



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. September 11, 2023

Pledge of Allegiance

Call to Order

This is an open meeting of the Auburn City Council. The City of Auburn abides by the Open Meetings Act in conducting business. A copy of the Open Meetings Act is displayed in these City Council Chambers as required by state law.

The City Council may vote to go into **Closed Session** on any agenda item as allowed by state law.

Invocation

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 City Council is not required to allow citizens to speak at each meeting but may not forbid public participation at all meetings. Any member of the Public addressing the Council at this meeting shall provide her/his name and address unless waived pursuant to Nebraska Law.

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

Individuals who have appropriate items for City Council consideration should complete the Request for Future Agenda Items form located at the Information table. If the issue can be handled administratively without Council action, notification will be provided. If the item is scheduled for a meeting, notification of the date will be given.

B – RESERVE TIME TO SPEAK ON AGENDA ITEMS

This is an opportunity for individuals wishing to provide input on any of tonight's agenda items to reserve time to speak. Please come forward, state your name and address, and the Agenda topic on which you will be speaking.

B – 1 None for this meeting

C – PRESENTATIONS and PROCLAMATIONS

C – 1 None for this meeting

The Consent Agenda shall be presented by the Mayor or City Clerk at the beginning of Council session. Items within the Consent Agenda may be removed by the request of any one Councilmember. Items not removed from the Consent Agenda may be adopted by general consent without further discussion or debate. Removed items may be taken up either immediately after the Consent Agenda or placed later within the Agenda at the discretion of the Council.

D – CONSENT AGENDA

- D – 1 Approving Minutes of August 21, 2023, regular City Council meeting
 - D – 2 Approval of City Financial Report.
 - D – 3 Request for attendance at meetings and/or conferences. Association for Rural and Small Libraries Conference – Virtual (Heather Koeneke)
 - D – 4 Special Designated License – BCF LLS DBA Captain Jacks, Auburn Street Market, 819 Central Ave, Thursday, September 28, 2023, 4 PM to 10 PM.
 - D – 5 City Hall Hours – 8:00 am to 4:30 pm starting October 1, 2023
-

E – PAYMENT OF CLAIMS

E – 1 Approving Payment of Claims

F – PUBLIC HEARINGS

None for this meeting.

G – MOTIONS

- G – 1 Council Consideration by motion for approval of adoption of City liability & property coverage, cyber coverage & Workers Comp Carrier/Provider for up to 3-year term.
-

H – RESOLUTIONS

- H – 1 No. 15-23 RESOLUTION APPROVING CITY ENGINEER (JEO) 2023 REPLAT WESTGATE ADDITION TO CITY OF AUBURN, NE; APPROVING EASEMENT OF INGRESS & EGRESS LOTS 1-3; & VACATING CURRENT STREETS & RIGHT-OF-WAYS.
- H – 2 No. 16-23 RESOLUTION TO CONSIDER APPROVAL & ADOPTION OF CITY LIABILITY & PROPERTY COVERAGE, CYBER COVERAGE & WORKERS COMP CARRIER/PROVIDER FOR UP TO 3-YEAR TERM.
- H – 3 No. 17-23 RESOLUTION APPROVING ADOPTION OF CHAMBER OF COMMERCE FUNDING AGREEMENT
- H – 4 No. 18-23 CONSIDERATION RESOLUTION FOR MUNICIPAL CERTIFICATION OF PROGRAM COMPLIANCE 2023 FOR NEBRASKA PUBLIC ROADS CLASSIFICATION & STANDARDS.
-

I – ORDINANCES

- I – 1 Ordinance No. 05-23 AN ORDINANCE OF THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA REGULATING VACANT BUILDINGS; ESTABLISHING MONETARY PENALTIES; SETTING DEFINITIONS & PROCEDURES; PROVIDING A CONFLICT RESOLUTION CLAUSE; PROVIDING FOR SEVERABILITY; & PROVIDING PUBLICATION & AN EFFECTIVE DATE FOR THE ORDINANCE. (Third Reading)
- I – 2 Ordinance No. 09-23 AN AMENDMENT TO ORDINANCE NO. 06-23 OF THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA, AMENDING FIXED COMPENSATION OF THE OFFICERS & EMPLOYEES OF THE CITY; REPEALING THE ORIGINAL ORDINANCE NO. 06-23; PRESCRIBING EFFECTIVE DATES FOR COMPENSATION; & DECLARING AN EFFECTIVE DATE FOR THIS ORDINANCE.
-

J – REPORTS & RECOMMENDATIONS

- J – 1 From Dept. Heads/Boards
- a. Street Department
 - b. Fire Department
 - c. Library
 - d. Treasurer
 - e. Other Department Heads/Boards
- J – 2 From Committees
- a. Economic Development
 - b. Safety Committee
 - c. Building Committee
 - d. Housing
 - e. Other Committees & Reports
-

K – REQUESTS AND REFERRALS

None at this time.

MOTION TO ADJOURN

AGENDA ITEM
NO

D-1

Auburn, Nebraska
August 21, 2023

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 August 21, 2023, 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 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 August 18, 2023. Mayor Chris Erickson presided over the meeting and in the absence of the City Clerk, the City Administrator recorded the proceedings.

The Meeting was called to order by Mayor Chris Erickson. Upon calling the roll, the following members of the City Council were present: Katy Billings, Shawn Clark, Tom Clark, Rick Janssen, and Jeff Jeanneret. Absent: Nathan Seitz.

Mayor Erickson announced that the City of Auburn abides by the Open Meetings Act in conducting business and that a copy of the Open Meetings Act is displayed at the City Council Chambers by the entrance door as required by law.

It was noted that with regards to Agenda Item C – Presentations and Proclamations, there are none for this meeting.

Agenda Item D – Consent Agenda

D – 1 Approving Minutes of the July 10, 2023, regular City Council meeting

D – 2 Approval of City Financial Report

D – 3 Request for attendance at meetings and/or conferences. League of Nebraska Municipalities Annual Conference, Lincoln, NE September 27-29 (Sherry Heskett, Crystal Dunekacke). CDBG Certified Admin Recertification, Lincoln, NE October 3-6 (Crystal Dunekacke), Tree City USA Awards Celebration & Community Forestry Awards, Gretna, NE September 29 (Sheri McMillen)

D – 4 Appointments: CRA Joe Casey; Auburn City Rec: Amanda Neal, Brant Loose, Casie Allen, Curtis Aue, Greg Cook, Jacob Jenek, Kaleb Trausch, Linus Hendrickson, Mike Henrichs, Troy Sharp, Cassie Greene, and Lacy Gerdes.

D – 5 Auburn Street Market 2024 Season (May 2 – September 30) Thursdays from 4:00 pm to 6:30 pm

The Mayor presented the Consent Agenda. Council Member Jeanneret moved to approve the consent agenda items. The motion was seconded by Council Member Janssen. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": Shawn Clark, Tom Clark, Janssen, Jeanneret, and Billings. The following voted "NAY": No one. Motion: Carried.

Agenda Item E – Payment of Claims. The following July claims were presented before the Council for ratification: Aflac, Wh-73.80; American Recycling & Sanitation, Se-145.00; Baird Holm LLP, Se-725.00; BCom Solutions LLC, Se-1,464.99; Black Hills, Ut-1,359.79; Blue Cross Blue Shield, Ins-8,668.37; Board of Public Works, Reim-Ut-15,908.88; Capital Business Systems Inc., Se-Su-683.74; Charter Communications, Se-310.26; First Concord Benefits Group, Se-13.95; FNBO, Card Transactions-3,432.28; Jackson Services Inc., Se-267.37; Kalem Saunders, Reim-736.29; League of NE Municipalities, Reg-565.00; ; Linda Bantz, Se-400.00; Mark Harms, Ex-500.00; Microfilm Imaging Systems Inc., Se-138.00; Mid-American Benefits Inc., Ins-175.50; Mutual of Omaha, Ins-95.03; NE Dept. of Revenue, Sales and Use Tax-1,394.83; Nemaha County, Se-34,650.00; Pinpoint Auburn Inc., Se-377.74; Region V Services, Se-1,181.50; Southeast NE Development District, DTR Se-10,415.00; US Cellular, Se-173.34; Windstream, Se-136.88; Your Publication, Se-38.17; July Payroll-81,194.16; FICA City Match-6,114.39; Pension City Match-2,153.87; PayChex, Payroll Se-346.75; Auburn State Bank, Fe-21.50; Medical Claims, 396.30; and Wex, Su-2,052.26. The following August claims were presented before the Council for ratification: American Recycling & Sanitation, Se-195.60; BCom Solutions LLC, Se-1,430.00; Black Hills, Ut-666.59; Blue Cross Blue Shield, Ins-4,780.35; Board of Public Works, Reim-Ut-16,461.07; Charter Communications, Se-310.86; First Concord Benefits Group, Se-13.95; FNBO, Card Transactions-3,547.42; Frontier Cooperative, Su-440.00; Heiman Inc., Equip-67,779.00; Jackson Services Inc., Se-266.98; Linda

Bantz, Se-400.00; Mark Harms, Ex-500.00; Microfilm Imaging Systems Inc., Se-138.00; Mid-American Benefits Inc., Ins-100.50; Mutual of Omaha, Ins-95.03; NE Dept. of Revenue, Sales and Use Tax-736.05; NE State Fire Marshal, Fe-36.00; Nemaha County, Se-34,650.00; Pinpoint Auburn Inc., Se-377.74; Region V Services, Se-832.00; US Cellular, Se-173.35; Windstream, Se-292.79. The following August claims were presented for approval: A Better Hood Cleaning LLC, Se-600.00; Airstream Heating & Cooling, Se-Su-5,067.50; AKRS Equipment, Equip-360.96; Amazon Capital Services, Bk-AV-737.21; Aqua-Chem Inc., Su-Se-2,573.10; Auburn Auto Center, Su-491.50; Auburn Memorial Library Petty Cash, Su-147.20; Auburn Newspapers, Se-307.20; Auburn Plumbing, Htg. & AC Inc., Su-22.63; Auto Air & Repair, Se-75.00; Baker & Taylor, Bk-AV-548.75; Beard's Salvage Inc., Su-312.00; Binder Bros. Inc., Su-492.00; Bockmann Inc., Se-370.00; Bradley Electric, Se-107.48; Brent Lottman, Se-800.00; Bulldog Auto Supply Inc., Su-574.22; Chesterman Co., Su-519.78; Chris Jobe, Reim-500.00; Concrete Industries Inc., Su-2,581.01; Darnell Glass Co., Se-1,431.00; Darwin McCollum, Reim-500.00; Eakes Office Solutions, Su-606.57; Eggers Brothers Inc., Su-Se-2,849.42; Farmers Cooperative, Su-20.09; Filter Care, Se-26.90; Glenn's Corner Market, Su-19.36; Heiman Inc., Equip-1,718.38; JEO Consulting Group Inc., Se-8,200.00; League of NE Municipalities, Mem-7,240.00; Lincoln Journal Star, Sub-741.00; Lynch's Hardware & Gifts, Su-205.42; Mellage Truck & Tractor, Su-285.91; Meyer Laboratory Inc., Su-259.35; Michael Todd Industrial Supply, Su-825.83; Nemaha County Sheriff, Se-18.50; OCLC Inc., Sub-830.61; Omaha World Herald, Sub-535.39; Overdrive Inc., Bk-AV-454.35; Raymond's Electric, Se-Su-5,557.00; Ricoh USA Inc., Su-88.01; Rose Equipment, Su-31.38; Schendel Pest Control, Se-850.00; Spring Creek Seamless Roofing, SE-Su-250.00; The Penworthy Co, Bk-AV-357.32; Vaughn Severs, Reim-500.00; Wt. Cox Subscriptions, Sub-936.62; and Yolanda Kerr, Se-500.00.

Abbreviations for this legal: AV-Audio Visual; Bk-Book; CDBG-Community Development Block Grant; Contrib-Contribution; CRA-Community Redevelopment Authority; DTR-Downtown Revitalization; ED-Economic Development Investment; Equip-Equipment; Ex-Expense; Fe-Fee; Ins-Insurance; Inspect-Inspection; Int-Interest; Lic-License; Maint-Maintenance; Mem-Membership; Pen-Pension; Per-Periodical; Re-Repairs; Ref-Reference Materials; Reg-Registration; Reim-Reimbursement; Se-Service; Su-Supplies, Materials & Parts; Sub-Subscription; TIF-Tax Increment Financing; Ut-Utilities; Wh-Withholding.

Council Member Billings moved to approve the claims presented which have not been previously approved by motion or resolution and ratify the ordinary and necessary expenses allowed in accordance with Resolution No. 7-11 that was approved February 28, 2011. The motion was seconded by Council Member Tom Clark. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": Tom Clark, Janssen, Jeanneret, Billings, and Shawn Clark. The following voted "NAY": No one. Motion: Carried.

It was noted that with regards to Agenda Item F – Public Hearings, there are none for this meeting.

Council Member Tom Clark moved to approve the SENDD (Southeast Nebraska Development District) membership dues in the amount of \$2,125.00 and the housing dues in the amount of \$1,041.00 for 2023-2024. The motion was seconded by Council Member Jeanneret. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. 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 professional service/consultant agreement with JEO Consulting Group for the Auburn Downtown Revitalization (DTR) Program 22-DTR-001. The motion was seconded by Council Member Billings. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": Jeanneret, Billings, Shawn Clark, Tom Clark, and Janssen. The following voted "NAY": No one. Motion: Carried.

Council Member Janssen moved to approve the award of bids for the City of Auburn Roofing Project to Neeman & Sons in the amount of \$221,570 and to Schoen's Roofing in the amount of \$294,607.08 for a total of \$516,177.08 per JEO's bid recommendation. The motion was seconded by Council Member Shawn Clark. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following

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

Council Member Janssen moved to approve Resolution No. 13-23, A Resolution of the Mayor and City Council of the City of Auburn, Nebraska, approving a Redevelopment Contract for a Redevelopment Project Undertaken by the City of Auburn, Nebraska, as set forth in the "Redevelopment Plan for the Westgate Subdivision Redevelopment Project". The motion was seconded by Council Member Billings. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": Billings, Shawn Clark, Tom Clark, Janssen, and Jeanneret. The following voted "NAY": No one. Motion: Carried. A copy of said resolution is as follows:

RESOLUTION NO. 13-23

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF AUBURN, NEBRASKA, APPROVING A REDEVELOPMENT CONTRACT FOR A REDEVELOPMENT PROJECT UNDERTAKEN BY THE CITY OF AUBURN, NEBRASKA, AS SET FORTH IN THE "REDEVELOPMENT PLAN".

WHEREAS, the Mayor and City Council of the City of Auburn, Nebraska (the "City"), previously approved a redevelopment plan entitled, "Redevelopment Plan for the Westgate Subdivision Redevelopment Project", as hereafter may be amended or supplemented (the "Plan"); and

WHEREAS, the Mayor and City Council of the City, has for its consideration, attached hereto and incorporated herein as Exhibit 1, a proposed form of the redevelopment contract by and between the City and the Community Redevelopment Authority of the City (the "Authority"), with respect to the redevelopment project specified in the Plan (the "Redevelopment Contract").

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Auburn, Nebraska, that the Redevelopment Contract by and between the City and Authority in the form presented, is hereby acknowledged and approved. The Mayor and City Clerk are hereby authorized to execute said Redevelopment Contract in substantially the form presented but with such changes as they shall deem appropriate or necessary. The execution and delivery by the Mayor of the Redevelopment Contract, or any such documents, instruments, agreements or certifications relating to such matters contained in the Redevelopment Contract, shall conclusively establish their authority with respect thereto and the authorization and approval thereof.

Council Member Billings moved to approve Resolution No. 14-23, A Resolution of the City Council of the City of Auburn, Nemaha County, Nebraska, approving the payment of Cost and Fees Assessed to the Community Redevelopment Authority of the City of Auburn, NE (CRA) on Closing Expenses Associated with the Acquisition of Westgate Subdivision, for Community Growth, Improvement, & Redevelopment. The motion was seconded by Council Member Janssen. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": Shawn Clark, Tom Clark, Janssen, Jeanneret, and Billings. The following voted "NAY": No one. Motion: Carried. A copy of said resolution is as follows:

RESOLUTION NO. 14-23

OF

THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA
A RESOLUTION TO APPROVE THE PAYMENT OF COST & FEES ASSESSED TO THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF AUBURN, NE (CRA) ON CLOSING EXPENSES ASSOCIATED WITH THE ACQUISITION OF WESTGATE SUBDIVISION, FOR COMMUNITY GROWTH, IMPROVEMENT, & REDEVELOPMENT.

WHEREAS, the City has considered and approved a Redevelopment Contract for the Westgate Subdivision, in Auburn, Nemaha County, NE. for the construction of public improvements to provide infrastructure and create buildable residential lots with the Westgate Subdivision.

WHEREAS, the Community Redevelopment Authority of the City of Auburn, NE, is anticipated to close on the real estate acquisition within the next 30 days and the City has approved a memorandum of understanding and made contractual representations and warranties to cover said cost and fees for said closing as Eligible Cost of redevelopment.

NOW THEREFORE, by the Mayor and City Council, of the City of Auburn, Nebraska

Section 1. The City of Auburn, NE, hereby authorizes & approves the payment of closing cost and fees assessed to or charged against the Community Redevelopment Authority of the City of Auburn, NE (CRA) in an amount up to \$10,000.00.

Section 2. The City Clerk/Treasurer & City Administrator are authorized to disburse the full payment of cost and fees up to \$10,000.00 to the authorized closing agent for the benefit of the Community Redevelopment Authority of the City of Auburn, NE as Eligible Cost reimbursable to the City.

Section 3. The Mayor is authorized to sign any necessary/needed documents and carry out any conduct consistent with the terms and intentions of this Resolution.

Section 4. This action is taken in consideration of community growth, development, and improvement, and the need for additional new and quality residential housing within the Community of Auburn, NE, for the benefit and welfare of the Community and Its Residents.

Discussion was held regarding Agenda Item I – 1 Ordinance No. 04-23 AN ORDINANCE OF THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA, DEFINING & REGULATING THE USE OF SHIPPING CONTAINERS WITHIN THE ZONING JURISDICTION OF THE CITY OF AUBURN, NE; PROVIDING A PENALTY PROVISION; PROVIDING A CONFLICT RESOLUTION CLAUSE; PROVIDING FOR SEVERABILITY; & PROVIDING PUBLICATION & AN EFFECTIVE DATE FOR THE ORDINANCE (Third Reading). Proposed Ordinance No. 04-23 was presented for consideration. Mayor Erickson announced that Proposed Ordinance No. 04-23 now comes on for Third Reading. Council Member Janssen moved that said proposed Ordinance No. 04-23 be approved on its third reading and its title agreed to. The motion was seconded by Council Member Tom Clark. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted “YEA”: Tom Clark, Janssen, Jeanneret, Billings, and Shawn Clark. The following voted “NAY”: No one. Motion: Carried. Mayor Erickson declared said proposed Ordinance No. 04-23 approved on its third reading and its title agreed to. The Mayor declared that said proposed Ordinance No. 04-23 of the City of Auburn, Nemaha County, Nebraska, having been read by title, the first, second, and third times, the “yeas”, “nays” having been called and recorded, and said proposed Ordinance called and recorded, and said proposed Ordinance having been duly approved on each reading and its title agreed to, a Motion for final passage is in order. Council Member Janssen moved for final passage. The motion was seconded by Council Member Jeanneret. The Mayor asked “Shall proposed Ordinance No. 04-23 be passed and adopted as Ordinance No. 04-23 of the City of Auburn, Nemaha County, Nebraska?” Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted “YEA”: Janssen, Jeanneret, Billings, Shawn Clark, and Tom Clark. The following voted “NAY”: No one. Motion: Carried. The passage and adoption of Ordinance No. 04-23 of the City of Auburn, Nemaha County, Nebraska, having been concurred in by a majority of all members of the Council of the City of Auburn, Nemaha County, Nebraska, I declare said Ordinance No. 04-23 adopted and approved as said Ordinance No. 04-23 of the City of Auburn, Nemaha County, Nebraska, by subscribing my name thereto and the Municipal Clerk of the City of Auburn, Nemaha County, Nebraska, attesting my signature by subscribing her name thereto and affixing thereon the seal of the City of Auburn, Nemaha County, Nebraska, and order that said Ordinance be published in pamphlet form as provided therein.

Discussion was held regarding Agenda Item I – 2 Ordinance No. 05-23 AN ORDINANCE OF THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA REGULATING VACANT BUILDINGS; ESTABLISHING MONETARY PENALTIES; SETTING DEFINITIONS & PROCEDURES; PROVIDING A CONFLICT RESOLUTION CLAUSE; PROVIDING FOR SEVERABILITY; & PROVIDING PUBLICATION & AN EFFECTIVE DATE FOR THE ORDINANCE (Second Reading). Proposed Ordinance No. 05-23 was presented for consideration. Mayor Erickson announced that the introduction of the proposed Ordinance was in

order. Council Member Billings moved that these proceedings be kept in a separate and distinct volume known as the "Ordinance Record of the City of Auburn, Nemaha County, Nebraska", and that said volume be made part of these proceedings the same as though it were spread at large herein, which motion was seconded by Council Member Jeanneret. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": Jeanneret, Billings, Shawn Clark, Tom Clark, and Janssen. The following voted "NAY": No one. Motion: Carried. Council Member Shawn Clark introduced proposed Ordinance No. 05-23 for Second Reading. Council Member Shawn Clark read Ordinance No. 05-23 for Second Reading. Council Member Shawn Clark moved that said proposed Ordinance No. 05-23 be approved on its second reading and its title agreed to. The motion was seconded by Council Member Tom Clark. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": Billings, Shawn Clark, Tom Clark, Janssen, and Jeanneret. The following voted "NAY": No one. Motion: Carried.

Written reports and recommendations from Dept. Heads/Boards were provided. A written financial report was provided by the Auburn Community Redevelopment Authority and a written report on law enforcement activity within the City of Auburn for July 2023 was also provided.

With regards to Agenda Item K – Requests and Referrals, there were none.

There being no further business to come before the City Council, Council Member Janssen moved for adjournment to meet at the call of the Mayor. The motion was seconded by Council Member Tom Clark. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": Billings, Shawn Clark, Tom Clark, Janssen, and Jeanneret. The following voted "NAY": No one. Motion: Carried.

Mayor Erickson declared the meeting adjourned.

Chris Erickson, Mayor

ATTEST:

Crystal Dunekacke
City Administrator

STATE OF NEBRASKA)
COUNTY OF NEMAHA) ss.
CITY OF AUBURN)

I, the undersigned hereby certify that the foregoing is a true and correct copy of proceedings had and done by the City Council on August 21, 2023; that all of the subjects included in the foregoing proceedings were contained in the agenda for this 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 all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of the meeting and the subjects to be discussed at said meeting; and that a current copy of the Nebraska Open Meetings Act is posted on the North wall of the City Council Chambers by the entrance door.

Crystal Dunekacke
City Administrator

City Council Proceedings
August 21, 2023

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 August 21, 2023, 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 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 August 18, 2023. Mayor Chris Erickson presided over the meeting and in the absence of the City Clerk, the City Administrator recorded the proceedings.

The Meeting was called to order by Mayor Chris Erickson. Upon calling the roll, the following members of the City Council were present: Katy Billings, Shawn Clark, Tom Clark, Rick Janssen, and Jeff Jeanneret. Absent: Nathan Seitz.

Mayor Erickson announced that the City of Auburn abides by the Open Meetings Act in conducting business and that a copy of the Open Meetings Act is displayed at the City Council Chambers by the entrance door as required by law.

It was noted that with regards to Agenda Item C – Presentations and Proclamations, there are none for this meeting.

Agenda Item D – Consent Agenda

D – 1 Approving Minutes of the July 10, 2023, regular City Council meeting

D – 2 Approval of City Financial Report

D – 3 Request for attendance at meetings and/or conferences. League of Nebraska Municipalities Annual Conference, Lincoln, NE September 27-29 (Sherry Heskett, Crystal Dunekacke). CDBG Certified Admin Recertification, Lincoln, NE October 3-6 (Crystal Dunekacke), Tree City USA Awards Celebration & Community Forestry Awards, Gretna, NE September 29 (Sheri McMillen)

D – 4 Appointments: CRA Joe Casey; Auburn City Rec: Amanda Neal, Brant Loose, Casie Allen, Curtis Aue, Greg Cook, Jacob Jenek, Kaleb Trausch, Linus Hendrickson, Mike Henrichs, Troy Sharp, Cassie Greene, and Lacy Gerdes.

D – 5 Auburn Street Market 2024 Season (May 2 – September 30) Thursdays from 4:00 pm to 6:30 pm

The Mayor presented the Consent Agenda. Council Member Jeanneret moved to approve the consent agenda items. The motion was seconded by Council Member Janssen. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": Shawn Clark, Tom Clark, Janssen, Jeanneret, and Billings. The following voted "NAY": No one. Motion: Carried.

Agenda Item E – Payment of Claims. The following July claims were presented before the Council for ratification: Aflac, Wh-73.80; American Recycling & Sanitation, Se-145.00; Baird Holm LLP, Se-725.00; BCom Solutions LLC, Se-1,464.99; Black Hills, Ut-1,359.79; Blue Cross Blue Shield, Ins-8,668.37; Board of Public Works, Reim-Ut-15,908.88; Capital Business Systems Inc., Se-Su-683.74; Charter Communications, Se-310.26; First Concord Benefits Group, Se-13.95; FNBO, Card Transactions-3,432.28; Jackson Services Inc., Se-267.37; Kalem Saunders, Reim-736.29; League of NE Municipalities, Reg-565.00; ; Linda Bantz, Se-400.00; Mark Harms, Ex-500.00; Microfilm Imaging Systems Inc., Se-138.00; Mid-American Benefits Inc., Ins-175.50; Mutual of Omaha, Ins-95.03; NE Dept. of Revenue, Sales and Use Tax-1,394.83; Nemaha County, Se-34,650.00; Pinpoint Auburn Inc., Se-377.74; Region V Services, Se-1,181.50; Southeast NE Development District, DTR Se-10,415.00; US Cellular, Se-173.34; Windstream, Se-136.88; Your Publication, Se-38.17; July Payroll-81,194.16; FICA City Match-6,114.39; Pension City Match-2,153.87; PayChex, Payroll Se-346.75; Auburn State Bank, Fe-21.50; Medical Claims, 396.30; and Wex, Su-2,052.26. The following August claims were presented before the Council for ratification: American Recycling & Sanitation, Se-195.60; BCom Solutions LLC, Se-1,430.00; Black Hills, Ut-666.59; Blue Cross Blue Shield, Ins-4,780.35; Board of Public Works, Reim-Ut-16,461.07; Charter Communications, Se-310.86; First Concord Benefits Group, Se-13.95; FNBO, Card Transactions-3,547.42; Frontier Cooperative, Su-440.00; Heiman Inc., Equip-67,779.00; Jackson Services Inc., Se-266.98; Linda

Bantz, Se-400.00; Mark Harms, Ex-500.00; Microfilm Imaging Systems Inc., Se-138.00; Mid-American Benefits Inc., Ins-100.50; Mutual of Omaha, Ins-95.03; NE Dept. of Revenue, Sales and Use Tax-736.05; NE State Fire Marshal, Fe-36.00; Nemaha County, Se-34,650.00; Pinpoint Auburn Inc., Se-377.74; Region V Services, Se-832.00; US Cellular, Se-173.35; Windstream, Se-292.79. The following August claims were presented for approval: A Better Hood Cleaning LLC, Se-600.00; Airstream Heating & Cooling, Se-Su-5,067.50; AKRS Equipment, Equip-360.96; Amazon Capital Services, Bk-AV-737.21; Aqua-Chem Inc., Su-Se-2,573.10; Auburn Auto Center, Su-491.50; Auburn Memorial Library Petty Cash, Su-147.20; Auburn Newspapers, Se-307.20; Auburn Plumbing, Htg. & AC Inc., Su-22.63; Auto Air & Repair, Se-75.00; Baker & Taylor, Bk-AV-548.75; Beard's Salvage Inc., Su-312.00; Binder Bros. Inc., Su-492.00; Bockmann Inc., Se-370.00; Bradley Electric, Se-107.48; Brent Lottman, Se-800.00; Bulldog Auto Supply Inc., Su-574.22; Chesterman Co., Su-519.78; Chris Jobe, Reim-500.00; Concrete Industries Inc., Su-2,581.01; Darnell Glass Co., Se-1,431.00; Darwin McCollum, Reim-500.00; Eakes Office Solutions, Su-606.57; Eggers Brothers Inc., Su-Se-2,849.42; Farmers Cooperative, Su-20.09; Filter Care, Se-26.90; Glenn's Comer Market, Su-19.36; Heiman Inc., Equip-1,718.38; JEO Consulting Group Inc., Se-8,200.00; League of NE Municipalities, Mem-7,240.00; Lincoln Journal Star, Sub-741.00; Lynch's Hardware & Gifts, Su-205.42; Mellage Truck & Tractor, Su-285.91; Meyer Laboratory Inc., Su-259.35; Michael Todd Industrial Supply, Su-825.83; Nemaha County Sheriff, Se-18.50; OCLC Inc., Sub-830.61; Omaha World Herald, Sub-535.39; Overdrive Inc., Bk-AV-454.35; Raymond's Electric, Se-Su-5,557.00; Ricoh USA Inc., Su-88.01; Rose Equipment, Su-31.38; Schendel Pest Control, Se-850.00; Spring Creek Seamless Roofing, SE-Su-250.00; The Penworthy Co, Bk-AV-357.32; Vaughn Severs, Reim-500.00; Wt. Cox Subscriptions, Sub-936.62; and Yolanda Kerr, Se-500.00.

Abbreviations for this legal: AV-Audio Visual; Bk-Book; CDBG-Community Development Block Grant; Contrib-Contribution; CRA-Community Redevelopment Authority; DTR-Downtown Revitalization; ED-Economic Development Investment; Equip-Equipment; Ex-Expense; Fe-Fee; Ins-Insurance; Inspect-Inspection; Int-Interest; Lic-License; Maint-Maintenance; Mem-Membership; Pen-Pension; Per-Periodical; Re-Repairs; Ref-Reference Materials; Reg-Registration; Reim-Reimbursement; Se-Service; Su-Supplies, Materials & Parts; Sub-Subscription; TIF-Tax Increment Financing; Ut-Utilities; Wh-Withholding.

Council Member Billings moved to approve the claims presented which have not been previously approved by motion or resolution and ratify the ordinary and necessary expenses allowed in accordance with Resolution No. 7-11 that was approved February 28, 2011. The motion was seconded by Council Member Tom Clark. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": Tom Clark, Janssen, Jeanneret, Billings, and Shawn Clark. The following voted "NAY": No one. Motion: Carried.

It was noted that with regards to Agenda Item F – Public Hearings, there are none for this meeting.

Council Member Tom Clark moved to approve the SENDD (Southeast Nebraska Development District) membership dues in the amount of \$2,125.00 and the housing dues in the amount of \$1,041.00 for 2023-2024. The motion was seconded by Council Member Jeanneret. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. 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 professional service/consultant agreement with JEO Consulting Group for the Auburn Downtown Revitalization (DTR) Program 22-DTR-001. The motion was seconded by Council Member Billings. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": Jeanneret, Billings, Shawn Clark, Tom Clark, and Janssen. The following voted "NAY": No one. Motion: Carried.

Council Member Janssen moved to approve the award of bids for the City of Auburn Roofing Project to Neeman & Sons in the amount of \$221,570 and to Schoen's Roofing in the amount of \$294,607.08 for a total of \$516,177.08 per JEO's bid recommendation. The motion was seconded by Council Member Shawn Clark. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following

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

Council Member Janssen moved to approve Resolution No. 13-23, A Resolution of the Mayor and City Council of the City of Auburn, Nebraska, approving a Redevelopment Contract for a Redevelopment Project Undertaken by the City of Auburn, Nebraska, as set forth in the "Redevelopment Plan for the Westgate Subdivision Redevelopment Project". The motion was seconded by Council Member Billings. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": Billings, Shawn Clark, Tom Clark, Janssen, and Jeanneret. The following voted "NAY": No one. Motion: Carried.

Council Member Billings moved to approve Resolution No. 14-23, A Resolution of the City Council of the City of Auburn, Nemaha County, Nebraska, approving the payment of Cost and Fees Assessed to the Community Redevelopment Authority of the City of Auburn, NE (CRA) on Closing Expenses Associated with the Acquisition of Westgate Subdivision, for Community Growth, Improvement, & Redevelopment. The motion was seconded by Council Member Janssen. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": Shawn Clark, Tom Clark, Janssen, Jeanneret, and Billings. The following voted "NAY": No one. Motion: Carried.

Discussion was held regarding Agenda Item 1 – 1 Ordinance No. 04-23 AN ORDINANCE OF THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA, DEFINING & REGULATING THE USE OF SHIPPING CONTAINERS WITHIN THE ZONING JURISDICTION OF THE CITY OF AUBURN, NE; PROVIDING A PENALTY PROVISION; PROVIDING A CONFLICT RESOLUTION CLAUSE; PROVIDING FOR SEVERABILITY; & PROVIDING PUBLICATION & AN EFFECTIVE DATE FOR THE ORDINANCE (Third Reading). Proposed Ordinance No. 04-23 was presented for consideration. Mayor Erickson announced that Proposed Ordinance No. 04-23 now comes on for Third Reading. Council Member Janssen moved that said proposed Ordinance No. 04-23 be approved on its third reading and its title agreed to. The motion was seconded by Council Member Tom Clark. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": Tom Clark, Janssen, Jeanneret, Billings, and Shawn Clark. The following voted "NAY": No one. Motion: Carried. Mayor Erickson declared said proposed Ordinance No. 04-23 approved on its third reading and its title agreed to. The Mayor declared that said proposed Ordinance No. 04-23 of the City of Auburn, Nemaha County, Nebraska, having been read by title, the first, second, and third times, the "yeas", "nays" having been called and recorded, and said proposed Ordinance called and recorded, and said proposed Ordinance having been duly approved on each reading and its title agreed to, a Motion for final passage is in order. Council Member Janssen moved for final passage. The motion was seconded by Council Member Jeanneret. The Mayor asked "Shall proposed Ordinance No. 04-23 be passed and adopted as Ordinance No. 04-23 of the City of Auburn, Nemaha County, Nebraska?" Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": Janssen, Jeanneret, Billings, Shawn Clark, and Tom Clark. The following voted "NAY": No one. Motion: Carried. The passage and adoption of Ordinance No. 04-23 of the City of Auburn, Nemaha County, Nebraska, having been concurred in by a majority of all members of the Council of the City of Auburn, Nemaha County, Nebraska, I declare said Ordinance No. 04-23 adopted and approved as said Ordinance No. 04-23 of the City of Auburn, Nemaha County, Nebraska, by subscribing my name thereto and the Municipal Clerk of the City of Auburn, Nemaha County, Nebraska, attesting my signature by subscribing her name thereto and affixing thereon the seal of the City of Auburn, Nemaha County, Nebraska, and order that said Ordinance be published in pamphlet form as provided therein.

Discussion was held regarding Agenda Item 1 – 2 Ordinance No. 05-23 AN ORDINANCE OF THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA REGULATING VACANT BUILDINGS; ESTABLISHING MONETARY PENALTIES; SETTING DEFINITIONS & PROCEDURES; PROVIDING A CONFLICT RESOLUTION CLAUSE; PROVIDING FOR SEVERABILITY; & PROVIDING PUBLICATION & AN EFFECTIVE DATE FOR THE ORDINANCE (Second Reading). Proposed Ordinance No. 05-23 was presented for consideration. Mayor Erickson announced that the introduction of the proposed Ordinance was in

order. Council Member Billings moved that these proceedings be kept in a separate and distinct volume known as the “Ordinance Record of the City of Auburn, Nemaha County, Nebraska”, and that said volume be made part of these proceedings the same as though it were spread at large herein, which motion was seconded by Council Member Jeanneret. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted “YEA”: Jeanneret, Billings, Shawn Clark, Tom Clark, and Janssen. The following voted “NAY”: No one. Motion: Carried. Council Member Shawn Clark introduced proposed Ordinance No. 05-23 for Second Reading. Council Member Shawn Clark read Ordinance No. 05-23 for Second Reading. Council Member Shawn Clark moved that said proposed Ordinance No. 05-23 be approved on its second reading and its title agreed to. The motion was seconded by Council Member Tom Clark. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted “YEA”: Billings, Shawn Clark, Tom Clark, Janssen, and Jeanneret. The following voted “NAY”: No one. Motion: Carried.

Written reports and recommendations from Dept. Heads/Boards were provided. A written financial report was provided by the Auburn Community Redevelopment Authority and a written report on law enforcement activity within the City of Auburn for July 2023 was also provided.

With regards to Agenda Item K – Requests and Referrals, there were none.

There being no further business to come before the City Council, Council Member Janssen moved for adjournment to meet at the call of the Mayor. The motion was seconded by Council Member Tom Clark. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted “YEA”: Billings, Shawn Clark, Tom Clark, Janssen, and Jeanneret. The following voted “NAY”: No one. Motion: Carried.

Mayor Erickson declared the meeting adjourned.

Crystal Dunekacke
City Administrator

Chris Erickson
Mayor

A complete copy of the minutes is available for inspection at city hall.

TREASURER'S REPORT
CALENDAR 8/2023, FISCAL 11/2022

**AGENDA ITEM
 NO**

D-2

ACCOUNT TITLE	LAST REPORT ON HAND	RECEIVED	DISBURSED	BALANCE
GENERAL CHECKING	2,561,441.52	90,226.38	602,856.46	2,048,811.44
AM RESCUE ACT FUND CHECKING	588,307.26		588,307.26	
STREET CHECKING	633,493.74	51,478.64	37,376.43	647,595.95
STREET BOND/WARRANT CHECKING	20,238.48			20,238.48
TOTAL CHECKING:	3,803,481.00	141,705.02	1,228,540.15	2,716,645.87
TOTAL FIRE DEPT SINKING	125,601.47	.00	.00	125,601.47
TOTAL KENO RESERVE MMA:	40,441.80	17.14	.00	40,458.94
TOTAL KENO CHECKING	23,114.06	10.78	.00	23,124.84
TOTAL CDBG CHECKING	7,060.95	2,865.82	2,865.82	7,060.95
TOTAL CDBG DTR REUSE	71,786.03	1,079.35	2,865.82	69,999.56
TOTAL CDBG HD SAVINGS:	9,100.21	70.86	.00	9,171.07
TOTAL CRA CHECKING	1,054,163.41	1,005,722.50	944,819.78	1,115,066.13
TOTAL CITY REC CHECKING	64,543.12	.00	.00	64,543.12
GENERAL CD	101,999.86			101,999.86
TOTAL C.D.'S:	101,999.86	.00	.00	101,999.86
TOTAL CASH ON HAND:	5,301,291.91	1,151,471.47	2,179,091.57	4,273,671.81

D-4

**Special Designated License
Local Recommendation (Form 200)**

Applications must be entered on the portal after local approval - no exceptions
Late applications are non-refundable and will be rejected

BDF LLC, DBA CAPTAIN JACKS

Retail Liquor License Name or *Non-Profit Organization (*Must include Form #201 as Page 2)

140 N. 12TH STREET, LINCOLN, NE 68508

Retail Liquor License Address or Non-Profit Business Address

83579

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only

Event Date(s): 9-28-2023

Event Start Time(s): 4 PM

Event End Time(s): 10 PM

Alternate Date: _____

Alternate Location Building & Address: _____

Event Building Name: _____

Event Street Address/City: 819 CENTRAL AVE AUBURN, NE 68305

Indoor area to be licensed in length & width: ___ X ___

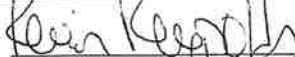
Outdoor area to be licensed in length & width: 100 X 104 (Diagram Form #109 must be attached)

Type of Event: AUBURN STREET MARKET Estimate # of attendees: 200

Type of alcohol to be served: Beer Wine Distilled Spirits
(If not marked, you will not be able to serve this type of alcohol)

Event Contact Name: CHRISTINA HATCHER Event Contact Phone Number: 402-202-9399

Event Contact Email: AUBURNSTREETMARKET@GMAIL.COM

*Signature Authorized Representative:  Printed Name KEVIN REYNOLDS

I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

*Retail licensee - Must be signed by a member listed on permanent license
*Non-Profit Organization - Must be signed by a Corporate Officer

Local Governing Body completes below:

The local governing body for the City/Village of _____ OR County of _____ approves
the issuance of a Special Designated License as requested above. (Only one should be written above)

Local Governing Body Authorized Signature

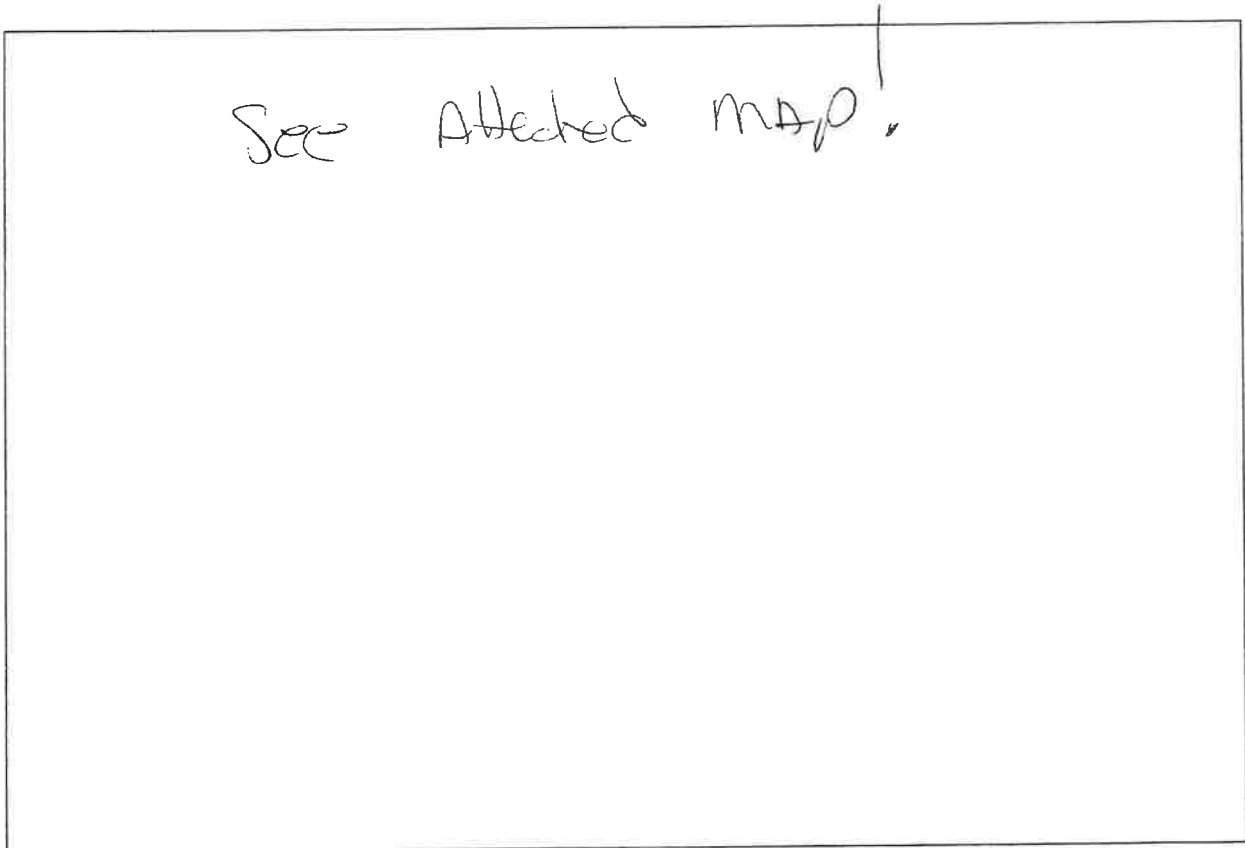
Date

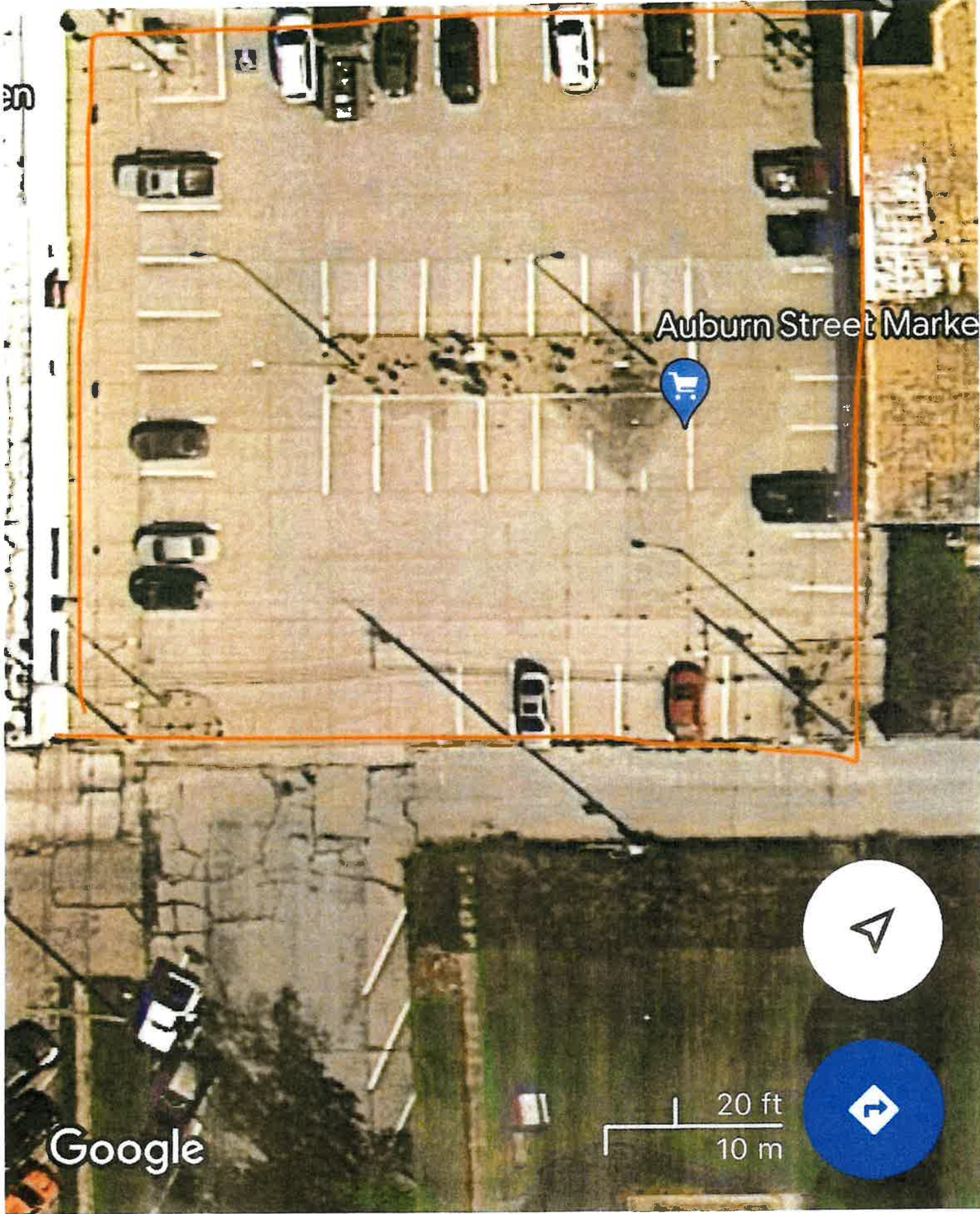
OUTDOOR AREA DIAGRAM

HOW AREA WILL BE PATROLLED trained Staff - licensed Servers

- IF APPLICABLE, OUTDOOR AREA MUST BE CONNECTED TO INDOOR AREA IF INDOOR AREA IS TO LICENSED
- MEASUREMENT OF OUTER WALLS OF AREA TO BE LICENSED MUST INCLUDED LENGTH & WIDTH IN FEET
- DOUBLE FENCING IS REQUIRED FOR ALL NON-PROFIT ORGANIZATIONS UNLESS FORM #140 IS FILED WITH THIS FORM AND IS APPROVED BY THE COMMISSION
- RETAILER LIQUOR LICENSE HOLDERS ARE NOT REQUIRED TO DOUBLE FENCE, ALTHOUGH MEASURES NEED TO BE TAKEN TO SECURE THE AREA

DIAGRAM OF PROPOSED AREA:





Auburn Street Marke

Google

20 ft
10 m



REQUEST FOR FUTURE AGENDA ITEM

If you have a topic that you would like the City Council to discuss at a future meeting, please list your name, address, telephone number/email address, and your requested topic. This will be reviewed and possibly scheduled for a future meeting, or it may be forwarded to the appropriate City staff/personnel/committee. If your item is scheduled for a future City Council Meeting, you will be notified of the date of the meeting. The City Council regularly meets the second Monday of each month at 7:00 p.m. in City Council Chambers at Auburn City Hall (subject to holidays or an unforeseen closure).

NAME: AUBURN OPTIMIST/CHAMBER DATE OF REQUEST: 10-31-2023

ADDRESS: (JACKIE OBERMEYER) 64351 722 A Rd BROWNSVILLE NE

TELEPHONE #: 402 274-7693 EMAIL: jackieruthobermeyer@gmail.com

IDENTIFY REQUESTED TOPIC: _____

PARKING LOT BY KOELNER KITCHEN. TRYING TO ARRANGE
BOUNCE HOUSES BUT WILL HAVE THEIR OWN INSURANCE
TRASH CANS POSSIBLY AREA CLOSED OFF.

FROM AFTER SCHOOL TILL 7PM

(May use back of this page if needed for further description)

For Administrative Purposes:	
Date Request Received: _____	Received by: _____
Personnel/Committee Reviewed by: _____	
Action Taken: _____	

Follow up Needed: _____	

Signed: _____	Date: _____

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

Sherry Heskett

CLAIMS REPORT
 Check Range: 9/01/2023- 9/05/2023

AGENDA ITEM
NO

E-1

VENDOR NAME	REFERENCE	VENDOR TOTAL
GENERAL FUND		
AMERICAN RECYCLING SANITATION	GARBAGE SERVICE/RECYCLING	145.00
BCom Solutions, LLC	WEBSITE HOSTING/DIGITAL MARKET	1,430.00
BLUE CROSS-BLUE SHIELD	HEALTH INSURANCE	3,123.16
AUBURN BPW	REIMBURSEMENT	3,372.37
CAPITAL BUSINESS SYSTEMS INC	COPIER LEASE/SUPPLIES	341.87
FNBO	CARD TRANSACTIONS	1,970.47
MICROFILM IMAGING SYSTEMS INC	EQUIPMENT RENTAL	138.00
MID-AMERICAN BENEFITS INC	HEALTH INSURANCE	52.50
MUTUAL OF OMAHA	LIFE INSURANCE	50.00
PINPOINT AUBURN INC	PHONE AND BROADBAND SERVICE	258.31
	TOTAL	<u>10,881.68</u>
POLICE DEPARTMENT		
NEMAHA COUNTY NEBRASKA	LAW ENFORCEMENT	34,650.00
	POLICE DEPARTMENT TOTAL	<u>34,650.00</u>
FIRE DEPARTMENT		
AUBURN BPW	ELEC	486.28
FNBO	CARD TRANSACTIONS	53.29
	FIRE DEPARTMENT TOTAL	<u>539.57</u>
PARK DEPARTMENT		
AUBURN BPW	ELEC DEMAND	6,859.24
FNBO	CARD TRANSACTIONS	473.18
	PARK DEPARTMENT TOTAL	<u>7,332.42</u>
SR. CENTER DEPARTMENT		
AUBURN BPW	ELEC	717.76
PINPOINT AUBURN INC	PHONE AND BROADBAND SERVICE	54.44
	SR. CENTER DEPARTMENT TOTAL	<u>772.20</u>
LIBRARY DEPARTMENT		
BLUE CROSS-BLUE SHIELD	HEALTH INSURANCE	1,115.42
AUBURN BPW	ELEC	740.37
LINDA BANTZ	CUSTODIAL SERVICES	400.00
MID-AMERICAN BENEFITS INC	HEALTH INSURANCE	12.00
MUTUAL OF OMAHA	LIFE INSURANCE	7.20
	LIBRARY DEPARTMENT TOTAL	<u>2,274.99</u>
POOL DEPARTMENT		
AUBURN BPW	IRRIGATION WA	2,282.44
	POOL DEPARTMENT TOTAL	<u>2,282.44</u>

CLAIMS REPORT
 Check Range: 9/01/2023- 9/05/2023

VENDOR NAME	REFERENCE	VENDOR TOTAL
	GENERAL FUND TOTAL	58,733.30
STREET FUND		
BLUE CROSS-BLUE SHIELD	HEALTH INSURANCE	2,485.78
AUBURN BPW	ELEC	625.12
FNBO	CARD TRANSACTIONS	633.30
MARK HARMS	LAND USE	500.00
MID-AMERICAN BENEFITS INC	HEALTH INSURANCE	36.00
MUTUAL OF OMAHA	LIFE INSURANCE	37.83
PINPOINT AUBURN INC	PHONE AND BROADBAND SERVICE	64.99
	TOTAL	4,383.02
	STREET FUND TOTAL	4,383.02
	Accounts Payable Total	63,116.32

CLAIMS REPORT
 Check Range: 9/06/2023- 9/06/2023

AGENDA ITEM
 NO

3 - 1

VENDOR NAME	REFERENCE	VENDOR TOTAL
GENERAL FUND		
AUBURN NEWSPAPERS	PUBLISHING	190.08
AUBURN PUBLIC SCHOOLS	REMIT STATE LICENSES TO SCHOOL	3,620.00
CRYSTAL DUNEKACKE	REIMBURSEMENT	282.59
EAKES OFFICE SOLUTIONS	SUPPLIES	370.64
GLENN'S CORNER MARKET	SUPPLIES	66.00
HARRY BRIDGMON	CITY FORESTER PAYMENT	325.00
LEAGUE ASSOC OF RISK MANAGEMEN	INSURANCE	129.92
MARTIN'S FLAG COMPANY LLC	FLAGS	301.73
PETTY CASH	SUPPLIES	189.15
	TOTAL	5,475.11
FIRE DEPARTMENT		
AUBURN FIRE DEPARTMENT	REIMBURSEMENT	345.00
FARMERS COOPERATIVE	FUEL	43.52
FIRST WIRELESS INC.	EQUIPMENT	4,569.50
HEIMAN INC	EQUIPMENT	161.29
	FIRE DEPARTMENT TOTAL	5,119.31
PARK DEPARTMENT		
AKRS EQUIPMENT	PARTS/SUPPLIES	362.43
BULLDOG AUTO SUPPLY INC	PARTS/SUPPLIES	77.99
FRONTIER COOPERATIVE	SUPPLIES	195.00
GLENN'S CORNER MARKET	SUPPLIES	110.00
MELLAGE TRUCK & TRACTOR	EQUIPMENT REPAIRS	52.50
YOLANDA KERR	FLOWER GARDENING SERVICES	500.00
	PARK DEPARTMENT TOTAL	1,297.92
LIBRARY DEPARTMENT		
AMAZON CAPITAL SERVICES	BKS/AVS	748.61
AUBURN MEM. LIBRARY PETTY CASH	POSTAGE/ILL	92.94
BAKER & TAYLOR	BKS/AVS	639.13
DEMCO INC	SUPPLIES	456.12
NEBRASKA LIBRARY COMMISSION	SUBSCRIPTION	500.00
OVERDRIVE, INC.	BKS/AVS	1,490.95
PIETERS CONSTRUCITON INC	CONCRETE SIDEWALK REPAIRS	2,450.00
RICOH USA, INC	EQUIPMENT/COPIES	55.33
	LIBRARY DEPARTMENT TOTAL	6,433.08
POOL DEPARTMENT		
AIRSTREAM HEATING AND COOLING	PLUMBING SERVICE	487.96
AUBURN PLUMBING,HTG & AC INC.	PLUMBING SERVICE	72.82
	POOL DEPARTMENT TOTAL	560.78
	GENERAL FUND TOTAL	18,886.20

CLAIMS REPORT
 Check Range: 9/06/2023- 9/06/2023

VENDOR NAME	REFERENCE	VENDOR TOTAL
STREET FUND		
AKRS EQUIPMENT	PARTS/SUPPLIES	68.40
ALLAN DAUGHERTY	EQUIPMENT/LABOR	240.00
BINDER BROS., INC.	CONCRETE	1,653.21
BULLDOG AUTO SUPPLY INC	PARTS/SUPPLIES	964.47
DIAMOND VOGEL	PAINT	690.65
FILTER CARE	FILTERS/CLEAN	77.95
JEO CONSULTING GROUP INC.	PROFESSIONAL SERVICES	532.00
MENARDS	SUPPLIES	367.22
SACK LUMBER COMPANY	SUPPLIES	19.42
	TOTAL	----- 4,613.32
	STREET FUND TOTAL	----- 4,613.32
	Accounts Payable Total	=====
		23,499.52

CLAIMS REPORT
 Check Range: 8/17/2023- 8/31/2023

AGENDA ITEM
NO

E-1

VENDOR NAME	REFERENCE	VENDOR TOTAL
GENERAL FUND		
AFLAC	AFLAC WH	73.80
BAIRD HOLM LLP	LEGAL SERVICES	346.50
	TOTAL	----- 420.30
	GENERAL FUND TOTAL	----- 420.30
CDBG GRANT FUND		
REUSE DTR		
JAMIE WEISS	DTR REUSE PROJECT	2,280.68
RYAN & SUNSHINE TAYLOR	DTR REUSE PROJECT	585.14
	REUSE DTR TOTAL	----- 2,865.82
	CDBG GRANT FUND TOTAL	----- 2,865.82
	Accounts Payable Total	=====

RESOLUTION NO. 15-23
Of
THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA
A RESOLUTION APPROVING CITY ENGINEER (JEO) 2023 REPLAT WESTGATE ADDITION
TO CITY OF AUBURN, NE; APPROVING EASEMENT OF INGRESS & EGRESS; &
VACATING ORIGINAL PLAT WESTGATE ADDITION, DATED MAY 3, 1977.

WHEREAS, the City is authorized pursuant to NEB REV STAT. §§ 19-915 – 19-920, & City Code of Ordinance: Title XV. LAND USAGE, Chapter 151: SUBDIVISIONS, §§ 151.020 thru 151.147

WHEREAS, the City Council, following the recommendation of the City Planning Commission, pursuant to City Ord. No. 1-95, passed & approved on the 3rd day of April 1995, approved Westgate Addition, dated May 3, 1977, as a R-2 Medium Density Residential Subdivision outside the of the City limits; and included by annexation within the City limits Lots 2 & 3, Block 3, with approved private streets.

WHEREAS, the City Council, following the recommendation of the City Planning Commission pursuant to City Ord. No. 7-07, passed & approved on the 29th day of May 2007, annexed and accepted Westgate Addition, in its entirety, to the City of Auburn, NE., Plat by Surveyor John H. Stevenson, dated: May 3, 1977.

WHEREAS, ownership of Westgate Addition has transferred to the Community Redevelopment Authority of Auburn, NE for further development with the current R-2 Medium Density Residential zoning designation.

WHEREAS, the Owners have requested a replat of Westgate Addition to allow for further residential growth and development within the subdivision with appropriate lot sizes and dimensions for aesthetically pleasing building sites, creating a proper architectural setting, and developing the subdivision in a manner that is consistent with current residential code requirements, housing standards, and residential housing trends.

WHEREAS, the Owners shall agree to all conditions of approval as stated in this Resolution.

NOW THEREFORE, by the Mayor and City Council, of the City of Auburn, Nebraska

Section 1. The above recitals are hereby incorporated as findings of fact. The 2023 Replat Westgate Addition to the City of Auburn, NE, as shown in Ex. A attached hereto and incorporated herein is approved.

Section 2. The approved 2023 Replat Westgate Addition to the City of Auburn, NE is subject to easement of ingress and egress by and through Parcel 4 by the current driveway from 17th St. to Parcels 1, 2, & 3 of the 2023 Westgate Add. Replat by the owners/purchasers of Parcels 1, 2, & 3, their heirs, agents, representatives, and assigns.

Section 3. The original Plat for Westgate Addition to Auburn, NE, dated May 3, 1997, by Surveyor John J. Stevenson, is hereby vacated.



**2023
AUBURN RESIDENTIAL DEVELOPMENT
WESTGATE ADD. TO AUBURN
OUTLOT "A" OF TERRACE HEIGHTS 2ND ADD.
AUBURN, NEBRASKA**

SURVEY RECORD

PROJECT # 23080
DATE 07/20/2023
DRAWN BY J. L. HARRIS
CHECKED BY J. L. HARRIS
SCALE 1" = 40.00'



THIS SURVEY WAS PERFORMED BY THE SURVEYOR OF THE CITY OF AUBURN, NEBRASKA, AND THE SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACTS OF THE STATE OF NEBRASKA. THE SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACTS OF THE STATE OF NEBRASKA.

ALL DISTANCES WERE MEASURED WITH A TRIMBLE R70 GAS RECEIVER. ALL DISTANCES WERE MEASURED WITH A TRIMBLE R70 GAS RECEIVER.

THE SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACTS OF THE STATE OF NEBRASKA. THE SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACTS OF THE STATE OF NEBRASKA.

League Association of Risk Management
2023-24 New Resolution

RESOLUTION NO. 16-23

WHEREAS, The _____ is a member of the League Association of Risk Management (LARM);

WHEREAS, section 8.10 of the Interlocal Agreement for the Establishment and Operation of the League Association of Risk Management provides that a member may voluntarily terminate its participation in LARM by written notice of termination given to LARM and the Nebraska Director of Insurance at least 90 days prior to the desired termination given to and that members may agree to extend the required termination notice beyond 90 days in order to realize reduced excess coverage costs, stability of contribution rates and efficiency in operation of LARM; and

WHEREAS, the Board of Directors of LARM has adopted a plan to provide contribution credits in consideration of certain agreements by members of LARM as provided in the attached letter.

BE IT RESOLVED that the governing body of The _____, Nebraska, in consideration of the contribution credits provided under the LARM Board's plan, agrees to:

- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2026. **(180 day and 3 year commitment; 5% discount)**
- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2025. **(180 day and 2 year commitment; 4% discount)**
- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2024. **(180 day notice only; 2% discount)**
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2026. **(90 day notice and 3 year commitment only; 2% discount)**
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2025. **(2 year commitment only; 1%)**
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2024. **(90 day Notice only)**

Adopted this ____ day of _____, _____.

Signature: _____
 Title: _____
 ATTEST: _____
 Title: _____

Please email (customerservice@LARMpool.org) or fax (402.476.4089) the completed resolution to LARM.

RESOLUTION NO. 17-23

Funding Agreement with Auburn Chamber of Commerce

BE IT RESOLVED by the Mayor and City Council of the City of Auburn, that the proposed agreement between the City of Auburn and the Auburn Chamber of Commerce can be approved as presented.

PASSED AND APPROVED, this 11th day of September, 2023.

Mayor

ATTEST:

City Clerk

FUNDING AGREEMENT

THIS AGREEMENT made and entered into this 11th day of September, 2023, by and between the City of Auburn, Nebraska, a Municipal Corporation, hereinafter referred to as City, and the Auburn Chamber of Commerce, Inc., a Nebraska Nonprofit Corporation, hereinafter referred to as Chamber,

WITNESSETH, the parties hereto wish to enter into a Funding Agreement for the purpose of promoting economic development in the City of Auburn, Nebraska, and its immediate business, industrial and manufacturing environs;

NOW, THEREFORE, in consideration of the foregoing recitals and the terms and conditions hereinafter set forth, the parties hereto agree as follows:

1. The parties hereto agree to enter into a funding arrangement for the promotion of economic development as set forth above on the basis of the City's fiscal year ending September 30, 2024.
2. City agrees to fund the promotion of economic development by paying to Chamber the sum of \$2,000.
3. The City's funding as set forth above shall be subject to Chamber using said funds for the purpose of: ... encouraging immigration, new industries, and investment and to conduct and carry on a publicity campaign,..., exploiting and advertising the various agricultural, horticultural, manufacturing, commercial, and other resources, including utility services of the City," all in accordance with Section 13-315 of the Revised Statutes of Nebraska, a copy of which is attached hereto and marked Exhibit "A"
4. As a way of insuring the City's funds will be used in compliance with Section 13-315, the City's Treasurer and the Chamber's President shall reconcile and audit the receipt and expenditure activity of these funds on an annual basis and within sixty (60) days of the close of the City's fiscal year.
5. At the expiration date of this Funding Agreement on September 30, 2024, the parties hereto shall either enter into a new funding agreement for the ensuing fiscal year or this Funding Agreement shall terminate and the end of year reconciliation and audit shall be accomplished as provided in Paragraph 4 above.

IN WITNESS WHEREOF, the parties hereto have executed the foregoing Funding Agreement in duplicate.

City of Auburn, Nebraska, a
Municipal Corporation

Mayor

ATTEST:

City Clerk

Auburn Chamber of Commerce, Inc.

President

Do not recreate or revise the pages of this document, as revisions and recreations will not be accepted. Failure to return both pages of the original document by the filing deadline (October 31, 2023) may result in the suspension of Highway Allocation funds until the documents are filed.

RESOLUTION

**AGENDA ITEM
NO**

**SIGNING OF THE
MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE
2023**

H-4

Resolution No. 18-23

Whereas: State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and standards; and

Whereas: State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include the resolution of the governing body of the municipality authorizing the signing of the certification.

Be it resolved that the Mayor Village Board Chairperson of _____ is hereby authorized to sign the Municipal Annual Certification of Program Compliance.

Adopted this _____ day of _____, 20____ at _____ Nebraska.

City Council/Village Board Members

City Council/Village Board Member _____
Moved the adoption of said resolution
Member _____ Seconded the Motion
Roll Call: _____ Yes _____ No _____ Abstained _____ Absent
Resolution adopted, signed, and billed as adopted.

Attest:

(Signature of Clerk)

Do not recreate or revise the pages of this document, as revisions and recreations will not be accepted. Failure to return both pages of the original document by the filing deadline (October 31, 2023) may result in the suspension of Highway Allocation funds until the documents are filed.

**MUNICIPAL
ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE
TO
NEBRASKA BOARD OF PUBLIC ROADS CLASSIFICATIONS
AND STANDARDS
2023**

In compliance with the provisions of the State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requiring annual certification of program compliance to the Board of Public Roads

Classifications and Standards, the City Village of _____
(Check one box) (Print name of municipality)

hereby certifies that it:

- ✓ has developed, adopted, and included in its public records the plans, programs, or standards required by sections 39-2115 and 39-2119;
- ✓ meets the plans, programs, or standards of design, construction, and maintenance for its highways, roads, or streets;
- ✓ expends all tax revenue for highway, road, or street purposes in accordance with approved plans, programs, or standards, including county and municipal tax revenue as well as highway-user revenue allocations;
- ✓ uses a system of revenue and costs accounting which clearly includes a comparison of receipts and expenditures for approved budgets, plans, programs, and standards;
- ✓ uses a system of budgeting which reflects uses and sources of funds in terms of plans, programs, or standards and accomplishments;
- ✓ uses an accounting system including an inventory of machinery, equipment, and supplies;
- ✓ uses an accounting system that tracks equipment operation costs;
- ✓ has included in its public records the information required under subsection (2) of section 39-2520; and
- ✓ **has included in its public records a copy of this certification and the resolution of the governing body authorizing the signing of this certification by the Mayor or Village Board Chairperson.**

Signature of Mayor Village Board Chairperson (Required) (Date)

Signature of City Street Superintendent (Optional) (Date)

Return the completed original signing resolution and annual certification of program compliance by October 31, 2023 to:

Nebraska Board of Public Roads Classifications and Standards
PO Box 94759
Lincoln NE 68509



ORDINANCE NO. 05-23
OF
THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA

AN ORDINANCE OF THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA REGULATING VACANT COMMERCIAL BUILDINGS; ESTABLISHING MONETARY PENALTIES; SETTING DEFINITIONS & PROCEDURES; PROVIDING A CONFLICT RESOLUTION CLAUSE; PROVIDING FOR SEVERABILITY; & PROVIDING PUBLICATION & AN EFFECTIVE DATE FOR THE ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF AUBURN, NEBRASKA, AS FOLLOWS:

SECTION 1. A new "Section: "*Vacant Commercial Building Registration*" shall be added to Chapter 150 "*Building Regulations: Construction*" to the City of Auburn, Nebraska, Code of Ordinances as follows:

150.80. Purpose. Recognizing that vacant commercial buildings and properties contribute to blight within commercial districts, discourage economic development, hinder appreciation of property values, depress the appearance of the City of Auburn, decrease municipal revenue and taxable value of surrounding properties, endanger public health and safety, attract criminal activity, and create fire hazards, it is the responsibility of owners to prevent buildings from becoming a burden to the neighborhood and community and a threat to the public health, safety, and welfare. Maintenance of the public health, safety and welfare thus requires the City to maintain an accurate registration of all vacant buildings and properties.

150. 81. Definitions.

- A. Building means a building, accessory structure, or other structure adapted to permanent occupancy for commercial use within the C-1 Commercial Districts & CR Commercial Residential Districts.
- B. City means the City of Auburn, Nemaha County, Nebraska.
- C. Chronic Vacancy means any building vacant and unregistered one (1) year or longer.
- D. Commercial means any structure classified as a commercial structure under the zoning ordinances of the City of Auburn, NE, within the C-1 Commercial Districts & CR Commercial Residential Districts
- E. Owner means the person, persons, or entity identified as the owner or owners on the last deed of record for the property.
- F. Unsecured means that access to the building may be obtained through open, unlocked, broken, or missing doors or windows of such building.
- G. Vacant Building means a building identified herein, that is unattended or unoccupied and is not actively used as a place of business, or the buildings primary use or intention as commercial is not being developed or utilized; or without active

and routine development towards retail business use/occupation, or the building is frequently open or unsecured so that unauthorized admittance may be gained without damaging any portion of the property, or the building is primarily being used for storage. A commercial building or property will be considered vacant when found to be in the above condition for more than six (6) months and subject to the registration requirements found in this Ordinance.

- H. Good Faith shall be defined as being advertised at a price no more than 125% of the assessed value as listed for the most recent year posted by the Nemaha County Assessor unless a higher market value is established by a certified realtor or licensed appraiser. The owner shall accept any bona fide offer for that amount or more.

150.82. Registration and Maintenance Requirements; Fees.

- A. The owner of a vacant building shall register the building with the City Building Inspector/Code Enforcement Officer ("CBICEO" herein) within one hundred and eight (180) days of written notice provided to the owner or the owner's resident agent of the vacant building unless the vacancy is corrected and approved by the CBICEO. Such notice shall be served on the owner or resident agent by personal service or by certified mail, return receipt requested. If the owner is a resident, such notice shall be personally served or sent by certified mail, return receipt requested. If the owner is a non-resident, such notice shall be personally served or sent by certified mail, return receipt requested, to the last known address of the owner.
- B. The City shall also accept notifications to owners by mail or electronic transmissions of a building that meets the definition of a Vacant Building as defined in this Ordinance and shall pursue registration of said building in accordance herewith.
- C. The required registration shall be submitted on the form provided by the City and available on the City's website, which form shall include the name, current mailing address, phone number, current email, and any other contact information of the owner; the names and addresses of all known lien holders and all other parties/LLC/Corporation/Business with a legal or equitable ownership interest in the building; the common address of the building, as well as the parcel identification and sale or rental price. The form shall also include the period of time the vacant building is expected to remain vacant, and a plan and timetable for either:
1. Returning the vacant building to appropriate occupancy or use, including compliance with the minimum maintenance standard of this Ordinance; or
 2. Marketing the property in good faith.
- D. Pursuant to the registration requirements of this subsection, for every subsequent 6-month period a building remains vacant beyond the initial registration, the owner of the vacant building must:
1. Re-register the building or property, including appropriate fees, and
 2. Submit an updated plan for either returning the vacant building to appropriate occupancy or use, or marketing thereof.

- E. If the owner of the vacant building does not reside in Nemaha County for at least six (6) months a year, then they shall provide information for a resident agent with authority to act with respect to the property, such resident agent residing in Nemaha County at least six (6) months per year, including name, current mailing address, phone number, current email address, and any other contact information of the owners agent. Failure to identify a resident agent is grounds for rejection of the registration application without refund of the application fee as well as the penalties herein.
- F. Any subsequent owner of a vacant building must register or re-register the building with the City within the thirty (30) days of any transfer of any ownership interest in the vacant building.
- G. The owner of a vacant building must keep the building and any adjoining property secure, safe, and maintained in compliance with all Federal, State, and local ordinances and regulations.
- H. One hundred & eighty days after registration, a registration fee of Five Hundred Dollars (\$500.00) per building shall be collected by the City Clerk/Treasurer at the time of registration. A re-registration fee of One-Thousand Dollars (\$1,000.00) per building shall be collected, thereafter the re-registration fee will increase by five-hundred (\$500.00) dollars, with a maximum supplemental registration fee of ten (10) the initial registration fee amount. Registration fees may be refundable for the year preceding the date on which the property is no longer vacant upon approval by the City Council.
- I. A vacant building shall be exempt from the registration and fee requirements herein if it is advertised in good faith (as identified herein) for sale or lease.
- J. This Ordinance shall be subject to and include the requirements of Neb. Rev. Stat. § 19-5407, of the Vacant Property Registration Act.

150.83. Inspections; Minimum Maintenance Standards; Ongoing Obligation.

- A. Upon the request of the CBICEO, an owner shall provide access to all interior portions of any vacant building or suspected vacant building to permit a complete inspection of the same by a representative of the City of Auburn, NE.
- B. No registration application under this chapter shall be accepted unless the vacant building meets a minimum maintenance standard as assessed by the City's designated officer, with or without the advice and assistance of any third party professional(s) with specialized knowledge necessary to conduct such assessment, including structural integrity, a roof in adequate condition to repeal moisture and the elements, intact walls, windows and doors which allow for securing the building or property such that it will not deteriorate, attract pests, or pose a safety risk to the public.
- C. The owner of a vacant building will make the property available for an initial inspection within seven (7) days of submitting the registration application, and again within fourteen (14) days of the City's request of subsequent inspections in

order to ascertain the ongoing condition of the building and compliance with this Ordinance, as well as the City's Building Codes/Ordinances. Such inspections shall take place at reasonable times during business hours. Failure to permit an inspection hereunder is grounds for rejection of the registration application without refund of the application fee as well as the penalties identified herein.

150.84. Penalties; Procedures.

A. Penalties

1. Any owner who fails to register a vacant building under this article shall be liable for a civil penalty of five hundred dollars (\$500.00) per 24-hour period that said vacant building is unregistered.
2. If the building continues to meet the definition of a vacant building for a period of thirty (30) calendar days beyond the required re-registration date, and the owner fails to re-register such building, the City Clerk shall assess a penalty of five hundred dollars (\$500.00) for each thirty (30) calendar day period the building continues to be un-reregistered.
3. If a building or property is vacant and unregistered more than one (1) year and remains unregistered it shall be classified as a chronic vacancy, and as a chronic vacancy a building shall be subject to a fee of \$5,000.00 per year of chronic vacancy with a 10% annual increase.
4. All penalties and fees assessed shall be payable directly to the City of Auburn, NE. Funds derived from said fee shall be used to offset the City's costs of annual inspections as provided in this Ordinance.
5. Any and all civil penalties assessed under this section shall be billed to the owner or other responsible party. Failure or refusal to pay any and all such penalties permits the City to pursue any and all available legal remedies for the enforcement and collection of such penalties; including but not limited to, civil actions being filed in any court of competent jurisdiction, abatement of nuisances maintained in violation of this chapter, institution of injunction, mandamus, or other appropriate action or proceedings to enforce the penalty provisions of this chapter.
6. When penalties assessed under this Ordinance have gone unpaid for one (1) year, they shall be added to the county's tax rolls as special assessments.

B. Procedures

1. Upon failure to register a vacant building a Notice of Registration Penalty shall be issued to the owner(s).
2. A separate Notice of Registration Penalty shall be issued for each subsequent penalty that may be assessed.
3. The Notice of Registration Penalty shall be served upon the owner by certified mail, personal service, mail, or email, as is accessible to the City and the owners.

4. This chapter in no way limits the penalties, actions or abatement procedures which may be taken by the city for violation of any other ordinance of the city or statute of the state of Nebraska.

SECTION 2. Any conflicting provisions in the City of Auburn Code of Ordinances are hereby repealed All other provisions within shall remain in full force and effect except as revised herein.

SECTION 3. This ordinance shall be published in book or pamphlet form and posted in three (3) public locations in the City of Auburn, NE. This Ordinance shall take effect and be in full force from and after its passage, approval, and publication in accordance with City Code § 35.07 and Nebraska Law.

SUSPEND
READINGS _____
(3/4 VOTE)

FIRST READING _____

SECOND READING _____

THIRD READING _____

PASSED AND APPROVED THIS 10TH DAY OF July 2023 AS FOLLOWS:

Tom Clark (Ward 1) Aye: _____ Nay: _____ Absent: _____ Abstain: _____

Shawn Clark (Ward 1) Aye: _____ Nay: _____ Absent: _____ Abstain: _____

Katy Billings (Ward 2) Aye: _____ Nay: _____ Absent: _____ Abstain: _____

Rick Janssen (Ward 2) Aye: _____ Nay: _____ Absent: _____ Abstain: _____

Nathan Seitz (Ward 3) Aye: _____ Nay: _____ Absent: _____ Abstain: _____

Jeff Jeanneret (Ward 3) Aye: _____ Nay: _____ Absent: _____ Abstain: _____

Chris Erickson, Mayor
(Tiebreaker vote) Aye: _____ Nay: _____

*(Mayor votes as Council only
As needed on a tiebreaker)*

Chris Erickson, Mayor
City of Auburn, Nebraska

ATTESTED:

Sherry Heskett, Municipal Clerk
City of Auburn, Nebraska (Seal)

I - 2

ORDINANCE NO. 09-23
THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA

AN AMENDMENT TO ORDINANCE NO. 06-23 OF THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA, AMENDING FIXED COMPENSATION OF THE OFFICERS & EMPLOYEES OF THE CITY; REPEALING THE ORIGINAL ORDINANCE NO. 06-23; PRESCRIBING EFFECTIVE DATES FOR COMPENSATION; & DECLARING AN EFFECTIVE DATE FOR THIS ORDINANCE

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA:

SECTION I. That the Compensation and other benefits of the officers and employees of the City of Auburn, Nemaha County, Nebraska, is hereby fixed by category as follows:

<u>Categories</u>	<u>No. in each Category</u>	<u>Salary</u>		<u>Annual Pension</u>	<u>Annual Insurance</u>	<u>Effective Date</u>
<u>SWIMMING POOL</u>						
Manager	1	\$ 18.00 Hr				04/1/2023
Asst. Manager	3	\$ 16.00 Hr				04/1/2023
Lifeguards	(varies)	\$ 14.00 Hr	WSI			04/1/2023
		\$ 12.00 Hr	Non WSI			04/1/2023
<u>LIBRARY</u>						
Library Director	1	\$ 4,334.63 Mo	\$ 3,120.93	\$ 12,099.79		10/1/2023
Cir. Clerk/Asst. Childrens	1	\$ 16.94 Hr	\$ -	\$ -		10/1/2023
Circulation Clerk	1	\$ 16.94 Hr	\$ -	\$ -		10/1/2023
Reference Librarian	1	\$ 19.06 Hr	\$ 1,495.62	\$ -		10/1/2023
Catalog Clerk	1	\$ 16.94 Hr	\$ -	\$ -		10/1/2023
<u>STREET DEPARTMENT</u>						
Commissioner	1	\$ 4,709.46 Mo	\$ 3,390.81	\$ 6,156.60		10/1/2023
Laborer	1	\$ 4,144.33 Mo	\$ 2,983.92	\$ 8,279.16		10/1/2023
Laborer (With CDL)	1	\$ 3,579.19 Mo	\$ 2,577.02	\$ 17,738.80		10/1/2023
Laborer (Without CDL)		\$ 3,307.20 Mo	\$ 2,381.18			10/1/2023
Laborer (Part Time)	(varies)	\$ 21.20 Hr	\$ -	\$ -		10/1/2023
Extra Street Help	(varies)	\$ 17.16 Hr	\$ -	\$ -		10/1/2023
<u>PARKS</u>						
Laborer (Seasonal)	1	\$ 16.75 Hr				06/1/2023
	2	\$ 16.00 Hr				06/1/2023
	3	\$ 14.00 Hr				06/1/2023
Forester		\$335 Yr				10/1/2023

MISCELLANEOUS

Mayor	1	\$	300.00	Mo	\$	-	\$	45.72	10/1/2023
Council Members	6	\$	200.00	Mo	\$	-	\$	45.72	10/1/2023
City Clerk/Treasurer	1	\$	6,819.03	Mo	\$	4,909.70	\$	8,653.44	10/1/2023
City Admin/Economic Developer	1	\$	8,349.62	Mo	\$	6,011.73	\$	6,442.68	10/1/2023
Deputy Clerk	1	\$	4,020.64	Mo	\$	2,894.86	\$	17,776.84	10/1/2023
Part Time Helper	1	\$	9.36	Hr	\$	-	\$	-	10/1/2023
Office Assistant	1	\$	17.65	Hr	\$	2,202.74	\$	8,173.32	10/1/2023
Building Inspector	1	\$	28.08	Hr	\$	3,504.38	\$	6,179.76	10/1/2023
Floodplain Administrator	1	\$	416.67	Mo	\$	-	\$	-	10/1/2023
Physician	1	\$	1.00	Yr	\$	-	\$	-	10/1/2023
Fire Department	1	\$	520.84	Mo	\$	-	\$	-	10/1/2023

BOARD OF PUBLIC WORKS

	Number	Salary	Annual Pension	Annual Insurance
BOARD MEMBER	5	200.00 Mo	0.00	0.00
GENERAL MANAGER	1	8,500.00 Mo	6,438.43	16,389.12
W&WW MANAGER	1	5,636.80 Mo	4,058.50	16,108.20
ELECTRIC MANAGER	1	6,630.00 Mo	4,773.60	16,309.68
ACCTG & FINANCE MGR	1	5,726.93 Mo	4,123.39	6,212.40
UTILITY MANAGEMENT/CUSTOMER ADMIN	1	27.94 Hr	3,486.91	8,268.00
CUST SERV SPEC I	1	22.39 Hr	2,794.27	8,228.64
PAYROLL CLERK/ PURCHASING AGENT	1	28.69 Hr	3,580.51	16,087.44
ENGINEERING TECH	1	33.19 Hr	4,142.11	6,222.96
GENERAL SERVICE TECH	1	23.91 Hr	2,983.97	22,519.44
GENERAL SERVICE TECH	1	18.88 Hr	2,356.22	5,757.48
LEAD LINE TECHNICIAN	1	34.15 Hr	4,261.92	6,202.76
LINE TECH SUPERV	1	36.58 Hr	4,565.18	6,233.16
LINEMAN APPRENTICE	4	25.30 Hr	3,157.44	5,845.44
MAINTENANCE MECHANIC	1	34.17 Hr	4,264.42	16,284.24
POWER PLANT OPERATOR	3	30.34 Hr	3,786.43	22,471.68
WATER TECH GRADE II	1	27.28 Hr	3,404.54	13,802.88
WATER TECH GRADE I	1	24.20 Hr	3,020.16	6,014.04
WATER/WASTEWATER PLANT OPERATOR	1	30.11 Hr	3,757.73	6,084.60
WW PLANT OP GRADE III,Water II	1	32.30 Hr	4,031.04	13,480.32

BPW employees on scale are calculated with the proposed step increases subject to supervisor approval.

SECTION II. That original Ordinance Number 06-23 of the City of Auburn, Nemaha County, Nebraska, and all other Ordinances or parts thereof in conflict herewith, be and the same are hereby repealed.

SECTION III. That this Ordinance shall be in full force and effect from and after passage, approval and publication according to law.

Passed and approved this 11th day of September 2023.

ATTEST:

Chris Erickson, Mayor

Sherry Heskett, City Clerk

Street Department Activity Report
(August 2023)

- Fixed broken storm drains on the corner of central and K.
- Worked with the utilities on water break by Sue Bantz insurance.
- Burned brush out at the old dump.
- Painted curb zones around the Calvert School.
- Painted downtown parking stalls and handicap areas.
- Cut up trees from the windstorm.
- Swept on the North side and East side of town.
- Set up for music in the park.
- Cleaned up and serviced equipment.
- Painted crosswalks downtown and the school crosswalks.
- Tore out and replaced concrete on 26th street.
- Watered down the horse arena for the fair.
- Took different supplies down for the fair.
- Replaced bricks at 15th and courthouse Ave.
- Replaced shutoff line of the flush out for the campers.
- Painted up and replaced the no parking signs.
- Mowed around the welcome to Auburn signs on each end of town.
- Measured and marked out for the soccer fields.
- Replaced 2 of the outside water hydrants at the pool.
- Mowed and picked up at the Westgate addition.
- Put a new radiator thermostat in the John Deere gator.

Blake Goering
Street Commissioner

Auburn Memorial Library

1810 Courthouse Ave
Auburn, NE 68305

September 2023

- Friends of the Library used book sale will start at the end of Sept
- Upcoming events:
 - Storytime will be starting in September - watch for flyers
 - Special Saturday craft hour - watch for flyers

Statistical Report:

<u>Date:</u>	<u>Circulation:</u>	<u>Patrons:</u>
July 2023	3,441	2,291
OverDrive	<u>831</u>	<u>140</u>
	4,272	2,431
August 2023	2,719	1,674
OverDrive	<u>911</u>	<u>142</u>
	3,630	1,816

J-1(d)

SALES TAX RECORD 8-31-23													
Month Received	For Tax Month	Fiscal Year 2014-2015	Fiscal Year 2015-2016	Fiscal Year 2016-2017	Fiscal Year 2017-2018	Fiscal Year 2018-2019	Fiscal Year 2019-2020	Fiscal Year 2020-2021	Fiscal Year 2021-2022	Fiscal Year 2022-2023	BUDGET	MVT%	
October	August	\$ 36,270.33	\$ 35,228.89	\$ 43,099.35	\$ 39,015.82	\$ 42,358.50	\$ 42,682.36	\$ 43,756.43	\$ 55,385.48	\$ 56,702.78	\$ 45,833.33	\$ 7,788.94	14.00%
November	September	\$ 38,786.01	\$ 40,340.94	\$ 40,779.07	\$ 42,021.78	\$ 39,835.99	\$ 40,459.93	\$ 42,714.47	\$ 47,145.47	\$ 58,962.82	\$ 45,833.33	\$ 8,242.33	14.00%
December	October	\$ 39,432.22	\$ 45,058.84	\$ 38,458.76	\$ 38,037.41	\$ 40,359.00	\$ 44,793.82	\$ 47,017.75	\$ 49,481.16	\$ 58,115.82	\$ 45,833.33	\$ 7,643.76	14.00%
January	November	\$ 36,596.93	\$ 37,126.43	\$ 35,266.65	\$ 37,533.01	\$ 38,805.50	\$ 43,265.46	\$ 48,376.57	\$ 43,555.41	\$ 52,892.01	\$ 45,833.33	\$ 6,728.08	13.00%
February	December	\$ 42,888.48	\$ 47,871.21	\$ 43,026.29	\$ 41,778.56	\$ 44,243.20	\$ 46,598.38	\$ 58,566.77	\$ 52,070.23	\$ 55,852.41	\$ 45,833.33	Not Receive	
March	January	\$ 34,999.17	\$ 35,383.54	\$ 39,514.30	\$ 36,251.60	\$ 33,043.47	\$ 37,703.54	\$ 47,301.82	\$ 42,727.56	\$ 54,068.19	\$ 45,833.33	\$ 17,549.13	14.00%
April	February	\$ 35,245.70	\$ 33,856.40	\$ 33,050.01	\$ 31,810.58	\$ 36,109.30	\$ 36,299.23	\$ 37,367.96	\$ 41,873.58	\$ 47,432.24	\$ 45,833.33	\$ 8,086.83	15.00%
May	March	\$ 37,246.02	\$ 39,427.60	\$ 45,714.57	\$ 41,008.62	\$ 53,331.57	\$ 39,421.71	\$ 49,323.63	\$ 49,008.07	\$ 51,353.25	\$ 45,833.33	\$ 10,981.88	15.00%
June	April	\$ 33,785.98	\$ 45,064.75	\$ 38,810.17	\$ 37,756.61	\$ 43,263.57	\$ 37,937.43	\$ 51,900.86	\$ 46,529.27	\$ 54,782.34	\$ 45,833.33	\$ 7,133.26	15.00%
July	May	\$ 32,314.28	\$ 37,310.36	\$ 40,424.12	\$ 43,079.76	\$ 39,992.48	\$ 43,748.71	\$ 50,694.88	\$ 54,084.67	\$ 52,444.22	\$ 45,833.33	\$ 10,014.28	16.00%
August	June	\$ 39,270.96	\$ 42,664.62	\$ 43,827.06	\$ 42,162.40	\$ 38,329.24	\$ 49,009.99	\$ 52,285.24	\$ 55,826.87	\$ 53,823.46	\$ 45,833.33	\$ 7,729.75	15.00%
September	July	\$ 35,380.68	\$ 42,095.67	\$ 38,461.05	\$ 40,671.36	\$ 42,464.52	\$ 48,457.66	\$ 46,530.43	\$ 54,165.14				
Total		\$ 442,216.76	\$ 481,439.25	\$ 480,431.40	\$ 471,127.51	\$ 492,136.34	\$ 510,378.22	\$ 575,826.81	\$ 591,852.91	\$ 596,429.54	\$ 550,000.00	\$ 91,898.24	
		*includes MV											
		Actual Last YTD	Actual YTD	Budget YTD									
		\$537,687.77	\$596,429.54	\$504,166.63									
		YTD	Compared to Last Year										
		\$ 58,741.77	Increase from Last Year										
		YTD	Compared to Budget YTD										
		\$ 92,262.91	More than Budget YTD										
		Vehicle Sales Tax as a Percentage											
		\$ 596,429.54 in Total Receipts YTD											
		\$ 91,898.24 in Total Vehicle Sales											
		Vehicles Sales is 15% of total											

MONTHLY LAW ENFORCEMENT REPORT TO THE MAYOR AND CITY COUNCIL OF THE CITY OF AUBURN

FOR THE MONTH OF AUGUST 2023

Total Number of Calls within the City of Auburn	104
Total Number of Ordinance/Animal Calls	10
Total Number of Actual Criminal Cases Reported/Initiated	10

Respectfully submitted,

Brent Lottman
Sheriff

