

City of Bennington
City Council Meeting Minutes
Monday, March 13, 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, March 13, 2023 at 6:00 p.m. In attendance were City Council members Clint Adams, Kaye Bridgeford, and Shane Pekny. City Council Member Josh Dowding was absent. Mindi Laaker identified the Open Meetings Act location that is available to the public.

Approval of Consent Agenda

- A. February 13, 2023 City Council Meeting Minutes
- B. February 2023 Bills Paid
- C. Keno Receipts: February 8.75%: \$7,231.56
- D. JEO Consulting Invoices for:
 - i. General Engineering Invoice No. 138959 for \$4,465.00
 - ii. 156th Street Admin Services Invoice No. 138958 for \$255.00
 - iii. Warehouse Street Improvements Invoice No. 138961 for \$2,812.50
 - iv. Public Works Building Prelim Design Invoice No. 139053 for \$1,195.00
 - v. Neumeyer Farm Phase 1 Invoice No. 138960 for \$3,368.75
- E. Olsson Invoices for Neumeyer Farm Park:
 - i. Invoice No. 449090 for \$14,438.58
- F. Arbor Day Proclamation – Saturday, May 6

BILLS PAID IN FEBRUARY

CITY

I3 BANK	185.00
NEBRASKA DEPT OF REVENUE	1,585.90
EDWARD JONES	1,934.49
U.S. DEPT OF TREASURY	5,526.64
RATINA CRAWFORD	605.10
MINDI LAAKER	1,561.99
MUTUAL OF OMAHA	126.73
MUTUAL OF OMAHA	69.27
MUD	69.60
ABE'S TRASH SERVICE, INC.	35.00
BENNINGTON CHAMBER OF COMMERCE	75.00
BERGANKDV, LLC	5,995.00
COX BUSINESS SERVICES	165.43
BENNINGTON SCHOOL	10.00
I3 BANK	185.00
EDWARD JONES	1,901.75
U.S. DEPT OF TREASURY	5,310.36

RATINA CRAWFORD	587.61
MINDI LAAKER	1,561.99
U.S. DEPT OF TREASURY	128.39
ALL MAKES	11.65
OFFICE DEPOT, INC.	20.22
OPPD	298.63
U.S. POSTAL SERVICE	114.00
YOUNG & WHITE LAW OFFICES	2,873.90
JEO CONSULTING, INC.	11,510.00
OLSSON	33,622.50
FILTER SHOP	8.58
BLUE CROSS BLUE SHIELD OF NEBRASKA	745.14
EMC INSURANCE COMPANIES	79.00
MUTUAL OF OMAHA	180.73
MUTUAL OF OMAHA	69.27
OLD REPUBLIC SURETY GROUP	100.00
RATINA CRAWFORD	56.32
NEBRASKA DEPT OF REVENUE	1,772.34
BANK OF BENNINGTON	284,250.00
CITY TOTAL	363,332.53

SEWER

ONE CALL CONCEPTS	19.88
CITY OF OMAHA CASHIER	25,528.14
PEOPLE SERVICE	1,310.00
SEWER TOTAL	26,858.02

LIBRARY

LYNN BARNA	55.09
EMMA BOARDMAN	154.02
LISA FLAXBEARD	1,463.51
NATALIE HARTLEY	400.79
KATHRYN HUMPHREYS	1,235.96
SHAY SNOW	1,124.64
BAKER & TAYLOR BOOKS	383.64
INGRAM	262.76
MUTUAL OF OMAHA	48.88
MUTUAL OF OMAHA	105.49
MUD	162.40
ABE'S TRASH SERVICE, INC.	72.50
ALL MAKES OFFICE EQUIPMENT CO.	99.70
BAKER & TAYLOR BOOKS	304.38

COX BUSINESS SERVICES	180.00
JESSICA ROWE - DESILVA	175.00
PRESTO-X	23.73
SAM'S CLUB MC/SYNCB	319.22
LYNN BARNA	33.05
LISA FLAXBEARD	1,463.51
NATALIE HARTLEY	636.99
KATHRYN HUMPHREYS	1,221.24
SHAY SNOW	1,111.60
AMAZON CREDIT PLAN	25.73
BAKER & TAYLOR BOOKS	125.50
COLLABORATIVE SUMMER LIBRARY PROGRAM	551.51
NEBRASKA LIBRARY COMMISSION	1,100.00
OPPD	138.60
FILTER SHOP	25.81
BLUE CROSS BLUE SHIELD OF NEBRASKA	2,468.38
JESSICA ROWE - DESILVA	225.00
MUTUAL OF OMAHA	146.64
MUTUAL OF OMAHA	188.43
INGRAM	247.17
COX BUSINESS SERVICES	72.27
ALL MAKES OFFICE EQUIPMENT CO.	138.34
BAKER & TAYLOR BOOKS	492.75
LIBRARY TOTAL	16,984.23

POLICE

CALEB CHVALA	1,482.25
ANDREW HILSCHER	2,418.49
JAYME IVERSEN	1,289.50
ROBERT JONES	325.06
DONALD MCGUIRE	162.54
DANIEL STOCKER	1,816.33
ABIGAIL WARREN	44.05
COX BUSINESS SERVICES	170.27
GRAFIX SHOPPE	310.00
MUTUAL OF OMAHA	225.36
MUTUAL OF OMAHA	239.54
MUD	300.40
AURORA POLICE DEPARTMENT	500.00
ABE'S TRASH SERVICE, INC.	30.00
GREAT PLAINS UNIFORMS	772.43
NEBRASKA LAW ENFORCEMENT TRAINING CENTER	175.00

PRESTO-X	41.81
SUNSET LAW ENFORCEMENT	472.80
THE LEADERSHIP CENTER	896.80
CALEB CHVALA	1,600.78
DEVIN CRINKLAW	81.26
ANDREW HILSCHER	2,225.54
JAYME IVERSEN	1,083.05
DONALD MCGUIRE	162.52
DANIEL STOCKER	1,816.32
ABIGAIL WARREN	40.38
MARK WILKINS	323.66
OPPD	446.58
GALLS INC.	15.99
BENNINGTON AUTO SALES	162.10
DANIEL STOCKER	45.03
ANDREW HILSCHER	17.95
FILTER SHOP	8.14
BEN TYSOR	80.00
BLUE CROSS BLUE SHIELD OF NEBRASKA	10,739.86
HOME DEPOT CREDIT SERVICES	36.72
MUTUAL OF OMAHA	862.84
MUTUAL OF OMAHA	466.02
OMAHA TACTICAL WEAPONS	805.00
TY EBEL	1,650.00
CUBBY'S	1,637.13
POLICE TOTAL	35,979.50

PARKS

CARTER BEHNKEN	228.08
JOHN BOHRER	1,318.66
DEREK BRECHBILL	1,491.44
TRISTEN BUHRMAN	144.55
JACOB CONLEY	2,128.36
ETHAN HEINEMANN	193.66
MUTUAL OF OMAHA	48.88
MUTUAL OF OMAHA	210.87
MUD	289.98
NAPA AUTO PARTS	67.14
ROB'S OIL COMPANY, INC.	661.01
ABE'S TRASH SERVICE, INC.	381.00
ARBOR DAY FOUNDATION	25.00
NEBRASKA ARBORISTS ASSOC	75.00
TY'S OUTDOOR POWER & SERVICE	652.34

MONSTER TREE SERVICE OF OMAHA	1,000.00
CARTER BEHNKEN	44.06
JOHN BOHRER	1,229.57
DEREK BRECHBILL	1,491.45
TRISTEN BUHRMAN	69.26
JACOB CONLEY	2,128.36
CUBBY'S	172.68
MENARDS	26.12
OFFICE DEPOT, INC.	37.32
OPPD	492.92
NEBRASKA ARBORISTS ASSOC	30.00
KANSAS RECREATION AND PARK ASSOCIATION	1,150.00
BLUE CROSS BLUE SHIELD OF NEBRASKA	803.38
MUTUAL OF OMAHA	48.88
MUTUAL OF OMAHA	210.87
NAPA AUTO PARTS	17.88
COX BUSINESS SERVICES	46.39
PARKS TOTAL	16,915.11

STREETS

HARSIN BUILT CONSTRUCTION	19,553.00
MUTUAL OF OMAHA	48.88
NAPA AUTO PARTS	67.14
ROB'S OIL COMPANY, INC.	661.01
TY'S OUTDOOR POWER & SERVICE	652.34
CUBBY'S	215.36
MENARDS	26.13
OFFICE DEPOT, INC.	37.32
OPPD	4,659.16
YOUNG & WHITE LAW OFFICES	4,410.90
JEO CONSULTING, INC.	586.25
BLUE CROSS BLUE SHIELD OF NEBRASKA	803.38
MUTUAL OF OMAHA	48.88
NAPA AUTO PARTS	17.89
COX BUSINESS SERVICES	46.40
STREETS TOTAL	31,834.04

CITY	363,332.53
SEWER	26,858.02
LIBRARY	16,984.23
POLICE	35,979.50
PARKS	16,915.11

STREETS
TOTAL OF ALL BILLS

31,834.04
491,903.43

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

Audit Report – Gene Garrelts, bergankDV

Garrelts presented the 2021-2022 Audit Report and September 30, 2022 Financial Statements. The audit report is on file in the City Office.

Consideration of a Change of Zoning from a Medium Density Residential District (R-3) to include a Clustered/Mixed Use Overlay District (CMD) for 7.3 acres on Bennington Park Plaza Lot 1 located south of C. W. Hadan Drive and north and east of North Fourth Street for Prairie Ridge Development Lots 1-74 and 5 outlots

Consideration of a Preliminary Plat for 7.3 acres on Bennington Park Plaza Lot 1 located south of C. W. Hadan Drive and north and east of North Fourth Street for Prairie Ridge Development Lots 1-74 and 5 outlots

City Engineer Julie Ogden, Jeff Stoll with E & A Consulting, Inc., Ryan Schwarz, Developer and Brent Beller with Fullenkamp, Jobeun, Johnson & Beller presented the proposed revised development and the addition of a Clustered/Mixed Use Overlay District for 74 duplex and townhouse dwelling lots. The current traffic study will be updated. The development will contain private streets.

Johns opened a public hearing and comments were made regarding water pressure, landscaping, construction litter, trees, lighting and stormwater drainage.

Motion by Adams, second by Pekny to approve the addition of a Clustered/Mixed Use Overlay District to the Medium Density Residential District for 74 lots and 5 outlots and to approve the Preliminary Plat subject to compliance with the requirements of the City Engineer's comment letter. All voted in favor and the motion carried.

Warehouse Street Improvements

Review Bids, Authorize Award of Construction Contract and Project Funding

City Engineer Julie Ogden explained the project and bids.

Motion by Bridgeford, second by Pekny to approve the M.E. Collins Contracting Co., Inc. bid totaling \$1,238,306. All voted in favor and the motion carried.

Neumeyer Farm Park Project

Review Bids, Authorize Award of Construction Contract and Project Funding

City Engineer Julie Ogden explained the project and bids.

Motion by Pekny, second by Adams to approve the Blade Masters Grounds Maint. Inc. bid totaling \$711,313.01. All voted in favor and the motion carried.

Motion by Bridgeford, second by Adams to approve an Agreement between City of Bennington, Bennington Community Foundation and Bennington Soccer Club. All vote in favor and the motion carried.

2023 Three-Year Planning Commission Reappointments – Recommendation to Mayor and Council

Motion by Adams, second by Pekny to approve Bob Zaruba and Anita Ortiz for reappointments as presented. All voted in favor and the motion carried.

Proposed Tim Ohrt and Logemann Park T-Ball Field Development

There have been discussions regarding the use of the existing backstop at Tim Ohrt Park and temporarily carving out an infield for BAL's t-ball use. Logemann Park is being evaluated for the addition of two t-ball fields including floodplain issues.

Legion Field Use Agreement – Bennington Baseball Club

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

Bank Account Transfer and Closing Approval

- A. From Keno Fund to General Fund for Playground Equipment and Construction Costs Totaling \$246,831.05
- B. Closing Library Renovation Checking Account on 7-11-22 and transferring \$7,973.74 to General Fund
- C. Closing Tim Ohrt Park Savings Account on 1-31-2023 and transferring \$24,784.38 to General Fund

Motion by Bridgeford, second by Adams to approve Items A-C listed above. 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

Concerns were raised regarding light pollution and visible night sky and City tree planting.

Executive Session for the Purpose of Pending Litigation

Motion by Bridgeford, second by Adams to go into executive session for the purpose of pending litigation at 7:54 p.m. All voted in favor and the motion carried.

Mayor Johns restated for the record that the limitation of the subject matter for the executive session was pending litigation.

Motion by Pekny, second by Adams to reconvene in open session at 8:05 p.m. All voted in favor and the motion carried.

Adjourn

Motion by Bridgeford, second by Pekny to adjourn the meeting at 8:05 p.m. All voted in favor and the motion carried.