

**June 6, 2022**

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 6<sup>th</sup> day of June 2022, at 6:00 o' clock P.M. Council met in regular session. Mayor Bindle 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, Holle, Leyden, Merz, 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 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.

**CONSENT AGENDA**

A motion was made by Council person Ractliffe 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 May 18, 2022, meeting is hereby approved. 2. *BE IT FURTHER RESOLVED* BY the Council that the agenda for June 6, 2022, is hereby approved. 3. *BE IT FURTHER RESOLVED* BY the Council that the Claims for May 2022 of the City of Falls City are hereby approved. 4. *BE IT FURTHER RESOLVED* BY the Council that the Consent Resolution for June 6, 2022, is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

**PUBLIC HEARING – ANIMAL PERMIT FOR CHIP EBEL AT 1711 SCHOENHEIT STREET FOR 2 COWS – CHIP EBEL**

Mayor Bindle declared a public hearing open at 6:02P.M. to discuss the animal permit for Chip Ebel at 1711 Schoenheit Street for 2 cows. Mayor Bindle then asked if there was anyone in the audience who wished to speak in favor of or oppose said permit. Since no one else wished to be recognized, Mayor Bindle then declared the public hearing closed at 6:03P.M. A motion was made by Council member Leyden and seconded by Council member Ractliffe to approve said permit. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd. "NAY" Wisdom. "ABSENT" None. Motion carried.

**PUBLIC HEARING – ANIMAL PERMIT FOR COLTON & KYLIE VOLLAN AT 1701 SCHOENHEIT STREET FOR 2 COWS, 2 HORSES AND OR 1 MINI DONKEY**

Mayor Bindle declared a public hearing open at 6:06P.M. to discuss the animal permit for Colton & Kylie Vollan at 1701 Schoenheit Street for either 2 cows or 2 horses and/or 1 mini donkey. Mayor Bindle then asked if there was anyone in the audience who wished to speak in favor of or oppose said permit. A discussion was made by the public, Mayor Bindle then declared the public hearing closed at 6:16P.M. A motion was made by Council member Leyden and seconded by Council member Ferguson to approve said permit. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd. "NAY" Buckminster, Wisdom. "ABSENT" None. Motion carried.

**BOARD APPOINTMENTS FOR MANAGEMENT NEGOTIATION BOARD AS RECOMMENDED BY MAYOR, SHAWNA BINDLE**

A motion was made by Council member Ferguson and seconded by Council member Leyden to approve the

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

**BOARD APPOINTMENTS FOR CWA NEGOTIATION BOARD AS RECOMMENDED BY MAYOR, SHAWNA BINDLE**

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

**BOARD APPOINTMENTS FOR IBEW NEGOTIATION BOARD AS RECOMMENDED BY MAYOR, SHAWNA BINDLE**

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

**BOARD APPOINTMENTS FOR IOUE NEGOTIATION BOARD AS RECOMMENDED BY MAYOR, SHAWNA BINDLE**

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

**BOARD APPOINTMENTS FOR BUDGET COMMITTEE AS RECOMMENDED BY MAYOR, SHAWNA BINDLE**

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

**COBBLESTONE FESTIVAL 2022 REQUESTS BY FALLS CITY CHAMBER & MAIN STREET**

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

**REQUEST FOR LEMONADE DAYS BY FALLS CITY CHAMBER & MAIN STREET**

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

**REQUEST FOR CURB CUT AT 1807 BURTON DRIVE TO WIDEN EXISTING DRIVEWAY BY ELI BACHMAN**

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

**REQUEST TO INSTALL PORTABLE BUILDING ON TOP OF EXISTING CONCRETE SLAB ON THE VACANT LOTS 18, 19 & 20(3L) AT 1612 FULTON STREET FOR MOWER AND LAWAN EQUIPMENT BY RON KELLEY**

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

**REQUEST FOR CITY TO RELOCATE OVERHEAD POWER LINES TO UNDERGROUND ON SOUTHEAST SIDE OF SACRED HEART SCHOOL FOR PARKING LOT IMPROVEMENTS BY SACRED HEART SCHOOL (BOPW DENIED REQUEST ON MAY 19, 2022)**

A motion was made by Council member Leyden and seconded by Council member Ractliffe to approve the install of the primary lines underground as requested with City expenses capping at \$3,000.00. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Merz, Ractliffe. "NAY" Rhodd, Wisdom. "ABSENT" None. Motion carried.

**REQUEST APPROVAL OF AWARD TO RULO TRANSPORTATION, LLC FOR 33<sup>RD</sup> STREET - BILL SHOCK BLVD TO LANE STREET, PROJECT 20-171-02 FOR \$771,234.10 AS RECOMMENDED BY THE CITY ADMINISTRATOR - ANTHONY NUSSBAUM**

A motion was made by Council member Buckminster and seconded by Council member Holle to award Rulo Transportation, LLC with the contract to construct 33<sup>rd</sup> Street - Bill Shock Blvd to Lane Street for the sum of \$771,234.10. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

**REQUEST APPROVAL OF AWARD OF THE 2021 ELECTRICAL DEPARTMENT 4.16KV SWITCHGEAR UPGRADE PROJECT TO HAROLD K SCHOLZ COMPANY FOR \$849,580.00 AS RECOMMENDED BY THE BOARD OF PUBLIC WORKS - RAY LUHRING**

A motion was made by Council member Ferguson and seconded by Council member Leyden to award Harold K Schulz Company with the contract for the 2021 Electrical Department 4.16KV Switchgear Upgrade for the sum of \$849,580.00. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

**REQUEST APPROVAL OF THE FINAL DRAFT OF THE 2022 INTEGRATED RESOURCE PLAN (IRP) AS DEFINED BY OUR WESTERN AREA POWER ADMINISTRATION (WAPA) CONTRACT BY RAY LUHRING**

A motion was made by Council person Ferguson and seconded by Council person Rhodd to approve the final draft of the 2022 Integrated Resource Plan. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

*THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:54pm*

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 June 6, 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)

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CITY CLERK

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CITY CLERK

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MAYOR