

Aurora, Nebraska  
July 17, 2008

An emergency meeting of the Mayor and Council of the City of Aurora, Nebraska, was convened in open and public session at 5:30 p.m. on July 17, 2008 at the City Hall. The purpose of the emergency meeting was to appoint a building inspector, receive the structural engineer report and consider a resolution directing immediate repair, vacation or demolition of the Fidelity Building at 1235 M Street. Present were Councilors: Jack Payne, Bruce Ramsour, Dottie Anderson, Chris Helzer 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 and Clerk/Treasurer Barbra Mikkelsen.

Notice of said meeting was posted at four different public locations on July 14, 2008. 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."

City Attorney Luzum explained the procedures and steps that need to be followed and completed in order to move forward with the process of making the Fidelity Building safe and stable so that neighboring business may move forward with their business plans.

Councilor Ramsour moved to appoint Jason Suelter Building Inspector for the City of Aurora. Councilor Helzer seconded the motion. Voting Aye: Ramsour, Anderson, Helzer, Shaneyfelt and Payne. Nay: None. The motion carried.

Building Inspector Suelter presented his report regarding the Fidelity Building located at 1235 M Street. Discussion was held regarding the structural and safety conditions of the Fidelity Building.

Councilor Payne stated that the City Council wants Jason Suelter the Building Inspector to take the lead and get things done. The City wants to move forward and make the building safe and then City could recover the costs from the owner. Councilor Payne moved to approve Resolution 08-13 directing immediate repair, vacation or demolition of the Fidelity Building at 1235 M Street. Councilor Anderson seconded the motion. Voting Aye: Anderson, Helzer, Shaneyfelt, Payne and Ramsour. Nay: None. The motion carried and the following resolution was declared passed and adopted.

#### RESOLUTION 08-13

WHEREAS, the Mayor and City Council have received a report from the Building Inspector that the Fidelity Building at 1235 M St., Aurora, Hamilton County, Nebraska, constitutes a "Dangerous Building" as defined by Chapter 9 Article 4 Section 9-401 of the Municipal Code of the City of Aurora, Nebraska; and

WHEREAS, it reasonably appears that there is immediate danger to the lives or safety of persons unless said building is immediately repaired, vacated, or demolished;

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL that the Fidelity Building at 1235 M St., Aurora, Hamilton County, Nebraska, shall be immediately repaired, vacated, or demolished, and the costs of such emergency actions shall be assessed pursuant to law.

Passed and adopted this 17<sup>th</sup> day of July, 2008.

Mark Seeman  
Mayor

ATTEST:

Barbra J. Mickelson  
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 6:34 p.m.

Mark Seeman  
Mayor

ATTEST:

Barbra J. Mickelson  
City Clerk



Aurora, Nebraska  
July 22, 2008

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 22, 2008 at the City Hall. Present were Councilors: Jack Payne, Bruce Ramsour, Dottie Anderson, Chris Helzer, Dick Phillips and Paul Shaneyfelt. Mayor Marlin Seeman conducted the meeting. City Officials present were City Attorney Ross Luzum, Police Chief Godfrey Brokenrope and Clerk/Treasurer Barbra Mikkelsen.

Notice of said meeting was given by publication in the Aurora News Register on July 16, 2008. 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 July 8 and July 17, 2008 meetings. Councilor Payne seconded the motion. Voting Aye: Ramsour, Anderson, Helzer, Phillips, Shaneyfelt and Payne. Nay: None. The motion carried.

**PETITIONS, COMPLAINTS, COMMUNICATIONS:**

**REPORTS BY OFFICERS, BOARD, COMMITTEES:**

Tylor Bottorff of JEO Consulting reviewed the request from Diamond Engineering for a time extension on the Whetherington Heights Subdivision Project. Councilor Shaneyfelt moved to grant a time extension to Diamond Engineering on the Whetherington Heights Subdivision Project until August 6, 2008. Councilor Payne seconded the motion. Voting Aye: Anderson, Helzer, Phillips, Shaneyfelt, Payne and Ramsour. Nay: None. The motion carried.

Jason Suelter, Building Inspector, explained the contract with Structural Design Group for Building Inspector services. Councilor Phillips moved to approve the contract with Structural Design Group for Building Inspector services. Councilor Payne seconded the motion. Voting Aye: Helzer, Phillips, Shaneyfelt, Payne, Ramsour and Anderson. Nay: None. The motion carried.

Building Inspector Suelter reviewed the contract for removal of unsafe elements from the Fidelity Building located at 1235 M Street. Councilor Shaneyfelt moved to authorize the Mayor to enter into a contract with Glen Skeen to abate safety issues as defined by the Building Inspector report and Resolution 08-13. Councilor Ramsour seconded the motion. Voting Aye: Phillips, Shaneyfelt, Payne, Ramsour, Anderson and Helzer. Nay: None. The motion carried.

Tylor Bottorff of JEO Consulting reviewed the Quite Zone Project. Councilor Shaneyfelt moved to authorize going out for bids on the Quiet Zone Project Phase 1. Councilor Helzer seconded the motion. Discussion was held on the topic. Councilor Phillips stated that he may have a potential conflict of interest since he lives near the rail road crossing that is a part of Phase 1. Voting Aye: Shaneyfelt, Payne, Ramsour, Anderson, Helzer and Phillips. Nay: None. The motion carried.

Councilor Ramsour moved to approve Cost Breakdown Form No. 23 for the Historic Lighting Project to JEO for \$2,581.40. Councilor Phillips seconded the motion. Voting Aye: Payne, Ramsour, Anderson, Helzer, Phillips and Shaneyfelt. Nay: None. The motion carried.

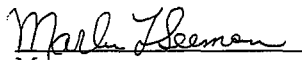
Tylor Bottorff of JEO Consulting presented pay application No. 12 and Final for the Historic Lighting Project to M.E. Collins for \$23,110.60 and recommended payment of same. Councilor Phillips moved to approve pay application No. 12 for the Historic Lighting Project to M.E. Collins for \$23,110.60. Councilor Ramsour seconded the motion. Voting Aye: Ramsour, Anderson, Helzer, Phillips, Shaneyfelt and Payne. Nay: None. The motion carried.

Tylor Bottorff of JEO Consulting explained the "Recommendation of Acceptance" for the Downtown Historical Lighting Project. Councilor Phillips moved to accept the "Recommendation of Acceptance" for the Downtown Historical Lighting Project. Councilor Payne seconded the motion. Voting Aye: Anderson, Helzer, Phillips, Shaneyfelt, Payne and Ramsour. Nay: None. The motion carried.

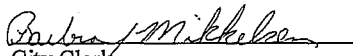
**MISCELLANEOUS:**

**ADJOURNMENT:**

Having completed all items on the agenda, and there being no further business to conduct, Mayor Seeman declared the meeting adjourned at 8:07 p.m.

  
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Mayor

**ATTEST:**

  
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City Clerk

