

ASHLAND CITY COUNCIL
REGULAR MEETING
October 5, 2017

A regular meeting of the Ashland City Council was held at the Ashland City Hall Council Chambers on the 5th day of October, 2017 at 7:00 p.m.

Present: Mayor Richard Grauerholz
City Council Member James Anderson
City Council Member Paul Gossin
City Council Member Janece Mollhoff
City Administrator Jessica Quady
City Clerk Kathleen Sliva
Assistant City Attorney Sheila Bentzen

Absent: City Council President Russell DeVries

Others: Ron Styskal, Shirley Niemeyer, Jordan Smith, Bree Nielsen, Mary Bailey, Graham Christensen, Jonathon Alley, Terry Stone

Notice of meeting was advertised in the Ashland Gazette on September 28, 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 Mollhoff, seconded by Gossin to adopt the regular agenda.

Roll Call: Ayes: All Motion Carried

Mary Bailey gave public comment regarding the possible impacts of the Costco Chicken Plant being built near Fremont on our community's drinking water. She asked the Council to obtain further information on this issue and to step forward to protect what is ours to protect.

Graham Christensen gave public comment regarding his concern for the water in the eastern part of the state. He provided the Council with handouts that he reviewed with them. He asked the Council to start understanding and ask appropriate questions in order to take action and protect the community. He noted the handling of the plant wastewater; the runoff of the litter from the

birds on the farms impacting on wellheads in this area; and increased nitrogen levels in drinking water.

Ron Styskal gave public comment regarding a prior nuisance complaint on 7th and Dale. He noted the current ordinance requires mowing at six inches, no trash or dead trees. He said he turned in the complaint on August 14, September 7 and October 5 and that nothing has been done other than cleaning brush around the stop sign. He continued saying he had spoken with the Public Works Director Larsen regarding road drainage issues and the washing of rock onto the highway. He said Larsen has put black top in the area and this has helped. He also discussed putting in a culvert.

Jonathon Alley gave public comment on behalf of a University of Nebraska research team regarding issues that may be coming up with the Costco Plant within the Elkhorn and Platte River systems from a public health stand point. He said when the plant goes in there will be two sources of pollution affecting the water, direct slaughter of the chickens in Fremont and manure distribution on fields. He discussed the affects of nitrates and phosphates, microbial contamination, and antibiotic resistance. He said the City has a strong natural resource district to reach out to.

Shirley Niemeyer gave public comment regarding the poultry saying she is pro-agriculture but she understands the impact on odor, health, air, water, and soil and she shared research information. She said the roles of the Council should be to talk with the County Commissioners on how they will be regulating the chicken operations. She said that studies have found that property values drop near the operations. She asked the Council to consider the one-mile jurisdiction and adding something in the zoning regulations to keep operations away from the city limits. She added the new parking lots look great especially the landscaping.

Mayor Grauerholz continued a Public Hearing on Public Ways Vacation application for Block 10 Beetison's Addition and Block 20 Dean's Addition at 7:27 p.m. Zoning Official Isom distributed a handout showing the alleys and existing utilities. She said she spoke to Black Hills and they confirmed that there is a gas line running through the north-south alley between Block 10 and Block 20 and there is not one through the middle of Block 10. She said the Planning Commission recommended approval provided there were no utilities or that whatever would protect the utilities would be done. Terry Stone, property owner, addressed the Council saying the south alley has a steep incline they hope to terrace to control the water runoff. He added they are working on plans for the area and the intent for the west alley is to grade the slope to make it gradual. Isom said the alleys are both 13 foot wide and half goes to each adjacent owner. Council Member Gossin asked if the grading on the north-south alleyway would require the vacating of the alley. Mayor Grauerholz said that the property owner is responsible for maintaining the alley and in his opinion crowning the alley and putting up a retaining wall is Stone doing his responsibility of maintaining the alley with the City retaining ownership. Gossin said we could vacate the east-west for the terracing and keep the north-south one. Anderson said that he is not in favor in vacating any alley that has a utility in it. City Administrator Quady said the more

retaining walls and terraces in the hilly areas the easier it is for the homeowners to maintain. Discussion followed. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:45 p.m.

Motion by Mollhoff, second by Gossin to approve second reading of Ordinance 1141 – Zoning amendment regarding the zoning district boundaries of the City of Ashland located at 1302 and 1318 Boyd Street.

Assistant City Attorney Bentzen read the Title of Ordinance 1141.

Zoning Official Isom reviewed the location, zoning history of the area, and current zoning of these properties and the surrounding properties. She said she is recommending the properties be zoned Residential Transitional (R-T). She said that she is initiating the change as opposed to the property owner and both property owners are fine with the change.

Roll Call: Ayes: All Motion Carried

Ron Styskal addressed the Council about his nuisance complaint at the corner of 7th and Dale. He said the property is owned by Mr. Otto; it is over grown with brush and trees, has tires, dirt and concrete piled on it; and limbs hanging out over the street. He said the property owner needs to be ticketed and needs to clean it up as the problem was created when the house was moved in. Council Member Anderson said the City ordinances need to be followed. Styskal said the other item he is concerned about is a deep hole on the north side of Dale Street and the need for a culvert to direct water. Anderson said the ideal solution would be grading and hard surface roads. Styskal said Public Works Director Larsen is really trying and doing a good job. City Administrator Quady said she would get costs from Larsen for the work and that he will talk to JEO about solutions. She added that there are areas of wooded properties in town that are grown up. Police Chief Baudler shared pictures of the area where work has been recently done. Council Member Anderson said that we need to fix the culvert and remove the concrete and tires.

Motion by Mollhoff, second by Gossin to approve Public Ways Vacation application for Block 10 Beetison's Addition.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Mollhoff to approve pay request from JEO Consulting Group Inc. for New Well 2015 in the amount of \$1,020.75.

Roll Call: Ayes: All Motion Carried

Motion by Gossin, second by Anderson to approve pay request from JEO Consulting Group Inc. for Water 2017 Silver Street in the amount of \$12,056.50.

Roll Call: Ayes: All Motion Carried

Motion by Mollhoff, second by Gossin to approve pay request from JEO Consulting Group Inc. Silver Street Bridge Replacement in the amount of \$4,002.04.

Roll Call: Ayes: All Motion Carried

Motion by Mollhoff, second by Anderson to approve the consent agenda which included approval of the September 21, 2017 City Council meeting minutes.

Roll Call: Ayes: All Motion Carried

Motion by Gossin, second by Mollhoff to approve the second half of September 2017 Claims.

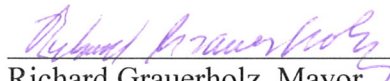
Roll Call: Ayes: All Motion Carried

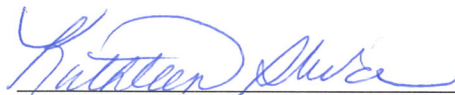
Council Member Mollhoff reported that the NRD is working with the City to get clarification on the City's wellhead protection plan. She said she contacted OPPD regarding a pilot project about LED street lights and she has asked them to consider installing them in smaller communities around Omaha to help save money.

City Administrator Quady stated that she is working on getting information on the reinstallation of the decorative light poles on 14th street and the cost of flags, brackets and hardware for the poles along 14th Street will be approximately \$1,000.

Motion by Anderson, seconded by Mollhoff to adjourn at 8:20 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 5, 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.