

## 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 3, 2019 in the Council Chambers at the Municipal Building in West Point, Nebraska.

Present were: Mayor Schlecht; Councilmembers: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Absent: None. (Councilmember Swenson arrived at 5:37 PM)

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

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

1. City appointed volunteer boards and commissions:
  - a. Parks and Recreation Board: reappointment of Bonnie Kreikemeier and Kathy Mahannah (3 year terms).
  - b. Housing Rehabilitation Board: reappointment of Chris Peatrowsky (5 year term).
2. Fire & rescue departments – accept memberships & resignations - none.
3. Approval of minutes of previous meeting.
4. Treasurer's report.
5. Claims.
6. Authorize Annual Employee Holiday Bonus (\$100.00).
7. Payment to Northeast Nebraska Economic Development District in the amount of \$206.76 for administrative services regarding the Housing Rehab Program.

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

<u>CLAIMS</u>		
Payroll		152,564.66
Hugo Plumbing & Heating	Serv/Supplies	6,642.36
Western Area Power Administration	Power	8,811.50
City of West Point Payroll Tax Fund	Employer FICA	5,786.03
First National Bank Fremont	Retirement Contributions	3,613.99
Layne Christensen Co.	Wtr Treatment Project	145,962.50
A & R Construction Co.	Trails/Pathways Project	125,452.91
Central Valley Ag	Service	710.46
PetroMart	Service	1,409.76
Wagner Tire and Repair	Service	1,507.69

West Point Travel Plaza	Service	57.42
Black Hills Energy	Service	74.76
Sapp Bros.	Service	1,625.51
City of West Point Payroll Tax Fund	Employer FICA	6,078.76
First National Bank Fremont	Retirement Contributions	3,747.20
United Healthcare	Health Ins.	53,147.47
NE Department of Revenue	Sales Tax	33,832.25
NE Department of Revenue	Park	52.49
Madison National Life	Life Ins.	188.41
MEAN	Power	302,546.04
Companion Life	Life Ins.	266.55
Black Hills Energy	Service	803.11
Bomgaars Supply	Supplies	4,693.67
Border States	Supplies	57.50
Bound Tree Medical	Supplies	324.91
Cardmember Service	Service	4,720.91
Century Link	Service	1,015.55
Chamber of Commerce	Service	15,000.00
Constellation NewEnergy	Service	535.39
Cuming County Public Power	Wheeling Service	5,756.03
Dinklage Medical Clinic	Service	60.00
Dinslage Small Engine	Service	91.16
EMS Billing Service	Service	1,058.78
Floor Maintenance	Supplies	2,174.38
Gale/Cenage	Books	59.22
Gall's Inc.	Supplies	415.49
L. P. Gill Inc.	Tipping Fee	9,633.52
Gill Hauling	Hauling Fee	3,797.85
Graybeal's Food	Supplies	67.78
gWorks	License Fee/Support	8,334.41
Hawkins Inc.	Supplies	936.49
Ingram Library Service	Books	962.06
Jackson Services	Uniform Service	892.52
John A Stahl Library	Postage	52.68
League of NE Municipalities	Dues	532.85
Leisure Lawn Care	Service	2,463.67
Logemann Auto Parts	Supplies	299.42
Mahaska	Supplies	132.05
Mail Finance	Service	397.14
Matheson Tri Gas	Supplies	177.76
MicroMarketing	Books	785.37
Midwest Labs	Service	389.90
Midwest Tape	Supplies	356.89
Nebraska Public Health Environmental Lab	Service	93.00

Nebraska Public Power District	Service	67.50
Office Systems Co.	Service	1,012.86
One Call Concepts	Service	67.66
Overdrive, Inc.	Books	121.50
Presto X	Service	300.00
Quality Printing & Supplies	Supplies	427.52
St. Joseph's Hillside Villa	Meals/Service	2,810.00
Seals and Service	Supplies	171.80
Skywave Wireless	Service	7,190.78
Smidt's Sanitation	Service	177.00
Special Roads Fund	Mechanic Chgs	551.19
Stalp Gravel	Supplies	3,783.68
Verizon Business	Service	92.07
Verizon Wireless	Service	316.68
Welch Law Firm	Prof Services	507.50
West Point Library Foundation	Cash Adv	296.76
WPLW	Service	33,134.46
WPLW Operating Fund	Cash Adv	1,421.27
West Point News	Publication Costs	155.84
West Point Rescue	Ambl Charges	650.00
West Point True Value	Supplies	1,186.72
West Point Volunteer Fire Dept.	Cash Adv	3,848.94
Woerner's Garbage Service	Service	267.00
Mark Benne	Travel Expense	1,859.05
A26 Cellular Only	Supplies	80.95
Creative Xpressions	Supplies	69.90
Curtis 1000	Supplies	338.77
Elite Computers	Serv/Supplies	154.00
EMC Inurnace	Premium	4,706.00
Frickenstein Pumping	Service	1,210.00
Tom Goulette	Travel Expense	306.82
Heiman Fire Equipment	Supplies	117.00
HP Inc.	Supplies	5,344.17
Husqvarna Construction	Supplies	405.64
JC Cross Co.	Supplies	102.61
JEO Consulting Group	Prof Services	21,907.50
Angela Kienbaum	Service	117.15
LJS Training & Consulting	Training	350.00
Midwest Service & Sales	Supplies	920.00
MS Construction	Service	8,453.00
NE Assoc, of County Officials	Exhibit Booth	425.00
Network Partners	Service	1,620.80
Norfolk Daily News	Service	40.00
OCLC, Inc.	Service	44.85

Schulzkump Upholstery	Service	118.63
West Point Auto & Truck	Supplies	487.41
Zuercher Technologies	Service	500.00

The Mayor then opened a public hearing on the application of Knobbe Restaurants, LLC dba The Bohemian Duck for a Class I liquor license. All parties were given an opportunity to be heard. No one appeared to speak in opposition of the liquor license application. Moved by Smith, seconded by Stokely, to approve the application of Knobbe Restaurants, LLC, dba The Bohemian Duck for a Class I liquor license and that the Nebraska Liquor Control Commission be notified of this action. Voting Yea: Stokely, Penrose, Buse, Hugo, and Smith. Nay: None. Absent: Swenson. Motion carried.

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

\*Rusty Smith  
Emma Stokely  
Tom Swenson

Parks and Recreation  
Auditorium/Theater and Library  
Senior Citizens

## COMMUNITY DEVELOPMENT:

\*Ryan Penrose  
Mark Buse  
Emma Stokely

Planning and Zoning  
Annexation, Subdivision & Housing Dev.  
Economic and Industrial Development

\*Chairman

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

Moved by Swenson, seconded by Buse, 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 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

Fire Chief  
Assistant Fire Chiefs

Rescue Squad Officers:

President  
Vice-President  
Secretary  
Treasurer

Mary Kempf  
Ralph Luebbert  
Dinklage Medical Clinic  
Welch Law Firm  
John A. Zwingman, License No. S-1397,  
Class A, Contract Consultant, beginning 01/01/2020  
Mike Fisher  
John Adams  
Edward Craig  
Kevin Kaup  
Chad Miller  
Brett Vance  
Tom Stratman  
Jeff McGill  
Maurice Norton

Rick Wimer  
Brian Priestly  
Kelly Hansen  
Drew Wimer

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

Rick Wimer with Inspro Insurance reviewed with the Council the City's general insurance coverage/premium. It was stated that the workers comp coverage had a slight decrease but there was an increase in premium due to additional property and equipment. Moved by Smith and seconded by Stokely, to continue the City's general property and casualty insurance coverage with Employers Mutual Casualty Insurance Companies. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

Andrew Ross, Director of Retail Services and Member Services for the Nebraska Municipal Power Pool appeared before the Council to give a preliminary water rate study. He stated that based on the City's need for approximately \$3 million dollars for the water treatment plant and water main improvements, a water rate increase of 25% would probably be needed. This would result in a \$5.50 to \$6.00 increase for the average residential customer. Mr. Ross stated that this was the financial planning stage and no action was necessary at this time as the city does not know how much it will need to borrow for the improvements. The City Administrator stated he hoped to have this necessary information by March and then proceed with a water rate adjustment.

The City Administrator stated that the City has been working with D.A. Davidson to prepare the paperwork in order to call the Water Revenue Refunding Bonds, Series 2012 with \$1.15 million outstanding and which would be paid off by the water bond reserve fund of approximately \$500,000 and borrowing approximately \$610,00 from the electric fund. Follow discussion, Buse introduced the following resolution and moved its adoption:

**A RESOLUTION CALLING FOR THE EARLY REDEMPTION OF THE OUTSTANDING WATER REVENUE REFUNDING BONDS, SERIES 2012, PREVIOUSLY ISSUED BY CITY OF WEST POINT, NEBRASKA.**

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

The next agenda item was the NDEQ Sewer Loan which was tabled due to a recent notification of changes with the State Revolving Fund loan program.

Smith introduced the following resolution and moved its adoption:

Whereas, the State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31<sup>st</sup> of each year) the appointment of the City Street Superintendent to the NDOT using the Year-End Certification of City Street Superintendent form.

Be it resolved that the Mayor of the City of West Point is hereby authorized to sign the Year-End Certification of City Street Superintendent form.

Swenson 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 Swenson and seconded by Buse to approve the Annual Maintenance Agreement with the Nebraska Department of Transportation for the period of January 1, 2020 to December 31, 2020. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried

Councilmember Buse introduced the following resolution and moved its adoption:

1. That all traffic traveling in a northerly and southerly direction on Farragut Street be required to yield the right-of-way to the traffic traveling on Grove Street.

2. That appropriate "YIELD" signs be erected and maintained along Farragut Street at the intersection of Farragut Street and Grove Street between the curb line and the property line of said street so effected; and that such traffic control be enforced 24 hours per day.

3. That each person failing or neglecting to comply with or violating any of the provisions of this resolution shall be deemed to have violated Section 3-115 of the Municipal Code of said City and upon conviction thereof shall be subject to the penalties as provided.

Smith seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith.

Nay: None. Motion carried and said resolution adopted.

The City Administrator advised the Council that because the State mandates municipalities

to use licensed animal control facilities, the City has contracted with Nebraska Veterinary Services to use their facility for the impounding of stray or abandoned animals. Under the contract, the Clinic charges a monthly fee which is applied towards boarding, euthanasia and disposal of impounded animals. If the impounded animal is claimed by the owner, all fees are paid by the owner. The current contract expired December 31, 2019. A new contract was presented to the Council for approval. Moved by Penrose, seconded by Stokely, that the City accept the new contract with Nebraska Veterinary Services for a two-year term for the impounding of strayed animals and that the Mayor be authorized to sign said contract. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

It was decided that the February council meeting be rescheduled from Tuesday, February 4, 2020 to Thursday, February 6, 2020 at 5:30 PM.

Moved by Swenson, seconded by Smith, 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 on January 10, 2020.
- (b) Lincoln Street Market for the GACC Booster Club 125 Dinner on January 20, 2020.
- (c) Fraternal Order of Eagles West Point Aerie 3623 Inc. for Hypnotist and Fundraiser on February 15, 2020.
- (d) Roadhouse Lounge for the Ducks Unlimited Banquet on January 24, 2020.

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

Moved by Smith, seconded by Stokely, to approve the claim of Hugo Plumbing & Heating for services and supplies in the amount of \$27,677.44. Voting Yea: Stokely, Penrose, Swenson, Buse, and Smith. Nay: None. Abstaining: Hugo. Motion carried.

Stokely introduced a resolution to approve Payment No. 2 to Layne Christensen Company for the West Point Water Treatment Plant Project in the amount of \$204,347.50. Buse seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried and said resolution adopted.

The City Administrator reported that the Public Works Committee met with Dave Knobbe on Saturday, November 9<sup>th</sup> regarding the erosion occurring in the drainage way behind his residence and that all the information pertaining to the matter had been forwarded to the city attorney.

Moved by Swenson, seconded by Stokely, to adjourn at 6:37 P.M. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

Mary Kempf, MMC  
City Clerk

Publish: West Point News  
December 18, 2019