

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, November 7, 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, Tom Swenson, Mark Buse, Jerry Hugo, and Rusty Smith. Absent: None.

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

1. Appointments to the Planning Commission: Alex Stieren (Term expires May 2026) and Goldenrod Housing Agency: Debbie Yosten (5 year term).
2. Fire & rescue departments – accept memberships and resignations - none.
3. Approval of minutes of previous meeting.
4. Treasurer's report.
5. Claims.

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

CLAIMS

	PAYROLL	103,716.57
CITY PAYROLL TAX FUND	Employer FICA	8,444.20
ASCENSUS	RETIRE CONTRIB	4,169.33
TAYLOR OIL COMPANY	FUEL	88.50
WAGNER TIRE & REPAIR	FUEL	1,246.13
WAPA	ELEC POWER	10,378.09
CVA	FUEL	1,380.12
SAPP BROS	FUEL	4,311.20
PETROMART	FUEL	387.95
HUGO PLUMBING & HEATING	REP/MAINT/SUPPLIES	1,909.77
CHRISTIANSEN CONSTRUCTION CO	POOL PROJECT PAYMENT #12	795,561.51
CHAMBER OF COMMERCE	ECON DEV 4TH QTR 2023	5,000.00
CCPPD	ELEC POWER	351.62
NE DEPT OF REVENUE	SALES TAX	35,146.21
NE DEPT OF REVENUE	PARK SALES TAX	220.14
NE DEPT OF REVENUE	NIELSEN SALES TAX	59.60
CITY PAYROLL TAX FUND	EMPLOYER FICA	7,854.12
ASCENSUS	RETIRE CONTRIB	4,160.27
MEAN	ELEC POWER	302,443.87
MCS CONSTRUCTION	THEATRE PROJECT	29,852.50
EMC INS	INS PREMIUM	1,409.00
BCBS OF NE	HEALTH INS	45,935.45

MUTUAL OF OMAHA	INS PREMIUM	1,938.37
CITY OF WEST POINT	OFFICE SUPPLIES	35.00
DINSLAGE SMALL ENGINE	PARK REPAIR SERVICE	476.70
VERIZON WIRELESS	CELL PHONE SERVICE	505.55
VERIZON WIRELESS	CELL PHONE SERVICE	289.42
ADVANCED CONSULTING	PROF SERVICE	1,000.00
ARNOLD MOTOR SUPPLY	SUPPLIES	735.15
BARCO MUNICIPAL PRODUCTS	STREET SIGNS	126.66
BLACK HILLS ENERGY	GAS SERVICE	789.22
BOMGAARS	SUPPLIES	9,202.34
BORDER STATES	ELEC SUPPLIES	301.47
ELAN FINANCIAL SERVICES	TRAIN/TRAVEL/SUPPLIES	5,408.01
CENTURY LINK	PHONE SERVICE	1,045.54
CONSTELLATION NEWENERGY	GAS SERVICE	106.97
CORE HEALTH CLUB	POLICE TRAINING	234.00
CUMING COUNTY CLERK	RECORDING FEE	38.00
CCPPD	ELEC WHEELING	5,727.12
DANKO EMERGENCY EQUIP	FIRE EQUIP REP/MAINT	2,473.27
DURABLE FLAGS	FLAGS	713.60
DUTTON LAINSON	STREET LIGHTS	4,574.96
EAKES OFFICE SOLUTIONS	EQUIP REP	54.02
ELECTRONIC CONTRACTING	COUNCIL CHAMBERS SYSTEM	4,123.39
ELITE COMPUTERS	SUPPLIES	10.00
ERNESTI TREE SERVICE	SERVICE	4,700.00
GALE/CENGAGE LEARNING	LIBRARY BOOKS	229.30
GALL'S INC	SUPPLIES	499.95
GERHOLD CONCRETE	STREET REPAIR	585.24
L. P. GILL	SAN TIPPING FEE	9,761.70
GRAYBEAL'S FOOD	SUPPLIES	61.33
gWorks	LICENSE FEES/SUPPORT	12,680.00
HAWKINS	WTR TRMT SUPPLIES	3,411.37
HD SUPPLY	SUPPLIES	754.10
INGRAM LIBRARY SERVICES	LIBRARY BOOKS	1,069.30
JEO CONSULTING GROUP	PROF SERV/GENERATION	4,085.00
JACKSON SERVICES	UNIFORMS/SUPPLIES	1,109.03
JOHN A. STAHL LIBRARY	LIBRARY POSTAGE	87.98
THE LEAGUE OF NEBRASKA	FALL CONF	1,275.00
LOGEMANN AUTO	EQUIP REP/MAINT	863.36
MAHASKA	COMM CNTR CONC SUPP	510.92
MATHESON TRI-GAS	RESCUE SUPPLIES	338.92
MICROMARKETING	LIBRARY BOOKS/SUPPLIES	515.67

MIDWEST LABORATORIES	LAB SERVICE	163.55
MIDWEST SERVICE & SALES	MAINTAINER BLADES	3,570.00
MIDWEST TAPE	LIBRARY SUPPLIES	272.63
MUNICIPAL SUPPLY	WTR DIST REP/SUPPLIES	790.72
NE DEPT OF ENVIRONMENT & ENERGY	OPER LICENSE	460.00
NEBRASKA PUBLIC HEALTH	LAB SERVICE	2,228.90
NE MUNICIPAL POWER POOL	ELEC DIST TRAINING	500.00
NE VET SERVICES	POLICE SERVICE	258.00
ONE OFFICE SOLUTION	OFFICE SUPPLIES	694.40
PILGER CONCRETE RECYCLING	PARKING LOT REP/MAINT	678.08
PRESTO X	LIBRARY SERVICE	86.65
QUADIENT FINANCE USA	POSTAGE	810.90
QUICK MED CLAIMS	RESCUE SERVICE	416.70
S2 ROLL-OFFS	GARBAGE SERVICE	640.00
HEREFORD WORKS	STREET REP	17.62
SCANTRON	RESCUE-ADDTL EMAIL	40.00
SCHMADER ELEC	CONT SERVICES	35,974.58
SEALS & SERVICE	REP/MAINT	12.50
SKYWAVE WIRELESS	COMM CNTR SERVICE	210.10
SPECIAL ROADS FUND	EQUIP REP/MAINT	142.95
HD SUPPLY	SUPPLIES	133.23
VERIZON BUSINESS	PHONE SERVICE	68.89
WESCO RECEIVABLES	STREET LIGHTS	38,535.24
WP IMPLEMENT	STREET REPAIR	69.09
WP LIBRARY FOUNDATION	SUBSCRIPTION/MUSEUM PASS	1,653.53
WPLW	UTILITIES	28,807.80
WPLW	CASH ADV REIMBURSEMENTS	2,883.48
WP NEWS	ADS/PUBLICATION	834.25
WP RESCUE	AMBULANCE CHGS	800.00
WP TRUE VALUE	SUPPLIES	690.06
WOERNER'S GARBAGE SERVICE	GARBAGE SERVICE	267.00
HOG SLAT	SUPPLIES	5.23
HYDRO OPTIMIZATION & AUTOMATION	WTR TRMT SERVICE	4,506.40
IIMC	DUES	185.00
J.P. COOKE CO	POLICE SUPPLIES	70.70
JC CROSS CO	SWR PLANT REP	401.38
CHRIS KREIKEMEIER	MEAL-CYN CONFERENCE/SUPP	36.90
LINCOLN MARRIOTT CORNHUSKER	TRAINING	660.00
NE AUTO REPAIR	POLICE REPAIR	114.49
NETWORK PARTNERS	EQUIP REP/MAINT	542.50
NORFOLK AREA SHOPPER	POLICE AD	444.20

PETERSON BODY & PAINT	COMM CNTR SIGNS	450.00
PORT-A-JOHNS	PARK PORTA POTTIES	900.00
POSTMASTER	PERMIT FEE	310.00
ROAD BUILDERS	STREET REP/KOMATSU	22,456.02
SARGENT DRILLING	WTR PLANT REP/MAINT	8,002.90
SIRCHIE ACQUISITION	POLICE SUPPLIES	345.11
STAN ORTMEIER & CO.	COMM CNTR REPAIR	238.84
SUNBELT SOLOMON SERVICES	TRANSFORMER	28,015.53
THE HARTFORD	FIRE INS PREM	28.38
BRETT VANCE	CAP EQUIP REIMBURSEMENT	129.99
VESSCO	WTR TRMT PLANT EQUIP	712.00
WT COX INFORMATION SERV	LIBRARY SUBSCRIPTION	1,235.57

The Mayor opened a public hearing to rezone Kings 1ST, Lots 1, 2 and 8, Block 7, in West Point City, Cuming County, Nebraska, from Residential Single Family District (R-1) to Highway Commercial District (C-2). The Planning Commission was forwarding a favorable recommendation. All parties were given an opportunity to be heard. No one appeared to speak in opposition of the rezoning and no correspondence had been filed. The Mayor then closed the public hearing. Smith introduced Ordinance No. 1443 entitled:

AN ORDINANCE OF THE CITY OF WEST POINT, NEBRASKA, AMENDING ZONING ORDINANCE NO. 1401 TO REZONE THE AREA DESCRIBED HEREIN FROM RESIDENTIAL SINGLE FAMILY DISTRICT (R-1) TO HIGHWAY COMMERCIAL DISTRICT (C-2); REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL 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. Swenson seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo and Smith. Nay: None. Motion carried. Statutory rule suspended. Buse moved for final passage of the ordinance, which motion was seconded by Hugo. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo and Smith. Nay: None. Ordinance adopted.

The Mayor then opened a public hearing to rezone the West 44 feet of Lots 11 and 12, Block 18, in the Original Plat of the City of West Point, Cuming County, Nebraska, from Highway Commercial District (C-2) to General Commercial District (C-1). The Planning Commission was forwarding a favorable recommendation. All parties were given an opportunity to be heard. No one appeared to speak in opposition of the rezoning and no correspondence had been filed. The Mayor

then closed the public hearing. Swenson introduced Ordinance No. 1444 entitled:

AN ORDINANCE OF THE CITY OF WEST POINT, NEBRASKA, AMENDING ZONING ORDINANCE NO. 1401 TO REZONE THE AREA DESCRIBED HEREIN FROM HIGHWAY COMMERCIAL DISTRICT (C-2) TO GENERAL COMMERCIAL DISTRICT (C-1); REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL 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. Penrose seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo and Smith. Nay: None. Motion carried. Statutory rule suspended. Smith moved for final passage of the ordinance, which motion was seconded by Swenson. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo and Smith. Nay: None. Ordinance adopted.

Next on the agenda the Council considered the plans and specifications for a canoe launching pad. The City Administrator advised the Council that the public has expressed interest in gaining access to the Elkhorn River on property owned by the City. He also advised that this project has been included in the budget and in the levee project. Dave Wimmer, Park Board member, said that the NRD approved a \$30,000 grant toward this project. Jerry Ortmeier was present with questions and concerns. After some discussion on the types of water crafts being allowed to use the launch pad, liability of the surrounding landowners and the rules of usage, it was moved by Penrose, seconded by Hugo, to approve the plans for a launch pad. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo and Smith. Nay: None. Motion carried.

The City Administrator reviewed the Engineering Contract for paving improvements. The contract includes the Neligh and Colfax Intersection along with storm drains, the block between Bruner and Beemer on Sherman Street, the block on Colfax Street between Bridge and Park Street. It was moved by Smith, seconded by Stokely, to approve the Contract. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo and Smith. Nay: None. Motion carried.

The Council reviewed the request of Doug Throener for the conveyance of a 3.05 acre tract located in the West 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 12, Township 21 North, Range 6 East of the 6th P.M., Cuming County, Nebraska, which property is located within the city one-mile jurisdiction. In order to do so, a variance from the subdivision regulations is needed.

The City Administrator advised that the Planning Commission was forwarding a favorable recommendation. It was moved by Smith and seconded by Swenson to authorize a variance from the requirements of the Subdivision Ordinance 1402 and waiving the subdivision platting of a portion of the West 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 12, Township 21 North, Range 6 East of the 6th P.M., Cuming County, Nebraska. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

The City Administrator advised that each year the City must certify to the Nebraska Department of Transportation its licensed street superintendent which is John A. Zwingman of Advanced Consulting Engineering Services. Stokely introduced the resolution that the Mayor is hereby authorized to sign the Year-End Certification of City Street Superintendent form. Penrose seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried and said resolution adopted.

It was moved by Stokely and seconded by Swenson to accept the Professional Service Proposal of MDT, LLC, for the 2022-2023 Independent Municipal Audit. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

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

1. Graybeals Foods Co. requesting \$100,000.00. Expansion of the back of the store to create cooler, freezer and work station space. The Committee recommended \$45,000.00 with a \$35,000.00 grant and a \$10,000.00 loan with a five-year term.

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

The City Administrator advised the Council that an agreement has been met with the Fraternal Order of Eagles West Point Aerie 3623, Inc. It was moved by Smith and seconded by Stokely to proceed with the purchase of real estate described as the West Half of Lots 5 and 6 (commonly described as 130 East Sheridan Street), and the South 4.44 feet of the West 65.33 feet of Lot 4, Block 47, in the Original Plat of the City of West Point, Cuming County, Nebraska, pursuant to the terms and conditions of the Agreement. Voting Yea: Stokely, Penrose, Swenson, Buse and Smith. Nay: Hugo. The result of the vote 5 Yeas and 1 Nay, the Mayor declared the motion carried.

Moved by Buse, seconded by Stokely, to approve the following applications for Special Designated Liquor Permits:

- (a) Win or Lose We Still Booze, LLC, dba Rush's Liquor Store for the West Point Community Theatre for a Christmas Concert on December 2, 2023.
- (b) BB GAS LLC, dba PetroMart for the Franciscan Healthcare Holiday Party on December 8, 2023.

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

Moved by Buse, seconded by Swenson, to approve the claim of Hugo Plumbing & Heating for services and supplies in the amount of \$12,827.34. Voting Yea: Stokely, Penrose, Swenson, Buse, and Smith. Nay: None. Abstaining: Hugo. Motion carried.

Swenson introduced the resolution to approve Application/Payment No. 13 in the amount of \$806,988.14 to Christiansen Construction Company for the West Point Aquatic Center Project and authorize payment. Smith seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo and Smith. Nay: None. Motion carried and said resolution adopted.

Moved by Swenson, seconded by Smith, to adjourn at 6:03 P.M. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.