



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. February 12, 2024

**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.

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**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**

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**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.

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**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.

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**C – PRESENTATIONS and PROCLAMATIONS**

C – 1 None for this meeting.

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*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.*

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**D – CONSENT AGENDA**

- D – 1 Approving Minutes of January 15, 2024 regular City Council meeting.
  - D – 2 Approval of City Financial Report.
  - D – 3 Request for attendance at meetings and/or conferences: None for this meeting.
  - D – 4 Special Designated License: None for this meeting.
  - D – 5 Appointments: AVFD – Grant Rippe
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**E – PAYMENT OF CLAIMS**

- E – 1 Approving Payment of Claims
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**F – PUBLIC HEARINGS**

- F – 1 **7:10 p.m., or as soon as possible thereafter, - PUBLIC HEARING** for Application with the Nebraska Liquor Control Commission for the issuance of a Retail Liquor License Class B – Beer Off Sale Only for Family Dollar, LLC dba Family Dollar Store #33274, 1918 J Street, Auburn, Nebraska.

**G – MOTIONS**

- G – 1 Council consideration by motion for approval of Application with the Nebraska Liquor Control Commission for the issuance of a Retail Liquor License Class B – Beer Off Sale Only for Family Dollar, LLC dba Family Dollar Store #33274, 1918 J Street, Auburn, Nebraska.
  - G – 2 Council consideration by motion for approval of local housing program grant for new housing for Marty and Angie Nichols at 1511 9<sup>th</sup> Street for \$10,000.
  - G – 3 Council consideration by motion for approval of agreement for engineering services for conditions assessment and conceptual alternatives for a municipal swimming pool with Lamp Rynearson.
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**H – RESOLUTIONS**

- H – 1 Resolution No. 01-24: DESIGNATION OF OFFICIAL DEPOSITORY OF CITY FUNDS AND APPROVAL OF AUTHORIZED REPRESENTATIVES AND SIGNERS.
  - H – 2 Resolution No. 02-24: A RESOLUTION TO ENABLE PARTICIPATION IN THE NEBRASKA PUBLIC AGENCY INVESTMENT TRUST
  - H – 3 Resolution No. 03-24: A RESOLUTION APPROVING FIFTEEN MINUTE PARKING ONLY & SIGNS/NOTICES OF THE SAME ON THE WEST SIDE OF “O” STREET FOR TWO ON-STREET PARKING STALLS IN FRONT OF TEENY TOTS DAYCARE & LITTLE LEARNERS PRESCHOOL.
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**I – ORDINANCES**

None for this meeting.

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**J – REPORTS & RECOMMENDATIONS**

- J – 1 From Departments/Boards
    - a. Street Department
    - b. Library
    - c. Treasurer
    - d. Other Departments/Boards
  - J – 2 From Committees
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**K – REQUESTS AND REFERRALS**

None at this time.

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**MOTION TO ADJOURN**

City Council Proceedings  
January 15, 2024

(Note Meeting Date was rescheduled to this date due to weather)

A meeting of the Mayor and Council of the City of Auburn, Nebraska was convened in open and public session at 7:00 o'clock P.M. on January 15, 2024 at the Auburn City Hall. Present were: Mayor Chris Erickson; Council Members: Katy Billings, Tom Clark, Rick Janssen, Jeff Jeanneret, and Nathan Seitz. Absent was: Shawn Clark. 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 City's designated method for giving notice as shown by the Certificate of Posting attached to these minutes. Notice of this meeting was given in advance to the Mayor and all members of the City Council and a copy of their Acknowledgment of Receipt of Notice and the agenda is attached to these Minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. 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 in the room where the meeting was being held (displayed in the City Council Chambers by the entrance door).

The Mayor proclaimed January 2024 as National Mentoring Month.

## Agenda Item 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

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

Agenda Item E – Payment of Claims. The following December claims were presented before the Council for ratification: Aflac, Wh-73.80; American Recycling & Sanitation, Se-145.00; Baird Holm LLP, Se-26,285.50; BCom Solutions, Se-1,430.00; Black Hills Energy, Ut-526.24; Blue Cross-Blue Shield, Ins-6,724.36; Board of Public Works, Ut-Reim-9,564.26; Capital Business Systems Inc., Su-390.92; Charter Communications, Se-25.62; City of Auburn, Reim West Waterline TIF-20,454.95; First Concord Benefits Group, Se-13.95; FNBO, Card Transactions-1,638.14; Jackson Services Inc., Se-388.17; JEO Consulting Group Inc., CDBG DTR Project Se-9,105.00; 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; Pinpoint Auburn Inc., Se-378.82; Region V Services, Se-772.50; Southeast NE Development District, CDBG DTR Se-4,930.00; US Cellular, Se-174.25; Windstream, Se-166.63; December Payroll-57,977.19; FICA City Match-4,488.03; Pension City Match-2,488.27; Paychex, Se-266.45; Auburn State Bank, Fe-17.10; Guardian, Ins-761.18; Wex, Su-1,537.08; and Medical Claims-1,457.08. The following January claims were presented for approval: AKRS Equipment, Equip Rental-1,267.50; Amazon Capital Services, Bk-AV-537.28; American Library Association, Mem-183.00; Auburn Auto Center, Se-45.00; Auburn Chamber of Commerce, ED-Economic Development Investment-110.00; Auburn Memorial Library Petty Cash, Su-96.57; Auburn Newspapers, Se-528.86; Auto Air & Repair, Su-Se-584.96; Baker & Taylor, Bk-AV-713.09; Beard's Salvage Inc., Su-312.00; Blackstone Publishing, Bk-AV-104.83; Bradley Electric, Se-1,390.96; Crystal Dunekacke, Reim-729.11; Eakes Office Solutions, Su-679.03; Ed M. Feld Equipment Co. Inc., Equip-Su-17,584.50; Farmers Cooperative, Su-149.12; Filter Care, Se-Su-116.05; Glenn's Corner Market, Su-165.00; JEO Consulting Group Inc., Se-49,591.25; Mellage Truck & Tractor, Su-209.96; Meyer Laboratory Inc., Su-171.45; Nebraska Supreme Court, Ref-113.25; Neemann & Sons Inc., Reroofing Project-123,075.00; NREDA, Mem-395.00; Overdrive

Inc., Bk-AV-785.29; Petty Cash, Su-279.24; Sparq Data Solutions, Sub-4,100.00; Summit Fire Protection, Se-463.00; and The Penworthy Co., Bk-AV-283.49.

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

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

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

Council Member Seitz moved for approval of non-exclusive perpetual easement of right-of-way for utility facilities on Lt 85, Crestview Add to Auburn, NE. The motion was seconded by Council Member Tom Clark. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": Tom Clark, Janssen, Jeanneret, Seitz, and Billings. The following voted "NAY": No one. Motion: Carried.

Council Member Billings moved for approval of funding for \$2,500 for an agreement with Petra Wahlqvist for the Workbook Phase of the Creative District Certification process. The motion was seconded by Council Member Janssen. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": Janssen, Jeanneret, Seitz, Billings, and Tom Clark. The following voted "NAY": No one. Motion: Carried.

It was noted that with regards to Agenda Item H – Resolutions, there are none for this meeting.

Proposed Ordinance No. 1-24 was presented for consideration. The Mayor announced that the introduction of the proposed Ordinance was in order. Council Member Seitz 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 Tom Clark. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": Jeanneret, Seitz, Billings, Tom Clark, and Janssen. The following voted "NAY": No one. Motion: Carried.

Council Member Billings introduced Ordinance No. 1-24 entitled:

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.

and moved that the statutory rule requiring ordinances to be fully and distinctly read on three different days be suspended, seconded by Council Member Seitz. The roll was called and the following voted "AYE": Seitz, Billings, Tom Clark, Janssen, and Jeanneret; "NAY": No one. Absent was: Shawn Clark. The motion to suspend the statutory rule having been concurred in by three-fourths of all members of the Council was declared passed and adopted.

Ordinance No. 1-24 having been read by ordinance number by Council Member Billings and motion to suspend the statutory rule requiring reading on three different days having been passed and adopted, the Mayor declared that the statutory rules in regard to the passage and approval of Ordinances be suspended so that Ordinance No. 1-24 might be introduced, read by title and moved for final passage at the same meeting.

Whereupon Ordinance No. 1-24 was read by title and thereafter Council Member Billings moved for final passage of said Ordinance. Council Member Janssen seconded the motion. The Mayor stated: "The question is, shall Ordinance No. 1-24 be passed and adopted?" The roll was called and the following voted "AYE": Billings, Tom Clark, Janssen, Jeanneret, and Seitz; "NAY": No one. Absent was: Shawn Clark.

The passage and adoption of said Ordinance having been concurred with by a majority of all members elected to the Council, the Mayor declared the ordinance adopted and ordered the Ordinance to be published in pamphlet as provided therein.

A true and complete copy of said Ordinance No. 1-24 is attached hereto.

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 December 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: 5 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": 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 Council of the City of Auburn, Nebraska was convened in open and public session at 7:00 o'clock P.M. on January 15, 2024 at the Auburn City Hall. (Note Meeting Date was rescheduled from January 8, 2024 to this date due to weather). Present were: Mayor Chris Erickson; Council Members: Katy Billings, Tom Clark, Rick Janssen, Jeff Jeanneret, and Nathan Seitz. Absent was: Shawn Clark. 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 City's designated method for giving notice as shown by the Certificate of Posting attached to these minutes. Notice of this meeting was given in advance to the Mayor and all members of the City Council and a copy of their Acknowledgment of Receipt of Notice and the agenda is attached to these Minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. 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 in the room where the meeting was being held (displayed in the City Council Chambers by the entrance door).

The Mayor proclaimed January 2024 as National Mentoring Month, which proclamation was:

**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.

Agenda Item 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)

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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

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

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

Council Member Seitz moved for approval of non-exclusive perpetual easement of right-of-way for utility facilities on Lt 85, Crestview Add to Auburn, NE. The motion was seconded by Council Member Tom Clark. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted “YEA”: Tom Clark, Janssen, Jeanneret, Seitz, and Billings. The following voted “NAY”: No one. Motion: Carried.

Council Member Billings moved for approval of funding for \$2,500 for an agreement with Petra Wahlqvist for the Workbook Phase of the Creative District Certification process. The motion was seconded by Council Member Janssen. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": Janssen, Jeanneret, Seitz, Billings, and Tom Clark. The following voted "NAY": No one. Motion: Carried.

It was noted that with regards to Agenda Item H – Resolutions, there are none for this meeting.

Proposed Ordinance No. 1-24 was presented for consideration. The Mayor announced that the introduction of the proposed Ordinance was in order. Council Member Seitz 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 Tom Clark. Upon roll call vote: 5 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": Jeanneret, Seitz, Billings, Tom Clark, and Janssen. The following voted "NAY": No one. Motion: Carried.

Council Member Billings introduced Ordinance No. 1-24 entitled:

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.

and moved that the statutory rule requiring ordinances to be fully and distinctly read on three different days be suspended, seconded by Council Member Seitz. The roll was called and the following voted "AYE": Seitz, Billings, Tom Clark, Janssen, and Jeanneret; "NAY": No one. Absent was: Shawn Clark. The motion to suspend the statutory rule having been concurred in by three-fourths of all members of the Council was declared passed and adopted.

Ordinance No. 1-24 having been read by ordinance number by Council Member Billings and motion to suspend the statutory rule requiring reading on three different days having been passed and adopted, the Mayor declared that the statutory rules in regard to the passage and approval of Ordinances be suspended so that Ordinance No. 1-24 might be introduced, read by title and moved for final passage at the same meeting.

Whereupon Ordinance No. 1-24 was read by title and thereafter Council Member Billings moved for final passage of said Ordinance. Council Member Janssen seconded the motion. The Mayor stated: "The question is, shall Ordinance No. 1-24 be passed and adopted?" The roll was called

and the following voted "AYE": Billings, Tom Clark, Janssen, Jeanneret, and Seitz; "NAY": No one. Absent was: Shawn Clark.

The passage and adoption of said Ordinance having been concurred with by a majority of all members elected to the Council, the Mayor declared the ordinance adopted and ordered the Ordinance to be published in pamphlet as provided therein.

A true and complete copy of said Ordinance No. 1-24 is attached hereto.

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 December 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: 5 yeas, 0 nays, and 1 absent. The following Council Members voted "YEA": 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 Clerk of the City of Auburn, in the County of Nemaha, in the State of Nebraska, hereby certify that all of the subjects included in the foregoing proceedings were contained in the agenda for the respective meetings shown, which agenda were kept continuously current and available for public inspection at City Hall for each of such meetings; that such subjects were contained in said agenda for at least twenty-four hours prior to the respective meetings; that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public posted during such meeting in the room in which such meeting was held; that at least one copy of all ordinances, resolutions and other reproducible written materials, for which actions are shown in said proceedings, was made available for examination and copying by members of the public at the meeting or meetings in which such actions were taken; that the minutes of the City Council of the City of Auburn, Nebraska, from which the foregoing proceedings have been extracted 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 of the meetings of said City Council were provided with advance notice of the times and places of such meetings and the subjects to be discussed.

\_\_\_\_\_  
Sherry Heskett, City Clerk

**TREASURER'S REPORT**  
**CALENDAR 1/2024, FISCAL 4/2023**

**AGENDA ITEM**  
**NO**

D-2

ACCOUNT TITLE	LAST REPORT ON HAND	RECEIVED	DISBURSED	BALANCE
GENERAL CHECKING	2,114,625.24	132,595.87	306,535.24	1,940,685.87
STREET CHECKING	690,969.80	57,796.06	39,618.00	709,147.86
STREET BOND/WARRANT CHECKING	20,238.48			20,238.48
<b>TOTAL CHECKING:</b>	<b>2,825,833.52</b>	<b>190,391.93</b>	<b>346,153.24</b>	<b>2,670,072.21</b>
TOTAL FIRE DEPT SINKING	82,985.57	.00	.00	82,985.57
TOTAL KENO RESERVE MMA:	40,144.90	443.16	.00	40,588.06
TOTAL KENO CHECKING	10,712.68	670.27	407.00	10,975.95
TOTAL CDBG CHECKING	19,274.95	.00	12,214.00	7,060.95
TOTAL CDBG DTR REUSE	68,612.20	999.91	.00	69,612.11
TOTAL CDBG HD SAVINGS:	9,834.81	70.86	.00	9,905.67
TOTAL CRA CHECKING	1,547,580.86	28,041.36	.00	1,575,622.22
TOTAL CITY REC CHECKING	64,543.12	.00	.00	64,543.12
GENERAL CD	102,664.24			102,664.24
<b>TOTAL C.D.'S:</b>	<b>102,664.24</b>	<b>.00</b>	<b>.00</b>	<b>102,664.24</b>
<b>TOTAL CASH ON HAND:</b>	<b>4,772,186.85</b>	<b>220,617.49</b>	<b>358,774.24</b>	<b>4,634,030.10</b>

**APPLICATION FOR MEMBERSHIP  
Auburn Volunteer Fire Department**

AGENDA ITEM  
NO

D-5

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

Name Grant Rippe Occupation Assistant Unit Operator  
 Address 1002 P St Business Address \_\_\_\_\_  
 Home Phone \_\_\_\_\_ Cell Phone 402-274-9610 Work Phone \_\_\_\_\_  
 Birth Date 08/10/1991 Married \_\_\_\_\_ Single  No. Dependents \_\_\_\_\_  
 Drivers License # H13212867 Formal Education College Degree from SCC Milford  
 E-Mail address grantrippe@gmail.com  
 Fire Fighter or EMT certifications NCS Fire Brigade/First aid  
 Physical Ailments or Disabilities NO

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 Omaha Public Power District  
 How long have you been with your present employer? 10 years How long with previous employer? \_\_\_\_\_  
 Present working hours Rotating 12 hour shift

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

<u>[Signature]</u> Signature	<u>Riley Grabe</u> Print Name	Date <u>12-27-23</u>
<u>[Signature]</u> Signature	<u>Derek Bohling</u> Print Name	Date <u>1-2-24</u>
<u>[Signature]</u> Signature	<u>Sean Koperski</u> Print Name	Date <u>1-2-24</u>

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 12-27-23

**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

E-1

VENDOR NAME	REFERENCE	VENDOR TOTAL
GENERAL FUND		
AFLAC	AFLAC WH	73.80
AMERICAN RECYCLING SANITATION	GARBAGE SERVICE/RECYCLING	145.00
BCom SoLutions, LLC	WEBSITE HOSTING/DIGITAL MARKET	1,430.00
BLUE CROSS-BLUE SHIELD	HEALTH INSURANCE	6,246.32
AUBURN BPW	ELEC	1,167.75
CAPITAL BUSINESS SYSTEMS INC	COPIER LEASE/SUPPLIES	566.87
FIRST CONCORD BENEFITS GROUP	BENEFIT SERVICES	13.95
FNBO	CARD TRANSACTION	1,781.14
MICROFILM IMAGING SYSTEMS INC	EQUIPMENT RENTAL	138.00
MID-AMERICAN BENEFITS INC	HEALTH INSURANCE	105.00
MUTUAL OF OMAHA	LIFE INSURANCE	94.96
PETRA WAHLQVIST	CREATIVE DISTRICT PHASE 1	625.00
PINPOINT AUBURN INC	PHONE AND BROADBAND SERVICE	259.12
REGION V SERVICES	CLEANING SERVICE	305.00
CHARTER COMMUNICATIONS	PHONE ACCT	25.62
US CELLULAR	CELL PHONE ACCT	115.87
WINDSTREAM NEBRASKA INC	PHONE ACCT	16.22
	TOTAL	13,109.62
POLICE DEPARTMENT		
NEMAHA COUNTY NEBRASKA	LAW ENFORCEMENT	37,041.67
	POLICE DEPARTMENT TOTAL	37,041.67
FIRE DEPARTMENT		
BLACK HILLS ENERGY	GAS BILL ACCT	461.03
AUBURN BPW	ELEC	308.17
FNBO	CARD TRANSACTION	21.43
REGION V SERVICES	CLEANING SERVICE	100.00
CHARTER COMMUNICATIONS	PHONE ACCT	229.70
	FIRE DEPARTMENT TOTAL	1,120.33
PARK DEPARTMENT		
AUBURN BPW	REIMBURSEMENT	5,355.47
NE DEPT. OF REVENUE	SALES AND USE TAX RETURN	1,161.12
REGION V SERVICES	CLEANING SERVICE	150.00
	PARK DEPARTMENT TOTAL	6,666.59
SR. CENTER DEPARTMENT		
BLACK HILLS ENERGY	GAS BILL ACCT	75.46
AUBURN BPW	ELEC	611.67
PINPOINT AUBURN INC	PHONE AND BROADBAND SERVICE	54.71
REGION V SERVICES	CLEANING SERVICE	455.00
	SR. CENTER DEPARTMENT TOTAL	1,196.84
LIBRARY DEPARTMENT		
AMERICAN RECYCLING SANITATION	GARBAGE SERVICE/RECYCLING	50.60
BLUE CROSS-BLUE SHIELD	HEALTH INSURANCE	2,230.84

**CLAIMS REPORT**  
**Check Range: 1/05/2024- 1/31/2024**

VENDOR NAME	REFERENCE	VENDOR TOTAL
AUBURN BPW	ELEC	846.30
LINDA BANTZ	CUSTODIAL SERVICES	400.00
MID-AMERICAN BENEFITS INC	HEALTH INSURANCE	24.00
MUTUAL OF OMAHA	LIFE INSURANCE	14.40
NE DEPT. OF REVENUE	SALES AND USE TAX RETURN	63.13
RICOH USA, INC	EQUIPMENT COPIES	47.40
WINDSTREAM NEBRASKA INC	PHONE ACCT	152.48
		-----
	LIBRARY DEPARTMENT TOTAL	3,829.15
POOL DEPARTMENT		
BLACK HILLS ENERGY	GAS BILL ACCT	38.95
AUBURN BPW	ELEC	958.52
NE DEPT. OF REVENUE	SALES AND USE TAX RETURN	8.83
CHARTER COMMUNICATIONS	PHONE ACCT	284.89
		-----
	POOL DEPARTMENT TOTAL	1,291.19
		-----
	GENERAL FUND TOTAL	64,255.39
STREET FUND		
BLACK HILLS ENERGY	GAS BILL ACCT	139.38
BLUE CROSS-BLUE SHIELD	HEALTH INSURANCE	4,971.56
AUBURN BPW	ELEC	921.80
FNBO	CARD TRANSACTION	130.97
JACKSON SERVICES INC	UNIFORM SERVICES	231.14
MARK HARMS	LAND USE	500.00
MID-AMERICAN BENEFITS INC	HEALTH INSURANCE	72.00
MUTUAL OF OMAHA	LIFE INSURANCE	75.66
PINPOINT AUBURN INC	PHONE AND BROADBAND SERVICE	64.99
REGION V SERVICES	CLEANING SERVICE	84.00
CHARTER COMMUNICATIONS	PHONE ACCT	64.84
US CELLULAR	CELL PHONE ACCT	57.93
		-----
	TOTAL	7,314.27
		-----
	STREET FUND TOTAL	7,314.27
KENO FUND		
KENO BETTERMENT		
NE DEPT. OF REVENUE	KENO TAX OCT-DEC 2023	407.00
		-----
	KENO BETTERMENT TOTAL	407.00
		-----
	KENO FUND TOTAL	407.00
		-----
	Accounts Payable Total	71,976.66

**CLAIMS REPORT**  
 Check Range: 2/01/2024- 2/07/2024

**AGENDA ITEM  
 NO**

E - 1

VENDOR NAME	REFERENCE	VENDOR TOTAL
GENERAL FUND		
AMERICAN LEGAL PUBLISHING	CODE PROGRAM INTERNET	870.41
ANGELO M. LIGOURI	LEGAL SERVICES	6,198.75
AUBURN NEWSPAPERS	PUBLISHING	873.02
AUBURN PLUMBING,HTG & AC INC.	BLDG PROJECT	1,580.78
FORVIS LLP	ACCOUNTING CALCULATION	1,615.00
CAPITAL BUSINESS SYSTEMS INC	COPIER LEASE/SUPPLIES	417.69
CRYSTAL DUNEKACKE	REIMBURSEMENT	184.06
EAKES OFFICE SOLUTIONS	SUPPLIES	259.97
JEO CONSULTING GROUP INC.	PROFESSIONAL SERVICES	20,787.50
NEMAHA COUNTY NEBRASKA	REIM APPLIANCE DISPOSAL	2,339.40
NEMAHA COUNTY CLERK	FILING FEE	34.00
PIETERS CONSTRUCITON INC	DEMOLITION/DISPOSAL CONCRETE	2,400.00
	TOTAL	37,560.58
FIRE DEPARTMENT		
FARMERS COOPERATIVE	FUEL EXPENSE	411.94
SANDRY FIRE SUPPLY	SCBA	773.00
	FIRE DEPARTMENT TOTAL	1,184.94
PARK DEPARTMENT		
AIRSTREAM HEATING AND COOLING	PLUMBING PARTS	152.57
SACK LUMBER COMPANY	MAINTENANCE SUPPLIES	28.26
	PARK DEPARTMENT TOTAL	180.83
SR. CENTER DEPARTMENT		
RAYMOND'S ELECTRIC	ELECTRICAL SERVICE	505.00
	SR. CENTER DEPARTMENT TOTAL	505.00
LIBRARY DEPARTMENT		
AIRSTREAM HEATING AND COOLING	SUPPLIES	252.80
AMAZON CAPITAL SERVICES	BKS/AV	1,001.94
AUBURN MEM. LIBRARY PETTY CASH	POSTAGE/ILL	101.08
BAKER & TAYLOR	BKS/AVS	441.73
BLACKSTONE PUBLISHING	BKS/AVS	659.47
DEMCO INC	SUPPLIES	153.81
EAKES OFFICE SOLUTIONS	SUPPLIES	106.82
FOLLETT SCHOOL SOLUTIONS LLC	LICENSE SUPPORT RENEWAL	722.17
CENGAGE LEARNING INC/GALE	BKS/AVS	33.99
OVERDRIVE, INC.	BKS/AVS	1,296.47
THE PENWORTHY COMPANY	BKS/AVS	713.68
	LIBRARY DEPARTMENT TOTAL	5,483.96
POOL DEPARTMENT		
AUBURN PLUMBING,HTG & AC INC.	MAINTENANCE SUPPLIES	10.66

**CLAIMS REPORT**  
**Check Range: 2/01/2024- 2/07/2024**

VENDOR NAME	REFERENCE	VENDOR TOTAL
	POOL DEPARTMENT TOTAL	10.66
	GENERAL FUND TOTAL	44,925.97
STREET FUND		
AUBURN AUTO CENTER	VEHICLE SERVICES	919.97
BOO INC DBA BOBCAT OF OMAHA	EQUIPMENT RENTAL	6,800.00
BULLDOG AUTO SUPPLY INC	PARTS/SUPPLIES	486.27
EGGERS BROTHERS INC	PARTS/SUPPLIES/LABOR	3,703.42
FARMERS COOPERATIVE	SUPPLIES	66.21
LYNCH'S HARDWARE & GIFTS	SUPPLIES	24.34
MICHAEL TODD INDUSTRIAL SUPPLY	PARTS	779.80
NEBRASKA SNOW EQUIPMENT	PARTS/SUPPLIES/LABOR	313.49
RUETER'S	PARTS/LABOR/MILEAGE	1,758.75
	TOTAL	14,852.25
	STREET FUND TOTAL	14,852.25
	Accounts Payable Total	59,778.22

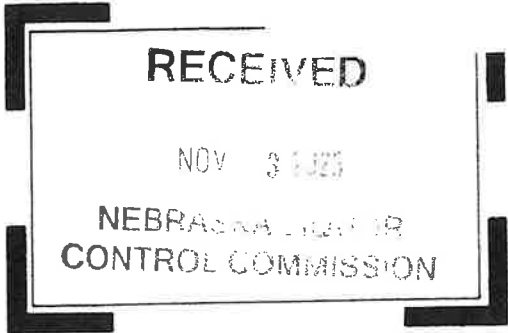
F-1

# APPLICATION FOR LIQUOR LICENSE CHECKLIST RETAIL

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
EMAIL: [lcc.frontdesk@nebraska.gov](mailto:lcc.frontdesk@nebraska.gov)  
WEBSITE: [www.lcc.nebraska.gov](http://www.lcc.nebraska.gov)

License Class: B

License Number:  
**126066**



<u>Office Use Only</u>		Initial: <u>RF</u>	
<input checked="" type="radio"/> NEW	<input type="radio"/> REPLACING	TOP Yes	<input checked="" type="radio"/> No
<input checked="" type="radio"/> Hot List		<input type="radio"/> Yes / <input type="radio"/> No	

## PLEASE READ CAREFULLY

See directions on the next page. Provide all the items requested. Failure to provide any item will cause this application to be returned or placed on hold. All documents must be legible. Any false statement or omission may result in the denial, suspension, cancellation or revocation of your license. If your operation depends on receiving a liquor license, the Nebraska Liquor Control Commission cautions you that if you purchase, remodel, start construction, spend or commit money that you do so at your own risk. Prior to submitting your application review the application carefully to ensure that all sections are complete, and that any omissions or errors have not been made. You may want to check with the city/village or county clerk, where you are making application, to see if any additional requirements must be met before submitting application to the Nebraska Liquor Control Commission.

APPLICANT NAME Family Dollar, LLC

TRADE (DBA) NAME Family Dollar Store #33274

PREVIOUS TRADE (DBA) NAME N/A

CONTACT NAME AND PHONE NUMBER 757-321-5493

CONTACT EMAIL ADDRESS ab-licensing@dollartree.com ; evalarino@decisions-consulting.com

~~0~~  
~~0~~

6-30-2029

~~FD stores of nebraska~~  
~~be inactive~~  
~~add back in name of the~~  
~~franchisee below~~

~~No Payment~~

Pay Post  
\$400  
11-10-23



**CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES  
CHECK DESIRED CLASS**

RETAIL LICENSE(S) Application Fee \$400 (nonrefundable)  
CLASS C LICENSE TERM IS FROM NOVEMBER 1 – OCTOBER 31  
ALL OTHER CLASSES TERM IS MAY 1 – APRIL 30

- A BEER, ON SALE ONLY
  - B BEER, OFF SALE ONLY\*\*
  - C BEER, WINE, DISTILLED SPIRITS, ON AND OFF SALE\*\*  
Do you intend to sale cocktails to go as allowed under Neb Rev. Statute 53-123.04(4) YES \_\_\_ NO
  - D BEER, WINE, DISTILLED SPIRITS, OFF SALE ONLY\*\*
  - F BOTTLE CLUB.
  - I BEER, WINE, DISTILLED SPIRITS, ON SALE ONLY  
Do you intend to sale cocktails to go as allowed under Neb Rev. Statute 53-123.04(5) YES \_\_\_ NO
  - J LIMITED ALCOHOLIC LIQUOR, OFF SALE – MUST INCLUDE SUPPLEMENTAL FORM 120
  - AB BEER, ON AND OFF SALE
  - AD BEER ON SALE ONLY, BEER, WINE, DISTILLED SPIRITS OFF SALE
  - IB BEER, WINE, DISTILLED SPIRITS ON SALE, BEER OFF SALE ONLY
  - Class K Catering endorsement (Submit Form 106) – Catering license (K) expires same as underlying retail license
  - Class G Growler endorsement (Submit Form 165) – Class C licenses only
- \*\*Class B, Class C, Class D license do you intend to allow drive through services under Neb Rev. Statute 53-178.01(2) YES \_\_\_ NO

**ADDITIONAL FEES WILL BE ASSESSED AT THE CITY/VILLAGE OR COUNTY LEVEL WHEN THE LICENSE IS ISSUED**

---

**CHECK TYPE OF LICENSE FOR WHICH YOU ARE APPLYING**

- Individual License (requires insert FORM 104)
- Partnership License (requires insert FORM 105)
- Corporate License (requires FORM 101 & FORM 103)
- Limited Liability Company (LLC) (requires FORM 102 & FORM 103)

**NAME OF ATTORNEY OR FIRM ASSISTING WITH APPLICATION (if applicable)**

Name Jonathan Crumly (Agent) Phone Number 470-763-7855

Firm Name Decisions Consulting

Email address evalarino@decisions-consulting.com

Should we contact you with any questions on the application? YES  NO \_\_\_

**PREMISES INFORMATION**

Trade Name (doing business as) Family Dollar Store # 33274

Street Address 1918 J Highway St.

City Auburn County Nemaha 44 Zip Code 68305 +2301

Premises Telephone number +14025209008

Business e-mail address ab-licensing@dollartree.com

Is this location inside the city/village corporate limits YES X NO \_\_\_\_\_

**MAILING ADDRESS (where you want to receive mail from the Commission)**

Check if same as premises

Name Family Dollar, LLC

Street Address Attn: <sup>Licensing</sup> Alcohol/Tobacco Team (8th Floor) 500 Volvo Pkwy

City Chesapeake State VA Zip Code 23320 1604

**DESCRIPTION AND DIAGRAM OF THE AREA TO BE LICENSED**

IN THE SPACE PROVIDED BELOW DRAW OR ATTACH A DIAGRAM OF THE AREA TO BE LICENSED  
DO NOT SEND BLUEPRINTS, ARCHITECT OR CONSTRUCTION DRAWINGS  
PROVIDE LENGTH X WIDTH IN FEET (NOT SQUARE FOOTAGE)  
INDICATE THE DIRECTION OF NORTH

Building length 114'8" x width 92'4" in feet

Is there a basement? Yes \_\_\_\_\_ No X If yes, length \_\_\_\_\_ x width \_\_\_\_\_ in feet

Is there an outdoor area? Yes \_\_\_\_\_ No X If yes, length \_\_\_\_\_ x width \_\_\_\_\_ in feet+

\*If including an outdoor area permanent fencing is required. Please contact the local governing body for other requirements regarding fencing

Number of floors of the building 1

**PROVIDE DIAGRAM OF AREA TO BE LICENSED BELOW OR ATTACH SEPARATE SHEET**

See Attached  
Floor Plan



NEW HOME CONSTRUCTION GRANT

G-2

Marty & Angie Nichols

1515 J St

Auburn, NE. 68305

Marty : 402-274-7093 cell

Angie: 402-274-9111 cell

Previous build site:

Garage 1515 J St Auburn

Garage 2303 N St Auburn

Lavigne Construction will be assisting where needed

New house location:

1511 9<sup>th</sup> St. Auburn

Marty & Angie Nichols owners

Projected start date: March 1, 2024

Projected completion date: Jan. 1, 2025

Living space: 1352 sq. ft.

Projected Cost:

Heating/Air Plumbing Airstream	\$26,000.00
Electrical Bradley Electric	12,950.00
Sewer & Water hookup Tony Hector	4,000.00
Material by owner	17,050.00
TOTAL	\$60,000.00

Energy Efficient Features:

Carrier furnace 96% Efficiency, Carrier A/C , Double pane windows, fully insulated, masonry cores poured insulation

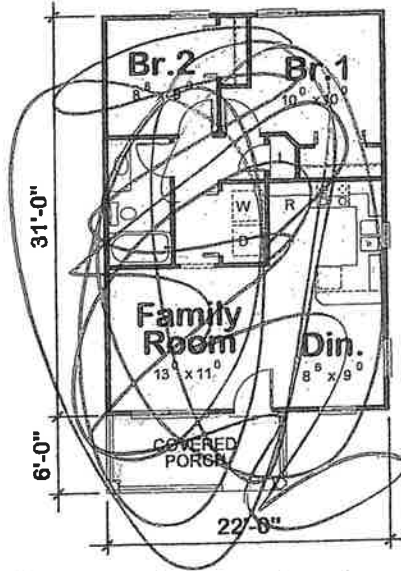
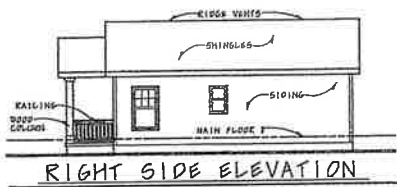
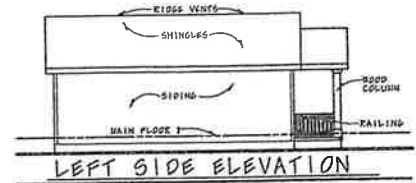
MARGY & Angie Nichols  
402-274-7093





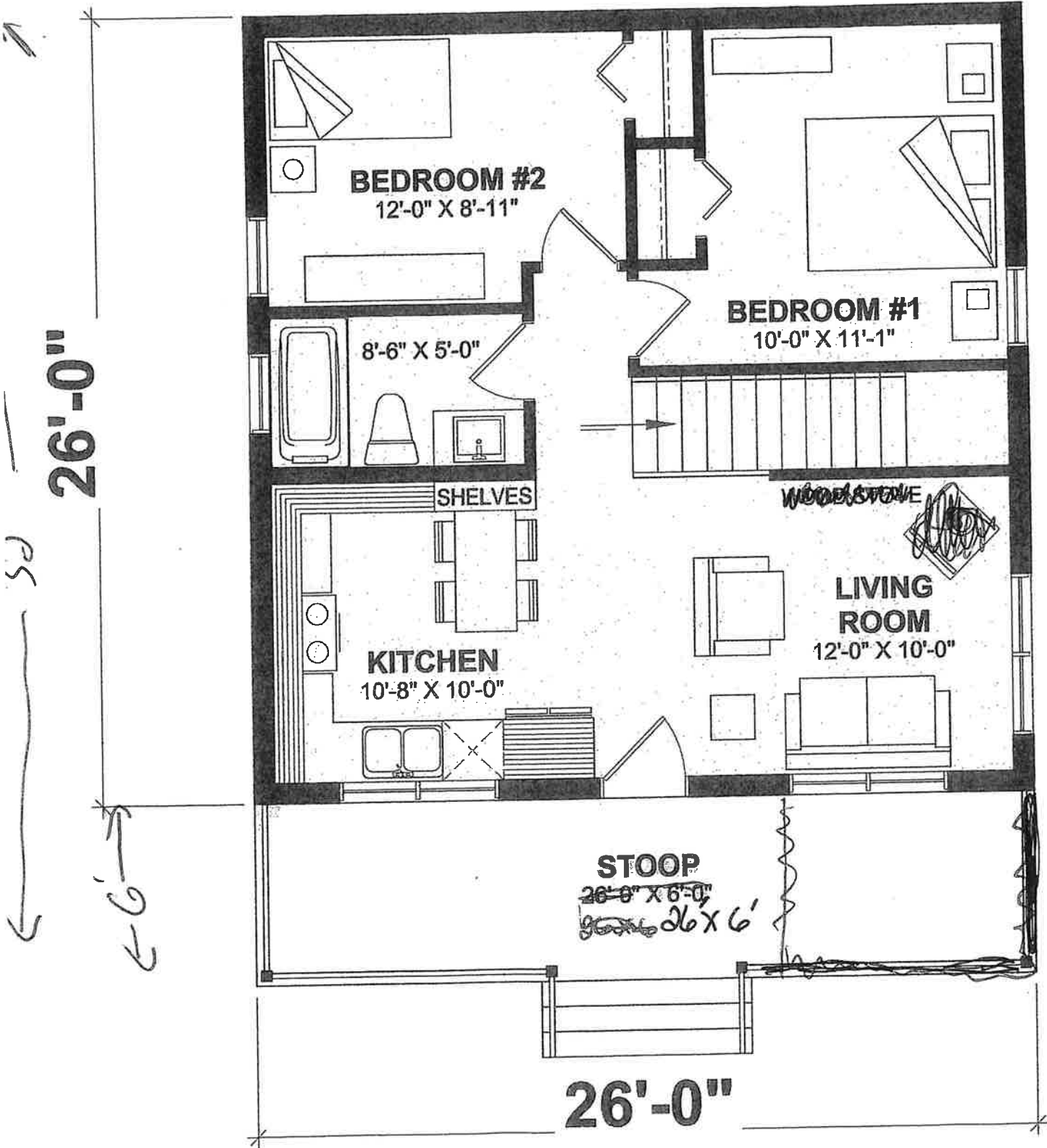
# SMALL HOUSE PLAN 402-01611

SQ FT	BEDS	BATHS	1/2 BATHS	STORIES	CARS	WIDTH	DEPTH
682	2	1	0	1	0	<del>22'-0"</del> 26'	<del>37'-0"</del> 36'-30"



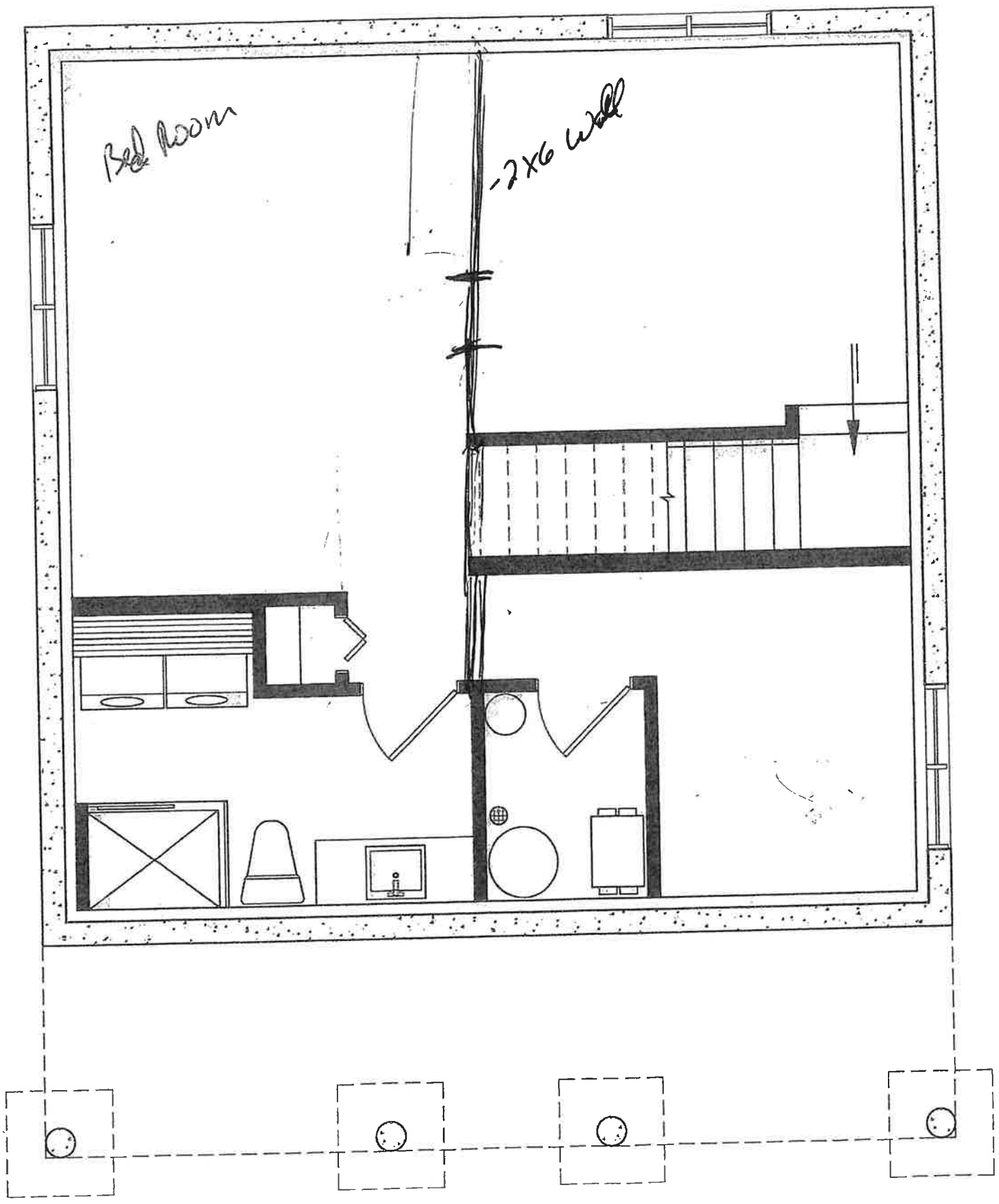
Exterior Floor Plans

Images copyrighted by the designer. Photographs may reflect a homeowner modification.



BASement

N



January 3, 2024

6-3

9001 State Line Rd., Ste. 200  
Kansas City, MO 64114  
[P] 816.361.0440  
[F] 816.361.0045  
LampRynearson.com

Crystal Dunekacke, City Administrator  
City of Auburn, NE  
1101 J Street  
Auburn, NE 68305

Via e-mail: [crystald@auburn.ne.gov](mailto:crystald@auburn.ne.gov)

RE: Engineering services for conditions assessment and conceptual alternatives for municipal swimming pool  
Auburn, NE

Dear Ms. Dunekacke:

Thank you so much for your interest in Lamp Rynearson. We appreciate the opportunity to provide you engineering services for conducting a conditions assessment of your City pool.

From our previous conversations, we understand the pool facility has reached an age where it is prudent to evaluate the conditions and life expectancy of the pool shell, piping, and major components of the pool mechanical system. We also we understand there is some interest for seeing alternatives to modify the toddler pool, the shallow areas of the main pool and the deck configuration, especially as it pertains to supporting swim meets. To meet these objectives, we propose the following scope of services:

1. Conduct investigation:
  - a. Conduct a thorough visual inspection of the swimming pool facility and photo-document the observations.
  - b. Conduct a limited acoustical (sounding) test of the pool shell.
  - c. Interview City staff with knowledge of the pool operations.
  - d. Review available documents, if any. This may include but is not necessarily limited to the original pool plans.
  - e. Review operations records for the past few years, if available.
  - f. Investigation work will be performed by a licensed Professional Engineer with not less than 15 years of practical experience in swimming pool design and construction.
  - g. Evaluate bathhouse conditions, including a cursory assessment of compliancy with Americans with Disabilities Act and the Nebraska State Swimming Pool Code Requirements codified in Title 178, Chapter 2 of the Nebraska Administrative Code (Code).
  - h. Evaluate conditions of Pool shell, deck, and pool deck equipment, including compliancy with the Code.
  - i. Evaluate conditions of the pool mechanical equipment, including pumps, filters, and disinfection equipment.
2. Draft a preliminary conditions assessment report: Provide a draft letter report summarizing the findings of this preliminary work including:
  - a. Existing conditions of the pool structure, pool decking, and recirculation systems.

- b. Compliance of the facility with relevant aquatics codes. This will include ADA and the Virginia Graeme Baker Act (VGBA) and the Nebraska State Swimming Pool Code.
  - c. Estimate of remaining useful life associated with key elements of the aquatics facility.
  - d. Recommendations for needed repairs, including budgetary costs.
  - e. Attachment of representative photographs and preliminary sketches (to support recommendations), if any.
3. Prepare draft concepts of alternative renovation or replacement concepts for City staff's review and comment. Two to three concepts are anticipated; these may include:
  - a. Needed repairs identified in the conditions assessment,
  - b. Minor modifications such as replacement of slides and addition of play elements, etc.,
  - c. Structural modifications to the existing pool shell,
  - d. Bathhouse renovations, and/or
  - e. Complete facility replacement
4. Submit draft report for review by City staff including review of proposed concepts.
5. Prepare budgetary cost estimate(s) to support the concepts accepted by City staff. These costs will include capital and annual operations costs projections.
6. Finalize report based on comments received. Report will be sealed by a Professional Engineer.
7. Present findings of final report to the City Council.

The deliverables for this scope of work are:

1. Conditions assessment report, sealed by NE Professional Engineer, with photographs.
2. Reproducible images of the alternative concepts presented to City Council in two dimensional layout, bathhouse floor plan, representative photos for illustrating details and amenities.
3. Budgetary construction cost estimate and operations cost projections for alternative concepts presented to City Council.
4. PowerPoint presentation for City Council.

Lamp Rynearson proposes to complete this scope of services for a lump sum fee of \$12,000.

Additional services may include 3-D renderings of the pool concept(s). Future additional services may include public involvement and further refinement of pool concepts and budgets, based on public or City Council input. The scope and fee for additional or future services will be negotiated.

We propose to complete this scope of work within 6 weeks of notice to proceed.

Page 3 of 3  
1/3/2024  
Crystal Dunekacke  
Auburn City Administrator

Attached for your review and consideration is our standard agreement for engineering services.

Please let me know if you have any questions or concerns. We very much look forward to the opportunity to work with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew D. Smith". The signature is written in a cursive, flowing style.

Andrew D. Smith

ADS: cgn  
Enclosure

ABBREVIATED AGREEMENT BETWEEN  
CLIENT AND LAMP RYNEARSON, INC.

CLIENT: City of Auburn, Nebraska

JOB NUMBER: \_\_\_\_\_

PROJECT DESCRIPTION: Conditions assessment and conceptual alternatives for municipal swimming pool

DATE ISSUED: \_\_\_\_\_

LOCATION OF PROJECT: City of Auburn, NE

INITIATED BY: \_\_\_\_\_  CLIENT

PROJECT TITLE: Auburn, NE Swimming Pool

DETAILED DESCRIPTION OF WORK TO BE PERFORMED: \_\_\_\_\_ STARTING DATE: EST. \_\_\_\_\_ COMPL. DATE: \_\_\_\_\_  
(Attached additional page(s) or detailed Letter Proposal, if this space is too limited.)

This Agreement is subject to the Billing Information and General Conditions, pages 2 and 3 of 3.

BILLING INSTRUCTIONS:

- % of Construction Contracts
- % of Construction By Phase
- Special \_\_\_\_\_
- Lump Sum \$ 12,000 \_\_\_\_\_
- Cost + \_\_\_\_\_% + Expense \$ \_\_\_\_\_
- Hourly Rates Up to a Maximum + Expenses \$ \_\_\_\_\_
- Cost plus fixed fee \$ \_\_\_\_\_
- Other \$ \_\_\_\_\_

SIGNATURES:

- Lamp Rynearson, Inc. Authorized Representative(s) with Title(s)

\_\_\_\_\_ Date

- Client/Client Authorized Representative with Title

\_\_\_\_\_ Date

DISTRIBUTION:

- CLIENT
- LAMP RYNEARSON
- OTHER \_\_\_\_\_
- OTHER \_\_\_\_\_



9001 State Line Road, Suite 200  
Kansas City, Missouri 64114  
P | 816.361.0440  
[www.lamprynearson.com](http://www.lamprynearson.com)

**BILLING INFORMATION**

**Standard Time Basis:** Fees for professional and/or technical services which are to be performed in connection with any project on Lamp Ryneerson Standard Time Basis will be calculated as follows:

Charges shall be equal to total of (a) "Hourly Rates," (b) "Reimbursable Expenses," and (c) 110% of "Subcontract Expenses." Hourly rates are subject to annual change.

**"Reimbursable Expenses"** are defined as actual non-labor expenditures incurred on the project including transportation, subsistence and other travel expenses, printing of specifications, reproductions, blue prints, mailing, computer charges and similar items, as approximately defined in Agreement between Owner and Engineer for Professional Services, Engineers Joint Contract Documents Committee No. E-500, hereafter "EJCDC No. E-500."

**"Subcontract Expenses"** are defined as expenditures for specialized outside services, such as sub-consultants, special studies, professional estimators, aerial surveys, renderings, models, ownership searches, etc.

**Estimates of Fees Based on Hourly Rate:** If an estimate of Lamp Ryneerson's fee is stated in this Proposal, the estimate shall not be considered a firm figure and actual fees and expenses may vary.

**Fees Billed as a Lump Sum:** Lump Sum billings for professional services will be based upon Lamp Ryneerson's estimate of the proportion of the total services actually completed at the time of billing.

**GENERAL CONDITIONS**

**Responsibility of Lamp Ryneerson:** Basic services shall be performed in accordance with the terms and conditions outlined in the latest edition of EJCDC No. E-500 and as set forth in the Abbreviated Agreement, which documents are incorporated herein by this reference.

**Responsibility of Client:** The Client's responsibilities shall be in accordance with terms and conditions outlined in the latest edition of EJCDC No. E-500.

**Insurance:** During the term of this Agreement, Lamp Ryneerson agrees to provide a certificate of insurance if requested showing the types and amounts of insurance carried by Lamp Ryneerson. In addition, Lamp Ryneerson agrees to attempt to maintain continuous professional liability coverage for the period of design and construction of this project, and for a period of two years following substantial completion, if such coverage is reasonably available at commercially affordable premiums. For the purposes of this Agreement, "reasonably available" and "commercially affordable" shall mean that more than half the design professionals practicing in this state in this discipline are able to obtain such coverage.

**Limitation of Liability:** In recognition of the relative risks and benefits of the project to both the Client and Lamp Ryneerson, the risks have been allocated such that the Client agrees, to the fullest extent permitted by law, to limit the liability of Lamp Ryneerson and its officers, employees, agents, and subconsultants to the Client on the project for any claims, losses, costs, damages or expenses of any nature whatsoever, from any cause or causes, so that the total aggregate liability of all those named shall not exceed \$50,000, or Lamp Ryneerson's total fee for services rendered on this project, whichever is greater. Such claims and causes include, but are not limited to negligence, professional acts, errors or omissions, strict liability, breach of contract or warranty, not including gross negligence or intentional misconduct. It is agreed that one percent (1%) of Lamp Ryneerson's fee represents specific consideration for this limitation.

**Termination:** Either the Client or Lamp Ryneerson may terminate this Agreement at any time, with or without cause, upon giving the other party seven (7) calendar days prior written notice. The Client shall, within fourteen (14) calendar days of receipt of Lamp Ryneerson's final invoice, pay Lamp Ryneerson for all services rendered and all costs incurred up to the date of termination.

**Terms of Payment:** Unless otherwise provided for in this Agreement, Lamp Ryneerson will submit monthly invoices for services which have been completed, each of which is due and payable upon receipt of invoice. If any invoice is not paid within thirty (30) days after receipt, late payment charges of 1.0% per month, or the maximum allowed by Statute in the State where the project is located, whichever is lower, will be added. Client agrees that funds are available to compensate Lamp Ryneerson and are in no way contingent upon the Client obtaining funding. Lamp Ryneerson may, after giving seven (7) days written notice to Client, suspend services under this Agreement until it has been paid in full all accounts due for services and expenses.

**Ownership of Instruments of Service:** All documents, including reports, drawings, specifications, and electronic media (disks) furnished by Lamp Ryneerson pursuant to this Agreement, are instruments of this service in respect of the project and shall be the property of Lamp Ryneerson who retains all rights therein, including the copyrights. They are not intended or represented to be suitable for reuse by the Client or others on extensions of the project or for any other project. Any reuse without specific written authorization by Lamp Ryneerson is prohibited and Client shall indemnify and hold harmless Lamp Ryneerson from all claims, damages, liabilities, and expenses, including attorney's fees, arising out of or resulting therefrom. Any verification or adaptation for reuse will entitle Lamp Ryneerson to further compensation at rates to be agreed upon by Client and Lamp Ryneerson.

**Opinions of Probable Construction Costs:** In providing opinions of probable construction cost, the Client understands that Lamp Ryneerson has no control over costs or the price of labor, equipment or materials, or over the Contractor's method of pricing, and that the opinions of any probable construction costs provided will be made based on Lamp Ryneerson's qualifications and experience. Lamp Ryneerson makes

no warranty, expressed or implied, as to the accuracy of such opinions as compared to bid or actual costs, which may vary.

**Bidding, Construction, and Operational Phases:** It is understood and agreed that Lamp Rynearson's Basic Services under this Agreement do not include project observation or review of the Contractor's performance or any other services during the bidding or negotiation phase, construction phase, and operational phase, and that such services will be provided by the Client. The provisions of EJCDC No. E-500 regarding such phases shall not be part of Basic Services unless such services are stated in and agreed to in the Abbreviated Agreement. The Client assumes all responsibility for interpretation of the Contract Documents and for construction observation and supervision and waives any claims against Lamp Rynearson that may be in any way connected thereto.

In addition, the Client agrees, to the fullest extent permitted by law, to indemnify and hold Lamp Rynearson harmless from any claim, damage, liability or cost, including reasonable attorneys' fees and costs of defense, arising or resulting from the performance of such services by other persons or entities and from any and all claims arising from modifications, clarifications, interpretations, adjustments or changes made to the Contract Documents to reflect changed field or other conditions, including those relating to Lamp Rynearson's own alleged negligence.

If the Client requests in writing that Lamp Rynearson provide any specific construction phase services and if Lamp Rynearson agrees in writing to provide such services, then Lamp Rynearson shall be compensated as Additional Services, per Lamp Rynearson's and its subconsultants' standard hourly rates.

**Jobsite Safety:** Neither the professional activities of Lamp Rynearson, nor the presence of Lamp Rynearson or its employees and subconsultants at a construction site, shall relieve the Contractor and any other entity of their obligations, duties and responsibilities including, but not limited to, construction means, methods, sequence, techniques or procedures necessary for performing, superintending or coordinating all portions of the work of construction in accordance with the contract documents and any health or safety precautions required by any regulatory agencies. Lamp Rynearson and its personnel have no authority to exercise any control over any construction contractor or other entity or their employees in connection with their work or any health or safety precautions. The Client agrees that the Contractor is solely responsible for jobsite safety and warrants that this intent shall be made evident in the Client's agreement with the Contractor. The Client also agrees that the Client, Lamp Rynearson and Lamp Rynearson's consultants shall be made additional insureds under the Contractor's general liability insurance policy.

**Dispute Resolution:** In an effort to resolve any conflicts that arise during the design or construction of the project or following the completion of the project, the Client and Lamp Rynearson agree that all disputes between them arising out of or relating to this Agreement shall be submitted to mediation unless the parties mutually agree otherwise. The parties agree to split the mediator's fee equally and that all such mediations shall be held in Kansas City, Missouri.

**Hazardous Materials:** It is acknowledged by both parties that Lamp Rynearson's scope of services does not include any services related to asbestos or hazardous or toxic materials. In the event Lamp Rynearson or any other party encounters asbestos or hazardous or toxic materials at the jobsite or any adjacent areas that may affect the performance of Lamp Rynearson's services, Lamp Rynearson may, at its option and without liability for consequential or any other damages, suspend performance of services on the project until the Client retains appropriate specialist consultant(s) or contractor(s) to identify, abate and/or remove the asbestos or hazardous or toxic materials, and warrant that the jobsite is in full compliance with applicable laws and regulations.

**Miscellaneous:** If the Client issues a Purchase Order of which this Abbreviated Agreement becomes a part, the terms of this Agreement will take precedence in the event of a conflict of terms. Lamp Rynearson makes no warranty, express or implied, to Client with regard to its services or the results to be obtained from the same.

The EJCDC No. E-500 Agreement shall be furnished by Lamp Rynearson to Client upon request. In the event of any conflict between the terms of that document and this Agreement, this Agreement shall control.

**Governing Law:** In the event that any part of this document is held invalid by any court, the remainder of the Agreement shall remain in full force and effect. This document shall be governed by the laws of the State of Missouri.

**Amendments:** This Agreement and documents incorporated herewith constitute the entire agreement of the parties and supersedes all prior negotiations and representations. The Agreement can only be amended in writing, signed by both parties. There are no third-party beneficiaries, intended or otherwise, hereto, except as Client's limitation of liability and indemnity obligations are expressly to benefit others as stated herein.

Street Department Activity Report  
(January 2024)

- Took down Christmas lights throughout town.
- Demolition of house on 25<sup>th</sup> O St.
- Put up the winter banners along the highway.
- Hauled dirt to back fill basement at 25<sup>th</sup> O St.
- Worked in alleys around town.
- Got the equipment ready for the snowstorms.
- Snow removal.
- Hauled off snow throughout the town.
- Fixed broken urinal/toilet at the complex.
- Washed and cleaned up equipment.
- Fixed the one-way sign at 22<sup>nd</sup> O St.
- Put new bits on the plow blades.
- Fixed hydraulic leak on #14 dump truck.
- Filled holes with spot patch around town.

Blake Goering  
Street Commissioner

# Auburn Memorial Library

1810 Courthouse Ave  
Auburn, NE 68305

## February 2024

- January 27th we had a Build an Animal workshop. 60 kids got to make their very own puppy.
- February 10th at 9:30 am - Valentine Party for ages 12 and under.
- Our February local artist spotlight is Nita Whitney. There will be a reception on February 8th from 6:00 - 8:00 pm. Her works will be on display the entire month.
- February 29th at 6:30 pm Jeff Barnes will be presenting "The (Mad) Queen of the Prairies". The unconventional first years of the Nebraska Territory.  
Sponsored by Humanities Nebraska and the Dorothy Blount memorial funds.

## Statistical Report:

<u>Date:</u>	<u>Circulation:</u>	<u>Patrons:</u>
December 2023	2,402	1,438
OverDrive	<u>860</u>	<u>155</u>
	3,262	1,593
January 2024	2,487	1,428
OverDrive	<u>946</u>	<u>165</u>
	3,433	1,593

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

FOR THE MONTH OF JANUARY 2024

Total Number of Calls/traffic stops within the City of Auburn	89/14
Total Number of Ordinance/Animal Calls	2/3
Total Number of Actual Criminal Cases Reported or Initiated	9

Respectfully submitted,



Brent Lottman  
Sheriff

SALES TAX RECORD 1-31-24

Month Received	For Tax Month	Fiscal Year 2015-2016	Fiscal Year 2016-2017	Fiscal Year 2017-2018	Fiscal Year 2018-2019	Fiscal Year 2019-2020	Fiscal Year 2020-2021	Fiscal Year 2021-2022	Fiscal Year 2022-2023	Fiscal Year 2023-2024	2023-2024 BUDGET	2023-2024 MV TAX	2023-2024 MVT%
October	August	\$ 35,228.89	\$ 43,099.35	\$ 39,015.82	\$ 42,358.50	\$ 42,682.36	\$ 43,756.43	\$ 55,385.48	\$ 56,702.78	\$ 52,037.39	\$ 50,000.00	\$ 8,787.00	17.00%
November	September	\$ 40,340.94	\$ 40,779.07	\$ 42,021.78	\$ 39,835.99	\$ 40,459.93	\$ 42,714.47	\$ 47,145.47	\$ 58,962.82	\$ 50,472.20	\$ 50,000.00	\$ 8,621.22	17.00%
December	October	\$ 45,068.84	\$ 36,458.76	\$ 38,037.41	\$ 40,359.00	\$ 44,793.82	\$ 47,017.75	\$ 49,481.16	\$ 58,115.82	\$ 48,844.41	\$ 50,000.00	\$ 5,950.50	15.00%
January	November	\$ 37,126.43	\$ 35,266.65	\$ 37,533.01	\$ 38,805.50	\$ 43,265.46	\$ 48,376.57	\$ 43,555.41	\$ 52,892.01	\$ 53,639.15	\$ 50,000.00	\$ 8,411.44	15.00%
February	December	\$ 47,871.21	\$ 43,026.29	\$ 41,778.56	\$ 44,243.20	\$ 46,598.38	\$ 58,556.77	\$ 52,070.23	\$ 55,852.41				
March	January	\$ 35,383.54	\$ 39,514.30	\$ 36,251.60	\$ 33,043.47	\$ 37,703.54	\$ 47,301.82	\$ 42,727.56	\$ 47,432.24				
April	February	\$ 33,856.40	\$ 33,050.01	\$ 31,810.58	\$ 36,109.30	\$ 36,299.23	\$ 37,367.96	\$ 41,873.58	\$ 51,353.25				
May	March	\$ 39,427.60	\$ 45,714.57	\$ 41,008.62	\$ 53,331.57	\$ 39,421.71	\$ 49,323.63	\$ 49,008.07	\$ 54,782.34				
June	April	\$ 45,064.75	\$ 38,810.17	\$ 37,756.61	\$ 43,263.57	\$ 37,937.43	\$ 51,900.86	\$ 46,529.27	\$ 54,444.22				
July	May	\$ 37,310.36	\$ 40,424.12	\$ 43,079.76	\$ 39,992.48	\$ 43,748.71	\$ 50,694.88	\$ 54,084.67	\$ 52,444.22				
August	June	\$ 42,664.62	\$ 43,827.06	\$ 42,162.40	\$ 38,329.24	\$ 49,009.99	\$ 52,285.24	\$ 55,826.87	\$ 53,823.46				
September	July	\$ 42,095.67	\$ 38,461.05	\$ 40,671.36	\$ 42,464.52	\$ 48,457.66	\$ 46,530.43	\$ 54,165.14	\$ 49,950.25				
<b>Total</b>		\$ 481,439.25	\$ 480,431.40	\$ 471,127.51	\$ 492,136.34	\$ 510,378.22	\$ 575,826.81	\$ 591,852.91	\$ 646,379.79	\$ 204,993.15	\$ 200,000.00	\$ 31,770.16	

\*Includes MV

Actual Last YTD	Actual YTD	Budget YTD
\$226,673.43	\$204,993.15	\$200,000.00
YTD	Compared to Last Year	
\$ 21,680.28	Decrease from Last Year	
YTD	Compared to Budget YTD	
\$ 4,993.15	More than Budget YTD	

Vehicle Sales Tax as a Percentage  
 \$ 204,993.15 in Total Receipts YTD  
 \$ 31,770.16 in Total Vehicle Sales  
 Vehicle Sales Tax as a 15% Percentage

AGENDA ITEM NO  
 J-1 (C)

**City of Auburn-CRA  
TIF Activity Report**

Date	Description	Account Activity	Core Area	West Project	Orscheln	Westgate Project
12/31/2023	Balance	\$ 1,547,580.86	\$ 1,101,893.60	\$	\$ 20,454.95	\$ 425,232.31
1/22/2024	Co. Collections	\$ 27,317.81	\$ 27,317.81			
1/31/2024	Interest on Acct	\$ 723.55	\$ 520.96		\$ 7.23	\$ 195.36
1/31/2024	Balance	\$ 1,575,622.22	\$ 1,129,732.37		\$ 20,462.18	\$ 425,427.67

**AGENDA ITEM  
NO**

J-2