

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 November 2, 2017 in the Council Chambers at the Municipal Building in West Point, Nebraska.

Present were: Mayor Johnson; Councilmembers: Paus, Ell, Swenson, Schlecht, and Black. Absent: Hugo.

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 Schlecht, seconded by Swenson, to approve the following consent agenda:

1. City appointed volunteer boards and commissions.
2. Approval of minutes of previous meeting.
3. Treasurer's report.
4. Claims.

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

CLAIMS		
Payroll		146,125.23
Western Area Power Administration	Power	10,028.91
Hugo Plumbing & Heating	Serv/Supplies	468.64
Tom Swenson Advertising	Supplies	959.05
Elkhorn Paving Construction Co.	Neligh Park Project	171,654.75
Elkhorn Paving Construction Co.	Mill Street Project	103,426.82
Patti Knobbe/The Good Earth Co.	Loan/Grant	25,000.00
City of West Point Payroll Tax Fund	Employer FICA	5,613.53
First National Bank - Fremont	Retirement Contributions	3,180.05
Black Hills Energy	Service	62.83
Central Valley Ag	Service	1,179.11
Petromart	Service	100.39
Wagner Tire	Service	62.42
Sapp Bros.	Service	6,121.28
MEAN	Power	326,276.06
NE Department of Revenue	Sales Tax	35,659.01
NE Department of Revenue	Sales Tax	1,196.96

City of West Point Payroll Tax Fund	Employer FICA	5,755.14
First National Bank - Fremont	Retirement Contributions	3,186.14
United Healthcare	Health Ins.	43,053.18
Madison Nationa Life	Life Ins.	194.46
Companion Life	Life Ins.	266.55
Advanced Consulting	Prof Services	8,000.00
Barco Municipal Products	Supplies	556.16
Black Hills Energy	Service	584.82
Bomgaars Supply	Supplies	1,713.67
Bound Tree Medical	Supplies	50.99
Bracht Law	Prof Services	1,826.50
Cardmember Service	Service	1,897.58
Century Link	Service	1,017.71
Chamber of Commerce	Supplies	15,180.00
Core & Main LP	Serv/Supplies	7,656.63
Cuming County Rural Water	Service	161.07
Cuming County Public Power	Wheeling Service	5,630.10
Danko Emergency Equipment	Serv/Supplies	16,207.93
Data Technologies	License Fee/Support	7,735.75
Dutton Lainson Co.	Supplies	144.46
EMS Billing Services	Prof Services	454.18
Engelhardt TV	Serv/Supplies	750.11
Floor Maintenance	Supplies	802.14
Franciscan Care Services	Meal Service	2,507.75
Gale/Cengage Learning	Books	313.47
Gall's Inc.	Supplies	829.83
Garratt Callahan Co.	Supplies	1,570.50
Gerhold Concrete Co.	Supplies	143.50
L. P. Gill Inc.	Tipping Fee	10,582.52
Gill Hauling	Hauling Fee	4,171.98
Graybeal's Food	Supplies	40.59
Hawkins Inc.	Supplies	515.53
Ingram	Books	943.76
Jackson Services	Uniform Service	804.40
John A Stahl Library	Cash Adv	63.26
Kaup Seed & Fertilizer	Supplies	415.00
Kriz Davis Co.	Supplies	13,054.00
Leisure Lawn Care	Service	186.00
Logemann Auto Parts	Supplies	92.85
Mahaska	Supplies	335.69
Matheson Tri-Gas Inc.	Supplies	121.80
Michael Todd & Co. Inc.	Supplies	66.25
MicroMarketing LLC	Books	465.85
Midwest Labs	Service	284.18

Midwest Tape	Supplies	122.40
Nebraska Expressways Economic Dev	Service	524.79
Nebraska Vet Services	Service	250.50
Nebuda Hauling	Service	22,250.20
OfficeNet	Serv/Supplies	75.05
One Call Concepts Inc.	Service	55.38
Quality Printing & Supplies	Supplies	502.79
S & W Welding	Supplies	436.90
Schmader Electric	Service	1,868.00
Seals and Service	Service	578.14
Skywave Wireless	Service	477.00
Smidt's Sanitation	Service	177.00
Special Roads Fund	Mechanic Chgs	821.70
Stalp Gravel	Serv/Supplies	412.02
State Public Health Environmental Lab	Service	1,081.00
Verizon Business	Service	63.26
Verizon Wireless	Service	295.45
Vrbicky Computer Service	Service	280.00
West Point Home Center	Supplies	213.70
West Point Implement	Supplies	113.96
West Point Library Foundation	Cash Adv	596.26
WPLW	Service	28,762.63
WPLW Operating Fund	Cash Adv	4,214.92
West Point News	Publication Costs	202.94
West Point Rescue	Ambl Charges/Cash Adv	2,176.96
West Point True Value	Supplies	663.18
Woerner's Garbage Service	Service	230.00
A26 Cellular Only-West Point	Supplies	37.39
American Time	Supplies	137.80
B & D Diamond Pro	Supplies	255.00
Mark Benne	Travel Expense	1,519.41
Creative Xpressions	Supplies	17.95
Credit Bureau Services	Service	75.00
Dave's Drycleaning	Service	114.00
Elite Computers	Supplies	276.00
Elkhorn Paving Construction Co.	Service	17,812.00
Heiman Fire Equipment	Supplies	67.57
Hofeling Enterprises	Service	8,300.00
Horizon Inn	Marketing	240.00
Jack's Uniforms & Equipment	Supplies	740.15
JEO Consulting Group	Prof Services	8,007.75
Chris Kreikemeier	Travel Expense	38.45
Midwest Service & Sales	Supplies	3,749.00
MS Construction	Service	2,168.00

NE Municipal Clerks Assoc.	Dues	35.00
Northeast NE Economic Dev.	Prof Services	90.00
OCLC, Inc.	Service	41.67
Overdrive	Service	122.00
Peterson Body & Paint	Service	200.00
Postmaster	Permit Fee	225.00
Sargent Drilling	Serv/Supplies	3,563.34
Stan Houston Equipment	Supplies	2,160.00
Stepp Mfg.	Supplies	1,780.62
Strachan Sales	Supplies	186.50
West Point Chevrolet	Supplies	57.48
West Point Garden Center	Supplies	464.00
Strachan Sales	Supplies	308.50
Auto Value Parts	Supplies	741.72

The City Council reviewed the purposed Real Property Exchange Agreement with the Cuming County Ag Society. Following discussion, Schlecht introduced the following resolution and moved its adoption:

WHEREAS, the City of West Point owns a tract of real property being approximately 6.3 acres located in the northwest part of Neligh Park, and

WHEREAS, pursuant to the authority granted to the City by Section 17-503 Revised Statutes of Nebraska 1943 as amended, the City desires to sell said real property to the Cuming County Agricultural Society, a public agency, and,

WHEREAS, the City desires to purchase real property owned by the Ag Society being the property formerly known as the Gerhold Property, and

WHEREAS, the City and the Ag Society have agreed to exchanged ownership of their respective real property subject to the terms and conditions of a Real Property Exchange Agreement.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Mayor and Council of the City of West Point, Nebraska, that the City does hereby approve the Real Property Exchange Agreement between the City and the Ag Society and that the Mayor is hereby authorized and directed to sign said Agreement and to execute all necessary documents relating to the exchange of said real property.

Ell seconded the motion. Voting Yea: Paus, Ell, Swenson, Schlecht, and Black. Nay: None.

Absent: Hugo. Motion carried and said resolution adopted.

Swenson then introduced the following resolution and moved its adoption:

WHEREAS, the City of West Point has acquired from the Cuming County Agricultural Society real property formerly known as the Gerhold Property; and

WHEREAS, the Cuming County Agricultural Society desires the use of the Nielsen Community Center, the parking areas surrounding the Nielsen Community Center and the parking areas on the former Gerhold Property each year during the Cuming County Fair; and

WHEREAS, the City and the Ag Society desire to enter into a Land and Building License Agreement defining the terms and responsibilities of each entity concerning the use of the City's property.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL of the City of West Point, Nebraska that the City does hereby approve the Land and Building License Agreement with the Cuming County Agriculture Society and that the Mayor is hereby authorized to sign said Agreement.

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

Dave Wimmer of the Park Board appeared before the Council to discuss the Emerald Ash Borer. He stated that this beetle was first discovered in the United States in 2002 in Cincinnati and that it is hard to detect, there is no cure and it kills the ash trees. Once it is first detected in a community, within 8 years 100% of the ash trees are infected and will die. The Park Board has done an inventory of the trees located in the three parks, being Neligh Park, Timmerman Park and Sherman Park, showing 109 ash trees. There are probably 200+ ash trees in the city right-of-ways and another 200+ on private property. The emerald ash borer has been detected in Omaha, Lincoln, Waverly and Blair, so it is close and the Park Board wants to be proactive on this issue. There are three options that can be taken: (1) treat; (2) remove; and (3) decide if tree should be replaced. The Park Board's plan is to remove 15-30 trees annually; replace with a variety of species; and to treat some (at a cost of \$150 every two years). Hopefully some of this can be done by volunteers to keep the cost down and also by applying for grants. There will be ongoing discussions on this issue and Mr. Wimmer was thanked by the Council for all his work.

Next the Council considered the request from Earl Boston and the American Veterans Park Committee to designate parking stalls by the American Veterans Park on North Main Street for the exclusive use of veterans. Harold Schmader representing the American Veteran Park Committee appeared before the Council concerning the parking for veterans and for a handicapped parking stall. The City Administrator advised that he has seen such signs for veteran parking on private property but did not recall any on public right-of-ways. Because a handicapped parking stall was not on the agenda, the council could not take action at this time.

The matter was tabled until the next meeting.

It was moved by Schlecht and seconded by Ell, to renew the farm lease between the City and Rick Grovijohn for one year with cash rent in the sum of \$1,500.00 payable in full on or before December 15, 2018 and authorizing the Mayor to sign said lease. Voting Yea: Paus, Ell, Swenson, Schlecht, and Black. Nay: None. Absent: Hugo. Motion carried.

The City Administrator advised that the city's pay plan needs to be amended to include the position of electrical supervisor. Councilmember Paus introduced Ordinance No. 1393 entitled:

AN ORDINANCE OF THE CITY OF WEST POINT, NEBRASKA, AMENDING ORDINANCE NO. 1392 OF SAID CITY REGARDING THE PAY PLAN FOR CERTAIN OFFICERS AND EMPLOYEES; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL 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. Black seconded the motion. Voting Yea: Paus, Ell, Swenson, Schlecht, and Black. Nay: None. Absent: Hugo. Motion carried. Statutory rule suspended. Ell moved for final passage of the ordinance, which motion was seconded by Schlecht. Voting Yea: Paus, Ell, Swenson, Schlecht, and Black. Absent: Hugo. Nay: None. Ordinance adopted.

It was moved by Schlecht and seconded by Paus, to accept the proposal of Morrow, Davies & Toelle, P.C. for the 2016-2017 audit services in the amount not to exceed \$14,500.00. Voting Yea: Paus, Ell, Swenson, Schlecht, and Black. Nay: None. Absent: Hugo. Motion carried.

Motion made by Swenson and seconded by Ell that the additional following assets to be pledged by F&M Bank as security for all deposits in said Bank be approved:

<u>Custody No.</u>	<u>Due Date</u>	<u>Amount</u>	<u>Type of Security</u>
93811RBZ6	12/15/2018	\$300,000.00	Washington County School District #24 G.O. Refunding Bonds

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

Moved by Ell, seconded by Swenson, to approve the following applications for Special

Designated Liquor Permits under the Nebraska Liquor Control Act:

- (a) Roadhouse Lounge for the Franciscan Care Services Holiday Dinner on December 1, 2017.
- (b) Rush's Liquor Store for the West Point Community Theatre Christmas Concert on December 1, 2017.
- (c) PetroMart for the West Point Volunteer Fire Department New Year's Eve Dance on December 31, 2017.
- (d) PetroMart for wine tasting at Red Door Coffee on December 14, 2017.

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

Moved by Paus, seconded by Schlecht, to approve the claim of Hugo Plumbing & Heating for services and supplies in the amount of \$935.70. Voting Yea: Paus, Ell, Swenson, Schlecht, and Black. Nay: None. Absent: Hugo. Motion carried.

The Council then considered the Annual Maintenance Agreement between the Nebraska Department of Roads and the City relating to the responsibilities/maintenance of the highways within the municipality. There was no change from the previous year in the lane miles or the cost per lane mile. Moved by Black, seconded by Schlecht, to approve the Annual Maintenance Agreement with the Nebraska Department of Roads for the period of January 1, 2018 to December 31, 2018. Voting Yea: Paus, Ell, Swenson, Schlecht, and Black. Nay: None. Absent: Hugo. Motion carried.

The Council was advised that two payment requests have been received from Elkhorn Paving Construction. One for the paving of the road in Neligh Park and the other for the paving of a walking trail around the lake in Neligh Park. Schlecht introduced a resolution to approve Change Orders 1-6 and Payment #2 to Elkhorn Paving Construction Co., Inc. for Neligh Park Paving in the amount of \$123,953.40 and for the walking trail in the amount of \$68,706.30. Swenson seconded the motion. Voting Yea: Paus, Ell, Swenson, Schlecht, and Black. Nay: None. Absent: Hugo. Motion carried and said resolution adopted.

Moved by Schlecht, seconded by Paus, to adjourn at 7:46 P.M. Carried.

Mary Kempf, MMC
City Clerk