

## 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 Monday, October 9, 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 and Jerry Hugo. Absent: Ryan Penrose 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 north wall of the Council Chambers for public information. The Pledge of Allegiance was then recited.

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

1. City appointed volunteer boards and commissions
  - (a) Reappointment to LB840 Economic Development Citizen Advisory Review Committee of Chad Eisenmenger and appointment of Travis Oligmueller (4 year terms).
  - (b) appointment to Planning Commission of Brendan Rief (3 year term).
2. Fire & rescue departments – none.
3. Approval of minutes of previous meeting.
4. Treasurer's report.
5. Claims.
6. Approve the appointment of Austin Peatrowsky as Police Officer for the West Point Police Department.

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

CLAIMS		
	PAYROLL	217,746.52
BUSE MACHINE	STREET REPAIRS	1,575.00
HUGO PLUMBING & HEATING	SUPPLIES/REP/MAINT	36,108.63
TOM SWENSON ADVERTISING	UNIFORMS	429.04
CHRISTIANSEN CONSTRUCTION	POOL PROJECT PYMT #11	474,798.32
RUTJENS CONSTRUCTION	HWY 275 UTIL RELOC PYMT #3	24,800.00
CITY PAYROLL TAX FUND	EMPLOYER FICA	8,197.83
ASCENSUS	RETIRE CONTRIB	4,229.68
PETROMART	FUEL	1,087.65
WAPA	ELEC POWER	15,016.79

CVA	FUEL	915.02
WAGNER TIRE & REPAIR	FUEL/REP/MAINT	1,854.99
SAPP BROS	FUEL/REP/MAINT	3,083.42
NE DEPT OF REVENUE	SALES TAX	40,032.31
NE DEPT OF REVENUE	PARK SALES TAX	38.19
NE DEPT OF REVENUE	LIBRARY/NIELSEN SALES TAX	80.74
CCPPD	ELEC POWER	307.56
MEAN	ELEC POWER	332,571.47
CITY PAYROLL TAX FUND	EMPLOYER FICA	8,654.60
ASCENSUS LLC	RETIRE CONTRIB	4,164.41
BCBS OF NE	HEALTH INS	45,935.45
MUTUAL OF OMAHA	INS PREMIUM	1,790.57
AQUA-CHEM	POOL-REPAIR/SUPPLIES	243.54
AQUATIC DESIGN CONSULTANTS	POOL PROJECT ENGINEER	4,266.75
ARNOLD MOTOR SUPPLY	SUPPLIES	374.55
BSN SPORTS	PARK SUPPLIES	176.00
BARCO MUNICIPAL PRODUCTS	STREET SIGNS	226.15
BLACK HILLS ENERGY	GAS SERVICE	538.67
BOMGAARS SUPPLY	SUPPLIES	820.42
BORDER STATES	SUPPLIES/MATERIALS	4,818.56
BOUND TREE MEDICAL	RESCUE SUPPLIES	5,184.84
ELAN FINANCIAL SERVICES	SUPPLIES/CASH ADV	795.41
CENTURY LINK	PHONE SERVICE	1,033.91
CENTER POINT LARGE PRINT	LIBRARY BOOKS	1,639.44
CONSTELLATION NEWENERGY	GAS SERVICE	489.57
CORE & MAIN LP	WATER METERS	806.65
CORE HEALTH CLUB	POLICE TRAINING	234.00
CUMING COUNTY RURAL WATER	PARK - OCT-DEC 4TH QTR	138.00
CCPPD	ELEC WHEELING	5,727.12
DAVE'S DRYCLEANING	SERVICE	30.00
DINSLAGE SMALL ENGINE	REPAIR/SERVICE	476.70
DUTTON LAINSON	STREET LIGHTS	291.22
EAKES OFFICE SOLUTIONS	LIBRARY SERVICE	141.76
ELECTRONIC CONTRACTING	REPAIR	45.00
ELITE COMPUTERS	SUPPLIES/FRONT DESK PC	1,480.00
ENGELHARDT TV & COMM	SUPPLIES/REP/MAINT	1,278.45
GALE/CENGAGE LEARNING	LIBRARY BOOKS	206.91
GERHOLD CONCRETE	REPAIR/HIGHWAY 275 PROJECT	527.96
L. P. GILL	SAN TIPPING FEE	10,158.20
GILL HAULING	SAN HAULING FEE	4,004.71
GRAYBEAL'S FOOD	SUPPLIES	228.45
HAWKINS	WTR TRMT SUPPLIES	4,076.73
HEIMAN	FIRE SUPPLIES	3,714.32

HD SUPPLY	SUPPLIES	4,627.08
INGRAM LIBRARY SERVICES	LIBRARY BOOKS	1,399.89
JEO CONSULTING GROUP	ELEC GENERATION	12,760.00
JACKSON SERVICES	UNIFORMS/SUPPLIES	1,064.27
JOHN A. STAHL LIBRARY	POSTAGE	156.64
KANSAS CITY LIFE	FIRE/RESCUE INS PREMIUM	2,340.00
KAUP SEED & FERTILIZER	REP/SUPP	275.00
LEISURE LAWN	SERVICE	2,195.50
LESLIE'S POOLMART	SWR SUPPLIES	3,935.80
LOGEMANN AUTO PARTS	REPAIR/SUPP	1,185.41
MAHASKA	COMM CNTR CONC SUPP	414.98
MATHESON TRI-GAS	RESCUE SUPP	309.39
MICROMARKETING	LIBRARY AUDIO/BOOKS	265.45
MIDWEST LABORATORIES	LAB SERVICES	138.30
MIDWEST TAPE	LIBRARY DVD's	71.22
MUNICIPAL SUPPLY	REPAIR/SUPP	65.16
NE PUBLIC HEALTH	WTR LAB SERVICES	496.00
NE VET SERVICES	POLICE SERVICE	428.93
ONE CALL CONCEPTS	SERVICE	183.71
ONE OFFICE SOLUTION	SUPPLIES	968.46
OVERDRIVE	LIBRARY BOOKS	75.00
OVERHEAD DOOR CO	REPAIR	180.55
PRESTO X	SERVICE	397.72
QUICK MED CLAIMS	RESCUE SERVICE	207.82
S2 ROLL-OFFS	GARBAGE SERVICE	320.00
HEREFORD WORKS	REPAIR/SUPP	236.79
ST JOSEPH'S HILLSIDE VILLA	SR CNTR MEALS	3,918.19
SCHMADER ELECTRIC	SERVICE	2,328.00
SEALS & SERVICE	REP/SERVICE	119.90
SKYWAVE WIRELESS	SERVICE	210.10
SPARKLIGHT	WTR TRT (6mos)	465.00
SPECIAL ROADS FUNDS	REP/MAINT EQUIP	358.02
STALP GRAVEL	SUPPLIES	1,480.35
HD SUPPLY	SUPPLIES	307.29
VERIZON BUSINESS	PHONE SERVICE	79.75
VERIZON WIRELESS	CELL PHONE SERVICE	1,092.62
VRBICKY COMPUTER SERVICE	LIBRARY SERVICE	65.00
WELCH LAW FIRM	PROF SERVICE	26.25
WESCO RECEIVABLES CORP	TOOLS/MATERIALS	5,375.02
WP IMPLEMENT	SERVICE	3,285.00
WP LIBRARY FOUNDATION	BOOKS/DVDS/SUPP	2,377.81
WPLW	UTILITIES	37,917.25
WPLW	CASH ADV REIMBURSEMENTS	3,095.54

WP NEWS	ADS/PUBLICATION	1,300.95
WP RESCUE	AMBULANCE CHGS	1,465.00
WP TRUE VALUE	SUPPLIES	971.18
WP FIRE DEPT	TRAINING/SUPPLIES/EQUIP	8,104.96
WOERNER'S GARBAGE SERVICE	SERVICE	267.00
JOHN ADAMS	POLICE TRAINING	73.53
CUMING COUNTY ROAD DEPT	STREET REPAIR	81.00
FASTENAL	ELEC SUPPLIES	248.84
FRANCISCAN HEALTHCARE	SR CNTR ARPA/SUPPLIES	145.80
GOLIGHT	BUCKET TRUCK LIGHTS	788.40
GRAHAM TIRE FREMONT	POLICE TIRES	588.00
HOFELING ENTERPRISES	GRINDING SERVICES	14,500.00
HYDRAULIC EQUIP SERVICE	REP SERVICE	487.75
KNIFE RIVER MIDWEST	SUPPLIES	982.80
CHRIS KREIKEMEIER	CASH ADV-MEALS FOR MTGS	95.34
LIBRARY IDEAS	LIBRARY EDUCATION PLAY TABLE	6,585.00
MCGILL CONTRACTING	SERVICE	2,066.00
MEISTER REPAIR	STREET REPAIR	4,443.67
MORRISON TOM	TRAINING	203.76
MPH INDUSTRIES	REP/SUPPLIES	67.45
NACO	COMM CNTR EXHIBIT BOOTH	550.00
NE MUNICIPAL CLERKS ASSOC	DUES	100.00
NE AUTO REPAIR	ELEC EXP	188.10
NE DEPT OF AG	POLICE-ANIMAL LICENSES	51.24
NORFOLK DAILY NEWS	AD/SUBSCRIPTION	306.50
NE COMM COLLEGE	ELEC TRAINING	888.00
NOSWETT FENCING	CEMETERY/WHITE REPAIR	1,400.00
PORT-A-JOHNS	CARSHOW RENTAL	1,000.00
ROAD BUILDERS	REPAIR	1,137.31
SIRCHIE ACQUISITION	POLICE SUPP	190.42
STAN ORTMEIER & CO.	COMM CNTR REP/SERVICE	181.91
STRYKER SALES	RESCUE EQUIP	4,835.00
THE HARTFORD	FIRE INS PREMIUM	1,163.31
THREE RIVERS CLERKS ASSOC	DUES	10.00
ULTRA BRITE CARWASH	CARWASH TOKENS	200.00
WEST POINT PUBLIC SCHOOLS	OCCUPATION TAX	4,240.00

The Mayor opened a public hearing on the 1 Year & 6 Year Street Improvement Program. Terry Schulz, Advanced Consulting Engineering Services, appeared before the Council to review the 1 & 6 year street improvement program. The one year plan is basically maintenance which includes the intersection of Neligh Street and Colfax Street and Colfax Street from Bridge Street to

Park Street. The six-year plan includes paving of 18<sup>th</sup> Road from Washington Street south to Hwy 32; Colfax Street from 13<sup>th</sup> Street to Plaza Drive; Pine Street from Oak Street to Maple Street; and Sherman Street from Bruner Street to Beemer Street. After discussion, it was moved by Stokely and seconded by Buse to approve the 1 Year and 6 Year Street Improvement Plan as presented. Voting Yea: Stokely, Swenson, Buse and Hugo. Nay: None. Absent: Penrose and Smith. Motion carried.

Next the Council considered a request from Brent and Kari Simonsen to split a tract of land located partially in Lot 2, Spring Lake Addition and partially in Schmader's Second Addition to the City of West Point, Cuming County, Nebraska. The City Administrator explained that it is a simple lot split to close the rear property line. Stokely 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, AND WITHIN THE ZONING JURISDICTION OF SAID CITY, CUMING COUNTY, NEBRASKA.

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

Next the Council considered request from Ruth Schmaderer to split a tract of land located in the South 8 feet of the North 58 feet of said Lot 3, in Block 93, in the Original Plat, also described as being in Neligh's Addition, to the City of West Point, Cuming County, Nebraska. The City Administrator explained that it is a simple lot split adding 8 foot back to the property. Swenson 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

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

The Council then considered the request from the West Point Optimists for a reduced rate for use of one-fourth of the Nielsen Community Center for the Clothing Community-Share Project on November 7 & 8, 2023. This is the same request as the last several years and the Council previously

has reduced the rate to one-half of the regular rate. Following discussion, it was moved by Stokely, seconded by Swenson, to permanently waive the rental fee of the Nielsen Community Center during the two days only of the West Point Optimists Clothing Community-Share Project. The West Point Optimist will no longer have to come before the Council. They would coordinate directly with the Nielsen Community Center. Voting Yea: Stokely, Swenson, Buse and Hugo. Nay: None. Absent: Penrose and Smith. Motion carried.

David Branch, Cuming County Economic Development Director, came before the Council to request a three-year commitment of funds for the Cuming and Burt County Transportation program in the amount of \$4,500 annually. Stokely, moved to contribute \$4,500 annually for three years to the Cuming and Burt County Transportation program, and Buse seconded the motion. Voting Yea: Stokely, Swenson, Buse and Hugo. Nay: None. Absent: Penrose and Smith. Motion carried.

Kevin McElyea, Aquatic Design, and Chris Gilson, Christiansen Construction, appeared before the Council to give an update on the pool construction schedule. Christiansen Construction will be filing for an extension due to weather, equipment deliveries, manufacturing and material delays. Substantial completion date is looking like mid-April 2024. After the pool has been filled and training of City employees has taken place, it would be turned over to the City at that time.

In addition to approving a 1 Year & 6 Year Street Improvement Program, the City must also do an annual certification of program compliance. Swenson introduced a resolution that the Mayor of the City of West Point is hereby authorized to sign the Municipal Annual Certification of Program Compliance Form for the Nebraska Board of Public Roads Classifications and Standards. Hugo seconded the motion. Voting Yea: Stokely, Swenson, Buse and Hugo. Nay: None. Absent: Penrose and Smith. Motion carried and said resolution adopted.

Next was the six-month report on the LB 840 Economic Development program. The City Administrator presented the report stating that everything is on track for this program and there is approximately \$117,000.00 available. Currently, there are three pending applications.

Tina Biteghe Bi Ndong, Executive Director of the West Point Chamber of Commerce, appeared before the Council and presented the quarterly report on the Chamber's economic development activities. Moved by Hugo and seconded by Stokely to accept the report and approve the payment of \$5,000 for services July-September, 2023. Voting Yea: Stokely, Swenson, Buse and Hugo. Nay: None. Absent: Penrose and Smith. Motion carried.

Moved by Swenson, seconded by Stokely, to approve the claim of Hugo Plumbing & Heating for services and supplies in the amount of \$1,909.77. Voting Yea: Stokely, Swenson and Buse. Nay: None. Abstaining: Hugo. Absent: Penrose and Smith. Motion carried.

Buse 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. 12 in the amount of \$795,561.51 to Christiansen Construction Company for the West Point Aquatic Center Project and authorize the City Clerk to make payment.

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

The next agenda item was to discuss the potential purchase of real estate. Moved by Stokely, seconded by Buse to go into closed session at 6:35 PM for the protection of the public interest to discuss the potential purchase of real estate. Voting Yea: Stokely, Swenson, Buse and Hugo. Nay: None. Absent: Penrose and Smith. Motion carried. The Mayor then restated for the record the limitation of the subject matter of the closed session was for the protection of the public interest to discuss the potential purchase of real estate. At 6:45 PM the Mayor stated that the closed session had ended and that the only item discussed during the closed session was the potential purchase of real estate and that the Council was back in regular session.

Moved by Stokely, seconded by Buse, to approve the purchase real estate across from the Nielsen Center in the amount of \$200,000. Voting Yea: Stokely, Swenson, Buse and Hugo. Nay: None. Absent: Penrose and Smith. Motion carried.

Moved by Stokely, seconded by Swenson, to adjourn at 6:47 P.M. Voting Yea: Stokely, Swenson, Buse and Hugo. Nay: None. Absent: Penrose and Smith. Motion carried.