

## September 7, 2022

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 September 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 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 15, 2022, meeting is hereby approved. 2. *BE IT FURTHER RESOLVED* BY the Council that the agenda for September 7, 2022, is hereby approved. 3. *BE IT FURTHER RESOLVED* BY the Council that the Claims for August 2022 of the City of Falls City are hereby approved. 4. *BE IT FURTHER RESOLVED* BY the Council that the Consent Resolution for September 7, 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 - \$435,000 CDBG DOWNTOWN REVITALIZATION/SENDD

Mayor Bindle declared a public hearing open at 6:05P.M. to discuss the resolution for \$435,000.00 CDBG Downtown Revitalization/SENDD. Mayor Bindle then asked if there was anyone in the audience who wished to speak in favor of or oppose said resolution. Since no one else wished to be recognized, Mayor Bindle then declared the public hearing closed at 6:07P.M. A motion was made by Council member Ferguson and seconded by Council member Ractliffe to approve said the Resolution Authorizing Chief Elected Official to sign an application for CDBG Funds/SENDD. 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.

### SECOND READING OF ORDINANCE 2022-106 TO RESTATE THE CURRENT ELECTRICAL RATES, FEES, CHARGES, AND COLLECTIONS FOR ELECTRICAL SERVICES FROM AND IN THE CITY OF FALLS CITY AS RECOMMENDED BY THE BOARD OF PUBLIC WORKS

A motion was made by Council member Leyden and seconded by Council member Ractliffe to approve the second reading of Ordinance #2022-106 as recommended by the Board of Public Works. 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.

### SECOND READING OF ORDINANCE 2022-107 TO RESTATE THE CURRENT WATER RATES, FEES, CHARGES, AND COLLECTIONS FOR WATER SERVICES FROM AND IN THE CITY OF FALLS CITY AS RECOMMENDED BY THE BOARD OF PUBLIC WORKS

A motion was made by Council member Holle and seconded by Council member Leyden to approve the second reading of Ordinance #2022-107 as recommended by the Board of Public Works. 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.

**SECOND READING OF ORDINANCE 2022-108 TO RESTATE THE CURRENT GAS RATES, FEES, CHARGES, AND COLLECTIONS FOR GAS SERVICES FROM AND IN THE CITY OF FALLS CITY AS RECOMMENDED BY THE BOARD OF PUBLIC WORKS**

A motion was made by Council member Ferguson and seconded by Council member Rhodd to approve the second reading of Ordinance #2022-108 as recommended by the Board of Public Works. 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.

**SECOND READING OF ORDINANCE 2022-109 TO RESTATE THE CURRENT SEWER RATES, FEES, CHARGES, AND COLLECTIONS FOR SEWER SERVICES FROM AND IN THE CITY OF FALLS CITY AS RECOMMENDED BY THE BOARD OF PUBLIC WORKS**

A motion was made by Council member Ractliffe and seconded by Council member Buckminster to approve the second reading of Ordinance #2022-109 as recommended by the Board of Public Works. 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.

**MFO AGREEMENT UPDATE BETWEEN CITY, FIRE DISTRICTS AND VILLAGES/ROBERT W. AITKEN**

A motion was made by Council member Holle and seconded by Council member Merz to approve the MFO agreement update between City, Fire Districts and Villages/Robert W. Aitken. Roll was called on this motion and the Council members voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

**2022 LIQUOR CLASS C LICENSE RENEWALS**

A motion was made by Council member Leyden and seconded by Council member Rhodd to approve the 2022 Liquor License renewals. 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 RENT PRICHARD AUDITORIUM AND TO ALLOW ALCOHOL TO BE SERVED FOR A WRESTLING EVENT ON FEBRUARY 25, 2023/FALLS CITY JAYCEES**

A motion was made by Council member Holle and seconded by Council member Ractliffe to approve the request to rent Prichard Auditorium for a wrestling event on February 25, 2023 and to allow alcohol to be served. Roll was called on this motion and the Council members voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

**REQUEST TO RENT PRICHARD AUDITORIUM AND TO ALLOW ALCOHOL TO BE SERVED FOR A WEDDING ON OCTOBER 1, 2022/CODY COCHRAN & EMILY CLARK**

A motion was made by Council member Holle and seconded by Council member Ractliffe to approve the request to rent Prichard Auditorium for a wedding reception on October 1, 2022 and to allow alcohol to be served. Roll was called on this motion and the Council members voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

**REQUEST FOR CURB CUT ON WEST SUNSET DRIVE/SETH & EMILY VONDERSCHMIDT**

A motion was made by Council person Leyden and seconded by Council person Holle to approve request for a curb cut on West Sunset Drive. 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.

**REVIEW REVISED UTILITY SUPERINTENDENT JOB DESCRIPTION/RAY LUHRING**

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

**REVIEW CHANGE ORDER TO CONTRACT WITH FARABEE MECHANICAL INC FOR REPAIR OF DAMAGED CRANKSHAFT OF ENGINE #5 AS RECOMMENDED BY BOARD OF PUBLIC WORKS/RAY LUHRING**

A motion was made by Council person Buckminster and seconded by Council person Wisdom to approve the change order for additional services. 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.

**FINANCING FOR 2022 ELECTRICAL DISTRIBUTION SYSTEM UPGRADE PROJECT OF APPROXIMATELY \$4,965,000.00/RAY LUHRING**

No action was taken.

*THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:22pm*

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 September 7, 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