CITY COUNCIL PROCEEDINGS

 September 16, 2025

The City Council of the City of David City, Nebraska, met in open public session for a special meeting in the meeting room of the City Office, 490 E Street, David City, Nebraska, at 6:33 p.m. on September 16, 2025. The Public had been advised of the special meeting by posting in four public places (City Office, US Post Office, Butler County Courthouse and Hruska Public Library). 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 Jessica Miller, Council members Keith Marvin, Bruce Meysenburg, Kevin Woita, Jim Angell, Rick Holland, and City Administrator Alan Zavodny, City Administrator Intern Raiko Martinez and City Clerk Tami Comte. Council member Jeremy Abel was absent.

 Also present was Account Clerk Elizabeth Parker.

Mayor Jessica Miller informed the public of the “Open Meetings Act” posted on the west 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 Keith Marvin introduced Ordinance No. 1519 adopting the Budget Statement to be termed the Annual Appropriation Bill to appropriate the budget for the 2025-2026 fiscal year. Mayor Jessica Miller read Ordinance No. 1519 by title.

Council member Keith Marvin made a motion to suspend the statutory rule requiring an Ordinance to be read on three separate days. Council Member Bruce Meysenburg seconded the motion. The motion carried.
Jeremy Abel: Absent, Jim Angell: Yea, Rick Holland: Yea, Keith Marvin: Yea, Bruce Meysenburg: Yea, Kevin Woita: Yea
Yea: 5, Nay: 0, Absent: 1

Council member Keith Marvin made a motion to pass and adopt Ordinance No. 1519 adopting the budget statement to be termed the Annual Appropriation Bill to appropriate the budget for the 2025-2026 fiscal year on third and final reading. Council Member Jim Angell seconded the motion. The motion carried.
Jeremy Abel: Absent, Jim Angell: Yea, Rick Holland: Yea, Keith Marvin: Yea, Bruce Meysenburg: Yea, Kevin Woita: Yea
Yea: 5, Nay: 0, Absent: 1

**ORDINANCE NO. 1519**

**THE ANNUAL APPROPRIATION BILL**

 AN ORDINANCE OF THE CITY OF DAVID CITY, NEBRASKA, ADOPTING THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR THE REPEAL OF ANY ORDINANCE OR RESOLUTION IN CONFLICT THEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE THEREOF; AND TO AUTHORIZE PUBLICATION IN PAMPHLET FORM.

WHEREAS, Nebraska Revised Statue 17-706 provides that a city council of the second class shall adopt a budget statement pursuant to the Nebraska Budget Act, to be termed “The Annual Appropriation Bill”, in which corporate authorities may appropriate such sums of money as may be deemed necessary to defray all necessary expenses and liabilities of the city.

 BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA, AS FOLLOWS:

 SECTION 1. That after complying with all procedures required by law, the budget presented and set forth in the budget statement is hereby approved as the Annual Appropriation Bill for the fiscal year beginning October 1, 2025, through September 30, 2026. All sums of money contained in the budget statement are hereby appropriate for the necessary expenses and liabilities of the City of David City, Nebraska. A copy of all completed State of Nebraska Budget Forms shall be forwarded as provided by law to the Auditor of Public Accounts, State Capital, Lincoln, Nebraska, and to the County Clerk of Butler County, Nebraska, for use by the levying authority.

 SECTION 2. 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 appealed.

 SECTION 3. 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 16th day of September, 2025.

Mayor Jessica J. Miller

City Clerk Tami L. Comte

Council member Bruce Meysenburg made a motion to pass and adopt Resolution No. 19-2025 approving an additional one percent (1%) increase in restricted funds. Council Member Kevin Woita seconded the motion. The motion carried.
Jeremy Abel: Absent, Jim Angell: Yea, Rick Holland: Yea, Keith Marvin: Yea, Bruce Meysenburg: Yea, Kevin Woita: Yea
Yea: 5, Nay: 0, Absent: 1

**RESOLUTION NO. 19-2025**

A RESOLUTION OF THE CITY OF DAVID CITY TO APPROVE AN ADDITIONAL ONE PERCENT (1%) INCREASE IN RESTRICTED FUNDS.

WHEREAS, Nebraska Revised Statute 13-519.02 provides that a governmental unit may exceed its restricted funds limit for a fiscal year by up to an additional one percent upon the affirmative vote of at least seventy-five percent of the governing body.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, that:

1. An additional one percent (1%) increase in restricted funds for the 2025 – 2026 budget is approved.

 PASSED AND APPROVED this 16th day of September, 2025.

 Mayor Jessica J. Miller

ATTEST:

City Clerk Tami L. Comte

Council member Keith Marvin made a motion to pass and adopt Resolution No. 20-2025 setting the property tax request. Council Member Jim Angell seconded the motion. The motion carried.
Jeremy Abel: Absent, Jim Angell: Yea, Rick Holland: Yea, Keith Marvin: Yea, Bruce Meysenburg: Yea, Kevin Woita: Yea
Yea: 5, Nay: 0, Absent: 1

**RESOLUTION NO. 20-2025**

**RESOLUTION SETTING THE PROPERTY TAX REQUEST**

WHEREAS, Nebraska Revised Statute 77-1632 and 77-1633 provides that the Governing Body of the City of David City passes by a majority vote a resolution or ordinance setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request:

NOW, THEREFORE, the Governing Body of the City of David City resolves that:

1. The 2025-2026 property tax request be set at:

General Fund: $1,143,883.97

Bond Fund: ------

1. The total assessed value of property differs from last year’s total assessed value

by 5 percent.

1. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property would be $0.474111 per $100 of

assessed value.

1. The City of David City proposes to adopt a property tax request that will cause its

tax rate to be $0.474 per $100 of assessed value.

1. Based on the proposed property tax request and changes in other revenue, the total operating budget of the City of David City will increase (or decrease) last

year’s budget by 16 percent.

1. A copy of this resolution be certified and forwarded to the County Clerk on or

before October 15, 2025.

Motion by Council member, seconded by Council member to adopt Resolution No. 20-2025.

Voting yes were: Voting no were:

 Kevin Woita None

 Keith Marvin

 Jim Angell

 Bruce Meysenburg

 Rick Holland

 Absent: Jeremy Abel

 Mayor Jessica Miller

ATTEST:

City Clerk Tami Comte

Council member Bruce Meysenburg made a motion to pass and adopt Resolution No. 21-2025 carrying forward the unused budget authority. Council Member Kevin Woita seconded the motion. The motion carried.
Jeremy Abel: Absent, Jim Angell: Yea, Rick Holland: Yea, Keith Marvin: Yea, Bruce Meysenburg: Yea, Kevin Woita: Yea
Yea: 5, Nay: 0, Absent: 1

**RESOLUTION NO. 21-2025**

A RESOLUTION OF THE CITY OF DAVID CITY

TO CARRY FORWARD THE UNUSED BUDGET AUTHORITY

 WHEREAS, Nebraska Revised Statute 13-521 provides that a governmental unit may choose not to increase its total of restricted funds by the full amount by law in a particular year. In such cases, the governmental unit may carry forward to future budget years the amount of unused restricted funds authority.

 NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, that:

1. The unused budget authority of $132,510.51 from the 2024 - 2025 budget shall be carried forward to the 2025 - 2026 budget of the City of David City, Nebraska.

 PASSED AND APPROVED this 16th day of September, 2025.

 Mayor Jessica J. Miller

ATTEST:

City Clerk Tami L.Comte

Council member Keith Marvin made a motion to adjourn. Council Member Bruce Meysenburg seconded the motion. The motion carried and Mayor Jessica Miller declared the meeting adjourned at 6:37 p.m.
Jeremy Abel: Absent, Jim Angell: Yea, Rick Holland: Yea, Keith Marvin: Yea, Bruce Meysenburg: Yea, Kevin Woita: Yea
Yea: 5, Nay: 0, Absent: 1

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 CERTIFICATION OF MINUTES

 September 16, 2025

 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 September 16, 2025; 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