

CITY COUNCIL PROCEEDINGS

March 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 March 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: Mayor Alan Zavodny, Council members Kevin Hotovy, Tom Kobus, Bruce Meysenburg, and Jessica Miller, City Attorney James Egr, City Administrator Clayton Keller and City Clerk Tami Comte. Council members Pat Meysenburg and John Vandenberg were absent.

Also present for the meeting were: Interim Water Supervisor Aaron Gustin, Wastewater Operator Emmalyn Gaudio, Jared Storm with Storm Flying Service, Special Projects Coordinator Dana Trowbridge, Park/Auditorium employee Nathan Styskal, Planning Commission member Janis Cameron, Sheriff Tom Dion, and Banner-Press reporter Molly Hunter. Eric Johnson of Kirkham Michael was present via Zoom.

The meeting opened with the Pledge of Allegiance.

Mayor Alan 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 Tom Kobus made a motion to approve the minutes of the March 10, 2021 meeting as presented. Council Member Jessica Miller seconded the motion. The motion carried. Kevin Hotovy: Yea, Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Absent, Jessica Miller: Yea, John Vandenberg: Absent Yea: 5, Nay: 0, Absent: 2

Council member Bruce Meysenburg made a motion to approve the progress estimate #5 for Kirkham Michael in the amount of \$2,479.54. Council Member Tom Kobus seconded the motion. The motion carried. Kevin Hotovy: Yea, Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Absent, Jessica Miller: Yea, John Vandenberg: Absent Yea: 5, Nay: 0, Absent: 2

**NEBRASKA DIVISION
 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. 5 Date: March 9, 2021
 Invoice: 92328
 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	97%	hourly	\$ 32,982.54
7,122.82	B	Bid Phase	16%	hourly	\$ 1,112.33
30,895.67	C	Construction Phase	0%	hourly	
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 3/9/21
 Date

Approved for payment as per Project Engineer's Certification 
 NDOT Project Engineer 3/9/2021
 Date

Grand Total	\$ 34,094.87
Less Retained	\$ -
Less Previous Estimates	\$ 31,615.33
Due Contractor This Estimate	\$ 2,479.54

APPROVED: _____
 Airport Sponsor Date



March 9, 2021

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

Estimate No.: 5
 Invoice: 92328
 File: 2010235

Attention: Clayton Keller

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

February 6, 2021 through March 5, 2021

<u>Classification</u>	<u>Hours</u>	<u>Rates</u>	<u>Amounts</u>
T. Thompson, Design Manager	5.0	\$ 34.50	\$ 172.50
R. Garber, Sr. Engineer	5.5	\$ 46.63	\$ 256.47
J. Olson, Cad Tech		\$ 26.25	\$ -
S. Beauchamp, Cad Tech		\$ 24.50	\$ -
Subtotal	10.5		\$ 428.97
 <u>Direct Non-Salary Costs</u>			
Postage		\$ 12.03	
Subtotal		\$ 12.03	
 Direct Salary Costs			
			\$ 428.97
Overhead (182.07%)			
			\$ 781.02
			\$ 1,209.98
Direct Non-Salary Costs			
			\$ 12.03
 Total Cost			
			\$ 1,222.01
Fixed Fee (12%)			
			\$ 145.20
			\$ 1,367.21
Subtotal			
Subconsultant			
			\$ 1,367.21
 AMOUNT DUE THIS INVOICE			 \$ 1,367.21



March 9, 2021

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

Estimate No.: 5
 Invoice: 92328
 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.

February 6, 2021 through March 5, 2021

<u>Classification</u>	<u>Hours</u>	<u>Rates</u>	<u>Amounts</u>
T. Thompson, Design Manager		\$ 34.50	\$ -
R. Garber, Sr. Engineer	6.5	\$ 46.63	\$ 303.10
J. Olson, Cad Tech		\$ 26.25	\$ -
S. Beauchamp, Cad Tech	2.0	\$ 24.50	\$ 49.00
Subtotal	8.5		\$ 352.10
 <u>Direct Non-Salary Costs</u>			
Postage		\$ -	
Subtotal		\$ -	
Direct Salary Costs			\$ 352.10
Overhead (182.07%)			\$ 641.06
			\$ 993.15
Direct Non-Salary Costs			\$ -
Total Cost			\$ 993.15
Fixed Fee (12%)			\$ 119.18
			\$ 1,112.33
Subtotal			\$ 1,112.33
Subconsultant			\$ 1,112.33
 AMOUNT DUE THIS INVOICE			 \$ 1,112.33

Eric Johnson, with Kirkham Michael, was present via Zoom and said, "Good evening everyone. I appreciate the opportunity to talk quick. We had taken bids on our fuel project which is going to be one hundred percent funded this year by the FAA and I believe that you have in front of you a summary letter of the bid results. The lowest qualified bidder is Acterra Group. They have done several of these similar projects for us on very similar airport projects. They were low bid and they did meet all of our contract requirements. The bid was \$223,926.11. Just a couple of other items to note. The bid was below our engineer's estimate which was \$269,500. They also met the DBE goal of two percent. We have mailed the preliminary results to the NDOT and the FAA and they are both starting the process to get all their paperwork done on their end so that we can get our grant by, hopefully, the first part of May or shortly thereafter. Everybody was really pleased with the results and knows that Acterra Group is a group that does this kind of work quite a bit on other projects around the state for similar airports. I'd entertain any questions if you have any."

Mayor Zavodny said, "I just have one question. The extra ten percent that would normally be ours is getting covered by CARES Act money or what?"

Eric Johnson said, "That is correct."

Mayor Zavodny said, "Do we have a letter in hand that tells us that the ten percent is coming for sure?"

Eric Johnson said, "Yes. I actually got some of the documentation that I can send that came from the FAA that says that your 2021 project will be one hundred percent funded. I just talked to the Department of Aeronautics this afternoon and they confirmed that again. All of the projects for 2021 will all be one hundred percent funded."

Council member Kevin Hotovy made a motion to approve awarding the bid for the 93Y fuel system to Acterra Group in the amount of \$223,926.11 contingent upon NDOT and FAA final approval. Council Member Bruce Meysenburg seconded the motion. The motion carried. Kevin Hotovy: Yea, Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Absent, Jessica Miller: Yea, John Vandenberg: Absent Yea: 5, Nay: 0, Absent: 2



March 16, 2021

Mr. Clayton Keller, City Administrator
City of David City
P.O. Box 191
David City, Nebraska 68632

RE: Recommendation of Award
Fuel System Improvements
David City Municipal Airport (93Y), David City, Nebraska
AIP No. 3-31-0025-013, KM No. 2010235

Dear Mr. Clayton Keller:

On March 8, 2021, at 11:00 AM in Kirkham Michael's Lincoln office. Two bids were received for the referenced project. All bidders were qualified to submit a bid proposal within the requirements of the project specification and bid documents. All proposals were reviewed and evaluated including unit price extensions. The bid tabulation is attached. A summary of the Bid Results and other required information have been provided below:

Bid Results

Acterra Group	\$223,926.11
Hackel Construction	\$249,906.00

5% Bid Bond Guarantee

Both bidders provided a 5% bid bond.

Executed Proposal by an Officer of the Company and an Attest to their Signature was Included

Both proposals are signed and attested.

Cost to add the Sponsor and Engineer to their Policy as Additional Insured

There was no cost for either company.

Pre-bid Meeting

No pre-bid meeting was held for this project.

Bidder Pre-qualification

The bidders are pre-qualified.

Bidder Debarment Through the SAM Registrar

Neither bidder is disbarred.

Disadvantaged Business Enterprise (DBE) Participation

The DBE goal established for this project by the sponsor is 2.0%. Acterra Group met the 2.0% and Hackel Construction has a 0.3% DBE.



Tabulated Results

Bidder	Anticipated DBE Utilization
Acterra Group	2.0%
Hackel Construction	0.30%

Tentative List of Subcontractors

Acterra Group listed one subcontractor for the concrete work. Hackel Construction listed 2 subcontractors, one for electrical and another for barricades.

Buy American

Acterra Group and Hackel Construction indicate in the Buy American Certification form that they will comply with Title 49 U.S.C. Section 50101 for this project. A waiver was not requested by either company.

Recommendation for Award

In accordance with the project specifications and contract documents, it is Kirkham Michael's opinion that the bid is reasonable and recommend awarding the contract to Acterra Group of Marion, Iowa on their bid proposal for the base bid of \$223,926.11 as the lowest responsive bidder.

Please note that NDOT/FAA must concur with the award to Acterra Group before notification of the award can be issued. The Sponsor shall not enter into a contract with Acterra Group until federal authorization is received.

If you have any questions or need any additional information, please contact us at 402.858.8852.

Sincerely,

KIRKHAM, MICHAEL & ASSOCIATES, INC.

A handwritten signature in blue ink, appearing to read 'Eric Johnson'.

Eric Johnson
Project Manager

Enclosure: Bid Tabulation
Proposal Form
Buy American Waiver
DBE Letters of Intent
Bid Bond

Cc w/enclosures: Anna Lannin-NDOT
Steve Whitton-FAA

BID TABULATION

PROJECT:
 Fuel System Improvements
 David City Municipal Airport
 FAA AIP No. 3-31-0025-013

ENGINEER:
 Kirkham Michael
 5621 NW 1st Street, Suite 400
 Lincoln, Nebraska 68521

KM PROJECT NO.:
 2010235

DATE OF BID OPENING: March 8, 2021 at 11:00 AM CST

Item	Description	Quantities	Units	Engineer's Estimate		Acterra Group DBE = 2.0%		Hackel Construction DBE = 0.30%	
				Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
BASE BID (Items 1 thru 4)									
1	Mobilization	1	LS	\$ 20,000.00	\$ 20,000.00	\$9,629.24	\$9,629.24	\$19,236.00	\$19,236.00
2	Construction Safety Plan and Traffic Control	1	LS	\$ 6,000.00	\$ 6,000.00	\$7,840.00	\$7,840.00	\$3,250.00	\$3,250.00
3	Fuel System 100LL	1	LS	\$ 217,000.00	\$ 217,000.00	\$185,849.32	\$185,849.32	\$204,920.00	\$204,920.00
4	Card Reader	1	LS	\$ 26,500.00	\$ 26,500.00	\$20,607.55	\$20,607.55	\$22,500.00	\$22,500.00
Total Base Bid (Items 1 thru 4)					\$269,500.00	\$223,926.11	\$249,906.00		

The Project was advertised for three weeks in the David City Banner on February 4, 11, and 18, 2021.

P:\20\2010235\specs_Bidding File\Bid Tabulation David City Fuel.xls

Street Department Supervisor Chris Kroesing said, "For the "A" Street paving project, I was instructed that we need to go with at least eight inches of concrete with rebar. I picked out three local contractors from Butler County. The first one is Ratkovec Construction and we have worked with him on concrete work already and he does an excellent job. I've worked with Gary Meister on some alley work and some street pours and we've also had Oborny Construction do some concrete work by the school this last year. They were all told the same thing, that we need eight-inch concrete with rebar."

Council member Tom Kobus made a motion to accept the quote of Cole Ratkovec Construction to pave the A Street bridge with concrete. Council Member Kevin Hotovy seconded the motion. The motion carried.

Kevin Hotovy: Yea, Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Absent, Jessica Miller: Yea, John Vandenberg: Absent Yea: 5, Nay: 0, Absent: 2



Estimate

Date	Estimate #
3/27/2020	187

Name / Address
CITY OF DAVID CITY STREET DEPT

Project

Description	Qty	Rate	Total
X"A" STREET CONVERT PROJECT; POUR APPROXIMATELY 190X21 STREET, 8" THICK CONCRETE (STREET GRADE CONCRETE, 47B MIX) INSTALL +/- 8" SAND UNDER STREET, INSTALL 2X2' 1/2" REBAR THROUGHOUT STREET, CUT CONCRETE AS NEEDED FOR EXPANSION * PRICE INCLUDES ALL MATERIAL, GRADING FOR CONCRETE AND LABOR; DAVID CITY STREET DEPARTMENT WILL DO FINISH GRADING AFTER CONCRETE IS CURED AND LINE PAINTING IF REQUIRED		31,920.00	31,920.00
		Total	\$31,920.00
RATKOVEC CONSTRUCTION Phone: 402-367-8693 Email: cole.ratkovec@gmail.com			

Gary Meister Construction
 3810 F road
 David City, NE 68632

Estimate

Date	Estimate #
3/25/2020	139

Name / Address
City of David City Alt. Sod 174 E David City Ne 68632

Project

Description	Qty	Cost	Total
Form and pour 8" thick concrete with 1/2" rebar 4' oc center each way 20' x 200' slab 1000' of hot tar joint sealer not included A- Street project		35,900.00	35,900.00
Thank-you Any questions call 402-367-9882 Gary		Total	\$35,900.00

Customer Signature _____

STATEMENT

OBORNY CONSTRUCTION
 699 11th Street
 DAVID CITY, NE 68832
 (402) 367-6173
 Excavating & Residential Work

Estimate

DATE *5-12-20*

City of David City
David City, Ne

DETACH AND MAIL WITH YOUR CHECK. YOUR CANCELLED CHECK IS YOUR RECEIPT.

DATE	DESCRIPTION	CHARGES	CREDITS	BALANCE
	<i>Estimate A street and four concrete 8" thick with rebar every 2 foot interval 4 Methods</i>			<i>\$ 43600</i>
<i>Thank You</i>		PAID BY CHECK NO		

Council member Kevin Hotovy made a motion to approve an airport lease with Greg and Neil Sabata. Council Member Tom Kobus seconded the motion. The motion carried.
Kevin Hotovy: Yea, Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Absent,
Jessica Miller: Yea, John Vandenberg: Absent Yea: 5, Nay: 0, Absent: 2

AIRPORT LEASE

Greg and Neil Sabata will lease from the City of David City Airport the following tillable acres:

78.78 Acres in Sect 31 & 32 15 N 3 E
And the accompanying grass

The term of the lease will be from March 1, 2021 to February 28, 2024.

Greg and Neil agree to pay \$57,000.
Which is \$18,000 per year for the tillable acres, and \$1,000 per year for the accompanying grass.

The Rent shall be paid as follows:
\$9,500.00 on April 1, 2021
\$9,500.00 on November 1, 2021
\$9,500.00 on April 1, 2022
\$9,500.00 on November 1, 2022
\$9,500.00 on April 1, 2023
\$9,500.00 on November 1, 2023
\$57,000.00

Greg Sabata Date: _____

Neil Sabata Date: _____

Mayor Alan Zavodny – City of David City Date: _____

Mayor Zavodny stated the next agenda item was a 7:15 p.m. Public Hearing.

As it was not yet 7:15 p.m., Council member Kevin Hotovy made a motion to move to agenda #11 consideration of abandoning well #8 located at the Jaycee Park. Council Member Jessica Miller seconded the motion. The motion carried. Kevin Hotovy: Yea, Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Absent, Jessica Miller: Yea, John Vandenberg: Absent Yea: 5, Nay: 0, Absent: 2

Interim Water Supervisor Aaron Gustin said, "You should all have the quote from Sargent Drilling in your packet in regard to abandoning well #8 at the purple park. It was discussed toward the end of last year. This is the quote from Sargent Drilling. A lot of the work will be done, in terms of the building removal, the electrical – we would work with Vandenberg Electric and even our line crew guys could assist us in making sure that the electrical work was properly disconnected and abandoned. We would take down the building and Sargent Drilling would do the rest."

Janis Cameron said, "Sometimes the NRD's will help pay for that."

Interim Water Supervisor Aaron Gustin said, "Yes. There is a cost share in there."

City Administrator Clayton Keller said, "So, abandoning this well is part of our Wellhead Protection Plan update. Abandoning this well is part of the City's matching funds and so the NRD is going to abandon private wells in the area as well as pay for the plan update."

Council member Tom Kobus made a motion to approve the quote of Sargent Drilling in the amount of \$6,500.00 to abandon well #8 at the Jaycee Park. Council Member Bruce Meysenburg seconded the motion. The motion carried. Kevin Hotovy: Yea, Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Absent, Jessica Miller: Yea, John Vandenberg: Absent Yea: 5, Nay: 0, Absent: 2



PO Box 367
846 S 13th St.
Geneva, NE 68361

Toll Free: 888-496-3902
Phone: 402-759-3902
Fax: 402-759-4960

*Providing Complete Municipal, Industrial and Agricultural
Pump and Well Service*

March 17, 2021

City of David City
PO Box 191
David City, NE 68632

RE: Estimate for Well #8 Well Abandonment

Labor to pull pump	\$2,500.00
Labor and materials to abandon well	\$4,000.00
Total (does not include applicable sales tax)	\$6,500.00

NOTE: The City would be responsible for removing the building, digging up the well and the removal all materials.

Please call with any questions.

Thank You


Keith Broman,
Technician

KB/ah

Quote is good for 30 days

Council member Kevin Hotovy made a motion to move to agenda item #16 consideration of amending the airport grounds lease agreement with Storm Flying Service, LLC. Council Member Tom Kobus seconded the motion. The motion carried.

Kevin Hotovy: Yea, Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Absent, Jessica Miller: Yea, John Vandenberg: Absent Yea: 5, Nay: 0, Absent: 2

City Administrator Clayton Keller said, "Storm Flying Service currently has a containment pad at the airport. We have a lease agreement with them for that. He approached us and he would like to expand that area that he leases so that he can install a fuel tank for his own ag spraying business."

Mayor Zavodny said, "Jared has not been a trouble maker at all, so I'll vouch for him on that."

Council member Kevin Hotovy made a motion to approve the amended Airport Grounds Lease Agreement with Storm Flying Service, LLC. Council Member Tom Kobus seconded the motion. The motion carried. Kevin Hotovy: Yea, Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Absent, Jessica Miller: Yea, John Vandenberg: Absent Yea: 4, Nay: 0, Absent: 2

FIRST AMENDMENT TO GROUND LEASE

This First Amendment to Ground Lease ("Amendment") is made by and between the CITY OF DAVID CITY, NEBRASKA, a Nebraska municipal corporation ("Landlord"), and STORM FLYING SERVICE, LLC, a Nebraska limited liability company ("Tenant") located at 1461 31 Road, David City, Nebraska.

WHEREAS, the Landlord and Tenant entered into a Ground Lease dated October 1, 2012; a copy of the same is attached hereto, marked Exhibit "1", and incorporated herein by this reference as if fully set forth; and

WHEREAS, Landlord owns and has clear title to a tract of land approximately .40 acres (four-tenths) depicted on the attached survey ("Survey") marked Exhibit "2", and all abutting tracts of land, which are part of the David City Municipal Airport premises. The Survey is incorporated herein by this reference; and

WHEREAS, the demised premises are part of the David City Municipal Airport (the "Airport"); and

WHEREAS, the Landlord has received, is receiving and plans to receive Federal Aviation Administration ("FAA") Airport Improvement Program ("AIP") grants; and

WHEREAS, as part of the AIP grants there are requirements to receive these grants for which Landlord has signed grant assurances and these grant assurances obligate the Landlord to comply with certain FAA requirement policies; and

WHEREAS, the Landlord and Tenant agree that compliance with the AIP grant is important to all concerned.

NOW, THEREFORE, in consideration of the terms and conditions of the foregoing, which is incorporated herein by this reference, and other good and valuable consideration, the Landlord and Tenant agree as follows:

1. Section 2 is hereby deleted in its entirety and the following substituted:
 - 2.) **Use.** Tenant shall use the Grounds only for the construction of a containment pad and fuel system and abutting concrete apron, walkways, and taxiways (“Improvements”) for the operation of aerial application and for other aeronautical and airport compatible uses (“Permitted Use”). Tenant shall not allow the Grounds and Improvements (collectively, the “Premises”) to be used for any unlawful purposes or for any purpose not compatible with the operation of the David City Airport. Tenant shall keep and maintain the Premises in good condition and repair.
2. Except as otherwise provided in this Amendment, the terms, conditions and agreements contained in the Ground Lease and any previous amendments shall continue in full force and effect and shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. The terms used in this Amendment shall have the same meanings as in the Ground Lease unless otherwise indicated.
3. In the event that there is any inconsistency between the Ground Lease, any previous amendments, and this Amendment, this Amendment and any further amendments thereto shall govern.

LANDLORD:

CITY OF DAVID CITY, NEBRASKA,
a Nebraska municipal corporation

By: _____
Alan Zavodny, Mayor Date
for the City of David City,
Nebraska, a Nebraska
Municipal corporation

TENANT:

STORM FLYING SERVICE, LLC,
a Nebraska limited liability company

By: _____
Jared Storm, Manager Date

ATTEST:

Tami L. Comte, City Clerk Date

At 7:15 p.m. Mayor Zavodny opened the Public Hearing to consider the adoption of a One-Year and Six-Year Street Improvement Program for the City of David City, Nebraska. Mayor Zavodny asked if anyone wished to comment during the Public Hearing.

Dave Ziska, from Olsson's, said, "Good evening, Mayor and Council. As part of the Nebraska Classifications and Standards program, and as a requirement of the allocation that David City receives every year for their streets and roads, you're required to hold a public hearing to gain public comments on some of the planning and thought processes that you have for your streets and roads in David City. Each year we go through this process and just kind of write down thoughts and ideas that the City is considering for improvement. These streets shown here on the 1 and 6 Year Street map are not an obligation. It's a planning exercise and it's part of the requirement for the City's Highway Allocation and the opportunity for the public to approach us and make comments and suggestions. Really, that's all that this hearing is meant to achieve and I guess I would leave it open for any comments or questions that you might have. The City typically receives somewhere in the neighborhood of \$315,000 as an allocation for streets and roads."

Mayor Zavodny said, "That's higher than I remember that it was. I know that Chris is trying to take care of some of those shorter expanses of street around town as we've been able to, but the one that I hear about the most is "O" Street. I want to let the public know that they are being heard. Does anyone from the public wish to ask a question regarding our street plan?"

Dave Ziska said, "I see on here that the Downtown project needs to come off. That was a little before my time and I thought about it on the way up here."

Council member Kobus said, "That highway allocation money, if we don't use it, can we bank it and use it for "O" Street?"

Dave Ziska said, "Yeah, you can. I'd have to check and see. You can use it on new projects or you can use it on maintenance. You can use it on equipment. There's a lot of different things."

Council member Kobus said, "I was thinking that if we can get by and do some of the stuff ourselves, then maybe we could use that money."

Dave Ziska said, "I think that as long as it's solely designated for roads and streets that you have some flexibility with what you do with that money, yes."

Mayor Zavodny said, "That's a good question. I think that if you could check on that, that would be helpful. In the past we designated that money when we did the "D" Street project by Didier's and used the highway allocation to pay that over a certain amount of years."

Dave Ziska said, "Some use it for debt service."

Mayor Zavodny said, "That obligation has ended so we have some flexibility at this time."

Dave Ziska said, "I want to say that they'll let you bank it for three to five years. I'd probably have to check that to be sure."

Council member Bruce Meysenburg said, "In your opinion, is there any other way that we could move this forward faster, to get "O" Street done faster? That's been on the list for a long time now."

Dave Ziska said, "It's pretty difficult to get funding, grants or anything like that for streets and roads. Most of the agencies focus are on water and wastewater, public safety type of things. It would probably be up to the Council and staff to just decide to borrow the money. As the mayor said, the street allocation that you get each year, and I've seen it done before, you can use that as the debt service on the loan, that you might use to pave "O" Street. That's also something that you can look at doing."

Council member Bruce Meysenburg said, "What were we talking about for the cost, was it two and a half million?"

Mayor Zavodny said, "It was just a little north of two million. Now, there's a couple things that I want to talk about with that, and this is probably a question for Dave. The reality is that has become a default truck route in town for access to Yanka. That makes sense. Also, people bringing equipment in to Akrs Equipment, so we see all different kinds of truck traffic, bigger trucks and semis, too. So, as far as a thickness of a pour, we're looking at not your average street so what kind of a thickness are we looking at?"

Dave Ziska said, "You would probably want eight inches, at least."

Mayor Zavodny said, "That's what I was thinking. I just wanted to make sure that we were on the same page. That makes sense. From the day that I started in this office, my question has always been that I'll listen to any project pitch but you have to tell me how we're going to pay for it. If we can designate that money to do debt service, it's probably time that we started to tackle that and we may have some additional money coming because the other part of that is that the sewer and water and you have to take care of those things. We have one challenge, insofar as, not to pick on Mr. Egr, but where he lives there is no sewer system for storm water. It comes down the street, shoots over "O", lands in Kevin's and my ditch and heads to northwest drainage. There may be some money that can help us with moving water lines and doing some water management there. That all helps because anything that you can knock off that two and a half million is helpful."

Dave Ziska said, "To your point about the utilities that may or may not need some attention, we actually have a project under way right now in O'Neill where they are doing a pretty good size paving project with some sewer and water that they replaced before they laid the street on it and we're actually helping them work through the State Revolving Loan Fund to get money. They are getting zero percent interest and zero fees from that fund to help with the sewer and water relocates and at a point they will actually give some loan forgiveness on the loan. When you are talking about two or three hundred thousand dollars in loan forgiveness, I'll take free money any day."

Mayor Zavodny said, "We're always really careful and we want to make sure that we follow the rules. We do have the half-cent sales tax, too, strictly for water. We need to look at those kinds of things. I'm not a big tax person but I think that the citizens have shown, and demonstrated, that if it makes sense to them that they are willing to consider those kinds of things. I know that street gets utilized a lot."

Dave Ziska said, "I don't know how you feel about trying to assess any of that. That can be difficult on a road that is already paved."

Mayor Zavodny said, "Well, I'm going to tell you that we need to assess people along there because we did that when we went west and I think to be fair, that's the only way that you can justify doing it."

Council member Bruce Meysenburg said, "We did it on all of the 10th Street project, too."

Council member Kevin Hotovy said, "You've got to assess it. I would make sure that the unit price is consistent for a residential type of street and not honk people for a truck route."

Dave Ziska said, "A lot of the level of assessment is going to be up to you all, the mayor and council. I've seen a pretty wide range of assessments on paving projects. Some of them I've seen like seven dollars a running foot on assessments."

Council member Kevin Hotovy asked how much the assessments were the last time.

City Clerk Tami Comte said, "I want to say twenty-five dollars per running foot."

Dave Ziska said, "On new projects it can go all the way up to one hundred dollars per running foot. If we get buy-in from the property owners on the paving district then we can move ahead."

Mayor Zavodny said, "Is the rule sixty percent of the houses along there have to agree to it?"

City Clerk Comte said, "Couldn't you do it as a thoroughfare? Then you wouldn't need a petition."

Dave Ziska said, "You can. Correct. There's a number of ways that you can do that. I made up a facts sheet on that. I can send that to you."

Mayor Zavodny said, "Here's the harder question that fits into this. Anecdotal, at least, we haven't been working on any of those projects. We decided to postpone a building project in O'Neill from where I work because the costs have gone up on so many materials. Is the timing right? I know we need to do it but why do it when it's the most expensive? Are other people putting things off? Are we expecting those to recede a little bit?"

Dave Ziska said, "The State is going full speed ahead with a lot of their road projects, I think because of the cheap money, but a lot of the municipal paving contractors that I've seen are already out until September or October anyway, so I think that any paving project of any size isn't going to happen until 2022 anyway. I would like to think that prices may be a little bit lower when some of this calms down but it's hard to say."

Mayor Zavodny said, "We could start the process and we always have time to come back to the council and say this is too expensive. There's some options there. It just seems to me that if you're looking at new projects, it's maybe not the time. The bond market is going up. Things are not aligned well for us."

Dave Ziska said, "Right now things are pretty expensive."

Council member Tom Kobus said, "I think that Chris is doing an excellent job of keeping that street up, considering what it was three to four years ago. I think if he keeps doing what he's doing a little bit this summer, we can survive and hold off until it gets better to do it."

Street Supervisor Chris Kroesing said, "We're planning to touch up some low areas and sealing once again this year so it gets us through next winter again."

Council member Bruce Meysenburg said, "I was going to comment, too, that I drove it a couple of times recently and it seems to be a lot better than it was any other time that I drove it, so I think that you guys are doing a decent job."

Mayor Zavodny said, "When it was the worst was when we had the thicker asphalt and the chunks were coming out. I would watch Chris go back and forth to lunch and he would stop and pick up chunks. We had people who were upset because their vehicles getting hit out of align and they thought that the City should pay. It just gets to be an ugly thing. I agree, it has improved tremendously. We're spending a lot of time on "O" Street. What about some of the other places that you think are of importance?"

Street Supervisor Chris Kroesing said, "I actually have a meeting with Travis Hein Construction. They are the same one that I worked with this last year for armor coating and sealing and overlaying of new roads and I have a meeting with him either this week or the beginning of next week to do a few more roads to get us by longer. It's not a hundred percent fix but it's going to buy us some time. Since I've started with the City Street Department, this is my fourteenth year, we have not armor coated and sealed an asphalt street in this town, so they are taking on moisture and they are breaking out and losing their crown. So, we're going to try to reform some and get them sealed up and get us by for a while. If I use my budget to redo an asphalt road, I'm only going to get a block and a half and we have to spread it out."

Mayor Zavodny said, "Yeah, we've tried to prioritize some that we think that we could."

Street Supervisor Chris Kroesing said, "I don't think it worked out too bad last year."

Mayor Zavodny said, "I don't either. Any other questions on what we have ahead of us? Anybody from the public wish to speak on the streets?"

Hearing no further comment, Mayor Zavodny closed the public hearing at 7:32 p.m.

Council member Kevin Hotovy introduced Resolution No. 4-2021 accepting the One-Year and Six-Year Street Improvement Program and moved for its passage and adoption. Council Member Tom Kobus seconded the motion. The motion carried.

Kevin Hotovy: Yea, Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Absent, Jessica Miller: Yea, John Vandenberg: Absent Yea: 5, Nay: 0, Absent: 2

RESOLUTION NO. 4 - 2021

WHEREAS, The City of David City, Nebraska, has conducted a Public Hearing on March 24, 2021, in accordance with the requirements of the Board of Public Roads Classifications and Standards.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, that the One Year and Six Year Street Improvement Plans for Streets, as presented at the public hearing, are unanimously accepted and the City Clerk is hereby instructed to forward a certified copy of this resolution to the Board of Public Roads Classification and Standards of the State of Nebraska.

PASSED AND APPROVED this 24th day of March, 2021.

Mayor Alan Zavodny

City Clerk Tami L. Comte

Interim Water Supervisor Aaron Gustin said, "Cole Ratkovec is here to talk about replacement of the structure. There is only one quote in your packet and there is a very good reason why. In checking with Craig, from Olsson's, the concrete pad that is in place cannot support the weight of a block building. We would have to tear out, do footings for the specs that Cole laid out to me the other day and he's here to answer questions in regard to the fine details. Once you are digging into that, you're getting into the underlying structure of the lift station and the exits of the flow from the anaerobic lagoon. So, it can be done, but it will be at a very large cost. It will involve reengineering from Craig and then the utilization of a contractor to facilitate the build. In speaking with Cole, he feels that the wood structure that he would build for us would be more than adequate to withstand high winds and provide the ability to enclose the electrical, samplings, out accesses but also allow us to make any modifications in the future if need be, far easier than a block building would. If you have any questions in regard to any of that, I'll defer to him."

Mayor Zavodny said, "Did we determine that we have no recourse at this time from Eriksen's? Has that door closed? What I'm looking at is, they put it up, it fell down, they should pay at least the cost of replacing it and they don't even have to come back.

Interim Water Supervisor Aaron Gustin said, "I can reach out in regard to that because we are within that window for that. They did come and pick it up. There are probably thirty or forty photographs documenting the lack of integrity of the build and even walking around with

Cole, he was there to see the wreckage and he can probably talk more astutely. Monetarily, they would replace what was there, rebuild what was there and that's it."

Mayor Zavodny said, "Is there a value assigned to that? At this point, I don't know that I want them to come back at all. But what I would like is to say that had a value of X thousands of dollars, send us a check for that and we will rebuild."

Interim Water Supervisor Aaron Gustin said, "That, I think, would include Mr. Egr."

Mayor Zavodny said, "What's their defense? The building fell down."

Council member Tom Kobus said, "I've got a question. What kind of footings are in there?"

Interim Water Supervisor Aaron Gustin said, "There were anchors that were improperly installed. The structural engineer with Olsson looked at it and he felt that the nuts were not tightened down on the bolt anchors and so as the wind blew, it rocked itself to the point where those bolts came off and it just blew with the bolts."

Council member Tom Kobus said, "What kind of footings are in there? Does anybody know?"

Interim Water Supervisor Aaron Gustin said, "I believe that it's slab on grade."

Council member Tom Kobus said, "That isn't much."

Cole Ratkovec said, "It's in City Ordinance for building code and it wasn't built to building code. So, for a structure like that, it was poorly built but three sides and a roof, open to the south side, the anchors were just the anchors that you drill a hole in the ground, pound them in and tighten up the nut. The problem with that is that they will hold if they are properly done but they were only set in the concrete about one-quarter of an inch. So, they really weren't holding anything. They were virtually just put into the two-by-four, the grade board and into the concrete and doing nothing. The only boards that stayed there were the ones that were properly installed and half of them weren't. That's what initially caused the building to lift off of the foundation. The structure is not really big enough to have a thirty-six-inch footing if you want to do a wood structure. The building code says that if you are under four hundred square feet that you can do what is called a floating footing that is a foot by foot, one foot wide by one foot deep and that is plenty on a structure like that and a slab on grade would hold it anyway. But, per building code it should have been anchors wet-set in the concrete and then you wouldn't have had this issue to begin with."

Mayor Zavodny said, "So, how confident are you that you can work with what is there to get something that will hold?"

Cole Ratkovec said, "That's not a problem. Just like I would build any garage or any house, or anything like that, pretty much to what building code is so we could build it out of two by fours is what I have in the bid. I do green treated board on the concrete, anchored in with half-inch by six-inch long bolts every four foot on center, a foot from every corner. It's kind of a T-shaped out there now and you wouldn't have an open wall, you'll have a whole structure

which will increase your strength quite a bit, trussed roof, hurricane clips so the roof doesn't blow off if you have a stronger wind. You're kind of up there on a hill with open fields so it would virtually be built to the specs of a house or a garage."

Mayor Zavodny said, "Well, here's what I think we should do. This we probably need to move forward with and it's not on the agenda in this way, so what I'd like to do is in the future look at, because I'm going to weigh what it's going to cost us in attorney's fees to get, maybe, a dollar amount that doesn't end up being worth it, from a pragmatic standpoint."

City Attorney Jim Egr said, "What's the bottom bid?"

Cole Ratkovec said, "My bid was just shy of \$15,000."

Interim Water Supervisor Aaron Gustin said, "His bid was \$14,400."

City Attorney Jim Egr said, "I'm just going to be honest. You're going to spend more in legal fees."

Mayor Zavodny said, "That's what I was thinking and that's why I'm bringing it up."

Interim Water Supervisor Aaron Gustin said, "Emmalyn did just bring up a really good point, with regard to Cole and window access that's large enough to put in an industrial ventilation fan in there because an enclosed structure needs to be explosion proof. In that bid he put a roll-up door so whether it's four or five feet, it would allow us access with any big equipment, say a pump goes out in ten years and we need to get in there. That was his idea. I thought it was good outside-the-box thinking rather than just your thirty-two-inch steel entry door."

Mayor Zavodny said, "That's smart, it's especially smart if we have to take a wall down to get something out of there. To plan ahead is better."

Council member Tom Kobus made a motion to accept the quote of Cole Ratkovec in the amount of \$14,400 to replace the structure at the anaerobic lagoon. Council Member Kevin Hotovy seconded the motion. The motion carried.

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

Yea: 4, Nay: 0, Absent: 2



Estimate

Date	Estimate #
3/9/2021	310

Name / Address
CITY OF DAVID CITY WATER DEPT

Project

Description	Total
BUILD NEW STRUCTURE AROUND ELECTRICAL EQUIPMENT AT LAGOONS, BUILD WALLS FOLLOWING EXISTING CONCRETE, INSTALL A TRUSSED ROOF, FRAME WALLS 16 ON CENTER WITH 2X4, APPROX 8' WALLS WITH 3 WINDOWS TO THE SOUTH, ONE OVERHEAD DOOR ON THE EAST AND ONE ENTRY FLOOR ON NORTH WEST CORNER, INSTALL VINYL SIDING ON EXTERIOR, SHEET INSIDE OF BUILDING WITH 7/16" OSB	14,400.00

ESTIMATE PRICES ARE SUBJECT TO CHANGE. 50% DOWN PAYMENT REQUIRED 30 DAYS PRIOR TO START DATE. ** THIS ESTIMATE EXPIRES IN 60 DAYS	Total	\$14,400.00
RATKOVEC CONSTRUCTION Phone: 402-367-8693 Email: cole.ratkovec@gmail.com		

Interim Water Supervisor Aaron Gustin said, "The sludge pump, obviously, is our lime sludge removal pump. It is a pneumatically actuated diaphragm pump that allows us to pump the lime sludge from the sludge pit out and into the press. The one that is currently in there now was installed in 2011. Nate and John rebuilt the actual wet end of the pump last year. This year we've had to build the wet end again. They are big rubber diaphragms. As they pump, it wears down. The problem is the air, the pneumatic end of the pump, you can buy a rebuilt kit for it, the problem is when we attempted it a year and a half ago, we could not break the bolts loose, to the point where John, Nate and myself all thought that we were going to break a bolt off and we're going to be out. So, if we attempt to do that and we are unsuccessful, then we are without a sludge pump, which puts us in a real pickle. So, the quote is for \$5,750. This was an unforeseen expense but we need to be able to remove lime sludge."

Mayor Zavodny said, "Just to be clear, this is an expenditure that is short-term potentially as we move toward reverse osmosis? You won't need it for that?"

Interim Water Supervisor Aaron Gustin said, "We won't need it for that but we need it for now to limp along until that process is done."

Council member Tom Kobus made a motion to approve the quote of Municipal Service and Supply in the amount of \$5,750 to replace the sludge pump at the water treatment plant. Council Member Bruce Meysenburg seconded the motion. The motion carried.
Kevin Hotovy: Yea, Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Absent, Jessica Miller: Yea, John Vandenberg: Absent Yea: 4, Nay: 0, Absent: 2

Quote

3/18/2021

MUNICIPAL SERVICE & SUPPLY COMPANY

13709 B STREET - OMAHA, NE 68144-3819
 PHONE: (402) 334-9555 FAX: (402) 334-0445

SOLD TO

David City Utilities
 P.O. Box 191
 David City, NE 68632-0191

SHIPPED TO

David City Water Treatment Plant
 1220 E Street
 David City, NE 68632-1825

Email dcwatersup@windstream.net

Aaron 402-367-3132

DATE	DATE SHIPPED	SHIP VIA	YOUR ORDER NO.	F.O.B.	TERMS	Invoice	
3/18/21		Fed Ex	Aaron	Prepaid	Net 30		
QUANTITY	DESCRIPTION					PRICE	AMOUNT
1	Sand Piper 3" Diaphragm Pump Model s30B1-11EANS200 SO#1661680 Complete Pump, 3" NPT, Cast Iron Construction, Santoprene Elastomers, EPDM Seats, Top Discharge						\$ 5,750.00
1	Plus Freight with a 4 Week Delivery						
If you wish to Purchase, PLEASE SEND me a Purchase Order with Current Shipping and Billing Addresses.							
Thanks Kevin Hansen							
A service charge of 1%% per month, 16% APR, will be added to all overdue accounts. Also liable for all legal and collection fees.							

Wastewater Operator Emmalyn Gaudio said, "Our mower for out there is a 1998. We had gotten the cheaper mower last summer to get through the end of the summer. It has a lot of issues. It's always breaking down."

Mayor Zavodny said, "I have a couple of questions. We talked about this before. One of the concerns is safely operating that on the inclines."

Wastewater Operator Emmalyn Gaudio said, "Yes. I can use the brush mower on the bobcat for the inclines because it works a lot better."

Mayor Zavodny said, "So, this is just for the bigger areas?"

Wastewater Operator Emmalyn Gaudio said, "Yes. It has a lot of attachment options that a regular mower doesn't. I can get a sickle mower attachment so I can actually reach over the riprap or the concrete around all of the lagoon edges that I'm currently trying to weed whack. It's a lot of acres to try to weed whack all of that. A sickle mower attachment would be really helpful for that. It can also have spray capabilities, like a spray truck, or it can have forks, there is just a lot of attachment options for the future that we can add to it, if needed."

Mayor Zavodny said, "Did we account for this? I don't know where you are at budget-wise."

Wastewater Operator Emmalyn Gaudio said, "In budget section 26-2533, we actually allotted forty thousand dollars for a new mower."

Mayor Zavodny said, "And year to date your budget is under? The overall budget is under? What the Council wanted at one time is when we make a decision to purchase something, we want to evaluate in real time where we are at, so your overall budget seems to be operating pretty well? You're not way over in any areas? Even though we authorize an expenditure in this area, we're ok in the other places?"

Wastewater Operator Emmalyn Gaudio said, "Yes."

Council member Hotovy asked what they would do with their current mower.

Wastewater Operator Emmalyn Gaudio said, "The 1998? If there are days when two people have time to mow, we could try to use it. Like I said, it breaks down a lot."

Mayor Zavodny said, "That's what we are asking. If it's a money pit, then just get rid of it."

Council member Hotovy said, "I'm going to say that we'd be better off taking it to auction and getting rid of it."

Council member Kobus said, "Those mowers go pretty high at auction."

Council member Tom Kobus made a motion to purchase a John Deere 2025R mower for the wastewater department from Akrs Equipment in the amount of \$19,600. Council Member Kevin Hotovy seconded the motion. The motion carried.

Kevin Hotovy: Yea, Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Absent, Jessica Miller: Yea, John Vandenberg: Absent
Yea: 4, Nay: 0, Absent: 2



Quote Summary

Prepared For:
 Water & Power Water & Power Plant System
 NE

Prepared By:
 Scott Gronenthal
 AKRS Equipment Solutions
 1707 North 4th Street
 David City, NE 68632
 Phone: 402-367-3636
 Mobile: 402-720-4568
 sgronenthal@akrs.com

Quote Id: 23940345
 Created On: 22 March 2021
 Last Modified On: 22 March 2021
 Expiration Date: 04 April 2021

Equipment Summary	Suggested List	Selling Price	Qty	Extended
JOHN DEERE 2025R Compact Utility Tractor (18 PTO hp)	\$ 22,970.00	\$ 16,950.00 X	1 =	\$ 16,950.00
JOHN DEERE 60D AutoConnect™ 7-Iron Mid-Mount Side Discharge Mower (1023E, 1025R Model Year 2020 and 2025R)	\$ 3,210.00	\$ 2,650.00 X	1 =	\$ 2,650.00
Equipment Total				\$ 19,600.00

Quote Summary	
Equipment Total	\$ 19,600.00
SubTotal	\$ 19,600.00
Est. Service Agreement Tax	\$ 0.00
Total	\$ 19,600.00
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 19,600.00

Salesperson : X _____

Accepted By : X _____

Confidential

Interim Water Supervisor Aaron Gustin said, "This is the least fun agenda item that I get to speak on. There are multiple quotes from Electric Pump in regard to the rebuild and/or purchase of a brand new flight submersible pump for the headworks building. We currently own six. Three of them are out of commission. I'd like to know what the Council thinks in regard to what we should do. We keep chewing through pumps. Jim Grey, with Electric Pump, main thing is that we have too much grit going through them and with no way to remove it you're just

going to keep killing your pumps. No matter what we do, no matter what we put in there, we installed the comminutor. We redid the auger screen and I have photos of when we had the high water, we had lots of rain. That comminutor can only operate if the water level in the headworks building stays below the comminutor. It just came right up and over the shoulder. You can look at the quotes. Rags in the impellor. Rag – seal blown, that's grit. We're going to keep eating through pumps until there is something different."

Mayor Zavodny said, "We can't be the only one with this problem. What are other communities doing?"

Wastewater Operator Emmalyn Gaudio said, "A big issue with it is that we don't have grit removal in our influent headworks. Grit is mainly made up of egg shells and we have an egg plant here. So, the fact that we don't actually have grit removal in our pre-treatment is odd. The grit that was inside those check valves absolutely filled it and they were only six months old. Normally, there is grit removal."

Mayor Zavodny said, "Ok. That's the direction that I'm going. Obviously, we're going to keep doing this. If you keep doing the same thing over and over, we're going to keep getting the same results. So, that doesn't make a lot of sense. So, to fix it what does that take?"

Wastewater Operator Emmalyn Gaudio said, "To dig out a whole grit channel? There's not room in our influent. Normally, it's a long channel that helps you settle the grit out. It drops the rate of the water flow."

Mayor Zavodny said, "So, the biggest problem that we have is what Aaron just described is that when the water gets too high, nothing works."

Interim Water Supervisor Aaron Gustin said, "Grit is small enough to get through the comminutor and through the auger screen. It's minor egg shells that build up."

Mayor Zavodny said, "Are you telling me that we don't have an alternative fix?"

Interim Water Supervisor Aaron Gustin said, "We do. It's a new building."

Mayor Zavodny said, "Ok. So, we don't have an alternative fix."

Interim Water Supervisor Aaron Gustin said, "No. We don't. This is the situation. Electric Pump was out yesterday and the pump that they just rebuilt for us has to go back. The second that it was installed, there's a bearing that's bad and it's screaming. So, they have to come back and pull that pump and then if Emmalyn were to have major influx, the fullest that we saw was due to infiltration from the south side, most likely, obviously. But that brought it up enough to where our screening does no good. So, they're going to have to come and pull that pump and we're going to be down to two. If we get a rain event, we will flood. It's bad."

Mayor Zavodny said, "So, long term, and this was discussed here before, we knew that we wanted to start with the north side and that has helped. So, if we would slip line and commit to doing the south side, you can't guarantee that we won't have that problem. It should address infiltration, significantly."

Interim Water Supervisor Aaron Gustin said, "It should. I don't have a crystal ball. We can do what has been proven to help in other situations for other communities and hope that it helps for David City."

Council member Kobus said, "How big of a pump is this?"

Interim Water Supervisor Aaron Gustin said, "The one that needs to go back, they are on here, they are 52 amp submersible pumps."

Council member Kobus said, "Capacity wise?"

Interim Water Supervisor Aaron Gustin said, "I don't know what they push for gallons per minute."

Council member Kobus said, "How big is the pit where the pump is?"

Interim Water Supervisor Aaron Gustin said, "Where the wet well is? It's almost too small."

Council member Kobus said, "So, why can't you put this thing down a casing, go all the way up to the top and why can't you pump the grit out with your sewer pump? You said rags and stuff plug it up. So, why can't we keep that stuff out of there?"

Wastewater Operator Emmalyn Gaudio said, "We're trying to, but there's a bar screen in place and there's the comminutor, which is basically a grinder, and then an auger, and they are all in a row, but our channels are not that deep so when there's too much water flowing through it just goes over it, it bypasses all of it. Floating solids or floating debris just goes right over it."

Interim Water Supervisor Aaron Gustin said, "There is not enough real estate, per Craig with Olsson, to install a grit removal before our headworks influent location."

Council member Kobus said, "I'm just trying to say – how long does a pump last?"

Interim Water Supervisor Aaron Gustin said, "Well, for us, a couple of months is about the rate we're at. Just for comparison purposes, in 2018, Columbus has twenty-five or twenty-six lift stations and some of them are dual pump lift stations, so about thirty-five pumps is what Jim Grey thought, and they were kind enough to get me the numbers. In 2018, Columbus spent \$3,800, in 2019, Columbus spent \$2,700. We spent \$12,000 last year on repairs and they have ten times the pumps that we do."

Mayor Zavodny said, "So, for now, you need it."

Council member Hotovy said, "So, on these quotes, they are pretty close."

Mayor Zavodny said, "Were they all spec'd out exactly the same? Were there any differences in them?"

Interim Water Supervisor Aaron Gustin said, "I would make sure that the rebuilt is a 52 amp instead of a 39 amp pump."

Mayor Zavodny said, "Which one of these bids that we have do you recommend?"

Council member Hotovy said, "Are those our pumps that are being rebuilt?"

Interim Water Supervisor Aaron Gustin said, "Yes."

Council member Hotovy said, "Ok. We're within four thousand dollars of what I'm guessing is our best junk pump getting rebuilt to a brand new one. So, what I'm saying is maybe we should get a brand new one so we've got better parts to rebuild the next time."

Mayor Zavodny said, "I think that's a great idea and that's the way to go."

Council member Hotovy said, "Granted, it could be junk but you might have a better base to start the next time."

Council member Hotovy made a motion to approve purchasing a new pump for the headworks building at the wastewater treatment plant from Electric Pump for the quoted price of \$18,737.00. Council Member Tom Kobus seconded the motion. The motion carried. Kevin Hotovy: Yea, Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Absent, Jessica Miller: Yea, John Vandenberg: Absent Yea: 4, Nay: 0, Absent: 2



QUOTATION

4280 E 14th Street
 Des Moines IA 50313-2604 USA
 Telephone: (515) 265-2222 / FAX (515) 265-8079
 Toll Free 1-800-385-4PUMP
 www.electricpump.com

QUOTE NUMBER: 0138266
 QUOTE DATE: 2/24/2021
 EXPIRE DATE: 3/24/2021

SALESPERSON: JIM D.GRAY
 CUSTOMER NO: 3673132
 QUOTED BY: MJU
 MARQUITA

QUOTED TO:
 CITY OF DAVID CITY
 1220 "E" STREET
 DAVID CITY, NE 68632

JOB LOCATION:
 CITY OF DAVID CITY
 1220 "E" STREET
 DAVID CITY, NE 68632

CONFIRM TO:
 AARON

*** QUOTE ORDER - DO NOT PAY***

CUSTOMER P.O.	SHIP VIA	F.O.B.	TERMS			
AARON	BESTWAY	ORIGIN	Net 30 Days			
ITEM NUMBER	UNIT	ORDERED	SHIPPED	BACK ORDER	PRICE	AMOUNT

UPDATED 2/24/21 UPDATED 2/24/21

AARON, PLEASE FIND BELOW OUR OFFER ON A REPLACEMENT UNIT TO COMPARE TO THE REPAIR PRICING FOR TWO OF YOUR 3153 UNITS. THIS IS THE SAME PUMP YOU ORDERED AT THE END OF 2019.

0031531852527	EACH	1.00	0.00	0.00	18,737.00	18,737.00
---------------	------	------	------	------	-----------	-----------

NP462-4 20/230/3 50' FLS FV+ANSI

DELIVERY IS APPROX 10- 12 WEEKS AFTER RECEIPT OF ORDER. FREIGHT IS NOT INCLUDED IN ABOVE PRICE.

mutter@electricpump.com
 THANK YOU, MARQUITA UTTER

return goods must have written approval from Electric Pump, Inc. before returning. Credit will not be issued without written approval and if applicable there will be a Restock Fee.

Net Order:	18,737.00
Less Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
Order Total:	18,737.00

ABOVE PRICING EFFECTIVE FOR 30 DAYS

Council member Kevin Hotovy made a motion to table approving the vacation of plat for Mark and Willow Holoubek and authorizing Mayor Zavodny to sign. Council Member Bruce Meysenburg seconded the motion. The motion carried.
 Kevin Hotovy: Yea, Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Absent, Jessica Miller: Yea, John Vandenberg: Absent

Yea: 4, Nay: 0, Absent: 2

Mayor Zavodny opened the public hearing at 8:06 p.m. to consider the purchase of the buildings located at 490 "E" Street and 593 5th Street (formerly the U.S. Bank building and drive through) by the City of David City.

City Administrator Clayton Keller said, "I can begin. I believe that I told you last time that we did have the HVAC tech out and he told us that the boiler could be maintained if we find someone who has the knowledge to maintain that kind of boiler. It's much older. He wasn't as thrilled with the air conditioning systems. Those would need to be looked at or replaced in the next few years. I haven't been able to get the roofer out. Because of the rain they had other pressing projects come up. I imagine that they'll still come out at some point."

Mayor Zavodny said, "Has anyone been in there since the rain?"

City Administrator Clayton Keller said, "I have not."

Mayor Zavodny said, "You want to test the roof, you go in there and look when it's raining. Now would be the time to look. Since we are in the public hearing, I received a call this afternoon from former Councilman Kroesing and he had a couple of questions and one was the handicap accessibility because he knows that it would be an issue for the offices on the east due to the steps. If I understood correctly, the commitment would be that if someone came in you could meet in one of the conference rooms and people could go and have the meeting there."

City Administrator Clayton Keller said, "Right."

Mayor Zavodny said, "Are we absolutely certain that we don't need fire suppression?"

City Administrator Clayton Keller said, "That's what the Fire Marshal told us."

Mayor Zavodny said, "That's what I told him, too. We've seen that trend change. It seemed like for a while there that it seemed like the Fire Marshal's office were making everybody put them in but now, they're looking at the time to evacuate, the occupancy and the fact that nobody is staying there overnight."

City Administrator Clayton Keller said, "Correct. He wants to see us put in fire alarms and some fire rated doors and walls."

Mayor Zavodny said, "That probably just makes sense anyway."

Janis Cameron said, "I think that you're going to go ahead and do this and Clayton and I have talked about some remodeling that needs to be done and that we could schedule that for different budget years. Because if you drag it out, pretty soon it's not going to flow with what you've done. Your five is not going to coordinate with your one. Go ahead and spend it. You've got it."

Mayor Zavodny said, "You do raise a very good point. When you try to color coordinate then things are out of production. I hate spending money. I'm happy that we have that money there. That's been a lot of working by these groups saying we're not going to do something until we know how we're going to pay for it. In this case, I wasn't where you are, the point that you're making, before and I was lukewarm on this thing the whole time but what outweighs it for me is that having that anchor downtown is important and we do have a mechanism to pay for it, we are crunched for space and the property that we currently have has a lot of interest and it's marketable. I wish that I was a little more confident that someone would open, and I'm not

advocating any brand, but it seems like you can't swing a dead cat without hitting a Scooter's right now. Something like that going in there – I'm hoping for a good use for that set up can be found. The one thing that I'm a little uncomfortable with is that we have put no thought into what kind of work we're going to need inside. What is the vision? I don't know what that is. Maybe you guys have talked about it."

City Clerk Comte said, "We did have a quote that we gave you several meetings ago from a local contractor."

Mayor Zavodny said, "For portions, to put in the wall."

Council member Miller said, "It would have to be bid out."

City Clerk Comte said, "We just wanted an estimate because we really had no idea what it was going to take."

Council member Miller said, "A plan would need to be put together and then open it up for bids."

City Clerk Comte said, "This was just to give us an idea because we really didn't know what it would take."

Special Projects Coordinator Dana Trowbridge said, "I'm probably going to share more observations than intelligence. In rural America, driving through small towns, opening our eyes and taking a look, generally you will find that the finest buildings in small town America are churches and fire stations. Those are generally, without a doubt, the finest buildings in town. For some reason, we want to relegate our government staff to whatever the hell we can put them that they will stay in. We don't seem to take pride in that. I don't understand that and I never have. I'm not for spending tons of money on city halls but the one that we have doesn't function well. It doesn't serve the public and if it doesn't serve the public, what other purpose does it have? I would much rather see the City of David City occupying that corner that my father-in-law spent fifty years working in than having an empty building. I believe that the people that own it now, it will not bother them to leave it empty for the next five to ten years, if there isn't a buyer around for them and we can't afford that. So, I'm just asking you – what do we want to do with city government? Do we want to look good; do we want to be progressive? Because if you roll the numbers out on this and you just assume that you paid \$300,000 for it; I don't know what you'll spend to fix it up. That, you have total control over because you can say yes and you can say no. But if you go \$300,000 to buy it and you sell your building for \$120,000, you are \$180,000 into it. I still think that drive-in is worth \$100,000. If you pull that out of it and that's been an \$80,000 move from where you are to where you're going. You have adequate room to put a Chamber of Commerce office in there, a 501C3 corporation office in there. You could put them in where the chiropractor's offices are now. They could be open at odd hours so the public isn't wandering through city hall. It's kind of what Schuyler does. Schuyler has an economic development group and a Chamber of Commerce in the Homestead Bank building right beside it. The Homestead is separate and it's got a private opening. They rent it from the bank or the bank lets them use it for free. I don't know what they do. But it gives you some options. If you don't do that, you can rent that space out for what it's worth in the market today which is probably another thousand dollars a month and that's forever."

Mayor Zavodny said, "That's another consideration. You raise two points. One, I hadn't thought about the messaging that we're giving. That's an important piece. But there is that on-going revenue source from the building in there. I'm looking worst case scenario, let's say the air conditioning is shot. You're going to spend money there. I still think that we have enough

cushion that I'm comfortable with and I want to go over a couple of numbers, if I could. The appraisals have the main building at \$245,000, for the public record. \$125,000 is what they think the current city office is worth and then \$119,000 for the drive-through. Square footages are 9,732, 3,217 and 468. We've talked about how expensive building is right now. You could not build anything close to that for the price per square foot."

Council member Hotovy said, "For that price you would have a lot, is what you would have."

Council member Kobus said, "I agree with Skip. The city personnel deserve something better than what we've got, for sure. The place that we've got now, you've got to remember that you've got to back out onto the highway with traffic coming. Some of them come a hundred miles an hour. This way people can putt along and they can park."

Council member Hotovy said, "The building isn't really efficiently functional now. I look to the future and we may need added room. Hopefully the city keeps growing."

Council member Kobus said, "I think that drive-through will get somebody to buy it."

Special Projects Coordinator Dana Trowbridge said, "I think that drive-through has more value than many people think. I would encourage it. I think that David City is a better community than to be housed out of where you are today. I think it's a better group of people, it's a better community as a whole."

Mayor Zavodny said, "Thank you for your comments. Thank you, Janis, for yours. Does anybody else wish to speak? I want to say one thing, quick, to Councilman Hotovy because I think that he brings an important perspective and I'm going to throw Jessica into this too, some of the younger people. For us, looking ahead, for me it might be tomorrow, but we do need to consider this community five years down the road, ten years down the road, twenty years down the road and fifty years down the road. What are we planting today that helps it move forward as we move ahead? This certainly does make some sense. We are crunched for space. We send a message when people see that and if we can encourage a great business to buy the building that we are in, that's just a bonus. For our clientele in David City, let's be realistic, there's a good balance of young and old but we have a lot of older customers that go into the building on the highway to pay their bill every month is playing Russian roulette a little bit. I've watched that a few times and it's a little scary. I think that those are considerations that we have to throw into yours, as well."

Council member Miller said, "I look at it as a stepping stone. I remember when you were in that corner building. That was small and then you upgraded to a bigger space and obviously as times are changing and we are growing and hopefully will continue to grow."

Council member Kobus said, "I agree with Janis. If we are going to get that thing, we might as well make the improvements that we're going to need. Just do it. I'd say spend a little more, do what we've got to do and just get it done."

Janis Cameron said, "I've been involved with enough remodeling to know that when you drag it out, you just create so many problems. Do what you want done now."

City Attorney Jim Egr said, "I'll tell you that when people come into town, having the city offices there equates the town with success and being a progressive community. I think that's what you need to have. People want to equate themselves with success and that's part of equating them with success."

Mayor Zavodny said, "I didn't have this thought until thirty seconds ago but it might be helpful to have a small committee of community members to not only look at fixing up the inside, but making the outside look a little better. That's not my strength. If we're doing this and we're talking about spending more money to put better windows in. If you look at what the hospital has done, that hospital used to look good, but it was 1972 good, but now it looks 2025 good, with the addition of the wellness center. I'm not saying that we go to that extreme but I think we could do some things to increase the outside appeal a little bit and make our employees proud to go into the building and make it more functional to conduct business. That makes some sense."

Special Projects Coordinator Dana Trowbridge said, "Somewhere, from way back when until now, we've graduated someone from one of these schools that has become an architect and may know what they are doing and may have some ideas. I don't know how you make that building look good on the outside. I really don't. I wish I had the answer. Maybe we've got somebody out there that would like to help the old hometown and figure out what really would work well."

Mayor Zavodny said, "That's worth a shot. I would like to see, if we move forward on this, I'd like to see a small committee of community members to talk about what their vision would be. It all fits into the planning. We did it with our downtown and ended up with a product that I think we're pretty proud of. People are saying how good the lights look. I think that people are enjoying it. I'll admit when I'm wrong. You guys talked me into that. I think it's one of the best things that we have. People who drive through this town will remember it. Does anyone else want to speak during the public hearing on this matter?"

Hearing no further comment, Mayor Zavodny declared the public hearing closed at 8:25 p.m.

Council member Kevin Hotovy made a motion to go into executive session to discuss an offer to purchase the former U.S. Bank building located at 490 "E" Street and 593 5th Street and to discuss litigation concerning the Anaerobic Lagoon Project. Council Member Tom Kobus seconded the motion. The motion carried.

Kevin Hotovy: Yea, Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Absent, Jessica Miller: Yea, John Vandenberg: Absent
Yea: 4, Nay: 0, Absent: 2

Mayor Zavodny stated, "Now at 8:27 p.m. we are going into executive session to discuss an offer to purchase the former U.S. Bank building located at 490 "E" Street and 593 5th Street and to discuss possible litigation concerning the Anaerobic Lagoon Project. Mayor Zavodny, all of the Council members, City Administrator Keller, City Attorney Egr, Interim Water Supervisor Aaron Gustin, Wastewater Operator Emmalyn Gaudio, Special Projects Coordinator Dana Trowbridge and City Clerk Tami Comte went into executive session at 8:27 p.m. At 8:55 p.m. Interim Water Supervisor Aaron Gustin, Wastewater Operator Emmalyn Gaudio were excused so the offer to purchase the U.S. Bank building could be discussed.

City Attorney Jim Egr 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 9:18 p.m.

Council member Jessica Miller made a motion to approve making an offer of \$300,000 to purchase the former U.S. Bank building located at 490 "E" Street and 593 5th Street. Council Member Tom Kobus seconded the motion. The motion carried.

Kevin Hotovy: Yea, Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Absent,
Jessica Miller: Yea, John Vandenberg: Absent
Yea: 4, Nay: 0, Absent: 2

Council member Kevin Hotovy made a motion to adjourn. Council Member Jessica Miller seconded the motion. The motion carried.

Kevin Hotovy: Yea, Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Absent,
Jessica Miller: Yea, John Vandenberg: Absent
Yea: 4, Nay: 0, Absent: 2

CERTIFICATION OF MINUTES

March 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 March 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