

ASHLAND CITY COUNCIL
REGULAR MEETING
November 5, 2015

A regular meeting of the Ashland City Council was held at the Ashland City Hall Council Chambers on the 5th day of November, 2015 at 7:00 p.m.

Present: Mayor Richard Grauerholz
City Council President Kyle Vest
City Council Member James Anderson
City Council Member Russell DeVries
City Administrator Jessica Quady
City Clerk Kathleen Sliva
Assistant City Attorney Sheila Bentzen

Others Present: Dave Lutton, Sue Lutton, Staci Hubert, James A. Garman, Rob Josoff, Janece Mollhoff, Jim Sanders, Kathleen Newman, Lenora Isom, John Craven, Karen Stille, Dean Jaeger and John Keith

Notice of meeting was advertised in the Ashland Gazette on October 29, 2015. 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 DeVries, seconded by Vest to adopt the regular agenda.

Roll Call: Ayes: All Motion Carried

Mayor Grauerholz opened a public hearing on Ordinance 1125 – Zoning Amendment regarding detached accessory dwellings and off-premises signage at 7:02 p.m. Zoning Official Isom stated the Planning Commission recommended approval of the ordinance and that the Ordinance addresses two items that have been brought up to her. She said that Sections 1, 2 and 3 address detached accessory dwellings such as mother-in-law suites and guest houses in new construction and on existing lots. She added the ordinance would allow the City to monitor this type of

dwelling annually for compliance. Isom said that Section 4 of the ordinance addresses off premises temporary banners. She said this came up because of a banner that was going to be hanging on the side of the pharmacy advertising the medical clinic. She said that the ordinance will allow this type of sign but it will require a special use permit, that as temporary sign the sign can only be up for six months and there is a requirement that the other advertised business must be within the City limits or the City's one mile jurisdiction. The Council asked questions of Isom who answered that the detached accessory dwelling must follow the same rules as other accessory structures, that it may only be used by family members and that the special use permit is not transferable and can be revoked. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:07 p.m.

Mayor Grauerholz opened public hearings for revised preliminary plat for Sabre Heights Subdivision, Phase Three and for Final Plat for Sabre Heights Subdivision, Phase Three at 7:07 p.m. Zoning Official Isom stated that the original preliminary plat was over a year old so it must be reviewed and there have been revisions to the plat. Dean Yeager with Thompson, Dreessen & Dornor of Omaha representing LBS Development asked the Council for approval of the preliminary and final plats which will include the westernmost street of the subdivision adding an additional 33 lots. He said that the new plat was revised to make the lots a little larger to accommodate homes with three stall garages. He said that area was graded with the first phase but that the public utilities and paving will need to be completed and will probably be done next spring. He added that this will complete the subdivision with 60 home lots and the church lot. Dave Lutton stated that there are currently five lots to sell of the original 54. Isom noted that the Planning Commission recommended approval. With no further comments, Mayor Grauerholz closed both public hearings at 7:11 p.m.

Motion by DeVries, seconded by Anderson to approve Resolution 2015-16 – Setting 2015-2016 Property Tax.

City Administrator Quady stated this will replace the resolution approved at the time of the budget approval. She said this resolution updates the valuation numbers.

Roll Call: Ayes: All Motion Carried

Motion by Vest, seconded by Anderson to introduce and approve first reading of Ordinance 1125 – Zoning Amendment regarding Detached Accessory Dwellings and Off-Premises Signage.

Assistant City Attorney Bentzen read the Title of Ordinance 1125.

Roll Call: Ayes: All Motion Carried

Staci Hubert spoke to the Council representing downtown businesses on both the north and south sides of Silver Street from 14th to 15th Streets. She said that she is requesting that the Council make a motion to have the City Engineer look at possible solutions for handicap parking downtown, especially on the south side of Silver Street. Karen Stille of Midwest Physical Therapy stated that she has had five total knee replacement patients in the last month and that they have trouble stepping up the 15-inch curb with their walkers. Hubert stated that there have been recent falls on the curbs. Kathleen Newman addressed the Council stating that she is new to using a wheelchair; that she has lived in the area since 1985; that she had been a Special Education teacher; and that she had worked with accessibility issues. Newman provided pictures of handicap parking situations in Ashland and discussed some of the issues that help her continue to be independent and those that make it difficult. She highlighted issues that occur with van accessible parking. She requested that a handicapped person be consulted when making decisions about handicap parking. She noted that everyone's problems and experiences will vary. Newman spoke about the handicap space on 14th Street next to Ashland Pharmacy and the problems that she has accessing the sidewalk with her van ramp. Hubert noted that the addition of this spot on 14th was good for people who can walk short distances but that she has had complaints from people because they have to get out into traffic. Newman discussed law suits that have been settled recently regarding handicap accessibility.

Zoning Administrator Isom spoke to the Council about the parking situation and presented four handicap parking options. She first noted that only when repaving the street would the City be required to bring the parking up to compliance. She said option one would make a handicap spot west of NAPA that has an existing curb cut. She said that one or two spots could be striped there giving people access onto the sidewalk on the south side of Silver Street without crossing the street. The second option would utilize the first spot by the pharmacy using the existing triangle to walk around to the sidewalk. The third option would be to add an additional spot east of the handicap parking spot on the north side of Silver Street. Isom said she would like JEO to check these spots. Option 4 would be having JEO look at a whole parking plan for downtown. Isom said she did not look at any spots on the south side of Silver as she feels that the engineer will need to do spot elevations to determine what is feasible.

The Council requested that City Administrator Quady contact the City Engineer to get an estimate on the cost of completing a downtown parking study.

Motion by Vest, seconded by DeVries to approve revised preliminary plat for Sabre Heights Subdivision, Phase Three.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, seconded by Vest to approve final plat for Sabre Heights Subdivision, Phase Three.

Roll Call: Ayes: All Motion Carried

Motion by DeVries, seconded by Vest to approve payment of Reliable Plumbing Claim.

John Craven, owner of Reliable Plumbing, spoke to the Council giving a summary of the circumstances leading up to the claim for a water main repair at 23rd and Birch Streets and related expenses. He stated that he had requested standard locates for a project and that the City workers were not able to locate the water line and that the City did not assist him further in locating it. Craven referred to Sec. 76.23.23 of the digger hotlines manual. He said he began digging and hit the corporation stop attached to the main which caused a water main break which he repaired. Utility worker Josoff stated that they were unable to trace the main but gave an approximate location. Craven answered questions of the Council. Assistant City Attorney Bentzen read the statute to the Council.

Roll Call: Ayes: All Motion Carried

Motion by DeVries, seconded by Vest to approve pay request from JEO Consulting Group Inc. for the New Well 2015 in the amount of \$17,983.25.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, seconded by Vest to approve pay request from JEO Consulting Group Inc. for Highway 66 Decorative Lighting in the amount of \$3,500.50.

Roll Call: Ayes: All Motion Carried

Motion by Vest, seconded by DeVries to approve pay request from JEO Consulting Group Inc. for Baseball Concession Stand Construction in the amount of \$1,168.75.

Roll Call: Ayes: All Motion Carried

Motion by Vest, seconded by Anderson to approve pay request from JEO Consulting Group Inc. for Highway 66 Water Main Improvements in the amount of \$2,807.50.

Roll Call: Ayes: All Motion Carried

Motion by DeVries, seconded by Vest to approve adoption of a CDBG Financial Management Plan.

City Administrator Quady stated that an audit of the housing rehab project had been completed and it found the City had not completed adoption of this plan.

Roll Call: Ayes: All Motion Carried

James Garman addressed the Council regarding his property at 1909 Boyd Street. He stated that he has gotten his property cleaned up except for the leaves. He said there is furniture still there but it cannot be in the house until the roof is repaired. City Administrator Quady said that she had been by the property in the afternoon and there was still a lot to do. Garman said the recycling items are no longer on the ground and that they are in his two storage sheds, garage or trailer. He said that he is continuing to take in loads. Council Member Anderson reminded Garman that the kind of operation he is doing cannot be done in a residential neighborhood and that the items have to go. Anderson requested that pictures be brought to the next meeting to show the current condition of the property. Vest noted that the property was not done to what he expected.

Motion by Vest, seconded by Anderson to grant a time extension to November 19 for property at 1909 Boyd Street.

Roll Call: Ayes: All Motion Carried

Motion by Vest, seconded by DeVries to approve the consent agenda which included approval of the October 15, 2015 City Council meeting minutes.

Roll Call: Ayes: All Motion Carried

Motion by Vest, seconded by Anderson to approve the second half of October 2015 Claims.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, seconded by DeVries to approve mayoral appointment of Janece Mollhoff as Ward 2 Council Member.

Roll Call: Ayes: All Motion Carried

Assistant City Attorney Bentzen gave the oath of office to new City Council Member Janece Mollhoff.

Mayor Grauerholz reported that the Public Works crew have been installing new playground equipment at Wiggernhorn Park and Euclid Street Park and that the new website is up and functioning.

Council Member DeVries reminded the Council about the upcoming ECAP meeting.


City Administrator Quady gave a progress report on the 14th Street construction


project.

Council Member Vest invited the Council to the Ashland Area Economic Development Group membership drive event on Wednesday.

Motion by Vest, seconded by DeVries to adjourn the meeting at 8:55 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 5, 2015 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.