

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 P.M. on September 1, 2020 in the Council Chambers at the Nielsen Community Center, 200 Anna Stalp Ave, West Point, Nebraska.

Present were: Mayor Schlecht; Councilmembers: Stokely, Penrose, Swenson, Buse, and Hugo. Absent: Smith.

The Mayor called the meeting to order and stated that in accordance with State Statute Section 84-1412 the Open Meetings Act was posted on the back wall of the room for public information. The Pledge of Allegiance was then recited.

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

1. City appointed volunteer boards and commissions - none.
2. Fire & rescue departments – accept the resignations of Phillip Summers and Shawn Holtz from West Point Rescue.
3. Approval of minutes of August 6, 2020 and August 24, 2020 meetings.
4. Treasurer's report.
5. Claims.

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

<u>CLAIMS</u>		
Payroll		164,185.95
Western Area Power Administration	Power	13,099.35
Hugo Plumbing & Heating	Serv/Supplies	3,126.68
Rutjens Construction	Wtr Treatment Plant Project	133,142.98
Central Valley Ag	Service	1,075.18
Wagner Tire	Service	1,397.62
West Point Travel Plaza	Service	137.67
City of West Point Payroll Tax Fund	Employer FICA	6,503.33
First National Bank Fremont	Retirement Contributions	3,821.93
Black Hills Energy	Service	77.22
NE Dept of Revenue	Sales Tax	290.74
Thomas Donner Trust Account	Schroedter Property	33,229.99
Sapp Bros.	Service	762.70
NE Dept of Revenue	Sales Tax - Park	93.87
NE Dept of Revenue	Sales Tax	37,731.77
Companion Life	Life Ins.	260.31
Madison National Life	Life Ins.	187.03

MEAN	Power	350,058.32
West Point Auto & Truck Center	2020 Ford Explorer	36,674.00
Cuming County Title & Abstract	Johnson/Hansen Properties	61,118.00
City of West Point Payroll Tax Fund	Employer FICA	6,224.22
First National Bank Fremont	Retirement Contributions	3,697.96
United Healthcare	Health Ins.	57,606.50
Advanced Consulting	Prof Services	33,359.52
Aqua Chem Inc.	Supplies	472.00
Auto Value	Supplies	286.50
Barco Municipal Products	Supplies	152.66
Black Hills Energy	Service	399.65
Bomgaars Supply	Supplies	651.72
Border States	Supplies	3,278.22
Bound Tree Medical	Supplies	1,696.84
Cardmember Service	Service	2,297.81
Century Link	Service	1,015.95
Constellation NewEnergy	Service	1,322.63
Creative Xpressions	Supplies	67.70
Cuming County Public Power	Wheeling Service	5,554.64
Danko Emergency Equipment	Serv/Supplies	3,889.96
Dave's Drycleaning	Service	20.00
Dinklage Medical Clinic	Service	78.00
Dugan Business Forms	Supplies	206.88
Dutton Lainson Co.	Supplies	704.74
Elite Computers	Supplies	57.00
Engelhardt TV	Serv/Supplies	1,578.04
Ernesti Tree Service	Service	270.00
Floor Maintenance	Supplies	223.11
Gall's Inc.	Supplies	265.96
L. P. Gill Inc.	Tipping Fee	15,916.74
Gill Hauling	Hauling Fee	3,884.47
Graybeal's Food	Supplies	64.24
Hawkins Inc.	Service	1,233.37
The Home Depot Pro	Supplies	659.06
Ingam Library Service	Books	850.71
JEO Consulting Group	Prof Services	9,407.50
Jackson Services	Uniform Service	903.52
League of NE Municipalities	Membership Dues	8,668.00
League of NE Municipalities-Utilities Section	Membership Dues	1,993.00
Leisure Lawn Care	Service	156.00
Logemann Auto Parts	Supplies	142.65
Matheson Tri-Gas	Supplies	201.63
MicroMarketing LLC	Audio Books	678.34
Midwest Labs	Service	248.90

Midwest Tape	Supplies	34.48
NE Library Commission	Subscription	500.00
NE Public Health Environmental Lab	Service	290.00
NE Public Power District	Service	67.50
Nebraska Vet Services	Service	566.25
OCLC, Inc.	Service	44.85
OfficeNet	Supplies	32.41
One Call Concepts	Service	64.34
Overdrive, Inc.	Service	113.97
PetroMart	Supplies	90.00
Presto X	Service	68.00
Quality Printing	Supplies	1,430.44
Quick Med Claims	Prof Services	531.68
Robert's Ins. Agency	Premium	581.66
S & W Welding	Supplies	43.65
St. Joseph's Hillside Villa	Meal Service	3,087.50
Seals and Service	Service	928.96
Skywave Wireless	Service	345.60
Smidt's Sanitation	Service	177.00
Sparklight	Service	67.61
Stalp Gravel	Supplies	604.33
USA Blue Book	Supplies	578.21
Verizon Business	Service	119.46
Verizon Wireless	Broadband	120.03
Verizon Wireless	Service	313.82
Welch Law Firm	Prof Services	2,397.50
West Point Implement	Supplies	75.28
West Point Library Foundation	Cash Adv	647.88
WPLW	Service	41,493.02
WPLW Operating Fund	Cash Adv	1,816.47
West Point News	Publication Costs	552.02
West Point Rescue	Ambl Charges/Supplies	802.00
West Point True Value	Supplies	261.34
Woerner's Garbage Service	Service	267.00
American Library Association	Membership Dues	225.00
Arbor Day Foundation	Membership Dues	15.00
Echo Group Inc.	Supplies	514.29
Franciscan Healthcare	Supplies	163.04
Glock, Inc.	Supplies	146.00
Graham Tire	Supplies	584.00
Hofeling Enterprises	Service	9,650.00
Jack's Uniforms & Equipment	Supplies	430.84
Kinnan Construction	Backhoe	4,000.00
Loffler Companies	Service	1,228.56

Mellen & Associates	Supplies	1,050.09
Nalco Company	Supplies	232.00
City of West Point	Cash Adv/Training	135.00
NE Society Assoc Executives	Membership	120.00
NE Harvestore Systems	Supplies	200.00
Nebraska Sports	Supplies	36.25
Northeast Community College	Safety Class	1,410.00
Quadient, Inc.	Service	397.14
Stan Ortmeier & Co.	Service	120.94
Stryker Sales Corp.	Serv/Supplies	7,499.16
Utility Equipment Co.	Supplies	47.64

The Mayor then opened a public hearing on the proposed 2020-2021 Budget. All parties were given an opportunity to be heard. No one appeared to speak in opposition of the proposed budget. The Mayor then closed the public hearing. Swenson introduced Ordinance No. 1415 entitled:

AN ORDINANCE OF THE CITY OF WEST POINT, IN CUMING COUNTY, NEBRASKA APPROPRIATING THE SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL EXPENSES AND LIABILITIES OF SAID CITY FOR THE FISCAL YEAR COMMENCING ON THE FIRST DAY OF OCTOBER, 2020 AND ENDING THE LAST DAY OF SEPTEMBER, 2021; DESIGNATING THE PURPOSES FOR WHICH SAID APPROPRIATION SHALL BE USED AND APPROPRIATING THE UNEXPENDED BALANCES FOR THE VARIOUS FUNDS; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND TAKE EFFECT, AND PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM,

and moved that the statutory rule requiring reading on three different days be suspended. Buse seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, and Hugo. Nay: None. Absent: Smith. Motion carried. Statutory rule suspended. Stokely moved for final passage of the ordinance, which motion was seconded by Penrose. Voting Yea: Stokely, Penrose, Swenson, Buse, and Hugo. Nay: None. Absent: Smith. Ordinance adopted.

Moved by Penrose, seconded by Swenson, to approve the State Budget Lid Computation Form showing the 2020-2021 Total Restricted Funds to be \$1,061,781.52 and the Total Unused Restricted Funds Authority to be \$828,885.72. Voting Yea: Stokely, Penrose, Swenson, Buse, and Hugo. Nay: None. Absent: Smith. Motion carried.

Moved by Buse, seconded by Swenson, to approve the increase in the total restricted funds authority by an additional 1%. Voting Yea: Stokely, Penrose, Swenson, Buse, and Hugo. Nay: None. Absent: Smith. Motion carried.

The Mayor opened a public hearing on the Property Tax Request for the fiscal year beginning

October 1, 2020. All parties were given an opportunity to be heard. No one appeared to speak in opposition of the tax request. The Mayor then closed the public hearing. Hugo introduced a resolution:

1. That the 2020-2021 property tax request be set at \$1,125,823.00;
2. That the total assessed value of property differs from last year's total assessed value by 2.53 percent;
3. That the tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$0.4221 per \$100 of assessed value;
4. That the City of West Point proposes to adopt a property tax request that will cause its tax rate to be \$0.4569 per \$100 of assessed value;
5. That based on the proposed property tax request and changes in other revenue, the total operating budget will exceed last year's by 8.2 percent; and
6. That a copy of this resolution be certified to the County Clerk on or before October 13, 2020.

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

The bids for the Water and Sewer Extension for Wilderness Ridge Subdivision Project were opened and tabulated on August 27, 2020 in accordance with the published notice and the following bids were received:

Engineer's Estimate of Cost: Base Bid \$225,000

Rutjens Construction \$182,741.75
Tilden, Nebraska
Anticipated Starting Date: October 1, 2020
Anticipated Completion Date: December 1, 2020

Penro Construction \$199,340.25
Pender, Nebraska
Anticipated Starting Date: October 12, 2020
Anticipated Completion Date: November 30, 2020

Van Kirk Bros. Contracting \$244,179.05
Sutton, Nebraska
Anticipated Starting Date: November 1, 2020
Anticipated Completion Date: December 1, 2020

Following discussion, Swenson introduced a resolution that the bid for the furnishing of labor, tools, materials and equipment required to construct improvements and such other work as may be incidental thereto in the Water and Sewer Extension for Wilderness Ridge Subdivision Project as submitted by Rutjens Construction in the amount of \$182,741.75 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. Hugo seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, and Hugo. Nay: None. Absent: Smith. Motion carried and said resolution adopted.

Ben Dinslage appeared before the Council on behalf of Nancy Steffen and Lana Wolf, co-chairmen of the Red Cross bloodmobiles, concerning the rental fee for the Nielsen Community Center for the bloodmobiles. The request was that the rental fee be waived for the 2021 bloodmobiles (02/01/2021, 04/05/2021, 06/07/2021, 08/02/2021, 10/04/2021) as has been done in the past. Moved by Swenson, seconded by Penrose, to waive the rental fee for the Nielsen Community Center for the Red Cross bloodmobiles scheduled for 2021. Voting Yea: Stokely, Penrose, Swenson, Buse, and Hugo. Nay: None. Absent: Smith. Motion carried.

The City Administrator gave an update on the water treatment plant project. JP Electric and HOA are in the process of installing variable frequency drives in two wells. HOA and Layne Christensen Company are continuing to work on the communications and control systems. The City continues to have high demands on the system using 1.2 to 1.8 million gallons a day.

Klint Arnold of Stealth Broadband appeared before the Council stating they are a small business that serves underserved communities in Nebraska with high speed internet and explained their plan to expand their fiber network into West Point from the south, coming through town connecting to the college and a few businesses. Then to head east towards Oakland where they already have established a fiber network. He further stated that they will not be serving any residential areas at this time. He will keep the City updated as their plans progress.

The City Administrator advised the Council that the Army Corp of Engineers will be constructing a berm along portions of the levee system and the City is working with the Cuming County Ag Society regarding their property along the levee north of Neligh Park. Brian Meiergerd and Jesse Hansen appeared before the Council representing the Ag Society and their willingness to work with the City on this issue. Following discussion, it was felt that a starting point would be to have the land and improvements appraised.

David Branch, Executive Director of the Cuming County Economic Development, appeared before the Council concerning the Interlocal Agreement between Cuming County, the City of West

Point, the City of Wisner, the Village of Beemer and the Village of Bancroft and the funding paid by each entity. Currently Cuming County pays \$50,000 per year with each community paying \$5,000 per year. Mr. Branch was purposing a new Interlocal Agreement in which Cuming County would pay \$60,000 per year, City of West Point would pay \$10,000 per year, City of Wisner would pay \$7,500 per year and the Village of Beemer and Village of Bancroft would each pay \$6,000 per year. The new agreement would be for 3 years. Following review, it was moved by Stokely and seconded by Swenson, to terminate the current Interlocal Agreement, being July 1, 2019 through June 30, 2022, between Cuming County, the City of West Point, the City of Wisner, the Village of Beemer and the Village of Bancroft and approve the new Interlocal Agreement for a three year term commencing July 1, 2020 whereby the City of West Point will pay \$10,000 per year for Cuming County Economic Development. Voting Yea: Stokely, Penrose, Swenson, Buse, and Hugo. Nay: None. Absent: Smith. Motion carried.

The Council considered the subdivision of Lots 5 and 6, Block 10, Replat of Kountze's Addition to the City of West Point as an improvement on Lot 5 encroaches upon Lot 6 and the owners wish to resolve this matter in order to complete the sale of Lot 5. The Planning Commission was forwarding a favorable recommendation. Hugo expressed concerns about the possibility that both properties have a common sewer line. Following discussion, Swenson introduced a resolution as follows:

That Chad E. Klitz, owns Lot 6, Block 10, Replat of Kountze's Addition and Saul Perez Gonzalez owns Lot 5, Block 10, Replat of Kountze's Addition, all in the City of West Point, Cuming County, Nebraska; and,

That, a survey of said Lot 5 reveals that a portion of the improvements on said Lot encroach onto Lot 6; and,

That Klitz and Perez have come to an agreement to exchange small portions of each of their lots in order that the portion of Lot 6 on which the improvements on Lot 5 encroach will be conveyed by Klitz to Perez; and, in exchange therefore, the parties have agreed that a portion of Lot 5 will be conveyed by Perez to Klitz; and,

That the exchange and conveyance of the tracts be approved.

Stokely seconded the motion. Voting Yea: Stokely, Penrose, Swenson, and Buse. Nay: Hugo. Absent: Smith. Motion carried and said resolution adopted.

The City Administrator gave an update on the following buildings which the City Council had declared to be unsafe with proper notice being given to the owners in accordance with Section 8-303 of the Municipal Code to remove or remedy the unsafe or dangerous conditions:

- a) Building located at 546 E. Walnut Street –some basic fixes have been done but the retaining wall is still not repaired and shingles continue to come off;
- b) Building located at 248 N. Lincoln Street – still have not received a response to the original certified letter sent to the owner; there are no utilities to the property and no one is living there;
- c) Building located at 1019 N. Main Street –are in the process of fixing up the property;
- d) Building located at 226 N. Lincoln Street –there are no utilities to the property and no one is living there – electrical work done was not approved by the State Electrical Inspector;
- e) Building located at 143 N. Monroe Street – have not received any response.

The City Attorney stated, that the properties on which the City wishes to move forward on, it would be his recommendation to send a final letter requesting voluntary compliance and set forth the action required and the date on which those actions need to be accomplished. In the event voluntary compliance is not achieved, the City can then proceed with filing a complaint with the court. It was decided to proceed with sending final letters.

The City Administrator reviewed with the Council a revised pay plan taking into consideration a cost of living adjustment of 2.5%. Swenson introduced Ordinance No. 1416 entitled:

AN ORDINANCE OF THE CITY OF WEST POINT, NEBRASKA ADOPTING A PAY PLAN FOR CERTAIN OFFICERS AND ALL EMPLOYEES; REPEALING ORDINANCE NO. 1408 AND ALL OTHER MOTIONS, RESOLUTIONS AND ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT; AND TO PROVIDE 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, and Hugo. Nay: None. Absent: Smith. Motion carried. Statutory rule suspended. Buse moved for final passage of the ordinance, which motion was seconded by Stokely. Voting Yea: Stokely, Penrose, Swenson, Buse, and Hugo. Nay: None. Absent: Smith. Ordinance adopted.

Moved by Swenson and seconded by Buse to set the public hearing on the One Year & Six Year Street Improvement Program for the next City Council meeting, being Tuesday, October 6, 2020 at 5:30 PM.

Moved by Swenson, seconded by Stokely, to approve the claim of Hugo Plumbing & Heating for services and supplies in the amount of \$516.08. Voting Yea: Stokely, Penrose, Swenson, and Buse. Nay: None. Abstaining: Hugo. Absent: Smith. Motion carried.

Swenson introduced a resolution to approve Payment No. 6 to Rutjens Construction for the West Point Water Treatment Plant Project in the amount of \$8,456.80. Stokely seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, and Hugo. Nay: None. Absent: Smith. Motion carried and said resolution adopted.

Moved by Swenson, seconded by Buse, to adjourn at 6:31 P.M. Voting Yea: Stokely, Penrose, Swenson, Buse, and Hugo. Nay: None. Absent: Smith. Motion carried.

Mary Kempf, MMC
City Clerk