

Aurora, Nebraska  
July 13, 2010

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 13, 2010 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 July 7, 2010. 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 June 22, 2010 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:**

Clerk/Treasurer Mikkelsen presented the Expenditure and Clerk/Treasurer reports for the month ending June 30, 2010. Councilor Shaneyfelt moved to approve said reports. Councilor Phillips seconded the motion. Voting Aye: Anderson, Helzer, Phillips, Shaneyfelt, Roblee and Ramsour. Nay: None. 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 Roblee seconded the motion. Voting Aye: Helzer, Phillips, Shaneyfelt, Roblee, Ramsour and Anderson. Nay: None. 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 hear public comments regarding support, opposition, criticism, suggestions, and observations relating to authorizing the Mayor to acquire on a willing buyer-willing seller basis or any other form of voluntary transfer real estate located at 907 14th Street, Aurora, Nebraska

Mayor Seeman asked if there was anyone present who wished to speak in favor of or in opposition to the purchase. There being no one present that wished to speak in favor of or in opposition to the request the Mayor declared the public hearing closed.

Councilor Phillips moved to approve Resolution 10-10 calling VP Series 2003 Bonds. Councilor Anderson seconded the motion. Voting Aye: Phillips, Shaneyfelt, Roblee, Ramsour, Anderson and Helzer. Nay: None. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION NO. 10-10

RESOLUTION CALLING  
VARIOUS PURPOSE BONDS, SERIES 2003  
FOR REDEMPTION

BE IT RESOLVED by the Mayor and City Council of the City of Aurora, Nebraska, as follows:

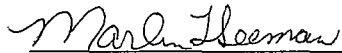
Section 1. That the following bonds are hereby called for redemption at par plus accrued interest on August 16, 2010 after which date said bonds shall cease to bear interest:

Various Purpose Bonds, Series 2003, dated August 1, 2003, in the principal amount of \$270,000, numbered as shown on the records of the paying agent and registrar, becoming due on August 1 in each year from August 1, 2011, through August 1, 2018, issued by the City to pay the costs of certain street improvements (including intersections) constructed in Street Improvement District No. 171 and certain sanitary sewer extension improvements constructed in Sanitary Sewer Extension District No. 36, all within the City of Aurora, Nebraska .


Section 2. Said bonds are payable at the office of Cornerstone Bank, in York, Nebraska.

Section 3. A copy of this resolution shall be filed at least 30 days prior to the date of call with Cornerstone Bank, in York, Nebraska, as Paying Agent and Registrar and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

PASSED AND APPROVED this 13<sup>th</sup> day of July, 2010.

  
MAYOR

ATTEST:

  
CITY CLERK



Councilor Ramsour moved to approve Resolution 10-11 calling VP Series 2003 A Bonds. Councilor Roblee seconded the motion. Voting Aye: Shaneyfelt, Roblee, Ramsour, Anderson, Helzer and Phillips. Nay: None. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION NO. 10-11

RESOLUTION CALLING  
VARIOUS PURPOSE BONDS, SERIES 2003A  
FOR REDEMPTION

BE IT RESOLVED by the Mayor and City Council of the City of Aurora, Nebraska, as follows:

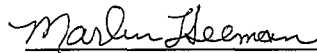
Section 1. That the following bonds are hereby called for redemption at par plus accrued interest on August 16, 2010 after which date said bonds shall cease to bear interest:

Various Purpose Bonds, Series 2003A, dated September 15, 2003, in the principal amount of \$25,000, numbered as shown on the records of the paying agent and registrar, becoming due on August 1 in each year from August 1, 2011, through August 1, 2012, issued by the City to pay the costs of certain street improvements constructed in Street Improvement Project 2001-1, certain sanitary sewer extension improvements constructed in Sanitary Sewer Extension District Nos. 33 and 34, and certain water extension improvements constructed in Water Extension District Nos. 2001-1 and 2001-2, all within the City of Aurora, Nebraska.

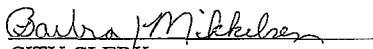
Section 2. Said bonds are payable at the office of Cornerstone Bank, in York, Nebraska.

Section 3. A copy of this resolution shall be filed at least 30 days prior to the date of call with Cornerstone Bank, in York, Nebraska, as Paying Agent and Registrar and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

PASSED AND APPROVED this 13<sup>th</sup> day of July, 2010.

  
MAYOR

ATTEST:

  
CITY CLERK



Councilor Shaneyfelt moved to approve Resolution 10-12 calling Hwy Allocation Series 2003B. Councilor Helzer seconded the motion. Voting Aye: Roblee, Ramsour, Anderson, Helzer, Phillips and Shaneyfelt. Nay: None. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION NO. 10-12

RESOLUTION CALLING  
HIGHWAY ALLOCATION FUND PLEDGE BONDS, SERIES 2003B  
FOR REDEMPTION

BE IT RESOLVED by the Mayor and City Council of the City of Aurora, Nebraska, as follows:

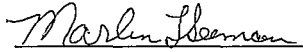
Section 1. That the following bonds are hereby called for redemption at par plus accrued interest on August 16, 2010 after which date said bonds shall cease to bear interest:

Highway Allocation Fund Pledge Bonds, Series 2003B, dated September 15, 2003, in the principal amount of \$140,000, numbered as shown on the records of the paying agent and registrar, becoming due on August 1 in each year from August 1, 2012, through August 1, 2018, issued by the City to pay the costs of certain street improvements (including intersections) constructed in Street Improvement District No. 171 and certain sanitary sewer extension improvements constructed in Sanitary Sewer Extension District No. 36, all within the City of Aurora, Nebraska.

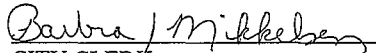
Section 2. Said bonds are payable at the office of Cornerstone Bank, in York, Nebraska.

Section 3. A copy of this resolution shall be filed at least 30 days prior to the date of call with Cornerstone Bank, in York, Nebraska, as Paying Agent and Registrar and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

PASSED AND APPROVED this 13<sup>th</sup> day of July, 2010.



ATTEST:

  
CITY CLERK



Mike Schultes of JEO Consulting explained Change Order No. 2 for the Cole Park Improvements Project for Dostals Construction Co. an increase of \$22,647.68. Councilor Ramsour moved to approve Change Order No. 2 for the Cole Park Improvements Project for Dostals Construction Co. an increase of \$22,647.68. Councilor Helzer seconded the motion. Voting Aye: Ramsour, Anderson, Helzer, Phillips, Shaneyfelt and Roblee. Nay: None. The motion carried.

Mike Schultes of JEO Consulting reviewed Pay Application No. 2 for Dostals Construction for Cole Park Improvements for \$69,989.90. Councilor Ramsour moved to approve Pay Application No. 2 for Dostals Construction for Cole Park Improvements for \$69,989.90. Councilor Roblee seconded the motion. Voting Aye: Anderson, Helzer, Phillips, Shaneyfelt, Roblee and Ramsour. Nay: None. The motion carried.

Councilor Roblee moved to authorize the Mayor to enter into and interlocal agreement with Hamilton County relating to the sharing of holiday decorating duties. Councilor Shaneyfelt seconded the motion. Voting Aye: Helzer, Phillips, Shaneyfelt, Roblee, Ramsour and Anderson. Nay: None. The motion carried.

Councilor Phillips moved to authorize the Mayor to enter into an agreement with Miller & Associates to do an ADA Study. Councilor Ramsour seconded the motion. Voting Aye: Phillips, Shaneyfelt, Roblee, Ramsour, Anderson and Helzer. Nay: None. The motion carried.

Councilor Shaneyfelt moved to approve the certification of the City Administrator's approval of a lot split for the property located at: Lot Thirty-Three (33), Lincoln Creek Subdivision, and a part of Lot One (1) Prairie Fire Estates Subdivision, City of Aurora Hamilton County, NE. Councilor Phillips seconded the motion. Voting Aye: Shaneyfelt, Roblee, Ramsour, Anderson, Helzer and Phillips. Nay: None. The motion carried.

Councilor Ramsour moved to deny the Noise Control Special Variance Application from Stanley Valasek for Overtime Bar & Grill. Councilor Anderson seconded the motion. Discussion was held on the topic. After the discussion the Mayor called for the roll call vote. Voting Aye: Roblee, Ramsour, Anderson, Helzer and Shaneyfelt. Nay: None. Abstain: Phillips. The motion carried. The Noise Control Special Variance Application from Stanley Valasek for Overtime Bar & Grill was denied. The reason for denial being an adverse impact on persons affected.

Discussion was held to explore the idea of limiting fireworks sales dates and dates that fireworks can be shot off inside the city.

MISCELLANEOUS:

ADJOURNMENT:

Having completed all items on the agenda, and there being no further business to conduct, Council President Phillips declared the meeting adjourned at 8:22 p.m.

Marlin Heeman  
Mayor

ATTEST:

Barbara Mikkelsen  
City Clerk

