

Aurora, Nebraska
January 13, 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 January 13, 2009 at the City Hall. Present were Councilors: Wayne Roblee, Bruce Ramsour, Chris Helzer, 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 January 7, 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 Ramsour moved to approve the minutes from the December 9, 2008 meeting. Councilor Helzer seconded the motion. Voting Aye: Ramsour, Helzer, Phillips, Shaneyfelt and Roblee. Nay: None. Absent and not voting: Anderson. 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 December 31, 2008. Councilor Phillips moved to approve said reports. Councilor Roblee seconded the motion. Voting Aye: Helzer, Phillips, Shaneyfelt, Roblee and Ramsour. Nay: None. Absent and not voting: Anderson. The motion carried.

Claims Committee Chairperson Helzer 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: Helzer, Phillips, Shaneyfelt, Roblee and Ramsour. Nay: None. Absent and not voting: Anderson. 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 1 & a part of Lot 2, Robert's Subdivision & a part of the Northeast Quarter, Northeast Quarter (NE ¼, NE ¼), Section Four (4), Township Ten (10) North, Range Six (6) West of the 6th P.M. 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 09-01. Councilor Phillips seconded the motion. Voting Aye: Phillips, Shaneyfelt, Roblee, Ramsour and Helzer. Nay: None. Absent and not voting: Anderson. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION NO.09-01


WHEREAS, the Aurora Planning Commission and the Aurora City Council have held public hearings to receive public input regarding the final plat of Meyer's Subdivision, a replat of Lot 1 and part of Lot 2, Robert's Subdivision, and part of the Northeast Quarter, Northeast Quarter (NE¼,NE¼), Section Four (4), Township Ten (10) North, Range Six (6) West of the 6th P.M., City of Aurora, Hamilton County, Nebraska, said area containing approximately .439 acres; 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 Meyer's 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 Meyer's 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;

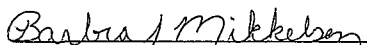
BE IT THEREFORE RESOLVED by the Mayor and City Council of the City of Aurora, Nebraska, that the final plat of Meyer's Subdivision be hereby approved and that said addition shall be included within the Corporate limits of the City of Aurora, Nebraska, and that the Mayor and City Clerk be authorized to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

Passed and adopted this 13th day of January, 2009.



Mayor

ATTEST:



City Clerk



Councilor Phillips moved to approve Resolution 09-02 accepting the plats and schedules of assessments as prepared by the city engineer for special assessments proposed to be levied in Street Improvement District No. 178. Councilor Helzer seconded the motion. Voting Aye: Shaneyfelt, Roblee, Ramsour, Helzer and Phillips. Nay: None. Absent and not voting: Anderson. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION NO. 09-02

RESOLUTION ACCEPTING THE PLATS AND SCHEDULES OF ASSESSMENTS AS PREPARED BY THE CITY ENGINEER FOR SPECIAL ASSESSMENTS PROPOSED TO BE LEVIED IN STREET IMPROVEMENT DISTRICT NO. 178


Whereas the City of Aurora has heretofore contracted for and accepted the work of the contractor in Street Improvement District No. 178, and the City Engineer has prepared and presented to the Mayor and City Council plats and schedules of assessments proposed to be levied in said District.

Now, therefore, be it resolved by the Mayor and City Council that said plats and schedules of assessments in Street Improvement District No. 178 are hereby ordered to be received and placed on file in the City Offices.

Passed this 13th day of January, 2009.

ATTEST:

Barbra Mikkelson
City Clerk

Marlin L. Seeman
Mayor


Councilor Shaneyfelt moved to approve Resolution 09-03 setting Board of Equalization Hearing for Parkview Estates assessments. Councilor Phillips seconded the motion. Voting Aye: Roblee, Ramsour, Helzer, Phillips and Shaneyfelt. Nay: None. Absent and not voting: Anderson. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION NO. 09-03

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF AURORA, NEBRASKA, AS FOLLOWS:

Section 1. That the Mayor and City Council will meet as a Board of Equalization at 6:45 o'clock p.m., on the 10th day of March, 2009, at the Council Chambers in Aurora, Nebraska; and

Section 2. That the following notice of said meeting be published in six (6) issues of the Aurora News-Register on the following dates: January 28, February 4, February 11, February 18, February 25 and March 4, 2009.


Section 3. That the City Clerk be and hereby is instructed to mail a copy of said Notice to all known resident and non-resident owners of property in Street Improvement District No. 178, and to any other party appearing to have a direct interest in such action or proceedings; and

Section 4. That at said time and place, the Mayor and City Council of said City will grant a hearing to all persons interested and will pass a resolution making said special assessments as provided by law.

Passed this 13th day of January, 2009.

ATTEST:

Barbra Mikkelson
City Clerk

Marlin L. Seeman
Mayor


Councilor Ramsour moved to approve Resolution 09-04 accepting the plats and schedules of assessments as prepared by the city engineer for special assessments proposed to be levied in Street Improvement District No. 176 Water Ext Dist. 2007-2 and Sanitary Sewer Dist #41. Councilor Helzer seconded the motion. Voting Aye: Ramsour, Helzer, Phillips, Shaneyfelt and Roblee. Nay: None. Absent and not voting: Anderson. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION NO. 09-04

RESOLUTION ACCEPTING THE PLATS AND SCHEDULES OF ASSESSMENTS AS PREPARED BY THE CITY ENGINEER FOR SPECIAL ASSESSMENTS PROPOSED TO BE LEVIED IN SANITARY SEWER EXTENSION DISTRICT NO. 41, STREET IMPROVEMENT DISTRICT NO. 176 AND WATER EXTENSION DISTRICT NO. 2007-2

Whereas the City of Aurora has heretofore contracted for and accepted the work of the contractor in Sanitary Sewer Extension District No. 41, Street Improvement District No. 176 and Water Extension District No. 2007-2, and the City Engineer has prepared and presented to the Mayor and City Council plats and schedules of assessments proposed to be levied in said Districts.

Now, therefore, be it resolved by the Mayor and City Council that said plats and schedules of assessments in Sanitary Sewer Extension District No. 41, Street Improvement District No. 176 and Water Extension District No. 2007-2 are hereby ordered to be received and placed on file in the City Offices.

Passed this 13th day of January, 2009.

ATTEST:

Bastin Mikkelson
City Clerk



Councilor Shaneyfelt moved to approve Resolution 09-05 setting Board of Equalization Hearing for Wetherington Heights assessments. Councilor Phillips seconded the motion. Voting Aye: Helzer, Phillips, Shaneyfelt, Roblee and Ramsour. Nay: None. Absent and not voting: Anderson. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION NO. 09-05

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF AURORA, NEBRASKA, AS FOLLOWS:

Section 1. That the Mayor and City Council will meet as a Board of Equalization at 6:45 o'clock p.m., on the 10th day of March, 2009, at the Council Chambers in Aurora, Nebraska; and

Section 2. That the following notice of said meeting be published in six (6) issues of the Aurora News-Register on the following dates: January 28, February 4, February 11, February 18, February 25 and March 4, 2009

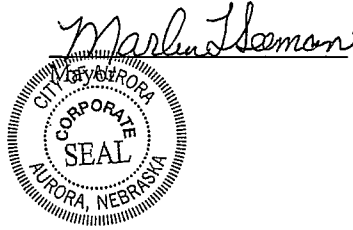
Section 3. That the City Clerk be and hereby is instructed to mail a copy of said Notice to all known resident and non-resident owners of property in Sanitary Sewer Extension District No. 41, Street Improvement District No. 176 and Water Extension District No. 2007-2, and to any other party appearing to have a direct interest in such action or proceedings; and

Section 4. That at said time and place, the Mayor and City Council of said City will grant a hearing to all persons interested and will pass a resolution making said special assessments as provided by law.

Passed this 13th day of January, 2009.

ATTEST:

Barbra Mikkeben
City Clerk



City Attorney Luzum read Ordinance No. 924 by its title: AN ORDINANCE CREATING STREET IMPROVEMENT DISTRICT NO. 180 IN THE CITY OF AURORA, NEBRASKA, ORDERING THE CONSTRUCTION OF STREET IMPROVEMENTS THEREIN.

Councilor Phillips moved to bring Ordinance No. 924 before the council and to suspend the statutory three reading rule for consideration of this Ordinance. Councilor Ramsour seconded the motion. Voting Aye: Helzer, Phillips, Shaneyfelt, Roblee and Ramsour. Nay: None. Absent and not voting: Anderson. The motion having been concurred in by three fourths majority of all members elected to the Council passed and said statutory three reading rule was suspended.

Councilor Ramsour moved for final adoption of Ordinance No. 924. Councilor Phillips seconded the motion. The Mayor stated the question, "Shall Ordinance No. 924 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Phillips, Shaneyfelt, Roblee, Ramsour and Helzer. Nay: None. Absent and not voting: Anderson.

The passage and adoption of said Ordinance having been concurred in by a majority of all members elected to the Council was by the Council President declared passed and adopted and the Council President 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. 925 by its title: AN ORDINANCE OF THE CITY OF AURORA, NEBRASKA, AMENDING CHAPTER 3, ARTICLE 8 OF THE AURORA MUNICIPAL CODE, "LATE PAYMENT CHARGE"; AND REPEALING ALL PRIOR ORDINANCES AND RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

Councilor Shaneyfelt moved to bring Ordinance No. 925 before the council and to suspend the statutory three reading rule for consideration of this Ordinance. Councilor Helzer seconded the motion. Voting Aye: Shaneyfelt, Roblee, Ramsour, Helzer and Phillips. Nay: None. Absent and not voting: Anderson. The motion having been concurred in by three fourths majority of all members elected to the Council passed and said statutory three reading rule was suspended.

Councilor Ramsour moved for final adoption of Ordinance No. 925. Councilor Phillips seconded the motion. The Mayor stated the question, "Shall Ordinance No. 925 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Roblee, Ramsour, Helzer, Phillips and Shaneyfelt. Nay: None. Absent and not voting: Anderson.

The passage and adoption of said Ordinance having been concurred in by a majority of all members elected to the Council was by the Council President declared passed and adopted and the Council President 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.

Councilor Ramsour moved to award the bid for a new tractor for the Park Department to Green Line Equipment of Aurora for \$17,700. Councilor Roblee seconded the motion. Voting Aye: Ramsour, Helzer, Phillips, Shaneyfelt and Roblee. Nay: None. Absent and not voting: Anderson. The motion carried.

Police Officer Chad Mertz gave a presentation on the implementation of a Senior Citizen Academy.

City Attorney Ross Luzum gave the oath of office to newly hired Police Officer Nate Friesen.

Mayor Seeman presented Drug Recognition Expert (DRE) Certification to Police Officer Chad Mertz.

MISCELLANEOUS:

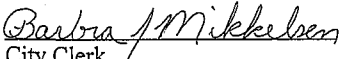
ADJOURNMENT:

Having completed all items on the agenda, and there being no further business to conduct, Mayor Seeman declared the meeting adjourned at 8:18 p.m.



Mayor

ATTEST:



City Clerk

