

Aurora, Nebraska  
June 9, 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 June 9, 2020 at the City Hall. Present via video were Councilors: Paul Lackore, Wayne Roblee, Daniel Bartling and Nancy Lohrmeyer. Councilors Dorothy Anderson and Dick Phillips were present in person. Mayor Marlin Seeman conducted the meeting. City Officials present were City Administrator Eric Melcher (via video), 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 June 3, 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 May 26, 2020 meeting. Councilor Phillips seconded the motion. Voting Aye: Roblee, Bartling, Anderson, Phillips, Lohrmeyer and Lackore. Nay: None. The motion carried.

#### **PETITIONS, COMPLAINTS, COMMUNICATIONS:**

Mayor Seeman stated that following information regarding the City of Aurora moving forward with COVID-19 restrictions: City Hall will open Monday, June 15<sup>th</sup>, City Parks will open June 10, bathrooms and water fountains will be closed, fencing around playground equipment will be removed with signs put up stating playing on them is not recommended, campsite will remain closed but dump station will be accessible, tennis courts will open, the swimming pool and splash pad will remain closed at this time.

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

Clerk/Treasurer Mikkelsen presented the Expenditures and Clerk/Treasurer reports for the month ending May 31, 2020. Councilor Phillips moved to approve said reports. Councilor Lohrmeyer 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.

City Attorney Luzum read Ordinance No. 1103: AN ORDINANCE TO AMEND ORDINANCE 1092, THE FLOODPLAIN MANAGEMENT ORDINANCE OF THE CITY OF AURORA, NEBRASKA, BY AMENDING THE FOLLOWING SECTIONS: SECTION 2.0, GENERAL PROVISIONS, SUBSECTION 2.1, LANDS TO WHICH ORDINANCE APPLIES; SECTION 3.0, ESTABLISHMENT OF ZONING DISTRICTS; SECTION 5.0, STANDARDS FOR FLOODPLAIN DEVELOPMENT, SUBSECTION 5.1, GENERAL PROVISIONS, SUBSECTION 5.2, ELEVATION AND FLOODPROOFING REQUIREMENTS, SUBSECTION 5.3, DESIGN AND CONSTRUCTION STANDARDS; AND SECTION 8.0, DEFINITIONS; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; TO ORDER THE ORDINANCE PUBLISHED IN PAMPHLET FORM; AND TO PROVIDE FOR AN EFFECTIVE DATE

Councilor Lackore moved to bring Ordinance No. 1103 before the Council and to approve the second reading of the ordinance. Councilor Anderson seconded the motion. Voting Aye: Phillips, Lohrmeyer, Lackore, Roblee, Bartling and Anderson. Nay: None. The motion carried.

Councilor Lackore moved to accept the high bid from Chicago Motors for the surplus police vehicles in the amount of \$6,307 for 2013 Caprice and \$10,707 for 2016 Caprice. Councilor Bartling seconded the motion. Voting Aye: Lohrmeyer, Lackore, Roblee, Bartling, Anderson and Phillips. Nay: None. The motion carried.

Councilor Phillips moved to approve Resolution 20-07 regarding the risk of exposure to COVID-19 through the use of municipal property for sports or recreational activities. Councilor Lackore seconded the motion. Voting Aye: Lackore, Roblee, Bartling, Anderson, Phillips and Lohrmeyer. Nay: None. The motion carried and the following resolution was declared passed and adopted.

#### RESOLUTION 20-07

##### COVID-19: Resolution of the City of Aurora Regarding Use of Municipal Property for Sports or Other Recreational Activities

A Resolution of the City of Aurora, Nebraska, Regarding the Risk of Exposure to COVID-19 Through the Use of Municipal Property for Sports or Recreational Activities.

##### Recitals

WHEREAS, the novel coronavirus, COVID-19, has been declared a worldwide pandemic by the World Health Organization, is extremely contagious, and is believed to spread mainly from person-to-person contact;

WHEREAS, on March 13, 2020, the Governor of the State of Nebraska declared a state of emergency related to COVID-19 within the entire State of Nebraska, and this state of emergency remains in effect;

WHEREAS, directed health measures are in effect for every County in the State of Nebraska through May 31, 2020, and are likely to be extended by the Governor in some form for most or all Counties after May 31, 2020;

WHEREAS, on May 21, 2020, the Governor announced that the directed health measure prohibiting all organized team sports, youth and adult, would be relaxed by the State of Nebraska beginning June 1, 2020, in order to permit the planned reopening of certain adult and/or youth team sports;

WHEREAS, a copy of the June 1st Statewide Sports Reopening Guidelines is attached to this Resolution and incorporated herein as part of these Recitals;

WHEREAS, it is anticipated that future guidance from the State of Nebraska will permit additional team sports and other recreational activities;

WHEREAS, players, coaches, officials, and others who participate in such games, practices, or other recreational activities, and spectators who attend such activities risk the dangers of illness, disease, medical complications, injury or death, caused by or related to COVID-19, by voluntarily entering the municipal property and/or facilities on which such activities take place, by watching such activities, and by participating or authorizing the participation of a minor, in such games, practices, or other recreational activities; and

WHEREAS, it is the intent of the City of Aurora to permit the resumption of adult and/or youth team sports and other recreational activities on municipal property and/or facilities, in accordance with the directed health measures and other laws and guidance issued by the State of Nebraska, including, but not limited to, the June 1st Statewide Sports Reopening Guidelines and such further laws and guidance that may be issued in the future, provided that every individual, organization, or group sponsoring such activities, and all participants and spectators, fully assume the health risks associated with these activities, including the inherent risk now present in any such activities as a result of the presence of COVID-19 in the State of Nebraska, and provided that participants in such activities sign an agreement that releases the City of Aurora, its elected and appointed officials and employees, and all other participants in adult and/or youth team sports or other recreational activities from liability associated with exposure to COVID-19 in the course of such activities.

NOW, THEREFORE, BE IT RESOLVED by the City Council that any individual, organization or group sponsoring adult and/or youth team sports or other recreational activities that wishes to use the playing or practice fields, courts, grounds, and/or other facilities of the City of Aurora for games, practices, or other recreational activities will be required to enter into the COVID-19: License and Management Agreement for Use of Municipal Property for Sports or Other Recreational Activities attached hereto. These License Agreements will be maintained by the Municipal Clerk and shall constitute an addendum to any other contract, license agreement, lease, or agreement allowing the use of the municipal property and/or facilities of the City of Aurora by the same individual, organization, or group.

BE IT FURTHER RESOLVED that, in order to enter the playing or practice fields, courts, grounds, and/or other facilities of the City of Aurora to participate in games, practices, or other recreational activities, all players, coaches, officials and other participants must sign the agreement titled COVID-19: Participants Agreement for Sports or Other Recreational Activities in substantially the same form as attached hereto. Each team wishing to participate on or use the municipal property and/or facilities of the City of Aurora must provide copies of signed Agreements for all participants affiliated with the team, together with a roster containing a complete list of the names of all players, coaches, officials, and others affiliated with the team. Copies of these documents must be provided to and shall be maintained by the Municipal Clerk.

BE IT FURTHER RESOLVED that, for the avoidance of doubt as to the risk assumed by participants and spectators, in order to encourage compliance with directed health measures and guidelines, and in order to promote public safety, the applicable provisions of the June 1st Statewide Sports Reopening Guidelines, shall be posted on all practice and playing fields, courts, grounds, and/or other facilities where adult and/or youth practices and/or games or other recreational activities occur. If the June 1st Statewide Sports Reopening Guidelines, are subsequently modified or updated, the applicable provisions of the modified or updated guidelines shall be posted in the same manner.

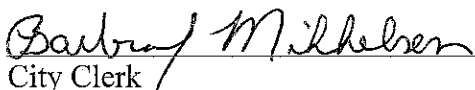
BE IT FURTHER RESOLVED that all participants and spectators shall comply with all federal, state and local laws and regulations, all directed health measures and guidelines, and all security policies or procedures established by the City of Aurora relating to COVID-19 or other safety or hygiene precautions while present on municipal property and/or facilities, understanding that the City of Aurora may elect to deny entrance to its playing or practice fields, courts, grounds, and/or other facilities to any non-complying participant or spectator, or to require a non-complying participant or spectator to leave the premises at any time.

BE IT FURTHER RESOLVED that officials and employees of the City of Aurora are authorized to execute the directives set forth in this Resolution

RESOLVED this 90<sup>th</sup> day of June, 2020.

  
\_\_\_\_\_  
Mayor

ATTEST

  
\_\_\_\_\_  
City Clerk



Councilor Phillips moved to approve the Street Closure Application for Aurora Chamber of Commerce to host Bands on the Bricks, July 10, 17, 24, 31, August 7 and 14, 2020. Councilor Roblee seconded the motion. Voting Aye: Roblee, Bartling, Anderson, Phillips, Lohrmeyer and Lackore. Nay: None. The motion carried.

Councilor Lackore moved to approve 6 special designated liquor licenses for The Aurora Chamber of Commerce for Bands on The Bricks for the following 2020 dates: July 10<sup>th</sup>, 17<sup>th</sup>, 24<sup>th</sup> & 31<sup>th</sup>, August 7<sup>th</sup> and 14<sup>th</sup> from 5:00pm to 9:30pm for all dates. Councilor Roblee seconded the motion. Voting Aye: Bartling, Anderson, Phillips, Lohrmeyer, Lackore and Roblee. Nay: None. The motion carried.

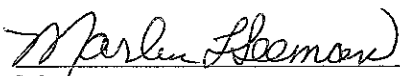
Councilor Lohrmeyer moved to approve the applications to sell fireworks, received from: James Clarke dba Fireworks 4-Less (Aurora Mall), Richard Ludvik dba Ka-Boomer's Enterprises, Inc. (Pin Setter's), Edgerton Explorit Center (Edgerton Parking Lot). Councilor Lackore seconded the motion. Voting Aye: Anderson, Phillips, Lohrmeyer, Lackore, Roblee and Bartling. Nay: None. The motion carried.

Councilor Phillips moved to approve the request from Jeni Calleroz, who lives at 220 N Street, for a sign to slow traffic due to a deaf child to be placed near the intersection of M Street and 2<sup>nd</sup> Street. Councilor Anderson seconded the motion. Voting Aye: Phillips, Lohrmeyer, Lackore, Roblee, Bartling and Anderson. Nay: None. The motion carried.


**MISCELLANEOUS:**

**ADJOURNMENT:**

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

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

