

December 4, 2023

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 4th day of December 2023, at 6:08 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, Leyden, Ractliffe. Absent: Holle, Rhodd, Wisdom. 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 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 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 November 20, 2023 regular meeting is hereby approved. 2. *BE IT FURTHER RESOLVED* BY the Council that the agenda for December 4, 2023, is hereby approved. 4. *BE IT FURTHER RESOLVED* BY the Council that the Consent Resolution for December 4, 2023, is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Leyden, Ractliffe. "NAY" None. "ABSENT" Holle, Rhodd, Wisdom. Motion carried.

NOVEMBER CLAIMS

A motion was made by Council member Ferguson and seconded by Council member Leyden to table the item until the December 18, 2023 regular meeting. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Leyden, Ractliffe. "NAY" None. "ABSENT" Holle, Rhodd, Wisdom. Motion carried.

ELECTION – PRESIDENT OF THE CITY COUNCIL – DERRICK LEYDEN

Mayor Harkendorff asked if there were any nominations for the position of President of the City Council. Council person Fouraker nominated Council person Leyden. Council person Leyden accepted the nomination.

A motion was made by Council person Ferguson and seconded by Buckminster to cease nominations. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Leyden, Ractliffe. "NAY" None. "ABSENT" Holle, Rhodd, Wisdom. Motion carried.

A motion was made by Council person Ractliffe and seconded by Buckminster to approve Leyden as president of the City Council effective December 4, 2023. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Leyden, Ractliffe. "NAY" None. "ABSENT" Holle, Rhodd, Wisdom. Motion carried.

ELECTION - ACTING PRESIDENT OF THE CITY COUNCIL – JOE BUCKMINSTER

Mayor Harkendorff asked if there were any nominations for the position of Acting President of the City Council.

Council person Leyden nominated Council person Buckminster. Council person Buckminster accepted the nomination.

A motion was made by Council person Ractliffe and seconded by Ferguson to cease nominations. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Leyden, Ractliffe. "NAY" None. "ABSENT" Holle, Rhodd, Wisdom. Motion carried.

A motion was made by Council person Leyden and seconded by Ractliffe to approve Buckminster as acting president of the City Council effective December 4, 2023. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Leyden, Ractliffe. "NAY" None. "ABSENT" Holle, Rhodd, Wisdom. Motion carried.

RESCHEDULING OF REGULAR COUNCIL MEETINGS CONFLICTING WITH CALENDAR YEAR 2024 CITY HOLIDAYS

A motion was made by Council member Ferguson and seconded by Council member Buckminster to approve the revised regular meeting schedule Monday, January 1, 2024 – Tuesday, January 2, 2024; Monday, February 19, 2024 – Tuesday, February 20, 2024; Monday, September 2, 2024 – Wednesday, September 4, 2024. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Leyden, Ractliffe. "NAY" None. "ABSENT" Holle, Rhodd, Wisdom. Motion carried.

APPOINTMENT OF JIM BROWN TO THE FALLS CITY VOLUNTEER FIRE DEPARTMENT AS RECOMMEND BY THE FIRE CHIEF MATT BEER

A motion was made by Council member Ferguson and seconded by Council member Fouraker to approve the appointment as recommended by the Fire Chief. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Leyden, Ractliffe. "NAY" None. "ABSENT" Holle, Rhodd, Wisdom. Motion carried.

APPOINTMENT OF MATT BEER AS FIRE CHIEF, JON MCQUEEN AS FIRST ASSISTANT FIRE CHIEF AND DEVIN MOORE AS SECOND ASSISTANT FIRE CHIEF AS RECOMMEND BY THE FALLS CITY VOLUNTEER FIRE DEPARTMENT

A motion was made by Council member Leyden and seconded by Council member Ractliffe to approve the appointments as recommended by the Falls City Fire Chief and Falls City Volunteer Fire Department. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Leyden, Ractliffe. "NAY" None. "ABSENT" Holle, Rhodd, Wisdom. Motion carried.

REQUEST FOR SPECIAL DESIGNATED LIQUOR LICENSE ON JANUARY 13, 2024 FOR THE WHITETAILS BANQUET AT PRICHARD AUDITORIUM – SPIRIT SHOPPE-ARMBRUSTER LIQUOR

A motion was made by Council member Ractliffe and seconded by Council member Fouraker to approve the Special Designated Liquor License as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Leyden, Ractliffe. "NAY" None. "ABSENT" Holle, Rhodd, Wisdom. Motion carried.

RESOLUTION AUTHORIZING CITY TO ABATE OUTSIDE NUISANCES AT 1719 WILSON STREET

A motion was made by Council member Buckminster and seconded by Council member Leyden to adopt the resolution as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Leyden, Ractliffe. "NAY" None. "ABSENT" Holle, Rhodd, Wisdom. Motion carried.

RESOLUTION AUTHORIZING CITY TO ABATE OUTSIDE NUISANCES AT 2101 BARADA STREET

A motion was made by Council member Buckminster and seconded by Council member Fouraker to adopt the resolution as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Leyden, Ractliffe. "NAY" None. "ABSENT" Holle, Rhodd, Wisdom. Motion carried.

AUTHORIZING EXECUTION OF A NEGOTIATED RATE ON DEPOSIT ACCOUNT AGREEMENT WITH F&M BANK FOR THE POOLED CASH UTILITY FUNDS

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

AUTHORIZING EXECUTION OF THE CERTIFICATE OF COMPLIANCE FOR THE NEBRASKA DEPARTMENT OF TRANSPORTATION MAINTENANCE AGREEMENT NO 10 FOR CALENDAR YEAR 2023

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

PURCHASE OF A 2024 F550 FROM WOODHOUSE

A motion was made by Council member Leyden and seconded by Council member Ractliffe to approve the purchase as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Leyden, Ractliffe. "NAY" None. "ABSENT" Holle, Rhodd, Wisdom. Motion carried.

PURCHASE OF TWO 2024 F600 AND ONE 2024 F350 FROM HULLMANS FORD-LINCOLN IN-LIEU OF CANCELLED/UNBUILT 2023 ORDERS

A motion was made by Council member Buckminster and seconded by Council member Fouraker to adopt the purchases as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Leyden, Ractliffe. "NAY" None. "ABSENT" Holle, Rhodd, Wisdom. Motion carried.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:31pm

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 December 4, 2023; 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