

**October 17, 2022**

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 17<sup>th</sup> 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, Merz, Ractliffe, Rhodd, Wisdom. Absent: Leyden. 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 Ferguson 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 October 3, 2022 regular meeting is hereby approved. 2. *BE IT FURTHER RESOLVED BY* the Council that the agenda for October 17, 2022, is hereby approved. 3. *BE IT FURTHER RESOLVED BY* the Council that the Police Report for September, 2022 of the City of Falls City are hereby approved. 4. *BE IT FURTHER RESOLVED BY* the Council that the Treasurer's Report for September, 2022 is hereby approved. 5. *BE IT FURTHER RESOLVED BY* the Council that the Consent Resolution for October 17, 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 – NOTICE OF INTENT TO DISCONTINUE OF CDBG ECONOMIC DEVELOPMENT PROGRAM  
INCOME REUSE LOAN FINANCING/SENDD-KELLY GENTRUP**

Mayor Bindle declared a public hearing open at 6:04P.M. to discuss Notice of Intent to Discontinue the CDBG Economic Development Program Income Reuse Loan Financing for SENDD. Bindle then asked if there was anyone in the audience who wished to speak in favor of or oppose said Plan. Since no one wished to be recognized, Mayor Bindle then declared the public hearing closed at 6:05P.M.

**REQUEST FOR STREET CLOSURE ON LANE STREET BETWEEN 19<sup>TH</sup> TO 25<sup>TH</sup> STREETS ON OCTOBER 31, 2022  
FOR TRICK OR TREATERS/JAY MOREHEAD**

A motion was made by Council person Ferguson and seconded by Council person Rhodd to approve the request for street closure on Lane Street between 19<sup>th</sup> and 25<sup>th</sup> Streets from 5-8pm on October 31, 2022 for Trick or Treaters. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Leyden. Motion carried.

**APPROVAL OF INTERNATIONAL UNION OF OPERATING ENGINEERS (IUOE) LOCAL 571 LABOR  
AGREEMENT EFFECTIVE OCTOBER 1, 2022 AS RECOMMENDED BY THE CWA NEGOTIATING  
COMMITTEE/ANTHONY NUSSBAUM**

A motion was made by Council person Holle and seconded by Council person Ferguson to approve IUOE Local 571 Labor Agreement effective October 1, 2022 as recommended by the IUOE Negotiating Committee. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Leyden. Motion carried.

**RESOLUTION TO SET WAGES FOR NON-UNION FULLTIME, PART-TIME AND SEASONAL EMPLOYEES  
EFFECTIVE OCTOBER 1, 2022 AS RECOMMENDED BY THE MANAGEMENT NEGOTIATING  
COMMITTEE/ANTHONY NUSSBAUM**

A motion was made by Council member Merz and seconded by Council member Buckminster to approve the resolution to set wages for non-union fulltime, part-time and seasonal employees effective October 1, 2022 as recommended by the Management Negotiating Committee. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Leyden. Motion carried.

**REQUEST TO EXECUTE LEASE AGREEMENT WITH MACQUEEN EQUIPMENT FOR A 2023 ELGIN PELICAN  
STREET SWEEPER AND TRADE IN EXISTING STREET SWEEPER/ANTHONY NUSSBAUM**

A motion was made by Council member Holle and seconded by Council member Buckminster to approve to execute lease agreement with MacQueen Equipment for a 2023 Elgin Pelican Street Sweeper and trade in existing street sweeper. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Leyden. Motion carried.

**CONDITIONAL PERMIT FOR FAMILY CHILD CARE HOME II – LAURA GOFF 2503 CROOK STREET –  
RECOMMENDED BY THE PLANNING COMMISSION**

A motion was made by Council member Holle and seconded by Council member Buckminster to approve the Conditional Permit for Family Child Care Home II. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Holle, Merz, Ractliffe, Wisdom. "ABSTAIN" Rhodd. "NAY" None. "ABSENT" Leyden. Motion carried.

**NEW ACCESS WAY FROM 33<sup>RD</sup> STREET INTO PARCEL 740079220 FOR FALLS CITY RURAL FIRE  
DEPARTMENT AS RECOMMENDED BY THE PLANNING COMMISSION**

A motion was made by Council member Ferguson and seconded by Council member Merz to approve the new access way from 33<sup>rd</sup> Street into Parcel 740079220 for Falls City Rural Fire Department. Roll was called on this motion and the Council members voted as follows: "YEA" Buckminster, Ferguson, Holle, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Leyden. Motion carried.

**REQUEST TO RENT PRICHARD AUDITORIUM NOVEMBER 25, 2022 FOR THE ANNUAL QUARTER AUCTION  
AND TO ALLOW ALCOHOL TO BE SERVED – SARA AMUNULLAH RUIZ**

A motion was made by Council member Holle and seconded by Council member Buckminster to approve the request to rent Prichard Auditorium on November 25, 2022 for the annual Quarter Auction and to allow alcohol to be served. Roll was called on this motion and the Council members voted as follows: "YEA" Buckminster, Ferguson, Holle, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Leyden. Motion carried.

**REQUEST TO USE STONE STREET ON NOVEMBER 25, 2022 FROM 15<sup>TH</sup> TO 18<sup>TH</sup> STREET FOR LIGHTED  
CHRISTMAS PARADE AND TO BLOCK OFF STREET PARKING ON THE 1500-1700 BLOCKS OF STONE STREET  
BETWEEN 5-8PM – FALLS CITY CHAMBER & MAIN STREET**

A motion was made by Council member Buckminster and seconded by Council member Ractliffe to approve the request to use Stone Street on November 25, 2022 from 15<sup>th</sup> to 18<sup>th</sup> Street for Lighted Christmas Parade and to block off street parking on the 1500-1700 blocks of Stone Street between 5-8pm. Roll was called on this motion and the Council members voted as follows: "YEA" Buckminster, Ferguson, Holle, Merz, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Leyden. Motion carried.

*THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:16pm*

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 17, 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