

**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 **11<sup>th</sup> day of September, 2024**, 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](http://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 6<sup>th</sup> day of Sept., 2024.

**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 August 28, 2024 meeting of the Mayor and City Council; \*
5. Approval of the Claim to Marvin Planning Consultants; \*
6. Approval of the Claim to D-Sign Shop; \*
7. Approval of Claims; \*
8. Committee and Officer Reports/Butler County Development Board update; \*
9. Consider Certificate of Payment #18 in the amount of \$2,483,756.54 to Velocity Constructors Inc. for the 2022 Water Treatment Plant Upgrades; \*
10. Consider Pay Estimate #6 in the amount of \$776,485.97 to BRB Contractors, Inc. for the Wastewater Treatment Plant Improvement Project; \*
11. Consider Pay Application #4 for IES Commercial, Inc. in the amount of \$344,344.12 for the '2023 AGP Substation' Project; \*

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Mayor Jessica J. Miller

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Council President Bruce L. Meysenburg

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Council member Thomas J. Kobus

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Council member James L. Angell

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Council member Patrick J. Meysenburg

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Council member Kevin E. Woita

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Council member Keith A. Marvin

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City Clerk Tami L. Comte

\*Potential Action Item

12. Consider Ordinance No. 1491 Confirming the sale of Real Property located at 1115 C Street, David City, NE to Ratkovec Construction; \*
13. Consider Resolution No. 23-2024 authorizing the Mayor and City Council to execute a purchase and sale agreement and deed to convey the property located on North 1<sup>th</sup> Street between “E” Street and the Nebraska Central Railroad; \*
14. Consider Ordinance No. 1489 annexing the Campbell property in Butler County, Nebraska, as legally described above on 3<sup>rd</sup> and final reading;\*
15. Consider Ordinance No. 1490 on 2<sup>nd</sup> reading only amending the Zoning Ordinance No. 1060 by amending Section 5.08.03 R-2 Two-Family Residential – Conditional Uses to include the following language as requested by Nick Sypal, a landowner and taxpayer in David City, Nebraska, proposes the following amendment:
  11. The processing and storage of wood and firewood and tree servicing such equipment commonly used for said purposes on a lot no less than one (1) acre in size on which the applicant lives or adjacent to a lot on which the applicant lives, and within three hundred (300) feet of an “I” zoning district. Retail sale of such wood and firewood is allowed only subject to express approval as part of a conditional use permit. Any conditional use permit granted pursuant to this section shall be personal to the applicant and shall not run with the land; \*
16. Consider Ordinance No. 1492 adopting a new section of Municipal Code relating to the maintenance of Lots, Sidewalks, Curbing and Parquets located within the corporate limits of the City of David City; \*
17. Consider Ordinance No. 1493 Release of the Storm Sewer Easement and Ratification of the New Easement in Northland Subdivision; \*
18. Approval of Southeast Nebraska Development District Recommendation for the 2022 David City Owner-Occupied Rehab Project #011 to Crewline Exteriors in the amount of \$15,960.00 for the second portion of the grant; \*
19. Consider the quote from Shaver Painting in the amount of \$11,699.00 to paint the exterior painting for the David City Family Aquatic Center; \*
20. Reappointment of Park Committee members Council member Bruce Meysenburg, Park/Auditorium Supervisor Bill Buntgen, and Recreation Director Will Reiter and for one-year terms ending September 11, 2025; \*
21. Consider the quote for a 2021 Dodge Ram Crew Cab pickup for \$29,500 for the water department; \*
22. Consider closed session for personnel, contracts or pending litigation (as necessary); \*
23. Adjourn. \*