

City of Bennington  
City Council Meeting Minutes  
Monday, May 9, 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, May 9, 2022 at 6:00 p.m. In attendance were City Council members Clint Adams, Kaye Bridgeford, Josh Dowding and Shane Pekny. Mindi Laaker identified the Open Meetings Act location that is available to the public.

Approval of Consent Agenda

- A. April 11, 2022 City Council Meeting Minutes
- B. April 2022 Bills Paid
- C. Keno Receipts: April 8.75%: \$6,894.27
- D. JEO Consulting 156<sup>th</sup> Street Invoice No. 131878 for \$301.25
- E. JEO Consulting General Engineering Invoice No. 131879 for \$10,190.00
- F. JEO Consulting Warehouse Street Improvements Invoice No. 131882 for \$10,831.50
- G. JEO Consulting Tim Ohrt Park Improvements Invoice No. 131880 for \$5,933.75
- H. JEO Consulting 156<sup>th</sup> St. Lighting south of Warehouse St. Invoice No. 131881 for \$1,993.75

**BILLS PAID IN APRIL**

**CITY**

|                                     |           |
|-------------------------------------|-----------|
| INSPRO MARSH & MCLENNAN AGENCY      | 6,763.00  |
| MUD                                 | 64.65     |
| BENNINGTON SUBURBAN FIRE DISTICT #7 | 43,441.60 |
| NEBRASKA WORKFORCE DEVELOPMENT      | 339.00    |
| NEBRASKA DEPT OF REVENUE            | 2,163.91  |
| ABE'S TRASH SERVICE, INC.           | 140.00    |
| US DEPT OF TREASURY                 | 4,678.04  |
| EDWARD JONES                        | 1,751.32  |
| MINDI LAAKER                        | 1,466.50  |
| JENNIFER RAUSCHER                   | 546.04    |
| COX BUSINESS SERVICES               | 90.23     |
| MINDI LAAKER                        | 62.00     |
| JEO CONSULTING                      | 21,618.75 |
| YOUNG & WHITE LAW OFFICE            | 3,153.75  |
| COX BUSINESS SERVICES               | 75.60     |
| ALL MAKES                           | 33.72     |
| BERGANKDV, LLC                      | 1,295.00  |

|                           |                   |
|---------------------------|-------------------|
| EMC INSURANCE COMPANIES   | 47,912.00         |
| OLD REPUBLIC SURETY GROUP | 300.00            |
| OPPD                      | 321.06            |
| US DEPT OF TREASURY       | 4,537.02          |
| EDWARD JONES              | 1,712.11          |
| RATINA CRAWFORD           | 674.02            |
| MINDI LAAKER              | 1,466.50          |
| JENNIFER RAUSCHER         | 625.55            |
| UHS PREMIUM BILLING       | 1,372.71          |
| MINDI LAAKER              | 57.00             |
| <b>CITY TOTAL</b>         | <b>146,661.08</b> |

**SEWER**

|                      |                  |
|----------------------|------------------|
| PEOPLE SERVICES      | 10,677.00        |
| CITY OF OMAHA        | 34,606.00        |
| ITY OF OMAHA CASHIER | 22,722.85        |
| ONE CALL CONCEPTS    | 42.50            |
| PEOPLE SERVICES      | 1,260.00         |
| <b>SEWER TOTAL</b>   | <b>69,308.35</b> |

**LIBRARY**

|                                |          |
|--------------------------------|----------|
| BAKER & TAYLOR BOOKS           | 770.86   |
| INGRAM                         | 82.62    |
| PETTY CASH                     | 200.00   |
| MUD                            | 150.85   |
| ABE'S TRASH SERVICE, INC.      | 290.00   |
| JESSICA ROWE-DeSILVA           | 207.00   |
| LYNN BARNA                     | 347.12   |
| LISA FLAXBEARD                 | 1,363.90 |
| NATALIE HARTLEY                | 569.41   |
| ANGELA PETERSON                | 459.79   |
| SHAY SNOW                      | 808.99   |
| PRESTO-X                       | 21.00    |
| PENWORTHY                      | 158.18   |
| SAM'S CLUB                     | 1,256.19 |
| LIBRARY                        | 180.00   |
| ALL MAKES OFFICE EQUIPMENT CO. | 122.22   |
| BAKER & TAYLOR BOOKS           | 9.59     |
| INGRAM                         | 168.13   |
| OPPD                           | 138.60   |

|                                 |                  |
|---------------------------------|------------------|
| LYNN BARNA                      | 275.33           |
| LISA FLAXBEARD                  | 1,363.91         |
| NATALIE HARTLEY                 | 612.86           |
| ANGELA PETERSON                 | 64.78            |
| SHAY SNOW                       | 737.59           |
| AMAZON CREDIT PLAN              | 12.80            |
| UHS PREMIUM BILLING             | 1,260.96         |
| JESSICA ROWE-DeSILVA            | 207.00           |
| BIG O BOUNCE                    | 1,088.11         |
| AMERICAN MARKETING & PUBLISHING | 595.00           |
| <b>LIBRARY TOTAL</b>            | <b>13,522.79</b> |

**POLICE**

|                            |                  |
|----------------------------|------------------|
| COX BUSINESS SERVICES      | 159.18           |
| MUD                        | 318.10           |
| GARAGE DOOR SERVICES       | 237.50           |
| ABE'S TRASH SERVICES, INC. | 120.00           |
| JOSHUA DAMME               | 1,487.10         |
| ANDREW HILSCHER            | 2,143.55         |
| GREGORY KELLY              | 1,229.65         |
| DONALD MCGUIRE             | 145.24           |
| DANIEL STOCKER             | 1,619.92         |
| MARK SUNDERMEIER           | 185.11           |
| ABIGAIL WARREN             | 183.54           |
| PRESTO-X                   | 37.00            |
| MENARDS                    | 463.50           |
| CUBBY'S                    | 1,407.06         |
| IDEAL PURE WATER           | 21.00            |
| NEWSBANK                   | 583.00           |
| OPPD                       | 250.24           |
| JOSHUA DAMME               | 1,487.10         |
| ANDREW HILSCHER            | 2,143.54         |
| GREGORY KELLY              | 1,229.63         |
| DONALD MCGUIRE             | 136.17           |
| DANIEL STOCKER             | 1,619.94         |
| ABIGAIL WARREN             | 180.08           |
| UHS PREMIUM BILLING        | 7,713.70         |
| COX BUSINESS SERVICES      | 75.41            |
| <b>POLICE TOTAL</b>        | <b>25,176.26</b> |

**PARKS**

|                           |                  |
|---------------------------|------------------|
| MUD                       | 303.15           |
| BOHN CONSTRUCTION, INC.   | 9,600.00         |
| ABE'S TRASH SERVICE, INC. | 267.00           |
| MICHAEL ANDERSON          | 157.58           |
| CARTER BEHKEN             | 529.49           |
| JOHN BOHRER               | 1,064.94         |
| JACOB CONLEY              | 2,155.31         |
| STUART ELLISON            | 340.76           |
| JESSE GROTHENDICK         | 69.26            |
| JOHN BOHRER               | 59.87            |
| MENARDS                   | 331.84           |
| MIRACLE RECREATION        | 39,999.00        |
| CUBBY'S                   | 103.59           |
| HOME DEPOT                | 83.14            |
| NEBRASKA ARBORISTS ASSOC  | 48.00            |
| OPPD                      | 471.68           |
| MICHAEL ANDERSON          | 40.41            |
| CARTER BEHNKEN            | 215.31           |
| JOHN BOHRER               | 1,085.43         |
| JACOB CONLEY              | 2,230.18         |
| STUART ELLISON            | 159.31           |
| JESSE GROTHENDICK         | 171.50           |
| H&R CONSTRUCTION          | 1,575.27         |
| MENARDS                   | 259.30           |
| UHS PREMIUM BILLING       | 718.72           |
| SUNBELT RENTALS, INC.     | 308.29           |
| COX BUSINESS SERVICES     | 31.94            |
| <b>PARKS TOTAL</b>        | <b>62,380.27</b> |

**STREETS**

|                                       |           |
|---------------------------------------|-----------|
| MUD                                   | 238.50    |
| UNIQUE PAVING MATERIALS CORP          | 1,288.00  |
| JOHN BOHRER                           | 59.87     |
| HARSIN BUILT CONSTRUCTION             | 5,802.50  |
| MENARDS                               | 331.85    |
| JEO CONSULTING                        | 625.00    |
| NEBRASKA DEPARTMENT OF TRANSPORTATION | 10,165.76 |
| CUBBY'S                               | 103.59    |
| HOME DEPOT                            | 83.15     |

|                          |                  |
|--------------------------|------------------|
| NEBRASKA ARBORISTS ASSOC | 12.00            |
| OPPD                     | 5,224.88         |
| H&R CONSTRUCTION         | 6,301.06         |
| MENARDS                  | 259.31           |
| UHS PREMIUM BILLING      | 718.71           |
| SUNBELT RENTALS, INC.    | 77.07            |
| COX BUSINESS SERVICES    | 31.95            |
| <b>STREETS TOTAL</b>     | <b>31,323.20</b> |

|                           |                   |
|---------------------------|-------------------|
| <b>CITY</b>               | <b>146,661.08</b> |
| <b>SEWER</b>              | <b>69,308.35</b>  |
| <b>LIBRARY</b>            | <b>13,522.79</b>  |
| <b>POLICE</b>             | <b>25,176.26</b>  |
| <b>PARKS</b>              | <b>62,380.27</b>  |
| <b>STREETS</b>            | <b>31,323.20</b>  |
| <b>TOTAL OF ALL BILLS</b> | <b>348,371.95</b> |

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

Consideration of a Revised Preliminary Plat and Final Plat for 194 acres located in the vicinity of 10760 N. 156<sup>th</sup> Street previously known as Kempten Creek Phase 3 and now named Morgan Ridge Lots 1-240 and Outlots A-H

City Engineer Julie Ogden and Jeff Lamontagne with E & A Consulting explained the Revised Preliminary and Final Plats for the proposed development. Morgan Ridge includes single family dwellings, townhomes and commercial lots. A revised traffic study was completed. The Subdivision will be developed in two phases and includes a school site.

Johns opened a public hearing and there were no comments.

Motion by Pekny, second by Dowding to approve the Revised Preliminary and Final Plats both subject to compliance with the requirements of the City Engineer's review and comment letter. All voted in favor and the motion carried.

Ordinance No. 511 Amending the Bennington Zoning Regulations regarding Definitions of Impervious Surface, Lot Coverage, Pool Deck and Swimming Pools, Amending Section 4.12 regarding Swimming Pools and Amending Lot Coverage and Impervious Surface Limitations in all Zoning Districts

City Engineer Julie Ogden explained the amendments to the Zoning Regulations regarding Swimming Pools, Lot Coverage and Impervious Surface definitions, and lot coverage and impervious surface limitations in all Zoning Districts.

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. 511 AN ORDINANCE AMENDING THE ZONING REGULATIONS OF THE CITY OF BENINGTON REGARDING DEFINITIONS OF IMPERVIOUS SURFACE AND LOT COVERAGE; ADOPTING DEFINITIONS FOR POOL DECK AND SWIMMING POOL; AMENDING SECTION 4.12 REGARDING SWIMMING POOLS; AMENDING LOT COVERAGE LIMITATIONS IN ALL ZONING DISTRICTS AND ADOPTING IMPERVIOUS SURFACE LIMITATIONS IN ALL ZONING DISTRICTS. All voted in favor and the motion carried.

Motion by Pekny, second by Adams to approve and adopt Ordinance No. 511. All voted in favor and the motion carried.

Special Designated Liquor License and Street Closure Applications – Bennington Daze

- i. Bennington Jaycees, Pfeifler: 11 a.m. – Saturday, June 4 to 2 a.m. – Sunday, June 5
- ii. JDUB's Hangout, West: 11 a.m. to 12 a.m. - Saturday, June 4
- iii. Stumble Inn, Neiman: 11 a.m. to 12 a.m. – Saturday, June 4
- iv. The Warehouse, Nelson: 11 a.m. to 6 p.m. – Saturday, June 4

Motion by Dowding, second by Pekny to approve the liquor licenses and street closures as presented. All voted in favor and the motion carried.

Event Permit Application, Bennington Farmer's Market – Centennial Park  
Community Foundation / Chamber of Commerce - Thomsen

Motion by Adams, second by Dowding to approve the application and dates in June through October as presented. All voted in favor and the motion carried.

Resolution No. 2022-03 Approving the Placement of No Parking Signs on the South  
Side of C.W. Hadan Drive

Motion by Bridgeford, second by Pekny to approve the placement of No Parking signs on the south side of C. W. Hadan Drive. All voted in favor and the motion carried.

156<sup>th</sup> Street Project Punch List Update

Plans are in place for street striping, continued seeding and pavement markings.

Tim Ohrt Park Improvements – Authorize Award of Construction

Motion by Dowding, second by Pekny to award TR Construction the bid for park improvements totaling \$234,201.69. 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.

Office Report

Tax Increment Financing, Arterial Street Improvement Program, and Financial Reports were reviewed.

Public Comments

Concerns were raised regarding fences and downtown parking.

Adjourn

Motion by Bridgeford, second by Dowding to adjourn the meeting at 7:20 p.m.