

**ASHLAND CITY COUNCIL
REGULAR MEETING
November 21, 2019**

A regular meeting of the Ashland City Council was held at the Ashland City Hall Council Chambers on the 21st day of November, 2019 at 7:00 p.m.

Present: Mayor Richard Grauerholz
City Council President Paul Gossin
City Council Member James Anderson
City Council Member Matt Meyer
City Council Member Bruce Wischmann
City Administrator Jessica Quady
City Attorney Mark Fahleson

Absent: City Clerk Kathleen Sliva

Others: Jeff Ray, Jack Smits, Lorene Fangman, Alex Fangman, Dan Wilson, Dave Romans, Rod Reisen, Steve Langdon, Shirley Niemeyer, Suzi Nelson, Lenora Isom and others

Notice of meeting was advertised in the Ashland Gazette on November 14, 2019. 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 Anderson, second by Wischmann to adopt the regular agenda.

Roll Call: Ayes: All Motion Carried

Shirley Niemeyer spoke to the Council on behalf of the Chamber of Commerce asking that the City approve the funds for Christmas decorations on the new bridge and 14th Street. Niemeyer also noted that in general she was in favor of the annexation.

Mayor Grauerholz opened a Public Hearing on a Conditional Use Permit to install a ground sign at Lot 1 Ashland RV Campground Administrative Subdivision to the City of Ashland, NE at 7:05 p.m. Zoning Administrator Isom reported that Bob Luebbe would be placing this sign at the entrance of his RV park and that it would be lighted. Isom

noted that the Planning Commission recommended approval. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:07 p.m.

Mayor Grauerholz opened a Public Hearing on proposed Ordinance 1171 to Extend the Boundaries of the City of Ashland Nebraska at 7:07 p.m. Jeff Ray with JEO Consulting Group stated that the City has looked at a variety of parcels throughout the community and whether or not they made sense under state statute for annexation. Ray noted that parcels need to be contiguous and adjacent and urban or suburban in nature. Ray stated that ordinance 1171 is item 'K' on the map and that is SID Sabre Heights. Ray explained that Sabre Heights meets all state statute requirements and that the City could expand the extraterritorial jurisdiction with this annexation. Isom also noted that the development agreement between Sabre Heights and the City states that the developers would not object to annexation. Isom also stated that the Planning Commission recommended approval. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:13 p.m.

Mayor Grauerholz opened a Public Hearing on proposed Ordinance 1172 to Extend the Boundaries of the City of Ashland Nebraska at 7:13 p.m. Ray addressed the Council again regarding the remaining parcels that are included in the annexation ordinances. Ray noted that the City will continue to look at annexation on an annual basis. He stated that many of the areas the City decided to include are served by City services already. Alex Fangman addressed the Council regarding annexation of 'Group G'. Fangman asked who would pay to pave Cooper Road in the future and if the City has the tools to keep the road graded until it is paved. Fangman also stated that he has a concern of not being allowed to use a firearm once annexed. Fangman noted that the land south of 'Group G' is not developable because of flooding. Discussion was held about a special use permit ordinance that would allow the use of firearms on transitional agriculture zoned property within City limits. Isom and Fahleson both noted that this is an option for some of these properties. Fangman asked about the continued use of the property for having chickens, livestock, etc. Isom noted that they would still be allowed to have animals and the number would depend on the acreage size. Mayor Grauerholz also noted that the City contracts with a company to maintain the City's existing gravel roads. Gossin stated that the road improvements would be added to the City's 1&6 Year Road Plan and it would be up to the City Council at that time to decide how it would be paid for and if assessments would be levied. Administrator Quady explained the process of levying street assessments. Lorene Fangman addressed the council. Fangman noted that her home is downhill from Cooper Road and slab on grade and that she would be worried about being on City sewer. Gossin noted that they can remain on their septic system for the time being and isn't in favor of mandatory hook-ups immediately. Mayor Grauerholz noted that the City works with professional engineers that would design a system that would make sure this would not be a problem for them. Fangman asked what the tax increase will be. Gossin stated that the tax rate would go up approximately .66 cents. Steve Langdon addressed the council regarding the Sabre Heights tax levy. Gossin stated

that Sabre Heights levy would go down from .75 cents to .702 cents. Jack Smits addressed the council regarding his property 'I' on the annexation map. Smits noted that the cost for him to run service lines for water and sewer from Cooper Road would cost him well over \$10,000. Smits stated that he doesn't see any advantage to annexing his property to the City. He said his property tax will be an additional \$2,700 on his limited income. Smits said he has lost ducks and chickens to coyotes and would like to be able to continue to use a firearm against them. He also noted that it is important to him to continue to have a burn permit as he has trees that are dying after Sabre Heights put in some of their utilities. Isom reminded everyone that water and wastewater hookups are required if the property is within 300 and 100 feet from mains, regardless of whether they are in City limits or not. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:59 p.m.

Motion by Gossin, second by Wischmann to approve second reading of Ordinance 1169 Zoning Change of Lots 59-61 Sabre Heights 1st Addition to Ashland Nebraska.

City Attorney Fahleson read the Title of Ordinance 1169.

Roll Call: Ayes: All Motion Carried

Motion by Gossin, second by Meyer to introduce and approve first reading Ordinance 1171 – Extend the boundaries of the City of Ashland Nebraska to include Sabre Heights.

City Attorney Fahleson read the title of Ordinance 1171.

Roll Call: Ayes: All Motion Carried

Motion by Gossin, second by Wischmann to introduce and approve first reading Ordinance 1172 – Extend the boundaries of the City of Ashland Nebraska to include Adjacent and Contiguous Properties.

City Attorney Fahleson read the title of Ordinance 1172.

Roll Call: Ayes: All Motion Carried

Motion by Gossin, second by Wischmann to approve Conditional Use Permit to install a ground sign at Lot 1 Ashland RV Campground Administrative Subdivision to the City of Ashland Nebraska.

Roll Call: Ayes: All Motion Carried

Motion by Wischmann, second by Anderson to recommend approval to the Nebraska Liquor Control Commission regarding a Special Designated Licenses for Glacial Till Vineyard & Winery, LLC for New Year's Eve Party on December 31, 2019 from 4:00 p.m. to 11:00 p.m.; for Private Holiday Party on January 31, 2020 from 3:45 p.m. to 6:00 p.m.; and for Private Party Rehearsal Dinner on July 10, 2020 from 5:00 p.m. to 9 p.m.

Roll Call: Ayes: All Motion Carried

Quady stated that the Public Works Director didn't receive any updated paving bids for the sidewalk and alley projects.

Motion by Meyer, second by Gossin to authorize the Mayor to sign software and professional services agreement with GIS Workshop, LLC for SimpleCity Utility Billing E-Bills.

Roll Call: Ayes: All Motion Carried

Reviewed the October 2019 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 Rescue Report.

Motion by Wichmann, second by Anderson to approve the consent agenda which included approval of the November 7, 2019 City Council meeting minutes and approval of the November 13, 2019 Planning Commission meeting minutes.

Roll Call: Ayes: All Motion Carried

Motion by Wischmann, second by Meyer to approve the first half of November 2019 Claims.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Gossin to approve October 2019 Treasurer's Reports.

Roll Call: Ayes: All Motion Carried

Mayor Grauerholz mentioned the ribbon cutting for the new apartments/townhouses on Euclid Street is on Friday.

City Administrator Quady informed the Council the Chamber of Commerce would like to extend the Christmas decorations to the Silver Street Bridge light poles and the light poles on 14th Street. The Chamber has asked that the City match their contribution of \$750. The Council all thought that was a great idea.

Motion by Wischmann, second by Gossin to go into executive session to discuss potential litigation at 8:29 p.m.

Motion by Gossin, second by Wischmann, to leave executive session at 8:54 p.m.

Motion by Gossin, second by Meyer to adjourn the meeting at 8:54 p.m.

Roll Call: Ayes: All Motion Carried


Richard Grauerholz, Mayor


Jessica Quady, Deputy City Clerk



I, the above signed Deputy 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 21, 2019 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.