

**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 **14th day of February**, 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 for public inspection is available on our website at www.davidcityne.com and may be modified up to twenty-four hours prior to the opening of the meeting.

Dated this .

AGENDA AS FOLLOWS:

1. Notify the public of the "Open Meetings Act" posted on the west wall of the meeting room;
2. Roll Call;
3. Acceptance of the minutes of the January 10, 2026, meeting;
4. Consider the request of Charlie Emswiler of E & H Tallow Properties for a conditional use permit to convert the property at 18 15 3 David City Lot 1 Tallow Acres Subdivision to the City of David City, Butler County, Nebraska into an agricultural processing facility;
5. Adjourn

Mayor Jessica J. Miller

Council President Bruce L. Meysenburg

Council Member Jeremy W. Abel

Council Member James L. Angell

Council Member Rick L. Holland

Council Member Kevin E. Woita

Council Member Keith A. Marvin

City Clerk – Treasurer Lori M. Matchett

PLANNING COMMISSION
January 10, 2026
8:00 AM

Chairman Jim Masek opened the meeting at 8:00 AM in the meeting room of the City Office Building, 490 E Street, David City, Nebraska and notified the public of the "Open Meetings Act" posted on the west wall of the meeting room. He also notified the public that if they wish to speak to the Commission, please state your name and address.

Present: Planning Commission members Pam Kabourek, Jim Vandenberg, Robert Hilger, Jim Masek, City Clerk Lori Matchett, City Administrator Alan Zavodny, City Administrator Intern Raiko Martinez, Building Inspector Gary Meister, Council Member/Liaison Keith Marvin, and Council Member Bruce Meysenburg. Planning Commission member Greg Aschoff was absent.

Also present: Jake Emswiler of E & H Tallow Properties, Mark & Willow Holoubek, John Sheppard of Marvin Planning Consultants

Planning Commission member Pam Kabourek made a motion to accept the minutes of the September 13, 2025, meeting as presented. Jim Vandenberg seconded the motion. The motion carried. Greg Aschoff: Absent, Robert Hilger: Yea, Pam Kabourek: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 4, Nay: 0, Absent: 1.

John Shepard of Marvin Planning Consultants introduced himself and informed the commission that a year ago, the city adopted comprehensive revisions to the zoning regulations. On a yearly basis, the Zoning Ordinance Committee is to review and make strategic updates to the regulations. Last fall, the City Staff contacted John Shepard to make a few amendments. Those amendments are being brought before the commission today for review. John explained the update to the commission and offered to answer any questions about the update.

Planning Commission member Jim Masek made a motion to open the public hearing at 8:02 a.m. to consider amending the Zoning Ordinance No. 1060 by amending Section 2.03 Definitions by adding and updating definitions for Agriculture, Agricultural Operations, Agricultural Processing and Manufacturing, Agricultural Sales and Service, Animal Byproducts, Animal Unit, Farm, Farming, Feed Mill, Feedlot (Commercial), Livestock Feeding Operation (LFO), Poultry - Commercial Feeding Operation, Poultry Hatchery, and Rendering Plant, as well as amending Section 5.06 Land Use Categories/Matrix by adding Poultry Hatchery, Agricultural Processing of Food Products, Rendering Plant as permitted or conditional use permitted in Land Use Districts, and amending Section 5.08 TA-1 Transitional Agricultural District by removing commercial, industrial in Supplemental Setbacks. Pam Kabourek seconded the motion. The motion carried. Greg Aschoff: Absent, Robert Hilger: Yea, Pam Kabourek: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 4, Nay: 0, Absent: 1.

Planning Commission member Jim Masek made a motion to close the public hearing at 8:22 a.m. to consider amending the Zoning Ordinance No. 1060 by amending

Section 2.03 Definitions by adding and updating definitions for Agriculture, Agricultural Operations, Agricultural Processing and Manufacturing, Agricultural Sales and Service, Animal Byproducts, Animal Unit, Farm, Farming, Feed Mill, Feedlot (Commercial), Livestock Feeding Operation (LFO), Poultry - Commercial Feeding Operation, Poultry Hatchery, and Rendering Plant, as well as amending Section 5.06 Land Use Categories/Matrix by adding Poultry Hatchery, Agricultural Processing of Food Products, Rendering Plant as permitted or conditional use permitted in Land Use Districts, and amending Section 5.08 TA-1 Transitional Agricultural District by removing commercial, industrial in Supplemental Setbacks Jim Vandenberg seconded the motion. The motion carried. Greg Aschoff: Absent, Robert Hilger: Yea, Pam Kabourek: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 4, Nay: 0, Absent: 1.

Planning Commission member Pam Kabourek made a motion to recommend to the City Council the amendments to the Zoning Ordinance No. 1060 by amending Section 2.03 Definitions by adding and updating definitions for Agriculture, Agricultural Operations, Agricultural Processing and Manufacturing, Agricultural Sales and Service, Animal Byproducts, Animal Unit, Farm, Farming, Feed Mill, Feedlot (Commercial), Livestock Feeding Operation (LFO), Poultry - Commercial Feeding Operation, Poultry Hatchery, and Rendering Plant, as well as amending Section 5.06 Land Use Categories/Matrix by adding Poultry Hatchery, Agricultural Processing of Food Products, Rendering Plant as permitted or conditional use permitted in Land Use Districts, and amending Section 5.08 TA-1 Transitional Agricultural District by removing commercial, industrial in Supplemental Setbacks Jim Masek seconded the motion. The motion carried. Greg Aschoff: Absent, Robert Hilger: Yea, Pam Kabourek: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 4, Nay: 0, Absent: 1.

John Sheppard of Marvin Planning Consultant introduced himself again. John had contacted City Staff to verify the conditional use application, and on the original notice that was published, it did state the rendering plant for tallow. The correct language for the application was for an agricultural processing plant of tallow.

Planning Commission member Jim Masek made a motion to open the public hearing at 8:27 a.m. to consider the request of Charlie Emswiler of E & H Tallow Properties for a conditional use permit to convert the property at 18 15 3 David City Lot 1 Tallow Acres Subdivision to the City of David City, Butler County, Nebraska into an agricultural processing facility; Jim Vandenberg seconded the motion. The motion carried. Greg Aschoff: Absent, Robert Hilger: Yea, Pam Kabourek: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 4, Nay: 0, Absent: 1.

Planning Commission member Jim Masek made a motion to close the public hearing at 8:48 a.m. to consider the request of Charlie Emswiler of E & H Tallow Properties for a conditional use permit to convert the property at 18 15 3 David City Lot 1 Tallow Acres Subdivision to the City of David City, Butler County, Nebraska into an agricultural processing facility for tallow; Pam Kabourek seconded the motion. The motion carried. Greg Aschoff: Absent, Robert Hilger: Yea, Pam Kabourek: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 4, Nay: 0, Absent: 1.

Willow Holoubek introduced herself. Willow voiced her concerns about water drainage and underground drainage coming from the property. She would appreciate consideration for measures to contain water runoff and slow water flows.

Mark Holoubek introduced himself. Mark voiced his concerns about the water drainage. He would appreciate consideration of water runoff and water retention on the property of E & H Tallow Properties to improve water drainage.

Jake Emswiler introduced himself, he spoke on behalf of E & H Tallow Properties. The facility will be used to take fat and melt it down for human consumption.

City Administrator Alan Zavodny introduced himself. Alan has been speaking with Charles Emswiler about the development of the property. There will be a tank on the property for the fat from the tallow. The tank will be pumped to remove the fat, and the fat will be trucked elsewhere from the property. We should look at the detention of surface water.

Planning Commission members had questions about where surface water would go, where the discharge tank pumping would go, what effects it would have on our Sewer Lagoon, and how it would affect our system.

Planning Commission member Jim Masek made a motion to table the conditional use permit of Charlie Emswiler of E & H Tallow properties to convert the property at 18 15 3 David City Lot 1 Tallow Acres Subdivision to the City of David City, Butler County, Nebraska, into an agricultural processing facility. The Planning Commission is seeking answers to the questions presented at the public hearing. Jim Vandenberg seconded the motion. The motion carried.

Greg Aschoff: Absent, Robert Hilger: Yea, Pam Kabourek: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 4, Nay: 0, Absent: 1.

Meeting Dates for 2026
Saturdays, 8 a.m. at the City Office Meeting Room

January 10, 2026	July 11, 2026
February 14, 2026	August 8, 2026
March 14, 2026	September 12, 2026
April 11, 2026	October 10, 2026
May 9, 2026	November 14, 2026
June 13, 2026	December 12, 2026

Planning Commission member Jim Masek made a motion to approve the meeting dates for 2026 as follows. Pam Kabourek seconded the motion. The motion carried. Greg Aschoff: Absent, Robert Hilger: Yea, Pam Kabourek: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 4, Nay: 0, Absent: 1.

Planning Commission member Robert Hilger made a motion to appoint Jim Masek as Chairman, Greg Aschoff as Vice Chairman, and Pam Kabourek as Secretary of the Planning Commission for 2026. Jim Vandenberg seconded the motion. The motion carried. Greg Aschoff: Absent, Robert Hilger: Yea, Pam Kabourek: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 4, Nay: 0, Absent: 1.

There being no further business to come before the Planning Commission, Chairman Jim Masek made a motion to adjourn at 9:07 a.m. Jim Vandenberg seconded the motion. The motion carried. Greg Aschoff: Absent, Robert Hilger: Yea, Pam Kabourek: Yea, Jim Masek: Yea, Jim Vandenberg: Yea. Yea: 4, Nay: 0, Absent: 1.

Minutes by Lori Matchett, City Clerk



PAID

DEC 19 2025

CITY OF DAVID CITY
DAVID CITY UTILITIES

DAVID CITY PLANNING COMMISSION

TYPE OF ACTION REQUESTED

- Conditional Use \$100.00
- Vacate request: alley, street, etc. \$50.00
- Rezoning/Zoning Amendment \$150.00

LEGAL DESCRIPTION OF THE PROPERTY:

18 15 3 David City Lot 1 Tallow Acres Subdiv (1.86 AC)

DESCRIPTION OF THE PROJECT:

Process tallow (beef fat) to a ready-to-eat form, or for use in cosmetics

Christa Emery
Applicant's Signature

FOR CITY USE ONLY

Date received: 12/19/25 By: *Rebekah Jones*

Fee Paid: Yes \$ 100.00 No

Hearing Date: January 15th, 2026

Hearing Notice Published: Yes No

Adjoining Landowners Notified Yes No

Action Taken: Approved Conditional Use Permit for an Agricultural processing Facility.

Motion made by Pam Kabourek, seconded by Greg Aschoff. Motion carried.

Vandenberg: Yea, Aschoff: Yea, Masek: Yea, Kabourek: Yea, Hilger: Absent.
Nay: 0, Yea: 4, Absent: 1



E&H Industries is on track to become a state-of-the-art facility for producing shelf-stable food-grade beef tallow used for natural cooking oil, soaps, candles, and skin care.

This tallow will be marketed nation-wide and used for order fulfillment for our current local customers such as Cornhusker Kitchen, Piedmontese, Hy-Vee, B&R stores and Buresh Meats.

Why build in David City?

We live here! The tallow production that we have been doing in Wahoo has outgrown our current building and future demand is high.

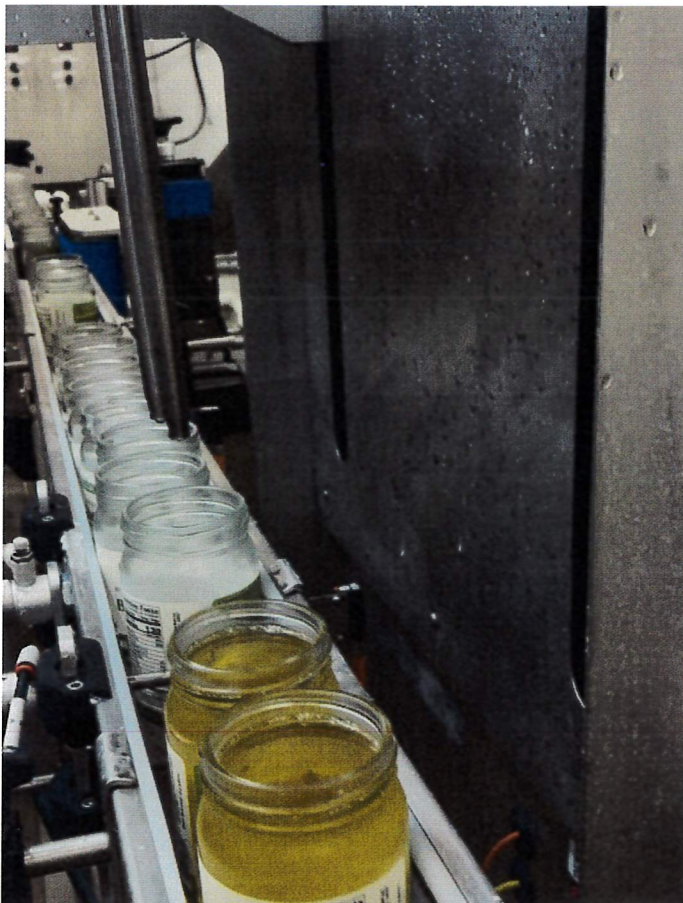


Facility Output Information

We expect to produce approximately 30,000 to 50,000 gallons of discharge water per month.

There will be an underground grease trap/septic tank to catch any grease particles that may go down the drain during sanitation (clean up) at the end of the day. It will be pumped by a professional service and disposed of by them.

BOD testing has been done in Wahoo and expected results for the David City facility will be approximately 1/3 of that based on production and facility size.



The Process:

Raw beef tallow product arrives at the facility for processing. The solid tallow is cooked down or “rendered” and then filled into jars or bulk quantities to be shipped to customers. The cooking does not produce any rancid or offensive odors. We are currently performing this process in Wahoo. The end result is a shelf stable food grade product.

What is Tallow?

Beef tallow is a rendered form of beef fat, typically made from the suet (fat surrounding the kidneys) of cattle. When slowly cooked, suet melts down into a liquid fat that, once cooled, solidifies into a creamy, shelf-stable substance known as tallow.

Historically, tallow was widely used for cooking, making candles and even skin care before being replaced by vegetable oils and synthetic products. With a high smoke point and rich flavor, beef tallow is once again being celebrated for its many uses.

Tallow is typically used for cooking at high temperatures such as deep frying and roasting. It can even be used to season cast-iron pans.

Tallow is also highly moisturizing and packed with Vitamins A, D & K, safe for virtually all skin types, and is a natural remedy for dry, cracked or irritated skin conditions.

CONDITIONAL USE PERMIT

This conditional use permit shall run with the title of the land.

DATE: March 14, 2026

APPLICANT: E & H Tallow (Charlie Emsweiler)

LEGAL DESCRIPTION: 18 15 3 David City Lot 1 Tallow Acres Subdivision (1.86 Acres)
David City, Butler County, Nebraska

Motion to approve the conditional use permit for 18 15 3 David City Lot 1 Tallow Acres Subdivision (1.86 Acres) for an Agricultural Processing Facility.

PASSED & APPROVED BY THE PLANNING COMMISSION ON MARCH 14, 2026.



Julie M. Matlock
CITY CLERK / DEPUTY CLERK

