

Aurora, Nebraska
September 13, 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 September 13, 2022 at the City Hall. Present were Councilors: Paul Lackore, 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 September 7, 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 August 23, 2022 meeting. Councilor Lackore seconded the motion. Voting Aye: Bartling, Dunn, Phillips and Lackore. Nay: None. Absent and not voting: Roblee and 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 August 31, 2022. Councilor Phillips moved to approve said reports. Councilor Dunn seconded the motion. Voting Aye: Bartling, Dunn, Phillips and Lackore. Nay: None. Absent and not voting: Roblee and 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 Phillips seconded the motion. Voting Aye: Dunn, Phillips, Lackore and Bartling. Nay: None. The motion carried. Absent and not voting: Roblee and Lohrmeyer. 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 a request to amend Ordinance No. 1110, the Zoning Ordinance to the City of Aurora, Nebraska and to amend the Land Use Plan, a part of the Comprehensive Plan, Ordinance No. 1109, to reflect changes in zoning for the property located at: the Northwest corner of 9th Street and E Street, part of the NW1/4, SE1/4, City of Aurora, Hamilton County, Nebraska. Request is to change from R1, Residential District Designation to I-1, Light Industrial District Designation.

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. 1152: AN ORDINANCE TO AMEND ORDINANCE 1110, THE ZONING ORDINANCE OF THE CITY OF AURORA, NEBRASKA, ARTICLE FOUR (4), ESTABLISHMENT AND DESIGNATION OF ZONING DISTRICTS, SECTION 403, THE OFFICIAL ZONING MAP, TO PROVIDE THAT THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF 9TH STREET AND E STREET, PART OF THE NW1/4, SE1/4, CITY OF AURORA, HAMILTON COUNTY, NEBRASKA, BE CHANGED FROM RESIDENTIAL DISTRICT DESIGNATION (R-1) TO LIGHT INDUSTRIAL DISTRICT DESIGNATION (I-1), AND TO PROVIDE THAT SAID CHANGE SHALL BE ENTERED UPON ZONING MAP AS PROVIDED IN ARTICLE FOUR (4), SECTION 404.10, OFFICIAL ZONING MAP CHANGES; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS, TO ORDER THE ORDINANCE PUBLISHED IN BOOK, PAMPHLET, OR ELECTRONIC FORM, AND TO PROVIDE AN EFFECTIVE DATE.

Councilor Phillips moved to bring Ordinance No. 1152 before the council and to suspend the statutory three reading rule for consideration of this Ordinance. Councilor Lackore seconded the motion. Voting Aye: Phillips, Lackore, Bartling and Dunn. Nay: None. Absent and not voting: Roblee and Lohrmeyer. The motion carried.

Councilor Lackore moved for final adoption of Ordinance No. 1152. Councilor Bartling seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1152 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Lackore, Bartling, Dunn and Phillips. Nay: None. Absent and not voting: Roblee 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 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.

City Attorney Luzum read Ordinance No. 1153: AN ORDINANCE TO AMEND ORDINANCE 1109, THE COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF AURORA, NEBRASKA, LAND USE PLAN, TO PROVIDE THAT THE LAND USE DESIGNATION OF THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF 9TH STREET AND E STREET, PART OF THE NW1/4, SE1/4, CITY OF AURORA, HAMILTON COUNTY, NEBRASKA, BE CHANGED FROM RESIDENTIAL DISTRICT DESIGNATION (R-1) TO LIGHT INDUSTRIAL DISTRICT DESIGNATION (I-1); TO REPEAL CONFLICTING ORDINANCES AND SECTIONS, TO ORDER THE ORDINANCE PUBLISHED IN BOOK, PAMPHLET, OR ELECTRONIC FORM, AND TO PROVIDE AN EFFECTIVE DATE.

Councilor Lackore moved to bring Ordinance No. 1153 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 and Phillips. Nay: None. Absent and not voting: Roblee and Lohrmeyer. The motion carried.

Councilor Dunn moved for final adoption of Ordinance No. 1153. Councilor Phillips seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1153 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Bartling, Dunn, Phillips and Lackore. Nay: None. Absent and not voting: Roblee 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 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.

7:33 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 and there was no one. 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 22-09 for the One and Six Year Street Improvement Plan. Councilor Phillips seconded the motion. Voting Aye: Bartling, Dunn, Phillips and Lackore. Nay: None. Absent and not voting: Roblee and Lohrmeyer. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION 22-09

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

"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 13th day of September, 2022 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:

Councilor Phillips	Aye
Councilor Lohrmeyer	Absent and not voting
Councilor Lackore	Aye
Councilor Roblee	Absent and not voting
Councilor Bartling	Aye
Councilor Dunn	Aye

Marlin Seeman
Mayor

ATTEST: Barbara Mulheisen
Clerk



Councilor Phillips moved to adopt Resolution 22-10 authorizing the Mayor to sign the Municipal Annual Certification of Program Compliance Form to comply with new legislation. Councilor Dunn seconded the motion. Voting Aye: Dunn, Phillips, Lackore and Bartling. Nay: None. Absent and not voting: Roblee and Lohrmeyer. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION 22-10

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 13th day of September, 2022 at Aurora, Nebraska.

City Councilors:

Councilor Dick Phillips _____

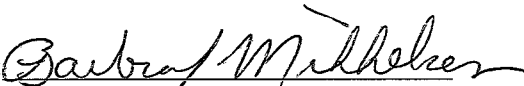
Councilor Mark Dunn _____

Councilor Nancy Lohrmeyer _____

Councilor Daniel Bartling _____

Councilor Paul Lackore _____

Councilor Wayne Roblee _____

ATTEST: 
Clerk

City Attorney Luzum read Ordinance No. 1154: AN ORDINANCE TO PROVIDE FOR THE INSTALLATION AND ENFORCEMENT OF STOP SIGNS ON THE NORTHEAST AND SOUTHWEST CORNERS OF THE INTERSECTION OF CAPITAL STREET AND COTTAGE PARK DRIVE; FOR THE INSTALLATION AND ENFORCEMENT OF A STOP SIGN ON THE NORTHEAST CORNER OF THE INTERSECTION OF HIGHLANDER LANE AND CAPITAL STREET, FOR THE INSTALLATION AND ENFORCEMENT OF A STOP SIGN ON THE NORTHWEST CORNER OF THE INTERSECTION OF HIGHLANDER LANE AND STONE STREET, FOR THE INSTALLATION AND ENFORCEMENT OF A STOP SIGN ON THE SOUTHWEST CORNER OF THE INTERSECTION OF MATSON STREET AND HIGHLANDER LANE, IN THE CITY OF AURORA, NEBRASKA; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; TO ORDER THE ORDINANCE PUBLISHED IN BOOK, PAMPHLET, OR ELECTRONIC FORM; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Zoning Administrator Darbro reviewed Ordinance No. 1154 to erect stop signs in Streeter's Third and Fourth additions. Councilor Lackore moved to bring Ordinance No. 1154 before the council and to suspend the statutory three reading rule for consideration of this Ordinance. Councilor Dunn seconded the motion. Voting Aye: Phillips, Lackore, Bartling and Dunn. Nay: None. Absent and not voting: Roblee and Lohrmeyer. The motion carried.

Councilor Phillips moved for final adoption of Ordinance No. 1154. Councilor Dunn seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1154 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Lackore, Bartling, Dunn and Phillips. Nay: None. Absent and not voting: Roblee 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 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.

Zoning Administrator Darbro explained the request from TDU Investments, LLC for an Administrative Subdivision for the West half of Lot 5 and all of Lot 6 and Lot 7 Block 2 Enterprise Addition, City of Aurora, Hamilton County, Nebraska. Councilor Phillips moved to approve the Administrative Subdivision for the West half of Lot 5 and all of Lot 6 and Lot 7 Block 2 Enterprise Addition, City of Aurora, Hamilton County, Nebraska. Councilor Lackore seconded the motion. Voting Aye: Lackore, Bartling, Dunn and Phillips. Nay: None. Absent and not voting: Roblee and 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 7:48p.m.


Mayor

ATTEST:


City Clerk

