

CITY COUNCIL PROCEEDINGS

February 22, 2010

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 posting of notices at the City Office, U.S. Bank, County Courthouse Clerk's Office, Union Bank, Hruska Public Library, First National Bank of Omaha, and U.S. Post Office. 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.

Mayor Trowbridge opened the special meeting at 5:30 p.m.

Present for the meeting were: Mayor Dana Trowbridge, Council members Gary Smith, Nick Hein, Bill Scribner, Mike Rogers, Gary Kroesing, Bill Scribner, and Bill Yindrick, City Attorney Jim Egr, and City Clerk-Treasurer Joan Kovar.

Mayor Trowbridge informed the public of the "Open Meetings Act" posted on the east wall of the meeting room.

Council member Rogers made a motion to go into executive session to discuss two pending litigations and a personnel matter. Council member Hein seconded the motion. Voting AYE: Council members Scribner, Yindrick, Smith, Kroesing, Hein, and Rogers. Voting NAY: None. The motion carried

Mayor Trowbridge stated that the City Council was going into executive session to discuss two pending litigations and a personnel matter.

Council members Smith, Yindrick, Hein, Scribner, Rogers, and Kroesing, Mayor Trowbridge, City Attorney Jim Egr, and City Clerk Joan Kovar went into executive session at 6:04 p.m.

Interim Police Chief Jim Sylvester joined the executive session at 7:10 p.m. as requested.

City Attorney Jim Egr stated that a motion and second was not needed to come out of executive session. Therefore, Mayor Trowbridge declared the City Council out of executive session at 7:19 p.m.

At 7:20 p.m. Mayor Trowbridge declared the public session open to discuss strategy concerning re-establishing a viable police department for the City of David City. Mayor Trowbridge stated: "As we all know there was a vote and the vote was that the City of David City wished to own and operate its own police department and the council is moving forward with that wish. There is a strategy session for this particular item. We are going to hold public comment until the end of the strategy session and we are going to allow fifteen minutes; you guys can split it up any way you want to. When we are done with the strategy session of the

council around the table, we will go into a public comment period for fifteen minutes. We need to figure out where we are going, what we are going to do, where we are going to place our police department and how we are going to re-staff it or at least get some direction as to how we do that.”

Council member Kroesing stated that the Sturgeon Garden Center, 216 N 4th Street, was for sale and suggested the council members go take a look at it. Kroesing felt that the building would be usable for the police station. “I think it would fulfill our needs,” Kroesing said. It would need some work including new windows and doors, and perhaps installing a suspended ceiling as it currently has an open beamed ceiling although it is fully insulated. “It is electric heat and the biggest heat bill was \$88.00/month when it was in operation”, Kroesing stated. It is 990 square feet built on concrete slabs with tile floor. The walk in cooler is totally removable. The roof has been load tested. It has a large garage for storage which is also heated. The green house will be dismantled and moved.

Council member Yindrick stated: “My initial response to Gary was, I am not opposed to looking at that as an option, but I think financially it is of interest to evaluate both that as an option and the current City Hall as an option. If we’re going to have to purchase another building, another piece of property, and then put money into it to make it suitable for our use, I think it bears looking at to put that money into a building the City currently owns, this one right here, and decide. Do a cost comparison of what we would have to put into that building versus what we would have to put into this building to make them both usable for the police department. My concern is we sold a building and if we purchase another we are in the same boat with a separate building, a separate set of utilities, and we could have it all under one roof right here. My approach is we need to evaluate both options and see which of the two, if not one or the other or both if they will suit our needs, but what’s going to be the most prudent option in order to fulfill what we need. We’ve got space here that is underutilized.”

Mayor Trowbridge stated: “We have been at this since July 8 of last year and that’s eight months. We have had the time to figure out where we need to go and the timeline moving forward should be very short, less than thirty days”.

Council member Hein asked City Clerk Kovar for her thoughts on utilizing the City Office building as she works with the situation closer than anyone. City Clerk Kovar stated that she didn’t have any objections to the police moving into the City Office if they could utilize the space at the rear of the building. She did not want to lose the meeting room for council meetings which would mean relocating council meetings to the public library which would not be as convenient for her.

Mayor Trowbridge asked for volunteers to devote time during the next 3 weeks to research and discuss options regarding the Sturgeon Garden Center and the City Office as possible sites for the police department. Council member Kroesing suggested that perhaps local builders Tony Novak and Don Hilger should be asked to review/inspect the buildings being considered. As builders they could give their input and cost estimates. Mayor Trowbridge stated that he felt office type cubicle walls could be brought in versus actually building specific offices in either place. Council member Kroesing stated that Sheriff Mark Hecker stated the police department can utilize the interrogation rooms at the Court House. Mayor Trowbridge stated that we no longer need evidence storage because that is all being done by the County. Basically all that is needed is office space.

Council members Bill Yindrick, Bill Scribner, and Gary Smith volunteered to serve on a committee to research the Sturgeon Garden Center and the City Office to see which building would be more feasible for the placement of the police department.

Mayor Trowbridge stated, "Well that sets the place, so now we need to know what we are going to do in the interim for public safety. There was some discussion earlier (in executive session) relative to that, Gary would you like to go over that?"

Council member Gary Kroesing stated, "In the interim, Jim Sylvester and Marla Schnell are going to be the police department side of it and Mark Hecker is going to be the County part of it so we can split up the hours and give everybody shorter hours that Jim and Marla have to work. Mark is going to charge us for the interim until we come up with a new police chief and hopefully that won't take too long. Jim and Mark are going to set up the schedule together. As the hours of Jim and Marla are going to be cut down, we are going to cut down the hours of the secretary also. Glayda Scofield will be put on furlough until the new police chief tells us what he or she needs. As Pat Lostroh works for the County of Butler and the County of Polk County she will have to find other office space and the police department, when not in use, will be closed; for police officers use only when on duty."

All of the council members and Mayor Trowbridge acknowledged agreement with what Gary Kroesing stated.

Mayor Trowbridge stated that the public had fifteen minutes for public comments.

Larry Sabata asked questions regarding the purchase price of the Southern XV property, possible contamination, and the cost for removal of gas tanks, contamination, etc.

Steve Gaston asked if reinstating Stephen Sunday as Chief of Police was an option. Mayor Trowbridge stated that the City will accept applications from anyone qualified.

Steve Gaston also discussed the possibility of an engineering firm renovating the Wolfe Building, renting the apartments and leasing office space to the City. Mayor Trowbridge stated other engineers had estimated 1.6 - 2 million dollars to renovate the Wolfe Building. Mayor Trowbridge stated that the city would welcome that but the City would probably not be interested in leasing property when we already own property in David City.

Rob Scheffler asked about the zoning and the planning commissions' involvement if the police department would decide to relocate to the Sturgeon Garden Center. As a residence just across the street from the garden center, it is a definite concern of his. He wanted to reiterate that it is in a Residential area and with the type of activity going on there he hopes that would be taken into account. He stated that most people would not want a police department next door to them. It was noted that if the police department is not a permitted use it would have to go before the Planning Commission for a conditional use permit.

There being no further business to come before the Council, Council member Scribner made a motion to adjourn. Council member Yindrick seconded the motion. Voting AYE: Council members Kroesing, Hein, Rogers, Smith, Yindrick, and Scribner. Voting NAY: None. The motion carried and Mayor Trowbridge declared the meeting adjourned at 7:55 p.m.

Mayor Dana Trowbridge

ATTEST:

City Clerk Joan E. Kovar



CERTIFICATION OF MINUTES
February 22, 2010

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 22, 2010; 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