

**ASHLAND CITY COUNCIL**  
**REGULAR MEETING**  
November 19, 2020

A regular meeting of the Ashland City Council was held at the Ashland Community Resource Center on the 19th day of November, 2020 at 7:00 p.m.

Present: Mayor Richard Grauerholz  
City Council President James Anderson  
City Council Member Jake Crnkovich  
City Council Member Chuck Niemeyer  
City Council Member Bruce Wischmann  
City Administrator Jessica Quady  
City Clerk Kathleen Sliva  
City Attorney Mark Fahleson

Others: Paul Gossin, Jeff Ray, Brian Chaffin, Cheri O’Kelly, Dennis O’Kelly, Susan Cerny, Suzi Nelson, Bill Krejci and others

Notice of meeting was posted at the Bank of Ashland, Farmers and Merchants Bank of Ashland, Ashland Post Office and City Hall on November 10, 2020 and advertised in the Ashland Gazette on November 19, 2020. 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 located on the south end of the room.

Motion by Anderson, second by Wischmann to adopt the regular agenda.

Roll Call: Ayes: All Motion Carried

Jeff Ray of JEO Consulting Group, Inc. and President of the Nebraska Chapter of the American Planning Association presented the Charleston-Ptak Planning Advocacy Award to former Council Member Paul Gossin for work on recent annexations.

Mayor Grauerholz opened a Public Hearing on Conditional Use Permit #20-194 for an illuminated wall sign at N 81’ W1/2 Lot 5 & E 6’ N 81’ Lot 6 Block 6 Flora City Addition to Ashland, located at 1539 Silver Street at 7:05 p.m. Zoning Official Krejci stated the sign meets all the City regulations for signage and the Historic Preservation Committee and the

Planning Commission approved the sign unanimously. Council Member Anderson commented that the horizontal signs look nice. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:08 p.m.

Mayor Grauerholz opened a Public Hearing on Preliminary Plat Revision Permit 20-214 for a Political Subdivision located at a Portion of the NW1/4 of Section 12, Township 12 North, Range 9 East, located at approximately 1400 Dennis Dean Road at 7:09 p.m. Brian Chaffin, partner with the Whitetail Development, said they are bringing forward Phase 2 of the development which includes 20 lots. He said the amendment is to change the out lots and to add a cul-de-sac where there had been a through street. He said the final plat should come to the City next month and the goal is to begin selling lots in the spring. He answered questions of the Council. Zoning Administrator Krejci stated the lot count did not change for the development. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:15 p.m.

Motion by Anderson, second by Wischmann to approve on third and final reading of Ordinance 1186 – AN ORDINANCE TO VACATE A PORTION OF 5<sup>TH</sup> STREET AND ALLEY WAYS IN BEETISON’S ADDITION TO THE CITY OF ASHLAND, SAUNDERS COUNTY, NEBRASKA; 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 1186.

Zoning Official Krejci said grading and terrain does not allow for lot development and there will be three or four houses on the different parcels of land. He said the City couldn’t build a road in the area to standard. He added the houses will be on City water and sewer except for the one on the block to the north.

Roll Call:                   Ayes: Anderson, Niemeyer, Wischmann  
                                  Abstain: Crnkovich due to potential conflict of interest  
                                  Motion Carried

Motion by Wischmann, second by Niemeyer to introduce and approve first reading of Ordinance 1187 – Designating a Wellhead Protection Area.

City Attorney Fahleson read the Title of Ordinance 1187.

City Administrator Quady said the first step in this process is to designate a wellhead protection area. She said area will go to the north of Ashland out of City limits. Mayor Grauerholz commented that this will help protect the water so the people of Ashland will have good, clean, drinkable water in the future.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Niemeyer, second by Wischmann to approve Conditional Use Permit #20-194 for illuminated wall sign at 1539 Silver Street.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Wischmann, second by Niemeyer to approve Preliminary Plat Revision Permit 20-214 for a Political Subdivision located at approximately 1400 Dennis Dean Road.

Roll Call:                   Ayes: All                   Motion Carried

Cheri O’Kelly, the owner of Cheri O’s, spoke to the Council regarding implementing a mask mandate for protection from the spread of Covid-19. She requested the Council implement the mandate and ‘do the right thing’. Discussion followed. Mayor Grauerholz said he has been in contact with about five business owners in town that support the mandate and about 19 business owners that oppose this type of mandate. He said he wonders how the City would police and enforce a mandate. City Attorney Fahleson said he believes the City does have the authority to enact a health and safety ordinance but the biggest question is enforcement. Council Member Crnkovich said enforcement is the toughest thing and questions if people would be arrested or ticketed. Council Member Wischmann said he respectfully disagreed with O’Kelly. Grauerholz said Three Rivers Health Department does encourage masks as one of the tools to get a handle on this thing. Grauerholz said he would not want to go the route of ticketing owner/operators. Council Member Niemeyer said the Council has a responsibility to protect the small businesses as best we can as some are very vulnerable. City Administrator Quady said she and Fahleson had discussed the idea of potentially implementing some type of benefit or reward for people who wear their mask instead of a mask mandate. Fahleson explained how an incentive program could work. O’Kelly commented on the difficulty of keeping employees due to the virus. Grauerholz discussed the reaction to closures last spring and said he had to have people stand with him if he is going to do it. Susan Cerny said the virus is on other parts of the body that a mask doesn’t protect, so will additional protective clothing be required. Grauerholz said he likes the incentive idea and asked O’Kelly to approach the Chamber of Commerce with this idea. Council Member Wischmann said as a Councilman he would not recommend a mandate. Council Member Anderson said the topic is very important and the conversation can be continued at the next meeting. Grauerholz said more research and education is needed. Crnkovich requested for data on why masks should be worn and if masks are effective.

Motion by Wischmann, second by Niemeyer to table consideration of updated infrastructure and specifications.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Niemeyer, second by Wischmann to approve awarding bid for Ashland Housing Rehabilitation Owner Occupied Program Application Project #001 to MIT Contracting in the amount of \$9,990.00.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Niemeyer, second by Wischmann to approve Pay Request from MIT Contracting for Ashland Housing Rehabilitation Owner Occupied Program Application Project #001 in the amount of \$9,990.00.

Roll Call:                   Ayes: All                   Motion Carried

Reviewed the October 2020 Keno Report.

Reviewed the Public Works Director's Report.

Reviewed Utility Superintendent's Report.

Reviewed Police Chief's Report.

Reviewed Building Official's Report.

Reviewed Library Report.

Motion by Niemeyer, second by Wischmann to approve the consent agenda which included approval of the November 5, 2020 City Council meeting minutes; approval of the November 12, 2020 Joint City Council and Planning Commission meeting minutes; and approval of the October 29, 2020 Planning Commission meeting minutes.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Niemeyer, second by Wischmann to approve the first half of November 2020 Claims.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Wischmann, second by Niemeyer to approve October 2020 Treasurer's Reports.

Roll Call:                   Ayes: All                   Motion Carried

Mayor Grauerholz reported on changes to the Planning Commission. He said these appointments will be approved at the annual meeting in December. He said he has a copy of the Utility Department Public Water System Emergency Response Plan available for reading.

Council Member Niemeyer reported on the newly hired Director of the Ashland Area Economic Development Corporation, Caleb Fjohn.

City Administrator Quady said tickets have been issued for engine braking. She said in preparation for next budget year the water towers have been inspected and she will be getting bids for cleaning and painting of them for next budget year. She said the red light

on top of the Iron Horse water tower was replaced last week and she will check on the spot lights.

Mayor Grauerholz thanked the two students from Ashland-Greenwood High School for their attendance at the meeting.

Motion by Wischmann, second by Niemeyer to enter into executive session for personnel issue and possible litigation at 8:38 p.m.


Roll Call:                   Ayes: All                   Motion Carried

Motion by Wischmann, second by Niemeyer to leave executive session at 8:46 p.m.

Roll Call:                   Ayes: All                   Motion Carried

Motion by Niemeyer, second by Wischmann to adjourn the meeting at 8:47 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 19, 2020 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.