



Watch the meeting livestream at <https://www.youtube.com/watch?v=f4Uf-seC6-E>

The City Council may vote to go into Closed Session on any agenda item as allowed by State Law.

ROUTINE BUSINESS

1. Announcement of Open Meetings Act
 2. Roll Call
 3. Pledge of Allegiance
 4. Mayors Report
 5. City Administrators Report
 6. Chief of Police Report
-

CONSENT AGENDA

1. Minutes Approval for November 6, 2023
2. Agenda Approval
3. Treasurers Report
4. Police Report
5. Consent Agenda

Any item listed on the Consent Agenda may, by the request of any single Council Member, be considered as a separate item under the Regular Agenda Section of the Agenda.

OLD BUSINESS

1. None
-

REGULAR BUSINESS

1. Discussion and Action – Appointment of Jack Weaver to the Falls City Airport Authority for term ending Dec 31, 2024 as recommended by Mayor Harkendorff
2. Discussion and Action – Authorizing execution of the revised Wholesale Water Purchase Contract for Rural Water District No. 2 as recommended by the Board of Public Works
3. Discussion and Action – Resolution adopting the 2024-2029 One & Six Year Street Improvement Plan as recommended by the Board of Public Works

ADJOURNMENT

Anthony Nussbaum, City Clerk

November 6, 2023

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 6th day of November 2023, at 6:00 o' clock P.M. Council met in regular session. Mayor Harkendorff called the meeting to order and Clerk Nussbaum recorded the minutes of the meeting. On roll call the following Council persons were present: Buckminster, Ferguson, Fouraker, Holle, Ractliffe, Rhodd, Wisdom. Absent: Leyden. 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 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 Harkendorff 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 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 October 16, 2023 regular meeting is hereby approved. 2. *BE IT FURTHER RESOLVED BY* the Council that the agenda for November 6, 2023, is hereby approved. 3. *BE IT FURTHER RESOLVED BY* the Council that the Claims for October, 2023 is hereby approved. 4. *BE IT FURTHER RESOLVED BY* the Council that the Consent Resolution for November 6, 2023, is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Leyden. Motion carried.

BUDGET HEARING - FISCAL YEAR 2023-2024

Mayor Harkendorff declared a public hearing open at 6:01P.M. to discuss Budget Hearing for 2023-2024. Mayor Harkendorff asked if there was anyone in the audience who wished to speak in favor of or oppose said hearing. Mayor Harkendorff then declared the hearing closed at 6:02P.M.

RESOLUTION CHANGING THE NAME OF SAMROCK CIRCLE AND TIGER TRAIL AS RECOMMENDED BY CHAMPIONS CROSSING, LLC

A motion was made by Council member Ractliffe and seconded by Council member Ferguson to adopt resolution 2023-R117 as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Leyden. Motion carried.

RESOLUTION CHANGING THE NAME OF OLD HIGHWAY 73 TO BILL SCHOCK BOULEVARD AS ADOPTED BY CITY COUNCIL JANUARY 5, 2015

A motion was made by Council member Ferguson and seconded by Council member Ractliffe to adopt resolution 2023-R118 as amended to include Old Highway 73 to 35th Street to Highway 73. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Holle, Ractliffe, Rhodd, Wisdom. "NAY" Buckminster. "ABSENT" Leyden. Motion carried.

REQUEST AN 9 MONTH EXTENSION OF THE 2020 OWNER OCCUPIED REHABILITATION GRANT (OOR)
- SENDD

A motion was made by Council member Holle and seconded by Council member Wisdom to approve the request as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Leyden. Motion carried.

RESOLUTION AUTHORIZING EXECUTION OF THE YEAR END CERTIFICATION OF CITY STREET SUPERINTENDENT FOR CALENDAR YEAR 2023

A motion was made by Council member Holle and seconded by Council member Buckminster to authorize execution of the Year End Certification of City Street Superintendent for Calendar Year 2023. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Leyden. Motion carried.

APPOINTMENT OF JUSTIN STARK, CLASS A SUPERINTENDENTS LICENSE S-1534 & ENGINEERS LICENSE E-13167, AS THE CITY STREET SUPERINTENDENT FOR CALENDAR YEAR 2024 BY MUNICIPAL CONTRACT AS RECOMMENDED BY THE BOARD OF PUBLIC WORKS

A motion was made by Council member Rhodd and seconded by Council member Buckminster to appoint Justin Stark, Class A Superintendents License S-1534 & Engineers License E-13167, as the City Street Superintendent for Calendar Year 2024 by municipal contract. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Leyden. Motion carried.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:20pm

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 Harkendorff and Council on November 6, 2023; 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

GENERAL

Trial Balance CITY OF FALLS CITY

Account	Type	Description	Beginning Balance	Debit	Credit	Net Change	Ending Balance
99-1140	Asset	CASH - AP HUD IMPROVEMENT	221.00	48,482.22	1,782.50	46,699.72	46,920.72
99-1141	Asset	CASH - AP CRA CHECKING	62,931.96	6,971.30	3,924.99	3,046.31	65,978.27
99-1145	Asset	CASH - AP AIRPORT CHECKING	42,179.90	14,774.50	4,395.35	10,379.15	52,559.05
99-1150	Asset	CASH - AP GENERAL FUND	332,463.21	577,964.75	428,778.23	149,186.52	481,649.73
99-1152	Asset	INVEST. - Housing Board	20,625.26				20,625.26
99-1156	Asset	CASH - AP LIBRARY GRANT	52,126.94	47.00	23.98	23.02	52,149.96
99-1163	Asset	INVEST. - INDUSTRY DEVELOP.					0.00
99-1170	Asset	CASH - AP 911 EMERGENCY	20,647.97	101,959.92	29,966.92	71,993.00	92,640.97
99-1171	Asset	CASH - AP E911 WIRELESS	65,919.10	4,269.31		4,269.31	70,188.41
99-1175	Asset	CASH AP SOLID WASTE MANAGEMENT	456,906.18	12,283.52		12,283.52	469,189.70
99-1180	Asset	INVEST. - GEN. SINKING TRUST					0.00
99-1186	Asset	CASH - AP CEMETERY TRUST	85,301.58				85,301.58
99-1188	Asset	INVEST. - CEMETERY	2,025.97		8.22	(8.22)	2,017.75
99-1190	Asset	CASH - AP HUD TRUST					0.00
99-1192	Asset	CASH - AP HUD REUSE	15,563.49	99.98		99.98	15,663.47
99-1200	Asset	CASH - AP UNEMPLOYMENT TRUST	120,709.25				120,709.25
99-1202	Asset	CASH - AP MUTUAL FINANCE ORGAN	309.81				309.81
99-1203	Asset	INVEST. - DTR REUSE	11,968.26	116.03		116.03	12,084.29
99-1230	Asset	INVEST. - HUD EDI REUSE					0.00
99-1240	Asset	INVEST. - AIRPORT	188,466.06				188,466.06
99-1241	Asset	INVEST. - AIRPORT IMPROVEMENT					0.00
99-1245	Asset	CASH - AP ECON. DEV. SINKING	152,816.95				152,816.95
99-1246	Asset	CASH - AP CAP. IMP. SINKING	2,060,843.02	126,799.87	800,000.00	(673,200.13)	1,387,642.89
99-1247	Asset	CASH - AP LIBRARY PROJ SINKING	44,974.91				44,974.91
			3,737,000.82	893,768.40	1,268,880.19	(375,111.79)	3,361,889.03

Report Setup
 Sort By:
 Includes only active accounts
 Includes accounts from 99-1140 to 99-1247
 Printed for 10/1/2023 to 10/31/2023
 Printed for all sources.

ELECTRIC

Trial Balance CITY OF FALLS CITY

Account	Type	Description	Beginning Balance	Debit	Credit	Net Change	Ending Balance
01-1241	Asset	INVESTMENT - BONDS (E.D.SINK)	5,805,391.68				5,805,391.68
01-1250	Asset	SINKING FUND					0.00
01-1251	Asset	PRINCIPLE & INTEREST RESERVE	14,652.83				14,652.83
01-1252	Asset	BOND RESERVE	103,065.28				103,065.28
01-1253	Asset	RENEWAL, REPLACE & DEPRECIATION					0.00
01-1254	Asset	COMBINED UTILITY RESIDUAL					0.00
01-1258	Asset	CUSTOMER DEPOSITS	123,016.99	3,747.96	35.84	3,712.12	126,729.11
01-1260	Asset	DEPRECIATION FUND	54,084.70				54,084.70
01-1280	Asset	CAPITAL IMPROVEMENT FUND	28,112.99				28,112.99
01-1310	Asset	CASH (UTILITY CHECKING)	1,821,493.93	862,736.70	1,345,559.02	(482,822.32)	1,338,671.61
01-1311	Asset	PETTY CASH (OFFICE)					0.00
01-1312	Asset	PAYROLL ACCOUNT	477,200.47				477,200.47
01-1313	Asset	CAFETERIA PLAN					0.00
01-1320	Asset	Debit Card Account	2,000.00				2,000.00
01-1330	Asset						0.00
01-1331	Asset	UTILITY SAVINGS					0.00
01-1332	Asset	CAP. IMPROV. - INVESTMENTS	829,462.81				829,462.81
01-1333	Asset	DEPREC. FUND - INVESTMENTS	109,389.87				109,389.87
01-1360	Asset	TEMPORARY CASH INVESTMENTS	1,963,477.54				1,963,477.54
			11,331,349.09	866,484.66	1,345,594.86	(479,110.20)	10,852,238.89

Report Setup
 Sort By:
 Includes only active accounts
 Includes accounts from 01-1241 to 01-1360
 Printed for 10/1/2023 to 10/31/2023
 Printed for all sources.

WATER

Trial Balance CITY OF FALLS CITY

Account	Type	Description	Beginning Balance	Debit	Credit	Net Change	Ending Balance
02-1251	Asset	PRINCIPLE & INTEREST RESERVE					0.00
02-1253	Asset	RENEWAL,REPLACE & DEPRECIATION					0.00
02-1258	Asset	CUSTOMER DEPOSITS	73,159.27	550.00		550.00	73,709.27
02-1260	Asset	DEPRECIATION FUND					0.00
02-1280	Asset	CAPITAL IMPROVEMENT FUND					0.00
02-1310	Asset	CASH (UTILITY CHECKING)	(286,030.92)	140,496.53	15,155.27	125,341.26	(160,689.66)
02-1311	Asset	PETTY CASH (OFFICE)					0.00
02-1320	Asset	Debit Card Account					0.00
02-1330	Asset						0.00
02-1331	Asset	UTILITY SAVINGS					0.00
02-1332	Asset	CAP. IMPROV. - INVESTMENTS					0.00
02-1333	Asset	DEPREC. FUND - INVESTMENTS					0.00
02-1340	Asset						0.00
02-1360	Asset	TEMPORARY CASH INVESTMENTS	72,791.79				72,791.79
			(140,079.86)	141,046.53	15,155.27	125,891.26	(14,188.60)

Report Setup
 Sort By:
 Includes only active accounts
 Includes accounts from 02-1240 to 02-1360
 Printed for 10/1/2023 to 10/31/2023
 Printed for all sources.

MECHANIC

Trial Balance CITY OF FALLS CITY

Account	Type	Description	Beginning Balance	Debit	Credit	Net Change	Ending Balance
03-1260	Asset	DEPRECIATION FUND					0.00
03-1280	Asset	CAPITAL IMPROVEMENT FUND					0.00
03-1310	Asset	CASH (UTILITY CHECKING)	(232,909.27)	2,936.40	2,936.40	(229,972.87)	
03-1331	Asset	UTILITY SAVINGS				0.00	
03-1360	Asset	TEMPORARY CASH INVESTMENTS	6,645.87			6,645.87	
			(226,263.40)	2,936.40	0.00	2,936.40	(223,327.00)

Report Setup
Sort By:
Includes only active accounts
Includes accounts from 03-1240 to 03-1360
Printed for 10/1/2023 to 10/31/2023
Printed for all sources.

Trial Balance
CITY OF FALLS CITY

GAS

Account	Type	Description	Beginning Balance	Debit	Credit	Net Change	Ending Balance
04-1251	Asset	PRINCIPLE & INTEREST RESERVE					0.00
04-1258	Asset	CUSTOMER DEPOSITS	178,165.94	1,375.00		1,375.00	179,540.94
04-1260	Asset	DEPRECIATION FUND	54,075.63	4.44		4.44	54,080.07
04-1280	Asset	CAPITAL IMPROVEMENT FUND	28,108.27	2.31		2.31	28,110.58
04-1310	Asset	CASH (UTILITY CHECKING)	1,479,955.55	167,970.13	91,199.11	76,771.02	1,556,726.57
04-1311	Asset	PETTY CASH (OFFICE)					0.00
04-1320	Asset	Debit Card Account					0.00
04-1330	Asset						0.00
04-1331	Asset	UTILITY SAVINGS	435,125.29				435,125.29
04-1332	Asset	CAP. IMPROV. - INVESTMENTS					0.00
04-1333	Asset	DEPREC. FUND - INVESTMENTS	1,105,495.42				1,105,495.42
04-1350	Asset						0.00
04-1360	Asset	TEMPORARY CASH INVESTMENTS	2,181,782.45				2,181,782.45
			5,462,708.55	169,351.88	91,199.11	78,152.77	5,540,861.32

Report Setup
 Sort By:
 Includes only active accounts
 Includes accounts from 04-1240 to 04-1400
 Printed for 10/1/2023 to 10/31/2023
 Printed for all sources.

SEWER

Trial Balance CITY OF FALLS CITY

Account	Type	Description	Beginning Balance	Debit	Credit	Net Change	Ending Balance
99-1310	Asset	CASH	177,698.18	94,870.69	57,478.03	37,392.66	215,090.84
99-1325	Asset	DEPRECIATION FUND	178,837.74	7.35		7.35	178,845.09
99-1326	Asset	CAPITAL IMPROVEMENT FUND	322,414.97	13.25		13.25	322,428.22
99-1330	Asset	DEPRECIATION FUND-INVESTMENTS					0.00
99-1340	Asset	CAP. IMPROVEMENT-INVESTMENTS					0.00
99-1370	Asset	TEMPORARY CASH INVESTMENTS	478,560.94				478,560.94
			1,157,511.83	94,891.29	57,478.03	37,413.26	1,194,925.09

Report Setup
Sort By:
Includes only active accounts
Includes accounts from 99-1310 to 99-1370
Printed for 10/1/2023 to 10/31/2023
Printed for all sources.

Total Cash: \$20,712,398.73

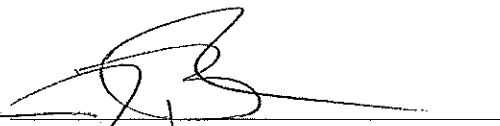
I, Anthony Nussbaum, City Clerk-Treasurer of the City of Falls City, Richardson County Nebraska, hereby certify that the above is a true and correct report on the financial condition for General, Sewer and Utility Funds of the City of Falls City, Nebraska

Signature: 
Date: 11.10.2023

FCPD Monthly Report - October 2023

	<u>MONTH</u>	<u>YEAR</u>	<u>CALLS FOR SERVICE</u>	<u>MONTH</u>	<u>YEAR</u>
ARRESTS					
Felony	0	22	911 Hangup/Misdial	27	457
Misdemeanor	13	189	Animal Call	37	312
City Ordinance	1	74	Accident	6	71
Total:	14	285	Alarm	12	83
TRAFFIC					
Citations	54	460	Ambulance	68	687
Warnings	57	593	Assault	1	15
Total:	111	1053	Burglary	0	2
PARKING					
Citations	4	135	Burn Permit	2	259
Warnings	0	0	Civil Standby	0	0
Total:	4	135	Curfew	0	5
OTHER					
Warnings	3	51	Welfare Check	6	129
			Domestic Disturbance	3	37
			Disturbance	4	42
			Escort	0	4
			Fire Call	13	106
			Found or Lost Property	5	58
			Fingerprints	1	13
			Fraud	0	20
			Gun Permit	7	43
			HHS Intake	13	122
			House Watch	0	12
			Investigation	5	73
			Information Only	22	259
			Law Enforcement Assist	1	15
			Loitering	0	4
			Motorist Assist	8	84
			Missing Person/Juvenile	0	6
			Miscellaneous	57	545
			Noise Disturbance	11	86
			Nuisance	15	266
			Open Door	0	14
			Parking Complaint	2	51
			Phone Scam	0	25
			Referral	39	383
			Records Check	9	91
			Runaway	0	6
			Suspicious Person/Vehicle	18	89
			Theft	10	70
			Traffic/Driving Complaint	16	113
			Trespassing	1	18
			Truancy	1	9
			Vandalism	3	18
			Vehicle Repossession	0	2
			Warrant Arrest	0	24
			Weather Notification	1	29
Total Calls for Services	424	4757			
Total Reports	34	530			
Total Arrests	72	880			
Total Warnings	60	644			
Total Mileage	7,212	61863			
Total 911 Calls		1128			

* 911 call data not available at this time due to transition to new 911 console system. Data will be available at a later date (see attached).



 Jamie Baker

Reported by Marci Ankrom

Falls City Police Department

Crimes and Clearance Rate

Part I Crimes

Date: OCTOBER 2023

Number and Disposition of Offenses Known to the Police

UNIFORM CLASSIFICATION OF OFFENSES	OFFENSES KNOWN TO THE POLICE					OFFENSES CLEARED		
	REPORTED OR KNOWN THIS MO.	UNFOUNDED	ACTUAL OFFENSES THIS MO.	ACTUAL THIS YR TO-DATE	ACTUAL LAST YR TO-DATE	THIS MONTH	THIS YEAR TO-DATE	LAST YEAR TO-DATE
PART I								
1. Criminal Homicide								
2. Rape				4	3		4	3
3. Robbery					3			3
Armed – any weapon								
Strong arm – no weapon								
4. Assault				3	1		3	1
5. Burglary								
Forcible Entry								
Unlawful entry -- no force								
Attempted forcible entry								
6. Thefts				7	5		6	5
Pocket picking								
Purse snatching								
Shoplifting	7		7	26	19	7	26	19
Thefts from auto				1	1		1	1
Thefts of auto parts & acc.								
Thefts of bicycles								
Thefts from buildings				3			2	
Thefts from coin operated machine								
All other thefts				9	4		9	4
7. Motor vehicle theft								
Autos								
Trucks and buses								
Other vehicles								
8. Arson								
Total	7		7	53	36	7	51	36

PART I % CLEARED 100% 96% 100%

Falls City Police Department

Crimes and Clearance Rate

Part II Crimes

Date: OCTOBER 2023

Number and Disposition of Offenses Known to the Police

UNIFORM CLASSIFICATION OF OFFENSES	OFFENSES KNOWN TO THE POLICE					OFFENSES CLEARED		
	REPORTED OR KNOWN THIS MO.	UNFOUNDED	ACTUAL OFFENSES THIS MO.	ACTUAL THIS YR TO-DATE	ACTUAL LAST YR TO-DATE	THIS MONTH	THIS YEAR TO-DATE	LAST YEAR TO-DATE
PART II								
1. Other Assaults	3		3	40	32	3	40	32
2. Forgery & Counterfeiting								
3. Fraud				9	1		9	
4. Embezzlement								
5. Stolen Property								
6. Vandalism	4		4	8	4	4	8	4
7. Weapons-Possession								
8. Prostitution								
9. Other Sex Offenses	1		1	13	11	1	13	11
10. Narcotics Laws				31	15		31	15
11. Gambling Laws								
12. Offenses Against Family	2		2	64	67	2	64	67
13. Driving Under Influence	1		1	5	2	1	5	2
14. Liquor Laws	1		1	7	5	1	7	5
15. Disorderly Conduct	1		1	20	19	1	20	19
16. All Other Offenses	3		3	107	99	3	107	99
TOTAL	16		16	304	255	16	304	254
PART I&II TOTAL	23		23	357	291	23	355	290

Combined Total

Part II % Cleared	100%	100%	99%
Part I & II % Cleared	100%	99%	99%

FALLS CITY
CODE ENFORCEMENT
MONTHLY REPORT

OCTOBER, 2023

NUISANCES REPORTED	VIOLATIONS	REINSPECTED COMPLIANT	VIOLATIONS
15	14	5	0

TREES REPORTED	VIOLATIONS	REINSPECTED COMPLIANT	VIOLATIONS FILED
10	10	3	0

ABATEMENT REQUEST

1

ANIMAL CALLS	ANIMALS PICKED UP	ANIMALS CLAIMED	ANIMALS ADOPTED
37	10	5	4

CODE ENFORCEMENT



Consent Resolution NOVEMBER 20, 2023

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 November 6, 2023 regular meeting is hereby approved.
2. *BE IT FURTHER RESOLVED BY* the Council that the agenda for November 6, 2023, is hereby approved.
3. *BE IT FURTHER RESOLVED BY* the Council that the Treasurer's Report for October, 2023 is hereby approved.
4. *BE IT FURTHER RESOLVED BY* the Council that the Police Report for October, 2023 of the City of Falls City are hereby approved.
5. *BE IT FURTHER RESOLVED BY* the Council that the Consent Resolution for November 20, 2023, is hereby approved.

WHOLESALE WATER PURCHASE CONTRACT
BARADA/INDIAN CAVE LINE

THIS AGREEMENT made this ____ day of _____, 2023 between the CITY OF FALLS CITY, a Municipal Corporation and being a City of the Second Class in the State of Nebraska, hereinafter referred to as "Seller", and Rural Water District No. 2 Richardson County, Nebraska a Public Corporation of the State of Nebraska, hereinafter referred to as "Buyer", witnesseth:

THAT WHEREAS the Seller is a Municipal Corporation organized and established under and by virtue of the laws of the State of Nebraska and whereas Buyer is a Rural Water District duly organized and formed under the laws of the State of Nebraska, and

WHEREAS, The Buyer operates a water distribution system within Richardson County, Nebraska, to serve water users within such Rural Water District in accordance with plans now on file in the office of the Secretary of said Rural Water District and to accomplish this purpose, Buyer will require an adequate supply of treated water, and

WHEREAS, Seller owns and operates a water well system and pumping plant located approximately one mile south of the Village of Rulo, which pumping plant is capable of pumping sufficient water to supply both the City of Falls City and the estimated water to be consumed by the users of said Rural Water District, and

WHEREAS, Seller agrees to sell water to Buyer and Buyer agrees to purchase water from Seller in accordance with the provisions of this agreement.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth it is agreed as follows:

1. The Seller agrees to furnish to Buyer at a point of delivery being the Northeast corner of Community Medical Center, 3307 Barada Street, Falls City, Nebraska, during the term of this contract or any renewal or extension thereof, potable treated water meeting applicable purity standards of the State Board of Health in such quantity as may be required by said Rural Water District; provided however, that the maximum amount of water to be delivered by Seller to Buyer at such location shall not exceed 100,000 gallons per day. The Seller shall provide to the Buyer at the delivery point as set forth herein, a minimum of 50 lbs of water pressure at that point and the Buyer shall provide a minimum amount of 60 lbs of water pressure at the delivery point to the Indian Cave line.

2. Emergency failure of pressure or supply due to main supply line breaks, power failure, flood, fire, and use of water to fight fire, earthquake or other catastrophe shall excuse the Seller from the obligation to provide water as herein specified, but only for such reasonable period of time as may be necessary to restore service.

3. Seller will, at all times, operate and maintain its system in an efficient manner and will take such action as may be necessary to furnish Buyer with the quantities of water required by Buyer. Temporary or partial failure to deliver water shall be remedied with all possible dispatch. In the event of an extended shortage of water, or the supply of water available to Seller is otherwise diminished over an extended period of time, the supply of water to Buyer shall be reduced or diminished in the same ration or proportion as the supply of water which is retained by the Seller for the use in the City of Falls City, Nebraska, and its other buyers.

4. Buyer shall adopt a conservation plan for conservation of water during periods of shortage and such plan shall include provisions for curtailment of services during the period of shortage. The conservation plan shall be submitted to the Falls City Board of Public Works for approval. Buyer shall not be required to activate its conservation or curtailment plan until such time as the Seller determines that conservation or curtailment plan is necessary within its own system as well as the system of Buyer.

5. Buyer shall require that all its customers maintain a closed water system, which system is not connected to wells or water from any sources other than the Buyer's distribution system covered under this Contract. Buyer shall further require that all its customers install and maintain necessary backflow prevention devices.

6. Buyer shall establish a backflow prevention program which program shall be similar to that in force in the City of Falls City. Such program shall be subject to approval by the Falls City Board of Public Works. Buyer shall maintain all necessary records for such program under State and Federal law or required by the program and provide Seller with access to such records upon request.

7. Buyer shall not extend the area of service of its distribution line after initial construction except to individual residential customer within close proximity to the distribution line without the approval of the Falls City Board of Public Works. Buyer may not exceed the daily maximum consumption as set

out in paragraph 1 above without the approval of the Falls City Board of Public Works. Buyer shall provide any study or hydraulic data at their cost needed to determine if such request should be granted for line extension or exceeding the daily maximum consumption.

8. The main distribution line of Buyer shall not be looped with any other system line of Buyer without the approval of the Falls City Board of Public Works and without appropriate flow restriction and backflow devices being placed upon said lines. Buyer shall not connect its system with any system other than Seller's system.

9. Buyer shall own and pay all costs and expense of installing and operating the necessary pumping and chlorination equipment for transference of water from Seller to Buyer, all of which is located on the Buyers distribution system. The Seller shall own and maintain the master meter utilized by the parties.

10. Buyer shall be required to install at Buyer's expense, any equipment necessary to increase the pressure or flow above that normally available at the point of delivery.

11. Seller shall furnish to the Treasurer of Rural Water District No. 2, Richardson County, Nebraska, not later than the 4th day of each month, an itemized statement of the amount of water furnished to Buyer during the preceding billing period.

12. Buyer agrees to pay to Seller, not later than the 15th day of each month, for all water delivered during the preceding billing period at the rate set by the Falls City City Council for water furnished at the point of delivery described above. Such rates may be amended from time to time by the Falls City City Council. The City's current rate schedule marked Exhibit "A" is attached hereto and made a part hereof by this reference.

13. Any change of rates of payment by Buyer to Seller shall be in the same proportion as rate changes made by the City of Falls City with respect to charges made to its other water users.

14. Buyer is purchasing the water for resale and shall be required to maintain liability insurance in an appropriate amount protecting both Buyer and Seller from claims arising out of or in connection with the sale of water by Seller to Buyer. Buyer agrees to indemnify and hold the Seller harmless from any and all claims arising out of or in connection with the sale of water by Seller to Buyer.

15. This Contract is subject to such rules and regulations as may be applicable to agreements in this State and Seller and Buyer will collaborate in obtaining such permits, certificates or other approval as may be required by State or Federal Law.

16. It is further agreed that this Contract shall be in full force and effect until October 20, 2063 and may be extended for periods of time of five years each as agreed upon by the Buyer and Seller. After the initial 40-year Contract and any agreed upon extensions by both parties, either party can cancel this Contract by giving the other party a one-year's written notice of cancellation of this Contract.

17. That this Agreement shall be binding upon and inure to the benefits of the parties hereto and their successors and assigns.

18. That the construction of the water supply distribution system by the Buyer is being financed by a loan made or insured by, and/or a grant from, the United States of America, acting through Rural Development of the United States Department of Agriculture, and the provisions here of pertaining to the undertakings of the Buyer are conditioned upon the approval, in writing, of the State Director of Rural Development.

IN WITNESS WHEREOF, the parties hereto, acting under authority of the respective governing bodies, have caused this Contract to be executed in duplicate, each of which shall constitute an original.

ATTEST:

THE CITY OF FALLS CITY

City Clerk

By _____
Mayor

ATTEST:

RURAL WATER DISTRICT No. 2
RICHARDSON COUNTY, NEBRASKA

Secretary

By _____
Chairman

RURAL DEVELOPMENT

By _____
Kate Bolz, USDA State Director

RE\AGR1.RWD2

EXHIBIT "A"

ELECTRIC RATES OCT—2023

RATE # 10

<u>RESIDENTIAL ELECTRIC SUMMER</u>		<u>RESIDENTIAL ELECTRIC WINTER</u>	
CUSTOMER CHARGE	22.50	CUSTOMER CHARGE	22.50
FIRST 700 KWH AT	0.0980	FIRST 700 KWH AT	0.0980
EXCESS	0.0980	EXCESS	0.0760

RATE # 11

<u>RURAL RES. ELEC. SUMMER</u>		<u>RURAL RES ELEC WINTER</u>	
CUSTOMER CHARGE	30.00	CUSTOMER CHARGE	30.00
FIRST 1200 KWH AT	0.1020	FIRST 1200 KWH AT	0.1020
EXCESS	0.1020	EXCESS	0.0780

COMM&IND ELE W/NO DEMAND

COMM&IND ELE W/NO DEMAND

<u>RATE #12&#17 SUMMER</u>		<u>RATE #13&#15 WINTER</u>	
CUSTOMER CHARGE	39.00	CUSTOMER CHARGE	39.00
FIRST 2400 KWH AT	.1120	FIRST 2400 KWH AT	.1120
EXCESS	.1120	EXCESS	.0920

RUR COM&IND ELE W/NO DEMAND

RUR COM&IND ELE W/NO DEMAND

<u>RATE #14&#19 SUMMER</u>		<u>RATE #16&#18 WINTER</u>	
CUSTOMER CHARGE	43.50	CUSTOMER CHARGE	43.50
FIRST 2400 KWH AT	.1120	FIRST 2400 KWH AT	.1120
EXCESS	.1120	EXCESS	.0920

COMM & IND ELEC W/DEMAND

COMM & IND ELEC W/DEMAND

<u>RATE #172&#176 SUMMER</u>		<u>RATE #173&#177 WINTER</u>	
CUSTOMER CHARGE	120.00	CUSTOMER CHARGE	120.00
PER KW DEMAND	12.00	PER KW DEMAND	9.00
ALL KWH AT	.0720	ALL KWH AT	.0620

RUR COM&IND ELE W/DEMAND

RUR COM& IND ELEC W/DEMAND

<u>RATE #17 SUMMER</u>		<u>RATE #18 WINTER</u>	
CUSTOMER CHARGE	140.00	CUSTOMER CHARGE	140.00
PER KW DEMAND	12.75	PER KW DEMAND	9.75
ALL KWH AT	.0730	ALL KWH AT	.0650

MINIMUM BILL IS \$750.00, 70% OF THE 100 KW DEMAND TIMES THE WINTER DEMAND CHARGE PLUS THE CUSTOMER CHARGE. RURAL MINIMUM BILL IS \$822.50, 70% OF THE 100 KW DEMAND TIMES THE WINTER DEMAND CHARGE PLUS THE CUSTOMER CHARGE.

LIGHT RENT 13.34 STREET LIGHTS .0730

<u>LARGE POWER #3 SUMMER</u>		<u>LARGE POWER #3 WINTER</u>	
RATE # 73			
CUSTOMER CHARGE	494.00	CUSTOMER CHARGE	494.00
PER KW DEMAND	19.30	PER KW DEMAND	16.85
ALL KWH AT	.0370	ALL KWH AT	.0360

MINIMUM BILL IS 70% OF THE 500 KW DEMAND TIMES THE WINTER DEMAND CHARGE PLUS THE CUSTOMER CHARGE. FOR 2023 IT IS \$6,391.50.

NET METERING .0339 Difference in KWH x Rate

GAS RATES OCT. 2023

<u>RESIDENTIAL GAS</u>		<u>RESIDENTIAL GAS</u>	
SUMMER		WINTER	
CUSTOMER CHARGE	18.00	CUSTOMER CHARGE	18.00
ALL MCF AT	13.44	ALL MCF AT	13.44

<u>COMM. GAS</u>		<u>COMM. GAS</u>	
SUMMER		WINTER	
CUSTOMER CHARGE	31.00	CUSTOMER CHARGE	31.00
ALL MCF AT	13.44	ALL MCF AT	13.44

WATER RATES OCT-2023

CUSTOMER CHARGE OR MINIMUM CHARGE IS BASED ON METER SIZE ALL CU FT ARE BILLED AT .0512 PER CU FT PLUS CUSTOMER CHARGE EXCEPT FOR RULO AND RURAL WATER #2 WHICH IS .0408 PER CU. FT AND .0512 PER CU FT.

1 INCH METER	11.58
1 1/2 INCH METER	36.65
2 INCH METER	59.78
3 INCH METER	119.58
4 INCH METER	181.30
6 INCH METER OR LARGER	360.64

SEWER RATE OCT-2023

CUSTOMER CHARGE OR MINIMUM CHARGE IS BASED ON METER SIZE ALL CU FT ARE BILLED AT .0361 PER CU FT PLUS

1 INCH METER	24.85	OUTSIDE CITY LIMITS PER CUFT IS .0501
1 ½ INCH METER	74.53	
2 INCH METER	124.20	
3 INCH METER	248.40	
4 INCH METER	372.62	
6 INCH METER OR LARGER	596.81	

FIRE PROTECTION

2 INCH	40.49
4 INCH	71.35
6 INCH	112.25

FIRE HYDRANT

PUBLIC	221.78
PRIVATE	332.67

RESOLUTION

WHEREAS, The City of Falls City, Nebraska, has conducted a public hearing November 2, 2023, in accordance with the requirements of the Board of Public Roads Classification and Standards, NOW, THEREFORE, be it resolved by the Mayor and City Council that the One and Six Year Plan for streets as presented at said public hearing has been accepted and approved.

Mayor

CERTIFICATE OF RECORDING OFFICER

The undersigned, duly qualified and acting City Clerk of the City of Falls City, Nebraska, does hereby certify that the above resolution was adopted at a legally convened meeting of the City held on the 20th day of November 2023 and further, that such a resolution has been fully recorded in the proceedings and records in the office of the City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of November 2023.

City Clerk

The undersigned, duly qualified and acting City Clerk of the City of Falls City, Nebraska, does hereby certify that the notice of public hearing was posted in the City at the public places listed below at least ten (10) days prior to the public hearing.

City Clerk

Locations where the Public Hearing Notice was posted:

The notices were posted on _____



November 02, 2023

**ONE AND SIX YEAR
STREET IMPROVEMENT PLAN
2024-2029**

THE CITY OF FALLS CITY, NEBRASKA

In 1970, the State of Nebraska initiated a program developed to provide an integrated system of public roads for the state, counties, and municipalities. The Department of Transportation and each county and municipality develops a long-range Six-Year plan of highway, road and street improvements.

The Six Year plan is required by law to be extended annually and kept on file with the City Clerk.

Along with the Six Year plan, a One Year plan shall be annually prepared and placed on file with the City Clerk for specific highway, road and street improvements for the current year.

These plans must first be approved and adopted by the Governing Body after a public hearing.

The 2024–2029 One and Six Year Street Improvement Plan includes the following and is described in more detail on the following pages.

- A. The One Year Street Improvement Plan for 2024 consists of nine projects. These projects contain approximately twenty blocks of street paving. The City's share of the total estimate for these projects is \$1,975,000.
- B. The remaining eight projects on the Six Year Street Improvement Plan for 2024-2029 consist of approximately thirty blocks of street paving. The City's share of the total estimate for these projects is \$3,933,000.

The City's share of the estimated cost of all the projects is \$5,908,000.

- C. A location map and a summary of the individual projects and their estimated costs are included in this report.

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One and Six Year Plan Summary

City: Falls City
Year: 2024

Plan Year	Project No.	Project Location	Project Description	Estimated Cost	City Portion	Private Portion	County Portion
One	M-282-62	Tiger Trail from Abbott Street to Cul-De-Sac	Build new 30' wide, 6" concrete street with curb and gutter	\$ 121,000	\$ 121,000		
One	M-282-64	Existing Private Road from Highway 73 east approximately 1,100 ft to Fulton Street	Mill and overlay existing street with 3" asphalt	\$ 264,000	\$ 264,000		
One	M-282-65	Extend Abbott Street from approximately 250' north of 28th Street 650' north to new 31st Street	Build new 26' wide, 6" concrete street with curb and gutter	\$ 387,000	\$ 387,000		
One	M-282-66	14th Street from Stone Street to Harlan Street	Remove existing brick surfacing and replace with 6" concrete	\$ 116,000	\$ 116,000		
One	M-282-67	Fulton Street from Hwy 73 to the east and then north approximately 610'	Remove existing road surfacing and replace with 6" asphalt	\$ 194,000	\$ 194,000		
One	M-282-70	31st Street from Abbot Street to Victory Way	Build new 25' wide, 6" concrete street with curb and gutter	\$ 189,000	\$ 189,000		
One	M-282-71	Lane Street from 35th Street to 33rd Street	Build new 25' wide, 6" concrete street with curb and gutter	\$ 351,000	\$ 351,000		
One	M-282-72	Reavis Street from approximately 264' south of 7th Street to 6th Street	Replace existing gravel road with a 25' wide, 6" concrete street with curb and gutter	\$ 120,000	\$ 120,000		
One	M-282-73	6th Street from Reavis Street to east of Reavis Street 400'	Build new 25' wide, 6" concrete street with curb and gutter	\$ 233,000	\$ 233,000		

Cost of One Year Projects	Estimated Cost	City Portion	Private Portion	County Portion
	\$1,975,000	\$1,975,000	\$0	\$0

Six	M-282-40*	21st Street -Fair Ave to City Limits, north on 3301 Business Parkway north to Municipal Airport - Richardson County designing the project	Replace existing gravel road with 27' wide, 6" concrete street with curb and gutter	\$ 1,295,000	\$ 518,000		\$ 777,000
Six	M-282-68	35th Street from Highway 73 to approximately 345' east of McLean Street	Replace existing gravel road with 24' wide, 6" concrete street	\$ 708,000	\$ 708,000		
Six	M-282-69	McLean Street from 35th Street to 28th Street	Replace existing gravel road with 24' wide, 6" concrete street	\$ 902,000	\$ 902,000		
Six	M-282-74	Lane Street from 33rd Street to Highway 73 Frontage Road	Build new 25' wide, 6" concrete street with curb and gutter	\$ 897,000	\$ 897,000		
Six	M-282-75	Cornhusker Court from 31st Street to the north 500'	Build new 25' wide, 6" concrete street with curb and gutter	\$ 299,000	\$ 299,000		
Six	M-282-76	31st Street from Abbot Street to the west city limits	Build new 25' wide, 6" concrete street with curb and gutter	\$ 245,000	\$ 245,000		
Six	M-282-43	Burton Street from existing pavement approx. 1300' to Hwy. 159	Build new 26' wide, 6" concrete street with curb and gutter	\$ 726,000	\$ 218,000	\$ 508,000	
Six	M-282-46	14th Street from existing pavement approx. 270' west to City Limits	Replace existing gravel road with 26' wide, 6" concrete street with curb and gutter	\$ 146,000	\$ 146,000		

Cost of Six Year Projects	Estimated Cost	City Portion	Private Portion	County Portion
	\$ 5,218,000	\$ 3,933,000	\$ 508,000	\$ 777,000

Total Cost of All One Year & Six Year Projects	Estimated Cost	City Portion	Private Portion	County Portion
	\$7,193,000	\$5,908,000	\$508,000	\$777,000

Projects Completed in 2023:

The City completed general maintenance in 2023 and One Year Projects M-282-47 and M-282-63 were completed.

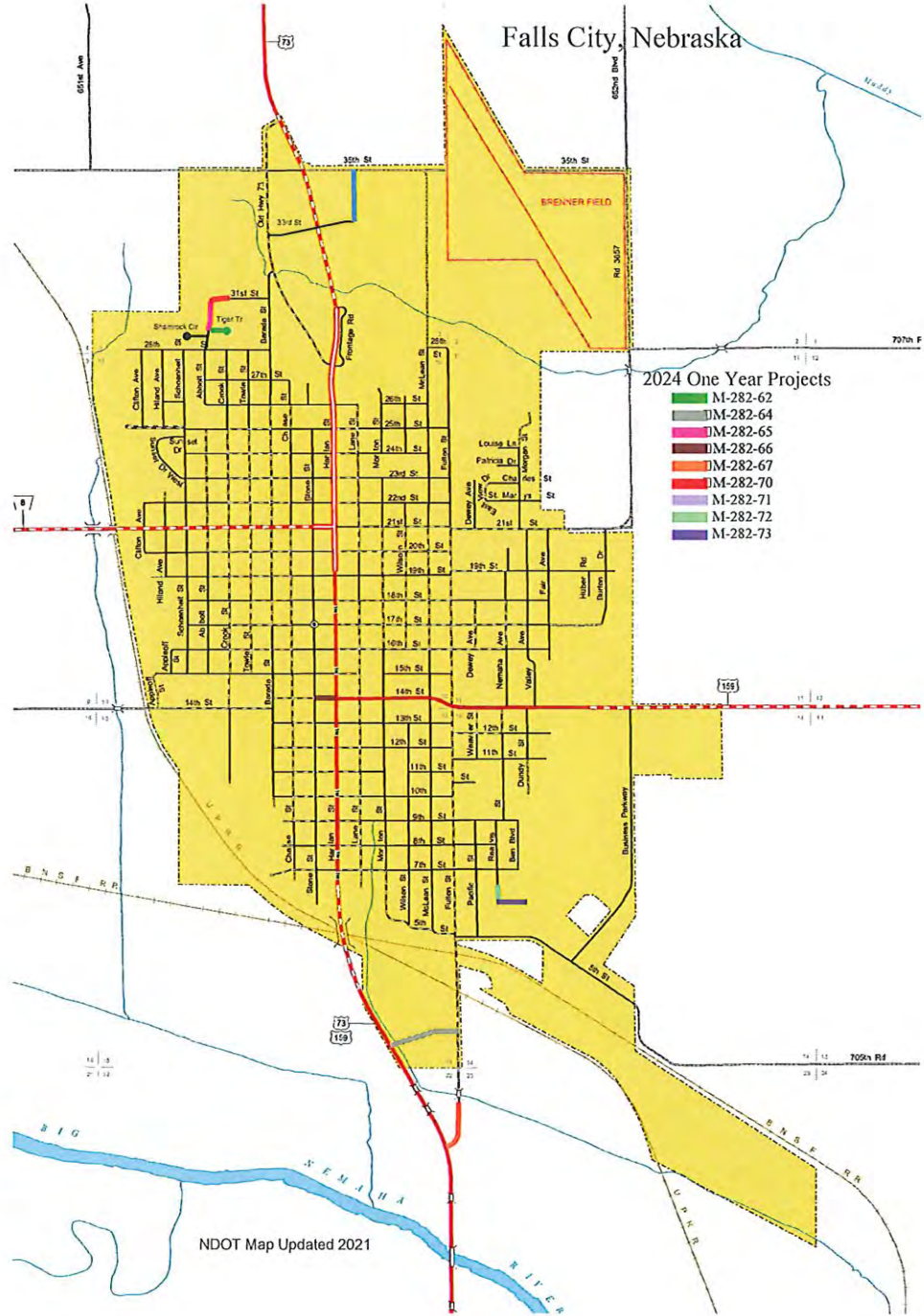
The City received \$600,331.48 in Highway Allocation from 10/1/22 to 9/30/23 and a \$4,000 incentive payment for hiring a Class A Street Superintendent

The City received \$185,638.84 in Vehicle Sales Tax from the City's Local Sales Tax Option from 10/1/22 to 9/30/23. This does not include admin costs

The Highway Allocation and Vehicle Sales Tax income must be used by the Street Department.

*Cost split 30% City, 70% Private - this cost estimate is from the County and doesn't reflect current construction costs as it hasn't been updated for several years

Falls City, Nebraska



2024 One Year Projects

- M-282-62
- M-282-64
- M-282-65
- M-282-66
- M-282-67
- M-282-70
- M-282-71
- M-282-72
- M-282-73

NDOT Map Updated 2021

Falls City, Nebraska

