

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 o'clock P.M. on December 7, 2021 in the Council Chambers at the Municipal Building in West Point, Nebraska.

Present were: Mayor Bruce A. Schlecht; Councilmembers: Emma Stokely, Ryan Penrose, Tom Swenson, Jerry Hugo, and Rusty Smith. Absent: 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 west wall in the Council Chambers for public information. The Pledge of Allegiance was then recited.

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

1. City appointed volunteer boards and commissions:
 - a. Parks and Recreation Board: reappointment of Trent Kaup and Bill Landholm (3 year terms).
 - b. Housing Rehabilitation Board: reappointment of Mark Buse (5 year term).
2. Fire & rescue departments – accept the resignation of Carly Kindschuh from West Point Rescue and the resignations of Corey Schinstock and Daniel Osuna from West Point Vol. Fire Dept. and accept the application of Daniel Rodriguez for West Point Vol. Fire Dept.
3. Approval of minutes of previous meeting.
4. Treasurer's report.
5. Claims.

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

VENDOR	REFERENCE	AMOUNT
PAYROLL		162,688.44
Aquatic Design Consultants, Inc	Aquatic Facility project	28,400.00
City Payroll Tax Fund	Employer FICA	6,191.70
Ascensus LLC	Retirement	3,733.15
PetroMart	Fuel	1,282.44
Hugo Plumbing & Heating	Repair/service	1,008.52
Western Area Power Administrat	Elec power	8,974.56
Wagner Tire & Repair LLC	Fuel	1,087.33
Sapp Bros. Petroleum	Fuel	632.94
Central Valley Ag	Fuel	654.57
West Point Travel Plaza	Fuel	720.84
Cuming County Public Power	Elec power	84.53
City Payroll Tax Fund	Employer FICA	6,425.88
Ascensus LLC	Retirement	3,775.52
Nebraska Dept. of Revenue	Park sales tax	34.96
Nebraska Dept. of Revenue	Sales tax	52,213.85
Municipal Energy Agency of	Elec power	296,488.94

Mutual of Omaha	Life insurance	1,675.95
BCBS of Nebraska	Health insurance	59,385.95
Arnold Motor Supply	Repair/supplies	592.26
Barco Municipal Products	Supplies	406.05
Black Hills Energy	Gas service	994.64
Bomgaars Supply	Supplies	438.44
Border States Industries, Inc.	Supplies	12,026.82
Cardmember Service	Cash advance	926.71
Central Valley Ag	Repair/supplies	137.71
Century Link	Phone service	1,032.28
Constellation NewEnergy	Gas service	501.69
Cuming County Treasurer	LB 840/Interlocal Agreement	10,000.00
Cuming County Rural Water	Service	126.00
Cuming County Public Power	Elec/wheeling charge	5,648.72
Danko Emergency Equipment	Supplies	908.50
Knock Out Print and Design	Supplies	287.56
Dutton Lainson Co.	Elec supplies	535.33
Floor Maintenance	Supplies	842.03
Gale/CENGAGE Learning	Library books	327.12
Gall's Inc.	Police uniforms	238.74
Gerhold Concrete Company Inc.	Supplies	1,108.57
L. P. Gill Inc.	San tipping fee	10,397.92
Gill Hauling	San hauling fee	4,099.21
GRAINGER	Repair/supplies	1,566.19
Graybeal's Food	Supplies	119.28
gWorks	Fees/support/supp	10,336.95
Hawkins Inc.	Supplies	1,578.89
Heiman Fire Equipment	Fire supplies/hose	337.90
Hladky Fire & Safety LLC	Service	543.00
The Home Depot Pro	Supplies	1,941.74
Ingram Library Services	Library books	885.51
Jackson Services Inc.	Service/uniforms	882.98
Kaup Seed & Fertilizer	Supplies	330.00
Leisure Lawn Care	Repair/service	2,072.56
Leslie's Poolmart Inc.	Supplies	1,745.88
Logemann Auto Parts & Machine	Supplies	293.26
Mahaska	Supplies	356.48
Terry L. Martin	Cemetery grave opening	500.00
Matheson Tri-Gas Inc.	Supplies	482.13
MicroMarketing LLC	Library audios	586.42
Midwest Laboratories	Service	161.90
Midwest Service & Sales	Supplies	12,548.32
Midwest Tape	Library DVDs	252.36
NDEE	Wtr Trt-Oper License renewal	345.00
Nebraska Public Health	Service	93.00
Nebraska Public Power District	Service	67.50
Nebraska Vet Services	Service	200.00
NWEA	Membership dues	60.00
Nebuda Hauling	Service	27,016.44
North American Truck & Trailer	Service	349.99
OCLC, INC.	Service	45.75
OfficeNet	Supplies	87.06
One Call Concepts.	Service	103.72
Overdrive, Inc.	Library e-books	111.99

Overhead Door Co. of Norfolk	Repair/supplies	51.00
Presto X	Service	335.00
Quality Printing & Supplies	Supplies	597.73
Quick Med Claims	Rescue service	810.02
S2 Roll-Offs LLC	Service	190.00
Hereford Works LLC dba S&W	Supplies	106.22
St. Joseph's Hillside Villa	Sr Center meal service	3,451.50
Seals and Service Inc.	Supplies	32.41
Skywave Wireless Inc.	Service	154.05
Special Roads Fund	Mech chgs	323.66
Stalp Gravel	Supplies	4,303.81
Verizon Wireless	Police mobile broadband	120.03
Verizon Wireless	Cell phone service	297.27
Welch Law Firm P.C.	Prof service	5,872.50
West Point Implement	Supplies	23.13
West Point Light and Water	Utilities	31,084.09
West Point Light & Water	Cash adv.	1,062.86
West Point News	Publication costs	405.58
West Point Rescue	Ambulance chrgs	665.00
West Point True Value	Repair/supplies	524.39
White's Home Comfort LLC	Service	6,014.45
Woerner's Garbage Service	Garbage Service	267.00
Continental Western Group	Insurance premium	1,585.00
CROSS TECHNOLOGIES INC.	SERVICE	460.00
EMC INSURANCE COMPANY	Senior Center insurance prem.	5,804.00
FRANCISCAN HEALTHCARE	Senior Center supplies	108.04
GENE STEFFY AUTO GROUP	SUPPLIES	641.00
Jack's Uniforms & Equipment	Police Uniforms	119.90
ANGELA KIENBAUM	LIBRARY SERVICE	78.25
KLEEN WORKS	COMM CNTR SERVICE	684.50
LEWIS AG CO.	ADMIN SERVICE	1,750.00
LOFFLER COMPANIES	Police maintenance agreement	1,442.37
MACQUEEN EQUIPMENT	SUPPLIES	155.56
MEYER BUILDING	PARK SERVICE	105.00
MODERN MARKETING	POLICE SUPPLIES	1,347.61
NORFOLK DAILY NEWS	COMM CNTR AD	80.00
NORTHEAST COMM COLLEGE	TRAINING	1,410.00
NORTHEAST INSTANT RAIN	PARK SERVICE	80.00
P & H ELECTRIC INC.	REPAIR/SERVICE	6,646.70
PETERSON BODY & PAINT	COMM CNTR SUPPLIES	610.50
PORT-A-JOHNS	PARK SERVICE	190.00
QUADIENT LEASING INC.	SERVICE/SUPPLIES	397.14
STRACHAN SALES, INC.	SUPPLIES	264.90
TOM STRATMAN	FIRE SUPPLIES	199.11
TRUCK EQUIPMENT, INC.	REPAIR/SUPPLIES	273.20
VERIZON	PHONE SERVICE	86.16

Election of council president was then held. Swenson nominated Councilmember Hugo.

Moved by Swenson, seconded by Smith, that the nominations cease and that Councilmember

Hugo be elected Council President. Voting Yea: Stokely, Penrose, Swenson, and Smith. Nay:

None. Abstaining: Hugo. Absent: Buse. Motion carried. The Mayor declared Councilmember Hugo to be the Council President.

The Mayor announced his appointments to the standing committees as follows:

ADMINISTRATIVE:

*Jerry Hugo	Personnel Administration
Rusty Smith	Budget, Finance and Audit
Tom Swenson	Administrative Services

PUBLIC HEALTH & SAFETY:

*Tom Swenson	Police Services
Jerry Hugo	Fire and Rescue
Emma Stokely	Code Enforcement

UTILITIES:

*Mark Buse	Electric Plant and Distribution System
Rusty Smith	Water Treatment, Supply & Distribution
Jerry Hugo	Wastewater Treatment and San Sewer System; Franchises: Cable TV, Nat Gas & Telephone

PUBLIC WORKS:

*Emma Stokely	Streets, Alleys, Sidewalks and Parking
Ryan Penrose	Stormwater Drainage and Flood Control
Mark Buse	Sanitation and Solid Waste Disposal

RECREATION AND CULTURAL:

*Ryan Penrose	Parks and Recreation
Emma Stokely	Auditorium/Theater and Library
Tom Swenson	Senior Citizens

COMMUNITY DEVELOPMENT:

*Rusty Smith	Planning and Zoning
Mark Buse	Annexation, Subdivision & Housing Dev.
Ryan Penrose	Economic and Industrial Development

*Chairman

Moved by Stokely, seconded by Hugo, to approve said appointments. Voting Yea: Stokely, Penrose, Swenson, Hugo, and Smith. Nay: None. Absent: Buse. Motion carried.

Moved by Hugo, seconded by Smith, to approve the designation of Charter West Bank, F & M Bank, and Wells Fargo Bank as the official depositories of the City. Voting Yea: Stokely, Penrose, Swenson, Hugo, and Smith. Nay: None. Absent: Buse. Motion carried.

Moved by Penrose, seconded by Swenson, to approve the designation of West Point News as the official newspaper of the City. Voting Yea: Stokely, Penrose, Swenson, Hugo, and Smith. Nay: None. Absent: Buse. Motion carried.

The Mayor then announced his appointments of the statutory city officers as follows:

City Clerk
City Treasurer
City Physicians
Consulting Attorney
City Street Superintendent

Chief of Police
Police Officers

Part-time Police Officers

Fire Chief
Assistant Fire Chiefs

Rescue Squad Officers:

President
Vice-President
Secretary
Treasurer

Mary Kempf
Katherine Peterson
Dinklage Medical Clinic
Welch Law Firm
John A. Zwingman, License No. S-1397,
Class A, Contract Consultant, beginning 01/01/2022
John Adams
Kevin Kaup
Miguel Pena
Brett Vance
Jeffrey Black
Thomas Morrison
Cody Parker
Tom Stratman
Chris Schueth
Maurice Norton

Rick Wimer
Drew Wimer
Kelly Hansen
Brandon Biggs

Moved by Swenson, seconded by Penrose to approve said appointments. Voting Yea: Stokely, Penrose, Swenson, Hugo, and Smith. Nay: None. Absent: Buse. Motion carried.

Next on the agenda was to discuss water services. Peggy Watson and Peggy Cooper appeared before the Council concerning Peggy Watson's water service line and the bill received from Hugo Plumbing & Heating for repairs. There was a water leak under the street by Peggy Watson's residence and when Hugo Plumbing & Heating proceeded to repair it, it was discovered that three customers were served from the one service line. The bill for the repairs was divided by three and sent to each customer. Ms. Watson was objecting the bill. Current code states that only one customer shall procure water from the same service or supply pipe, but 50-60 years ago, party lines were done. No action was taken.

Rick Wimer of Inspro Insurance reviewed with the Council the City's general insurance coverage/premium with Employers Mutual Casualty Insurance Companies. It was stated that the workers comp coverage had a slight decrease and that there were increases in the property and auto coverage, but overall, the premium is less than last year. Moved by Smith and seconded by Penrose, to continue the City's general property and casualty insurance coverage with Employers Mutual Casualty Insurance Companies. Voting Yea: Stokely, Penrose, Swenson, Hugo, and Smith. Nay: None. Absent: Buse. Motion carried.

The Council was informed that at the residence of Doug Knobbe, being 624 E. Sherman Street, work was in progress of constructing parking stalls on the public right-of-way without approval. Mr. Knobbe was notified to stop the work but because of how far the project was, the City Administrator allowed him to finish. Mr. Knobbe was not aware that prior approval was needed. The Council did proceed to formally approve the parking. Moved by Hugo, seconded by Stokely, to allow the parking stalls on public right-of-way at the residence located at 624 E. Sherman Street. Voting Yea: Stokely, Penrose, Swenson, Hugo, and Smith. Nay: None. Absent: Buse. Motion carried.

Next the Council considered a request from Tyler Baumert – Plaza Car Wash, LLC to subdivide Lot 3, except the East 48 feet thereof, in West Point Travel Plaza Subdivision, 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 division of Lot 3, (except the East 48 feet thereof), into the three tracts be and the same is hereby approved. Stokely seconded the motion. Voting Yea: Stokely, Penrose, Swenson, and Hugo. Nay: None. Abstaining: Smith. Absent: Buse. Motion carried and said resolution adopted.

With the release of the 2020 federal census numbers, cities that elect councilmembers by wards are required to redraw the ward lines to maintain substantial population equity. Swenson introduced Ordinance No. 1425 entitled:

AN ORDINANCE OF THE CITY OF WEST POINT, NEBRASKA ESTABLISHING THE BOUNDARIES OF THE MUNICIPAL ELECTION WARDS; AMENDING SECTION 1-613 OF THE MUNICIPAL CODE AND ORDINANCE NO. 1328 WHICH HAD PREVIOUSLY ESTABLISHED SUCH BOUNDARIES; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND 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. Stokely seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Hugo, and Smith. Nay: None. Absent: Buse. 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. Absent: Buse. Ordinance adopted.

The next agenda item was to discuss the annual employee holiday bonus. Swenson asked that this not be on the consent agenda but under current business for discussion. This bonus has been set at \$100.00 since 2017 and he felt it should be increased to \$125.00. Moved by Smith and seconded by Swenson to increase the annual employee holiday bonus to \$125.00. Voting Yea:

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

Swenson introduced a resolution that the Mayor of the City of West Point is hereby authorized to sign the Year-End Certification of City Street Superintendent form from by the Nebraska Department of Transportation. Hugo seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Hugo, and Smith. Nay: None. Absent: Buse. Motion carried and said resolution adopted.

The Council then considered the Annual Maintenance Agreement between the Nebraska Department of Transportation and the City relating to the responsibilities/maintenance of the highways within the municipality. There was no change from the previous year in the lane miles being 3.94 lane miles or the cost per lane mile being \$1,545.00. Moved by Smith and seconded by Swenson to approve the Annual Maintenance Agreement with the Nebraska Department of Transportation for the period of January 1, 2022 to December 31, 2022. Voting Yea: Stokely, Penrose, Swenson, Hugo, and Smith. Nay: None. Absent: Buse. Motion carried

Smith introduced a resolution that the City of West Point is hereby authorized to join and cooperate with other countries, incorporated villages, and cities that are eligible and may wish to participate in the Northeast Nebraska Economic Development District through the execution of an Intergovernmental Agreement. Swenson seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Hugo, and Smith. Nay: None. Absent: Buse. Motion carried and said resolution adopted.

The Council considered the manager application submitted to the Nebraska Liquor Control Commission by Eagles Frat Order 3623 naming Chyanne Krause as manager. Moved by Swenson and seconded by Penrose to forward a favorable recommendation to the Nebraska Liquor Control Commission on this application. Voting Yea: Stokely, Penrose, Swenson, Hugo, and Smith. Nay: None. Absent: Buse. Motion carried.

Moved by Stokely, seconded by Penrose, to approve the following applications for Special Designated Liquor Permits under the Nebraska Liquor Control Act:

- (a) Assumption of the Blessed Virgin Mary for a Cornhole Tournament at the GACC Activities Center on January 14, 2022.
- (b) Roadhouse Lounge for the 2-I Conference at the Nielsen Community Center on January 26, 2022.

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

Moved by Swenson, seconded by Smith, to approve the claim of Hugo Plumbing & Heating for services and supplies in the amount of \$1,480.39. Voting Yea: Stokely, Penrose, Swenson, and Smith. Nay: None. Abstaining: Hugo. Absent: Buse. Motion carried.

Stokely introduced a resolution a to approve Change Orders No. 1 and No. 2 and Payment No. 4 (final) to Elkhorn Paving Construction Co., Inc. for Phase IV of the West Point Trails and Pathways Project in the amount of \$16,826.52. Penrose seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Hugo, and Smith. Nay: None. Absent: Buse. Motion carried and said resolution adopted.

City Administrator and Councilmember Smith spoke to the Council about the City developing a succession plan because of the number of employees that will be retiring in the next 2-7 years.

Police Chief Adams informed the Council that he wished to install two radar signs along Hwy 275 to notify motorists how fast they are traveling. He has heard concerns about the increase in traffic through town upon completion of the Hwy 275 4-lane project. Each sign will cost \$3,720.00 and one would be funded with Cuming County STOP funds.

The next agenda item was to discuss the potential purchase of real estate. Moved by Swenson, seconded by Smith to go into closed session at 6:30 PM for the protection of the public interest to discuss the potential purchase of real estate. Voting Yea: Stokely, Penrose, Swenson, Hugo, and Smith. Nay: None. Absent: Buse. 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 6:41 PM the Mayor stated that the closed session had ended and that the only item discussed during the closed session was the potential purchase real estate and that the Council was back in regular session.

Moved by Swenson, seconded by Smith, to adjourn at 6:42 P.M. Voting Yea: Stokely, Penrose, Swenson, Hugo, and Smith. Nay: None. Absent: Buse. Motion carried.

Mary Kempf, MMC
City Clerk

