

Aurora, Nebraska
March 22, 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 22, 2011 at the City Hall. Present were Councilors: Wayne Roblee, Bruce Ramsour, 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 16, 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 are 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 Roblee moved to approve the minutes from the March 8, 2011 meeting. Councilor Hupf seconded the motion. Voting Aye: Ramsour, Lackore, Hupf, Phillips, Shaneyfelt and Roblee. Nay: None. The motion carried.

PETITIONS, COMPLAINTS, COMMUNICATIONS:

REPORTS BY OFFICERS, BOARD, COMMITTEES:

7:35 P.M. PUBLIC HEARING:

Mayor Seeman opened the duly advertised public hearing to receive public comments on the Resolution of Necessity creating Sewer Improvement District No. 44. He asked if there was anyone present who wished to speak in favor of the resolution. Interim City Administrator Berry explained the Resolution of Necessity. Mayor Seeman then asked if there was anyone else who wished to speak in favor or in opposition to resolution. There being no one else present that wished to speak in favor of or in opposition to the resolution Mayor Seeman declared the public hearing closed.

Councilor Hupf moved to re-adopt Resolution 11-06 a resolution of necessity for North Streeter Park Sewer Main Project. Councilor Lackore seconded the motion. Voting Aye: Lackore, Hupf, Phillips, Shaneyfelt, Roblee and Ramsour. Nay: None. 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 22nd day of March, 2011.

Marlin Heeman
Mayor

ATTEST:

Barbara Mithelber
City Clerk



Councilor Ramsour moved to approve Resolution 11-09 to proceed with the construction for Sewer Improvement District No. 44. Councilor Hupf seconded the motion. Voting Aye: Hupf, Phillips, Shaneyfelt, Roblee, Ramsour and Lackore. Nay: None. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION NO. 11-09

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

Section 1. That at a meeting of the Mayor and City Council held March 8, 2011, there was proposed a Resolution of Necessity for the construction of sanitary sewer improvements within proposed Sewer Improvement District No. 44.

Section 2. Notice of the said proposed Resolution of Necessity was published in the *Aurora News-Register* on March 9, 2011 and March 16, 2011, as provided by law.

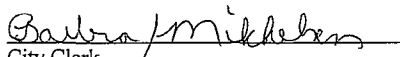
Section 3. That a hearing was held in accordance with published notice on March 22, 2011 as provided by law and said published notice.

Section 4. That all things having been done relative to the creation of said Sewer Improvement District No. 44 and the City Council having adopted said Resolution of Necessity as proposed, now therefore, be it resolved that the improvements to the City's sanitary sewer system described in the Resolution of Necessity creating Sewer Improvement District No. 44, as adopted should be constructed and acquired and the City shall proceed with the construction of such improvements.

PASSED AND APPROVED this 22nd day of March, 2011.


Mayor

ATTEST:


City Clerk



Terry Galloway of Almquist, Maltzahn, Galloway & Luth presented the audit of the City's financial statement for Fiscal Year 2009-2010. Councilor Roblee moved to accept the audit of the City's financial statement for Fiscal Year 2009-2010. Councilor Phillips seconded the motion. Mayor Seeman, Interim City Administrator Berry and Terry Galloway all stated that the former City Administrator Mike Bair had left the City of Aurora in good financial condition. Voting Aye: Phillips, Shaneyfelt, Roblee, Ramsour, Lackore and Hupf. Nay: None. The motion carried.

Jeff Ahl of JEO Consulting reviewed the final plans and specifications for the Cole Park Shelter Development Project, NGPC LWCF. Councilor Ramsour moved to approve the final plans and specifications for the Cole Park Shelter Development Project, and to authorize advertising for bids. Councilor Lackore seconded the motion. Voting Aye: Shaneyfelt, Roblee, Ramsour, Lackore, Hupf and Phillips. Nay: None. The motion carried.

Jeff Ahl of JEO Consulting reviewed the final plans and specifications for the Energy Efficiency Block Grant Program Project. Councilor Phillips moved to approve the final plans and specifications for the Energy Efficiency Block Grant Program Project and to authorize advertising for bids. Councilor Roblee seconded the motion. Voting Aye: Roblee, Ramsour, Lackore, Hupf, Phillips and Shaneyfelt. Nay: None. The motion carried.

Justin Stine of JEO Consulting reviewed the bids for the North Streeter Park Sewer Main Project, Sewer Improvement Dist. No. 44. Councilor Phillips moved to award the bid for the North Streeter Park Sewer Main Project, Sewer Improvement Dist. No. 44 to Midlands Contracting, Inc. for \$143,256.50.

Councilor Lackore seconded the motion. Voting Aye: Ramsour, Lackore, Hupf, Phillips, Shaneyfelt and Roblee. Nay: None. The motion carried.

Water/Sewer Commissioner Melcher stated only one bid was received for a new Jet Vac Truck. Dave Smith of Mid-Iowa Solid Waste reviewed the bid. Councilor Lackore moved to award the bid for a new Jet Vac Truck to Mid-Iowa Solid Waste for \$278,585. Councilor Phillips seconded the motion. Voting Aye: Lackore, Hupf, Phillips, Shaneyfelt, Roblee and Ramsour. Nay: None. The motion carried.

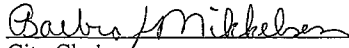
MISCELLANEOUS:

ADJOURNMENT:

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


Mayor

ATTEST:


City Clerk

