

Aurora, Nebraska
January 11, 2022

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 11, 2022 at the City Hall. Present were Councilors: Paul Lackore, 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 and Utilities Superintendent Adam Darbro.

Notice of said meeting was given by publication in the Aurora News Register on January 5, 2022. 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 Dunn moved to approve the minutes from the December 14, 2021 meeting. Councilor Phillips seconded the motion. Voting Aye: Bartling, Dunn, Phillips, Lohrmeyer and Lackore. Nay: None. Absent and not voting: Roblee. The motion carried.

PETITIONS, COMPLAINTS, COMMUNICATIONS:

REPORTS BY OFFICERS, BOARD, COMMITTEES:

In the absence of the Clerk/Treasurer Mayor Seeman presented the Expenditures and Clerk/Treasurer reports for the month ending December 31, 2021. Councilor Lackore moved to approve said reports. Councilor Lohrmeyer seconded the motion. Voting Aye: Bartling, Dunn, Philips, Lohrmeyer and Lackore. Nay: None. Absent and not voting: Roblee. 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 and Bartling. Nay: None. Absent and not voting: Roblee. 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 recommendation of the Planning Commission to approve the Preliminary Plat of Kremer 5th Subdivision, a tract of land comprising a part of the Southwest Quarter (SW1/4), Section Four (4), Township Ten (10) North, Range Six (6) West of the 6th P.M., Hamilton County, Nebraska.

The Mayor asked if there was anyone present who wished to speak in opposition of the proposed recommendation and there was no one. The Mayor then asked if there was anyone present who wished to speak in support to the proposed recommendation and there was no one. There being no one present to speak in favor of or opposition to the proposed recommendation the Mayor declared the public hearing closed.

Councilor Lackore moved to accept the recommendation of the Planning Commission to approve the Preliminary Plat of Kremer 5th Subdivision, a tract of land comprising a part of the Southwest Quarter (SW1/4), Section Four (4), Township Ten (10) North, Range Six (6) West of the 6th P.M., Hamilton County, Nebraska. Councilor Phillips seconded the motion. Voting Aye: Phillips, Lohrmeyer, Lackore, Bartling and Dunn. Nay: None. Absent and not voting: Roblee. The motion carried.

7:33 P.M. PUBLIC HEARING:

Mayor Seeman opened the duly advertised public hearing to receive public comments on the recommendation of the Planning Commission to approve Final Plat of Kremer 5th Subdivision, a tract of land comprising a part of the Southwest Quarter (SW1/4), Section Four (4), Township Ten (10) North, Range Six (6) West of the 6th P.M., Hamilton County, Nebraska.

The Mayor asked if there was anyone present who wished to speak in opposition of the proposed recommendation and there was no one. The Mayor then asked if there was anyone present who wished to speak in support of the proposed recommendation and there was no one. There being no one present to speak in favor of or opposition to the proposed recommendation the Mayor declared the public hearing closed.

Councilor Lackore moved to approve Resolution 22-01 approving the Final Plat for Kremer 5th Subdivision. Councilor Lohrmeyer seconded the motion. Voting Aye: Lohrmeyer, Lackore, Bartling, Dunn and Phillips. Nay: None. Absent and not voting: Roblee. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION 22-01

WHEREAS, the Aurora Planning Commission and the Aurora City Council have held public hearings to receive public input regarding the Preliminary Plat and the Final Plat of Kremer 5th Subdivision, a tract of land comprising a part of the Southwest Quarter (SW1/4) of Section Four (4), Township Ten (10) North, Range Six (6) West of the 6th P.M., Hamilton County, Nebraska; and

WHEREAS, said plat of Kremer 5th Subdivision meets the requirements of the Subdivision Regulations of the City of Aurora, and the Statutes of the State of Nebraska; and

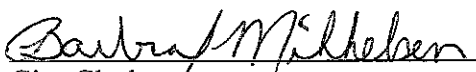
WHEREAS, the Aurora Planning Commission has recommended to the City Council approval of the Final Plat to be known as Kremer 5th Subdivision, and the City Council on this date has voted for approval of this Subdivision; and

BE IT THEREFORE RESOLVED by the Mayor and City Council of the City of Aurora, Nebraska, that the Final Plat of Kremer 5th Subdivision be hereby approved, and that the Mayor and City Clerk be authorized to execute the approval of said plat, and cause the same to be filed as required by law.

Passed and adopted this 11th day of January, 2022.


Mayor

ATTEST:


City Clerk



7:35 P.M. PUBLIC HEARING:

Mayor Seeman opened the duly advertised public hearing to receive public comments regarding the inclusion of Kremer 5th Subdivision within the corporate limits of the city of Aurora. Mayor Seeman asked if there was anyone present who wished to speak in favor of the recommendation and there was no one. The Mayor then asked if there was anyone present who wished to speak in opposition to the proposed recommendation and there was no one. There being no one present that wished to speak in favor of or in opposition to the recommendation the Mayor declared the public hearing closed.

City Attorney Luzum read Ordinance No. 1136: AN ORDINANCE TO EXTEND AND INCREASE THE CORPORATE LIMITS OF THE CITY OF AURORA, COUNTY OF HAMILTON, STATE OF NEBRASKA, PURSUANT TO THE PROVISIONS OF SECTION 17-405, R.R.S.1943, BY ANNEXING THERETO A CERTAIN PARCEL OF LAND CONTIGUOUS TO AND NOT EMBRACED WITHIN THE PRESENT LIMITS OF THE CITY OF AURORA, CONSISTING OF LOT TWO (2), KREMER 5TH SUBDIVISION, AN ADDITION TO THE CITY OF AURORA, HAMILTON COUNTY, NEBRASKA, A TRACT OF LAND COMPRISING A PART OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION FOUR (4), TOWNSHIP TEN (10) NORTH, RANGE SIX (6) WEST OF THE 6TH P.M., HAMILTON COUNTY, NEBRASKA; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS, TO ORDER THE ORDINANCE PUBLISHED IN PAMPHLET FORM, AND TO PROVIDE AN EFFECTIVE DATE.

Councilor Phillips moved to bring Ordinance No. 1136 before the council and to approve the first reading of this ordinance. Councilor Lackore seconded the motion. Voting Aye: Lackore, Bartling, Dunn, Phillips and Lohrmeyer. None. Absent and not voting: Roblee. The motion carried.

7:35 P.M. PUBLIC HEARING:

Mayor Seeman opened the duly advertised public hearing to receive public comments on the Resolution of Necessity creating Sewer Improvement District No. 45. He asked if there was anyone present who wished to speak in favor of the resolution and there was no one. He then asked if there was anyone who wished to speak in opposition to the resolution. There being no one present that wished to speak in favor of or in opposition to the resolution Mayor Seeman declared the public hearing closed.

Councilor Lackore moved to approve Resolution 21-19 a resolution of necessity creating Sewer Improvement District No. 45. Councilor Phillips seconded the motion. Voting Aye: Bartling, Dunn, Phillips, Lohrmeyer and Lackore. Nay: None. Absent and not voting: The motion carried and the following resolution was declared passed and adopted.

RESOLUTION NO. 21-19

A RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTING ADDITIONS AND IMPROVEMENTS TO THE CITY'S SANITARY SEWER SYSTEM; CREATING SANITARY SEWER DISTRICT NO. 45 OF THE CITY; MAKING REFERENCE TO AND APPROVING PLANS AND SPECIFICATIONS; APPROVING THE ENGINEERS' ESTIMATE OF COSTS; PROVIDING FOR THE ISSUANCE OF BONDS, WARRANTS AND NOTES, DETERMINING IMPROVEMENTS TO BE GENERAL PUBLIC IMPROVEMENTS NOT OF SPECIAL BENEFIT TO PROPERTY WITHIN SAID DISTRICT AND PROVIDING FOR THE EFFECTIVENESS OF THIS RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF AURORA, NEBRASKA, AS FOLLOWS:

Section 1. The Mayor and City Council hereby find and determine that it is necessary and advisable to construct additions and improvements to the City's Sanitary Sewer System consisting of the following:

Construction of 8-inch PVC SDR26 sanitary sewer, reinforced concrete manholes, service line connections and other miscellaneous construction beginning at the intersection of Capital Street and Cottage Park Drive and extending westerly to connect the existing 12" sewer line located on the west property line of Streeter's 3rd Addition.

Work will be completed on the following:

- Capital Street from Cottage Park Drive to Highlander Lane,
- Highlander Lane from Cottage Park Drive to Matson Street,
- Matson Street from Highlander Lane, approximately 800 feet south and west to Streeter's 3rd Addition boundary,
- Stone Street from Highlander Lane, approximately 105 feet north to Streeter's 3rd Addition boundary,
- Cottage Park Drive from Capital Street, approximately 585 feet north and west to Streeter's 4th Addition boundary

Section 2. For purposes of constructing said additions and improvements, there is hereby ordered created Sanitary Sewer District No. 45, which shall include certain property within the City fully described as follows:

A tract of land comprising a part of the Northeast Quarter (NE $\frac{1}{4}$), Section Five (5), Township Ten (10) North, Range Six (6) West of the 6th P.M., Hamilton County, Nebraska. More particularly described as follows:

Commencing at the northwest corner of the NE $\frac{1}{4}$; thence N 89°50'29" E on and upon the north line of said NE $\frac{1}{4}$ a distance of 500.00 feet to a point; thence S 07°15'50" E a distance of 114.39 feet to the Point of Beginning, said point being on the southerly right-of-way line of U.S. Highway 34 and the easterly right-of-way line of the Burlington Northern Santa Fe Railroad; thence N 64° 02' 13" E on and upon the southerly right-of-way line of U.S. Highway 34 a distance of 74.92 feet to a point; thence N 89°41'57" E continuing on and upon said right-of-way line a distance of 472.03 feet to a point; thence S 00°16'37" W a distance of 490.71 feet to a point; thence S 89°43'23" E a distance of 60.13 feet to a point; thence S 00°16'37" W a distance of 180.00 feet to a point; thence N 89°43'23" W a distance of 5.95 feet to a point; thence S 00°16'37" W a distance of 135.01 feet to a point; thence N 89°43'23" W a distance of 122.90 feet to a point; thence S 04°49'31" E a distance of 26.62 feet to a point; thence S 09°16'47" E a distance of 152.07 feet to the northeast corner of Lot 10, Streeter's Second Addition to the City of Aurora; thence N 89°47'54" W on and upon the north line of said Streeter's Second Addition a distance of 339.04 feet to the northwest corner of Lot 1, Streeter's Second Addition, said corner being on the easterly right-of-way line of the Burlington Northern Santa Fe Railroad; thence N 09°16'47" W on and upon the easterly right-of-way line of said Burlington Northern Santa Fe Railroad a distance of 958.06 feet to the Point of Beginning. Said tract contains 10.568 acres more or less and shall now be known as "STREETER'S THIRD ADDITION".

A tract of land comprising of Lots Twenty Five (25), Twenty Six (26), Twenty Seven (27), and Twenty Eight (28), Streeter's First Addition to the City of Aurora, and a part of the Northeast Quarter (NE $\frac{1}{4}$), Section Five (5), Township Ten (10) North, Range Six (6) West of the 6th P.M., Hamilton County, Nebraska. More particularly described as follows:

Beginning at the northeast corner of said Lot 28; thence S 89°50'29" W a distance of 125.00 feet to a point; thence N 00°16'44" E a distance of 338.56 feet to a point on the southerly right-of-way line of U.S. Highway 34; thence S 89°41'57" W on and upon said right-of-way line a distance of 200.01 feet to a point; thence S 00°16'37" W a distance of 240.30 feet to a point; thence S 89°47'54" E distance of 7.24 feet to a point; thence S 00°16'37" E a distance of 409.23 feet to a point; thence N 89°43'23" W a distance of 132.75 feet to a point; thence S 00°16'37" W a distance of 90.03 feet to a point; thence N 89°47'54" W a distance of 60.00 feet to a point; thence S 00°16'37" W a distance of 27.25 feet to a point; thence 89°43'23" W a distance of 132.75 feet to a point; thence S 00°16'37" W a distance of 295.08 feet to a point; thence N 89°44'13" W a distance of 325.55 feet to a point; thence N 00°16'37" E distance of 447.38 feet to a point; thence N 89°43'23" W a distance of 192.80 feet to a point; thence N 00°16'37" E distance of 114.17 feet to a point; thence N 89°43'23" W a distance of 72.62 feet to a point; thence S 00°16'37" W a distance of 180.00 feet to a point; thence N 89°43'23" W a distance of 5.95 feet to a point; thence S 00°16'37" W a distance of 135.01 feet to a point; thence N 89°43'23" W a distance of 122.90 feet to a point; thence S 04°49'31" E distance of 26.62 feet to a point; thence S 09°16'47" E a distance of 294.02 feet to a point; thence S 23°05'14" E a distance of 229.40 feet to a point; thence S 89°47'54" E a distance of 915.92 feet to a point; thence N 00°16'37" E a distance of 601.98 feet to a point; thence S 89°47'54" E a distance of 305.00 feet to a point; thence N 00°16'37" E a distance of 403.36 feet to the Point of Beginning. Said tract contains 16.986 acres more or less and shall now be known as "STREETER'S FOURTH ADDITION".

Section 3. Reference is hereby made to the plans and specifications (the "Plans") for said additions and improvements which have been prepared by Advanced Consulting Engineering Services, Inc., engineers for the City, and which, together with the estimate of total cost for said additions and improvements have been filed with the City Clerk prior to the proposing of this resolution.

Section 4. The engineer's estimate of total cost for the proposed Sanitary Sewer System additions and improvements for said District is \$ 267,000, which amount includes interest cost, cost of issuance and other expenses of the City.

Section 5. It is hereby found and determined that such improvements are of general benefit to the City and that special assessments shall be levied against the property in the District to the extent specially benefitted thereby. Temporary financing may be provided through the issuance of bond anticipation notes as provided by Section 10-137, R.R.S. Neb. 2007. Said additions and improvements shall be financed on a permanent basis by the issuance of the City's general obligation sanitary sewer bonds issued pursuant to Section 17-925, R.R.S. Neb. 2012.

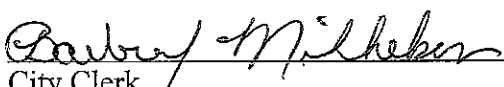
Section 6. This resolution of necessity shall be in force and effect from and after its adoption as provided by law.

PASSED AND APPROVED this 11th day of January, 2022.



Mayor

ATTEST:



City Clerk



7:37 P.M. PUBLIC HEARING:

Mayor Seeman opened the duly advertised public hearing to receive public comments regarding a request to amend Ordinance No. 1110, the Zoning ordinance to the City of Aurora, Nebraska, amending Article 3, Section 303, Subsection 303.108. The proposed amendment would allow for the addition of a minimum square footage for single family dwellings within the definition.

The Mayor asked if there was anyone present who wished to speak in opposition of the proposed recommendation and there was no one. The Mayor then asked if there was anyone present who wished to speak in support of the proposed recommendation. Zoning Administrator Darbro stated the Planning Commission recommended approval. There being no one else present to speak in favor of or opposition to the proposed recommendation the Mayor declared the public hearing closed.

City Attorney Luzum read Ordinance No. 1137 by its title AN ORDINANCE TO AMEND ORDINANCE 1110, THE ZONING ORDINANCE OF THE CITY OF AURORA, NEBRASKA, BY AMENDING THE FOLLOWING SECTION OF ARTICLE THREE: SECTION 303, DEFINITIONS, SUBSECTION 303.108, DWELLING, SINGLE FAMILY; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; TO ORDER THE ORDINANCE PUBLISHED IN BOOK OR PAMPHLET FORM; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Councilor Phillips moved to bring Ordinance No. 1137 before the council and to suspend the statutory three reading rule for consideration of this Ordinance. Councilor Dunn seconded the motion. Voting Aye: Bartling, Dunn, Phillips, Lohrmeyer and Lackore. Nay: None. Absent and not voting: Roblee. 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. 1137. Councilor Bartling seconded the motion. The Mayor stated the question, "Shall Ordinance No. 1137 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Dunn, Phillips, Lohrmeyer, Lackore and Bartling. Nay: None. Absent and not voting: 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

Councilor Phillips moved to approve Pay Application No. 2 for the South Interceptor Phase I to Mid-Nebraska Land Developers for \$40,822.02. Councilor Dunn seconded the motion. Voting Aye: Phillips, Lohrmeyer, Lackore, Bartling and Dunn. Nay: None. Absent and not voting: Roblee. The motion carried.

Councilor Lackore moved to approve the Mayor's re-appointment of Michael Hawthorne to the Hamilton County Joint Airport Zoning Board. Councilor Phillips seconded the motion. Voting Aye: Lohrmeyer, Lackore, Bartling, Dunn and Phillips. Nay: None. Absent and not voting: Roblee. The motion carried.

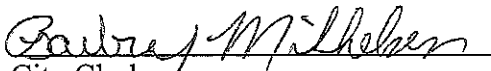
**MISCELLANEOUS:
ADJOURNMENT:**

Having completed all items on the agenda, and there being no further business to conduct, Mayor Seeman declared the meeting adjourned at 7:52p.m.



Mayor

ATTEST:



City Clerk

