

Tecumseh, Nebraska  
September 12, 2011

The City Council of the City of Tecumseh, Nebraska, met in regular session in the Utilities Conference Room at City Utility Shop on the 12<sup>th</sup> day of September, 2011, at 7:00 o'clock p.m. in a publicly convened session, the same being open to the public and having been preceded by advanced publicized notice.

#### **Routine Business**

Mayor Montz read a statement of availability of current copy of Open Meeting Act.

The following Council Members were present: Jim Rine, Larry Carmine, Bill Baum, Kimberly Jansen, and Beth Rossi with Charles Murphy arriving at 7:20 p.m. Absent: None.

Others present: Ann Wicket, Sheriff Walton, Bruce Dalluge, Paula Darling, Tom Sherman, Susie Kerner, Jack Moles, Greg Hunzeker, and Doug Goracke.

There were no corrections or additions to the posted agenda.

#### **PUBLIC HEARINGS**

The Public Hearing regarding applying for Federal Transit and Nebraska Public Transportation Assistance Program funds to purchase an ADA small bus to replace existing vehicle to provide public transportation in Johnson County was opened at 7:02 p.m. and as there was no input from the public or Council the hearing closed at 7:03 p.m.

The Public Hearing to discuss promotional discount rates/s for Tecumseh Handibus was opened at 7:03 p.m. and as there was no input from the public or Council the hearing closed at 7:04 p.m.

The Public Hearing on the City of Tecumseh and Tecumseh Utilities 2011-2012 budgets was opened at 7:05 p.m. and as there was no input from the public or Council the hearing closed at 7:06 p.m.

The Public Hearing to set the 2011-2012 property tax requests at a different amount than the prior year tax request was opened at 7:06 p.m. and as there was no input from the public or Council the hearing closed at 7:07 p.m.

#### **BUDGET AGENDA**

Motion by Councilmember Rossi, seconded by Councilmember Jansen, to approve the additional allowable increase of one percent over the budget limit for 2011-2012. Motion carried by unanimous roll call vote.

Motion by Councilmember Rine, seconded by Councilmember Rossi, to approve Resolution #11-18 setting the 2011-2012 property tax requests at a different amount than the property tax request for the prior year. Motion carried by unanimous roll call vote.

#### **ORDINANCE #11-1036**

Councilmember Rine introduced Ordinance #11-1036 AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE. Councilmember Rossi moved that the statutory rule requiring that Ordinance # 2011-1036 be read by title on three different days be dispensed with so that the Ordinance can be approved September 12, 2011 and published in pamphlet form. The motion was seconded by Councilmember Carmine. Motion carried by unanimous roll call vote.

Councilmember Carmine moved that Ordinance No. 2011-1036 be passed and adopted September 12, 2011 and published in pamphlet form. The motion was seconded by Councilmember Rine. Motion carried by unanimous roll call vote.

Motion by Councilmember Rossi, seconded by Councilmember Carmine, to approve the recommendation from the Board of Public Works approving the 2011-2012 Utility Budget. Motion carried by unanimous roll call vote.

#### **Regular Agenda**

Motion by Councilmember Rine, seconded by Councilmember Carmine to approve request from Johnson County Central School to asphalt the area between the parking lot and the street on the corner of 6<sup>th</sup> and Grant. Motion carried by unanimous roll call vote.

Motion by Councilmember Rossi, seconded by Councilmember Murphy, to approve Resolution #11-19 applying for Federal Transit and Nebraska Public

Transportation Assistance Program funds to purchase an ADA small bus to replace existing vehicle that will provide public transportation in Johnson County. Motion carried by unanimous roll call vote.

Motion by Councilmember Carmine, seconded by Councilmember Rossi, to approve recommendations by Handibus Board to allow promotional discount rates. Motion carried by unanimous roll call vote.

There was no report from the Fire Chief.

Sheriff Walton distributed his monthly call reports and spoke to the Council about the issues with the ATV/UTV ordinance. Councilmember Rossi asked that the Council discuss changes to the ordinance to require registration of ATV/UTV so the owners can show proof of insurance before they are allowed to ride their vehicle on city streets. City Attorney Dalluge said he would speak with the County Attorney regarding a few issues the Sheriff had, however it was the consensus of the Council that the ordinance was fine as it was written.

Clerk Darling and Foreman Goracke distributed the new Transportation Enhancement Program grant application budget to the Council and pointed out that the grant is for \$1,000,000 and the project costs are \$1,429,000 with a local match of \$429,000. This grant will go toward the repair of the brick streets in the Historic Downtown. Goracke stated that the intersection of 1<sup>st</sup> and Clay streets will soon be repaired and that tarring the cracks in the streets will begin as soon as the weather cools.

Motion by Rine, seconded by Baum, to approve the purchase of new playground equipment as recommended by the Park Board as well as using sand as a base around some of the playground equipment instead of woodchips. The equipment will be paid for in part by donations and the sale of the police department weapons. Motion carried by unanimous roll call vote.

Foreman Goracke reported that he had been calling references on the companies bidding on the pool repairs. The Council asked Goracke to bring his recommendation on which company to hire to the October meeting. Mayor Montz felt the money from the sale of the police vehicles would be best spent on recreation projects such as the pool repairs.

Foreman Goracke reported on the proceedings from the Board of Public Works meeting and stated that the Board will be putting money aside to fund a new well to replace #4 and rehabilitate well #1. He explained that the Utility is now short an employee and the Board is considering options to fill the vacancy. The Board also discussed possible solutions for uncollected bills.

Councilmember Rossi reported that the Tecumseh Manor received a 98B rating, the highest rating the Manor has ever received, from the latest HUD inspection and that they will be celebrating with a cook-out on October 6 at 4:00 p.m. She encouraged the council and their spouses to attend.

Motion by Councilmember Baum, seconded by Councilmember Rine, to table consideration of salary adjustment for the code enforcement officer until the October meeting, in hopes that the code enforcement officer might be able to visit with the Council about his duties.

Economic Development Director Goracke asked for advice on the future of the Commercial Matching Grant Program sponsored by the Tecumseh Economic Development Committee. Motion by Councilmember Murphy, seconded by Councilmember Rine, to leave the program the way it is now. Motion carried by unanimous roll call vote.

Motion by Councilmember Rine, seconded by Councilmember Baum, to approve Resolution #11-20 of the City of Tecumseh, Nebraska, authorizing the subdivision of Lot 1, Block 10, Kershaw's 1<sup>st</sup> Addition to the City of Tecumseh, Johnson County, Nebraska. Motion carried by unanimous roll call vote.

It was the consensus of the Council that the City Attorney should bring ordinances to the October meeting for review and consideration regarding changes to the Tecumseh liquor license fees and trailer court permit fee.

#### **Consent Agenda**

Motion by Councilmember Rine, seconded by Councilmember Baum, to approve the Consent Agenda. Yeas: Jansen, Murphy, Rossi Rine, Carmine, Baum. Nays: None. Absent and not voting: None. Motion carried.

1. Approve minutes of August 1, 2011 regular meeting
2. Pay bills for City Funds

3. Review and consider Mayor, Council, etc. attendance at League of Nebraska Municipalities 2011 Annual Conference Sept. 28 – 30, Cornhusker Marriott Hotel, Lincoln NE
4. Review and consider approval of emergency management siren lease for a period of 20 years commencing October 1, 2011 with SENDD for 25% of the match (\$8,863.50) of the \$35,454.00 grant
5. Review and consider Resolution #11-21 supporting the services provided by the Rural Enterprise Assistance Project (REAP) in the City of Tecumseh and surrounding trade area.
6. Approve contract with Olsson Associates in the amount of \$30,000 for consultant services related to the CDBG Phase 1 Downtown Revitalization Plan.
7. Review and consider approval of Kris Davis invoice #S100195493.004 for street lighting energy grant in the amount of \$3,216.00
8. Review and consider approval of Olsson Associates invoice #161307 for Community Building Energy Grant in the amount of \$1,137.20
9. Review and consider approval of allowing Red Cross to use the Community Building as an emergency shelter
10. Approve Resolution #11-22 allowing the City of Tecumseh to apply for assistance from the TRANSPORTATION ENHANCEMENT PROGRAM for the purpose of constructing the Tecumseh Historic Square Brick Street Restoration & Historic Lighting Project
11. Approve SEND recommendation to award contract to Quality Remodeling for applicant 09-TEC-015 through the City of Tecumseh's City-Wide Housing Rehabilitation Program (CDBG #09-HO-6050) for \$24,995.00
12. Approve SEND recommendation to award contract to Quality Remodeling for applicant 09-TEC-018 through the City of Tecumseh's City-Wide Housing Rehabilitation Program (CDBG #09-HO-6050) for \$24,995.00

On motion the meeting was adjourned at 8:55 p.m.

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CITY CLERK

Paula Darling

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MAYOR

William J. Montz, Sr.