

CITY COUNCIL PROCEEDINGS

June 10, 2009

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 June 4th, 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 Dana Trowbridge, Council members Gary Kroesing, Gary Smith, Nick Hein, Mike Rogers, Bill Scribner, and Bill Yindrick, City Administrator Joe Johnson, Attorney Tim Wollmer, and City Clerk-Treasurer Joan Kovar.

The meeting opened with the Pledge of Allegiance.

Mayor Trowbridge informed the public of the "Open Meetings Act" posted on the east wall of the meeting room and Resolution No. 2-2008 establishing rules and procedures for public participation at city council meetings.

The minutes of the May 13th meeting of the Mayor and City Council were approved upon a motion by Council member Hein and seconded by Council member Rogers. Voting AYE: Council members Kroesing, Smith, Yindrick, Rogers, and Hein. Voting NAY: None. Council member Scribner was absent. The motion carried.

Mayor Trowbridge asked for Petitions, Communications, and Citizens' Concerns in addition to those contained in the Agenda packets. Mayor Trowbridge informed the public that Citizens' Concerns cannot be acted upon or addressed as that would be a violation of Nebraska Revised Statutes #84-1411. Citizen Mike Draper stated that at a previous meeting Mayor Trowbridge stated that Henningsen Foods employs 150 employees who shop in David City. Mike Draper wanted to clarify that of the 150 employees - 72 live in David City, 49 live in Schuyler, and 29 live elsewhere, so no-one can really say where they shop.

Mayor Trowbridge asked for consideration of claims. Council member Hein made a motion to authorize the payment of claims. Council member Smith seconded the motion. Voting AYE: Council members Yindrick, Rogers, Kroesing, Smith, and Hein. Voting NAY: None. Council member Scribner was absent. The motion carried.

Mayor Trowbridge called for Committee and Officers' Reports in addition to those written reports contained in the Agenda packet. There were no additional reports. Council member Scribner noted that Park & Auditorium Supervisor Bill Buntgen stated in his report that comp time is putting a strain on employees and moral. Mayor Trowbridge stated that the "no overtime" policy is new and perhaps the Park/Auditorium department just needs some time to adjust; and summer is a very busy season. City Administrator Joe Johnson will discuss this issue with Park/Auditorium Supervisor Bill Buntgen.

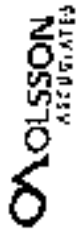
Council member Hein made a motion to accept the Committee and Officer Reports as presented. Council member Yindrick seconded the motion. Voting AYE: Council members Kroesing, Smith, Rogers, Yindrick, and Hein. Voting NAY: None. Council member Scribner was absent. The motion carried.

Council member Scribner arrived at 7:17 p.m.

Matt Rief of Olsson Associates distributed print-outs of the bids received for the "D" Street Project that were opened on June 4th. The project starts at 4th Street (Hwy 15) and goes west towards the Burlington Northern Santa Fe Railroad. This project will include full pavement reconstruction; concrete reconstruction; storm sewer, and pedestrian lighting. Matt stated that four bids were received: 1) Castle Construction, Inc., Columbus, NE; 2) M.E. Collins Contracting Inc., Wahoo, NE; 3) Rutjens Construction, Tilden, NE; and 4) Constructors, Inc., Lincoln, Nebraska. Matt reviewed and explained the Project costs for surfacing, lighting, D Street Storm Sewer, C Street Storm Outlet, Engineering, and Railroad permit & fees. He then reviewed the funding: CDBG, paving assessments, sidewalk assessments, Henningsen Foods Additional Costs, NRD contribution, NE Dept of Roads (NDOR), Coop additional pipe costs, electric department costs, and water department costs. Matt stated that Castle Construction, Inc., Columbus, Nebraska had the lowest bid. Olsson's had estimated \$843,223.50 for total construction costs and the bid came in at \$736,926.97. Four alternate bids were received for concrete on existing curb and gutter streets. There were approximately four blocks in each alternate.

Council member Smith made a motion to accept the base bid of Castle Construction, Inc., Columbus, Nebraska, in the amount of \$736,926.97. The base bid includes full concrete pavement reconstruction of "D" Street, Lighting, D Street Storm Sewer, and C Street Storm Sewer Outlet. Council member Hein seconded the motion. Voting AYE: Council members Rogers, Scribner, Kroesing, Yindrick, Hein, and Smith. Voting NAY: None. The motion carried.

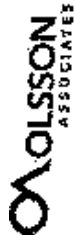
The bid tabulation and project budget summary following was prepared by Olsson Associates:



D STREET PAVING AND DRAINAGE IMPROVEMENTS
CDBG 08-PUP-012
DAVID CITY, NEBRASKA

BID TABULATION
 June 4, 2009
 1:00 p.m.
 04-02-09-07-B

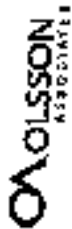
Item #	Description	Cable Drilling Inc. Columbus, Nebraska		KF Collins Consulting, Inc. W38-20, Nebraska		Tribble, Nebraska		General Contractors Tribble, Nebraska		
		Estimate	Quantity	Estimate	Quantity	Estimate	Quantity	Estimate	Quantity	
BID SECTION A - SUBPAVING										
1	1/2" Hot Asphalt Paving (Minimum 100' Long)	SY	8248	\$12,288.00	42.00	\$109,611.00	45.75	7148,453.75	30.24	\$108,177.00
2	1/2" Cold Asphalt Paving (Minimum 100' Long)	SY	56	\$1,065.00	90.00	\$8,205.00	87.24	\$5,885.20	37.56	\$5,258.00
3	1/2" Concrete Paving	SY	840	\$1,256,835.00	42.00	\$29,530.00	46.20	\$27,068.16	40.00	\$24,300.00
4	1/2" Concrete Paving (Shoulder)	SY	2144	\$1,837,800.00	34.20	\$72,784.00	40.20	\$17,046.20	37.20	\$16,897.50
5	1/2" Concrete Paving (Shoulder)	SY	170	\$1,055,100.00	38.20	\$4,111.00	30.20	\$18,920.20	70.00	\$15,420.00
6	1/2" Concrete Paving (Shoulder)	SY	170	\$1,055,100.00	34.20	\$4,111.00	40.20	\$18,920.20	37.20	\$16,897.50
7	1/2" Concrete Paving (Shoulder)	SY	18	\$1,055,100.00	27.20	\$4,095.00	40.20	\$18,920.20	37.20	\$16,897.50
8	1/2" Concrete Paving (Shoulder)	SY	250	\$1,055,100.00	110.00	\$1,029.00	300.00	\$8,340.00	105.00	\$8,250.00
9	1/2" Concrete Paving (Shoulder)	TH	100	\$1,055,100.00	20.20	\$2,030.00	0.28	\$28,287.20	120.00	\$11,000.00
10	1/2" Concrete Paving (Shoulder)	TH	100	\$1,055,100.00	20.20	\$2,030.00	32.00	\$3,296.00	82.00	\$8,200.00
11	1/2" Concrete Paving (Shoulder)	FA	4	\$1,055,100.00	107.00	\$748.00	22.00	\$2,200.00	25.00	\$8,340.00
12	1/2" Concrete Paving (Shoulder)	EA	2	\$1,055,100.00	218.00	\$2,180.00	180.00	\$1,800.00	213.00	\$2,130.00
13	1/2" Concrete Paving (Shoulder)	EA	0	\$1,055,100.00	22.00	\$220.00	210.00	\$2,100.00	213.00	\$2,130.00
14	1/2" Concrete Paving (Shoulder)	EA	1	\$1,055,100.00	22.00	\$220.00	220.00	\$2,200.00	220.00	\$2,200.00
15	1/2" Concrete Paving (Shoulder)	EA	4	\$1,055,100.00	27.00	\$270.00	220.00	\$2,200.00	136.20	\$1,362.00
16	1/2" Concrete Paving (Shoulder)	EA	4	\$1,055,100.00	27.00	\$270.00	220.00	\$2,200.00	136.20	\$1,362.00
17	1/2" Concrete Paving (Shoulder)	EA	1	\$1,055,100.00	27.00	\$270.00	220.00	\$2,200.00	136.20	\$1,362.00
18	1/2" Concrete Paving (Shoulder)	EA	1	\$1,055,100.00	27.00	\$270.00	220.00	\$2,200.00	136.20	\$1,362.00
19	1/2" Concrete Paving (Shoulder)	EA	1	\$1,055,100.00	27.00	\$270.00	220.00	\$2,200.00	136.20	\$1,362.00
20	1/2" Concrete Paving (Shoulder)	EA	1	\$1,055,100.00	27.00	\$270.00	220.00	\$2,200.00	136.20	\$1,362.00
21	1/2" Concrete Paving (Shoulder)	EA	1	\$1,055,100.00	27.00	\$270.00	220.00	\$2,200.00	136.20	\$1,362.00
22	1/2" Concrete Paving (Shoulder)	EA	1	\$1,055,100.00	27.00	\$270.00	220.00	\$2,200.00	136.20	\$1,362.00
23	1/2" Concrete Paving (Shoulder)	EA	1	\$1,055,100.00	27.00	\$270.00	220.00	\$2,200.00	136.20	\$1,362.00
24	1/2" Concrete Paving (Shoulder)	EA	1	\$1,055,100.00	27.00	\$270.00	220.00	\$2,200.00	136.20	\$1,362.00
25	1/2" Concrete Paving (Shoulder)	EA	1	\$1,055,100.00	27.00	\$270.00	220.00	\$2,200.00	136.20	\$1,362.00
26	1/2" Concrete Paving (Shoulder)	EA	1	\$1,055,100.00	27.00	\$270.00	220.00	\$2,200.00	136.20	\$1,362.00
27	1/2" Concrete Paving (Shoulder)	EA	1	\$1,055,100.00	27.00	\$270.00	220.00	\$2,200.00	136.20	\$1,362.00
28	1/2" Concrete Paving (Shoulder)	EA	1	\$1,055,100.00	27.00	\$270.00	220.00	\$2,200.00	136.20	\$1,362.00
TOTAL BID SECTION A				2,085,127.05		5,412,950.87		\$461,812.60		\$430,443.00



D STREET PAVING AND DRAINAGE IMPROVEMENTS
CDBG 08-PW-012
DAVID CITY, NEBRASKA

BID TABULATION
 June 4, 2009
 11:00 a.m.
 OA #2008-0018

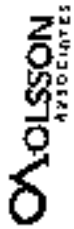
Item No.	Item	Unit	Qty.	Estimate	Contractor	Unit Price	Estimate	Contractor	Unit Price	Estimate	Contractor
CONTRACTOR											
				Castle Construction, Inc. Columbus, Nebraska	M.E. Collins Contracting, Inc. Wehob, Nebraska	Rullens Construction Hilden, Nebraska	Constructors, Inc. Lincoln, Nebraska				
				Unit Price	Estimate	Unit Price	Estimate	Unit Price	Estimate	Unit Price	Estimate
BID SECTION B - LIGHTING											
1	Lighting Control Center	EA	1	2120.00							
2	Conduit, 1-1/2"	LF	1200	3.25	\$2,120.00	\$2,104.00	\$2,104.00	2250.00	\$2,250.00	1700.00	\$1,700.00
3	Conduit, 1-1/2' Directional Bored	LF	300	14.10	\$3,900.00	3.20	\$3,840.00	3.36	\$4,020.00	4.00	\$4,800.00
4	Cable, No. 4 CG	LF	1330	2.50	\$4,230.00	14.00	\$4,200.00	14.00	\$4,200.00	8.75	\$2,825.00
5	Cable, No. 2 SL	LF	2060	2.70	\$3,325.00	2.50	\$3,325.00	2.40	\$3,192.00	1.05	\$1,386.50
6	Pull Box, Type PB-5	EA	1	510.00	\$7,182.00	2.70	\$7,182.00	2.80	\$9,516.00	1.90	\$5,054.00
7	Street Lighting Unit	EA	5	2400.00	\$510.00	507.00	\$507.00	510.00	\$510.00	482.00	\$482.00
8	Pedestrian Lighting Unit	EA	14	2450.00	\$12,000.00	2427.00	\$12,135.00	2450.00	\$12,250.00	3000.00	\$15,000.00
9	Remove Concrete Foundations	EA	4	175.00	\$34,300.00	2449.00	\$34,288.00	2470.00	\$34,580.00	2600.00	\$38,200.00
TOTAL BID SECTION B					\$700.00	162.00	\$608.00	1200.00	\$4,800.00	150.00	\$600.00
BID SECTION C - D ST. STORM SEWER					\$58,267.00		\$68,187.00		\$72,718.00		\$71,157.50
1	Build Curb Inlet, Type A	EA	5	1995.00	\$8,975.00	2548.00	\$12,740.00	1813.00	\$9,065.00	1915.00	\$9,575.00
2	Build Curb Inlet, NDDR, Plan 443-R7	EA	1	1990.00	\$1,990.00	2701.00	\$2,701.00	1947.00	\$1,947.00	2080.00	\$2,080.00
3	Build Area Inlet, Type 2	EA	1	2450.00	\$2,450.00	3341.00	\$3,341.00	2417.00	\$2,417.00	2553.00	\$2,553.00
4	Build Area Inlet, Type 3	EA	2	2130.00	\$4,260.00	2930.00	\$5,860.00	2070.00	\$4,158.00	2200.00	\$4,400.00
5	Build Area Inlet, Type 4	EA	2	2855.00	\$5,710.00	3331.00	\$6,662.00	2385.00	\$4,770.00	2500.00	\$5,000.00
6	Build Storm Sewer Manhole	EA	1	2925.00	\$2,925.00	3788.00	\$3,788.00	2145.00	\$2,145.00	2300.00	\$2,300.00
7	8" P.V.C. Storm Sewer Pipe, Type B	LF	50	18.90	\$945.00	16.00	\$800.00	29.45	\$1,472.50	31.00	\$1,550.00
8	12" P.V.C. Storm Sewer Pipe, Type B	LF	315	15.60	\$4,914.00	21.00	\$6,615.00	33.45	\$10,536.75	35.00	\$11,025.00
9	18" Storm Sewer Pipe, Type 1, 7 or 8	LF	65	22.50	\$1,462.50	31.00	\$2,015.00	35.97	\$2,338.05	36.00	\$2,316.00
10	24" Storm Sewer Pipe, Type 1, 7 or 8	LF	178	28.00	\$5,004.00	36.00	\$6,408.00	45.44	\$7,997.44	48.00	\$8,448.00
11	30" Storm Sewer Pipe, Type 1, 7 or 8	LF	104	38.50	\$4,004.00	52.00	\$5,408.00	55.78	\$5,801.12	58.00	\$6,136.00
12	36" Storm Sewer Pipe, Type 1, 7 or 8	LF	291	66.00	\$19,206.00	65.00	\$18,915.00	65.98	\$19,200.18	70.00	\$20,370.00
13	42" Storm Sewer Pipe, Type 1, 7 or 8	LF	445	60.40	\$26,878.00	60.00	\$26,700.00	74.85	\$33,308.25	79.00	\$35,155.00
14	Temporary Erosion Control	LF	505	5.40	\$2,727.00	5.00	\$2,525.00	3.00	\$1,515.00	5.00	\$2,525.00
15	Curb Inlet Sediment Filter	EA	8	125.00	\$750.00	130.00	\$780.00	190.00	\$1,140.00	130.00	\$780.00
16	Remove Curb Inlet	EA	1	110.00	\$110.00	400.00	\$400.00	500.00	\$500.00	825.00	\$825.00
17	Remove Area Inlet	EA	1	110.00	\$110.00	400.00	\$400.00	500.00	\$500.00	530.00	\$530.00
18	Remove Flared End Section	EA	1	70.00	\$70.00	100.00	\$100.00	250.00	\$250.00	265.00	\$265.00
19	Remove Storm Sewer Pipe	LF	171	4.00	\$684.00	10.00	\$1,710.00	4.00	\$684.00	4.25	\$728.75
20	Water Main Wet Curb In	EA	6	295.00	\$1,770.00	357.00	\$2,142.00	650.00	\$3,900.00	687.00	\$4,122.00
21	Build 8" Water Main	LF	166	23.00	\$3,818.00	25.00	\$4,150.00	28.10	\$4,664.80	30.00	\$4,980.00
22	Build 6" Water Main	LF	20	18.00	\$360.00	25.00	\$500.00	23.11	\$462.20	24.50	\$490.00



STREET PAVING AND DRAINAGE IMPROVEMENTS
 CDBG 08-P44-012
 DAVID CITY, NEBRASKA

BID #0014, 2009
 June 4, 2009
 - 150 min.
 DA 2008-207 H

BID #	CONTRACTOR	Est	Qty	David Construction, Inc. Columbus, Nebraska		V. L. Collins Contracting, Inc. Wehmo, Nebraska		Muller Construction Tulsa, Nebraska		Carter Construction Lincoln, Nebraska	
				Unit Price	Subtotal	Unit Price	Subtotal	Unit Price	Subtotal	Unit Price	Subtotal
20	1" MLL 45' Bond	EA	4	150.00	600.00	220.00	880.00	275.00	1,100.00	250.00	1,000.00
21	1" MLL 24" S/S	EA	1	50.00	50.00	215.00	215.00	277.00	277.00	250.00	250.00
22	1" MLL 45' Bond	EA	2	250.00	500.00	448.00	896.00	350.00	700.00	575.00	1,150.00
23	1" MLL 45' Bond	EA	16	155.00	2,480.00	815.00	13,040.00	890.00	14,240.00	575.00	9,200.00
24	1" MLL 45' Bond	EA	5	120.00	600.00	780.00	3,900.00	820.00	4,100.00	300.00	1,500.00
25	1" MLL 45' Bond	EA	9	50.00	450.00	47.00	423.00	70.00	630.00	80.00	720.00
26	1" MLL 45' Bond	EA	22	75.00	1,650.00	70.00	1,540.00	26.00	572.00	100.00	2,200.00
27	1" MLL 45' Bond	EA	2	500.00	1,000.00	707.00	1,414.00	105.00	210.00	100.00	200.00
28	1" MLL 45' Bond	EA	1	250.00	250.00	570.00	570.00	400.00	400.00	200.00	200.00
29	1" MLL 45' Bond	EA	1	250.00	250.00	310.00	310.00	300.00	300.00	200.00	200.00
30	1" MLL 45' Bond	EA	1	250.00	250.00	310.00	310.00	300.00	300.00	200.00	200.00
31	1" MLL 45' Bond	EA	1	250.00	250.00	310.00	310.00	300.00	300.00	200.00	200.00
32	1" MLL 45' Bond	EA	1	250.00	250.00	310.00	310.00	300.00	300.00	200.00	200.00
33	1" MLL 45' Bond	EA	1	250.00	250.00	310.00	310.00	300.00	300.00	200.00	200.00
34	1" MLL 45' Bond	EA	1	250.00	250.00	310.00	310.00	300.00	300.00	200.00	200.00
35	1" MLL 45' Bond	EA	1	250.00	250.00	310.00	310.00	300.00	300.00	200.00	200.00
36	1" MLL 45' Bond	EA	1	250.00	250.00	310.00	310.00	300.00	300.00	200.00	200.00
TOTAL BID SECTION C											
BID SECTION D - 6" ST. STORM OUTLET											
1	6" Storm Sewer Manhole	EA	20	200.00	4,000.00	300.00	6,000.00	180.00	3,600.00	180.00	3,600.00
2	6" Storm Sewer Manhole	EA	1	200.00	200.00	400.00	400.00	180.00	180.00	180.00	180.00
3	6" Storm Sewer Manhole	EA	2	200.00	400.00	400.00	800.00	180.00	360.00	180.00	360.00
4	6" Storm Sewer Manhole	EA	2	200.00	400.00	400.00	800.00	180.00	360.00	180.00	360.00
5	6" Storm Sewer Manhole	EA	8	400.00	3,200.00	350.00	2,800.00	180.00	1,440.00	180.00	1,440.00
6	6" Storm Sewer Manhole	EA	10	50.00	500.00	50.00	500.00	50.00	500.00	50.00	500.00
7	6" Storm Sewer Manhole	EA	10	50.00	500.00	50.00	500.00	50.00	500.00	50.00	500.00
8	6" Storm Sewer Manhole	EA	10	50.00	500.00	50.00	500.00	50.00	500.00	50.00	500.00
9	6" Storm Sewer Manhole	EA	1	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00
10	6" Storm Sewer Manhole	EA	1	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00
11	6" Storm Sewer Manhole	EA	1	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00
12	6" Storm Sewer Manhole	EA	1	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00
13	6" Storm Sewer Manhole	EA	1	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00
14	6" Storm Sewer Manhole	EA	1	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00
15	6" Storm Sewer Manhole	EA	1	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00
16	6" Storm Sewer Manhole	EA	1	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00
17	6" Storm Sewer Manhole	EA	1	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00
18	6" Storm Sewer Manhole	EA	1	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00
TOTAL BID SECTION D											
TOTAL BID SECTION E											



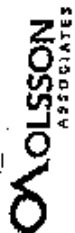
D STREET PAVING AND DRAINAGE IMPROVEMENTS
CDBG DB-PW-012
DAVID CITY, NEBRASKA

10 TABULATION
 June 5, 2009
 1:07 pm.
 CV 2009-0018

CONTRACTOR	Item #	QTY	UNIT	David Conk, Inc., Columbus, Nebraska	W.L. Duffie Contracting, Inc. Mahan, Nebraska	Midwest Construction, Omaha, Nebraska	Superior A, Inc. Lincoln, Nebraska
	19		SY	41.00	38.25	40.00	83.00
	20		TN	3025.00	3825.00	32.00	32.00
	21		SY	3262.00	3262.00	40.00	38.00
	22		LS	2050.00	3003.00	349.00	34.00
	23		L	30.00	30.00	23.40	23.00
	24		EA	28.00	34.00	24.40	25.00
	25		EA	250.00	387.00	200.00	210.00
	26		EA	245.00	332.00	200.00	210.00
	27		EA	125.00	290.00	175.00	113.00
	28		EA	280.00	303.00	246.00	105.00
	29		EA	50.00	100.00	50.00	25.00
	30		DAY	31.00	4.00	3.00	475.00
	31		LS	51.20	11.20	50.00	60.00
	32		LS	108.00	87.00	50.00	50.00
	TOTAL BID SECTION D			\$141,484.42	\$174,774.00	\$21,475.00	\$27,000.00
	TOTAL BARE BID SECTIONS A, B, C, & D			\$788,506.37	\$172,845.70	\$173,056.00	\$27,000.00
	ALTERNATE F-1				\$236,178.24		\$189,820.80
	1		SY	30.70			\$865,133.16
	2		SY	38.00			
	3		LS	2.96			
	TOTAL ALTERNATE BID F-1			\$107,180.00	\$115,539.00	\$8.20	\$113,180.00
	ALTERNATE E-2						
	1		SY	0.48			
	2		LS	1.00			
	TOTAL ALTERNATE BID E-2			\$0.48	\$0.48	\$0.48	\$1.50
	ALTERNATE F-1						
	1		SY	27.00			
	2		LS	6.00			
	TOTAL ALTERNATE BID F-1			\$107,180.00	\$27,480.00	\$8.20	\$113,180.00
	ALTERNATE F-2						
	1		SY	28.00			
	2		LS	4.00			
	TOTAL ALTERNATE BID F-2			\$115,640.00	\$110,420.00	\$161,316.00	\$115,640.00
	ALTERNATE F-3						
	1		SY	28.00			
	2		LS	4.00			
	TOTAL ALTERNATE BID F-3			\$115,640.00	\$110,420.00	\$161,316.00	\$115,640.00
	ALTERNATE F-4						
	1		SY	28.00			
	2		LS	4.00			
	TOTAL ALTERNATE BID F-4			\$115,640.00	\$110,420.00	\$161,316.00	\$115,640.00
	ALTERNATE F-5						
	1		SY	28.00			
	2		LS	4.00			
	TOTAL ALTERNATE BID F-5			\$115,640.00	\$110,420.00	\$161,316.00	\$115,640.00
	TOTAL ALTERNATE BID F-2			\$115,640.00	\$110,420.00	\$161,316.00	\$115,640.00

PROJECT BUDGET SUMMARY
D STREET PAVING AND STORM SEWER & C STREET OUTLET IMPROVEMENTS
DAVID CITY, NEBRASKA
6/9/2009

PROJECT COSTS		
Description	Estimate	Bld
SURFACING	\$414,155.70	\$408,127.55
LIGHTING	\$76,608.00	\$68,267.00
D STREET STORM SEWER	\$142,842.00	\$112,937.00
C STREET STORM OUTLET	\$209,617.80	\$147,595.42
TOTAL CONSTRUCTION COSTS	\$843,223.50	\$736,926.97
7% Contingency		\$51,584.89
ENGINEERING	\$101,500.00	\$101,500.00
RAILROAD PERMIT & FEES	\$4,000.00	\$4,000.00
TOTAL PROJECT COST	\$977,008.93	\$894,011.86
Funding		
CD8G	\$250,000.00	\$250,000.00
PAVING ASSESSMENT	\$107,000.00	\$96,300.00
SIDEWALK ASSESSMENT	\$26,610.00	\$24,000.00
HENNINGSEN FOOD ADDITIONAL COSTS	\$108,386.25	\$100,907.10
NRD CONTRIBUTION	\$10,004.93	\$12,427.61
NDOR CONTRIBUTION	\$32,980.20	\$24,091.73
COOP ADDITIONAL PIPE COSTS		\$10,000.00
CITY LIGHTING DEPARTMENT	\$76,608.00	\$68,267.00
CITY WATER DEPARTMENT	\$14,540.00	\$23,744.50
TOTAL FUNDING	\$626,129.38	\$609,737.94
CITY PAVING OBLIGATION	\$322,594.13	\$284,273.92



D STREET PAVING AND DRAINAGE IMPROVEMENTS
CDBG 08-PW-012
DAVID CITY, NEBRASKA

BID TABULATION
 June 4, 2009
 11:00 a.m.
 DA #2000-0018

Item No.	Item	Qty	Castle Construction, Inc. Columbus, Nebraska		M.E. Cellfire Contracting, Inc. Wahoo, Nebraska		Rujans Construction Tilden, Nebraska		Constructors, Inc. Lincoln, Nebraska		
			Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	
ALTERNATE G-1											
1	6" P.C. Concrete Pavement	SY	27.00	\$99,000.00	28.70	\$106,190.00	39.50	\$146,150.00	29.00	\$107,300.00	
2	Pavement Removal	SY	3700	\$11,026.00	2.00	\$7,400.00	4.35	\$18,085.00	2.90	\$10,730.00	
3	Earthwork	LS	1	7960.00	7880.00	\$7,580.00	6100.00	\$8,100.00	1.00	\$1,000.00	
TOTAL ALTERNATE BID G-1				\$118,996.00		\$121,270.00		\$162,345.00		\$118,031.00	
ALTERNATE G-2											
1	6" P.C. Concrete Pavement	SY	3700	\$99,000.00	28.70	\$106,190.00	39.50	\$146,150.00	29.00	\$107,300.00	
2	Earthwork	LS	1	7960.00	2484.00	\$2,484.00	6100.00	\$8,100.00	1.00	\$1,000.00	
TOTAL ALTERNATE BID G-2				\$107,860.00		\$108,584.00		\$152,250.00		\$107,301.00	
ALTERNATE H-1											
1	6" P.C. Concrete Pavement	SY	2950	\$79,920.00	28.70	\$84,952.00	39.50	\$116,920.00	29.00	\$85,840.00	
2	Pavement Removal	SY	2950	\$8,820.80	2.00	\$5,920.00	4.35	\$12,876.00	3.20	\$9,472.00	
3	Earthwork	LS	1	6587.00	36,587.00	\$3,990.00	4800.00	\$4,800.00	1.00	\$1,000.00	
TOTAL ALTERNATE BID H-1				\$95,327.80		\$94,862.00		\$134,386.00		\$95,313.00	
ALTERNATE H-2											
1	6" P.C. Concrete Pavement	SY	2060	\$79,920.00	28.70	\$84,952.00	39.50	\$116,920.00	29.00	\$85,840.00	
2	Earthwork	LS	1	6587.00	\$6,587.00	\$2,490.00	4500.00	\$4,500.00	1.00	\$1,000.00	
TOTAL ALTERNATE BID H-2				\$86,507.00		\$87,442.00		\$121,520.00		\$85,841.00	
Substantial Completion											
Total Project Final Completion					November 1, 2009	November 1, 2009	November 1, 2009	November 1, 2009	November 1, 2009	November 1, 2009	
Alternate E					December 15, 2009	December 15, 2009	December 15, 2009	December 15, 2009	December 15, 2009	December 15, 2009	
Alternate F					October 30, 2009	June 1, 2010	June 30, 2010	November 1, 2009	November 1, 2009	November 1, 2009	
Alternate G					October 30, 2009	June 30, 2010	June 30, 2010	November 1, 2009	November 1, 2009	November 1, 2009	
Alternate H					October 30, 2009	June 30, 2010	June 30, 2010	November 1, 2009	November 1, 2009	November 1, 2009	
Alternate I					October 30, 2009	June 30, 2010	June 30, 2010	November 1, 2009	November 1, 2009	November 1, 2009	
Alternate J					October 30, 2009	June 30, 2010	June 30, 2010	November 1, 2009	November 1, 2009	November 1, 2009	
Alternate K					October 30, 2009	June 30, 2010	June 30, 2010	November 1, 2009	November 1, 2009	November 1, 2009	
Alternate L					October 30, 2009	June 30, 2010	June 30, 2010	November 1, 2009	November 1, 2009	November 1, 2009	
Alternate M					October 30, 2009	June 30, 2010	June 30, 2010	November 1, 2009	November 1, 2009	November 1, 2009	
Alternate N					October 30, 2009	June 30, 2010	June 30, 2010	November 1, 2009	November 1, 2009	November 1, 2009	
Alternate O					October 30, 2009	June 30, 2010	June 30, 2010	November 1, 2009	November 1, 2009	November 1, 2009	
Alternate P					October 30, 2009	June 30, 2010	June 30, 2010	November 1, 2009	November 1, 2009	November 1, 2009	
Alternate Q					October 30, 2009	June 30, 2010	June 30, 2010	November 1, 2009	November 1, 2009	November 1, 2009	
Alternate R					October 30, 2009	June 30, 2010	June 30, 2010	November 1, 2009	November 1, 2009	November 1, 2009	
Alternate S					October 30, 2009	June 30, 2010	June 30, 2010	November 1, 2009	November 1, 2009	November 1, 2009	
Alternate T					October 30, 2009	June 30, 2010	June 30, 2010	November 1, 2009	November 1, 2009	November 1, 2009	
Alternate U					October 30, 2009	June 30, 2010	June 30, 2010	November 1, 2009	November 1, 2009	November 1, 2009	
Alternate V					October 30, 2009	June 30, 2010	June 30, 2010	November 1, 2009	November 1, 2009	November 1, 2009	
Alternate W					October 30, 2009	June 30, 2010	June 30, 2010	November 1, 2009	November 1, 2009	November 1, 2009	
Alternate X					October 30, 2009	June 30, 2010	June 30, 2010	November 1, 2009	November 1, 2009	November 1, 2009	
Alternate Y					October 30, 2009	June 30, 2010	June 30, 2010	November 1, 2009	November 1, 2009	November 1, 2009	
Alternate Z					October 30, 2009	June 30, 2010	June 30, 2010	November 1, 2009	November 1, 2009	November 1, 2009	
Remarks:											
				*Discrepancy on Bid Form between Unit Prices & Sums Unit Price Prevails.				*Discrepancy on Bid Form between Unit Prices & Sums Unit Price Prevails.			

D STREET PAVING AND STORM SEWER IMPROVEMENTS & C STREET OUTLET IMPROVEMENTS
NRD & NDR FUNDING
DAVID CITY, NEBRASKA
6/5/2009

NRD FUNDING				
ITEM DESCRIPTION	UNITS	UNIT PRICE	TOTAL QUANTITY	TOTAL BID
TEMPORARY EROSION CONTROL	L.F.	\$5.40	47	\$253.80
EROSION CONTROL, CLASS 1D	S.Y.	\$1.50	1130	\$1,695.00
EROSION CONTROL, CLASS 2C	S.Y.	\$6.00	147	\$882.00
SEEDING, TYPE B	S.Y.	\$0.78	2272	\$1,772.16
DITCH EXCAVATION 'C' STREET OUTLET	L.S.	\$18,200.00	1	\$18,200.00
SUBTOTAL				\$22,802.96
9% Const. Eng.				\$2,052.27
TOTAL				\$24,855.23
NRD 50%				\$12,427.61

NDR FUNDING				
ITEM DESCRIPTION	UNITS	UNIT PRICE	TOTAL QUANTITY	TOTAL BID
BUILD CURB INLET, NDR PLAN 143-R7	EA.	\$1,990.00	1	\$1,990.00
BUILD AREA INLET, TYPE 4	EA.	\$2,855.00	1	\$2,855.00
24" STORM SEWER PIPE, TYPE 2, 7 OR 8	L.F.	\$79.00	72	\$5,688.00
30" STORM SEWER PIPE, TYPE 1, 7 OR 8	L.F.	\$38.50	63	\$2,425.50
36" STORM SEWER PIPE, TYPE 3, 7 OR 8	L.F.	\$56.00	209	\$11,704.00
TEMPORARY EROSION CONTROL	L.F.	\$5.40	100	\$540.00
CURB INLET SEDIMENT FILTER	EA.	\$125.00	2	\$250.00
SUBTOTAL				\$22,102.50
9% CONST. ENG.				\$1,989.23
TOTAL				\$24,091.73

HENNINGSEN FOODS ADDITIONAL COSTS
5/5/2009

SURFACING AND ROOF DRAINS				
ITEM DESCRIPTION	UNITS	UNIT PRICE	TOTAL QUANTITY	TOTAL BID
8" P.C. CONCRETE DRIVEWAY	S.Y.	\$42.00	413	\$17,346.00
5" P.C. CONCRETE DRIVEWAY	S.Y.	\$43.00	1058	\$45,490.00
8" P.C. COLORED CONCRETE SIDEWALK	S.Y.	\$65.00	44	\$2,965.00
5" P.C. CONCRETE SIDEWALK	S.Y.	\$32.00	239	\$7,648.00
CONCRETE PAVERS	S.Y.	\$105.00	103	\$10,815.00
HIGH EARLY STRENGTH CONCRETE PAVEMENT	S.Y.	\$325.00	50	\$16,250.00
REMOVE DRIVEWAY	S.Y.	\$2.94	1545	\$4,540.10
REMOVE SIDEWALK	S.Y.	\$3.98	30	\$1,194.00
REMOVE VEGETABLE OIL TANK	EA.	\$500.00	1	\$500.00
8"X4" SANITARY SEWER SERVICE TEE	EA.	\$98.00	1	\$98.00
4" SANITARY SEWER SERVICE PIPE	L.F.	\$22.00	24	\$528.00
8" BEHNCO COUPLERS	EA.	\$50.00	1	\$50.00
12" P.V.C. STORM SEWER PIPE, TYPE B	L.F.	\$15.00	265	\$3,975.00
TOTAL CONSTRUCTION COST				\$100,807.10

ASSESSMENTS

PROPERTY OWNER	FRONTAGE (L.F.)	16' ROADWAY ASSESMENT UNIT COST	TOTAL ROADWAY ASSESMENT	6' SIDEWALK ASSESMENT UNIT COST	TOTAL SIDEWALK ASSESMENT	TOTAL COST
HENNINGSON FOODS INC	520	\$90.00	\$46,800.00	\$27.00	\$14,040.00	\$60,840.00
DIDIERS GROCERY INC	140	\$90.00	\$12,600.00	\$27.00	\$3,780.00	\$16,380.00
FIRST NATIONAL BANK	140	\$90.00	\$12,600.00	\$27.00	\$3,780.00	\$16,380.00
FRONTIER CO-OP	130	\$90.00	\$11,700.00	\$0.00	\$0.00	\$11,700.00
ELDON'S BODY & PAINT	53	\$90.00	\$4,770.00	\$0.00	\$0.00	\$4,770.00
BNSF RAILROAD	87	\$90.00	\$7,830.00	\$27.00	\$2,349.00	\$10,179.00
		TOTAL ROADWAY	\$96,300.00	TOTAL SIDEWALK	\$23,949.00	

Council member Hein made a motion to advance to agenda item #21 - Presentation by Ken Fairchild, Olsson Associates, regarding a feasibility study for methane generation and moving forward on recommendations contained in such. Council member Smith seconded the motion. Voting AYE: Council members Scribner, Yindrick, Kroesing, Rogers, Smith, and Hein. Voting NAY: None. The motion carried.

Ken Fairchild of Olsson Associates distributed a Methane Generator Feasibility Report - OA Project No. 009-0750. Ken Fairchild of Olsson Associates reported that they have been working on what they call the tangibles of the City getting into a landfill gas, or an LFG engine generator situation. Ken Fairchild reported the following: *"The gas is available because of Timberlines installation out of the Butler County Landfill. The pipe runs into town on 35½ Rd. and goes to Henningsen Foods where their consumption is using the lions share of what is being produced now. The landfill gas is about 50% methane content and in comparison to typical natural gas, natural gas runs about 70 - 90% methane. But it is well within the parameters for a landfill gas generator. The other thing that we were concerned about is that you are a total requirements wholesale power customer of NPPD and you need their permission to consider this generation project and what happens is two things: one is an RFP (Request for Proposals) that they just came out with last month for small renewable generators that they want to negotiate with; and the other one is that your wholesale power contract has a clause in it that you can in fact have up to 10% of your total annual needs coming from a renewable energy source. Now that 10% based on the most recent rate studies that we performed in January 08 so we had total annual consumption based on August 06 - July 07 and based on that you can get 4,113,669 kWhs (kilowatt hours) of renewable energy a year. Actually I think it's a little bit more than that because your load grows about 1% each year, but that's a ballpark number that you can have in renewable energy resources without having any conflict with your wholesale power contract. The next thing we looked at was the criteria; we wanted to be sure that the quantity (landfill gas supply) was there; the stability was there; as we want to generate as many hours per year as we can; and we wanted to know that it was going to be there for a long time; and of course we needed to know the cost of it. The second part of our evaluation was the size of the engine/generator that we could support by the gas that was available. The third thing was how many hours a year do we anticipate that we can generate. The next thing was where are we going to put the generator and how are we going to house the LFG generator and the configuration of the generator/utility interface; we obviously need to know the opinion of probable construction costs, the opinion of the annual operation and maintenance costs, the anticipated debt service for the project, anything dealing with permitting, and finally the annual cost per kWh to produce this energy. The bottom line on the landfill gas is, if you take away Henningsens usage now, there is not enough left of what they are producing right now to support this engine/generator for a complete annual basis; however, Timberline plans to expand its collection system at Butler County. The landfill is producing about 5 times as much as they are piping and catching right now, so there is a lot of landfill gas*

out there that is not being collected and put into this pipeline. Timberline plans to add twelve more collection wells in early 2010 and almost double their output now, and if they do this, there will be an ample supply to use for this engine/generator and there will be some left over. The unused gas portion of the current production level is sent to a flare at the landfill site. Methane is one of the green house gases. The green house gases is that part of our atmosphere and in combination it actually produces a green house effect from the radiations coming in from the sun and helps keep our planet warm. The concern is that if we upset that balance and put too much of the gases back in there, we are going to get too warm and we'll have global warming. So on everybody's target list is this methane gas that is being generated by our landfills, large dairy farms, hog farms, whatever, so there is a real push looking to capturing this and reusing this in some fashion as a sustainable energy source. What's not used is burnt so it does not go into the atmosphere. The lifetime of the landfill gas (LFG) is expected to be 20 years unless some agency would close the landfill. The landfill plans to expand, and if that expansion is approved, Timberline expects the landfill gas to be available for 50 plus years. We asked about the lifetime of their equipment out there: the collection equipment, the cleaning equipment - they take the water out of the gas before they put it in the pipeline; they have to maintain pressure in the pipeline; those kinds of things. They are feeling no problem there; the equipment is fairly simple, it is replaceable if it goes through a catastrophic loss, and they expect three years lifetime out of it with normal maintenance and they are in the business to sell this gas so they are highly interested in maintaining the availability of the gas. There are several manufacturers who produce engine/generator units specifically designed for LFG applications. We focused on Caterpillar due to the compact timeline given to us and the City's familiarity with the manufacturer's representatives. The Caterpillar 3520C is a low BTU fuel, 20 cylinder, 1200 rpm, 2233 bhp engine with a 1600 kilowatt generator. Caterpillar recommends that these engines have an oil change every 1,000 hrs. which will amount to about an oil change every month based on the hours we will be running. They recommend the spark plugs, because they are gas they are spark ignited they are not a diesel engine, be replaced at least every 1,000 hours but more like 750 hours; it is highly dependent on the other things that are in this gas besides methane. We are in the process of trying to get the actual composition of the gas from Timberline so we can do a little bit more investigation in the preventative process. We have also about a 50kW parasitic load on this engine/generator set; that means that there are auxiliaries; we have a cooling tower fan that we are going to have to run; there are things that take away from what we generate. We start with 1600 kW take away the 50kW parasitic load, we can have an output of 1550 kW of generation from this engine that will go out on the line. If you take that and you look at the fact that with all of the operation and maintenance that they need to do throughout the year, that's going to use up less than 5% of the annual hours that are available, we are going to be able to generate 95% of the hours that are available. There is 8,760 hrs in a year, so we are going to have about 8,322 hours that we can expect to be generating electricity on an annual basis without major mechanical failures of some sort. That means that we should be able to produce 12,899,100 kWhs per year. That is three times what our contract will allow us to buy. Driven by the short time line to get some of these facts to you; we can buy the engine and build a building to put the engine in; or we can buy the engine already in an enclosure and set it on a slab, hook up the radiator and some other auxiliaries and let it go. We chose to go with looking at the containerized engine rather than building. Again, with some sensitivity about NPPD's RFP, they want to have these things operational by the end of 2010. They have some flexibility in there but they are anxious, if they make a deal with you to generate this green or sustainable energy, they want it on line. There is some anticipation there. The other thing is that both Timberline, who says they have a standing order of sixteen of these units, not departmentalized but sixteen units, they were going to offer us the availability of getting in on one of those if we wanted to buy the engine and put it in our own building. Caterpillar has since notified me that they have one of these units that was supposed to go to a two-unit installation that suddenly became a one-unit installation, sitting in the warehouse that is subject to pre-sale but its there if we are interested; so again, things kind of fall in place for being aggressive on a time line and getting this done. This engine, that Caterpillar is talking about, would have to be put into this enclosure that I mentioned to you, but that is not a very time consuming process since they do it a lot. We looked at two sites. One of the things that was of major concern to me is that we have a power plant over here (590 N 11th Street) that has been in that location as long as I have been working for you guys and that has been a long time. There are residences pretty close to it. The power plant was probably there before the residences were. The residences have been there now for an awful long time but we haven't generated 24/7, 365, for a long time in the City. When do we

generate its either testing, or we're doing our test for NPPD to prove our capacity, or we've had a storm and something's knocked out our electricity. In anyone of those scenarios the people who live in close proximity to that plant and have to deal with noise know #1, it's a good thing because we don't have power anyway or #2, it's not going to last very long. This engine is going to run hopefully 95% of the hours of a year. So it is a constant source of an impact on the sound environment that they have, so that is a concern to me about where we are going to site this. One of the first sites that came to mind and everybody wanted to look at was, well lets just put it at the site where the generator is now; where the power plant is now; and we did, but there is a site plan that reveals that even with the demolition of the existing garage and putting this enclosed mounted unit there or building our own building there is just not much of a footprint available there. This site has a lot of stuff going on there; there are drainage concerns and an abundance of buried utilities that would need to be dealt with. Another issue is the close proximity of the garage to the 34.5 kV interconnection line comes over and that's not very high above the ground; it's safely high above the ground but we're talking about putting a unit in there that may be 10 - 15' of an enclosure height plus we don't know how high NDEQ is going to make us put the stack up there and I am very concerned about that. For me, this site dropped out real quick. Construction around that 34.5, just getting the thing installed would be a problem, the fact that we may have a stack that goes up 15, 20, or 30 feet, and those lines are not going to be very far away; I am not real happy with that thought - plus our metal enclosure sitting underneath 34.5 lines if they happen to go down in a storm or something. Site #2 is located about a 1/2 mile north of the power plant along 35 1/2 Rd. The city has two well sites out there now and I'm showing you a strip of ground somewhere between 11th Street and that first well house that is land that we know is available and we already have some well sites over there so we have not broached any conversations yet but for a starting point this looks like it is OK; it is well away from a lot of the residences but there is a house right across the street. I talked to Caterpillar about the sound levels that would be issued from around this unit; first of all, the air intakes would have sound devices on it the silencer/muffler if you will would be critical grade which is very quiet; I think that is exactly the grade we have on the ones that are at the power plant right now is critical grade and quite frankly the most noises generated at the power plant now is when they open up the doors and you can hear all of the air blowing in there and the high pitch of the engines. Long story short, the standard enclosures that they put in with the standard amount of air continuation and noise continuation would be the 85 decibels at 35', for about \$6,000 more we could get that down to 65 to 70 decibels. To give you an idea we took sound readings out here when we put those engines on and I was standing rather at the property line where the first residence is to the south and I had a meter there and I was measuring 65 - 70 with the engines not running; so 65 - 70 is not an uncommon ambient sound level for us. This sound that would be produced by these units would be on top of what any ambient level is but it is not an excruciatingly loud sound. When I took that DV meter inside and stood between the two engines when they were running it pegged over 110 - 120 so that gives you some sense how much that goes up. That curve is what we call an exponential curve; it is down here and then as you get out and get louder it goes up really high. Bottom line, those are not bad sound levels to deal with for something that is going to be running. Will they keep everyone in town from not complaining? I doubt it. So, as far as I am concerned site #2 is the site that I looked at, I don't like some of the things we would have to deal with at site #1. Again this is a study there may be other sites. The other kicker here is that the gas line that we would tie into is in the south ditch at 35 1/2 Rd. So it is right there. If we were over at the power plant we would have the extra distance, would have to cross the railroad track; we would have to get a permit to do that and that would take a long time to get that done. The other thing that was really good about this is the next option we are looking at is the configuration of the two generating utility interfaces. The city owns the three phase line on the north side of 35 1/2 Rd. so we would come out of the generator, go underneath 35 1/2 Rd., and go up a pole and attach to the distribution system. (Bill Scribner asked if this was going to be the right voltage, we aren't going to have a transformer to convert it?) We will have a step up transformer. I just showed you the fact that we would be generating at 4160 and stepping it up to 13.8 through a transformer and then taking it out to the line. On the opinion of probable construction costs I put in a 30' exhaust stack extension which I hope we don't need but I put in that adder, I put in a fairly decent amount of contingencies - 10%, because we are really early in the game here. You can see to do this installation, to purchase it, I put in \$20,000 for land acquisitions; that is a number I just grabbed, I did not go through any real estate person. The total opinion of cost for this unit would be about \$2,178,000.00. The Operation and Maintenance costs, the costs because we are running this engine constantly, the oil

changes occur between 750 - 1,000 hrs optimum. But if you are going to do an oil change and you are going to change the spark plugs, you don't want to stop the production to change the spark plugs and then come back 250 hrs later and change the oil, so you are going to do them both at the same time, to minimize down time. Every 3rd 1,000 hr. cycle, they suggest you do a top end overhaul. Using Caterpillars numbers from actual experience that is a cost that runs about .0095 per kwh and so I took our annual kwh's times that number and it turns out that our maintenance we can expect to be about \$122,500/year. If we took the more expensive option, which has the extended service contract and would include any mechanical failures of equipment - Caterpillar would just come in and take care of it; that number would jump up to \$384,000/year. I used the lower number in my calculations. The annual debt service on the estimated construction costs for a bond term of 20yrs was \$179,528 @ 5%. Again, we have done enough bonds recently that 5% is in the neighborhood, if you shorten the time the interest is going to be up a little, that's when you get into dealing with your bond counsel as to what is the best thing available and that's when you guys make a decision as to where you want to be on those. A permit is required from NDEQ before we can do anything as far as construction, and that usually takes a minimum of six months after we submit it. We will have to find out some things like the composition of the gas because NDEQ will be concerned about how much sulfur is in the gas and how it combines with the nitrogen or hydrogen and makes other kinds of things in the air that we don't want besides the normal pollutants. Estimating costs, this plant using landfill gas would produce a kwh of 6.2cents. The bottom line is now, it costs more to generate the electricity than we can buy in today's market, and so, I'm not saying it would be prudent for us to put in this engine generator and use it to displace energy that we can buy wholesale. However, the NPPD RFP indicates they want to negotiate with several small renewable or sustainable generators to get some more green power into their portfolio basically, so they are willing to negotiate with us to buy it. We now know what we think it's going to cost us on an annual basis (year 1). They have an RFP out and they want the responses back by June or July so they can begin their selection process and start negotiating. I think because you are a wholesale customer you will get a little gold star beside you if you throw your hat in the ring, and I think that is what you should do to pursue this project. The other option that you have is that several communities; Lincoln is one of them when they put in their wind generation; is to poll the public and ask if there were people out there interested enough in sustainable renewable resources to pay a premium for their energy to help support the cost of this, and they got enough in Lincoln. There are always people that are interested in that. You might have people in the community that are interested in doing that, I don't know that, but it might be another option to take a look at. I think the thing that is important in the future, if you are selected by NPPD and you go into negotiations; what you are going to sell it for, is look at the term of the contract. I would say don't sign a long term contract because if they get to a point where their price increases go up and get a lot closer to our costs to generate then maybe it makes sense for us to keep the energy here in town. Those are things to think about. Quite frankly, I thought it was going to be higher than 6.2 cents. If you are interested in going forward we need to start examining the time line; we have some opportunities to do some things right now without going through a competitive bidding process and I don't know how we handle that. I do know that Caterpillar said that they will put their package together for us on a lease purchase basis if we want to take a look at that. Again financing is flexible you need to tell them how long you want it."

Council member Scribner made a motion to proceed with 1) a memorandum of understanding for the acquisition of land, 2) a Request for Proposal (RFP) to Nebraska Public Power District, 3) a contract with Timberline Energy L.L.C., and 4) the Permitting Processing with Olsson Associates. Council member Rogers seconded the motion. Voting AYE: Council members Yindrick, Smith, Kroesing, Hein, Rogers, and Scribner. Voting NAY: None. The motion carried.

The Genesis House located at 474 N. 12th Street, and the Leo Aerts residence at 482 N. 12th Street have had sewer backup in their basements. This issue has been discussed several times during the Utilities Standing Committee meetings. Water Supervisor Gary Janicek reported that the sewer line was videoed last fall and the line was clear. Janicek said that

nothing had been dumped in the sewer since December; nothing for 3 - 3 ½ months. The City may be spending approximately \$65,000 on a machine so that no run-off goes into the sewer line. Janicek recommended that the property owners install a check valve on their sewer lines. Janicek felt that this would be the best possible solution, least expensive, and the quickest solution. The check valve can be placed right outside the house or by the alley. The cap can be taken off and the sewer line inspected. Janicek stated that check valves are required on all new construction in Omaha. He estimated the cost to be \$700 - \$800 including installation labor. The committee suggested that the City cost share on this expense. The committee suggested providing \$400 to each of the two property owners (Genesis House & Aerts) to install a waste water back flow prevention system.

Diane Schroeder of the Genesis House was pleased that the City was considering this, however, she requested that the City notify them (the Genesis House) if the City is going to do any flushing of mains or dumping. She was advised that the City would provide notification.

Council member Rogers made a motion to authorize the payment of \$400 to each of the two property owners (the Genesis House at 474 N. 12th Street, and the Leo Aerts residence at 482 N. 12th Street) to install a waste water back flow prevention system. The property owners must each provide proof that the waste water back flow prevention system was installed and then the City will reimburse the property owners (Genesis House & Leo Aerts residence) each \$400. Council member Smith seconded the motion. Voting AYE: Council members Scribner, Yindrick, Kroesing, Hein, Smith, and Rogers. Voting NAY: None. The motion carried.

Council member Hein introduced Ordinance No. 1103 amending Chapter 10, Article 4, §10-414 of the David City Municipal Code Book to provide for additional types of fireworks which may be sold at retail within the corporate limits of David City, Nebraska. Council member Kroesing made a motion to suspend the statutory rule that requires an ordinance be read on three separate days. Council member Yindrick seconded the motion. Voting AYE: Council members Scribner, Smith, Rogers, Hein, Yindrick, and Kroesing. Voting NAY: None. The motion carried.

Council member Kroesing made a motion to pass and adopt Ordinance No. 1103 on the third and final reading. Council member Smith seconded the motion. Voting AYE: Council members Hein, Rogers, Yindrick, Scribner, Smith, and Kroesing. Voting NAY: None. The motion carried and Ordinance No. 1103 was passed and adopted as follows:

ORDINANCE NO. 1103

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 4, §10-414 OF THE CITY OF DAVID CITY, NEBRASKA, MUNICIPAL CODE BOOK PROVIDING FOR ADDITIONAL TYPES OF FIREWORKS WHICH MAY BE SOLD AT RETAIL; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

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

SECTION 1. Chapter 10, Article 4, §10-414 of the David City Municipal Code Book shall be amended to read:

§10-414 FIREWORKS VENDOR; REGULATION. It shall be unlawful for any person or persons to sell fireworks of any description whatsoever, except sparklers, vesuvius fountains, spray fountains, torches, color fire cones, star and comet type color aerial shells without explosive charge for the purpose of making a noise, and lady fingers, not to exceed seven-eighths of an inch in length or one-eighth inch in diameter, total explosive composition not to exceed fifty milligrams in weight, color wheels, and any other fireworks approved under Nebraska Revised Statute, Section 28-1247, which provides fireworks not specifically listed in Nebraska Revised Statute and/or above may be added to the list of permissible fireworks by the State Fire Marshal. Toy cap pistols and permissible caps may be sold at retail at all times; Provided, that all other fireworks named may be sold only between June twenty-fourth (24th) and July fifth (5th); Provided, that fireworks of any description are permissible for purposes of public exhibitions or displays as authorized by the Governing Body; and further provided that said vendor shall secure a license prior to such sales. Application shall be filed with the Municipal Clerk upon forms supplied by the Municipality and requested information and documents as the Governing Body may deem necessary as to whether or not to grant said license. Upon the determination to grant the license, the Governing Body shall direct the Municipal Clerk to collect the appropriate fee and issue said license. Any license so issued may be revoked at any time by the Governing Body upon proper notice and hearing, if one is requested by the licensee. (Ref. 17-137, 28-1241 thru 28-1250 RS Neb.)

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 repealed.

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 10th day of June, 2009.

Mayor Dana Trowbridge

ATTEST

City Clerk Joan E. Kovar

Council member Hein introduced Ordinance No. 1104 amending Chapter 6, Article 4, §6-430 of the David City Municipal Code Book to provide for additional means to notify property owners of weeds, grasses, or other worthless vegetation nuisances. Council member Kroesing made a motion to suspend the statutory rule that requires an ordinance be read on three separate days. Council member Hein seconded the motion. Voting AYE: Council members Scribner, Smith, Rogers, Yindrick, Hein, and Kroesing. Voting NAY: None. The motion carried.

Council member Kroesing made a motion to pass and adopt Ordinance No. 1104 on the third and final reading. Council member Smith seconded the motion. Voting AYE: Council members Hein, Rogers, Yindrick, Scribner, Smith, and Kroesing. Voting NAY: None. The motion carried and Ordinance No. 1104 was passed and adopted as follows:

ORDINANCE NO. 1104

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 4, §6-430 OF THE CITY OF DAVID CITY, NEBRASKA, MUNICIPAL CODE BOOK PROVIDING FOR ADDITIONAL MEANS TO NOTIFY PROPERTY OWNERS OF WEEDS, GRASSES OR OTHER WORTHLESS VEGETATION NUISANCES; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

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

SECTION 1. Chapter 6, Article 4, §6-430 of the David City Municipal Code Book shall be amended to read:

§6-430 **MISDEMEANORS; WEED REMOVAL.** It shall be a nuisance to permit or maintain any growth of twelve inches or more in height of weeds, grasses, or worthless vegetation. It shall the duty of each owner or owner's duly authorized agent or occupant of real estate in the Municipality to cut and clear such real estate, together with one-half (½) of the streets and alleys abutting thereon, of all weeds, grasses or worthless vegetation that are noxious, obstruct travel on public ways, or create a fire or health hazard. Such weeds, grasses and worthless vegetation shall be cut so as not to extend more than twelve inches (12") in height above the ground. Subsequent to the cutting of the said weeds, grasses and worthless vegetation, all loose vegetation shall be immediately removed. Upon the failure of the owner or owner's duly authorized agent or occupant having control of any real estate to cut and clear the said weeds, grasses and worthless vegetation as set forth hereinbefore, the Municipal Police shall give notice to abate and remove such nuisance to each owner or owner's duly authorized agent or occupant, if any, by personal service or certified mail. If notice by personal service or certified mail is unsuccessful after three (3) days, notice shall be given by publication in a newspaper of general circulation in the city or by conspicuously posting the notice on the lot or ground upon which the nuisance is to be abated and removed. In the event that the weeds grasses, and vegetation have not been removed after a period of five (5) days from personal service or certified mail or after a period of five (5) days from publication in a newspaper of general circulation in the city or by conspicuously posting the notice on the lot or ground, the City Administrator shall have the nuisance abated and removed by directing the Street Department to have such work done, and the cost thereof shall be paid by the owner. If unpaid for two months after such work is done, the Municipality may either (a) levy and assess the costs and expenses of the work upon the lot or piece of ground so benefited in the same manner as other special taxes for improvements are levied and assessed or (b) recover in a civil action the costs and expenses of the work upon the lot or piece of ground. (Ref. 17-563, 18-1719 RS Neb.)

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 10th day of June, 2009.

Mayor Dana Trowbridge

ATTEST

City Clerk Joan E. Kovar

Amendments to the Solid Waste Franchise Agreement to include recycling services, municipal alley restrictions, and rate notification was discussed. Mayor Trowbridge stated that the garbage trucks tear up the alleys. Kelly Danielson stated that he pays to gravel his alley; the garbage truck uses the alley; no problems. Dr. Thoendel, who lives next door to Danielson's, agreed that he is against prohibiting alley refuse pickup. Mrs. Thoendel stated that when she drives through Silver Heights on a windy day she has to stop and pick up trash cans and lids that are lying in the street and questioned if we really wanted that all over town. (Silver Heights does not have alleys so trash cans are put by the curb for garbage pickup.) Mrs. Svoboda stated that she didn't feel that citizens should have to pay more for recycling efforts. Council member Yindrick questioned "how do you motivate people?" It was noted that recycling is self-driven; some people want to do what is best for the environment. Kelly Danielson asked the council not to move too quickly; have experts in the field come to a Standing Committee meeting to discuss these issues.

Council member Kroesing suggested referring amendments to the Solid Waste Franchise Agreement to include recycling services, municipal alley restrictions, and rate notification, back to committee for further discussion. The Council members and Mayor Trowbridge agreed so this issue will go back to committee.

Council member Hein introduced Resolution No. 15 - 2009 and moved for its passage and adoption. Council member Scribner seconded the motion. Voting AYE: Council members Smith, Yindrick, Kroesing, Rogers, Scribner, and Hein. Voting NAY: None. The motion carried and Resolution No. 15 - 2009 was passed and approved as follows:

RESOLUTION NO. 15 - 2009

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

Section 1. The Mayor and City Council have heretofore designated the time and place for considering and levying assessments upon the property specially benefited by the improvements in Larry J. Sabata's 2nd Addition, David City, Butler County, Nebraska; that in lieu of publishing notice of the time of holding such meeting and the purpose for which it is to be held at least four weeks before the same, did personally serve such notice upon persons owning or occupying property to be assessed; the Mayor and members of the City Council have each personally inspected said improvements and real estate on and adjacent thereto; the Mayor and Council have, at this session, heard all persons who desire to be heard in reference to the valuation of each lot to be assessed and the special benefits or damages thereto and have considered the advice of the engineers in charge of the construction and improvements.

Section 2. The Mayor and City Council further find and determine that the costs of electrical installation improvements in Larry J. Sabata's 2nd Addition, David City, Butler County, Nebraska are as follows:

ELECTRICAL INSTALLATION COST				
DESCRIPTION	QUANTITY	UNIT	UNIT COST	AMOUNT
75KVA Padmount Transformer	2	EA	\$1,400.00	\$2,800.00
50KVA Padmount Transformers	1	EA	\$1,150.00	\$1,150.00
Concast Transformer Pads	3	EA	\$92.00	\$276.00
#2 Primary Wire	460	FT	\$1.74	\$800.40
4x4 Treated Lumber	3	EA	\$17.99	\$53.97
Ground Rods	3	EA	\$8.99	\$26.97
Ground Rod Clamps	3	EA	\$1.05	\$3.15
Load Break Elbows	6	EA	\$38.46	\$230.76
Stablelizer Foot	5	EA	\$10.99	\$54.95
2 inch Schd 40 PVC	435	FT	\$1.28	\$556.80
PVC Elbows	5	EA	\$2.99	\$14.95
200 amp meter peds	5	EA	\$367.42	\$1,837.10
Digger Truck Rental	3	HR	\$38.00	\$114.00
Labor on Digger Truck	3	HR	\$28.00	\$84.00
Labor	40	HR	\$28.00	\$1,120.00

Section 3. The Mayor and City Council further find and determine that the costs of sewer installation improvements in Larry J. Sabata's 2nd Addition, David City, Butler County, Nebraska are as follows:

SEWER INSTALLATION COST		
DESCRIPTION	BILLING DATE	AMOUNT
Utility Equipment Co.	Friday, August 19, 2005	\$1,852.84
Arps Gravel & Concrete, Inc.	Wednesday, August 31, 2005	\$133.00
Concrete Industries, Inc.	Wednesday, July 27, 2005	\$3,972.33
Arps Gravel & Concrete, Inc.	Monday, September 12, 2005	\$139.00
Sack Lumber Compay	Wednesday, August 31, 2005	\$16.80
Arps Gravel & Concrete, Inc.	Thursday, April 19, 2007	\$230.75
Arps Gravel & Concrete, Inc.	Saturday, March 31, 2007	\$159.60
Deeter Foundary, Inc.	Friday, September 30, 2005	\$2,121.48
Mid Nebraska Grading & Demo	Monday, April 16, 2007	\$9,811.80

Section 4. The Mayor and Council further find and determine that no lot or parcel of land in Larry J. Sabata's 2nd Addition, David City, Butler County, Nebraska has been damaged by the construction of said improvements, and that the amount of benefits specially accruing to each lot and parcel of land in Larry J. Sabata's 2nd Addition, David City, Butler County, Nebraska by reason of the construction of said improvements at least equals the amount to be assessed against each lot or parcel of the land to pay the cost of said improvements. The total cost of said improvements, to include sales tax, equals twenty-nine thousand, three hundred and fifty-two dollars and nine cents (\$29,352.09).

Section 5. That the Council has concluded and has accepted a payment of fifteen thousand dollars (\$15,000.00) from Larry J. Sabata for approximately half of the total construction of said improvement. Furthermore, Larry J. Sabata has publicly made it known to the City of David City, Nebraska that he wishes to have the remaining cost of said improvements and sales tax assessed as a lien on property legally described as follows, to-wit:

Lot 8, Block A, Larry J Sabata's 2nd Addition, David City, Butler County,
 Nebraska

Section 6. There is hereby levied and assessed upon Lot 8, Block A, Larry J Sabata's 2nd Addition, David City, Butler County, Nebraska a special assessments to pay the cost of constructing said improvement in the amount in dollars and cents set out as follows which are made a part hereto:

PARCEL DESCRIPTION ASSESSMENT	OWNER	AMOUNT
Lot 8, Block A, Larry J Sabata's 2 nd Addition, David City, Butler County, Nebraska	Larry J. Sabata	\$14,352.09

That the assessment upon said lot and parcel of land is not in excess of benefit thereto specially accruing from the construction of said improvements.

Section 7. Said special assessments shall be a lien on the property on which they are levied from the date of passage of this resolution and shall be certified by the City Clerk-Treasurer, to the County Treasurer of this City for collection; the City Clerk-Treasurer shall also at the time provided by law, cause such assessments or the portion thereof then remaining unpaid, to be certified to the County Clerk of the county for entry upon the property tax list; the

first said assessments shall be payable to the City Clerk-Treasurer; all ensuing assessments shall be payable to the County Treasurer.

Section 8. Said special assessments above provided for shall become due in sixty (60) days after the statement date of the assessment and may be paid within that time without interest, but if not paid, to bear interest thereafter at the rate of eight per cent (8%) per annum for the improvements in the said district until delinquent; such assessments shall become delinquent in ten equal annual installments with the first falling due 60 days from the statement date and subsequent installments falling due in each year thereafter on the 30th day of January until paid in full. Delinquent installments shall bear interest at the rate of fourteen per cent (14%) per annum until paid and shall be collected in the usual manner for the collection of taxes.

BE IT FURTHER RESOLVED that a certified copy of said assessment schedule be filed by the City Clerk-Treasurer with the County Clerk of Butler County, Nebraska, as provided by law.

Passed and adopted this 10th day of June, 2009.

Mayor Dana Trowbridge

ATTEST

City Clerk-Treasurer Joan E. Kovar

Council member Hein introduced Ordinance No. 1105 repealing and voiding Ordinance No. 1085 which annexed property located northwest of David City; part of SE Quarter of Section 12, Township 15 North, Range 2, East of the 6th P.M. containing 128.63 acres more or less. Council member Hein made a motion to suspend the statutory rule that requires an ordinance be read on three separate days. Council member Yindrick seconded the motion. Voting AYE: Council members Kroesing, Scribner, Smith, Rogers, Yindrick, and Hein. Voting NAY: None. The motion carried.

Council member Hein made a motion to pass and adopt Ordinance No. 1105 on the third and final reading. Council member Smith seconded the motion. Voting AYE: Council members Rogers, Yindrick, Scribner, Kroesing, Smith, and Hein. Voting NAY: None. The motion carried and Ordinance No. 1105 was passed and adopted as follows:

ORDINANCE NO. 1105

AN ORDINANCE TO NEGATE EXISTING ORDINANCE NO. 1085 THAT EXTENDED THE BOUNDARIES AND INCLUDED WITHIN THE CORPORATE LIMITS OF, AND ANNEXED TO, THE CITY OF DAVID CITY, NEBRASKA, PART OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION TWELVE (12), TOWNSHIP FIFTEEN (15), NORTH, RANGE TWO (2), EAST OF THE 6TH P.M., BUTLER COUNTY, NEBRASKA, LYING EAST OF THE RIGHT-OF-WAY OF THE CHICAGO, BURLINGTON & QUINCY RAILROAD TRACK, CONSISTING OF

APPROXIMATELY 128.63 ACRES, MORE OR LESS; TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND TO AUTHORIZE PUBLICATION IN PAMPHLET FORM.

WHEREAS, Ordinance No. 1085 was introduced and passed on first reading on August 13, 2008, passed on second reading on September 10, 2008, and passed on third and final reading on October 8, 2008, annexing property described as part of the Southeast Quarter (SE ¼) of Section Twelve (12), Township Fifteen (15), North, Range Two (2), East of the 6th P.M., Butler County, Nebraska, lying east of the right-of-way of the Chicago, Burlington & Quincy Railroad Track, consisting of approximately 128.63 acres, more or less, (exhibit A); and

WHEREAS, the owners, Allen & Rhonda Zavodny have not made any progress with Butler County Ethanol concerning a proposed ethanol plant; and

WHEREAS, the owners, Allen & Rhonda Zavodny have filed a request that their property listed above be de-annexed from the corporate limits of David City, Nebraska.

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

SECTION 1. THAT ORDINANCE NO. 1085 ANNEXING PROPERTY DESCRIBED AS PART OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION TWELVE (12), TOWNSHIP FIFTEEN (15), NORTH, RANGE TWO (2), EAST OF THE 6TH P.M., BUTLER COUNTY, NEBRASKA, LYING EAST OF THE RIGHT-OF-WAY OF THE CHICAGO, BURLINGTON & QUINCY RAILROAD TRACK, CONSISTING OF APPROXIMATELY 128.63 ACRES, MORE OR LESS; (EXHIBIT "A") IS HEREBY NULL AND VOID.

SECTION 2: That a certified copy of this Ordinance be filed on record in the offices of the County Clerk of Butler County, Nebraska.

SECTION 3: That said territory is hereby de-annexed from the City of David City, Nebraska.

SECTION 4: 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 5: 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 10th day of June, 2009.

Mayor Dana Trowbridge

City Clerk Joan E. Kovar

Mayor Trowbridge opened discussion for Agenda Item #15 - Consideration of, and selection of, the top three (3) options to explore in greater detail concerning the sale of the police department building; and Henningsen Foods Inc. desire to provide economic growth within David City and Butler County. City Administrator Joe Johnson presented the following print-out for consideration.

	OPTIONS	PURCHASE PRICE	REHAB COST	TOTAL COST	FUNDING SOURCE #1	FUNDING SOURCE #2	FUNDING SOURCE #3	FUNDING SOURCE #4	FUNDING SOURCE #5	COST EXCEEDING ASSET SALE PRICE
1	DO NOTHING & NOT SELL THE POLICE BLDG.	\$0.00	\$0.00	\$0.00	N/A	N/A	N/A	N/A	N/A	N/A
2	RELOCATE THE POLICE DEPT INTO THE CURRENT CITY HALL	\$0.00	\$100,000	\$100,000	\$50,000 Proceeds From sale Of Police Building	\$50,000 Utility Funding	N/A	N/A	N/A	\$50,000
3	PURCHASE THE OLD HOSPITAL BUILDING AND RELOCATE THE POLICE DEPT. AND CITY HALL	\$150,000	\$250,000	\$400,000	\$50,000 Proceeds From the Sale of Police building	\$100,000 Utility Funding	\$75,000 Proceeds From the Sale of City Hall	\$150,000 General Obligation Bonds	\$80,000 Grant	\$275,000
4	RENT & REHAB THE OFFICE PORTION OF THE WINDSTREAM BLDG & RELOCATE CITY HALL THERE; POLICE TO CURRENT CITY HALL	\$0.00	\$125,000	\$125,000	\$50,000 Proceeds From the Sale of the Police building	\$75,000 Utility Funding	N/A	N/A	N/A	\$75,000 And Rents
5	RENT & REHAB THE OFFICE PORTION OF THE WINDSTREAM BLDG & RELOCATE POLICE DEPT THERE	\$0.00	\$125,000	\$125,000	\$50,000 Proceeds From the Sale of Police Bldg	\$75,000 General Obligation Bonds	N/A	N/A	N/A	\$75,000 And Rents
6	PURCHASE OF A DOWNTOWN BLDG & RELOCATE THE POLICE DEPT AND CITY HALL	UNKNOWN	\$250,000	UNKWN	\$50,000 Proceeds From the Sale of Police Bldg	\$100,000 Utility Funding	\$75,000 Proceeds From the Sale of City Hall	Unknown General Obligation Bonds	\$80,000 Grant	\$125,000 Plus (??)
7	BUILD A NEW POLICE DEPT BUILDING	\$0.00 - \$50,000	\$200,000	\$200,000- \$250,000	\$50,000 Proceeds From the Sale of Police Bldg	\$150,000 General Obligation Bonds	N/A	N/A	N/A	\$150,000 - \$200,000
8	BUILD A NEW CITY HALL & POLICE DEPT BLDG (SAME BLDG)	\$0.00 - \$50,000	\$250,000	\$250,000 - \$300,000	\$50,000 Proceeds From the Sale of Police Bldg	\$100,000 Utility Funding	\$75,000 Proceeds From the Sale of City Hall	\$25,000- \$75,000 General Obligation Bonds	N/A	\$125,000 - \$175,000
9	HIRE BUTLER COUNTY SHERIFF TO PROVIDE PUBLIC SAFETY TO DAVID CITY	\$0.00	\$0.00	\$0.00	N/A	N/A	N/A	N/A	N/A	City gains \$50,000 from Sale of Police Dept. building

Sheriff Mark Hecker provided handouts to the Mayor and City Council and presented a Power Point presentation "Law Enforcement Proposal for David City, Nebraska". Sheriff Hecker stated that several county agencies already provide law enforcement for municipalities and it

seems to be working well. There would be a significant savings of \$177,412.00 per year, saving citizens approximately \$68.31 per person based on the 2000 census.

LAW ENFORCEMENT PROPOSAL FOR DAVID CITY NEBRASKA

Sheriff Mark Hecker
Butler County Sheriff's Office

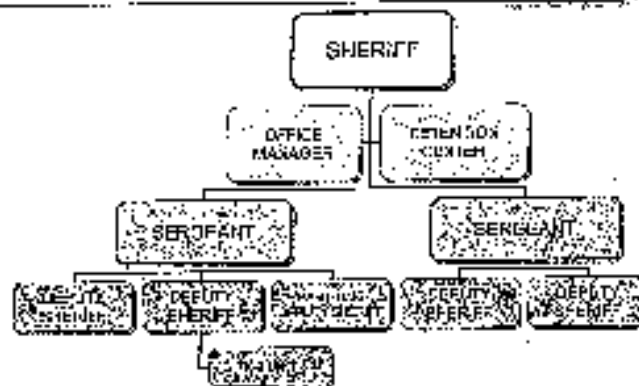
What can citizens of David City expect

- Coverage 24 hour a day, 7 days a week, 365 days a year.
- Deputy Sheriff always on duty within David City
- Enforcement of all state statutes as well as city ordinances.
- Professional, Courteous, and Fair law enforcement
- Timely response to the need of the citizens.
- Over 92 years of law enforcement experience.

How will this be accomplished?

- The Butler County Sheriff's Office currently consist of the sheriff, 6 deputies, and one office person.
- To provide 24/7 coverage for David City, there will be 3 additional deputies added to the staff.
- The deputies will work 10 hour shifts with staggered hours that will allow for 24 hour coverage in David City.

BUTLER COUNTY SHERIFF'S OFFICE CHAIN OF COMMAND



What will David City pay for law enforcement services from Butler County?

- The cost will be \$240,000 per year
- This equates out to be \$20,000.00 per month.
- With this figure it will cost each citizen of David City \$92.41 per person based on 2000 census.
- The contract would coincide with the term of the sheriff. The contract will have a 0%-6% cost of living increase every year.

**What all is taken into consideration
to figure the cost for this proposal?**

- Deputy Salary
- Social Security
- Retirement
- Equipment
- Vehicle Fuel
- Holiday Pay
- Overtime Pay

How this compares to the current cost.

<u>CURRENT</u>	<u>PROPOSED</u>
• \$417,412 per year	• \$240,000 per year
• \$34,784.33 per month	• \$20,000 per month
• \$160.72 per person based on 2000 census	• \$92.41 per person based on 2000 census

**What is the saving to the citizens of
David City?**

- **\$177,412.00 per year**
- **\$14,784.33 per month**
- **\$68.31 per person
based on 2000 census**

What would happen to the current staff and equipment?

- 1. With the addition of 3 deputies to the sheriff's office, all current employees of the David City Police Department will have the opportunity to apply for one of the new positions and go through the open hiring process.
- 2. The equipment currently owned by the police department would be made available for possible purchase by Butler County. This decision to purchase the equipment for a fair price would be made between the sheriff and the mayor/city council. Butler County will not be obligated to purchase all of the equipment. This equipment includes, but not limited to vehicles, guns, radars, ect.....

The major advantages of contract law enforcement were stated to be the development and delivery of professional police services, the development of consistent law enforcement policies and programs, and more proficient handling of serious crimes.

Sources: Study on Consolidated Law Enforcement in Nebraska
Authors: J R Perkins, M C Green

QUESTIONS?

The Council members were asked to randomly vote on their top three choices to explore and pursue further. The vote was as follows:

Council member Scribner:	Options 1, 6, and 7
Council member Rogers:	Options 2, 5, and 9
Council member Kroesing:	Options 1 and 9
Council member Smith:	Options 7, 2, and 9
Council member Yindrick:	Options 2, 7, and 8
Council member Hein:	Options 2, 6, and 9

Therefore, Option 1 received: 2 votes
Option 2 received: 4 votes
Option 3 received: None
Option 4 received: None
Option 5 received: 1 vote
Option 6 received: 2 votes
Option 7 received: 3 votes
Option 8 received: 1 vote
Option 9 received: 4 votes

So the top three choices were:

Option 2: RELOCATE THE POLICE DEPT INTO THE CURRENT CITY HALL

Option 9: HIRE B.C. SHERIFF TO PROVIDE PUBLIC SAFETY TO DAVID CITY

Option 7: BUILD A NEW POLICE DEPARTMENT BUILDING

It was noted that the coffee shop talk is that Henningsen Foods is now interested in a different building and as soon as they get the police department building they were going to trade it immediately. City Administrator Johnson stated that was totally untrue and it has never come up in any of his conversations with Henningsen Foods. "The rumor mill is running it's course."

Economic Development Director Willow Holoubek stated that this is an economic development issue and a service issue. The sale of the police building to Henningsen Foods is a gesture of good will; realizing the economic benefits and the value of their business to the community. Willow stated that it is 80% more costly to recruit a new business; so this would be a very cheap investment.

Citizen Carol Brehm asked how option #9 even got on the list. She stated that this issue should be voted on by the citizens of David City. "This would be taking away the police department that they rely on", she said. Carol stated that the police department should also be given the chance to give a presentation on what they offer the citizens of David City.

Council member Smith made a motion to approve the request of Dale & Carolyn Yates d.b.a. Dale's Food Pride, 634 E Street, to place a pole sign on City property in the Downtown Commercial Area. Council member Rogers seconded the motion. Voting AYE: Council members Yindrick, Scribner, Kroesing, Hein, Rogers, and Smith. Voting NAY: None. The motion carried.

Council member Hein made a motion to approve the application of Firework's Towne Inc. d.b.a. Marv's Fireworks to sell permissible fireworks at Slick Graphix's parking lot, 1831 N

4th Street, David City, Nebraska. Council member Scribner seconded the motion. Voting AYE: Council members Rogers, Kroesing, Smith, Yindrick, Scribner, and Hein. Voting NAY: None. The motion carried.

Council member Scribner made a motion to approve the application of Scott Samek to sell permissible Fireworks at Amigo's parking lot, 375 Nebraska Street, David City, Nebraska. Council member Smith seconded the motion. Voting AYE: Council members Rogers, Kroesing, Yindrick, Hein, Smith, and Scribner. Voting NAY: None. The motion carried.

Council member Smith introduced Ordinance No. 1106. Council member Hein made a motion to add the label "Seasonal" to the Aquatic Center Staff Pay Scales. Council member Yindrick seconded the motion. Voting AYE: Council members Rogers, Scribner, Smith, Kroesing, Yindrick, and Hein. Voting NAY: None. The motion carried.

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

Council member Hein made a motion to pass and adopt Ordinance No. 1106 on the third and final reading. Council member Smith seconded the motion. Voting AYE: Council members Scribner, Kroesing, Rogers, Yindrick, Smith, and Hein. Voting NAY: None. The motion carried and Ordinance No. 1106 was passed and adopted as follows:

ORDINANCE NO. 1106

AN ORDINANCE INCREASING AND INCORPORATING SEASONAL AQUATIC CENTER STAFF INTO THE PAY SCALES FOR APPOINTED OFFICERS AND EMPLOYEES OF THE CITY OF DAVID CITY, NEBRASKA; TO REPEAL ALL ORDINANCES OR PORTIONS OF ORDINANCES IN CONFLICT THEREWITH; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE 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:

SECTION 2. The wages for the Library Director and Librarians are set by the Library Board and therefore are not included.

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Part-Time Staff (Hourly Rate of Pay)

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	X	T	U	V
Years in Position	0	6 mo	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Part-time workers	7.85	8.03	8.21	8.38	8.56	8.74	8.91	9.09	9.27	9.44	9.62	9.80	9.97	10.15	10.33	10.50	10.68	10.86	11.03	11.21	11.39	11.56
Zoning Inspector	15.60	15.86	16.07	16.12	16.19	16.24	16.32	16.37	16.44	16.49	16.56	16.61	16.67	16.72	16.80	16.86	16.92	16.99	17.07	17.12	17.19	17.30
Bartenders	Begin @ \$7.25/hr - experienced up to \$7.75																					
Recycling Workers	Begin @ \$7.25/hr - experienced up to \$7.75																					
Years in Position	1	2	3	4																		
Summer Time Help	7.54	7.80	8.06	8.32																		

SEASONAL - Aquatic Center Staff (Hourly Rate of Pay)

	A	B	C	D	E	F	G	H	I	J
Years in Position	1	2	3	4	5	6	7	8	9	10
Manager	11.00	11.25	11.50	11.75	12.00	12.25	12.50	12.75	13.00	13.25
Asst. Manager	10.56	10.81	11.06	11.31	11.56	11.81	12.06	12.31	12.56	12.81
Head Lifeguard	9.85	10.10	10.35	10.60	10.85	11.10	11.35	11.60	11.85	12.10
WSI Lifeguard	8.45	8.70	8.95	9.20	9.45	9.70	9.95	10.20	10.45	10.70
Lifeguard	7.74	7.84	7.94	8.04	8.14	8.24	8.34	8.44	8.54	8.64
Swimming Lesson Aid	7.25	7.35	7.45	7.55	7.65	7.75	7.85	7.95	8.05	8.15
Water Aerobics Instructor	9.15	9.25	9.35	9.45	9.55	9.65	9.75	9.85	9.95	10.05
Concession	7.25	7.35	7.45	7.55	7.65	7.75	7.85	7.95	8.05	8.15
Games/Cleaning	7.25	7.35	7.45	7.55	7.65	7.75	7.85	7.95	8.05	8.15

Salaried Staff (Annual Rate of Pay)

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	X	T	U	V
Years in Position	0	6 mo	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
<u>Salaried Staff</u>																						
Clerk/Treasurer	30,406	31,346	32,315	33,315	34,345	35,407	36,502	37,631	38,795	39,995	41,232	42,507	43,822	45,177	46,575	48,015	49,500	50,985	52,515	54,090	55,713	57,384

Full-Time Staff (Hourly Rate of Pay)

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	X	T	U	V
Years in Position	0	6 mo	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
<u>Office Staff</u>																						
Clerical I	10.54	10.67	10.80	10.95	11.09	11.22	11.37	11.49	11.64	11.79	11.92	12.06	12.20	12.33	12.48	12.62	12.74	12.90	13.04	13.17	13.31	13.44
Police Clerical	9.99	10.38	10.58	10.73	10.81	10.88	10.95	11.04	11.14	11.24	11.37	11.45	11.55	11.63	11.70	11.78	11.84	11.89	11.95	12.03	12.11	12.18
Acct Clerk I	10.61	10.75	10.95	11.12	11.32	11.47	11.65	11.85	11.99	12.19	12.37	12.54	12.71	12.90	13.08	13.27	13.41	13.57	13.72	13.87	14.06	14.21
Acct Clerk II (includes .50/hr for CMC)	13.63	13.94	14.12	14.30	14.44	14.55	14.64	14.86	15.04	15.24	15.42	15.66	15.86	16.00	16.13	16.27	16.42	16.56	16.69	16.86	17.01	17.17

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Years in Position	A 0	B 6 mo	C 1	D 2	E 3	F 4	G 5	H 6	I 7	J 8	K 9	L 10	M 11	N 12	O 13	P 14	Q 15	R 16	X 17	T 18	U 19	V 20
Utility Staff																						
Power Plant Operator I	11.12	11.32	11.54	11.79	11.99	12.24	12.47	12.69	12.92	13.16	13.38	13.66	13.87	14.11	14.35	14.57	14.84	15.05	15.30	15.55	15.78	16.05
Power Plant Operator	13.44	14.04	14.66	14.85	15.03	15.25	15.54	15.83	16.14	16.44	16.75	17.04	17.25	17.43	17.64	17.85	18.04	18.24	18.46	18.65	18.75	18.84
Power Plant Operator III	17.12	17.33	17.49	17.71	17.86	18.03	18.21	18.37	18.57	18.74	18.91	19.13	19.30	19.49	19.69	19.87	20.05	20.26	20.45	20.62	20.82	21.02
Apprentice Lineman	12.94	13.30	13.48	13.67	13.77	13.87	14.02	14.19	14.37	14.54	14.72	14.90	15.06	15.19	15.30	15.42	15.55	15.66	15.77	15.86	16.03	16.12
Line worker II	15.38	15.71	15.89	16.12	16.23	16.36	16.49	16.68	16.88	17.07	17.30	17.48	17.67	17.84	17.99	18.14	18.26	18.39	18.53	18.68	18.82	19.00
Line worker I	18.23	18.62	18.79	19.00	19.13	19.26	19.42	19.62	19.85	20.05	20.27	20.46	20.70	20.83	20.99	21.14	21.30	21.46	21.62	21.76	21.89	22.06
Line Foreman	19.24	19.91	20.04	20.32	20.49	20.65	20.85	21.11	21.37	21.64	21.91	22.17	22.44	22.59	22.79	22.95	23.15	23.31	23.49	23.67	23.81	24.00
Water/Sewer Operator I	11.12	11.43	11.60	11.79	11.90	11.99	12.12	12.30	12.49	12.67	12.86	13.05	13.25	13.35	13.49	13.64	13.76	13.89	14.04	14.18	14.32	14.46
WAISE Op I w Grade VI	11.77	12.06	12.24	12.42	12.53	12.64	12.74	12.93	13.12	13.30	13.49	13.69	13.86	14.01	14.12	14.26	14.40	14.53	14.64	14.83	14.94	15.07
WAISE Operator II	13.42	13.63	13.80	14.01	14.19	14.39	14.56	14.79	14.94	15.14	15.34	15.55	15.75	15.92	16.15	16.34	16.55	16.76	16.95	17.15	17.37	17.57
WAISE Op I I w Gr VI	14.06	14.24	14.44	14.60	14.83	15.00	15.19	15.38	15.59	15.76	16.00	16.16	16.36	16.56	16.78	16.97	17.16	17.38	17.58	17.79	17.99	18.19
WAISE Op III w Gr VI	16.07	16.42	16.59	16.76	16.88	16.99	17.11	17.34	17.52	17.63	17.87	18.08	18.28	18.41	18.56	18.68	18.80	18.94	19.06	19.21	19.34	19.49
Waste Water Plant Operator	15.16	15.51	15.67	15.83	16.00	16.09	16.19	16.39	16.59	16.76	16.93	17.12	17.35	17.47	17.60	17.74	17.87	17.99	18.11	18.25	18.39	18.53
City Maintenance Staff																						
Laborer I	8.25	8.46	8.51	8.67	8.75	8.82	8.89	9.01	9.11	9.20	9.32	9.43	9.54	9.60	9.68	9.77	9.83	9.89	9.96	10.04	10.10	10.16
Laborer II	10.99	11.34	11.48	11.67	11.79	11.90	11.99	12.18	12.34	12.52	12.69	12.86	13.04	13.15	13.27	13.36	13.49	13.62	13.72	13.82	13.94	14.07
Maintenance Worker I	11.25	11.54	11.68	11.84	11.92	12.02	12.12	12.28	12.44	12.58	12.73	12.91	13.08	13.18	13.30	13.41	13.53	13.66	13.76	13.86	14.01	14.12
Maintenance Worker II	11.85	12.13	12.30	12.47	12.56	12.67	12.78	12.96	13.15	13.31	13.48	13.67	13.83	13.97	14.10	14.24	14.37	14.50	14.60	14.76	14.89	15.02
Street Foreman	14.88	15.27	15.44	15.66	15.78	15.89	16.07	16.23	16.44	16.64	16.85	17.01	17.24	17.36	17.48	17.62	17.74	17.88	18.01	18.14	18.27	18.41
Police Staff																						
Police Officer	13.70	13.98	14.14	14.31	14.42	14.53	14.62	14.82	14.94	15.11	15.30	15.48	15.67	15.78	15.92	16.06	16.16	16.29	16.42	16.52	16.64	16.75
Sergeant	16.38	16.73	16.92	17.11	17.28	17.47	17.63	17.73	17.86	18.05	18.26	18.46	18.66	18.80	18.94	19.09	19.23	19.38	19.54	19.67	19.80	19.98
Department Supervisors																						
Park & Aud Supt.	14.82	15.20	15.38	15.59	15.74	15.85	16.02	16.20	16.43	16.64	16.86	17.05	17.30	17.46	17.62	17.79	17.93	18.10	18.27	18.42	18.61	18.77
Licensed Street Supt.	19.18	19.52	19.69	19.86	19.98	20.08	20.21	20.36	20.55	20.72	20.88	21.05	21.24	21.34	21.46	21.57	21.69	21.80	21.91	22.04	22.14	22.29
Water Super w/Gr VI	18.45	18.65	18.84	19.04	19.24	19.44	19.64	19.83	20.03	20.23	20.74	20.62	20.82	21.02	21.22	21.41	21.61	21.81	22.01	22.20	22.40	22.60
Wastewater Super w/Gr VI	18.45	18.65	18.84	19.04	19.24	19.44	19.64	19.83	20.03	20.23	20.74	20.62	20.82	21.02	21.22	21.41	21.61	21.81	22.01	22.20	22.40	22.60
Power Plant Supervisor	18.90	19.46	19.73	19.99	20.14	20.35	20.52	20.79	21.04	21.31	21.58	21.82	22.10	22.27	22.45	22.61	22.79	22.96	23.12	23.31	23.47	23.67
Police Chief	18.24	18.90	19.24	19.57	19.80	20.02	20.26	20.58	20.94	21.26	21.59	21.92	22.27	22.48	22.71	22.94	23.16	23.37	23.61	23.85	24.06	24.30
Electric Supervisor	21.55	22.21	22.54	22.88	23.10	23.33	23.57	23.92	24.24	24.55	24.90	25.23	25.57	25.77	26.01	26.26	26.46	26.69	26.92	27.14	27.33	27.57

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 on July 1, 2009 following its passage, approval, and publication as provided by law and city ordinance.

PASSED AND APPROVED this 10th day of June, 2009.

ATTEST:

Mayor Dana Trowbridge

City Clerk Joan E. Kovar

At 9:40 p.m. Council member Kroesing left the meeting for a brief time. He returned at 9:42 p.m.

Council member Yindrick introduced Resolution No. 16 - 2009 and moved for its passage and adoption. Council member Smith seconded the motion. Voting AYE: Council members Rogers, Hein, Scribner, Smith, and Yindrick. Voting NAY: None. Council member Kroesing was absent. The motion carried and Resolution No. 16 - 2009 was passed and approved as follows:

RESOLUTION NO. 16 - 2009

WHEREAS, the Mayor and City Council of the City of David City, Nebraska, have authority, by virtue of Chapter 3, Article 3, §3-810, and Chapter 3, Article 2, §3-214 of the Municipal Code of the City of David City, Nebraska, to establish the amounts of service deposits to be charged to customers, and

WHEREAS, it is necessary to adjust the fees for service deposits, and the requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, that a service deposit for electrical service shall be required of all new subscribers for such services as a guarantee of payment. The amounts of such deposits and the administrative policies governing them shall be established by the City Administrator and approved by the City Council, and shall be on file at the City Office. The funds from deposits shall be invested by the City Treasurer and the income from the investment shall be used for the repair and maintenance of the electrical system.

CALCULATION OF SERVICE DEPOSIT:

Residential Customer:

Customer owned property \$50.00

Customer renting property \$300.00

(Renter shall pay at least \$200.00 immediately and then may make arrangements to pay the additional \$100 deposit over a two month period.)

In the event a customer previously lived in David City, they will still be required to make a deposit when they request service.

If the customer previously left town owing utility bills, then the customer will be required to pay all outstanding bills, plus 14% interest per year on the outstanding amount, and the required deposit will be as follows:

Customer owned property \$100.00

Customer renting property \$350.00

In the event of a divorce, separation, or split of tenants, the original deposit will apply to the property that the deposit was made for, regardless of which party

actually made the deposit. If the party moving out relocates in David City, another service deposit will be required for this property.

Service deposit amounts shall be returned after the residential customers have established twenty-four consecutive months of utility bill payment without having been delinquent in payment.

Commercial Customer:

Customer owned property \$500.00

(Service deposit amounts shall be returned after the commercial customers have established five (5) consecutive years of utility bill payment without having been delinquent in payment.)

Customer renting property \$500.00

(Service deposit shall remain on file while renting.)

Transfer of ownership of existing business:

Customer shall make a deposit equal to the average billing for the previous twelve months or \$500.00, which ever is greater.

(Service deposit amounts shall be returned after the commercial customers have established five(5) consecutive years of utility bill payment without having been delinquent in payment.)

(Average Billing shall be based on all existing services: Electric, Water, Sewer, Sales Tax, and any other applicable charges.)

New Commercial Installation:

Customer shall make a service deposit equal to two times the average monthly billing or \$500.00, which ever is greater. The estimated KWH for billing shall be calculated by using the required KWH, if known, or if unknown, using a minimum of 15kw multiplied by 200 hours. The monthly average cost per kilowatt hour for commercial class customers shall be used in calculating the actual dollar amount of billing.

Industrial Customer:

New or transfer of ownership of existing business:

Customer shall make a service deposit equal to two times the estimated monthly billing or \$500.00, which ever is greater. The estimated KWH for billing shall be calculated by using the required KW multiplied by 200 hours. The average cost per kilowatt hour for Industrial Class Customers shall be used in calculating the actual dollar amount of billing.

A service deposit for electrical service shall be considered sufficient to cover water and/or sewer service, also. **If a customer does not use City electric service**, but does have

City water service, then a service deposit shall be required. A water service deposit based upon meter size and utilizing two months average billing shall be required.

Service deposits in the following amounts shall be paid for these meter size services:

5/8 x 3/4 meter	\$20.00
3/4" meter	\$25.00
1" meter	\$70.00
1 2 " meter	\$150.00
2" meter	\$425.00
3" meter	\$575.00
4" meter	\$600.00

BE IT RESOLVED, that all motions and/or resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this resolution shall be in full force and effect immediately upon its adoption.

PASSED AND APPROVED this 10th day of June, 2009.

Mayor Dana Trowbridge

City Clerk Joan E. Kovar

The Council discussed setting a date, time, and place to continue elected leaders training with Dr. Bill Podraza. Council member Scribner stated that he may be out of town on business and may not be available until September. Mayor Trowbridge stated that it would not be feasible and/or successful unless all of the council members could be present. No action was taken.

Council member Scribner made a motion to purchase 594 compact fluorescent lamps (CFL's) at a cost of \$980.56 and donating such to the David City Housing Authority (Sunshine Court), which would result in a ten year savings to the David City Housing Authority of approximately \$7,000 in electric costs if each light were on for one hour per day. Council member Hein seconded the motion. Voting AYE: Council members Smith, Yindrick, Kroesing, Rogers, Hein, and Scribner. Voting NAY: None. The motion carried.

Council member Smith made a motion to approve the request of Owner-Occupied Housing Rehabilitation Application No. 51 in the amount of \$7,282.00 of the CDBG Housing Reuse Program. Council member Scribner seconded the motion. Voting AYE: Council members Yindrick, Kroesing, Hein, Rogers, Scribner, and Smith. Voting NAY: None. The motion carried.

Council member Scribner made a motion to approve the request of Down-payment Assistance Application No. 52 in the amount of \$5,000 of the CDBG Housing Reuse Program. Council member Yindrick seconded the motion. Voting AYE: Council members Kroesing, Hein, Rogers, Smith, Yindrick, and Scribner. Voting NAY: None. The motion carried.

Council member Smith made a motion to approve the request of Down-payment Assistance Application No. 53 in the amount of \$5,000 of the CDBG Housing Reuse Program. Council member Rogers seconded the motion. Voting AYE: Council members Kroesing, Hein, Yindrick, Scribner, Rogers, and Smith. Voting NAY: None. The motion carried.

City Administrator Joe Johnson stated that Loan #5-2009 was actually approved for \$13,000 rather than \$16,000. Therefore, Council member Smith made a motion to approve the request of Economic Development Loan #5-2009 in the amount of \$13,000. Council member Kroesing seconded the motion. Voting AYE: Council members Scribner, Yindrick, Hein, Rogers, Kroesing, and Smith. Voting NAY: None. The motion carried.

Council member Rogers introduced Resolution No. 17-2009 and moved for its passage and adoption. Council member Smith seconded the motion. Voting AYE: Council members Scribner, Kroesing, Hein, Yindrick, Smith, and Rogers. Voting NAY: None. The motion carried and Resolution No. 17 - 2009 was passed and approved as follows:

RESOLUTION NO. 17 - 2009

A RESOLUTION OF THE CITY OF DAVID CITY, NEBRASKA, SUPPORTING AN EXPANSION OF THE PERMIT LIMITS OF THE BUTLER COUNTY LANDFILL, INC.

WHEREAS, the City of David City, Nebraska (hereinafter referred to as "David City") is an independent body of government;

WHEREAS, the County of Butler County, Nebraska is an independent body of government;

WHEREAS, Butler County Landfill, Inc. wishes to expand its current permitted limits;

WHEREAS, the Butler County Board of Commissioners have the responsibility to review and approve expansions of Butler County Landfill, Inc. beyond its current permitted limits;

WHEREAS, Butler County Landfill, Inc. has been a member of the business community for approximately 23 years and provided an economic benefit of \$730,000 per year in Butler County;

WHEREAS, David City, Timberline Energy, LLC, Butler County Landfill, Inc., and Henningsen Foods Inc. have begun producing and using methane gas; and

WHEREAS, David City is considering the use of methane gas from the Butler County Landfill, Inc. to fuel a methane generator(s) for the production of electric energy, which will provide the citizens of David City with a sustainable energy source for the next forty (40) years;

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

1. The City of David City, Nebraska, does hereby support the expansion of the permitted limits of the Butler County Landfill, Inc.; and
2. The City of David City, Nebraska, does hereby respectfully recommend that the Butler County Board of Supervisors reach a mutual agreement with Butler County Landfill, Inc. to allow an expansion of the permitted limits of the Butler County Landfill, Inc.

PASSED AND APPROVED this 10th day of June, 2009.

Mayor Dana Trowbridge

ATTEST

City Clerk Joan E. Kovar

There being no further business to come before the Council, Council member Yindrick made a motion to adjourn. Council member Hein seconded the motion. Voting AYE: Council members Kroesing, Smith, Scribner, Rogers, Hein, and Yindrick. Voting NAY: None. The motion carried and Mayor Trowbridge declared the meeting adjourned at 9:52 p.m.

Mayor Dana Trowbridge

City Clerk Joan E. Kovar



CERTIFICATION OF MINUTES
June 10, 2009

I, Joan E. Kovar, duly qualified and acting City Clerk for the City of David City, Nebraska, do hereby certify with regard to all proceedings of June 10, 2009; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that the minutes of the meeting of the City Council of the City of David City, Nebraska, were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided with advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Joan E. Kovar, City Clerk