

MARCH 15, 2021

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 15th day of March, 2021, at 6:00 o' clock P.M. Council met in regular session. Mayor Bindle called the meeting to order and Clerk Jorn recorded the minutes of the meeting. On roll call the following Council persons were present: Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. Absent: None. 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 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. Mayor Bindle 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.

MAYOR'S REPORT

Mayor Bindle congratulated Sacred Heart Boys Basketball team on their State Championship, Sacred Heart Girls Basketball as State runner-up and the Sacred Heart Speech Team for their District Championship. Mayor Bindle also reported that the Falls City Fire Department and City Mechanic Bobby Lock will be training on April 16th and 17th at the Fire Station on maintenance and operations of the new ladder truck. New tires were installed on the new ladder truck.

CONSENT AGENDA

A motion was made by Council person Leyden and seconded by Council person Merz to approve the Consent Agenda with the following edits to the Agenda deleting Item #2 and moving Item #10 before executive session: *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 March 1, 2021 meeting is hereby approved. 2. *BE IT FURTHER RESOLVED* BY the Council that the agenda for March 15, 2021 is hereby approved. 3. *BE IT FURTHER RESOLVED* BY the Council that the Police Report for February 2021 is hereby approved. 4. *BE IT FURTHER RESOLVED* BY the Council that the Treasurer Report for February 2021 is hereby approved. 5. *BE IT FURTHER RESOLVED* BY the Council that the Consent Resolution for March 15, 2021 is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

REQUEST FOR CURB CUT FOR A GARAGE AT 1901 STONE STREET AND TO ELIMINATE ONE PARKING STALL

A motion was made by Council member Ferguson and seconded by Council member Rhodd to approve a curb cut and to remove one parking stall at 1901 Stone Street to allow a new garage to be built. Bill Nussbaum spoke. Roll was called on this motion and the Council members voted as follows: "YEA" Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

ORDINANCE 2021-101 ISSUING COMBINED UTILITIES REVENUE BONDS, SERIES 2021 IN THE AMOUNT NOT TO EXCEED \$5,600,000 - BRAD SLAUGHTER PIPER SANDLER & CO

A motion was made by Council member Leyden and seconded by Council member Froeschl to shorten Amortization Schedule for Series 2021 Bond Issue. Brad Slaughter spoke. Roll was called on this motion and the Council members voted as follows: "YEA" Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried. A motion was then made by Council member Ferguson and seconded by Council member Ractliffe to suspend the first and second readings of Ordinance #2021-101. Roll was called on this motion and the

Council members voted as follows: "YEA" Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried. A motion was then made by Council member Froeschl and seconded by Council member Ractliffe to approve the final reading of Ordinance #2021-101 as presented. Roll was called on this motion and the Council members voted as follows: "YEA" Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

2019-2020 AUDIT REPORT - JULIE BAUMAN CPA

A motion was made by Council member Leyden and seconded by Council member Ferguson to approve the 2019-2020 Audit Report. Julie Bauman, CPA spoke. Roll was called on this motion and the Council members voted as follows: "YEA" Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

SANITARY SEWER INFLOW/INFILTRATION STUDY PHASE I FOR \$35,800 AND PHASE II FOR \$10,700 AS RECOMMENDED BY THE BOARD OF PUBLIC WORKS

A motion was made by Council member Froeschl and seconded by Council member Merz to approve Phase I for \$35,800 and Phase II for \$10,700 for Sanitary Sewer Inflow/Infiltration Study as recommended by the Board of Public Works. Utility Superintendent Ray Luhning spoke. Roll was called on this motion and the Council members voted as follows: "YEA" Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

NO PARKING ON 13TH STREET BETWEEN HARLAN AND LANE STREETS - FOURTH WARD COUNCIL PERSON JIM WISDOM

A motion was made by Council member Ractliffe and seconded by Council member Holle to approve no parking on the South side of 13th Street from Harlan to Lane and obtain bids for a traffic study. 4th Ward Council Person Jim Wisdom and Ron Kelly spoke. Roll was called on this motion and the Council members voted as follows: "YEA" Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

REQUEST TO OPEN ALLEY IN K.E. MOREHEAD ADDITION LOT 2 - BEN SIMPSON

A motion was made by Council member Leyden and seconded by Council member Holle to approve opening the alley in K.E. Morehead Addition Lot 2 contingent on approval of the City Attorney. Ben Simpson spoke. Roll was called on this motion and the Council members voted as follows: "YEA" Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

APPOINTMENT - NICHOLAS NOVAK AS POLICE OFFICER AS RECOMMENDED BY MAYOR BINDLE

A motion was made by Council member Ractliffe and seconded by Council member Leyden to approve the appointment of Nicholas Novak as police officer as recommended by Mayor Bindle. Roll was called on this motion and the Council members voted as follows: "YEA" Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

RESIGNATION OF SECOND WARD COUNCIL PERSON LUCAS FROESCHL

A motion was made by Council member Ferguson and seconded by Council member Holle to accept the resignation of 2nd Ward Council Person Lucas Froeschl. Roll was called on this motion and the Council members voted as follows: "YEA" Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. "ABSTAIN" Froeschl. Motion carried.

EXECUTIVE SESSION - PURCHASE OF REAL ESTATE

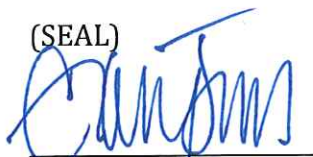
A motion was made by Council person Holle and seconded by Council person Merz to recess from regular session and convene to Executive Session at 7:04P.M. for the discussion of purchase of real estate with EDGE Executive Director


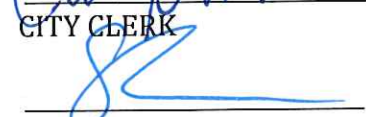
Beckie Cromer via phone. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried. A motion was then made by Council person Rhodd and seconded by Council person Wisdom to adjourn from Executive Session and reconvene in regular session at 7:18 P.M. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried. A motion was made by Council person Merz and seconded by Council person Rhodd to recess from regular session and convene to Executive Session at 7:19P.M. for the discussion of litigation. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried. A motion was then made by Council person Ferguson and seconded by Council person Ractliffe to adjourn from Executive Session and reconvene in regular session at 7:32 P.M. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 7:32P.M.

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 Mayor Bindle and Council on March 15, 2021; 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