

COMMUNITY DEVELOPMENT AGENCY PROCEEDINGS

June 8, 2022

The Community Development Agency of the City of David City, Nebraska, met in open public session at 9:12 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 June 2, 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, Pat Meysenburg, Jessica Miller, John Vandenberg, Community Development Agency Secretary Tami Comte. Special Projects Coordinator Dana Trowbridge was also present.

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.

CDA member Bruce Meysenburg made a motion to approve the minutes of the May 11, 2022, CDA meeting as presented. CDA 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: 7, Nay: 0, Absent: 0

Chairman Alan Zavodny stated that the next item on the agenda was consideration of the bids received for cutting alfalfa at the CDA owned properties.

Discussion followed.

Chairman Zavodny stated that since the CDA is a business that they can hire someone to cut the alfalfa. CDA member Pat Meysenburg will look into finding someone to cut the alfalfa.

CDA member Bruce Meysenburg made a motion to pass and adopt Resolution No. 2-2022 CDA authorizing the purchase of land from RJ Hein for the CDA. CDA member Kevin Woita 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: 7, Nay: 0, Absent: 0

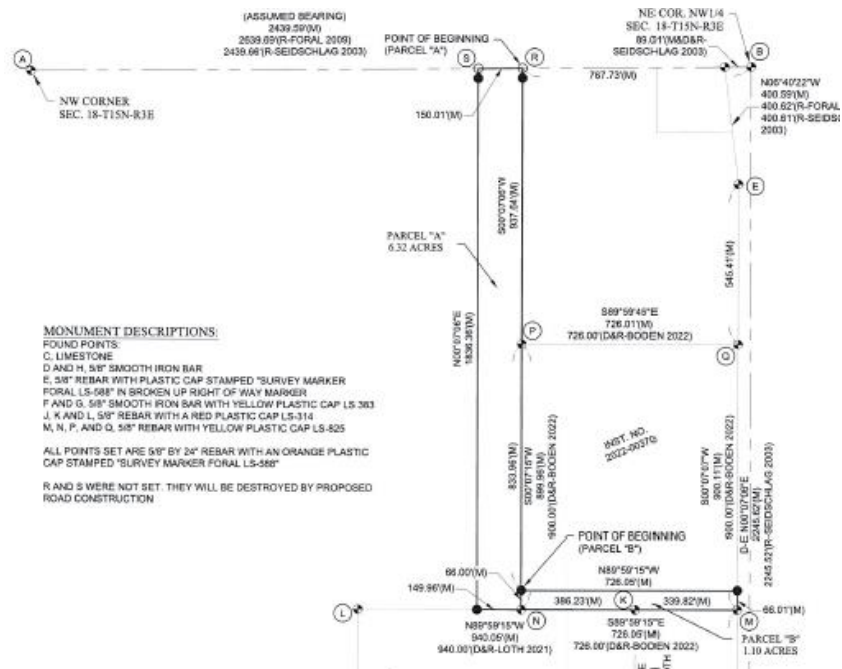
RESOLUTION NO. 2-2022 CDA

A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY FOR THE CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA, AUTHORIZING THE PURCHASE OF REAL ESTATE OWNED BY RJ HEIN, A/K/A RALPH E. HEIN, JR. AND CORTNEY HEIN AND FOR CHAIRPERSON TO EXECUTE A PURCHASE AGREEMENT AND NECESSARY CLOSING DOCUMENTS; TO PROVIDE FOR THE REPEAL OF CONFLICTING RESOLUTIONS; TO PROVIDE FOR AN EFFECTIVE DATE.

WHEREAS, the Ralph E. Hein, Jr. and Cortney Hein own the following-described real estate:

PARCEL "A"

A PARCEL OF LAND LOCATED IN THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: REFERRING TO THE NORTHEAST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 18, THENCE S89°31'31"W (ASSUMED BEARING) ON THE NORTH LINE OF SAID EAST HALF OF THE NORTHWEST QUARTER, A DISTANCE OF 767.73 FEET TO THE POINT OF BEGINNING; THENCE S00°07'06"W, A DISTANCE OF 937.64 FEET TO THE NORTHWEST CORNER OF A PARCEL OF LAND PREVIOUSLY DESCRIBED IN INSTRUMENT NUMBER 2022-00370, THENCE S00°07'15"W ON THE WEST LINE OF SAID PREVIOUSLY DESCRIBED PARCEL, A DISTANCE OF 899.96 FEET TO THE NORTH LINE OF A PARCEL OF LAND PREVIOUSLY DESCRIBED IN INSTRUMENT NUMBER 2021-01215; THENCE N89°59'15"W ON SAID NORTH LINE, A DISTANCE OF 149.96 FEET; THENCE N00°07'06"E, A DISTANCE OF 1836.36 FEET TO THE NORTH LINE OF SAID EAST HALF OF THE NORTHWEST QUARTER; THENCE N89°31'31"E ON SAID NORTH LINE, A DISTANCE OF 150.01 FEET TO THE POINT OF BEGINNING, CONTAINING 6.32 ACRES, MORE OR LESS, DAVID CITY, BUTLER COUNTY, NEBRASKA;



WHEREAS, the Community Development Agency ("CDA"), David City, Butler County, Nebraska desires to purchase the above-described real estate from RJ Hein and Courtney Hein for the sum of \$158,000.00 and RJ Hein and Courtney Hein desire to sell the same real estate to CDA for said sum.

NOW, THEREFORE, BE IT RESOLVED:

The Purchase Agreement for Sale of Real Estate is hereby approved, ratified, and accepted, and the Chairperson is hereby authorized, directed, and empowered to execute the same upon receipt of the executed Purchase Agreement by the buyer along with all necessary closing documents.

Passed and adopted this 8th day of June, 2022.

 CDA Chairperson Alan Zavodny

(ATTEST)

 CDA Secretary Tami L. Comte

Chairman Zavodny stated that the next agenda item was consideration of a loan with Bank of the Valley to pay for the R.J. Hein property.

Special Projects Coordinator Dana Trowbridge said, "This is the road purchase of \$158,500. Have we not gotten the \$753,000 from DA Davidson on the Bond Anticipation Notes?"

Interim Administrator/City Clerk Tami Comte said, "No."

Special Projects Coordinator Dana Trowbridge said, "We do have \$753,000 coming. We do need to pay out of that fund the City's portion of the turn lane. That was always baked into the Timpote overage. It was like \$80,000 for that."

Chairman Alan Zavodny said, "It might have been a little north of that."

Special Projects Coordinator Dana Trowbridge said, "It was like \$200,000 total and \$80,000 was the City's. Timpote may have part of it. I don't know. We'll need to find out. We'll pay that out of that \$753,000 and then we'll reimburse the bank when we get paid."

Interim Administrator/City Clerk Tami Comte said, "Do you know when we're supposed to get that?"

Special Projects Coordinator Dana Trowbridge said, "No. I just assumed that it was here already. He was having bond counsel go through all of the steps and Baird Holm is our bond counsel. Jason Lavicky has orally approved up to a half million dollars for the CDA on Alan's signature to borrow money for things such as this on a short-term basis."

Interim Administrator/City Clerk Tami Comte said, "I talked to Richard Hain, and he was okay with that. He just wanted it to be a separate thing from the Northland. He just wanted them separate to keep everything clean."

Special Projects Coordinator Dana Trowbridge said, "So, the money will come out of what Cody sends us for the Timpote overage on the initial TIF."

Chairman Alan Zavodny said, "The best definition is that this is a bridge mechanism to get us until our money shows up. I don't think that we need to do anything other than that."

CDA member Pat Meysenburg made a motion to go into executive session to discuss land purchase options. CDA member Bruce Meysenburg 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: 7, Nay: 0, Absent: 0

Chairman Alan Zavodny, all of the CDA members, Interim City Attorney Tim Wollmer and Interim Administrator/City Clerk Tami Comte went into executive session at 9:24 p.m. to discuss land purchase options.

Interim City Attorney Tim Wollmer has determined that a motion and a second is not needed to come out of executive session. Therefore, the CDA came out of executive session at 9:45 p.m.

CDA member Jessica Miller made a motion to adjourn. CDA member Tom Kobus seconded the motion. The motion carried and Chairman Alan Zavodny declared the meeting adjourned at 9:46 p.m.

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: 7, Nay: 0, Absent: 0

CDA Secretary Tami Comte