

December 19, 2022

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 19th day of December 2022, 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, Leyden, Ractliffe, Rhodd, Wisdom. Absent: Holle. 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 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 December 5, 2022 regular meeting is hereby approved. 2. *BE IT FURTHER RESOLVED* BY the Council that the agenda for December 19, 2022, is hereby approved. 3. *BE IT FURTHER RESOLVED* BY the Council that the Treasurer's Report for November, 2022 of the City of Falls City are hereby approved. 4. *BE IT FURTHER RESOLVED* BY the Council that the Police Report for November, 2022 is hereby approved. 5. *BE IT FURTHER RESOLVED* BY the Council that the Consent Resolution for December 19, 2022, is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Holle. Motion carried.

**PUBLIC SECTOR INVESTMENT MANAGEMENT SERVICES THRU A LOCAL GOVERNMENT
INVESTMENT POOL (LGIP)/PUBLIC TRUST ADVISORS - AARON BOS**

A discussion was held, no action taken.

**RESOLUTION AUTHORIZING CITY OF FALLS CITY TO ABATE NUISANCE AT 1205 HARLAN STREET/
HALBERT & DUNN, LLC**

A motion was made by Council person Buckminster 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, Leyden, Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Holle. Motion carried.

**RESOLUTION AUTHORIZING CITY OF FALLS CITY TO ABATE NUISANCE AT 2009, 2010 & 2015
STONE STREET/HALBERT & DUNN, LLC**

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

**REQUEST TO RENT PRICHARD AUTITORIUM ON SATURDAY, MARCH 18, 2023 FOR THE DUELING PIANOS
EVENT AND ALLOW ALCOHOL TO BE SERVED/FALLS CITY CHAMBER OF COMMERCE**

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

REQUEST TO ACCEPT THE BIDS AND AWARD THE "ALTERNATE BID CONTRACT" TO NOWAK CONSTRUCTION WITH THE MODIFIED COMPLETION DATE OF AUGUST 1, 2023 IN THE AMOUNT OF \$1,534,524.00 AS RECOMMENDED BY THE BOARD OF PUBLIC WORKS(BOPW)/RAY LUHRING-UTILITY SUPERINTENDENT

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

OBLIGATION OF REMAINING \$708,694.00 OF AMERICAN RESCUE PLAN ACT(ARPA) FUNDS FOR GENERAL GOVERNMENT OPERATIONS AS ALLOWED UNDER "STANDARD ALLOWANCE" USE/ANTHONY NUSSBAUM - CITY ADMINISTRATOR

A motion was made by Council person Ferguson and seconded by Council person Buckminster to obligate the funds as presented with \$208,000 to general Funds for implementation of Enterprise resource Planning (ERP) software; \$350,000 to the Sewer Department for the Reed Bed Restoration Project; \$100,000 to the Building and Planning Department for a Blighted property Demolition/Abatement Program and \$50,000 to the Building and Planning Department for a Sidewalk Repair/Replacement Assistance Program . Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Leyden, , Ractliffe, Rhodd, Wisdom. "NAY" None. "ABSENT" Holle. Motion carried.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:26pm

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 19, 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