ACKNOWLEDGEMENT OF RECEIPT OF NOTICE OF MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA

The undersigned members of the governing body of the City of David City, Nebraska, hereby acknowledge receipt of advance notice of a <u>regular</u> meeting of said body and the agenda for such meeting to be held at <u>7:00</u> o'clock p.m. on the **11**th **day of February, 2015**, in the meeting room of the City Office, 557 N 4th Street, David City, Nebraska.

This agenda is available for public inspection in the office of the City Clerk and may be modified up to twenty-four hours prior to the opening of the meeting.

Dated this ___4th___ day of February, 2015.

AGE	ENDA AS FOLLOWS:	Mayor Alan Zavodny
1.	Roll Call;	
2.	Pledge of Allegiance;	
3.	Inform the Public about the location of the Open Meetings Act and the Citizens Participation Rules;	Council President Gary L. Kroesing
4.	Minutes of the January 14 th , and 26 th , 2015, meetings of the Mayor and City Council;	Council member Michael E. Rogers
5.	Consideration of Claims;	
6.	Committee and Officer Reports;	
7.	Consideration of the bids received for the 6" water main extension along west "E" Street and an 8" water main replacement on "I" Street from 5 th to 8 th , and on 7 th Street from "I" to "J" Streets;	Council member Thomas J. Kobus
8.	Consideration of the audited Financial Statements for Fiscal Year October 1, 2013 to September 30, 2014;	Council member Kevin N. Hotovy
9.	7:30 p.m. Public Hearing to consider the adoption of a One-Year and Six-Year Street Improvement Program for the City;	Council member Gary D. Smith
10.	Consideration of Resolution No. 3 – 2015 accepting the One-Year and Six-Year Street Improvement Plans;	
11.	Consideration of the Operation and Maintenance Agreement as proposed by PeopleService;	Council member John P. Vandenberg
12.	Consideration of the purchase of a dissolved oxygen system for the sewer department estimated at \$6,021 without Shipping / handling;	City Clerk Joan E. Kovar

- 13. Consideration of the concerns by Laurie Platt (895 N 9TH Street) regarding her neighbor's property located at 875 N 9th Street;
- 14. Consideration of replacing piping in the basement of the Water Treatment Plant;
- 15. Consideration of a secure storage area for towed vehicles;
- Consideration of a gray 2011 Colorado Pickup, 4 wheel drive, 50,000 miles, for \$15,000 that the County has for sale;
- Consideration of the Firm Electric Service Contract No. 13-UGPR-1076 (FES Contract)
 between Western Area Power Administration and the City of David City;
- 18. Update by Eric Johnson of Kirkham Michael concerning the Airport project and proposed t-hangar project;
- 19. Adjourn.

CITY COUNCIL PROCEEDINGS

February 11, 2015

The City Council of the City of David City, Nebraska, met in open public session in the meeting room of the City Office, 557 N 4th Street, David City, Nebraska. The Public had been advised of the meeting by publication of notice in The Banner Press on February 5th, and an affidavit of the publisher is on file in the office of the City Clerk. The Mayor and members of the City Council acknowledged advance notice of the meeting by signing the Agenda which is a part of these minutes. The advance notice to the Public, Mayor, and Council members conveyed the availability of the agenda, which was kept continuously current in the office of the City Clerk and was available for public inspection during regular office hours. No new items were added to the agenda during the twenty-four hours immediately prior to the opening of the Council meeting.

Present for the meeting were: Mayor Alan Zavodny, Council members Thomas Kobus, Gary Smith, Kevin Hotovy, Mike Rogers, John Vandenberg, and Gary Kroesing. Also present were Attorney Tim Wollmer, and Interim City Administrator/City Clerk Joan Kovar.

Also present for the meeting were: Craig Reinsch of Olsson Associates, Joe Held of Kruse, Schumacher, Smejkal & Brockhaus, P.C., Eric Johnson of Kirkham Michael, Jerry Hain and Matt Rief of Olsson Associates, Chris Gutschow, Chad Meyer, and Duane Grashorn of PeopleService Inc., Jared Storm, Shawn Kranda & fiancée of Hershey Flying Service, Electric Plant Supervisor Eric Betzen, Park/Auditorium Supervisor Bill Buntgen, Water Employees Kevin Betzen and Matt Fleming, Street Foreman Rodney Rech, Sewer Employee James Pedersen, Janis Cameron, Dana Trowbridge, Mike Draper, and Banner Press Editor Larry Peirce,

The meeting opened with the Pledge of Allegiance.

Mayor Zavodny informed the public of the "Open Meetings Act" posted on the east wall of the meeting room and asked people to silence their cell phones.

The minutes of the January 14th, and 26th, 2015 meetings of the Mayor and City Council were approved upon a motion by Council member Smith and seconded by Council member Rogers. Voting AYE: Council members Hotovy, Vandenberg, Kobus, Rogers, and Smith. Voting NAY: None. Council member Kroesing was absent. The motion carried.

Mayor Zavodny asked for consideration of claims. Council member Smith made a motion to authorize the payment of claims and Council member Kobus seconded the motion. Voting AYE: Council members Rogers, Vandenberg, Hotovy, Smith, and Kobus. Voting NAY: None. Council member Kroesing was absent. The motion carried.

Council member Rogers made a motion to accept the committee and officers reports as presented. Council member Vandenberg seconded the motion. Voting AYE: Council members Hotovy, Smith, Kobus, Vandenberg, and Rogers. Voting NAY: None. Council member Kroesing was absent. The motion carried.

Craig Reinsch of Olsson Associates stated that three (3) bids were received for the 1:30 p.m. bid opening on February 5th for the 6" water main extension along west "E" Street and an 8" water main replacement on "I" Street from 5th to 8th, and on 7th Street from "I" to "" Streets. The Engineer's opinion of construction costs was \$285,000, so the low bid is approximately 20% below the engineer's estimate. The following bids were received:

	CONTRACTOR		H	300000	Ca, Inc.		acaveling	200	Contracting
m No.		UNIT QTY.		Unit Price Extension		Lincoln,		Watton, Nebraska	
140.	BASE BID: For furnishing all labor, materials, and	UNIT	QIY.	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
-				250000000000000000000000000000000000000		activity States	C-100-100-10		- 524-10-00-0
_	equipment for constructing approx 400 LF of 6 Inch 8	-		-					
_	1,600 LF of 6-inch water main to installed connecting to		_					Law .	
-	existing water mains.	-	-	-				Address Service	La maria
2	Mehilipeton/Demobilizatur/NordeAve 8° CS00 PVC and RJ Water Main	LS	1	\$7,500.00	\$7,500.00	\$35,323.00	\$33,323,00	\$10,505,00	\$10,505.0
4-	Is CHOO PVC and RU Water Main	LF	1,610	24.25	39,042.50	32.10	51,681,00	36,00	57,950.0
1	If Water Main HDO or Bored wo/Casing	UF	432	22.00	9,504.00	22,40	13,006,80	27.00	11,654,0
5	IS* Water Main HEX) or flored wo/Casing	UF	870	15,00	120.00	54,20	433.60	41.00	326 0
6	6" Water Main HOO or Bored wo/Casing	UF.	50	43.25 37.50	37,627.50 1,875,00	11.90	10,363.00	44.00	34,240.0
7	6" Gate Valve willox, MJ	EA	6	1,510.00	1,875,00	21.60 1364.40	1,980,00	60.00	2,000.0
0	le" Gate Valva withox, MJ	EA	3	1,100.00	9,060,00 2,200,00	939 RO	8,126,40 1,679,60	1,279.00	10,674.0
9	4" Gate Velve willow, MJ	EA	1	810,00	810.00	779.30		1,232,00	2,454.0
10	2" Service Line	LF		18.25	146.00	16.90	779.30	1,065,00	1,005.0
11	11% Service Line	UF	10	15.00	150.00	17.00	170.00	47,00	470.0
12	1" Service Line	UF	158	12.00	1,896,00	16.10	2,543,80	20.00	3,160,0
t3	% Scrytce Line	UF	145	12.00	1,740.00	15.30	2.218.50	20.00	2,900.0
14	Este 2" Senice Line	LF	50	11.00	\$60.00	19.50	975,00 975,00 975,00	41.00	2.050.0
15	Bots 11/2 Service Line	U	50	11.00	550.00	19.50	975.00	39.00	1,950.0
10	Bora 1" Service Line	1.F	50	11.00	550.00	19.50	975.00	37,00	1,850.0
17	Bore W. Service Line	LF.	224	11.00	2,464.00	16,70	3,740.80	34.00	7,616.0
0	2" Tegeing Settle, Corp/Curb Stop & Connection	EA.	2	W25.00	1,850.00	1,628,60	3,257,20	2,016.00	4,022.0
10	156' Tapping Saide, Corp/Curb Stop & Correction	EA	1	850.00	850.00	1,321,70	1,321,70	1,127.00	1,127.0
1	1" Tapping Sadde, Corp/Curb Stop & Connection	EA	1	425.00	425.00	920.40	W20,40	1,000.00	1,000.0
2	Nº Tapping Sastile, Corp/Curb Stop & Connection Shotal Fire Hydrors Assembly	EA	22	400,00	8,800.00	887.00	19,514.00	920.00	20,240.0
3	8" Direct Top Steeve Settle/Tee & Value, MJ w/Thrust Block	EA	4	3,650.00 1,600.00	14,800.00	4,785,20	19,140,80	5,895.00	23,510.0
4	Is' Orest Top Sleeve Sedde/Tex & Valve, MJ w/Thrust Slock	EA	-		1,800,00	2,399,30	3,399.30	4,106.00	4,106.0
15	6" Direct Top Steeve Sqddc/Tox & Valve,MJ w/Throat Stock	100	-	1,500.00	1,660,00	7,864,30	2,864,30	3,335.00	3,335.0
6	Abandon Water Main	EA.	-	650.00	3,000 DO	2,556,800	5,193.60	3,042,00	6,084,0
77	Ducille Irse Fittings, M.J.	UB	2,100	5.00	10,500.00	6.000	12,600,00	5.00	1,452.0
8	Wel Curie	EA	4	650.00	2,600,00	664.60	2,658.40	977.00	
9	Connect to Exteding Water Main/Large (4" or 6" Service)	EA	-11	1,100.00	12,100.00	234,40	2,578.40	872.00	9,592,0
10	Repair Existing Sewer Service Connection	EA	3	320.00	960.00	200.60	601.60	1.094.00	3,282.0
21	Remove Exhibing Curb Stop and Box	EA	-24	450.00	10,800.00	293.00	7,602,00	105.00	2,520.0
8	Romove Existing Fire Hydrant Assembly	EA.	2	650.00	1,300.00	752.60	1.465.20	578.00	1,156.0
13_	Remove Existing Valve and Box	EA	-3	500.00	1,500.00	293.00	879.00	105.00	315.0
<u>×</u>	Remove and Salvage Existing Fittings	EA	4	225.00	900.00	58,60	324.40	210.00	840.0
35	Saw Cut, Remove and Replace 4" Sidewelk	fiv.	30.5	53,50	1,031,75	108.10	3,257.05	51.00	1,555.5
17	Saw Cut, Remove and Replace 6" Driveway	SY	50	56.00	2,900.00	111,204	5,540.00	60.00	3,000.0
8	Saw Cut, Reviewe and Replace 12" Concrete Pavement	SY	.60	75.00	3,750.00	93.60	4,680,00	77,00	3,850.0
	Sew Cut, Remove and Replace 6" Concrete Pavement	5Y	158	59.00	9,327.00	101,30	16,005.40	79.00	12,482.0
9	Say Cid. Remove and Replace 8' Concrete Pavement	SY	50	60.00	3,000.00	63.00	3,150.00	96.00	4,500.0
10	Saw Cut, Remove and Replace 6" Asphali Pavement	1F	50	55.00	2,750.00	67.80	2,890.00	80.00	4,000.0
12	Sew Cut, Remove and Replace Curb & Gutter	EA	61	48.00	2,928.00	52,50	3,202.50	35.00	2,135.0
13	Aggregate Readway Surfacing	TN	42.5	30.00	1,275.00	36.40	1,547,00	59.00	2,507,5
N .	Remove and Roset 12" CMP Remove and Roset 12" CMP	LF	16	35.00	560.00	5.90	94.40	21.00	336.0
5	Coading and Materian	LF.	48	35.00	1,680,00	5.90	280,20	17.00	896.0
10	Seeding and Matching Erossen Control	LS	1	2,750.00	2,750,00	3,591.80	3,661,00	3,471,00	3,471.0
-	TOTAL BASE BID:	14	-	2,500,00	\$226,366,76	1,337,50	1,337,50	3,984.00	2,984,0
_	The state of the s	_		-	\$229,200,75		\$253,487,55		\$295,286.0
	Substantially Complete On or Before:	_	-	Amount	14, 2015	Aug. 1	4 2018	-	4 900
	Complete and Ready for Final Payment On or Before:	_			er 18, 2015		14, 2015 r 18, 2015		14, 2015
_	Addendes		_		one 2015				r 18, 2015
_	Bid Guarantee				d Bond	No.			Y18
_	Remarks	_	_	276 []	g pond	5% 50	Bond	5% tik	# Bond

Council member Kobus made a motion to accept the bid of Obrist & Co., Inc. in the amount of \$226,366.75 for the water main improvements and replacements. The project should be completed by September 18, 2015. Council member Smith seconded the motion. Voting AYE: Council members Vandenberg, Hotovy, Rogers, Smith, and Kobus. Voting NAY: None. Council member Kroesing was absent. The motion carried.

Tax Manager Joe Held Jr. of Kruse, Schumacher, Smejkal, & Brockhaus P.C. presented the Audited Financial Statements for Fiscal Year October 1, 2013 to September 30, 2014. Joe stated: "We did issue a clean opinion, everything is in good shape. Joan, Tami, and Lori, they all do a great job. You guys, as the City Council, are very aware of what's going on and I think you guys have a heightened awareness too. We do have two findings. We consider "material weaknesses" as something the City Council should have a heightened awareness of what's going on. The first one is regarding the utility receipts. With Tami and Lori up front, the same employees are responsible for collecting receipts, depositing receipts for services, and posting information regarding receipts to the general ledger. We like to have a clear segregation of duties to reduce the risk of errors or fraud. In entities of this size, this finding is given to about every single one of them. It's just not feasible to have a lot of employees to segregate those duties like that. The other finding is management doesn't have the ability to prepare their own

financial statements and related footnotes in accordance with the modified cash basis of accounting. Once again, that's kind of our job and all entities of this size and smaller have this finding so I don't think it's anything that you guys need to have a huge concern about. If you have concerns, let us know, let Joan know, but otherwise I think everything is going great here. Does anybody have any questions on the audit?"

There being no questions, Council member Hotovy made a motion to accept the audited Financial Statements for fiscal year October 1, 2013 to September 30, 2014 as presented by Joe Held Jr. of Kruse, Schumacher, Smejkal, & Brockhaus, P.C. Council member Kobus seconded the motion. Voting AYE: Council members Smith, Rogers, Vandenberg, Kobus, and Hotovy. Voting NAY: None. Council member Kroesing was absent. The motion carried.

Mayor Zavodny stated that the next agenda item was a 7:30 p.m. Public Hearing to consider the adoption of a One-Year and Six-Year Street Improvement Program for the City, followed by an agenda item to consider accepting the program. As it was not yet 7:30, it was necessary to skip over these items momentarily.

Chris Gutschow, Chad Meyer, and Duane Grashorn of PeopleService Inc., were present to discuss their proposed "Operation and Maintenance Agreement".

Council member Kobus stated: "Is it correct that you would take care of anything that comes up with the Department of Environmental Quality (DEQ), regardless?"

Chris Gutschow stated: "Yes, all paperwork, all reports, all of the inspections, stuff like that. We are your liaison with the DEQ on that. If there is a fine, due to negligence on our part, we take care of that also."

Mayor Zavodny stated: "I had a few notes to discuss. On page 3, Section 1.7, we are talking primarily about Henningsen Foods with the excessive suspended solids and excessive organic loadings. I know we've had issues about how that system works. On page 6, Section F, because this is one of those, it always becomes "whose responsibility is it?" If something went wrong, because I worry about someone being on-call and the inspections, especially over Holidays......If there would be a system failure for whatever reason, and it starts backing up and people start getting stuff in their basements and everything, I didn't feel 100% clear on how you were addressing that here."

Chris Gutschow stated: "The system will be checked daily, alarms monitored, and communication that would be tracked as far as making sure that alarm is going to be working properly."

Mayor Zavodny stated: "And Section (g) Owner will be responsible for all fines imposed for process upsets and violations of discharge limits attributable to the operation and maintenance of the Facilities as well as fines imposed for failure to report as required."

Chris Gutschow stated: "A lot of it again, it always falls back under, to where if, there are things of course that are out of our control or whatever and it always comes back into negligence. If we didn't get something repaired, or didn't get it done correctly and an issue happens out there and there is a backup, or a fine is imposed because of a by-pass or something that causes that and of course those are our responsibility.

Mayor Zavodny stated: "After our Committee of the Whole meeting I was pretty convinced this was the way to go. The five year (5 yr.) commitment I fully understand why you'd be looking at that, and also from our stand point I get that we'd know how long of a term we

were looking at. Then I started thinking about, what happens if nine months from now we just don't think it's working the best and we're stuck for another 4½ years and maybe it's not working the best for you either at that point but we're contractually obligated for the 5 year duration. Would you entertain a shorter contract, at least for the first one? Because going 5 years right off the bat without us having that relationship. You date longer before you commit to marrying it seems like to me. We met you on a three minute speed date and now we're looking at 5 years. That caused me a little concern as I poured over this."

Chris Gutschow stated: "Well I know we've been here several times talking about this and it's been discussed on multiple occasions. I guess we could potentially take it back to see on a shorter time frame, of course for us the five years is better for business reasons. We always hope that those occurrences aren't there. We are here to provide you with a service and for any means if we aren't providing a service and we don't correct that action, you're not going to want us here and we're going to have to walk away. You know we never want that to happen in regard to that. There's a breach of a contract statement in there too."

Mayor Zavodny stated: "On Page 9 Section 6.2 you talk about labor disputes and stuff. You know, we've been advertising for some positions for a long time, and I know other municipalities are having this issue: finding people, and especially with the level of certification necessary to do this kind of work. If you can't find somebody, it may not be a labor dispute, strikes, an Act of God, or unavailability of parts, but what happens if you don't have a person? What happens if you say "Nobody will go work in David City" or something like that and you run into that problem? Then we're without a person. It's not good enough for you to call and say "Hey guess what, my guy quit."

Chris Gutschow stated: "It's never a concern of yours. We will have the license covered through Duane Grashorn, or another means. If we have an operator here, and that operator leaves, we are covering it whether it be Duane or another operator from another location in the interim."

Mayor Zavodny stated: "Are you absolutely confident you have the personnel to cover all of your obligations?"

Chris Gutschow stated: "I can honestly say "yes".

Duane Grashorn stated: "I've been doing this for about sixteen years now as Regional Manager and I've never been shorthanded. If our guy here quit tomorrow, I would be here the next day. I'd just go in and operate it. Shuffling guys around, that's just what I've done, so we've never been at any facility without an operator. We've always had somebody there."

Council member Kobus stated: "Well I think this is something new to David City and I agree with Alan and think we ought to try it for a year and see how it works. This is something we've never done and I think we just need to see how it goes for a year."

Mayor Zavodny stated: The only other thing that I start to worry about is, what happens if you have a disgruntled employee and he is a bad actor and he decides to you know "I don't think I've been treated right" and he starts to screw some stuff up? How do you handle something like that?"

Duane Grashorn stated: "I keep in touch with all of my guys in Nebraska, pretty much on a daily basis. I don't get to every plant every day but that's just part of monitoring. We do employee reviews, we monitor employees, and we double check their work. It's just an ongoing thing but if we have an employee who's not cutting the mustard it's time to terminate them."

Mayor Zavodny stated: "How often are you going to be supervising them is what I'm getting at? You're spread fairly thin given the amount of cities you work with. You've got a guy or girl, whoever you hire out there, that's drinking. You're not going to catch that immediately and some of those performance things may not show up right away."

Duane Grashorn stated: "You know I can't say how often I'd be here. I think I'd be here quite often the first few months just because I'd see the things that need immediate attention and getting things the way I would like them. Some places I have experienced operators that have been with us a long time. I certainly don't go there as often as other places where I have less experienced operators. So, it's a balance of my time quite honestly. I can't give you an actual answer. You know if operations are going great, the plant's looking fine, I can make a couple of phone calls or a text and I don't have to be here."

Mayor Zavodny stated: "That leads me to our next thing. We've identified, and you've been very forthcoming, we've got a lot of things that need some attention to get the thing even to run, and we're not there yet. So obviously, we're going to need maybe more intensive to start."

Duane Grashorn stated: "You know I've already actually sent a couple of guys from Gibbon down to help because they have the same facility, so I have other guys that can help for half a day, or a day. They can't be here every day because there again they have their obligations at other places, but with that experience it really helps when they can spend a little time here and answering questions that I don't have the answers to. So that's part of my job too balancing this and that. Yes, I have a couple of maintenance techs available that I send to different locations to help pull a pump one day if I realize it's a smaller crew here that needs an additional hand, and it's through scheduling and things like that. It's just a day to day scheduling thing I guess, I don't have one great answer."

Council member Kobus asked: "Are you going to have someone here all the time?"

Duane Grashorn stated: "Yes."

Council member Kobus asked: "Kevin, do you know about that pretty well, what's going on there, as far as what it needs?"

Water Employee Kevin Betzen stated: "As far as the running wise. The only thing that I don't know quite honestly about is the SCADA System. The times, the pumps, the mechanical works, the nuts, the bolts, the stuff like that, "yes". Duane identified what needs to be done, like the Dissolved Oxygen Probes (D.O. Probes), get the decanter working, but the problem with the decanter right now is it needs wiring to it but the wiring is frozen into open conduit that needs to be replaced which honestly is just going to have to wait until a thaw, or spring, because you can't pull new wire through conduit that's been open for this long. The problem is all the concrete settled around the basin and it pulled all the conduit about 6 to 8 inches so that there is exposed wire everywhere. I think about 1½ years ago Cory Vandenberg was out there to replace some wire for us and he makes flexible loop space so they have some expansion. That's what needs to be done to get this final decanter working right now so there's probably the decanter and the D.O. Probes that are probably the biggest things to get going."

Mayor Zavodny asked: "How long do you think it would take to get the thing operating? If we were to contract with you, how long before we had an operating plant?" And there are a couple reasons for that. One, it should work and it hasn't worked for more years than we care to mention. Ok, so that needs to happen, but with DEQ now saying "What are they going to do

with lagoons?", because we talked about \$100,000 to dredge the lagoons that they may not even allow any more."

Duane Grashorn stated: "The decanter issue is kind of bad right now because they're not able to pull new wires in because it's probably frozen and the water has gotten in there. So, weather permitting, hopefully in a month, March, that will kind of break and we'll be able to get wires pulled in to that. The D.O. Probes, I've not really touched base with James a lot on the D.O. Probes as where we're at."

Wastewater Operator James Pedersen stated: "It's just a matter of getting them in at this point. We have all the wiring and everything set for doing the dissolved oxygen probes. If I get them in they basically can be installed within a few days."

Mayor Zavodny asked: "What's your assessment of the condition of that plant at this point?"

Wastewater Operator Pedersen stated: "A good deal of the physical challenges we have managed to address. We got the decanters set so that one of them is working and one's almost ready to work because of the wiring issue. The dissolved oxygen issue, that was a big thing and then at some point we have to get the issue with the engineers and everybody to decide what we want to do with getting water to the lift station so that we can get the auger monster running. We can't even put in for a permit to do the auger monster again, the original permit was way back to 1997. We can't even put one in because we can't put in a proposal how we would get water to it yet, so we have to come to a decision on that between us and the engineers on how we're going to get water there, and so that issue, when we've cleared that, we can get the solids that are causing a clogging up of the basins themselves, we can drain the basins, get the bad solids out, restart them up and get everything working again within a few months. By the end of summer is when I would think everything would be running well."

Council member Kobus asked: "Why can't you get water there?"

Wastewater Operator Pedersen stated: "Well the problem is, it is set very low in a flood plain. So the question is, "Do we want to drill a well?" which is tens of thousands of dollars, we don't want to go with that. We could run a water line from the plant offices all the way to there which is almost the exact same amount of money."

Council member Kobus asked: "Don't you pump to the Golf Course?"

Wastewater Operator Pedersen stated: "That would be running a line from the other side of the "E" Cell, which as you're coming in it's that first cell you come to, and running a line all the way around that or under it and through there. It's just a matter of which system we want to do and how much money we want to spend to get the water there. Once we get the water there we can put in for the permit, we can get the monster auger working, and we can stop putting these deteriorating solids into the system because it's not meant to have all those solids put into it. The water is a constant need. The water is the lubricant that allows the system to work correctly."

Mayor Zavodny asked: "How long have we had that auger?"

Wastewater Operator Pedersen stated: "It was bought in 2006. The original intent was from 1997. I have that paperwork that I found and we have a book showing how to run it all the way from 1998, but for some reason it wasn't bought in 1998 and installed when it was supposed to be. Then Mr. Boyd bought the wrong size and then, as the narrative has been

presented to me, left it in the grass until a couple of years ago at which time it got hauled into the building. We have it physically where it needs to be. We need to get the water to it, we have the electrical ready for it to go, so as soon as we can come to a decision on that, that's running. So if we can do those three things we're ready to roll."

Council member Kobus asked: "How much water does it need?"

Wastewater Operator Pedersen stated: "It uses about 2 gallons a minute at optimal."

Council member Kobus stated: "Why don't we just trench in a line? A 2" plastic coil pipe or something."

Duane Grashorn stated: "What needs to be done there is to investigate the options, give you the prices, and make a decision. It's just been "well we need to do this, we should do this......" "We need to get a price. It's going to cost you this for a well, this for a line, whatever, make a decision, but that's kind of the problem, it's just not been done, brought to you that here's what we need to do, tell me which one you choose.

Wastewater Operator Pedersen stated: "The Bubblers and the meters were looked at just the other day. That has to do with how we are sampling for Henningsens. I've ordered the pieces to help fix the bubbling and our bubbling metering system is about to become obsolete, so these will need to be updated to a slightly more powerful unit. To my understanding it is somewhere between \$2,000 - \$3,000 per unit and there are two of them needing to be done at this time. If I can order those tomorrow I could have them installed before the next billing cycle, it's not a difficult thing to get those in."

Council member Rogers stated: "I would like to agree with Councilman Kobus and the people out here. Can't we get some prices and get this done already?"

Council member Hotovy stated: "It seems like there is a heck of a lot of work to be done out there, and all of a sudden, now that there's this proposal on the table, we're getting really worried about getting stuff done."

Wastewater Operator Pedersen stated: "I think the overriding issue is the fact that we are coming to the end of a permit. We are about to get a new permit in the middle of the year, and this system being up and working will optimize our ability to meet the permit expectations and not end up with problems and fines that go with it."

Mayor Zavodny stated: "I don't want you to feel like I am dumping on you, because some of these are several years old, but it seems to me incredible that we have a multi-million dollar facility that no-one can tell me really when it's worked; for a variety of reasons. But I can tell you from sitting in this chair, what's kind of getting old, and I'm not pointing at you, is everybody going "It's this guy's fault." I'm not taking that anymore."

Chris Gutschow stated: "I think part of it has probably been, since we've been here, we've brought a lot of that to you guys and said "Hey, here's what we see."

Council member Hotovy stated: "These plans adds a level of consistency to it that is third party and to me removes a lot of the worry out of it."

Skip Trowbridge stated: "As we documented this evening we have been at this for seventeen years minimum. We can't see the end of it. It appears we can't run this plant."

Council member Kobus stated: "Yeah, you can run it if somebody knows what they're doing."

Skip Trowbridge stated: "That's a big "if"."

Mayor Zavodny stated: "Here's what I'm going to pitch right now. There are a lot of pros to going with these guys. There might be some issues, yeah. We talked about an April 1st date. If it's a good idea tonight, to me, it's a good idea in a month. I would like to wait till the March meeting and between now and then get answers to some of these things that I still have questions; and some of it's with you guys, and some of it's with our people and we need to decide, I think, at the March meeting, is my recommendation to you. One more month. I'm not going to jump into five years without getting some of these questions answered and where I feel a little better."

Council member Hotovy stated: "The one year deal you know, could we try it and what not, that scares me as well because of the lack of consistency, and anytime I believe in my mind you're working with water the more consistent product you can have the better. That said, to me this looks like a very entertaining option. This gives you five years of consistency compared to the consistency that we currently have which is the plant not running."

Mayor Zavodny stated: "Well, we've been consistent in that. We have had PeopleService for about 6-8 months and I am frustrated that the plant is still not running. Maybe it's not their fault, probably not, but someone's going to have to show me results and it's probably a combination of what we need to do and a combination of what they need to do but I am mortified that it's been years since our expensive plants run."

Chris Gutschow stated: "Our agreement was just to come in and cover the Water Certification and help Kevin and then we started helping out at the Wastewater Plant. We can only do so much."

Mayor Zavodny stated: "But in fairness, the shift occurred, and I appreciate what you did, Duane said "You know on your water end, we tweaked some things, the water products pretty good right now". The concern was you guys were focusing on water, but our wastewater, that's where your problem is. You guys are looking this way and your problems over here, that's why it's taken that shift, so it was because of findings of Duane and some of your work and we acknowledge that and appreciate that."

Council member Rogers made a motion to table consideration of the Operation and Maintenance Agreement as proposed by PeopleService for one month, to the March 11th Council Meeting. Council member Kobus seconded the motion. Voting AYE: Council members Vandenberg, Smith, Hotovy, Kobus, and Rogers. Voting NAY: None. Council member Kroesing was absent. The motion carried.

Council member Kobus made a motion to authorize the purchase of a Dissolved Oxygen System (assembly probe, pole mount, sensor, conduit, etc.) for the Sewer Department estimated at \$6,021 without shipping and handling from the Hach Company. Council member Rogers seconded the motion. Voting AYE: Council members Smith, Vandenberg, Kobus, Hotovy, and Rogers. Voting NAY: None. Council member Kroesing was absent. The motion carried.

Mayor Zavodny opened the Public Hearing at 7:41 p.m. to consider the adoption of a One-Year and Six-Year Street Improvement Program for the City.

Jerry Hain of Olsson Associates, Street Superintendent for David City, stated: "Basically this whole program was created in 1969 by the Legislature to provide a better transportation system, classify all the roads, and come up with design standards for streets. This last year the City of David City received \$297,000 in Highway Allocation and \$4,000 Incentive Payment to have a Class A Licensed Street Superintendent which is me. The monies come from the Motor Vehicle Registrations, gas tax, and that way and is divided between the municipalities based on your population, your traffic lanes, and your motor vehicle registrations. They can only be used on street projects and with that money you have to match 25% which you don't have a problem matching. On the previous One-Year we just show that we did normal maintenance. What we had on the previous One-Year we moved those back to the current One-Year. So the project, the 11th Street Bridge, and the Downtown Renovation was moved back to the 2015 plan. On the One-Year Plan we added the "O" Street Project. We discussed that with Rodney Rech, it's really deteriorating bad so it's in there along with the Downtown Project. If we want to move these back another year we can. The other projects are the 11th Street Bridge and the paving, both sides of that, and the "A" Street Bridge and then of course the Downtown. If you don't agree with those priorities we can change them now or we can change tem anytime during the year. The "A" Street Bridge is half Counties."

Matt Rief of Olsson Associates discussed drainage reports concerning the "A" Street Bridge and the 11th Street Bridge and an unregistered dam structure on "H" Street. Matt stated that right now the drainage structure by "A" Street probably just accommodates about a five year storm. So the question is do you upsize it or not? This will have to be a mutual decision between the City and County. Matt stated that we would not have to do the "A" Street Bridge and the 11th Street Bridge at the same time. Discussion followed.

Mayor Zavodny closed the Public Hearing at 8:01 p.m. Council member Hotovy introduced Resolution No. 3 – 2015 accepting the One-Year and Six-Year Street Improvement Plans and moved for its passage and adoption. Council member Rogers seconded the motion. Voting AYE: Council members Vandenberg, Smith, Kobus, Rogers, and Hotovy. Voting NAY: None. Council member Kroesing was absent. The motion carried.

RESOLUTION NO. 3 - 2015

WHEREAS, The City of David City, Nebraska, has conducted a Public Hearing on February 11, 2015, in accordance with the requirements of the Board of Public Roads Classifications and Standards.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, that the One Year and Six Year Street Improvement Plans for Streets, as presented at the public hearing, are unanimously accepted and the City Clerk is hereby instructed to forward a certified copy of this resolution to the Board of Public Roads Classification and Standards of the State of Nebraska.

PASSED AND APPROVED this 11th day of February, 2015.

	Mayor Alan Zavodny	
City Clerk Joan E. Kovar		



February 11, 2015

ONE AND SIX YEAR STREET IMPROVEMENT PLAN 2015-2020

THE CITY OF DAVID CITY, NEBRASKA

In 1970, the State of Nebraska initiated a program developed to provide an integrated system of public roads for the state, counties, and municipalities. The Department of Roads and each county and municipality develops and files with the Nebraska Board of Public Roads Classifications and Standards a long-range Six-Year plan of highway, road and street improvements.

The Six Year plan is required by law to be extended annually and kept on file with the Nebraska Board of Public Roads Classifications and Standards.

Along with the Six Year plan, a One Year plan shall be annually prepared and filed with the Nebraska Board of Public Roads Classifications and Standards for specific highway, road and street improvements for the current year.

These plans must first be approved and adopted by the Governing Body after a public hearing.

The 2015 – 2020 One and Six Year Street Improvement Plan includes the following and is described in more detail on the following NBCS Forms.

- A. The One Year Street Improvement Plan for 2015 consists of six projects. These projects contain approximately twenty-two blocks of street paving and replacement or widening of an existing bridge. The total estimate for these projects is \$9,020,000.
- B. The remaining fourteen projects on the Six Year Street Improvement Plan for 2015-2020 consist of approximately thirty-five blocks of street paving. The total estimate for these projects is \$3,580,000.

The estimated cost of all the projects is \$12,600,000.

C. A location map and a breakdown of the individual projects and their estimated costs are included in this report.

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Form 11 Report of Previous Year Highway or Street Improvement

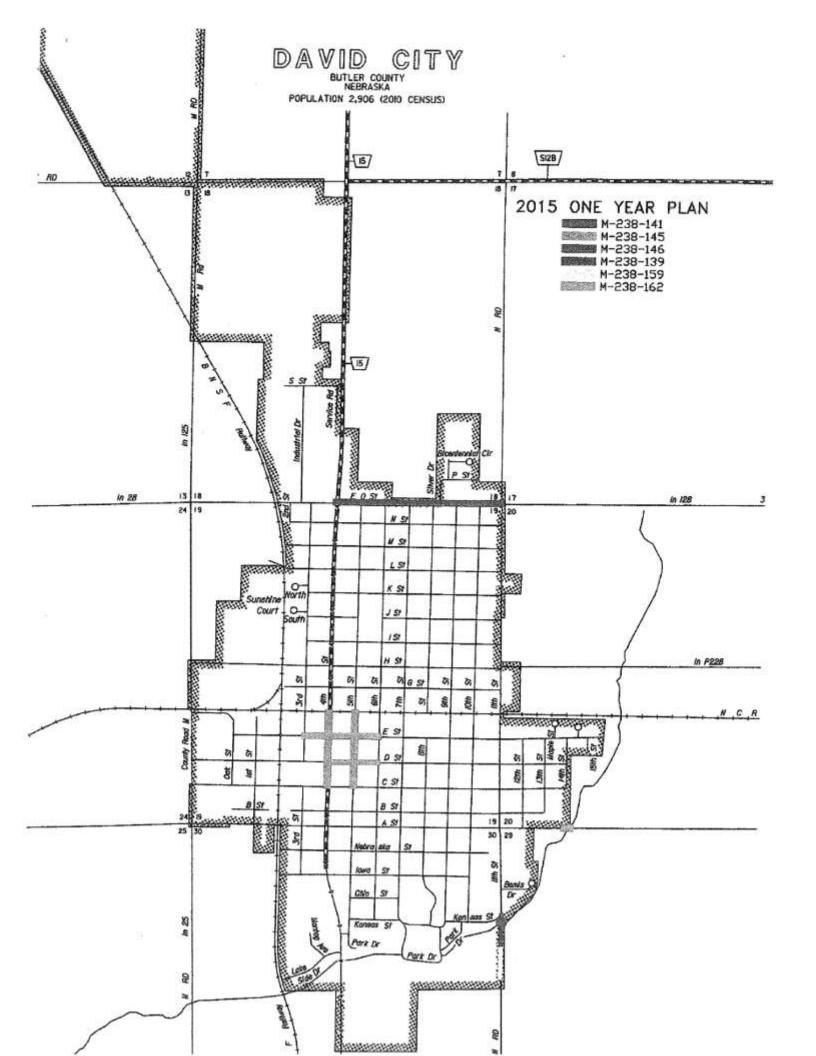
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Form 8 Summary of One-Year Plan

Year Ending: December 31, 2015

Sheet 1 of 1

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2	M-238-145	70	Feet	50	
3	M-238-146	2750	Feet	800	
4	M-238-139	470	Feet	55	
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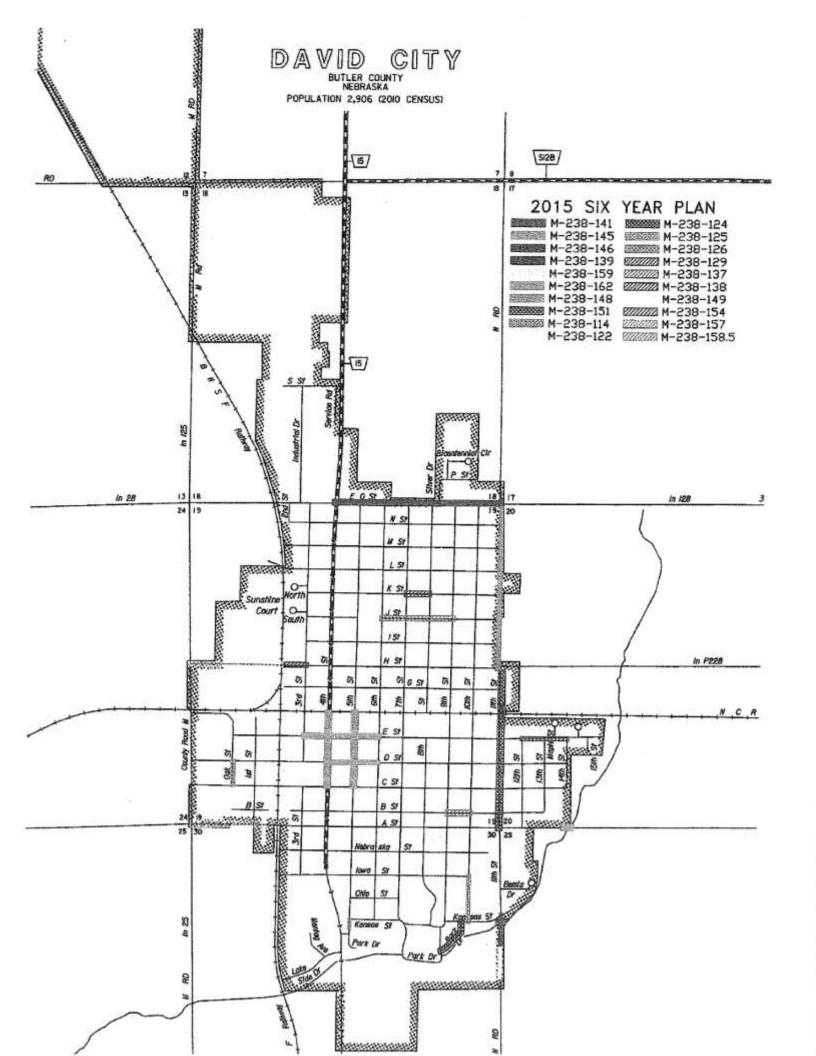
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Form 9 Summary of Six-Year Plan Six-Year Period Ending: December 31, 2020

Sheet 1 of 1

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2	M-238-145	70	feet	50	One Year Proje
3	M-238-146	2750	feet	800	One Year Proje
4	M-238-139	470	feet	55	One Year Proje
5	M-238-159	530	feet	75	One Year Proje
6	M-238-162	.9	mile	8000	One Year Proje
7	M-238-148	2800	feet	1300	
8	M-238-151	2640	feet	1200	
9	M-238-114	350	feet	45	
10	M-238-122	1475	feet	125	
11	M-238-124	350	feet	42	
12	M-238-125	95	feet	95	
13	M-238-126	900	feet	105	
14	M-238-129	300	feet	40	
15	M-238-137	350	feet	39	
16	M-238-138	400	feet	50	
17	M-238-149	1375	feet	300	
18	M-238-154	900	feet	95	
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WHEREAS, The City of David City, Nebraska, has conducted a public hearing accordance with the requirements of the Board of Public Roads Classification and Stands NOW, THEREFORE, be it resolved by the Mayor and City Council that the One and Year Plan for streets as presented at said public hearing has been accepted and approve	ards,
Mayor	
CERTIFICATE OF RECORDING OFFICER	
The undersigned, duly qualified and acting City Clerk of the City of David City, Nebras does hereby certify that the above resolution was adopted at a legally convened meeting the City held on the 11th day of February 2015 and further, that such a resolution has befully recorded in the proceedings and records in the office of the City Clerk.	of
IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of February 2015	•
City Clerk	
Notice of the public hearing was posted in three (3) public places in the City ten (10) day prior to the public hearing.	ys
City Clerk	

RESOLUTION

Laurie Platt, 895 N 9th Street, was present to discuss her neighbor's property located at 875 N 9th Street. This property is owned by Linda Ostry and is currently rented by Michael & Laura Johnson.

Laurie Platt stated: "Our neighbors, unless they've been told to clean up their dog poop or mow their yard, don't do it at all. We've been fighting with them for two years now. Last summer I had to turn them in for mowing because they refused to. They were putting trash in their garage for about a year. They ended up getting a Callaway dumpster and completely filled it with what was in the garage. They just cleaned it up about two weeks ago and already it's back to the way it was. You walk out my back door and the smell just hits you in the face; I can't even open my windows if it's nice."

Mayor Zavodny stated: "What I think we will need to do with this, if it's okay with the Council, is to refer this to our Board of Health and get it officially addressed since there has been a concern raised and see if we can get something accomplished."

Council member Kroesing arrived at 8:02 p.m.

Council member Rogers stated: "Mayor, the Sheriff's Office was over and talked to them about the trash and they did go out and clean it up right away. Evidently it's happening again."

Mayor Zavodny stated: "We will address that in a more concerted manner then."

Water Employee Kevin Betzen stated: "What I have run into is some problems in the basement of the Water Treatment Plant due to age. The main 1¼" chlorine injection line (for disinfection) that is threaded into the 12" incoming raw water line is going bad and is starting to leak. This section of pipe, including a second section with the incoming flowmeter that is also bad, needs to be replaced soon. The other is the leaking timed blow off valve for the sludge pit. This needs to be replaced at the end of March when we shut the clarifier down for the bi-annual cleaning. There is no other way to fix/replace this valve without draining the whole clarifier which takes a week to do. I have sent one high service pump off to get repaired. This was planned and budgeted for. It was starting to leak pretty badly and needed repair before we get into the summer months with heavy usage. I had also budgeted to get the other high service pumps repaired this year, but with these unplanned problems I would like to ask the council to approve me reallocating the money budgeted for the other two pumps and use it for these other critical repairs. I feel we can get by with pushing the other two pumps to get rebuilt for next year's budget."

Council member Kobus made a motion to reallocate the money budgeted for the other two pumps to address these other critical repairs as explained above. Council member Smith seconded the motion. Voting AYE: Council members Hotovy, Rogers, Vandenberg, Kroesing, Smith, and Kobus. Voting NAY: None. The motion carried.

Sargent Drilling

INDUSTRIAL ENGINEERING COMPLETE MUNICIPAL, INDUSTRIAL AND AGRICULTURAL PUMP AND WELL SERVICE

P.O. Box 367 846 S. 13th Street Geneva, NE 68361-0367

Phone: (402) 759-3902 Toll Free: (888) 496-3902 Fax: (402) 759-4960

February 4, 2015

City of David City PO Box 191 David City, NE 68632

RE: Ball Valve Replacement

1- 3" 150lb. motorized ball valve	\$3,679.03
1- 3" gate valve	\$680.13
1- 3" spool	\$282.26
4- Bolt and gasket kits	\$82.26
1- 3" Uniflange	\$44.00
1- Control box	\$821.27
Labor to install	\$2,480.00
Labor to install	\$2,480.0

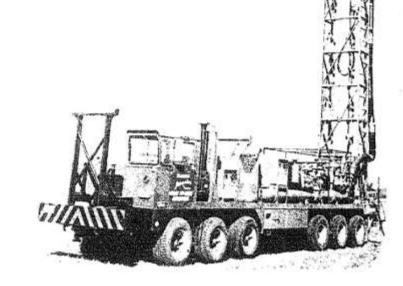
Subtotal (does not include applicable sales tax)

\$8,068.95

Thank You,

Keith Broman, Technician

KB/ah



Sargent Drilling

INDUSTRIAL ENGINEERING COMPLETE MUNICIPAL, INDUSTRIAL AND AGRICULTURAL PUMP AND WELL SERVICE

P.O. Box 367 846 S. 13th Street Geneva, NE 68361-0367

Phone: (402) 759-3902 Toll Free: (888) 496-3902 Fax: (402) 759-4960

February 4, 2015

City of David City PO Box 191 David City, NE 68632

RE: Treatment Plant Flowmeter

\$3,714.00
\$1,587.65
\$1,007.03
\$1,132.26
\$112.53
\$395.16
\$1,990.00

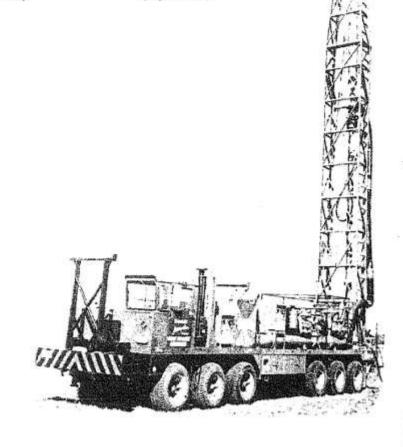
Subtotal (does not include applicable sales tax)

\$9,938.63

Thank You,

Keith Broman, Technician

KB/ah



Sargent Drilling

INDUSTRIAL ENGINEERING COMPLETE MUNICIPAL, INDUSTRIAL AND AGRICULTURAL PUMP AND WELL SERVICE

P.O. Box 367 846 S. 13th Street Geneva, NE 68361-0367 Phone: (402) 759-3902 Toll Free: (888) 496-3902 Fax: (402) 759-4960

February 4, 2015

City of David City PO Box 191 David City, NE 68632

RE: Replace spools

1- 12" flange spool	\$617.35
1- 10" flange spool	\$679.69
4- Bolt and gasket kits	\$193.55
1- 12" x 1 1/4" saddle	\$151.05
Labor to install	\$1,240.00

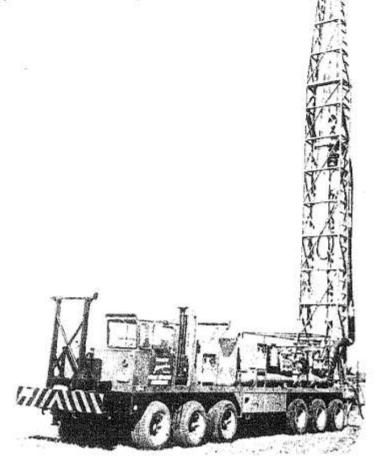
Subtotal (does not include applicable sales tax)

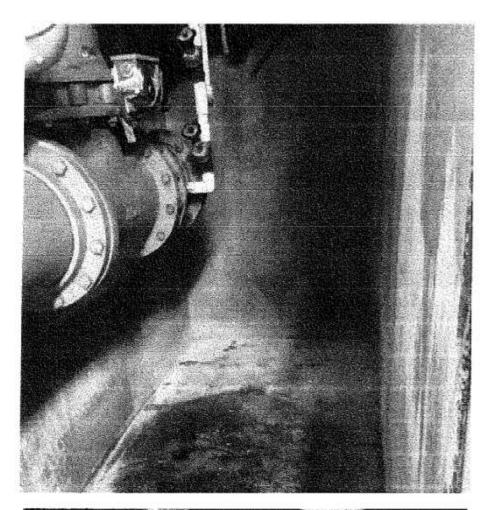
\$2,881.64

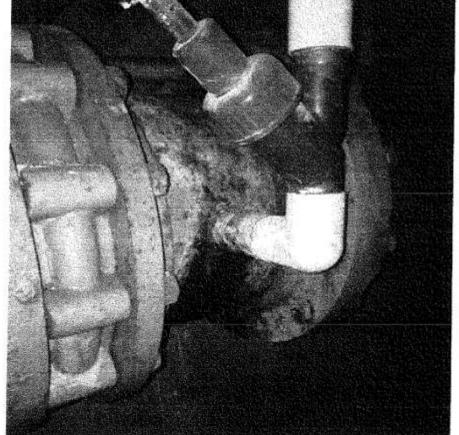
Thank You,

Keith Broman, Technician

KB/ah







A secure storage area for towed vehicles was discussed.

Council member Kobus suggested that we use the area just behind the Youth Center Building located between 5th & 6th Streets and the Union Pacific Railroad and "G" Street.

Council member Rogers stated: "I have a different opinion. Scott Steager has offered to fence in an area in the Industrial Site, on Industrial Drive between "O" and "S" Street, put up camera's and watch over it. That way we have a place to tow our vehicles."

Mayor Zavodny asked: "Is he willing to do that for the \$10 a day we currently get for that?"

Council member Rogers stated: "I am sure he would, yes. He will also video everything for us and put up a fence. Steager said he would clean the lot also."

Mayor Zavodny stated: "I do like the idea of it not being so proximate to the downtown. What I would like him to do then, is come and explain to us how this would work. I'd like to talk to Kobza Motors to make sure they would be okay with that also."

Council member Rogers stated: "I'll ask Scott to come to the Committee of the Whole Meeting."

Council member Rogers stated: "The County is going to sell the Gray 2011 Colorado Pickup, 4 wheel drive, 50,000 miles, for \$17,000 and I thought it would be great for the Park. It is not a good patrol vehicle and it's basically just been driven from the Sergeants house to the office. Blue book price on it is \$24,000 - \$26,000."

Council member Hotovy stated: "Wasn't the State bid on the new pickup \$22,000 or \$23,000? I am just looking at an efficiency standpoint, that you buy a little Colorado Pickup and it's on an island when you look at the big picture of the City. If another department needs to use it for something maybe you are better off going with something that more than just the Park Department could use."

Mayor Zavodny stated: "Well there was talk about using it for going to out of town certifications and business meetings."

Council member Rogers stated: "It's a nice 4 wheel drive pickup and I don't think we'll come across anything like this at that price. It's just something you might want to consider."

Mayor Zavodny stated: "How do they go about selling it? Do they have to sell it by bids?"

Council member Rogers stated: "I asked Attorney Wollmer about it and he is going to check on it for me."

Mayor Zavodny stated: "Let's check legally into what we can and can't do and go from there."

Council member Smith made a motion to authorize Mayor Zavodny to sign 1) the Firm Electric Service Contract No. 13-UGPR-1076 (FES Contract) between Western Area Power Administration and the City of David City. The FES Contract provides for Western to furnish firm electric service to David City in accordance with the 2021 Power Marketing Initiative, and 2) Amendment No. 2 and Revision 3 to Exhibit C of David City's current Firm Electric Service

Contract, Contract No. 90-BAO-526 which are necessary to update David City's transmission arrangements and the transmission path and delivery measurement conditions. Council member Rogers seconded the motion. Voting AYE: Council members Kroesing, Hotovy, Rogers, Vandenberg, Smith, and Kobus. Voting NAY: None. The motion carried.

Eric Johnson, Airport Services Manager of Kirkham Michael, presented an update on the proposed T-Hangar Project. Eric said that he was happy to report that the FAA approved their contract. Eric stated: "Your first Airport layout plan that was developed several years ago kind of had these hangars twisted, at an angle if you will, they were parallel and perpendicular to your existing hangars, and from an Airport planning perspective that really didn't make a lot of sense especially now that Jared has come in and wanted to put his facility here. What we proposed to the FAA is we want to turn this a little bit, give ourselves some more room for future buildings as the Airport continues to expand. Up to date, on Jared's facility, this is the actual drawing that the FAA has seen, the one that brings the taxi-way straight out of Jared's facility and then directly onto the apron, and again I am happy to report that they are on board with this and ready to move forward. We have also completed the airspace analysis that is required for Jared's hangar as well."

Mayor Zavodny stated: "In that, are you depicting a six?"

Eric Johnson said: "Yes, a 6-Place T-Hangar."

Mayor Zavodny stated: "We're looking to collect \$150,000 a year, for a four year term, to a maximum of \$600,000, in the funds from the Federal Government and we have to have ten airplanes that are based here. My concern is, I think I'd prefer an eight. If you're building that much of it, adding those other two, cost wise, as opposed to capacity...... In order to have the capacity, especially if we have to take that one taxiway and eliminate the one hangar, are we looking at a significant price change from a 6-Place T-Hangar to an 8-Place T-Hangar?"

Eric Johnson stated: "We've seen a big jump in hangar prices over the years, and the recent years. One thing we could do with the project, since we're at this early stage.....

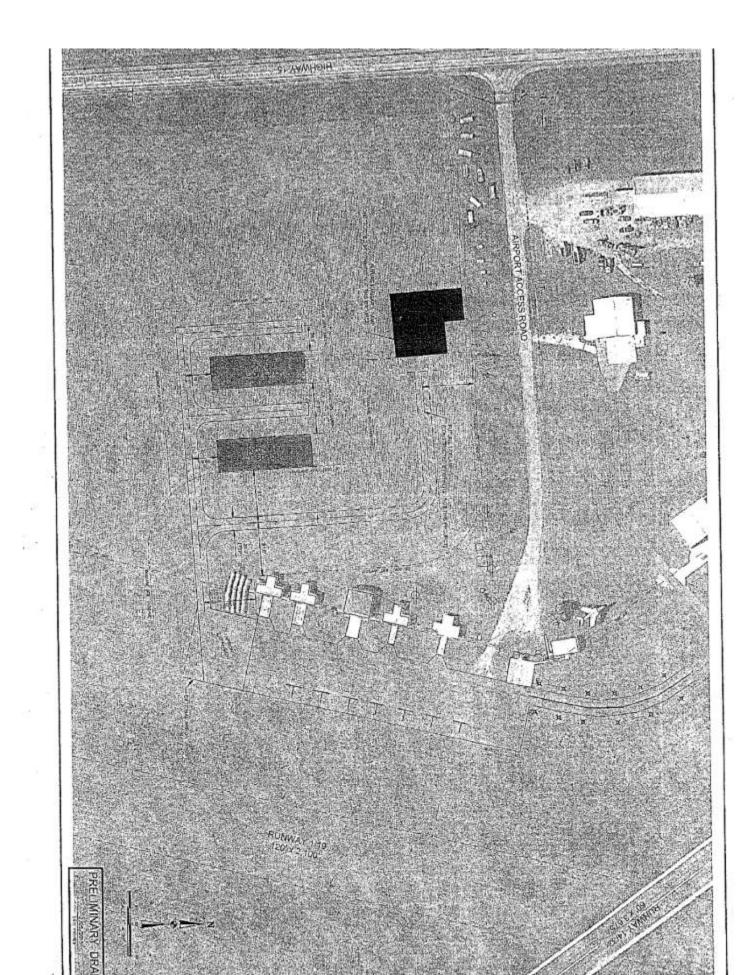
Mayor Zavodny stated: "Define significant for me."

Eric Johnson stated: "Well, that 6-Place T-Hangar is going to be about \$600,000. The whole thing's been programmed to be covered by your entitlement funds right now. A lot of it too will be driven by the door size, the wider the door the more expensive the hangar building is."

Mayor Zavodny stated: "I'm just worried if we don't have the capacity we can't draw down those funds."

Eric Johnson stated: "Right now the 6-Place T-Hangar is programmed on your Airport layout plan these hangars are ultimately to be phased out but talking with the FAA we can leave those in there as long as we need to. One thing we could look at doing, is we could take an alternate bid for the extra two bays. The one thing the FAA keeps telling us though is that the \$600,000 is our limit."

Discussion followed concerning the proposed water and sewer lines for the Jared Storm proposed construction.



There being no further business to come before the Council, Council member Hotovy made a motion to adjourn. Council member Rogers seconded the motion. Voting AYE: Council members Kroesing, Vandenberg, Kobus, Smith, Rogers, and Hotovy. Voting NAY: None. The motion carried and Mayor Zavodny declared the meeting adjourned at 8:38 p.m.

CERTIFICATION OF MINUTES February 11, 2015

I, Joan E. Kovar, duly qualified and acting City Clerk for the City of David City, Nebraska, do hereby certify with regard to all proceedings of February 11th, 2015; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that the minutes of the meeting of the City Council of the City of David City, Nebraska, were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided with advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Joan E. Kovar, City Clerk