

JANUARY 5, 2022

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 5th day of January 2022, 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: Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. 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 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 informed the Council of the \$20,000 donation to the Fire Department from Amelia Morehead. It will be used to replace the tower lights, changing them to LED on the Ladder Truck.

CONSENT AGENDA

A motion was made by Council person Ferguson and seconded by Council person Leyden to approve the Consent Agenda with the amendment of combining Items 10 and 11 and changing to discussion items 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 December 20, 2021, meeting is hereby approved. 2. *BE IT FURTHER RESOLVED* BY the Council that the agenda for January 5, 2022, is hereby approved. 3. *BE IT FURTHER RESOLVED* BY the Council that the Claims for December 2021 of the City of Falls City are hereby approved. 4. *BE IT FURTHER RESOLVED* BY the Council that the Consent Resolution for January 5, 2022, is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Buckminster. Motion carried.

ORDINANCE #2022-101 AMENDING CITY WARDS DESCRIPTIONS

A motion was made by Council member Ferguson and seconded by Council member Rhodd to waive the multiple readings of the Ordinance. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Buckminster. Motion carried. A motion was then made by Council member Holle and seconded by Council member Merz to accept the Ordinance. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Buckminster. Motion carried.

RESOLUTION EXECUTING THE CONTRACT LOAN BETWEEN THE NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY AND THE CITY OF FALLS CITY, NE DESIGNATED AS PROJECT NO C318052. SANITARY SEWER SYSTEM UPDATES

A motion was made by Council member Leyden and seconded by Council member Ferguson to approve the resolution for sewer updates. Ray Luhring spoke on the resolution to enter forgiveness program with the Nebraska Department of Environment and Energy regarding maintenance on the sewer system. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Buckminster. Motion carried.

RESOLUTION TO INTRODUCE 1/2 % SALES TAX INCREASE TO THE PRIMARY ELECTION OF 2022

A motion was made by Council member Leyden and seconded by Council member Ractliffe to approve the resolution. Mike Dunn and Derrick Leyden spoke to the purpose of the resolution to add the ½ % sales tax increase to the ballot in May. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Buckminster. Motion carried.

APPOINTMENT OF NEW MEMBER TO BOARD OF ADJUSTMENTS

A motion was made by Council member Holle and seconded by Council member Ferguson to approve the appointment of Rob Gerweck to the Board of Adjustments. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Buckminster. Motion carried.

ELECTION OF PRESIDENT OF THE COUNCIL

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

ELECTION OF ACTING PRESIDENT OF THE COUNCIL

A motion was made by Council member Ferguson and seconded by Council member Rhodd to approve the election of Derreck Leyden as Acting Council President. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Holle, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSTAIN" Leyden. "ABSENT" Buckminster. Motion carried.

APPOINTMENT OF A COUNCIL MEMBER TO ECONOMIC DEVELOPMENT GROWTH ENTERPRISE, INC. BOARD OF DIRECTORS

A motion was made by Council member Leyden and seconded by Council member Ractliffe to approve the appointment of Mitch Merz to represent the Council for the EDGE Board of Directors. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSTAIN" Merz. "ABSENT" Buckminster. Motion carried.

PURCHASE OF LANDPRIDE OVERSEEDER AT THE COST OF \$5,500 FOR THE PARKS DEPARTMENT

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

LEASE AGREEMENT FOR OLD CITY HALL BUILDING WITH TILON MAST

A motion was made by Council member Ferguson and seconded by Council member Leyden to agree to lease terms with Tilon Mast for the lease of the old City Hall for a period of six months for the cost of \$1,000 during that term, with Mr. Mast paying for the monthly utilities. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Leyden, Merz, Rhodd, Wisdom. "NAY" Holle, Ractliffe. "ABSENT" Buckminster. Motion carried.

LUCAS FROESCHL – EDGE QUARTERLY REPORT

A motion was made by Council member Holle and seconded by Council member Ractliffe to accept report. Lucas Froeschl gave the quarterly EDGE update. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Buckminster. Motion carried.

GOOD NEWS ASSEMBLY OF GOD COMMUNITY OUTREACH PROGRAM FEBRUARY 25, 2022 USE OF PRICHARD AUDITORIUM WITH NOT FEE MARY EICKHOFF

A motion was made by Council member Leyden and seconded by Council member Ferguson to allow the Assembly of God Outreach program to use Prichard and waive the fee. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Buckminster. Motion carried.

**FOLLOW UP TO THE CITY CHANGING THE ZONING TO 1300 HARLAN ST. TO RESIDENTIAL COMMERCIAL
FLEX DAN FARLEY**

No action was taken for the zoning reassignment request, Mr Farley was absent from the meeting.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED

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 January 5, 2022; 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