

## CITY COUNCIL PROCEEDINGS

May 28, 2008

The Mayor and City Council of the City of David City, Nebraska met in open public session at 6:00 p.m. on May 28, 2008 in the meeting room of the City Office, 557 4th Street, David City, Nebraska. The Mayor declared this an Emergency Council Meeting so advance notice by publication was not possible. In lieu of publishing, the notice was posted at five locations in David City. 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 Smith, Bill Scribner, Nick Hein, Ted Lukassen, Bill Schatz, and Bill Yindrick, City Administrator Joe Johnson, and Deputy City Clerk Tami Comte.

Also present were: Police Chief Stephen Sunday, Electric Supervisor Pat Hoefft, Blue Valley Community Action Coordinator Angie Peirce, Economic Development Director Willow Holoubek and Banner Press Editor Larry Peirce.

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.

Mayor Trowbridge stated that the reason for the emergency/special meeting was amendments to the pipeline lease agreement with Timberline Energy. It was discussed that a letter of credit was preferable to a bond. A letter of credit would be easier to access and would have the same level of scrutiny as a bond. Discussion followed.

Council member Schatz made a motion to amend the proposed lease agreement with Timberline Energy, L.L.C. to include an irrevocable letter of credit assigned to the City of David City which effectively overrides the motion to provide a project bond and a performance bond. Council member Lukassen seconded the motion. Discussion followed.

Council member Hein made a motion to amend the motion made by Council member Schatz to remove bond inserted in #20 with letter of credit. Council member Scribner seconded the motion. Voting AYE: Council members Hein, Scribner, Lukassen, Smith, Yindrick, and Schatz. Voting NAY: None. The motion carried.

Voting AYE on the original motion: Council members Schatz, Lukassen, Smith, Hein, Yindrick and Lukassen. Voting NAY: None. The motion carried.

There being no further business to come before the Council, Council member Schatz made a motion to adjourn. Council member Yindrick seconded the motion. Voting AYE:

Council members Scribner, Schatz, Hein, Lukassen, Smith and Yindrick. Voting NAY: None. The motion carried and Mayor Trowbridge declared the meeting adjourned at 6:15 p.m.

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Mayor Dana Trowbridge

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Deputy City Clerk Tami L. Comte



CERTIFICATION OF MINUTES  
May 28, 2008

I, Tami L. Comte, duly qualified and acting Deputy City Clerk for the City of David City, Nebraska, do hereby certify with regard to all proceedings of May 28, 2008; 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.

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Tami L. Comte, Deputy City Clerk