

AGENDA FOR THE REGULAR MEETING OF  
THE MAYOR AND CITY COUNCIL OF THE  
CITY OF AUBURN, NEMAHA COUNTY,  
NEBRASKA, TO BE HELD ON  
DECEMBER 12, 2016

1. **PLEDGE OF ALLEGIANCE**

2. **ANNOUNCE** – “I am required by law to inform the public that a copy of the Open Meetings Act is posted on the North wall of these Chambers by the entrance door.”

3. **ROLL CALL**

4. **RECOGNITION OF VISITORS\***

\*The Mayor may fix the time allotted for each individual or topic. A five-minute limit will apply for each speaker, unless otherwise specified. Speakers are expected to address the Council when making presentations. Speakers who feel a need to give more information than can be presented in that time frame may submit written material for distribution to City Hall; such materials should be provided so they may be included in the Council meeting packets.

The Council may make and enforce reasonable rules and regulations regarding the conduct of persons attending its meetings and regarding their privilege to speak. The Council is not required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings.

5. **APPROVAL OF MINUTES OF PREVIOUS MEETING(S).**

6. **APPROVAL OF FINANCIAL REPORT.**

7. **ACKNOWLEDGMENT** of receipt of Conflict of Interest Statement from Mayor J. Scott Kudrna, as an employee of Auburn State Bank and Conflict of Interest Statement as an investor of Auburn One Fiber.

8. **CLAIMS.**

9. **OLD BUSINESS.**

10. **CITY CLERK** Reads Certified Election Results from Nemaha County Clerk.

11. **ADJOURN SINE-DIE.**

12. **OATHS OF OFFICE.**

13. **RECONVENE –NEW COUNCIL – ROLL CALL.**

14. **ELECT COUNCIL PRESIDENT.**

15. **ANNUAL APPOINTMENTS.**

16. **2017 STREET SUPERINTENDENT APPOINTMENT.**

17. **CITY COUNCIL** Standing Committee Appointments.

18. **CONSIDERATION FOR APPROVAL** – of Revised Right-of-way Permit and Franchise Agreement between the City of Auburn, NE and Auburn-One Fiber, LLC.
19. **APPOINTMENT(S)/REAPPOINTMENTS.**
  - Airport Authority – Rory Mason
  - Board of Public Works – Phil Shaw – Chuck Knipe
20. **APPROVAL BY RESOLUTIONS** - City Accounts Official Depositories.
21. **APPROVAL** for Attendance at Meeting(s).
22. **2017 CITY HOLIDAY Schedule as set by Council.**
23. **CONSIDERATION FOR APPROVAL** – City Employee Health Insurance Benefit Plan.
24. **DRAWDOWN #7** for 14-DTR-107 Project Expenses (Downtown Revitalization project) and related claims.
25. **DRAWDOWN #8** for 14-DTR-107 Project Expenses (Downtown Revitalization project) and related claims.
26. **DRAWDOWN #9** for 14-DTR-107 Project Expenses (Downtown Revitalization project) and related claims.
27. **ORDINANCE #4-16 (2<sup>nd</sup> Reading)** To Amend the Original Section 74.14, Mobile Homes, Trailers and the Like, of Auburn, Nebraska, Code of Ordinances to include City Owned Property, Parking Stalls and Lots and to include a Penalty Section.
28. **ORDINANCE #5-16 (2<sup>nd</sup> Reading)** To Establish a “24” Hour Parking Limitation on City Owned Property, Parking Stalls and Lots, and to Set a Penalty for Violators.
29. **CONSIDERATION FOR ACCEPTANCE** – Nuisance Property at 722 10<sup>th</sup> Street, Auburn, NE – Transfer to the City and Payment of Real Estate Taxes.
30. **CONSIDERATION FOR APPROVAL** – the 3<sup>rd</sup> Subsequent Agreement addendum/amendment to the Interlocal Agreement with Nemaha County for Law Enforcement Services.
31. **COMPUTER SUPPORT SERVICES.**
32. **REPORTS/RECOMMENDATIONS** - - From Dept. Heads.
  - a. Street Department
  - b. Fire Department
  - c. Library
  - d. Treasurer
  - e. Airport Report
33. **REPORTS/RECOMMENDATIONS** - - From Committees.
  - a. Street Committee
  - b. Keep Auburn Beautiful
  - c. Economic Development

- d. Safety Committee
- e. Building Committee
- f. Legislative
- g. Parks and Pool Committee
- h. Other Committees & Reports
- i. Holiday Light Committee

34. **ADJOURNMENT.**

# POSSIBLE MOTION FORMAT 12-12-16

1. **PLEDGE OF ALLEGIANCE**
2. **ANNOUNCE** – “I am required by law to inform the public that a copy of the Open Meetings Act is posted on the North wall of these Chambers by the entrance door.”
3. **ROLL CALL**
4. **RECOGNITION OF VISITORS\***
5. **APPROVAL OF MINUTES OF PREVIOUS MEETING(S).**

POSSIBLE MOTION: I move to dispense with the reading of the November 14, 2016 meeting's minutes and to approve the same as written

6. **APPROVAL OF FINANCIAL REPORT.**

POSSIBLE MOTION: I move to approve the financial report

8. **APPROVAL** for Attendance at Meeting(s).

POSSIBLE MOTION: I move to allow attendance at meeting(s)/training(s) as requested

7. **ACKNOWLEDGMENT** of receipt of Conflict of Interest Statement from Mayor J. Scott Kudrna, as an employee of Auburn State Bank and Conflict of Interest Statement as an investor of Auburn One Fiber.

8. **CLAIMS.**

POSSIBLE MOTION: I move to approve the claims presented which have not been previously approved by motion or resolution and ratify the ordinary and necessary expenses allowed and in accordance with Resolution No. 7-11 that was approved February 28, 2011

9. **OLD BUSINESS.**
10. **CITY CLERK** Reads Certified Election Results from Nemaha County Clerk.
11. **ADJOURN SINE-DIE.**
12. **OATHS OF OFFICE.**
13. **RECONVENE –NEW COUNCIL – ROLL CALL.**
14. **ELECT COUNCIL PRESIDENT.**
15. **ANNUAL APPOINTMENTS.**

POSSIBLE ACTION: Roll Call on Appointments/Reappointments

16. **2017 STREET SUPERINTENDENT APPOINTMENT.**

POSSIBLE ACTION: "We appoint Evan B. Wickersham from JEO Consulting Group Inc. as our Street Superintendent"

17. **CITY COUNCIL Standing Committee Appointments.**

POSSIBLE ACTION: Roll Call on Appointments/Reappointments

18. **CONSIDERATION FOR APPROVAL** – of Revised Right-of-way Permit and Franchise Agreement between the City of Auburn, NE and Auburn-One Fiber, LLC.

POSSIBLE MOTION: I moved to approve the Revised Right-of-way Permit and Franchise Agreement between the City of Auburn, NE and Auburn-One Fiber, LLC

19. **APPOINTMENT(S)/REAPPOINTMENTS.**

- Airport Authority – Roy Mason
- Board of Public Works – Phil Shaw – Chuck Knipe

POSSIBLE ACTION: Roll Call on Appointments/Reappointments

20. **APPROVAL BY RESOLUTIONS** - City Accounts Official Depositories.

POSSIBLE MOTION: I move that a Corporate Authorization Resolution designating the Mayor, Council President, City Treasurer and City Clerk as the authorized signers for all the City bank accounts held at Auburn State Bank be approved and further move that on the two Keno Operating Accounts (only those two accounts) that the Keno Operator and his designated representatives also be designated as authorized signers

21. **APPROVAL** for Attendance at Meeting(s).

POSSIBLE MOTION: I move to allow attendance at meeting(s)/training(s) as requested

22. **2017 CITY HOLIDAY Schedule as set by Council.**

POSSIBLE MOTION: I move to approve the following holidays for 2017: New Year's Day (Monday, January 2), Memorial Day (May 29), Independence Day (July 4), Labor Day (September 4), Veteran's Day (November 10), Thanksgiving Day (November 23), Friday after Thanksgiving (November 24), Christmas Eve Afternoon (December 22), Christmas Day (December 25), and Personal Day/Designated Holiday (\*Choice with Department Head Approval).

23. **CONSIDERATION FOR APPROVAL** – City Employee Health Insurance Benefit Plan.

POSSIBLE MOTION: I move to approve the 2017 health insurance plan as recommended

24. **DRAWDOWN #7** for 14-DTR-107 Project Expenses (Downtown Revitalization project) and related claims.

POSSIBLE MOTION: I move to approve CDBG #14-DTR-107 (Downtown Revitalization Project) Drawdown #7 (Project Expenses) and the related claims

25. **DRAWDOWN #8** for 14-DTR-107 Project Expenses (Downtown Revitalization project) and related claims.

POSSIBLE MOTION: I move to approve CDBG #14-DTR-107 (Downtown Revitalization Project) Drawdown #8 (Project Expenses) and the related claims

26. **DRAWDOWN #9** for 14-DTR-107 Project Expenses (Downtown Revitalization project) and related claims.

POSSIBLE MOTION: I move to approve CDBG #14-DTR-107 (Downtown Revitalization Project) Drawdown #9 (Project Expenses) and the related claims

27. **ORDINANCE #4-16 (2<sup>nd</sup> Reading)** To Amend the Original Section 74.14, Mobile Homes, Trailers and the Like, of Auburn, Nebraska, Code of Ordinances to include City Owned Property, Parking Stalls and Lots and to include a Penalty Section.

POSSIBLE ACTION: Ordinance Record-2<sup>nd</sup> Reading

28. **ORDINANCE #5-16 (2<sup>nd</sup> Reading)** To Establish a "24" Hour Parking Limitation on City Owned Property, Parking Stalls and Lots, and to Set a Penalty for Violators.

POSSIBLE ACTION: Ordinance Record-2<sup>nd</sup> Reading

29. **CONSIDERATION FOR ACCEPTANCE** – Nuisance Property at 722 10<sup>th</sup> Street, Auburn, NE – Transfer to the City and Payment of Real Estate Taxes.

POSSIBLE MOTION: I move that the City accept real estate to the City from the owner of residential property at 722 10<sup>th</sup> Street by the passage and adoption of Resolution No. 27-16

30. **CONSIDERATION FOR APPROVAL** – the 3<sup>rd</sup> Subsequent Agreement addendum/amendment to the Interlocal Agreement with Nemaha County for Law Enforcement Services.

POSSIBLE MOTION: I move to approve the 3<sup>rd</sup> Subsequent Agreement addendum/amendment to the Interlocal Agreement with Nemaha County for Law Enforcement Services.

31. **COMPUTER SUPPORT SERVICES.**

32. **REPORTS/RECOMMENDATIONS** -- From Dept. Heads.

- a. Street Department
- b. Fire Department
- c. Library
- d. Treasurer
- e. Airport Report

33. **REPORTS/RECOMMENDATIONS - - From Committees.**

- a. Street Committee
- b. Keep Auburn Beautiful
- c. Economic Development
- d. Safety Committee
- e. Building Committee
- f. Legislative
- g. Parks and Pool Committee
- h. Other Committees & Reports
- i. Holiday Light Committee

34. **ADJOURNMENT.**

POSSIBLE MOTION: I move for adjournment to meet at the call of the Mayor

Auburn, Nebraska  
November 14, 2016

AGENDA ITEM  
NO 5

The Mayor and Council of the City of Auburn, Nemaha County, Nebraska, were called to meet at the City Hall at 1101 "J" Street on November 14, 2016, at 7:00 o'clock P.M., in Regular Meeting, open to the general public. Advance notice of said Regular Meeting, the designated method of giving notice including the agenda for said meeting, or the availability thereof having been posted at the west front door of the City Hall, at the east door of the Nemaha County Courthouse and in the Auburn State Bank, and having been transmitted to all members of the City Council, all done on or before November 11, 2016. Mayor Scott Kudrna presided over the meeting. The City Clerk of the City of Auburn, Nemaha County, Nebraska, recorded the proceedings.

The meeting was called to order by Mayor Scott Kudrna. Upon roll call, the following members of the City Council were present: Billings, Shawn Clark, Tom Clark, Erickson, Janssen, and Jeanneret. Absent: No one.

Mayor Kudrna announced "I am required by law to inform the public that a copy of the Open Meetings Act is posted on the North wall of these Chambers by the entrance door".

Council Member Janssen moved to dispense with the reading of the October 10, 2016 and October 19, 2016 meetings' minutes and to approve the same as written. The foregoing motion was seconded by Council Member Jeanneret and upon roll call vote, the following Council Members voted "YEA": Shawn Clark, Tom Clark, Erickson, Janssen, Jeanneret, and Billings. The following voted "NAY": No one. Motion: Carried.

Council Member Billings moved to approve the financial report; Seconded by Council Member Erickson and upon roll call vote, the following Council Members voted "YEA": Tom Clark, Erickson, Janssen, Jeanneret, Billings, and Shawn Clark. The following voted "NAY": No one. Motion: Carried.

The following claims were presented before the Council for ratification: AFLAC, Wh-73.80; American Recycling & Sanitation, Se-38.50; Andrew County Sheriff's Dept., Se-45.00; Auburn Newspapers, Se-69.00; B.A.B., Se-15,500.00; BCom Solutions, Se-465.00; Black Hills Energy, Ut-147.41; Blue Cross-Blue Shield, Ins-4,007.97; Board of Public Works, Reim-Ut-3,431.81; First National Bank Omaha, Su-9.48; Jay Fischer, DTR Project-2,520.00; League Assoc. of Risk Management, Ins-44,017.06; Lincoln Patio & Awning, Su-Se-591.25; Linda Bantz, Se-350.00; Mark Harms, Ex-500.00; NE. Dept of Revenue, Tax-1,440.25; Nemaha County, Se-26,333.34; Nemaha County District Court, Fe-332.00; Otoe County Sheriff's Office, Se-71.46; Region V-SENDS, Se-755.00; Sue Charbonnet, DTR Project-4,800.00; The Standard, Ins-318.20; Time Warner Cable, Se-653.73; Verizon Wireless, Se-47.23; Windstream, Se-127.09; Wex Bank, Su-1,280.77. The following claims (not previously approved by motion or resolution) were presented: Allied 100, Su-286.00; Amazon, Bk-AV-134.03; American Lawncare Inc., Se-530.00; American Recycling & Sanitation, Se-4,771.40; Auburn Memorial Library Petty Cash, Su-114.63; Auburn Newspapers, Se-96.75; Auburn Plumbing, Htg. & AC, Se-471.83; Auburn Rural Fire District, Reim-73.22; Baker & Taylor, Bk-569.04; Board of Public Works, Maint-Su-509.36; Bradley Electric, Se-1,310.39; Bulldog Auto Parts, Su-29.90; Casey Agency, Bond-125.00; Center Point Large Print, Bk-AV-601.28; Concrete Industries Inc., Su-6,381.87; Cornhusker Press, Su-10.20; Demco, Su-212.09; Eakes Office Solutions, Su-176.40; Eggers Brothers Inc., Su-639.52; Filter Care, Se-123.04; Harry Bowman, Se-660.00; Heiman Fire Equipment, Su-71.05; IIMC, Mem-160.00; Ingram, Bk-AV-330.79; JEO Consulting Group Inc., Se-15,280.00; Jeremy Byfield, Reim-49.68; JP Cooke Company, Su-73.33; Larkin Aquatics, Se-3,542.91; League Assoc. of Risk Management, Ins-500.00; Lincoln, Journal Star, Sub-275.41; Lincoln Patio & Awning, Se-Su-1,773.75; Lynch's Hardware & Gifts, Su-304.85; Mellage Truck & Tractor Inc., Se-78.00; Meyer Laboratory Inc., Su-129.16; Microfilm Imaging Systems Inc., Equip-Se-3,324.00; Mid Con Systems Inc., Su-373.28; Nemaha County Clerk, Fe-64.00; OCLC Inc., Sub-56.05; Card Services (Orscheln), Card Transactions-Su-268.59; Overdrive Inc., Bk-AV-135.95; Pieters Construction, Se-2,300.00; Randy Bennett, Reim-122.16; Ricoh USA Inc., Su-13.17; Rueter's, Su-56.09; Rybind Manufacturing, Su-639.00; Sack Lumber Co, Su-359.70; Sherry Heskett, Reim-252.97; Solid Waterslide LLC, Se-10,600.00; Stutheit Implement Co., Su-3.26; The Auburn Sport Shop, Su-Se-25.00; Xerox Corporation, Se-Su-342.76.



Abbreviations for this legal: AV-Audio Visual; Bk-Book; Contrib-Contribution; Equip-Equipment; Ex-Expense; Fe-Fee; Ins-Insurance; Inspect-Inspection; Int-Interest; Inv-Economic Development Investment; Lic-Licenses; Maint-Maintenance; Mem-Membership; Pen-Pension; Per-Periodical; Re-Repairs; Ref-Reference Materials; Reg-Registration; Reim-Reimbursement; Se-Service; Su-Supplies, Material & Parts; Sub-Subscription; UA-Uniform Allowance; Ut-Utilities; Wh-Withholding.

Council Member Billings moved to approve the claims which have not been previously approved by motion or resolution and ratify the ordinary and necessary expenses allowed and in accordance with Resolution No. 7-11 that was approved February 28, 2011. The foregoing motion was seconded by Council Member Erickson and upon roll call vote, the following Council Members voted "YEA": Erickson, Janssen, Jeanneret, Billings, Shawn Clark, and Tom Clark. The following voted "NAY": No one. Motion: Carried.

Approval was requested by the library for attendance at the Customer Service Workshop to be held in Lincoln on December 2, 2016. Council Member Erickson moved to allow attendance at meeting(s)/trainings(s) as requested; Seconded by Council Member Tom Clark and upon roll call vote, the following Council Members voted "YEA": Janssen, Jeanneret, Billings, Shawn Clark, Tom Clark, and Erickson. The following voted "NAY": No one. Motion: Carried.

Council Member Tom Clark moved to allow Auburn Cub Scout Pack 321 to place benches at the Auburn Recreation Complex as a service project. The foregoing motion was seconded by Council Member Jeanneret and upon roll call vote, the following Council Members voted "YEA": Jeanneret, Billings, Shawn Clark, Tom Clark, Erickson, and Janssen. The following voted "NAY": No one. Motion: Carried.

Council Member Erickson moved to request bids on the proposed recreation center splashpad; Seconded by Council Member Billings and upon roll call vote, the following Council Members voted "YEA": Billings, Shawn Clark, Tom Clark, Erickson, Janssen, and Jeanneret. The following voted "NAY": No one. Motion: Carried.

Following a public hearing, Council Member Erickson moved to approve the 2017 Board of Public Works Proprietary Function Budget as presented. The foregoing motion was seconded by Council Member Janssen and upon roll call vote, the following Council Members voted "YEA": Shawn Clark, Tom Clark, Erickson, Janssen, Jeanneret, and Billings. The following voted "NAY": No one. Motion: Carried.

Council Member Billings moved to approve the option contracts to purchase real estate part of Block 2 and Block 7 Grandview Addition. The foregoing motion was seconded by Council Member Erickson and upon roll call vote, the following Council Members voted "YEA": Erickson, Billings, and Shawn Clark. The following voted "NAY": Tom Clark, Janssen, Jeanneret. The Mayor cast his vote in favor and the motion to approve the option contracts to purchase real estate part of Block 2 and Block 7 Grandview Addition was approved.

Council Member Erickson moved to accept real estate to the City from the owner of residential property at 1211 14<sup>th</sup> Street, Auburn, NE. The foregoing motion was seconded by Council Member Shawn Clark and upon roll call vote, the following Council Members voted "YEA": Erickson, Jeanneret, Billings, Shawn Clark, and Tom Clark. The following voted "NAY": Janssen. Motion: Carried.

Council Member Erickson moved to approve monitoring wells to be located in the Right of Way area at the Southwest corner of P and 16<sup>th</sup> Street; and on the North central area of BPW generating plant on 16<sup>th</sup> Street. The foregoing motion was seconded by Council Member Janssen and upon roll call vote, the following Council Members voted "YEA": Janssen, Jeanneret, Billings, Shawn Clark, Tom Clark, and Erickson. The following voted "NAY": No one. Motion: Carried.

Council Member Billings moved to declare the following properties unsafe & harmful to the community and a public nuisance and directing demolition and removal of the identified properties by the passage and adoption of Resolution No. 26-16: 915 "M" Street, Auburn, NE (one-story house and shed), 2115 "M" Street, Auburn, NE (one-story house and shed), 1105 7<sup>th</sup> Street, Auburn, NE (one-story house and garage), 1206 7<sup>th</sup> Street, Auburn, NE (one-story house and shed), 1713 "O" Street, Auburn, NE (one-story house and shed), and 914 "N" Street, Auburn, NE (one-story house and shed). The foregoing motion was seconded by Council Member Shawn Clark and upon roll call vote, the following Council Members voted "YEA": Jeanneret, Billings, Shawn Clark, Tom Clark, Erickson, and Janssen. The following voted "NAY": No one. Motion: Carried. A true and correct copy of said resolution is as follows:

**RESOLUTION NO. 26-16**  
**Of**  
**THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA**

**A RESOLUTION OF THE CITY DECLARING CERTAIN RESIDENTAL REAL ESTATE AS A PUBLIC NUISANCE AND ORDERING NUISANCE ABATEMENT OF SAID PROPERTY BY LEGAL REMEDY.**

**WHEREAS**, the City of Auburn, NE, has identified certain abandoned, dilapidated, and poorly maintained real estate within Auburn, NE, as attached hereto and incorporated herein by this reference within Exhibits "A" thru "G", as unsightly, and in a present state of disrepair, offensive to the senses, and injuries to the comfort, health, repose, and/or safety of the residents of the City, tending to depreciate the value of the property of others;

**WHEREAS**, the City through legal counsel shall serve upon landowners written notice of the current poor, dilapidated, unsafe, and unkempt condition of their real estate and make demand that the property be rehabilitated, clean/cleared, or demolished;

**WHEREAS**, the City shall serve written notice on the following properties, identified by street addresses:

- (1) 915 "M" Street, Auburn, NE, (one story house and shed);
- (2) 2115 "M" Street, Auburn, NE, (one-story house and garage);
- (3) 1105 7<sup>th</sup> Street, Auburn, NE, (one-story house and garage);
- (4) 1206 7<sup>th</sup> Street, Auburn, NE, (one-story house and shed);
- (5) 1713 "O" Street, Auburn, NE, (one-story house and shed)
- (6) 914 "N" Street, Auburn, NE, (one-story house and shed)
- (7) 2103 "L" Street, Auburn, NE, (one-story house)

**WHEREAS**, the real estate, yards, and structures thereon are health and safety hazards to the public and community and must be demolished and/or cleaned/cleared in a safe manner;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Auburn, Nemaha County, Nebraska, that the above seven (7) properties, including yards, structure(s), and surroundings are so unsightly and in disrepair as to be injuries to health, sanitation and welfare of the community, by harboring rodents, insects and the accumulation of debris and unsanitary materials. The properties are structurally unsound and are in such a state of disrepair as to cause danger of physical harm or illness as to the community and any person(s) within or in the vicinity of the property and structure(s).

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the Mayor and City Council of the City of Auburn, Nemaha County, Nebraska, that the dilapidated and unsightly structures, yards, and surroundings and/or real estate listed above shall be demolished, cleaned/cleared, and/or removed by the owners or by the City of Auburn, Nebraska, by appropriate legal remedy;

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the Mayor and City Council of the City of Auburn, Nemaha County, Nebraska, that the City Attorney is directed to proceed with nuisance abatement through the Nemaha County District Court, seeking removal of dilapidated structures and clean-up of the above listed properties with cost to be paid by the property owners and/or accessed against the real estate.

Council Member Billings moved to approve CDBG #14-DTR-107 (Downtown Revitalization Project) Drawdown #3 (Admin Expenses) and the related claims. The foregoing motion was seconded by Council Member Erickson and upon roll call vote, the following Council Members voted "YEA": Billings, Shawn Clark, Tom Clark, Erickson, Janssen, and Jeanneret. The following vote "NAY": No one. Motion: Carried.

Council Member Janssen moved to approve CDBG #14-DTR-107 (Downtown Revitalization project) Drawdown #4 (Project Expenses) and the related claims. The foregoing motion was seconded by Council Member Jeanneret and upon roll call vote, the following Council Members voted "YEA": Shawn Clark, Tom Clark, Erickson, Janssen, Jeanneret, and Billings. The following vote "NAY": No one. Motion: Carried.

Council Member Billings moved to approve CDBG #14-DTR-107 (Downtown Revitalization project) Drawdown #5 (Project Expenses) and the related claims. The foregoing motion was seconded by Council Member Shawn Clark and upon roll call vote, the following Council Members voted "YEA": Tom Clark, Erickson, Janssen, Jeanneret, Billings, and Shawn Clark. The following vote "NAY": No one. Motion: Carried.

Council Member Janssen moved to approve CDBG #14-DTR-107 (Downtown Revitalization project) Drawdown #6 (Project Expenses) and the related claims. The foregoing motion was seconded by Council Member Erickson and upon roll call vote, the following Council Members voted "YEA": Erickson, Janssen, Jeanneret, Billings, Shawn Clark, and Tom Clark. The following vote "NAY": No one. Motion: Carried.

Council Member Erickson moved to approve the Agreement Renewal for Maintenance Agreement No. 51 between the Nebraska Department of Roads and the City of Auburn. The foregoing motion was seconded by Council Member Janssen and upon roll call vote, the following Council Members voted "YEA": Janssen, Jeanneret, Billings, Shawn Clark, Tom Clark, and Jeanneret. The following vote "NAY": No one. Motion: Carried.

Proposed Ordinance No. 4-16 To Amend the Original Section 74.14, Mobile Homes, Trailers and the Like, of Auburn, Nebraska, Code of Ordinances to include City Owned Property, Parking Stalls and Lots, and to include a Penalty Section was presented for consideration. The Mayor announced that the proposed ordinance was in order.

ORDINANCE NO. 4-16  
Amend Original Section 74.14 Mobile Home, Trailers, and the Like  
(First Reading)

Council Member Erickson moved that the minutes of these proceedings be kept in a separate and distinct volume known as the "Ordinance Record of the City of Auburn, Nemaha County, Nebraska", and that said volume be made part of these proceedings the same as though it were spread at large herein, which motion was seconded by Council Member Janssen. The following Council Members voted "YEA": Jeanneret, Billings, Shawn Clark, Tom Clark, Erickson, and Janssen. The following voted "NAY": No one.

Proposed Ordinance No. 5-16 To Establish a "24" Hour Parking Limitation on City Owned Property, Parking Stalls and Lots, and to Set a Penalty for Violators was presented for consideration. The Mayor announced that the proposed ordinance was in order.

ORDINANCE NO. 5-16

Establish a "24" Hour Parking Limitation on City Owned Property, Parking Stalls and Lots  
(First Reading)

Council Member Erickson moved that the minutes of these proceedings be kept in a separate and distinct volume known as the "Ordinance Record of the City of Auburn, Nemaha County, Nebraska", and that said volume be made part of these proceedings the same as though it were spread at large herein, which motion was seconded by Council Member Tom Clark. The following Council Members voted "YEA": Shawn Clark, Tom Clark, Erickson, Janssen, Jeanneret, and Billings. The following voted "NAY": No one.

Council Member Erickson moved to approve the posting of signs prohibiting on-street parking on both sides of 14<sup>th</sup> Street west of the "P" Street and 14<sup>th</sup> Street Intersection to Irvin Drive. The foregoing motion was seconded by Council Member Jeanneret and upon roll call vote, the following Council Members voted "YEA": Erickson, Janssen, Jeanneret, Billings, Shawn Clark, and Tom Clark. The following voted "NAY": No one. Motion: Carried.

Council Member Tom Clark moved to approve Midlands Contracting Inc. Pay Application No. One regarding 2016 Water System Improvements in the amount of \$156,546.83 (\$199,546.83 less \$43,000.00). The foregoing motion was seconded by Council Member Janssen and upon roll call vote, the following Council Members voted "YEA": Janssen, Jeanneret, and Tom Clark. The following voted "NAY": Billings, Shawn Clark, and Erickson. The Mayor voted "NAY" and the motion failed. Council Member Erickson moved to approve Midlands Contracting Pay Application No. One regarding 2016 Water System Improvements in the amount of \$199,546.83. The foregoing motion was seconded by Council Member Billings and upon roll call vote, the following Council Members voted "YEA": Jeanneret, Billings, Shawn Clark, and Erickson. The following voted "NAY": Tom Clark and Janssen. Motion Carried.

The Mayor appointed Jim Weeks, Casie Allen, Sam Wehenkel, Amanda Neal, and Traci Hug to Auburn City Rec Committee. Upon calling the roll, the following Council Members voted "YEA": Billings, Shawn Clark, Tom Clark, Erickson, Janssen, and Jeanneret. The following voted "NAY": No one. Appointments: Confirmed. No appointments were made to the Historic Preservation Board.

Reports were given by the following department heads: street department, fire department, library, and City Treasurer.

The following committees provided reports: Keep Auburn Beautiful, Economic Development, Holiday Lights and Parks and Pool. A written financial report was provided by the Auburn Community Redevelopment Authority. Nemaha County Sheriff Brent Lottman provided a written report of law enforcement activity within the City of Auburn for October, 2016.

There being no further business to come before the Mayor and Council, Council Member Shawn Clark moved for adjournment to meet at the call of the Mayor. Council Member Tom Clark seconded the foregoing motion and upon roll call vote, the following Council Members voted "YEA": Shawn Clark, Tom Clark, Erickson, Janssen, Jeanneret, and Billings. The following voted "NAY": No one. Motion: Carried.

Mayor Kudrna declared the meeting adjourned.

---

Scott Kudrna, Mayor

ATTEST:

---

Sherry Heskett, City Clerk

STATE OF NEBRASKA )  
COUNTY OF NEMAHA ) ss.  
CITY OF AUBURN )

I, the undersigned, City Clerk for the City of Auburn, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on November 14, 2016; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes 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 advance notification of the time and place of said meeting and the subjects to be discussed at said meeting; and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

---

Sherry Heskett, City Clerk

City Council Proceedings  
November 14, 2016

AGENDA ITEM  
NO 5

The Mayor and Council of the City of Auburn, Nemaha County, Nebraska, were called to meet at the City Hall at 1101 "J" Street on November 14, 2016, at 7:00 o'clock P.M., in Regular Meeting, open to the general public.

The meeting was called to order by Mayor Scott Kudrna. Upon roll call, the following members of the City Council were present: Billings, Shawn Clark, Tom Clark, Erickson, Janssen, and Jeanneret. Absent: No one.

Mayor Kudrna announced "I am required by law to inform the public that a copy of the Open Meetings Act is posted on the North wall of these Chambers by the entrance door".

Council approved the October 10, 2016 and October 19, 2016 meetings' minutes as written.

The City Council approved the financial report.

The following claims were presented before the Council for ratification: AFLAC, Wh-73.80; American Recycling & Sanitation, Se-38.50; Andrew County Sheriff's Dept., Se-45.00; Auburn Newspapers, Se-69.00; B.A.B., Se-15,500.00; BCom Solutions, Se-465.00; Black Hills Energy, Ut-147.41; Blue Cross-Blue Shield, Ins-4,007.97; Board of Public Works, Reim-Ut-3,431.81; First National Bank Omaha, Su-9.48; Jay Fischer, DTR Project-2,520.00; League Assoc. of Risk Management, Ins-44,017.06; Lincoln Patio & Awning, Su-Se-591.25; Linda Bantz, Se-350.00; Mark Harms, Ex-500.00; NE. Dept of Revenue, Tax-1,440.25; Nemaha County, Se-26,333.34; Nemaha County District Court, Fe-332.00; Otoe County Sheriff's Office, Se-71.46; Region V-SENDS, Se-755.00; Sue Charbonnet, DTR Project-4,800.00; The Standard, Ins-318.20; Time Warner Cable, Se-653.73; Verizon Wireless, Se-47.23; Windstream, Se-127.09; Wex Bank, Su-1,280.77. The following claims (not previously approved by motion or resolution) were presented: Allied 100, Su-286.00; Amazon, Bk-AV-134.03; American Lawncare Inc., Se-530.00; American Recycling & Sanitation, Se-4,771.40; Auburn Memorial Library Petty Cash, Su-114.63; Auburn Newspapers, Se-96.75; Auburn Plumbing, Htg. & AC, Se-471.83; Auburn Rural Fire District, Reim-73.22; Baker & Taylor, Bk-569.04; Board of Public Works, Maint-Su-509.36; Bradley Electric, Se-1,310.39; Bulldog Auto Parts, Su-29.90; Casey Agency, Bond-125.00; Center Point Large Print, Bk-AV-601.28; Concrete Industries Inc., Su-6,381.87; Cornhusker Press, Su-10.20; Demco, Su-212.09; Eakes Office Solutions, Su-176.40; Eggers Brothers Inc., Su-639.52; Filter Care, Se-123.04; Harry Bowman, Se-660.00; Heiman Fire Equipment, Su-71.05; IIMC, Mem-160.00; Ingram, Bk-AV-330.79; JEO Consulting Group Inc., Se-15,280.00; Jeremy Byfield, Reim-49.68; JP Cooke Company, Su-73.33; Larkin Aquatics, Se-3,542.91; League Assoc. of Risk Management, Ins-500.00; Lincoln, Journal Star, Sub-275.41; Lincoln Patio & Awning, Se-Su-1,773.75; Lynch's Hardware & Gifts, Su-304.85; Mellage Truck & Tractor Inc., Se-78.00; Meyer Laboratory Inc., Su-129.16; Microfilm Imaging Systems Inc., Equip-Se-3,324.00; Mid Con Systems Inc., Su-373.28; Nemaha County Clerk, Fe-64.00; OCLC Inc., Sub-56.05; Card Services (Orscheln), Card Transactions-Su-268.59; Overdrive Inc., Bk-AV-135.95; Pieters Construction, Se-2,300.00; Randy Bennett, Reim-122.16; Ricoh USA Inc., Su-13.17; Rueter's, Su-56.09; Ryland Manufacturing, Su-639.00; Sack Lumber Co, Su-359.70; Sherry Heskett, Reim-252.97; Solid Waterslide LLC, Se-10,600.00; Stutheit Implement Co., Su-3.26; The Auburn Sport Shop, Su-Se-25.00; Xerox Corporation, Se-Su-342.76.

Abbreviations for this legal: AV-Audio Visual; Bk-Book; Contrib-Contribution; Equip-Equipment; Ex-Expense; Fe-Fee; Ins-Insurance; Inspect-Inspection; Int-Interest; Inv-Economic Development Investment; Lic-Licenses; Maint-Maintenance; Mem-Membership; Pen-Pension; Per-Periodical; Re-Repairs; Ref-Reference Materials; Reg-Registration; Reim-Reimbursement; Se-Service; Su-Supplies, Material & Parts; Sub-Subscription; UA-Uniform Allowance; Ut-Utilities; Wh-Withholding.

The City Council approved the claims which have not been previously approved by motion or resolution and ratified the ordinary and necessary expenses allowed and in accordance with Resolution No. 7-11 that was approved February 28, 2011.

Approval was given to the library for attendance at the Customer Service Workshop to be held in Lincoln on December 2, 2016.

The City Council approved a motion to allow Auburn Cub Scout Pack 321 to place benches at the Auburn Recreation Complex as a service project.

Approval was given to request bids on the proposed recreation center splashpad.

Following a public hearing, the 2017 Board of Public Works Proprietary Function Budget was approved as presented.

With three Council Members (Erickson, Billings, Shawn Clark) voting in favor and three Council Members (Tom Clark, Janssen, Jeanneret) voting in opposition the Mayor cast his vote in favor and the motion to approve the option contracts to purchase real estate part of Block 2 and Block 7 Grandview Addition was approved.

With five Council Members (Erickson, Jeanneret, Billings, Shawn Clark, Tom Clark) voting in favor and one Council Member (Janssen) voting in opposition, the City Council accepted real estate to the City from the owner of residential property at 1211 14<sup>th</sup> Street, Auburn, NE.

Approval was given to allow monitoring wells to be located in the Right of Way area at the Southwest corner of P and 16<sup>th</sup> Street; and on the North central area of BPW generating plant on 16<sup>th</sup> Street.

The following properties were declared unsafe & harmful to the community and a public nuisance and demolition and removal of the following identified properties was directed by the passage and adoption of Resolution No. 26-16: 915 "M" Street, Auburn, NE (one-story house and shed), 2115 "M" Street, Auburn, NE (one-story house and shed), 1105 7<sup>th</sup> Street, Auburn, NE (one-story house and garage), 1206 7<sup>th</sup> Street, Auburn, NE (one-story house and shed), 1713 "O" Street, Auburn, NE (one-story house and shed), and 914 "N" Street, Auburn, NE (one-story house and shed).

CDBG #14-DTR-107 (Downtown Revitalization Project) Drawdown #3 (Admin Expenses) and the related claims were approved.

CDBG #14-DTR-107 (Downtown Revitalization project) Drawdown #4 (Project Expenses) and the related claims were approved.

CDBG #14-DTR-107 (Downtown Revitalization project) Drawdown #5 (Project Expenses) and the related claims were approved.

CDBG #14-DTR-107 (Downtown Revitalization project) Drawdown #6 (Project Expenses) and the related claims were approved.

The Agreement Renewal for Maintenance Agreement No. 51 between the Nebraska Department of Roads and the City of Auburn was approved.

The first reading of Ordinance No. 4-16 To Amend the Original Section 74.14, Mobile Homes, Trailers and the Like, of Auburn, Nebraska, Code of Ordinances to include City Owned Property, Parking Stalls and Lots, and to include a Penalty Section was approved.

The first reading of Ordinance No. 5-16 To Establish a "24" Hour Parking Limitation on City Owned Property, Parking Stalls and Lots, and to Set a Penalty for Violators was approved.

The City Council approved a motion to post signs prohibiting on-street parking on both sides of 14<sup>th</sup> Street west of the "P" Street and 14<sup>th</sup> Street Intersection to Irvin Drive.

November 14, 2016

Page 3

With four Council Members (Jeanneret, Billings, Shawn Clark, Erickson) voting in favor and two Council Members (Tom Clark, Jansen) voting against, Midlands Contracting Inc. Pay Application No. One regarding 2016 Water System Improvements was approved in the amount of \$199,546.83.

Jim Weeks, Casie Allen, Sam Wehenkel, Amanda Neal, and Traci Hug were appointed to Auburn City Rec Committee. No appointments were made to the Historic Preservation Board.

Reports were given by the following department heads: street department, fire department, library, and City Treasurer.

The following committees provided reports: Keep Auburn Beautiful, Economic Development, Holiday Lights and Parks and Pool. A written financial report was provided by the Auburn Community Redevelopment Authority. Nemaha County Sheriff Brent Lottman provided a written report of law enforcement activity within the City of Auburn for October, 2016.

There being no further business to come before the Mayor and Council, the City Council adjourned.

Sherry Heskett  
City Clerk

J. Scott Kudrna  
Mayor

A complete copy of the minutes is available for inspection at City Hall.



CITY OF AUBURN  
 TREASURER'S REPORT  
 CALENDAR 11/2016, FISCAL 2/2016

AGENDA ITEM

NO 6

ACCOUNT TITLE	LAST REPORT ON HAND	RECEIVED	DISBURSED	BALANCE
GENERAL CHECKING	1,000,504.58	62,862.40	316,079.62	747,287.36
STREET CHECKING	74,876.67	35,684.76	19,313.62	91,247.81
STREET BOND/WARRANT CHECKING	1,529.04			1,529.04
TOTAL CHECKING:	1,076,910.29	98,547.16	335,393.24	840,064.21
TOTAL NSF A/R	.00	.00	.00	.00
TOTAL FIRE DEPT SINKING	74,414.89	.00	.00	74,414.89
TOTAL KENO OPER CHECKING:	.00	.00	.00	.00
TOTAL KENO RESERVE MMA:	27,310.73	1,260.43	.00	28,571.16
TOTAL KENO CHECKING	62,060.34	831.88	.00	62,892.22
TOTAL CDBG CHECKING	7,786.46	.00	.00	7,786.46
TOTAL CDBG ED MMA:	42,112.14	6.90	.00	42,119.04
TOTAL CDBG DTR REUSE	52,262.89	960.92	.00	53,223.81
TOTAL CDBG HD SAVINGS:	60,943.48	786.13	.00	61,729.61
TOTAL CRA CHECKING	919,174.51	2,073.88	2,379.50	918,868.89
TOTAL CITY REC CHECKING	70,611.68	.00	.00	70,611.68
GENERAL CD #24089 FNB	75,000.00			75,000.00
TOTAL C.D.'S:	75,000.00	.00	.00	75,000.00
TOTAL CASH ON HAND:	<u>2,468,587.41</u>	<u>104,467.30</u>	<u>337,772.74</u>	<u>2,235,281.97</u>

<p style="text-align: center;"><b>NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION</b> 11<sup>th</sup> Floor, State Capitol P.O. Box 95086 Lincoln, NE 68509 (402) 471-2522</p>	<p style="font-size: 24pt;"><b>POTENTIAL CONFLICT OF INTEREST STATEMENT</b></p> <p style="font-size: 18pt; margin-top: 20px;"><b>NADC FORM C-2A</b> (Village, City, School Officials Except Omaha and Lincoln Officials)</p>	<p style="text-align: center;">P M</p> <p style="text-align: center;"><b>AGENDA ITEM NO</b> <span style="font-size: 24pt; margin-left: 100px;">7</span></p>
<p>BEFORE COMPLETING THIS FORM READ THE FILING REQUIREMENTS ON PAGE 3</p>		

- An official of a village or city holding elective office or an official of a school district holding elective office must file this form if he or she has a potential conflict of interest.
- **Officials of the cities of Lincoln and Omaha** holding elective office with a potential conflict of interest **should not use this form.** Use Form C-2.
- This form should be filed with the person who normally keeps records for the school district, city or village. **There is no requirement to file this form with the Nebraska Accountability and Disclosure Commission.**
- Persons who fail to disclose a potential conflict of interest or who otherwise do not comply with the law are subject to penalties.

<b>ITEM 1</b>	<b>NAME, ADDRESS AND TELEPHONE NUMBER</b>								
Name	<table style="width: 100%; border: none;"> <tr> <td style="width: 25%; border-bottom: 1px solid black;">Kudrna</td> <td style="width: 25%; border-bottom: 1px solid black;">Jahn</td> <td style="width: 25%; border-bottom: 1px solid black;">Scott</td> <td style="width: 25%; border-bottom: 1px solid black;">Telephone No. 4022749723</td> </tr> <tr> <td style="font-size: 8pt; text-align: center;">Last</td> <td style="font-size: 8pt; text-align: center;">First</td> <td style="font-size: 8pt; text-align: center;">Middle</td> <td></td> </tr> </table>	Kudrna	Jahn	Scott	Telephone No. 4022749723	Last	First	Middle	
Kudrna	Jahn	Scott	Telephone No. 4022749723						
Last	First	Middle							
Address	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;">608 T Street</td> <td style="width: 20%; border-bottom: 1px solid black;">Auburn</td> <td style="width: 10%; border-bottom: 1px solid black;">NE</td> <td style="width: 20%; border-bottom: 1px solid black;">68305</td> </tr> <tr> <td style="font-size: 8pt; text-align: center;">STREET ADDRESS OR RURAL ROUTE</td> <td style="font-size: 8pt; text-align: center;">City</td> <td style="font-size: 8pt; text-align: center;">STATE</td> <td style="font-size: 8pt; text-align: center;">ZIP CODE</td> </tr> </table>	608 T Street	Auburn	NE	68305	STREET ADDRESS OR RURAL ROUTE	City	STATE	ZIP CODE
608 T Street	Auburn	NE	68305						
STREET ADDRESS OR RURAL ROUTE	City	STATE	ZIP CODE						

<b>ITEM 2</b>	<b>TITLE, AGENCY (City, Village, School), ADDRESS AND PHONE</b>			
Your Title	<table style="width: 100%; border: none;"> <tr> <td style="width: 40%; border-bottom: 1px solid black;">Mayor</td> <td style="width: 20%; border-bottom: 1px solid black;">Agency</td> <td style="width: 40%; border-bottom: 1px solid black;">City of Auburn</td> </tr> </table>	Mayor	Agency	City of Auburn
Mayor	Agency	City of Auburn		
Agency Address	<table style="width: 100%; border: none;"> <tr> <td style="width: 80%; border-bottom: 1px solid black;">1101 J Street</td> </tr> </table>	1101 J Street		
1101 J Street				
Agency Phone	<table style="width: 100%; border: none;"> <tr> <td style="width: 80%; border-bottom: 1px solid black;">4022743420</td> </tr> </table>	4022743420		
4022743420				

<b>ITEM 3</b>	<b>DESCRIBE POTENTIAL CONFLICT OF INTEREST IN DETAIL (Use Item 6 Continuation, if necessary)</b>	
Date action is to be taken or decision is to be made:	<table style="width: 100%; border: none;"> <tr> <td style="width: 80%; border-bottom: 1px solid black;">December 12, 2016</td> </tr> </table>	December 12, 2016
December 12, 2016		
Description of Potential Conflict:	<p>Franchise agreement modification of Auburn One Fiber.</p> <p>I am an investor of Auburn One Fiber.</p>	

**ITEM 4 | PERSONS WHO MAY RECEIVE FINANCIAL BENEFIT OR DETRIMENT**

You

Member of your Immediate Family: \_\_\_\_\_  
NAME

Business With Which You

Are Associated (See Definitions) Auburn One Fiber  
NAME OF BUSINESS

**ITEM 5 | NATURE OF FINANCIAL BENEFIT OR DETRIMENT**

No direct benefit. Fiber company would like to instal fiber drops in accordance with state standards.

**ITEM 6 | CONTINUATION**

\_\_\_\_\_

*John Scott Kuder*  
(SIGNATURE)

12/16/16  
(DATE)