

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.
MAY 13, 2013

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. **REQUEST** by American Legion Post 23 for a Special Designated Liquor License for July 12, 2013 at 909 I Street.
10. **REQUEST** by American Legion Post 23 for a Special Designated Liquor License for July 13, 2013 at the Nemaha County Fairgrounds Ball field.
11. **REQUEST** – Auburn FBLA requesting Keno funds (not to exceed \$1000).
12. **ORDINANCE** (Restrict Funds related to BPW Bond Documents).
13. **ORDINANCE** to Amend City Code Sect. 99.36 – Control of Disposal Ordinance to Amend City Code Sect. 99.37 – Collection Authority.
14. **DRAWDOWN #2** Project Only Expenses for CDBG 12-HO-6044 (Owner Occupied Housing Rehab project) and related claims.
15. **CDBG 12-HO-6044** – KAB Committee Recommendation – **Approve** recommendation on Application #3 bid of \$9965.00.

16. **ADOPT** CDBG Financial Management Plan.
17. **RESOLUTION** – Close the highways for the Nemaha County Fair parades.
18. **APPROVAL** – Wooden park picnic table rental policy.
19. **REPORTS/RECOMMENDATIONS** - - From Dept. Heads.
 - a. Street Department –
 - b. Fire Department –
 - c. Library –
 - d. Treasurer -
20. **REPORTS/RECOMMENDATIONS** - - From Committees.
 - a. Street Committee –
 - b. Keep Auburn Beautiful -
 - c. Economic Development –
 - d. Safety Committee –
 - e. Building Committee -
 - f. Legislative –
 - g. Parks and Pool Committee -
 - h. Other Committees & Reports –
21. **ADJOURNMENT.**

Possible Motion Format 5-13-13

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 April 8, 2013 and April 18, 2013 meetings' 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)/training(s) as requested

9. **REQUEST** by American Legion Post 23 for a Special Designated Liquor License for July 12, 2013 at 909 I Street.

POSSIBLE MOTION: I move to approve the request by American Legion Post 23 for a Special Designated Liquor License for July 12, 2013 at 909 I Street.

10. **REQUEST** by American Legion Post 23 for a Special Designated Liquor License for July 13, 2013 at the Nemaha County Fairgrounds Ball field.

POSSIBLE MOTION: I move to approve the request by American Legion Post 23 for a Special Designated Liquor License for July 13, 2013 at the Nemaha County Fairgrounds Ball field.

11. **REQUEST** – Auburn FBLA requesting Keno funds (not to exceed \$1000).

POSSIBLE MOTION: I move to approve the request by Auburn FBLA associated with painting the Bulldog Auto Parts building wall and allow the expenditure of keno funds in an amount not to exceed \$1000.

12. **ORDINANCE** (Restrict Funds related to BPW Bond Documents).

NO ACTION NEEDED

13. **ORDINANCE** to Amend City Code Sect. 99.36 – Control of Disposal Ordinance to Amend City Code Sect. 99.37 – Collection Authority.

POSSIBLE ACTION: Action on Ordinance No. 3-13 (See Ordinance Record)

POSSIBLE ACTION: Action on Ordinance No. 4-13 (See Ordinance Record)

14. **DRAWDOWN #2** Project Only Expenses for CDBG 12-HO-6044 (Owner Occupied Housing Rehab project) and related claims.

POSSIBLE MOTION: I move to approve CDBG 12-HO-6044 (Owner Occupied Housing Rehab project) Drawdown #2 and the related claims.

15. **CDBG 12-HO-6044** – KAB Committee Recommendation – **Approve** recommendation on Application #3 bid of \$9965.00.

POSSIBLE MOTION: I move to award a contract to Quality Remodeling in the amount of \$9,965.00 on applicant #12-AUB-03 as recommended

16. **ADOPT** CDBG Financial Management Plan.

POSSIBLE MOTION: I move to adopt the CDBG Financial Management Plan

17. **RESOLUTION** – Close the highways for the Nemaha County Fair parades.

POSSIBLE MOTION: I move to request temporary use of US Highway 75 and US Highway 136 for the Nemaha County Fair parades by the passage and adoption of Resolution No. 14-13

18. **APPROVAL** – Wooden park picnic table rental policy.

POSSIBLE MOTION: I move to approve the wooden park picnic table rental policy

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

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

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

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

21. **ADJOURNMENT.**

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

Auburn, Nebraska
April 8, 2013

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 April 8, 2013, 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 April 5, 2013. Mayor Scott Kudrna presided over the meeting. The City Clerk of the City of Auburn, Nemaha County, Nebraska, recorded the proceedings.

The meeting was called to order by Mayor Scott Kudrna. Upon roll call, the following members of the City Council were present: Billings, Shawn Clark, Tom Clark, Holtzman, and Jeanneret. Absent: Janssen.

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 March 11, 2013 meeting's minutes and to approve the same as written. The foregoing motion was seconded by Council Member Jeanneret and upon roll call vote, the following Council Members voted "YEA": Shawn Clark, Tom Clark, Holtzman, Jeanneret, and Billings. The following voted "NAY": No one. Motion: Carried.

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

The following claims were presented before the Council for ratification: AFLAC, Wh-73.80; Black Hills Energy, Ut-323.75; Board of Public Works, Reim-Ins-3117.03; Five Nines Technology Group, Se-103.70; Nebraska Forest Service, Reg-10.00; DHHS, Pool Permit-80.00; Region V-SENDS, Se-325.00; Rixstine Recognition, Su-925.21; Southeast Nebraska Development District, Grant Se-701.85; Time Warner Cable, Se-Ut-287.45; University of Nebraska-Lincoln, Reg-40.00; Wex Bank, Su-2005.04; American Recycling & Sanitation, Se-145.00; Board of Public Works, Ut-7776.88; Five Nines Technology Group, Se-103.70; Linda Bantz, Se-329.00; Mark Harms, Ex-500.00; Nemaha County, Se-23,583.33; The Standard, Ins-363.76; Time Warner Cable, Se-Ut-118.78; Verizon Wireless, Se-52.16; Windstream, Ut-Se-51.29; Wex Bank, Su-1244.03. The following claims (not previously approved by motion or resolution) were presented: Captain Handy, Se-180.00; Amazon, Bk-240.16; Angelo Ligouri, Fe-1406.43; Auburn Memorial Library Petty Cash, Su-64.26; Auburn Newspapers, Se-204.00; Auburn Plumbing, Htg. & AC Inc., Se-168.51; Avenue of Flags, Su-100.00; Baker & Taylor, Bk-348.40; Beard's Salvage Inc., Su-29.78; Board of Public Works, Reim-Ins-1048.79; Bryan Rock Products Inc., Su-1783.65; Bulldog Auto Parts, Su-1072.92; Demco, Su-763.63; Eakes Office Plus, Su-21.36; Eggers Brothers Inc., Su-123.78; First National Bank Omaha, Fe-7.00; Five Nines Technology Group, Se-775.31; Gale, Bk-215.82; JEO Consulting Group Inc., Se-1667.50; Jones Automotive Inc., Equip-779.59; Lynch's Hardware & Gifts, Su-685.62; Lynn Card Company, Su-42.70; Mandy Hall Photography, Se-150.00; Mellage Truck & Tractor, Se-561.36; Menards, Su-173.62; Michael Todd & Co. Inc., Su-462.44; Mid Con Systems Inc., Su-151.12; Nebraska Library Commission, Sub-808.00; OCLC Inc., Sub-49.55; OK Tire, Re-20.00; Oriental Trading Co. Inc., Su-52.49; Card Services (Orscheln), Su-339.94; Peggy Oshlo, Reim-69.93; Petty Cash, Su-Se-Reim-90.53; Pioneer, Su-960.00; Postmaster, Su-92.00; Ricoh USA Inc., Se-Su-78.58; Sack Lumber Co., Su-152.60; Sherry Heskett, Reim-71.04; Stutheit Implement Co., Su-67.98; Tri-State Office Products, Su-161.92; Xerox Corporation, Su-Se-270.60.

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 Jeanneret moved to approve the claim submitted by Captain Handy (Larry Holtzman) in the amount of \$180.00. The foregoing motion was seconded by Council Member Billings and upon roll call vote, the following Council Members voted "YEA": Jeanneret, Billings, Shawn Clark, and Tom Clark. Council Member Holtzman abstained from voting. Motion: Carried.

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

Approval was requested for firemen to attend Nebraska State Fire School May 17th through May 19th and for Fire Chief Randy Bennett to attend Commanding RIT Operations training May 8, 2013. Council Member Holtzman moved to allow attendance at trainings as requested; Seconded by Council Member Shawn Clark and upon roll call vote, the following Council Members voted "YEA": Jeanneret, Billings, Shawn Clark, Tom Clark, and Holtzman. The following voted "NAY": No one. Motion: Carried.

Mayor Kudrna proclaimed April 26, 2013 as Arbor Day, which proclamation was:

**Arbor Day Proclamation
Nebraska – Home of Arbor Day**

- Whereas,* In 1872, J. Sterling Morton presented a resolution to the Nebraska Board of Agriculture to set aside a special day for the planting of trees, and
- Whereas,* on the first tree-planting holiday, called Arbor Day, more than one million trees were planted in Nebraska, and
- Whereas,* Arbor Day is now celebrated in all fifty states to observe the role of trees in our lives and to promote tree planting and care, and
- Whereas,* trees provide wood products, wildlife habitat, erosion control, clean the air, produce oxygen, and help to lower heating and cooling costs, and
- Whereas,* trees enhance our business areas and beautify our communities, and
- Whereas,* Auburn has been recognized as a Tree City USA for 37 years since the program's implementation and desires to continue its tree planting practices,
- Now Therefore,* I, Scott Kudrna, Mayor of the City of Auburn, Nebraska do hereby proclaim **April 26, 2013** as

Arbor Day

in the City of Auburn, and I urge all citizens to celebrate Arbor Day by planting a tree and to help support efforts to protect this valuable resource for future generations.

Council Member Holtzman moved to approve the request by Auburn Discount Liquor for a Special Designated License for a fund raiser/beer garden/tasting to be held on April 20, 2013.

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

Laura Osborne and Stephanie Fisher spoke regarding upcoming plans for the AHS 125th Celebration on Memorial Day weekend 2014.

Proposed Ordinance No. 1-13, authorizing the Issuance of Combined Utilities Revenue Bonds to refinance certain outstanding indebtedness owed to the USDA which was incurred to pay the costs of constructing additions and improvements to the sanitary sewer system, was presented for consideration. The Mayor announced that the introduction of the proposed Ordinance was in order.

ORDINANCE NO. 1-13
Authorizing Issuance of Combined Utilities Revenue Bonds

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": Shawn Clark, Tom Clark, Holtzman, Jeanneret, and Billings. The following voted "NAY": No one.

Proposed Ordinance No. 2-13, removing fund restrictions on BPW funds that were created by Auburn City Ord. 9-02, was presented for consideration. The Mayor announced that the introduction of the proposed Ordinance was in order.

ORDINANCE NO. 2-13
Removing Fund Restriction on BPW Funds that was Created by Ordinance No. 9-02

Council Member Billings 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": Jeanneret, Billings, Shawn Clark, Tom Clark, and Holtzman. The following voted "NAY": No one.

Council Member Billings moved to approve the proposed change that would move the Auburn Board of Public Works regular meeting to be held at the City Hall Council Chambers on the second Thursday of the month at 6:00 p.m. The foregoing motion was seconded by Council Member Holtzman and upon roll call vote, the following Council Members voted "YEA": Shawn Clark, Tom Clark, Holtzman, Jeanneret, and Billings. The following voted "NAY": No one. Motion: Carried.

Council Member Billings moved that the Mayor be authorized to make a request to the Nebraska Department of Economic Development on behalf of the City requesting approval of a contract amendment for a 6 month extension on 10-DTR-105-Auburn Downtown Revitalization Phase II grant from May 2, 2013 to November 2, 2013 as recommended by the DTR Advisory Committee. The foregoing motion was seconded by Council Member Jeanneret and upon roll call vote, the following Council Members voted "YEA": Tom Clark, Holtzman, Jeanneret, Billings, and Shawn Clark. The following voted "NAY": No one. Motion: Carried.

Evan Wickersham with JEO Consulting Group addressed the bids received for the "P" Street Box Culvert Project and recommended that the City accept the bid of ME Collins Contracting Co. Inc. in the amount of \$149,865.05. Council Member Shawn Clark moved to accept the bid of ME Collins Contracting Co. Inc. for the 2012 "P" Street Box Culvert Project. The foregoing motion was seconded by Council Member Jeanneret and upon roll call vote, the following

Council Members voted "YEA": Holtzman, Jeanneret, Billings, Shawn Clark, and Tom Clark. The following voted "NAY": No one. Motion: Carried.

The following names were presented for employment at the swimming pool for the 2013 season: Ben Adams, McKinsie Reeves, Kenda Frenzel, Hannah Wynn, Peyton Kuker, T.J. Wynn, Julie Slama, Mallory Parrish, Colton Gerdes, Reason Garcia, Easton Dauel, Melissa Davison, Jared Frenzel, Emily Slama, Nick Koso, Caleb McGargill, Patrick Frary, Taylor Petersen, Cierra Wynn, Jack Kudrna, and Melanie Slama. Council Member Holtzman moved to approve the proposed list of names to be pool employees for the 2013 season. The foregoing motion was seconded by Council Member Shawn Clark and upon roll call vote, the following Council Members voted "YEA": Jeanneret, Billings, Shawn Clark, Tom Clark, and Holtzman. The following voted "NAY": No one. Motion: Carried.

Council Member Holtzman moved to approve Resolution No. 12-13 relating to the sale of City owned real estate, Blk 15, Lt "F", Sage's Reserve Add., Auburn, NE. The foregoing motion was seconded by Council Member Shawn Clark and upon roll call vote, the following Council Members voted "YEA": Jeanneret, Billings, Shawn Clark, Tom Clark, and Holtzman. The following voted "NAY": No one. Motion: Carried. A true, correct and complete copy of said resolution is as follows:

RESOLUTION NO. 12-13
Of
THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA

WHEREAS, the City of Auburn desires to sell real property legally identified as shown in Exhibit "A" attached hereto, and incorporated herein by this reference.

WHEREAS, pursuant to the provisions of City Code Section 92.08 of the City of Auburn, the City hereby directs the sale of said property to be at public auction,

WHEREAS, the City understands that the fair market value of said property is less than \$5,000.00;

WHEREAS, the City reserves the right to reject any and all bids,

WHEREAS, confirmation of the sale shall be made by passage of an Ordinance,

WHEREAS, the above identified property shall be sold pursuant to the terms of this resolution and as allowed by Nebraska Law and City Code;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Auburn, Nebraska, that the real property identified in Exhibit "A", attached hereto, shall be sold at public auction on such date, time, and location as determined by the auctioneer and the Mayor, and as published as stated herein.

BE IT FURTHER RESOLVED that the terms of the sale are twenty percent (20%) of purchase price paid on the day of the sale with the remainder due within thirty (30) days of confirmation of the sale by passing of ordinance.

BE IT FURTHER RESOLVED that the Municipal Clerk shall seek bids from licensed auctioneers for the sale of the real property identified above. Proposals by licensed auctioneers shall be submitted to the Auburn City Hall by the 8th day of May, 2013 at 12:00 (Noon). Proposals shall be reviewed by the Mayor and the Mayor is hereby authorized by the City Council to accept a proposal on behalf of the City after review of all proposals.

BE IT FURTHER RESOLVED notice of the proposed sale of city owned real property shall be posted in three (3) prominent places within the City of Auburn, for a period of not less than 7 days prior to the sale of the property. Notice shall give a general description of the property

offered for sale and state the terms and conditions of sale.

BE IT FURTHER RESOLVED the Mayor is authorized to sign any necessary agreements or contracts on behalf of the City of Auburn in carrying out the provisions herein.

BE IT FURTHER RESOLVED that the City reserves the right to reject any and all bids.

BE IT FURTHER RESOLVED that the purchase of said real estate will be "AS IS" without warranty of any type provided by the City.

BE IT FURTHER RESOLVED that the Mayor and City Clerk will give a Quitclaim Deed to the Purchaser upon payment of the full purchase price. All payments shall be made by cash or certified funds. Possession will be given to the purchaser upon making full payment at closing.

BE IT FURTHER RESOLVED that real estate taxes on said property for 2013 and thereafter will be the obligation and shall be paid by the Purchaser.

EXHIBIT "A"

Subdivision F in Block 15, Sage's Reserve, Auburn, Nemaha County, Nebraska. Identified by street address of: 721 11th Street, Auburn, NE.

Council Member Holtzman moved to approve Resolution No. 13-13 relating to the sale of City owned real estate, Blk 8, Lot 8, Howe & Nixon Add., Auburn, NE. The foregoing motion was seconded by Council Member Shawn Clark and upon roll call vote, the following Council Members voted "YEA": Billings, Shawn Clark, Tom Clark, Holtzman, and Jeanneret. The following voted "NAY": No one. Motion: Carried. A true, correct and complete copy of said resolution is as follows:

RESOLUTION NO. 13-13
Of
THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA

WHEREAS, the City of Auburn desires to sell real property legally identified as shown in Exhibit "A" attached hereto, and incorporated herein by this reference.

WHEREAS, pursuant to the provisions of City Code Section 92.08 of the City of Auburn, the City hereby directs the sale of said property to be at public auction,

WHEREAS, the City understands that the fair market value of said property is less than \$5,000.00;

WHEREAS, the City reserves the right to reject any and all bids,

WHEREAS, confirmation of the sale shall be made by passage of an Ordinance,

WHEREAS, the above identified property shall be sold pursuant to the terms of this resolution and as allowed by Nebraska Law and City Code;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Auburn, Nebraska, that the real property identified in Exhibit "A", attached hereto, shall be sold at public auction on such date, time, and location as determined by the auctioneer and the Mayor, and as published as stated herein.

BE IT FURTHER RESOLVED that the terms of the sale are twenty percent (20%) of purchase price paid on the day of the sale with the remainder due within thirty (30) days of confirmation of the sale by passing of ordinance.

BE IT FURTHER RESOLVED that the Municipal Clerk shall seek bids from licensed auctioneers for the sale of the real property identified above. Proposals by licensed auctioneers shall be submitted to the Auburn City Hall by the 8th day of May, 2013 at 12:00 (Noon). Proposals shall be reviewed by the Mayor and the Mayor is hereby authorized by the City Council to accept a proposal on behalf of the City after review of all proposals.

BE IT FURTHER RESOLVED notice of the proposed sale of city owned real property shall be posted in three (3) prominent places within the City of Auburn, for a period of not less than 7 days prior to the sale of the property. Notice shall give a general description of the property offered for sale and state the terms and conditions of sale.

BE IT FURTHER RESOLVED the Mayor is authorized to sign any necessary agreements or contracts on behalf of the City of Auburn in carrying out the provisions herein.

BE IT FURTHER RESOLVED that the City reserves the right to reject any and all bids.

BE IT FURTHER RESOLVED that the purchase of said real estate will be "AS IS" without warranty of any type provided by the City.

BE IT FURTHER RESOLVED that the Mayor and City Clerk will give a Quitclaim Deed to the Purchaser upon payment of the full purchase price. All payments shall be made by cash or certified funds. Possession will be given to the purchaser upon making full payment at closing.

BE IT FURTHER RESOLVED that real estate taxes on said property for 2013 and thereafter will be the obligation and shall be paid by the Purchaser.

EXHIBIT "A"

Lot Eight (8), Block Eight (8), in Howe and Nixon's Addition to Auburn, Nemaha County, Nebraska. Identified by street address of: 716 10th Street, Auburn, NE.

Mayor Kudrna appointed Leslie Clark to the Library Board. Upon calling the roll, the following Council Members voted "YEA": Shawn Clark, Tom Clark, Holtzman, Jeanneret, and Billings. The following voted "NAY": No one. Appointment: Confirmed. The Mayor appointed Chris Maher to the Volunteer Fire Department. Upon calling the roll, the following Council Members voted "YEA": Tom Clark, Holtzman, Jeanneret, Billings, and Shawn Clark. The following voted "NAY": No one. Appointment: Confirmed.

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

The following committees provided reports: Street, KAB, Economic Development, Legislative, and Parks/Pool. A written financial report was provided by the Auburn Community Redevelopment Authority. A written report of law enforcement activity within the City of Auburn for March 2013 was provided by the Nemaha County Sheriff.

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 Shawn Clark seconded the foregoing motion and upon roll call vote, the following Council Members voted "YEA": Holtzman, Jeanneret, Billings, Shawn Clark, and Tom 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 April 8, 2013; 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 April 8, 2013, at 7:00 o'clock P.M., in Regular Meeting, open to the general public.

The meeting was called to order by Mayor Scott Kudrna. Upon roll call, the following members of the City Council were present: Billings, Shawn Clark, Tom Clark, Holtzman, and Jeanneret. Absent: Janssen.

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 March 11, 2013 meeting's minutes as written.

The City Council approved the financial report.

The following claims were presented before the Council for ratification: AFLAC, Wh-73.80; Black Hills Energy, Ut-323.75; Board of Public Works, Reim-Ins-3117.03; Five Nines Technology Group, Se-103.70; Nebraska Forest Service, Reg-10.00; DHHS, Pool Permit-80.00; Region V-SENDS, Se-325.00; Rixstine Recognition, Su-925.21; Southeast Nebraska Development District, Grant Se-701.85; Time Warner Cable, Se-Ut-287.45; University of Nebraska-Lincoln, Reg-40.00; Wex Bank, Su-2005.04; American Recycling & Sanitation, Se-145.00; Board of Public Works, Ut-7776.88; Five Nines Technology Group, Se-103.70; Linda Bantz, Se-329.00; Mark Harms, Ex-500.00; Nemaha County, Se-23,583.33; The Standard, Ins-363.76; Time Warner Cable, Se-Ut-118.78; Verizon Wireless, Se-52.16; Windstream, Ut-Se-51.29; Wex Bank, Su-1244.03. The following claims (not previously approved by motion or resolution) were presented: Captain Handy, Se-180.00; Amazon, Bk-240.16; Angelo Ligouri, Fe-1406.43; Auburn Memorial Library Petty Cash, Su-64.26; Auburn Newspapers, Se-204.00; Auburn Plumbing, Htg. & AC Inc., Se-168.51; Avenue of Flags, Su-100.00; Baker & Taylor, Bk-348.40; Beard's Salvage Inc., Su-29.78; Board of Public Works, Reim-Ins-1048.79; Bryan Rock Products Inc., Su-1783.65; Bulldog Auto Parts, Su-1072.92; Demco, Su-763.63; Eakes Office Plus, Su-21.36; Eggers Brothers Inc., Su-123.78; First National Bank Omaha, Fe-7.00; Five Nines Technology Group, Se-775.31; Gale, Bk-215.82; JEO Consulting Group Inc., Se-1667.50; Jones Automotive Inc., Equip-779.59; Lynch's Hardware & Gifts, Su-685.62; Lynn Card Company, Su-42.70; Mandy Hall Photography, Se-150.00; Mellage Truck & Tractor, Se-561.36; Menards, Su-173.62; Michael Todd & Co. Inc., Su-462.44; Mid Con Systems Inc., Su-151.12; Nebraska Library Commission, Sub-808.00; OCLC Inc., Sub-49.55; OK Tire, Re-20.00; Oriental Trading Co. Inc., Su-52.49; Card Services (Orscheln), Su-339.94; Peggy Oshlo, Reim-69.93; Petty Cash, Su-Se-Reim-90.53; Pioneer, Su-960.00; Postmaster, Su-92.00; Ricoh USA Inc., Se-Su-78.58; Sack Lumber Co., Su-152.60; Sherry Heskett, Reim-71.04; Stutheit Implement Co., Su-67.98; Tri-State Office Products, Su-161.92; Xerox Corporation, Su-Se-270.60.

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 claim submitted by Captain Handy (Larry Holtzman) in the amount of \$180.00 was approved. Council Member Holtzman abstained from voting.

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 firemen to attend Nebraska State Fire School May 17th through May 19th and for Fire Chief Randy Bennett to attend Commanding RIT Operations training May 8, 2013.

Mayor Kudrna proclaimed April 26, 2013 as Arbor Day.

The request by Auburn Discount Liquor for a Special Designated License for a fund raiser/beer garden/tasting to be held on April 20, 2013 was approved.

Laura Osborne and Stephanie Fisher spoke regarding upcoming plans for the AHS 125th Celebration on Memorial Day weekend 2014.

Ordinance No. 1-13, authorizing the Issuance of Combined Utilities Revenue Bonds to refinance certain outstanding indebtedness owed to the USDA which was incurred to pay the costs of constructing additions and improvements to the sanitary sewer system, was approved.

Ordinance No. 2-13, removing fund restrictions on BPW funds that were created by Auburn City Ord. 9-02, was approved.

The City Council approved the proposed change that would move the Auburn Board of Public Works regular meeting to be held at the City Hall Council Chambers on the second Thursday of the month at 6:00 p.m.

The Mayor was authorized to make a request to the Nebraska Department of Economic Development on behalf of the City requesting approval of a contract amendment for a 6 month extension on 10-DTR-105-Auburn Downtown Revitalization Phase II grant from May 2, 2013 to November 2, 2013 as recommended by the DTR Advisory Committee.

The City Council accepted the bid of ME Collins Contracting Co. Inc. for the 2012 "P" Street Box Culvert Project.

The proposed list of names to be pool employees for the 2013 season was approved.

Resolution No. 12-13 relating to the sale of City owned real estate, Blk 15, Lt "F", Sage's Reserve Add., Auburn, NE was approved.

Resolution No. 13-13 relating to the sale of City owned real estate, Blk 8, Lot 8, Howe & Nixon Add., Auburn, NE was approved.

The City Council confirmed the appointment of Leslie Clark to the Library Board and Chris Maher to the Volunteer Fire Department.

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

The following committees provided reports: Street, KAB, Economic Development, Legislative, and Parks/Pool. A written financial report was provided by the Auburn Community Redevelopment Authority. A written report of law enforcement activity within the City of Auburn for March 2013 was provided by the Nemaha County Sheriff.

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 April 18, 2013, at 7:00 o'clock P.M., in Special Meeting, open to the general public. Advance notice of said Special 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 April 12, 2013. Mayor Scott Kudrna presided over the meeting. The City Clerk of the City of Auburn, Nemaha County, Nebraska, recorded the proceedings.

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

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

Council Member Billings moved to approve the application of Auburn Discount Liquor for a Special Designated License for a fund raiser/beer garden/tasting to be held on April 27, 2013. The foregoing motion was seconded by Council Member Janssen and upon roll call vote, the following Council Members voted "YEA": Shawn Clark, Tom Clark, Holtzman, Janssen, Jeanneret, and Billings. The following voted "NAY": No one. Motion: Carried.

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 Shawn Clark seconded the foregoing motion and upon roll call vote, the following Council Members voted "YEA": Tom Clark, Holtzman, Janssen, Jeanneret, Billings, and Shawn 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 April 18, 2013; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting; and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

Sherry Heskett, City Clerk

City Council Proceedings
April 18, 2013

AGENDA ITEM
NO 5

The Mayor and Council of the City of Auburn, Nemaha County, Nebraska, were called to meet at the City Hall at 1101 "J" Street on April 18, 2013, at 7:00 o'clock P.M., in Special Meeting, open to the general public.

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

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

Council approved the application of Auburn Discount Liquor for a Special Designated License for a fund raiser/beer garden/tasting to be held on April 27, 2013.

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 4/2013, FISCAL 7/2012

**AGENDA ITEM
 NO 6**

ACCOUNT TITLE	LAST REPORT ON HAND	RECEIVED	DISBURSED	BALANCE
GENERAL CHECKING	377,074.56	90,464.26	64,170.28	403,368.54
STREET CHECKING	47,119.46	37,945.68	57,649.73	27,415.41
STREET BOND/WARRANT CHECKING	47,252.77	12,118.15		59,370.92

TOTAL CHECKING:	471,446.79	140,528.09	121,820.01	490,154.87
TOTAL NSF A/R	.00	.00	.00	.00
TOTAL FIRE DEPT SINKING	33,963.89	.00	.00	33,963.89
TOTAL KENO OPER CHECKING:	.00	.00	.00	.00
TOTAL KENO RESERVE MMA:	12,129.01	1,043.68	500.00	12,672.69
TOTAL KENO CHECKING	55,239.95	1,625.12	728.00	56,137.07
TOTAL CDBG CHECKING	7,963.94	.00	.00	7,963.94
TOTAL CDBG ED MMA:	18,404.31	169.72	.00	18,574.03
TOTAL CDBG DTR REUSE	7,806.72	941.66	.00	8,748.38
TOTAL CDBG HD SAVINGS:	10,731.67	565.33	.00	11,297.00
TOTAL CRA CHECKING	479,626.92	4,278.66	.00	483,905.58
TOTAL CITY REC CHECKING	55,365.27	.00	.00	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	75,396.39			75,396.39
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:	425,396.39	.00	.00	425,396.39
=====				
TOTAL CASH ON HAND:	1,578,074.86	149,152.26	123,048.01	1,604,179.11
=====				

**AGENDA ITEM
 NO 7**

VENDOR NAME

REFERENCE

GENERAL FUND

ADMIN

AFLAC	GEN AFLAC WITHHOLDING	73.80
AMERICAN RECYCLING SANITATION	COMMERCIAL RL SERVICE	145.00
AUBURN STATE BANK	REFUND S TAX BONDS D 11-1-10	915.00
REGION V-SENDS	MARCH CLEANING	135.00
TIME WARNER CABLE	ACCT#8347 10 022 00533929	217.91

=====
 1,486.71

FIRE DEPARTMENT

BLACK HILLS ENERGY	ACCT# 1240413001	90.74
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	FIRE DEPARTMENT	90.74
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SR. CENTER DEPARTMENT

REGION V-SENDS	MARCH CLEANING	190.00
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	SR. CENTER DEPARTMENT	190.00
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POOL DEPARTMENT

BLACK HILLS ENERGY	ACCT# 2565541677	18.67
TIME WARNER CABLE	ACCT# 8347 10 022 0053337	41.35

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	POOL DEPARTMENT	60.02
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=====
 1,827.47

GENERAL FUND

STREET FUND

ADMIN

BLACK HILLS ENERGY	ACCT# 6074 7283 43	180.20
HUSKER AUTO GROUP	2013 CHEV SILVERADO 1500	17,216.00
TIME WARNER CABLE	ACCT# 8347 10 022 0053352	41.35
BANK OF THE WEST	PRINCIPAL WHEEL LOADER	22,590.20
VERIZON WIRELESS	ACCT#383064839-00001	52.30

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	ADMIN	40,080.05
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 40,080.05

STREET FUND

KENO FUND

KENO BETTERMENT

NE DEPT. OF REVENUE	FORM 51C JAN-MAR 2013	728.00
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VENDOR NAME	REFERENCE	VENDOR TOTAL
		=====
	KENO BETTERMENT	728.00
		=====
	KENO FUND	728.00
		=====
**** PAID TOTAL ****		42,635.52
		=====
***** REPORT TOTAL *****		42,635.52
		=====

AGENDA ITEM

NO 7

VENDOR NAME	REFERENCE	
	STREET FUND	
	ADMIN	
NEBRASKA UC FUND	UNEMPLOYMENT BENEFIT CHARGES	167.56
		=====
	ADMIN	167.56
		=====
	STREET FUND	167.56
**** PAID TOTAL ****		167.56
		=====
***** REPORT TOTAL *****		167.56
		=====

**AGENDA ITEM
 NO 7**

VENDOR NAME	REFERENCE	

GENERAL FUND		
ADMIN		
ALLIED 100	AED WALL CABINET	187.00
AMAZON	BOOKS	78.95
ANGELO M. LIGOURI	CITY ATTORNEY FEES	1,691.87
AUBURN NEWSPAPERS	4/18 HIST TOWN HALL MTG	421.58
BOARD OF PUBLIC WORKS	GEN ASSURANT MAY	2,169.01
EAKES OFFICE PLUS	BAGS FOR ARBOR DAY	690.25
ED HARTWIG	TREE CONFERENCE MILEAGE	81.03
FIRST NATIONAL BANK OMAHA	NI-NE SOS	39.98
FIVE NINES TECHNOLOGY GROUP	SYSTEM ENGINEER	325.00
GLENN'S CORNER MARKET	TOILET PAPER	135.90
GRIMMS GARDENS	TREE FOR ARBOR DAY	79.99
HOWARD SALES COMPANY	REIM GAME TABLES OCCUP TAX	245.00
ICC	DUES	125.00
LYNCH'S HARDWARE & GIFTS	BIT	6.13
NEMAHA COUNTY CLERK	AM RECY, DEC, JAN, FEB	2,166.38
CARD SERVICES	RESCUE SQUAD TICK/REIMB	40.00
SACK LUMBER COMPANY	3 OPEN END /CORNER BLOCK	25.55
SUNMART #728	CUPS,FORKS,NAPKINS	31.75
ARBOR DAY FOUNDATION	FLAG,STICKERS,	69.65
TRI-STATE OFFICE PRODUCTS	ADD ROLLS,FOLDERS,	157.20
XEROX CORPORATION	APRIL BASE CHARGE	337.49
	=====	
	ADMIN	9,104.71
FIRE DEPARTMENT		
FARMERS COOPERATIVE OIL ASSN.	FUEL	116.81
GALLS AN ARAMARK COMPANY	MEDAL OF VALOR	317.90
WEX BANK	FUEL EXPENSE	212.00
	=====	
	FIRE DEPARTMENT	646.71
PARK DEPARTMENT		
ALLIED 100	AED	1,412.00
AMERICAN LAWN CARE INC.	FERTILIZER	1,100.00
BOARD OF PUBLIC WORKS	COUPLING	260.45
BOHL PLUMBING & HEATING INC.	COUPLING FOR MISTING HOSES	4.92
BULLDOG AUTO PARTS	OIL FILTER	5.54
EGGERS BROTHERS INC	RAGS	117.96
GLENN'S CORNER MARKET	CLOROX WIPES	403.43
LARRY SORENSEN TRUCKING	29.95 TONS 1 1/2 CR	599.00
MENARDS	GRILL COVERS	27.98
CARD SERVICES	SPRAYER	265.78
PIETERS CONSTRUCTION	BANDSHELL & RETAINING WALL PAR	2,950.00
SACK LUMBER COMPANY	FOAM BRUSH	95.55
STUTHEIT IMPLEMENT CO.	EVERRIDE BLADE	98.19
Trade Well Pallet, Inc.	WOOD CHIPS	1,100.00
WEX BANK	FUEL EXPENSE	235.48