

**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 **13th day of February, 2019**, in the meeting room of the City Office, 557 North 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 6th day of February, 2019.

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; _____
Mayor Alan Zavodny
4. Minutes of the January 23rd, 2019 meeting of the Mayor and City Council; _____
Council President Kevin N. Hotovy
5. Consideration of Claims;
6. Consideration of Pay Estimate #4 to Eriksen Construction Co., in the amount of \$99,749.84 for the Wastewater Treatment Plant Project; _____
Council member Thomas J. Kobus
7. Committee and Officer Reports;
8. Discussion with General Manager Mark Kirby of Butler Public Power District concerning the Sub Transmission Service Agreement and the need to increase the wheeling rate from \$1.10 to \$1.71 and consideration of such; _____
Council member Dana E. Trowbridge
9. Consideration of the request by Jared Storm (Storm Flying Service) to install a water line to his loading pad at the D.C. Airport for aerial spraying use; _____
Council member John P. Vandenberg
10. Public Hearing to consider the minor subdivision plat of Schneider's Addition, a tract of land located in the West Addition to David City, and in the SW ¼ of Section 19 T15N R3E of the 6th P.M., Butler County, Nebraska, containing 3.98 acres, more or less; (located between Oak Street and Road "M" and "D" and "E" Streets); _____
Council member Gary D. Smith
11. Consideration of ORDINANCE NO. 1303 accepting and approving the minor subdivision plat designated as Schneider's Addition (described above); _____
City Clerk Joan E. Kovar

12. Public Hearing to consider annexing the Samuel J. Stara property located in the NW ¼ of Section 18, Township 15 N, Range 3 E of the Sixth P.M., Butler County, Nebraska, described as follows: Commencing at the Northeast Corner of said Northwest Quarter; thence N90°00'00"W (assumed bearing) on the North Line of said Northwest Quarter, a distance of 89.01 feet to a point on the westerly right-of-way line of State Highway No. 15, said point also being the point of beginning; thence S 06°11'15"E on said westerly right-of-way line, a distance of 221.29 feet; thence N 90°00'00" W parallel with said North Line, a distance of 253.85 feet; thence N 00°00'00" E perpendicular to said North Line, a distance of 220.00 feet to a point on said North Line; thence S 90°00'00" E on said North Line, a distance of 230.00 feet to the point of beginning, containing 1.22 acres, more or less;
13. Consideration of ORDINANCE NO. 1304, entitled: AN ORDINANCE TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX TO, THE CITY OF DAVID CITY, NEBRASKA, PART OF THE NORTHWEST QUARTER (NW¼) OF SECTION EIGHTEEN (18), TOWNSHIP FIFTEEN (15), NORTH, RANGE THREE (3), EAST OF THE 6th P.M., BUTLER COUNTY, NEBRASKA; TO PROVIDE BENEFITS THERETO; TO PROVIDE FOR SEVERABILITY; TO CONFIRM ZONING CLASSIFICATION; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE THEREOF; AND TO AUTHORIZE PUBLICATION IN PAMPHLET FORM, (Samuel J. Stara property);
14. Public Hearing to consider annexing the Aurora Cooperative Elevator Company property located in the NE ¼ of Section 13, Township 15 N, Range 2 E of the 6th P.M., Butler County, Nebraska described as follows: Commencing at the Northeast corner of Section 13, Township 15 North, Range 2 East, said point being the point of beginning; thence on an assumed bearing of S 00°00'00" E, along the East line of said Northeast Quarter, a distance of 2,350.33 feet to a point being on the Easterly right-of-way line of Burlington Northern Santa Fe Railroad; thence N 30°51'10"W, along said Easterly right of way line, a distance of 2,723.50 feet to a point on the North line of said Northeast Quarter; thence N 89°29'53"E, along said North line, a distance of 1,396.76 feet to the point of beginning, containing 2.785 acres, more or less;
15. Consideration of ORDINANCE NO. 1305, entitled: AN ORDINANCE TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX TO, THE CITY OF DAVID CITY, NEBRASKA, PART OF THE NORTHEAST ¼ OF SECTION 13, TOWNSHIP 15 N, RANGE 2 E OF THE 6th P.M., BUTLER COUNTY, NEBRASKA; TO PROVIDE BENEFITS THERETO; TO PROVIDE FOR SEVERABILITY; TO CONFIRM ZONING CLASSIFICATION; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE THEREOF; AND TO AUTHORIZE PUBLICATION IN PAMPHLET FORM, (Aurora Cooperative Elevator Company);
16. Public Hearing to consider amending the Zoning Ordinance No. 1060 Article 7: Signs by amending Section 7.02.01 Sign Schedules by adding Pole signs as a Conditional use in TA and amending 7.02.02 Height, Size, Number and Setback Requirements by adding Pole signs Max Sq. Ft as 100', Max Height as 40' and only 1 per property;
17. Consideration of ORDINANCE NO. 1306, entitled: AN ORDINANCE TO AMEND ZONING ORDINANCE NO. 1060 BY AMENDING ARTICLE 7: SIGNS; SECTION 7.02.01 SIGN SCHEDULES, BY ADDING POLE SIGNS AS A CONDITIONAL USE IN TA (TRANSITIONAL AGRICULTURE) AND AMENDING SECTION 7.02.02 HEIGHT, SIZE, NUMBER AND SETBACK REQUIREMENTS BY ADDING THE REQUIREMENTS FOR POLE SIGNS IN TA; 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.

18. Consideration of showing support for the expansion of the Butler County Landfill and restating our support as outlined in Resolution No. 7 – 2018;
19. Consideration of authorizing the purchase of a Hiniker 9285 V-Plow 8'6" wide;
20. Consideration of Resolution No. 2 – 2019 requesting sealed bids for the sale of the property located on the Southwest corner of 5th & "I" Street legally described as Lot 1 and the North 10' of Lot 4, Block 8, Litty's 1st Addition to David City;
21. Consideration of replacing the Slurry Pump at the Water Plant;
22. Consideration of the service renewal for testing and calibrating the meters and equipment;
23. Consideration of a Water Tower & Clearwell Maintenance Project to remove up to three inches (3") of accumulated material from the storage tank floor using underwater vacuum procedures as needed;
24. Consideration of advertising for an entry level employee for the water and sewer departments;
25. Discussion / Consideration of the property located at Lot 2, Block 12, Miles 5th Addition to David City, Butler County, Nebraska (Sanders/Wright property 210 South 8th Street);
26. Consideration of adopting the Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation as a condition of receiving Federal financial assistance for the Municipal Airport;
27. Adjournment;

CITY COUNCIL PROCEEDINGS

February 13, 2019

The City Council of the City of David City, Nebraska, met in open public session in the meeting room of the City Office, 557 North 4th Street, David City, Nebraska. The Public had been advised of the meeting by publication of notice in The Banner Press on February 7th, 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 Agendas which are a part of these minutes. The advance notice to the Public, Mayor, and Council members conveyed the availability of the agendas, which were kept continuously current in the office of the City Clerk and were available for public inspection during regular office hours. No new items were added to the agendas during the twenty-four hours immediately prior to the opening of the Council meeting.

Present for the meeting were: Mayor Alan Zavodny, Council President Kevin Hotovy, and Council members Tom Kobus, Dana Trowbridge, Pat Meysenburg, Gary Smith, and John Vandenberg, City Attorney Jim Egr, and City Clerk Joan Kovar.

Also present for the meeting were: BPPD General Manager Mark Kirby and wife Tina, Planning Commission Members Janis Cameron and Pam Kabourek, Superintendent of David City Public Schools Chad Denker, Jared Storm of Storm Flying Service, Nicholas Schneider, Samuel J. Stara, John Kabourek, Lisa Hlavac and Zach Steinmeyer of Aurora Coop, Sheriff Tom Dion, Street Supervisor Chris Kroesing, and Interim Water Supervisor Aaron Gustin.

The meeting opened with the Pledge of Allegiance.

Mayor Alan Zavodny informed the public of the "Open Meetings Act" posted on the east wall of the meeting room asked those present to please silence their cell phones.

The minutes of the January 23rd, 2019 meeting of the Mayor and City Council were approved upon a motion by Council member Smith and seconded by Council member Kobus. Voting AYE: Council members Meysenburg, Vandenberg, Trowbridge, Hotovy, Kobus, and Smith. Voting NAY: None. The motion carried.

Mayor Zavodny asked for consideration of claims. Council member Smith made a motion to authorize the payment of claims and Council member Meysenburg seconded the motion. Voting AYE: Council members Hotovy, Vandenberg, Meysenburg, Trowbridge, Kobus, and Smith. Voting NAY: None. The motion carried.

Council member Trowbridge made a motion to approve Pay Estimate #4 to Eriksen Construction Co., in the amount of \$99,749.84 for the Wastewater Treatment Plant Project. Council member Vandenberg seconded the motion. Voting AYE: Council members Hotovy, Meysenburg, Kobus, Trowbridge, Vandenberg, and Smith. Voting NAY: None. The motion carried.

Mayor Zavodny asked for any comments or questions concerning the Committee and Officer Reports.

Council member Trowbridge stated that Building Inspector Ray Sueper called to say he was delayed and would not make it to the meeting. Ray had stated that Rodger & Kathy Treat did not meet the 2/4/19 deadline for having 100% of the items removed from their home at 715 4th Street.

City Attorney Egr stated: "I had visited with Treats on February 6th and they were headed back to Colorado because of particular health conditions for Rodger. They would not have been completed with their requirements that the Board of Zoning Adjustment had set. I would advise the Council that it would be my recommendation that we not press to force the condemnation at this particular point in time yet, until we give an extension. I would suggest based on the weather and everything, that they could not complete all the stuff on the inside on the removal. They got most of the downstairs taken care of, the upstairs is still full of a lot of stuff. I had quite an extensive visit with them about the situation. Ray has said that they've accomplished over 50% of the removal of the stuff inside the house, and in light of Rodger's conditions, my recommendation to the Council would be "not to pursue fulfilling the condemnation yet", for at least another 30 – 60 days."

Mayor Zavodny stated: "That does raise several concerns such as "when does compliance mean compliance?". We can't move the goal posts a ton. Everybody who comes before this body expects us to follow some rules and expects us to adhere to rules as they're

set. That being said, I think we need a very formal, drop dead date, because there could always be something: weather, my cat died and I was in mourning for three weeks, those kinds of things.”

Council member Meysenburg stated: “This has been going on for 10 years.”

Council member Trowbridge stated: “It has been; it’s been 10 years. This is exactly the way it went in Octavia until they ended up in District Court, and the Court finally got the last word and the building came down. I’m not for tearing that particular house down, but we need to get this resolved, and by pushing everything ahead does us no good whatsoever; it isn’t going to happen.”

Mayor Zavodny stated: “This needs to be an agenda item, so let’s put this on our two-week agenda and act that night.”

Street Supervisor Chris Kroesing stated that First Star Recycling will be present at the February 27th Council Meeting to discuss the recycling center.

Mayor Zavodny asked Sheriff Tom Dion how our law enforcement was going and Sheriff Dion stated: “I think very well, but do you have any concerns that I need to know about?”

Mayor Zavodny stated: “I would say you haven’t been at it that long but some Firefighters have gone out of their way to tell me that when things come up with them, you are showing up on almost every call that you can. Those are the little things that I think our public notices and the citizens notice and that is greatly appreciated; it helps the scene flow better. You are getting off on the right foot from everything I have heard and I appreciate that.”

Council member Trowbridge made a motion to accept the Committee and Officers Reports as presented. Council member Hotovy seconded the motion. Voting AYE: Council members Smith, Meysenburg, Vandenberg, Kobus, Trowbridge, and Hotovy. Voting NAY: None. The motion carried.

General Manager Mark Kirby, of Butler Public Power District, was present concerning the Sub Transmission Service Agreement and the need to increase the wheeling rate from \$1.10 to \$1.71. General Manager Kirby stated: “Thank You Mayor and Council, I appreciate being here tonight, unfortunately, I don’t like coming here probably anymore than you want me to be here tonight because we had our wheeling rate analyzed in 2018, and for everybody in the audience, the wheeling rate is for Villages and Municipalities that serve their own distribution system, but they use Butler’s transmission system and substation to bring the power to that point and then from that point the Villages or Municipalities take it from there and then they distribute it out to their customers; that’s what the wheeling rate is. So, the last time this wheeling rate was actually studied and acted on was back in 2008, and January 12, 2009 is when the wheeling rate went up and it went up to its current rate right now of 40¢ per KW for the transmission line and 70¢ for the substation. So, for the last ten years that’s what the rates been, and I would assume with the City being in the rate making business that when you don’t look at a rate for ten years, that when you get the analysis back you’re kind of shell shocked.”

General Manager Kirby presented the following information and explained that the report shows what the rates would have been if they would have been constantly analysing their rates.

Kirby provided information and background as to the transmission work and the substation work that has been done since 2008. Butler has spent a total of \$7.4 million dollars on the transmission system in their two counties (Butler & Sanuders) in those ten years. Kirby explained upgrading work that was done west of town, that actually sits as a backfeed for the City of David City, and then in 2013 the wind storm came through and blew 1¾ miles of line down which they had to rebuild. On the substation side they have put in \$1.6 million dollars in that time frame so a total of capital costs of \$9.1 million and that doesn't even include the maintenance and right-of-way work that goes along with the transmission system. So when they calculate their rates, the whole transmission system is all thrown in a bunch and all of the different rates that they have, pays their share; customers can't pick and choose what part of the transmission system they want to be a part of, it's a whole system.

General Manager Kirby stated: "When you go back and look at all the dollars that we've spent over those years, I was not surprised to see that the rate was supposed to go up. I spoke with my Board of Directors, I asked them to possibly looking at a 4 – 5 year time frame of getting caught up. They instructed me to go around and visit with the Villages and Municipalities that are on this rate, and just for your information it's not only David City. David City has two substations, but the Village of Prague has one substation, the Village of Brainard has one substation, and then we wheel power over to Polk County Rural Public Power District, they use the line portion of it, they own their own substation, so there's actually four different entities that are on this rate. So, my Board advised me to go out and start communicating this with the Villages and Municipalities. They would like to try to get caught up within 3 years, starting in 2019, so it will be on their March 11th Board Meeting agenda to raise the rate of the transmission line portion of it from 40¢ to 55¢ and to raise the substation side of it from 70¢ to 72¢. And then the plan is for the next two following years after that, we would raise the transmission line portion part of it 20¢ a year and then the substation side 2¢ a year, so ultimately at the end we would end up at 95¢ and 76¢. Again, I don't like coming here and dropping this on the City, but in my opinion, this rate is being subsidized by all of our other rates because this rate isn't paying their fair share of the costs."

RE: Sub Transmission Wheeling Rates

Dear Mayor:

According to Article 3 of the Sub Transmission Service Agreement between our respective entities, I am enclosing a copy of the latest calculations for establishing the wheeling rates. The last time the wheeling rate was updated was in 2009. The latest calculations show that the wheeling rate needs to be increased from the current \$1.10 to \$1.71.

In 2014 Butler PPD rebuilt nearly two miles of transmission line that functions as a backup for the City of David City. This Capital Project costed \$187,000. I wanted to provide you this

information, so you know that improvements have been made to the transmission system to bring better reliability to your customers.

The Butler Public Power District Board of Directors have discussed the latest calculations and the Board is willing to spread this increase over a three-year period starting in 2019.

I intend to place this matter on the March 11, 2019 Board Meeting Agenda and recommend that it take effect on all bills rendered after April 1, 2019. In the event that there are any concerns about the calculations or wheeling rate, please let me know.

Also enclosed you will find a spreadsheet showing the effect of the rate change.

Thank You,
Mark Kirby
General Manager

WHEELING COST OF SERVICE ANALYSIS
 USING 2017 REA FORM 7 FINANCIAL AND PEAK LOAD DATA
 FOR: BUTLER PUBLIC POWER DISTRICT

9-26-2018 PRELIMINARY DRAFT

PREPARED BY: Nebraska Electric G&T Coop., Inc.

ACCOUNT AND LABEL	FORM 7 TOTAL AMOUNT	ALLOCATED TO SUB-T LINE WHEELING SERVICE	ALLOCATED TO SUBSTATION WHEELING SERVICE	ALLOCATED TO DISTRIBUTION LINE WHEELING SERVICE	ALLOCATED TO DISTRIBUTION TRANSFORM. WHEELING SERVICE	UNALLOCATED TO WHEELING SERVICE	ALLOCATION TOTALS	BASIS FOR ALLOCATION
Part E - Col. (F)								
Land and Land Rights (340)	28,711			28,711			28,711	Direct
Structures and Improvements (351)	0			0			0	Direct
Station Equipment (362)	2,793,832	3,763,832					3,763,832	Direct
Storage Battery Equipment (363)	0			0			0	Direct
Poles, Towers, and Fixtures (364)	9,322,478			9,322,478			9,322,478	Direct
Overhead Conductors and Devices (365)	10,385,502			10,385,502			10,385,502	Direct
Underground Conduit (366)	0			0			0	Direct
Underground Conductors and Devices (367)	1,198,883			1,198,883			1,198,883	Direct
Line Transformers (368)	6,063,641				6,063,641		6,063,641	Direct
Services (369)	2,891,959				2,891,959		2,891,959	Direct
Meters (370)	2,597,251				2,597,251		2,597,251	Direct
Installation on Customer Premises (371)	255,379				255,379		255,379	Direct
Leased Property on Customer Premises (372)	0			0			0	Direct
Street Lighting (373)	0			0			0	Direct
SUB-TOTAL DISTRIBUTION UTILITY PLANT	37,106,680	3,763,832	20,935,584	6,653,641	5,746,623	1,330	37,106,680	100.000%
DISTRIBUTION UTILITY PLANT RATIOS:		12.001%	66.762%	21.247%	1.330		1,330	
Intelligence (201-300)	1,330						1,330	Direct
Land, Land Rights, Roads and Trails (350, 359)	24,080						24,080	Direct
Structures and Improvements (352)	0						0	Direct
Station Equipment (353)	0						0	Direct
Poles, Towers, and Fixtures (354, 355)	2,351,248						2,351,248	Direct
Overhead Conductors and Devices (356)	4,992,790						4,992,790	Direct
Underground Conduit (357)	0						0	Direct
Underground Conductors and Devices (358)	325,123						325,123	Direct
SUB-TOTAL SUBTRANSMISSION UTILITY PLANT	7,665,181						7,665,181	
UTILITY PLANT ALLOCATIONS TOTALS:	44,771,861	3,763,832	20,935,584	6,653,641	5,746,643	1,330	44,771,861	100.001%
UTILITY PLANT RATIOS USED FOR GENERAL PLANT ALLOCATION:	17.006%	12.001%	66.762%	21.247%	12.853%		100.001%	
UTILITY PLANT RATIOS USED FOR DIST. O&M EXPENSE ALLOCATION:								
Land and Land Rights (340)	28,742			28,742			28,742	Utility Plant Ratio
Structures and Improvements (350)	0			0			0	Utility Plant Ratio
Office Furniture and Equipment (351)	507,743			507,743			507,743	Utility Plant Ratio
Total Transportation Equipment (352)	2,892,073			2,892,073			2,892,073	Utility Plant Ratio
Spares, Tools, Shop, Garage, & Lab Equip. (353-355)	456,818			456,818			456,818	Utility Plant Ratio
Power Operated Equipment (356)	0			0			0	Utility Plant Ratio
Communication Equipment (367)	1,142,405			1,142,405			1,142,405	Utility Plant Ratio
Miscellaneous Equipment (368)	37,969			37,969			37,969	Utility Plant Ratio
Other Tangible Property (369)	0			0			0	Utility Plant Ratio
SUB-TOTAL GENERAL PLANT	11,759,681			1,762,546			11,759,681	
TOTAL PLANT IN SERVICE (W/O CRP)	66,473,522	66,473,522	5,505,999	1,762,546	1,762,546	1,330	66,473,522	
UTILITY AND GENERAL PLANT ALLOCATIONS TOTALS:	66,473,522	66,473,522	826,441,583	98,416,197	98,416,197	56,473,639	56,473,639	12.853%
TOTAL PLANT IN SERVICE RATIOS:	17.006%	8.418%	46.821%	14.603%	12.853%	100.001%	100.001%	

WHEELING COST OF SERVICE ANALYSIS
 USING 2017 REAL FORM 7 FINANCIAL AND PEAK LOAD DATA
 FOR: BUTLER PUBLIC POWER DISTRICT

PREPARED BY: Nebraska Electric G&T Coop., Inc.

5-26-2018 PRELIMINARY DRAFT

ACCOUNT AND LABEL	FORM 7 TOTAL AMOUNT	ALLOCATED TO SUB-T LINE WHEELING SERVICE	ALLOCATED TO SUBSTATION WHEELING SERVICE	ALLOCATED TO DISTRIBUTION LINE WHEELING SERVICE	ALLOCATED TO DISTRIBUTION TRANSFORM. WHEELING SERVICE	UNALLOCATED TO WHEELING SERVICE FUNCTION	ALLOCATION TOTALS	BASIS FOR ALLOCATION
ACCOUNT AND LABEL								
Part E - Col (F)								
Land and Land Rights (940)	28,711			28,711			28,711	Direct
Structures and Improvements (951)	0			0			0	Direct
Station Equipment (962)	3,763,832		3,763,832				3,763,832	Direct
Storage Battery Equipment (963)	0			0			0	Direct
Poles, Towers, and Fixtures (964)	9,322,478			9,322,478			9,322,478	Direct
Overhead Conductors and Devices (965)	10,385,502			10,385,502			10,385,502	Direct
Underground Conduit (966)	0			0			0	Direct
Underground Conductors and Devices (967)	1,198,863			1,198,863			1,198,863	Direct
Utility Transformers (968)	6,983,667				6,983,641		6,983,641	Direct
Services (969)	3,891,969				2,891,963		2,891,963	Direct
Meters (970)	2,597,251				2,597,251		2,597,251	Direct
Installation on Customer Premises (971)	256,379				256,379		256,379	Direct
Leased Property on Customer Premises (972)	0				0		0	Direct
Street Lighting (973)	0				0		0	Direct
SUB-TOTAL DISTRIBUTION UTILITY PLANT	37,106,680	3,763,832	20,935,694	20,935,694	6,983,641	5,746,623	37,106,680	Direct
DISTRIBUTION UTILITY PLANT RATIOS:		12.001%	96.762%	96.762%	21.247%	1.530	100.000%	Direct
Land, Land Rights, Roads and Trails (350, 359)	34,660					1,300	34,660	Direct
Structures and Improvements (352)	0						0	Direct
Station Equipment (353)	0						0	Direct
Poles, Towers, and Fixtures (354, 355)	2,351,248						2,351,248	Direct
Overhead Conductors and Devices (356)	4,892,790						4,892,790	Direct
Underground Conduit (357)	0						0	Direct
Underground Conductors and Devices (358)	335,123						335,123	Direct
SUB-TOTAL SUBTRANSMISSION UTILITY PLANT	7,625,161							Direct
UTILITY PLANT ALLOCATIONS TOTALS:	44,731,841							
UTILITY PLANT RATIOS USED FOR GENERAL PLANT ALLOCATION:								
UTILITY PLANT RATIOS USED FOR DIST. O&M EXPENSE ALLOCATION:								
Land and Land Rights (359)	38,742						38,742	Utility Plant Ratio
Structures and Improvements (360)	8,350,843						8,350,843	Utility Plant Ratio
Office Furniture and Equipment (361)	537,743						537,743	Utility Plant Ratio
Total Transportation Equipment (362)	3,852,073						3,852,073	Utility Plant Ratio
Stores, Tools, Shop, Garage, & Lab Equip. (363-365)	459,818						459,818	Utility Plant Ratio
Power Operated Equipment (366)	0						0	Utility Plant Ratio
Communication Equipment (367)	1,143,426						1,143,426	Utility Plant Ratio
Miscellaneous Equipment (368)	37,959						37,959	Utility Plant Ratio
Other Tangible Property (369)	0						0	Utility Plant Ratio
SUB-TOTAL GENERAL PLANT	11,759,691							
TOTAL PLANT IN SERVICE (w/o CMP)	66,473,632							
UTILITY AND GENERAL PLANT ALLOCATIONS TOTALS:								
TOTAL PLANT IN SERVICE RATIOS:								
Land, Land Rights, Roads and Trails (350, 359)	34,660						34,660	Direct
Structures and Improvements (352)	0						0	Direct
Station Equipment (353)	0						0	Direct
Poles, Towers, and Fixtures (354, 355)	2,351,248						2,351,248	Direct
Overhead Conductors and Devices (356)	4,892,790						4,892,790	Direct
Underground Conduit (357)	0						0	Direct
Underground Conductors and Devices (358)	335,123						335,123	Direct
UTILITY PLANT ALLOCATIONS TOTALS:	44,731,841							
UTILITY PLANT RATIOS USED FOR GENERAL PLANT ALLOCATION:								
UTILITY PLANT RATIOS USED FOR DIST. O&M EXPENSE ALLOCATION:								
Land and Land Rights (359)	38,742						38,742	Utility Plant Ratio
Structures and Improvements (360)	8,350,843						8,350,843	Utility Plant Ratio
Office Furniture and Equipment (361)	537,743						537,743	Utility Plant Ratio
Total Transportation Equipment (362)	3,852,073						3,852,073	Utility Plant Ratio
Stores, Tools, Shop, Garage, & Lab Equip. (363-365)	459,818						459,818	Utility Plant Ratio
Power Operated Equipment (366)	0						0	Utility Plant Ratio
Communication Equipment (367)	1,143,426						1,143,426	Utility Plant Ratio
Miscellaneous Equipment (368)	37,959						37,959	Utility Plant Ratio
Other Tangible Property (369)	0						0	Utility Plant Ratio
SUB-TOTAL GENERAL PLANT	11,759,691							
TOTAL PLANT IN SERVICE (w/o CMP)	66,473,632							
UTILITY AND GENERAL PLANT ALLOCATIONS TOTALS:								
TOTAL PLANT IN SERVICE RATIOS:								
Land, Land Rights, Roads and Trails (350, 359)	34,660						34,660	Direct
Structures and Improvements (352)	0						0	Direct
Station Equipment (353)	0						0	Direct
Poles, Towers, and Fixtures (354, 355)	2,351,248						2,351,248	Direct
Overhead Conductors and Devices (356)	4,892,790						4,892,790	Direct
Underground Conduit (357)	0						0	Direct
Underground Conductors and Devices (358)	335,123						335,123	Direct
UTILITY PLANT ALLOCATIONS TOTALS:	44,731,841							
UTILITY PLANT RATIOS USED FOR GENERAL PLANT ALLOCATION:								
UTILITY PLANT RATIOS USED FOR DIST. O&M EXPENSE ALLOCATION:								
Land and Land Rights (359)	38,742						38,742	Utility Plant Ratio
Structures and Improvements (360)	8,350,843						8,350,843	Utility Plant Ratio
Office Furniture and Equipment (361)	537,743						537,743	Utility Plant Ratio
Total Transportation Equipment (362)	3,852,073						3,852,073	Utility Plant Ratio
Stores, Tools, Shop, Garage, & Lab Equip. (363-365)	459,818						459,818	Utility Plant Ratio
Power Operated Equipment (366)	0						0	Utility Plant Ratio
Communication Equipment (367)	1,143,426						1,143,426	Utility Plant Ratio
Miscellaneous Equipment (368)	37,959						37,959	Utility Plant Ratio
Other Tangible Property (369)	0						0	Utility Plant Ratio
SUB-TOTAL GENERAL PLANT	11,759,691							
TOTAL PLANT IN SERVICE (w/o CMP)	66,473,632							
UTILITY AND GENERAL PLANT ALLOCATIONS TOTALS:								
TOTAL PLANT IN SERVICE RATIOS:								
Land, Land Rights, Roads and Trails (350, 359)	34,660						34,660	Direct
Structures and Improvements (352)	0						0	Direct
Station Equipment (353)	0						0	Direct
Poles, Towers, and Fixtures (354, 355)	2,351,248						2,351,248	Direct
Overhead Conductors and Devices (356)	4,892,790						4,892,790	Direct
Underground Conduit (357)	0						0	Direct
Underground Conductors and Devices (358)	335,123						335,123	Direct
UTILITY PLANT ALLOCATIONS TOTALS:	44,731,841							
UTILITY PLANT RATIOS USED FOR GENERAL PLANT ALLOCATION:								
UTILITY PLANT RATIOS USED FOR DIST. O&M EXPENSE ALLOCATION:								
Land and Land Rights (359)	38,742						38,742	Utility Plant Ratio
Structures and Improvements (360)	8,350,843						8,350,843	Utility Plant Ratio
Office Furniture and Equipment (361)	537,743						537,743	Utility Plant Ratio
Total Transportation Equipment (362)	3,852,073						3,852,073	Utility Plant Ratio
Stores, Tools, Shop, Garage, & Lab Equip. (363-365)	459,818						459,818	Utility Plant Ratio
Power Operated Equipment (366)	0						0	Utility Plant Ratio
Communication Equipment (367)	1,143,426						1,143,426	Utility Plant Ratio
Miscellaneous Equipment (368)	37,959						37,959	Utility Plant Ratio
Other Tangible Property (369)	0						0	Utility Plant Ratio
SUB-TOTAL GENERAL PLANT	11,759,691							
TOTAL PLANT IN SERVICE (w/o CMP)	66,473,632							
UTILITY AND GENERAL PLANT ALLOCATIONS TOTALS:								
TOTAL PLANT IN SERVICE RATIOS:								
Land, Land Rights, Roads and Trails (350, 359)	34,660						34,660	Direct
Structures and Improvements (352)	0						0	Direct
Station Equipment (353)	0						0	Direct
Poles, Towers, and Fixtures (354, 355)	2,351,248						2,351,248	Direct
Overhead Conductors and Devices (356)	4,892,790						4,892,790	Direct
Underground Conduit (357)	0						0	Direct
Underground Conductors and Devices (358)	335,123						335,123	Direct
UTILITY PLANT ALLOCATIONS TOTALS:	44,731,841							
UTILITY PLANT RATIOS USED FOR GENERAL PLANT ALLOCATION:								
UTILITY PLANT RATIOS USED FOR DIST. O&M EXPENSE ALLOCATION:								
Land and Land Rights (359)	38,742						38,742	Utility Plant Ratio
Structures and Improvements (360)	8,350,843						8,350,843	Utility Plant Ratio
Office Furniture and Equipment (361)	537,743						537,743	Utility Plant Ratio
Total Transportation Equipment (362)	3,852,073						3,852,073	Utility Plant Ratio
Stores, Tools, Shop, Garage, & Lab Equip. (363-365)	459,818						459,818	Utility Plant Ratio
Power Operated Equipment (366)	0						0	Utility Plant Ratio
Communication Equipment (367)	1,143,426						1,143,426	Utility Plant Ratio
Miscellaneous Equipment (368)	37,959						37,959	Utility Plant Ratio
Other Tangible Property (369)	0						0	Utility Plant Ratio
SUB-TOTAL GENERAL PLANT	11,759,691							
TOTAL PLANT IN SERVICE (w/o CMP)	66,473,632							
UTILITY AND GENERAL PLANT ALLOCATIONS TOTALS:								
TOTAL PLANT IN SERVICE RATIOS:								
Land, Land Rights, Roads and Trails (350, 359)	34,660						34,660	Direct
Structures and Improvements (352)	0						0	Direct
Station Equipment (353)	0						0	Direct
Poles, Towers, and Fixtures (354, 355)	2,351,248						2,351,248	Direct
Overhead Conductors and Devices (356)	4,892,790						4,892,790	Direct
Underground Conduit (357)	0						0	Direct
Underground Conductors and Devices (358)	335,123						335,123	Direct
UTILITY PLANT ALLOCATIONS TOTALS:	44,731,841							
UTILITY PLANT RATIOS USED FOR GENERAL PLANT ALLOCATION:								
UTILITY PLANT RATIOS USED FOR DIST. O&M EXPENSE ALLOCATION:								
Land and Land Rights (359)	38,742						38,742	Utility Plant Ratio
Structures and Improvements (360)	8,350,843						8,350,843	Utility Plant Ratio
Office Furniture and Equipment (361)	537,743						537,743	Utility Plant Ratio
Total Transportation Equipment (362)	3,852,073						3,852,073	Utility Plant Ratio
Stores, Tools, Shop, Garage, & Lab Equip. (363-365)	459,818						459,818	Utility Plant Ratio
Power Operated Equipment (366)	0						0	Utility Plant Ratio
Communication Equipment (367)	1,14							

WHEELING COST OF SERVICE ANALYSIS
 USING 2017 REA FORM 7 FINANCIAL AND PEAK LOAD DATA
 FOR: BUTLER PUBLIC POWER DISTRICT

PREPARED BY: Nebraska Electric G&T Coop., Inc.

ACCOUNT AND LABEL	FORM 7 TOTAL AMOUNT	ALLOCATED TO SUB-T LINE WHEELING SERVICE	ALLOCATED TO SUB-T SUBSTATION WHEELING SERVICE	ALLOCATED TO DISTRIBUTION LINE WHEELING SERVICE	ALLOCATED TO DISTRIBUTION TRANSFORM. WHEELING SERVICE	UNALLOCATED TO WHEELING SERVICE	ALLOCATION TOTALS	BASIS FOR ALLOCATION
Part E - Col. 16								
Land and Land Rights (340)	28,711			28,711			28,711	Direct
Structures and Improvements (351)	0			0			0	Direct
Station Equipment (352)	3,763,832	3,763,832					3,763,832	Direct
Storage Battery Equipment (353)	0			0			0	Direct
Poles, Towers, and Fixtures (354)	9,322,478			9,322,478			9,322,478	Direct
Overhead Conductors and Devices (355)	10,385,502			10,385,502			10,385,502	Direct
Underground Conduit (356)	0			0			0	Direct
Underground Conductors and Devices (357)	1,198,883			1,198,883			1,198,883	Direct
Line Transformers (358)	6,653,641				6,653,641		6,653,641	Direct
Services (359)	2,891,959						2,891,959	Direct
Meters (370)	2,597,251						2,597,251	Direct
Installation on Customer Premises (371)	255,379						255,379	Direct
Leased Property on Customer Premises (372)	0			0			0	Direct
Street Lighting (373)	0			0			0	Direct
SUB-TOTAL DISTRIBUTION UTILITY PLANT	37,106,680	3,763,832	20,935,584	6,653,641	21,247%	1,330	57,108,680	
DISTRIBUTION UTILITY PLANT RATIOS:								
Land, Land Rights, Roads and Trails (350, 358)	1,330					1,330	1,330	Direct
Structures and Improvements (352)	34,680						34,680	Direct
Station Equipment (353)	0						0	Direct
Poles, Towers, and Fixtures (354, 355)	2,351,248						2,351,248	Direct
Overhead Conductors and Devices (356)	4,992,790						4,992,790	Direct
Underground Conduit (357)	0						0	Direct
Underground Conductors and Devices (358)	325,123						325,123	Direct
SUB-TOTAL SUBTRANSMISSION UTILITY PLANT	7,695,151						336,123	
UTILITY PLANT ALLOCATIONS TOTALS:								
UTILITY PLANT RATIOS USED FOR GENERAL PLANT ALLOCATION:	44,713,841						44,713,841	
UTILITY PLANT RATIOS USED FOR DIST. O&M EXPENSE ALLOCATION:	17,006%						100,001%	
Land and Land Rights (340)	7,693,841	3,763,832	20,935,584	5,653,641			5,746,943	Utility Plant Ratio
Structures and Improvements (352)	4,888	8,418%	46,821%	14,803%			12,653%	Utility Plant Ratio
Office Furniture and Equipment (351)	1,086,677	2,400%	13,457%	4,283%			38,742	Utility Plant Ratio
Total Transportation Equipment (352)	137,354	337,991	2,992,277	952,427			6,390,397	Utility Plant Ratio
Spares, Tools, Shop, Garage, & Lab Equip. (353-355)	451,826	67,999	378,192	120,378			507,749	Utility Plant Ratio
Power Operated Equipment (356)	78,197	343,405	1,354,097	431,006			2,892,102	Utility Plant Ratio
Communication Equipment (357)	0	38,707	215,291	68,527			459,822	Utility Plant Ratio
Miscellaneous Equipment (358)	1,142,408	0	0	0			0	Utility Plant Ratio
Other Tangible Property (359)	37,959	96,175	534,928	170,296			1,142,507	Utility Plant Ratio
SUB-TOTAL GENERAL PLANT	11,759,691	3,196	17,777	6,659			37,959	
TOTAL PLANT IN SERVICE (with CMP)	66,473,622	6,959,632	38,613,161	12,902,540			74,585,325	
UTILITY AND GENERAL PLANT ALLOCATIONS TOTALS:								
TOTAL PLANT IN SERVICE RATIOS:		84,753,762	826,441,593	58,416,167			56,473,639	
		5,418%	46,821%	14,803%			100,001%	

WHEELING COST OF SERVICE ANALYSIS
 USING 2017 REA FORM 7 FINANCIAL AND PEAK LOAD DATA
 FOR BUTLER PUBLIC POWER DISTRICT

PREPARED BY: Nebraska Electric G&T Coop., Inc.

9-25-2018 PRELIMINARY DRAFT

Sub	Substation	Substation Load Data	Loss Adjustment (if required)	Substation Peak Demand **	Line-Share Allocation Factor ***	Subtransmission Line Billing Units	Subtransmission Substation Billing Units
Y	Y	3,743	0.00%	3,743	100.00%	3,743	3,743
Y	Y	3,345	0.00%	3,345	100.00%	3,345	3,345
Y	Y	4,105	0.00%	4,105	100.00%	4,105	4,105
Y	Y	6,367	0.00%	6,367	100.00%	6,367	6,367
Y	Y	2,971	0.00%	2,971	100.00%	2,971	2,971
Y	Y	2,857	0.00%	2,857	100.00%	2,857	2,857
Y	Y	3,742	0.00%	3,742	100.00%	3,742	3,742
Y	Y	2,142	0.00%	2,142	100.00%	2,142	2,142
Y	Y	428	0.00%	428	100.00%	428	428
Y	Y	2,415	0.00%	2,415	100.00%	2,415	2,415
Y	Y	4,148	0.00%	4,148	100.00%	4,148	4,148
Y	Y	14,975	0.00%	14,975	100.00%	14,975	14,975
Y	Y	273	0.00%	273	100.00%	273	273
Y	Y	33	0.00%	33	100.00%	33	33
Y	Y	695	0.00%	695	100.00%	695	695
Y	Y	734	0.00%	734	100.00%	734	734
Y	Y	1,165	0.00%	1,165	100.00%	1,165	1,165
Y	Y	2,108	0.00%	2,108	100.00%	2,108	2,108
N	Peak Co. RPPD-Sherby	3,538	0.00%	3,538	32.70%	1,157	0
Y	MFPD-Gratant	1,381	0.00%	1,381	100.00%	1,381	1,381
Y	MFPD-Prague	661	0.00%	661	100.00%	661	661
Y	MFPD-David City	8,369	0.00%	8,369	100.00%	8,369	8,369
		70,306		70,306 TOTAL		67,824	96,667

(includes MW and Traction Motors)

** Actual 2017 average peak hour used for rural substations.
 All loads reflect measurement at bus "A".

*** Enter 100% if you are "last mile", otherwise, enter this empty.

Wheeling Rate Schedule Analysis

Year	Sub T		Wheeling TL	
	Line	Sub	Sub	+ Sub
2003	\$0.34	\$0.59	\$0.93	
2008	\$0.50	\$0.70	\$1.20	
2012	\$0.65	\$0.71	\$1.36	
2014	\$0.86	\$0.84	\$1.70	
2016	\$0.95	\$0.79	\$1.74	
2018	\$0.96	\$0.76	\$1.72	

Year	Total Allocated		Sub-Total Distribution		Sub-Total Utility Plant		Sub-Total Utility		Total Plant in Service		% change +/- from prev yr
	Exp.	Sub-T	Exp.	Sub-T	Exp.	Sub-T	Exp.	Sub-T	Exp.	Sub-T	
2003	\$181,360	\$325,159	\$17,150,251	\$17,150,251	\$1,935,730	\$1,935,730	\$21,667,986	\$21,667,986	\$21,667,986	\$21,667,986	
2008	\$262,062	\$387,120	\$21,956,493	\$21,956,493	\$4,298,507	\$4,298,507	\$29,722,478	\$29,722,478	\$29,722,478	\$29,722,478	37%
2012	\$177,678	\$382,143	\$29,033,378	\$29,033,378	\$5,357,576	\$5,357,576	\$38,670,819	\$38,670,819	\$38,670,819	\$38,670,819	30%
2014	\$303,510	\$448,138	\$27,782,274	\$27,782,274	\$6,218,845	\$6,218,845	\$38,667,542	\$38,667,542	\$38,667,542	\$38,667,542	0%
2016	\$284,787	\$365,500	\$33,041,635	\$33,041,635	\$6,917,171	\$6,917,171	\$45,305,380	\$45,305,380	\$45,305,380	\$45,305,380	17%
2018	\$292,445	\$369,604	\$37,108,680	\$37,108,680	\$7,605,161	\$7,605,161	\$56,473,522	\$56,473,522	\$56,473,522	\$56,473,522	46%

Year	Total Cost Of Electric Service		Operating Margins (5 yr av)		Depreciation & Amortization Expense		Interest on Long Term Debt-Sub		T-Line Total System Loads		Sub-station Total System Loads
	Exp.	Sub-T	Exp.	Sub-T	Exp.	Sub-T	Exp.	Sub-T	Exp.	Sub-T	
2003	\$6,723,493	\$280,081	\$280,081	\$280,081	\$576,577	\$576,577	\$37,717	\$37,717	\$2,124	\$2,124	\$1,245
2008	\$8,255,236	\$225,694	\$225,694	\$225,694	\$757,189	\$757,189	\$35,926	\$35,926	\$9,883	\$9,883	\$9,276
2012	\$20,792,219	\$1,344,548	\$1,344,548	\$1,344,548	\$881,345	\$881,345	\$61,775	\$61,775	\$2,352	\$2,352	\$1,400
2014	\$26,870,096	\$2,271,529	\$2,271,529	\$2,271,529	\$977,827	\$977,827	\$59,388	\$59,388	\$9,946	\$9,946	\$8,290
2016	\$26,023,071	\$2,660,002	\$2,660,002	\$2,660,002	\$1,060,365	\$1,060,365	\$45,110	\$45,110	\$5,283	\$5,283	\$4,030
2018	\$26,103,757	\$2,869,661	\$2,869,661	\$2,869,661	\$1,261,745	\$1,261,745	\$34,478	\$34,478	\$7,824	\$7,824	\$6,667

Year	Total Cost Of Electric Service		Operating Margins (5 yr av)		Depreciation & Amortization Expense		Interest on Long Term Debt-Sub		T-Line Total System Loads		Sub-station Total System Loads
	Exp.	Sub-T	Exp.	Sub-T	Exp.	Sub-T	Exp.	Sub-T	Exp.	Sub-T	
2003	\$6,723,493	\$280,081	\$280,081	\$280,081	\$576,577	\$576,577	\$37,717	\$37,717	\$2,124	\$2,124	\$1,245
2008	\$8,255,236	\$225,694	\$225,694	\$225,694	\$757,189	\$757,189	\$35,926	\$35,926	\$9,883	\$9,883	\$9,276
2012	\$20,792,219	\$1,344,548	\$1,344,548	\$1,344,548	\$881,345	\$881,345	\$61,775	\$61,775	\$2,352	\$2,352	\$1,400
2014	\$26,870,096	\$2,271,529	\$2,271,529	\$2,271,529	\$977,827	\$977,827	\$59,388	\$59,388	\$9,946	\$9,946	\$8,290
2016	\$26,023,071	\$2,660,002	\$2,660,002	\$2,660,002	\$1,060,365	\$1,060,365	\$45,110	\$45,110	\$5,283	\$5,283	\$4,030
2018	\$26,103,757	\$2,869,661	\$2,869,661	\$2,869,661	\$1,261,745	\$1,261,745	\$34,478	\$34,478	\$7,824	\$7,824	\$6,667

City of David City - Wholesale
 Proposed Wheeling Rate Increase Based on Billed KW from 2018

	12.2018	11.2018	10.2018	9.2018	8.2018	7.2018	6.2018	5.2018	4.2018	3.2018	2.2018	1.2018	Year Totals
KW	4408	4514	3529	4926	4981	5495	5495	5495	4654	4183	4887	5376	
Billed KW	5495	5495	5495	5495	5495	5495	5495	5495	5563	5563	5563	5563	
2018 Rate	\$ 0.60	\$ 2,198.00	\$ 2,198.00	\$ 2,198.00	\$ 2,198.00	\$ 2,198.00	\$ 2,198.00	\$ 2,225.20	\$ 2,225.20	\$ 2,225.20	\$ 2,225.20	\$ 2,225.20	\$ 21,081.80
	\$ 0.70	\$ 3,846.50	\$ 3,846.50	\$ 3,846.50	\$ 3,846.50	\$ 3,846.50	\$ 3,846.50	\$ 3,894.10	\$ 3,894.10	\$ 3,894.10	\$ 3,894.10	\$ 3,894.10	\$ 38,941.10
	\$ 0.80	\$ 5,494.50	\$ 5,494.50	\$ 5,494.50	\$ 5,494.50	\$ 5,494.50	\$ 5,494.50	\$ 5,619.30	\$ 5,619.30	\$ 5,619.30	\$ 5,619.30	\$ 5,619.30	\$ 56,193.30
Proposed 2019 Rate	\$ 0.55	\$ 3,022.25	\$ 3,022.25	\$ 3,022.25	\$ 3,022.25	\$ 3,022.25	\$ 3,059.65	\$ 3,059.65	\$ 3,059.65	\$ 3,059.65	\$ 3,059.65	\$ 3,059.65	\$ 30,596.65
	\$ 0.72	\$ 3,956.40	\$ 3,956.40	\$ 3,956.40	\$ 3,956.40	\$ 3,956.40	\$ 4,005.36	\$ 4,005.36	\$ 4,005.36	\$ 4,005.36	\$ 4,005.36	\$ 4,005.36	\$ 40,053.36
	\$ 0.78	\$ 6,978.65	\$ 6,978.65	\$ 6,978.65	\$ 6,978.65	\$ 6,978.65	\$ 7,065.01	\$ 7,065.01	\$ 7,065.01	\$ 7,065.01	\$ 7,065.01	\$ 7,065.01	\$ 70,650.01
Difference	\$ 824.25	\$ 824.25	\$ 824.25	\$ 824.25	\$ 824.25	\$ 824.25	\$ 834.45	\$ 834.45	\$ 834.45	\$ 834.45	\$ 834.45	\$ 834.45	\$ 8,344.45
Difference	\$ 109.90	\$ 109.90	\$ 109.90	\$ 109.90	\$ 109.90	\$ 109.90	\$ 111.26	\$ 111.26	\$ 111.26	\$ 111.26	\$ 111.26	\$ 111.26	\$ 1,112.60
	\$ 894.15	\$ 894.15	\$ 894.15	\$ 894.15	\$ 894.15	\$ 894.15	\$ 945.71	\$ 945.71	\$ 945.71	\$ 945.71	\$ 945.71	\$ 945.71	\$ 9,457.10
													\$ 31,279.18
													\$ 15,454,545.45

	12.2018	11.2018	10.2018	9.2018	8.2018	7.2018	6.2018	5.2018	4.2018	3.2018	2.2018	1.2018	Year Totals
KW	4408	4514	3529	4926	4981	5495	5495	5495	4654	4183	4887	5376	
Billed KW	5495	5495	5495	5495	5495	5495	5495	5495	5563	5563	5563	5563	
Proposed 2019 Rate	\$ 0.55	\$ 3,022.25	\$ 3,022.25	\$ 3,022.25	\$ 3,022.25	\$ 3,022.25	\$ 3,059.65	\$ 3,059.65	\$ 3,059.65	\$ 3,059.65	\$ 3,059.65	\$ 3,059.65	\$ 30,596.65
	\$ 0.72	\$ 3,956.40	\$ 3,956.40	\$ 3,956.40	\$ 3,956.40	\$ 3,956.40	\$ 4,005.36	\$ 4,005.36	\$ 4,005.36	\$ 4,005.36	\$ 4,005.36	\$ 4,005.36	\$ 40,053.36
	\$ 0.78	\$ 6,978.65	\$ 6,978.65	\$ 6,978.65	\$ 6,978.65	\$ 6,978.65	\$ 7,065.01	\$ 7,065.01	\$ 7,065.01	\$ 7,065.01	\$ 7,065.01	\$ 7,065.01	\$ 70,650.01
Proposed 2020 Rate	\$ 0.75	\$ 4,121.25	\$ 4,121.25	\$ 4,121.25	\$ 4,121.25	\$ 4,121.25	\$ 4,172.25	\$ 4,172.25	\$ 4,172.25	\$ 4,172.25	\$ 4,172.25	\$ 4,172.25	\$ 41,722.25
	\$ 0.74	\$ 4,066.30	\$ 4,066.30	\$ 4,066.30	\$ 4,066.30	\$ 4,066.30	\$ 4,116.62	\$ 4,116.62	\$ 4,116.62	\$ 4,116.62	\$ 4,116.62	\$ 4,116.62	\$ 41,166.62
	\$ 8,187.55	\$ 8,187.55	\$ 8,187.55	\$ 8,187.55	\$ 8,187.55	\$ 8,187.55	\$ 8,288.87	\$ 8,288.87	\$ 8,288.87	\$ 8,288.87	\$ 8,288.87	\$ 8,288.87	\$ 82,888.87
Difference	\$ 1,099.00	\$ 1,099.00	\$ 1,099.00	\$ 1,099.00	\$ 1,099.00	\$ 1,099.00	\$ 1,112.60	\$ 1,112.60	\$ 1,112.60	\$ 1,112.60	\$ 1,112.60	\$ 1,112.60	\$ 11,126.00
Difference	\$ 109.90	\$ 109.90	\$ 109.90	\$ 109.90	\$ 109.90	\$ 109.90	\$ 111.26	\$ 111.26	\$ 111.26	\$ 111.26	\$ 111.26	\$ 111.26	\$ 1,112.60
	\$ 1,208.90	\$ 1,208.90	\$ 1,208.90	\$ 1,208.90	\$ 1,208.90	\$ 1,208.90	\$ 1,223.86	\$ 1,223.86	\$ 1,223.86	\$ 1,223.86	\$ 1,223.86	\$ 1,223.86	\$ 12,238.60
													\$ 34,596.56
													\$ 17,322,834.65

	12.2018	11.2018	10.2018	9.2018	8.2018	7.2018	6.2018	5.2018	4.2018	3.2018	2.2018	1.2018	Year Totals
KW	4408	4514	3529	4926	4981	5495	5495	5495	4654	4183	4887	5376	
Billed KW	5495	5495	5495	5495	5495	5495	5495	5495	5563	5563	5563	5563	
Proposed 2020 Rate	\$ 0.75	\$ 4,121.25	\$ 4,121.25	\$ 4,121.25	\$ 4,121.25	\$ 4,121.25	\$ 4,172.25	\$ 4,172.25	\$ 4,172.25	\$ 4,172.25	\$ 4,172.25	\$ 4,172.25	\$ 41,722.25
	\$ 0.74	\$ 4,066.30	\$ 4,066.30	\$ 4,066.30	\$ 4,066.30	\$ 4,066.30	\$ 4,116.62	\$ 4,116.62	\$ 4,116.62	\$ 4,116.62	\$ 4,116.62	\$ 4,116.62	\$ 41,166.62
	\$ 8,187.55	\$ 8,187.55	\$ 8,187.55	\$ 8,187.55	\$ 8,187.55	\$ 8,187.55	\$ 8,288.87	\$ 8,288.87	\$ 8,288.87	\$ 8,288.87	\$ 8,288.87	\$ 8,288.87	\$ 82,888.87
Proposed 2021 Rate	\$ 0.95	\$ 5,220.25	\$ 5,220.25	\$ 5,220.25	\$ 5,220.25	\$ 5,220.25	\$ 5,284.85	\$ 5,284.85	\$ 5,284.85	\$ 5,284.85	\$ 5,284.85	\$ 5,284.85	\$ 52,848.85
	\$ 0.76	\$ 4,176.20	\$ 4,176.20	\$ 4,176.20	\$ 4,176.20	\$ 4,176.20	\$ 4,227.88	\$ 4,227.88	\$ 4,227.88	\$ 4,227.88	\$ 4,227.88	\$ 4,227.88	\$ 42,278.88
	\$ 9,396.45	\$ 9,396.45	\$ 9,396.45	\$ 9,396.45	\$ 9,396.45	\$ 9,396.45	\$ 9,512.73	\$ 9,512.73	\$ 9,512.73	\$ 9,512.73	\$ 9,512.73	\$ 9,512.73	\$ 95,127.30
Difference	\$ 1,099.00	\$ 1,099.00	\$ 1,099.00	\$ 1,099.00	\$ 1,099.00	\$ 1,099.00	\$ 1,112.60	\$ 1,112.60	\$ 1,112.60	\$ 1,112.60	\$ 1,112.60	\$ 1,112.60	\$ 11,126.00
Difference	\$ 109.90	\$ 109.90	\$ 109.90	\$ 109.90	\$ 109.90	\$ 109.90	\$ 111.26	\$ 111.26	\$ 111.26	\$ 111.26	\$ 111.26	\$ 111.26	\$ 1,112.60
	\$ 1,208.90	\$ 1,208.90	\$ 1,208.90	\$ 1,208.90	\$ 1,208.90	\$ 1,208.90	\$ 1,223.86	\$ 1,223.86	\$ 1,223.86	\$ 1,223.86	\$ 1,223.86	\$ 1,223.86	\$ 12,238.60
													\$ 34,596.56
													\$ 17,322,834.65

Much discussion followed.

Council member Trowbridge stated: "These are big numbers over the years. This increase is a big number, what are our options, are there any?"

General Manager Kirby stated: "Well, I would say your options would be that you could come talk to our Board and see if our Board would be willing to spread these over a longer period of time. Once the agenda is set I can e-mail it to Joan, or whatever, and that way whoever would like to attend to address the Board, you would know what agenda item that would be."

Jared Storm of Storm Flying Service was present to request permission to extend a water line to his loading pad for aerial spraying use for the 2019 spray season. Jared stated that he would pay for the extension of the water line and acknowledged that all water used would be metered and billed accordingly.

Council member Trowbridge made a motion to allow Jared Storm of Storm Flying Service to extend the water line, at his expense, at the Airport to his loading pad for aerial spraying, with the understanding that all water will be metered and billed accordingly. Council member Smith seconded the motion. Voting AYE: Council members Hotovy, Vandenberg, Meysenburg, Trowbridge, Smith, and Kobus. Voting NAY: None. The motion carried.

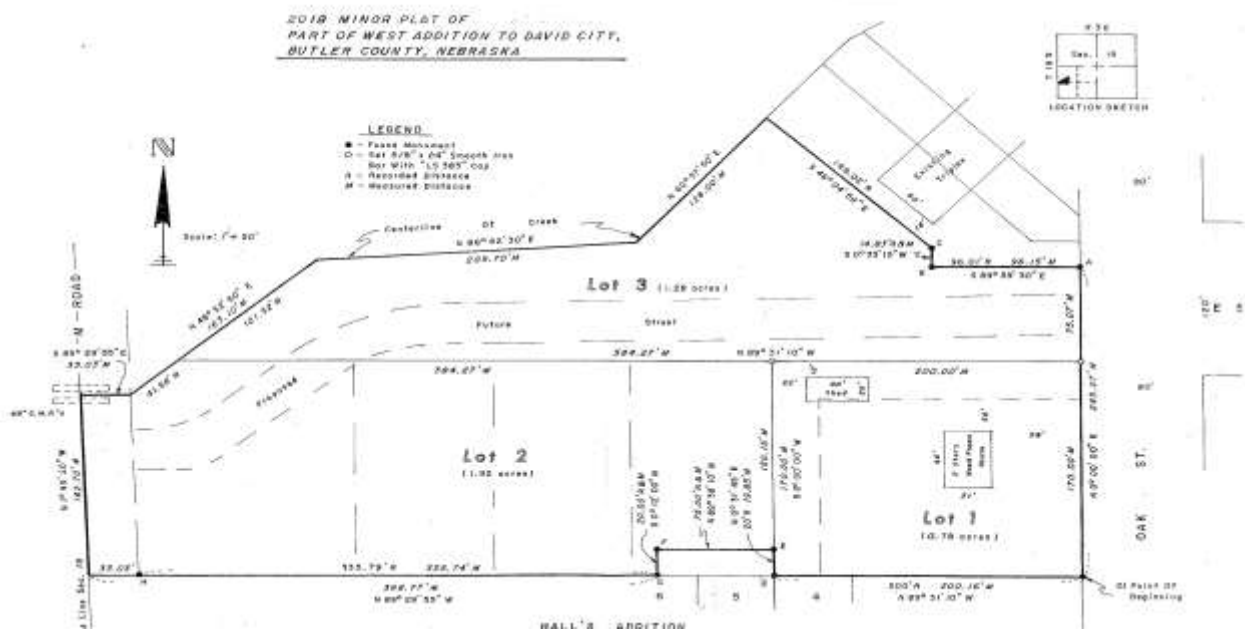


At 7:42 p.m. Mayor Zavodny opened the Public Hearing to consider the minor subdivision plat of Schneider's Addition to the City of David City, as follows:

LEGAL DESCRIPTION OF SCHNEIDER'S ADDITION TO THE CITY OF DAVID CITY, NEBRASKA

A tract of land located in West Addition to David City, and in the SW ¼ of Section 19 T15N R3E of the 6th P.M., Butler County, Nebraska, described as follows:

Beginning at the southeast corner of Outlot 3 of said West Addition, said Point also being the northeast corner of Hall's Addition to David City; thence N 89°31'10" W on an assumed bearing on the north line of said Hall's Addition, 200.16 feet, to the northeast corner of Lot 5 of said Hall's Addition; thence N 0°31'45" E, 19.85 feet; thence N 89°38'10" W, 75.00 feet; thence S 0°12'00" W, 20.00 feet, to a point on the north line of said Hall's Addition; thence N 89°29'55" W, on the north line of said Hall's Addition, 368.77 feet, to a point on the west line of said Section 19; thence N 1°45'20" W, on the west line of said Section 19, 142.70 feet; thence S 89°29'55" E 33.03 feet; thence N 48°52'50" E, 163.10 feet; thence N 86°42'30" E, 205.70 feet; thence N 40°57'50" E, 128.00 feet; thence S 46°04'59" E, 149.02 feet; thence S 0°33'15" W, 14.83 feet; thence S 89°59'30" E, 96.15 feet, to a point on the west line of Oak Street in David City; thence S 0°00'00" W, 245.07 feet, to the Point of Beginning, containing 3.98 acres, more or less.



Council member Trowbridge stated: "Lot 3 fronts on Oak Street but there isn't enough room, if that street ever goes through there, to put a house on either side of it to front on Oak Street."

Nick Schneider stated: "Ray (Sueper-Building Inspector) and I both went out there and measured and there's plenty of room."

Council member Trowbridge stated: "Well this was done by your surveyor (Rich Ronkar) and I would assume it to be a correct depiction of where it is."

Nick Schneider stated: "You are referring to a hypothetical street. The City hasn't bought the ground, it's still my ground."

It was noted that a minor subdivision contains three (3) or fewer lots all fronting on an existing street. Said subdivision does not involve any new street, extension of public utilities or creation of the need for other public improvements.

Planning Commission member Janis Cameron stated: "The Planning Commission made a motion to recommend approval of the Minor Subdivision to the City Council with the stipulation that the house on Lot #3 will be set back from where the future street will be and everything will be done according to the City specifications and the subdivision needs to be changed from an "Administrative" subdivision to a "Minor" subdivision before it goes to Council, and that has been done. Nick is not the one that started this "odd lot" situation. Who-ever put the tri-plex in, they are the ones who really started messing it up." Much discussion followed.

Superintendent of David City Public Schools Chad Denker stated: "I would just plead, or at least ask the City Council to make a decision, sooner rather than later, on this. We sold this house in March with the thought of it being moved off our property July 1st. We are now pushing the middle of February so it's 8 months later and there's still been no progress really made on this. We've got some future additions we want to do. We want to get a water main moved this summer, we have some other future additions we want to get started on maybe as soon as 12 months from now, and we need this house moved one way or the other because we are going to have to dig the basement out, fill it in, and if we have any future plans of expanding to the east of the High School we need to start doing soil samples and all kinds of work we need to do which we can't do until this house is moved off the property. So, as the school district representative I would just ask, that at some point the City Council make a decision and we move on, one way or the other, because at least then we know, and then we can enter into negotiations with the owner of the house or we proceed a little differently."

Mayor Zavodny asked if anyone else cared to speak, and there being no further comments, Mayor Zavodny closed the Public Hearing at 7:58 p.m.

Council member Hotovy introduced Ordinance No. 1303 accepting and approving the Minor Subdivision Plat designated as Schneider's Addition. Mayor Zavodny read Ordinance No. 1303 by title. Council member Hotovy 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 Meysenburg, Trowbridge, Hotovy, Kobus, Smith, and Vandenberg. Voting NAY: None. The motion carried.

Council member Hotovy made a motion to pass and adopt Ordinance No. 1291 on the third and final reading. Council member Smith seconded the motion. Voting AYE: Council members Vandenberg, Meysenburg, Kobus, Smith, Hotovy, and Trowbridge. Voting NAY: None. The motion carried and Ordinance No. 1303 was passed on 3rd and final reading as follows:

ORDINANCE NO. 1303

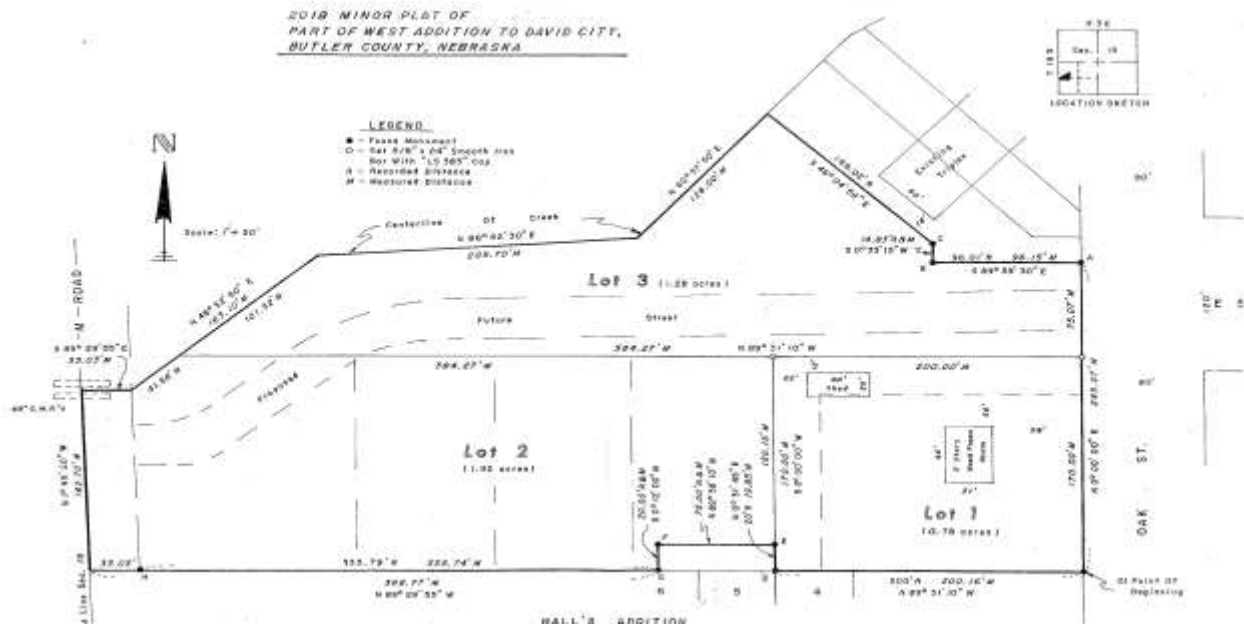
AN ORDINANCE ACCEPTING AND APPROVING THE MINOR SUBDIVISION PLAT DESIGNATED AS "SCHNEIDER'S ADDITION" LOCATED IN THE WEST ADDITION TO DAVID CITY, AND IN THE SW ¼ OF SECTION 19, T15N, R3E OF THE 6TH P.M., BUTLER

**COUNTY, NEBRASKA; REPEALING CONFLICTING ORDINANCES AND SECTIONS;
PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION OF THE
ORDINANCE IN PAMPHLET FORM.**

WHEREAS, Nicholas and Gretchen Schneider, owners of a tract of land located in the West Addition to David City, and in the SW ¼ of Section 19, T15N, R3E of the 6th P.M., Butler County, Nebraska, legally described as follows:

Beginning at the southeast corner of Outlot 3 of said West Addition, said Point also being the northeast corner of Hall's Addition to David City; thence N 89°31'10" W on an assumed bearing on the north line of said Hall's Addition, 200.16 feet, to the northeast corner of Lot 5 of said Hall's Addition; thence N 0°31'45" E, 19.85 feet; thence N 89°38'10" W, 75.00 feet; thence S 0°12'00" W, 20.00 feet, to a point on the north line of said Hall's Addition; thence N 89°29'55" W, on the north line of said Hall's Addition, 368.77 feet, to a point on the west line of said Section 19; thence N 1°45'20" W, on the west line of said Section 19, 142.70 feet; thence S 89°29'55" E 33.03 feet; thence N 48°52'50" E, 163.10 feet; thence N 86°42'30" E, 205.70 feet; thence N 40°57'50" E, 128.00 feet; thence S 46°04'59" E, 149.02 feet; thence S 0°33'15" W, 14.83 feet; thence S 89°59'30" E, 96.15 feet, to a point on the west line of Oak Street in David City; thence S 0°00'00" W, 245.07 feet, to the Point of Beginning, containing 3.98 acres, more or less.

has filed said Plat with the City of David City, Nebraska, and has requested that said Plat be approved and accepted, and





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

Section 1. That the Minor Subdivision Plat for Schneider's Addition, described above and located between Oak Street and Road "M" and "D" and "E" Streets, is hereby accepted and approved and said owners are hereby given the right to plat said Addition to the City of David City, Nebraska.

Section 2. The owners, Nicholas and Gretchen Schneider, shall record the final plat with the Office of the County Assessor and County Clerk of Butler County, Nebraska, pay all recording fees and provide (1) copy of such recorded final plat to the City.

Section 3. This Ordinance shall be published in pamphlet form and shall be in full force and effect from and after its passage and approval as provided by law and city ordinance.

PASSED AND APPROVED this 13th day of February, 2019.

Mayor Alan Zavodny

City Clerk Joan E. Kovar

At 8:02 p.m. Mayor Zavodny opened the Public Hearing to consider annexing the Sam Stara property located in the NW ¼ of Section 18, Township 15 N, Range 3 E of the Sixth P.M., Butler County, Nebraska, described as follows:

Commencing at the Northeast Corner of said Northwest Quarter; thence N90°00'00"W (assumed bearing) on the North Line of said Northwest Quarter, a distance of 89.01 feet to a point on the westerly right-of-way line of State Highway No. 15, said point also being the point of beginning; thence S06°11'15"E on said westerly right-of-way line, a distance of 221.29 feet; thence N90°00'00"W parallel with said North Line, a distance of 253.85 feet; thence N00°00'00"E perpendicular to said North Line, a distance of 220.00 feet to a point on said North Line; thence S90°00'00"E on said North Line, a distance of 230.00 feet to the point of beginning, containing 1.22 acres, more or less;

Sam Stara stated: "Mayor Zavodny, you weren't present at the last month's meeting, but the rest of the Council, if they remember the discussion we had, that's how I still feel tonight and if they're willing to answer any of the questions that were put in front of them at the last meeting, I'd give them another opportunity to answer them; the questions I brought forward. Do you remember the conversation?"

Council member Trowbridge stated: "Yes, I do, and none of them had to do with the rezoning of your property."

Sam Stara stated: "It's all about the same."

Council member Trowbridge stated: "Well "about" doesn't cut it; be correct. Ask your question please."

Sam Stara stated: "Ok, you're right it doesn't. I guess my questions are, what is the City's intention with my property after it's annexed?"

Council member Trowbridge stated: "To collect taxes on it."

Sam Stara stated: "And that's it?"

Council member Trowbridge stated: "With your property? We don't plan on buying it. We don't plan on changing it? We might bring a road in front of you, which you know, heaven forbid."

Mayor Zavodny stated: "The City would be required to work on a plan for water and sewer to extend to that."

Sam Stara asked: "And what does that mean "work on a plan for that" can you explain that?"

Mayor Zavodny stated: "Set a time frame to get it extended to there, and I believe with what our intentions are, that would probably happen sooner rather than later, but we haven't worked on it yet, we haven't done the engineering, but that would be part of the annexation that you would have the right to expect of the City."

Sam Stara asked: "So I won't know this time frame until after it's annexed, is that what you're saying?"

Council member Trowbridge stated: "I don't think the two are tied."

Mayor Zavodny stated: "Yea, probably not, because there's a lot of work that goes into it before it gets to there. It has to be engineered, we have to figure out dead-ending it, is it going to be looped, what's it going to look like? We're on step 3, of probably 100, as far as that whole area, not just your part, but the whole area over there."

Council member Trowbridge stated: "There is nothing in the plans, Sam, that would be negative to your ownership of that piece of ground and that real property."

Sam Stara stated: "I guess as of right now, nothing has been explained, and I guess it's a fear of the unknown that is really concerning. It just doesn't seem to me like the Planning Commission and both halves of the Board are on the same page. I guess that's where I'm getting maybe, as you would say, misinformation or conflicting information; that's all I'm going to say. I'm just looking for a little bit more transparency I guess."

Council member Trowbridge stated: "You indicated that two weeks ago, and I hope you understand that sometimes things aren't ready to become transparent."

Discussion followed.

BPPD General Manager Kirby stated: "And, beings as I'm sitting here and you are considering the annexation of two Butler customers, should we be thinking that maybe you will be taking over service territory as well? Normally, somebody would probably have a conversation with me to let me know that maybe that was the plan, I don't know. From a power supplier, knowing that you're going to annex two of our customers, what does that mean for service charge rights?"

Sam Stara stated: "At the Planning Commission meeting that I attended two meetings ago, it was said that nothing would change with my power service; I would still get it from Butler Public Power; that's what I was told at that meeting."

Planning Commission members stated that they said that they "thought" he would stay with Butler Public Power.

BPPD General Manager Mark Kirby stated: "I am here tonight, because I was the bearer of bad news, and I happened to stumble across two public hearings for annexation of two of our customers. Obviously, I would have been up, I would have said goodbye to everybody and I would have walked out the door, but I wanted to stick around because I just wanted to make sure, I would hope, that if this becomes a conversation that goes further, that somebody would reach out to me, and I would not have to find it on an agenda, ahead of time."

Discussion followed in which it was noted that there have not been any conversations concerning the City taking over any of Butler Public Power District's electric service areas.

There being no further comments, Mayor Zavodny closed the Public Hearing at 8:15 p.m..

Council member Vandenberg introduced Ordinance No. 1304. Mayor Zavodny read Ordinance No. 1304 by title. Council member Hotovy made a motion to pass Ordinance No. 1304 on the first reading only. Council member Trowbridge seconded the motion. Voting AYE:

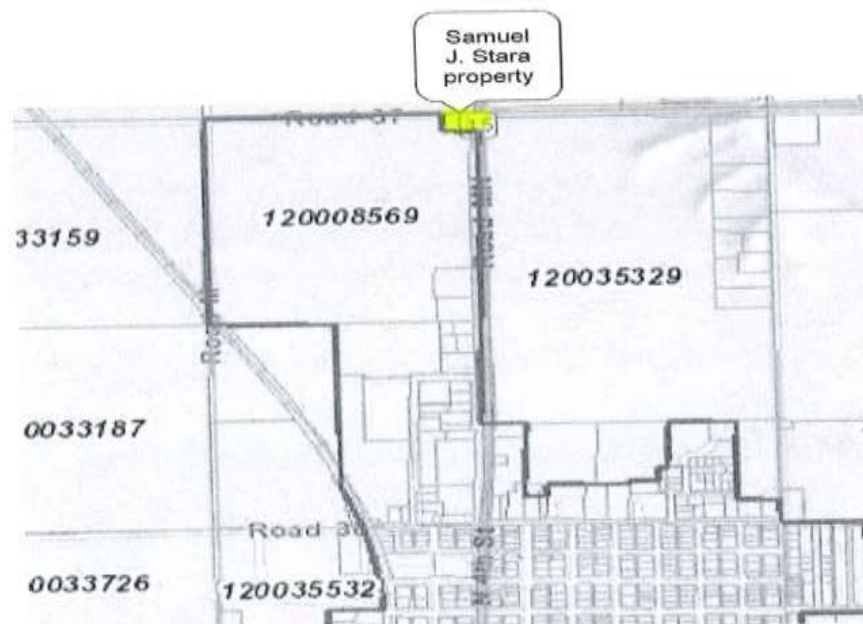
Council members Meysenburg, Vandenberg, Kobus, Smith, Hotovy, and Trowbridge. Voting NAY: None. The motion carried and Ordinance No. 1304 was passed on 1st reading only as follows:

ORDINANCE NO. 1304

AN ORDINANCE TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX TO, THE CITY OF DAVID CITY, NEBRASKA, A TRACT OF LAND LOCATED IN THE NW ¼ OF SECTION 18 T15N R3E OF THE 6TH P.M., BUTLER COUNTY, NEBRASKA, LEGALLY DESCRIBED BELOW, REPEALING ANY ORDINANCES IN CONFLICT HEREWITH; DESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT, AND PROVIDING FOR PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

WHEREAS, a majority of the City Council of the City of David City, Nebraska, favors the annexation of the following described real property and the extension of the city limits to include said property, as follows:

Commencing at the Northeast Corner of said Northwest Quarter; thence N 90°00'00" W (assumed bearing) on the North Line of said Northwest Quarter, a distance of 89.01 feet to a point on the westerly right-of-way line of State Highway No. 15, said point also being the point of beginning; thence S 06°11'15" E on said westerly right-of-way line, a distance of 221.29 feet; thence N 90°00'00" W parallel with said North Line, a distance of 253.85 feet; thence N 00°00'00" E perpendicular to said North Line, a distance of 220.00 feet to a point on said North Line; thence S 90°00'00" E on said North Line, a distance of 230.00 feet to the point of beginning, containing 1.22 acres, more or less;



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

Section 1. That the boundaries of the City of David City, Nebraska, be amended and changed in order to include the above described property.

Section 2. That this Ordinance be filed with the Office of the County Assessor and County Clerk of Butler County, Nebraska, and that the City Clerk be directed to amend the plat filed in her office to show the inclusion of the real estate listed above and that the boundary of David City as amended by this Ordinance be certified and placed on record in the office of the City Clerk of David City, Nebraska.

Section 3. That any Ordinance, setting or establishing boundaries of the City of David City, Nebraska, which is in conflict with this Ordinance be and the same is hereby repealed.

Section 4. This ordinance shall be published in pamphlet form and shall be in full force and effect from and after its passage as provided by law.

Passed and approved this _____ day of _____, 20 19.

2/13/19 passed on 1st reading only
Mayor Alan Zavodny

ATTEST:

2/13/19 passed on 1st reading only
City Clerk Joan E. Kovar

Mayor Zavodny declared the Public Hearing open at 8:17 p.m. to consider annexing the Aurora Cooperative Elevator Company property located in the NE ¼ of Section 13, Township 15 N, Range 2 E of the 6th P.M., Butler county, Nebraska described as follows:

Commencing at the Northeast corner of Section 13, Township 15 North, Range 2 East, said point being the point of beginning; thence on an assumed bearing of S00°00'00" E, along the East line of said Northeast Quarter, a distance of 2,350.33 feet to a point being on the Easterly right-of-way line of Burlington Northern Santa Fe Railroad; thence N30°51'10"W, along said Easterly right of way line, a distance of 2,723.50 feet to a point on the North line of said Northeast Quarter; thence N89°29'53"E, along said North line, a distance of 1,396.76 feet to the point of beginning, containing 2.785 acres, more or less;

Zach Steinmeyer of Aurora Cooperative stated: "I appreciate the opportunity to be able to engage the City Council for my first time. At the Cooperative, we actually just finished our annual meeting the last two days, and one of the workshops on the agenda items was on City vitality and expansion. When it comes to communities there are two communities, actually along the same size and lines, where Aurora has helped and been part of within, whether it be financially or being part of helping with the expansion of the communities. When it comes to the annexation, you know from our side, we do not want to stand in front of any City movement, we

understand that there is some new industry coming to town, possibly some new development coming into town, and with the previous annexation of Mr. Hein's ground, obviously now that puts us adjacent to the property, and I understand that in the future there could be future expansion. One thing, I would like to invite the Board to do is, if there ever is an opportunity that you would like to speak with us about any ways that we could be involved and be helpful with any community projects, that is something that we continue to strive to be part of. That's what a Co-op's supposed to do. In terms of the annexation of our specific property, today I guess, some of the just clarifying questions I want to bring forward is, once we are within the City limits, right now we are within the corporate limits so there are some pieces there already from a zoning standpoint, curious if that would change at all? Currently by the City we are zoned as Transitional Ag for that whole property."

Mayor Zavodny stated: "There is a process we would have to go through to make any change to that and that has not been part of any discussion. Given what you do, I would be hard pressed to think what would better fit than where you're at now as far as zoning."

Zach Steinmeyer of Aurora Cooperative stated: "In terms of coming into the City, just a question of what services then that brings to our property for the company. I already heard the discussion on the water lines so I'm not going to go down that road. Future development; would there be paved roads possibly in front of that if that property of Mr. Heins would develop? How does that usually play out once you are in the City?"

Mayor Zavodny stated: "That probably is one of the questions I would have as well because yours is a little different since we're ending; there is still the gravel road (Road 57) that would be just north of Sam's, you know given the fact that now we would be annexed on both sides of County Road "M" that's something that would have to be considered. I'm certain it's not even in our 1 + 6 Year Street Plan at this point to do something with that. Eventually, depending on what development does occur along that area as we continue to again look at what the City has right around it that would make the most sense. It's a possibility down the road but I am sure we're not going to pave it, it's not eminent."

Discussion followed.

There being no further comments, Mayor Zavodny closed the Public Hearing at 8:25 p.m..

Council member Hotovy introduced Ordinance No. 1305. Mayor Zavodny read Ordinance No. 1305 by title. Council member Hotovy made a motion to pass Ordinance No. 1305 on the first reading only. Council member Trowbridge seconded the motion. Voting AYE: Council members Meysenburg, Vandenberg, Kobus, Smith, Hotovy, and Trowbridge. Voting NAY: None. The motion carried and Ordinance No. 1305 was passed on 1st reading only as follows:

ORDINANCE NO. 1305

AN ORDINANCE TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX TO, THE CITY OF DAVID CITY, NEBRASKA, A TRACT OF LAND LOCATED IN THE NE ¼ OF SECTION 13 T15N R2E OF THE 6TH P.M., BUTLER COUNTY, NEBRASKA, LEGALLY DESCRIBED BELOW, REPEALING ANY ORDINANCES IN CONFLICT HEREWITH; DESCRIBING THE TIME WHEN THIS

ORDINANCE SHALL BE IN FULL FORCE AND EFFECT, AND PROVIDING FOR PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

WHEREAS, a majority of the City Council of the City of David City, Nebraska, favors the annexation of the following described real property and the extension of the city limits to include said property, as follows:

Commencing at the Northeast Corner of Section 13, Township 15 North, Range 2 East, said point being the point of beginning; thence on an assumed bearing of S 00°00'00" E, along the East line of said Northeast Quarter, a distance of 2,350.33 feet to a point being on the Easterly right-of-way line of Burlington Northern Santa Fe Railroad; thence N 30°51'10" W, along said Easterly right-of-way line, a distance of 2,723.50 feet to a point on the North line of said Northeast Quarter; thence N 89°29'53" E, along said North line, a distance of 1,396.76 feet to the point of beginning, containing 2.785 acres, more or less;



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

Section 1. That the boundaries of the City of David City, Nebraska, be amended and changed in order to include the above described property.

Section 2. That this Ordinance be filed with the Office of the County Assessor and County Clerk of Butler County, Nebraska, and that the City Clerk be directed to amend the plat filed in her office to show the inclusion of the real estate listed above and that the boundary of David City as amended by this Ordinance be certified and placed on record in the office of the City Clerk of David City, Nebraska.

Section 3. That any Ordinance, setting or establishing boundaries of the City of David City, Nebraska, which is in conflict with this Ordinance be and the same is hereby repealed.

Section 4. This ordinance shall be published in pamphlet form and shall be in full force and effect from and after its passage as provided by law.

Passed and approved this _____ day of _____, 20 19.

Passed on 1st reading only
Mayor Alan Zavodny

ATTEST:

Passed on 1st reading only
City Clerk Joan E. Kovar

Mayor Zavodny declared the Public Hearing open at 8:26 p.m. to consider amending the Zoning Ordinance No. 1060 Article 7: Signs by amending Section 7.02.01 Sign Schedules by adding Pole signs as a Conditional use in TA and amending 7.02.02 Height, Size, Number and Setback Requirements by adding Pole signs Max Sq. Ft as 100', Max Height as 40' and only 1 per property. Discussion followed. It was noted that if this is approved, an applicant would still have to file an application for a Conditional Use Permit that would be approved or denied by the Planning Commission. There being no further comments, Mayor Zavodny declared the Public Hearing closed at 8:29 p.m..

Council member Hotovy introduced Ordinance No. 1306 amending Article 7: Signs. Mayor Zavodny read Ordinance No. 1306 by title. Council member Hotovy made a motion to suspend the statutory rule that requires an Ordinance be read on three separate days. Council member Trowbridge seconded the motion. Voting AYE: Council members Kobus, Smith, Hotovy, Meysenburg, Trowbridge, and Vandenberg. Voting NAY: None. The motion carried.

Council member Hotovy made a motion to pass and adopt Ordinance No. 1306 on the third and final reading. Council member Trowbridge seconded the motion. Voting AYE: Council members Meysenburg, Vandenberg, Kobus, Smith, Hotovy, and Trowbridge. Voting NAY: None. The motion carried and Ordinance No. 1306 was passed on 3rd and final reading as follows:

ORDINANCE NO. 1306

AN ORDINANCE TO AMEND ZONING ORDINANCE NO. 1060 BY AMENDING ARTICLE 7: SIGNS; SECTION 7.02.01 SIGN SCHEDULES, BY ADDING POLE SIGNS AS A

CONDITIONAL USE IN TA (TRANSITIONAL AGRICULTURE) AND AMENDING SECTION 7.02.02 HEIGHT, SIZE, NUMBER AND SETBACK REQUIREMENTS BY ADDING THE REQUIREMENTS FOR POLE SIGNS IN TA; 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, THAT THE FOLLOWING SECTIONS OF ZONING ORDINANCE NO. 1060 BE AMENDED AS FOLLOWS:

ARTICLE 7: SIGNS

SECTION 7.02.01 SIGN SCHEDULES

Signs shall be permitted in the various districts according to the following schedule:

Zoning District Sign Type	TA	R-1	R-2	R-3	R-M	C-1	C-2	I-1	I-2	FS
Pole	C	--	---	---	---	C	C	C	C	C

SECTION 7.02.02 HEIGHT, SIZE, NUMBER AND SETBACK REQUIREMENTS.

- Signs shall be permitted in the various districts at the listed square footage and heights according to the following schedule. Setbacks for any permanent freestanding sign shall be ten feet from the property line and/or street/road right-of-way, whichever is greater. No signs shall extend into the street/road right-of-way unless provided for herein. All signs shall have a vertical clearance of none feet above any sidewalk, private drive, or parking. All signs shall have a vertical clearance of 12 feet above any public street.

Zoning District Sign Type	TA	R-1	R-2	R-3	R-M	C-1	C-2	I-1	I-2	FS
Pole										
Max. Square Ft. 100 ⁴		100'	--	--	--	--	100 ⁴	100 ⁴	200 ⁴	200 ⁴
Max. Height Ft. 40		40'	--	--	--	--	40	40	40	40
Max. Number	1	--	--	--	--	1	1	1	1	1

This Ordinance shall be in full force and effect from and after passage, approval and publication or posting as required by law.

PASSED AND APPROVED THIS 13th day of February, 2019.

Mayor Alan Zavodny

City Clerk Joan Kovar

The proposed expansion of the Butler County Landfill was discussed. On August 8th, 2018, the City Council passed and approved Resolution No. 7-2018 as follows:

RESOLUTION NO. 7 - 2018

A RESOLUTION OF THE CITY OF DAVID CITY, NEBRASKA, SUPPORTING AN EXPANSION OF THE PERMIT LIMITS OF THE BUTLER COUNTY LANDFILL, INC.

WHEREAS, the City of David City, Nebraska (hereinafter referred to as "David City") is an independent body of government;

WHEREAS, the County of Butler County, Nebraska is an independent body of government;

WHEREAS, Butler County Landfill, Inc. wishes to expand its current permitted limits;

WHEREAS, the Butler County Board of Supervisors have the responsibility to review and approve expansions of Butler County Landfill, Inc. beyond its current permitted limits;

WHEREAS, Butler County Landfill, Inc. has been a member of the business community for approximately 32 years and provided an economic benefit of \$2,158,051 (2017) per year in Butler County;

WHEREAS, Butler County Landfill, Inc., has been producing and marketing methane gas for a number of years now; and

WHEREAS, this renewable source of energy has become a real bonus and currently generates approximately 200,000 MMBtu of energy annually for the area;

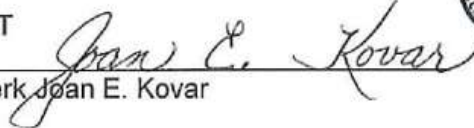
WHEREAS, State law requires that communities and counties provide for and manage solid waste disposal services for their community and Butler County Landfill has been managing the community's solid waste needs since 1992; and

WHEREAS, in order to continue to provide this service, Butler County Landfill will need to expand their permit limits.

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 support the expansion of the permitted limits of the Butler County Landfill, Inc.; and
2. The City of David City, Nebraska, does hereby respectfully recommend that the Butler County Board of Supervisors reach a mutual agreement with Butler County Landfill, Inc. to allow an expansion of the permitted limits of the Butler County Landfill, Inc.

ATTEST


City Clerk Joan E. Kovar




Mayor Alan Zawodny



Butler County Landfill, Inc.

Providing Solid Waste Services for Eastern Nebraska

February 11, 2019

Mayor Alan Zavodny and David City Council members
City of David City
557 N. 4th
David City, NE 68632

Dear Mayor Zavodny and City Councilmembers:

I was recently made aware that the issue of the landfill expansion is on the city council agenda this Wednesday night. I apologize that I will not be able to attend, but I have a prior engagement. As most of you are aware, the city passed a resolution in support of Butler County Landfill's attempts to expand in August 2018; we were extremely appreciative of your support at that time. We are currently in discussions with the Butler County Board of Supervisors regarding the landfill expansion. A hearing was held on January 30th, and the official hearing record is open until March 1st.

With this letter, I would like to update you on a few details regarding our discussions. The Butler County Landfill has agreed to pave 5 miles of County Road R if the Board approves the expansion. We have also offered the County Board a \$.75 per ton host fee. The host fee would result in approximately \$400,000 - \$500,000 annually to Butler County from the Landfill if the expansion is approved and host agreement signed. Obviously, the exact dollar amount is dependent upon tonnage, but our history and projections have us confident in this estimate. Butler County Landfill has only 5-6 years of life remaining without the expansion. If the landfill does not expand, it goes without saying that disposal options for citizens and businesses would be dramatically changed and costs for both would increase.

As you know, Butler County Landfill, Inc. has been a member of the business community for approximately 32 years. We have 19 employees, many of whom live in Butler County and provide an economic benefit of \$2,158,051 (2017) per year in Butler County. In addition to these **actual dollars** spent in the Butler County, we have an annual payroll of \$924,000. The landfill has also been producing and marketing methane gas for several years now. This renewable source of energy has become a real bonus and currently generates approximately 200,000 MMBtu of energy annually. To put this into perspective, this is enough energy to supply David City with 75% of its annual energy needs. This component of our operation employs an additional two people as well.

Finally, Nebraska state law requires that communities and counties provide for and manage solid waste disposal services for their community. Butler County Landfill has been proud to be David City's choice to manage their solid waste needs since the law went into effect in 1992. Again, if the landfill closes, the citizens and businesses of David City and the surrounding communities will pay more for their weekly trash collection. The Butler County Board of Supervisors has the responsibility of reviewing and approving this expansion. Anything that the Council can do to encourage the County Board's approval will be of benefit to your citizens.

Please do not hesitate to call me with any questions at 402-641-8239. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelly Danielson". The signature is fluid and cursive, written over a white background.

Kelly Danielson
District Manager, Butler County Landfill

Council member Trowbridge stated: "The landfill is a hot potato issue and I'd like to reduce this to something that people can understand and that is their wallet, and let's take some of the emotion out of it. If the landfill is closed then we have to select, as a County and a City, where our next site is going to be. Who's going to service this area? That's probably going to be York, Nebraska." Skip went on to explain that there are approximately 1100 accounts / mailboxes so to speak in David City and that is a lot of revenue that will be going to York, NE because some people don't like the smell. The dust is going to go away because Butler County Landfill has agreed to pave 5 miles of County Road R if the expansion is approved. Council member Trowbridge stated: "We have to look out for the financial ramifications of it. I would like to see David City strongly support the continuation of the landfill expansion. The County Board will quickly tell you that it all depends on 6 criteria that determine whether they can vote yes or no, and the criteria they hide behind most frequently is "need"; "we don't need it". Well, if we don't have it we need it. I would lean on the two representatives that we have, and that's Max Birkel and Scott Steager, that we need to support this landfill expansion for the next thirty years. We need to get serious about it."

Mayor Zavodny stated: "If we lose our local landfill, I think you could see your garbage rates more than double, easily, just from the logistics. What I think we need to do is encourage the County Board to work with the neighbors, to work with getting the agreements everybody can live with. No-one's going to be 100% happy, but the pro's far outweigh the con's here if they could mitigate some of the con's. I think they have been reasonably stated as far as the neighbors and blowing trash on their farms, that kind of thing, if they could figure that out. So, I would like to write a letter on the City's behalf encouraging them to try to figure this out and to allow for the expansion."

Council member Trowbridge made a motion to authorize Mayor Zavodny to write a letter on City letterhead, in support of the Butler County Landfill expansion. Council member Kobus seconded the motion. Voting AYE: Council members Meysenburg, Hotovy, Vandenberg, Kobus, Smith, and Trowbridge. Voting NAY: None. The motion carried.

Council member Trowbridge made a motion to accept the bid of Midwest Service and Sales Co. for a new 1 pc Hiniker 9285 V-Plow 8'6" Ploy Trip Edge Flare top, which includes all labor for installation wiring hitch markers and snow deflector, in the amount of \$6,000.00. Council member Kobus seconded the motion. Voting AYE: Council members Smith Vandenberg, Hotovy, Meysenburg, Kobus, and Trowbridge. Voting NAY: None. The motion carried.

Council member Hotovy introduced Resolution No. 2 – 2019, that the City desires to sell the property located on the southwest corner of 5th & "I" Street, legally described as: Lot 1 and the North 10' of Lot 4, all in Block 8, Litty's 1st Addition to David City, and moved for its passage and adoption. Council member Meysenburg seconded the motion. Voting AYE: Council members Trowbridge, Vandenberg, Kobus, Smith, Meysenburg, and Hotovy. Voting NAY: None. The motion carried and Resolution No. 2 - 2019 was passed and approved as follows:

RESOLUTION NO. 2 - 2019

WHEREAS, Nebraska State Statute 17-503 allows any city of the second class to convey any real and personal property owned by it providing the passage of a resolution directing the sale at public auction or by sealed bid of such real and personal property and the manner and terms thereof; and,

WHEREAS, the City of David City, Nebraska, is the owner of the property legally described as Lot One (1) and the North Ten Feet (N 10') of Lot Four (4), all in Block Eight (8), Litty's First (1st) Addition to David City, Butler County, Nebraska, and,



WHEREAS, the City of David City, Nebraska, desires to sell said property, as is, to the bidder that is deemed by the City Council of the City of David City, Nebraska as the most favorable. The City of David City, Nebraska reserves the right to reject any and all bids.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, that the City of David City, Nebraska be allowed to conduct a sale of real property and that notice shall be given that said property is for sale, as is, and that sealed bids be accepted until 3:00 o'clock p.m. on April 24th, 2019 for the sale of the property. All sealed bids shall be publicly opened and read aloud during the Regular City Council Meeting of April 24th, 2019 which convenes at 7:00 o'clock p.m. at the City Office, 557 North 4th Street, David City, NE. Terms of the sale will include a 10% down-payment with the balance payable within 90 days. The buyer shall pay all closing costs associated with said property.

BE IT FURTHER RESOLVED that the City of David City, Nebraska shall set a minimum price of ten thousand dollars (\$10,000.00) and this price shall serve as a minimum price for all sealed bids.

BE IT FURTHER RESOLVED that the sale of real property and the terms thereof shall be published once each week for three consecutive weeks in a legal newspaper published in or of general circulation in David City, Nebraska.

Dated this 13th day of February, 2019.

Mayor Alan Zavodny

(ATTEST)

City Clerk Joan Kovar

Interim Water Supervisor Aaron Gustin stated that it was time to replace the Slurry Pump at the Water Plant and provided a quote from Liberty Process Equipment, Inc. in the amount of \$1,784.00 for a new 2LL4 CDQ Pump.

Following discussion, Council member Kobus suggested rebuilding the current slurry pump so that we will at least have a spare. Kobus stated: "John (Kobus) will rebuild it, he knows how to do that stuff."

Council member Hotovy made a motion to authorize the purchase of a new 2LL4 CDQ Slurry Pump for the Water Plant. Council member Trowbridge seconded the motion. Voting AYE: Council members Meysenburg, Smith, Kobus, Vandenberg, Trowbridge, and Hotovy. Voting NAY: None. The motion carried.

Interim Water Supervisor Aaron Gustin stated that it was time to do preventative maintenance, including testing and calibrating the meters and equipment. Aaron referred to the quote from HACH Company for the PMP-SC100 module that stated: "repair coverage no longer available" and when he checked they stated it will be obsolete within the year and there will be no more parts to repair it. Aaron said that he would like to check different avenues and other options available.

Therefore, Council member Meysenburg made a motion to table consideration of the service renewal for testing and calibrating the meters and equipment for two weeks, to the next meeting – February 27th. Council member Vandenberg seconded the motion. Voting AYE: Council members Smith, Kobus, Hotovy, Trowbridge, Vandenberg, and Meysenburg. Voting NAY: None. The motion carried.

Interim Water Supervisor Aaron Gustin stated that companies will bring a diver out to inspect the water tower and clear well to remove accumulated material from the tank floor using underwater vacuum procedures. Aaron stated that there is no way that he can assess the situation in the water tower, as he doesn't have the necessary equipment for that, nor the training in disinfection which is all regulated.

Council member Trowbridge made a motion to approve a Water Tower & Clearwell Maintenance Project to remove accumulated material from the storage tank floor using underwater vacuum procedures as needed, as quoted by Midco Diving & Marine Services, Inc. Council member Hotovy seconded the motion. Voting AYE: Council members Smith, Vandenberg, Meysenburg, Kobus, Hotovy, and Trowbridge. Voting NAY: None. The motion carried.

TANK DESCRIPTION	
Round 10' Tanker	Clearwell
Flat 10' Tank	BRD 10'
Round 16' x 16' Water Tank	Concrete Water Tanks
1.4' x 1.4' x 1.8' Slope	60' Long x 60' Wide x 1.8' Deep

Midco
Diving & Marine Services, Inc.
January 26, 2019

City of Clark City
Attn: Aaron Gustin
1235 S. St.
Clark City, MO 64832

RE: 8849 Tank Maintenance Project

Thank you for choosing Midco Diving & Marine Services, Inc. – a proud member and supporter of Nebraska Rural Water Association (NRWA). We are pleased to provide the following proposal to perform the scope of work outlined below.

All diving operations are fully insured for "Commercial Diving Operations" including General Liability and Workers' Compensation. Verifiable Certificates of Insurance are available upon request. Midco Diving & Marine Services, Inc. is in full compliance with OSHA 29 CFR 1910, Subpart T - Commercial Diving Operations regulations. OSHA specifies that the minimum acceptable diver training is 20 hours of training. All our divers are certified with 40 hours and continue to use two person dive crews or unpaired personnel please be aware of this when evaluating our proposal. Further, prior to commencing work, and if requested, we will provide you with copies of personnel and equipment certifications which meet or exceed those mandated by OSHA, upon request.

Diver training – been accredited commercial dive school (both sites have been marked)

Completion of Diving Certificate International (DCI) Commercial Diver Certification (both sites have been marked) and subsequently listed as defined in the AEC Certificate Handbook

Current first aid/CPA training (both sites have been marked)

Annual medical examination administered prior to the project (assigned tanks (both sites have been marked)) and yearly test for breathing air equipment – tested every 6 months

Breathing gas supply hoses – tested at least annually to LEI (less than 1000 psi)

Dive gauges – calibrated every 6 months

Inspection
An inspection with a live video recording in DVD format will be made documenting the findings in the tank. No written report will be generated. Inspection procedures include:

- Tank and outlet
- Dewatering
- Roof and floor hatch
- Walks and ladders
- Rust/management work
- Structural damage
- Roof system
- Exterior coatings
- Exterior ladder & rails
- Stairs
- Internal plumbing
- Lights and alarm
- Interior coating
- Tank entry
- Ventilation ducting

Cleaning
Retrieve up to three inches (3") of accumulated material from the storage tank floor using underwater vacuum procedures as needed. Any material that cannot be removed by means of vacuum procedure or material in excess of three inches (3") (.....) will be removed for an address of change with a firm price given while on site. Material such as silt, grit and concrete in consistent clarity and will be removed by hand at an additional charge (.....). All material removed including water and the responsibility of the owner unless prior arrangement are made.

Cleaning & Emergency Pricing (Including Inspection DVD) \$2,000.00
DNR or State Report (Including Inspection DVD) (if requested) \$300.00 Tank
Written Report, EPA or State Report and Inspection DVD (if requested) \$300.00 Tank

This quote and pricing is valid for Thirty Days (30). There are no 10 days for completion on the work unless an LEI is in effect on any special location. All costs of collection including materials removed, insurance attorney's fees (if not to be paid) and necessary collection agency fees to be added to any special location. Any items required to obtain a city license or permit will be added to the final invoice at the current city rate plus appropriate markup. Pricing is also contingent on utility personnel working with our scheduling department to complete the project in timely and profitable manner which includes industry standard working time a weekend. Although we strive to work with utility personnel to complete the project in a timely manner, any delays or cancellations must be notified to Midco Diving & Marine Services, Inc. in writing prior to the start of work. Any delays or cancellations must be notified to Midco Diving & Marine Services, Inc. in writing prior to the start of work. Any delays or cancellations must be notified to Midco Diving & Marine Services, Inc. in writing prior to the start of work. Any delays or cancellations must be notified to Midco Diving & Marine Services, Inc. in writing prior to the start of work.

This quotation has been prepared exclusively for your firm. The contents of this quotation are confidential and are not to be divulged to third parties. This quotation has been prepared using information provided by your firm. Accuracy, completeness or timeliness of information used for estimate are assumed by your firm. We do not assume any liability for errors or omissions in the work program, nor is control of Midco Diving & Marine Services, Inc. over any other work that is being done. If Midco Diving & Marine Services, Inc. is unable to complete the work as described above due to tank access, unclear levels, safety issues, etc. a separate fee may be charged.

Sincerely,
Markus Kelly
Markus Kelly
Regional Sales Manager

Approved by: _____

Name & Title _____ City/Company Name _____ Date _____

Interim Water Supervisor Aaron Gustin stated: "I would like to advertise for an entry level water and sewer individual. We have a busy year coming up, we are cleaning the clarifier, immediately after that we are flushing hydrants, and then we have the sewer slip lining that's going in. They will be needing a dedicated water employee, and we will be going a block or two blocks at a time, and they will have to locate and shut down those services while they are facilitating that upgrade and then turn them back on. That's going to take a lot of time, that's also going to extend over into the fall when we start flushing again. Five is the optimal number of employees, but at this time I am asking for one more. [Currently we have 3 water/sewer employees: CJ Novak, Nathan Styskal, and Aaron Gustin]

Discussion followed in which it was questioned what this employee would actually be doing and working on.

Council member Meysenburg made a motion to table consideration of advertising for an entry level employee for the water and sewer departments for two weeks; to the next Council meeting. Council member Kobus seconded the motion. Voting AYE: Council members Hotovy, Vandenberg, Smith, Kobus, and Meysenburg. Voting NAY: None. Council member Trowbridge abstained. The motion carried.

The property located at Lot 2, Block 12, Miles 5th Addition to David City, Butler County, Nebraska (210 South 8th Street) was discussed.

Council member Trowbridge stated: "I asked that this be placed on the agenda because nothing is happening and nothing is going to happen until we make it happen. I would like to see a committee of two or three people, put in charge of working with Julie Reiter, Bob Wright, Jim Egr, and whoever else to get to the bottom of this and resolve it.

City Attorney Egr stated: "I have visited privately with Julie about this and it should be coming up for taxes, I think the bankruptcy is done with Miss Sanders, it should be coming up for taxes, we buy the property for the taxes, and then what ends up happening, I did a rough calculation, we pay the real estate taxes, the back real estate taxes, the only lien is our lien for taking down the property and like that, and we can excuse that one, and we should be home free and clear to sell the property."

Mayor Zavodny stated: "I've said over a long period of time we just need to get ownership of this so we can dispose of it."

Council member Trowbridge stated: "That's my goal with this."

Mayor Zavodny asked City Attorney Egr to follow up on this and make sure we can get that done.

It was determined that a committee would not be formed but that Council member Trowbridge and City Attorney Egr will work on this. They will also check on the liens that the City has filed on other properties in David City.

Council member Hotovy made a motion to adopt the Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation as a condition of receiving Federal Financial Assistance for the Municipal Airport. Council member Meysenburg seconded the motion. Voting AYE: Council members Vandenberg, Smith, Kobus, Hotovy, Trowbridge, Meysenburg. Voting NAY: None. The motion carried.

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM
David City Municipal Airport
David City, Nebraska

POLICY STATEMENT

1. Definitions of Terms (26.5)

The City of David City, Nebraska is hereinafter referred to as Sponsor. The terms used in this program have been adopted by the Sponsor and have the meanings as defined in 49 CFR 26.5.

2. Objectives /Policy Statement (26.1, 26.23)

The Sponsor has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. The Sponsor has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, the Sponsor has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of the Sponsor to ensure that DBEs, as defined in Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also our policy:

1. To ensure nondiscrimination in the award and administration of DOT assisted contracts;
2. To create a level playing field on which DBEs can compete fairly for DOT assisted contracts;
3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT assisted contracts; and
6. To assist the development of firms that can compete successfully in the market place outside the DBE Program.

Joan Kovar, City Administrator, City of David City, Nebraska, has been delegated as the DBE Liaison Officer. In that capacity, the DBE Liaison Officer is responsible for implementing all aspects of the DBE Program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by the Sponsor in its financial assistance agreements with the Department of Transportation.

The Sponsor has disseminated this policy statement to the governing board of the airport and all the components of our organization. We have distributed this statement to DBE and non-DBE business communities that perform work for us on DOT-assisted contracts. Distribution is included in the bid specification.



Mayor

Date: 2-13-2019

There being no further business to come before the Council, Council member Kobus made a motion to adjourn. Council member Hotovy seconded the motion. Voting AYE: Council members Smith, Meysenburg, Vandenberg, Trowbridge, Hotovy, and Kobus. Voting NAY: None. The motion carried and Mayor Zavodny declared the meeting adjourned at 9:18 p.m.



CERTIFICATION OF MINUTES
February 13th, 2019

I, Joan Kovar, duly qualified and acting City Clerk for the City of David City, Nebraska, do hereby certify with regard to all proceedings of February 13th, 2019; 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.

Joan Kovar, City Clerk