

CITY COUNCIL PROCEEDINGS

June 9, 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 June 3, 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: Mayor Alan Zavodny, Council members Tom Kobus, Jessica Miller, Bruce Meysenburg and Pat Meysenburg, City Attorney Joanna Uden, City Administrator Clayton Keller and City Clerk Tami Comte. Council member John Vandenberg was absent. A vacancy exists in Ward 2.

Also present for the meeting were Interim Water Supervisor Aaron Gustin, Bone Creek Museum of Agrarian Arts Collections Manager Gabrielle Comte, Special Projects Coordinator Dana Trowbridge, Olsson Public Engagement Specialist Suzanne Brodine, Bob Kobza of Kobza Ag and Home, Darci Betzen, Park/Auditorium employee Nathan Styskal, Banner-Press reporter Molly Hunter and Sheriff Tom Dion.

The meeting opened with the Pledge of Allegiance.

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

Council member Pat Meysenburg made a motion to approve the minutes of the May 26, 2021 meeting of the Mayor and City Council as presented. Council Member Bruce Meysenburg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent Yea: 4, Nay: 0, Absent: 1

Council member Tom Kobus made a motion to approve the claims as presented. Council Member Pat Meysenburg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent Yea: 4, Nay: 0, Absent: 1

Mayor Zavodny stated that he had City Clerk Comte send out questionnaires to the 2nd Ward Council candidates on Monday, June 7th and since they had not had time to complete and return them, he asked the Council to table the appointment of a 2nd Ward Council member to the next regular meeting.

Council member Jessica Miller made a motion to table the appointment for the vacancy in the 2nd Ward to the June 23, 2021 meeting. Council Member Pat Meysenburg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent Yea: 4, Nay: 0, Absent: 1

Interim Water Supervisor Aaron Gustin introduced himself and said, "I wanted to bring the Council up to speed in regard to a couple of situations that we had last week at the Wastewater Treatment Plant. We are currently in process of installing the final two actuators that were in dire need of replacement. The recommendation is every five to eight years to replace them and the ones that were on the basins were originals so they needed to be replaced. The Auma actuators that we received are very sensitive to induced voltage and so we had Commonwealth Electric from Columbus come out and take a look. They are very experienced in terms of wastewater. They work on the Columbus wastewater treatment plant. They found that our PLC electrical junction box at the basins was extremely unsafe. Both, Jared with Olsson's and Landon with Commonwealth were shocked multiple times at both panels."

Council member Tom Kobus said, "Why do we have to wait until someone is almost killed before we look at this? If Olsson's and whoever else knew it, why didn't they look at it then?"

Interim Water Supervisor Aaron Gustin said, "I understand your question. I'm not one hundred percent sure that those individuals were aware of the situation. I worked around those PLC's and that junction box for years before I knew. Typically, we work with a local electrician in emergent situations. We had someone else come in because Mr. Vandenberg was not available and in trying to diagnose the issue with our actuators, the unsafe situation was found. There were pictures, I believe, submitted to you in the packet, in regard to this. The electrician working on the project was questioning how that ever passed final inspection, in regard to that. They are currently working on fixing that issue. They found multiple live wires that were not grounded properly, so we had to have a ground wire run to the PLC, that way the induced voltage has somewhere to go. That induced voltage, anywhere between fifty and ninety volts, multiple times, is what the actual charge was. Short of sticking a key in an outlet, it's quite a bit. They are working on that now. The actuators were so sensitive to that induced voltage within the conduit that they would actuate on their own and therefore, completely negate the process of the SBR's which, at this time, is our only treatment."

Council member Tom Kobus said, "If something is going to ground, that's bad news."

Interim Water Supervisor Aaron Gustin said, "So they are fixing it tomorrow and we are planning an eight to ten hour shut down of the basins. We will redirect the flow to the anaerobic lagoon which we will use for storage. We do have capacity in that for that shut down. They are going to rewire that. Unfortunately, because of the circumstances and the severity of the job, the cost is high and was the mayor given a copy of that estimate?"

City Clerk Tami Comte said, "Yes, he was."

Council member Tom Kobus said, "Is this the original wiring on this place or has it been done since?"

Interim Water Supervisor Aaron Gustin said, "It hasn't been done since. If something went wrong then, I think, it was more 'let's fix the one issue' and go from there."

Council member Tom Kobus said, "It wasn't up to you. I just can't figure out why somebody can't get that stuff right. Has Cory ever worked on this?"

Interim Water Supervisor Aaron Gustin said, "Very rarely. Only when there was an issue was someone called out, however, I do have photos of the PLC and the wiring situation there, if you want to pass this around."

Council member Tom Kobus said, "So, who all got shocked?"

Interim Water Supervisor Aaron Gustin said, "Jared with Olsson and Landon with Commonwealth Electric."

Mayor Alan Zavodny said, "Maybe I just didn't understand your answer, how long has this been going on."

Interim Water Supervisor Aaron Gustin said, "Since original installation, we could find no wiring diagrams, no record of work in regard to the ground wiring other than a statement or claims made to the EPA a few years back that all of the wiring had been redone."

Council member Bruce Meysenburg said, "So, have we had problems with the actuators before?"

Interim Water Supervisor Aaron Gustin said, "No. Due to the sensitivity of the new technology, the harmonics are extremely sensitive to the induced voltage, whereas, the old limiter torque worn-out actuators were strictly mechanical."

Darci Betzen introduced herself and said, "What is the difference between the mechanical and the advanced actuators and why do we need something more than the mechanical actuators?"

Interim Water Supervisor Aaron Gustin said, "This is an actuator for opening and closing valves. As things become more complex, more efficient and more sensitive, whereas, an old mechanical motor does not have the same makeup as something new with a circuit board and things of that nature."

Darci Betzen said, "So, it's not something as simple as a solenoid coil?"

Interim Water Supervisor Aaron Gustin said, "No, originally when it was done, it was quite a simple actuator, however, now that's not the case."

Darci Betzen said, "I'm assuming that this feeds into some sort of program that you can monitor via screen and that's why it's required?"

Interim Water Supervisor Aaron Gustin said, "I'm slightly confused about what you're asking."

Darci Betzen said, "Why do we need something more than a mechanical magnetic coil on an actuating valve to operate these?"

Interim Water Supervisor Aaron Gustin said, "That would be a question for our engineer who made the recommendation of the Auma Actuators. I did do a little bit of research in regard

to the Auma Actuators. We chose Auma Actuators because they were what were in use with the, at the time, anaerobic lagoon, which we all assumed was going to be successful, working with the same vendor and such was the way we went.”

Mayor Zavodny said, “We’re going to have to address this, however, it would appear to me, at least, the way the surprises keep presenting that we need a thorough evaluation of the system.”

Interim Water Supervisor Aaron Gustin said, “I would agree with you. It’s been one surprise after another and I have another surprise to bring up, as well.”

Mayor Zavodny said, “I think I would share Tom’s concern that some of these surprises are getting dangerously close to....We have avoided someone getting killed by narrow margins and I’m done with that. That’s just not acceptable in any way, shape or form and I fail to understand how we got to this point where that can happen.”

Interim Water Supervisor Aaron Gustin said, “There is routine maintenance that is supposed to be done on a regular basis that has not been done for decades, and this would be one of those items.”

Mayor Zavodny said, “But how do we go through and evaluate to make sure that we have a safe system. I’m setting the bar fairly low here, not even that it works right, because that’s a whole different issue, but the fact that we don’t have dangerous circumstances, and we’ve had so many of these that I think it would be negligent on our part to just accept it and wait to see what the next thing is that presents itself. Let’s have it evaluated. I don’t know who does that.”

Interim Water Supervisor Aaron Gustin said, “That would be an engineering firm with electrical engineers doing what, basically, Olsson’s did for us, an evaluation of the headworks building, but a total system evaluation by an engineering firm.”

Mayor Zavodny said, “We can’t act on that tonight, but we have to act quickly. What I’m going to recommend of the Council is that between now and the next meeting, we need to put on the next agenda to put out a proposal to have that thing evaluated, I think.”

Council member Tom Kobus said, “I think it needs to be done by an electrical engineer, yes, but it needs to be done by somebody in that profession that deals with this stuff all the time, and not just a regular electrician.”

Mayor Zavodny said, “Electrical is one piece of it. We’re clear that we have an electrical problem, but I think the whole operation needs evaluated to identify...an electrical engineer is not going to identify if the way something is plumbed is necessarily wrong. I would feel much more confident if I knew that someone looked at the whole thing from the second the water leaves the city to when it gets to our operation. We know we have another problem with the way the valves are in that house if it floods. This whole thing has been a disaster. I’m going on my eleventh year here and we have dealt with crises constantly.”

Interim Water Supervisor Aaron Gustin said, “I agree. It’s my job to attempt to keep it running.”

Mayor Zavodny said, “I’m not trying to point a finger at you. I’m sitting here knowing that we’ve had council members, for years, stomp their feet and hold their breath because they are

frustrated and they are right and here we are again. I commend you for having the intestinal fortitude to stand before us and tell us that something else is screwed up, because that's not easy, especially with what we've been through. I think that our message has been consistent – we've got to fix this. It's got to work and we've got to fix this. I've given you hell for doing dumb stuff and I will continue to do that until I'm not in this office anymore and I'll probably still do it, but you've got to be safe when you go out there and you've got to make sure that your people are safe and that's a non-negotiable."

Interim Water Supervisor Aaron Gustin said, "That's why I made the call to have Commonwealth redo that section of electrical. Unfortunately, the price tag is high."

Mayor Zavodny said, "I saw that and yes, it's money, but what's the cost of someone getting electrocuted and not surviving? You can't make that comparison."

Council member Bruce Meysenburg said, "So, somebody installed these actuators, right? The new ones."

Interim Water Supervisor Aaron Gustin said, "Yes."

Council member Bruce Meysenburg said, "So, when they took the old ones out and installed the new ones, they had to know that you get a jump in voltage if the voltage fluctuates that you're going to have problems. So, wouldn't they have mentioned that to somebody?"

Interim Water Supervisor Aaron Gustin said, "So, at first when we received the actuators, we contacted Vandenberg Electric and he sent one of his employees who spent upward of twenty to twenty-four hours in one week attempting to install one actuator. The issue with that was with the Auma schematics this individual had very little experience. I reached out further up the line and requested either Tyler or Cory and in regard to their schedule it was not going to work. I needed somebody who was going to be on site, finish out the job and somebody who would be able to stick to a schedule. Cory was busy. So, I reached out to Commonwealth Electric, who is the electrician for the Columbus Wastewater Plant-somebody with wastewater experience-and had them come out. They had to do new electrical runs. They had to do new conduit runs and we were able to install four actuators. The remaining two actuators were the decant actuators and in going back to the junction box, and it was dead of winter when they installed the first four, and he recommended that we look at the junction box when the time came. Well, here we are, and when he was working in the PLC because with the PLC's basically, the brain that tells things what to do and when and what path, so while working in that he received a shock and then he went to trace the problem and found that twisted shielded wire with the foil shield that was carrying anything from fifty to ninety volts of induced voltage. That led to the question, in regard to these actuators, every once in a while, not all the time, but with this stray induced voltage that was going through the conduit it would cause these newer actuators that include harmonics to actuate on their own which is not conducive to a consistent treatment process."

Council member Bruce Meysenburg said, "I understand all of that. So, basically, what happened was that the people that installed the actuators did not do the electrical end of it, correct? They just put the actuators in and left the electrical up to us?"

Interim Water Supervisor Aaron Gustin said, "It's the other way around. We put the actuators on. We cut the gears; we placed them on the rods and then we let the electricians deal with the electrical and it took Commonwealth to diagnose the issue."

Mayor Zavodny said, "Do you have any more to share on that? Here's what I want to do, for the next meeting let's put on a request for proposals to have our whole operation evaluated but for now I'm going to act under my authority to declare an emergency to get that fixed and direct you to get that fixed."

Interim Water Supervisor Aaron Gustin said, "It will be done tomorrow."

Mayor Zavodny said, "That needs to happen and since it's not on the agenda our Council cannot even consider it so I'm going to do it under my authority in my office."

Interim Water Supervisor Aaron Gustin said, "I have one more thing for you. So, in regard to C Cell, I don't know if you've had the opportunity to read the comprehensive compliance plan that I submitted to the EPA. One of those items was to bypass our discharge cell, which is the C Cell lagoon, which is the final lagoon in the three. We had a bit of an issue. Last week aquatic vegetation had plugged it. We went in to fix that, so we got out on the lagoon and we took the jetter from the vac truck and we jetted that line and we reestablished flow. The next day we go back out and it's plugged up again. We go to attempt this again, however at this point there is a solid blockage. Whether it was dislodged concrete from the jetting of that line, a giant turtle that won't get out of the way, one of the two, and since we could not free that up, the lagoon filled and went over the bank. I made a phone call to Tim Lindeen. I made the call in the field that, since it was in our comprehensive compliance and in discussing it with John to see how quick that he thought we could follow Craig Reinsch's plan of bypassing C Cell, we spent multiple days last week redirecting that flow. It was expedited. We did not plan to do it as soon as we did but fate forced our hand and we bypassed C Cell toward the end of last week and over the weekend."

Mayor Zavodny said, "So, I'm clear on what you did for the last week to ten days. What happens tomorrow moving forward as far as our blockage?"

Interim Water Supervisor Aaron Gustin said, "It's done. It's taken care of. We bypassed that cell and we are discharging directly from B Cell and not C Cell. It is taken care of permanently. It was a permanent installation and redirection. All of the stuff that I spoke about today, everything in my comprehensive compliance plan to the EPA, I will be discussing in a conference call with Seth Draper tomorrow with the EPA. He also shares a similar concern that you do, Mr. Mayor, and wants to know why we're in the situation that we are in. So, I expect a long meeting tomorrow."

Mayor Zavodny said, "Ok. Anything else?"

Council member Tom Kobus made a motion to approve the committee and officer's reports as presented. Council Member Bruce Meysenburg seconded the motion. The motion carried. Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent Yea: 4, Nay: 0, Absent: 1

Mayor Zavodny stated that the next item on the agenda was Consideration/Discussion concerning how to use the ARP Act Funds.

City Administrator Clayton Keller said, "We put this on the agenda because the federal government in their third stimulus package called the American Rescue Plan Act or ARPA, for short, has given money directly to local governments. It's the first time in history and everybody

is all excited about it. We're excited about it because we're allowed to use it for infrastructure. There's a few other things that we're allowed to use it for, but I brought Olsson's in because they have been keeping tabs on this more than I have and I'll let her introduce herself."

Suzanne Brodine from Olsson Engineering introduced herself and said, "I'm the municipal funding expert for Olsson's and so the last couple of months I've been living and breathing the American Rescue Plan. Just to start from the beginning, you are estimated to receive \$480,000. That is the US Treasury Department's estimate for your community. We're still waiting on the State of Nebraska to announce what agency or department they are going to put in charge of handling those funds. We're checking up on that on a daily basis but once we have that we'll be able to work out exactly how those payments will come in. We already have a list of guidelines for how your community will request those funds and there are all kinds of projects that they can be used for and it sounds like you maybe already have one that those funds will come in handy for. So, I'm happy to answer any questions that you may have, any questions that I have answers for."

Mayor Zavodny said, "I understand the process that you just discussed. That money will come from the federal government to the state and then they are going to distribute it to local municipalities?"

Suzanne Brodine said, "Correct. So, the State of Nebraska will basically request the amount of funds from the treasury department. They've been able to do that since May 10th, so they just haven't quite got their ducks in a row for that portion of the process. As soon as the state is prepared and has their, I would assume, web portal set up for all of our communities to be able to request that, you'll go online and you'll need your SAM registration and your DUNS number, your EIN and all of the usual stuff that we have for grants and then you'll receive that payment. It's likely that it will be in two portions, fifty percent at the first request and then within twelve months the other fifty percent."

Mayor Zavodny said, "Ok. Any other questions? You followed up really bad news with good news so that was good timing."

Suzanne Brodine said, "You know, I'll be the second person anytime."

City Administrator Clayton Keller said, "So, the conversation that I would like to have tonight with the Council is a preliminary discussion on how we would like to use these funds. Some qualified expenses are water, sanitary sewer, storm sewer, broadband and cyber security. I would really like to entertain the idea of getting firewalls for each location that the city has internet. So far, the only location that has a firewall is the City Offices. I'd like to see us have one everywhere. That's the only thing that I would really like us to spend some money on and I'd like the Council to decide if they want water projects, sewer projects, broadband projects."

Council member Bruce Meysenburg said, "Do you have an estimate of costs for firewalls?"

City Administrator Clayton Keller said, "It probably wouldn't be over twenty thousand dollars."

Mayor Zavodny said, "It would seem to me that it would behoove us to maybe get together and prioritize up to that amount and obviously with what has just happened and

attacked some infrastructure we do need to protect ourselves because we're certainly not in a position where we want to pay ransomware if we get shut down. That makes a lot of sense given the world that we live in now. I'd also like to prioritize the next levels of what we'd like to see done."

City Administrator Clayton Keller said, "I was hoping to use this as kind of a brainstorming session or if you'd like to do that in another meeting, we can do that."

Mayor Zavodny said, "Honestly, I would like to get a little more public input as well. There may be some people who have very strong feelings about what our priorities should be and I think that we should listen to them. That would be my preference, at least."

Council member Jessica Miller said, "Would you put out a survey for that or what would you do?"

Mayor Zavodny said, "I think if we just make people aware that they can talk to their Council representative that would be good. They might say that with the money coming in that they feel that if we could get some high-speed internet structure that would benefit a whole lot of people. We obviously have some remodeling to do at our wastewater plant. We've got projects, obviously. Let's try to prioritize those."

City Administrator Clayton Keller said, "If you want something put out into the public, I haven't written an article yet this month for the Banner Press because I write one every month, I can do it on the ARPA funds."

Mayor Zavodny said, "That would be an excellent way to start that conversation and even if we could get a news article saying here's what we're looking at and encourage people to share with their Council representative where they'd like to see this money spent. This is a one-time thing and we have an opportunity to improve our community infrastructurewise certainly and we should certainly do that, but I also think that we should prioritize it."

Council member Jessica Miller said, "Get it on social media."

Mayor Zavodny said, "Social media is a great thing and the city website and we just market the heck out of this to give people the opportunity and then if we do something that someone doesn't like we can tell them that they had ample opportunity to give input."

Council member Bruce Meysenburg made a motion to approve allowing Bone Creek Museum of Agrarian Art to include the City of David City's Dale Nichols painting "The Foundation" in an exhibit at the Birger Sandzen Memorial Gallery in Linsborg, Kansas from November 7, 2021 through January 2, 2022. Council Member Pat Meysenburg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent Yea: 4, Nay: 0, Absent: 1



Tami Comte, City Clerk
557 4th St.
David City, NE 68632

May 24, 2021

To Mrs. Comte and the City Council,

The Bone Creek Museum requests to include the City of David City's painting "The Foundation" by Dale Nichols in an exhibition at the Birger Sandzén Memorial Gallery in Lindsborg, Kansas. This exhibition will run from November 7, 2021, through January 2, 2022, and will also include a retrospective selection of the Bone Creek Museum Nichols Collection.

We trust this organization with the care and security of all borrowed artworks and believe this loan would be a great opportunity to promote David City tourism and demonstrate the good will of our community.

If the council approves, Bone Creek Museum staff would carefully pack and transport the painting to the secure and climate-controlled facility in Lindsborg, and once there, the artwork would be handled strictly by trained staff. Per our current loan agreement issued in 2017, "The Foundation" would be insured for the duration of the journey and exhibition under the museum's policy with Aspen American Insurance Company. A certificate of insurance would be provided to you prior to the exhibition by our representative.

If you have any further questions or concerns regarding this proposal, please contact me by phone at 402-367-4488 or by email at artinfo@bonecreek.org.

We greatly appreciate the City for the ongoing opportunity to store and exhibit this painting. "The Foundation" significantly enhances our Nichols Collection and allows our visitors to experience the great artistic talent rooted in the David City community. Thank you for your continued support of our organization.

Sincerely,

A handwritten signature in cursive script that reads "Gabrielle Comte".

Gabrielle Comte, Collections Manager/Office Manager
Bone Creek Museum of Agrarian Art

Council member Tom Kobus made a motion to approve Pay Estimate #7 for Kirkham Michael in the amount of \$5,254.59 for the 93Y Fuel Project. Council Member Pat Meysenburg seconded the motion. The motion carried. Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent Yea: 4, Nay: 0, Absent: 1

NEBRASKA

Good Life. Great Journey.

DEPARTMENT OF TRANSPORTATION

June 7, 2021



Pete Ricketts, Governor

Ms. Tami Comte
City Clerk
City of David City
P.O. Box 191
David City, NE 68632-0191

Subject: David City Municipal Airport
David City, Nebraska
Project No. 3-31-0025-013
Financial

Dear Ms. Comte:

Attached is a copy of Summary of Project Costs, Statement No. 1, in the amount of \$43,397.14 showing federal funds due the City of David City on the above project. If you agree with this Summary, please sign and date the copy. **Scan and return a copy to Barb at this office for further processing.**

Also attached is a copy of Progress Estimate No. 7 for \$5,254.59 due Kirkham, Michael & Associates, Inc. We have reviewed and approved the estimate. If you agree, sign and date the copy. **Please pay Kirkham, Michael** and send them a copy of the estimate. Keep one copy for your files. **Scan and return a copy to Barb at this office.**

If you have any questions, please contact our office.

Sincerely,

NDOT - DIVISION OF AERONAUTICS

Barbara Atkins
Accountant I

John R. Selmer, P.E., Director
Department of Transportation

MAILING ADDRESS

PO Box 84759
Lincoln, NE 68509-4759

PHYSICAL ADDRESS

1500 Highway 2
Lincoln, NE 68502

PHONE 402-471-4507

EMAIL NDOT.ContactUs@nebraska.gov

Aeronautics Division

3431 Aviation Road, Ste. 150
Lincoln, NE 68524-1800
OFFICE 402-471-2371
FAX 402-471-2906

Navigational Aids Office

Kearney Municipal Airport
5065 Airport Road
Kearney, NE 68847
OFFICE 308-865-5696
FAX 308-865-5697

dot.nebraska.gov

SUMMARY OF PROJECT COSTS
 NDOT - Division of Aeronautics

City of David City
 David City, Nebraska
 David City Municipal Airport

Statement No. 1
 June 7, 2021
 Project No. 3-31-0025-013

| DESCRIPTION | New This Time | Itemized Costs | TOTAL |
|---|------------------------------|----------------|------------------|
| Construction | | | |
| Total Construction | | | 0.00 |
| Engineering | | | |
| Kirkham, Michael & Associates, Inc. Progress Estimates No. 1-7 | | | |
| Design | 34,092.86 | 34,092.86 | |
| Bidding | 6,739.56 | 6,739.56 | |
| Construction | 2,565.62 | 2,565.62 | |
| Close Out | | 0.00 | |
| Total Engineering | | | 43,398.04 |
| Administration | | | |
| Division of Aeronautics | 323.86 | 323.86 | |
| Total Administration | | | 323.86 |
| TOTAL PROJECT COSTS TO DATE | 43,721.90 | | 43,721.90 |
| Federal Share | | | |
| 100% x \$43,721.90 (Maximum = \$308,000) | 43,721.00 | 43,721.00 | |
| Less: Administrative costs | (323.86) | (323.86) | |
| Total Funds Due Sponsor | 43,397.14 | | 43,397.14 |
| PREPARED BY <u>Barbara Atkins</u> Date <u>6-7-2021</u> | | | |
| APPROVED _____ Date _____ | | | |
| Sponsor | Federal Funds Due Sponsor | | 43,397.14 |

Batch No. _____ EFT No. _____ Amount _____ Date of EFT _____
 Date Letter Mailed _____

RECEIVED

JUN 7 2021

NEBRASKA DIVISION
 OF AERONAUTICS

NDOT-DIV OF AERONAUTICS

4 COPIES TO NDOT DIVISION
 OF AERONAUTICS

Sponsor: City of David City
P.O. Box 191
David City, Nebraska 68632
 Contractor: Kirkham Michael
5621 NW 1st Street, Suite 400
Lincoln, Nebraska 68521

Estimate No. 7 Date: June 7, 2021
 Invoice: 92745
 KM Project No.: 2010235
 AIP Project No.: 3-31-0025-013
 Name of Project: 93Y Fuel Project
 Date of Contract: October 14, 2020

| CONTRACT QUANTITIES | ITEM NO. | DESCRIPTION | ESTIMATED QUANTITIES TO DATE | UNIT | AMOUNT |
|---------------------|----------|--------------------|------------------------------|--------|--------------|
| 34,092.86 | A | Design Phase | 100% | hourly | \$ 34,092.86 |
| 7,122.82 | B | Bid Phase | 95% | hourly | \$ 6,739.56 |
| 30,895.67 | C | Construction Phase | 8% | hourly | \$ 2,565.62 |
| 7,134.13 | D | Close Out Phase | 0% | L/S | |

As Project Manager, I hereby certify that the quantities shown above have been completed from measurements made by me or my predecessors and that the work has been performed according to plans and specifications.


 Project Manager 6/7/21
 Date

Approved for payment as per Project Engineer's Certification 
 NDOT Project Engineer 6/7/2021
 Date

| | |
|------------------------------|--------------|
| Grand Total | \$ 43,398.04 |
| Less Retained | \$ - |
| Less Previous Estimates | \$ 38,143.45 |
| Due Contractor This Estimate | \$ 5,254.59 |

APPROVED: _____
 Airport Sponsor Date



Iowa • Kansas • Nebraska

www.kirkham.com

June 7, 2021

City of David City
 P.O. Box 191
 David City, Nebraska 68632

Estimate No.: 7
 Invoice: 92745
 File: 2010235

Attention: Clayton Keller

Professional engineering services in connection with the bid phase for the David City Airport 93Y Fueling system per the contract signed October 14, 2020.

April 3, 2021 through May 28, 2021

| <u>Classification</u> | <u>Hours</u> | <u>Rates</u> | <u>Amounts</u> |
|------------------------------------|--------------|--------------|--------------------|
| T. Thompson, Design Manager | 12.0 | \$ 34.50 | \$ 414.00 |
| E. Johnson, Project Manager | 6.0 | \$ 58.41 | \$ 350.46 |
| J. Olson, Cad Tech | | \$ 26.25 | \$ - |
| S. Beauchamp, Cad Tech | 3.5 | \$ 24.50 | \$ 85.75 |
| Subtotal | 21.5 | | \$ 850.21 |
| <u>Direct Non-Salary Costs</u> | | | |
| Postage | | \$ 3.00 | |
| Subtotal | | \$ 3.00 | |
| Direct Salary Costs | | | \$ 850.21 |
| Overhead (182.07%) | | | \$ 1,547.98 |
| | | | \$ 2,398.19 |
| Direct Non-Salary Costs | | | \$ 3.00 |
| Total Cost | | | \$ 2,401.19 |
| Fixed Fee (12%) | | | \$ 287.78 |
| Subtotal | | | \$ 2,688.97 |
| Subconsultant | | | \$ 2,688.97 |
| AMOUNT DUE THIS INVOICE | | | \$ 2,688.97 |



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June 7, 2021

City of David City
 P.O. Box 191
 David City, Nebraska 68632

Estimate No.: 7
 Invoice: 92745
 File: 2010235

Attention: Clayton Keller

Professional engineering services in connection with the construction phase for the David City Airport 93Y Fueling system per the contract signed October 14, 2020.

April 3, 2021 through May 28, 2021

| <u>Classification</u> | <u>Hours</u> | <u>Rates</u> | <u>Amounts</u> |
|--|--------------|--------------|-------------------------------|
| T. Thompson, Design Manager | 2.0 | \$ 34.50 | \$ 69.00 |
| E. Johnson, Project Manager | 4.0 | \$ 58.41 | \$ 233.64 |
| R. Garber, Sr. Engineer | 7.5 | \$ 46.63 | \$ 349.73 |
| T. McIlravy, Sr. Construction Observer | 3.0 | \$ 25.50 | \$ 76.50 |
| S. Beauchamp, Cad Tech | 3.0 | \$ 24.50 | \$ 73.50 |
| Subtotal | 19.5 | | \$ 802.37 |
| <u>Direct Non-Salary Costs</u> | | | |
| Mileage | | \$ 30.80 | |
| Subtotal | | \$ 30.80 | |
| Direct Salary Costs | | | \$ 802.37 |
| Overhead (182.07%) | | | \$ 1,460.87 |
| | | | \$ 2,263.23 |
| Direct Non-Salary Costs | | | \$ 30.80 |
| Total Cost | | | \$ 2,294.03 |
| Fixed Fee (12%) | | | \$ 271.59 |
| Subtotal | | | \$ 2,565.62 |
| Subconsultant | | | \$ 2,565.62 |
| AMOUNT DUE THIS INVOICE | | | <u>\$ 2,565.62</u> |

Council member Bruce Meysenburg made a motion to accept the resignation for Building Inspector of Michael Payne. Council Member Pat Meysenburg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent Yea: 4, Nay: 0, Absent: 1

Michael Payne

June 6, 2021

Clayton Keller
City Administrator
557 4th Street
David City, Nebraska

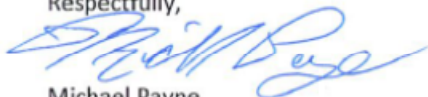
Subject: Resignation of Michael Payne, Building Inspector and Zoning Administrator

Clayton:

My goal has been to provide even and consistent Building and Zoning Code administration in David City. However; after 9 months it is clear to me that David City is not in a position to allow me to do this. I am therefore resigning effective, Wednesday, June 9, 2021.

I wish you the best and I believe that your intentions were to support me but you cannot do that alone any more than I could.

Respectfully,



Michael Payne

Council member Bruce Meysenburg made a motion to go into executive session to discuss real estate negotiations. Council Member Tom Kobus seconded the motion. The motion carried. Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent Yea: 4, Nay: 0, Absent: 1

Mayor Zavodny stated, "Now at 7:37 p.m. we are going into executive session to discuss real estate negotiations." Mayor Zavodny, all of the Council members, City Administrator Keller, City Attorney Joanna Uden, and City Clerk Tami Comte went into executive session at 7:37 p.m. Bob Kobza of Kobza Ag and Home was invited to stay for the executive session.

City Attorney Joanna Uden stated that a motion and second was not needed to come out of executive session. Therefore, Mayor Zavodny declared the City Council out of executive session at 7:59 p.m.

Council member Bruce Meysenburg made a motion to approve selling the building at 593 5th Street for a minimum bid of \$129,000, in addition to taking bids for a real estate company to handle the sale. This will be done through an RFP which will require the strategy that the real estate company intends to utilize to sell the property. Council Member Pat Meysenburg seconded the motion. The motion carried. Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent Yea: 4, Nay: 0, Absent: 1

Council member Jessica Miller made a motion to adjourn. Council Member Pat Meysenburg seconded the motion. The motion carried and Mayor Zavodny declared the meeting adjourned at 8:03 p.m. Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent Yea: 4, Nay: 0, Absent: 1

CERTIFICATION OF MINUTES

June 9, 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 June 9, 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 L. Comte, City Clerk