

Tecumseh, Nebraska  
June 6, 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 6th day of June, 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 Deputy 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: Jim Rine, Charles Murphy, Larry Carmine, Beth Rossi and William Baum. Absent: Boyd Mattox.

Others present: Diane Newman, Doug Goracke, Paula Darling, Bruce Dalluge, Kevin VanLaningham, Ann Curry, Time Warner Cable representative, Ann Wicket, Sheriff Scott Walton.

Mayor Montz stated that agenda item #15 under the Consent Agenda was added on 6-3-11 at 4:45 p.m.

#### **Employee Recognition**

Mayor Montz presented Bruce Dalluge with a certificate of appreciation for 25 years of service to the City and commended him for a job well done. Other employees recognized were Maureen Goings for 5 years of service and Dr. Shuey for 30 years of service to the City.

#### **Ordinance No. 11-1030**

Bruce Dalluge explained to the Council how occupation taxes are collected on licensed businesses and occupations that are currently subject to the tax, and the proposed 3% occupation tax to be added on telecommunication services. Paula Darling, City Clerk, stated that the occupation tax on telecommunications won't amount to a large amount of money, but would help replace money being lost from cuts in state funding. A representative from Time Warner addressed the Council stating that their company is concerned with the number of different taxes that are currently being billed to their customers on monthly bills.

Councilmember Rossi introduced 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 and moved that the Ordinance be passed on first reading. Motion was seconded by Councilmember Murphy. Yeas: Baum, Rossi, Rine, Murphy, Carmine. Nays: None. Absent and not voting: Mattox. Motion carried.

#### **Ordinance No. 11-1031**

Councilmember Rossi introduced ORDINANCE NO. 11-1031 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. Councilmember Carmine made a motion that Ordinance No. 11-1031 be passed on first reading. Councilmember Murphy seconded the motion. Yeas: Carmine, Murphy, Rine, Rossi, Baum. Nays: None. Absent and not voting: Mattox. Motion carried.

### Ordinance No. 11-1032

Councilmember Carmine moved that ORDINANCE NO. 2011-1032 AN ORDINANCE OF THE CITY OF TECUMSEH, NEBRASKA AMENDING SECTION 2-213 OF THE TECUMSEH MUNICIPAL CODE TO INCREASE THE NUMBER OF HOUSING AUTHORITY COMMISSIONERS FROM FIVE (5) TO SEVEN (7) be read and introduced.

Councilmember Murphy moved that the statutory rule requiring that the ordinance be read by title on three different days be dispensed with so that Ordinance No. 2011-1032 be approved June 6, 2011. Motion was seconded by Councilmember Carmine. Yeas: Carmine, Murphy, Rine, Rossi, Baum. Nays: None. Absent and not voting: Mattox. Motion carried.

Councilmember Carmine moved that Ordinance No. 2011-1032 be adopted June 6, 2011 and published in pamphlet form. Motion seconded by Councilmember Rossi. Nays: Rossi, Carmine, Rine, Baum, Murphy. Nays: None. Absent and not voting: Mattox. Motion carried.

### Regular Agenda

Diane Newman gave a report to the Council on the planned expansion to the hospital to include a provider based rural health clinic. Changes in Medicare have prompted the renovations. She showed the revised floor plans in the new addition and the existing hospital with completion date expected in summer of 2012.

Motion by Councilmember Rine, seconded by Councilmember Carmine, to approve the increase of 7% on the health insurance plan for the full-time employees. Yeas: Rine, Rossi, Carmine, Murphy, Baum. Nays: None. Absent and not voting: Mattox. Motion carried.

After review of the cost to add dental insurance to the City's health insurance plan, Rine made a motion, seconded by Carmine, to pay one-half of the cost for dental insurance for each full-time employee. Yeas: Murphy, Carmine, Rossi, Rine, Baum. Nays: None. Absent and not voting: Mattox. Motion carried.

Paula Darling talked to the Council about the merger of the Rural and City Fire Depts. and the need to give some of the City's restricted fund authority to the Rural Fire Board to enable them to collect property taxes from City taxpayers. They will have no way to collect taxes on the City's valuation without additional restricted funds authority. There may also be a need to transfer funds to the Fire Department to help with operating expenses during the first year before tax money starts coming in. Bruce Dalluge will check with the State to see what procedures need to be followed.

Councilmember Carmine reported that the pool has developed another leak. Utility employees will try and put more caulking in the bad spots. Councilmember Rine made a motion to do away with the \$5.00 late fee currently being charged on season swim tickets if paid after the pool opens effective with the 2012 season. Motion seconded by Rossi. Yeas: Baum, Carmine, Rossi, Murphy, Rine. Nays: None. Absent and not voting: Mattox. Motion carried.

Doug Goracke reported that they have started filling cracks on 6<sup>th</sup> Street, and that the new tar kettle is working good. Repairs on 1<sup>st</sup> and Clay are on hold right now until the contractor can get the concrete work done.

Councilmember Murphy reported that work has been completed on the upgrades at the Community Building and that the lights look good. There is a crack in one of the walls which will be repaired when the City gets materials. Motion by Councilmember Murphy, seconded by Councilmember Carmine, to approve payment to Gen Mech Contractors in the amount of \$23,382.00 on Pay Application #2. Yeas: Rine, Carmine, Murphy, Rossi, Baum. Nays: None. Absent and not voting: Mattox. Motion carried.

Motion made by Councilmember Rossi, seconded by Councilmember Baum, to approve payment to Olsson Associates in the amount of \$369.70 for services on the Energy Grant. Yeas: Murphy, Rossi, Baum, Rine, Carmine. Nays: None. Absent and not voting: Mattox. Motion carried.

Motion by Councilmember Carmine, seconded by Councilmember Rossi, to approve amendment to contract and budget on the EECBG grant to allow for transfer of excess funds from the Community Bldg. project to pay for new lighting at City Hall and pump at the standpipe. Yeas: Baum, Murphy, Rossi, Carmine, Rine. Nays: None. Absent and not voting: Mattox. Motion carried.

Sheriff Walton passed out reports on patrol times and calls made. The Council discussed allowing ATVs on City streets. Bruce Dalluge stated that State law has specific requirements and does not include golf carts, among other restrictions. Liability insurance would also be required. As there was interest from some of the

Councilmembers, Bruce will look into the issue and bring more information to the next meeting.

Motion by Councilmember Carmine, seconded by Councilmember Rossi, to approve the sale of the 1997 Ford Explorer to Johnson County Emergency Management for \$1,000 after June 17, 2011, if there are no other offers received. Yeas: Carmine, Rossi, Rine, Baum, Murphy. Nays: None. Absent and not voting: Mattox. Motion carried.

Doug Goracke reported that Economic Development would like to consider charging an occupancy tax for unoccupied buildings in the Historic Square area. Doug would like to do more research before any decisions are made. A bid has been received to tuckpoint one of the vacant buildings on the square at a cost of approx. \$10,000. This could be handled through a special assessment. Doug reported that two new houses are going to be built in Tecumseh, one of which is going to be on a former demolition site. The welcome sign is almost ready to be installed.

Utility Foreman Doug Goracke reported that plans are being made by the Utility Dept. to replace some of the fire hydrants and valves, People Service Contract is up for renewal, and the need for adjustment on the sewer rates.

Mayor Montz presented his annual appointments effective June 1, 2011. Motion made by Councilmember Carmine, seconded by Councilmember Rine to approve the appointments. Yeas: Rine, Murphy, Rossi, Carmine, Baum. Nays: None. Absent and not voting: Mattox. Motion carried.

The Council reviewed different options for repair to the City Hall foundation. The lowest bid received was for a foam sealing application on the foundation. The Council also reviewed cost figures from KARR which included prices for tuckpointing. Major concerns addressed are durability and compatibility with the historic aspect of the building. KARR will be contacted again to check on time frame for the foundation work, with tuckpointing to be addressed in the next budget year.

Paula Darling asked the Council to set a date for a workshop on next year's budget. It was decided that a date will be set during the week of July 18 and notice will be sent to the Councilmembers. Councilmember Rossi left the meeting at 9:40 p.m.

#### **Resolution #11-06**

As the City has received notice of award, and in anticipation of receipt of the NDED Contract with the City, and to meet the timeline requirement that said contract be signed and returned in 30 days of receipt of the same, a motion was made by Councilmember Rine to approve Resolution #11-06 to participate in CDBG Downtown Revitalization Planning Grant 11-DTR-104 City/State \$30,000 Contract, and authorize the Mayor to sign said Contract. Motion was seconded by Councilmember Carmine. Yeas: Carmine, Murphy, Rine, Baum. Nays: None. Absent and not voting: Mattox, Rossi. Motion carried.

#### **Resolution #11-07**

Motion by Councilmember Rine to approve Resolution #11-07 for General Administrative Contract for CDBG Downtown Revitalization Planning Grant 11-DTR-104 City/SENDD \$2,100 Contract and authorize the Mayor to sign said Contract, to be effective following receipt and signing of the Contract with the State. Motion seconded by Councilmember Murphy. Yeas: Baum, Carmine, Murphy, Rine. Nays: None. Absent and not voting: Mattox, Rossi. Motion carried.

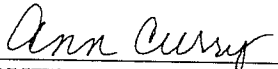
#### **CONSENT AGENDA**

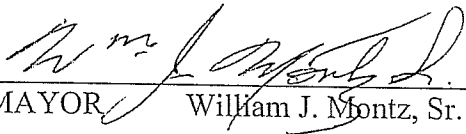
Motion by Councilmember Rine, seconded by Councilmember Baum, to approve the Consent Agenda. Yeas: Carmine, Baum, Murphy, Rine. Nays: None. Absent and not voting: Mattox, Rossi. Motion carried.

1. Approve corrected minutes of May 2, 2011 regular meeting (police vehicle sold for \$22,001.00 instead of \$22,100.00)
2. Pay bills for City Funds
3. Approve Ann Curry's attendance at Finance Conference June 15-17 in Kearney
4. Review and consider allowing the City owned property at Fair Grounds to shoot the July 4<sup>th</sup> fireworks and authorize payment for insurance rider or equivalent amount for the fireworks
5. Consider Resolution 11-08 to the City of Tecumseh, Nebraska to approve a change in the regular meeting date for the month of July 2011 to July 11, 2011 at the hour of 7:00 o'clock p.m. to allow for Independence Day holiday.

6. Approve awarding contract for project 09-TEC-016 to McNealy Construction Co for the amount of \$10,486.30 being all CDBG funds through Tecumseh's citywide housing rehab program per SENDD housing rehab management staff.

Meeting was adjourned at 9:47 p.m.

  
DEPUTY CITY CLERK                      Ann Curry

  
MAYOR                      William J. Montz, Sr.