

ASHLAND CITY COUNCIL
REGULAR MEETING
April 2, 2020

A regular meeting of the Ashland City Council was held online via Zoom on the 2nd day of April, 2020 at 7:00 p.m.

Present: Mayor Richard Grauerholz
City President James Anderson
City Council Member Matt Meyer
City Council Member Chuck Niemeyer
City Council Member Bruce Wischmann
City Administrator Jessica Quady
City Clerk Kathleen Sliva
City Attorney Mark Fahleson

Notice of meeting was advertised in the Ashland Gazette on March 26, 2020 and Updated Meeting Notices were posted on March 25, 2020 and March 31, 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

City Administrator Quady gave an update on nuisance property at 204 South 23rd Street. She said the deadline is April 16 but there are items that have come up regarding the property owner, Steve Williams, having another parcel and zoning questions regarding non-conforming use. She said the Mayor, Zoning Official Krejci and City Attorney Fahleson would like to take more time to review this information and to determine options for Williams. She requested the Council give an extension of completion to allow the City to do this. City Attorney Fahleson said the property owner has a prior non-conforming use and the City is trying to determine what is permissible or not permissible under City Code. Council Member Wischmann stated with the current situation the Council should give the property owner another 30 days.

Motion by Wischmann, second by Meyer to grant another 30-day extension to the completion date for nuisance property at 204 South 23rd Street.

Quady said the deadline was April 16 and this would put the completion date out to May 16th. Fahleson said he thinks the extension needs to be granted now to give the City time to advise the owner as to what the City's position is and to see if owner is amenable to this or if he is simply going to clean up the property as originally directed. Discussion was held.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Niemeyer to authorize the City Attorney to institute necessary legal action to foreclose City's liens and interests in property generally located at 602 Dennis Dean Road.

City Attorney Fahleson said the property owner paid off the tax lien with the County. He said within the confines of the motion he will come back and advise the Council as to the cost and timeline for filing a foreclosure action and to provide other alternatives the Council may wish to consider. Council Member Anderson said the City has \$60,000 invested in the property; to let the property go for a number of dollars does not seem prudent; and there is a proposal to enhance the appearance of the area by University of Nebraska Architecture and Landscaping department. City Administrator Quady said she is concerned about the cost and time requirements of maintaining the property if it becomes City property. Council Member Wischmann said he is concerned about what is in the ground and doesn't want to take that responsibility. Council Member Niemeyer said he doesn't want to spend any more legal dollars pursuing this. Anderson said the proposal from UNL is for 2.6 acres and he is thinking about a very low maintenance enhancement. Wischmann questioned if further clean up should be at the cost of the taxpayer. Niemeyer said it is his opinion that the area is 100% improved from what it was and he doesn't notice the area with the trees that are growing there. He continued saying he is concerned about the cost of this and maintenance costs in the future. Anderson noted the improvements along the Highway Corridor. Mayor Grauerholz said this property could possibly get into the hands of someone who would develop it and put it back onto active tax rolls. Wischmann commented that we as the community need to figure out how to foreclose on the property to give others an opportunity to develop it. Fahleson explained the foreclosure process and he said there is no guarantee the City will own the property when the process is completed.

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

Motion by Wischmann, second by Anderson to postpone Clean-Up Day.

Mayor Grauerholz said with the conditions that are happening now with the pandemic, a postponement of clean-up day is for safety of the staff and public.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Niemeyer to waive penalties for utility bills.

City Administrator Quady said in March penalties were applied but no one was shut off for non-payment. She said the next couple of months of the pandemic could financially hit people who have lost their jobs. She proposed not applying penalties on accounts in April and May and revisiting waiving further penalties after that. She said this is approximately \$1,300 to \$2,000 per month in the utility fund. She added about 17% of the customers get a penalty every month. Council Member Wischmann said he would like to extend waiving the penalties to August 1. Discussion was held and the consensus of the Council was to waive penalties through August 1.

Roll Call: Ayes: All Motion Carried

Motion by Wischmann, second by Anderson to approve the consent agenda which included approval of the March 19, 2020 City Council meeting minutes; and approval of pay requests from JEO Consulting Group Inc. for general engineering in the amount of \$1,232.50, for Sanitary Sewer Replacements – Alleys in the amount of \$4,200.00 and for Water Dawes Street 20th to 21st in the amount of \$95.00.

Roll Call: Ayes: All Motion Carried

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

Roll Call: Ayes: All Motion Carried

Mayor Grauerholz thanked City Attorney Fahleson for facilitating the Zoom meeting so the City could meet, get business done and stay safe. He reported the Board of Health would be meeting on April 3rd to discuss restricting the use of parks.

Council Member Anderson said he would like to encourage the Planning Commission to meet using Zoom.


Council Member Niemeyer noted that at a past meeting the Council requested letters go out for non-compliance. City Administrator Quady said the letters have not gone out yet. She added the sidewalk town hall was not held.

City Administrator Quady noted the Nebraska Department of Transportation is responsible for the maintenance of 14th Street and OPPD is responsible for the overhead light poles.

Motion by Niemeyer, second by Anderson to adjourn the meeting at 8:06 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 April 2, 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.