

**ASHLAND CITY COUNCIL
REGULAR MEETING
September 7, 2023**

A regular meeting of the Ashland City Council was held at the Ashland City Hall Council Chambers on the 7th day of September, 2023 at 7:00 p.m.

Present: Mayor James Anderson
City Council President Chuck Niemeyer
City Council Member Michelle Libal
City Council Member Jerry Lofberg
City Administrator Jessica Quady
City Clerk Kathleen Sliva
Assistant City Attorney Sarah Meier

Absent: City Council Member Jake Crnkovich

Others: Ronald Styskal, Lowell P. Krueger, Tom Danahy, Cindy Danahy, Dan Linke, Susan Cerny, Jesus Zaragoza, Mackenzie Johnson, Caleb Fjone, Bill Krejci and others

Notice of meeting was advertised in the Ashland Gazette on August 31, 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 Libal, second by Niemeyer to adopt the regular agenda.

Roll Call: Ayes: All Motion Carried

Motion by Lofberg, second by Niemeyer to approve second reading of Ordinance 1218 – Zoning Amendment regarding Accessory and /or Structures in TA, RE, R1, R2, R3, and RT Districts.

Zoning Administrator Krejci said this clarifies that accessory and structure are interchangeable for calculation of lot coverage.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Lofberg to approve third and final reading of Ordinance 1223 – AN ORDINANCE TO VACATE EAST/WEST ALLEY BLOCK 13 IN NICHOLS 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.

Assistant City Attorney Meier read the Title of Ordinance 1223.

Roll Call: Ayes: All Motion Carried

Motion by Libal, second by Lofberg to approve third and final reading of Ordinance 1225 – AN ORDINANCE OF THE CITY OF ASHLAND, NEBRASKA, TO AMEND NO PARKING REGULATIONS BY AMENDING CHAPTER 5, ARTICLE 4 OF THE ASHLAND MUNICIPAL CODE; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR THE REPEAL OF ANY ORDINANCE IN CONFLICT; AND TO AUTHORIZE PUBLICATION IN PAMPHLET FORM.

Assistant City Attorney Meier read the Title of Ordinance 1225.

City Administrator Quady stated that #8 was added since the last reading to include no parking on Bluejay Way from Highway 66 west to 22nd Street on either side as suggested by the traffic study completed for the school project.

Motion by Libal, second by Niemeyer to amend Ordinance 1225 to include #8.

Roll Call: Ayes: All Motion Carried

Mayor Anderson called for the vote on Ordinance 1225 as amended.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Lofberg to approve second reading of Ordinance 1226 – Adopt the 2023-2024 General Fund and Water Wastewater Budget Document.

Assistant City Attorney Meier read the Title of Ordinance 1226.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Libal to approve second reading of Ordinance 1227 – To Establish Speed Limits on Nebraska Highway N-66 and Highway US-6.

Assistant City Attorney read the Title of Ordinance 1227.

City Administrator Quady said this is a recommendation by the Nebraska Department of Transportation for speed limits because of the round-a-bout.

Roll Call: Ayes: All Motion Carried

Motion by Lofberg, second by Niemeyer to introduce and approve first reading of Ordinance 1228 – Dog Adoption Fee Schedule.

This recommendation made by the police and the previous Dog Pound Director will allow the City to adopt out a dog after holding it for three days as opposed to five days.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Lofberg to recommend approval to the Nebraska Liquor Control Commission for a Class I Liquor License for Luna Azul Mexican Restaurant LLC dba Luna Azul Mexican Restaurant at 202 Highway 6, Bldg B.

Roll Call: Ayes: All Motion Carried

Motion by Lofberg, second by Libal to set date for the hearing to determine existence of public nuisance regarding property at 1526 Ash Street to September 21, 2023.

Roll Call: Ayes: All Motion Carried

Lowell Krueger, owner of 106 South 16th Street, spoke to the Council regarding his nuisance property. Krueger asked what was the original intent or request of him in regard to the abatement of the nuisance. Council Member Niemeyer said it was that in 'x' amount of time to have a habitable residence and to improve the appearance of the property. Krueger said he thought if he got it closed up that the Council would leave him alone to work away. Niemeyer said the house should look like a finished house, that it doesn't have stuff all piled up around it and not having porches unfinished and the appearance of an abandoned house. Krueger said he was reminded today that he was to update the schedule. Niemeyer reviewed the schedule and requested that new schedule reflect having the house habitable. Krueger noted items that were completed that weren't on the scheduled that kept moving 'the goal post'. He said his plans for the property is for it to be a rental or an Airbnb. Council Member Libal said the schedule is very obsolete and asked when a new one would be available. Krueger agreed to provide the City Administrator with the new list in two weeks, September 21st, so the Council can review it prior to his appearing in a month. Mayor Anderson reviewed the items that were not completed on the schedule. Niemeyer emphasized the items that need to be done by winter. Anderson said this Council is moving forward on enforcing the nuisance ordinance.

Motion by Niemeyer, second by Lofberg to table consideration of recommendation for abatement of nuisance at 106 South 16th Street until October 5, 2023.

Council Member Lofberg asked for the schedule to be by category such as addressing specifically by category what needs to be done to 'tighten up' the house. City Administrator Quady clarified that habitable needs to be on the list.

Roll Call: Ayes: All Motion Carried

City Administrator Quady said Public Works Director Larsen had obtained three bids for the sidewalk and curb ramp replacement project between 18th Street and 30th Street. She said a review of the sidewalks was done by Precision Concrete and there are 134 curb ramps in this area. She

said the low bid is from Rosenboom Concrete Construction; that they have done a lot of work for Ashland; and she recommended accepting their bid. She said there may be panels of concrete in the street that may need to be replaced in addition to this. She said there are a couple of corners that have stairs so these will be dealt with at a later time in conjunction with the property owners. She gave an update on Phase One of the sidewalk project.

Motion by Libal, second by Niemeyer to accept Rosenboom Concrete Construction bid of \$234,500.00 for the west side ADA curb ramp and sidewalk project.

Roll Call: Ayes: All Motion Carried

AAEDC Executive Director Fjone spoke on behalf of the Creative District Committee stating they are recommending The Bronze Horse for the sculpture part of the Towers of History. He said The Bronze Horse is located in Elkhorn and the foundry is in Omaha. He said the project is for \$66,000 plus or minus 5%. Fjone said he would provide a rendering to the Council.

Motion by Libal, second by Niemeyer to authorize the Mayor to sign contract for the bronze sculpture commission with David Biehl of The Bronze Horse LLC.

Roll Call: Ayes: All Motion Carried

Motion by Lofberg, second by Niemeyer to approve consent agenda which included approval of the August 17, 2023 City Council meeting minutes; and approval of pay requests from JEO Consulting Group Inc. for General Engineering in the amount of \$2,957.50, for Water Distribution Hydraulic Model in the amount of \$2,960.00, and for Dennis Dean Road Improvements in the amount of \$2,125.00.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Lofberg to approve the second half of August 2023 Claims.

Roll Call: Ayes: All Motion Carried

Council Member Niemeyer reported on the Annual Ashland Area Economic Development Committee meeting. He said two awards were given out, one to Farmers and Merchants Bank for their participation in getting a facility for the AAEDC office and the second one to the City of Ashland for their support of the AAEDC. Executive Director Fjone presented the mayor with the award.

Mackenzie Johnson introduced herself as a student working on a government project.

Motion by Niemeyer, second by Libal to enter into executive session to discuss property acquisition at 7:44 p.m.


Roll Call: Ayes: All Motion Carried

Motion by Libal, second by Niemeyer to exit executive session at 8:19 p.m.

Roll Call: Ayes: All Motion Carried

Motion by Libal, second by Niemeyer to adjourn at 8:20 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 September 7, 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.