

**ACKNOWLEDGEMENT OF RECEIPT OF NOTICE OF MEETING  
OF THE MAYOR AND CITY COUNCIL OF  
THE CITY OF DAVID CITY, NEBRASKA**

The undersigned members of the governing body of the City of David City, Nebraska, hereby acknowledge receipt of advance notice of a regular meeting of said body and the agenda for such meeting to be held at 7:00 o'clock p.m. on the **13<sup>th</sup> day of September, 2017**, in the meeting room of the City Office, 557 North 4<sup>th</sup> Street, David City, Nebraska.

This agenda is available for public inspection in the office of the City Clerk and may be modified up to twenty-four hours prior to the opening of the meeting.

Dated this 6<sup>th</sup> day of September, 2017.

**AGENDA AS FOLLOWS:**

1. Roll Call;
2. Pledge of Allegiance; \_\_\_\_\_  
Mayor Alan Zavodny
3. Inform the Public about the location of the Open Meetings Act and the Citizens Participation Rules; \_\_\_\_\_
4. Minutes of the August 9<sup>th</sup>, and August 23<sup>rd</sup>, 2017 meeting of the Mayor and City Council; Council President Gary D. Smith
5. Consideration of Claims; \_\_\_\_\_
6. Committee and Officer Reports; Council member Thomas J. Kobus
7. Consideration of funding options for the wastewater treatment plant, slip lining, etc., as explained by Phil Lorenzen of D.A. Davidson & Co.; \_\_\_\_\_  
Council member Dana E. Trowbridge
8. Consideration of Olsson Associates, Letter Agreement Amendment #1, for additional design and construction observation fees \$217,475.00; \_\_\_\_\_  
Council member Kevin N. Hotovy
9. Discussion with Bryon Forney concerning draining issues at the Airport, and consideration of such; \_\_\_\_\_  
Council member Patrick J. Meysenburg
10. Public Hearing: Budget Hearing and Budget Summary for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the proposed budget Fiscal Year 2017 – 2018; \_\_\_\_\_  
Council member John P. Vandenberg
11. Consideration of Ordinance No. 1272 adopting the budget statement to be termed the Annual Appropriation Bill to appropriate the budget for the 2017 – 2018 fiscal year; \_\_\_\_\_  
City Clerk Joan E. Kovar
12. Public Hearing to consider setting the final tax request at a different amount than the prior year tax request;

13. Consideration of Resolution No. 30 – 2017 approving an additional one percent (1%) increase in restricted funds;
14. Consideration of Resolution No. 31 – 2017 setting the property tax request;
15. Consideration of Resolution No. 32 – 2017 carrying forward the unused budget authority;
16. Public Hearing to consider designating particular real estate within the corporate boundaries of the City of David City, Nebraska, as blight and substandard, pursuant to the Nebraska Community Development Law: Point of beginning (POB) is the intersection of 7<sup>th</sup> Street and Iowa Street; thence westerly along the centerline of Iowa Street to the centerline of the Burlington Northern Santa Fe Railroad tracks; thence, southerly along said tracks to the extended southern boundary of a lot described as 30 15 3 PT E ½ SW ¼; thence, easterly along said south boundary line to the intersection with a north boundary line of same said lot; thence, northerly along said east boundary line to the intersection of the next south boundary line; thence easterly to intersection with the centerline of Nebraska Highway 15; thence, northerly along said centerline of Nebraska Highway 15 to the extended centerline of Kansas Street; thence, easterly along said centerline of Kansas Street to the intersection of the centerline of 7<sup>th</sup> Street; thence, northerly along said centerline of 7<sup>th</sup> Street to the POB;
17. Consideration of Resolution No. 33 – 2017 declaring a certain area of the City (see above) to be blighted and substandard and in need of redevelopment;
18. Public Hearing to consider the Preliminary Plat of Zegers 1<sup>st</sup> Addition located in the East ½ of the Southwest ¼ of Section 30, T15N, R3E of the 6<sup>th</sup> PM., Butler County, Nebraska, legally described as follows: Commencing at the northeast corner of said Southwest ¼, and assuming the east line of said Southwest ¼ to have a bearing of N 00°59'17"W; thence N 89°40'57" W, 75.71 feet on the North line of said Southwest ¼, to the Point of Beginning, said point being on the westerly right-of-way line of Nebraska highway No. 15; thence S 00°55'30" E, 1334.83 feet on said westerly Highway Right-of-Way line; thence S 09°25'22" E, 202.41 feet on said westerly Highway Right-of-Way line; thence S 01°04'43" E, 12.86 feet on said westerly Highway Right-of-Way line; thence S 89°23'46" W, 296.24 feet; thence S 00°15'37" W, 213.37 feet; thence S 89°48'29" W, 245.44 feet to a point on the easterly Right-of-Way line of the Burlington Northern Railroad; thence northerly 1804 feet, more or less on said easterly Railroad Right-of-Way line to a point on the North line of said Southwest ¼; thence N 89°45'02" E on said North line, 836.59 feet to the Point of Beginning;
19. Consideration of the Preliminary Plat of Zegers 1<sup>st</sup> Addition as described above;
20. Public Hearing to consider filing an application to USDA Rural Development for financial assistance in the amount of \$4,339,500 for assistance with the sewer improvement project;
21. Public Hearing to consider amending the Zoning Ordinance Article 6: Parking, by amending Section 6.02 Schedule of Minimum Off-Street Parking and Loading Requirements – Use: Duplex, Parking Requirements - 2 per dwelling unit, Loading Requirements: 0 per structure; Residential (Single-family, attached and detached), 2 per dwelling unit with 1 required to be enclosed; and amending Article 2: Definitions, Section 2.02 Definitions, by changing the definition of Parking Space, Automobile – shall mean an area, other than a street or alley, reserved for the parking of an automobile, such space having a dimension not less than nine feet by 20 feet;
22. Consideration of Ordinance No. 1273 amending the Zoning Ordinance Article 6: Parking, by amending Section 6.02 Schedule of Minimum Off-Street Parking and Loading Requirements –

Use: Duplex, Parking Requirements - 2 per dwelling unit, Loading Requirements: 0 per structure; Residential (Single-family, attached and detached), 2 per dwelling unit with 1 required to be enclosed; and amending Article 2: Definitions, Section 2.02 Definitions, by changing the definition of Parking Space, Automobile – shall mean an area, other than a street or alley, reserved for the parking of an automobile, such space having a dimension not less than nine feet by 20 feet;

23. Public Hearing to consider amending the Land Use Plan Map by changing the zoning classification from MDR – Medium Density Residential, LDR – Low Density Residential and I - Industrial to FS – Flex Space for the following real estate: The point of beginning (POB) is the southeast corner of a tract described as 29 15 3 PT NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  6 Acres; thence, heading westerly along the south property line of said lot and continuing to the intersection with a tract referred to as 29 15 3 PT NW  $\frac{1}{4}$  28.91 Acres; thence, southerly to the northern southeast corner of said tract; thence, westerly from said point running parallel to the northern property line until intersecting with the creek; thence, southwestwardly along the centerline of said creek and connecting to the lot referred to as Multi-purpose land in East Park Meadows Final Plat; thence, westerly along north property line of said lot in East Park Meadows Addition and continuing to the intersection with the southeast corner of a lot referred to as David City 29 15 3 PT NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  3.5 Acres ANNEX; thence, northerly along the east property line of said lot and a lot referred to as David City 29 15 3 PT NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  6 Acres Annex to the intersection with the centerline of "A" Street; thence, easterly along said centerline to a point intersecting with the east property line of the initial tract referred to as 29 15 3 PT NW  $\frac{1}{4}$  6 Acres; thence, southerly to the POB;
24. Consideration of Ordinance No. 1274 amending the Land Use Plan Map by changing the zoning of real estate, described above, from MDR – Medium Density Residential, LDR – Low Density Residential and I – Industrial, to FS – Flex Space as requested to allow for a proposed shop 60' x 90' to park semi-trucks and work on personal semi-trucks;
25. Public Hearing to consider amending the Official Zoning Map by changing the zoning classification from I-1 Light Industrial, R-1 Single Family Residential, and R-2 Two Family Residential, to FS – Flex Space for the following real estate: The point of beginning (POB) is the southeast corner of a tract described as 29 15 3 PT NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  6 Acres; thence, heading westerly along the south property line of said lot and continuing to the intersection with a tract referred to as 29 15 3 PT NW  $\frac{1}{4}$  28.91 Acres; thence, southerly to the northern southeast corner of said tract; thence, westerly from said point running parallel to the northern property line until intersecting with the creek; thence, southwestwardly along the centerline of said creek and connecting to the lot referred to as Multi-purpose land in East Park Meadows Final Plat; thence, westerly along north property line of said lot in East Park Meadows Addition and continuing to the intersection with the southeast corner of a lot referred to as David City 29 15 3 PT NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  3.5 Acres ANNEX; thence, northerly along the east property line of said lot and a lot referred to as David City 29 15 3 PT NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  6 Acres Annex to the intersection with the centerline of "A" Street; thence, easterly along said centerline to a point intersecting with the east property line of the initial tract referred to as 29 15 3 PT NW  $\frac{1}{4}$  6 Acres; thence, southerly to the POB;
26. Consideration of Ordinance No. 1275 amending the Official Zoning Map by changing the zoning of real estate, described above, from I-1 Light Industrial, R-1 Single Family Residential, and R-2 Two Family Residential, to FS – Flex Space as requested to allow for a proposed shop 60' x 90' to park semi-trucks and work on personal semi-trucks;

27. Consideration of Project Estimate No. 3 - Constructors, Inc. in the amount of \$880,350.26;
28. Consideration of the bids received for the Airport Storage Units; (Min. Bid \$115/month)
29. Consideration of Resolution No. 34 – 2017 for the League Association of Risk Management (LARM) insurance coverage for October 1, 2017 – September 30, 2018;
30. Consideration of increasing the Employers Liability coverage under the W/C to \$5,000,000, for an extra \$695; increasing the Law Enforcement Liability to \$5 million per occurrence and in the aggregate for an additional \$455; and approving a short third party contract to be used when the city does not have a detailed contract in place.
31. Consideration of Ordinance No. 1276 increasing the pay scales/salary by 1½% as approved by Council action on August 23, 2017;
32. Consideration of the purchase of an ISCO 5800 Refrigerated Sampler \$6,318.00; 1 bottle configuration 5.5 gallon bottle two caps and tw discharge tubes \$220; Sampler multipurpose cable with 16 unterminated leads \$110.00; plus installation if required;
33. Consideration of a loan agreement, concerning “The Foundation” a 1940 oil on canvas by Dale Nichols, to the Bone Creek Museum of Agrarian Art;
34. Consideration of authorizing a raise for legal counsel: \$350 to attend a City Council meeting, and \$125/hr. outside of that;
35. Consideration of a December 1, 2017 deadline for Henningsen Foods Inc. regarding the Wastewater Treatment Plant improvements;
36. Consideration of returning the CDBG housing program funds in the amount of \$19,192.34 to the Nebraska Department of Economic Development;
37. Consideration of terminating the KENO contract with Todd Zeilinger of Zeilinger Keno Inc., and/or continuing with keno operator Craig Blake from Waverly;
38. Consideration of Administrative Procedures - Building Inspector;
39. Adjournment;