

**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 **8<sup>th</sup> day of November, 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 1<sup>st</sup> day of November, 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; \_\_\_\_\_  
Council President Gary D. Smith
4. Minutes of the October 11<sup>th</sup>, 2017 meeting of the Mayor and City Council; \_\_\_\_\_  
Council member Thomas J. Kobus
5. Consideration of Progress Estimate #5 for Constructors, Inc. in the amount of \$436,558.80; \_\_\_\_\_  
Council member Dana E. Trowbridge
6. Consideration of Claims;
7. Committee and Officer Reports;  
Certificate of Appreciation to Cheryl Hein for 25 years of service; \_\_\_\_\_  
Council member Kevin N. Hotovy
8. Consideration of Resolution #36 – 2017 authorizing the Mayor and City Administrator of the City of David City to execute documents required to receive United States Department of Agriculture Rural Development Financial Assistance; \_\_\_\_\_  
Council member Patrick J. Meysenburg
9. Discussion with County Attorney Julie Reiter, and consideration of, the filing of liens, etc., at the Butler County Court House; \_\_\_\_\_  
Council member John P. Vandenberg
10. Discussion and Consideration of the David City Ball Association's Balance Sheet; \_\_\_\_\_  
City Clerk Joan E. Kovar
11. Consideration of the proposals to provide KENO as previously presented by Nebraska Cooperative Government (NCG), Community Lottery Systems, Inc., d/b/a/ Lotto Nebraska; (Wm. D. Kurtenbach / Paul Schumacher, and Advanced Gaming Technology, John Hasset, Bellevue, NE;

12. Public hearing to consider amending the Future 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 ¼ NW ¼ 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 ¼ 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, southwestly 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 ¼ NW ¼ 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 ¼ NW ¼ 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 ¼ 6 Acres; thence, southerly to the POB.
13. Consideration of Ordinance No. 1274 amending the Future Land Use Map by changing the zoning classification of real estate described above from MDR – Medium Density Residential, LDR – Low Density Residential, and I - Industrial, to FS – Flex Space;
14. 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 Mixed Use District for the following real estate:  
The point of beginning (POB) is the southeast corner of a tract described as 29 15 3 PT NE ¼ NW ¼ 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 ¼ 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, southwestly 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 ¼ NW ¼ 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 ¼ NW ¼ 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 ¼ 6 Acres; thence, southerly to the POB.
15. Consideration of Ordinance No. 1275 amending the Official Zoning Map by changing the zoning classification 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 Mixed Use District;
16. Public Hearing to consider the Final 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> P.M., 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.

17. Consideration of Ordinance No. 1279 accepting and approving the final plat designated as "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> P.M., Butler County, Nebraska, legally described above;
18. Consideration of an agreement between David City High School and the City concerning the two-stall garage moved from 8<sup>th</sup> Street between "D" and "E" to the City Auditorium;
19. Consideration of the updated United Health Care Insurance Quote;
20. Consideration of authorizing the purchase of survey equipment for the water department consisting of a Sokkia GCX3 Rover & Panasonic Toughpad from Transit Works, and a Toughbook laptop;
21. Consideration of Ordinance No. 1280 updating Chapter 9 of the City of David City, Nebraska, Municipal Code Book concerning Zoning / Building Regulations;
22. Consideration of Resolution No. 37 – 2017 setting the charges for Zoning Application Fees;
23. Consideration of an updated pipeline lease agreement with Timberline Energy concerning a pipeline to deliver landfill gas methane from Butler County Landfill to Henningsen Foods;
24. Consideration of Letter Agreement Amendment #1 with Olsson Associates, Inc., concerning slip-lining, point repairs, manhole, sanitary sewer main and service repairs; repair, sludge removal, and restoration of Cells A and C of the City's wastewater treatment facilities; and construction of a secondary access road to the wastewater facility;
25. Consideration of the bids received to replace fencing where the old pool house sat by the City Auditorium;
26. Consideration of appointing Denny Graham of Olsson Associates as the Street Superintendent for the upcoming fiscal year, January 1, 2018 to December 31, 2018;
27. Consideration of rescheduling the Committee of the Whole meeting from Wednesday, November 22<sup>nd</sup> to Wednesday November 29<sup>th</sup>
28. Adjournment;