

**ASHLAND CITY COUNCIL
REGULAR MEETING
May 7, 2020**

A regular meeting of the Ashland City Council was held online via Zoom on the 7th day of May, 2020 at 7:00 p.m.

Present: Mayor Richard Grauerholz
City 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: Council Member Meyer

Others: Zoning Administrator Bill Krejci and Thomas Kayton

Notice of meeting was advertised in the Ashland Gazette on April 30, 2020. 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 meeting will be conducted utilizing the Open Meetings Act as modified and authorized by the Governor of the State of Nebraska.

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

Roll Call: Ayes: All Motion Carried

Thomas Kayton gave public comment regarding a self-storage unit he is proposing to build within Ashland's jurisdiction. He said he is requesting the ordinance be change for self-storage in B-3 be allow to RV and boat storage and to allow for a surface other than concrete or asphalt.

Motion by Wischmann, second by Anderson to approve Resolution 2020-4 – To Notify the State of the proper completion of Silver Street Bridge NDOR Project Number: STWD-MJBR(1).

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Wischmann to introduce and approve Ordinance 1178 – To Modify the Zoning Ordinance of the City of Ashland NE.
City Attorney Fahleson read the Title of Ordinance 1178.

Council Member Matt Meyer joined Zoom meeting at 7:10 p.m.

Zoning Administrator Krejci reviewed the proposed changes and additions to Ordinance 1178 as outlined on handout and as recommended by the Planning Commission. He noted the Planning Commission recommended removing the requirement of “paved with concrete, asphalt, or asphalt concrete” and replacing with “compacted aggregate” in section 8.12.03. He reminded the Council that these ordinance changes will be for all B-3 properties and districts in the community not just a specific land parcel. He said the Planning Commission recommended removing the curb requirements in Section 8.12.10. He said the Planning Commission also recommended adding Section 8.12.14 stating “No more than one-third of the property will be used for outside storage. Calculation will be as follows: Outside storage total area will be less than a third of the total area of the buildings, roads, driveway and green spaces.” In response to question by the Mayor, Fahleson said it would probably be best to make the addition to Section 8.12.03 of “or compacted aggregate” to the list of other materials already approved. Council Member Niemeyer stated he had looked at several neighboring communities storage facilities and that none of them use compacted aggregate and that he thinks this is setting a precedent that he doesn’t like. He said he loves the idea of the RV storage as long as it is where it is originally shown on the drawings and the curbs need to be there. Council Member Anderson stated he saw the storage unit in Waverly has concrete. Council Member Wischmann commented on crushed aggregate or gravel getting into storm sewer system and said while there should be some kind of curb stop, it wouldn’t necessarily need to be concrete curb and gutter. He added he would like to see a concrete apron on the front or exit side of the property. He wondered if existing properties would be grandfathered with a non-conforming use or if curb and gutter would be required to be installed. He said as long as there is little or no environmental impact the City should let them put in crushed aggregate. Mayor Grauerholz questioned if decorative stone, concrete pavers, landscaping timbers or things like be utilized to accomplish the same objective as the concrete curb. Wischmann said these would probably work but noted these would need to be addressed every year for washouts, erosion or degradation of the wood product. He said these products could be replaced more easily if damaged than 8’ or 10’ section of concrete curb and gutter. Krejci said the State of Nebraska requires the drive be paved all the way to the property line. Anderson said snow removal is a consideration when using aggregate. Niemeyer said he has a hard time understanding why we want something that is lesser quality than any of the other towns around here. Wischmann commented on the other properties along the highway that are not paved. Fahleson said these properties have a prior non-conforming use and their need to change would be triggered by either a destruction of the property perhaps by fire or significant remodeling, otherwise, they have the right to continue their existing use.

Wischmann questioned who would be hurt by this if aggregate is used. Anderson said he does not have a problem with the aggregate in the open storage and perhaps there could be some kind of comparable curbing around it. Wischmann said the Planning Commission put adequate thought into this to pass it as is but with some kind of curb stop around the aggregate. Quady said this particular property is not within City limits so the City will not get property taxes or sales tax. Anderson and Niemeyer agreed this is a great location for this type of storage. Krejci said from the highway to the property it is about 41 feet with a driveway width of about 35 feet. Wischmann said this would be more than enough apron to keep the aggregate off of the streets. Anderson said he is concerned about future upkeep of the property.

Motion by Wischmann, second by Niemeyer to amend the motion to change 8.12.10 of the ordinance to reinsert the curb requirements and to allow the curb to be constructed of concrete or timber or paver or rock.

Roll Call: Ayes: All Motion Carried

Motion by Wischmann, second by Anderson to amend the motion to include in the ordinance all remaining items recommended by the Planning Commission.

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

Mayor Grauerholz called for a roll call vote on approval of first reading of Ordinance 1178 as amended.

Roll Call: Ayes: Anderson, Wischmann, Grauerholz
Nays: Meyer, Niemeyer
Motion Carried

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

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Wischmann to approve consent agenda which included approval of the April 16, 2020 City Council meeting minutes; and approval of pay requests from JEO Consulting Group Inc. for general engineering in the amount of \$440.00, for Sanitary Sewer Replacements – Alleys in the amount of \$8,495.00, for Wellhead Protection Planning in the amount of \$2,325.00 and for Salt Creek Bank Stabilization and Drainage Improvements in the amount of \$224.00.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Wischmann to approve the second half of April 2020 Claims.

Roll Call: Ayes: All Motion Carried

Mayor Grauerholz reported on Wednesday's Governor's Covid-19 phone conference call stating that it is being recommended pools remain closed until mid-July along with playground equipment and community celebrations are discouraged.

City Administrator Quady said the next Council meeting with a public hearing on May 21st will be held in person at the Library. She said everyone will be required to wear a mask and seating will be spread out to meet social distancing guidelines. She said a Zoom meeting could be done as well for those who do not wish to attend in person.

Motion by Anderson, second by Niemeyer to adjourn the meeting at 8:11 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 7, 2020 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.