

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 P.M. on Tuesday, June 6, 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, Ryan Penrose, Jerry Hugo, and Rusty Smith. Absent: Tom Swenson and Mark Buse.

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 of the Council Chambers for public information. The Pledge of Allegiance was then recited.

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

1. City appointed volunteer boards and commissions – None.
2. Fire & rescue departments – accept the resignation of Faith Cole from West Point Rescue.
3. Approval of minutes of the May 2, 2023 meeting.
4. Treasurer's report.
5. Claims.

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

	PAYROLL	227,603.01
WAPA	ELEC-POWER	9,114.45
HUGO PLUMBING & HEATING	SERVICE/REP/MAINT	15,657.14
CITY PAYROLL TAX FUND	EMPLOYER FICA	8,350.73
ASCENSUS	RETIRE CONTRIB	4,696.51
CHRISTIANSSEN CONSTRUCTION	POOL PROJECT PYMT #6	295,026.16
WAGNER TIRE & REPAIR	FUEL/REP & MAINT	1,534.68
TAYLOR OIL COMPANY	FUEL	87.86
SAPP BROS	FUEL/REP & MAINT	3,439.82
CVA	POLICE FUEL	1,014.28
PETROMART	FUEL	216.68
ROAD GEMS	CAR SHOW CONTRIB	2,500.00
CHAMBER OF COMMERCE	2023 FIREWORKS CONTRIB	5,000.00
CUMING COUNTY PUBLIC POWER	ELEC-POWER	147.21
NE DEPT. OF REVENUE	SALES TAX	29,134.73
NE DEPT. OF REVENUE	SALES TAX	69.40
NE DEPT. OF REVENUE	PARK SALES TAX	17.39
CITY PAYROLL TAX FUND	EMPLOYER FICA	9,341.39

ASCENSUS	RETIRE CONTRIB	5,167.88
LOU'S SPORTING GOODS	MISC FID-LITTLE LEAGUE	3,971.40
MEAN	ELEC POWER	284,600.62
MUTUAL OF OMAHA	INS PREMIUM	1,869.71
BCBS	HEALTH INS	45,684.39
ADVANCED CONSULTING	PROF SERVICE	763.75
AQUATIC DESIGN CONSULTANTS	POOL PROJECT ENGINEER	4,266.75
ARNOLD MOTOR SUPPLY	SUPPLIES	679.99
BARCO MUNICIPAL PRODUCTS	SUPPLIES	1,365.20
BLACK HILLS ENERGY	SERVICE	1,045.81
BOMGAARS	SUPPLIES/REP/MAINT	3,083.50
BORDER STATES INDUSTRIES	STREET LIGHTS /SUPPLIES	7,715.70
BOUND TREE MEDICAL	RESCUE SUPPLIES	185.35
ELAN FINANCIAL SERVICES	SERVICE/SUPPLIES	3,718.55
CENTURY LINK	PHONE SERVICE	1,033.94
CONSTELLATION NEWENERGY	GAS SERVICE	796.63
CORE & MAIN LP	SERVICE	20,106.91
CORE HEALTH CLUB	POLICE TRAINING	234.00
CREATIVE XPRESSIONS	POLICE UNIFORMS	13.90
CUMING COUNTY PUBLIC POWER	ELEC WHEELING /MATERIALS	6,294.06
DINSLAGE SMALL ENGINE	REP/MAINT	86.49
DUTTON LAINSON CO	SUPPLIES/MATERIALS	4,652.91
ELITE COMPUTERS	REP & MAINT EQUIP	274.00
GALE/CENGAGE LEARNING	BOOKS	134.19
GALL'S INC	POLICE UNIFORMS	155.95
GERHOLD CONCRETE COMPANY	BLDG MAINT	425.94
L. P. GILL INC.	SAN TIPPING FEE	8,128.38
GILL HAULING	SAN HAULING FEE	3,204.49
GRAINGER	REPAIR	87.78
GRAYBEAL'S FOOD	SUPPLIES	148.11
HAWKINS INC.	WTR TRMT SUPPLIES	4,314.73
HEIMAN INC	POLICE SUPPLIES	739.11
HD SUPPLY FACILITIES MAINT LTD	SUPPLIES	3,149.91
INGRAM LIBRARY SERVICES	BOOKS	735.34
JEO CONSULTING GROUP INC	PROF SERVICE-LEVEE	31,938.75
JACKSON SERVICES	UNIFORMS/SERVICE/SUPPLIES	969.50
JOHN A. STAHL LIBRARY	POSTAGE/CASH ADV	158.56
KAUP SEED & FERTILIZER	SUPPLIES	469.00
LEAGUE OF NE MUNICIPALITIES	ELEC TRAINING	1,120.00
LEISURE LAWN CARE	PARK-CONTRACT SERVICE	3,000.00
LESLIE'S POOLMART	SWR TRMT SUPPLIES	4,132.60
LOGEMANN AUTO PARTS & MACHINE	REP/MAINT EQUIP	101.16
LOU'S SPORTING GOODS	PARK SUPPLIES	248.00
MAHASKA	COMM CNTR CONC	540.28
MATHESON TRI-GAS	RESCUE SUPPLIES	370.65

MICROMARKETING	LIBRARY BOOKS	436.36
MIDWEST LABORATORIES	SWR TRMT SERVICE	419.80
MIDWEST TAPE	LIBRARY SUPPLIES	148.43
NEBRASKA PUBLIC HEALTH	LAB SERVICES	556.00
NEBRASKA VET SERVICES	POLICE SERVICE	219.98
OCLC, INC.	LIBRARY SERVICE	47.69
ONE CALL CONCEPTS	ELEC & WTR SERVICE	73.19
ONE OFFICE SOLUTION	SUPPLIES	248.62
OVERDRIVE, INC.	LIBRARY BOOKS	139.98
PRESTO X	SERVICE	378.55
QUICK MED CLAIMS	RESCUE SERVICE	193.77
S2 ROLL-OFFS LLC	PARK SERVICE	320.00
HEREFORD WORKS	ELEC DIST REP/MAINT	68.04
ST. JOSEPH'S HILLSIDE VILLA	SR CNTR MEALS/ARPA	3,456.50
SAPP BROS	ELEC SERVICE FUEL OIL	16,410.62
SCHMADER ELECTRIC	POOL SUPPLIES	17.60
SKYWAVE WIRELESS	SERVICE	224.95
SPECIAL ROADS FUND	REP/MAINT EQUIP	650.52
VERIZON	PHONE SERVICE	90.84
VERIZON	POLICE MOBILE BROADBAND	120.03
VERIZON	CELL PHONE SERVICE	643.06
WELCH LAW FIRM P.C.	PROF SERVICE	577.50
WESCO RECEIVABLES CORP	ELEC DIST REP/MAIN/SUPPLIES	3,716.28
WP IMPLEMENT	STREET REPAIR	197.40
WP LIBRARY FOUNDATION	MEMBERSHIP/BOOKS/SUPPLIES	380.30
WEST POINT LIGHT & WATER	UTILITIES	29,485.65
WEST POINT LIGHT & WATER	CASH ADV REIMBURSE	2,042.00
WP NEWS	PUBLICATION COSTS	983.05
WP RESCUE	AMBULANCE CHARGES	965.00
WP TRUE VALUE	REP/MAINT BLDG/SUPPLIES	546.59
WOERNER'S GARBAGE	SERVICE	534.00
AGRIVISION EQUIPMENT GROUP	CEMETERY MAINT EQUIP	175.84
ARBOR DAY FOUNDATION	MEMBERSHIP	15.00
THOMAS BLACK	TRAVEL EXP	19.65
BOYD O. BEUNE	COMM CNTR PIANO	20.00
CITY OF FREMONT	POLICE - E CITATION	397.53
CITY OF NORFOLK	LIBRARY EXP	210.00
CONSOLIDATED MANAGEMENT	POLICE TRAINING	455.75
FAIRFIELD BY MARRIOTT	ELEC TRAINING	253.90
FRANCISCAN HEALTHCARE	SR CNTR-ARPA/SUPPLIES	157.77
HYDRO OPTIMIZATION & AUTOMATION	WTR TRMT SERVICE/REP	1,156.80
CHRIS KREIKEMEIER	COMM CNTR SUPPLIES	44.97
BRITTANY LARSEN	LIFEGUARD CERTIFICATION	332.00
LIBRARY IDEAS LLC	LIBRARY BOOKS	290.37
MCKINNIS, INC.	BLDG REPAIR	1,522.65

MELLEN & ASSOCIATES	WTR TRMT REP/MAINT EQUIP	2,325.40
MIRACLE RECREATION	PARK SLIDE	1,116.38
MNI	COMM CNTR AD	233.00
NALCO COMPANY	REP/MAINT	432.82
NATIONWIDE	ADMIN SURETY BOND	198.00
NE SOCIETY ASSOC EXECUTIVES	COMM CNTR ANNUAL MTG	30.00
NEBRASKA HARVESTORE SYSTEMS	REP/MAINT EQUIP	460.81
NETWORK PARTNERS, INC.	POLICE REP/MAINT	232.50
NORFOLK AREA SHOPPER	POLICE AD	111.05
OMAHA WORLD HERALD	LIBRARY SUBSCRIPTION	504.19
AUSTIN PEATROWSKY	POLICE TRAINING/TRAVEL	758.49
PETERSON BODY & PAINT	RESCUE REP/MAINT EQUIP	1,635.00
PORT-A-JOHNS	RESTROOM RENTAL	150.00
QUADIENT LEASING	SUPPLIES	441.09
SANDRY FIRE SUPPLY	FIRE CAPITAL EQUIP	10,311.50
SARGENT DRILLING	ARPA-WELL #8	88,885.12
SEED ENTERPRISES	PARK SUPPLIES	35.00
SIFFRING LANDSCAPING	PARK BLDGS/LANDSCAPING	1,368.78
STRYKER SALES	RESCUE SUPPLIES	938.58
SUNBELT SOLOMON SERVICES	ELEC-TRANSFORMER	22,571.73
THE WALLING COMPANY	REP/MAINT EQUIP	4,469.23
VESSCO	WTR TRMT CHLORINE EQUIP	926.74
WATCHGUARD VIDEO	POLICE REP/MAINT EQUIP	45.00

The City Administrator advised that the Planning Commission was unable to meet on June 5, 2023. The Rezoning of Lots 5 and 6, in Block 8, in 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), Alex & Whitney Stieren, Applicants, was tabled to the next meeting.

Next item on the agenda was the lot split of a tract of land described as the South 290 square feet of the W1/2 of Lot 4, in Block 47, in the Original Plat of the City of West Point, Cuming County, Nebraska. Ryan Kuester appeared before the Council on behalf of the Eagles. He asked that a purchase agreement that included all of their requests be provided before moving forward on the lot split. Their requests include a purchase price of \$150,000; 12ft paved easement for pedestrian and vehicle access; City to maintain easement and snow removal; provide legal description and lot split for the 290ft area; confirm water and sanitary sewer are located on city right of way if they are not a separate easement will be required; 15 year moratorium on pursuing additional Eagles property; the Eagles to move house, buildings and fixtures in 90 days by insured

mover; City will pay all closing cost and approval of the "Grand Aerie" for transaction. They requested to have a purchase agreement by Tuesday June 13th for their meeting. They would also like to negotiate the 3-5 year buy back at a later date after the balance of the purchase agreement is complete. This item was tabled to the next meeting.

Next on the agenda was the lot split of a tract of land being 1.76 acres located in the SW1/4 NW1/4 of Section 25, Township 22 North, Range 6, East of the 6th PM, Cuming County, Nebraska, located within the City's one mile jurisdiction (Ed Bracht, Applicant) was also tabled to the next meeting due to the lack of a Planning Commission meeting.

The next item on the agenda was the approval of the purchase agreement with the Eagles. It was tabled until the next meeting.

The City Administrator explained the City Attorney's recommendations in regard to the Johnson/Hansen property. The options being (1) criminal citation and prosecution to seek a fine, (2) remediating the condition and assessing the costs against the property, or (3) bring a civil lawsuit requesting that the court give a certain amount of time to remediate the condition, or else authorize the City to tear down the building. Following discussion, it was moved by Smith, seconded by Penrose to move forward with a civil lawsuit. Voting Yea: Stokely, Penrose, Hugo and Smith. Nay: None. Absent: Swenson and Buse. Motion carried.

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

1. Rick's Militaria and Collectibles and Treasures requesting \$45,000.00. Renovation of the former Tom's Rexall building. The Committee recommended \$40,000.00 with a \$20,000.00 grant and a \$20,000.00 loan with a five-year term on box.

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

2. Pizza Ranch requesting \$20,000. Replacing the front windows of the building. The Committee recommended a \$20,000 grant to be forgiven in five years.

It was moved by Penrose and seconded by Smith 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, Penrose, Hugo and Smith. Nay: None. Absent: Swenson and Buse. Motion carried.

3. With the closing of the Bohemian Duck, the Committee recommended accepting \$29,166.80 as the loan payoff and to forgive the balance of the grant in the same amount.

It was moved by Hugo and seconded by Penrose to approve the recommendations of the Economic Development Committee for the payoff of the above loan and grant in regards to the LB 840 Economic Development Funds. Voting Yea: Stokely, Penrose, Hugo and Smith. Nay: None. Absent: Swenson and Buse. 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. The Street Department puts the barricades along the side of the streets and alleys and the Fire Dept. sees that they get put up. Moved by Hugo and seconded by Smith, 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 for the annual fireworks show. Voting Yea: Stokely, Penrose, Hugo and Smith. Nay: None. Absent: Swenson and Buse. Motion carried.

The Council considered the new corporate manager application submitted to the Nebraska Liquor Control Commission by GHG BBQ LLC, dba Hide-Away Grill naming Tyler Westerman as manager. It was moved by Smith and seconded by Stokely to approve this application and to notify the Nebraska Liquor Control Commission of such approval. Voting Yea: Stokely, Penrose, Hugo and Smith. Nay: None. Absent: Swenson and Buse. Motion carried.

The next item on the agenda was the waiving of the rental fee for the Nielsen Community Center for all Red Cross bloodmobiles. It was moved by Stokely, seconded by Penrose, to waive the rental fee of the Nielsen Community Center for the Red Cross bloodmobiles on August 7th, October 2nd, and all future bloodmobiles. Voting Yea: Stokely, Penrose, Hugo and Smith. Nay: None. Absent: Swenson and Buse. Motion carried.

The City Administrator informed the Council that the 2011 Bucket Truck needs to be replaced. The City Administrator was requesting permission to proceed with purchasing a 2024 Ford F550 as a replacement vehicle. Following discussion, it was moved by Hugo, seconded by Smith, to proceed with the purchase of a new vehicle. Voting Yea: Stokely, Penrose, Hugo and Smith. Nay: None. Absent: Swenson and Buse. Motion carried.

Moved by Stokely, seconded by Smith, to approve the claim of Hugo Plumbing & Heating for services and supplies in the amount of \$3,885.07. Voting Yea: Stokely, Penrose and Smith. Nay: None. Absent: Swenson and Buse. Abstaining: Hugo. Motion carried.

Native 32 Winery made application to the Nebraska Liquor Control Commission for a Farmers Market Special Designated License Endorsement and the Liquor Control Commission issued a liquor license effective for a specific market location, being the West Point Farmers Market. In order for this license to be valid, the City must issue a permit. Moved by Stokely and seconded by Smith, to authorize the issuance a City Permit allowing Native Winery 32 use of the Special Designated License Endorsement during the West Point Farmers Markets. Voting Yea: Stokely, Penrose, Hugo and Smith. Nay: None. Absent: Swenson and Buse. Motion carried.

Penrose 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. 7 in the amount of \$211,350.85 and Application/Payment No. 8 in the amount of \$456,845.69 to Christiansen Construction Company for the West Point Aquatic Center Project and authorize the City Clerk to make payment.

Smith seconded the motion. The Mayor stated the motion and roll call resulted as follows: Yea: Stokely, Penrose, Hugo, and Smith. Nay: None. Absent: Swenson and Buse. The result of the vote 4 Yeas and 0 Nays, the Mayor declared the motion carried and said resolution adopted.

Moved by Stokely, seconded by Smith, to adjourn at 6:18 P.M. Voting Yea: Stokely, Penrose, Hugo and Smith. Nay: None. Absent: Swenson and Buse. Motion carried.