

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.  
JANUARY 23, 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. **APPROVAL OF MINUTES OF PREVIOUS MEETING(S).**

6. **APPROVAL OF FINANCIAL REPORT.**

7. **CLAIMS.**

8. **LEE CONNER** – Auburn Eagles July 4<sup>th</sup> fireworks display located on both City/School District #29 property. Action.

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

10. **APPOINTMENT(S)/REAPPOINTMENT(S) –**

- Part time Police Officer
- Board of Public Works
- Board of Adjustment
- Library Board

11. **7:00 P.M., or as soon thereafter as possible – PUBLIC HEARING** on Class I – Beer, Wine Distilled Spirits, On Sale Only Liquor License for El Portal Auburn Inc. at 1905 J Street, Auburn, Nebraska.

**Action** on said Public Hearing.

12. **7:10 P.M., or as soon thereafter as possible – PUBLIC HEARING** on the Six Year Road and Street Plan for the City of Auburn.

**Action** on said Public Hearing. Resolution.

13. **REQUEST** by Fire Department for \$5000 of Keno funds for kitchen remodeling at Fire Hall.
14. **REQUEST** for discussion on High School/Middle School Crosswalk across Highway 136 near the Auburn High School/Middle School Campus.
15. **REQUEST** by State Theater/Auburn School for Keno funds up to \$63,000 for digital projector.
16. **ADC (Auburn Development Council)** – to give back Lots 9-10-11-12, Block 29, Sheridan Addition to the City of Auburn. Request for Forgiveness of Loan held by ADC for any deficiency of funds after the sale of land. **Resolution.**
17. **MOTION** for approval of Auctioneer, Dates and Location of sale of Lots 9-10-11-12, Block 29, Sheridan Addition and Lots 106-107, Crestview Addition.
18. **RESOLUTION** for Sale of city park metal picnic tables as recommended by the Parks & Pool Committee.
19. **DRAWDOWN #22** Administration related costs only (CDBG #09-HO-6047 Citywide Owner-Occupied Housing Rehabilitation) and related claims.
20. **DRAWDOWN #3** General Administration (CDBG #10-DTR-105) and related claims.
21. **RESOLUTION** to approve use of Community Block Grant Commercial Rehab Funding as suggested by the Revitalization Review Committee (CDBG #10-DTR-105).
22. **REVIEW** fee schedule for ordinance violations.
23. **REVIEW** Park camera effectiveness/performance.
24. **REPORTS/RECOMMENDATIONS** - - From Dept. Heads.
  - Street Department –
  - Fire Department –
  - Police Department –
  - Library –
  - Treasurer –
25. **REPORTS/RECOMMENDATIONS** - - From Committees.
  - Street –
  - Keep Auburn Beautiful -
  - Economic Development –
  - Safety Committee –
  - Building Committee -
  - Legislative –
  - Other Committees & Reports –
26. **ADJOURNMENT.**

# Possible Motion Format 1-23-12

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

POSSIBLE MOTION: I move to dispense with the reading of the December 27, 2011, meeting's minutes and to approve the same as written (or as amended)

6. **APPROVAL OF FINANCIAL REPORT.**

POSSIBLE MOTION: I move to approve the financial report

7. **CLAIMS.**

POSSIBLE MOTION: I move to approve the claim submitted by Captain Handy in the amount of \$95.00

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

8. **LEE CONNER** – Auburn Eagles July 4<sup>th</sup> fireworks display located on both City/School District #29 property. Action.

POSSIBLE MOTION: I move to approve the request by the Auburn Eagles to have the July 4<sup>th</sup> public fireworks display on the property located at Irvin Park and the Auburn High School contingent upon Auburn School District #29 approval

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

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

10. **APPOINTMENT(S)/REAPPOINTMENT(S) –**

- Part time Police Officer
- Board of Public Works
- Board of Adjustment
- Library Board

POSSIBLE ACTION: Roll call on Appointments/Reappointments

11. **7:00 P.M., or as soon thereafter as possible – PUBLIC HEARING** on Class I – Beer, Wine Distilled Spirits, On Sale Only Liquor License for El Portal Auburn Inc. at 1905 J Street, Auburn, Nebraska. **Action** on said Public Hearing.

ACTION: Evidence file is presented

POSSIBLE MOTION: I move to approve the Class I – Beer, Wine Distilled Spirits, On Sale Only Liquor License for El Portal Auburn Inc. at 1905 J Street

12. **7:10 P.M., or as soon thereafter as possible – PUBLIC HEARING** on the Six Year Road and Street Plan for the City of Auburn. **Action** on said Public Hearing. Resolution.

POSSIBLE ACTION: Council Member introduces Resolution No. 1-12 and moves for its passage and adoption

13. **REQUEST** by Fire Department for \$5000 of Keno funds for kitchen remodeling at Fire Hall.

POSSIBLE MOTION: I move to approve the expenditure of \$5000 of Keno funds for kitchen remodeling at the fire hall

14. **REQUEST** for discussion on High School/Middle School Crosswalk across Highway 136 near the Auburn High School/Middle School Campus.

15. **REQUEST** by State Theater/Auburn School for Keno funds up to \$63,000 for digital projector.

16. **ADC (Auburn Development Council) –** to give back Lots 9-10-11-12, Block 29, Sheridan Addition to the City of Auburn. Request for Forgiveness of Loan held by ADC for any deficiency of funds after the sale of land. **Resolution.**

POSSIBLE MOTION: I move to approve the passage and adoption of Resolution No. 2-12

17. **MOTION** for approval of Auctioneer, Dates and Location of sale of Lots 9-10-11-12, Block 29, Sheridan Addition and Lots 106-107, Crestview Addition.

18. **RESOLUTION** for Sale of city park metal picnic tables as recommended by the Parks & Pool Committee.

POSSIBLE MOTION: I move that the City sell six City park metal picnic tables by the passage and adoption of Resolution No. 3-12

19. **DRAWDOWN #22** Administration related costs only (CDBG #09-HO-6047 Citywide Owner-Occupied Housing Rehabilitation) and related claims.

POSSIBLE MOTION: I move to approve CDBG #09-HO-6047 (Citywide Owner-Occupied Housing Rehabilitation Program) Drawdown #22 in the amount of \$1,790 and the related claims

20. **DRAWDOWN #3** General Administration (CDBG #10-DTR-105) and related claims.

POSSIBLE MOTION: I move to approve CDBG #10-DTR-105 Drawdown #3 in the amount of \$2,681 and the related claims

21. **RESOLUTION** to approve use of Community Block Grant Commercial Rehab Funding as suggested by the Revitalization Review Committee (CDBG #10-DTR-105).

POSSIBLE MOTION: I move to approve the use of Auburn 10-DTR-105 Community Development Block Grant Commercial Rehab funding as suggested by the Revitalization Review Committee by the passage and adoption of Resolution No. 4-12

22. **REVIEW** fee schedule for ordinance violations.

23. **REVIEW** Park camera effectiveness/performance.

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

- Street Department –
- Fire Department –
- Police Department –
- Library –
- Treasurer –

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

- Street –
- Keep Auburn Beautiful -
- Economic Development –
- Safety Committee –
- Building Committee -
- Legislative –
- Other Committees & Reports –

26. **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 December 27, 2011, 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, Erickson and Holtzman. Absent: Clark and Critser.

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 November 28, 2011 meeting's minutes as written.

Discussion was held regarding a request for \$9,914.00 for kitchen remodeling in the fire hall.

The City Council approved the financial report.

The following claims were presented before the Council for ratification: American Family Life Assurance Co., Wh-95.47; Action Technology Services Inc., Se-300.00; American Recycling & Sanitation, Se-145.00; Auburn Newspapers, CRA Se-15.47; Auburn State Bank, Bond Payment Int-39042.06; Black Hills Energy, Ut-210.13; Blue Cross-Blue Shield, Ins-9410.05; Board of Public Works, Ut-8602.19; Cline Williams Law Firm, CRA-Se-4704.37; Fankhauser Nelsen Werts & Ziskey, CRA Project Reim-2397.40; Five Nines Technology Group, Se-63.70; Heath Christiansen, Se-1500.00; Hunters Headquarters, Su-1390.00; Linda Bantz, Se-309.00; Lynsey's Tiny Tots Daycare, CRA Project Reim-3136.14; Mark Harms, Ex-500.00; Mitch Bishop, Reim CRA Project-500.00; Nemaha County, Se-4693.47; Region V-SENDS, Se-325.00; Southeast Nebraska Development District, CDBG Se-7542.21; Sue Charbonnet, CRA Project Reim-1413.00; The Standard, Ins-373.21; Time Warner Cable, Se-437.96; Verizon Wireless, Se-51.64; Windstream, Ut-128.46; Wright Express, Su-2845.85. The following claims (not previously approved by motion or resolution) were presented: Action Technology Services Inc., Su-137.04; Alamar Uniforms, Equip-1078.81; Amazon, Bk-219.95; American Library Association, Mem-175.00; American Recycling & Sanitation, Se-38.50; Angelo Ligouri, Se-8272.31; Annie Thomas, Reim-82.59; Auburn Fire Dept, Se-60.00; Auburn Memorial Library Petty Cash, Su-90.95; Auburn Newspapers, Se-425.74; Baker & Taylor, Bk-461.53; Beard's Salvage Inc., Su-93.98; Black Hills Energy, Ut-45.48; Board of Public Works, Ut-499.72; Bulldog Auto Parts, Su-168.09; Captain Handy, Se-95.00; Casey Agency Inc., Ins-308.00; Concrete Industries Inc., Su-1028.07; David Feldmann, Se-125.00; Demco, Su-270.48; Eggers Brothers Inc., Su-53.88; Filter Care, Se-21.80; Five Nines Technology Group, Se-115.00; Glenn's Corner Market, Su-6.25; Graphic Screen Printing, Su-52.00; GT Distributors Inc., Equip-471.40; Heiman Fire Equipment, Equip-930.70; Ikon Office Solutions, Se-Su-59.08; JEO Consulting Group Inc., Se-595.00; Larry Sorensen Trucking, Su-Su-1438.80; Lincoln Journal Star, Sub-189.60; Lynch's Hardware & Gifts, Su-139.21; Matthew Bender & Co. Inc., Ref-104.24; Michael Todd & Co. Inc, Su-799.70; Nebraska Law Enforcement Training Center, Fe-10.00; Nebraska Environmental Products, Su-255.29; Nebraska Municipal Clerk Association, Mem-25.00; Nebraska Supreme Court, Ref-65.40; Nemaha County Clerk, Se-4593.81; Nemaha County Court, Ex-34.00; Nemaha County Hospital, Se-150.00; OCLC Inc., Se-43.12; Orscheln, Su-267.34; Pamida, Su-127.98; Petty Cash, Su-Se-Reim- 315.07; Police Chiefs Assoc. of NE, Mem-30.00; Police Officers' Assoc. of NE, Mem-40.00; Postmaster, Se-132.00; Radiology Assoc. PC, Se-52.00; Rose Equipment Inc., Su-4291.48; Sack Lumber Co., Su-25.00; Southeast Design Co., Su-76.97; Stutheit Implement Co., Su-433.75; The Physician Network, Se-159.00; Town & Country Vet Clinic, Se-235.00; Tri-State Office Products, Su-571.26; Xerox Corporation, Se-Su-428.66.

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.

It was noted that no action could be taken on the Captain Handy claim because Council Member Holtzman has an interest in the Captain Handy bill that would cause him to abstain from voting, resulting in there not being a sufficient number of Council Members present to approve the claim. The claim will be presented for consideration at the next City Council Meeting.

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.

Council Member Erickson was elected Council President.

The City Council confirmed the following annual appointment positions: City Clerk (Sherry Heskett), City Treasurer (Joseph Casey), City Attorney (Angelo Ligouri), Assistant City Attorneys (Louie Ligouri and Dylan Handley), City Physician (Dr. Gary Ensz), Building Inspector (Glen Hogue), Chief of Police (Kristopher Baker), Police Sergeant (Eric Adams), Police Officers (Jeff Timmerman and Jonathan Neeman), Part-time Police Officer (Harold Silvey), Street Commissioner (Harry Bridgmon), and City Engineer (Evan Wickersham with JEO Consulting Group).

Council confirmed the appointments to the city council standing committees. They were as follows: Street (Larry Holtzman and Mitch Bishop), Safety (Shawn Clark and Chris Erickson), Keep Auburn Beautiful (Larry Holtzman and Mitch Bishop), Budget & Finance (Katy Billings and Chris Erickson), Economic Development (Katy Billings and Frank Critser), Building & Special (Shawn Clark and Frank Critser), Legislative (Katy Billings) and Ordinance (Chris Erickson, Frank Critser, Kristopher Baker & Angelo Ligouri).

The City Council confirmed: the reappointment of Ron Jones, Kevin Walker, Jim Oestmann, Mary Kruger, Matt Hug, Shawn Clark and Troy Wynn to the Parks & Pool Committee; the appointment of Merri Johnson to the Planning Commission; the appointment of Merri Johnson to the Auburn Housing Authority; and the appointment of Kendra McMann to the Auburn Volunteer Fire Department.

Approval was given for Jeff Timmerman's attendance at the 2012 National Interdiction Conference March 12-16, 2012 under a scholarship awarded through the Police Officers' Association.

The City Council approved the form of the redevelopment agreement and authorized the City to enter into said agreement by the passage and adoption of Resolution No. 35-11.

Ordinance No. 47-11, Amending City Code Section 132.07(D) discharge or release of instrument which propels projectiles within city limits, was approved.

Ordinance No. 48-11, Adding Section 98.078 of the City Code requiring DNA testing at owner's expense to determine breed of dog, determining animal impoundment and owner's failure to surrender animal, was approved.

No action was taken on proposed Ordinance No. 49-11 which would have amended Section 98.065 of the City Code defining pit bull dog.

The following ordinances updating the Auburn Code of Ordinances were approved: No. 38-11 relating to elections; candidates; revising candidate filling deadlines; No. 39-11 relating to elections; changing provisions relating to petitions for nomination and ballot procedures; No. 40-11 relating to finance and revenue; adding exceptions to the bidding requirement; No. 41-11 relating to public ways and property; adjusting the threshold amount for public works requiring architecture or engineering; No. 42-11 relating to alcoholic beverages; adding exceptions relating to consumption of liquor in public places; No. 43-11 relating to alcoholic beverages; revising liquor licensing powers and duties; No. 44-11 relating to alcoholic beverages; revising provisions regulating credit sales; No. 45-11 relating to alcoholic beverages; changing provisions governing retail sales location requirements; and No. 46-11 relating to general offenses; offenses against health and safety; adding limousine exception to the open container prohibition.

The City Clerk was authorized to request proposals for a Keno Operator.

CDBG #09-HO-6047 (Citywide Owner-Occupied Housing Rehabilitation Program) Drawdown #21 in the amount of \$1,700 and the related claims were approved.

Approval was given for the filing of the Corporate Authorization Resolution designating the authorized signers for City bank accounts held at Auburn State Bank.

The report of unpaid water accounts was approved and authorization was given that said items be certified to the Nemaha County Clerk by the passage and adoption of Resolution No. 36-11.

The report of unpaid sewer accounts was approved and authorization was given that said items be certified to the Nemaha County Clerk by the passage and adoption of Resolution No. 37-11.

JEO Consulting Group was authorized to complete the engineering on the K Street Asphalt Overlay project.

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

The following committees provided reports: Street, Safety, and Ordinance. 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.



Auburn, Nebraska  
December 27, 2011

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 December 27, 2011, 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 December 23, 2011. 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, Erickson and Holtzman. Absent: Clark and Critser.

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 Holtzman moved to dispense with the reading of the November 28, 2011 meeting's minutes and to approve the same as written. The foregoing motion was seconded by Council Member Erickson and upon roll call vote, the following Council Members voted "YEA": Bishop, Erickson, Holtzman, and Billings. The following voted "NAY": No one. Motion: Carried.

Discussion was held regarding a request for \$9,914.00 for a kitchen remodeling in the fire hall.

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

The following claims were presented before the Council for ratification: American Family Life Assurance Co., Wh-95.47; Action Technology Services Inc., Se-300.00; American Recycling & Sanitation, Se-145.00; Auburn Newspapers, CRA Se-15.47; Auburn State Bank, Bond Payment Int-39042.06; Black Hills Energy, Ut-210.13; Blue Cross-Blue Shield, Ins-9410.05; Board of Public Works, Ut-8602.19; Cline Williams Law Firm, CRA-Se-4704.37; Fankhauser Nelsen Werts & Ziskey, CRA Project Reim-2397.40; Five Nines Technology Group, Se-63.70; Heath Christiansen, Se-1500.00; Hunters Headquarters, Su-1390.00; Linda Bantz, Se-309.00; Lynsey's Tiny Tots Daycare, CRA Project Reim-3136.14; Mark Harms, Ex-500.00; Mitch Bishop, Reim CRA Project-500.00; Nemaha County, Se-4693.47; Region V-SENDS, Se-325.00; Southeast Nebraska Development District, CDBG Se-7542.21; Sue Charbonnet, CRA Project Reim-1413.00; The Standard, Ins-373.21; Time Warner Cable, Se-437.96; Verizon Wireless, Se-51.64; Windstream, Ut-128.46; Wright Express, Su-2845.85. The following claims (not previously approved by motion or resolution) were presented: Action Technology Services Inc., Su-137.04; Alamar Uniforms, Equip-1078.81; Amazon, Bk-219.95; American Library Association, Mem-175.00; American Recycling & Sanitation, Se-38.50; Angelo Ligouri, Se-8272.31; Annie Thomas, Reim-82.59; Auburn Fire Dept, Se-60.00; Auburn Memorial Library Petty Cash, Su-90.95; Auburn Newspapers, Se-425.74; Baker & Taylor, Bk-461.53; Beard's Salvage Inc., Su-93.98; Black Hills Energy, Ut-45.48; Board of Public Works, Ut-499.72; Bulldog Auto Parts, Su-168.09; Captain Handy, Se-95.00; Casey Agency Inc., Ins-308.00; Concrete Industries Inc., Su-1028.07; David Feldmann, Se-125.00; Demco, Su-270.48; Eggers Brothers Inc., Su-53.88; Filter Care, Se-21.80; Five Nines Technology Group, Se-115.00; Glenn's Corner Market, Su-6.25; Graphic Screen Printing, Su-52.00; GT Distributors Inc., Equip-471.40; Heiman Fire Equipment, Equip-930.70; Ikon Office Solutions, Se-Su-59.08; JEO Consulting Group Inc., Se-595.00; Larry Sorensen Trucking, Su-Su-1438.80; Lincoln Journal Star, Sub-189.60; Lynch's Hardware & Gifts, Su-139.21; Matthew Bender & Co. Inc., Ref-104.24; Michael Todd & Co. Inc, Su-799.70; Nebraska Law Enforcement Training Center, Fe-10.00; Nebraska Environmental Products, Su-255.29; Nebraska Municipal Clerk Association, Mem-25.00; Nebraska Supreme Court, Ref-65.40; Nemaha County Clerk, Se-4593.81; Nemaha County Court, Ex-34.00; Nemaha County Hospital, Se-150.00; OCLC Inc., Se-43.12; Orscheln,

Su-267.34; Pamida, Su-127.98; Petty Cash, Su-Se-Reim- 315.07; Police Chiefs Assoc. of NE, Mem-30.00; Police Officers' Assoc. of NE, Mem-40.00; Postmaster, Se-132.00; Radiology Assoc. PC, Se-52.00; Rose Equipment Inc., Su-4291.48; Sack Lumber Co., Su-25.00; Southeast Design Co., Su-76.97; Stutheit Implement Co., Su-433.75; The Physician Network, Se-159.00; Town & Country Vet Clinic, Se-235.00; Tri-State Office Products, Su-571.26; Xerox Corporation, Se-Su-428.66.

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.

It was noted that no action could be taken on the Captain Handy claim because Council Member Holtzman has an interest in the Captain Handy bill that would cause him to abstain from voting, resulting in there not being a sufficient number of Council Members present to approve the claim. The claim will be presented for consideration at the next City Council Meeting.

Council Member Erickson 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 Holtzman and upon roll call vote, the following Council Members voted "YEA": Erickson, Holtzman, Billings, and Bishop. The following voted "NAY": No one. Motion: Carried.

Mayor Kudrna asked for nominations for Council President. Council Member Holtzman nominated Council Member Erickson. Council Member Billings seconded the nomination. There weren't any other nominations made. Upon calling the roll, the following Council Members voted "YEA": Erickson, Holtzman, Billings and Bishop. The following voted "NAY": No one. Council Member Erickson was elected Council President.

The Mayor made the following annual appointments: City Clerk (Sherry Heskett), City Treasurer (Joseph Casey), City Attorney (Angelo Ligouri), Assistant City Attorneys (Louie Ligouri and Dylan Handley), City Physician (Dr. Gary Enszt), Building Inspector (Glen Hogue), Chief of Police (Kristopher Baker), Police Sergeant (Eric Adams), Police Officers (Jeff Timmerman and Jonathan Neeman), Part-time Police Officer (Harold Silvey), Street Commissioner (Harry Bridgmon), and City Engineer (Evan Wickersham with JEO Consulting Group). Upon calling the roll, the following Council Members voted "YEA": Holtzman, Billings, Bishop, and Erickson. The following voted "NAY": No one. All appointments were confirmed.

Mayor Kudrna made the following appointments to the city council standing committees: Street (Larry Holtzman and Mitch Bishop); Safety (Shawn Clark and Chris Erickson); Keep Auburn Beautiful (Larry Holtzman and Mitch Bishop); Budget & Finance (Katy Billings and Chris Erickson); Economic Development (Katy Billings and Frank Critser); Building & Special (Shawn Clark and Frank Critser); Legislative (Katy Billings); and Ordinance (Chris Erickson, Frank Critser, Kristopher Baker & Angelo Ligouri). Upon calling the roll, the following Council Members voted "YEA": Billings, Bishop, Erickson, and Holtzman. The following voted "NAY": No one. Appointments: Confirmed.

The Mayor reappointed Ron Jones, Kevin Walker, Jim Oestmann, Mary Kruger, Matt Hug, Shawn Clark and Troy Wynn to the Parks & Pool Committee; appointed Merri Johnson to the Planning Commission and the Auburn Housing Authority; and appointed Kendra McMann to the Auburn Volunteer Fire Department. Upon calling the roll, the following Council Members voted "YEA": Bishop, Erickson, Holtzman, and Billings. The following voted "NAY": No one. Appointments/Reappointments: Confirmed.

Police Chief Baker requested approval for Jeff Timmerman's attendance at the 2012 National Interdiction Conference March 12-16, 2012. Officer Timmerman has received a scholarship through the Police Officers' Association. Council Member Holtzman moved to allow attendance at the meeting/training as requested; Seconded by Council Member Bishop and upon roll call vote, the following Council Members voted "YEA": Erickson, Holtzman, Billings, and Bishop. The following voted "NAY": No one. Motion: Carried.

Council Member Billings moved to approve the form of the redevelopment agreement and authorize the city to enter into said agreement by the passage and adoption of Resolution No. 35-11. The foregoing motion was seconded by Council Member Bishop and upon roll call vote, the following Council Members voted "YEA": Erickson, Holtzman, Billings, and Bishop. The following voted "NAY": No one. Motion: Carried.

AUBURN, NEBRASKA  
RESOLUTION NO. 35-11  
(Approval of Redevelopment Agreement-West Project #1)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA, APPROVING THE FORM OF THE REDEVELOPMENT AGREEMENT AND AUTHORIZING THE CITY TO ENTER INTO SAID AGREEMENT.

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

WHEREAS, pursuant to the Nebraska Community Development Law, Neb. Rev. Stat. §§ 18-2101 through 18-2154, as amended (the "Act"), the City of Auburn, Nebraska ("City"), has adopted a redevelopment plan ("Redevelopment Plan") for the area of the City generally identified as the West Project #1 Redevelopment Area. A copy of the Redevelopment Plan is on file with the City Clerk for inspection; and

WHEREAS, the Redevelopment Plan included a specific redevelopment project that will include the use of tax increment financing (the "West Project #1"); and

WHEREAS, the Community Redevelopment Authority of the City of Auburn, Nebraska ("CRA") has prepared a redevelopment agreement to implement the West Project #1; and

WHEREAS, the City has reviewed the Redevelopment Agreement and has found it to be in conformity with the Act and the General Comprehensive Development Plan of the City, and in the best interests of the City; and

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Auburn, Nebraska, that the Redevelopment Agreement between the City of Auburn, Nebraska and the Community Redevelopment Authority of the City of Auburn, Nebraska, which is attached hereto as Exhibit "A" and incorporated here by this reference, is hereby approved; and

BE IT FURTHER RESOLVED, the Mayor is hereby authorized to execute and deliver the Redevelopment Agreement to the CRA, with such changes, modifications, additions and deletions therein and shall them seem necessary, desirable or appropriate, for and on behalf of the City; and

BE IT FURTHER RESOLVED, the City is hereby authorized to take all actions contemplated and required in the Redevelopment Agreement; and

BE IT FURTHER RESOLVED, that all Resolutions or parts thereof in conflict with the provisions of this Resolution or to the extent of such conflicts, are hereby repealed; and

Proposed Ordinance No. 47-11, Amending City Code Section 132.07(D) discharge or release of instrument which propels projectiles within city limits, was presented. The Mayor announced that the introduction of the proposed Ordinance was in order.

ORDINANCE NO. 47-11  
Amending City Code Section 132.07 (D)  
(Section 132.07 Weapons)

Council Member Erickson moved that 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": Erickson, Holtzman, Billings, and Bishop. The following voted "NAY": No one.

Proposed Ordinance No. 48-11, Adding Section 98.078 of the City Code requiring DNA testing at owner's expense to determine breed of dog, determining animal impoundment and owner's failure to surrender animal, was presented. The Mayor announced that the introduction of the proposed Ordinance was in order.

ORDINANCE NO. 48-11  
Adding City Code Section 98.078  
(Pit Bulls)

Council Member Billings moved that 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 Holtzman. Upon roll call vote, the following voted "YEA": Bishop, Erickson, Holtzman, and Billings. The following voted "NAY": No one.

No action was taken on proposed Ordinance No. 49-11 which would have amended Section 98.065 of the City Code defining pit bull dog.

The following ordinances updating the Auburn Code of Ordinances were presented: No. 38-11 relating to elections; candidates; revising candidate filing deadlines; No. 39-11 relating to elections; changing provisions relating to petitions for nomination and ballot procedures; No. 40-11 relating to finance and revenue; adding exceptions to the bidding requirement; No. 41-11 relating to public ways and property; adjusting the threshold amount for public works requiring architecture or engineering; No. 42-11 relating to alcoholic beverages; adding exceptions relating to consumption of liquor in public places; No. 43-11 relating to alcoholic beverages; revising liquor licensing powers and duties; No. 44-11 relating to alcoholic beverages; revising provisions regulating credit sales; No. 45-11 relating to alcoholic beverages; changing provisions governing retail sales location requirements; and No. 46-11 relating to general offenses; offenses against health and safety; adding limousine exception to the open container prohibition. The Mayor announced that the introduction of the proposed Ordinances were in order.

ORDINANCE NO. 38-11  
Relating to Elections;  
Candidates; Revising Candidate Filing Deadlines

ORDINANCE NO. 39-11  
Relating to Elections  
Changing Provisions Relating to Petitions for Nomination and Ballot Procedures

ORDINANCE NO. 40-11  
Relating to Finance and Revenue  
Adding Exceptions to the Bidding Requirement

ORDINANCE NO. 41-11  
Relating to Public Ways and Property  
Adjusting the Threshold Amount for Public Works Requiring Architecture or Engineering

ORDINANCE No. 42-11  
Relating to Alcoholic Beverages;  
Adding Exceptions Relating to Consumption of Liquor in Public Places

ORDINANCE NO. 43-11  
Relating to Alcoholic Beverages  
Revising Liquor Licensing Powers and Duties

ORDINANCE NO. 44-11  
Relating to Alcoholic Beverages  
Revising Provisions Regulating Credit Sales

ORDINANCE NO. 45-11  
Relating to Alcoholic Beverages  
Changing Provisions Governing Retail Sales Location Requirements

ORDINANCE NO. 46-11  
Relating to General Offenses  
Offenses against Health and Safety  
Adding Limousine Exception to the Open Container Prohibition

Council Member Erickson moved that 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 Holtzman. Upon roll call vote, the following voted "YEA": Erickson, Holtzman, Billings, and Bishop. The following voted "NAY": No one.

Council Member Billings moved to authorize the City Clerk to request proposals for a Keno Operator with the deadline to submit proposals at 5 pm on February 15, 2012. The foregoing motion was seconded by Council Member Erickson and upon roll call vote, the following Council Members voted "YEA": Bishop, Erickson, Holtzman, and Billings. The following voted "NAY": No one. Motion: Carried.

Council Member Holtzman moved to approve CDBG #09-HO-6047 (Citywide Owner-Occupied Housing Rehabilitation Program) Drawdown #21 in the amount of \$1,700 and the related claims. The foregoing motion was seconded by Council Member Billings and upon roll call vote, the following Council Members voted "YEA": Erickson, Holtzman, Billings, and Bishop. The following voted "NAY": No one. Motion: Carried.

Council Member Erickson moved that the Corporate Authorization Resolution (Resolution No. 38-11) designating the authorized signers for City bank accounts held at Auburn State Bank be approved. The foregoing motion was seconded by Council Member Holtzman and upon roll call vote, the following Council Members voted "YEA": Erickson, Holtzman, Billings, and Bishop. The following voted "NAY": No one. Motion: Carried.

Council Member Erickson 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. 36-11. The foregoing motion was seconded by Council Member Billings and upon roll call vote, the

following Council Members voted "YEA": Erickson, Holtzman, Billings, and Bishop. The following voted "NAY": No one. Motion: Carried. A true, correct and complete copy of said resolution is as follows:

RESOLUTION NO. 36-11

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, in the amount of \$38.10;

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

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

John Lindinger, 906 15<sup>th</sup> Street, Auburn, Nebraska, Howe & Nixon Addition to Auburn, Block 22, Lot 11, 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, in the amount of \$57.15;

Anthony Johnston, 915 15<sup>th</sup> Street, Auburn, Nebraska, Howe & Nixon addition to Auburn, Block 23, Lot 4, in the amount of \$38.10; and,

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

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

Council Member Erickson 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. 37-11. The foregoing motion was seconded by Council Member Holtzman and upon roll call vote, the following Council Members voted "YEA": Holtzman, Billings, Bishop, and Erickson. The following voted "NAY": No one. Motion: Carried. A true, correct and complete copy of said resolution is as follows:

RESOLUTION NO. 37-11

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 below stated unpaid and delinquent Sewer accounts due and owing to the Board of Public Works, Auburn, Nebraska. The City Clerk shall certify said items 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, Howe & Nixon Addition to Auburn, Block 18, Lots 9 & 10, Auburn, Nemaha County, Nebraska, in the amount of \$63.00;

VCGXT LLS, 715 11<sup>th</sup> Street, Sage's Addition to Auburn, Block 15, Lot D, Auburn, Nemaha County, Nebraska, in the amount of \$63.00;

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

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

Lonnie Haynes, 2103 L Street, Calvert First Addition to Auburn, Block 10, W90' of Lots 11 & 12, Auburn, Nemaha County, Nebraska, in the amount of \$94.50;

Anthony Johnston, 915 15<sup>th</sup> Street, Howe & Nixon addition to Auburn, Block 23, Lot 4, Auburn, Nemaha County, Nebraska, in the amount of \$63.00;

Frank Wilcox, 2422 "R" Street, 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,

Council Member Holtzman moved to authorize JEO Consulting Group to complete the engineering on the K Street Asphalt Overlay project. The foregoing motion was seconded by Council Member Bishop and upon roll call vote, the following Council Members voted "YEA": Billings, Bishop, Erickson, and Holtzman. The following voted "NAY": No one. Motion: Carried.

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

The following committees provided reports: Street, Safety, and Ordinance. 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 Erickson seconded the foregoing motion and upon roll call vote, the following Council Members voted "YEA": Bishop, Erickson, Holtzman, 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 December 27, 2011; 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.

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Sherry Heskett, City Clerk



CALENDAR 12/2011, FISCAL 3/2011

AGENDA ITEM  
 NO 6

| ACCOUNT TITLE                | LAST REPORT<br>ON HAND | RECEIVED   | DISBURSED  | BALANCE      |
|------------------------------|------------------------|------------|------------|--------------|
| GENERAL CHECKING             | 249,931.37             | 80,113.56  | 82,297.27  | 247,747.66   |
| STREET CHECKING              | 38,072.69              | 31,458.43  | 21,296.57  | 48,234.55    |
| STREET BOND/WARRANT CHECKING | 102,795.94             | 6,500.00   | 13,871.25  | 95,424.69    |
| TOTAL CHECKING:              | 390,800.00             | 118,071.99 | 117,465.09 | 391,406.90   |
| TOTAL NSF A/R                | .00                    | .00        | .00        | .00          |
| TOTAL FIRE DEPT SINKING      | 8,917.00               | 3.82       | .00        | 8,920.82     |
| TOTAL KENO OPER CHECKING:    | .00                    | .00        | .00        | .00          |
| TOTAL KENO RESERVE MMA:      | 88,093.46              | 14.55      | 38,093.46  | 50,014.55    |
| TOTOL KENO CHECKING          | 33,281.75              | 38,098.01  | .00        | 71,379.76    |
| TOTAL CDBG CHECKING          | 7,967.80               | 7,542.00   | 7,542.21   | 7,967.59     |
| TOTAL CDBG ED MMA:           | 3,645.58               | 167.55     | .00        | 3,813.13     |
| TOTAL CDBG HD SAVINGS:       | 3,978.89               | 469.17     | .00        | 4,448.06     |
| TOTAL CRA CHECKING           | 378,087.91             | 2,122.35   | 37,337.19  | 342,873.07   |
| TOTAL CITY REC CHECKING      | 63,947.21              | .00        | .00        | 63,947.21    |
| GENERAL CD #23810            | 75,000.00              |            |            | 75,000.00    |
| SPEC PROJECT CD #23925       | 75,000.00              |            |            | 75,000.00    |
| 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:                | 350,000.00             | .00        | .00        | 350,000.00   |
| TOTAL CASH ON HAND:          | 1,328,719.60           | 166,489.44 | 200,437.95 | 1,294,771.09 |

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