

**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 **11th day of March, 2015**, in the meeting room of the City Office, 557 N 4th 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 4th day of March, 2015.

AGENDA AS FOLLOWS:

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| 1. Roll Call; | <hr/> Mayor Alan Zavodny |
| 2. Pledge of Allegiance; | |
| 3. Inform the Public about the location of the Open Meetings Act and the Citizens Participation Rules; | <hr/> Council President Gary L. Kroesing |
| 4. Minutes of the February 11 th , 2015, meeting of the Mayor and City Council; | |
| 5. Consideration of Claims; | <hr/> Council member Michael E. Rogers |
| 6. Committee and Officer Reports and a presentation by the Sheriff's Office; | |
| 7. Consideration of going into Executive Session; | <hr/> Council member Thomas J. Kobus |
| 8. Consideration of Task Order 2015-1 as presented by Leo A. Daly concerning the Downtown Redevelopment; | |
| 9. Consideration of the Engineering Proposals received concerning the water main extension and sanitary sewer line to the David City Airport; (Olsson Associates and Kirkham Michael will make presentations concerning their bids.) | <hr/> Council member Kevin N. Hotovy |
| 10. Consideration of the Operation and Maintenance Agreement as proposed by PeopleService; | |
| 11. Consideration of authorizing spending \$3,800 of Keno Funds for the appraisal of the Ball Fields; | <hr/> Council member Gary D. Smith |
| | <hr/> Council member John P. Vandenberg |
| | <hr/> City Clerk Joan E. Kovar |

12. Public Hearing to consider the Preliminary Plat of Matt Thomas, President of Dana Point Development Corporation for the “Larry J. Sabata 3rd Addition” to the City of David City, Butler County, Nebraska, legally described as follows:

**LEGAL DESCRIPTION LARRY J. SABATA 3RD ADDITION TO THE
CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA**

A tract of land located in the N 1/2 of the NW 1/4 of Section 20, T15N, R3E of the 6th P.M., Butler County, Nebraska, more particularly described as follows:

Commencing at the northwest corner, N 1/2, NW 1/4 of Section 20, T15N, R3E of the 6th P.M., Butler County, Nebraska, and assuming the north line of said N 1/2, NW 1/4 to have a bearing of N 90°00'00" E; thence N 90°00'00" E, and on said north line, 152.97 feet, to the point of beginning; thence N 90°00'00" E, on said north line, 600.08 feet; thence S 00°57'20" E parallel with the east lines of Larry J. Sabata, 1st and 2nd Additions, 1149.66 feet, to a point on the south line of L Street as extended east; thence S 89°57'16" W on said south line of L Street, 600.05 feet, to the east line of Larry J. Sabata, 1st Addition to the City of David City, Butler County, Nebraska; thence N 00°57'20" W on said east line, 599.09 feet, to the northeast corner of said Addition; thence N 00°57'20" W on the east line of Larry J. Sabata, 2nd Addition to the City of David City, Butler County, Nebraska, 551.05 feet, to the point of beginning, said tract containing 15.84 acres, more or less;

13. Consideration of the Preliminary Plat of Matt Thomas, President of Dana Point Development Corporation for the “Larry J. Sabata 3rd Addition” to the City of David City, Butler County, Nebraska, legally described above;
14. Public Hearing to consider amending the Future Land Use Map by changing the zoning classification from MDR – Medium Density Residential to FS – Flex Space for the following real estate:
- Lot 10, Lot 11, and the South 15' of Lot 7, Block 14, Original Town of David City
 - Lots 7, 8, 9, 10, 11, and 12, Block 13, Original Town of David City, and
 - Lots 2 and 3 and ½ vacated alley, Block 15, Original Town of David City
15. Consideration of Ordinance No. 1222 amending the Future Land Use Map by changing the zoning classification from MDR – Medium Density Residential to FS – Flex Space for the following real estate:
- Lot 10, Lot 11, and the South 15' of Lot 7, Block 14, Original Town of David City
 - Lots 7, 8, 9, 10, 11, and 12, Block 13, Original Town of David City, and
 - Lots 2 and 3 and ½ vacated alley, Block 15, Original Town of David City
16. Public Hearing to consider amending the Official Zoning Map by changing the zoning classification from R2 – Two-Family Residential to FS – Flex Space for the following real estate;
- Lot 10, Lot 11, and the South 15' of Lot 7, Block 14, Original Town of David City
 - Lots 7, 8, 9, 10, 11, and 12, Block 13, Original Town of David City, and
 - Lots 2 and 3 and ½ vacated alley, Block 15, Original Town of David City
17. Consideration of Ordinance No. 1223 amending the Official Zoning Map by changing the zoning classification from R2 – Two-Family Residential to FS – Flex Space for the following real estate;

- Lot 10, Lot 11, and the South 15' of Lot 7, Block 14, Original Town of David City
 - Lots 7, 8, 9, 10, 11, and 12, Block 13, Original Town of David City, and
 - Lots 2 and 3 and ½ vacated alley, Block 15, Original Town of David City
18. Public hearing to consider amending FS Flexible Space Mixed Use District Section 5.15 by adding the following as a Conditional Use:
 - Central mixing plant for concrete, asphalt, or paving material;
 19. Consideration of Ordinance No. 1224 amending FS Flexible Space Mixed Use District Section 5.15 by adding the following as a Conditional Use:
 - Central mixing plant for concrete, asphalt, or paving material;
 20. Consideration of a contract with Northeast Nebraska Economic Development District for an environmental review for the David City Housing Authority properties;
 21. Consideration of the application by Ka-Boomer's Enterprises, Inc. to sell permissible fireworks at retail at 1510 4th Street (Stop Inn) between 12:01 a.m. June 25th and 11:59 p.m. July 4, 2015;
 22. Consideration of an agreement with Scott Steager concerning a secure storage area for towed vehicles;
 23. Consideration of advertising for a Project Manager / City Administrator;
 24. Consideration concerning the Microsoft Licensing needs for the City;
 25. Adjourn.

CITY COUNCIL PROCEEDINGS

March 11, 2015

The City Council of the City of David City, Nebraska, met in open public session in the meeting room of the City Office, 557 N 4th Street, David City, Nebraska. The Public had been advised of the meeting by publication of notice in The Banner Press on March 5th, 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 Thomas Kobus, Gary Smith, Kevin Hotovy, Mike Rogers, John Vandenberg, and Gary Kroesing. Also present were City Attorney Jim Egr, and Interim City Administrator/City Clerk Joan Kovar.

Also present for the meeting were: Chief Deputy Sheriff Rick Schneider, Dawn Danley of Leo A. Daly, Craig Reinsch of Olsson Associates, Roger Helgoth and Tom Nevins of Kirkham Michael, Al Meyer, Chad Meyer, and Duane Grashorn of PeopleService Inc., Jared Storm and

Shawn Kranda Hershey Flying Service, Larry McPhillips, David McPhillips, Rex Rehmer, Executive Director Renee Williams of David City Housing Authority, Mr. & Mrs. Jim Reisdorff, Michelle Longenecker, Park/Auditorium Supervisor Bill Buntgen, Water Employees Kevin Betzen, Travis Hays, and Matt Fleming, Sewer Employee James Pedersen, Dana Trowbridge, Mike Draper, Katie Moriarty of the Columbus News Team, and Banner Press Editor Larry Peirce.

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 people to silence their cell phones.

The minutes of the February 11th, 2015 meeting of the Mayor and City Council were approved upon a motion by Council member Vandenberg and seconded by Council member Smith. Voting AYE: Council members Hotovy, Kroesing, Vandenberg, Kobus, Rogers, and Smith. 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 Kroesing, Rogers, Vandenberg, Hotovy, Smith, and Kobus. Voting NAY: None. The motion carried.

Chief Deputy Sheriff Rick Schneider reported that Sheriff Siebken, himself, or someone from their office will start attending the council meetings from now on. Schneider reported that with the nicer weather approaching they will start enforcing city ordinances including nuisances/unlicensed vehicles. New equipment will be mounted on the patrol cars that will monitor where the cars are patrolling and not patrolling.

Park/Auditorium Supervisor Bill Buntgen reported that everything is ready to go as far as the Swimming Pool and Track are concerned.

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

Council member Rogers made a motion to go into executive session to discuss personnel issues. Council member Smith seconded the motion. Voting AYE: Council members Kroesing, Vandenberg, Hotovy, Kobus, Smith, and Rogers. Voting NAY: None. The motion carried.

Mayor Zavodny stated, "At 7:06 p.m. we are going into executive session to discuss personnel issues." Mayor Zavodny, Council members Kroesing, Smith, Vandenberg, Hotovy, Kobus, and Rogers, City Attorney Egr, and City Clerk Kovar went into executive session at 7:06 p.m. At 7:42 p.m. Water Employee Kevin Betzen was asked to join the executive session.

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 7:51 p.m.

Council member Smith made a motion to approve Task Order 2015-1 as presented by Dawn Danley of Leo A. Daly concerning the Downtown Redevelopment. Council member

Kobus seconded the motion. Voting AYE: Council members Vandenberg, Hotovy, Rogers, Kroesing, Smith, 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
CITY OF DAVID CITY, NEBRASKA**

TASK ORDER NO: 2015-1
PROJECT NAME: PREPARATION OF CONSTRUCTION DOCUMENTS FOR DOWNTOWN AREA AS PER
FEASIBILITY STUDY CONDUCTED BY LEO A DALY.

DATED: MARCH, 11th, 2015

Signed and Approved By:

LEO A DALY: _____

CITY OF DAVID CITY _____ Mayor Alan Zavodny

Description of Basic Consulting Services and Related Matters for TASK 2015-1:

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

1. COLLECT FIELD TECHNICAL INFORMATION FOR PROJECT AND CONDUCT TECHNICAL MEETINGS IN DAVID CITY WITH CITY STAFF, PROPERTY OWNERS AND GENERAL PUBLIC AT WORKSHOPS CONDUCTED BY CONSULTANT'S STAFF

- a) Up to six meetings with the City Staff to collect technical information that will be incorporated into the overall plan.
- b) Two general public presentations conducted during the data collection trips with the City. These will be most likely held in the City Council Chambers or another designated meeting place approved by the City.
- c) Attendance up to four City Council Meetings.
- d) Meeting with the State Department of Roads in Lincoln, NE to discuss coordination of connection points onto Highway 15.
- e) Alternative layout, cross-sections of Main Street and First Street for use at the City Council Meeting.

2. TOPOGRAPHIC SURVEY & GEOTECHNICAL INVESTIGATION.

- a) Conduct topographic survey all streets included in the feasibility study area. (Fee is \$22,000)
- b) Conduct a preliminary geotechnical investigation within the design area. (Fee is \$16,000)

3. PRELIMINARY ENGINEERING & FINAL ENGINEERING DESIGN

- a) Provide alignments of storm sewer system, street improvements, water and or sewer system upgrades.
- b) Provide cross-sections of the proposed improvements.
- c) Identify areas of land acquisitions, special permits, and other key design issues.
- d) Provide list of conflict points along the route. During the Final Design these conflict points will be reviewed and analyzed for proper design consideration to make the system work.
- e) Preparation of final construction documents including technical specifications for the project
- f) Preparation of final cost estimate for the project.

4. BIDDING PROCESS.

- a) Work with Bond Counsel at the direction of the City for review of documents.
- b) Provide notice-to-bidders for David City for publication in the David City Area Legal Paper.
- c) Sending out notice-to-bidders to potential contractors in the region.
- d) Receive questions and submit Addenda as required prior to the bid date.
- e) Conduct a pre-bid conference with potential contractors in David City.
- f) Attend the bid opening in David City.

g) Review the bids and make recommendation of award for the Project.

5. CONSTRUCTION PROCESS.

- a) Prepare and distribute for signatures, after the award of the project, the contract documents.
- b) Provide construction control stakes for the construction of the project.
- c) Provide quality control testing for the construction.
- d) Provide full time construction observation during critical phases of the project.
- e) Provide daily observation trips to the site during non-critical phases of the project.
- f) Prepare and obtain approval for change orders, as required, during the construction of the project.
- g) Prepare monthly payment estimates submitted by the contractor for approval by the City.
- h) Coordinate the requirements for the project by NDOR if required.
- i) Prepare substantial completion process and project closeout documentation for the project.
- j) Deliverables:
 - i. Attend bi- monthly City staff meetings.
 - ii. Submit status reports to the City.
 - iii. Assist with NDOR and Bond Counsel coordination.
 - iv. As-built documents.
 - v. Final sets of plans and specifications as-built and electronic files for the City.

B. SCHEDULE OF FEES FOR TASK ORDER 2015-1, EXCEPT CONSTRUCTION PROCESS.

ITEM AMOUNT	FEE TYPE	
Item A1, A2, A3, above – Basic Services for Task Order 2015-1	Lump Sum	\$ 669,500
Item A4, above – Bidding Process	Lump Sum	\$ 16,000
Item A5, above – Construction Process	Hourly with a Not-to-Exceed	To Be Negotiated
TOTAL LUMP SUM FEE FOR TASK ORDER 2015-1:		A1 – A4
		<u>\$ 685,500</u>

Reimbursable expenses are included in the lump sum fee above.

The City advertised for Engineering Proposals concerning the water main extension and sanitary sewer line to the David City Airport. The following two proposals were received:



February 25, 2015

City of David City
Attn: Ms. Joan Kovar, Acting City Administrator
P.O. Box 191
David City, Nebraska 68632-0191

Re: Municipal Airport Water and Sewer Utility Extension
Request for Proposals
David City, NE – 2015

Dear Mayor and Members of the City Council:

The City has made wise utility decisions in the past to allow itself to grow. Previous utility extensions completed by Olsson for the City have made the current proposal simpler to prepare, both from a project understanding and knowing how the City's utility department has completed recent projects. This letter serves as the proposal for the requested engineering services for the above referenced project, as requested. It is our understanding that the City desires the utility extension to be completed in the Fall of 2015 for connection to the proposed business facility that will be constructed near the City's airport.

The closest water distribution system main is installed to County Road 34. Water utility extension to the south side of the municipal airport access road results in approximately 1,100 linear feet of water pipe. It is our understanding that the proposed commercial facility at the airport site requires a fire flow of 1,000 gpm at 55 psi. Pressures available at fire hydrants near the Aquinas High School range from 64 to 70 psi. Using a total estimated length of 3,000 LF of 8-inch main at a flow rate of 1,000 gpm, it is anticipated that system pressures will be within the range of 37 to 43 psi at the proposed airport facility. If the proposed 1,100 LF of water main is installed as a 10-inch diameter pipe, the resulting pressures are anticipated to be in the range of 50 and 56 psi at the proposed building. This information will need to be confirmed during the design phase, and provided to the appropriate entities to confirm that the fire flow requirement can be met at the pressures that the City can provide, or if a booster pump would be required at the proposed airport facility. In our experience, fire pumps are normally the responsibility of the building owner.

The sanitary sewer extension to a similar location will likely be installed parallel and a minimum of 10-feet from the existing and proposed water main. It is anticipated that approximately 2,700 linear feet combined of 8-inch (minimum) gravity and an undetermined pipe size of force main will be included. A sanitary sewer pumping station will need to be installed, which would ideally be located on either side of County Road 34 for ease of access.

It is our understanding that an easement for the future sewer to the airport was completed at the same time that the sanitary sewer was designed for the Aquinas high school in June 1992. Even though the existing sanitary sewer ends on the south end of the high school parking lot, the future sewer easement extends south to County Road 34.

It is recommended that a majority of the sanitary sewer extension be installed as gravity main, which will minimize operating costs and increase future development opportunities to connect to the proposed sewer main. The length of sanitary sewer gravity main to be used in the proposed extension and the pumping station location will need to be determined once topographical survey information has been obtained.

It is recommended that a brief study of the airport area be provided. The purpose of the brief study would be to confirm that an 8-inch gravity sewer is sufficient for proposed build out using the portions of the airport that are available for future build-out. This will allow us to confirm the current and future building occupation, desired build-out plan, and other factors that will affect the pump station size provided as part of this project scope.

We recommend that the water and sewer extension be designed, bid, and constructed concurrently. This will avoid duplication of topographical survey, easements, plans, specifications, bidding, construction, and contractor coordination. With a desired completion date of Fall 2015, the City should know that this is a tight design and construction timeframe. Our proposed project schedule is as follows:

- | | |
|--|---------------------------|
| • City awards design contract | March 11, 2015 |
| • Survey and Final Design | mid-March to June 1, 2015 |
| • Submittal to NDHHS and NDEQ for construction permits | June 1, 2015 |
| o Generally takes 30 days to obtain approval. | |
| • Bidding Phase | June 11-July 2, 2015 |
| • Consider Bid Results and Award Bid | July 8, 2015 |
| • Construction Timeframe | August to December 2015 |

This schedule could be accelerated slightly based on the needs of the incoming business at the airport industrial site. A critical path item in an accelerated schedule will be the approvals of the FAA for the relocated hanger for the new business. We will coordinate with the City and new business if this schedule needs to be accelerated. The City should be aware that a shorter construction timeframe will most likely incur higher construction costs.

We anticipate that the water utility extension will require a minimum of two (2) months from bid award to construction completion. Following the proposed schedule and timeframe, water service to the building could be placed into service by September 1, 2015. One way to do this is to provide a separate bid package for the water and sewer extension work. Additional bidding services fees would be required to package and bid the work in this manner.

The proposed construction schedule for the sewer utility extension will be challenging to complete, as the amount of pipe to be installed is 2.5 times longer than the water utility extension portion of the project. The schedule includes the delivery lead time for pumps, which generally requires 10 to 12 weeks, not including installation. The stated pump lead time includes a pump station large enough to handle the existing buildings and future build-out. This may make occupation of the building in the Fall of 2015 difficult. A couple of options are available in this case. One option available to the City would be to install a holding tank off to the side of the new sanitary sewer.

Mayor and Members of the City Council of David City, Nebraska
February 25, 2015
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This option would require that the City pump and haul waste from the tank until the pump station is on-line, but would allow for the business to go on-line sooner. This would result in additional cost. The actual building occupation would dictate the size of the holding tank. It is recommended that the tank be sized to accept one day's volume of wastewater. The tank could then be left for future use, an equalization tank, or removed. The holding tank would need to be installed per the requirements of NDEQ Title 124.

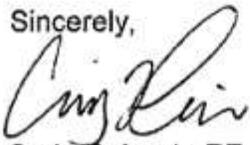
A second option is to provide a smaller duplex pump station that is only sized for the proposed airport business. The pump delivery lead time and availability would be reduced to approximately 5 to 6 weeks, not including installation. Installing a smaller pump station would result in lower initial cost due to a smaller force main, pump station and electrical control requirements. However, the smaller pump station would only serve the existing or currently proposed buildings. A larger pump station and force main may be required in the future to handle increased wastewater generation, which would mean that the initial pump station and force main would need to be replaced. In addition, we do not know the amount of industrial wastewater that will be generated from the proposed facility, which may affect this option.

We have prepared a preliminary opinion of probable project costs based on our project understanding, which resulted in a project cost of \$650,000. This project cost includes contingency and engineering costs for the utility extension, including a full-sized pump station to handle current and future flows. Of the presented costs, is anticipated that \$130,000 would be allocated to the water department budget, and the remainder (\$520,000) allocated to the sewer department budget. Should Option 2 be request, the opinion of probable project costs is anticipated to be in the range of \$450,000.

Enclosed you will find an engineering scope, fee, and contract for the utility extension project for your consideration based on our understanding of the project identified in the request for proposals provided by the City. It should be noted that the scope and fee were set up in a similar manner to the utility extensions that we have provided to the City over the past few years. Should the City desire to look at different lift station options, a modification to the proposed engineering fee would be necessary. It is anticipated that installing a smaller pump station would result in a reduced engineering fee, as stated in the enclosed contract.

We will plan to attend your regularly scheduled March 11, 2015 City Council meeting to discuss the proposed project and answer any questions that you may have. If you have any questions or need more information, please feel free to contact me at either 402.458.5671 or creinsch@olssonassociates.com.

Sincerely,



Craig Reinsch, PE

Encls.



LETTER AGREEMENT FOR PROFESSIONAL SERVICES

February 25, 2015

City of David City
Attn: Ms. Joan Kovar
557 North 4th Street
David City, Nebraska 68632

Re: **AGREEMENT FOR PROFESSIONAL SERVICES**
Municipal Airport Water and Sewer Utility Extension (the "Project")
David City, Nebraska

Dear Ms. Kovar:

It is our understanding that the City of David City, Nebraska ("Client") requests Olsson Associates, Inc. ("Olsson") to perform the services described herein pursuant to the terms of this Letter Agreement for Professional Services, Olsson's General Provisions and any exhibits attached hereto (all documents constitute and are referred to herein as the "Agreement") for the Project.

Olsson has acquainted itself with the information provided by Client relative to the Project and based upon such information offers to provide the services described below for the Project. Client warrants that it is either the legal owner of the property to be improved by this Project or that Client is acting as the duly authorized agent of the legal owner of such property. Client acknowledges that it has reviewed the General Provisions and any exhibits attached hereto, which are expressly made a part of and incorporated into the Agreement by this reference. In the event of any conflict or inconsistency between this Letter Agreement, and the General Provisions regarding the services to be performed by Olsson, the terms of the General Provisions shall take precedence.

Olsson shall provide the following services to Client ("Scope of Services") for the Project:

DESIGN SERVICES

- The project is anticipated to include water and sewer main utility extension design and construction administration along Highway 15, south of David City, Nebraska. The water main will be extended from County Road 34 to south of the airport access road, a distance of approximately 1,100 linear feet. The sewer main will be extended from the southernmost manhole located in the David City Aquinas high school parking lot, parallel to Highway 15, in an existing easement, to south of the airport access road, a distance of approximately 2,700 linear feet. The sanitary sewer extension will include a combination of gravity and forced main. A pump station will be installed, presumably near County Road 34. Locations will need to be confirmed as part of the project design and results of topographical survey.

- Project Initiation and Administration Services, including a project initiation meeting will be conducted with all parties involved to review the project site, identify specific goals, establish schedule for completion, and coordinate with Client's representative for the project. Olsson shall attend one design review meeting with City staff at the 90-percent design level for each project location. General administrative services to manage and support the design of the project will also be provided.
- Topographic survey data will include all necessary field and property surveys necessary for design and construction of the water and sewer utilities extension. This will also provide vertical and horizontal control points. Survey data will be collected for both utilities at the same time. Existing easements will be included on the electrical topographical survey files. If additional easements are required for the project, this service can be required, but will be considered an additional service.
- Review buildable area and confirm maximum buildable area for proposed sanitary sewer. Since the proposed sanitary sewer extension will originate from an existing 8-inch sanitary sewer, the maximum flows will be limited. The buildable area on the west side of the airport will be determined and recommendations provided for future build-out that can occur on the City's existing property. These recommendations will be provided in a summary memorandum format.
- Prepare detailed drawings and technical specifications for the proposed construction work and for all equipment and materials required under the contract. The documents will be prepared for construction by a private contractor selected by the Client as part of a competitive bidding process. The specifications shall contain contracts, bid forms, bidding instructions, General and Supplementary Conditions. A combined set of plans and specifications will be prepared for both utility extension locations.
 - The existing electrical system requirements will be reviewed to determine power source and location for equipment and associated lighting and general power at the pump station site. We will also coordinate with the owner and utility to accommodate the new power requirements. Services will include electrical engineering, design, and specification for the electrical services and equipment required for the facility. Olsson will define electrical distribution systems and equipment which will best support the processes, conform to environments and conditions, be energy efficient, and meet operator needs.
 - Instrumentation and Controls for the lift station will be provided, and will include the design of the controls system, specify equipment, and prepare a performance spec for the bidding of the control work associated with this project.
 - Prepare Erosion Control/SWPPP details. The Contractor will be responsible for the SWPPP preparation and implementation.
- Provide three (3) sets of drawings and specifications to the Client for review at 90 percent, for each project location. As part of the review of each submittal, meet with Client or Client's designee to discuss their review comments and resolve any questions.
- Perform an "in-house" quality control review of each set of drawings and specifications at 90 percent completion.

- Opinion of Probable Construction Costs - Prepare an opinion of probable construction costs for the project work for both utility extension locations.
- Submit the water main utility extension to the Nebraska Department of Health and Human Services (NDHHS) and the sanitary sewer utility extension to the Nebraska Department of Environmental Quality (NDEQ) and Incorporate Review Comments - Olsson will coordinate the project with NDHHS and NDEQ, and submit the project plans and specifications as required for approval and issuance of a construction permit. Coordination with Butler County will be completed to determine the need for a roadway crossing permit of County Road 34. It is not anticipated that permits from the Nebraska Department of Roads will be required for utility work. Permit review fees shall be the responsibility of the Client.
- Provide three (3) sets of final plans and specifications to the Client for their use.

BIDDING PHASE SERVICES

- The project, including both utilities, is anticipated to be bid concurrently.
- The project engineer will coordinate the issuance of notices to bidders and the distribution of bidding documents. Notices will be placed in the official publications directed by the City, and in bidding services known to provide data to contractors in the area. In addition, invitations will be mailed directly to contractors whom the project team and/or the City staff know will be interested in the project. Documents will be available for inspection at Olsson offices.
- The project engineer will coordinate answering questions raised by bidders. Specialists will be used to address technical questions. Addenda will be prepared, as required, to provide clarification to questions. The City will be contacted regularly to keep him aware of any project changes resulting from bidders' questions.
- The project manager and/or project engineer will attend the bid opening. All bids properly received will be reviewed. Any inconsistencies or irregularities found in the bids will be reported to the City. In addition, the project manager and/or project engineer will attend the following City Council meeting to present the bid results to the City Council for consideration of recommending the award.
- Conformed copies of the contract documents, including all insurance and bond forms, will be prepared by the project engineer. The project manager will review the documents to confirm that all procedures have been properly followed. Copies of the conformed documents will be provided to the City for review. Approved copies will be distributed to the City, the contractor, regulatory agencies, and Olsson. These documents form the official contract between the City and the contractor, as well as the basis for decisions concerning the work.

CONSTRUCTION ADMINISTRATION SERVICES

- It is anticipated that each utility extension will be constructed concurrently.
- Perform construction administrative services including communication with the Contractor and City personnel, attendance at the pre-construction meeting, as well as up to three (3) site visits to verify construction activities, review of the Contractor's pay applications, shop drawing or submittal review (as defined below), respond to field questions from the City and/or Contractor, and other items requested by the City during construction, within the budget amount stated for construction administration.
- Shop Drawing Submittal Review – Review drawings and other data submitted by the Contractor as required by the construction contract documents. Olsson's review shall be for general conformity to the construction contract drawings and specifications for the Contract and shall not relieve the Contractor of any of his contractual responsibilities. Such reviews shall not extend to means, methods, techniques, sequences, or procedures of construction or to safety precautions and programs incident thereto.
- Substantial and Final Completion Inspections – Upon the Contractor completing substantial and final completion, inspection of the construction work and preparation of a tentative list of the items to be completed or corrected before final completion of the contract. Following substantial completion, conduct a final inspection to determine if the work is completed. A total of two (2) additional site visits will be made, than previously referenced. Olsson shall provide written recommendations concerning final payment to Client, including a list of items, if any, to be completed prior to making such payment. This item includes a site visit to review the completed items.

ADDITIONAL AND EXCLUDED SERVICES

- Exclusions:
 - Survey, research, and associated services for new easements.
 - Construction observation services.
 - SCADA System installation of a new radio at the new Lift Station and verify communications, as well as the new SCADA interface enclosure and equipment inside the enclosure. These items will be included in the design and bid by the Contractor.
 - SCADA System integration to be provided by Olsson Associates, through an allowance with the Contractor. This item is not included in the current contract with the Owner.
 - Construction staking services will be provided by Olsson Associates, through an allowance with the Contractor. This item is not included in the current contract with the Owner.
 - The items described in the Exclusions section may be provided as additional services to the Client, if so requested.
- Additional Services: Should Client request work in addition to the Scope of Services (Optional Additional Services), Olsson shall invoice Client for such services at the standard hourly billing labor rate charged for those employees actually performing the work, plus reimbursable expenses if any. Olsson shall not commence work on Optional Additional Services without Client's prior written approval.

Olsson agrees to provide all of its services in a timely, competent and professional manner, in accordance with applicable standards of care, for projects of similar geographic location, quality and scope.

SCHEDULE FOR OLSSON'S SERVICES

Unless otherwise agreed, Olsson would expect to begin performing its services under the Agreement promptly upon your signing.

Anticipated Start Date:	March 11, 2015
Anticipated Design Completion Date:	July 8, 2015
Anticipated Construction Completion Date:	December 1, 2015

Olsson will endeavor to start its services on the Anticipated Start Date and to complete its services on the Anticipated Completion Date. However, the Anticipated Start Date, the Anticipated Completion Date, and any milestone dates are approximate only, and Olsson reserves the right to adjust its schedule and any or all of those dates at its sole discretion, for any reason, including, but not limited to, delays caused by Client or delays caused by third parties.

COMPENSATION

Client shall pay to Olsson for the performance of the Scope of Services a fixed fee of Sixty Four Thousand Seven Hundred Seventy Five Dollars (\$64,775.00). A breakdown of the fee is provided below:

Description	Base Fee	Fee with Smaller Pump Station Option
Project Management and Coordination	\$ 7,025.00	\$ 5,650.00
Design Services	\$42,305.00	\$33,130.00
Bidding Services	\$ 3,500.00	\$ 3,500.00
Construction Administration	\$11,945.00	\$ 9,945.00
Total Design Services	\$64,775.00	\$52,225.00

Olsson shall submit invoices on a monthly basis and payment is due within 30 calendar days of invoice date.

REIMBURSABLE EXPENSE: Olsson's reimbursable expenses for this Project are included in the fixed fee set forth above.

TERMS AND CONDITIONS OF SERVICE

We have discussed with you the risks, rewards and benefits of the Project, the Scope of Services, and our fees for such services and the Agreement represents the entire understanding between Client and Olsson with respect to the Project. The Agreement may only be modified in writing signed by both parties.

Client's designated Project representative shall be: Mr. Kevin Betzen

If this Agreement satisfactorily sets forth your understanding of our agreement, please sign in the space provided below. Retain a copy for your files and return an executed original to Olsson. This proposal will be open for acceptance for a period of 30 days from the date set forth above, unless changed by us in writing.

OLSSON ASSOCIATES, INC.

By 

By 

By signing below, you acknowledge that you have full authority to bind Client to the terms of the Agreement. If you accept the terms set forth herein, please sign:

CITY OF DAVID CITY

By _____

Name: _____

Title _____

Dated: _____

If different from above,

Client's Designated Project Representative

Attachments

General Provisions

Labor Rate Schedule

Reimbursable Expense Schedule

G:\Lincoln\Teams\PBIN\LETPROP\DC Airport Utility Extension\David City_Letter Agreement.doc

February 25, 2015

RE: Agreement for Professional Engineering Services
Water Distribution Main and Sanitary Sewer Collection Improvements
David City Airport
David City, Nebraska

Ms. Joan Kovar
City Administrator
City of David City
557 4th Street
David City, Nebraska 68632-0191

Dear Joan and Selection Committee Members:

We are pleased to present this letter agreement for professional engineering services in connection with the design and construction engineering to provide extended water and wastewater service to the David City Municipal Airport. We appreciate the opportunity to provide services for the City of David City and are confident that you will be pleased with the quality and timeliness of our services. We thank you for your support and continued business.

Scope of Services

This scope of services describes the professional necessary engineering services required for the water main and sanitary sewer extensions. There may be alternative designs for the water main extension based upon sizing requirements and the extent of the computer hydraulic modeling. It is our understanding the fire flows required at the Airport are 1,000 gallons per minute minimum, with 55 psi residential water pressure.

Water Main to Airport:

- A) Generally extend an 8-inch PVC water main approximately 7,400 feet, to include all accessories and fire hydrants as depicted on the attached Figure No. 1. This basic design would appear to meet the Airport fire flow requirements. This design could be accomplished with little or no computer modelling. This main completes a looped system.
- B) Another alternative that may be acceptable, if demonstrated by computer hydraulic modeling would be to extend an 8-inch PVC water main approximately 2,100 feet, to include all accessories. See sketch in Figure No. 2. This main extension would not be looped and would be a dead-end system. This alternate would be considerably less expensive, however, would require additional computer hydraulic modeling to demonstrate that the design would deliver the required fire flows at the Airport.

Sanitary Sewer to Airport:

- A) Extend an 8-inch PVC sanitary sewer collection main in Airport Drive approximately 1,000 feet, to include all accessories. Design a lift station at the intersection of Nebraska Highway No. 15 and Airport Drive. Extend approximately 3,000 linear feet of 4-inch force main to connect to the existing sanitary sewer collection system. See Figure No. 3 concept sketch.



A. Project Management

1. *Initial Kick-Off Meeting*

A meeting will be scheduled before project work begins to encourage the City of David City staff input and to provide for the exchange of ideas and information relative to the water main design. The objective of this meeting is to develop a clear understanding of the project scope of services, design criteria and expectations, obtain background information and refine the project schedule.

2. *Final Review Meeting*

Final review meeting will be established with the City to discuss the status and progress of the project. The meeting will be scheduled at the 90% complete milestone to review progress and status of the project, including preliminary opinions of probable cost.

3. *On-going Project Communications and Correspondence*

Kirkham Michael will maintain frequent communications with City staff and other interested parties including Nebraska Health and Human Services System and Nebraska Department of Environmental Quality, as the project dictates. Project documentation and correspondence will be produced as necessary and filed for the record.

4. *Maintain Project Schedule*

The design phase of the project is to be completed in accordance with the schedule established for the project. Kirkham Michael will report on the status of the project schedule at appropriate intermediate intervals as needed.

5. *Meetings*

Three meetings are anticipated with these three projects. A Kick-Off Meeting, one Progress Meeting and one City Council Meeting, if desired.

6. *Submittals*

- a. Preliminary Contract Documents (Construction Drawings and Specifications)
- b. Final Contract Documents

B. Design Phase Services

1. *Data Collection and Background Research*

The Kirkham Michael team will obtain the following information:

- a. Record drawings of existing facilities, if available.
- b. Contract documents and specific design requirements to be incorporated into the project documents.

2. *Field Investigation*



Topographic Survey

Field topographic surveys will be completed to obtain all necessary information pertaining to the existing facilities to allow for the design of the proposed improvements. The field topographic survey will include the following items:

- a. Accurate elevations of the ground, existing structures and surfaces along the project alignment and other facilities, as required.
- b. Location, sizes, and elevations of the storm sewers, sanitary sewers, water mains, fiber optics, gas mains, electric lines, and other related facilities where conflicts are determined or connections are necessary.

3. *Preliminary Design*

Preliminary design will provide for development of pertinent information necessary in completing the designs.

- a. **Preliminary Review/Study**
Kirkham Michael will provide sufficient review and investigation to recommend the most cost-effective system to meet the Airport water and sanitary sewer requirements. The review and evaluation of alternatives as related to horizontal alignments, flow demands and criteria, system computer hydraulic modeling as appropriate, and equipment specifications. Kirkham Michael will also review utility service to the general immediate area for the most cost-effective system. After review and evaluation, Kirkham Michael will submit recommendations to the City for review and concurrence.
- b. **Plot Base Maps of Existing Facilities**
The base maps required for the final design of the project will be plotted on plan and profile sheets at an appropriate scale.
- c. **Utility Coordination**
Provide hard copies and/or computer files of the topographic survey base sheets to all utility companies, which serve the project area for verification of their facilities shown on the plans.
- d. **Preliminary Design**
Sufficient preliminary design shall be performed to show the plan and profile of the proposed water mains and utility conflicts.
- e. **Draft Preliminary Plans**
Base sheets will be prepared and the preliminary design will be drafted on plan sheets and plan/profile sheets as required. The plans will be reviewed for quality assurance purposes by Kirkham Michael. It is anticipated that the following items will be included in the preliminary plans for this project:
 1. cover sheet;
 2. tabulation of quantities and general notes;
 3. details;
 4. plan/profile drawings for the water mains and sanitary sewer;
 5. Opinions of Probable Cost

Preliminary opinions of probable cost for the proposed improvements shall be prepared and furnished. Approximate quantities shall be taken from the preliminary plans. The project budget will be reviewed to verify that sufficient funds are available to construct the project as set forth on the preliminary plans. You will be advised of the status of the project budget throughout the design phase.



- f. **Submittal of Preliminary Plans**
Kirkham Michael will submit two sets of the preliminary plans for review and approval for this project. Any modifications or revisions to the preliminary plans as a result of comments received will be made during the development of final plans.

4. *Permit Applications*

Kirkham Michael will prepare permit applications to agencies when the design requires such permits. These applications may include:

- 1) Storm Water Pollution Prevention Plan (SWPPP) to NDEQ
- 2) Nebraska Department of Roads (NDOR) Occupancy Permit
- 3) NDEQ – NPDES Permit for Erosion Control
- 4) NDEQ – Sanitary Sewer Construction Permit
- 5) NHHSS – Water Main Construction Permit

5. *Final Design*

- a. **Final Design**
The design of the improvements will be finalized by adding all necessary details and notes to enable the contractor to construct the project improvements as designed and intended. Critical items will be addressed such as specifications, details, backfilling and compaction and other miscellaneous and related items of work.

- b. **Preparation of Final Plans and Specifications**
Final plans for proposed improvements will be prepared and drafted. The plans will be reviewed for quality assurance purposes by Kirkham Michael. Final plans will include the appropriate plan sheet information as discussed in the preliminary plan section. Kirkham Michael standard specifications will be utilized for this project.

Kirkham Michael will modify the standard specifications with a special provision section as necessary to adapt them to this specific project and to incorporate any special requirements of the City. A single set of detailed drawings, specifications, and bid documents will be prepared.

- c. **Final Opinion of Probable Costs**
Kirkham Michael will prepare and provide a detailed final Statement of Probable Construction Costs for the project, consisting of a construction item description, schedule of quantities, estimated unit costs, total construction cost and a summary of total project costs. The Statement of Probable Construction Costs for the project will be submitted to the City prior to the project bid letting.
- d. **Submit Final Contract Documents**
Kirkham Michael will submit two sets of final plans and specifications to the City for approval. Kirkham Michael will submit three sets of the final drawings and specifications to NHHSS and NDEQ for review and approval. Review fees will be the City's responsibility.
- e. **Bidding Period Assistance**
Services during the bidding process will provide assistance to the City of David City in obtaining fair and competitive bids for the construction work.

- 1. **Bid Letting.** Kirkham Michael will advise and assist the City of David City as required during the bidding phase of the project.
- 2. **Issue Addenda.** Contractor questions concerning the plans, specifications and



contract documents will be answered. Kirkham Michael will coordinate the issuance of addenda, with the City of David City, to clarify the intent of the documents.

3. **Bid Tabulation and Contract Award.** Kirkham Michael will prepare and furnish a tabulation of bids to the City of David City and other interested parties. A recommendation for award of contract will be made based on the bid review and consensus on the most responsive and responsible bidder. We will also assist the City of David City in preparing conformed copies of the contract documents.

C. Easement Descriptions

1. *Easement Descriptions*

The following activities/tasks will be necessary for easement acquisitions:

- a. Additional land survey and records search at the County Courthouse to locate property corners necessary to write easement legal descriptions.
- b. Prepare legal descriptions and tract maps necessary for permanent and temporary construction easements. We anticipate three separate tract maps with legal descriptions.
- c. Title reports will be provided by the City for the parcels impacted by the project. Copies of the title reports will become a part of each parcel file and will be used to prepare right of way documents for the acquisition process. The City will contract directly with a right of way acquisition firm to conduct negotiations and actual easement acquisition.

D. Construction Phase Services

After execution of the construction contract, the construction services phase will be initiated. These services should include, but not be limited to the following:

1. Schedule and attend the preconstruction conference with Contractor and City and provide meeting minutes;
2. Construction staking in accordance with the project specifications;
3. Administration of the construction contract;
4. Shop drawing review and approval;
5. Observation and monitoring of the construction progress (40 hours maximum);
6. Keeping of accurate and detailed records of the project and the submission of reports;
7. Coordination of the activities between the City and the Contractor so as to effect any needed field changes;
8. Provide any necessary change orders;
9. Materials testing and concrete cylinder break costs shall be paid by the City directly to the materials testing laboratory, Kirkham Michael will coordinate the implementation of the materials testing;
10. Administration of billing and payment procedures for the contract;
11. Periodic review of the project schedule in comparison to the contract documents;
12. Preparation and submittal of record drawings to the City based on Contractor's notes and red-line prints;

Kirkham Michael has a complete Field Services Department and possesses the expertise, capabilities and availability to provide effective construction management services for this project.



Schedule

Kirkham Michael will commence services upon execution of this agreement by the City and conclude design services after the bidding phase is complete. Kirkham Michael will complete the design services within 90 calendar days of the acceptance of this proposal.

Fee Proposal

Kirkham Michael proposes to complete the above-described Design, Bidding, and Construction Phase Professional Services for the lump sum as listed below. The lump sum fee includes all direct project related expenses. The lump sum fee does not include any environmental services, subdivision/platting services, or any services that have not been detailed above.

The lump sum amounts for engineering fees is as follows:

Base Water Main Design. The design and construction services for the basic looped water main extension (no computer modeling) (Figure No. 1).	\$ 54,000.00
Alternate Water Main Design. The design and construction for a single dead end main (if proven feasible by computer modeling not included) (Figure No. 2).	\$ 34,000.00
Sanitary Sewer, Lift Station and Force Main. The design and construction services for the sanitary sewer extension (Figure No. 3).	\$ 37,500.00

If the above-described items are satisfactory to you, please sign and date both the "original" and the "duplicate" copies of this letter agreement. Keep the "original" copy for your files and return the "duplicate" copy to us for our files. Receipt of this letter will be considered our notice to proceed with the work. Thank you for your consideration.

Sincerely,

KIRKHAM, MICHAEL & ASSOCIATES, INC.

Rich L. Robinson, P.E.
Senior Vice President

RLR/sjt

Copy to: J. Frederiksen – Kirkham Michael Omaha

M:\PROPOSALS\2015\City of David City, NE-Airport Water and Sewer Main; 02-15; KM-411.docx

ACCEPTANCE OF PROPOSAL AND AUTHORIZATION TO PROCEED

City of David City

Date: _____

Airport Water Main

Concept Layout/Work Hour Estimate - ALTERNATIVE ALIGNMENT A

DESCRIPTION OF WORK ITEMS / TASKS	WORK HOURS BY CLASSIFICATION								
	PR	PM	PE	CT	CL	SC	FM	INSP	Total
BASE DESIGN AND BIDDING PHASE SERVICES									
Project Management / QA/QC: 90 days = 13 weeks									
Kick-off meeting & Initial site visit									
Data collection & Background research									
Topo survey									
Complete new topo data & mapping (7,400 LF)									
Property descriptions - for easements and permits (3)									
Hydraulic calculations / Main sizing									
Pipe design calculations									
Utility coordination									
Crossing designs (roadways / ditches / railroad)									
Review meeting (at 90% design completion)									
Permit applications									
SWPPP / NPDES / Site Runoff permit									
NHHS - Construction permit									
NDOR - Permit to occupy									
Butler County Roads - Permit to occupy									
Preliminary design drawings									
7,400 LF new (14 sheets)									
Final design drawings									
7,400 LF new (14 sheets)									
Technical Specifications									
Contract and Bidding Documents (EJCDC format)									
Bidding Phase Services									
Print and Distribute Plans & Specs									
Addenda									
Bid opening, tabulation and evaluation.									
Assist with assembling and awarding contract.									
Subtotal - Design and Bidding									
CONSTRUCTION PHASE SERVICES (To be developed)									
Facilitate preconstruction conference									
Review / act on submittals (5 items assumed)									
Provide instructions, interpretations, clarifications, change orders									
Provide construction staking									
Monthly progress reports (3 each) / QC Review									
Coordinate materials testing									
Provide on-site observation (40 hours max)									
Review / recommend monthly and final payments (3 each)									
Final inspection and punch lists for substantially complete									
Prepare and submit Record Drawings (14 sheets)									
Subtotal - Construction									
Total Project									

PHASE / TASK	FEE, \$
Design	31,500
Permit Applications	2,300
Easement Descriptions	1,700
Bidding Period	5,100
Construction Period	13,400
Total Project	54,000

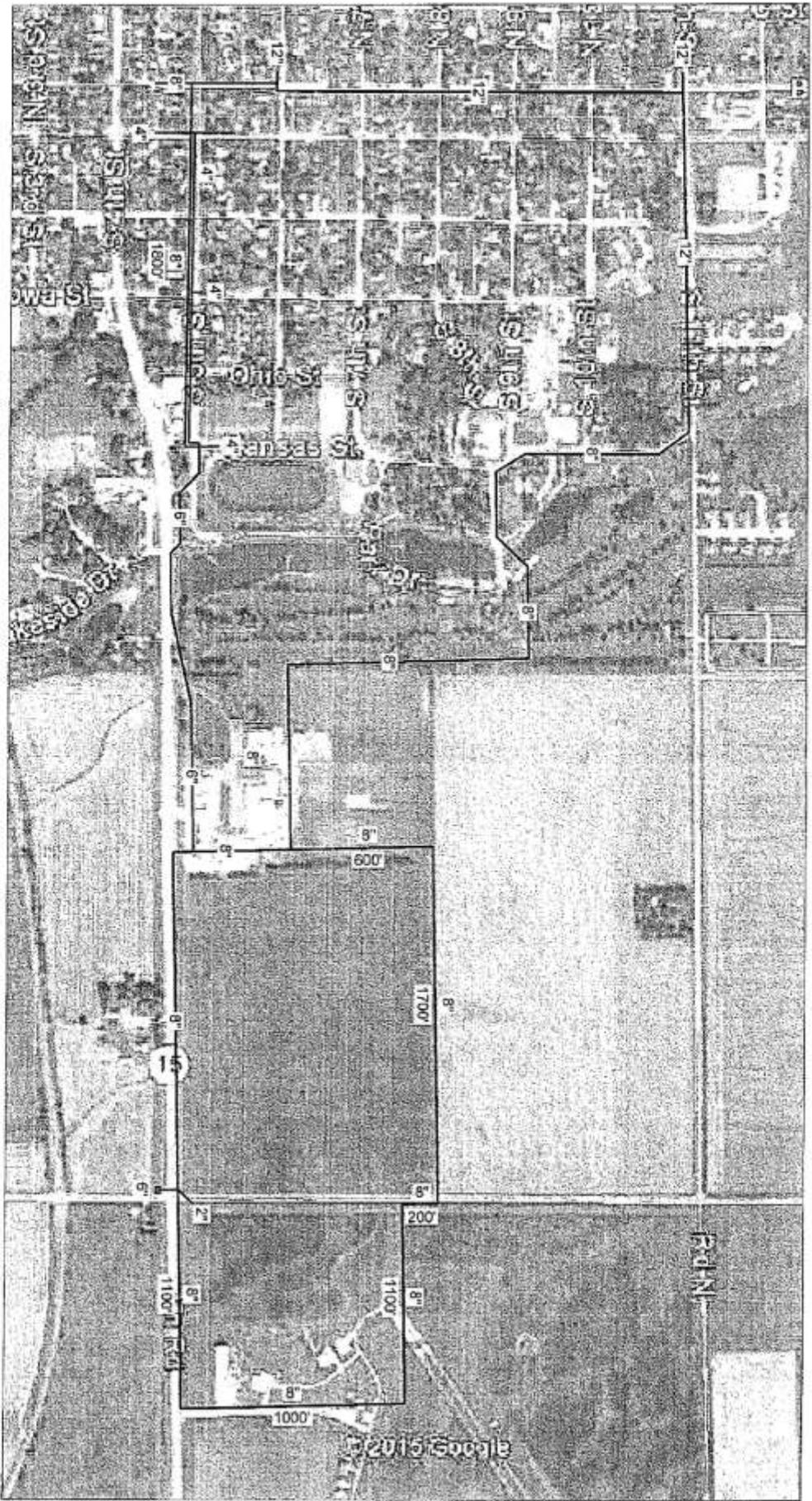
City of David City, NE

Airport Water Main

Concept Layout Property Requirements (Easements and ROW Permits)

ALTERNATIVE ALIGNMENT A

No.	From Sta	To Sta	Property Type	Parcel/TL Number
1	0+00	11+00	Public - Road	NDOR
2	11+00	21+00	Private - Airport	
3	21+00	32+00	Private - Airport	
4	32+00	34+50	Public - Road	County
5	34+50	56+00	Private - Farm	
6	56+00	57+00	Private - School	
7	100+00	118+00	Public - Road	City



WATER MAIN CONCEPT 'A'
 MINIMUM RECOMMENDED WITHOUT MODELING

— EXISTING WATER MAINS
 - - - PROPOSED WATER MAINS



SHEET
 1

WATER MAIN - CONCEPT A

DAVID CITY UTILITY IMPROVEMENTS

DAVID CITY

NEBRASKA

KIRKHAM MICHAEL

Airport Water Main

Concept Layout/Work Hour Estimate - ALTERNATIVE ALIGNMENT B

DESCRIPTION OF WORK ITEMS / TASKS	WORK HOURS BY CLASSIFICATION								
	PR	PM	PE	CT	CL	SC	FM	INSP	Total
BASE DESIGN AND BIDDING PHASE SERVICES									
Project Management / QA/QC; 90 days = 13 weeks									
Kick-off meeting & initial site visit									
Data collection & Background research									
Topo survey									
Complete new topo data & mapping (2,100 LF)									
Property descriptions - for easements and permits (1)									
Hydraulic calculations / Main sizing									
Pipe design calculations									
Utility coordination									
Crossing designs (roadways / ditches / railroad)									
Review meeting (at 90% design completion)									
Permit applications									
SWPPP / NPDES / Site Runoff permit									
NHHS - Construction permit									
NDOR - Permit to occupy									
Preliminary design drawings									
2,100 LF new (4 sheets)									
Final design drawings									
2,100 LF new (4 sheets)									
Technical Specifications									
Contract and Bidding Documents (EJCDC format)									
Bidding Phase Services									
Print and Distribute Plans & Specs									
Addenda									
Bid opening, tabulation and evaluation.									
Assist with assembling and awarding contract.									
Subtotal - Design and Bidding									
CONSTRUCTION PHASE SERVICES (To be developed)									
Facilitate preconstruction conference									
Review / act on submittals (5 items assumed)									
Provide instructions, interpretations, clarifications, change orders									
Provide construction staking									
Monthly progress reports (2 each) / QC Review									
Coordinate materials testing									
Provide on-site observation (40 hours max)									
Review / recommend monthly and final payments (2 each)									
Final inspection and punch lists for substantially complete									
Prepare and submit Record Drawings (4 sheets)									
Subtotal - Construction									
Total Project									

PHASE / TASK	FEE, \$
Design	18,400
Permit Applications	1,500
Easement Descriptions	600
Bidding Period	3,600
Construction Period	9,900
Total Project	34,000

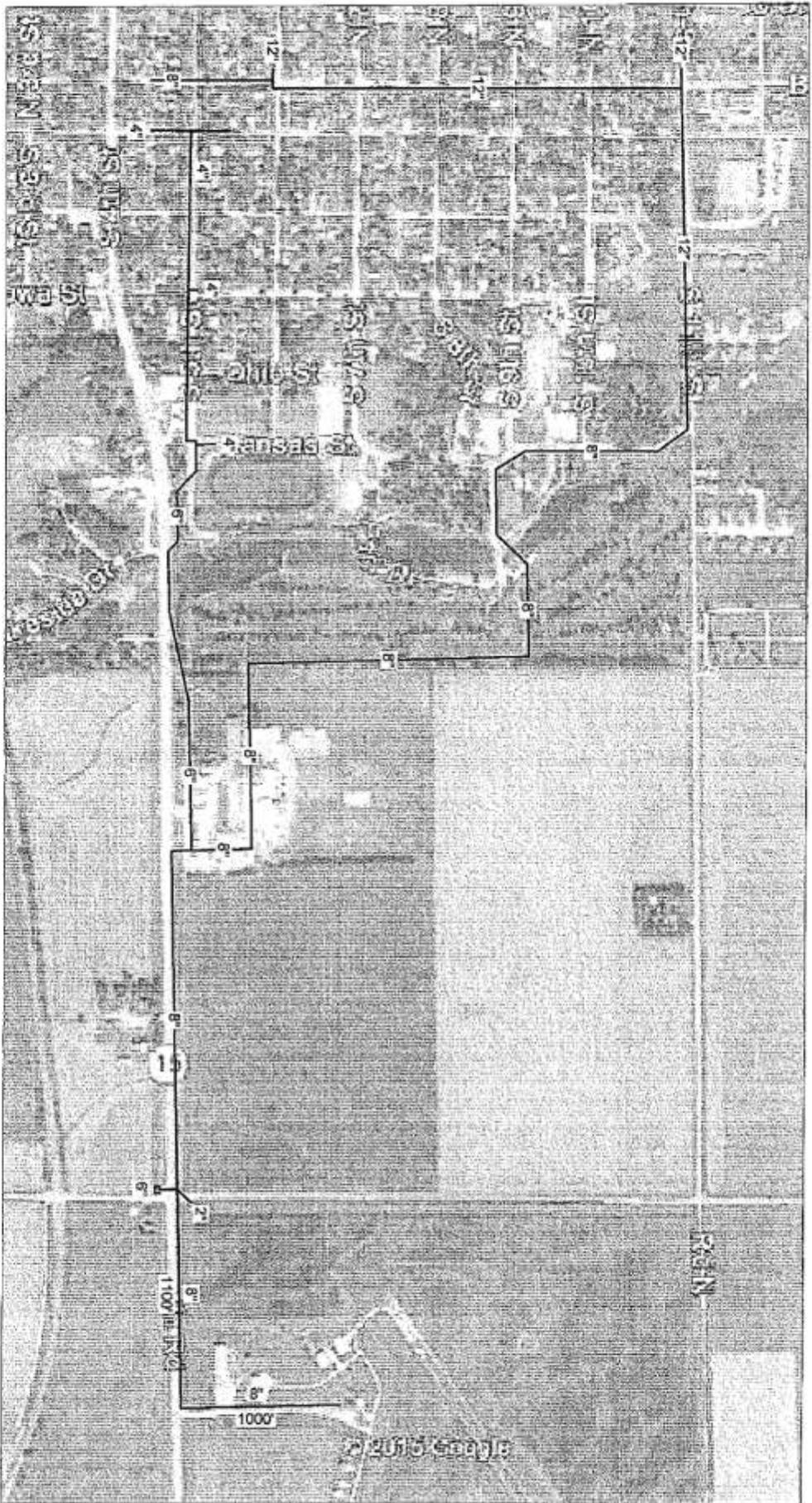
City of David City, NE

Airport Water Main

Concept Layout Property Requirements (Easements and ROW Permits)

ALTERNATIVE ALIGNMENT B

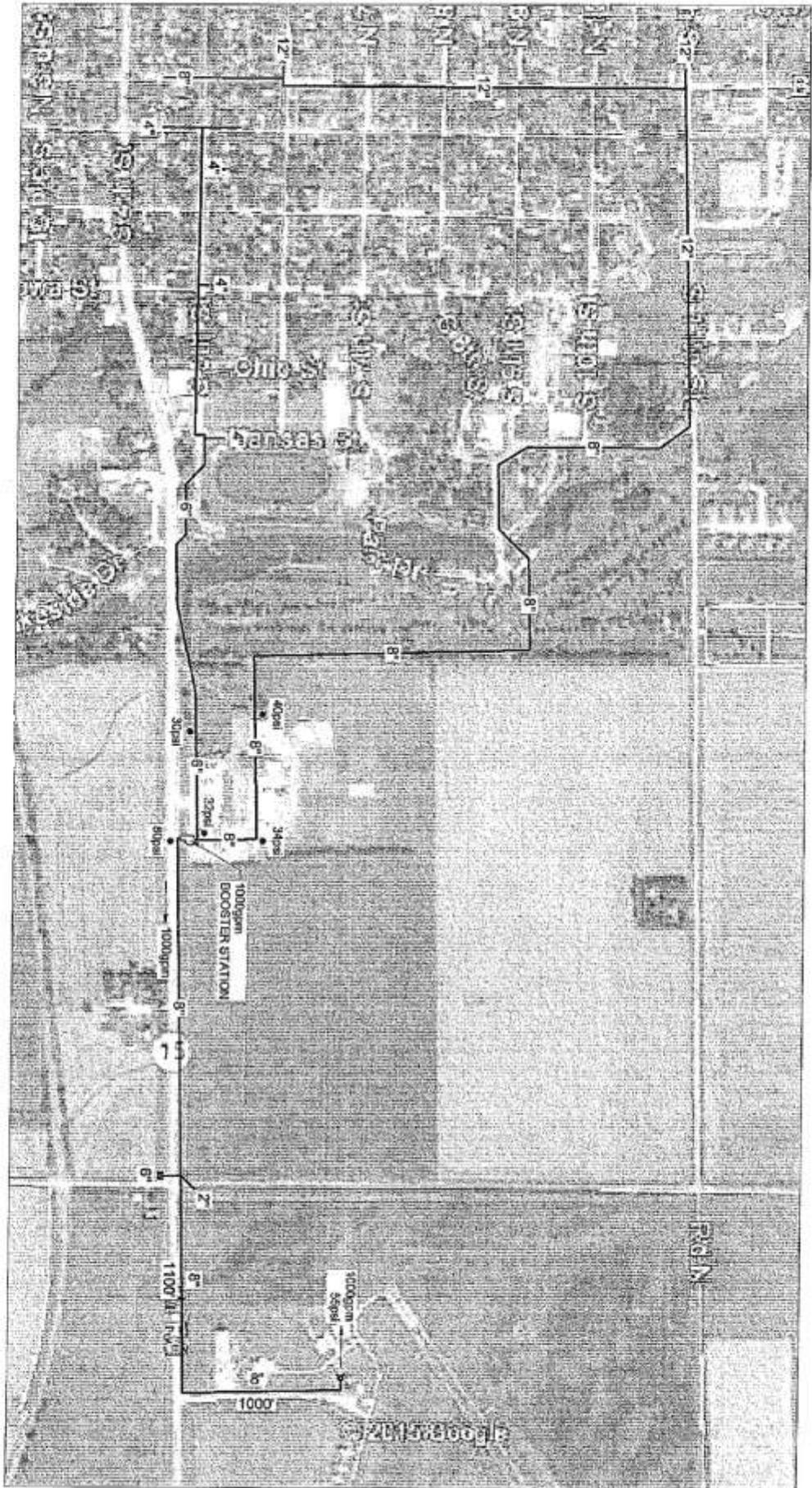
No.	From Sta	To Sta	Property Type	Parcel/TL Number
1	0+00	11+00	Public - Road	NDOR
2	11+00	21+00	Private - Airport	



WATER MAIN CONCEPT 'B'
 POSSIBLE, BUT ONLY IF PROVEN BY MODEL

— EXISTING WATER MAINS
 - - - PROPOSED WATER MAINS





WATER MAIN CONCEPT 'C'

— EXISTING WATER MAINS
 — PROPOSED WATER MAINS



SHEET
 2

WATER MAIN - CONCEPT 'C'

DAVID CITY UTILITY IMPROVEMENTS

DAVID CITY

HYDRAUSA



Airport Sanitary Sewer

Concept Layout Work Hour Estimate

DESCRIPTION OF WORK ITEMS / TASKS	WORK HOURS BY CLASSIFICATION								
	PR	PM	PE	CT	CL	SC	FM	INSP	Total
DESIGN AND BIDDING PHASE SERVICES									
Project Management / QA/QC; 90 days = 13 weeks									
Kick-off meeting & Initial site visit									
Data collection & Background research									
Topo survey & mapping (1,000 LF)									
Property descriptions - for easements and permits (1)									
Calculations: Hydraulic / Pipe size									
Calculations: Pipe class									
Utility coordination									
Crossing designs (roadways / ditches)									
Review meeting (at 90% design completion)									
Permit applications									
SWPPP / NPDES / Site Runoff permit									
NDEQ - Construction permit									
Butler County Roads - Permits to occupy									
NDOR Roads - Permits to occupy									
Preliminary design drawings									
Force Main (1,000 LF - 2 sheets)									
Lift Station (2 sheets)									
Final design drawings									
Force Main (1,000 LF - 2 sheets)									
Lift Station (2 sheets)									
Technical Specifications									
Contract and Bidding Documents (EJCDC format)									
Bidding Phase Services									
Print and Distribute Plans & Specs									
Addenda									
Bid opening, tabulation and evaluation.									
Assist with assembling and awarding contract.									
Subtotal - Design and Bidding									
CONSTRUCTION PHASE SERVICES (To be developed)									
Facilitate preconstruction conference									
Review / act on submittals (5 items assumed)									
Provide instructions, interpretations, clarifications, change orders									
Provide construction staking									
Monthly progress reports (2 each) / QC Review									
Coordinate materials testing									
Provide on-site observation (40 hours max)									
Review / recommend monthly and final payments (2 each)									
Final inspection and punch lists for substantially complete									
Prepare and submit Record Drawings (4 sheets)									
Subtotal - Construction									
Total Project									

PHASE / TASK	FEE, \$
Design	21,500
Permit Applications	1,900
Easement Descriptions	600
Bidding Period	3,600
Construction Period	9,900
Total Project	37,500

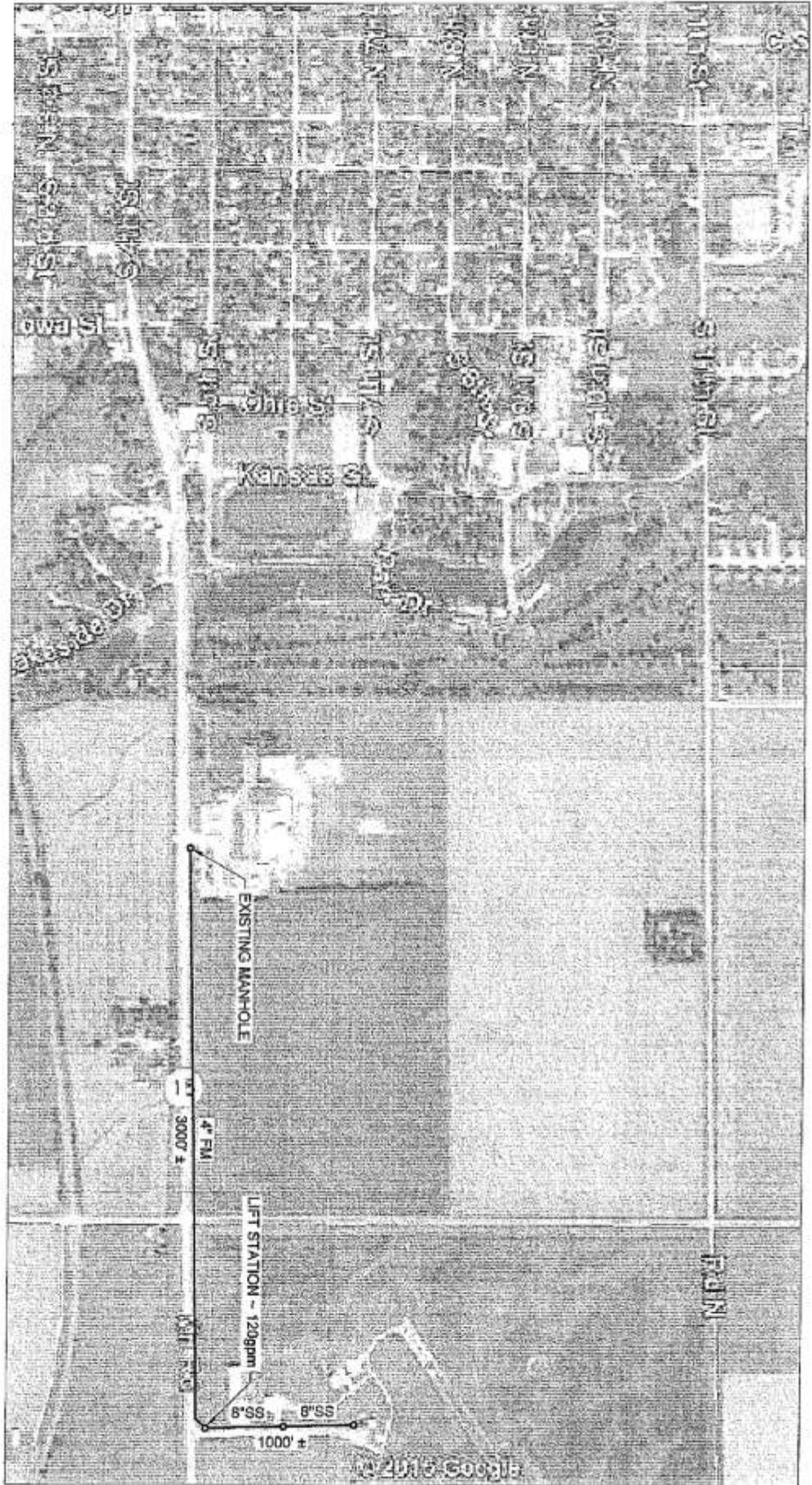
City of David City, NE

Airport Sanitary Sewer

Concept Layout Property Requirements (Easements and ROW Permits)

No.	From Sta	To Sta	Property Type	Parcel/TL Number
1	0+00	1+00	Private - School	
2	1+00	17+00	Public - Road	NDOR
3	17+00	18+00	Public - Road	County
4	18+00	30+00	Public - Road	NDOR
5	30+00	35+00	Private - Airport	
6	35+00	40+00	Private - Airport	

WASTE WATER SYSTEM CONCEPT



PROPOSED WASTE WATER



SHEET
3

WASTE WATER SYSTEM CONCEPT

DAVID CITY UTILITY IMPROVEMENTS

DAVID CITY

NEBRASKA

KIRKHAM MICHAEL

Craig Reinsch of Olsson Associates presented an engineering proposal, followed by a presentation of the engineering proposal by Tom Nevins and Roger Helgoth of Kirkham Michael. Discussion followed. The consideration of a well was also discussed.

Council member Kroesing made a motion to table consideration of the engineering proposals received concerning the water main extension and sanitary sewer line to the David City Airport to allow additional time to review and study the proposals, provide time for additional information to be collected, and explore other options that might be available. Council member Hotovy seconded the motion. Voting AYE: Council members Kobus, Smith, Vandenberg, Rogers, Hotovy, and Kroesing. Voting NAY: None. The motion carried.

PeopleService Inc. provided a proposal for the operation and maintenance of the wastewater facilities. Chris Gutschow, Chad Meyer, and Duane Grashorn of PeopleService Inc., were present to discuss their proposed "Operation and Maintenance Agreement". The Region Manager would be Duane Grashorn, they would provide an operator to cover the needed Grade II Water Certification, and would cover the operations of the Wastewater Treatment Plant.

Council member Smith made a motion to approve the Operation and Maintenance Agreement as proposed by PeopleService. Council member Kobus seconded the motion. Voting AYE: None. Voting NAY: Council members Vandenberg, Rogers, Kroesing, Smith, Hotovy, and Kobus. The motion failed.

Mayor Zavodny stated: "We appreciate what you've done for us but I think we are going to try a different course and see how that goes. It's not really a reflection on you but this is just what we want to try to do so thank you very much for what you've done and we will move forward."

Chad Meyer stated: "Well I'd say "thank you" for the opportunity. If for some reason this situation changes we'd be more than honored and glad to speak to you again."

Mayor Zavodny stated: "And that we appreciate tremendously because at some junction down the road we may look at that again. We are going to try to do it on our own at this point."

Mayor Zavodny stated that previously the Council had authorized \$3,000 out of Keno Funds for the appraisal of the ball fields. An engagement for appraisal services was received from Great Plains Appraisal, Inc., however, the proposed fee is \$3,800. Discussion followed. Council member Rogers questioned why the City was paying for the appraisal rather than the ball association. Mayor Zavodny stated that is what we had agreed to do way back when, when the ball association came to us, and we have to have an appraisal if we are even going to consider purchasing the ball fields. Council member Kroesing stated that he understood that but that the people that are buying it don't usually do the appraisals. Mayor Zavodny stated that was the offer we made them; to pay it out of Keno.

Council member Hotovy made a motion to authorize \$3,800 of Keno Funds to Great Plains Appraisal, Inc. for appraisal services regarding the Ball Fields. Council member Smith seconded the motion. Voting AYE: Council members Kobus, Vandenberg, Smith, and Hotovy. Voting NAY: Council members Rogers and Kroesing. The motion carried.

Mayor Zavodny declared the Public Hearing open at 8:33 p.m. to consider the Preliminary Plat of Matt Thomas, President of Dana Point Development Corporation for the "Larry J. Sabata 3rd Addition" to the City of David City, Butler County, Nebraska, legally

described as a tract of land located in the N 1/2 of the NW 1/4 of Section 20, T15N, R3E of the 6th P.M., Butler County, Nebraska, more particularly described as follows: Commencing at the northwest corner, N 1/2, NW 1/4 of Section 20, T15N, R3E of the 6th P.M., Butler County, Nebraska, and assuming the north line of said N 1/2, NW 1/4 to have a bearing of N 90°00'00" E; thence N 90°00'00" E, and on said north line, 152.97 feet, to the point of beginning; thence N 90°00'00" E, on said north line, 600.08 feet; thence S 00°57'20" E parallel with the east lines of Larry J. Sabata, 1st and 2nd Additions, 1149.66 feet, to a point on the south line of L Street as extended east; thence S 89°57'16" W on said south line of L Street, 600.05 feet, to the east line of Larry J. Sabata, 1st Addition to the City of David City, Butler County, Nebraska; thence N 00°57'20" W on said east line, 599.09 feet, to the northeast corner of said Addition; thence N 00°57'20" W on the east line of Larry J. Sabata, 2nd Addition to the City of David City, Butler County, Nebraska, 551.05 feet, to the point of beginning, said tract containing 15.84 acres, more or less.

Mayor Zavodny asked: "Does anyone wish to comment on the plat?"

Dana Trowbridge asked: "What scenario for infrastructure, water, sewer, electricity, are we going to follow? Are we going to follow the processes we have established which I believe is the developer does all of those?"

Mayor Zavodny stated: "I have not had any discussions that we would do any part of that. That was kind of in his bailiwick I guess. We have had no discussions that we would participate in those."

Dana Trowbridge stated: "Okay, because I believe that he can furnish it; we need some oversight."

Mayor Zavodny stated: "I think we've learned, I agree with you, that that is an important part of it."

Dana Trowbridge stated: "Because we've done this the other way."

Mayor Zavodny stated: "Yes. I know that caused heartbreak for a lot of people."

Dana Trowbridge stated: "I am not indicating that that would happen here, but I think so that we don't have the cart out in front of the horse again, we probably need to decide how we are going to do this going in."

Mayor Zavodny stated: "That's one of the things we've had a lot of discussion about; that's why that building inspector piece is so important, and the testing that's necessary."

Council member Smith asked: "Is 'L' Street going to be paved and who is going to incur the cost for that?"

Mayor Zavodny stated: "That was in the plan and normally that ends up going to the frontage of the property owners. That is normally how municipalities handle that and we assess them and they have ten years to pay it."

Council member Kroesing stated: "We have some other problems in this Planning Commission report. We have a guy who doesn't want alleys that we should deal with. If we do have alleys he wants grass alleyways. Those are nearly worthless because you don't know

where they're at and you're usually driving on somebodys yard. They should be dirt, gravel, or something."

Mayor Zavodny stated: "I raised some of those concerns. My big thing is if you don't gravel them.....my understanding is several of the property owners around there would prefer the gravel because they want access to garages, etc. It is pretty hard to maintain a grass alley."

It was noted that the City will maintain an alley but if the property owner wants gravel that is at their own expense.

Council member Kroesing stated: "But you can't do without an alley. Take it from me, I worked for a utility company for 42 years; you can't do without an alley."

Mayor Zavodny stated: "We are in agreement on that."

Council member Kroesing stated: "The Planning Commission minutes state that the grass easements worked at Kozi Addition. It did not work in Kozi Addition. They've got buildings next to the pad mount transformers and they built over the top of the water and sewer lines. No it did not work there."

Rex Rehmer stated: "I talked to Matt Thomas about the alley and it matters not to him."

Discussion continued. It was questioned if the City could prohibit garbage trucks from utilizing the alleys because the weight of their vehicles tear up the alleys. Placement of water and sewer lines were discussed, the need for a drainage study, and questions as to if there is actually a storm sewer in this area.

There being no other comments, Mayor Zavodny closed the Public Hearing at 8:50 p.m.

Council member Smith made a motion to accept the Preliminary Plat of Matt Thomas, , President of Dana Point Development Corporation for the "Larry J. Sabata 3rd Addition" to the City of David City, Butler County, Nebraska, legally described as a tract of land located in the N 1/2 of the NW 1/4 of Section 20, T15N, R3E of the 6th P.M., Butler County, Nebraska, more particularly described as follows: Commencing at the northwest corner, N 1/2, NW 1/4 of Section 20, T15N, R3E of the 6th P.M., Butler County, Nebraska, and assuming the north line of said N 1/2, NW 1/4 to have a bearing of N 90°00'00" E; thence N 90°00'00" E, and on said north line, 152.97 feet, to the point of beginning; thence N 90°00'00" E, on said north line, 600.08 feet; thence S 00°57'20" E parallel with the east lines of Larry J. Sabata, 1st and 2nd Additions, 1149.66 feet, to a point on the south line of L Street as extended east; thence S 89°57'16" W on said south line of L Street, 600.05 feet, to the east line of Larry J. Sabata, 1st Addition to the City of David City, Butler County, Nebraska; thence N 00°57'20" W on said east line, 599.09 feet, to the northeast corner of said Addition; thence N 00°57'20" W on the east line of Larry J. Sabata, 2nd Addition to the City of David City, Butler County, Nebraska, 551.05 feet, to the point of beginning, said tract containing 15.84 acres, more or less. Council member Hotovy seconded the motion. Voting AYE: Council members Kroesing, Vandenberg, Rogers, Smith, Kobus, and Hotovy. Voting NAY: None. The motion carried.

Mayor Zavodny declared the Public Hearing open at 8:51 p.m. to consider amending the Future Land Use Map by changing the zoning classification from MDR – Medium Density Residential to FS – Flex Space for the following real estate:

- Lot 10, Lot 11, and the South 15' of Lot 7, Block 14, Original Town of David City

- Lots 7, 8, 9, 10, 11, and 12, Block 13, Original Town of David City, and
- Lots 2 and 3 and ½ vacated alley, Block 15, Original Town of David City

City Clerk Kovar explained that currently these properties are not in compliance with the zoning regulations. At some point these properties were zoned Medium Density Residential on the Future Land Use Map and R2 - Two Family Residential on the Official Zoning Map. The principal uses permitted are: Single family detached dwellings, two-family, duplex, dwellings, single family attached dwellings, publicly owned and operated facilities, public services, and family child care homes. Currently these properties are businesses including the Arps Red-E-Mix Plant located at 641 7th Street. If this business was destroyed by a tornado they would not be able to rebuild in this same location due to the current zoning.

There being no other comments, Mayor Zavodny closed the Public Hearing at 8:52 p.m.

Council member Smith introduced Ordinance No. 1222 amending the Future Land Use Map by changing the zoning classification from MDR – Medium Density Residential to FS – Flex Space for the following real estate:

- Lot 10, Lot 11, and the South 15' of Lot 7, Block 14, Original Town of David City
- Lots 7, 8, 9, 10, 11, and 12, Block 13, Original Town of David City, and
- Lots 2 and 3 and ½ vacated alley, Block 15, Original Town of David City

Council member Kroesing made a motion to suspend the statutory rule that requires an Ordinance be read on three separate days. Council member Smith seconded the motion. Voting AYE: Council members Kobus, Hotovy, Vandenberg, Rogers, Smith, and Kroesing. Voting NAY: None. The motion carried.

Council member Smith made a motion to pass and adopt Ordinance No. 1222 on the third and final reading. Council member Kroesing seconded the motion. Voting AYE: Council members Kobus, Hotovy, Kroesing, Vandenberg, Rogers, and Smith. Voting NAY: None. The motion carried and Ordinance No. 1222 was passed on third and final reading as follows:

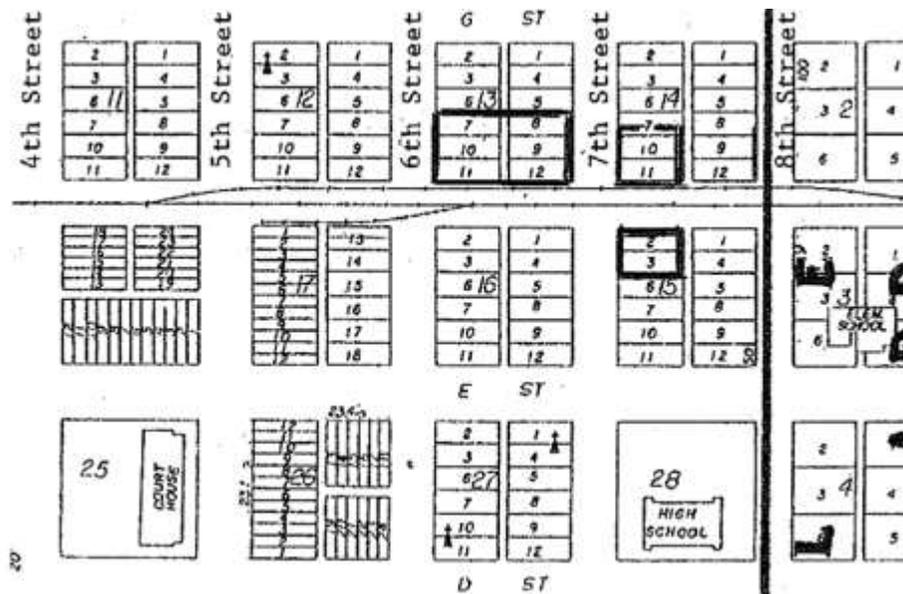
ORDINANCE NO. 1222

AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP BY CHANGING THE ZONING CLASSIFICATION OF REAL ESTATE DESCRIBED FROM MDR - MEDIUM DENSITY RESIDENTIAL TO FS – FLEX SPACE, REPEAL ANY ORDINANCES IN CONFLICT HERewith; DESCRIBE THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT, AND PROVIDE 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 land use plan be amended as follows:

- a. To amend the following property from MDR – Medium Density Residential to FS – Flex Space:
 - Lot 10, Lot 11, and the South 15' of Lot 7, Block 14, Original Town of David City
 - Lots 7, 8, 9, 10, 11, and 12, Block 13, Original Town of David City, and
 - Lots 2 and 3 and ½ vacated alley, Block 15, Original Town of 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 11th day of March, 2015.

 Mayor Alan Zavodny

 City Clerk Joan E. Kovar

Mayor Zavodny declared the Public Hearing open at 8:53 p.m. to consider amending the Official Zoning Map by changing the zoning classification from R2 – Two Family Residential to FS – Flex Space for the following real estate:

- Lot 10, Lot 11, and the South 15' of Lot 7, Block 14, Original Town of David City
- Lots 7, 8, 9, 10, 11, and 12, Block 13, Original Town of David City, and
- Lots 2 and 3 and ½ vacated alley, Block 15, Original Town of David City

There being no comments, Mayor Zavodny closed the Public Hearing at 8:53 p.m.

Council member Hotovy introduced Ordinance No. 1223 amending the Official Zoning Map by changing the zoning classification from R2 – Two Family Residential to FS – Flex Space for the following real estate:

- Lot 10, Lot 11, and the South 15' of Lot 7, Block 14, Original Town of David City
- Lots 7, 8, 9, 10, 11, and 12, Block 13, Original Town of David City, and

- Lots 2 and 3 and ½ vacated alley, Block 15, Original Town of David City

Council member Kroesing made a motion to suspend the statutory rule that requires an Ordinance be read on three separate days. Council member Smith seconded the motion. Voting AYE: Council members Vandenberg, Kobus, Hotovy, Rogers, Smith, and Kroesing. Voting NAY: None. The motion carried.

Council member Smith made a motion to pass and adopt Ordinance No. 1223 on the third and final reading. Council member Kobus seconded the motion. Voting AYE: Council members Kroesing, Vandenberg, Rogers, Hotovy, Smith, and Kobus. Voting NAY: None. The motion carried and Ordinance No. 1223 was passed on third and final reading as follows:

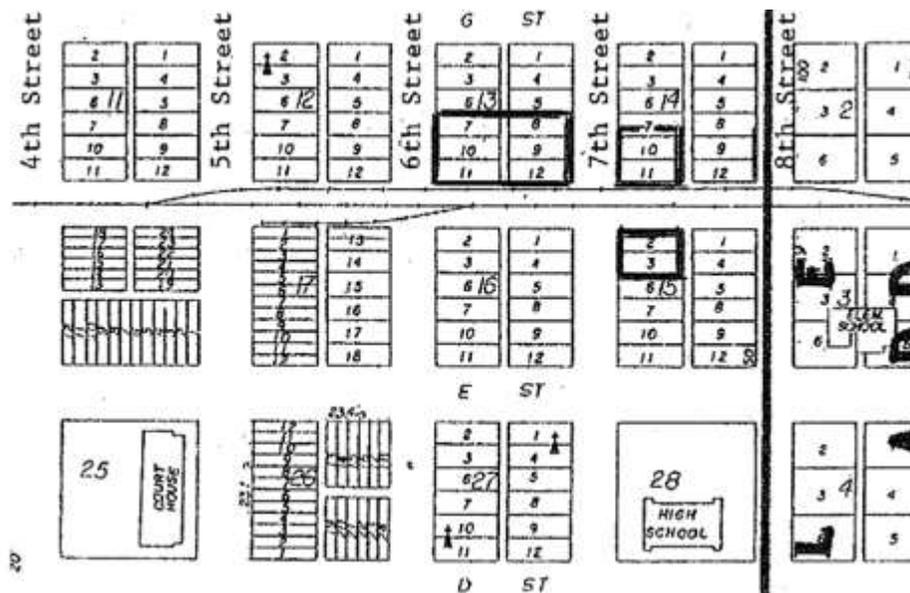
ORDINANCE NO. 1223

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP BY CHANGING THE ZONING CLASSIFICATION OF REAL ESTATE DESCRIBED FROM R2 – TWO FAMILY RESIDENTIAL TO FS – FLEX SPACE, REPEAL ANY ORDINANCES IN CONFLICT HEREWITH; DESCRIBE THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT, AND PROVIDE 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 Official Zoning Map be amended as follows:

- b. To amend the following property from R2 – Two Family Residential to FS – Flex Space:
 - Lot 10, Lot 11, and the South 15’ of Lot 7, Block 14, Original Town of David City
 - Lots 7, 8, 9, 10, 11, and 12, Block 13, Original Town of David City, and
 - Lots 2 and 3 and ½ vacated alley, Block 15, Original Town of 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 11th day of March, 2015.

Mayor Alan Zavodny

City Clerk Joan E. Kovar

Mayor Zavodny declared the Public Hearing open at 8:55 p.m. to consider amending zoning classification FS - Flexible Space Mixed Use District - Section 5.15 by adding – Central Mixing Plant for Concrete, Asphalt, or Paving Material – as a Conditional Use.

There being no comments, Mayor Zavodny closed the Public Hearing at 8:55 p.m.

Council member Hotovy introduced Ordinance No. 1224 amending the zoning classification FS - Flexible Space Mixed Use District - Section 5.15 by adding – Central Mixing Plant for Concrete, Asphalt, or Paving Material – as a Conditional Use. Council member Kroesing made a motion to suspend the statutory rule that requires an Ordinance be read on three separate days. Council member Smith seconded the motion. Voting AYE: Council members Kobus, Vandenberg, Smith, Hotovy, Rogers, and Kroesing. Voting NAY: None. The motion carried.

Council member Smith made a motion to pass and adopt Ordinance No. 1224 on the third and final reading. Council member Kobus seconded the motion. Voting AYE: Council members Hotovy, Vandenberg, Smith, Rogers, Kroesing, and Kobus. Voting NAY: None. The motion carried and Ordinance No. 1224 was passed on third and final reading as follows:

ORDINANCE NO. 1224

AN ORDINANCE TO AMEND DAVID CITY, NEBRASKA - ZONING ORDINANCE NO. 1060, SECTION 5.15: FS – FLEXIBLE SPACE MIXED USE DISTRICT - BY AMENDING SECTION 5.15.03 - CONDITIONAL USES - BY ADDING THE FOLLOWING AS A CONDITION USE; 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 5.15.03 – CONDITIONAL USES - BE AMENDED BY THE ADDITION OF THE FOLLOWING:

#11. Central mixing plant for concrete, asphalt, or paving material;

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 11th day of March, 2015.

Mayor Alan Zavodny

City Clerk Joan E. Kovar

Executive Director Renee Williams of the David City Housing Authority stated that they are in need of an Environmental Review. It simplifies the process if the City can request the Environmental Review and then she will pay the bill directly to the Northeast Nebraska Economic Development District.

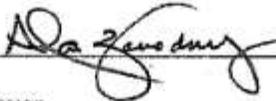
Council member Smith made a motion to authorize Mayor Zavodny to execute the Agreement between the City and the Northeast Nebraska Economic Development District for an environment review for the David City Housing Authority properties located in David City. Council member Kroesing seconded the motion. Voting AYE: Council members Rogers, Hotovy, Vandenberg, Kobus, Smith, and Kroesing. Voting NAY: None. The motion carried.

**NORTHEAST NEBRASKA ECONOMIC DEVELOPMENT DISTRICT
AGREEMENT FOR SERVICES**

- A. Parties.** This Agreement is between the City of David City and the Northeast Nebraska Economic Development District, (NENEDD).
- B. Purpose:** The purpose of this Agreement is to conduct an environmental review.
- C. Terms and Conditions:**
- C1. Scope of Work.**
- C1a.**
Federally funded projects are subject to the provisions of NEPA [24 USC 432-14347] and the HUD regulations implementing NEPA [24 CFR Part 58]. Recipients of federal funds are required to complete an environmental review prior to receiving environmental clearance from the Nebraska Department of Economic Development. The type of project a recipient is completing will determine the level of environmental review and the necessary documents that will be required.
- Completion of the Environmental Review Process for David City Housing Authority properties located in David City, NE which includes:
- C1b.** The Environmental Review Process consists of the following steps:
- Project aggregation – Develop a project description aggregating all project activities
 - Identifying Environmental Review responsibilities
 - Determination of Level of Review
 - Establishing an Environmental Review Record that includes all narratives, checklists, agency contacts and responses, maps and photographs for all activities
 - Publish/post all required public notices
 - Completion of Request for Release of Funds/Certification Form and Affidavit of Publication
 - Obtain and address all comments received
 - Obtain Environmental Clearance from the Department of Housing and Urban Development
- C2. Compensation.** The City of David City agrees to compensate NENEDD \$60.00/hour plus mileage at the current IRS mileage rate, not to exceed \$1,500.00 in order to complete the Scope of Work. Reimbursement under this contract shall be based on billings, supported by appropriate documentation of costs actually incurred. The Environmental Review Record (ERR) is valid for six (6) months from the date Environmental clearance is obtained. If the ERR lapses and more work is required, then additional compensation will be negotiated.
- C3. Office space, equipment and supplies.** NENEDD will supply its own office space, equipment and supplies.
- C4. Amendments and Termination.** This Agreement may be amended by mutual written agreement of the parties. This Agreement may be terminated with 30 days notice by either of the parties.
- D. Timeframe.** The effective date of this contract shall be the date of the Determination of Level of Review, March 11, 2015. The termination date of this Agreement shall be when the Scope of Services is complete. This Agreement may be extended upon mutual agreement of the parties.
- E. Independent Contractor.** The parties intend that NENEDD will not be considered an employee of the City of David City, but will act as an independent contractor.

The following parties agree to the terms of this Agreement.

THE CITY OF DAVID CITY, NEBRASKA

BY: 

TITLE: Mayor

DATE: 3/11/2015

NORTHEAST NEBRASKA ECONOMIC DEVELOPMENT DISTRICT

BY: _____

TITLE: Executive Director

DATE: _____

Council member Smith made a motion to approve the application of Ka-Boomer's Enterprises, Inc. to sell permissible fireworks at retail at 1510 4th Street (Stop Inn) between 12:01 a.m. June 25th and 11:59 p.m. July 4, 2015. Council member Vandenberg seconded the motion. Voting AYE: Council members Kroesing, Rogers, Hotovy, Kobus, Smith, and Vandenberg. Voting NAY: None. The motion carried.

The next agenda item was consideration of an agreement with Scott Steager concerning a secure storage area for towed vehicles. Mayor Zavodny stated: "I've been talking with Scott about this. Scott has been working really hard and like anybody else he has been slowed down a little bit by the insurance companies signing off on it, and we need to figure out if he's going to charge us an annual fee so we always have access to it or if we want to structure it differently. We need a little more time and we'll consider this down the road.

Council member Smith made a motion to table consideration of an agreement with Scott Steager concerning a secure storage area for towed vehicles. Council member Kroesing seconded the motion. Voting AYE: Council members Rogers, Vandenberg, Kobus, Hotovy, Kroesing, and Smith. Voting NAY: None. The motion carried.

Council member Hotovy made a motion to advertise for a Project Manager / City Administrator. Council member Smith seconded the motion. Mayor Zavodny stated that if we do proceed in this manner he would like to see a Committee appointed to take us through that process.

Council member Kroesing stated: "Every time we've hired the last few administrators Joan Kovar primarily, and her staff, have had to train them. Joan Kovar spends more time as the Interim City Administrator than the real administrators do with absolutely no compensation for doing it. She has been working for the City for over 40 years and still hasn't reached the top of her pay scale. She was the Interim City Administrator for the whole Northwest Drainage Project and I'd like to see this straightened out; this is ridiculous. Every time there is a vacancy it's "Interim City Administrator", "Interim City Administrator", no compensation."

Council member Kobus stated: "I think you should treat Joan a little bit money wise and if she wants to do it, let her do it, just hire more people to help at the desk. I agree with Gary. We've been throwing money away there I think."

Council member Rogers stated: "We actually could use another part-time person in the Office up front; 12 to 20 hours a week to really help out."

Mayor Zavodny stated: "I'm going to throw you under the bus now. I think the way we're doing it now is really an unfair way to approach it, because we're asking her to do her job because none of that work goes away."

Council member Kobus stated: "That's what we're saying."

Mayor Zavodny stated: "I understand; and that's what I think. So we need to either commit to how we're going to structure this one way or another. The one thing that I appreciated about the discussion we had previously is, it's pointless to hire someone who doesn't have experience. If we can't attract someone who can walk in, and has done it, and the question is can we? I know Aurora has been close to that number (\$100,000) we talked about and they haven't been able to find one, so you know there's no guarantee."

Council member Kroesing stated: "There's no guarantee but the last ones we've hired have been totally unqualified for the job. They didn't even know what a city administrator was all about and she had to train them and that's not fair either; totally not fair, and she's not compensated for it, that's the part that's really unfair."

Mayor Zavodny stated: "So, how do you wish to proceed? Do we have a motion and a second? Yes, ok, Joan please."

City Clerk Kovar proceeded with the roll call vote on the motion to advertise for a Project Manager / City Administrator as follows: Voting AYE: Council members Hotovy, Vandenberg, and Smith. Voting NAY: Council members Kobus, Kroesing, and Rogers. The result being a tie, Mayor Zavodny broke the tie and voted AYE. The motion carried.

Mayor Zavodny stated: "We will advertise and see how we proceed. We can always decide later if we want to do that or not. Item 24...."

Council member Kroesing stated: "That's fine and dandy but I'd still like to see Joan.....she's got to come out, this is ridiculous, 40 years on the job, and she isn't where she should be; still not at the top of the scale."

Mayor Zavodny stated: "What we can do is make that an agenda item for the next meeting."

Council member Kobus stated: "Even if she wants to do the job, maybe."

Mayor Zavodny stated: "Put that high on the agenda next time."

The Mayor and Council discussed the City's software licensing needs. Currently the City has been adding software on an as needed basis. In a report from Micky Rutenbeck of Extreme Technology LLC, he stated it would be in the City's best interest to enter into a Microsoft Volume Licensing agreement.

Council member Hotovy made a motion to purchase 6 licenses of the Microsoft Office Standard with 2-yr SA at a cost of \$440/each, for a total of \$2,640. Council member Rogers seconded the motion. Voting AYE: Council members Vandenberg, Kobus, Hotovy, Kroesing, Rogers, and Smith. Voting NAY: None. The motion carried.

There being no further business to come before the Council, Council member Rogers made a motion to adjourn. Council member Smith seconded the motion. Voting AYE: Council members Vandenberg, Smith, Kobus, Hotovy, Kroesing, and Rogers. Voting NAY: None. The motion carried and Mayor Zavodny declared the meeting adjourned at 9:07 p.m.



CERTIFICATION OF MINUTES
March 11, 2015

I, Joan E. Kovar, duly qualified and acting City Clerk for the City of David City, Nebraska, do hereby certify with regard to all proceedings of March 11th, 2015; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that the minutes of the meeting of the City Council of the City of David City, Nebraska, were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided with advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Joan E. Kovar, City Clerk