

Tecumseh, Nebraska
November 7, 2011

The City Council of the City of Tecumseh, Nebraska, met in regular session in the Utilities Conference Room at the Utility Shop on the 7th day of November, 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 advance publicized notice, a copy of the same being annexed to the minutes of the meeting as Attachment #1, said attachment showing how the availability of an agenda of then known subjects was communicated and the time and specific place of the holding of this notice, the same having been transmitted to each Council Member simultaneously. The Mayor presided and the City Clerk recorded the proceedings.

Routine Business

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

The following Council Members were present: Kimberly Jansen, Larry Carmine, William Baum, Jim Rine and Beth Rossi. Absent: Charles Murphy.

Others present: Bruce Dalluge, Paula Darling, Ann Wickett, Susie Kerner, Doug Goracke, Sheriff Walton, Lavern Bartels.

There were no corrections or additions to the posted agenda.

ORDINANCES

Councilmember Rossi introduced Ordinance No. 1039; An ordinance of the City of Tecumseh, Nebraska amending section 9-30 of the Tecumseh Municipal Code to also adopt the 2009 International Code Councils International Residential Code and Councilmember Carmine moved to waive the three reading rule. The motion was seconded by Councilmember Baum. Yeas: Baum, Rine, Jansen, Rossi, Carmine. Nays: None. Absent and not voting: Murphy. Motion Carried.

Motion for final passage of Ordinance No. 10-39 by Councilmember Rossi was seconded by Councilmember Jansen. Yeas: Baum, Jansen, Carmine, Rine, Rossi. Nays: None. Absent and not voting: Murphy. Motion Carried.

Councilmember Rossi introduced Ordinance # 1040 an Ordinance of the City of Tecumseh, Nebraska amending Section 9-307 of the Tecumseh Municipal code to Change the Adopted International Property Maintenance Code from the 2006 Edition to the 2009 Edition and to amend specific sections of adopted 2009 International Property Maintenance Code and Councilmember Baum moved to waive the three reading rule. The motion was seconded. Yeas: Baum, Rine, Jansen, Rossi, Carmine. Nays: None. Absent and not voting: Murphy. Motion Carried.

Councilmember Rossi moved for final passage of Ordinance No. 1040 and Councilmember Carmine seconded the motion. Yeas: Baum, Jansen, Carmine, Rine, Rossi. Nays: None. Absent and not voting: Murphy. Motion Carried.

Councilmember Rossi introduced Ordinance No. 10-41 an Ordinance of the City of Tecumseh, Nebraska amending section 9-04.01 of the Tecumseh, Nebraska Zoning Ordinance regarding Building Permits and Councilmember Carmine moved that the three reading rule be waived. Councilmember Rossi seconded the motion. Yeas: Baum, Rine, Jansen, Rossi, Carmine. Nays: None. Absent and not voting: Murphy. Motion Carried.

Councilmember Carmine moved for final passage of Ordinance No. 10-41 and Councilmember Rossi seconded the motion. Yeas: Baum, Jansen, Carmine, Rine, Rossi. Nays: None. Absent and not voting: Murphy. Motion Carried.

Councilmember Carmine introduced Ordinance #10-42 an Ordinance of the City of Tecumseh, Nebraska amending section 9-101 of the Tecumseh Municipal Code to provide a penalty for obtaining a permit after construction begins, after structure moving begins, or after structure demolition begins; to provide for a fence permit and provide for an Application Review Fee and Councilmember Rossi moved to waive the three reading rule. The motion was seconded by Councilmember Carmine. Yeas: Carmine, Rossi, Jansen, Baum, Rine. Nays: None. Absent and not voting: Murphy. Motion Carried.

Councilmember Carmine moved for final passage of Ordinance #1042 and Councilmember Jansen seconded the motion. Yeas: Baum, Jansen, Carmine, Rine, Rossi. Nays: None. Absent and not voting: Murphy. Motion Carried.

Councilmember Rossi introduced Ordinance # 1043 an Ordinance of the City of Tecumseh, Nebraska amending section 7.12.01, 7.12.06 and 7.12.07 of the Tecumseh, Nebraska Zoning Ordinance regarding fences and Councilmember Carmine moved to waive the three reading rule. The motion was seconded by Councilmember Rossi. Yeas: Carmine, Rossi, Jansen, Rine, Baum. Nays: None. Absent and not voting: Murphy. Motion Carried.

Councilmember Rossi moved for final passage of Ordinance #1043 and Councilmember Carmine seconded the motion. Yeas: Rine, Jansen, Baum, Carmine, Rossi. Nays: None. Absent and not voting: Murphy. Motion Carried.

Councilmember Rossi introduced Ordinance #1044 an Ordinance of the City of Tecumseh, Nebraska setting the election ward boundaries for the City of Tecumseh, Nebraska and Councilmember Rossi moved to waive the three reading rule. The motion was seconded by Councilmember Jansen. Yeas: Baum, Rine, Jansen, Rossi, Carmine. Nays: None. Absent and not voting: Murphy. Motion Carried.

Councilmember Rossi moved for final passage of Ordinance #1044 and Councilmember Carmine seconded the motion. Yeas: Baum, Jansen, Carmine, Rine, Rossi. Nays: None. Absent and not voting: Murphy. Motion Carried.

REGULAR AGENDA

As there were questions for the Board of Public Works regarding the revised job descriptions, salary scale and increased wages of Utility employees, the item was tabled until the December meeting.

There was Fire Department report. The Council agreed that the Fire Chief can make quarterly reports.

Sheriff Walton reported that the SEADE is without any officers right now and that there are some counties thinking about not joining the task force next year. Because of this, the dues for Tecumseh will be \$1,463.23. He also said that the Department of Justice is talking about combining SEADE with the State Patrol. Walton stated that the county will be talking about this at their meeting and if they decide not to join the City's membership fee would increase. Motion by Councilmember Rine, second by Councilmember Baum to continue the City's membership in SEADE if the County continues to be a member. Yeas: Carmine, Baum, Rine, Jansen, Rossi. Nays: None. Absent and not voting: Murphy. Motion Carried.

Councilmember Rossi reported that she had done comparables on the value of the street department property and buildings on 365 S. 9th St. City Attorney Dalluge stated that if the Council would like to sell the property he has a question about a portion of the property might not belong to the City and he would have to do some research regarding that. He also stated that the sale would need to be confirmed by ordinance after the sale, and that there would be a 30 day public remonstrance period prior to the sale. The City would stand the closing costs, ½ the title insurance and cost of doc stamps. There should be a minimum bid and a down payment made the day of the sale, to hold the property until the property can be turned over to the new owner. Motion by Councilmember Rine, second by Councilmember Rossi, to approve the process of selling the property at 365 S. 9th ST. at live auction conducted by the City Attorney. The minimum bid will be \$30,000 and the winning bidder will be required to pay 20% toward the purchase price of the property on the day of the sale. City Attorney Dalluge will take care of advertising, researching the title and coordinating the remonstrance period with the sale date. Yeas: Rine, Rossi, Baum, Carmine, Jansen. Nays: None. Absent and not voting: Murphy. Motion Carried.

Councilmember Carmine reported that the new playground equipment has been delivered, except for the slide that goes with the large piece of equipment. He also stated that all the prep work for the pool is done.

Utility Foreman Goracke distributed the utility report and stated that the RICE emission compliance will cost \$400,000 and that the Board is leaning toward buying a new two-way read, automatic metering system for all the city's electric and water meters.

Councilmember Rossi stated that the Board of Directors for Tecumseh Manor approved had approved raises for their staff and that they will be sponsoring a holiday cookie exchange for the residents.

City librarian Susie Kerner demonstrated the new e-reader and explained to the Council how the new e-book lending program will enhance services at the library. She also stated that the library board is considering low maintenance landscaping options. Going forward, she will report to the council on a quarterly basis.

There was no code enforcement report.

Economic Developer Goracke reported that construction on the housing rehabs are coming to an end due to the weather and the planning phase of the city's CDBG grant is going well. The CDBG steering committee will be meeting with the County Commissioners on November 8 at the their regular meeting.

Consent Agenda

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

1. Approve minutes of October 3, 2011 regular meeting and October 18, 2011 special meeting
2. Pay bills for City Funds
3. Approve CDBG 11-004Downtown Revitalization Grant drawdown for SENDD Administrative Services as follows: Invoice #1 and Invoice #2 totaling \$1,548.40.
4. Approval of renewing agreement between the City of Tecumseh and the State of Nebraska, Department of Road for surface maintenance (snow removal) of those portions of municipal extension of all rural highways with municipalities at the cost of \$3,105 due December 1, 2011
5. Approve draw down #2 for Project #11-2110 to Olsson for \$7,500 for work done on planning portion of CDBG grant for Downtown and \$1,240.25 to SENDD for billing #1 for downtown project.

On motion the meeting was adjourned at 8:45 p.m.

CITY CLERK

Paula Darling

MAYOR

Lavern Bartels