

CITY COUNCIL PROCEEDINGS

January 26, 2022

The City Council of the City of David City, Nebraska, met in open public session at 7:00 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 January 20, 2022, 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 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 Council 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: Mayor Alan Zavodny, Council members Pat Meysenburg, Tom Kobus, Bruce Meysenburg, John Vandenberg, Jessica Miller, Kevin Woita, City Attorney Joanna Uden, and City Clerk-Treasurer Tami Comte.

Also present for the meeting were: Water Supervisor Aaron Gustin, Deputy Sheriff Devin Betzen, Water Operator Dan Sobota, Al Vacanti of Vacanti Municipal Services, and Dana Trowbridge.

The meeting opened with the Pledge of Allegiance.

Mayor Alan Zavodny 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. He also reminded the public that if they speak tonight in front of the Council that they must state their name and address for the record.

Council member Pat Meysenburg made a motion to approve the minutes of the January 12, 2022 meeting as presented. Council Member Jessica Miller seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Yea, Kevin Woita: Yea
Yea: 6, Nay: 0

Council member Bruce Meysenburg made a motion to approve Progress Estimate #5 for Kirkham Michael in the amount of \$1,698.75 for land acquisition. Council Member Pat Meysenburg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Yea, Kevin Woita: Yea
Yea: 6, Nay: 0

Mayor Zavodny stated that the next item on the agenda is consideration of hiring Al Vacanti of Vacanti Municipal Consulting Services, LLC as the Interim City Administrator.

Al Vacanti of Vacanti Municipal Consulting Services, LLC introduced himself and said, "Would you like me to give a background?"

Mayor Zavodny said, "Yes, please."

Al Vacanti said, "I retired in September of 2019 as the Administrator/Clerk-Treasurer of Wisner, Nebraska. Prior to that I had served in the same capacity as the first City Administrator in Scribner. I started my career in City government in 2005 as a City Manager in Chadron and then after a short stay there, I went up to Wisconsin. My last year I also served as President of the Nebraska City Managers Association and loving the business and the profession, I still wanted to maintain an opportunity to, perhaps, serve other communities on an interim basis in different capacities. I saw that you were still in search of a City Administrator to succeed Clayton so I reached out to Tami and said that I'm still here and this is what I'm doing and so I believe that she presented it to the mayor for consideration and that's why I'm here tonight. What I would probably propose, I know that I presented you with a draft and after looking at it and after thinking about it, rather than do it this way, instead of 22 hours, come here at 8:30 a.m. to 4:30 a.m., Tuesday through Thursday, because I have other commitments on Mondays and Fridays and weekends, especially through the 5th of March. The last week of March and the first week of April I would not be available. My daughter is retiring after twenty years in the Air Force and I am going to be there in South Carolina for her retirement ceremony. I was just kind of reaching out to Tami about what kind of projects and I understand having served in the capacity wearing all three hats, any one of the hats that are worn have a full plate for forty hours and I thought if there is something that I can do to help you move some projects along while you continue your search for a full-time successor, I would like to have that opportunity. I still thoroughly enjoy any opportunity to bring something of value to a community and I understand that you've got a few things that are on the radar and maybe kind of just in a holding pattern at this point, whether it be a turn lane on Highway 15 or some other projects. So, real quick background too, in the last five and a half years in Wisner and in Scribner as well, I was involved with the CDBG grant for a downtown redevelopment and for the last few years in Wisner we remodeled the auditorium. I was involved, with the Mayor and Council's understanding, I was in the process of working on succession planning, so I was training people to step in after my retirement, so it made it possible for me to do some things. I did raise one million out of the \$1.1 million to remodel the auditorium through grants and state programs and donations. I raised another roughly eight hundred thousand out of nine hundred thousand to do the parks improvements. I presented something but there might be a tweak here and there with hours, so it would be roughly twenty-one hours per week, and I would commute from Omaha and get here about 8:30 and leave at 4:30 and still be able to drive while it's still light out. That would give you about seven full hours a day and if you wanted me here on the second and fourth Wednesdays for Council meetings, I could be here for that, as well."

Mayor Zavodny said, "I have questions. There's no question that your experience could be beneficial to us. Have you done anything with workforce housing?"

Al Vacanti said, "We were in discussion but that was a separate organization in Wisner that was kind of involved with the housing and they were doing some work. I would sit in there as an ex officio, as a representative of the City and watched. They were getting some TIF to do a housing project up there and there was a program that were tax incentivized investments that allowed people to come in and it allowed the Clerk now, the gal that followed me, it allowed her daughter, who is a single parent, she's paying like \$600..."

Mayor Zavodny said, "That was probably more of a subsidized low-income program."

Al Vacanti said, "It was rent-to-own. If she lived there for fourteen years, she could buy it for nickels on the dollar. I would be working with your development district on some of that with the Department of Economic Development. Have you had some contact with them that needs to be followed up on?"

Mayor Zavodny said, "Our biggest problem right now to summarize it is that we are juggling fifteen balls in the air right now. There's stuff over here and over here and over here. Here's where the hard questions come. Having experience helps us tremendously but how much good could you really do us because hitting the ground running is something that we need, frankly right now and the learning curve would be pretty steep and for the amount of time that you're going to give us and balancing that would be the first thing that come to my mind."

Al Vacanti said, "I would probably answer and say that the first three days, the first week that I would be working with you would be spent trying to go through some files and getting an understanding of where certain issues and projects are at and who have been the contact people and reaching out to them and try to explain to them where I'm at and how I'm trying to help and my intention is to move the things as fast as I possibly can effectively for the City. If I can't do it, one of the things that is in there is to give me notice and say that it's not working like we had hoped. I don't want to have put anybody in that position to have that happen."

Mayor Zavodny said, "I appreciate being up front, but you have to be gone to your daughter's thing and you should be gone to that. What I would like to propose is, unless there's more that you want to share with us, that maybe sometime over the next couple of weeks that we could sit down and maybe probe a little further to see if this is something that is worth your time and our time to consider."

Al Vacanti said, "One of the first things that I would do would be with the knowledge of you and the Council members would be, maybe even on the first day, to sit down, like I did when I was first hired in a permanent position is to sit down on the first day to meet with the department heads briefly and say I'm going to be here and I need your help. Bring me up to date as quickly and thoroughly as you can so that I can be productive for you so I can have enough working knowledge of what is going on. I'm not going to try to invent a wheel when there's a wheel already there that you just have to put in motion again. I'm going to expect and need communication from everybody as far as where things are at and what I get, followed by whatever is in the files and what I can pull out of that and ask questions. That's when I can become effective. It wouldn't start for a couple of weeks but then you'd have five or six weeks and then I would be available to come back after that. If you haven't secured a candidate for the position, I could come back, and we could extend the time."

Mayor Zavodny said, "That process could end as quickly as our next meeting. We do have some applicants. We just haven't identified that candidate yet. Are there any questions for Al of how it would work if we did decide to go this route? I certainly appreciate you being willing to share but there are certainly some challenges with being able to get up to speed and what we need and if it's worth it for the timeframe. If we're looking for a year and a half for an administrator, then that's a different discussion. We'll try to meet in the next few weeks and try

to come to an understanding of what you think things would look like and some things that we're working on and see if you have experience in those areas."

Al Vacanti said, "Let's do that. I would be available at the end of April and beyond, if necessary."

Mayor Zavodny said, "Thank you for coming and if anyone has any questions you have one last chance. Thanks for coming and sharing your information with us."

Mayor Zavodny stated that the next item on the agenda was consideration of Resolution No. 2-2022 updating the baseball/softball rental fee schedule.

Mayor Zavodny asked City Clerk Comte if she knew anything about this.

City Clerk Tami Comte said, "I handed out what Will put together for you. He feels like we need to lower the hourly rental rate but raise the game charges. His reasons are what he wrote down. He would be here tonight, but he is at volleyball league which is upstairs right now."

Mayor Zavodny said, "That's good. We're utilizing our facilities. Is it the association that is paying this or do families pay it if they have a practice?"

City Clerk Tami Comte said, "I think that it is groups that rent the field."

Council member Bruce Meysenburg made a motion to Pass and adopt Resolution No. 2-2022 updating the baseball/softball field rental fee schedule. Council Member Pat Meysenburg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Yea, Kevin Woita: Yea

Yea: 6, Nay: 0

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Ball Field Fees

GAME FEES:

Past charge per game: \$70
Proposed change for charge: \$80

RENTAL FEES:

Past rate per hour: \$10/hour
Proposed change for rate: \$5/hour

Description of Game Fee:

The reason the game fee needs to jump from \$70 to \$80 is because the city will be increasing umpire pay. Last summer, the City of David City paid umpires \$35 a game while the state and surrounding towns paid \$40 minimum. Towns like Columbus and York even pay \$45 a game. It will be impossible to retain umpires or convince umpires to come to David City if the rate is not raised to a minimum of \$40 a game. This game fee increase simply covers the rising pay for umpires.

Description of Rental Fee:

The drop in the rental fee has to do with keeping charges consistent. Last summer, the city charged \$20 total, regardless of whether teams rented the field for a double header or for a practice. In reality, double headers last 4 hours and teams should have paid \$40 per double header. Charging \$40 per double header on top of the proposed \$80 game fee would drive the cost of double headers to \$200. The local club teams would be driven away from David City if they paid \$200 for double headers since this is a \$40 increase from last year.

To keep the price cheap and the rate consistent, the rental rate should be dropped to \$5/hour. This would allow the rental fee for double headers to remain at \$20. Furthermore, the lower practice price of \$10 would help offset the rise in umpire costs so that the club teams did not experience a large increase in their expenses to play softball here. When looking at other communities, Columbus does not charge local teams for practices on their recreational ball fields. York charges \$5-\$10 an hour for practices depending on what recreational ball field is rented. It is fair to say that the rental fee should be dropped to \$5/hour to match those towns near us and to help the club teams with the affordability of softball.

Thank you for your consideration of this proposal,
William Reiter

RESOLUTION NO. 2 – 2022

WHEREAS, the City has determined a need to charge a rental fee for the baseball/softball fields for practices and games;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, that the following list of charges, for the use of the City Municipal Auditorium, Schweser House, Campground, Football Field, Baseball/Softball fields etc., be hereby adopted.

Municipal Auditorium Rental

Lower Level 8 a.m. to 6 p.m.	\$275.00
after 6 p.m. (per hour)	\$ 50.00
Dance	\$200.00
Preparation Time (1/2 day)	\$ 50.00
Auctions	\$ 300.00
Preparation time (1/2 day)	\$ 50.00
Table Coverings (per table).....	\$ 1.00
Cleanup Fee	\$100.00
(Cleanup Fee must be paid up front when auditorium is rented and is returned only if renter cleans up following the event. The Park/Auditorium Supervisor needs to sign off that the cleanup meets his specifications before clean up fee is returned.)	
Deposit (applied towards rental fee)	50% of total Rental fee

Municipal Auditorium - Bar Charges

** Renters must use the city bartenders*

** All liquor and beer must be purchased from the city – even for the reception*

Beer	\$ 3.00 / beer
Whiskey	} \$35.00 / liter - minimum price } Prices vary according to Brands
Vodka	
Rum	
Peach Schnapps	
Pop	\$.50
Keg of Beer	\$200.00 / keg

Beer / mixed drinks with rental agreement for reception.....\$ 2.75 / drink

Schweser House and Campground

Schweser House 10:00 a.m. - 6 p.m.\$40.00
10:00 a.m. – 10:00 p.m.....\$55.00
Campground\$15.00 / day

Municipal Gym Rental

Per hour charge\$20.00 / hr.

Football Field Rental

Varsity Football Field\$300.00
Junior Varsity - Freshmen and Middle School:.....\$100.00
Practice Scrimmage\$100.00
Playoff Games\$325.00
Non-local School \$400.00
Clean-up Fee \$75.00 *
Gym Rental - Before Game - Half Time \$20.00 ***

* If city personnel are involved in clean-up, a \$75.00 fee will be charged. If groups or individuals clean up after the event, no fee will be charged.

Cleaning involves picking up trash around the football field and the area of the football field stands. Trash to be put in park department trash cans.

If concession stand and press box needs clean-up, there will be an additional \$50.00 charge.

*** If auditorium gym is to be used there will be an additional \$20.00 per hour charge.

Municipal Running Track Rental

Practice (per season) \$500.00
(Use of locker rooms would be additional)
Track Meets: Dual, Triangular \$125.00
District, Invitational, Conference \$250.00

Football Practice Field

Football Practice Field - per hour; Locker Room\$20.00

Baseball/Softball Field Rental

Baseball/Softball Field Use Fee \$5.00/hr.

Softball Game (per game per day)..... \$80.00

Baseball Game 10 & under (per game per day)..... \$80.00

Baseball Game 12 & over (per game per day) \$100.00

Clean-up Fee \$75.00 *

* If city personnel are involved in clean-up, a \$75.00 fee will be charged. If groups or individuals clean up after the event, no fee will be charged.

Cleaning involves picking up trash around the baseball/softball fields and the area of the baseball/softball field stands. Trash to be put in the dumpster.

Dated this 26th day of January, 2021.

Mayor Alan Zavodny

City Clerk Tami L. Comte

Mayor Zavodny stated that the next item on the agenda was consideration of Bob Wright's claim for reimbursement for wastewater damage in his basement.

Mayor Zavodny said, "At Bob's request, we will table this item for tonight."

Council member Jessica Miller made a motion to table consideration of Bob Wright's claim for reimbursement for wastewater damage in his basement. Council Member John Vandenberg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Yea, Kevin Woita: Yea

Yea: 6, Nay: 0

Mayor Zavodny stated that the next item on the agenda was consideration of selling the building at 593 N. 5th Street.

Mayor Zavodny said, "Without getting too deep into the weeds on this thing, there have been some opinions shared since our last meeting about why didn't we just sell the building and support small business? I get it. I understand that but I also think that we have a responsibility that that is a City asset and I don't want to just give it away without making sure that we've maximized the amount of money that we probably should get out of it for the rate payer/tax payer. The offer seemed really low and right after that I had people say that they would have paid more than that for it. What are your feelings on what to do with this? We said we'd put it on here and try to sell it and if we get an offer then we'd consider it that way, but we were at sixty thousand. We talked about fifty thousand and then decided on sixty thousand. At some point, we're going to have a number to consider, and we'll have to decide that when the offer comes in. What should we do with this? We own a piece of property, and we want to get it back on the tax rolls."

Council member Jessica Miller said, "I think we need to get it back out there. I honestly don't think that it's doing us any good to sit on it. Like you said, it needs to get back on the tax rolls."

Council member Bruce Meysenburg said, "Do we have an offer on it now?"

Mayor Zavodny said, "We didn't accept that offer so right now we don't have a valid offer."

City Clerk Tami Comte said, "Did Joanna find out if we have to have another auction?"

Mayor Zavodny said, "She just gave that to me tonight. The statute changed in 2017 and we don't necessarily have to sell it by auction or by bid because of how they rewrote the statute. To me, honestly, at this point, I'm not going to set a number, but if we could just get a little north of what our last offer was, it's probably worth doing. That's money that we can put toward the office that we're going to use for City business. We still will have the building, which we have had a significant amount of interest in the one on the highway, which makes some sense. It's highway frontage and would be good advertising. I've had several inquiries about that."

Dana Trowbridge introduced himself and said, "What is your high bid right now? Twenty-three thousand? How much does it cost you to hold this property until July? Virtually nothing."

Mayor Zavodny said, "That's kind of the calculation that I did. For that amount of money, we're not out really anything. The Fed did nothing with interest rates. They may raise them but it's probably going to be so small that it won't be enough to affect this. With that dollar amount if it's not a cash deal you start to worry about what the prospect is for that. It doesn't do us any harm to have it now with that low of an offer, at this point."

Council member Kevin Woita said, "Didn't Bob say that he had two people that were interested, other than the one that made the offer?"

City Clerk Tami Comte said, "He did."

Council member Kevin Woita said, "Maybe we just let those guys fight it out."

Mayor Zavodny said, "What we need to be really careful about is not to lock in and say the first one to thirty wins, or something like that. I think just open it up and have offers come in and then consider them until we get to one that we'll pull the trigger. I think that's the way to go."

Council member Kevin Woita said, "Without any specific date?"

Council member Jessica Miller said, "Without a date and without an amount."

Mayor Zavodny said, "I want to build on what Skip said a little bit. Given the time of year for build out and stuff, maybe someone would start something sooner, but they aren't going to be able to do much outside work. I think we have a little time, but if the right offer comes in, there's no compelling reason not to take it. As long as it's an offer that this Council is comfortable with. There's also no compelling reason to hurry. How about if we talk to Bob and we'll keep taking offers and bring offers to this Council. That's the process."

Mayor Zavodny stated that the next item on the agenda was consideration of approving a net metering agreement with NMPP.

Mayor Zavodny said, "I'm not one hundred percent clear on what we're trying to do here."

City Clerk Tami Comte said, "I thought that Pat was going to be here. He has interest in someone putting up solar panels and then, help me John, selling the excess back to the City...how does that work?"

Council member John Vandenberg said, "That would be your net metering policy. That's where you set what you handle and how you handle it."

City Clerk Tami Comte said, "So, this is an agreement with NMPP to do their resolution. They aren't just going to give us a resolution. This is an agreement to work with them on providing a resolution to do the net metering."

Mayor Zavodny said, "I have to tell you, I'd like to understand this more than I do now. Let's table this. We're not acting on this unless I understand it better."

Council member Jessica Miller said, "I would be interested to know how many people are actually interested in the solar panels."

City Clerk Tami Comte said, "Right now there's one but we've had calls from solar companies that are looking to come in."

Mayor Zavodny said, "We have to be really careful. A lot of this stuff is marketing stuff to try to get you to do this. You don't jump at the first person that comes and says that Butler County is demanding solar. I don't think that's happening. In this day and age, you have to be

really careful what kind of agreement you're getting into. It's not that different than when, years ago, we were looking at putting up the wind turbine that was going to get us two kilowatts and then maybe four kilowatts."

Council member Kevin Woita said, "So, this is a company that wants to provide solar?"

City Clerk Tami Comte said, "No. NMPP is Nebraska Municipal Power Pool. Pat approached them. Carol Brehm works for them. Pat talked to Carol and she had somebody else that works there get back to Pat and they do an agreement which would be a resolution that we would pass on all of the regulations that we would have. This is an agreement to just work with the Power Pool on what we want to see."

Council member Jessica Miller said, "This would be like a yearly thing? This would be how much we'd pay every year?"

City Clerk Tami Comte said, "No. This is a one-time agreement with the Power Pool to provide us a resolution."

Mayor Zavodny said, "I cannot caution you enough to ask where they would put solar panels and what kind of permitting."

Council member Jessica Miller said, "I just don't think we have enough to back it. If you were telling me that a thousand people wanted to do this, and they've signed up and they're paying for this then I would look into it more."

Mayor Zavodny said, "There's a cost benefit equation here and I don't see what it is right now."

Council member Pat Meysenburg made a motion to table consideration of approving a Net Metering Agreement with NMPP. Council Member Jessica Miller seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Yea, Kevin Woita: Yea
Yea: 6, Nay: 0

Mayor Zavodny stated that the next item on the agenda was consideration of purchasing an inventory software program from PowerManager for the electric and water departments.

City Clerk Tami Comte said, "I've been trying to get this implemented for three or four years because it would just make life so much easier for our electric and water departments if we had an inventory program that they could use."

Mayor Zavodny said, "So, what's been the hold up?"

City Clerk Tami Comte said, "Well, we wanted to try it out and I said that we should try it out in the winter when there's not so much going on and I don't remember what happened the first year, then there was covid, and last year was the meters and so finally this year I have got Sarah working on inputting all of the items into it. They are letting us try it out for ninety days and once we pay for it and start, then the guys are going to count again and then we're going to

start from there. The only rub, and Pat and Aaron and I have discussed this, when they take out ten bolts or whatever they take out, they must write down or account for those somehow or this isn't going to work. They seem to think that they have a system that will work. Am I wrong?"

Water Supervisor Aaron Gustin introduced himself and said, "Tami is spot on with that. Given the changes that are happening at the water treatment plant, we intend to take all our consumable inventory and move it to one location and then have there be a check out process once it leaves the storage it will be marked off and it will be entered in. Speaking with my staff, they believe that should not be an issue once we develop that habit and persist with that it should be commonplace. Then, myself or Dan, would go in and access that and deduct it and come inventory time it's not a scramble for either the line crew or us. It's print it out and there you go."

Mayor Zavodny said, "Ok. So, this isn't a huge amount of money as far as an investment, but outside of tracking ten bolts, tell me what I get for my money on this thing. Sarah being involved helped your cause; I'm not going to lie."

City Clerk Tami Comte said, "You should see the line crew's inventory. They have twenty some pages of inventory. I haven't looked at Aaron's recently, so I don't know how many pages he has."

Mayor Zavodny said, "So, part of this process will be counting everything that we have and then we'll be able to track it like Menard's does?"

Council member Kevin Woita said, "Have you ever been in a situation where you found that you have something on inventory after you had ordered something in? Let's say two-inch water meters, you thought you only had three, so you ordered a dozen and you only needed five. Have you ever been in a situation like that?"

Water Supervisor Aaron Gustin said, "Our inventory is relatively small, but as it sits it could be far better organized. That's the intention. We have been in a position where we have, meter spuds are a good one because we're always going through those. You think that you have four in our little bin where we have them but going through stuff you found a box of ten more. Efficiency in tracking of inventory, this would benefit greatly."

Council member Kevin Woita said, "So it would be easy to recoup seventeen hundred dollars?"

Water Supervisor Aaron Gustin said, "I believe so."

Mayor Zavodny said, "The scenario that you laid out makes a lot of sense to me. That pays for it fairly quickly if you're able to avoid an unnecessary order or something like that."

Council member Kevin Woita said, "I've got to think with three departments, the water, sewer and electrical especially, there are some pretty expensive things there. I'm not saying that they don't know what they have on hand but..."

Council member Jessica Miller said, "See, I'm thinking about the other side of it where somebody takes something, and you are expecting it to be there, and you go there and it's not there."

Water Supervisor Aaron Gustin said, "That would put the pressure on for better tracking. I like that comment very much. It shows that we had three, where'd they go?"

Council member Jessica Miller said, "You were expecting to grab what you need and take care of it and now all of a sudden, you are scrambling to order something because you thought it was there."

Water Supervisor Aaron Gustin said, "This tracking would be an improvement to where we sit now."

Mayor Zavodny said, "I don't want to sound overly pessimistic about this, but I just see a scenario where this is broken, and we go grab something and we're not documenting it. What's the process?"

City Clerk Comte said, "I had that very same thought and we talked about that."

Mayor Zavodny said, "It's pointless and it's a worthless system if we don't do our end and document then it's pointless."

City Clerk Comte said, "The guys are going to have to be committed to this."

Water Supervisor Aaron Gustin said, "We talked about that if you are taking something from inventory, you are writing it down and checking it out and we're going to have to be strict on that."

Council member Jessica Miller said, "I have no idea where we stand on things. But is there an extra computer or something that could be right there so they have to log in so that way you can track who logged it out. So, let's say your code is 555, you log in and deduct one so then you can look back at it and say 'Oh, Aaron is the one that checked this out.'"

City Clerk Comte said, "I don't know that there is that in the program."

Water Supervisor Aaron Gustin said, "I feel like that would add a degree of difficulty that would make it more time consuming and individuals would be less likely to jot it down."

City Clerk Comte said, "We thought about a white board, and they would just write down what they take and then when they bring it back, they write down what they used and put the rest back."

Water Supervisor Aaron Gustin said, "When we started talking about this it was during the water meter project and I said to one of the individuals on staff 'Hey, can you keep track of what you're going to use' and he came back with a detailed list of things that they pulled from inventory because we were needing to replace fittings and things like that that came in surplus when we were working on that. They were very detailed about it."

Mayor Zavodny said, "I think that's great but at 2 o'clock in the morning when there's a main break and somebody is on the radio and says to go get me this...I've listened to you guys on the radio before and I wonder if that is going to happen."

Council member Kevin Woita said, "Without making anymore work for department heads but at least every week they should say 'what did we accomplish this week and what parts did we use' and they talk to each employee, and you see."

Council member Pat Meysenburg said, "One guy should be keeping track of everything."

Mayor Zavodny said, "That makes more sense. If you're tracking it more consistently and not just when we run out, to buy it, I don't see that working well."

City Clerk Comte said, "Aaron, I think, has appointed Dan to do that, correct?"

Water Supervisor Aaron Gustin said, "Yes."

Council member Bruce Meysenburg said, "Do you do inventory now annually?"

Water Supervisor Aaron Gustin said, "Yes."

City Clerk Comte said, "And it's like pulling teeth to get it. No offense. Our auditors keep saying 'When do you think we'll have the inventory?'"

Mayor Zavodny said, "You've got orders coming in..."

City Clerk Comte said, "The orders coming in we can take right off of the invoice and Sarah can add that to the inventory program and that is not a problem. Taking items out of inventory is the bigger problem. The guys have to be committed to using it."

Council member Bruce Meysenburg said, "So, after you do inventory for the year, how far are you off?"

City Clerk Comte said, "Nobody knows."

Water Supervisor Aaron Gustin said, "It's a matter of we're going to count, and this is what we have. Next year we're going to do the same and then the auditors go and do their thing. This would make their job a lot easier and Tami's, it would just take dedication."

Council member Jessica Miller said, "Would it be realistic to say that you have to turn in a monthly inventory?"

Water Supervisor Aaron Gustin said, "I think we could do monthly. We had discussed it and said that at the end of the week that we would go in, or the beginning of the week because when we were discussing it, there would be a computer that we could login remotely and we would have a dedicated day, just not the same day because we can't use them the same day as the line crew. We would enter our inventory changes."

Mayor Zavodny said, "I think we're swinging the pendulum too far the other way. Quarterly may be way too much, twice a year, maybe. How much time are we going to be spending worrying if we have nine or ten bolts? To me, while I have some reservations about this, this isn't a hill that I'm willing to die on for this amount of money. Try it. Worst case scenario, we're probably a little better off than we are now, but let's see how it goes. That's where I'm at."

Water Supervisor Aaron Gustin said, "Best case scenario, you might be surprised."

Council member Bruce Meysenburg made a motion to purchase an inventory software program from PowerManager for the Electric and Water departments. Council Member Pat Meysenburg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Yea, Kevin Woita: Yea
Yea: 6, Nay: 0

Mayor Zavodny stated that the next item on the agenda was consideration of purchasing a vehicle for the water/wastewater departments.

Mayor Zavodny said, "Aaron, before we get too deep into this there were some questions about the number of vehicles that we have and the number of people. The other thing that I think that we should maybe potentially consider, depending on what prices are, although vehicles are really expensive right now, but I don't know if that's true on the State bid part. People are paying over the manufacturer's suggested price at this point. I'm going to reiterate my non-negotiable on this – people driving their own vehicles is a huge liability for the City and for the individual themselves. That is a practice that must stop. How many vehicles do we have; how many people do we have and why do we need this?"

Council member Jessica Miller said, "These are my questions. You have five at the water plant, and two at wastewater?"

Water Supervisor Aaron Gustin said, "Yes."

Council member Jessica Miller said, "So, there's a total of seven of you and five vehicles? Right now, what sits out at the wastewater plant?"

Water Supervisor Aaron Gustin said, "There's just one that sits at the wastewater plant."

Council member Jessica Miller said, "Ok. So, when something breaks, or you guys go out on a call. Do you go in pairs?"

Water Supervisor Aaron Gustin said, "No. We grab whatever equipment we need at the time. Today was a perfect example. It was a general operation day. They were sludging. We have the two service vehicles that were both on site. The whale (blue truck) was driven over to the Astro building to get the dump truck and that sat there. Dan is out in the old spray truck doing his rounds so there needs to be a vehicle available to the individual or individuals that are staffing the water treatment plant. If I need to go to the City Office, there's only one vehicle sitting there. I had to have Dan take me over to the Astro and grab that truck and then take him back and jump in and we went to the office to our meeting. It's a big shuffle. A lot of times the

vehicle out there gets taken because it's the only one with a plow setup. This year we haven't gotten snow so it's not a big deal. With the water main work, we typically outfit the whale with the diffuser box so we can hook that thing up to the fire hydrant."

Council member Jessica Miller said, "You totally answered my question. I just assumed that when you got a call that two of you went out. You're saying that you are in multiple locations at different times of the day and you're not necessarily always working as a team. That's what I was questioning."

Water Supervisor Aaron Gustin said, "Oh yeah."

Council member Jessica Miller said, "Here's another question for you, too. Does it have to be a truck? Could it be a car?"

Water Supervisor Aaron Gustin said, "I would recommend that it be a truck. If we get ourselves in an instance where...I would recommend that it be a truck. We get stuck with a couple of our trucks now. It would just be a matter of if I need to take a vehicle and go on site or there's a water line that breaks in the field and getting in and out of there is difficult. I would say something that could handle terrain."

Council member Bruce Meysenburg said, "Are you talking about a new vehicle or a used vehicle or what?"

Water Supervisor Aaron Gustin said, "I looked at new vehicle prices today and I would say something that has been vetted by individuals who know vehicles very well and either new or used."

Council member Tom Kobus said, "Have you looked at State bid price? You ought to look at it. You'll be amazed. You can buy a state bid for three or four thousand dollars over a used one and its brand new."

Water Supervisor Aaron Gustin said, "I have not. I will do that. Which avenue would the Council like me to pursue?"

Mayor Zavodny said, "I think that you look at all of the different options and then bring them to us and let us figure out if we want to weight used versus new. The other thing that I would say from sometime on this is that we've run into it with our dump trucks and stuff. When one gets out of commission we've really been in a bind. You're just one breakdown away. Again, at the risk of offending people, sometimes our equipment is not in the best of conditions. We drive them until the wheels fall off. We need to recognize that sometimes that happens. If you are down one the problem becomes worse. Bring us options with new, with state bid and we can decide where we think we are in our budget and what makes the most sense."

Council member Jessica Miller said, "Will four be enough at the water plant?"

Water Supervisor Aaron Gustin said, "We currently have four at the water plant."

Council member Jessica Miller said, "I know. But we want to have two out at the sewer plant."

Mayor Zavodny said, "I agree with what she is saying. Risking one out there is a bad policy."

Council member Kevin Woita said, "I'd like to add something. I was talking to a department head, and he said that it might be a good idea if we were looking at a vehicle to look at a four door because there has been an incident where they have to take two vehicles out of town for four people."

Water Supervisor Aaron Gustin said, "Yes. For training purposes, yes."

Council member Kevin Woita said, "He does not have a vehicle to get to Grand Island, other than your own personal vehicle which you get paid mileage for, correct? If you are looking at different types of vehicles, you might want to consider that."

Mayor Zavodny said, "That pays for itself pretty quickly instead of running two."

Water Supervisor Aaron Gustin said, "For example, we have four individuals signed up to go to an excavator conference for a day and we'll be taking, as it sits now, two vehicles. It's a very good point."

Mayor Zavodny said, "Alright. Bring us back some options."

Mayor Zavodny stated that the next agenda item was consideration/discussion concerning a new building for the utility departments.

Water Supervisor Aaron Gustin said, "We had the opportunity to sit down with a couple of Council members and we were looking at the size and basically to move forward with going out to bid we needed Council approval to advertise and there are some processes that need Council approval before we can set them in motion. That would be engineering and permitting."

Mayor Zavodny said, "Who worked with you on this?"

Water Supervisor Aaron Gustin said, "Pat and Kevin."

Council member Kevin Woita said, "We came up with a location at the Astro building site, possibly on the southeast side. It looked like that was going to be the most convenient spot for everybody involved. The building that we came up with for the equipment that needs to be put in there is going to end up being about 60' x 100' with six doors which will include their office inside there. Then the utility department would be able to move things around and into the Astro building. Bill was talking at the last meeting that we were going to store the new mower in the Astro building. It's going to give it a little bit more room."

Mayor Zavodny said, "I do really like that idea to protect our investment is important. The only thing that I'm going to say is the timing is not great. People are paying a premium for all inputs right now. Price per square foot on any type of construction is super high. Is this the time to do this?"

Council member Bruce Meysenburg said, "I don't know that it's going to get any cheaper."

Mayor Zavodny said, "That's a discussion that I wanted to have."

Council member Tom Kobus said, "We need to protect that big investment."

Council member Pat Meysenburg said, "And they have to get out of the water plant, so they are going to move all of their equipment to the heated part of the Astro building and that leaves no place to park the Vac truck in the winter or any of their other equipment. They're losing a garage over by the water plant."

Water Supervisor Aaron Gustin said, "We have the 60% meeting with JEO today and in two months we will be looking at the 90 – 100% meeting in regard to the upgrade and then the bidding process, so within six to eight months, we'll have to have stuff out."

Mayor Zavodny said, "Normally, I would be leading this charge. I just felt that I had to express that concern and I've heard some rumbling that they think things will regress a little bit, but we don't know when. It's a balance of protecting your investments."

Council member Kevin Woita said, "I think we definitely need to look at what type of building we're going to be putting up."

Mayor Zavodny said, "If we put it up for bids and the price comes in at a number that we can't live with then we're not committed. Considering that we're only at the bidding step, ok."

Council member Tom Kobus made a motion to advertise for bids for a new building for the utility departments. Council Member Bruce Meysenburg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Yea, Kevin Woita: Yea
Yea: 6, Nay: 0

Mayor Zavodny stated that the next agenda item was consideration/discussion concerning the results of the south side camera work completed by Johnson Services and how to proceed.

Water Supervisor Aaron Gustin said, "We have the results of the south side camera inspection from Johnson Services. I took four very large binders over to the office, so if anyone wants to, they can take a look at those. I do also have a digital copy. Whose hands do you want me to put those results in, in terms of an engineer? The EPA, in their letter, specifically noted infiltration on the south side of David City. Obviously, there's points, Monte and Brett with Midlands, both said 'If you turn the camera upwards and you can see sky inside the sewer main. They did say that it is not as severe as the north side was but there are some areas that need to be fixed. There is main that they discovered that there is no record of us having. We found one of those when we were installing the water main on Iowa."

Mayor Zavodny said, "That, I have to say, I can't even believe that's possible."

Water Supervisor Aaron Gustin said, "It went off at a forty-five and someone just broke the side out of the sewer main and butted up another piece to it and didn't Fernco it. They didn't even bother to duct tape that one."

Mayor Zavodny said, "Just when I think this can't get any worse, we find ways."

Water Supervisor Aaron Gustin said, "Given that we are currently in a wastewater treatment plant evaluation, is this something that we want to put in Veenstra and Kimm's hands and see if they are willing to do so? Then, when it comes time to do something about it, it's a project basically coupled together? Does the Council want to look at it separately? Do you want to use our current engineer who is Olsson, or do we want to seek Veenstra and Kimm or somebody else since we have three engineers working with us on multiple projects in town?"

Council member Bruce Meysenburg said, "Did Veenstra and Kimm give us a timeline on their evaluation?"

Water Supervisor Aaron Gustin said, "The conversation that I had with Bob, he said that when the evaluation results come back, they are going to amend the consent decree and that is going to allot us, basically, another three-year period of time, but that is not official. That is not in writing. That is just based on a conversation of what may happen. I'm not going to say that they said this and then back myself into a corner."

Mayor Zavodny said, "To me, the only responsible course of action is to choose the engineer who is going to work on this and this is something that we should use ARPA funds that are going to be coming to us because that is one-time money and it's nothing that you have to have that's sustainable and this is how you get this kind of a project done. You don't waste the money on something else. We knew that the north side was bad, and we've done half of the job. We need to finish the job. You see on your agenda tonight that there are citizens that have issues because we don't have a system that we really are comfortable with both on the water and the wastewater side."

Water Supervisor Aaron Gustin said, "Do we want to reach out to somebody that we currently work with, or do we want to reach out to someone completely new?"

Mayor Zavodny said, "Why don't we put out a request for proposals? Everybody ok with that? I think that way we can see what everybody's thought process is and pick the best one. I was happy when we did that with JEO. We liked their approach the best and we chose that one."

Council member Jessica Miller made a motion to advertise for a request for proposals for the south side slip lining project. Council Member John Vandenberg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Yea, Kevin Woita: Yea
Yea: 6, Nay: 0

Mayor Zavodny stated that the next item on the agenda was consideration of installing 800' of water and sewer main to accommodate industrial expansion.

Water Supervisor Aaron Gustin said, "Since I believe that it is public and official, Akrs Equipment is building a new facility. I had the opportunity to speak with their CFO yesterday and his timeline for construction was early 2023. If that is going to take place, these utilities need to be installed tomorrow. So, we need to get the ball rolling on that because we are next to a highway and this is going to be a permitted project and it needs to be engineered and so there's going to be engineering time and costs, permitting time and costs and then installing all of that in accordance with those specs. If we don't get going on it, we're going to set Akrs back and it could be a fairly long setback."

Mayor Zavodny said, "To summarize what Aaron just told you, we gotta go. I feel good that it's open area and we have the expertise to certainly get it done. These things are going to be coming at you fast and furious. We've got to get a road. We've got a lot going on to get Akrs ready to go. So, these things will be coming to you probably every month for the next year or so."

Council member Kevin Woita said, "What about Timpote? Are they going to need any sewer or water?"

Water Supervisor Aaron Gustin said, "I had the opportunity to speak with Jeff Thompson and it will be easy to facilitate utilities for them on their particular property. Did the snip make it in the packet?"

Mayor Zavodny said, "We may need to visit about that for a little bit."

Water Supervisor Aaron Gustin said, "Ok. If that is going to be changing, I have absolutely no idea what the plan is with this plot of land, but we are going to be creating a dead end coming up here, a relatively long dead end. If this is going to be developed, it would behoove us to make a plan to at least create a loop because down here we have the water main that ends on the west side of their property."

Alan Zavodny said, "In the last twenty-four hours things have changed a little bit. We're going to relook at that. We've got to figure out how we're going to run our street to the north. We've got to figure out to get some utilities to some different areas. Let's get moving on getting that going."

Council member Pat Meysenburg made a motion to adjourn. Council Member Tom Kobus seconded the motion. The motion carried and Mayor Zavodny declared the meeting adjourned at 7:59 p.m.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Yea, Kevin Woita: Yea
Yea: 6, Nay: 0

CERTIFICATION OF MINUTES

January 26, 2022

I, Tami Comte, duly qualified and acting City Clerk for the City of David City, Nebraska, do hereby certify with regard to all proceedings of January 26, 2022; 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 Comte, City Clerk