

## CITY COUNCIL PROCEEDINGS

July 10, 2002

The Mayor and City Council of the City of David City, Nebraska met in open public session in the meeting room of the City Office, 557 4th Street, David City, Nebraska. The Public had been advised of the meeting by publication of notice in The Banner-Press on July 4, 2002, 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 notices 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: Council members Mark Kirby, Ted Lukassen, Bill Schatz, Gary Kroesing, Gary Smith, and Nick Hein, City Administrator Andrew Brannen, City Attorney Jim Egr, Lineman Tim Kozisek, Power Plant employee Bob Palik, Park/Auditorium Supervisor Bill Buntgen, Electric Supervisor Tim Kovar, Police Chief Stephen Sunday, and City Clerk Joan E. Kovar. Mayor Stephen Smith was absent.

At the organizational meeting in December 2001, Mayor Smith stated that Gary Kroesing would remain the Council President. This should have been voted on. Ballots were distributed to the Council members for the election of an acting President of the Council. The results were: Gary Kroesing - 5 and Bill Schatz - 1. Gary Kroesing was named the Council President.

The minutes of the June 12<sup>th</sup> and June 26<sup>th</sup>, 2002, meetings of the Mayor and City Council were approved upon a motion by Council member Hein and seconded by Council member Lukassen. Voting YEA: Council members Smith, Schatz, Kroesing, Lukassen, Kirby, and Hein. Voting NAY: None. The motion carried.

Gary Kroesing asked for Petitions, Communications and Citizens' Concerns in addition to those contained in the Agenda packets. There were no petitions. City Clerk Kovar read the following letter:

To: Andrew Brannen, Steve Smith, and the Gentlemen of the City Council:

Thank you for the fine program of activities which you provided on July 6<sup>th</sup>, including the beautiful fireworks display. Thanks also for your work on the park renovation project and new swimming pool.

Dr. Kaufmann

Council member Hein received good comments on the fireworks display. People were very pleased. Hein would like to see the fireworks display continued.

Council President Kroesing asked for consideration of claims. Council member Smith made a motion to authorize the payment of claims. Council member Kirby seconded the motion. Council member Hein stated that as a Finance Committee member, he purposely did not sign some of the claims. He questioned the claim to Scott Stuart for mileage. Scott is the sewer treatment plant operator. Hein questioned where he went, what for, why didn't he take a city pickup, and why on the week-end at time and a half? City Administrator Brannen thought he drove his own car because he took his family with him. Hein stated if he took his family he shouldn't be reimbursed for mileage. Council member Smith disagreed as he was making the trip due to city business. Hein said he still should have taken a city vehicle. Smith stated then

Stuart would probably be in trouble for using a city vehicle for personal use. City Administrator Brannen will discuss this with Water/Sewer Supervisor Gene Divis and get an explanation as to what Scott Stuart is actually doing and why it has to be on the week-end. Council member Hein also questioned the claim to Vincent Brehm for mileage. Where did he go and what for? Police Chief Sunday reported that Police Officer Vince Brehm was attending a LEIN training conference in Crete, Nebraska. Part of the training is that they use their personal vehicles to run surveillance on live targets; thus the mileage. Council member Hein also questioned a claim to Harms Aviation for mowing at the airport. Furnish operator for city mower at airport: 5.6 hours @ \$7 = \$39.20, and Furnish operator and tractor to mow at airport ½ hour @ \$19.00 = \$9.50 for a total of \$48.70. Discussion followed. Voting YEA to authorize the payment of all of the claims presented: Council members Kroesing, Schatz, Hein, Kirby, Lukassen, and Smith. Voting NAY: None. The motion carried.

Council President Gary Kroesing called for Committee and Officers' Reports in addition to those written reports contained in the Agenda packet.

The Family Aquatic Center monthly report showed the following activity;

	Attendance	Family Pass	Couple Pass	Individual Pass	Lesson Pass	Revenue
Prior	0	5	0	1	78	1,730.00
6/24	492	44	3	15	33	6,580.50
6/25	399	15	0	3	7	2,178.50
6/26	440	10	0	2	4	1,553.85
6/27	418	7	1	1	1	1,351.04
6/28	450	4	2	2	0	1,163.35
6/29	418	3	1	1	5	1,153.00
6/30	445	2	1	0	6	1,043.00
7/01	422	3	1	6	4	1,242.95
7/02	290	2	0	0	2	415.50
7/03	302	0	0	0	0	392.85
7/04	320	0	0	1	0	1,057.55
7/05	320	0	1	2	0	1,351.00
7/06	496	1	0	1	0	1,013.50
7/06	399	0	0	0	0	963.00
7/08	445	0	1	1	15	938.00
7/09	465	0	1	2	1	966.28

They have been busy at the pool and attendance has been great. One suggestion was that patrons, not wearing swimming attire, who are coming to watch should not have to pay. City Administrator Brannen will advise the managers that this is their call. If it is apparent that they have no intention of swimming, sun bathing, etc., then they should not have to pay.

Council members Kirby and Hein reported seeing several people and vehicles from out of town at the new aquatic center. This is what David City needs. The "Teen Tuesday" has been a large success attracting high school students and recent graduates. On an average 12-24 people are participating in the wellness swimming each morning. City Clerk Kovar stated she was very impressed when she called the swimming pool and Rachelle Birkel answered the phone with "David City Family Aquatic Center, this is Rachelle, how may I help you?"

City Attorney Jim Egr stated he really likes the decorative light poles that the electric department purchased and the electric line crew erected parallel to the trail in the park.

City Attorney Egr reported that he has been meeting with fellow attorneys to share

information concerning licensed vehicles, licensed farm equipment, etc., sitting on residential properties. They question even if changes are made to the ordinance if existing property owners would be grand fathered.

City Administrator Brannen reported the following:

1. The fire department helped with the evening fireworks display at the July Jam held at the athletic field in conjunction with the grand opening of the aquatic center on Saturday, July 6, 2002. A thank you will be sent to the fire department.

2. Dave Burbach, of Burbach Aquatics, will be meeting with the contractor on Friday, July 12, to develop the final punch-list for the swimming pool as there are still a number of things that will need to be completed in the Fall.

Park/Auditorium Supervisor Bill Buntgen reported he is still cleaning up the athletic field area and the surrounding park following the fireworks display as there were a lot of plastic ends to pick up. Buntgen is having trouble mowing along the edges of the bike/walking trail as it has a steep drop-off at spots, especially west of the swimming pool. The weeds have been sprayed along the north side of the west lake and the landscaping is to begin the end of the month. The power plant employees are still making and erecting the cement posts in the park.

Council member Schatz noted Street Superintendent Jim McDonald's report stated that 150-175 batteries were stolen from the recycling center. Police Chief Sunday reported that they are working on this. Schatz also noted that Water/Sewer Supervisor Gene Divis' report stated that an M & S truck broke off a hydrant on the corner of 3<sup>rd</sup> & C Street. The Council agreed that a bill should be sent to M & S for the repairs/replacement.

There are a lot of weeds growing on the old Southern XV and the Rose Petals property located on the west side of 4<sup>th</sup> Street along Iowa Street. The City may have to mow these properties and bill them. Council member Kirby questioned if the City could spray the weeds and kill them. Park/Auditorium Supervisor Buntgen said this would be expensive. Council member Smith stated they may say that the City killed their grass and lessened the value of their property.

Council member Hein made a motion to accept the Committee and Officers' Reports as presented. Council member Smith seconded the motion. Voting YEA: Council members Smith, Schatz, Kirby, Hein, Kroesing, and Lukassen. Voting NAY: None. The motion carried.

Police Chief Sunday reported that he has not been able to make contact with the Brahmsteadts regarding their property. Since Brahmsteadts have not paid the taxes on the property located at 988 E Street, there is now a case pending in District Court concerning foreclosure.

Council member Kirby made a motion to table consideration of the demolition/burning of the Brahmsteadt property located at 988 E Street to the August 14, 2002, council meeting. Council member Smith seconded the motion. Voting YEA: Council members Hein, Schatz, Lukassen, Kroesing, Smith, and Kirby. Voting NAY: None. The motion carried.

On July 18, 2001, a motion was made, seconded, and approved to "allow the following employee discounts and include them in the employee handbook". Verification is needed as to which employees get the discounts: full-time, permanent part time, part-time, seasonal, or who? Discussion followed. The Council members felt that the discounts should only be allowed for full-time employees, meaning they work 40 hrs per week, 52 weeks a year - not including any

part-time employees or seasonal workers.

Council member Schatz made a motion to amend the previous motion to allow the following **full-time** employee discounts and include them in the employee handbook:

- 10% off Auditorium Rentals (including bar charges)
- 10% off Swimming Pool Passes (family, couple, or single)
- 10% off Schweser House Rentals
- Gravel, White Rock, Mud Rock, etc. - allowed to purchase at cost
- Car Batteries - allowed to purchase at cost

Council member Hein seconded the motion. Voting YEA: Council member Lukassen, Kroesing, Smith, Kirby, Hein, and Schatz. Voting NAY: None. The motion carried.

Council member Schatz made a motion to allow a .36/hr cost of living increase for all city/utility employees excluding the swimming pool employees. Council member Smith seconded the motion. Voting YEA: Council members Kirby, Hein, Lukassen, Kroesing, Smith, and Schatz. Voting NAY: None. The motion carried. (This will be formally approved by an Ordinance with an effective date of September 26, 2002.)

City Administrator Brannen reported that he discussed the results of the salary survey with the employees. They had a number of concerns: are they being compared with similar job descriptions, are other street superintendents licensed, do other water operators work in a community with a water treatment plant, etc.. Park/Auditorium Supervisor Bill Buntgen stated he did not feel that the salary survey was fair. Buntgen stated that he had more job responsibilities - he has the auditorium and the athletic field - some town schools take care of the athletic fields. Buntgen stated a survey would not work for his job description. City Administrator Brannen stated that due to uncertainty concerning state aid and the drastic increase we are seeing in insurance costs, this may not be the time to implement the results of the salary survey.

Council member Hein made a motion to table consideration of the salary survey results until the August 14, 2002 council meeting. Council member Schatz seconded the motion. All of the Council members were present, all voted YEA, and the motion carried.

City Clerk Kovar explained she did not prepare an Ordinance setting the pay scales for city/utility employees because she did not know what the Council would decide on a cost of living increase or the salary survey results. Therefore, Council member Hein made a motion to table consideration of an ordinance setting the pay scales for city/utility employees. Council member Schatz seconded the motion. All of the Council members were present, all voted YEA, and the motion carried.

The department heads submitted the following requests for capital items:

2002-03 Proposed Capital Improvement Projects  
**David City Utilities**

Department	Project/Equipment	Total Cost
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Water	New Well	\$150,000
	New water tower	\$750,000
	4" main replacement	\$100,000
	Water plant filter	\$15,000
	SCADA control upgrade for water plant	\$100,000
	Lime solo roto flow	\$10,000
	Water meter change out	\$175,000
Electric	Basket truck	\$125,000
	<u>TOTAL:</u>	<u>\$1,425,000</u>

2002-03 Proposed Capital Improvement Projects  
**General Fund**

Department	Project/Equipment	Total Cost
City Office	Fireproof vault	\$10,000
	Kitchen counter for council room	n/a
Police	Two patrol vehicles	\$50,000
	Windows for building	\$10,000
	New heating and cooling system	\$6,200
	Mobile radio units for '92 & '94 cars	\$5,000
	Copier	\$5,600
Park	Mower	\$17,500
	Campground updates	\$75,000
Street	2 <sup>nd</sup> of 3 payments on the loader	\$28,000
	Heavy duty pick-up	\$10,000
	Street sweeper	\$35,000
	<u>TOTAL:</u>	<u>\$252,300</u>

The Department heads present explained their requests and discussion followed.

As the heating and cooling system is currently broken down at the police station, Council member Schatz made a motion that, due to the emergency situation, Police Chief Sunday be authorized to obtain price quotes for a new heating and cooling system, and contingent upon a phone poll vote approval by the Council, the expense be taken from this years Contingency Fund with a follow up report given at the next city council meeting. Council member Lukassen seconded the motion. All of the Council members were present, all voted YEA, and the motion

carried.

Council President Kroesing scheduled a Committee of the Whole meeting for Monday, July 29, at 5:30 p.m. in the City Office meeting room.

Only one audit bid was received for the General Audit as follows:

Scow, Rief, Kruse & Schumacher	2002	\$6,250
	2003	\$6,000
	2004	\$5,750

(Implementation of GASB #34 would require significant increases in fees to complete the engagement.)

Council member Lukassen made a motion to accept the three year bid of Scow, Rief, Kruse, and Schumacher to perform the General Audit for fiscal years 2001-02, 2002-03, and 2003-04. Council member Smith seconded the motion. Voting YEA: Council members Schatz, Kroesing, Kirby, Hein, Smith, and Lukassen. Voting NAY: None. The motion carried.

As there was no need to go into executive session and no further business to come before the Council, Council member Kirby made a motion to adjourn. Council member Hein seconded the motion. Voting YEA: Council members Smith, Kroesing, Hein, Schatz, Lukassen, and Kirby. Voting NAY: None. The motion carried and Council President Gary Kroesing declared the meeting adjourned at 9:32 p.m..

Council President Gary Kroesing

City Clerk Joan E. Kovar



CERTIFICATION OF MINUTES  
July 10, 2002

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 July 10, 2002; 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