

CITY COUNCIL PROCEEDINGS

January 11, 2012

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 January 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 Gary Kroesing, John Vandenberg, Ruddy Svoboda, Bill Scribner, Mike Rogers, Gary Smith, City Attorney James Egr, Interim City Administrator Joan Kovar and Interim City Clerk Tami Comte.

Also present were: Street Superintendent James McDonald, Police Chief Anthony McPhillips, Jay Bitner from the Upper Big Blue NRD, Autumn Anderson from Midwest Right of Way Services, Matt Rief from Olsson Associates, Larry McPhillips and Jason Lavicky from Bank of the Valley, George Cunningham, Keith Marvin, Jim Vandenberg, Dan & Jan Sypal, Mark & Willow Holoubek, Greg Aschoff, Janis Cameron, Carolyn Yates, Joy Fountain, Bryon Forney, Mary & Don McLaughlin, Connie Colter 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.

The minutes of the December 14, 2011 meeting of the Mayor and City Council were approved upon a motion by Council member Smith and seconded by Council member Vandenberg. Voting AYE: Council members Svoboda, Rogers, Scribner, Vandenberg, Kroesing 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 Rogers seconded the motion. Voting AYE: Council members Svoboda, Vandenberg, Scribner, Rogers, Smith and Kroesing. Voting NAY: None. The motion carried.

Mayor Zavodny called for Committee and Officers Reports. Mayor Zavodny stated that the Power Plant had a surprise visit from the NDEQ for an air quality inspection on November 20, 2011, and got a clean report back on December 5, 2011.

Council member Kroesing thanked Interim Administrator Kovar and Interim Clerk Comte for the budget sheets that were in the council packet. He stated that he felt they were very helpful.

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

Council member Scribner made a motion to table agenda item #7 Discussion concerning the Northwest Drainage Project, City Ordinance #1050, Ordinance #935 and City Code #8-104 as requested by Mark Holoubek to later in the meeting. Council member Smith seconded the motion. Voting AYE: Council members Scribner, Smith, Vandenberg, Svoboda, Rogers and Kroesing. Voting NAY: None. The motion carried.

Mayor Zavodny declared the hearing for the easements for the Northwest Drainage Project Concerning the Holoubek, Sypal and McLaughlin properties open at 7:06 p.m.

Autumn Anderson, of Midwest Right-of-way Services was present to give an update on the easements for the Northwest Drainage Project. Autumn Anderson stated that they just finished negotiating with the McLaughlin's and they have granted the easement.

Autumn Anderson stated that they offered Sypal's \$6,000 and they countered with \$8,590 and that is where they were at right now. She stated that they made the Holoubek's an offer of \$6,400, however, that does not take into account the CRP contract that they will lose with the Farm Service Agency office. They have not made a counter offer.

Jay Bitner, of the Upper Big Blue NRD and the Northwest Drainage Project engineer is present to discuss the Northwest Drainage Project design. He stated that this part of the project actually collects the runoff from 55 acres east of the Holoubek property.

There was a question about who would maintain the open ditch and Jay Bitner stated that the City would maintain the open ditch.

Mark Holoubek stated that he would really like to save one row of trees on their property.

There was a question about farming the easement and Jay Bitner stated that he would not recommend farming the easement because the pipe will not be buried very deep and it is not heavy enough to withstand farming equipment on top of it.

After some discussion City Attorney Egr asked the Sypal's if they would be agreeable to splitting the difference between the City's offer and their offer. If they were to split the difference the amount would be \$7,295. Dan Sypal stated that they would be agreeable to that figure.

Council member Kroesing made a motion to authorize Mayor Zavodny to set a deadline of January 20, 2012 to reach an agreement on the Holoubek and Sypal easements before proceeding with eminent domain. Council member Rogers seconded the motion. Voting AYE: Council members Kroesing, Rogers, Smith, Vandenberg, Svoboda and Scribner. Voting NAY: None. The motion carried.

Council member Smith made a motion to table discussion indefinitely concerning the Northwest Drainage Project, City Ordinance #1050, Ordinance #935, and City Code #8-104 as requested by Mark Holoubek. Council member Rogers seconded the motion. Voting AYE: Council members Smith, Rogers, Scribner, Vandenberg, Kroesing and Svoboda. Voting NAY: None. The motion carried.

Jay Bitner from the Upper Big Blue NRD and the engineer for the Northwest Drainage Project was present to discuss the awarding of the bid for the Northwest Drainage Project. Bitner stated that there were four companies that attended the pre-bid conference and there were four companies that bid the project. All four bidders were qualified by the State of

Nebraska. The engineers estimate for the project was \$1,935,397.93. The bids were as follows:

| | |
|------------------------------|----------------|
| Van Kirk Sand & Gravel, Inc. | \$1,891,889.00 |
| Midlands Contracting, Inc. | \$2,038,410.25 |
| M.E. Collins Company, Inc. | \$2,097,448.90 |
| T.J. Osborn | \$2,770,071.50 |

Council member Kroesing made a motion to award the bid for the Northwest Drainage Project to Van Kirk Sand & Gravel, Inc. Council member Scribner seconded the motion. Voting AYE: Council members Kroesing, Scribner, Vandenberg, Rogers, Svoboda and Smith. Voting NAY: None. The motion carried.

Jason Lavicky was present representing Bank of the Valley. Lavicky stated that Bank of the Valley would like to purchase a new scoreboard for the City of David City to be placed at the football field. Bank of the Valley will be responsible for purchasing the new scoreboard, the Memorial Field sign, installation of the equipment, steel pillars for the new scoreboard, maintenance for 5 years and insurance for 5 years. Bank of the Valley would like the right of first refusal to replace the scoreboard when that time is determined. The life expectancy of the new scoreboard would be 15 to 20 years. Bank of the Valley is requesting that the City take down the existing scoreboard and poles.

Interim Administrator Kovar stated that the question arose of what we should do with the old scoreboard. Park/Auditorium Supervisor Scott Bales stated that he had called East Butler, Shelby, and Osceola to ask if they would be interested in purchasing our old scoreboard. He was still waiting to hear back from them.

Lavicky stated that they would like to have the new scoreboard installed by track season.

Council member Scribner made a motion to authorize Bank of the Valley to purchase a new scoreboard for the football field and to give Bank of the Valley the first right of refusal to replace the scoreboard when that time is determined. Council member Rogers seconded the motion. Voting AYE: Council members Scribner, Rogers, Vandenberg, Svoboda, Smith and Kroesing. Voting NAY: None. The motion carried.

Matt Rief of Olsson Associates was present to discuss Industrial Drive, West "O" Street, and the 10th Street paving districts. Matt Rief stated that they are taking part of the drainage door and then putting a pipe along abandoned "S" Street, north of the Timpote property. He stated that Timpote was going to contribute to the project for that portion of the pipe on abandoned "S" Street. That should help the drainage on the north end of their property.

Matt Rief stated that they met with Sypal's concerning the intersection of 4th and "O" Street and that they were very receptive to the project. They had some concerns but he said they were able to work them out. The permits have been submitted to the State but he didn't have anything back from them at this time.

Mayor Zavodny asked if we were waiting to hear from the Dept. of Roads about the intersection of 4th and "O" Streets. He stated that we had discussed having a possible turn lane or three lanes. Matt Rief stated that he did put something in the transmittal to the Dept. of Roads to review that intersection. He stated that it will be up to them if they want to restripe that section of highway or not – it is really up to them.

Matt Rief stated that 10th Street from "J" to "K" did not pass, but he has heard that there are some rumblings that they may petition that in. He stated that they also looked at "L" Street and "M" Street because it's concrete paved on 9th Street and we wanted to make sure that this would drain. We do have some concerns on "L" Street if we do not pave this, we will have to do some regrading of the ditches along "L" Street and we are going to have to relay some culverts. Everything drains from 9th to 10th Street. We would have to do the same thing on "M" Street. Matt Rief stated that those are some additional blocks that could be considered for some additional paving. He stated that he talked to Phil Lorenzen to get what the options are from "J" to "K" Street and he said that we could re-create the paving district. We don't have to do it by petition, if we think we have enough votes right now to do the right to protest. It's just 50%. We can reopen that at the February 8, 2012 meeting and then it can be approved at the March meeting. Matt Rief stated that he feels that we should strongly consider paving "L" and "M". There are two options on those. We can create paving districts for those or we can do a gap pave.

Matt Rief presented estimates for paving 5 blocks, 6 blocks and 7 blocks. The City funds that are available from the 2009 Highway Allocation Bonds for Municipal Streets is \$271,022.00. He stated that if they decide to pave 7 blocks that the estimated total is \$270,871.75 which is still under the \$271,022.00. Matt Rief also stated that the reason that it is so cheap is that the street department will be doing some of the work. They are going to do the driveways and they will do the removals for these residential blocks.

Mayor Zavodny stated that we have laid no foundation on those blocks with the residents. He stated that they are going to read about this in the paper and then they are going to be mad again. Mayor Zavodny stated that he thinks that we should do what we did with Industrial Drive and that is to have a meeting with the residents and give them an opportunity to hear about the project so it doesn't just happen at a council meeting.

Matt Rief stated that on Industrial Drive the estimates are in the \$1.1 million to \$1.2 million dollar range and that includes everything. It is a little bit higher than the original estimates, however he didn't account for the bigger pipe that they are going to have to put in. He stated that he would like to start advertising the project. It could be advertised for bids on January 26, 2012 and have the bid opening on Feb. 16, 2012. At the March 14, 2012 meeting, if the districts pass, then we decide.

Keith Marvin asked where Mr. Bacon was at with TIFF.

Interim City Administrator Kovar stated that she had not heard anything from Mike Bacon.

Mayor Zavodny stated that it would make sense to him to proceed with the steps that Matt Rief recommends.

Council member Kroesing made a motion to advertise the Street Improvement Districts for bids. Council member Smith seconded the motion. Voting AYE: Council members Kroesing, Smith, Scribner, Vandenberg, Rogers and Svoboda. Voting NAY: None. The motion carried.

Bryon Forney was present to discuss the real estate taxes due on the plot of ground that he leases at the David City Municipal Airport. Forney stated that there was nothing in his lease that stated that he was responsible for the real estate taxes on the property. Forney stated that

he has maintained the property and although he realizes that it isn't a lot of money, he felt that he shouldn't have to pay it since it was not in his lease.

Mayor Zavodny stated that he will go to the courthouse and try to make some sense out of this and then he will contact Bryon Forney and discuss the issue further.

Council member Kroesing introduced Resolution No. 1-2012 and moved for its passage and adoption. Council member Vandenberg seconded the motion. Voting AYE: Council members Smith, Vandenberg, Scribner, Svoboda, Rogers and Kroesing. Voting NAY: None. The motion carried and Resolution No. 1-2012 was passed and adopted as follows:

RESOLUTION NO. 1 - 2012

A RESOLUTION OF THE CITY OF DAVID CITY, NEBRASKA UPDATING THE DAVID CITY PERSONNEL MANUAL BY AMENDING CHAPTER 4 SECTION 4.01 -MEDICAL AND LIFE INSURANCE - TO STATE MEDICAL INSURANCE IS WITH BLUE CROSS BLUE SHILED; REPEALING ALL POLICIES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of David City, Nebraska maintains a Personnel Manual to provide clear policies and administration of policies as related to employees and employment conditions; and

WHEREAS, the Personnel Manual is amended from time to time to promote a positive working environment for all employees, to provide for meaningful benefits and to provide clear expectations for employees of the City of David City, Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, that the Personnel Manual is hereby updated to state that the medical insurance is with Blue Cross Blue Shield of Nebraska.

PASSED AND APPROVED this 11th day of January, 2012.

Mayor Alan Zavodny

Interim City Clerk Tami Comte

Council member Scribner made a motion to pass Ordinance No. 1165 on 2nd reading only. Council member Scribner seconded the motion. Voting AYE: Council members Kroesing, Scribner, Smith, and Rogers. Voting NAY: Council member Vandenberg and Svoboda. The motion carried and Ordinance No. 1165 was passed on second reading only as follows:

ORDINANCE NO. 1165

AN ORDINANCE ADOPTING A ONE PERCENT (1%) COST OF LIVING ADJUSTMENT (COLA) FOR FULL-TIME AND PERMANENT PART-TIME EMPLOYEES; REPEALING ALL ORDINANCES OR PORTIONS OF ORDINANCES IN CONFLICT

THEREWITH; PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM;
 AND PROVIDING FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

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

SECTION 1. The Mayor and City Council of David City, Nebraska, do hereby establish and fix the pay scales and salaries for the following positions for the appointed officers and employees of the City of David City, Nebraska:

Full-Time Staff (Hourly Rate of Pay)

| | Probationary | 6 mo. | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
|---------------------------------|--------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| <u>Office Staff</u> | | | | | | | | | | | | | | | |
| Clerical I | 9.60 | 9.81 | 10.03 | 10.26 | 10.48 | 10.73 | 10.97 | 11.21 | 11.46 | 11.73 | 11.99 | 12.25 | 12.53 | 12.82 | 13.10 |
| Acct Clerk I | 11.70 | 11.96 | 12.23 | 12.50 | 12.79 | 13.07 | 13.36 | 13.67 | 13.98 | 14.29 | 14.61 | 14.94 | 15.27 | 15.61 | 15.97 |
| Acct Clerk II | 13.64 | 13.94 | 14.25 | 14.57 | 14.91 | 15.24 | 15.58 | 15.94 | 16.29 | 16.65 | 17.03 | 17.41 | 17.81 | 18.21 | 18.61 |
| (incl .50/hr CMC) | | | | | | | | | | | | | | | |
| STEP | Probationary | 6 mo. | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| <u>Utility Staff</u> | | | | | | | | | | | | | | | |
| Power Plant Op I | 12.04 | 12.31 | 12.58 | 12.87 | 13.16 | 13.45 | 13.76 | 14.07 | 14.38 | 14.71 | 15.04 | 15.38 | 15.73 | 16.08 | 16.44 |
| Power Plant Op II | 15.10 | 15.44 | 15.79 | 16.14 | 16.50 | 16.88 | 17.26 | 17.64 | 18.04 | 18.44 | 18.87 | 19.29 | 19.73 | 20.16 | 20.61 |
| Power Plant Op III | 15.52 | 15.88 | 16.23 | 16.59 | 16.97 | 17.35 | 17.75 | 18.14 | 18.54 | 18.97 | 19.39 | 19.83 | 20.27 | 20.74 | 21.20 |
| Apprentice Lineman | 13.33 | 13.62 | 13.94 | 14.25 | 14.56 | 14.90 | 15.23 | 15.57 | 15.93 | 16.28 | 16.64 | 17.03 | 17.40 | 17.80 | 18.20 |
| Line worker II | 17.50 | 17.89 | 18.29 | 18.71 | 19.13 | 19.55 | 20.00 | 20.44 | 20.91 | 21.38 | 21.86 | 22.35 | 22.86 | 23.37 | 23.90 |
| Line worker I | 18.40 | 18.82 | 19.24 | 19.67 | 20.12 | 20.56 | 21.03 | 21.50 | 21.99 | 22.48 | 22.99 | 23.50 | 24.04 | 24.57 | 25.13 |
| Line Foreman | 19.83 | 20.27 | 20.73 | 21.19 | 21.66 | 22.16 | 22.65 | 23.16 | 23.68 | 24.22 | 24.77 | 25.32 | 25.89 | 26.47 | 27.07 |
| Water/Sewer Op I | 11.45 | 11.72 | 11.98 | 12.24 | 12.52 | 12.80 | 13.09 | 13.38 | 13.69 | 13.99 | 14.31 | 14.62 | 14.96 | 15.29 | 15.63 |
| WA/SE Op I w Gr VI | 12.13 | 12.40 | 12.68 | 12.97 | 13.26 | 13.55 | 13.86 | 14.17 | 14.49 | 14.82 | 15.15 | 15.49 | 15.84 | 16.20 | 16.56 |
| WA/SE Operator II | 13.83 | 14.13 | 14.45 | 14.78 | 15.11 | 15.45 | 15.80 | 16.15 | 16.51 | 16.89 | 17.27 | 17.65 | 18.05 | 18.46 | 18.88 |
| WA/SE Op I I w Gr VI | 14.48 | 14.82 | 15.15 | 15.48 | 15.84 | 16.19 | 16.55 | 16.93 | 17.31 | 17.70 | 18.10 | 18.50 | 18.92 | 19.34 | 19.79 |
| WA/SE Op III w Gr VI | 16.55 | 16.93 | 17.31 | 17.70 | 18.10 | 18.50 | 18.92 | 19.34 | 19.78 | 20.22 | 20.67 | 21.15 | 21.62 | 22.11 | 22.60 |
| Waste Water Plt Op | 15.62 | 15.98 | 16.33 | 16.70 | 17.08 | 17.46 | 17.86 | 18.25 | 18.66 | 19.09 | 19.51 | 19.96 | 20.40 | 20.87 | 21.33 |
| STEP | Probation | 6 mo | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| <u>City Maint. Staff</u> | | | | | | | | | | | | | | | |
| Laborer I | 9.60 | 9.81 | 10.03 | 10.26 | 10.48 | 10.73 | 10.97 | 11.21 | 11.46 | 11.73 | 11.99 | 12.25 | 12.53 | 12.82 | 13.10 |
| Laborer II | 11.32 | 11.57 | 11.84 | 12.10 | 12.37 | 12.66 | 12.94 | 13.23 | 13.52 | 13.84 | 14.14 | 14.46 | 14.79 | 15.12 | 15.46 |
| Maint Worker I | 11.89 | 12.15 | 12.43 | 12.71 | 13.00 | 13.29 | 13.58 | 13.89 | 14.20 | 14.52 | 14.85 | 15.18 | 15.52 | 15.88 | 16.23 |
| Maint Worker II | 12.47 | 12.76 | 13.04 | 13.33 | 13.64 | 13.94 | 14.25 | 14.57 | 14.91 | 15.24 | 15.58 | 15.93 | 16.29 | 16.65 | 17.03 |
| Street Foreman | 15.33 | 15.68 | 16.03 | 16.39 | 16.76 | 17.14 | 17.52 | 17.92 | 18.32 | 18.74 | 19.15 | 19.58 | 20.03 | 20.47 | 20.94 |

City Council Proceedings
 January 11, 2012
 Page #7

Police Staff

| | | | | | | | | | | | | | | | |
|----------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Police Officer | 13.96 | 14.28 | 14.60 | 14.93 | 15.27 | 15.61 | 15.97 | 16.32 | 16.69 | 17.07 | 17.45 | 17.85 | 18.24 | 18.65 | 19.07 |
|----------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|

Department Supervisors

| | Probationary | 6 Mo | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
|--------------------------|--------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Park & Aud Supt. | 15.27 | 15.61 | 15.96 | 16.32 | 16.69 | 17.07 | 17.45 | 17.84 | 18.24 | 18.65 | 19.07 | 19.50 | 19.94 | 20.39 | 20.85 |
| Licensed Street Supt. | 18.89 | 19.31 | 19.75 | 20.19 | 20.64 | 21.11 | 21.58 | 22.07 | 22.56 | 23.08 | 23.59 | 24.13 | 24.66 | 25.22 | 25.79 |
| Water Super w/Gr VI | 18.60 | 19.02 | 19.45 | 19.89 | 20.33 | 20.80 | 21.26 | 21.74 | 22.23 | 22.73 | 23.24 | 23.77 | 24.30 | 24.85 | 25.40 |
| Wastewater Super w/Gr VI | 18.60 | 19.02 | 19.45 | 19.89 | 20.33 | 20.80 | 21.26 | 21.74 | 22.23 | 22.73 | 23.24 | 23.77 | 24.30 | 24.85 | 25.40 |
| Power Plant Supervisor | 19.47 | 19.91 | 20.35 | 20.82 | 21.28 | 21.76 | 22.25 | 22.75 | 23.26 | 23.79 | 24.32 | 24.87 | 25.42 | 26.00 | 26.58 |
| Electric Supervisor | 22.20 | 22.70 | 23.21 | 23.74 | 24.27 | 24.82 | 25.37 | 25.95 | 26.52 | 27.12 | 27.73 | 28.36 | 29.00 | 29.64 | 30.31 |

Notes:

- 1) 15 Steps Total
- 2) Approximately 2.25% between steps
- 3) The salary range from Probationary Salary to Step 13 (maximum) is 37%

Permanent Part-Time Staff (Hourly Rate of Pay)

| | Probationary | 6 Mo | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
|-----------------------------|--------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Permanent Part-time workers | 8.50 | 8.70 | 8.89 | 9.09 | 9.29 | 9.50 | 9.72 | 9.94 | 10.16 | 10.39 | 10.63 | 10.86 | 11.11 | 11.35 | 11.62 |
| Zoning Inspector | 16.08 | 16.44 | 16.81 | 17.19 | 17.57 | 17.97 | 18.37 | 18.79 | 19.21 | 19.64 | 20.08 | 20.53 | 21.00 | 21.47 | 21.95 |

Seasonal/Provisional

| STEPS | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 |
|---|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Swimming Lesson Aid Concession Games/Cleaning Bartenders | 7.25 | 7.41 | 7.58 | 7.75 | 7.92 | 8.10 | 8.29 | 8.47 | 8.66 | 8.86 | 9.06 | 9.26 | 9.47 | 9.68 | 9.90 |
| Lifeguard | 7.43 | 7.60 | 7.77 | 7.94 | 8.12 | 8.30 | 8.49 | 8.68 | 8.88 | 9.08 | 9.28 | 9.49 | 9.70 | 9.92 | 10.15 |
| WSI Lifeguard General Laborer | 7.61 | 7.78 | 7.96 | 8.14 | 8.32 | 8.51 | 8.70 | 8.89 | 9.09 | 9.30 | 9.51 | 9.72 | 9.94 | 10.16 | 10.39 |
| Water Aerobics Instructor | 7.80 | 7.98 | 8.15 | 8.34 | 8.53 | 8.72 | 8.91 | 9.11 | 9.32 | 9.53 | 9.74 | 9.96 | 10.19 | 10.42 | 10.65 |
| Head Lifeguard | 9.18 | 9.39 | 9.60 | 9.81 | 10.03 | 10.26 | 10.49 | 10.73 | 10.97 | 11.22 | 11.47 | 11.73 | 11.99 | 12.26 | 12.54 |
| Asst. Aquatic Center Manager | 10.68 | 10.92 | 11.17 | 11.42 | 11.67 | 11.94 | 12.21 | 12.48 | 12.76 | 13.05 | 13.34 | 13.64 | 13.95 | 14.26 | 14.58 |
| Aquatic Center Manager | 11.10 | 11.35 | 11.61 | 11.87 | 12.13 | 12.41 | 12.69 | 12.97 | 13.26 | 13.56 | 13.87 | 14.18 | 14.50 | 14.82 | 15.16 |

Salaried Staff Pay Plan (Annual Rate of Pay)

| Position | Minimum | Mid Point | Maximum |
|----------------------------|----------|-----------|----------|
| Clerk/Treas. | \$44,117 | \$52,179 | \$60,240 |
| Police Chief | \$41,197 | \$48,725 | \$56,253 |
| Lieutenant/ Asst. Chief | \$38,277 | \$45,271 | \$52,266 |

Notes:

- 1) Exempt (salaried) Employees are subject to the same 2.25% annual step increase as non-exempt employees as well as any Cost-of-Living Adjustments (COLA) as approved by Council.
- 2) The range spread from Minimum Starting to Maximum salary is 37%

SECTION 3. Any and all ordinances or sections thereof, passed and approved prior to the passage, approval and publication or posting of this ordinance, and in conflict with its provisions, are hereby repealed.

SECTION 4. This ordinance shall be published in pamphlet form and shall be in full force and effect retro active to September 24, 2011 following its passage, approval, and publication as provided by law and city ordinance.

PASSED AND APPROVED this ___ day of _____, 2012.

Passed on 2nd reading only
Mayor Alan Zavodny

Passed on 2nd reading only
Interim City Clerk Tami Comte

Council member Kroesing introduced Ordinance No. 1166.

Council member Scribner made a motion to pass Ordinance No. 1166 on the first reading only. Council member Rogers seconded the motion. Voting AYE: Council members Scribner, Rogers, Kroesing and Smith. Voting NAY: Council members Vandenberg and Svoboda. The motion carried and Ordinance No. 1166 was passed on the 1st reading only as follows:

ORDINANCE NO. 1166

AN ORDINANCE STATING THAT THE EMPLOYEES OF THE CITY OF DAVID CITY / DAVID CITY UTILITIES, ARE NOT FROZEN IN THEIR CURRENT PAY STEPS FOR THE FISCAL YEAR OCTOBER 1, 2011 TO SEPTEMBER 30, 2012; REPEALING ALL ORDINANCES OR PORTIONS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND PROVIDING FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

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

SECTION 1. The City Council of David City, Nebraska, passed and adopted Ordinance No. 1166 stating that all employees of the City of David City / David City Utilities shall be frozen in their current pay steps, salaries, rate of pay, etc., for fiscal year October 1, 2011 thru September 30, 2012, and that any advancements to a different pay step, or a different pay line, must be authorized by the Mayor and City Council.

SECTION 3. After further consideration it has been decided that all employees of the City of David City / David City Utilities shall not be frozen in their current pay steps, salaries, rate of pay, etc., for fiscal year October 1, 2011 thru September 30, 2012.

SECTION 4. Any and all ordinances or sections thereof, passed and approved prior to the passage, approval and publication or posting of this ordinance, and in conflict with its provisions, are hereby repealed.

SECTION 5. This ordinance shall be published in pamphlet form and shall be in full force and effect retro active to September 24, 2011 following its passage, approval, and publication as provided by law and city ordinance.

PASSED AND APPROVED this ____ day of _____, 2012.

Passed on 1st reading only

Mayor Alan Zavodny

Passed on 1st reading only

Interim City Clerk Tami Comte

Council member Kroesing introduced Ordinance No. 1167.

Council member Scribner made a motion to pass Ordinance No. 1167 on the first reading only. Council member Vandenberg seconded the motion. Voting AYE: Council members Scribner, Vandenberg, Smith, Rogers, Kroesing and Svoboda. Voting NAY: None. The motion carried and Ordinance No. 1167 was passed on the first reading only as follows:

ORDINANCE NO. 1167

AN ORDINANCE TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX TO, THE CITY OF DAVID CITY, NEBRASKA, HILDY ADDITION, A TRACT OF LAND LOCATED in the SW¼ of the NW¼ of Section 29 T15N R3E of the 6th P.M., Butler County, Nebraska described as follows: Beginning at a Point on the west line of said NW¼, said Point being 201.86 feet south of the southwest corner of East Park Meadows Addition to David City, and assuming the west line of said NW ¼ to have a bearing of N 0° 00' 00" W; thence S 88° 46' 34" E, 173.00 feet; thence S 56° 34' 10" E, 164.12 feet; thence S 52° 39' 20" E, 75.47 feet; thence S 64° 03' 10" E, 151.00 feet; thence S 3° 03' 20" W, 294.92 feet; thence N 88° 46' 34" W, 490.11 feet, to a point on the west line of said NW¼; thence N 0° 00' 00" W, 490.00 feet, to the Point of Beginning, containing 4.84 acres, more or less; TO PROVIDE BENEFITS THERETO; TO PROVIDE FOR SEVERABILITY; TO CONFIRM ZONING CLASSIFICATION; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND TO AUTHORIZE PUBLICATION IN PAMPHLET FORM.

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

SECTION 1: It is hereby found and determined by the Mayor and City Council that:

- (a) The tract of land located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 29 T15N R3E of the 6th P.M., Butler County, Nebraska described as follows: Beginning at a Point on the west line of said NW $\frac{1}{4}$, said Point being 201.86 feet south of the southwest corner of East Park Meadows Addition to David City, and assuming the west line of said NW $\frac{1}{4}$ to have a bearing of N 0° 00' 00" W; thence S 88° 46' 34" E, 173.00 feet; thence S 56° 34' 10" E, 164.12 feet; thence S 52° 39' 20" E, 75.47 feet; thence S 64° 03' 10" E, 151.00 feet; thence S 3° 03' 20" W, 294.92 feet; thence N 88° 46' 34" W, 490.11 feet, to a point on the west line of said NW $\frac{1}{4}$; thence N 0° 00' 00" W, 490.00 feet, to the Point of Beginning, containing 4.84 acres, more or less, is urban and suburban in character and contiguous and adjacent to the corporate limits of said city;
- (b) Police, fire, and snow removal benefits will be immediately available thereto, and City electricity, water, and sewer will be available as provided by law;
- (c) The Zoning classification of such territory as shown on the official zoning map of the City of David City, Nebraska, is hereby confirmed;
- (d) There is a unity of interest in the use of such territory with the use of lots, lands, streets, and highways in the City, and the community convenience and welfare and the interest of said City will be enhanced through incorporating such territory within the corporate limits of said City.

SECTION 2: That the boundaries of the City of David City, Nebraska, be and hereby are, extended to include within the corporate limits of said City the contiguous and adjacent territory described in Section 1 (a) above.

SECTION 3: That a certified copy of this Ordinance, together with the map of the territory, be filed on record in the offices of the County Clerk of Butler County, Nebraska.

SECTION 4: That said territory is hereby annexed to the City of David City, Nebraska.

SECTION 5: That any ordinance or section of any ordinance passed and approved prior to or subsequent to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions, is hereby repealed.

SECTION 6: This Ordinance shall be published in pamphlet form and shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

PASSED and APPROVED this _____ day of _____, 2012.

Passed on 1st reading only
Mayor Alan Zavodny

Passed on 1st reading only
Interim City Clerk Tami Comte

Council member Smith made a motion to authorize the Mayor to execute Maintenance Agreement No. 27 between the Nebraska Department of Roads and the City of David City. Council member Vandenberg seconded the motion. Voting AYE: Council members Smith, Vandenberg, Scribner, Kroesing, Svoboda, and Rogers. Voting NAY: None. The motion carried.

Council member Smith made a motion to approve the manager application for Peggy L. Reeve in connection with the Pizza Hut as required by the Nebraska Liquor Control Commission. Council member Kroesing seconded the motion. Voting AYE: Council members Smith, Kroesing, Scribner, Rogers, Svoboda and Vandenberg. Voting NAY: None. The motion carried.

Council member Smith made a motion to accept the resignation of police officer John S. Sumsion effective January 22, 2012. Council member Rogers seconded the motion. Voting AYE: Council members Smith, Rogers, Kroesing, Vandenberg, Svoboda and Scribner. Voting NAY: None. The motion carried.

Council member Smith made a motion to approve the annual appointments of police officers Marla Schnell, Michael J. Youngquist and John S. Sumsion (who has resigned effective 1/22/12). Council member Rogers seconded the motion. Voting AYE: Council members Smith, Rogers, Vandenberg, Kroesing, Scribner and Svoboda. Voting NAY: None. The motion carried.

There being no further business to come before the Council, Council member Kroesing made a motion to adjourn. Council member Rogers seconded the motion. Voting AYE: Council members Kroesing, Vandenberg, Scribner, Svoboda, Rogers and Smith. Voting NAY: None. The motion carried and Mayor Zavodny declared the meeting adjourned at 9:01 p.m.



CERTIFICATION OF MINUTES
January 11, 2012

I, Tami L. Comte, duly qualified and acting Interim City Clerk for the City of David City, Nebraska, do hereby certify with regard to all proceedings of January 11, 2012; 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.

Tami L. Comte, Interim City Clerk