

JULY 20, 2020

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 20th day of July, 2020, at 6:00 o' clock P.M. Council met in regular session. Mayor Bindle called the meeting to order and Clerk Jorn recorded the minutes of the meeting. On roll call the following Council persons were present: Froeschl, Holle, Rhodd, Wisdom. Absent: Ferguson, Leyden, Merz, 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 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 available to the public by video conference. 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.

Ferguson arrived at 6:02pm

CONSENT AGENDA

A motion was made by Council person Wisdom and seconded by Council person Rhodd to approve the Consent Agenda as presented: *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 July 6, 2020 meeting is hereby approved. 2. *BE IT FURTHER RESOLVED* BY the Council that the agenda for July 20, 2020 is hereby approved. 3. *BE IT FURTHER RESOLVED* BY the Council that the Police Report for June 2020 is hereby approved. 4. *BE IT FURTHER RESOLVED* BY the Council that the Treasurer Report for June 2020 is hereby approved. 5. *BE IT FURTHER RESOLVED* BY the Council that the Consent Resolution for July 20, 2020 is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Froeschl, Holle, Rhodd, Wisdom. "NAY" None. "ABSTAIN" Ferguson. Motion carried.

SECOND READING – ORDINANCE 2020-101 – RELATAING TO CONTROL OF THE PREVENTION OF SPREAD OF COMMUNICABLE DISEASE, ILLNESS OR POISONING AND ADOPTION OF RULES AND REGULATIONS

A motion was made by Council person Wisdom and seconded by Council person Rhodd to approve the second reading of Ordinance #2020-101 as presented. Mike Pickard spoke. Roll was called on this motion and the Council persons voted as follows: "YEA" Holle, Rhodd, Wisdom. "NAY" Ferguson, Froeschl. Motion denied.

FALLS CITY EMPLOYEE HANDBOOK

A motion was made by Council person Holle and seconded by Council person Froeschl to approve the Employee Hand Book. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Holle, Rhodd, Wisdom. "NAY" None. Motion carried.

HEALTH INSURANCE RENEWAL AS RECOMMENDED BY THE HEALTH INSURANCE BOARD – BENEFIT MANAGEMENT

A motion was made by Council person Wisdom and seconded by Council person Holle to approve the Health Insurance Renewal as recommended by the Health Insurance Board. Roll was called on this motion and the Council persons voted as follows: "YEA" Ferguson, Froeschl, Holle, Rhodd, Wisdom. "NAY" None. Motion carried.

DANGEROUS DOG BREED BAN WITHIN CITY LIMITS – THOMAS BASSETT

Thomas Bassett spoke. No action was taken.

**PUBLIC HEARING – AMENDMENT OF FALLS CITY ZONING CODE ORDINANCE
SECTION 5.06 TO ALLOW CARPORTS IN (C-2) GENERAL COMMERCIAL AND (C-3)
HIGHWAY COMMERCIAL DISTRICTS AS RECOMMENDED BY THE PLANNING COMMISSION**

Mayor Bindle declared a public hearing open at 6:20P.M. to approve the amendment to Zoning Ordinance to allow carports as a permitted use in C-2 and C-3 zones. Mayor Bindle then asked if there was anyone in the audience who wished to speak in favor of or oppose said recommendation. Since no one wished to be recognized, Mayor Bindle then declared the public hearing closed at 6:23P.M. A motion was made by Council member Holle and seconded by Council member Rhodd to approve the recommendation. Roll was called on this motion and the Council members voted as follows: “YEA” Ferguson, Froeschl, Holle, Rhodd, Wisdom. “NAY” None. Motion carried.

**PUBLIC HEARING – CONDITIONAL USE PERMIT TO INSTALL ROOF TOP SOLAR PANELS AT 1114 BARADA
STREET REQUESTED BY TREYVIN BEK AS RECOMMENDED BY THE PLANNING COMMISSION**

Mayor Bindle declared a public hearing open at 6:24P.M. to approve a Conditional Use Permit for roof top solar panels at 1114 Barada Street. Mayor Bindle then asked if there was anyone in the audience who wished to speak in favor of or oppose said recommendation. Since no one wished to be recognized, Mayor Bindle then declared the public hearing closed at 6:25P.M. A motion was made by Council member Ferguson and seconded by Council member Froeschl to approve the recommendation. Roll was called on this motion and the Council members voted as follows: “YEA” Ferguson, Froeschl, Holle, Rhodd, Wisdom. “NAY” None. Motion carried.

**PUBLIC HEARING – RE-ZONE 303 AND 307 EAST 14TH STREET FROM (RCF)
RESIDENTIAL COMMERCIAL FLEX TO (C-2) GENERAL COMMERCIAL REQUESTED BY
DENNIS HULLMAN AS RECOMMENDED BY THE PLANNING COMMISSION**

Mayor Bindle declared a public hearing open at 6:25P.M. to approve rezoning 303 and 307 East 14th from RCF to C-2. Mayor Bindle then asked if there was anyone in the audience who wished to speak in favor of or oppose said recommendation. Since no one wished to be recognized, Mayor Bindle then declared the public hearing closed at 6:26P.M. A motion was made by Council member Ferguson and seconded by Council member Holle to approve the recommendation. Roll was called on this motion and the Council members voted as follows: “YEA” Ferguson, Froeschl, Holle, Rhodd, Wisdom. “NAY” None. Motion carried.

RESOLUTION RATIFYING ACTIONS AT TELEPHONE AND VIDEO CONFERENCE MEETING

A motion was made by Council person Ferguson and seconded by Council person Rhodd to approve the resolution ratifying actions taken by the City Council during previous telephone and video conference meetings. Roll was called on this motion and the Council persons voted as follows: “YEA” Ferguson, Froeschl, Holle, Rhodd, Wisdom. “NAY” None. Motion carried.

REQUEST FOR 40’X80’ METAL BUILDING AT 619 LANE STREET – BEN HOWARD

A motion was made by Council person Ferguson and seconded by Council person Holle to approve a metal building at 619 Lane Street. Roll was called on this motion and the Council persons voted as follows: “YEA” Ferguson, Froeschl, Holle, Rhodd. “NAY” Wisdom. Motion carried.

RESOLUTION AUTHORIZING GRANTING OF EASEMENT REQUESTED BY DOWNTOWN MODERNIZATION, INC

A motion was made by Council person Holle and seconded by Council person Ferguson to approve the resolution authorizing granting of easement to DTM. Marc Morehead spoke. Roll was called on this motion and the Council persons voted as follows: “YEA” Ferguson, Froeschl, Holle, Rhodd, Wisdom. “NAY” None. Motion carried.

PROPERTY OWNER’S DONATION OF PROPERTY AT 1506 STONE STREET

A motion was made by Council person Froeschl and seconded by Council person Ferguson to approve the donation of property at 1506 Stone Street if the current owner accepts the City’s proposed use of the property. Roll was called on this motion and the Council persons voted as follows: “YEA” Ferguson, Froeschl, Leyden, Merz, Ractliffe, Rhodd, Wisdom.

"NAY" None. Motion carried.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:37P.M.

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 July 20, 2020; 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