

SEPTEMBER 4, 2019

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 4th day of September, 2019, at 6:00 o'clock P.M. Council met in regular session. Mayor Bindle called the meeting to order and City Clerk Jorn recorded the minutes of the meeting. On roll call the following Council persons were present: Ferguson, Leyden, Merz, Ractliffe, Rhodd, Wisdom. Absent: Froeschl, 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 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.

CONSENT AGENDA

A motion was made by Council person Leyden and seconded by Council person Ferguson 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 August 19, 2019 meeting is hereby approved. 2. *BE IT FURTHER RESOLVED BY* the Council that the agenda for September 4, 2019 is hereby approved. 3. *BE IT FURTHER RESOLVED BY* the Council that the Claims for August 2019 of the City of Falls City are hereby approved. 4. *BE IT FURTHER RESOLVED BY* the Council that the Consent Resolution for September 4, 2019 is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

REQUEST TO SUSPEND FIRST AND SECOND READING - ORDINANCE #2019-106

A motion was made by Council member Wisdom and seconded by Council member Ractliffe to suspend the first and second readings of Ordinance #2019-106. Brad Slaughter from Piper Jaffary & Company spoke. Roll was called on this motion and the Council members voted as follows: "YEA" Ferguson, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried. A motion was then made by Council member Merz and seconded by Council member Leyden to approve the final reading of Ordinance #2019-106 as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion approved.

APPROVAL 1% ALLOWABLE GROWTH - 2019-2020 BUDGET

A motion was made by Council person Ferguson and seconded by Council person Ractliffe to approve the 1% allowable growth allowed by State Statue for the 2019-2020 Budget. Roll was called on this motion and the Council members voted as follows: "YEA" Ferguson, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion approved.

TRANSFER \$320,000 FROM CAPITAL IMPROVEMENT SINKING FUND TO GENERAL FUND FOR THE 2019-2020 FISCAL YEAR

A motion was made by Council person Ractliffe and seconded by Council person Rhodd to approve transferring \$320,000 from Capital Improvement Sinking Fund to the General Fund for the 2019-2020 fiscal year budget. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

PUBLIC HEARING - SET TAX LEVY AND FINAL TAX REQUEST - 2019-2020 BUDGET

Mayor Bindle declared a public hearing open at 6:13 P.M. for the purpose of obtaining input on the setting of the property tax request and levy for the City of Falls City as submitted in the 2019-2020 City of Falls City Budget. Mayor Bindle then asked if there was anyone in the audience who wished to speak in favor of or oppose said property tax request of \$708,766.00 for the City of Falls City Budget and setting the tax levy at .448427. Since no one wished to be recognized, Mayor Bindle then declared the public hearing closed at 6:17 P.M. A motion was made by Council member Wisdom and seconded by Council member Merz to approve the following resolution: WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year of purposed of the levy set by the County Board of Equalization unless the Governing Body of the City of Falls City passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and WHEREAS, it is in the best interests of the City of Falls City that the property tax request for the current year be a different amount than the property tax request for the prior year. NOW, THEREFORE, the Governing Body of the City of Falls City, by a majority vote, resolves that: 1. The 2019-2020 property tax request be set at \$708,766.00; 2. A copy of this resolution be certified and forwarded to the County Clerk prior to October 13, 2019. Roll was called on this motion and the Council members voted as follows: "YEA" Ferguson, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

APPOINTMENT OF CHRIS CAUDLE TO THE LIBRARY BOARD AS RECOMMENDED BY MAYOR BINDLE

A motion was made by Council person Ferguson and seconded by Council person Rhodd to approve the appointment of Chris Caudle to the Library Board. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

REQUEST TO RENT PRICHARD AUDITORIUM FOR A CHRISTMAS PARTY AND TO ALLOW ALCOHOL TO BE SERVED - JANUARY 18, 2020

A motion was made by Council person Ferguson and seconded by Council person Merz to approve the request to rent Prichard Auditorium for a Christmas Party on January 18, 2020 and to allow alcohol to be served. Roll was called on this motion and the Council members voted as follows: "YEA" Ferguson, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

SPECIAL DESIGNATED LIQUOR LICENSE APPLICATION GARY FOSTER - PRICHARD AUDITORIUM - JANUARY 18, 2020

A motion was made by Council member Merz and seconded by Council member Ractliffe to give favorable comment to the Special Designated Liquor License Application submitted by Gary Foster, 1123 Harlan Street, Falls City, Nebraska, for a Christmas Party at Prichard Auditorium, 312 West 17th Street, Falls City, Nebraska on January 18, 2020, as presented and to direct the City Clerk to notify the Nebraska Liquor Control Commission of the same. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. Motion carried.

CLOSING OF UTILITY EASEMENT "17 STREET" BETWEEN FAIR STREET AND BURTON DRIVE - LESA DURYEA

A discussion was held on the utility easement between Fair Street and Burton Drive. Lesa Duryea and Steve Ramer spoke.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:32P.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 September 4, 2019; 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