

MINUTES OF MEETING

A special meeting of the Mayor and City Council of the City of West Point, Nebraska was convened in open and public session at 5:30 P.M. on Thursday, September 22, 2022 in the Council Chambers at the Municipal Building, 444 S. Main Street, West Point, Nebraska.

Present were: Mayor Bruce A. Schlecht; Councilmembers: Shea Stokely, Ryan Penrose, Tom Swenson, Mark Buse, Jerry Hugo, and Rusty 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 west wall for public information. The Pledge of Allegiance was then recited.

The Mayor opened a public hearing to rezone the North 36 feet of Lot 1, Block 46, Original Plat of the City of West Point, Cuming County, Nebraska, from General Commercial District (C-1) 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. The Mayor then closed the public hearing. Stokely introduced Ordinance No. 1434 entitled:

AN ORDINANCE OF THE CITY OF WEST POINT, NEBRASKA, AMENDING ZONING ORDINANCE NO. 1401 TO REZONE THE AREA DESCRIBED HEREIN FROM GENERAL COMMERCIAL DISTRICT (C-1) 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. 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.

The Mayor then opened a public hearing on the request of S2 Roll-offs, LLC, for a special use permit to allow for the operation of a recycling center/transfer station, located within a Highway Commercial District in West Point Industrial Tract North (being north of the Pizza Hut). Mitch Sawyer of S2 appeared before the Council to explain this project and answer questions. They also

plan to construct storage units on the site which is a permitted use in a Highway Commercial District. Allowing this project would mean lost revenue for the City at its transfer station. The City Administrator advised that the Planning Commission was forwarding a favorable recommendation. No one appeared to speak in opposition of this request and no correspondence had been filed. The Mayor then closed the public hearing. Smith introduced a resolution that a Special Use Permit is granted to allow for the operation of a recycling center/transfer station on the real estate described located within the Highway Commercial District. Buse seconded the motion. Voting Yea: Stokely, Penrose, Buse, Hugo, and Smith. Nay: Swenson. Motion carried and said resolution adopted.

Next the Council considered the bids for the new outdoor aquatic center project. The only bid received was from Christiansen Construction Company of Pender, Nebraska with a bid of \$6,998,000 with a completion date of October 20, 2023. Kevin McElyea, PE of Aquatic Design Consultants, Inc. appeared before the Council and stated that he has gone through the bid and is recommending changes/deductions on some of the items listed in the bid which totals - \$294,137.50 and then adding alternates of \$347,125.00 (heater, night use lighting, PA system & external restrooms) brings the total for this project at \$7,050,987.50. Discussion was had concerning the timeline, the costs and availability of material, the rebidding of the project and the closing of the pool for a season. Buse then introduced a resolution that the bid for the furnishing of labor, tools, materials and equipment required to construct and such other work as may be incidental thereto for a new outdoor aquatic center as submitted by Christiansen Construction Company of Pender, Nebraska for \$7,050,987.50 is hereby accepted and that the Mayor and City Clerk are authorized to execute such contract documents as may be necessary to complete the award of the contract and to order the commencement of the work. Hugo seconded the motion. Voting Yea: Swenson, Buse, and Hugo. Nay: Stokely, Penrose, and Smith. The result of the vote was a tie with 3 Yeas and 3 Nays. The Mayor then cast the deciding vote of yes and declared the motion carried and said resolution adopted.

The City Administrator requested authorization for the City to file for a grant for \$375,000 from the Land and Water Conservation Fund through the Nebraska Game and Parks Commission

for the new aquatic center. Smith introduced a resolution to apply for federal assistance from the Land and Water Conservation Fund Program for the new aquatic center project and to comply with all state and federal requirement and standards. Stokely seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried and said resolution adopted.

Moved by Stokely seconded by Swenson, to adjourn at 6:50 P.M. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

Mary Kempf, MMC
City Clerk