

AUGUST 17, 2020

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 17th day of August, 2020, 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 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 available to the public by video conference. 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.

CONSENT AGENDA

A motion was made by Council person Leyden and seconded by Council person Ractliffe to approve the Consent Agenda deleting #2 under regular business: *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 August 3, 2020 meeting is hereby approved. 2. *BE IT FURTHER RESOLVED BY* the Council that the agenda for August 17, 2020 is hereby approved. 3. *BE IT FURTHER RESOLVED BY* the Council that the Police Report for July 2020 is hereby approved. 4. *BE IT FURTHER RESOLVED BY* the Council that the Treasurer Report for July 2020 is hereby approved. 5. *BE IT FURTHER RESOLVED BY* the Council that the Consent Resolution for August 17, 2020 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. Motion carried.

REQUEST TO USE REMAINING HUD EDI FUNDS ON 33RD STREET PROJECT – EDGE EXECUTIVE DIRECTOR

A motion was made by Council member Ractliffe and seconded by Council member Rhodd to approve using remaining HUD EDI funds for 33rd Street Project. EDGE Executive Director Beckie Cromer 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. Motion carried.

RESOLUTION TO AUTHORIZE MAYOR BINDLE TO SIGN PROMENADE PARK OPERATING AGREEMENT

A motion was made by Council person Ferguson and seconded by Council person Leyden to approve a resolution authorizing the Mayor to sign Promenade Park Operating Agreement. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

FIRST READING – ORDINANCE 2020-102 – PROVISIONAL DOG LICENSE

A motion was made by Council person Rhodd and seconded by Council person Holle to approve the first reading of Ordinance #2020-102 as follows: AN ORDINANCE OF THE CITY OF FALLS CITY TO ADD SECTION 6-219 TO THE FALLS CITY MUNICIPAL CODE PROVIDING FOR PROVISIONAL LICENSE FOR PUPPIES OF NUISNACE BREEDS. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Holle, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSTAIN" Leyden. Motion carried.

REQUEST FOR STOP SIGNS AT 17TH AND 18TH STREET AND ABBOTT STREET – TOM ADAMS

A discussion was held, died for lack of a motion.

WEEDS IN YARDS AROUND TOWN AND EAST OF HARLAN ON 17TH STREET – TOM ADAMS

City Administrator informed the Mayor and City Council of the 5 properties the City mowed and will place a lien on the property if costs are not paid by the property owner. No motion was made.

RESOLUTION TO TRANSFER \$320,000 FROM CAPITAL IMPROVEMENT SINKING FUND TO GENERAL FUND FOR THE 2020-2021 FISCAL YEAR

A motion was made by Council person Holle and seconded by Council person Ferguson to approve transferring \$320,000 from Capital Improvement Sinking Fund to the General Fund for the 2020-2021 fiscal year budget. Roll was called on this motion and the Council persons voted as follows: “YEA” Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. “NAY” None. Motion carried.

APPROVAL 1% ALLOWABLE GROWTH – 2020-2021 BUDGET

A motion was made by Council person Ferguson and seconded by Council person Ractliffe to approve the 1% allowable growth allowed by State Statute for restricted funds for the 2020-2021 Budget. Roll was called on this motion and the Council members voted as follows: “YEA” Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. “NAY” None. Motion approved.

2020 LIQUOR CLASS C LICENSE RENEWALS

A motion was made by Council person Ractliffe and seconded by Council person Holle to approve 2020 Liquor Class C License renewals. Roll was called on this motion and the Council persons voted as follows: “YEA” Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. “NAY” None. Motion carried.

REQUEST TO BLOCK OFF 17TH STREET BETWEEN HARLAN STREET AND STONE STREET – EAT LOCAL TAKE OUT PARTY – FALLS CITY CHAMBER & MAIN STREET

A motion was made by Council person Froeschl and seconded by Council person Merz to approve blocking off 17th Street between Harlan and Stone for a Chamber & Main Street event. Executive Chamber Director Amber Holle spoke. Roll was called on this motion and the Council persons voted as follows: “YEA” Ferguson, Froeschl, Leyden, Merz, Rhodd, Wisdom. “NAY” None. “ABSTAIN” Holle, Ractliffe. Motion carried.

REQUEST FOR APPROVAL AND TO AUTHORIZE THE MAYOR TO SIGN – LETTER OF AGREEMENT – AMENDMENT #1 – OLSSON – RECOMMENDED BY THE BOARD OF PUBLIC WORKS

A motion was made by Council person Leyden and seconded by Council person Ferguson to approve the Letter of Agreement - Amendment #1 with Olsson as recommended by the Board of Public Works. Roll was called on this motion and the Council persons voted as follows: “YEA” Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. “NAY” None. Motion carried.

CDBG DTR APPLICATION INFORMATION - SENDD

A motion was made by Council member Ferguson and seconded by Council member Leyden to approve the budget for DTR Grant Applicant as recommended by the DTR Committee. Roll was called on this motion and the Council members voted as follows: “YEA” Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. “NAY” None. “ABSTAIN” Holle. Motion carried.

CHANGES TO THE IOUE UNION CONTRACT

A motion was made by Council person Ferguson and seconded by Council person Leyden to approve wage scale (Article 111) for fiscal years 2020-2021 and 2021-2022 and change (Article VIII) working hours to 12 hour days with working 84

hours in a 14 day period before overtime. Assistant Chief Baker and Officer Stamper spoke. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

OWNER OCCUPIED REHAB HOUSING PROJECT APPROVAL

A motion was made by Council person Holle and seconded by Council person Rhodd to approve Project #36 and #37 from CDBG-17-HO-37082 as recommended by the Housing Board. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

ACCEPT AND AWARD BID FOR DEMOLITION OF HOUSE AT 1613 ABBOTT STREET

A motion was made by Council person Holle and seconded by Council person Ractliffe to accept and award bid to Frederick Bros for \$8,250.00 for the house at 1613 Abbott Street. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:30 P.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 August 17, 2020; 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