

**ASHLAND CITY COUNCIL
REGULAR MEETING
March 17, 2016**

A regular meeting of the Ashland City Council was held at the Ashland City Hall Council Chambers on the 17th day of March, 2016 at 7:00 p.m.

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

Absent: City Council Member Janece Mollhoff

Others: Brad Carlson, Shirley Niemeyer, Lyle Ueberrhein, Mary Ueberrhein, Lacey Mink, Kay Blincow, Ron Blincow, Peg Lutton, Marilyn Wright and Lenora Isom

Notice of meeting was advertised in the Ashland Gazette on March 10, 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 Vest to adopt the regular agenda.

Roll Call: Ayes: All Motion Carried

Shirley Niemeyer gave public comment stating that she supports the extra lights along the highway as it would help identify Ashland. She said she understands the Council has moved forward on the enforcement of one or two of the codes for debris and other items and she encouraged the Council to do more on that. She added that she would like the revised codes on the website.

Brad Carlson, Jones Insurance Agency, gave public comment regarding the Risk Management Consulting Services agreement. He said that as an insurance agent he is not against having a consultant, as they work with them quite frequently, but as an independent agent this is his and his agency's job. He said they get quotes or bids for the

City, distinguish differences in coverage between policies and bring that information to the Council to assist the Council in making a knowledgeable decision. He said there are six insurance options for municipalities in Nebraska; five of the six are insurance providers; the sixth is a risk pool; and of the five insurance providers he can use four of them, Berkshire Hathaway, Travelers, EMC and Continental Western, the current insurance provider for Ashland. He said the insurance premium for the 2014 policy year was about \$94,000; in 2015/2016 the premium went down; and in 2016/2017 he expects the premium renewal to stay the same or go down further. He said there are a couple of factors helping the premium go down including the Worker's Comp mod going down. He said that quote years for municipalities are usually every three to five years. He recommended the City wait one year and the City could hire the consultant at that time.

Mayor Grauerholz opened a Public Hearing on a request for Zoning Change from Transitional Agriculture to R-2 Medium Density Residential at a portion of W ½ of NE Quarter of Section 12-12-9 at 7:08 p.m. Zoning Administrator Isom spoke to the Council regarding the requested change. She said that Blincow's are going to be purchasing a portion of Ueberrhein's land, and because the Blincow's would like to purchase only 10 acres and Transitional Ag has a 20 acre minimum, they are requesting the zoning change. She said that in looking at the zoning updates and the future land use map the whole piece of property could be rezoned R-2 for future residential development. She said that the zoning regulations don't talk about a maximum lot size, only a minimum lot size, so the 10-acre lot in R-2 would be fine and that the farming the Ueberrheins are doing could continue as an existing non-conforming use. She said that Planning Commission recommended approval. Lyle Ueberrhein stated the surveyor was out last Saturday to mark where the lines will be. Discussion was held regarding the need for an ordinance and the procedure for waiving a reading. Kay Blincow spoke stating they want to buy the land and encouraged the Council to quicken the process as much as possible as they are in a rental property and five storage units. She said they are planning to build a single family home and a shop. Mr. Ueberrhein then questioned if the zoning on his remaining portion of the property would be Transitional Ag or R-2. Isom explained that the whole property would need to be zoned R-2. Ueberrhein said that he does not want his property to change zoning due to taxation. Mary Ueberrhein said that she wants to make sure that their property stays Transitional Ag. Isom said that this request could be canceled and that after the property sale, consideration of a zoning change for just that piece of land could be then be made. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:23 p.m.

Mayor Grauerholz opened a Public Hearing on a request for a Special Use Permit for exterior alterations in the B-2 Downtown Commercial and Preservation District at W 12' Lot 1 & E 37" Lot 2, Block 31, Flora City Addition, located at 1409 Silver Street at 7:24 p.m. Lacey Mink, representing Family Chiropractic Solutions and Midwest Physical Therapy, addressed the Council stating that they would like to put a fresh coat of paint on the building. She said the Historic Preservation Committee made some suggestions

regarding what would look good in to the area. She said that Zoning Administrator Isom met with them to pick out paint colors. Isom stated that the Historic Preservation Committee said the buildings look better with a contrasting trim color to break up the buildings flat façade. She said that they are going to ask the owner of the building, Bob Luebbe, to paint the white apartment door to match the rest of the building and the sign on the railing will not stay. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:26 p.m.

Mayor Grauerholz opened a Public Hearing on a request for a Special Use Permit for exterior alterations in the B-2 Downtown Commercial and Preservation District at E 32⁷ Lot 1, Block 31, Flora City Addition, located at 1401 Silver Street at 7:27 p.m. Zoning Administrator Isom stated that the overall paint color for 1401 Silver Street will be the same as on 1409 Silver Street. She noted that the Historic Preservation Committee and the Planning Commission have both recommended approval. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:29 p.m.

Motion by DeVries, seconded by Anderson to approve Special Use Permit for exterior alterations in the B-2 Downtown Commercial and Preservation District at 1409 Silver Street.

Roll Call: Ayes: All Motion Carried

Motion by DeVries, seconded by Vest to approve Special Use Permit for exterior alterations in the B-2 Downtown Commercial and Preservation District at 1401 Silver Street.

Roll Call: Ayes: All Motion Carried

Peg Lutton and Marilyn Wright, both of the Ashland Historical Society, addressed the Council regarding the Historical Society's lease of the Carnegie Library Building for their museum. Lutton said the Society has had the building for about a year and it has worked very well for them. She said that there have been a lot of changes and invited the Council to come see the building. She said they are open Thursdays from 1 p.m. to 4 p.m. and during the summer season they will also be open Sundays from 1 p.m. to 4 p.m. She expressed their appreciation for the work that the City has done for them. She said that Ron's Restoration has been working on the exterior of the building. She added they are concerned about protecting the antiques from U.V. rays and lights so they installed new blinds on the windows and they may ask the Council for assistance with changing or installing new lights. She said the toilet is not working and that the City might be involved with getting a new toilet as the building owner. She provided the Council with a list of things they have done to the building. She said the rent is due at this time; last year an anonymous donor paid the first year's rent; she would like to pay on a yearly basis; and the insurance is current on the interior of the building. Council Member Anderson stated the lock on the front door needs attention, the toilet needs to be replaced and explained that Ron's Restoration is rebuilding the back exterior area where water builds

up and enters the building. City Administrator Quady stated that the lease had been placed on the agenda as the Council had requested that rent for the building be evaluated yearly. City Attorney Fahleson stated that no action needed to be taken if the Council does not want to make any changes. Lutton added that the baseboards have been replaced with the original wood that had been in storage. Anderson said dirt work around the buildings foundation is on the Public Works department schedules. Shirley Niemeyer requested that a hose be placed on the condensation tube draining from the air conditioner. No action on the Carnegie Library Building lease was taken.

City Administrator Quady spoke to the Council regarding risk management consulting services. She said that this would provide someone who knows the insurance industry to go through the property and the risks, to develop an R.F.P. to get insurance bids, to review the bids to assure they meet the requirements of the R.F.P. and to make recommendations to the City Council. She answered questions of the Council regarding Charlesworth & Associates, L.C. who provides these services. Discussion was held regarding the timing of doing the risk study.

Motion by DeVries, seconded by Anderson to not authorize the Mayor to sign the engagement letter for Risk Management Consulting Services with Charlesworth & Associates, L.C.

Roll Call: Ayes: All Motion Carried

Motion by Vest, seconded by Anderson to authorize the Mayor to sign agreement for a City Wide Event with Triple Crown Sports.

City Attorney Fahleson stated that the term of the contract is five years and he informed the Council that one of the tournaments names could be deemed in some sectors to be offensive. Discussion followed regarding the termination clause. Quady stated that the AYBA is on board with the tournament, it is during the College World Series, they are using baseball fields all over the area for the tournament, the \$65/game field preparation is adequate, and they will be making donations of \$500 and two pitching machines. She added that AYBA will have one or two teams playing. Shirley Niemeyer expressed concern about local and low income children having access to the fields and about parking. Quady told her that the tournament is for three weeks during the day and AYBA games will continue to be played in the evening. She said the funds from the tournament will go into a separate account for the ball fields.

Roll Call: Ayes: All Motion Carried

Motion by Vest, seconded by Anderson to approve pay request from JEO Consulting Group Inc. for the Silver Street Bridge replacement in the amount of \$1,755.00.

City Administrator Quady reported that the bridge plans are currently being reviewed by the state. She said the engineer wants the project to begin after the 14th Street project is completed and the bridge project can be worked on through the winter.

Roll Call: Ayes: All Motion Carried

Motion by DeVries, seconded by Vest to approve pay request from Lacey Construction, Inc. for Ball Park Concessions and Restrooms in the amount of \$412.20.

City Administrator Quady said there is one final payment of approximately \$40,000 held for retainage.

Roll Call: Ayes: All Motion Carried

Reviewed the February 2016 Keno report.

Reviewed the Public Works Director's Report.

Reviewed the Utility Superintendent's Report.

Reviewed the Police Chief's Report. Mayor Grauerholz reported that the K-9 officer received 100% on the written test and that the K-9 scored higher than average at their recent training course.

Reviewed Building Inspector's Report. Building Official Isom reported on the NPZA conference, the permit activity for the month and her appointment by the Governor to serve on the State Board of Engineers and Architects. Mayor Grauerholz reported on LB295 dealing with zoning and on LB703 dealing with appeals for nuisances.

Reviewed Library Report.

Motion by DeVries, seconded by Vest to approve the consent agenda which included approval of the March 3, 2016 City Council meeting minutes, approval of the March 5, 2016 City Council Workshop minutes and approval of the February 25, 2016 Planning Commission meeting minutes.

Roll Call: Ayes: All Motion Carried

Motion by DeVries, seconded by Vest to approve the first half of March 2016 Claims.

Roll Call: Ayes: All Motion Carried

Motion by Vest, seconded by Anderson to approve February 2016 Treasurer's Report.

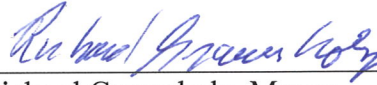
Roll Call: Ayes: All Motion Carried

Mayor Grauerholz reported that a meeting regarding the Platte River Trail is scheduled on March 22 at the ACRC; the Rescue Squad is proceeding with the purchase of a new ambulance; he attended a meeting with OPPD regarding the handling and prioritizing storm outages; he had met with Rich Person regarding the bike race to be held this summer to address citizen's concerns; and he visited with the Mayor of Louisville regarding the financing of Louisville's new ball fields.

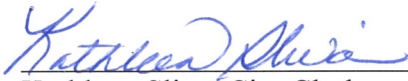
Discussion was held regarding the addition of a street light near 14th and Furnas Streets.

Motion by Anderson, seconded by DeVries 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 March 17, 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.