

CITY COUNCIL PROCEEDINGS

June 15/19, 2022

The City Council of the City of David City, Nebraska, met in open public session in the meeting room of the City Office, 490 E Street, David City, Nebraska. The Public had been advised of the special meeting by publication of notice in The Banner Press on June 8th, 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 during regular office hours. No new items were added to the agenda during the twenty-four hours immediately prior to the opening of the Council meeting.

Present for the meeting were: Mayor Jessica Miller, Council members Thomas Kobus, Jessica Miller, Patrick Meysenburg, Keith Marvin, Jim Angell and Bruce Meysenburg, and Interim Administrator/City Clerk Tami Comte. Council member Kevin Woita was absent.

Also present for the meeting were: Library Director Kay Schmid, Park/Auditorium Supervisor Bill Buntgen, Street Supervisor Chris Kroesing and Recreation Coordinator William Reiter.

The meeting opened with the Pledge of Allegiance.

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

Council member Bruce Meysenburg made a motion to approve Change Order No. 1 for Group C - Power Circuit Breakers for the '2023 AGP Substation - Long Lead Equipment' project. Council Member Pat Meysenburg seconded the motion. The motion carried.

Jim Angell: Yea, Tom Kobus: Yea, Keith Marvin: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Kevin Woita: Absent

Yea: 5, Nay: 0, Absent: 1

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CHANGE ORDER NO.: 1

Owner: **City of David City** Owner's Project No.:
 Engineer: **JEO Consulting Group, Inc.** Engineer's Project No.: **220993.00**
 Contractor: **Graybar Electric Company, Inc.** Contractor's Project No.:
 Project: **2023 AGP Substation - Long Lead Equipment: Group C - Power Circuit Breakers**
 Contract Name: **2023 AGP Substation - Long Lead Equipment: Group C - Power Circuit Breakers**
 Date Issued: **5/17/2023** Effective Date of Change Order: **5/17/2023**

The Contract is modified as follows upon execution of this Change Order:

Description:

1. Expedited delivery date of 12/31/24 with additional freight charges for (2) shipments.
2. Adjust contract completion times to what is achievable.
3. Liquidated damages for late delivery shall be 0.1% of the Purchase Order (PO) value per calendar day effective 1/14/25 up to a maximum of 10% PO value of the delayed equipment.

Attachments:

Change in Contract Price	Change in Contract Times
Original Contract Price: \$ <u>254,371.22</u>	Original Contract Times: Substantial Completion: <u>October 9, 2024</u> Ready for final payment: <u>November 27, 2024</u>
Net change from previously approved Change Orders No. [-] to No. [-]: \$ <u>0.00</u>	Net change from previously approved Change Orders [-] to No. [-]: Substantial Completion: _____ Ready for final payment: _____
Contract Price prior to this Change Order: \$ <u>254,371.22</u>	Contract Times prior to this Change Order: Substantial Completion: <u>October 9, 2024</u> Ready for final payment: <u>November 27, 2024</u>
Net change for this Change Order: \$ <u>5,500.00</u>	Net change for this Change Order: Substantial Completion: <u>January 14, 2025</u> Ready for final payment: <u>February 26, 2025</u>
Contract Price incorporating this Change Order: \$ <u>259,871.22</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>January 14, 2025</u> Ready for final payment: <u>February 26, 2025</u>

Recommended by Engineer (if required)

Authorized by Owner

By: Matt E. Kater

Deanna J. Mills

Title: Electrical Senior Project Manager

Mayor

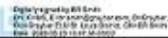
Date: May 31, 2023

6-15-23

Accepted by Contractor

Approved by Funding Agency (if applicable)

By: BR Smith



Title: _____

Date: _____

The Library, Airport, Street department, Recycling, Park, Auditorium, Swimming pool, Schweser House, General, Building Permits, Social Security, Various Purpose, Tax Increment Financing, Sales Tax, Capital Improvement and Ball Program/Recreation budgets were presented by the department heads and Interim City Administrator/City Clerk Tami Comte.

Council member Bruce Meysenburg made a motion to recess the City Council meeting until June 19, 2023 at 6 p.m. Council Member Keith Marvin seconded the motion. The motion carried.

Jim Angell: Yea, Tom Kobus: Yea, Keith Marvin: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Kevin Woita: Absent
Yea: 5, Nay: 0, Absent: 1

Mayor Jessica Miller reconvened the recessed meeting from June 15, 2023.

Present for the meeting were: Mayor Jessica Miller, Council members Bruce Meysenburg, Thomas Kobus, Jessica Miller, Patrick Meysenburg, Keith Marvin, Jim Angell, Kevin Woita and Interim Administrator/City Clerk Tami Comte.

Also present for the meeting were: Electric Supervisor Pat Hoeft, Electric Plant Supervisor John Smaus, Wastewater Supervisor Dan Sobota and Water Department employee Anthony Kobus.

The Electric Department revenue, Electric system, Electric Plant, Water Department revenue, Water system, Wastewater Department revenue and Wastewater system budgets were presented by the department heads.

Council member Kevin Woita made a motion to approve going into closed session to discuss legal issues. Council Member Jim Angell seconded the motion. The motion carried.
Jim Angell: Yea, Tom Kobus: Yea, Keith Marvin: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Kevin Woita: Yea
Yea: 6, Nay: 0

Mayor Miller stated, "Now, at 7:10 p.m., we are going into closed session to discuss legal issues. Mayor Miller, all of the Council members, and Interim City Administrator Comte went into closed session at 7:10 p.m.

Mayor Jessica Miller declared the meeting back in open session at 7:44 p.m.

There being no further business to come before the Council, Council member Jim Angell made a motion to adjourn. Council Member Kevin Woita seconded the motion. The motion carried and Mayor Jessica Miller declared the meeting adjourned at 7:44 p.m.
Jim Angell: Yea, Tom Kobus: Yea, Keith Marvin: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Kevin Woita: Yea
Yea: 6, Nay: 0



CERTIFICATION OF MINUTES
June 15/19, 2023

I, Tami Comte, duly qualified and acting City Clerk for the City of David City, Nebraska, do hereby certify with regard to all proceedings of June 15th & 19th, 2023; 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