

June 21, 2023

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

PUBLIC HEARING - OPPORTUNITY FOR PUBLIC COMMENT CONCERNING AN EXISTING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT THAT PROVIDED A \$310, 500 CDBG LOAN FOR DIRECT ASSISTANCE TO GREAT WEST PETFOOD HOLDING, INC. DOING BUSINESS AS FALLS CITY FOODS, LLC. TO ASSIST WITH THE FOLLOWING PROJECT: THE PURCHASE OF EQUIPMENT TO EXPAND DAILY OPERATIONS AT THE EXCITING BUILDING LOCATED AT 404 PACIFIC STREET, FALLS CITY, RICHARDSON COUNTY, NEBRASKA 68355 - SOUTHEAST NEBRASKA DEVELOPMENT DISTRICT

Mayor Harkendorff declared a public hearing open at 6:06P.M. to discuss the CDBG Project for Falls City Foods at 404 Pacific Street. Kelly Gentrup with SENDD spoke about the project and grant. Mayor Harkendorff then asked if there was anyone else in the audience who wished to speak in favor of or oppose said project. Mayor Harkendorff then declared the public hearing closed at 6:09P.M.

PUBLIC HEARING - CONSIDERATION OF THE REPLAT OF PARCEL IDS: 740012258, 740079263, 740171051, 740171052 AND 740171053 AND LEGALLY DESCRIBED AS FOLLOWS: LOTS 1, 2 AND 3, BLOCK 4, CHAMPIONS CROSSING, AND LOTS 4, 5 AND 6, WILDERNESS FALLS SUBDIVISION ALL IN CITY OF FALLS CITY, RICHARDSON COUNTY, NEBRASKA

Mayor Harkendorff declared a public hearing open at 6:09P.M. to discuss the Replat as presented. Lucas Froeschl, Falls City EDGE spoke regarding the proposed housing development. Mayor Harkendorff then asked if there was anyone else in the audience who wished to speak in favor of or oppose said replat. Mayor Harkendorff then declared the public hearing closed at 6:12P.M. A motion was made by Council member

Ferguson and seconded by Council member Holle to approve the preliminary/final replat. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Holle, Leyden, Rhodd, Wisdom. "NAY" None. "ABSENT" Buckminster, Ractliffe. Motion carried.

AMENDMENT TO THE REDEVELOPMENT PLAN OF THE CITY OF FALLS CITY, WHICH AMENDMENTS SHALL INCLUDE SPECIFIC REDEVELOPMENT PROJECT. THE PROPERTY WHICH IS THE SUBJECT OF THE PUBLIC HEARING IS IDENTIFIED AS OF PARCEL IDS: 740012258, 740079263, 740171051, 740171052 AND 740171053 AND LEGALLY DESCRIBED AS FOLLOWS: LOTS 1, 2 AND 3, BLOCK 4, CHAMPIONS CROSSING, AND LOTS 4, 5 AND 6, WILDERNESS FALLS SUBDIVISION ALL IN CITY OF FALLS CITY, RICHARDSON COUNTY, NEBRASKA – AS RECOMMENDED BY THE PLANNING COMMISSION

Mayor Harkendorff declared a public hearing open at 6:13P.M. to discuss the amendment to the redevelopment plan. Mayor Harkendorff then asked if there was anyone in the audience who wished to speak in favor of or oppose said replat. Mayor Harkendorff then declared the public hearing closed at 6:16P.M. A motion was made by Council member Ferguson and seconded by Council member Leyden to approve the amendment to the redevelopment plan as recommended by the CRA and Planning Commission. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Holle, Leyden, Rhodd, Wisdom. "NAY" None. "ABSENT" Buckminster, Ractliffe. Motion carried.

REDEVELOPMENT AGREEMENT FOR THE WILDERNESS FALLS III REDEVELOPMENT PROJECT – COMMUNITY REDEVELOPMENT AUTHORITY

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

REQUEST TO BLOCK OFF 17TH STREET BETWEEN HARLAN AND LANE STREET FOR AN ICE CREAM SOCIAL AND FIREWORKS SHOW ON JUNE 30TH, 2023 FROM 8-10PM – FIRST UNITED METHODIST CHURCH

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

FIRST READING OF ORDINANCE 2023-101 TO AMEND SECTIONS 5-632, 5-634, 5-638 AND 5-641 OF THE FALLS CITY MUNICIPAL CODE REGARDING ATV, UTV AND GOLF CAR VEHICLE OPERATION

A motion was made by Council member Leyden and seconded by Council member Rhodd to suspend the rules and perform the final reading. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Holle, Leyden, Rhodd, Wisdom. "NAY" None. "ABSENT" Buckminster, Ractliffe. Motion carried. A motion was then made by Council member Leyden and seconded by Council member Rhodd to accept the final reading of Ordinance 2023-101 as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Fouraker, Holle, Leyden, Rhodd, Wisdom. "NAY" None. "ABSENT" Buckminster, Ractliffe. Motion carried.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:24pm

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 June 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)

CITY CLERK

CITY CLERK

MAYOR