

**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 **24th day of July, 2024**, in the **meeting room of the City Office, 490 "E" Street, David City, Nebraska**. The Mayor and City Council reserve the right to enter into a closed session at any time during the meeting, in accordance with the Nebraska Open Meetings Act, even though the closed session may not be stated on the agenda.

This agenda is available on our Web site at www.davidcityne.com for public inspection and may be modified up to twenty-four hours prior to the opening of the meeting.

Members of the public may attend this meeting electronically. A link and phone number will be available on our website.

Dated this 17th day of July, 2024.

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 July 10, 2024 meeting of the Mayor and City Council; *
5. Consider Change Order #1 for Midlands Contracting, Inc. in the amount of (\$53,327.00) for the Water Main Improvements Project; *
6. Consider Certificate of Payment #3 for Midlands Contracting, Inc. in the amount of \$110,341.62 for the Water Main Improvements Project; *
7. Consider Change Order #1 for Municipal Pipe Tool in the amount of (\$11,667.70) for the South Sewer Rehab Project; *
8. Consider accepting the resignation of Gary Kroesing from the Board of Zoning Adjustment; *
9. Consider the appointment of Andrew Holloway as a regular member of the Board of Zoning Adjustment instead of the alternate to complete the unexpired term of Gary Kroesing ending July, 2026; *

Mayor Jessica J. Miller

Council President Bruce L. Meysenburg

Council member Thomas J. Kobus

Council member James L. Angell

Council member Patrick J. Meysenburg

Council member Kevin E. Woita

Council member Keith A. Marvin

City Clerk Tami L. Comte

10. Reappointment of Allen Steinberger and Roger Comte to the Board of Zoning Adjustment for three-year terms ending July of 2027; *
11. Consider Food Bank of Lincoln Mobile Food Distribution Memorandum of Understanding; *
12. Consider an agreement with David City Public Schools for the 2024-2025 school year; *
13. Consider Resolution No. 20-2024 authorizing the Mayor and City Council to execute a purchase and sale agreement and deed to convey the property located on 11th Street between “B” Street and “C” Street; *
14. Consider Resolution No. 21-2024 amending the Future Land Use Map by changing the land use classification from Residential to Highway Commercial for the real estate listed above as requested by Western Oil II, LLC; *
A tract of land being part of Lot 7 and 8, David City Land and Lot Company's Suburban Lots, located in the SW ¼ of the SE ¼ of Section 18, Township 15 North, Range 3, East 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 N89°58'34" E, 75.33 feet, parallel with the north line of said Lot 8; thence S00°24'47" W, 36.14 feet on the east line of said Lot 8; thence S89°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, EXCEPT that portion conveyed by Warranty Deed filed as Instrument No 2018-01663 in the Office of the Butler County Clerk/Register of Deeds on December 28, 2018, and EXCEPT that portion conveyed by Warranty Deed filed as Instrument No. 2022-01244 in the Office of the Butler County Clerk/Register of Deeds on August 15, 2022.
15. Consider Ordinance No. 1486 amending the Official Zoning Map by changing the zoning classification from R-1 Single Family Residential to C-1 Highway Commercial for the real estate listed below as requested by Western Oil II, LLC; *
A tract of land being part of Lot 7 and 8, David City Land and Lot Company's Suburban Lots, located in the SW ¼ of the SE ¼ of Section 18, Township 15 North, Range 3, East 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 N89°58'34" E, 75.33 feet, parallel with the north line of said Lot 8; thence S00°24'47" W, 36.14 feet on the east line of said Lot 8; thence S89°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, EXCEPT that portion conveyed by Warranty Deed filed as Instrument No 2018-01663 in the Office of the Butler County Clerk/Register of Deeds on December 28, 2018, and EXCEPT that portion conveyed by Warranty Deed filed as Instrument No. 2022-01244 in the Office of the Butler County Clerk/Register of Deeds on August 15, 2022.
16. Consider Ordinance No. 1488 amending Section 10-101 adopting the David City, Nebraska 2040 Comprehensive Plan"; *
17. Consider engineering agreement with JEO for 2024 Water Main Improvements North 7th Street from “I” Street to “O” Street; *
18. 2024-2025 Budget discussion;
19. Closed session for personnel, contracts or pending litigation (as necessary); *
20. Adjourn. *