

City of Bennington  
City Council Meeting Minutes  
Monday, June 12, 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, June 12, 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. May 8, 2023 City Council Meeting Minutes
- B. May 2023 Bills Paid
- C. Keno Receipts: May 8.75%: \$9,398.13
- D. JEO Consulting Invoices for:
  - i. General Engineering Invoice No. 141058 for \$7,035.00
  - ii. Warehouse Street Improvements Invoice No. 141061 for \$4,340.00
  - iii. Public Works Building Invoice No. 141060 for \$3,291.25
  - iv. Neumeyer Farm Phase 1 Invoice No. 141059 for \$2,223.75

**BILLS PAID IN MAY**

**CITY**

ALL MAKES OFFICE EQUIPMENT CO.	105.42
BERGANKDV, LLC	1,279.00
BLUE CROSS BLUE SHIELD OF NEBRASKA	745.14
MUTUAL OF OMAHA	153.73
MUTUAL OF OMAHA	69.27
LEAGUE OF NEBRASKA MUNICIPALITIES	583.00
NEBRASKA DEPT OF REVENUE	1,887.62
ABE'S TRASH SERVICE, INC.	35.00
FILTER SHOP	9.94
MUD	69.60
YOUNG & WHITE LAW OFFICES	3,028.15
BENNINGTON SCHOOL	450.00
COX BUSINESS SERVICES	165.68
EMC INSURANCE COMPANIES	52,635.00
JEO CONSULTING, INC.	17,007.50
OFFICE DEPOT, INC.	255.75
OLSSON	1,206.55
OPPD	302.31

RATINA CRAWFORD	480.83
MINDI LAAKER	1,612.27
WAREHOUSE	25.00
INTUIT FEE	137.73
EDWARD JONES	1,901.75
U.S. DEPT OF TREASURY	5,816.90
I3 BANK	185.00
U.S. POSTAL SERVICE	126.00
LINDSEY ADAMS	52.00
THE DAILY RECORD	118.14
ALL MAKES	11.13
L.C. SERVICES	19.00
ALL MAKES OFFICE EQUIPMENT CO.	105.42
MUTUAL OF OMAHA	153.73
MUTUAL OF OMAHA	69.27
OFFICE DEPOT, INC.	42.54
NEBRASKALAND NATIONAL BANK	234,998.35
RATINA CRAWFORD	493.92
MINDI LAAKER	1,566.41
EDWARD JONES	1,887.91
U.S. DEPT OF TREASURY	5,828.40
I3 BANK	185.00
ACH FEE	20.00
<b>CITY TOTAL</b>	<b>335,825.36</b>

### **SEWER**

ONE CALL CONCEPTS	23.46
CITY OF OMAHA CASHIER	50,750.15
PEOPLE SERVICES	1,310.00
<b>SEWER TOTAL</b>	<b>52,083.61</b>

### **LIBRARY**

AMAZON CAPITAL SERVICES	94.11
BLUE CROSS BLUE SHIELD OF NEBRASKA	1,606.76
COX BUSINESS SERVICES	72.46
MUTUAL OF OMAHA	97.76
MUTUAL OF OMAHA	146.96
PRESTO-X	23.73
NATALIE HARTLEY	93.00
ABE'S TRASH SERVICE, INC.	72.50

BAKER & TAYLOR BOOKS	38.89
CURZON PRODUCTIONS	50.00
DESIGN 4	25.80
FILTER SHOP	26.44
INGRAM	283.51
JESSICA ROWE-DESILVA	125.00
MUD	324.80
UNIVERSITY OF NEBRASKA - LINCOLN	125.00
ALL MAKES OFFICE EQUIPMENT CO.	126.49
BAKER & TAYLOR BOOKS	493.52
COX BUSINESS SERVICES	180.00
OFFICE DEPOT, INC.	55.31
OPPD	138.60
SAM'S CLUB MC/SYNCB	842.38
LISA FLAXBEARD	1,467.91
NATALIE HARTLEY	707.07
KATHRYN HUMPHREYS	1,261.52
LYDIA PILE	119.78
SHAY SNOW	1139.28
AMAZON CAPITAL SERVICES	1,000.59
JESSICA ROWE-DESILVA	212.50
AMERICAN LIBRARY ASSOCIATION	238.00
L.C. SERVICES	51.00
COX BUSINESS SERVICES	72.17
INGRAM	351.54
MUTUAL OF OMAHA	97.76
MUTUAL OF OMAHA	146.96
OFFICE DEPOT, INC.	81.02
PRESTO-X	23.73
MIDWEST STORAGE SOLUTIONS	4,237.49
LISA FLAXBEARD	1,467.91
NATALIE HARTLEY	576.15
KATHRYN HUMPHREYS	1,240.45
LYDIA PILE	118.43
SHAY SNOW	1090.77
<b>LIBRARY TOTAL</b>	<b>20,745.05</b>

**POLICE**

2 MEN AND A SHOP	33.35
BENNINGTON AUTO SALE	307.89

BLUE CROSS BLUE SHIELD OF NEBRASKA	8,241.18
MUTUAL OF OMAHA	544.10
MUTUAL OF OMAHA	352.78
PRESTO-X	41.81
CONSOLIDATED MANAGEMENT CO.	131.75
VERIZON	251.83
ABE'S TRASH SERVICE, INC.	30.00
FILTER SHOP	9.43
MUD	154.00
BELLEVUE UNIVERSITY	4,310.00
911 CUSTOM	150.00
U.S. POSTAL SERVICE	178.00
COX BUSINESS SERVICES	188.24
IDEAL PURE WATER	63.49
OPPD	416.89
POSITIVE PROMOTIONS	740.44
CALEB CHVALA	1,605.19
DEVIN CRINKLAW	142.22
ANDREW HILSCHER	2,229.94
JAYME IVERSEN	1,058.85
DONALD MCGUIRE	121.91
MARK NOONAN	101.59
ROSALINDA PEREZ	1,768.94
DANIEL STOCKER	1,820.73
ABIGAIL WARREN	33.04
IDEAL PURE WATER	26.49
CUBBY'S	1,337.70
MUTUAL OF OMAHA	544.10
MUTUAL OF OMAHA	352.78
CALEB CHVALA	1,605.20
ANDREW HILSCHER	2,229.96
JAYME IVERSEN	1,058.86
ROBERT JONES	182.84
DONALD MCGUIRE	101.58
ROSALINDA PEREZ	1,768.94
DANIEL STOCKER	1,820.74
ABIGAIL WARREN	36.72
<b>POLICE TOTAL</b>	<b>36,093.50</b>

**PARKS**

BLUE CROSS BLUE SHIELD OF NEBRASKA	803.38
COX BUSINESS SERVICES	46.39
HOSE AND HANDLING INC	70.21
JOHN DEERE FINANCIAL	14.48
MENARDS	4.09
MUTUAL OF OMAHA	48.88
MUTUAL OF OMAHA	210.87
HOME DEPOT CREDIT SERVICES	208.84
VERIZON	21.27
ABE'S TRASH SERVICE, INC.	537.00
MUD	129.98
NMC	146.48
TY'S OUTDOOR POWER & SERVICE	342.49
NORTHERN TOOL & EQUIPMENT	673.55
CUBBY'S	80.06
OPPD	687.06
TURFTEQ	6,146.00
CARTER BEHNKEN	47.74
JOHN BOHRER	1,232.41
DEREK BRECHBILL	1,491.35
TRISTEN BUHRMAN	205.35
JACOB CONLEY	2,132.87
TYLER FORTIN	55.41
KUBOTA OF OMAHA	168.72
MENARDS	101.70
PORT A JOHNS INC	225.00
TY'S OUTDOOR POWER & SERVICE	3.00
VERMEER HIGH PLAINS	750.00
COX BUSINESS SERVICES	46.39
DULTMEIER SALES	12.62
HOME DEPOT CREDIT SERVICES	154.18
MENARDS	27.65
MICHAEL TODD & COMPANY	200.24
MUTUAL OF OMAHA	48.88
MUTUAL OF OMAHA	210.87
ROB'S OIL COMPANY, INC.	87.01
TY EBEL	1,476.50
SITE ONE LANDSCAPE SUPPLY	1,952.72
PAPIO VALLEY NURSERY, INC.	660.10
THE ROCK PLACE	1,455.64

PRESTO-X	27.50
CARTER BEHNKEN	80.76
JOHN BOHRER	1,211.11
DEREK BRECHBILL	1,491.36
TRISTEN BUHRMAN	345.80
JACOB CONLEY	2,132.85
TYLER FORTIN	345.78
BULKAPPAREL.COM	139.18
MICHAELS	57.47
COSTCO	30.00
COSTCO	32.10
COSTCO	5,274.99
<b>PARKS TOTAL</b>	<b>34,086.28</b>

### **STREETS**

BLUE CROSS BLUE SHIELD OF NEBRASKA	803.38
COX BUSINESS SERVICES	46.40
HOSE AND HANDLING INC	70.20
JOHN DEERE FINANCIAL	14.48
MENARDS	4.08
MONSTER TREE SERVICE OF OMAHA	500.00
MUTUAL OF OMAHA	48.88
HOME DEPOT CREDIT SERVICES	157.87
VERIZON	21.28
NMC	146.48
TY'S OUTDOOR POWER & SERVICE	342.49
YOUNG & WHITE LAW OFFICES	4,319.55
CLERK OF THE DOUGLAS COUNTY COURT	91,500.00
BENNINGTON SCHOOL	53,627.79
NORTHERN TOOL & EQUIPMENT	673.56
CUBBY'S	80.06
JEO CONSULTING, INC.	5,642.50
NEBRASKA DEPARTMENT OF TRANSPORTATION	3,298.40
OPPD	4,935.66
TURFTEQ	6,146.00
KUBOTA OF OMAHA	168.73
MENARDS	101.69
TY'S OUTDOOR POWER & SERVICE	3.00
VERMEER HIGH PLAINS	750.00

CLEAN SWEEP COMMERCIAL INC	2,905.50
COX BUSINESS SERVICES	46.40
DULTMEIER SALES	12.63
HOME DEPOT CREDIT SERVICES	154.18
MENARDS	27.65
MICHAEL TODD & COMPANY	600.70
MUTUAL OF OMAHA	48.88
ROB'S OIL COMPANY, INC.	87.02
TY EBEL	1,476.50
SITE ONE LANDSCAPE SUPPLY	1,952.73
PAPIO VALLEY NURSERY, INC.	660.10
THE ROCK PLACE	1,455.63
PRESTO-X	27.50
BULKAPPAREL.COM	139.18
MICHAELS	57.47
COSTCO	30.00
COSTCO	32.10
<b>STREETS TOTAL</b>	<b>183,116.65</b>

<b>CITY</b>	<b>335,825.36</b>
<b>SEWER</b>	<b>52,083.61</b>
<b>LIBRARY</b>	<b>20,745.05</b>
<b>POLICE</b>	<b>36,093.50</b>
<b>PARKS</b>	<b>34,086.28</b>
<b>STREETS</b>	<b><u>183,116.65</u></b>
<b>TOTAL OF ALL BILLS</b>	<b>661,950.45</b>

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

Consideration of a Conditional Use Permit for a Home Occupation in a High Density Residential District (R-4) located at 217 S. Stark Street

City Engineer Julie Ogden described the home occupation involving part-time chiropractic services.

Johns opened a public hearing and there were no comments.

Motion by Pekny, second by Adams to approve a Conditional Use Permit as a home occupation located at 217 S. Stark Street. All voted in favor and the motion carried.

Event Permit Application and Street Closure – portions of North Second Street and 156<sup>th</sup> Avenue, 5 p.m. to 11 p.m. July 3, 2023 – Jared Weinman

Property owners and applicants Jared Weinman and Jason Housh explained the requested closure.

Motion by Bridgeford, second by Pekny to approve the closure of North 156<sup>th</sup> Avenue from North Second Street to Howard Lane with no closure approved on North Second Street. All voted in favor and the motion carried.

#### Application to House Chickens – 305 N. Stark Street

Applicant Lyndsay Wiley-Wellman requested four chickens and no roosters.

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

Consideration of a Final Plat for 7.3 acres 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 and Jeff Stoll with E & A Consulting presented the proposed final plat. All private streets and entrance/exits will be two-way streets. Johns opened a public hearing and there were no comments.

Motion by Pekny, second by Adams to approve the Final Plat including a waiver regarding street alignment and radii and subject to compliance with the requirements of the City Engineer's comment letter. All voted in favor and the motion carried.

#### Warehouse Street and Sewer Improvement Districts

Jay Spearman with Piper Sandler explained the Warehouse Street ordinance, resolutions and improvement districts.

Johns opened a public hearing to receive comments and input from the public and to confirm the existence of the required facts and conditions for the Street Improvement District 2023-01 and there were no comments.

Motion by Pekny, second by Adams to approve Resolution 2023-05 Confirming Street Improvement District 2023-01. All voted in favor and the motion carried.

Johns opened a public hearing to hear objections to the passage of the Resolution of Necessity 2023-06 and there were no comments.

Motion by Bridgeford, second by Adams to approve Resolution of Necessity 2023-06 for Sewer Improvement District 2023-01. All voted in favor and the motion carried.

Motion by Adams, second by Pekny to introduce and waive three readings of Ordinance No. 519 AN ORDINANCE PROVIDING FOR THE ISSUANCE OF STREET IMPROVEMENT BOND ANTICIPATION NOTES, SERIES 2023, IN THE AMOUNT OF NOT TO EXCEED SIX HUNDRED TWENTY THOUSAND DOLLARS (\$620,000) FOR THE PURPOSES OF PAYING THE COSTS OF CONSTRUCTING PAVING



IMPROVEMENTS WITHIN THE CITY OF BENNINGTON, NEBRASKA AND NECESSARY APPURTENANCES THERETO; PROVIDING FOR A PAYING AGENT AND REGISTRAR OF THE NOTES: AGREEING TO ISSUE BONDS TO PAY THE NOTES AND ACCRUED INTEREST AT MATURITY; PRESCRIBING THE FORM OF THE NOTES; AUTHORIZING THE SALE AND DELIVERY OF THE NOTES TO THE PURCHASER AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM. All voted in favor and the motion carried.

Motion by Bridgeford, second by Pekny to approve and adopt Ordinance No. 519. All voted in favor and the motion carried.

Motion by Pekny, second by Adams to approve Pay Application #1 for ME Collins totaling \$7213.92. All voted in favor and the motion carried.

Resolution No. 2023-07 Directing the Sale, Manner, and Terms of the Sale of a Surplus City Vehicle

Motion by Bridgeford, second by Adams to approve Resolution No. 2023-07 as presented. 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 Works Report

Concerns have been raised regarding the responsibility and condition of playground equipment located at the BAL four-plex. The Heritage Arboretum has been planted and improvements are upcoming.

Office Report

Motion by Pekny, second by Bridgeford to approve legal and public notifications to be published in The Daily Record. All voted in favor and the motion carried.

Adjourn

Motion by Bridgeford, second by Adams to adjourn the meeting at 6:41 p.m. All voted in favor and the motion carried.