

Aurora, Nebraska
May 12 2020

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 May 12, 2020 at the City Hall. Present via video were Councilors: Paul Lackore, Wayne Roblee, Daniel Bartling, Dorothy Anderson, Dick Phillips and Nancy Lohrmeyer. Mayor Marlin Seeman conducted the meeting. City Officials present were City Administrator Eric Melcher, City Attorney Ross Luzum, Chief of Police Paul Graham, Utilities Superintendent Adam Darbro and Clerk/Treasurer Barbra Mikkelsen.

Notice of said meeting was given by publication in the Aurora News Register on May 6, 2020. 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 Lackore moved to approve the minutes from the April 28, 2020 meeting. Councilor Lohrmeyer seconded the motion. Voting Aye: Roblee, Bartling, Anderson, Phillips, Lohrmeyer and Lackore. Nay: None. The motion carried.

PETITIONS, COMPLAINTS, COMMUNICATIONS:

REPORTS BY OFFICERS, BOARD, COMMITTEES:

Clerk/Treasurer Mikkelsen presented the Expenditures and Clerk/Treasurer reports for the month ending April 30, 2020. Councilor Phillips moved to approve said reports. Councilor Lackore seconded the motion. Voting Aye: Bartling, Anderson, Phillips, Lohrmeyer, Lackore and Roblee. Nay: None. The motion carried.

Claims Committee Member Lackore 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 Lohrmeyer seconded the motion. Voting Aye: Anderson, Phillips, Lohrmeyer, Lackore, Roblee and Bartling. Nay: None. The motion carried. A listing of said claims is attached to these minutes.

7:30 P.M. PUBLIC HEARING:

Mayor Seeman opened the duly advertised public hearing to receive public comments concerning an Engineering Report for construction of a South Sanitary Sewer Interceptor Main as required for State Revolving Loan Funding from the Nebraska Department of Environmental Energy and other funding Agencies. The purpose of this public hearing is to discuss the proposed Engineering Report and receive public comment on the finding of no significant impact and the potential Impact to the existing sewer rates.

Tyler Doane of JEO Consulting reviewed the project and the purpose of the hearing. The Mayor asked if there was anyone present who wished to speak in favor of the project and there was no one. City Administrator Melcher stated the cost per person for the project would be around \$2.00 to \$3.00 depending on a 20 year or 30 year loan. He stated the current rates in place today would be sufficient therefore the project would have little to no impact on the sewer rates. Mayor Seeman then asked if there was anyone who wished to speak in opposition to the plan. There being no one present that wished to speak in favor of or in opposition to project Mayor Seeman declared the public hearing closed.

7:35 P.M. PUBLIC HEARING:

Mayor Seeman opened the duly advertised public to hear testimony and receive evidence relative to the building located at 1030 13th Street, and make a written finding of fact as to whether it is a dangerous building. The Mayor asked if there was anyone present who wished to speak regarding the building. Marlin Hadenfeldt owner of the building at 1312 L St which is next to the building question addressed the Council. He stated he appreciated what was being done to handle the situation. He also stated he wanted to get his renters back into his building as soon as possible. Terri Hope, owner of the building at 1024 13th Street, stated her building had a party wall with the building in question. She stated she was concerned with how any repairs or demolition would affect her property. Jason Suelter of Vector Structural Design reviewed his findings for the building. City Attorney Luzum submitted items for the record; Exhibit 1: a 33 page Observation Report prepared by Olsson, Exhibit 2: 21 page observation report prepared by Jason Suelter of Vector Structural Design, Exhibit 3: April 14 2020 Agenda, Exhibit 4: Proof of Publication of public hearing being continued to May 12, 2020 meeting, Exhibit 5: May 12, 2020 Agenda. City Attorney Luzum also questioned Jason Suelter and city staff. Mayor Seeman asked if there was anyone else who wished to speak and there was no one. There being no one else present who wished to speak the Mayor declared the public hearing closed.

Councilor Lackore moved to approve Resolution 20-06 declaring the building at 1030 13th Street, Aurora, NE a dangerous building. Councilor Phillips seconded the motion. Voting Aye: Phillips, Lohrmeyer, Lackore, Roblee, Bartling and Anderson. Nay: None. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION 20-06

WHEREAS, on May 12, 2020, the Mayor and City Council held a hearing and heard testimony and received evidence concerning whether or not the structure located at 1030 13th St., Aurora, Hamilton County, Nebraska, constitutes a "Dangerous Building" as defined by Chapter 150 Section 150.060 of the Municipal Code of the City of Aurora, Nebraska; and

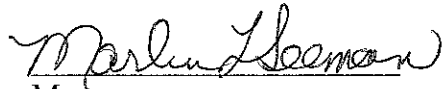
WHEREAS, based on said testimony and evidence have made a finding of fact that said building is a dangerous building;

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL that the structure located at 1030 13th St., Aurora, Hamilton County, Nebraska, is hereby declared to be unsafe because of one or more violations of the Municipal Code of the City of Aurora, Nebraska, and the owner is hereby commanded to repair, rehabilitate, or demolish said building. In the event the owner fails to comply the City will take any of the following courses of action or any combination thereof:

- 1) The City shall proceed with the aforementioned work and levy the cost as a special assessment against the lot or real estate upon which the building is located, such special assessment shall be a lien on the real estate and shall be collected in the manner provided for special assessments;

- 2) The City shall proceed with the aforementioned work and collect the cost from the owner of the building and enforce the collection by civil action in any court of competent jurisdiction; and/or
- 3) The City shall file a criminal petition against the owner in any court of competent jurisdiction for non-compliance, which on conviction shall be deemed a misdemeanor and result in a fine of not more than five hundred Dollars (\$500.00), a new violation being committed every twenty-four (24) hours of such failure to comply, included with an order of abatement as a part of the judgment in the case.

Passed and adopted this 12th day of May, 2020.


Mayor

ATTEST:


City Clerk



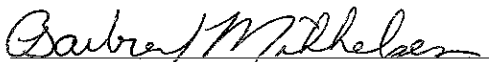
MISCELLANEOUS:

ADJOURNMENT:

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


Mayor

ATTEST:


City Clerk

