

Aurora, Nebraska
March 8, 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 March 8, 2011 at the City Hall. Present were Councilors: Wayne Roblee, Paul Lackore, Phillip Hupf, Dick Phillips and Paul Shaneyfelt. Mayor Marlin Seeman conducted the meeting. City Officials present were Interim City Administrator Jane Berry, 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 March 2, 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 February 22, 2011 meeting. Councilor Lackore seconded the motion. Voting Aye: Lackore, Hupf, Phillips, Shaneyfelt and Roblee. Absent and not voting: Ramsour. 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 February 28, 2011. Councilor Phillips moved to approve said reports. Councilor Roblee seconded the motion. Voting Aye: Lackore, Hupf, Phillips, Shaneyfelt and Roblee. Absent and not voting: Ramsour. Nay: None. The motion carried.

Claims Committee Member Roblee 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, Roblee and Lackore. Nay: None. Absent and not voting: Ramsour. The motion carried. A listing of said claims is attached to these minutes.

Water/Sewer Commissioner Melcher reviewed Pay Application No. 1 & Final for Van Kirk Bros for the M Street Sanitary Sewer Improvements Project. Councilor Shaneyfelt moved to approve Pay Application No. 1 & Final for Van Kirk Bros for the M Street Sanitary Sewer Improvements Project in the amount of \$55,824.40. Councilor Phillips seconded the motion. Voting Aye: Philips, Shaneyfelt, Roblee, Lackore and Hupf. Nay: None. Absent and not voting: Ramsour. The motion carried.

Councilor Hupf moved to accept the Recommendation of Acceptance for the M Street Sanitary Sewer Improvements Project. Councilor Lackore seconded the motion. Voting Aye: Shaneyfelt, Roblee, Lackore, Hupf and Phillips. Nay: None. Absent and not voting: Ramsour. The motion carried.

Councilor Shaneyfelt moved to approve Resolution 11-06 a resolution of necessity for North Streeter Park Sewer Main Project. Councilor Lackore seconded the motion. Voting Aye: Roblee, Lackore, Hupf, Phillips and Shaneyfelt. Nay: None. Absent and not voting: Ramsour. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION NO. 11-06

A RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTING ADDITIONS AND IMPROVEMENTS TO THE CITY'S SANITARY SEWER SYSTEM; CREATING SANITARY SEWER EXTENSION DISTRICT NO. 44 OF THE CITY; MAKING REFERENCE TO AND APPROVING PLANS AND SPECIFICATIONS; APPROVING THE ENGINEER'S ESTIMATE OF COSTS; PROVIDING FOR THE ISSUANCE OF BONDS, WARRANTS AND NOTES, DETERMINING IMPROVEMENTS TO BE OF GENERAL BENEFIT AND PROVIDING FOR THE EFFECTIVENESS OF THIS RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF AURORA, NEBRASKA, as follows:

Section 1. The Mayor and City Council hereby find and determine that it is necessary and advisable to construct additions and improvements to the City's sanitary sewer system consisting of the following:

THE PROPOSED IMPROVEMENTS CONSIST OF 1,550 LF OF FIFTEEN INCH (15") SANITARY SEWER MAIN, 235 LF OF SIX INCH (6") SANITARY SEWER SERVICE PIPING, AND THE WORK WILL CONSIST OF BORING, EXCAVATION, GRADING, SANITARY SEWER MAIN, SANITARY SEWER SERVICES, WYES, BENDS, CAPS, CLEANOUTS, MANHOLES, APPURTENANCES AND ACCESSORIES.

Section 2. For purposes of constructing said additions and improvements, there is hereby ordered created Sanitary Sewer Extension District No. 44, which shall include the following property:

BEGINNING AT THE NORTHWEST CORNER OF LOT 4, BLOCK 2, LINCOLNSHIRE SUBDIVISION IN THE CITY OF AURORA, HAMILTON COUNTY, NEBRASKA, THENCE WESTERLY PERPENDICULAR TO THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 11 NORTH, RANGE 6 WEST OF THE SIXTH P.M., HAMILTON COUNTY, NEBRASKA, TO SAID EAST LINE; THENCE WESTERLY PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 1400 FEET; THENCE SOUTHERLY PARALLEL WITH SAID EAST LINE, A DISTANCE OF 500 FEET; THENCE EASTERLY PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 1400 FEET TO SAID EAST LINE; THENCE EASTERLY PERPENDICULAR TO SAID EAST LINE TO THE EAST RIGHT OF WAY LINE OF NEBRASKA STATE HIGHWAY NUMBER 14; THENCE NORTHERLY ON SAID EAST RIGHT OF WAY LINE TO THE POINT OF BEGINNING.

Section 3. Reference is hereby made to the plans and specifications (the "Plans") for said additions and improvements which have been prepared by JEO Consulting Group, Inc., special engineers for the City, and which, together with said engineer's estimate of total cost for said additions and improvements have been filed with the City Clerk prior to the proposing of this resolution.

Section 4. The following is a description of the size, kind, locations and terminal points of pipe proposed to be constructed as part of said additions and improvements and for which this resolution of necessity provides:

THE PROPOSED IMPROVEMENTS CONSIST OF 1,550 LF OF FIFTEEN INCH (15") SANITARY SEWER MAIN, 235 LF OF SIX INCH (6") SANITARY SEWER SERVICE PIPING, AND THE WORK WILL CONSIST OF BORING, EXCAVATION, GRADING, SANITARY SEWER MAIN, SANITARY SEWER SERVICES, WYES, BENDS, CAPS, CLEANOUTS, MANHOLES, APPURTENANCES AND ACCESSORIES.

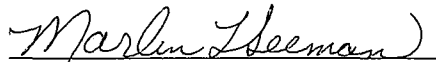
THE PROPOSED IMPROVEMENTS CONSIST OF FIFTEEN INCH (15") SANITARY SEWER MAIN, BEGINNING AT A MANHOLE WHICH IS THIRTY FIVE FEET (35') SOUTH OF AND SEVENTY FIVE (75') EAST OF THE CENTER OF THE INTERSECTION OF OLD CREEK ROAD AND HIGHWAY 14 IN AURORA, NE, THENCE EXTENDING WEST APPROXIMATELY 273 LF TO A MANHOLE, THENCE SOUTHERLY APPROXIMATELY 263 LF TO A MANHOLE WHICH IS LOCATED TEN FEET (10') SOUTH OF THE NORTH PROPERTY LINE OF STREETER PARK, THENCE WESTERLY PARALLEL TO THE NORTH PROPERTY LINE OF STREETER PARK 351 LF TO A MANHOLE, THENCE NORTHWESTERLY PARALLEL TO THE NORTH PROPERTY LINE OF STREETER PARK 400 LF TO A MANHOLE, THENCE WESTERLY PARALLEL TO THE NORTH PROPERTY LINE OF STREETER PARK APPROXIMATELY 263 LF TO A MANHOLE, THENCE CONTINUING WESTERLY FROM SAID MANHOLE WITH A SIX INCH (6") SANITARY SEWER SERVICE 235 LF TO A CLEANOUT WHERE THE SEWER EXTENSION TERMINATES, AND THE WORK WILL CONSIST OF BORING, EXCAVATION, GRADING, SANITARY SEWER MAIN, SANITARY SEWER SERVICES, WYES, BENDS, CAPS, CLEANOUTS, MANHOLES, APPURTENANCES AND ACCESSORIES.

Section 5. The Engineer's estimate of total cost for the proposed sanitary sewer system additions and improvements for said District is \$325,000.

Section 6. It is hereby found and determined that the sanitary sewer system improvements as described in this resolution of necessity constitute improvements of general benefit to the City of Aurora as a whole. Temporary financing shall be provided through the issuance of bond anticipation notes as provided by Section 10-137, R.R.S. Neb. 2007. Said additions and improvements shall be financed on a permanent basis by the issuance of the City's general obligation sewer bonds issued pursuant to Section 17-925, R.R.S. Neb. 2007.

Section 7. This resolution of necessity shall be in force and effect from and after its adoption as provided by law.

PASSED AND APPROVED this 8th day of March, 2011.



Mayor

ATTEST:



City Clerk



Councilor Phillips moved to approve Resolution 11-07-setting a hearing date for resolution of necessity. Councilor Roblee seconded the motion. Voting Aye: Lackore, Hupf, Phillips, Shaneyfelt and Roblee. Nay: None. Absent and not voting: Ramsour. The motion carried and the following resolution was declared passed and adopted.

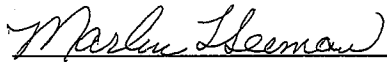
RESOLUTION 11-07

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF AURORA, NEBRASKA:

1. That the Resolution of Necessity creating Sanitary Sewer Extension District No. 44 of the City of Aurora be and it is hereby proposed.

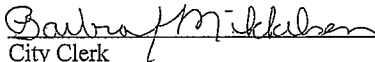
2. 7:35 o'clock p.m. on the 22nd day of March, 2011, in the Council Chambers at the City Offices, 905 13th Street, in Aurora, Nebraska, is hereby set as the time and place for the Mayor and City Council to conduct a hearing on the adoption of said resolution and any objections to its passage, at which owners of real property located in said district may appear and make objections to such improvement, and the City Clerk is hereby instructed to publish notice of such hearing as required by law.

PASSED AND APPROVED this 8th day of March, 2011.



Mayor

ATTEST:



City Clerk



Interim City Administrator Berry reviewed the agreement with the NDOR for Hwy 34 improvements. Councilor Roblee moved to approve Resolution 11-08 authorizing the Mayor to enter into an agreement with the NDOR for Hwy 34 improvements. Councilor Lackore seconded the motion. Voting Aye: Lackore, Hupf, Phillips, Shaneyfelt and Roblee. Nay: None. Absent and not voting: Ramsour. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION 11-08

WHEREAS, the Nebraska Department of Roads desires to make improvements on a portion of Highway 34, within the Corporate Limits of the City of Aurora under a highway improvement project denoted as Project NO. STP-34-5(115), and

WHEREAS, this highway improvement project will also improve Municipal infrastructure at various locations within the project limits as shown in the agreement, and

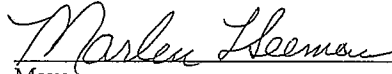
WHEREAS, the improvements to be completed within the municipal boundaries are adequately described in the agreement, and

WHEREAS, the Municipality's responsibilities under this agreement are adequately described in the agreement and are understood by the municipality, and

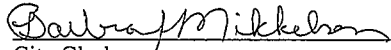
WHEREAS, the City of Aurora concurs to enter into this agreement with the State of Nebraska, Department of Roads, for said improvement,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Aurora, that the Mayor is authorized by this City Council to execute this agreement with the State of Nebraska, Department of Roads for Project NO. STP-34-5(115).

Passed and adopted this 8th day of March 2011.


Mayor

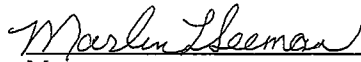
ATTEST:


City Clerk

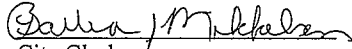


**MISCELLANEOUS:
ADJOURNMENT:**

Having completed all items on the agenda, and there being no further business to conduct, Mayor Seeman declared the meeting adjourned at 7:50 p.m.


Mayor

ATTEST:


City Clerk

