

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 5:35 PM on September 7, 2021, in the Council Chambers at the Municipal Building, 444 S. Main Street, West Point, Nebraska.

Present were: Mayor Bruce A. Schlecht; Councilmembers: Emma Stokely, Ryan Penrose, Tom Swenson, Mark Buse (arrived at the meeting at 5:46), Jerry Hugo, and Rusty Smith.

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 west wall of the room for public information.

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

1. City appointed volunteer boards and commissions – none.
2. Fire & rescue departments – accept the resignation of Trina Osuna from West Point Rescue.
3. Approval of minutes of previous meeting.
4. Treasurer's report.
5. Claims.

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

CLAIMS		
PAYROLL		180,065.36
Western Area Power Administrat.	POWER	13,847.13
Rutjens Construction	WATER MAIN PMT #5	11,460.39
Rutjens Construction	HWY 275 UTIL RELOC PMT#1	73,962.00
West Point Travel Plaza	RESCUE FUEL	162.47
Hugo Plumbing & Heating	SERVICE/SUPPLIES	8,634.11
Black Hills Energy	GAS SERVICE	23.19
Sapp Bros. Petroleum	FUEL/SUPPLY	1,979.92
Wagner Tire & Repair LLC	REPAIR/FUEL	1,767.62
Central Valley Ag	POLICE FUEL	1,044.99
City Payroll Tax Fund	PAYROLL TAXES	7,557.22
Ascensus LLC	RETIREMENT	4,298.64
Nebraska Dept. Of Revenue	SALES TAX	34,702.96
Cuming County Public Power	ELEC/POWER	106.40
Nebraska Dept. Of Revenue	PARK SALES TAX	66.20
City Payroll Tax Fund	PAYROLL TAXES	6,431.96
Ascensus LLC	RETIREMENT	3,663.36
BCBS OF NEBRASKA	EMPLOYEE INS	52,504.88
MEAN	ELEC POWER PURCHASE	336,739.09
Mutual Of Omaha	LIFE INS	903.15
4S Service & Repair LLC	SAN REP/SERVICE	2,349.81
Aqua-Chem, Inc.	POOL SUPPLIES	1,010.50
Arnold Motor Supply	SUPPLIES	321.67
Awe Acquisition Inc.	LIBR KIDS COMPUTER	3,468.00
Black Hills Energy	GAS SERVICE	567.99

Bomgaars Supply	SUPPLIES	789.01
Border States Industries, Inc.	ELEC DIST SUPPLIES	2,273.67
Bound Tree Medical	RESCUE SUPPLIES	646.34
Cardmember Service	SERVICE	1,177.67
Central Valley Ag	WTR TRT REPAIR/SUPPLIES	282.12
Century Link	PHONE SRVC	1,047.93
Constellation Newenergy	GAS SRVC	1,051.85
Core & Main	REPAIR/SYSTEM	585.18
Cuming County Public Power	ELEC WHEELING	5,648.72
Danko Emergency Equipment	SERVICE	1,305.84
Don's Pioneer Uniforms	RESCUE SUPPLIES	153.37
Dutton Lainson Co.	SUPPLIES	1,994.59
Electronic Contracting Co Inc	SERVICE	617.50
Elite Computers	SERVICE/SUPPLIES	82.68
Elm USA	LIBRARY WARRANTY RENEWAL	520.00
Engelhardt TV & Communications	SUPPLIES	738.98
Engelmeyer Repair LLC	REPAIR/SUPPLIES	111.90
Franciscan Healthcare	SR CNTR SUPPLIES	84.37
Gall's Inc.	POLICE SUPPLIES	138.05
Garratt Callahan Co.	SWR TRT SUPPLIES	1,764.00
Gerhold Concrete Company Inc.	STRT SUPPLIES	394.67
Gill Hauling	SANITATION HAULING FEE	3,704.17
Graybeal's Food	SUPPLIES	93.54
Hawkins Inc.	WTR TRT SUPPLIES	3,063.78
Heiman Fire Equipment	POLICE SUPPLIES	693.45
Hiland Dairy	POOL SUPPLIES	155.88
Hofeling Enterprises Inc	SAN SERVICE	8,150.00
The Home Depot Pro	SUPPLIES	255.33
Ingram Library Services	LIBRARY BOOKS	1,216.87
Jack's Uniforms & Equipment	POLICE SUPPLIES	110.94
Jackson Services Inc.	UNIFORMS	873.52
JEO Consulting Group Inc	STRT PROF SERVICE	4,623.75
John A. Stahl Library	POSTAGE/SUPPLIES	144.99
Jones Automotive	POLICE SUPPLIES	401.33
Kaup Seed & Fertilizer	SUPPLIES	201.25
Angela Kienbaum	LIBRARY SERVICE	35.00
L. P. Gill Inc.	SANITATION TIPPING FEE	10,071.62
Leisure Lawn Care	SERVICE	367.51
Leslie's Poolmart Inc.	SWR TRT SUPPLIES	2,327.88
Loffler Companies	SERVICE	1,943.12
Logemann Auto Parts & Machine	REPAIR/SUPPLIES	102.74
Lou's Sporting Goods	PARK SUPPLIES	150.00
Love Signs, Inc.	COMM CNTR SUPPLIES	336.00
Macqueen Equipment	STRT MAINTENANCE	488.41
Mahaska	COMM CNTR CONC/SUPPLIES	112.84
Matheson Tri-Gas Inc.	RESCUE SUPPLIES	297.27
Mc2, Inc.	SWR TRT SUPPLIES	3,015.86
Mcs Construction	CONTRACTED SERVICE	13,552.16
Micromarketing LLC	LIBRARY AUDIO BOOKS	344.42
Midwest Laboratories	SWR TRT SERVICE	168.90
Midwest Tape	LIBRARY DVD'S	166.41
Nebraska Library Commission	OVERDRIVE FEE	500.00
Nebraska Public Health	WTR DIST LAB SRVC	541.00
Nebraska Public Power District	ELEC SERVICE	67.50

Nebraska Vet Services	POLICE SERVICE	192.00
Neenah Foundry Company	REP/SUPPLIES	1,926.00
North American Truck & Trailer	WTR DIST SERVICE	369.02
Northeast Ne Economic Dev	EC DEV SERVICE	630.00
Officenet	SUPPLIES	19.98
One Call Concepts, Inc.	SERVICE	135.02
Overdrive, Inc.	LIBRARY SERVICE	19.00
Peterson Body & Paint	STREET SERVICE	207.50
Port-A-Johns	PARK RESTROOM RENTAL	960.00
Presto X	LIBRARY SERVICE	71.00
Quadient Leasing Inc.	SUPPLIES	397.14
Quality Printing & Supplies	SUPPLIES	829.14
Quick Med Claims	RESCUE SERVICE	332.39
Road Builders	STREET WINDSHIELD/PARTS	581.83
S & W Welding Inc.	SUPPLIES/SERVICE	45.80
S2 Roll-Offs LLC	PARK GARBAGE/SERVICE	190.00
Sargent Drilling	WTR SRF LOAN SERVICE	4,570.00
Scantron	SERVICE	1,113.00
Schinstock Painting LLC	REPAIR/SERVICE	1,287.65
Schuetze Plumbing & Heating	REPAIR/SERVICE	285.00
Seals and Service Inc.	REPAIR/MAINTENANCE	92.99
Siffring Landscaping	LIBRARY LANDSCAPING	3,064.06
Skywave Wireless Inc.	PARK SERVICE	1,617.06
Special Roads Fund	MECH CHGS	888.43
St. Joseph's Hillside Villa	SR CIT CNTR MEALS	2,379.00
Stalp Gravel	WTR DIST SUPPLIES	264.55
Strachan Sales, Inc.	SERVICE	1,494.04
Stryker Sales LLC.	RESCUE SUPPLIES	1,608.13
T & R Electric	SERVICE	3,642.00
Gale/Cengage Learning	LIBRARY BOOKS	259.38
USA Blue Book	SUPPLIES	593.57
Verizon Business	PHONE SRVC	97.76
Verizon Wireless	POL MOBILE BROADBAND	120.03
Verizon Wireless	CELL SRVC	329.34
Vrbicky Computer Service	LIBRARY SERVICE	68.00
Welch Law Firm P.C.	PROF SERVICES	1,942.50
West Point Implement	SAN RENTAL FEE	650.00
West Point Library Foundation	LIBRARY BOOKS	1,820.81
West Point Light & Water	COMM CNTR CASH ADV	2,006.70
West Point Light And Water	UTILITIES	38,459.93
West Point News	PUBLICATION COSTS	871.68
West Point Rescue	AMBULANCE CHARGES	1,245.00
West Point True Value	SUPPLIES	1,550.36
West Point Volunteer Fire Dept	FIRE TRAINING/CASH ADV	2,102.21
Diane White	SR CNTR SUPPLIES	162.62
Woerner's Garbage Service	GARBAGE SERVICE	267.00

The Mayor opened a public hearing on the Property Tax Request for the fiscal year beginning October 1, 2021. The City Administrator stated the property tax request for the 2021-2022 fiscal year was \$1,156,778.00, an increase of approximately \$31,000.00. All parties were given an

opportunity to be heard. No one appeared to speak in opposition of the proposed budget or tax request and no correspondence had been filed. The Mayor then closed the public hearing. Hugo introduced Ordinance No. 1423 entitled:

AN ORDINANCE OF THE CITY OF WEST POINT, IN CUMING COUNTY, NEBRASKA, APPROVING THE BUDGET AND APPROPRIATING THE SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL EXPENSES AND LIABILITIES OF SAID CITY FOR THE FISCAL YEAR COMMENCING ON THE FIRST DAY OF OCTOBER, 2021 AND ENDING THE LAST DAY OF SEPTEMBER, 2022; DESIGNATING THE PURPOSES FOR WHICH SAID APPROPRIATION SHALL BE USED AND APPROPRIATING THE UNEXPENDED BALANCES FOR THE VARIOUS FUNDS; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT, AND PROVIDE 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, Hugo, and Smith. Nay: None. Motion carried. Statutory rule suspended. Swenson moved for final passage of the ordinance, which motion was seconded by Smith. Voting Yea: Stokely, Penrose, Swenson, Hugo, and Smith. Nay: None. Ordinance adopted

Moved by Smith, seconded by Stokely, to approve the State Budget Lid Computation Form showing the 2021-2022 Total Restricted Funds to be \$1,118,464.12 and the Total Unused Restricted Funds Authority to be \$838,376.47. Voting Yea: Stokely, Penrose, Swenson, Hugo, and Smith. Nay: None. Motion carried.

Further moved by Smith, seconded by Stokely, to approve the increase in the total restricted funds authority by an additional 1%. Voting Yea: Stokely, Penrose, Swenson, Hugo, and Smith. Nay: None. Motion carried.

Hugo introduced a resolution and moved its adoption that the 2021-2022 property tax request be set at \$1,156,778.00; that the total assessed value of property differs from last year's total assessed value by 4.32 percent; that the tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$0.437958 per \$100 of assessed value; that the City proposes to adopt a property tax request that will cause its tax rate to be \$0.45 per \$100 of assessed value and that based on the proposed property tax request and changes in other revenue, the total operating budget of the City of West Point will exceed last year's by 15 percent. Swenson seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Hugo, and Smith. Nay: None. Motion carried and said resolution adopted.

The Council considered the request from Nancy Steffen and Lana Wolf, co-chairmen of the

Red Cross bloodmobiles, concerning the rental fee for the Nielsen Community Center for the following bloodmobiles: 10/04/2021; 02/07/2022; 04/04/2022 and 06/06/2022. The request was that the rental fee be waived for these bloodmobiles as has been done in the past. Moved by Penrose, seconded by Stokely, to waive the rental fee of the Nielsen Community Center for the bloodmobiles stated above. Voting Yea: Stokely, Penrose, Swenson, Hugo, and Smith. Nay: None. Motion carried.

The next item on the agenda was to consider the request from Ed Bracht to subdivide a parcel of real estate in Addition H to the City of West Point into two tracts. The City Administrator advised that the Planning Commission had considered the matter and was forwarding a favorable recommendation. Swenson introduced a resolution that the creation of parcels identified as Tract 1 and Tract 2 on the survey presented, together with the sale and conveyance of Tract 1, be approved. Smith seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Hugo, and Smith. Nay: None. Motion carried and said resolution adopted.

Next the Council considered a request from Gary Reimers to subdivide a parcel of real estate in the West Point Industrial Park, an addition to the City of West Point, into three tracts. The City Administrator advised that the Planning Commission had considered the matter and was forwarding a favorable recommendation. Penrose introduced a resolution that the creation of said parcels identified as Tract 1, Tract 2 and Tract 3 on the survey presented, together with the "Ingress Egress Easement" as described on said plat, be approved. Stokely seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried and said resolution adopted.

Dave Wimmer, a member of the Pool Committee, appeared before the Council about the construction of a new swimming pool. He stated that originally it was believed that a special election would be held in September or October to seek approval of a one-half percent increase in the local sales tax for funding the new pool. If approved, then the Aquatic Design Consultants would then do the final design, soil testing, and permitting work to get ready to bid the project, with construction to start at the close of the season in 2022 and have the new pool opened Memorial Day 2023. It has since been learned that the election for the increase in the local sales tax must be at a primary or

general election. Which means that the earliest this can go to a vote is May, 2022. If the design of the new pool does not start until after the May, 2022 election, the project construction will be delayed a year and the costs could increase by 10% - 14%. The cost of developing the plans and specifications and the permitting work, including fees, is estimated to be \$470,000. This work must be done regardless of when the pool is constructed. Aquatic Design has stated that if the City would pay \$100,000 now, Aquatic Design would continue on the design and permitting so they would be ready for bids the day after the May election. If the vote in May is successful, the City would then pay the remaining \$370,000. If the vote fails, the City would not have to pay anything beyond the \$100,000 commitment unless the new pool is utilized in the future. It was moved by Swenson and seconded by Penrose to approve the payment of \$100,000 to Aquatic Design Consultants. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

The City Administrator presented a new water rate schedule. The City needs to start making payments on the loan it obtained from the Safe Drinking Water State Revolving Loan Fund for approximately \$3,000,000 for improvements to the water plant and water mains. The proposed increase will be approximately \$5.04 per month for a conservative user of 300 cubic feet of water (2250 gallons) with a small 5/8 meter. The average user will see an increase of approximately \$7.02 for 1200 cubic feet of water (9000 gallons). It was also stated that due to legislation passed, effective October 1, there will no longer be sales tax charged on residential water usage. Swenson introduced the following resolution and moved its adoption:

1. Minimum Rate and Charge Schedule – There shall be a Meter Charge plus a Water Use Charge per month to each customer, which shall be determined by the size of the customer's meter, or meters, and the cubic feet of water used and said charges shall be as follows:

<u>Meter Size</u>	<u>Monthly Meter Charges</u>	<u>Monthly Water Use Charges</u>
5/8"	\$ 19.35	\$1.60 per 100 cubic ft.
3/4"	\$ 20.90	" "
1"	\$ 25.35	" "
1 1/4" and 1 1/2"	\$ 31.72	" "
2"	\$ 47.88	" "

3"	\$170.28	"	"
4"	\$214.95	"	"

2. The gross monthly bill for consumption of water shall be the net monthly bill computed at the net monthly rate plus an amount equal to ten per cent (10%) of the net monthly bill. The net bill shall apply if payment is made on or before the due date. If the bill is not paid on or before the due date, the gross bill shall apply and the bill shall be delinquent.

3. The City shall have the right to disconnect service to customers whose bills are delinquent. In the event service is disconnected because of delinquency in payment for water service, service shall not be reconnected until all charges, including the reconnection charge shall have been paid.

4. If a customer whose service has been disconnected, either by his order or by reason of delinquency, requests reconnection within 12 months of the time of disconnection, a reconnection charge of \$50.00 shall be collected.

5. The rate provided for by this resolution shall be charges for the service billed on or after September 15, 2021.

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

The next item on the agenda was to discuss the paving of the alley located between Quality Pork International and Hugo Plumbing & Heating. The City had bid this project and accepted the bid of MSC Construction in May, 2021. Quality Pork International was going to construct a five-million dollar expansion to the plant but has since decided not to do the expansion at this time. The City Administrator presented the question to the Council if the City should proceed with paving the alley resulting in improving the drainage in this area and the radius for trucks. Moved by Stokely and seconded by Buse to proceed with the project. Voting Yea: Stokely, Penrose, Swenson, Buse, and Smith. Nay: None. Abstaining: Hugo. Motion carried.

The City Administrator reviewed with the Council a pay plan taking into consideration a comparability study and cost of living adjustment resulting in a 5% increase. Following discussion Swenson introduced Ordinance No. 1424 entitled:

AN ORDINANCE OF THE CITY OF WEST POINT, NEBRASKA ADOPTING A PAY PLAN FOR CERTAIN OFFICERS AND ALL EMPLOYEES; REPEALING ORDINANCE NO. 1416 AND ALL OTHER MOTIONS, RESOLUTIONS AND ORDINANCES IN CONFLICT WITH THIS ORDINANCE; 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. Smith seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None.

Motion carried. Statutory rule suspended. Swenson moved for final passage of the ordinance, which motion was seconded by Penrose. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Ordinance adopted

Moved by Swenson and seconded by Buse to set the public hearing on the One Year & Six Year Street Improvement Program for the next City Council meeting, being Tuesday, October 5, 2021 at 5:30 PM. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

Moved by Stokely, seconded by Buse, to approve the claim of Hugo Plumbing & Heating for services and supplies in the amount of \$1,498.99. Voting Yea: Stokely, Penrose, Swenson, Buse, and Smith. Nay: None. Abstaining: Hugo. Motion carried.

Buse introduced resolution to approve corrected Payment No. 5 (Final) to Rutjens Construction for the West Point Water Main Improvement Project in the amount of 11,460.39. 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 Payment No. 1 to Elkhorn Paving Construction Co., Inc. for Phase IV of the West Point Trails and Pathways Project in the amount of \$57,941.55. Smith 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 Penrose, to adjourn at 6:28 P.M. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

Mary Kempf, MMC
City Clerk