

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.
AUGUST 11, 2014

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 Sonia Kistner – Request to use the parking lot between the former Family Connection Café and the Bulldog Auto Parts businesses for the Trail of Treasures on October 3-4-5, 2014.
10. **PRESENTATION** of the Recreation Facilities Master Plan by Olsson Associates.
11. **AIRPORT REQUEST** – Airport request for funding of \$110,700.00 (90% reimbursed by grant).
12. **APPOINTMENTS(S)/REAPPOINTMENT(S)**
 - Housing Authority
 - Community Redevelopment Authority
 - Recreation Committee
13. **CONSIDERATION/APPROVAL** of Preliminary Plat/Final Plat submitted by the Auburn Development Council of real estate located at Skaggs Industrial Park Addition, the North 25 acres of the East ½ of the NW ¼ of Sec. 16 T5N R14E Nemaha County, Nebraska.

Recommendation of the Planning Commission on said real estate.

14. **REVIEW** Auburn Longs Creek Trail Plans & **authorize** the Mayor to set a letting date upon approval by Nebraska Game & Parks Commission.
15. **SEND** – Request for FY 2015 Membership Dues.
16. **SEND** – Request for FY 2015 Housing Dues.
17. **ORDINANCE** granting Black Hills/Nebraska Gas Utility Co., LLC, a natural gas franchise and gas distribution system.
18. **BUDGET PRESENTATION.**
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
 - i. Christmas Light Committee
21. **ADJOURNMENT.**

POSSIBLE MOTION FORMAT 8-11-14

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 July 14, 2014 meeting’s minutes and to approve the same as written

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 Sonia Kistner – Request to use the parking lot between the former Family Connection Café and the Bulldog Auto Parts businesses for the Trail of Treasures on October 3-4-5, 2014.

POSSIBLE MOTION: I move to approve the request to use the parking lot between the former Family Connection Café and the Bulldog Auto Parts store for the Trail of Treasures on October 3-4-5, 2014.

10. **PRESENTATION** of the Recreation Facilities Master Plan by Olsson Associates.
11. **AIRPORT REQUEST** – Airport request for funding of \$110,700.00 (90% reimbursed by grant).
12. **APPOINTMENTS(S)/REAPPOINTMENT(S)**
 - Housing Authority
 - Community Redevelopment Authority
 - Recreation Committee

POSSIBLE ACTION: Roll Call on Appointments

13. **CONSIDERATION/APPROVAL** of Preliminary Plat/Final Plat submitted by the Auburn Development Council of real estate located at Skaggs Industrial Park Addition, the North 25 acres of the East ½ of the NW ¼ of Sec. 16 T5N R14E Nemaha County, Nebraska.
Recommendation of the Planning Commission on said real estate.

POSSIBLE MOTION: I move to approve the Final Plat submitted by the Auburn Development Council of real estate located at Skaggs Industrial Park Addition, the North 25 acres of the East ½ of the NW ¼ of Sec. 16 T5N R14E Nemaha County, Nebraska.

14. **REVIEW** Auburn Longs Creek Trail Plans & **authorize** the Mayor to set a letting date upon approval by Nebraska Game & Parks Commission.

POSSIBLE MOTION: I move to approve the Auburn Longs Creek Trail Plan subject to approval by the Nebraska Game and Parks Commission and authorize the Mayor to set a letting date upon notification that the Auburn Longs Creek Trail Plans have been approved by the Nebraska Game & Parks Commission by the passage and adoption of Resolution No. 13-14

15. **SENDD** – Request for FY 2015 Membership Dues.

POSSIBLE MOTION: I move to approve payment in the amount of \$2,125.00 to Southeast Nebraska Development District for the City's 2015 membership dues.

16. **SENDD** – Request for FY 2015 Housing Dues.

POSSIBLE MOTION: I move to approve payment in the amount of \$1,038.00 to Southeast Nebraska Development District for the City's 2015 housing activity dues.

17. **ORDINANCE** granting Black Hills/Nebraska Gas Utility Co., LLC, a natural gas franchise and gas distribution system.

POSSIBLE ACTION: Ordinance Record (Ordinance No. 6-14)

POSSIBLE ACTION: Ordinance Record (Ordinance No. 7-14)

18. **BUDGET PRESENTATION.**

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
- i. Christmas Light Committee

Auburn, Nebraska
July 14, 2014

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 July 14, 2014, 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 July 11, 2014. 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, Janssen, and Jeanneret. Absent: Holtzman.

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

Council Member Janssen moved to dispense with the reading of the June 9, 2014 meeting's minutes and to approve the same as written. The foregoing motion was seconded by Council Member Billings and upon roll call vote, the following Council Members voted "YEA": Shawn Clark, Tom Clark, Janssen, Jeanneret, and Billings. The following voted "NAY": No one. Motion: Carried.

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

The following claims were presented before the Council for ratification: AFLAC, Wh-73.80; Auburn Plumbing, Htg., & AC Inc., Equip-Se-13,584.00; Auburn State Bank, Bond Payments-83847.41; Black Hills Energy, Ut-1404.79; Board of Public Works, Reim Ins-3,430.05; Five Nines Technology Group, Se-147.40; McNealy Construction Housing Rehab Grant-16,205.00; Nebraska Secretary of State, Fe-30.00; Nemaha County Clerk, Reim-Se-1277.75; Orscheln, TIF Project-8262.18; Region V-SENDS, Se-695.00; Southeast Nebraska Development District, Se-2434.67; The Standard, Ins-268.56; Time Warner Cable, Ut-472.87; Wright Express (Wex Bank), Su-1622.48; American Recycling & Sanitation, Se-373.50; Black Hills Energy, Ut-744.40; Board of Public Works, Ut-5213.67; Five Nines Technology Group, Se-113.70; Linda Bantz, Se-340.00; Mark Harms, Ex-500.00; Nemaha County, Se-23,583.33; Time Warner Cable, Ut-214.05; Board of Public Works, Reim Ins-2704.40; The Standard, Ins-288.25; Wright Express (Wex Bank), Su-1748.30. The following claims (not previously approved by motion or resolution) were presented: Acco, Su-2066.38; Amazon, Bk-353.93; Amcon, Su-3089.01; American Lawncare Inc., Se-Su-1200.00; Auburn Chamber of Commerce, Reim-419.64; Auburn Memorial Library Petty Cash, Su-99.02; Auburn Newspapers, Se-541.02; Auburn Plumbing, Htg. & AC Inc., Se-196.99; Baker & Taylor, Bk-393.61; Beard's Salvage Inc., Su-135.00; Board of Public Works, Maint-199.83; Brent Lottman, Se-240.00; Coca Cola, Su-639.76; Concrete Industries Inc., Se-1295.63; Deb Reiman, Refund-150.00; Demco, Su-439.48; Dettmer Farm Service Inc., Su-855.00; Eakes Office Plus, Su-137.09; Eggers Brothers Inc., Su-Se-1507.94; Emergency Apparatus Maintenance, Se-Re-2632.27; Filter Care, Se-Su-23.70; First National Bank Omaha, Se-Su-694.94; Five Nines Technology Group, Se-955.00; Glenn's Corner Market, Su-161.79; Heiman Fire Equipment, Su-3321.50; ICC, Ref-432.95; In the Swim, Su-71.89; Ingram, Bk-294.61; JEO Consulting Group Inc., Se-1937.75; Layne Christensen Company, Equip-3535.96; League of NE Municipalities, Reg-Ex-369.00; Lynch's Hardware & Gifts, Su-140.13; Mary Kruger, Reim-117.25; Menards, Su-428.37; Mid Con Systems Inc., Su-960.54; Nanninga Construction, Se-Maint-2902.50; Nemaha County Clerk, Fe-44.00; Novelty Inc., Su-176.58; OCLC Inc., Sub-53.37; Olsson Associates, Se-4760.00; Card Services (Orscheln), Su-531.11; Petty Cash, Su-Se-378.13; Postmaster, Su-49.00; Ramada Inn, Ex-158.00; Region V-SENDS, Se-50.00; Rhode Island Novelty, Su-90.74; Ricoh USA Inc., Se-261.30; Sack Lumber Co., Su-712.22; Sherry Heskett, Reim-261.82; Shopko Stores, Su-150.48; Sunmart, Su-54.59;

Tom's Radiator Services, Se-70.00; Trade Well Pallet Inc., Su-1500.00; Tri-State Office Products, Su-377.44; Xerox Corporation, Se-Su-469.74.

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

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

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

Public Hearing was held to consider a request for change of Zoning from R-3 Residential to C-R Commercial Residential for property described as Block 8, South 90' of Lot 12, Howe & Nixon Addition to Auburn (700 10th Street). Marty Ford the owner of the property was present to answer questions. There wasn't any opposition given. Proposed Ordinance No. 5-14 for change of Zoning from R-3 Residential to C-R Commercial Residential was presented. The Mayor announced that the proposed ordinance was in order.

ORDINANCE NO. 5-14
Change of Zoning Block 8, South 90' of Lot 12, Howe & Nixon Addition

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

Mayor Kudrna reappointed the following individuals: Leslie Clark to the Library Board; Bill Genthe to the Municipal Tree Board; and Merri Johnson to the Planning Commission. Upon calling the roll, the following Council Members voted "YEA": Shawn Clark, Tom Clark, Janssen, Jeanneret, and Billings. The following voted "NAY": No one. Appointments: Confirmed.

Mallory Siebold presented information regarding the upcoming Auburn Community Olympics event and requested that the City support the event by allowing them usage of city property. Council Member Billings moved to approve the request presented by the Auburn Olympics to use city property for the Auburn Olympics event to be held on August 9, 2014 in support of the event. The foregoing motion was seconded by Council Member Shawn Clark and upon roll call vote, the following Council Members voted "YEA": Tom Clark, Janssen, Jeanneret, Billings, and Shawn Clark. The following voted "NAY": No one. Motion: Carried.

Ian Miller provided updated information on the proposed Auburn Brown Bag Concert Series and asked if the City would allow the expenditure of keno funds for the purchase of audio equipment and compensation for performers. Following questions and discussion, Council Member Janssen moved to approve the total expenditure of keno funds in the amount of \$3,461.35 which allows for \$3261.35 for audio equipment and \$200 of compensation for performers associated with the Auburn Brown Bag Concert Series. The foregoing motion was seconded by Council Member Billings and upon roll call vote, the following Council Members voted "YEA": Janssen,

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

It was announced that only one bid was received in response to the request for bids on the sale of the 1995 Pro-Trail Recycle Trailer owned by the City. Council Member Shawn Clark moved to accept the bid of BK Inc., American Recycling & Sanitation Inc., for the 1995 Pro-Trail Recycle Trailer by the passage and adoption of Resolution No. 9-14. The foregoing motion was seconded by Council Member Janssen and upon roll call vote, the following Council Members voted "YEA": Janssen, Jeanneret, Billings, Shawn Clark, and Tom Clark. The following voted "NAY": No one. Motion: Carried. A true, correct and complete copy of said resolution is as follows:

RESOLUTION NO. 9-14
Of
THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA

A Resolution to accept the bid of BK Inc., American Recycling & Sanitation, Inc. for personal property owned by the City of Auburn, Nebraska sold by sealed bid process.

WHEREAS, the City of Auburn by resolution at the June 9, 2014, City Council Meeting, approved the sale of a 1995 Pro-Trail Recycle Trailer by sealed bid process after legal notice;

WHEREAS, one bid was submitted and said bid was over the minimum bid requirement set by the City Council by Resolution on June 9, 2014;

WHEREAS, the only bid received was submitted after the stated deadline set by Resolution;

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council, of the City of Auburn, Nebraska, that:

1. The sealed bid submitted by BK Inc, American Recycling & Sanitation, Inc., in the amount of \$1,157.00 is hereby accepted and approved for the purchase "As Is" of the 1995 Pro-Trail Recycle Trailer;

2. Possession of said trailer shall be transferred upon payment of full purchase price;

3. The Mayor is authorized to sign any necessary agreements or contracts on behalf of the City of Auburn in carrying out the provisions herein;

4. The BUYER is responsible for pick up and removal of said property;

5. The bid price does not include sales tax and applicable sales tax shall be added to the bid at the time of payment;

6. This is sale final and property is sold "AS IS";

Council Member Billings moved to accept the following quotes associated with the 9th Street Storm Sewer project: Kerns Excavating for the Open Cut (Pipe Replacement) portion of the project and a separate quote from Johnson Service Company for the Trenchless (Pipe Slip Lining) portion of the project. The foregoing motion was seconded by Council Member Janssen and upon roll call vote, the following Council Members voted "YEA": Jeanneret, Billings, Shawn Clark, Tom Clark, and Janssen. The following voted "NAY": No one. Motion: Carried.

Council Member Billings moved to approve Resolution No. 10-14 associated with the possible sale of Lot Five (5), Block Seventeen (17), in Sheridan Addition to Auburn at public auction. 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, Janssen, and Jeanneret. The following voted "NAY": No one. Motion: Carried. A true, correct and complete copy of said resolution is as follows:

RESOLUTION NO. 10-14
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, Subsection (7) 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 at the first City Council Meeting following the sell at public action,

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 fifty percent (50%) of purchase price paid on the day of the sale with the remainder due within thirty (30) days of confirmation of the sale.

BE IT FURTHER RESOLVED that the Municipal Clerk shall notify licensed auctioneers for bids for the sale of the real property identified above. 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 published at least for one week in The Nemaha County Herald with final notice published at least 7 days prior to the sale of the property. The notice shall give a general description of the property offered for sale and state the terms and conditions of sale. Notice of sale shall also 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.

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 City will order and provide a title insurance policy insuring marketable title to the purchaser upon the request of the purchaser on the day of the auction. The cost of the title Insurance policy shall be the sole obligation of the purchaser, and shall be paid at closing.

BE IT FURTHER RESOLVED that the Mayor and City Clerk will give a Special Warranty 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 will be prorated to the date of closing.

EXHIBIT "A"

Lot Five (5), Block Seventeen (17), in Sheridan's Addition to Auburn, Nemaha County, Nebraska

Council Member Janssen moved to approve Resolution No. 11-14 associated with the possible sale of Lot Six, Block Seventeen (17), in Sheridan Addition to Auburn at public auction. The foregoing motion was seconded by Council Member Jeanneret and upon roll call vote, the following Council Members voted "YEA": Shawn Clark, Tom Clark, Janssen, Jeanneret, and Billings. The following voted "NAY": No one. Motion: Carried. A true, correct and complete copy of said resolution is as follows:

RESOLUTION NO. 11-14
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, Subsection (7) 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 at the first City Council meeting following sell at public action,

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 fifty percent (50%) of purchase price paid on the day of the sale with the remainder due within thirty (30) days of confirmation of the sale.

BE IT FURTHER RESOLVED that the Municipal Clerk shall notify licensed auctioneers for bids for the sale of the real property identified herein. 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 published once each week for no less than (1) week in The Nemaha County Herald with the final notice published at least 7 days prior to the sale of the property. The notice shall give a general description of the property offered for sale and state the terms and conditions of sale. Notice of sale shall also 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.

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 City will order and provide a title insurance policy

insuring marketable title to the purchaser upon the request of the purchaser on the day of the auction. The cost of the title Insurance policy shall be the full obligation of the purchaser, and shall be paid at closing.

BE IT FURTHER RESOLVED that the Mayor and City Clerk will give a Special Warranty 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 will be prorated to the date of closing.

EXHIBIT "A"

Lot Six (6), Block Seventeen (17), in Sheridan's Addition to Auburn, Nemaha County, Nebraska .

Council Member Janssen moved to approve the manager application in connection with Auburn Legion Post #23 liquor license located at 909 I Street. The foregoing motion was seconded by Council Member Tom Clark and upon roll call vote, the following Council Members voted "YEA": Tom Clark, Janssen, Jeanneret, Billings, and Shawn Clark. The following voted "NAY": No one. Motion: Carried.

Council Member Tom Clark moved to approve the manager application in connection with Hinky Dinky Supermarkets Inc. dba Sunmart #728 Liquor license located at 2428 Dahlke Avenue. The foregoing motion was seconded by Council Member Janssen and upon roll call vote, the following Council Members voted "YEA": Janssen, Jeanneret, Billings, Shawn Clark, and Tom Clark. The following voted "NAY": No one. Motion: Carried.

Council Member Billings moved to approve CDBG #12-HO-6044 (Owner Occupied Housing Rehab) Drawdown #18 and the related claims. The foregoing motion was seconded by Council Member Janssen and upon roll call vote, the following Council Members voted "YEA": Janssen, Jeanneret, Billings, Shawn Clark, and Tom Clark. The following voted "NAY": No one. Motion: Carried.

Council Member Janssen moved to approve the contract between the City and the Nebraska Department of Economic Development associated with CDBG #14-DTR-007. The foregoing motion was seconded by Council Member Jeanneret and upon roll call vote, the following Council Members voted "YEA": Jeanneret, Billings, Shawn Clark, Tom Clark, and Janssen. The following voted "NAY": No one. Motion: Carried.

Council Member Billings moved to approve the contract between the City and Southeast Nebraska Development District associated with CDBG #14-DTR-007. 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, Janssen, and Jeanneret. The following voted "NAY": No one. Motion: Carried.

Discussion was held regarding: Acceptance of Assignment Agreement between the city and U.S. Bank National Association; Authorization to demolish structures and clear real estate; and Authorization to proceed with real estate sale by Decree of Foreclosure on real estate located at 715 11th Street, Auburn, Nebraska. Following discussion, Council Member Billings moved to approve Resolution No. 12-14 associated with the real estate located at 715 11th Street, Auburn. The foregoing motion was seconded by Council Member Shawn Clark and upon roll call vote, the following Council Members voted "YEA": Shawn Clark, Tom Clark, Janssen, Jeanneret, and Billings. The following voted "NAY": No one. Motion: Carried. A true, correct and complete copy of said resolution is as follows:

RESOLUTION NO. 12-14
Of
THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA

A RESOLUTION APPROVING AND ACCEPTING ASSIGNMENT AGREEMENT WITH US BANK NATIONAL ASSOCIATION IN REGARDS TO RESIDENTAL REAL ESTATE LOCATED AT 715 11TH STREET, AUBURN, NE; AUTHORIZING THE REMOVAL OF DILAPIDATED STRUCTURES AND CLEARING OF THE REAL ESTATE; & AUTHORIZING THE SALE OF SAID REAL ESTATE THROUGH DECREE OF FORECLOSURE.

WHEREAS, the City of Auburn was granted judgment for public nuisance violations on the structures located at 715 11th Street, Auburn, NE;

WHEREAS, US Bank National Association, a successor in interest to Wachovia Bank N.A., maintained a Decree of Foreclosure in regards to Nemaha County Tax Certificate 2004-39 on said real estate;

WHEREAS, US Bank National Association, has assigned its interest within its Decree of Foreclosure on the real estate to the City of Auburn, NE, to allow the City to sale the real estate at a foreclosure sale;

WHEREAS, the real estate and structures thereon continue to be a health and safety hazard to the public and community and must be demolished and cleared in a safe manner;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Auburn, Nemaha County, Nebraska, that the City accepts and approves the Assignment Agreement attached hereto, marked as Exhibit "A" and incorporated herein by this reference, between the City of Auburn and US Bank National Association;

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Mayor and City Council of the City of Auburn, Nemaha County, Nebraska, that the dilapidated and unsightly structures on the real estate shall be demolished and removed before foreclosure sale of the real estate, at the City's expense, with cost being assessed against the real estate.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Mayor and City Council of the City of Auburn, Nemaha County, Nebraska, that City Attorney shall proceed with the sale of said real estate by Decree of Foreclosure (attached hereto, marked as Exhibit "B"), as a successor in interest to US Bank National Association and the Mayor is hereby authorized to sign all necessary documents to complete the same.

Reports were given by the street department, fire department, and City Attorney. Written reports were provided by the Library Director and City Treasurer.

The following committees provided reports: Economic Development, Safety, Buildings, and Christmas Light Committee. A written financial report was provided by the Auburn Community Redevelopment Authority. Nemaha County Sheriff Brent Lottman provided a written report of law enforcement activity within the City of Auburn for June 2014.

There being no further business to come before the Mayor and Council, Council Member Janssen moved for adjournment to meet at the call of the Mayor. Council Member Tom Clark seconded the foregoing motion and upon roll call vote, the following Council Members voted "YEA": Tom Clark, 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 July 14, 2014; 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
July 14, 2014

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 July 14, 2014, 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, Janssen, and Jeanneret. Absent: Holtzman.

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 June 9, 2014 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; Auburn Plumbing, Htg., & AC Inc., Equip-Se-13,584.00; Auburn State Bank, Bond Payments-83847.41; Black Hills Energy, Ut-1404.79; Board of Public Works, Reim Ins-3,430.05; Five Nines Technology Group, Se-147.40; McNealy Construction Housing Rehab Grant-16,205.00; Nebraska Secretary of State, Fe-30.00; Nemaha County Clerk, Reim-Se-1277.75; Orscheln, TIF Project-8262.18; Region V-SENDS, Se-695.00; Southeast Nebraska Development District, Se-2434.67; The Standard, Ins-268.56; Time Warner Cable, Ut-472.87; Wright Express (Wex Bank), Su-1622.48; American Recycling & Sanitation, Se-373.50; Black Hills Energy, Ut-744.40; Board of Public Works, Ut-5213.67; Five Nines Technology Group, Se-113.70; Linda Bantz, Se-340.00; Mark Harms, Ex-500.00; Nemaha County, Se-23,583.33; Time Warner Cable, Ut-214.05; Board of Public Works, Reim Ins-2704.40; The Standard, Ins-288.25; Wright Express (Wex Bank), Su-1748.30. The following claims (not previously approved by motion or resolution) were presented: Acco, Su-2066.38; Amazon, Bk-353.93; Amcon, Su-3089.01; American Lawncare Inc., Se-Su-1200.00; Auburn Chamber of Commerce, Reim-419.64; Auburn Memorial Library Petty Cash, Su-99.02; Auburn Newspapers, Se-541.02; Auburn Plumbing, Htg. & AC Inc., Se-196.99; Baker & Taylor, Bk-393.61; Beard's Salvage Inc., Su-135.00; Board of Public Works, Maint-199.83; Brent Lottman, Se-240.00; Coca Cola, Su-639.76; Concrete Industries Inc., Se-1295.63; Deb Reiman, Refund-150.00; Demco, Su-439.48; Dettmer Farm Service Inc., Su-855.00; Eakes Office Plus, Su-137.09; Eggers Brothers Inc., Su-Se-1507.94; Emergency Apparatus Maintenance, Se-Re-2632.27; Filter Care, Se-Su-23.70; First National Bank Omaha, Se-Su-694.94; Five Nines Technology Group, Se-955.00; Glenn's Corner Market, Su-161.79; Heiman Fire Equipment, Su-3321.50; ICC, Ref-432.95; In the Swim, Su-71.89; Ingram, Bk-294.61; JEO Consulting Group Inc., Se-1937.75; Layne Christensen Company, Equip-3535.96; League of NE Municipalities, Reg-Ex-369.00; Lynch's Hardware & Gifts, Su-140.13; Mary Kruger, Reim-117.25; Menards, Su-428.37; Mid Con Systems Inc., Su-960.54; Nanninga Construction, Se-Maint-2902.50; Nemaha County Clerk, Fe-44.00; Novelty Inc., Su-176.58; OCLC Inc., Sub-53.37; Olsson Associates, Se-4760.00; Card Services (Orscheln), Su-531.11; Petty Cash, Su-Se-378.13; Postmaster, Su-49.00; Ramada Inn, Ex-158.00; Region V-SENDS, Se-50.00; Rhode Island Novelty, Su-90.74; Ricoh USA Inc., Se-261.30; Sack Lumber Co., Su-712.22; Sherry Heskett, Reim-261.82; Shopko Stores, Su-150.48; Sunmart, Su-54.59; Tom's Radiator Services, Se-70.00; Trade Well Pallet Inc., Su-1500.00; Tri-State Office Products, Su-377.44; Xerox Corporation, Se-Su-469.74.

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 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.

July 14, 2014

Page 2

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

Public Hearing was held to consider a request for change of Zoning from R-3 Residential to C-R Commercial Residential for property described as Block 8, South 90' of Lot 12, Howe & Nixon Addition to Auburn (700 10th Street). Marty Ford the owner of the property was present to answer questions. There wasn't any opposition given. The change of Zoning from R-3 Residential to C-R Commercial Residential was approved by the adoption of Ordinance No. 5-14.

The City Council confirmed the following reappointments: Leslie Clark to the Library Board; Bill Genthe to the Municipal Tree Board; and Merri Johnson to the Planning Commission.

The request presented by the Auburn Olympics to use city property for the Auburn Olympics event to be held on August 9, 2014 was approved and support was expressed that the event is being held.

The City Council approved a total expenditure of keno funds in the amount of \$3,461.35 which allows for \$3261.35 for audio equipment and \$200 of compensation for performers associated with the Auburn Brown Bag Concert Series.

The bid of BK Inc., American Recycling & Sanitation Inc., for the 1995 Pro-Trail Recycle Trailer was accepted by the passage and adoption of Resolution No. 9-14.

The City Council accepted the following quotes associated with the 9th Street Storm Sewer project: Kerns Excavating for the Open Cut (Pipe Replacement) portion of the project and a separate quote from Johnson Service Company for the Trenchless (Pipe Slip Lining) portion of the project.

Resolution No. 10-14 associated with the possible sale of Lot Five (5), Block Seventeen (17), in Sheridan Addition to Auburn at public auction was approved.

Resolution No. 11-14 associated with the possible sale of Lot Six, Block Seventeen (17), in Sheridan Addition to Auburn at public auction was approved.

The manager application in connection with Auburn Legion Post #23 liquor license located at 909 I Street was approved.

The manager application in connection with Hinky Dinky Supermarkets Inc. dba Sunmart #728 Liquor license located at 2428 Dahlke Avenue was approved.

CDBG #12-HO-6044 (Owner Occupied Housing Rehab) Drawdown #18 and the related claims were approved.

The contract between the City and the Nebraska Department of Economic Development associated with CDBG #14-DTR-007 was approved.

The contract between the City and Southeast Nebraska Development District associated with CDBG #14-DTR-007 was approved.

Discussion was held regarding: Acceptance of Assignment Agreement between the city and U.S. Bank National Association; Authorization to demolish structures and clear real estate; and Authorization to proceed with real estate sale by Decree of Foreclosure on real estate located at 715 11th Street, Auburn, Nebraska. Following discussion, the City Council approved Resolution No. 12-14 associated with the real estate located at 715 11th Street, Auburn.

Reports were given by the street department, fire department, and City Attorney. Written reports were provided by the Library Director and City Treasurer.

July 14, 2014
Page 3

The following committees provided reports: Economic Development, Safety, Buildings, and Christmas Light Committee. A written financial report was provided by the Auburn Community Redevelopment Authority. Nemaha County Sheriff Brent Lottman provided a written report of law enforcement activity within the City of Auburn for June 2014.

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

Sherry Heskett
City Clerk

J. Scott Kudrna
Mayor

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

CITY OF AUBURN
 TREASURER'S REPORT
 CALENDAR 7/2014, FISCAL 10/2013

**AGENDA ITEM
 NO 6**

| ACCOUNT TITLE | LAST REPORT | | | |
|------------------------------|---------------------|-------------------|-------------------|---------------------|
| | ON HAND | RECEIVED | DISBURSED | BALANCE |
| GENERAL CHECKING | 900,311.32 | 74,131.91 | 182,414.96 | 792,028.27 |
| STREET CHECKING | 44,908.93 | 41,490.02 | 15,062.41 | 71,336.54 |
| STREET BOND/WARRANT CHECKING | | 49,923.75 | 49,923.75 | |
| TOTAL CHECKING: | 945,220.25 | 165,545.68 | 247,401.12 | 863,364.81 |
| TOTAL NSF A/R | .00 | .00 | .00 | .00 |
| TOTAL FIRE DEPT SINKING | 54,087.68 | 20,000.00 | .00 | 74,087.68 |
| TOTAL KENO OPER CHECKING: | .00 | .00 | .00 | .00 |
| TOTAL KENO RESERVE MMA: | 18,751.90 | 1,722.34 | .00 | 20,474.24 |
| TOTAL KENO CHECKING | 57,456.49 | 2,521.48 | 3,771.99 | 56,205.98 |
| TOTAL CDBG CHECKING | 7,784.42 | 9,003.44 | 9,003.44 | 7,784.42 |
| TOTAL CDBG ED MMA: | 19,689.60 | 170.04 | .00 | 19,859.64 |
| TOTAL CDBG DTR REUSE | 20,919.54 | 1,055.48 | .00 | 21,975.02 |
| TOTAL CDBG HD SAVINGS: | 6,732.71 | 822.82 | .00 | 7,555.53 |
| TOTAL CRA CHECKING | 637,130.15 | 2,202.92 | .00 | 639,333.07 |
| TOTAL CITY REC CHECKING | 61,727.07 | .00 | .00 | 61,727.07 |
| GENERAL CD #23810 | 75,000.00 | | | 75,000.00 |
| GENERAL CD #24089 | 75,000.00 | | | 75,000.00 |
| SPEC PROJECT CD #23925 | 75,509.52 | | | 75,509.52 |
| 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: | 425,509.52 | .00 | .00 | 425,509.52 |
| TOTAL CASH ON HAND: | 2,255,009.33 | 203,044.20 | 260,176.55 | 2,197,876.98 |

AGENDA ITEM NO. 7

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

Sherry Heskett

ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT

AGENDA ITEM
NO 7

| VENDOR NAME | REFERENCE | |
|--------------------------------|------------------------------|-----------|
| ----- | | |
| ACCOUNTS PAYABLE CLAIMS | | |
| ----- | | |
| | GENERAL FUND | |
| | ADMIN | |
| AFLAC | GEN AFLAC WH | 73.80 |
| MCNEALY CONSTRUCTION | HC6044DD13 PROJ 14 2 & FINAL | 8,790.00 |
| SOUTHEAST NE DEVELOPMENT DIST. | REUSE ED SERVICES THRU 63014 | 213.44 |
| | | ===== |
| | ADMIN | 9,077.24 |
| | POOL DEPARTMENT | |
| NE DEPT. OF REVENUE | FORM 10 APR-JUN 2014-06 POOL | 2,474.16 |
| | | ===== |
| | POOL DEPARTMENT | 2,474.16 |
| | | ===== |
| | GENERAL FUND | 11,551.40 |
| | STREET FUND | |
| | ADMIN | |
| BULLDOG AUTO PARTS | PARTS NPT PLON ISO MALE TIP | 90.98 |
| | | ===== |
| | ADMIN | 90.98 |
| | | ===== |
| | STREET FUND | 90.98 |
| | STREET BOND/WARRANT FUND | |
| | ADMIN | |
| AUBURN STATE BANK | BONDS DATED 9-1-09 | 49,923.75 |
| | | ===== |
| | ADMIN | 49,923.75 |
| | | ===== |
| | STREET BOND/WARRANT FUND | 49,923.75 |
| | KENC FUND | |
| | KENO BETTERMENT | |
| GUITAR CENTER | AUDIO EQUIP/COMMUNITY EVENTS | 3,047.99 |
| NE DEPT. OF REVENUE | FORM 10 APR-JUN 2014-06 POOL | 724.00 |

ACCOUNTS PAYABLE ACTIVITY
CLAIMS REPORT

AGENDA ITEM
NO 7

VENDOR NAME

REFERENCE

ACCOUNTS PAYABLE CLAIMS

| | | |
|--------------------------|-------------------------|----------|
| | GENERAL FUND | |
| | ADMIN | |
| BOARD OF PUBLIC WORKS | GENERAL MEDICAL CLAIMS | 1,653.85 |
| | | ===== |
| | ADMIN | 1,653.85 |
| | LIBRARY DEPARTMENT | |
| BOARD OF PUBLIC WORKS | LIBRARY AUGUST ASSURANT | 664.63 |
| | | ===== |
| | LIBRARY DEPARTMENT | 664.63 |
| | | ===== |
| | GENERAL FUND | 2,318.48 |
| | STREET FUND | |
| | ADMIN | |
| BOARD OF PUBLIC WORKS | STREET MEDICAL CLAIMS | 3,072.76 |
| | | ===== |
| | ADMIN | 3,072.76 |
| | | ===== |
| | STREET FUND | 3,072.76 |
| | | ===== |
| **** PAID TOTAL **** | | 5,391.24 |
| | | ===== |
| ***** REPORT TOTAL ***** | | 5,391.24 |
| | | ===== |

| VENDOR NAME | REFERENCE | AGENDA ITEM NO |
|-------------------------------|---------------------------------------|----------------|
| ----- | | |
| ACCOUNTS PAYABLE CLAIMS | | |
| ----- | | |
| GENERAL FUND | | |
| ADMIN | | |
| AMERICAN RECYCLING SANITATION | BINS AT RECYCLING LOT | 617.60 |
| BOARD OF PUBLIC WORKS | ELEC ROTARY I ACCT 3000401 | 521.21 |
| FIVE NINES TECHNOLOGY GROUP | EMAIL SECURITY | 102.80 |
| REGION V-SENDS | CUSTODIAL SERVICE CITY HALL | 135.00 |
| THE STANDARD | GEN LIFE INSURANCE | 75.30 |
| TIME WARNER CABLE | PHONE/CABLE AC8347100220053329 | 310.10 |
| | | ===== |
| ADMIN | | 1,762.01 |
| POLICE DEPARTMENT | | |
| NEMAHA COUNTY | LAW/CODE ENFORCEMENT | 23,583.33 |
| | | ===== |
| POLICE DEPARTMENT | | 23,583.33 |
| FIRE DEPARTMENT | | |
| BLACK HILLS ENERGY | GAS BILL ACCT 1240 4130 01 | 32.27 |
| BOARD OF PUBLIC WORKS | ELEC ROTARY I ACCT 3000401 | 180.57 |
| REGION V-SENDS | CUSTODIAL SERVICE FIRE DEPT | 50.00 |
| THE STANDARD | FIRE DEPT LIFE INSURANCE | 126.48 |
| TIME WARNER CABLE | PHONE/CABLE AC8347100220053329 | 89.39 |
| WEX BANK | STREET DEPT FUEL EXPENSE | 10.00 |
| | | ===== |
| FIRE DEPARTMENT | | 488.71 |
| PARK DEPARTMENT | | |
| BOARD OF PUBLIC WORKS | ELEC ROTARY I ACCT 3000401 | 1,022.79 |
| REGION V-SENDS | LEGION PARK CUSTODIAL JUNE | 360.00 |
| TIME WARNER CABLE | PHONE/CABLE AC8347100220053329 | 41.91 |
| WEX BANK | STREET DEPT FUEL EXPENSE | 465.79 |
| | | ===== |
| PARK DEPARTMENT | | 1,890.49 |
| SR. CENTER DEPARTMENT | | |
| BOARD OF PUBLIC WORKS | ELEC ROTARY I ACCT 3000401 | 688.55 |
| REGION V-SENDS | CUSTODIAL SERVICE SR CENTER | 190.00 |
| | | ===== |
| SR. CENTER DEPARTMENT | | 878.55 |
| LIBRARY DEPARTMENT | | |
| BOARD OF PUBLIC WORKS | ELEC ROTARY I ACCT 3000401 | 392.56 |
| FIVE NINES TECHNOLOGY GROUP | LOCAL BACKUP | 40.00 |
| LINDA BANTZ | CUSTODIAL SERVICE LIBRARY | 340.00 |