

## **CITY COUNCIL PROCEEDINGS**

(Edited for publication)

**April 24, 2024**

The City Council of the City of David City, Nebraska, met in a special open public session in the meeting room of the City Office, 490 "E" Street, David City, Nebraska. The Public had been advised of the meeting by posting in four public places (City Office, US Post Office, Butler County Courthouse and Hruska Public Library). 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.

Present for the meeting were: Mayor Jessica Miller, Council President Bruce Meysenburg, Council members Tom Kobus, Jim Angell, Keith Marvin, Kevin Woita, and Pat Meysenburg, City Attorney Michael Sands and Interim Administrator/City Clerk Tami Comte.

Also present for the meeting were: Deputy Clerk Lori Matchett, Police Chief Marla Schnell, Account Clerk Elizabeth Parker, Jerry Oborny, Marlene Hein, Dan & Jan Sypal, Devin & Libby Sprunk, Gerry & Jackie Hazen, Peter & Amber Fencl, David McPhillips, and Alyssa Ledon.

The meeting opened with the Pledge of Allegiance.

Mayor Jessica Miller informed the public of the "Open Meetings Act" posted on the west wall of the meeting room and asked those present to please silence their cell phones. Mayor Miller read the speaking guidelines for the City Council meeting. She also reminded the public that if they speak tonight in front of the Council, they must state their name and address for the record.

Council member Bruce Meysenburg made a motion to pass and adopt Board of Equalization Resolution No. 1-2024 setting Special Assessments for Street Improvement Districts #2022-1. Council Member Tom Kobus 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

### **BOARD OF EQUALIZATION RESOLUTION NO. 1-2024**

**A RESOLUTION OF BOARD OF EQUALIZATION OF THE CITY OF DAVID CITY, NEBRASKA TO DETERMINE THE AMOUNT TO BE ASSESSED FOR STREET IMPROVEMENT DISTRICT 2022-1 AND TO AUTHORIZE THE SAME.**

**WHEREAS**, the Mayor and City Council of the City of David City, Nebraska (“**City**”), a municipal corporation and city of the second class, passed Ordinance No. 1386, pursuant to Nebraska Revised Statutes section 17-511, on April 13, 2022, creating Street Improvement District 2022-1, which provides for the paving and improving of that certain portion of ‘O’ Street in the City, as described therein; and

**WHEREAS**, the City passed Resolution 6-2022 on May 11, 2022, allowing it to engage M.E. Collins Contracting Co., Inc., as Contractor, to make the street improvements within Street Improvement District 2022-1 in accordance with the plans and specifications Olsson, Inc., prepared; and

**WHEREAS**, the City passed Resolution 3-2024 on January 24, 2024, approving and accepting Contractor’s Certificate of Completion of the Project Plans; and

**WHEREAS**, pursuant to Nebraska Revised Statutes section 17-511, the City may levy special assessments (“**Special Assessments**”) against “lots and parcels of land abutting or adjacent to such street or alley specifically benefitted in such district in proportion to such benefits to pay the cost of improvement” (“**Benefitted Parcels**”), a list of such parcels is attached hereto and incorporated herein as **EXHIBIT A**; and

**WHEREAS**, Nebraska Revised Statutes section 17-514 provides that the Special Assessments shall create a lien on the property they are levied against and Nebraska Revised Statutes section 18-1216(1) and Section 1-612 of the David City Municipal Code provide the City the right to collect the Special Assessments and to perform all other necessary functions pursuant to the same, including foreclosing on the property so levied; and

**WHEREAS**, Nebraska Revised Statutes sections 18-1216(2) and 17-524(1) requires the City to provide notice via letter to affected property owners, publication in a newspaper of general circulation for at least four (4) weeks, and by filing notice of assessments with the Butler County Register of Deeds; and

**WHEREAS**, the City passed Resolution No. 4-2024, approving the holding of a special meeting, to be held on March 13, 2024, thereby enabling the City Council to sit as the David City Board of Equalization (“**Board**”) to determine the amount of the Special Assessments and directing the City Clerk to send a letter of notice to all such property owners of the Benefitted Parcels and to publish notice of the special meeting via publication in a legal newspaper of general circulation in five (5) consecutive weeks; and

**WHEREAS**, the City has met its statutory notice requirements and is within its right to hold a special meeting and sit as the Board to determine the amount of Special Assessments against the Benefitted Parcels; and

**WHEREAS**, the Board convened on March 13, 2024, for such purpose, and tabled this matter for consideration at the following Board meeting on April 24, 2024; and

**WHEREAS**, the City, sitting as the Board, by taking into account the benefits derived or injuries sustained in consequence of such improvements, the aggregate of said Special Assessments not to exceed the total cost of the improvements as shown in **EXHIBIT B**, attached hereto and incorporated herein by reference, may determine the amount of the Special Assessments to be levied against each Benefitted Parcel.

**NOW THEREFORE BE IT RESOLVED**, by the Board of Equalization of the City of David City, Nebraska, that the Special Assessments to be levied against the Benefitted Properties are as shown in **EXHIBIT C**, attached hereto and incorporated herein by reference; and

**BE IT FURTHER RESOLVED**, that the said Special Assessments against said Benefitted Parcels are hereby declared to be in proportion to the special benefits conferred upon said property by said improvements and not in excess of such benefits or of the cost of the improvements; and

**BE IT FURTHER RESOLVED**, that said Special Assessments shall be levied upon the Benefitted Parcels and collected as a separate tax in addition to the taxes for general revenue purposes; and

**BE IT FURTHER RESOLVED**, that pursuant to Nebraska Revised Statutes section 17-515(2), the Special Assessments shall be delinquent in installments as and shall accrue interest as provided below, the first installment to become delinquent fifty (50) days after passage of this Resolution, on June 13, 2024 ("**Initial Installment**"):

<b><u>Due Date</u></b>	<b><u>Special Assessment Installment Due</u></b>
June 13, 2024	10% of Special Assessment
April 24, 2025	10% of Special Assessment
April 24, 2026	10% of Special Assessment
April 24, 2027	10% of Special Assessment
April 24, 2028	10% of Special Assessment
April 24, 2029	10% of Special Assessment
April 24, 2030	10% of Special Assessment
April 24, 2031	10% of Special Assessment
April 24, 2032	10% of Special Assessment
April 24, 2033	10% of Special Assessment

**BE IT FURTHER RESOLVED**, pursuant to Nebraska Revised Statutes section 17-515(4), all installment payments except the Initial Installment shall draw an interest rate of one-percent (1.00%) per annum, until such installment payment shall become delinquent as provided above, and then such installment payment shall draw an interest rate of fourteen-percent (14.00%) per annum, as Nebraska Revised Statutes section 45-104.01 so provides; and

**BE IT FURTHER RESOLVED**, that the City shall collect the Special Assessments as they are paid and that upon the sooner of November 1, 2024, or the Butler County Treasurer's entry of the tax rolls to include the Special Assessments, the City shall certify to the Butler County Treasurer such Special Assessments that remain due, and such remaining Special Assessments, with interest thereon as applicable, are therefore due to the Butler County Treasurer; and

**AND BE IT FURTHER RESOLVED** that a certified copy of said Special Assessment Schedule be filed by the City Clerk/Treasurer with the County Treasurer and the County Clerk of Butler County, Nebraska as provided by law for entry on the proper tax rolls.

PASSED this 24<sup>th</sup> day of April, 2024.

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Mayor Jessica J. Miller

ATTEST:

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City Clerk Tami L. Comte

[SEAL]

**EXHIBIT A**

**List of Benefitted Parcel Owners**

Benefitted Parcel Identification No.	Benefitted Parcel Situs Address	Benefitted Parcel Record Owner
120007336	Lot 1 & N. 1/2 of Lot 4, Block 7, Land & Lot Co.	Adaela Dostal
120007301	Lot 2 & N. 1/2 of Lot 3, Block 6, Land & Lot Co.	Jerry & Rebecca Oborny
120007287	Lot 1 & 4, Block 6, Land & Lot Co. Addition	Brenda & Gregory Elter
120007231	Lot 2 & N 1/2 of Lot 3, Block 5, Land & Lot Co	Adam Ebbeka
120007245	Lot 1 & N 10' of Lot 4, Block 5, Land & Lot Co	Mark Pleskac
120007189	Lot 2 & N. 25' of Lot 3, Block 4, Land & Lot Co.	Roger & Jane Dobesh
120007175	Lot 1 & N 1/2 of Lot 4, Block 4, Land & Lot Co.	Devin & Libby Sprunk
120007112	Lot 2 & N 1/2 of Lot 3, Block 3, Land & Lot Co.	Miguel Gomez
120007126	Lot 1 & N 1/2 of Lot 4, Block 3, Land & Lot Co.	Paul Prochaska
120007105	Lots 2 & 3, Block 2, Land & Lot Co. Addition	Mikhail Happ
120007084	Lot 1 & N 1/2 of Lot 4, Block 2, Land & Lot Co.	Peter & Amber Fencil
120007028	Lots 2, 3 & 6, Block 1, Land & Lot Co. Add.	Randall & Barbara Svoboda
120007056	Lot 1 & N. 1/2 of Lot 4, Block 1, Land & Lot Co.	Victor & Janice Cemper
120008679	Lot 6, Block A, Sabata's 2nd Addition	Eric & Karie Semin
120008725	Lots 9-12, Block A, Lots 10-12, Sabata's 2nd	Dana Point Development
120035315	SE 1/2, NW 1/4, NE 1/4, SW 1/4, PT S1/2 SW 1/4	Karen & Randall Fendrich
120035317	PT SW 1/4, SW 1/4	Marcia Sabata
120008372	Lot 1, DC Land & Lot Co Suburban Lots	Victor & Ruth Thoendel
120008365	Lot 1, Land & Lot Co. Annex	Donald E. Clary
120008379	Lot 2, DC Land & Lot Co Suburban Lots	Amy & Allen Lukert
120008347	Lot 2, DC Land & Lot Co Suburban Lots	Katie & Devin Betzen
120008400	Lot 3, DC Land & Lot Co. Suburban Lots	Christopher Kroesing
120008349	Pt Lot 3, SE Corner, DC Land & Lot Co Suburban	Elizabeth Betzen
120008586	Lot 4, DC Land & Lot Co. Suburban Lots	Alan & Rhonda Zavodny
120008350	Lot 3, Sypal's East Addition	Garry & Jacqueline Hazen
120008353	Lot 2, Sypal's East Addition	John & Linda Vandenberg
120008358	Pt of Lot 8 in DC Land & Lot Co. Suburban Lots	Daniel & Janet Sypal
120008357	Pt Lot 7, D.C. Land & Lot Co. Sub Lots	Alyssa Ledon
120008358	Pt of Lot 8 in S 1/2 SE 1/4, DC Land & Lot Co	Jalca Properties

**EXHIBIT B**

**Total Cost of Street Improvement District 2022-1**

[PLEASE SEE ATTACHED]

David City "O" Street Assessment Calculations

**Engineering Costs**

**Preliminary Engineering**

Total **\$77,684.00**

**Construction Engineering**

Total **\$96,959.58**

**Total Construction** **\$1,978,667.77**

% PE Engineering for Rdwy compared to Rdwy Construction 3.93%  
 % CE Engineering for Rdwy compared to Rdwy Construction 4.90%  
 Total Engineering % compared to Rdwy Construction 8.83%

**Alt O Street Improvement District Assessment Costs**

Linear Footage 4,685.29

Assessment on 2.5' Width of Pavement 2.5

	Unit Cost	SY/Front 1'	Cost/Front 1'	Total SY	Total Cost	
8" Concrete Pavement	\$73.00	0.28	\$20.28	1,301.47	\$95,007.27	\$20.28
Total						\$20.28

**Roadway Earthwork**

	Unit Cost	Final Quantity	Total Cost
Earthwork	\$115,047.00	1.00	\$115,047.00
			\$115,047.00

**Total 8" Roadway Pavement**

	Final Quantity
8" Concrete Pavement	12,175
	12,175

Assessment Pavement (SY) 1,301.47

% Assessment Pavement of Total 10.69%

Earthwork Assessment Cost \$12,298.16 **\$12,298.16** \$2.62

**Total Construction Assessment Cost** **\$107,305.43** \$22.90

**Preliminary & Construction Engineering Assessment Cost** **8.83%** **\$18,668.85** \$3.98

**Legal Publication, Fiscal & Bond Issuance, and Interest Costs**

Total Est. Legal, Bond, & Interest Costs	\$35,000.00		
Total Construction Assessment Cost	\$107,305.43		
Total Project Construction Costs	\$1,978,667.77		
% Assessment costs / total project	5.42%		
Total Legal, Bond & Interest for Assessment	\$1,898.09	\$3.75	\$1,898.09 \$0.41

**Total Assessment Cost** **\$127,872.38**

**Assessment / LF** **\$27.29** \$27.29

**Recommended Assessment / LF** **\$25.00**

**Recommended Assessment Total** **\$117,132.25**

**EXHIBIT C**

**EXHIBIT C**

**Street Improvement District 2022-1**

**Special Assessment Schedule**

Benefitted Parcel Identification No.	Benefitted Parcel Record Owner	Total Roadway Assessment
120007336	Adaela Dostal	\$3,500.00
120007301	Jerry & Rebecca Oborny	\$3,500.00
120007287	Brenda & Gregory Eller	\$3,500.00
120007231	Adam Ebbeka	\$3,500.00
120007245	Mark Pleskac	\$3,500.00
120007189	Roger & Jane Dobesh	\$3,500.00
120007175	Devin & Libby Sprunk	\$3,500.00
120007112	Miguel Gomez	\$3,500.00
120007126	Paul Prochaska	\$3,500.00
120007105	Mikhail Happ	\$3,500.00
120007084	Peter & Amber Fencl	\$3,500.00
120007028	Randall & Barbara Svoboda	\$3,500.00
120007056	Victor & Janice Cemper	\$3,094.75
120008679	Eric & Karie Semin	\$3,000.00
120008725	Dana Point Development	\$2,750.00
120035315	Karen & Randall Fendrich	\$2,675.00
120035317	Marcia Sabata	\$5,675.00
120008372	Victor & Ruth Thoendel	\$3,500.00
120008365	Donald E. Clary	\$5,550.00
120008379	Amy & Allen Lukert	\$3,000.00
120008347	Katie & Devin Betzen	\$5,000.00
120008400	Christopher Kroesing	\$2,500.00
120008349	Elizabeth Betzen	\$3,975.00
120008586	Alan & Rhonda Zavodny	\$8,450.00
120008350	Garry & Jacqueline Hazen	\$5,000.00
120008353	John & Linda Vandenberg	\$5,000.00
120008358	Daniel & Janet Sypal	\$8,750.00
120008357	Alyssa Ledon	\$3,275.00
120008358	Jalca Properties	\$3,937.50
	<b>Total Special Assessments:</b>	<b>\$117,132.25</b>

Council member Bruce Meysenburg made a motion to pass and adopt Board of Equalization Resolution 2-2024 setting the amount of Special Assessments for Street Improvement District #2023-1. 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

### **BOARD OF EQUALIZATION RESOLUTION NO. 2-2024**

#### **A RESOLUTION OF BOARD OF EQUALIZATION OF THE CITY OF DAVID CITY, NEBRASKA TO DETERMINE THE AMOUNT TO BE ASSESSED FOR STREET IMPROVEMENT DISTRICT 2023-1 AND TO AUTHORIZE THE SAME.**

**WHEREAS**, the Mayor and City Council of the City of David City, Nebraska ("**City**"), a municipal corporation and city of the second class, passed Ordinance No. 1447, pursuant to Nebraska Revised Statutes section 17-511, on June 28, 2023, creating Street Improvement District 2023-1, which provides for the paving and improving of that certain portion of '5th' Street in the City, as described therein; and

**WHEREAS**, the City passed Resolution 30-2023 on July 26, 2023, allowing the City to engage Gehring Construction & Ready Mix Co., Inc., as Contractor, to proceed with the street improvements within Street Improvement District 2023-1; and

**WHEREAS**, the City passed Resolution 1-2024 on January 24, 2024, approving and accepting the contractor's Certificate of Completion of the Project Plans; and

**WHEREAS**, pursuant to Nebraska Revised Statutes section 17-511, the City may levy special assessments ("**Special Assessments**") against "lots and parcels of land abutting or adjacent to such street or alley specifically benefitted in such district in proportion to such benefits to pay the cost of improvement" ("**Benefitted Parcels**"), a list of such parcels is attached hereto and incorporated herein as **EXHIBIT A**; and

**WHEREAS**, Nebraska Revised Statutes section 17-514 provides that the Special Assessments shall create a lien on the property they are levied against and Nebraska Revised Statutes section 18-1216(1) and Section 1-612 of the David City Municipal Code provide the City the right to collect the Special Assessments and to perform all other necessary functions pursuant to the same, including foreclosing on the property so levied; and

**WHEREAS**, Nebraska Revised Statutes sections 18-1216(2) and 17-524(1) requires the City to provide notice via letter to affected property owners, publication in a newspaper of general circulation for at least four (4) weeks, and by filing notice of assessments with the Butler County Register of Deeds; and

**WHEREAS**, the City passed Resolution No. 2-2024, approving the holding of a special meeting, to be held on March 13, 2024, thereby enabling the City Council to sit as the David City Board of Equalization ("**Board**") to determine the amount of the Special Assessments and directing the City Clerk to send a letter of notice to all such owners of the Benefitted Parcels,



and to publish notice of the special meeting via publication in a legal newspaper of general circulation in five (5) consecutive weeks; and

**WHEREAS**, the City has met its statutory notice requirements and is within its right to hold a special meeting and sit as the Board to determine the amount of Special Assessments against the Benefitted Parcels; and

**WHEREAS**, the Board convened on March 13, 2024, for such purpose, and tabled this matter for consideration at the following Board meeting on April 24, 2024; and

**WHEREAS**, the City, sitting as the Board, by taking into account the benefits derived or injuries sustained in consequence of such improvements, the aggregate of said Special Assessments to not exceed the total cost of the improvements, as shown in **EXHIBIT B**, attached hereto and incorporated herein by reference, may determine the amount of the Special Assessments to be levied against each Benefitted Parcel.

**NOW THEREFORE BE IT RESOLVED**, by the Board of Equalization of the City of David City, Nebraska, that the Special Assessments to be levied against the Benefitted Properties are as shown in **EXHIBIT C**, attached hereto and incorporated herein by reference; and

**BE IT FURTHER RESOLVED**, that the said Special Assessments against said Benefitted Parcels are hereby declared to be in proportion to the special benefits conferred upon said property by said improvements and not in excess of such benefits or of the cost of the improvements; and

**BE IT FURTHER RESOLVED**, that said Special Assessments shall be levied upon the Benefitted Parcels and collected as a separate tax in addition to the taxes for general revenue purposes; and

**BE IT FURTHER RESOLVED**, that pursuant to Nebraska Revised Statutes section 17-515(2), the Special Assessments shall be delinquent in installments and shall accrue interest as provided below, the first installment to become delinquent fifty (50) days after passage of this Resolution, on June 13, 2024 ("**Initial Installment**"):

<u>Due Date</u>	<u>Special Assessment Installment Due</u>
June 13, 2024	10% of Special Assessment
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April 24, 2028	10% of Special Assessment
April 24, 2029	10% of Special Assessment
April 24, 2030	10% of Special Assessment
April 24, 2031	10% of Special Assessment
April 24, 2032	10% of Special Assessment
April 24, 2033	10% of Special Assessment

**BE IT FURTHER RESOLVED**, pursuant to Nebraska Revised Statutes section 17-515(4), all installment payments except the Initial Installment shall draw an interest rate of five and one-percent (1.00%) per annum, until such installment payment shall become delinquent as provided above, and then such installment payment shall draw an interest rate of fourteen-percent (14.00%) per annum, as Nebraska Revised Statutes section 45-104.01 so provides; and

**BE IT FURTHER RESOLVED**, that the City shall collect the Special Assessments as they are paid and that upon the sooner of November 1, 2024, or the Butler County Treasurer's entry of the tax rolls to include the Special Assessments, the City shall certify to the Butler County Treasurer such Special Assessments that remain due, and such remaining Special Assessments, with interest thereon as applicable, are therefore due to the Butler County Treasurer; and

**AND BE IT FURTHER RESOLVED** that a certified copy of said Special Assessment Schedule be filed by the City Clerk/Treasurer with the County Treasurer and the County Clerk of Butler County, Nebraska as provided by law for entry on the proper tax rolls.

PASSED this 24<sup>th</sup> day of April, 2024.

\_\_\_\_\_  
Mayor Jessica J. Miller

ATTEST:

\_\_\_\_\_  
City Clerk Tami L. Comte

[SEAL]

**EXHIBIT A**

**List of Benefitted Parcel Owners**

Benefitted Parcel Identification No	Benefitted Parcel Situs Address	Benefitted Parcel Record Owner
120000469	Lot 5, Block 11, Original Town	Laurie L. Sladek
120000525	Lot 2, Vac Alley, Block 12, Original Town	Pedro Vargas
120000441	Lot 1, Block 11, Original Town	Two & Three LLC
120000448	Lot 4, Block 11, Original Town	Kyle & Jennifer Carnes
120000476	Lot 8, Block 11, Original Town	Dana Frana
120000490	Lots 9 & 12, Block 11, Original Town	Spencer & Katerina Jakub

**EXHIBIT B**

**Total Cost of Street Improvement District 2023-1**

[PLEASE SEE ATTACHED]

Invoice



**Gehring Construction & Ready Mix Co., Inc.**

Mailing address  
 Columbus Plant  
 Toll Free 800-  
 Web Site  
 Columbus Plant  
 Humphrey Pla

681 N7E 1 72212211/07/23  
 FORWARD TIME EXP RTN TO SEND  
 CITY OF DAVID CITY  
 490 E ST  
 DAVID CITY NE 68632-1637  
 RETURN TO SENDER

Bill To
City of David City 490 E Street David City NE. 68632

Date	Invoice #
11/1/2023	12083

Project	Street Repairs	Terms	Net 30
Quantity	Description	Rate	Amount
	Attn to John Kobus N 5th Street Repairs as completed.		
1,100	SY's, Remove & salvage brick.	8.00	8,800.00
1,100	SY's, Remove concrete.	12.00	13,200.00
1,100	SY's, Subgrade prep.	2.00	2,200.00
1,100	SY's, 8" paving.	75.00	82,500.00
136	SY's, 8" driveways.	75.00	10,200.00
5	SY's, Sidewalk ramp with ADA panel.	75.00	375.00
1	Final grading and backfill.	2,500.00	2,500.00
	<i>1/2 Various Purpose = 60-2616</i>		
	<i>1/2 Sales Tax = 10-2616</i>		
	<b>Subtotal</b>		<b>\$119,775.00</b>
	<b>Sales Tax (0.0%)</b>		<b>\$0.00</b>
<i>Thank you for your business.</i>		<b>Total</b>	<b>\$119,775.00</b>

**EXHIBIT C**

**Street Improvement District 2023-1  
Special Assessment Schedule**

Benefitted Parcel Identification No.	Benefitted Parcel Record Owner	Total Roadway Assessment
120000469	Laurie L. Sladek	\$1,250.00
120000525	Pedro Vargas	\$1,250.00
120000441	Two & Three LLC	\$1,250.00
120000448	Kyle & Jennifer Carnes	\$1,250.00
120000476	Dana Frana	\$1,250.00
120000490	Spencer & Katerina Jakub	\$2,500.00
	Total Special Assessments	\$8,750.00

Council member Keith Marvin made a motion to adjourn. Council Member Bruce Meysenburg seconded the motion. The motion carried and Mayor Jessica Miller declared the meeting adjourned at 6:06 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

April 24, 2024

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 April 24, 2024; 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.

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Tami Comte, City Clerk