

CITY COUNCIL PROCEEDINGS

October 10, 2001

The Mayor and City Council of the City of David City, Nebraska met in open public session at 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 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 Ted Lukassen, Gary Kroesing, Gary Smith, Bill Schatz, and Nick Hein, City Administrator Andrew Brannen, City Attorney Jim Egr, Park/Auditorium Supervisor Bill Buntgen, Street Superintendent Jim McDonald, Police Chief Steve Sunday, and Power Plant Supervisor John Kabourek, and City Clerk Joan E. Kovar. Council member Kirby was absent.

Also present were: Jackie Horan, Mary Ann Ziethen, Sheriff Mark Hecker, Patrolman Richard Schneider, County Supervisor Bill Kozisek, Gary Haag and Monte Olsson representing Midland Equipment, Gary Krenke representing Road Builders, and Sherri Nun of the Banner Press.

The minutes of the September 12th and September 19th meetings of the Mayor and City Council were approved upon a motion by Council member Lukassen and seconded by Council member Kroesing. Voting YEA: Council members Kroesing, Smith, Schatz, Hein, and Lukassen. Voting NAY: None. Council member Kirby was absent. The motion carried.

Stephen Smith asked for Petitions, Communications and Citizens' Concerns in addition to those contained in the Agenda packets. There were no petitions. City Clerk Kovar read: a "Thank You" from Dr. and Mrs. Kaufmann for reimbursing them for the sidewalk replacement next to the curb; and a "Thank You" from Andrew & Dian Brannen for the sterling silver baby gift set on the birth of their baby boy Patrick.

Council member Kroesing stated that Grace Kovar, 656 N 9th Street, stated she can't drive up and down her alley anymore because it is grown over with weeds and trees. Street Superintendent McDonald will look into this.

Council member Lukassen stated that Jim Montgomery expressed concerns about the installation of a bridge to the park island if the ducks are nesting on the island. Mayor Smith stated that hopefully there will be other areas for nesting.

Council member Hein reported that Dan Hook expressed concern that the Catholic Channel is not available on the basic Cable Channels. Time Warner may be asked to attend a Committee of the Whole meeting to discuss availability of the channels and placement of programs.

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

member Kirby was absent. 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 reported that the Rural Apprehension Program resulted in the arrest of 4 Hispanics from Schuyler, at Cruiser's Drive Inn, 375 Nebraska Street, David City, selling 1 kilo of amphetamines. Sunday also reported that he will make a recommendation to fill the police officer vacancy at the November Council meeting.

Council member Schatz stated he would like to see tree planting done again this fall. Street Superintendent McDonald will advertise trees for sale, and if there is enough interest, will rent the tree spade and plant trees again this fall.

City Attorney Egr updated the Council on the process concerning the Joe Smith property located on the E 1/2 of Lots 1 and 4, S 1/2 of the W 1/2 of Lot 4, Block 40, Original Town of David City, and the Randy Janak property located at Lots 1, 4, 5, 8, 9, & 12, Block 22, Original Town of David City. There has not been any progress on the clean-up of either property. City Attorney Egr will wait until October 20th, and if there is no change on the Janak property, Egr will file it with District Court. On December 4th, Smith's attorney will ask to be released from the case.

City Clerk Kovar informed the Council that the City Office will be closed on October 18th, while the staff attends a computer refresher course provided by the Nebraska Municipal Power Pool in Lincoln.

Mayor Smith scheduled a Committee of the Whole meeting for Tuesday, October 30, 2001, at 5:30 p.m. in the City Office.

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

The following bids were received for a loader for the street department:

Company	MakeModel	Operating Weight	Engine	Base Price	Trade In	Warranty	Warranty Ext.	Total Price
Road Builders	Komatsu WA250-3	25,573	6 cylinder	\$95866.	N/A	Full \$1997. 5yr 5000hrs	\$95,866	\$97,863.
Spreitzer	Volvo L700	24,000	6 cylinder	\$96850	12,000	\$3980 5yr 5000hrs	\$84,850	\$88,830
NE Machinery	Caterpillar 924GZ 2002	24,125	6 cylinder	\$94,644	14,000	\$3393 5yr 7500hrs	\$80,644	\$84,037
Murphy	John 444H22,000 Deere	4 cylinder	\$88,506	11,581	\$4182	\$76,925 5yr 7000hrs	\$81,107	
Midland Equip	Case 521D21,603	4 cylinder	\$80,900	14,800	\$4246	\$66,100 5yr 5000hrs	\$70,346	

Gary Haag and Monte Olsson, representing Midland Equipment, stated that they could service the loader in David City, are willing to talk about anything, met all specs, and were present to ask the City for their business. Gary Krenke, representing Road Builders, stated that he quoted the state bid, they have 40+ units in stock, and he would appreciate the City's

business. Discussion followed. Council member Hein made a motion to table consideration of the bids received for a loader for the street department to the November 14, council meeting to allow time to consider lease purchase agreement options. Council member Kroesing seconded the motion. Voting YEA: Council members Smith, Hein, Lukassen, Schatz, and Kroesing. Voting NAY: None. Council member Kirby was absent. The motion carried.

Council member Smith made a motion to advance ahead to agenda item #19 - Presentation concerning the proposed Butler County Jail project. Council member Kroesing seconded the motion. Voting YEA: Council members Lukassen, Schatz, Hein, Smith, and Kroesing. Voting NAY: None. Council member Kirby was absent. The motion carried.

Sheriff Mark Hecker addressed the Mayor and Council with concerns regarding the current jail and the needs for a new jail. The court house is forty years old and at that time there were no jail standards. In 1972 Nebraska Jail Standards were adopted and the jail was grandfathered. Now, if any remodeling totaling \$5,000 or more is done, the jail must meet full compliance. There are three major issues as to why a new Butler County Jail is needed: 1) jail standards, 2) safety issues, and 3) liability issues. The current jail does not meet jail standards such as being handicapped accessible, providing proper square footage for inmates, or providing a recreation area. Safety and liability issues include no monitoring service for the inmates in the cells, and transporting the inmates through the halls of the court house from the jail to the court room. The reception area is not secure from the public, and there is the risk of drugs and weapons being smuggled into the jail through windows. Hecker stated that inmates have changed over the years; they no longer have the occasional drunk just in for the night to sober up. The committee is recommending a 22 bed (16 male, 4 female, and 2 holding cells), secure facility on the northwest side of the courthouse with direct non-public access to the courtrooms. The County would like to issue Bonds in the amount of \$2,970,000 payable over a 20 year period. The registered voters of Butler County may vote on the bond issue on Tuesday, November 6, 2001. Hecker stated that if you own a house valued at \$100,000.00, the increase in taxes would be approximately \$36/yr. Hecker encouraged everyone present to vote in favor of the bond issue for the new Butler County Jail.

Mayor Smith declared a fifteen minute recess at 8:20 p.m. The meeting resumed at 8:35 p.m.

At 8:36 p.m., Mayor Smith declared the Public Hearing open to consider the Roy Remmer property located at 314 N 7th Street, David City, Nebraska. Mary Ann Ziethen questioned why the City sent such a notice to Roy. Mayor Smith explained that there are several properties to be addressed, and the Board of Health is addressing a few at a time. Ziethen reminded the council that this is an 82 year old man who served our country. Now he does not have the energy to do a lot of work. Police Chief Sunday stated that in order to be in compliance the ladders, paint cans, etc., need to be moved to a neat orderly pile, or moved out of site completely. Ziethen stated that she is willing to help Roy get his yard in order. Mayor Smith declared the Public Hearing closed at 8:47 p.m..

Council member Schatz made a motion to table consideration of a resolution directing the clean-up of the Roy Remmers property, which has been declared a public nuisance, to the November 14, council meeting. Council member Hein seconded the motion. Voting YEA: Council members Smith, Hein, Lukassen, Kroesing, and Schatz. Voting NAY: None. Council member Kirby was absent. The motion carried.

WHEREAS, the City of David City has authority by Municipal Code Section No. 4-401 to establish definitions of what constitutes a public nuisance. Specifically, the maintaining, using, placing, depositing, leaving, or permitting any of the specific acts, omissions, places, conditions, and things as set out in the twelve sections of said municipal code.

WHEREAS, the City of David City, as established in code #4-402, has the authority to abate all nuisances as defined in code #4-401.

WHEREAS, the David City Board of Health at a public meeting held on September 6, 2001, declared the property located at 314 N. 7th Street, David City, Butler County, Nebraska, to be in violation of Municipal Code Section No. 4-401 (3), (6), (7), and (9), and a public nuisance.

WHEREAS, at the September 12, 2001 City Council meeting, the Governing Body affirmed the findings of the Board of Health, and further ordered that notice be given to the owner, occupant, lessee, or mortgagee of said property, of the violations.

WHEREAS, the City of David City, held a public hearing at a regularly scheduled City Council meeting on October 10, 2001, regarding the property located at 314 N. 7th Street, David City, Butler County, Nebraska.

WHEREAS, the City of David City, having followed the rules and procedures as set out in code #4-402, and having held a public hearing on October 10, 2001, does hereby declare said property, owned by Roy Remmers, to be a public nuisance.

WHEREAS, the Governing Body (City Council) having declared said property to be a public nuisance, by this Resolution, orders and directs the owner, occupant, lessee, or mortgagee to remedy the said public nuisance at once. The owner, occupant, lessee, or mortgagee may appeal such decision to the District Court of Butler County, Nebraska.

WHEREAS, the City of David City, by this Resolution, shall proceed to abate the nuisance if the owner, occupant, lessee or mortgagee fails to remedy said public nuisance at once. Upon the completion of the work by the Municipality, a statement of the costs of such work shall be transmitted to the Governing Body (City Council), which is authorized to bill the property owner, occupant, lessee or mortgagee.

THEREFORE, BE IT RESOLVED THAT, the City of David City has declared the property located at 314 N. 7th Street, David City, Butler County, Nebraska, to be a public nuisance, and further more directs that the Municipality begin cleaning up said property on, or after, October 11, 2001, unless a notice of appeal is made with the District Court of Butler County, Nebraska.

DATED, this 10th day of October, 2001.

Tabled
Mayor

Tabled
City Clerk

At 8:48 p.m., Mayor Smith declared the Public Hearing open to consider the Priscilla Fiala property located at 191 So. 8th Street, David City, Nebraska. Police Chief Sunday presented a letter from Priscilla Fiala which stated that her husband is involved with SWAP meets and during this time he stores items on the lawn, and also they are working in the house and so items are stored on the lawn. Mayor Smith declared the Public Hearing closed at 8:53 p.m..

Council member Kroesing introduced Resolution No. 27 - 2001 and moved for its passage

and adoption. Council member Hein seconded the motion. Voting YEA: Council members Schatz, Smith, Lukassen, Kroesing, and Hein. Voting NAY: None. Council member Kirby was absent. The motion carried and Resolution No. 27 - 2001 was passed and adopted as follows:

RESOLUTION NO. 27 - 2001

WHEREAS, the City of David City has authority by Municipal Code Section No. 4-401 to establish definitions of what constitutes a public nuisance. Specifically, the maintaining, using, placing, depositing, leaving, or permitting any of the specific acts, omissions, places, conditions, and things as set out in the twelve sections of said municipal code.

WHEREAS, the City of David City, as established in code #4-402, has the authority to abate all nuisances as defined in code #4-401.

WHEREAS, the David City Board of Health at a public meeting held on September 6, 2001, declared the property located at 191 So. 8th Street, David City, Butler County, Nebraska, to be in violation of Municipal Code Section No. 4-401 (3), (6), (7), and (9), and a public nuisance.

WHEREAS, at the September 12, 2001 City Council meeting, the Governing Body affirmed the findings of the Board of Health, and further ordered that notice be given to the owner, occupant, lessee, or mortgagee of said property, of the violations.

WHEREAS, the City of David City, held a public hearing at a regularly scheduled City Council meeting on October 10, 2001, regarding the property located at 191 So. 8th Street, David City, Butler County, Nebraska.

WHEREAS, the City of David City, having followed the rules and procedures as set out in code #4-402, and having held a public hearing on October 10, 2001, does hereby declare said property, owned by Priscilla Fiala, to be a public nuisance.

WHEREAS, the Governing Body (City Council) having declared said property to be a public nuisance, by this Resolution, orders and directs the owner, occupant, lessee, or mortgagee to remedy the said public nuisance at once. The owner, occupant, lessee, or mortgagee may appeal such decision to the District Court of Butler County, Nebraska.

WHEREAS, the City of David City, by this Resolution, shall proceed to abate the nuisance if the owner, occupant, lessee or mortgagee fails to remedy said public nuisance at once. Upon the completion of the work by the Municipality, a statement of the costs of such work shall be transmitted to the Governing Body (City Council), which is authorized to bill the property owner, occupant, lessee or mortgagee.

THEREFORE, BE IT RESOLVED THAT, the City of David City has declared the property located at 191 So. 8th Street, David City, Butler County, Nebraska, to be a public nuisance, and further more directs that the Municipality begin cleaning up said property on, or after, October 11, 2001, unless a notice of appeal is made with the District Court of Butler County, Nebraska.

DATED, this 10th day of October, 2001.

Mayor

City Clerk

At 8:55 p.m., Mayor Smith declared the Public Hearing open to consider the Curtis Brahmsteadt property located at 988 E Street, David City, Nebraska. Mr. Brahmsteadt was not present. The condition of the property has not changed. Mayor Smith declared the Public Hearing closed at 8:57 p.m..

Council member Kroesing introduced Resolution No. 28 - 2001 and moved for its passage and adoption. Council member Hein seconded the motion. Voting YEA: Council members Lukassen, Schatz, Smith, Kroesing, and Hein. Voting NAY: None. Council member Kirby was absent. The motion carried and Resolution No. 28 - 2001 was passed and adopted as follows:

RESOLUTION NO. 28 - 2001

WHEREAS, the City of David City has authority by Municipal Code Section No. 4-401 to establish definitions of what constitutes a public nuisance. Specifically, the maintaining, using, placing, depositing, leaving, or permitting any of the specific acts, omissions, places, conditions, and things as set out in the twelve sections of said municipal code.

WHEREAS, the City of David City, as established in code #4-402, has the authority to abate all nuisances as defined in code #4-401.

WHEREAS, the David City Board of Health at a public meeting held on September 6, 2001, declared the property located at 988 E Street, David City, Butler County, Nebraska, to be in violation of Municipal Code Section No. 4-401 (3), (6), (7), and (9), and a public nuisance.

WHEREAS, at the September 12, 2001 City Council meeting, the Governing Body affirmed the findings of the Board of Health, and further ordered that notice be given to the owner, occupant, lessee, or mortgagee of said property, of the violations.

WHEREAS, the City of David City, held a public hearing at a regularly scheduled City Council meeting on October 10, 2001, regarding the property located at 988 E Street, David City, Butler County, Nebraska.

WHEREAS, the City of David City, having followed the rules and procedures as set out in code #4-402, and having held a public hearing on October 10, 2001, does hereby declare said property, owned by Curtis Brahmsteadt, to be a public nuisance.

WHEREAS, the Governing Body (City Council) having declared said property to be a public nuisance, by this Resolution, orders and directs the owner, occupant, lessee, or mortgagee to remedy the said public nuisance at once. The owner, occupant, lessee, or mortgagee may appeal such decision to the District Court of Butler County, Nebraska.

WHEREAS, the City of David City, by this Resolution, shall proceed to abate the nuisance if the owner, occupant, lessee or mortgagee fails to remedy said public nuisance at once. Upon the completion of the work by the Municipality, a statement of the costs of such work shall be transmitted to the Governing Body (City Council), which is authorized to bill the property owner, occupant, lessee or mortgagee.

THEREFORE, BE IT RESOLVED THAT, the City of David City has declared the property located at 988 E Street, David City, Butler County, Nebraska, to be a public nuisance, and further more directs that the Municipality begin cleaning up said property on, or after, October 11, 2001, unless a notice of appeal is made with the District Court of Butler County, Nebraska.

DATED, this 10th day of October, 2001.

Mayor

City Clerk

The Council discussed amending Section 8-205.02 of the Municipal Code addressing the placement of sidewalks. The Planning Commission had suggested the wording marked with a ✓ listed below. The Council had suggested the wording marked with an _ listed below. Jackie Horan of the Planning Commission was present earlier, but needed to leave. No other Planning Commission Members were present to discuss this jointly.

Council member Smith made a motion to table consideration of an ordinance amending Chapter 8, Article 2 - Sidewalks, §8-205.02 Sidewalks; width and distance from lot line, to the November 14, council meeting. Council member Schatz seconded the motion. Voting YEA: Council members Kroesing, Smith, Hein, Schatz, Lukassen. Voting NAY: None. Council member Kirby was absent. The motion carried.

ORDINANCE NO.

AN ORDINANCE TO AMEND SECTION 8-205.02 OF THE MUNICIPAL CODE OF THE CITY OF DAVID CITY, AS PREVIOUSLY PROVIDED FOR BY THE ORDINANCE FOR SIDEWALKS; WIDTH AND DISTANCE FROM LOT LINE.

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

Section 1. That Chapter 8, Article 2, Section 8-205.02 of the Municipal Code of David City, Nebraska shall read as follows:

- ✓ §8-205.02 SIDEWALKS; WIDTH AND DISTANCE FROM LOT LINE.
All sidewalks in the residential districts shall be four feet (4') in width. Sidewalks shall be located at a distance of twelve inches (12") outside the lot line, unless otherwise authorized by ~~the Board of Zoning Adjustment, or when otherwise regulated by the covenants of a subdivision.~~ **by the City Council, but only in instances where park, railroads, or extreme topographical conditions, but not including the use of said property, make sidewalk installation non-essential or unnecessary.** Whenever possible, they shall correspond in width to sidewalks already built to which they are adjacent or adjoin. Whenever possible, they shall correspond in width to sidewalks already built to which they are adjacent or adjoin.

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

City Administrator Brannen stated the new 20 yr. Capacity Purchase Agreement with NPPD appears to be a good agreement and will insure a revenue stream for the payment of the bonds on the power plant. In addition, there is the potential to increase our revenues from NPPD if we are required to generate on a more frequent basis.

Council member Smith made a motion to authorize the execution of the new 20 yr. Capacity Purchase Agreement with Nebraska Public Power District. Council member Schatz seconded the motion. Voting YEA: Council members Kroesing, Hein, Schatz, Smith, and Lukassen. Voting NAY: None. Council member Kirby was absent. The motion carried.

County Clerk Chris Meysenburg alerted the City that the number of residents in Ward 2 and Ward 3 are out of balance. There are 744 in the 2nd Ward and 973 residents in the 3rd Ward. One way to fix this problem is to move the boundary line between the 2nd and 3rd Wards. Currently the boundary line is the Union Pacific Railroads, east of 5th Street.

Council member Lukassen made a motion to make "G" Street from 5th east to 11th Street thence north one block on 11th Street to "H" Street, the dividing line between 2nd and 3rd Wards. (See below). Council member Kroesing seconded the motion. All of the Council members present voted YEA, and the motion carried. Council member Kirby was absent.

The following letter addressed to Council member Gary Kroesing was distributed:

It looks like the David City pond restoration project is moving forward. Once the lake work is done and the lake is refilled, the Nebraska Game and Parks Commission will restock the lake with largemouth bass, bluegill, and channel catfish. If not this fall, then next spring. We will try to stock adult/catchable size fish. These fish will need to be protected from harvest for a few years so that they may reproduce and build a good population in the lakes.

I would like to propose the following special regulations for the David City pond:
Catch and release only for largemouth bass.
Catch and release only for bluegill.
Daily bag limit of three channel catfish.

Any other fish species that might find their way into the lake would be regulated

under our regular statewide limits (e.g. no limit on carp and bullhead; 30 fish limit on green sunfish, crappie, and other panfish).

These regulations have been placed on the recently rehabilitated lakes in Humboldt, Plattsmouth, and Nebraska City, and at all city park lakes in Omaha.

I would recommend these regulations remain in place for two years, after which we can evaluate the population and determine if some limited harvest can be allowed.

I look forward to working with the City to create a good fishing lake for area residents and guests.

Sincerely,
Rick Eades
Urban Fisheries Specialist
Nebraska Game & Parks Commission

Council member Kroesing made a motion to accept the Game & Parks recommendation and adopt the following fishing regulations:

Catch and release only for largemouth bass.

Catch and release only for bluegill.

Daily bag limit of three channel catfish.

These regulations will remain in place for two years. Council member Smith seconded the motion. Voting YEA: Council members Schatz, Lukassen, Hein, Smith, and Kroesing. Voting NAY: None. Council member Kirby was absent. The motion carried.

Joe & Jean Smith own all of Lot 5 and the So. ½ of Lot 4, Block 4, Miles 4th Addition to David City. Lot 5 is a 100' lot and the So. ½ of Lot 4 is a 50' lot. A request was received to divide these lots to form two 75' lots as follows: Combine the north 25' of Lot 5 with the So. ½ of Lot 4, Block 4, Miles 4th Addition.

Council member Hein introduced Resolution No. 29 - 2001 and moved for its passage and adoption. Council member Lukassen seconded the motion. Voting YEA: Council members Smith, Schatz, Kroesing, Hein, and Lukassen. Voting NAY: None. Council member Kirby was absent. The motion carried and Resolution No. 29 - 2001 was passed and adopted as follows:

RESOLUTION NO. 29 - 2001

WHEREAS, Joe D. And Jean Smith, as the owners of Lot 5 and the So. ½ of Lot 4, Block 4, Miles 4th Addition to David City, have filed a request to divide these lots to form two 75' lots as follows:

- 1) The south 75' of Lot 5, Block 4, Miles 4th Addition
- 2) Combine the north 25' of Lot 5 with the So. ½ of Lot 4, Block 4, Miles 4th Addition, to form one 75' lot;

WHEREAS, there were no objection expressed concerning combining the north 25' of Lot 5 with the So. ½ of Lot 4, Block 4, Miles 4th Addition, to form one 75' lot.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, that the request of Joe D. and Jean Smith to combine the north 25" of Lot 5 with the So. ½ of Lot 4, Block 4, Miles 4th Addition to the City of David City, Butler County, Nebraska, to form one lot, is hereby approved.

Dated this 10th day of October, 2001.

Mayor

City Clerk

Council member Hein made a motion to go into executive session to discuss real estate that the City owns and a matters of personnel/compensation. Council member Smith seconded the motion. All of the Council members present voted YEA, and the motion carried. Council member Kirby was absent. The Council, Mayor Smith, City Administrator Brannen, City Attorney Jim Egr, and City Clerk Kovar went into executive session at 9:48 p.m..

Council member Kroesing made a motion to come out of executive session. Council member Hein seconded the motion. All of the Council members present voted YEA, and the motion carried. Council member Kirby was absent. The Council came out of executive session at 10:11 p.m..

Council member Kroesing made a motion to extend the additional compensation to City Administrator Andrew Brannen for his work related to the swimming pool fund raising project, as requested by City Administrator Brannen, in the amount of \$500.00 per month for the next 6 months, which is to be paid out of the Contingency Fund. Council member Hein seconded the motion.

City Clerk Kovar questioned if the Council could authorize compensation to City Administrator Brannen when this was not an agenda item. City Attorney Jim Egr stated that the Council could authorize the raise administratively. City Clerk Kovar stated that this is additional pay, and pay is set by ordinance. Discussion followed. Mayor Smith stated that this will be placed on the November 14th council agenda and then authorized by a motion and second. Council member Kroesing rescinded his original motion, and Council member Hein rescinded his second.

There being no further business to come before the Council, Council member Hein made a motion to adjourn. Council member Kroesing seconded the motion. Voting YEA: Council members Smith, Schatz, Lukassen, Kroesing, and Hein. Voting NAY: None. Council member Kirby was absent. The motion carried and Mayor Smith declared the meeting adjourned at 10:13 p.m..

Mayor Stephen Smith

City Clerk Joan E. Kovar



CERTIFICATION OF MINUTES
October 10, 2001

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 October 10, 2001; 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