

Aurora, Nebraska  
March 14, 2023

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 March 14, 2023 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 March 8, 2023. 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 February 14, 2023 meeting. Councilor Lackore seconded the motion. Voting Aye: Roblee, Bartling, Dunn, Phillips, Lohrmeyer and Lackore. Nay: None. 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 February 28, 2023. Councilor Phillips moved to approve said reports. Councilor Lohrmeyer seconded the motion. Voting Aye: Bartling, Dunn, Phillips, Lohrmeyer, Lackore and Roblee. Nay: None. 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, Roblee and Bartling. Nay: None. The motion carried. A listing of said claims is attached to these minutes.

Lori Ferguson, Community Consultant with SCEDD updated the Council on the next steps for the Downtown Revitalization Project.

**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: : Lots 22-25, Prestons 2nd Subdivision of Lots 6 and 7, 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. 1163: 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 LOTS TWENTY-TWO (22), TWENTY-THREE (23), TWENTY-FOUR (24) AND TWENTY-FIVE (25), PRESTON'S 2ND SUBDIVISION OF LOTS 6 AND 7, 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.

Agenda item number #7 Ordinance No. 1163 died due to lack of motion.

City Attorney Luzum read Ordinance No. 1164: 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 LOTS TWENTY-TWO (22), TWENTY-THREE (23), TWENTY-FOUR (24) AND TWENTY-FIVE (25), PRESTON'S 2ND SUBDIVISION OF LOTS 6 AND 7, 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.

Agenda item number #8 Ordinance No. 1164 died due to lack of motion.

#### **7:33 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 418, Subsection 418.04 and Section 421, Line Item 84. The proposed amendment would allow Facilities for the commercial storage/distribution/sale of fertilizer/toxic/flammable ag chemicals as a conditional use within the I80X – Interstate Interchange zoning 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. 1165: AN ORDINANCE TO AMEND ORDINANCE 1110, THE ZONING ORDINANCE OF THE CITY OF AURORA, NEBRASKA, BY AMENDING THE FOLLOWING SECTIONS OF ARTICLE FOUR: SECTION 418, I80X INTERSTATE INTERCHANGE DISTRICT, SUBSECTION 418.04, CONDITIONAL USES AND STRUCTURES AND SECTION 421, USE REGULATION MATRIX; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; TO ORDER THE ORDINANCE PUBLISHED IN BOOK, PAMPHLET, OR ELECTRONIC FORM; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Councilor Lackore moved to bring Ordinance No. 1165 before the council and to suspend the statutory three reading rule for consideration of this Ordinance. Councilor Phillip seconded the motion. Voting Aye: Lackore, Roblee, Bartling, Dunn, Phillips and Lohrmeyer. Nay: None. The motion carried.

Councilor Phillips moved for final adoption of Ordinance No. 1165. Councilor Lackore seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1165 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Roblee, Bartling, Dunn, Phillips, Lohrmeyer and Lackore. Nay: None.

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.

Councilor Phillips moved to approve the public service utilities easement from KAAPA Partners Aurora, LLC. Councilor Lackore seconded the motion. Voting Aye: Bartling, Dunn, Phillips, Lohrmeyer, Lackore and Roblee. Nay: None. The motion carried.

City Attorney Luzum read Ordinance No. 1166: AN ORDINANCE VACATING A TRACT OF LAND LOCATED IN PART OF HARVEST DRIVE, PACIFIC AURORA SUBDIVISION, CITY OF AURORA, HAMILTON COUNTY, NEBRASKA; REVERTING TITLE OF SAID PROPERTY TO THE OWNERS OF THE ABUTTING REAL ESTATE; AND REPEALING ALL PRIOR ORDINANCES AND RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

Councilor Phillips moved to bring Ordinance No. 1166 before the council and to suspend the statutory three reading rule for consideration of this Ordinance. Councilor Lohrmeyer seconded the motion. Voting Aye: Dunn, Phillips, Lohrmeyer, Lackore, Roblee and Bartling. Nay: None. The motion carried.

Councilor Lackore moved for final adoption of Ordinance No. 1166. Councilor Dunn seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1166 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Phillips, Lohrmeyer, Lackore, Roblee, Bartling and Dunn. Nay: None.

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.

Councilor Lohrmeyer moved to approve the application for Corporate Manager for a Class D Liquor License for Christopher C. Sieck for Casey's General Store. Councilor Phillips seconded the motion. Voting Aye: Lohrmeyer, Lackore, Roblee, Bartling, Dunn and Phillips. Nay: None. The motion carried.

Councilor Lackore moved to approve the request from Scotty's, LLC of Marquette, NE for a special designated liquor license for a reception at The Ivy, 1103 K St, Aurora, NE, May 27, 2023, 3:00pm-1:00am. Councilor Dunn seconded the motion. Voting Aye: Lackore, Roblee, Bartling, Dunn, Phillips and Lohrmeyer. Nay: None. The motion carried.


Councilor Lackore moved to approve the request from Deb Kalkwarf of Grandview Café for a special designated liquor license for a reception at The Ivy, 1103 K St, Aurora, NE, April 22, 2023, 4:00pm-11:00pm. Councilor Dunn seconded the motion. Voting Aye: Roblee, Bartling, Dunn, Phillips, Lohrmeyer and Lackore. Nay: None. The motion carried.

Councilor Lackore moved to approve the Noise Control Special Variance Application from Aurora High School Prom Committee, for Prom at The Leadership Center, April 1, 2023, 8:00pm -12:00am. Councilor Lohrmeyer seconded the motion. Voting Aye: Bartling, Dunn, Phillips, Lohrmeyer, Lackore and Roblee. Nay: None. The motion carried.

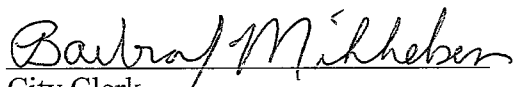
**MISCELLANEOUS:**

**ADJOURNMENT:**

Having completed all items on the agenda, and there being no further business to conduct, Mayor Seeman declared the meeting adjourned at 8:11p.m.

  
Mayor

ATTEST:

  
City Clerk

