

CITY COUNCIL PROCEEDINGS

October 11, 2006

The City Council of the City of David City, Nebraska, met in open public session 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 October 5th, 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 Stephen Smith, Council members Gary Smith, Gary Kroesing, Bill Schatz, Nick Hein, and Ted Lukassen, City Administrator Joe Johnson, City Attorney Jim Egr, Electric Supervisor Tim Kovar, Water/Sewer Supervisor Jim Kruse, Electric Department employee Pat Hoefl, Fred Vandenberg, Curtis Burgess, Banner Press Editor Larry Peirce, and City Clerk-Treasurer Joan Kovar.

The meeting opened with the Pledge of Allegiance.

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

The minutes of the September 13th, 2006 meeting of the Mayor and City Council were approved upon a motion by Council member Smith and seconded by Council member Kroesing. Voting YEA: Council members Hein, Schatz, Lukassen, Kroesing, and Smith. Voting NAY: None. Council member Kirby was absent. The motion carried.

Mayor Smith asked for Petitions, Communications, and Citizens' Concerns in addition to those contained in the Agenda packets. There were no petitions or communications.

Mr. Curtis Burgess was present to express concerns regarding his high water bill. He is disputing the gallons used claiming that the water meter must have been faulty. Water Supervisor Jim Kruse stated that the actual water meter is correct but the read-out meter, which runs by an electronic pulse, was not registering all of the usage. A new touch read meter has been installed. Discussion followed.

Council member Schatz made a motion to credit \$25.00 towards Curtis Burgess' next utility bill. Curtis stated that he was not in agreement but will accept it; he claimed he still was disputing being billed for 15,500 gallons. Therefore, Council member Schatz rescinded his original motion and made a motion to credit Curtis Burgess' next utility bill with 15,500 gallons. Council member Smith seconded the motion. Voting AYE: Council members Kroesing, Hein, Lukassen, Smith, and Schatz. Voting NAY: None. Council member Kirby was absent. The motion carried.

Dave Smith attended the September 13th council meeting and also disputed his water bill. City Administrator Joe Johnson presented a water use comparison from 2003 – 2006 for his service address at 892 N 7th Street. As a discrepancy is not evident, no adjustment will be made.

Mayor Smith asked for consideration of claims. Council member Smith made a motion to authorize the payment of claims. Council member Lukassen seconded the motion. Voting YEA: Council members Hein, Schatz, Kroesing, Lukassen, 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.

Water Supervisor Jim Kruse reported that the new water tower had the warranty inspection. The water level in the tower was lowered to inspect the coating. Some maintenance was done on the inside of the water tower; nothing major.

City Clerk Kovar reported that CPA's from Scow, Rief, Kruse & Schumacher will be on site to perform the annual audit from November 15th to 17th.

Council member Gary Smith commended all of the departments for a good job cleaning up tree limbs and twigs through-out town following the rain/hail storm. In his monthly report, Park Supervisor Bill Buntgen also thanked City Administrator Joe Johnson and the other departments for help in the Park picking up branches, trees, and tree trimming following the storm.

Mayor Smith scheduled a Committee of the Whole meeting for Monday, October 23, 2006, at 6:00 p.m. in the meeting room of the City Office, 557 4th Street, David City, Nebraska.

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

Ordinance No. 1031 concerning fireworks regulations was passed on 1st reading only on August 9, 2006. Council member Schatz made a motion to pass Ordinance No. 1031 on the second reading. Council member Smith seconded the motion. Voting AYE: Council members Lukassen, Kroesing, Hein, Smith, and Schatz. Voting NAY: None. Council member Kirby was absent. The motion carried.

ORDINANCE NO. 1031

AN ORDINANCE OF THE CITY OF DAVID CITY TO AMEND FIREWORKS REGULATIONS BY AMENDING THE CITY OF DAVID CITY MUNICIPAL CODE; TO PROVIDE FOR THE REPEAL OF ANY ORDINANCE OR RESOLUTION IN CONFLICT THEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE THEREOF; AND TO AUTHORIZE PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA, AS FOLLOWS:

Section 1. Section 10-414 of the Municipal Code of David City, Nebraska is amended to read as follows:

§10-414.01 FIREWORKS; DEFINITION. The term “fireworks” shall mean and include any composition or device manufactured or used for the purpose of producing a visible or audible effect by combustion or detonation but does not include model rockets, toy pistol caps, emergency signal flares, snakes or glow worms, party poppers, champagne bottles, or wire sparklers under 24 inches in length.

§10-414.02 FIREWORKS; SALE. Permissible fireworks may be sold at retail or offered for sale at retail within the City of David City only between 12:01 a.m. June 25 and ending 11:59 p.m. July 4th of each calendar year.

§10-414.03 FIREWORKS; USE, HOURS RESTRICTED.

1. It shall be unlawful to discharge, explode or use permissible fireworks from an automobile or other moving vehicles or objects.
2. It shall be unlawful to discharge, explode or use permissible fireworks before 8:00 a.m. and after 10:00 p.m. with the following exceptions:
Exceptions:
 - a. Permissible fireworks may be lawfully discharged, exploded or used between the hours of 8:00 a.m. on July 4th and 1:00 a.m. on July 5th.
 - b. Permissible fireworks may be lawfully discharged, exploded or used between the hours of 8:00 a.m. on December 31st and 1:00 a.m. on January 1st.

§10-414.04 FIREWORKS; PUBLIC DISPLAY, APPLICATION FOR PERMIT, LOCATION.

1. Application for a permit required under this Section shall be made in the office of the City Clerk at least thirty (30) days prior to the public display. The City Council may, upon written application, grant a permit for the public display of fireworks by religious, educational, fraternal or civic organizations, fair associations, amusement parks, or other organizations or group of individuals. After such permit is granted, sales, possession, use and distribution of fireworks for such public display shall be lawful for that purpose only.
2. All applications for permits to operate a public display of fireworks shall be in writing and shall set forth:
 - a. The name of the organization or person sponsoring the display, together with the name, age and qualifications of persons actually in charge of firing the display;
 - b. The date and time the display is to be held;
 - c. The exact location planned for the display;
 - d. The manner and place of storage of fireworks prior to the display
3. The actual point at which the fireworks are to be fired shall be at least two hundred (200) feet from the nearest permanent building, public highway or railroad, and fifty (50) feet from any telephone or electric power pole or line, tree, or other overhead obstruction(s).

§10-414.05 FIREWORKS; VENDOR, APPLICATION FOR PERMIT.

4. Application for a permit required under this Section shall be made in the office of the City Clerk by June 5th of each year in which the permit, if issued, would be valid. The City Clerk will provide such application form.
5. At the any regular City Council Meeting before June 24th of each year, the

City Council will hold hearings on the applications for permits. The City Clerk will, at the time of accepting the application for a permit, give notice of the date and time of the hearing. Applicants are expected to appear at the hearing either in person or by representative.

6. At the time of an application, an applicant shall furnish to the City the name, address, and phone number of the fireworks stand manager. The person designated as manager must be at least 21 years of age. It shall be incumbent upon the applicant to keep this list current so that names of the employees having management responsibilities will always be on file in the office of the City Clerk.
7. Each applicant shall provide a plat plan showing the location of the stand, address, setbacks from right-of-way, distance to nearest building or structure, and occupancy of the nearest building.
8. Any permit issued may be revoked at any time by the City Council upon proper notice and hearing, if one is requested by the permit holder.

§10-414.06 FIREWORKS; FEES. Each permit application shall be accompanied by a nonrefundable application fee. Application fees are set by resolution and approved by the City Council.

§10-414.07 FIREWORKS; ENFORCEMENT OF PROVISIONS. The Chief of Police or designee is charged with the duty of enforcing all the provisions, terms and regulations of this Article.

§10-414.08 FIREWORKS; PENALTY. Any person violating the provisions of this article shall, upon conviction thereof, be fined not less than \$50 nor more than \$500 for each and every offense.

Section 2. That any ordinance or section of any ordinance passed and approved prior to or subsequent to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions, is hereby appealed.

Section 3. This ordinance shall be published in pamphlet form and shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

PASSED AND APPROVED this _____ day of _____, 2006.

8/09/06 Passed on 1st Reading only;
9/13/06 Tabled till the Oct 11, 2006 meeting
10/11/06 Passed on 2nd Reading only;
Mayor Stephen Smith

8/09/06 Passed on 1st Reading only;
9/13/06 Tabled till the October 11, 2006 meeting
10/11/06 Passed on 2nd Reading only;
City Clerk Joan E. Kovar

Council member Schatz introduced Resolution No. 30 – 2006 and moved for its passage and adoption. Council member Lukassen seconded the motion. Voting YEA: Council members Kroesing, Smith, Hein, Lukassen, and Schatz. Voting NAY: None. Council member Kirby was absent. The motion carried and Resolution No. 30 - 2006 was passed and adopted as follows:

RESOLUTION NO. 30 - 2006

WHEREAS, law enforcement agencies within the following counties: Butler, Clay, Fillmore, Hamilton, Jefferson, Merrick, Nuckolls, Saunders, Seward, Thayer, Webster, and York desire to enter into a cooperative law enforcement effort; and

WHEREAS, the above agencies have submitted a grant application known as the RURAL APPREHENSION PROGRAM (hereafter RAP 17); and

WHEREAS, the RAP project has been funded by the Nebraska Crime Commission; and,

WHEREAS, the various counties, communities, and agencies within those jurisdictions desire to make the most efficient use of the power by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors; and

WHEREAS, an interlocal agreement, consistent with Nebraska Revised Statutes 13-801 et. seq, would be in the best interest of all participating agencies; and

WHEREAS, the agencies desire to enter into a written interlocal agreement for the purposes of carrying out the RAP objectives and grant requirements of the Nebraska Crime Commission.

BE IT RESOLVED THAT:

The City of David City authorizes Stephen M. Sunday, Chief of Police, to enter the City of David City into an interlocal agreement for joint and cooperative action pursuant to the provisions of Section 13-801 through 13-807 of Nebraska Revised Statutes. The interlocal agreement shall be for the strict administration of the RAP project and all funds allocated by the Nebraska Crime Commission, and Match dollars allocated by the RAP members. Further, this interlocal agreement shall not establish a separate legal entity, rather as a joint and cooperative undertaking between public agencies i.e. state, county, city, and village. (Nebraska Revised Statute 13-801).

Amount of match dollars allocated by the City of David City for the 2006 -2007 grant period (RAP 17) will be \$1,261.00. (population x \$0.50)

Dated this 11th day of October, 2006.

Mayor Stephen Smith

City Clerk Joan Kovar

Council member Hein introduced Resolution No. 32 – 2006 and moved for its passage and adoption. Council member Kroesing seconded the motion. Voting YEA: Council members Smith, Lukassen, Schatz, Kroesing, and Hein. Voting NAY: None. Council member Kirby was absent. The motion carried and Resolution No. 32 - 2006 was passed and adopted as follows:

RESOLUTION NO. 32 - 2006

A RESOLUTION OF THE CITY OF DAVID CITY TO ASSIST THE DAVID CITY AREA CHAMBER OF COMMERCE BY OFFERING IN-KIND SERVICES FOR THE INSTALLATION OF THE DAVID CITY SIGN AT THE INTERSECTION OF HIGHWAY 15 AND HIGHWAY 64.

WHEREAS, the City of David City, Nebraska is an independent body of government, and

WHEREAS, the David City Area Chamber of Commerce owns a David City sign located at the intersection of Highway 15 and Highway 64, and

WHEREAS, the David City Area Chamber of Commerce requests assistance with the installation of a new David City sign.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, that:

1. The City of David City, Nebraska, does hereby assist the David City Area Chamber of Commerce by offering in-kind services for the installation of the David City sign at the intersection of Highway 15 and Highway 64.

PASSED AND APPROVED this 11th day of October, 2006.

Mayor Stephen Smith

ATTEST:

City Clerk Joan E. Kovar

On August 9, 2006, the City Council approved the Hildy Estates First Addition with the stipulations that the city must receive final approval from the Nebraska Department of Environmental Quality (DEQ) and all corresponding evidence. On September 15, 2006, the City received a document from DEQ that granted approval for this project. On September 20, 2006, a bid announcement was published in the Banner Press for the city's portion of the construction of water and sewer lines. Only one bid was received from Castle Construction, Inc. Since there was only one bid received, Council member Schatz made a motion to re-advertise for bids for

the service, labor, materials, and equipment required for the construction of water and sewer lines from the very southern part of 11th Street to the entrance point of Hildy Estates First Addition. Council member Hein seconded the motion. Voting AYE: Council members Kroesing, Smith, Lukassen, Hein, and Schatz. Voting NAY: None. Council member Kirby was absent. The motion carried.

Council member Hein introduced Resolution No. 31 – 2006 and moved for its passage and adoption. Council member Schatz seconded the motion. Voting YEA: Council members Smith, Lukassen, Kroesing, Schatz, and Hein. Voting NAY: None. Council member Kirby was absent. The motion carried and Resolution No. 31 - 2006 was passed and adopted as follows:

RESOLUTION NO. 31 - 2006

A RESOLUTION OF THE CITY OF DAVID CITY TO APPLY FOR ASSISTANCE FROM THE TRANSPORTATION ENHANCEMENT PROGRAM FOR THE PURPOSE OF CONSTRUCTING A SEGMENT OF THE DAVID CITY RECREATIONAL TRAIL.

WHEREAS, the City of David City, Nebraska, proposes to apply for assistance from the TRANSPORTATION ENHANCEMENT PROGRAM for the purpose of constructing segments of the David City Recreational Trail; and

WHEREAS, the project includes the construction of a hiking/biking trail from the existing David City Municipal Park trail system and along a planned greenway along the southeast side of David City; and

WHEREAS, the City of David City, Nebraska, has available a minimum of 20% of the project cost and has the financial capability to operate and maintain the completed facility in a safe and attractive manner for public use; and

WHEREAS, the proposed application and supporting documents were made available for public review at a properly announced meeting of the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, that:

1. The City of David City, Nebraska, is submitting an application for assistance from the Transportation Enhancement Program for the purpose of constructing segments of the David City Recreational Trail.

PASSED AND APPROVED this 11th day of October, 2006.

Mayor Stephen Smith

ATTEST:

City Clerk Joan E. Kovar
(SEAL)

Council member Hein introduced Ordinance No. 1034. Council member Kroesing made a motion to suspend the statutory rule that requires an Ordinance be read on three separate days. Council member Smith seconded the motion. Voting AYE: Council members Schatz, Lukassen, Hein, Smith, and Kroesing. Voting NAY: None. Council member Kirby was absent. The motion carried.

Council member Kroesing made a motion to pass and adopt Ordinance No. 1034 on the third and final reading. Council member Smith seconded the motion. Voting AYE: Council members Lukassen, Hein, Schatz, Smith, and Kroesing. Voting NAY: None. Council member Kirby was absent. The motion carried and Ordinance No. 1034 was passed and adopted as follows:

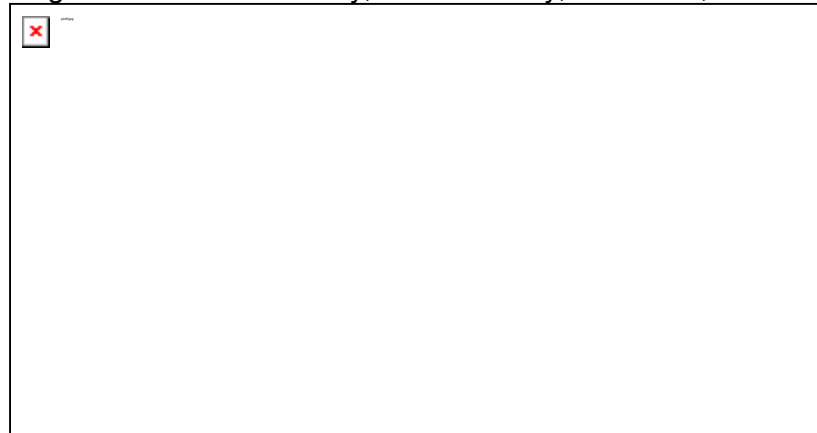
ORDINANCE NO. 1034

AN ORDINANCE VACATING THE WEST HALF OF THAT PART OF "B" STREET, LOCATED BETWEEN BLOCKS 37 AND 48, ORIGINAL TOWN OF DAVID CITY, BUTLER COUNTY, NEBRASKA; 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 have found and determined that it is in the best interest of the City and is expedient for the public good to vacate part of "B" Street.

SECTION 2. That the west 140' of "B" Street located between 3rd Street and the Burlington/Santa Fe Railroad (running north and south), and between Block 37 and Block 48, Original Town of David City, Butler County, Nebraska, is hereby vacated.



SECTION 3. That the portion of vacated "B" Street shall revert to the abutting property owners.

SECTION 4. That the City of David City, and its franchisees, shall retain an easement to all existing and future utilities located within said vacated street.

SECTION 5. 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 6. This ordinance shall be published in pamphlet form and shall be in full force and effect following its passage, approval, and publication as provided by law and city ordinance.

PASSED AND APPROVED this 11th day of October, 2006.

Mayor Stephen Smith

City Clerk Joan E. Kovar

Council member Schatz introduced Ordinance No. 1035. Council member Kroesing made a motion to suspend the statutory rule that requires an Ordinance be read on three separate days. Council member Schatz seconded the motion. Voting AYE: Council members Lukassen, Hein, Smith, Schatz, and Kroesing. Voting NAY: None. Council member Kirby was absent. The motion carried.

Council member Schatz made a motion to pass and adopt Ordinance No. 1035 on the third and final reading. Council member Kroesing seconded the motion. Voting AYE: Council members Lukassen, Hein, Smith, Kroesing, and Schatz. Voting NAY: None. Council member Kirby was absent. The motion carried and Ordinance No. 1035 was passed and adopted as follows:

ORDINANCE NO. 1035

AN ORDINANCE INCORPORATING A 4½% COST OF LIVING ADJUSTMENT AND/OR SETTING THE SALARIES AND PAY SCALES FOR APPOINTED OFFICERS AND EMPLOYEES OF THE CITY OF DAVID CITY, NEBRASKA; TO REPEAL ALL ORDINANCES OR PORTIONS OF ORDINANCES IN CONFLICT THEREWITH; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE 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 scales and salaries for the following positions for the appointed officers and employees of the City of David City, Nebraska:

SECTION 2. The wages for the Library Director and Librarians are set by the Library Board and therefore are not included.

Part-Time Workers

Years in Position	A 0	B 6m	C 1	D 2	E 3	F 4	G 5	H 6	I 7	J 8	K 9	L 10	M 11	N 12	O 13	P 14	Q 15	R 16	S 17	T 18	U 19	V 20
Part-time workers	\$6.92	7.21	7.37	7.50	7.59	7.67	7.80	7.92	8.08	8.21	8.36	8.52	8.65	8.83	9.03	9.23	9.41	9.62	9.80	9.98	10.19	10.39
Zoning Inspector	\$15.00		15.45	15.50	15.57	15.62	15.69	15.74	15.81	15.86	15.92	15.97	16.03	16.08	16.15	16.21	16.27	16.34	16.41	16.46	16.53	16.63
Bartenders -	Begin @ \$6.00/hr - experienced up to \$6.50																					
Recycling workers -	Begin @ \$6.00/hr - experienced up to \$6.60																					
Years in Position		1	2	3	4																	
Summer Time Help -		\$6.12	6.37	6.62	6.87																	

Full-Time Workers

Years in Position:	A 0	B 6m	C 1	D 2	E 3	F 4	G 5	H 6	I 7	J 8	K 9	L 10	M 11	N 12	O 13	P 14	Q 15	R 16	S 17	T 18	U 19	V 20
Office Staff																						
Clerical I	9.88	10.01	10.13	10.27	10.40	10.53	10.66	10.78	10.92	11.06	11.18	11.32	11.44	11.57	11.71	11.83	11.95	12.10	12.23	12.35	12.49	12.60
Police Clerical	9.38	9.74	9.92	10.07	10.14	10.20	10.27	10.36	10.45	10.55	10.66	10.74	10.84	10.91	10.98	11.05	11.10	11.15	11.21	11.29	11.36	11.42
Acct Clerk I	9.95	10.09	10.27	10.43	10.61	10.76	10.93	11.11	11.25	11.43	11.60	11.77	11.92	12.10	12.27	12.45	12.58	12.73	12.87	13.01	13.19	13.33
Acct Clerk II (includes .50/hr for CMC)	12.79	13.07	13.25	13.41	13.54	13.65	13.74	13.94	14.11	14.29	14.47	14.69	14.88	15.00	15.13	15.26	15.40	15.53	15.66	15.81	15.96	16.11
Utility Staff																						
Power Plant Operator I	10.43	10.61	10.83	11.06	11.25	11.48	11.70	11.90	12.12	12.34	12.56	12.81	13.01	13.24	13.46	13.67	13.92	14.12	14.35	14.59	14.80	15.05
Power Plant Operator II	12.60	13.17	13.76	13.93	14.10	14.30	14.58	14.85	15.14	15.42	15.72	15.98	16.19	16.35	16.55	16.74	16.93	17.11	17.32	17.49	17.59	17.68
Power Plant Operator III	16.06	16.25	16.41	16.61	16.75	16.92	17.08	17.23	17.42	17.58	17.74	17.94	18.11	18.28	18.47	18.64	18.81	19.00	19.18	19.35	19.53	19.72
Apprentice Lineman	12.14	12.48	12.64	12.82	12.92	13.01	13.15	13.31	13.48	13.64	13.80	13.98	14.13	14.25	14.35	14.47	14.59	14.69	14.79	14.88	15.03	15.12
Line worker II	14.43	14.74	14.91	15.12	15.23	15.35	15.47	15.65	15.83	16.01	16.22	16.40	16.58	16.73	16.88	17.01	17.13	17.25	17.39	17.52	17.66	17.82
Line worker I	17.10	17.46	17.63	17.82	17.94	18.07	18.21	18.41	18.62	18.81	19.01	19.19	19.41	19.54	19.69	19.83	19.98	20.13	20.28	20.41	20.54	20.69
Line Foreman	18.05	18.67	18.80	19.06	19.22	19.38	19.56	19.80	20.05	20.30	20.56	20.80	21.05	21.19	21.38	21.53	21.72	21.86	22.04	22.20	22.33	22.52
Years in Position:	A 0	B 6m	C 1	D 2	E 3	F 4	G 5	H 6	I 7	J 8	K 9	L 10	M 11	N 12	O 13	P 14	Q 15	R 16	S 17	T 18	U 19	V 20
City Maintenance Staff																						
Water/Sewer Operator I	10.43	10.72	10.88	11.06	11.16	11.25	11.37	11.54	11.72	11.88	12.07	12.24	12.43	12.53	12.65	12.80	12.91	13.03	13.17	13.30	13.43	13.56
WA/SE Op 1 w Grade VI	11.04	11.32	11.48	11.65	11.76	11.85	11.95	12.13	12.31	12.48	12.65	12.84	13.00	13.14	13.25	13.38	13.51	13.63	13.74	13.91	14.02	14.14
WA/SE Operator II	12.59	12.79	12.95	13.14	13.31	13.50	13.66	13.87	14.02	14.20	14.39	14.59	14.77	14.94	15.15	15.33	15.52	15.73	15.90	16.09	16.29	16.48
WA/SE Op I I w Gr VI	13.19	13.36	13.54	13.70	13.91	14.07	14.25	14.43	14.62	14.78	15.00	15.16	15.35	15.53	15.74	15.92	16.10	16.30	16.49	16.69	16.88	17.06
WA/SE Op III w Gr VI	15.07	15.40	15.56	15.73	15.83	15.94	16.05	16.26	16.44	16.54	16.76	16.96	17.15	17.27	17.41	17.52	17.64	17.77	17.88	18.02	18.15	18.28
Waste Water Plant Operator	14.22	14.55	14.70	14.85	15.00	15.09	15.19	15.38	15.56	15.73	15.88	16.06	16.27	16.39	16.51	16.64	16.76	16.88	16.99	17.12	17.25	17.39
City Maintenance Staff																						
Laborer I	7.74	7.93	7.98	8.14	8.20	8.27	8.34	8.45	8.55	8.63	8.74	8.85	8.95	9.00	9.08	9.16	9.22	9.28	9.35	9.41	9.47	9.53
Laborer II	10.31	10.63	10.77	10.95	11.06	11.16	11.25	11.42	11.58	11.75	11.90	12.07	12.23	12.33	12.45	12.54	12.65	12.78	12.87	12.97	13.07	13.20
Maintenance Worker I	10.56	10.83	10.96	11.10	11.18	11.28	11.37	11.52	11.67	11.80	11.94	12.11	12.27	12.36	12.48	12.58	12.69	12.81	12.91	13.00	13.14	13.25
Maintenance Worker II	11.11	11.38	11.54	11.70	11.79	11.88	11.99	12.16	12.33	12.49	12.64	12.82	12.98	13.10	13.23	13.36	13.48	13.60	13.70	13.84	13.97	14.09
Street Foreman	13.96	14.32	14.49	14.69	14.80	14.91	15.07	15.23	15.42	15.61	15.80	15.96	16.18	16.28	16.40	16.53	16.64	16.77	16.90	17.01	17.14	17.27

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Police Staff

Police Officer	12.85	13.11	13.27	13.42	13.53	13.63	13.72	13.90	14.02	14.18	14.35	14.52	14.70	14.80	14.94	15.06	15.16	15.28	15.40	15.49	15.61	15.72
Sergeant	15.37	15.70	15.87	16.05	16.21	16.39	16.54	16.63	16.75	16.94	17.13	17.32	17.50	17.64	17.77	17.91	18.04	18.18	18.33	18.45	18.58	18.74

Department Supervisors

Park & Aud Supt.	13.90	14.26	14.43	14.62	14.76	14.87	15.02	15.20	15.41	15.61	15.81	15.99	16.22	16.38	16.53	16.69	16.82	16.98	17.14	17.28	17.45	17.61
City Clerk/Treas CMC MMC	17.90	18.14	18.26	18.37	18.43	18.53	18.61	18.74	18.85	18.96	19.09	19.22	19.32	19.38	19.48	19.56	19.63	19.71	19.81	19.90	19.99	20.07
Licensed Street Supt.	17.99	18.31	18.47	18.63	18.74	18.84	18.96	19.10	19.28	19.43	19.59	19.75	19.92	20.02	20.13	20.23	20.35	20.45	20.56	20.67	20.77	20.91
WA/SE Supervisor w Gr VI	17.21	17.59	17.79	18.01	18.13	18.25	18.38	18.58	18.78	19.00	19.22	19.41	19.60	19.75	19.89	20.03	20.18	20.34	20.48	20.62	20.77	20.94
Power Plant Supervisor	17.73	18.25	18.51	18.75	18.90	19.09	19.25	19.50	19.74	19.99	20.24	20.47	20.73	20.89	21.06	21.21	21.38	21.54	21.69	21.86	22.02	22.20
Police Chief	17.11	17.73	18.05	18.36	18.58	18.78	19.00	19.31	19.64	19.94	20.25	20.57	20.89	21.09	21.31	21.52	21.73	21.92	22.15	22.37	22.57	22.80
Electric Supervisor	20.21	20.84	21.14	21.46	21.67	21.88	22.11	22.44	22.74	23.03	23.36	23.67	23.99	24.18	24.40	24.63	24.82	25.03	25.25	25.46	25.64	25.86

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 26, 2006 following its passage, approval, and publication as provided by law and city ordinance.

PASSED AND APPROVED this 11th day of October, 2006.

Mayor Stephen Smith

City Clerk Joan E. Kovar

City Administrator Joe Johnson presented an Employment Agreement for consideration. Joe stated he is requesting an employment agreement for two (2) reasons and presented the following:

1. *I am cognizant of the employment uncertainty that comes with an annual appointed position, like that of City Administrator, combined with the turnover of elected officials from year-to-year. Some individuals in the community have also brought the above-mentioned line of reasoning to my attention because my wife and I are building a home. The City has employed two City Administrators within the past 5½ years. Many in the community feel that new City Administrators will use this position as a stepping-stone for a higher paying job in a larger community. This may be true but I feel the past two City Administrators have not had a vested interest in the community of David City. I feel strongly about this point and this is the reason for building a home. How could my wife and I be a part of this community and rent a place to live? In my eyes, renting demonstrates an easy way out or an easy way to leave a community because of the lack of vested interest. Building a home is a great risk when combined with the employment uncertainty that is mentioned above.*

To broaden the above-mentioned point, my wife and I are expecting our first-born child in March of 2007.

2. *Consistent leadership is critical to maintaining services within a community. Priorities of those elected into office by a majority vote of their peers may change from year-to-year but running the day-to-day operations of the city will not. I am cognizant of whom I am subordinate to, the City Council and Mayor. The day-to-day operations of the city will not change (consistency) but the future goals of the city will change (inconsistent) because of the leadership change. I am in a subordinate position and I do and will reflect the goals and objectives of those voted into office. I bring this to light because I don't want anyone, citizens or elected officials, to think that an employment agreement with the City Administrator is a way for the current City Council members and Mayor to preserve their goals and objectives. Also, to inform all that I work for whomever is elected into office.*

The Employment Agreement in front of the City Council and Mayor today is based off the Memo of Understanding that the City Council and Mayor approved for the last City Administrator. Significant changes include:

1. *Page 2, Number 5*
 - a. *The severance pay has been increased from three (3) to four (4) years plus one (1) additional month of severance pay for each twelve (12) month period.*
 - i. *Reason – Greater vested interest than past City Administrators.*
 - b. *Maximum severance pay was increased from six (6) months to twelve (12) months*
 - i. *Reason – To encourage City Administrator to stay in the position longer.*
2. *Page 2, Number 8*
 - a. *Compensation to Administrator was changed from \$55,000 to \$50,000*
3. *Page 2, Number 9*
 - a. *An automobile allowance of \$2,400 per year was added.*
 - i. *Reason – So that the City Administrator could use personal vehicle while conducting city business. Automobile allowance avoids the misuse of city funds (vehicle).*
4. *Page 3, Number 10 & 11*
 - a. *City agrees to pay from professional organization and to attend professional trainings.*
 - i. *Reason – City already does this but thought it should be put in this type of document.*
 - ii. *Reason – Professional organization and training allows the City to keep up to date with laws and techniques of city government.*
5. *Page 4, Number 14*
 - a. *The City Administrator position requires many nontraditional hours of work and this would allow the City Administrator to establish appropriate work schedule.*
 - i. *Reason – Many hours are work after 5:00 p.m.*

This City Administrator recommends that the City Council and Mayor consider all changes and address any questions or concern with this agreement in open forum, so that a final agreement could be adopted at the November City Council meeting.

Council member Schatz questioned how Joe came up with \$2,400 for an automobile allowance. This is an arbitrary amount. Schatz stated he didn't have a problem with buying the city administrator a car. Schatz stated "we hire people who are trustworthy – I don't care if he takes a city car home."

City Administrator Johnson stated that he didn't want a city car by any means.

It was questioned if a yearly appointment can be made before December. City Attorney Egr will research this.

Council member Kroesing made a motion to table consideration of an employment agreement with City Administrator Joe Johnson to the November 8, 2006 council meeting. Council member Hein seconded the motion. The employment agreement will also be discussed further at the October 23 Committee of the Whole meeting. Voting AYE: Council members Smith, Schatz, Lukassen, Hein, and Kroesing. Voting NAY: None. Council member Kirby was absent. The motion carried.

