Aurora, Nebraska
September 8, 2026

A meeting of the Mayor and Council of the City of Aurora, Nebraska, was convened in open and public session 7:30 p.m. on September 8, 2026, at the City Hall. Present were Councilors: Paul Lackore, Todd Jensen, Dick Phillips, Mark Dunn and Esther Bergen. Mayor Marlin Seeman conducted the meeting. City Officials present were City Administrator Adam Darbro, City Attorney Ross Luzum, Chief of Police Paul Graham, Public Works Director Jeremy Cattau and Clerk/Treasurer Barbra Mikkelsen.

Notice of said meeting was given by publication in the Aurora News Register on September 2, 2026. 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 DOORS IN THE BACK OF THE ROOM.

MINUTES:

Councilor Dunn moved to approve the minutes from the August 25, 2026, meeting. Councilor Jensen seconded the motion. Voting Aye: Jensen, Dunn, Phillips, Bergen and Lackore. Nay: None. Absent and not voting: Bartling. 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, 2026. Councilor Phillips moved to approve said reports. Councilor Bergen seconded the motion. Voting Aye: Dunn, Phillips, Bergen, Lackore and Jensen. Nay: None. Absent and not voting: Bartling. The motion carried.

Councilor 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 Jensen seconded the motion. Voting Aye: Dunn, Phillips, Bergen, Lackore and Jensen. Nay: None. Absent and not voting: Bartling. The motion carried. A listing of said claims is attached to these minutes.

City Administrator Darbro reviewed the proposed pay scale. Councilor Phillips moved to approve the proposed pay scale. Councilor Dunn seconded the motion. Voting Aye: Phillips, Lackore and Dunn. Nay: Bergen and Jensen. Absent and not voting: Bartling. The motion carried.

7:30 P.M. PUBLIC HEARING:

Mayor Seeman opened the duly advertised public hearing to hear public comments regarding amending Ordinance No. 1110, the Zoning Ordinance to the City of Aurora, Nebraska to amend Article 4, Section 421, Use Regulation Matrix, Line Item 176. The proposed amendment will allow for Retail/Wholesale sale of parts, accessories, or tires as a conditional use withing the C-Central Business District. The Mayor asked if there was anyone present who wished to speak in favor of the amendment. Zoning Administrator Cattau stated the Planning

Commission recommended approving the amendment. Mayor Seeman then asked if there was anyone who wished to speak in opposition to the plan. The Mayor read the following written comment: "Dear City Clerk, I am unable to attend tonight's September 8, 2026 City Council meeting in person. Please provide this written comment to the Mayor and all members of the City Council prior to the public hearing on Agenda Items 6 and 7 concerning Ordinance No. 1240. I respectfully request that this correspondence be entered into the official record of the meeting and that the minutes reflect that I submitted written public comment regarding Ordinance No. 1240 and the relationship between the proposed amendment to Line Item 176 and CUP No. 26-03. My public comment is as follows: My name is Chelsi Decker, and I live at 1117 11th Street, directly next to 1016 M Street. My concern regarding Ordinance No. 1240 is very specific. On June 3, 2026, the Planning Commission approved CUP No. 26-03 for an automobile repair and tire-service business at 1016 M Street. The CUP application identifies the property as C-1 Central Business and states that the proposed use includes auto service, tire repair and installation, and sales of new tires. The accompanying business plan also identifies tire sales and installation. Tonight, the City Council is being asked to amend Article 4, Section 421, Use Regulation Matrix, Line Item 176, so that retail or wholesale sales of parts, accessories, or tires may be allowed as a conditional use within the C-1 Central Business District. The City's currently posted zoning matrix identifies Line Item 176 as prohibited in C-1. That creates a question that I believe needs to be answered publicly before Ordinance No. 1240 is adopted: If tire sales were already legally permitted through a conditional use permit in C-1 when CUP No. 26-03 was approved in June, why is the City now amending the zoning ordinance to make tire sales a conditional use in C-1? Conversely, if tire sales were prohibited in C-1 under the ordinance in effect when CUP No. 26-03 was approved, what specific provision of the zoning ordinance provided the legal authority to include tire sales in that approval? I am not asking the Council to target MPT Auto Service or shut down a business. This is about the City's zoning process and the consistent application of its ordinances. Changing the ordinance now does not, by itself, answer what authority existed when the earlier decision was made. I respectfully ask the Council to table Ordinance No. 1240 until the City identifies, on the record, the specific legal basis that allowed tire sales to be included in CUP No. 26-03 before the proposed amendment to Line Item 176. I also ask that the City clarify whether adoption of Ordinance No. 1240 is intended to have any effect on CUP No. 26-03 and, if so, what that effect would be. Please acknowledge receipt of this written public comment. I also respectfully request that its receipt be acknowledged during the public hearing so that there is a clear record that it was submitted for consideration before action is taken on Ordinance No. 1240. Thank you, Chelsi Decker 1117 11th Street Aurora, Nebraska." There being no one else present to speak in favor of or in opposition to the proposed amendment Mayor Seeman declared the public hearing closed.

City Attorney Luzum read Ordinance No. 1240: AN ORDINANCE TO AMEND ORDINANCE 1110, THE ZONING ORDINANCE OF THE CITY OF AURORA, NEBRASKA, BY AMENDING THE FOLLOWING SECTION OF ARTICLE FOUR: 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 1240 before the council and to suspend the statutory three reading rule for consideration of this ordinance. Councilor Bergen seconded the motion. Voting Aye: Bergen, Lackore, Jensen, Dunn and Phillips. Nay: None. Absent and not voting: Bartling. 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. 1240. Councilor Phillips seconded the motion. Mayor Seeman then stated the question, "Shall Ordinance No. 1240 be passed and adopted?" Upon roll call vote, the following Councilors voted Aye: Lackore, Jensen, Dunn, Phillips and Bergen. Nay: None. Absent and not voting: Bartling.

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 stated the question was asked whether a majority vote of those present, or a majority vote of those elected to the Council was needed to pass the motion regarding approving the proposed pay scale, and on further review it was determined that to pass, for purposes of the expenditure of funds, the motion would need a majority of those elected to the Council. As a result, if the Council wished to approve the proposed pay scale, there would need to be a new motion, second, and yes votes from a majority of those elected to the City Council.

Councilor Phillips moved to approve the proposed pay scale. Councilor Dunn seconded the motion. Voting Aye: Jensen, Dunn, Phillips and Lackore. Nay: Bergen. Absent and not voting: Bartling. The motion carried.

City Administrator Darbro led a discussion on the budget. He presented two options regarding the property tax request. The first option was to request as much that could be requested without having to hold a pink post card meeting. The second option was to ask for the amount allowed by taxing real growth only and taxing inflation.

Councilor Jensen moved to use the real growth only option to calculate the property tax request. Councilor Bergen seconded the motion. Voting Aye: Bergen and Jensen. Nay: Dunn, Phillips and Lackore. The motion failed.

MISCELLANEOUS:
ADJOURNMENT:

Having completed all items on the agenda, and there being no further business to conduct, Mayor Seeman declared the meeting adjourned at 9:07p.m.

Marlin J Seeman
Mayor

ATTEST:

Barbra J Mikkelsen
City Clerk

CITY OF AURORA CORPORATE SEAL AURORA, NEBRASKA