

September 4, 2024

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 4th day of September 2024, 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 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 Agenda: 1. *BE IT FURTHER RESOLVED* BY the Council that the minutes from the August 19, 2024, regular meeting are hereby approved. 2. *BE IT FURTHER RESOLVED* BY the Council that the agenda for September 4, 2024, is hereby approved. 3. *BE IT FURTHER RESOLVED* BY the Council that the August 3 through August 16, 2024, Claims are hereby approved. 4. *BE IT FURTHER RESOLVED* BY the Council that the Consent Agenda for September 4, 2024, 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.

2nd READING: ORDINANCE 2024-100 TO AMEND SECTION 6-317 OFFENSES; DISCHARGE OF FIREWORKS AND FIRECREACKERS

A motion was made by Council person Ferguson and seconded by Council person Ractliffe to accept the 2nd reading 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.

RESOLUTION RESCINDING RESOLUTION 2024-R105 AND AUTHORIZING THE SUBMITTAL OF A TERMINATION LETTER REGARDING THE MEMORANDUM OF UNDERSTANDING WITH RICHARDSON COUNTY, NE FOR THE TRANSFER OF 911 CALLS TO A SECONDARY PUBLIC SAFETY ANSWERING POINT (PSAP)

A motion was made by Council person Buckminster and seconded by Council person 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, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

PUBLIC HEARING – CONSIDER APPLICATION IN THE AMOUNT OF \$480,000 TO THE NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT (NDED) FOR A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC WORKS APPLICATION TO ADDRESS SEWER IMPROVEMENTS

Mayor Harkendorff declared a public hearing open at 6:10 P.M. Mayor Harkendorff then asked if there was anyone in the audience who wished to speak in favor or opposition. Nussbaum presented the proposed project. Due to the city entering into an agreement with Miller and Associates prior to CDBG application, the city will be paying for engineering costs (later to be discussed) thus reducing the grant award request from \$480,000 to \$458,000. With

that reduction and change in scope, the city will be providing a match of \$107,000. There was no public comment. Mayor Harkendorff then declared the public hearing closed at 6:14 P.M.

RESOLUTION EXECUTING THE PUBLIC WORKS APPLICATION AND ANY OTHER DOCUMENTS NECESSARY FOR THE NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM WITHIN THE CITY

A motion was made by Council person Ferguson and seconded by Council person Rhodd 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, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

AUTHORIZE EXECUTION OF THE ENGINEERING SERVICES AGREEMENT WITH MILLER & ASSOCIATES TOTALING \$70,500.00 FOR THE SANITARY SEWER REHABILITATION & IMPROVEMENTS – PHASE II PROJECT

A motion was made by Council person Ferguson and seconded by Council person Leyden to authorize execution of the agreement 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.

REQUEST TO APPROVE AN ADDITIONAL 1% ALLOWABLE GROWTH PERCENTAGE TO THE RESTRICTED FUNDS AUTHORITY FOR FISCAL YEAR 2024/2025

A motion was made by Council person Ferguson and seconded by Council person Wisdom 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, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

AUTHORIZATION TO EXECUTE AN AGREEMENT FOR SAFETY MANAGEMENT SERVICES WITH KANSAS MUNICIPAL UTILITIES

A motion was made by Council person Ractliffe and seconded by Council person Buckminster to authorize execution of the agreement 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.

REQUEST FOR A SPECIAL DESIGNATED LIQUOR LICENSE AT PRICHARD AUDITORIUM ON NOVEMBER 9, 2024, FOR THE ANNUAL QUARTER AUCTION

A motion was made by Council person Leyden and seconded by Council person Ractliffe 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.

REQUEST FOR A SOLICITATION OF VENDORS AND SPONSORS FOR THE FISCAL YEAR 2024/2025 COMMUNITY CLEAN-UP EVENTS|FALLS CITY CHAMBER OF COMMERCE & MAIN STREET

A motion was made by Council person Ferguson and seconded by Council person Fouraker to approve the solicitation 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.

RESOLUTION AUTHORIZING CITY TO ASSESS UNPAID VACANT PROPERTY REGISTRATION FEES TOTALING \$750.00 FOR THE PROPERTY AT 906 STONE STREET

A motion was made by Council person Holle and seconded by Council person Ractliffe 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, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

RESOLUTION AUTHORIZING CITY TO ASSESS UNPAID VACANT PROPERTY REGISTRATION FEES TOTALING \$750.00 FOR THE PROPERTY AT 1701 WILSON STREET

A motion was made by Council person Leyden and seconded by Council person Ractliffe 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, Wisdom. "NAY" None. "ABSENT" None. Motion carried.

RESOLUTION AUTHORIZING CITY TO ASSESS UNPAID VACANT PROPERTY REGISTRATION FEES TOTALING \$750.00 FOR THE PROPERTY AT 1024 CHASE STREET

The item died for a lack of motion.

RESOLUTION AUTHORIZING CITY TO ASSESS UNPAID VACANT PROPERTY REGISTRATION FEES TOTALING \$750.00 FOR THE PROPERTY AT 2022 CROOK STREET

The item died for a lack of motion.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:29pm

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 September 4, 2024; 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