

COMMUNITY REDEVELOPMENT AUTHORITY PROCEEDINGS

July 28, 2021

The Community Redevelopment Authority of the City of David City, Nebraska, met in open public session at 7:36 p.m. in the lower level of the David City Auditorium at 699 Kansas Street, David City, Nebraska. The Public had been advised of the meeting by publication of notice in The Banner Press on July 22nd, 2021 and an affidavit of the publisher is on file in the office of the CRA Secretary. The Community Redevelopment Authority members acknowledged advance notice of the meeting. The advance notice to the Public, and the Community Redevelopment Authority members conveyed the availability of the agenda, which was kept continuously current in the office of the Secretary and was available for public inspection on the City's website. No new items were added to the agenda during the twenty-four hours immediately prior to the opening of the meeting. The meeting was held at the City Auditorium due to the COVID-19 pandemic so as to incorporate social distancing strategies. [It is recommended that individuals be kept at least 6 feet apart.]

Present for the meeting were: Community Redevelopment Members—Alan Zavodny, Tom Kobus, Bruce Meysenburg, Jessica Miller, John Vandenberg, Kevin Woita and Pat Meysenburg. City Administrator Clayton Keller, City Attorney Joanna Uden, and Community Redevelopment Secretary Tami Comte were also present.

Interim Chairman Tom Kobus informed the public of the "Open Meetings Act" posted on the north wall of the meeting room and asked those present to please silence their cell phones.

CRA member Jessica Miller made a motion to accept the minutes of the June 9, 2021 meeting of the Community Redevelopment Authority as presented. CRA Member Pat Meysenburg seconded the motion. The motion carried.
Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Yea, Alan Zavodny: Yea, Kevin Woita: Yea
Yea: 7, Nay: 0, Absent: 0

CRA member Alan Zavodny made a motion to appoint CRA member Jessica Miller as CRA Chairman. CRA member John Vandenberg seconded the motion. The motion carried.
Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Yea, Alan Zavodny: Yea, Kevin Woita: Yea
Yea: 7, Nay: 0, Absent: 0

CRA member Jessica Miller made a motion to appoint CRA member Bruce Meysenburg as CRA Vice-Chairman. CRA member John Vandenberg seconded the motion. The motion carried. Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Yea, Alan Zavodny: Yea, Kevin Woita: Yea
Yea: 7, Nay: 0, Absent: 0

CRA Chairman Jessica Miller assumed leadership of the meeting.

CRA member Alan Zavodny made a motion to pass and adopt Resolution No. 2-2021 CRA to approve the sale of the property at Lots 7 and 10, Block 5, Original Town, David City, to Tony Novak, dba T. Novak Construction and authorize the Chairman to sign all documents related to the sale of real estate. CRA member Pat Meysenburg seconded the motion.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Yea, Alan Zavodny: Yea, Kevin Woita: Yea
Yea: 7, Nay: 0, Absent: 0 The motion carried and Resolution No. 2-2021 CRA was passed and adopted as follows:

RESOLUTION NO. 2-2021 CRA

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AUTHORITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA, AUTHORIZING THE CHAIRPERSON TO SIGN ALL DOCUMENTS RELATED TO THE SALE OF REAL ESTATE OWNED BY THE COMMUNITY REDEVELOPMENT AUTHORITY; TO PROVIDE FOR THE REPEAL OF CONFLICTING RESOLUTIONS; TO PROVIDE FOR AN EFFECTIVE DATE.

WHEREAS, the Community Redevelopment Authority of David City, Butler County, Nebraska owns the following-described real estate:

Lots 7 and 10, Block 5, Original Town of David City, Butler County, Nebraska;

WHEREAS, the Community Redevelopment Authority of David City, Butler County, Nebraska desires to sell the above-described real estate.

NOW, THEREFORE, BE IT RESOLVED:

1. A bid was submitted by Tony Novak, dba T. Novak Construction, for the amount of \$30,000 (Thirty Thousand Dollars), which was the minimum asking price and,
2. The Purchase Agreement for Sale of Real Estate and all documents related to the sale are hereby approved, ratified, and accepted, and the Chairperson is hereby authorized, directed, and empowered to execute the same upon receipt of the executed Purchase Agreement and all other closing documents by the buyer.

Passed and adopted this 28th day of July, 2021.

CRA Chairperson Jessica J. Miller

(ATTEST)

CRA Secretary Tami L. Comte

CRA member Pat Meysenburg made a motion to authorize the Chairman to sign the Promissory Note to borrow money from David City Utilities. CRA member Tom Kobus seconded the motion. The motion carried. Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat

Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Yea, Alan Zavodny: Yea, Kevin
Woit: Yea
Yea: 7, Nay: 0, Absent: 0

PROMISSORY NOTE

Date: July 15, 2021 (hereafter the "date of this note").

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which Maker and Holder (as defined below hereby acknowledge, the undersigned, David City Community Redevelopment Authority ("**Maker**") promises to pay to the order of the City of David City Utilities Department ("**Holder**"), the principal sum of THIRTY FIVE THOUSAND DOLLARS (\$35,000.00) plus interest at the annual rate defined below, with interest compounding from the date hereof upon the unpaid balance remaining to be paid as follows:

A principal payment of THIRTY THOUSAND DOLLARS (\$30,000.00) shall be due on August 31, 2021 (the "Initial Payment").

The remaining principal, plus accrued interest, shall be paid as the parties shall further agree. Holder and Maker shall meet and confer and determine the repayment terms, if any, no later than December 31, 2021. Upon repayment under those terms, Holder shall release Maker from all obligations under this Note.

Any payments hereunder shall be applied first to the payment of accrued interest, and the balance thereof shall be applied to the payment of the principal of said indebtedness. All payments hereunder shall be paid at the primary David City, Nebraska office of Holder or such other place as Holder may designate.

Interest shall be at a rate which is 100 basis points less than the Wall Street Journal prime rate (prime less 1 percent) as determined on the date of this note and annually re-determined on each anniversary date of this note.

Maker may prepay this note in whole or in part at any time without penalty. All partial prepayments shall be applied to the installments of principal due hereunder in the inverse order of their maturity and shall not reduce or defer subsequent monthly installments or other payments due hereunder. Any such prepayment of principal shall not reduce the amount of the monthly payment or other payment of principal and interest due hereunder.

If Maker makes a payment of any installment under this note when due, and such failure continues for more than thirty (30) days after written notice from Holder to Maker, then Holder may declare the whole amount of the then unpaid principal sum and accrued interest at once due and payable. This note shall bear interest after maturity or upon acceleration until paid at the rate of one-and-one-third percent (1 1/3%) per month or the maximum rate allowable under Nebraska law, whichever is less.

The undersigned Maker waives presentment for payment, protest and demand, notice of protest, demand and dishonor, due diligence, and non-payment of this note and agrees to perform and comply with each of the terms, provisions, covenants and agreements of the undersigned Maker contained in every instrument now evidencing or securing said indebtedness. This note is executed in, and shall be construed according to, the law of the state of Nebraska.

MAKER

DAVID CITY COMMUNITY
REDEVELOPMENT AUTHORITY

By:

Jessica Miller

Its: Chairman_____

CRA member Pat Meysenburg made a motion to adjourn. CRA member Tom Kobus seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent, Alan Zavodny: Yea, Kevin Woita: Yea
Yea: 7, Nay: 0, Absent: 0

Tami Comte, CRA Secretary