

DECEMBER 6, 2021

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 6th day of December 2021, at 6:00 o' clock P.M. Council met in regular session. Mayor Bindle called the meeting to order and Clerk Cluskey recorded the minutes of the meeting. On roll call the following Council persons were present: Buckminster, Ferguson, Holle, Leyden, Merz, 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 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 REPORT

Mayor Bindle thanked the Falls City Chamber and all participants for the Lighted Holiday Parade. Be sure to check out the participants of the Light Fight.

CONSENT AGENDA

A motion was made by Council person Leyden 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 November 17, 2021, meeting is hereby approved. 2. *BE IT FURTHER RESOLVED* BY the Council that the agenda for December 6, 2021, is hereby approved. 3. *BE IT FURTHER RESOLVED* BY the Council that the Claims for November 2021 of the City of Falls City are hereby approved. 4. *BE IT FURTHER RESOLVED* BY the Council that the Consent Resolution for December 6, 2021, is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

PUBLIC HEARING – SUBDIVISION OF NORTH COMMERCIAL CORRIDOR

Mayor Bindle declared a public hearing open at 6:03P.M. to approve the Subdivision of the North Commercial Corridor. Mayor Bindle then asked if there was anyone in the audience who wished to speak in favor of or oppose said Subdivision. Since no one wished to be recognized, Mayor Bindle then declared the public hearing closed at 6:03P.M. A motion was made by Council member Holle and seconded by Council member Ferguson to approve the said Subdivision. Roll was called on this motion and the Council members voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

RE-APPOINTMENT OF JUSTIN STARK LICENSE #S-1534 CLASS A FROM OLSSON AS STREET SUPERINTENNDENT FOR 2022

A motion was made by Council member Ferguson and seconded by Council member Rhodd to approve the re-appointment of Justin Stark as Street Superintendent for 2022. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

RECOMMENDATION BY BOPW TO APPROVE AND AUTHORIZE THE MAYOR TO SIGN THE AGREEMENT WITH JK ENERGY CONSULTING IN THE AMOUNT OF \$20,500 FOR A COST OF SERVICE RATE STUDY – RAY LUHRING

A motion was made by Council member Leyden and seconded by Council member Ractliffe to approve to the recommendation by the Board of Public Works to approve and authorize the Mayor to sign the agreement with JK Energy Consulting in the amount of \$20,500 for a Cost of Service Rate of Study. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

RECOMMENDATION BY BOPW THAT CITY COUNCIL AWARD THE CONTRACT FOR SANITARY SEWER IMPROVEMENTS TO MUNICIPAL PIPE TOOL CO. OF HUDSON IA IN THE AMOUNT OF \$489,226.10

A motion was made by Council member Ractliffe and seconded by Council member Rhodd award the contract for Sanitary Sewer Improvements to Municipal Pipe Tool Co. based on the recommendation of the Board of Public Works. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

REQUEST FOR APPROVAL OF ADDENDUM #2 TO INTERLOCAL COOPERATION AGREEMENT FOR A JOINT ARIEL PHOTO PROJECT BETWEEN RICHARDSON COUNTY AND THE CITY OF FALLS CITY

A motion was made by Council member Leyden and seconded by Council member Ferguson to approve the Addendum #2 to Interlocal Cooperation Agreement for a Joint Ariel Photo Project with Richardson County. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

REQUEST FOR APPROVAL OF FALLS CITY'S NEW CITY COUNCIL WARDS MAP

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

REQUEST FOR APPROVAL TO HAVE COLTON WITT BARTEND THE STOLLER/RODVELT WEDDING APRIL 23, 2022

Mayor Bindle requested Kevin Cluskey reach out to the Stoller/Rodvelt wedding party to resubmit agenda request with more information.

TYLON MAST WOULD LIKE TO RENT THE OLD CITY HALL BUILDING FOR CONSIGNMENT

A motion was made by Council member Ferguson and seconded by Council member Buckminster to approve the rental of the old City Hall building for the purpose of consignment sales. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

APPOINTMENT OF MITCHELL CHEEK AS POLICE OFFICER AS RECOMMENDED BY MAYOR BINDLE

A motion was made by Council member Leyden and seconded by Council member Ractliffe to approve the appointment of Mitchell Cheek as Police Officer for the City of Falls City. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

MASTER AGREEMENT IN ASSISTANCE FOR DESIGN AND PROJECT DEVELOPMENT FOR PRICHARD AUDITORIUM PARKING AND ADA ACCESS AS A VOTING STATION FROM OLSSON - KEVIN CLUSKEY

A motion was made by Council member Ferguson and seconded by Council member Leyden to the Master Agreement for the design and project development for Prichard Auditorium and ADA access as a voting station from Olsson. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

**MASTER AGREEMENT FOR THE DEVELOPMENT OF A CITY-WIDE STREET STUDY AND SURVEY WITH
OLSSON – KEVIN CLUSKEY**

A motion was made by Council member Ferguson and seconded by Council member Merz to the Master Agreement for the development of a City wide street study and survey from Olsson. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

EXECUTIVE SESSION

A motion was made by Council person Ractliffe and seconded by Council person Rhodd to recess from regular session and convene to Executive Session at 6:24P.M. for Executive Session. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried. A motion was then made by Council person Ferguson and seconded by Council person Wisdom to adjourn from Executive Session and reconvene in regular session at 7:14 P.M. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 7:14 P.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 December 6, 2021; 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