

CITY COUNCIL PROCEEDINGS

February 24, 2021

The City Council of the City of David City, Nebraska, met in open public session at 7:00 p.m. in the lower level of the David City Auditorium at 699 Kansas Street, David City, Nebraska. The Public had been advised of the meeting by publication of notice in The Banner Press on February 18, 2021, and an affidavit of the publisher is on file in the office of the City Clerk. The Mayor and members of the City Council acknowledged advance notice of the meeting by signing the Agenda which is a part of these minutes. The advance notice to the Public, Mayor, and Council members conveyed the availability of the agenda, which was kept continuously current in the office of the City Clerk and was available for public inspection on the City's website. No new items were added to the agenda during the twenty-four hours immediately prior to the opening of the Council meeting. The meeting was held at the City Auditorium due to the COVID-19 pandemic so as to incorporate social distancing strategies. [It is recommended that individuals be kept at least 6 feet apart.]

Present for the meeting were: Council President Kevin Hotovy, Council members Pat Meysenburg, Tom Kobus, Bruce Meysenburg, John Vandenberg, City Attorney Pro Tem Joanna Uden, City Administrator Clayton Keller and City Clerk Tami Comte. Mayor Alan Zavodny and Council member Jessica Miller were absent.

Also present for the meeting were: Special Projects Coordinator Dana Trowbridge, Park/Auditorium employee Nathan Styskal, Swimming Pool Manager John Svec, Swimming Pool Assistant Manager Yvonne Wendt, Planning Commission member Janis Cameron, Sheriff Tom Dion, Gerald Kosch, Darcy Betzen, and Banner-Press reporter Molly Hunter.

The meeting opened with the Pledge of Allegiance.

Council President Kevin Hotovy informed the public of the "Open Meetings Act" posted on the north wall of the meeting room and asked those present to please silence their cell phones.

Council member Pat Meysenburg made a motion to approve the minutes of the February 10, 2021 meeting as presented. Council Member Tom Kobus seconded the motion. The motion carried. Kevin Hotovy: Yea, Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Absent, John Vandenberg: Yea
Yea: 5, Nay: 0, Absent: 1

Council member Tom Kobus made a motion to approve progress estimate #4 for Kirkham Michael in the amount of \$7,206.30 for the 93Y Fuel Project. Council Member Pat Meysenburg seconded the motion. The motion carried. Kevin Hotovy: Yea, Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Absent, John Vandenberg: Yea
Yea: 5, Nay: 0, Absent: 1

City Administrator Clayton Keller said, "Olsson's is changing the way they do their contracts with municipalities. Their format now is to have a master services agreement and each project that they do for us, they are calling it a work order. So, we're just asking the Council to approve us to enter into the master services agreement and these two work orders. One work order is for Aaron to use them for Scada services and the other one is to use them for city engineering and Street Superintendent services."

Council member Tom Kobus made a motion to approve the Master Services Agreement, Work Order #1 and Work Order #2 with Olsson for Municipal On-Call Services and Authorizing City Administrator Clayton Keller and Interim Water Supervisor Aaron Gustin to approve. Council Member Pat Meysenburg seconded the motion. The motion carried.

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

Yea: 5, Nay: 0, Absent: 1

City Administrator Clayton Keller said, "This is where we invite John and Yvonne to come up and discuss our plan for the pool season this year with the Council."

Swimming Pool Manager John Svec said, "I'm very happy that we're starting this discussion in February, rather than April or May, like we usually do. Staffing the pool was on here and I've even started earlier than normal with staffing. I'm very optimistic about our staffing, especially when it comes to lifeguards. We are already, right now, better than what we were at the end of the previous season with two more lifeguards than what we had, like I said, at the end of February. That is very positive. For managers, with Yvonne and I, we have a couple of others, Carter Ossian and Ella Hilger that would be willing to be assistant managers. In that we are better off than we had been in probably the past five years. I'm very enthused about that. I would like to present one particular problem and that is one of the gals that we're going to hire also wants to have a younger sister that would like to lifeguard and we have had some issues with that in the past, in terms of having a manager in a management position with a sibling that is on the lifeguarding staff."

City Clerk Tami Comte asked Svec, "So, one would be supervising the other?"

Swimming Pool Manager John Svec said, "Right."

Council President Kevin Hotovy said, "Do you foresee issues?"

Swimming Pool Manager John Svec said, "I don't. I haven't in the past. I guess if it would be something where we could have them work different shifts or anything like that, but I do not foresee any issues with it."

Council President Kevin Hotovy said, "I personally, as long as we have staff, I don't see an issue."

Swimming Pool Manager John Svec said, "That has been something that we've been dealing with since I started in 2008. We had an issue in around 2006. Perhaps it would be something for the Council to discuss."

Council President Kevin Hotovy said, "You know, and I don't want to speak for everyone, but I have a lot of confidence in you guys being able to police that and to make sure that things are handled correctly."

Swimming Pool Manager John Svec said, "Especially in the case where it's an assistant manager."

Council member Bruce Meysenburg said, "John, are you on board with the staffing coming under the recreation coordinator?"

Swimming Pool Manager John Svec said, "I'm sorry, I didn't have a chance to meet with Will. I can't say because I don't know what the relationship would be between us."

Council member Bruce Meysenburg said, "That's basically what we're voting on."

City Administrator Clayton Keller said, "I was talking with Will a little bit about this, this week and our thoughts were that I'd like to keep Will separated from the pool during the pool season, as much as we could, because Will will be involved with the baseball and the softball and any other activities that he has going on during the summer. This item with the staffing, Will did say that if they need help getting the pool staffed, finding lifeguards, he would be more than willing to help out with that."

Council President Kevin Hotovy said, "In relation to what this agenda item is..."

City Administrator Clayton Keller said, "This agenda item covers that. Do we want to add staffing the pool to Will's job description? Then, yes, you can pass this item."

Council President Kevin Hotovy said, "Do we need to? I know that it was brought up at the last meeting, but..."

City Administrator Clayton Keller said, "You probably don't need to. It's something that I can adjust administratively, since I wrote the job description."

Council member Pat Meysenburg said, "I think for this year, he's going to have his hands full."

Council President Kevin Hotovy said, "I can completely agree with you. This is the most enthusiasm that I've seen out of John since I've been on the Council for looking at the beginning of the swimming season. I don't mean any disrespect by saying that, but it sounds like we're headed in a good direction. Staffing has always been the crux."

Swimming Pool Manager John Svec said, "Yes. Especially lifeguards. I don't know what kind of title you have for Will or what you want him to do, but I will take any help."

Darci Betzen said, "Now that you have Will, can you use this year to maybe, as he goes through the season, 'Hey, this is something that I need help with', something that might be a good idea?"

Council President Kevin Hotovy said, "Sure. Absolutely. I'm sure that you could lean on him. I can say that this first year Will has got a lot going on. Before we go to the floor, what else have you got, John?"

Swimming Pool Manager John Svec said, "Just some of the things that appeared in the article there, they started talking about a longer season and about longer hours. Just out of experience, I'm especially against the longer season that would go after school starts and after fall practices start. In our experience, we tried it for what, Yvonne, three years? Which would be August 10th all the way through up until Labor Day. We did try it and it was just totally unsuccessful. I would imagine if there had been a cost analysis for it to run all that equipment and chemicals and things through there to come to the weekends where it was open, there couldn't have been twenty-five people there on those weekends. Everybody always says, 'oh, I wish that you would stay open longer', but nobody uses it after the time that school starts. So, I

can go on record as saying that a longer season, unless we would open up a little bit earlier, but going longer up to Labor Day has not been successful in the past. It has been five or six years since we tried that. That's in addition to having all of the staff that we have that is in school or in sports and all of those extracurricular activities. In the summertime we can get them but once school starts it's very tough. Also, in the article there was something about longer hours. We're already open later than Wahoo and I don't know about Seward. Schuyler is only open until eight. Once it gets to be seven-thirty or eight o'clock, it's not feasible to stay open longer. We did have the idea of having more special nights or something like that, instead of longer hours. Also, in the article there was something about lessons being in question. I'm just asking, I don't know what the rules and regulations are. The swimming lessons that we have are just an integral part of the summer for our lifeguards and for the youth of the community. I just cannot see where part of what we do at the pool is having swimming lessons and I'm hoping and begging that those stay on."

Council President Kevin Hotovy said, "Yes. Kids need to learn how to swim."

Swimming Pool Manager John Svec said, "It's a big part. Tami would be better able to tell you about the revenue from lessons. There is revenue for the City in that, as well. I just have two other things. I know that it's only February but working with Aquinas on concessions and things like that, I don't know if it would even be feasible to start to discuss what we're going to do with those, especially with the changes that we have with food preparation. If those could be discussed, we certainly would want to know about that. I don't know if there is going to be any COVID-19 restrictions come May or June. Here, again, things are obviously going to change over the course of March, April and part of May, but I just can't see where there would be any restrictions for this. I would be basing this on pools that were open, even, last summer, like Wahoo and Seward. They had no problems, even last summer. I'm just bringing up some of the questions that have come to me and things that appeared in the article that you may be getting questions about."

Council member Bruce Meysenburg said, "Do you generally open Memorial Day weekend?"

Swimming Pool Manager John Svec said, "Yes. Saturday before Memorial Day."

Council member Bruce Meysenburg said, "Maybe if we could back it up a week."

Swimming Pool Manager John Svec said, "Yeah, I don't know about a week, but we could certainly look at during that week. A week before that might be a little bit tough. Even a few days, I would be open to having an early opening."

Council President Kevin Hotovy said, "Is there any other discussion for John while he's at the microphone?"

Dana Trowbridge said, "Do we have an extremely clear definition of staffing? Who has the ultimate control over the staff as far as correcting behavior, disciplining the staff and terminating the staff? One person has to have that. I'm afraid we may confuse that if we don't have a clear definition."

Swimming Pool Manager John Svec said, "As the manager, that is ultimately on me, in consultation with Yvonne Wendt as the Assistant Manager."

Council President Kevin Hotovy said, "What should we do with this? Should we just not vote on it or should we kill it?"

City Attorney Pro Tem Joanna Uden said, "If you know that you don't want to utilize it you could kill it, it's your call."

Council President Kevin Hotovy made a motion to approve adding staffing at the Swimming Pool as part of the Recreation Coordinator's job duties. The motion was not seconded and therefore died for lack of a second.

Council member Tom Kobus made a motion to approve the application by Ka-Boomer's Enterprises, Inc. to sell permissible fireworks at 1510 4th Street. Council Member Pat Meysenburg seconded the motion. The motion carried.

Kevin Hotovy: Yea, Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Absent, John Vandenberg: Yea
Yea: 5, Nay: 0, Absent: 1

City Administrator Clayton Keller said, "Will and I would like to add the baseball and softball field charges to our rental fee schedule that we have for the auditorium, track, football field, etc. In the Resolution, it should show you those fees that we have set out. It's twenty dollars for the use fee and then if they are having games there is an additional charge so that we can have money to pay the umpires. They are pretty minimal charges, to be honest, to keep it affordable for anybody who wants to rent the fields."

Council President Kevin Hotovy said, "This would be above and beyond what our recreation program is going to be using fields?"

City Administrator Clayton Keller said, "Yes. Our rec program will use the fields for free and anybody else that wants to rent the fields, a club team or a birthday party, would pay a fee."

Council member Tom Kobus made a motion to pass and approve Resolution No. 1-2021 setting the baseball/softball field charges. Council Member Bruce Meysenburg seconded the motion. The motion carried.

Kevin Hotovy: Yea, Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Absent, John Vandenberg: Yea
Yea: 5, Nay: 0, Absent: 1

RESOLUTION NO. 1 – 2021

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

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

Municipal Auditorium Rental

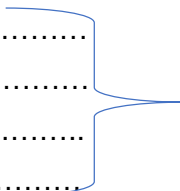
Lower Level 8 a.m. to 6 p.m.\$275.00

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

Municipal Auditorium - Bar Charges

** Renters must use the city bartenders*

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

Beer	\$ 3.00 / beer
Whiskey	 \$35.00 / liter - minimum price Prices vary according to Brands
Vodka	
Rum	
Peach Schnapps	
Pop	\$.50
Keg of Beer	\$200.00 / keg
Beer / mixed drinks with rental agreement for reception.....	\$ 2.75 / drink

Schweser House and Campground

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

Municipal Gym Rental

Per hour charge	\$20.00 / hr.
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Football Field Rental

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

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

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

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

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

Municipal Running Track Rental

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

Football Practice Field

Football Practice Field - per hour; Locker Room	\$20.00
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Baseball/Softball Field Rental

Baseball/Softball Field Use Fee	\$10.00/hr.
Softball Game (per game per day).....	\$70.00
Baseball Game 10 & under (per game per day).....	\$70.00
Baseball Game 12 & over (per game per day)	\$90.00
Clean-up Fee	\$75.00 *

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

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

Dated this 24th day of February, 2021.

Council President Kevin Hotovy

City Clerk Tami L. Comte

City Administrator Clayton Keller said, "I have an update for the Council on where we're at with this. The appraiser made another visit last Saturday. He's got all of the information that he needs to start wrapping up his project, so he'll have his appraisal to us soon. I don't have a date for that yet. I was able to contact the company that installed the boiler and they are going to send out an HVAC tech on Monday, so he'll take a look at the whole HVAC system for us on Monday. I got in contact with the roofer who did the last roof update and they will have a guy out here, fingers crossed, the end of next week. The Fire Marshal did a walk-through of the building with our building inspector and told us that we would not need to do sprinklers on the first floor or the second floor with the number of exits that they have. He would like to see us install fire alarm systems and a few other fire rated doors in a few locations, but we would not need to install a fire sprinkler system on the first or second floors."

Council member Bruce Meysenburg made a motion to table consideration of an offer to purchase the former U.S. Bank building located at 490 "E" Street and plans regarding the building usage. Council Member Pat Meysenburg seconded the motion. The motion carried.

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

Yea: 5, Nay: 0, Absent: 1

There being no further business to come before the Council, Council member Kevin Hotovy made a motion to adjourn. Council Member Tom Kobus seconded the motion. The motion carried and Council President Hotovy declared the meeting adjourned at 7:23 p.m.

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

Yea: 5, Nay: 0, Absent: 1

CERTIFICATION OF MINUTES

February 24, 2021

I, Tami Comte, duly qualified and acting City Clerk for the City of David City, Nebraska, do hereby certify with regard to all proceedings of February 24, 2021; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that the minutes of the meeting of the City Council of the City of David City, Nebraska, were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided with advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Tami Comte, City Clerk