

Aurora, Nebraska
June 9, 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 June 9, 2009 at the City Hall. Present were Councilors: Bruce Ramsour, Dottie Anderson, 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 June 3, 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 May 26, 2009 meeting. Councilor Anderson seconded the motion. Voting Aye: Ramsour, Anderson, Helzer, Phillips and Shaneyfelt. Nay: None. Absent and not voting: Roblee. 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 May 31, 2009. Councilor Phillips moved to approve said reports. Councilor Shaneyfelt seconded the motion. Voting Aye: Anderson, Helzer, Phillips, Shaneyfelt and Ramsour. Nay: None. Absent and not voting: Roblee. 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, Ramsour and Anderson. Nay: None. Absent and not voting: Roblee. The motion carried. A listing of said claims is attached to these minutes.

City Attorney Luzum read Ordinance No. 933 by its title: AN ORDINANCE OF THE CITY OF AURORA, NEBRASKA, AUTHORIZING THE ISSUANCE OF VARIOUS PURPOSE BONDS, SERIES 2009, OF THE CITY OF AURORA, IN THE PRINCIPAL AMOUNT OF FOUR HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$475,000) TO PAY THE COST OF STREET IMPROVEMENTS IN STREET IMPROVEMENT DISTRICT NOS. 176 AND 180, WATER SYSTEM IMPROVEMENTS IN WATER EXTENSION DISTRICT NO. 2007-2 AND SANITARY SEWER IMPROVEMENTS IN SANITARY SEWER EXTENSION DISTRICT NO. 41; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Councilor Ramsour moved to bring Ordinance No. 933 before the council and to suspend the statutory three reading rule for consideration of this Ordinance. Councilor Phillips seconded the motion. Voting Aye: Phillips, Shaneyfelt, Ramsour, Anderson and Helzer. Nay: None. Absent and not voting: Roblee. 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 Phillips moved for final adoption of Ordinance No. 933. Councilor Anderson seconded the motion. The Mayor stated the question, "Shall Ordinance No. 933 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Ramsour, Anderson, Helzer, Phillips and Shaneyfelt. Nay: None. Absent and not voting: Roblee.

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. 934 by its title: AN ORDINANCE OF THE CITY OF AURORA, NEBRASKA, AUTHORIZING THE ISSUANCE OF HIGHWAY ALLOCATION FUND PLEDGE BONDS, SERIES 2009, OF THE CITY OF AURORA, IN THE PRINCIPAL AMOUNT OF ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000) TO PAY THE COST OF CERTAIN STREET IMPROVEMENTS IN THE CITY; PRESCRIBING THE FORM OF SAID BONDS; PLEDGING FUNDS TO BE RECEIVED BY THE CITY FROM THE STATE OF NEBRASKA HIGHWAY ALLOCATION FUND FOR THE PAYMENT OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME IF NECESSARY; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Councilor Phillips moved to bring Ordinance No. 934 before the council and to suspend the statutory three reading rule for consideration of this Ordinance. Councilor Anderson seconded the motion. Voting Aye: Ramsour, Anderson, Helzer, Phillips and Shaneyfelt. Nay: None. Absent and not voting: Roblee. 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. 934. Councilor Helzer seconded the motion. The Mayor stated the question, "Shall Ordinance No. 934 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Ramsour, Anderson, Helzer, Phillips and Shaneyfelt. Nay: None. Absent and not voting: Roblee.

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. 935 by its title AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, SERIES 2009, OF THE CITY OF AURORA, NEBRASKA, OF THE PRINCIPAL AMOUNT OF EIGHT HUNDRED FIVE THOUSAND DOLLARS (\$805,000) FOR THE PURPOSE OF PROVIDING INTERIM FINANCING FOR A PORTION OF THE COSTS OF CONSTRUCTING IMPROVEMENTS IN STREET IMPROVEMENT DISTRICT NOS. 180 AND 181, SANITARY SEWER EXTENSION DISTRICT NO. 43, AND WATER EXTENSION DISTRICT NO. 2009-1; PENDING THE ISSUANCE OF PERMANENT GENERAL OBLIGATION BONDS; PRESCRIBING THE FORM OF SAID NOTES; AGREEING TO ISSUE GENERAL OBLIGATION BONDS TO PAY THE NOTES AT MATURITY OR TO PAY THE NOTES FROM OTHER AVAILABLE FUNDS; AND, ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE HOLDERS OF SAID NOTES.

Councilor Phillips moved to bring Ordinance No. 935 before the council and to suspend the statutory three reading rule for consideration of this Ordinance. Councilor Shaneyfelt seconded the motion. Voting Aye: Anderson, Helzer, Phillips, Shaneyfelt and Ramsour. Nay: None. Absent and not voting: Roblee. 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. 935. Councilor Anderson seconded the motion. The Mayor stated the question, "Shall Ordinance No. 935 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Helzer, Phillips, Shaneyfelt, Ramsour and Anderson. Nay: None. Absent and not voting: Roblee.

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.

Tyler Doane of JEO Consulting presented Pay Application No. 1 for Werner Construction for Northridge Subdivision for \$40,054.16. Councilor Shaneyfelt moved to approve Pay Application No. 1 for Werner Construction for Northridge Subdivision for \$40,054.16. Councilor Phillips seconded the motion. Voting Aye: Phillips, Shaneyfelt, Ramsour, Anderson and Helzer. Nay: None. Absent and not voting: Roblee. The motion carried.

Tyler Doane of JEO Consulting reviewed Change Order No. 2 for the Quiet Zone Project-M.E. Collins contractor an Increase of \$16,086.17. Councilor Ramsour moved to approve Change Order No. 2 for the Quiet Zone Project-M.E. Collins contractor an Increase of \$16,086.17. Councilor Phillips seconded the motion. Voting Aye: Shaneyfelt, Ramsour, Anderson, Helzer and Phillips. Nay: None. Absent and not voting: Roblee. The motion carried.

Tyler Doane of JEO Consulting presented Pay Application No. 1 for M.E. Collins Contracting for the Quiet Zone Project for \$76,177.30. Councilor Shaneyfelt moved to approve Pay Application No. 1 for M.E. Collins Contracting for the Quiet Zone Project for \$76,177.30. Councilor Phillips seconded the motion. Voting Aye: Ramsour, Anderson, Helzer, Phillips and Shaneyfelt. Nay: None. Absent and not voting: Roblee. The motion carried.

Councilor Ramsour moved to accept the Nebraska Department of Economic Developments payment of \$29,948.81 as full payment for the Cedar Grove Apartments special assessments. Councilor Helzer seconded the motion. Voting Aye: Ramsour, Anderson, Helzer, Phillips and Shaneyfelt. Nay: None. Absent and not voting: Roblee. The motion carried.

Councilor Shaneyfelt moved to authorize the Mayor to enter into an agreement with with Stahr & Associates for a General Redevelopment Area. Councilor Phillips seconded the motion. Voting Aye: Anderson, Helzer, Phillips, Shaneyfelt and Ramsour. Nay: None. Absent and not voting: Roblee. The motion carried.

Councilor Shaneyfelt moved to authorize the Mayor to purchase land for future development. Councilor Ramsour seconded the motion. Voting Aye: Helzer, Phillips, Shaneyfelt, Ramsour and Anderson. Nay: None. Absent and not voting: Roblee. The motion carried.

Councilor Shaneyfelt moved to approve the certification of the City Administrator's approval of a lot split for the following: Lot 1 Woodard 2nd Addition and Lot 2 Woodard 3rd Subdivision all in the City of Aurora, Hamilton County, Nebraska . Councilor Phillips seconded the motion. Voting Aye: Phillips, Shaneyfelt, Ramsour, Anderson and Helzer. Nay: None. Absent and not voting: Roblee. The motion carried.

Councilor Ramsour moved to approve Resolution 09-19 changing the spelling of "Terry Road" to "Terrie Road". Councilor Helzer seconded the motion. Voting Aye: Shaneyfelt, Ramsour, Anderson, Helzer and Phillips. Nay: None. Absent and not voting: Roblee. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION 09-19

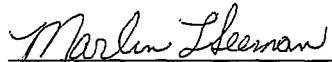
WHEREAS, the City of Aurora, owner of public street located within city limits, previously platted and known as Terry Road, wishes to change the name of the street to Terrie Road;

AND WHEREAS, the City Council has held a public hearing which was advertised as provided by law to receive input regarding said name change request;

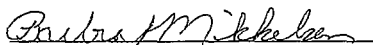
AND WEHREAS the City Council hearing no reason why the name change should not be approved, now finds that said name change request should be approved.

NOW THEREFORE, BE IT RESOLVED that the street previously know as Terry Road shall henceforth be know as Terrie Road, and that the Mayor and City Clerk be authorized to execute the approval of said name change, and cause the same to be file as required by law.

Passed and adopted this 9th day of June, 2009.


Mayor

ATTEST:


City Clerk



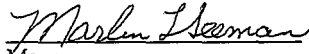
Councilor Shaneyfelt moved to approve the applications to sell fireworks, received from: James Clarke dba Fireworks 4-Less (Aurora Mall), Richard Ludvik dba Ka-Boomer's Half Price Fireworks (Pin Setter's), Jim Stannard/Bellino Fireworks, Inc. (Hwy 14 & I-80 CTR Investments), Keith Christensen dba Stars & Stripes Fireworks (Dollar General), Jason Lawhorne (1508 16th Street). Councilor Ramsour seconded the motion. Voting Aye: Ramsour, Anderson, Helzer, Phillips and Shaneyfelt. Nay: None. Absent and not voting: Roblee. The motion carried.

Councilor Ramsour moved to cancel the second council meeting in June. Councilor Helzer seconded the motion. Voting Aye: Ramsour, Anderson, Helzer, Phillips and Shaneyfelt. Nay: None. Absent and not voting: Roblee. The motion carried.

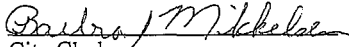
MISCELLANEOUS:

ADJOURNMENT:

Having completed all items on the agenda, and there being no further business to conduct, Mayor Seeman declared the meeting adjourned at 8:01 p.m.


Mayor

ATTEST:


City Clerk

