

ASHLAND CITY COUNCIL
REGULAR MEETING
December 2, 2021

A regular meeting of the Ashland City Council was held at the Ashland City Hall Council Chambers on the 2nd day of December, 2021 at 7:00 p.m.

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

Others: Susan Cerny, Caleb Fjone, Ron Styskal, Scott Howard, Bryan York, Tom Danahy, Cindy Danahy, Dan Linke, Al Schroeder and others

Notice of meeting was advertised in the Ashland Gazette on November 25, 2021. 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 wall of the room.

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

Roll Call: Ayes: All Motion Carried

Ron Styskal gave public comment regarding tax increment financing. He said TIF takes tax dollars away from the community, the schools and City infrastructure projects like water and sewer for the eastside. He commented on the decrease in taxes that would be coming from the County. He said good use of TIF would be for the Carnegie Library and for the Beetson House not for bare land.

Motion by Niemeyer, second by Wischmann to approve Resolution 2021-22 – Creative District.

Roll Call: Ayes: All Motion Carried

Motion by Wischmann, second by Niemeyer to approve on third and final reading of Ordinance 1201 - AN ORDINANCE FOR THE CITY OF ASHLAND, NEBRASKA, TO ADOPT THE

WELLHEAD PROTECTION PLAN FOR THE CITY OF ASHLAND, NEBRASKA, AS PREPARED BY JEO CONSULTING GROUP, INC. FOR THE CITY OF ASHLAND; TO PROVIDE FOR THE REPEAL OF ORDINANCES INCONSISTENT HEREWITH; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

City Attorney Fahleson read the Title of Ordinance 1201.

Roll Call: Ayes: All Motion Carried

Caleb Fjone, Executive Director of the Ashland Area Economic Development Corporation (AAEDC), spoke to the Council regarding growth trends for the City. He said the City has hit the 3,000 population threshold. He said Ashland is a wonderful place where people want to live; there are housing opportunities on the horizon; there is a stellar school being built; and there are businesses wanting to move in. He said Ashland is the 49th largest city in the state and the 9th fastest growing.

Ron Styskal spoke to the Council regarding a past blight study on the eastside. He said the current study is for the Highway 6 corridor and there will be a few citizens in town that won't like it. He asked that the Council give them consideration. He commented on the condemnation of Arlo Remmen's property. He said Remmen had the opportunity to sell the property but it was stopped because of contaminants in the soil. He said if the City is going to build on the property it will need to meet the same requirements that Remmen would have and this will cost the taxpayers and City money. City Attorney Fahleson said the property was cleaned up by Olsson and Associates in conjunction with the Nebraska Attorney General and Nebraska DEQ.

Discussion was held regarding nuisance property at 2217 Ash Street. City Administrator Quady said she had gone to the property today. She said the owner now has all the windows done on the house, the door has been replaced and she would recommend that the property be taken off the nuisance list. She said the boat is gone and there are two trailers that would be allowed. Mayor Grauerholz commented that it is a big improvement from where it started. Council Members Niemeyer and Crnkovich agreed. No further action was taken.

Al Schroeder, Director of Outside Plant Engineering for ALLO Communications, spoke in support of their proposed franchise agreement stating ALLO is excited to bring an all-fiber network to Ashland's businesses and residents. He gave a brief history of ALLO. He said the network includes access to the standard service speed of 500 megabyte per second and premium services of one gigabyte and ten gigabyte speeds. He said TV and voice services will also be offered. He said for construction the town will probably be broken into two grids, with construction lasting 90 to 120 days starting in March or April and finished by the end of the year. He discussed how residents will be communicated with and how complaints will be coordinated. Mayor Grauerholz said this is an additional tool to attract new businesses and residents. Schroeder said they will get pole permits through OPPD and underground permitting with the City. He said directional boring will be used within utility easements.

Motion by Niemeyer, second by Wischmann to authorize the Mayor to sign a franchise agreement with ALLO Ashland, LLC.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Wischmann to authorize the Mayor to sign Firework Stand License Agreement.

City Attorney Fahleson said the fee must be consistent for all activities. Crnkovich said he would like an all-inclusive agreement for use of the City property with guidelines. Fahleson said there cannot be a distinction between profit and non-profit and in state versus out of state. Council Member Wischmann said he would like a limit on the number of stands. Fahleson said a rational basis would need to be used to deny a stand. He said if the Council is going to let them use City property, the Council needs to think broader to other uses such as food trucks and farmers markets, and what is the basis you are using to let them use the property. City Administrator Quady questioned if Chamber events that the City partners with, would be treated in the same way. Wischmann reminded the Council of the request to use property for a mud volleyball pit. Council member Anderson said the Legion has the Bless the Bikes and other activities. Quady said there are two other property owners in town that have firework stands, one receives a donation of about \$3000 and the other a payment of \$1000. She said peddler permits are \$10 per day. Grauerholz said the cost of City services should be considered. Fahleson said different price structures could be used for different parts of the City. Bryan York, firework stand owner who requested the use of the City land, said they are looking for a yes or no answer for this year. He discussed the timing of license applications and their need to purchase their inventory. Quady said food trucks will be handled completely separate.

Motion by Niemeyer, second by Crnkovich to table consideration of authorizing the Mayor to sign Firework Stand License Agreement until the next meeting on December 16, 2021.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Niemeyer to approve consent agenda which included approval of the November 18, 2021 City Council meeting minutes; approval of pay requests from JEO Consulting Group Inc. for General Engineering in the amount of \$1,655.00, for Public School Expansion in the amount of \$1,163.75, for Utility Rate Study in the amount of \$1,000 and for Sanitary Sewer Replacements-Alleys in the amount of \$5,306.25; and approval of Timothy Bevis as a member of the Ashland Fire Department.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Wischmann to approve the second half of November 2021 Claims.

Roll Call: Ayes: All Motion Carried

Mayor Grauerholz reported on the MFO meeting he had attended and the MFO funds that will be distributed to the City.

City Administrator Quady reported that GWorks has completed the redistricting project. They found that after the census there is a population deviation of 4.6% between the two existing wards. She said a deviation of 5% is allowed by State statute so the Ward districts will remain the same.

Quady said the Whitetail developers will have a contractor grade and clean out the retention pond. She said the developers have met with two of the builders and hope to resolve the drainage and trash issues.

Caleb Fjone said the City flag competition has begun.

Quady said the generator project at City Hall has been completed.

Council Member Wischmann said the cemetery old gate pillars are moving. Quady said she will let the Public Works Director know.

Motion by Wischmann, second by Niemeyer to enter into executive session for negotiation strategy related to land acquisition and land liquidation to protect the public interest at 8:06 p.m.

Roll Call: Ayes: All Motion Carried

Motion by Wischmann, second by Niemeyer to leave executive session at 8:29 p.m.

Roll Call: Ayes: All Motion Carried

Motion by Wischmann, second by Niemeyer to adjourn the meeting Sine Die at 8:32 p.m.

Roll Call: Ayes: All Motion Carried

Mayor Grauerholz opened the Annual Organization Meeting at 8:33 p.m.

Council Member Niemeyer nominated Jim Anderson as Council President. No other nominations were made.

Motion by Niemeyer, second by Wischmann to approve the nomination of Council Member Anderson as President of the Council.


Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Wischmann to approve the 2022 Mayoral Appointments.

Discussion was held regarding the Council President helping with identification of nuisances in coordination with the City Administrator. Quady reminded the Council that they are working on the hiring another Police Officer that can work as a Code Enforcement Officer until they are through the law enforcement training.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Wischmann to adjourn the Annual Meeting at 8:44 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 December 2, 2021 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.