

CITY COUNCIL PROCEEDINGS

May 28, 2010

The City Council of the City of David City, Nebraska, met in open public session in the meeting room of the City Office, 557 N 4th Street, David City, Nebraska. The Public had been advised of the meeting by posting of notices at the City Office, United States Post Office, First National Bank of Omaha, Hruska Memorial Public Library, Union Bank, Butler County Courthouse, U.S. Bank, The Banner Press, and Bank of the Valley. The postings were attested by signed signatures. 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.

Mayor Trowbridge opened the special meeting at 5:00 p.m.

Present for the meeting were: Mayor Dana Trowbridge, Council members Gary Smith, Nick Hein, Mike Rogers, Bill Yindrick, and Gary Kroesing who was on speaker phone, City Attorney Jim Egr, and City Clerk-Treasurer Joan Kovar. Council member Scribner was absent.

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.

Council member Yindrick introduced Ordinance No. 1126 imposing a city sales tax of one and one half percent (1½%). Council member Hein 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 Rogers, Yindrick, Kroesing, Smith, and Hein. Voting NAY: None. Council member Scribner was absent. The motion carried.

Council member Hein made a motion to pass Ordinance No. 1126 on the third and final reading. Council member Smith seconded the motion. Voting AYE: Council members Kroesing, Rogers, Yindrick, Smith, and Hein. Voting NAY: None. Council member Scribner was absent. The motion carried and Ordinance No. 1126 was passed and approved as follows:

ORDINANCE NO. 1126

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, IMPOSING A SALES TAX OF ONE AND ONE HALF PERCENT (1½%) UPON THE SAME TRANSACTIONS WITHIN THE CITY OF DAVID CITY ON WHICH THE STATE OF NEBRASKA IS AUTHORIZED TO IMPOSE A TAX, COMMENCING OCTOBER 1, 2010, FOR A TEN (10) YEAR PERIOD ENDING OCTOBER 1, 2020.

WHEREAS, the Mayor and Council of the City of David City, Nebraska, did on February 10, 2010 pass Resolution No. 1 - 2010 which submitted to the qualified electors of the City of David City, Nebraska, the issue of whether the governing body of the City of David City, Nebraska should impose a sales and use tax of one and one half percent (1½%) upon the same transactions within the City of David City on which the State of Nebraska is authorized to impose a tax, commencing October 1, 2010, for a ten (10) year period ending October 1, 2020.

WHEREAS, the above-referred to resolution was submitted to the qualified electors at the statewide primary election on May 11, 2010, at which time a majority of the qualified electors approved such tax.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, that a sales and use tax of one and one half percent (1½%), upon the same transactions within the City of David City on which the State of Nebraska is authorized to impose a tax, is hereby authorized to commence on October 1, 2010.

BE IT FURTHER ORDAINED that the City Clerk is hereby authorized and directed to submit a certified copy of this ordinance to the State Tax Commissioner, to be accompanied with a certified map of the City, and a certified copy from the Election Commissioner of the election results and a statement indicating the issue has not been voted on and failed within the prior 23 months.

PASSED AND APPROVED THIS 28TH DAY OF MAY, 2010.

Mayor Dana Trowbridge

Attest:

City Clerk Joan E. Kovar

There being no further business to come before the Council, Council member Yindrick made a motion to adjourn. Council member Hein seconded the motion. Voting AYE: Council members Kroesing, Rogers, Smith, Hein, and Yindrick. Voting NAY: None. Council member Scribner was absent. The motion carried and Mayor Trowbridge declared the meeting adjourned at 5:15 p.m.

Mayor Dana Trowbridge

ATTEST:

City Clerk Joan E. Kovar



CERTIFICATION OF MINUTES
May 28, 2010

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 May 28, 2010; 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 E. Kovar, City Clerk