

## **November 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 November 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 Ferguson and seconded by Council person Leyden 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 17, 2022 regular meeting is hereby approved. 2. *BE IT FURTHER RESOLVED* BY the Council that the agenda for November 7, 2022, is hereby approved. 3. *BE IT FURTHER RESOLVED* BY the Council that the Claims for October, 2022 is hereby approved. 4. *BE IT FURTHER RESOLVED* BY the Council that the Code Enforcement Monthly Report for November, 2022, is hereby approved. 5. *BE IT FURTHER RESOLVED* BY the Council that the Consent Resolution for November 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.

### **RESOLUTION - TO DISCONTINUE THE COMMUNITY DEVELOPMENT BLOCK GRANT, ECONOMIC REDEVELOPMENT REVOLVING LOAN FUND PROGRAM**

A motion was made by Council person Buckminster and seconded by Council person Rhodd to approve the resolution as to discontinue the CDBG, Economic Redevelopment Revolving Loan Fund Program as presented. 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.

### **18 MONTH GRANT EXTENSION REQUEST FOR OWNER OCCUPIED REHABILITATION (OOR)/SEND**

A motion was made by Council person Holle and seconded by Council person Wisdom to approve 18 month grant extension request for Owner Occupied Rehabilitation (OOR)/SEND. 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.

### **ON-STREET PARKING ON THE SOUTH SIDE OF THE EAST HALF OF EAST 15<sup>TH</sup> STREET BETWEEN STONE STREET AND HARLAN STREET - EDGE/BOSSELMAN PUMP AND PANTY**

Due to the lack of a motion no action was taken.

**1<sup>st</sup> READING OF ORDINANCE 2022-112 REQUIRING THE REGISTRATION OF VACANT PROPERTIES/HOUSING STUDY COMMITTEE**

A motion was made by Council member Holle and seconded by Council member Ractliffe to approve the 1<sup>st</sup> reading of Ordinance 2022-112 as presented. 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.

**3<sup>rd</sup> READING OF ORDINANCE 2022-113 ALLOWING SALES TAX REVENUE TO BE UTILIZED FOR PUBLIC INFRASTRUCTURE IMPROVEMENT PROJECTS/PIPER-SANDLER, BRAD SLAUGHTER**

A motion was made by Council member Ferguson and seconded by Council member Leyden suspend rules of the 1<sup>st</sup> and 2<sup>nd</sup> readings and perform the final reading. 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. 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 FOR SIGNING OF THE YEAR END CERTIFICATION OF STREET SUPERINTENDENT FOR DETERMINING INCENTIVE PAYMENT FOR JAN 1-DEC 31, 2022 FOR THE NEBRASKA DEPARTMENT OF TRANSPORTATION**

A motion was made by Council member Holle and seconded by Council member Wisdom to approve the resolution for signing of the Year End Certification of Street Superintendent for Determining Incentive Payment for Jan 1 to Dec 31 of 2022 for the Nebraska Department of transportation. 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 CORRECT SALARY FOR ASSISTANCE POLICE CHIEF AS RECOMMENDED BY THE MANAGEMENT NEGOTIATING COMMITTEE/ANTHONY NUSSBAUM**

A motion was made by Council member Ferguson and seconded by Council member Merz to approve the resolution to correct salary for Assistant Police Chief as recommended by the Management Negotiating 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.

**APPOINTMENT OF TIM DANIELS TO THE 10<sup>TH</sup> POLICE OFFICER POSITION UNDER CONDITIONAL OFFER OF EMPLOYEMENT TO BE EFFECTIVE JANUARY 3, 2023 AS RECOMMENDED BY THE POLICE/FIRE EMPLOYEMENT SELECTION COMMITTEE**

A motion was made by Council member Ractliffe and seconded by Council member Holle to approve the appointment of Tim Daniels to the 10<sup>th</sup> Police Officer position under a conditional offer of employment to be effective January 2, 2023 as recommended by the Police/Fire Employment Selection 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 AUTHORIZING THE SALE/DISPOSITION OF SURPLUS CITY PROPERTY**

A motion was made by Council member Holle and seconded by Council member Ractliffe to approve the resolution authorizing the sale/disposition of surplus city property. 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.

**PURCHASE A NEW F350 CREW CAB 4X4 TRUCK SERVICE BODY AND SNOW PLOW FOR STREET DEPARTMENT SERVICE TRUCK/ANTHONY NUSSBAUM**

A motion was made by Council member Ferguson and seconded by Council member Merz to approve the purchase of a new F350 Crew Cab 4x4 truck service body and snow plow for the Street Department. 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.

**PURCHASE TWO (2) NEW F600 REG 4X4 TRUCK, TWO(2) SNOW PLOWS, TWO(2) HOOK LIFE HOISTS, TWO (2) ROLL-ON DUMP BODIES, ONE (1) ROLL-ON CHIPPER BOX, (1) ROLL-ON SALT/ROCK SPREADER/ANTHONY NUSSBAUM**

A motion was made by Council member Leyden and seconded by Council member Buckminster to approve the purchase of a new F600 Reg 4x4 truck, two (2) snow plows, two(2) hook life hoists, two (2) roll-on dump bodies, one(1) roll-on chipper box, (1) roll-on salt/rock spreader. 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 FOR CURB CUT AT 2421 TOWLE STREET/LOGAN SCHEITEL**

A motion was made by Council member Ferguson and seconded by Council member Holle to approve the request for curb cut at 2421 Towle Street. 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.

**APPROVAL TO EXECUTE PROFESSIONAL SERVICES AGREEMENT WITH JEO FOR GIS SERVICES AS RECOMMENDED BY THE BOPW/RAY LUHRING**

A motion was made by Council member Buckminster and seconded by Council member Merz to approve the execution of the agreement with JEO for GIS 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.

**APPROVAL TO EXECUTE A UTILITY RELOCATION AGREEMENT WITH BNSF FOR WATER MAIN RELOCATION AS RECOMMENDED BY THE BOPW/RAY LUHRING**

A motion was made by Council member Buckminster and seconded by Council member Ferguson to approve the execution of the agreement with BNSF and advertise for bid. 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.

**APPROVAL TO ADVERTISE FOR CONSTRUCTION BIDS FOR ELECTRICAL DISTRIBUTION SYSTEM UPGRADE PROJECT AS RECOMMENDED BY THE BOPW/RAY LUHRING**

A motion was made by Council member Leyden and seconded by Council member Merz to approve to advertise for bids for Electrical Distribution System Upgrade Project. 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 6:49pm*

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 November 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