

Aurora, Nebraska  
September 8, 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 September 8, 2020 at the City Hall. Present 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 September 2, 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 August 22, 2020 meeting. Councilor Phillips 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 August 31, 2020. Councilor Phillips moved to approve said reports. Councilor Roblee 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 on the One and Six Year Street Improvement Plan. He asked if there was anyone present who wished to speak in favor of the One and Six Year Street Improvement Plan. 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 the One and Six Year Street Improvement Plan Mayor Seeman declared the public hearing closed.

Councilor Lackore moved to adopt Resolution 20-09 for the One and Six Year Street Improvement Plan. Councilor Anderson 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 20-09

The following resolution was introduced by Councilor Lackore, who moved its adoption, seconded by Councilor Anderson,

“WHEREAS, the City Street Superintendent has prepared and presented a One Year and Six Year Plan for Street Improvement Program for the City of Aurora, and

WHEREAS, a public meeting was held on the 8<sup>th</sup> day of September, 2020, to present this plan and there were no objections to said plan;

THEREFORE, BE IT RESOLVED BY THE Mayor and City Council of the City of Aurora, Nebraska that the plans and data as furnished are hereby in all things accepted and adopted.”

Upon roll call vote as follows:

<u>Councilor Phillips</u>	<u>Aye</u>
<u>Councilor Lohrmeyer</u>	<u>Aye</u>
<u>Councilor Lackore</u>	<u>Aye</u>
<u>Councilor Roblee</u>	<u>Aye</u>
<u>Councilor Bartling</u>	<u>Aye</u>
<u>Councilor Anderson</u>	<u>Aye</u>

Marlene Heeman  
Mayor

ATTEST: Barbara Milheben  
Clerk



Councilor Roblee moved to adopt Resolution 20-10 authorizing the Mayor to sign the Municipal Annual Certification of Program Compliance Form to comply with new legislation. Councilor Phillips seconded the motion. Voting Aye: Lohrmeyer, Lackore, Roblee, Bartling, Anderson and Phillips. Nay: None. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION 20-10

**WHEREAS:** State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards: and

**WHEREAS:** State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor

and shall include a copy of a resolution of the governing body of the municipality authorizing the signing of the certification form.

**BE IT RESOLVED** that the Mayor of the City of Aurora, Nebraska is hereby authorized to sign the attached Municipal Annual Certification of Program Compliance form.

Adopted this 8<sup>th</sup> day of September, 2020 at Aurora, Nebraska.

City Councilors:

Councilor Phillips

Councilor Lohrmeyer

Councilor Lackore

Councilor Roblee

Councilor Bartling

Councilor Anderson



ATTEST: Baaron Milheben  
Clerk

**7:35 P.M. PUBLIC HEARING:**

Mayor Seeman opened the duly advertised public hearing for the purpose of hearing support, opposition, criticism, suggestions, and observations relating to revoking Resolution 20-06 that declared the building at 1030 13th Street to be a dangerous building. Thereby removing the dangerous building designation from the property. He asked if there was anyone present who wished to speak in favor of the request and there was no one. The Mayor then asked if there was anyone who wished to speak in opposition to the request and there was no one. There being no one present that wished to speak in favor of or in opposition to the request Mayor Seeman declared the public hearing closed.

Councilor Lackore moved to approve Resolution 20-11 revoking Resolution 20-06 removing the dangerous building designation for 1030 13th Street. Councilor Roblee 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 20-11**

WHEREAS, on September 8, 2020, the Mayor and City Council held a hearing and heard testimony and received evidence concerning whether or not the structure located at 1030 13<sup>th</sup> St., Aurora, Hamilton County, Nebraska, has been repaired, rehabilitated, or demolished in accordance with Resolution 20-06.

WHEREAS, based on said testimony and evidence have made a finding of fact that said building no longer constitutes a "Dangerous Building" as defined by Chapter 150 Section 150.060 of the Municipal Code of the City of Aurora, Nebraska.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL that the structure located at 1030 13<sup>th</sup> St., Aurora, Hamilton County, Nebraska, is no longer declared to be a "Dangerous Building" as defined by Chapter 150 Section 150.060 of the Municipal Code of the City of Aurora, Nebraska. As such, Resolution 20-06 is hereby revoked in its entirety.

Passed and adopted this 8<sup>th</sup> day of September, 2020.

*Marlin Seeman*  
Mayor

ATTEST:

*Barbara J. Mitchell*  
City Clerk



**7:40 P.M. PUBLIC HEARING:**

Mayor Seeman opened the duly advertised public hearing to receive public comments on the Proposed Budget for FY 2020-2021. The Mayor asked if there was anyone present who wished to speak in favor of the Proposed Budget for FY 2020-2021 and there was no one. The Mayor then asked if there was anyone present who wished to speak in opposition to the proposed budget. There being no one present to speak in favor of or opposition to the Proposed Budget for FY 2020-2021 the Mayor declared the public hearing closed.

**7:45 P.M. PUBLIC HEARING:**

Mayor Seeman opened the duly advertised public hearing to receive public comments on setting City of Aurora Tax Levy for FY 2020-2021 at .301798 per one hundred dollars valuation (\$1,287,455.50) for General, at .067032 (\$285,956.17) for Bonds. The Mayor asked if there was anyone present who wished to speak in favor of the proposal and there was no one. The Mayor then asked if there was anyone present who wished to speak in opposition to the proposal and there was no one. There being no one present to speak in favor of or opposition to the proposal the Mayor declared the public hearing closed.

Councilor Phillips moved to adopt Resolution 20-12 to exceed the budget lid by 1% as allowed by law for the budget for FY 2020-2021. Councilor Roblee seconded the motion. Voting Aye: Roblee, Bartling, Anderson, Phillips, Lohrmeyer and Lackore. Nay: None. The motion carried and the following resolution was declared passed and adopted.

**RESOLUTION 20-12**

WHEREAS, Nebraska Revised Statute 13-519 provides that the City of Aurora is limited to increasing its total of budgeted restricted revenues to no more than the prior year's total of budgeted restricted funds plus two and one-half percent (2 ½%) expressed in dollars; and

WHEREAS, 13-519 authorizes the City of Aurora to exceed the foregoing budget limit by an additional one percent (1%) increase in budgeted restricted revenues upon the affirmative vote of 75 percent of the members of the governing body constituting a quorum authorized to conduct business; and

WHEREAS, the Annual Budget document for Fiscal Year 2020-2021 and Program for Municipal Services in the Lid Computation for FY 2020-2021 supported by the detail relating to restricted revenue accounts, proposes an additional increase in the prior year's budgeted funds of an additional one percent (1%) as provided by the statute; and

WHEREAS, approval of the additional one percent (1%) increase in budgeted restricted revenues provides maximum funding sources, does not increase authorized expenditures and is in the best interest of the City of Aurora and its citizens; and

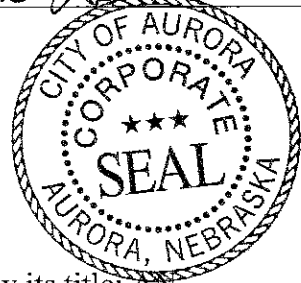
NOW, THEREFORE, BE IT RESOVLED BY THE MAYOR AND THE COUNCIL OF THE CITY OF AURORA, NEBRASKA, that by affirmative vote of 75 percent of the members of the governing body constituting a quorum authorized to conduct business, budgeted restricted revenue funds for Fiscal Year 2020-2021 shall be increased by an additional one percent (1%) as provided by Nebraska Revised Statute 13-519.

Passed and adopted this 8th day of September, 2020.

*Marlin Hoeman*  
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Mayor

ATTEST:

*Bartora Michelan*  
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City Clerk



City Attorney Luzum read Ordinance No. 1104 by its title: AN ORDINANCE TO ADOPT THE BUDGET STATEMENT, INCLUDING THE PAY PLAN, PENSION PLANS AND VEBA PLAN, TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Councilor Lackore moved to bring Ordinance 1104 before the council and to suspend the statutory three reading rule for consideration of this ordinance. Councilor Phillips seconded the motion. Voting Aye: Bartling, Anderson, Phillips, Lohrmeyer, Lackore and Roblee. Nay: None. The motion having been concurred in by three fourths majority of all members elected to the Council passed and said statutory three reading rule was suspended.

Councilor Lackore moved for final adoption of Ordinance No. 1104. Councilor Phillips seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1104 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Anderson, Phillips, Lohrmeyer, Lackore, Roblee and Bartling. Nay: None.

The passage and adoption of said Ordinance having been concurred in by a majority of all members elected to the Council was by the Mayor declared passed and adopted and the Mayor in the presence of the Council signed and approved said Ordinance and the Clerk attested the passage and approval of same and affixed her signature thereto. Said Ordinance shall be preserved and kept in a separate and distinct volume known as the Ordinance Record of the City of Aurora, Nebraska and same be incorporated herein by reference.

Councilor Phillips moved to adopt Resolution 20-13 setting City of Aurora Tax Levy for FY 2020-2021. Councilor Roblee 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 20-13

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Governing Body of the City of Aurora passes by a majority vote a resolution or ordinance setting the tax request;

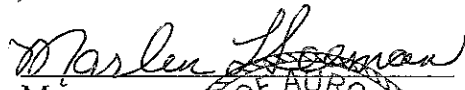
WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the Governing Body of the City of Aurora, resolves that:

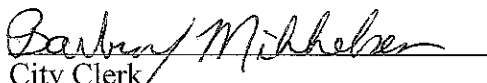
1. The FY 2020-2021 property tax request be set at .301798 per one hundred dollars valuation (\$1,287,455.50) for General, at .067032 (\$285,956.17) for Bonds.
2. The total assessed value of property differs from last year's total assessed value by 10%.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$.359454 per \$100 of assessed value.
4. The City of Aurora proposes to adopt a property tax request that will cause its tax rate to be \$.368830 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of the City of Aurora will exceed last year's by 4%.
6. A copy of this resolution be certified and forwarded to the County Clerk on or before October 13, 2020.

Councilor Phillips moved to adopt Resolution 20-13 setting City of Aurora Tax Levy. Councilor Roblee seconded the motion. Voting Aye: Phillips, Lohrmeyer, Lackore, Roblee, Bartling and Anderson. Nay: None. The motion carried and the above resolution was declared passed and adopted

Passed and adopted this 8<sup>th</sup> day of September, 2020.

  
\_\_\_\_\_  
Mayor

ATTEST:

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



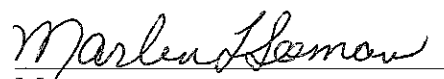
Councilor Phillips moved to approve Pay Application No. 1 for the 2020 EMS Living Quarters Project for Herk's Welding, Inc. for \$39,664.41. Councilor Lohrmeyer seconded the motion. Voting Aye: Lohrmeyer, Lackore, Roblee, Bartling, Anderson and Phillips. Nay: None. The motion carried.

Councilor Phillips moved to award the bid for the Public Works Shop roof replacement to Kinz Spray Foam Insulation & Roof Coatings, LLC for \$27,081.00. Councilor Anderson seconded the motion. Voting Aye: Lackore, Roblee, Bartling, Anderson, Phillips and Lohrmeyer. Nay: None. The motion carried.

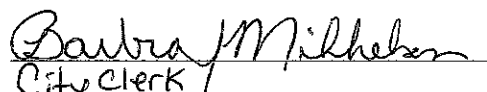
**MISCELLANEOUS:**

**ADJOURNMENT:**

Having completed all items on the agenda, and there being no further business to conduct, Mayor Seeman declared the meeting adjourned at 8:05p.m.

  
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Mayor

ATTEST:

  
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City Clerk

