSPRO MARSH & MCLENNAN AGENCY	167.00
NEBRASKA LIBRARY ASSOCIATION	35.00
LYNN BARNA	119.48
LISA FLAXBEARD	1,363.91
NATALIE HARTLEY	653.40
SHAY SNOW	801.48
SHAY SNOW	66.27
ALL MAKES OFFICE EQUIPMENT CO.	103.88
COX BUSINESS SERVICES	180.00
SAM'S CLUB	531.97
BAKER & TAYLOR BOOKS	66.30

MUD	150.85
JESSICA ROWE-DESILVA	230.00
AMAZON CREDIT PLAN	125.60
FILTER SHOP	26.50
OPPD	138.60
PRESTO-X	21.00
COX BUSINESS SERVICES	75.53
LYNN BARN	306.50
LISA FLAXBEARD	1,434.32
NATALIE HARTLEY	656.30
ANGELA PETERSON	285.03
SHAY SNOW	723.73
THE DURHAM MUSEUM	150.00
RELIANCE STANDARD	102.80
UHS PREMIUM BILLING	1,260.96
JESSICA ROWE-DESILVA	115.00
LIBRARY TOTAL	13,946.51
<i>Design 4</i>	<i>5,300.00</i>

POLICE

JOSHUA DAMME	1,487.10
SHEA DEGAN	108.94
ANDREW HILSCHER	2,143.54
GREGORY KELLY	1,229.64
DONALD MCGUIRE	145.25
DANIEL STOCKER	1,619.92
ABIGAIL WARREN	252.81
MARK WILKINS	143.84
RELIANCE STANDARD	274.82
VERIZON	247.95
JOSHUA DAMME	1,487.10
ANDREW HILSCHER	2,143.54
GREGORY KELLY	1,229.64
DANIEL STOCKER	1,619.93
MARK SUNDERMEIER	44.27
ABIGAIL WARREN	183.55
MARK A WILKINS	215.78
BENNINGTON AUTO SALE	742.70
COX BUSINESS SERVICES	159.32
SUNSET LAW ENFOCREMENT	554.00
2 MEN AND A SHOP	28.54
L-TRON CORPORATION	345.45
MUD	280.85

CARTRIDGE CENTER INC.	100.00
CUBBY'S	1,141.05
CULLIGAN OF OMAHA	13.50
FILTER SHOP	9.59
OPPD	277.75
JOSHUA DAMME	1,551.57
ANDREW HILSCHER	2,327.40
GREGORY KELLY	1,229.64
DANIEL STOCKER	1,874.54
TREVOR THRASHER	145.25
ABIGAIL WARREN	211.25
RELIANCE STANDARD	274.82
UHS PREMIUM BILLING	7,713.70
VERIZON	247.95
PRESTO-X	44.00
POLICE TOTAL	33,850.49

PARKS

JOHN BOHRER	1,064.93
JACOB CONLEY	2,155.30
STUART ELLISON	484.61
JESSE GROTHENDICK	245.38
KUBOTA OF OMAHA	5,200.14
RELIANCE STANDARD	195.65
COX BUSINESS SERVICES	31.94
MENARDS	391.85
TY'S OUTDOOR POWER & SERVICE	199.71
VERIZON	21.32
JOHN BOHRER	1,126.38
JACOB CONLEY	2,210.89
STUART ELLISON	411.22
JESSE GROTHENDICK	258.76
CULLIGAN OF OMAHA	6.75
HOSE AND HANDLING INC.	56.59
VERMEER HIGH PLAINS	353.36
MENARDS	191.91
MUD	303.15
ARBOR DAY FOUNDATION	25.00
NAPA AUTO PARTS	31.87
CUBBY'S	79.37
HOME DEPOT CREDIT SERVICES	159.88
OPPD	439.97
VERIZON	40.04

COX BUSINESS SERVICES	31.94
JOHN BOHRER	1,228.32
JACOB CONLEY	2,155.30
STUART ELLISON	106.21
JESSE GROTHENDICK	127.59
HOTSY	504.84
LOCK-CRAFTERS	29.87
LOVELAND GRASS PAD	628.50
NEBRASKA MOSQUITO AND VECTOR CONTROL ASSOCIATION	40.00
NEBRASKA STATEWIDE ARBORETUM	180.00
RELIANCE STANDARD	195.65
UHS PREMIUM BILLING	718.72
VERIZON	21.32
VERMEER HIGH PLAINS	73.59
PRESTO-X	1.75
PARKS TOTAL	21,729.57

STREETS

KUBOTA OF OMAHA	5,200.15
COX BUSINESS SERVICES	31.95
HARSIN BUILT CONSTRUCTION	4,041.00
MENARDS	97.96
TY'S OUTDOOR POWER & SERVICE	49.93
VERIZON	21.32
CULLIGAN OF OMAHA	6.75
HOSE AND HANDLING	56.60
MENARDS	191.90
MUD	238.50
NAPA AUTO PARTS	31.88
CUBBY'S	79.37
HOME DEPOT CREDIT SERVICES	159.89
JEO CONSULTING INC	4,063.75
NEBRASKA DEPARTMENT OF TRANSPORTATION	3,298.40
OPPD	4,454.60
PINE CREST HOMES	45.00
VERIZON	40.05
COX BUSINESS SERVICES	31.95
HOTSY	504.84
LOCK-CRAFTERS	29.88
LOVELAND GRASS PAD	628.50
UHS PREMIUM BILLING	718.71
VERIZON	21.32

VERMEER HIGH PLAINS	18.40
YOUNG & WHITE LAW OFFICES	43.50
PRESTO-X	1.75
STREETS TOTAL	24,107.85

CITY	95,780.00
SEWER	78.78
LIBRARY	13,946.51
POLICE	33,850.49
PARKS	21,729.57
STREETS	24,107.85
TOTAL OF ALL BILLS	189,493.20

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

Consideration of a Conditional Use Permit for an Accessory Building housing a lawn and landscape Home Occupation located at 13802 N. 156th Street in a Transitional Agricultural District

City Engineer Julie Ogden presented the building and home occupation proposed for the property.

Johns opened a public hearing and there were no comments.

Motion by Bridgeford, second by Adams to approve a Conditional Use Permit for a lawn and landscape home occupation, subject to compliance with the requirements of the Douglas County and the City Engineer’s comment letters. All voted in favor and the motion carried.

Consideration of a Final Plat for 95.5 acres located south of Bennington Road and west of Kempten Creek for Water’s Edge @ 168 Subdivision lots 1-95

Consideration of a Change of Zoning from Transitional Agriculture (TA) to High Density Residential (R-4) for 95.5 acres located south of Bennington Road and west of Kempten Creek for Water’s Edge @ 168 Subdivision lots 1-95

City Engineer Julie Ogden presented the Final Plat and rezoning for the 87 lot single-family and 1 lot multi-family high density residential (R-4) subdivision. Multifamily dwellings include two-story 12-plexes and 20-plexes, 12 buildings and 170 units and is contingent on an approved Conditional Use Permit.

Johns opened a public hearing and there were no comments.

Motion by Dowding, second by Bridgeford to approve the Final Plat and rezoning as presented, subject to compliance with the requirements of the Douglas County and the City Engineer’s comment letters. Roll call vote: Adams – yes, Bridgeford – yes, Dowding – yes, Pekny – no. Motion carried.

Consideration of a Change of Zoning from Transitional Agriculture (TA) to Highway Commercial District (C-1) 5.46 acres located at 16102 State Highway 36 for Bennington Farms

Motion by Pekny, second by Bridgeford to table the Change of Zoning. All voted in favor and the motion carried.

Ordinance No. 507 Amending Zoning Regulations to Define Event Center and Add as a Conditional Use in the TA, C-1, C-3, C-4, I-1 and PUB Zoning Districts, Revise Section 5.05.02(A) and the Number of Farm Animals Allowed in the TA Zoning District and Revise definitions and Section 4.12 regarding Accessory Uses, Buildings and Structures
City Engineer Julie Ogden explained the addition of Event Centers as a Conditional Use in certain Zoning Districts, the limitation on Farm Animals in the TA Zoning District and definitions and revisions regarding Accessory Buildings and Structures.

Johns opened a public hearing and there were no comments.

Motion by Adams, second by Pekny to introduce and waive three readings of Ordinance 507 AN ORDINANCE AMENDING THE ZONING REGULATIONS OF THE CITY OF BENNINGTON REGARDING DEFINITIONS; ADOPTING A DEFINITION OF EVENT CENTER; MAKING EVENT CENTERS A CONDITIONAL USE IN THE TA,C-1, C-3, C-4, I-1 AND PUB ZONING DISTRICT; REVISING SECTION 5.05.02(A) REGARDING THE NUMBER OF FARM ANIMALS ALLOWED IN THE TA ZONING DISTRICT; AMENDING DEFINITIONS REGARDING ACCESSORY AND PRINCIPAL USES, STRUCTURES, AND BUILDINGS; AND AMENDING SECTION 4.12 REGARDING ACCESSORY BUILDINGS AND STRUCTURES. All voted in favor and the motion carried.

Motion by Bridgeford, second by Adams to approve and adopt Ordinance No. 507. All voted in favor and the motion carried.

Resolution No. 2022-02 Authorizing a Keno Satellite Facility at The Warehouse, 15835 C. W. Hadan Drive

Motion by Bridgeford, second by Dowding to approve The Warehouse as a satellite location for City of Omaha and EHPV Lottery Services. All voted in favor and the motion carried.

156th Street Project

Motion by Pekny, second by Dowding to approve Nebraska Dept. of Transportation Invoice No. 0645662 totaling \$10,165.76. All voted in favor and the motion carried.

Punch List items include continued grinding, road marking, overseeding and crack sealing.

Tim Ohrt Park Improvements

Motion by Pekny, second by Dowding to approve Final Plans and Authorize to Bid grading, drainage and paving. All voted in favor and the motion carried.

156th Street and Centennial Park Lighting Project – Review and Consideration
Motion by Bridgeford, second by Pekny to approve Group A Lighting Bid totaling \$48,320 to Strategic Electric. 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.

Police Report

Motion by Pekny, second by Dowding to approve the purchase of speed signals totaling \$16,500 from the Keno Fund. All voted in favor and the motion carried.

Public Comments

Concerns were raised regarding the speed of traffic on North 4th Street west of 156th Street and the grinding of 156th Street.

Adjourn

Motion by Bridgeford, second by Adams to adjourn the meeting at 7:11 p.m. All voted in favor and the motion carried.