

Tecumseh, Nebraska
October 1, 2012

The City Council of the City of Tecumseh, Nebraska, met in regular session in the Board Room at City Utility Shop on the 1st day of October, 2012 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: Beth Rossi, Kimberly Jansen, Charles Murphy, Larry Carmine, Jim Philippi, and Bill Baum. Absent: None.

Others present: Ann Wickett, Sheriff Scott Walton, Bruce Dalluge, Paula Darling, Ray Kappel, Dale Hippen, Doug Goracke, Bob Hemphill.

There were no corrections or additions to the originally posted agenda.

Public Hearings

Mayor Montz opened the public hearing on an application for a Class ID Liquor License by Dale Hippen, d/b/a The Scale House, 366 Broadway Street, Tecumseh, NE 68450 at 7:02 p.m. and as there was no comment or discussion, the Mayor closed the hearing at 7:04 p.m.

Mayor Montz opened the public hearing to amend the CDBG Economic Development Program Income RE-Use Plan which defines the Re-Use Program Income from Previous & Future CDBG Economic Development Awards at 7:04 p.m. Economic Development Director Goracke stated that the state of Nebraska is revising their processes involving how long municipalities can keep the re-use money they had loaned out and that they are allowing municipalities to (a.) send back all current and future loan funds to NDED and go through annual audits, (b.) keep their funds and go through annual audits, or (c.) forgive the current loans that were outstanding. At this time the City has only one re-use loan and it is for the Ramsey Family Fountain. His board is recommending that the Council approves forgiveness of the loan so the city has does not have to go through annual audits. As there was no further discussion or comment the Mayor closed the hearing at 7:05 p.m.

Ordinance #12-1050

City Attorney Dalluge asked the Council to table Ordinance #12-1050 until the November meeting in order that he might do more research and the Council agreed. Clerk Darling will add this to the November meeting agenda

Ordinance #12-1052.

Councilmember Rossi moved that Ordinance #12-1052 AN ORDINANCE OF THE CITY OF TECUMSEH, NEBRASKA AMENDING SECTIONS 1-208, 1-209, 1-601, 4-202, 4-204, 4-205, 4-206, 4-207, 4-208, 4-210, 6-320 AND 6-322 OF THE TECUMSEH MUNICIPAL CODE be introduced.

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 #12-1052 may be approved October 1, 2012 and published in pamphlet form. Motion was seconded by Councilmember Philippi. Motion carried by unanimous roll call vote.

Councilmember Philippi moved that Ordinance #12-1052 be adopted and ordered the ordinance be published in pamphlet form. The motion was seconded by Councilmember Murphy. Motion carried by unanimous roll call vote.

Regular Agenda

Sheriff Walton distributed the Sheriff's report to the Council and mentioned that they had responded to a dangerous dog call earlier in the day and it would be referred to the County Attorney. He also suggested making the street in front of the school a one-way street which would run from south to north at all times.

There was no report on the City Pond as there were no representatives from the Fair Board in attendance.

Utility Foreman Goracke reported for the Parks Department and stated that the pool has been winterized in accordance with the warranty instructions from the pool

repairs. He also reported on the Street Department's behalf stating that the sunken area on Broadway has been repaired and that crack sealing and patching will soon commence.

Doug Goracke reported that Economic Development had worked with Dale Hippen to purchase Vic's Steakhouse. Additionally, the steering committee for the downtown improvements had taken a tour of several towns in southeast Nebraska to glean ideas for the project and came away with several thoughts on what not to do.

Goracke distributed a report on the Board of Public Works' meeting and mentioned that once the water samples from the prison water tower were approved the water restrictions could be lifted.

City Attorney Dalluge stated that the Mayor can lift the water restriction without Council approval once PeopleService gives us positive notice of the water sample results. The Clerk will run an ad in the paper to notify water customers.

Resolution #12-23

Motion by Councilmember Rossi, seconded by Councilmember Baum, to approve Resolution #12-23 of the City of Tecumseh, Nebraska recommending the issuance of a Class ID Liquor License to Dale Hippen, d/b/a The Scale House, 366 Broadway Street, Tecumseh, Nebraska 68450. Motion carried by unanimous roll call vote.

Resolution #12-24.

Motion by Councilmember Rossi, seconded by Councilmember Carmine, to approve Resolution #12-24 an amendment of the CDBG Economic Development Program Income Re-Use Plan which defines the Re-Use Program Income from Previous & Future CDBG Economic Development Awards. Motion carried by unanimous roll call vote.

Councilmembers were able to view a sample recycling trailer which was brought for their convenience by Bob Hemphill, a sales person with SimpleSort'r Recycling Trailers. He then explained the different types and configurations and suggested a 10-bin trailer with a quad cardboard container for \$15,250 and additional 10 replacement bins at \$200 each. Motion by Councilmember Rossi, seconded by Councilmember Murphy, to approve applying for a Nebraska Recycling Grant to purchase a 10- bin trailer and a set of 10 replacement bins. In the event the grant does not cover a set of 10, the City Clerk is approved to purchase 2 replacement bins with city funds. Motion carried by unanimous roll call vote.

Motion by Philippi, seconded by Jansen, to approve the new agreement with Zeilinger Keno, Inc. extending their right to operate a Keno-Style Lottery in the City of Tecumseh, Nebraska. The agreement is good for 5 years with an optional 3-year extension. Motion carried by unanimous roll call vote.

Consent Agenda

Motion by Councilmember Rossi, seconded by Councilmember Baum, to approve the consent agenda. Motion carried by unanimous roll call vote.

CONSENT AGENDA

1. Approve minutes of September 10, 2012 regular meeting
2. Pay bills for City Funds
3. Approve franchise agreement which gives Unite Private Networks, LLC the right to install, operate, and maintain fiber optic cables within the public streets, rights of way, or on public property within the City of Tecumseh
4. Review and consider request by Seneca Sanitation to exercise their option to extend their Trash Hauling Agreement with the City of Tecumseh for 1 year beginning June 1, 2013.
5. Approve CDBG Downtown Revitalization Phase 2 Draw Down #1 for SENDD General Admin services from 6-4-12 through 8-31-2012 from Grant Funds for \$3,049.20

On motion the meeting was adjourned at 8:12 p.m.

CITY CLERK

Paula Darling

MAYOR

William J. Montz, Sr.