

**ASHLAND CITY COUNCIL
REGULAR MEETING
December 7, 2023**

A regular meeting of the Ashland City Council was held at the Ashland City Hall Council Chambers on the 7th day of December, 2023 at 7:00 p.m.

Present: Mayor James Anderson
City Council President Chuck Niemeyer
City Council Member Michelle Libal
City Council Member Jerry Lofberg
City Administrator Jessica Quady
Assistant City Attorney Sarah Meier

Absent: City Council Member Jake Crnkovich
City Clerk Kathleen Sliva

Others: Tim Adams, Brian Whitehead, Mike Alger, Lowell Krueger, Dan Linke, Caleb Fjone, Carol Clough, Ron Styskal, Tom Danahy, Cindy Danahy, Michael Cerny, Richard Burton, Bill Krejci, and others

Notice of meeting was advertised in the Ashland Gazette on November 30, 2023. The Mayor and all Council Members received advance notice of the meeting and a copy of the agenda as shown by the Acknowledgment of Receipt of Notice. All proceedings hereafter shown were taken while the convened meeting was open to the public.

Mayor Anderson called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited. Roll call was taken and a quorum was declared. Anderson noted the Open Meetings Act located on the south wall of the room.

Motion by Lofberg, second by Niemeyer to adopt the regular agenda.
Roll Call: Ayes: All Motion Carried

Carol Clough spoke to the City Council regarding books she brought for City officials regarding the State of the City of the Omaha metro area. She stated she thought it would be useful information for the City of Ashland elected and appointed officials.

Motion by Libal, second by Lofberg to approve second reading of Ordinance 1229 – Amend the Future Land Use Map at approximately 2102 Furnas Street from High Density Residential to General Commercial.

Assistant City Attorney Meier read the title of Ordinance 1229.
Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Lofberg to approve second reading of Ordinance 1230 – Amend the Official Zoning Map at approximately 2102 Furnas Street from High Density Residential to General Commercial.

Assistant City Attorney Meier read the title of Ordinance 1230.

Roll Call: Ayes: All Motion Carried

Caleb Fjone gave an update of the Creative District to the City Council. He noted that the heights of the Towers of History have been lowered to accommodate easier viewing of the bronze statues. He also reported that the goal is to make them “wear and tear proof”.

Michael Cerny and his architect, Richard Burton, addressed the City Council regarding the required parking at the building he is constructing at 8th and Dale Streets. Cerny stated that his plan is to put a 3,600 square foot building on this odd shaped lot. He noted that he was told from Krejci, the Zoning Administrator, that he needed 10 parking spots for his business. He stated that Bill said he could have a parking spot in front of the overhead garage door and two parking stalls in front of his building as three of the ten required parking spots. Cerny noted that he wants to have off-street parking on Dale Street. He said he cannot put seven more parking stalls on his lot, that it won't work. He stated he will have a real estate company there and he has been in touch with someone who wants to have an office in the building for his heating and air conditioning company. He stated there wouldn't be heavy traffic to his building. Niemeyer asked if he had been to the Planning Commission. Quady stated that the only way it would go to the Planning Commission is if there was a request to change the zoning regulations regarding the parking. Krejci and Assistant City Attorney Meier stated that the Board of Adjustment cannot authorize a business to use City property for their required parking. Libal asked how ten parking spots were figured. Krejci noted it is the calculation per square foot and the calculation is in the regulations. He also noted that in this zoning district, this type of business is considered retail. In addition, he stated that all of the recent building projects have had to meet these same regulations. Meier suggested that he reduce the size of his building. Cerny stated that he could but that he isn't going to. He stated that every church in town has off-street parking and many businesses do. Niemeyer stated if this change is made, a can of worms will be opened for anything that goes into this community. Cerny asked for communication and dialogue to continue. Cerny and Burton stated that they had looked at several layouts of the building and none would alleviate the parking issue. Lofberg asked about the use of the green space and Krejci stated that the green space is required in the Highway regulations. Burton stated that the City of Lincoln is making a push to remove parking requirements and that Fayetteville Arkansas has already done so. Krejci stated that 8th Street hasn't been abandoned and the regulations state that if you're building in a commercial zoning district, abutting a residential zoning district, that you have to be 40 feet from the property line and Cerny's building is set to be only ten feet from the property line because of the platted but not thru street.

Tim Adams of JEO Consulting Group spoke to the City Council about the upcoming project to add a water line on Furnas and 30th Streets. This would improve the redundancy in this area

if/when water needs to be shut off for any repairs. He explained there are a number of dead-end mains along Furnas Street and 30th Street. He noted that he would be coming back at a future meeting for consideration of the agreement after clarifications are made with the Utility Superintendent on the project.

Motion by Lofberg, second by Niemeyer to approve Amended and Restated Lottery Operator Agreement with BBW Enterprises, LLC.

Roll Call: Ayes: All Motion Carried

Lowell Krueger, owner of 106 South 16th Street, spoke to the Council regarding his nuisance property. He said he has been working on the porch. Discussion followed.

Motion by Niemeyer, second by Lofberg to table consideration of recommendation for abatement of nuisance at 106 South 16th Street until January 4, 2024.

Roll Call: Ayes: All Motion Carried

Mike Alger, owner of 1526 Ash Street, spoke to the Council regarding the nuisance at his property. Alger stated that he just needs a notarized form to send to the State of Missouri to continue working on getting the box truck titled and licensed. Libal stated that she or someone else at City Hall could notarize it for him.

Motion by Libal, second by Lofberg to table consideration of recommendation for abatement of nuisance at 1526 Ash Street until January 4, 2024.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Libal to approve consent agenda which included approval of the November 16, 2023 City Council meeting minutes; and approval of pay requests from JEO Consulting Group Inc. for General Engineering in the amount of \$4,640.00 and for ArcGIS Online Implementation in the amount of \$3,230.00.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Lofberg to approve the second half of November 2023 Claims.

Roll Call: Ayes: All Motion Carried

Mayor Anderson complimented the Public Works crew on the Christmas decorations downtown.

Motion by Lofberg, second by Niemeyer to adjourn sine die at 8:10 p.m.

Roll Call: Ayes: All Motion Carried

Mayor Anderson opened the Annual Meeting at 8:10 p.m.

Council Member Lofberg nominated Chuck Niemeyer as President of the Council. No other nominations were made.

Motion by Lofberg, second by Libal to approve Chuck Niemeyer as the President of the Council.
Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Lofberg to approve 2024 Mayoral Appointments.
Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Libal to adjourn at 8:13 p.m.
Roll Call: Ayes: All Motion Carried


James Anderson, Mayor


Jessica Quady, Deputy City Clerk



I, the above signed Deputy City Clerk of Ashland, Saunders County, Nebraska hereby certify that the foregoing is a true and accurate copy of the proceedings had and done by the Council on December 7, 2023 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty four hours prior to said meeting; that said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten business days or prior to the next convened meeting of said body.