

## **MARCH 5, 2018**

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 5<sup>th</sup> day of March, 2018, at 6:00 o' clock P.M. Council met in regular session. Mayor Oliver called the meeting to order and City Clerk Jorn recorded the minutes of the meeting. On roll call the following Council persons were present: Bentley, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. Absent: Dougherty. 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.

### **MAYOR'S REPORT**

Mayor Oliver told the Council that when Froeschl Floor epoxy the floors at the bath house at the Aquatic Park they will place a berm at each shower stall to prevent water running out of each stall. Mayor Oliver then told the Council he spoke with Tom Goodbarn, District On Engineer and State roads projects for HWY 73 and HWY 8 from Falls City to HWY 75 will be under construction this year.

### **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 February 20, 2018 meeting is hereby approved. 2. *BE IT FURTHER RESOLVED BY* the Council that the agenda for March 5, 2018 is hereby approved. 3. *BE IT FURTHER RESOLVED BY* the Council that the Claims for February 2018 of the City of Falls City are hereby approved. 4. *BE IT FURTHER RESOLVED BY* the Council that the Consent Resolution for March 5, 2018 is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

### **REQUEST TO USE STREETS AND PARKS FOR EARTH DAY 2018 FUN RUN/WALK ON APRIL 22, 2018**

A motion was made by Council person Bentley and seconded by Council person Merz to approve the request to use streets and parks for Earth Day 2018 Fun Run/Walk on April 22, 2018. Roll was called on this motion and the Council persons voted as follows: YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

### **REQUEST FOR 2 HANDI-CAPPED PARKING STALLS ON THE SOUTH SIDE OF THE RICHARDSON COUNTY COURT HOUSE AND DESIGNATE 2 PARKING STALLS ON THE NORTH SIDE FOR LAW ENFORCEMENT AT THE REQUEST OF THE RICHARDSON COUNTY COMMISSIONERS**

A motion was made by Council member Leyden and seconded by Council member Murphy to table the request for 2 handi-capped parking stalls on the South side of the Court House. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

**APPOINTMENT OF JOEY KOSO TO THE FALLS CITY VOLUNTEER FIRE DEPARTMENT AS RECOMMENDED BY FIRE CHIEF VERNON WISDOM**

A motion was made by Council person Ferguson and seconded by Council person Bentley to approve the appointment of Joey Koso to the Falls City Volunteer Fire Department as recommended by the Fire Chief Vernon Wisdom. Fire Chief Vernon Wisdom spoke. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

**REQUEST FOR NO PARKING ON SOUTH SIDE OF THE 10<sup>TH</sup> STREET ON THE SOUTH SIDE OF FALLS CITY SOUTH ELEMENTARY SCHOOL**

A motion was made by Council person Ferguson and seconded by Council person Leyden to approve the request for no parking on the South side of 10<sup>th</sup> Street from Fulton Street to the alley. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

**2017 LIBRARY REPORT – LIBRARIAN HOPE SCHAWANG**

A motion was made by Council person Ferguson and seconded by Council person Murphy to approve the 2017 Library Report. Librarian Hope Schawang spoke. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

**APPOINTMENT OF RAY LUHRING AS DIRECTOR OF MEAN BOARD OF DIRECTORS AND GARY JORN AS ALTERNATE DIRECTOR**

A motion was made by Council person Ferguson and seconded by Council person Bentley to approve the appointment of Ray Luhning as Director of MEAN Board of Directors and Gary Jorn as Alternate Director. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

**APPOINTMENT OF RAY LUHRING AS DIRECTOR OF MEAN MANAGEMENT COMMITTEE AND GARY JORN AS ALTERNATE DIRECTOR**

A motion was made by Council person Ferguson and seconded by Council person Bentley to approve the appointment of Ray Luhning as representative to MEAN Management Committee and Gary Jorn as Alternate Representative. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

**ACCEPT AND APPROVE 3 YEAR AUDIT BID FROM JULIE BAUMAN CPA**

A motion was made by Council person Leyden and seconded by Council person Wisdom to accept and approve the three year bid from Julie Bauman CPA. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

**ACCEPT AND APPROVE BID FOR PARK BUILDING AND CONCRETE WORK FROM HANDLEY CONSTRUCTION FOR \$32,375.00**

A motion was made by Council person Ferguson and seconded by Council person Robidoux to accept and approve the bid for park building and concrete work from Handley Construction for \$32,375.00. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

**IRRIGATION TANK FOR SPLASH PAD PROJECT**

A motion was made by Council person Ferguson and seconded by Council person Robidoux to approve Option #2

for \$51,300.00 for a concrete irrigation tank for the splash pad. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

**SPECIAL DESIGNATED LIQUOR LICENSE - PRICHARD AUDITORIUM –WEDDING - AUGUST 11, 2018**

A motion was made by Council person Ferguson and seconded by Council person Bentley to give favorable comment to the Special Designated Liquor License Application submitted by Eric D. Froeschl, 1821 Stone Street, Falls City, Nebraska, for a Wedding at Prichard Auditorium, 312 West 17<sup>th</sup> Street, Falls City, Nebraska on August 11, 2018, as presented and to direct the City Clerk to notify the Nebraska Liquor Control Commission of the same. Eric D. Froeschl is required to file a Certificate of Insurance with the City showing they carry Liquor Liability and the City of Falls City is an Additional Insured. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Robidoux, Wisdom. "NAY" Murphy. Motion carried.

**REQUEST TO RENT PRICHARD AUDITORIUM - WEDDING - ALLOW ALCOHOL TO BE SOLD - SEPTEMBER 15, 2018**

A motion was made by Council person Ferguson and seconded by Council person Bentley to approve the request to rent Prichard Auditorium for a wedding reception on September 15, 2018 and to allow alcohol to be served. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Robidoux, Wisdom. "NAY" Murphy. Motion carried.

**SPECIAL DESIGNATED LIQUOR LICENSE - PRICHARD AUDITORIUM –WEDDING - SEPTEMBER 15, 2018**

A motion was made by Council person Leyden and seconded by Council person Ferguson to give favorable comment to the Special Designated Liquor License Application submitted by Eric D. Froeschl, 1821 Stone Street, Falls City, Nebraska, for a Wedding at Prichard Auditorium, 312 West 17<sup>th</sup> Street, Falls City, Nebraska on September 15, 2018, as presented and to direct the City Clerk to notify the Nebraska Liquor Control Commission of the same. Eric D. Froeschl is required to file a Certificate of Insurance with the City showing they carry Liquor Liability and the City of Falls City is an Additional Insured. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Robidoux, Wisdom. "NAY" Murphy. Motion carried.

**REQUEST TO RENT PRICHARD AUDITORIUM – WEDDING - ALLOW ALCOHOL TO BE SOLD – OCTOBER 27, 2018**

A motion was made by Council person Leyden and seconded by Council person Ferguson to approve the request to rent Prichard Auditorium for a wedding reception on October 27, 2018 and to allow alcohol to be served. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Robidoux, Wisdom. "NAY" Murphy. Motion carried.

**SPECIAL DESIGNATED LIQUOR LICENSE - PRICHARD AUDITORIUM –WEDDING - OCTOBER 27, 2018**

A motion was made by Council person Merz and seconded by Council person Leyden to give favorable comment to the Special Designated Liquor License Application submitted by Eric D. Froeschl, 1821 Stone Street, Falls City, Nebraska, for a Wedding at Prichard Auditorium, 312 West 17<sup>th</sup> Street, Falls City, Nebraska on October 27, 2018, as presented and to direct the City Clerk to notify the Nebraska Liquor Control Commission of the same. Eric D. Froeschl is required to file a Certificate of Insurance with the City showing they carry Liquor Liability and the City of Falls City is an Additional Insured. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Robidoux, Wisdom. "NAY" Murphy. Motion carried.

**SPECIAL DESIGNATED LIQUOR LICENSE - PRICHARD AUDITORIUM –WEDDING - NOVEMBER 17, 2018**

A motion was made by Council person Wisdom and seconded by Council person Robidoux to give favorable comment to the Special Designated Liquor License Application submitted by Eric D. Froeschl, 1821 Stone Street, Falls City, Nebraska, for a Wedding at Prichard Auditorium, 312 West 17<sup>th</sup> Street, Falls City, Nebraska on November 17, 2018, as presented and to direct the City Clerk to notify the Nebraska Liquor Control Commission of the same. Eric D. Froeschl is required to file a Certificate of Insurance with the City showing they carry Liquor Liability and

the City of Falls City is an Additional Insured. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Robidoux, Wisdom. "NAY" Murphy. Motion carried.

**AUTHORIZE MAYOR OLIVER TO SIGN RESOLUTION 2018-101 TO ADOPT HOUSING REHABILITATION PROGRAM GUIDELINES FOR 2017 CITYWIDE HOUSING REHABILITATION PROGRAM**

A motion was made by Council person Ferguson and seconded by Council person Bentley to approve Mayor Oliver signing Resolution 2018-101. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

**AUTHORIZE MAYOR OLIVER TO SIGN RESOLUTION 2018-102 TO ADOPT PROGRAM INCOME REUSE PLAN FOR 2017 CITYWIDE HOUSING REHABILITATION PROGRAM**

A motion was made by Council person Ferguson and seconded by Council person Merz to approve Mayor Oliver signing Resolution 2018-102. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

**ADMINISTRATIVE CONTRACT BETWEEN THE CITY AND SENDD FOR OWNER OCCUPIED HOUSING REHAB PROJECT #17-HO-36082 FOR \$20,000**

A motion was made by Council person Ferguson and seconded by Council person Murphy to approve Mayor Oliver to sign the Administrative Contract with SENDD for Home Owner occupied housing rehab grant #17-HO-36082 for \$20,000. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

*THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:53pm.*

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 March 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