

**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 **9<sup>th</sup> day of October, 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 1<sup>st</sup> day of October, 2019.

**AGENDA AS FOLLOWS:**

1. Roll Call;
2. Pledge of Allegiance;
3. Inform the Public about the location of the Open Meetings Act and the Citizens Participation Rules;  

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Mayor Alan Zavodny
4. Minutes of the September 25<sup>th</sup>, 2019 meeting of the Mayor and City Council;  

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Council President Kevin N. Hotovy
5. Consideration of Pay Estimate #12 to Eriksen Construction Co., in the amount of \$278,024.40 for the Wastewater Treatment Plant Project;  

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Council member Thomas J. Kobus
6. Consideration of Change Order #2 to Eriksen Construction Co., in the amount of \$67,690.00 for the WWTP Project;  

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Council member Dana E. Trowbridge
7. Consideration of Pay Estimate #4 to Midlands Contracting, Inc. in the amount of \$346,021.02 for Sanitary Sewer Rehabilitation;  

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Council member Patrick J. Meysenburg
8. Consideration of Sanitary Sewer Rehab Change Order #1, a decrease of \$236,154.40 to Midlands Contracting, and consideration of re-allocating funds to the Wastewater Treatment Plant Project;  

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Council member John P. Vandenberg
9. Consideration of Change Order #2 to Rogge General Contractors, Inc. for the Park Imp. Project, in the amount of \$2,033.73 for providing additional labor/equipment to remove concrete rubble while excavating for the picnic shelter footings, and 2 additional days;  

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Council member Bruce Meysenburg
10. Consideration of Change Order #3 to Rogge General Contractors, Inc. for the Park Imp. Project, in the amount of \$570.52 to install fire caulk material in the mechanical room of the shower/restroom Facility, and 1 additional day;  

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City Clerk Joan E. Kovar

11. Consideration of the traffic study, as presented by Dan Bellizzi (Olsson), conducted for the site expansion by Timpte, Inc. located west of the intersection of Highway 15 & "S" Street;
12. Consideration / Update on the Timpte site utilities project by Eric Beiermann (Olsson);
13. Consideration of "O" Street between 4<sup>th</sup> & 11<sup>th</sup> and the issues of "No Trucks Allowed" if posted along "O" Street, and consideration of "H" Street as to whether truck traffic is allowed;
14. Consideration of renewing the updated contract between the City and Raymond S. Sueper as the Building Inspector;
15. Consideration of the request by Martina Venegas for a 19' x 22' parking space on the City parkay at 969 No. 8<sup>th</sup> Street;
16. Consideration of selling the Street Departments old Loader Mount Snow Blower;
17. Consideration of closing "D" Street from 4<sup>th</sup> to 5<sup>th</sup> Street from noon on Tuesday, October 29<sup>th</sup> until 9:00 p.m. on Wednesday, October 30<sup>th</sup>;
18. Consideration of Resolution No. 22 – 2019 finding that the acquisition and development of certain real property (Lots 7, 8, 9, and 10, in Block 5, Original Town, David City, Butler County, Nebraska) is necessary and essential to the redevelopment of substandard and blighted areas, necessary for a Redevelopment Project, and consistent with the Master Plan of the City and approving legal action by the City of David City, Nebraska to acquire such property through condemnation;
19. Consideration of Ordinance No. 1327 amending Chapter 3 Misdemeanors; Article 3 – Animals Generally - banning chickens within the corporate limits;
20. Consideration of appointing \_\_\_\_\_ to serve a four-year term on the Hruska Memorial Public Library Board of Trustees;
21. Consideration of Resolution No. 24 – 2019 amending Chapter 5 of the Personnel Manual (concerning the request by the City Office Staff to change their work hours to 7:30 a.m. to 4:00 p.m. year-round, however being open till 5:00 p.m. on the 10<sup>th</sup>.) (Or, consideration of the Mayor's recommendation that all City / Utility Departments work 8:00 a.m. to 5:00 p.m.
22. Consideration of Progress Estimate #22 for Constructors, Inc. in the amount of \$505,901.49;
23. Consideration of Claims;
24. Committee and Officer Reports;
25. Consideration of Resolution No. 23 – 2019 setting the monthly industrial wastewater billing amounts for Henningsen Foods;
26. Consideration of the request by Ken Polacek, for St. Mary's School, to allow them to discharge ground water into the Sanitary Sewer System from October 15<sup>th</sup> to April 15<sup>th</sup> to avoid hazardous ice conditions;
27. Consideration of the requests by the David City Public School District #56:
  1. Approximately a 12' easement onto the south side of the High School Building between 7<sup>th</sup> and 9<sup>th</sup> Street; (This will require an Ordinance)
  2. Completely vacating all utility easements on 8<sup>th</sup> Street between "D" and "E" Streets. [This will require an Ordinance vacating all utility easements located in the portion of vacated 8<sup>th</sup> Street (80' x 300') between "D" and "E" Streets; (The City passed Ordinance No. 1238 on November 12<sup>th</sup>, 2015, vacating 8<sup>th</sup> Street and it reverted to David City Public School District #56, however, the City retained all the utility easements in this portion of the vacated street.);]
  3. Vacating the alley located between 8<sup>th</sup> & 9<sup>th</sup> Streets and "D" to "E" Streets, and relocating the electric poles in this area. (The vacating of the alley will require an Ordinance)
28. Adjourn