

CITY COUNCIL PROCEEDINGS

August 14, 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 August 8, 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: Mayor Stephen Smith, Council members Mark Kirby, Ted Lukassen, Gary Kroesing, Bill Schatz, Gary Smith, and Nick Hein, City Administrator Andrew Brannen, City Attorney Jim Egr, Water/Sewer Supervisor Gene Divis, Park/Auditorium Supervisor Bill Buntgen, Police Chief Stephen Sunday, Electric Supervisor Tim Kovar, and City Clerk Joan E. Kovar. Also present were Banner Press Staff Writer Kreig Ritter, Diane Duren representing DKD Enterprises, and Erik Petersen and children.

The minutes of the July 10th and July 17th, 2002, meetings of the Mayor and City Council were approved upon a motion by Council member Lukassen and seconded by Council member Kirby. Voting YEA: Council members Smith, Schatz, Lukassen, Kroesing, Kirby, and Hein. Voting NAY: None. The motion carried.

Stephen Smith asked for Petitions, Communications and Citizens' Concerns in addition to those contained in the Agenda packets.

City Clerk Kovar read a "Thank You" to the Mayor and Council for the contribution totaling \$2000.00 from Keno Funds to the David City Area Foundation - Family Aquatic Center Fund in support of the David City Family Aquatic Center.

Council member Gary Smith expressed a citizen concern that a patron had paid for Aqua Jogging Classes, but now the classes are being cancelled because the pool is rented out for parties on some of those evenings. The patron felt the pool offered the class, she paid the required fee in full, and didn't think it is fair that now her jogging classes are being cancelled or changed to a different night because a pool party was scheduled and the pool makes more money booking a party. Mayor Smith commented that he had received a similar concern. Mayor Smith said he would address this problem.

Mayor Smith asked for consideration of claims. Council member Kroesing made a motion to authorize the payment of claims. Council member Smith seconded the motion. Voting YEA: Council members Schatz, Hein, Kirby, Kroesing, Lukassen, and Smith. Voting NAY: None. The motion carried.

Mayor Smith called for Committee and Officers' Reports in addition to those written reports contained in the Agenda packet.

Police Chief Sunday stated that the bearing went out of the sump pump in the basement of the police station. The sump pump is so old that they no longer make the needed bearing.

Water/Sewer Supervisor Gene Divis is checking on price quotes for a new sump pump which he estimates at \$540.00.

Park/Supervisor Bill Buntgen "Thanked" Ron Truksa, who recently quit, for his many years of service (19 yrs) working for the electric, water, and sewer departments. Ron will be missed.

Library Director Kay Schmid stated in her report that they would be having a pool party at 10 a.m. the morning of August 3 and questioned if the Council would consider waiving the fee for the party since it is a library event. The Council decided that this request was made after the event was held, so no action was taken.

]

Council member Smith made a motion to accept the Committee and Officers' Reports as presented. Council member Kirby 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 the entire police station building is now "cool" due to the new heating and air-conditioning unit that was installed. Everything is operational and the police building is now all electric.

The Curtis Brahmsteadt property was discussed. Police Chief Sunday reported that you need to be certified to remove asbestos. Two price quotes were received for the removal of asbestos from the outside of the Curtis Brahmsteadt house at 988 E Street. McGill Asbestos Abatement Co., Inc. quoted \$3,880.00 and Asbestos Removers, Inc. quoted a \$500.00 set up and tear down fee, plus \$1.25 per sq. ft.. Sunday measured the house at 2,300 sq. ft. for a cost of \$3,375.00. The taxes have not been paid on the property. Police Chief Sunday visited with the attorneys involved in this case and will meet with them on Friday to see what their plans are.

Council member Kirby made a motion to table consideration of the demolition/burning of the Brahmsteadt property located at 988 E Street, to the September 11, 2002, council meeting. Council member Smith seconded the motion. Voting YEA: Council members Schatz, Hein, Kirby, Smith, Kroesing, and Lukassen. Voting NAY: None. The motion carried.

Council member Kirby made a motion to appoint Mary Havlovic to serve a three year term on the Board of Zoning Adjustment (August thru October 2005). Council member Kroesing seconded the motion. All of the Council members were present, all voted YEA, and the motion carried.

Council member Kroesing made a motion to appoint Dan Hook to serve a three year term as an alternate member on the Planning Commission (August thru September 2005). Council member Hein seconded the motion. All of the Council members were present, all voted YEA, and the motion carried.

City Administrator Brannen reported that Phil Lorenzen, First Vice President of Kirkpatrick Pettis, provided one Resolution that covers both the sales tax question and the issuance of bonds, so Agenda Items #10 and #11 will be combined.

Council member Schatz introduced Resolution No. 19 - 2002 and moved for its passage and adoption. Council member Lukassen seconded the motion. Voting YEA: Council members Kirby, Hein, Smith, Kroesing, Lukassen, and Schatz. Voting NAY: None. The motion carried and Resolution No. 19 -2002 was passed and adopted as follows:

RESOLUTION NO. 19 - 2002

BE IT RESOLVED by the Mayor and Council of the City of David City, Nebraska as follows:

Section 1. The Mayor and City Council find and determine that there has not been submitted to the electors of the City of David City a proposition for the levy of a sales and use tax within the twenty-three months last past.

Section 2. A special election is hereby called and will be held in conjunction with the Statewide General Election to be held on Tuesday, November 5, 2002, at which there shall be submitted to the qualified electors of the City of David City, Nebraska the following proposition:

“Shall the governing body of the City of David City impose a sales and use tax of one-half of one percent (1/2 of 1%) upon the same transactions within the City of David City on which the State of Nebraska is authorized to impose a tax, for a ten (10) year period ending April 1, 2013, with the proceeds collected to be used for street construction and necessary and appurtenant improvements, including, but not limited to, the payment of principal of and interest on bonded indebtedness issued for such purposes?”

If a majority of the votes cast upon such question shall be in favor of such tax, then the governing body of the City of David City shall be empowered as provided by Section 77-27, 142 and shall forthwith proceed to impose a tax pursuant to the Local Option Revenue Act. If a majority of those voting on the question shall be opposed to such tax, then the governing body of the City of David City shall not impose such tax.

The ballots to be voted upon and cast at said election shall have printed thereon the foregoing proposition, followed by the words: “FOR said sales and use tax” and “AGAINST said sales and use tax” following the proposition.

Section 3. Notice of said election shall be given to the qualified electors of said City by publication at least one time each week for three successive weeks prior to such election and a copy of the sample ballot shall be published one time not more than ten days nor less than three days prior to the election, such notice and sample ballot to be published in the Banner Press, a newspaper printed and of general circulation in said City, and the City Clerk of the City be and hereby is directed to cause such notice and sample ballot to be published.

Section 4. The City Clerk of the City of David City be and hereby is authorized and directed to certify a copy of this Resolution to the Butler County Clerk, who shall designate the polling places, appoint the election officials and otherwise conduct the election as provided by law. The City does hereby agree to reimburse said County Clerk for the expenses of conducting the election. As required by Section 32-802, R.S. Supp. 1994, the County Clerk shall provide for publication of the Notice of Election in a newspaper designated by the County Clerk no later than forty days prior to the day of said election and such notice shall be posted in the office of the County Clerk no later than forty days prior to such date of election.

Section 5. The form of ballot and form of notice of said sales tax election shall be substantially in the form submitted to this meeting, a copy of which forms shall be made a part of the minutes. The City Clerk of the City is hereby authorized and directed, in conjunction with the County Clerk conducting the election, to arrange for the printing of the necessary ballots for said election and to do all other things and take all other action

appropriate or necessary in order to cause said proposition to be submitted to the qualified electors of the City as above provided.

Resolution No. 19 - 2002 having been consented to by more than a majority of the members of the Council, was declared by the Mayor duly passed and adopted.

Passed and approved this 14th day of August, 2002.

Mayor

City Clerk

City Administrator Brannen distributed a pamphlet explaining the need for street improvements, the sales tax background in David City, previous street projects, other alternatives for funding a major street project, and why the ballot will include a question about a bond issue as well as the sales tax. The Council would like to see colored pictures on the front showing the contrast between an aging asphalt street and a newly paved asphalt street. Council member Kirby made a motion to allow spending up to \$1,000 for the posting, printing, and mailing of the sales tax brochures. Council member Kroesing seconded the motion. All of the Council members were present, all voted YEA, and the motion carried.

Council member Hein made a motion to advance ahead to agenda item #15 - Consideration of a resolution approving a 10 minute parking sign in front of DKD Enterprises, 545 No. 5th Street, David City, Nebraska. Council member Kirby seconded the motion. All of the Council members were present, all voted YEA and the motion carried.

Diane Duren had e-mailed a request to City Administrator Brannen as follows: "I do want to officially request the 10-minute parking sign in front of my business....Just right now I have a person that parked in front and walked over to Thomas'.....It's 11:28 a.m. in the morning.

The Council decided that normally a 15-minute parking sign is installed. Council member Kroesing introduced Resolution No. 20 - 2002 and moved for its passage and adoption. Council member Smith seconded the motion. Voting YEA: Council members Smith, Schatz, Lukassen, Kirby, Kroesing, and Hein. Voting NAY: None. The motion carried and Resolution No. 20 - 2002 was passed and adopted as follows:

RESOLUTION NO. 20 - 2002

WHEREAS, Diane Duren, has requested a fifteen (15) minute parking stall in front of her business, DKD Enterprises, located at 545 No. 5th Street, and,

WHEREAS, the City of David City, Nebraska, desires to aid local businesses in providing for consumer needs,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, that a fifteen (15) minute time restriction from 8:00 a.m. to 5:00 p.m. be placed on one parking stall in front of DKD Enterprises, 545 No. 5th Street, David City, Nebraska.

This resolution shall be in full force and effect from and after its passage as provided by law.

Passed and approved this 14th day of August, 2002.

Mayor

City Clerk

At 7:49 p.m., Mayor Smith declared the Public Hearing open to consider the Preliminary Plat as presented by Dan & Jan Sypal. The planning commission recommended approving the plat provided that the final plat has the west easement line between lots 1 and 2 extended approximately 30' to the west. (Currently there is a 10' easement on the east side of Lot 1 and a 10' easement on the west side of Lot 2. This would increase the utility easement to approximately 30' on the east side of Lot 1 plus the 10' utility easement on the west side of Lot 2. There were no objections expressed and Mayor Smith declared the Public Hearing closed at 7:51 p.m.. Council member Schatz made a motion to accept the recommendation of the Planning Commission to accept the preliminary plat as presented by Dan & Jan Sypal provided that the final plat has a larger easement on the east side of Lot 1. Council member Lukassen seconded the motion. Voting YEA: Council members Schatz, Lukassen, Kirby, Hein, Smith, and Kroesing. Voting NAY: None. The motion carried.

At 7:52 p.m., Mayor Smith declared the Public Hearing open to consider the request of Mark Holoubek to subdivide property and designate an access road. There are utility lines running through the 2.85 acres that he wants to sell. After a utility line has existed for ten years, City Attorney Egr stated that the City has a prescriptive easement, however, Egr recommends that WA/SE Supervisor Gene Divis and Electric Supervisor Tim Kovar prepare and file an easement for the utility lines on this property. The 60' access road was discussed. At the Planning Commission meeting, Keith Marvin informed Holoubek that if the land north of this property was ever developed Holoubek should have an 80' road rather than the 60'. The City cannot require an 80' road at this time because Holoubek is designating this as a private drive, not a street, Holoubek is not developing the land at this time and stated that due to costs he probably never will. City Attorney Egr stated to be sure that this is noted as a "**private**" drive, and since it is a private drive the City/Utilities will have no obligations concerning it. Mayor Smith declared the

Public Hearing closed at 8:09 p.m..

Council member Smith introduced Resolution No. 21 - 2002 and moved for its passage and adoption. Council member Kroesing seconded the motion. Voting YEA: Council members Schatz, Kirby, Smith, Lukassen, Kroesing, and Hein. Voting NAY: None. The motion carried and Resolution No. 21 - 2002 was passed and adopted as follows:

RESOLUTION NO. 21 - 2002

WHEREAS, Mark Holoubek, has filed an application to subdivide his property, and,

WHEREAS, Ordinance No. 909, adopted June 25, 2001, Section 803, Administrative Subdivisions 803.01: City Council Authority, states "The City Council is hereby authorized to approve further subdivisions of, and combinations of, existing platted lots, whenever all required improvements have been installed, no new dedication of public rights-of-way or easements are involved and such subdivisions comply with Comprehensive Plan, the Major Street Plan and all applicable zoning regulations."

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, that the request of Mark Holoubek, to subdivide his property by selling a tract of land, approximately 2.85 acres, being part of Lots 7 and 8, David City Land and Lot Company's Suburban Lots, located in the SW 1/4 of the SE 1/4 of Section 18, T15N, R3E of the 6th P.M. in Butler County, Nebraska, described as follows:

Beginning at the southeast corner of said Lot 8, and assuming the south line of said Lot 8 to have a bearing of N 89°32'24" W; thence N 89°32'24" W, 155.00 feet; thence N 00°20'17" W, 348.83 feet; thence S 89°32'24" E, 84.35 feet, parallel with the south line of said Lot 8; thence N 00°24'47" E, 135.82 feet, parallel with the east line of said Lot 8; thence N 89°58'34" E, 75.33 feet, parallel with the north line of said Lot 8; thence S 00°24'47" W, 36.14 feet on the east line of said Lot 8; thence S 89°35'50" E, 131.70 feet; thence S 00°32'08" W, 449.25 feet; thence N 89°32'24" W, 130.74 feet on the south line of said Lot 7, to the point of beginning, containing 2.85 acres, more or less.

Is hereby approved, and a 60' private drive just east of the above mentioned 2.85 acres is acknowledged.

Dated this 14th day of August, 2002.

Mayor Stephen Smith

City Clerk Joan E. Kovar

Mayor Smith declared a ten minute recess at 8:10 p.m.. Meeting reconvened at 8:20 p.m..

Council member Smith made a motion to approve the Knights of Columbus application for a Bingo Permit. Council member Kirby seconded the motion. All of the Council members were present, all voted YEA, and the motion carried.

City Administrator Brannen stated that it may be a good idea to study the proposed budgets

before considering the salary survey results. Therefore, Council member Kirby made a motion to table consideration of the salary survey results until the September 11, 2002 council meeting. Council member Kroesing seconded the motion. All of the Council members were present, all voted YEA, and the motion carried.

Council member Kirby introduced Ordinance No. 923. Council member Schatz made a motion to suspend the statutory rule that requires an Ordinance be read on three separate days. Council member Hein seconded the motion. All of the Council members were present, all voted YEA, and the motion carried.

Council member Kroesing made a motion to pass and adopt Ordinance No. 923 on the third and final reading. Council member Kirby seconded the motion. In the discussion following, the Council decided that only full-time, and regular part-time employees would be allowed the cost of living increase. (Full time - those who work 40 hrs a week; Regular part-time - those who work set hours year round including the present building inspector, Tom Terrell, and the Librarians). All of the Council members were present, all voted YEA, and the motion carried. Ordinance No. 923 was passed and adopted as follows:

ORDINANCE NO. 923

AN ORDINANCE INCORPORATING A .36 PER HOUR COST OF LIVING INCREASE; SETTING THE SALARIES AND PAY SCALES FOR THE APPOINTED OFFICERS AND EMPLOYEES OF THE CITY OF DAVID CITY, NEBRASKA; TO REPEAL ALL ORDINANCES OR PORTIONS OF ORDINANCES IN CONFLICT THEREWITH; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA:

SECTION 1. The Mayor and City Council of David City, Nebraska, do hereby establish and fix the pay scales and salaries for the following positions for the appointed officers and employees of the City of David City, Nebraska:

SECTION 2. The wages for the Library Director and Librarians are set by the Library Board and therefore are not included.

Part-Time Workers

Years in Position	0	6m	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Part-time workers	\$6.30	6.57	6.71	6.83	6.91	6.99	7.10	7.22	7.35	7.48	7.62	7.75	7.88	8.04	8.23	8.40	8.57	8.76	8.93	9.09	9.28	9.46
Building Inspector	\$10.66/hr																					
Bartenders	Begin @ \$6.00/hr - experienced up to \$6.18																					
Recycling workers -	Begin @ \$6.00/hr - experienced up to \$6.30																					
Summer Time Help -	\$6.00/hr																					

Full-Time Workers

Years in Position:	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V
	0	6m	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Office Staff																						
Clerical I	8.73	8.85	8.96	9.08	9.20	9.31	9.42	9.54	9.66	9.77	9.89	10.00	10.12	10.24	10.35	10.46	10.58	10.70	10.81	10.93	11.04	11.15
Police Clerical	8.16	8.47	8.62	8.76	8.82	8.87	8.93	9.01	9.10	9.19	9.27	9.35	9.44	9.50	9.56	9.62	9.67	9.72	9.77	9.83	9.89	9.95

City Council Proceedings
 August 14, 2002
 Page #8

Acct Clerk I	8.79	8.93	9.08	9.23	9.37	9.52	9.67	9.82	9.96	10.11	10.26	10.40	10.55	10.70	10.85	11.00	11.13	11.26	11.38	11.51	11.66	11.79
Acct Clerk II Effective 9/26/01 +.50 CMC	10.52 11.03	10.78 11.30	10.93 11.44	11.08 11.60	11.19 11.70	11.28 11.79	11.38 11.90	11.54 12.05	11.70 12.22	11.84 12.36	12.00 12.51	12.18 12.70	12.36 12.87	12.46 12.98	12.58 13.09	12.69 13.20	12.81 13.33	12.93 13.44	13.05 13.56	13.17 13.69	13.31 13.82	13.43 13.95
Utility Staff																						
Power Plant Operator I	9.23	9.37	9.58	9.77	9.96	10.16	10.34	10.53	10.72	10.92	11.11	11.32	11.51	11.71	11.90	12.09	12.30	12.49	12.69	12.90	13.09	13.30
Power Plant Operator II	10.85	11.34	11.84	12.01	12.17	12.34	12.59	12.84	13.09	13.34	13.59	13.83	14.01	14.16	14.34	14.50	14.67	14.83	15.01	15.17	15.25	15.34
Power Plant Operator III	14.21	14.37	14.51	14.69	14.81	14.96	15.10	15.24	15.40	15.54	15.70	15.86	16.02	16.17	16.33	16.49	16.64	16.80	16.96	17.12	17.27	17.44
Apprentice Lineman	10.74	11.03	11.19	11.33	11.42	11.51	11.62	11.77	11.92	12.06	12.22	12.36	12.50	12.60	12.69	12.80	12.90	12.99	13.08	13.17	13.28	13.37
Line worker II	12.76	13.04	13.19	13.37	13.47	13.57	13.68	13.84	14.00	14.16	14.34	14.50	14.67	14.79	14.92	15.05	15.15	15.25	15.38	15.50	15.62	15.75
Line worker I	14.79	15.12	15.26	15.43	15.54	15.66	15.78	15.96	16.15	16.31	16.49	16.65	16.83	16.96	17.09	17.22	17.34	17.48	17.61	17.73	17.84	17.97
Line Foreman	15.59	16.04	16.25	16.48	16.62	16.77	16.92	17.14	17.36	17.58	17.80	18.02	18.24	18.37	18.53	18.67	18.82	18.96	19.12	19.25	19.38	19.54
Water/Sewer Operator I	9.23	9.48	9.63	9.77	9.87	9.96	10.05	10.21	10.36	10.51	10.67	10.82	10.98	11.08	11.20	11.31	11.41	11.53	11.64	11.76	11.88	11.99
WA/SE Op I w Grade VI	9.75	10.00	10.16	10.30	10.39	10.48	10.58	10.73	10.89	11.03	11.20	11.35	11.50	11.61	11.72	11.83	11.94	12.05	12.16	12.29	12.40	12.51
WA/SE Operator II	11.14	11.30	11.45	11.61	11.77	11.93	12.08	12.25	12.40	12.56	12.73	12.90	13.06	13.22	13.40	13.56	13.73	13.90	14.07	14.23	14.41	14.57
WA/SE Op I I w Gr VI	11.66	11.81	11.97	12.12	12.29	12.44	12.60	12.76	12.92	13.07	13.25	13.41	13.57	13.74	13.91	14.08	14.24	14.42	14.58	14.75	14.92	15.09
WA/SE Op III w Gr VI	13.32	13.62	13.76	13.90	14.00	14.10	14.20	14.38	14.54	14.63	14.82	15.00	15.17	15.27	15.39	15.50	15.60	15.71	15.81	15.93	16.05	16.17
Waste Water Plant Operator	12.58	12.86	13.00	13.14	13.25	13.34	13.44	13.60	13.76	13.90	14.05	14.21	14.39	14.49	14.60	14.72	14.82	14.92	15.03	15.14	15.25	15.38
City Maintenance Staff																						
Laborer I	6.84	7.02	7.12	7.20	7.25	7.31	7.37	7.47	7.56	7.64	7.73	7.82	7.91	7.96	8.03	8.10	8.15	8.21	8.27	8.32	8.37	8.42
Laborer II	9.12	9.39	9.53	9.68	9.77	9.87	9.96	10.10	10.25	10.38	10.53	10.67	10.81	10.91	11.00	11.09	11.20	11.29	11.38	11.47	11.57	11.67
Maintenance Worker I	9.34	9.58	9.69	9.81	9.89	9.97	10.05	10.19	10.31	10.43	10.57	10.71	10.85	10.94	11.03	11.13	11.23	11.32	11.41	11.50	11.61	11.72
Maintenance Worker II	9.82	10.06	10.21	10.34	10.42	10.51	10.61	10.75	10.91	11.04	11.19	11.33	11.48	11.59	11.70	11.81	11.92	12.02	12.12	12.24	12.35	12.46
Street Foreman	12.34	12.66	12.82	12.99	13.09	13.19	13.32	13.47	13.64	13.80	13.97	14.12	14.30	14.40	14.50	14.62	14.72	14.83	14.94	15.05	15.16	15.27
Years in Position:	A 0	B 6m	C 1	D 2	E 3	F 4	G 5	H 6	I 7	J 8	K 9	L 10	M 11	N 12	O 13	P 14	Q 15	R 16	S 17	T 18	U 19	V 20
Police Staff																						
Police Officer	11.36	11.60	11.74	11.87	11.96	12.05	12.14	12.28	12.40	12.54	12.69	12.84	13.00	13.09	13.22	13.31	13.41	13.51	13.62	13.70	13.80	13.89
Sergeant	13.43	13.72	13.88	14.04	14.17	14.33	14.47	14.55	14.65	14.82	14.99	15.15	15.32	15.44	15.55	15.68	15.79	15.92	16.05	16.16	16.27	16.41
Department Supervisors																						
Park & Aud Supt.	11.15	11.47	11.63	11.79	11.91	12.02	12.14	12.32	12.49	12.67	12.85	13.00	13.21	13.35	13.48	13.62	13.74	13.88	14.02	14.15	14.30	14.43
City Clerk/Treas CMC MMC	15.34	15.54	15.65	15.75	15.81	15.89	15.96	16.07	16.17	16.27	16.39	16.49	16.59	16.65	16.73	16.80	16.86	16.94	17.02	17.10	17.18	17.26
Power Plant Supervisor	15.20	15.65	15.87	16.09	16.23	16.39	16.53	16.75	16.97	17.19	17.41	17.62	17.84	17.98	18.13	18.27	18.41	18.56	18.70	18.84	18.98	19.14
Licensed Street Supt.	15.91	16.19	16.33	16.48	16.57	16.66	16.76	16.89	17.05	17.18	17.32	17.47	17.61	17.71	17.80	17.89	17.99	18.09	18.18	18.27	18.37	18.49
WA/SE Supervisor w Gr VI	15.22	15.55	15.73	15.92	16.03	16.14	16.25	16.43	16.61	16.80	16.99	17.16	17.33	17.47	17.59	17.72	17.84	17.98	18.12	18.24	18.37	18.52
Police Chief	15.13	15.69	15.96	16.24	16.43	16.61	16.80	17.08	17.36	17.63	17.91	18.19	18.47	18.65	18.84	19.03	19.21	19.39	19.59	19.78	19.96	20.16
Electric Supervisor	17.87	18.43	18.70	18.98	19.17	19.35	19.55	19.83	20.11	20.37	20.66	20.93	21.22	21.39	21.58	21.77	21.95	22.13	22.33	22.51	22.69	22.87
City Administrator	\$50,752.00																					

SECTION 3. Any and all ordinances, or sections thereof, passed and approved prior to the passage, approval and publication or posting of this ordinance, and in conflict with its provisions, is hereby repealed.

SECTION 4. This ordinance shall be published in pamphlet form and shall be in full force and effect on September 26, 2002 following its passage, approval, and publication as provided by law and city ordinance.

PASSED AND APPROVED this 14th day of August, 2002.

Mayor Stephen Smith

City Clerk Joan E. Kovar

Council member Hein made a motion to advance ahead to agenda item #20 - Consideration of scheduling special council meetings on Tuesday, August 20, and Wednesday, August 21, 2002, both at 6:00 p.m. to discuss the proposed budgets for fiscal year 2002-03. Council member Kirby seconded the motion. All of the Council members were present, all voted YEA and the motion carried.

Council member Smith made a motion to schedule special council meetings on Tuesday, August 20, and Wednesday, August 21, 2002, both at 6:00 p.m. in the City Office/Council Chamber to discuss the proposed budgets for fiscal year 2002-2003. Council member Hein seconded the motion. Voting YEA: Council members Kroesing, Lukassen, Schatz, Smith, Kirby, and Hein. Voting NAY: None. The motion carried.

Council member Hein made a motion to advance ahead to agenda item #21 - Consideration of releasing a portion of the retainage for the Aquatic Center Project. Council member Kroesing seconded the motion. All of the Council members were present, all voted YEA and the motion carried.

City Administrator Brannen reported that Burbach Aquatics suggested that the City not release a portion of the retainage until the pool passes the leak test. (The pool is filled up to the top and then they wait a 7 day leak test period).

Council member Hein made a motion to release a portion of the retainage for the Aquatic Center Project. The motion died for lack of a second.

Council member Hein made a motion to advance ahead to agenda item #22 - Consideration of a resolution authorizing Police Chief Sunday to enter the city into an interlocal agreement for the Rural Apprehension Program. Council member Kroesing seconded the motion. All of the Council members were present, all voted YEA and the motion carried.

Council member Lukassen introduced Resolution No. 22 - 2002 and moved for its passage and adoption. Council member Smith seconded the motion. Voting YEA: Council members Kroesing, Smith, Schatz, Lukassen, Kirby, and Hein. Voting NAY: None. The motion carried and Resolution No. 22 - 2002 was passed and adopted as follows:

RESOLUTION NO. 22 - 2002

WHEREAS, law enforcement agencies with the following counties: Butler, Clay, Fillmore, Hamilton, Jefferson, Merrick, Nuckolls, Saline, Saunders, Seward, Thayer, Webster, and York desire to enter into a cooperative law enforcement effort; and

WHEREAS, the above agencies have submitted a grant application known as the RURAL APPREHENSION PROGRAM (hereafter RAP); and

WHEREAS, the RAP project has been funded by the Nebraska Crime Commission; and,

WHEREAS, the various counties, communities, and agencies within those jurisdictions desire to make the most efficient use of the power by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors; and

WHEREAS, an interlocal agreement, consistent with Nebraska Revised Statutes 13-801 et. seq, would be in the best interest of all participating agencies; and

WHEREAS, the agencies desire to enter into a written interlocal agreement for the purposes of carrying out the RAP objectives and grant requirements of the Nebraska Crime Commission.

BE IT RESOLVED THAT:

The City of David City authorizes Stephen M. Sunday, Chief of Police, to enter the City of David City into an interlocal agreement for joint and cooperative action pursuant to the provisions of Section 13-801 through 13-807 of Nebraska Revised Statutes. The interlocal agreement shall be for the strict administration of the RAP project and all funds allocated by the Nebraska Crime Commission, and Match dollars allocated by the RAP members. Further, this interlocal agreement shall not establish a separate legal entity, rather as a joint and cooperative undertaking between public agencies i.e. state, county, city and village. (Nebraska Revised Statute 13-801).

Amount of match dollars allocated by the City of David City for the 2002 -2003 grant period (RAP 13) will be \$1,261.00.

Dated this 14th day of August, 2002.

Mayor Stephen Smith

City Clerk Joan Kovar

Council member Kirby made a motion to advance ahead to agenda item #23 - Consideration of additional compensation for the lifeguards; Council member Smith seconded the motion. All of the Council members were present, all voted YEA and the motion carried.

City Administrator Brannen met with some of the workers at the Aquatic Center. Their biggest concern is that the pool was scheduled to open June 10th but actually opened on June 24th. Initially they asked for two weeks pay. Brannen stated that he always said he was "hopeful" that the pool would open on June 10th, but never guaranteed it. Council member Hein stated the guards/workers were compensated for the hours they worked. Council member Smith stated the City couldn't run the pool without the guards; "what if they would have all found other work?" Council member Schatz stated that the City did not have a contractual agreement with

the help; "Seasonal workers are part-time; Emotionally it would be nice to pay them additional compensation; Practical - no." Schatz suggested the City move on. Mayor Smith stated he was hearing mixed emotions so asked for each council members opinion. Council members Schatz, Lukassen, Kirby, and Hein said to drop it, no compensation. Council members Kroesing and Hein felt that maybe they did deserve some compensation or something. Discussion followed. Mayor Smith and City Administrator Brannen will meet with the Aquatic Center workers to advise them that the majority of the council said there would be no compensation.

City Administrator Brannen distributed some budget sheets for the proposed 2002-03 budgets. Council member Schatz distributed copies of State Statutes concerning highway allocation and discussion followed. Discussion was limited as special council meetings have been scheduled to discuss the proposed budgets for fiscal year 2002-03 on Tuesday, August 20th and Wednesday, August 21st.

As there was no need to go into executive session, and there being no further business to come before the Council, Council member Kroesing made a motion to adjourn. Council member Hein seconded the motion. Voting YEA: Council members Smith, Kirby, Schatz, Lukassen, Kroesing, and Hein. Voting NAY: None. The motion carried and Mayor Smith declared the meeting adjourned at 9:49 p.m..

Mayor Stephen Smith

City Clerk Joan E. Kovar



CERTIFICATION OF MINUTES
August 14, 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 August 14, 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