

Tecumseh, Nebraska
September 8, 2014

The City Council of the City of Tecumseh, Nebraska, met in regular session in the Utilities Conference Room at the Utility Shop on the 8th day of September, 2014 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: Charles Murphy, James Philippi, Larry Carmine, Kim Jansen, Kris Brase and Jesse Grof. Absent: None.

Others present: Ann Wickett, Doug Goracke, Dan Blessing, Lavern Bartels, Lynn Campbell, Bruce Dalluge, Paula Darling, Bev Puhalla, Susan Kerner, Delmar Badertscher, Ruth Holben, Carol Behrends, Russell Behrends, Densel Fankhauser, Nick Bergin, Glen Bohling, Raymond Ensor, Mark McDonald, Don Ensor, Beth Rossi, Jack Stinson, Mike Davison, Jim Seckman, Kaleb Kuhlman, Jim Rieken, Rhett Meints, Moaner DuPreez, Wayne Minchow, Fred Pooch.

Budget Agenda

The Public Hearing for the City of Tecumseh and Tecumseh Utilities 2014-2015 budget opened at 8:00 p.m., and as there was no comments for the public the hearing closed at 8:01 p.m.

The Public Hearing to set the 2014-2015 property tax request at a different amount than the prior year tax request opened at 8:01 p.m., and as there were no comments from the public the hearing closed at 8:02 p.m.

Motion by Councilmember Philippi, seconded by Councilmember Carmine, to approve the additional allowable increase of one percent over the budget limit for the 2014-2015 fiscal year. Motion carried by unanimous roll call vote.

Resolution No. 14-09

Motion by Councilmember Murphy, seconded by Councilmember Grof, to approve Resolution #14-09 which sets the 2014-2015 property tax request at a different amount than the property tax request for the prior year. Motion carried by unanimous roll call vote.

Ordinance No. 14-1064

Motion by Councilmember Murphy to introduce Ordinance #14-1064 AN ORDINANCE OF THE CITY OF TECUMSEH 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, and to waive the statutory rule requiring that the ordinance title be read on three different days be dispensed with so Ordinance 2014-1064 can be approved September 8, 2014 and published in pamphlet form. The motion was seconded by Councilmember Grof. Motion carried by unanimous roll call vote.

Motion by Councilmember Carmine, seconded by Councilmember Murphy, to approve Ordinance #14-1064 and to publish the ordinance in pamphlet form. Motion carried by unanimous roll call vote.

Motion by Councilmember Grof, seconded by Councilmember Murphy, to approve the 2014-2015 Utility Budget. Motion carried by 4-2 roll call vote with Philippi and Brase voting nay. Motion carried.

Regular Agenda

Mayor Montz addressed the visitors and Councilmembers concerning the review of the employee wage adjustment agenda item by stating that all employees of the city and utility are excellent employees and that the utility is now working with one less employee, and that the step increases were determined by using the League of Municipalities Salary Survey. He stated that in his 12 years as a Councilmember and/or Mayor, the Council had not taken the advice of the Board of Public Works only one time and that he trusts them.

Former Councilmember Beth Rossi asked if she could address the Council and asked "How many of the council members or mayor knew what the utility wage increases were at the budget workshop or when they voted at the August Council meeting". All

responded they did not know what the raises amounted to. Board of Public Works Member Fred Pooch stated that the Board is in place to help the Council and to make recommendations to them about equipment needs, projects and budgets. He stated that the Board and employees had been working on the step raises for some time and that City Council members should attend the Board meetings if they would like to be familiar with goes on at the meetings. He also stated that if he could have given larger raises he would have but Utility employees did not agree with him. Councilmember Carmine and Murphy stated that by not using the step raise pay scale that was developed in 2011 the Utility employees pay rates became less and less relevant with those in the surrounding communities. Councilmember Philippi stated his research of several communities showed that Tecumseh's pay scale was probably more average than low. Former Mayor Bartels stated he thought the Board of Public Works should be dissolved and that a supervisor and the City Council could handle the work load of the Board. He also felt the raises were too high for a community the size of Tecumseh and that that no employee pay raises should have been given. Mayor Montz responded that the Utility would have issues with employee retention if no raises were given. Ms. Rossi expressed concerns that the vote for wage increases was legal because it had been the practice of the Council to know what the wages were at the time of the Budget Workshop and that this year no one knew what the wages were. Mr. Pooch again stated that the information was available at the Board of Public Works meeting. Tecumseh Chieftain publisher Bev Puhalla stated concerns that the step raise information had not been given to her reporter or the City Clerk at the August Board of Public Works meeting. Following several comments from the audience, a visitor asked if there would be a revote of the wage increase and the City Attorney stated it was not on the agenda and would not be voted on. The Mayor asked if there were any other questions and there were none.

There was no Sheriff's report.

Motion by Councilmember Brase, seconded by Councilmember Jansen, to table consideration of the purchase of equipment for use by the Sheriff's Department in Tecumseh city limits. Motion carried by unanimous roll call vote.

Denzel Fankhauser and Ruth Holben addressed the council concerning the need for a stop sign at 1st and High Street stating they had safety concerns about the traffic coming over the hill north of the stop sign and asked that the stop sign not be removed. The Resolution of the City of Tecumseh, Nebraska directing the removal of the stop sign on First Street at the High Street intersection died from a lack of introduction.

Ordinance No. 14-1065

Councilmember Philippi moved that ORDINANCE # 14-1065, AN ORDINANCE OF THE CITY OF TECUMSEH, NEBRASKA, AMENDING SECTIONS 1-101, 5-701, 5-702, 6-321, 10-203, 10-204, 10-211 AND 10-212 OF TECUMSEH MUNICIPAL CODE TO CHANGE THE DUTIES OF THE MAYOR; MODIFY PROVISIONS REGARDING ABANDONED VEHICLES; MODIFY THE DEFINITIONS OF ATV'S AND UTV'S AND TO AMEND THE OPERATING RULES; AND CHANGE THE APPLICATION AND PERMIT ISSUANCE PROCESS FOR PEDDLERS be introduced. Motion by Councilmember Philippi, seconded by Councilmember Grof, that the statutory rule requiring that the ordinance be read by title on three different days be dispensed with so that Ordinance #14-1065 can be approved September 8, 2014. Motion carried by unanimous roll call vote.

Motion by Philippi, seconded by Grof, to approve Ordinance # 14-1065 and publish in pamphlet form. Motion carried by unanimous roll call vote.

Mayor Montz asked if Public Properties Foreman Goracke had contacted the residents in the Eastridge neighborhood about erecting a street light. He stated he had made contact by letter and phone with the neighbors and that the response he received was 5 no votes and 2 yes votes for the erection of the street light. The Council took no action on the issue.

Councilmember Carmine reported that painting was being done at the swimming pool, and Foreman Goracke stated that warranty work on the pool surface would be done sometime this fall and that the baby pool would be painted as well.

Public Properties Foreman Goracke reported that a section of street on 2nd Street, north of Garfield had heaved and was replaced. Councilmembers were very happy with the crosswalks in the vicinity of the school, and Councilmember Brase volunteered to attend a Board of Education meeting about the lack of a sidewalk in the west parking school parking lot.

No action was taken on the non-binding agreement for the possible purchase of a street sweeper from Nebraska Environmental Products upon review of the agreement with the City Attorney.

Doug Goracke reported he had been working on two business proposals and that there were several requests for office space. He also was able to negotiate the purchase of a property for demolition. The Southeast Partners for Progress group has decided against funding an impact study of the mining near Elk Creek in favor of visiting the mining area in North Dakota and getting first hand information.

Mr. Goracke distributed the Utility Foremen Reports and there were no questions for him.

Consent Agenda

Motion by Councilmember Philippi to remove item #1 under the Consent Agenda in order to amend the minutes from the August meeting as follows: Motion by Grof, seconded by Councilmember Murphy, to approve a 3% salary increase for all full-time or part-time employees that receive a city pay check. As there was no second to the motion, the motion died.

Motion by Councilmember Carmine, seconded by Councilmember Grof, to approve the Consent Agenda as follows. .

1. Approve minutes of August 4, 2014 regular meeting
2. Pay bills for City Funds
3. Review and consider approving the lease agreement with Johnson County Central Public School for the baseball and softball complex.
4. Review and consider payment of Southeast Nebraska Development District (SENDD) Fiscal Year 2015 Membership dues of \$1,575.

Motion carried by roll call vote with Brase abstaining.

On motion the meeting was adjourned at 8:52 p.m.

CITY CLERK

Paula Darling

MAYOR

William J. Montz, Sr.

(Note regarding wages: At the July and August, 2014 City Council Meetings, wages were set for the 2014-15 fiscal year as follows: City Clerk - \$45,251/yr. with \$32,581 paid by Utilities and \$12,670 paid by City; Economic Developer - \$26.65/hr.; equipment operator - \$19.74/hr.; handibus driver - \$12.36/hr.; code enforcement officer - \$6,303.60/yr.; brush dump monitor - \$11.95/hr.; librarian - \$13.12; assistant librarian - \$7.85/hr.; City Hall cleaning - \$10.83/hr.; Community Building maintenance - \$791.67/mo.; City Attorney, zoning/building, website maintenance - \$30,260/yr., with \$8,396 paid by utilities; building inspector - \$20/25 per inspection