

AGENDA FOR THE REGULAR MEETING OF
THE MAYOR AND CITY COUNCIL OF THE
CITY OF AUBURN, NEMAHA COUNTY,
NEBRASKA, TO BE HELD AT 7:00 P.M.
NOVEMBER 13, 2012

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. **CITY Employees Service Anniversary Awards.**

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

7. **APPROVAL OF FINANCIAL REPORT.**

8. **CLAIMS.**

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

10. **AUDIT** Report – Massman Nelson Reinig.

11. **DISCUSSION and POSSIBLE ACTION** on letter dated November 2, 2012, from attorney W. Blake, in regards to the Auburn Airport Authority and possible Council action pursuant to Neb. Rev. Stat. §3-502.

12. **HOUSE** burning letter signed by residents and addressed to the City Council in regards to property located at 1213 9th Street.

13. **RESOLUTION** identifying nuisance and Complaint for Nuisance Abatement of property located at 715 11th Street.

14. **APPROVE** KAB recommendation for Infill Housing Project.

15. **DRAWDOWN NO. 9** – CDBG #10-DTR-105 (Downtown Revitalization Phase II Commercial Rehabilitation) and related claims.
16. **CDBG #10-DTR-105** MOU for Amber Kinnaman (transferring Dan Lunzmann/Project #14 grant to Kinnaman).
17. **RESOLUTION** – Chamber of Commerce Funding Agreement.
18. **AGREEMENT RENEWAL** – Maintenance Agreement No. 51 between the Nebraska Department of Roads and the City of Auburn.
19. **MOTION** to Amend Section 125 Plan Adoption Agreement and Summary Plan Description.
20. **APPROVE** 2013 Holidays.
21. **DISCUSSION** Law Enforcement options of replacing the city police chief or county wide coverage.
22. **REPORTS/RECOMMENDATIONS** - - From Dept. Heads.
 - a. Street Department –
 - b. Fire Department –
 - c. Police Department –
 - d. Library –
 - e. Treasurer -
23. **REPORTS/RECOMMENDATIONS** - - From Committees.
 - a. Street –
 - b. Keep Auburn Beautiful -
 - c. Economic Development –
 - d. Safety Committee –
 - e. Building Committee -
 - f. Legislative –
 - g. Parks and Pool Committee -
 - h. Other Committees & Reports –
24. **AUBURN** Police Department Personnel and Possible Motion for closed session for evaluation of the job performance of a person necessary to prevent needless injury to the reputation and investigative proceedings regarding allegations of criminal misconduct. Meeting shall be reconvened in open session. (requested through the city attorney)
25. **ADJOURNMENT.**

Possible Motion Format 11-13-12

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. **CITY** Employees Service Anniversary Awards.
6. **APPROVAL OF MINUTES OF PREVIOUS MEETING(S).**

POSSIBLE MOTION: I move to dispense with the reading of the October 8, 2012 meeting’s minutes and to approve the same as written (or as amended)

7. **APPROVAL OF FINANCIAL REPORT.**

POSSIBLE MOTION: I move to approve the financial report

8. **CLAIMS.**

POSSIBLE MOTION: I move to approve the claim submitted by Auburn Plumbing, Htg. & AC Inc. in the amount of \$1,058.33.

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

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

10. **AUDIT** Report – Massman Nelson Reinig.

11. **DISCUSSION and POSSIBLE ACTION** on letter dated November 2, 2012, from attorney W. Blake, in regards to the Auburn Airport Authority and possible Council action pursuant to Neb. Rev. Stat. §3-502.

12. **HOUSE** burning letter signed by residents and addressed to the City Council in regards to property located at 1213 9th Street.

13. **RESOLUTION** identifying nuisance and Complaint for Nuisance Abatement of property located at 715 11th Street.

POSSIBLE MOTION: I move to approve the finding and determining of the premises at 715 11th Street to contain or be a nuisance and ordering and direction the abatement and removal of such nuisance by the passage and adoption of Resolution No. 20-12

14. **APPROVE** KAB recommendation for Infill Housing Project.

POSSIBLE MOTION: I move that as recommended by KAB (Keep Auburn Beautiful committee) that the City proceed with the consideration of providing a grant or a free lot for the construction of housing units on vacant lots and place a notice in the newspaper requesting proposals from interested parties

15. **DRAWDOWN NO. 9** – CDBG #10-DTR-105 (Downtown Revitalization Phase II Commercial Rehabilitation) and related claims.

POSSIBLE MOTION: I move to approve CDBG #10-DTR-105 (Downtown Revitalization Phase II Commercial Rehabilitation) Drawdown No. 9 and the related claims

16. **CDBG #10-DTR-105** MOU for Amber Kinnaman (transferring Dan Lunzmann/Project #14 grant to Kinnaman).

POSSIBLE MOTION: I move to approve the Memorandum of Understanding between the City of Auburn and Amber Kinnaman associated with CDBG 10-DTR-105 Project #14

17. **RESOLUTION** – Chamber of Commerce Funding Agreement.

POSSIBLE MOTION: I move to approve the funding agreement with the Auburn Chamber of Commerce by the passage and adoption of Resolution No. 21-12

18. **AGREEMENT RENEWAL** – Maintenance Agreement No. 51 between the Nebraska Department of Roads and the City of Auburn.

POSSIBLE MOTION: I move to approve the Agreement Renewal for Maintenance Agreement No. 51 between the Nebraska Department of Roads and the City of Auburn

19. **MOTION** to Amend Section 125 Plan Adoption Agreement and Summary Plan Description.

POSSIBLE MOTION: I move to approve the updated Section 125 Plan Adoption Agreement and Summary Plan Description

20. **APPROVE** 2013 Holidays.

POSSIBLE MOTION: I move to approve the following holidays for 2013: New Year's Day (January 1), Memorial Day (May 27), Independence Day (July 4), Labor Day (September 2), Veteran's Day (November 11), Thanksgiving Day (November 28), Friday after Thanksgiving (November 29), Christmas Eve Afternoon (December 24), Christmas Day (December 25), and a Personal Day (*Choice with Dept. Approval)

21. **DISCUSSION** Law Enforcement options of replacing the city police chief or county wide coverage.

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

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

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

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

24. **AUBURN** Police Department Personnel and Possible Motion for closed session for evaluation of the job performance of a person necessary to prevent needless injury to the reputation and investigative proceedings regarding allegations of criminal misconduct. Meeting shall be reconvened in open session. (requested through the city attorney)

POSSIBLE MOTION: I move to go into closed session for evaluation of the job performance of a person necessary to prevent needless injury to the reputation and investigative proceedings regarding allegations of criminal misconduct

MAYOR restates the limitation of the subject matter of the closed session

CLOSED SESSION (Record of time entering closed session and time reconvening in open session)

MEETING reconvenes in open session

25. **ADJOURNMENT.**

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

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 October 8, 2012, 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, Bishop, Clark, Critser, Holtzman, and Kruger. 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".

Service awards were presented to E.C. Hartwig, Denise Eggers, Sherry Heskett, Sherry Black, and Jeff Timmerman for their years of service to the City.

Council approved the September 10, 2012 and September 14, 2012 meetings' minutes as written.

The City Council approved the financial report.

The following claims were presented before the Council for ratification: Pavers Inc., Ex-25098.24; Wright Express, Ex-3324.59; AFLAC, Wh-100.30; Amber & Brian Kinnaman, DTR Project-4539.00; American Recycling & Sanitation, Se-145.00; Black Hills Energy, Ut-61.00; Board of Public Works, Ut-5083.10; First National Bank of Omaha, Ex-10.45; Five Nines Technology Group, Se-63.70; Linda Bantz, Se-309.00; Lynn & Vicki Erisman, DTR Project-3075.00; Mark Harms, Ex-500.00; Nemaha County, Se-4693.47; Region V-SENDS, Se-325.00; Time Warner Cable, Se-386.71; Verizon, Se-53.24; Windstream, Ut-49.57. The following claims (not previously approved by motion or resolution) were presented: Acco, Su-Equip-522.75; Action Technology Services Inc., Se-75.00; Allegiant Emergency Services, Se-1733.75; Amazon, Bk-879.89; American Lawncare Inc., Se-1940.00; Andy Behrends, Reim-Equip-219.68; Associated Supply Co. Inc., Su-664.58; Auburn Fire Dept., Reim-Mem-800.00; Auburn Memorial Library Petty Cash, Su-91.65; Auburn Newspapers, Se-261.50; Baker & Taylor, Bk-AV-296.02; Beard's Salvage Inc., Su-65.70; Board of Public Works, Maint-798.82; Bohl Plumbing & Heating, Su-21.86; Bowman Equipment & Repair, Se-50.00; Bulldog Auto Parts, Parts-607.12; Casey Agency Inc., Bond-125.00; Cash-Wa Distributing Co., Su-69.87; Conn Construction, Se-1900.00; Cornhusker Press, Su-11.20; Diamond Vogel, Su-507.60; Dultmeier Sales, Su-103.79; Eggers Brothers Inc., Parts-25.00; Electronic Engineering, Equip-2405.00; Emergency Apparatus Maintenance, Se-513.40; Filter Care, Su-21.75; First Nation Bank-Omaha, Ex-411.35; Five Nines Technology Group, Se-525.00; Flower Country & Gifts, Ex-132.25; Gaylord Bros. Inc., Su-32.68; General Fire and Safety Equipment, Se-308.00; Glenn's Corner Market, Su-8.56; GT Distributors Inc., Equip-95.50; Hunters Headquarters, Su-360.00; IIMC, Mem-145.00; Jack's Uniforms & Equipment, Equip-843.11; Jeff Jeanneret, Reim-565.42; JEO Consulting Group Inc., Se-2745.00; Keep Nebraska Beautiful, Mem-50.00; League of NE Municipalities, Reg-120.00; Lynch's Hardware & Gifts, Su-30.57; Mid Con Systems Inc., Su-330.35; Nemaha Co. Register of Deeds, Fe-11.50; Nemaha County, Reim-2274.29; Nemaha County Hospital, Se-316.00; Nemaha County Sheriff, Se-1478.97; NSA/POAN Conference Fund, Reg-95.00; OCLC Inc., Sub-48.22; Card Services (Orscheln), Su-457.47; Petersens Auto Repair, Se-137.84; Pioneer Awards & Spec. Occasions, Se-205.00; Steve Rademacher, Se-165.00; Ricoh USA Inc., Se-119.93; Rose Equipment Inc., Su-3313.50; Sack Lumber Company, Su-470.68; Stutheit Implement Co., Parts-111.22; Sunmart, Su-114.67; Travelers, Ins-1603.00; Tri-State Office Products, Su-131.18; Triad Telephone, Se-125.00; Xerox Corporation, Maint-Su-351.65.

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 claim submitted by Auburn Plumbing, Htg. & AC Inc. in the amount of \$732.70. Council Member Bishop abstained from voting on said claim.

October 8, 2012

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The City Council approved the claims presented 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.

There weren't any requests to attend meetings or trainings.

The Mayor reappointed Auburn State Bank and First National Bank of Johnson as official depositories for city funds.

JEO Consulting Group presented information regarding the West P Street Culvert Project (JEO Project 100112).

Dottie Holliday addressed those in attendance regarding her report submitted and the Auburn Airport Authority's response thereto. Following discussion, the City Council approved a motion to table action until after the City Attorney has received and reviewed a letter from the attorney hired by Dottie Holliday.

Public hearing was held concerning a Mid-Project review of Project #10-DTR-105 Downtown Revitalization – Phase II Grant, as part of a NDED CDBG grant. There was no opposition or negative comment with regard to said project. After allowing for public comment the public hearing was closed and no action was taken or required.

Public hearing was held to set the City of Auburn final tax request. The final property tax request was set for fiscal year 2012-2013 by the passage and adoption of Resolution No. 17-12.

The City Council approved the small subdivision plat, Helms/Meyer, Parcel ID No. 640038816.

Ordinance No. 14-12, Revision to the ordinance governing the preservation of landmarks and historic districts within the corporate city limits was approved.

No action was taken on the request for funding a tile for the Spirit of Nebraska Pathway as part of the project revitalizing Nebraska's Centennial Mall.

With five Council Members (Billings, Clark, Critser, Holtzman, and Kruger) voting in favor and one Council Member (Bishop) voting in opposition the report of unpaid water accounts was approved and authorization was give to certify said items to the Nemaha County Clerk by the passage and adoption of Resolution No. 18-12.

With five Council Members (Clark, Critser, Holtzman, Kruger and Billings) voting in favor and one Council Member (Bishop) voting in opposition the report of unpaid sewer accounts was approved and authorization was give to certify said items to the Nemaha County Clerk by the passage and adoption of Resolution No. 19-12.

Reports were given by the following department heads: street department, fire department, police department, library, and City Treasurer. The City Treasurer recommended that the City take bids as per the normal procedure and invest \$75,000 from the general fund in a certificate of deposit. The City Council approved a motion to transfer \$25,000 from the general fund to the fire department sinking fund.

The following committees provided reports: Economic Development, Building, and Parks/Pool. A written financial report was provided by the Auburn Community Redevelopment Authority.

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.

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 October 8, 2012, 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 October 5, 2012. 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, Bishop, Clark, Critser, Holtzman, and Kruger. 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".

Service awards were presented to E.C. Hartwig, Denise Eggers, Sherry Heskett, Sherry Black, and Jeff Timmerman for their years of service to the City.

Council Member Holtzman moved to dispense with the reading of the September 10, 2012 and September 14, 2012 meetings' minutes and to approve the same as written. The foregoing motion was seconded by Council Member Bishop and upon roll call vote, the following Council Members voted "YEA": Bishop, Clark, Critser, Holtzman, Kruger, and Billings. The following voted "NAY": No one. Motion: Carried.

Council Member Bishop moved to approve the financial report; Seconded by Council Member Critser and upon roll call vote, the following Council Members voted "YEA": Clark, Critser, Holtzman, Kruger, Billings, and Bishop. The following voted "NAY": No one. Motion: Carried.

The following claims were presented before the Council for ratification: Pavers Inc., Ex-25098.24; Wright Express, Ex-3324.59; AFLAC, Wh-100.30; Amber & Brian Kinnaman, DTR Project-4539.00; American Recycling & Sanitation, Se-145.00; Black Hills Energy, Ut-61.00; Board of Public Works, Ut-5083.10; First National Bank of Omaha, Ex-10.45; Five Nines Technology Group, Se-63.70; Linda Bantz, Se-309.00; Lynn & Vicki Erisman, DTR Project-3075.00; Mark Harms, Ex-500.00; Nemaha County, Se-4693.47; Region V-SENDS, Se-325.00; Time Warner Cable, Se-386.71; Verizon, Se-53.24; Windstream, Ut-49.57. The following claims (not previously approved by motion or resolution) were presented: Acco, Su-Equip-522.75; Action Technology Services Inc., Se-75.00; Allegiant Emergency Services, Se-1733.75; Amazon, Bk-879.89; American Lawncare Inc., Se-1940.00; Andy Behrends, Reim-Equip-219.68; Associated Supply Co. Inc., Su-664.58; Auburn Fire Dept., Reim-Mem-800.00; Auburn Memorial Library Petty Cash, Su-91.65; Auburn Newspapers, Se-261.50; Baker & Taylor, Bk-AV-296.02; Beard's Salvage Inc., Su-65.70; Board of Public Works, Maint-798.82; Bohl Plumbing & Heating, Su-21.86; Bowman Equipment & Repair, Se-50.00; Bulldog Auto Parts, Parts-607.12; Casey Agency Inc., Bond-125.00; Cash-Wa Distributing Co., Su-69.87; Conn Construction, Se-1900.00; Cornhusker Press, Su-11.20; Diamond Vogel, Su-507.60; Dultmeier Sales, Su-103.79; Eggers Brothers Inc., Parts-25.00; Electronic Engineering, Equip-2405.00; Emergency Apparatus Maintenance, Se-513.40; Filter Care, Su-21.75; First Nation Bank-Omaha, Ex-411.35; Five Nines Technology Group, Se-525.00; Flower Country & Gifts, Ex-132.25; Gaylord Bros. Inc., Su-32.68; General Fire and Safety Equipment, Se-308.00; Glenn's Corner Market, Su-8.56; GT Distributors Inc., Equip-95.50; Hunters Headquarters, Su-360.00; IIMC, Mem-145.00; Jack's Uniforms & Equipment, Equip-843.11; Jeff Jeanneret, Reim-565.42; JEO Consulting Group Inc., Se-2745.00; Keep Nebraska Beautiful, Mem-50.00; League of NE Municipalities, Reg-120.00; Lynch's Hardware & Gifts, Su-30.57; Mid Con Systems Inc., Su-330.35; Nemaha Co. Register of Deeds, Fe-11.50; Nemaha County, Reim-2274.29; Nemaha County Hospital, Se-316.00; Nemaha County Sheriff, Se-1478.97; NSA/POAN Conference Fund, Reg-95.00; OCLC Inc., Sub-48.22; Card Services (Orscheln), Su-457.47; Petersens Auto Repair, Se-137.84; Pioneer Awards & Spec. Occasions, Se-205.00; Steve Rademacher, Se-165.00; Ricoh USA Inc., Se-119.93; Rose Equipment Inc., Su-3313.50; Sack Lumber Company,

Su-470.68; Stutheit Implement Co., Parts-111.22; Sunmart, Su-114.67; Travelers, Ins-1603.00; Tri-State Office Products, Su-131.18; Triad Telephone, Se-125.00; Xerox Corporation, Maint-Su-351.65.

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 claim submitted by Auburn Plumbing, Htg. & AC Inc. in the amount of \$732.70. The foregoing motion was seconded by Council Member Holtzman and upon roll call vote, the following Council Members voted "YEA": Critser, Holtzman, Kruger, Billings and Clark. The following voted "NAY": No one. Council Member Bishop abstained from voting on said claim. Motion: Carried.

Council Member Billings moved 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. The foregoing motion was seconded by Council Member Holtzman and upon roll call vote, the following Council Members voted "YEA": Holtzman, Kruger, Billings, Bishop, Clark and Critser. The following voted "NAY": No one. Motion: Carried.

There weren't any requests to attend meetings or trainings.

The Mayor reappointed Auburn State Bank and First National Bank of Johnson as Official Depositories for city funds. Upon calling the roll, the following Council Members voted "YEA": Kruger, Billings, Bishop, Clark, Critser, and Holtzman. The following voted "NAY": No one. Reappointments: Confirmed.

JEO Consulting Group presented information regarding the West P Street Culvert Project (JEO Project 100112).

Dottie Holliday addressed those in attendance regarding her report submitted and the Auburn Airport Authority's response thereto. Following discussion, Council Member Bishop moved to table action until after the City Attorney has received and reviewed a letter from the attorney hired by Dottie Holliday. The foregoing motion was seconded by Council Member Kruger and upon roll call vote, the following Council Members voted "YEA": Billings, Bishop, Clark, Critser, Holtzman, and Kruger. The following voted "NAY": No one. Motion: Carried.

Public hearing was held concerning a Mid-Project review of Project #10-DTR-105 Downtown Revitalization - Phase II Grant, as part of a NDED CDBG grant. There was no opposition or negative comment with regard to said project. After allowing for public comment the public hearing was closed and no action was taken or required.

Public hearing was held to set the City of Auburn final tax request. There was no opposition or negative comment with regard to said final tax request. After allowing for public comment, Council Member Billings moved to set the final property tax request for fiscal year 2012-2013 by the passage and adoption of Resolution No. 17-12. The foregoing motion was seconded by Council Member Bishop and upon roll call vote, the following Council Members voted "YEA": Bishop, Clark, Critser, Holtzman, Kruger, and Billings. The following voted "NAY": No one. Motion: Carried. A true, correct and complete copy of said resolution is as follows:

RESOLUTION NO. 17-12
Setting the Property Tax Request

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the

County Board of Equalization unless the Governing Body of the City of Auburn passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of the City of Auburn that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE, the Governing Body of the City of Auburn, by a majority vote, resolves that:

1. The 2012-2013 property tax request be set at \$584,467.78
2. A copy of this resolution be certified and forwarded to the County Clerk on or before October 13, 2012.

Council Member Bishop moved to approve the small subdivision plat, Helms/Meyer, Parcel ID No. 640038816; Seconded by Council Member Critser and upon roll call vote, the following Council Members voted "YEA": Clark, Critser, Holtzman, Kruger, Billings, and Bishop. The following voted "NAY": No one. Motion: Carried.

Proposed Ordinance No. 14-12, Revision to the ordinance governing the preservation of landmarks and historic districts within the corporate city limits was presented. The Mayor announced that the introduction of the proposed Ordinance was in order.

ORDINANCE NO. 14-12

Revision to the ordinance governing the preservation of landmarks and historic districts within the corporate city limits

Council Member Holtzman 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 Billings. Upon roll call vote, the following voted "YEA": Critser, Holtzman, Kruger, Billings, Bishop, and Clark. The following voted "NAY": No one.

No action was taken on the request for funding a tile for the Spirit of Nebraska Pathway as part of the project revitalizing Nebraska's Centennial Mall.

Council Member Holtzman moved to approve the report of unpaid water accounts and certify said items to the Nemaha County Clerk by the passage and adoption of Resolution No. 18-12. The foregoing motion was seconded by Council Member Billings and upon roll call vote, the following Council Members voted "YEA": Billings, Clark, Critser, Holtzman, and Kruger. The following voted "NAY": Bishop. Motion: Carried. A true, correct and complete copy of said resolution is as follows:

RESOLUTION NO. 18-12

BE IT RESOLVED by the Mayor and City Council of the City of Auburn, as follows:

Pursuant to the provisions of Auburn City Code Section 51.028, as amended, and Nebraska Revised Statute Section 17-538, the City Council approves the unpaid and delinquent Water accounts due and owing to the Board of Public Works, Auburn, Nebraska. The City Clerk shall certify said accounts to the Nemaha County Clerk to be filed as a lien against the below identified real estate and collected as a special tax in the manner provided by law.

Lonnie Haynes, 719 Central Avenue, Auburn, Nebraska, Howe & Nixon Addition to Auburn, Block 18, Lots 9 & 10, Auburn, Nemaha County, Nebraska, in the amount of \$38.10;

VCGXTLLS, 715 11th Street, Auburn, Nebraska, Sage's Addition to Auburn, Block 15, Lot D, Auburn, Nemaha County, Nebraska, in the amount of \$38.10;

John Lindinger, 712 10th Street, Auburn, Nebraska, Howe & Nixon Addition to Auburn, Block 8, Lot 9, Auburn, Nemaha County, Nebraska, in the amount of \$38.10;

Teresa Ellen Bailey-Giles, 620 "N" Street, Auburn, Nebraska, Gilmore Second Addition to Auburn, Block 38 Lots 11, 12 & N ½ Vac 7th St & S 8' of Vac Alley Adj to Lots 11 & 12, Auburn, Nemaha County, Nebraska, in the amount of \$38.10;

Darrel Kackmeister, 1416 11th Street, Auburn, Nebraska, Gilmore Second Addition to Auburn Block 10 E 40' Lot 9 & All Lot 10, Auburn, Nemaha County, Nebraska, in the amount of \$32.82;

Roy & Jodi Heard, 1211 14th Street, Auburn, Nebraska, Howe, Nixon, & Wilson Addition to Auburn, Block 11, Lot 4, Auburn, Nemaha County, Nebraska, in the amount of \$38.10;

John Lindinger, 906 15th Street, Auburn, Nebraska, Howe & Nixon Addition to Auburn, Block 22, Lot 11, Auburn, Nemaha County, Nebraska, in the amount of \$38.10;

Edward E, Jarrett, 1807 "L" Street, Auburn, Nebraska, Howe, Nixon & Wilson Addition to Auburn block 26 S 60' Lots 5 & 6, Auburn, Nemaha County, Nebraska, in the amount of \$38.10;

Lonnie Haynes, 2103 "L" Street, Auburn, Nebraska, Calvert First Addition to Auburn, Block 10, W90' of Lots 11 & 12, Auburn, Nemaha County, Nebraska, in the amount of \$38.10;

John Lindinger, 2510 "O" Street, Auburn, Nebraska, Calvert Addition to Auburn, Block 19, Lot 3, Auburn, Nemaha County, Nebraska, in the amount of \$25.40; and,

Frank Wilcox, 2422 "R" Street, Auburn, Nebraska, Calvert Addition to Auburn, Block 11, lots 9 thru 12, Auburn, Nemaha County, Nebraska, in the amount of \$38.10.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Auburn, Nebraska.

Council Member Billings moved to approve the report of unpaid sewer accounts and certify said items to the Nemaha County Clerk by the passage and adoption of Resolution No. 19-12. The foregoing motion was seconded by Council Member Holtzman and upon roll call vote, the following Council Members voted "YEA": Clark, Critser, Holtzman, Kruger, and Billings. The following voted "NAY": Bishop. Motion: Carried. A true, correct and complete copy of said resolution is as follows:

RESOLUTION NO. 19-12

BE IT RESOLVED by the Mayor and City Council of the City of Auburn, as follows:

Pursuant to the provisions of Auburn City Code Section 53.30, as amended, and Nebraska Revised Statute Section 17-925.01, the City Council approves the unpaid and delinquent Sewer accounts due and owing to the Board of Public Works, Auburn, Nebraska. The City Clerk shall certify said accounts to the Nemaha County Clerk to be filed as a lien against the below identified real estate and collected as a special tax in the manner provided by law.

Lonnie Haynes, 719 Central Avenue, Auburn, Nebraska, Howe & Nixon Addition to Auburn, Block 18, Lots 9 & 10, Auburn, Nemaha County, Nebraska, in the amount of \$63.00;

VCGXTLLS, 715 11th Street, Auburn, Nebraska, Sage's Addition to Auburn, Block 15, Lot D, Auburn, Nemaha County, Nebraska, in the amount of \$63.00;

John Lindinger, 712 10th Street, Auburn, Nebraska, Howe & Nixon Addition to Auburn, Block 8, Lot 9, Auburn, Nemaha County, Nebraska, in the amount of \$63.00;

Teresa Ellen Bailey-Giles, 620 "N" Street, Auburn, Nebraska, Gilmore Second Addition to Auburn, Block 38 Lots 11, 12 & N ½ Vac 7th St & S 8' of Vac Alley Adj to Lots 11 & 12, Auburn, Nemaha County, Nebraska, in the amount of \$63.00;

Darrel Kackmeister, 1416 11th Street, Auburn, Nebraska, Gilmore Second Addition to Auburn Block 10 E 40' Lot 9 & All Lot 10, Auburn, Nemaha County, Nebraska, in the amount of \$54.27;

Roy & Jodi Heard, 1211 14th Street, Auburn, Nebraska, Howe, Nixon, & Wilson Addition to Auburn, Block 11, Lot 4, Auburn, Nemaha County, Nebraska, in the amount of \$63.00;

John Lindinger, 906 15th Street, Auburn, Nebraska, Howe & Nixon Addition to Auburn, Block 22, Lot 11, Auburn, Nemaha County, Nebraska, in the amount of \$63.00;

Edward E, Jarrett, 1807 "L" Street, Auburn, Nebraska, Howe, Nixon & Wilson Addition to Auburn block 26 S 60' Lots 5 & 6, Auburn, Nemaha County, Nebraska, in the amount of \$63.00;

Lonnie Haynes, 2103 "L" Street, Auburn, Nebraska, Calvert First Addition to Auburn, Block 10, W90' of Lots 11 & 12, Auburn, Nemaha County, Nebraska, in the amount of \$63.00;

John Lindinger, 2510 "O" Street, Auburn, Nebraska, Calvert Addition to Auburn, Block 19, Lot 3, Auburn, Nemaha County, Nebraska, in the amount of \$63.00; and,

Frank Wilcox, 2422 "R" Street, Auburn, Nebraska, Calvert Addition to Auburn, Block 11, lots 9 thru 12, Auburn, Nemaha County, Nebraska, in the amount of \$63.00.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Auburn, Nebraska.

Reports were given by the following department heads: street department, fire department, police department, library, and City Treasurer. The City Treasurer recommended that the City take bids as per the normal procedure and invest \$75,000 from the general fund in a certificate of deposit. Council Member Bishop moved that \$25,000 be transferred from the general fund to the fire department sinking fund; Seconded by Council Member Holtzman and upon roll call vote, the following Council Members voted "YEA": Clark, Critser, Holtzman, Kruger, Billings, and Bishop. The following voted "NAY": No one. Motion: Carried.

The following committees provided reports: Economic Development, Building, and Parks/Pool. A written financial report was provided by the Auburn Community Redevelopment Authority.

There being no further business to come before the Mayor and Council, Council Member Holtzman moved for adjournment to meet at the call of the Mayor. Council Member Clark seconded the foregoing motion and upon roll call vote, the following Council Members voted "YEA": Critser, Holtzman, Kruger, Billings, Bishop, and Clark. 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 October 8, 2012; 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 OF AUBURN
 TREASURER'S REPORT
 CALENDAR 10/2012, FISCAL 1/2012

AGENDA ITEM
 NO 7

| ACCOUNT TITLE | LAST REPORT ON HAND | RECEIVED | DISBURSED | BALANCE |
|------------------------------|------------------------|------------|------------|--------------|
| GENERAL CHECKING | 524,829.83 | 130,332.73 | 331,023.42 | 324,139.14 |
| STREET CHECKING | | 37,727.52 | 20,699.89 | 17,027.63 |
| STREET BOND/WARRANT CHECKING | 9,220.43 | 5,839.45 | | 15,059.88 |
| TOTAL CHECKING: | 534,050.26 | 173,899.70 | 351,723.31 | 356,226.65 |
| TOTAL NSF A/R | .00 | .00 | .00 | .00 |
| TOTAL FIRE DEPT SINKING | 8,934.19 | 25,000.00 | .00 | 33,934.19 |
| TOTAL KENO OPER CHECKING: | .00 | .00 | .00 | .00 |
| TOTAL KENO RESERVE MMA: | 20,869.23 | 1,709.75 | 7,064.26 | 15,514.72 |
| TOTOL KENO CHECKING | 75,339.87 | 4,449.35 | 1,744.73 | 78,044.49 |
| TOTAL CDBG CHECKING | 7,647.18 | 318.53 | .00 | 7,965.71 |
| TOTAL CDBG ED MMA: | 18,651.25 | 169.86 | 318.53 | 18,502.58 |
| TOTAL CDBG DTR REUSE | 2,246.03 | 847.10 | .00 | 3,093.13 |
| TOTAL CDBG HD SAVINGS: | 7,250.73 | 565.33 | .00 | 7,816.06 |
| TOTAL CRA CHECKING | 451,552.62 | 18,827.18 | 66.00 | 470,313.80 |
| TOTAL CITY REC CHECKING | 63,947.21 | .00 | 8,581.94 | 55,365.27 |
| GENERAL CD #23810 | 75,000.00 | | | 75,000.00 |
| GENERAL CD #24089 | | 75,000.00 | | 75,000.00 |
| SPEC PROJECT CD #23925 | 75,320.45 | | | 75,320.45 |
| GENERAL CD #23924 | 50,000.00 | | | 50,000.00 |
| GENERAL CD #23926 | 50,000.00 | | | 50,000.00 |
| GENERAL CD #23927 | 50,000.00 | | | 50,000.00 |
| GENERAL CD #23928 | 50,000.00 | | | 50,000.00 |
| TOTAL C.D.'S: | 350,320.45 | 75,000.00 | .00 | 425,320.45 |
| TOTAL CASH ON HAND: | 1,540,809.02 | 300,786.80 | 369,498.77 | 1,472,097.05 |

REPORT NOTATION: Please remember that the "Reference" field of this report is not large enough to print a description of each invoice being paid to the Vendor. Examples include but are not limited to: Board of Public Works. For a full description, please contact me.

Sherry Heskett

ACCOUNTS PAYABLE ACTIVITY
 CLAIMS REPORT

AGENDA ITEM

NO 8

VENDOR NAME

REFERENCE

 GENERAL FUND

ADMIN

| | | |
|--------------------------------|-------------------------|------------|
| AFLAC | GEN AFLAC | 100.30 |
| AMERICAN RECYCLING SANITATION | COMMERCIAL RL SERVICE | 145.00 |
| AUBURN STATE BANK | REFUND S TAX BONDS | 141,630.00 |
| BLUE CROSS-BLUE SHIELD | EGGERS, HESKETT | 4,135.10 |
| FIRST NATIONAL BANK OF JOHNSON | PURCHASE CD - 18 MONTHS | 75,000.00 |
| FIVE NINES TECHNOLOGY GROUP | BACK UP AGREEMENT | 63.70 |
| REGION V-SENDS | CITY HALL CLEANING | 135.00 |
| THE STANDARD | CITY HALL | 138.63 |
| TIME WARNER CABLE | PHONE | 204.75 |
| | | ===== |
| | ADMIN | 221,552.48 |

POLICE DEPARTMENT

| | | |
|-------------------------|---------------------------------|-----------|
| BLUE CROSS-BLUE SHIELD | ADAMS, BAKER, NEEMAN, TIMMERMAN | 10,211.80 |
| NEMAHA COUNTY | RENT, DISPATCHING SERVICES.... | 4,166.67 |
| THE STANDARD | POLICE DEPT | 202.26 |
| WINDSTREAM NEBRASKA INC | 402-274-4977 | 133.46 |
| WRIGHT EXPRESS FSC | FUEL | 1,129.28 |
| | | ===== |

POLICE DEPARTMENT

15,843.47

FIRE DEPARTMENT

| | | |
|--------------------|---------------|--------|
| BLACK HILLS ENERGY | NATURAL GAS | 30.64 |
| THE STANDARD | FIRE DEPT | 269.65 |
| TIME WARNER CABLE | 1703 P STREET | 86.76 |
| WRIGHT EXPRESS FSC | FUEL | 149.66 |
| | | ===== |

FIRE DEPARTMENT

536.71

PARK DEPARTMENT

| | | |
|-----------------------|--------------|--------|
| BOARD OF PUBLIC WORKS | ELECTRIC | 182.28 |
| TIME WARNER CABLE | 409 O STREET | 62.11 |
| WRIGHT EXPRESS FSC | FUEL | 195.48 |
| | | ===== |

PARK DEPARTMENT

439.87

SR. CENTER DEPARTMENT

| | | |
|--------------------------|------------------------------|----------|
| AUBURN SENIOR CENTER INC | TRANS FOR OPERATING EXPENSES | 5,000.00 |
| REGION V-SENDS | SR CENTER CLEANING | 190.00 |
| | | ===== |

SR. CENTER DEPARTMENT

5,190.00

LIBRARY DEPARTMENT

| | | |
|------------------------|----------|----------|
| BLUE CROSS-BLUE SHIELD | KOENEKE | 1,904.32 |
| BOARD OF PUBLIC WORKS | ELECTRIC | 386.64 |

| VENDOR NAME | REFERENCE | VENDOR TOTAL |
|-----------------------------|-------------------------|--------------|
| FIVE NINES TECHNOLOGY GROUP | BACKUP AGREEMENT | 40.00 |
| LINDA BANTZ | LIBRARY CLEANING | 329.00 |
| THE STANDARD | LIBRARY | 41.90 |
| WINDSTREAM NEBRASKA INC | PHONE | 47.85 |
| | | ===== |
| | LIBRARY DEPARTMENT | 2,749.71 |
| | POOL DEPARTMENT | |
| BLACK HILLS ENERGY | NATURAL GAS | 18.60 |
| BOARD OF PUBLIC WORKS | ELECTRIC | 66.87 |
| NE DEPT. OF REVENUE | FORM 10 JUL-SEP 2012-09 | 679.38 |
| TIME WARNER CABLE | 1020 H STREET | 41.22 |
| | | ===== |
| | POOL DEPARTMENT | 806.07 |
| | | ===== |
| | GENERAL FUND | 247,118.31 |
| | STREET FUND | |
| | ADMIN | |
| BLACK HILLS ENERGY | NATURAL GAS | 22.97 |
| BLUE CROSS-BLUE SHIELD | BRIDGMON, COWAN | 3,211.80 |
| MARK HARMS | USE OF PROPERTY | 500.00 |
| THE STANDARD | STREET | 87.68 |
| TIME WARNER CABLE | 918 L STREET | 39.28 |
| VERIZON WIRELESS | PHONE | 52.16 |
| WRIGHT EXPRESS FSC | FUEL | 832.65 |
| | | ===== |
| | ADMIN | 4,746.54 |
| | | ===== |
| | STREET FUND | 4,746.54 |
| | KENO FUND | |
| | KENO BETTERMENT | |
| NE DEPT. OF REVENUE | FORM 51C JUL-SEP 2012 | 1,052.00 |
| | | ===== |
| | KENO BETTERMENT | 1,052.00 |
| | | ===== |
| | KENO FUND | 1,052.00 |
| | | ===== |
| **** PAID TOTAL **** | | 252,916.85 |
| | | ===== |
| ***** REPORT TOTAL ***** | | 252,916.85 |

AGENDA ITEM
 NO 8

| VENDOR NAME | REFERENCE | |
|-------------------------------|---------------------------|----------|
| ----- | | |
| GENERAL FUND | | |
| ADMIN | | |
| AFLAC | GEN AFLAC WH | 100.30 |
| AMERICAN RECYCLING SANITATION | 101180 | 145.00 |
| BOARD OF PUBLIC WORKS | ELECTRIC | 908.62 |
| | | ===== |
| | | 1,153.92 |
| POLICE DEPARTMENT | | |
| NEMAHA COUNTY | RENT AND DISPATCHING | 4,166.67 |
| WINDSTREAM NEBRASKA INC | ACCT 091426889 | 126.06 |
| | | ===== |
| | | 4,292.73 |
| POLICE DEPARTMENT | | |
| FIRE DEPARTMENT | | |
| BOARD OF PUBLIC WORKS | ELECTRIC | 344.59 |
| TIME WARNER CABLE | ACCT 8347100220053345 | 86.76 |
| | | ===== |
| | | 431.35 |
| FIRE DEPARTMENT | | |
| PARK DEPARTMENT | | |
| BOARD OF PUBLIC WORKS | ELECTRIC | 999.85 |
| | | ===== |
| | | 999.85 |
| PARK DEPARTMENT | | |
| LIBRARY DEPARTMENT | | |
| AMERICAN RECYCLING SANITATION | 100321 | 53.50 |
| FIVE NINES TECHNOLOGY GROUP | BACKUP AGREEMENT | 40.00 |
| LINDA BANTZ | NOVEMBER LIBRARY CLEANING | 329.00 |
| | | ===== |
| | | 422.50 |
| LIBRARY DEPARTMENT | | |
| POOL DEPARTMENT | | |
| BLACK HILLS ENERGY | 2565 5416 77 | 18.60 |
| BOARD OF PUBLIC WORKS | ELECTRIC | 70.99 |
| | | ===== |
| | | 89.59 |
| POOL DEPARTMENT | | |
| | | ===== |
| | | 7,389.94 |
| GENERAL FUND | | |
| STREET FUND | | |
| ADMIN | | |
| BLACK HILLS ENERGY | 6074 7283 43 | 24.46 |
| BOARD OF PUBLIC WORKS | ELECTRIC | 431.54 |

| VENDOR NAME | REFERENCE | VENDOR TOTAL |
|--------------------------|-----------------|--------------|
| MARK HARMS | USE OF PROPERTY | 500.00 |
| | ADMIN | 956.00 |
| | STREET FUND | 956.00 |
| **** PAID TOTAL **** | | 8,345.94 |
| ***** REPORT TOTAL ***** | | 8,345.94 |

AGENDA ITEM
NO 8

VENDOR NAME

REFERENCE

GENERAL FUND

ADMIN

AUBURN PLUMBING,HTG & AC INC.

WATER DAMAGE TO 719 11TH ST

1,058.33

ADMIN

1,058.33

GENERAL FUND

1,058.33

**** PAID TOTAL ****

1,058.33

***** REPORT TOTAL *****

1,058.33