

CITY COUNCIL PROCEEDINGS

July 17, 2002

The Mayor and City Council of the City of David City, Nebraska met in open public session at 5:00 p.m. on July 17, 2002 in the meeting room of the City Office, 557 4th Street, David City, Nebraska. There was not time to give advance notice to the public as the Mayor declared this an emergency meeting. 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. 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 Stephen Smith, Council members Gary Kroesing, Gary Smith, Bill Schatz, Ted Lukassen, and Nick Hein, City Administrator Andrew Brannen, Police Chief Steve Sunday, Electric Supervisor Tim Kovar and Deputy City Clerk Tami L. Comte. Also present were city employees Pat Hoefft and Tim Kozisek. Council member Mark Kirby was absent.

Police Chief Steve Sunday was present to discuss the board of health recommendations concerning the property at 186 N. 8th Street. The owner of the property had been storing her garbage in her garage and it was almost full and there was garbage on the outside of the garage as well. Chief Sunday told the council that it was attracting a number of varmints and the odor was objectionable. He showed the council members pictures of the property that he had taken earlier in the week. The owner of the property was informed that this was a health hazard and that she was to have it cleaned up by Friday, July 19, 2002 at 5 p.m. Chief Sunday said that she had agreed to the terms set by the board of health.

Council member Nick Hein made a motion to accept the recommendation of the board of health and to have Police Chief Steve Sunday inspect the property at 5 p.m. on Friday, July 19, 2002 and if it is not in compliance to authorize the street department to be there on Saturday, July 20, 2002 to clean up the property and bring it into compliance with city code. Council member Gary Kroesing seconded the motion. Council member Bill Schatz stated that the city ordinance states that a property owner in non compliance will be sent a registered letter and be given five days to come into compliance. He did not think that the council should make a motion that was contrary to the city's ordinance. Discussion followed. Council member Hein rescinded his motion. Council member Kroesing rescinded his second.

Council member Schatz made a motion to accept the minutes and the recommendation of the board of health and to have Police Chief Steve Sunday inspect the property at 5 p.m. on Friday, July 19, 2002 and if it is in non compliance to send a registered letter to Ms. Randall according to ordinance that she is in non compliance of the city's health code. Council member Kroesing seconded the motion. Voting YEA: Council members Kroesing, Smith, Schatz, Hein and Lukassen. Voting NAY: None. Council member Kirby was absent.

Electric Supervisor Tim Kovar, Line Foreman Pat Hoefft and Lineman Tim Kozisek were present to discuss the bids that were received for a new trencher. Pat Hoefft stated that there were three bids received. Vermeer Equipment of Nebraska submitted two bids. The first bid was for a 70 HP V5750 Turbo Hydrostatic Trencher/Plow for \$56,800 with trade in. The second bid was for a 59 HP V5750 Hydrostatic Trencher/Plow for \$54,300 with trade in. Ditch Witch also submitted a bid for a 60 HP 5700 Hydrostatic Trencher/Plow for \$53,189.20 with trade in. Pat Hoefft told the council that they had used the 70 HP from Vermeer to trench in the new

CERTIFICATION OF MINUTES
July 17, 2002

I, Tami L. Comte, duly qualified and acting Deputy City Clerk for the City of David City, Nebraska, do hereby certify with regard to all proceedings of July 17, 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.

Tami L. Comte