

MINUTES OF MEETING

A meeting of the Mayor and City Council of the City of West Point, Nebraska was convened at 5:30 P.M. on June 2, 2020 at the Municipal Building in West Point, Nebraska, which meeting was conducted by video conference as authorized by the Governor's Executive Order No. 20-24.

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 north wall in the Council Chambers and on the City website for public information.

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

1. City appointed volunteer boards and commissions: Board of Adjustment – reappointment of Jason Minnick (3 year term).
2. Fire & rescue departments – accept the resignation of Steven Groene from West Point Rescue.
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		150,806.68
Western Area Power Administration	Power	7,496.70
City of West Point Payroll Tax Fund	Employer FICA	5,740.07
First National Bank Fremont	Retirement Contributions	3,591.22
Rutjens Construction	Wtr Treatment Plant Project	111,252.28
Black Hills Energy	Service	74.14
Central Valley Ag	Service	1,300.09
PetroMart	Service	50.39
Sapp Bros.	Service	3,971.76
Wagner Tire	Service	77.80
West Point Travel Plaza	Service	1,619.85
Chamber of Commerce	Fireworks Contribution	3,000.00
A & R Construction Co.	Trails Project	26,873.33

NE Dept of Revenue	Sales Tax	27,844.44
NE Dept of Revenue	Sales Tax - Park	33.51
City of West Point Payroll Tax Fund	Employer FICA	5,933.49
First National Bank Fremont	Retirement Contributions	3,597.86
United Healthcare	Health Ins.	58,437.02
Companion Life	Life Ins.	264.91
Madison National Life	Life Ins.	185.82
MEAN	Power	296,669.55
Advanced Consulting	Prof Services	13,585.60
Auto Value	Supplies	344.37
Barco Municipal Products	Supplies	1,482.54
Bomgaars Supply	Supplies	1,264.08
Border States	Supplies	1,102.60
Bound Tree Medical	Supplies	250.48
Cardmember Service	Service	58.83
Century Link	Service	1,020.84
Constellation New Energy	Service	1,585.46
Core & Main	Serv/Supplies	17,662.22
Cuming County Clerk	Recording Fee	44.00
Cuming County Public Power	Wheeling Service	5,756.03
Danko Emergency	Ambulance	136,409.50
Dinslage Small Engine	Service	159.43
Dutton Lainson Co.	Supplies	171.41
Elite Computers	Supplies	82.00
Engelmeyer Repair	Service	388.45
Ernesti Tree Service	Service	194.40
Floor Maintenance	Supplies	188.55
Gale/Cengage Learning	Books	81.00
Gall's Inc.	Supplies	712.42
L. P. Gill Inc.	Tipping Fee	10,662.34
Gill Hauling	Hauling Fee	4,203.46
Graybeal's Food	Supplies	95.15
Hawkins Inc.	Supplies	1,220.79
Hladkly Fire & Safety	Service	1,090.00
Ingram Library Service	Books	806.67
Jackson Services	Uniform Service	900.91
Kaup Seed & Fertilizer	Supplies	330.00
Leslie's Poolmart	Supplies	2,094.96
Logemann Auto Parts	Supplies	56.72
Matheson Tri-Gas	Supplies	32.74
MicroMarketing LLC	Books	461.94
Midwest Labs	Service	161.90
Municipal Supply	Supplies	673.86
NE Public Health Environmental Lab	Service	78.00

NE Public Power District	Service	67.50
Northeast NE Economic Dev.	Membership/Service	5,284.56
OCLC, Inc.	Service	44.85
One Call Concepts	Service	73.64
Presto X	Service	300.00
Quadient Finance	Postage	683.48
Quality Printing & Supplies	Supplies	427.90
Quick Med Claims	Prof Services	851.70
S & W Welding	Serv/Supplies	766.45
Schmader Electric	Service	270.00
Skywave Wireless	Service	273.10
Smidt's Sanitation	Service	177.00
Special Roads Fund	Mechanic Chgs	673.54
Stalp Gravel	Supplies	7,658.87
Stan Houston Equipment Co.	Supplies	470.90
USA Blue Book	Supplies	110.54
Verizon Business	Service	210.18
Verizon Wireless	Serv/Broadband	192.06
Verizon Wireless	Service	290.63
Welch Law Firm	Prof Services	472.50
West Point Implement	Supplies	211.69
WPLW	Service	27,029.39
WPLW Operating Fund	Cash Adv	1,736.24
West Point News	Publication Costs	370.38
West Point Rescue	Ambl Charges/Cash Adv	1,653.43
WP Rural Fire District	Ins-Ladder Truck	2,588.50
West Point True Value	Supplies	618.53
Woerner's Garbage Service	Service	267.00
4S Service & Repair	Serv/Supplies	1,131.32
Atlas COPCO Compressors	Service	3,713.11
Brodart Co.	Supplies	172.00
CLIA Laboratory Program	Certificate Fee	180.00
Hayes Mechanical	License Renewal	720.00
Angela Kienbaum	Service	73.98
Quadient Inc.	Service	397.14
Redwood Toxicology	Supplies	161.98
Patty Schinstock	Supplies	50.79
Keith Schroetlin	Service	1,450.00
Seed Enterprises	Supplies	237.00
Stieren Farm Repair	Service	1,315.87
Systems Tecnology Group	Subscription	495.00
T & R Electric	Service	1,425.00
TESCO	Supplies	4,728.33
TJ Construction	Service	16,526.63

USA Today	Subscription	341.48
Utility Equipment	Supplies	749.95
Van Diest Supply Co.	Supplies	4,018.00
Vessco, Inc.	Supplies	520.03
West Point Garden Center	Service	829.61

The bids for the cost of furnishing all material, supplies, tools, equipment, labor, and other services necessary for the West Point Water Main Improvement Project were opened and tabulated on May 28, 2020 in accordance with the published notice and the following are the bids received:

ENGINEER'S ESTIMATE OF COST: Base Bid \$360,000

<u>BIDDER</u>	<u>AMOUNT</u>
Rutjens Construction Tilden, Nebraska	\$331,966.90

Anticipated Starting Date: September 1, 2020
Anticipated Completion Date: June 1, 2021

Penro Construction Pender, Nebraska	\$422,061.20
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Anticipated Starting Date: September 1, 2020
Anticipated Completion Date: December 31, 2020

John Zwingman with Advanced Consulting Engineering Services reviewed the bids and it was his recommendation to award the project to Rutjens Construction. Buse introduced a resolution to accept the bid of Rutjens Construction for \$331,966.90 for the Water Main Improvement Project and that all prior actions of the Mayor and City Council in approval of plans, specifications and cost estimates and in advertising for bids for said improvements be and the same is hereby accepted and the Mayor and City Clerk are authorized to execute such contract documents as may be necessary to complete the award of the contract and to order the commencement of the work. Smith seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried and said resolution adopted.

John Zwingman with Advanced Consulting Engineering Services gave an update on the Water Treatment Plant Project stating the project should be online by the middle to late July pending

on the final inspection by the Nebraska Department of Health and Human Services.

Leanne Ritter of the Trails and Pathways Committee, explained Phase 4, being the final phase, of the Trails and Pathways Project. This phase will run along East Washington Street to 18th Road and then south along the 18th Road to Grove Street. Penrose introduced a resolution that the plans and specifications as prepared by the City's Engineer, Advanced Consulting Engineering Services, and filed in the office of the City Clerk, be and the same are hereby approved and that the City Clerk is directed to advertise for bids on said project in the West Point News, which bids will be opened at 2:00 PM on June 25, 2020, and then considered at the City Council meeting on July 7, 2020. Stokely seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried and said resolution adopted.

The City Administrator, on behalf of the LB 840 Citizens Advisory Review Committee, reported that an application for LB 840 Economic Development funds was received from Cuming County Economic Development for \$15,000 for the Give, Get, Grow Cuming County Program. David Branch, Executive Director of Cuming County Economic Development, spoke to the Council to explain the program which would allow consumers to purchase gift certificates from participating businesses in \$50 increments and for every \$50 gift certificate purchased, the program would fund an extra \$25. The program is open to businesses that had closed or had limited access during the COVID-19 pandemic. This will give financial assistance to those businesses and help with retaining jobs. The LB 840 Citizens Advisory Review Committee considered the matter with a majority being in favor of its approval. It was moved by Smith and seconded by Penrose, to approve the application of Cuming County Economic Development for a grant from the LB 840 Economic Development Funds as outlined above. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried. Chad Eisenmenger questioned if this application qualified under the criteria of LB 840 guidelines.

The Council considered allowing softball and baseball activities on the City's ballfields and reviewed the Governor's statewide sports reopening guidelines and how to implement these and limit

the City's liability. Following discussion, Smith introduced the following resolution and moved its adoption:

A RESOLUTION TO APPROVE THE USE OF CERTAIN MUNICIPAL PROPERTY BY BASEBALL AND SOFTBALL ORGANIZATIONS AND THEIR INVITED PARTICIPANTS FOR THE PURPOSE OF CONDUCTING BASEBALL AND SOFTBALL GAMES, PRACTICES, AND RELATED ACTIVITIES; TO REQUIRE EACH SUCH LICENSEE TO ENTER A LICENSE AGREEMENT WITH THE CITY PRIOR TO USING MUNICIPAL PROPERTY FOR BASEBALL OR SOFTBALL ACTIVITIES; TO CONDITION EACH LICENSEE'S CONTINUED USE OF MUNICIPAL PROPERTY FOR BASEBALL OR SOFTBALL ACTIVITIES UPON SUCH LICENSEE'S STRICT COMPLIANCE WITH ALL APPLICABLE COVID-19-RELATED HEALTH DIRECTIVES AND OTHER APPLICABLE LAWS, REGULATIONS, AND GUIDANCE; AND TO REQUIRE EACH PERSON PARTICIPATING IN BASEBALL OR SOFTBALL ACTIVITIES PURSUANT TO A LICENSE AGREEMENT TO ACKNOWLEDGE THE COVID-19-RELATED RISKS OF PARTICIPATING IN BASEBALL OR SOFTBALL ACTIVITIES AND TO WAIVE AND RELEASE THE CITY FROM CLAIMS RELATED TO SUCH RISKS.

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

Nay: None. Motion carried and said resolution adopted.

Next the Council discussed the opening of the swimming pool this summer during the pandemic. The State has issued some guidelines in this regard and it was stated that COVID-19 is not supposed to spread in pool water when the water is treated properly. The guidelines limit the number of people in the pool to 25% capacity which would be approximately 100 people at one time and social distancing would also be required once out of the water. The pool managers have stated that they have sufficient lifeguards to open. It was also stated that the pool has never taken in enough revenue to offset the expenses. Last year the deficit was \$37,000. The City Administrator stated that the City could start filling the pool tomorrow and then hopefully be ready to open on June 15th. Following discussion, a motion was made by Smith and seconded by Penrose, instructing the City Administrator to start filling the pool and start the process of formulating guidelines and rules with a projected opening date of June 15th. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

The Council discussed the placing of stop signs at the intersection of Prinz and Hillcrest Streets. Currently there are yield signs on Hillcrest Street at this intersection. It was decided to remove the yield signs and place stop signs on Prinz Street. Penrose introduced a resolution that all

traffic traveling in a northerly and southerly direction on Prinz Street be required to come to a complete stop prior to entering the intersection with Hillcrest Street and that the “Yield” signs on Hillcrest Street at the intersection of Prinz Street be removed. Smith 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 to discuss the catering of meals at the Senior Citizens Center. At last month’s meeting no bids were received for this service. St. Joseph’s Elder Services, Inc. has now agreed to provide this service at the rate of \$6.50 per meal being an increase of \$1.50 from the current price, meals will need to be picked up at their facility and the total meal count must be called into their facility by 2:00 PM the day prior to the meals being served. The City Administrator stated that a donation has been made anonymously to help offset the increase of the meals. Hugo introduced a resolution to accept the proposal of St. Joseph’s Elder Services, Inc. to provide catered meals for the Senior Citizens Center at a rate of \$6.50 per meal for the period from July 1, 2020 to June 30, 2021. Stokely seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried and said resolution adopted.

It was moved by Buse and seconded by Swenson to accept the 2021 Title III-B Supportive Services Agreement, the Title III-C Nutrition Services Agreement and the Title III-E Family Caregiver Support Agreement with Northeast Nebraska Area Agency on Aging for the Sunshine Citizens Center. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

In the past the Council has closed a portion of Bridge Street by Neligh Park for safety reasons during the 4th of July fireworks. The Council discussed closing the street again this year even though there is still uncertainty about the fireworks show. The Street Department places barricades along the side of the streets and alleys and the Fire Dept. usually puts them up. It was then moved by Hugo and seconded by Swenson, that the portion of Bridge Street from the west side of Oak Street to the west side of King Street and the alleys adjoining thereto be closed on July 4th from 3:00 PM until after the

fireworks show. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None.

Motion carried.

The next item on the agenda was the second reading of Ordinance No. 1412 entitled:

AN ORDINANCE TO ANNEX A PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW1/4 SW1/4) OF SECTION THIRTY-SIX (36), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE SIX (6), EAST OF THE 6TH P.M., CUMING COUNTY, NEBRASKA, AS PARTICULARLY DESCRIBED HEREIN TO BE KNOWN AND DESIGNATED AS ADDITION O, AN ADDITION TO THE CITY OF WEST POINT, CUMING COUNTY, NEBRASKA; TO ACCEPT AND APPROVE THE ANNEXATION PLAT; TO 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,

which was read by title only. Motion was made by Swenson and seconded by Buse to approve Ordinance No. 1412 on its second reading. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried. Whereupon the Mayor declared Ordinance No. 1412 approved on its second reading.

Following discussion, Swenson introduced the following resolution and moved its adoption:

TO AUTHORIZE THE MAYOR TO MOVE THE LOCATION OF MEETINGS OF THE WEST POINT CITY COUNCIL TO THE NIELSEN COMMUNITY CENTER, OR A VENUE OF SIMILAR SIZE AND ACCESSIBILITY, AS NECESSARY TO ACCOMMODATE ATTENDANCE BY THE PUBLIC AND THE MEDIA WHILE ALSO ENABLING COMPLIANCE WITH APPLICABLE DIRECTED HEALTH MEASURES.

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

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

- (a) Cuming County Ag Society for the annual Cuming County Fair on August 13, 14, 15 & 16, 2020 for Neligh Park and Fairgrounds.
- (b) Cuming County Ag Society for Cuming County Fair for events on August 15 and 16, 2020 at the Nielsen Community Center.

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

Swenson introduced a resolution to approve Payment No. 4 to Layne Christensen Company for the West Point Water Treatment Plant Project in the amount of \$102,173.75. Hugo seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion

carried and said resolution adopted.

Buse introduced a resolution to approve Payment No. 3 to Rutjens Construction for the West Point Water Treatment Plant Project in the amount of \$174,414.02. 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 6:56 P.M. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

Mary Kempf, MMC
City Clerk