

## CITY COUNCIL PROCEEDINGS

September 25, 2019

The City Council of the City of David City, Nebraska, met in open public session at 7:00 p.m. in the meeting room of the City Office, 557 North 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 September 19<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 Alan Zavodny, Council members Kevin Hotovy, Thomas Kobus, Dana Trowbridge, Bruce Meysenburg, John Vandenberg, and Pat Meysenburg, Attorney Tim Wollmer, and City Clerk Joan Kovar.

Also present for the meeting were: David C. Levy of Baird Holm LLP, Julie Schultz representing David City Elementary PTO, Jaclyn Ross, Sheriff Tom Dion, David Place Administrator Barbara Aldrich and Mr. Wachal, and Building Inspector Ray Sueper.

The meeting opened with the Pledge of Allegiance.

Mayor Zavodny informed the public of the "Open Meetings Act" posted on the east wall of the meeting room asked those present to please silence their cell phones.

The minutes of the September 11<sup>th</sup>, 2019 meeting of the Mayor and City Council were approved upon a motion by Council member Hotovy and seconded by Council member Trowbridge. Voting AYE: Council members Bruce Meysenburg, Pat Meysenburg, Kobus, Vandenberg, Trowbridge, and Hotovy. Voting NAY: None. The motion carried.

Council member Hotovy made a motion to go into Executive Session to discuss a legal matter concerning the property located at 715 4<sup>th</sup> Street, David City, NE, legally described as Lots 7, 8, 9, & 10, Block 5, Original Town of David City. Council member Trowbridge seconded the motion. Voting AYE: Council members Bruce Meysenburg, Pat Meysenburg, Kobus, Trowbridge, Vandenberg, and Hotovy. Voting NAY: None. The motion carried.

Mayor Zavodny stated that the City Council was going into executive session to discuss a legal matter concerning the property located at 715 4<sup>th</sup> Street, David City, NE, legally described as Lots 7, 8, 9, & 10, Block 5, Original Town of David City.

The City Council, Mayor Zavodny, Attorney Tim Wollmer, Attorney David C. Levy of Baird Holm LLP, Building Inspector Ray Sueper, and City Clerk Joan Kovar went into executive session at 7:04 p.m.

Council member Hotovy made a motion to come out of executive session, seconded by Council member Pat Meysenburg. Voting AYE: Council members Kobus, Pat Meysenburg, Bruce Meysenburg, Vandenberg, Hotovy, and Trowbridge. Voting NAY: None. Mayor Zavodny declared the City Council out of executive session at 7:15 p.m.

At 7:16 p.m. Mayor Zavodny opened the Public Hearing to consider amending the Land Use Plan Map by changing the zoning classification from MDR – Medium Density Residential, to HDR – High Density Residential, for the following real estate: Lots 1, 2, and 3, High Addition to David City.

Council member Trowbridge stated: “I would speak briefly in favor of it, from an Economic Development Standpoint, from a humanitarian standpoint, from a need standpoint. David Place will serve all of those well with an expansion, we encourage it.”

It was noted that David Place has over 100 employees now, and estimated that maybe an additional 20 jobs would be added.

Mayor Zavodny asked if anyone else cared to speak, and there being no further comments, Mayor Zavodny closed the Public Hearing at 7:19 p.m.

Council member Trowbridge introduced Ordinance No. 1324 amending the Future Land Use Map by changing the zoning classification from MDR – Medium Density Residential, to HDR – High Density Residential, for the following real estate: Lots 1, 2, and 3, High Addition to David City. Mayor Zavodny read Ordinance No. 1324 by title. Council member Hotovy made a motion to suspend the statutory rule that requires an Ordinance be read on three separate days. Council member Trowbridge seconded the motion. Voting AYE: Council members Vandenberg, Pat Meysenburg, Kobus, Bruce Meysenburg, Trowbridge, and Hotovy. Voting NAY: None. The motion carried.

Council member Hotovy made a motion to pass and adopt Ordinance No. 1324 on the third and final reading. Council member Bruce Meysenburg seconded the motion. Voting AYE: Council members Kobus, Vandenberg, Trowbridge, Hotovy, Bruce Meysenburg, and Pat Meysenburg. Voting NAY: None. The motion carried and Ordinance No. 1324 was passed on 3<sup>rd</sup> and final reading as follows:

**ORDINANCE NO. 1324**

AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP BY CHANGING THE ZONING CLASSIFICATION FROM MDR – MEDIUM DENSITY RESIDENTIAL TO HDR – HIGH DENSITY RESIDENTIAL, FOR THE FOLLOWING REAL ESTATE: LOTS 1, 2 AND 3, HIGH ADDITION TO DAVID CITY; REPEALING ANY ORDINANCES IN CONFLICT HEREWITH; DESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT, AND PROVIDING FOR PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

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

Section 1. That the Future Land Use Map be amended as follows:

- a. To amend the following property from MDR – Medium Density Residential to HDR – High Density Residential, for the following real estate; Lots 1, 2, and 3, High Addition to David City.





Section 2. That any ordinance or section of any ordinance passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions, is hereby appealed.

Section 3. This ordinance shall be published in pamphlet form and shall be in full force and effect from and after its passage, approval, and publication as provided by law.

Passed and adopted this 25<sup>th</sup> day of September, 2019.

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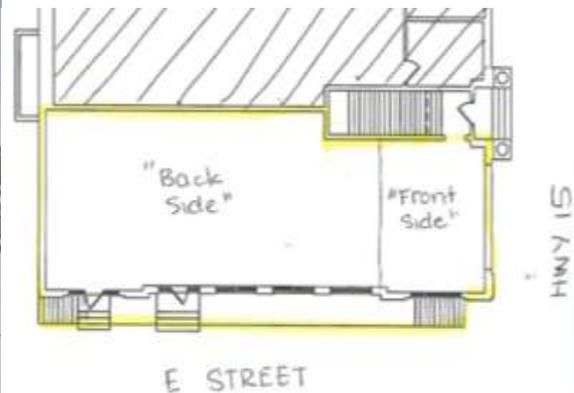
Mayor Alan Zavodny

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City Clerk Joan E. Kovar

At 7:23 p.m. Mayor Zavodny opened the Public Hearing to consider amending the Zoning Ordinance No. 1060, Section 5.13, C-2 Downtown Commercial District, by amending Section 5.13.03 Conditional Uses, by adding Item #23. Apartment Units on or below the main level of an existing structure if it meets the following criteria – 1. Apartment must be less than 30% of the main floor square footage; 2. Has to have previously been an apartment OR the apartment has to be in the rear of the building.

Jaclyn Ross was present and presented the following:





Building Inspector Ray Sueper stated: “Jaclyn Ross, who has purchased the Wolfe building, is requesting to put an apartment back on the main floor of the business level of the business. There is evidence that there was an old apartment there, and maybe two apartments at one time, so they came to the Planning Commission meeting and asked to restore that use in there. Planning Commission member Keith Marvin crunched some numbers, and to try to avoid setting a precedence, determined some calculations to be used so that it doesn’t reoccur as a common theme for the rest of the business properties in Downtown on the main level.”

It was noted by Council member Hotovy that we don’t want to lose our store fronts and have them turn into apartments.

Jaclyn Ross stated: We purchased the Wolfe Building down the street, and we have almost finished the six apartments that are upstairs and now we’re looking to move on to the rest of the building. The bottom layer used to be two office buildings and then there was an apartment in the front. The steps aren’t very conducive for commercial so we’re wanting to put a coin laundry in the front along 4<sup>th</sup> Street, where an apartment used to be, and then on the back half where the two entrances are, an apartment.”

The steps and access to the coin laundry was discussed. Ray Sueper stated that the ADA (Americans with Disabilities Act) kicks in on a complaint basis on an existing building, so if there was ever a complaint, it would need to be addressed. Jaclyn stated that they planned to keep the coin laundry open to the public, however, if there was a complaint concerning access, they would probably close it to the public at that time. Discussion followed.

Mayor Zavodny asked if anyone else cared to speak, and there being no further comments, Mayor Zavodny closed the Public Hearing at 7:31 p.m.

Council member Trowbridge introduced Ordinance No. 1326 amending Zoning Ordinance No. 1060, Section 5.13, C-2 Downtown Commercial District, by amending Section 5.13.03 Conditional Uses, by adding Item #23. Apartment Units on or below the main level of an existing structure if it meets the following criteria – 1. Apartment must be less than 30% of the main floor square footage; 2. Has to have previously been an apartment OR the apartment has to be in the rear of the building. Mayor Zavodny read Ordinance No. 1326 by title. Council member Trowbridge made a motion to suspend the statutory rule that requires an Ordinance be read on three separate days. Council member Pat Meysenburg seconded the motion. Voting AYE: Council members Bruce Meysenburg, Vandenberg, Trowbridge, Hotovy, Kobus, and Pat Meysenburg. Voting NAY: None. The motion carried.

Council member Hotovy made a motion to pass Ordinance No. 1326 on the 3<sup>rd</sup> and final reading. Council member Trowbridge seconded the motion. Voting AYE: Council members Pat Meysenburg, Kobus, Vandenberg, Hotovy, Bruce Meysenburg, and Trowbridge. Voting NAY: None. The motion carried and Ordinance No. 1326 was passed on 3<sup>rd</sup> and final reading as follows:

**ORDINANCE NO. 1326**

AN ORDINANCE TO AMEND ZONING ORDINANCE NO. 1060 BY AMENDING ARTICLE 5: ZONING DISTRICTS BY AMENDING SECTION 5.13.03 C-2 DOWNTOWN COMMERCIAL CONDITIONAL USES; TO PROVIDE FOR THE REPEAL OF ANY ORDINANCE OR RESOLUTION IN CONFLICT THEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE THEREOF; AND TO AUTHORIZE PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA, THAT THE FOLLOWING SECTION OF ZONING ORDINANCE NO. 1060 BE AMENDED AS FOLLOWS:

**Section 5.13 C-2 Downtown Commercial District**

**5.13.03 Conditional Uses.**

23. Apartment units on or below the main level of an existing structure if it meets the following criteria:

1. Apartment must be less than 30% of the main floor square footage.
2. Has to have previously been an apartment OR the apartment has to be in the rear of the building.

This Ordinance shall be in full force and effect from and after passage, approval and publication or posting as required by law.

PASSED AND APPROVED THIS 25<sup>th</sup> day of September, 2019.

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Mayor Alan Zavodny

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City Clerk Joan Kovar

Chuck Oborny, of Oborny Construction, was hired by David City High School to provide off street parking from “C” to “D” Street on the west side of 9<sup>th</sup> Street. Chuck notified the City that that portion of 9<sup>th</sup> Street is in bad condition, and submitted a bid in the amount of \$20,000 to replace approximately a 175’ section, the length of the new parking spaces, on the west half of 9<sup>th</sup> Street between “C” and “D” Streets.

Council member Hotovy made a motion to approve the bid of \$20,000 as submitted by Chuck Oborny of Oborny Construction, contingent upon the minimum thickness being eight inches (8”), to replace approximately a 175’ section, the length of the new parking spaces, on the west half of 9<sup>th</sup> Street between “C” and “D” Streets. Council member Kobus seconded the motion. Voting AYE: Council members Trowbridge, Vandenberg, Bruce Meysenburg, Pat Meysenburg, Kobus, and Hotovy. Voting NAY: None. The motion carried.

At the August 28, 2019 Council Meeting, the Council approved the request by David City Elementary PTO and St. Mary’s Spirit Club, to close 5<sup>th</sup> Street from “D” to “E” on Friday, October 25, 2019 from 4:30 p.m. – 7:30 p.m. for a “Trunk or Treat” activity;

Julie Schultz, representing David City Elementary PTO, stated: “In the planning of the “Trunk or Treat” event, we realized we are expecting over 400 kids and probably 50 trunks and we think that’s quite a bit to try to fit into one City block, so we are requesting to move another block to the south (“C” to “D”) with the exception of leaving the intersection open for cross traffic and that we would have volunteers directing the kids from block to block.”

Mayor Zavodny stated: “I kind of liked our original solution but I also understand that things have changed since you were here last time. Since we are closing the street for that time, since our last meeting, have you talked to the businesses about how they felt about that happening?”

Julie Schultz stated: “We’ve had a couple people that were initially concerned about it, they thought the street was going to be closed all day, but we told them that we were going to pass out notices to the businesses that we request their employees to move their vehicles that day by 4:00 / 4:30 and then we’ll just close the street down at that time.”

Mayor Zavodny stated: “Instead of parking cars diagonally, if you pulled cars in straight, in the middle parking area, and have them front end to front end, you would have a lot of capacity for vehicles.”

Julie Schultz stated: “We did do a count. There are 17 spots on the east side, 16 spots on the west side, and 20 spots in the middle. We were just afraid if we parked in every single spot, with 400 kids coming through, you’re going to be stacked right on top of each other. We talked about parking the cars straight in, instead of diagonally, to get more in, but we’re still afraid that we are going to have to tell people “No, we are full, we can’t take you” for parents that want to participate. We’ve talked to the Fire Department, and they are actually going to help us block the street, and they are going to be parked where they have easy access to get out because they wanted to participate.”

Discussion followed. The Council stated it would be safer to just block the intersection completely off to traffic at 5<sup>th</sup> & “D” during this time, as well as from “C” to “E” on 5<sup>th</sup>.

Council member Hotovy made a motion to approve the request by Julie Schultz, on behalf of David City Elementary PTO and St. Mary's School, to temporarily close 5<sup>th</sup> Street from "C" to "E" Street, on Friday, October 25, 2018, from 4:30 p.m. – 7:30 p.m. for a "Trunk or Treat" Activity, and that we not allow any cross traffic on "D" Street. Council member Hotovy also stated that he thought it was really cool that the two schools are doing this together. Council member Kobus seconded the motion. Voting AYE: Council members Vandenberg, Pat Meysenburg, Bruce Meysenburg, Hotovy, Trowbridge, and Kobus. Voting NAY: None. The motion carried.

Council member Hotovy introduced Ordinance No. 1327 amending Chapter 3 Misdemeanors; Article 3 – Animals Generally – banning chickens within the corporate limits. Mayor Zavodny read Ordinance No. 1327 by title.

At the September 11<sup>th</sup> Council meeting, the Council passed Resolution No. 21 – 2019 setting the permit fee for anyone keeping and raising chickens in the City at \$200.00 per year. City Attorney Egr had stated that those that have chickens are grandfathered, but as those chickens die off, they cannot replace them, and they still have to have a permit for them.

Council member Hotovy stated: "I have a hard time saying a third grader can't have a chicken to go show at the fair, say for 4-H. It's crazy, I know, but I will say agriculture is one thing that I am a pretty big proponent of and I don't know that I could tell a little 2<sup>nd</sup> or 3<sup>rd</sup> grader "Sorry, you've got to get rid of your chicken". If there was ever to be an exception made, a kid learning the discipline to take care of an animal is probably a good thing to have, and there is no way I could go in favor of getting rid of the ability for a kid to learn the discipline and the responsibility of taking care of an animal."

Council member Meysenburg stated: "I didn't get the \$200.00 permit fee from the beginning. What's it cost to get a dog tag, \$10.00, and you're going to charge somebody \$200.00 a year for chickens?"

Council member Trowbridge stated: "The \$200.00 was a way to say we don't want the things; that's just another way of saying it, and I'm willing to change the \$200 to \$3.49 I don't care."

Mayor Zavodny stated: "I'm not against 4-H kids either, I just think it's awful hard to write an ordinance that does the best interest of the City, and takes care of all the things we can think of that might get "not allowed" because of it. I agree, you start opening up to, "ok, we'll say if you're doing it for 4-H we'll let you have chickens". This ordinance bans them."

Attorney Tim Wollmer stated: "When I read the proposed ordinance, it just says you can't have these, unless you have a permit, is what it says. So, then it begs my question, I don't know if there's a set of rules for determination of who, like you said, should be permitted. It doesn't prohibit them."

Much discussion followed.

Council member Trowbridge made a motion to table consideration of Ordinance No. 1327 and Council member Meysenburg seconded the motion. Voting AYE: Council members

Hotovy, Vandenberg, Kobus, Pat Meysenburg, Bruce Meysenburg, and Trowbridge. Voting NAY: None. The motion carried and Ordinance No. 1327 was tabled.

ORDINANCE NO. 1327

AN ORDINANCE OF THE CITY OF DAVID CITY, NEBRASKA, AMENDING CHAPTER 3 – MISDEMEANORS; ARTICLE 3 – ANIMALS GENERALLY; SECTION 3 – 302 CHICKENS; REPEALING CONFLICTING ORDINANCES; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

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

SECTION 1. Chapter 3 – Misdemeanors; Article 3 – Animals Generally; of the Revised Municipal Code be and hereby is amended by amending Section 3 – 301: Livestock Prohibited; Enclosures and eliminating Section 3 – 302 Chickens as follows:

Article 3 – Animals Generally

SECTION 3-301: LIVESTOCK PROHIBITED

It shall be unlawful for any person to keep or maintain within the corporate limits any horse, mule, sheep, cow, goat, swine, **fowl**, or other livestock unless a permit has been obtained from the City Council. To obtain such permit, the applicant must make application to the council, setting forth such information as required by the council to enable the members to decide if such livestock would constitute a health hazard or nuisance. (Neb. Rev. Stat. §17-547)

SECTION 3-302: ELIMINATED

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect and be in full force on after its passage, approval, and publication as required by law.

Passed and approved this 25<sup>th</sup> day of September, 2019.

CITY OF DAVID CITY, NEBRASKA

(Tabled)

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Mayor Alan Zavodny

(Tabled)

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City Clerk Joan Kovar

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Mayor Zavodny stated: "I think what we need to do is maintain the protection we have in place. We can address the fee structure down the road, and I like the idea of putting the onus back on the person of "compliance is theirs". That's where notification comes. When you get the permit, you're signing that says, I will comply with the rules of the ordinance."

Council member Trowbridge stated: "And I would like a chicken forfeiture paragraph in there, that if I'm not complying with it, you can take my chickens."

Mayor Zavodny stated: "So we are going to require them to be permitted down this road and we'll deal with it then, and if we need to tweak it, we always have that opportunity to do that."

The City Office Staff presented the following:

## OFFICE HOURS

The City Office was open from May 28 — August 30, 2019 from 7:30 a.m. — 4:00 p.m. and remained open until 5:00 p.m. on the 10<sup>th</sup> of the month. We have now switched back to our winter hours of 8:00 a.m. — 5:00 p.m.

This month we have had several customers complaining that it was more convenient for them to come into the City Office before 8:00 a.m., before they go to work, or now while dropping children off for school.

We disconnected one gentleman because he hadn't paid his bill, which he always pays in cash, and he complained that he was at the office at 7:45 a.m. and no one was there. We explained that we were now on winter hours and didn't open until 8:00; he was not impressed and stated that didn't help when he worked 8:00 — 5:00. We noticed during the summer months that we were busier from 7:30 a.m. — 8:00, than from 4:00 — 5:00. Butler Public Power District is also open from 7:30 a.m. to 4:00 p.m. so that gives consistency between the utility companies.

The City Office staff discussed this, and we all agreed that working 7:30 a.m. — 4:00 p.m.; and working 7:30 a.m. to 5:00 p.m. on the 10<sup>th</sup> works for all of us and will provide a benefit to the customers.

Therefore, we would like to request that our regular year-round working hours be 7:30 a.m. — 4:00 p.m., staying open till 5:00 p.m. on the 10<sup>th</sup>.

Thank You for your consideration.

*Jean Kovar*  
*Jami Comte*  
*Jen Matchett*  
*Shelly Minert*

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Mayor Zavodny stated: "Ok, I've given some thought to this. Our employee scheduling to me is the most confounding thing I've seen. Most people are done at 3:30, some are at 4:00, what the heck are we doing? So, to me, I think we need for predictability of the citizen, and we understand there will be times when they have to come in on off hours, and that's at time and one-half, but I think an 8:00 to 5:00 is a reasonable time frame for the hours of operation of a business and the City Office. I understand the argument that some are being unhappy, but you work 8:00 to 12:00, you have the lunch hour you are closed, and then 1:00 p.m. to 5:00 p.m.

Now, your argument was, you have someone that says “I go work, those hours don’t work for me because I work the same hours”, the solution to that to me is, if we decide to, and I’m talking not just for the Office hours, as the operation of the City, what is the downside in being known for being open 8:00 a.m. to 5:00 p.m.? Is there a reason we wouldn’t do that? It’s nice to get off at 3:30 p.m. I’m sure. I’m in favor of setting the City work hours from 8:00 a.m. to 5:00 p.m., irregardless of the position. Now, the one thing you could consider doing for the Office, because people have to pay bills, is you could have one or two that might agree to stagger theirs, and just bump it a half hour, maybe 7:30 a.m. to 4:30 p.m. You could do that if you want to as a Council; was the solution I came up with.”

Council member Bruce Meysenburg stated: “We just have ours automatically taken out of our checking account; that way we don’t even have to worry about coming up here.”

Council member Trowbridge stated: “The hours should be 8:00 a.m. – 5:00 p.m.; how we staff it is a whole other ballgame. As long as we have the door open, and a human body on the other side of the counter from 8:00 a.m. – 5:00 p.m., I am fine with that, I don’t need to know that there are three more back here, because I am only going to deal with one at a time anyway but I want the place open from 8:00 a.m. to 5:00 p.m. period.

Council members Bruce Meysenburg and Kevin Hotovy stated that it is easier to fill potholes, paint lines, etc., in the early morning hours before there is a lot of traffic. The electric department has to wear long sleeved fire proof shirts, which get very hot in the afternoons, so working earlier in the day is better for the electric department. So, they didn’t think you could go 8:00 a.m. to 5:00 p.m. for all departments.

Mayor Zavodny stated: “I am requesting we table this to the next meeting, saying the City Office hours of operation are 8:00 p.m. to 5:00 p.m., Monday thru Friday.”

City Clerk Kovar stated: “Well we are, so we don’t really need to do that.”

Mayor Zavodny stated: “I’m trying to make it the whole City. I think we are ending the practice of getting off at 3:30, I think we need some predictability and I think there are compelling reasons to do that. How we’ve slid to what we’ve got now, of set your own hours, probably isn’t the best.”

Council member Hotovy stated: “But yet, I don’t know that you can say, because for instance, the street department has not been able to accomplish what they need to get done, just because they are doing it earlier in the day when there is less heat.”

Council member Kobus stated: “The County doesn’t change the hours, it’s straight through year-round.”

Council member Hotovy asked: “What are the County hours?”

Council member Kobus stated: “6:30 a.m. to 2:30 p.m.

Council member Hotovy stated: “See, for working outside, that makes way more sense to me.”

Mayor Zavodny stated: "But does it work for the ratepayer who had their power shut off and now no-one is there?"

Council member Hotovy stated: "I get that argument but I don't know that you can generalize that across all the departments."

Mayor Zavodny stated: "Here's what I think we do. I think we put it on the next agenda, City employees will know it's there, and let them come make their case to you guys."

Council member Hotovy stated: "I know I like not having to work in the heat at 4:00 in the afternoon."

Mayor Zavodny stated: "In the summer, I agree we need to look at that, but for right now I can see no compelling reason to have the different hours."

Council member Hotovy made a motion to table consideration of changing the Office 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> of the month. Council member Kobus seconded the motion. Voting AYE: Council members Trowbridge, Bruce Meysenburg, Pat Meysenburg, Kobus, Vandenberg, and Hotovy. Voting NAY: None. The motion carried.

Attorney Tim Wollmer stated our current "impounded vehicle lease", dated May 13, 2015, is valid until May 31, 2030. It is \$2,500 per year for a period of fifteen (15) years. Tim stated that the only way out of the agreement is if we could reach a new agreement with Steager Storage, LLC.

The public request for a turning lane off of Highway 15 onto "S" Street was discussed.

Mayor Zavodny stated: "I asked Street Supervisor Chris Kroesing about this briefly. This is all a Department of Roads thing. The maintenance agreements and all those things, end at Stop-Inn, so he said this really isn't something we get involved in. This is part of the overall Timpte thing, the T.I.F. (Tax Increment Financing) issue, and the grant we got from the State to do this. To be perfectly honest with you, I haven't heard anything about it since we got the State money okay and where we are on design."

Council member Trowbridge stated: "I discussed this with Cody Wickham of D. A. Davidson, yesterday. We are moving forward with Olsson out of Lincoln doing the descriptive of the wastewater and water projects we have going on out there. Mike Bacon is to take those and develop the verbiage that we need to pass in this room, and we will move forward with it."

Mayor Zavodny stated: "Let me ask this; and I appreciate all you've done. People aren't aware of the amount of work Council member Trowbridge has done on that Timpte thing and we are grateful to him for doing that. I just think, right now, I don't know, we've not seen a bunch of progress on this. Last I knew Olsson was doing a traffic study, so I wonder if our next move isn't to have Olsson's here and say, "where we at on this thing?", because the State put money towards it. When things were really rolling fast, it was yes, we are going to pay a couple hundred thousand toward it, that's what I remember anyway."

Council member Trowbridge stated: "When the State lost interest in it, there's nobody local to pick the ball up and run, unless it's you, or you, or you, because we don't have anybody in place to do it; we don't have a city administrator."

Mayor Zavodny stated: "So are we okay with asking Olsson's to come and say: "what are our next moves, and how do we take it to conclusion?". Let's invite them to our next meeting."

There being no further business to come before the Council, Council member Hotovy made a motion to adjourn. Council member Kobus seconded the motion. Voting AYE: Council members Pat Meysenburg, Trowbridge, Vandenberg, Bruce Meysenburg, Hotovy, and Kobus. Voting NAY: None. The motion carried and Mayor Zavodny declared the meeting adjourned at 8:28 p.m.



CERTIFICATION OF MINUTES  
September 25<sup>th</sup>, 2019

I, Joan Kovar, duly qualified and acting City Clerk for the City of David City, Nebraska, do hereby certify with regard to all proceedings of September 25<sup>th</sup>, 2019; 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 Kovar, City Clerk