

September 26, 2022

A special meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 26th day of September 2022, at 5:30 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 Holle and seconded by Council person Ractliffe 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 September 7, 2022 and September 12, 2022 meeting is hereby approved. 2. *BE IT FURTHER RESOLVED* BY the Council that the agenda for September 19, 2022 removing items 7, 11 and 13 under new business, is hereby approved. 3. *BE IT FURTHER RESOLVED* BY the Council that the Police Report for August 2022 of the City of Falls City are hereby approved. 4. *BE IT FURTHER RESOLVED* BY the Council that the Treasurer's Report for August, 2022, is hereby approved. 5. *BE IT FURTHER RESOLVED* BY the Council that the Consent Resolution for September 19, 2022, is hereby approved. 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.

RESOLUTION TO ADOPT THE FALLS CITY BUDGET FOR FISCAL YEAR 2022-2023 AS RECOMMENDED BY THE BUDGET COMMITTEE/ANTHONY NUSSBAUM

A motion was made by Council member Buckminster and seconded by Council member Ferguson to the resolution to adopt the Falls City Budget for Fiscal Year 2022-2023 as recommended by the Budget Committee. 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.

RESOLUTION TO SET THE FINAL TAX REQUEST FOR FISCAL YEAR BUDGET 2022-2023/ANTHONY NUSSBAUM

A motion was made by Council member Ferguson and seconded by Council member Leyden to approve the resolution to set the final tax request for Fiscal Year Budget 2022-2023. 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.

THIRD 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 Ferguson and seconded by Council member Ractliffe to approve the third 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.

THIRD 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 Leyden and seconded by Council member Ferguson to approve the third 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.

THIRD 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 Ractliffe and seconded by Council member Leyden to approve the third 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.

THIRD 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 Leyden and seconded by Council member Wisdom to approve the third 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.

REQUEST TO REVISE CITY ATTORNEY FEES EFFECTIVE DECEMBER 1, 2022/HALBERT & DUNN

A motion was made by Council member Ferguson and seconded by Council member Rhodd to the request to revise City Attorney fees effective December 1, 2022. 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.

REQEUST FOR A NEW CURB CUT AT 1622 SCHOENHEIT STREET/CHARLOTEE GENTRY

A motion was made by Council member Buckminster and seconded by Council member Merz to approve the curb cut at 1622 Schoenheit Street. 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.

APPROVAL OF AWARD OF FY 2022-2023 INSURANCE POLICY BID TO MILLER FARRELL INSURANCE AGENCY/ANTHONY NUSSBAUM

A motion was made by Council member Holle and seconded by Council member Ractliffe to approve Fiscal Year Insurance Policy Bid to Miller Farrell Insurance Agency. 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 A PROCLAMATION FOR THE LAST SATURDAY OF OCTOBER TO BE THE CITIES PROCLAIMED "HALLOWEEN DAY" FOR CY 2022 WITH WOULD BE OCTOBER 29, 2022

A motion was made by Council member Holle and seconded by Council member Merz to approve a Proclamation to have October 29, 2022 proclaimed Halloween for calendar year 2022. Roll was called on this motion and the Council members voted as follows: "YEA" Holle, Leyden, Merz, Ractliffe. "NAY" Buckminster, Ferguson, Rhodd, Wisdom. "ABSENT" None. Being the votes are equally divided, the Mayor cast a vote of "YEA". Motion carried.

APPROVAL OF INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (IBEW) LOCAL 1536 LABOR AGREEMENT EFFECTIVE OCTOBER 1, 2022 AS RECOMMENDED BY THE IBEW NEGOTIATING COMMITTEE

A motion was made by Council member Ferguson and seconded by Council member Buckminster to approve the ratification of the IBEW Local 1536 Labor Agreement. 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.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 5:28pm

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 26, 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)

CITY CLERK

CITY CLERK

MAYOR