

**August 7, 2023**

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 7<sup>th</sup> day of August 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, Leyden, Rhodd. Absent: Ractliffe, Wisdom. 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 July 17, 2023 regular meeting is hereby approved. 2. *BE IT FURTHER RESOLVED* BY the Council that the agenda for August 7, 2023, is hereby approved. 3. *BE IT FURTHER RESOLVED* BY the Council that the Claims for July, 2023 is hereby approved. 4. *BE IT FURTHER RESOLVED* BY the Council that the Consent Resolution for August 7, 2023, is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Leyden, Ractliffe, Rhodd. "NAY" None. "ABSENT" Ractliffe, Wisdom. Motion carried.

**APPLICATION FOR A VEHICLE HOBBYIST PERMIT FOR A 1945 DODGE MILITARY POWER WAGON AT 2008 LANE STREET – DAVID DAVIS**

Mayor Harkendorff declared a public hearing open at 6:06P.M. to discuss the application for a Vehicle Hobbyist Permit as presented. Mayor Harkendorff asked if there was anyone in the audience who wished to speak in favor of or oppose said permit. Mayor Harkendorff then declared the public hearing closed at 6:06P.M. A motion was made by Council member Leyden and seconded by Council member Buckminster to approve the Vehicle Hobbyist Permit. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Leyden, Ractliffe, Rhodd. "NAY" None. "ABSENT" Ractliffe, Wisdom. Motion carried.

**GRIEVANCE NO 2023-01 TO THE LABOR AGREEMENT BETWEEN CITY OF FALLS CITY AND INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 1536/IBEW 1536**

A motion was made by Council member Ferguson and seconded by Council member Fouraker to go into Executive Session at 6:10PM. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Leyden, Ractliffe, Rhodd. "NAY" None. "ABSENT" Ractliffe, Wisdom. Motion carried. A motion was then made by Council member Buckminster and seconded by Council member Leyden to go into Regular Session at 6:21PM. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Leyden, Ractliffe, Rhodd. "NAY" None. "ABSENT" Ractliffe, Wisdom. Motion carried. A motion was made by Council member Leyden and seconded by Council member Ferguson to sustain the decision by management and deny requested remedy. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Leyden,

Ractliffe, Rhodd. "NAY" None. "ABSENT" Ractliffe, Wisdom. Motion carried.

**PUBLIC HEARING - APPLICATION TO NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT FOR A COMMUNITY DEVELOPMENT BLOCK GRANT REQUESTING \$435,000.00 FOR THE 2023 DOWNTOWN REVITALIZATION GRANT**

Mayor Harkendorff declared a public hearing open at 6:22P.M. to discuss the application for the 2023 Downtown Revitalization Grant as presented. Mayor Harkendorff asked if there was anyone in the audience who wished to speak in favor of or oppose said grant. Mary Brown with SENDD spoke. Mayor Harkendorff then declared the public hearing closed at 6:25P.M. A motion was made by Council member Ferguson and seconded by Council member Buckminster to adopt the resolution as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Leyden, Ractliffe, Rhodd. "NAY" None. "ABSENT" Ractliffe, Wisdom. Motion carried.

**REVIEW OF THE PHASE III – 2023 DOWNTOWN REVITALIZATION PROGRAM GUIDELINES**

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

**RESOLUTION AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF FALLS CITY AND THE VILLAGE OF VERDON TO ESTABLISH THE SOUTHEAST NEBRASKA LAND BANK – EDGE AND ITS INITIAL BOARD MEMBERS**

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

**REQUEST FOR CLOSURE OF LANE STREET BETWEEN 14<sup>TH</sup> TO 16<sup>TH</sup> STREET FROM 5-9PM ON AUGUST 8, 2023 FOR THE BACK TO SCHOOL CARNIVAL – PARTNERS IN EDUCATION**

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

**REQUEST FOR WAIVER OF BUILDING, ELECTRICAL AND MECHANICAL PERMIT FEES FOR THE WILDERNESS FALLS III PROJECT TOTALING \$26,904.00 – EXCEL DEVELOPMENT**

Due to the lack of motion no action was taken.

**REQUEST TO REMOVE THREE STREET PARKING STALLS ALONG THE FRONTAGE OF 1709 CHASE STREET AND DESIGNATE THE AREA AS NO PARKING ZONE – ALLEN MEYER**

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

**REQUEST FOR A SPECIAL DESIGNATED LIQUOR LICENSE FOR A WEDDING RECEPTION AT PRICHARD AUDITORIUM ON SEPTEMBER 9, 2023 – THE WOULD EYE**

A motion was made by Council member Holle and seconded by Council member Fouraker to approve the

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

*THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:44pm*

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 August 7, 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