

Requisition REQ01899 was presented for consideration. Upon review, a motion was made by Council person Kaster and seconded by Council person K. Killingsworth to approve the purchase of Requisition REQ01883. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. "NAY" None. Motion carried.

CONSIDER APPROVAL OF REQUISITION REQ01899 FOR THE PURCHASE OF A 2026 CHEVROLET SILVERADO 3500 HD WITH STAHL UTILITY BED AS RECOMMENDED BY THE BOARD OF PUBLIC WORKS

Requisition REQ01899 along with supportive bid information was presented for consideration as recommended by the Board of Public Works. Upon review, a motion was made by Council person Ferguson and seconded by Council person Kaster to approve the purchase of Requisition REQ01899. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. "NAY" None. Motion carried.

CONSIDER EXECUTION OF A RENEWAL TO THE MAINTENANCE AGREEMENT NO. 10 WITH NEBRASKA DEPARTMENT OF TRANSPORTATION (NDOT) FOR CY2026

A renewal agreement with NDOT was presented for consideration. Upon review, a motion was made by Council person Leyden and seconded by Council person F. Killingsworth to authorize execution of the renewal as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. "NAY" None. Motion carried.

CONSIDER EXECUTION OF A MEMORANDUM OF UNDERSTANDING (MOU) WITH FALLS CITY SPECIAL OLYMPICS FOR UTILIZATION OF PRICHARD AUDITORIUM

An MOU was presented for consideration. Upon review, a motion was made by Council person Ferguson and seconded by Council person Fouraker to authorize execution of the MOU. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. "NAY" None. Motion carried.

CLOSED SESSION - DISCUSSION OF A COMMUNITY BENEFITS AGREEMENT WITH NEBRASKA RURAL GENERATION AND RELATING TO CONFIDENTIAL ECONOMIC DEVELOPMENT DISCUSSIONS FOR THE NRG INDUSTRIAL DEVELOPMENT PROJECT CONDUCTED UNDER A NON-DISCLOSURE AGREEMENT

A resolution and community benefits agreement was presented for consideration. A motion was made by Council person Leyden and seconded by Council person F. Killingsworth to enter into a closed session at 6:50 pm to protect the public interest by discussing confidential economic development negotiations and proprietary information regarding the NRG Industrial Development Project, which are subject to a non-disclosure agreement and not appropriate for public release at this stage. Attendees for the closed session included the Mayor, City Council Members, City Administration, NRG Representatives, and Falls City EDGE leadership. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. "NAY" None. Motion carried. A motion was made by F. Killingsworth and seconded by Council person Buckminster to end the closed session at 7:24 pm and resume the regular meeting. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. "NAY" None. Motion carried.

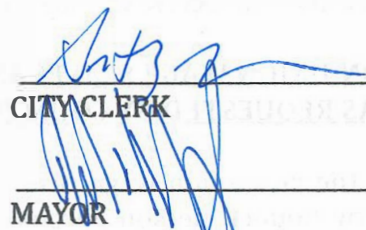

Upon entering regular session, a motion was made by Council person Ferguson and seconded by Council person F. Killingsworth to approve the resolution as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. "NAY" None. Motion carried.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 7:26 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 Council on December 1, 2025; 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 three copies 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

December 15, 2025

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 15th day of December 2025, 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: Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. Absent: Buckminster. 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 shown hereafter 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.

STANDING REPORTS

Standing reports from the Mayor, City Administrator, and Chief of Police were presented. No formal action was required.

AGENDA APPROVAL FOR DECEMBER 15, 2025

A motion was made by Council person Leyden and seconded by Council person K. Killingsworth to approve the agenda as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. "NAY"

None. "Absent" Buckminster. Motion carried.

ROUTINE BUSINESS

A motion was made by Council person Fouraker and seconded by Council person Kaster to table until the next regular meeting the approval of the minutes from December 1, 2025; claims approval for December 16, 2025 and the Treasurers Report for November 2025, due to insufficient time to review them. Roll was called on this motion and the Council persons voted as follows: "YEA" Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Ruiz. "NAY" Ferguson and Leyden. "Absent" Buckminster. Motion carried.

CONSIDER ADOPTION OF A LONG-RANGE PLAN FOR A ONE-YEAR AND SIX-YEAR STREET IMPROVEMENT PROGRAM

Mayor Harkendorff declared a public hearing open at 6:03 P.M. for the purpose of hearing support, opposition, criticism, suggestions, or observations relating to the adoption of a long-range plan for one-year and six-year street improvement program. Mayor Harkendorff asked if there was anyone in the audience who wished to speak in favor or opposition. There was no public comment. Mayor Harkendorff then declared the public hearing closed at 6:04 P.M.

RESOLUTION ADOPTING THE 2026 ONE & SIX YEAR STREET IMPROVEMENT PLAN

The Council had a discussion on the 2026 one & six year street improvement plan as presented. A motion was made by Council person F. Killingsworth and seconded by Council person K. Killingsworth to add to the one year plan, improvement to the drainage at the intersections of 21st/Morgan Street and 21st/Valley Street. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. "NAY" None. "Absent" Buckminster. Motion carried.

A motion was made by Council person K. Killingsworth and seconded by Council person Kaster to move projects M-282-71, M-282-72 and M-282-73 from the one-year plan to the six-year plan. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. "NAY" None. "Absent" Buckminster. Motion carried.

A motion was made by Council person K. Killingsworth and seconded by Council person Kaster to move project number M-282-86 from the six-year plan to the one-year plan. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. "NAY" None. "Absent" Buckminster. Motion carried.

A motion was made by Council person Kaster and seconded by Council person F. Killingsworth to add the replacement of 7th Street from Harlan to Morton Street/Morton Street to 5th Street and 5th Street to Fulton Street to the six-year plan. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. "NAY" None. "Absent" Buckminster. Motion carried.

A motion was made by Council person Kaster and seconded by Council person K. Killingsworth to move project number M-282-46 from the six-year plan to the one-year plan due to a potential safety concern. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. "NAY" None. "Absent" Buckminster. Motion carried.

Upon review, a motion was made by Council person F. Killingsworth and seconded by Council person Ruiz to adopt Resolution No. 2025-R159 as amended to incorporate to preceding actions. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. "NAY" None. "Absent" Buckminster. Motion carried.

PRESENTATION ON VOLUNTARY SUPPLEMENTAL INSURANCE OPTIONS THROUGH GLOBAL LIFE

A representative from Globe Life gave a presentation on their voluntary supplemental insurance options to the council. No action was taken at this time.

REQUEST FOR A SPECIAL DESIGNATE LIQUOR LICENSE FOR JANUARY 17, 2026 AT PRICHARD AUDITORIUM | ALYSSA FINCK

An application for a Special Designate Liquor License was presented. Upon review, a motion was made by Council person Leyden and seconded by Council person Kaster to approve the application as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. "NAY" None. "Absent" Buckminster. Motion carried.

REQUEST FOR A SPECIAL DESIGNATE LIQUOR LICENSE FOR APRIL 21, 2026 AT PRICHARD AUDITORIUM | ALYSSA FINCK

An application for a Special Designate Liquor License was presented. Upon review, a motion was made by Council person F. Killingsworth and seconded by Council person Kaster to approve the application as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. "NAY" None. "Absent" Buckminster. Motion carried.

CONSIDER APPROVING EXECUTION OF THE UPDATED CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT WITH OPPD

An updated Confidentiality and Non-Disclosure Agreement with OPPD was presented. Upon review, a motion was made by Council person Ferguson and seconded by Council person F. Killingsworth to approve the execution of the agreement as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. "NAY" None. "Absent" Buckminster. Motion carried.

CONSIDER APPROVING EXECUTION OF THE INTERLOCAL COOPERATION AGREEMENT FOR OUTDOOR WARNING SIRENS WITH RICHARDSON COUNTY

An interlocal agreement with Richardson County was presented for consideration. Upon review, a motion was made by Council person Kaster and seconded by Council person Leyden to authorize execution of the agreement as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. "NAY" None. "Absent" Buckminster. Motion carried.

RESOLUTION AUTHORIZING EXECUTION OF THE SOUTHWEST POWER POOL GUARANTOR DOCUMENT

A resolution was presented for consideration. Upon review, a motion was made by Council person Ferguson and seconded by Council person Leyden to adopt the resolution as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. "NAY" None. "Absent" Buckminster. Motion carried.

CONSIDER APPROVING THE AMENDED AND RESTATED AGREEMENT REGARDING SPP MARKET ASSISTANCE WITH MEAN

The Municipal Energy Agency of Nebraska (MEAN) proposed an Amended and Restated Agreement Regarding SPP Market Assistance to update the City's existing 2015 agreement for market-related services within the Southwest Power Pool (SPP). This proposed agreement was presented for consideration. Upon review, a motion was made by Council person Ferguson and seconded by Council person Leyden to adopt the resolution authorizing execution of the amended agreement as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. "NAY" None. "Absent" Buckminster. Motion carried.

REQUEST FOR A BURN PERMIT AT 2600 FULTON STREET | DAN SIMON

A request for a burn permit at 2600 Fulton Street was presented for consideration by Dan Simon. Upon review, a motion was made by Council person Ferguson and seconded by Council person Leyden to approve the request as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Leyden. "NAY" Kaster, F. Killingsworth, K. Killingsworth, Ruiz. "Absent" Buckminster. Motion failed.

RESCHEDULING OF REGULAR COUNCIL MEETINGS CONFLICTING WITH CALENDAR YEAR 2026 HOLIDAYS

A motion was made by Council person F. Killingsworth and seconded by Council person Ferguson to revise the regular meeting Council dates of Monday, January 19, 2026, to Tuesday, January 20, 2026; Monday, February 16, 2026, to Tuesday, February 17, 2026; Monday, September 7, 2026, to Wednesday, September 9, 2026. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. "NAY" None. "Absent" Buckminster. Motion carried.


CONSIDER AUTHORIZING EXECUTION OF A PERMANENT EASEMENT AND RIGHT-OF-WAY AGREEMENT WITH THE DOROTHY J. TOWLE REVOCABLE TRUST AS REQUESTED BY CRA & EDGE

A motion was made by Council person Ferguson and seconded by Council person Kaster to authorize execution of the easement and agreement as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Ruiz. "NAY" None. "Absent" Buckminster. Motion carried.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:50 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 Council on December 15, 2025; 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 three copies 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

January 5, 2026

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 5th day of January 2026, 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: Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Buckminster. Absent: Ruiz. 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 shown hereafter 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.

STANDING REPORTS

Standing reports from the Mayor, City Administrator, and Chief of Police were presented. No formal action was required.

AGENDA APPROVAL FOR JANUARY 5, 2026

A motion was made by Council person F. Killingsworth and seconded by Council person Buckminster to approve the agenda as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Buckminster. "NAY" None. "Absent" Ruiz. Motion carried.

MINUTES APPROVAL FOR DECEMBER 15, 2025

A motion was made by Council person Leyden and seconded by Council person K. Killingsworth to approve the minutes as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Buckminster. "NAY" None. "Absent" Ruiz. Motion carried.

CLAIMS APPROVAL FOR JANUARY 6, 2026

A motion was made by Council person Ferguson and seconded by Council person Leyden to approve the claims as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Buckminster. "NAY" None. "Absent" Ruiz. Motion carried.

MINUTES APPROVAL FOR DECEMBER 1, 2025

A motion was made by Council person Leyden and seconded by Council person Fouraker to approve the minutes as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Kaster, K. Killingsworth, F. Killingsworth, Leyden, Buckminster. "NAY" None. "Absent" Ruiz. Motion carried.

CLAIMS APPROVAL FOR DECEMBER 16, 2025

A motion was made by Council person Ferguson and seconded by Council person Leyden to approve the claims as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Kaster, K. Killingsworth, Leyden, Buckminster. "NAY" F. Killingsworth. "Absent" Ruiz. Motion carried.