

## CITY COUNCIL PROCEEDINGS

February 14, 2007

The City Council of the City of David City, Nebraska, met in open public session in the meeting room of the City Office, 557 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 February 8<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 Agenda which is a part of these minutes. The advance notice to the Public, Mayor, and Council members conveyed the availability of the agenda, which was kept continuously current in the office of the City Clerk and was available for public inspection during regular office hours. No new items were added to the agenda during the twenty-four hours immediately prior to the opening of the Council meeting.

Present for the meeting were: Mayor Dana Trowbridge, Council members Gary Smith, Rick Holland, Bill Schatz, Nick Hein, and Ted Lukassen, City Administrator Joe Johnson, City Attorney Jim Egr, Electric Supervisor Tim Kovar, Water/Sewer Supervisor Jim Kruse, Street Superintendent Jim McDonald, Park/Auditorium Supervisor Bill Buntgen, D.C. Middle School Teacher Mrs. Tracy Behrns and student Tyler Croghan, Larry & Terry Novak of 1<sup>st</sup> National Bank of Omaha, Don Naiberk CEO of the Butler County Health Care Center, Mr. & Mrs. Jim Witter, Rural Fire Department members Mike Novotny, Doug Matulka, and Joe Birkel, citizens Wayne Arnold and Joe Roberts, Banner-Press Editor Larry Peirce, and City Clerk-Treasurer Joan Kovar. Council member Bill Scribner was absent. Police Chief Sunday called to report that he would be absent because his mother had just passed away.

The meeting opened with the Pledge of Allegiance.

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

The minutes of the January 10<sup>th</sup>, 2007 meeting of the Mayor and City Council were approved upon a motion by Council member Smith and seconded by Council member Hein. Voting AYE: Council members Schatz, Holland, Lukassen, Hein, and Smith. Voting NAY: None. Council member Scribner was absent. The motion carried.

Mayor Trowbridge asked for Petitions, Communications, and Citizens' Concerns in addition to those contained in the Agenda packets. There were none.

Mayor Trowbridge asked for consideration of claims. Council member Smith made a motion to authorize the payment of claims. Council member Holland seconded the motion. Voting YEA: Council members Hein, Schatz, Lukassen, Holland, and Smith. Voting NAY: None. Council member Scribner was absent. The motion carried.

Mayor Trowbridge called for Committee and Officers' Reports in addition to those written reports contained in the Agenda packet.

City Administrator Joe Johnson stated that the Finance Committee will start meeting to discuss the current budget and capital improvement requests for the 2007-2008 budget. Council member Nick Hein asked to be excused from the Finance Committee as he has a family health issue. Council member Rick Holland agreed to serve on the Finance Committee. The

Finance Committee will consist of Mayor Dana Trowbridge, City Administrator Joe Johnson, Council members Bill Schatz, Gary Smith, and Rick Holland, and City Clerk Joan Kovar.

Mayor Trowbridge scheduled a Committee of the Whole Meeting for Monday, February 26, 2007, at 6:00 p.m. in the meeting room of the City Office, 557 4<sup>th</sup> Street, David City, Nebraska.

Council member Schatz made a motion to table continuation of the Committee and Officer Reports to the end of the council meeting. Council member Holland seconded the motion. Voting AYE: Council members Lukassen, Hein, Smith, Holland, and Schatz. Voting NAY: None. Council member Scribner was absent. The motion carried.

David City Middle School Teacher Mrs. Tracy Behrns and student Tyler Croghan were present. At the December 13<sup>th</sup> council meeting it was explained that as part of a school project the students are proposing a community project, estimated at \$1,450 to remodel the west shot put area at the track in the City park. At the last council meeting, the students reported that they applied for and received a \$500 D.C. Area Foundation grant but were still \$950 short of the anticipated cost. Tyler Croghan stated that the Butler County Landfill had agreed to donate the soil products. Tyler distributed a paper that itemized the costs less the grant and donations and stated that they are asking the City for \$129.00 to finish the project plus the trucks to haul the materials.

David City City Council

Funding:           \$500.00 grant  
                      \$150.00 donation from ladies at the court house

Denied Hamburger Helper attempted grant in January  
have submitted another grant request for February.

Soil Products: donated by the Butler County Landfill

Expenses:       Grog \$70.00 a yard = \$490.00  
                      Rebar \$55.00  
                      Railroad Ties \$243.00

TOTAL = \$779.00

We are asking the City for \$129.00 to finish the project plus the trucks to haul the materials.

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*Actually the expense will be:*

<i>Grog @ \$70.00 a yard</i>	=	<i>\$490.00</i>	
<i>Rebar</i>	=	<i>\$55.00</i>	
<i>Railroad Ties</i>	=	<i><u>\$243.00</u></i>	
		<i>\$788.00</i>	<i>(request showed \$779.00)</i>
<i>Less Area Foundation</i>		<i>-500.00</i>	
<i>Court House ladies donation</i>		<i><u>-150.00</u></i>	
		<i>\$138.00</i>	<i>(request showed \$129.00)</i>

Council member Schatz made a motion to authorize \$129.00 from the Park Department budget and to allow the city, with city employee drivers, to haul the materials for the improvements to the east shot put throwing area at the David City Track Facility, as requested by the David City Middle School students. Council member Hein seconded the motion. Voting AYE: Council members Smith, Lukassen, Holland, Hein, and Schatz. Voting NAY: None. Council member Scribner was absent. The motion carried.

Park Supervisor Bill Buntgen stated that there will be a District Track meet on May 10<sup>th</sup> at the David City Track Facility.

City Administrator Joe Johnson presented the following bid tabulation for the Handicapped Fishing Pier to be constructed at the west David City Park Lake:

<b>Bidder</b>	<b>Amount</b>	<b>Date Submitted</b>
Castle Construction, Inc.	\$44,884.30	January 10, 2007
Voss Construction	\$23,880.90	February 14, 2007
Oborny Construction	\$27,500.00	February 14, 2007

Council member Schatz made a motion to accept the bid of Voss Construction Inc., in the amount of \$23,880.90 for the construction of a Handicapped Fishing Pier to be constructed at the west David City Park Lake. Council member Smith seconded the motion. The bid is for the total project as stipulated including concrete sidewalk, 6" concrete parking pad, 12" wooden pilings, concrete footings & wall, 2"x12" Treated Lumber, 4" x 4" Treated posts, treated railing sections, treated decking, 6" x 6" treated posts, shingles, 1" x 8" tongue and groove, and rebar. Bidder agrees to start work on April 1, and work will be completed and ready for final payment within 60 calendar days, and on or before June 1. It was noted that Voss Construction built the fishing pier at Nebraska City that was also designed by the NE Game & Parks Commission. Voting AYE: Council members Holland, Hein, Lukassen, Smith, and Schatz. Voting NAY: None. Council member Scribner was absent. The motion carried.

Larry & Terry Novak were present with a request for 1<sup>st</sup> National Bank of Omaha to erect flagpoles on the City's right of way. They are proposing to install three flag poles: 1 – 25' high American flag pole and 2 – 20' high flag poles. First National Bank is going to begin a major renovation project in the next few months.

Council member Hein stated that times are changing; downtown renovation can be appealing and attractive. Considering this, Hein stated that he was no longer opposed to this project.

Council member Schatz stated that a request like this gets you looking and thinking. There are government signs and postings on city right-of-way but this request is for a private business. Schatz stated that he looked closely at other communities – Lincoln, Beatrice, etc. - and he couldn't see that 1<sup>st</sup> National Bank of Omaha was putting structures on the City's right-of-way in those communities. He was also in Omaha, Yankton and Brookings, South Dakota and he did not see a single case where a business has something on the City's right-of-way. "This request is contrary to set-back requirements and the General Plan" Schatz said. "If we allow this, it sets a precedent." Schatz said the Council has to seriously consider this request. "Where do you draw the line?" Schatz stated that if you extend this privilege to one, all should

be allowed. Schatz stated: "If the Council allows 1<sup>st</sup> National Bank of Omaha to erect these flag poles, then I can put up anything I want on my parkway which is the city's right of way." Schatz is for equity and equal treatment. Schatz asked: "What if a Mexican Restaurant comes to town, are you going to allow them to fly their flag on the city right-of-way?"

Larry Novak stated that this is a valid request. Larry said that he helped write the General Plan. It was not set in stone, it was a guide where adjustments could be made and requests could be considered.

Council member Schatz made a motion to deny the request by 1<sup>st</sup> National Bank of Omaha to erect flagpoles on the City's right-of-way as it is contrary to public policy and will not be equally applied. The motion died for lack of a second.

Council member Smith made a motion to allow the request of 1<sup>st</sup> National Bank of Omaha to erect flagpoles on the City's right-of-way.

Council member Schatz objected to the motion. It was noted that a second is not needed for an objection. Voting AYE: Council member Schatz. Voting NAY: Council members Smith, Holland, Hein, and Lukassen. Council member Scribner was absent. The objection of Council member Schatz failed.

Council member Bill Schatz made a motion to amend the motion by Council member Smith that if the Council approves placing a structure on public property that it be equally applied to all citizens; we cannot discriminate. City Attorney Egr stated that the Council cannot arbitrarily deny a request; the Council votes on what is in the best interest of the City. City Attorney Egr said "Bill, your examples are to the extreme and are all speculative." Voting AYE: Council member Schatz. Voting NAY: Council members Hein, Lukassen, Holland, and Smith. Council member Scribner was absent. The motion failed.

It was noted that Council member Smith still had a motion on the table. The motion was to allow the request of 1<sup>st</sup> National Bank of Omaha to erect flagpoles on the City's right-of-way. Council member Holland seconded the motion. Voting AYE: Council members Lukassen, Hein, Holland, and Smith. Voting NAY: Council member Schatz. Council member Scribner was absent. The motion carried.

Council member Schatz made a motion to ask for reconsideration of the motion, to allow the request of 1<sup>st</sup> National Bank of Omaha to erect flagpoles on the City's right-of-way, and on the votes cast. The motion died for lack of a second.

Larry Novak stated that he would work with Street Superintendent Jim McDonald regarding the placement of the flag poles and thanked the Council for their consideration and approval.

Jim & Jo Witter were present. They would like to erect a "clinic" on property currently owned by the County which is located on the east side of 10<sup>th</sup> Street between vacated Iowa Street and Ohio Street. This property is zoned High Density Residential and "clinics" are not listed as a permitted principal use or structure, or as a special exception. Witter's questioned what steps were required to get "clinic(s)" added to High Density Residential. Jim informed the

council that a meeting is scheduled for 7:30 p.m., Thursday, February 15, 2007, in the meeting room of the Butler County Health Care Center to further discuss the request to erect a clinic with hospital and county board members. The Mayor, City Administrator, and Council members were invited to attend.

It was noted that "health care" is very valuable and the Mayor and Council want Witter's to stay in David City.

Council member Smith stated that he didn't have a problem with the concept, but made reference to the definition for a "clinic" and stated that he had concerns with the last sentence. He would like to strike "apothecary". *Section 303: Definitions of the General Plan states: #303.21 Clinic, Medical, Dental or Health: Any building designed for use by one or more persons lawfully engaged in the diagnosis, care and treatment of physical or mental diseases or ailments of human beings; including but not limited to, doctors of medicine, dentists, chiropractors, osteopaths, optometrists, podiatrists, and in which no patients are lodged overnight, but which may include an apothecary.*

Council member Schatz made a motion to refer adding "clinic(s)", as a special exception in the High Density Residential Zoning Regulations, to the Planning Commission. Council member Smith seconded the motion. Voting AYE: Council members Hein, Lukassen, Holland, Smith, and Schatz. Voting NAY: None. Council member Scribner was absent. The motion carried.

Rural Fire Department members Mike Novotny, Doug Matulka, and Joe Birkel were present to discuss making repairs to "D" Street directly in front of the David City Fire Station located at 552 D Street. The brick street is beginning to sink causing the rear bumpers of the fire trucks to scrape; they have also had to re-spring one rig. The department is spending money on equipment repairs due to the poor street condition.

Council member Schatz stated that it is "not" that the Council is not in a cooperative spirit, but the City has a limited budget. The underground utilities need to be considered and perhaps a more effective storm sewer. Schatz suggested that the rural fire department hire an engineer to provide a solution.

Mayor Trowbridge stated that the City is willing to work with the Rural Fire Department but the Council needs "hard numbers" so they have an idea as to how this will affect the budget. Trowbridge said "Let's work together for a solution." "Let's do it right – consider storm water issues – we don't want to have to do it again".

City Administrator Johnson reported that the David City – Butler County Joint Airport Zoning Board was established in 1968. The last known meeting of this Board was in 1998. On January 22, 2007, this matter was brought before the Mayor and Council at a Committee of the Whole meeting. It was discussed by the Mayor and Council to explore the elimination of the David City – Butler County Joint Airport Zoning Board and the creation of an Airport Advisory Board.

Council member Schatz introduced Ordinance No. 1041. Council member Schatz made a motion to pass Ordinance No. 1041 on the first reading only. Council member Hein seconded

the motion. Voting AYE: Council members Lukassen, Smith, Holland, Hein, and Schatz. Voting NAY: None. Council member Scribner was absent. The motion carried and Ordinance No. 1041 was passed on first reading only as follows:

**ORDINANCE NO. 1041**

**AN ORDINANCE OF THE CITY OF DAVID CITY TO CREATE AN AIRPORT ADVISORY BOARD TO MAKE RECOMMENDATIONS TO THE MAYOR AND CITY COUNCIL MEMBERS CONCERNING OPERATION OF THE DAVID CITY MUNICIPAL AIRPORT; TO PROVIDE FOR THE REPEAL OF ANY ORDINANCES OR RESOLUTIONS IN CONFLICT THEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE THEREOF; AND TO AUTHORIZE PUBLICATION IN PAMPHLET FORM.**

**WHEREAS**, the David City Municipal Airport is presently being operated/managed by the Airport Manager, with very limited oversight, and;

**WHEREAS**, the Mayor and City Council desires to create a board to advise the City on Airport related activities, THEREFORE:

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

**SECTION 1.** There is hereby established an Airport Advisory Board, hereinafter ("Board") for the City of David City, Nebraska whose members shall be appointed by the Mayor with the advice and consent of the City Council

**SECTION 2.** The purpose of the Board shall be to advise the City on Airport related activities.

**SECTION 3.** Membership of this Board shall be comprised of five (5) members. The required five (5) members shall consist of two (2) pilots, one (1) City Council Member, one (1) Planning Commission Member and the Airport Manager. Members of the Board shall be appointed to serve a three (3) year term.

**SECTION 4.** All five (5) members shall serve without pay.

**SECTION 5.** Any vacancies on said Board shall be filled by the Mayor's appointment with the advice and consent of the City Council.

**SECTION 6.** The Airport Manager shall call the meetings for the Board on a regular basis, not less than one (1) every two (2) months on a schedule to be established and published by the Airport Manager as required by Nebraska Open Meetings Act. The Airport Manager shall set the agenda for Board meetings. The Airport Manager may call a special meeting of the Board whenever, in his opinion, the business of the Board may require it. Notice of special meetings shall be made in conformance with the Nebraska Open Meetings Act.

**SECTION 7.** A majority of the members of the Board shall constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance shall be named and shall adjourn to a later time.

**SECTION 8.** All meetings of the Board shall be open to the public.

**SECTION 9.** Minutes of all regular and special meetings shall be recorded by the Airport Manager and maintained in the office of the City Clerk. The minutes shall reflect the date, time and place of the meetings; members recorded as either present or absent; a general description of all matters proposed, discussed or decided; and a record of any votes taken. Minutes of all meetings shall be taken. Approval of minutes shall be considered at the next regular meeting of the Board. Copies of approved minutes shall be provided to the City Council, Mayor and the City Administrator.

**SECTION 10.** The Board shall function in an advisory capacity only and shall have no authority to adopt, amend, modify, alter or rescind any rule, regulation or ordinance for the management, governance or use of the David City Municipal Airport. The Board shall make recommendations regarding aeronautical operations and maintenance to the Airport Manager involving technical aviation and safety matters.

**SECTION 11.** The Board shall have no financial and budgetary authority. The Board shall prepare an annual budget for submission to the City Council.

**SECTION 12.** Duties of the Board shall include, but not limited to, the following:

The Board shall study the actual operation of the airport with the view of improving existing standards or establishing new standards and the possibility of incorporating the in this Airport Advisory Board ordinance. It shall study existing and future leases or drafts of leases entered into between the City and private parties regarding the operation of the airport or portions thereof or any facilities thereon. It shall study the relationship of the airport manager to the City and its citizens with the view towards the maximum protection of the public health, welfare and safety as well as the establishment of a line of communication and the maintenance of good public relations; and

The Board shall study economic feasibility of various land uses of adjacent property and, in particular, the use of said land for industrial, recreational or airport expansion.

The Board shall attempt to find informal resolution of grievances with a view related to operations and maintenance and, if necessary, make recommendations to the City Council for the resolution of grievance.

**SECTION 13.** That any ordinance or section of any ordinance passed and approved prior to or subsequent to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions, is hereby appealed.

**SECTION 14.** This ordinance shall be published in pamphlet form and shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

PASSED AND APPROVED this 10th day of January, 2007.

Passed on 1<sup>st</sup> reading only 2-14-07  
Mayor Dana Trowbridge

Passed on 1<sup>st</sup> reading only 2-14-07  
City Clerk Joan E. Kovar

Street Superintendent Jim McDonald discussed the one-year street improvement program with the Mayor and Council. Jim stated that he had several projects and needed the Council's input on what they actually wanted in the one-year street plan. Jim presented the following projects:

1. Henningsen Foods Inc. would like to see improvements on "D" Street between 4<sup>th</sup> Street and the Burlington/Santa Fe Railroad Track. The improvements would probably include a storm sewer as drainage is a concern;
2. The Rural Fire Department Board members want something done with the "dip" on "D" Street between 5<sup>th</sup> and 6<sup>th</sup> Street in front of the Fire Department;
3. The County would like the City to cost share in replacing the narrow bridge on "A" Street, east of 11<sup>th</sup> Street;
4. Replacing the 20' wide narrow bridge on 11<sup>th</sup> Street by the City Park leading out to Hildy's First Addition and St. Mary's Cemetery;
5. 1<sup>st</sup> Street between "D" and "E" Streets;
6. "G" Street between 7<sup>th</sup> & 8<sup>th</sup> Streets;
7. "L" Street between 8<sup>th</sup> & 9<sup>th</sup> Streets; and
8. "I" Street between 4<sup>th</sup> & 5<sup>th</sup> Streets;

The streets and bridges were discussed and priority will be given to projects 1, 5, 6, 7, 8, and 3. The Public Hearing is scheduled for Monday, February 26<sup>th</sup>, at 6:00 p.m.

Council member Hein made a motion to go into executive session to discuss the following two (2) issues: agenda item #15 – to discuss providing power to an ethanol production plant and also agenda item #16 – to discuss all city employees evaluations. Council member Holland seconded the motion. Voting AYE: Council members Smith, Schatz, Lukassen, Holland, and Hein. Voting NAY: None. Council member Scribner was absent. The motion carried.

Mayor Trowbridge stated the Council was going into executive session to discuss two (2) separate issues, those being, 1. Providing power to an ethanol production plant; and 2. Discussion concerning all city employees evaluations. The Mayor, Council members, City Attorney, City Administrator Joe Johnson, and City Clerk Kovar went into executive session at 8:57 p.m.

City Attorney Jim Egr stated that a motion and second was not needed to come out of executive session. Therefore, Mayor Trowbridge declared the City Council out of executive session at 9:28 p.m.

Council member Schatz made a motion to continue with discussions concerning the Ethanol Production Plan Committee and to authorize City Attorney Jim Egr to draft the proposed necessary documents. Council member Holland seconded the motion. Voting AYE: Council members Lukassen, Smith, Hein, Holland, and Schatz. Voting NAY: None. Council member Scribner was absent. The motion carried.

Council member Schatz made a motion to return to agenda item #7 – Committee and Officer Reports. Council member Hein seconded the motion. All of the Council members present voted AYE and the motion carried.

Council member Schatz introduced Resolution No. 2 – 2007 and moved for its passage and adoption. Council member Lukassen seconded the motion. Voting YEA: Council members Smith, Holland, Lukassen, and Schatz. Voting NAY: Council member Hein. Council member Scribner was absent. The motion carried and Resolution No. 2 - 2007 was passed and adopted as follows:

**RESOLUTION NO. 2 - 2007**

WHEREAS, the City of David City now prohibits the carrying of concealed weapons, including any concealed handgun, specified in the Municipal Code of the City of David City, Nebraska §6-415, and,

WHEREAS, the legislature of the State of Nebraska has authorized the carrying of concealed handguns, known as the Concealed Handgun Permit Act, and,

WHEREAS, the Concealed Handgun Permit Act allows exceptions for cities to restrict or prohibit the carrying of concealed handguns, and,

WHEREAS, the legislature of the State of Nebraska is currently considering legislation to amend the Concealed Handgun Permit Act which would limit the power of cities to regulate the carrying of concealed handguns in LB695, and,

WHEREAS, the City Council of the City of David City asserts a responsibility for the safety and protection of the citizens and law enforcement personnel of the City of David City, and,

WHEREAS, the City Council of the City of David City oppose any legislation which restricts, usurps or negates the authority of the City of David City to control and regulate the carrying of concealed handguns within the jurisdiction of the City of David City,

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

1. The City Council of the City of David City, Nebraska expresses opposition to LB695, and
2. The City Council of the City of David City directs the City Administrator to forward a copy of this resolution to the Judiciary Committee members of the legislature of the State of Nebraska and the introducers of legislative bill LB695, to include Senators Christensen, Burling, Erdman, Friend, Langemeier, Pedersen, and Wallman.

PASSED AND APPROVED this 14<sup>th</sup> day of February, 2007.

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Mayor Dana Trowbridge

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City Clerk Joan E. Kovar

Council member Hein made a motion to recess the meeting until February 26, 2007, at 6 p.m.. Council member Lukassen seconded the motion. Voting YEA: Council members Smith, Schatz, Holland, Lukassen, and Hein. Voting NAY: None. Council member Scribner was absent. The motion carried and the meeting was recessed at 9:45 p.m.

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Mayor Dana Trowbridge

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City Clerk Joan E. Kovar

February 26, 2007

Mayor Trowbridge called the meeting of the City Council of David City, Nebraska to order at 6:00 p.m. on Monday, February 26, 2007 in the Council Room of the City Office, 557 4<sup>th</sup> Street, David City, Nebraska, to continue the meeting of February 14<sup>th</sup>, 2007, which had been in recess.

Present for the meeting were: Mayor Dana Trowbridge, Council members Gary Smith, Bill Scribner, Nick Hein, and Bill Schatz, City Administrator Joe Johnson, City Attorney Jim Egr, Electric Supervisor Tim Kovar, Street Superintendent Jim McDonald, Water/Sewer Supervisor Jim Kruse, Park/Auditorium Supervisor Bill Buntgen, Joe & Bea Wilson, Rob Scheffler, Scott Steager, Brian Coufal, Sandy Rech, Doug Matulka, Roger Kloke, Mr. & Mrs. Vern Oltman, Ed Sieck, Mrs. Bob Birkel, Banner Press Editor Larry Peirce, and City Clerk-Treasurer Joan E. Kovar. Council member Rick Holland and Ted Lukassen were absent.

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

Council member Hein made a motion to come back into session from the February 14, 2007, meeting which had been in recess. Council member Scribner seconded the motion. Voting AYE: Council members Smith, Schatz, Scribner, and Hein. Voting NAY: None. Council members Holland and Lukassen were absent. The motion carried.

Mayor Trowbridge opened the Public Hearing at 6:10 p.m. to consider the adoption of the One Year and Six Year Street Improvement Program.

Street Superintendent Jim McDonald presented the following:

### **One-Year Plan**

D Street between 3<sup>rd</sup> and the Burlington/Santa Fe Railroad Tracks  
1<sup>st</sup> Street between "D" and "E" Streets  
G Street between 7<sup>th</sup> & 8<sup>th</sup> Streets  
L Street between 8<sup>th</sup> & 9<sup>th</sup> Streets  
I Street between 4<sup>th</sup> & 5<sup>th</sup> Streets  
A Street Bridge (east of 11<sup>th</sup> Street)

### **Six – Year Plan**

D Street between 3<sup>rd</sup> and the Burlington/Santa Fe Railroad Tracks  
1<sup>st</sup> Street between "D" and "E" Streets  
G Street between 7<sup>th</sup> & 8<sup>th</sup> Streets  
L Street between 8<sup>th</sup> & 9<sup>th</sup> Streets  
I Street between 4<sup>th</sup> & 5<sup>th</sup> Streets  
L Street between 10<sup>th</sup> & 11<sup>th</sup>  
M Street between 9<sup>th</sup> & 10<sup>th</sup> Streets  
Nebraska between 4<sup>th</sup> & 5<sup>th</sup>  
M Street between 5<sup>th</sup> & 6<sup>th</sup>  
M Street between 8<sup>th</sup> & 9<sup>th</sup>  
Oak Street between C & D  
9th Street between E & Railroad Tracks  
I Street 7th & 9<sup>th</sup>  
5<sup>th</sup> Street from Kansas to Park  
L Street 11<sup>th</sup> 200' east  
K Street 7<sup>th</sup> to 8<sup>th</sup>  
M Street from 4<sup>th</sup> to 5<sup>th</sup>  
10<sup>th</sup> Street from J to K  
8<sup>th</sup> Street from "G" to "H"  
9<sup>th</sup> Street from "G" to "H"  
9<sup>th</sup> Street from "B" to "C"  
M Street from 6<sup>th</sup> to 7<sup>th</sup>  
B Street from 6<sup>th</sup> to 7<sup>th</sup>  
H Street from 3<sup>rd</sup> to Railroad Tracks

H Street tracks west  
Industrial from "O" to "S" Streets  
Park Road Tennis  
10<sup>th</sup> Street from Iowa to Kansas  
11<sup>th</sup> Street 470' south  
11<sup>th</sup> Street from Hildy Addition to St. Mary's Cemetary  
Widen the 11<sup>th</sup> Street bridge  
"D" Street by the Fire Hall (Storm Sewer)  
10<sup>th</sup> Street between "I" to "J"  
M Street between 7<sup>th</sup> to 8<sup>th</sup>  
Replace the "A" Street Bridge

Discussion followed.

Council member Lukassen arrived at 6:17 p.m.

There being no further discussion, Mayor Trowbridge closed the Public Hearing at 6:24 p.m..

Council member Smith introduced Resolution No. 3 - 2007 and moved for its passage and adoption. Council member Hein seconded the motion. Voting YEA: Council members Scribner, Schatz, Lukassen, Hein, and Smith. Voting NAY: None. Council member Holland was absent. The motion carried and Resolution No. 3 - 2007 was passed and adopted as follows:

**RESOLUTION NO. 3 – 2007**

WHEREAS, The City of David City, Nebraska, has conducted a Public Hearing on February 8, 2006, in accordance with the requirements of the Board of Public Roads Classifications and Standards.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, that the One Year and Six-Year Street Improvement Plans for Streets, as presented at the public hearing, are unanimously accepted and the City Clerk is hereby instructed to forward a certified copy of this resolution to the Board of Public Roads Classification and Standards of the State of Nebraska.

PASSED AND APPROVED this 26<sup>th</sup> day of February, 2007.

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Mayor Dana Trowbridge

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City Clerk Joan E. Kovar

There being no further business to come before the Council, Council member Scribner made a motion to adjourn. Council member Smith seconded the motion. Voting AYE: Council members Schatz, Lukassen, Hein, Smith, and Scribner. Voting NAY: None. Council member Holland was absent. The motion carried and Mayor Trowbridge declared the meeting adjourned at 6:26 p.m.

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Mayor Dana Trowbridge

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City Clerk Joan E. Kovar



CERTIFICATION OF MINUTES  
February 14 / February 26, 2007

I, Joan E. Kovar, duly qualified and acting City Clerk for the City of David City, Nebraska, do hereby certify with regard to all proceedings of February 14 / February 26, 2007; 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 E. Kovar, City Clerk