

**ASHLAND CITY COUNCIL**  
**REGULAR MEETING**  
May 18, 2023

A regular meeting of the Ashland City Council was held at the Ashland City Hall Council Chambers on the 18th day of May, 2023 at 7:00 p.m.

Present: Mayor James Anderson  
City Council President Chuck Niemeyer  
City Council Member Jake Crnkovich  
City Council Member Michelle Libal  
City Council Member Jerry Lofberg  
City Clerk Kathleen Sliva  
Assistant City Attorney Sarah Meier

Absent: City Administrator Jessica Quady

Others: Ron Styskal, Dan Linke, Richard Hilske, Denise Craft, Ryan Brady, Suzi Nelson, and others

Notice of meeting was advertised in the Ashland Gazette on May 11, 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 Niemeyer, second by Lofberg to adopt the regular agenda.

Roll Call: Ayes: All Motion Carried

Mayor Anderson opened a Public Hearing on Application #23-046 for Conditional Use Permit located at 1342 Silver Street at 7:02 p.m. Denise Craft spoke to the Council about the removal of the wooden awning from her building. She said before the old awning came off, they planned to replace the awning; when the awning was removed, they found leaded glass windows that they are removing paint from and straightening. She said her tenant, Blackwells, will be applying to put a sign on the building. She said a picture was found of how the building originally looked and it will look more like that. Zoning Administrator Krejci said the original application was to replace the awning. Krejci said Historic Preservation Committee and the Planning Commission

recommended approval of the removal and replacement of an awning similar to the one on BW's Pub. He stated the replacement of the awning has stopped. He said the work they are doing will be allowed. With no further comments, Mayor Anderson closed the Public Hearing at 7:08 p.m.

Mayor Anderson opened a Public Hearing on Application #23-047 for Conditional Use Permit located at 103 & 111 North 14<sup>th</sup> Street at 7:09 p.m. Denise Craft, owner of Flutterby Finds, spoke about the new sign they would like to install over the business's doors. Zoning Administrator Krejci said the Historic Preservation Committee and the Planning Commission recommended approval of the sign color and design. He added the sign is in compliance with sign regulations. With no further comments, Mayor Anderson closed the Public Hearing at 7:12 p.m.

Motion by Niemeyer, second by Libal to approve third and final reading of Ordinance 1219 – AN ORDINANCE TO VACATE PART OF CEDAR STREET EAST OF 6<sup>TH</sup> STREET TO 4<sup>TH</sup> STREET, VACATE ALL OF 5<sup>TH</sup> STREET FROM CEDAR STREET TO DALE STREET, VACATE ALL OF 4<sup>TH</sup> STREET FROM BIRCH STREET TO GROVE STREET, AND VACATE ALLEY WAY IN ITS ENTIRETY IN BLOCK 6 ALL IN THE BEETISON'S ADDITION, CITY OF ASHLAND, SAUNDERS COUNTY, NEBRASKA; TO PROVIDE FOR THE EFFECTIVE DATE THEREOF; TO ORDER THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

Assistant City Attorney Meier read the Title of Ordinance 1219.

Roll Call:                      Ayes: All                      Motion Carried

Motion by Lofberg, second by Niemeyer to approve on third and final reading Ordinance 1220 – 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 AND OFFICIAL ZONING MAP; TO PROVIDE FOR THE EFFECTIVE DATE THEREOF; TO ORDER THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

Assistant City Attorney Meier read the Title of Ordinance 1220.

Roll Call:                      Ayes: All                      Motion Carried

Motion by Niemeyer, second by Lofberg to approve second reading of Ordinance 1222 – To extend the Boundaries of the City of Ashland Nebraska.

Assistant City Attorney Meier read the Title of Ordinance 1222.

Assistant City Attorney Meier stated the State Legislature is considering LB580 that may affect property classified agriculture that is annexed. Crnkovich said this will benefit the winery if the bill is passed. Meier explained the bills and their effect on ag land taxation. Discussion followed. Meier said the vote on this ordinance could be

postponed until the next meeting which would be after the Legislature has voted on the bill. Discussion was held regarding the removal of one parcel from the ordinance.

Motion by Crnkovich, second by Lofberg to amend Ordinance 1222 by removing Parcel C from annexation.

Council Member Niemeyer said he would like all the parcels to remain in the ordinance until the next meeting. Council Member Crnkovich said he is in agreement that this parcel will eventually be annexed, when 30<sup>th</sup> Street is paved and connected to Bluejay Way and the infrastructure loop is completed, but at this time, he would like it removed.

Roll Call: Ayes: Crnkovich, Libal, Lofberg Nays: Niemeyer  
Motion Carried

Motion by Niemeyer, second by Crnkovich to postpone consideration of second reading of Ordinance 1222 until the June 1, 2023 Council Meeting.

Roll Call: Ayes: All Motion Carried

Motion by Crnkovich, second by Niemeyer to introduce and approve first reading of Ordinance 1221 – Exception to Open Fires.  
Assistant City Attorney Meier read the Title of Ordinance 1221.

Council Member Crnkovich said currently our rules only allow for a fire pit. He said this ordinance would provide an exemption for ‘commercial agricultural operations.’ Meier said the term ‘ordinarily and customarily performed’ was also added. She said this would apply to Cellar 426 and any other land designated as commercial agricultural in the City limits. Mayor Anderson said the fire chief told the City Administrator that he didn’t have a problem with this ordinance. Discussion was held regarding what direct supervision by the fire department means.

Roll Call: Ayes: All Motion Carried

Mayor Anderson stated that consideration of Application #23-046 for Conditional Use Permit would be skipped as the owner is no longer going to replace the awning.

Motion by Libal, second by Lofberg to approve Application #23-047 for Conditional Use Permit located at 103 & 111 North 14<sup>th</sup> Street.

Roll Call: Ayes: All Motion Carried

Motion by Lofberg, second by Crnkovich to approve 2023 Garbage Haulers License for Waste Connections of NE, Inc. doing business as Papillion Sanitation.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Crnkovich to approve Change Order #2 from M.E. Collins Contracting Co., Inc. for 2022 Dennis Dean Road Improvements for a net change decrease of \$10,182.74.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Libal, second by Crnkovich to approve Street/Parking Lot Use Permit for Ashland Night Market from 13<sup>th</sup> to 14<sup>th</sup> Streets on Silver Street on June 1, 2023, June 15, 2023, July 6, 2023, July 20, 2023, August 3, 2023 and August 17, 2023 from 5:00 p.m. to 10:00 p.m.

Discussion was held about the closure of Silver Street. Council Member Niemeyer said he objected to the closure of Silver Street at this time of evening and for this many times. Niemeyer said he would like for the organizers to come to a meeting to discuss. Crnkovich said Silver Street is closed for Chamber events. Lofberg noted this is the street to the underpass. Crnkovich said it is a neat idea but he would like more information. Niemeyer suggested they could set up by the dog park or somewhere where they wouldn't obstruct traffic.

Motion by Niemeyer, second by Crnkovich to postpone consideration of Street/Parking Lot Use Permit for Ashland Night Market until the June 1, 2023 Council meeting.

Roll Call:                   Ayes: Crnkovich, Lofberg, Niemeyer                   Nays: Libal  
Motion Carried

Mayor Anderson said the administrative reports for Keno, Public Works Director's, Utility Superintendent's, Police Chief's, Building Official's, Library and Ashland Area Economic Development Corporation are available for council review and comment. Police Chief Brady reported on a possible canine donation. He said a new certified police officer has been hired and he has another good applicant.

Motion by Lofberg, second by Niemeyer to approve the consent agenda which included the approval of the May 4, 2023 City Council meeting minutes, approval of the April 27, 2023 Planning Commission meeting minutes and approval of the April 2023 Treasurer's Report.

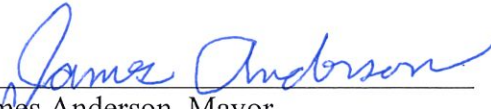
Roll Call:                   Ayes: All                   Motion Carried

Motion by Crnkovich, second by Libal to approve the first half of May 2023 Claims.

Roll Call:                   Ayes: All                   Motion Carried

Mayor Anderson reported that at this time, there is not a lifeguard manager for the swimming pool and seven to eight people are needed as lifeguards. He noted trees have been replaced downtown.

Motion by Lofberg, second by Libal to adjourn the meeting at 8:14 p.m.  
Roll Call: Ayes: All Motion Carried

  
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James Anderson, Mayor

  
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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 18, 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.