

## CITY COUNCIL PROCEEDINGS

June 26, 2002

The Mayor and City Council of the City of David City, Nebraska met in open public session at 5:30 p.m. on June 26, 2002 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 20<sup>th</sup>, 2002 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.

Present for the meeting were: Mayor Stephen Smith, Council members Ted Lukassen, Gary Kroesing, Gary Smith, Bill Schatz, and Nick Hein, City Administrator Andrew Brannen, Street Superintendent Jim McDonald, Water/Sewer Supervisor Gene Divis, Police Chief Stephen Sunday, and City Clerk Joan E. Kovar. Council member Mark Kirby was absent.

Also present were: Pam Siroky representing Agency One Insurance, Phil Lorenzen representing Kirkpatrick Pettis, and City employees Rob Scheffler, Pat Hoefl, and Tim Kozisek.

Council member Hein made a motion to advance ahead to agenda item #7 - Consideration of going into executive session. Council member Kroesing seconded the motion. Voting YEA: Council members Smith, Lukassen, Schatz, Kroesing, and Hein. Voting NAY: None. Council member Kirby was absent. The motion carried.

Council member Hein made a motion to go into executive session. Council member Kroesing seconded the motion. Council member Schatz questioned why it was necessary to go into executive session to discuss the salary survey, the city is not in arbitration, so why not discuss it openly. Mayor Smith stated that specific employees may be mentioned, etc., and it would be best to do this in executive session. Voting YEA: Council members Lukassen, Schatz, Kroesing, Smith, and Hein. Voting NAY: None. Council member Kirby was absent. The motion carried. Mayor Smith and the Council members went into executive session at 5:40 p.m..

Council member Schatz made a motion to come out of executive session. Council member Smith seconded the motion. Voting YEA: Council members Lukassen, Hein, Kroesing, Smith, and Schatz. Voting NAY: None. Council member Kirby was absent. The motion carried. The Council came out of executive session at 6:26 p.m..

Police Chief Sunday reported that he sent a certified letter to Brahmsteadts' concerning their property at 988 E Street, but they did not respond. Since Brahmsteadts have not paid the taxes on the property located at 988 E Street, there is now a case pending in District Court concerning foreclosure.

Council member Hein made a motion to table consideration of the demolition/burning of the Brahmsteadt property located at 988 E Street to the July 10, 2002, council meeting. Council member Lukassen seconded the motion. Voting YEA: Council members Kroesing, Smith, Schatz, Lukassen, and Hein. Voting NAY: None. Council member Kirby was absent. The motion carried.

City Administrator Brannen reported that Sheila Schukei prepares an annual wage and benefit survey for the League of Nebraska Municipalities. All communities may participate by

completing the wage and benefit survey. The following communities were selected from those that participated in the survey as comparisons for David City:

<u>Community</u>	<u>Population</u>		<u>Community</u>	<u>Population</u>
Auburn	3,350	Ord		2,269
Broken Bow	3,474		St. Paul	2,218
Central City	2,998		Wahoo	3,920
Minden	2,964		West Point	3,660

City Administrator Brannen stated that the salary survey information will be available to the employees tomorrow morning. Brannen will schedule meetings with the employee committee and with all of the employees to discuss the salary survey results.

City Administrator Brannen reported that the budget forms will be distributed to the department heads on July 15, 2002, so they can prepare their proposed budgets for 2002-2003.

Council member Schatz stated that at the June 12<sup>th</sup> Council meeting, the request of Nicholas H. and Linda J. Vandenberg to combine lots was tabled because the Council decided that prior to approving Vandenberg's request, the property owners, Tom & Deb Svoboda, of the No. 25' of Lot 3 and all of Lot 2, Block 3, Will Thorpe and Perkins First Addition, should request that their lots be combined.

Council member Schatz made a motion to advance ahead to agenda item #5 - Consideration of a Resolution to combine the north half (N ½ ) of Lot Three (3) and all of Lot Two (2), Block Three (3), Will Thorpe and Perkins First Addition to form one 75' lot as requested by Tom Svoboda. Council member Hein seconded the motion. Voting YEA: Council members Kroesing, Smith, Schatz, Lukassen, and Hein. Voting NAY: None. Council member Kirby was absent. The motion carried.

Council member Schatz stated that there was a problem because Tom Svoboda did not want to pay the \$12.00 filing fee for combining his lots. Mayor Smith stated he did not want to quibble about a \$12.00 bill and would pay it himself. Mayor Smith paid the \$12.00 filing fee for Tom Svoboda. Therefore, Council member Smith introduced Resolution No. 16 -2002 and moved for its passage and adoption. Council member Kroesing seconded the motion. Voting YEA: Council members Schatz, Lukassen, Hein, Kroesing, and Smith. Voting NAY: None. Council member Kirby was absent. The motion carried and Resolution No. 16 - 2002 was passed and adopted as follows:

**RESOLUTION NO. 16 - 2002**

WHEREAS, Thomas J. & Deborah A. Svoboda, as the owners of the north half (N ½ ) of Lot Three (3), and all of Lot Two (2), Block 3, Will Thorpe and Perkins First Addition to David City, Butler County, Nebraska, have filed a request to combine the above lots to form one lot approximately 75' x 140', and,

WHEREAS, there were no objections expressed concerning combining the north half (N ½ ) of Lot Three (3), and all of Lot Two (2), Block 3, Will Thorpe and Perkins First 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 Thomas J. Svoboda and Deborah A. Svoboda, to combine the north half (N ½ ) of Lot Three (3), and all of Lot Two (2), Block 3, Will Thorpe and Perkins First Addition to David City, Butler County, Nebraska, to form one lot, is hereby approved.

Dated this 26th day of June, 2002.

Mayor

City Clerk

Council member Smith introduced Resolution No. 17 -2002 and moved for its passage and adoption. Council member Hein seconded the motion. Voting YEA: Council members Schatz, Lukassen, Hein, Kroesing, and Smith. Voting NAY: None. Council member Kirby was absent. The motion carried and Resolution No. 17 - 2002 was passed and adopted as follows:

**RESOLUTION NO. 17 - 2002**

WHEREAS, Nicholas H. Vandenberg and Linda J. Vandenberg, as the owners of the south half (S ½ ) of Lot Three (3), all of Lot Six (6), and all of Lot Seven (7), Block 3, Will Thorpe and Perkins First Addition to David City, Butler County, Nebraska, have filed a request to combine the above lots to form one lot approximately 125' x 140', and,

WHEREAS, there were no objections expressed concerning combining the south half (S ½ ) of Lot Three (3), all of Lot Six (6), and all of Lot Seven (7), Block 3, Will Thorpe and Perkins First 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 Nicholas H. Vandenberg and Linda J. Vandenberg, to combine the south half (S ½ ) of Lot Three (3), all of Lot Six (6), and all of Lot Seven (7), Block 3, Will Thorpe and Perkins First Addition to David City, Butler County, Nebraska, to form one lot, is hereby approved.

Dated this 26<sup>th</sup> day of June, 2002.

Mayor

City Clerk

Council member Hein introduced Resolution No. 18 -2002 and moved for its passage and adoption. Council member Schatz seconded the motion. Voting YEA: Council members Schatz, Lukassen, Hein, Kroesing, and Smith. Voting NAY: None. Council member Kirby was absent. The motion carried and Resolution No. 18 - 2002 was passed and adopted as follows:

**RESOLUTION NO. 18 - 2002**

WHEREAS, Chapter 3, Article 6, Section 3-602 of the Municipal Code of the City of David City, Nebraska, allows a reasonable admission charge for the use by any person of the Municipal Swimming Pool.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, that the following admission fees are hereby established as follows:

<u>Daily</u>		<u>Season</u>	
Adult (18 & up)	\$3.50	Family	\$100.00
Child (6-17)	\$2.00	Couple	\$75.00
Toddler (5 & under)	Free*	Individual	\$50.00

\* Under the old admission policy adults with toddlers were not charged.  
Under the new proposal, adults with toddler will be charged \$3.50.

Dated this 26th day of June, 2002.

Mayor Stephen Smith

City Clerk Joan E. Kovar

There being no further business to come before the Council, Council member Kroesing made a motion to adjourn. Council member Smith seconded the motion. Voting YEA: Council members Schatz, Smith, Hein, Kroesing, and Lukassen. Voting NAY: None. Council member Kirby was absent. The motion carried and Mayor Smith declared the meeting adjourned at 6:59 p.m..

Mayor Stephen Smith

City Clerk Joan E. Kovar



CERTIFICATION OF MINUTES  
June 26, 2002

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 26, 2002; 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