

Aurora, Nebraska
October 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 October 13, 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 October 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 September 22 and 23, 2009 meetings. Councilor Helzer seconded the motion. Voting Aye: Ramsour, Anderson, Helzer, Phillips and Shaneyfelt. Nay: None. Absent and not voting: Roblee. The motion carried.

PETITIONS, COMPLAINTS, COMMUNICATIONS:

City Administrator Bair stated we were applying the Council's policy of not requiring annual permission for re-occurring community events to "Scare the Square" and other Chamber events. These events do not require a noise variance or a liquor license therefore they will not be required to annually ask permission to use the streets around the square unless they significantly change their event.

REPORTS BY OFFICERS, BOARD, COMMITTEES:

Clerk/Treasurer Mikkelsen presented the Expenditure and Clerk/Treasurer reports for the month ending September 30, 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 Member 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.

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 of the South ½ of the West PT of Lot 7 EXC PT to the ST Bates Sub, 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. He stated the Planning Commission recommended approval of the minor subdivision with the condition that a detention area be installed adequate to provide the proper drainage during a 10 year storm event draining from the Northwest corner of Lot 1. Jim McHargue stated that the drainage issue was being fixed and that his plans were to put storage units on the lot. 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 09-30 with the condition that a detention area be installed adequate to provide the proper drainage during a 10 year storm event draining from the Northwest corner of Lot 1. Councilor Helzer seconded the motion. Voting Aye: Phillips, Shaneyfelt, Ramsour, Anderson and Helzer. Nay: None. Absent and not voting: Roblee. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION NO. 09-30

WHEREAS, the Aurora Planning Commission and the Aurora City Council have held public hearings to receive public input regarding the minor subdivision final plat of McHargue Subdivision, a replat of the South ½ of the West Part of Lot Seven (7), Except the Part to the State, Bates 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 minor subdivision final plat of McHargue Subdivision meets the requirements of the Subdivision Regulations of the City of Aurora, and the Statutes of the State of Nebraska; and

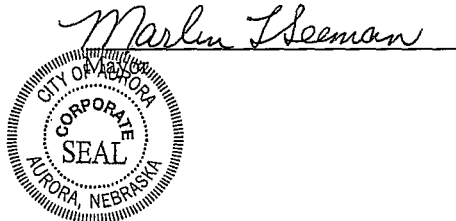
WHEREAS, the Aurora Planning Commission has recommended to the City Council approval of the minor subdivision final plat to be known as McHargue Subdivision and has recommended that it be included within the Corporate limits, and the City Council on this date has voted for approval of this Subdivision; 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 minor subdivision final plat of McHargue 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 September, 2009.

ATTEST:

Barbara Mikkelsen
City Clerk



Mayor Seeman stated that on the advice of the City Engineers, JEO Consulting no action would be taken at this time on agenda items #7 and #8.

Troy Johnston of JEO Consulting presented the report of substantial completion of the Madison Avenue Project. He stated the report needed to be accepted in order obtain permanent financing for the project. Councilor Ramsour moved to accept JEO Consulting's Report of Substantial Completion for the Madison Avenue Project. Councilor Anderson seconded the motion. Voting Aye: Ramsour, Anderson, Helzer, Phillips and Shaneyfelt. Nay: None. Absent and not voting: Helzer. The motion carried.

City Attorney Luzum read Ordinance No. 938 by its title: AN ORDINANCE OF THE CITY OF AURORA, NEBRASKA, AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION DISTRICT IMPROVEMENT BONDS, SERIES 2009, OF THE CITY OF AURORA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000) TO PAY THE COST OF STREET IMPROVEMENTS IN STREET IMPROVEMENT DISTRICT NO. 179; 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.

Cody Wickham of D.A. Davidson & Company reviewed Ordinance No. 938. Councilor Phillips moved to bring Ordinance No. 938 before the council and to suspend the statutory three reading rule for consideration of this Ordinance. Councilor Shaneyfelt 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. 938. Councilor Helzer seconded the motion. The Mayor stated the question, "Shall Ordinance No. 938 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Anderson, Helzer, Phillips, Shaneyfelt and Ramsour. 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.

Kirt Smith, Hamilton County Emergency Management Director reviewed Resolution 09-31, Multi-Jurisdictional Hazard Mitigation Plan. Councilor Shaneyfelt moved to approve Resolution 09-31 the Multi-Jurisdictional Hazard Mitigation Plan. Councilor Phillips seconded the motion. Voting Aye: Helzer, Phillips, Shaneyfelt, Ramsour and Anderson. Nay: None. Absent and not voting: Roblee. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION 09-31

WHEREAS, the Federal Disaster Mitigation Act of 2000 was signed in to law on October 30, 2000, placing new emphasis on state and local mitigation planning for natural hazards and requiring communities to adopt a hazard mitigation action plan to be eligible for pre-disaster and post-disaster federal funding for mitigation purposes; and

WHEREAS, a Multi-Jurisdictional Hazard Mitigation Plan was prepared by Hamilton County with assistance from JEO Consulting Group, Inc. of Lincoln, NE, which includes the City of Aurora.

WHEREAS, the purpose of the mitigation plan was to lessen the affects of disasters by increasing the disaster resistance of the County and participating jurisdictions located within the planning boundary by identifying the hazards that affect the County and prioritize mitigation strategies to reduce potential loss of life and property damage from those hazards, and

WHEREAS, FEMA regulations require documentation that the plan has been formally adopted by the governing body of the City of Aurora in the form of a resolution and further requesting approval of the plan at the Federal Level; and

NOW, THEREFORE, the governing body of the City of Aurora does herewith adopt the Hamilton County Multi-Jurisdictional Hazard Mitigation Plan in its entirety and request approval of the plan at the Federal Level.

PASSED AND APPROVED this 13th day of October, 2009.

Marlin Seeman

Mayor

ATTEST:

Barbara Mikkelson
City Clerk



Councilor Ramsour moved to authorize advertising for RFP's for CDBG Power Park Project. Councilor Anderson seconded the motion. Voting Aye: Phillips, Shaneyfelt, Ramsour, Anderson and Helzer. Nay: None. Absent and not voting: Roblee. The motion carried.

Councilor Anderson moved to authorize two (2) temporary police officer positions. Councilor Helzer seconded the motion. Voting Aye: Shaneyfelt, Ramsour, Anderson, Helzer and Phillips. Nay: None. Absent and not voting: Roblee. The motion carried.

City Administrator Bair reviewed the agreement with Miller & Associates to perform work for assisting with grant documentation and requirements for a planning grant for a data center. Councilor Shaneyfelt moved to authorize the Mayor to enter into an agreement with Miller & Associates to perform work for assisting with grant documentation and requirements for a planning grant for a data center. Councilor Anderson 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 approve amendments to the Annual Pay Plan. Councilor Phillips 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 7:58 p.m.

Marlin Seeman

Mayor

ATTEST:

Barbara Mikkelson
City Clerk



Aurora, Nebraska
October 27, 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 October 27, 2009 at the City Hall. Present were Councilors: Wayne Roblee, 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 October 21, 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 PRESCRIBED 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 October 13, 2009 meeting. Councilor Helzer seconded the motion. Voting Aye: Ramsour, Anderson, Helzer, Phillips, Shaneyfelt and Roblee. Nay: None. The motion carried.

PETITIONS, COMPLAINTS, COMMUNICATIONS:

REPORTS BY OFFICERS, BOARD, COMMITTEES:

Teresa Anderson of the Central District Health Department presented information on the H1N1 Virus (Swine Flue).

Councilor Ramsour moved to approve Pay Application No.1 for ABCreative, Inc, for the Lincoln Creek pocket park playground equipment for \$24,304.80. Councilor Roblee seconded the motion. Voting Aye: Anderson, Helzer, Phillips, Shaneyfelt, Roblee and Ramsour. Nay: None. The motion carried.

Councilor Phillips moved to accept the proposal from Kielian Construction, Inc. in the amount of \$4,400 for replacement railings around the Fidelity Building lot. Councilor Anderson seconded the motion. Voting Aye: Helzer, Phillips, Shaneyfelt, Roblee, Ramsour and Anderson. Nay: None. The motion carried.

Councilor Shaneyfelt moved to approve the certification of the City Administrator's approval of a lot split for the following: A part of Lots Five (5) and Six (6), Block Twelve (12), Miller's Addition, City of Aurora, Hamilton County, Nebraska. Councilor Phillips seconded the motion. Voting Aye: Phillips, Shaneyfelt, Roblee, Ramsour, Anderson and Helzer. Nay: None. The motion carried.

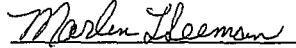
Councilor Roblee moved to approve the "Fitness for Duty" Policy. Councilor Helzer seconded the motion. Voting Aye: Shaneyfelt, Roblee, Ramsour, Anderson, Helzer and Phillips. Nay: None. The motion carried.

Councilor Ramsour moved to cancel the second Council Meetings in November and December. Councilor Anderson seconded the motion. Voting Aye: Roblee, Ramsour, Anderson, Helzer, Phillips and Shaneyfelt. Nay: None. 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 8:09 p.m.



Mayor

ATTEST:



City Clerk

