

## **August 21, 2023**

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 21<sup>st</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, 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 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 August 7, 2023 regular meeting is hereby approved. 2. *BE IT FURTHER RESOLVED* BY the Council that the agenda for August 21, 2023, is hereby approved. 3. *BE IT FURTHER RESOLVED* BY the Council that the Treasurer's Report for July, 2023 is hereby approved. 4. *BE IT FURTHER RESOLVED* BY the Council that the Police Report for July, 2023 of the City of Falls City are hereby approved. 5. *BE IT FURTHER RESOLVED* BY the Council that the Consent Resolution for August 21, 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, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

### **REQUEST TO USE CITY STREETS FOR THE 14<sup>TH</sup> ANNUAL COBBLESTONE RUN RUN/WALK ON SATURDAY AUGUST 26, 2023 – COMMUNITY MEDICAL CENTER**

A motion was made by Council member Ractliffe 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, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

### **2023 LIQUOR CLASS C LICENSE RENEWALS**

A motion was made by Council member Ractliffe and seconded by Council member Ferguson to table until the September 6, 2023 meeting. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

### **REVIEW OF KWIK SHOP'S NEW MANAGER APPLICATION TO THE NEBRASKA LIQUOR CONTROL COMMISSION**

A motion was made by Council member Ferguson and seconded by Council member Leyden to approve the new manager application for Kwik Shop. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None.

Motion carried.

**AWARD OF CONSTRUCTION CONTRACT OF THE CHAMPIONS CROSSING 1<sup>ST</sup> ADDITION PAVING – TIGER TRAIL/ABBOTT STREET PROJECT OF \$370,753.00 TO FORTEN BUILDING GROUP AS RECOMMENDED BY REGA ENGINEERING**

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

**ORDINANCE 2023-102 TO MERGE THE DUTIES AND POSITION OF THE UTILITY SUPERINTENDENT AND STREET SUPERINTENDENT INTO THE POSITION OF THE PUBLIC WORKS DIRECTOR AS RECOMMENDED BY THE BOARD OF PUBLIC WORKS**

A motion was made by Council member Ferguson and seconded by Council member Ractliffe to accept the first reading of Ordinance 2023-102 as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

*THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:11pm*

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 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)

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CITY CLERK

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CITY CLERK

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MAYOR