

December 2, 2024

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 2nd day of December 2024, 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, Holle, Leyden, Rhodd. Absent: Ractliffe, 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 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 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 Agenda: 1. *BE IT FURTHER RESOLVED BY* the Council that the minutes from the November 18, 2024, meeting is hereby approved. 2. *BE IT FURTHER RESOLVED BY* the Council that the agenda for December 2, 2024, is hereby approved. 3. *BE IT FURTHER RESOLVED BY* the Council that the November 9, 2024, through November 22, 2024, Claims are hereby approved. 4. *BE IT FURTHER RESOLVED BY* the Council that the Monthly Report of the Southeast Nebraska Land Bank is hereby approved. 5. *BE IT FURTHER RESOLVED BY* the Council that the Consent Agenda for December 2, 2024, is hereby approved. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Holle, Leyden, Rhodd. "NAY" None. "ABSENT" Ractliffe, Wisdom. Motion carried.

Meeting adjourned – Sine Die

2024 ELECTION – CERTIFICATION AND QUALIFICATIONS

City Clerk Nussbaum presented the election results as certified by Mary L. Eickhoff, County Clerk, Richardson County, and reported that the following individuals had been elected in the November 2024 election: First Ward Council Person – Frank Killingsworth; Second Ward Council Person – Kenneth Killingsworth; Third Ward Council Person – Sara Ruiz; Fourth Ward Council Person – Josh Kaster. City Clerk Nussbaum then reported that all bonds for the newly elected officials were on file in the Office of the City Clerk as required by State Statute/City Ordinance and certified that Frank Killingsworth, Kenneth Killingsworth, Sara Ruiz, and Josh Kaster met the residency requirements as required by City Ordinance. City Clerk Nussbaum then declared that the following individuals were qualified for the City Council as follows: First Ward Council Person – Frank Killingsworth; Second Ward Council Person – Kenneth Killingsworth; Third Ward Council Person – Sara Ruiz; Fourth Ward Council Person – Josh Kaster. Frank Killingsworth, Kenneth Killingsworth, Sara Ruiz, and Josh Kaster then came forward and the City Clerk administered the oath of office for their respective positions as Council Persons.

December 2, 2024

A meeting of the City Council of the City of Falls City, Nebraska, was held in said City on the 2nd day of December 2024, at 6:03 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, Kaster, F. Killingsworth, K. Killingsworth, Leyden, Ruiz. 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 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.

AGENDA

A motion was made by Council person Leyden and seconded by Council person Ferguson to approve the Agenda for December 2, 2024. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, F. Killingsworth, K. Killingsworth, Leyden, Ruiz. "NAY" None. "ABSENT" None. 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 Ferguson nominated Council person Leyden. Council person Leyden accepted the nomination. Mayor Harkendorff asked if there were any more nominations.

A motion was made by Council person Ferguson and seconded by F. Killingsworth to cease nominations. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, F. Killingsworth, K. Killingsworth, Leyden, Ruiz. "NAY" None. "ABSENT" None. Motion carried.

A motion was made by Council person Buckminster and seconded by Ferguson to approve Leyden as President of the City Council effective December 2, 2024. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, F. Killingsworth, K. Killingsworth, Leyden, Ruiz. "NAY" None. "ABSENT" None. 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. Mayor Harkendorff asked if there were any more nominations.

A motion was made by Council person Leyden and seconded by Ferguson to cease nominations. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, F. Killingsworth, K. Killingsworth, Leyden, Ruiz. "NAY" None. "ABSENT" None. Motion carried.

A motion was made by Council person F. Killingsworth and seconded by Leyden to approve Buckminster as Acting President of the City Council effective December 2, 2024. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, F. Killingsworth, K. Killingsworth, Leyden, Ruiz. "NAY" None. "ABSENT" None. Motion carried.

APPOINTMENT OF THE MAYOR, COUNCIL PRESIDENT AND CITY ADMINISTRATOR TO THE ECONOMIC DEVELOPMENT GROWTH ENTERPRISES, INC. BOARD OF DIRECTORS

A motion was made by Council person Ferguson and seconded by Council person Buckminster to approve the appointment of the Mayor, Council President and City Administrator to the Economic Development Growth Enterprises, Inc. Board of Directors. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, F. Killingsworth, K. Killingsworth, Leyden, Ruiz. "NAY" None. "ABSENT" None. Motion carried.

APPOINTMENT - ANTHONY NUSSBAUM OF CITY CLERK/TREASURER/ADMINISTRATOR

A motion was made by Council person Leyden and seconded by Council person F. Killingsworth to approve the appointment of Anthony Nussbaum as City Clerk/Treasurer/Administrator as recommended by Mayor Harkendorff. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, F. Killingsworth, K. Killingsworth, Leyden, Ruiz. "NAY" None. "ABSENT" None. Motion carried.

APPOINTMENT - JAMESON BAKER - CHIEF OF POLICE

A motion was made by Council person Ferguson and seconded by Council person Leyden to approve the appointment of Jameson Baker as Chief of Police as recommended by Mayor Harkendorff. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, F. Killingsworth, K. Killingsworth, Leyden, Ruiz. "NAY" None. "ABSENT" None. Motion carried.

APPOINTMENT - BLAKE BUCKMINSTER - BUILDING INSPECTOR

A motion was made by Council person F. Killingsworth and seconded by Council person Buckminster to approve the appointment of Blake Buckminster as Building Inspector as recommended by Mayor Harkendorff. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, F. Killingsworth, K. Killingsworth, Leyden, Ruiz. "NAY" None. "ABSENT" None. Motion carried.

APPOINTMENT - MICHAEL DUNN AS CITY ATTORNEY AND TRACY BURNS AS DEPUTY CITY ATTORNEY FROM HALBERT, DUNN & BURNS, LLC AS RECOMMENDED BY MAYOR HARKENDORFF

A motion was made by Council person Ferguson and seconded by Council person Fouraker to approve the appointment of Michael Dunn as City Attorney and Tracy Burns as Deputy City Attorney from Halbert, Dunn & Burns, LLC as recommended by Mayor Harkendorff. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, F. Killingsworth, K. Killingsworth, Leyden, Ruiz. "NAY" None. "ABSENT" None. Motion carried.

APPOINTMENT - FALLS CITY FIRE CHIEF - MATT BEER, JON MCQUEEN AS FIRST ASSISTANT CHIEF - AND TIM DANIELS AS SECOND ASSISTANT CHIEF AS RECOMMENDED BY THE FALLS CITY VOLUNTEER FIRE DEPARTMENT

A motion was made by Council person Fouraker and seconded by Council person F. Killingsworth to approve the appointment of Fire Chief Matt Beer, First Assistant Chief Jon McQueen and Second Assistant Chief Tim Daniels. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, F. Killingsworth, K. Killingsworth, Leyden, Ruiz. "NAY" None. "ABSENT" None. Motion carried.

RESCHEDULING OF REGULAR COUNCIL MEETINGS CONFLICTING WITH CALENDAR YEAR 2025 CITY HOLIDAYS

A motion was made by Council person Leyden and seconded by Council person Ferguson to revise the regular meeting Council dates of Monday, January 20, 2025, to Tuesday, January 21, 2025; Monday, February 17, 2025, to

Tuesday, February 18, 2025; Monday, September 1, 2025, to Wednesday, September 3, 2025. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, F. Killingsworth, K. Killingsworth, Leyden, Ruiz. "NAY" None. "ABSENT" None. Motion carried.

REVIEW OF THE FREQUENCY OF PAY CYCLES FOR ELECTED OFFICIALS OF THE CITY COUNCIL AND BOARD OF PUBLIC WORKS|SARA RUIZ – COUNCIL PERSON

A motion was made by Council person Ferguson and seconded by Council person Buckminster to process Council and BOPW pay cycles to Monthly. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, F. Killingsworth, K. Killingsworth, Leyden, Ruiz. "NAY" None. "ABSENT" None. Motion carried.

RESOLUTION ADOPTING THE 2025-2030 ONE & SIX YEAR STREET IMPROVEMENT PLAN AS RECOMMENDED BY THE BOARD OF PUBLIC WORKS|TREVOR CAMPBELL – PUBLIC WORKS DIRECTOR

A motion was made by Council person Buckminster and seconded by Council person Leyden to amend the plan by moving Project M-282-86 from the six year projects to the one year projects. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, F. Killingsworth, K. Killingsworth, Leyden, Ruiz. "NAY" None. "ABSENT" None. Motion carried.

A motion was made by Council person Buckminster and seconded by Council person F. Killingsworth to amend the plan by moving Project M-282-67 from the one year projects to the six year projects. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, F. Killingsworth, K. Killingsworth, Leyden, Ruiz. "NAY" None. "ABSENT" None. Motion carried.

A motion was made by Council person Leyden and seconded by Council person K. Killingsworth to adopt the 2025-2030 One & Six Year Street Improvement Plan as amended. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, F. Killingsworth, K. Killingsworth, Leyden, Ruiz. "NAY" None. "ABSENT" None. Motion carried.

RESOLUTION FOR EXECUTION OF THE YEAR END CERTIFICATION OF CITY STREET SUPERINTENDENT FOR CALENDAR YEAR 2024 AS RECOMMENDED BY THE BOARD OF PUBLIC WORKS|TREVOR CAMPBELL – PUBLIC WORKS DIRECTOR

A motion was made by Council person Buckminster and seconded by Council person Leyden to adopt the resolution as presented. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, F. Killingsworth, K. Killingsworth, Leyden, Ruiz. "NAY" None. "ABSENT" None. Motion carried.

APPOINTMENT OF JUSTIN STARK, CLASS A SUPERINTENDENT'S LICENSE S-1534 & ENGINEER'S LICENSE E-13167, AS THE CITY STREET SUPERINTENDENT FOR CALENDAR YEAR 2025 BY MUNICIPAL CONTRACT AS RECOMMENDED BY THE BOARD OF PUBLIC WORKS|TREVOR CAMPBELL – PUBLIC WORKS DIRECTOR

A motion was made by Council person Ferguson and seconded by Council person Leyden to appoint Justin Stark, Class A Superintendent's License S-1534 & Engineer's License E-13167, as the City Street Superintendent for Calendar Year 2025 by municipal contract. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster, F. Killingsworth, K. Killingsworth, Leyden, Ruiz. "NAY" None. "ABSENT" None. Motion carried.

APPOINTMENT OF MILLER & ASSOCIATES AS SPECIAL ENGINEER FOR WATER & WASTEWATER PROJECTS FOR CALENDAR YEARS 2025, 2026 & 2027 AS RECOMMENDED BY THE BOARD OF PUBLIC WORKS|TREVOR CAMPBELL – PUBLIC WORKS DIRECTOR

A motion was made by Council person Buckminster and seconded by Council person Ferguson to appoint Miller & Associates as the Special Engineer for Water & Wastewater Projects for Calendar Years 2025, 2026 & 2027. Roll was called on this motion and the Council persons voted as follows: "YEA" Buckminster, Ferguson, Fouraker, Kaster,

F. Killingsworth, K. Killingsworth, Leyden, Ruiz. "NAY" None. "ABSENT" None. Motion carried.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 6:45 pm

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 2, 2024; 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