

MAY 7, 2018

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 7th day of May, 2018, at 6:00 o' clock P.M. Council met in regular session. Mayor Oliver called the meeting to order and Assistant City Clerk Sandra Ferris recorded the minutes of the meeting. On roll call the following Council persons were present: Bentley, Dougherty, Ferguson, Leyden, Merz, Murphy, Robidoux, 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 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 April 16, 2018 meeting is hereby approved. 2. *BE IT FURTHER RESOLVED* BY the Council that the agenda for May 7, 2018 is hereby approved. 3. *BE IT FURTHER RESOLVED* BY the Council that the Claims for April 2018 of the City of Falls City are hereby approved. 4. *BE IT FURTHER RESOLVED* BY the Council that the Consent Resolution for May 7, 2018 is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Dougherty, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

**PUBLIC HEARING - CONDITIONAL USE PERMIT FOR A CHILD DAYCARE CENTER -
816 EAST 16TH STREET, FORNEY'S 2ND ADDITION BLOCK 1 LOTS 22 & 23 BY CHRIS CRAWFORD**

Mayor Oliver declared a public hearing open at 6:03 P.M. for the purpose of obtaining input on the conditional use permit for a child daycare center at 816 East 16th Street, Forney's 2nd Addition Block 1 Lots 22 & 23. Mayor Oliver then asked if there was anyone in the audience who wished to speak in favor of or oppose said permit as submitted. Chris Crawford spoke. Since no one wished to be recognized, Mayor Oliver then declared the public hearing closed at 6:05 P.M. A motion was made by Council member Robidoux and seconded by Council member Bentley to approve the Conditional Use Permit. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Dougherty, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

**ACCEPT AND AWARD BID FOR DEMOLITION OF STRUCTURES AND REMOVAL OF DEAD, DYING OR DISEASED
TREE(S) AT 1102 BARADA STREET FROM TRIPLE S CONSTRUCTION FOR \$6,795**

A motion was made by Council person Leyden and seconded by Council person Bentley to accept and award the bid for the demolition at 1102 Barada Street to Triple S Construction for \$6,795.00. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Dougherty, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

**REQUEST TO BLOCK OFF CLIFTON AVENUE ON MAY 20, 2018 FROM 11A-8PM FOR A
VOLLEYBALL TOURNAMENT AND FUNDRAISER - FALLS CITY AMBLUANCE SQUAD**

A motion was made by Council person Robidoux and seconded by Council person Wisdom to approve the request to block off Clifton Avenue on May 20, 2018 from 11am-8pm for a volleyball tournament and fundraiser. Roll was called on this motion and the Council members voted as follows: "YEA" Bentley, Dougherty, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. "NAY" None Motion carried.

LEGION PARK IMPROVEMENTS UPDATE – FIRST WARD COUNCIL PERSON DON FERGUSON

Council person Don Ferguson gave an update on the improvements at the Legion Park.

PROCLAMATION HONORING SACRED HEART FOR THEIR BOYS AND GIRLS STATE BASKETBALL CHAMPIONSHIPS

Mayor Oliver read a proclamation honoring the Sacred Heart boys and girls State 2018 Basketball Championships.

APPROVE CURB CUT FOR A GARAGE AT 2403 MCLEAN STREET

A motion was made by Council person Robidoux and seconded by Council person Merz to table the discussion for a curb cut at 2403 McLean Street. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Dougherty, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.

REQUEST TO REMOVE SIDEWALK AND NOT REPLACE THE SIDEWALK AT 206 EAST 8TH STREET

A motion was made by Council person Robidoux and seconded by Council person Merz to table the discussion to remove the sidewalk and not replace it at 206 East 8th Street. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Dougherty, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried.


EXECUTIVE SESSION – CLAIM FILED AGAINST THE CITY FOR DAMAGE TO THE FLOWER CART GAYLE SWISEGOOD

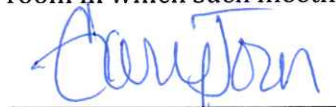
A motion was made by Council person Robidoux and seconded by Council person Merz to recess from regular session and convene to Executive Session at 6:15 P.M. to discuss the claim filed against the City for damage to the Flower Cart. Present were: Assistant City Clerk Sandra Ferris, Utility Superintendent Ray Luhning, Chief of Police Duane Armbruster and Gayle Swisegood. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Dougherty, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried. A motion was then made by Council person Ferguson and seconded by Council person Robidoux to adjourn from Executive Session and reconvene in regular session at 6:30P.M. Roll was called on this motion and the Council persons voted as follows: "YEA" Bentley, Dougherty, Ferguson, Leyden, Merz, Murphy, Robidoux, Wisdom. "NAY" None. Motion carried. No action was taken.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:31pm.

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 May 7, 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