

ASHLAND CITY COUNCIL
REGULAR MEETING
September 21, 2017

A regular meeting of the Ashland City Council was held at the Ashland City Hall Council Chambers on the 21st day of September, 2017 at 7:00 p.m.

Present: Mayor Richard Grauerholz
City Council President Russell DeVries
City Council Member James Anderson
City Council Member Paul Gossin
City Council Member Janece Mollhoff
City Administrator Jessica Quady
City Clerk Kathleen Sliva
City Attorney Mark Fahleson

Others: Susan Cerny, Allen Campbell, Lenora Isom, Erik Pike, Christian Ray

Notice of meeting was advertised in the Ashland Gazette on September 14, 2017. 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 DeVries to adopt the regular agenda.

Roll Call: Ayes: All Motion Carried

Allen Campbell gave public comment stating he was the one with the garage issue. He said the new ordinance goes to 864 and he wondered what happened to the 10%.

Mayor Grauerholz opened a Public Hearing on a Public Ways Vacation application for Block 10 Beetison's Addition and Block 20 Dean's Addition at 7:03 p.m. Zoning Official Isom stated that she did not verify the gas line location. She said there are two alleys that abut this property and the owner has asked for them to be vacated so they can do clearing and landscaping to control water runoff. She said the Planning Commission recommended approval with verification that the gas line issue is properly addressed with that utility. Council Member Mollhoff asked if the work the owner will be doing will affect others, if will it solve their problem and if this can be accomplished without vacating the alley. Isom said that more information on what the owners want to do should

be obtained. Council Member Anderson said that he has been against closing alleys as they are for utility placement and in the future we don't know if the alley will be needed. Mayor Grauerholz said that the City has been looking at expanding water and sewer in that part of town and if the City vacates the alley it may hinder future progress and updates. Isom said she will get in touch with the property owner and the utility to get additional information.

Motion by Mollhoff, second by Gossin to recess Public Hearing until the next regularly scheduled meeting on October 5, 2017.

Roll Call: Ayes: All Motion Carried

Mayor Grauerholz opened a Public Hearing on proposed Ordinance 1141 - Zoning Amendment, regarding the zoning district boundaries of the City of Ashland at LOT 12 E 1/2 LOT 11 and LOTS 9-10 W 1/2 LOT 11 BLK 26 STAMBAUGHS 2ND ADDITION, located at 1302 and 1318 Boyd Street at 7:10 p.m. Zoning Official Isom showed the Council the location on the zoning map. She said with the current zoning, the owner could not rebuild their home if it burned down and she is proposing it be zoned R.T., Residential Transition which would allow it to be a business or a residence. She said she instigated the change as she thinks it is a mistake on the map as it has been both B-2 and R-2 on zoning maps. She said residential transition is acceptable to both property owners. Isom said the Planning Commission recommended approval of the change. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:17 p.m.

Mayor Grauerholz opened a Public Hearing on the transfer of a Conditional Use Permit 12-06 to Lot 6 & W 1/2 Lot 5 Block 14 Flora City Addition located at 1641 Clay Street at 7:18 p.m. Zoning Official Isom she said the daycare was not able continue to operate at it's location due to the Fire Marshal; the operator wants to move the daycare back to her home and in doing so she has to reduce the number of children; the property is a rental and the property owner has signed the application; the Planning Commission recommended approval of the transfer; and there hasn't been any complaints about the business. Isom said that she wrote a conditional approval for three weeks so that she could continue operating during the transition and she could get information to the State. Mayor Grauerholz noted daycare is needed in town as there is a shortage. He said he has noticed that the eastside of the street is posted as 'No Parking' and parents are parking on the restricted side of the street when dropping off and picking up kids. Isom said she would ask that parents be told where they can and cannot park. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:23 p.m.

Motion by DeVries, second by Mollhoff to approve correction to Resolution 2017-8 – Resolution setting 2017-2018 Property Tax.

City Administrator Quady said this corrects the date to 2017-2018.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Mollhoff to approve on third and final reading Ordinance 1140 – AN ORDINANCE TO AMEND THE FOLLOWING PORTIONS OF THE ZONING ORDINANCES OF THE CITY OF ASHLAND: SECTION 4.14.10.1; SUBSECTION E OF SECTIONS 5.08, AND 5.09 OF THE ZONING ORDINANCES OF THE CITY OF ASHLAND, AS PROVIDED IN THE CITY OF ASHLAND MUNICIPAL ZONING ORDINANCE; 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 1140.

Zoning Official Isom said the accessory building size example she had used was from Wahoo at 864 square feet. She shared a handout with maximum coverage for detached accessory structures information from several communities. She said the Council may choose a different size or percentage of coverage. Isom said her opinion is that the percentage should be a minimizer, not a maximizer; 10% up to 864 sq. ft. She said she felt this was a fair increase from 750 sq. ft. Allen Campbell said that it used to be 10% of lot size and he shared structure size information he had gathered from surrounding communities. He said on his lot a building at 10% could be 1080 sq. ft. Isom discussed density and conforming and non-conforming structures. Mayor Grauerholz said he was interested in Lincoln's rule, as the lot size gets bigger, the building can get bigger. Council Member DeVries said he would be concerned that as the building gets bigger the side walls will get taller with a bigger roof. Isom said the Saunders County website states Campbell's lot size is 924 sq. ft. DeVries said that he does not have a problem with changing to a larger size as long as it does not exceed the maximum height requirements. Isom said the side wall height cannot exceed 10 feet. Mollhoff said that in R-2 the size of accessory structures should be limited. Council Member Anderson said that he is in favor of the change to 864 square feet. Mollhoff concurred.

Roll Call: Ayes: All Motion Carried

Motion by Mollhoff, second by DeVries to introduce and approve first reading of Ordinance 1141 – Zoning amendment regarding the zoning district boundaries of the City of Ashland located at 1302 and 1318 Boyd Street

City Attorney Fahleson read the Title of Ordinance 1141.

Roll Call: Ayes: All Motion Carried

Motion by Mollhoff, second by Gossin to postpone consideration of Public Ways Vacation Application for Block 10 Beetison's Addition and Block 20 Dean's Addition and Public Hearing until the October 5, 2017 meeting.

Roll Call: Ayes: All Motion Carried

Motion by DeVries, second by Anderson to approve transfer of Conditional Use Permit 12-06 located at 1641 Clay Street.

Mayor Grauerholz said his concern is about the parking by parents on the restricted side of the street and the City staff will inform the applicant of the concern.

Roll Call: Ayes: All Motion Carried

Motion by DeVries, second by Gossin to approve two pay requests from JEO Consulting Group Inc. both in the amount of \$1,000.

Roll Call: Ayes: All Motion Carried

Motion by Gossin, second by DeVries to authorize the Mayor to sign Smoke Test Agreement with JEO Consulting Group Inc.

City Administrator Quady reviewed a graph of the influent history showing a spike during a rain event. Mollhoff requested information about what the spike is. Quady will obtain this information. She said the Wastewater Operator does not think the inflow is too far from the plant.

Roll Call: Ayes: All Motion Carried

Motion by Mollhoff, second by Anderson to authorize the Mayor to sign contract with Simon Contractors for the Silver Street Bridge Replacement and Paving Project.

City Attorney Fahleson said the contract is okay for approval.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by DeVries to accept Certificate of Substantial Completion and pay request pending completion of punch list in the amount of \$80,176.76 from Sargent Drilling for Well 2016-1 & Water Supply Improvements.

Roll Call: Ayes: All Motion Carried

Reviewed the August 2017 Keno Report.

Reviewed the Public Works Director's Report.

Reviewed Utility Superintendent's Report.

Reviewed the Police Chief's Report.

Reviewed Building Inspector's Report. Building Official Isom noted at the Economic Development Corporation meeting a report by Hanna: Keelan on the Housing Study was given. She noted the study showed that Ashland will need 100 new homes in the next five years.

Reviewed Library Report.

Motion by Mollhoff, second by DeVries to approve the consent agenda which included approval of the September 7, 2017 City Council meeting minutes, the August 31, 2017 Planning Commission meeting minutes and approval of Charles Isom and Katelynn Piper as members of the Ashland Rescue Squad.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Gossin to approve the first half of September 2017 Claims.

Roll Call: Ayes: All Motion Carried

Motion by DeVries, second by Mollhoff to approve August 2017 Treasurer's Report.

Roll Call: Ayes: All Motion Carried

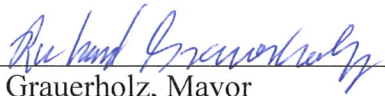
Mayor Grauerholz reported that children are still using the Splash Pad and the Public Works employees have been cleaning out storm sewer with a vacuum machine.

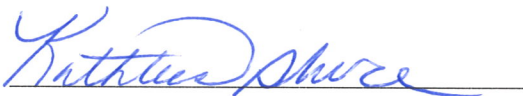
Council Member DeVries reported the Ashland Area Economic Development Corporation had a board meeting and is offering half price memberships until the end of the year. He said the housing study and the promotional videos were funded by the AAEDC.

Council Member Mollhoff mentioned a letter to the editor in the Ashland Gazette about nitrate levels in water being affected by the chicken plant by Fremont.

Motion by DeVries, second by Mollhoff to adjourn the meeting at 8:20 p.m.

Roll Call: Ayes: All Motion Carried


Richard Grauerholz, Mayor



Kathleen Sliva, City Clerk



(SEAL)

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 September 21, 2017 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.