

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 7:00 o'clock P.M. on July 3, 2018 in the Council Chambers at the Municipal Building in West Point, Nebraska.

Present were: Mayor Johnson; Councilmembers: Paus, Ell, Swenson, Schlecht, Hugo, and Black. Absent: None.

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 north wall in the Council Chambers for public information. The Pledge of Allegiance was then recited.

Moved by Black, seconded by Swenson, to approve the following consent agenda:

1. City appointed volunteer boards and commissions: Nielsen Community Center Advisory Board – appointment of Kevin Larson (4 year term).
2. Approval of minutes of previous meeting.
3. Treasurer's report.
4. Claims.
5. Accept the membership of Robert Schmaderer and Alex Wagner to West Point Volunteer Fire Dept. Company #1.

Voting Yea: Paus, Ell, Swenson, Schlecht, Hugo, and Black. Nay: None. Motion carried.

Claims

The following city positions receive salaries or wages as indicated: Annually: Fire Chief \$2772; Assistant Fire Chiefs \$1108; Fire Secretary \$554; Fire Treasurer \$443; Fire Computer Technicians \$220; Rescue President \$1025; Rescue Vice President \$1025; Rescue Secretary \$1794; Rescue Treasurer \$1794; Rescue Computer Technicians \$154; Monthly: Mayor \$500.00; Councilmembers \$300; Civil Defense Director \$58.00; By-weekly: City Administrator \$4876.73; Chief of Police \$2965.60; City Clerk \$2965.60; City Treasurer \$2560.00; Library Director \$2213.60. Hourly: Senior Center Office Asst/Van Driver \$10.93; Senior Center Coordinator \$19.66; Community Center Facility Coordinators/Janitors \$11.48 - \$12.66; Community Center Manager \$25.08; Transfer Station Operators \$10.67 - \$13.94; Janitors \$15.40 - \$18.70; Utility Clerks \$15.80 - \$25.69; Street Operators \$15.40 - \$27.67; Water & Wastewater Maintenance Men \$22.74 - \$30.48; Police Clerk \$15.80; Police Officers \$19.62 - \$23.90; Police Sergeant \$26.32; Assistant Chief of Police \$29.04; Electric Linemen \$27.67 - \$32.00; Electric Plant Operators \$29.04; Library Assistant \$15.38; Library Clerks \$11.20 - \$12.68; Cemetery laborer \$11.20; Park Foremen \$12.66 - \$14.66; Park Maintenance Workers \$9.46 - \$9.92; Recreation Coaches \$9.46 - \$10.16; Pool Managers \$12.66 - \$15.38; Assistant Pool Managers \$10.41 - \$10.67; Pool Lifeguards \$9.46 - \$10.41.

Payroll		170,388.20
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Department of Energy	Power	10,576.71
Tom Swenson Advertising	Supplies	292.68
Hugo Plumbing & Heating	Serv/Supplies	4,804.16
City of West Point Payroll Tax Fund	Employer FICA	6,384.02
First National Bank Fremont	Retirement Contributions	3,222.07
Madison National Life Ins.	Life Ins.	193.25
Central Valley Ag	Service	633.95
Wagner Tire and Repair	Service	286.11
West Point Travel Plaza	Service	174.50
PetroMart	Service	71.55
Sapp Bros.	Service	3,555.31
Black Hills Energy	Service	66.94
Constellation NewEnergy	Service	185.82
Glitter Grooming/Alicia Nebuda	Loan/Grant	69,906.00
City of West Point Payroll Tax Fund	Employer FICA	6,799.43
First National Bank Fremont	Retirement Contributions	3,238.58
United Healthcare	Health Ins.	49,675.24
MEAN/NMPP	Power	327,804.81
NE Department of Revenue	Sales Tax	28,277.61
Companion Life	Life Ins.	266.55
Aqua Chem Inc.	Supplies	1,232.77
Bomgaars Supply	Supplies	711.17
Border States Industries	Supplies	15,060.47
Bracht Law	Prof Services	594.50
Cardmember Services	Service	1,120.03
Central Valley Ag	Supplies	1,946.65
Core & Main LP	Supplies	2,617.01
Cuming County Clerk	Election Expense	348.96
Cuming County Public Power	Wheeling Service	5,630.10
Dinslage Small Engine	Service	347.72
Dutton Lainson Co.	Supplies	5,097.32
EMS Billing Services	Prof Services	846.51
Engelhardt TV	Service	45.00
The Farner Co. Inc.	Supplies	337.69
Floor Maintenance	Supplies	1,028.73
Franciscan Care Services	Meal Service	2,699.45
Gall's Inc.	Supplies	787.84
Gerhold Concrete Co.	Supplies	153.88
L. P. Gill Inc.	Tipping Fee	11,196.90
Gill Hauling	Hauling Fee	4,414.19
Graybeal's Food	Supplies	46.14
Hawkins Inc.	Supplies	827.10
Hiland Dairy	Supplies	1,263.29
Ingram	Books	597.93

John A Stahl Library	Supplies	67.49
Kaup Seed & Fertilizer	Supplies	260.00
Leisure Lawn Care	Service	320.25
Logemann Auto Parts	Supplies	168.33
Lou's Sporting Goods	Supplies	2,536.75
Mahaska	Supplies	320.90
MicroMarketing LLC	Books	293.55
Midwest Labs	Service	103.35
Midwest Tape	Supplies	81.28
Nebraska Vet Services	Service	200.00
One Call Concepts	Service	87.63
Quality Printing & Supplies	Supplies	233.78
S & W Welding	Serv/Supplies	967.80
Schmader Electric	Service	615.00
Skywave Wireless	Service	780.00
Smidt's Sanitation	Service	177.00
Stalp Gravel	Supplies	10,265.13
NE Public Health Environmental Lab	Service	78.00
Verizon Wireless	Service	260.64
West Point Implement	Supplies	91.04
West Point Library Foundation	Cash Adv	1,206.33
WPLW	Service	39,434.04
West Point News	Subscription/Ad	322.00
West Point Rescue	Ambl Charges/Cash Adv	1,559.98
West Point True Value	Supplies	846.85
Woerner's Garbage Service	Service	235.00
Asphalt & Concrete Materials	Supplies	786.62
Center Point Large Print	Books	1,553.04
Dell Marketing	Computer	1,515.14
DEMCO	Supplies	188.57
Diamond Vogel Paint	Supplies	3,067.64
Electronic Contracting Co.	Supplies	567.47
Engelmeyer Repair	Supplies	46.59
Kevin Kaup	Cash Adv/Training	263.51
Chris Kreikemeier	Cash Adv/Supplies	68.44
Love Signs, Inc.	Supplies	1,000.00
NE Law Enforcement Training	Training	60.00
NE Society Assoc. Executives	Marketing	75.00
Northeast Instant Rain	Service	1,051.95
OCLC, Inc.	Service	41.67
Plant It GEO	Software	1,350.00
Sunrise Excavating	Neligh Park/Service	3,637.43
The Sherwin Williams Co.	Supplies	89.82
Dave Wimmer	Cash Adv	390.59

Woerman Construction	Service	120.00
Auto Value Parts	Supplies	1,962.55
Barco Municipal Products	Supplies	1,233.33
Black Hills Energy	Service	301.33
Century Link	Service	1,225.28
Jackson Services	Uniform Service	802.88
Matheson Tri-Gas Inc.	Supplies	174.47
WPLW Operating Fund	Cash Adv	1,946.47
West Point Volunteer Fire Dept.	Cash Adv	4,723.10
A26 Cellular Only	Supplies	35.51
Glen Abrahams	Cash Adv	233.67
Center for Municipal Services	Prof Services	1,533.35
John E Reid & Associates	Training	575.00
Nebraska Environmental Product	Supplies	403.75
Northeast Community College	Training	567.50
Verizon Business	Service	72.10

The Council considered a request from Cuming County Public Power District for use of city streets for a 5K Fun Run on Saturday, September 22, 2018 starting at approximately 8:00 AM which will last about an hour or so. The proposed route was reviewed by the Council. Moved by Ell and seconded by Swenson to approve the request of Cuming County Public Power District for use of city streets for a 5K Fun Run on September 22, 2018. Voting Yea: Paus, Ell, Swenson, Schlecht, Hugo, and Black. Nay: None. Motion carried.

Kay Eierman, Substance Abuse Prevention Coordinator with the Elkhorn Logan Valley Public Health Department, appeared before the Council and provided information on the Responsible Beverage Server Training they offer to help alcohol retailers and servers protect themselves and their customers.

The Council then considered the lot split request from Village Properties, LLC (Jerry Kaup) of Lot 13-R of Lynwood Estates Replat of Lots 10, 11, 12 & 13 of Lynwood Estates First Subdivision to the City of West Point. The Planning Commission had considered the request and was forwarding a favorable recommendation. Following discussion, Swenson introduced the following resolution and moved its adoption:

WHEREAS, Village Properties, LLC, a Nebraska Limited Liability Company, owns the real estate described as follows:

Lot 14-R, in Lynwood Estates Replat of Lots 14, 15, 16, 17 and 18; and

Lots 12-R and 13-R in Lynwood Estates Replat of Lots 10, 11, 12 and 13;

all in Lynwood Estates First Subdivision to the City of West Point, Cuming County, Nebraska; and,

WHEREAS, said Village Properties, LLC desires to divide Lot 13-R in order to have the northerly portion of said Lot 13-R become attached to and be a part of Lot 12-R of said Subdivision and to have the southerly portion of said Lot 13-R become attached to and be a part of Lot 14-R of said Subdivision; and,

WHEREAS, the division of such Lot 13-R will subdivide land within the corporate limits of the City of West Point, Cuming County, Nebraska; and such division will not adversely affect the orderly growth of the City of West Point, Nebraska.

NOW THEREFORE, IT IS HEREBY RESOLVED by the Mayor and City Council of the City of West Point, Nebraska that the division of the above described property be and the same is hereby approved.

Schlecht seconded the motion. Voting Yea: Paus, Ell, Swenson, Schlecht, Hugo, and Black.

Nay: None. Motion carried and said resolution adopted.

Next the Council reviewed the proposed rules and regulations for Mount Hope Cemetery.

The Council had received several suggestions/comments and decided to take these under advisement before proceeding.

Hugo introduced the following resolution and moved its adoption:

WHEREAS, the City of West Point has approved a request to conduct the annual “Last Fling til Spring” Car Show and related activities using city streets and State Highway 32 on September 16, 2018; and,

WHEREAS, the City of West Point intends to prohibit all motor vehicle traffic on two blocks of Grove Street (Highway 32) between Lincoln Street (Highway 275) west to Mill Street on Sunday, September 16, 2018 from 6:00 AM until 7:00 PM; and

WHEREAS, in accordance with State Statute Section 39-1359, subsection 2, the City of West Point accepts the duties of protecting the public from damage, injury, or death beginning at 6:00 AM to 7:00 PM on Sunday, September 16, 2018; and

WHEREAS, the City of West Point will assume control of State Highway 32 property, more specifically between milepost 73.19 and milepost 73.97, from 6:00 AM to 7:00 PM on September 16, 2018 and then relinquish control of such State Highway 32 back to the State of Nebraska Department of Transportation; and

WHEREAS, the City of West Point agrees to indemnify, defend, and hold harmless the State of Nebraska Department of Transportation from all claims, demands, actions, damages, and liability, including reasonable attorney's fees that may arise as a result of the said "Last Fling til Spring" Car Show.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF WEST POINT, NEBRASKA to approve the "Last Fling til Spring" Car Show activities from 6:00 AM to 7:00 PM on Sunday, September 16, 2018 and that the City accepts the duties of protecting the public from damage, injury, or death associated with said Car Show activities.

BE IT FURTHER RESOLVED that the City of West Point accepts the duty to protect the State from damage to its property that may occur arising out of said Car Show activities.

RESOLVED FURTHER that the City of West Point agrees to indemnify, defend, and hold harmless the State of Nebraska Department of Transportation from all claims, demands, actions, damages, and liability, including reasonable attorney's fees that may arise as a result of the said Car Show activities.

Ell seconded the motion. Voting Yea: Paus, Ell, Swenson, Schlecht, Hugo, and Black. Nay: None. Motion carried and said resolution adopted.

The West Point Chamber of Commerce presented its annual request for the following street closures to accommodate activities associated with the annual Sidewalk Sale events:

1. 100 block of North Main Street on Thursday, July 26, 2018 from 5:00 PM to 8:00 PM (annual dog show).
2. 100 block of North Main Street on Saturday, July 28, 2018 from 7:00 AM to 1:00 PM (Farmers Market and Sidewalk Sales).

Moved by Schlecht, seconded by Swenson, to approve the Chamber's request. Voting Yea: Paus, Ell, Swenson, Schlecht, Hugo, and Black. Nay: None. Motion carried.

Moved by Swenson, seconded by Schlecht, to approve the following applications for Special Designated Liquor Permits under the Nebraska Liquor Control Act:

- (a) Roadhouse Lounge for the West Point Auditorium Foundation - 10th Anniversary of the Nielsen Community Center on July 29, 2018.
- (b) Petromart for the GACC Booster Club Membership Supper on August 15, 2018.

Voting Yea: Paus, Ell, Swenson, Schlecht, and Hugo. Nay: Black. Motion carried.

Moved by Schlecht, seconded by Ell, to approve the claim of Hugo Plumbing & Heating for services and supplies in the amount of \$661.93. Voting Yea: Paus, Ell, Swenson, Schlecht,

and Black. Nay: None. Abstaining: Hugo. Motion carried.

Following discussion, the Council decided to hold a budget workshop for the 2018-2019 budget on Tuesday, July 31, 2018 starting at 5:00 PM.

Black introduced a resolution to approve Payment No. 2 to Sunrise Excavating Co. for South Highway 275 Drainage Improvement Project and authorize payment in the amount of \$21,330.65. Hugo seconded the motion. Voting Yea: Paus, Ell, Swenson, Schlecht, Hugo, and Black. Nay: None. Motion carried and said resolution adopted.

Moved by Paus, seconded by Swenson, to adjourn at 8:09 o'clock P.M. Carried.

Mary Kempf, MMC
City Clerk