

Aurora, Nebraska  
July 8, 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 July 8, 2008 at the City Hall. Present were Councilors: Jack Payne, 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 July 2, 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 July 1, 2008 meeting. Councilor Payne seconded the motion. Voting Aye: Ramsour, Anderson, Phillips, Shaneyfelt and Payne. 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 June 30, 2008. Councilor Ramsour moved to approve said reports. Councilor Phillips seconded the motion. Voting Aye: Anderson, Phillips, Shaneyfelt, Payne and Ramsour. Nay: None. Absent and not voting: Helzer. The motion carried.

Claims Committee member Anderson 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 Ramsour seconded the motion. Voting Aye: Phillips, Shaneyfelt, Ramsour and Anderson. Nay: None. Abstain: Payne. 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 liquor license application from Triple J, Inc. dba Aurora Mall located at 1320 16th Street. The application is for a Class "C" Liquor License. The Mayor asked if there was anyone present who wished to speak in favor of the application. Scott Grafton representing Triple J, Incorporated reviewed the application and answered questions regarding same. The Mayor then asked if there was anyone present who wished to speak in opposition to the application. Councilor Payne and Councilor Ramsour both stated that they were not in favor of the application. There being no one else present to speak in favor of or opposition to the application the Mayor declared the public hearing closed.

Councilor Payne moved to make a recommendation of denial to the liquor commission regarding the liquor license application from Triple J, Inc. dba Aurora Mall located at 1320 16th Street for a Class "C" liquor License. Councilor Ramsour seconded the motion. Voting Aye: Phillips, Shaneyfelt, Payne, Ramsour and Anderson. Nay: None. Absent and not voting: Helzer. The motion carried.

Kurt Smith, Tom Cox and Pat Johansen presented information collected regarding tornado and storm damage.

Councilor Phillips moved to approve Resolution 08-12 to place the fluoridation issue on the ballot. Councilor Anderson seconded the motion. Voting Aye: Shaneyfelt, Payne, Ramsour, Anderson and Phillips. Nay: None. Absent and not voting: Helzer. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION NO.08-12

WHEREAS, Section 71-3305 of the Nebraska Statutes requires any city with a population of one thousand or more to add fluoride to the city's water system; and

WHEREAS, Section 71-3305 allows the voters of a city to vote to adopt an ordinance before June 1, 2010, to prohibit the addition of fluoride to the city water system; and

WHEREAS, Section 71-3305 authorizes the governing body to place the ordinance to prohibit the addition of fluoride to the city water system on the ballot; and

WHEREAS, the Mayor and City Council of the City of Aurora, Nebraska, have determined that there is interest in determining whether fluoride should be added to the city's water system.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF AURORA, NEBRASKA;

Section 1. That at the general election to be held on Tuesday, November 4<sup>th</sup>, 2008, the issue of whether the City of Aurora, Nebraska, should adopt or reject an ordinance to prohibit the addition of fluoride to the City water system shall be submitted to the qualified electors of the City and to be presented in the following form:

Shall the City of Aurora, Nebraska, adopt an ordinance to prohibit the addition of fluoride to the City's water system?

Yes (To prohibit fluoride from the water system)

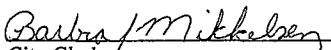
No (Against the prohibition of fluoride from the water system)

Section 2. That the City Clerk is authorized and directed to certify a copy of this resolution to the election commissioner/county clerk by September 2, 2008. The City agrees to reimburse the election commissioner/county clerk for the expenses of conducting the election, as required by law.

Passed and adopted this 8<sup>th</sup> day of July, 2008.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk



Councilor Ramsour moved to approve Cost Breakdown Form No. 22 for the Historic Lighting Project to JEO for \$635.23. Councilor Anderson seconded the motion. Voting Aye: Payne, Ramsour, Anderson, Phillips and Shaneyfelt. Nay: None. Absent and not voting: Helzer. The motion carried.

Tylor Bottorff of JEO Consulting reviewed Pay Application No.1 for A&R Construction for Parkview Estates Paving for \$74,802.15. Councilor Payne moved to approve Pay Application No. 1 for A&R Construction for Parkview Estates Paving for \$74,802.15. Councilor Phillips seconded the motion. Voting Aye: Ramsour, Anderson, Phillips, Shaneyfelt and Payne. Nay: None. Absent and not voting: Helzer. The motion carried.

Kent Redwine, Engineer for Diamond Engineering Company presented the request from Diamond Engineering for a time extension on the N Road and Hwy. 34 project. Councilor Payne moved to grant a time extension to Diamond Engineering for the N Road and Hwy 34 project. The substantially completed (road ready for loaded trucks) date shall be August 22, 2008. Councilor Phillips seconded the motion. Voting Aye: Anderson, Phillips, Shaneyfelt, Payne and Ramsour. Nay: None. Absent and not voting: Helzer. The motion carried.

Councilor Ramsour moved to authorize the Mayor to proceed with agreements with NDOR for construction of left turn lane at Beechwood and Hwy 34. Councilor Payne seconded the motion. City Administrator Bair told the council that the NDOR agreement requests the City of Aurora to pay its share of engineering costs but we don't know what that amount will be. Voting Aye: Phillips, Shaneyfelt, Payne, Ramsour and Anderson. Nay: None. Absent and not voting: Helzer. The motion carried.

Councilor Anderson moved to approve the request from AACD the square for the following events: Scare the Square to be held Thursday, October 23rd and It's a Wonderful Life to be held Friday, November 28, 2008. Councilor Phillips seconded the motion. Voting Aye: Phillips, Shaneyfelt, Payne, Ramsour and Anderson. 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 8:34 p.m.

ATTEST:

*Paula Mikkelsen*  
City Clerk

*Merlen Seeman*  
Mayor

