

Aurora, Nebraska
January 12, 2021

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 January 12, 2021 at the City Hall. Present were Councilors: Paul Lackore, Wayne Roblee, Daniel Bartling, Mark Dunn, 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 January 6, 2021. 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 December 8, 2020 meeting. Councilor Roblee seconded the motion. Voting Aye: Roblee, Bartling, Dunn, 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 December 31, 2020. Councilor Phillips moved to approve said reports. Councilor Dunn seconded the motion. Voting Aye: Bartling, Dunn, Phillips, Lohrmeyer, Lackore and Roblee. Nay: None. The motion carried.

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

Councilor Phillips moved to approve a \$7,500 contribution to Aurora Chamber of Commerce. Councilor Lackore seconded the motion. Voting Aye: Phillips, Lohrmeyer, Lackore, Roblee, Bartling and Dunn. Nay: None. Absent and not voting: Roblee. The motion carried.

City Attorney Luzum read Ordinance No. 1112 by its title: AN ORDINANCE TO AMEND TITLE III ADMINISTRATION, CHAPTER 33 COMMITTEES, COMMISSIONS, AND BOARDS, SECTION 33.16 PLANNING COMMISSION, OF THE MUNICIPAL CODE OF THE CITY OF AURORA, NEBRASKA; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; TO ORDER THE ORDINANCE PUBLISHED IN PAMPHLET FORM; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Councilor Phillips moved to bring Ordinance No. 1112 before the council and to suspend the statutory three reading rule for consideration of this Ordinance. Councilor Lackore seconded the motion. Voting Aye: Lohrmeyer, Lackore, Roblee, Bartling, Dunn and Phillips. Nay: None. The motion carried. 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. 1112. Councilor Bartling seconded the motion. The Mayor stated the question, "Shall Ordinance No. 1112 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Lackore, Roblee, Bartling, Dunn, Phillips and Lohrmeyer.

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 of the City of Aurora, Nebraska and same be incorporated herein by reference.

City Attorney Luzum read Ordinance No. 1113 by its title: AN ORDINANCE TO AMEND TITLE III ADMINISTRATION, CHAPTER 35 ELECTIONS, SECTION 35.11 EXIT POLLS, OF THE MUNICIPAL CODE OF THE CITY OF AURORA, NEBRASKA; TO HARMONIZE WITH STATE LAW; 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. 1113 before the council and to suspend the statutory three reading rule for consideration of this Ordinance. Councilor Lohrmeyer seconded the motion. Voting Aye: Roblee, Bartling, Dunn, Phillips, Lohrmeyer and Lackore. Nay: None. The motion carried. 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. 1113. Councilor Dunn seconded the motion. The Mayor stated the question, "Shall Ordinance No. 1113 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Bartling, Dunn, Phillips, Lohrmeyer, Lackore and Roblee.

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 of the City of Aurora, Nebraska and same be incorporated herein by reference

City Attorney Luzum read Ordinance No. 1114 by its title: AN ORDINANCE TO AMEND TITLE III ADMINISTRATION, CHAPTER 35 ELECTIONS, SECTION 35.04 SPECIAL ELECTIONS, OF THE MUNICIPAL CODE OF THE CITY OF AURORA, NEBRASKA; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; TO ORDER THE ORDINANCE PUBLISHED IN PAMPHLET FORM; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Councilor Phillips moved to bring Ordinance No. 1114 before the council and to suspend the statutory three reading rule for consideration of this Ordinance. Councilor Roblee seconded the motion. Voting Aye: Dunn, Phillips, Lohrmeyer, Lackore, Roblee and Bartling. Nay: None. The motion carried. 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 Roblee moved for final adoption of Ordinance No. 1114. Councilor Lackore seconded the motion. The Mayor stated the question, "Shall Ordinance No. 1114 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Phillips, Lohrmeyer, Lackore, Roblee, Bartling and Dunn.

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 of the City of Aurora, Nebraska and same be incorporated herein by reference.

City Attorney Luzum read Ordinance No. 1115 by its title: AN ORDINANCE TO AMEND TITLE XI BUSINESS REGULATIONS, CHAPTER 110 ALCOHOLIC BEVERAGES, SECTION 110.22 LICENSEE REQUIREMENTS, AND SECTION 110.23 LICENSES; CITY POWERS AND DUTIES, OF THE MUNICIPAL CODE OF THE CITY OF AURORA, NEBRASKA; TO HARMONIZE WITH STATE LAW; 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. 1115 before the council and to suspend the statutory three reading rule for consideration of this Ordinance. Councilor Dunn seconded the motion. Voting Aye: Lohrmeyer, Lackore, Roblee, Bartling, Dunn and Phillips. Nay: None. The motion carried. 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 Dunn moved for final adoption of Ordinance No. 1115. Councilor Phillips seconded the motion. The Mayor stated the question, "Shall Ordinance No. 1115 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Lackore, Roblee, Bartling, Dunn, Phillips and Lohrmeyer.

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 of the City of Aurora, Nebraska and same be incorporated herein by reference.

City Attorney Luzum read Ordinance No. 1116 by its title: AN ORDINANCE TO AMEND TITLE XI BUSINESS REGULATIONS, CHAPTER 120 TOBACCO AND CIGARETTES, SECTION 120.01 LICENSE TO SELL; ISSUANCE, AND SECTION 120.04 RIGHTS OF LICENSEE; CITY POWERS AND DUTIES, OF THE MUNICIPAL CODE OF THE CITY OF AURORA, NEBRASKA; TO HARMONIZE WITH STATE LAW; 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. 1116 before the council and to suspend the statutory three reading rule for consideration of this Ordinance. Councilor Bartling seconded the motion. Voting Aye: Roblee, Bartling, Dunn Phillips, Lohrmeyer and Lackore, Nay: None. The motion carried. 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 Phillips moved for final adoption of Ordinance No. 1116. Councilor Roblee seconded the motion. The Mayor stated the question, "Shall Ordinance No. 1116 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Bartling, Dunn, Phillips, Lohrmeyer, Lackore and Roblee.

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 of the City of Aurora, Nebraska and same be incorporated herein by reference.

City Attorney Luzum read Ordinance No. 1117 by its title: AN ORDINANCE TO AMEND TITLE XIII GENERAL OFFENSES, CHAPTER 130 GENERAL OFFENSES, SECTION 130.08 USE OF TOBACCO BY MINOR; OF THE MUNICIPAL CODE OF THE CITY OF AURORA, NEBRASKA; TO HARMONIZE WITH STATE LAW; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; TO ORDER THE ORDINANCE PUBLISHED IN PAMPHLET FORM; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Councilor Dunn moved to bring Ordinance No. 1117 before the council and to suspend the statutory three reading rule for consideration of this Ordinance. Councilor Phillips seconded the motion. Voting Aye: Dunn, Phillips, Lohrmeyer, Lackore, Roblee and Bartling. Nay: None. The motion carried. 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. 1117. Councilor Dunn seconded the motion. The Mayor stated the question, "Shall Ordinance No. 1117 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Phillips, Lohrmeyer, Lackore, Roblee, Bartling and Dunn.

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 of the City of Aurora, Nebraska and same be incorporated herein by reference.

Utility Superintendent Darbro reviewed Pay Application No. 5 for the EMS Living Quarters Project. Councilor Phillips moved to approve Pay Application No. 5 for the EMS Living Quarters Project for Herk's Welding, Inc. for \$36,000. Councilor Lackore seconded the motion. Voting Aye: Lohrmeyer, Lackore, Roblee, Bartling, Dunn and Phillips. Nay: None. The motion carried.

Councilor Lohrmeyer moved to approve a plumber's license for Shannon Manfull of Manfull Plumbing Plus, LLC, from Grand Island, NE. Councilor Dunn seconded the motion. Voting Aye: Lackore, Roblee, Bartling, Dunn, Phillips and Lohrmeyer. Nay: None. The motion carried.

Councilor Phillips moved to authorize the Mayor to enter into an agreement with JEO Consulting Group for professional services for the Aurora Risk and Resiliency Assessment and Emergency Response Plan for a preliminary amount of \$22,085. Councilor Roblee seconded the motion. Voting Aye: Roblee, Bartling, Dunn, Phillips, Lohrmeyer and Lackore. 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 8:02p.m.

Marlin Seeman
Mayor

ATTEST:

Barbra Mikheben
City Clerk

