

JANUARY 15, 2018

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 15th day of January, 2018, at 6:00 o' clock P.M. Council met in regular session. Council President Ferguson called the meeting to order and City Clerk Jorn recorded the minutes of the meeting. On roll call the following Council persons were present: Bentley, Dougherty, Ferguson, Merz, Murphy, Robidoux, Wisdom. Absent: Leyden, Mayor Oliver. Notice of the meeting was given in advance thereof by posting in three public places, a designated method for giving notice as shown by the Certificate of Posting Notice attached to these minutes. Notice of this meeting was given to the Mayor and all persons of the Council and a copy of their acknowledgment of receipt of notice and the agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. Council President Ferguson publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held.

CONSENT AGENDA

A motion was made by Council person Dougherty and seconded by Council person Murphy approve the Consent Agenda as printed: *WHEREAS*, certain business of the City Council (Council) of the City of Falls City (City) transpires on a regular and routine basis or is not of controversial nature; and *WHEREAS*, roll call votes on each individual issue greatly extend the meeting time. *NOW, THEREFORE, BE IT HEREBY RESOLVED* BY the City Council that in the interest of economizing time, yet complying with the Public Meeting Laws of the State of Nebraska, which require roll call voting, the following issues are hereby consolidated in this Consent Resolution: *1. BE IT FURTHER RESOLVED* BY the Council that the minutes from the January 2, 2018 meeting is hereby approved. *2. BE IT FURTHER RESOLVED* BY the Council that the agenda for January 15, 2018 is hereby approved. *3. BE IT FURTHER RESOLVED* BY the Council that the Police Report for December 2017 is hereby approved. *4. BE IT FURTHER RESOLVED* BY the Council that the Treasurer Report for December 2017 is hereby approved. *5. BE IT FURTHER RESOLVED* BY the Council that the Consent Resolution for January 15, 2018 is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Dougherty, Ferguson, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

2016-2017 AUDIT REPORT

A motion was made by Council person Dougherty and seconded by Council person Wisdom to approve the 2016-2017 Audit Report as presented by Julie Bauman, CPA. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Dougherty, Ferguson, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

RESOLUTION – SET JOURNAL AS THE OFFICIAL JOURNAL FOR THE CITY OF FALLS CITY PUBLICATIONS AND TO DESIGNATE CITY HALL, FRONTIER BANK AND F&M BANK AS THE LOCATIONS FOR POSTING MEETING NOTICES

A motion was made by Council person Robidoux and seconded by Council person Merz to approve the Falls City Journal as the official journal for the City of Falls City publications and to designate City Hall, F&M Bank and Frontier Bank as the locations for posting meeting notices. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Dougherty, Ferguson, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

CLAIM FOR FLOOD DAMAGE TO THE FLOWER CART IN THE AMOUNT OF \$5,372.11

A motion was made by Council person Dougherty and seconded by Council person Bentley to remove from the table the claim from The Flower Cart in the amount of \$5,372.11. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Dougherty, Ferguson, Merz, Murphy, Robidoux, Wisdom "NAY" None. Motion carried. Gayle Swisegood spoke. A motion was then made by Council member Murphy and seconded by Council member Robidoux to deny the claim for flood damage to The Flower Cart in the amount of \$5,372.11. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Dougherty, Ferguson, Merz, Murphy, Robidoux, Wisdom "NAY" None. Motion carried.

AGREEMENT FOR PROFESSIONAL SERVICE BETWEEN THE CITY AND OLSSON ASSOCIATES FOR RING BUS AND DISTRIBUTION SYSTEM IMPROVEMENTS FOR \$261,345 WITH AN ALTERNATE BID OF \$71,500 AS RECOMMENDED BY THE BOARD OF PUBLIC WORKS

A motion was made by Council person Bentley and seconded by Council person Merz to approve professional services between the City and Olsson Associates for Ring Bus and Distribution System Improvements for \$261,345 with an alternate bid for \$71,500 as recommended by the Board of Public Works. Alan Romine and Ray Luhring, Utility Superintendent spoke. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Dougherty, Ferguson, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

**SPECIAL DESIGNATED LIQUOR LICENSE APPLICATION
KNIGHTS OF COLUMBUS – PRICHARD AUDITORIUM – MARCH 16, 2018**

A motion was made by Council person Bentley and seconded by Council person Robidoux to give favorable comment to the Special Designated Liquor License Application submitted by Knights of Columbus, 2606 McLean Street, Falls City, Nebraska, for a Fish Fry Fund-Raiser at Prichard Auditorium, 312 West 17th Street, Falls City, Nebraska on March 16, 2018, as presented and to direct the City Clerk to notify the Nebraska Liquor Control Commission of the same. The Knights of Columbus are required to file a Certificate of Insurance with the City showing they carry Liquor Liability and the City of Falls City is an additional insured. Phil Froeschl spoke. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Dougherty, Ferguson, Merz, Robidoux, Wisdom. "NAY" Murphy. Motion carried.

**SPECIAL DESIGNATED LIQUOR LICENSE APPLICATION
KNIGHTS OF COLUMBUS – ROH ACTIVITY CENTER – FEBRUARY 24, 2018**

A motion was made by Council person Robidoux and seconded by Council person Wisdom to give favorable comment to the Special Designated Liquor License Application submitted by Knights of Columbus, 2606 McLean Street, Falls City, Nebraska, for a fundraiser at Roh Activity Center, 1820 Fulton Street, Falls City, Nebraska on February 24, 2018, as presented and to direct the City Clerk to notify the Nebraska Liquor Control Commission of the same. The Knights of Columbus are required to file a Certificate of Insurance with the City showing they carry Liquor Liability and the City of Falls City is an additional insured. Phil Froeschl spoke. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Dougherty, Ferguson, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

VARIOUS BOARD APPOINTMENTS AS RECOMMENDED BY MAYOR OLIVER

A motion was made by Council person Dougherty and seconded by Council person Merz to approve the various board appointments as recommended by Mayor Oliver. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Dougherty, Ferguson, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

ORDINANCE 2018-100 TO AMEND ORDINANCE 2016-104 TO SET NATURAL GAS RATES, FEES, CHARGES AND COLLECTIONS FOR NATURAL GAS

A motion was made by Council person Merz and seconded by Council person Bentley to approve the first reading of Ordinance #2018-100 as follows: AN ORDINANCE TO AMEND ORDINANCE NO. 2016-104; TO SET NATURAL GAS RATES, FEES, CHARGES, AND COLLECTIONS FOR NATURAL GAS FROM AND IN THE CITY OF FALLS CITY, NEBRASKA; REPEALING ANY PRIOR ORDINANCES IN CONFLICT THEREWITH; AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM AND PROVIDE FOR EFFECTIVE DATE. Alan Romine and Ray Luhring, Utility Superintendent spoke. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Dougherty, Ferguson, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

ON CALL AND PART TIME TRUCK DRIVERS FOR THE FIRE DEPARTMENT

A motion was made by Council person Dougherty and seconded by Council person Robidoux to approve the on call truck drivers stipend of \$5.00 per hour effective as of 8:00am on January 16, 2018. Jon McQueen spoke. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Dougherty, Ferguson, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

CLOW FIT LEASE AGREEMENT WITH THE CITY

A discussion was held on the lease at Clow Fit. Chris Clow and Jessica Strecker both spoke. Council person Dougherty instructed Clerk Jorn to place this matter on the February 5, 2018 Council Agenda for further discussion and action.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 7:15pm.

I, the undersigned, City Clerk for the City of Falls City, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on January 15, 2018; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the City Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by persons of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting; and that a current copy of the Nebraska Open Meetings Act was available and accessible to persons of the public, posted during such meeting in the room in which such meeting was held.

(SEAL)

CITY CLERK

CITY CLERK

MAYOR