

ASHLAND CITY COUNCIL REGULAR MEETING

May 16, 2024

A regular meeting of the Ashland City Council was held at the Ashland City Hall Council Chambers on the 16th day of May, 2024 at 7:00 p.m.

Present: Mayor James Anderson
City Council President Chuck Niemeyer
City Council Member Jake Crnkovich
City Council Member Jerry Lofberg
City Administrator Jessica Quady
City Clerk Kathleen Sliva
Assistant City Attorney Anthony Aerts

Absent: Council Member Michelle Libal

Others: Jennifer Peters, Meredith Dougherty, Carol Clough, Jim Pinkman, Ron Styskal, Caleb Fjone, Scott Resler, Leroy Flink and others

Notice of meeting was advertised in the Ashland Gazette on May 10, 2024. 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 Anderson 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. Anderson noted the Open Meetings Act located on the south wall of the room.

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

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Crnkovich to approve Resolution 2024-2 – Declaring the findings of the City Council regarding nuisance at North 74' Lots 5 & 6 Block 9, Flora City Addition with an abatement date of June 20, 2024.

Scott Resler spoke to the Council regarding his property at 407 North 15th Street as a public hearing was held at the last meeting to determine if a nuisance existed. City Administrator Quady said there were two vehicles on the property that were not operable as the vehicles do not have front ends. Resler said his son purchased the red and white one in September and is working on the engine at a machine shop. He said

he would like to build a garage to match his house so this wouldn't be a problem as the vehicles would be inside but the City won't let him. Quady said the existing garage is a non-conforming structure and that he can fix it. Council Member Crnkovich reiterated that inoperable vehicles cannot be sitting on the property for an extended amount of time. Council Member Niemeyer noted that the condition of one's property impacts everybody in the community as it affects the property value of the property next to you. He noted that Resler has been cited for the vehicles that are there and the vehicles need to be moved or operable. Mayor Anderson noted the vehicles need to be licensed and cannot be parked on the yard. He added there are regulations on driveway materials. Assistant City Attorney Aerts said if the nuisance isn't taken care of the City will abate it.

Roll Call: Ayes: All Motion Carried

Discussion was held regarding the condition of 102 South 22nd Street as a public hearing to determine if a nuisance existed was held at the last Council meeting. City Administrator Quady said the occupants brought items to Clean Up Day and the skid steer is to tear out the sidewalk for replacement.

Motion by Niemeyer, second by Crnkovich to approve Resolution 2024-3 – Declaring the Findings of the City Council regarding Nuisance at Lots 2-4 & South ½ of Lot 1, Block 54, Miller & Clark Addition with an abatement date on or before June 20, 2024.

Leroy Flink spoke regarding a water leak at the property that is affecting his backyard at 2221 Silver Street. City Administrator Quady said the water will be turned off in the morning if the leak is not fixed. Quady reviewed photos of the property and commented on the items that have been cleaned up. She did note the weeds are part of the nuisance.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Lofberg to introduce and approve first reading of Ordinance 1236 – Black Hills Nebraska Gas, LLC Franchise Renewal. Assistant City Attorney Aerts read the Title of Ordinance 1236.

Jennifer Peters, representative from Black Hills Energy spoke to and answered questions of the Council regarding the franchise agreement. Peters said this is a standard 25-year renewal agreement.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, seconded by Crnkovich to introduce and approve first reading of Ordinance 1237 – Establishing a Franchise Fee on natural gas companies.
Assistant City Attorney Aerts read the Title of Ordinance 1236.

Black Hills representative Peters said the fees were not changed and remains a flat fee across different customer classes. She said there are different fee structures including one that is a percentage of gross receipts. She said this fee structure is working for the city and she wouldn't recommend any changes. City Administrator Quady said this fee brings in about \$23,000 per year. Discussion was held regarding fees for commercial and industrial customers. Black Hills Representative Dougherty said that a fee based on a percentage of usage can be hard on residential customers in the winter as usage is higher and gas is more expensive. Peters said if there is a fee structure change there would be a public hearing with notice of the change. She said only a few communities have the flat fee and Ashland is in line with what they do. She said she will provide information on what other communities Ashland's size are doing. Discussion was held on budget billing for gas and locking in of gas price one time per year.

Roll Call: Ayes: All Motion Carried

Motion by Lofberg, second by Crnkovich to approve 2024 Garbage Haulers Licenses for Quick Dump Refuse, Inc. dba Ashland Disposal Service and for Waste Connections of NE, dba Papillion Sanitation.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Lofberg to approve Contractor's Application for Payment from M.E. Collins Contracting Co., Inc. for 2022 Dennis Dean Road Improvements in the amount of \$228,221.76.

Roll Call: Ayes: All Motion Carried

Motion by Lofberg, seconded by Niemeyer to approve \$20,000 of Keno Betterment funds for the partial funding of three monument entrance signs.

City Administrator Quady spoke to the Council regarding the monument entrance sign project. She said a donor came forward about purchasing three signs, two on each end of town on Highway 6 and one to the north on Highway 66. She shared a picture of the draft sign. She said the donor has agreed to donate \$75,000 toward three signs. She said requests have also been made to the Ashland Area Foundation and to the county tourism board. She suggested that \$20,000 of Keno Community Betterment funds be allocated to the project. She said the City will maintain the signs and they are still working on the sign placement.

Roll Call: Ayes: All Motion Carried

Mayor Anderson said the administrative reports for April 2024 are available for council review and comment. Reports include the Keno, Public Works Director's, Utility Superintendent's, Police Chief's, Building Official's, Library and AAEDC Reports.

Motion by Niemeyer, second by Lofberg to approve the consent agenda which included the approval of the May 2, 2024 Council meeting minutes and approval of the April 2024 Treasurer's Reports.

Roll Call: Ayes: All Motion Carried

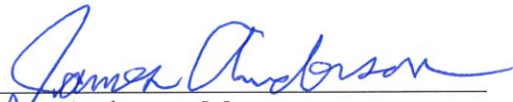
Motion by Crnkovich, second by Lofberg to approve the first half of May 2024 Claims.

Roll Call: Ayes: All Motion Carried

AAEDC Executive Director Fjone showed the Council the first page of the AAEDC's new website. He added the second tourism video is almost complete. He noted that a meeting for the proposed community center will be held on Monday.

Motion by Lofberg, second by Crnkovich to adjourn the meeting at 7:45 p.m.

Roll Call: Ayes: All Motion Carried



James Anderson, 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 May 16, 2024; 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.