

Aurora, Nebraska
March 11, 2008

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 March 11, 2008 at the City Hall. Present were Councilors: Jack Payne, Bruce Ramsour, Chris Helzer, 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 March 5, 2008. 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 February 26, 2008 meeting. Councilor Helzer seconded the motion. Voting Aye: Ramsour, Helzer, Shaneyfelt and Payne. Nay: None. Absent and not voting: Anderson and Phillips. 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 February 29, 2008. Councilor Shaneyfelt moved to approve said reports. Councilor Payne seconded the motion. Voting Aye: Helzer, Shaneyfelt, Payne and Ramsour. Nay: None. Absent and not voting: Anderson and Phillips. 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 Helzer seconded the motion. Voting Aye: Helzer, Shaneyfelt and Ramsour. Nay: None. Abstain: Payne. Absent and not voting: Anderson and Phillips. 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 from Bob Benes to approve a preliminary plat of Northridge Subdivision a part of the East Half (E1/2) of Section Thirty-Three (33), and part of Newman Subdivision all located in Township Eleven (11) 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. Bob Benes of Aspen Builders reviewed the preliminary plat. Zoning Administrator Rick Melcher stated that the Planning Commission was recommending approval of the preliminary plat. 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 Shaneyfelt moved to accept the recommendation of the Planning Commission to approve the request from Bob Benes to approve a preliminary plat of Northridge Subdivision a part of the East Half (E1/2) of Section Thirty-Three (33), and part of Newman Subdivision all located in Township Eleven (11) North, Range Six (6) West of the 6th P.M., Hamilton County, NE. Councilor Ramsour seconded the motion. Voting Aye: Shaneyfelt, Payne, Ramsour and Helzer. Nay: None. Absent and not voting: Anderson and Phillips. The motion carried.

7:40 P.M. PUBLIC HEARING:

Mayor Seeman opened the duly advertised public hearing to receive public comments regarding the Planning Commission's recommendation to amend Ordinance No. 708, the zoning ordinance to the City of Aurora, Nebraska and the Comprehensive Plan, specifically the Land Use Plan, to reflect changes in zoning for the property located at, Block 1, Tucker 2nd Subdivision, City of Aurora, Hamilton County, Nebraska.

Mayor Seeman asked if there was anyone present who wished to speak in favor of or in opposition to the recommendation. Craig Bergen spoke in support of the recommendation. There being no one else present that wished to speak in favor of or in opposition to the recommendation the Mayor declared the public hearing closed.

City Attorney Luzum read Ordinance No. 887 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 OF THE PROPERTY LOCATED AT BLOCK 1, TUCKER 2ND SUBDIVISION, CITY OF AURORA, HAMILTON COUNTY, NEBRASKA, BE CHANGED TO ZONING DISTRICT DESIGNATION GENERAL COMMERCIAL ZONING DISTRICT (C-3).

Councilor Ramsour moved bring Ordinance No. 887 before the council and to approve the first reading of this ordinance. Councilor Payne seconded the motion. Voting Aye: Shaneyfelt, Payne, Ramsour and Helzer. Nay: None. Absent and not voting: Anderson and Phillips. The motion carried.

City Attorney Luzum read Ordinance No. 888 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 PROPERTY LEGALLY DESCRIBED AS: BLOCK 1, TUCKER 2ND SUBDIVISION, CITY OF AURORA, HAMILTON COUNTY, NEBRASKA, BE CHANGED FROM AN R-2, RESIDENTIAL ZONING DISTRICT DESIGNATION TO AN C-3, GENERAL COMMERCIAL 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 Shaneyfelt moved bring Ordinance No. 888 before the council and to approve the first reading of this ordinance. Councilor Helzer seconded the motion. Voting Aye: Payne, Ramsour, Helzer and Shaneyfelt. Nay: None. Absent and not voting: Anderson and Phillips. The motion carried.

Jim Jackson of JEO Consulting presented Change Order No. 5 for the Downtown Improvement Project to M.E. Collins for an increase of \$62,429.87. Councilor Shaneyfelt moved to approve Change Order No. 5 for the Downtown Improvement Project to M.E. Collins for an increase of \$62,429.87. Councilor Ramsour seconded the motion. Voting Aye: Ramsour, Helzer, Shaneyfelt and Payne. Nay: None. Absent and not voting: Anderson and Phillips. The motion carried.

Jim Jackson of JEO Consulting presented pay application No.17 for M.E. Collins for the Downtown Improvement Project for \$146,228.70 and recommended payment of same. Councilor Payne moved to approve pay application No. 17 for M.E. Collins for the Downtown Improvement for \$146,228.70. Councilor Shaneyfelt seconded the motion. Voting Aye: Helzer, Shaneyfelt, Payne and Ramsour. Nay: None. Absent and not voting: Anderson and Phillips. The motion carried.

Councilor Shaneyfelt moved to approve Cost Breakdown Form No. 19 for the Historic Lighting Project to JEO for \$709.68. Councilor Helzer seconded the motion. Voting Aye: Helzer, Shaneyfelt, Payne and Ramsour. Nay: None. Absent and not voting: Anderson and Phillips. The motion carried.

Councilor Shaneyfelt moved to approve Cost Breakdown Form No. 8 for Utilities Relocation Hwy 14-H Street for \$359.55 for Non Betterment work. Councilor Payne seconded the motion. Voting Aye: Shaneyfelt, Payne, Ramsour and Helzer. Nay: None. Absent and not voting: Anderson and Phillips. The motion carried.

Councilor Ramsour moved to approve Cost Breakdown Form No. 8 for Utilities Relocation Hwy 14-H Street for \$155.88 for Betterment work. Councilor Helzer seconded the motion. Voting Aye: Shaneyfelt, Payne, Ramsour and Helzer. Nay: None. Absent and not voting: Anderson and Phillips. The motion carried.

City Administrator Bair explained the agreement with Allan Jenkins for a cost benefit analysis. Councilor Shaneyfelt moved to authorize the Mayor to enter into an agreement with Allan Jenkins for a cost-benefit analysis that examines the construction and operation of the proposed ethanol plant. Councilor Payne seconded the motion. Voting Aye: Payne, Ramsour, Helzer and Shaneyfelt. Nay: None. Absent and not voting: Anderson and Phillips. The motion carried.

Councilor Ramsour moved to approve the certification of the City Administrator's approval of a lot split for the following: Part of Lot One (1) Aurora Business Park South Subdivision. Councilor Shaneyfelt seconded the motion. Voting Aye: Ramsour, Helzer, Shaneyfelt and Payne. Nay: None. Absent and not voting: Anderson and Phillips. 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 8:17 p.m.

ATTEST:

Budna Mikhelser
City Clerk



Marlin Seeman
Mayor