

SEPTEMBER 5, 2018

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 5th day of September, 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, Dougherty, Ferguson, Leyden, Merz, Murphy, Wisdom. Absent: 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 Leyden and seconded by Council person Ferguson 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 August 20, 2018 meeting is hereby approved. 2. *BE IT FURTHER RESOLVED* BY the Council that the agenda for September 5, 2018 is hereby approved. 3. *BE IT FURTHER RESOLVED* BY the Council that the Claims for August 2018 of the City of Falls City are hereby approved. 4. *BE IT FURTHER RESOLVED* BY the Council that the Consent Resolution for September 5, 2018 is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Dougherty, Ferguson, Leyden, Merz, Murphy, Wisdom. "NAY" None. Motion carried.

SECOND READING - ORDINANCE 2018-104 COMPENSATION; MUNICIPAL OFFICER'S; CHANGE

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

**REQUEST TO RENT PRICHARD AUDITORIUM - CHRISTMAS PARTY -
ALLOW ALCOHOL TO BE SOLD - JANUARY 5, 2019**

A motion was made by Council person Bentley and seconded by Council person Merz to approve the request to rent Prichard Auditorium for a Christmas Party on January 5, 2019 and to allow alcohol to be served. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Dougherty, Ferguson, Leyden, Merz, Wisdom. "NAY" Murphy. Motion carried.

**REQUEST TO AMEND CITY CODE SECTION 7-218 FIRE PREVENTION;
FIRE PROHIBITED AND ALLOWED WITHIN THE CITY LIMITS**

A motion was made by Council person Wisdom and seconded by Council person Bentley to approve the request to amend City Code section 7-218. Steve Hoffman and Terry Strathman spoke. Roll was called on this motion and the Council persons voted as follows: "YEA" Wisdom. "NAY" Bentley, Dougherty, Ferguson, Leyden, Merz, Murphy. Motion carried.

WELLNESS CENTER AND WIFI AT THE LIBRARY - STAN COUPE AND BOB WITT

Stanley Coupe presented to the mayor and city council several written questions he had on his concerns about the

lease agreement between the City and Falls City Wellness Center /Clowfit LLC. Mayor Oliver told Mr. Coupe that the city would review his questions that they were not prepared to answer his questions at the current meeting. Bob Witt thanked the mayor and city council for the turning off the WiFi at the library when the library was closed. Bob then said he had spoken to the city attorney about changing the city codes to allow for a minimal fine. No action was taken.


EXECUTIVE SESSION - LITIGATION

A motion was made by Council person Ferguson and seconded by Council person Leyden to recess from regular session and convene to Executive Session at 6:20 P.M. to discuss litigation. Present were: Assistant City Clerk Sandra Ferris, Utility Superintendent Ray Luhring, Chief of Police Armbruster, City Attorney Mike Dunn. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Dougherty, Ferguson, Leyden, Merz, Murphy, Wisdom. "NAY" None. Motion carried. A motion was then made by Council person Ferguson and seconded by Council person Leyden to adjourn from Executive Session and reconvene in regular session at 6:45 P.M. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Dougherty, Ferguson, Leyden, Merz, Murphy, Wisdom. "NAY" None. No action was taken.

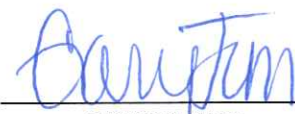
THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:46pm.

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 September 5, 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.

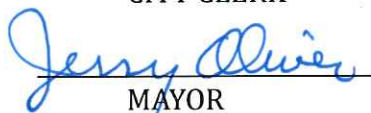
(SEAL)



CITY CLERK



CITY CLERK



MAYOR