

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, June 28, 2005 at the Lexington Municipal Building, located at 406 E. 7th Street, Lexington, Nebraska at 7:30 p.m. Members of the Council present were Mayor Ted Cook, Joni Bennett, John Fagot, Linda Miller, Steve Tomasek. City Officials present were City Manager Joe Peplitsch, City Attorney Willard Weinhold, Deputy City Clerk Shirley Lewis. Department Heads present were Charlie Clark, Barb Mills.

NOTICE: Notice of the meeting was given in advance, thereof by publication in the Lexington Clipper-Herald, the designated method for giving notice, as shown by the Affidavit of Publication attached to these Minutes. Notice of this meeting was simultaneously given to the Mayor and all members of the Council, and a copy of their Acknowledgment of Receipt of Notice and the Agenda is attached to these Minutes. Availability of the Agenda was communicated in advance notice and in the notice to the Mayor and Council of this Meeting. The proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. All items presented and discussed on the Agenda were available for public inspection.

CALL TO ORDER: The meeting was called to order by Mayor Cook.

MINUTES – REGULAR MEETING – 06-14-05: Minutes of the Regular Meeting scheduled for Tuesday, June 14, 2005 was presented for Council’s consideration and approval. Moved by Tomasek, seconded by Fagot, to approve the Minutes of the Regular Meeting held June 14, 2005 as presented. Roll call. Voting “aye” were Bennett, Miller, Fagot, Tomasek, Cook. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$323,997.74 was presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Miller, seconded by Bennett, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$147,909.42 from the General Fund, \$4,166.67 from Ed Reuse, \$135,404.96 from LEXUS, \$23,291.19 from Sanitation, \$1,136.92 from Ambulance Fund, \$5,478.66 from Health Fund, and \$6,609.92 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Tomasek, Fagot, Bennett, Miller, Cook. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
June 28, 2005

AFLAC	Premiums	982.66
All Points Cooperative	Fuel	46.85
Alltel	Cellphone Service	179.91
American Fence Company, Inc.	Fence Supplies/Pool	15.10
B & D Diamond Pro	Ball Field Supplies	3,348.00
Barmore Drug Store, Inc.	Ambulance Supplies	69.20
Beringer Ciaccio Dennell Mabrey	Architect/Library	760.88
Berntson Oil	Fuel	4,719.67
Card Center/Orscheln	Supplies	176.79
Cash-Wa Distributing	Food & Supplies	4,117.02
Charter Communications	Internet Service	23.99

Coca Cola/Dr. Pepper of Kearney	Beverages	1,564.00
Conney Safety Products	Park Supplies	132.15
Corporate Benefit Svcs of America	Claims	2,639.01
Dan's Sanitation	Sanitation Fees	1,668.00
Deeter Foundry, Inc.	WWTP Supplies/Northwest	
	Paving Project	1,420.00
Dutton-Lainson Company	Street Supplies	379.47
Eilers Machine & Welding	Electric Supplies	152.76
Electric Fixture	Electric Supplies	388.87
Environmental Pest Control	Building Maintenance	100.00
Gale Group, The	Book	14.24
Hack Company	WWTP Supplies	286.90
Harker's	Food	92.98
Hipp Wholesale Foods, Inc.	Food & Supplies	214.98
Holbein, Dahlas D.	Cleaning/Maintenance	
	Service	425.00
Holiday Inn	Conference/Seminars	132.00
Hydraulic Equipment Service	Hi-Ranger Unit Transfer/	
	Electric Dept.	15,873.11
Ingram Library Services	Books	102.39
J. H. Lawn Service	Fert Treatment/Lawn Care	537.90
Jensen, Deb	Conference/Seminars	74.93
Jim Phillips Const.	Fence Repair/Pool	896.00
Kemps-Gillette	Beverages	102.09
Knapp Electric	Meter Repair	526.60
Lex Area Chamber of Commerce	Mtg Room-Parks & Trails	50.00
Lexington Newspapers, Inc.	Publications	32.55
Lexington True Value	Misc. Supplies	5.99
Payroll	Wages	121,140.30
Social Security	Employer Port/FICA Med	9,144.24
First National Bank	Employer Port/Pension	3,276.50
First National Bank	Police Pension	1,171.55
ICMA	City Manager Pension	231.84
Lexington Utilities System	Utilities	17,484.20
Liehs Drilling	Wells/Library	11,078.48
Linden's Plumbing	Park Dept./Repair	45.00
Mac's Short Stop	Food	148.53
McCookNet Internet Service	Internet Service	53.00
Mead/Big Valley Lumber	Maintenance Supplies	498.92
Mead Rental Center	Electric Supplies	10.11
Mid-Nebraska Printing	Office Supplies	2.53
Miller & Associates	Retainer Service	800.00
Misko Sporting Goods	Rec. Dept. Supplies	150.99
MRK, Inc.	Sludge Removal	600.00
National Geographic Society	Subscription	49.92
National Waterworks	Fire Hydrants/Supplies	5,534.13
Naumann, Sondra	Cleaning Service	48.00
Nebraska Dept of HHS Laboratory	Water Testing Analysis	150.00
Nebraska Department of Roads	Millings/DeBruce Grain	3,654.00
Overton Community Center	Meals on Wheels	100.00
Paulsen Inc.	Equip Rental/Concrete	3,155.50
Platte Valley Auto Mart	Ambulance Repair	1,020.68
Plum Creek Auto Spa	Car Wash	5.00
Plum Creek Motors	Vehicle Repair/Maint	523.78
Plum Creek Promotions	T-Shirts	500.37
Roberts Cattle Company	Transp Exp/Park Dept.	500.00

S & W Auto Parts	Misc. Supplies	95.22
Sav-A-Lot Discount Foods	Food	57.43
Schwan's Sales Ent	Food	280.76
Sign Pro	Rec. Dept. Supplies	90.00
Simmerman Electric	Pump/WWTP	4,550.00
Subway of Lexington	Food	75.37
T. O. Haas Tire Co., Inc.	Tires/Repair	270.68
TASC	Flex Plan	144.00
Taste Of Home	Book	28.98
Team Detail & Quicklube	Car Washes	40.00
TierOne-Lib. Petty Cash	Petty Cash	20.70
U-Save Business Equipment	Office Supplies	38.45
Utility Equipment	Water Dept. Supplies/ Meter	1,017.91
Wal-Mart	Misc. Supplies	814.49
Wesco Distribution, Inc.	Conduit/Secondary Connectors	2,913.61
Westech	WWTP Supplies	244.42
Ackerman, Terry	Safety Glasses	109.00
Alltel	Cellphone Service	52.82
Awards Plus	Rec. Supplies	61.00
Barco Municipal Products	Street Supplies	85.34
Berntson Oil	Fuel	91.88
Card Center/Orscheln	Misc. Supplies	384.64
Cash-Wa Distributing	Food & Supplies	2,123.85
Coca Cola/Dr. Pepper of Kearney	Beverages	681.00
Corporate Benefit Svcs of America	Claims	1,712.99
Dan's Sanitation	Sanitation Fees	23,291.19
Dugan Business Forms	Office Supplies	336.49
Dutton-Lainson Company	Electric Dept. Supplies	260.03
Eakes Office Products	Office Supplies	11.48
Electric Fixture	Electric Dept. Supplies	173.98
Farmer Brothers Coffee	Food & Supplies	163.96
Fisher Scientific	WWTP Testing Supplies	629.91
Follett Software Company	Library Supplies	165.80
FYR-TEK	Equip Repair/Fire Dept.	236.00
Gempler's, Inc.	Uniform Expense	200.90
General Traffic Controls, Inc.	Electric Dept. Supplies	75.34
Gnirk Lawn Care	Lawn Care	1,258.95
Harker's	Food	348.91
Hipp Wholesale Foods, Inc.	Food & Supplies	450.93
Hobart	Equipment Repair/GGC	248.90
Husker Ag Sales	Equipment Supplies	22.65
Ingram Library Services	Books	58.43
Kinder Morgan	Gas Service	2,270.02
Kemps-Gillette	Beverages	191.82
Lexington, City of	Franchise/Service Fees	32,082.47
Lexington Recreation Program	St. Softball Tournament	4,000.00
Lexington True Value	Misc. Supplies	123.92
Lexicon Marketing Corp.	Book	23.00
Mac's Short Stop	Food	113.86
Mead/Big Valley Lumber	Street Supplies	36.28
Mid-Nebraska Printing	Office Supplies	234.30
Mills, Barbara	Conference/Seminars	64.80
National Waterworks	Water Dept. Supplies	78.32
Naumann, Sondra	Cleaning Service	24.00

NE Dept. of Econ. Dev.	Mid Plains CDBG Loan	
	Payment	4,166.67
Nebraska Machinery	Central Garage Supplies	97.50
Nebraska Public Power District	Tests - Tyson Transformer	6,745.39
Northern Safety Co., Inc.	Cleaning Supplies	56.92
Olsson Associates	15mVA Substn. Add./	
	Elec Svc to Ethanol Plant	3,757.26
Price's Tree Service	Fertilize Trees	525.00
Rockmount Research & Alloys Inc.	Central Garage Supplies	281.55
Sav A Lot Discount Foods	Food	20.29
Schwan's Sales Ent	Food	102.91
TierOne-City Petty Cash	Petty Cash	24.70
U-Save Business Equipment	UPS Charges	102.50
Utility Equipment	Water Dept Spl/Refund	-458.07
Van Diest Supply Company	Street Supplies	376.00
Wal-Mart	Misc. Supplies	559.20
Wesco Distribution, Inc.	Shirts/Supplies	1,149.18
	TOTAL:	323,997.74

SUBDIVISION REQUEST:

Mr. Jim O'Donnell requested Council's approval of a Subdivision Request for Backyard Addition, on his property located north of 1610 N. Monroe. Following discussion, moved by Fagot, seconded by Miller to approve Resolution No. 05-16 approving the Plat of Backyard Addition Subdivision. Roll call. Voting "aye" were Bennett, Tomasek, Miller, Fagot, Cook. Motion carried.

RESOLUTION NO. 05-16

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, AS FOLLOWS:

The plat of BACKYARD ADDITION SUBDIVISION, of part of the Southeast Quarter of Section 32, Township 10 North, Range 21 West of the 6th P.M., Dawson County, Nebraska, duly made out, acknowledged and certified to be, and the same hereby is approved, ordered, filed and recorded in the office of the Register of Deeds of Dawson County, Nebraska.

PASSED AND APPROVED, June 28, 2005.

CITY OF LEXINGTON, NEBRASKA

BY: Ted Cook, Mayor

ATTEST:

Shirley Lewis, Deputy City Clerk

SUBDIVISION AGREEMENT:

Mr. Jim O'Donnell requested Council's approval of a Subdivision Agreement between James G. O'Donnell and Kathleen O'Donnell-Walton, and the City of Lexington, for Backyard Addition. Following discussion, moved by Miller, seconded by Fagot, to remove Paragraph Seven (7) from Subdivision Agreement between James G. O'Donnell and Kathleen O'Donnell-Walton, and the City of Lexington, for Backyard Addition, and approve the Agreement as Amended. Roll

call. Voting “aye” were Tomasek, Bennett, Fagot, Miller, Cook. Motion carried.

**OPTIMIST INDOOR
COMPLEX:**

Ken Schumacher, President of the Lexington Optimist Club, requested Council’s approval of the design of a new Optimist Indoor Complex, and to take over ownership of the building upon it’s completion. Following discussion, and presentation of the plans, moved by Fagot, seconded by Tomasek, to approve the design of the new Optimist Indoor Complex, and to take over ownership of the building upon it’s completion. Roll call. Voting “aye” were Bennett, Miller, Tomasek, Fagot. Voting “nay” was Cook. Motion carried.

**SPECULATIVE
BUILDING:**

Mr. Bob Heinz, President of the Council for Economic Development (CED), requested Council’s support on the pursuit of funding under the CDBG program for a speculative building. Mr. Heinz reported that the CED has agreed to be the lead entity for this project. Following discussion, moved by Fagot, seconded by Miller, to support the CED as lead entity on the development of a speculative building project, and support the development of an application for CDBG funding. Roll call. Voting “aye” were Tomasek, Bennett, Miller, Fagot, Cook. Motion carried.

**ECONOMIC DEVELOPMENT
SUMMIT REPORT:**

Mr. Bob Heinz, representing the Economic Development Summit Planning Committee, reviewed a Report based on the various aspects of Lexington’s Economic Development Program, with the Lexington City Council. Following discussion,, moved by Cook, seconded by Miller, to refer the Economic Development Summit Report to the Community Development Advisory Board (CDAB), for their review, to accept comments, make recommendations, and provide a report on findings to the City Council. Roll call. Voting “aye” were Fagot, Bennett, Tomasek, Miller, Cook. Motion carried.

NO PARKING ZONE:

Pepplitsch requested Council’s approval of an Ordinance addressing a parking ban on North Erie Street. Following discussion, moved by Fagot, seconded by Miller, to pass Ordinance addressing a parking ban on North Erie Street, on First Reading. Roll call. Voting “aye” were Tomasek, Bennett, Miller, Fagot, Cook. Motion carried.

CHANGE ORDER:

Pepplitsch requested Council’s approval of Change Order No. 19 for the Lexington Viaduct Project. Following discussion, moved by Tomasek, seconded by Bennett, to approve Change Order No. 19 (Final) for the Lexington Viaduct Project, to Paulsen, Inc., in the amount of \$24,470.27. Roll call. Voting “aye” were Fagot, Miller, Bennett, Tomasek, Cook. Motion carried.

PAY REQUEST:

Pepplitsch requested Council’s approval of Pay Request No. 35 for the Lexington Viaduct Project. Following discussion, moved by Tomasek, seconded by Bennett, to approve Pay Request No. 35 (Final) for the Lexington Viaduct Project, to Paulsen, Inc., in the amount of \$91,293.97. Roll call. Voting “aye” were Miller, Fagot, Bennett, Tomasek, Cook. Motion carried.

FINANCIAL REPORT:

Pepplitsch requested Council’s acceptance of the Financial Report for May, 2005. Following discussion, moved by Tomasek, seconded by

Miller, to accept the Financial Report for May, 2005. Roll call. Voting “aye” were Bennett, Fagot, Miller, Tomasek, Cook. Motion carried.

EXECUTIVE SESSION:

Moved by Tomasek, seconded by Fagot, to enter into Executive Session at 8:25 p.m., for the purpose of discussing Personnel. Roll call. Voting “aye” were Miller, Bennett, Fagot, Tomasek, Cook. Motion carried.

Moved by Tomasek, seconded by Bennett, to reconvene Regular Session from Executive Session at 9:01 p.m. Roll call. Voting “aye” were Fagot, Miller, Bennett, Tomasek, Cook. Motion carried.

ORDINANCE:

An Ordinance entitled “AN ORDINANCE APPOINTING A CITY MANAGER; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was read before Council. Moved by Fagot, seconded by Tomasek, to suspend the rules requiring the reading of said Ordinance on three separate days. Roll call. Voting “aye” were Bennett, Miller, Tomasek, Fagot, Cook. Motion carried.

Said Ordinance was read by title. Moved by Fagot, seconded by Miller, to approve Ordinance No. 2200 on Final Reading. Roll call. Voting “aye” were Tomasek, Bennett, Miller, Fagot, Cook. Motion carried.

**ROUNDTABLE
DISCUSSION:**

Peplitsch reported to Council that work has begun on the design of a new city welcome sign. It is anticipated that cost estimates will be provided some time after July 4th.

A tour of the new Public Library will be scheduled for Council on July 7th.

Discussion was held regarding a future strategic planning and marketing meeting for Council. Administration was directed to submit some possible dates and times of when the meeting could be held.

Council was requested to submit some topics for the Community Development Advisory Board. Items suggested included evaluation of Lexington Development’s project, and looking for new industrial land.

ADJOURNMENT:

There being no further business to come before the Council, Mayor Cook declared the meeting adjourned.

Ted Cook
Mayor

Shirley Lewis
Deputy City Clerk

I, the undersigned Deputy City Clerk for the City of Lexington, Nebraska, hereby certify that all of the subjects included in the foregoing proceedings were contained in the Agenda for the meeting, kept continually current and available for public inspection at the office of the City Clerk during regular business hours prior to said meeting; that the Minutes of the Mayor and Council of the City of Lexington, Nebraska, from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Deputy City Clerk