

## **February 21, 2023**

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 21<sup>st</sup> 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, Ractliffe, Rhodd, Wisdom. Absent: Leyden. 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 Ferguson 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 February 6, 2023 regular meeting is hereby approved. 2. *BE IT FURTHER RESOLVED* BY the Council that the agenda for February 21, 2023, is hereby approved. 3. *BE IT FURTHER RESOLVED* BY the Council that the Treasurer's Report for January, 2023 is hereby approved. 4. *BE IT FURTHER RESOLVED* BY the Council that the Police Report for January, 2023 of the City of Falls City are hereby approved. 5. *BE IT FURTHER RESOLVED* BY the Council that the Consent Resolution for February 21, 2023, is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Leyden. Motion carried.

## **REVIEW BOARD AND COMMITTEE APPOINTMENTS AS RECOMMENDED BY MAYOR HARKENDORFF**

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

**Park Board** | Sandy Schwarting – Term Expiring 12.31.2023

**Cemetery Board** | Bruce Merz – Term Expiring 12.31.2026

**Planning Commission** | Sarah Morris - Term Expiring 12.31.2026

**Tree Board** | Anna Thompson – Term(s) Expiring 12.31.2024

**Board of Adjustment** | John Caverzagie - Term Expiring 12.31.2024

**Southeast Nebraska Housing Partnership** | Amber Holle – Term Expiring 12.28.2028

**Housing Board** | Ed Harris, Calvin Buck, Mike Dougherty – Term(s) Expiring 12.31.2023| Jack Bangert, Steve Hutfles – Term(s) Expiring 12.31.2024

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

## **AGREEMENT FOR DISSOLUTION OF THE AMERICAN PUBLIC ENERGY AGENCY (APEA) EFFECTIVE MARCH 31, 2023/ROGER MOCK, APEA CONSULTANT**

A motion was made by Council person Holle and seconded by Council person Ractliffe to approve the agreement

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

**MASTER AGREEMENT WORK ORDER FOR PROFESSIONAL SERVICES FOR THE FINAL DESIGN OF PHASE I STREET IMPROVEMENTS PROJECT BY OLSSON TOTALING \$47,600.00/CITY ADMINISTRATOR**

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

**RESOLUTION RESTRICTING TWO(2) INDIVIDUAL PARKING SPACES TO ONE HOUR PARKING IN FRONT OF 1801 STONE STREET/SOUTHEAST NEBRASKA INSURANCE AGENCY, INC**

A motion was made by Council person Buckminster and seconded by Council person Ferguson to amend the resolution to (1) parking space. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Leyden. Motion carried.

**AWARD CONTRACT FOR A FALLS CITY FIREWORKS DISPLAY TO BE HELD IN CONJUNCTION WITH THE 2023 HOT AIR BALLOON FESTIVAL/CITY ADMINISTRATOR**

A motion was made by Council person Buckminster and seconded by Council person Ferguson to award the contract for the 2023 Fireworks Show to Pay Up Sucker Promotions for \$15,000.000. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Rhodd. "NAY" Ractliffe, Wisdom. "ABSTAIN" Holle. "ABSENT" Leyden. Motion carried.

**REVIEW REQUEST TO CHANGE LOCATION OF LIQUOR LICENSE FROM 1124 HARLAN STREET TO 1022 HARLAN STREET/ABUNDES Y ONATE, LLC DBA FIESTA BRAVA**

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

**REQUEST TO BLOCK OFF THREE(3) STREET PARKING STALLS ON THE EAST SIDE OF THE STREET IN FRONT OF 1522 STONE STREET ON APRIL 22, 2023 BETWEEN 8AM TO 3PM FOR A BUSINESS OPEN HOUSE/MARCUS HELLER, HELLER MARTIAL ARTS**

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

*THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:49pm*

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 21, 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)

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CITY CLERK

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CITY CLERK

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MAYOR