

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.
MARCH 12, 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. **APPROVAL** for Attendance at Meeting(s).

9. **NORMA BAKER** regarding heavy traffic on G Street and 10th Street.

10. **KIM BEGER/DEB REIMAN** – requesting the use of the empty lot at 1903/1905 N Street for nature learning stations.

11. **7:00 P.M., or as soon thereafter as possible – PUBLIC HEARING** on Class B – Beer Off Sale Only License for Farmer’s Cooperative dba Farmers Cooperative at 922 J Street, Auburn, Nebraska.

Action on said Public Hearing.

12. **APPROVE** Plans/Specs and **Authorize** engineers to get bids. (JEO Consulting Group Inc.)

13. **MOTION/RESOLUTION** to approve Keno Operating agreement with Zeilinger Keno Inc., including authorization of the keno operating account and approval of American Legion Post No. 23 as a satellite location.

14. **RESOLUTION** to approve use of Community Development Block Grant Commercial Rehab Funding as suggested by the Revitalization Review Committee – **Authorize** mayor to sign MOUs (Auburn 10-DTR-105).
15. **ORDINANCE(S)** to amend General Provisions of Parking Rules, Sections 74.01 to 74.16 of Chapter 74 of the City Code of Ordinances.
16. **REPORTS/RECOMMENDATIONS** - - From Dept. Heads.
 - a. Street Department –
 - b. Fire Department –
 - c. Police Department –
 - d. Library –
 - e. Treasurer –
17. **REPORTS/RECOMMENDATIONS** - - From Committees.
 - a. Street –
 - b. Keep Auburn Beautiful -
 - c. Economic Development –
 - d. Safety Committee –
 - e. Building Committee -
 - f. Legislative –
 - g. Other Committees & Reports –
18. **APPOINTMENT(S)/REAPPOINTMENT(S)** –
 - Part Time Police Officer
19. **ADJOURNMENT.**

Possible Motion Format 3-12-12

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 February 27, 2012, 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 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. **APPROVAL** for Attendance at Meeting(s).

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

9. **NORMA BAKER** regarding heavy traffic on G Street and 10th Street.

10. **KIM BEGER/DEB REIMAN** – requesting the use of the empty lot at 1903/1905 N Street for nature learning stations.

POSSIBLE MOTION: I move to approve the request to use the empty lot at 1903/1905 N Street for nature learning stations

11. **7:00 P.M., or as soon thereafter as possible – PUBLIC HEARING** on Class B – Beer Off Sale Only License for Farmer's Cooperative dba Farmers Cooperative at 922 J Street, Auburn, Nebraska. **Action** on said Public Hearing.

POSSIBLE MOTION: I move for approval of the Class B-Beer Off Sale Only License for Farmer's Cooperative dba Farmers Cooperative at 922 J Street.

12. **APPROVE** Plans/Specs and **Authorize** engineers to get bids. (JEO Consulting Group Inc.)

POSSIBLE MOTION: I move to approve the plans and specifications for the 2012 Street Improvements-Asphaltic Concrete Overlay project prepared by JEO Consulting Group Inc. and authorize the engineers to get bids

13. **MOTION/RESOLUTION** to approve Keno Operating agreement with Zeilinger Keno Inc., including authorization of the keno operating account and approval of American Legion Post No. 23 as a satellite location.

POSSIBLE MOTION: I move to approve the Resolution/Agreement No. 8-12 with Zeilinger Keno Inc., including authorization of the keno operating account and approval of American Legion Post No. 23 as a satellite location

14. **RESOLUTION** to approve use of Community Development Block Grant Commercial Rehab Funding as suggested by the Revitalization Review Committee – **Authorize** mayor to sign MOUs (Auburn 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. 7-12

15. **ORDINANCE(S)** to amend General Provisions of Parking Rules, Sections 74.01 to 74.16 of Chapter 74 of the City Code of Ordinances.

POSSIBLE ACTION: (Ordinance Record-Ordinance No. 3-12)

POSSIBLE ACTION: (Ordinance Record-Ordinance No. 4-12)

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

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

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

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

23. **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 February 27, 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 February 24, 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, Erickson and Holtzman. 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 Billings moved to dispense with the reading of the January 23, 2012 meeting's minutes and to approve the same as written. The foregoing motion was seconded by Council Member Holtzman and upon roll call vote, the following Council Members voted "YEA": Bishop, Clark, Critser, Erickson, Holtzman, and Billings. The following voted "NAY": No one. Motion: Carried.

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": Clark, Critser, Erickson, Holtzman, Billings, and Bishop. The following voted "NAY": No one. Motion: Carried.

The following claims were presented before the Council for ratification: Captain Handy, Se-395.00; Action Technology Services Inc, Se-300.00; American Family Life Assurance Co., Wh-81.32; Auburn State Bank, Bond Payment-5721.25; Consolidated Management Co. Su-74.00; NE Dept of Revenue, Keno Tax-183.00; The Standard, Ins-373.21; Verizon Wireless, Se-52.40; American Recycling & Sanitation, Se-183.50; Auburn Senior Center Inc., Transfer-5000.00; Black Hills Energy, Ut-440.01; Blue Cross-Blue Shield, Ins-9133.00; Board of Public Works, Ut-4747.42; Cline Williams, CRA Se-93.00; Consolidated Management Co., Su-292.75; Five Nines Technology Group, Se-103.70; Heather Koeneke, Reim-30.00; Linda Bantz, Se-309.00; Mark Harms, Ex-500.00; Nemaha County, Se-4693.47; Nemaha County Ag. Society, Fe-40.00; PGH & G Attorneys at Law, Se-276.00; Region V-SENDS, Se-325.00; Rixstine Recognition, Su-Se-1107.50; Southeast NE Development District, Se-4470.38; Time Warner Cable, Se-190.04; UNO, Reg-223.00; Windstream, Ut-142.53; Wright Express, Su-2798.44. The following claims (not previously approved by motion or resolution) were presented: Alamar Uniforms, Su-Equip-33.49; Amazon, Bk-731.90; American Legal Publishing, Se-275.63; Auburn Memorial Library Petty Cash, Su-128.22; Auburn Newspapers, Se-473.83; Baker & Taylor, Bk-202.25; Beard's Salvage, Su-73.00; Board of Public Works, Ut-Maint-4485.43; Bobcat of Omaha, Su-70.52; Carroll Distributing, Ex-198.00; Casey Agency Inc., Ins-391.00; Consolidated Management Co., Su-97.25; D & S Tires Inc., Se-Su-335.00; Demco, Su-68.05; Eggers Brothers Inc., Su-616.35; Farmers Union Cooperative, Su-16.78; First National Bank, Add to CD balance-207.95; Five Nines Technology Group, Se-151.25; Food Network Magazine, Sub-15.00; General Fire and Safety Equipment, Se-359.50; JEO Consulting Group Inc., Se-5060.00; Kapco, Su-105.76; Kustom Signals Inc., Su-70.00; Lynch's Hardware & Gifts, Su-103.83; Mellage Repair, Su-Se-212.69; Nebraska Environmental Products, Su-3051.58; Department of Health & Human Services, Permits-80.00; Nemaha County Clerk, Reim-1648.48; Nemaha County Court, Ex-17.00; Nemaha County Sheriff Department, Salary-7054.72; OCLC Inc., Sub-97.75; Orscheln, Su-131.56; Pamida Inc., Su-75.25; Petersens Auto Repair, Su-Re-60.40; Petty Cash, Se-Reim-Su-129.56; Sack Lumber Co., Su-44.24; Steve Abernathy, Se-1028.86; Sunmart, Su-34.99; Arbor Day Foundation, Su-34.90; The Standard, Ins-370.06; Time Warner Cable, Ut-210.66; Town & Country Vet Clinic, Se-270.00; Tri State Office Products, Su-157.43; Xerox Corporation, Su-Se-304.45.

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 Erickson moved to approve the claim submitted by Captain Handy in the amount of \$395.00. The foregoing motion was seconded by Council Member Bishop and upon roll call vote, the following Council Members voted "YEA": Critser, Erickson, Billings, Bishop and Clark. The following voted "NAY": No one. Council Member Holtzman abstained from voting on said claim. Motion: Carried.

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

A request was presented to allow Tree Board Member Pam Allison's attendance at the 2012 Tree Care Workshop to be held March 29, 2012 in Omaha. Council Member Erickson moved to allow attendance at the meeting/training as requested. The foregoing motion was seconded by Council Member Holtzman and upon roll call vote, the following Council Members voted "YEA": Holtzman, Billings, Bishop, Clark, Critser, and Erickson. The following voted "NAY": No one. Motion: Carried.

Mayor Kudrna appointed Nick Goering to the Auburn Volunteer Fire Department. Upon calling the roll, the following Council Members voted "YEA": Billings, Bishop, Clark, Critser, Erickson, and Holtzman. The following voted "NAY": No one. Appointment: Confirmed.

Todd Zeilinger with Zeilinger Keno Inc. was present and answered questions regarding his proposal to operate a keno-style lottery for the City. Rachele Emshoff advised those in attendance that Hickory Road BBQ is interested in being a local sales outlet operator for Zeilinger Keno Inc. A proposal from Lotto Nebraska was also filed with the City. Following discussion, Council Member Erickson moved to accept the proposal of Zeilinger Keno Inc. for the operation of a municipal keno lottery with a sales outlet at Hickory Road BBQ subject to the approval of the written agreement between the City and the operator. The foregoing motion was seconded by Council Member Bishop and upon roll call vote, the following Council Members voted "YEA": Bishop, Clark, Critser, Erickson, Holtzman, and Billings. The following voted "NAY": No one. Motion: Carried.

Following discussion, Council Member Erickson moved to approve the expenditure of up to \$63,000 of Keno funds for a digital projector to be used at the State Theater owned by the Auburn Public Schools with \$33,000 given up front and the additional \$30,000 after the seating is installed. 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": Clark and Critser. Motion: Carried.

Council Member Holtzman moved 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. 5-12. The foregoing motion was seconded by Council Member Bishop and upon roll call vote, the following Council Members voted "YEA": Holtzman, Billings, Bishop, Clark, Critser, and Erickson. The following voted "NAY": No one. Motion: Carried. A true, correct and complete copy of said resolution is as follows:

RESOLUTION NO. 5-12

Comm Rehab Grant & Loans Aub 10-DTR-105

To Approve Use of Community Development Block Grant Commercial Rehab Funding as Suggested by the Revitalization Review Committee

Suggested Actions of Revitalization Review Committee on February 27, 2012:

Property #11 (1920 O Street): grant \$4,220.25, match of \$1,406.75
 Property #13 (911 Central Ave.): grant \$3,188.00, loan \$3,187.00, match of \$2,125.00
 Property #14 (1403 19th Street): grant \$3,000, match of \$1,000.00
 Property #15a. (1423 19th Street): grant \$5,400.00, match of \$1,800.00
 Property #15b. (1816 "O" Street): grant \$1,500.00, match of \$500.00
 Project #16 (1108 "J" Street): grant \$900.00, match of \$300.00
 Project #17 (1106 "J" Street): grant \$2,175.00, match of \$725.00
 Project #18 (921 Central Avenue): grant \$8,625.00, match of \$2,875.00

WHEREAS, the City of Auburn, Nebraska has received a previous Community Development Block Grant for commercial rehabilitation and,

WHEREAS, CDBG funds for commercial rehabilitation are to be used for making grants and loans to private businesses and property owners in accordance with the City's CDBG Downtown Revitalization Plan, program, and governing regulations, and,

WHEREAS, the City has previously adopted an amended Downtown Revitalization Plan meeting the requirements of the Community Development Block Grant program and,

WHEREAS, the City of Auburn CDBG Revitalization Review Committee, has recommended commercial rehabilitation applications presented by these area property owners as spelled out in the Memorandum of Understanding (MOU) to finance construction for commercial rehab, and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Auburn, Nebraska hereby approves a total granted amount of \$29,008.25 and total loaned amount of \$3,187.00 to the seven Round #4 applicants (8 properties) subject to the City's CDBG Downtown Revitalization Plan, program guidelines and regulatory provisions governing the Downtown Revitalization Plan and subject to the specific MOU's signed regarding each applicant.

NOW, THEREFORE, BE IT RESOLVED By the City Council of the City of Auburn, that the Mayor is hereby authorized and directed to execute all necessary and appropriate documents on behalf of the City of Auburn to effect acceptance of the suggested grant and loan amounts, contingent upon approval of the property owners and City Attorney as to form.

Council Member Bishop moved to approve CDBG #10-DTR-105 Drawdown #4 in the amount of \$2,025 and the related claims. The foregoing motion was seconded by Council Member Holtzman and upon roll call vote, the following Council Members voted "YEA": Billings, Bishop, Clark, Critser, Erickson, and Holtzman. The following voted "NAY": No one. Motion: Carried.

Council Member Billings moved to approve CDBG #09-HO-6047 (Citywide Owner-Occupied Housing Rehabilitation Program) Drawdown #23 in the amount of \$1,525 and the related claims. The foregoing motion was seconded by Council Member Bishop and upon roll call vote, the following Council Members voted "YEA": Bishop, Clark, Critser, Erickson, Holtzman, and Billings. The following voted "NAY": No one. Motion: Carried.

Council Member Erickson moved to approve CDBG #09-HO-6047 (Citywide Owner-Occupied Housing Rehabilitation Program) Drawdown #24 in the amount of \$1,733 and the related claims. The foregoing motion was seconded by Council Member Bishop and upon roll call vote, the following Council Members voted "YEA": Clark, Critser, Erickson, Holtzman, Billings, and Bishop. The following voted "NAY": No one. Motion: Carried.

Council Member Bishop moved to accept the recommendation of KAB the City Council and proceed with the grant application process for a 2012 Citywide Owner-Occupied Housing Rehabilitation grant program. The foregoing motion was seconded by Council Member Holtzman and upon roll call vote, the following Council Members voted "YEA": Critser, Erickson, Holtzman, Billings, Bishop, and Clark. The following voted "NAY": No one. Motion: Carried.

Public Hearing was held on the Board of Public Works Reconciliation Statements for Water Departments regarding the adopted proprietary budget for the previous fiscal year. General Manager Dave Hunter presented the information and answered questions. Following the public hearing, Council Member Erickson moved to approve the Board of Public Works Proprietary Function Reconciliation Statement and authorize the publication of said statement. The foregoing motion was seconded by Council Member Bishop and upon roll call vote, the following Council Members voted "YEA": Erickson, Holtzman, Billings, Bishop, Clark, and Critser. The following voted "NAY": No one. Motion: Carried.

Council Member Erickson moved to approve the Waiver and Fine Schedule for City Code Violations by the passage and adoption of Resolution No. 6-12. The foregoing motion was seconded by Council Member Holtzman and upon roll call vote, the following Council Members voted "YEA": Holtzman, Billings, Bishop, Critser, and Erickson. The following voted "NAY": Clark. Motion: Carried. A true, correct and complete copy of said resolution is as follows:

RESOLUTION NO. -12
Of
THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA

WHEREAS, the City of Auburn desires to update and amend its Waiver and Fine Schedule for Commonly Encountered Violations within the City;

WHEREAS, the said Waiver and Fine Schedule has not been updated since February, 2001;

WHEREAS, the City understands that said proposed schedule stated herein needs to be agreed to and approved by the Nemaha County Court Judge to become effective;

<u>City Code</u>	<u>Description/Prohibited Act</u>	<u>Fine</u>
§ 99.36	Garbage-Control of Disposal, Accumulation, Trash Service Required	\$75, 1st Off., \$100, 2nd Off., \$150, 3rd & each subsequent Off.
§ 70.036	Possess Alcohol in Unsealed Container	\$75
§ 74.03	Parking on Street, Residential Area	\$25
§ 98.024	Dogs and Cats – License Required	\$50
§ 98.032	Dogs and Cats – Continuous Barking, Howling, Yowling, etc.	\$50
§ 132.01	Disorderly Conduct – Starting Quarrel or Fight or Participating in Same	\$125
§ 134.05	Trespassing – Enter upon any private grounds and to loiter about the same	\$100
§ 133.03	Indecent Exposure – Knowingly & Intentionally cause an indecent exposure of person in public	\$150
§ 132.19	General Curfew Violation	\$25
§ 97.19	Burning – Fireproof trash burner with 1 inch mesh screen required. Burning hours 0700-1600	\$25
§ 93.02	Sidewalks – cleared on snow 5 hours After cessation or by 0830 if Cessation after dark;	\$25

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Auburn, Nebraska, that the above stated Waiver & Fine Schedule for Commonly Encountered Violations within the City is hereby approved and shall become effective upon the approval by the Nemaha County, Nebraska, County Court Judge.

Proposed Ordinance No. 1-12 relating to Sunday Alcohol Sales was presented for consideration. The Mayor announced that the introduction or proposed Ordinance was in order.

ORDINANCE NO. 1-12
Relating to Sunday Alcohol Sales

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

The Regular Meeting date for the Mayor and City Council was changed to the 2nd Monday of the month by the passage and adoption of Ordinance No. 2-12.

ORDINANCE NO. 2-12
Set Regular Meeting Date

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

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": Billings, Bishop, Clark, Critser, Erickson, and Holtzman. 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 February 27, 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

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 February 27, 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, Erickson and Holtzman. 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 January 23, 2012 meeting's minutes as written.

The City Council approved the financial report.

The following claims were presented before the Council for ratification: Captain Handy, Se-395.00; Action Technology Services Inc, Se-300.00; American Family Life Assurance Co., Wh-81.32; Auburn State Bank, Bond Payment-5721.25; Consolidated Management Co. Su-74.00; NE Dept of Revenue, Keno Tax-183.00; The Standard, Ins-373.21; Verizon Wireless, Se-52.40; American Recycling & Sanitation, Se-183.50; Auburn Senior Center Inc., Transfer-5000.00; Black Hills Energy, Ut-440.01; Blue Cross-Blue Shield, Ins-9133.00; Board of Public Works, Ut-4747.42; Cline Williams, CRA Se-93.00; Consolidated Management Co., Su-292.75; Five Nines Technology Group, Se-103.70; Heather Koeneke, Reim-30.00; Linda Bantz, Se-309.00; Mark Harms, Ex-500.00; Nemaha County, Se-4693.47; Nemaha County Ag. Society, Fe-40.00; PGH & G Attorneys at Law, Se-276.00; Region V-SENDS, Se-325.00; Rixstine Recognition, Su-Se-1107.50; Southeast NE Development District, Se-4470.38; Time Warner Cable, Se-190.04; UNO, Reg-223.00; Windstream, Ut-142.53; Wright Express, Su-2798.44. The following claims (not previously approved by motion or resolution) were presented: Alamar Uniforms, Su-Equip-33.49; Amazon, Bk-731.90; American Legal Publishing, Se-275.63; Auburn Memorial Library Petty Cash, Su-128.22; Auburn Newspapers, Se-473.83; Baker & Taylor, Bk-202.25; Beard's Salvage, Su-73.00; Board of Public Works, Ut-Maint-4485.43; Bobcat of Omaha, Su-70.52; Carroll Distributing, Ex-198.00; Casey Agency Inc., Ins-391.00; Consolidated Management Co., Su-97.25; D & S Tires Inc., Se-Su-335.00; Demco, Su-68.05; Eggers Brothers Inc., Su-616.35; Farmers Union Cooperative, Su-16.78; First National Bank, Add to CD balance-207.95; Five Nines Technology Group, Se-151.25; Food Network Magazine, Sub-15.00; General Fire and Safety Equipment, Se-359.50; JEO Consulting Group Inc., Se-5060.00; Kapco, Su-105.76; Kustom Signals Inc., Su-70.00; Lynch's Hardware & Gifts, Su-103.83; Mellage Repair, Su-Se-212.69; Nebraska Environmental Products, Su-3051.58; Department of Health & Human Services, Permits-80.00; Nemaha County Clerk, Reim-1648.48; Nemaha County Court, Ex-17.00; Nemaha County Sheriff Department, Salary-7054.72; OCLC Inc., Sub-97.75; Orscheln, Su-131.56; Pamida Inc., Su-75.25; Petersens Auto Repair, Su-Re-60.40; Petty Cash, Se-Reim-Su-129.56; Sack Lumber Co., Su-44.24; Steve Abernathy, Se-1028.86; Sunmart, Su-34.99; Arbor Day Foundation, Su-34.90; The Standard, Ins-370.06; Time Warner Cable, Ut-210.66; Town & Country Vet Clinic, Se-270.00; Tri State Office Products, Su-157.43; Xerox Corporation, Su-Se-304.45.

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-Uilities; Wh-Withholding.

The City Council approved the claim submitted by Captain Handy in the amount of \$395.00. Council Member Holtzman abstained from voting on said claim.

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 for Tree Board Member Pam Allison's attendance at the 2012 Tree Care Workshop to be held March 29, 2012 in Omaha.

The City Council confirmed the appointment of Nick Goering to the Auburn Volunteer Fire Department.

Todd Zeilinger with Zeilinger Keno Inc. was present and answered questions regarding his proposal to operate a keno-style lottery for the City. Rachelle Emshoff advised those in attendance that Hickory Road BBQ is interested in being a local sales outlet operator for Zeilinger Keno Inc. A proposal from Lotto Nebraska was also filed with the City. Following discussion, the City Council approved a motion

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accepting the proposal of Zeilinger Keno Inc. for the operation of a municipal keno lottery with a sales outlet at Hickory Road BBQ subject to the approval of the written agreement between the City and the operator.

With four Council Members (Erickson, Holtzman, Billings, Bishop) voting in favor and two Council Members (Clark, Critser) voting against, approval was given for the expenditure of up to \$63,000 of Keno funds for a digital projector to be used at the State Theater owned by the Auburn Public Schools with \$33,000 given up front and the additional \$30,000 after the seating is installed.

The use of Auburn 10-DTR-105 Community Development Block Grant Commercial Rehab funding as suggested by the Revitalization Review Committee was approved by the passage and adoption of Resolution No. 5-12.

CDBG #10-DTR-105 Drawdown #4 in the amount of \$2,025 and the related claims were approved.

CDBG #09-HO-6047 (Citywide Owner-Occupied Housing Rehabilitation Program) Drawdown #23 in the amount of \$1,525 and the related claims were approved.

CDBG #09-HO-6047 (Citywide Owner-Occupied Housing Rehabilitation Program) Drawdown #24 in the amount of \$1,733 and the related claims were approved.

Upon recommendation of KAB the City Council voted to proceed with the grant application process for 2012 Citywide Owner-Occupied Housing Rehabilitation grant program funding.

Public Hearing was held on the Board of Public Works Reconciliation Statements for Water Departments regarding the adopted proprietary budget for the previous fiscal year. General Manager Dave Hunter presented the information and answered questions. Following the public hearing, the Board of Public Works Proprietary Function Reconciliation Statement was approved and authorization was given for the publication of said statement.

With five Council Members (Holtzman, Billings, Bishop, Critser, Erickson) voting in favor and one Council Member (Clark) voting against, the Waiver and Fine Schedule for City Code Violations was approved by the passage and adoption of Resolution No. 6-12.

Ordinance No. 1-12 relating to Sunday Alcohol Sales was approved.

The Regular Meeting date for the Mayor and City Council was changed to the 2nd Monday of the month by the passage and adoption of Ordinance No. 2-12.

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.

CALENDAR 2/2012, FISCAL 5/2011

ACCOUNT TITLE	LAST REPORT			BALANCE
	ON HAND	RECEIVED	DISBURSED	
GENERAL CHECKING	260,850.17	124,078.36	74,849.82	310,078.71
STREET CHECKING	57,339.71	30,099.09	24,698.18	62,740.62
STREET BOND/WARRANT CHECKING	94,763.05			94,763.05
TOTAL CHECKING:	412,952.93	154,177.45	99,548.00	467,582.38
TOTAL NSF A/R	.00	.00	.00	.00
TOTAL FIRE DEPT SINKING	8,920.82	.00	.00	8,920.82
TOTAL KENO OPER CHECKING:	.00	.00	.00	.00
TOTAL KENO RESERVE MMA:	50,023.02	7.93	.00	50,030.95
TOTAL KENO CHECKING	71,205.83	8.46	.00	71,214.29
TOTAL CDBG CHECKING	7,967.36	4,471.00	4,470.38	7,967.98
TOTAL CDBG ED MMA:	3,693.55	167.28	.00	3,860.83
TOTAL CDBG HD SAVINGS:	4,915.33	467.27	.00	5,382.60
TOTAL CRA CHECKING	352,837.95	6,943.90	93.00	359,688.85
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	207.95		75,207.95
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	207.95	.00	350,207.95
TOTAL CASH ON HAND:	1,326,464.00	166,451.24	104,111.38	1,388,803.86

AGENDA ITEM
 NO 6

AGENDA ITEM
 NO 7

VENDOR NAME	REFERENCE	
	GENERAL FUND	
	ADMIN	
AMERICAN FAMILY LIFE ASSUR CO	GEN AFLAC INS W/H	54.80
AMERICAN RECYCLING SANITATION	CONTAINER SERVICE	145.00
BLUE CROSS-BLUE SHIELD	HEALTH INS	2,067.55
BOARD OF PUBLIC WORKS	ELEC	536.68
		=====
	ADMIN	2,804.03
	POLICE DEPARTMENT	
BLUE CROSS-BLUE SHIELD	HEALTH INS	4,507.39
CONSOLIDATED MANAGE CO	J NEEMAN MEALS	161.75
NEMAHA COUNTY	RENT/DISPATCHING	4,693.47
WINDSTREAM NEBRASKA INC	PHONE	121.55
FLEET SERVICES	FUEL	1,308.93
		=====
	POLICE DEPARTMENT	10,793.09
	FIRE DEPARTMENT	
BOARD OF PUBLIC WORKS	ELEC	687.10
TIME WARNER CABLE	PHONE	83.12
FLEET SERVICES	CARD CHG	10.00
		=====
	FIRE DEPARTMENT	780.22
	PARK DEPARTMENT	
BOARD OF PUBLIC WORKS	ELEC	828.07
TIME WARNER CABLE	PHONE	35.64
FLEET SERVICES	FUEL	67.07
		=====
	PARK DEPARTMENT	930.78
	SR. CENTER DEPARTMENT	
BOARD OF PUBLIC WORKS	ELEC	722.09
		=====
	SR. CENTER DEPARTMENT	722.09
	LIBRARY DEPARTMENT	
BLUE CROSS-BLUE SHIELD	HEALTH INS	952.16
BOARD OF PUBLIC WORKS	ELECTRIC	721.56
LINDA BANTZ	LIBRARY CLEANING	309.00
		=====
	LIBRARY DEPARTMENT	1,982.72
	POOL DEPARTMENT	
BLACK HILLS ENERGY	PHONE	18.60

**** City of Auburn ****
 ACCOUNTS PAYABLE ACTIVITY
 CLAIMS REPORT

VENDOR NAME	REFERENCE	VENDOR TOTAL
BOARD OF PUBLIC WORKS	ELEC	389.67
		=====
	POOL DEPARTMENT	408.27
		=====
	GENERAL FUND	18,421.20
	STREET FUND	
	ADMIN	
AMERICAN FAMILY LIFE ASSUR CO	ST AFLAC INS W/H	26.52
BLACK HILLS ENERGY	NAT GAS	59.82
BLUE CROSS-BLUE SHIELD	HEATHL INS	1,605.90
BOARD OF PUBLIC WORKS	ELEC	874.08
MARK HARMS	USE OF PROPERTY	500.00
VERIZON WIRELESS	PHONE	52.19
FLEET SERVICES	FUEL/NON FUEL	1,081.74
		=====
	ADMIN	4,200.25
		=====
	STREET FUND	4,200.25
		=====
**** PAID TOTAL ****		22,621.45
		=====
***** REPORT TOTAL *****		22,621.45
		=====

ACCOUNTS PAYABLE ACTIVITY
 CLAIMS REPORT

AGENDA ITEM
 NO 7

VENDOR NAME	REFERENCE	

GENERAL FUND		
ADMIN		
ANNIE THOMAS	LEAGUE MIDWINTER PARKING	90.04
AUBURN NEWSPAPERS	REAL ESTATE, POOL	280.03
BOARD OF PUBLIC WORKS	BATTERY FOR SIREN 24&0	143.76
FIVE NINES TECHNOLOGY GROUP	T & M SERVICE	238.70
GLENN'S CORNER MARKET	GLOVES	38.00
LEAGUE OF NE MUNICIPALITIES	2012 MIDWINTER CONFERENCE	235.00
MANDY HALL PHOTOGRAPHY	WALL PORTRAIT/FRAME/GLASS	225.73
NEBRASKA FOREST SERVICE	2012 TREE CARE WORKSHOP	40.00
NEBRASKA MUNICIPAL CLERK ASSN.	2011-2012	25.00
PAMIDA INC. 182	CUPS, PLATES, KLEENEX	111.81
PETTY CASH	RUG SERVICE	25.68
RANDY BENNETT	LEGAL EXPENSES	1,944.27
SCOTT KUDRNA	MILEAGE/PARKING (LEAGUE)	91.25
TRI-STATE OFFICE PRODUCTS	PAPER, ENVELOPES, SCISSORS	129.95
XEROX CORPORATION	METER USAGE/METER CHGS	307.68
		=====
	ADMIN	3,926.90
POLICE DEPARTMENT		
ACTION TECHNOLOGY SERVICES INC	NETWORK SERVICES	300.00
AUBURN HIGH SCHOOL	AUBURN YEAR BOOK	40.00
NEMAHA COUNTY SHERIFF	LAW ENF COVERAGE FEB	3,881.04
PETTY CASH	POSTAGE	3.00
RADAR ROAD TEC	RADAR CERT W/DISCOUNT	140.00
		=====
	POLICE DEPARTMENT	4,364.04
PARK DEPARTMENT		
AUBURN ELEVATOR CO.	CORN FOR DUCKS	94.86
BOARD OF PUBLIC WORKS	BRASS NIPPLE/BALL VALVE/CAP	104.16
EGGERS BROTHERS INC	KTI TOOLS	18.59
SACK LUMBER COMPANY	1LB SCREWS	59.77
		=====
	PARK DEPARTMENT	277.38
SR. CENTER DEPARTMENT		
HOBART SALES & SERVICE	DISHWASHER REPAIR	323.82
		=====
	SR. CENTER DEPARTMENT	323.82
LIBRARY DEPARTMENT		
AUBURN MEM. LIBRARY PETTY CASH	POSTAGE/ILL	49.40
AUBURN NEWSPAPERS	PRESCHOOL STORYTIME AD	33.00
DEMCO	BOOK COVER	235.05
EAKES OFFICE PLUS	TOWELS, MULTI, BLEACH, 4000CT	56.45
GALE CENGAGE LEARNING	BOOKS	408.44

VENDOR NAME	REFERENCE	VENDOR TOTAL
REIMAN PUBLICATIONS	BOOK	30.98
STEVE ABERNATHY	CONFERENCE ROOM WALL	1,021.17
	LIBRARY DEPARTMENT	1,834.49
	GENERAL FUND	10,726.63
	STREET FUND	
	ADMIN	
EGGERS BROTHERS INC	FAB BUSHINGS	193.62
FILTER CARE	CREDIT	15.70
PETTY CASH	RADIO #16	48.32
SCHNEIDER OK TIRE STORE INC.	MOUNT LOADER TIRE	80.00
STUTHEIT IMPLEMENT CO.	STIHL MS29016 SERNO	49.96
	ADMIN	387.60
	STREET FUND	387.60
**** PAID TOTAL ****		11,114.23
***** REPORT TOTAL *****		11,114.23

3/5/12

AGENDA ITEM
NO 9

Donna Salew

Subjects - Heavy trucks, Cement trucks, Grain trucks, & pole trucks on "P" Streets and 10th 50' which are not a truck route. Also flat bed trucks low boy trucks and sometimes cattle trucks

Received request on 3/5/12, for Monday March 12, 2012, city council meeting

Deb Reiman and Kim Beger, would like to have an agenda item for the Monday March 12, 2012, City Council meeting.

We would like to present to the City Council an idea that we have for the empty lot east of the Courthouse. This was formally Charlie Hahn's building.

We will be working with several educational programs and the Auburn Community Gardens to create an area for children to learn and play with interactive equipment and stations. We will also tell who we are planning on partnering with for this project.

We are asking for the use of this space.

Thank you for your attention.

Kim Beger

NOTICE OF APPLICATION
FOR LIQUOR LICENSE

Notice is hereby given that Farmer's Cooperative dba Farmers Cooperative, 922 J Street, Auburn, Nebraska, has filed with the Nebraska Liquor Control Commission for a Class B – Beer Off Sale Only License at 922 J Street, Auburn, Nebraska; and that said application has been duly forwarded by said Commission to the Municipal Clerk of the City of Auburn, Nebraska, for such action as the Governing Body of said City deems advisable and appropriate.

Hearing on said application will be held before the City Council of the City of Auburn, Nebraska, at the City Hall, 1101 J Street, of said City on the 12th day of March, 2012, at 7:00 o'clock P.M., or as soon thereafter as possible. All persons desiring to give evidence before the local Governing Body in support of or in protest against the issuance of such license may do so at the time of the hearing.

Sherry Heskett
City Clerk
Auburn, Nebraska