

**ASHLAND CITY COUNCIL  
REGULAR MEETING  
July 7, 2022**

A regular meeting of the Ashland City Council was held at the Ashland City Hall Council Chambers on the 7th day of July, 2022 at 7:00 p.m.

Present: Mayor Richard Grauerholz  
City Council President James Anderson  
City Council Member Jake Crnkovich  
City Council Member Chuck Niemeyer  
City Council Member Bruce Wischmann  
City Administrator Jessica Quady  
City Clerk Kathleen Sliva  
City Attorney Mark Fahleson

Others: Ron Styskal, Jerry Lofberg, Caleb Fjone, Susan Cerny, Cindy Danahy, Tom Danahy, Christine Devillier, Lowell Krueger, Maureen Freeman-Caddy, Bill Krejci and others

Notice of meeting was advertised in the Ashland Gazette on June 30, 2022. 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 located on the south wall of the room.

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

Roll Call: Ayes: All Motion Carried

Susan Cerny presented a framed copy of a Lincoln Journal Star article and picture published on April 8, 2022 to Mayor Grauerholz.

Christine Devillier gave public comment regarding Lowell Krueger's property at 106 South 16<sup>th</sup> Street. She said the City Council listened in the 1990's by seeking bids to use the bricks on the streets in the downtown area instead of asphalt and it is now a lovely cohesive creative district. She asked the Council to listen now and allow Krueger to continue to restore this house.

Motion by Anderson, second by Wischmann to approve Resolution 2022-10 – Setting Mileage Rate.

City Administrator Quady said the mileage rate was recently raised by the Department of Revenue to 62.5 cents and that this resolution would bring the City's rate up to 62.5 cents.

Roll Call:                   Ayes: All                   Motion Carried

Discussion was held regarding nuisance property at 106 South 16<sup>th</sup> Street. Maureen Freeman-Caddy, legal counsel for Lowell Krueger, spoke to the Council. She noted the resolution passed in 2020 declared the property a nuisance and included two findings. She said the findings were to abate the nuisance not to demolish. She asked the Council to not act on the order to demolish. She said there is value in the structure, and if demolished, this would be inverse condemnation. She said Krueger has reported progress to the Council and it appears the timeline given last November had been followed. She asked what needs to happen to 'close the door' on these two nuisance findings. She said the thrust is safety and with the work completed to date on the basement it appears the main structural integrity of the house has been shored up. She said it appears the next concern is the aesthetics or the exterior of the house, which Krueger can address. She asked for a discussion on what the punch list would include along with a timeline. She said she has told her client that if the Council proceeds with an order to demolish, to get an injunction. Krueger answered questions of the Council. He stated he completed the rows of block that were incomplete at the time of the last meeting. Council Member Wischmann said his recommendation would be to get together and set out a plan of exactly when things were going to be done. City Attorney Fahleson said he is suggesting a binding agreement with the land owner be written for consideration by the council at the next meeting and absent an agreement the Council could proceed with the demolition if it so chooses. Wischmann said his standard of habitable is if there is heat and air, running water and electricity; he added this does not include the interior finishes. Council Member Niemeyer discussed with Krueger that he may need to get help financially to hire a plumber or an electrician to get the work done. Christine Devillier said she is willing to help Krueger get the structure finished to close out the concerns with the City. Mayor Grauerholz said that if an agreement can be reached, this house can be an asset to Ashland. Freeman-Caddy said to develop the timeline, input is needed from the Council so the committee could include the Building Inspector and a Council Member. She said then Krueger can do the research to see about contractors and timelines to get people to help him. She said that two weeks' time might be too short to get the plan and timeline finished and that the initial meeting should be fairly soon.

Motion by Anderson, second by Wischmann to enter into executive session to protect the public interest relative to negotiations and potential litigation at 7:28 p.m.

Roll Call:                   Ayes: Anderson, Niemeyer, Wischmann   Nays: Crnkovich  
Motion Carried

Motion by Wischmann, second by Niemeyer to leave executive session at 8:08 p.m.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Niemeyer, second by Wischmann to establish a committee to come up a plan to finish the property and to table consideration of bids for demolition of nuisance at 106 South 16<sup>th</sup> Street until the Council meeting on August 16, 2022.

The Council agreed the committee members will include Council Member Wischmann, Building Official Krejci, legal counsel, if Krueger would like his to be included and Krueger. Council Member Crnkovich would like a specific timeline and a checklist of things to bring the property into compliance. Krueger said this is acceptable to him. Wischmann said the property should be insurable. Krueger said he had liability insurance on the property.

Roll Call:                   Ayes: Crnkovich, Niemeyer, Wischmann                   Nays: Anderson  
                                  Motion Carried

Motion by Niemeyer, second by Wischmann to approve consent agenda which included approval of the June 16, 2022 City Council meeting minutes; and approval of pay requests from JEO Consulting Group Inc. for General Engineering in the amount of \$2,480.00 and for Dennis Dean Road Improvements in the amount of \$4,732.50.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Anderson, second by Wischmann to approve the second half of June 2022 Claims.

Roll Call:                   Ayes: All                   Motion Carried


City Administrator Quady said she received a call from the District 1 Engineer for NDOT. She reported he said because of material shortages the temporary roundabout will not be done and they are starting the engineering for full permanent roundabout. There is no date for this project.

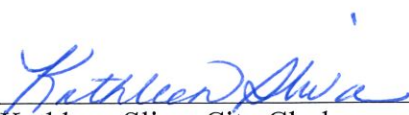
Caleb Fjone, Executive Director of the Ashland Area Economic Development Corporation, reported the economic development meeting went very well. He said the flags have been ordered and will be paid for with the grant money. He said there are plans for a special flag to be framed and hung at the library.

City Administrator Quady said there is not a start date for work on the water tower.

Motion by Crnkovich, second by Niemeyer to adjourn at 8:20 p.m.

Roll Call:                   Ayes: All                   Motion Carried

  
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Richard Grauerholz, Mayor

  
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Kathleen Sliva, City Clerk



(SEAL)

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 July 7, 2022 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.