

Aurora, Nebraska
October 25, 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 October 25, 2022 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 October 19, 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 October 11, 2022 meeting. Councilor Lackore seconded the motion. Voting Aye: Roblee, Bartling, Dunn, Phillips, Lohrmeyer and Lackore. Nay: None. The motion carried.

PETITIONS, COMPLAINTS, COMMUNICATIONS:

City Administrator Melcher reviewed the cemetery policies for the columbarium. Councilor Phillips moved to adopt Resolution 22-14 setting cemetery polices for the columbarium. Councilor Lohrmeyer seconded the motion. Voting Aye: Bartling, Dunn, Phillips, Lohrmeyer, Lakcore and Roblee. Nay: None. The motion carried and the following resolution was declared passed and adopted.

RESOLUTION 22-14

WHEREAS, the City of Aurora, Nebraska, owns and operates a City Cemetery as a service to residents of the City.

AND WHEREAS, Sections 34.60 through 34.63 of the Municipal Code of the City of Aurora provides that Rules and Regulations for such service shall be established by resolution of its Council.

BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL that the following Rules and Regulations shall be established for such service:

1. **Definitions:** As used herein, the following terms are defined as follows:
 - A. "Columbarium" is that portion of the Cemetery grounds, which include the Columbarium niches and immediately surrounding areas.
 - B. "Columbarium Niche" is a niche in which cremated human remains are placed.
 - C. "Cremains" are cremated human remains.

- d. "Certificate" is the Certificate to Right of Burial Space provided at time of purchase.
2. All persons are welcome to visit the Columbarium during the hours of 5:00 am to 11:00 pm per Aurora City Ordinance 902. Visitors are expected to be orderly at all times.
3. Visitors may receive information and assistance from the City of Aurora Cemetery Office by calling (402) 694-2052 during regular Office hours.
4. There shall be no planting of any flowers, shrubs, vines or trees around the Columbarium except by the City.
5. There shall be no attachments to the front, top, or sides of any Columbarium, nor are vases, flowers, markers, and wreaths allowed except in the designated area provided by the City of Aurora for that purpose.
 6. A designated area will be provided for flowers and wreaths, which will be allowed at the time of inurnment and for a period of seven days thereafter, provided, no unsightly condition result. Flowers and wreaths may also be placed in the designated area for seven (7) days after other approved holidays as stated in the Rules & Regulations.
7. Engraving and maintenance of any Columbarium Niche by other than City employees, or its designees, under the direction of the Cemetery Supervisor are not allowed. All engraving shall be according to a standardized format (Times New Roman "Bold") determined by the City of Aurora.
8. **Transfer of Niches:** The right to inurnment is personal to and retained only by the person(s) designated on the Certificate. No sale or other transfer of Certificate of niches may occur by will, intestate succession, gift or otherwise, except upon notification of the Cemetery Supervisor. The City of Aurora has no obligation to approve a transfer. The Cemetery shall have first option to repurchase the niche from the Certificate owner or owners thereof. The Cemetery will pay to the Certificate owners the original purchase price paid for the niche less the price of the monument and \$2.00 filing fee.
9. **Prices for Niches:** All charges for opening & closing of niches, sale of niches and for maintenance and services at the Cemetery will be regulated by the City of Aurora, as approved by the City Council.
10. **Additional Pricing for Niche Upgrades:** Any Certificate owner of a single niche who wishes to upgrade to a double niche shall pay the difference between (a) the then current price for a double niche, and (b) the price initially paid by the Certificate owner for the single niche, plus any cost of monument changes and/or costs.
11. **Additional Fees:** In addition to the price for the purchase of a niche, Certificate owners of such niches shall be responsible for, and shall pay all additional charges, related to inscription of niche covers and opening and closing of niches at time of need.
12. **Modification and decoration of niches:** Modification and decoration of niches or any other area of the Columbarium are specifically and expressly prohibited. Niche Front Plaques (monument) shall be inscribed in a uniform manner approved by the City of Aurora and completed by the Cities Design Engraver. Inscriptions shall be limited to the name of the deceased, together with the year of birth and death dates. Any additional emblems or characters such as children's names for inscription shall be approved by the Cemetery Supervisor and shall be at an additional cost. There shall be no flowers or other decorations placed near or affixed to the niches other than the area designated by the Cemetery Supervisor.
13. **Containment of Cremains:** Because of the design of the Columbarium and the individual niches, a maximum of two persons' cremains may be inurned in a single niche. All cremains deposited in a niche shall be enclosed in a container

approved by the City of Aurora so as to fit into the space provided (1 1 ½ " * 1 1 ½ * 11 ½".)

14. **Right to Remove Cremains and Niche Covers:** The City of Aurora retains the absolute right, in its discretion, to remove containers of cremains, niches and niche covers and to relocate all or any part of the Columbarium (including niches) in the event it may deem such action necessary or advisable
15. **Opening of Niches:** A niche may be opened only by written request of a proper person, upon a showing of good cause, as authorized by the City of Aurora and only upon the payment to the City of Aurora all expenses associated with such opening. All such openings shall be duly noted in the records maintained for the Columbarium by the City of Aurora.
16. **Applicability of Rules and Regulations:** All holders of certificates as well as all other persons with direct interest in the Columbarium shall be subject to these Rules and Regulations including any amendments thereto, in addition to the general Rules & Regulations adopted by the City Council.
17. **Reclamation of unused burial right:** City of Aurora reserves the right to reclaim the Right of Burial when there has been an extended period of non-use or other evidence that the Right of Burial has been abandoned or otherwise forfeited by the purchaser. If a Purchaser of Right of Burial does not exercise the Right of Burial for a period of seventy-five (75) consecutive years, the Right to Burial shall automatically revert to the City of Aurora.
18. **Release:** All owners of certificates, on behalf of themselves, their heirs, successors and assigns, release the City from any and all liabilities arising as a result of unauthorized removal of cremains or vandalism of niches and/or their contents.
19. **Amendments:** Amendments to these Rules and Regulations will be implemented by the Cemetery Supervisor with approval of the City Council at a regular City Council meeting.

20. **Fees for Certificate to Right of Burial:**

| City of Aurora Cemetery Columbarium | | | | | |
|---|------------|----------------|----------------|-------------|--|
| Price Sheet | | | | | |
| Niche | Urns/Niche | Purchase Price | Perpetual Care | Total Cost | |
| 1 | 1 | \$ 200.00 | \$ 175.00 | \$ 375.00 | |
| 1 | 2 | \$ 400.00 | \$ 350.00 | \$ 750.00 | |
| 2 | 1 | \$ 400.00 | \$ 350.00 | \$ 750.00 | |
| 2 | 2 | \$ 800.00 | \$ 700.00 | \$ 1,500.00 | |
| Niche Openings / Closings | | | | | |
| Niche Opening/Closing (Monday - Friday) | | | | \$ 260.00 | |
| Niche Opening/Closing (Saturday) | | | | \$ 400.00 | |
| Niche Opening/Closing (Sunday & Holidays) | | | | \$ 550.00 | |
| Disinurment | | | | \$ 400.00 | |

21. **Cemetery Hours of Operation:**

Monday – Friday 8:00 am – 5:00 pm
 Saturday 8:00 am – 12:00 pm, By Appointment, Call
 Cemetery

Supervisor at 402-694-2052 or 402-604-0804

22. Cemetery Policy Acknowledgment: The provisions of these Policies shall extend to and be binding upon the heirs, legal representatives, and successors of the parties. Purchaser shall acknowledge in writing the receipt of a copy of the aforementioned Policies.

Passed and adopted this 25th day of October, 2022.

Marlene Seaman
Mayor

ATTEST:

Barbara M. Mikhelsen
City Clerk



Zoning Administrator Darbro explained the Get After It, LLC request to install an awning that would overhang city right of way. Councilor Lackore moved to approve the request from Get After It, LLC to install an awning that would overhang City Right of Way at 1206 L Street. Councilor Dunn seconded the motion. Voting Aye: Dunn, Phillips, Lohrmeyer, Lackore, Roblee and Bartling. Nay: None. The motion carried.

Zoning Administrator Darbro explained the Hamilton County Youth Center request to install an awning that would overhang city right of way. Councilor Dunn moved to approve the Hamilton County Youth Center to install an awning that would overhang City Right of Way at 1217 12th Street. Councilor Lackore seconded the motion. Voting Aye: Phillips, Lohrmeyer, Lackore, Roblee, Bartling and Dunn. Nay: None. The motion carried.

Councilor Lohrmeyer moved to approve the request from Deb Kalkwarf of Grandview Café for a special designated liquor license for a Christmas party at the Leadership Center, November 18, 2022, 5:00pm-11:00pm. Councilor Dunn seconded the motion. Voting Aye: Lohrmeyer, Lackore, Roblee, Bartling, Dunn and Phillips. Nay: None. The motion carried.

Councilor Lackore moved to approve Resolution No. 22-15 authorizing the Mayor to sign the Year-End Certification of City Street Superintendent form. Councilor Phillips seconded the motion. Voting Aye: Lackore, Roblee, Bartling, Dunn, Phillips and Lohrmeyer. Nay: None. The motion carried and a copy of the resolution is attached to these minutes.

MISCELLANEOUS:

ADJOURNMENT:

Having completed all items on the agenda, and there being no further business to conduct, Mayor Seaman declared the meeting adjourned at 7:40p.m.

Marlene Seaman
Mayor

ATTEST:

Barbara M. Mikhelsen
City Clerk

