

COMMUNITY DEVELOPMENT AGENCY PROCEEDINGS

May 11, 2022

The Community Development Agency of the City of David City, Nebraska, met in open public session at 7:45 p.m. in the meeting room of the City Office at 557 N. 4th Street, David City, Nebraska. The Public had been advised of the meeting by publication of notice in The Banner Press on May 5, 2022, and an affidavit of the publisher is on file in the office of the CDA Secretary. The Community Development Agency members acknowledged advance notice of the meeting. The advance notice to the Public, and Community Development Agency members conveyed the availability of the agenda, which was kept continuously current in the office of the Secretary 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 meeting.

Present for the meeting were: Community Development Agency Members—Alan Zavodny, Tom Kobus, Bruce Meysenburg, Kevin Woita, John Vandenberg, Community Development Agency Secretary Tami Comte. Special Projects Coordinator Dana Trowbridge was also present. Community Development Agency Member Jessica Miller and Pat Meysenburg were absent.

Chairman Alan Zavodny informed the public of the "Open Meetings Act" posted on the east wall of the meeting room and asked those present to please silence their cell phones. He also asked that anyone addressing the Agency to introduce themselves.

Council member Kevin Woita made a motion to approve the minutes of the April 13, 2022, CDA meeting as presented. Council Member John Vandenberg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Absent, Jessica Miller: Absent, John Vandenberg: Yea, Kevin Woita: Yea, Alan Zavodny (Chair): Yea
Yea: 5, Nay: 0, Absent: 2

Council member Bruce Meysenburg made a motion to approve forwarding the Redevelopment Plan to the Planning Commission. Council Member Tom Kobus seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Absent, Jessica Miller: Absent, John Vandenberg: Yea, Kevin Woita: Yea, Alan Zavodny (Chair): Yea
Yea: 5, Nay: 0, Absent: 2

Chairman Zavodny stated that the next item on the agenda was review of the Northland Plat as prepared by Olsson.

Chairman Alan Zavodny said, "Well, we on the city end have had a few discussions about this. I know Skip has been working on this, too. One of the things that we need, in my opinion, what we have are concept drawings which are fine, but we need a more detailed actual plat so that we can figure easements and how we're going to run utilities, electrical, water, sewer and that kind of thing so we're looking at something a little more formal so we can work off of that plan. Is that where you are at, too?"

Special Projects Coordinator Dana Trowbridge said, "We need a commitment from Black Hills gas as to what they plan on doing and they are difficult people to work with at best."

Interim City Administrator/City Clerk Tami Comte said, "I emailed them six weeks ago, approximately, and they said they would get right on it."

Special Projects Coordinator Dana Trowbridge said, "Yes and they've been given all of the information that they've asked for. I said to the fellow today that all we wanted to know was if we're going to have to kick a bunch of money into the gas project or not. He said, 'Well, sometimes we make you and sometimes we don't.' I said that was not good enough."

Chairman Alan Zavodny said, "I don't work for them, and I could have given you that answer."

Special Projects Coordinator Dana Trowbridge said, "But I did give him an alternative that if they couldn't get this done then we would probably do a housing development without natural gas, and we'll put in electric heat. How much money do you think you'll make off of that? The answer was nothing."

Chairman Alan Zavodny said, "I would anticipate that probably got their attention. We do need a little more response because I know, I think it was my first year as mayor, we did a tabletop of if a tornado came through town and the only thing, they told us was that we couldn't shut the gas off. What we worked through at that thing was if it's going and your guy is not there then the fire department is going to shut off your gas, so we don't have an explosion."

CDA Member Kevin Woita said, "Who did you talk to, Skip?"

Special Projects Coordinator Dana Trowbridge said, "I talked to the service people out of Norfolk, and I couldn't get past the receptionist, to be honest with you. I got an entry level clerk."

Interim Administrator/City Clerk Tami Comte said, "Did you get a hold of the guys who's name I gave you?"

Special Projects Coordinator Dana Trowbridge said, "Yes. He was passing that information on to two other people who were going to get right on it within two days."

Chairman Alan Zavodny said, "Would he be our liaison for the City?"

Special Projects Coordinator Dana Trowbridge said, "Danny Willets."

CDA Member Kevin Woita said, "I always talk to Dave out of Columbus. He's the head of construction."

Special Projects Coordinator Dana Trowbridge said, "I need to speak to somebody who can do more than answer the phone."

CDA Member Kevin Woita said, "I have Dave's number at work."

Special Projects Coordinator Dana Trowbridge said, "Can you share that number with me?"

CDA Member Kevin Woita said, "Yes. I sure will. Every time that I've talked to him, he gets it done right away."

Special Projects Coordinator Dana Trowbridge said, "It's not going to be a deal breaker. They are talking up to a hundred thousand dollars to put a main in. They don't believe that they have a main in the area, which is hard for me to believe but..."

Chairman Alan Zavodny said, "Well, I wonder how our fireplace is running and I wonder why that meter is on the outside of my house."

Special Projects Coordinator Dana Trowbridge said, "It's not a deal breaker on a two plus million-dollar project but it's something that we need to address to know what direction we're headed."

Chairman Alan Zavodny said, "I'm not trying to be mean but, to me, that sounds like something that they should be excited about. Whenever you can add rate payers, I don't know what utility would not be embracing that. Alright, if we can get that contact and improve that, that would be great. I would also just like to say before we move off of this agenda item that we do need to get more of a plat so we can figure out our utilities."

Chairman Zavodny stated that the next item on the agenda was discussion concerning the north industrial corridor.

Special Projects Coordinator Dana Trowbridge said, "If I may share with you. There are so many things going on in that north industrial corridor, especially for the guys that aren't with it every day, to understand what is going on. This was done by Timpote, and they have been really wonderful. This was sent to the Department of Roads and it's an overview. The first page is the overview map of everything up there. Then there are four pages that have the four projects in a bubble fashion so you can understand each one. Again, Timpote did all of the work on this. We are to the point up there where we have turned in our application to the State of Nebraska last week for three entrances, two onto Highway 15, one from the west by Akers and one on the east straight across on the H-KO property. Those are the circles that you see. Then we're looking at one on the Bruno spur that would go into the H-KO property five hundred feet east of the center line of Highway 15."

Chairman Alan Zavodny said, "They did finally settle on that?"

Special Projects Coordinator Dana Trowbridge said, "Yes. Sierra is the approval lady for this area for access. She approved it and forwarded it to her boss, Tom Goodbarn, who approved it and he's the district engineer for DOR (Dept. of Roads) in this area. That sent it to their oversight committee that approves entrances on highways. I think we're in a good position and I don't know that it will take terribly long to get an answer from these folks. What is probably going to slow down the east of the highway things is the status of the H-KO property. We haven't annexed it; it hasn't been platted. We're going to find costs involved with the access. I think that the City is going to have to pay for the access on each side. It won't be horribly expensive but we're going to want some funding mechanism on the east side beyond the open checkbook."

Chairman Alan Zavodny said, "Have you done any more work on the timing of that based on our collection of TIF to help fund that?"

Special Projects Coordinator Dana Trowbridge said, "I'm planning on that TIF project building the south road that runs east and west and the access."

Chairman Alan Zavodny said, "Does our timing look good for that? You've done a lot of work to get us this far and I think I've told you all before if you weren't in the meeting that some of us were in that if the City doesn't do it, Akrs isn't going to get it. We have to have a dedicated street. It's not just entry for Akrs."

Special Projects Coordinator Dana Trowbridge said, "That's a big deal with the State of Nebraska."

Chairman Alan Zavodny said, "The only reason that I say that is that people get to the coffee shop and this whole thing gets muddled and you hear different things."

CDA member Bruce Meysenburg said, "People see this as only going to one business and that is Akrs."

Chairman Alan Zavodny said, "That is clearly not the case. Even with our turn lane which is a great improvement, the fact of egress from Timpte and everything it takes a lot of the pressure off of "O" Street, Industrial Drive and "S" Street. It's a great safety thing for us and as Skip has made a really good point, we've added so much value by those streets that we can develop around those potentially."

Special Projects Coordinator Dana Trowbridge said, "So anyway, are there any questions at this point in time? Pick the phone up and call me. It's really complicated when you look at all of the things going on. How do we pay for them? We're really in pretty good shape."

CDA member Bruce Meysenburg said, "Is there any timeline on H-KO, when they are going to start?"

Special Projects Coordinator Dana Trowbridge said, "I've had some expert advice that maybe this is going to have to be done in segments on a planned growth pattern. If you look at a hundred- and thirty-acre development all at once that it's not going to happen."

Chairman Alan Zavodny said, "It's got to be phased."

Special Projects Coordinator Dana Trowbridge said, "I'm hoping that the first phase is the industrial section of it right off of the highway."

Chairman Alan Zavodny said, "So, the other question that has come up since we've been working on this, and I've been getting a few calls on sheep processing and that kind of has gone away and then a beef processing facility. You are right. It is complicated."

Special Projects Coordinator Dana Trowbridge said, "It's beyond complicated. I have had no official communication with anyone about beef or goats or sheep. I have had some communication on AGP, and the coffee shop likes to talk about AGP isn't real. It isn't really going to happen. I'll take some bets on that one. It's going to happen."

Chairman Alan Zavodny said, "I got a call right before I came here and they are moving faster than we even know."

Special Projects Coordinator Dana Trowbridge said, "We are not seeing any movement from them because they move very quietly."

Chairman Alan Zavodny said, "Just tonight I was told that we are very welcome to go to Aberdeen and they would love to host us."

CDA member Kevin Woita said, "That was my question. Have you guys discussed anything about going?"

Chairman Alan Zavodny said, "They are anxious for us to go, and they would be willing to show us everything and they are actually excited about it."

CDA member Bruce Meysenburg said, "From what I've seen it's a nice facility."

Chairman Alan Zavodny said, "We have been having meetings and we just had one with Butler Public Power and NPPD of how we can supply them and the different options that we're looking at. We're still looking at how we're going to get the water and what can we do with the sprinkler system. Those conversations are continuing as we're getting closer to being able to figure out how we're going to do all this. It is a monumental change."

Special Projects Coordinator Dana Trowbridge said, "In the timeline, AGP is great because it's two seasons out."

Chairman Alan Zavodny said, "And we're going to need every minute of it. That's a great point."

CDA Secretary Tami Comte said, "When I talked to Bryan Sharp from AGP the other day he told me that they were still negotiating with the railroad which he indicated was not an easy thing to do."

Special Projects Coordinator Dana Trowbridge said, "That isn't completely clear, apparently."

Chairman Alan Zavodny said, "We think that made progress yesterday."

Special Projects Coordinator Dana Trowbridge said, "The engineer told us a couple weeks ago that they were investigating several options. What we need to do as a group here is we need to reopen our 1- and 6-year street plans in the intermediate term and revise them to recognize these streets, both east and west side of the highway because the State of Nebraska says that if we have annexed the west that we've done the east also."

Chairman Alan Zavodny said, "We just had that conversation this morning."

Special Projects Coordinator Dana Trowbridge said, "To me, that is one of the next steps that we need to do as a group. The next thing that I need to do is get the TIF worked out with Akrs and Timpte and if there's anybody else in the neighborhood that is coming as to what their needs might be and try and anticipate that. I don't remember how much money we committed to the turn lanes, but that money should come out of that TIF fund that we're just about ready to get our hands on."

CDA member Bruce Meysenburg said, "Are they going to plan on widening the highway or are they just going to plan on putting a center turn lane there?"

Special Projects Coordinator Dana Trowbridge said, "I don't know what they are going to do up north at the Bruno highway."

Chairman Alan Zavodny said, "They have indicated that they are going to have to change that intersection. I think the bigger question were going to run into sooner rather than later is coordinating that with our Northwest Drainage project because now you're adding concrete, and roofs and water runs off faster and the capacities that those ditches were originally designed for probably changes so a drainage plan is a big part. Akrs has indicated that they don't want to have a dam around them with our street that is going to be there, so I think...."

CDA member Kevin Woita said, "Speaking of that, has anyone heard from the NRD?"

Special Projects Coordinator Dana Trowbridge said, "No. What I need to do is take what I gave you and prance over to York to the NRD office and say, 'Here's what's going on and it's in your drainage area and it's going to affect a lot of things. We talked to you a month or two months ago about it and we haven't heard anything.'"

Chairman Alan Zavodny said, "That's a great next step. I know that you've been on top of that but sooner rather than later."

Special Projects Coordinator Dana Trowbridge said, "They need to get in the game with us."

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NEBRASKA
 Good Life. Great Journey.
 DEPARTMENT OF TRANSPORTATION

Application to Construct Access

Commercial Approach Roads, Streets, or Public Roads
 Private Driveway

Applicant: (Name and Address)
 City of David City
 557 N. 4th Street
 David City, NE 68602

Date: 5-5-22
 Phone: 402-369-3135
 Fax:
 Email: t.coate@davidcityne.com

Location: Construct an access from the shoulder line or edge of pavement on the East West North South side of Highway 15 and 1784 feet East West North South of Milepost No. 93

If rural, the location is _____ feet East West North South of the East West North South Line of Section _____ Township _____ Range _____ East West of the 6th P.M., County, Nebraska or if urban, _____ feet East West North South of the East West North South Line of Lot _____ Block _____ Addition, in _____ County, Nebraska, S _____ T _____ R _____ East West (City)

Applicant requests a drive with a width of _____ feet at the property line.

Requirements: The applicant agrees to complete this work in accordance with the terms and conditions of the Nebraska Department of Transportation. Any permit issued will be cancelled if the work specified is not completed within the term listed on the permit or within any additional length of time granted. Request for an extension of time to complete the work must be made in writing. Any extension granted will be acknowledged in writing by the Nebraska Department of Transportation. The Applicant may cancel the permit with written notification at any time prior to beginning work on highway right of way.

Performance Guarantee: (Make payable to Nebraska Department of Transportation)
 Amount: \$ _____ Check No. _____
 Name and Address: _____
 This guarantee is for the faithful compliance by the Applicant to the terms of the permit. It is understood that should the Applicant fail to perform the work as set forth in the permit, the State will have the right to keep the performance guarantee as liquidated damages for its necessary supervisory and inspection expenses and to initiate such legal proceedings as are necessary to secure either performance of the work in compliance with the terms of the permit or the restoration of the highway right of way to its previous condition prior to the activities of the Applicant.

NOTE: Please complete the attached location plan for access. When your access requires engineering plans, please submit two sets of plans, no larger than 12"x18" for the proposed work requested herein. The engineering plans shall show the general features of the work to be completed and all information such as sizes, distances, dimensions, cuts and fills, erosion control measures, etc., when applicable.

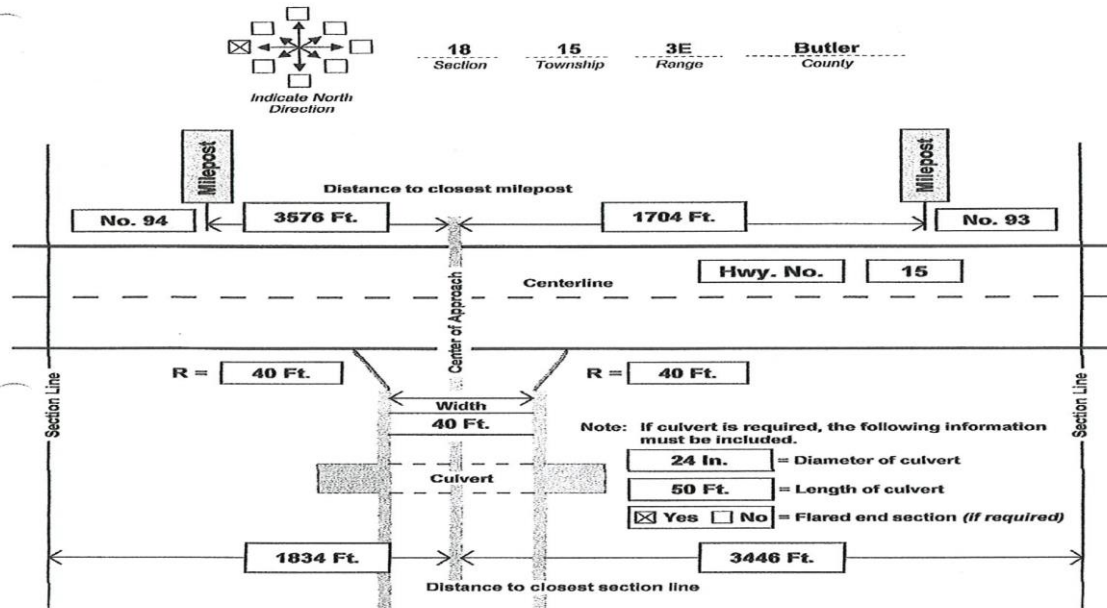
Dana Troubridge 5-5-22 [Signature]
 Name (Please Print) Date Applicant's Signature

Recommended By _____ Date _____ District Engineer Approval _____ Date _____

District Recommendations:
 District approved if rural location is _____ feet East West North South of the East West North South Line of Section _____ Township _____ Range _____ East West of the 6th P.M., County, Nebraska. If urban, _____ feet East West North South of the East West North South Line of Lot _____ Block _____ Addition, in _____ County, Nebraska, S _____ T _____ R _____ East West Location is in Controlled Access Area: Yes No
 Other:

Location Plan for Access

Note: All applicants must use this plan and fill in the required information.



- Note:** The following information is required on all plans:
- Highway number
 - Distance in feet to nearest section line
 - Distance in feet to nearest milepost
 - Total width of new approach
 - Radius dimensions
 - Designate North direction
 - Complete legal description, including section, township, range, and county

NEBRASKA

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DEPARTMENT OF TRANSPORTATION

Application to Construct Access

Commercial Approach Roads, Streets, or Public Roads

Private Driveway

Applicant: (Name and Address)
 City of David City
 527 N. 4th Street
 David City, NE 68632

Date: 5-5-22
 Phone: 402-367-3135
 Fax: _____
 Email: tcomte@davidcityne.com

Location: Construct an access from the shoulder line or edge of pavement on the East West North South
 side of Highway 15 and 1704 feet East West North South of Milepost No. 93
 If rural, the location is _____ feet East West North South of the East West North South
 Line of Section _____, Township _____, Range _____ East West of the 6th P.M., _____
 County, Nebraska or if urban, _____ feet East West North South of the East West
 North South Line of Lot _____, Block _____, Addition, in _____
 County, Nebraska, S _____, T _____, R _____ East West .
 (City) _____
 Applicant requests a drive with a width of _____ feet at the property line.

Requirements: The applicant agrees to complete this work in accordance with the terms and conditions of the Nebraska Department of Transportation. Any permit issued will be cancelled if the work specified is not completed within the term listed on the permit or within any additional length of time granted. Request for an extension of time to complete the work must be made in writing. Any extension granted will be acknowledged in writing by the Nebraska Department of Transportation. The Applicant may cancel the permit with written notification at any time prior to beginning work on highway right of way.

Performance Guarantee: (Make payable to Nebraska Department of Transportation)
 Amount: \$ _____ Check No. _____
 Name and Address: _____
 This guarantee is for the faithful compliance by the Applicant to the terms of the permit. It is understood that should the Applicant fail to perform the work as set forth in the permit, the State will have the right to keep the performance guarantee as liquidated damages for its necessary supervisory and inspection expenses and to initiate such legal proceedings as are necessary to secure either performance of the work in compliance with the terms of the permit or the restoration of the highway right of way to its previous condition prior to the activities of the Applicant.

NOTE: Please complete the attached location plan for access. When your access requires engineering plans, please submit two sets of plans, no larger than 12"x18" for the proposed work requested herein. The engineering plans shall show the general features of the work to be completed and all information such as sizes, distances, dimensions, cuts and fills, erosion control measures, etc., when applicable.

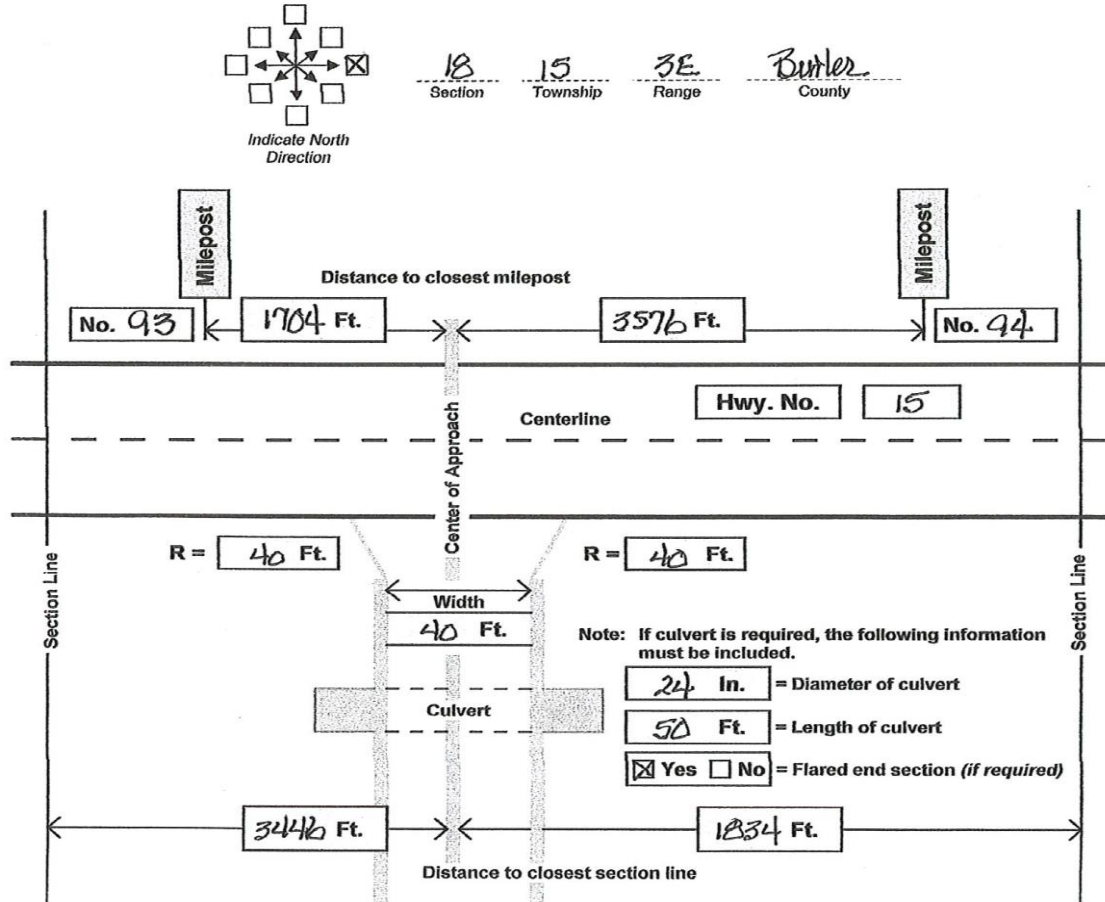
Name (Please Print) _____ Date 5-5-22 Applicant's Signature _____

Recommended By _____ Date _____ District Engineer Approval _____ Date _____

District Recommendations:
 District approved if rural location is _____ feet East West North South of the East West
 North South Line of Section _____, Township _____, Range _____ East West of the 6th P.M., _____
 County, Nebraska. If urban, _____ feet East West North
 South of the East West North South Line of Lot _____, Block _____
 Addition, in _____ County, Nebraska, S _____, T _____, R _____ East West .
 Location is in Controlled Access Area: Yes No
 Other: _____

Location Plan for Access

Note: All applicants must use this plan and fill in the required information.



Note: The following information is required on all plans:

- Highway number
- Distance in feet to nearest section line
- Distance in feet to nearest milepost
- Total width of new approach
- Radius dimensions
- Designate North direction
- Complete legal description, including section, township, range, and county

NEBRASKA

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 DEPARTMENT OF TRANSPORTATION

Application to Construct Access

- Commercial Approach Roads, Streets, or Public Roads
 Private Driveway

Applicant: (Name and Address)
 City of David City
 557 No. 4th Street
 David City, NE 68632

Date: 5-5-22
 Phone: 402-367-2135
 Fax: _____
 Email: tcomte@davidcity.ne.com

Location: Construct an access from the shoulder line or edge of pavement on the East West North South side of Highway 128 and 500 feet East West North South of Hwy 15 Center Line.

If rural, the location is _____ feet East West North South of the East West North South Line of Section _____, Township _____, Range _____ East West of the 6th P.M., County, Nebraska or if urban, _____ feet East West North South of the East West North South Line of Lot _____, Block _____, Addition, in _____ County, Nebraska, S _____, T _____, R _____ East West (City)

Applicant requests a drive with a width of _____ feet at the property line.

Requirements: The applicant agrees to complete this work in accordance with the terms and conditions of the Nebraska Department of Transportation. Any permit issued will be cancelled if the work specified is not completed within the term listed on the permit or within any additional length of time granted. Request for an extension of time to complete the work must be made in writing. Any extension granted will be acknowledged in writing by the Nebraska Department of Transportation. The Applicant may cancel the permit with written notification at any time prior to beginning work on highway right of way.

Performance Guarantee: (Make payable to Nebraska Department of Transportation)

Amount: \$ _____ Check No. _____

Name and Address: _____

This guarantee is for the faithful compliance by the Applicant to the terms of the permit. It is understood that should the Applicant fail to perform the work as set forth in the permit, the State will have the right to keep the performance guarantee as liquidated damages for its necessary supervisory and inspection expenses and to initiate such legal proceedings as are necessary to secure either performance of the work in compliance with the terms of the permit or the restoration of the highway right of way to its previous condition prior to the activities of the Applicant.

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Dana Troubridge Name (Please Print) 5-5-22 Dana Troubridge Applicant's Signature

Recommended By _____ Date _____ District Engineer Approval _____ Date _____

District Recommendations:

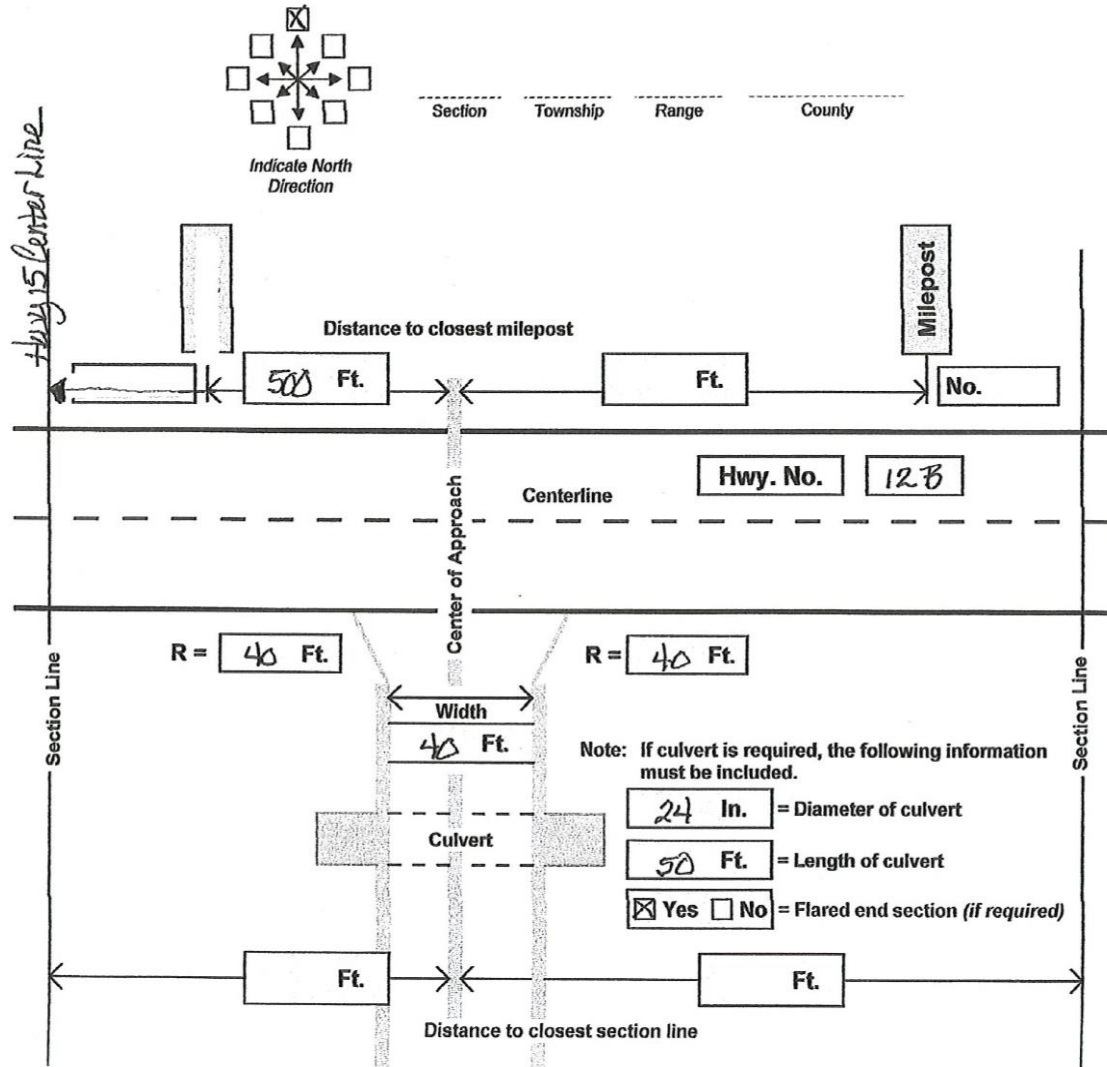
District approved if rural location is _____ feet East West North South of the East West North South Line of Section _____, Township _____, Range _____ East West of the 6th P.M., _____ County, Nebraska. If urban, _____ feet East West North South of the East West North South Line of Lot _____, Block _____, Addition, in _____ County, Nebraska, S _____, T _____, R _____ East West .

Location is in Controlled Access Area: Yes No

Other: _____

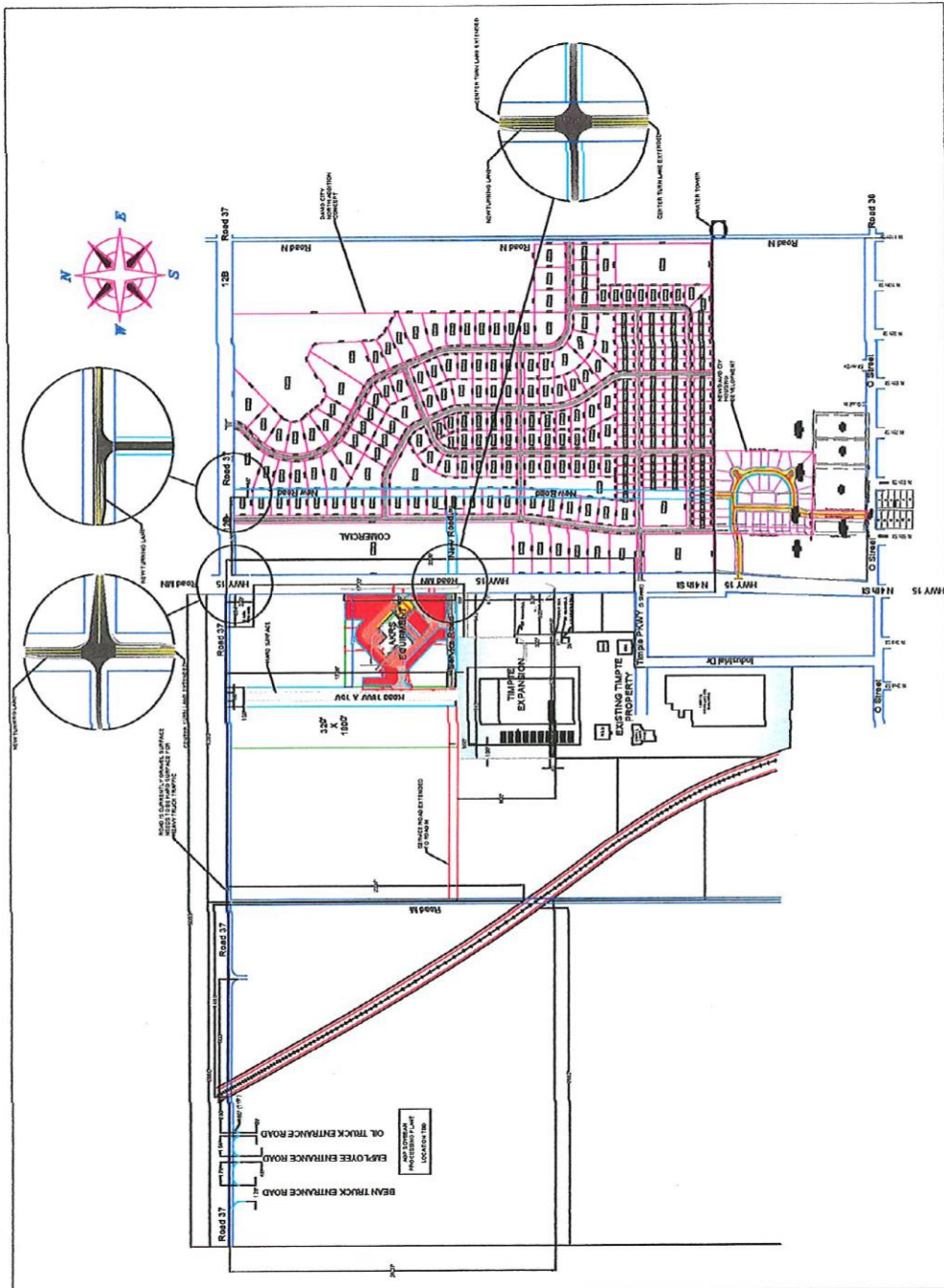
Location Plan for Access

Note: All applicants must use this plan and fill in the required information.

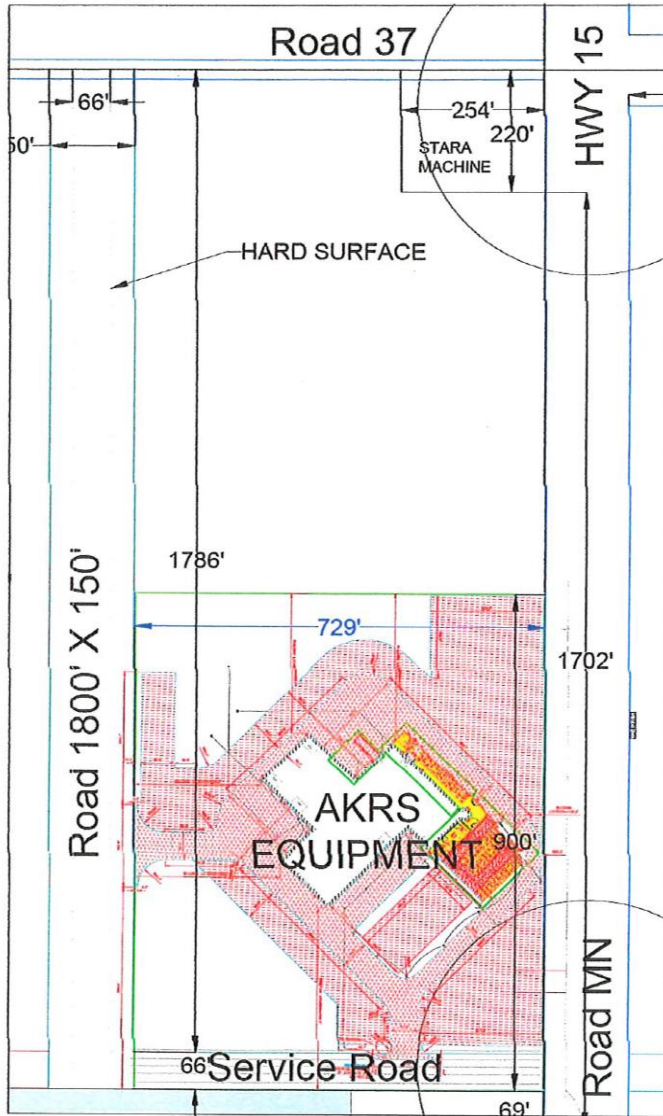


Note: The following information is required on all plans:

- Highway number
- Distance in feet to nearest section line
- Distance in feet to nearest milepost
- Total width of new approach
- Radius dimensions
- Designate North direction
- Complete legal description, including section, township, range, and county



Development #1 – AKRS Implement Dealership

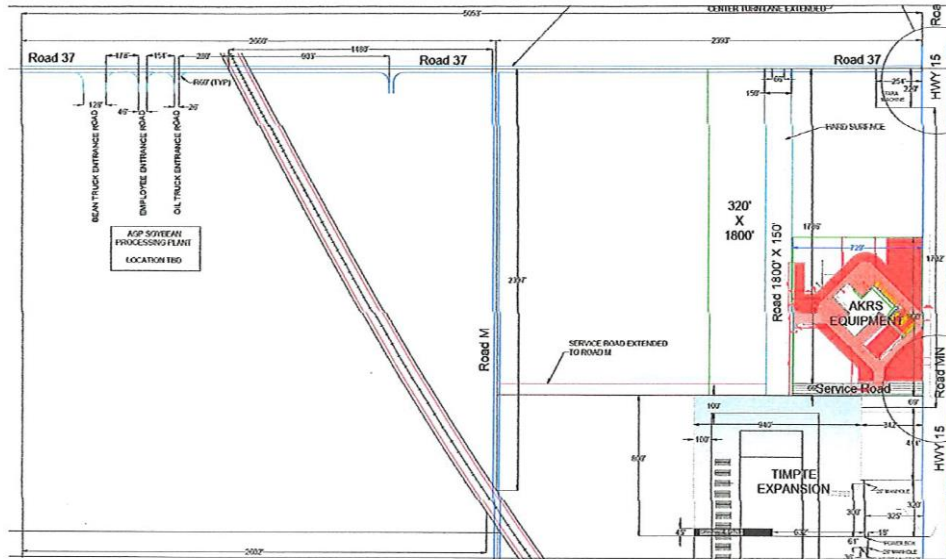


This new construction John Deere dealership will be a flagship facility for the AKRS Corporation and a great addition to the David City landscape.

Due to the amount of traffic related to the business of this dealership we are requesting a public road access on the south side of the development onto Highway 15.

The facility will also be serviced from County Road 37 with a new north/south City street. This will be both the access to this dealership for large implements and access to the Timpte facility for heavy truck traffic. The City streets will merge at the SW corner of the AKRS property. The City is preparing an amendment to their current One and Six Year Street Plan to recognize the priority of these streets to industrial expansion.

Project #2 – AGP Bean Crushing Facility



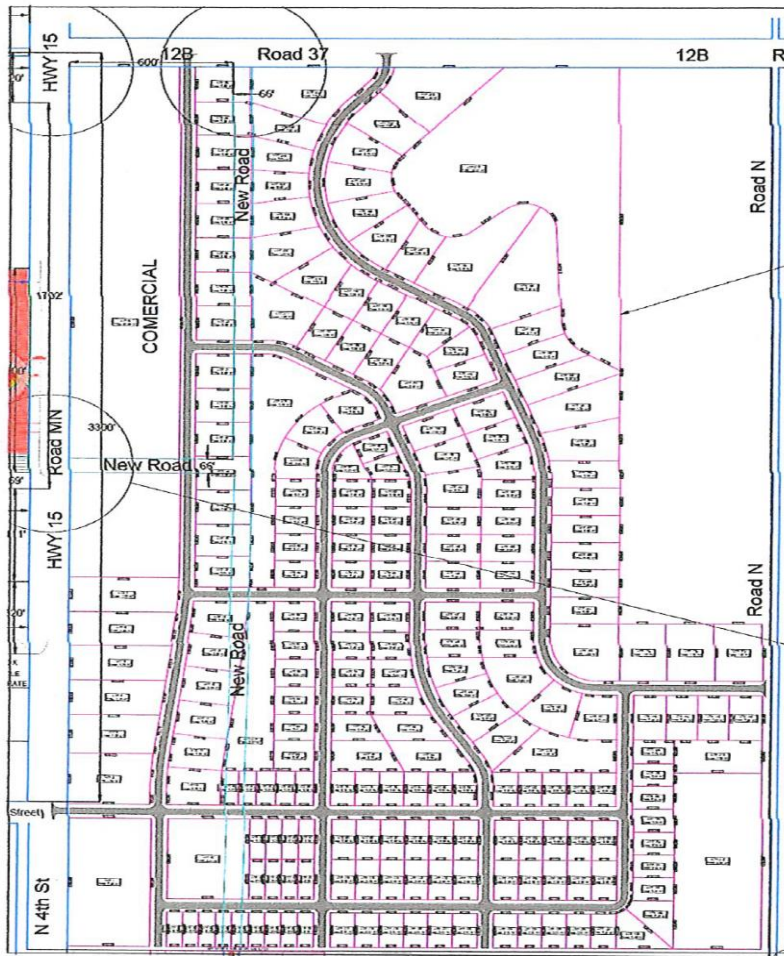
AGP is building a multi-million dollar soybean processing facility on 320 acres of land just on the west side of David City and immediately west of the Timpte and AKRS facilities. AGP anticipates this facility requiring in excess of 300 semi-trailers loads of soybeans being delivered to the facility each day. All of this traffic will access the facility on what is currently County Road 37. This project will require County Road 37 to become a hard surfaced road way. The road way will need to be designed to accommodate the constant flow of trucks into AGP while also accommodating the truck traffic turning on to and off of the new north/south access road behind the AKRS facility. With the large amount of truck traffic on this thoroughfare, the intersection with Highway 15 will require a southbound right hand turn lane off of Highway 15, a northbound left hand turn lane off of Highway 15, an east bound left hand turn lane off of County Road 37, and an east bound right hand turn lane off of County Road 37. Anticipated construction start Spring 2023, production beginning 2025.

Project #3 – David City Housing Development



Growing communities and growing businesses need places for people to live. David City is a community with a lot to offer families in terms of quality of life, good schools, medical services, and the list goes on. What is short at present is available housing. The community has put together a Development Corporation that is developing a housing project just south of Timpte on the east side of Highway 15 at O Street. Although the development is designed to use an existing access onto and off of Highway 15, it is still part of the impact of the overall development project and needs to be considered in the total scope of traffic flow and mix. Immediate plans are to connect this housing development to the H-KO commercial/residential development project to the immediate north. H-KO plans platting and annexation this summer 2022.

Project #4 – H-KO Commercial and Residential Development



Immediately west of the Timpfe campus, the AKRS development, and the AGP project – the H-KO group is planning a commercial and residential development covering the quarter section between County Road 37 / 12B and Highway 15. To support access to this development, the group is looking for access from Highway 15 with a new road that aligns with the new road on the west side of the highway, on the south side of the AKRS facility. This new city street location will be platted in the near term and dedicated to the City. It will be a continuation of the new City street directly across Hwy 15 to the west. This street will be added to the One and Six Year City street plan amendment. They are also looking for an access onto County Road 37 / 12B. The request is part of this package.

CDA member Kevin Woita made a motion to adjourn. CDA member John Vandenberg seconded the motion. The motion carried and Chairman Alan Zavodny declared the meeting adjourned at 8:05 p.m.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Absent, Jessica Miller: Absent, John Vandenberg: Yea, Kevin Woita: Yea, Alan Zavodny (Chairman): Yea

Yea: 5, Nay: 0, Absent: 2

CDA Secretary Tami Comte