

Aurora, Nebraska  
August 24, 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 August 24, 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 posted in three places on August 18, 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 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 August 10, 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:**

City Attorney Luzum read Ordinance No. 951: AN ORDINANCE OF THE CITY OF AURORA, NEBRASKA, AUTHORIZING THE ISSUANCE OF VARIOUS PURPOSE BONDS, SERIES 2010, OF THE CITY OF AURORA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED SIX HUNDRED NINETY THOUSAND DOLLARS (\$690,000) TO PAY THE COST OF STREET IMPROVEMENTS IN STREET IMPROVEMENT DISTRICT NO. 181, WATER SYSTEM IMPROVEMENTS IN WATER EXTENSION DISTRICT NO. 2009-1 AND SANITARY SEWER IMPROVEMENTS IN SANITARY SEWER EXTENSION DISTRICT NO. 43; 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 Phillips moved to bring Ordinance No. 951 before the council and to suspend the statutory three reading rule for consideration of this Ordinance. Councilor Anderson seconded the motion. Voting Aye: Anderson, Helzer, Phillips, Shaneyfelt, Roblee and Ramsour. Nay: None. 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. 951. Councilor Roblee seconded the motion. The Mayor stated the question, "Shall Ordinance No. 951 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Helzer, Phillips, Shaneyfelt, Roblee, Ramsour and Anderson. Nay: None.

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.

Jeff Bart a representative of AACD spoke to the Council regarding approval to place a "Welcome to Aurora" sign in Streeter Park. Councilor Phillips moved to authorize AACD to place a "Welcome to Aurora" sign in Streeter Park. Councilor Anderson seconded the motion. Voting Aye: Phillips, Shaneyfelt, Roblee, Ramsour, Anderson and Helzer. Nay: None. The motion carried.

Zoning Administrator Melcher reviewed the vacating of an easement running through the vacated alley adjacent to Block 2, Bossingham Subdivision, Aurora, Hamilton Co, NE for Memorial Community Health, Inc. He then reviewed the agreement between with Memorial Community Health, Inc. for a permanent easement. He then reviewed an agreement with Memorial Community Health, Inc. to assume ownership for a water line located between O Street and Q Street north of 6th Street to use as a service line. Diane Keller representing Memorial Community Health, Inc. stated the Memorial Community Health, Inc. was in favor of all 3 items.

City Attorney Luzum read Ordinance No. 952: AN ORDINANCE VACATING THE PUBLIC UTILITY EASEMENT RUNNING THROUGH ALL THE VACATED ALLEY ADJACENT TO BLOCK 2, BOSSINGHAM SUBDIVISION, CITY OF AURORA, HAMILTON COUNTY, NEBRASKA, AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Councilor Ramsour moved to bring Ordinance No. 952 before the council and to suspend the statutory three reading rule for consideration of this Ordinance. Councilor Roblee seconded the motion. Voting Aye: Shaneyfelt, Roblee, Ramsour, Anderson, Helzer and Phillips. Nay: None. 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. 952. Councilor Helzer seconded the motion. The Mayor stated the question, "Shall Ordinance No. 952 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Roblee, Ramsour, Anderson, Helzer, Phillips and Shaneyfelt. Nay: None.

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 Shaneyfelt moved to authorize the Mayor to enter into an agreement with Memorial Community Health, Inc. for a permanent easement. Councilor Anderson seconded the motion. Voting Aye: Ramsour, Anderson, Helzer, Phillips, Shaneyfelt and Roblee. Nay: None. The motion carried.

Councilor Shaneyfelt moved to authorize the Mayor to enter into an agreement with Memorial Community Health, Inc. to assume ownership for a water line located between O Street and Q Street north of 6th Street to use as a service line. Councilor Ramsour 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 renew the Interlocal Agreement for Public Safety Services. Councilor Anderson seconded the motion. Voting Aye: Helzer, Phillips, Shaneyfelt, Roblee, Ramsour and Anderson. Nay: None. The motion carried.

Christian Evans of AACD explained Resolution 10-16 supporting participation in Nebraska's Economic Development Certified Community Program. Councilor Ramsour moved to approve Resolution 10-16 supporting participation in Nebraska's Economic Development Certified Community Program. Councilor Phillips 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 10-16

*WHEREAS*, local municipal government, county government, and regional economic development entities must provide leadership and coordination for economic development efforts; and

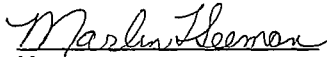
*WHEREAS*, economic development needs can best be solved through a cooperative effort between local, county, regional and state economic development organizations and entities; and

*WHEREAS*, there is a need to recognize and promote our community's organizational readiness, infrastructure investment, ability to respond to business needs, and

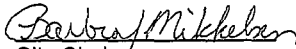
*WHEREAS*, the Economic Development Certified Community Program, administered by the Nebraska Department of Economic Development, has been reviewed and found to be a program promoting our community's economic development preparedness;

*THEREFORE*, the City Council of Aurora, do herewith pledge their full support, endorsement, and cooperation for participation in Nebraska's Economic Development Certified Community Program by the City of Aurora, Hamilton County and the Aurora Area Chamber & Development Corporation.

Passed and adopted this 24<sup>th</sup> day of August, 2010.

  
Mayor

ATTEST:

  
City Clerk



Councilor Shaneyfelt moved to approve the certification of the City Administrator's approval of a lot split for the property located at Lot Thirty-one(31), 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.

A lengthy discussion was held on the request for a Noise Control Special Variance Application from Stanley Valasek for Overtime Bar & Grill. Stan Valasek spoke in favor of the variance. Philip Shively spoke against the variance. Councilor Phillips moved to approve the Noise Control Special Variance Application from Stanley Valasek for Overtime Bar & Grill for October 9, 2010 from 7:30p.m to 11:30p.m. Councilor Shaneyfelt seconded the motion. Voting Aye: Phillips and Shaneyfelt. Nay: Roblee, Ramsour, Anderson and Helzer. The motion failed.

**MISCELLANEOUS:**

**ADJOURNMENT:**

Having completed all items on the agenda, and there being no further business to conduct, Mayor Seeman declared the meeting adjourned at 8:41 p.m.

*Marlin Seeman*  
Mayor

**ATTEST:**

*Barbara Melhies*  
City Clerk

