



Watch the meeting livestream at https://www.youtube.com/live/z12h_UD-M1U?si=erUQO42Wo4xTJlcl

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 September 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. Discussion And Action - Third Reading of Ordinance 2023-102 to merge the duties and position of the Utility Superintendent and Street Superintendent into the position of the Public Works Director as recommended by the Board of Public Works (Page 14)

REGULAR BUSINESS

1. Discussion and Action – Authorize final allocation of levy authority at 0.033455 for Falls City Airport Authority Fiscal Year 2023-2024 | Airport Authority (Page 17)
2. Discussion and Action – Authorize approval for installation of a mural on the south patio retaining wall at the Falls City Library & Art Center | Amber Holle (Page 18)
3. Discussion and Action – Request for 30’ curb cut at 1706 Wilson Street | Shawn & Tiffany Fouraker (Page 20)
4. Discussion and Action – Request for closure of Lane Street on October 31st, 2023 for Halloween | Jay Morehead (Page 23)
5. Discussion and Action – Request for Special Designated Liquor License at Prichard Auditorium on November 4, 2023 | The Would Eye (Page 24)

6. Discussion and Action – First reading of Ordinance 2023-103 to amend Ordinance 2022-107 to correct the effective date of rate increases for Rural water District II (Page 24)

ADJOURNMENT

Anthony Nussbaum, City Clerk

REPORT TO MAYOR & COUNCIL PERSONS

FROM ANTHONY NUSSBAUM
CITY ADMINISTRATOR

REGARDING Administrators Report – September 18, 2023

DATE September 15, 2023

Operations Update

Water main breaks through the city continue to burden city crews and increase temporary repair costs. The phased replacement plan detailed within the 10 year capital improvement plan will likely require quicker implementation. BOPW will be discussing at their next meeting to start a plan and solicit a design engineer.

An additional 44 devices downloaded the official city mobile app since last council meeting.



Human Resources

All positions are filled at this time.

Financials

Draft budgets are near completion for government and enterprise funds. Budget committee meetings will be held Sept 19-22 for recommendation of adoption. A special meeting and budget hearing will be scheduled for September 25, 2023 at 5:30 PM to review public comment of budget and set the proposed final tax request. A special meeting to adopt the budget will be scheduled following the hearing at 6 PM. Final adopted budgets will be submitted electronically to the State Auditors Office on September 26, 2023.

Community Development

Falls City was recently named a certified Nebraska Creative District and was awarded a \$10,000 Nebraska Arts Council Certification Grant. The Nebraska Creative District Program utilizes the arts as an economic driver to support communities in Nebraska by telling their stories and elevating the value of the arts. The Creative District is planning to host a community mural project on September 24 from Noon to 3 PM at the Falls City Library and Arts Center.

Over 300 people, 15 Pilots and the LifeNet Helicopter Team attended the Fly-In Breakfast on Saturday, September 9 at Brenner Field. Over 20 First Responders attended the free FAA First responder Training.

The Falls City Airport Authority solicited and interviewed airport consultants for their upcoming capital improvements planned within the next five years. The next project planned is a new hangar building which is expected to cost around 1.2M of which will be funded primarily with entitlement funds. Design planning for the project will be completed in FY2024 with construction expected in FY2025. The airport authority made a switch from Kirkham Michael to Midwest Engineering, Inc. located in Lincoln, NE as the new airport consultant for 2023-2028. Kirkham Michael will finalize existing awarded projects from previous solicitations such as the ALP Update and AGIS Survey.

A total of 7 projects are in the process of review and approval for the Owner Occupied Rehabilitation (OOR) program. If all projects are awarded a total of \$251,828.00 will be remaining for additional projects so an additional 10-12 home rehabilitation projects are available. Homeowners can contact Ryan Bauman (SEND) at 402.907.2030 to apply.

An additional meeting is planned between the City, Richardson County Sheriff's Department and County Commissioner Karas to discuss 911 Dispatching. The county requested preliminary costs for Falls City to perform the 911 Dispatching for all of Richardson County. Further discussion of costs of services is to be completed in addition to development of an interlocal agreement for city council review.

A collaboration meeting was held with Blue Rivers Area on Aging, Southeast Nebraska Housing Partnership and me to discuss BRAA operations at the Senior Center. Discussions of merged or contracted services for meals on wheels programs were discussed. BRAA stated the utility expense at the Senior Center is not feasible for continued operations at that facility.

Attendees of the Focus Sessions for the Recreation/Wellness Center Feasibility Study are planned to travel to greater Omaha area to visit 3 community recreation/wellness centers on Friday, Sept 22.

Projects

2023 Tyler Tech Implementation –Financial configuration training and schema planning is being completed. Utility billing module configuration to be completed in the next months. All modules are expected to be live by April 2024.

911 Wireless Project – Conversion to the lumen system from Windstream is near complete. All installations have been installed. Addition 911 mapping software was installed for the dispatcher system. The entire new system is expected to go live in September/October.

2023 Street Improvements Project - Olsson is in the design phase for Phase 1 of the project. Patch work and minor replacement projects will be completed by Street Department rather than contracted out. Street crews will be working on minor patching projects through the summer and fall of 2023. Overlay work will be bid out in November 2023 for a spring 2024 construction timeline.

2022 Electrical Distribution System Improvements (4.16 Switchgear PDC Project) – Kickoff meeting with IES was completed on July 27, 2023. Delivery of the PDC is still pending but expected by the end of August/September. Foundation construction for the PDC is planned to commence at the end of August however that is expected to be delayed due to the new delivery timeframe of the PDC which isn't expected to be in shipment to Falls City until the week of March 18, 2024

2022 Electrical Distribution System Improvements (Primary Underground Project) – Final materials being procured. Contracts were awarded. This project was originally scheduled for a 2023 construction start but construction was postponed due to materials lead times. We are currently expecting a spring 2024 start. BOPW will need to make a decision on property owner cost reimbursement for interior electrical service component for effected properties. M&A will generate a form for customers to utilize to submit expenses.

2023 Northeast Force Main Replacement - Project is currently in preliminary design stages. Project consists of replacement of approximately 5000 linear feet of sewer force main along 652 Blvd from 15th Street to 27th Street. Currently working with landowners on easement needs in addition to awaiting a hopeful award of funding through the House Appropriations Committee. Funding notices will likely not be known until congressional budgets are approved which could be after December 2023.

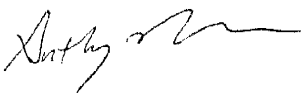
2023 Street Sign Replacement Project – The new street signs were delivered, and installation has begun. New signs have been installed along the state highways by placement above the existing stop signs. Any existing street signposts in the existing state ROW will be removed to eliminate sign congestion. Existing street signposts in the residential areas will also be removed as new posts will be installed for every intersection in the city. As 811 locates are required for each new post placement, street crews will systematically install the new signs throughout the remainder of the year so as to not flood the locate crews.

Tiger Trail Street Improvement Project – Project was bid and award to Forten Building Group recommended to council for action. Construction will be completed in conjunction with the Wilderness Falls III project.

Projects that were completed this fiscal year as follows:

- 33rd Street – Bill Schock Blvd to Lane Street
- 2023 Storm Sewer Repair – 16th & Crook Street
- Engine 5 Rebuild at Power Plant
- Engine 8 Automation at Power Plant
- Sacred Heart South Parking Lot – Power Underground Project
- Richardson County Service Yard Project – Power Underground project
- 2021 Sanitary Sewer Rehabilitation & Improvement Project
- BNSF Water Main Relocation
- 2023 Phase 8 Gas Main Replacement
- 2023 WWTP Reed Bed Replacement

Respectfully,



Anthony Nussbaum
City Administrator/Clerk/Treasurer

SUNDAY FUN DAY

SEPTEMBER 24TH FROM NOON TO 4PM
DOWNTOWN FALLS CITY, NE



SHOP SPECIAL STORE
HOURS & TRY YOUR
LUCK AT THE
BUSINESS POKER RUN



COMMUNITY MURAL PROJECT
NOON TO 3PM
PARKING LOT OF FALLS CITY
LIBRARY & ARTS CENTER



LIVE MUSIC BY SHAWN
COLE FROM NOON TO
3PM IN THE GRASS LOT
AT 1500 STONE ST.
BRING YOUR OWN CHAIR



BROUGHT TO YOU BY: FALLS CITY CHAMBER & MAIN STREET
AND THE FALLS CITY CREATIVE DISTRICT

SEE ADDITIONAL FLYERS
FOR MORE INFORMATION
ON EVENTS

FIND KATIE'S
TROPICAL SNO
AT 1500
STONE STREET



Consent Resolution SEPTEMBER 18, 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 September 6, 2023 regular meeting is hereby approved.
2. *BE IT FURTHER RESOLVED BY* the Council that the agenda for September 18, 2023, is hereby approved.
3. *BE IT FURTHER RESOLVED BY* the Council that the Treasurer's Report for August, 2023 is hereby approved.
4. *BE IT FURTHER RESOLVED BY* the Council that the Police Report for August, 2023 of the City of Falls City are hereby approved.
5. *BE IT FURTHER RESOLVED BY* the Council that the Consent Resolution for September 18, 2023, is hereby approved.

September 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 September 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, Leyden, Ractliffe, Rhodd, 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 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 Leyden and seconded by Council person Ferguson 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 August 21, 2023 regular meeting is hereby approved. 2. *BE IT FURTHER RESOLVED* BY the Council that the agenda for September 6, 2023, is hereby approved. 3. *BE IT FURTHER RESOLVED* BY the Council that the Claims for August, 2023 is hereby approved. 4. *BE IT FURTHER RESOLVED* BY the Council that the Consent Resolution for September 6, 2023, is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

2023 LIQUOR CLASS C LICENSE RENEWALS

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

SECOND READING - ORDINANCE 2023-102 TO MERGE THE DUTIES AND POSITION OF THE UTILITY SUPERINTENDENT AND STREET SUPERINTENDENT INTO THE POSITION OF THE PUBLIC WORKS DIRECTOR AS RECOMMENDED BY THE BOARD OF PUBLIC WORKS

A motion was made by Council member Fouraker and seconded by Council member Ferguson to accept the second reading of Ordinance 2023-102. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

RESOLUTION AUTHORIZING CITY TO ABATE NUISANCES AT 710 WEST 21ST STREET, 813 HARLAN STREET AND 1515 LANE STREET

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

Motion carried.

RESOLUTION AUTHORIZING SIGNING OF THE ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE TO NEBRASKA BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS 2023

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

APPROVAL 1% ALLOWABLE GROWTH - 2023-2024 FISCAL YEAR BUDGET

A motion was made by Council person Leyden and seconded by Council person Wisdom to approve the 1% allowable growth allowed by State Statue for restricted funds for the 2023-2024 Fiscal Year Budget. Roll was called on this motion and the Council members voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:15pm

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 September 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

FALLS CITY CODE ENFORCEMENT MONTHLY REPORT

August, 2023

| NUISANCES REPORTED | VIOLATIONS | REINSPECTED | VIOLATIONS FILED |
|--------------------|------------|-------------|------------------|
| 55 | 47 | 47 | 2 |

| TREES REPORTED | VIOLATIONS | REINSPECTED COMPLIANT | VIOLATIONS FILED |
|----------------|------------|-----------------------|------------------|
| 19 | 19 | 11 | 0 |

ABATEMENT REQUEST

| |
|---|
| 6 |
|---|

| ANIMAL CALLS | ANIMALS PICKED UP | ANIMALS CLAIMED | ANIMALS ADOPTED |
|--------------|-------------------|-----------------|-----------------|
| 26 | 7 | 4 | 3 |

CODE ENFORCEMENT




FCPD Monthly Report - August 2023

| | <u>MONTH</u> | <u>YEAR</u> | <u>CALLS FOR SERVICE</u> | <u>MONTH</u> | <u>YEAR</u> |
|----------------|--------------|-------------|---------------------------|--------------|-------------|
| ARRESTS | | | | | |
| Felony | 2 | 19 | 911 Hangup/Misdial | 33 | 404 |
| Misdemeanor | 19 | 159 | Animal Call | 29 | 241 |
| City Ordinance | 11 | 69 | Accident | 10 | 57 |
| Total: | 32 | 247 | Alarm | 15 | 59 |
| TRAFFIC | | | | | |
| Citations | 73 | 340 | Ambulance | 72 | 547 |
| Warnings | 64 | 458 | Assault | 1 | 10 |
| Total: | 137 | 798 | Burglary | 0 | 2 |
| PARKING | | | | | |
| Citations | 17 | 111 | Burn Permit | 10 | 251 |
| Warnings | 0 | 0 | Civil Standby | 0 | 0 |
| Total: | 17 | 111 | Curfew | 1 | 5 |
| OTHER | | | | | |
| Warnings | 5 | 36 | Welfare Check | 18 | 103 |
| | | | Domestic Disturbance | 8 | 29 |
| | | | Disturbance | 5 | 35 |
| | | | Escort | 1 | 3 |
| | | | Fire Call | 5 | 90 |
| | | | Found or Lost Property | 6 | 43 |
| | | | Fingerprints | 2 | 12 |
| | | | Fraud | 1 | 16 |
| | | | Gun Permit | 2 | 32 |
| | | | HHS Intake | 14 | 97 |
| | | | House Watch | 1 | 10 |
| | | | Investigation | 7 | 56 |
| | | | Information Only | 33 | 198 |
| | | | Law Enforcement Assist | 2 | 14 |
| | | | Loitering | 0 | 4 |
| | | | Motorist Assist | 12 | 68 |
| | | | Missing Person/Juvenile | 1 | 6 |
| | | | Miscellaneous | 51 | 433 |
| | | | Noise Disturbance | 7 | 68 |
| | | | Nuisance | 55 | 215 |
| | | | Open Door | 1 | 14 |
| | | | Parking Complaint | 7 | 42 |
| | | | Phone Scam | 4 | 25 |
| | | | Referral | 41 | 314 |
| | | | Records Check | 3 | 74 |
| | | | Runaway | 0 | 5 |
| | | | Suspicious Person/Vehicle | 9 | 66 |
| | | | Theft | 9 | 54 |
| | | | Traffic/Driving Complaint | 15 | 89 |
| | | | Trespassing | 4 | 17 |
| | | | Truancy | 2 | 8 |
| | | | Vandalism | 5 | 13 |
| | | | Vehicle Repossession | 0 | 2 |
| | | | Warrant Arrest | 3 | 23 |
| | | | Weather Notification | 3 | 26 |

MONTH YEAR

| | | |
|--------------------------|-------|-------|
| Total Calls for Services | 508 | 3880 |
| Total Reports | 88 | 432 |
| Total Arrests | 122 | 698 |
| Total Warnings | 69 | 494 |
| Total Mileage | 5,640 | 48824 |
| Total 911 Calls | 127 | 1128 |


 Jamie Baker

Falls City Police Department

Crimes and Clearance Rate

Part I Crimes

Date: August 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 | 2 | | 4 | 2 |
| 3. Robbery | | | | | | | | |
| Armed – any weapon | | | | | | | | |
| Strong arm – no weapon | | | | | | | | |
| 4. Assault | | | | 1 | | | 1 | |
| 5. Burglary | | | | | | | | |
| Forcible Entry | | | | 2 | | | 2 | |
| Unlawful entry -- no force | | | | | | | | |
| Attempted forcible entry | | | | 1 | | | 1 | |
| 6. Thefts | | | | | 5 | | | 5 |
| Pocket picking | | | | | 13 | | | 13 |
| Purse snatching | | | | | 1 | | | 1 |
| Shoplifting | 1 | | 1 | 58 | 3 | 1 | 58 | 2 |
| Thefts from auto | | | | 1 | | | 1 | |
| Thefts of auto parts & acc. | 1 | | 1 | 3 | | | 3 | |
| Thefts of bicycles | | | | | | | | |
| Thefts from buildings | | | | | | | | |
| Thefts from coin operated machine | | | | | | | | |
| All other thefts | | | | 8 | 8 | | 8 | 4 |
| 7. Motor vehicle theft | | | | | | | | |
| Autos | | | | 3 | | | 3 | |
| Trucks and buses | | | | | | | | |
| Other vehicles | | | | | | | | |
| 8. Arson | | | | | | | | |
| Total | 2 | | 2 | 81 | 32 | 1 | 81 | 27 |

PART I % CLEARED 50% 100% 84%

Falls City Police Department

Crimes and Clearance Rate

Part II Crimes

Date: August 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 | 8 | | 8 | 29 | 30 | 8 | 29 | 30 |
| 2. Forgery & Counterfeiting | | | | | | | | |
| 3. Fraud | | | | 1 | 3 | | 1 | 2 |
| 4. Embezzlement | | | | | | | | |
| 5. Stolen Property | | | | | | | | |
| 6. Vandalism | 1 | | 1 | 9 | 4 | | 8 | 3 |
| 7. Weapons-Possession | | | | | 2 | | | 2 |
| 8. Prostitution | | | | | | | | |
| 9. Other Sex Offenses | 1 | | 1 | 45 | 3 | 1 | 45 | 3 |
| 10. Narcotics Laws | | | | 13 | 21 | | 13 | 21 |
| 11. Gambling Laws | | | | | | | | |
| 12. Offenses Against Family | 7 | | 7 | 57 | 48 | 7 | 57 | 48 |
| 13. Driving Under Influence | | | | 4 | 2 | | 4 | 2 |
| 14. Liquor Laws | | | | 1 | 5 | | 1 | 5 |
| 15. Disorderly Conduct | | | | 15 | 19 | | 15 | 19 |
| 16. All Other Offenses | 22 | | 22 | 129 | 66 | 22 | 129 | 66 |
| TOTAL | 39 | | 39 | 303 | 203 | 38 | 302 | 201 |
| PART I&II TOTAL | 41 | | 41 | 384 | 235 | 39 | 383 | 228 |

| | | | | |
|-----------------------|----------------------------------|------------|------------|------------|
| Combined Total | Part II % Cleared | 97% | 99% | 99% |
| | Part I & II % Cleared | 95% | 99% | 97% |

ORDINANCE 2023-10 2

AN ORDINANCE OF THE CITY OF FALLS CITY TO AMEND SECTIONS 1-212 AND 2-214 OF THE FALLS CITY MUNICIPAL CODE TO ASSIGN THE DUTIES OF THE STREET DEPARTMENT AND STREET PROJECTS TO THE BOARD OF PUBLIC WORKS; TO CREATE THE POSITION OF DIRECTOR OF PUBLIC WORKS AND TO MERGE INTO SUCH POSITION THE DUTIES OF UTILITY SUPERINTENDENT AND STREET SUPERINTENDENT TO REPEAL ORDINANCES IN CONFLICT HERewith; AND ESTABLISH AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FALLS CITY, NEBRASKA:

Section 1. That Chapter 1, Article 2, Section 1-212 of the Municipal Code of the City of Falls city be amended as follows:

§ 1-212 APPOINTED OFFICIALS; MUNICIPAL ENGINEER. The Municipal Engineer shall make all surveys, estimates, and calculations necessary to be made for the establishment of any public utilities, and the costs of labor and materials therefor. He shall accurately make all plats, sections, and maps as may be necessary under the direction of the Governing Body. Upon request, he shall make estimates of the cost of labor and material which may be done or furnished by contract with the Municipality, and make all surveys, estimates, and calculations necessary to be made for the establishment of grades, building of culverts, sewers, electric light system, waterworks, power plant, public heating system, bridges, curbing, and gutters and the improvement of streets and erection and repair of buildings, and shall perform such other duties as the Governing Body may require. When a Municipality has appointed a Board of Public Works, and the Governing Body has by ordinance so authorized, the Board shall have the right to utilize its own engineering staff and shall have the right to hire consulting engineers for the design and installation of extensions and improvements of the works under the jurisdiction of the Board of Public Works. Whenever the Governing Body has authorized, the Board of Public Works shall have the right to purchase material and employ labor for the enlargement and improvement of the water, electric, sewer, gas, and street departments. (*Ref. 17-150, 17-405, 17-568.01, 17-919, RS Neb., Amended Ordinance 2023-10*).

Section 2. That Chapter 2, Article 2, Section 2-214 of the Municipal Code of the City of Falls City be amended as follows:

§ 2-214 BOARD OF PUBLIC WORKS. The Governing Body shall appoint the Board of Public Works. The Board shall consist of not less than three (3) nor more than six (6) members who are residents of the Municipality. The members of the Board shall serve a four (4) year term of office, at a salary set by ordinance of the Governing Body. Each of the members shall be required to give a bond to the Municipality in the sum of five thousand dollars (\$5,000.00) and shall be conditioned on the faithful performance of the duties of their office; Provided, the premium on the said bond shall be paid out of a Municipal fund designated by the Governing Body. No member of the Board shall ever be financially interested in a contract entered into by the Board on behalf of the Municipality. The members of the Board shall be required to take an

oath to faithfully perform the duties of their office before entering upon the discharge thereof. At the time of the Board's first (1) meeting in June of each year, the Board members shall organize by selecting from among their number a chairman and secretary. It shall be the duty of the secretary to keep the full and correct minutes and records of all meetings and to file the same with the Municipal Clerk where they shall be available for public inspection at any time. The minutes of each meeting shall be published in a legal newspaper of general circulation in the Municipality within thirty (30) days after it is held. The Board shall meet at such times as the Governing Body may designate. Special meetings may be held upon the call of the chairman, or any three (3) members of the Board. A majority of the Board members shall constitute a quorum for the transaction of business. It shall be the duty of the Board to operate any utility owned by the Municipality and to exercise all powers conferred by law upon the Municipality for the operation of utilities to the same extent as the Governing Body, except that the Board shall not make an expenditure other than ordinary operational expenses exceeding the amount of twenty thousand dollars (\$20,000.00) without first obtaining the approval of the Governing Body.

The City Council may make such other rules and regulations as may be necessary or proper for the efficient and economical management of the business affairs of the city. It shall be the duty of the Board of Public Works to maintain, construct, and improve streets within the Municipality and to exercise all powers conferred by the Municipality for the operation of the street department and maintenance to the same extent as the Governing Body, except the Board shall not make an expenditure other than ordinary operating expenses exceeding the amount of twenty thousand dollars (\$20,000) without first obtaining approval of the Governing Body.

The Board may, in its discretion, employ a Public Works Director to operate the Municipal Utilities and Municipal Street Department who shall be under the immediate authority of the Board of Public Works. The Director of Public Works shall hereafter be responsible for all duties assigned to the Utility Superintendent and the Street Superintendent and such positions hereby merged into the position of Public Works Director. All actions of the Board shall be subject to the review and supervision of the Governing Body. The Board shall be responsible for making such reports and performing such other duties as the Governing Body may, from time to time, designate. No member of the Governing Body shall serve as a member of the Board of Public Works while serving a term of office as a member of the Governing Body. No member of the Board of Public Works shall serve in the capacity of both the chairman and secretary of the Board. (*Ref. 17-801 through 17-810, 19-414 RS Neb.; Amended Ordinance 2023-10*).

Section 3. That the current Sections 1-212 and 2-214 of the Falls City Municipal Code and all other ordinances passed and proved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions are hereby repealed.

Section 4. That this ordinance shall take effect and be in full force from and after its passage, approval and publication or posting as required by law.

Passed and approved this _____ day of _____, 2023.

MAYOR

ATTESTED:

CITY CLERK

Falls City Airport Authority in Richardson County

To Assist the County For Levy Setting Purposes

The Cover Page identifies the Property Tax Request between Principal & Interest on Bonds and All Other Purposes. If your political subdivision needs more of a breakdown for levy setting purposes, complete the section below.

| Property Tax Request by Fund: | Property Tax Request |
|-------------------------------|------------------------|
| General Fund | \$ 61,200.00 |
| Sinking Fund | \$ - |
| Bond Fund | \$ - |
| Total Tax Request | ** \$ 61,200.00 |

** This Amount should agree to the Total Personal and Real Property Tax Required on the Cover Page (Page 1).

Documentation of Transfers:

(Only complete if there are transfers noted on Page 2, Column 2)

Please explain what fund the monies were transferred from, what fund they were transferred to, and the reason for the transfer.

| | |
|----------------|--------------|
| Transfer From: | Transfer To: |
| Reason: | Amount: |
| Transfer From: | Transfer To: |
| Reason: | Amount: |

Township Property Taxes

If this is a Township Subdivision budget form, the amount of property taxes shown above and on the front cover may not represent the amount the Township will receive. Statute 39-1522 outlines that one-half of all money collected from the township levy on property within the corporate limits of a city or village shall be paid to the treasurer of the city or village to be used for the maintenance and repairs of the streets.

Township should take this into consideration when determining property tax amount to be budgeted.

| | |
|---|-------------|
| Township Total Valuation | 182,932,717 |
| City/Village Valuation included in Township Valuation | |
| General Fund Tax Rate | 0.033455 |
| Township Taxes within City/Village | - |
| 50% of Township Taxes within City/Village | - |
| Projected Township Taxes to be collected | 61,200.00 |

Note: Township would need to verify with County Assessor the amount of City / Village valuation included within the Township Total Valuation. This calculation is only shown here as information for the Township to help determine the amount of property taxes needed to operate. **IT SHOULD NOT BE USED BY THE COUNTY FOR LEVY SETTING PURPOSES.**

Cash Reserve Fund

Statute 13-503 says cash reserve means funds required for the period before revenue would become available for expenditure but shall not include funds held in any special reserve fund. If the cash reserve on Page 2 exceeds 50%, you can list below amounts being held in a special reserve fund.

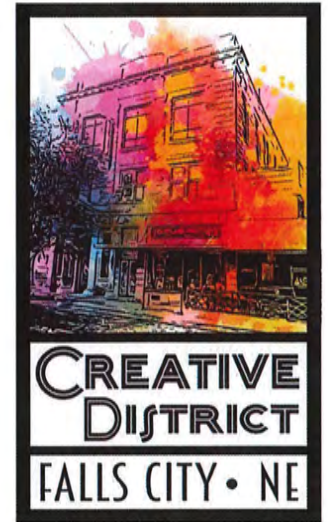
| Special Reserve Fund Name | Amount |
|-----------------------------|--------------|
| Total Special Reserve Funds | \$ 84,690.52 |
| Total Cash Reserve | \$ 84,690.52 |
| Remaining Cash Reserve | 35% |

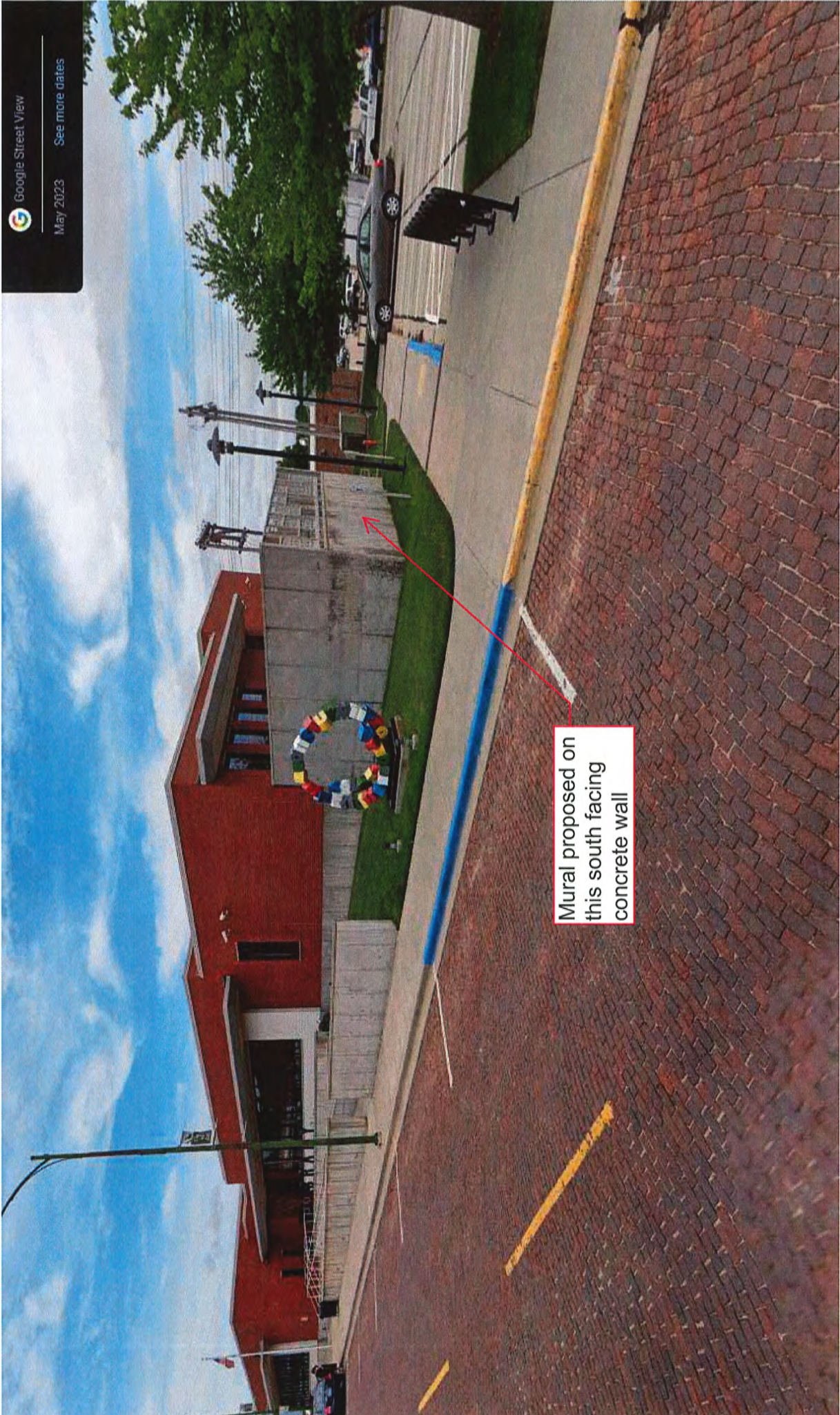
Community members of all ages are invited to assist in a mural painting project on the south side of the Falls City Library and Arts Center as part of the “Sunday Fun Day” events on September 24th to kick off our designation as a Creative District. Artists will already have the design drawn onto the wall and will guide participants through the painting of the mural. The painting will take place from 1 – 3 on Sunday, September 24th. The Falls City Library Board gave their approval at their meeting earlier this month.

Thank you for your consideration,

Christina Wertenberger, 402-245-6034
Creative District Team Member

Inspiration photos:





Mural proposed on
this south facing
concrete wall

City of Falls City
2307 Barada Street
Falls City, NE 68355

P: (402) 245-2851
F: (402) 245-2741
fallscitynebraska.org

REQUEST FOR FUTURE AGENDA ITEM OR ADMINISTRATIVE ACTION



CITY CLERK

All requests for the Agenda must be submitted by noon on the Thursday preceding the meeting in order to be added on the current agenda, any item received after this time would have to be of an emergency nature. Once a request is received, Administration will review it and determine whether or not it requires Board action or if it is an item that needs to be handled by staff.

Requested Board to Review (Select One): City Council Board of Public Works

Date: 9-11-2023 Phone No: 402-245-1977

Name: Shawn & Tiffany Fouraker Email: _____

Address: 1706 Wilson St.

Description of Topic & Desired Resolution:

Curb cut To Existing Building

Signature of Requester: [Signature]

For City Use only
Received by: _____ Date: _____
Action Taken: _____

1706 Wilson St



Falls City, Nebraska
Google Street View
May 2023 See more dates

Image capture: May 2023 © 2023 Google



CONNECTEXPLORER™



map: Mosaic Feb 2022 - Feb 2022 02/05/2022 - 02/12/2022

City of Falls City
2307 Barada Street
Falls City, NE 68355

P: (402) 245-2851
F: (402) 245-2741
fallscitynebraska.org

REQUEST FOR FUTURE AGENDA ITEM OR ADMINISTRATIVE ACTION



CITY CLERK

All requests for the Agenda must be submitted by noon on the Thursday preceding the meeting in order to be added on the current agenda, any item received after this time would have to be of an emergency nature. Once a request is received, Administration will review it and determine whether or not it requires Board action or if it is an item that needs to be handled by staff.

Requested Board to Review (Select One): City Council Board of Public Works

Date: 9/11/23 Phone No: 402-801-8209

Name: Jay Morehead Email: prowalleye@gmail.com

Address: 2016 Lane St.

Description of Topic & Desired Resolution:

closure of Lane St. for
Halloween on Oct 31st

Signature of Requester: Jay Morehead

For City Use only
Received by: _____ Date: _____
Action Taken: _____

Special Designated License
Local Recommendation (Form 200)
Applications must be entered on the portal after local approval – no exceptions
Late applications are non-refundable and will be rejected

The Would Eye

Retail Liquor License Name or *Non-Profit Organization (*Must include Form #201 as Page 2)

1821 Stone St, Falls City, NE 68355

Retail Liquor License Address or Non-Profit Business Address

101666

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only

11/4/2023

Event Date(s):

Event Start Time(s):

4PM

Event End Time(s):

12am

Alternate Date: _____

Alternate Location Building & Address: _____

Event Building Name: Prichard Auditorium

Event Street Address/City: 312 W 17th St, Falls City, NE 68355

Indoor area to be licensed in length & width: 75 x 175

Outdoor area to be licensed in length & width: _____ X _____ (Diagram Form #109 must be attached)

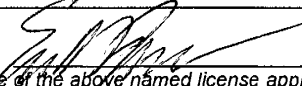
Type of Event: Fundraiser Estimate # of attendees: 350

Type of alcohol to be served: Beer Wine Distilled Spirits

(If not marked, you will not be able to serve this type of alcohol)

Event Contact Name: Shannon Deprey Event Contact Phone Number: 402-245-7607

Event Contact Email: shannondepreytwe@gmail.com

*Signature Authorized Representative: 

Printed Name

Eric D. Froeschl

I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

*Retail licensee – Must be signed by a member listed on permanent license

*Non-Profit Organization – Must be signed by a Corporate Officer

Local Governing Body completes below:

The local governing body for the City/Village of Falls City OR County of _____ approves the issuance of a Special Designated License as requested above. (Only one should be written above)

Local Governing Body Authorized Signature

Date

ORDINANCE NO. 2023- 103

AN ORDINANCE TO AMEND SECTION II, SUBSECTION B, PARAGRAPH g. OF ORDINANCE 2022-107 TO CORRECT THE EFFECTIVE DATE OF RATE INCREASES FOR RICHARDSON COUNTY RURAL WATER 2 FROM 21ST STREET.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FALLS CITY, NEBRASKA:

SECTION 1

That Section II, Subsection B, Paragraph g of Ordinance No. 2022-107 be amended to read as follows:

| <u>Customer Category</u> | <u>Usage Rate/100 Cubic Feet/Month</u> | | |
|--|--|-------------|-------------|
| | <u>Effective October 1</u> | | |
| | <u>2022</u> | <u>2023</u> | <u>2024</u> |
| a. Residential | \$4.90 | \$5.12 | \$5.22 |
| b. Residential (Outside City Limits) | \$4.90 | \$5.12 | \$5.22 |
| c. Commercial/Industrial | \$4.90 | \$5.12 | \$5.22 |
| d. Commercial/Industrial (Outside City Limits) | \$4.90 | \$5.12 | \$5.22 |
| e. Village of Rulo | \$3.91 | \$4.08 | \$4.17 |
| f. Richardson Co. Rural Water 2 from Water Treatment Center | \$3.91 | \$4.08 | \$4.17 |
| g. Richardson Co. Rural Water 2 from 21 st Street | \$4.90 | \$5.12 | \$5.22 |

SECTION II

That the original Section II, Subsection B, Paragraph g of Ordinance No. 2022-107 and any other ordinances or sections passed and approved prior to passage, approval and publication or posting of this ordinance in conflict with the provisions herewith are hereby repealed.

SECTION III

This ordinance shall be in full force from and after its passage, approval, and publication as provided by law.

Passed and approved this ____ day of _____, 2023.

Mayor

ATTEST:

City Clerk