

City of Bennington
City Council Meeting Minutes
Monday, April 10, 2023; 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 10, 2023 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. March 13, 2023 City Council Meeting Minutes
- B. March 2023 Bills Paid
- C. Keno Receipts: March 8.75%: \$7,118.53
- D. JEO Consulting Invoices for:
 - i. General Engineering Invoice No. 139597 for \$7,067.50
 - ii. Warehouse Street Improvements Invoice No. 139600 for \$2,250.00
 - iii. Public Works Building Prelim Design Invoice No. 139599 for \$337.50
 - iv. Neumeyer Farm Phase 1 Invoice No. 139598 for \$1,673.75
- E. Olsson Invoices for Neumeyer Farm Park
 - i. Invoice No. 451295 for \$2,550.00
- F. John Bohrer Day Proclamation – Saturday, May 6 in Addition to Arbor Day

BILLS PAID IN MARCH

CITY

I3 BANK	185.00
EDWARD JONES	1,901.75
U.S. DEPT OF TREASURY	5,801.48
RATINA CRAWFORD	552.67
MINDI LAAKER	1,561.90
INTUIT	209.58
INTUIT	370.10
ABE'S TRASH SERVICE, INC.	35.00
ALL MAKES OFFICE EQUIPMENT CO.	105.42
OFFICE DEPOT, INC.	5.45
INTUIT SOFTWARE	650.00
I3 BANK	29,156.25
COX BUSINESS SERVICES	166.73
MUD	69.60
BERGANKDV, LLC	5,240.00
JEO CONSULTING	9,028.75
OLD REPUBLIC SURETY GROUP	100.00
U.S. POSTAL SERVICE	126.00

OLSSON	14,438.58
JOY'S TABLE	34.00
ANGUS BURGERS	28.92
CUNNINGHAMS	22.00
ARBY'S	14.96
CLOUDFLARE	240.00
I3 BANK	185.00
U.S. DEPT OF TREASURY	5,834.72
EDWARD JONES	1,901.75
RATINA CRAWFORD	437.12
MINDI LAAKER	1,566.41
OPPD	298.45
YOUNG & WHITE LAW OFFICES	2,679.64
ALL MAKES	9.15
BLUE CROSS BLUE SHIELD OF NEBRASKA	745.14
ALL MAKES OFFICE EQUIPMENT CO.	131.42
DOUGLAS COUNTY TREASURER	100.00
HOLIDAY INN	804.65
L.C. SERVICES	51.00
OFFICE DEPOT, INC.	101.05
I3 BANK	185.00
U.S. DEPT OF TREASURY	5,888.60
EDWARD JONES	1,737.91
RATINA CRAWFORD	825.71
MINDI LAAKER	1,612.13
CITY TOTAL	95,138.99

SEWER

ONE CALL CONCEPTS	23.46
CITY OF OMAHA CASHIER	27,014.11
PEOPLE SERVICES	1,310.00
SEWER TOTAL	28,347.57

LIBRARY

LYNN BARNA	27.54
LISA FLAXBEARD	1,463.41
NATALIE HARTLEY	689.61
KATHRYN HUMPHREYS	1,207.54
SHAY SNOW	1,086.27
ABE'S TRASH SERVICE, INC.	72.50
AMAZON CAPITAL SERVICES	290.83
MENARDS	64.25

PRESTO-X	23.73
DEMCO	263.61
BAKER & TAYLOR BOOKS	41.65
COX BUSINESS SERVICES	180.00
JESSICA ROWE-DESILVA	200.00
MUD	324.80
SAM'S CLUB MC/SYNCB	178.42
LISA FLAXBEARD	1,467.91
NATALIE HARTLEY	686.11
KATHRYN HUMPHREYS	1,240.46
SHAY SNOW	1,090.76
OPPD	138.60
BLUE CROSS BLUE SHIELD OF NEBRASKA	1,606.76
AMAZON CAPITAL SERVICES	257.66
BAKER & TAYLOR BOOKS	896.10
BIG O BOUNCE	1,116.61
INGRAM	503.26
JESSICA ROWE-DESILVA	262.50
L.C. SERVICES	19.00
THE BOOKWORM	327.76
SHAY SNOW	66.27
LISA FLAXBEARD	1,510.73
NATALIE HARTLEY	734.99
KATHRYN HUMPHREYS	764.64
SHAY SNOW	1,124.63
LIBRARY TOTAL	19,928.91

POLICE

CALEB CHVALA	1,600.70
DEVIN CRINKLAW	203.17
ANDREW HILSCHER	2,225.46
JAYME IVERSEN	1,082.97
ROBERT JONES	289.53
ROSALINDA PEREZ	1,741.45
DANIEL STOCKER	1,816.24
ABIGAIL WARREN	58.74
MARK WILKINS	162.54
ABE'S TRASH SERVICE, INC.	30.00
PRESTO-X	41.81
VERIZON	252.72
DANIEL STOCKER	35.07
COX BUSINESS SERVICES	169.91
GALLS, INC	50.90

IDEAL PURE WATER	29.98
MUD	138.00
OMAHA COMPOUND CO.	162.16
CALEB CHVALA	1,605.19
DEVIN CRINKLAW	40.65
ANDREW HILSCHER	2,229.95
JAYME IVERSEN	1,058.86
ROBERT JONES	365.16
DONALD MCGUIRE	162.54
MARK NOONAN	101.58
ROSALINDA PEREZ	1,745.93
DANIEL STOCKER	1,820.74
ABIGAIL WARREN	36.70
GREAT PLAINS UNIFORMS	164.98
OPPD	461.71
BLUE CROSS BLUE SHIELD OF NEBRASKA	8,241.18
NEBRASKA LAW ENFORCEMENT TRAINING CENTER	75.00
TY EBEL	850.00
CUBBYS	1,017.96
VERIZON	251.92
CALEB CHVALA	1,648.41
DEVIN CRINKLAW	203.17
ANDREW HILSCHER	2,458.69
JAYME IVERSEN	1,289.50
ROBERT JONES	142.22
DONALD MCGUIRE	162.54
MARK NOONAN	121.59
ROSALINDA PEREZ	1,803.88
DANIEL STOCKER	2,057.48
ABIGAIL WARREN	44.05
MARK WILKINS	243.80
POLICE TOTAL	40,496.73

PARKS

CARTER BEHNKEN	203.20
JOHN BOHRER	1,229.49
DEREK BRECHBILL	1,491.34
TRISTEN BUHRMAN	164.82
JACOB CONLEY	2,128.36
BULKAPPAREL.COM	138.45
JACK'S STACK	32.82
DOSTAL CONSTRUCTION	20,850.00

ABE'S TRASH SERVICE, INC.	381.00
HOME DEPOT	73.28
NORTHERN TOOL + EQUIPMENT	26.87
JOHNNY'S TAVERN	29.76
CHIPOLTE	16.85
SAPP BROS	31.01
FAIRFIELD INN AND SUITES	421.62
FAIRFIELD INN AND SUITES	421.62
VERIZON	21.29
MONSTER TREE SERVICE OF OMAHA	1,250.00
CUBBY'S	62.51
MUD	286.86
CARTER BEHNKEN	156.66
JOHN BOHRER	1,303.80
DEREK BRECHBILL	1,491.36
TRISTEN BUHRMAN	151.31
JACOB CONLEY	2,132.85
OPPD	494.18
ROB'S OIL COMPANY, INC	150.63
BLUE CROSS BLUE SHIELD OF NEBRASKA	803.38
HEIMES EXCAVATING	2,937.00
VERIZON	21.29
MICHAELS	24.98
JOHN BOHRER	1,026.56
DEREK BRECHBILL	1,535.06
TRISTEN BUHRMAN	79.66
JACOB CONLEY	2,173.98
PARKS TOTAL	43,743.85

STREETS

HARSIN BUILT CONSTRUCTION	21,251.00
HOME DEPOT	73.28
MENARDS	64.26
BULKAPPAREL.COM	138.46
JACK'S STACK	32.82
NORTHERN TOOL + EQUIPMENT	26.88
VERIZON	21.29
JOHNNY'S TAVERN	29.77
CHIPOLTE	16.84
SAPP BROS	31.01
MONSTER TREE SERVICE OF OMAHA	1,250.00
CUBBY'S	62.51
GIFF PROPERTY SERVICES	3,300.00

JEO CONSULTING	3,067.50
OPPD	4,922.17
ROB'S OIL COMPANY, INC	150.63
MICHAELS	24.97
YOUNG & WHITE LAW OFFICES	3,810.60
BLUE CROSS BLUE SHIELD OF NEBRASKA	803.38
HEIMES EXCAVATING	2,937.00
VERIZON	21.29
STREETS TOTAL	42,035.66

CITY	95,138.99
SEWER	28,347.57
LIBRARY	19,928.91
POLICE	40,496.73
PARKS	43,743.85
STREETS	42,035.66
TOTAL OF ALL BILLS	269,691.71

Motion by Adams, second by Dowding to include in the March Meeting Minutes, under the agenda item Neumeyer Farm Park Project the following addition to the motion: Motion by Pekny, second by Adams to approve the Blade Masters Grounds Main. Inc. bid “**for Group A and Alternates A, G and H**” totaling \$711,313.01 and to approve the Consent Agenda. All voted in favor and the motion carried.

Consideration of a Change of Zoning for 40 acres located in the vicinity east of North 168th Street and north of Military Road (SEC-TWN-RGE 15-16-11) from Transitional Agriculture (TA) to a Medium Density Residential District (R-3) for the Hagen Hills Development Lots 47-89 and Outlots F and G

Consideration of a Preliminary Plat for 40 acres located in the vicinity east of North 168th Street and north of Military Road for the Hagen Hills Development Lots 47-89 and Outlots F and G

City Engineer Julie Ogden and attorney Marty Pelster on behalf of the developer presented the proposed development for 43 single family dwelling lots within Bennington’s jurisdiction. The NRD lake is an estimated 5 to 10 years out and the construction of Rainwood Road is dependent on development coordination with Douglas County in the area.

Johns opened a public hearing and there were no comments.

Motion by Dowding, second by Pekny to approve of a change in zoning from Transitional Agriculture to an R-3 Medium Density Residential Zoning District for 43 lots and 2 outlots and to approve the Preliminary Plat subject to compliance with the requirements of the Douglas County and City Engineer comment letters. All voted in favor and the motion carried.

Neumeyer Farm Park Project

City Engineer Julie Ogden discussed the Project and the contract award to Blade Masters Grounds Maintenance, Inc. for Award Group A and Alternates A, G and H for two fields and seed in lieu of sod and the bid specifications for deductions for the use of seed, and the contractor's objections to Alternates G and H with the deductions for seed in lieu of sod. Options to reconsider the awarded contract were presented, including a contract award for Award Groups A and B and Alternate G for one field and seed in lieu of sod, parking area, and the bid specification deduction for use of seed. The Olsson floodplain development work and Agreement were also discussed. Council member Pekny discussed a Project grant application that was not awarded.

Motion by Pekny, second by Bridgeford to reconsider the previous award and approve a contract with Blade Masters for Groups A and B and Alternate G totaling \$924,377.33. All voted in favor and the motion carried.

Motion by Dowding, second by Adams to amend the Engineering Agreement with Olsson Design Studio to include additional floodplain development totaling \$4,000. All voted in favor and the motion carried.

BAL Field Use Agreement – Bennington Athletic League

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

Bennington Public Works Building Update

Tree piles on site need to be burned so that dirt can be hauled in preparing the area for the construction of a building.

Downtown Development Agreement with JEO Consulting for a Blight and Substandard Study totaling \$7,700

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

Police Department Building Discussion, Approval of Purchase and Installation

A site plan will be created describing the layout of floodplain, road construction, parking and building installation located between the existing Police Station at 11402 N. 156th Street and the Public Works area at 15790 Bennington Road.

Motion by Pekny, second by Adams to table a building purchase. All voted in favor and the motion carried.

City Website and Email Development Update

The City website is in the beginning stages of transitioning from Rackspace to a .gov account.

ASIP Ordinance 3-Year Review of Current and Proposed Fees

Per the Arterial Street Improvement Program ordinance, City Engineer Julie Ogden reviewed the Program, the fees received and the current rates and compared them with other local jurisdictions. An updated ASIP fee ordinance will be presented in May.

Review and Approval of Refund to Bennington Public Schools on Balance of Payment made at Start of 156th Street Project

Motion by Bridgeford, second by Dowding to table the payment of \$53,627.79 to BPS for further review and consideration. All voted in favor and the motion carried.

Recalculated Bank Account Transfer Approval

Motion by Bridgeford, second by Pekny to approve the transfer of construction costs totaling \$259,760.27 from Keno Fund to General Fund for Tim Ohrt Park playground equipment and improvements. All voted in favor and the motion carried.

Tim Ohrt Park Playground Celebration – Sunday, April 30 at 1:00 p.m.

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

All monthly reports are on file in the City Office.

Public Comments

Confirmation was given that the “The Tomb of the Unknown Soldier” will be on display in Centennial Park at this year’s Bennington Daze celebration.

Larry Goertz of Blade Masters Ground Maintenance, Inc. stated that there was probably a mistake in his bid for the Neumeyer Farm Park Project, but his bid was fair and the bid categories were confusing and the new contract award did not resolve his objections.

Adjourn

Motion by Bridgeford, second by Pekny to adjourn the meeting at 7:26 P.M. All voted in favor and the motion carried.