

City of Bennington
City Council Meeting Minutes
Monday, December 12, 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 regular monthly meeting to order on Monday, December 12, 2022 at 6:00 p.m. In attendance were City Council members Clint Adams, Josh Dowding, and Shane Pekny. Council Member Kaye Bridgeford was absent. Mindi Laaker identified the Open Meetings Act location that is available to the public.

Approval of Consent Agenda

- A. November 14, 2022 City Council Regular Meeting Minutes
- B. November 2022 Bills Paid
- C. Keno Receipts: November 8.75%: \$8,066.52
- D. JEO Consulting Invoices for:
 - i. General Engineering Invoice No. 136851 for \$2,562.50
 - ii. Tim Ohrt Park Improvements Invoice No. 136852 for \$2,128.75
 - iii. 156th Street Admin Services Invoice No. 136850 for \$995.00
 - iv. Public Works Building Prelim Design Invoice No. 136908 for \$980.00
 - v. Neumeyer Farm Phase 1 Invoice No. 136854 for \$450.00
 - vi. 156th Street Lighting south of Warehouse St. Invoice No. 136853 for \$200.00
- E. Olsson Invoices for Neumeyer Farm Park:
 - i. Invoice No. 439674 for \$19,620.69

BILLS PAID IN NOVEMBER

CITY

U.S. DEPT OF TREASURY	5,900.26
EDWARD JONES	1,901.75
NEBRASKA DEPT OF REVENUE	1,853.67
TOWN WEB, LLC	1,396.29
YOUNG & WHITE LAW OFFICES	1,659.00
RATINA CRAWFORD	560.91
MINDI LAAKER	1,548.19
MUD	88.99
COX BUSINESS SERVICES	166.03
FILTER SHOP	8.44
THE J.P. COOKE COMPANY	75.50
OPPD	298.46
RATINA CRAWFORD	587.12
MINDI LAAKER	1,548.21
EDWARD JONES	1,890.21
U.S. DEPT OF TREASURY	5,822.12
U.S. POSTAL SERVICE	132.24

THE WAREHOUSE	25.00
ALL MAKES	11.56
JEO CONSULTING, INC	15,223.75
OLSSON	18,868.00
NEBRASKALAND NATIONAL BANK	198,213.73
EDWARD JONES	40.00
CITY TOTAL	257,819.43

SEWER

ONE CALL CONCEPTS	72.66
CITY OF OMAHA CASHIER	27,458.97
PEOPLE SERVICE	1,310.00
SEWER TOTAL	28,841.63

LIBRARY

FINDAWAY WORLD, LLC	264.91
INGRAM	563.00
JESSICA ROWE-DeSILVA	262.50
LAURITZEN GARDENS	75.00
MENARDS	542.16
NATALIE HARTLEY	48.00
SHERMAN PLUMBING	427.11
ALL MAKES OFFICE EQUIPMENT	104.09
BAKER & TAYLOR BOOKS	1,095.87
LISA FLAXBEARD	1,427.88
NATALIE HARTLEY	300.57
KATHRYN HUMPHREYS	1,239.48
SHAY SNOW	904.14
MUD	207.65
COX BUSINESS SERVICES	180.00
FILTER SHOP	25.66
OPPD	138.60
SAM'S CLUB MC/SYNCB	718.25
CASH	200.00
LISA FLAXBEARD	1,427.87
NATALIE HARTLEY	728.71
KATHRYN HUMPHREYS	1,215.79
SHAY SNOW	625.68
AMAZON CREDIT PLAN	420.85
BAKER & TAYLOR BOOKS	142.76
JESSICA ROWE-DeSILVA	275.00
LIBRARY TOTAL	13,561.53

POLICE

KELSEY MEHURON	4,978.51
CALEB CHVALA	1,540.00
JOSHUA DAMME	1,572.84
ANDREW HILSCHER	2,242.35
GREGORY KELLY	1,457.91
DONALD MCGUIRE	223.49
DANIEL STOCKER	1,780.25
MARK SUNDERMEIER	174.35
ABIGAIL WARREN	80.76
MARK WILKINS	243.80
MUD	207.65
BENNINGTON AUTO SALES	2,909.83
COX BUSINESS SERVICES	169.70
FILTER SHOP	8.00
IDEAL PURE WATER	35.49
OPPD	264.68
CALEB CHVALA	1,540.01
JOSHUA DAMME	1,572.84
SHEA DEGAN	81.27
ANDREW HILSCHER	2,242.36
ROBERT JONES	444.01
GREGORY KELLY	1,457.92
DONALD MCGUIRE	81.27
DANIEL STOCKER	1,780.25
ABIGAIL WARREN	117.46
CALEB CHVALA	55.90
GREAT PLAINS UNIFORMS LLC.	164.98
CUBBY'S	1,460.73
U.S POSTAL SERVICE	120.00
POLICE TOTAL	29,008.61

PARKS

CUBBY'S	101.72
MENARDS	10.47
CARTER BEHNKEN	156.57
JOHN BOHRER	1,180.15
DEREK BRECHBILL	1,526.44
JACOB CONLEY	2,134.83
MUD	140.65
KNUDSEN OIL & FEED	272.73

BENNINGTON BASEBALL CLUB	3,737.50
OPPD	487.28
PORT A JOHNS INC	100.00
STRATEGIC ELECTRIC GROUP, LLC	1,929.45
CARTER BEHNKEN	149.42
JOHN BOHRER	1,212.34
DEREK BRECHBILL	1,526.45
TRISTEN BUHRMAN	120.83
JACOB CONLEY	2,134.84
JACOB CONLEY	34.30
MIRACLE RECREATION	29,310.48
PARKS TOTAL	46,266.45

STREETS

CUBBY'S	101.71
MENARDS	10.46
YOUNG & WHITE LAW OFFICES	3,583.50
KNUDSEN OIL & FEED	272.73
OPPD	4,573.45
JEO CONSULTING, INC	9,032.75
TR CONSTRUCTION	19,232.12
THIELE GEOTECH, INC.	526.00
JACOB CONLEY	34.30
STREETS TOTAL	37,367.02

CITY	257,819.43
SEWER	28,841.63
LIBRARY	13,561.53
POLICE	29,008.61
PARKS	46,266.45
STREETS	<u>37,367.02</u>
TOTAL OF ALL BILLS	412,864.67

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

Bennington Historical Society Cabinet Unveiling

Gordon Mueller with the Bennington Historical Society presented the new cabinet with a brief explanation of the current contents on display.

Adjourn

Motion by Pekny, second by Dowding to adjourn the meeting at 6:05 p.m. All voted in favor and the motion carried.

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Report on Election Results

City Clerk Laaker reported the Official Results from the Douglas County Election Commissioner for the November 8, 2022 General Election for City Council Wards 1 and 2 with Shane Pekny being elected in Ward 1 and Kaye Bridgeford being elected in Ward 2.

Oath of Office by City Attorney Jeff Miller for Newly Elected Council Members Kaye Bridgeford and Shane Pekny

Election of Council President

Motion by Dowding, second by Adams to nominate Pekny as Council President. Roll call vote: Adams – yes, Dowding – yes. Motion carried.

Approval of Appointments

- | | |
|--|----------------------------------|
| A. 2023 Street Superintendent, Julie Ogden | JEO Consulting Group |
| B. 2023 City Engineer | JEO Consulting Group |
| C. Health & Safety Commissioners | Kaye Bridgeford / Joshua Dowding |
| D. Street & Park Commissioners | Clint Adams and Shane Pekny |

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

Warehouse Street Project – Final Plan Review and Authorization to Advertise and Obtain Easements

This project starts at South Second Street and ends at Harvest Lane and includes removal and replacement of a 27-foot-wide street, a sidewalk on the north side of the street, storm sewer and improvements to the sanitary sewer and parking availability. Costs are estimated at \$1.24 million.

Motion by Pekny, second by Dowding to approve the final plan review and authorize advertisement and bid opening in January 2023. All voted in favor and the motion carried.

Ordinance No. 516 Amending Section 5.15 of the Bennington Zoning Regulations regarding the Clustered/Mixed Use (CMD) Overlay District

City Engineer Julie Ogden presented the proposed amendments.

Johns opened a public hearing and it was pointed out that the regulations being discussed were applicable in Bennington's city limits and one-mile zoning jurisdiction.

Motion by Dowding, second by Pekny to introduce and waive three readings of Ordinance No. 516 AN ORDINANCE AMENDING SECTION 5.15 OF THE ZONING REGULATIONS OF THE CITY OF BENNINGTON REGARDING THE CMD CLUSTERED/MIXED USE OVERLAY DISTRICT. All voted in favor and the motion carried.

Motion by Pekny, second by Dowding to approve and adopt Ordinance No. 516. All voted in favor and the motion carried.

Ordinance No. 515 Vacating a Portion of North 149th Circle

Ogden explained the partial street vacation in the Ridgewood Replat 14 Subdivision.

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

Resolution 2022-10 Regarding Bereavement Leave, Holidays and Police Special Provisions – Holidays

Motion by Adams, second by Dowding to approve Resolution 2022-10 as presented. All voted in favor and the motion carried.

Resolution 2022-11 Approval of the Governing Body to the Mayor to Authorize and sign the Year-End Certification of City Street Superintendent

Motion by Adams, second by Pekny to approve Resolution 2022-11 as presented. All voted in favor and the motion carried.

Tim Ohrt Park Project

A. Final Pay Application #4 for \$13,364.42

B. Final Change Order #3 for \$995.80

Motion by Dowding, second by Adams to approve payment of items A-B listed above. All voted in favor and the motion carried.

Public Works Building Update including Tree Removal, Soil Stockpile and Flood Plain Permitting

The Public Works building site is located south of Bennington Road and northeast of the Papio Creek between the tree line and the creek.

Neumeyer Farm Project Update

The Design Development Plan was discussed and includes plans to bid, fundraising and sponsorships. Construction is planned for spring 2023 with fields play-ready for 2024. The City's involvement in the project will be to help move long term building along one field at a time.

American Legion – Centennial Park Memorial for Bennington Daze

Legion Member Larry Arp announced that a “moving” Tomb of the Unknown Soldier would be displayed during Bennington Daze on Saturday June 3, 2023.

Public Works Report

Public Works Director Jake Conley explained that the State Fire Marshall is requiring the abandonment of a fuel tank located on the north side of the Public Works garage at 15505 Warehouse Street.

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

All monthly reports are on file in the City Office.

Public Comments – Concerns were raised regarding the installation of street lights in the Library parking lot and parking stalls for the Warehouse Street Project.

Adjourn

Motion by Adams, second by Dowding to adjourn the meeting at 7:12 p.m. All voted in favor and the motion carried.