

## 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 December 6, 2022 in the Council Chambers at the Municipal Building, 444 S. Main Street, West Point, Nebraska.

Present were: Mayor Schlecht; Councilmembers: Stokely, Penrose, Swenson, Buse, Hugo, and 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 in the Council Chambers for public information. The Pledge of Allegiance was then recited.

Moved by Smith and seconded by Penrose to approve the minutes of the Council meeting held on November 1, 2022. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

Moved by Penrose, seconded by Stokely, to accept the Certificate of Election as prepared by the Cuming County Clerk/Election Commissioner regarding the following positions:

Mayor	Bruce A. Schlecht
Ward 1 Council	Shea Stokely
Ward 2 Council	Jerry Hugo
Ward 3 Council	Rusty Smith

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

The next agenda item was to consider the third and final reading of the ordinance concerning the increase in the salaries of the Mayor and Council. The mayor's salary increasing from \$6,000 to \$6,600 and the council's salary increasing from \$3,600 to \$3,960.

Ordinance No. 1436 was read by title only:

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.

Hugo moved for final passage of the ordinance which motion was seconded by Swenson. Voting Yea: Swenson, Buse and Hugo. Voting Nay: Stokely, Penrose, and Smith. The result of the vote being a tie with 3 Yeas and 3 Nays. The Mayor then cast the deciding vote of yes and declared

Ordinance No. 1436 adopted.

Moved by Smith and seconded by Penrose to adjourn Sine Die. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

A reorganizational meeting of the Mayor and Council of the City of West Point, Nebraska was held at the Municipal Building in said City. Present were: Mayor-elect Schlecht; Councilmembers: Councilmember-elect Stokely, Councilmember Penrose, Councilmember Swenson, Councilmember Buse, Councilmember-elect Hugo, and Councilmember-elect Smith.

The newly elected Mayor and Councilmembers were then sworn in.

Election of council president was held. Swenson nominated Councilmember Hugo. Moved by Swenson and seconded by Smith, that the nominations cease and that Councilmember Hugo be elected Council President. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. 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  
Rusty Smith  
Tom Swenson

**PUBLIC HEALTH & SAFETY:**

\*Tom Swenson  
Jerry Hugo  
Shea Stokely

**UTILITIES:**

\*Mark Buse  
Rusty Smith  
Jerry Hugo

**PUBLIC WORKS:**

\*Shea Stokely  
Ryan Penrose  
Mark Buse

**RECREATION AND CULTURAL:**

\*Ryan Penrose  
Shea Stokely  
Tom Swenson

**COMMUNITY DEVELOPMENT:**

\*Rusty Smith  
Mark Buse  
Ryan Penrose

\*Chairman

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

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

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

The Mayor then announced the following appointments of the statutory city officers to be effective January 1, 2023:

City Clerk	Debbie Yosten
City Treasurer	Katherine Peterson
City Physicians	Franciscan Healthcare
Consulting Attorney	Welch Law Firm
City Street Superintendent	John A. Zwingman
Chief of Police	John Adams
Police Officers	Kevin Kaup
	Tom Morrison
	Miguel Pena
	Taylor Sauser
	Brett Vance
Fire Chief	Tom Stratman
Assistant Fire Chiefs	Maurice Norton
	Chris Schueth
Rescue Squad Officers:	
President	Rick Wimer
Vice-President	Drew Wimer
Secretary	Kelly Hansen
Treasurer	Brandon Biggs

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

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

1. City appointed boards and commissions:
  - a. Parks and Recreation Board: reappointment of Kathy Mahannah and Bonnie Kreikemeier (3 year terms).
  - b. LB 840 Economic Development Citizens Advisory Review Committee: reappointment of Dave Knievel and Austin Havranek and appointment of Aaron Brockmann (4 year terms).
2. Fire & Rescue Departments – accept the resignation of Daniel Rodriguez from the West Point Volunteer Fire Dept.

3. Treasurer's report.
4. Claims.
5. Authorize Annual Employee Holiday Bonus (\$125.00).

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

CLAIMS		
<u>Vendor</u>		<u>Amount</u>
	PAYROLL	189,036.12
CITY PAYROLL TAX FUND	EMPLOYER FICA	7,257.54
MUTUAL OF OMAHA	INSURANCE	1,814.97
DANKO EMERGENCY EQUIPMENT	FIRE SERVICE/REPAIR	828.13
HUGO PLUMBING & HEATING	SERVICE/REPAIR	8,983.96
PETROMART	FUEL	2,077.84
ASCENSUS LLC	RETIRE CONTRIB	4,002.92
gWorks	FEES/SUPPORT/SUPPLIES	9,811.00
WAGNER TIRE & REPAIR LLC	FUEL	1,173.94
CENTRAL VALLEY AG	FUEL SERVICE	1,122.64
BLACK HILLS ENERGY	GAS SERVICE	709.19
Sapp Bros. Petroleum	FUEL	2,509.49
Western Area Power Administration	ELEC POWER	8,974.56
CUMING COUNTY PUBLIC POWER	ELEC POWER	153.42
NEBRASKA DEPT. OF REVENUE	SALES TAX	31,350.01
NEBRASKA DEPT. OF REVENUE	PARK SALES TAX	176.49
CITY PAYROLL TAX FUND	EMPLOYER FICA	7,276.64
ASCENSUS LLC	RETIRE CONTRIB	4,011.00
MEAN	ELEC POWER	296,282.58
MUTUAL OF OMAHA	INSURANCE	1,958.92
BCBS OF NEBRASKA	HEALTH INS	55,724.53
ARNOLD MOTOR SUPPLY	REPAIR/SUPPLIES	2,623.43
BARCO MUNICIPAL PRODUCTS	STREET-TRAFFIC SUPPLY	415.64
BLACK HILLS ENERGY	GAS SERVICE	994.71
BOMGAARS SUPPLY	SUPPLIES	465.26
BORDER STATES INDUSTRIES, INC.	SUPPLIES	2,077.53
BOUND TREE MEDICAL	RESCUE SUPPLIES	201.17
CARDMEMBER SERVICE	SUPPLIES	792.64
CENTURY LINK	PHONE SERVICE	1,033.93
CONSTELLATION NEWENERGY	GAS SERVICE	765.40
CORE & MAIN LP	ELEC METERS	4,431.54
CORE HEALTH CLUB, LLC	POLICE TRAINING	273.00
CUMING COUNTY TREASURER	LB840 - Cuming Co. Ec. Dev.	22,539.77
CUMING COUNTY PUBLIC POWER	ELEC WHEELING CHGS	5,791.80
DANKO EMERGENCY EQUIPMENT	RESCUE REPAIR/SUPPLIES	541.25
DAVE'S DRYCLEANING	COMM CNTR SERVICE	30.00
DINKLAGE MEDICAL CLINIC	POLICE SERVICE	75.00
KNOCK OUT PRINT AND DESIGN	SUPPLIES	557.12
DUTTON LAINSON CO	ELEC TOOLS	344.56
ELECTRONIC CONTRACTING CO	COMM CNTR SERVICE	2,375.00
GALE/CENGAGE LEARNING	LIBRARY BOOKS	335.99
GALL'S INC	POLICE UNIFORM/SUPPLIES	298.65
L. P. GILL INC.	SAN TIPPING FEE	8,357.96
GILL HAULING	SAN HAULING FEE	3,294.97
GRAINGER	REPAIR/SUPPLIES	78.21
GRAYBEAL'S FOOD	SUPPLIES	111.90

HAWKINS INC.	WTR TRT SUPPLIES	1,722.58
HEIMAN INC	FIRE-UNIFORMS	420.40
HLADKY FIRE & SAFETY LLC	SERVICE	1,178.00
HD SUPPLY FACILITIES MAINT LTD	SUPPLIES	458.04
INGRAM LIBRARY SERVICES	LIBRARY BOOKS	1,271.93
JACKSON SERVICES INC.	UNIFORM SERVICE	991.79
JOHN A. STAHL LIBRARY	POSTAGE/SUPPLIES	78.83
LEISURE LAWN CARE	SERVICE-PARKS	7,257.12
LESLIE'S POOLMART INC.	SWR TRT SUPPLIES	4,888.56
LOFFLER COMPANIES	POLICE MAINT AGREEMENT	1,524.46
LOGEMANN AUTO PARTS	REPAIR/SUPPLIES	727.67
MAHASKA	COMM CNTR CONCESSIONS	266.33
MATHESON TRI-GAS INC.	RESCUE SUPPLIES	302.20
MICROMARKETING LLC	LIBRARY BOOKS	632.05
MIDWEST LABORATORIES INC	SWR TRMT SERVICE	194.92
MIDWEST TAPE LLC	LIBRARY AUDIO/BOOKS	221.92
NEBRASKA PUBLIC HEALTH	WTR DIST LAB SERVICE	94.00
NEBRASKA VET SERVICES	POLICE SERVICE	200.00
OCLC, INC.	LIBRARY COMMUNICATIONS	47.69
ONE CALL CONCEPTS, INC.	WTR/ELEC SERVICE	75.13
ONE OFFICE SOLUTION	OFFICE SUPPLIES	593.57
OVERDRIVE, INC.	LIBRARY BOOKS	129.99
PRESTO X	SERVICE	378.55
QUADIENT FINANCE USA	POSTAGE	599.42
Quick Med Claims	RESCUE SERVICES	1,054.17
S2 ROLL-OFFS LLC	PARK SERVICE	190.00
S&W WELDING	REPAIR SERVICE	316.00
St. Joseph's Hillside Villa	SR CNTR MEALS	3,627.00
SCANTRON	ELEC SERVICE	56.00
Schinstock Painting LLC	PARK SERVICE	1,521.36
Schmader Electric	ELEC DIST SERVICE	860.00
Seals and Service Inc.	STRT REPAIR	65.00
SKYWAVE WIRELESS INC.	SERVICE	899.51
Special Roads Fund	MECHANIC CHGS	455.34
Stalp Gravel	SUPPLIES	85.60
Sunrise Excavating Co.	SNOW REMOVAL	793.00
Verizon Business	PHONE SERVICE	105.41
VERIZON WIRELESS	POLICE MOBILE BROADBAND	120.03
VERIZON WIRELESS	SERVICE	588.98
WAGNER TIRE & REPAIR LLC	SERVICE/REPAIR	2,429.94
West Point Implement	REPAIR/SUPPLIES	14.37
WEST POINT LIBRARY FDTN	LIBRARY SUPPLIES	502.71
West Point Light and Water	UTILITIES	32,459.90
West Point Light & Water	CASH ADVANCES	3,049.36
West Point News	PUBLICATIONS	697.62
West Point Rescue	TRAINING/SUPPLIES/AMBL CHRGE	4,257.83
WEST POINT TRUE VALUE	SUPPLIES	649.69
WOERNER'S GARBAGE SERVICE	SERVICE	267.00
4S SERVICE & REPAIR LLC	SERVICE/REPAIR	5,689.22
BIRDS & BLOOMS	LIBRARY SUBSCRIPTION	29.91
BRADFIELD REPAIR	SAN REPAIR	25.00
BRODART CO.	LIBRARY SUPPLIES	125.81
CONSOLIDATED MANAGEMENT	POLICE TRAINING EXP	14.60

CONTINENTAL WESTERN GROUP	PREMIUM	1,585.00
CROSS TECHNOLOGIES INC.	SAN SERVICE	525.00
DIRECT SUPPLY INC.	SWR REP/MAINT	876.99
EMC INSURANCE COMPANY	SR CNTR INSURANCE	6,853.00
FRANCISCAN HEALTHCARE	POLICE SERVICE	630.49
HOTSY EQUIPMENT CO.	STREET REPAIR	128.05
HYDRAULIC EQUIPMENT SERVICE	ELEC DIST REP/MAINT	1,515.00
IIMC	DUES	185.00
JACK'S UNIFORMS & EQUIPMENT	POLICE UNIFORMS	139.95
ANGELA KIENBAUM	LIBRARY SERVICE	357.60
NEBRASKA AUTO REPAIR	SERVICE/REPAIR	188.10
NORFOLK DAILY NEWS	COMM CNTR AD	70.00
NORTHEAST INSTANT RAIN/SOD	PARK REP/MAINT	799.88
QUADIENT LEASING INC.	SERVICE	441.09
STRYKER SALES LLC.	RESCUE REP/MAINT EQUIP	162.98
WATCHGUARD VIDEO	POLICE SUPPLIES	31.46
AQUATIC DESIGN CONSULTANTS,	POOL - PROF SERVICE	8,533.50

The Mayor then opened a public hearing to consider the application for a Class DK liquor license of BB Gas, LLC, dba Petro Mart. There were no comments from the public and no correspondence has been received. Moved by Swenson, seconded by Smith, to approve the application of BB Gas, LLC, dba Petro Mart for a Class DK liquor license at 226 S. Lincoln Street and that the Nebraska Liquor Commission be notified of this action. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

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 property values have increased slightly in part by adding the new playground equipment. Mr. Wimer also reviewed with the Council the cyber liability coverage from two companies. It was moved by Smith and seconded by Swenson, to continue the City's general property and casualty insurance coverage with Employers Mutual Casualty Insurance Companies and the cyber liability coverage with Cowbell Cyber. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

Next the Council considered a request from David Knievel for the subdivision of real estate located in Lot 3, Block 105, in the City of West Point, also known as being in David Neligh's Addition to the City of West Point, Cuming County, Nebraska. When the house that was constructed on Lot 2, it encroached onto the neighboring property, being Lot 3. This lot split will remedy the situation. The City Administrator advised that the Planning Commission had considered the matter and was

forwarding a favorable recommendation. Smith introduced the following resolution and moved its adoption:

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF WEST POINT, NEBRASKA, TO APPROVE A CERTAIN CONVEYANCE OF REAL ESTATE LOCATED WITHIN THE CITY OF WEST POINT, CUMING COINTY, NEBRASKA.

Buse seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. 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 Hugo and seconded by Smith to approve the Annual Maintenance Agreement for the period of January 1, 2023 to December 31, 2023. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried

Moved by Penrose and seconded by Swenson to appoint Councilmember Smith as the City's representative to the Cuming County Economic Development Board. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

Moved by Stokely, seconded by Buse, to approve the application for a Special Designated Liquor Permit for St. Mary's Church for a Cornhole Tournament on Friday, January 6, 2023 at the GACC Activities Center. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

Moved by Smith seconded by Buse, to approve the claim of Tom Swenson Advertising for promotional items for the Nielsen Center in the amount of \$1,796.28. Voting Yea: Stokely, Penrose, Buse, Hugo, and Smith. Nay: None. Abstaining: Swenson. Motion carried.

Moved by Buse seconded by Smith, to approve the claim of Hugo Plumbing & Heating for services and supplies in the amount of \$1,365.36. Voting Yea: Stokely, Penrose, Swenson, Buse, and Smith. Nay: None. Abstaining: Hugo. Motion carried.

Moved by Smith and seconded by Swenson to authorize the Mayor to sign a Letter of Intent to the Nebraska Department of Economic Development for a grant from the Community and Civic Center Financing Fund Program in the amount of \$562,000 for the new Aquatic Center

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

The next agenda item being the approval of Application/Payment #1 to Christiansen Construction for the West Point Aquatic Center Project was passed over and no action was taken.

Moved by Smith, seconded by Swenson, to adjourn at 5:53 P.M. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

Mary Kempf, MMC  
City Clerk