

**ASHLAND CITY COUNCIL
REGULAR MEETING
May 4, 2023**

A regular meeting of the Ashland City Council was held at the Ashland City Hall Council Chambers on the 4th 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 Administrator Jessica Quady
City Clerk Kathleen Sliva
Assistant City Attorney Anthony Aerts

Others: Ron Styskal, Hannes Zetzsche, Cindy Danahy, Lowell Krueger, Craig Swerczek, Kyle Yardley, Shirley Niemeyer, Richard Hilske, Denise Craft, Suzi Nelson and others

Notice of meeting was advertised in the Ashland Gazette on April 27, 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 Crnkovich to adopt the regular agenda.

Roll Call: Ayes: All Motion Carried

Mayor Anderson opened a Public Hearing regarding a new Class CK Liquor License for Flutterby Finds, LLC at 103 and 111 North 14th Street at 7:02 p.m. Hannes Zetzsche, Baird Holm, and business owner, Denise Craft, spoke to the Council regarding the liquor license request. Craft said there are two doors into the building so both addresses needed to be listed on the application but the legal and mailing address is 111. She added they also own the corner building. Council Member Niemeyer said that he has some concerns about the outdoor patio and fence that is next to the library property. He said there are some home-schooling activities in the library and outdoor activities in this area up to the fence. Craft said her business, Craft Lifestyle Management, works with elderly, special needs adults and veterans. She said they are going to be selling items out of the store including gift

baskets. She said this is not a bar. She said the reason they are doing an outdoor patio is to provide a place for mediation and family meetings. She added there will be raised flower beds. She said the hours of operation will be during the day and the office will be run from this location. She said it will not be a party place and they will not be having food. She said there will be a wheelchair ramp that goes to the patio. She added the investigator was out Wednesday and he approved it. She said she had a similar business in Omaha and now they will be here in Ashland. With no further comment, Mayor Anderson closed the Public Hearing at 7:12 p.m.

Mayor Anderson opened a Public Hearing on Ordinance 1222 – Annexation of Contiguous and Adjacent Land at 7:14 p.m. Craig Swerczek, owner of 320 County Road B, spoke to the Council regarding his property that is Parcel C in the proposed annexation area. He said that at last week's Planning Commission meeting there was a unanimous vote to not recommend annexation of Parcel C. He said there are no services to the property and it is on a gravel road so annexation will not benefit them. He noted the acreages next to Whitetail Estates were not included in this annexation. Council Member Niemeyer commented that Bluejay Way will be paved, that 30th Street will also need to be paved and that the water line needs to be looped. Swerczek questioned the timing of the paving and asked to annex when the paving is done. City Administrator Quady said the project hasn't been designed and right-of-way will need to be purchased. She said the water line is completed to the corner of Parcels B and C and discussions about the extension of the line will be done with the budget. Kyle Yardley, 316 County Road 5, said Swerczek brought up most of the points that he was going to make. He reiterated that the Planning Commission voted to not annex Parcel C. He said there are no services and he does not want to pay more in taxes if he won't have any benefit. He asked that there be consistency with the Whitetail acreages. He asked the Council to consider the route school traffic will take as he doesn't see vehicles traveling up 30th to Bluejay Way then over to the schools or it being the main thoroughfare. Niemeyer noted that Furnas Street is not rated for school busses and there will be 1,000 kids in the facilities very soon. He said they are paying extra for a collector street and a traffic study has been done. Yardley said he understands that annexation is coming but that he is wanting to wait until the right time. Yardley asked about the paving assessment. Quady said the city share of property tax for a \$225,000 home would about \$1,300. She said there would be a special assessment for streets. Richard Hilske, 1402 Dennis Dean Road, owner of 426 Winery, addressed the Council saying the winery is a 20-acre working farm in transitional ag. He said once annexed there will be several items that they won't be allowed to do including burning. He said he would like to see the ordinance adjusted to allow him to burn things such as the grape cuttings and cedars. He added that if annexed the school will not provide bussing. Quady said in 2019 consideration was given by the Council to allow burning in TA but it didn't get passed. She said this is the only working farm in TA to be annexed. She said the largest acreage annexed was 15 acres. Discussion was held regarding burning at the winery and how this could be changed by ordinance. Hilske said that he expects to collect \$10 to \$15 thousand in sales tax and his property tax will go up \$2,000 for his 20.01 acres. Quady stated a

property owner spoke with her today who said the biggest pro for annexation for her will be City police protection. Quady said she also spoke with Mr. Osborn and his biggest concern was about burning. Zoning Administrator Krejci said the Planning Commission recommended annexing all parcels except Parcel C. He said they voted not to annex Parcel C. With no further comment, Mayor Anderson closed the Public Hearing at 7:55 p.m.

Motion by Lofberg, second by Crnkovich to approve second reading of Ordinance 1219 – Vacate parts of Cedar Street, 5th Street, 4th Street and alleys in Beetison Addition.

Roll Call: Ayes: All Motion Carries

Motion by Niemeyer, second by Crnkovich to approve second reading of Ordinance 1220 – Amend the Comprehensive Plan changing the Future Land Use Map and Official Zoning Map approximately at 843 Highway 6.

Roll Call: Ayes: All Motion Carried

Motion by Lofberg, second by Niemeyer to introduce and approve first reading of Ordinance 1222 – Annexation of Continuous and Adjacent Land.

City Administrator Quady said a parcel can be pulled off the ordinance but before the final reading the plats will need to be addressed. Discussion was held regarding tabling the ordinance. Assistant City Attorney Aerts said an amendment could be made to the motion. Discussion was held.

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

Motion by Libal, second by Crnkovich to recommend approval to the Nebraska Liquor Control Commission regarding a new Class CK Liquor License for Flutterby Finds, LLC at 103 and 111 North 14th Street.

Roll Call: Ayes: All Motion Carried

Motion by Lofberg, second by Crnkovich to approve 2023 Garbage Haulers License for Quick Dump Refuse, Inc. dba Ashland Disposal Service.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Crnkovich to approve grant extension for the Owner-Occupied Rehabilitation Program.

City Administrator Quady said this would extend the program through the end of the year.

Roll Call: Ayes: All Motion Carried

Lowell Krueger, owner of 106 South 16th Street, spoke to the Council regarding this nuisance property. He reviewed progress on the work schedule. He said he wants to finish blocking the north wall and replacing the siding and insulation and then put on the porch. He said he hopes to have these items done by the end of the summer. Discussion followed. City Administrator Quady said that Krueger does not have a current building permit.

Motion by Niemeyer, second by Crnkovich to table consideration of recommendation for abatement of nuisance at 106 South 16th Street until June 1, 2023.

Roll Call: Ayes: All Motion Carried

Discussion was held regarding SID#9's need to make drainage pipe repairs. City Administrator Quady said SID representatives contacted her to inform the City of a major expense that needs to be made before annexation. Quady explained the drainage problem, the two possible repair options and associated costs. She said the SID needs the City's approval to move forward on this repair. Quady said the City's engineers believe that option #2 will take care of this problem long term.

Motion by Niemeyer, second by Crnkovich to authorize SID#9 to get bids for hooking into the storm sewer with an alternate bid using the rip rap.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Lofberg to approve consent agenda which included approval of the April 23, 2023 City Council meeting minutes; and approval of pay requests from JEO Consulting Group Inc. for General Engineering in the amount of \$3,225.00, for Dennis Dean Road Improvements in the amount of \$2,142.20, and for Public Works Programming and Preliminary Design in the amount of \$1,275.00.

Roll Call: Ayes: All Motion Carried

Motion by Libal, second by Niemeyer to approve the second half of April 2023 Claims.

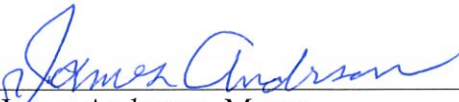
Roll Call: Ayes: All Motion Carried


Mayor Anderson reminded the Council of the tour of the wastewater treatment plant on Friday and of Clean Up Day on Saturday.

City Administrator Quady stated lifeguards are still needed for the pool. She added she is trying to set up a lifeguard class and the pool will open on Memorial Day.

Motion by Lofberg, second by Crnkovich to adjourn at 8:43 p.m.

Roll Call: Ayes: All Motion Carried


James Anderson, 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 4, 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.