

ASHLAND CITY COUNCIL
REGULAR MEETING
July 6, 2017

A regular meeting of the Ashland City Council was held at the Ashland City Hall Council Chambers on the 6th day of July, 2017 at 7:00 p.m.

Present: Mayor Richard Grauerholz
City Council President Russell DeVries
City Council Member James Anderson
City Council Member Paul Gossin
City Council Member Janece Mollhoff
City Administrator Jessica Quady
City Clerk Kathleen Sliva
City Attorney Mark Fahleson

Others: Curtis Beranek, Amanda Roe, Sena Bollman, Ron Styskal, Ben Anderson, Dana Anderson, Donnie Laughlin, James A. Garman, Jr., Bob Luebbe, Marilyn Wright, Gene Hull, Richard Hilske, Patty Chase, Dan Wilson, Teresa Akeson, Curt Akeson, Suzi Nelson, Chris Devillier, Don Kracl, Susan Cerny, Ray Elwood and others

Notice of meeting was advertised in the Ashland Gazette on June 29, 2017. 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 Anderson, seconded by Mollhoff to adopt the regular agenda.

Roll Call: Ayes: All Motion Carried

Amanda Roe gave public comment to report on an open community meeting held to discuss the current proposal of the Whitetail Run Development. She said the most apparent feeling expressed at the meeting was the deep commitment to Ashland and a desire to see it grow and prosper. She said there were some common threads repeatedly voiced including the lack of transparency and communication had many feeling frustrated and things were happening to quickly or against the best interests of the town. She asked

the Council to delay the third reading on the annexation until July 20th so the following items can be discussed and determined if they are actionable. The following items included requesting an increase in public transparency by adding a fact page about Whitetail Run to the website or an alternative website; holding a vote of the town to determine if TIF or a bond should be used; adding community members to the Community Development Board; and re-engaging the School Board.

Bob Luebbe gave public comment stating he had attended the meeting the night before night and that there is a lot of frustration and confusion to some regard about what TIF is all about. He said we are all trying to move the community forward. He said he stands with the school board; we need to listen to the school board and superintendent; and the school and the Council need to be partners in the community. He said that ethically and morally, he doesn't think TIF is being used as intended on this project. He said there are a lot of other options available such as letting the community decide, bonding the project or use of impact fees and usage. He suggested bringing it to a public, special election. He requested that if TIF is used to minimize the amount of TIF provided to the developers.

Susan Cerny gave public comment reading testimony given in January 2012 at the Nebraska Legislature by David Lutton in support of proposed TIF legislation. She said she doesn't believe this is all about TIF.

Motion by Mollhoff, second by Gossin to approve on third and final reading Ordinance 1137 – AN ORDINANCE OF THE CITY OF ASHLAND, NEBRASKA TO EXTEND THE BOUNDARIES OF THE CITY AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX INTO THE CITY OF ASHLAND, NEBRASKA A TRACT OF LAND THAT IS CONTIGUOUS AND ADJACENT TO THE CURRENT MUNICIPAL LIMITS AS MORE FULLY DESCRIBED HEREIN; DIRECTING THE SAME TO BE RECORDED BY THE SAUNDERS COUNTY REGISTER OF DEEDS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; TO PROVIDE FOR THE EFFECTIVE DATE THEREOF; AND ORDER THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

City Administrator Quady said the ordinance dates need to be amended as recommended by Attorney Moll.

Motion by Mollhoff, second by Gossin to amend Ordinance 1137 with an effective date of August 10, 2017 and Section 4 by adding 'Upon and after the effective date of this Ordinance'.

Roll Call: Ayes: All Motion Carried

Council Member Mollhoff spoke about the comments regarding the lack of transparency. She said for the TIF process there is only one requirement for one public hearing, and in the beginning of this process, the Council decided to be more transparent so there have

been multiple meetings with the school board, with citizen groups and with individuals, a public question and answer session, and articles in the newspaper. She said with zoning every decision needs to be applied equally to every subdivision. She noted that when Iron Horse was built the City took out a bond to pay for infrastructure and when the City gets ready to annex Saber Heights, the City will be paying the remainder on their bonds; a private investor will not be required to come in to pay off the remainder of those bonds. She said the public infrastructure is good for all the residents of the community and it isn't done for private investors. She said she would not want to push the school board or administration to come out in favor of the TIF; with the governor and education committee in the legislature it may set the school up for cuts in state aid. She said she believes the Council has done due diligence on this project and that they have been transparent with every stake holder in this process.

Council Member Anderson commented saying he wanted to ensure the citizens that the Council is doing the best for the community not just for today but for in the future. He said that they have been very open about this big decision. He noted the tax base in the area including Lake Allure, Big Sandy and Sandy Point. He said the Council is elected to do what the Council thinks is best for the town.

Council Member DeVries said people engaged and involved with the community makes things happen. He noted the ECAP process that got the community involved and the surveys that showed people wanted growth and more facilities and support for downtown. He said the Council has tried to be transparent and has delayed approval of the ordinance to gather more information.

Council Member Gossin said, for him, this project has been about putting infrastructure, water and sewer, in the corridor of Highways 6 and 66 for a second viable option for growth. He said he understands the position that the school board is taking and that he has trust in the board in being able to make plans for the future. He said he supports the annexation of the first 50 lots as it will put infrastructure on that side of the highway allowing for the control of growth into the future. He said the attorneys are finalizing the language in the redevelopment agreement and the agreement will be posted on the website. He noted a few of the agreement details.

Council Member Anderson commented about the capacity of the sewer facility by reading from the Ashland Comprehensive Plan.

All Council Members expressed their appreciation for the community input.

Mayor Grauerholz called for a vote on the third and final reading of Ordinance 1137 as amended.

Roll Call: Ayes: All Motion Carried

Motion by DeVries, second by Mollhoff to approve on second reading Ordinance 1138 – Zoning Amendment regarding minimum lot requirements for townhouses.
City Attorney Fahleson read the Title of Ordinance 1138.

City Administrator Quady noted the ordinance adds setbacks for townhouses in allowed zoning districts.

Roll Call: Ayes: All Motion Carried

Ron Styskal spoke to the Council regarding TIF. He said there are six senators that will be looking into the misuse of TIF; the property for Whitetail Estates was in the USDA farm program; and the State is putting in merging turn lanes into the development, these will remain under study and if it creates a problem there may need to be another way into the development. He said that he doesn't believe our sewer plant will be big enough in the future. Mayor Grauerholz said that the sewer plant is well below its designed usage.

Motion by Mollhoff, second by DeVries to recommend approval to the Nebraska Liquor Control Commission for a Special Designated License for Glacial Till Vineyard & Winery, LLC for the Stir Up Beer Garden on July 22, 2017.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by DeVries to approve Pay Request from JEO Consulting Group Inc. for the Water 2017 Silver Street project in the amount of \$4,248.00.

Roll Call: Ayes: All Motion Carried

Motion by DeVries, second by Mollhoff to approve pay request from JEO Consulting Group Inc. for the Splashpad in the amount of \$1,092.00.

Roll Call: Ayes: All Motion Carried

Motion by DeVries, second by Mollhoff to approve pay request from JEO Consulting Group Inc. for the New Well 2015 in the amount of \$1,300.00.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Gossin to approve pay request from JEO Consulting Group Inc. for the Water Transmission Main 2016 in the amount of \$474.50.

Roll Call: Ayes: All Motion Carried

Motion by Mollhoff, second by Gossin to place lien for demolition and abandonment of utility lines for 601 South 8th Street in the amount of \$12,280.00.

Discussion was held regarding the nuisance property.

Roll Call: Ayes: All Motion Carried

Motion by Mollhoff, second by Gossin to approve the consent agenda which included approval of the June 15, 2017 City Council meeting minutes, approval of the July 3, 2017 Ashland Community Development Agency special meeting and approval of Tom Smith as a member of the Ashland Rescue Squad.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Mollhoff to approve the second half of June 2017 Claims.

Council Member Gossin requested an annual report from the Ashland Area Economic Development Corporation.

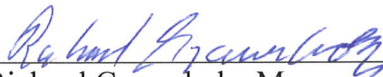
Roll Call: Ayes: All Motion Carried


Council Member Mollhoff noted that the handrails were installed downtown.

Motion by Mollhoff, seconded by Anderson to adjourn at 7:58 p.m.

Roll Call: Ayes: All Motion Carried

The Community Development Agency did not convene.


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 July 6, 2017 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.