

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 July 7, 2020 at the Nielsen Community Center, 200 Anna Stalp Ave, 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 was on the back wall for public information and on the City website. The Pledge of Allegiance was then recited.

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

1. City appointed volunteer boards and commissions:
 - (a) Board of Adjustment – reappointment of Paul Nielsen, Alternate (3 year term).
 - (b) Library Board – reappointment of Kayle Roth Kuxhausen (4 year term).
2. Fire & rescue departments – accept the resignation of Cory Larson from West Point Fire Department.
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:

Following city positions receive salaries or wages as indicated: Annually: Fire Chief \$2912; Assistant Fire Chiefs \$1163; Fire Secretary \$582; Fire Treasurer \$465; Fire Computer Technicians \$230; Rescue President \$1103; Rescue Vice President \$1103; Rescue Secretary \$1931; Rescue Treasurer \$1931; Rescue Computer Technicians \$166; Monthly: Mayor \$500.00; Councilmembers \$300; Civil Defense Director \$60.94; By-weekly: City Administrator \$5123.60; Chief of Police \$3113.60; City Clerk \$3268.00; City Treasurer \$2688.00; Library Director \$2323.20. Hourly: Senior Center Coordinator \$20.62; Community Center Facility Coordinators/Janitors \$12.04 - \$13.63; Community Center Manager \$27.67; Transfer Station Operator \$15.40; Janitors \$16.95 - \$19.62; Utility Clerks \$17.38 - \$28.34; Street Operators \$18.70 - \$29.04; Water & Wastewater Maintenance Men \$23.87 – \$32.00; Police Clerk \$17.38; Police Officers \$19.62 - \$25.08; Police Sergeant \$29.04; Assistant Chief of Police \$30.48; Electric Linemen \$29.04 - \$33.60; Electric Plant Operators \$30.48; Library Assistant \$16.17; Library Clerks \$10.93 - \$13.30; Cemetery laborer \$12.37; Park Foremen \$13.63 - \$16.17; Park Maintenance Workers \$9.92 - \$10.41; Pool Managers \$13.94 – \$16.17; Assistant Pool Managers \$10.93 - \$11.78; Pool Lifeguards \$9.92 - \$10.67,

Payroll		161,069.10
City of West Point Payroll Tax Fund	Employer FICA	6,415.54
First National Bank Fremont	Retirement Contributions	3,661.39

Layne Christensen Co.	Water Plant Project	102,173.75
Rutjens Construction	Water Plant Project	174,414.02
Cuming County Economic Development	Give, Get, Grow	15,000.00
Central Valley Ag	Service	588.50
PetroMart	Service	48.11
Sapp Bros.	Service	2,138.73
Wagner Tire	Service	107.92
West Point Travel Plaza	Service	42.82
Black Hills Energy	Service	293.61
Western Area Power Administration	Power	10,576.71
Black Hills Energy	Service	73.11
West Point Auto & Truck	2020 Ford Interceptor	38,174.00
City of West Point Payroll Tax Fund	Employer FICA	6,052.10
First National Bank Fremont	Retirement Contributions	3,645.53
United Healthcare	Health Ins.	48,874.60
Companion Life	Life Ins.	246.64
MEAN	Power	288,674.17
Madison National Life Ins.	Life Ins.	175.46
Advanced Consulting Engineering	Prof Service	11,799.94
Aqua-Chem, Inc.	Supplies	2,155.55
Auto Value Parts	Supplies	389.61
Barco Municipal Products	Supplies	938.61
Black Hills Energy	Service	609.78
Bomgaars Supply	Supplies	410.14
Border States Industries	Supplies	637.03
Cardmember Service	Service	1,467.08
Century Link	Service	1,014.43
Constellation New Energy	Service	1,089.63
Core & Main	Supplies	1,482.60
Creative Xpressions	Service	92.25
Cuming County Rural Water	Service	126.00
Cuming County Public Power	Wheeling Service	5,756.03
Danko Emergency	Supplies	640.38
Dinslage Small Engine	Service	224.93
Dugan Busines Forms	Supplies	1,703.56
Dutton Lainson Co.	Supplies	1,045.04
Electronic Contracting Co.	Serv/Supplies	2,930.96
Elite Computers	Serv/Supplies	2,453.42
Engelhardt TV	Serv/Supplies	483.00
Engelmeyer Repair	Mower/Supplies	7,418.19
Floor Maintenance	Supplies	1,335.99
Gall's Inc.	Supplies	263.81
Garratt Callahan Co.	Supplies	1,633.50
L. P. Gill Inc.	Tipping Fee	15,060.78

Gill Hauling	Hauling Fee	3,675.59
Graybeal's Food	Supplies	65.00
Hawkins Inc.	Supplies	1,060.23
The Home Depot	Supplies	289.68
Ingram	Books	1,189.17
Inspro Ins.	Premium	449.00
JEO Consulting Group	Prof Service	11,249.50
Jackson Services	Uniform Service	978.52
Kaup Seed & Fertilizer	Supplies	143.75
Leisure Lawn Care	Service	120.24
Leslie's PoolMart	Supplies	2,094.96
Logemann Auto	Supplies	338.15
Lou's Sporting Goods	Supplies	200.95
Mahaska	Supplies	457.12
Matheson Tri-Gas	Supplies	429.97
MicroMarketing LLC	Books	525.89
Midwest Labs	Service	106.35
Midwest Tape	Books	193.39
NE Public Health Environmental Lab	Service	1,233.00
Northeast NE Economic Dev	Prof Service	390.00
OfficeNet	Service	80.38
One Call Concepts	Service	171.98
Overdrive, Inc.	E - Books	255.81
Presto X	Service	65.00
Quality Printing	Supplies	564.59
Quick Med Claims	Prof Service	605.77
Schinstock Painting	Serv/Supplies	14,504.44
Schmader Electric	Service	1,997.00
Schuetze Plumbing	Service	177.00
Seals and Service	Supplies	23.44
Skywave Wireless	Service	546.20
Smidt's Sanitation	Service	177.00
Special Roads Fund	Mechanic Chgs	386.38
Verizon Business	Service	200.34
Verizon Wireless	Broadband Service	120.03
Verizon Wireless	Service	290.63
Vrbicky Computer Service	Service	302.50
Welch Law Firm	Prof Service	1,697.50
WPLW	Service	34,889.67
WPLW Operating Fund	Cash Adv	2,377.23
West Point News	Publ Cost/Subscription	920.52
West Point Rescue	Ambl Chgs/Training	1,210.29
West Point True Value	Supplies	269.98
West Point Volunteer Fire Dept.	Cash Adv	4,688.56

Woerner's Garbage Service	Service	267.00
A26 Cellular Only West Point	Supplies	59.95
Agrivision Equipment	Supplies	112.89
AMC Rifle Range	Membership	100.00
Association Rural & Small Libraries	Membership	49.00
Atlas Copco Compressors	Service	1,176.07
Beed Enterprises	Service	100.00
Black Hills Ammunition	Supplies	2,866.00
Blue to Gold LLC	Training	647.00
Joana Covarrubias	Translator	110.00
Jack's Uniforms & Equipment	Supplies	2,650.33
John E. Reid & Associates	Training	795.00
MC2, Inc.	Supplies	3,813.65
Mellen & Associates	Supplies	3,332.59
Nebraska Sports	Supplies	37.50
Northeast Instand Sod	Service	3,590.71
NWEA	Membership	40.00
West Point Auto & Truck	Service	84.70
Woerman Construction	Service	1,135.00

The Council considered the third and final 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. Stokely moved for final passage of Ordinance No. 1412, which motion was seconded by Smith. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried. Ordinance adopted.

The Mayor then opened a public hearing on Wilderness Ridge Subdivision, a subdivision located in Addition J to the City of West Point, Cuming County, Nebraska, and Part of the NW 1/4 SW 1/4 of Section 36, Township 22 North, Range 6, East of the 6th PM, Cuming County, Nebraska with J&J Land Development, Developer, and Tyler & Sarah Toline, Lot Owners. Leanne Ritter of Advanced Consulting Engineering Services reviewed the plat and drainage issues with the Council and answered any questions concerning this subdivision. The City Administrator

advised that the Planning Commission was forwarding a favorable recommendation with a variance on the paving the streets and providing that future maintenance will be the responsibility of the developer. If in the future the homeowners would request paving, a paving district could be created and each property owner would be accessed accordingly. The subdivision ordinance makes reference to a Subdivision Agreement which outlines the responsibilities of the City and the Developer regarding utilities, drainage improvements, storm water improvements, and Developer's covenants. Those in attendance were given the opportunity to be heard. The Mayor then closed the public hearing. Following discussion, Buse introduced Ordinance No. 1414 entitled:

AN ORDINANCE OF THE CITY OF WEST POINT, NEBRASKA, ACCEPTING THE PLAT AND DEDICATION OF WILDERNESS RIDGE SUBDIVISION, A SUBDIVISION OF PART OF ADDITION "J" TO THE CITY OF WEST POINT, CUMING COUNTY, NEBRASKA AND PART OF THE NW 1/4 OF THE SW 1/4 of SECTION 36, TOWNSHIP 22 NORTH, RANGE 6, EAST OF THE 6th P.M., CUMING COUNTY, NEBRASKA; GRANTING A VARIANCE TO THE PAVING REQUIREMENTS SET FORTH IN THE SUBDIVISION REGULATIONS; CONDITIONING THE CITY'S ACCEPTANCE OF THE PLAT UPON THE EXECUTION OF A SUBDIVISION AGREEMENT; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PRESCRIBING THE TIME WHEN 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. Smith seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried. Statutory rule suspended. Stokely moved for final passage of the ordinance, which motion was seconded by Penrose. Swenson stated that before the final vote, he wanted to express his opinion in that he was against granting the variance on the paving of the streets because the City has forced other developers to do so. Voting Yea: Stokely, Penrose, Buse, and Smith. Nay: Swenson and Hugo. Ordinance adopted

The bids for the construction of Phase 4 in the Trails and Pathway Project were opened and tabulated on June 25, 2020 in accordance with the published notice. Leanne Ritter of Advanced Consulting Engineering Services was present to answered any questions regarding the bids and the project. Penrose introduced a resolution that the bid for the construction of Phase 4 in the Trails and Pathways Project by Elkhorn Paving for \$191,728.20 is the lowest and best bid received; and that 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. Stokely seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried and said resolution adopted.

Sue Krogman with the Nebraska Emergency Management Agency was going to give a

presentation on the Nebraska Regional Interoperability Network but was unable to attend the meeting so the matter was tabled.

Leanne Ritter of Advanced Consulting Engineering Services presented an update on the water treatment plant improvement project. Stating that all piping for tanks 1 & 2 are complete, piping has been completed to tie the tanks into supply water from the low service pumps. As soon as we get passing samples, a meeting with NHHS will be scheduled and a cut over date with Layne and HOA for controls will be scheduled. Looking at going on-line the week of the 20th or the 27th pending Layne's schedule for startup. The City Administrator stated that current water consumption has been at 1 -1.5 million gallons a day. And will need to coordinate the startup so that the City does not run low of water capacity to meet the demand.

Next the Council discussed the stop signs at the intersection of Grove Street and Sherman Street. Following discussion, Buse introduced a resolution that all traffic traveling in an easterly direction on Grove Street be required to come to a complete stop prior to entering the intersection with Sherman Street and that an appropriate "Stop" sign be erected. Smith seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, and Smith. Nay: Hugo. Motion carried and said resolution adopted.

The City Administrator advised the Council that the Army Corp of Engineers is going to be constructing a berm along portions of the levee system. In order for this project to proceed, the City needs to acquire property along the levee system and an easement from the Cuming County Ag Society. The property owned by Terry Papstein was appraised and Mr. Papstein has agreed to sell this property to the City for the appraised value, being \$97,500. It was moved by Stokely and seconded by Smith to proceed with the purchase of real estate from Terry Papstein pursuant to the terms and conditions of the Purchase Agreement. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

Next the Council reviewed a draft of an Easement Agreement with the Cuming County Agricultural Society which grants to the City an easement in, over and under the Easement Area to construct, maintain, repair, operate, patrol and replace a flood protection levee and that the City will reimburse the Ag Society for the demolition and moving of existing facilities, being the horse arena

area including the announcer's booth and concession stand, and the demolition derby track. It was moved by Penrose and seconded by Smith, to approve the Easement Agreement in the form presented and that the matter be brought back to the Council once the amount of reimbursement is known. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

Swenson introduced a resolution that the City proceed to purchase the real property described as Lot 5, Block 3, Original Plat of the City of West Point, Cuming County, Nebraska, from David D. Schroedter and Joy E. Schroedter, husband and wife, for the price of \$32,500.00. Closing on said sale shall not be made until 30 days after the publication of the notice of remonstrance against said purchase. And that no election shall be required to approve the purchase unless within 30 days after the publication of the notice of remonstrance, petition against such purchase is signed by registered voters of the City of West Point, Nebraska, equal in number to 15% of the registered voters of such City voting at the last regular municipal election held therein and is filed with the governing body of such City. If the date for filing the remonstrance falls upon a Saturday, Sunday, or legal holiday, the signatures shall be collected within the 30 day period, but the filing shall be considered timely if filed or postmarked on or before the next business day. If a petition with the necessary number of qualified signatures is timely filed, the question shall be submitted to the voters of the City at a general municipal election or a special election duly called for that purpose. If the purchase is not approved, the property involved shall not then, nor within one year following the election, be purchased. And that in the event remonstrance against such purchase is not filed with the governing body of the City, the Mayor and City Clerk are authorized to execute all necessary documents in order to purchase the above described real property. Buse seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried and said resolution adopted.

Melissa Stutzman, manager of the pool, gave a report to the Council on the opening of the pool and that it was going well. The online reservation format has been adjustment several times. Capacity was set at 75 people and they have not yet hit that number, but attendance is increasing.

Motion was made by Swenson and seconded by Hugo to ratify all actions identified in the

minutes taken by the City Council of the City of West Point, Nebraska, during meetings held on April 8, 2020 Council meeting; April 8, 2020 meeting of the City Council acting as the governing body of the Community Development Agency; May 5, 2020 Council meeting; and June 2, 2020 Council meeting, by video conference before June 30, 2020, pursuant to Gov. Rickett's Executive Orders No. 20-03 and No. 20-24. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

Moved by Hugo, seconded by Buse, to approve the application for a Special Designated Liquor Permit from Lantz's Steakhouse of Wisner, Nebraska for a wedding reception at the Nielsen Center on Saturday, August 1, 2020. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

Moved by Penrose, seconded by Smith, to approve the claim of Hugo Plumbing & Heating for services and supplies in the amount of \$2,219.72. Voting Yea: Stokely, Penrose, Swenson, Buse, and Smith. Nay: None. Abstaining: Hugo. Motion carried.

Next on the agenda was to schedule the budget workshop for the 2020-2021 budget. It was decided to hold the workshop on Wednesday, July 29th at 5:30 PM at the Nielsen Community Center.

The City Administrator advised the Council of the unsafe conditions of the following properties:

1. 546 E. Walnut Street –the condition of the roof is allowing access to birds and squirrels, siding and gutters falling off; doors falling off and potential collapse of retaining wall onto public sidewalk.
2. 248 N. Lincoln Street –no utilities since January, 2018, poor condition of the eaves, broken windows, and furniture and trash in the rear of the property.
3. 1019 N. Main Street – condition of foundation is allowing for the access of animals, rear entry deteriorated leaving door unsecure; unsafe cover constructed from planks on rear cistern/well, and portions of the interior floor have collapsed.
4. 226 N. Lincoln Street -- no utilities since July, 2017, windows are broken out or boarded up, shingles and eaves are rotted, and the store front addition blocks are separating from the mortar making the overall structural integrity questionable.
5. 143 N. Monroe Street -- no utilities since April, 2019, has broken windows and boarded up windows and the shingles and eaves are rotted.

Upon review of these properties, it was moved by Swenson and seconded by Hugo, that the properties discussed are unsafe because of their condition and that the City Administrator and City

Attorney are authorized to proceed with resolving the unsafe conditions of said properties in accordance with Section 8 of the West Point Municipal Code Book. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

Stokely introduced resolution to approve payment to Rutjens Construction for the West Point Water Treatment Plant Project in the amount of \$375,052.37. Buse 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 Penrose, to adjourn at 6:30 P.M. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

Mary Kempf, MMC
City Clerk