

October 3, 2022

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 3rd day of October 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, Ractliffe, Rhodd, Wisdom. Absent: Merz. 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 September 26, 2022 meeting is hereby approved. 2. *BE IT FURTHER RESOLVED* BY the Council that the agenda for October 3, 2022, is hereby approved. 3. *BE IT FURTHER RESOLVED* BY the Council that the Claims for September, 2022 is hereby approved. 4. *BE IT FURTHER RESOLVED* BY the Council that the Consent Resolution for October 3, 2022, is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Merz. Motion carried.

PUBLIC HEARING – STREET PLAN 1 & 6 YEAR FOR 2023/OLSSON

Mayor Bindle declared a public hearing open at 6:02P.M. to discuss the 1 & 6 Year Street Plan. Mayor Bindle then asked if there was anyone in the audience who wished to speak in favor of or oppose said Plan. Since no one else wished to be recognized, Mayor Bindle then declared the public hearing closed at 6:12P.M. A motion was made by Council member Buckminster and seconded by Council member Holle to add on the 6 year plan McLean Street from East 28th to 37th Street from Hwy 73 to 350' East of McLean. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Merz. Motion carried. A motion was then made by Council member Buckminster and seconded by Council member Ferguson to approve the resolution to adopt the 1 & 6 Year Street Plan for 2023 as presented. Roll was then called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Merz. Motion carried.

RESOLUTION FOR SIGNING OF THE MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE 2022 TO NEBRASKA DEPARTMENT OF RAODS/OLSSON

A motion was made by Council person Leyden and seconded by Council person Ferguson to approve the Resolution for signing of the Municipal Annual Certification of Program Compliance 2022 to Nebraska Department of Roads as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Merz. Motion carried.

MASTER AGREEMENT WORK ORDER TO APPOINT JUSTIN STARK OF OLSSON AS THE STREET SUPERINTENDENT FOR JANUARY 1, 2023 THRU DECEMBER 2023

A motion was made by Council person Ferguson and seconded by Council person Leyden to adopt the appointment

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

READING OF ORDINANCE 2022-110 ISSUING GENERAL OBLIGATION BONDS, SERIES 2022 IN THE AMOUNT NOT TO EXCEED \$900,000.00/PIPER SANDLER – BRAD SLAUGHTER

A motion was made by Council member Ferguson and seconded by Council member Ractliffe to suspend rules of the 1st and 2nd readings and perform the final reading. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Merz None. Motion carried. A motion was made by Council member Ferguson and seconded by Council member Ractliffe adopt the 3rd reading of Ordinance #2022-110 as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Merz. Motion carried.

READING OF ORDINANCE 2022-111 ISSUING COMBINED UTILITIES REVENUE BONDS, SERIES 2022 IN THE AMOUNT NOT TO EXCEED \$5,200,000.00/PIPER SANDLER – BRAD SLAUGHTER

A motion was made by Council member Ferguson and seconded by Council member Leyden to suspend rules of the 1st and 2nd readings and perform the final reading. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Merz None. Motion carried. A motion was made by Council member Leyden and seconded by Council member Ractliffe adopt the 3rd reading of Ordinance #2022-111 as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Merz. Motion carried.

AGREEMENT IN LIEU OF SPECIAL ASSESSMENT WITH COMMUNITY MEDICAL CENTER IN THE AMOUNT OF \$275,000.00 FOR CONSTRUCTION OF THE 33RD STREET IMPROVEMENT PROJECT

A motion was made by Council member Buckminster and seconded by Council member Rhodd to authorize execution of the agreement in-lieu of special assessment. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Merz. Motion carried.

EDGE QUARTERLY REPORT/LUCAS FROESCHL – EXECUTIVE DIRECTOR

Lucas Froeschl, EDGE Executive Director presented the report. No action was taken.

RECOMMENDATION OF CONSTRUCTION AWARD FOR 2020 OWNER OCCUPIED REHABILITATION (OOR) HOUSING PROGRAM PROJECTS/SENDD – RYAN BAUMAN

A motion was made by Council member Ractliffe and seconded by Council member Holle award the projects as recommended by SENDD. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Merz. Motion carried.

REQUEST APPROVAL FOR FALLS CITY POLICE DEPARTMENT TO APPLY FOR \$50,000.00 COMMUNITY FACILITIES GRANT THRU USDA RURAL DEVELOPMENT/FCPD

A motion was made by Council member Leyden and seconded by Council member Ferguson to adopt the resolution to authorize the Mayor and City Administrator to execute documents required for the USDA-RD Financial Assistance. Roll was called on this motion and the Council members voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Merz. Motion carried.

APPROVAL OF COMMUNICATION WORKERS OF AMERICA (CWA) COLLECTIVE BARGAINING AGREEMENT EFFECTIVE OCTOBER 1, 2022 AS RECOMMENDED BY THE CWA NEGOTIATING/ANTHONY NUSSBAUM

A motion was made by Council member Ferguson and seconded by Council member Holle to authorize the Mayor to

execute the CBA. Roll was called on this motion and the Council members voted as follows: "YEA" Buckminster, Ferguson, Holle, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Merz. Motion carried.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:42pm

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 October 3, 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