

**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 **10th day of July, 2013**, in the meeting room of the City Office, 557 N 4th 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 2nd day of July, 2013.

AGENDA AS FOLLOWS:

1. Roll Call;
2. Pledge of Allegiance;
3. Inform the Public about the location of the Open Meetings Act and the Citizens Participation Rules;
4. Minutes of the June 12th, 2013 meeting of the Mayor and City Council;
5. Consideration of Claims;
6. Committee and Officer Reports;
7. Discussion concerning the water issues at the David City Public Schools;
8. Consideration of the bids received for replacing or repairing the muffin monster/channel grinder for the Sewer Department;
9. Consideration of Resolution No. 13 – 2013 increasing the Airport Hangar rental charges;
10. Consideration of authorizing the purchase of an air compressor as requested by the Electric Department;
11. Consideration of authorizing the purchase of a fireproof file cabinet for the City Office;
12. Consideration of appointing Larry McPhillips to the Housing Authority Board of Commissioners to fill the unexpired term of Joe Roberts to May 2014;
13. Consideration of an appointment to the Library Board;

Mayor Alan Zavodny

Council President Gary L. Kroesing

Council member Michael E. Rogers

Council member Ruddy L. Svoboda

Council member William Scribner

Council member Gary D. Smith

Council member John P. Vandenberg

City Clerk Joan E. Kovar

14. Consideration of budgeting for a Cost of Living Adjustment for the City/Utility employees effective September 24, 2013;
15. Consideration of Ordinance No. 1192 extending the pay line for the Account Clerk II w/CMC position;
16. Consideration of a pay adjustment for Gary Janicek who has assumed additional duties concerning the water and sewer departments;
17. Consideration of a pay adjustment for Joan Kovar who has assumed additional duties;
18. Consideration of scheduling a special council meeting for July 24th, beginning at 6:30 p.m., with the Committee of the Whole meeting immediately following. (At this time, the special council meeting will be to open sealed bids for the clean-up of nuisance properties, but other agenda items can be added);
19. Consideration of authorizing Mayor Zavodny to sign a Contractor's Right of Entry Agreement with the Nebraska Central Railroad Company concerning the Northwest Drainage Project;
20. Consideration / Discussion concerning the proposed Budgets for Fiscal Year 2013-2014;
21. Adjournment;

CITY COUNCIL PROCEEDINGS

July 10, 2013

The City Council of the City of David City, Nebraska, met in open public session in the meeting room of the City Office, 557 N 4th Street, David City, Nebraska. The Public had been advised of the meeting by publication of notice in The Banner Press on July 3rd, 2013 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 notice 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 Alan Zavodny, Council members John Vandenberg, Ruddy Svoboda, Gary Smith, Gary Kroesing and Mike Rogers. City Attorney James Egr, Interim City Administrator Joan Kovar and Interim City Clerk Tami Comte. Council member Bill Scribner arrived at 7:16 p.m.

Also present were: Janis Cameron, Mark Otte, Chad Denker, Superintendent of David City Public Schools, John Ellis from Thermal Services and Banner Press Editor Larry Peirce.

The meeting opened with the Pledge of Allegiance.

Mayor Zavodny informed the public of the "Open Meetings Act" posted on the east wall of the meeting room.

The minutes of the June 12, 2013 meeting of the Mayor and City Council were approved upon a motion by Council member Vandenberg and seconded by Council member Rogers. Voting AYE: Council members Rogers, Kroesing, Svoboda, Smith, and Vandenberg. Voting NAY: None. The motion carried. Council member Scribner was absent.

Mayor Zavodny asked for consideration of claims. Council member Smith made a motion to authorize the payment of claims and Council member Vandenberg seconded the motion. Voting AYE: Council members Svoboda, Rogers, Vandenberg, Kroesing and Smith. Voting NAY: None. The motion carried. Council member Scribner was absent.

Mayor Zavodny called for Committee and Officers Reports.

Mayor Zavodny stated that it was good to have the report from the Sheriff's Department.

Interim City Administrator Joan Kovar stated that she had a meeting with Jay Bitner from the Upper Big Blue NRD, Jack Borgmeyer from Midwest Right-of-way, Mayor Zavodny and Jim Thege regarding the Northwest Drainage Project. Kovar stated that the City will have to get another easement. The last item that was added to the agenda also pertains to Northwest Drainage. We need to get another permit from the railroad to put a flange on the end of the pipe. She stated that they need to put a flange on the end of the pipe to help the field drain faster.

Mayor Zavodny stated that Jay Bitner had indicated that there was a miscommunication and apparently someone had dropped the ball over if they were actually paying for an area that

would retain water for a while. Mr. Thege's request was to put in the flange and hopefully, that would help the culvert run faster but we have to work with the railroad to get that done.

Council member Kroesing made a motion to accept the committee and officers reports as presented. Council member Rogers seconded the motion. Voting AYE: Council members Kroesing, Svoboda, Smith, Vandenberg and Rogers. Voting NAY: None. The motion carried. Council member Scribner was absent.

Mayor Zavodny stated that the next item on the agenda was the discussion concerning the water issues at the David City Public Schools. Mayor Zavodny stated that he felt that there was a communication gap because in talking to Gary Janicek he said that the school had not talked to him but he had heard that there were some issues. Mayor Zavodny stated that he thought that it was important to get everybody in a room and say what's really going on. Mayor Zavodny said, "I know that you had some tests done and those results may not have been what we would hope for. I know that you are considering a very costly water system if we continue to have the water issues that we have been having."

Chad Denker, Superintendent of David City Public Schools, was present to address their water concerns. Denker stated that he asked School Board member Mark Otte and John Ellis, a Master Plumber with Thermal Services to attend also to answer any questions. He stated that he had only been in the job about 10 days. Chad Denker said, "As I was looking through the files it looks like Jerry Phillips, the former Superintendent, wrote a letter to the City back in April expressing some concerns about the water quality at the school system. So, I assume that it was sent and received by your offices. I can also tell you that when I came to town one of the first concerns that I heard from the community members and staff members at the high school was the quality of the water. Just coincidentally, Jerry Phillips had scheduled a meeting with Thermal Services on one of his last days on contract, so I was able to attend that. The discussion was the quality of water and the potential need for a water softener at the high school. The water softener is about a \$22,000 unit and in addition to that there is some discussion about putting filters in on the drinking fountains at the high school which is about another \$1,800 so almost \$24,000 in expenses. In addition to that, I went ahead and took a look to see how much water the school district uses and so I randomly picked the month of October because I started thinking that if we're thinking about doing this at the high school, what about the elementary school? Because, that's where we serve all of our school lunch out of is at the cafeteria at the elementary school. During the month of October, the high school used about 65,000 gallons and the elementary used about 100,000 gallons. I thought if the elementary school is using more water, then maybe we need to expand our concern in terms of looking at the water quality in that building as well. We haven't done that yet but that's probably our next step is to ask Thermal Services to give us a bid on a water softener at the elementary, potentially and also to run some water tests. I think you guys saw that bucket of water, and that water actually came out of one of the bathroom faucets at the elementary school. Joan had asked me to come down to the meeting tonight and talk to you guys about the water quality in our school system. Just coincidentally, I had drawn that water out of the faucet about the same time that she had called me, so I did bring that down to her and Gary late last week so they could see it so that I wasn't kidding. I wanted you to see the quality of the water. Coincidentally, I can tell you that the water that comes out of the pipes even in my own home at times is even darker than that. I live at 581 "I" Street right across the street from the Catholic church. I guess, as somebody new to the community, that was quite a shock to me as well. I guess, as a newcomer, to the community, that that was the quality of water coming out of my pipes in my house, as well. I guess why we are here tonight - I'm not a water expert, but obviously with the color of water coming out of some of our pipes and faucets at the high school

and elementary, I wanted to at least bring it to the City Council's attention that we are looking at doing some things, but as you can see, it's rather costly because the costs that I gave you were just the initial upfront costs, obviously that doesn't include the maintenance on those units along with the salt that would be used on a monthly basis. So, before we went to the extent of spending that kind of taxpayer money on water softeners or water filters at the school district I wanted to at least bring it to the City Council's attention to see if there was anything that we can do as a City first, because, at least my thought was, if the school's having some issues and even the water in my own home - there's some issues, that maybe we're not the only ones having some of those concerns and so we just wanted to make sure that you were aware of it. I don't exactly know what the answer is. I wish that I could come to you tonight with an easy solution but I don't know that there is one but I just thought that it was important that we bring it to your attention tonight. Thermal Services also did run a water quality test and I'm not sure, Joan, if I brought the results in to you or not."

Interim City Administrator Joan Kovar said, "I don't think that you gave those to me."

Chad Denker said, "I do have a copy of that. John might also have one, as well. Like I said, I'm not an expert but I will leave that with you guys. I think that was ran back in April. Yes, that sample was taken April 19th, back about the time that the school district started having discussions with Thermal Services about what we could maybe do with the quality of water at the high school and if you'd like, I think that John has a copy of that as well. He would maybe be able to explain to you some of the results and some of the findings much better than I could if that's something that the City would want or if you'd rather that we just leave a copy of the results and you guys peruse through that at your own leisure, we are ok with that as well. Whatever the City Council would prefer."

Mayor Zavodny said, "I'd kind of like to hear what it does to the system."

Interim City Administrator Joan Kovar made copies of the water quality report for the Mayor and Council members and distributed them.

Council member Bill Scribner arrived at 7:16 p.m.

John Ellis from Thermal Services said, "So, we found that this has been a concern for a substantial amount of time, from what I understand, prior to Chad coming over. So, if you look on that report, there's a key on the left side. There should be two copies. The back page is going to give you what the U.S. EPA guidelines are for human consumption and then we'll see here that the other page is a black and white graph. Mine is in color so I can explain to you rather than saying big line, little line. So, you see under calcium, on my report it's in yellow and so on the graph on the lefthand side there that's "problems likely" so the calcium is high, the manganese is higher and then the blue which is conductivity and total dissolved solids and hardness and if I'm going too fast just let me know. That is "potential problems". The sodium was not an apparent problem, magnesium was not an apparent problem and you can see on these they are highlighted in green. The ph was fine, the nitrates were very low, the sulfates were very low, the total coliform was almost zero, iron was fine, the chloride was fine and the fluoride was fine. So, the problems that we face are the manganese, the calcium, the conductivity and the total dissolved solids and the hardness. If you flip over to that back page, the calcium on the sheet with the graph, the caution level is 80 ppm and the level at the high school is 93.8 ppm. So what that means is less than 80 ppm is "no adverse effects". 80 - 150 ppm, which is where the high school falls in, is hard water problems such as scale formation can be expected. You may be asking yourself, what does that mean? That means that the high

school is currently having plumbing issues and is going to continue to have plumbing issues that are only going to compound as time goes on if we don't do something about this."

Council member Kroesing said, "The pipes are getting smaller, in other words."

John Ellis said, "Yes, sir that's correct."

Water/Sewer Supervisor Gary Janicek said, "Can I say something before you continue?"

John Ellis said, "Absolutely."

Water/Sewer Supervisor Gary Janicek said, "April 8th the water treatment plant was shut down for three weeks. It wasn't running. So, we weren't softening the water. The only thing that we were doing was running it through filters and disinfecting it. That's why the hardness is so high and the calcium is so high. If this is the latest test that you have, this isn't an indication of what is leaving the water plant. We take this exact test monthly and the calcium, manganese, hardness, and total dissolved solids are tested four times per week now right at the plant. So, this isn't an indication of what the water is. I looked at the date on there and we had the plant shut down for a month for maintenance so we weren't softening the water. The only thing that we were doing was running it through charcoal filters and disinfecting it with chlorine. That level of hardness is about what comes right out of the well."

Mayor Zavodny stated that during that time we were pumping raw water.

Water/Sewer Supervisor Gary Janicek said, "We were pumping raw water through the plant and all we were doing was filtering it and disinfecting it. That's all we were doing to it at the time. We have to do the maintenance once every two years. We do it in either March or April, depending on the weather. We're required to inspect it. So, that's why all those levels are so high."

John Ellis said, "That's great news."

Water/Sewer Supervisor Gary Janicek said, "Another test needs to be done to really show what's going on."

John Ellis said, "I agree."

Mayor Zavodny said, "I kind of thought that was what was going on, but, that being said, my concern would be, post flushing, the water at Mr. Denker's, and this, that worries me because then our flushing doesn't seem to have worked."

Water/Sewer Supervisor Gary Janicek said, "That is identical to what was coming out of the hydrants all along "E" Street when we flushed. That is what is coming out of those cast iron mains all along "E" Street. It's that exact color, and it doesn't have the rust tint to it, it's more of a gray color. That's the lining of the sand cast mains when we flush them."

Chad Denker said, "Mayor, that was my concern. I'm not a rocket scientist when it comes to water treatment and what all of this means but what I do know is that if that's what we are using to cook school lunches with and that's what we are bathing our kids in, to me, that doesn't seem like clean water. That was my reason for bringing it to you guys tonight. It wasn't the results of this test, it was that."

Mayor Zavodny said, "It's the fact that we still have issues with that."

Water/Sewer Supervisor Gary Janicek said, "The engineer said that it's going to take time to get that flushed out of those mains. It's not an overnight process. It's going to take years and replacing some mains to get this cleaned up."

Mayor Zavodny said, "Well, I'm going to put on my taxpayer hat then, and what I'm worried about is that they go spend a whole lot of money and that the system gets screwed up. I worry about that because we'll hear about that, and rightly so. We've been searching for a solution to this for a while now and it seemed like the flushing program might have taken care of it. This is the first time that I've seen where maybe that's not as true."

Water/Sewer Supervisor Gary Janicek said, "It's not going to take care of it right away."

Mayor Zavodny said, "We've been flushing twice a year now for a couple of years."

Water/Sewer Supervisor Gary Janicek said, "But, we've only been directional flushing twice."

John Ellis said, "Mayor, may I interject something here. As a professional, what I'll tell you is that what's in the building is going to stay in the building until we do something to correct the building and prevent future. No matter what the water treatment plant does, if you break a water main and you go down and you fix it, it's going to fill up with dirt, in the street. No matter how much you flush, no matter what you do, nothing is ever 100% of fail safe. No matter what you guys do at the treatment plant; you guys may have a pipe break, you may have a filter that crashes, you may have a filter that's bad, there is a million reasons why you have to be proactive as a tax payer to protect your own. So that's why the building will clean itself up by installing a water softener and start to treat the water that's in the building. We're not going to treat the whole city but we are going to treat the public's property, which is, the school. We're going to protect the kids, and we're going to protect the people that are in that school and that will, eventually, clean itself up, in that school. It's never going to be 100% again because of the damage it's done and because of what's in there is done, but what we can do is prevent future problems."

Mayor Zavodny said, "Well, maybe it's been answered to someone else's satisfaction, but I'm not quite there yet. But, will the system work if you have water issues. You can only clean up so much what you are getting. Is that going to gum up your works?"

Council member Kroesing said, "Your filters don't last as long."

John Ellis said, "The media in the softener that we are putting in there, is guaranteed to fail safe and work for seven years. It's got a seven year guarantee on it and we are doing the maintenance there and we're going to do a water test twice a year or once a year, I can't remember what we set up on the maintenance side of it. We can do water tests there once a year and tell you exactly what this report tells you, to tell you if it's working or not working. But, I can tell you that the media in that softener is guaranteed for seven years. Now, the neat thing about that is that it's not a disposable softener like what you're going to get at Lowe's or Menard's or Home Depot's. This isn't disposable like that, where it's good for three years and you throw it out and buy a new one. This one, we set it up where you shut the water off, you put a bypass in, you disconnect the unions, you unscrew the head, you get the media out of it and

you pour new media in it. You screw the head back on, connect the unions, switch the bypasses and you're off and running again. Once you've invested the money, it's there."

Mayor Zavodny said, "So, your plan is to address the water situation at ingress. So, everything in your system is filtered."

John Ellis said, "That's correct."

Mayor Zavodny said, "Well, we recently set up the mapping and have we had any issues?"

Interim City Administrator Joan Kovar said, "I haven't heard of any lately."

Mayor Zavodny said, "We had been hoping that the flushing was taking care of a lot of it. We knew that it was going to take a while and putting raw water in drags all of that iron out of those mains even worse."

John Ellis said, "I've been a plumber for 21 years and I've been a master plumber for 10 years. I can tell you that you could flush those mains and help me if you think I'm wrong here because I'm in the same field of work here as you are and I'm not here to get in an argument or anything like that, but I can tell you that you can flush those mains from now until the apocalypse, if you will, and you're probably never going to get it all out because what happens is that you have unforeseen issues and you might get to a point where you are getting it cleaned up and all of a sudden you get a hard freeze and the ground thaws out and it shifts and you break an old main and it fills up with sand and dirt and you are right back to square one because what happens is that it siphons. You break that main and it siphons all of that dirt that's over it. It doesn't blow up, it sucks all of the dirt in and then it blows up. That's when you find the water surfacing at the top."

Water/Sewer Supervisor Gary Janicek said, "You're right because people notice dirty water before the water even comes out of the ground."

John Ellis said, "That's right."

Mayor Zavodny said, "Well, we know that raw water will affect it and we're adding chlorine to break some of that loose and I guess, my reason for wanting you to come this evening is that I had heard that the school was having issues but when we asked Gary, he said that he hadn't talked to anyone at the school and wasn't aware of any issues and those things weren't meshing for me. So, I thought that it was probably a good idea to get everybody together and hear what each other has to say."

Water/Sewer Supervisor Gary Janicek said, "How's the plumbing in the school? Has that been updated in the last twenty years? Is there still the old boiler system down in the basement?"

John Ellis said, "There is some stuff that we have been doing. We've changed some valves. There's some stuff on the boiler that needs to be cleaned up that we've chatted about and proposed. So, just like the mains, it's going to take time to get that thing back up to par. But, at Thermal, we're here to help. We want to help everybody. If we can help with the water, we're here. We'll put our heads together and we'll team up and we'll help you guys."

Mayor Zavodny said, "That would lead to my last question. Is there a way, in working with the school, that we could shut their stuff off, for a short amount of time, when they don't have people there, and maybe do some additional flushing."

Water/Sewer Supervisor Gary Janicek said, "We did that with the elementary school. We can isolate it and flush."

Mayor Zavodny said, "It seems like we should be able to get it better and the same would be true for St. Mary's as well."

Water/Sewer Supervisor Gary Janicek said, "We actually did, the last time that we flushed, we were told to wait until after 4:30 in the afternoon, to make sure everything was done and that's when we flushed between "E" Street and "C" Street. We flushed that main."

Mayor Zavodny said, "You have a valve that works there."

Water/Sewer Supervisor Gary Janicek said, "Yes. We shut everything down going from downtown and flushed it out on 8th and "C".

Mayor Zavodny asked Water/Sewer Supervisor Janicek why he thought it was so bad right there still?

Water/Sewer Supervisor Gary Janicek said, "When we directional flushed that first time down "E" Street it took forever for that line to clear up. Bob Behrens was there when we did it from Kirkham and Michael and he just couldn't believe the gray color that was coming out of that. He said that he didn't know what was holding those mains together besides the dirt packed around them."

Mayor Zavodny said, "Well, that answers my question more than I cared to have answered."

Water/Sewer Supervisor Gary Janicek said, "The pipe at Dale's Food Pride shows what that line is like."

Council member Bill Scribner said, "How much do you think it would cost to replace that main?"

Water/Sewer Supervisor Gary Janicek said, "Well, it cost about 22 to 25 thousand dollars per block to replace the 6 blocks of mains on 10th Street so if we're talking clear from 11th Street all the way down to get past the elementary school, there's four blocks there and then the two blocks south past the east side of the high school so it would be roughly \$100,000 to \$125,000."

Mayor Zavodny said, "OK I think that answers the questions that needed answered and we appreciate you coming in and everybody being able to hear the same thing at the same time."

Chad Denker thanked the Mayor and City Council for their time this evening.

Water/Sewer Supervisor Gary Janicek stated that he would like to replace the muffin monster/channel grinder at the sewer lagoon. The last machine was rebuilt in 2008 and it was

\$14,000 to rebuild it at that time so it has made it 5 years. At that time, only one company, which is JWC, which is the original company that sold us that machine, was the one that rebuilt it. I did get another bid from Franklin Miller and their machine is comparable in function and they are really close in price. They are both supposed to do the same thing. The only thing that I can say is now that JWC has upgraded theirs and they have an exchange program and so if ours goes down they can ship us another one have it there in a matter of days and we wouldn't be out of service. We can pull ours out and replace it and be back up and running again.

Mayor Zavodny asked what kind of situations do you use this?

Water/Sewer Supervisor Gary Janicek stated that this machine runs 24 hours a day, 7 days a week, 365 days a year and it breaks up everything that comes into the lift station.

Mayor Zavodny asked if this was the big shredder.

Water/Sewer Supervisor Gary Janicek said yes. He stated that he had talked to both salesmen and they both gave him their sales pitch and he thinks that they are pretty identical in function. The only difference is that the one from JWC would just pull out and they could slip the new one right in and the one from Franklin Miller they may have to do some adapting to get it to fit.

Mayor Zavodny asked how long it would take to put them in.

Water/Sewer Supervisor Gary Janicek said that it would take a couple of hours for the one from JWC and for the price that would be the one that he would recommend. He stated that he has some money left in this year's budget to pay for it. He shouldn't go over budget.

Council member Scribner made a motion to accept the estimate of JWC Environmental to replace the muffin monster/channel grinder for the sewer department. Council member Rogers seconded the motion. Voting AYE: Council members Smith, Svoboda, Kroesing, Vandenberg, Rogers and Scribner. Voting NAY: None. The motion carried.

Council member Kroesing made a motion to table Resolution No. 13-2013 increasing the airport hangar rental charges until further notice. Council member Rogers seconded the motion. Voting AYE: Council members Kroesing, Vandenberg, Rogers, Smith, Svoboda and Scribner. Voting NAY: None. The motion carried.

Mayor Zavodny asked if the air compressor was currently working or not.

Water/Sewer Supervisor Janicek stated that it was working, however, it takes a while to get it started. They purchased it in the late 1990's and it was used at that time.

Council member Smith made a motion to approve spending up to \$14,965 plus tax to purchase an air compressor for the electric department. Council member Vandenberg seconded the motion. Voting AYE: Council members Svoboda, Kroesing, Vandenberg, Smith, Rogers and Scribner. Voting NAY: None. The motion carried.

Council member Rogers made a motion to approve the purchase of a fireproof file cabinet for the City Office. Council member Kroesing seconded the motion. Voting AYE: Council members Vandenberg, Rogers, Scribner, Kroesing, Smith and Svoboda. Voting NAY: None. The motion carried.

Council member Kroesing made a motion to appoint Larry McPhillips to the Housing Authority Board of Commissioners to fill the unexpired term of Joe Roberts to May, 2014. Council member Rogers seconded the motion. Voting AYE: Council members Scribner, Smith, Svoboda, Kroesing, Vandenberg and Rogers. Voting NAY: None. The motion carried.

Council member Scribner made a motion to appoint Carole Kirby to the Library Board. Council member Vandenberg seconded the motion. Voting AYE: Council members Smith, Svoboda, Kroesing, Vandenberg, Rogers and Scribner. Voting NAY: None. The motion carried.

Mayor Zavodny asked if the Council wanted to act on a cost of living adjustment now or wait until the budget was more finalized.

Interim City Administrator Joan Kovar stated that the department heads would like to have an idea of how much to add to their budgets.

Council member Smith made a motion to approve a 2.5% cost of living adjustment for all city employees; full-time, part-time and seasonal. Council member Rogers seconded the motion. Voting AYE: Council members Smith, Rogers, Vandenberg, Kroesing, and Svoboda. Voting NAY: Council member Scribner. The motion carried.

Council member Smith introduced Ordinance No. 1192.

Council member Kroesing made a motion to suspend the statutory rule requiring an Ordinance be read on three separate days. Council member Smith seconded the motion. Voting AYE: Council members Kroesing, Rogers, Smith, Scribner, Vandenberg and Svoboda. Voting NAY: None.

Council member Smith made a motion to pass Ordinance No. 1192 on third and final reading. Council member Kroesing seconded the motion. Voting AYE: Council members Kroesing, Smith, Scribner, Rogers, Svoboda and Vandenberg. Voting NAY: None. The motion carried and Ordinance No. 1192 was passed and adopted on third and final reading as follows:

ORDINANCE NO. 1192

AN ORDINANCE EXTENDING THE PAY SCALE FOR THE ACCOUNT CLERK II WITH CMC CERTIFICATION; REPEALING ALL ORDINANCES OR PORTIONS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND PROVIDING 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 scale for the following position for the employee of the City of David City, Nebraska:

Full-Time Staff (Hourly Rate of Pay)

STEP	14	15	16	17	18	19	20	21	22	23	24	25
<u>Office Staff</u>												
Acct Clerk II w/ CMC	19.41	19.85	20.30	20.76	21.23	21.71	22.20	22.70	23.21	23.73	24.26	24.81

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, are hereby repealed.

SECTION 4. This ordinance shall be published in pamphlet form and shall be in full force and effect on September 24, 2013 following its passage, approval, and publication as provided by law and city ordinance.

PASSED AND APPROVED this 10th day of July, 2013.

Mayor Alan Zavodny

Interim City Clerk Tami Comte

Council member Rogers stated that he wanted to compliment Water/Sewer Supervisor Gary Janicek for doing both the water and sewer jobs and for trying to learn the power plant. It's quite a job.

Mayor Zavodny stated that he wanted to first clarify is: are we going to put someone in the water treatment plant? Mayor Zavodny stated that Janicek had budgeted for an additional man so if one of his was to go to the Water Plant then you would still have the ability to have someone to fix the main breaks, etc. Is this part of the bigger picture? Are we going to hire that person for the Water Treatment Plant as Kirkham, Michael recommended? How does that affect hiring a person?

Water/Sewer Supervisor Janicek stated that it wouldn't affect it at all. He would still be a floater between the two departments.

Mayor Zavodny stated that what he was asking was if he could do it with one person because we are putting the other person in the Water Plant.

Water/Sewer Supervisor Janicek stated that they were talking about a person that would spend four hours at the Water Plant and four hours at the Sewer Plant.

Council member Smith stated that he didn't think that this would change Gary Janicek's position at all. He will still be in charge of both of them.

Council member Kroesing made a motion to move Water/Sewer Supervisor Gary Janicek to Step 10 - \$24.25 on the pay scale effective September 24, 2013. Council member Rogers seconded the motion. Voting AYE: Council members Kroesing, Svoboda, Vandenberg, Rogers, Scribner and Smith. Voting NAY: None. The motion carried.

Council member Rogers made a motion to move Interim City Administrator Joan Kovar to \$61,445 per year on the pay scale. Council member Kroesing seconded the motion. Voting AYE: Council members Rogers, Kroesing, Vandenberg, Scribner, Smith and Svoboda. Voting NAY: None. The motion carried.

Council member Vandenberg made a motion to schedule a special Council meeting for July 24, 2013 at 6:30 p.m. with the Committee of the Whole meeting immediately following. Council member Kroesing seconded the motion. Voting AYE: Council members Vandenberg, Scribner, Rogers, Smith, Svoboda and Kroesing. Voting NAY: None. The motion carried.

Council member Kroesing made a motion to authorize Mayor Zavodny to sign a contractor's right of entry agreement with the Nebraska Central Railroad Company concerning the Northwest Drainage Project. Council member Smith seconded the motion. Voting AYE: Council members Kroesing, Smith, Vandenberg, Rogers, Svoboda and Scribner. Voting NAY: None. The motion carried.

Mayor Zavodny stated that he would like to set some type of a time table to consider the proposed budget for fiscal year 2013 – 2014 and have the Council member's recommendations ready. This may be a good item to put on the special Council meeting agenda. Mayor Zavodny asked the Council members how they wanted to proceed.

Council member Scribner stated that he would like to discuss the budgets line item by line item.

Mayor Zavodny stated that one of his biggest concerns is still the long term debt. We are going to have to bond some of that to get that handled. We'll slowly chip away at that and if we can get some of these chipped down over the next several years then we will improve our position tremendously. We've got to start reducing our long term debt. Mayor Zavodny also stated that we need to start looking at replacing vehicles at some point.

There being no further business to come before the Council, Council member Kroesing made a motion to adjourn. Council member Vandenberg seconded the motion. Voting AYE: Council members Kroesing, Rogers, Scribner, Vandenberg, Svoboda, and Smith. Voting NAY: None. The motion carried and Mayor Zavodny declared the meeting adjourned at 8:33 p.m.



CERTIFICATION OF MINUTES
July 10, 2013

I, Tami L. Comte, duly qualified and acting Interim City Clerk for the City of David City, Nebraska, do hereby certify with regard to all proceedings of July 10, 2013; 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, Interim City Clerk