

Aurora, Nebraska
February 8, 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 February 8, 2022 at the City Hall. Present were Councilors: Paul Lackore, Wayne Roblee, Daniel Bartling, Mark Dunn and Dick Phillips. 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 February 2, 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 January 25, 2022 meeting. Councilor Phillips seconded the motion. Voting Aye: Roblee, Bartling, Dunn, Phillips and Lackore. Nay: None. Absent and not voting: Lohrmeyer. 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 January 31, 2022. Councilor Phillips moved to approve said reports. Councilor Dunn seconded the motion. Voting Aye: Bartling, Dunn, Phillips, Lackore and Roblee. Nay: None. Absent and not voting: Lohrmeyer. The motion carried.

Claims Committee Member Dunn 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 Lackore seconded the motion. Voting Aye: Dunn, Phillips, Lackore, Roblee and Bartling. Nay: None. Absent and not voting: Lohrmeyer. 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 application for a Class I Liquor License for Franco Ernesto of Stripe Zone, LLC dba Blazin Wings N More at 850 Q Street, Aurora, NE. The Mayor then asked if there was anyone present who wished to speak in support to the proposed license. Ernesto and Karen Franco introduced themselves. The Mayor asked if there was anyone present who wished to speak in opposition of the proposed license and there was no one. There being no one else present to speak in favor of or opposition to the proposed license the Mayor declared the public hearing closed.

Councilor Lackore moved to approve the application for a Class I Liquor License for Franco Ernesto of Stripe Zone, LLC dba Blazin Wings N More at 850 Q Street, Aurora, NE. Councilor Phillips seconded the motion. Voting Aye: Phillips, Lackore, Roblee, Bartling and Dunn. Nay: None. Absent and not voting: Lohrmeyer. The motion carried.

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

Councilor Lackore moved for final adoption of Ordinance No. 1136. Councilor Dunn seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1136 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Lackore, Roblee, Bartling, Dunn and Phillips. Nay: None. Absent and not voting: 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 Record of the City of Aurora, Nebraska and same be incorporated herein by reference.

Cody Wickham, D.A. Davidson & Co. explained Resolution No. 22-02, to authorize the reimbursement of certain expenditures to the City as related to the 3rd and 4th Streeter projects, with the proceeds derived from the sale of bond anticipation notes or bonds. Councilor Lackore moved to approve Resolution No. 22-02. Councilor Phillips seconded the motion. Voting Aye: Roblee, Bartling, Dunn, Phillips and Lackore. Nay: None. Absent and not voting: Lohrmeyer. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION NO. 22-02

BE IT RESOLVED by the Mayor and Council of the City of Aurora, Nebraska, as follows:

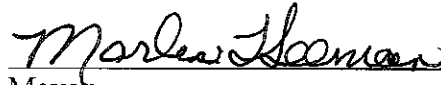
Section 1. The Mayor and Council hereby find and determine that it is necessary and appropriate to declare an official intent to issue tax-exempt bond anticipation notes or bonds by the City and, in addition, the City's reasonable expectations to reimburse certain expenditures with the proceeds of such notes or bonds as proposed to be issued by the City in connection with the construction of certain street, alley, water and sewer improvements and other necessary and appurtenant improvements, now being or to be constructed in and for the City of Aurora, Nebraska; together with engineering, legal, financing and other related project costs.

Section 2. This resolution shall stand as a statement of the official intent of the City under Regulation Section 1.150-2 and for such purpose the following information is hereby given:

(a) A general functional description of the project for which expenditures may be made and reimbursement from tax-exempt bond anticipation notes or bond proceeds provided is the construction of Improvements consisting of street, sewer and water improvements and related appurtenant improvements in and for the City of Aurora, Nebraska in Streeter Third and Streeter Fourth Subdivisions including Street Improvement District No. 185, Water Extension District No. 2021-1, Sanitary Sewer Extension District No. 45, now being or to be constructed in the City of Aurora, Nebraska, all as set out in Section 1 herein.

(b) The principal amount of notes or bonds expected to be issued by the City for that portion of improvements pertaining to this reimbursement resolution is estimated to be an amount not to exceed \$1,780,000.

PASSED AND APPROVED this 8th day of February, 2022.



Mayor

ATTEST:



City Clerk



City Attorney Luzum read Ordinance No. 1138: AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, SERIES 2022, OF THE CITY OF AURORA, NEBRASKA, OF THE PRINCIPAL AMOUNT OF NOT TO EXCEED ONE MILLION SEVEN HUNDRED EIGHTY THOUSAND DOLLARS (\$1,780,000) FOR THE PURPOSE OF PROVIDING INTERIM FINANCING FOR A PORTION OF THE COSTS OF CONSTRUCTING IMPROVEMENTS IN STREET IMPROVEMENT DISTRICT NO. 185, WATER EXTENSION DISTRICT NO. 2021-1, AND SANITARY SEWER DISTRICT NO. 45, PENDING THE ISSUANCE OF PERMANENT GENERAL OBLIGATION BONDS; PRESCRIBING THE FORM OF SAID NOTES; AGREEING TO ISSUE GENERAL OBLIGATION BONDS TO PAY THE NOTES AT MATURITY OR TO PAY THE NOTES FROM OTHER AVAILABLE FUNDS; FIXING CERTAIN TERMS OF THE NOTES AND AUTHORIZING THE FIXING OF OTHER TERMS OF THE NOTES; AND, ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE HOLDERS OF SAID NOTES.

Councilor Phillips moved to bring Ordinance No. 1138 before the council and to suspend the statutory three reading rule for consideration of this Ordinance. Councilor Roblee seconded the motion. Voting Aye: Bartling, Dunn, Phillips, Lackore and Roblee. Nay: None. Absent and not voting: Lohrmeyer. The motion carried.

Councilor Lackore moved for final adoption of Ordinance No. 1138. Councilor Dunn seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1138 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Dunn Phillips, Lackore, Roblee and Bartling. Nay: None. Absent and not voting: 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 Record of the City of Aurora, Nebraska and same be incorporated herein by reference.


Andrew Wilshusen of JEO Consulting Group, Inc. reviewed Change Order No. 1 for the South Interceptor Sewer Phase 1 for Mid-Nebraska Land Developers an increase of \$22,316.25. The change order was for flaggers for horizontal boring to have access to bore under BNSF railroad. Councilor Roblee moved to approve Change Order No. 1 for the South Interceptor Sewer Phase 1 for Mid-Nebraska Land Developers an increase of \$22,316.25. Councilor Dunn seconded the motion. Voting Aye: Phillips, Lackore, Roblee, Bartling and Dunn. Nay: None. Absent and not voting: Lohrmeyer. The motion carried.

Councilor Phillips moved to approve Pay Application No. 3 for the South Interceptor Phase I to Mid-Nebraska Land Developers for \$358,754.14. Councilor Lackore seconded the motion. Voting Aye: Lackore, Roblee, Bartling, Dunn and Phillips. Nay: None. Absent and not voting: Lohrmeyer. The motion carried.

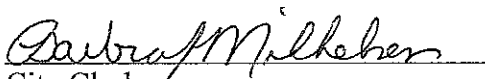
Councilor Lackore moved to approve Change Order No. 1 for Streeter's 3rd & 4th Addition for Rutjens an increase of \$32,325.50. Change order was for 8" sewer main extension from Cottage Park Drive to Lots 29, 30 & 31 Streeter 1st Addition. Councilor Phillips seconded the motion. Voting Aye: Lackore, Roblee, Bartling, Dunn and Phillips. Nay: None. Absent and not voting: Lohrmeyer. 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 7:59p.m.


Mayor

ATTEST:


City Clerk

