

**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 **10<sup>th</sup> day of April, 2019**, in the meeting room of the City Office, 557 North 4<sup>th</sup> Street, David City, Nebraska.

This agenda is available for public inspection in the office of the City Clerk and may be modified up to twenty-four hours prior to the opening of the meeting.

Dated this 4<sup>th</sup> day of April, 2019.

**AGENDA AS FOLLOWS:**

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|--|---|
| 1. Roll Call;  |   |
| 2. Pledge of Allegiance;   | _____<br>Mayor Alan Zavodny                   |
| 3. Inform the Public about the location of the Open Meetings Act and the Citizens Participation Rules;   |   |
| 4. Minutes of the March 27 <sup>th</sup> , 2019 meeting of the Mayor and City Council;   | _____<br>Council President Kevin N. Hotovy    |
| 5. Consideration of Pay Estimate #6 to Eriksen Construction Co., in the amount of \$135,816.78 for the Wastewater Treatment Plant Project;   | _____<br>Council member Thomas J. Kobus       |
| 6. Consideration of Claims;  |   |
| 7. Committee and Officer Reports;  | _____<br>Council member Dana E. Trowbridge    |
| 8. Consideration of the bids received for the City / D.C. Public Schools Water Main Replacement;   |   |
| 9. Discussion / Consideration of the evaluation and scope concerning the Water Treatment Plant;  | _____<br>Council member Patrick J. Meysenburg |
| 10. Discussion with Deana Zeilinger Briggs concerning the Treat residence at 715 4 <sup>th</sup> Street, David City, NE, legally described as Lots 7,8,9 & 10, Block 5, Original Town of David City; | _____<br>Council member John P. Vandenberg    |
| 11. Consideration of the request by the David City Housing Authority for the City to repair the manhole cover located in the sidewalk along 3 <sup>rd</sup> Street by the Sunshine Court;            | _____<br>Council member Gary D. Smith         |
| 12. Consideration of reappointing Larry McPhillips as a Housing Authority Board of Commissioner for another 5- year term (5 – 2019 thru 5 – 2024);   | _____<br>City Clerk Joan E. Kovar             |

13. Consideration of a "Field Supervisor" job description;
14. Consideration of requesting bids for mowing services;
15. Discussion / Consideration of the increase in the Butler Public Power District's wheeling charge;
16. Consideration of Ordinance No. 1310 adding a pay line for the Field Supervisor position;
17. Adjournment;

## CITY COUNCIL PROCEEDINGS

April 10, 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 4<sup>th</sup> Street, David City, Nebraska. The Public had been advised of the meeting by publication of notice in The Banner Press on April 4<sup>th</sup>, 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 members Tom Kobus, Kevin Hotovy, Gary Smith, John Vandenberg, and Dana Trowbridge, City Attorney Jim Egr, and City Clerk Joan Kovar. Council member Pat Meysenburg was absent.

Also present for the meeting were: Craig Reinsch of Olsson Associates, Deana Zeilinger Briggs, Rick Comte, Housing Authority Executive Director Renee Williams, Planning Commission Members Janis Cameron and Keith Marvin, Sheriff Tom Dion, Building Inspector Ray Sueper, 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 March 27<sup>th</sup>, 2019 meeting of the Mayor and City Council were approved upon a motion by Council member Hotovy and seconded by Council member Vandenberg. Voting AYE: Council members Smith, Kobus, Hotovy, and Vandenberg. Voting NAY: None. Council members Meysenburg and Trowbridge were absent. The motion carried.

Council member Smith made a motion to approve Pay Estimate #6 to Eriksen Construction Co., in the amount of \$135,816.78 for the Wastewater Treatment Plant Project. Council member Hotovy seconded the motion. Voting AYE: Council members Kobus, Vandenberg, Smith, and Hotovy. Voting NAY: None. Council members Meysenburg and Trowbridge were absent. 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 Vandenberg seconded the motion. Voting AYE: Council members Kobus, Vandenberg, Smith, and Hotovy. Voting NAY: None. Council members Meysenburg and Trowbridge were absent. The motion carried.

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

There being no comments, Council member Hotovy made a motion to accept the Committee and Officers Reports as presented. Council member Smith seconded the motion. Voting AYE: Council members Kobus, Vandenberg, Smith, and Hotovy. Voting NAY: None. Council members Meysenburg and Trowbridge were absent. The motion carried.

Craig Reinsch of Olsson stated that as instructed they designed, submitted, and bid the project for the water main replacement / relocation. The bids were opened last Thursday and there were two bids received:

BID TABULATION  
 4-Apr-2019 - Project: #019-0088  
 1:32 p.m. Page 1 of 1

**DAVID CITY & DCPS WATER MAIN RELOCATION  
 DAVID CITY, NEBRASKA - 2019**

CONTRACTOR				Oerist & Company, Inc. Columbus, Nebraska		Vrba Construction, Inc. Schuyler, Nebraska	
Item No.	ITEM	UNIT	QTY.	Unit Price	Extension	Unit Price	Extension
	BASE BID: Consists of constructing approx 400 LF of 6-inch water main installed by either trenching or trenchless technologies, connecting to water mains, bore wo casing, HDD, fittings, valves, fire hydrant assemblies, abandonment of existing water mains, concrete removal and replacement and associated incidental items of work as specified herein and indicated on the drawings for an acceptable and complete installation.						
1	Mobilization/Demobilization/Bond/line	LS	1	\$10,000.00	\$10,000.00	\$25,000.00	\$25,000.00
2	Construction Testing	LS	1	2,000.00	2,000.00	2,000.00	2,000.00
3	6-Inch C900 PVC Water Main	LF	10	30.00	300.00	21.00	210.00
4	6-inch Water Main Horizontal HDD or Bored without Casing	LF	383	45.00	17,235.00	45.00	17,235.00
6	10-inch Gate Valve w/Box, MJ	EA	1	2,350.00	2,350.00	1,775.00	1,775.00
8	8-Inch Gate Valve w/Box, MJ	EA	1	1,225.00	1,225.00	815.00	815.00
7	3/4-Inch Service Line	LF	5	20.00	100.00	12.00	60.00
8	3/4-Inch Tapping Saddle, Corp Stop, Curb Stop & Connection	EA	1	450.00	450.00	350.00	350.00
9	Fire Hydrant Only - No Valve	EA	1	3,250.00	3,250.00	3,000.00	3,000.00
10	6-Inch Direct Tapping Tee & Valve, MJ w/Thrust Block	EA	1	2,750.00	2,750.00	3,800.00	3,800.00
11	Abandon Water Main	EA	2	1,000.00	2,000.00	200.00	400.00
12	Abandon Water Service/Curb Stop	EA	4	350.00	1,400.00	200.00	800.00
13	Ductile Iron Fittings, M.J.	LB	280	6.25	1,625.00	0.75	195.00
14	Wet Cut-in	EA	3	1,250.00	3,750.00	500.00	1,500.00
15	Connect to Existing Water Main (>4-Inch) Water Service	EA	1	1,250.00	1,250.00	600.00	600.00
16	Remove Existing Fire Hydrant Assembly	EA	1	750.00	750.00	500.00	500.00
17	Remove Existing 10-Inch Valve and Box	EA	1	600.00	600.00	500.00	500.00
18	Remove Existing 6-Inch Valve and Box	EA	1	500.00	500.00	500.00	500.00
19	Saw Cut, Remove and Replace Brick Roadway	SY	20	85.00	1,700.00	75.00	1,500.00
20	Saw Cut, Remove and Replace 4-Inch Sidewalk	SF	30	80.00	2,400.00	8.00	180.00
21	Saw Cut, Remove & Replace 8-Inch Concrete Pavement	SY	10	80.00	800.00	75.00	750.00
22	Saw Cut, Remove & Replace Concrete Curb & Gutter	LF	15	100.00	1,500.00	50.00	750.00
23	Aggregate Roadway Surfacing	TN	15	40.00	600.00	50.00	750.00
24	Seeding and Mulching	LS	1	3,600.00	3,600.00	2,000.00	2,000.00
	<b>TOTAL BASE BID:</b>				<b>\$61,935.00</b>		<b>\$64,870.00</b>
	Substantially Complete On or Before:				July 17, 2019		July 17, 2019
	Complete and Ready for Final Payment On or Before:				July 31, 2019		July 31, 2019
	Addendum No. 1				March 28, 2019		April 1, 2019
	Bid Guarantee:				5% Bid Bond		5% Bid Bond
	Remarks:						

Craig Reinsch stated: "The estimate for the project was \$68,000. The bids range from \$61,935.00 to just under \$65,000.00 and so we are recommending that the award be made to Obrist & Company, Inc. They will be done in time for school to start and there will be liquidated damages if they are not; that was a question that the David City Public School asked. I will tell you that I did share this information with DCPS Superintendent Chad Denker and he provided me with a little bit of an update on what they are doing around the site, so they may wish to add, I guess there is a fire line that they didn't tell us about that's on the line that's going away, so, how that works with what their plan is, they haven't decided if they are going to do that as part of this or on their own. There is a service line to their bus barn that we've asked them to move to one of the other areas, and so they are going to take care of that."



April 5, 2019

City of David City  
Attn: Ms. Joan Kovar, Acting City Administrator  
P.O. Box 191  
David City, Nebraska 68632-0191

Re: City and DCPS Water Main Replacement  
David City, Nebraska  
Olsson Project No. 019-0366

Dear Mayor and Members of the Council:

On Thursday, April 4, 2019, bids were received for the above referenced project. The purpose of this letter is to summarize the bids received and provide the City with our recommendations for making an award on the project. A bid tabulation showing the results received has been prepared for the project and is enclosed for your reference. The bid covers the installation of the new 6-inch water main along D Street from 8<sup>th</sup> to 9<sup>th</sup> Streets, and abandonment of the existing 6-inch water main along 8<sup>th</sup> Street from D to E Streets, as shown in the contract documents. It is our understanding that the financial arrangements regarding cost split of the project with David City Public Schools (DCPS) and the City are anticipated to be completed outside of the bid award and recommendation process.

A total of two (2) bids were received for the project from Obrist and Company (Columbus, NE) and Vrba Construction (Schuyler, NE). The bids ranged from \$61,935.00 to \$64,870.00. The lowest bid was provided by Obrist and Company.

All bids received were below the engineer's opinion of costs of \$68,000 for the project. This Contractor is considered to be a responsive bidder, so it is our recommendation that an award should be made to Obrist and Company, Inc in the amount of \$61,935.00 for the Base Bid. It is recommended that the bids be accepted by the City.

Please feel free to contact us with any additional questions that you may have.

Sincerely,

A handwritten signature in black ink that reads "Craig Reinsch". The signature is written in a cursive, flowing style.

Craig Reinsch, PE

Encl.

Cc: Mr. Chad Denker, DCPS Superintendent

Council member Hotovy made a motion to approve the bid of Obrist and Company for the base bid of \$61,935.00 for the City and DCHS Water Main Replacement. Council member Vandenberg seconded the motion. Voting AYE: Council members Kobus, Smith, Vandenberg, and Hotovy. Voting NAY: None. Council members Meysenburg and Trowbridge were absent. The motion carried.

Mayor Zavodny stated: "One of the other things that I don't think we've settled on yet with the David City Public School is that we talked about a cost share on that."

City Clerk Joan Kovar reported that Superintendent Chad Denker of David City Public Schools stated that they would contribute \$50,000 towards this project.

**Joan Kovar**

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**From:** Chad Denker <Denker@dcscouts.org>  
**Sent:** Wednesday, April 10, 2019 8:23 AM  
**To:** Craig Reinsch  
**Cc:** jkovar@davidcityne.com; Chad Denker  
**Subject:** Re: David City and DCPS water main relocation bid recommendation

Ms Kovar

I assume the city and school will work out the payment details once approved by the city. I would say the school would pay \$50,000 of the project if that helps. I cannot be at the city council meeting tonight because we have our own board meeting at the same time. Sorry.

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Council member Kobus stated: "You can't beat that deal."

Mayor Zavodny stated: "That was in the range I was hoping we could settle upon."

The next agenda item was discussion concerning an evaluation and scope concerning the water treatment plant.

Craig Reinsch of Olsson stated: "My understanding is that there was a discussion at the February 27<sup>th</sup> Council Meeting, and I got a call from Gil Frey a week or so afterwards saying that there was some interest at taking a look at the existing water plant, or maybe replacing it, or maybe looking for a different supply. I asked some questions and before the bid opening, I called a meeting to say "what kind of scope do you want us to do, how far do you want us to take it, what's the end game and the time frame?" One of the items that came out of that meeting is maybe we have a discussion here so that I have a little more direction from the Council as to how you would like me to proceed."

Mayor Zavodny stated: "We are clear that we are one of the few Cities that have a pretty big geographic area that has a lime softening water treatment plant. We have, over the years, at least in my 9 years of sitting in this chair, figured out that that big chemistry experiment isn't the best for us. It's such a delicate balance to get things to work, you know it's something the citizens should deserve, a good water source, and it's hard to keep that plant in balance, it's

hard to keep good operators considering its past it's life expectancy, so the discussion we had is what options do we have? Is there a better system? I mean it's been forty plus years since that was done, so are there better options than that? Would it be something that if we go far enough out, we can get water that maybe wouldn't need treatment and if people wanted a softener in their house, they could do that. We are at the part right now where every option is on the table, but we need to see, if one of them isn't feasible, we systematically start paring it down to what might work."

Craig Reinsch of Olsson asked: "Would the end goal be that you would request funding to do a project similar to what's going on at the Wastewater Plant now?"

Mayor Zavodny stated: "I don't know if we got that far. Just in a general way, what's out there now, what are the options?"

Craig Reinsch of Olsson stated: "If I were to make a recommendation it would be, if you're curious about source water, we can look and pull some samples. Normally, we look at a 10 – 20 mile radius of town, but at the end of the day, you know there was a water treatment plant evaluation done in 2012 with the existing plant; some recommendations. If the end game is, whatever we do we want to take that information we put together and submit it for funding consideration, if we do that, then we would really need to compare three options. One would be what would it take to get the existing system upgraded? Is there an alternative treatment type and if you want to look for the source water. Those would be the tree options. We would do a report similar to what we did for the wastewater plant that would compare all of those options and package it so that it could be considered for funding."

Mayor Zavodny stated: "I think some of the other things that we need to consider is, right now we have the one gentleman who has the permitting to operate the water treatment plant under his operating certificate, so, if we source a different place how does that factor into the equation? The other things that I think are major concern is, we don't want a money pit. We fix one thing and then the next thing breaks and doesn't work and then we end up with a worse system. I think we've reached a point that we're just kind of done with that. I don't think we feel confident that without a lot of money and being able to keep people to figure out all the nuances of that thing working, that it's worth it; that's just not what we want to do."

Discussion followed. Mayor Zavodny stated the only way he would even want to look at upgrading the existing system is if the operation could be simplified significantly. It was noted that there is a lot more automation that can be done today.

Council member Dana Trowbridge arrived at 7:13 p.m.

Craig Reinsch stated: "The one thing that I wanted to make sure that the Council realized with the facility is that it's not just treating iron and manganese and it's not just softening. With some of the wells that have been put on-line, those wells are high in arsenic as well, and so the City actually benefitted from the treatment type that's there, because that arsenic is removed as part of that process and no treatment modifications really needed to be made to allow for that arsenic removal. There are different technologies out there to do a different kind of filtration but it would have to include arsenic and the State would be looking to make sure it takes care of arsenic. There are more automated facilities, but you will still have to monitor your chemicals, you will still have daily testings, etc. If we look for a different water source we would have to see if we could find a source that doesn't have iron and manganese in

this area, and the challenge is, you are looking, but if we don't sample for everything then obviously we want to make sure that we sample for what we know. Brainard is struggling with selenium, an area east of Wahoo is testing high for radio nuclei, the uranium and things. It sounds like what you are asking for would fit really well within this preliminary engineering report, that would answer all of your questions, put the lines together, and then it's something that you could then turn around and utilize for funding."

Council member Zavodny asked: "By our next meeting would you be able to put together a proposal of what that might cost?"

Craig Reinsch stated: "Yes."

Council member Trowbridge stated: "Let's also look at a cost comparison so we know which total direction it takes us."

Craig Reinsch stated: "That would be in there, and it will help to answer those questions of the funding agencies who would want that comparison also. Neither one of those options at this point are going to be cheap."

Mayor Zavodny stated that brings us to agenda item #10: Discussion with Deana Zeilinger Briggs concerning the Treat residence at 715 4<sup>th</sup> Street, David City, NE.

Deana Zeilinger Briggs introduced herself and stated that she was being an advocate for the house. It was her family that built it, Ray Zeilinger was her father, and Orletha Zeilinger, who ran the Fabric Shoppe, was her grandmother. Deana asked: "Why are we asking to have the Chauncey House torn down?"

Council member Trowbridge stated: "Where have you been for ten years?"

Deana stated: "Not in David City."

Council member Trowbridge stated: "Well obviously."

Rick Comte was also present to say he agreed with Deana and did not want to see the house, a historic landmark, demolished.

Mayor Zavodny stated: "This has been going on a while. I think we've gotten to this point because the property was declared a nuisance. We are advertising for bids which we hope to have by May 8<sup>th</sup>. Everyone has opinions on this. I believe that nobody actually wants to see it torn down but we have been fighting this for quite some time and haven't received much cooperation from the owner. We know nothing about any transfer, or sale of the property, we are dealing with a hypothetical, so we are going to stay our course for now, based on what we've done. Now, what I am going to suggest to the Council this evening, and I will promise to have this to you by our next meeting in two weeks is, and I've talked to Counsel about this, and my thinking is taking Counsel out of the equation and hiring someone who does this all the time to make sure our i's are dotted and t's are crossed, and I bring it to you for your consideration to guide us through this process because they have remedies available to them and I'm guessing this will end up, probably where it needs to end up, and that will be the court system."

Much discussion followed.



Council member Hotovy stated: "Let's figure out a way to get it fixed the best way possible and be done with it."

Council member Trowbridge stated: "The safest way for everyone concerned."

Planning Commission member Keith Marvin stated: "Somebody could pull that cover off; that's just an accident waiting to happen."

Housing Authority Executive Director Renee Williams stated: "When Mat & Chris came over last week to look at it, I went out to look with them, and they thought they could just kind of grind it off and then put a new ring around it and everything, but it's concrete. So, like the outside is concrete or whatever so they can't really grind it off, so unless you really fill it, and it's kind of heaved up and the sidewalk has sunk down, that you are still going to have an issue there."

Council member Hotovy stated: "That's what I'm saying. Why couldn't you fill it, it's underground water obviously, why couldn't we just fill it and put a cap over it?"

Aaron Gustin stated: "That would have to be looked at by the electric department."

Planning Commission Member Janice Cameron stated: "They're not joined though, they are like bare wires only they don't join, they're like coming from this way and that way and then there is water 2' or a foot underneath that."

Mayor Zavodny stated: "You're ignoring the fact that we have this in an old water line, this whole thing is stupid. We should go in, do it right, and there's no reason to have a manhole there. Why would we replace something that obviously we really have no need for?" Fill it, compact it, pour a new sidewalk, and it's one less problem that twenty years from now when some guy walks in there thinking it's an abandoned water line and gets zapped, especially if there are bare wires, it needs to be fixed."

Council member Hotovy stated: "It needs to be fixed correctly. I would get the electric department there, see if they can get wires that aren't being used terminated and out of the way, wires that are used make sure they are okay to be underground, fill it up, compact it, put a concrete cap over it, and done."

Mayor Zavodny stated: "If you can, by the next meeting, if the electric department could come and tell us how we can get that fixed and done away with, that would be good. That's all we are going to do for tonight, we'll have the electric department come in two weeks and hopefully be closer to getting that just gone. Then you have a straight sidewalk and don't have to worry about anybody tripping over it or getting in it. Level may be the word I wanted to use."

Housing Authority Executive Director Renee Williams stated: "No, it's not going to be level but it's going to be less of a trip hazard."

Council member Hotovy asked: "How would it not be level?"

Housing Authority Executive Director Renee Williams stated: "Because it's so high up." (It was explained that that would be gone.) You're going to pull out the concrete and everything? Oh, that would be great, let's do that, get rid of that whole thing."

Council member Trowbridge made a motion to reappoint Larry McPhillips as a Housing Authority Board of Commissioner for another 5-year term (May 2019 thru May 2024). Council member Hotovy seconded the motion. Voting AYE: Council members Smith, Kobus, Vandenberg, Hotovy, and Trowbridge. Voting NAY: None. Council member Meysenburg was absent. The motion carried.

Council member Hotovy made a motion to approve the Water/Wastewater Field Supervisor job description. Council member Vandenberg seconded the motion. Voting AYE: Council members Smith, Kobus, Vandenberg, Hotovy, and Trowbridge. Voting NAY: None. Council member Meysenburg was absent. The motion carried.

**Class Title: Water/Wastewater Field Supervisor**  
**Department: Water/Waste Water**

GENERAL PURPOSE

Oversees as well as performs a variety of skilled maintenance work, and operates a variety of equipment in the construction, operation, repair, maintenance, and replacement of City water and sewer systems.

ESSENTIAL DUTIES AND RESPONSIBILITIES

- Inspects and/or repairs chlorination system, lime feed/disposal systems, pumps, meters, floats, sensors, probes, various other monitoring equipment, and water distribution and sewer collection systems at frequent intervals to insure that all aspects of lime softening water treatment plant, water distribution system, activated sludge wastewater treatment plant and sewage collection system are all functioning properly.
- Communicates effectively with other Water and Sewer staff and Contractors in regards to projects and project priority and helps manage, oversee, and/or facilitate completion of said project.
- Determines the locations of water and sewer lines from the appropriate sources prior to excavation.
- Responds to complaints regarding water leaks, pressure loss or no water, sewer backups and evaluates the, situation, takes necessary action.
- Contacts residents and business owners in area where services will be temporarily suspended due to projects and/or emergencies and maintain appropriate communication
- Insures the proper maintenance of equipment and tools, including cleaning and checking equipment and tools after use.
- Performs routine inspection and preventive maintenance on assigned equipment and refers defects or needed repairs to supervisor; cleans equipment.
- Operates light and medium-sized construction and power equipment including, but not limited to Sewer-jet/Vac combo truck, backhoe, skid-loader, tractor, mower, dump truck, hydraulic snow blade, etc.
- Performs all duties in accordance to appropriate safety and security standards.
- Performs required labor involved in construction and maintenance projects as part of a crew, including pavement cutting, ditch digging, manhole and sewer line cleaning, water main and pipe repair, laying, backfilling and final grading

- Cuts, fits, lays, repairs, taps, cleans and flushes water mains, pipe, gates and fittings on repair of mains and services and installation of services, fire hydrants; assists in shutting off broken sections of water mains.
- Assists in the training of lower level employees to increase their skills in the maintenance, construction and repair of water, sewer, street and storm drainage facilities.
- Services water supply, sewer liftstations and other pumps.
- Trains all other department employees in all of the above tasks.
- Provides other department employees with personal job responsibilities, goals and/or various daily tasks.
- Gives input on Department Head Reports to submit to the council each month to communicate departmental tasks, goals, concerns, etc as well as current project statuses, issues and resolutions.
- Takes all necessary steps to efficiently provide the best quality water and wastewater services to the customers the city serves.

#### PERIPHERAL DUTIES

- May be on loan to other departments as needed.

#### DESIRED MINIMUM QUALIFICATIONS

##### Education and Experience:

- A. Graduation from high school education or GED equivalent, and
- B. Two (2) years of experience relating to construction, maintenance, or repair, or
- C. Any equivalent combination of education and experience.

##### Necessary knowledge, Skills and Abilities:

- A. Some knowledge of equipment, facilities, materials, methods and procedures used in maintenance, construction and repair activities.
- B. Skill in operation of some of the listed tools and equipment.
- C. Ability to perform heavy manual tasks for extended periods of time.
- D. Ability to work safely.
- E. Ability to establish and maintain effective working relationships with employees, other departments and the public.
- F. Ability to communicate effectively.
- G. Ability to understand and carry out written and oral instructions.

#### SPECIAL REQUIREMENTS

- A. Valid Nebraska Driver's license and CDL B certification, or ability to obtain one.
- B. Must obtain State of Nebraska certification as a Water Operator and Sewer Operator
- C. Must obtain certification in Cross Connection Control. (Backflow)

#### TOOLS AND EQUIPMENT USED

Motorized vehicles and equipment, including dump truck, back-hoe, tractor, skid loader, mower, pickup truck, utility truck, jet/inductor (combo) truck, man lift, tamper, plate compactor, saws, pumps, compressors, sanders, generators, common hand and power tools, shovels, wrenches, detection devices, mobile radio, phone, etc.

#### PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The employee is occasionally required to walk; sit; climb or balance; stoop, kneel, crouch, or crawl; and smell.

The employee must frequently lift and/or move up to 25 pounds and occasionally lift and/or move up to 100 pounds.

#### WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. While performing the duties of this position, the employee regularly works in outside weather conditions. The employee frequently works near moving mechanical parts and is frequently exposed to wet and/or humid conditions and vibration, extreme heat, and subzero temperatures for prolonged periods of time. The employee occasionally works in high, precarious places and is occasionally exposed to fumes or airborne particles, toxic or caustic chemicals, and risk of electrical shock. Confined space entry, close quarter environmental work may be required.

The Mayor and Council discussed possibly requesting bids for mowing services. Power Plant Supervisor Eric Betzen used to mow the following:

- The City Office
- North Substation (by Timpte)
- Jaycee Park
- Water Tower – ditch, inside fence, and a strip outside of fence
- Well #14 (11<sup>th</sup> & “F”)
- Power Plant
- Across the street west of the power plant
- Across the railroad tracks north of the power plant (drainage ditch)
- Water Plant and across the street south – City easement – that the well house sits on.

Mayor Zavodny stated: “Is this everything we need done? This is what Eric used to mow but are there other areas? Again, using City employees with training, certifications, etc., it doesn’t make sense to have them mowing. The Airport, we are leaving alone because we don’t need somebody inexperienced knocking over expensive Airport equipment, and the Park.”

City Clerk Kovar stated: “We will probably have several of the lots where the City has taken buildings down, the northeast corner of 3<sup>rd</sup> & “E”, the Walter Goesch property, the lot on the Southeast corner of 11<sup>th</sup> & “B”, etc. We will have to watch these and see if anyone is mowing them or if the City will be required to mow them.”

Mayor Zavodny stated: “I would say we add those also so the City employees aren’t mowing them.”

Council member Trowbridge asked: “Whose mower are we not going to use for this?”

Interim Water Supervisor Aaron Gustin stated: “Eric had a mower at the Power Plant with a snow blower on the front of it that he would use.”

Mayor Zavodny stated: “So do we have an asset that we don’t need any more, then why not put it out for bids like Cities do.”

Council member Trowbridge asked: “And we have a plasma cutter that we don’t need anymore because we don’t have anyone to use it.”

Mayor Zavodny stated: “As we go into the budget, I would like to evaluate the plasma cutter and any equipment we are not using; it’s stupid to keep things we aren’t going to use.”

Interim Water Supervisor Aaron Gustin stated: “There is a pressure washer over there that would work really well for lime. It’s one of the Hotsy’s that’s in good condition and it would work really well in terms of cleaning that dump truck, cleaning out that bed.”

Mayor Zavodny stated: “Well for now, that’s fine, we have it, use it.”

Council member Trowbridge stated: "The point being Alan, we are going to pay someone to use their own mower, when we already have the equipment. Wouldn't it be cheaper to hire some kid for \$9/hour, on a seasonal part-time basis?"

Mayor Zavodny stated: "I had that thought too. What I want you to do between now and our next meeting is consider: do we hire a person for \$9/hr. on our equipment."

Council member Trowbridge stated: "And that person could use the power plants pick-up and trailer to haul the mower around."

Mayor Zavodny stated: "They're an employee, they certainly should be, why not? That's probably our cheapest route."

City Clerk Kovar asked: "How old is this kid going to be?"

Council member Trowbridge and Mayor Zavodny both stated: "Person."

City Clerk Kovar stated: "If it's a kid; I'm worried about the kid. Has he had his driver's education, is he going to be covered by our insurance if he has an accident if he's driving our vehicles?"

Council member Trowbridge stated: "We're hiring a human being, forget I said kid."

Mayor Zavodny stated: "Well, we're going to have to advertise and see who applies; \$9/hr. or \$10/hr. to mow, we're still coming out way ahead from what we were paying some of our guys, and taking away time that they could use to be getting electric lines out of old abandoned water lines."

Mayor Zavodny stated: "So, in two weeks, we are going to decide if we want to hire an employee, or if we want to put it out for bids for professional mowing services to do. So, decide which way you want to go, do you want to advertise for an actual mowing service to do it, or do we advertise and hire somebody?"

Mayor Zavodny stated that the next agenda item was Discussion / Consideration of the increase in the Butler Public Power District's Wheeling Charge.

Council member Trowbridge stated: "I asked for that. With the homework that's been done on this particular issue, I believe that they cannot support a 70% increase. They cannot intelligently support a 70% increase because our needs, our flow of kilowatt hours has changed insignificantly since 2008, when we had our last rate increase on wheeling, and at that point in time, the general manager took the time to write us a letter to tell us "don't put your own service in because we're not going to raise your service more than 1% a year, if that, and if we get the pump station out here west of town, it will be significantly less than 1% a year", and he elected for the next 6 years of his term to not raise it a penny a year, and then he's gone for four years and now we need a 70% increase, and I want to go before the Power Review Board and have them take a peak at this, because this is what they do, this is something they would adjudicate, they will not give an adjudication that says it has to be this. They simply will say that we don't believe 70% is a good number, and then if you end up in District Court, there is no better evidence than having the Power Review Board not agree with the 70% increase. 70% is \$70,000 a year; am I right? Close? For the rest of your life, and they don't need it and they

can't support it and I'd bet money on that. So, I would suggest that we ask for a review by the Power Review Board."

City Attorney Egr stated that he would have to research this process.

Mayor Zavodny stated: "I am sure the request is simple, what I am saying is, determining what it should be is not without some complications because the definitions of what they are going to argue is, this is what it takes to maintain the whole grid that gets to you and your share. I would say though, when you look at a 70% increase, I can't imagine us trying to do a 10% increase on anything."

Council member Trowbridge stated: "When the total universe of billable kilowatt hours has probably doubled, therefore the costs per kilowatt hours relative to substations has come down significantly, because that pump station, I will guess, has almost doubled their capacity."

Mayor Zavodny asked: "Does anybody have any idea how they arrived at the math they did to come up with this, because I tried...."

Council member Trowbridge stated: "They commissioned a rate survey and you and I both know how rate surveys go, it's how much money do you want to make, and we'll make the rate survey match."

Mayor Zavodny stated: "We've lost several employees from our electrical department down there because they pay more, so then we're going to end up paying for them, us not being able to compete with them for employees. That's the part that's a little maddening in this thing. I would also like to know; I could not determine what our other options are."

Council member Trowbridge stated: "I think it's binary, you pay it or you don't."

City Attorney Egr stated: "I don't think we have any other options, other than we don't pay the bill and they take us to court for not paying the bill."

Mayor Zavodny stated: "Well, that's the wrong way to approach things. I think the right way is to say the one entity who does is the Power Review Board and says: "you know, you can't just charge anything you want."

Council member Trowbridge stated: "I think we should entertain a fair offer should be, as they told us ten years ago, ten to eleven percent."

City Attorney Egr stated: "Even though they did a rate study that based upon the last four years, I think we have a right to rely upon the letter that was sent to us about that, because we detrimentally relied upon that letter. We would have taken other action but for that letter."

Mayor Zavodny stated: "If we knew 70% was coming, I can almost promise you would."

Discussion followed. It was noted that the letter the City had received from BPPD General Manager Gary Westphal dated April 24, 2009 should be shared with Mark Kirby of BPPD. City Attorney Egr will research the process of how to get an opinion from the Power Review Board.

# BUTLER

PUBLIC POWER DISTRICT



April 24, 2009

Honorable Dana Trowbridge, Mayor  
City of David City  
PO Box 191  
David City, NE 68632

RE: Banner-Press article, April 16, 2009

Dear Mr. Trowbridge:

I read with interest that David City is looking at power supply and delivery alternatives. Hopefully, cost effectiveness will be a key factor in your decision. We feel that Butler PPD provides a reliable power delivery service for David City at a low cost. We will be interested to see the results of your study regarding the City's possible purchase of a high voltage transmission system, and hope you will share it with us. My 'back of the envelope' calculation shows it will cost upwards of \$200,000 per mile for line construction and \$700,000 for the purchase of each transformer/breaker. Therefore, five miles of line and two transformers/breakers will have an initial cost of \$2.4 million. This figure does not include engineering, easements, other required substation equipment, and substation construction. In addition there will be annual, on-going costs for debt service, facility operation and maintenance and insurance fees. Then add the costs for training and continued education for a certified switchman.

With Butler PPD's delivery service, David City pays a monthly charge which includes Butler PPD's operation and maintenance of all lines and substation equipment, as well as future replacements. It is an all-inclusive, stable rate without risk of high-dollar capital improvement costs hitting the City. The City does not pay new transformer costs unless the City requests significant requirement increases. An often overlooked advantage of the Butler PPD wheeling charge is that it is a network rate. That is, it includes any facilities that can be used for wheeling to the City from multiple directions. For example, should the line east of town be out of service, you may be served from another location. If you have only one line serving the City, your exposure to outages increases and reliability suffers.

To base a financial decision on a forty year payback one must make many assumptions. With technology advancing at its present rate I feel confident that we will be using new expertise in twenty years, which will incorporate better and lower cost options. As we have done in the area of load management, Butler PPD will be at the forefront of applying new techniques and knowledge, and David City will benefit from them through the use of our delivery system.

A projected annual growth rate of 2% was noted in the article. However, the average annual kW growth for the City from 02-08 was 0.6%. If the City generates from methane future growth would likely be negative. Also, annual wheeling rate increases will most likely be less than 1%. In fact, with significant additional load, total costs could be spread over more billing units, thereby lowering wheeling costs. I hope you'll consider all of the above information before burdening the City's residents with costs that are currently being shared by all, and subsequently, to the benefit of all.

Sincerely,

A handwritten signature in blue ink that reads "Gary S. Westphal P.E." is written over the typed name.

Gary S. Westphal P. E.

General Manager

cc: City Council Members, Joe Johnson and Larry Peirce

1331 - 4th Street • PO Box 349 • David City, NE 68632

Phone: 402/367-3081 • 800-230-0569 • Fax: 402/367-6114



1331 4<sup>th</sup> Street  
David City, Nebraska 68632  
402-367-3081 or 800-230-0569

January 23, 2019

Alan Zavondy  
Mayor of David City  
City of David City  
PO Box 191  
David City, NE 68632

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,

A handwritten signature in cursive script that reads "Mark Kirby".

Mark Kirby  
General Manager

Council member Hotovy introduced Ordinance No. 1310 adding a pay line for the Water / Wastewater Field Supervisor. Mayor Zavodny read Ordinance No. 1310 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 Vandenberg seconded the motion. Voting AYE: Council members Trowbridge, Hotovy, Smith, Kobus, and Vandenberg. Voting NAY: None. Council member Meysenburg was absent. The motion carried.

Council member Hotovy made a motion to pass and adopt Ordinance No. 1310 on the third and final reading. Council member Vandenberg seconded the motion. Voting AYE: Council members Vandenberg, Kobus, Smith, Hotovy, and Trowbridge. Voting NAY: None. Council member Meysenburg was absent. The motion carried and Ordinance No. 1310 was passed on 3<sup>rd</sup> and final reading as follows:

**ORDINANCE NO. 1310**

AN ORDINANCE **ADDING A PAY LINE FOR A WATER / WASTEWATER FIELD SUPERVISOR**; REPEALING ALL ORDINANCES OR PORTIONS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND PROVIDING FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

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

**SECTION 1.** The Mayor and City Council of David City, Nebraska, do hereby establish and fix the pay scales and salaries for the following positions for the appointed officers and employees of the City of David City, Nebraska:

Full-Time Staff (Hourly Rate of Pay)

STEP	Probationary	6 mo.	1	2	3	4	5	6	7	8	9	10	11	12	13	
<b>Office Staff</b>																
Clerical I	11.02	11.27	11.52	11.78	12.05	12.30	12.60	12.87	13.16	13.48	13.77	14.08	14.39	14.74	15.04	
Acct Clerk I	13.43	13.73	14.04	14.35	14.70	15.00	15.35	15.70	16.06	16.41	16.78	17.15	17.54	17.92	18.34	
Acct Clerk II	15.67	16.02	16.37	16.73	17.14	17.50	17.89	18.31	18.72	19.11	19.55	19.99	20.45	20.90	21.37	
(incl .50/hr. CMC)	(Ord. 1192)	14	15	16	17	18	19	20	21	22	23	24	25			
		21.86	22.35	22.87	23.38	23.91	24.44	25.01	25.56	26.14	26.71	27.32	27.93			
<b>Utility Staff</b>																
Power Plant Op I	13.83	14.14	14.43	14.78	15.11	15.44	15.80	16.15	16.51	16.89	17.27	17.66	18.06	18.46	18.88	
Power Plant Op II	17.35	17.72	18.14	18.53	18.95	19.39	19.82	20.25	20.72	21.18	21.66	22.16	22.64	23.13	23.67	
Power Plant Op III	17.82	18.24	18.63	19.05	19.48	19.92	20.39	20.83	21.28	21.79	22.27	22.77	23.28	23.80	24.34	
<b>Apprentice Lineman</b>																
Line worker II	15.32	15.64	16.02	16.37	16.72	17.11	17.49	17.88	18.28	18.71	19.10	19.55	19.98	20.44	20.89	
		20.11	20.54	21.01	21.49	21.96	22.45	22.97	23.47	24.01	24.55	25.11	25.68	26.25	26.85	27.45

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Line worker I	21.13	21.61	22.09	22.58	23.09	23.61	24.15	24.69	25.24	25.81	26.41	26.98	27.60	28.22	28.86	
Line Foreman	22.77	23.28	23.79	24.33	24.86	25.45	26.00	26.58	27.19	27.81	28.45	29.08	29.73	30.40	31.09	
Water/Sewer Op I	13.12	13.47	13.75	14.05	14.37	14.71	15.02	15.37	15.72	16.07	16.44	16.79	17.17	17.56	17.96	
WA/SE Op 1 w Gr VI	13.93	14.25	14.57	14.89	15.24	15.56	15.92	16.27	16.64	17.02	17.40	17.79	18.19	18.59	19.01	
WA/SE Operator II	15.88	16.23	16.60	16.98	17.36	17.73	18.15	18.54	18.96	19.40	19.83	20.26	20.73	21.20	21.67	
WA/SE Op II w Gr VI	16.63	17.02	17.40	17.77	18.19	18.58	19.01	19.44	19.87	20.32	20.79	21.24	21.73	22.21	22.72	
WA/SE Op III w Gr VI	19.01	19.44	19.87	20.32	20.79	21.24	21.73	22.21	22.71	23.22	23.73	24.29	24.82	25.39	25.94	
Waste Water Plt Op	17.94	18.35	18.76	19.17	19.62	20.07	20.51	20.96	21.44	21.92	22.40	22.93	23.38	23.97	24.49	
STEP	Probation	6 mo.	1	2	3	4	5	6	7	8	9	10	11	12	13	
City Maintenance Staff																
Laborer I	11.02	11.27	11.52	11.78	12.05	12.30	12.60	12.87	13.16	13.48	13.77	14.07	14.38	14.73	15.03	
Laborer II	13.00	13.29	13.60	13.90	14.22	14.52	14.86	15.19	15.52	15.89	16.24	16.61	16.99	17.37	17.74	
Maint Worker I	13.65	13.95	14.28	14.60	14.93	15.28	15.59	15.95	16.30	16.67	17.06	17.44	17.82	18.24	18.63	
Maint Worker II	14.32	14.67	14.97	15.32	15.67	16.02	16.37	16.73	17.12	17.50	17.89	18.30	18.72	19.11	19.55	
Street Foreman	17.61	18.01	18.41	18.82	19.25	19.68	20.13	20.57	21.04	21.52	21.98	22.49	23.00	23.50	24.05	
Bartenders	9.00	Min Wage														
Recycling Workers	9.00	Min Wage														
Summer Time Help	9.00		9.20	9.41	9.62											
	Probationary	6 Mo	1	2	3	4	5	6	7	8	9	10	11	12	13	
<b>Supervisors</b>																
Park & Aud Supt.	17.54	17.92	18.33	18.75	19.16	19.61	20.06	20.49	20.94	21.42	21.90	22.39	22.91	23.42	23.95	
Street Supt.	21.69	22.18	22.68	23.18	23.70	24.25	24.78	25.34	25.90	26.50	27.08	27.71	28.32	28.96	29.63	
	14	15	16	17	18	19	20	21	22	23	24	25				
	<u>30.29</u>	<u>30.97</u>	<u>31.67</u>	<u>32.38</u>	<u>33.10</u>	<u>33.85</u>	<u>34.60</u>	<u>35.39</u>	<u>36.17</u>	<u>36.99</u>	<u>37.83</u>	<u>38.67</u>				
Water Super w/Gr VI	21.35	21.85	22.34	22.86	23.36	23.90	24.41	24.96	25.52	26.11	26.68	27.30	27.91	28.54	29.17	
	14	15	16	17	18	19	20	21	22	23	24	25				
	<u>29.83</u>	<u>30.51</u>	<u>31.18</u>	<u>31.89</u>	<u>32.60</u>	<u>33.34</u>	<u>34.08</u>	<u>34.84</u>	<u>35.63</u>	<u>36.43</u>	<u>37.26</u>	<u>38.08</u>				
Wastewater Super w/Gr VI	21.35	21.85	22.34	22.86	23.36	23.90	24.41	24.96	25.52	26.11	26.68	27.30	27.91	28.54	29.17	
<b>Field Supervisor</b>	<b>21.35</b>	<b>21.85</b>	<b>22.34</b>	<b>22.86</b>	<b>23.36</b>	<b>23.90</b>	<b>24.41</b>	<b>24.96</b>	<b>25.52</b>	<b>26.11</b>	<b>26.68</b>	<b>27.30</b>	<b>27.91</b>	<b>28.54</b>	<b>29.17</b>	
Power Plant Supervisor	22.36	22.88	23.38	23.92	24.44	25.01	25.56	26.14	26.71	27.32	27.93	28.56	29.20	29.85	30.53	
Electric Supervisor	25.49	26.07	26.64	27.26	27.88	28.50	29.14	29.83	30.45	31.14	31.84	32.56	33.31	34.04	34.80	

- 1) 15 Steps Total
- 2) Approximately 2.25% between steps
- 3) The salary range from Probationary Salary to Step 13 (maximum) is 37%

Permanent Part-time Staff (Hourly  
 Rate of Pay)

Part-time workers	9.76	9.99	10.21	10.43	10.68	10.90	11.15	11.42	11.65	11.94	12.20	12.48	12.76	13.03	13.34
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Swimming Pool	A	B	C	D	E	F	G	H	I	J
Staff	1	2	3	4	5	6	7	8	9	10
Manager	12.50	12.78	13.05	13.36	13.65	13.97	14.30	14.61	14.93	15.28
Asst. Manager	12.04	12.28	12.58	12.86	13.14	13.44	13.74	14.05	14.36	14.70
Head Lifeguard	11.09	11.38	11.64	11.94	12.21	12.50	12.78	13.05	13.35	13.61
WSI Lifeguard	9.50	9.79	10.07	10.36	10.65	10.91	11.20	11.49	11.76	12.06
Lifeguard	8.71	8.83	8.94	9.04	9.17	9.29	9.39	9.49	9.62	9.73
Sw Lesson Aid	8.16	8.27	8.38	8.50	8.62	8.72	8.84	8.95	9.06	9.18
Aerobics Instructor	10.31	10.41	10.52	10.65	10.76	10.86	10.98	11.09	11.20	11.32
Concession/Games/Cleaning	8.16	8.27	8.38	8.50	8.62	8.72	8.84	8.95	9.06	9.18

Salaried Staff Pay Plan (Annual Rate of Pay)

Position	Minimum	Mid-Point	Maximum
Clerk/Treasurer	\$57,700	\$68,378	\$79,055

Notes:

- 1) Exempt (salaried) Employees are subject to the same 2.25% annual step increase as non-exempt employees as well as any Cost-of-Living Adjustments (COLA) as approved by the City Council.
- 2) The range spread from Minimum Starting to Maximum is approximately 37%.

SECTION 3. Any and all ordinances or sections thereof, passed and approved prior to the passage, approval and publication or posting of this ordinance, and in conflict with its provisions, are hereby repealed.

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

PASSED AND APPROVED this 10<sup>th</sup> day of April, 2019.

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Mayor Alan Zavodny

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City Clerk Joan Kovar

There being no further business to come before the Council, Council member Vandenberg made a motion to adjourn. Council member Hotovy seconded the motion. Voting AYE: Council members Kobus, Smith, Trowbridge, Hotovy, and Vandenberg. Voting NAY: None. Council member Meysenburg was absent. The motion carried and Mayor Zavodny declared the meeting adjourned at 8:05 p.m.



CERTIFICATION OF MINUTES  
April 10<sup>th</sup>, 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 April 10<sup>th</sup>, 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.

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Joan Kovar, City Clerk