

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 PM on Tuesday, March 7, 2023 in the Council Chambers at the Municipal Building, 444 S. Main Street, West Point, Nebraska.

Present were: Mayor Bruce A. Schlecht; Councilmembers: Shea Stokely, Tom Swenson, Mark Buse, Jerry Hugo, and Rusty Smith. Absent: Ryan Penrose.

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

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

1. City appointed volunteer boards and commissions - none.
2. Fire & rescue departments – accept the membership of Nathaniel Yosten to West Point Vol. Fire Dept and accept the resignation of Jeff English from West Point Vol. Fire Dept.
3. Approval of minutes of previous meeting.
4. Treasurer's report.
5. Claims.

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

	PAYROLL	182,672.28
WESTERN AREA POWER ADMIN.	ELEC POWER	9,983.59
HUGO PLUMBING & HEATING	SERVICE/REP/MAINT	2,560.97
SAPP BROS. PETROLEUM	FUEL	4,821.15
CHRISTIANSEN CONSTRUCTION CO	POOL PROJECT	212,080.86
CENTRAL VALLEY AG	POLICE FUEL	933.43
CREATIVE SITES LLC	NELIGH PARK PLAYGROUND	20,857.47
WAGNER TIRE & REPAIR LLC	FUEL/MAINT/REP	319.27
CITY PAYROLL TAX FUND	EMPLOYER FICA	6,924.92
ASCENSUS LLC	RETIRE CONTRIB	3,935.17
PETROMART	FUEL	312.51
NEBRASKA DEPT. OF REVENUE	SALES TAX	29,761.52
NEBRASKA DEPT. OF REVENUE	COMM CNTR SALES TAX	39.22
CUMING COUNTY PUBLIC POWER	ELEC POWER	371.49
MUNICIPAL ENERGY AGENCY OF	ELEC POWER	333,881.23
CITY PAYROLL TAX FUND	EMPLOYER FICA	7,146.98
ASCENSUS LLC	RETIRE CONTRIB	3,889.50
MUTUAL OF OMAHA	INS PREMIUM	1,797.22
BCBS OF NEBRASKA	HEALTH INS	47,048.02
AQUATIC DESIGN CONSULTANTS	POOL PROJECT-ENGINEER	4,266.75

ARNOLD MOTOR SUPPLY	SUPPLIES/REP/MAINT	676.71
BARCO MUNICIPAL PRODUCTS	STREET SUPPLIES	784.23
BLACK HILLS ENERGY	GAS SERVICE	1,478.29
BOMGAARS SUPPLY	REP SUPPLIES	879.17
BORDER STATES INDUSTRIES INC	SUPPLIES/REP/MAINT	3,930.16
BOUND TREE MEDICAL	RESCUE SUPPLIES	458.19
BRACHT LAW	ADMIN PROF SERVICES	160.00
CARDMEMBER SERVICE	SUPPLIES/TRAINING/SERVICE	3,072.34
CENTURY LINK	PHONE SERVICE	1,034.49
CHAMBER OF COMMERCE	PIP TICKETS	560.00
CORE & MAIN LP	WTR/ELEC METERS	1,102.74
CORE HEALTH CLUB, LLC	POLICE TRAINING	234.00
CREATIVE XPRESSIONS	POLICE UNIFORMS	59.80
CUMING COUNTY CLERK	RECORDING FEE	40.00
CUMING COUNTY PUBLIC POWER	ELEC WHEELING CHG	5,791.80
DAVE'S DRYCLEANING	COMM CNTR SERVICE	41.00
DUTTON LAINSON CO	ELEC OPERATING SUPPLIES	3,352.08
EAKES OFFICE SOLUTIONS	LIBRARY REP/MAINT	150.00
ELECTRONIC CONTRACTING CO	COMM CNTR SERVICE	1,092.50
ELITE COMPUTERS	COMM CNTR SERVICE	79.00
ENGELHARDT TV & COMMUNICATIONS	RESCUE RADIO SERVICE	99.71
GALE/CENGAGE LEARNING	LIBRARY BOOKS	323.72
L. P. GILL INC.	SAN TIPPING FEE	6,949.80
GILL HAULING	SAN HAULING FEE	5,275.52
GRAINGER	REP/MAINT EQUIP	26.96
GRAYBEAL'S FOOD	SUPPLIES	120.78
HAWKINS INC.	WTR TRMT SUPPLIES	100.00
HD SUPPLY FACILITIES MAINT LTD	SUPPLIES	1,916.58
INGRAM LIBRARY SERVICES	LIBRARY BOOKS	994.62
JEO CONSULTING GROUP INC	PROF SERVICE-LEVEE	15,856.25
JACKSON SERVICES INC.	SERVICE/UNIFORMS/SUPPLIES	1,037.91
JOHN A. STAHL LIBRARY	LIBRARY POSTAGE	191.88
LEAGUE OF NE MUNICIPALITIES	ELEC DIST TRAINING	475.00
LOGEMANN AUTO PARTS & MACHINE	REP/MAINT EQUIP	84.54
TERRY L. MARTIN	CEMETERY SERVICE	100.00
MATHESON TRI-GAS INC.	RESCUE SUPPLIES	426.53
MICROMARKETING LLC	LIBRARY AUDIO/BOOKS	174.79
MIDWEST LABORATORIES INC	SWR TRMT SERVICE	238.03
MIDWEST SERVICE & SALES	REP/MAINT	1,604.50
MIDWEST TAPE LLC	LIBRARY AUDIO/BOOKS	56.47
NEBRASKA PUBLIC HEALTH	WTR LAB SERVICE	493.00
NEBRASKA VET SERVICES	POLICE SERVICE	194.75
OCLC, INC.	LIBRARY SERVICE	47.69
ONE CALL CONCEPTS, INC.	ELEC SERVICE	34.45
ONE OFFICE SOLUTION	SUPPLIES	423.54
OVERDRIVE, INC.	LIBRARY BOOKS	354.74
OVERHEAD DOOR CO. OF NORFOLK	WTR TRMT SERVICE	256.00
PRESTO X	SERVICE	80.23
QUICK MED CLAIMS	RESCUE-SERVICES	929.56
S2 ROLL-OFFS LLC	PARK GARBAGE SERVICE	220.00
HEREFORD WORKS LLC dba S&W	REP/SUPPLIES	368.16
ST. JOSEPH'S HILLSIDE VILLA	SR CNTR MEALS	2,875.25

SCHMADER ELECTRIC	ELEC-STREET LIGHTS	79.00
SEALS AND SERVICE INC.	REP/MAINT	182.33
SKYWAVE WIRELESS INC.	SERVICE	224.95
SPECIAL ROADS FUND	MECH CHARGES	56.00
STALP GRAVEL	STREET SUPPLIES	4,653.78
VERIZON BUSINESS	PHONE SERVICE	94.78
VERIZON WIRELESS	POLICE MOBILE BROADBAND	120.03
VERIZON WIRELESS	CELL PHONE SERVICE	593.82
WELCH LAW FIRM P.C.	PROF SERVICE	2,440.01
WEST POINT IMPLEMENT	STREET REP/MAINT	20.94
WEST POINT LIBRARY FOUNDATION	LIBRARY BOOKS	794.22
WEST POINT LIGHT & WATER	WTR/SWR/ELEC	36,353.06
WEST POINT LIGHT & WATER	SUPPLIES/REIMBURSEMENT	2,603.30
WEST POINT NEWS	PUBLICATIONS/AD	1,613.38
WEST POINT RESCUE	RESCUE TRAIN/AMBUL CHGS	1,550.00
WEST POINT TRUE VALUE	SUPPLIES	644.39
WOERNER'S GARBAGE SERVICE	GARBAGE SERVICE	267.00
AQUA-AEROBIC SYSTEMS INC.	SWR TRMT REPAIR	7,955.00
CUMING COUNTY COURT	COURT COSTS	57.00
CUMING COUNTY TREASURER	TAXES	158.32
CUMMINS SALES & SERVICE	SWR TRMT SERVICE	502.94
DIERS	POLICE REP/MAINT	501.11
EMC INSURANCE COMPANY	INS PREMIUM	8,145.00
FRANCISCAN HEALTHCARE	SR CNTR SUPPLIES	210.04
HOG SLAT	POOL REP/MAINT	6.46
HYDRO OPTIMIZATION & AUTOMATIO	WTR TRMT REP/MAINT EQUIP	661.43
JACK'S UNIFORMS & EQUIPMENT	POLICE UNIFORMS	33.00
CHRIS KREIKEMEIER	NSAE LUNCHEON/TRAVEL	32.50
MAVERICK, INC.	ELEC DIST-TRAILER	11,895.00
MIDWEST ELECTRIC TRANSFORMER	ELEC-TRANSFORMER	7,498.13
MPH INDUSTRIES, INC.	POLICE REPAIR/SERVICE	75.70
NE LOESS HILLS RC&D COUNCIL	MEMBERSHIP DUES	200.00
NE STATE FIRE MARSHALL	BOILER CERT	72.00
NETWORK PARTNERS, INC.	POLICE-SERVICE/REP	155.00
PETERSON BODY & PAINT	REP/MAINT EQUIP	61.00
QUADIENT LEASING INC.	ELEC/ADMIN SUPPLIES	441.09
SIRCHIE ACQUISITION CO	POLICE SUPPLIES	77.50
TRUCK EQUIPMENT, INC.	ELEC DIST REP/MAINT EQUIP	208.61

The Mayor opened a public hearing on the rezoning of W 27' Lot 1 & All of Lot 2, Block 1 of Coburn's Addition to the City of West Point, Cuming County, Nebraska from Residential Single Family District (R-1) to Highway Commercial District (C-2). The Planning Commission was not forwarding a favorable recommendation. All parties were given an opportunity to be heard. The Mayor then closed the public hearing. It was moved by Smith, seconded by Buse to follow the Planning Commission recommendation and deny the rezoning. Voting Yea: Stokely, Swenson, Buse and Smith. Nay: Hugo. Absent: Penrose. Motion carried.

Drew Wimer appeared before the council on behalf of West Point Rescue with information on funds received via grants. The Council then considered the request from the West Point Rescue for approval to proceed with the purchase of an ambulance. Following discussion, it was moved by Hugo, seconded by Buse, to move forward with the purchase of a new ambulance. Voting Yea: Stokely, Swenson, Buse, Hugo, and Smith. Nay: None. Absent: Penrose. Motion carried.

The next agenda item was the use of Eminent Domain to acquire the property located at the W 1/2 of Lots 5 and 6, in Block 47, in the Original Plat of the City of West Point, Cuming County, Nebraska (House located at 130 E. Sheridan St.) owned by Frat Order of Eagles. After lengthy discussion, Kevin Landholm, President of the Eagles, asked if a survey of the property could be done. It was decided a survey would be in the best interest of both parties. Stokely motioned and seconded by Swenson to table the matter until the survey could be completed. Voting Yea: Stokely, Swenson, Buse, Hugo, and Smith. Nay: None. Absent: Penrose. Motion carried.

Next the Council considered a request from Darren and Monique Huston to split a tract of land in Lot 1 of Deer Run Subdivision, a Subdivision of part of Addition "J" to the City of West Point, Cuming County, Nebraska. The City Administrator advised that the Planning Commission had considered the matter and was forwarding a favorable recommendation. 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.

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

The City Administrator then proceeded to report, on behalf of the Economic Development Committee, the following LB 840 Economic Development applications:

1. 122 E. Park Street, LLC, dba LOCAL requesting \$40,000.00. Complete renovation of interior of the building. The Committee recommended a \$40,000.00 grant to be forgiven in five years.

It was moved by Smith and seconded by Stokely to approve the recommendations of the Economic Development Committee for the above grant from the LB 840 Economic Development Funds as presented. Voting Yea: Stokely, Swenson, Buse, Hugo, and Smith. Nay: None. Absent: Penrose. Motion carried.

2. Jennifer Batenhorst, dba Lasting Impressions requesting \$25,000. Construction of a building. The Committee recommended a \$25,000 grant to be forgiven in five years.

It was moved by Buse and seconded by Swenson to approve the recommendations of the Economic Development Committee for the above grant from the LB 840 Economic Development Funds as presented. Voting Yea: Stokely, Swenson, Buse, Hugo, and Smith. Nay: None. Absent: Penrose. Motion carried.

The Mayor stated that the next item on the agenda was the consideration of an ordinance authorizing and directing Execution of the Green Energy Program subscription confirmation. This ordinance would give the Mayor, City Administrator or City Clerk the authority to do so. Buse introduced Ordinance No. 1438 titled as follows:

AN ORDINANCE AUTHORIZING AND DIRECTING EXECUTION OF THE GREEN ENERGY PROGRAM SUBSCRIPTION CONFIRMATION BY THE CITY OF WEST POINT, NEBRASKA, WITH THE MUNICIPAL ENERGY AGENCY OF NEBRASKA; REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND 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. Smith seconded the motion. Voting Yea: Stokely, Swenson, Buse, Hugo, and Smith. Nay: None. The Absent: Penrose. Statutory rule suspended. Smith moved for final passage of the ordinance, which motion was seconded by Hugo. Voting Yea: Stokely, Swenson, Buse, Hugo, and Smith. Nay: None. Absent: Penrose. Ordinance adopted.

The Council considered the new corporate manager application submitted to the Nebraska Liquor Control Commission by Casey's Retail Company, dba Casey's General Store 1181 naming Christopher Sieck as manager. It was moved by Hugo and seconded by Stokely to approve this application and to notify the Nebraska Liquor Control Commission of such approval. Voting Yea: Stokely, Swenson, Buse, Hugo, and Smith. Nay: None. Absent: Penrose. Motion carried.

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

Designated Liquor Permits under the Nebraska Liquor Control Act:

- (a) Win or Loss We Still Booze, LLC, dba Rush's Liquor Store for the West Point Community Theatre for a live theatre production on March 24, 25 & 26, 2023.
- (b) Win or Loss We Still Booze, LLC, dba Rush's Liquor Store for the West Point Community Theatre for a live theatre production on March 31, 2023, April 1 & 2, 2023.
- (c) Win or Loss We Still Booze, LLC, dba Rush's Liquor Store for the West Point Community Theatre for a fundraiser on April 29, 2023.

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

Moved by Buse, seconded by Hugo, to approve the following applications for Special Designated Liquor Permit under the Nebraska Liquor Control Act:

- (a) Roadhouse Lounge for the Cuming County Feeders Banquet on March 25, 2023.

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

Moved by Smith, seconded by Buse, to approve the claim of Hugo Plumbing & Heating for services and supplies in the amount of \$1,774.35. Voting Yea: Stokely, Swenson, Buse, and Smith. Nay: None. Absent: Penrose. Abstaining: Hugo. Motion carried.

Moved by Smith, seconded by Hugo, to approve the claim of Tom Swenson Advertising for promotional items in the amount of \$1,150.12. Voting Yea: Stokely, Hugo, Buse, and Smith. Nay: None. Absent: Penrose. Abstaining: Swenson. Motion carried.

Swenson introduced the following resolution and moved its adoption:

BE IT RESOLVED BY THE MAYOR AND COUNCIL of the City of West Point, Nebraska, to approve Application/Payment No. 4 in the amount of \$336,907.51 to Christiansen Construction Company for the West Point Aquatic Center Project and authorize the City Clerk to make payment.

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

Moved by Swenson, seconded by Smith, to adjourn at 6:41 P.M. Voting Yea: Stokely, Swenson, Buse, Hugo, and Smith. Nay: None. Absent: Penrose. Motion carried.

Debbie Yosten
City Clerk