

**ASHLAND CITY COUNCIL
REGULAR MEETING**

October 4, 2018

A regular meeting of the Ashland City Council was held at the Ashland City Hall Council Chambers on the 4th day of October, 2018 at 7:00 p.m.

Present: Mayor Richard Grauerholz
City Council President Paul Gossin
City Council Member James Anderson
City Council Member Mathew Meyer
City Council Member Janece Mollhoff
City Administrator Jessica Quady
City Clerk Kathleen Sliva
City Attorney Mark Fahleson

Others: Dave Lutton, Conner Goff, Sue Lutton, Rod Reisen, Brad Carlson, Maris Buller, Erin Rathe, Rob Bundy, Shirley Niemeyer, Clyde Willard, Roberta Willard, Suzi Nelson and others

Notice of meeting was advertised in the Ashland Gazette on September 27, 2018. 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 is posted on the south wall of the Council Chambers.

Motion by Anderson, seconded by Mollhoff to adopt the regular agenda.

Roll Call: Ayes: All Motion Carried

Shirley Niemeyer gave public comment regarding fall clean-up day and distributed a handout with clean-up day suggestions.

Motion by Mollhoff, second by Gossin to approve second reading of Ordinance 1157 – Modify the Zoning Ordinance.

City Attorney Fahleson read the Title of Ordinance 1157.

Zoning Administrator Isom stated at the last meeting the Council discussed the waiving of the three readings and the Council could do this now if it is the Council's desire.

Motion by Mollhoff, second by Gossin to suspend the statutory rules and waive the three separate readings.

Isom explained the ordinance would enlarge accessory building maximum size in certain zoning districts. She said there is one real estate transaction pending until this is passed. Mayor Grauerholz said he is generally not in favor of waiving readings.

Roll Call: Ayes: Gossin, Mollhoff Nays: Anderson, Meyer, Grauerholz
Motion Failed

Mayor Grauerholz called for the vote on second reading of Ordinance 1157.

Roll Call: Ayes: Anderson, Gossin, Mollhoff Nays: Meyer
Motion Carried

Dave Lutton, developer of Sabre Heights, addressed the Council regarding a proposal for a new park in Phase 3 of Sabre Heights. Lutton gave background information about the Sabre Heights Development. He said when the plans for the development were brought to the Council in 2000 or 2001, the Council and Planning Commission were concerned there was no park. He said about four years ago, the SID tax dollars began exceeding bond payments, so they began putting money away for capital improvements in the district. He said they have been meeting with individuals from Riverview Church and Sabre Heights and they would like to now propose a park in Sabre Heights. He said because the SID is within the zoning jurisdiction of Ashland, the SID is required to get permission from the City to put the park in. He said they currently have approximately \$200,000 to put toward the park, with \$20,000 in contributions. He added the rough estimate for the park is \$210,000. He said before they spend any more money on the park, he would like the Council's blessing. He added they would bid out the park and bring the bids to the City Council for approval. He stated they believe this is very needed as there are about 50 children under the age of 6 and many more older ones in the development. He said the park includes a shelter, a half basketball court, and play structures. Erin Rathe spoke about the park layout. She said there will be a larger swing set with handicap accessibility swings, a climbing structure for 5- to 12-year olds, picnic shelter for 4 larger picnic tables, a unit that spins, and a structure for kids ages 2 to 5. She said there are no restroom facilities. Lutton said the park would be located south of Riverview Church's parking lot and that the park will be maintained by the SID until annexation. Council Member Mollhoff noted there will be a cost to the City to maintain the park after annexation. Lutton reminded that Council that there will be a lot of funds coming to the City from the 94 homes. Mayor Grauerholz said Sabre Heights is establishing a growth pattern in that direction of town and he can see

others utilizing this facility. Council Member Anderson said this will be a nice addition. Mayor Grauerholz said he is very much in favor of this type of facility. Lutton asked about getting no parking signs for one side the street within the subdivision. City Administrator Quady it is up to the County to put in parking restrictions. She added once it is annexed, the City would not allow parking on both sides of the streets.

Shirley Niemeyer spoke to the Council regarding the problem of dog waste and cigarette disposal in the downtown area. She showed the Council possible signage that could be installed in the downtown area to encourage pet owners to clean up after their pets and to discourage the improper disposal of cigarette butts. She said she will be speaking with the Chamber regarding this as a fundraising idea. City Administrator Quady said it is up to the Council to decide if it wants signage in the islands and she mentioned there are several dog owners living in the downtown area. Council Member Mollhoff said she is in favor of allowing people to put the signage up in the islands but the City wouldn't purchase the signs. She added she would like a recommendation from the Historic Preservation Committee. Niemeyer then spoke about inappropriate cigarette butt disposal. She showed pictures of various disposal containers that could be placed downtown. She suggested that there may be donors that could purchase them. Quady noted there are already some containers downtown. She said the council could approve a style or they could have it go to the Historic Preservation Committee for a recommendation. Council Member Mollhoff said she would like to know from the Chamber, how many businesses would like one of these in front of their building. She said she is not sure she wants to regulate cigarette butt containers.

Motion by Gossin, second by Mollhoff to reconsider the motion to approve Conditional Use Permit for Domestic Dog Kennel at 1941 Euclid Street, considered and voted on at the September 20, 2018 meeting of the City Council.

City Attorney Fahleson verified that Council Member Gossin voted against the original motion at the September 20, 2018 meeting.

Roll Call: Ayes: All Motion Carried

Motion by Gossin, second by Mollhoff to approve Conditional Use Permit for Domestic Kennel at 1941 Euclid Street.

Zoning Administrator Isom said she asked for this to be placed back on the agenda. She said she recommended the item be reconsidered and recommends the permit be approved. She said the applicants understand the conditions of the permit and she provided a letter from the Willards stating they understand the dogs cannot be bred for financial gain and they can only have three dogs. She said Planning Commission recommended denial of the permit as they did not have all the necessary information and a rabies certificate needed to be updated. She said now the conditions have been met. Roberta and Clyde Willard

answered questions of the Council. Council Member Anderson said his concern is that care of the children should be #1 without the worry of caring for pets. Council Member Gossin said he voted no because it is stated in the notes from the Planning Commission that the plan was to breed dogs there. He said the owners have now provided a letter that addresses that. Roberta Willard said the kids are safe and there are no issues with the kids and dogs. Clyde Willard said the kid's outside play area is separate from the dog area and he added his son has the fourth dog and there are no puppies. Mayor Grauerholz confirmed that the Willards are now in compliance with all of the provisions needed for a domestic kennel permit.

Roll Call: Ayes: All Motion Carried

Motion by Mollhoff, second by Meyer to approve pay request from Olsson Associates for professional service on the 9th Avenue paving project in the amount of \$2,785.93.

City Administrator Quady said there will a change order coming before the Council for rock on the road.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Meyer to approve pay request from JEO Consulting Group Inc. for professional services on Whitetail Estates Project in the amount of \$20,390.50.

City Administrator Quady reported the contractor is done with the waterline to Whitetail and had started on the lift station construction. She said the boring under the creek is complete.

Roll Call: Ayes: All Motion Carried

Motion by Gossin, second by Meyer to approve pay request from JEO Consulting Group Inc. for professional services on Water 2017 Silver Street Project in the amount of \$3,120.00.

Roll Call: Ayes: All Motion Carried

Motion by Meyer, second by Gossin to approve pay request #2 from General Excavating for 2017 Silver Street Water Improvements in the amount of \$76,543.97.

City Administrator Quady noted there will be a detour around the block for the section in front of City Hall and No Frills. She said there will be access into No Frills from the side.

Roll Call: Ayes: All Motion Carried

Motion by Gossin, second by Mollhoff to approve the consent agenda which included approval of the September 20, 2018 City Council meeting minutes.

Roll Call: Ayes: All Motion Carried

Motion by Mollhoff, second by Anderson to approve the second half of September 2018 Claims.

Roll Call: Ayes: All Motion Carried

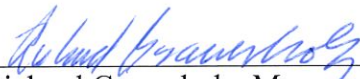
Mayor Grauerholz reported on the resignation of Public Works Director Shane Larsen and the City is now in the process of finding his replacement. He noted Clean-Up Day will be November 3, weather permitting. He said he was the compost pile attendant today.


Mayor Grauerholz read the Good Citizen Award to be presented to Megan Gerdes.

Council Member Mollhoff stated she has received a letter from DEQ regarding the Wellhead Protection area. She said it stated the goal is to have the well data verified in two weeks. City Administrator Quady said she will be applying for a grant in January to expand the wellhead protection program.

Motion by Anderson, seconded by Mollhoff to adjourn at 8:03 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 October 4, 2018 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.