

**ASHLAND CITY COUNCIL  
REGULAR MEETING  
January 16, 2020**

A regular meeting of the Ashland City Council was held at the Ashland City Hall Council Chambers on the 16th day of January, 2020 at 7:00 p.m.

Present: Mayor Richard Grauerholz  
City Council Member James Anderson  
City Council Member Matt Meyer  
City Council Member Bruce Wischmann  
City Administrator Jessica Quady  
City Clerk Kathleen Sliva  
City Attorney Mark Fahleson

Others: Steve Williams, Pam Thompson, Mike Cerny, Susan Cerny, Nathan Hughes, Ted Hughes and Lenora Isom

Notice of meeting was advertised in the Ashland Gazette on January 9, 2020. 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 Grauerholz 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. Mayor Grauerholz noted the Open Meetings Act that is posted on the south wall of the Council Chambers.

Motion by Anderson, second by Wischmann to adopt the regular agenda.

Roll Call: Ayes: All Motion Carried

Susan Cerny made public comment commending and thanking the Mayor, Council and City Administrator for the proactive stance taken with Lincoln Water Works regarding their water lines running along Highway 6. She said current and future property owners along Highway 6 will now have a smooth development process to determine where the Lincoln Water line easements are located.

Mayor Grauerholz opened a Public Hearing on Conditional Use Permit to install a Ground Sign at Lot 1 Admin Plat of Lot 62 Sabre Heights 2<sup>nd</sup> Add 3-12-9, located at 324 North 32<sup>nd</sup> Street at 7:03 p.m. Zoning Administrator Isom stated they want to put in a new ground sign as sketched. She said the sign complies with the zoning requirements in that district and for the type of sign. She added that the Planning Commission recommended approval

of the sign and the proposed location. With no further approval, Mayor Grauerholz closed the Public Hearing at 7:05 p.m.

Mayor Grauerholz opened a Public Hearing on proposed Ordinance 1173 to modify the Zoning Ordinance of the City of Ashland NE at 7:05 p.m. Zoning Administrator Isom stated this is reactive to comments made at the Public Hearing for annexation by property owners, particularly those near the cemetery who currently can legally discharge firearms as residents of the county. She said in order to make sure the annexation didn't change their liberties on their property, it was discussed modifying the zoning regulations to allow the continuation of pre-existing legal discharge of a firearm in the City limits. She said when the regulations were written there was not transitional ag within the City limits. She said this will be a Conditional Use Permit so if there is a problem it can be addressed by the Council. She said the Planning Commission did request that there be no fee for this permit and if any owner comes in prior to this being adopted that there be a provisional permit for those annexed property owners. City Attorney Fahleson said Municipal Ordinance 6-307 should be revised and that he will be recommending changes for the second reading of Ordinance 1173. With no further comments, Mayor Grauerholz closed the Public Hearing at 7:08 p.m.

Mayor Grauerholz opened a Public Hearing on Conditional Use Permit for Domestic Dog Kennel at Lots 4-5 Block 25 Miller & Clark Addition to Ashland NE, located at 2411 Clay Street at 7:09 p.m. Zoning Administrator Isom said they have moved so this is transferring an existing kennel to the new address. She said the Planning Commission recommended approval. She added the permit will renew in the spring. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:10 p.m.

Motion by Wischmann, second by Meyer to introduce and approve first reading of Ordinance 1173 – Modification to the Zoning Ordinance of the City of Ashland NE.

City Attorney Fahleson read the Title of Ordinance 1173.

Roll Call:                      Ayes: All                      Motion Carried

Ted Hughes of Blackstrap, Inc. spoke to the Council regarding the salt building he is building along Highway 6. He provided a handout with drawings of the proposed building with plantings along with a picture of his existing structure in Neleigh. He said he would like to get something decided so the project can move on. He reviewed the City's Design Overlay guidelines and gave explanations as to how his project meets these guidelines. He said the area is zoned Light Industrial. He said they were probably in error setting the interior walls which prompted Zoning Administrator Isom to contact him. He said the building design is a hooped building; the building will have a total of seven vertical feet for exterior walls; and they would be willing to possibly brick or install some type of good quality cover on the 3-foot by 3-foot concrete block portion of the 7-foot wall. Zoning Administrator Isom said she recommended brick and she has been waiting to see plans with changes. She said just plantings in her interpretation of this is not adequate as the

plants die, or if it is a seasonal thing there are no protections. She said she has given general suggestions and was waiting to hear what was amenable with an actual plan and a complete permit. Isom said she considered the hoop part to be a roof and exempt but that something needs to be done to the exposed portion of the vertical wall. She said 25% of the vertical wall, which would be about three feet, needs to be something different. She said continued maintenance is a portion of the guidelines as well. She said something that is an earth tone masonry unit could be used. Hughes said he would have no problem doing something on the three-foot of vertical block. Hughes said on the Lincoln end of the building the tarp stops at about the top of the wall which is why they decided to put the plantings on that end. He added that the white building allows ambient light into the building. Isom said the City can notify owners in this district that the plantings have to be maintained. City Administrator Quady said occupancy can be pulled if something starts to look unmaintained. Hughes said the Lincoln side is not visible from the highway because it is perpendicular. He also explained the avalanche effect of snow on the building. He said on the Lincoln side their preference is to do plantings because there isn't the avalanche affect there and it would be away from the highway salt. He said a brick wall can't be built next to the taller concrete wall because there will be a crevice where the snow can't get away from the building. Hughes agreed he would check with the builder if the tarp could come down over the tall wall with an extension or apron to make the building look uniform. Isom noted that in Section E3d states that design requirements need to be maintained for the life of the project and in the event they fail to do so, the City may revoke the occupancy permit. Isom said if the tarp cannot come down perhaps it can be painted white. Quady said the northeast and southwest ends of the building can be seen from the highway. Hughes said there is a fire hydrant and probably a water line on the Lincoln end of the property and an easement is needed.

Motion by Meyer, second by Wischmann to approve Conditional Use Permit to install a Ground sign at 324 North 32<sup>nd</sup> Street.

Roll Call:                      Ayes: All                      Motion Carried

Motion by Meyer, second by Anderson to approve Conditional Use Permit for Domestic Dog Kennel at 2411 Clay Street.

Roll Call:                      Ayes: All                      Motion Carried

City Administrator Quady said Mike Lesley, owner of nuisance property at 2602 Adams Street, had been in to City Hall to talk with her about the status of his property. She said she had left him a voicemail about the need for a structural engineer if he planned to renovate the house. She said Lesley said he had changed his mind about renovating the house. She said he was going to go back to a builder that he had been talking to and was to give an update tonight but he is not here to do so. Quady reviewed photos of the property. She said she told him if he was going to start building in the spring the City needs to see house plans. Council Member Meyer said there needs to be a deadline on when Lesley needs to provide building plans.

Motion by Meyer, second by Wischmann to approve granting an extension of completion date for nuisance property at 2602 Adams Street until February 20, 2020 dependent upon a building permit with attached plans be submitted to the City by that date.

Roll Call:                   Ayes: All                   Motion Carried

Steve Williams, owner of nuisance property at 204 South 23<sup>rd</sup> Street spoke to the Council. City Administrator Quady said that the week of Christmas she and Paul Gossin had met Williams at the property to develop a list of items that needs to be accomplished. Steve Williams said he has gotten rid of ten tires and has a guy who wants 15 barrels. He said he can only work weekends when his children are available to help. City Administrator Quady reviewed pictures of the property taken in the afternoon and items on the list. Williams agreed that the final clean up can probably be accomplished by April 16. Council Member Wischmann suggested Williams return on March 5 to give the Council an update.

Motion by Meyer, second by Wischmann to grant an extension of completion for nuisance property at 204 South 23<sup>rd</sup> Street until March 5, 2020.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Anderson, second by Wischmann to approve Change Order #1 for Dawes Street Water Main in the amount of an increase of \$1,748.20.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Anderson, second by Wischmann to approve Pay Request #1 & Final from General Excavating for the Dawes Street Water Main project in the amount of \$70,044.40.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Wischmann, second by Meyer to approve Substantial Completion for the Dawes Street Water Main project.

City Attorney Fahleson said this will start the one-year warranty period.

Roll Call:                   Ayes: All                   Motion Carried

Council Member Wischmann said he has observed speeding on Clay Street and he suggested stop signs be placed at 20<sup>th</sup> Street and 15<sup>th</sup> or 16<sup>th</sup> Streets to slow traffic. City Administrator Quady said she would discuss stop signs on Clay Street with the Police Chief. Council Member Meyer asked Quady to check with the Chief about the need for a stop sign at 29<sup>th</sup> and Kendel Streets.

Reviewed the December 2019 Keno Report.

Reviewed the Public Works Director's Report.

Reviewed Utility Superintendent's Report.

Reviewed Police Chief's Report.

Reviewed Rescue Report.

Motion by Anderson, second by Wischmann to approve the consent agenda which included approval of the January 2, 2020 City Council meeting minutes; approval of the December 17, 2019 Planning Commission meeting minutes; and approval of Lucas Atkinson as a member of the Historic Preservation Committee.

Roll Call:                      Ayes: All                      Motion Carried

Motion by Meyer, second by Wischmann to approve the first half of January 2020 Claims.

Roll Call:                      Ayes: All                      Motion Carried

Motion by Meyer, second by Wischmann to approve December 2019 Treasurer's Reports.

Roll Call:                      Ayes: All                      Motion Carried

Mayor Grauerholz said City Administrator Quady and he will be meeting with applicants for the Building Official/Zoning Administration position next week. He reported on a meeting with the City of Lincoln water main project. He reminded the Council that the Chamber of Commerce banquet is February 1. He said the Unicameral is back in session and noted a few bills that will be affecting municipalities.


Council Member Anderson thanked Susan Cerny for her positive comments and he welcomed Blackstrap to Ashland.

City Administrator Quady distributed the estimated payment schedule for the Silver Street Bridge Bonds that was approved last month. She said \$500,000 will be bonded and the interest rates are under 2%.

Motion by Anderson, second by Wischmann to adjourn the meeting at 8:17 p.m.

Roll Call:                      Ayes: All                      Motion Carried

  
Richard Grauerholz, Mayor

  
Kathleen Sliva, City Clerk



I, the above signed 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 January 16, 2020 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.