City of Bennington
City Council Meeting Agenda
Tuesday, October 14, 2025; 6:00 P.M.
City Office, 15505 Warehouse Street
Bennington, NE
402-238-2375

1. Call to Order - Roll Call – Open Meetings Act

2. Approval of Consent Agenda
    A. September 8, 2025 City council Budget Meeting Minutes
    A. September 8, 2025 City Council Meeting Minutes
    B. September 2025 Bills Paid
    C. Keno Receipts: September 8.75%: $8,361.50
    D. JEO Consulting Invoices for:
        i. General Engineering Invoice No. 164424 totaling $9,167.50
        ii. Neumeyer Farm Soccer Invoice No. 164384 totaling $7,600.00
        iii. Public Works Building Invoice No. 164423 and 164196 totaling $6,828.75
        iv. Bennington Redevelopment Plan Invoice No. 164671 totaling $875.00
            A. Motion

3. Consideration of a Conditional Use Permit allowing for a Hair Salon in a Downtown Commercial District Zoning (C-3) located at 15414 Warehouse Street – Apt. 4
    A. Presentation, Staff and Applicant
    B. Public Hearing
    C. Motion

4. Consideration of Applicant Cydell White Jr. to the Planning Commission Vacancy for a Two-Year Term
    A. Motion

5. Master Agreement for Communications Cable and Facilities in Public Rights-Of-Way with Metro Fibernet, LLC, dba Metronet
    A. Staff and Metronet Presentation
    B. Motion to Approve

6. Engineering Agreement for Design, Bidding and Construction Services on Sanitary Sewer Lining on Stark, Molley and Allen Streets and Storm Sewer Lining in Bennington Park West
    A. Staff Presentation
    B. Motion to Approve

7. Douglas County Engineer Request for Rainwood Road Excess Right-of-Way Vacation
    A. Staff Presentation
    B. Motion to Approve

8. Ordinance No. 546 Approving 2026 Sewer Rate Increases
    A. Staff Presentation
    B. Motion to Introduce and Approve First Reading

9. Ordinance No. 545 Salary Update
    A. Motion to Introduce and Waive Three Readings
    B. Motion to Approve and Adopt

10. Public Works Building
    A. Pay Application #5 to Darland totaling $407,398.00
        i. Motion to Approve
    B. Change Order #6 for $11,993.30 for Hotsy, Sink and Water
        i. Motion to Approve

11. Traffic Study for Traffic Signal Changes at 156th Street and Bennington Road
    A. Draft Report Review and Discussion

12. Neumeyer Farm Park Phase II Update

13. Library Report

14. Police Report

15. Public Works Report

16. Office Report

17. Project Tracker

18. Public Comments – This is the proper time for public comments on any topic or matter which is not on the agenda.

19. Executive Session for Strategy Discussions with City Attorney regarding Contract Negotiations

20. Adjourn

Anyone desiring to speak on an agenda item that involves a public hearing is invited to do so. All those who wish to address the Council during such a public hearing should stand, state your name and address and limit yourself to three minutes. Anyone desiring to speak for a longer period of time should make arrangements with the City Clerk prior to the meeting. This procedure will assure that everyone will be heard by the Council for those agenda items that involve a public hearing. Individuals requiring physical or sensory accommodations should contact the City Clerk at 402-238-2375. Thank you. Clint Adams, Mayor

Planning Commission

9-24-2025 Minutes

City of Bennington
Planning Commission Meeting Minutes
Wednesday, September 24, 2025; 6:00 P.M.
City Office, 15505 Warehouse St.
Bennington, NE
402-238-2375

Call to Order – Open Meeting Act – Roll Call
Planning Commission Chair James Bartles called the meeting to order at 6:00 p.m. The following members were present: James Bartles, Karen Hohman, Anita Ortiz, Mike Valasek and Bob Zaruba. Member Haime Dias was absent. City Treasurer Tina Crawford identified the Open Meetings Act location that is available to the public.

Approval of August 27, 2025 Meeting Minutes
Motion by Zaruba, second by Valasek to approve the minutes as presented. All voted in favor and the motion carried.

Consideration of a Conditional Use Permit allowing for a Hair Salon in a Downtown Commercial District Zoning (C-3) located at 15414 Warehouse Street – Apt. 4
City Engineer Julie Ogden and Applicant Randy King presented the Hair Salon as a Conditional Use.

Bartles opened a public hearing and comments were made regarding business and residential growth in the downtown district.

Motion by Hohman, second by Zaruba to approve the conditional use with the conditions recommended in the City Engineer's comment letter.

November and December Meeting Dates Discussion
The November and December Planning Commission meetings will be as follows: Tuesday, November 25 and Wednesday December 17.

Adjourn
Motion by Zaruba, second by Hohman to adjourn the meeting at 6:28 p.m.

ITEM #2 Consent Agenda

City of Bennington
City Council Budget Meeting Minutes
Monday, September 8, 2025; 6:00 p.m.
City Office, 15505 Warehouse Street
Bennington, NE
402-238-2375

Call to Order - Roll Call – Open Meetings Act

Mayor Clint Adams called the 2025-2026 budget meeting to order at 6:00 p.m. on Monday, September 8, 2025. In attendance were City Council Members Kaye Bridgeford, Rob Hamilton, Adam Lee, and Shane Pekny. City Clerk Mindi Laaker identified the Open Meetings Act location that is available to the public.

2025-2026 Budget Hearing, Budget Summary and Tax Request

Creative Planning Accountant Tim Lens presented an overview of the budget. The property rate for the fiscal year 2025-2026 will be set at $0.558512 calculated at $0.356559 for the General Fund and $0.201953 for the Bond Fund. The 2025-2026 property tax request will be set at $1,021,355.06 for the General Fund and $578,491.00 for the bond fund, for a total of $1,599,846.06.

Adams opened a public hearing and there were no comments.

Adjourn

Motion by Bridgeford, second by Lee to adjourn the meeting at 6:02 p.m. All voted in favor and the motion carried.

City of Bennington
City Council Meeting Minutes
Monday, September 8, 2025; 6:00 P.M.
City Office, 15505 Warehouse Street
Bennington, NE
402-238-2375

Call to Order - Roll Call – Open Meetings Act

Mayor Clint Adams called the regular monthly meeting to order at 6:02 p.m. on Monday, September 8, 2025. In attendance were City Council Members Kaye Bridgeford, Rob Hamilton, Adam Lee, and Shane Pekny. City Clerk Mindi Laaker identified the Open Meetings Act location that is available to the public.

Approval of Consent Agenda

A. August 11, 2025 City Council / School Board Meeting Minutes
B. August 11, 2025 Community Development Agency Meeting Minutes
C. August 11, 2025 City Council Meeting Minutes
D. August 25, 2025 Community Development Agency Meeting Minutes
E. August 25, 2025 Special Budget Meeting Minutes
F. August 2025 Bills Paid
G. Keno Receipts: August 8.75%: $9,647.85
H. JEO Consulting Invoices for:
    i. General Engineering Invoice No. 163532 totaling $9,377.50
    ii. Neumeyer Farm Invoice No. 163436 totaling $28,942.50
    iii. Public Works Building Invoice No. 163415 totaling $8,967.50

BILLS PAID IN AUGUST	
CITY	
BLUE CROSS BLUE SHIELD OF NEBRASKA	4,216.72
THE DAILY RECORD	637.31
GUARDIAN	223.59
GUARDIAN	223.59
MUD	52.95
MUTUAL OF OMAHA	244.90
OFFICE DEPOT, INC	50.29
PRESTO - X	41.42
YOUNG AND WHITE LAW OFFICES	3,918.00
I3 BANK HSA	163.50
I3 BANK HSA	226.00
I3 BANK HSA - LAYNE LAAKER	312.50
I3 BANK HSA - HEATHER LUTH	600.00
SAINT ARMOUR LIFE LINE	180.00
THE DAILY RECORD	48.67
LEAGUE OF NEBRASKA MUNICIPALITIES	12,425.00
OLD REPUBLIC SURETY GROUP	100.00

WM CORPORATE SERVICES, INC	278.50
GREAT OMAHA CONFERENCE	100.00
MAPA CONFERENCE	36.08
RATINA CRAWFORD	1,247.36
KEVIN HAND	2,674.31
MINDI LAAKER	866.75
NATIONWIDE	2,184.23
NATIONWIDE	4,296.80
LEAGUE OF NEBRASKA MUNICIPALITIES	156.00
LEAGUE OF NEBRASKA MUNICIPALITIES	592.00
IRS TAX PAYMENT	6,719.78
INTUIT	398.00
COX BUSINESS SERVICES	10.06
EMC INSURANCE COMPANIES	35,475.00
FILTER SHOP	9.48
GREAT AMERICA FINANCIAL SERVICE	128.40
GUARDIAN	232.09
JEO CONSULTING, INC	18,512.50
MUTUAL OF OMAHA	244.90
OPPD	305.17
I3 BANK - HSA	226.00
USPS	156.00
RATINA CRAWFORD	1,139.37
KEVIN HAND	2,674.31
MINDI LAAKER	866.75
NATIONWIDE	2,173.38
NATIONWIDE	4,285.94
AT&T MOBILITY	46.22
THE DAILY RECORD	55.33
OFFICE DEPOT, INC	87.36
OMAHA NEON SIGN COMPANY	225.00
I3 BANK - HSA	226.00
I3 BANK - HSA	226.00
JP MORGAN	2,720.00
IRS TAX PAYMENT	10,168.33
CITY TOTAL	**123,407.84**
SEWER	
ONE CALL CONCEPTS	17.18

DARLAND CONSTRUCTION CO.	1,401.00
JEO CONSULTING, INC	415.00
PEOPLE SERVICES	1,430.00
CITY OF OMAHA CASHIER	33,644.99
SEWER TOTAL	**36,908.17**
LIBRARY	
BLUE CROSS BLUE SHIELD OF NEBRASKA	5,301.28
FONTENELLE FOREST	175.00
GUARDIAN	50.43
GUARDIAN	50.43
DUNNING MUSIC & ENTERAINMENT	100.00
JESSICA ROWE-DESILVA	341.00
MUD	247.10
MUTUAL OF OMAHA	222.25
OFFICE DEPOT, INC	213.92
PRESTO - X	28.19
SAC MUSEUM	450.00
SAM'S CLUB MC/SYNCB	3,990.80
SAINT ARMOUR LIFE LINE	120.00
NLA/NSLA CONFERENCE	400.00
PLAYAWAY PRODUCTS, LLC	49.98
SPRINGSHARE, LLC	1,199.00
WM CORPORATE SERVICES, INC	270.65
LYNN BARNA	63.03
JOHNNA BIERMAN	1,344.96
LISA FLAXBEARD	1,649.32
NATALIE HARTLEY	497.78
HEATHER LUTH	1,048.23
LYDIA PILE	709.71
TARYN STERN	289.37
COX BUSINESS SERVICES	337.06
ASSOCIATION FOR RURAL & SMALL LIBRARIES	75.00
FILTER SHOP	27.80
GURADIAN	50.43
JANWAY COMPANY USA, INC	596.00
JESSICA ROWE-DESILVA	341.00
MUTUAL OF OMAHA	222.25
OPPD	138.60

JOHNNA BIERMAN	1,357.71
LISA FLAXBEARD	1,537.34
NATALIE HARTLEY	1,281.07
HEATHER LUTH	1,048.24
LYDIA PILE	608.95
TARYN STERN	597.09
ABDO PUBLISHING COMPANY, INC	3,103.60
BENNINGTON LION CLUB	80.00
FONTENELLE FOREST	300.00
GREAT AMERICA FINANCIAL SERVICE	243.82
OFFICE DEPOT, INC	-1.80
LIBRARY TOTAL	**30,756.59**
POLICE	
ALL CREATURES VETERINARY CLINIC	249.36
AXON ENTERPRISE, INC.	87.20
BLUE CROSS BLUE SHIELD OF NEBRASKA	10,116.38
GREAT AMERICA FINANCIAL SERVICE	69.41
GUARDIAN	134.38
GUARDIAN	134.38
MUD	168.00
MUTUAL OF OMAHA	568.29
PRESTO - X	45.57
SAINT ARMOUR LIFE LINE	420.00
US DEPARTMENT OF EDUCATION	3,037.54
ANDREW HILSCHER	52.09
WM CORPORATE SERVICES, INC	56.50
USPS POSTAGE	16.10
JORDAN BRADLEY	328.35
ANDREW HILSCHER	2,676.91
JAYME IVERSEN	1,634.37
NICOLE MARTIN	295.52
DONALD MCGUIRE	285.60
STACIA NELSON	1,828.47
MARK NOONAN	180.91
JONATHAN STARKE	2,081.10
DANIEL STOCKER	2,190.58
OMAHA AUTO WRAPS - DEPOSIT	710.01
OMAHA AUTO WRAPS - 2ND PAYMENT	710.01

CUBBY'S	1,445.33
FILTER SHOP	8.88
GREAT PLAINS UNIFORMS	278.47
GURADIAN	161.21
IDEAL PURE WATER	24.99
MUTUAL OF OMAHA	568.29
OPPD	433.89
COX BUSINESS SERVICES	204.60
DEVIN CRINKLAW	461.37
ANDREW HILSCHER	2,676.91
JAYME IVERSEN	1,634.37
ROBERT JONES	285.60
NICOLE MARTIN	258.58
DONALD MCGUIRE	274.63
STACIA NELSON	1,821.71
MARK NOONAN	74.34
PAUL SMOOT	506.03
JONATHAN STARKE	2,081.10
DANIEL STOCKER	2,190.57
ERIC WHITE	129.69
CLOSE QUARTERS CONCEPTS COURSE	725.00
AT&T MOBILITY	242.57
BENNINGTON AUTO SALE	188.03
GREAT AMERICA FINANCIAL SERVICE	90.28
POLICE TOTAL	**44,843.47**
PARKS	
VERMEER HIGH PLAINS	101.99
BLUE CROSS BLUE SHIELD OF NEBRASKA	1,062.23
COX BUSINESS SERVICES	46.39
GUARDIAN	17.09
GUARDIAN	17.09
HOME DEPOT CREDIT SERVICES	57.95
MUD	991.04
MUTUAL OF OMAHA	156.24
PRESTO - X	32.07
ROB'S OIL COMPANY, INC	380.42
SITE ONE LANDSCAPE SUPPLY	979.48
SAINT ARMOUR LIFE LINE	60.00

CUBBY'S	183.71
PORT A JOHNS	112.50
WM CORPORATE SERVICES, INC	571.37
JOHN BOHRER	988.41
DEREK BRECHBILL	1,614.67
JACKSON CONRAD	708.56
NATHAN STIER	779.81
DARLAND CONSTRUCTION CO.	178,142.10
GURADIAN	130.94
JEO CONSULTING, INC	7,297.50
MUTUAL OF OMAHA	156.24
OPPD	734.66
JOHN BOHRER	988.39
DEREK BRECHBILL	1,614.67
JACKSON CONRAD	909.07
LAYNE LAAKER	1,907.08
NATHAN STIER	909.07
AT&T MOBIOLITY	23.11
MUD	3,002.62
PARKS TOTAL	**204,676.47**
STREETS	
VERMEER HIGH PLAINS	102.00
BLUE CROSS BLUE SHIELD OF NEBRASKA	1,062.24
COX BUSINESS SERVICES	46.40
GUARDIAN	8.97
GUARDIAN	8.97
HOME DEPOT CREDIT SERVICES	57.94
MUD	237.00
MUTUAL OF OMAHA	9.97
PRESTO - X	32.06
ROB'S OIL COMPANY, INC	380.43
SAINT ARMOUR LIFE LINE	60.00
CUBBY'S	183.71
PORT A JOHNS	112.50
DARLAND CONSTRUCTION CO.	178,142.10
GURADIAN	17.94
JEO CONSULTING, INC.	8,110.00
MUTUAL OF OMAHA	9.97

OPPD	5,615.92
AT&T MOBIOLITY	23.11
STREETS TOTAL	**194,221.23**
CITY	**123,407.84**
SEWER	**36,908.17**
LIBRARY	**30,756.59**
POLICE	**44,843.47**
PARKS	**204,676.47**
STREETS	**194,221.23**
TOTAL OF ALL BILLS	**634,813.77**

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

2025-2026 Budget Resolution 2025-06 Setting Final Tax Request
Motion by Bridgeford, second by Pekny to approve Budget Resolution 2025-06 setting the property tax rate for fiscal year 2025-2026 at $0.558512. All voted in favor and the motion carried.

Amendments to the City of Bennington Zoning Regulations to add a definition of "Motor Vehicle Collision Facility", to add Motor Vehicle Collision Facility as a Permitted Use or a Conditional Use in the C-1 Highway Commercial Zoning District, and amend Section 5.10.06(C) to permit the outdoor storage of vehicles awaiting service by a Motor Vehicle Collision Facility provided that such vehicles are in an enclosed and screened area
City Engineer Julie Ogden presented the amendments adding a Motor Vehicle Collision Facility as a Conditional Use.

Adams opened a public hearing and there were no comments.

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

Special Designated Liquor Licenses – Founder's Day Saturday September 27, 2025
A. Monolithic Brewing Co., Hartung – 12 p.m. to 9 p.m.
B. JDUB's Hangout, West – 11 a.m. to 12 a.m. Sunday September 28, 2025

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

Street Closure and Event Application
Sons of the American Legion Trunk and Treat Event, Saturday October 25 from 5-9 p.m. Closing South Second Street between Stark and Allen Streets

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

Peddler's Permit Application for Everlight Solar Door-to-Door Sales for One Week October 13-18, 2025
Motion by Pekny, second by Lee to approve Everlight Solar a one-week permit. All voted in favor and the motion carried.

Review and Approval of 2025-2026 One & Six Year Street Plan
Street Superintendent Julie Ogden explained the proposed Street Plan.

Adams opened a public hearing and there were no comments.

Motion by Pekny, second by Bridgeford to approve Resolution 2024-07 and adopt the One & Six Year Street Plan. All voted in favor and the motion carried.

Traffic Study Agreement for Traffic Signal Changes at 156th Street and Bennington Road
Motion by Pekny, second by Bridgeford to approve the traffic study totaling $8505. All voted in favor and the motion carried.

2025 Douglas County Local Emergency Operations Plan
Motion by Bridgeford, second by Pekny to approve the plan as presented. All voted in favor and the motion carried.

Douglas County 168th Street Armor Coat and 156th Street Patching Project
Motion by Lee, second by Pekny to approve and pay Invoice No. 55634 and 55645 to Douglas County totaling $33,362.00. All voted in favor and the motion carried.

Public Works Building
Motion by Bridgeford, second by Lee to approve Pay Application #4 to Darland totaling $205,281.70. All voted in favor and the motion carried.

Motion by Pekny, second by Lee to table Change Order #3 for $16,364.70 and approve Change Order #4 for $13,181.30. All voted in favor and the motion carried.

Neumeyer Farm Park Phase II Update
Motion by Pekny, second by Bridgeford to approve transfer from Keno Fund to General Fund the remaining balance due from Phase I totaling $230,085.27. All voted in favor and the motion carried.

Ordinance No. 544 Amending the City of Bennington's Zoning Regulations Sections 2.03.270A, 5.100.03(F), and 5.10.06(C) regarding a Motor Vehicle Collision Facility Definition, including Motor Vehicle Collision Facility as a Conditional Use in the C-1

Highway Commercial Zoning District, and Amending Use Limitations and Outdoor Storage in the C-1 Highway Commercial Zoning District

Motion by Bridgeford, second by Pekny to introduce and waive three readings of Ordinance No. 544 AN ORDINANCE AMENDING THE CITY OF BENNINGTON'S ZONING REGULATIONS SECTIONS 2.03.270A, 5.10.03(F), AND 5.10.06(C) REGARDING A MOTOR VEHICLE COLLISION FACILITY DEFINITION, INCLUDING MOTOR VEHICLE COLLISION FACILITY AS A CONDITIONAL USE IN THE C-1 HIGHWAY COMMERCIAL ZONING DISTRICT, AND AMENDING USE LIMITATIONS AND OUTDOOR STORAGE IN THE C-1 HIGHWAY COMMERCIAL ZONING DISTRICT. All voted in favor and the motion carried.

Motion by Bridgeford, second by Pekny to approve and adopt Ordinance No. 544. 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.

Executive Session for Strategy Discussions with City Attorney regarding Contract Negotiations

Motion by Bridgeford, second by Pekny to go into Executive Session for contract negotiation discussions with City Attorney at 7:11 p.m.

Motion by Bridgeford, second by Pekny to come out of Executive Session for contract negotiation discussions with City Attorney at 7:44 p.m.

Adjourn

Motion by Bridgeford, second by Lee to adjourn the meeting at 7:45 p.m. all voted in favor and the motion carried.

BILLS PAID IN SEPTEMBER
CITY

22418	BLUE CROSS BLUE SHIELD OF NEBRASKA	4,216.72
22420	THE DAILY RECORD	280.66
22425	MUTUAL OF OMAHA	214.99
22428	PRESTO-X	41.42
22429	THREE RIVERS CLERK'S ASSOCIATION	20.00
DD	RATINA CRAWFORD	1,149.17
DD	KEVIN HAND	2,441.66
DD	MINDI LAAKER	866.74
AUTO	I3 BANK - HSA	226.00
AUTO	QUICKBOOKS IRS TAX PAYMENT	8,962.67
AUTO	NATIONWIDE	2,455.46
AUTO	NATIONWIDE	4,568.04
22436	THE DAILY RECORD	391.32
22441	MUD	52.95
22442	OLD REPUBLIC SURETY GROUP	200.00
22448	WM CORPORATE SERVICES, INC	62.50
22449	YOUNG & WHITE LAW OFFICES	3,499.20
AUTO	I3 BANK - HSA	226.00
22453	COX BUSINESS SERVICES	104.31
22456	EMC INSURANCE COMPANIES	426.00
22459	JEO CONSULTING, INC	37,445.00
22463	L.C. SERVICES	19.00
22466	NEBRASKA MUNICIPAL CLERKS ASSOC.	150.00
22467	OPPD	306.38
AUTO	I3 BANK - HSA	226.00
AUTO	QUICKBOOKS	408.00
WIRE	BOND PRINCIPAL PAYMENT	25,000.00
WIRE	BOND PRINCIPAL PAYMENT	75,000.00
WIRE	BOND PRINCIPAL PAYMENT	210,000.00
WIRE	BOND INTEREST PAYMENT	3,948.75
WIRE	BOND INTEREST PAYMENT	6,445.00
WIRE	BOND INTEREST PAYMENT	16,178.75
DD	RATINA CRAWFORD	1,198.28
DD	KEVIN HAND	2,441.65
DD	MINDI LAAKER	866.75
22473	THE DAILY RECORD	134.00
22477	GUARDIAN	240.59
22478	GREAT AMERICA FINANCIAL SERVICES	151.68
22490	OFFICE DEPOT, INC	164.89
AUTO	QB IRS TAX PAYMENTS	9,492.36
AUTO	I3 BANK - HSA	226.00
22496	BENNINGTON SUBURBAN FIRE DISTRICT #7	56,534.78
22497	AT&T MOBILITY	46.22
22503	OFFICE DEPOT, INC	39.57
AUTO	NATIONWIDE	4,581.08
AUTO	NATIONWIDE	2,468.51
22508	BLUE CROSS BLUE SHIELD OF NEBRASKA	4,216.72
	CITY TOTAL	**488,335.77**

SEWER

22430	TREKK DESIGN GROUP, LLC	34,753.50
22444	ONE CALL CONCEPTS	14.72
22459	JEO CONSULTING, INC	62.50
22482	PEOPLE SERVICES	1,605.00
22487	TREKK DESIGN GROUP, LLC	1,770.00
	SEWER TOTAL	**38,205.72**

LIBRARY

22418	BLUE CROSS BLUE SHIELD OF NEBRASKA	4,912.84	
22419	COX BUSINESS SERVICES	72.99	
22423	JESSICA ROWE DeSILVA	341.00	
22425	MUTUAL OF OMAHA	81.19	
22427	OMAHA CHILDRENS MUSEUM	550.00	
22428	PRESTO-X	28.19	
DD	JOHNNA BIERMAN	1,355.19	
DD	LISA FLAXBEARD	1,537.32	
DD	NATALIE HARTLEY	680.62	
DD	HEATHER LUTH	1,048.25	
DD	LYDIA PILE	446.47	
DD	TARYN STERN	96.96	
22439	THE UNCOMMON COMPASS	1,265.00	
22440	MIDWEST FLOOR COVERING, INC	961.00	
22441	MUD	247.10	
22446	SAM'S CLUB MC/SYNCB	7,642.34	
22448	WM CORPORATE SERVICES, INC	120.65	
22450	180 CARPET CLEANING LLC	1,745.00	
22452	THE BIG GARDEN	100.00	
22453	COX BUSINESS SERVICES	136.13	
22460	JESSICA ROWE DeSILVA	341.00	
22463	L.C. SERVICES	56.00	
22467	OPPD	138.60	
22471	TODAY'S CLASSROOM	967.25	
DD	JOHNNA BIERMAN	1,344.98	
DD	LISA FLAXBEARD	1,537.33	
DD	NATALIE HARTLEY	814.87	
DD	HEATHER LUTH	1,048.23	
DD	LYDIA PILE	406.35	
22477	GUARDIAN	50.43	
22478	GREAT AMERICA FINANCIAL SERVICES	179.34	
22481	KAREN LAND	600.00	
22483	PLAYAWAY PRODUCTS, LLC	1,474.00	
22484	STRATEGIC ELECTRIC GROUP, LLC	4,690.00	
22490	OFFICE DEPOT, INC	223.66	
22491	NATALIE HARTLEY	174.99	REIMBURSEMENTS
22492	HEATHER LUTH	138.63	REIMBURSEMENTS
22499	DEMCO	1,447.84	
22500	FARONICS TECHNOLOGIES USA, INC	632.00	
22502	JESSICA ROWE DeSILVA	341.00	
22504	PLAYAWAY PRODUCTS, LLC	1,066.42	
22505	ROBERTY ROSENQUIST	1,125.00	
22506	SAM'S CLUB MC/SYNCB	13,136.89	
22507	COX BUSINESS SERVICES	72.46	
22508	BLUE CROSS BLUE SHIELD OF NEBRASKA	5,171.80	
	LIBRARY TOTAL	**60,547.31**	

POLICE

22415	2 MEN AND A SHOP	62.84	
22416	APPLIED CONCEPTS, INC	107.50	
22417	BENNINGTON AUTO SALE	777.23	
22418	BLUE CROSS BLUE SHIELD OF NEBRASKA	10,116.38	
22424	MCFARLAND'S TOWING AND RECOVERY	96.30	
22425	MUTUAL OF OMAHA	273.21	
22428	PRESTO-X	45.57	
22431	TYLER EBEL	1,431.45	
DD	ANDREW HILSCHER	2,676.91	
DD	JAYME IVERSEN	1,634.37	
DD	ROBERT JONES	175.76	
DD	NICOLE MARTIN	304.75	
DD	STACIA NELSON	1,821.72	
DD	JONATHAN STARKE	1,341.28	

DD	DANIEL STOCKER	2,190.59	
22433	DANIEL STOCKER	749.00	REIMBURSEMENT
22434	APPLIED CONCEPTS, INC	107.50	
22435	BENNINGTON AUTO SALE	777.23	
22441	MUD	168.00	
22443	OMAHA TACTICAL WEAPONS	1,650.00	
22448	WM CORPORATE SERVICES, INC	56.50	
CC	OFFICE DEPOT, INC	59.90	
22451	BENNINGTON AUTO SALE	612.88	
22453	COX BUSINESS SERVICES	203.26	
22454	CUBBY'S	1,728.71	
22457	GREAT PLAINS UNIFORMS	758.46	
22461	KAYDEE COMPANY	1,406.00	
22467	OPPD	414.91	
22470	SUNSET LAW ENFORCEMENT	670.00	
22472	UNMC	173.00	
CC	WALMART	86.56	
CC	HOME DEPOT	234.53	
DD	JORDAN BRADLEY	214.21	
DD	ANDREW HILSCHER	2,676.90	
DD	JAYME IVERSEN	1,703.17	
DD	NICOLE MARTIN	295.52	
DD	DONALD MCGUIRE	175.76	
DD	STACIA NELSON	1,821.71	
DD	JONATHAN STARKE	2,257.11	
DD	DANIEL STOCKER	2,190.58	
DD	ERIC WHITE	124.34	
22474	DIGITAL ALLY	1,015.00	
22477	GUARDIAN	167.38	
22479	GREAT PLAINS UNIFORMS	154.49	
22480	IDEAL PURE WATER	7.49	
22488	STACIA NELSON	310.72	
22489	DAN STOCKER	385.06	
22493	STACIA NELSON	137.11	REIMBURSEMENT
22494	ANDREW HILSCHER	300.00	REIMBURSEMENT
22495	JONATHAN STARKE	395.59	REIMBURSEMENT
22497	AT&T MOBILITY	416.61	
22501	GREAT AMERICA FINANCIAL SERVICES	25.80	
22508	BLUE CROSS BLUE SHIELD OF NEBRASKA	10,116.38	
	POLICE TOTAL	**57,803.23**	

PARKS

22418	BLUE CROSS BLUE SHIELD OF NEBRASKA	2,102.15	
22419	COX BUSINESS SERVICES	46.39	
22421	DARLAND CONSTRUCTION CO	1,975.00	
22425	MUTUAL OF OMAHA	283.87	
22426	NAPA AUTO PARTS	82.23	
22428	PRESTO-X	32.07	
22432	VERMEER HIGH PLAINS	1,141.93	
DD	JOHN BOHRER	988.42	PARKS 1547.33 STREETS 991.88
DD	DEREK BRECHBILL	1,614.68	PARKS 1738.21 STREETS 579.40
DD	JACKSON CONRAD	798.39	PARKS 484.00 STREETS 448.00
DD	LAYNE LAAKER	1,907.09	PARKS 1591.04 STREETS 1060.70
DD	NATHAN STIER	942.28	PARKS 832.00 STREETS 288.00
22437	HOME DEPOT CREDIT SERVICES	129.46	
22438	JENSEN BROTHERS MOWING, LLC	1,100.00	
22441	MUD	2,585.67	
22445	PORT A JOHNS	112.50	
22447	SITE ONE LANDSCAPE SUPPLY	2,906.13	
22448	WM CORPORATE SERVICES, INC	571.37	
22454	CUBBY'S	418.31	

CC	AMAZON	535.50	
CC	AMAZON	15.75	
22455	DARLAND CONSTRUCTION CO	102,640.85	
22459	JEO CONSULTING, INC	4,733.75	
22462	KNUDSEN OIL & FEED	163.50	
22464	MENARDS	109.15	
22467	OPPD	610.36	
22468	QUALITY SPORTS CONSTRUCTION	990.00	
22469	SITE ONE LANDSCAPE SUPPLY	1,149.43	
DD	JOHN BOHRER	988.39	PARKS 1333.08
			STREETS 1206.12
DD	DEREK BRECHBILL	1,614.67	PARKS 1506.45
			STREETS 811.16
DD	JACKSON CONRAD	680.17	PARKS 352.00
			STREETS 428.00
DD	LAYNE LAAKER	1,909.79	PARKS 1460.75
			STREETS 1195.15
DD	NATHAN STIER	813.88	PARKS 816.00
			STREETS 136.00
22477	GUARDIAN	62.92	
22486	VERMEER HIGH PLAINS	952.95	
22497	AT&T MOBILITY	23.11	
22507	COX BUSINESS SERVICES	46.39	
22508	BLUE CROSS BLUE SHIELD OF NEBRASKA	1,582.19	
	PARKS TOTAL	**139,360.69**	

STREETS

22418	BLUE CROSS BLUE SHIELD OF NEBRASKA	2,102.14
22419	COX BUSINESS SERVICES	46.40
22422	H & R CONSTRUCTION	20,140.00
22425	MUTUAL OF OMAHA	-19.94
22426	NAPA AUTO PARTS	82.23
22428	PRESTO-X	32.06
22437	HOME DEPOT CREDIT SERVICES	14.64
22441	MUD	237.00
22445	PORT A JOHNS	112.50
22454	CUBBY'S	418.31
22455	DARLAND CONSTRUCTION CO	102,640.85
22458	H & R CONSTRUCTION	4,930.00
22459	JEO CONSULTING, INC	5,046.25
22462	KNUDSEN OIL & FEED	163.50
22464	MENARDS	109.15
22465	MICHAEL TODD & COMPANY, INC	219.39
22467	OPPD	5,622.03
CC	AMAZON	535.50
CC	AMAZON	15.75
22475	DOUGLAS COUNTY TREASURER	27,887.00
22476	DOUGLAS COUNTY TREASURER	5,475.00
22477	GUARDIAN	13.45
22485	SANITARY AND IMPROVEMENT DISTRICT 603	85,286.82
22497	AT&T MOBILITY	23.11
22507	COX BUSINESS SERVICES	46.40
22508	BLUE CROSS BLUE SHIELD OF NEBRASKA	1,582.19
	STREETS TOTAL	**262,761.73**

CITY		**488,335.77**
SEWER		**38,205.72**
LIBRARY		**60,547.31**
POLICE		**57,803.23**
PARKS		**139,360.69**
STREETS		**262,761.73**
TOTAL OF ALL BILLS	**$**	**1,047,014.45**

GENERAL DEPOSITS

5-Sep	OFFICE DEPOSIT		9,081.00
10-Sep	STATE OF NEBRASKA - HIGHWAY ALLOCATION		22,094.81
12-Sep	OFFICE DEPOSIT		3,181.00
15-Sep	DOUGLAS COUNTY GENERAL		49,734.68
15-Sep	DOUGLAS COUNTY BOND		21,894.23
17-Sep	OFFICE DEPOSIT		30,809.74
22-Sep	STATE OF NEBRASKA - SALES TAX		106,847.87
26-Sep	OFFICE DEPOSIT - MUD/LIBR		74,329.77
3-Sep	OFFICE DEPOSIT		18,375.00
30-Sep	TRANSFER FROM KENO		230,085.27
30-Sep	INTEREST		12,153.90
	DEPOSITS TOTAL	**$**	**578,587.27**
	DIFFERENCE	***$***	***468,427.18***
4-Sep	*KENO DEPOSIT*		*4,540.46*
18-Sep	*KENO DEPOSIT*		*3,821.04*
30-Sep	*TRANSFER TO GENERAL*		*-230,085.27*
30-Sep	*KENO INTEREST*		*1,255.93*
			-220,467.84

JEO CONSULTING GROUP

Engineering | Architecture | Surveying | Planning

Invoice

September 12, 2025
Project No: R090034.13
Invoice No: 164424
Invoice Amount: 9,167.50

Mindi Laaker
City of Bennington
15505 Warehouse Street
PO Box 221
Bennington, NE 68007

Project Manager Julie Borchers

Project R090034.13 Bennington General Engineering

Professional Services through September 5, 2025

	Contract Amount	Percent Complete	Billed-to-Date	Previous Billing	Current Billing
Hourly Phase(s)					
2025 General Engineering			$95,332.50	$86,165.00	$9,167.50
Total			**$95,332.50**	**$86,165.00**	**$9,167.50**

Total Amount Due Upon Receipt : $9,167.50

Outstanding Invoices

Number	Date	Balance
163532	8/15/2025	9,377.50
Total		**9,377.50**

Email invoice to: Mindi Laaker, Clerk, clerk@benningtonne.com

Billing Backup

Friday, September 12, 2025
10:53:33 AM

JEO Consulting Group, Inc. Invoice 164424 Dated 9/12/2025

Project R090034.13 Bennington General Engineering

Phase 2025 2025 General Engineering

Task 001 General Assistance/Meetings

Hours this Invoice

		Hours		Amount	
63 - Borchers, Julie	8/11/2025	2.75	250.00	687.50	
63 - Borchers, Julie	8/12/2025	.75	250.00	187.50	
63 - Borchers, Julie	8/15/2025	.25	250.00	62.50	
63 - Borchers, Julie	8/21/2025	3.75	250.00	937.50	
63 - Borchers, Julie	8/25/2025	.75	250.00	187.50	
63 - Borchers, Julie	8/28/2025	1.00	250.00	250.00	
63 - Borchers, Julie	9/3/2025	1.75	250.00	437.50	
63 - Borchers, Julie	9/4/2025	5.00	250.00	1,250.00	
Totals		16.00		4,000.00	
Total Labor					**4,000.00**

Total this Task **$4,000.00**

Task 002 Planning & Building Assistance

Hours this Invoice

		Hours		Amount	
63 - Borchers, Julie	8/11/2025	1.50	250.00	375.00	
63 - Borchers, Julie	8/13/2025	.50	250.00	125.00	
63 - Borchers, Julie	8/14/2025	.50	250.00	125.00	
63 - Borchers, Julie	8/19/2025	1.00	250.00	250.00	
40 - Ray, Jeffrey	8/20/2025	1.50	240.00	360.00	
40 - Ray, Jeffrey	8/22/2025	.50	240.00	120.00	
63 - Borchers, Julie	8/25/2025	.25	250.00	62.50	
63 - Borchers, Julie	8/27/2025	2.25	250.00	562.50	
63 - Borchers, Julie	8/28/2025	.25	250.00	62.50	
63 - Borchers, Julie	9/2/2025	.50	250.00	125.00	
63 - Borchers, Julie	9/2/2025	.25	250.00	62.50	
63 - Borchers, Julie	9/3/2025	.50	250.00	125.00	
63 - Borchers, Julie	9/5/2025	.50	250.00	125.00	
Totals		10.00		2,480.00	
Total Labor					**2,480.00**

Total this Task **$2,480.00**

Task 004 Sewer System Assistance

Hours this Invoice

		Hours		Amount	
63 - Borchers, Julie	8/22/2025	.25	250.00	62.50	
63 - Borchers, Julie	9/2/2025	.50	250.00	125.00	
63 - Borchers, Julie	9/4/2025	.25	250.00	62.50	
Totals		1.00		250.00	
Total Labor					**250.00**

Total this Task **$250.00**

Task 005 Drainage/Storm Sewer Assistance

Hours this Invoice

		Hours		Amount	
63 - Borchers, Julie	8/11/2025	.50	250.00	125.00	
Totals		.50		125.00	
Total Labor					**125.00**

Total this Task **$125.00**

Task 006 Street/Bridge Assistance

Hours this Invoice

		Hours		Amount	
63 - Borchers, Julie	8/18/2025	.50	250.00	125.00	
Totals		.50		125.00	
Total Labor					**125.00**

Total this Task **$125.00**

Task 008 New Port Vista

Hours this Invoice

		Hours		Amount	
63 - Borchers, Julie	8/19/2025	.50	250.00	125.00	
Totals		.50		125.00	
Total Labor					**125.00**

Total this Task **$125.00**

Task 009 Kempton

Hours this Invoice

		Hours		Amount	
63 - Borchers, Julie	8/29/2025	3.00	250.00	750.00	
Totals		3.00		750.00	
Total Labor					**750.00**

Total this Task **$750.00**

Task 011 The Heritage Replat 6

Hours this Invoice

		Hours		Amount	
63 - Borchers, Julie	8/21/2025	.75	250.00	187.50	
63 - Borchers, Julie	8/27/2025	.25	250.00	62.50	
63 - Borchers, Julie	8/29/2025	.75	250.00	187.50	
63 - Borchers, Julie	9/5/2025	.25	250.00	62.50	
Totals		2.00		500.00	
Total Labor					**500.00**

Total this Task **$500.00**

Task 012 Morgan Ridge

Hours this Invoice

			Hours		Amount	
63 - Borchers, Julie		8/13/2025	1.00	250.00	250.00	
63 - Borchers, Julie		9/5/2025	.25	250.00	62.50	
	Totals		1.25		312.50	
	Total Labor					**312.50**

Total this Task **$312.50**

Task 013 Waters Edge @ 168th Subdivision

Hours this Invoice

			Hours		Amount	
63 - Borchers, Julie		8/20/2025	.50	250.00	125.00	
	Totals		.50		125.00	
	Total Labor					**125.00**

Total this Task **$125.00**

Task 016 Rainwood Square

Hours this Invoice

			Hours		Amount	
63 - Borchers, Julie		8/28/2025	1.50	250.00	375.00	
	Totals		1.50		375.00	
	Total Labor					**375.00**

Total this Task **$375.00**

Total this Phase **$9,167.50**

Total this Project **$9,167.50**

Total this Report **$9,167.50**

JEO CONSULTING GROUP

Engineering | Architecture | Surveying | Planning

Invoice

September 11, 2025
Project No: R231502.03
Invoice No: 164384
Invoice Amount: 7,600.00

City of Bennington
15505 Warehouse Street
PO Box 221
Bennington, NE 68007

Project Manager Eric Casper

Project R231502.03 Bennington Neumeyer Park Soccer Complex

Professional Services through August 29, 2025

	Contract Amount	Percent Complete	Billed-to-Date	Previous Billing	Current Billing
Lump Sum Phase(s)					
Preliminary Site Design Services	$96,000.00	45%	$43,200.00	$38,400.00	$4,800.00
Hourly to a Maximum Phase(s)					
Environmental Review	$92,000.00		$48,717.50	$45,917.50	$2,800.00
Total	**$188,000.00**		**$91,917.50**	**$84,317.50**	**$7,600.00**
			Total Amount Due Upon Receipt :		**$7,600.00**

Outstanding Invoices

Number	Date	Balance
163436	8/11/2025	28,942.50
Total		**28,942.50**

Email invoices to: clerk@benningtonne.com

JEO CONSULTING GROUP

Engineering | Architecture | Surveying | Planning

Invoice

September 12, 2025
Project No: R090034.10
Invoice No: 164423
Invoice Amount: 170.00

John Bohrer
City of Bennington
15505 Warehouse Street
PO Box 221
Bennington, NE 68007

Project Manager Julie Borchers

Project R090034.10 Bennington Public Works Building on Bennington Road

Professional Services through September 5, 2025

	Contract Amount	Percent Complete	Billed-to-Date	Previous Billing	Current Billing
Hourly Phase(s)					
General Project Management			$2,036.25	$2,036.25	0.00
Construction Services			0.00	0.00	0.00
Flood Plain Development Permit			$10,961.25	$10,791.25	$170.00
Total			**$12,997.50**	**$12,827.50**	**$170.00**

Total Amount Due Upon Receipt : $170.00

Email invoice to: clerk@benningtonne.com

JEO CONSULTING GROUP

Engineering | Architecture | Surveying | Planning

Invoice

September 5, 2025
Project No: R220296.01
Invoice No: 164196
Invoice Amount: 6,658.75

Clint Adams
City of Bennington
15505 Warehouse Street
PO Box 221
Bennington, NE 68007

Project Manager Jarred Meyer

Project R220296.01 Bennington Public Works Building

Professional Services through August 29, 2025

	Contract Amount	Percent Complete	Billed-to-Date	Previous Billing	Current Billing
Lump Sum Phase(s)					
Design Development	$53,000.00	100%	$53,000.00	$53,000.00	0.00
Construction Documents	$85,000.00	100%	$85,000.00	$85,000.00	0.00
Bidding and Negotiation	$12,000.00	100%	$12,000.00	$12,000.00	0.00
Hourly Phase(s)					
Construction Administration			$37,710.00	$32,213.75	$5,496.25
SWPPP			$2,542.50	$1,380.00	$1,162.50
Construction Staking			$3,755.00	$3,755.00	0.00
Reimbursable Expenses			$697.64	$697.64	0.00
Total	**$150,000.00**		**$194,705.14**	**$188,046.39**	**$6,658.75**

Total Amount Due Upon Receipt : $6,658.75

Outstanding Invoices

Number	Date	Balance
163415	8/11/2025	8,967.50
Total		**8,967.50**

JEO CONSULTING GROUP

Engineering | Architecture | Surveying | Planning

Invoice

September 19, 2025
Project No: R241412.00
Invoice No: 164671
Invoice Amount: 875.00

MINDI LAAKER
City of Bennington
15505 Warehouse Street
PO Box 221
Bennington, NE 68007

Project Manager Julie Borchers

Project R241412.00 Bennington Redevelopment Plan

Professional Services through August 29, 2025

	Contract Amount	Percent Complete	Billed-to-Date	Previous Billing	Current Billing
Lump Sum Phase(s)					
Redevelopment plan	$3,500.00	75%	$2,625.00	$1,750.00	$875.00
Total	**$3,500.00**		**$2,625.00**	**$1,750.00**	**$875.00**

Total Amount Due Upon Receipt : $875.00

Email invoices to: to clerk@benningtonne.com

Item #3

Conditional Use Permit

Hair Salon

September 15, 2025

Bennington Planning Commission & City Council
c/o Mindi Laaker, Clerk
15505 Warehouse Street
Bennington, NE 68007

RE: Bennington, NE 15414 Warehouse Street, Apt 4 – Conditional Use Permit for Hair Salon (Salon with Sass) in Apartment Building in the C-3 Zone
JEO Project No. 090034

Dear Commissioners and Council:

JEO Consulting Group has received a copy of the Conditional Use Permit application and documents for the above referenced property. We have reviewed these documents and would offer the following comments, questions and observations for the Planning Commission's scheduled meeting on September 24, 2025. Based on a review of the submitted documents, all specifications as outlined in Article 6, of the zoning regulations have been met in regard to the submittal documents.

Site & Operation Plan Comments

1. The zoning for the site is C-3 and it had a previously issued conditional use (2010) for the multi-family (apartment) use. It was recommended by staff that an additional conditional use permit be issued for the hair salon (personal services) since it is located within an apartment.
    a. Personal services, such as a hair salon, are a permitted use within the C-3 district but the proximity to residential units and the prior CUP for residential use are the reason for this CUP.
2. The site plan provided shows that building has five apartments, two on the upper level with access from S 2nd Street and three on the lower level with access from Warehouse Street. There are eight parking stalls located off Warehouse Street.
    a. Since the site is located within the downtown business district, the on street parking stalls can be used for the required business parking. There are also stalls assigned to that apartment..
3. The salon operation plan includes that the business will only include a single service chair and the owner will be the sole employee. The hours of operation are Tuesday, 10 to 6:30, Wednesday 9 to 5, Thursday 1:30 to 6:30, Friday 8 to 4 and Saturday 8:30 to 2. The business will be closed on Sunday and Monday. Services provided include haircuts, hair coloring, perms, styling, waxing and ear piercing.
    a. Each apartment has their own ventilation system and do not share any common spaces or hallways. So any services that including chemicals with strong odors, should not impact other residents.

Conditional Use Permit (per section 6.06)

The following items must be found to be addressed to issue the conditional use permit.

1. *That the establishment, maintenance, or operation of the use will not be detrimental to or endanger the public health, safety, moral, comfort, or general welfare of the community.*
    a. Engineer's Comment: The proposed use should not endanger public health, safety or general welfare of the community. The salon owner shall display (as required) their license from Nebraska Department of Health and Human Services allowing for operation.

2. *That the use will not be injurious to the use and enjoyments of other property in the immediate vicinity for the purpose already permitted, nor substantially diminishes and impair property values within the neighborhood.*
    a. Engineer's Comment: All services will be provided in an apartment and no resident will be allowed in the apartment while it is used as a salon. Upon the salon ceasing operation at this location, the apartment shall be returned to residential use.
3. *That the establishment of the use will not impede the normal and orderly development of the surrounding property for uses permitted in the district.*
    a. Engineer's Comment: This will not impact development or re-development within the downtown area.
4. *That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.*
    a. Engineer's Comment: The site has access to utilities.
5. *That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.*
    a. Engineer's Comment: There are two off street parking stalls in addition to the downtown on street parking. Pedestrian access is provided via sidewalks.
6. *The use shall not include noise, which is objectionable due to volume, frequency, or beat unless muffled or otherwise controlled.*
    a. Engineer's Comment: all services will be provided indoors and should not create objectionable noise.
7. *The use shall not involve any pollution of the air by fly-ash, dust, vapors or other substance which is harmful to health, animals, vegetation or other property or which can cause soiling, discomfort, or irritation.*
    a. Engineer's Comment: Not applicable
8. *The use shall not involve any malodorous gas or matter, which is discernible on any adjoining lot or property.*
    a. Engineer's Comment: A few of the services provided may have chemicals which have an odor to them but they should be short term while service is occurring and as long as ventilation systems are not shared, should not impact other apartment residents.
9. *The use shall not involve any direct or reflected glare, which is visible from any adjoining property or from any public street, road, or highway.*
    a. Engineer's Comment: Not applicable.
10. *The use shall not involve any activity substantially increasing the movement of traffic on public streets unless procedures are instituted to limit traffic hazards and congestion.*
    a. Engineer's Comment: Use as per operational plan should not impact traffic as it is not significantly different than other downtown uses.
11. *The use shall not involve any activity substantially increasing the burden on any public utilities or facilities unless provisions are made for any necessary adjustments.*
    a. Engineer's Comment: Not applicable.

I recommend the following conditions for the conditional use, if approved:

- A copy of the Nebraska DHHS License be provided to the City for attachment to the Conditional Use Agreement when its recieved.
- That the apartment be returned to a residential use upon closure or relocation of the salon.
- No residential use of the apartment is allowed while the salon is in operation.

If you have any questions, comments or concerns with any of the statements, please feel free to contact me at jogden@jeo.com.

Sincerely,

Julie Ogden, PE

JAO:jao
Attachment – site map, building plan, operation plan

cc: Mindi Laaker, Bennington City Clerk (PO Box 221, Bennington NE 68007)
Jeff Miller, Young and White Law Offices (8742 Frederick Street, Omaha, NE 68124)
Karey Oltjenbruns, applicant (sassycutter80@gmail.com)
Randy King, property owner, (Randy.King@PenFed.org)

APPLICATION FOR A CONDITIONAL USE PERMIT

City of Bennington, NE

NOTE: Form must be filled out completely before the City will accept this application for processing, please print or type. The Zoning Administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposed situation. All fees are non-refundable.

Date: 8-25-25 E-mail address: RANDY.KING@PGWFCU.ORG

Property Owner's Name: RANDY KING Phone Number: 402-594-4204

Property Address: 15414 WAREHOUSE ROAD APT #4 ~~Omaha~~

Pursuant to the Bennington Zoning Ordinance, application is herby made for the following proposed use of property or structure: HAIR SALON

MOD

Legal Description of Property Requested:

PARCEL ID 0611090000 LOT #8 BLOCK #11 SEC-TWP-RNG 14-16-11 ACRES 0.07

SALON Area of Property (square feet or acres): APARTMENT 432 SQ FT. Current Zoning: DOWTOWN COMMERCIAL

Will use in all other respects conform to the applicable regulations of the district in which it is located?
Yes ☑ No ☐

Will use conform to all other applicable regulations and laws of any governmental jurisdiction?
Yes ☑ No ☐

Will use have adequate water, sewer and drainage facilities? Yes ☑ No ☐

Will ingress and egress be so designed as to minimize traffic congestion in the public streets/roads?
Yes ☐ No ☐ ?

Estimated Cost of Structure? ALREADY BUILT

The following exhibits are required with this application.

- site plan
- Easements (if applicable)
- Operation and maintenance plan

Signature of Owner: R J King

Mailing Address of Owner: 12306 NO. 149TH CIRCLE BENNINGTON NE. 68007

OFFICE USE ONLY:

Permit No. _____ Fee Paid $ 250.00 Check No. 3115

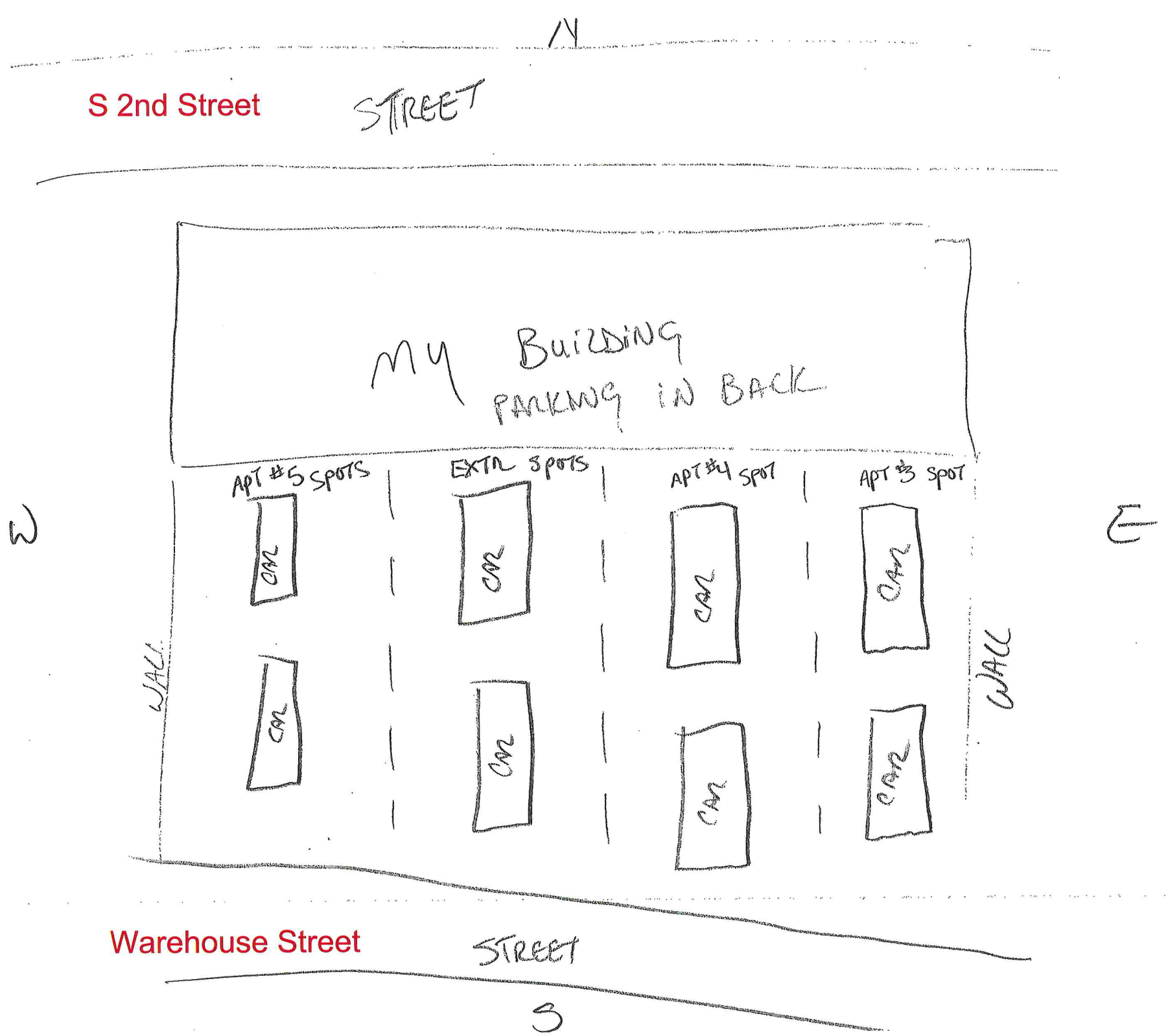
Date _____ Approved ☐
Approved with conditions ☐
Denied ☐

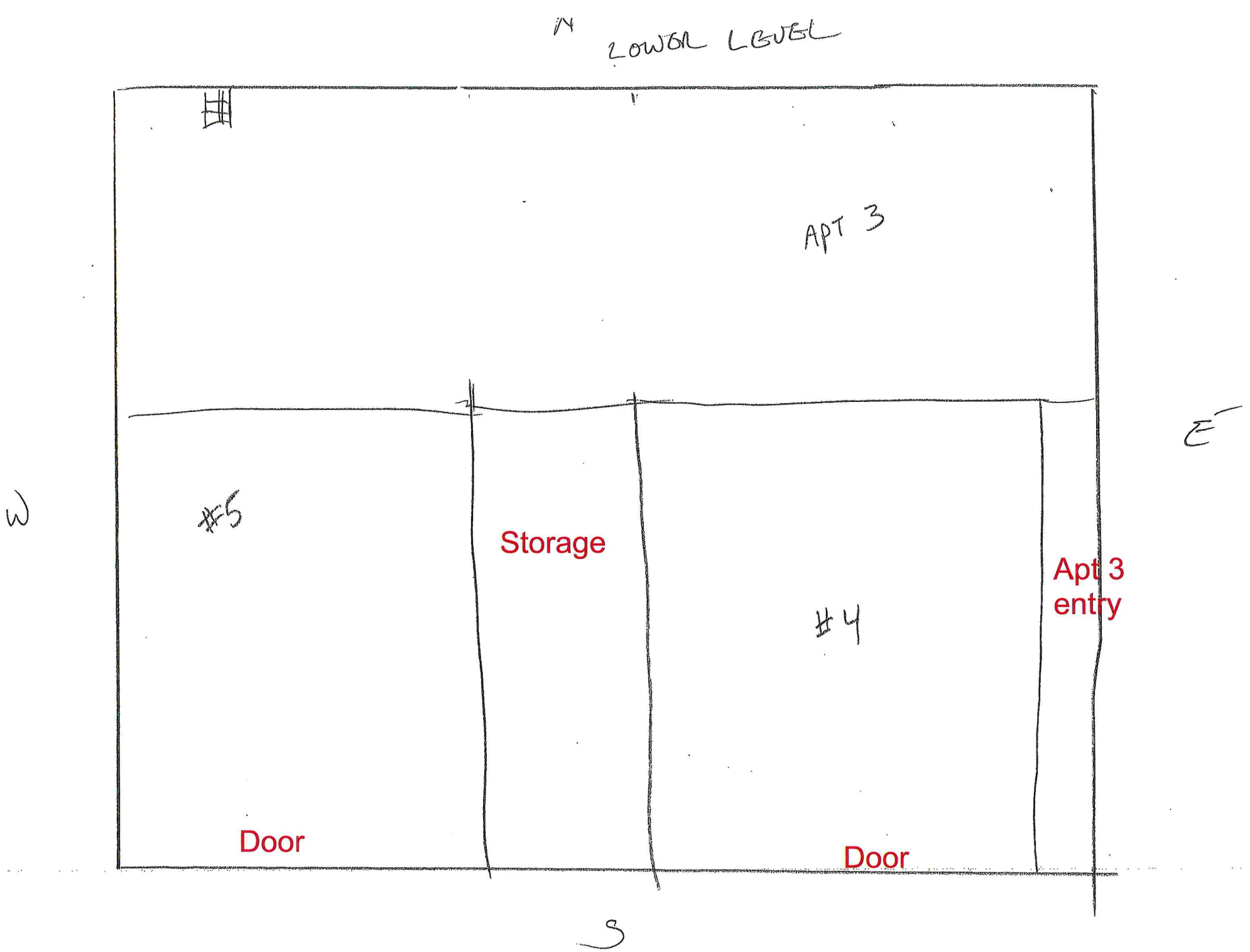
_____
Chair, Bennington Planning Commission

Date _____ Approved ☐
Approved with conditions ☐
Denied ☐

_____
Mayor, City of Bennington

ATTEST: _____ Dated this _____ day of _____, 20____
City Clerk


N
S 2nd Street
STREET
MY BUILDING
PARKING IN BACK
APT #5 SPOTS
EXTRA SPOTS
APT #4 SPOT
APT #3 SPOT
CAR
CAR
CAR
CAR
CAR
CAR
CAR
WALL
WALL
W
E
Warehouse Street
STREET
S


N
LOWER LEVEL
APT 3
#5
Storage
#4
Apt 3
entry
Door
Door
W
E
S

N

S 2nd Street

Street

E

door

door

APT #1

APT #2

#5 UPPER ANGLE

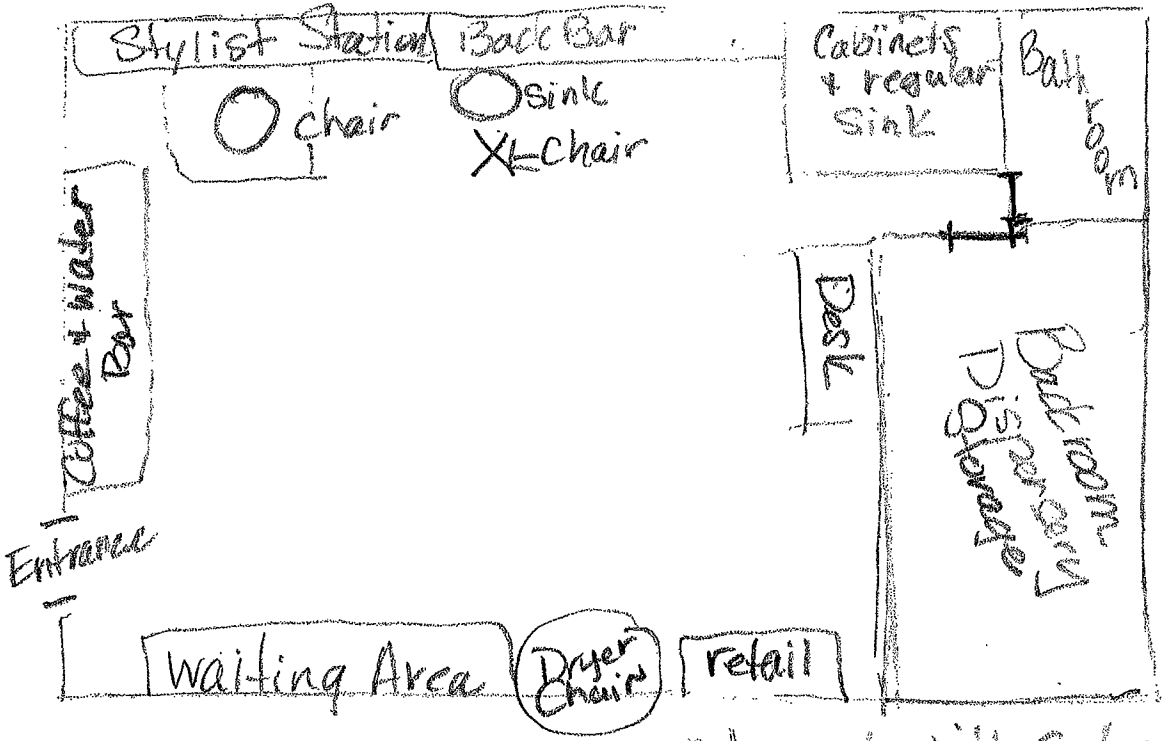
Rear Parking

W

Warehouse Street

5'
10'6"
7'
8'
11'
11'7"
15'9"
HAIR
SALON
?
door
15'7"
S
E

Salon With Sass



432 sq ft

This is my guess of how I will set up the salon. Will not know if this will be exact. If you need a new diagram when I get it set up. I can do that.

Hard to know when someone is still in the space.

Salon With Sass Inc Is a one chair salon, I don't have any other employees. I do Haircuts, Color, Perms, Styling, Facial waxing and Ear Piercing. Hours Monday Closed Tuesday 10-6:30 Wed 9-5 Thursday 1:30-6:30 Friday 8:00-4 Saturday 8:30-2 Sunday Closed

Please let me know if you need anything else.

Karey Sass Oltjenbruns Salon W/ Sass Inc.

Property Notes

DATE: July 15, 2025

PROPERTY: 15414 Warehouse Street (Parcel #*0611090000*)
Zoning: C-3 (Downtown Commercial) with DDO (Downtown Design Overlay)
Conditional Use Permit – issued in 2010 for apartment use
Future Land Use: Commercial
Property Size: 3,300 Sq Feet
Request: The Owner has asked if it is possible to use one of the apartment units as a hair salon instead of a living unit.

SITE NOTES:

The Existing Conditional Use Permit (dated June 2010) allows the use of 4 apartments with the potential addition of a 5th under this agreement on the subject parcel. Other conditions include:

- All residents of 15416, 15414, & 15412 Warehouse must park their vehicles in off-street parking facilities on the property.
- All applicable off-street parking requirements of section 7.01 to 7.05 of the zoning regulations shall be fully and properly met and maintained.
- There will not be an annual review of the permit but should the ownership change, a new permit must be applied for and issued to continue use.
- Future expansions shall require an application for a conditional use permit.

ZONING REGULATION INFORMATION:

While personal services are a permitted (by right) use within the C-3 zoning district as noted in 5.12.03.D, the conditional use noted in 5.12.03.G states that "apartment/multi-family residential facility provided the use can meet all off-street parking requirements. These multi-family residential facilities may include ground level retail, food, personal, business, or other services allowed in this Section." There is parking within the area of this property downtown that would appear to meet the needs of the building with the condition noted above for the Warehouse Street Units.

This section would indicate that the salon could be included in the building with a revised conditional use permit noting the use for something other than residential but with the plan to return it to residential once the salon would no longer be in operation. The plan should note how parking for the salon would be addressed (can use on street parking stalls in area) an not impact adjacent residences. For reference, a service oriented establishments , such as a salon, requires one parking space per 200 square feet of gross floor area.

An application to revise the existing Conditional Use Permit would be required (can be obtained from city office) along with a site plan showing which unit would be used for the salon, where parking would be located and an operation and maintenance plan for both the residential units and the salon. Applications are due 28 days prior to the regularly scheduled Planning Commission Meetings (last Wednesday of every month).

ADDENDUM

This Addendum is made to the Conditional Use Permit Limitations Agreement of June 2010 providing for an apartment building with five residential units at 15412, 15414, and 15416 Warehouse Street, Bennington, Nebraska.

1. The residential unit of 15414 Warehouse Street #4 may be converted to a hair salon use, subject to the following conditions, limitations, and requirements.
   a. The hair salon shall consist of a single service chair and the salon operator shall be the only person providing salon services.
   b. The hours of operation shall generally be Tuesday 10:00 a.m. to 6:30 p.m., Wednesday 9:00 a.m. to 5:00 p.m., Thursday 1:30 p.m. to 6:30 p.m., Friday 8:00 a.m. to 4:00 p.m., Saturday 8:30 a.m. to 2:00 p.m., and closed on Sundays and Mondays.
   c. Hair salon services may generally include haircuts, hair coloring, perms, styling, waxing, and ear piercing.
   d. The salon operator and customers shall park in the designated parking stall on the property for apartment #4.
   e. If the hair salon use is discontinued, then the residential use of apartment #4 shall be restored without further review or approval by the City being required.
   f. There shall be no residential use of the apartment while the hair salon is in operation.
   g. A copy of the Nebraska DHHS license for the hair salon shall be provided to the City.
   h. Any outside sign for the hair salon may require a City sign permit.
2. The owner and/or the operator shall be required to obtain all necessary permits pursuant to applicable federal and state statutes and regulations, and applicable City of Bennington ordinances, if any, and the construction of any improvements shall be required to be constructed in accordance with all applicable building codes, ordinances, and regulations.
3. All written and graphic materials submitted in conjunction with the Conditional Use Application, the provisions of which are consistent and in conformance with the limitations herein provided, are incorporated herein and by this reference are made a part hereof.

4. The limitations herein contained may be modified after public hearings before the Planning Commission and City Council, upon the application of the owner and/or the operator along with the payment of the required fee for a conditional use application, or upon the application of the Planning Commission or City Council.

Dated: 9-24-25

City of Bennington Planning Commission Chairperson

Dated: 10-14-25

City of Bennington Mayor Clint Adams

Dated: 10-3-25

Randy King, Property Owner

Dated: 10-3-25

Karey Sass Oltjenbruns, Salon With Sass, Inc., Hair Salon Operator

Item #4

Planning Commission Appointment

Letter of Interest

This letter of interest is in reference to the City of Bennington's Planning Commission Position.

Hello and thank you for your time and consideration. My name is Clydell White, Jr. I live at 16909 Abigail Street, Bennington, NE 68007.

I am extremely interested in your vacant City Planning Commission Position. I do not have city government experience. However, I do possess many credentials and job experiences that I feel can bring a unique and valuable perspective to your already excellent Planning Commission.

I served in the United States Army as a front-line medic from February of 2002 until September of 2006. While stationed at Ft. Drum, NY, I deployed to both Afghanistan and Iraq and served as a line medic in 2/22 Infantry Battalion.

Follow my honorable discharge from the Army, I served as a patrol officer, gang division officer, and Burglary Division Detective for the Houston Police Department for nearly 7 years, until I developed a passion and love for real estate.

Following my civil service in the Houston Police Department, I started a residential real estate company where I bought, renovated and rented (landlord) real estate to tenants, which gave me a slight understanding of zoning procedures.

Currently, I work for the Veterans Benefits Administration as a Rating Veterans Service Representative.

I possess a Bachelor's Degree in Criminal justice and a Masters of Business Administration.

If allowed to hold this coveted position, I will serve the city and residents of Bennington to the best of my ability with humility and extreme gratitude.

Thank you in advance for your consideration and your time.

-Clydell White, Jr.

Item #6

Agreement for

Design, Bidding and Construction Services – Sanitary Sewer Lining

AGREEMENT
BETWEEN CLIENT AND JEO CONSULTING GROUP, INC.
FOR
PROFESSIONAL SERVICES

THIS IS AN AGREEMENT effective as of **the date signed by the Client** ("Effective Date") between **City of Bennington, Nebraska** ("Client") and JEO Consulting Group, Inc. ("JEO").

Client's project, of which JEO's services under this Agreement are a part, is generally identified as follows:

2026 Sanitary Sewer CIPP Improvements ("Project").

JEO Project No. 251460.00

Client and JEO further agree as follows:

ARTICLE 1 - SERVICES OF JEO

1.01 Scope

A. JEO shall provide, or cause to be provided, the services set forth in Exhibit A.

ARTICLE 2 - CLIENT'S RESPONSIBILITIES

2.01 Client Responsibilities

A. Client responsibilities are outlined in Exhibit A and Section 3 of Exhibit B.

ARTICLE 3 - COMPENSATION

3.01 Compensation

A. Client shall pay JEO as set forth in Exhibit A and per the terms in Exhibit B.

B. The fee for the Project is:

Design (Sanitary):	$39,000.00	Lump Sum
Design (Storm):	$12,000.00	Lump Sum
Bidding:	$5,000.00	Lump Sum
Construction Administration & RPR (Sanitary):	$15,800.00	Lump Sum
Construction Administration & RPR (Storm):	$ 4,000.00	Lump Sum
Total:	$75,800.00	

C. The Standard Hourly Rates Schedule shall be adjusted annually (as of approximately January 1st) to reflect equitable changes in the compensation payable to JEO. The current hourly rate schedule can be provided upon request.

ARTICLE 4 - EXHIBITS AND SPECIAL PROVISIONS

4.01 Exhibits

Exhibit A – Scope of Services
Exhibit B – General Conditions
Exhibit C – Location Map

5.02 Total Agreement

A. This Agreement (consisting of pages 1 to 2 inclusive, together with the Exhibits identified as included above) constitutes the entire agreement between Client and JEO and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

Client: **City of Bennington, NE**	**JEO Consulting Group, Inc.**
By: **Clint Adams**	By: **Noah Dryden**
Title: **Mayor**	Title: **Project Manager**
Date Signed:	Date Signed: **10/13/2025**
Address for giving notices:	Address for giving notices:
City of Bennington	**JEO Consulting Group, Inc.**
15505 Warehouse Street	**11213 Davenport Street, Suite 200**
Bennington, NE 68007	**Omaha, NE 68154**

EXHIBIT A

SCOPE OF SERVICES

2026 SANITARY & STORM SEWER CIPP IMPROVEMENTS
BENNINGTON, NEBRASKA
JEO Project No. 251460.00

1. Project Description/Assignment:
   Sanitary Sewer & Storm Sewer CIPP Improvements for Bennington, Nebraska: Engineering, Design, Bidding, and Construction Services to rehabilitate the City's existing sewer & storm sewer main collection system utilizing cured in place pipe (CIPP). The City will determine the specific blocks they wish to be evaluated and has contracted with a CCTV company to camera these blocks. An approximate location map is attached. If videos are provided, JEO will review the videos and draft plans utilizing trenchless technologies such as CIPP as much as possible to line the existing sewer & storm sewer mains. If the main conditions are not conducive to CIPP repair, JEO will notify the City of their rehab options. If videos are not provided, JEO will assume the sanitary & storm sewer main can be lined with CIPP. JEO will specify that the selected contractor will need to CCTV the sewer prior to construction activities and review with JEO any areas of concern that cannot be CIPP lined. JEO would work with the City to review their rehabilitation options at that time.

2. Scope of Services

   I. **Design Phase**
      A. Utilize the City's existing maps to reference the sewer system location.
      B. Review data provided by City and their CCTV company's camera footage of the City's sewer mains, as needed.
      C. Review the video data in detail and prepare a 30% complete set of plans.
      D. Set up the specifications for the proposed improvements outlining the materials and construction methods to be used.
      E. Prepare 60% complete preliminary plans and specifications. Plans to be 11"x17" sheets included with the specification book. Sheets to include:
         a. General location maps.
         b. Sanitary & Storm sewer main plan sheets.
         c. Detail sheets.
      F. Perform an internal quality assurance and quality control (QA/QC) review of the plans and specifications.
      G. Provide 60% complete preliminary design and Opinion of Probable Cost to City staff for their review and comments. (1 meeting).
      H. Revise plans and specifications based on the QA/QC comments and any comments from the City staff.
      I. Prepare a list of final construction quantities and furnish an Engineer's Opinion of Cost.
      J. Set up the bidding documents for the proposed work.
      L. Perform a 90% complete internal quality assurance and quality control (QA/QC) review of the plans and specifications.
      M. Revise plan and specifications based on the QA/QC comments.

N. Provide completed final documents (Plans, Specifications, Opinion of Probable Cost, and Contract Documents) to Owner for review and approval.

O. Submit final plans, specifications, and bid documents to the Nebraska Department of Water, Environment, and Energy (DWEE). Owner to pay all permit fees, if applicable.

P. Incorporate regulatory agency comments into final design plans and specifications with revised documents or prepare addendum as appropriate.

II. **Bidding and Negotiation Phase**

A. Furnish copies of plans, specifications, and contract documents of the project to prospective bidders, material suppliers, and other interested parties upon their request and payment of the purchase cost established for the documents.

B. Respond to inquiries from prospective bidders and prepare any addenda required.

C. Assist the Owner in securing construction bids for the project.

D. Assist the Owner at the bid opening. (1 meeting).

E. Tabulate and analyze construction bids and report on them to the Owner, together with advice and assistance to the Owner in award of construction contract.

F. Prepare and submit necessary information to the Owner for project award approval.

G. Prepare Contract Documents for execution by Contractor and the Owner, and approval by Owner and Owner's legal and insurance counsel.

III. **Construction Administration Phase & RPR Phase**

A. Schedule and conduct Pre-construction Conferences, on site, for the proposed improvements. (1 meeting).

B. Provide interpretation of the plans and specifications, when necessary.

C. Review shop drawings and related data supplied by the Contractor.

D. Review Contractor's monthly payment estimates and provide to Owner and review.

E. Consult with and advise Owner during construction.

F. Review Geotechnical soil and concrete testing results, as needed. Testing to be paid for by Owner.

G. Recommend to the Owner the acceptance of the projects and complete the necessary certificates. These recommendations will be based on the Engineer's observation of construction utilizing professional judgment and accepted tests to determine that the Contractor has completed their contracts in substantial compliance with the plans, specifications and contract documents.

IV. **Additional Services Not Included But Could Be Negotiated If Needed.**

A. Topographical survey services.

B. Street or paving design.

C. Floodplain, Corps 404, Migratory Bird Studies, or other environmental permitting, not outlined in the scope of services.

D. Funding assistance services.

E. Meetings not outlined in the scope of services.

F. Any other item not outlined in the scope of services.

EXHIBIT A

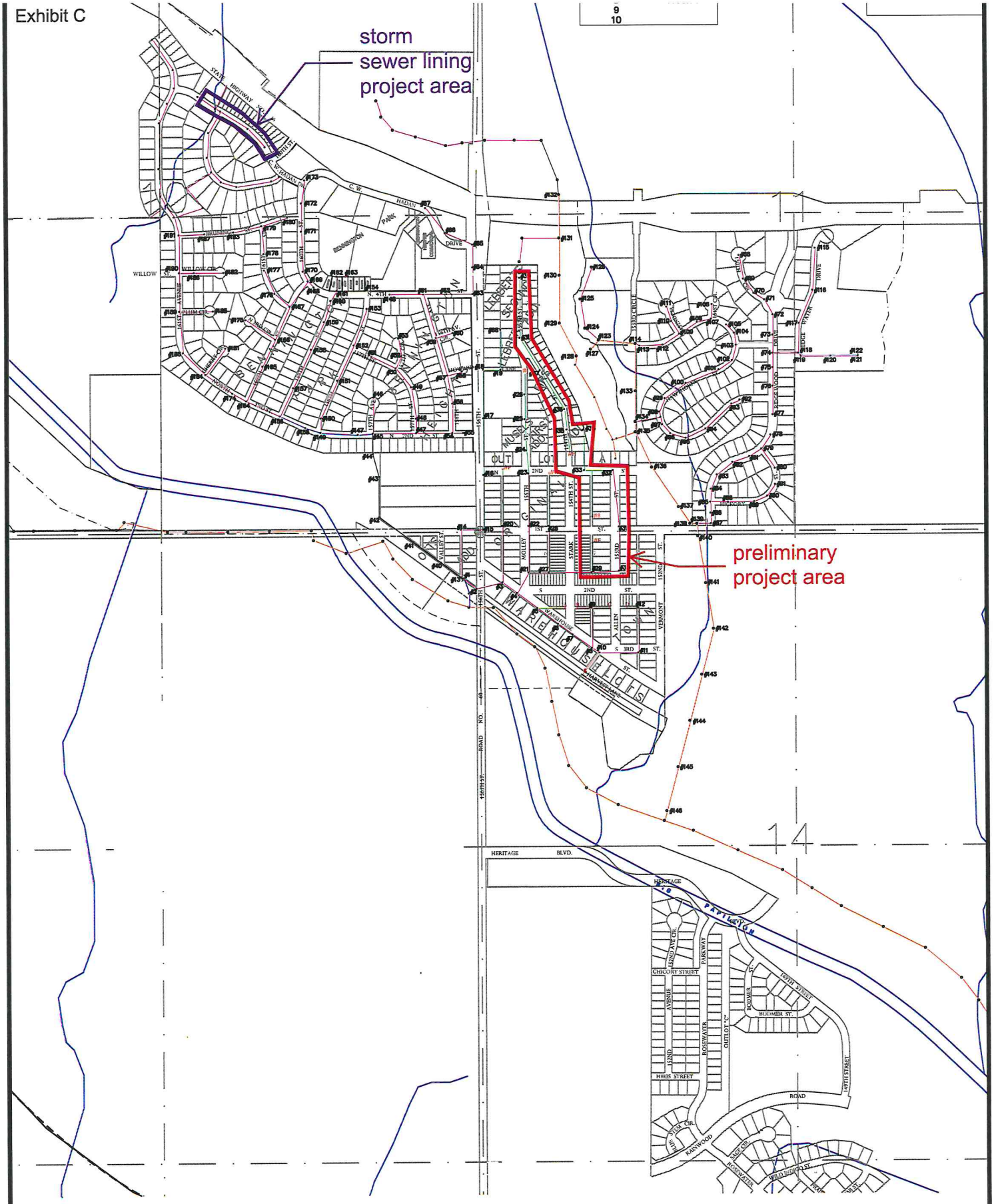
V. **Summary of Meetings**

A. 60% review meeting with the City Staff.
B. Attendance at Bid Opening.
C. Pre-construction meeting.

VI. **Estimated Time Frame**

A. Design Phase – 60 calendar days from the complete sewer TV videos being provided to JEO Consulting Group.
B. Bidding & Negotiation Phase – 30 to 60 calendar days from date of advertising.
    a. Anticipated bid in January 2026.
C. Construction Phase – after construction contract award and during construction.
    a. Anticipated summer of 2026.

Exhibit C


storm
sewer lining
project area
preliminary
project area
CITY OF BENNINGTON
SANITARY SEWER MAP
LEGEND
MANHOLE
CLEANOUT
3" OR SMALLER SEWER LINE
4" SEWER LINE
6" SEWER LINE
8" SEWER LINE
10" SEWER LINE
12" SEWER LINE
15" SEWER LINE
18" SEWER LINE
21" SEWER LINE
FORCEMAIN
REVISED: DP - JAN. 2002
REVISED: ejs - MARCH 2004
REVISED: dab - NOV. 2006
REVISED: NJO - JAN. 2009
THIS MAP PREPARED FROM PLATS ON RECORD IN THE BURGESS COUNTY COURTHOUSE AND FROM INFORMATION PROVIDED BY THE CITY OF BENNINGTON. THIS DOES NOT REPRESENT A LEGAL DOCUMENT, NOR DOES J.E.O. GUARANTEE THE ACCURACY OF THIS MAP.

Item #7

Rainwood Road

Right-of-Way Vacation

October 6, 2025

Bennington Mayor and City Council
c/o Mindi Laaker, City Clerk
15505 Warehouse
Bennington NE 68007

RE: Rainwood Road – ROW Vacation Request
JEO Project No. 090034

Dear Mayor and Council:

JEO Consulting Group has reviewed the request from the Douglas County Enginer's office related to vacating a portion of Rainwood Road west of 156th Street. This area is within the City of Bennington's Extraterritorial Jurisdiction but outside of the current corporate limits, so it is part of the County process to request approval of the vacation from the City.

Upon review of the documents provided and in consideration of the City of Bennington Comprehensive Plan and future land use for the area, I do not object to the County Vacating the proposed excess Right of Way along Rainwood Road. I do offer the following comments for consideration:

1. Per discussion with County Engineers, the future roadway section is planned to be a four lane divided roadway (68 feet wide pavement) which leaves limited room for pedestrian walkways if a right turn lane into the proposed commercial development is needed.
    a. A 10 foot pedestrian easement can be requested of the development along the south property line adjacent to Rainwood Road.
        i. This would allow an 8 foot or 10 foot wide trail connection between the Heritage neighborhood and the proposed dam site trail network
        ii. The trail would also provide a connection between the existing and proposed elementary schools located along Rainwood Road.
2. As the area will be used for stormwater conveyance and may be used for stormwater detention, coordination with the County during design plan review where they can provide any design constraints or protections that are to be provided to avoid saturation or damage to the roadway paving section.

If you have any questions, comments or concerns with any of the statements, please feel free to contact me at 402.443.4661.

Sincerely,

Julie Ogden, PE
jogden@jeo.com

JAO:jao

cc: Jeff Miller, Young and White Law Offices (8742 Frederick Street, Omaha, NE 68124)
Dan Kutilek, Douglas County Engineer (15505 West Maple Road, Omaha, NE 68166)

15505 WAREHOUSE ST.
P.O. BOX 221
BENNINGTON, NEBRASKA 68007

PH: 402.238.2375
FAX: 402.238.2470
www.benningtonne.com

October 15, 2025

Mr. Dan Kutilek
Douglas County Engineer's Office
15505 West Maple Road
Omaha, NE 68116

RE: Vacation Request for a portion of Rainwood Road West of 156th Street

Dear Mr. Kutilek:

At the October 14th regular City Council Meeting, the request for vacation of the excess Right of Way on the north side of Rainwood Road, west of 156th Street was reviewed. Upon review by the City Engineer and the recommendation supporting the Right of Way vacation, the City Council voted to approve the vacation request and have the Mayor sign this letter noting the approval. Please coordinate with Kevin Hand, City Administrator (administrator@benningtonne.com) for any additional needs on this request.

The City will be working with the developer to include a trail easement along the south line of this vacation for future trail construction and connection between The Heritage Development and the future trail around the proposed NRD dam/lake site. A review of the proposed stormwater improvements by the developer by the County Engineers office would be desired to make sure the pavement and subgrade will not be impacted by any detention. The plans will be forwarded, once they are received.

Sincerely,

Clint Adams, Mayor
City of Bennington

Pc: City Attorney, Jeff Miller
City Engineer, Julie Ogden
Developer Attorney, Larry Jobeun

TODD PFITZER
DOUGLAS COUNTY ENGINEER
15505 West Maple Road
Omaha, Nebraska 68116-5173
402-444-6372
Fax: 402-444-6244
engineer@douglascounty-ne.gov

Oct. agenda.
letter from mayor

September 11, 2025

Mindi Laaker
City Clerk
15505 Warehouse Street
P.O. Box 221
Bennington, NE 68007

RE: Vacating a Portion of Rainwood Road West of 156th Street

Mindi:

Douglas County Board of Commissioners on September 9, 2025 by resolution directed the County Engineer to study the use being made of a portion of Rainwood Road west of 156th Street and submit in writing to the County Board, within a reasonable time, a report upon the study made and our recommendation as to the vacation or abandonment thereof.

Since this portion of Rainwood Road is located within the one-mile zoning jurisdiction of Bennington, we will require the City's approval prior to the County Board meeting on this vacation request.

Bear Homes PC has formally requested that Douglas County's Engineering Department initiate the process to vacate the portion of Rainwood Road right-of-way described in the attached legal description is no longer needed.

Please find enclosed the following:

- County Board Resolution No. 0518 dated September 9, 2025
- Vicinity Map
- Legal Description of Rainwood Road, Exhibit "A"
- Request to initiate vacation of Rainwood Road Right-of-Way

Please let me know if you will require any further information, and return the City's comment/approval to our office for our further handling.

Sincerely,

Dan Kutilek
Manager – Engineer Design
Douglas County Engineer

TRP:JDK:me

cc: Jeff Miller -Young & White Law Offices
Larry Jobeun – Fullenkamp Jobeun Johnson & Beller, LLP
Julie Ogden – Bennington City Engineer
JEO Consulting Group
Kristin Lynch – Douglas County Attorney's Office

Resolution No: 0518
ADOPTED: September 9, 2025

BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, NEBRASKA

Resolved

BE IT RESOLVED BY THIS BOARD OF COMMISSIONERS THAT: the Douglas County Engineer is authorized to study the vacation of a portion of Rainwood Road right-of-way that is no longer necessary for public use in Douglas County, NE.

Dated this 9th day of September, 2025

Motion by Friend, second by Rodgers to approve. I move the adoption of the resolution.

Adopted: September 9, 2025
Yeas: Borgeson, Cavanaugh, Fahey, Friend, Morgan, Rodgers, Garcia

(CERTIFIED COPY)

Daniel A. Esch
Douglas County Clerk

Resolution No: 0518
ADOPTED: September 9, 2025

VICINITY MAP



Legend

Section Corners

Parcels_public

Property Lines (Parcels)

0 450 900 ft

Please contact Douglas County GIS for map questions (gis@douglascounty-ne.gov)

Printed from dogis.org:
Sep 10, 2025 11:22 AM

This map is a user generated static output from an Internet mapping site and is for reference only. Data on this map may or may not be accurate, current, or otherwise reliable. It is for informational purposes only, and may not be suitable for legal, engineering, or surveying purposes. Do NOT use property lines from this website for plan submissions.

FULLENKAMP
JOBEUN
JOHNSON &
BELLER LLP

Larry A. Jobeun
Mark B. Johnson
Brent W. Beller
Robert T. Griffith

Writers e-mail: larry@fjjblaw.com
Writers direct dial: (402) 691-5265

August 20, 2025

VIA ELECTRONIC MAIL
Douglas County Engineer
Attn: Jeff Scherzberg
Douglas County Engineering Department
15505 W. Maple Road
Omaha, NE 68116

RE: Request to Initiate Vacation of Rainwood Road Right-of-Way

Dear Jeff:

I am writing to formally request that the Douglas County Engineering Department initiate the process to vacate the portion of the Rainwood Road right-of-way that is no longer necessary for public use. The existing roadway has been realigned, and as a result, the original right-of-way described in the attached legal description is no longer needed. We respectfully ask that the County proceed with the steps necessary to vacate this segment of right-of-way in accordance with applicable laws and procedures.

Please find enclosed the legal description and any supporting documents required to begin the vacation process. If you need any additional information or have questions regarding this request, please feel free to contact me at (402) 681-3536 or larry@fjjblaw.com. Thank you for your attention to this matter.

Sincerely,

Larry Jobeun
Attorney at Law

Item #8

Ordinance No 546

2026 Sewer Rates

City of Bennington, Nebraska
Cost of Service & Rate Design Amendment
Flow of Future Funds - Wastewater
Proposed Rate Model

Monthly Wastewater Use Rate Categories	Actual 2023	Actual 2024	Actual 2025	Projected 2026	Projected 2027	Projected 2028	
Residential							
Minimum Charge	$23.73	$24.20	$24.20	$25.23	$26.30	$27.42	
Commodity Charge per CCF	$3.39	$3.46	$3.46	$3.60	$3.76	$3.92	
Commercial							
Minimum Charge for Meters ≤ 1"	$35.56	$36.27	$36.27	$37.81	$39.42	$41.09	
Minimum Charge for Meters ≤ 2"	$71.12	$72.54	$72.54	$75.62	$78.84	$82.19	
Minimum Charge for Meters ≤ 3"	$142.25	$145.09	$145.09	$151.26	$157.69	$164.39	
Commodity Charge per CCF	$3.39	$3.46	$3.46	$3.60	$3.76	$3.92	
						Rate of Inflation:	5.5%
				Yearly User and Consumption Increase:			2.0%

	2023	2024	2025	2026	2027	2028	Total
Operating Revenue				6%	6%	6%	
Wastewater Sale Revenue	$761,983	$895,584	$777,450	$821,741	$873,798	$929,154	$2,435,017
Other Income	$2,485	$0	$0	$239,500	$0	$0	$0
Total Operating Revenue	$764,468	$895,584	$777,450	$1,061,241	$873,798	$929,154	$2,437,502
O & M Expenses (Less Depreciation and Interest)	$469,193	$542,423	$735,816	$805,000	$791,000	$834,500	$1,747,431
Net Operating Revenue	$295,275	$353,161	$41,635	$256,241	$82,798	$94,654	$690,071
Additional Obligations							
CIP and Reserve	$42,046	$49,257	$55,843	$406,958	$58,102	$59,268	$147,146
Debt Expense	$55,940	$514,591	$0	$0	$0	$0	$570,531
Total Other Obligations	*$97,986*	*$563,848*	*$55,843*	*$406,958*	*$58,102*	*$59,268*	$717,677
Total Annual Revenue	*$764,468*	*$895,584*	*$777,450*	*$1,061,241*	*$873,798*	*$929,154*	$2,437,502
Total Annual Expenses	*$567,179*	*$1,106,271*	*$791,659*	*$1,211,958*	*$849,102*	*$893,768*	$2,465,108
Net Balance from Operations	$197,289	($210,687)	($14,208)	($150,717)	$24,696	$35,386	($27,606)
Percent Deficiency of Water Service Revenue	---	-23.5%	-1.8%	-14.2%	---	---	-1.1%
Beginning Cash Balance	$637,113	$971,314	$760,627	$746,419	$595,702	$620,398	
Ending Cash Balance	$971,314	$760,627	$746,419	$595,702	$620,398	$655,784	

2026 Sewer Rate Review for the City of Bennington, NE

Revenues and Expenses

	Actual	Actual	Actual	Projected	Projected	Projected
Revenue	2023	2024	2025	2026	2027	2028
Charges for Services						
Bond Proceeds	$0	$0	$0	$0	$0	$0
Sewer Connection Permit Fee	$161,408	$231,718	$234,828	$239,500	$244,300	$249,200
Sewer Receipts	$600,575	$663,866	$777,450	$793,000	$808,900	$825,100
Other Miscellaneous Income	$2,485	$0	$3,055	$3,100	$3,200	$3,300
Total Revenues	**$764,468**	**$895,584**	**$1,015,333**	**$1,035,600**	**$1,056,400**	**$1,077,600**
Expenses	2023	2024	2025	2026	2027	2028
Repairs & Maintenance	$0	$35,017	$36,644	$0	$0	$0
People Service Contract	$15,770	$16,600	$17,335	$18,300	$19,300	$20,400
Miscellaneous	$0	$101	$135	$0	$0	$0
Locates	$0	$0	$0	$0	$0	$0
City of Omaha	$321,958	$311,397	$382,890	$403,900	$426,100	$449,500
MUD Billing Charge	$25,139	$26,458	$31,501	$46,500	$49,100	$51,800
Sewer Connections	$106,326	$152,850	$261,918	$276,300	$291,500	$307,500
Debt Expense	$55,940	$514,591	$0	$0	$0	$0
Engineering	$0	$0	$5,391	$60,000	$5,000	$5,300
Total Expenses	**$525,133**	**$1,057,014**	**$735,816**	**$805,000**	**$791,000**	**$834,500**
O&M Expenses (Total less Debt)	**$469,193**	**$542,423**	**$735,816**	**$805,000**	**$791,000**	**$834,500**
Operating Income	**$239,335**	**($161,430)**	**$279,518**	**$230,600**	**$265,400**	**$243,100**

Bond Payments

Bonds	2023	2024	2025	2026	2027	2028
Molley Street Sanitary Sewer Bonds Series 2018	$55,940	$541,591				
Total	**$55,940**	**$541,591**				

Capital Improvement Projects

Expected Capital Improvements Projects (CIP)	2023	2024	2025	2026	2027	2028
Stark/Allen/Molley Street Sewer Improvements				$350,000		

PROCEEDINGS AND PASSAGE OF ORDINANCE NO. 546:

The Mayor and City Council of the City of Bennington, Nebraska, met in regular session on October 14, 2025 and November 10, 2025, at 6:00 p.m., at the City Office, 15505 Warehouse Street, and acted upon the following described ordinance:

ORDINANCE NO. 546

AN ORDINANCE AMENDING SECTION 6-202 OF THE CITY OF BENNINGTON'S MUNICIPAL CODE AS ENACTED IN CITY OF BENNINGTON ORDINANCE NO. 526 REGARDING SANITARY SEWER USE RATES AND COLLECTIONS.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BENNINGTON, DOUGLAS COUNTY, NEBRASKA:

WHEREAS, it appears desirable and for the public good and the best interests of the City of Bennington that an Ordinance be passed amending Section 6-202 of the City of Bennington's Municipal Code as enacted in City of Bennington Ordinance No. 526 regarding sanitary sewer use rates and collections.

Section 1. Section 6-202 of Article II of Chapter VI of the Municipal Code of the City of Bennington as enacted in City of Bennington Ordinance No. 526 is amended so as to provide as follows:

SECTION 6-202: SEWER USE RATES; COLLECTION

1. The City has entered into an Interlocal Agreement with the Metropolitan Utilities District, a Nebraska municipal corporation and political subdivision, dated August 12, 2002 for the billing, collection, and remittance of the City's lawfully charged sewer use fees and applicable taxes, and the billing, payment, collection, and remittance practices and all other matters set forth in such Agreement, shall apply to the sanitary sewer system users within the sanitary sewer service jurisdiction of the City and are governed by such Agreement, and all of the terms and conditions of such Agreement are made a part hereof by reference.

2. The following sewer use rates, monthly customer charges, and flow rates shall apply and be charged to and collected from the sanitary sewer system users within the sanitary sewer service jurisdiction of the City beginning January 1, 2026.

A. Residential – Includes single-family, individual multi-family units, and mobile homes:

$~~24.20~~25.23 per month, and an additional sum of $~~3.46~~3.60 per each CCF or any part thereof discharged.

B. Commercial/Industrial Users with a Water Meter Size of One Inch or Less:

$~~36.27~~37.81 per month and an additional sum of $~~3.46~~3.60 per each CCF or any part thereof discharged.

C. Commercial/Industrial Users with a Water Meter Size Greater than One Inch and Less than or Equal to Two Inches:

$~~72.54~~75.62 per month and an additional sum of $~~3.46~~3.60 per each CCF or any part thereof discharged.

D. Commercial/Industrial Users with a Water Meter Size Greater than Two Inches and Less than or Equal to Three Inches:

$~~145.09~~151.26 per month and an additional sum of $~~3.46~~3.60 per each CCF or any part thereof discharged.

E. Additional Charges for Commercial/Industrial Users:

The following charges shall be in addition to the base and usage charges for abnormal strength wastewater flow, as determined by sampling of the wastewater flow:

i. Total Suspended Solids (TSS) greater than 300 milligrams per liter:

Cost is as provided in City of Omaha Municipal Code Section 31-147(d)(1) as amended.

ii. Biological Oxygen Demand (BOD) greater than 240 milligrams per liter:

Cost is as provided in City of Omaha Municipal Code Section 31-147(d)(2) as amended.

Section 2. The previous Section 6-202 of Article II of Chapter VI of the City of Bennington's Municipal Code as enacted in City of Bennington Ordinance No. 526, is hereby repealed, and the foregoing Section 1 of this Ordinance shall be codified in the Municipal Code of the City of Bennington as Section 6-202 of Article II of Chapter VI.

Following the introduction, the Ordinance was read by title for the first time at which time Council member _____ moved that Ordinance No. 546 be approved on its first reading. Council member _____ seconded the motion. Upon roll call vote the following Council members voted YEA: _____ _____. The following voted NAY: _____ _____. The approval of said Ordinance upon its first reading having been concurred by a majority of all members of the Council, the Mayor declared the Ordinance approved on its first reading.

Ordinance No. 546 came up for a second reading at the meeting of the Mayor and Council on November 10, 2025. Council member _____ moved that the

Item #9

Ordinance No. 545

Salary Update

CITY OF BENNINGTON
ORDINANCE NO. 545

AN ORDINANCE OF THE CITY OF BENNINGTON, DOUGLAS COUNTY, NEBRASKA, RELATING TO AND AMENDING THE SALARIES AND INSURANCE BENEFITS OF THE EMPLOYEES OF THE CITY OF BENNINGTON, NEBRASKA

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BENNINGTON, DOUGLAS COUNTY, NEBRASKA:

SECTION 1. Salaries. Salaries of the employees of the City of Bennington, Douglas County, Nebraska, shall be set *not to exceed* the salary rates as follows.

OFFICER OR EMPLOYEE	SALARY
City Administrator	$90,000-$150,000 annual
City Director	$60,000-$80,000 annual
City Clerk	$65,000-$85,000 annual
City Treasurer	$20-$30 per hour
Police Chief	$90,000-$120,000 annual
Police Chief Assistant	$80-$100 annual
Police Sergeant	$30-$40 per hour
Police Officer - full time	$28-$40 per hour
Police Officers – part time	$22-$30 per hour
Police Secretary	$15-$30 per hour
Public Works Director	$65,000-$85,000 annual
Public Works Assistant Supervisor -part time / full time	$50,000-$65,000 annual
Public Works Staff – part time (Grade 1)	$15-$19 per hour
Public Works Staff – part time (Grade 2)	$20-$25.00 per hour
Library Director	$60,000-$80,000 annual
Assistant Library Director - part time / full time	$22-$32 per hour
Youth Services Librarian	$40,000-$60,000 annual
Collection Development Librarian	$40,000-$60,000 annual
Library Specialists – part time / full time	$15-$22 per hour
Library Aid – part time	$15-$20 per hour

SECTION 2. Salary Increases Department Heads. Department Heads will be given a COLA (cost of living adjustment) on October 1 of each year, plus a merit-based increase (if any) may be recommended by the Mayor and approved by the Council during the annual budget process. Department Heads will budget for these COLA adjustments and any such approved merit-based increases during the annual budget process. The COLA adjustments are automatic, but not guaranteed.

Department Heads may also be awarded an increase in salary during the Fiscal Year, if recommended by the mayor and approved by the Council. These increases could be for situations such as completing a specific certification or additional education completed.

Salary Increases Exempt Full-Time and Part-Time Employees. Exempt full-time and part-time employees will be given raises as determined by the Department Heads and approved by the Mayor and City Council throughout the Fiscal Year at the discretion of the Department Heads. These increases must have been budgeted for by the Department Heads during the annual budget process.

SECTION 3. Pension. A 457 and 401a of up to 8% of gross wages may be chosen by each qualifying employee, not to exceed $20,500 annually. 457 contributions percentage for the subsequent year shall be chosen by each employee between December 15 and December 31. Employee agrees to match City's percentage of 457 contribution.

SECTION 4. Insurance. Health, Dental, and Vision Insurance benefits including an optional Health Savings Account for all qualifying employees. Employees will contribute 5% of Health and Dental Insurance monthly premiums. The City's annual contribution to the optional HAS will be $750/single and $1,200/family. Short-Term and Long-Term Sick/Disability Insurance for all qualifying employees to be paid for by the City by adding the premium amount to the employee's wages. A $25,000.00 life insurance policy for each qualifying full-time employee to be paid for by the City.

SECTION 5. Meritorious Awards. The Mayor and City Council are authorized to use budgeted reserves not exceeding $2,500 for meritorious awards for individual employees who have performed in an exemplary manner. The Mayor is authorized to use $1,000 of such budgeted funds for meritorious awards. For each employee receiving such an award, the Mayor or City Council President shall document in writing the basis for said award. Said documentation shall describe the work that is above and beyond the employee's primary duties.

SECTION 6. This Ordinance shall take effect after its passage and approval, as provided by law.

SECTION 7. If any section, clause, provision, or part or portion of any section, clause, or provision of this Ordinance or the application thereof to any person or circumstance is held unconstitutional, such invalidity or unconstitutionality shall not affect the validity or application of any other section, clause, provision or part or portion of this Ordinance.

SECTION 8. Ordinance No. 513 and all ordinances or parts thereof in conflict herewith are hereby repealed.

Item #10

Public Works Building

Application and Certificate For Payment

To Owner:	City of Bennington 15505 Warehouse Street Bennington, NE 68007	Project:	Bennington PW Building 15801 Bennington Rd. Bennington, NE 68007	Application No: 5 Period To: 09/30/25 Architect's Project No:	Date: 09/25/2025
From (Contractor):	Darland Construction Co. 4115 S 133rd Street Omaha, NE 68137	Contractor Job Number: 25-1-007 Via (Architect):		Contract Date:	
Phone:		Contract For:			

Contractor's Application For Payment

Change Order Summary			Additions	Deductions
Change orders approved in previous months by owner			2,600.00	-17,000.00
	Number	Date Approved		
Change orders approved this month	PCCO 004	09/09/25	13,181.30	
Totals			13,181.30	
Net change by change orders			-1,218.70	

Original contract sum	1,731,875.00
Net change by change orders	-1,218.70
Contract sum to date	1,730,656.30
Total completed and stored to date	1,208,868.00
Retainage	
5.0% of completed work	60,443.40
0.0% of stored material	0.00
Total retainage	60,443.40
Total earned less retainage	1,148,424.60
Less previous certificates of payment	741,026.60
0.000% of taxable amount	0.00
Current sales tax	0.00
Current payment due	**407,398.00**
Balance to finish, including retainage	582,231.70

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information, and belief the work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

Contractor:
By: John Maderak Date: 10/3/25
State of: Nebraska County of: Douglas
Subscribed and sworn to before me this 3rd day of Oct.,
2025 (year). Notary public: Julie A. Vodicka
My commission expires

GENERAL NOTARY-State of Nebraska
JULIE A VODICKA
My Comm. Exp. April 10, 2029

Architect's Certificate for Payment

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the Amount Certified.

Amount Certified: $ _____

Architect:
By: _____ Date: 10.08.2025

This Certification is not negotiable. The Amount Certified is payable only to the Contractor named herein. Issuance, payment, and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

Application and Certificate For Payment -- page 2

To Owner: City of Bennington
From (Contractor): Darland Construction Co.
Project: Bennington PW Building

Application No: 5 Date: 09/25/25 Period To: 09/30/25
Contractor's Job Number: 25-1-007
Architect's Project No:

Item Number	Description	Scheduled Value	Work Completed: Previous Application	Work Completed: This Period	Materials Presently Stored	Completed and Stored to Date	%	Balance to Finish	Retention	Memo
001.00	Grading	76,894.00	36,691.00	10,500.00	0.00	47,191.00	61.37	29,703.00	2,359.55	
002.00	Site Utilities	62,985.00	30,000.00	27,000.00	0.00	57,000.00	90.50	5,985.00	2,850.00	
003.00	Site Concrete	95,934.00	0.00	28,000.00	0.00	28,000.00	29.19	67,934.00	1,400.00	
004.00	Landscaping	10,000.00	0.00	0.00	0.00	0.00	0.00	10,000.00	0.00	
005.00	Site Improvements	4,945.00	0.00	0.00	0.00	0.00	0.00	4,945.00	0.00	
006.00	Building Concrete	199,385.00	179,345.00	20,040.00	0.00	199,385.00	100.00	0.00	9,969.25	
007.00	Miscellaneous Steel	104,772.00	28,000.00	0.00	0.00	28,000.00	26.72	76,772.00	1,400.00	
008.00	Millwork	3,275.00	0.00	0.00	0.00	0.00	0.00	3,275.00	0.00	
009.00	Joint Sealants	7,321.00	0.00	0.00	0.00	0.00	0.00	7,321.00	0.00	
010.00	Openings	60,580.00	0.00	27,000.00	0.00	27,000.00	44.57	33,580.00	1,350.00	
011.00	Drywall & Acoustic Ceilings	64,000.00	0.00	30,000.00	0.00	30,000.00	46.88	34,000.00	1,500.00	
012.00	Finishes	21,687.00	0.00	4,000.00	0.00	4,000.00	18.44	17,687.00	200.00	
013.00	Pre-Engineered Metal Building	420,300.00	228,000.00	192,300.00	0.00	420,300.00	100.00	0.00	21,015.00	
014.00	Fire Sprinkler System	35,860.00	3,586.00	0.00	0.00	3,586.00	10.00	32,274.00	179.30	
015.00	Plumbing	83,757.00	37,000.00	0.00	0.00	37,000.00	44.18	46,757.00	1,850.00	
016.00	HVAC	86,486.00	43,906.00	10,000.00	0.00	53,906.00	62.33	32,580.00	2,695.30	
017.00	Electrical	114,950.00	11,000.00	45,000.00	0.00	56,000.00	48.72	58,950.00	2,800.00	
018.00	GC's/GR's/Fee	277,525.30	182,500.00	35,000.00	0.00	217,500.00	78.37	60,025.30	10,875.00	
	Application Total	1,730,656.30	780,028.00	428,840.00	0.00	1,208,868.00	69.85	521,788.30	60,443.40	

Darland
BUILDING TO A HIGHER STANDARD

PCO #006

Darland Construction Co.
4115 S 133rd St
Omaha, Nebraska 68137

Project: 25-1-007 - Bennington Public Works Building
15801 Bennington Rd.
Bennington, Nebraska 68007

Prime Contract Potential Change Order #006: PR #7-Hotsy.-Sink-Water filler

TO:	City of Bennington 15505 Warehouse St. Bennington, Nebraska 68007	**FROM:**	Darland Construction Co. 4115 S 133rd St Omaha, Nebraska 68137
PCO NUMBER/REVISION:	006 / 0	**CONTRACT:**	25-1-007 - COB00 - 25-1-007 Prime Contract
REQUEST RECEIVED FROM:		**CREATED BY:**	John Maderak **(Darland Construction Co.)**
STATUS:	Pending - In Review	**CREATED DATE:**	10/8/2025
REFERENCE:		**PRIME CONTRACT CHANGE ORDER:**	None
FIELD CHANGE:	No		
LOCATION:		**ACCOUNTING METHOD:**	Amount Based
SCHEDULE IMPACT:	2 days	**PAID IN FULL:**	No
EXECUTED:	No	**SIGNED CHANGE ORDER RECEIVED DATE:**	
		TOTAL AMOUNT:	$11,993.30

POTENTIAL CHANGE ORDER TITLE: PR #7-Hotsy.-Sink-Water filler

CHANGE REASON: PR

POTENTIAL CHANGE ORDER DESCRIPTION: *(The Contract Is Changed As Follows)*
CE #010 - PR #7-Hotsy.-Sink-Water Fill
PR # 7 adds an owner furnished hotsy unit, S-1 service sink and a water filler line for owner future use.
Please note: This is quoted to vent the hotsy out thru the roof. To go thru the sidewall adds another expense of a power ventilator. If desired to go out the sidewall, this would add $ 960.00 to the overall quote.

ATTACHMENTS:
Wulff Electric = $ 1,600.00.pdf , _Thermal Services = $ 1,284.00.pdf , _Darland = $ 400.00.pdf , _Xtreme = $ 7,619.00.pdf , _PR # 7 Narrative.pdf

#	Budget Code	Description	Amount
1	022-2205-200.SUB Water, Waste, and Vent Pi.SUBCONTRACTORS	Plumbing	$7,619.00
2	023-2305-100.SUB Ductwork, Registers, and.SUBCONTRACTORS	HVAC	$1,284.00
3	026-2605-150.SUB Electrical Distribution.SUBCONTRACTORS	Electrical	$1,600.00
4	007-0705-250.SUB Metal Roofing.SUBCONTRACTORS	Roof flashing	$400.00
		Subtotal:	**$10,903.00**
		Darland GR.s/GC.s/OH & Profit (10.00%):	$1,090.30
		Grand Total:	**$11,993.30**

Jarred Meyer (JEO Consulting Group, Inc.)
2000 Q st
Lincoln, Nebraska 68503

City of Bennington
15505 Warehouse St.
Bennington, Nebraska 68007

Darland Construction Co.
4115 S 133rd St
Omaha, Nebraska 68137

SIGNATURE **DATE**

SIGNATURE **DATE**

SIGNATURE **DATE**

Item #11

Traffic Study for Signal Changes

MEMO

To: City of Bennington

From: JEO Consulting Group

Date: 10/8/2025

Subject: N 156th Street and Bennington Road Left-Turn Phasing Evaluation - DRAFT

Introduction & Background

This memo documents the results of a traffic study conducted for the City of Bennington at the N 156th Street & Bennington Road intersection in Bennington, Nebraska. Based on a request from the City, this report evaluated the operations of the current left-turn phasing to determine if modifications are needed, such as protected or protected-permitted left-turn phasing, particularly for the northbound approach.

Data Collection

Turning movement volumes were collected at the intersection from Tuesday, September 9, 2025, through Thursday, September 11, 2025, for 12-hour periods (7 AM to 7 PM). Common AM and PM peak hours were calculated and are shown in Tables 1 and 2. These counts were then averaged to generate a single set of AM and PM peak hour volumes and the resultant existing AM and PM peak hour volumes are provided in Figure 1.

It is important to note that during the data collection period, road construction was occurring on N 168th Street. This construction closed N 168th Street between Bennington Road and Military Road. Due to this construction, located 1 mile west of the study intersection, northbound left-turn volumes at the study intersection were inflated, especially during the AM peak hour with vehicles headed towards the Bennington school system.

Table 1: AM Peak Hour Volume Summary (7:15 – 8:15)

Date	Northbound			Southbound			Eastbound			Westbound		
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
9/09/2025	341	169	42	57	133	130	75	62	153	55	113	40
9/10/2025	330	177	46	45	123	125	64	51	167	47	111	35
9/11/2025	333	167	42	45	138	137	73	59	153	51	113	35

Table 2: PM Peak Hour Volume Summary (5:15 – 6:15)

Date	Northbound			Southbound			Eastbound			Westbound		
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
9/09/2025	292	174	47	15	204	91	64	50	262	57	68	25
9/10/2025	157	175	37	14	176	37	37	37	138	55	40	38
9/11/2025	224	197	33	8	197	66	59	44	199	61	41	21

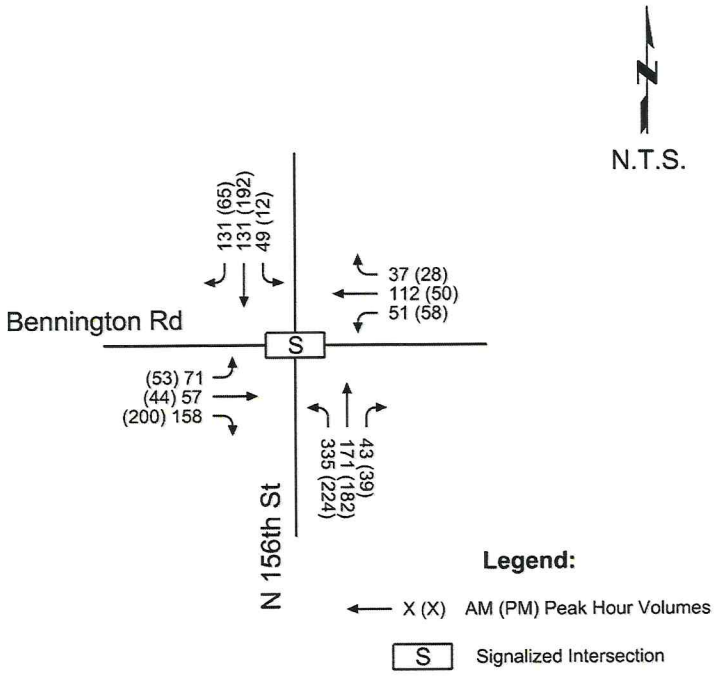


Figure 1: Existing AM and PM Peak Hour Volumes

Methodology

The volumes collected were analyzed using procedures outlined in the Highway Capacity Manual, 7th Edition (HCM). Per the HCM, Levels of Service (LOS) are presented as letter grade (A through F) based on the calculated average control delay for an intersection or movement during a specific time period (such as the AM and PM peak hours). LOS A represents free flow movement with very little to no delay, while LOS F represents congested flow at or exceeding the capacity of the street. Further details regarding the LOS methodologies can be found in Table 3.

Table 3: Intersection Level of Service (LOS) interpretation

LOS	Description	Delay (seconds per vehicle)
		Signalized Intersections
A	Free-flow operations. Vehicles are almost completely unimpeded in their ability to maneuver within the traffic stream.	< 10
B	Reasonably free flow. The ability to maneuver within the traffic stream is only slightly restricted.	>10 and < 20
C	At or near free flow. Freedom to maneuver within the traffic stream is noticeably restricted.	>20 and < 35
D	Speeds begin to decline slightly. Freedom to maneuver within the traffic stream is noticeably limited.	>35 and < 55
E	At capacity. Maneuverability within the traffic stream is extremely limited.	>55 and < 80
F	Breakdown. Vehicles are jammed. Generally, queues form behind the breakdown condition.	> 80

Source: Highway Capacity Manual, 7th Edition, A Guide for Multimodal Mobility Analysis, Transportation Research Board, Washington, D.C.

Level Of Service

AM and PM peak hour volumes were then evaluated using both the methodology described previously and City of Omaha provided existing signal timings. The results of this analysis can be found in Figure 2. As shown, all approaches to the study intersection operate at LOS B or better except for the westbound left-turn movement during the AM peak hour.

It is recognized that while this analysis only predicts a 95th-percentile northbound left-turn queue of approximately 150 feet, site observations show this to be much longer. Figure 3 illustrates conditions at approximately 7:45 am on September 19th, 2025, as captured in a photograph provided by the City. This picture appears to show a northbound left-turn queue extending back to the bridge over the Big Papillion Creek, a distance of more than 625 feet.

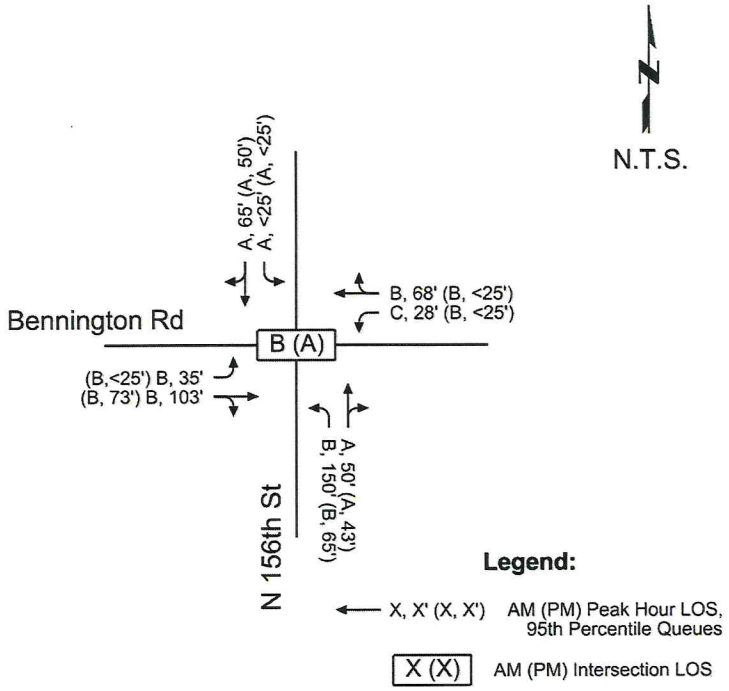


Figure 2: Existing AM and PM Peak Hour Level of Service

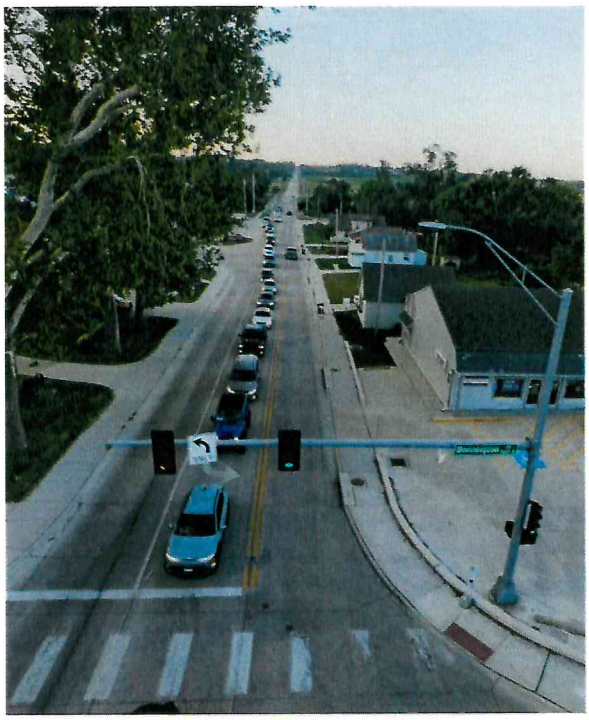


Figure 3: N 156th Street & Bennington Road, facing south at 7:45am on September 19th, 2025

Crash History

Crash data for the study intersection was requested and provided both from the City of Bennington and the Nebraska Department of Transportation (NDOT). According to the most recent three years of data (2021-2024) only one reported crash has taken place at the intersection. This hit-and-run crash involved a westbound right-turning vehicle and a pedestrian crossing the north leg of the intersection. Based on the number of crashes and the traffic volumes, this intersection would not typically be considered a high crash location. However, it should be noted that the traffic signal at this intersection was not in operation during the entirety of these three years of crash data. For this reason, the crash history may not fully represent existing conditions at the intersection of N 156th Street & Bennington Road.

Intersection Sight Distance

To evaluate potential changes to the left-turn phasing being used in the northbound direction, left-turn intersection sight distance for the northbound approach was verified. According to this analysis, the northbound left-turn sight distance is excess of 200' (the minimum sight distance to oncoming vehicles with a speed limit of 25 mph), with values of 285' to be expected. It should also be noted that N 156th Street's elevation rises to the north, further aiding in sight distance beyond this 285'.

Left-Turn Warrant Analysis

The left-turn movement on the northbound approach was evaluated following industry procedures outlined in the National Cooperative Highway Research Program (NCHRP) Report 812, entitled Signal Timing Manual, 2nd Edition. This NCHRP Report includes a flow chart that provides recommended guidelines for determining recommendations regarding permitted-only, protected-only, or protected-permitted left-turn phasing. This flow chart, and the recommended criteria thresholds it outlines, were used to analyze the N 156th Street and Bennington Road intersection.

Following this analysis and the measured sight distance along the northbound approach, NCHRP Report 812 would recommend protected-permitted left-turn phasing for the northbound left-turn movement during both the AM and PM peak hour.

A brief sensitivity analysis was also performed on these calculations. Based on this analysis, if everything else at the intersection were to be held constant, the northbound left-turn movement would need to drop to 190 vehicles per hour in the AM peak hour and/or 194 vehicles per hour in the PM peak hour for permitted only phasing to be recommended during their respective peak hours.

New Phasing Analysis

Based on the recommendations of protected-permitted left-turn phasing on the northbound approach, the operations analysis was reevaluated using this new timing recommendation and the results are shown in Figure 4. As shown, the intersection continues to operate at LOS B or better for all approaches during both peak hours, apart from the westbound left-turn lane which operates at LOS C during both peak hours, and the eastbound left-turn lane which operates at LOS C during the AM peak hour. It was also noted that the northbound queue drops in this analysis when compared to the existing conditions analysis due to the new left-turn phasing.

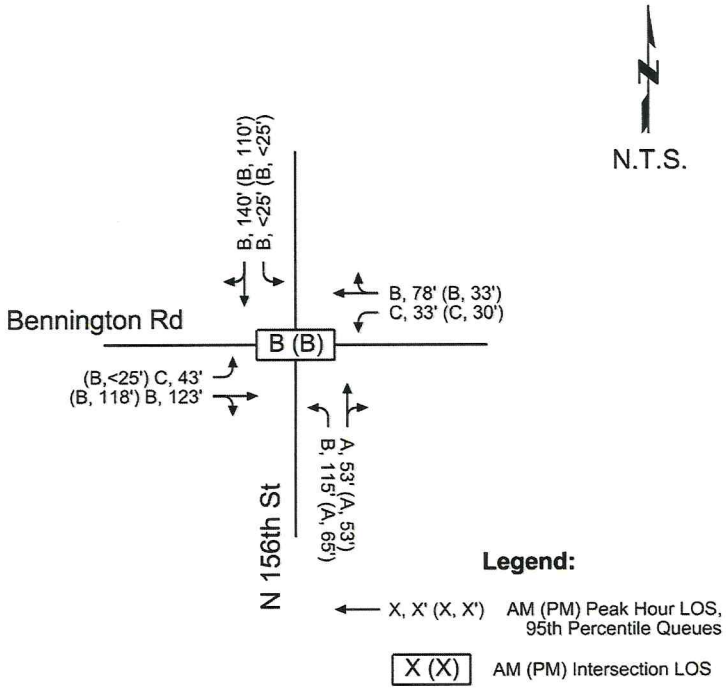


Figure 4: New Phasing AM and PM Peak Hour Level of Service

Conclusion and Recommendations

Based on the assumptions and analysis outlined above, protected-permitted left-turn phasing is recommended for the northbound approach during the AM and PM peak hour. However, this intersection should be closely monitored for safety concerns, as the current conditions have not been in place long enough to establish a reliable crash history.

Item #12

Neumeyer Farm Park

ITEM #13

Library Report

Bennington City Council Meeting
October 14, 2025

Bennington Public Library Board of Trustees Meeting
September 23, 2025
Library Report: Lisa Flaxbeard

The mission of the Bennington Public Library is to inspire lifelong learning, advance knowledge, and strengthen community. *To deliver on this promise we rely on three great resources: our staff, our collection, and our physical space.*

Library Programs and Services

Last month's program attendance and circulation statistics are included in the August statistical report.

About half of the **435 Summer Reading Book Prizes** were picked on September 15. Parents and kids have been trickling in to pick up the rest. Here is a breakdown of the prize costs **sponsored by the Friends of the Library**'s $6,500 contribution:

Reading Reward prize purchases-charms, bracelets, candy, soda, SRP swag, etc.	1,138.05
Drawing prize purchases (22 of 30)	504.58
Book Prizes - Amazon 445 books	4,682.20
Total SRP Prize Expense	6,324.83

In addition, the Library was the recipient of in-kind prize donations from the following donors: Runza, i3 Bank, Don & Millies, Papa John's, North Shore Shave Ice, Tom Rivera State Farm Insurance, Cup & Cone, and Hay Jay.

Johnna conducted three **Out and About** Storytimes during the month of August. Locations included Lake Cunningham (12 in attendance), Cup & Cone (49), and Nelson Produce Farm Sunflower Festival (157). Two other recent **preschool programming partnerships** have been with Maple Music Studio and The Rose Theatre. Haley Schoenfelder owner of Maple Music Studio presented an Intro to Music Class in the conference room on August 27 (67). Chloe Hug the Rose Theatre's Accessibility Coordinator and Associate Director of Early Childhood presented an Intro to Acting - Dragons Love Tacos program on September 17th (27). Another Cup & Cone Out and About Storytime was held on September 9 (43).

Teen Crochet Corner is continuing during the school year with volunteen Eden L. The group meets on the first and third Thursdays, 4:30 – 5:50 PM. Eden is planning a special Halloween themed session for October 16.

Teen BLAB (Teen Bennington Teen Advisory Board) elected a new president, Zoey Hunt and welcomed five new members. The board plans to meet monthly on dates and times determined by members' availability.

Teen Volunteering has seen a huge surge since school began. Up to 14 invaluable volunteens are on the schedule each week. Since the school year began, over 23 teen volunteer applications have been received. All new volunteers are required to provide a letter of recommendation and attend a brief interview.

The **Pickling Class** conducted by The Big Garden's Campus and Volunteer Director Kay Carlson on September 15 was attended by 13 adults. Participants happily walked away with recipes and at least two jars of pickled okra and/or cucumbers, all provided by The Big Garden. Participants expressed interest in other programs The Big Garden offers, such as gardening, composting, and sourdough.

Opportunities for checking out **new Partnership Passes** will be coming to the Library soon. We are currently working out the details with the Kiewit Luminarium, Strategic Air Command & Aerospace Museum, and Opera Omaha.

We have reached out to Bennington Public Schools to begin coordinating with their third-grade classes for a field trip to the Bennington Public Library as part of the District's Bennington history curriculum, which includes a tour of the city.

Upcoming Library Events:

Founders Day/National Good Neighbor Day Games & Goodies/Pop-up Book Sale (Friends of the Library) - 9/27, 9:00 AM - 2:00 PM (during Farmers Market)
Saturday storytime with Addysen O - 10/4, 10:00 AM
Teen Murder Mystery Party - Friday 10/10, 6:30 PM
Teen Tuesday Ghost Bookmarks - 10/7, 6:00 PM – 7:00 PM
Out & About Storytime @ Cup and Cone - 10/7, 10:00 AM
Spooky Stories and Smores @ Lake C - 10/17, 6:30 PM (geared for elementary age children)
Out & About Storytime @ Nelson Produce Farm - 10/21, 10:00 AM
Freaky Fun Friday - 10/24, 4:30 - 5:30 (Centennial Park)
Soup Class for adults (Nebraska Extension) 10/30, 4:00 PM
Teen Tuesday Teensgiving 11/4, 6:00-7:00 PM
Dog Mushing Presentation with Karen Land her dog, Sophia – 11/22, 10:00 AM (general interest/all ages)
Teen Elf Movie Watch Party – December date TBD

Technology/Building Maintenance

Jason Nocita will be taking a step back from his tech support for the library. We will need to hire another tech consultant who can help us with our Ubiquiti network. We have a few leads. Computers to replace the staff computers that are not Windows 11 compatible have been purchased. Three new computer monitors have been purchased to replace monitors that have started to fade.

Strategic Electric has finished most of the work to replace the lighting controls. They will be coming back this week to adjust a few of the lighting connections.

Shawn Ware (Johnna's fiancé) took the time to investigate the issues we have been having with our conference room AV equipment. He has made recommendations for purchasing the equipment and supplies needed and has offered to volunteer the labor to install it for us.

Layne and Derek from the public works department are working on a solution to correct the issue with the front door not latching.

The library and conference room carpets were cleaned on September 5.

Personnel/Staff Development/Board CEUs

Due to health concerns, Lynn has asked to be removed from the staff schedule indefinitely.

Our two-hour staff development session (Fostering Healthy Communication in your Library) with Jessica Chamberlain is scheduled for October 10.

The staff is looking forward to hearing from Natalie and Heather's about their takeaways from the ARSL conference that concluded last Saturday.

Tammi Thiem is available on October 28 to present a Library Board training session. If all board members are in attendance, the board will earn 5 CEUs toward the 7.5 needed by April 11, 2026.

Bennington Public Library
August 2025 Statistics

	2025	2024
Circulation-Physical items	12714	10952
OVERDRIVE	2501	1951
*OD Audio	*1310	*1015
*OD eBook	*894	*750
*OD Magazine	*138	*63
*OD BPS	*159	*123
Book Club Kits	28	27
Total Circulation	**15243**	**12930**
Newsbank search/view/session	**763/4489/763**	**577/2770/161**
NYT (16 libs)stats codes/usage	**211/1481**	**n/a**
Computer Use	**229**	**183**
Study Room Use	**18**	**24**
Conference Room Use	**14**	**14**
Cards issued		
City	6	15
Douglas County	69	68
Omaha	20	15
Washington/Other County	1	0
Total Library Cards Issued	**96**	**98**
Programs		
Presch STEAM-Monday (4)	163	181
Storytime-Thurs 9AM KoalaT (3)	68	74
Storytime-Thurs (5)	211	234
Storytime-Saturday (1)	37	24
Storytime-Out & About (3)	218	135
Music with Maple Music	67	n/a
Total Early Literacy Programs (17)	**764**	648
Self-directed Early Lit-Scav Hunt	**325**	310
Open Art Studio (3)	13	17
LEGO (3)	43	17
Read to a Dog	32	53
Summer Reading Finale	264	n/a
Total Elementary Programs (8)	**352**	**87**
Teen Time	n/a	4
Teen BLAB	6	3
YA/Teen Programs (1)	**6**	**7**
Book Club-1st Wed	14	6
Book Clubs-3rd Tues	9	7
RW Book Club	6	5
Second Saturday Craft Circle	9	n/a
Total Adult Programs (4)	**38**	**18**
Library Visits	3945	2816
Volunteers/Hours	46/119	9/57
Printer-Kyocera use 7/13-8/12	4231	2790

collectioncode	check	renew	total
Adult DVDs	9	25	34
Adult Fiction	573	969	1542
Adult Large Print Fiction	1	3	4
Adult Magazines	9	0	9
Adult Nonfiction	85	215	300
Cake Pans	5	0	5
Interlibrary Loan	16	2	18
Childrens Boardbooks	151	194	345
Childrens Chapter Books	528	1207	1735
Childrens Comic Books	20	63	83
Childrens Books on CD	4	3	7
Childrens DVDs	65	162	227
Childrens Easy Readers	763	1402	2165
Childrens Graphic Novels	380	716	1096
Childrens Magazines	70	0	70
Childrens Nonfiction	437	930	1367
Childrens Picture Books	1088	1698	2786
Childrens Playaways	87	195	282
Childrens Readalongs	63	95	158
Kits	40	0	40
Special Collections	21	0	21
Young Adult Fiction	93	280	373
Young Adult Graphic Novels	10	27	37
Young Adult Nonfiction	2	5	7
Young Adult Playaways	0	3	3
	4520	**8194**	**12714**

Social Media Stats for August 2025

TikTok: 1587 Followers, 51.7K Likes

Instagram: 654 followers; 3,156 views in the last 28 days; 231 accounts reached

Facebook: 2,114 followers; 7,357 views in the last 28 days; 1,213 accounts reached

Website: 3,081 views in last 30 days

Google: 5.0 Star Rating, 35 reviews

ITEM #15

Public Works Report

October 2025 Public Works Report

Parks:

This month we finished fall fertilizing all the parks. We also worked with the school on fertilizing/reseeding the legion baseball field. The school allowed us to borrow their aerovator. All parks have been aerated along with reseeded. Centennial Park holds multiple farmers markets and sees a lot of foot traffic. We are hoping the new seed and aeration will help sprout more ground cover grass. A bug prevention spray was applied to Johns-Bohn park including the sand volleyball courts, and soccer fields. Neumeyer Farms field has been sprayed with weed killer as well as fertilized and reseeded by Executive Outdoor Living. Neumeyer has responded well! We bought more tree climbing gear and a helmet for myself for continued and future tree work. Three dead trees were removed along 156th street. We are monitoring more along the road for potential future removal.

Streets:

Cold patch work has begun throughout town. We had large street panels replaced along 156the Ave. The storm sewer breaks along CW Hadan have been fixed by Anderson Construction alongside MUD. The crosswalk on 156th street between the library and the arboretum/police office was poured. We are waiting for the signs and electrical crosswalk to come in and be installed. Washouts from alleys have been periodically fixed after many hard rains. Looking into solutions to stabilize and limit washouts moving forward. Multiple signs needed throughout town have been ordered. We have also continued replacing and straightening signs as well.

General:

A hustler mower has been in with Ty's Small Engines. The same mower that was hit by a truck months ago has been giving us issues with the belt. The deck was out of line presumably from the accident, and the issue is being dealt with. We have added safety strobes to mowers to further prevent issues while riding mowers travel through traffic and along streets. Two new tires were replaced on the Kubota due to tread wear and tear, along with one being punctured. We have also been to SiteOne for orders of grass seed, fertilizer, and replacement sprinkler heads for Neumeyer and any baseball fields. We rented 6 additional trash cans with Waste Management for Founders Day downtown. Street closures for both Founders Day and farmers markets all went well. Mulching tree limbs will continue along with mulch being provided for the public and located by the Arboretum/ Police station parking lot. Since the disc golf course has been created, we have seen 11 new players introduced. 125 different, or unique players, with 614 rounds played for a total of 409 total recreational hours.

ITEM #16

Office Report

2024/2025 MINDI REPORT

ALL REVENUES BUDGETED ----------$ 7,636,931

ALL EXPENSES BUDGETED ----------$ 8,574,037

BUDGETED DIFFERENCE ----------$937,106

IMPACTS TO THE BUDGET -- 12 MONTH REVIEW 9/30/2025

EXPENSE IMPACTS TO BUDGET

(IMPACTS LISTED IN RED ARE RESTRICTED FUND IMPACTS)

	YTD Spend	Budgeted	Difference
• 6197 - PW BUILDING ENGINEERING	$183,888	$75,000	$108,888
• 6210 - SEWER CONNECTIONS	$261,918	$120,000	$141,918
•	$0	$0	$0
•	$0	$0	$0
•	$0	$0	$0
•	$0	$0	$0
	NET EFFECT		$250,806

REVENUE IMPACTS TO BUDGET

	YTD Deposits	Budgeted	Difference
• 5010 - LOCAL SALES TAX	$1,212,163	$900,000	$312,163
• 5302 - INTEREST	$150,236	$100,000	$50,236
• 5205 - PUBLIC HEARING FEES	$126,406	$25,000	$101,406
•	$0	$0	$0
•	$0	$0	$0
•	$0	$0	$0
	NET EFFECT		$463,804.95

ITEM #17

Project Tracker

City of Bennington Project Tracker

Oct-25

Note: Text in red indicates it has changed since the last status update.

Project	JEO Project No.	JEO Department Leading Project	Assigned To	Contract Executed	Status	Update Comments From Previous Month
ASIP	090034	Administration	Julie Ogden	General Engineering	On-Going	The Ordinance was approved and went into effect on April 1, 2020. The City Engineer will annually report to the Council on the funds in the account and the status of the ASIP fund project or ones that should be added. This review is scheduled for April annually.
Bennington Lake, Lot 2	090034	Administration	Julie Ogden	General Engineering	On-Going	The construction plans for this have been approved but the developer has said he is completing other lots/houses first. No timeline for the work to be completed.
Building Permits	090034	Administration	Julie Ogden	General Engineering	On-Going	• assist Mindi with pool permits as they come in • pool permits
Hagen Hills Possible Development on 168th, just north of future Rainwood Road	090034	Administration	Julie Ogden	General Engineering	On-Going	The final plat was approved in November. Continued coordination with the Rainwood Road Design is needed. Public Improvements (sanitary, storm, paving) plans have been approved and construction is in progress. Building permits will not be issued until Rainwood Road is open to traffic.
Kempten Creek, Original & Phase 2	090034	Administration	Julie Ogden	General Engineering	On-Going	Current Activity on Development: • Grading, Sanitary Sewer, Storm Sewer and Paving Work is completed on the interior of the subdivision. Bennington Road & 156th Street Turn lane improvements are complete. There are a variety of warranty expiration dates for this development, we will monitor as best we can. • Trail construction is ongoing along with sidewalk work in the development. Punch list items are in the process of being addressed. • Building permits are being issued for the development. • An interlocal agreement has been completed to address the water connection fee to the park.
MAPA 2025 FY call for projects	90034	Administration	Julie Ogden	General Engineering	On-Going	3 applications for funding of city projects were submitted. • Heartland 2050 mini-grant (planning) - trail/active mobility portion of the park master plan. City has selected FHU off the MAPA on call list and will be working on getting a contract in place. • TAP (transportation alternatives) - a trail from Bennington Road along the creek and connecting into downtown at Stark Street, the crossing of Bennington Road and 156th Street would be designed as under-crossings to provide for safer access. Construction anticipated in FY 27/28.HDR has been selected to do this work off the NDOT on call list and should be starting work soon. JEO will coordinate with them related to Phase 2 of Soccer fields. • STPG (surface transportation) - reconstruction of Bennington Road from 168th to the Papio Creek Bridge (no improvements to bridge)
Morgan Ridge	90034	Administration	Julie Ogden	General Engineering	On-Going	Final plat was approved at the May 2022 Meeting for phase 1. The Subdivision Agreement is approved. Grading work has begun. Public improvements should be completed soon and MUD will begin (or maybe has begun) installing water mains. I am estimating the site will be ready for building permits early in 2026.
Morgan Ridge, Phase 2	90034	Administration	Julie Ogden	General Engineering	On-Going	A final plat and subdivision agreement have been approved for Phase 2. Public improvements (internal sanitary, storm and paving) plans were approved for construction. 90% plans for the outfall were submitted and coordination with city of Omaha for an amendment to the Sanitary Sewer Service agreement is in process (may be ready for the November council meeting).

Project	JEO Project No.	JEO Department Leading Project	Assigned To	Contract Executed	Status	Update Comments From Previous Month
Asphalt Overlay Project (Allen, Stark & Molley Streets)	TBD	Transportation	Julie Ogden	Pending	Pending Project	Potential Project pending budget discussion. Contract needed and would be completed after sewer lining project is completed. This could be split into two projects as needed for budget.
Sanitary Sewer Lining Project (Allen, Stark & Molley Streets)	TBD	WWE	Julie Ogden	Pending	Pending Project	Design contract on October agenda for consideration (also includes the storm sewer repair John mentioned at last meeting). Sewer rate review also on October Agenda for discussion and includes this project.
Bennington Road Bridge Approach Section Repairs	251614	Transportation	Steve Arens	Pending	In Design	Design has started and on track for a January plan review then proceed to bidding. Construction is planned for outside of the school year.
Neumeyer Farms (recreational park) - Community Development (thru Congressman Bacon) Grant Project	231502.03	Administration	Julie Ogden	General Engineering	In Design	John B will be the City Project Lead for this grant. JEO design team is proceeding with design and working on meeting the no-rise condition for floodplain permitting. Once we get that, the last step is to complete the NEPA with some advertisements on floodplains and wetlands. We should be able to complete that in November and submit the final NEPA document in December. Still planning on a construction start in 2026
Bennington Public Works Building	220296	Site Design	Julie Ogden	Amendment Needed	under Construction	Construction continues and the building exterior is in place. Contractor focusing on exterior work while weather allows. Tentative completion date is December 2025 (Contract completion is March 2026).
Rainwood Road (156th to 168th)	090034	Administration	Julie Ogden	General Engineering	under Construction	This would be a county project constructed in coordination with adjacent developments (Morgan Ridge and Hagen Hills). When Final Plats for adjacent developments are presented to the city, we need to include cost share in the subdivision agreement and make sure grades/drainage is coordinated. The interlocal agreement has been approved by all parties and grading for road has started. Paving would be completed for traffic in late 2026. The bridge over the future lake would be constructed in 2028 as of current estimates.
Street CIP	090034	Administration	Tyler Hevlin	General Engineering	Provided to the City	Provided the city an overall street CIP plan for all street issues (known at the time in May 2016); included 1&6 Year Road Program projects (from 2016); 2 of the projects were completed in fall 2016; 2017 1&6 Year Road Program has been completed and approved at the February City Council Meeting. With recent passage of LB82, the 1 & 6 year plan will now be adopted at the same meeting as the city budget. The 1 & 6 year plan will be prepared and presented it to council at the September Meeting annually.
Neumeyer Farms (recreational park) - NDED Shovel Ready Grant Project	090034	Administration	Julie Ogden	General Engineering	Warranty Period	Final payment has been received from NDED by soccer club and they will forward to the city. Warranty will expire in December 2025. Work continues on getting the seeding to fill in for use in the spring.
Newport Vista subdivision, Phase 2	090034	Administration	Julie Ogden	General Engineering	Warranty Period	Building Permits can be issued. Trail construction is nearly completed with just seeding to be completed. Warranty for the trail will expire in Fall of 2026.
Ridgewood Replat 14	90034	Administration	Julie Ogden	General Engineering	Warranty Period	All lots but one have been split. Building permits are being issued. Warranty will expire in November 2025. Layne and I will review this site by the end of October for any issues or concerns, and then notify the developer and their engineer.
The Heritage Replat 6 (old school site)	090034	Administration	Julie Ogden	General Engineering	Warranty Period	**Future building permits are being HELD for this development until the sidewalk construction is completed.** The SID/Developer has coordinated with the original contractor on repairs where pavement is cracked and settling. They are providing updates as work proceeds and it should be completed in October (pending weather). The construction on the sidewalk has a few items left to complete but the Street work needs to be done first. Estimate releasing area for building permits again in November as long as construction proceeds as planned.
Waters Edge @ 168 Mueller Property (adjacent to Middle School)	90034	Administration	Julie Ogden	General Engineering	Warranty Period	Internal construction is complete other than a few sidewalks. Work on the internal sidewalks is being completed. Building permits will be issued as applied for. The warranty period for this development ends on April 15, 2026.
Neumeyer Farms (recreational park) - Tennis/Pickleball Courts	090034	Administration	Julie Ogden	Agreement Needed	On Hold	The school will be constructing their own facilities on campus. This project will be put on hold until the Park Master Plan update is completed.

Project	JEO Project No.	JEO Department Leading Project	Assigned To	Contract Executed	Status	Update Comments From Previous Month
Splashpad at Neumeyer Farm Park	231502.01	Aquatics	Julie & Jon Hauck	Yes	On Hold	Alternate funding needs to be determined prior to project moving forward. This project will be put on hold until the Park Master Plan update is completed.
~~168th Street Armor Coat (by County)~~	~~090034~~	~~Administration~~	~~Julie Ogden~~	~~General Engineering~~	~~Completed~~	~~The work was completed. The County also replaced a few of the concrete panels on 156th Street, north of highway 36 that were damaged while their contractor was on site doing work for them. That cost (estimated $6,000) will be invoiced and the total for both is less than the amount budgeted for the armor coat work. Invoice for armor coat on this agenda, invoice for patching will be available at the October meeting.~~
Alley Improvements - Between Stark and Alley Streets, south of Bennington Road	090034	Administration	Tyler Hevlin	General Engineering	On Hold - Per City	JEO has developed a petition and an exhibit for the City to disperse to the parcel owners along the Stark-Allen Alley. The exhibit included approximate construction costs that would be assessed to the various lots. The petition and exhibit has been provided to the City for their use. JEO was asked to review the short-term solutions of the rehabilitation of the alleys. A summary email was provided to Mayor John. A meeting was held with property owners on July 7th. Property owners were provided information on potential costs along with a petition document they can use. It did not appear that there is a majority of property owners interested in the alley improvements at this time due to costs and economic conditions.
Bennington Farm (Christmas Tree) Property - Rezoning	090034	Planning	Julie Ogden	General Engineering	On Hold - Waiting on Applicant	Initial Platting and Rezoning is completed. A rezoning request was on the Planning Commission for the portion of the property where the existing structure sits. The planning commission had many questions and tabled the consideration of the re-zoning for submittal of a preliminary/final plat and traffic impact study, as requested by NDOT. We have received the traffic study and sight distance review. Planning Commission has reviewed and recommended approval for council consideration at the October meeting. This is on hold pending outcome of litigation. The property is currently on the market for sale so that may provide resolution.
Conditional Use Permit Applications	090034	Planning	Julie Ogden	General Engineering	Prep for next PC meeting	The following applications have been received for Conditional Use Permit Consideration: • Vehicle Collision Repair Center in C-1 Zoning with screened vehicle storage • CrossFit facility in C-1 zoning located with commercial flex unit
Prairie Ridge (aka Bennington Park Lot 1 - large lot behind Runza)	090034	Administration	Julie Ogden	General Engineering	Prep for next PC meeting	A final plat was approved (6-2023) for this lot which combines duplex units (for sale) and townhome style buildings (for rent or sale). A preliminary plat, rezoning request and inquiring on TIF financing has been submitted for consideration at the October PC meeting.
Rainwood Square	090034	Planning	Julie Ogden	General Engineering	Prep for next PC meeting	This is proposed to be a twelve (12) lot commercial subdivision at the northwest corner of 156th and Rainwood road. The total site is about 28 acres. Final plat submitted for consideration at the October PC Meeting.

EXECUTIVE SESSION SCRIPT

Mayor: Next is Agenda Item Number 19, Executive Session for Strategy Discussions with City Attorney regarding Contract Negotiations.

Mayor: Is there a motion to go into Executive Session?

Council Member: Motion to go into Executive Session for Strategy Discussions with City Attorney regarding Contract Negotiations.

Council Member: Second.

Mayor: Roll call vote please. City Clerk does roll call vote.

Mayor: Let the records show that at ___:___p.m., we are going into Executive Session and the limitation of the subject matter is Strategy Discussions with City Attorney regarding Contract Negotiations.

After the Executive Session is concluded and you have returned to open session, the do the following:

Mayor: Is there a motion to reconvene in open session?

Council Member: Motion the reconvene in open session.

Council Member: Second.

Mayor: Roll call vote please. City Clerk does roll call vote.

Mayor: We are now reconvened in open session at ___:___p.m.