

**ASHLAND CITY COUNCIL  
REGULAR MEETING  
May 17, 2018**

A regular meeting of the Ashland City Council was held at the Ashland City Hall Council Chambers on the 17<sup>th</sup> of May, 2018 at 7:00 p.m.

Present: Mayor Richard Grauerholz  
City Council President Paul Gossin  
City Council Member James Anderson  
City Council Member Russell DeVries  
City Administrator Jessica Quady  
City Clerk Kathleen Sliva  
Assistant City Attorney Sheila Bentzen

Absent: City Council Member Janece Mollhoff

Others: Justin Schmidt, Megan Downing, Eric Downing, Anthony Aerts and others

Notice of meeting was advertised in the Ashland Gazette on May 10, 2018. 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 DeVries to adopt the regular agenda.

Roll Call: Ayes: All Motion Carried

Mayor Grauerholz opened a Public Hearing on Final Plat for 07-12-10 L3 & 4 SL1 of 4 & 5 EXC HWY W1/2 NW 1/4, Cass County, Nebraska at 7:02 p.m. Justin Schmidt, co-owner of the property spoke about their final plat request. He said they have worked with an engineer on a drainage study, perk tests and placement of septic tanks. He said they are ready to start building and selling lots. Zoning Administrator Isom stated the Final Plat was recommended for approval by the Planning Commission as submitted. She noted that when the preliminary plat was reviewed there were concerns expressed by the neighbors; since then the developers have met with several of the neighbors and the issues have been resolved. She said between now and the second reading the subdivision agreement will be reviewed. Schmidt said they would like to begin moving dirt for the road and installing the power in the next month and half. Council Member Anderson said

that it is unfortunate that the subdivision won't be on City water. Eric Downing said the subdivision agreement will include that lots can't be subdivided and when water and sewer becomes available the property owner will have to hook on. Isom said that she will add a note on the building permits regarding the need to hook on to services when they are available. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:14 p.m.

Mayor Grauerholz opened a Public Hearing on proposed Ordinance 1151 to Vacate a Portion of 12<sup>th</sup> Street, 13<sup>th</sup> Street, Ash Street, Birch Street and adjacent Alleys at 7:14 p.m. Assistant City Attorney Bentzen recommended the public hearing be continued to the next meeting as the documents are being revised. Anthony Aerts, attorney with Rembolt Ludtke, spoke about drafting of the documents for this proposed transaction. He said there have been a couple of questions related to protecting the City's interests in regard to access to the existing public utilities easements and right-of-way. He said there is an additional question about the portion of the right of way that abuts property currently owned by the State. Zoning Administrator Isom stated the Planning Commission recommended approval. Mayor Grauerholz held over the Public Hearing until the next meeting at 7:17 p.m.

Mayor Grauerholz opened a Public Hearing on Conditional Use Permit for a Domestic Dog Kennel at Lot 66 & S ½ Lot 67 Kendel Heights Addition to Ashland, located at 407 North 27<sup>th</sup> Street at 7:17 p.m. Zoning Administrator Isom spoke about her application for the kennel permit. She said that she has three dogs and a fully fenced backyard. She added the Planning Commission recommended approval. With no further comments, Mayor Grauerholz closed the Public Hearing at 7:19 p.m.

Motion by Gossin, second by DeVries to approve on third and final reading of Ordinance 1150 – AN ORDINANCE TO CHANGE THE ZONING DISTRICT BOUNDARIES OF THE CITY OF ASHLAND, NEBRASKA, AS PROVIDED IN THE CITY OF ASHLAND MUNICIPAL ZONING ORDINANCE; TO AMEND THE CITY'S FUTURE LAND USE MAP; TO AMEND THE CITY'S OFFICIAL ZONING MAP; TO PROVIDE FOR THE EFFECTIVE DATE THEREOF; TO ORDER THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

Assistant City Attorney Bentzen read the Title of Ordinance 1150.

Roll Call:                      Ayes: All                      Motion Carried

Motion by Gossin, second by Anderson to postpone to the next meeting consideration of Ordinance 1151 – Vacate a Portion of 12<sup>th</sup> Street, 13<sup>th</sup> Street, Ash Street, Birch Street, and Adjacent Alleys.

Roll Call:                      Ayes: All                      Motion Carried

Motion by Anderson, second by DeVries to introduce and approve first reading of Ordinance 1152 – Final Plat for 07-12-10 L3 & 4 SL1 of 4 & 5 EXC HWY W1/2 NW1/4, Cass County, Nebraska.

Assistant City Attorney Bentzen read the Title of Ordinance 1152.

Roll Call:                      Ayes: All                      Motion Carried

Motion by Gossin, second by Anderson to introduce and approve Ordinance 1153 – Fire Pit Regulations.

Assistant City Attorney Bentzen read the Title of Ordinance 1153.

City Administrator Quady said there are fire pits in town and the City does not have any ordinances that address fire pits other than open fires are not allowed in town. She said this is coming before the Council as a request by the owner of the potential campground and that owner's desire to have firepits. Discussion was held regarding the density of campgrounds and the distance required from a combustible structure. Zoning Administrator said this is needed for firepits in town too. Mayor Grauerholz mentioned the screen requirement and the fire zone in the downtown district. He added fire pits are permitted during community events downtown. Quady said this could be included on the street closure form as the only way fires are allowed downtown. Quady added she would include wording for permanent or temporary/moveable fire pits. Grauerholz recommended the addition of wording related to the size of the pits. Council Member Gossin asked for thoughts on grandfathering in existing fire pits.

Roll Call:                      Ayes: All                      Motion Carried

Motion by Gossin, second by Anderson to introduce and approve Ordinance 1154 – Amending Municipal Code 1-106 – Restrictions on Other Employment or Elective Office.

Assistant City Attorney Bentzen read the Title of Ordinance 1154.

City Administrator Quady said the only thing that has changed from our current regulations is to remove the requirement on the Mayor and City Council that they can hold no other appointed position in the City. She said that because of this current requirement the Mayor and Council are not able to serve on an elected office in the fire and rescue departments or other appointed positions. Mayor Grauerholz said that when he took the position of Mayor he had to give up the volunteer work he was doing with the fire and rescue departments. Quady said the Council and Mayor cannot be an employee of the City.

Roll Call:                      Ayes: All                      Motion Carried

Motion by Anderson, second by DeVries to approve Conditional Use Permit for Domestic Dog Kennel at 407 North 27<sup>th</sup> Street.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Gossin, second by DeVries to approve authorizing the Mayor to sign Agricultural Access Easement for Vernon Stander.

City Administrator Quady said she was told this easement was on the books many years ago, however, she and Mr. Stander could not find a copy and it has not been recorded at the County. She said the family is planning on selling the property and has hired someone to put the easement together. She said the access path goes past the wastewater treatment plant to the landlocked property. She said they have used this for years; this will be for a farm easement; and it will be recorded with the County. She said this is the farmer that farms the City's property.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Gossin, second by Anderson to approve Garbage Haulers License for Waste Connections of Nebraska Inc./Papillion Sanitation.

Roll Call:                   Ayes: All                   Motion Carried

Motion by DeVries, second by Anderson to approve Pay Request from JEO Consulting Group for the Silver Street Bridge Replacement Construction Services in the amount of \$14,854.75.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Gossin, second by DeVries to approve Pay Request from JEO Consulting Group Inc. for the Silver Street Bridge Replacement-Rebid Additional Bridge in the amount of \$7,600.00.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Gossin, second by Anderson to approve Pay Request #7 from Simon Contractors for the Silver Street Bridge Replacement and Paving Project in the amount of \$597,632.39.

City Administrator Quady reported 50% of the bridge construction progress is completed so a request for payment can be submitted to the Nebraska Department of Transportation.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Anderson, second by DeVries to approve purchase of flag holders and flags for North 14<sup>th</sup> Street.

Council member Anderson said he put this on the agenda due to a suggestion by two veterans. He said this will continue the display down 14<sup>th</sup> Street to Furnas Street. City

Administrator Quady said she estimated the cost for the hardware and flags to be no more than \$1,200 and Keno funds can be used.

Roll Call: Ayes: All Motion Carried

Reviewed the April 2018 Keno Report.

Reviewed the Public Works Director's Report.

Reviewed Utility Superintendent's Report.

Reviewed the Police Chief's Report.

Reviewed Building Official Report.

Reviewed Library Report.

Motion by Anderson, second by Gossin to approve the consent agenda which included approval of the May 3, 2018 City Council meeting minutes; approval of the April 26, 2018 Planning Commission Meeting minutes; and approval of Josh Wade, Adam Peterson and Shawn Washburn as members of the Ashland Fire Department.

Roll Call: Ayes: All Motion Carried

Motion by DeVries, second by Gossin to approve the first half of May 2018 Claims.

Roll Call: Ayes: All Motion Carried

Motion by DeVries, second by Anderson to approve April 2018 Treasurer's Report.

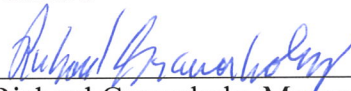
Roll Call: Ayes: All Motion Carried

Mayor Grauerholz reported on his attendance at the MFO meeting.

Council Member Anderson commented on the proposed decorative poles for 14<sup>th</sup> Street, on future planning for the ball park and on an invitation to an Eagle Scout ceremony.

Motion by DeVries, second by Gossin to adjourn the meeting at 8:08 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 May 17, 2018 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.