

Tecumseh, Nebraska
August 1, 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 1st day of August, 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, Charles Murphy, Larry Carmine, Bill Baum and Beth Rossi. Absent: None.

Others present: Ann Wicket, Sheriff Walton, Bruce Dalluge, Paula Darling, Kimberly Jansen, Don Ensor, Greg Oberdink and Doug Goracke.

Clerk Darling asked that the Council add *approval of special meeting minutes from July 21* to agenda item #1 under the Consent agenda.

Appointment of New Council Member

Motion by Councilmember Rine, seconded by Councilmember Rossi, to approve the Mayor's appointment of Kimberly Jansen to fill the council vacancy in Ward One. Motion carried by unanimous roll call vote. Clerk Darling gave Jansen the Oath of Office and Councilmember Jansen joined the council meeting.

Ordinance No. 11-1030

Councilmember Carmine moved that ORDINANCE NO. 11-1030 AN ORDINANCE OF THE CITY OF TECUMSEH, NEBRASKA AMENDING SECTION 10-801 OF THE TECUMSEH MUNICIPAL CODE, REGARDING THE LEVYING AND COLLECTING OF OCCUPATION TAXES; ELIMINATING THE OCCUPATION TAXES FOR FIRE INSURANCE COMPANIES; AMENDING THE OCCUPATION TAX ON TELEPHONE AND TELECOMMUNICATION COMPANIES; AND TO PROVIDE WHEN OCCUPATION TAXES ARE DUE AND PAYABLE TO THE CITY be read for the third time and approved for final passage on August 1, 2011. Motion seconded by Councilmember Murphy. Motion carried by unanimous roll call vote.

Ordinance No. 11-1031

Councilmember Murphy moved that ORDINANCE NO. 2011-1031, AN ORDINANCE OF THE CITY OF TECUMSEH, NEBRASKA AMENDING SECTION 10-802 OF THE TECUMSEH MUNICIPAL CODE TO CHANGE WHEN OCCUPATION TAXES ARE DUE AND PAYABLE TO THE CITY FOR CERTAIN BUSINESSES be read for the third time and approved for final passage August 1, 2011. Motion seconded by Councilmember Rossi. Motion carried by unanimous roll call vote.

Ordinance No. 11-1033

Mayor Montz read ORDINANCE NO. 11-1033, AN ORDINANCE OF THE CITY OF TECUMSEH, NEBRASKA AMENDING SECTION 6-101, 6-102, 6-123, AND 6-124 OF THE CITY OF TECUMSEH MUNICIPAL CODE TO CHANGE THE LICENSING OF DOGS AND CATS FROM THE MUNICIPAL POLICE DEPARTMENT TO THE CITY CLERK and asked that it be introduced and Council member Rine moved that the statutory rule requiring that the ordinance be read by title on three different days be dispensed with so that Ordinance 11-1033 be introduced and approved August 1, 2011. Councilmember Carmine seconded the motion. Motion carried by unanimous roll call vote.

Councilmember Rine moved that Ordinance No. 11-1033 be passed and adopted and published in pamphlet form. Councilmember Murphy seconded the motion. Motion carried by unanimous roll call vote.

Ordinance No. 11-1034

Mayor Montz read ORDINANCE NO. 11-1034, AN ORDINANCE OF THE CITY OF TECUMSEH, NEBRASKA REPEALING SECTIONS 5-701 THROUGH 5-709 OF THE TECUMSEH MUNICIPAL CODE AND PROVIDING FOR THE

OPERATION OF ALL TERRAIN VEHICLES AND UTILITY-TYPE VEHICLES ON THE STREETS OF TECUMSEH, NE and asked that it be introduced and Councilmember Carmine moved that the statutory rule requiring that the ordinance be read by title on three different days be dispensed with so that Ordinance 11-1034 be introduced and approved August 1, 2011. The motion was seconded by Councilmember Rine. Motion carried by unanimous roll call vote.

Councilmember Rine moved that Ordinance No. 11-1034 be passed and published in pamphlet form. Motion was seconded by Councilmember Rossi. Motion carried by unanimous roll call vote.

Ordinance Nos. 11-1030, 11-1031, 11-1033, and 11-1034 are published in pamphlet form and available for public review at the City Clerk's Office.

Regular Agenda

There was no report from the Fire Department.

Don Ensor and Greg Oberdink addressed the Council regarding the sale of the Nemaha Valley Refuse and Recycling to Seneca Sanitation. Oberdink stated the city would not see any difference in trash service and Ensor stated he would be managing the service in Tecumseh. Motion by Councilmember Rine, seconded by Councilmember Jansen, to approve assignment of the City of Tecumseh's trash hauling agreement from Nemaha Valley Refuse and Recycling, Inc. to Seneca Sanitation Inc. Motion carried by unanimous roll call vote.

Motion by Councilmember Rine, seconded by Councilmember Murphy, to approve the Downtown Revitalization Steering Committee's recommendation of Olsson Associates for the consultant of Phase 1 of the CDBG planning contract. Motion carried by unanimous roll call vote.

Motion by Councilmember Carmine, seconded by Councilmember Rine, to eliminate city-sponsored recycling efforts effective September 1, 2011. Motion carried by unanimous roll call vote. However, aluminum cans and clothing recycling are sponsored by another entity and will not be affected by the City's decision to stop city-sponsored recycling. In the event recycling becomes affordable, the city may reinstate the recycling program again.

Councilmember Carmine reported on the theft and break-in at the pool and how arrangements have been made to remove money from the property at night.

Motion by Councilmember Rine, seconded by Councilmember Rossi, to approve the removal of Olsson Associates as City Engineer and Street Superintendent at Olsson Associates' request. Motion carried by unanimous roll call vote.

Councilmember Murphy reported that the framing of the ADA bathroom at the Community Building is now complete and the next step will be the electric and plumbing work.

Sheriff Walton handed out the monthly report and stated that they have been investigating the break-in at the pool and several other thefts. He also stated that he will ask Chief Lang from Beatrice for assistance with issues with SEADE.

E.D. Director Goracke stated that the grants for energy efficiency and housing rehabs are on target for completion and the two sirens will be installed this fall from a siren grant.

Goracke also distributed the Utility/Public Works Report for July and Clerk Darling distributed Pride Committee complaint forms.

Consent Agenda

Motion by Councilmember Carmine, seconded by Councilmember Rine, to approve the Consent Agenda. Motion carried by unanimous roll call vote.

1. Approve minutes of July 11, 2011 regular meeting and July 21, 2011 special meeting
2. Pay bills for City Funds
3. Review and consider approval of Resolution #11-16 changing the date of the regularly scheduled City Council meeting from September 5, 2011 to September 12, 2011 in order to observe Labor Day
4. Review and consider approval of Olsson Associates Invoice No. 159597 for \$4,457.50 in regard to CDBG Energy Grant Administration

5. Review and consider approval of draft grant application of Transportation Enhancement Program for brick street surfaces and historic lighting
6. Approve recommendation from SENDD to award construction contract to McNealy Construction in the amount of \$25,795.00 being a combination of \$800 of homeowner's funds and \$24,995 of CDBG funds for applicant #09-TEC-002

On motion the meeting was adjourned at 8.25 p.m.

CITY CLERK

Paula Darling

MAYOR

William J. Montz, Sr.