

Tecumseh, Nebraska
November 5, 2012

The City Council of the City of Tecumseh, Nebraska, met in regular session in the Utilities Conference Room at City Utility Shop on the 5th day of November, 2012, at 5:00 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. Rossi was excused at 8:16 p.m.

Others present: Ray Kappel, Deputy Nick Georgie, Bruce Dalluge, Paula Darling, Cody Wickham, Tonia Robinson, Susie Kerner, Jeremy Doty, Spence Morrissey, Ron Oates, John Berkebile, Doug Goracke.

There were two corrections to the originally posted agenda. Clerk Darling stated that she had changed agenda item 1 under the Regular Agenda to reflect that it was now a Resolution. She also added Ordinance #12-1054 which is the follow-up to the Resolution in agenda item 1. Both items were added on 11-1-12 at 11:00 a.m.

Public Hearings

Mayor Montz opened the hearing at 7:03 p.m. for the City's proposed transition plan in order to work toward compliance with the Americans with Disabilities Act, Section 504 of the Rehabilitation Act and Title VI of the Civil Rights Act which provides for access to individuals with disabilities and as there was no comment or discussion from the public, the Mayor closed the hearing at 7:05 p.m.

Ordinance #12-1050

Councilmember Philippi moved that Ordinance #12-1050 AN ORDINANCE OF THE CITY OF TECUMSEH, NEBRASKA ADOPTING ELECTRICAL INTERCONNECTION STANDARDS, PROCEDURES, AGREEMENTS, CHARGES AND FEES be introduced.

Councilmember Baum moved that the statutory rule requiring the ordinance be read by title on three different days be dispensed with so that Ordinance 2012—1050 be approved November 5, 2012 and published in pamphlet form. The motion was seconded by Councilmember Rossi. Motion carried by unanimous roll call vote.

Councilmember Rossi moved that Ordinance #12-1050 be adopted and ordered the ordinance be published in pamphlet form. The motion was seconded by Councilmember Carmine. Motion carried by unanimous roll call vote.

Ordinance #12-1053

Councilmember Rossi moved that Ordinance #12-1053 AN ORDINANCE OF THE CITY OF TECUMSEH, NEBRASKA, AMENDING SECTION 6-101 REGARDING LICENSING FEES FOR DOGS; PROVIDING FOR CERTAIN DOGS THAT ARE EXEMPT FROM LICENSE TAX; PROVIDING FOR A MAXIMUM NUMBER OF DOGS PER RESIDENTIAL UNIT; AMENDING SECTION 6-122 TO PROVIDE FOR AN APPEAL FEE; PROVIDING FOR CERTAIN ANIMAL OWNERS TO BE DECLARED RECKLESS OWNERS AND RESULTING PENALTIES; AMENDING SECTION 6-123 REGARDING LICENSING FEES FOR CATES; AMENDING SECTION 6-401 REGARDING PENALTIES; AND PROVIDING FOR THE RENUMBERING OF CHAPTER 6, ARTICLE 1 TO ALLOW FOR INSERTION OF NEW CODE SECTIONS be introduced.

Councilmember Baum moved that the statutory rule requiring that the ordinance be read by title on three different days be dispensed with so that Ordinance 2012-1053 be approved November 5, 2012 and published in pamphlet form. The motion was seconded by Councilmember Murphy. Motion carried by unanimous roll call vote.

Councilmember Rossi moved that Ordinance # 13-1053 be adopted and ordered the ordinance be published in pamphlet form. The motion was seconded by Councilmember Jansen. Motion carried by unanimous roll call vote.

Regular Agenda

Motion by Councilmember Carmine, seconded by Councilmember Murphy, to approve Resolution 12-27 calling the Series 2008 Combined Utility Bond for redemption. Motion carried by unanimous roll call vote.

Ordinance #12-1054

Councilmember Carmine moved that Ordinance #12-1054 AN ORDINANCE OF THE CITY OF TECUMSEH AUTHORIZING THE ISSUANCE OF COMBINED UTILITIES REVENUE REFUNDING BONDS, SERIES 2012, OF THE CITY OF TECUMSEH, NEBRASKA, IN THE STATED PRINCIPAL AMOUNT OF NOT TO EXCEED SIX HUNDRED THOUSAND DOLLARS (\$600,000) FOR THE PURPOSE OF PAYING OFF CERTAIN OUTSTANDING COMBINED UTILITIES REVENUE REFUNDING BONDS, SERIES 2008; PRESCRIBING THE FORM OF SAID BONDS; PLEDGING AND HYPOTHECATING THE REVENUES AND EARNINGS OF THE ELECTRIC LIGHT AND POWER PLANT AND DISTRIBUTION SYSTEM, THE WATERWORKS PLANT AND DISTRIBUTION SYSTEM AND THE SANITARY SEWER PLANT AND SYSTEM OWNED BY THE CITY FOR THE PAYMENT OF SAID BONDS; ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE HOLDERS OF SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM be introduced, and that the minimum savings be set at \$28,000.

Councilmember Philippi moved that the statutory rule requiring that the ordinance be read by title on three different days be dispensed with so that Ordinance 2012-1054 be approved November 5, 2012 and published in pamphlet form. The motion was seconded by Councilmember Jansen. Motion carried by unanimous roll call vote.

Councilmember Murphy moved that Ordinance #12-1054 be adopted and ordering the ordinance published in pamphlet form, and that the minimum savings be set at \$28,000. The motion was seconded by Councilmember Philippi. Motion carried by unanimous roll call vote.

Deputy Georgie distributed the Sheriff's report to the Council.

There was no one in attendance from the Fair Board.

There was no report from the Parks Department.

Councilmember Rossi asked the Council if they would consider waiving the Pilot payment for Tecumseh Manor. The Council chose to table this until it could be included in the 2013-14 budget.

The Street Department report was addressed in the Utilities Foreman's Report.

Motion by Councilmember Philippi, seconded by Councilmember Baum, to approve allowing Nebraska Recycling Enterprises to provide single stream recycling dumpsters to the City at a cost of \$150-\$200 per dump. Motion carried by unanimous roll call vote. Councilmember Philippi will work with city employees in designing signage. The recycling dumpsters will be located on the city-owned property south of Fifth Street Mix.

Motion by Councilmember Murphy, seconded by Councilmember Philippi, to approve the City of Tecumseh Nebraska's Transition Plan in order to comply with Section 504 of the Rehabilitation Act and Title VI of the Civil Rights Act, which provides for access for individuals with disabilities to city properties and programs with one amendment stating that the restroom on the main floor of the Community Building is currently compliant. Motion carried by unanimous roll call vote.

Motion by Councilmember Carmine, seconded by Councilmember Baum, to approve the City of Tecumseh Nebraska's Limited English Proficiency Plan in order to comply with Executive Order 13166 and the Civil Rights Act of 1964. Motion carried by unanimous roll call vote.

Economic Development Director Goracke reported that he had been consulting with SENDD about the possibility of the City participating in another CDBG Housing Rehab program. Preliminary planning could start in the spring of 2013.

Goracke distributed the Board of Public Works/Utility Foreman's Report and the Council had no comments or questions.

Motion by Councilmember Carmine, seconded by Councilmember Murphy, to approve retaining Bruce Dalluge to handle zoning issues and preliminary building permit issues at the cost of \$500 per month. Motion carried by unanimous roll call vote.

Consent Agenda

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

1. Approve minutes of October 1, 2012 regular meeting
2. Pay bills for City Funds
3. 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, 2012
4. Consider approval of Resolution # 12-26 authorizing William Montz, Sr., Mayor of Tecumseh to sign the preliminary engineering and environmental documentation services agreement between the City of Tecumseh, NE and Olsson Associates, Inc. for the Tecumseh Historic Square Preservation Project.
5. Consider approval of the Board of Public Works recommendation to accept the Second Amendment to the Capacity Purchase Agreement between Omaha Public Power District and City of Tecumseh

On motion the meeting was adjourned at 9:10 p.m.

CITY CLERK

Paula Darling

MAYOR

William J. Montz, Sr.