

CITY COUNCIL PROCEEDINGS

June 11, 2003

The Mayor and City Council of the City of David City, Nebraska met in open public session in the meeting room of the City Office, 557 4th Street, David City, Nebraska. The Public had been advised of the meeting by publication of notice in The Banner-Press on June 5, 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 notices 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.

The meeting opened with the Pledge of Allegiance.

Present for the meeting were: Mayor Stephen Smith, Council members Mark Kirby, Gary Smith, Ted Lukassen, Bill Schatz, and Nick Hein, City Attorney Jim Egr, Police Chief Stephen Sunday, Park/Auditorium Supervisor Bill Buntgen, Water/Sewer Supervisor Gene Divis, Scott Steager, Bob Hilger, Dr. Jack Kaufmann, Rob Scheffler, Mrs. Tony Weiland, Milt Bemis, Banner Press Editor Larry Peirce, and City Clerk-Treasurer Joan E. Kovar. Council member Gary Kroesing arrived at 7:35 p.m..

The minutes of the May 14, and May 27, 2003 meetings of the Mayor and City Council were approved upon a motion by Council member Lukassen and seconded by Council member Smith. Voting YEA: Council members Schatz, Hein, Kirby, Smith, and Lukassen. Voting NAY: None. Council member Kroesing was absent. The motion carried.

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

City Clerk Kovar reported that SAS Graphics provided two new signs and removed old lettering from previous pool signs. They donated the invoice price of \$70.00. A thank you will be sent to them.

Council member Smith reported the following concerning the aquatic center:

- out dated pop has been removed from the pop machine and replaced with fresh pop. The city will receive credit for the out dated pop.
- The window at the concession stand is not an issue because this year all of the food is wrapped. We are not serving any "open" food such as hot dogs, nachos, etc.
- There are some exposed electric wires under the shelter by the concession area. Electric Supervisor Tim Kovar will be asked to check into this and put a cover on the junction box.

Mayor Smith asked for consideration of claims. Council member Smith made a motion to authorize the payment of claims. Council member Kirby seconded the motion. Council member Hein questioned the police department's high cellular phone bill. Police Chief Sunday will check on this and report back. Voting YEA: Council members Lukassen, Hein, Schatz, Kirby, and Smith. Voting NAY: None. Council member Kroesing was absent. The motion carried.

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

City Clerk Kovar reported that she and Deputy City Clerk Tami Comte retyped the entire City Code Book. Each council member was given a copy for review as several changes and updates are needed. Each department head will also be given a copy.

City Attorney Jim Egr reported that the County Board hearing to consider taxing the Airport property is scheduled for July 8th at 9:00 a.m..

Park/Auditorium Supervisor Bill Buntgen reported that due to inclement weather the Youth and Family Fishing Fun Day was rescheduled for Saturday, July 19th. From 10:00 a.m. to 1:00 p.m. the Nebraska Game and Parks Commission Urban Fisheries Program will provide the bait and the fishing gear. Fishing experts will be on hand to help youngsters with angling instructions.

Mayor Smith reported that the Health Department inspected the pool on Monday, June 9th and closed the pool because it was low on chlorine. Mayor Smith asked Council members Smith or Lukassen to give an aquatic center update. Lukassen reported that initially they thought the pumps, that pumped the acid and chlorine into the pool, were not working. Neither Lueder Construction or Dave Burbach will come out to determine what the problem is. Jay of Pool Construct hasn't been answering telephone calls and has not called back. Electrician Tom Samek helped trace the problem back to the electrical relay. The relay affected the acid and chlorine pumps. Samek temporarily wired around the relay. The pumps would not work on automatic, so Pool Manager Rachelle Birkel was putting the chlorine in manually. The gaskets do not seem to be sealing. Doug from Hawkins came out from Lincoln and put in two new chlorine pumps that work with chlorine tablets. This is much easier to operate and will not plug up as easily. Since Doug is from Lincoln he will come out and service the pumps. At the end of the summer we can decide what we want to do; if we want to lease the equipment or buy. We will need to take care of the bill with Burbach and/or Lueder. We have a \$10,000 bond and Mayor Smith stated that the original equipment is covered by a warranty until July 4, 2004.

Council member Kirby asked if there was a policy that they close the pool if there are less than nine (9) kids in the pool. Council member Smith stated that the other day it was cool and rainy and there were only about 9 kids so the managers did close the pool early. The weather has not been very cooperative this year thus far.

Mayor Smith thanked Council members Smith and Lukassen for their help at the aquatic center. Smith reported that a Planning Commission meeting is scheduled for Thursday, June 26th at 5:00 p.m. to discuss the definition of townhouses, duplexes, condos, and bed and breakfasts, and the proposed annexation of Kozi's 2nd Addition. Mayor Smith scheduled a Committee of the Whole meeting for Monday, June 30, 2003, at 5:30 p.m., in the City Office.

Council member Lukassen reported that a Zoning Administrator committee meeting was held on Tuesday, June 10th and two candidates were interviewed. Both candidates were very impressive and suggested different ideas such as contractual vs. hourly. They can do more than strictly zoning and may be able to help out in other areas.

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

Vern Hlavac, Bill's son from Minnesota, had asked if the City would forgive the balance of the lien on the William Hlavac property located at 320 10th Street. The council had asked that a letter detailing the request be received from Vern Hlavac. No one has received a letter or heard any more from Vern. Therefore, Council member Hein made a motion to table consideration of

waiving the lien on the William Hlavac property located at 320 10th Street until the July 9th council meeting. Council member Lukassen seconded the motion. Voting YEA: Council members Smith, Schatz, Kirby, Lukassen, and Hein. Voting NAY: None. Council member Kroesing was absent. The motion carried.

Council member Kroesing arrived at 7:35 p.m..

Milt Bemis, as owner of East Park Meadows Addition, was present and stated that he would like to increase the size of Lot 8 in East Park Meadows Addition. Milt Bemis would like to combine approximately 21.16 feet of land designated as multi-purpose land to the east side of Lot 8.

Council member Lukassen introduced Resolution No. 8 - 2003 and moved for its passage and adoption. Council member Smith seconded the motion. Voting YEA: Council members Schatz, Lukassen, Kirby, Hein, Kroesing, and Smith. Voting NAY: None. The motion carried and Resolution No. 8 - 2003 was passed and adopted as follows:

RESOLUTION NO. 8 - 2003

WHEREAS, Milt & Janet Bemis, as the owners of East Park Meadows Addition, have filed a request to combine Lot 8 and 21.16 feet of land located in multi-purpose land, all in East Park Meadows Addition, David City, Butler County, Nebraska as described below:

A tract of land located in multi-purpose land in East Park Meadows Addition to the City of David City, Butler County, Nebraska, described as follows:

Beginning at the northeast corner of Lot 8 of said East Park Meadows Addition; thence easterly, 21.16 feet, on a 160-foot radius curve to the left, concaved northerly, said curve being the southerly line of Bemis Drive; thence southerly, 59.02 feet, on a line 21.00 feet east of and

parallel with the east line of said Lot 8, to a point on the southeasterly line of said East Park Meadows Addition; thence southwesterly, 26.99 feet, on the southeasterly line of said East Park Meadows Addition, to the southeasterly corner of said Lot 8; thence northerly, 73.50 feet, to the point of beginning.

To form one lot.

WHEREAS, there were no objections expressed concerning combining Lot 8 and 21.16 feet of land located in multi-purpose land, all in East Park Meadows Addition to David City, Butler County, Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, that the request of Milt & Janet Bemis, as the owners of East Park Meadows Addition, to combine Lot 8 and 21.16 feet of land located in multi-purpose land, all in East Park Meadows Addition, David City, Butler County, Nebraska, to form one lot, is hereby approved.

Dated this 11th day of June, 2003.

Mayor Stephen Smith

City Clerk Joan E. Kovar

The following letters were received concerning the proposed rental fees increase for the use of the football field:

*I know of the slight fee increase for lower football. OK
Ron Mimick
Aquinas High School*

*Tom Jadhe
Athletic Director
David City Public Schools
750 D Street
David City, NE 68632*

City Council Members:

I am writing this letter to you to express some concern about the proposed rental fees for the use of the football field for the upcoming season. It is my understanding that this will be the second rise in rental fees in the past few years. We are hoping that this will be a fee that can be set and remain such for an extended period of time.

I would also like to take this opportunity to thank you for the improvements that you are making at the City Auditorium per our request. It will allow greater safety for our volleyball players during practice sessions and volleyball matches.

*Thank you for listening to our concerns.
Respectfully,
Tom Jahde*

Council member Hein stated that he can understand Tom Jahde's concern and asked Park/Auditorium Supervisor Bill Buntgen how long it will be before another increase. Buntgen responded "Hopefully not soon." Council member Kroesing asked Buntgen if he compared beer prices with other facilities such as Oak Ballroom in Schuyler. Buntgen stated that the Oak Ballroom normally doesn't have keg beer.

Council member Smith introduced Resolution No. 9 - 2003 and moved for its passage and adoption. Council member Kroesing seconded the motion. Voting YEA: Council members Schatz, Lukassen, Kirby, Hein, Kroesing, and Smith. Voting NAY: None. The motion carried and Resolution No. 9 - 2003 was passed and adopted as follows:

RESOLUTION NO. 9 - 2003

WHEREAS, the costs for supplies and rentals for the Park, Auditorium, Track, and Football Field facilities have not been increased for some time, and,

WHEREAS, the City has determined a need to increase the costs for supplies and rentals for the Park, Auditorium, Track, and Football Field facilities.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA that the following rental/rate schedule for the Park, Auditorium, Track, and Football Field facilities is hereby approved and adopted.

The following rates will be in effect beginning August 1, 2003:

Municipal Auditorium - Bar Charges

Beer.....	\$36.00 / case
Whiskey	\$30.00 / liter
Vodka.....	\$28.00 / liter
Rum.....	\$28.00 / liter
Peach Schnapps.....	\$30.00 / liter
Pop.....	\$40.00 / tank
Orange Juice.....	\$10.00 / gallon
Keg Beer	\$125.00 / ½ barrel
.....	\$80.00 / ¼ barrel

Football Practice Field

Football Practice Field - per hour \$15.00

Municipal Auditorium Rental

Lower Level 8 a.m. - 6 p.m. \$225.00
after 6 p.m. (per hour) \$20.00
Dance \$175.00
Preparation Time (1/2 day) .. \$40.00
Meetings, Civic, Religious Activity \$100.00
Auctions \$225.00
preparation time (1/2 day) \$40.00
Table Coverings \$1.00
Deposit - applied towards rental fee \$50% of
total rental fee

Dated this 11th day of June, 2003.

Mayor Stephen Smith

City Clerk Joan E. Kovar

At the May council meeting, Carol Korus of Timpte Mfg. explained that she prepared the check for Timpte's utility bill. The check was dated May 5, 2003 and she hand delivered it to the Post Office on May 5, 2003. Timpte received a delinquent notice because the check was not received in the City Office by May 10, 2003. In May, the Council decided to temporarily waive the delinquent charge and wait and see what developed. When the check was received, the postmarks showed Norfolk, NE on May 8, Franklin, Illinois on May 12th, and it was received in

the City Office on May 15, 2003. Therefore, Council member Kirby made a motion to waive the penalty fee on the utility bill for Timpfe Mfg.. Council member Smith seconded the motion. All of the council members were present, all voted YEA, and the motion carried.

The David City Golf Course had posted "No Fishing" signs on the south sides of the park lakes. Council member Smith stated that several golf club members approached him and Smith told them it should have been brought before the council prior to posting the signs. Council member Kroesing stated that prior to the park restoration this was not a problem, but now access to the lakes is limited. The road north of the west lake was closed and the walking trail established. There is only parking for two vehicles on the east side of the west lake and nothing on the west side. Kroesing questioned what happened to the parking that was supposed to be provided on the west side of the lake. Park/Auditorium Supervisor Bill Buntgen stated that the street department is working on it. Kroesing stated he didn't see why people couldn't fish along the south side of the west lake between the #7 T-box and the highway. Golf Club Manager Greg Pleis stated it is a liability issue. People fishing on the south side of the lakes could easily be hit by a golf ball. Even the best golfer can make a bad shot. The golf board stated that they lease the land so it should be up to their jurisdiction. Council members Kroesing and Hein stated that the golf board leases the land for \$1 per year and felt that did not give them the authority as it is still city property. The golf club members questioned if they took the signs down if the City would sign a letter stating that the Golf Club is not liable and the City would assume all liability. City Attorney Jim Egr advised against signing any letters stating that the City will be liable. Egr stated letters don't mean anything anyway. If someone is injured, the insurance companies will go after anyone having anything to do with the property. Egr also stated that since the golf club leases the property the golf club has control of the property and can put up signs, unless it is noted elsewhere in the lease that they can't. Mayor Smith reported that he is meeting with Golf Club Board Member Terry Samek, 8:00 a.m. Thursday morning at Terry's home to discuss this issue, and invited the Council to join in their discussion.

Council member Kirby noted that more "Catch and Release" signs are needed in the park.

Council member Schatz made a motion to rescind the vote to designate \$3500 for fireworks. The motion died for lack of a second. Schatz stated that at the May 14th council meeting he asked to rescind the vote for designating \$3500 for fireworks for the July Jam scheduled for July 12. Schatz clarified that this has nothing to do with the event. Schatz volunteered for two years to help with Vaudeville Days and helped with July Jam last year. "I know the importance of the event, I know this is good for the community" Schatz said. Schatz's objection is the fact that the Council budgets money for the Contingency Fund for unique circumstances - a major piece of equipment breaks down, an emergency comes up, etc.. Schatz feels with budget constraints it is not in the best interest of the tax payers to use contingency funds to pay for fireworks. Mayor Smith noted that he personally has not met people opposed to this expenditure, and when he visited with about 35 Chamber members they also support a contribution from the City for fireworks.

Mayor Smith clarified with City Attorney Jim Egr that since there was not a second to Council member Schatz's motion to rescind the vote, that the original vote during the May 14th council meeting to allocate \$3,500 out of the Contingency Fund, for this year only - 2003, for fireworks for the July Jam scheduled for July 12th, passed and stands.

Mayor Smith declared a ten minute recess at 8:15 p.m. The meeting resumed at 8:25 p.m.

Park/Auditorium Supervisor Bill Buntgen had a price quote of \$4,200 from The Fabric

Shoppe, 530 N 5th Street, to make new curtains for the upstairs of the Auditorium. Buntgen reported that he doubted the schools would contribute towards the curtains. Buntgen will check with the "Breakers" basketball group to see if they would contribute. Council member Lukassen felt that this should be part of the upcoming budget discussions and Council member Hein agreed. Discussion followed in which Buntgen stated he planned to paint the upstairs in July. Council member Kirby made a motion to table consideration of purchasing new curtains for the city auditorium to the July council meeting. Council member Smith seconded the motion. All of the Council members were present, all voted YEA, and the motion carried.

Street repairs and improvements were discussed. The Council needs to know what it's going to take to repair and improve the streets. Some of the council members stated that they don't see any street maintenance being done, and questioned if it's the weather. Street Superintendent Jim McDonald was absent from the meeting due to his recent hospitalization. Therefore, Council member Schatz made a motion to table consideration of street repairs and/or improvements to the July 9th council meeting. Council member Kroesing seconded the motion. All of the council members were present, all voted YEA, and the motion carried.

Police Chief Sunday presented the following report of expenses for increased law enforcement costs due to the July Jam:

David City Police Department
Report of Expenses
July Jam for 2002

Officer Schleusener worked	8 hrs
Officer Carter worked	13 hrs.
Chief Sunday worked	<u>12 hrs.</u>
Total Worked:	33 hrs.

Per hour cost for officers: \$25.00 (including wages/insurance/retirement/benefits)

Total hours marked down on time sheets:
21 hrs. x \$25.00 = \$525.00

(Chief Sunday did not mark any time down, Chief Sunday donated his hours to community.)

(Cost if all hours had been paid for: \$825.00)

July Jam for 2003

Estimated Cost Options

#1 Cost of Chief Sunday donating hours, and 12 hrs. for Officer Carter: \$300.00

#2 Cost of Chief Sunday donating hrs, Officer Carter, and 1 other officer = 18 hrs.: \$500.00

#3 Cost of Chief Sunday donating hrs, Officer Carter, and 2 other officers=24 hrs: \$600.00

The biggest manpower required for the July Jam is traffic control for the parade. Ideally, it would be nice to have an officer at each one of the main intersections along the parade route. However, if the July Jam organizers can round up volunteers to man intersections, Chief Sunday and Officer Carter can handle the balance of the traffic control needed. The key is the volunteers. At the moment, this is an unknown factor.

The beer garden/street dance requires at least one extra officer.

There will also be the regular duty officer working, however he needs to remain free to

respond to other calls for service that may come about.

The Council asked Police Chief Sunday if he was in uniform when he worked at the July Jam last year. When Sunday answered "yes" the Council informed him that any officer in uniform should be paid for their work. The Council doesn't expect employees to work for nothing.

Council member Schatz made a motion to reimburse the police department from the Contingency Fund for increased costs due to this years July Jam. Council member Hein stated that an additional 10 hours was budgeted each month for overtime and questioned if some of that overtime couldn't be used towards the July Jam. Police Chief Sunday responded that something else may come up that will require overtime. Mayor Smith suggested that perhaps it would be better to wait until after the July Jam and then look at actual figures. Council member Schatz agreed and withdrew his motion. Council member Smith made a motion to table consideration of reimbursing the police department for increased costs for law enforcement during the July Jam until the August 13th council meeting. Council member Schatz seconded the motion. All of the Council members were present, all voted YEA, and the motion carried.

Park/Auditorium Supervisor Bill Buntgen reported that he purchased three benches to be placed along the walking trail. The benches will be sold for \$350.00 each as memorials with engraved plaques. Buntgen would like to have approximately 10 - 15 benches along the walking trail. Council member Lukassen felt that the benches should be sold before installing them because other wise we are defeating the purpose. So far, one has been sold. Council member Schatz suggested placing one in front of the City Office with a sign "For Sale for Park Walking Trail" as a way of advertising that this is available. Consideration of purchasing additional benches for along the walking trail will be discussed during budget time.

During a previous discussion, City Attorney Egr brought up the concept of developing a long range plan or guideline that would look at the whole issue of selling water to neighboring communities, not just selling water to Bruno. In the future, other communities may want to purchase our water. Council member Hein agreed with Egr that we should look at the whole picture. Develop a plan now, rather than have to go thru this all again in 4 - 6 years. Council member Hein stated: "This is a big step for David City if we proceed, and we need to look at it carefully". Council member Smith stated that there should be a minimum amount of water Bruno is billed for, and a maximum amount of water Bruno is allocated. Where will David City be in 5 - 10 years is we get additional customers? What if Bruno grows? Council member Schatz stated that specific information concerning capacity can be obtained from the engineers. Schatz stated the City should enter into this cautiously but sees this as a win/win situation. A good interlocal agreement should detail and answer a lot of questions. Bruno qualified for a 75% grant that indicates the government supports "big" projects.

Mayor Smith reported that he did not have time to work on updates concerning a zoning administrator. Council member Kroesing made a motion to table consideration of updates concerning zoning/building issues to the Municipal Code Book to incorporate changing from a "building inspector" to a "zoning administrator". Council member Smith seconded the motion. All of the Council members were present, all voted YEA, and the motion carried. Council member Schatz stated he would be willing to help the Mayor if he wants or needs it.

Council member Kroesing introduced Ordinance No. 930. Council member Smith made a motion to pass and adopt Ordinance No. 930 on the first reading. Council member Kirby seconded the motion. Council member Schatz stated that the ordinance should state that the

cost will be an 80/20 split. City Clerk Kovar added that. Voting YEA: Council members Hein, Schatz, Lukassen, Kroesing, Kirby, and Smith. Voting NAY: None. The motion carried and Ordinance No. 930 was passed on the first reading as follows:

ORDINANCE NO. 930

AN ORDINANCE OF THE CITY OF DAVID CITY, NEBRASKA, CREATING A CERTAIN STREET IMPROVEMENT DISTRICT WITHIN THE CITY OF DAVID CITY, NEBRASKA, TO BE KNOWN AS STREET IMPROVEMENTS DISTRICT NO. 2003-1; DEFINING THE BOUNDARIES OF SAID DISTRICT AND THE PROPERTY CONTAINED THEREIN; AND PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS AND SUCH OTHER WORK AS MAY BE INCIDENTAL THERETO.

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

Pursuant to a petition signed by more than sixty percent of the resident owners, owning property directly abutting upon the streets proposed to be improved being presented and filed with the City Clerk of David City, Nebraska, petitioning therefore, the Mayor and City Council find and determine said petitions are sufficient and adequate; there is hereby created within said City of David City, Nebraska, a Street Improvements District No. 2003-1.

Section 1. That pursuant to a petition signed by more than sixty percent of the resident owners, owning property directly abutting upon the street proposed to be improved, being presented and filed with the City Clerk of David City, Nebraska, petitioning therefore, the Mayor and City Council find and determine said petition is sufficient and adequate.

The following street is hereby included within Street Improvement District No. 2003-1:

8th Street between Nebraska and Iowa Streets together with all lots and lands abutting thereon.

The following street within Street Improvement District No. 2003-1 shall be and is hereby ordered improved by improvements consisting of grading, concrete curb and gutter, asphalt surface, and such other work as may be incidental thereto:

8th Street between Nebraska and Iowa Streets, including the intersection and the areas formed by the crossing of avenues and alleys.

Section 2. All of said improvements shall be constructed in accordance with plans and specifications to be made by engineers for the City and to be approved by the City Council.

Section 3. That the cost of such curb and gutter and street improvements included in Street Improvement District No. 2003-1, shall be levied and assessed against the property's in said district. The cost will be an 80/20 split with the property owners share at 80% of total costs, which will include all aspects of the project, and the City's cost at 20% of the total costs. The assessments shall constitute a lien on said property.

Section 4. This ordinance shall be in full force and effect from and after its passage according to law.

PASSED AND ADOPTED this _____ day of _____, 2003.

Passed on 1st reading only - 6/11/03
Mayor

1st reading only
City Clerk

Council member Kroesing made a motion to approve the application of Scott T. Samek for a Fireworks Permit. Samek will sell permissible fireworks on the Amigo's parking lot, 209 So. 4th Street, David City, Nebraska. Council member Lukassen seconded the motion. All of the Council members were present, all voted YEA, and the motion carried.

Council member Smith made a motion to approve the application of the David City Area Jaycees for a Fireworks Permit. They will be selling permissible fireworks at 546 No. 5th Street, David City, Nebraska. Council member Kirby seconded the motion. All of the Council members were present, all voted YEA, and the motion carried.

Council member Kroesing made a motion to go into executive session to discuss a personnel matter concerning the age of a summer worker. Council member Smith seconded the motion. All of the Council members were present, all voted YEA, and the motion carried. The Council, Mayor Smith, Attorney Egr, and City Clerk Joan Kovar went into executive session at 9:25 p.m..

Council member Kirby made a motion to come out of executive session. Council member Kroesing seconded the motion. All of the Council members were present, all voted YEA, and the motion carried. The Mayor and Council came out of executive session at 9:32 p.m..

There being no further business to come before the Council, Council member Kirby made a motion to adjourn. Council member Hein seconded the motion. All of the Council members were present, all voted YEA, and the motion carried. Mayor Smith declared the meeting adjourned at 9:35 p.m..

Mayor Stephen Smith

City Clerk Joan E. Kovar



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 June 11, 2003; 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