

ASHLAND CITY COUNCIL
REGULAR MEETING
September 15, 2022

A regular meeting of the Ashland City Council was held at the Ashland City Hall Council Chambers on the 15th day of September, 2022 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
Assistant city Attorney Sarah Meier

Others: Doris Deleski, Tim Deleski, Caleb Fjone, Frank Budz, Mary Beth Budz, Mary Roncka, Bob Fricke Jr., Julie Ogden, Clint Petersen, Ron Styskal, Lowell Krueger, Chris Devillier, Jerry Lofberg, Tom Danahy, Cindy Danahy, Dan Linke, Amanda Roe, Brittany Behrens, Steve Nabity, Peter Hine, Phil Ruhlman, Matt Ruhlman, Mark Ruhlman and others

Notice of meeting was advertised in the Ashland Gazette on September 8, 2022. 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 wall of the room.

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

Roll Call: Ayes: All Motion Carried

Mayor Grauerholz read a Proclamation honoring Doris Deleski for her dedication as Volunteer Director of the Ashland Dog Pound and proclaiming Sunday, September 18, 2022, Doris Deleski Day. He thanked Deleski and her husband Tim for their volunteer work over the last nine and a half years.

Caleb Fjone presented a new city flag to Frank Budz. Fjone expressed appreciation to Budz for his submission of the winning flag design.

Mayor Grauerholz opened a Public Hearing on Application #22-105 for Conditional Use Permit to make exterior alterations to structure located at 1411 Silver Street, Ashland, NE at 7:07 p.m. Brittany Behrens spoke to the Council about her proposed woman's clothing boutique. She said she is hoping to update the exterior of the building including painting the base of the building and the covering on the upper windows, and changing to a cooper awning. She discussed pictures of the proposed changes and answered questions of the Council. City Administrator Quady said the Planning Commission and the Historic Preservation Committee both recommended approval of the application. With no further comment, Mayor Grauerholz closed the Public Hearing at 7:14 p.m.

Mayor Grauerholz opened concurrent Public Hearings on Application #22-113 for Amendment to the Future Land Use Map of the Ashland Comprehensive Development Plan, Ordinance 1207, and on Application #22-114 for Zoning Change to the Official Zoning Map, Ordinance 1208, for property located in a proposed subdivision known as "Oxbow Crossing" located West ½ of Northeast ¼ Section 1 TWP 12 RNG 9 to B1 for Lots 1-3 and R3 for Lot 4, Minor Subdivision Application 22-115 a Four (4) lot Minor Subdivision to be known as Oxbow Crossing and PUD Application 22-116 Lots 1-3 being zoned B1 General Commercial and Lot 4 being zoned R3 located all within the city limits of Ashland with an approximate location of change east of the intersection of Highway 6 and Silver Street at 7:15 p.m.

Peter Hine, Schemmer Associates, spoke regarding the proposed development and the site plan. He said the existing structures on the property will be razed. He noted the Lincoln Water Works water way and easement. He said parking and planting will only be done on the easement. He noted the Highway Corridor Overlay and the parking requirements. He said it will be difficult to meet the parking requirements. He said they will be requesting TIF funding for Phase 1 of the project which will include the commercial space for a steakhouse with some tenant space. He pointed out that the plan has two curb cuts onto Highway 6. He said the plan has been submitted to the Department of Transportation; that DOT has requested that a curb cut align with Silver Street; and they are three lane curb cuts. He said there is a building to the back of the property for retail and another building for a fast-food restaurant. He reviewed the remainder of the PUD including two apartment buildings and a garage. He said they chose to have each building on its own lot so the lots could be sold off and so each could have its own dedicated water service. He said the PUD is asking for less square footage of open space per unit in the R3 lot which is 75 percent of the 3,000 square-foot requirement. He stated they are working with the City Engineer on parking and the plan shows 89 parking stalls including 19 on Birch Street which will be public parking. He noted a 30-footwide easement for public utility access and the storm sewer

plan. He said they are working on a drainage study for the site. He said they are aware that Birch Street would need to be paved with a cult-a-sac at the end of it. City Administrator Quady said this could potentially be done as GAP paving. Hine said this could be done after Phase 1 is built. He said a new sidewalk would be built along Highway 6. He addressed items in a letter from the City Engineer including fire access, dumpster screening, traffic study, landscape plan and covenants. He said FHU Engineering has been engaged to do the traffic study and they are doing traffic counts next week for this. He requested if the traffic count numbers show the impact isn't significant, the study be waived. Hine answered questions of the Council. Julie Ogden, of JEO Consulting Group and City Engineer, spoke to the Council regarding her request for the traffic study. She noted that there will be an access to Birch Street that doesn't exist today with High Density Residential. She said she wants the Council to be aware of how much traffic there will be and to assure that the City will get everything that is needed in regards to the highway and with Birch Street. Hine said they are asking for approval with condition that they provide conveyances, traffic information, suitable landscape plan and definitions of the utility easement. He said they would provide these documents before the final reading of the ordinance which is in five weeks. He reviewed the requested zoning changes for the development to B-1 and R-3 with the overlay district and the PUD from Light Industrial. Ogden noted her letter to developers outlining needed items. She said she had no problem moving forward with the first reading of the ordinance as the developer has committed to having this information before the final reading. She reiterated that all four buildings will be within the corridor overlay. Clint Petersen asked for clarification on the 5-foot set back clearance for the back retail space. Mary Beth Budz asked how relevant will the traffic study be because of all the new and future development and growth in Ashland; how the cost of infrastructure is paid for; and what are the covenants. Ogden said that traffic studies are always a snap shot in time and that they will look 20 years out for projected growth. She said the interior infrastructure is paid for by the developer and this is what the developer is requesting tax increment financing for. She added there have been discussions about paving Birch Street and setting up GAP paving to assess the adjacent property owners for the paving costs. Hine explained the conveyances. Quady said covenants are enforceable by the private owner not by the City. With no further comment, Mayor Grauerholz closed the Public Hearings at 8:02 p.m.

Motion by Niemeyer, second by Wischmann to approve Resolution 2022-12 – Redevelopment Plan for 107-1/2 South 7th Street.

City Administrator Quady said legal counsel had reviewed the plan and found no issues. She said she verified with Goodman's attorney that they are asking for 15-years of TIF at approximately \$19,000 per year.

Roll Call: Ayes: All Motion Carried

Motion by Wischmann, second by Niemeyer to approve Resolution 2022-13 – Governmental Lease Purchase Agreement.

City Administrator Quady said this for financing the purchase of the wide area mower.

Roll Call: Ayes: All Motion Carried

Motion by Wischmann, second by Niemeyer to approve Resolution 2022-14 – One- and Six-Year Road Plan.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Crnkovich to introduce and approve first reading of Ordinance 1207 – Amendment to the Future Land Use Map.
City Attorney Fahleson read the Title of Ordinance 1207.

City Administrator Quady said this is for the Oxbow Crossing Development.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Wischmann to introduce and approve first reading of Ordinance 1208 – Zoning Change.

City Attorney Fahleson read the Title of Ordinance 1208.

Roll Call: Ayes: All Motion Carried

Motion by Wischmann, second by Niemeyer to introduce and approve Ordinance 1210 – PUD Ordinance.

City Attorney Fahleson read the Title of Ordinance 1210.

Roll Call: Ayes: All Motion Carried

Motion by Wischmann, second by Niemeyer to approve Application #22-105 for Conditional Use Permit to make exterior alterations at 1411 Silver Street.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Crnkovich to approve Contractor’s Application for Payment from M.E. Collins Contracting Co., Inc. for 2022 Dennis Dean Road Improvements in the amount of \$6,278.55.

Roll Call: Ayes: All Motion Carried

Lowell Krueger spoke to the Council regrading his nuisance property at 106 South 16th Street. City Administrator Quady asked the Council to review Krueger’s schedule for completion and the notes provided by Building Official Krejci who was at the property earlier in the week. Krueger reviewed pictures of work he is doing and work completed

recently including the pouring of the basement floor and the opening up of the foundation of the north side to seal it.

Motion by Wischmann, second by Niemeyer to extend abatement of nuisance to October 20, 2022.

Chris Devillier commented that there may be a need to rearrange scheduled items so Krueger may take advantage of the weather. She said the snow being pushed onto the private property by others is a problem.

Roll Call: Ayes: Crnkovich, Niemeyer, Wischmann Nays: Anderson
 Motion Carried

City Administrator Quady spoke to the Council regarding the Water Tower Logo. She showed the mock-up of a possible design for the painting of the tower with the City logo on the north and south sides and the City flag on the west and/or east side. Discussion followed regarding the inclusion, shape and placement of the City flag. The Council directed Quady to see if the flag could be designed with a ripple effect and what the cost of this would be.

Reviewed the August 2022 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.

Reviewed the AAEDC Report.

Motion by Niemeyer, second by Crnkovich to approve the consent agenda which included the approval of the September 1, 2022 City Council meeting minutes; the approval of the September 1, 2022 Community Development Agency Meeting; minutes; the approval of the August 25, 2022 Planning Commission meeting; and the approval of Mande Fox and Jacob McCord as members of the Ashland Rescue Squad.

Roll Call: Ayes: All Motion Carried

Motion by Anderson, second by Wischmann to approve the first half of September 2022 Claims.

Roll Call: Ayes: All Motion Carried

Motion by Niemeyer, second by Anderson to approve August 2022 Treasurer's Report.


Roll Call: Ayes: All Motion Carried


Mayor Grauerholz reported the Police Department has a new employee that will be attending law enforcement training the first of the year; there was a resignation from the Planning Commission that needs to be filled; and Clean-Up Day will be held on October 8th.

City Administrator Quady said she has been at a League Conference.

Motion by Niemeyer, second by Wischmann to adjourn the meeting at 8:55 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 September 15, 2022 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.