

Aurora, Nebraska
January 11, 2011

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 11, 2011 at the City Hall. Present were Councilors: Bruce Ramsour, Phillip Hupf, Dick Phillips and Paul Shaneyfelt. Mayor Marlin Seeman conducted the meeting. City Officials present were 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 5, 2011. 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 Shaneyfelt moved to approve the minutes from the December 14, 2010 meeting. Councilor Hupf seconded the motion. Voting Aye: Ramsour, Hupf, 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 December 31, 2010. Councilor Phillips moved to approve said reports. Councilor Shaneyfelt seconded the motion. Voting Aye: Hupf, Phillips, Shaneyfelt and Ramsour. Nay: None. Absent and not voting: Roblee. The motion carried.

Claims Committee Member Ramsour 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 Hupf seconded the motion. Voting Aye: Hupf, Phillips, Shaneyfelt and Ramsour. Nay: None. Absent and not voting: Roblee. The motion carried. A listing of said claims is attached to these minutes.

Mayor Seeman said the first order of business was to declare a vacancy for council member from Ward 1 and direct the City Clerk to publish the vacancy. Councilor Shaneyfelt moved to declare a vacancy for council member from Ward 1 and direct the City Clerk to publish the vacancy. Councilor Phillips seconded the motion. Voting Aye: Phillips, Shaneyfelt, Ramsour and Hupf. Nay: None. Absent and not voting: Roblee. The motion carried.

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 part of the Southeast Quarter of the Southeast Quarter (SE ¼, SE ¼), Section Five (5), Township Ten (10) North, Range Six (6) West of the 6th P.M., 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 11-01. Councilor Phillips seconded the motion. Voting Aye: Shaneyfelt, Ramsour, Hupf and Phillips. Nay: None. Absent and not voting: Roblee. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION 11-01

WHEREAS, a plat for a minor subdivision has been submitted by Robert Honken and Bethany Honken, in accordance with the Subdivision Regulations of the City of Aurora, for property located at a part of the Southeast Quarter of the Southeast Quarter (SE1/4, SE1/4), Section Five (5), Township Ten (10) North, Range Six (6) West of the 6th P.M., Hamilton County, Nebraska, to be known as Honken Acres Subdivision, which is more particularly described as follows:

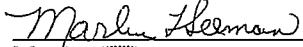
Commencing at the southeast corner of said Southeast Quarter of the Southeast Quarter (SE1/4, SE1/4); thence N 89°54'43" W on and upon the south line of said Southeast Quarter of the Southeast Quarter (SE1/4, SE1/4) a distance of Seven Hundred Twenty Six and Three Hundredths (726.03) feet to the southeast corner of "Kremer 3rd Subdivision"; thence N 00°22'57" E on and upon the east line of said "Kremer 3rd Subdivision" a distance of Thirty Three (33.00) feet to the Point of Beginning; thence continuing upon the aforesaid bearing a distance of Seven Hundred Three and Fifty Six Hundredths (703.56) feet to the northeast corner of said "Kremer 3rd Subdivision", said point also being on the southerly right-of-way line of the "Burlington Northern Santa Fe Railway"; thence N 49°52'46" E on and upon the southerly right-of-way line of the "Burlington Northern Santa Fe Railway" a distance of Nineteen and Thirty Nine Hundredths (19.39) feet to the southwest corner of "Lot Two (2), Kremer Subdivision"; thence S 86°55'43" E on and upon the south line of said "Lot Two (2) Kremer Subdivision" a distance of Six Hundred Seventy Nine and Fifteen Hundredths (679.15) feet to a point on the westerly right-of-way line of "1st Street"; thence S 00°23'27" W on and upon the westerly right-of-way line of said "1st Street" and parallel with the east line of said Southeast Quarter of the Southeast Quarter (SE1/4, SE1/4) a distance of Six Hundred Eighty and Seventy Two Hundredths (680.72) feet to a point on the northerly right-of-way line of "12 Road"; thence N 89°54'43" W on and upon the northerly right-of-way line of said "12 Road" and parallel to the south line of said Southeast Quarter of the Southeast Quarter (SE1/4, SE1/4) a distance of Six Hundred Ninety Three and Five Hundredths (693.05) feet to the Point of Beginning. Said tract contains 11.116 acres more or less; and

WHEREAS, said minor subdivision was approved by the Aurora Planning Commission after a duly advertised public hearing held on January 5, 2011, and the planning commission recommended the minor subdivision to the City Council for recommendation and approval; and

WHEREAS, the City Council held a duly advertised public hearing on January 11, 2011, and on that date moved to accept the recommendation of the Planning Commission;

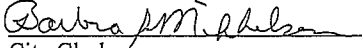
BE IT THEREFORE RESOLVED by the Mayor and City Council of the City of Aurora, Nebraska, that Honken Acres Subdivision be approved and the Mayor and the City Clerk be authorized to execute the approval of same.

Passed and adopted this 11th day of January, 2011.



Mayor

ATTEST:



City Clerk



Councilor Ramsour moved to accept the resignation of City Administrator Michael Bair with great reluctance. Councilor Hupf seconded the motion. Voting Aye: Ramsour, Hupf, Phillips and Shaneyfelt. Nay: None. Absent and not voting: Roblee. The motion carried.

Councilor Phillips moved to approve Resolution 11-02 regarding the City Administrator position. Councilor Shaneyfelt seconded the motion. Voting Aye: Ramsour, Hupf, Phillips and Shaneyfelt. Nay: None. Absent and not voting: Roblee. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION 11-02

WHEREAS, Chapter 1 Article 2 Section 1-202 of the Municipal Code of the City of Aurora, Nebraska, establishes the office of the City Administrator pursuant to the statutes of the State of Nebraska, including section 17-604, to act as an agent of the Mayor in the discharge of all duties, responsibilities, and powers as set forth in Chapter 1 Article 2 Section 1-203 of the Municipal Code of the City of Aurora, Nebraska; and

WHEREAS, Michael Bair was appointed as the first Aurora City Administrator in January 1989; and

WHEREAS, Michael Bair has announced his intention to resign the position of Aurora City Administrator not later than June 10, 2011, and it reasonably appears that Michael Bair will be absent from the City and, thus, incapable of discharging such duties, responsibilities, and powers from time to time beginning January 11, 2011, through June 10, 2011; and

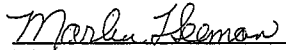
WHEREAS, the City of Aurora has a number of ongoing projects that will not be completed within said time frame, the continued progress of which is paramount to the best interests of the City, and an interruption in City leadership would prove detrimental to completion in a timely manner; and

WHEREAS, the City desires that a smooth transition in municipal leadership be undertaken to insure the continued efficiency and success of such ongoing projects and continued high standards of municipal service delivery.

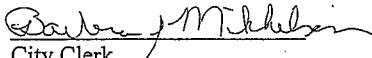
NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL that the City of Aurora's current Grant Administrator, Jane Berry, shall serve as Interim City Administrator in Michael Bair's absence, and for a term effective immediately ending not later than June 10, 2011, and shall be vested with all duties, responsibilities, and powers as set forth in Chapter 1 Article 2 Section 1-203 of the Municipal Code of the City of Aurora, Nebraska, and compensation for such position shall be negotiated under terms mutually agreeable to the Interim City Administrator and City Council.

Furthermore, a City Council Search Committee consisting of the Mayor, Council President, and two members of the Aurora City Council shall be appointed by the Mayor to immediately undertake the search for a new City Administrator.

Passed and adopted this 11th day of January, 2011.


Mayor

ATTEST:


City Clerk



Councilor Phillips moved to authorize the Mayor to contract with Bill Podraza to assist with the City Administrator Search. Councilor Ramsour seconded the motion. Voting Aye: Hupf, Phillips, Shaneyfelt and Ramsour. Nay: None. Absent and not voting: Roblee. The motion carried.

City Attorney Luzum read Ordinance No. 959 by its title: AN ORDINANCE OF THE CITY OF AURORA, NEBRASKA, AMENDING CHAPTER 1, AND ADDING ARTICLE 10 "INDEMNIFICATION OF OFFICERS AND EMPLOYEES" TO THE AURORA MUNICIPAL CODE; AND REPEALING ALL PRIOR ORDINANCES AND RESOLUTIONS OR PARTS THEREOF IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

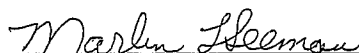
Councilor Phillips moved to bring Ordinance No. 959 before the council and to approve the first reading of this ordinance. Councilor Ramsour seconded the motion. Voting Aye: Hupf, Phillips, Shaneyfelt and Ramsour. Nay: None. Absent and not voting: Roblee. The motion carried.

Councilor Shaneyfelt moved to authorize the Mayor to enter into an agreement with the Nebraska Department of Roads for Maintenance Agreement No. 50 for the amount of \$8,160. Councilor Hupf seconded the motion. Voting Aye: Phillips, Shaneyfelt, Ramsour and Hupf. Nay: None. Absent and not voting: Roblee. The motion carried.

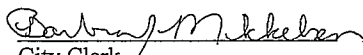
Councilor Phillips moved to approve specifications for a Sewer Jet Vac Truck including televising equipment and authorize City Staff to solicit bids for same. Councilor Hupf seconded the motion. Voting Aye: Shaneyfelt, Ramsour, Hupf and Phillips. Nay: None. Absent and not voting: Roblee. The motion carried.

**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.


Mayor

ATTEST:


City Clerk

