

**ASHLAND CITY COUNCIL
REGULAR MEETING
August 19, 2020**

A regular meeting of the Ashland City Council was held at the Ashland Community Resource Center on the 19th day of August, 2020 at 7:00 p.m.

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

Others: Douglas Meyo, Michelle Grell, Susan Cerny, Jake Crnkovich and Bill Krejci

Notice of meeting was advertised in the Ashland Gazette on August 13, 2020 and Notice of Meeting Date Change was posted in three places on August 11, 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 Open Meetings Act located on the south end of the room.

Motion by Anderson, second by Niemeyer to adopt the regular agenda.

Roll Call: Ayes: All Motion Carried

Douglas Meyo gave public comment regarding speeding on Furnas Street and about a nuisance. Meyo asked the Council to come up with a remedy for the high volume of speeders on Furnas Street. He said speed bumps would slow things down. He said there is a nuisance property at 2701 Furnas Street. He said this started in 2013 when the present owner moved in; there are engine blocks, barrels of oil, tires, aluminum, steel, construction equipment and other things; there are three or four loads of trash brought in every weekend and dumped in to the backyard; it is a health and fire hazard; and it is against City ordinance. He asked that this activity be stopped and to not allow the owner to continue doing what he is doing.

Mayor Grauerholz opened a Public Hearing on Conditional Use Permit #20-96 for teaching Pre-School in home at Lots 8-9 & Balance of Lot 10 Block 13 Beetison's Addition to Ashland, located at 404 Grove Street at 7:06 p.m. Zoning Administrator Krejci said the Planning Commission had questions about parking and traffic as the street is a dead end with no outlet. He said the Planning Commission approved the permit unanimously. Applicant Michelle Grell spoke saying she plans to have a morning and an afternoon session; and vehicles would pull into her triple driveway to drop-off and pick up children and to turn around. Susan Cerny, Planning Commission Member, said the Commission members were were concerned about the person at the end of the street. Grell said her driveway and in front of her home will provide plenty of space. She added she will be doing the pre-school and her daughter will be doing the daycare upstairs. Mayor Grauerholz said this is a much-needed service in the community. Council Member Niemeyer said his concern was the use of the basement and Grell replied the Fire Marshal was out today for an inspection. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:13 p.m.

Mayor Grauerholz opened a Public Hearing on a Request Change to Zoning Map Permit #20-101 Lots 1-6 to be zoned R2; Lots 7-12 to be zoned B1 all in Block 43 Miller & Clark Addition to Ashland at 7:13 p.m. Zoning Administrator Krejci said Ordinance 1134 was done with an incorrect legal description and that Ordinance 1183 will correct the legal description. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:14 p.m.

Mayor Grauerholz opened a Public Hearing on Conditional Use Permit #20-107 for the changing the second story windows at Lot 4 Block 31 Flora City Addition to Ashland, located at 1425 Silver Street at 7:15 p.m. Zoning Administrator Krejci said the Historic Preservation Committee and the Planning Commission approved the installed white vinyl windows on the second floor. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:16 p.m.

Motion by Wischmann, second by Niemeyer to approve on third and final reading Ordinance 1181 – AN ORDINANCE TO CHANGE THE ZONING DISTRICT BOUNDARIES OF THE CITY OF ASHLAND, NEBRASKA, AS PROVIDED IN THE CITY OF ASHLAND MUNICIPAL ZONING ORDINANCE; TO AMEND THE CITY'S FUTURE LAND USE MAP; 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 1181.

Roll Call: Ayes: All Motion Carried

Motion by Wischmann, second by Niemeyer to approve on third and final reading of Ordinance 1182 – Change to Zoning Map.

City Attorney Fahleson read the Title of Ordinance 1182.

Zoning Administrator Krejci said this ordinance will change the grocery store property from R2 to B1 and the north half of Block 58 to B1. He said this is the old Black Hills building and the Williams' property. Council Member Anderson asked how this would affect the clean up of the Williams' property. City Administrator Quady reviewed items that have been cleaned out and items remaining on the property. Anderson said he is in favor of the zoning change but he is in favor of the Williams' being completely in compliance with the ordinance. He suggested that this be tabled until the property complies with the ordinance.

Motion by Niemeyer, second by Wischmann to postpone consideration until the next meeting.

Roll Call: Ayes: All Motion Carried

Motion by Wischmann, second by Niemeyer to introduce and approve first reading of Ordinance 1183 – Change of Zoning Map Permit #20-101 Lots 1-6 to be zoned R2; Lots 7-12 to be zoned B1 all in Block 43 Miller & Clark Addition to Ashland.

City Attorney Fahleson read the Title of Ordinance 1183.

Roll Call: Ayes: All Motion Carried

Motion by Wischmann, second by Niemeyer to introduce and approve Ordinance 1184 – Adopt the 2020-2021 General Fund and Water Wastewater Budget Document.

City Attorney Fahleson read the Title of Ordinance 1184.

Roll Call: Ayes: All Motion Carried

Motion by Wischmann, second by Anderson to approve Conditional Use Permit #20-96 for teaching Pre-School in home at Lots 8-9 & Balance of Lot 10 Block 13 Beetison's Addition to Ashland, located at 404 Grove Street.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Niemeyer to approve Conditional Use Permit #20-107 for the changing of the second story windows at Lot 4 Block 31 Flora City Addition to Ashland, located at 1425 Silver Street.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Niemeyer to recommend approval to the Nebraska Liquor Control Commission for a Special Designated License for American Legion Outdoor Husker Party on September 19, 2020 from 11 a.m. to 1 a.m. with alternate date of September 26, 2020.

Roll Call: Ayes: All Motion Carried

City Administrator Quady reported on the abatement progress on nuisance property at 2602 Adams Street. She said there are no bids to consider for this property as the property owner, Mike Lesley, has gotten his own bids for the abatement. She said she has spoken with his

contractor, Pershing Excavation, and informed the contractor of the City's deadline, September 17, and sent them a demolition permit application today. She said the contractor is willing to honor the contract price if the City has to abate the nuisance.

Motion by Niemeyer, second by Anderson to approve 1% Additional Budget Authority.

Roll Call: Ayes: All Motion Carried

City Administrator Quady said she has spoken to the representative of the Federal Highway Administration regarding the placement of sidewalk over gravel driveways. She said the representative is going to look into the matter further and will call back with a recommendation; however, the representative said she thought paving would be required in this situation. Discussion followed.

Motion by Wischmann, second by Niemeyer to table consideration of placement of sidewalk over gravel driveways until further information is gathered.

Roll Call: Ayes: All Motion Carried

Motion by Wischmann, second by Niemeyer to approve purchase of pick-up for Public Works Department.

City Administrator Quady said this truck, a Chevy 2500 4x4, is to replace the truck that was damaged in the accident a few weeks ago. She said Public Works Director Larsen found this truck through Federal Surplus and it is a 2012 with 53,000 miles. She added the insurance company will be reimbursing the City approximately \$5,000 for the totaled truck.

Roll Call: Ayes: All Motion Carried

Discussion was held regarding setting date for Fall Clean-Up Day on September 19, 2020.

Reviewed the July 2020 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 Library Report.

Motion by Niemeyer, second by Wischmann to approve the consent agenda which included approval of the August 6, 2020 City Council meeting minutes; approval of the June 25,

2020 and July 30, 2020 Planning Commission meeting minutes; approval of Jacob Crnkovich as the Mayoral Appointment to fill the Ward 2 City Council vacancy; and approval of Eli Josoff as a member of the Ashland Rescue Department.

Roll Call: Ayes: All Motion Carried

City Attorney Fahleson swore Jacob Crnkovich in as Ward 2 Council Member.

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

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Wischmann to approve July 2020 Treasurer's Reports.

Roll Call: Ayes: All Motion Carried

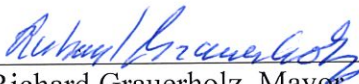
Motion by Anderson, second by Wischmann to approve entering into executive session to protect the public's interest to receive legal advice and to discuss potential litigation at 8:04 p.m.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Anderson to leave executive session at 8:38 p.m.

Motion by Niemeyer, second by Wischmann to adjourn the meeting at 8:38 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 August 19, 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.