

JULY 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 July, 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: Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. Absent: Holle. 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 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 turned the mic over to Second Ward Council Person Lucas Froeschl to speak about the new waterfall at the Aquatic Park. Lucas' vision was to bring back the falls in which Falls City was named. Lucas, then put his vision into motion and with everyone listed below made it a reality. Construction was completed on June 30, 2020. Lucas thanked the many individuals and entities they represent for their involvement on this project: Paul Kiekhaefer of Grimm's Gardens for the waterfall design and calculating the budget, Nemaha Natural Resources District for offering grant funds for Urban Special Projects, The Richardson Foundation, Inc. for their gracious donation, Chad Scholl of Scholl Landscaping, Craig Beckner of Advantage Concrete, Thomas Georges of CCS, Inc, Falls City Utility workers Brandt and Billy Kopf, Falls City Street Department Gary Richey, Falls city Parks Department Michael Huppert and Kevin Malone for financial guidance. Lucas stated he was waiting on final numbers but is optimistic that this project will be under budget.

CONSENT AGENDA

A motion was made by Council person Leyden and seconded by Council person Rhodd 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 June 15, 2020 meeting is hereby approved. 2. *BE IT FURTHER RESOLVED* BY the Council that the agenda for July 6, 2020 is hereby approved. 3. *BE IT FURTHER RESOLVED* BY the Council that the Claims for June 2020 of the City of Falls City are hereby approved. 4. *BE IT FURTHER RESOLVED* BY the Council that the Consent Resolution for July 6, 2020 is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Holle, Leyden, Merz, Rhodd, Wisdom. "NAY" None. Motion carried.

PUBLIC HEARING - FALLS CITY FOODS, LLC REQUEST TO USE \$10,500 OF CDBG EDRLF FOR PURCHASE OF EQUIPMENT AND \$3,000 FOR ADMINISTRATION FEE TO SENDD AS - RECOMMENDED BY THE CITIZENS ADVISORY REVIEW COMMITTEE

Mayor Bindle declared a public hearing open at 6:06P.M. to approve a resolution to use CDBG EDRLF in the amount of \$10,500 by Falls City Foods LLC and \$3,000 Administration for SENDD. Mayor Bindle then asked if there was anyone in the audience who wished to speak in favor of or oppose said resolution. Since no one wished to be recognized, Mayor Bindle then declared the public hearing closed at 6:07P.M. A motion was made by Council member Ferguson and seconded by Council member Wisdom to approve the resolution. Roll was called on this motion and the Council members voted as follows: "YEA" Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

FIRST READING - ORDINANCE 2020-101 - RELATAING TO CONTROL OF THE PREVENTION OF SPREAD OF COMMUNICABLE DISEASE, ILLNESS OR POISONING AND ADOPTION OF RULES AND REGULATIONS

A motion was made by Council person Leyden and seconded by Council person Ferguson to approve the first reading of Ordinance #2020-101 as follows: AN ORDINANCE OF THE CITY OF FALLS CITY, NEBRASKA, RELATING TO CONTROL OF THE PREVENTION OF SPREAD OF COMMUNICABLE DISEASE, ILLNESS, OR POISONING AND ADOPTION OF RULES AND REGULATIONS FOR THE PREVENTION OF SPREAD OF COMMUNICABLE DISEASE, ILLNESS OR POISONING; ESTABLISHING AN EFFECTIVE DATE; AND REPEALING ANY ORDINANCES OR OTHER PROVISIONS IN CONFLICT HEREWITH. Mark Glaska spoke. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" Froeschl. Motion carried.

**CITY AND COUNTY DISPATCHING CENTERES AND RELOCATING 911
DISPATCHING TO THE RICHARDSON COUNTY LAW ENFORCEMENT CENTER**

A discussion was held on relocating 911 dispatching to the Richardson County Law Enforcement Center. Council persons directed City Administrator Jorn to move forward with discussion with Richardson County on this issue.

AQUATIC PARK POOL ENTRANCE FEES AND OPENING PARK RESTROOMS

A motion was made by Council person Froeschl and seconded by Council person Merz to amend the motion previously made and separate voting on Family Pool Passes and opening restrooms in the parks. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried. A motion was then made by Council person Leyden and seconded by Council person Ferguson to approve a Family Season Pool Pass for the Aquatic Park for \$75.00. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried. A motion was then made by Council person Leyden and seconded by Council person Ferguson to approve opening City Park restrooms. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Leyden. "NAY" Froeschl, Merz, Ractliffe, Rhodd, Wisdom. Motion denied.

REVISED CITY HANDBOOK

A discussion was held on the City Handbook. No motion was made. City Council will discuss at their July 20th Council meeting.

**REQUEST TO BLOCK OFF THE 1400 BLOCK OF STONE STREET FROM 4PM ON AUGUST 14, 2020 TO 10PM
ON AUGUST 15, 2020 FOR TSMF SMOKING ON THE BRICKS BY FALLS CITY ELKS LODGE**

A motion was made by Council person Froeschl and seconded by Council person Ractliffe to approve the request to block off 1400 Stone Street on August 14, 2020 for the TSMF smoking on the Bricks. Rhett Blakley spoke. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

SENDD MEMBERSHIP DUES FOR \$2,125 AND HOUSING DUES FOR \$1,298

A motion was made by Council person Ractliffe and seconded by Council person Ferguson to approve SENDD Membership dues for \$2,125 and Housing Dues for \$1,298. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

REQUEST TO BUILD A METAL BUILDING AT 605 WEST 15TH STREET - MIKE HARSON

A motion was made by Council person Leyden and seconded by Council person Ferguson to approve a metal building at 605 West 15th Street submitted by Mike Harson. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd. "NAY" Wisdom. Motion carried.

SET LEVY FOR AIRPORT AUTHORITY AT .029482 AS REQUESTED

A motion was made by Council person Wisdom and seconded by Council person Merz to approve the Airport

Authority request for a tax levy of .029482 for the 2020 – 2021 fiscal year. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion approved.

MIDLANDS CONTRACTING INC. BID FOR LIFT STATION RECONSTRUCTION IN THE AMOUNT OF \$454,290 AS RECOMMENDED BY THE BOARD OF PUBLIC WORKS

A motion was made by Council person Ferguson and seconded by Council person Leyden to approve Midlands Contracting Inc. bid for \$454,290 for lift station reconstruction as recommended by the BOPW. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

EXECUTIVE SESSION

A motion was made by Council person Wisdom and seconded by Council person Rhodd to recess from regular session and convene to Executive Session at 7:00P.M. to discuss litigation. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried. A motion was then made by Council person Froeschl and seconded by Council person Merz to adjourn from Executive Session and reconvene in regular session at 7:09 P.M. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 7:12P.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 July 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