

ASHLAND CITY COUNCIL REGULAR MEETING

July 7, 2016

A regular meeting of the Ashland City Council was held at the Ashland City Hall Council Chambers on the 7th day of July, 2016 at 7:00 p.m.

Present: Mayor Richard Grauerholz
City Council President Russ DeVries
City Council Member James Anderson
City Council Member Janece Mollhoff
City Council Member Kyle Vest
City Administrator Jessica Quady
City Clerk Kathleen Sliva
City Attorney Mark Fahleson

Others Present: Shirley Niemeyer, John Trecek, John Craven, Jolissa May-Werner and others

Notice of meeting was advertised in the Ashland Gazette on June 30, 2016. 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 Mollhoff to adopt the regular agenda.

Roll Call: Ayes: All Motion Carried

Shirley Niemeyer gave public comment. She asked for the status on a nuisance property that needed mowing. She commented that the thistles on the railroad property need to be removed before they spread to the NRD ground and other properties. She also commented on the importance of the draft zoning ordinances and regulations. She made comment regarding pets and exotic animals, motor vehicles and automobile definitions, RV and trailer storage and parking requirements for residences.

John Trecek with Ameritas Investment Corp. spoke to the Council regarding sewer bond refinancing and Resolution 2016-8. He said the City has outstanding General Obligation Sewer Bonds dated March 1, 2011. He noted the maturity schedule for the bonds with their principal and interest amounts. He said he is recommending calling these sewer bonds and refinancing

them through the issuance of refunding bonds in the amount of \$1,450,000 reducing the average interest rate from 4.89% to 2.15% which results in a net savings of \$343,974 over the life of the bonds. He said the net present value savings is 20.86%, the total issuance cost is 1.4%, and the new bonds will have the option of prepayment in five years. He asked that consideration be given to waiving the three readings of the ordinance as that will lock in the rates for the refunding bonds tonight. He answered questions of the Council.

Motion by Mollhoff, seconded by DeVries to approve Resolution 2016-8 – Calling for payment of Sewer Bonds.

Roll Call: Ayes: Anderson, DeVries, Mollhoff, Vest Nays: None Motion Carried

Resolution 2016-8 is approved and adopted.

Trecek noted that the principle amount for Ordinance 1132 should be \$1,450,000.

Motion by DeVries, seconded by Mollhoff to approve Ordinance 1132 – AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION SEWER REFUNDING BONDS, SERIES 2016, OF THE CITY OF ASHLAND, NEBRASKA, IN THE PRINCIPAL AMOUNT OF ONE MILLION FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$1,450,000) ISSUED TO REFINANCE CERTAIN OUTSTANDING BONDS OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR A SINKING FUND AND FOR THE LEVY AND COLLECTION OF TAXES TO PAY SAID BONDS TO THE EXTENT NOT PAID FROM OTHER SOURCES; PROVIDING FOR THE SALE OF THE BONDS AND AUTHORIZING THE CITY TO ENTER INTO A BOND PURCHASE AGREEMENT; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

City Attorney Fahleson read the Title of Ordinance 1132.

Motion by Anderson, seconded by DeVries to suspend the statutory rule requiring reading on three different days.

Roll Call: Ayes: Anderson, DeVries, Mollhoff, Vest Nays: None Motion Carried

The Mayor then called for a roll call vote on Ordinance 1132 on third and final reading.

Roll Call: Ayes: Anderson, DeVries, Mollhoff, Vest Nays: None
Motion Carried

Ordinance 1132 is approved and adopted.

John Craven of Reliable Plumbing spoke to the Council regarding property behind his building at 120 N. 14th Street commonly called the Buckmaster property. He stated that he had learned the City was going to purchase this piece of ground and he wanted the Council to know that he had

been trying to purchase this as he believes his building is sitting on six or seven feet of the property. He said he would like to buy this property and if it can be done he would like to buy a strip of land from the City north to Adams Street. He said he would put up a fence. City Attorney Fahleson said that the City has purchased the tax certificate for the property, the City is in the middle of the process to get the tax deed, once the City has the tax deed the City will be the owner of the property, that required notices have been sent out and published and the required three month waiting period for applying for the tax deed will end on September 2. Fahleson continued saying there is a defect in title description and the process does not require a survey.

Council Member Anderson spoke for Peggy Curtis, owner of the property at 725 Cedar Street, regarding a drainage issue that she has had with water and dirt running off a property above hers. He said that he would like the City to look at this situation and see if there is anything that can be done. City Administrator Quady said that the Building Official and the Public Works Director had looked at the property and have had the other property owner put up a silt fence which can be taken down when the landscaping is done.

Motion by Vest, seconded by DeVries to approve pay request from JEO Consulting Group Inc. for New Well 2015 in the amount of \$3,409.00.

Roll Call: Ayes: All Motion Carried

Motion by DeVries, seconded by Vest to approve Pay Application #1 from Sargent Drilling for the 2016 Well in the amount of \$45,124.20.

City Administrator Quady stated that this is the first payment for new well. She added that the well has been drilled, the tests have come back fine and it is pumping more than anticipated.

Roll Call: Ayes: All Motion Carried

City Administrator Quady spoke regarding an agreement with JEO Consulting Group Inc. for 2017 Water Transmission Main. She said this is a budgeted item for this fiscal year and it is to finish the loop on the east side from the water tower. She added the agreement is for the design and would tie in with Whitetail Run, if and when they begin their development.

Motion by Mollhoff, seconded by Vest to authorize the Mayor to sign an agreement with JEO Consulting Group Inc. for 2017 Water Transmission Main.

Roll Call: Ayes: All Motion Carried

City Administrator Quady told the Council that the Ashland Chamber of Commerce has requested the City cost share the insurance coverage for this year's Stir-Up Days. She said the insurance is \$1600, so the City portion would be \$800. She said this is not something that the City has done before.

Motion by Anderson, second by Vest to cost share the insurance for Stir-Up with Ashland Chamber of Commerce in an amount not to exceed \$800.

Roll Call: Ayes: All Motion Carried

Council Member Anderson spoke to the Council regarding the condition of some sidewalks in town and the need for enforcement of sidewalk ordinances. City Attorney Fahleson recommended that a staff person develop a list of priority projects and then the Council can decide from a policy stand point how to best address those. City Administrator Quady will contact JEO Consulting Group for a system of ranking sidewalk needs and the City of Lincoln for their sidewalk procedures.

Motion by Mollhoff, seconded by Vest to approve the consent agenda which included approval of the June 16, 2016 City Council meeting minutes, approval of Shawn Washburn, Skyler Sherman and Charles Lancaster as members of the Ashland Rescue Squad and approval of Dalton Smith as a member of the Ashland Fire Department.

Roll Call: Ayes: All Motion Carried

Motion by Vest, seconded by DeVries to approve the second half of June 2016 Claims.

Roll Call: Ayes: All Motion Carried

Mayoral Grauerholz reminded the Council about upcoming budget meetings. He noted that there is an upcoming Grow Nebraska meeting with the Nebraska Department of Roads.

Motion by Vest, seconded by Mollhoff to enter into executive session to discuss property acquisition at 8:02 p.m.

Roll Call: Ayes: All Motion Carried

Motion by Vest, seconded by DeVries to come out of executive session at 8:18 p.m.

Roll Call: Ayes: All Motion Carried

City Administrator Quady noted that the railroad has begun repairing the embankment by the railroad near the underpass.

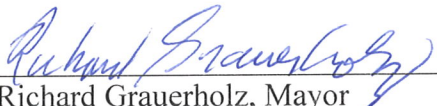
City Administrator Quady told the Council that street damage caused by traffic detoured during the 14th Street project will not be covered by the State as this was not the official detour. She said the Public Works Director knows about the problems and will be able to repair the small areas but the larger ones he will have to get quotes for.


Council Member Anderson noted that at 14th and Dawes there appears to be a car repair business being run out of a residence. He also asked about an anonymous photo that was put in the City Hall drop box of a property that will need to be addressed as a nuisance property.

Motion by Mollhoff, seconded by Anderson to adjourn the meeting at 8:29 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 July 7, 2016 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.