

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 May 7, 2019 in the Council Chambers at the Municipal Building in West Point, Nebraska.

Present were: Mayor Schlecht; Councilmembers: Stokely, Ell, Buse, Hugo, and Smith.

Absent: Swenson.

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 Buse, seconded by Hugo, to approve the following consent agenda:

1. City appointed volunteer boards and commissions –
 - (a) Planning Commission: reappointment of Mike Bailey, Jolene Peatrowsky and Harlyn VanderGriend (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 Jerry Wordekemper and appointment of Roger Paus (4 year term).
2. Fire & rescue departments – accept membership of Jordynn Holmberg to West Point Rescue and accept the membership of Cody Batenhorst, Nicholas Hugo, and Sergio Padilla to West Point Volunteer Fire Dept. Co. #1 and Jennifer Barragan and Cory Schinstock to West Point Volunteer Fire Dept. Co. #2 and accept the resignation of Derek Wegner from West Point Volunteer Fire Dept. Co. #2.
3. Approval of minutes of previous meeting.
4. Treasurer's report.
5. Claims.
6. Approve payment to Northeast Nebraska Economic Development District for \$135.00 for services regarding the Housing Rehab Reuse Fund.

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

<u>CLAIMS</u>		
Payroll		152,381.00
Western Area Power Administration	Power	8,022.24

Hugo Plumbing & Heating	Serv/Supplies	1,382.40
Black Hills Energy	Service	66.32
City of West Point Payroll Tax Fund	Employer FICA	5,720.51
First National Bank Fremont	Retirement Contributions	3,496.29
Madison National Life	Life Ins.	190.83
Central Valley Ag	Service	473.63
PetroMart	Service	151.16
Sapp Bros.	Service	1,837.69
West Point Travel Plaza	Service	133.87
Wagner Tire	Service	2,619.22
NE Department of Revenue	Sales Tax	33,457.78
City of West Point Payroll Tax Fund	Employer FICA	6,112.19
First National Bank Fremont	Retirement Contributions	3,593.91
United Healthcare	Health Ins.	52,739.41
MEAN/NMPP	Power	330,396.00
Companion Life	Life Ins.	266.55
Auto Value Parts	Supplies	1,379.47
Black Hills Energy	Service	584.67
Bomgaars Supply	Supplies	924.56
Border States	Supplies	7,306.55
Bound Tree Medical	Supplies	390.55
Cardmember Service	Service	1,744.76
Century Link	Service	1,031.77
Constellation NewEnergy	Service	2,135.02
Core & Main	Meters	6,135.84
Cuming County Rural Water	Service	120.00
Cuming County Public Power	Wheeling Service	5,620.30
Danko Emergency Equipment	Supplies	1,545.99
Dinslage Small Engine	Service	160.59
Dugan Business Forms	Supplies	191.09
Dutton Lainson Co.	Supplies	3,531.21
EMS Billing Service	Prof Services	909.62
Engelhardt TV	Serv/Supplies	585.90
Express Distribution	Supplies	234.20
Floor Maintenance	Supplies	1,459.19
Gale/Cengage Learning	Books	59.22
Gall's Inc.	Supplies	384.85
Garratt Callahan Co.	Supplies	1,570.50
Gerhold Concrete Co.	Supplies	230.72
L. P. Gill Inc.	Tipping Fee	10,387.26
Gill Hauling	Hauling Fee	4,095.02
Graybeal's Food	Supplies	212.07
gWorks	Service	190.00
Hawkins Inc.	Supplies	929.66

Ingram Library Services	Books	1,271.77
Inspro Ins.	Premium	8,568.00
Jackson Services	Uniform Service	892.52
John A Stahl Library	Cash Adv	56.99
Leslie's Poolmart	Supplies	2,094.96
Logemann Auto Parts	Supplies	128.79
Mahaska	Supplies	163.00
Matheson Tri-Gas	Supplies	297.09
MicroMarketing LLC	Books	452.37
Midwest Labs	Service	99.35
Midwest Tape	Supplies	59.09
Morrow, Davies & Toelle	Audit Services	15,100.00
Nebr. Public Health Environmental Lab	Service	78.00
Nebraska Municipal Power Pool	Dues	1,445.56
OfficeNet	Serv/Supplies	231.92
One Call Concepts	Service	133.94
Overhead Door Co.	Service	225.90
Quality Printing	Supplies	360.25
S & W Welding	Supplies	521.75
St. Joseph's Hillside Villa	Meal Service	4,549.00
Seals and Service	Supplies	525.90
Skywave Wireless	Service	1,689.00
Smidt's Sanitation	Service	177.00
Special Roads Fund	Mechanic Chgs	957.08
Stalp Gravel	Supplies	6,215.10
Sunrise Excavating Co.	Serv/Flood Control	15,924.00
USA Blue Book	Supplies	901.40
Verizon Business	Service	82.47
Verizon Wireless	Service	251.35
Vrbicky Computer Service	Service	321.25
West Point Implement	Serv/Supplies	502.04
West Point Library Foundation	Cash Adv	847.16
WPLW	Service	31,190.46
WPLW Operating Fund	Cash Adv	2,504.04
West Point News	Publication Costs	1,728.24
West Point Rescue	Ambulance Charges	1,200.00
West Point True Value	Supplies	1,247.57
Beed Transportation	Service	100.00
Birds and Blooms	Subscription	15.00
Thomas Black	Travel Expense	17.40
Consolidated Management	Service	37.79
Countryside Shutters & Blinds	Service	382.00
Cuming Co. Dispatch Center	Alarm Serv/Comm Ctr	100.00
Dave's Drycleaning	Service	91.00

Electronic Contracting Co.	Service	1,798.00
Elite Computers	Supplies	260.95
Ernesti Tree Service	Service	1,096.80
Frahm Tree Service	Serv/Trees	1,800.00
Great Plains Nursery	Trees	928.40
Heiman Fire Equipment	Supplies	487.15
HTM Sales, Inc.	Supplies	66.00
Chris Kreikemeier	Travel Expense/Cash Adv	49.15
Madison County Bank	Sign	1,500.00
Meyer Building	Hail Damage Repairs	28,228.00
Modern Marketing	Supplies	547.80
My-Lor Inc.	Supplies	97.50
NE Dol/Boiler Inspection	Boiler Inspection	90.00
NE Law Enforcement Training	Training	60.00
Nebraska Environmental Product	Supplies	1,302.72
Nebraska Harvestore Systems	Supplies	43.76
Nielsen Tree Farms	Trees	830.00
Northeast Instant Rain	Service	120.00
NWOD-Wasterwater Operators	Membership	30.00
OCLC, Inc.	Service	43.23
Overdrive Inc.	Service	40.00
Gerry Remm	Supplies	400.00
Seed Enterprises	Supplies	163.50
Sleuth	Annual Renewal	2,845.00
Southeast Community College	Training	496.50
Stan Houston Equipment Co.	Supplies	17.50
Woerman Construction	Hail Damage Repairs	17,612.00

The Mayor then opened a public hearing to rezone Addition N, an addition to the City of West Point, Cuming County, Nebraska, from Agriculture Residential District (AGR) to Highway Commercial District (C-2). The City Administrator stated that this property has previously been annexed into the city and now needs to be rezoned to accommodate a business there. 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. Ell introduced Ordinance No. 1405 entitled:

AN ORDINANCE OF THE CITY OF WEST POINT, NEBRASKA, AMENDING ZONING ORDINANCE NO. 1401 TO REZONE THE AREA DESCRIBED HEREIN FROM AGRICULTURE RESIDENTIAL DISTRICT (AGR) TO HIGHWAY COMMERCIAL DISTRICT (C-2); 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,

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

Smith then introduced a resolution that the Comprehensive Plan of the City of West Point be amended to include the following described real estate in the Highway Commercial District (C-2): Addition N, an addition to the City of West Point, Cuming County, Nebraska, and to ratify said Comprehensive Plan in its entirety as so amended. Ell seconded the motion. Voting Yea: Stokely, Ell, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Motion carried and said resolution adopted.

The next agenda item was to consider the bids for the catering of meals at the Senior Citizens Center. Only one bid was received which was from St. Joseph's Hillside Villa showing a rate of \$5.00 per meal being an increase of 20 cents from the previous year and a delivery charge of \$5.00 per day which is remaining the same. Stokely introduced a resolution to accept the bid of St. Joseph's Hillside Villa to provide catered meals for the Senior Citizens Center at a rate of \$5.00 per meal for the period from July 1, 2019 to June 30, 2020. Buse seconded the motion. Voting Yea: Stokely, Ell, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Motion carried and said resolution adopted.

Tom Stratman, Fire Chief, appeared before the Council and presented the annual report for the West Point Volunteer Fire Department. Mr. Stratman reported that the fire department has 42 members with 14 new members over the past year. The department responded to 78 calls (being 1200 man hours) and with 1400 hours of training.

Jay Vogltance, of the Road Gems, appeared before the Council requesting the use of the streets in the downtown area for the "Last Fling til Spring" car show to be held on Sunday, September 15, 2019 (30th year). Their request is the same as the previous year except they are

asking for \$5,000 for funding assistance instead of \$2,500 as this will be their 30th year for the car show and they want to do extra advertising and other attractions. Following discussion, it was moved by Ell and seconded by Smith, as follows:

1. That the request of Road Gems, Inc. for control of the Main Street area from Cedar to Washington Streets and from Mill to Lincoln Streets for their annual car show on September 15, 2019 from 6:00 AM until 6:00 PM be approved including the overseeing of the display cars.
2. That the request of Road Gems, Inc. for the closing of Anna Stalp Avenue from Lincoln Street west to Neligh Park and for the closing of Mill Street from its intersection with Anna Stalp Avenue north to Washington Street on September 15, 2019 from 6:00 AM until 6:00 PM be approved.
3. That Road Gems, Inc. control the vending and sales within these event areas.
4. That the City furnish portable toilets for the event (up to \$1,000).
5. That the City contact the Nebraska Department of Roads for the closing of Highway 32 for the event.
6. That the request of the Road Gems for assistance in funding for the 30th annual “Last Fling til Spring” car show be approved for \$5,000.00.

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

Next the Council heard a presentation from Carla Kai, Program Director of Rebuilding Together Platte Valley East. She stated that this is a national organization to help low income homeowners to do repairs to their homes such as roofing, siding, sidewalks, and ramps for disabled individuals as well as other repairs/improvements. Local contractors are used and volunteers are also used on these projects.

Michael Bash and Lalit Jha with JEO Consulting Group appeared before the Council to update the Council on the progress of the levee system project. Phase 1 – Preliminary Evaluation for Feasibility of Levee Accreditation (Reconnaissance Evaluation) – this phase was completed in May, 2014. Phase 2 - Detailed Accreditation Feasibility Evaluation – this phase was completed in September, 2016. The next phase is levee improvement design and permitting. They reviewed the scope and fee for design and Section 408 permitting phase of the project. With the flood in March, 2019, the Elkhorn River drastically altered its flow path and topography at West Point. These changes to the river compromised the accuracy and validity of past hydraulic modeling efforts and additional hydraulic analysis of the river will be necessary to support levee improvement design.

JEO will prepare and submit a permit application package to the U.S. Army Corp of Engineers and will stay in direct contact with the Corp to ensure it fully understands the project as it is proposed and result in a successfully completed project. It was stated that the Lower Elkhorn Natural Resources District has agreed to cost share 50% of the project for an amount not exceeding \$4 Million. So LENRD's share would be \$2 Million. Following discussion, it was moved by Smith and seconded by Buse that the city proceed with the levee project with levee improvement design and permitting and approves the scope and fee for this phase of the project and authorize the Mayor to sign a contract with JEO Consulting Group. Voting Yea: Stokely, Ell, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Motion carried

The City Administrator reported that 218 fire hydrants were opened to flush all the water mains in town and that the storage tanks have also now been cleaned. Because of the large amount of water used during the flushing, water flow into the filters at the treatment plant has been scaled back. People have complained of dirty water caused by the flushing and cleaning, but hopefully this will clear up in a week or so. The city is still awaiting approval from the Department of Health & Human Services for the new filtering system project.

The Council considered a request from the West Point Dairy Queen for use of city streets for a 5k run or 1 mile walk to benefit the Children's Miracle Treat Day on Saturday, July 20th starting at 7:30 AM. Alex Norton, DQ General Manager, appeared before the Council to explain the event. Moved by Smith and seconded by Stokely to approve the request of the West Point Dairy Queen for use of city streets for a 5k run or 1 mile walk on Saturday, July 20, 2019. Voting Yea: Stokely, Ell, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Motion carried

The City Administrator informed the Council that with the expansion of Charter West Bank, the bank is repaving the alley from its south lot line to Grove Street. A request has been made for the City to cost share the balance of the alley with Pizza Ranch. Moved by Smith and seconded by Buse, to approve the City to cost share the balance of the repaving of the alley with Pizza Ranch. Voting Yea: Stokely, Ell, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Motion

carried

Next the Council considered the agreements regarding the new digital Chamber sign to replace the current sign along Highway 275 by Charter West Motor Bank. Following discussion, Stokely introduced the following resolution and moved its adoption:

Whereas, at the council meeting held on January 2, 2019, the City Council approved the purchase of a new digital sign with the Chamber of Commerce contributing one-half of the costs of the sign and the City paying an amount not to exceed \$13,500.00 for said sign; and

Whereas, the City Council further requested that a lease agreement be prepared with Charter West Bank as the bank owns the property whereupon the sign is located and that an agreement be prepared with the Chamber of Commerce regarding the responsibilities of each party concerning the sign and a sign policy regulating any advertising on the sign; and

Whereas, a Lease Agreement with Charter West Bank and a Digital Sign Agreement with the West Point Chamber of Commerce which includes the Digital Sign Policy have been prepared for City Council review and approval.

Now therefore, be it resolved by the Mayor and City Council as follows:

1. That the Lease Agreement with Charter West Bank pertaining to the digital sign is hereby approved and the Mayor and City Clerk are authorized to sign said Lease Agreement.
2. That the Digital Sign Agreement with the West Point Chamber of Commerce which includes the Digital Sign Policy is hereby approved and the Mayor and City Clerk are authorized to sign said Digital Sign Agreement.

Smith seconded the motion. Voting Yea: Stokely, Ell, Buse, Hugo, and Smith. Nay: None.

Absent: Swenson. 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 \$5,000 for the annual July 4th fireworks display. Moved by Ell and seconded by Smith to contribute the amount of \$5,000 for the July 4th fireworks display. Voting Yea: Stokely, Ell, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Motion carried.

The Council then discussed the closing of a portion of Bridge Street by the south entrance of Neligh Park during the 4th of July celebration and fireworks show as has been done for the past several years. Moved by Stokely and seconded by Buse, that the portion of Bridge Street from the west side of Oak Street to the west side of King Street and the alleys adjoining thereto be closed on

July 4th from 3:00 PM until after the fireworks show. Voting Yea: Stokely, Ell, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Motion carried.

Next on the agenda was to discuss live streaming the meetings. Stokely stated that she asked that this item be on the agenda as she thought the meetings should be on the city's website or the cable channel so more people would be informed on matters. It was tabled until the next meeting so more information would be obtained before discussing it further.

It was moved by Ell and seconded by Stokely to accept the 2020 Title III-B Supportive Services Subaward, the Title III-C Nutrition Services Subaward and the Title III-E Family Caregiver Support Subaward from Northeast Nebraska Area Agency on Aging. Voting Yea: Stokely, Ell, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Motion carried.

Moved by Ell, seconded by Smith, to approve the following application for a Special Designated Liquor Permit under the Nebraska Liquor Control Act: Fraternal Order of Eagles for a BBQ Competition on June 8, 2019. Voting Yea: Stokely, Ell, 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 \$10,789.57. Voting Yea: Stokely, Ell, Buse, and Smith. Nay: None. Absent: Swenson. Abstaining: Hugo. Motion carried.

Moved by Smith, seconded by Stokely, to adjourn at 8:56 P.M. Voting Yea: Stokely, Ell, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Motion carried.

Mary Kempf, MMC
City Clerk