



AGENDA FOR THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA,
TO BE HELD AT 7:00 P.M. January 15, 2024
(Rescheduled from January 8, 2024 due to weather)

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.

C – PRESENTATIONS and PROCLAMATIONS

C – 1 National Mentoring Month

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 December 11, 2023 regular City Council meeting.

D – 2 Approval of City Financial Report.

D – 3 Request for attendance at meetings and/or conferences: Workforce Housing Summit – January 23, Columbus, NE (Crystal), NEDA Legislative Day – January 31-February 1 – Lincoln, NE (Crystal), League Midwinter Conference – February 26-27 – Lincoln, NE (Sherry and Crystal)

D – 4 Special Designated License – Ruth Heywood – Gallery 75 (1122 J Street) February 14/15, 16/17, March 2/3, 6/7, 13/14, 15/16, 27/28, April 10/11 - 10 AM to 1 AM.

D – 5 Appointments: AVFD – Aaron K. Jordan and Taylor Riggins

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 non-exclusive perpetual easement of right-of-way for utility facilities on Lt 85, Crestview Add to Auburn, NE

G – 2 Council consideration by motion for approval of funding for \$2,500 for an agreement with Petra Wahlqvist for the Workbook Phase of the Creative District Certification process.

H – RESOLUTIONS

I – ORDINANCES

I – 1 Ordinance No. 1-24: AN ORDINANCE AUTHORIZING THE ISSUANCE OF A COMBINED UTILITIES REVENUE BOND OF THE CITY OF AUBURN, NEBRASKA, IN THE PRINCIPAL AMOUNT OF UP TO SIX HUNDRED SIXTY-THREE THOUSAND DOLLARS (\$663,000) FOR THE PURPOSE OF PAYING THE COSTS OF SEWER AND MANHOLE REHABILITATION, WATER MAIN RELOCATION AND ALL RELATED WORK, LAND TESTING, AND ENGINEERING FEES THERETO; AUTHORIZING THE ISSUANCE OF SAID BOND IN THE FORM OF A PROMISSORY NOTE TO EVIDENCE A LOAN FROM THE NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY; APPROVING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT WITH THE NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY; APPROVING RELATED DOCUMENTS WITH RESPECT TO SAID LOAN; PRESCRIBING THE FORM, TERMS AND DETAILS OF SAID BOND; PLEDGING AND HYPOTHECATING THE REVENUE AND EARNINGS OF THE WATER WORKS PLANT AND DISTRIBUTION SYSTEM, SANITARY SEWER SYSTEM AND ELECTRIC DISTRIBUTION SYSTEM OF SAID CITY FOR THE PAYMENT OF SAID BOND AND INTEREST THEREON; PROVIDING FOR THE COLLECTION, SEGREGATION AND APPLICATION OF THE REVENUES OF THE CITY'S WATERWORKS PLANT AND DISTRIBUTION SYSTEM, SANITARY SEWER SYSTEM AND ELECTRIC DISTRIBUTION SYSTEM; APPROVING EXECUTION OF RELATED DOCUMENTS; ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE HOLDER OF SAID BOND; DETERMINING THAT INTEREST ON SAID BOND SHALL NOT BE EXCLUDABLE FROM GROSS INCOME FOR PURPOSES OF FEDERAL INCOME TAXATION; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

J – REPORTS & RECOMMENDATIONS

J – 1 From Departments/Boards

- a. Street Department
- b. Library
- c. Treasurer
- d. Other Departments/Boards

J – 2 From Committees

K – REQUESTS AND REFERRALS

None at this time.

MOTION TO ADJOURN

Proclamation – National Mentoring Month, January 2024

Whereas, The future of Auburn and the State of Nebraska lies with our youth, and educated, persistent, and supported children will give rise to a stronger community, state, and nation; and

Whereas, All youth face challenges, though they may occur at different times and be of different magnitudes, that threaten their current and future well-being; and

Whereas, The support and encouragement of caring, consistent TeamMates mentors is an effective means by which to provide the guidance young people need to successfully navigate adverse circumstances and reach their full potential; and

Whereas, Research has shown that a TeamMates mentor has the power to transform the lives of young people by increasing academic performance, improving rates of high school graduation, and expanding enrollment in a post-secondary degree programs; and

Whereas, Many young people in this town and the surrounding area desire to have a TeamMates mentor and there are not currently enough volunteers to provide a mentor to those youth; and

Whereas, The establishment of National Mentoring Month will emphasize the importance of mentoring and recognize with praise and gratitude the many citizens of Auburn, Brownville, Nemaha, and Peru already mentoring as part of the District 29 TeamMates Mentoring Program; and

Whereas, National Mentoring Month will above all encourage more people to volunteer as TeamMates mentors to the benefit of youth in District 29 and throughout the State of Nebraska.

Now, Therefore, I, Chris Erickson, Mayor of the City of Auburn DO HEREBY PROCLAIM January 2024, as NATIONAL MENTORING MONTH in Auburn and I hereby call upon citizens of Auburn and interested groups to observe the month with appropriate ceremonies and activities to promote awareness of and volunteer involvement in the TeamMates Mentoring Program.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of January, Two Thousand Twenty-Four.

Chris Erickson

City Council Proceedings
 December 11, 2023

A meeting of the Mayor and City Council of the City of Auburn, Nebraska, was held at the City Hall in said City (1101 "J" Street) on the 11th day of December, 2023, at 7:00 o'clock P.M. (in Regular Meeting, open to the general public). Present were: Mayor: Chris Erickson, Council Members: Katy Billings, Shawn Clark, Tom Clark, Rick Janssen, Jeff Jeanneret, and Nathan Seitz. Absent: No one. Notice of the meeting was given in advance thereof by posting (at the west door of the City Hall, at the east door of the Nemaha County Courthouse and in the Auburn State Bank), the designated method for giving notice as shown by the Certificate of Posting attached to these minutes. Notice of this meeting was given to the Mayor and all members of the Council and a copy of their acknowledgment of receipt of notice and the agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. At the beginning of the meeting, the Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held (displayed in the City Council Chambers by the entrance door).

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 November 13, 2023 regular City Council meeting.
- D – 2 Approval of City Financial Report
- D – 3 Request for attendance at meetings and conferences – None at this time.
- D – 4 Special Designated License – Ruth Heywood – Gallery 75 (1122 J Street) December 30/31, January 3/4, 5/6, 10/11, 12/13, 17/18, 19/20, 24/25, 26/27, 31/February 1- 10 AM to 1 AM.
- D – 5 Appointments: Board of Adjustment – Ron Jones; Board of Public Works – David Grant.

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

Agenda Item E – Payment of Claims. The following November claims were presented before the Council for ratification: Aflac, Wh-73.80; American Lawncare Inc., Se-1,630.00; American Recycling & Sanitation, Se-195.60; Auburn Eagles, Fireworks Event-5,000.00; BCom Solutions, Se-1,430.00; Black Hills Energy, Ut-331.45; Blue Cross-Blue Shield, Ins-6,724.36; Board of Public Works, Ut-Reim-8,453.70; Capital Business Systems Inc., Su-341.87; Charter Communications, Se-605.05; FNBO, Card Transactions-4,052.68; Forvis, Se-10,000.00; Jackson Services Inc., Se-269.77; 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-92.51; Nemaha County, Se-34,650.00; Paul Kruse, Local Housing Program-5,000.00; Pinpoint Auburn Inc., Se-378.82; Region V Services, Se-801.50; Windstream, Se-16.44; November Payroll-59,595.83; FICA City Match-4,462.13; Pension City Match-2,416.19; Paychex, Se-240.90; Auburn State Bank, Fe-19.30; Wex, Su-1,486.43; and Medical Claims-1,238.60. The following December claims were presented for approval: Amazon Capital Services, Bk-AV-634.88; Auburn Chamber of Commerce, ED-Economic Development Investment-2,000.00; Auburn Memorial Library Petty Cash, Su-131.39; Auburn Newspapers, Se-335.57; Auburn Plumbing, Htg & AC Inc., Su-237.50; Auto Air & Repair, Se-Su-1,922.88; Baker & Taylor, Bk-AV-521.39; Binder Bros. Inc., Su-3,357.74; Blackburn Technologies, Se-1,916.37; Blackstone Publishing, Bk-AV-622.04; Bradley Electric, Se-473.91; Bulldog Auto Supply Inc., Su-81.04; Center Point Large Print, Bk-AV-22.50; Concrete Industries Inc., Su-11.04; Darnell Glass Co., Se-393.75; Eakes Office Solutions, Su-504.99; Eggers Brothers Inc., Su-Se-880.52; Farm and City Supply, Su-125.80; Cengage Learning Inc/Gale, Bk-AV-56.08; Glenn's Corner Market, Su-49.50; Greenwade Tree Service, Se-800.00; JEO Consulting Group Inc., Se-11,982.00; JP Cooke Co., Su-65.75; Keep Nebraska Beautiful, Mem-100.00; Lavigne Construction Inc., Se-4,215.00; Lynch's Hardware & Gifts, Su-22.12; Macqueen Equipment, Su-698.28; Mellage Truck & Tractor, Su-27.66; Meyer Laboratory Inc., Su-43.95; Midwest Service and Sales Co., Su-1,487.70; NE Dept. of Agriculture, Fe-172.02; Overdrive Inc., Bk-AV-1,437.82; Petty Cash, Su-80.57; Raymond's Electric, Se-

8,450.00; Ricoh USA Inc., Su-21.10; Rueter's, Su-Se-3,515.80; Sack Lumber Co., Su-171.77; and U.S. Postal Service, Ex-82.00.

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 & Part; 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: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Shawn Clark, Tom Clark, Janssen, Jeanneret, Seitz, and Billings. The following voted "NAY": No one. Motion: Carried.

Proposed Ordinance No. 12-23 was presented for consideration. The Mayor 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 Janssen. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Tom Clark, Janssen, Jeanneret, Seitz, Billings, and Shawn Clark. The following voted "NAY": No one. Motion: Carried. Council Member Billings introduced Ordinance No. 12-23 entitled: AN ORDINANCE AUTHORIZING THE ISSUANCE OF HIGHWAY ALLOCATION FUND PLEDGE BONDS, SERIES 2024, OF THE CITY OF AUBURN, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED ONE MILLION DOLLARS (\$1,000,000) FOR THE PURPOSE OF PAYING THE COSTS OF CONSTRUCTING CERTAIN STREET AND RELATED IMPROVEMENTS OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; PLEDGING FUNDS TO BE RECEIVED BY THE CITY FROM THE STATE OF NEBRASKA HIGHWAY ALLOCATION FUND FOR THE PAYMENT OF SAID BONDS, PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME IF NECESSARY; AUTHORIZING THE OFFICERS OF THE CITY TO ESTABLISH THE FINAL TERMS OF THE BONDS WITHIN CERTAIN PARAMETERS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS; APPROVING POST-ISSUANCE TAX COMPLIANCE POLICIES; AUTHORIZING A BOND PURCHASE AGREEMENT AND OTHER RELATED DOCUMENTS; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM and moved that the statutory rule requiring reading on three different days be suspended. Council Member Tom Clark seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted YEA: Janssen, Jeanneret, Seitz, Billings, Shawn Clark, and Tom Clark. The following voted NAY: No one. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Billings moved for final passage of the ordinance, which motion was seconded by Council Member Janssen. The Mayor then stated the question was "Shall Ordinance No. 12-23 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Jeanneret, Seitz, Billings, Shawn Clark, Tom Clark, and Janssen. The following voted NAY: No one. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the Ordinance to be published in pamphlet form as provided therein.

Public hearing was held for the purpose of hearing comments related to application with the Nebraska Liquor Control Commission for the issuance of a Retail Liquor License Class K

(Catering) for Ruth Heywood, dba Gallery 75, 1122 J Street, Auburn, Nebraska. After allowing time for comments, the public hearing was closed. There was no opposition.

Public hearing was held for the purpose of hearing comments related to application with the Nebraska Liquor Control Commission for the issuance of a Retail Class C -Beer, Wine, Distilled Spirits, On/Off Sale for Jones & Headid, LLC dba Whiskey Run, 910 Central Ave., Auburn, Nebraska. After allowing time for comments, the public hearing was closed. There was no opposition.

Mayor Erickson asked for nominations for Council President. Council Member Billings moved to elect Council Member Rick Janssen as Council President. The motion was seconded by Council Member Tom Clark. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Seitz, Billings, Shawn Clark, Tom Clark, Janssen, and Jeanneret. The following voted "NAY": No one. Motion: Carried. Council Member Rick Janssen was elected Council President.

Council Member Seitz moved to approve the Mayor's 2024 Annual Appointments as presented: City Clerk/Treasurer Sherry Heskett, City Administrator/Economic Developer Crystal Dunekacke, City Attorney Angelo Ligouri, Assistant City Attorney Louie Ligouri, Assistant City Attorney Morgan Ritchie, Flood Plain Administrator Jeff Rowell, City Physician Dr. Gary Ensz, Building Inspector/City Code Enforcement Official Chris Darnell, Street Commissioner Blake Goering, and City Engineer Evan B. Wickersham with JEO Consulting Group Inc. The motion was seconded by Council Member Janssen. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Billings, Shawn Clark, Tom Clark, Janssen, Jeanneret, and Seitz. The following voted "NAY": No one. Motion: Carried.

Council Member Billings moved that "The City appoint Evan B. Wickersham (Street Superintendent License Number S-1139 having a Class A License) from JEO Consulting Group Inc. as the 2024 Street Superintendent for the City of Auburn with the type of appointment being in the form of Consultant with a beginning date of January 1, 2024 with the added notation that Evan B. Wickersham is also a licensed Engineer in Nebraska having Engineer's License Number E-10669". The motion was seconded by Council Member Janssen. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Shawn Clark, Tom Clark, Janssen, Jeanneret, Seitz, and Billings. The following voted "NAY": No one. Motion: Carried.

Council Member Tom Clark moved to approve the Mayor's 2024 City Council Standing Committee Appointments as presented: Street (Jeff Jeanneret and Tom Clark), Safety (Shawn Clark, Blake Goering and Chris Darnell), Budget & Finance (Katy Billings and Rick Janssen), Economic Development (Katy Billings and Nathan Seitz), Building (Shawn Clark and Tom Clark), Property/Casualty Insurance (Shawn Clark and Nathan Seitz), Housing (Rick Janssen and Jeff Jeanneret), and Ordinance (Chris Erickson, Jeff Jeanneret, Nathan Seitz, Brent Lottman, Angelo Ligouri, Chris Darnell, and Crystal Dunekacke). The motion was seconded by Council Member Seitz. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Tom Clark, Janssen, Jeanneret, Seitz, Billings, and Shawn Clark. The following voted "NAY": No one. Motion: Carried.

Council Member Jeanneret moved to approve the 2024 Holidays list as presented: New Year's Day (Monday, January 1, 2024), Memorial Day (Monday, May 27, 2024), Independence Day (Thursday, July 4, 2024), Labor Day (Monday, September 2, 2024), Veterans Day (Monday, November 11, 2024), Thanksgiving Day (Thursday, November 28, 2024), Friday after Thanksgiving Day (Friday November 29, 2024), Christmas Eve (Tuesday December 24, 2024), Christmas Day (Wednesday, December 25, 2024), and 2 Personal Days (Designated Holidays) with Department Head approval. The motion was seconded by Council Member Tom Clark. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Janssen, Jeanneret, Seitz, Billings, Shawn Clark, and Tom Clark. The following voted "NAY": No one. Motion: Carried.

Council Member Jeanneret moved to approve The Nemaha County Herald as the newspaper for official publications for 2024. The motion was seconded by Council Member Seitz. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Jeanneret, Seitz, Billings, Shawn Clark, Tom Clark, and Janssen. The following voted "NAY": No one. Motion: Carried.

Council Member Janssen moved to approve the renewal of Maintenance Agreement #51 between the Nebraska Department of Transportation and the City of Auburn and authorize the Certificate of Compliance. The motion was seconded by Council Member Tom Clark. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Seitz, Billings, Shawn Clark, Tom Clark, Janssen, and Jeanneret. The following voted "NAY": No one. Motion: Carried.

Council Member Seitz moved for the recommendation of approval for the Application with the Nebraska Liquor Control Commission for the issuance of a Retail Liquor License Class K (Catering) for Ruth Heywood, dba Gallery 75, 1122 J Street, Auburn, Nebraska. The motion was seconded by Council Member Janssen. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Billings, Shawn Clark, Tom Clark, Janssen, Jeanneret, and Seitz. The following voted "NAY": No one. Motion: Carried.

Council Member Billings moved for the recommendation of approval for the application with the Nebraska Liquor Control Commission for the issuance of a Retail Class C -Beer, Wine, Distilled Spirits, On/Off Sale for Jones & Headid, LLC dba Whiskey Run, 910 Central Ave., Auburn, Nebraska. The motion was seconded by Council Member Jeanneret. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Shawn Clark, Tom Clark, Janssen, Jeanneret, Seitz, and Billings. The following voted "NAY": No one. Motion: Carried.

Council Member Janssen moved to approve Drawdown No. 2 for 22 DTR-001 with SENDD for General Administration and JEO for Commercial Rehabilitation and the related claims. The motion was seconded by Council Member Seitz. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Tom Clark, Janssen, Jeanneret, Seitz, Billings, and Shawn Clark. The following voted "NAY": No one. Motion: Carried.

Melody Billings presented information regarding the Volunteer Emergency Responders Incentive Act that could be beneficial in recruitment and retention of members. She also spoke about recording and maintaining information related to the fire department that would be beneficial in many ways to the department and city office. Following discussion, Council Member Janssen moved to approve the Auburn Volunteer Fire Department's recommendation of Melody Billings as the Certification Administrator for the programs created by the Volunteer Emergency Responders Incentive Act. The motion was seconded by Council Member Seitz. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Janssen, Jeanneret, Seitz, Billings, Shawn Clark, and Tom Clark. The following voted "NAY": No one. Motion: Carried.

Council Member Seitz moved to approve a program providing stipends to volunteer emergency responders who qualify for the annual State of Nebraska tax credit. The motion was seconded by Council Member Janssen. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Jeanneret, Seitz, Billings, Shawn Clark, Tom Clark, and Janssen. The following voted "NAY": No one. Motion: Carried.

Council Member Tom Clark moved to approve the bid award for the S/P/9th Streets construction project to Constructors Inc. The motion was seconded by Council Member Janssen. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Seitz, Billings, Shawn Clark, Tom Clark, Janssen, and Jeanneret. The following voted "NAY": No one. Motion: Carried.

Council Member Billings moved to approve Resolution No. 24-23 designating Auburn State Bank as the official depository of City Funds and approve the Mayor Chris Erickson, Council President

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Rick Janssen, City Clerk/Treasurer Sherry Heskett and City Administrator/Economic Developer Crystal Dunekacke be approved as the authorized representatives and signers for all City bank accounts and investments held at Auburn State Bank. The motion was seconded by Council Member Tom Clark. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Billings, Shawn Clark, Tom Clark, Janssen, Jeanneret, and Seitz. The following voted "NAY": No one. Motion: Carried.

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

There being no further business to come before the Mayor and Council, Council Member Tom Clark moved for adjournment to meet at the call of the Mayor. The motion was seconded by Council Member Seitz. Upon roll call vote: 6 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": Shawn Clark, Tom Clark, Janssen, Jeanneret, Seitz, and Billings. The following voted "NAY": No one. Motion: Carried.

Mayor Erickson declared the meeting adjourned.

Sherry Heskett
City Clerk

Chris Erickson
Mayor

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

A meeting of the Mayor and City Council of the City of Auburn, Nebraska, was held at the City Hall in said City (1101 "J" Street) on the 11th day of December, 2023, at 7:00 o'clock P.M. (in Regular Meeting, open to the general public). Present were: Mayor: Chris Erickson, Council Members: Katy Billings, Shawn Clark, Tom Clark, Rick Janssen, Jeff Jeanneret, and Nathan Seitz. Absent: No one. Notice of the meeting was given in advance thereof by posting (at the west door of the City Hall, at the east door of the Nemaha County Courthouse and in the Auburn State Bank), the designated method for giving notice as shown by the Certificate of Posting attached to these minutes. Notice of this meeting was given to the Mayor and all members of the Council and a copy of their acknowledgment of receipt of notice and the agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. At the beginning of the meeting, the Mayor publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held (displayed in the City Council Chambers by the entrance door).

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 November 13, 2023 regular City Council meeting.
- D – 2 Approval of City Financial Report
- D – 3 Request for attendance at meetings and conferences – None at this time.
- D – 4 Special Designated License – Ruth Heywood – Gallery 75 (1122 J Street) December 30/31, January 3/4, 5/6, 10/11, 12/13, 17/18, 19/20, 24/25, 26/27, 31/February 1- 10 AM to 1 AM.
- D – 5 Appointments: Board of Adjustment – Ron Jones; Board of Public Works – David Grant.

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

Agenda Item E – Payment of Claims. The following November claims were presented before the Council for ratification: Aflac, Wh-73.80; American Lawncare Inc., Se-1,630.00; American Recycling & Sanitation, Se-195.60; Auburn Eagles, Fireworks Event-5,000.00; BCom Solutions, Se-1,430.00; Black Hills Energy, Ut-331.45; Blue Cross-Blue Shield, Ins-6,724.36; Board of Public Works, Ut-Reim-8,453.70; Capital Business Systems Inc., Su-341.87; Charter Communications, Se-605.05; FNBO, Card Transactions-4,052.68; Forvis, Se-10,000.00; Jackson Services Inc., Se-269.77; 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-92.51; Nemaha County, Se-34,650.00; Paul Kruse, Local Housing Program-5,000.00; Pinpoint Auburn Inc., Se-378.82; Region V Services, Se-801.50; Windstream, Se-16.44; November Payroll-59,595.83; FICA City Match-4,462.13; Pension City Match-2,416.19; Paychex, Se-240.90; Auburn State Bank, Fe-19.30; Wex, Su-1,486.43; and Medical Claims-1,238.60. The following December claims were presented for approval: Amazon Capital Services, Bk-AV-634.88; Auburn Chamber of Commerce, ED-Economic Development Investment-2,000.00; Auburn Memorial Library Petty Cash, Su-131.39; Auburn Newspapers, Se-335.57; Auburn Plumbing, Htg & AC Inc., Su-237.50; Auto Air & Repair, Se-Su-1,922.88; Baker & Taylor, Bk-AV-521.39; Binder Bros. Inc., Su-3,357.74; Blackburn Technologies, Se-1,916.37; Blackstone Publishing, Bk-AV-622.04; Bradley Electric, Se-473.91; Bulldog Auto Supply Inc., Su-81.04; Center Point Large Print, Bk-AV-22.50; Concrete Industries Inc., Su-11.04; Darnell Glass Co., Se-393.75; Eakes Office Solutions, Su-504.99; Eggers Brothers Inc., Su-Se-880.52; Farm and City Supply, Su-125.80; Cengage Learning Inc/Gale, Bk-AV-56.08; Glenn's Corner Market, Su-49.50; Greenwade Tree Service, Se-800.00; JEO Consulting Group Inc., Se-11,982.00; JP Cooke Co., Su-65.75; Keep Nebraska Beautiful, Mem-100.00; Lavigne Construction Inc., Se-4,215.00; Lynch's Hardware & Gifts, Su-22.12; Macqueen Equipment, Su-698.28; Mellage Truck & Tractor, Su-27.66; Meyer Laboratory Inc., Su-43.95; Midwest Service and Sales Co., Su-1,487.70; NE Dept. of Agriculture, Fe-172.02; Overdrive Inc., Bk-AV-1,437.82; Petty Cash, Su-80.57; Raymond's Electric, Se-

8,450.00; Ricoh USA Inc., Su-21.10; Rueter's, Su-Se-3,515.80; Sack Lumber Co., Su-171.77; and U.S. Postal Service, Ex-82.00.

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 & Part; 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: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Shawn Clark, Tom Clark, Janssen, Jeanneret, Seitz, and Billings. The following voted "NAY": No one. Motion: Carried.

Proposed Ordinance No. 12-23 was presented for consideration. The Mayor 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 Janssen. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Tom Clark, Janssen, Jeanneret, Seitz, Billings, and Shawn Clark. The following voted "NAY": No one. Motion: Carried. Council Member Billings introduced Ordinance No. 12-23 entitled: AN ORDINANCE AUTHORIZING THE ISSUANCE OF HIGHWAY ALLOCATION FUND PLEDGE BONDS, SERIES 2024, OF THE CITY OF AUBURN, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED ONE MILLION DOLLARS (\$1,000,000) FOR THE PURPOSE OF PAYING THE COSTS OF CONSTRUCTING CERTAIN STREET AND RELATED IMPROVEMENTS OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; PLEDGING FUNDS TO BE RECEIVED BY THE CITY FROM THE STATE OF NEBRASKA HIGHWAY ALLOCATION FUND FOR THE PAYMENT OF SAID BONDS, PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME IF NECESSARY; AUTHORIZING THE OFFICERS OF THE CITY TO ESTABLISH THE FINAL TERMS OF THE BONDS WITHIN CERTAIN PARAMETERS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS; APPROVING POST-ISSUANCE TAX COMPLIANCE POLICIES; AUTHORIZING A BOND PURCHASE AGREEMENT AND OTHER RELATED DOCUMENTS; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM and moved that the statutory rule requiring reading on three different days be suspended. Council Member Tom Clark seconded the motion to suspend the rules and upon roll call vote on the motion the following Council Members voted YEA: Janssen, Jeanneret, Seitz, Billings, Shawn Clark, and Tom Clark. The following voted NAY: No one. The motion to suspend the rules was adopted by three-fourths of the Council and the statutory rule was declared suspended for consideration of said ordinance. Said ordinance was then read by title and thereafter Council Member Billings moved for final passage of the ordinance, which motion was seconded by Council Member Janssen. The Mayor then stated the question was "Shall Ordinance No. 12-23 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA: Jeanneret, Seitz, Billings, Shawn Clark, Tom Clark, and Janssen. The following voted NAY: No one. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the Ordinance to be published in pamphlet form as provided therein.

Public hearing was held for the purpose of hearing comments related to application with the Nebraska Liquor Control Commission for the issuance of a Retail Liquor License Class K

(Catering) for Ruth Heywood, dba Gallery 75, 1122 J Street, Auburn, Nebraska. After allowing time for comments, the public hearing was closed. There was no opposition.

Public hearing was held for the purpose of hearing comments related to application with the Nebraska Liquor Control Commission for the issuance of a Retail Class C -Beer, Wine, Distilled Spirits, On/Off Sale for Jones & Headid, LLC dba Whiskey Run, 910 Central Ave., Auburn, Nebraska. After allowing time for comments, the public hearing was closed. There was no opposition.

Mayor Erickson asked for nominations for Council President. Council Member Billings moved to elect Council Member Rick Janssen as Council President. The motion was seconded by Council Member Tom Clark. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Seitz, Billings, Shawn Clark, Tom Clark, Janssen, and Jeanneret. The following voted "NAY": No one. Motion: Carried. Council Member Rick Janssen was elected Council President.

Council Member Seitz moved to approve the Mayor's 2024 Annual Appointments as presented: City Clerk/Treasurer Sherry Heskett, City Administrator/Economic Developer Crystal Dunekacke, City Attorney Angelo Ligouri, Assistant City Attorney Louie Ligouri, Assistant City Attorney Morgan Ritchie, Flood Plain Administrator Jeff Rowell, City Physician Dr. Gary Ensz, Building Inspector/City Code Enforcement Official Chris Darnell, Street Commissioner Blake Goering, and City Engineer Evan B. Wickersham with JEO Consulting Group Inc. The motion was seconded by Council Member Janssen. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Billings, Shawn Clark, Tom Clark, Janssen, Jeanneret, and Seitz. The following voted "NAY": No one. Motion: Carried.

Council Member Billings moved that "The City appoint Evan B. Wickersham (Street Superintendent License Number S-1139 having a Class A License) from JEO Consulting Group Inc. as the 2024 Street Superintendent for the City of Auburn with the type of appointment being in the form of Consultant with a beginning date of January 1, 2024 with the added notation that Evan B. Wickersham is also a licensed Engineer in Nebraska having Engineer's License Number E-10669". The motion was seconded by Council Member Janssen. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Shawn Clark, Tom Clark, Janssen, Jeanneret, Seitz, and Billings. The following voted "NAY": No one. Motion: Carried.

Council Member Tom Clark moved to approve the Mayor's 2024 City Council Standing Committee Appointments as presented: Street (Jeff Jeanneret and Tom Clark), Safety (Shawn Clark, Blake Goering and Chris Darnell), Budget & Finance (Katy Billings and Rick Janssen), Economic Development (Katy Billings and Nathan Seitz), Building (Shawn Clark and Tom Clark), Property/Casualty Insurance (Shawn Clark and Nathan Seitz), Housing (Rick Janssen and Jeff Jeanneret), and Ordinance (Chris Erickson, Jeff Jeanneret, Nathan Seitz, Brent Lottman, Angelo Ligouri, Chris Darnell, and Crystal Dunekacke). The motion was seconded by Council Member Seitz. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Tom Clark, Janssen, Jeanneret, Seitz, Billings, and Shawn Clark. The following voted "NAY": No one. Motion: Carried.

Council Member Jeanneret moved to approve the 2024 Holidays list as presented: New Year's Day (Monday, January 1, 2024), Memorial Day (Monday, May 27, 2024), Independence Day (Thursday, July 4, 2024), Labor Day (Monday, September 2, 2024), Veterans Day (Monday, November 11, 2024), Thanksgiving Day (Thursday, November 28, 2024), Friday after Thanksgiving Day (Friday November 29, 2024), Christmas Eve (Tuesday December 24, 2024), Christmas Day (Wednesday, December 25, 2024), and 2 Personal Days (Designated Holidays) with Department Head approval. The motion was seconded by Council Member Tom Clark. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Janssen, Jeanneret, Seitz, Billings, Shawn Clark, and Tom Clark. The following voted "NAY": No one. Motion: Carried.

Council Member Jeanneret moved to approve The Nemaha County Herald as the newspaper for official publications for 2024. The motion was seconded by Council Member Seitz. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Jeanneret, Seitz, Billings, Shawn Clark, Tom Clark, and Janssen. The following voted "NAY": No one. Motion: Carried.

Council Member Janssen moved to approve the renewal of Maintenance Agreement #51 between the Nebraska Department of Transportation and the City of Auburn and authorize the Certificate of Compliance. The motion was seconded by Council Member Tom Clark. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Seitz, Billings, Shawn Clark, Tom Clark, Janssen, and Jeanneret. The following voted "NAY": No one. Motion: Carried.

Council Member Seitz moved for the recommendation of approval for the Application with the Nebraska Liquor Control Commission for the issuance of a Retail Liquor License Class K (Catering) for Ruth Heywood, dba Gallery 75, 1122 J Street, Auburn, Nebraska. The motion was seconded by Council Member Janssen. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Billings, Shawn Clark, Tom Clark, Janssen, Jeanneret, and Seitz. The following voted "NAY": No one. Motion: Carried.

Council Member Billings moved for the recommendation of approval for the application with the Nebraska Liquor Control Commission for the issuance of a Retail Class C -Beer, Wine, Distilled Spirits, On/Off Sale for Jones & Headid, LLC dba Whiskey Run, 910 Central Ave., Auburn, Nebraska. The motion was seconded by Council Member Jeanneret. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Shawn Clark, Tom Clark, Janssen, Jeanneret, Seitz, and Billings. The following voted "NAY": No one. Motion: Carried.

Council Member Janssen moved to approve Drawdown No. 2 for 22 DTR-001 with SENDD for General Administration and JEO for Commercial Rehabilitation and the related claims. The motion was seconded by Council Member Seitz. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Tom Clark, Janssen, Jeanneret, Seitz, Billings, and Shawn Clark. The following voted "NAY": No one. Motion: Carried.

Melody Billings presented information regarding the Volunteer Emergency Responders Incentive Act that could be beneficial in recruitment and retention of members. She also spoke about recording and maintaining information related to the fire department that would be beneficial in many ways to the department and city office. Following discussion, Council Member Janssen moved to approve the Auburn Volunteer Fire Department's recommendation of Melody Billings as the Certification Administrator for the programs created by the Volunteer Emergency Responders Incentive Act. The motion was seconded by Council Member Seitz. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Janssen, Jeanneret, Seitz, Billings, Shawn Clark, and Tom Clark. The following voted "NAY": No one. Motion: Carried.

Council Member Seitz moved to approve a program providing stipends to volunteer emergency responders who qualify for the annual State of Nebraska tax credit. The motion was seconded by Council Member Janssen. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Jeanneret, Seitz, Billings, Shawn Clark, Tom Clark, and Janssen. The following voted "NAY": No one. Motion: Carried.

Council Member Tom Clark moved to approve the bid award for the S/P/9th Streets construction project to Constructors Inc. The motion was seconded by Council Member Janssen. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Seitz, Billings, Shawn Clark, Tom Clark, Janssen, and Jeanneret. The following voted "NAY": No one. Motion: Carried.

Council Member Billings moved to approve Resolution No. 24-23 designating Auburn State Bank as the official depository of City Funds and approve the Mayor Chris Erickson, Council President

Rick Janssen, City Clerk/Treasurer Sherry Heskett and City Administrator/Economic Developer Crystal Dunekacke be approved as the authorized representatives and signers for all City bank accounts and investments held at Auburn State Bank. The motion was seconded by Council Member Tom Clark. Upon roll call vote: 6 yeas, 0 nays, and 0 absent. The following Council Members voted "YEA": Billings, Shawn Clark, Tom Clark, Janssen, Jeanneret, and Seitz. The following voted "NAY": No one. Motion: Carried.

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

There being no further business to come before the Mayor and Council, Council Member Tom Clark moved for adjournment to meet at the call of the Mayor. The motion was seconded by Council Member Seitz. Upon roll call vote: 6 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": Shawn Clark, Tom Clark, Janssen, Jeanneret, Seitz, and Billings. The following voted "NAY": No one. Motion: Carried.

Mayor Erickson declared the meeting adjourned.

Chris Erickson, 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 the proceedings had and done by the Mayor and Council on December 11, 2023; 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 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 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.

Sherry Heskett, City Clerk

TREASURER'S REPORT
 CALENDAR 12/2023, FISCAL 3/2023

AGENDA ITEM
 NO

D-2

ACCOUNT TITLE	LAST REPORT ON HAND	RECEIVED	DISBURSED	BALANCE
GENERAL CHECKING	2,081,173.87	204,544.64	171,093.27	2,114,625.24
STREET CHECKING	686,351.09	47,370.81	42,752.10	690,969.80
STREET BOND/WARRANT CHECKING	20,238.48			20,238.48
TOTAL CHECKING:	2,787,763.44	251,915.45	213,845.37	2,825,833.52
TOTAL FIRE DEPT SINKING	82,917.86	67.71	.00	82,985.57
TOTAL KENO RESERVE MMA:	41,582.95	17.34	1,455.39	40,144.90
TOTOL KENO CHECKING	9,848.22	864.46	.00	10,712.68
TOTAL CDBG CHECKING	7,060.95	12,214.00	.00	19,274.95
TOTAL CDBG DTR REUSE	67,561.54	1,050.66	.00	68,612.20
TOTAL CDBG HD SAVINGS:	9,610.26	224.55	.00	9,834.81
TOTAL CRA CHECKING	1,586,552.98	2,547.76	41,519.88	1,547,580.86
TOTAL CITY REC CHECKING	64,543.12	.00	.00	64,543.12
GENERAL CD	102,268.78	395.46		102,664.24
TOTAL C.D.'S:	102,268.78	395.46	.00	102,664.24
TOTAL CASH ON HAND:	4,759,710.10	269,297.39	256,820.64	4,772,186.85

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

5TH STREET POST

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

721 5TH STREET - PERU, NE 68421

Retail Liquor License Address or Non-Profit Business Address

121898

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only

Event Date(s): 2/14 - 2/15/24

Event Start Time(s): 10AM

Event End Time(s): 1AM

Alternate Date: N/A

Alternate Location Building & Address: N/A

Event Building Name: GALLERY 75

Event Street Address/City: 1122 J STREET - AUBURN, NE 68305

Indoor area to be licensed in length & width: 80 x 24 (ALL 3 LEVELS)


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

Type of Event: 2024 EVENTS Estimate # of attendees: ___

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

Event Contact Name: Ruth Heywood Event Contact Phone Number: (402) 274-7594

Event Contact Email: Heywoodhills@GMAIL.COM

*Signature Authorized Representative:  Printed Name RUTH HEYWOOD

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

**Special Designated License
Local Recommendation (Form 200)**
Applications must be entered on the portal after local approval - no exceptions
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5TH STREET POST

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

721 5TH STREET - PERU, NE 68421

Retail Liquor License Address or Non-Profit Business Address

121898

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only

Event Date(s): 2/16-2/17/24

Event Start Time(s): 10AM

Event End Time(s): 1AM

Alternate Date: N/A

Alternate Location Building & Address: N/A

Event Building Name: GALLERY 75

Event Street Address/City: 1122 J STREET - AUBURN, NE 68305

Indoor area to be licensed in length & width: 80 x 24 (ALL 3 LEVELS)

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

Type of Event: 2024 EVENTS Estimate # of attendees: _____

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

Event Contact Name: Ruth Heywood Event Contact Phone Number: (402) 274-7594

Event Contact Email: Heywoodhills@GMAIL.COM

*Signature Authorized Representative:  Printed Name RUTH HEYWOOD

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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

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

Applications must be entered on the portal after local approval – no exceptions
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5TH STREET POST

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

721 5TH STREET - PERU, NE 68421

Retail Liquor License Address or Non-Profit Business Address

121898

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only

Event Date(s):

3/2-3/3/24

Event Start Time(s):

10AM

Event End Time(s):

1AM

Alternate Date: N/A

Alternate Location Building & Address: N/A

Event Building Name: GALLERY 75

Event Street Address/City: 1122 J STREET - AUBURN, NE 68305

Indoor area to be licensed in length & width: 80 x 24 (ALL 3 LEVELS)

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

Type of Event: 2024 EVENTS Estimate # of attendees: _____

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

Event Contact Name: Ruth Heywood Event Contact Phone Number: (402) 274-7594

Event Contact Email: Heywoodhills@GMAIL.COM

*Signature Authorized Representative:  Printed Name RUTH HEYWOOD

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

**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

5TH STREET POST

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

721 5TH STREET - PERU, NE 68421

Retail Liquor License Address or Non-Profit Business Address

121898

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only

Event Date(s):

3/6-3/7/24

Event Start Time(s):

10AM

Event End Time(s):

1AM

Alternate Date: N/A

Alternate Location Building & Address: N/A

Event Building Name: GALLERY 75

Event Street Address/City: 1122 J STREET - AUBURN, NE 68305

Indoor area to be licensed in length & width: 80 x 24 (ALL 3 LEVELS)

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


Type of Event: 2024 EVENTS

Estimate # of attendees: _____

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

Event Contact Name: Ruth Heywood Event Contact Phone Number: (402) 274-7594

Event Contact Email: Heywoodhills@GMAIL.COM

*Signature Authorized Representative:  Printed Name: RUTH HEYWOOD

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

**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

5TH STREET POST

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

721 5TH STREET - PERU, NE 68421

Retail Liquor License Address or Non-Profit Business Address

121898

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only

Event Date(s):

3/13-3/14/24

Event Start Time(s):

10AM

Event End Time(s):

1AM

Alternate Date: N/A

Alternate Location Building & Address: N/A

Event Building Name: GALLERY 75

Event Street Address/City: 1122 J STREET - AUBURN, NE 68305

Indoor area to be licensed in length & width: 80 x 24 (ALL 3 LEVELS)

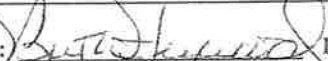
Outdoor area to be licensed in length & width: ___ X ___ (Diagram Form #109 must be attached)

Type of Event: 2024 EVENTS Estimate # of attendees: _____

Type of alcohol to be served: Beer Wine Distilled Spirits
(ON & OFF SALE) (if not marked, you will not be able to serve this type of alcohol)

Event Contact Name: Ruth Heywood Event Contact Phone Number: (402) 274-7594

Event Contact Email: Heywoodhills@GMAIL.COM

*Signature Authorized Representative:  Printed Name RUTH HEYWOOD

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

**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

5TH STREET POST

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

721 5TH STREET - PERU, NE 68421

Retail Liquor License Address or Non-Profit Business Address

121898

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only

Event Date(s):

3/15-3/16/24

Event Start Time(s):

10AM

Event End Time(s):

1AM

Alternate Date: N/A

Alternate Location Building & Address: N/A

Event Building Name: GALLERY 75

Event Street Address/City: 1122 J STREET - AUBURN, NE 68305

Indoor area to be licensed in length & width: 80 X 24 (ALL 3 LEVELS)

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

Type of Event: 2024 EVENTS Estimate # of attendees: _____

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

Event Contact Name: Ruth Heywood Event Contact Phone Number: (402) 274-7594

Event Contact Email: Heywoodhills@GMAIL.COM

*Signature Authorized Representative:  Printed Name: RUTH HEYWOOD

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*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

**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

5TH STREET POST

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

721 5TH STREET - PERU, NE 68421

Retail Liquor License Address or Non-Profit Business Address

121898

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only

Event Date(s):

3/27-3/28/24

Event Start Time(s):

10AM

Event End Time(s):

1AM

Alternate Date:

N/A

Alternate Location Building & Address:

N/A

Event Building Name:

GALLERY 75

Event Street Address/City:

1122 J STREET - AUBURN, NE 68305

Indoor area to be licensed in length & width: **80** x **24** (ALL 3 LEVELS)

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

Type of Event: **2024 EVENTS**

Estimate # of attendees: _____

Type of alcohol to be served:
(ON & OFF SALE)

Beer

Wine

Distilled Spirits

(If not marked, you will not be able to serve this type of alcohol)

Event Contact Name:

Ruth Heywood

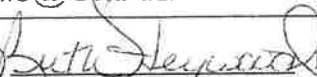
Event Contact Phone Number:

(402) 274-7594

Event Contact Email:

Heywoodhills@GMAIL.COM

*Signature Authorized Representative:



Printed Name

RUTH HEYWOOD

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

**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

5TH STREET POST

Retail Liquor License Name or *Non-Profit Organization (*Must include Form #201 as Page 2)
721 5TH STREET - PERU, NE 68421

Retail Liquor License Address or Non-Profit Business Address
121898

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only 4/10-4/11/24
Event Date(s):

Event Start Time(s): 10AM

Event End Time(s): 1AM

Alternate Date: N/A

Alternate Location Building & Address: N/A

Event Building Name: GALLERY 75

Event Street Address/City: 1122 J STREET - AUBURN, NE 68305

Indoor area to be licensed in length & width: 80 X 24 (ALL 3 LEVELS)

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

Type of Event: 2024 EVENTS Estimate # of attendees: _____

Type of alcohol to be served: Beer Wine Distilled Spirits
(ON & OFF SALE) (if not marked, you will not be able to serve this type of alcohol)

Event Contact Name: Ruth Heywood Event Contact Phone Number: (402) 274-7594

Event Contact Email: Heywoodhills@GMAIL.COM

*Signature Authorized Representative: Ruth Heywood Printed Name RUTH HEYWOOD

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

APPLICATION FOR MEMBERSHIP
Auburn Volunteer Fire Department

This application is to be completed by the Applicant and presented to the Auburn Volunteer Fire Department for their approval.

Name Taylor Riggins Occupation Laborer
Address 905 O street Business Address N/A
Home Phone N/A Cell Phone 402-414-2511 Work Phone N/A
Birth Date 1/20/1994 Married Single No. Dependents 3
Drivers License # H13324802 Formal Education High School
E-Mail address riggins.taylor31@gmail.com

Fire Fighter or EMT certifications N/A
Physical Ailments or Disabilities N/A
Have you ever been convicted of a felony? YES NO
Are you willing to take a Physical Examination if required? YES NO
Do you realize that the Fire Department is not a social club; and that as a member you will be required to give freely of your time to attend fires, meetings, drills, and to work on any committee that you may be appointed to? YES NO

Employer City of Auburn Street Dept.
How long have you been with your present employer? 1 1/2 yrs How long with previous employer? 1 year
Present working hours Tue 3:30 pm

We, the undersigned find the character of the applicant satisfactory for application as a member in the Auburn Volunteer Fire Department.

[Signature] Signature Derek Bohling Print Name Date 12/5/23
[Signature] Signature Kalem Saunders Print Name Date 12/5/23
[Signature] Signature Riley Gable Print Name Date 12/5/23

I, the undersigned have made application for membership in the Auburn Volunteer Fire Department, and agree to attend at least Five (5) of the Six (6) meetings after being appointed to the Department by the membership. If I do not attend the meetings as required during the first Six (6) months, my membership is hereby void. By signing this document, I understand and agree that the Auburn Volunteer Fire Department can and will obtain background information that may include one or more of the following: (i) verification of certifications; (ii) DMV checks (including driving record history); (iii) criminal background information. I understand that Auburn Volunteer Fire Department will request information from sources in accordance with applicable law and will utilize such information only for purposes of determining my suitability and eligibility for membership. I understand and consent to Auburn Volunteer Fire Department obtaining and using such information for these purposes.

Applicant's Signature [Signature] Date 12/1/23

**APPLICATION FOR MEMBERSHIP
Auburn Volunteer Fire Department**

This application is to be completed by the Applicant and presented to the Auburn Volunteer Fire Department for their approval.

Name Aaron K. Jordan Occupation Station Operator at CNS
 Address 1219 14th St. Business Address NA
 Home Phone NA Cell Phone 423 8364497 Work Phone NA
 Birth Date 20 DEC 96 Married X Single _____ No. Dependents 2
 Drivers License # H14258914 Formal Education HS DIPLOMA
 E-Mail address jrdn24aaron@gmail.com

Fire Fighter or EMT certifications Fire brigade at Cooper Nuclear Station

Physical Ailments or Disabilities None

Have you ever been convicted of a felony? YES _____ NO (NO)

Are you willing to take a Physical Examination if required? (YES) NO

Do you realize that the Fire Department is not a social club; and that as a member you will be required to give freely of your time to attend fires, meetings, drills, and to work on any committee that you may be appointed to? (YES) NO

Employer Cooper Nuclear Station

How long have you been with your present employer? < 1 year How long with previous employer? 7 years

Present working hours Rotating Shift

We, the undersigned find the character of the applicant satisfactory for application as a member in the Auburn Volunteer Fire Department

[Signature]
Signature

Derek Bohling Date 11-7-23
Print Name

[Signature]
Signature

Shawn Clark Date 11-7-23
Print Name

[Signature]
Signature

Andy Behrends Date 11-7-23
Print Name

I, the undersigned have made application for membership in the Auburn Volunteer Fire Department, and agree to attend at least Five (5) of the Six (6) meetings after being appointed to the Department by the membership. If I do not attend the meetings as required during the first Six (6) months, my membership is hereby void. By signing this document, I understand and agree that the Auburn Volunteer Fire Department can and will obtain background information that may include one or more of the following: (i) verification of certifications; (ii) DMV checks (including driving record history); (iii) criminal background information. I understand that Auburn Volunteer Fire Department will request information from sources in accordance with applicable law and will utilize such information only for purposes of determining my suitability and eligibility for membership. I understand and consent to Auburn Volunteer Fire Department obtaining and using such information for these purposes.

Applicant's Signature A.K. Jordan Date 15 OCT 23

AGENDA ITEM NO. E - 1

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: 12/07/2023-12/31/2023

AGENDA ITEM
 NO E-1

VENDOR NAME	REFERENCE	VENDOR TOTAL
GENERAL FUND		
ADMIN		
AFLAC	AFLAC WH	73.80
AMERICAN RECYCLING SANITATION	GARBAGE SERVICE/RECYCLING	145.00
BAIRD HOLM LLP	PROFESSIONAL SERVICES	26,285.50
BCom SoLutions, LLC	WEBSITE HOSTING/DIGITAL MARKET	1,430.00
BLUE CROSS-BLUE SHIELD	HEALTH INSURANCE	3,123.16
AUBURN BPW	ELEC	1,165.59
CAPITAL BUSINESS SYSTEMS INC	COPIER LEASE/SUPPLIES	390.92
FIRST CONCORD BENEFITS GROUP	BENEFIT SERVICES	13.95
FNBO	SNOW BLOWER	1,433.66
JEO CONSULTING GROUP INC.	CDBG #22-DTR-001	9,105.00
MICROFILM IMAGING SYSTEMS INC	EQUIPMENT RENTAL	138.00
MID-AMERICAN BENEFITS INC	HEALTH INSURANCE	52.50
MUTUAL OF OMAHA	LIFE INSURANCE	47.48
PINPOINT AUBURN INC	PHONE AND BROADBAND SERVICE	259.12
REGION V SERVICES	CLEANING SERVICES	152.50
SOUTHEAST NE DEVELOPMENT DIST.	CDBG #22-DTR-001	4,930.00
CHARTER COMMUNICATIONS	PHONE ACCT	25.62
US CELLULAR	CELL PHONE ACCT	116.17
WINDSTREAM NEBRASKA INC	PHONE ACCT	16.22
	ADMIN TOTAL	48,904.19
POLICE DEPARTMENT		
NEMAHA COUNTY NEBRASKA	LAW ENFORCEMENT	34,650.00
	POLICE DEPARTMENT TOTAL	34,650.00
FIRE DEPARTMENT		
BLACK HILLS ENERGY	GAS BILL ACCT	330.43
AUBURN BPW	ELEC	307.71
FNBO	CARD TRANSACTION	80.01
REGION V SERVICES	CLEANING SERVICES	50.00
	FIRE DEPARTMENT TOTAL	768.15
PARK DEPARTMENT		
AUBURN BPW	ELEC DEMAND	5,104.39
REGION V SERVICES	CLEANING SERVICE	290.00
	PARK DEPARTMENT TOTAL	5,394.39
SR. CENTER DEPARTMENT		
BLACK HILLS ENERGY	GAS BILL ACCT	80.21
AUBURN BPW	ELEC	572.94
PINPOINT AUBURN INC	PHONE AND BROADBAND SERVICE	54.71
REGION V SERVICES	CLEANING SERVICES	227.50
	SR. CENTER DEPARTMENT TOTAL	935.36
LIBRARY DEPARTMENT		
BLUE CROSS-BLUE SHIELD	HEALTH INSURANCE	1,115.42
AUBURN BPW	ELEC	765.68

CLAIMS REPORT
Check Range: 12/07/2023-12/31/2023

VENDOR NAME	REFERENCE	VENDOR TOTAL
LINDA BANTZ	CUSTODIAL SERVICES	400.00
MID-AMERICAN BENEFITS INC	HEALTH INSURANCE	12.00
MUTUAL OF OMAHA	LIFE INSURANCE	7.20
WINDSTREAM NEBRASKA INC	PHONE ACCT 090078819	150.41
	LIBRARY DEPARTMENT TOTAL	2,450.71
POOL DEPARTMENT		
BLACK HILLS ENERGY	GAS BILL ACCT	38.75
AUBURN BPW	ELEC	817.40
	POOL DEPARTMENT TOTAL	856.15
	GENERAL FUND TOTAL	93,958.95
STREET FUND		
BLACK HILLS ENERGY	GAS BILL ACCT	76.85
BLUE CROSS-BLUE SHIELD	HEALTH INSURANCE	2,485.78
AUBURN BPW	ELEC	830.55
FNBO	CARD TRANSACTION	124.47
JACKSON SERVICES INC	UNIFORM SERVICES	388.17
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
REGION V SERVICES	CLEANING SERVICE	52.50
US CELLULAR	CELL PHONE ACCT	58.08
	TOTAL	4,655.22
	STREET FUND TOTAL	4,655.22
COMM REDEVELOP AUTHORITY		
ADMIN		
CITY OF AUBURN	REIM WEST WATERLINE	20,454.95
	ADMIN TOTAL	20,454.95
	COMM REDEVELOP AUTHORITY TOTAL	20,454.95
	Accounts Payable Total	119,069.12

CLAIMS REPORT
Check Range: 1/01/2024- 1/04/2024

AGENDA ITEM
NO E-1

VENDOR NAME	REFERENCE	VENDOR TOTAL
GENERAL FUND		
ADMIN		
AUBURN NEWSPAPERS	PUBLISHING	451.36
BRADLEY ELECTRIC	FIRE HALL ELECTRICAL	1,390.96
CRYSTAL DUNEKACKE	REIMBURSEMENT	729.11
EAKES OFFICE SOLUTIONS	SUPPLIES	266.48
GLENN'S CORNER MARKET	SUPPLIES	165.00
JEO CONSULTING GROUP INC.	PROFESSIONAL SERVICES	42,441.25
MEYER LABORATORY INC	SUPPLIES	171.45
NEBRASKA SUPREME COURT	STATE STATUTES	113.25
NEEMANN & SONS INC	REROOFING PROJECT	123,075.00
NREDA	MEMBERSHIP	395.00
PETTY CASH	PETTY CASH	215.88
SPARQ DATA SOLUTIONS	SPARQ MEETING SUBSCRIPTION	4,100.00
SUMMIT FIRE PROTECTION	FIRE ALARM SYSTEM INSPECTION	463.00
	ADMIN TOTAL	173,977.74
FIRE DEPARTMENT		
ED M. FELD EQUIPMENT CO. INC.	BUNKER GEAR	17,584.50
MELLAGE TRUCK & TRACTOR	PARTS/LABOR	209.96
	FIRE DEPARTMENT TOTAL	17,794.46
PARK DEPARTMENT		
AKRS EQUIPMENT	EQUIPMENT RENTAL	1,267.50
	PARK DEPARTMENT TOTAL	1,267.50
LIBRARY DEPARTMENT		
AMAZON CAPITAL SERVICES	BKS/AVS	537.28
AMERICAN LIBRARY ASSOCIATION	MEMBERSHIP RENEWAL	183.00
AUBURN CHAMBER OF COMMERCE	EC DEVELOPMENT INVESTMENT	110.00
AUBURN MEM. LIBRARY PETTY CASH	POSTAGE/ILL	96.57
AUBURN NEWSPAPERS	PUBLISHING	77.50
BAKER & TAYLOR	BKS/AVS	713.09
BLACKSTONE PUBLISHING	BKS/AVS	104.83
EAKES OFFICE SOLUTIONS	SUPPLIES	412.55
OVERDRIVE, INC.	BKS/AVS	785.29
PETTY CASH	PETTY CASH	38.98
THE PENWORTHY COMPANY	BKS/AVS	283.49
	LIBRARY DEPARTMENT TOTAL	3,342.58
	GENERAL FUND TOTAL	196,382.28
STREET FUND		
AUBURN AUTO CENTER	TIRE REPAIR	45.00
AUTO AIR & REPAIR	PARTS/LABOR	584.96
BEARD'S SALVAGE INC.	SUPPLIES	312.00
FARMERS COOPERATIVE	SUPPLIES	149.12
FILTER CARE	FILTERS/CLEANING	116.05

CLAIMS REPORT
Check Range: 1/01/2024- 1/04/2024

VENDOR NAME	REFERENCE	VENDOR TOTAL
JEO CONSULTING GROUP INC.	PROFESSIONAL SERVICES	7,150.00
PETTY CASH	PETTY CASH	24.38
	ADMIN TOTAL	8,381.51
	STREET FUND TOTAL	8,381.51
	Accounts Payable Total	204,763.79

Prepared by: Ligouri Law Office, P.O. Box 99, Auburn, NE.
 Upon filing mail to: Auburn BPW, 1600 "O" Street, Auburn, NE. 68305

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT is made the last date signed below, by **Gary Brett Walton & Alison Walton, a married couple** (hereinafter "**Grantor**") in favor of **The City of Auburn, Nebraska, ("City") & the Auburn Board of Public Works ("BPW")** a Nebraska municipal corporation & political subdivision of the State of Nebraska (hereinafter "**Grantee**").

WITNESSETH:

WHEREAS, Grantor is the owner of real property located in the City of Auburn, Nemaha County, Nebraska; and,

WHEREAS, Grantee request a non-exclusive perpetual easement for the construction, installation, repair, replacement, operation, connection to, disconnection from and maintenance of certain utility facilities, including: lines, mains, pipes, service lines, tees, joints and appurtenances thereto for electric, energy, water, sewer, natural gas, cable, and communication (hereinafter "Utility Facilities"), as well as, a non-exclusive perpetual easement for ingress and egress across **Grantor's** property (as set forth in Exhibit "A" attached hereto) in order to access and use the Easement as provided herein; and

WHEREAS, providing said Utility Facilities to the Property constitute a public purpose; and

NOW, THEREFORE, in consideration of the public purposes stated herein, and the mutual covenants, terms, and condition and restrictions contained herein, together with other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Incorporation of Recitals. The foregoing recitals are hereby incorporated fully herein by this reference.

2. Grant of Easement. **Grantor** hereby voluntarily grants and conveys to **Grantee** subject to any previous and duly recorded easements or grants of record, a perpetual non-exclusive easement over, under, through, and across the real property described in **Exhibit "A"**, a copy of which is attached hereto and incorporated herein by this reference (hereinafter "Utility Facility Easement"), including a perpetual non-exclusive grant and right of ingress and egress

across the real property described in **Exhibit "A"**. Said easement shall be of the nature and character and to the extent hereinafter set forth.

3. Purpose of Easement. The Easement is granted for the express and sole purpose of allowing **Grantee** to perpetually use the property within this Easement for the construction, installation, repair, replacement, operation, connection to, disconnection from and maintenance of certain utility facilities, including: lines, mains, pipes, service lines, tees, joints and appurtenances thereto, as well as, maintaining at all times, reasonable access and ingress/egress to and from Its Utility Facilities contained within this Easement for the above stated and referenced services.

4. Rights and Obligations of Grantee. To accomplish the purposes stated above, and at **Grantee's** sole expense, the following rights are conveyed to **Grantee** by this Easement:

(a) the right for **Grantee** to construction, installation, repair, replacement, operation, connection to, disconnection from, maintain, inspect, alter, repair, rebuild, relocate, add to and/or remove the Utility Facilities and related appurtenances within this Easement;

(b) all other rights and privileges reasonably and customarily necessary or convenient for **Grantee's** safe and efficient operation, maintenance, and/or repair of the Utility Facilities; including convenient and reasonable access to such facilities; and,

(c) for the enjoyment and free available use of said easements for purposes described above.

In addition, **Grantee** agrees to and shall promptly restore, or cause to be restored; the surface and subsurface of the real property described herein to the condition said property was in prior to the performance of the any construction, reconstruction, replacement, removal, enlargement, operation, inspection, maintenance, repair improvement, relocation or any other use or work contemplated by this Easement Agreement. Any such restoration shall be in a workman like manner and restored or replaced to as good a functioning condition as determined by the parties to this Easement Agreement. **Grantee** shall use its best efforts in Its use of the easement area to not interfere with use by **Grantor**, its tenants, guests, and invitees of the **Grantor** and any adjacent property owned by the **Grantor**.

5. Grantor's Use of Easement. Subject to and conditioned upon the provisions of Paragraph 3 of this Agreement, **Grantor** hereby reserves for itself the right to use the easement areas; provided, however, that **Grantor's** use may not (i) violate any provision of this Easement Agreement, or (ii) unreasonably interfere with any of **Grantee's** easements, rights, or interest under this Agreement. Notwithstanding anything to the contrary contained herein, Grantor shall not have the right to relocate the Easement on **Grantor's** property.

6. Easement Runs with the Land. This Easement shall remain a charge against the property within **Exhibit "A"** attached hereto. Therefore, this easement shall run with the land and be automatically assigned by any deed or other conveyance conveying the easement property, or a portion thereof, relating to this easement, even though the conveyance makes no reference to this Easement as such.

7. Recordation. The **Grantee** shall record this instrument in a timely fashion in the Official Records of Nemaha County, Nebraska and may re-record it at any time as may be required to preserve Its rights in this Easement.

8. Sovereign Immunity. Nothing contained in this Agreement shall be construed as a waiver of the **Grantee's** right to sovereign immunity or other limitations imposed on the **Grantee's** potential liability under State and Federal law.

9. Indemnification. **Grantee** agrees to the fullest extent permitted by law, to indemnify, defend and hold harmless **Grantor** from and against all claims, losses, damages, personal injuries (including but not limited death), or liability, arising from, out of, or caused by: **Grantee**, its officers, employees, agents, or contractors, negligent or intentional acts, errors, omissions in the operation, maintenance, construction, repair, or other use contemplated herein of the Utility Facilities, except to the extent of negligence or wanton misconduct of the **Grantor**.

The indemnification provided above shall obligate the **Grantee** to defend at its own expense or to provide for such defense, at the option of the **Grantor**, as the case may be, or any and all claims of liability and all suits and actions of every name and description that may be brought against the **Grantor** which may result under this Agreement.

Grantor binds **Grantor** and **Grantor's** heirs, successors, and assign to warrant and defend the title to the Easement Property, subject to the permitted encumbrances, to the **Grantee** against every person whomsoever lawfully claiming or to claim the Easement Property or any party of the Easement Property when the claim is by, through, or under **Grantor**, but not otherwise.

10. Injunctive Relief. The parties agree that, in the event of default, there may not be an adequate remedy at law, and therefore, it is agreed that parties shall be entitled to seek injunctive relief, including mandatory injunctions.

11. Governing Law and Venue. This Agreement shall be governed by the laws of the State of Nebraska. Venue for all disputes shall be properly placed in Nemaha County, Nebraska. The parties agree that the Agreement was consummated in Auburn, Nemaha County, Nebraska, and the site of the easement is in Auburn, Nemaha County, Nebraska.

12. Notice. All Notices, demands, requests, consents, approvals, or other communications (collectively Notices) required or permitted to be given hereunder or which are given with respect to this Agreement shall be effective only if in writing and delivered by personal service, or delivered to an overnight courier service with guaranteed next day delivery or mailed by registered or certified mail, return receipt requested, postage prepaid, addressed as follows:

TO GRANTOR: Mr. Gary Brett Walton, his successors or assigns at 2835 E. Ash Ridge Rd. Firth, NE 68358-7536.

PASSED and APPROVED, this _____ day of _____
20____, by the City Council of the City of Auburn, Nemaha County, Nebraska.

GRANTEE:

Dated: _____

Mayor, City of Auburn, NE.
A Municipal Corporation.

ATTEST:

Sherry Heskett, Auburn City Clk.

(SEAL)

Approved as to Form

/s/ Angelo M Ligouri
Attorney for City of Auburn, NE

Attachment "A" - Legal Description of Real Property.

A strip of land running 8.0 feet south, running west to east, from along the North boundary/lot line of Lot 85, Crestview Addition to the City of Auburn, Nemaha County, Nebraska.



AUBURN CREATIVE DISTRICT

Project Proposal

Presented To:

**AUBURN
CREATIVE DISTRICT
LEADERSHIP TEAM**

Presented By:

**PETRA WAHLQVIST,
CONSULTANT**



Petra Wahlqvist
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Auburn

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PROJECT OVERVIEW

Auburn is in an excellent position to take the next steps towards becoming a Nebraska Certified Creative District. As a creative consultant, it is my goal to work alongside you and your vibrant community to help you achieve this goal.

I believe in meeting communities where they are and that only the people who live, work, and play in their town know what's best for it. My job as a consultant is to actively listen, help connect people and dots, discern, facilitate, report, and share expertise as an outsider.

As a consultant, I have helped several of the current Certified Creative Districts in Nebraska achieve their certification and would love the opportunity to work with you to do the same!

I have also sat on Nebraska Arts Council panels for a large number of Creative District candidates. This has given me an opportunity to learn what's working well for communities, and where a little extra help is needed.

Currently, you have submitted your letter of interest (LOI) and now are ready to complete your workbook and strategic plan, which are best broken down into two steps. Below, I will outline some of what our work together would entail.

PHASE ONE - THE WORKBOOK

One of the advantages of "the workbook" phase of certification is that it offers a community an opportunity to focus on their arts and cultural identity while deeply engaging residents in the process, thereby building capacity and strengthening local relationships. During this phase of the process, I will:

- Act as a sounding board, advisor, and friend to the Auburn Creative District Leadership Team
- Facilitate up to three community conversations related to Auburn's future Creative District. I will assist with the organization and curation of these conversations as well as on-site facilitation.
- Provide reflective content from these conversations relevant to the workbook
- Work alongside the community to help identify assets, strengths, weaknesses, opportunities, and threats (SWOT analysis), and Creative District vision and mission statements and values.
- Help complete parts of the workbook that the local team needs assistance with. Generally, this includes more iterative and narrative components rather than locally accessible data.

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PHASE ONE - THE WORKBOOK, CON'T.

- Help establish growing community enthusiasm and consensus around the Creative District
- Point out any potential “red flags” in your application
- Walk alongside you as the NAC panel discusses your workbook and help you answer any questions or obtain additional information requested by the panel
- Help you move on to the next phase - the strategic plan and certification!



PHASE TWO - THE STRATEGIC PLAN

The strategic plan is a document that includes much of the treasure we’ve unearthed together during “the workbook” phase, but requires a multitude of assets in its creation and presentation. I’ve had the honor of helping co-create the strategic plan for several communities, and here is what you can count on from me:

- Ongoing support, advice, and friendship throughout the process
- A compelling, professionally designed document that jumps out at the panel
- Well-written, creative, and distinct narrative that reflects your Creative District’s identity and authenticity
- Sections devoted directly to the materials sought in the NAC rubric for Creative District Strategic plans
- A clear 5-year plan which outlines ideas and funding possibilities (we’ll work together on this)
- Revisions as desired
- Assistance as needed throughout submission

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THE BUDGET

Here's a simple breakdown of what you can expect.

PROPOSED BUDGET

As a Creative Consultant, my fee is \$50/hour for working alongside communities throughout the Creative District certification process. In the past, this has taken anywhere between 100 and 120 hours total. To simplify the process and to ensure that communities receive the utmost value and flexibility they deserve, I offer a flat rate of \$2,500 for the workbook phase (this covers travel as well) and an additional \$2,500 for the strategic plan. This fee covers 100 hours, and ensures a community knows what to expect...even if it takes more hours than we've predicted.

OPTIONS

I do offer the option of contracting to work alongside your community solely for the workbook phase, if you'd like an opportunity to "try each other on" before moving forward with the strategic plan. In this case, my fee is still \$2,500 but I also charge for mileage based on the current set rate in Nebraska. The only potential downside is that my future capacity may be limited without booking the strategic plan in advance.



Creative District Certification Consulting Fee Budget:

Workbook Phase at \$50/hour:

Subtotal: \$2,500.00

Strategic Plan Phase at \$50/hour:

Subtotal: \$2,500.00

FINAL PROPOSED TOTAL: \$5,000.00

To ensure our work together occurs in a timely fashion, if and when you express a desire to go forward with a contract, I will provide a simple MOU and an invoice for a 25% retainer to secure the work - in this case, that would equal \$1,250.00. Please reach out if you have any questions about this budget.

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ABOUT PETRA:



Petra Wahlqvist is one of the Co-founders of BLIXT Locally Grown, a nonprofit organization based in North Lincoln. Originally from Sweden, Petra lived in Paris and London before moving to Lincoln in 2008 and finding her creative home in the state of Nebraska, alongside her best friend and BLIXT Co-founder Becky Boesen.

Petra has over 25 years of experience as a project creator, educator, and producer. She served as the Education Director at the Lied Center for Performing Arts for eight years. During her tenure at the Lied, she worked with many communities throughout the state on the Arts Across Nebraska program, and led large scale, interdisciplinary collaborations with world class artists, students, faculty, staff and community members. Petra served as the Executive Director for Nebraskans for the Arts, the state's arts advocacy organization, for two years, including the time when the Creative District program came to be.



She has taught theatre as an adjunct professor at Doane University, the Carson School of Theatre and Film at UNL, and at Nebraska Wesleyan University. Before moving to Lincoln in 2008, Wahlqvist worked as a Performing Arts Specialist and Mentor with Artis, a performing arts education company in London, UK.



Petra has served on many Creative District review panels, and worked with several communities to certify, including Valley County and UNI Place in Lincoln. Petra is most fulfilled when working collaboratively with people from different areas where everyone brings their gifts to the table for the greater good. She loves working across the state and especially enjoys the beauty and uniqueness of Greater Nebraska communities.

Thank you for the opportunity to submit this proposal. It is valid until March 1, 2024.
I look forward to hearing from you!

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ORDINANCE NO. 01-24
(Series 2024 – Sewer Project)

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A COMBINED UTILITIES REVENUE BOND OF THE CITY OF AUBURN, NEBRASKA, IN THE PRINCIPAL AMOUNT OF UP TO SIX HUNDRED SIXTY-THREE THOUSAND DOLLARS (\$663,000) FOR THE PURPOSE OF PAYING THE COSTS OF SEWER AND MANHOLE REHABILITATION, WATER MAIN RELOCATION AND ALL RELATED WORK, LAND TESTING, AND ENGINEERING FEES THERETO; AUTHORIZING THE ISSUANCE OF SAID BOND IN THE FORM OF A PROMISSORY NOTE TO EVIDENCE A LOAN FROM THE NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY; APPROVING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT WITH THE NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY; APPROVING RELATED DOCUMENTS WITH RESPECT TO SAID LOAN; PRESCRIBING THE FORM, TERMS AND DETAILS OF SAID BOND; PLEDGING AND HYPOTHECATING THE REVENUE AND EARNINGS OF THE WATERWORKS PLANT AND DISTRIBUTION SYSTEM, SANITARY SEWER SYSTEM AND ELECTRIC DISTRIBUTION SYSTEM OF SAID CITY FOR THE PAYMENT OF SAID BOND AND INTEREST THEREON; PROVIDING FOR THE COLLECTION, SEGREGATION AND APPLICATION OF THE REVENUES OF THE CITY’S WATERWORKS PLANT AND DISTRIBUTION SYSTEM, SANITARY SEWER SYSTEM AND ELECTRIC DISTRIBUTION SYSTEM; APPROVING EXECUTION OF RELATED DOCUMENTS; ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE HOLDER OF SAID BOND; DETERMINING THAT INTEREST ON SAID BOND SHALL NOT BE EXCLUDABLE FROM GROSS INCOME FOR PURPOSES OF FEDERAL INCOME TAXATION; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF AUBURN, NEBRASKA (the "City"):

Section 1. The Mayor and Council hereby find and determine:

(a) The City owns and operates a waterworks plant and distribution system, sanitary sewer system and electric distribution system (hereinafter collectively, the “combined utilities”) which combined utilities are hereby determined to be revenue producing utilities for which revenues bonds may be issued pursuant to Sections 18-1803 to 18-1805, Reissue Revised Statutes of Nebraska, 2012, as amended. Reference herein to the Water System, the Sewer System, the Electric System and the Combined Utilities shall include all additions and improvements thereto hereafter acquired by the City.

(b) The City has heretofore issued and outstanding the following revenue bonds which are a lien upon and secured by a pledge of the revenue and earnings of the Combined Utilities (collectively, the “Outstanding Bonds”):

(1) Combined Utilities Revenue Refunding Bonds, Series 2019, dated December 2, 2019, of the City in the original principal amount of \$3,555,000 of which the principal amount of \$3,000,000 is currently outstanding (the “Series 2019 Bonds”); and

(2) Combined Utilities Revenue Refunding Bonds, Series 2021, dated March 15, 2021, of the City in the original principal amount of \$1,980,000 of which the principal amount of \$710,000 is currently outstanding (the “Series 2021 Bonds”).

The Outstanding Bonds constitute the only presently outstanding indebtedness of the City payable from the revenues of the Combined Utilities. The ordinances under which the Outstanding Bonds are issued and outstanding are sometimes referred to herein collectively as the “Outstanding Parity Bonds Ordinances”.

(c) Under the terms of the Outstanding Parity Bonds Ordinances, the City is authorized to issue bonds which qualify as “Additional Bonds” of equal lien to the Outstanding Bonds provided that the “Net Revenues” test described in the Outstanding Parity Bonds Ordinances can be satisfied. With respect to said conditions, the following determinations are hereby made:

(1) The “Net Revenues” of the Combined Utilities as defined in the Outstanding Parity Bonds Ordinances for the year ended December 31, 2022 were not less than \$2,191,514.

(2) Said “Net Revenues” exceed 1.25 times said “Average Annual Debt Service Requirements” of the Outstanding Bonds and of the proposed Series 2024 Bond.

(3) This Ordinance provides for an increase in the monthly credits into the Combined Utility Revenue Bond Account in amounts sufficient to pay, when due, the principal of and interest on the Outstanding Bonds and such proposed Series 2024 Bond.

(4) All applicable conditions required the Outstanding Parity Bonds Ordinances precedent to the issuance of the Series 2024 Bond as an “Additional Bond” under the terms of said ordinances do exist and have happened.

(d) NDEE has approved a project designated as NDEE Project No. C318056 for the purpose of paying the costs of sewer and manhole rehabilitation, water main relocation and all related work, land testing, and engineering fees thereto (the “Sewer Project”) for which the estimated total cost is not less than \$663,000 and NDEE has agreed to lend the City funds in such amount (the “2024 Loan”) and in such connection has agreed to accept the Series 2024 Bond (in such amount and as defined below) payable from the revenues of the Combined Utilities.

(e) In connection with the 2024 Loan it will be necessary for the City to approve, execute and deliver an agreement entitled “Loan Agreement (Governmental Borrower) between the Nebraska Department of Environment and Energy and the City of Auburn NDEE Project No. C318056” (the “NDEE Loan Agreement”) and it is necessary and advisable for the City to approve the execution and delivery of said NDEE Loan

Agreement and the “Note” as described therein (for the borrowed amount of up to \$663,000, which Note shall evidence, be and constitute the 2024 NDEE Note as herein authorized).

(f) To satisfy the borrowing requirements described in this Section 1, it is necessary for the City to issue its Combined Utilities Revenue Bond, Series 2024 (Sewer Project), in the total principal amount of up to \$663,000 (the “Series 2024 Bond” and sometimes referred to herein separately as the “2024 NDEE Note”) pursuant to Sections 18-1803 to 18-1805 R.R.S. Neb. 2012.

(g) All conditions, acts and things required by law to exist or to be done precedent to the issuance of said bond as provided for in this Ordinance and as an Additional Bond equal in lien to the Outstanding Bonds do exist and have been done in regular and due form and time as required by law.

Section 2. In addition to the definitions provided in parentheses elsewhere in this Ordinance, the following definitions of terms shall apply, unless the context shall clearly indicate otherwise:

“Additional Bonds” shall mean any and all bonds hereafter issued by the City pursuant to the terms of this Ordinance which are equal in lien to the Series 2024 Bond and the Outstanding Bonds including any such bonds issued pursuant to Section 7 hereof and refunding bonds issued pursuant to Section 8 hereof, as and when such bonds become equal in lien to the Series 2024 Bond and the Outstanding Bonds according to their terms and the terms of said Sections.

“Average Annual Debt Service Requirements” shall mean that number computed by adding all of the principal and interest due when computed to the absolute maturity of the bonds for which such computation is required and dividing by the number of years remaining that the longest bond of any issue for which such computation is required has to run to maturity. In making such computation, the principal of any bonds for which mandatory redemptions are scheduled shall be treated as maturing in accordance with such schedule of mandatory redemptions.

“Deposit Securities” shall mean (a) direct obligations of or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America; (b) bonds, debentures, notes, participation certificates or other evidences of indebtedness issued by any of the Banks for Cooperatives, the Federal Intermediate Credit Banks, the Federal Home Loan Bank system, the Export Import Bank of the United States, the Federal Land Banks, Fannie Mae or the Government National Mortgage Association or any combination of any of the foregoing.

“Maximum Annual Debt Service Requirement” shall mean the maximum amount scheduled to fall due for payment of principal and interest in any fiscal year on the bonds for which such computation is required. In making such computation, the principal of any bonds for which mandatory redemptions are scheduled shall be treated as maturing in accordance with such schedule of mandatory redemptions.

“Net Revenues” shall mean the gross revenues derived by the City from the ownership or operation of the Combined Utilities, including investment income, but not including any income from sale or disposition of any property belonging to or forming a part of the Combined Utilities, less the ordinary expenses to the City of operating and maintaining the Combined Utilities payable from the Operation and Maintenance Account described in Section 5 of this Ordinance. Operation and maintenance expenses for purposes of determining “Net Revenues” shall not include depreciation, amortization or interest on any bonds or other indebtedness. Net Revenues for all purposes of this Ordinance shall be shown by an audit for the fiscal year in question as conducted by independent certified public accountants.

Section 3. To finance the costs of the Sewer Project as described in Section 1 hereof:

(a) The City shall enter into a Loan Agreement (Governmental Borrower) between the Nebraska Department of Environment and Energy and the City of Auburn, Nebraska NDEE Project No. C318056 (the “NDEE Loan Agreement”) in substantially the form set forth in Exhibit A to this Ordinance, which exhibit is by such reference incorporated herein as if fully set forth; and

(b) There shall be and there are hereby ordered issued the City’s Combined Utilities Revenue Bond, Series 2024 (Sewer Project) in the principal amount not to exceed \$663,000, in the form of a single promissory note in substantially the form attached to the NDEE Loan Agreement as Attachment F thereto (referred to in this Ordinance sometimes as the “2024 NDEE Note”) which exhibit is by such reference incorporated herein as if fully set forth.

(c) The terms of the NDEE Loan Agreement and 2024 NDEE Note are hereby approved and the Mayor and City Clerk are hereby authorized to execute and deliver the NDEE Loan Agreement and 2024 NDEE Note with such changes from the forms presented and attached hereto as such officers shall deem appropriate for and on behalf of the City.

(d) The Mayor and City Clerk and any other officer or officers of the City are hereby further authorized to take such further actions and to execute such certificates and other documents as shall be deemed necessary or appropriate by any of them in connection with the issuance and delivery of the NDEE Loan Agreement and the 2024 NDEE Note.

(e) For all purposes of this Ordinance, the 2024 NDEE Note shall constitute a revenue bond of the City of Auburn as authorized by Sections 18-1803 to 18-1805, R.R.S. Neb. 2012, as amended, and shall be included within the terms “bond” and “combined revenue bond” where such inclusion is appropriate.

Section 4. The City Clerk shall make and certify in duplicate transcripts of the proceedings of the Mayor and Council with respect to the 2024 NDEE Note, which shall be retained on file with the City and the other of which shall be delivered to the City’s special bond counsel.

Section 5. The revenues and earnings of the Combined Utilities are hereby pledged and hypothecated for the payment of the Outstanding Bonds, the Series 2024 Bond and any Additional

Bonds of equal lien issued as authorized by this Ordinance and interest on such Outstanding Bonds, Series 2024 Bond and any such Additional Bonds, and the City does hereby agree with the holders of the Outstanding Bonds, the Series 2024 Bond and any such Additional Bonds as follows:

(a) COMBINED UTILITY FUND - The entire gross revenues and income derived from the operation of the Combined Utilities shall be set aside as collected and deposited in a separate fund which has been previously created and is herein designated as the "Combined Utility Fund." For purposes of allocating the monies in the Combined Utility Fund, the City has previously set up and shall maintain the following accounts: (1) Operation and Maintenance Account; (2) Combined Utility Revenue Bond Account; (3) Combined Utility Bond Reserve Account; and (4) Surplus Account.

(b) OPERATION AND MAINTENANCE ACCOUNT - Out of the Combined Utility Fund there shall be monthly credited into the Operation and Maintenance Account such amounts as the City shall from time to time determine to be necessary to pay the reasonable and necessary expenses of operating and maintaining the Combined Utilities and the City may withdraw funds credited to the Operation and Maintenance Account as necessary from time to time to pay such expenses.

(c) COMBINED UTILITY REVENUE BOND ACCOUNT - Out of the Combined Utility Fund there shall be credited monthly on or before the first day of each month to the Combined Utility Revenue Bond Account, starting with the month immediately following the month in which the 2024 NDEE Note is issued and delivered (such date, the "Initial Deposit Date"), the following amounts:

(1) during the period from the Initial Deposit Date, until and including that June 15 or December 15 which next immediately follows the "Initiation of Operation" (as defined in the NDEE Loan Agreement; in this Ordinance hereafter referred to as the "Initiation of Operation") of the Sewer Project an amount such that if the same amount were credited on the first day of each calendar month from such date of credit until the next payment date upon which any amount falls due on the 2024 NDEE Note, whether for principal or interest, the amount accumulated by such monthly credits would equal the amount falling due on such payment date on the 2024 NDEE Note, provided, however, that such credits shall be required only as and to the extent that such payments are not provided from other sources including amounts advanced by NDEE pursuant to the NDEE Loan Agreement and the 2024 NDEE Note;

(2) during the period from and including that June 15 or December 15 which immediately follows the Initiation of Operation under the terms of the NDEE Loan Agreement until the 2024 NDEE Note has been paid in full an amount equal to one-sixth of the installment amount (principal and interest) due on the next installment payment date for the 2024 NDEE Note;

(3) during such periods, such amounts as are required to be credited under the terms of the Outstanding Parity Bonds Ordinances for payments of principal and interest on the Outstanding Bonds.

The City Treasurer is hereby authorized and directed, without further authorization, to withdraw monies credited to the Combined Utility Revenue Bond Account, or if the monies in such Account are insufficient, then from the Combined Utility Bond Reserve Account (but only with respect to a particular series of bonds for which amounts are required to be credited to the Combined Utility Bond Reserve Account) and next from the Surplus Account, an amount sufficient to pay, when due, the principal of and interest on the Outstanding Bonds, the Series 2024 Bond or any Additional Bonds and to transfer such amount on or before each appropriate payment date to the direct payee or paying agent (as the case may be) for the Series 2024 Bond, the Outstanding Bonds or Additional Bonds pursuant to this Ordinance, the Outstanding Parity Bonds Ordinances and any ordinance authorizing the issuance of Additional Bonds; appropriate additional credits to the Combined Utility Revenue Bond Account shall be provided for sufficient to pay principal and interest on any Additional Bonds.

(d) COMBINED UTILITY BOND RESERVE ACCOUNT - The Mayor and Council hereby find and determine that under the terms of the Outstanding Parity Bonds Ordinances:

(i) no amounts are required to be maintained in the Combined Utility Bond Reserve Account with respect to the Series 2021 Bonds and the Series 2019 Bonds, all as issued to NDEE (each such series having been issued with interest which is not tax-exempt; hereinafter the "NDEE Loan Bonds"); and

(ii) certain amounts are currently or may be required to be maintained with any issue of Additional Bonds issued with interest which is (or is to be) tax-exempt (collectively, the "Tax Exempt Bonds"); such amounts required to be maintained with respect to the Tax Exempt Bonds under the terms of the Outstanding Parity Bonds Ordinances are hereby confirmed and shall continue to be maintained in accordance with the terms of Outstanding Parity Bonds Ordinances.

(iii) No amount shall be required to be maintained in the Combined Utility Bond Reserve Account with respect to the Series 2024 Bond which is also being issued under this Ordinance with interest which is not tax-exempt.

Monies credited to the Combined Utility Bond Reserve Account may be withdrawn, as needed, to provide funds to pay, when due, the principal of and interest on the Tax Exempt Bonds and any Additional Bonds issued pursuant to this Ordinance (subject to the requirement that amounts need to be credited and remain available only for Additional Bonds if such Additional Bonds are issued with interest which is tax-exempt), if the Combined Utility Revenue Bond Account contains insufficient funds for that purpose, and the City Treasurer is hereby authorized and directed to make such withdrawal if and when needed. In the event of a withdrawal from the Combined Utility Bond Reserve Account, there shall be credited to the Combined Utility Bond Reserve Account in the month following such withdrawal all monies in the Combined Utility Fund remaining after making the payments required to be made in such month to the Operation and Maintenance Account and Combined Utility Revenue Bond Account and each month thereafter all such remaining

monies shall be credited to the Combined Utility Bond Reserve Account until such account has been restored to the then required balance under the Outstanding Parity Bonds Ordinances and any ordinance authorizing issuance of Additional Bonds with interest which is tax-exempt with respect to the Tax Exempt Bonds and any such Additional Bonds. Upon the issuance of any Additional Bonds with interest which is to be tax-exempt pursuant to this Ordinance, the amount required to be maintained with respect to such Additional Bonds and the Tax Exempt Bonds and any and all series of Additional Bonds issued with interest which is tax-exempt, then remaining with bonds outstanding, shall be equal to that amount which is equal to the lesser of:

(i) the Maximum Annual Debt Service Requirement for such issue of Additional Bonds (issued with interest which is tax-exempt), the Tax Exempt Bonds and the bonds of any and all other series of Additional Bonds issued with interest which is tax-exempt, then remaining with bonds outstanding, or

(ii) the maximum amount permitted to be invested without yield restriction as a reasonably required reserve or replacement fund and as a minor portion with respect to such issue of Additional Bonds (issued with interest which is tax-exempt), the Tax Exempt Bonds and the bonds of any and all such series of Additional Bonds issued with interest which is tax-exempt, then remaining with bonds outstanding, under the terms of Section 148 of the Code and the then applicable regulations thereunder.

With respect to any bonds issued with interest which is not tax-exempt, such as the NDEE Loan Bonds and the Series 2024 Bond, no amount shall be required to be maintained in the Combined Utility Bond Reserve Account and such bonds with taxable interest shall not be payable as to principal or interest from or secured by any monies held in the Combined Utility Bond Reserve Account, unless otherwise specified in an ordinance authorizing Additional Bonds with interest which is not tax-exempt. Any required increase in the amount to be maintained in the Combined Utility Bond Reserve Account shall be provided for either by credit made from bond proceeds or current funds of the Combined Utilities then available or by equal monthly credits from the Combined Utility Fund made in such amounts so that the required amount shall be accumulated in a period of not more than five years. Any ordinance providing for the issuance of Additional Bonds may provide for a reduction in the amount required to be maintained in the Combined Utility Bond Reserve Account after the Tax Exempt Bonds or any then-outstanding Additional Bonds issued with interest which is tax-exempt are no longer outstanding. Anything in this subsection 5(d) to the contrary notwithstanding, the amount required to be maintained in the Combined Utility Bond Reserve Account shall not at any time exceed the maximum amount permitted to be invested without yield restriction under Section 148 of the Code and applicable regulations of the United States Treasury Department. For purposes of this subsection 5(d) bonds are to be considered as issued with interest which is tax-exempt if such bonds were issued on the basis of an opinion of bond counsel to such effect.

(e) SURPLUS ACCOUNT - Monies in the Combined Utility Fund remaining after the credits required in the foregoing subsection 5(b), 5(c), and 5(d) shall be credited to the Surplus Account, to be used as follows:

- (i) To fill any deficiency in the foregoing accounts.
- (ii) To pay on an accelerated basis the required fund balance of the Combined Utility Bond Reserve Account.
- (iii) To be used for any lawful purpose connected with the combined utilities including paying principal and interest on general obligation bonds or junior lien revenue bonds or notes of the City authorized to pay the cost of constructing improvements to the combined utilities.
- (iv) Retiring the Series 2024 Bond, the Outstanding Bonds and Additional Bonds prior to their maturity under their option provisions or by purchase on the open market.
- (v) To be transferred to the general fund of the City for any lawful municipal purpose.

The provisions of this Section shall require the City to maintain a set of books and records in accordance with such accounting methods and procedures as are generally applicable to municipal utility enterprises, which books and records shall show credits to and expenditures from the several Accounts required by this Section. Monies credited to the Combined Utility Fund or any of the Accounts therein established as described in this Ordinance shall be deposited or invested separate and apart from other City funds. Except as specified below for the Combined Utility Bond Reserve Account, the City shall not be required to establish separate bank or investment accounts for said Accounts. Monies credited to the Combined Utility Bond Reserve Account shall, if maintained in a demand or time deposit account be kept in a separate account and not commingled with other City or Combined Utilities funds or Accounts. If invested, monies credited to the Combined Utility Bond Reserve Account may be commingled with other City or Combined Utilities funds or Accounts so long as the City maintains books and records clearly identifying the specific investments, or portions thereof, which belong to the Combined Utility Bond Reserve Account.

Monies in any of the Accounts, except the Combined Utility Bond Reserve Account, may be invested in securities eligible for investment of other City funds. Monies in the Combined Utility Bond Reserve Account may be invested in Deposit Securities, as defined in Section 9 hereof, or in savings accounts or other interest bearing accounts in banks which are members of the Federal Deposit Insurance Corporation, except that whenever the amount so deposited exceeds the amount of the F.D.I.C. insurance available thereon, the excess shall be secured in the manner required by Section 16-715, R.R.S. Neb. 2012. Investments made from or attributable, in whole or in part, to the Combined Utility Bond Reserve Account shall mature or be redeemable at the option of the holder, without penalty, in not more than ten years. Income from or profit realized from investment for any Account shall be credited to such Account until such Account contains any amount then required to be therein, and thereafter such income or profit shall be transferred to the Combined Utility Fund and treated as other revenues from the operation of the Combined Utilities.

The pledge and hypothecation provided for the Outstanding Bonds, the Series 2024 Bond and any Additional Bonds, as provided for in this Ordinance and the Outstanding Parity Bonds Ordinances, as hereby made, is intended to and shall be a full exercise of the powers granted by Sections 18-1803 to 18-1805, R.R.S. Neb. 2012, and for a first and prior lien and security interest upon the revenues of the Combined Utilities, prior in all respects to any other obligations of the City with respect to any other indebtedness with respect to its Combined Utilities or otherwise, which status as to such pledge, lien and security interest may be shared only by the Outstanding Bonds, the Series 2024 Bond and any Additional Bonds hereafter incurred.

Section 6. So long as any of the Outstanding Bonds, the Series 2024 Bond and any Additional Bonds issued pursuant to this Ordinance shall remain outstanding and unpaid, the City covenants and agrees to establish, revise, from time to time as necessary, and collect such rates and charges for the services furnished from the Combined Utilities adequate to produce revenues and earnings sufficient at all times:

(a) To provide funds to pay, when due, the principal of and interest on the Outstanding Bonds, the Series 2024 Bond and any Additional Bonds issued pursuant to this Ordinance.

(b) To pay all proper and necessary costs of operation and maintenance of the Combined Utilities and to pay for the necessary and proper repairs, replacements, enlargements, extensions and improvements to the Combined Utilities and to pay and perform all contractual obligations of the City relating to the Combined Utilities.

(c) To provide funds sufficient to make the credits into the Accounts and at the times and in the amounts required by Section 5 of this Ordinance.

(d) To maintain Net Revenues in each fiscal year adopted by the City for the Combined Utilities in an amount not less than 1.20 times the total amount of principal paid or payable (exclusive of any principal redeemed prior to maturity other than principal redeemed pursuant to a schedule of mandatory redemptions) and interest falling due during such fiscal year on the Outstanding Bonds, the Series 2024 Bond and any Additional Bonds.

Section 7. To provide funds for any purpose related to the Combined Utilities, the City may issue Additional Bonds (other than Additional Bonds issued for refunding purposes which are governed by Section 8 of this Ordinance) payable from the revenues of the Combined Utilities having equal priority and on a parity with the Outstanding Bonds, the Series 2024 Bond and any Additional Bonds then outstanding only upon compliance with the following conditions:

(a) Such Additional Bonds shall be issued only pursuant to an ordinance which shall provide for an increase in the monthly credits into the Combined Utility Revenue Bond Account in amounts sufficient to pay, when due, the principal of and interest on the Outstanding Bonds, the Series 2024 Bond, any Additional Bonds then outstanding and such Additional Bonds and for any monthly credits to the Combined Utility Bond Reserve Account as are required under subsection 5(d).

(b) The City shall have complied with one or the other of the two following requirements:

(1) The Net Revenues derived by the City from its Combined Utilities for the fiscal year next preceding the issuance of the Additional Bonds shall have been at least equal to 1.25 times the Average Annual Debt Service Requirements of the Outstanding Bonds, the Series 2024 Bond and any Additional Bonds previously issued, all as then outstanding, and on the proposed Additional Bonds. If no audit report is available for the fiscal year next preceding the year in which such proposed additional bonds are issued, the report from the next proceeding year may be used in determining compliance with this section, provided that the City Treasurer shall certify that no substantial or material changes in circumstance have occurred which would reduce the amount of revenues of the combined utilities so as to make the issuance of such Additional Bonds in conflict with this ordinance; or

(2) The City shall have received a projection made by an independent Consulting Engineer or firm of engineers or Certified Public Accountant or independent Certified Public Accountants, projecting that the Net Revenues of the Combined Utilities in the fiscal year next preceding the date of authorization of such Additional Bonds will be at least equal to 1.25 times the Average Annual Debt Service Requirements of the Outstanding Bonds, the Series 2024 Bond and any Additional Bonds previously issued, as then outstanding, and the proposed Additional Bonds. The Consulting Engineer or independent Certified Public Accountant of the City shall, in determining the earnings for such fiscal year adjust the collections to reflect the result as if such changed rates, rentals and charges, or such higher rates, rentals and charges had been in existence for such entire preceding fiscal year period, and the amount of such net collections and adjusted earnings as aforesaid shall be conclusive evidence and the only evidence required to show compliance with the provisions and the requirements of Outstanding Parity Bonds Ordinances and this ordinance.

The City hereby covenants and agrees that so long as any of the Outstanding Bonds, the Series 2024 Bond and any Additional Bonds are outstanding, it will not issue any bonds or notes payable from the revenues of the Combined Utilities except in accordance with the provisions of this Ordinance, provided, however, the City reserves the right to issue bonds or notes which are junior in lien to the Outstanding Bonds, the Series 2024 Bond and any such Additional Bonds with the principal and interest of such bonds or notes to be payable from monies credited to the Surplus Account as provided in subsection 5(e).

Section 8. The City may issue refunding bonds, which shall qualify as Additional Bonds of equal lien to refund any the Outstanding Bonds, the Series 2024 Bond or any Additional Bonds then outstanding, provided, that, if any such Outstanding Bonds, Series 2024 Bond or Additional Bonds are to remain outstanding after the issuance of such refunding bonds, the principal payments due in any calendar year in which those bonds which are to remain outstanding mature, shall not be increased over the amount of such principal payments which would have been due in such calendar years immediately prior to such refunding. Refunding bonds issued in accordance with this

paragraph of this Section 8 may be issued as Additional Bonds of equal lien without compliance with the conditions set forth in subsection 7(b) of this Ordinance.

The City may also issue refunding bonds which shall qualify as Additional Bonds of equal lien to refund any of the Outstanding Bonds, the Series 2024 Bond or any Additional Bonds then outstanding, provided, that, if any of the Outstanding Bonds, the Series 2024 Bond or Additional Bonds then outstanding are to remain outstanding after the application of the proceeds of the refunding bonds to the payment of the bonds which are to be refunded, such issuance must comply with the Net Revenues test set forth in subsection 7(b)(1) of this Ordinance and, if the proceeds of such refunding bonds are not to be applied immediately to the satisfaction of the bonds which are to be refunded, then such refunding bonds must provide by their terms that they shall be junior in lien to all of the Outstanding Bonds, the Series 2024 Bond and all Additional Bonds outstanding at the time of issuance of such refunding bonds until the time of application of their proceeds to the satisfaction of the bonds which are to be refunded. In computing Average Annual Debt Service Requirements to show compliance with said Net Revenues test for such refunding bonds, all payments of principal and interest due on such refunding bonds from the time of their issuance to the time of application of the proceeds of such refunding bonds to the satisfaction of the bonds which are to be refunded shall be excluded from such computation to the extent that such principal and interest are payable from sources other than the revenues of the Combined Utilities, such as bond proceeds or investment earnings on bond proceeds, or from monies in the Surplus Account, and all payments of principal and interest due on the bonds which are to be refunded from and after the time of such application shall also be excluded. For purposes of this paragraph of this Section 8, the time of application of the proceeds of the refunding bonds to the satisfaction of the bonds which are to be refunded shall be the time of deposit with an escrow agent or the paying agent for such bonds which are to be refunded pursuant to Section 10-126, R.R.S. Neb. 2012 (or any successor statutory provision thereto), or the time when such bonds which are to be refunded under the terms of their authorizing ordinance or ordinances are no longer deemed to be outstanding, whichever occurs sooner.

Section 9. So long as any of the Outstanding Bonds, the Series 2024 Bond or Additional Bonds are outstanding, the City hereby covenants and agrees as follows:

(a) The City will maintain the Combined Utilities in good condition and will continuously operate the same in a reasonable and efficient manner, and the City will punctually perform all the duties with reference to said utilities required by the Constitution and statutes of the State of Nebraska, but this covenant shall not prevent the City from discontinuing the use and operation of all or any portion of the Combined Utilities so long as the revenues derived from the City's ownership of the properties constituting the Combined Utilities shall be sufficient to fulfill the City's obligations under Section 5 and Section 6 of this Ordinance.

(b) The City will not grant any franchise or right to any person, firm or corporation to own or operate a utilities system or systems in competition with the Combined Utilities.

(c) The City will carry adequate insurance on the Combined Utilities in such amounts as are normally carried by private companies engaged in similar operations,

including, without limiting the generality of the foregoing, fire and windstorm insurance, public liability insurance or workers compensation insurance and any insurance covering such risks as shall be recommended by a consulting engineer. The cost of all such insurance shall be regarded and paid as an operation and maintenance expense.

All such insurance policies shall be in such form and amount as shall be approved or recommended by a consulting engineer. All insurance proceeds, except proceeds from public liability insurance shall be used in making good the loss or damage in respect of which they were paid either by repairing the property damaged or replacing the property destroyed, and expenditures from said monies shall be made only upon a certificate issued by a consulting engineer and filed with the City Clerk stating that the proceeds, together with any other monies available for such purposes, are sufficient for the repair or replacement of any such properties; and when the City shall have been furnished with a certificate of a consulting engineer stating that the property damaged or destroyed has been fully repaired or replaced and such repairs or replacements have been fully paid for, the residue, if any, of such insurance proceeds shall be transferred to the Combined Utility Revenue Bond Account to make up any deficiency in said account, if any such deficiency exists, and if no such deficiency exists said residue shall be transferred to the Combined Utility Fund and credited to the accounts provided for in Section 5 in the same manner as other revenues of the Combined Utilities.

If the proceeds of any insurance shall be insufficient to repair or replace the property damaged or destroyed, the City may use and shall pay out for such purpose, to the extent of such deficiency, any money remaining in the Surplus Account. If in the opinion of a consulting engineer the proceeds of any insurance, together with any amount then available for that purpose in the Surplus Account shall be insufficient to fully complete and pay for such repairs or replacements and if the City shall fail to supply such deficiency from other sources within a period of six (6) months after receipt by the City of such insurance monies, or if in the opinion of a consulting engineer it is to the best interest of the City not to repair or replace all or any part of the damaged properties and that failure to repair or replace the damaged properties shall not affect the sufficiency of the income and revenue from the remaining properties to properly maintain and operate the same and provide funds for the Combined Utility Revenue Bond Account and Combined Utility Bond Reserve Account, as herein provided for, then such insurance monies to the extent not applied to repair or replace the damaged properties shall be deposited in the Combined Utility Bond Reserve Account as described in Section 5 hereof and used for the purposes for which said account has been created, so as to fill said account to its required balance, or if said account is filled to its required balance, and any amount which may be in excess of the amount required shall be credited to the Surplus Account.

If the holders of sixty percent (60%) or more in principal amount of the Series 2024 Bond, Outstanding Bonds and any Additional Bonds at the time outstanding hereunder shall at any time direct the City in writing to do so, then any insurance monies theretofore credited to Surplus Account and then in the hands of the City may be used for extensions and betterments of said combined utilities properties or applied to the pro rata payment of the principal of and accrued interest on all such bonds then outstanding

hereunder.

The proceeds of any and all policies for public liability or workers compensation insurance shall be paid to the respective claimants or to the City Treasurer to be held and used in paying the claims on account of which they were received.

(d) The City will keep proper books, records and accounts separate from all other records and accounts in which complete and correct entries will be made of all transactions relating to the Combined Utilities. The City will have its operating and financial statement relating to the Combined Utilities audited annually by a certified public accountant or firm of certified public accountants. The City will furnish to the holder of the Series 2024 Bond and to the original purchaser or purchasers of each series of Additional Bonds issued hereunder (which may be accomplished by posting on EMMA), within seven months after the end of each fiscal year of the Combined Utilities a copy of the financial statements of the Combined Utilities and the report thereon of the certified public accountants.

(e) The City Treasurer and the City Clerk shall be bonded, in addition to their official bond, by an insurance company or bonding company licensed to do business in Nebraska, in amounts sufficient to cover at all times all the revenues of the combined utilities placed in their hands. Any other person employed by the City in the collection or handling of monies derived from the operation of said property shall also be bonded in an amount sufficient to cover all monies which may at any time be placed in such person's hands. The amount of such bonds shall be fixed by the Council and the cost thereof shall be paid from the earnings of said combined utilities and they shall secure the faithful accounting of all monies.

Section 10. The City's obligations under this Ordinance and the liens, pledges, covenants and agreements of the City herein made or provided for, shall be fully discharged and satisfied as to the Series 2024 Bond, or any Additional Bonds issued pursuant to this Ordinance and any such bonds shall no longer be deemed outstanding hereunder if such bonds shall have been purchased and cancelled by the City, or when payment of the principal of and interest thereon to the respective date of maturity or redemption (a) shall have been made or caused to be made in accordance with the terms thereof; or (b) shall have been provided for by depositing with a national or state bank having trust powers, or trust company, in trust solely for such payment (1) sufficient money to make such payment and/or (2) Deposit Securities in such amount and bearing interest at such rates payable at such time or times and maturing or redeemable at stated fixed prices at the option of the holder as to principal at such time or times as will ensure the availability of sufficient money to make such payment; provided, however, that with respect to any bond to be paid prior to maturity, the City shall have duly given notice of redemption of such bonds as provided by law or made irrevocable provision for the giving of such notice. Any such money so deposited with a bank or trust company may be invested and reinvested in Deposit Securities at the direction of the City, and all interest and income from such Deposit Securities in the hands of such bank or trust company in excess of the amount required to pay principal of and interest on the bonds for which such monies were deposited, shall be paid over to the City as and when collected. For purposes of this Section 10, such Deposit Securities shall be non-callable or callable only at the option of the holder. With respect to any deposit made for purposes of satisfying the Series 2024 Bond, under this

Section 10, there shall (if requested by NDEE) be furnished to NDEE and the Nebraska Investment Finance Authority (“NIFA”) an opinion of nationally recognized bond counsel that such deposit for payment of the Series 2024 Bond, will not adversely affect the exclusion for interest from gross income for federal tax purposes on bonds (if any) issued by NIFA to provide funds for deposit into the Nebraska Drinking Water Facilities Loan Fund and/or the Wastewater Treatment Facilities Construction Loan Fund (as applicable) and outstanding, and the furnishing of such opinion (if requested) shall be a condition required to be satisfied prior to the making of any such deposit in trust for payment and satisfaction with respect to the Series 2024 Bond, unless the Series 2024 Bond then being defeased are to be prepaid and redeemed within 60 days from the time of such deposit.

Section 11. The terms and provisions of this Ordinance do and shall constitute a contract between the City of Auburn and the holder of the Series 2024 Bond and no changes, variations or alterations of any kind, except for changes necessary to cure any ambiguity, formal defect or omission, shall be made to this Ordinance without the written consent of the holder of the Series 2024 Bond. The holder of the Series 2024 Bond may, either in law or in equity, by suit, action, mandamus or other proceeding, enforce or compel performance of any and all of the acts and duties required by this Ordinance, and any court of competent jurisdiction may, after default in payment of principal or interest on any bonds or in compliance with any of the covenants herein contained, on application of any such holder, appoint a receiver to take charge of the Combined Utilities and operate the same and apply the earnings thereof to the payment of the principal of and interest on the Outstanding Bonds, the Series 2024 Bond and any Additional Bonds, in accordance with the provisions of the Outstanding Parity Bonds Ordinances and of this Ordinance.

Section 12. The Mayor and City Clerk of the City are hereby authorized to do all things and execute all such documents as may by them be deemed necessary and proper to complete the issuance and sale of the Series 2024 Bond and the execution and delivery of the NDEE Loan Agreement as contemplated by this Ordinance.

Section 13. The Mayor and Council hereby expressly declare the intent and understanding that interest on the Series 2024 Bond shall not be excludable from gross income under the terms of Section 103 of the Internal Revenue Code of 1986, as amended, and the City as issuer shall not file any information report with respect to the issuance of the Series 2024 Bond pursuant to Section 149(e) of said Code.

Section 14. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 15. All other ordinances or resolutions or parts of ordinances or resolutions in conflict herewith are hereby repealed to the extent of such conflict.

[NO FURTHER TEXT ON THIS PAGE]

Section 17. This Ordinance shall be in force and take effect from and after its passage and publication in pamphlet form as provided by law.

PASSED AND APPROVED JANUARY 15, 2024.

Mayor

ATTEST:

City Clerk

(SEAL)

Street Department Activity Report
(December 2023)

- Demolition of house on 23rd O St.
- Demolition of house on 25th O St.
- Repaired hydraulic lines on the street sweeper.
- Washed and cleaned up equipment.
- Put out barricades on Central and J St.
- Fixed the hose reel carts for the pool.
- Filled in spot patch in bad areas in town.
- Spread rock on driveway going into Westgate addition.
- Cleaned plugged storm drains around town.
- Swept streets around town.
- Spread rock on alley behind Darren Wrights.
- Hauled salt from the state shop to the 6th St. bunker.
- Had Eggers refabricate #14 dump box.
- Salted different areas of town.
- Hauled brush and leaves from the brush lot.
- Hauled of limestone foundation from 25th Ost.
- Cleaned up and organized the shop.
- Worked in some different alleys with the skid loader.
- Performed preventive maintenance on equipment.
- Installed a led plow light on #11 dump truck.
- Hauled off iron to Beards.

Blake Goering
Street Commissioner

Auburn Memorial Library

1810 Courthouse Ave
Auburn, NE 68305

January 2024

- We had 61 for our Ornament making event.
- Our local artist for January is Ray Kappel. We invite everyone to stop by and take a look at his beautiful work.
- Please find attached the library's 2022/2023 fiscal year in review.

Statistical Report:

<u>Date:</u>	<u>Circulation:</u>	<u>Patrons:</u>
November 2023	2,403	1,375
OverDrive	<u>920</u>	<u>157</u>
	3,323	1,532
December 2023	2,402	1,438
OverDrive	<u>860</u>	<u>155</u>
	3,262	1,593

USING THE LIBRARY SAVES YOU MONEY!

HERE IS A BREAKDOWN OF THE NUMBER OF ITEMS BORROWED TAKEN TIMES THE AVERAGE COST TO BUY/RENT THAT ITEM AND THE TOTAL PER CATEGORY IN OUR 2022/2023 FISCAL YEAR:

Adult books - 10,337	\$175,729.00
Youth books - 2,886	\$34,632.00
Children's books - 11,491	\$195,347.00
Interlibrary loan requests - 76	\$1,900.00
Magazines - 853	\$5,971.00
Movies - 2,802	\$11,208.00
Cakepans - 31	\$620.00
Puzzles - 861	\$12,915.00
Books on CD - 890	\$8,900.00
E-books - 3,665	\$54,975.00
Audiobooks - 5,504	\$55,040.00

WOULD YOU
LIKE TO
START
SAVING
TOO?

GRAND TOTAL = \$557,237.00

PROGRAMMING HIGHLIGHTS:

We held 49 various programs with a total attendance of 1,844.

Programs included storytimes, youth book club, author visits, Wildlife Encounters, The String Beans, Many Moccasins Dance Troupe, special parties and craft hours, preschool visits, storytimes for DOGS Academy, Summer Reading program, Youth and Adult summer reading programs, rock painting, and sand art.

City of Auburn-CRA
TIF Activity Report

AGENDA ITEM
NO

J-2

Date	Description	Account	Core Area	West	Orscheln	Westgate
		Activity		Project		Project
12/31/2022	Balance	\$ 892,482.60	\$ 892,482.60	\$	\$	
1/6/2023	Baird Holm LLP	\$ (4,106.50)	\$ (4,106.50)			
1/11/2023	Co. Collections	\$ 44,904.04	\$ 25,567.86		\$ 19,336.18	
1/31/2023	Interest on Acct	\$ 429.73	\$ 421.14		\$ 8.59	
2/8/2023	Co. Collections	\$ 8,026.49	\$ 6,381.09	\$ 1,645.40		
2/14/2023	Baird Holm LLP	\$ (626.50)	\$ (626.50)			
2/28/2023	Interest on Acct	\$ 395.69	\$ 387.78		\$ 7.91	
3/7/2023	Co. Collections	\$ 18,834.12	\$ 17,389.27	\$ 912.22	\$ 532.63	
3/31/2023	Interest on Acct	\$ 446.08	\$ 437.16		\$ 8.92	
4/13/2023	Baird Holm LLP	\$ (203.00)		\$ (203.00)		
4/14/2023	Co. Collections	\$ 19,285.86	\$ 17,531.36	\$ 1,754.50		
4/30/2023	Interest on Acct	\$ 438.43	\$ 429.66		\$ 8.77	
5/11/2023	Baird Holm LLP	\$ (1,305.00)	\$ (1,305.00)			
5/11/2023	Co. Collections	\$ 54,042.55	\$ 50,133.10	\$ 3,376.82	\$ 532.63	
5/17/2023	Korner Kitchen	\$ (4,420.50)	\$ (4,420.50)			
5/31/2023	Interest on Acct	\$ 473.25	\$ 459.05	\$ 4.73	\$ 9.47	
6/20/2023	Co. Collections	\$ 38,119.44	\$ 26,083.69	\$ 12,035.75		
6/20/2023	Korner Kitchen	\$ (556.68)	\$ (556.68)			
6/30/2023	City-WestWaterline	\$ (19,526.42)		\$ (19,526.42)		
6/30/2023	Interest on Acct	\$ 470.64	\$ 470.64			
7/12/2023	Baird Holm LLP	\$ (725.00)	\$ (725.00)			
7/18/2023	Co. Collections	\$ 6,791.68	\$ 6,434.14	\$ 357.54		
7/31/2023	Interest on Acct	\$ 492.41	\$ 482.56		\$ 9.85	
8/11/2023	Co. Collections	\$ 5,115.02	\$ 5,115.02			
8/14/2023	House Escrow Funds	\$ 50,000.00				\$ 50,000.00
8/15/2023	Westgate Project	\$ 361,692.74				\$ 361,692.74
8/15/2023	Westgate Project	\$ 588,307.26				\$ 588,307.26
8/22/2023	Westgate Purchase	\$ (944,819.78)				\$ (944,819.78)
8/31/2023	Interest on Acct	\$ 607.48	\$ 607.48			
9/11/2023	Co. Collections	\$ 51,343.20	\$ 36,485.31	\$ 14,857.89		
9/30/2023	Interest on Acct	\$ 518.60	\$ 513.41	\$ 5.19		
10/13/2023	Sale through Comm. Title	\$ 395,940.22				\$ 395,940.22
10/20/2023	Co. Collections	\$ 18,672.84	\$ 18,672.84			
10/31/2023	Interest on Acct	\$ 660.63	\$ 462.44	\$ 6.61		\$ 191.58
11/20/2023	Co. Collections	\$ 3,636.82	\$ 3,636.82			
11/30/2023	Interest on Acct	\$ 714.54	\$ 707.39	\$ 7.15		
12/19/2023	Co. Collections	\$ 1,812.78	\$ 1,812.78			
12/19/2023	Trans City for Baird Holm	\$ (26,285.50)				\$ (26,285.50)
12/31/2023	City-WestWaterline	\$ (15,234.38)		\$ (15,234.38)		
12/31/2023	Interest on Acct	\$ 734.98	\$ 529.19			205.79
12/31/2023	Balance	\$ 1,547,580.86	\$ 1,101,893.60	\$	\$ 20,454.95	\$ 425,232.31

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

FOR THE MONTH OF DECEMBER 2023

Total Number of Calls/traffic stops within the City of Auburn	81/33
Total Number of Ordinance/Animal Calls	1/5
Total Number of Actual Criminal Cases Reported or Initiated	4

Respectfully submitted,



Brent Lottman
Sheriff