

## **AUGUST 6, 2018**

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 6<sup>th</sup> day of August, 2018, at 6:00 o' clock P.M. Council met in regular session. Mayor Oliver called the meeting to order and City Clerk Gary Jorn recorded the minutes of the meeting. On roll call the following Council persons were present: Bentley, Ferguson, Leyden, Merz, Murphy, Wisdom. Absent: Dougherty, Robidoux. 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 Oliver 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 Ferguson and seconded by Council person Leyden to 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 July 16, 2018 meeting is hereby approved. 2. *BE IT FURTHER RESOLVED BY* the Council that the agenda for August 6, 2018 is hereby approved. 3. *BE IT FURTHER RESOLVED BY* the Council that the Claims for July 2018 of the City of Falls City are hereby approved. 4. *BE IT FURTHER RESOLVED BY* the Council that the Consent Resolution for August 6, 2018 is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Wisdom. "NAY" None. Motion carried.

### **SECOND READING - ORDINANCE 2018-103 TO AMEND TREE BOARD MEMBERS TERM OF OFFICE AND THE REMOVAL, REPLACEMENT AND CARE OF TREES BOTH ON CITY OWNED PROPERTY AND PRIVATELY OWNED PROPERTY**

A motion was made by Council person Ferguson and seconded by Council person Merz to approve the second reading of Ordinance #2018-103 as printed. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Leyden, Merz, Murphy, Wisdom. "NAY" Bentley. Motion carried.

### **REQUEST TO SHOOT FIREWORKS OFF ON OCTOBER 18, 2018 DURING A WEDDING RECEPTION AT PRICHARD AUDITORIUM - ALAINA PELLETIER**

This agenda item was left on the table as Alaina Pelletier could not make it to the meeting. It will be removed from the table to discuss at the August 20, 2018 meeting.

### **REQUEST TO ALTER THE STORM SEWER AT 424 MCLEAN STREET**

A motion was made by Council person Leyden and seconded by Council person Ferguson to authorize the City Employees to work with the property owner at 424 McLean Street to resolve the issue of the storm sewer running underneath the driveway. Randy Kirkendall spoke. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Wisdom. "NAY" None. Motion carried.

**REQUEST TO FIRE BLANKS DURING THE COBBLESTONE  
PARADE BY THE PIONEER LONGRIFLE MUZZLELOADER GUN CLUB**

A motion was made by Council person Ferguson and seconded by Council person Merz to approve the request to shoot blanks during the Cobblestone Parade by the Pioneer Longrifle Muzzleloader Gun Club. Ann Claymiller spoke. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Wisdom. "NAY" None. Motion carried.

**REQUEST TO USE STREETS AND PARKS FOR THE COBBLESTONE  
FUN RUN/WALK EVENT ON AUGUST 25, 2018 AT 7AM**

A motion was made by Council person Ferguson and seconded by Council person Merz to approve the request to use parks and streets for the Cobblestone Fun Run/Walk Event on August 25, 2018 at 7am. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Wisdom. "NAY" None. Motion carried.

**APPLICATION FOR CLASS C RETAIL LIQUOR LICENSE - 1900 HARLAN STREET**

Mayor Oliver declared a public hearing open at 6:18 P.M. for the purpose of obtaining input on a Class C Retail Liquor License Application submitted by Hinky Dinky Supermarkets, Inc. dba as Sunmart #734 located at 1900 Harlan Street. The Mayor then asked if there was anyone in the audience who wished to speak in favor of or oppose said Retail Liquor License Application. Since no one wished to be recognized, Mayor Oliver then declared the public hearing closed at 6:19 P.M. A motion was made by Council member Bentley and seconded by Council member Ferguson to give favorable comment to the Class C Retail Liquor License Application for Hinky Dinky Supermarkets, Inc. dba as Sunmart #734 located at 1900 Harlan Street, Falls City, Nebraska and that the Nebraska Liquor Control Commission be notified of the same. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Wisdom. "NAY" Murphy. Motion carried.

**2018 EDGE 2<sup>ND</sup> QUARTER REPORT**

Executive Director, Beckie Cromer presented the 2018 Edge 2<sup>nd</sup> Quarter Report to the Mayor and City Council. A motion was made by Council person Ferguson and seconded by Council person Murphy to approve the 2018 Edge 2<sup>nd</sup> Quarter Report. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Wisdom. "NAY" None. Motion carried.

**AIRPORT AUTHORITY TAX LEVY - 2018-2019**

A motion was made by Council person Wisdom and seconded by Council person Merz to approve the Airport Authority request for a tax levy of .029482 for the 2018 - 2019 fiscal year. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Wisdom. "NAY" None. Motion approved.

**APPROVE CURB CUT FOR A GARAGE AT 2624 BARADA STREET**

A motion was made by Council person Ferguson and seconded by Council person Wisdom to approve the request for a curb cut at 2624 Barada Street. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Wisdom. "NAY" None. Motion carried.

**MAYOR AND COUNCIL PERSONS COMPENSATION**

A discussion was held on increasing the compensation for the Mayor and City Council persons. Lonnie Blevins spoke. No action was taken.

**REQUEST TO USE PIONEER PARK FOR A COBBLESTONE ACTIVITY OF TUG A WAR FOR 3<sup>RD</sup> GRADE TO ADULTS**

A motion was made by Council person Ferguson and seconded by Council person Wisdom to approve the request to use Pioneer Park for Cobblestone activity of Tug-a-War on August 25, 2018. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Wisdom. "NAY" None. Motion carried.

**APPOINTMENT – SHARON SELLS – FALLS CITY HOUSING AUTHORITY**

A motion was made by Council person Murphy and seconded by Council person Merz to approve the appointment of Sharon Sells to the Falls City Housing Authority as recommended by Mayor Oliver. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Wisdom. "NAY" None. Motion carried.

**APPROVAL 1% ALLOWABLE GROWTH – 2018-2019 BUDGET**

A motion was made by Council person Merz and seconded by Council person Leyden to approve the 1% allowable growth allowed by State Statute for the 2018-2019 Budget. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Wisdom. "NAY" None. Motion approved.

**TRANSFER \$320,000 FROM CAPITAL IMPROVEMENT SINKING FUND TO GENERAL FUND FOR THE 2018-2019 FISCAL YEAR**

A motion was made by Council person Bentley and seconded by Council person Murphy to approve transferring \$320,000 from Capital Improvement Sinking Fund to the General Fund for the 2018-2019 fiscal year budget. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Wisdom. "NAY" None. Motion carried.

**REQUEST FOR FAVORABLE COMMENT FOR LIQUOR LICENSE ON NEW COVERED ADDITION TO THE ELKS BENEVOLENT & PROTECT #963 BUILDING LOCATED AT 1417 STONE STREET**

A motion was made by Council person Bentley and seconded by Council person Ferguson to give favorable comment on a new covered addition to the Elk's Benevolent & Protect #963 building located at 1417 Stone Street. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Wisdom. "NAY" None. Motion carried.

**QUESTIONS ABOUT DISPATCHING AND LAW ENFORCEMENT – LONNIE BLEVINS**

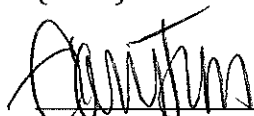
A discussion was held on questions about dispatch and law enforcement. Lonnie Blevins spoke. No action was taken.

*THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:43pm.*

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 August 6, 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

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MAYOR