

February 6, 2023

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 6th day of February 2023, 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: Buckminster, Ferguson, Fouraker, Holle, Leyden, 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 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.

CONSENT AGENDA

A motion was made by Council person Leyden and seconded by Council person Ferguson 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 January 17, 2023 regular meeting is hereby approved. 2. *BE IT FURTHER RESOLVED* BY the Council that the agenda for February 6, 2023, is hereby approved. 3. *BE IT FURTHER RESOLVED* BY the Council that the Claims for January, 2023 is hereby approved. 4. *BE IT FURTHER RESOLVED* BY the Council that the Code Enforcement Monthly Report for January, 2023, is hereby approved. 5. *BE IT FURTHER RESOLVED* BY the Council that the Consent Resolution for February 6, 2023, is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

AWARD CONTRACT TOTALING \$315,295.68 FOR THE REED BED REHABILITATION & REPLACEMENT PROJECT TO RULO TRANSPORTATION, LLC AS RECOMMENDED BY THE BOARD OF PUBLIC WORKS AND ALLOCATE ARPA FUNDS FOR THE PROJECT/ RAY LUHRING

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

REVIEW BOARD AND COMMITTEE APPOINTMENTS AS RECOMMENDED BY MAYOR HARKENDORFF

A motion was made by Council person Holle and seconded by Council person Rhodd to approve the mayoral appointments as presented.

Park Board | Mitch Merz, Nate Froeschl – Term(s) Expiring 12.31.2025

Community Redevelopment Authority | Rod Rowland – Term Expiring 10.31.2026 | Trent Scheitel – Term Expiring 10.31.2027

Cemetery Board | Jeff Goltz, Marilyn Lock – Term Expiring 12.31.2025 | Dave Young – Term Expiring 12.31.2026

Health Board | Gayle Keller - Term Expiring 12.31.2023

Board of Public Works | Aaron Johansen – Term Expiring 12.31.2026

Planning Commission | Les Baker - Term Expiring 12.31.2025

Police & Fire Employment Selection Board | John Nixon – Term Expiring 12.31.2026

Tree Board | Lucinda Rieschick, Marsha Roland – Term(s) Expiring 12.31.2023

MEAN Board of Directors | Ray Luhring, Anthony Nussbaum (Alternate) – Term Expiring 12.31.2024
MEAN Management Committee | Anthony Nussbaum (Alternate) – Term Continuing Until Re-Appointed
Safety Committee | Anthony Nussbaum, Ray Luhring, Marc Ramsey, Blake Buckminster – Term(s)
Expiring 12.31.2023

Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

REVIEW APPOINTMENT OF DYLAN CROFFORD TO THE FALLS CITY VOLUNTEER FIRE DEPARTMENT AS RECOMMENDED BY MATT BEER

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

REVIEW REQUEST FOR REDUCTION OF RENTAL RATES OF PRICHARD AUDITORIUM FOR FALLS CITY PUBLIC SCHOOL PROGRAMS/GRADUATION ON 5-8-24 THRU 5-14-24

A discussion was held on the item. The item died due to lack of motion.

REQUEST TO RENT PRICHARD AUDITORIUM ON MARCH 10TH AND 11TH, 2023 FOR A BENEFIT FOR GREG STRICKLAND AND TO ELIMINATE THE RENTAL RATE FEE OF \$400.00/JULIE PHROPER

A discussion was held on the item. The item died due to lack of motion.

REQUEST TO RENT PRICHARD AUDITORIUM ON 9-30-23 FOR A WEDDING AND TO ALLOW ALCOHOL TO BE SERVED BY CHAD KRUGER

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

LETTER OF INTENT TO PARTNER WITH SOUTHEAST NEBRASKA DEVELOPMENT DISTRICT AND SOUTHEAST NEBRASKA AFFORDABLE HOUSING COUNCIL TO COMMIT \$200,000.00 IN RESOURCES FOR THE 2023 WORKFORCE HOUSING FUND

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

AWARD ENTITY FOR ENTERPRISE RESOURCE PLANNING (ERP) SOFTWARE AND ALLOCATE ARPA FUNDS/ANTHONY NUSSBAUM

A motion was made by Council person Ferguson and seconded by Council person Holle to proceed with contracting ERP software with Tyler Technologies and utilize ARPA. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

COMMITMENT LETTER FOR 2023 CCCFF PLANNING GRANT FOR FEASIBILITY STUDY OF A RECREATION/WELLNESS STUDY

A motion was made by Council person Leyden and seconded by Council person Ferguson to approve the commitment letter as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

**REVIEW AND APPROVAL OF 2023 RETAIL LIQUOR LICENSE RENEWALS AS PUBLISHED
IN THE FALLS CITY JOURNAL ON 1-17-23**

A motion was made by Council person Ractliffe and seconded by Council person Rhodd to approve the license renewals as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

**ADOPTION OF UPDATED POLICIES AND STANDARD OPERATING PROCEDURES FOR THE FALLS CITY
POLICE DEPARTMENT/ POLICE CHIEF - JAMESON BAKER**

A motion was made by Council person Holle and seconded by Council person Ractliffe to adopt the policies and procedures as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

**REVIEW CURRENT SHORT AND LONG-TERM GOVERNMENT AND ENTERPRISE FUND
INVESTMENTS/ANTHONY NUSSBAUM**

A motion was made by Council person Ferguson and seconded by Council person Holle to utilize Vendor B for current short term and long-term investments. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSTAIN" Leyden. "ABSENT" None. Motion carried.

REQUEST TO DISCUSS UTILITY PRICING AND POWER OUTAGES/TOM ADAMS

Requestor was not in attendance and there was no public discussion. The item died due to lack of motion.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:50pm

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 Harkendorff and Council on February 6, 2023; 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