

**ASHLAND CITY COUNCIL
REGULAR MEETING
October 15, 2015**

A regular meeting of the Ashland City Council was held at the Ashland City Hall Council Chambers on the 15th day of October, 2015 at 7:00 p.m.

Present: Mayor Richard Grauerholz
City Council President Kyle Vest
City Council Member James Anderson
City Council Member Russell DeVries
City Administrator Jessica Quady
Assistant City Attorney Sheila Bentzen

Absent: City Clerk Kathleen Sliva

Others present: James Garman, Stacey Hubert, Karen Stille, Joselyn Pike, Janece Mulhoff and Lenora Isom

Notice of meeting was advertised in the Ashland Gazette on October 8, 2015. 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

Mayor Grauerholz opened a Public Hearing to determine the existence of public nuisance regarding property at W 48.5' Lots 1-3 W 42.5' Lots 4-6, Block 35, Miller & Clark Addition more commonly known as 1909 Boyd Street. Administrator Quady stated that the police chief had visited the property earlier that afternoon and stated that Mr. Garman still had much to clean up. Quady stated Garman had indicated he would attend although he wasn't in the council chambers during the public hearing. She also noted that both he and the Otto Brothers had been informed of the public hearing. Quady informed the Council that Mr. Garman had been ticketed prior to the last City Council meeting for leaning junk against his neighbor's buildings. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:04 p.m.

James Garman of 1909 Boyd Street walked in and stated that he is in the process of cleaning his property up and that he is almost finished. Garman stated he will not let his property get like it is again. He stated that he did get a storage shed to store items that he uses to make things with. Garman stated that he will be done by the 1st of November. Garman also stated that he intends to continue to recycle from trailers in his driveway. Quady informed him that his zoning and zoning regulations would need to be checked into prior to him continuing to recycle out of his yard. Garman noted that if it isn't allowed, he would put his trailer in the storage yard owned by the Snodgrass family. Council member Vest asked Garman what the City's assurance is that the property will not return to this state. Garman again stated that he will not let this happen again although he still plans to recycle.

Motion by Vest, seconded by Anderson to approve Resolution 2015-16 – Resolution declaring the findings of the City Council regarding a nuisance at 1909 Boyd Street with a deadline of November 5th.

Roll Call: Ayes: All Motion Carried

Motion by DeVries, seconded by Vest to approve on third and final reading of Ordinance 1124 – AN ORDINANCE OF THE CITY OF ASHLAND, NEBRASKA TO ADD A NEW SECTION 7-210 TO PROHIBIT THE POSSESSION, USE AND SALE OF SKY LANTERNS IN THE CITY; TO PROVIDE FOR THE REPEAL OF ANY ORDINANCE IN CONFLICT THEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE THEREOF; AND TO AUTHORIZE PUBLICATION IN PAMPHLET FORM.

Assistant City Attorney Bentzen read the Title of Ordinance 1124.

Roll Call: Ayes: All Motion Carried

Karen Stille and Stacey Hubert approached the Council regarding the handicapped parking on the south side of Silver Street. Stille stated that she operates Midwest Physical Therapy at 1409 Silver Street. She has moved her physical therapy business to the south side of Silver Street and has seen that it is hard for some of her patients to navigate the 15-inch curb in front of her business. Stille's concern is that there is not a handicap stall on the south side of Silver Street between 14th and 15th Street. Stille noted that she is hoping to get something done before winter. Stacey Hubert from Ashland Pharmacy spoke and expressed the same concern. Mayor Grauerholz noted he had visited with business people downtown regarding this concern. Grauerholz and Hubert spoke briefly regarding the designated handicap spot on 14th Street and the lack of safety with it being on a highway. Building Official Isom spoke regarding the challenges she observed with ADA. Isom noted that that the Fire Marshall enforces ADA in the state and that she would like to discuss the issue with the Fire Marshall to reduce liability. Isom also noted that the ADA route goes from the car to the entrance of the building and that the path of egress is the ramp in front of the pharmacy and that the ramp does not meet ADA standards. Isom noted the problem is that there isn't enough room on the landing once you go up the apron to meet current ADA standards. Isom again stated that

since this is a leased facility and street parking, she will reach out to the state Fire Marshall to make sure that what is being done is done correctly. Isom noted that she feels that if the City does this, they should look at the downtown handicapped parking as a whole and figure out where additional spaces should be added. Isom stated that she would call the state Fire Marshall the following Monday.

Motion by Vest, seconded by DeVries to authorize the Mayor to sign the amended agreement with Nebraska Community Energy Alliance.

Quady noted a change in the agreement that is being considered from the agreement that was included in the packet. Under items #3 under Board of Directors, the wording “the membership board” should read “a board of directors”.

Motion by Vest, seconded by DeVries to amend the agreement to change the wording from “the membership board” to “a board of directors”.

Roll Call: Ayes: All Motion Carried

Roll Call: Ayes: All Motion Carried

Motion by DeVries, seconded by Anderson to authorize the Mayor to sign the agreement with JEO Consulting Group for Sandy Pointe Development Wastewater Connection.

Roll Call: Ayes: All Motion Carried

Motion by Vest, seconded by DeVries to authorize the Mayor to sign the agreement with JEO Consulting Group for 2016 Water Supply Well Improvements.

Roll Call: Ayes: All Motion Carried

Reviewed the September 2015 Keno report.

Reviewed the Public Works Director’s Report.

Reviewed the Utility Superintendent’s Report.

Reviewed the Police Chief’s Report.

Reviewed Building Inspector’s Report.

Reviewed the Library Report.

Motion by Vest, seconded by Anderson to approve the consent agenda which included approval of the October 1, 2015 City Council meeting minutes, the September 29, 2015 Planning Commission meeting minutes, and the appointments of Kurt Mollner, Luke Baldwin and Jesse Baldwin to the Ashland Fire Department.

Roll Call: Ayes: All Motion Carried

Discussion ensued regarding the claim from Reliable Plumbing. Quady stated that Reliable Plumbing is stating that the City did not correctly locate a main while they were doing a service line repair. Quady referenced a letter from utility employee Rob Josoff noting that Josoff did locate the area of the main and had told Reliable Plumbing that it is an older main without trace wires. Josoff also stated in his letter that the main was within a 10' area and that the company should pothole to find the main. He stated that Reliable proceeded to use a backhoe to dig and they pulled the service line right out of the main. Quady stated that there was actually no damage to the main according to Josoff. Grauerholz asked that the owner of Reliable Plumbing come to the next City council meeting to discuss.

Motion by Vest, seconded by DeVries to approve the first half of October 2015 Claims excluding check #8919 to Reliable Plumbing.

Roll Call: Ayes: All Motion Carried

Motion by Vest, seconded by Anderson to approve September 2015 Treasurer's Report.

Roll Call: Ayes: All Motion Carried

Motion by Vest, seconded by DeVries to postpone the Mayoral appointment of Ward 2 council member to the November 5th meeting.

Roll Call: Ayes: All Motion Carried

Mayor Grauerholz noted that Freaky Frolics is on October 24th, that he attended the Chamber of Commerce meeting, that Brad Pfeifer is spearheading an effort to recruit members to the rescue squad, and that Quady will be looking into monument signs for the budget next year.

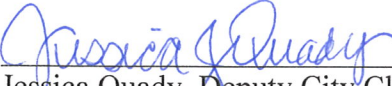
Quady updated the council on the Highway 66 project. She noted that the following Monday, Clay Street would close and Euclid Street would be open. The school crossing will move to Boyd Street.

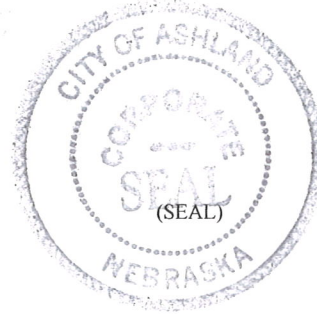
Lenora spoke to the council regarding a draft ordinance for temporary signage for off-premises advertising and to allow for a special use permit for detached residential structures in certain zoning districts.

Motion by Vest, seconded by Anderson to adjourn the meeting at 8:15 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 October 15, 2015 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.