

**ASHLAND CITY COUNCIL  
REGULAR MEETING  
November 7, 2019**

A regular meeting of the Ashland City Council was held at the Ashland City Hall Council Chambers on the 7th day of November, 2019 at 7:00 p.m.

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

Absent: City Council Member Matt Meyer

Others: Susan Cerny, Suzi Nelson, Mike Lesley, Tammy Williams, Ken Broz, Tim Adams, Dave Henke, Lenora Isom and others

Notice of meeting was advertised in the Ashland Gazette on October 31, 2019. 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 Wischmann to adopt the regular agenda.

Roll Call: Ayes: All Motion Carried

Mayor Grauerholz opened a Public Hearing on proposed Ordinance 1169 Request for Zone Change at Lots 59-61 Sabre Heights 1<sup>st</sup> Addition to Ashland NE at 7:02 p.m. Zoning Administrator Isom said at the south end of Sabre Heights there are three lots that are currently serving for drainage and that front to Cooper Road. She said the lots are not good lots for single family residential. She said they thought the best zoning for the lots would be Flex which would allow ultralight industrial or commercial uses and would have to be sensitive to the residential next to them. She added the OPPD lot is east of the lots. She said the Planning Commission recommended approval as submitted and there is an access road with an easement to the sewer lift station along the east lot. Ken Broz, one of the

owners of the Sabre Heights subdivision, addressed the Council. He said the lots are west of the OPPD lot and no one wants to put a house in there off of Cooper Road. He said it is tough to get them on the tax rolls so this is a proposed way to get someone to take possession of them. He said they are very cognizant that the lots are behind someone's backyard. He said there is probably only two usable lots because the west lot is a retention pond for drainage off the streets. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:10 p.m.

Motion by Gossin, second by Wischmann to introduce and approve first reading of Ordinance 1169 – Zoning Change at Lots 59-61 Sabre Heights 1<sup>st</sup> Addition to Ashland NE. City Attorney Fahleson read the Title of Ordinance 1169.

Roll Call:                   Ayes: All                   Motion Carried

Mike Lesley of 2602 Adams Street addressed the Council regarding the nuisance on his property at 2602 Adams Street. Lesley stated he has submitted paperwork for the financing but he has not moved forward with a builder. He said they want to stick build a house and plans are drawn up. City Council Member Gossin commented there have been a lot of improvements outside. Lesley said there are still the same number of motorcycles. Council Member Wischmann suggested waiting two meetings until this item is brought back onto the agenda. Gossin asked for an update made to the City Administrator Quady or Zoning Official Isom on the trucks and who Lesley has been talking to for building the house. He suggested going to every other month updates from Lesley. Council Member Anderson thanked Lesley for working with the Council.

Motion by Gossin, second by Wischmann to approve granting an extension of completion date for nuisance property at 2602 Adams Street to December 19, 2019 when an update will be given on the trucks and house.

Fahleson clarified Lesley can give the information to Quady and would not need to appear.

Roll Call:                   Ayes: All                   Motion Carried

Tammy Williams spoke regarding the property at 204 South 23<sup>rd</sup> Street requesting an extension on the timeframe for cleaning up the property. She noted several cars have been removed from the property along with the removal of other items. City Administrator Quady reviewed the process for determining a nuisance as the property has not been deemed a nuisance yet. Williams said they would not be getting rid of the dump truck and will move it behind the fence. Council Member Gossin suggested a hearing date of December 5.

Motion by Gossin, second by Wischmann setting date for hearing to December 5, 2019 to determine existence of public nuisance regarding property at 204 South 23<sup>rd</sup> Street.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Wischmann, second by Gossin to approve Pay Requests #2 and #4 from Bauer Underground, Inc. for 2018 Whitetail Estates 1<sup>st</sup> Addition, 9<sup>th</sup> Avenue Paving and Storm Sewer Improvements in the amounts of \$7,575.22 and \$42,118.70.

Tim Adams of JEO Consulting Group stated they recommend approval of these pay requests.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Gossin, second by Anderson to approve substantial completion for Whitetail Estates 1<sup>st</sup> Addition, 9<sup>th</sup> Avenue Paving and Storm Sewer Improvements.

Tim Adams of JEO Consulting Group Inc. said this establishes the start of the warranty period and establishes the completion of the project as October 31, 2019. He noted this also covers the work done by TCW and the warranty is for one year.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Anderson, second by Wischmann to approve fees for additional services from JEO Consulting Group Inc. for Whitetail Estates 9<sup>th</sup> Avenue Paving/Storm Sewer in the amount of \$8,500.00.

Tim Adams of JEO Consulting Group Inc. said that when TCW defaulted on their contract JEO had time coordinating with Bauer and the bonding company to get the contractor lined up to do the remaining work on the project. He said this also includes the change order design. He said the bonding company only covers the project, not the engineering.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Wischmann, second by Anderson to approve Change Order #2 for Salt Creek Bank Stabilization & Drainage Ditch Improvements in the amount of a decrease of \$5,658.20.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Gossin, second by Wischmann to approve Pay request #2 for High Plains Enterprises for Salt Creek Banks Stabilization & Drainage Ditch Improvements in the amount of \$100,987.95.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Anderson, second by Gossin to approve substantial completion for Salt Creek Group A and Group B.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Wischmann, second by Gossin to approve recommendation to the Nebraska Liquor Control Commission for a Special Designated License for Glacial Till Vineyard & Winery, LLC for a private rental for a business holiday party on January 11, 2020 from 6:00 p.m. to 10:00 p.m.

Discussion was held regarding allowing the City Clerk to approve these administratively. A draft ordinance allowing this will be written for Council consideration.

Roll Call:                   Ayes: All                   Motion Carried

City Administrator Quady reviewed a map of proposed paving projects and bids from Schroeder Concrete, Leland Construction and JACO Concrete. She said this is to replace the sidewalk west of the underpass along Silver Street. She said a private person is responsible for Section 3 and Burlington Northern is responsible for Section 4. Discussion was held regarding the bids, time for completion and coordination with the other owners. Quady said the bid from JACO included work in an alley. She said a camera was sent though the sewer line in the alley and it appears there is not anything wrong with the line. The Council requested more detailed bids from the contractors before action is taken on the sidewalk project and to move ahead with the alley repair this fall.

City Administrator Quady reviewed the cost for replacement of a culvert at 8<sup>th</sup> and Dale Streets. Quady said the issue with this is time to do the project as the Public Works department is short staffed. She said she will have the culverts ordered and have the work schedule for the spring.

Reviewed the September 2019 Keno Report.

Reviewed the Public Works Director's Report.

Reviewed Utility Superintendent's Report.

Reviewed Police Chief's Report.

Reviewed Building Official's Report.

Reviewed Rescue Report.

Motion by Anderson, second by Gossin to approve the consent agenda which included approval of the October 3, 2019 City Council meeting minutes; approval of the October 15, 2019 City Council Special Workshop; approval of the September 26, 2019 Planning Commission meeting; and approval of Pay Requests from JEO Consulting Group Inc. for General Engineering in the amount of \$4,975.00, for Water Dawes St 20<sup>th</sup> to 21<sup>st</sup> in the

amount of \$535.00, and for Salt Creek Bank Stabilization and Drainage Ditch Improvements in the amount of \$1,374.80.

Roll Call: Ayes: All Motion Carried

Motion by Wischmann, second by Gossin to approve the October 2019 Claims.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Wischmann to approve September 2019 Treasurer's Reports.

Roll Call: Ayes: All Motion Carried

Mayor Grauerholz recognized the Civic students in attendance at the meeting.


City Administrator Quady reminded the Council that hearings will be held at the November 21<sup>st</sup> meeting for the annexations. She said there have been three meetings with property owners and stakeholders. She said extra chairs will be put up for the audience.

Mayor Grauerholz said the Council is invited to a ribbon cutting and open house for the Judd's housing project on Euclid on November 22nd.

Council Member Wischmann requested that a damage assessment of the flags and holders from along 14<sup>th</sup> Street be completed.

Motion by Anderson, second by Wischmann to adjourn the meeting at 8:25 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 November 7, 2019 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.