

**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 **12<sup>th</sup> day of April, 2017**, 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 3<sup>rd</sup> day of April, 2017.

**AGENDA AS FOLLOWS:**

1. Roll Call;
2. Pledge of Allegiance; \_\_\_\_\_  
Mayor Alan Zavodny
3. Inform the Public about the location of the Open Meetings Act and the Citizens Participation Rules; \_\_\_\_\_
4. Minutes of the March 8<sup>th</sup>/21<sup>st</sup>, 2017 meeting of the Mayor and City Council; Council President Gary D. Smith
5. Consideration of Claims;
6. Committee and Officer Reports; \_\_\_\_\_  
Council member Thomas J. Kobus
7. Consideration of negotiating with PeopleService Inc. to manage our Water and Sewer Systems; Consideration of going into Executive Session; \_\_\_\_\_  
Council member Dana E. Trowbridge
8. Consideration of accepting the resignation of Kevin Betzen; and Consideration of appointing Travis Hays as the Water and Wastewater Department Head; \_\_\_\_\_  
Council member Kevin N. Hotovy
9. Discussion concerning the Downtown Renovation Project;
10. Consideration of the bids received from Constructors and M.E. Collins concerning the Downtown Renovation Project and Highway 15; \_\_\_\_\_  
Council member Patrick J. Meysenburg
11. Consideration of Resolution No. 12-2017 accepting the bid for the construction of improvements in Street Improvement District Nos. 2017-1 and 2017-2 and certain water system improvements in the City of David City; \_\_\_\_\_  
Council member John P. Vandenberg
12. Consideration of Task Order 2017-2 for Scope of Services and Fees for April 12, 2017 through December 1, 2018 between Leo A. Daly and the City in amount of \$700,857.00; \_\_\_\_\_  
City Clerk Joan E. Kovar

13. Consideration of an Interlocal Cooperation Agreement for Downtown Improvements and County Property Drainage Improvements;
14. Consideration of accepting the "Grant of Temporary Construction Easement" for the County of Butler for real estate described as: All of Block Twenty-Five (25), Original Town of David City, Butler County, Nebraska;
15. Consideration of the proposals received to submit the renewal application for the Power Plant Class 1 Operating Permit to DEQ;
16. Consideration of the request by the B.C. Senior Center for the placement of a new garage just across the alley to the north of the Senior Center (6<sup>th</sup> between "D" & "E");
17. Public Hearing to consider the preliminary plat of the Siffring Addition to the City of David City, Butler County, Nebraska, legally described as follows:  
A parcel of land located in the North half of the Southeast quarter of Section 18, Township 15 North, Range 3 East of the Sixth P.M., Butler County, Nebraska being described as follows: Referring to the Southwest corner of the North half of the Southeast quarter of said Section 18; Thence N88°23'38"E (Assumed Bearing) on the South line of said North half of the Southeast quarter, a distance of 98.56 feet to the East right of way line of Nebraska Highway #15, as described in Deed Book 96, Page 106, and recorded in the office of the Register of Deeds for Butler County, Nebraska, and the Point of Beginning; Thence N09°05'45"W on said East right of way line, a distance of 157.79 feet; thence N01°51'10"W continuing on said east right of way line, a distance of 597.20 feet; Thence N88°08'50"E, a distance of 345.56 feet to the Westerly line of a permanent drainage easement described in Book 11, Page 01579, and Recorded in the office of the Register of Deeds for Butler County, Nebraska; Thence S00°49'36"E on said Westerly line and its Southerly extension, a distance of 755.11 feet to said South line; Thence S88°16'40"W on said South line, a distance of 40.76 feet to the Northeast corner of a parcel of land described in Microfilm Book 07, Page 1980, and recorded in the Office of the Register of Deeds for Butler County, Nebraska; Thence S88°23'38"W continuing on said South line, a distance of 271.38 feet to the Point of Beginning, containing 5.83 acres, more or less.
18. Consideration of accepting the preliminary plat of the Siffring Addition legally described above;
19. Consideration of Resolution No. 13 – 2017 concerning the property located at 314 7<sup>th</sup> Street in which the property owner by Resolution #16-2016 was given until March 15<sup>th</sup>, 2017 to abate the nuisance(s) and get the property in compliance with City Codes; (Roy Remmers – Ziethen)
20. Consideration of Resolution No. 14 – 2017 concerning the property located at 210 Nebraska Street in which the property owner was given until March 23<sup>rd</sup>, 2017 to abate the nuisance(s) and get the property in compliance with City Codes; (Larry J. Cermak)
21. Consideration of Resolution No. 15 – 2017 concerning the property located at 230 Nebraska Street in which the property owner was given until March 23<sup>rd</sup>, 2017 to abate the nuisance(s) and get the property in compliance with City Codes; (Robert Alexander)
22. Consideration of Resolution No. 16 – 2017 concerning the property located at 141 4<sup>th</sup> Street in which the property owner was given until March 23<sup>rd</sup>, 2017 to abate the nuisance(s) and get the property in compliance with City Codes; (Bill Jr. & Tammy Fiala)
23. Consideration of Resolution No. 17 – 2017 concerning the property located at 798 4<sup>th</sup> Street in which the property owner was given until March 23<sup>rd</sup>, 2017 to abate the nuisance(s) and get the property in compliance with City Codes; (John D. Meister)

24. Consideration of Resolution No. 18 – 2017 concerning the property located at 1070 North 8<sup>th</sup> Street in which the property owner was given until March 23<sup>rd</sup>, 2017 to abate the nuisance(s) and get the property in compliance with City Codes; (Barbara Palik)
25. Consideration of Resolution No. 19 – 2017 concerning the property located at 1080 North 8<sup>th</sup> Street in which the property owner was given until March 23<sup>rd</sup>, 2017 to abate the nuisance(s) and get the property in compliance with City Codes; (Barb Vogel Palik)
26. Consideration of the bids received for a Park mower;
27. Consideration of the City Auditorium's downstairs lighting as part of our approved grant;
28. Adjournment

## CITY COUNCIL PROCEEDINGS

April 12, 2017

The City Council of the City of David City, Nebraska, met in open public session 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 April 6<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 President Gary Smith, and Council members John Vandenberg, Thomas Kobus, Kevin Hotovy, Dana Trowbridge, and Patrick Meysenburg, City Attorney Jim Egr, and City Clerk Joan Kovar.

Also present for the meeting were: Al Hottovy and Jonathan McCarville of Leo A. Daly, Philip Lorenzen of D.A. Davidson, Project Engineer Troy Johnston of JEO Consulting Group, Planning Commission Members Jim Vandenberg and George Cunningham, Sheriff Marcus Siebken, Downtown Business Owners Rex Rehmer, Bill Dubs, Randy Svoboda, Tim Beaver, B.J. Ponec, and Erin Hotovy, Scott Steager, David McPhillips, John Kabourek, Mike Draper, Jeff Hilger, Leah Hays, Library Board Member Steve Smith, Cory Vandenberg, Bea Alexander, Randy & Barb Janak, John Meister, Larry Cermak, Superintendent of Schools Chad Denker, Jan & Dan Sypal, Mr. & Mrs. Karl Ziethen, Chamber Director Demi Bartunek, Banner Press Editor Larry Peirce, Utility Foreman/Economic Developer Doug Goracke of Tecumseh, Sewer Supervisor Kevin Betzen, Water/Sewer Employees Travis Hays, C.J. Novak, Matt Fleming, Power Plant Supervisor Eric Betzen, Street Supervisor Rodney Rech, Street Foreman Chris Kroesing, Park/Auditorium Supervisor Bill Buntgen, and others from the public.

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 and asked those present to please silence their cell phones.

The minutes of the March 8<sup>th</sup> / 21<sup>st</sup>, 2017 meeting of the Mayor and City Council were approved upon a motion by Council member Kobus and seconded by Council member Smith. Voting AYE: Council members Trowbridge, Vandenberg, Meysenburg, Hotovy, Smith, and Kobus. Voting NAY: None. The motion carried.

Mayor Zavodny asked for consideration of claims. Council member Smith made a motion to authorize the payment of claims and Council member Kobus seconded the motion. Voting AYE: Council members Hotovy, Meysenburg, Vandenberg, Trowbridge, Kobus, and Smith. Voting NAY: None. The motion carried.

Mayor Zavodny asked for any comments or questions concerning the Committee and Officer Reports.

Council member Trowbridge stated that he visited with a gentleman from the State Department of Roads – Lincoln, concerning the junk and for sale items that have been appearing on citizens parkways, the City's right-of-way, up and down the highway and if the City could possibly do anything about that. He stated that it was not only a possibility that we enforce their regulations, but that it was our responsibility to enforce their regulations that we not allow inappropriate items. Council member Trowbridge asked Sheriff Marcus Siebken to help the City with eliminating any vehicles or other miscellaneous items located between the sidewalk and the curb. Sheriff Siebken stated that they would work on that for the City.

Council member Vandenberg made a motion to accept the committee and officers reports as presented. Council member Kobus seconded the motion. Voting AYE: Council members Hotovy, Meysenburg, Trowbridge, Kobus, Vandenberg, and Smith. Voting NAY: None. The motion carried.

Mayor Zavodny stated: "Item #7 (*Consideration of negotiating with PeopleService Inc. to manage our water and sewer systems; Consideration of going into Executive Session*) we are going to discuss some legal and personnel issues so I would entertain a motion to go into executive session."

Council member Smith made a motion to go into Executive Session to discuss a legal and personnel issues. Council member Kobus seconded the motion. Voting AYE: Council members Trowbridge, Vandenberg, Meysenburg, Kobus, Smith, and Hotovy. Voting NAY: None. The motion carried

Mayor Zavodny stated, "At 7:10 p.m. we are going into executive session to discuss a legal and personnel matter." Mayor Zavodny, Council members Trowbridge, Meysenburg, Smith, Hotovy, Kobus, and Vandenberg, City Attorney Egr, Water /Sewer Supervisor Kevin Betzen, Water/Sewer Employee Travis Hays, Utility Foreman/Economic Developer Doug Goracke of Tecumseh, and City Clerk Kovar went into executive session at 7:10 p.m.

City Attorney Jim Egr stated that a motion and second was not needed to come out of executive session. Therefore, Mayor Zavodny declared the City Council out of executive session at 7:32 p.m.

Council member Smith asked Water/ Sewer Supervisor Kevin Betzen if he would reconsider his letter of resignation effective April 21<sup>st</sup> and come back to work for the City. Kevin stated that it was hard to leave but at this point he couldn't retract his letter of resignation.

Mayor Zavodny asked for a motion, to request a proposal by PeopleService Inc. to manage our water and sewer systems, if it was still the will of the Council. There being no response, Mayor Zavodny again asked if anyone wanted to pursue asking PeopleService Inc. to provide a proposal.

Council member Trowbridge made a motion to request a proposal from PeopleService Inc. to manage the Water and Wastewater Systems. Mayor Zavodny asked if there was a second. Hearing none, Mayor Zavodny stated: "We have a motion on the floor, so again I will ask for a second." Silence. Mayor Zavodny stated: "I will ask one more time, is there a second to the motion?" Hearing none, Mayor Zavodny stated: "I declare the motion dead for lack of a second."

Council member Hotovy made a motion to unfortunately accept the resignation of Water/ Sewer Supervisor Kevin Betzen. Council member Meysenburg seconded the motion. Voting AYE: Council members Vandenberg, Trowbridge, Meysenburg, and Hotovy. Voting NAY: Council members Smith and Kobus. The motion carried.

Council member Meysenburg made a motion to appoint Travis Hays as the Water and Wastewater Department Head. Council member Hotovy seconded the motion. Voting AYE: Council members Trowbridge, Vandenberg, Meysenburg, Kobus, Smith, and Hotovy. Voting NAY: None. The motion carried.

Several business owners were present to discuss concerns about the Downtown Renovation Project stating that there is no transparency; they have no idea about what is going on. At the meeting at the Library they were told we were going to have ramps all over; they didn't know anything about that. They feel that before any final decisions are made, the property owners, Mayor, City Council, and Al Hottovy should all get together to go over the entire plan so everyone knows what is going on. The promise was he was going to meet with all of the property owners and this isn't happening the way it's supposed to happen. The property owners don't feel like they are getting the available information. They don't have the whole picture of what is actually going to be happening here.

Mayor Zavodny stated: "One of our issues with that is the late hour of this given the bids are only good until the 21<sup>st</sup>. We are going to have to act one way or another. I've heard arguments on one side that it's taking too long, and now almost it's going too fast. It can't be both but to people's perspective it can be both. It's time to move on this one way or another."

Al Hottovy of Leo A. Daly stated: "We have looked at some of the designs; we have eliminated two. We have not discussed any ramps until the contract is awarded. We have to get the award first. I also take exception because we met with 72 land owners, one on one, and went over their front stoops with pictures."

A business owner stated: "In a half hour meeting, when you throw the ramps at us, we don't even have time to process it or figure out what's happening. There were no pictures there that showed exactly what we're getting, it was just a drawing. What cost overruns can we expect? The business owners aren't afraid of progress we just want to make sure it's done the right way the first time. I'm just a little worried about it; the costs, expenses, and to us it looks bad. That's our concern."

Phil Lorenzen, Vice-President of D. A. Davidson stated: "The sales tax was voted in and approved on May 10, 2016 to continue the 1.5% city sales tax for another ten years

through October 1, 2030. Based on the cash flows, the sales tax has been increasing approximately 2% per year, over the last four years of average, and the sales tax on the 1.5% has been increasing on a compound average of about 2%. The half-cent sales tax (.50% city sales tax) (*designated for water treatment works and systems, transmission lines, mains and their appurtenances, etc., scheduled to terminate on October 1, 2024*), hasn't been in effect long enough that I made any calculations on that. My calculations would be if we took 14 years of sales tax, which we have to run from this point forward on the 1.5%, and I calculated with the 2% increase if that continues, that 2% increase would generate somewhere around \$8.75 million, and then the .50% sales tax, I calculated no increase on that in terms of a percentage growth, and I found that that would be about \$1.4 million. Collectively those total approximately \$10,190,000.00 over that time frame. There is some cash in hand, I didn't give that any consideration. The engineering has been prepaid through sales tax collected to date. So this is this point going forward, counting 2017, I find that in today's market I added, I ran out a 14 year schedule at an interest rate of 3.25%, the interest rate is an unknown but that's a guess, and today's market we're seeing issues for fifteen years coming in around 3%, so if we would use that 3.25% (three and a quarter percent) I find that the total principal and interest over the life of the issue will be about 9.3 million, and with the 2% compounded growth in the sales tax, about 10.2 million. So, there's about eight hundred thousand dollars (\$800,000.00) of cushion on that. My inclination is, and my recommendation to the Council would be, to take somewhere in excess of a million dollars of that cost, and go ahead and issue it on the utility system just for convenience, to make sure the sales tax covers. But I wanted to do the calculations, calculating that the sales tax would cover all factions, all portions of the project over that time period. If sales tax increases more, we have more money for other activities and so forth; if sales tax would decrease, you're going to be short on money; but the utilities system is a money generator, you can go ahead and cap some money on that. I would not see that there would need to be any kind of a property tax on this project; sales tax should cover it. There is no assurance, we can't assure anything in this life from day to day, but based on reasonable projections it appears to me that it would cash flow. The FED is looking to raise the rates again, I think collectively we are all of the opinion we may see rates raise a little bit, I don't think there is anybody in the financial world that thinks we are going to have run away rates likes we did in the late 70's and early 80's. I just issued notes on Deshler, Nebraska, for a million dollars for a street project and that's what I'd like to do here. I would like to issue short term notes and I got those at 1.4%. I am using an interest rate of 3.25% to look at what I think is maybe a conservative, not necessarily a worst case scenario but a conservative viewpoint, and my inclination is to go ahead and finance as much of this as we can on a short term note basis that's somewhere around one and one-half (1.5%) maybe as high as one and three-quarters percent (1.75%), use the sales tax to pay that down and borrow only as much as we need through the permanent bond financing, that's the game plan, that's the way I'd like to see it put together. For my perspective and my years of experience it appears to me that this will cash flow and the sales tax in place, without further extension, should satisfy the debt obligation."

Citizen Scott Steager questioned if the one-half percent sales tax, that was designated for water treatment works, systems, mains, transmission lines, etc., would all be used on the Downtown Renovation Project so that there would not be any money left to be used for replacing old water mains which is a definite need.

Phil Lorenzen stated: "I calculate that the one-half percent sales tax on the remaining period of time for that which I calculate to be eight years is about \$180,000.00 annually which is a total of \$1,440,000.00, and of this project, according to Al Hottovy, \$1,000,208.25 is for

water related costs, that sales tax would carry that but it may not carry some of the other projects you have in store.

Al Hottovy of Leo A. Daly stated that two base bids were received for the Downtown Renovation Project, those being:

	<u>CONSTRUCTORS</u>	<u>M. E. COLLINS</u>
	\$8,876,628.39	\$8,923,117.90
Added Schedule A which is the Water Service Improvement Connections:	<u>\$190,140.00</u>	<u>\$199,545.00</u>
<b>Base Bids:</b>	<b>\$9,066,768.39</b>	<b>\$9,122,662.90</b>
Remove HDPE Storm Sewer Piping:	-651,710.00	
Add reinforced Concrete Pipe alternative	<u>+590,526.05</u>	
	<b>\$9,005,584.44</b>	

Council member Meysenburg asked: "Are any of these contractors going to use any local people to do any of the work?"

Al Hottovy stated: "I don't know that, and from what I understand they have no contracts in place at this time because the award of bid has to be done first. I know they have talked to locals but there are no signed contracts from what I understand on either one; there can't be at this time."

Council member Kobus made a motion to accept the low bid of Constructors in the amount of \$9,005,584.44 and Council member Smith seconded the motion. Voting AYE: Council members Hottovy, Vandenberg, Smith, Trowbridge, and Kobus. Voting NAY: Council member Meysenburg. The motion carried.

Council member Trowbridge stated: "Upon the awarding of a bid, it is my understanding from your discussion with the group this evening, that then, issues of ramps on an individual basis can be addressed.

Al Hottovy stated: "Yes sir, we will be meeting with each one of them."

Council member Trowbridge stated: "Let's go "WILL" be addressed. Promise?"

Al Hottovy stated: "Yes sir; and that will affect the bid amount because they get paid by the number of stoops, we've already eliminated two, so this price goes down."

Mayor Zavodny stated: "We know we can pick from new brick, existing brick, or concrete. What I would like to ask, as far as our first consideration, I would like to entertain a motion to use the existing brick and add on Bid Schedule E in the amount of \$316,800.00."

Council member Trowbridge made a motion to add on Bid Schedule E in the amount of \$316,800.00 to use the existing salvaged bricks in our design of the Downtown Renovation Project. Council member Hottovy seconded the motion. Voting AYE: Council members Hottovy, Meysenburg, Kobus, Smith, Trowbridge, and Vandenberg. Voting NAY: None. The motion carried.

It was noted that the bid for the brick design is only for the original five blocks, that being 5<sup>th</sup> Street from "C" to "D" and "D" to "E" and "E" to the Railroad, and "D" from 4<sup>th</sup> to 5<sup>th</sup>, and "E" from 4<sup>th</sup> to 5<sup>th</sup> Street. There was a conversation about change orders. It was questioned if someone decided that they wanted bricks on their street and it costs \$60,000 to do that street that we had not planned on, if they were willing to pay for it themselves would the City be acceptable to that.

Mayor Zavodny stated: "I am going to be more specific. Bone Creek Museum has a strong feeling about seeing if they could have brick in front of their building located on "E" Street between 5<sup>th</sup> and 6<sup>th</sup> Street. If they can find the financing to do so, and requested that change order and it was of no additional cost to the taxpayer or to us, we would accommodate that."

Al Hottovy stated: "It is kind of like your inter-local agreements that you have with the County and the State; you'd have one for that. The attorney would help us put that together, we'd authorize the contractor to put it in, but the money is coming from someplace else. Yes, a change order like that is doable."

ENGINEERS REVIEW OF BID TABULATION			
1	LOWEST RESPONSIBLE BID - CONSTRUCTORS	BID RECEIVED ON 22 MARCH 2017 (BASE BID AND SCHEDULE A)	\$ 9,066,768.39
2	REMOVE BID ITEMS 66 - 70 AND 79 - 81	REMOVE - HOPE STORM SEWER PIPING	\$ (651,710.00)
3	ADD BID SCHEDULE C	ADD - REINFORCED CONCRETE PIPE ALTERNATIVE	\$ 590,526.05
4		<b>NET COST WITH STORM SEWER PIPE ADJUSTMENT</b>	<b>\$ 9,005,584.44</b>
5		RESERVE FOR UNKNOWN ITEMS DURING CONSTRUCTION (POTENTIAL CHANGE ORDERS - BUDGET #)	\$ 150,000.00
6		<b>TOTAL COST BUDEGET FOR DOWNTOWN IMPROVEMENTS</b>	<b>\$ 9,155,584.44</b>
7	REMOVAL OF BID ITEM 141 AND 142	CHAIN LINK FENCE AT CITY TREE LANDFILL AS PER CITY DIRECTION	\$ (17,952.00)
8		<b>NET COST WITH CHAIN LINK FENCE REMOVED</b>	<b>\$ 9,137,632.44</b>
9	STATE DEPARTMENT OF ROADS COST SHARE	INTERLOCAL AGREEMENT IN PLACE	\$ <del>(1,600,000.00)</del>
10	BUTLER COUNTY COST SHARE (ESTIMATED)	INTERLOCAL AGREEMENT IN PLACE	\$ (150,000.00)
11		<b>NET COST - INTER-LOCAL COSTS REMOVED</b>	<b>\$ 7,387,632.44</b>
12	WATER COSTS	BID ITEMS 94 - 121 AND BID SCHEDULE A	\$ 1,000,208.25
13		<b>COST WITH WATER RELATED COSTS REMOVED - CITY OF DAVID CITY DOWNTOWN IMPROVEMENTS</b>	<b>\$ 6,387,424.19</b>
14	COST ADD IF NEW BRICKS APPROVED BY COUNCIL	BID SCHEDULE D - (BID ITEM 36 ADJUSTMENT) (6000x\$47.60)	\$ 407,400.00
15	COST ADD IF SALVAGED BRICKS APPROVED BY COUNCIL	BID SCHEDULE E - (BID ITEM 36 ADJUSTMENT) (6000x\$47.60)	\$ 315,800.00
			<b>\$ 6,187,424.19</b>

Joan Kovar

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**From:** Hottovy, Al <aahottovy@leoadaly.com>  
**Sent:** Tuesday, April 11, 2017 10:51 AM  
**To:** Alan Zavodny; JOAN KOVAR (jkovar@davidcityne.com)  
**Cc:** PHIL A LORENZEN (plorenzen@dadco.com)  
**Subject:** FW: DAVID CITY

Please share this with council. This makes the amount of money to be reimbursed to the City at \$1,800,000 instead of \$1,600,000.

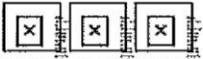
Congratulations.

**Al A. Hottovy**, PE, LEED AP  
Vice President, Director of Civil Engineering



8600 Indian Hills Drive, Omaha, NE 68114-4039  
T 402.391.8111 F 402.391.8564  
[leoadaly.com](http://leoadaly.com) [AAHottovy@leoadaly.com](mailto:AAHottovy@leoadaly.com)

**PLANNING ARCHITECTURE ENGINEERING INTERIORS**



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**From:** Goodbarn, Thomas [mailto:Thomas.Goodbarn@nebraska.gov]  
**Sent:** Monday, April 10, 2017 1:44 PM  
**To:** Hottovy, Al  
**Subject:** RE: DAVID CITY

Al,

I was able to re allocate some money to support the In David City project.  
We will have a supplemental agreement drawn up to add an additional \$200,000. In State funding to the effort.  
We strongly support the three lane section through town.  
I will forward that to you for signatures when it is developed.  
We look forward to the project.

Thank you.

Tom

Thomas W. Goodbarn, P.E.  
District 1 Engineer  
Nebraska Department of Roads  
302 Superior St.  
Lincoln, Nebraska, 68521-2481  
(402)-471-0850

**DAVID CITY PUBLIC IMPROVEMENTS BID TABULATION**

David City - TOTAL PROJECT (Water, sewer, streets, electrical)		13365		ME COLLINS		CONSTRUCTORS	
3/22/2017 BID DATE		S-15-2(1029)		UNIT PRICE	Total Cost	UNIT PRICE	Total Cost
Item #	Description	QTY	UNIT	UNIT PRICE	Total Cost	UNIT PRICE	Total Cost
1	MOBILIZATION	1	LS	\$ 703,000.00	\$ 703,000.00	\$ 696,600.61	\$ 696,600.61
2	EXCAVATION (ESTABLISHED QUANTITY)	12000	CY	\$ 9.50	\$ 114,000.00	\$ 9.55	\$ 114,600.00
3	SALVAGING & PLACING TOPSOIL	6100	SY	\$ 0.30	\$ 1,830.00	\$ 1.55	\$ 9,455.00
4	DETOUR SIGNING	1	LS	\$ 20,748.00	\$ 20,748.00	\$ 8,865.00	\$ 8,865.00
5	TRAFFIC CONTROL AND PHASING	1	LS	\$ 40,920.00	\$ 40,920.00	\$ 13,300.00	\$ 13,300.00
6	REMOVE GRAVEL SURFACING	6000	SF	\$ 0.20	\$ 1,200.00	\$ 1.45	\$ 8,700.00
7	5TH STREET RAILROAD FLAGGING (\$500 PER HALF DAY)	14	1/2 DAY	\$ 500.00	\$ 7,000.00	\$ 500.00	\$ 7,000.00
8	REMOVE PAVEMENT - FULL DEPTH	52100	SY	\$ 11.00	\$ 573,100.00	\$ 8.85	\$ 461,085.00
9	REMOVE RESIDENTIAL DRIVEWAY	590	SY	\$ 9.00	\$ 5,310.00	\$ 7.75	\$ 4,572.50
10	REMOVE HEATED SIDEWALK	1200	SF	\$ 3.00	\$ 3,600.00	\$ 1.65	\$ 1,980.00
11	REMOVE CONCRETE CURB & GUTTER	9500	LF	\$ 4.00	\$ 38,000.00	\$ 4.40	\$ 41,800.00
12	REMOVE 8" UNSTABLE TRENCH MATERIAL (LESS THAN 42" DIAMETER PIPE)	1900	SY	\$ 1.80	\$ 3,420.00	\$ 3.15	\$ 5,985.00
13	INSTALL 8" THICK - 3" NOMINAL SIZE BEDDING MATERIAL (LESS THAN 42" DIAMETER PIPE)	1900	SY	\$ 4.00	\$ 7,600.00	\$ 19.50	\$ 37,050.00
14	REMOVE 18" UNSTABLE TRENCH MATERIAL (GREATER THAN 42" DIAMETER PIPE)	1600	SY	\$ 0.10	\$ 160.00	\$ 6.65	\$ 10,640.00
15	INSTALL 12" THICK - TYPE A RIP RAP WITH 6" THICK 3" NOMINAL SIZE BEDDING MATERIAL (GREATER THAN 42" DIAMETER PIPE)	1600	SY	\$ 0.10	\$ 160.00	\$ 38.80	\$ 62,080.00
16	REMOVE SIDEWALK	12600	SY	\$ 8.00	\$ 100,800.00	\$ 1.10	\$ 13,860.00
17	REMOVE AND SALVAGE TRAFFIC SIGNS	14	EA	\$ 53.00	\$ 742.00	\$ 83.10	\$ 1,163.40
18	REMOVE AND REINSTALL FLAGPOLE	1	EA	\$ 735.00	\$ 735.00	\$ 1,108.00	\$ 1,108.00
19	REMOVE 15" STORM SEWER PIPE	1214	LF	\$ 17.00	\$ 20,638.00	\$ 16.60	\$ 20,152.40
20	REMOVE 18" STORM SEWER PIPE	1585	LF	\$ 17.00	\$ 26,945.00	\$ 19.95	\$ 31,620.75
21	REMOVE STORM SEWER MANHOLE	4	EA	\$ 840.00	\$ 3,360.00	\$ 665.00	\$ 2,660.00
22	REMOVE CURB/GUTTER INLET	25	EA	\$ 735.00	\$ 18,375.00	\$ 443.00	\$ 11,075.00
23	REMOVE BOLLARDS	2	EA	\$ 210.00	\$ 420.00	\$ 388.00	\$ 776.00
24	REMOVE TREE AND STUMP	6	EA	\$ 1,576.00	\$ 9,456.00	\$ 2,215.00	\$ 13,290.00
25	REMOVE SANITARY SEWER MANHOLE/LAMP HOLE	3	EA	\$ 945.00	\$ 2,835.00	\$ 886.00	\$ 2,658.00
26	REMOVE & SALVAGE FIRE HYDRANT	6	EA	\$ 735.00	\$ 4,410.00	\$ 720.00	\$ 4,320.00
27	REMOVE MAIN LINE WATER VALVE BOX	15	EA	\$ 105.00	\$ 1,575.00	\$ 276.00	\$ 4,140.00
28	REMOVE & SALVAGE BIKE RACK	1	EA	\$ 105.00	\$ 105.00	\$ 276.00	\$ 276.00

29	CAP 10" SANITARY SEWER	2	EA	\$	340.00	\$	680.00	\$	276.00	\$	552.00
30	CAP 8" SANITARY SEWER	2	EA	\$	300.00	\$	600.00	\$	276.00	\$	552.00
31	PAVEMENT MARKING REMOVAL (HIGHWAY 15- ESTABLISHED QUANTITY)	24500	LF	\$	0.10	\$	2,450.00	\$	0.10	\$	2,450.00
32	9" CONCRETE PAVEMENT (47B-4000 PSI)	14200	SY	\$	57.00	\$	809,400.00	\$	55.00	\$	781,000.00
33	4" FOUNDATION COURSE	14200	SY	\$	9.00	\$	127,800.00	\$	8.30	\$	117,860.00
34	12" SUBGRADE PREPARATION (LIME STABILIZED)	14500	SY	\$	6.00	\$	87,000.00	\$	5.20	\$	75,400.00
35	12" SUBGRADE PREPARATION (NO LIME)	31000	SY	\$	3.00	\$	93,000.00	\$	2.91	\$	90,210.00
36	8" CONCRETE PAVEMENT (47B-4000 PSI)	14750	SY	\$	50.00	\$	737,500.00	\$	47.60	\$	702,100.00
37	6" CONCRETE PAVEMENT (47B-4000 PSI)	16400	SY	\$	45.00	\$	738,000.00	\$	42.80	\$	701,920.00
38	PARTIAL INTERSECTION CONSTRUCTION (H, I, AND M STREET) (47B-4000 PSI)	3	EA	\$	8,506.00	\$	25,518.00	\$	8,000.00	\$	24,000.00
39	24" CURB & GUTTER (47B-4000 PSI)	2500	LF	\$	16.00	\$	40,000.00	\$	14.70	\$	36,750.00
40	3' - 6" VALLEY GUTTER (47B-4000 PSI)	1400	LF	\$	21.00	\$	29,400.00	\$	19.66	\$	27,524.00
41	3' 0" OR 3' - 6" CURB & GUTTER (47B-4000 PSI)	5200	LF	\$	21.00	\$	109,200.00	\$	19.85	\$	103,220.00
42	24" VALLEY GUTTER (47B-4000 PSI)	4600	LF	\$	12.00	\$	55,200.00	\$	10.90	\$	50,140.00
43	4" PERFORATED PIPE UNDERDRAIN	12300	LF	\$	12.00	\$	147,600.00	\$	11.10	\$	136,530.00
44	3" THICK ROCK SURFACE FOR TEMPORARY DRIVE	2000	SY	\$	6.00	\$	12,000.00	\$	5.75	\$	11,500.00
45	4" CONCRETE TEMPORARY DRIVE (47B-3000 PSI)	500	SY	\$	69.00	\$	34,500.00	\$	65.00	\$	32,500.00
46	4" SIDEWALK (47B-3500 PSI)	12000	SY	\$	57.00	\$	684,000.00	\$	53.83	\$	645,960.00
47	5" SIDEWALK (47B-3500 PSI)	2500	SY	\$	60.00	\$	150,000.00	\$	56.50	\$	141,250.00
48	ADA SIDEWALK RAMP	92	EA	\$	1,597.00	\$	146,924.00	\$	1,497.00	\$	137,724.00
49	HANDICAP PARKING SIGN	27	EA	\$	324.00	\$	8,748.00	\$	133.00	\$	3,591.00
50	5" WHITE WET REFLECTIVE POLYUREA PAVEMENT MARKING, GROOVED (HIGHWAY 15)	4500	LF	\$	1.10	\$	4,950.00	\$	1.00	\$	4,500.00
51	5" YELLOW WET REFLECTIVE POLYUREA PAVEMENT MARKING, GROOVED (HIGHWAY 15)	24000	LF	\$	1.10	\$	26,400.00	\$	1.00	\$	24,000.00
52	12" YELLOW WET REFLECTIVE POLYUREA PAVEMENT MARKING, GROOVED (HIGHWAY 15)	325	LF	\$	7.00	\$	2,275.00	\$	3.30	\$	1,072.50
53	24" PERMANENT PAVEMENT MARKING, GROOVED (HIGHWAY 15)	650	LF	\$	3.40	\$	2,210.00	\$	3.05	\$	1,982.50
54	ARROW, PERMANENT PAVEMENT MARKING (HIGHWAY 15)	38	EA	\$	112.00	\$	4,256.00	\$	83.10	\$	3,157.80
55	RAILROAD CROSSING PAVEMENT MARKING (HIGHWAY 15)	4	EA	\$	561.00	\$	2,244.00	\$	327.00	\$	1,308.00
56	ARROW, PERMANENT PAVEMENT MARKING (D STREET - EAST OF 4TH )	8	EA	\$	280.00	\$	2,240.00	\$	83.10	\$	664.80
57	5" WHITE WET REFLECTIVE POLYUREA PAVEMENT MARKING, GROOVED (D STREET - EAST OF 4TH)	200	LF	\$	1.10	\$	220.00	\$	1.00	\$	200.00
58	5" YELLOW WET REFLECTIVE POLYUREA PAVEMENT MARKING, GROOVED (D STREET - EAST OF 4TH)	300	LF	\$	1.10	\$	330.00	\$	1.00	\$	300.00

59	CROSSWALK PAVEMENT MARKING (DOWNTOWN)	12	EA	\$	561.00	\$	6,732.00	\$	332.00	\$	3,984.00
60	PARKING PAVEMENT MARKING	19500	LF	\$	0.30	\$	5,850.00	\$	0.55	\$	10,725.00
61	INSTALL 4" THICK MULCH (BROWN)	540	SF	\$	4.00	\$	2,160.00	\$	5.55	\$	2,997.00
62	SOD	52000	SF	\$	1.10	\$	57,200.00	\$	0.75	\$	39,000.00
63	INLET EROSION PROTECTION	52	EA	\$	214.00	\$	11,128.00	\$	139.00	\$	7,228.00
64	48" TAP & COLLAR STORM SEWER TO 54"	1	EA	\$	1,402.00	\$	1,402.00	\$	1,108.00	\$	1,108.00
65	15" TAP & COLLAR STORM SEWER TO 54"	1	EA	\$	1,055.00	\$	1,055.00	\$	665.00	\$	665.00
66	48" HDPE-S17 STORM SEWER PIPE	1700	LF	\$	130.00	\$	221,000.00	\$	181.00	\$	307,700.00
67	36" HDPE-S17 STORM SEWER PIPE	812	LF	\$	90.00	\$	73,080.00	\$	129.00	\$	104,748.00
68	24" HDPE-S17 STORM SEWER PIPE	715	LF	\$	66.00	\$	47,190.00	\$	94.20	\$	67,353.00
69	18" HDPE-S17 STORM SEWER PIPE	1150	LF	\$	48.00	\$	55,200.00	\$	83.10	\$	95,565.00
70	15" HDPE-S17 STORM SEWER PIPE	980	LF	\$	40.00	\$	39,200.00	\$	60.90	\$	59,682.00
71	CURB INLETS (HIGHWAY 15)	23	EA	\$	4,805.00	\$	110,515.00	\$	4,537.00	\$	104,351.00
72	AREA INLET (HIGHWAY 15)	11	EA	\$	3,795.00	\$	41,745.00	\$	4,234.00	\$	46,574.00
73	CURB INLETS (DOWNTOWN)	24	EA	\$	4,805.00	\$	115,320.00	\$	3,772.00	\$	90,528.00
74	AREA INLET (DOWNTOWN)	2	EA	\$	3,795.00	\$	7,590.00	\$	4,243.00	\$	8,486.00
75	72" STORM SEWER MANHOLE	10	EA	\$	8,705.00	\$	87,050.00	\$	7,919.00	\$	79,190.00
76	60" STORM SEWER MANHOLE	2	EA	\$	5,690.00	\$	11,380.00	\$	6,867.00	\$	13,734.00
77	48" STORM SEWER MANHOLE	6	EA	\$	7,006.00	\$	42,036.00	\$	5,704.00	\$	34,224.00
78	8" PLASTIC DOWNSPOUT STORM SEWER	600	LF	\$	40.00	\$	24,000.00	\$	49.85	\$	29,910.00
79	HDPE 15" X 48" TEE	9	EA	\$	3,037.00	\$	27,333.00	\$	1,622.00	\$	14,598.00
80	HDPE 18" X 48" TEE	1	EA	\$	3,293.00	\$	3,293.00	\$	1,622.00	\$	1,622.00
81	HDPE 18" ELBOW	2	EA	\$	1,356.00	\$	2,712.00	\$	221.00	\$	442.00
82	COAL SHOOT/TUNNEL WALL	13	EA	\$	3,000.00	\$	39,000.00	\$	4,361.00	\$	56,693.00
83	COAL SHOOT/TUNNEL WALL FILL	900	CY	\$	100.00	\$	90,000.00	\$	115.00	\$	103,500.00
84	FURNISH & INSTALL BIKE RACK	1	EA	\$	1,528.00	\$	1,528.00	\$	553.00	\$	553.00
85	REMOVE & REINSTALL CONCRETE BENCH	2	EA	\$	406.00	\$	812.00	\$	553.00	\$	1,106.00
86	ENTRANCE STOOP, RAMP & RAIL (1 STEP)	16	EA	\$	3,850.00	\$	61,600.00	\$	4,985.00	\$	79,760.00
87	ENTRANCE STOOP, RAMP & RAIL (NO STEP - LIBRARY DOOR)	1	EA	\$	1,400.00	\$	1,400.00	\$	3,323.00	\$	3,323.00
88	ENTRANCE STOOP, RAMP & RAIL (2 STEPS)	1	EA	\$	8,500.00	\$	8,500.00	\$	9,305.00	\$	9,305.00
89	REPAIR SPRINKLER HEADS (COURT HOUSE & RESIDENCE ON SW CORNER OF A & 4TH STREET)	24	EA	\$	70.00	\$	1,680.00	\$	221.00	\$	5,304.00
90	8" PVC SANITARY SEWER PIPE	435	LF	\$	60.00	\$	26,100.00	\$	66.50	\$	28,927.50
91	12" PVC SANITARY SEWER PIPE	850	LF	\$	68.00	\$	57,800.00	\$	61.00	\$	51,850.00
92	48" SANITARY SEWER MANHOLE (8' DEPTH)	9	EA	\$	5,001.00	\$	45,009.00	\$	1,107.00	\$	9,963.00
93	48" ADDITIONAL MAHNOLE DEPTH	120	VF	\$	155.00	\$	18,600.00	\$	332.00	\$	39,840.00

94	12" C900 RIB WATER PIPE (CLASS 200)	820	LF	\$	92.00	\$	75,440.00	\$	104.00	\$	85,280.00
95	10" C900 RIB WATER PIPE (CLASS 200)	4000	LF	\$	73.00	\$	292,000.00	\$	88.60	\$	354,400.00
96	8" C900 WATER PIPE (CLASS 200)	45	LF	\$	44.00	\$	1,980.00	\$	49.85	\$	2,243.25
97	RAILROAD CROSSING (DIRECTIONAL BORING)	2	EA	\$	37,830.00	\$	75,660.00	\$	6,093.00	\$	12,186.00
98	18" STEEL CASING (RAILROAD CROSSING)	220	LF	\$	82.00	\$	18,040.00	\$	316.80	\$	69,696.00
99	18" STEEL CASING (HIGHWAY CROSSING)	280	LF	\$	282.00	\$	78,960.00	\$	316.80	\$	88,704.00
100	18" PVC CASING (C STREET CROSSING)	50	LF	\$	80.00	\$	4,000.00	\$	144.00	\$	7,200.00
101	2" PVC CASING FOR WATER SERVICE LINES	280	LF	\$	20.00	\$	5,600.00	\$	38.80	\$	10,864.00
102	12" GATE VALVE	1	EA	\$	2,598.00	\$	2,598.00	\$	2,603.00	\$	2,603.00
103	10" GATE VALVE	20	EA	\$	2,039.00	\$	40,780.00	\$	2,060.00	\$	41,200.00
104	6" TAPPING VALVE & SLEEVE	2	EA	\$	3,262.00	\$	6,524.00	\$	3,079.00	\$	6,158.00
105	8" TAPPING VALVE & SLEEVE	3	EA	\$	4,198.00	\$	12,594.00	\$	3,284.00	\$	9,852.00
106	12" TAPPING VALVE & SLEEVE	1	EA	\$	5,814.00	\$	5,814.00	\$	4,763.00	\$	4,763.00
107	6" X 12" TEE	1	EA	\$	437.00	\$	437.00	\$	610.00	\$	610.00
108	10" 45° ELBOW	22	EA	\$	312.00	\$	6,864.00	\$	487.00	\$	10,714.00
109	10" CROSS	1	EA	\$	527.00	\$	527.00	\$	681.00	\$	681.00
110	10" TEE	3	EA	\$	474.00	\$	1,422.00	\$	598.00	\$	1,794.00
111	6" X 10" REDUCER	2	EA	\$	155.00	\$	310.00	\$	288.00	\$	576.00
112	8" X 10" REDUCER	2	EA	\$	179.00	\$	358.00	\$	332.00	\$	664.00
113	10" X 12" REDUCER	1	EA	\$	234.00	\$	234.00	\$	443.00	\$	443.00
114	FIRE HYDRANT ASSEMBLY	6	EA	\$	5,800.00	\$	34,800.00	\$	4,542.00	\$	27,252.00
115	SERVICE LINE CAP	87	EA	\$	86.00	\$	7,482.00	\$	133.00	\$	11,571.00
116	MAIN LINE CAP	9	LF	\$	689.00	\$	6,201.00	\$	315.00	\$	2,835.00
117	1" UNDERGROUND YARD HYDRANT	9	EA	\$	1,940.00	\$	17,460.00	\$	1,611.00	\$	14,499.00
118	REMOVE CONCRETE SURFACING (WATER CONNECTIONS)	4400	SF	\$	2.00	\$	8,800.00	\$	1.10	\$	4,840.00
119	INSTALL CONCRETE SURFACING (WATER SERVICES)(47B-3000 PSI)	4400	SF	\$	6.00	\$	26,400.00	\$	8.10	\$	35,640.00
120	REMOVE SOD (WATER CONNECTIONS)	2000	SF	\$	0.10	\$	200.00	\$	0.65	\$	1,300.00
121	INSTALL SOD (WATER CONNECTIONS)	2000	SF	\$	2.00	\$	4,000.00	\$	0.75	\$	1,500.00
122	REMOVE LIGHT POLE FOUNDATION	64	EA	\$	525.00	\$	33,600.00	\$	554.00	\$	35,456.00
123	12' LIGHT POLE	91	EA	\$	3,970.00	\$	361,270.00	\$	3,882.00	\$	353,262.00
124	30' LIGHT POLE	45	EA	\$	4,732.00	\$	212,940.00	\$	5,786.00	\$	260,370.00
125	DOUBLE HEAD POLE (30')	1	EA	\$	5,428.00	\$	5,428.00	\$	6,864.00	\$	6,864.00
126	PULL BOX, TYPE 5 OR 6, NDOR STAD PLAN 914-6	32	EA	\$	519.00	\$	16,608.00	\$	866.00	\$	27,712.00
127	1-1/2" CONDUIT	8665	LF	\$	8.00	\$	69,320.00	\$	5.00	\$	43,325.00
128	2" CONDUIT	1906	LF	\$	5.80	\$	11,054.80	\$	5.20	\$	9,911.20



BID SCHEDULE B - USE OF PVC C900 PIPE IN-LIEU OF CERTILOCK C900									
B-1	12" C900 WATER PIPE (CLASS 315)	810	LF						NO BID
B-2	10" C900 WATER PIPE (CLASS 315)	3900	LF						NO BID

BID SCHEDULE C - USE OF REINFORCED CONCRETE PIPE IN LIEU OF HDPE-S17 STORM SEWER PIPE									
C-1	48" RCP STORM SEWER PIPE	1700	LF						
C-2	36" RCP STORM SEWER PIPE	812	LF						
C-3	24" RCP STORM SEWER PIPE	715	LF						
C-4	18" RCP STORM SEWER PIPE	1150	LF						
C-5	15" RCP STORM SEWER PIPE	980	LF						
C-6	RCP 15" X 48" TAP w/ COLLAR	9	EA						
C-7	RCP 18" X 48" TAP w/COLLAR	1	EA						
C-8	RCP 18" - 45 DEGREE ELBOW	2	EA						
TOTAL ESTIMATED SCHEDULE C CONSTRUCTION COST									\$ 469,008.00

BID SCHEDULE D - NEW BRICK PAVERS									
D-1	NEW BRICK PAVERS	6000	SY						
D-2	8" BASE COURSE w/GEO WEB CELLS	6000	SY						
TOTAL ESTIMATED SCHEDULE D CONSTRUCTION COST									\$ 732,000.00

BID SCHEDULE E - SALVAGED BRICK PAVERS									
E-1	SALVAGED BRICK PAVERS	6000	SY						
E-2	8" BASE COURSE w/GEO WEB CELLS	6000	SY						
TOTAL ESTIMATED SCHEDULE E CONSTRUCTION COST									\$ 684,000.00

Council member Hotovy introduced Resolution No. 12 – 2017 accepting the low bid of Constructors for the construction of Improvements in Street Improvement District Nos. 2017 – 1 and 2017 – 2 and certain water system improvements in the City of David City. Council member Trowbridge seconded the motion. Voting AYE: Council members Smith, Meysenburg, Vandenberg, Trowbridge, Hotovy, and Kobus. Voting NAY: None. The motion carried and Resolution No. 12 - 2017 was passed and adopted as follows:

**RESOLUTION NO. 12 - 2017**

RESOLUTION OF THE MAYOR AND CITY COUNCIL ACCEPTING THE BID FOR THE CONSTRUCTION OF IMPROVEMENTS IN STREET IMPROVEMENT DISTRICT NOS. 2017-1 AND 2017-2, AND CERTAIN WATER SYSTEM IMPROVEMENTS, IN THE CITY OF DAVID CITY, NEBRASKA.

BE IT RESOLVED, by the Mayor and City Council of the City of David City, Nebraska:

Section 1. That plans, specifications and estimates of cost have been prepared by the City's Engineers, LEO A DALY, Omaha, Nebraska, and filed in the office of the City Clerk and previously approved by the Mayor and City Council, be and hereby are approved by the Mayor and City Council for the construction of improvements in Street Improvement District Nos. 2017-1 and 2017-2, and certain Water System Improvements, in the City of David City, Nebraska, and the prior actions of the Mayor and City Council be and hereby are ratified and approved.

Section 2. That the Mayor and City Council further find and determine that the bid for the furnishing of labor, tools, materials and equipment required to construct improvements and such other work as may be incidental thereto in Street Improvement District Nos. 2017-1 and 2017-2, and certain Water System Improvements in the City of David City, Nebraska, as submitted by the following contractor is the lowest and best bid received as follows:

<u>Name and Address of Bidder</u>	<u>Amount of Bid</u>
Constructors, Inc., 1815 Y St, Lincoln, NE 68508	\$9,005,584.44
Constructors, Inc., 1815 Y St, Lincoln, NE 68508 (Add on for using existing bricks per design on 5 blocks of the Downtown Renovation Project)	\$316,800.00

AND BE IT FURTHER RESOLVED, that the bid as above set forth, filed with the City Clerk in accordance with the terms of published notice calling for the proposals for furnishing of labor, tools, materials and equipment required to construct said improvements and such other work as may be incidental thereto in Street Improvement District Nos. 2017-1 and 2017-2, and certain Water System Improvements in the City of David City, Nebraska, be and the same is hereby accepted.

Passed this 12<sup>th</sup> day of April, 2017.

CITY OF DAVID CITY, NEBRASKA

Attest:

\_\_\_\_\_  
Mayor Alan Zavodny

\_\_\_\_\_  
City Clerk Joan Kovar

Mayor Zavodny asked Al Hottovy of Leo A. Daly to explain what was included in Task Order No. 2017-2 and Al stated: "This includes starting immediately and taking us through December 31, 2018. (Note: the Task Order says December 1, 2018???) It includes all the paperwork, testing, the on-site representative which will be full-time, plus weekly we'll probably have an additional person here. It includes processing pay estimates for the contractor, meeting with you people – I don't know if it's going to be every month but when we were up at Chadron it was every month almost, there's always questions coming up, meeting with the landowners one on one in front of their places of business; it's total inclusive services for about a year and a half." (It was noted that this will be billed monthly; it won't be paid in one lump sum.)

Council member Kobus made a motion to approve Task Order 2017-2 for scope of services and fees for April 12, 2017 through December 1, 2018 between Leo A. Daly and the City in the amount of \$700,857.00. Council member Trowbridge seconded the motion. Voting AYE: Council members Hottovy, Smith, Meysenburg, Vandenberg, Trowbridge, and Kobus. Voting NAY: None. The motion carried.

**TASK ORDER – SCOPE OF SERVICES AND FEES FOR PROFESSIONAL SERVICES  
 REFERRED TO IN THE AGREEMENT BETWEEN  
 LEO A DALY AND THE CITY OF DAVID CITY, NEBRASKA**

**TASK ORDER NO:** 2017-2 – CONSTRUCTION ADMINISTRATION.  
**PROJECT NAME:** PROVIDE CONSTRUCTION ADMINISTRATION FOR HIGHWAY 15 FROM “C TO IOWA” STREET, MARKINGS FROM IOWA STREET TO AQUINAS HIGH SCHOOL DRIVEWAY, AND FROM RAILROAD CROSSING NORTH OF “E” STREET TO THE NORTH CITY LIMIT LINE AS DISCUSSED AND ALL WORK WITHIN THE DOWNTOWN IMPROVMENTS PREPARED BY LEO A DALY.

**DATED:** APRIL, \_\_\_\_\_, 2017

**Signed and Approved By:**

**LEO A DALY:** \_\_\_\_\_

**CITY OF DAVID CITY** \_\_\_\_\_

**Description of Basic Consulting Services and Related Matters for TASK 2017-2:**

**A. The Basic Services are premised on the following general scope of professional services.**

**CONSTRUCTION ADMINISTRATION SERVICES: PERIOD OF SERVICE FROM APRIL 12, 2017 THROUGH DECEMBER 1, 2018.**

- a) Prepare and distribute for signatures, after the award of the project, the contract documents.
- b) Provide quality control testing for the construction. This will be provided by Thiele Geotechnical.
- c) Provide full time construction observation during critical phases of the project.
- d) Provide daily observation trips to the site during non-critical phases of the project.
- e) Prepare and obtain approval for change orders, as required, during the construction of the project.
- f) Prepare monthly payment estimates submitted by the contractor for approval by the City.
- g) Coordinate the requirements for the project by NDOR.
- h) Respond to adjacent Property Owners’ questions during construction.
- i) Prepare substantial completion process and project closeout documentation for the project.
- j) Deliverables:
  - i. Attend weekly meetings with the Contractor in David City.
  - ii. Attend bi- monthly City staff meetings.
  - iii. Submit status reports to the City monthly
  - iv. Coordinate testing and approval process with NDOR.
  - v. Coordinate final acceptance with the Department of Health and Human Services for the Water.
  - vi. Coordinate final acceptance with the Department of Environmental Control for the Sewer.
  - vii. Coordinate permit compliance with the Rio Grande Railroad Company.
  - viii. Coordinate construction process with Black Hills Energy Company.
  - ix. Coordinate final close out of projects with Bond Counsel coordination.
  - x. Final sets of plans and specifications as-built and electronic files for the City.

**B. SCHEDULE OF FEES FOR TASK ORDER 2017-2:**

ITEM	FEE TYPE	AMOUNT
Item A – Construction Administration Services	LUMP SUM	\$700,857.00
<b>TOTAL LUMP SUM FEE FOR TASK ORDER 2017-2:</b>		<b><u>\$ 700,857.00</u></b>

*Reimbursable expenses are included in the lump sum fee above.*

DAVID CITY CONSTRUCTION ADMINISTRATION FEE				
A/E Firm:				A/E Contract #:
LEO/A/DALY		8-Apr-17		
DAVID CITY PUBLIC IMPROVEMENTS		Construction Budget:		
Location:		\$9,100,000		
DAVID CITY NEBRASKA				
Engineering Discipline	Hourly Rate	Est Hours	TOTAL FEE	
<b>1 - CONSTRUCTION ADMINISTRATION</b>				
<b>A - Contract Administration (2017 - 2018)</b>				
PROJECT MANAGER	194.00	960		\$ 186,240
Civil Engineer	125.00	120		\$ 15,000
Civil Technician	90.00	120		\$ 10,800
Senior Electrical Engineer	181.00	0		\$ -
<b>TOTAL FEE for Contract Administration</b>				<b>\$ 212,040</b>
<b>B - On-site Observation/Meetings by LAD</b>				
PROJECT MANAGER	194.00	96		\$ 18,624
Civil Engineer	125.00	384		\$ 48,000
On-Site Observer	90.00	2560		\$ 230,400
Senior Electrical Engineer	181.00	24		\$ 4,344
<b>TOTAL FEE FOR WEEKLY OBSERVATION/MEETINGS BY LAD</b>				<b>\$ 301,368</b>
<b>C - TESTING OF MATERIALS</b>				
PROJECT MANAGER	194.00	24		\$ 4,656
Civil Engineer (REVIEW OF TEST RESULTS)	125.00	96		\$ 12,000
Civil Technician	90.00	0		\$ -
Senior Electrical Engineer	181.00	0		\$ -
<b>D - PROJECT CLOSEOUT (AS-BUILT PLANS, COORDINATE WITH NDOR, PERMITTING AGENCIES, AND BONDING AGENT.</b>				
PROJECT MANAGER	194.00	16		\$ 3,104
CLOSE OUT DOCUMENTS	125.00	65		\$ 8,125
Civil Technician	90.00	160		\$ 14,400
Senior Electrical Engineer	181.00	20		\$ 3,620
<b>TOTAL FEE FOR TESTING OF MATERIALS</b>				<b>\$ 29,249</b>
<b>Totals Fee for LAD SERVICES FOR LABOR</b>			4645	<b>\$ 642,657</b>
<b>Expenses:</b>				
MILEAGE	320	Days	\$ 80	\$ 25,600
Meals	800	Meals	\$ 12	\$ 9,600
Printing & Postage	1	Lump Sum	\$ 3,000	\$ 3,000
<b>TRAVEL &amp; OFFICE EXPENSES</b>				<b>\$ 38,200</b>
<b>SUB-CONSULTANT EXPENSES</b>				
THIELE GEOTECHNICAL	1	Lump Sum	\$ 120,000	\$ 120,000
<b>TOTAL PROJECT EXPENSES</b>				<b>\$ 158,200</b>
<b>TOTAL CONSTRUCTION ADMINISTRATION FEE</b>				<b>7.70% \$ 700,857</b>

City Attorney Egr stated that he prepared the following Interlocal Cooperation Agreement. Therefore, Council member Kobus made a motion to approve the Interlocal Cooperation Agreement for Downtown Improvements and County Property Drainage Improvements between the City of David City and the County of Butler. Council member Smith seconded the motion. Voting AYE: Council members Vandenberg, Trowbridge, Hotovy, Kobus, Smith, and Meysenburg. Voting NAY: None. The motion carried.



**INTERLOCAL COOPERATION AGREEMENT**  
**FOR DOWNTOWN IMPROVEMENTS AND**  
**COUNTY PROPERTY DRAINAGE IMPROVEMENTS**

This Interlocal Cooperation Agreement For Downtown Improvements And County Property Drainage Improvements, hereinafter referenced as "Interlocal Agreement", is made pursuant to Sections 35-1201 et.seq. of the Revised Statutes of Nebraska, Reissue of 2016, between the CITY OF DAVID CITY, NEBRASKA, a Nebraska Municipal Cooperation, hereinafter referenced as "City", and THE COUNTY OF BUTLER, NEBRASKA, a Nebraska Political Subdivision, hereinafter referenced as "County".

WITNESSETH:

WHEREAS, the City has gone through the required bid process of obtaining a Professional Civil Engineer registered to practice in the State of Nebraska who is with the Leo A. Daly Company of Omaha, Nebraska and who is a Design and/or Construction Engineering Professional for its downtown improvement project, which includes utility matters and drainage matters that also affect the County and the County property, particularly the Butler County Courthouse property legally described as follows, to-wit:

All of Block Twenty-Five (25), Original Town of David City, Butler County, Nebraska, hereinafter referenced as "Courthouse"; and,

WHEREAS, the City is in the process of obtaining construction bids through the appropriate statutory bid process and the said bids WILL include the work for the County's drainage project on its West and South parking lots as per drainage and specifications put together by Leo A. Daly Company; and,

WHEREAS, the County desires to have the work it needs done to its West and South parking lots of the Courthouse be done through the Professional Engineering Firm of Leo A. Daly Company and a Contractor both of which have gone and/or will be going through the bid process and than reimburse the County's share for the Courthouse construction costs to City; and,

WHEREAS, the process of the City doing the bids for the construction of the two (2) related projects is more efficient and with the best interest of the City and County.

NOW, THEREFORE, in consideration of the terms and conditions of this Interlocal Cooperation Agreement, which the City and County agrees to be valuable consideration, that City and County agree as follows:

1. The County will have a separate contract with Leo A. Daly Company for the design specifications for the County's drainage project and other related work for the Courthouse property and in particular for the West and South parking lots of the Courthouse; said contract will be TOTALLY AT THE COSTS OF THE COUNTY.

2. The City will follow the appropriate bid process to do the City's downtown improvement utility and improvement project and the County's Courthouse drainage and improvement project for its West and South parking lots.
3. (A) The County WILL REIMBURSE the City the County's full share of the construction costs for its Courthouse drainage and improvement project involving its West and South parking lots based on the final measured quantities and unit prices bid for the items the County has agreed to participate in on the drainage and specifications prepared for the County by Leo A. Daly Company.  
  
(B) If the City awards a bid for the work related to the County's share and the actual bid amount is less than anticipated, the County will reimburse the City the actual bid amount. If the award bid has change orders necessitated by the County, as the County determines are necessary to complete the County's project as originally contemplated, the County will reimburse the City for such change orders.
4. The County will reimburse the City for their share of the total project to be determined at a later date mutually agreeable between the City and the County.
5. There will be NO governing Board for the Interlocal Agreement.
6. This Interlocal Agreement shall not be construed to have created a separate legal entity.
7. Each of the signatories hereto covenant they have been duly authorized to enter into this Interlocal Agreement bidding that entity to this Interlocal Agreement.

CITY OF DAVID CITY, NEBRASKA,  
A Nebraska Municipal Corporation,

by *Alan Zavodny*  
ALAN ZAVONDY, Mayor of the  
City of David City, Nebraska  
*ALAN ZAVONDY, Mayor*

Attest:  
  
*Joan Kovar*  
JOAN KOVAR, City Clerk for the City of  
David City, Nebraska

THE COUNTY OF BUTLER, NEBRASKA

by *David M. Mach*  
DAVID M. MACH, Chairman of the  
Board of Supervisors of the County  
of Butler, Nebraska

Attest:  
  
*Vicki L. Truksa*  
VICKI L. TRUKSA, County Clerk for the  
County of Butler, Nebraska



City Attorney James Egr stated that he also prepared the "Grant of Temporary Construction Easement" for the County. Therefore, Council member Kobus made a motion to accept the Grant of Temporary Construction Easement. Council member Smith seconded the motion. Voting AYE: Council members Meysenburg, Trowbridge, Vandenberg, Hotovy, Kobus, and Smith. Voting NAY: None. The motion carried.

TO: EGR, BIRKEL & WOLLMER, P.C.  
PO BOX 46  
DAVID CITY NE 68632

**GRANT OF TEMPORARY CONSTRUCTION EASEMENT**

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, THE COUNTY OF BUTLER, NEBRASKA, A Nebraska Political Subdivision, hereinafter referred to as "Grantor", whether one or more, is the owner of the following described real estate, to-wit:

All of Block Twenty-Five (25), Original Town of David City, Butler County, Nebraska.

and;

WHEREAS, the CITY OF DAVID CITY, NEBRASKA, hereinafter referred to as "Grantee", is a Municipal Corporation duly organized, existing and operating under the laws of the State of Nebraska and who operates and maintains various utilities, including but not necessarily limited to sewer, water, electricity, gas, telephone, and cable television, directly or indirectly.

NOW, THEREFORE, in consideration of ONE DOLLAR (\$1.00 & OVC) and other valuable consideration, the Grantor does hereby grant unto the Grantee an easement over, across, under and upon the following described real estate, to-wit:

A TEN FOOT (10') wide easement along the North, South, and East side of said Block Twenty-Five (25); the entire South and West Parking Lots of said Block Twenty-Five (25); FIVE FEET (5') East of the East line of the West Parking Lot and FIVE FEET (5') East and North of the sidewalks abutting the South Parking Lot.

for the purpose of a temporary construction easement for constructing, maintaining, operating and using utilities, including but not necessarily limited to sewer, water, electricity, gas, telephone, and cable television, directly or indirectly constructed, maintained, operated, or used by the Grantee or its assigns for such utilities and for Grantee's drainage and downtown improvement project.

Grantee shall have the right of ingress and egress over, upon, under and across said real estate for the purpose of constructing, maintaining, operating, using or removing said works.

As further consideration for this easement over, across, upon and under the aforesaid real estate, the following restrictions are imposed and made appurtenant to the aforesaid described real estate:

NONE

This Easement shall be binding upon the Grantor and Grantee and their heirs, successors, assigns, and personal representatives for an indefinite period of time, but shall lapse and have no force or effect whenever the works or construction are not used for the purpose or purposes originally intended by the parties, unless mutually agreed to be the parties.

Dated: March 13, 2017.

THE COUNTY OF BUTLER, NEBRASKA

by David W. Mach  
DAVID W. MACH, CHAIRMAN OF THE  
COUNTY BOARD OF SUPERVISORS OF  
BUTLER COUNTY, NEBRASKA

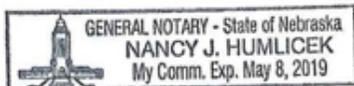
ATTEST:

by Vicki L. Truksa  
VICKI L. TRUKSA, COUNTY CLERK  
OF BUTLER COUNTY, NEBRASKA

State of Nebraska    )  
                                  ) ss.  
County of Butler    )

The foregoing instrument was acknowledged before me on March 13, 2017 by  
DAVID W. MACH, Chairman of the County Board of Supervisors and VICKI L. TRUKSA,  
County Clerk of Butler County, Nebraska on behalf of the said County.

Nancy J. Humlicek  
Notary Public



My Commission Expires: 5-8-19

At the March 8<sup>th</sup> Council meeting, Power Plant Supervisor Eric Betzen stated that the Power Plant Class I Operating Permit is good thru April 24, 2018. The renewal application has to be submitted to DEQ at least 6 months in advance, so now is the time to select someone to begin working on the application and so Eric had presented three proposals. Council member Trowbridge questioned why the proposals had already been opened and questioned the validity of that. A motion was made by Council member Trowbridge, and approved, requesting new bid proposals to be opened at the April 12<sup>th</sup> Council Meeting for completing the application for the Power Plant Class I Operating Permit. New, sealed bids were requested and the following sealed proposals were publicly opened and read aloud:

Nebraska Air Quality Specialists	\$7,941
Air Regulation Consulting	\$8,050
Olsson Associates	\$8,603



301 South 9th Street  
Suite 200  
Lincoln, Nebraska 68508

April 5, 2017

City Clerk-Joan Kovar  
PO BOX 191  
557 N 4th Street  
David City, NE 68632

**RE: Cost Estimate for Preparation of the Operating Permit Renewal Application  
with Site Visit**

Dear Ms. Joan Kovar:

*NAQS – Environmental Experts* (NAQS) is pleased to provide a cost estimate for the preparation of the operating permit renewal application with site visit for David City Municipal Power Plant. The cost estimate is \$7,941.

NAQS is best qualified in the country to prepare the renewal application such that it will provide David City Municipal Power Plant with most operational flexibility and regulatory certainty. Please let me know if you have any questions via either email at [piyush@naqs.com](mailto:piyush@naqs.com) or by phone at 402-310-5321.

Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Piyush Srivastav". The signature is written in a cursive style and is underlined.

Piyush Srivastav  
President

David City Power Plant  
 590 N 11th Street  
 David City, NE 68632



Quote Date: 2/21/2017

Project: Operating Permit Application, Class I or Class II

Description of Service	Hours	Qty.	Price	Sub Total
Information Gathering & Historical File Review	8.0	\$	150.00	\$ 1,200.00
Preparation of Air Permit Application Forms	20.0	\$	150.00	\$ 3,000.00
Preparation of Emissions Calculations for Permit Application	16.0	\$	150.00	\$ 2,400.00
Review Application & Options of Class I and Class II with David City	4.0	\$	150.00	\$ 600.00
Draft Permit Revisions & Edits for Application	4.0	\$	150.00	\$ 600.00
Travel to & from David City	2.0	\$	100.00	\$ 200.00
Transportation	-		\$.57/mile	\$ 50.00
<b>Total:</b>				<b>\$ 8,050.00</b>



**Summary of Fees to Complete Air Permitting for the David City Municipal Power Plant**

Task	Hours	Billing Rate (\$/hour)	Fee (\$)
Actual and Potential Air Emission Calculations	23	137	3,151
Air Operating Permit Application Forms	17	137	2,329
Regulatory Applicability Review and Determinations	3	137	411
Olsson Internal QC Review Process	6	137	822
Application Development and Submittal	5	126	630
Respond to NDEQ and Client questions	5	126	630
Review and provide comment on NDEQ draft permit documents	5	126	630
		<b>Total (\$):</b>	<b>8,603</b>

Council member Trowbridge made a motion to accept the low bid of NAQS - Nebraska Air Quality Specialists in the amount of \$7,941 to prepare the renewal application for the Power Plant Class 1 Operating Permit and submit to DEQ. Council member Kobus seconded the motion. Voting AYE: Council members Smith, Vandenberg, Meysenburg, Hotovy, Trowbridge, and Kobus. Voting NAY: None. The motion carried.

The Butler County Senior Center would like to construct a new garage just across the alley to the north of the Senior Center, 592 D Street, on 6<sup>th</sup> Street between "D" and "E" Streets.

Jonathan McCarville, Civil Engineer for Leo A. Daly submitted the following request: Attached is a drawing of the proposed placement of the Butler County Transit Garage for the

*City Council to review. As mentioned on our call, we would like to move a section of sidewalk approximately 4 feet to the east. This would align it with the other sidewalks found on the block better. The City would maintain the same amount of right-of-way through the property, it would just be moved slightly. Butler County would like to use this vacated 4 feet of sidewalk to achieve a 24 foot garage depth. The property as is could only have a 22 foot deep garage.*

Jonathan McCarville, Civil Engineer for Leo A. Daly stated: "This would be a four bay garage. We would straighten the sidewalk in front of the current garage; it would align it with the sidewalk in the rest of the block. This would move your public easement 4' away from the building and I would ask to vacate that existing 4' back to that property owner so that they would be able to increase the depth of their garage 22' to 24'. That is a request that they made. Another would be Downtown Business Zoning Districts normally require brick facades. They would like to match the vinyl siding that is on the Butler County Senior Center. The structure is 60' long by a proposed 24' deep."

City Clerk Kovar stated that 6<sup>th</sup> Street is a 100' right-of-way. When measuring from 1' east of the sidewalk on the east side of 6<sup>th</sup> Street (the property line), the 100' comes right to the front wall of the existing garage. It appears that the variance would go out onto the City right-of-way. She claimed the sidewalk on the west side of 6<sup>th</sup> Street really had nothing to do with the setbacks. The Board of Zoning Adjustment cannot grant a variance like this because this property does not have a hardship specific to them. Anyone else in this block would have to meet the same requirements. Discussion followed.

Council member Trowbridge made a motion to grant an encroachment on City property as requested by the Butler County Senior Center for their 4 bay transit garage and to allow vinyl siding rather than a brick façade. Council member Smith seconded the motion. Voting AYE: Council members Meysenburg, Vandenberg, Trowbridge, Hotovy, Smith, and Kobus. Voting NAY: None. The motion carried.

At 8:32 p.m. Mayor Zavodny opened the Public Hearing to consider the preliminary plat of the Siffring Addition to the City of David City.

Project Engineer Troy Johnston of JEO Consulting Group stated: "I am here on behalf of Duane Siffring, Siffring Farms. What we are here to discuss is a 5.8 acre parcel of land located along the East side of Highway 15, just north of the current Dollar General Store (1844 North 4<sup>th</sup> Street). What the owner would like to do is take another step towards getting that a little closer towards a development state. The plat identifies 3 parcels potentially, but that could change if the right buyer comes along, I wouldn't see it going much smaller than that but maybe only being split into two parcels. The owner wishes to develop the property for future commercial type uses. We've got water and sewer both that come up from the south kind of parallel to the Highway right-of-way there. So I guess with that I'll just field any questions that you may have. This did go before the Planning Commission on February 18<sup>th</sup>."

Mayor Zavodny stated: "I am going to voice my only concern with reading this. The very last item in the project overview says that "the developer is requesting that the sanitary sewer, water, and street paving be provided by the City of David City", and that would **not** be something that we would do. So, by approving the plat we are not bound by that are we? That would be the cost of the developer."

City Attorney Jim Egr stated: "No. That will all be negotiated and developed down the line."

Council member Trowbridge asked: "Do you see any impact on the Northwest Drainage Project with this development if it were to come to fruition?"

Project Engineer Troy Johnston of JEO Consulting Group stated: "Not initially; that'd be certainly something that we would want to further define as we further develop and come before you with a final plat. I don't think there's going to be a huge impact, I think we do have some space that if we did need to put in some temporary detention or something on the south edge before it enters the system I think that's something we could look at."

Mayor Zavodny stated: "I think that raises a valid point when you are adding the concrete and roof surface area. We have had trouble with that going into the State right-of-way the way it is. The Street Department has consistently been there trying to repair and slow it down; that is something in a drainage study and moving forward we're going to have to address. I think the, for lack of a better word, "diversion" that's to the east of it has done its job and works the way it's supposed to; that corner doesn't seem to flood as it once did so that's taken care of. I think as water moves off the property into the State right-of-way, that'll be an issue."

There being no further comments, Mayor Zavodny closed the Public Hearing at 8:37 p.m.

Council member Trowbridge made a motion to accept the Preliminary Plat of the Siffring Addition and Council member Smith seconded the motion. Voting AYE: Council members Kobus, Hotovy, Meysenburg, Vandenberg, Smith, and Trowbridge. Voting NAY: None. The motion carried.

# Siffring Addition

Owner/Developer: Siffring Farms, Duane Siffring

Preliminary Plat Submittal

January 26, 2017

## Project Overview Document

The purpose of this document is to supplement the preliminary plat; adding information not easily shown on the plat and to explain the intent of future design and development. This is meant for general information only; specific design and detail will be developed later.

**Project Understanding:** The preliminary plat consists of approximately 5.8 acres of land located along the East side of Highway 15, just north of the Dollar General Store in David City. The owner wishes to develop the property for future commercial type uses. The preliminary plat indicates 3 possible lots. The owner is open to any sized lots, based on the size of the need presented.

### **Sanitary Sewer:**

Existing sanitary sewer will be extended to the north from the existing sanitary sewer manhole located near the Southwest corner of the property. The sewer main will be located with Nebraska Department of Roads right of way and David City street right of way.

### **Drainage:**

Current drainage patterns generally flow from northeast to southwest across the property to the highway drainage ditch and ultimately into the storm sewer pipe located near the southwest corner of the property.

After development, drainage from developed Lots will be surface drained towards Siffring Way. Siffring Way will drain to a low point approximately half the length of the street where storm sewer inlets will convey storm water to the existing storm sewer located within Nebraska Department of Roads right of way.

Additional drainage calculations and information will be provided with construction plans.

**Street Improvements:**

Street paving improvements will consist of upgrading the existing field drive located across from the S Street intersection and building Siffring Way to the south. All street improvements would consist of full depth concrete paving with curb and gutter. Intersection Improvements would need to be coordinated with NDOR. At this time a permit has not been requested for access on to Highway 15.

**Water:**

An 8" water main will be extended from near the Fire Hydrant at the south end of the site. Water Services will be the responsibility of the lot owner.

**Erosion and Sediment Control:**

Erosion and Sediment control will be provided with silt fence and other best management practices. Cover crop/seeding will be provided after improvements are completed. A Storm Water Prevention Pollution plan will be developed for the site prior to construction.

**Cost of Improvements:**

Developer is requesting sanitary sewer, water and street paving be provided by the City of David City. Details of improvement costs will be further developed in the final subdivision agreement.

# PRELIMINARY PLAT SIFFRING ADDITION

ENGINEER & PREPARER:

LEO CONSULTING GROUP, INC.  
P.O. BOX 100  
WAHOO, NE 68066  
PHONE: (402) 443-4661

DEVELOPER:

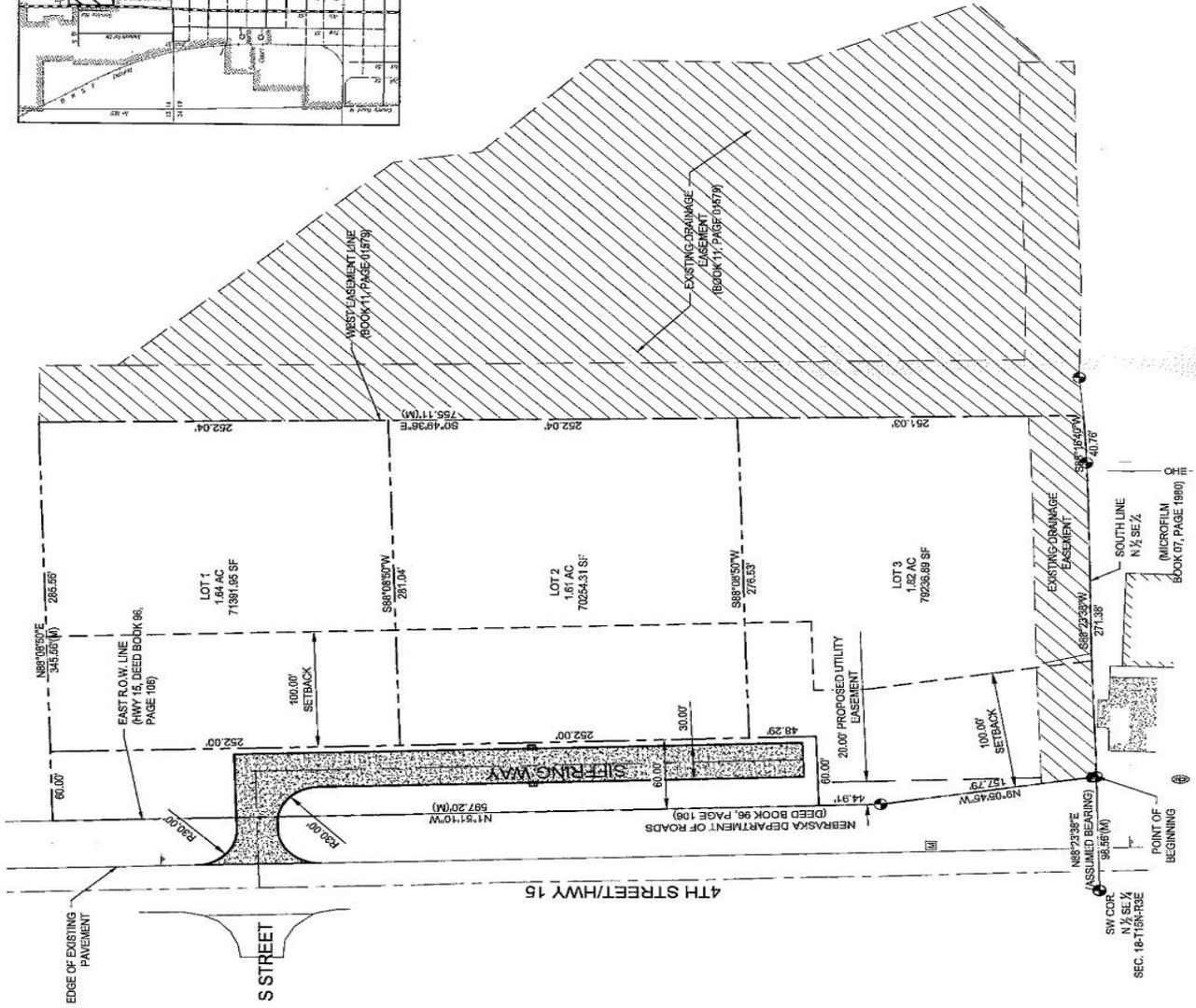
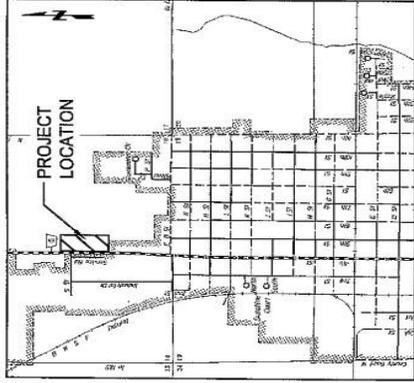
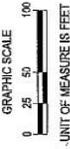
SIFFRING FARMS  
P.O. BOX 100  
WAHOO, NE 68066  
PHONE: (402) 443-4661

## LINESTYLES

ITEM	SYMBOL	SYMBOL
PROPERTY BOUNDARY	---	---
PROPERTY LOT LINES (PR)	---	---
RIGHT-OF-WAY LINE	---	---
SETBACK LINE	---	---
BACK OF CURB	---	---
EXISTING CONCRETE PAVEMENT	---	---
EASEMENT LINE	---	---
GAS LINE	---	---
SANITARY SEWER (EXIST)	---	---
SANITARY SEWER (PROP)	---	---
SANITARY SERVICE (PROP)	---	---
STORM SEWER (EXIST)	---	---
WATER (EXIST)	---	---
WATER (PROP)	---	---
OVERHEAD ELECTING (EXIST)	---	---
UNDERGROUND TELEPHONE (EXIST)	---	---
EXISTING CHAINLINK FENCE	---	---

## UTILITIES

ITEM	SYMBOL	SYMBOL
CURB INLET	---	---
GRATE INLET	---	---
CATCH BASIN	---	---
STORM SEWER MANHOLE	---	---
SANITARY MANHOLE (SIN)	---	---
SANITARY MANHOLE (SNO)	---	---
WATER VALVE	---	---
FIRE-HYDRANT (EXISTING)	---	---
UTILITY RED. BOX (EXISTING)	---	---



### LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M. BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: REFERRING TO THE SOUTHWEST CORNER OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 18; THENCE N89°23'30"E (ASSUMED BEARING) ON THE SOUTH LINE OF SAID NORTH HALF OF THE SOUTHEAST QUARTER, A DISTANCE OF 68.56 FEET TO THE POINT OF BEGINNING; THENCE S88°08'50"W (ASSUMED BEARING) ALONG THE WEST LINE OF SAID DEED BOOK 96, PAGE 106, AND BECOMING IN THE EAST LINE OF DEEDS FOR BUTLER COUNTY, NEBRASKA, AND THE POINT OF BEGINNING, THENCE N09°05'45"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 157.79 FEET; THENCE N01°51'01"W CONTINUING ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 597.26 FEET; THENCE N89°08'50"E, A DISTANCE OF 345.56 FEET TO THE WESTERLY LINE OF A PERMANENT DRAINAGE EASEMENT DESCRIBED IN BOOK 11, PAGE 01679, AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR BUTLER COUNTY, NEBRASKA; THENCE S00°49'30"E ON SAID WESTERLY LINE AND ITS SOUTHERLY EXTENSION, A DISTANCE OF 785.11 FEET TO SAID SOUTH LINE OF SAID DEED BOOK 96, PAGE 106, AND BECOMING IN THE WEST LINE OF DEEDS FOR BUTLER COUNTY, NEBRASKA; THENCE S88°08'50"W, A DISTANCE OF 42.79 FEET TO THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN DEEDS FOR BUTLER COUNTY, NEBRASKA; THENCE S89°23'35"W CONTINUING ON SAID SOUTH LINE, A DISTANCE OF 271.36 FEET TO THE POINT OF BEGINNING, CONTAINING 4.83 ACRES, MORE OR LESS.

### BUILDING SETBACK RESTRICTIONS

C-1 ZONING  
FRONT YARD - 100 FEET  
SIDE YARD - 0 FEET  
REAR YARD - 0 FEET

ZONING  
CURRENT ZONING: C-1  
PROPOSED ZONING: C-1

### APPROVAL OF THE PLANNING COMMISSION OF DAVID CITY, NEBRASKA:

THIS PRELIMINARY PLAT OF "SIFFRING ADDITION" WAS APPROVED BY THE DAVID CITY PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

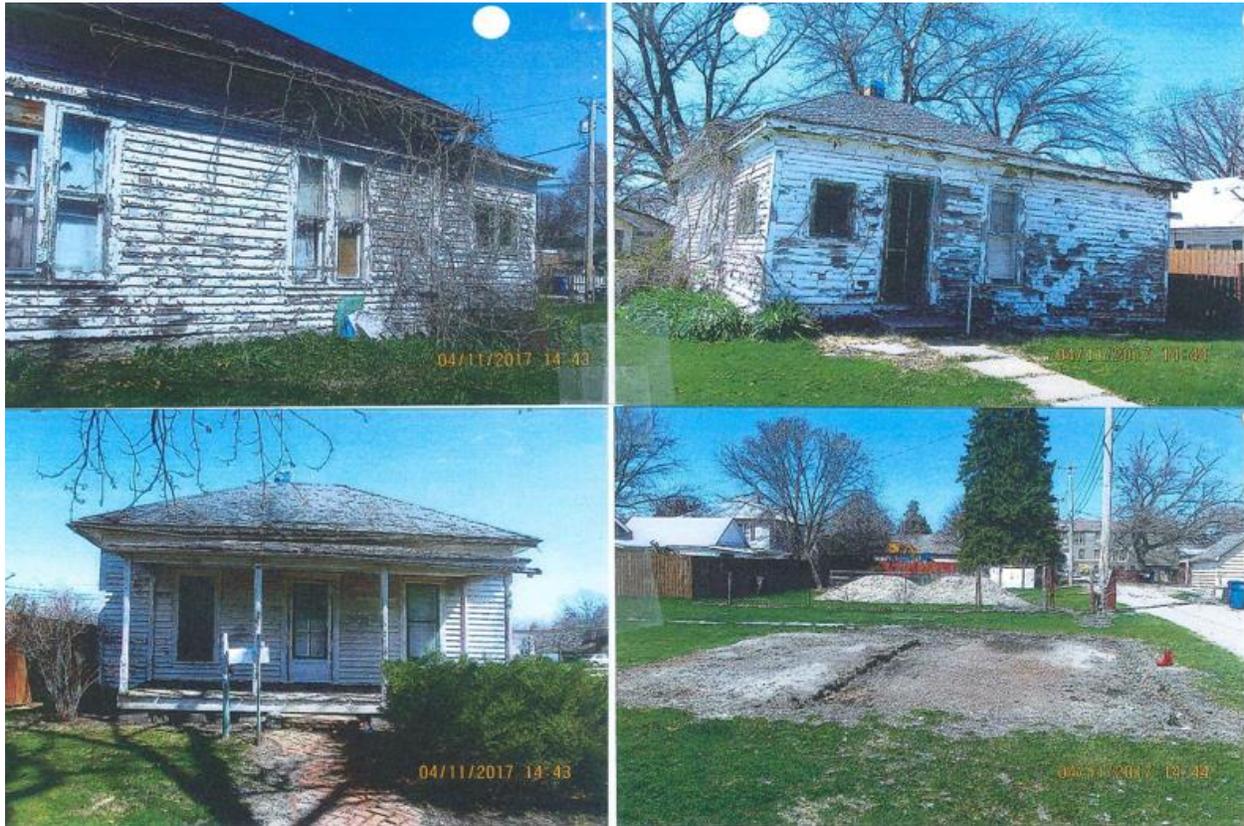
CHARPERSON, DAVID CITY PLANNING COMMISSION

ACCEPTANCE BY DAVID CITY COUNCIL OF THIS PRELIMINARY PLAT OF "SIFFRING ADDITION" WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA ON THIS \_\_\_\_\_ DAY \_\_\_\_\_, 2017, IN ACCORDANCE WITH THE STATE STATUTES OF NEBRASKA.

CITY CLERK \_\_\_\_\_  
ATTEST \_\_\_\_\_



Marianne & Karl Ziethen were present to discuss the property at 314 7<sup>th</sup> Street. Mr. Ziethen has gotten the garage torn down. There are items in the house that they still need to move out and then they will consider having it demolished or sell as is. Karl Ziethen asked for an additional 60 days to abate the nuisance.



Council member Smith made a motion to approve Resolution No. 13 – 2017 giving Marianne & Karl Ziethen, concerning the property at 314 7<sup>th</sup> Street, a 60 day extension to get the property in compliance with City Codes. Council member Kobus seconded the motion. Voting AYE: Council members Meysenburg, Vandenberg, Hotovy, Kobus, and Smith. Voting NAY: None. Council member Trowbridge abstained. The motion carried and Resolution No. 13 - 2017 was passed and approved as follows:

**RESOLUTION NO. 13 – 2017**

TO: Roy Remmers (deceased) % Marianne Ziethen

On December 14, 2016 with the passage of Resolution No. 16 – 2016 you were granted 90 days from the date of Notice (till March 15, 2017), to abate said nuisance upon the following described real estate, to-wit:

314 North 7<sup>th</sup> Street

YOU ARE HEREBY NOTIFIED THAT ON April 12, 20 17, the City of David City, Nebraska, by Resolution No. 13 – 2017 after notice and hearing as specified in said Resolution, did determine that the following constitute a public nuisance, to-wit:

Upon the following described real estate, to-wit:  
314 North 7<sup>th</sup> Street

You are granted 60 days (June 11, 2017) from the date of this Notice to abate said nuisance. Failure to abate said nuisance shall result in said nuisance being abated by the City of David City, Nebraska, and the costs of abatement shall be assessed upon said premises and constitute a lien upon said premises until paid.

Dated: April 12, 2017

CITY OF DAVID CITY, NEBRASKA

By: \_\_\_\_\_  
Mayor Alan Zavodny

\_\_\_\_\_  
City Clerk Joan Kovar

The following pictures of the property located at 210 Nebraska Street were viewed and discussed. It was noted that there was a large improvement. Council member Meysenburg asked Cermak if he planned to take the building down in the backyard that was in poor condition. Cermak stated that he did plan to take it down but just ran out of time. Cermak was thanked for the improvements he made and was asked to continue to work on the property especially the removal of the building in the backyard.

Council member Trowbridge made a motion to declare the property at 210 Nebraska Street in compliance with City Codes. Council member Hotovy seconded the motion. Voting AYE: Council members Kobus, Smith, Meysenburg, Vandenberg, Hotovy, and Trowbridge. Voting NAY: None. The motion carried.

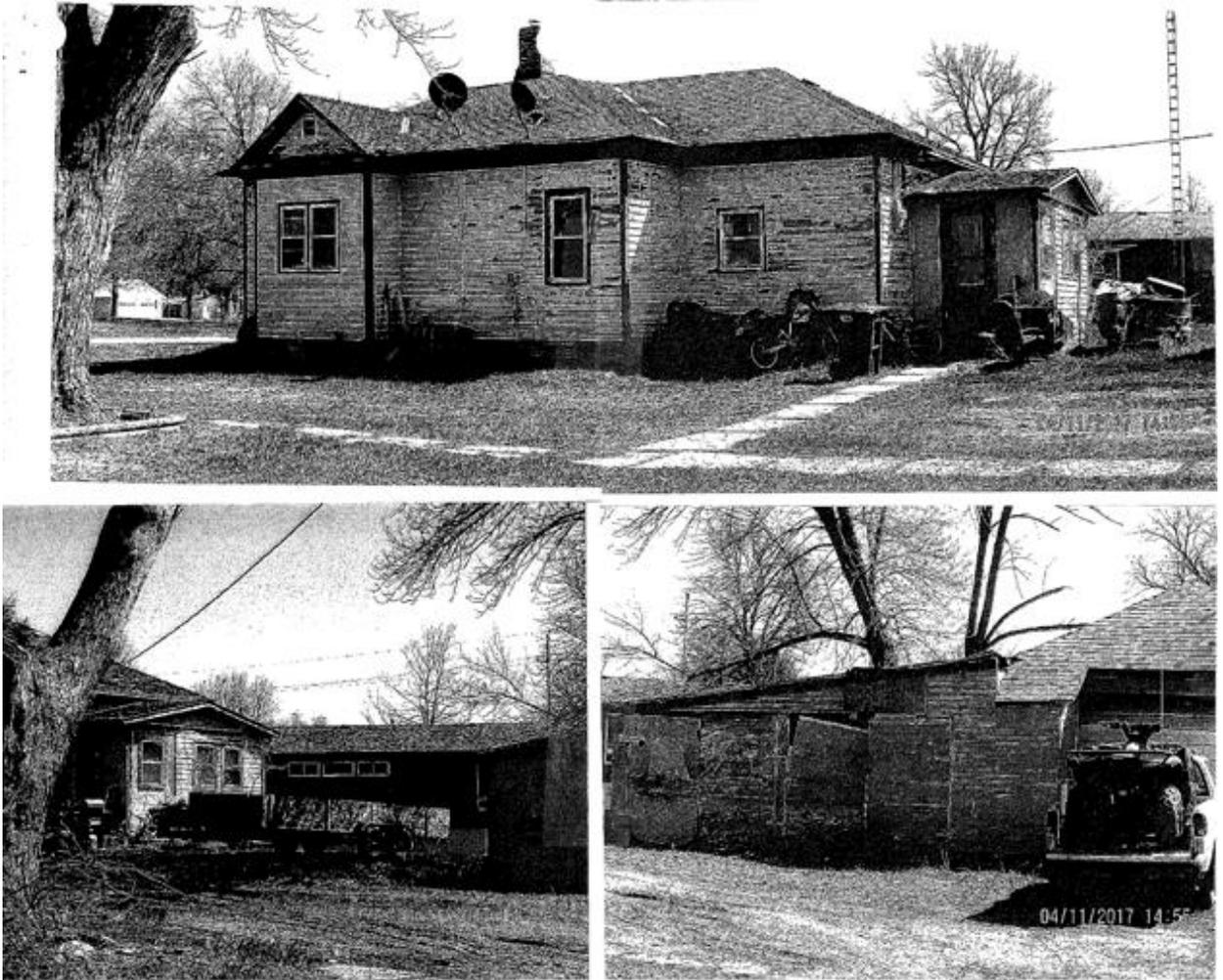


The following pictures of the property located at 230 Nebraska Street were viewed and discussed. It was noted that a lot has been cleaned up, however questioned one truck that was still there. The property owner stated the truck would be towed out of there tomorrow.



Council member Hotovy made a motion to declare the property at 230 Nebraska Street in compliance with City Codes. Council member Trowbridge seconded the motion. Voting AYE: Council members Vandenberg, Meysenburg, Smith, Kobus, Hotovy, and Trowbridge. Voting NAY: None. The motion carried.

The following pictures of the property located at 141 North 4<sup>th</sup> Street were viewed and discussed. It was noted that the property had been cleaned up quite a bit.



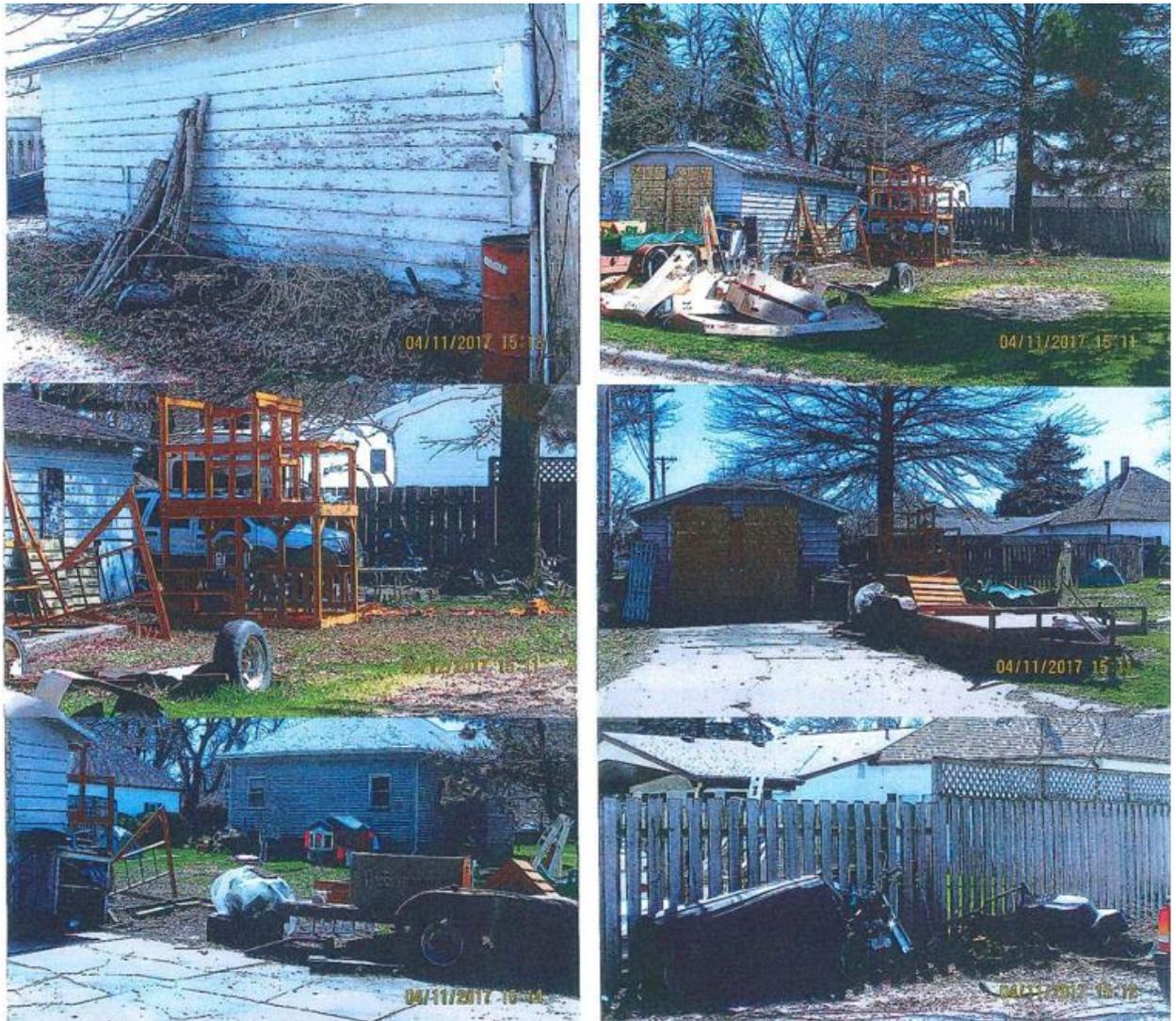
Council member Meysenburg made a motion to declare the property at 141 North 4<sup>th</sup> Street in compliance with City Codes. Council member Kobus seconded the motion. Voting AYE: Council members Smith, Meysenburg, Vandenberg, Trowbridge, Hotovy, and Kobus. Voting NAY: None. The motion carried.

The following pictures of the property located at 798 North 4<sup>th</sup> Street were reviewed. The Council stated that they could see progress but didn't feel that it was good enough at this time. The property owner stated that they did a lot more to clean up the property after the pictures

were taken. Council member Meysenburg questioned if they were going to do something to the garage doors; actual doors instead of plywood.

Council member Kobus made a motion to pass Resolution No. 17 – 2017 giving them 2 weeks to get the property at 798 4<sup>th</sup> Street in compliance with City Codes. Council member Smith seconded the motion. Voting AYE: Council members Meysenburg, Trowbridge, Hotovy, Vandenberg, Smith, and Kobus. Voting NAY: None. The motion carried.

Mayor Zavodny asked Council member Meysenburg if he would be willing to check on the property at 798 4<sup>th</sup> Street, at the end of the two weeks, to determine if they did get the property in compliance with City Codes and he agreed to do so.



**RESOLUTION NO. 17 – 2017**

TO: John D. Meister

YOU ARE HEREBY NOTIFIED THAT ON April 12<sup>th</sup>, 20 17, the City of David City, Nebraska, by Resolution No. 17 - 2017, after notice and hearing as specified in said Resolution, did determine that the following constitute a public nuisance, to-wit:

Upon the following described real estate, to-wit:  
798 North 4<sup>th</sup> Street

You are granted two weeks (April 26, 2017) from the date of this Notice to abate said nuisance. Failure to abate said nuisance shall result in said nuisance being abated by the City of David City, Nebraska, and the costs of abatement shall be assessed upon said premises and constitute a lien upon said premises until paid.

Dated: April 12, 2017

CITY OF DAVID CITY, NEBRASKA

By: \_\_\_\_\_  
Mayor Alan Zavodny

\_\_\_\_\_  
City Clerk Joan Kovar

City Clerk Kovar reported that the property located at the Southwest corner of 8<sup>th</sup> & K Street (Lots 1 & 4, Block 1, Litty's 2<sup>nd</sup> Addition) had been cleaned up as requested by March 23, 2017, so no additional action was needed on that property.

The following pictures of the property located at 1070 North 8<sup>th</sup> Street were viewed and considered. This is the Randy & Barb Janak property but the property is only listed in Barb's name – Barb Vogl Palik).



Randy Janak stated: "There are two golf carts loaded up ready to go out, two semi tires loaded up ready to go out, the slide needs to go, we got everything off of the Smith's lot (across the street, southwest corner of 8<sup>th</sup> & "K"), and it's a vast improvement so we just need a little bit more time to finish it up. How about the next council meeting; a month?"

Council member Trowbridge stated: "No, we've been at this for twenty years."

Council member Trowbridge made a motion to approve Resolution No. 18 – 2017 giving Barbara Palik Janak a 3 week extension, until May 3, 2017, to get her property at 1070 North 8<sup>th</sup> Street in compliance with City Codes. Council member Smith seconded the motion.

Council member Hotovy stated: "If I remember correctly, it was shortly after I got elected, over two years ago, you were in violation of a previous ordinance and I believe we acted on them in some way, shape, or form, because I remember the compost pile, and I just wonder, if we are going to give these days, is this the last time we're going to have to work with the nuisance ordinance with you? Randy Janak stated: "Well I'm sure hoping so." Hotovy continued: "To be completely honest with you, since I've been elected this is the second time you've been in here in violation of our City Codes referencing nuisances."

Roll call on Resolution No. 18 – 2017: Voting AYE: Council members Vandenberg, Kobus, Smith, Hotovy, Trowbridge, and Meysenburg. Voting NAY: None. The motion carried and Resolution No. 18 - 2017 was passed and approved as follows:

### **RESOLUTION NO. 18 – 2017**

TO: Barbara Palik

YOU ARE HEREBY NOTIFIED THAT ON April 12<sup>th</sup>, 20 17, the City of David City, Nebraska, by Resolution No. 18 - 2017, after notice and hearing as specified in said Resolution, did determine that the following constitute a public nuisance, to-wit:

Upon the following described real estate, to-wit:  
1070 North 8<sup>th</sup> Street

You are granted three weeks (May 3, 2017) from the date of this Notice to abate said nuisance. Failure to abate said nuisance shall result in said nuisance being abated by the City of David City, Nebraska, and the costs of abatement shall be assessed upon said premises and constitute a lien upon said premises until paid.

Dated: April 12, 2017

CITY OF DAVID CITY, NEBRASKA

By: \_\_\_\_\_  
Mayor Alan Zavodny

\_\_\_\_\_  
City Clerk Joan Kovar

The following pictures of the property located at 1080 North 8<sup>th</sup> Street were viewed and discussed.



Council member Meysenburg made a motion to pass Resolution No. 19 – 2017 giving Barbara Vogl Palik Janak a 3 week extension, until May 3, 2017, to get her property at 1080 North 8<sup>th</sup> Street in compliance with City Codes. Council member Smith seconded the motion. Voting AYE: Council members Kobus, Vandenberg, Hotovy, Trowbridge, Meysenburg, and Smith. Voting NAY: None. The motion carried.

Barb Janak asked if someone could stop by her properties about a week before May 3, 2017 and touch base with them concerning their clean up and the condition of the properties. Council member Meysenburg stated that he would be willing to do that and then will do a final inspection on May 3<sup>rd</sup> also.

**RESOLUTION NO. 19 – 2017**

TO: Barb Vogl Palik

YOU ARE HEREBY NOTIFIED THAT ON April 12<sup>th</sup>, 20 17, the City of David City, Nebraska, by Resolution No. 19 - 2017, after notice and hearing as specified in said Resolution, did determine that the following constitute a public nuisance, to-wit:

Upon the following described real estate, to-wit:  
1080 North 8<sup>th</sup> Street

You are granted three weeks (May 3, 2017) days from the date of this Notice to abate said nuisance. Failure to abate said nuisance shall result in said nuisance being abated by the City of David City, Nebraska, and the costs of abatement shall be assessed upon said premises and constitute a lien upon said premises until paid.

Dated: April 12, 2017

CITY OF DAVID CITY, NEBRASKA

By: \_\_\_\_\_  
Mayor Alan Zavodny

\_\_\_\_\_  
City Clerk Joan Kovar

City Clerk Kovar opened and read the following bids received for a new mower for the Park Department as follows:

Plains Equipment Group	
John Deere Z930M Commercial ZTrak.....	\$8,813.19
Benes Service Co., Inc.	
Exmark Model LZS801GKA604A1.....	\$9,439.00
Exmark Model LZX801GKA60600.....	\$9,919.00

Council member Kobus made a motion to accept the bid of Plains Power in the amount of \$8,813.19 for a John Deere Z930M Commercial ZTrak mower. Council member Smith seconded the motion. Voting AYE: Council members Trowbridge, Meysenburg, Hotovy, Vandenberg, Kobus, and Smith. Voting NAY: None. The motion carried.

City Clerk Kovar opened and read the following bids received for the City Auditorium's downstairs lighting as part of the approved grant:

**WOOLSEY ELECTRIC LLC**  
 1707 41st Rd  
 David City, NE 68632  
 (402) 539-2060  
 woolseychris1@hotmail.com

**ADDRESS**  
 David City Auditorium  
 699 Kansas St.  
 David City, NE 68632

**ESTIMATE 1055**

**DATE 03/23/2017**

**EXPIRATION DATE 03/31/2017**

ACTIVITY	QTY	RATE	AMOUNT
A bid for installing new lights in the basement dining and stage area of the auditorium. Bid is for taking down the old lights and installing the new lights at desired height. Bid does not include disposing of any of the old lights or if any ceiling tile repair is needed.			
Brownlee- 49 watt LED fixture	20	475.00	9,500.00
Brownlee- 37 watt LED fixture for the stage	6	345.00	2,070.00
Labor	19.50	50.00	975.00
<b>TOTAL</b>		<b>\$12,545.00</b>	

**SAMEK ELECTRIC L.L.C.**  
 1020 34TH RD  
 DAVID CITY, NE 68632

# QUOTATION

Quote Number: 332  
 Quote Date: Apr 7, 2017  
 Page: 1

Voice: 402-367-4674  
 Fax:

Quoted To:
DAVID CITY AUDITORIUM 699 KANSAS DAVID CITY, NE 68632

Customer ID	Good Thru	Payment Terms	Sales Rep
AUDITORIUM	5/7/17	Net 30 Days	

Quantity	Item	Description	Unit Price	Amount
1.00	MISC.	LCGATEWAY CONTROLLER AND TOUCHSCREEN THIS IS THE BRAINS AND SWITCHES/DIMMERS OF THE NEW LIGHTING SYSTEM	1,700.00	1,700.00
26.00	LIGHT FIX. MISC.	2*2 RAB EDGELIT LIGHT FIXTURE	175.00	4,550.00
26.00	WHIP 18-3 STEEL	EPC EPW1863SA	6.28	163.28
26.00	COVER	4 OCT WITH CENTER HOLE	4.00	104.00
1.00	BOX 4SQ 1 1/2"	APP 4SEK	1.07	1.07
1.00	COVER RAISED 8362	SINGLE GFCI/DECOR	1.77	1.77
1.00	RECPT DUPLEX	CR 15	1.82	1.82
25.00	12-2 W/G MC CABLE		0.64	16.00
2.00	12-2 W/G MC CONN	ARLINGTON 38AST	0.97	1.94
1.00	PERMIT	STATE PERMIT	55.00	55.00
1.00	MISC.	SUPPLIES/SCREWS/WIRE NUTS/TAPE	50.00	50.00
1.00	LABOR	REMOVE OLD LIGHTS AND INSTALL NEW LIGHTS AS QUOTED. ALSO INCLUDES INITIAL SETUP OF NEW TOUCHSCREEN CONTROL CENTER	1,500.00	1,500.00
			Subtotal	8,144.88
			Sales Tax	
			<b>TOTAL</b>	<b>8,144.88</b>

Park/Auditorium Supervisor Bill Buntgen stated: "They are not bidding the same thing. We have been looking for over a year now for a light that would work and is dimmable. I gave them the choice to bid the same light but they chose not to. The light that Woolsey bid just came out two months ago and Samek stated that he could not get it."

City Attorney Egr stated: "I think you have to go with the bid that met the request that you had for the lighting."

Council member Trowbridge made a motion to accept the bid of Woolsey Electric in the amount of \$12,545.00 because it is responsive to what we asked for. Council member Kobus seconded the motion. Voting AYE: Council members Vandenberg, Hotovy, Meysenburg, Smith, Kobus, and Trowbridge. Voting NAY: None. The motion carried.

There being no further business to come before the Council, Council member Hotovy made a motion to adjourn. Council member Smith seconded the motion. Voting AYE: Council members Vandenberg, Kobus, Smith, Hotovy, Trowbridge, and Meysenburg. Voting NAY: None. The motion carried and Mayor Zavodny declared the meeting adjourned at 9:14 p.m.



CERTIFICATION OF MINUTES  
April 12, 2017

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 April 12<sup>th</sup>, 2017; 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