

March 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 March 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, Fouraker, Holle, Leyden, Ractliffe, Rhodd, Wisdom. Absent: Ferguson. 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 Ractliffe and seconded by Council person Leyden 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 21, 2023 regular meeting is hereby approved. 2. *BE IT FURTHER RESOLVED* BY the Council that the agenda for March 6, 2023, is hereby approved. 3. *BE IT FURTHER RESOLVED* BY the Council that the Claims for February, 2023 is hereby approved. 4. *BE IT FURTHER RESOLVED* BY the Council that the Code Enforcement Monthly Report for February, 2023, is hereby approved. 5. *BE IT FURTHER RESOLVED* BY the Council that the Consent Resolution for March 6, 2023, is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Fouraker, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Ferguson. Motion carried.

REQUEST FOR CONDITIONAL PERMIT FOR A FAMILY CHILD HOME CARE II AT 2615 HILAND AVE. AS RECOMMENDED BY THE PLANNING COMMISSION/VICKY FROESCHL

Mayor Harkendorff declared a public hearing open at 6:05P.M. to discuss request for Conditional Permit for a Family Child Home Care II at 2615 Hiland Ave. Harkendorff then asked if there was anyone in the audience who wished to speak in favor of or oppose said Permit. Vicky Froeschl spoke. Since no one else wished to be recognized, Mayor Harkendorff then declared the public hearing closed at 6:06P.M. A motion was made by Council person Holle and seconded by Council person Ractliffe to approve the permit as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Fouraker, Holle, Leyden, Ractliffe, Wisdom. "NAY" None. "ABSTAIN" Rhodd, "ABSENT" Ferguson. Motion carried.

REQUEST FOR CONDITIONAL PERMIT FOR A FAMILY CHILD HOME CARE II AT 1807 CROOK ST. AS RECOMMENDED BY THE PLANNING COMMISSION/STEPHANIE GERDES

Mayor Harkendorff declared a public hearing open at 6:07P.M. to discuss request for Conditional Permit for a Family Child Home Care II at 1807 Crook St. Harkendorff then asked if there was anyone in the audience who wished to speak in favor of or oppose said Permit. Since no one wished to be recognized, Mayor Harkendorff then declared the public hearing closed at 6:08P.M. A motion was made by Council person Leyden and seconded by Council person Buckminster to approve the permit as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Fouraker, Holle, Leyden, Ractliffe, Wisdom. "NAY" None. "ABSTAIN" Rhodd, "ABSENT" Ferguson. Motion carried.

REZONING OF PARCELS 740063278, 740063286, 740063308, 740063472, 740063359, 740063340, 740063367, 740063375, 740063383, 740063391, 740063406 TO INDUSTRIAL(I-2) IN ORDER TO ALLOW FOR A PROPOSED 80' X 100' WAREHOUSING FACILITY AS RECOMMENDED BY THE PLANNING COMMISSION/FALLS CITY MERCANTILE

Mayor Harkendorff declared a public hearing open at 6:08P.M. to discuss rezoning of parcels. Harkendorff then asked if there was anyone in the audience who wished to speak in favor of or oppose said item. Vicky Froeschl spoke. Since no one wished to be recognized, Mayor Harkendorff then declared the public hearing closed at 6:08P.M. A motion was made by Council person Holle and seconded by Council person Buckminster to approve the rezoning as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Fouraker, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Ferguson. Motion carried.

REVIEW BOARD AND COMMITTEE APPOINTMENTS AS RECOMMENDED BY MAYOR HARKENDORFF

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

Blue Rivers Area on Aging(BRAA) Board of Directors | Pam Harkendorff – Term Expiring 12.31.2024
Planning Commission | Lee Kurpgeweit – Term(s) Expiring 12.31.2025
Community Redevelopment Authority | Adam Morris – Term Expiring 10.31.2025, Justin Debusk – Term Expiring 10.31.2026
Tree Board | Gracie Deckinger, Carol Bentley - Term(s) Expiring 12.31.2024
Police & Fire Employment Selection Board | John Cummings – Term Expiring 12.31.2025
Board of Adjustment | William Nussbaum (Alternate) - Term Expiring 12.31.2024
Housing Board | Doug Waller – Term Expiring 12.31.2023

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

REQUEST FOR CURB CUT AT 2523 BARADA STREET/DAVID KEITHLEY

A motion was made by Council person Leyden 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, Fouraker, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Ferguson. Motion carried.

REQUEST FOR APPROVAL OF A SPECIAL DESIGNATED LIQUOR LICENSE (SDL) AT BRENNER AIRFIELD FOR THE HOT AIR BALLOON FESTIVAL/MSKDL INC

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

REVIEW REQUEST TO WAIVE OR REDUCE RENTAL FEES OF \$150.00 ON 10.27/23 AND \$250.00 ON 10.28.23 FOR THE HUMANE SOCIETY HALLOWEEN PARTY/JULIE PHROPER

Died due to lack of motion.

REQUEST FOR AWARD OF CONTRACT TO JF CONSTRUCTION SERVICES, LLC IN THE AMOUNT OF \$408,050.00 FOR THE PHASE 8 NATURAL GAS REPLACEMENT PROJECT AS RECOMMENDED BY THE BOARD OF PUBLIC WORKS(BOPW)/RAY LUHRING

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

carried.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:26pm

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 March 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