

ASHLAND CITY COUNCIL
REGULAR MEETING
November 16, 2017

A regular meeting of the Ashland City Council was held at the Ashland City Hall Council Chambers on the 16th day of November, 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: Susan Cerny, Lenora Isom, Jim Sanders, Ron Styskal, John Craven, Richard Hilske, Bob Benes, Rod Reisen, Brian Chaffin, Mark Palmer, Gene Hull and others

Notice of meeting was advertised in the Ashland Gazette on November 9, 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 Gossin, second by Mollhoff to adopt the regular agenda with the amendment of moving Item G3 after Item F2.

Roll Call: Ayes: All Motion Carried

Ron Styskal gave public comment regarding his complaint about a nuisance on the east side and about the amount of money paid by the City to JEO Consulting Group Inc.

Mayor Grauerholz opened a Public Hearing to Review Preliminary Plat for a Political Subdivision located at a Portion Of The Southwest And Northwest Quarters Of Section 1, Township 12 North, Range 9 East, located at approximately 1400 Dennis Dean Road at 7:05 p.m. Mark Palmer of Ashland Investment Company stated he was available for questions. Zoning Administrator Isom stated the recommendation from the Planning Commission was for approval as submitted. Palmer explained how the road will enter the development and the commercial area. He said there will be a temporary road while 9th

Avenue is shut down during construction. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:09 p.m.

Mayor Grauerholz opened a Public Hearing to Review Final Plat for a Political Subdivision located at a Portion Of The Southwest And Northwest Quarters Of Section 1, Township 12 North, Range 9 East, located at approximately 1400 Dennis Dean Road at 7:09 p.m. Mark Palmer spoke clarifying a change on the preliminary and final plat of a seven foot side yard setback. Zoning Administrator Isom shared information about the reduced setbacks that was given to the Planning Commission. She said the Planning Commission recommended approval of the seven foot side yard setbacks and the plat as submitted. She gave the Council code information on fire protection. She noted fire protection kicks in with a 5-foot setback and 7-foot is 40% over what is required by code. Palmer said in the preliminary plat this increased the number of lots by five. He added the development plans to proceed with grading on just the residential portion this fall and grading will begin at access points next year. He said there will be a temporary road. Discussion was held regarding the side yard setbacks. Mayor Grauerholz commented on the travel of fire from one building to another by radiant heat. He said the travel of fire through radiant heat is directly proportional to the spacing between objects that are burnable; he is a big believer in a wide separation between structures and he would like the setback to stay at ten-foot. Bob Benes of Ashland Development commented on setbacks in other communities where he has built and he said didn't think he had built in a community with 10-foot setbacks. He noted the seven foot is a minimum and is the norm in smaller communities. John Carven asked if there will be any easements given for appliances on the side of the houses. Benes said there will be site plans and drainage plans. He said air conditioner units and window wells are allowed in the side yard setbacks but they cannot go into a utility easement. Isom said there is a specific section in the zoning code about permitted projections in the side yards. Isom said the City doesn't have any regulations about the type of materials a fence is constructed with. Palmer said there will be sidewalk on Dennis Dean Road and it will be up to the City to determine if it will be on one side or both sides of the road. He said conveyances will address fencing. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:33 p.m.

Mayor Grauerholz opened a Public Hearing on proposed Ordinance 1144 – To vacate the alley in Block 10 Beetison's Addition to the City of Ashland at 7:33 p.m. Zoning Administrator Isom said this was a rerun of what was discussed before but now being brought forward as an ordinance. She said the earlier request was to vacate two alleys, a north-south one and an east-west one; and it was decided to vacate just the one alley as reflected in the ordinance. Council Member Anderson asked if there is any reason to maintain an easement for future utilities through the alley. Isom said the work that is needed to be done in the east-west alley to solve the drainage issue would make the alley un-drivable. She said the City has been running water and sewer in the street on the eastside and the gas and electricity runs in the north-south alley which is why it wasn't

vacated. She said the property owners need to do a retaining wall on the east-west alley. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:36 p.m.

Motion by DeVries, second by Mollhoff to approve on third and final reading Ordinance 1143 - AN ORDINANCE TO CHANGE THE ZONING DISTRICT BOUNDARIES OF THE CITY OF ASHLAND, NEBRASKA, AS PROVIDED IN THE CITY OF ASHLAND MUNICIPAL ZONING ORDINANCE; TO AMEND THE CITY'S FUTURE LAND USE MAP; TO AMEND THE CITY'S OFFICIAL ZONING MAP; TO PROVIDE FOR THE EFFECTIVE DATE THEREOF; TO ORDER THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

City Attorney Fahleson read the Title of Ordinance 1143.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Mollhoff to introduce and approve Ordinance 1144 – To vacate the alley in Block 10 Beetison's Addition to the City of Ashland.

City Attorney Fahleson read the Title of Ordinance 1144.

Roll Call: Ayes: All Motion Carried

Motion by Mollhoff, second by Gossin to approve Preliminary Plat for a Political Subdivision located at a Portion Of The Southwest And Northwest Quarters Of Section 1, Township 12 North, Range 9 East, located at approximately 1400 Dennis Dean Road.

Roll Call: Ayes: All Motion Carried

Motion by DeVries, second by Anderson to introduce and approve on first reading Ordinance 1145 – Final Plat for a Political Subdivision located at a Portion Of The Southwest And Northwest Quarters Of Section 1, Township 12 North, Range 9 East, located at approximately 1400 Dennis Dean Road known as Whitetail Estates Phase 1. City Attorney Fahleson read the Title of Ordinance 1145.

Council Member Mollhoff noted an error in Section One stating the subdivision was outside the city limits; this will be corrected for the second reading. Mayor Grauerholz commented on fire protection.

Roll Call: Ayes: All Motion Carried

Rod Reisen spoke on behalf of the Ashland Area Economic Development Corporation giving an annual report. He said three committees were formed including business retention and expansion, marketing and promotion, and housing. He said the business and expansion group has been working with JEO on a Developer Toolbox. He said the marketing and promotion is looking at ways to let people know that Ashland is a good place to live, work and play including a video that will be updated. He continued stating the housing group has worked with Hanna Keelan on a Housing Study that will be presented at the December 20 AAEDC meeting. He said half of the study was paid by a

NIFA grant. He added the AAEDC will be the non-profit sponsor for an affordable housing grant application for the north side of town. He finished by saying he appreciated the support of the Council.

John Craven, owner of Reliable Plumbing, spoke to the Council regarding drainage issues at his Reliable building from the new parking lot sidewalk. He said he has gotten water into his shop building and nothing like that had happened in several years. He said the water is settling his rear building to where he can't get his doors open. City Administrator Quady said the sidewalk has been there about a month and a half. Carven said the sidewalk is about four inches above his grade and the grade of the dumpster pad falls toward the building. Quady described the grade and drainage off of the alley to the north. She added Public Works will be working on the area the week of the 27th. She said the Mayor suggested a curb on the property line with a positive slope for drainage going to the north through the parking lot. Craven said he is concerned about a grade change on his property, the shop flooding and the building settling. Council Member Gossin asked Craven to take pictures when the flooding is occurring. Craven discussed the construction of the wood floor in the building.

Motion by Mollhoff, second by Anderson to approve Pay Request #1 from Simon Contractors for the Silver Street Bridge in the amount of \$81,949.50.

City Administrator Quady said this is mostly for materials stored on site. She said she will be putting a reminder in the paper that the bridge is closed. She said the contractor is working with Bob Luebbe on coordinating the moving of the bridge trusses.

Roll Call: Ayes: All Motion Carried

Discussion was held regarding possible railings and lighting for the Silver Street Bridge. City Administrator Quady provided pictures of possibilities. She said the cost will not be covered by the Department of Transportation and would be included in the bond. She added the bond ordinance will be in front of the Council soon. Discussion was held regarding getting a recommendation from the Historic Preservation Committee. Quady said she would bring the railing and lighting options back to the Council.

Reviewed the October 2017 Keno Report.

Reviewed the Public Works Director's Report.

Reviewed Utility Superintendent's Report. Council Member Mollhoff reported on a meeting with the Lower Platte NRD regarding establishing a wellhead protection area. Mayor Grauerholz reported on the findings of the sewer leak smoke test.

Reviewed the Police Chief's Report.

Reviewed Building Inspector's Report.

Reviewed Library Report.

Motion by Mollhoff, second by DeVries to approve the consent agenda which included approval of the November 2, 2017 City Council meeting minutes and the October 26, 2017 Planning Commission meeting minutes.

Roll Call: Ayes: All Motion Carried

Motion by DeVries, second by Gossin to approve the first half of November 2017 Claims.

Roll Call: Ayes: All Motion Carried

Motion by Mollhoff, second by Gossin to approve October 2017 Treasurer's Report.

Roll Call: Ayes: All Motion Carried

Mayor Grauerholz reported on his attendance at four ball field meetings referencing plans for the fields. He said he attended the Teacher Appreciation Breakfast. He added he manned a table with city information at the Chamber of Commerce Business Expo. He said two workers are needed for the Public Works department. He said he will be bringing recommendations for changes in the municipal code for Council consideration. He mentioned the tree is being put up by the Resource Center. He reported that he and Quady had met with a representative of Bike Ride Across Nebraska. He added the auditors have been here doing the annual audit.

Council Member Mollhoff noted the rescue squad is doing a fundraiser.

Motion by Anderson, second by DeVries to adjourn the meeting at 9:02 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 November 16, 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.