

**ACKNOWLEDGEMENT OF RECEIPT OF NOTICE OF MEETING
OF THE MAYOR AND CITY COUNCIL OF
THE CITY OF DAVID CITY, NEBRASKA**

The undersigned members of the governing body of the City of David City, Nebraska, hereby acknowledge receipt of advance notice of a regular meeting of said body and the agenda for such meeting to be held at 7:00 o'clock p.m. on the **14th day of December, 2022**, in the **meeting room of the City Office, 490 "E" Street, David City, Nebraska**. The Mayor and City Council reserve the right to enter into a closed session at any time during the meeting, in accordance with the Nebraska Open Meetings Act, even though the closed session may not be stated on the agenda.

This agenda is available on our Web site at www.davidcityne.com for public inspection and may be modified up to twenty-four hours prior to the opening of the meeting.

Members of the public may attend this meeting electronically. A link and phone number will be available on our website.

Dated this 9th day of December, 2022.

AGENDA AS FOLLOWS:

1. Roll Call;
2. Pledge of Allegiance;
3. Inform the Public about the location of the Open Meetings Act and the Citizens Participation Rules;
4. Minutes of the December 7, 2022 meeting of the Mayor and City Council;*
5. Approval of Claims;*
6. Committee and Officer Reports;*
7. Ordinance No. 1420 Updating Mayor and Council pay;*
8. Public hearing on a redevelopment plan entitled: "Redevelopment Plan for the Northwest Redevelopment Area" in accordance with section 18-2112, of the Nebraska Community Development Law;
9. Resolution 29-2022 approving and adopting the "Redevelopment Plan for the Northwest Industrial Area";*
10. Ordinance No. 1421 to create Street Improvement District No. 2022-4, defining the boundaries of said District and the property contained therein; and, providing for the construction of improvements therein;*

Mayor Alan Zavodny

Council President Thomas J. Kobus

Council member Kevin E. Woita

Council member Jessica J. Miller

Council member Patrick J. Meysenburg

Council member John P. Vandenberg

Council member Bruce L. Meysenburg

City Clerk Tami L. Comte

*Potential Action Item

11. Ordinance No. 1422 to create Sanitary Sewer District No. 2022-1, defining the boundaries of said District and the property contained therein; designating the size, location and terminal points of the sanitary sewer lines for said District; and referring to the plans and specifications and estimate of the Engineer in connection therewith on file with the City Clerk;*
12. Ordinance No. 1423 to create Water Extension District No. 2022-1, defining the boundaries of said District and the property contained therein; designating the size, location and terminal points of the water lines for said District; and referring to the plans and specifications and estimate of the Engineer in connection therewith on file with the City Clerk;*
13. Ordinance No. 1424 authorizing the issuance and sale of General Obligation Bond Anticipation Notes, Series 2023, in an amount NOT TO EXCEED \$2,100,000 for the purpose of providing interim financing for the costs of constructing improvements in Street Improvement District No. 2022-4, Water Extension District No. 2022-1, and Sanitary Sewer Extension District No. 2022-1.*
14. Discussion/Action concerning hiring a Code Enforcement Officer;
15. Ordinance No.1409 annexing the Newsom and Schmid properties located at 3653 M Road, Part of the East half of Section 13, Part of the Southeast Quarter of Section 12, Part of the Northeast quarter of Section 24, All in Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, as legally described below on 3rd & Final reading;*
PART OF THE EAST HALF OF SECTION 13, PART OF THE SOUTHEAST QUARTER OF SECTION 12, PART OF THE NORTHEAST QUARTER OF SECTION 24, ALL IN TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH P.M., ALL IN BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 13; THENCE N00°00'34"W (ASSUMED BEARING) ON THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2631.23 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE N00°00'34"W ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 2634.07 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE N00°00'34"W ON THE NORTHERLY EXTENSION OF SAID WEST LINE, A DISTANCE OF 33.00 FEET TO THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 37; THENCE N89°56'25"E ON SAID NORTH RIGHT OF WAY LINE, PARALLEL WITH AND 33.00 FEET DISTANT FROM THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1233.68 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE S30°24'38"E ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 2762.01 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE S00°26'22"W ON SAID EAST LINE, A DISTANCE OF 270.83 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE S00°27'47"W ON THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2611.99 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 13; THENCE CONTINUING S00°27'47"W ON THE SOUTHERLY EXTENSION OF SAID EAST LINE, A DISTANCE OF 33.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD 36; THENCE S88°30'33"W ON SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 2608.32 FEET TO THE INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 13; THENCE N00°00'34"W ON SAID SOUTHERLY EXTENSION, A DISTANCE OF 66.02 FEET TO THE POINT OF BEGINNING, CONTAINING 283.02 ACRES, MORE OR LESS;
16. Ordinance No.1410 annexing part of the Alan and Rhonda Zavodny property located in the south half of the southeast quarter of Section 12, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described below on 3rd & Final reading; *
PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH P.M., AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., ALL IN BUTLER COUNTY NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 12; THENCE S89°56'25"W (ASSUMED BEARING) ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 12, A DISTANCE OF 1396.92 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN AND SANTA FE RAILWAY; THENCE N30°24'47"W ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 765.41 FEET; THENCE N89°56'25"E, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 1790.10 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE CONTINUING N89°56'25"E, A DISTANCE OF 33.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD "M"; THENCE S00°29'44"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 660.50 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 7, THENCE WEST ON SAID SOUTH LINE, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, CONTAINING 24.66 ACRES, MORE OR LESS;

*Potential Action Item

17. Ordinance No. 1411 annexing the McLaughlin, Holoubek, Callaway Rolloffs, LLC and Kobza and part of Burlington Northern railroad properties located in part of the SW quarter of Section 18, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described below on 3rd & Final reading;*

PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 18; THENCE S89°49'04"E (ASSUMED BEARING) ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18, A DISTANCE OF 1342.17 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE NORTHERLY ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 685 FEET, MORE OR LESS TO THE WEST LINE OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE N00°14'57"W ON SAID WEST LINE, A DISTANCE OF 1960.68 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER; THENCE S89°52'10"W ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1133.47 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE S00°12'02"W ON THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2612.00 FEET TO THE POINT OF BEGINNING, CONTAINING 70.2 ACRES, MORE OR LESS. DISTANCE OF 2612.00 FEET TO THE POINT OF BEGINNING, CONTAINING 70.2 ACRES, MORE OR LESS;

18. Ordinance No. 1412 annexing the Butler County Ag Society, AC Storage, LLC, and Butler County Noxious Weed properties located in part of the Northwest quarter of Section 19, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described below on 3rd & Final reading;*

PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 19; THENCE N00°00'00"E (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 2642.00 FEET TO THE NORTHWEST CORNER OF SAID SECTION 19; THENCE S88°27'55"E ON THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1342.20 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE SOUTHERLY ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 1052.13 FEET TO THE NORTHEAST CORNER OF LOT 1, PERKINS AND THORPE PLACE; THENCE N89°24'49"W ON THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 500.19 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE S00°02'09"W ON THE WEST LINE OF LOTS 1 AND 2 OF SAID PERKINS AND THORPE PLACE, A DISTANCE OF 523.87 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE N87°52'00"W ON THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN DEED BOOK 92, PAGE 986, A DISTANCE OF 466.44 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE S00°00'24"W ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 1080.21 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE N88°12'34"W ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 519.57 FEET TO THE POINT OF BEGINNING, CONTAINING 58.9 ACRES, MORE OR LESS.

19. Ordinance No. 1413 (as amended) annexing part of the Mark & Willow Holoubek property and all of the Russ & Loretta Daro property located in part of the east half of the SE quarter of Section 24, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described below on 3rd & Final reading;*

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH, P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 24; THENCE S00°00'00"E (ASSUMED BEARING) ON THE EAST LINE OF SAID SECTION 24, A DISTANCE OF 1771.39 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 14-01190; THENCE S89°33'50"W ON THE NORTH LINE OF SAID TRACT, A DISTANCE OF 990.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE N00°00'00"W, PARALLEL WITH AND 990.00 FEET DISTANT FROM SAID EAST LINE, A DISTANCE OF 300.00 FEET; THENCE N89°33'50"E, PARALLEL WITH AND 300.00 FEET DISTANT FROM SAID NORTH LINE, A DISTANCE OF 740.00 FEET; THENCE N00°00'00"E, PARALLEL WITH AND 250.00 FEET DISTANT FROM SAID EAST LINE, A DISTANCE OF 388.65 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD, THENCE N87°55'04"W ON SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 740.47 FEET; THENCE N00°00'00"W, PARALLEL WITH AND 990.00 FEET DISTANT FROM SAID EAST LINE, A DISTANCE OF 1062.28 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE S89°44'12"E ON SAID NORTH LINE, A DISTANCE OF 990.00 FEET TO THE POINT OF BEGINNING, CONTAINING 33.51 ACRES, MORE OR LESS.

20. Ordinance No. 1414 annexing the Amy Slama (J.M. & Delores Lanspa) property located in part of the SE quarter of the SE quarter of Section 24, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described below on 3rd & Final reading;*

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH, P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 24; THENCE N00°00'00"E (ASSUMED BEARING) ON THE EAST (Continued) LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 870.34 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 14-01190; THENCE S89°33'50"W ON THE NORTH LINE OF SAID TRACT, A DISTANCE OF 990.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE S00°00'00"E ON THE WEST LINE OF SAID TRACT, PARALLEL WITH AND 990.00 FEET DISTANT FROM SAID EAST LINE, A DISTANCE OF 870.34 FEET TO THE SOUTHWEST CORNER OF SAID TRACT AND THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE N89°33'50"E ON SAID SOUTH LINE, A DISTANCE OF 990.00 FEET TO THE POINT OF BEGINNING, CONTAINING 19.78 ACRES, MORE OR LESS.

21. Ordinance No. 1415 annexing the Aquinas High School, and the City of David City properties located in part of the south half of the SW quarter of Section 29, part of SE quarter of the SW quarter and the SE quarter of Section 30, part of the East half of the West half of Section 31, all of the West half of Section 32, all in Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described below on 3rd & Final reading;*

PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 29, PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 30, PART OF THE NORTHWEST QUARTER AND PART OF THE EAST HALF OF SECTION 31, PART OF THE WEST HALF OF SECTION 32, ALL IN TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., AND PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 5, ALL IN TOWNSHIP 14 NORTH RAGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 32; THENCE N01°21'15"W (ASSUMED BEARING) ON THE EAST LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., A DISTANCE OF 1331.48 FEET TO THE NORTHEAST CORNER OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER; THENCE N89°45'27"W ON THE NORTH LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER, A DISTANCE OF 1333.36 FEET TO THE EASTERLY LINE OF A TRACT OF LAND DESCRIED IN FILMBOOK 08-871; THENCE N34°22'45"W ON SAID EASTERLY LINE, A DISTANCE OF 2439.79 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M.; THENCE N01°57'25"W ON SAID EAST LINE, A DISTANCE OF 1987.43 FEET TO THE NORTHEAST CORNER OF SAID SECTION 31; THENCE N00°38'10"W ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., A DISTANCE OF 33.00 FEET TO THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 34; THENCE N89°31'03"W CONTINUING ON SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 1320.98 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 30 TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M.; THENCE N00°51'36"W ON SAID EAST LINE, A DISTANCE OF 1599.03 FEET TO THE SOUTH LINE OF THE NORTH 1000 FEET OF SAID WEST HALF OF THE SOUTHEAST QUARTER; THENCE N89°42'59"W ON SAID SOUTH LINE, A DISTANCE OF 1236.54 FEET TO THE EAST RIGHT OF WAY LINE OF HIGHWAY 15; THENCE N89°42'59"W ON THE WESTERLY EXTENSION OF SAID SOUTH LINE, A DISTANCE OF 169.46 FEET TO THE WESTERLY RIGHT OF WAY LINE OF HIGHWAY 15; THENCE SOUTHERLY ON SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING 10 COURSES: S00°52'19"E, 338.00 FEET; S09°47'51"E, 202.41 FEET; N89°07'41"E, 5.00 FEET; S01°05'11"E, 424.70 FEET; S31°54'27"E, 70.17 FEET; S00°26'21"E, 605.47 FEET; S23°40'48"E, 67.15 FEET; S01°46'33"E 150.82 FEET; S09°31'10"W, 101.98 FEET; S02°02'01"E, 2357.08 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 31; THENCE S89°44'34"E ON SAID SOUTH LINE, A DISTANCE OF 76.60 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 31; THENCE S89°38'52"E ON THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1883.02 FEET TO THE WESTERLY LINE OF A TRACT OF LAND DESCRIBED AS TRACT 1 ON A SURVEY BY TIMOTHY J. ROBINSON LS-625 DATED 3/13/2006; THENCE S34°22'45"E ON SAID WESTERLY LINE, A DISTANCE OF 1422.81 FEET TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 32; THENCE S01°57'26"E ON SAID WEST LINE, A DISTANCE OF 160.45 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 32; THENCE S01°26'32"E ON THE WEST LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER, A DISTANCE OF 1332.50 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 32; THENCE S01°26'32"E ON THE WEST LINE OF SECTION 5, TOWNSHIP 14 NORTH, RANGE 3 EAST OF THE SIXTH P.M., A DISTANCE OF 33.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD 33; THENCE S89°41'30"E ON SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 2639.51 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 5; THENCE N00°18'30"E ON SAID EAST LINE, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, CONTAINING 342.79 ACRES, MORE OR LESS.

22. Ordinance No. 1416 annexing the Charles & Patricia Oborny, and John Trawicke, and City of David City properties located in part of the SW quarter of the NW quarter and part of the NW quarter of the SW quarter, all in Section 20, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described below on 3rd & Final reading;*

PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, ALL IN SECTION 20, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 20; THENCE N00°34'38"W (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1006.45 FEET TO THE SOUTHWEST CORNER

OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 13-01091; THENCE EASTERLY ON THE SOUTHERLY LINE (Continued) OF SAID TRACT THE FOLLOWING FIVE COURSES: S89°52'40"E, 384.90 FEET; S01°22'00"E, 144.13 FEET; S89°04'33"E, 170.00 FEET; S02°09'54"W, 49.50 FEET; S89°46'57"E, 694.98 FEET TO THE SOUTHEAST CORNER OF SAID TRACT; THENCE S00°34'36"E, A DISTANCE OF 423.60 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 13-00893; THENCE S00°34'36"E ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 390.50 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE N89°39'36"W ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 61.40 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 19-01821; THENCE S89°42'36"E ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 149.52 FEET; THENCE N89°39'36"W, PARALLEL WITH AND 149.5 FEET DISTANT FROM SAID SOUTH LINE, A DISTANCE OF 878.05 FEET TO THE EAST LINE OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 2018-01180 THENCE N00°42'36"W ON SAID EAST LINE, A DISTANCE OF 149.53 FEET TO SAID SOUTH LINE OF THE NORTHWEST QUARTER; THENCE N89°39'36"W ON SAID SOUTH LINE, A DISTANCE OF 310.05 FEET TO THE POINT OF BEGINNING, CONTAINING 28.25 ACRES, MORE OR LESS.

23. Ordinance No. 1417 annexing the St Mary's Catholic Church, John & Maureen Coufal and State of Nebraska properties located in part of the SW quarter of the NW quarter of Section 29, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described below on 3rd & Final reading,*:

PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 29; THENCE N00°00'00"E (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 495.44 FEET TO THE SOUTHWEST CORNER OF HILDY ESTATES FIRST ADDITION TO THE CITY OF DAVID CITY; THENCE S88°46'34"E ON THE SOUTH LINE OF SAID HILDY ESTATES FIRST ADDITION, A DISTANCE OF 490.11 FEET TO THE SOUTHEAST CORNER OF SAID HILDY ESTATES FIRST ADDITION; THENCE CONTINUING S88°46'34"E, A DISTANCE OF 259.61 FEET; THENCE S00°00'00"E, A DISTANCE OF 165.00 FEET; THENCE S88°46'34"E, A DISTANCE OF 400.00 FEET; THENCE S00°00'00"E, A DISTANCE OF 330.44 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE N88°46'34"W ON SAID SOUTH LINE, A DISTANCE OF 1149.72 FEET TO THE POINT OF BEGINNING, CONTAINING 11.56 ACRES, MORE OR LESS.

24. Ordinance No. 1419 annexing the Richard & Beverly Bennett and Don Saalfeld properties located in part of the NE quarter of the NE quarter of Section 25, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described below on 3rd & Final reading*

PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH P.M., AND PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., ALL IN BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 25; THENCE S89°33'50"W (ASSUMED BEARING) ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 25, A DISTANCE OF 707.00 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN FILMBOOK 13-01242; THENCE S00°00'00"E ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 605.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE N89°33'50"E ON THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 51.00 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN FILMBOOK 11-01108; THENCE S00°00'00"E ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 361.63 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE S89°48'14"E ON THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 655.98 FEET TO THE SOUTHEAST CORNER OF SAID TRACT AND THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE CONTINUING S89°48'14"E ON THE EASTERLY EXTENSION OF SAID SOUTH LINE, A DISTANCE OF 33.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD "M"; THENCE N00°00'00"E ON SAID EAST RIGHT OF WAY LINE, PARALLEL WITH AND 33.00 FEET DISTANT FROM SAID EAST LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 974.23 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 30; THENCE S89°33'50"W ON SAID NORTH LINE, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, CONTAINING 16.05 ACRES, MORE OR LESS.

25. Accept the resignation of Keith Marvin from the Planning Commission;*
26. Accept the resignation of Jessica Miller as 1st Ward Council Member;*
27. Letter of agreement with Marvin Planning Consultants for David City Map updates;*
28. Closed session for personnel, contracts or pending litigation (as necessary);*
29. Adjourn.*

THANK YOU to:

Mayor Zavodny and Council member John Vandenberg – 3rd Ward for the last twelve (12) years of service as Mayor and Council member.

There will be a brief intermission followed by the Organizational Meeting.
Please see the City Council Organizational agenda.

**ACKNOWLEDGEMENT OF RECEIPT OF NOTICE OF MEETING
OF THE MAYOR AND CITY COUNCIL OF
THE CITY OF DAVID CITY, NEBRASKA**

The undersigned members of the governing body of the City of David City, Nebraska, hereby acknowledge receipt of advance notice of an organizational meeting of said body and the agenda for such meeting to be held immediately following the regular council meeting scheduled for 7:00 o'clock p.m. on the **14th day of December, 2022**, in the meeting room of the City Office, 490 E Street, David City, Nebraska.

This agenda is available on our Web site at www.davidcityne.com for public inspection and may be modified up to twenty-four hours prior to the opening of the meeting.

Members of the public may attend this meeting electronically. A link and phone number will be available on our website.

Dated this 9th day of December, 2022.

AGENDA AS FOLLOWS:

1. Oath of Office to Mayor Jessica J. Miller, Council members Thomas J. Kobus – 1st Ward; Kevin E. Woita – 2nd Ward; and Keith A. Marvin – 3rd Ward;
2. Roll Call;
3. Inform the Public about the location of the Open Meetings Act and the Citizens Participation Rules;
4. Presentation of appreciation accolades to Alan Zavodny and John Vandenberg;
5. Declaration that a vacancy exists for a 1st Ward Council Member;
6. Election of City Council President for Calendar Years 2023 & 2024;*
7. Appointment of Appointed Officials (as follows);*
8. Appointment of two council members to serve on the Finance Committee;*
9. Appointment of two council members to serve on the Law Enforcement Committee;*

Mayor Jessica J. Miller

Council member Thomas J. Kobus

Council member 1st Ward Vacancy

Council member Patrick J. Meysenburg

Council member Kevin E. Woita

Council member Bruce L. Meysenburg

Council member Keith A. Marvin

City Clerk Tami L. Comte

*Potential Action Item

10. Appointment of two representatives to serve on the Butler County Development Board;*
11. Appointment of Council member Keith Marvin as the liaison between the Council and the Planning Commission;*
12. Consideration of appointing Robert Hilger to the Planning Commission to fill the unexpired term of Keith Marvin until April, 2025 (December, 2022 - April, 2025);*
13. Consideration of the Maintenance Agreement with the Nebraska Department of Transportation and authorize the mayor to sign and renew the agreement annually;*
14. Adjourn.

APPOINTED OFFICIALS
 December 14, 2022

CODE SECTION	OFFICIAL TITLE	APPOINTEE
1-503	Interim City Administrator	Tami Comte
1-505 1-504	City Clerk +) City Treasurer)	Tami Comte ^
1-506	Deputy Clerk	Lori Matchett
1-508	City Attorney	David Levy, BairdHolm
1-517	Street Supervisor	Christopher Kroesing ^
1-515	Electric Supervisor	Patrick Hoeft ^
1-516	Power Plant Supervisor	John Smaus ^
1-513	Sewer Supervisor	Daniel Sobota ^
1-514	Water/Wastewater Field Supervisor	John Kobus
1-518	Building Inspector	Gary Meister
1-521	Park & Recreation Superintendent	Bill Buntgen ^

^ Denotes Department Head

*Potential Action Item