

Aurora, Nebraska
November 9, 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 November 9, 2021 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, Utilities Superintendent Adam Darbro and Clerk/Treasurer Barbra Mikkelsen.

Notice of said meeting was given by publication in the Aurora News Register on November 3, 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 October 26, 2021 meeting. Councilor Dunn 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:

Clerk/Treasurer Mikkelsen presented the Expenditures and Clerk/Treasurer reports for the month ending October 31, 2021. Councilor Phillips moved to approve said reports. Councilor Dunn seconded the motion. Voting Aye: Bartling, Dunn, Phillips, 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 Phillips 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 regarding the Preliminary Plat of Diamond 2nd Subdivision, a replat of Diamond Subdivision, City of Aurora, Hamilton County, Nebraska, a part of the Southeast Quarter (SE¼), Section Thirty-Three (33), Township Eleven (11) 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 support of the proposed recommendation. Zoning Administrator Darbro stated the Planning Commission recommended approval. 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 else present to speak in favor of or opposition to the proposed recommendation the Mayor declared the public hearing closed.

Councilor Phillips moved to accept the recommendation of the Planning Commission to approve the request from Hamilton Recreation, Inc. for the Preliminary Plat of Diamond 2nd Subdivision, a replat of Diamond Subdivision, City of Aurora, Hamilton County, Nebraska, a part of the Southeast Quarter (SE¼), Section Thirty-Three (33), Township Eleven (11) North, Range Six (6) West of the 6th P.M., Hamilton County, Nebraska. Councilor Lackore seconded the motion. Voting Aye: Phillips, Lohrmeyer, Lackore, Bartling and Dunn. Nay: 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 regarding the Final Plat of Diamond 2nd Subdivision, a replat of Diamond Subdivision, City of Aurora, Hamilton County, Nebraska, a part of the Southeast Quarter (SE¼), Section Thirty-Three (33), Township Eleven (11) 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 21-17 approving the Final Plat for Diamond 2nd 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 NO. 21-17

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 Diamond 2nd Subdivision, an addition to the City of Aurora, Hamilton County, Nebraska, comprising a part of the Southeast Quarter (SE1/4), Section Thirty-Three (33), Township Eleven (11) North, Range Six (6) West of the 6th P.M., Hamilton County, Nebraska, said area containing approximately 22.00 acres more or less; and have held separate public hearings to consider whether the Subdivision should be included within the Corporate limits of the City of Aurora, and

WHEREAS, said plat of Diamond 2nd 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 Diamond 2nd Subdivision and has recommended that it be included within the Corporate limits, and the City Council on this date has voted for approval of this Subdivision; and has voted to include this Subdivision within the City Limits;

BE IT THEREFORE RESOLVED by the Mayor and City Council of the City of Aurora, Nebraska, that the Final Plat of Diamond 2nd Subdivision be hereby approved and that said addition shall be included within the Corporate limits of the City of Aurora, Nebraska, 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 9th day of November, 2021.

Marlin Seeman

Mayor

ATTEST:

Babra Milleben
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 4, Section 410, Subsection 410.03, Section 411, Subsection 411.03, Section 412, Subsection 412.03 and Section 421, Line Item 94. The proposed amendment would allow for the addition of Greenhouses not exceeding 14 feet in height and 150 square feet in size as a permitted accessory use within the R-1 Residential District, R-R Residential Ranchette District and R/O Residential Office District.

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. 1131 by its title:
AN ORDINANCE TO AMEND ORDINANCE 1110, THE ZONING ORDINANCE OF THE CITY OF AURORA, NEBRASKA, BY AMENDING THE FOLLOWING SECTIONS OF ARTICLE FOUR: SECTION 410, R-1 RESIDENTIAL DISTRICT, SUBSECTION 410.03; SECTION 411, R-R RESIDENTIAL RANCHETTE DISTRICT, SUBSECTION 411.03; SECTION 412, R/O RESIDENTIAL/OFFICE DISTRICT, SUBSECTION 412.03; AND SECTION 421, USE REGULATION MATRIX; 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. 1131 before the council and to suspend the statutory three reading rule for consideration of this Ordinance. Councilor Dunn seconded the motion. Voting Aye: Lackore, Bartling, Dunn, Phillips and Lohrmeyer. 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. 1131. Councilor Bartling seconded the motion. The Mayor stated the question, "Shall Ordinance No. 1131 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Bartling, Dunn, Phillips, Lohrmeyer and Lackore. 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

7:40 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 4, Section 413, Subsection 413.04 and Section 421, Line Items 106 and 202. The proposed amendment would allow for the addition of Incinerators as an accessory use requiring a conditional use permit (CA) within the C-1 Central Business District.

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 denied the request based on reservations on how to regulate emissions and odor. He stated they recommended not approving this ordinance. 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. 1132 by its title:
AN ORDINANCE TO AMEND ORDINANCE 1110, THE ZONING
ORDINANCE OF THE CITY OF AURORA, NEBRASKA, BY AMENDING
THE FOLLOWING SECTIONS OF ARTICLE FOUR: SECTION 413, C-1
CENTRAL BUSINESS DISTRICT, SUBSECTION 413.04; AND SECTION 421,
USE REGULATION MATRIX, LINE ITEMS 106 and 202; 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 accept the Planning Commission's recommendation to not approve the ordinance and to not allow incinerators. Councilor Lohrmeyer seconded the motion. Voting Aye: Bartling, Dunn, Phillips, Lohrmeyer and Lackore. Nay: 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 regarding an application for a Class D Liquor License for Melisha Kliewer of T & L Convenience Store LLC, 213 S 16th Street, Aurora, 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 the application for a Class D Liquor License for Melisha Kliewer of T & L Convenience Store LLC, 213 S 16th Street, Aurora, Nebraska. Councilor Dunn seconded the motion. Voting Aye: Dunn, Phillips, Lohrmeyer, Lackore and Bartling. Nay: None. Absent and not voting: Roblee. The motion carried.

Zoning Administrator Darbro explained the access agreement with the Aurora Country Club. He stated it was to allow the City access to spray for mosquitoes. Councilor Dunn moved to approve the access agreement with the Aurora Country Club. Councilor Bartling seconded the motion. Voting Aye: Phillips, Lohrmeyer, Lackore, Bartling and Dunn. Nay: None. Absent and not voting: Roblee. The motion carried.

Councilor Phillips moved to approve Resolution 21-18 a declaration of surplus property. 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 21-18

WHEREAS, Section 17-503.01 of R.R.S. 1943 Nebraska Statutes requires that Cities post a resolution declaring the sale of surplus property, and

WHEREAS, the City has determined the following to be surplus property:

PUBLIC WORKS DIVISION

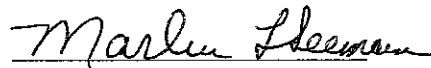
2006 Chevrolet 1500 - White in color 3GCEK14Z56G246982 78,353 miles
2010 Chevrolet 2500 8' Pickup Box – White in Color
Gledhill 10SRPCL 10' Snow Blade
300 Gallon Gravity Flow Fuel Tank on Stand
Lincoln Electric Power MIG 255 Welder
EH Wachs Hydraulic Utility Pipe Cutter
2 – Vetiflo Model 814 1/2 HP Pumps
Toro Personal Pace Walk Behind Mower with Bag

CITY HALL

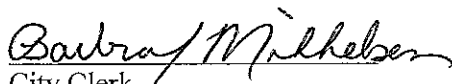
7 – Chairs – Brown in Color
2 – Office Desks with Hutches
Presentation Cabinet with White Board

NOW THEREFORE BE IT RESOLVED that the City staff be authorized to sell said listed surplus property at public auction.

Passed and adopted this 9th day of November, 2021.


Mayor

ATTEST:


City Clerk



Jenny Friesen with the Senior Center spoke about the Senior Center's budget. Councilor Lohrmeyer moved to approve Senior Center funding request for FY 2021-2022 for \$26,400. Councilor Dunn seconded the motion. Voting Aye: Lackore, Bartling, Dunn and Lohrmeyer. Abstain: Phillips. Nay: None. Absent and not voting: Roblee. The motion carried.

Councilor Phillips moved to authorize staff to initiate the acquisition process for the EMS emergency vehicle. Councilor Dunn seconded the motion. Voting Aye: Bartling, Dunn, Phillips and Lohrmeyer. Nay: None. Absent and not voting: Roblee. The motion carried.

Councilor Bartling moved to cancel the second Council Meetings in November and December. Councilor Lohrmeyer seconded the motion. Voting Aye: Bartling, Dunn, Phillips, Lohrmeyer and Lackore. Nay: None. Absent and not voting: Roblee. The motion carried and the November 23rd and December 21st meetings were canceled.

MISCELLANEOUS:
ADJOURNMENT:

Having completed all items on the agenda, and there being no further business to conduct, Mayor Seeman declared the meeting adjourned at 7:56p.m.

Mark Seeman
Mayor

ATTEST:

Barbra Mikheben
City Clerk

