

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 6, 2021 in the Council Chambers at the Municipal Building, 444 S. Main Street, West Point, Nebraska.

Present were: Mayor Bruce A. Schlecht; Councilmembers: Emma Stokely, Ryan Penrose, Tom Swenson, Mark Buse, Jerry Hugo, and Rusty 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 west wall of the room for public information. The Pledge of Allegiance was then recited.

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

1. City appointed volunteer boards and commissions: Library Board – reappointment of Dave Schuetze (4 year term).
2. Fire & rescue departments – accept memberships and resignations – none.
3. Approval of minutes of previous meeting.
4. Treasurer's report.
5. Claims
6. Appointment of Katherine Peterson as City Treasurer effective July 16, 2021.

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

<u>CLAIMS</u>		
Payroll		178,971.24
City of West Point Payroll Tax Fund	Employer FICA	6,514.68
Ascenus	Retirement Contributions	3,782.67
Sapp Bros	Service	3,529.08
Western Area Power Administration	Service	10,999.71
Black Hills Energy	Service	71.32
Wagner Tire	Service	318.75
Rutjens Construction	Water Plant Project	76,539.45
Rutjens Construction	Water Main Improve	43,553.19
Rutjens Construction	Water Main Improve	130,130.70
Central Valley Ag	Service	1,218.35
Chamber of Commerce	Fireworks Contribution	3,000.00
4S Service & Repair	Deposit Refund	200.00
Juanita Anguiano	Deposit Refund	150.00
Carl Aschoff	Deposit Refund	200.00
Jennifer Barragan	Deposit Refund	200.00
Rodney Boswell	Deposit Refund	150.00
Trenton Brichacek	Deposit Refund	200.00
Ryan Callies	Deposit Refund	200.00
Expanse Holdings LLC	Deposit Refund	540.00
Ethel Forster	Deposit Refund	200.00

Carmen Fraher	Deposit Refund	200.00
Jack Gardes	Deposit Refund	200.00
Sandra Gomez	Deposit Refund	150.00
Marco Gonzalez Diaz	Deposit Refund	200.00
Laura Gonzalez	Deposit Refund	200.00
Darren Good	Deposit Refund	50.00
H&R Block	Deposit Refund	250.00
Ken or Marilyn Hassler	Deposit Refund	200.00
Austin Havranek	Deposit Refund	200.00
Holly or Paul Hegstrom	Deposit Refund	200.00
Katie or Nicholas Hugo	Deposit Refund	200.00
Keith Hugo	Deposit Refund	200.00
Lizbeth Inzunza	Deposit Refund	200.00
John Kaup	Deposit Refund	200.00
Bryce or Jessica Knobbe	Deposit Refund	200.00
Emily or Aaron Knust	Deposit Refund	200.00
Monica Korus	Deposit Refund	200.00
Kerbie Large	Deposit Refund	200.00
Andrew Lewis	Deposit Refund	200.00
Eric Lutz	Deposit Refund	200.00
Stan or Joanne Marquardt	Deposit Refund	200.00
Sandra Martinez	Deposit Refund	200.00
Brandon Meister	Deposit Refund	200.00
Brian or Tammi Metz	Deposit Refund	200.00
Moises Naranjo	Deposit Refund	200.00
Neligh House LLC	Deposit Refund	250.00
Terry Niles	Deposit Refund	200.00
Lonetta Olson	Deposit Refund	150.00
Jose Orozco	Deposit Refund	200.00
Alan Peatrowsky	Deposit Refund	200.00
Marie Poland	Deposit Refund	150.00
Porter and Company	Deposit Refund	200.00
Kayla Reichlinger	Deposit Refund	200.00
Randy Rood	Deposit Refund	200.00
Michele Root	Deposit Refund	200.00
Salvador Saldana	Deposit Refund	200.00
Brock or Kelsey Schroder	Deposit Refund	200.00
Ronald Schulzkump	Deposit Refund	200.00
Carter Shearer	Deposit Refund	150.00
Lyle Soenksen	Deposit Refund	200.00
Luz Soto	Deposit Refund	200.00
James Taivalkoski	Deposit Refund	150.00
Emma Tamez	Deposit Refund	150.00
Lazaro Tejada	Deposit Refund	150.00
TS Ag Repair	Deposit Refund	200.00
TWS Productions	Deposit Refund	250.00
David Ulrich	Deposit Refund	200.00
Lynette Vesely	Deposit Refund	150.00
West Point Dairy	Deposit Refund	150.00
West Point Nail Salon -Ref	Deposit Refund	250.00
West Point True Value	Deposit Refund	400.00
Mark Yosten	Deposit Refund	200.00
Madison Zobel	Deposit Refund	200.00
CCPPD	Service	57.40

Nebraska Dept of Revenue	Sales Tax-Campgrounds	62.19
Nebraska Dept of Revenue	Sales Tax	27,129.76
Constellation	Service	728.46
City of West Point Payroll Tax Fund	Employer FICA	7,340.87
Ascenus	Retirement Contributions	3,949.09
BCBS	Health Insurance	57,901.46
MEAN	Power	295,184.11
Mutual of Omaha	Life Insurance	1,604.55
Advanced Consulting	Professional Services	3,461.46
Aqua-Chem Inc	Supplies	1,909.05
Arnold Motor/Auto Value	Supplies	2,900.94
Black Hills Energy	Service	544.00
Bomgaars	Supplies	742.43
Border States	Supplies	16,229.80
Cardmember Service	Service	1,562.19
CenturyLink	Service	1,033.31
Creative Xpressions	Supplies	61.00
Cuming County Rural Water	Service	126.00
Cuming County Public Power	Wheeling	5,509.07
Dave's Drycleaning	Service	33.00
Dinslage Small Engine	Service	132.85
Dutton Lainson Co.	Supplies	1,274.02
Elite Computers	Service	144.00
Engelmeyer Repair LLC	Service/Supplies	559.22
Ernesti Tree Service	Service	120.00
Floor Maintenance	Supplies	526.04
Gale/Cengage Learning	Books	101.05
Gall's Inc.	Supplies	410.80
Garratt Callahan Co.	Supplies	1,764.00
Gerhold Concrete Company Inc.	Supplies	662.75
L.P. Gill Inc.	Tipping Fee	10,113.48
Gill Hauling	Hauling Fee	3,814.16
Grainger	Supplies	217.04
Graybeal's Food	Supplies	22.25
Hawkins Inc	Supplies	3,660.61
Heiman Fire Equipment	Supplies	5,331.00
Hiland Dairy	Supplies	1,653.99
The Home Depot Pro	Supplies	1,381.13
Ingram Library Service	Books	1,616.77
JEO Consulting Group Inc.	Professional Services	3,013.75
Jackson Services Inc.	Service	889.12
John A Stahl Library	Postage	81.13
League of Nebraska Municipalities	Training	650.00
Lou's Sporting Goods	Supplies	156.00
Mahaska	Supplies	590.90
Terry L. Martin/Martin Gravedigging	Grave Digging/Service	300.00
Matheson Tri-gas Inc.	Supplies	444.81
MicroMarketing LLC	Books	573.90
Midwest Laboratories	Service	160.35
Midwest Tape	Supplies	174.65
MEAN	Power	295,184.11
Mutual of Omaha	Life Ins.	1,604.55
NE Public Health Environmental Lab	Service	1,841.00
Nebraska Vet Services	Service	200.00

OfficeNet	Supplies/Service	792.35
One Call Concepts Inc.	Service	197.78
Overdrive Inc.	Service	77.84
PetroMart	Supplies	48.90
PrestoX	Service	68.00
Quality Printing & Supplies	Supplies	1,209.49
Quick Med Claims	Service	348.58
S2 Roll-offs LLC	Service	190.00
S&W Welding Inc.	Supplies	236.60
St. Joseph's Hillside Villa	Meal Service	2,658.50
Schuetze Plumbing & Heating	Service	190.25
Seals and Service Inc.	Service	856.79
Skywave Wireless Inc.	Service	224.05
Special Roads Fund	Mechanic Chgs	945.56
Stalp Gravel	Supplies	171.64
Sunrise Excavating Co.	Service	2,861.50
USA Blue Book	Supplies	2,536.33
Verizon Business	Phone Service	83.82
Verizon Wireless	Mobile Broadband	120.03
Verizon Wireless	Cell Service	323.13
Welch Law Firm P.C.	Professional Services	8,560.00
West Point Library Foundation	Supplies/Service	891.52
West Point Light and Water	Service	39,568.64
WPLW Operating Fund	Cash Adv/Supplies	1,196.60
West Point News	Publication Costs	997.67
West Point Rescue	Ambulance Charges	750.00
West Point Rural Fire District	1/2 Insurance Ladder Truck	1,256.00
West Point True Value	Supplies	371.24
Woerner's Garbage Service	Service	267.00
AMC Rifle Range	Membership Renewal	105.50
Assn.for Rural & Small Libraries	Membership Renewal	49.00
B&D Diamond Pro Inc.	Supplies	1,026.00
Cardiac and Pulmonary Service	Training	550.00
CellOnly Verizon	Supplies	64.98
Collaborative Summer Library	Supplies	168.20
Creative Notions	Supplies	503.65
Dell Marketing	Service	119.00
Angela Kienbaum	Service	256.00
Modern Marketing	Supplies	504.95
NE State Fire Marshall	Boiler Certs	108.00
Network Partners Inc	Service	77.50
Omaha World Herald	Subscription	321.00
Sandry Fire Supply	Supplies	7,147.00
Siffring Landscaping	Supplies	299.06
Traffic Safety Warehouse	Supplies	130.00
United Industries Incorporated	Supplies	161.10
West Point Garden Center	Supplies/Service	902.13
Zoll Medical Corp	Supplies	4,974.17
Echo Group	Supplies	53.19
Bert Gurney & Associates	Supplies	19,912.44
Rutjens Construction	Service/Sewer Line Repair	44,415.00
Jones Grinding Service	Service	11,100.00

The Mayor then opened a public hearing on the application of Thunderhead Brewing Taproom, LLC dba Thunderhead Brewing Taproom for a Class CG liquor license at 139 S. Main Street. All parties were given an opportunity to be heard. No one appeared to speak in opposition of the liquor license application and no correspondence had been filed. The Mayor then closed the hearing. Moved by Smith, seconded by Penrose, to approve the application of Thunderhead Brewing Taproom, LLC dba Thunderhead Brewing Taproom for a Class CG liquor and that the Nebraska Liquor Control Commission be notified of this action. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

The City Administrator advised that last month the Council had decided to remove the 2-hour parking restriction on a portion of Park Street on the south side between Main and Mill Streets. At that time, it was requested to remove the 2-hour parking on the north side of Park Street. As it was not on the agenda, the Council could not act on that request. So the matter is before the Council now to consider. Stokely introduced a resolution that the two-hour parking restriction be removed and deactivated in the following area: On the north side of Park Street from the intersection of Main and Park Streets west to the alley between Main and Mill Streets, and that this resolution shall be in force as soon as the 2-Hour Parking signs can be removed from this area. Swenson seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried and said resolution adopted.

The Council reviewed the application of the Bohemian Duck for the addition of an outdoor area approximately 51' x 21' and that said area be included in its liquor license. Moved by Smith and seconded by Stokely to approve this application and notify the Nebraska Liquor Control Commission of such approval. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

The City Administrator was requesting authorization to sell the 2004 Ford Expedition, which was a former police vehicle. Swenson introduced a resolution whereas the City of West Point is the owner of a 2004 Ford Expedition having a value of greater than \$5,000 and authorizing the sale of said vehicle by auction, bid, or scrap/salvage; that the Mayor and City Clerk are authorized to execute all necessary documents relating thereto; and that notice of sale shall be published once

in a legal newspaper at least seven days prior to the sale of the property. Penrose seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried and said resolution adopted.

The City Administrator reported to the Council that the City has applied for the American Rescue Plan Act funds through the State of Nebraska. The deadline to apply for these funds was July 2, 2021. These are federal funds and will be received in two installments with the first installment being \$290,525, which funds should be distributed to the City within 30 days. More information will be coming on disbursing the funds and the required reporting. An eligible possibility would be infrastructure projects. The Council will be kept updated on this.

The City Administrator advised that the Water Treatment Plant Improvement Project and the Water Main Improvement Project were done rather quickly in order to get the new filters on line. There were several items that were not included in the original projects such as the water treatment plant roof and well rehab. Also needed is the equipment to be in compliance with the copper levels. Therefore, it is necessary to amend the loan agreement with the Nebraska Department of Environment and Energy. The original loan was not to exceed \$2,765,000. It is proposed to amend the loan agreement to \$3,500,000 with \$700,000 being forgiven. Following discussion, Buse introduced Ordinance No. 1422 entitled:

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO AN EXISTING LOAN AGREEMENT BETWEEN THE CITY OF WEST POINT, NEBRASKA AND THE NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY; AND AUTHORIZING CERTAIN ACTIONS AND DOCUMENTS AND PRESCRIBING OTHER MATTERS RELATING THERETO,

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. Stokely 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.

The City Administrator advised the Council that the City has received notification from the Nebraska Department of Environment and Energy that the City's public water system is in exceedance of the copper level. About 40 water samples are taken from various residences every 6 months. The residences sampled are to be built in 1988 or earlier. He wanted to clarify that the water coming out of the water treatment plant has no copper in it. The copper levels come from the

pipng in the homes. He further stated that orthophosphate will be injected into the water at the treatment plant to essentially coat the lines to prevent the leaching of copper into the home's drinking water. A notice will be published in the newspaper but are still waiting for the wording of the notice from the NDEE. After this is done, another round of sampling will take place. The Lead and Copper Rule has been very controversial especially when it comes to the sampling protocol. Stokely suggested that all this be communicated to the public in a comprehensive manner.

Moved by Buse, seconded by Swenson, to approve the claim of Hugo Plumbing & Heating for services and supplies in the amount of \$4,908.58. Voting Yea: Stokely, Penrose, Swenson, Buse, and Smith. Nay: None. Abstaining: Hugo. Motion carried.

The Council decided to hold a workshop for the 2021-2022 budget on Wednesday, July 28th at 5:00 PM. Because of recent legislation, the Council must hold a public hearing on the proposed budget statement and this hearing is to be held separately from any regular meeting and it cannot be limited by time. The Council decided to hold the public hearing on the proposed budget statement on Thursday, September 2, 2021 at 5:30 PM.

Swenson introduced a resolution to approve Change Order No. 1 and Payment No. 6 to Layne Christensen Company for the West Point Water Treatment Plant Project in the amount of \$3,600.00. Buse seconded the motion. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried and said resolution adopted.

Smith introduced a resolution to approve Payment No. 4 to Rutjens Construction for the West Point Water Main Improvement Project in the amount of \$41,714.04. Swenson 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 Swenson, to adjourn at 6:05 P.M. Voting Yea: Stokely, Penrose, Swenson, Buse, Hugo, and Smith. Nay: None. Motion carried.

Mary Kempf, MMC
City Clerk