

**ASHLAND CITY COUNCIL
REGULAR MEETING
May 6, 2021**

A regular meeting of the Ashland City Council was held at the Ashland Community Resource Center on the 6th day of May, 2021 at 7:00 p.m.

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

Absent: City Council Member Jake Crnkovich

Others: Jay Spearman, Suzi Nelson, Susan Cerny, Caleb Fjone, Ron Styskal, Richard Snodgrass, Tom Johnson, Bill Krejci and others

Notice of meeting was advertised in the Ashland Gazette on April 29, 2021. 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 7:03 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 Niemeyer, second by Anderson to adopt the regular agenda.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Wischmann to move Items F. 6. and G. 6. above Item F. Ordinance on the agenda.

Roll Call: Ayes: All Motion Carried

Mayor Grauerholz opened a Public Hearing to Determine Existence of Public Nuisance at 2701 Furnas Street at 7:07 p.m. City Administrator Quady said Zoning Official Krejci has been working with property owner, Mike Smith, on this nuisance. She said Smith came in yesterday to get a building permit for a fence and showed Krejci photos of the property. She said a neighbor said great progress has been made since last year when one couldn't see the grass on this property. Krejci said that Smith's intent is to build a fence, to get more stuff cleaned out and build a garage.

With no further comment, Mayor Grauerholz closed the Public Hearing 7:12 p.m.

Motion by Wischmann, second by Niemeyer to approve Resolution 2021-11 – Declaring the Findings of the City Council regarding a Nuisance at 2701 Furnas Street and setting a date for abatement on or before July 1, 2021.

Roll Call: Ayes: All Motion Carried

Jay Spearman with Piper Sandler distributed a Refunding Analysis of Series 2012 and 2016 Sewer Bonds to the Council. Spearman said the 2012 Bonds are currently callable and the 2016 Bonds will be callable in August. He added as long as the bonds are called within 90 days of the call date, it is considered a current refunding. He said the interest rates have moved since March such that there is an additional \$7,000 in savings. He reviewed the analysis of the 2012 Bonds noting the average interest rate would go down about 2% and the total savings would be \$24,561.56. He reviewed the 2016 Bond analysis noting the interest rate would go from an average of 2.291% to 1.017% with a total savings of \$76,431.99. He said when the refinancing is done these two bond issues would be put together. He said the cost of issuance for the 2012 bonds is \$5,040.00 and for the 2016 is \$13,500.00.

Motion by Wischmann, second by Niemeyer to approve Resolution 2021-12 – Calling for Payment of General Obligation Sewer Refunding Bonds, Series 2016, dated August 9, 2016.

Roll Call: Ayes: Anderson, Niemeyer, Wischmann Nays: None
Motion Carried

Motion by Niemeyer, second by Wischmann to approve Resolution 2021-13 – Calling for Payment of Sewer Refunding Bonds (General Obligation), dated March 20, 2012.

Roll Call: Ayes: Anderson, Niemeyer, Wischmann Nays: None
Motion Carried

Motion by Anderson, second by Niemeyer to introduce and approve Ordinance 1196 - AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION SEWER REFUNDING BONDS, SERIES 2021, OF THE CITY OF ASHLAND, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED ONE MILLION FIVE HUNDRED SEVENTY THOUSAND DOLLARS (\$1,570,000) TO REFUND CERTAIN OUTSTANDING BONDS OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR A SINKING FUND AND FOR THE LEVY AND COLLECTION OF TAXES TO PAY SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS AND AUTHORIZING THE CITY TO ENTER INTO A BOND PURCHASE AGREEMENT; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

City Attorney Fahleson read the Title of Ordinance 1196.

Motion by Wischmann, second by Niemeyer that the statutory rule requiring reading on three different days be suspended.

Roll Call: Ayes: Anderson, Niemeyer, Wischmann Nays: None
Motion Carried

Mayor Grauerholz called for a roll call vote to pass and adopt Ordinance 1196.

Roll Call: Ayes: Anderson, Niemeyer, Wischmann Nays: None
Motion Carried

Motion by Niemeyer, second by Wischmann to approve granting Pipeline Easement to the City of Lincoln, Nebraska.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Wischmann to approve third and final reading of Ordinance 1192 – AN ORDINANCE TO VACATE A PORTION OF DALE STREET IN BEETISON’S ADDITION TO THE CITY OF ASHLAND, SAUNDERS COUNTY, NEBRASKA; TO PROVIDE FOR THE EFFECTIVE DATE THEREOF; TO ORDER THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

City Attorney Fahleson read the Title of Ordinance 1192.

Roll Call: Ayes: All Motion Carried

Motion by Wischmann, second by Niemeyer to approve second reading of Ordinance 1191 – To Modify in part Sec 5.06 Subsection E, Sec 5.07 Subsection E, Section 5.08 Subsection E and Section 5.09 Subsection E in the Zoning Ordinance of the City of Ashland NE.

City Attorney Fahleson read the Title of Ordinance 1191.

Zoning Official Krejci said this is an ordinance to set maximum lot sizes in RE, R-1, R-2, and R-3. He said this will limit over consumption of land to prevent the land being all used up by acreages. City Administrator Quady noted the R-2 Medium Residential square foot maximum says 20,000. Krejci said this should read 10,000 square foot maximum.

Motion by Wischmann, second by Niemeyer to amend Ordinance 1191 by Section 3 to read 10,000 sq ft max.

Roll Call: Ayes: All Motion Carried

Mayor Grauerholz called for the vote on the second reading of Ordinance 1191 as amended.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Wischmann to approve second reading of Ordinance 1193 – To Modify in Section 8.02 Storage or parking of vehicles, boats, campers and trailers in the Zoning Ordinance of the City of Ashland NE.

City Attorney Fahleson read the Title of Ordinance 1193.

Zoning Official Krejci read the changes that were made in the Ordinance as recommended at the last meeting. Council Member Wischmann expressed concern about the use of railroad ties as a

parking surface in Section A. Subsection C.1.e. due to being a carcinogen.

Motion by Wischmann, second by Niemeyer to amend Ordinance 1193 by striking railroad ties and inserting non-creosote treated lumber.

Roll Call: Ayes: All Motion Carried

Mayor Grauerholz called for the vote on second reading of Ordinance 1193 as amended.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Niemeyer to approve second reading of Ordinance 1194 – To Approve Ashland Greenwood Public School Addition Plan, a Minor Subdivision located outside the City Limits of Ashland at Southeast quarter of Sec 35-13-9, Saunders County, NE.

City Attorney Fahleson read the Title of Ordinance 1194.

City Administrator Quady reviewed the plat plan noting the nearby roads and location of the school buildings. She said the school was able to do a Minor Subdivision Plat because it is for two lots. City Attorney Fahleson said he has revised the contract with the school and will be returning it to them for their consideration. Council Member Wischmann stated he wants a working plan from the school before anything else is approved for the project.

Motion by Niemeyer, second by Wischmann to postpone consideration of Ordinance 1194 to the next meeting on May 20, 2021.

Roll Call: Ayes: All Motion Carried

Motion by Wischmann, second by Niemeyer to postpone consideration of second reading of Ordinance 1195 – PUD for a Political Subdivision known as Icehouse Ridge being a Portion of the SW ¼ of Section 35, Township 13 North, Range 9 East, located at approximately 2418 Furnas Street to the next meeting on May 20, 2021.

Roll Call: Ayes: All Motion Carried

Tom Johnson, owner of nuisance property at 2217 Ash Street, spoke to the Council regarding the progress he has made in cleaning the property up. He said he has pressure washed the house, purchased trim, lined up a sprayer to paint with and trimmed trees. He said when the weather warms up, he will begin the painting. He added when the painting is done, he will do the windows. He said either he or his son will move into the property. City Administrator Quady reminded Johnson that he will have to comply with the ordinance regarding parking of vehicles on the property. Discussion was held regarding the parking of his camper. Johnson said he would like an extension of 60 days.

Motion by Anderson, second by Wischmann to grant an extension of 60 days for abatement of nuisance at 2217 Ash Street.

Roll Call: Ayes: All Motion Carried

Richard Snodgrass, owner of 2359 Boyd Street, spoke to the Council regarding the nuisance property. He said that he has cleaned up the trees. He said he is working on getting the owners of two trailers to license them properly. Discussion held regarding the trailers.

Motion by Anderson, second by Niemeyer to grant an extension of 30-days to the June 3, 2021 for abatement of nuisance at 2359 Boyd Street.

Roll Call: Ayes: All Motion Carried

City Administrator Quady said there was a sewer back-up into Terry Flamig's home that was a result of a sewer main blockage. She said this main is included in the upcoming sewer main project. She said Flamig called a plumber after hours who said this was a City main issue; and this claim is for the amount Flamig was charged by the plumber. Discussion was held regarding paying Flamig for his time for cleaning up the back-up in his home.

Motion by Anderson, second by Niemeyer to approve payment of claim from Terry Flamig for sewer service resulting from City main blockage in the amount of \$294.25.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Wischmann to approve Garbage Haulers License for Quik Dump Refuse, Inc. dba Ashland Disposal.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Wischmann to award bid for Ashland Housing Rehabilitation Owner Occupied Program Application #009 to MIT Contracting in the amount of \$21,070.00.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Anderson to approve consent agenda which included approval of the April 15, 2021 City Council meeting minutes; and approval of pay requests from JEO Consulting Group Inc. for General Engineering in the amount of \$8,448.75, Sanitary Sewer Replacements-Alleys in the amount of \$2,831.25 and \$1,712.50, Wellhead Protection Planning in the amount of \$1,440.00, and for Public School Expansion in the amount of \$923.75.

Roll Call: Ayes: All Motion Carried

Motion by Wischmann, second by Niemeyer to approve the second half of April 2021 Claims.

Roll Call: Ayes: All Motion Carried

Mayor Grauerholz reported the Legislature passed changes to the Open Meeting Act that has gone into effect. He said a donor recognition event at the Jack Anderson Ball Fields will be held on May 19. He noted that Clean Up Day went well. He said the State Department of Transportation will hold a pre-construction meeting for the overpass project. He said there is land for sell that could be considered for purchase for a future well. He said representatives of the Fire Department are looking at other City properties for a training facility, potentially by the Wastewater Treatment

Facility. He said he attended a demonstration on drones for firefighters and will be recommending the purchase of a commercial drone in the next budget.

Motion by Wischmann, second by Niemeyer to enter into executive session to protect the public interest to discuss possible real estate negotiation and acquisition and possible litigation at 8:31 p.m.


Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Wischmann to come out of Executive Session at 9:25 p.m.

Roll Call: Ayes: All Motion Carried

Motion by Wischmann, second by Niemeyer to adjourn the meeting at 9:26 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 6, 2021 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.