

## MINUTES OF MEETING

A meeting of the Mayor and City Council of the City of West Point, Nebraska was convened in open and public session at 5:30 o'clock P.M. on April 6, 2021 at the Nielsen Community Center, 200 Anna Stalp Ave, West Point, Nebraska.

Present were: Mayor Schlecht; Councilmembers: Stokely, Penrose, Buse, Hugo, and Smith. Absent: Swenson. Councilmember Hugo arrived at 5:37 PM.

The Mayor called the meeting to order and stated that in accordance with State Statute Section 84-1412 the Open Meetings Act is posted on the south wall of the room for public information. The Pledge of Allegiance was then recited.

Moved by Smith, seconded by Stokely, to approve the following consent agenda:

1. City appointed volunteer boards and commissions - none.
2. Fire & rescue departments – accept the memberships of Jessica Hunke and Austin Streeter to West Point Rescue and accept the resignation of Derek Grovijohn from West Point Fire Dept.
3. Approval of minutes of previous meeting.
4. Treasurer's report.
5. Claims.

Voting Yea: Stokely, Penrose, Buse, and Smith. Nay: None. Absent: Hugo and Swenson. Motion carried.

<u>CLAIMS</u>		
Payroll		155,710.29
Hugo Plumbing	Serv/Supplies	3,636.40
Western Area Power Administration	Power	8,393.00
Verizon	Service	120.03
Midwest Meetings	Guide Book/Ad	650.00
Rutjens Construction	Wtr Treatment Plant	221,123.00
PetroMart	Service	1,579.59
West Point Travel Plaza	Service	334.80
Sapp Bros.	Serv/Supplies	13,905.87
Black Hills Energy	Service	67.15
Central Valley Ag	Service	379.43
Sapp Bros.	Service	1,443.36
Wagner Tire	Service	910.48
City of West Point Payroll Tax Fund	Employer FICA	5,711.45
Ascenus	Retirement Contributions	3,853.62
CCPPD	Power	370.75
MEAN	Power	314,970.20
City of West Point Payroll Tax Fund	Employer FICA	6,381.06
Ascenus	Retirement Contributions	3,799.27

BCBS	Health Insurance	57,231.69
NE DEPT OF REVENUE	Sales Tax	31,255.07
Mutual of Omaha	Life Insurance	1,653.83
Advanced Consulting	Prof. Services	468.97
Auto Value	Supplies	1,381.44
Barco Municipal Products	Supplies	160.56
Black Hills Energy	Service	857.91
Bomgaars Supply	Supplies	322.32
Border States Industries	Transformer/Supplies	8,163.00
Bound Tree Medical	Supplies	1,223.60
Cardmember Service	Service	7,703.45
CenturyLink	Service	1,032.75
Core & Main LP	Elec. Meters	13,350.73
Cuming County Rural Water	Service	126.00
Cuming County Public Power	Wheeling Service	5,509.07
Elite Computers	Serv/Supplies	1,247.00
Engelhardt TV & Communications	Supplies	159.98
Floor Maintenance	Supplies	247.03
Gale/Cengage Learning	Library Books	302.20
Gall's Inc.	Supplies	74.94
Garratt Callahan Co.	Supplies	1,633.50
Gerhold Concrete Company Inc.	Supplies	17.50
L.P. Gill Inc.	San. Tipping Fee	7,326.02
Gill Hauling	San. Hauling Fee	2,888.17
Graybeal's Food	Supplies	24.01
Hawkins Inc.	Supplies	819.19
Heiman Fire Equipment	Supplies	1,002.45
The Home Depot Pro	Supplies	1,604.92
Ingram Library Services	Library Books	1,838.19
JEO Consulting Group Inc.	Prof. Services	36,850.50
Jackson Services Inc.	Uniform Service	907.76
John A. Stahl Library	Cash Adv./Postage	138.11
Leisure Lawn Care	Library Service	512.54
Leslie's Poolmart Inc.	Supplies	2,676.96
Logemann Auto Parts & Machine	Supplies	398.01
Mahaska	Supplies	309.78
Terry L. Martin/Martin Gravedigging	Service/Grave Open	600.00
Matheson Tri-Gas Inc.	Supplies	409.35
MicroMarketing LLC	Library Audio Books	653.33
Midwest Laboratories	Service	99.35
Midwest Service & Sales	Supplies	145.00
Midwest Tape	Supplies	159.17
Municipal Supply Inc.	Supplies	466.81
Nebraska Library Commission	Service	1,157.32
Nebraska Public Health	Service	101.00
Nebraska Vet Services	Service	200.00
OCLC, Inc.	Library Service	44.85
One Call Concepts, Inc.	Service	53.54
Overdrive, Inc.	Library Service	126.99
Presto X	Service	315.00
Quality Printing & Supplies	Supplies	703.32
Quick Med Claims	Prof. Services	1,239.75
S&W Welding Inc.	Supplies/Service	332.80

St. Joseph's Hillside Villa	Meal Service	2,366.00
Scantron	Serv/Supplies	1,739.45
Schmader Electric	Service	12,048.50
Seals and Service Inc.	Supplies	17.00
Skywave Wireless Inc.	Service	223.10
Smidt's Sanitation	Service	177.00
Special Roads Fund	Mechanice Charges	539.51
Stalp Gravel	Supplies	305.42
USA Blue Book	Supplies	594.79
Verizon Business	Service	88.63
Verizon Wireless	Broadband	120.03
Verizon Wireless	Service	323.04
Vrbicky Computer Service	Service	475.00
Welch Law Firm PC	Prof. Services	4,521.12
West Point Implement	Supplies	44.41
West Point Library Foundation	Cash Adv./Supplies	859.39
West Point Light and Water	Service	31,849.48
West Point Light & Water	Cash Adv/Service	1,951.95
West Point News	Publication Costs	1,148.48
West Point Rescue	Ambul/Banquet	4,876.28
West Point True Value	Supplies	576.98
Woerner's Garbage Service	Service	267.00
Biblionix	Library Service	2,600.00
Callies Industries LLC	Supplies	65.63
Colonial Research	Supplies	90.89
Credit Bureau Services	Service	135.93
Dept of Environment and Energy	San. Permit	150.00
Don's Pioneer Uniforms	Supplies	223.68
Harold K. Scholz Co.	Service	870.00
Angela Kienbaum	Library Service	243.87
Dale Knievel	Service	85.00
Knife River Midwest LLC	Supplies	780.00
Ron Kroenke	Service	120.00
Lincoln Winwater Works Co.	Supplies	381.99
MS Construction	Supplies	7,132.19
NE Dept of Transportation	Maint. Agreement	6,087.30
Nebraska State Patrol	Police Service	296.88
NMVCA	Training	105.00
Norfolk Daily News	Nielsen Ad	45.00
Peterson Body & Paint	Service	287.00
Platte Valley Equipment	Mower	11,350.00
Randy Popken	Cash Adv/Material	369.67
Postmaster	PO Box Fee	278.00
Road Builders	Supplies	134.00
Sandry Fire Supply	Supplies	745.50
Silver State Consulting	Police Training	175.00
Sunshine Center	Reimburse/Supplies	895.56
Valmont Coatings	Supplies	44.00
Vermeer High Plains	Service	55.52
Weller Tractor Salvage	Supplies	3,560.00

The Council considered the request of Jim Sherwood from West Point-Beemer High School,

for use of Neligh Park for the Power Drive Rally. Mr. Sherwood was present and stated that this is a school program in which students build electric cars to specific structure and safety requirements and then race them against other schools. This event would be held on April 17<sup>th</sup> from 8:00 AM to 4:00 PM. The park facilities would still be available to the public. Moved by Stokely and seconded by Penrose to approve the request to use Neligh Park on April 17, 2021 for the Power Drive Rally. Voting Yea: Stokely, Penrose, Buse, and Smith. Nay: None. Absent: Hugo and Swenson. Motion carried.

Andy Forney, with D.A. Davidson, appeared before the Council to review and proceed with refunding of the Electric Revenue Bonds, Series 2014, which are 20-year bonds at 3% having a maturity of 2034. Refunding would result in a savings of \$400,000 over the remaining term of the bonds and with an interest rate of 1% -1.25%. Following discussion, Buse introduced the following resolution and moved its adoption:

A RESOLUTION CALLING FOR THE EARLY REDEMPTION OF THE CITY'S OUTSTANDING ELECTRIC REVENUE AND REFUNDING BONDS, SERIES 2014, IN SUCH AMOUNTS AND IN SUCH MATURITIES AS SHALL BE DETERMINED BY AN AUTHORIZED OFFICER OF THE CITY.

Smith seconded the motion. Voting Yea: Stokely, Penrose, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Motion carried and said resolution adopted.

Hugo then introduced Ordinance No. 1420 entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF WEST POINT, NEBRASKA OF ITS ELECTRIC REVENUE REFUNDING BONDS, SERIES 2021, IN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,700,000; PRESCRIBING THE FORM AND DETAILS OF THE BONDS AND THE COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AUTHORIZING CERTAIN OFFICIALS TO DETERMINE THE PRINCIPAL AMOUNT, THE MATURITIES, THE INTEREST RATES, THE REDEMPTION PROVISIONS, THE FINANCIAL COVENANTS AND OTHER TERMS AND PROVISIONS RELATING TO THE BONDS AND AUTHORIZING THE SALE AND DELIVERY OF THE BONDS TO THE PURCHASER THEREOF; DESIGNATING THE BONDS AS QUALIFIED TAX-EXEMPT OBLIGATIONS; ADOPTING CERTAIN POST ISSUANCE TAX COMPLIANCE AND DISCLOSURE POLICIES AND PROCEDURES WITH RESPECT TO THE BONDS; PROVIDING FOR THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM; AND AUTHORIZING CERTAIN ACTIONS AND DOCUMENTS AND PRESCRIBING OTHER MATTERS RELATING THERETO,

and moved that the statutory rule requiring reading on three different days be suspended. Buse seconded the motion. Voting Yea: Stokely, Penrose, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Motion carried. Statutory rule suspended. Stokely moved for final passage of the ordinance, which motion was seconded by Smith. Voting Yea: Stokely, Penrose, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Ordinance adopted.

Leanne Ritter with Advanced Consulting Engineering Services appeared before the Council and presented the plans and specifications for paving of the alley and storm water improvements project in Block 35, Original Plat of the City of West Point, being adjacent to Quality Pork International, with an estimated costs of \$160,000. Following discussion, Buse. introduced the following resolution and moved its adoption:

RESOLUTION APPROVING THE PLANS, SPECIFICATIONS AND ESTIMATE OF COSTS FOR PAVING AND STORM WATER IMPROVEMENTS AS PREPARED BY THE CITY'S ENGINEER AND DIRECTING THE ADVERTISEMENT FOR BIDS.

Hugo seconded the motion. Voting Yea: Stokely, Penrose, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Motion carried and said resolution adopted.

The City Administrator reported to the Council on the water treatment plant project stating that the third filter is in place and will probably come online this week. The State is scheduled to do an inspection this week verifying compliance with the plans and specifications. Layne Christiansen was also here this week finalizing their work. In regard to the water main work, the City Administrator reported that the contractor has shifted its focus to the work needed to relocate city utilities for the Highway 275 Expressway Project which work needs to be completed by June 1.

Dave Knobbe appeared before the Council with a request to review sections of the Municipal Code dealing with the operation of ATV's and UTV's in city parks. Currently it states that such vehicles shall not be operated in any of the city parks. He inquired if this could be changed to allow them in city parks. Following discussion, it was decided to clarify this by stating that ATV's and UTV's could not be operated in any of the city parks except on designated roads. Penrose introduced Ordinance No. 1421 entitled:

AN ORDINANCE OF THE CITY OF WEST POINT, NEBRASKA AMENDING A PORTION OF SECTIONS 3-502 AND 3-507 OF ARTICLE V OF CHAPTER III OF THE MUNICIPAL CODE OF THE CITY OF WEST POINT, NEBRASKA, RELATING TO THE OPERATION OF ALL-TERRAIN VEHICLES AND UTILITY-TYPE VEHICLES IN CITY PARKS; REPEALING THOSE PORTIONS OF SAID SECTIONS 3-502 AND 3-507 AND ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM,

and moved that the statutory rule requiring reading on three different days be suspended. Smith seconded the motion. Voting Yea: Stokely, Penrose, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Motion carried. Statutory rule suspended. Stokely moved for final passage of the ordinance, which motion was seconded by Penrose. Voting Yea: Stokely, Penrose, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Ordinance adopted.

The City Administrator reviewed with the Council the nuisance abatement action pending in the Cuming County District Court on the property located at 143 N. Monroe Street owned by Adrian Acosta. He stated some work has been done but he has not received a schedule on the rehabilitation of the property. It was suggested to give an extension and, if the owner does not comply, to proceed with the next step in the abatement action. Moved by Smith and seconded by Stokely to grant an extension to Adrian Acosta until April 10, 2021 to submit a schedule of rehabilitation for the property located at 143 N. Monroe Street. Voting Yea: Stokely, Penrose, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Motion carried.

The Council then considered a request from Jesus Montoya for parking stalls on the public right-of-way by his property at 553 S. Colfax Street for the parking of two vehicles. Following discussion, it was moved by Stokely, seconded by Smith, to approve the request of Jesus Montoya to construct two on-street parking stalls at 553 S. Colfax Street. Voting Yea: Stokely, Penrose, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Motion carried.

Next on the agenda was to discuss the hours of operation of the transfer station. It was contemplated to close the transfer station on Mondays. But with S2 purchasing the businesses of Sila's Garbage Service and Smidt Sanitation, this may not be feasible. The City Administrator stated he spoke with an S2 representative and was informed that on Mondays S2 will be picking up their commercial customers. Therefore, the matter was tabled for further review.

The City Administrator stated that each of the councilmembers had received a draft of the new Employee Handbook for review and he informed them of some of the proposed changes from the current handbook which was adopted in 2002. Following discussion, Buse introduced a resolution that the policies and procedures set forth in the Employee Handbook are hereby adopted as the official policies of the City of West Point, Nebraska and shall become effective June 1, 2021. Hugo seconded the motion. Voting Yea: Stokely, Penrose, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Motion carried and said resolution adopted.

The City Administrator presented the Council with the 2021 Tax Increment Financing (TIF) Annual Report. The report showed the progress of the redevelopment projects that were financed in whole or in part through TIF. This report will also be given to the taxing entities affected by such

division of taxes. Moved by Smith and seconded by Penrose to accept the 2021 Tax Increment Financing Annual Report. Voting Yea: Stokely, Penrose, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Motion carried.

Next on the agenda was the LB 840 Economic Development program six-month report. The City Administrator, on behalf of the Economic Development Citizen Advisory Review Committee, reported that all loans and grants are current and that in the past six months the following loans/grants were given: West Point Chamber of Commerce \$15,000; Cuming County Economic Development \$10,000; Core Health Club, LLC. \$100,000; Kellee Osborne daycare \$50,000; J Nail & Spa (John & Diem Will) \$20,000 and Expanse Holdings \$25,000. The current amount available in the fund is \$123,406.00 and there is an application pending.

Morrow, Davies & Toelle, P.C has prepared the City's Audited Financial Statements for the fiscal year ending September 30, 2020 and each councilmember was provided a copy. Moved by Smith, seconded by Buse, acknowledging receipt of the audit. Voting Yea: Stokely, Penrose, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Motion carried.

Moved by Stokely, seconded by Penrose, to approve the following applications for Special Designated Liquor Permits:

- (a) Pamila A. Wortman, dba Main Street Tap, Bancroft, NE for wedding reception on May 8, 2021 at the Nielsen Center.
- (b) Graybeal's Foods for the West Point-Beemer High School Alumni Banquet on May 28 & 29, 2021 at the Nielsen Center.

Voting Yea: Stokely, Penrose, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Motion carried.

Moved by Buse, seconded by Smith, to approve the claim of Hugo Plumbing & Heating for services and supplies in the amount of \$977.81. Voting Yea: Stokely, Penrose, Buse, and Smith. Nay: None. Abstaining: Hugo. Absent: Swenson. Motion carried.

Hugo introduced a resolution to approve Change Order No. 3 and Payment No. 9 to Rutjens Construction for the West Point Water Treatment Plant Project in the amount of \$284,367.88. Stokely seconded the motion. Voting Yea: Stokely, Penrose, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Motion carried and said resolution adopted.

Moved by Smith, seconded by Stokely, to adjourn at 6:15 P.M. Voting Yea: Stokely,

Penrose, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Motion carried.

Mary Kempf, MMC  
City Clerk