

Aurora, Nebraska
August 11, 2009

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 August 11, 2009 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, Street Superintendent Mike Eberhardt and Clerk/Treasurer Barbra Mikkelsen.

Notice of said meeting was given by publication in the Aurora News Register on August 5, 2009. 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 July 14, 2009 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 July 31, 2009. Councilor Phillips moved to approve said reports. Councilor Roblee 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 Lot Three (3) Fontanelle Subdivision, City of Aurora, Hamilton County, Nebraska.

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 09-23. Councilor Shaneyfelt 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 NO.09-23

WHEREAS, the Aurora Planning Commission and the Aurora City Council have held public hearings to receive public input regarding the final plat of Interstate Battery Subdivision, a replat of Lot 3, Fontanelle Subdivision, City of Aurora, Hamilton County, Nebraska; and have held separate public hearings to consider whether the Subdivision should be included within the Corporate limits of the City of Aurora, and

WHEREAS, said plat of Interstate Battery Subdivision meets the requirements of the Subdivision Regulations of the City of Aurora, and the Statutes of the State of Nebraska; and

WHEREAS, the Aurora Planning Commission has recommended to the City Council approval of the final plat to be known as Interstate Battery Subdivision and has recommended that it be included within the Corporate limits, and the City Council on this date has voted for approval of this Subdivision; and has voted to include this Subdivision within the City Limits;

BE IT THEREFORE RESOLVED by the Mayor and City Council of the City of Aurora, Nebraska, that the final plat of Interstate Battery Subdivision be hereby approved and that said addition shall be included within the Corporate limits of the City of Aurora, Nebraska, and that the Mayor and City Clerk be authorized to execute the approval of said plat, and cause the same to be filed as required by law.

Passed and adopted this 11th day of August, 2009.

ATTEST:


City Clerk




Mayor

Councilor Shaneyfelt moved to accept the Planning Commission's recommendation to require sidewalks in Greenway Subdivision. Councilor Anderson seconded the motion. Discussion was held on whether or not sidewalks should be required. Then the Mayor asked for roll call vote. Voting Aye: Shaneyfelt, Roblee, Ramsour and Anderson. Nay: Phillips. Absent and not voting: Helzer. The motion carried.

Tylor Bottorff of JEO Consulting reviewed Change Order No. 3 for the Quiet Zone Project-M.E. Collins contractor an increase of \$7,630.96. Councilor Shaneyfelt moved to approve Change Order No. 3 for the Quiet Zone Project-M.E. Collins contractor an increase of \$7,630.96. Councilor Phillips seconded the motion. Voting Aye: Roblee, Ramsour, Anderson Phillips and Shaneyfelt. Nay: None. Absent and not voting: Helzer. The motion carried.

Tylor Bottorff of JEO Consulting presented Pay Application No. 2 and final for M.E. Collins Contracting for the Quiet Zone Project for \$38,291.33. Councilor Ramsour moved to Pay Application No. 2 and final for M.E. Collins Contracting for the Quiet Zone Project for \$38,291.33. Councilor Roblee seconded the motion. Voting Aye: Ramsour, Anderson, Phillips, Shaneyfelt and Roblee. Nay: None. Absent and not voting: Helzer. The motion carried.

Tylor Bottorff of JEO Consulting presented the "Recommendation of Acceptance" for the Quiet Zone Improvements. He stated the one year warranty period would start with the acceptance of the project. Councilor Shaneyfelt moved to accept the "Recommendation of Acceptance" for the Quiet Zone Improvements. Councilor Phillips seconded the motion. Voting Aye: Anderson, Phillips, Shaneyfelt, Roblee and Ramsour. Nay: None. Absent and not voting: Helzer. The motion carried.

Greg Wood of JEO Consulting reviewed Change Order No. 4 for the Madison Avenue Project for A & R Construction an increase of \$5,854.25. Councilor Phillips moved to approve Change Order No. 4 for the Madison Avenue Project for A & R Construction an increase of \$5,854.25. Councilor Ramsour seconded the motion. Voting Aye: Phillips, Shaneyfelt, Roblee, Ramsour and Anderson. Nay: None. Absent and not voting: Helzer. The motion carried.

Greg Wood of JEO Consulting presented Pay Application No.3 for A & R Construction for Madison Avenue for \$42,178.20 and recommended payment of same. Councilor Ramsour moved to approve Pay Application No.3 for A & R Construction for Madison Avenue for \$42,178.20. Councilor Roblee seconded the motion. Voting Aye: Phillips, Shaneyfelt, Roblee, Ramsour and Anderson. Nay: None. Absent and not voting: Helzer. The motion carried.

Street Superintendent Mike Eberhardt reviewed the change to the One and Six Year Street Plan. He stated the change was being made in order to include the Quiet Zone Improvements. Councilor Phillips moved to approve Resolution 09-22. Councilor Shaneyfelt seconded the motion. Voting Aye: Shaneyfelt, Roblee, Ramsour, Anderson and Phillips. Nay: None. Absent and not voting: Helzer. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION 09-22

BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF AURORA, NEBRASKA, that the One and Six Year Street Improvement Plan currently on file be revised to include Street Improvement Project Aurora M-126 (174) into the current One and Six Year Street Improvement Plan.

Passed and adopted this 11th day of August, 2009.



Mayor

ATTEST:



City Clerk



Councilor Ramsour moved to approve the certification of the City Administrator's approval of a lot split for the following: A part of Bates Block Addition in the City of Aurora, Nebraska, 711 9th Street with the condition that it meets the qualification of separate water and sewer connections. Councilor Phillips seconded the motion. Voting Aye: Roblee, Ramsour, Anderson, Phillips and Shaneyfelt. Nay: None. Absent and not voting: Helzer. The motion carried.

Councilor Ramsour moved to approve the certification of the City Administrator's approval of a lot split for the following: Lot 3, Asher Subdivision, Aurora, Hamilton County, Nebraska, with the condition that it meets the qualification of separate water and sewer connections. Councilor Shaneyfelt seconded the motion. Voting Aye: Ramsour, Anderson, Phillips, Shaneyfelt and Roblee. Nay: None. Absent and not voting: Helzer. The motion carried.

Councilor Roblee moved to authorize the advertising for bids for a five year term for auditing services. Councilor Anderson seconded the motion. Voting Aye: Anderson, Phillips, Shaneyfelt, Roblee and Ramsour. Nay: None. Absent and not voting: Helzer. The motion carried.

Councilor Phillips moved to approve the request from Grand Island Crisis Center for funding for FY 2009-2010 for \$1,200. 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 authorize the Mayor to enter into an interlocal agreement with Hamilton County for Emergency Management Director's office rent at the Fire Hall. Councilor Ramsour seconded the motion. Voting Aye: Phillips, Shaneyfelt, Roblee, Ramsour and Anderson. Nay: None. Absent and not voting: Helzer. The motion carried.

Councilor Anderson moved to accept the resignation of Doug Moss from the Planning Commission and to accept the Mayor's appointment of Jeff Morris to the Planning Commission. Councilor Ramsour 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 8:02 p.m.


Mayor

ATTEST:


City Clerk

