

Aurora, Nebraska
February 9, 2010

A meeting of the Mayor and Council of the City of Aurora, Nebraska, was convened in open and public session at 7:30 p.m. on February 9, 2010 at the City Hall. Present were Councilors: Wayne Roblee, Bruce Ramsour, Dottie Anderson, Dick Phillips and Paul Shaneyfelt. Mayor Marlin Seeman conducted the meeting. City Officials present were City Administrator Mike Bair, City Attorney Ross Luzum, Police Chief Godfrey Brokenrope, Water/Sewer Commissioner Rick Melcher and Clerk/Treasurer Barbra Mikkelsen.

Notice of said meeting was given by publication in the Aurora News Register on February 3, 2010. Notice of meeting was simultaneously 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 these minutes. Availability of the agenda of this meeting was communicated in the advance notice and in the notice to the Mayor and Council. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Mayor Seeman stated "AS PERSCRIBED BY LAW A COPY OF THE NEBRASKA OPEN MEETINGS ACT IS POSTED BY THE DOUBLE DOORS IN THE COUNCIL CHAMBERS."

MINUTES:

Councilor Shaneyfelt moved to approve the minutes from the January 26, 2010 meeting. Councilor Phillips seconded the motion. Voting Aye: Ramsour, Anderson, Phillips, Shaneyfelt and Roblee. Nay: None. Absent and not voting: Helzer. The motion carried.

PETITIONS, COMPLAINTS, COMMUNICATIONS:

REPORTS BY OFFICERS, BOARD, COMMITTEES:

Clerk/Treasurer Mikkelsen presented the Expenditure and Clerk/Treasurer reports for the month ending January 31, 2010. Councilor Phillips moved to approve said reports. Councilor Anderson seconded the motion. Voting Aye: Anderson, Phillips, Shaneyfelt, Roblee and Ramsour. Nay: None. Absent and not voting: Helzer. The motion carried.

Claims Committee Member Ramsour reported the claims presented by the Clerk were in order and moved that said claims be allowed and checks drawn on the various funds for payment of same be approved. Councilor Roblee seconded the motion. Voting Aye: Phillips, Shaneyfelt, Roblee, Ramsour and Anderson. Nay: None. Absent and not voting: Helzer. The motion carried. A listing of said claims is attached to these minutes.

7:35 P.M. PUBLIC HEARING:

Mayor Seeman opened the duly advertised public hearing to receive public comments on the recommendation of the Planning Commission to approve the request for a Minor Subdivision for the property located at a part of the Northwest Quarter of the Northwest Quarter (NW1/4, NW1/4) of Section Fifteen (15), Township Ten (10) North, Range Six (6) West of the 6th P.M., Hamilton County, NE.

The Mayor asked if there was anyone present who wished to speak in favor of the proposed recommendation. Zoning Administrator Melcher reviewed the request. The Mayor then asked if there was anyone present who wished to speak in opposition to the proposed recommendation, and there was no one. There being no one else present to speak in favor of or opposition to the proposed recommendation the Mayor declared the public hearing closed.

Councilor Ramsour moved to approve Resolution 10-02. Councilor Phillips seconded the motion. Voting Aye: Phillips, Shaneyfelt, Roblee, Ramsour and Anderson. Nay: None. Absent and not voting: Helzer. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION 10-02

WHEREAS, a plat for a minor subdivision has been submitted by Gary Moody, in accordance with the Subdivision Regulations of the City of Aurora, for property located at a part of the Northwest Quarter of the Northwest Quarter (NW1/4, NW1/4) of Section Fifteen (15), Township Ten (10) North, Range Six (6) West of the 6th P.M., Hamilton County, Nebraska, to be known as Moody Subdivision, which is more particularly described as follows:

Commencing at the northwest corner of said Northwest Quarter of the Northwest Quarter (NW1/4, NW1/4); thence S 89°45'41" E on and upon the north line of said Northwest Quarter of the Northwest Quarter (NW1/4, NW1/4) a distance of Seventy and Seventeen Hundredths (70.17) feet to the Point of Beginning; thence continuing upon the aforesaid bearing a distance of Four Hundred Eight and Eighty Three Hundredths (408.83) feet to a point; thence S 03°24'52" W a distance of Two Hundred Fifty Six and Sixty Six Hundredths (256.66) feet to a point; thence N 89°43'24" W a distance of Three Hundred Ninety Five and Ninety Seven Hundredths (395.97) feet to a point on the east right-of-way line of Nebraska State Highway #14; thence N 00°32'32" E on and upon the east right-of-way line of Nebraska State Highway #14 a distance of Two Hundred Fifty Six and Two Hundredths (256.02) feet to the Point of Beginning. Said tract contains 2.366 acres more or less of which 0.309 acres are County Road right-of-way; and

WHEREAS, said minor subdivision was approved by the Aurora Planning Commission after a duly advertised public hearing held on February 3, 2010, and the planning commission recommended the minor subdivision to the City Council for recommendation and approval; and

WHEREAS, the City Council held a duly advertised public hearing on February 9, 2010, and on that date moved to accept the recommendation of the Planning Commission;

BE IT THEREFORE RESOLVED by the Mayor and City Council of the City of Aurora, Nebraska, that Moody Subdivision be approved and the Mayor and the City Clerk be authorized to execute the approval of same.

Passed and adopted this 9th day of February, 2010.



Mayor

ATTEST:



City Clerk



City Attorney Luzum read Ordinance No. 942 by its title: AN ORDINANCE TO AMEND ORDINANCE 708, THE ZONING ORDINANCE OF THE CITY OF AURORA, NEBRASKA, ARTICLE FOUR (4), ESTABLISHMENT AND DESIGNATION OF ZONING DISTRICTS, SECTION 403, THE OFFICIAL ZONING MAP, TO PROVIDE THAT THE TRACT OF LAND COMPRISING A PART OF THE NORTHWEST QUARTER (NW1/4), SECTION FIFTEEN (15), TOWNSHIP TEN (10) NORTH, RANGE SIX (6) WEST OF THE 6TH P.M., HAMILTON COUNTY, NEBRASKA, BE CHANGED FROM AG, AGRICULTURAL ZONING DISTRICT DESIGNATION TO I80X, INTERSTATE INTERCHANGE ZONING DISTRICT DESIGNATION AND TO PROVIDE THAT SAID CHANGE SHALL BE ENTERED UPON ZONING MAP AS PROVIDED IN ARTICLE 4, SECTION 404.10, OFFICIAL ZONING MAP CHANGES.

Councilor Phillips moved to bring Ordinance No. 942 before the council and to approve the third reading and final reading of this ordinance. Councilor Ramsour seconded the motion. Voting Aye: Phillips, Shaneyfelt, Roblee, Ramsour and Anderson. Nay: None. Absent and not voting: Helzer. The motion carried.

Councilor Ramsour moved for final adoption of Ordinance No. 942. Councilor Roblee seconded the motion. The Mayor stated the question, "Shall Ordinance No. 942 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Roblee, Ramsour, Anderson, Phillips and Shaneyfelt. Nay: None. Absent and not voting: Helzer. The motion carried.

The passage and adoption of said Ordinance having been concurred in by a majority of all members elected to the Council was by the Mayor declared passed and adopted and the Mayor in the presence of the Council signed and approved said Ordinance and the Clerk attested the passage and approval of same and affixed her signature thereto. Said Ordinance shall be preserved and kept in a separate and distinct volume known as the Ordinance of the City of Aurora, Nebraska and same be incorporated herein by reference.

City Attorney Luzum read Ordinance No. 943 by its title: AN ORDINANCE TO AMEND ORDINANCE 707-1, THE COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF AURORA, NEBRASKA, LAND USE PLAN, ILLUSTRATION NO. 7, TO PROVIDE THAT THE LAND USE DESIGNATION FOR A TRACT OF LAND COMPRISING A PART OF THE NORTHWEST QUARTER (NW1/4), SECTION FIFTEEN (15), TOWNSHIP TEN (10) NORTH, RANGE SIX (6) WEST OF THE 6TH P.M., HAMILTON COUNTY, NEBRASKA, BE CHANGED TO ZONING DISTRICT DESIGNATION INTERSTATE INTERCHANGE ZONING DISTRICT (I80X).

Councilor Shaneyfelt moved to bring Ordinance No. 943 before the council and to approve the third reading and final reading of this ordinance. Councilor Phillips seconded the motion. Voting Aye: Ramsour, Anderson, Phillips, Shaneyfelt and Roblee. Nay: None. Absent and not voting: Helzer. The motion carried.

Councilor Phillips moved for final adoption of Ordinance No. 943. Councilor Ramsour seconded the motion. The Mayor stated the question, "Shall Ordinance No. 943 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Anderson, Phillips, Shaneyfelt, Roblee and Ramsour. Nay: None. Absent and not voting: Helzer. The motion carried.

The passage and adoption of said Ordinance having been concurred in by a majority of all members elected to the Council was by the Mayor declared passed and adopted and the Mayor in the presence of the Council signed and approved said Ordinance and the Clerk attested the passage and approval of same and affixed her signature thereto. Said Ordinance shall be preserved and kept in a separate and distinct volume known as the Ordinance of the City of Aurora, Nebraska and same be incorporated herein by reference.

Tylor Bottorff of JEO Consulting reviewed the bids for the Cole Park Project. He stated the low bid received had an unsigned bond document making it a nonconforming bid. He also stated the other bids received were above the engineers estimate of cost. He then stated that it was the engineer's recommendation to reject all bids received and then authorize the Mayor to negotiate a contract.

Councilor Ramsour moved to accept the engineer's recommendation to reject all bids and authorize the Mayor to negotiate a contract. Councilor Roblee seconded the motion. Voting Aye: Phillips, Shaneyfelt, Roblee, Ramsour and Anderson. Nay: None. Absent and not voting: Helzer. The motion carried.

Councilor Ramsour moved to approve the Preamble, Constitution and By-Laws, of the Aurora Volunteer Fire Department. Councilor Anderson seconded the motion. Voting Aye: Phillips, Shaneyfelt, Roblee, Ramsour and Anderson. Nay: None. Absent and not voting: Helzer. The motion carried.

Councilor Shaneyfelt moved to approve the request from the Relay For Life Committee to block off the south road on the Square to be used for stage and entertainment and to allow use of the Square for Relay for Life- Friday, June 4, 2010 to Saturday, June 5, 2010. Councilor Phillips seconded the motion. Voting Aye: Shaneyfelt, Roblee, Ramsour, Anderson and Phillips. Nay: None. Absent and not voting: Helzer. The motion carried.

MISCELLANEOUS:

ADJOURNMENT:

Having completed all items on the agenda, and there being no further business to conduct, Mayor Seeman declared the meeting adjourned at 7:50 p.m.


Mayor

ATTEST:


City Clerk

