

MINUTES OF MEETING

A meeting of the Mayor and City Council of the City of West Point, Nebraska was convened at 5:30 o'clock P.M. on May 5, 2020 at the Municipal Building in West Point, Nebraska, which meeting was conducted by video conference as authorized by the Governor's Executive Order No. 20-03.

Present were: Mayor Schlecht; Councilmembers: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. 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 and on the City website for public information.

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

1. City appointed volunteer boards and commissions –
 - (a) Planning Commission: reappointment of David Hughes and Paul Schlautman (3 year terms).
 - (b) Revolving Loan Application Review Board: reappointment of Rick Wimer, Mark Svec, Rusty Smith, Tom Swenson, and Tom Goulette (1 year terms).
 - (c) Nielsen Community Center Advisory Board: reappointment of Mike Graybeal and Bruce Schlecht (4 year terms).
2. Fire & rescue departments – accept memberships and resignations - none.
3. Approval of minutes of previous meeting.
4. Treasurer's report.
5. Claims.

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

Payroll		148,019.53
City Payroll Tax Fund	Employer FICA	5,649.89
First National Bank - Fremont	Retirement Contributions	3,605.49
Sandry Fire Supply	Supplies	609.15
Central Valley Ag	Service	433.58
PetroMart	Service	164.72
Sapp Bros.	Service	273.83
Wagner Tire	Service	2,135.92
West Point Travel Plaza	Service	54.50
Western Area Power Administration	Power	8,022.24
Hugo Plumbing & Heating	Serv/Supplies	1,960.54
Rutjens Construction	Wtr Treatment Plant Project	197,576.51
Verizon Business	Service	103.01

Black Hills Energy	Service	66.53
Nebraska Dept of Revenue	Sales Tax	31,163.47
City Payroll Tax Fund	Employer FICA	5,812.12
First National Bank - Fremont	Retirement Contributions	3,605.35
United Healthcare	Health Ins.	57,982.20
Companion Life	Life Ins.	264.91
Madison National Life	Life Ins.	187.03
MEAN	Power	307,672.77
Advanced Consulting	Prof Services	49,080.71
Auto Value Parts	Supplies	352.26
Black Hills Energy	Service	586.32
Bomgaars Supply	Supplies	1,157.34
Border States	Supplies	2,561.86
Bound Tree Medical	Supplies	506.61
Cardmember Service	Service	109.83
Century Link	Service	1,014.43
Constellation NewEnergy	Service	2,145.76
Cuming County Public Power	Wheeling	5,756.03
Dutton Lainson Co.	Supplies	1,869.82
Electronic Contracting Co.	Service	282.00
Elite Computers	Service	257.36
Engelhardt TV	Supplies	311.70
Engelmeyer Repair	Serv/Supplies	963.12
Floor Maintenance	Supplies	912.01
Gall's Inc.	Supplies	528.47
Garratt Callahan Co.	Supplies	1,633.50
L. P. Gill Inc.	Tipping Fee	10,526.62
Gill Hauling	Hauling Fee	4,149.95
Grainger	Supplies	22.74
Graybeal's	Supplies	72.06
Ingram Library Service	Books	1,032.49
JEO Consulting Group	Prof Services	61,384.50
Jackson Services	Uniform Service	1,117.72
Terry Martin/Martin Gravedigging	Service	250.00
Matheson Tri-Gas	Supplies	195.60
MicroMarketing LLC	Books	454.44
Midwest Labs	Service	99.35
Nebraska Public Health Environmental Lab	Service	70.00
Nebraska Municipal Power Pool	Services	5,830.56
Northeast NE Economic Dev	Services	2,491.58
OCLC, Inc.	Service	44.85
OfficeNet	Service	217.91
Overdrive, Inc.	Books	44.49
Overhead Door Co.	Service	464.50

Presto X	Service	65.00
Quality Printing & Supplies	Supplies	113.81
Quick Med Claims	Prof Services	443.11
St. Joseph's Hillside Villa	Meal Service	1,230.00
Skywave Wireless	Service	273.10
Smidt's Sanitation	Service	177.00
Stalp Gravel	Supplies	2,482.28
USA Blue Book	Supplies	188.04
Verizon Business	Service	124.15
Verizon Wireless	Service	290.63
West Point Library Foundation	Cash Adv	881.02
WPLW	Service	30,838.01
WPLW Operating Fund	Cash Adv	2,439.81
West Point News	Publication Costs	787.84
West Point Rescue	Ambulance Charges	850.00
Woerner's Garbage Service	Service	267.00
911 Custom	Supplies	149.00
Asphalt & Concrete Materials	Supplies	688.50
Baird Holm LLP	Prof Services	5,530.00
Graham Tire	Supplies	584.00
Hog Slat	Supplies	340.90
Jack's Uniforms	Supplies	206.94
Jensen Plumbing & Heating	Service	600.00
Angela Kienbaum	Service	96.06
Kleen Works	Supplies	93.00
Lewis Ag Co.	Prof Services	1,500.00
MC2, Inc.	Supplies	4,252.16
Mellen & Associates	Supplies	396.00
Mobotrex	Supplies	86.00
Modern Marketing	Supplies	487.93
Municipal Serv & Supply	Service	5,863.77
Network Partners	Service	232.50
Omaha World Herald	Ad	58.73
Peterson Body & Paint	Supplies	325.00
Sandry Fire Supply	Supplies	182.19
The Walling Co.	Supplies	1,101.72
Uline	Supplies	117.96
Utility Equipment Co.	Supplies	4,559.67
Vermeer High Plains	Supplies	148.02
Watchguard Video	Supplies	187.00
West Point Auto & Truck	Service	4,226.10

The Mayor opened a public hearing to rezone the West 70 feet of Lots 23, 24, 25 & 26,

Block 49, Original Plat of the City of West Point, Cuming County, Nebraska, from Highway Commercial District (C-2) to Residential Single Family District (R-1). It was stated that the current owner is selling the home and the buyers are having difficulty with financing because of its present zoning classification. The Planning Commission was forwarding a favorable recommendation. All parties were given an opportunity to be heard. No one appeared to speak in opposition of the rezoning and no correspondence had been filed. The Mayor then closed the public hearing. Buse introduced Ordinance No. 1411 entitled:

AN ORDINANCE OF THE CITY OF WEST POINT, NEBRASKA, AMENDING ZONING ORDINANCE NO. 1401 TO REZONE THE AREA DESCRIBED HEREIN FROM HIGHWAY COMMERCIAL DISTRICT (C-2) TO RESIDENTIAL SINGLE FAMILY DISTRICT (R-1); REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM,

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

The Mayor then opened a public hearing on the annexation and dedication of part of the NW1/4 SW1/4 of Section 36, Township 22 North, Range 6, East of the 6th P.M. in Cuming County, Nebraska being approx. 7.19 acres. It appears that this property may be developed along with adjoining property already within the city limits. The Planning Commission considered this matter and was recommending approval. All parties were given an opportunity to be heard. No objections were expressed and no correspondence had been filed in opposition of the annexation. The Mayor then closed the public hearing. Ordinance No. 1412 entitled:

AN ORDINANCE TO ANNEX A PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4 SW1/4) OF SECTION THIRTY-SIX (36), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE SIX (6), EAST OF THE 6TH P.M., CUMING COUNTY, NEBRASKA, AS PARTICULARLY DESCRIBED HEREIN TO BE KNOWN AND DESIGNATED AS ADDITION O, AN ADDITION TO THE CITY OF WEST POINT, CUMING COUNTY, NEBRASKA; TO ACCEPT AND APPROVE THE ANNEXATION PLAT; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM,

was then read by title only. Motion was made by Smith and seconded by Buse to approve Ordinance No. 1412 on its first reading. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried. Whereupon the Mayor declared Ordinance

No. 1412 approved on its first reading.

The next agenda item was to consider the bids for the catered meals at the Senior Citizens Center. The City Administrator advised that no bids were received. St. Joseph's Elder Services, Inc. has been furnishing the meals for the Center but stated in a letter that at this time they would not be able to participate in the bidding process. Councilmember Stokely stated she had talked to the staff at Franciscan Care Services and that they are committed to continuing this service. The Senior Center is closed at this time due to COVID-19, but once it re-opens, this matter will again be revisited.

The annual report from the West Point Volunteer Fire Department showed the department currently has 44 members and responded to 52 calls since May 1, 2019. Of those calls: 23 accidents with injuries, 8 false alarms, 6 structure fires, 4 grass fires, 8 hazardous conditions calls, 1 lost person and 2 car fires.

John Zwingman of Advanced Consulting Engineering Services gave an update on the Water Treatment Plant Improvement Project. He also went over the water main improvement project. Hugo then introduced the following resolution and moved its adoption:

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

Buse seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith.

Nay: None. Motion carried and said resolution adopted.

Next the Council considered the request from the West Point Chamber of Commerce for the City's continued assistance in the amount of \$3,000 for the annual July 4th fireworks display. At the present time it is uncertain if a fireworks display will be permissible on the 4th of July or any of the other activities usually planned due to the COVID-19 Directed Health Measures. It was stated that the fireworks display could be done at a later time when permitted or the funds could be held over to next year. It was moved by Swenson and seconded by Penrose to contribute the amount of \$3,000 for the July 4th fireworks display. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

The Council then considered the lot split request of ASC Lockers to subdivide Lot 6, in

West Point Travel Plaza Subdivision, a Subdivision of Part of Addition K, an Addition to the City of West Point, Cuming County, Nebraska, into four lots. Following discussion, Smith introduced the following resolution and moved its adoption:

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WEST POINT, NEBRASKA TO APPROVE THE SUBDIVISION OF REAL ESTATE LOCATED WITHIN THE CITY OF WEST POINT, CUMING COUNTY, NEBRASKA.

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

Next the Council discussed the acquisition of real estate for repairs and/or restoration of the levee system by the U.S. Army Corps of Engineers and also property that has become available by the Nielsen Community Center. Following discussion, it was moved by Swenson and seconded by Hugo to authorize the City Administrator to negotiate for the purchase of real estate for the improvement of the levee system and for the purchase of real estate adjacent to the Nielsen Community Center. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried. Once the purchase price has been negotiated, the matter will be brought back to the City Council for approval.

The Council discussed renewing the farm lease with Rick Grovijohn. In previous years Mr. Grovijohn farmed city property east of the waste water lagoons and an area east of the Public Works Building being approximately 15.52 acres. The City Administrator advised not to have Mr. Grovijohn farm the 6.52 acres east of the waste water lagoons so that this location could be utilized during the levee system repairs. Following discussion, it was moved by Swenson and seconded by Buse to enter into a Farm Lease between the City and Rick Grovijohn for one year with cash rent in the sum of \$1,000.00 for 9 acres and authorizing the Mayor to sign said lease. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

Currently the Council holds its regular meetings on the first Tuesday of the month at 7:00 PM from May through October and at 5:30 PM from November through April. It was decided to change the time of all regular meetings to be at 5:30 PM throughout the year. Stokely introduced Ordinance No. 1413 entitled:

AN ORDINANCE OF THE CITY OF WEST POINT, NEBRASKA AMENDING SECTION 1-306 OF ARTICLE III OF CHAPTER I OF THE MUNICIPAL CODE OF THE CITY OF WEST POINT, NEBRASKA, RELATING TO CITY COUNCIL MEETINGS; REPEALING

SAID SECTION 1-306 OF ARTICLE III OF CHAPTER I AND ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND 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. Penrose seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried. Statutory rule suspended. Buse moved for final passage of the ordinance, which motion was seconded by Stokely. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Ordinance adopted.

Moved by Swenson, seconded by Stokely, to approve the application for a Special Designated Liquor Permit from Rumor's Package & Lounge of Wisner, Nebraska for a wedding reception at the Nielsen Center on Saturday, September 12, 2020. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

Buse introduced a resolution to approve Payment No. 2 to Rutjens Construction for the West Point Water Treatment Plant Project in the amount of \$111,252.28. Stokely seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried and said resolution adopted

Swenson introduced a resolution to approve the following change orders and payment to A & R Construction Co. for the West Point Trails and Pathways Project:

1. Payment No. 5 (Final) of Phase I in the amount of \$21,333.02 and Change Orders 3 & 4.
2. Payment No. 6 (Final) of Phase III in the amount of \$5,540.31 and Change Orders 4 & 5,

in the total amount of \$26,873.33. Buse seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried and said resolution adopted.

Moved by Swenson, seconded by Smith, to adjourn at 6:35 P.M. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

Mary Kempf, MMC
City Clerk