

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 Tuesday, October 4, 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, Tom Swenson, Mark Buse, Jerry Hugo, and Rusty Smith. Absent: Ryan Penrose.

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

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

1. City appointed volunteer boards and commissions - none.
2. Fire & rescue departments – accept membership of Hilda Medina to West Point Rescue and the memberships of Chase Streeter and Jesus Torres to West Point Vol. Fire Dept and accept the resignation of Casey Lund from West Point Vol. Fire Dept.
3. Approval of minutes of previous meeting.
4. Treasurer's report.
5. Claims.

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

CLAIMS		
<u>VENDOR</u>		<u>AMOUNT</u>
	PAYROLL	196,989.93
WESTERN AREA POWER ADMIN	ELEC POWER	12,884.69
PETROMART	FUEL SERVICE	270.49
CENTRAL VALLEY AG	POLICE FUEL SERVICE	952.93
TAYLOR OIL COMPANY, INC.	FUEL SERVICE	908.52
SBT, INC.	FUEL SERVICE	2,289.48
HUGO PLUMBING & HEATING	REPAIR/MAINTENANCE/SUPPLIES	4,306.42
CITY PAYROLL TAX FUND	EMPLOYER FICA	7,071.39
ASCENSUS LLC	EMPLOYER RETIRE CONTRIB	3,882.50
CUMING COUNTY PUBLIC POWER	ELEC POWER	202.84
WAGNER TIRE & REPAIR LLC	FUEL/REPAIR/MAINTENANCE	1,016.63
NEBRASKA DEPT. OF REVENUE	SALES TAX	32,423.43
NEBRASKA DEPT. OF REVENUE	PARK SALES TAX	111.65
NEBRASKA DEPT. OF REVENUE	SAN FEE	25.00
MEAN	ELEC POWER	350,165.06
CITY PAYROLL TAX FUND	EMPLOYER FICA	8,093.16

ASCENSUS LLC	EMPLOYER RETIRE CONTRIB	4,045.58
BCBS OF NEBRASKA	HEALTH INS	52,586.74
MUTUAL OF OMAHA	EMPLOYEE INS	1,857.27
THE GOOD EARTH COMPANY	LB840 EC DEV LOAN/GRANT	50,000.00
AUTO VALUE PARTS	REPAIR/SUPPLIES	837.99
BARCO MUNICIPAL PRODUCTS	SUPPLIES	416.74
BOMGAARS SUPPLY	REPAIR/SUPPLIES	679.59
BORDER STATES INDUSTRIES	ELEC EQUIP/SUPPLIES	5,540.17
BOUND TREE MEDICAL	RESCUE SUPPLIES	584.99
CARDMEMBER SERVICE	CASH ADV/TRAINING/SUPPLIES	799.29
CENTRAL VALLEY AG	STREET-ELEC REP/MAINT	656.99
CENTURY LINK	PHONE SERVICE	1,027.22
CENTER POINT LARGE PRINT	LIBRARY BOOKS	1,639.44
COBRAHELP	ADMIN SERVICE	56.00
CONSTELLATION NEWENERGY	GAS SERVICE	1,103.03
CORE & MAIN LP	WTR MTRS	1,336.34
CUMING COUNTY CLERK	RECORDING FEE	106.00
CUMING COUNTY PUBLIC POWER	ELEC - WHEELING	5,791.80
DAVE'S DRYCLEANING	COMM CNTR SERVICE	51.00
DINSLAGE SMALL ENGINE	SERVICE	335.84
DUTTON LAINSON CO.	ELEC SUPPLIES/MATERIAL	6,218.85
EAKES OFFICE SOLUTIONS	LIBRARY SERVICE	54.00
ELECTRONIC CONTRACTING CO	COMM CNTR SUPPLIES/EQUIP	5,778.18
ENGELHARDT TV & COMMUNICA	LIBRARY EQUIPMENT	2,063.00
ENGELMEYER REPAIR LLC	PARK REP/MAINT	19.48
THE GALE GROUP	LIBRARY BOOKS	21.69
GALL'S INC.	POLICE SUPPLIES	117.93
GARRATT CALLAHAN CO.	SWR TRT SUPPLIES	4,347.00
GERHOLD CONCRETE COMPANY	STRT/WTR DIST/SUPPLIES	2,929.69
L. P. GILL INC.	SAN TIPPING FEE	11,071.06
GILL HAULING	SAN - HAULING FEE	4,364.59
GRAINGER	SWR TRT REPAIR/SUPPLIES	184.68
GRAYBEAL'S FOOD	SUPPLIES	98.14
HAWKINS INC.	WTR TRT SUPPLIES	3,836.20
HOME DEPOT PRO	SUPPLIES	340.62
INGRAM	LIBRARY BOOKS	1,246.52
JACKSON SERVICES INC.	UNIFORM/SERVICE/SUPPLIES	1,259.81
JOHN A. STAHL LIBRARY	LIBRARY CASH/POSTAGE	244.11
LEAGUE OF NEBRASKA	CONFERENCE	2,538.00
LEAGUE OF NE MUNICIPALITIES	WTR TRT TRAINING	55.00
LEISURE LAWN CARE	SERVICE/CONTRACTED SERVICE	1,868.00
LESLIE'S POOLMART INC.	SWR TRT SUPPLY	4,888.56
LOGEMANN AUTO PARTS	REPAIR/SUPPLIES	29.80
MAHASKA	COMM CNTR CONC SUPPLIES	457.26
TERRY MARTIN	CEMETERY SERVICE	100.00
MATHESON TRI-GAS INC.	RESCUE SUPPLIES	132.81
MICROMARKETING LLC	LIBRARY AUDIO BOOKS	783.04
MIDWEST LABORATORIES	SWR TRT LAB SERVICE	1,265.26
MIDWEST TAPE	LIBRARY HOOPLA/SUPPLIES	5,127.44
MUNICIPAL SUPPLY INC.	WTR DIST REPAIR/SUPPLIES	1,817.76
NEBRASKA LIBRARY COMMISSION	LIBRARY OVERDRIVE	500.00
NEBRASKA PUBLIC HEALTH	WTR DIST LAB SERVICE	63.00
NEBRASKA MUNICIPAL POWER	ELEC DIST TRAINING	500.00
NEBRASKA VET SERVICES	POLICE SERVICE/ANIMAL CONTROL	967.76

OCLC, INC.	LIBRARY SUPPLIES	47.69
ONE CALL CONCEPTS, INC.	WTR/ELEC SERVICE	97.88
OVERDRIVE, INC.	LIBRARY BOOKS	99.99
PRESTO X	PEST CONTROL SERVICE	362.56
QUADIENT FINANCE USA	POSTAGE	600.00
QUALITY PRINTING & SUPPLIES	SUPPLIES	1,352.54
QUICK MED CLAIMS	RESCUE SERVICES	1,099.73
S2 ROLL-OFFS LLC	PARK SERVICE	260.00
S & W WELDING INC.	ELEC DIST - MATERIAL	20.00
ST. JOSEPH'S HILLSIDE VIL	SR CNTR MEALS	4,340.00
SBT, INC.	ELEC SERV	11,700.00
SCHINSTOCK PAINTING	COMM CNTR DOOR REPAIR	825.00
SCHMADER ELECTRIC	ELEC SUPPLIES/REPAIR/SERVICE	823.85
SEALS AND SERVICE INC.	REPAIR/SUPPLIES	369.40
SKYWAVE WIRELESS INC.	SERVICE	4,641.55
SPARKLIGHT	SERVICE	452.68
SPECIAL ROADS FUND	REPAIR/SERVICE	236.83
STAN HOUSTON EQUIPMENT CO	STRT REPAIR/SUPPLIES	75.00
TJ CONSTRUCTION	PARK SERVICE	6,445.35
VERIZON	PHONE SERVICE	83.91
VERIZON BROADBAND	POLICE MOBILE BROADBAND	120.03
VERIZON WIRELESS	CELL SERVICE	589.11
VRBICKY COMPUTER SERVICE	LIBRARY SERVICE	601.25
WELCH LAW FIRM P.C.	PROF SERVICES	921.75
WEST POINT IMPLEMENT	STRT REPAIR/SUPPLIES	129.00
WEST POINT LIBRARY FOUND	LIBRARY CASH ADV	6,450.74
WEST POINT LIGHT AND WATER	UTILITIES	37,226.19
WEST POINT LIGHT & WATER	TRAINING/CASH ADV	3,206.04
WEST POINT NEWS	PUBLICATION COSTS	568.58
WEST POINT RESCUE	RESCUE SUPPLIES/AMBULANCE	1,649.08
WEST POINT TRUE VALUE	SUPPLIES	559.41
WOERNER'S GARBAGE SERVICE	SERVICE	267.00
A TO Z VAC N SEW LLC	CNTR REP/MAINT/EQUIP	4,092.00
AGRIVISION	STREET REPAIR/SUPPLIES	225.97
AQUA-AEROBIC SYSTEMS INC.	SWR PLT - EQUIP	6,674.37
ARBOR DAY FOUNDATION	MEMBERSHIP	15.00
BRIDGEWELL RESOURCES LLC	ELEC - POLES	26,838.82
COLONIAL RESEARCH	STRT SUPPLIES	171.42
CORE HEALTH CLUB	POLICE TRAINING	273.00
CUMMINS SALES & SERVICE	SWR TRT SERVICE	527.29
DELL MARKETING	LIBRARY-EQUIP	4,086.81
DOGGETT RON	MOVING EXP ALLOWANCE	1,500.00
EMC INSURANCE COMPANY	INS PREMIUM/RESCUE	222.00
FRANCISCAN HEALTHCARE	SR CNTR SUPPLY	208.99
JACK'S UNIFORMS	POLICE EQUIP	1,304.17
JONES AUTOMOTIVE	POLICE VEHICLE EQUIP	436.68
METAL DOORS & HARDWARE	COMM CNTR KITCHEN HARDWARE	107.00
NE ASSOC OF COUNTY OFFICIALS	COMM CNTR-EXHIBIT BOOTH	550.00
NE MUNICIPAL CLERKS ASSOC	MEMBERSHIP DUES	150.00
NEBRASKA AUTO REPAIR	ELEC - NELIGH PARK	188.10
NEBRASKA DEPT OF AG	DOG LICENSE FEES	42.70
NORFOLK DAILY NEWS	COMM CNTR AD/LIBRARY SUB	269.50
OMEGA ENGINEERING, INC.	ELEC PROD REP/SUPPLIES	3,360.90
PENNE TOOLS LLC	WTR TOOL	217.21

PORT-A-JOHNS	PARK SERVICE	225.00
SCHINSTOCK MARIA	POLICE SERVICE	25.00
TC HOME FURNISHINGS	COMM CNTR BENCHES	1,698.00
THE HARTFORD	FIRE/RESCUE INS PREMIUM	1,163.31
THREE RIVERS CLERKS ASSOC	DUES	20.00
TRAFFIC SAFETY WAREHOUSE	POLICE SUPPLY	223.35
US PLASTIC REPAIR	PARK REP/MAINT EQUIP	800.00
WEST POINT PUBLIC SCHOOLS	LIQUOR/TOBACCO LIC/POLICE FINES	4,950.00

The Mayor opened a public hearing on the 1 Year & 6 Year Street Improvement Program. Leanne Ritter of Advanced Consulting Engineering Services, appeared before the Council to review the 1 & 6 year street improvement program. The one year plan is basically maintenance and the six-year plan is paving of 18th Road from Washington Street south to Hwy 32. It was also stated that Butterfield Road will be moving further north because of the 275 Expressway Project and once this is done, the City should look into paving Colfax Street from 13th Street north. 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, Hugo, and Smith. Nay: None. Absent: Penrose. Motion carried.

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 9 & 10, 2022. The Council previously has reduced the rate to one-half of the regular rate. Moved by Smith, seconded by Stokely, to waive the rental fee of the Nielsen Community Center for the West Point Optimists Clothing Community-Share Project on November 9 & 10, 2022. Voting Yea: Stokely, Swenson, Buse, Hugo, and Smith. Nay: None. Absent: Penrose. Motion carried.

Phil Summers appeared before the Council requesting the City to allow for the sale and discharge of fireworks to celebrate the New Year which would be from 12:01 AM on December 29 to 11:59 PM on December 31. Ordinance No.1435 was then read by title only:

AN ORDINANCE OF THE CITY OF WEST POINT, NEBRASKA, AMENDING SECTION 7-402 OF ARTICLE 4 OF CHAPTER 7 OF THE MUNICIPAL CODE, BY ADDING SECTION 7-402(8), RELATING TO THE SALE AND USE OF FIREWORKS FOR THE CELEBRATION OF THE NEW YEAR; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Motion was made by Smith and seconded by Stokely to approve Ordinance No.1435 on its first reading. Voting Yea: Stokely, Swenson, Buse and Smith. Nay: None. Abstaining: Hugo (conflict

of interest as he sells fireworks). Absent: Penrose. Motion carried. Whereupon the Mayor declared Ordinance No. 1435 approved on its first reading.

The Council then considered the request from Kevin Klitz to vacate East Street which is adjacent to the property he has recently purchased. The City Administrator stated that the City has the right to vacate this street retaining title thereto and then sell the property to Mr. Klitz. Proper notice needs to be published and adjacent property owners notified, so if the Council wishes to proceed, the item can be placed on the agenda for the November council meeting. Moved by Smith and seconded by Swenson to proceed with the process of vacating East Street. Voting Yea: Stokely, Swenson, Buse, Hugo, and Smith. Nay: None. Absent: Penrose. Motion carried.

In addition to approving a 1 Year & 6 Year Street Improvement Program, the City must also do an annual certification of program compliance. Hugo 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. Swenson seconded the motion. Voting Yea: Stokely, Swenson, Buse, Hugo, and Smith. Nay: None. Absent: Penrose. 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 there are two applications that still need to be fulfilled. He also stated that he is working with the League of Nebraska Municipalities to make a legislative change. This change would bring more flexibility to second class cities. The current limitations are based on populations of 2,500 or less rather than the current ranking of 5,000 or less for second class cities. He further stated to consider having the review process go back to the Citizens Advisory Committee instead of the Council Community Development Committee.

The next agenda item was to discuss the salaries of the Mayor and Council. The last time the salaries were adjusted was in December, 2016 with the Mayor's salary set at \$6,000 per year and the Council's salary set at \$3,600 per year. It was stated that compensation of all members of the council may be increased only at the beginning of the full term of any member thereof. It was proposed to increase the salaries by 10%. Following discussion, Swenson introduced Ordinance No. 1436 entitled:

AN ORDINANCE OF THE CITY OF WEST POINT, NEBRASKA FIXING THE SALARIES OF THE MAYOR AND MEMBERS OF THE CITY COUNCIL OF THE CITY OF WEST POINT; PROVIDING FOR NO INCREASE OR REDUCTION DURING TERMS OF OFFICE EXCEPT AS PROVIDED BY LAW; PROVIDING FOR THE FIXING OF COMPENSATION OF OTHER OFFICERS, OFFICIALS. AND EMPLOYEES; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND PROVIDING THE TIME WHICH 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. Hugo seconded the motion to suspend the rules. Voting Yea: Swenson, Buse, and Hugo. Voting Nay: Stokely and Smith. Absent: Penrose. The motion to suspend the rules failed as it was not adopted by three-fourths of the Council. Then motion was made by Hugo and seconded by Swenson to approve Ordinance No.1436 on its first reading. Voting Yea: Swenson, Buse and Hugo. Voting Nay: Stokely and Smith. Absent: Penrose. Motion carried. Whereupon the Mayor declared Ordinance No. 1436 approved on its first reading.

The City Administrator stated that the Nielsen Community Center Advisory Board reviewed the rental fees for the Nielsen Community Center and he outlined the suggested changes. The last time the fees were adjusted was January 1, 2020. The new rates will become effective January 1, 2024. Following discussion, Smith introduced a resolution regulating the rental fees for use of the Donald E. Nielsen Community Center in the City of West Point, Nebraska. Buse seconded the motion. Voting Yea: Stokely, Swenson, Buse, Hugo, and Smith. Nay: None. Absent: Penrose. Motion carried and said resolution adopted.

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 Stokely and seconded by Smith to accept the report and approve the payment of \$5,000 for services July-September, 2022. Voting Yea: Stokely, Swenson, Buse, Hugo, and Smith. Nay: None. Absent: Penrose. Motion carried.

Moved by Buse, seconded by Smith, to approve the following applications for Special Designated Liquor Permits: (1) Win or Loss We Still Booze, LLC, dba Rush's Liquor Store for the West Point Community Theatre for a live theatre production on November 4, 5, & 6, 2022 and November 11 & 12, 2022; and (2) Feyerherm Enterprises, LLC, dba Roadhouse Lounge, for

Franciscan Care Services Event on December 9, 2022 at the Nielsen Center. Voting Yea: Stokely, Swenson, Buse, Hugo, and Smith. Nay: None. Absent: Penrose. Motion carried.

Moved by Smith, seconded by Stokely, to approve the claim of Hugo Plumbing & Heating for services and supplies in the amount of \$1,515.48. Voting Yea: Stokely, Swenson, Buse, and Smith. Nay: None. Abstaining: Hugo. Absent: Penrose. Motion carried.

The City Administrator reported on the following:

1. That the 1980 Ford Pitman bucket truck has not been used for several years and only has 3,000 miles on it. He stated that this vehicle will be taken to a company in Seward to remove the box which they will pay us \$3,500 for and then the cab and chassis will be converted into a sander.
2. That approx. \$131,000 of loss revenue will be realized at the transfer station when S2 opens its own transfer station. Once this happens, the City will need to re-evaluate the operation at its transfer station.
3. About 90% plan review has been completed on the levee improvement project.

Moved by Swenson, seconded by Smith, to adjourn at 6:22 P.M. Voting Yea: Stokely, Swenson, Buse, Hugo, and Smith. Nay: None. Absent: Penrose. Motion carried.

Mary Kempf, MMC
City Clerk

Publish: West Point News
October 20, 2022