

SEPTEMBER 9, 2020

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 9th day of September, 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, Leyden, Merz, Ractliffe, Rhodd, Wisdom. Absent: Holle. 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.

MAYOR'S REPORT

The City of Falls City is comprised of 17 boards that assist in overseeing various moving parts of the City. As I was preparing for tonight I began to think of how many people serve on all the boards. I took the time to add them up and came up with 79 volunteers, give or take a few.

The Board of Adjustments has the duties to hear and decide appeals regarding zoning ordinances, interpretation of any map, and authorize variances. You can imagine as businesses come and go, that this board has been quite busy throughout the years. From February 1986 to July 2020, Falls City has had the pleasure of having both Sandra Hartman and Gary Nelson on the Board of Adjustments. That is 34 years of volunteer service to the City of Falls City. Just to note: I would have been 9 years old when both took their position.

On behalf of myself, the Mayor, the City Council, City of Falls City and its citizens, I would like to go on record as expressing our appreciation to both Sandra Hartman and Gary Nelson for the foresight, steadfast devotion and leadership they have provided while serving on the Board of Adjustments.

Both will receive plaques honoring their commitment. Enjoy your extra time, and again thank you!

CONSENT AGENDA

A motion was made by Council person Leyden and seconded by Council person Ractliffe to approve the Consent Agenda as follows: *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 17, 2020 meeting is hereby approved. 2. *BE IT FURTHER RESOLVED BY* the Council that the agenda for September 9, 2020 is hereby approved. 3. *BE IT FURTHER RESOLVED BY* the Council that the Claims for August 2020 of the City of Falls City are hereby approved. 4. *BE IT FURTHER RESOLVED BY* the Council that the Consent Resolution for September 9, 2020 is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

SECOND READING – ORDINANCE 2020-102 – PROVISIONAL DOG LICENSE

A motion was made by Council person Ractliffe and seconded by Council person Ferguson to approve the second reading of Ordinance #2020-102 as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSTAIN" Leyden. Motion carried.

TECHNOLOGY PLAN AND SECURITY SYSTEM – BRAD GRIFFIN

A discussion was held for a technology plan, scanning of documents and security system for the Library and Art Center and the City as a whole. Brad Griffin spoke. No motion was made.

REPAIRS TO AHU #2 AT PRICHARD AUDITORIUM FOR \$30,545

A discussion was held on the costs of repairing AHU #2. No motion was made.

REVIEW AND ACCEPT INSURANCE POLICY BID FOR 2020-2021

A motion was made by Council person Merz and seconded by Council person Ferguson to approve the insurance bid from Miller Monroe for \$312,563.00 for the fiscal year 2020-2021 with an option to renew an additional 2 years. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

PUBLIC HEARING - SET TAX LEVY AND FINAL TAX REQUEST - 2020-2021 BUDGET

Mayor Bindle declared a public hearing open at 6:24 P.M. for the purpose of hearing public input on the City of Falls City's 2020-2021 proposed fiscal budget. Mayor Bindle then asked if anyone in the audience who wished to speak in favor of or oppose said fiscal budget. Since no one wished to be recognized, Mayor Bindle then declared the public hearing closed at 6:25 P.M. Mayor Bindle then declared a public hearing open at 6:25 P.M. for the purpose of obtaining input on the setting of the property tax request and levy for the City of Falls City as submitted in the 2020-2021 City of Falls City Budget. Mayor Bindle then asked if there was anyone in the audience who wished to speak in favor of or oppose said property tax request of \$712,594.00 for the City of Falls City Budget and setting the tax levy at .442747. Since no one wished to be recognized, Mayor Bindle then declared the public hearing closed at 6:27 P.M. A motion was made by Council member Leyden and seconded by Council member Froeschl to approve the following resolution: WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year of purposed of the levy set by the County Board of Equalization unless the Governing Body of the City of Falls City passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and WHEREAS, it is in the best interests of the City of Falls City that the property tax request for the current year be a different amount than the property tax request for the prior year. NOW, THEREFORE, the Governing Body of the City of Falls City, by a majority vote, resolves that: 1. The 2020-2021 property tax request be set at \$712,594.00; 2. A copy of this resolution be certified and forwarded to the County Clerk prior to October 13, 2020. Roll was called on this motion and the Council members voted as follows: "YEA" Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

HANDICAPPED RAMPS AT 10TH AND HARLAN STREET RICHARD NEWLAND

A discussion was held on handicapped ramps at 7th, 8th, 10th and 23rd Harlan Street. Richard Newland spoke. No motion was made.

APPOINTMENT OF ALAN ROMINE TO THE BOARD OF ADJUSTMENT AS RECOMMENDED BY MAYOR BINDLE

A motion was made by Council person Ferguson and seconded by Council person Rhodd to approve Alan Romine to the Board of Adjustments as recommended by Mayor Bindle. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

RESOLUTION AUTHORIZING MAYOR BINDLE TO SIGN MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE FORM 2020

A motion was made by Council person Ractliffe and seconded by Council person Wisdom to authorize Mayor Bindle sign Municipal Annual Certification of Program Compliance Form 2020. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

**PUBLIC HEARING – FALLS CITY FOODS LLC APPLICATION FOR
COMMUNITY DEVELOPMENT BLOCK GRANT FOR \$305,000**

Mayor Bindle declared a public hearing open at 6:37P.M. to approve the Resolution authorizing Mayor Bindle to sign application for CDBG Funds. Mayor Bindle then asked if there was anyone in the audience who wished to speak in favor of or oppose said resolution. Trey Ertmer from SENDD spoke. Since no one else wished to be recognized, Mayor Bindle then declared the public hearing closed at 6:38P.M. A motion was made by Council member Leyden and seconded by Council member Rhodd to approve the resolution. Roll was called on this motion and the Council members voted as follows: “YEA” Ferguson, Froeschl, Leyden, Merz, Ractliffe, Wisdom. “NAY” None. Motion carried.

CITIZEN PARTICIPATION FOR CDBG PROGRAM

A motion was made by Council person Ferguson and seconded by Council person Ractliffe to approve Citizen Participation Plan for CDGB Program. Roll was called on this motion and the Council persons voted as follows: “YEA” Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. “NAY” None. Motion carried.

RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN FOR CDBG PROGRAM

A motion was made by Council person Ferguson and seconded by Council person Merz to approve Residential Anti-Displacement and Relocation Assistance Plan for CDBG Program. Roll was called on this motion and the Council persons voted as follows: “YEA” Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. “NAY” None. Motion carried.

RECORD DESTRUCTION LIST

A motion was made by Council person Ferguson and seconded by Council person Ractliffe to approve record destruction list as presented. Roll was called on this motion and the Council persons voted as follows: “YEA” Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. “NAY” None. Motion carried.

OPENING RESTROOMS AT CITY PARKS

A motion was made by Council person Wisdom and seconded by Council person Froeschl to approve opening restrooms at Stanton Lake, City Park and Grandview Park. Roll was called on this motion and the Council persons voted as follows: “YEA” Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. “NAY” None. Motion carried.

**APPOINTMENT OF JUAN RAMIREZ AND KALEB GILKERSON AS POLICE OFFICERS
AS RECOMMENDED BY MAYOR BINDLE**

A motion was made by Council person Ractliffe and seconded by Council person Leyden to approve the appointment of Juan Ramirez and Kaleb Gilkerson as Police Officers as recommended by Mayor Bindle. Roll was called on this motion and the Council persons voted as follows: “YEA” Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. “NAY” None. Motion carried.

**PUBLIC HEARING - APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR \$445,000
WITH A \$100,000 MATCH FROM CITY AND/OR PROPERTY OWNERS**

Mayor Bindle declared a public hearing open at 6:48P.M. to approve the DTR Community Block Grant for \$445,000 with \$100,000 match from the City and /or property owners. Since no one else wished to be recognized, Mayor Bindle then declared the public hearing closed at 6:49P.M. A motion was made by Council member Wisdom and seconded by Council member Leyden to approve the application. Roll was called on this motion and the Council members voted as follows: “YEA” Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. “NAY” None. Motion carried.

REQUEST TO BUILD A 40'X60' METAL BUILDING AT 721 FULTON STREET - BOB CAMPBELL

A motion was made by Council person Leyden and seconded by Council person Ferguson to approve 40'x60' metal

building at 721 Fulton Street Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

**PUBLIC HEARING - USDA RURAL DEVELOPMENT GRANT FOR \$59,837.50
TO PURCHASE CAR VIDEO CAMERAS AND BODY WORN CAMERAS - SERGEANT STAMPER**

Mayor Bindle declared a public hearing open at 6:51P.M. to approve USDA Rural Development Grant for \$59,837.50 to purchase video cameras for car and body cameras. Sergeant Stamper spoke. Since no one else wished to be recognized, Mayor Bindle then declared the public hearing closed at 6:55P.M. A motion was made by Council member Ractliffe and seconded by Council member Ferguson to approve the Grant. Roll was called on this motion and the Council members voted as follows: "YEA" Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:56P.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 September 9, 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