

APRIL 6, 2020

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 6th day of April, 2020, at 6:00 o'clock P.M. Council met in regular session. Mayor Bindle called the meeting to order and Clerk Jorn recorded the minutes of the meeting. On roll call the following Council persons were present(via video conference): Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. Absent: None. Notice of the meeting was given in advance thereof by posting in three public places (Falls City Utility Facebook and City website), 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 available to the public by video conference. Mayor Bindle 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 Bindle gave the following report to the City Council and the public attending this meeting. The city has been constantly monitoring Covid-19 and how it has the potential to affect us and the great citizens that live here. We've made an effort to be proactive, rather than reactive.

Currently all city owned properties remain closed to walk in traffic.

While you can't enter the library, it is still open and available to use by utilizing the drive through. In addition, you can reserve books using the online catalog, or by calling the library staff.

To pay utility bills, we encourage you to use our drop box located outside of city hall, or to pay online. We have currently waived all online payment fees.

In addition, we have suspended late fees and disconnections for non payment. In the event you are unable to pay your utility bill, you need to contact the city utilities office so that we can work with you to make payment arrangements. All customers will be responsible for all usage during this time.

The Governor has issued directed health measures so we will not have a need to renew our resolution concerning 10 person gatherings with the city health board.

All city board and city council meetings will be held by video conference. Members of the community may attend these meetings electronically. We will be utilizing "Zoom" to do this. The link to the meetings can be found on the City's FB page as well as the city's web page.

I encourage you to remember Falls City's businesses during this difficult time. Chances are, if there is something you need, you can get it delivered to you curb side, and probably with a smile.

City employees are being vigilant in their cleaning efforts within their departments. We are screening houses prior to workers going inside, and the crews do have PPE that they can wear if needed. In addition, if a worker feels the need they can go home and shower within their shift. We are trying to do what is needed to support the crews during this time.

CONSENT AGENDA

A motion was made by Council person Leyden and seconded by Council person Froeschl to approve the Consent Agenda as presented: *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 March 16, 2020 meeting is hereby approved. 2. *BE IT FURTHER RESOLVED* BY the Council that the agenda for April 6, 2020 is hereby approved. 3. *BE IT FURTHER RESOLVED* BY the Council that the Claims for March 2020 of the City of Falls City are hereby approved. 4. *BE IT FURTHER RESOLVED* BY the Council that the Consent Resolution for April 6, 2020 is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

CASEY'S GENERAL STORE #1790 - APPLICATION FOR CLASS D LIQUOR LICENSE - 1221 HARLAN STREET

Mayor Bindle declared a public hearing open at 6:07 P.M. for the purpose of obtaining input on a Class D Liquor License Application submitted by Casey's General Store #1190 located at 1221 Harlan Street. The Mayor then asked if there was anyone in the audience who wished to speak in favor of or oppose said Liquor License Application. Since no one wished to be recognized, Mayor Bindle then declared the public hearing closed at 6:08 P.M. A motion was made by Council member Ferguson and seconded by Council member Merz to give favorable comment to the Class D Liquor License Application for Casey's General Store #1790 located at 1221 Harlan Street, Falls City, Nebraska and that the Nebraska Liquor Control Commission be notified of the same. Roll was called on this motion and the Council members voted as follows: "YEA" Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

**PUBLIC HEARING - CONDITIONAL USE PERMIT FOR A CHILD DAYCARE CENTER
AT 816 EAST 16TH STREET - FORNEY'S ADDITION BLOCK 1 LOTS 22 & 23 -
REGINA KAPUSTKA - RECOMMENDED BY PLANNING COMMISSION**

Mayor Bindle declared a public hearing open at 6:08 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 Addition Block 1 Lots 22 & 23 as recommended by the Planning Commission. Mayor Bindle then asked if there was anyone in the audience who wished to speak in favor of or oppose said Conditional Use Permit. Regina Kapustka spoke via video conference. Since no one else wished to be recognized, Mayor Bindle then declared the public hearing closed at 6:10 P.M. A motion was made by Council member Ractliffe and seconded by Council member Holle to approve the Conditional Use Permit as long as Regian Kapustka owns the property. Roll was called on this motion and the Council members voted as follows: "YEA" Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

**PUBLIC HEARING - RE-ZONING OF LAND DESCRIBED AS SWISEGOOD ADDITION FROM R3 HIGH
DENSITY RESIDENTIAL TO C3 HIGHWAY COMMERCIAL - RECOMMENDED BY PLANNING COMMISSION**

Mayor Bindle declared a public hearing open at 6:11 P.M. for the purpose of obtaining input on Re-zoning Swisegood Addition from R3 High Density Residential to C3 Highway Commercial as recommended by the Planning Commission. Mayor Bindle then asked if there was anyone in the audience who wished to speak in favor of or oppose said rezonig. Since no one wished to be recognized, Mayor Bindle then declared the public hearing closed at 6:13 P.M. A motion was made by Council member Leyden and seconded by Council member Rhodd to approve the re-zoning Swisegood Addition from R3 High Density Residential to C3 Highway Commercial. Roll was called on this motion and the Council members voted as follows: "YEA" Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

**CORPORATE MANAGER APPLICATION FOR JAMES INGLIS FOR
AMERICAN LEGION POST 102 - 721 HARLAN STREET**

A motion was made by Council person Ferguson and seconded by Council person Merz to give favorable

comment on the Manager Application by Jim Inglis for American Legion Post 102. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:15P.M.

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 Bindle and Council on April 6, 2020; 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