

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, September 27, 2005 at the Lexington Municipal Building, located at 406 E. 7<sup>th</sup> 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, Deputy City Clerk Shirley Lewis. Department Heads present were Charlie Clark, Deb Jensen, 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 – 09-13-05:** Minutes of the Regular Meeting scheduled for Tuesday, September 13, 2005 was presented for Council’s consideration and approval. Moved by Tomasek, seconded by Bennett, to approve the Minutes of the Regular Meeting held September 13, 2005 as presented. Roll call. Voting “aye” were Fagot, Miller, Bennett, Tomasek, Cook. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$414,864.71 was presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Miller, seconded by Fagot, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$170,519.07 from the General Fund, \$4,042.50 from ED Reuse, \$194,955.42 from LEXUS, \$23,350.89 from Sanitation, \$254.40 from Ambulance Fund, \$15,189.25 from Health Fund, \$6,553.18 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Bennett, Tomasek, Miller, Fagot, Cook. Motion carried.

CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
September 27, 2005

All Points Cooperative	Fuel	263.22
Alltel	Cellphone Service	204.93
American Fence Company, Inc.	Street Supplies	1,008.89
Automotive Sales & Svc Co., Inc.	Central Garage Supplies	101.62
Baird, Holm, McEachen, Pedersen	Attorney Fees	151.83
Barmore Drug Store, Inc.	Office Supplies	15.96
Berntson Oil	Fuel	5,043.20
Bob's Auto Repair & Service	Vehicle Maintenance	176.96
Business & Professional Credit	Collection Fees	35.01
Card Center/Orscheln	Misc. Supplies	60.99
Case Credit Advantage	Misc. Supplies	18.91

Cash-Wa Distributing	Food & Supplies	472.66
Central Garage Fund	Supplies/Repairs	4,384.83
Central Tire & Tread	Tires	292.00
Certified Laboratories	Central Garage Supplies	406.32
Charter Communications	Internet Service	119.95
Coca Cola/Dr. Pepper of Kearney	Beverages	28.50
Dawson County Handibus	Transportation	98.00
Demco	Office Supplies	1,010.20
Designer Craft Woodworking	Building Maintenance	42.80
Dutton-Lainson Company	Electric Supplies/Transformer/ Fed Pacific Switchgear	76,335.79
Eakes Office Products	Office Supplies	234.43
Electric Fixture	Electric Supplies	981.83
Environmental Pest Control	Building Maintenance	70.00
Facts On File, Inc.	Book Set	500.76
Farmer Brothers Coffee	Food	103.98
First Source	Office Supplies	1,079.28
Gale Group, The	Books	335.00
Galls Inc.	Uniform Expense	53.49
Garrett Tires & Treads	Tire Repair	88.54
Gov Finance Officers Association	Books	83.00
Gnirk Lawn Care	Lawn Care	972.50
Gnirk, Rodney	Electric Rebate	1,050.00
Hach Company	Testing Supplies	398.60
Harker's	Food	774.71
Health Claims Fund/CBSA	Claims	7,359.51
Hipp Wholesale Foods, Inc.	Food & Supplies	884.47
Lexington Lawn Care	Lawn Care	120.00
Holbein, Dahlas	Cleaning Service	850.00
Hunt Cleaners, Inc.	Supplies	64.34
Husker Ag Sales	Supplies	30.00
HWS Consulting Group	Long Range Transportation Plan/ Comp Plan Update	2,133.67
Ibarra, Adia	Electric Rebate	125.00
Ingram Library Services	Books	71.68
Jones Plumbing & Heating	Supplies	7.99
Keim, Bob	Freon Removal	225.00
Kemps-Gillette	Beverages	240.48
Lawson Products, Inc.	Electric Supplies	266.50
League of Nebraska Municipalities	Conference/Seminars	50.00
Lexington Glass Company	Building Maintenance	99.95
Lexington Newspapers, Inc.	Publications	210.65
Lexington Public Schools	Conference/Seminars	10.00
Lexington True Value	Misc. Supplies	19.93
Payroll	Wages	91,664.41
Social Security	Employer Port/FICA Med	6,895.29
First National Bank	Employer Portion/Pension	3,081.85
First National Bank	Police Pension	1,385.40
ICMA	City Manager Pension	238.80
Lexington Utilities System	Utilities	23,271.03
Lowry's Cust Sewing & Upholstery	Uniform Expense	124.00
Lynn Peavey Company	Office Supplies	152.50
Manager's Edge	Subscription	121.00
McCookNet Internet Service	Internet Service/Maint	919.00
Mead/Big Valley Lumber	Maintenance Supplies	144.19
Michael Todd & Co., Inc.	Electric Supplies	157.70

Micro-Marketing, LLC	Books	78.85
Mid-Nebraska Food Bank	Food	36.72
Mid-Nebraska Printing	Office Supplies	46.31
Mid-State Engineering & Testing	Testing	485.00
Miller & Associates	Retainer Services	800.00
Miller, Esther	Electric Rebate	1,050.00
Miner, Ron	Electric Rebate	1,050.00
Motor Midwest	Central Garage Supplies	275.00
Mr. Automotive	Central Garage Supplies	7.32
Multicultural Press	Book	237.50
Municipal Pipe Services, Inc.	Electric Supplies	963.00
Municipal Supply	Water Dept. Supplies	2,577.25
National Automobile Dealers	Subscription	60.00
Nebraska Dept. of Economic Dev.	Orthman's CDBG Loan Pmt	4,042.50
Nebraska Dept. of HHS Laboratory	Water Test Analysis	346.00
Nebraska Department of Revenue	Waste Reduction & Recycling Fee Return	25.00
Nebraska Library Commission	Books	31.38
Nebraska Machinery	Central Grg/Wtr Supplies	2,607.22
Nebraskaland Conference of Building Officials & Inspectors	Conference/Seminars	40.00
OMB Police Supply	Police Dept. Supplies	673.99
Overton Community Center	MOW	100.00
Paulsen Inc.	Concrete/Gravel	1,094.15
Pinnacle Bank	Street Sweeper Payment	19,806.25
Platte Valley Auto Mart	Central Garage Supplies	207.91
Platte Valley Communications	Radio	472.00
Plum Creek Auto Spa	Car Wash	16.50
Plum Creek Cleaners	Cleaning Service	5.00
Plum Creek Promotions	T-Shirts	17.07
Qualification Targets, Inc.	Police Dept. Supplies	139.80
Quill Corporation	Office Supplies	127.30
Random House, Inc.	Book	6.00
Reiman Publications	Subscription	12.98
Relocation Services	Move Double-Wide Mobile Home/Ward Property	3,000.00
Rodale, Inc.	Book	36.44
Run-N-Iron	Police Dept. Supplies	1,245.00
S & W Auto Parts	Central Garage/Misc. Spls	475.12
Sav-A-Lot Discount Foods	Food	27.02
Sign Pro	Signs	880.00
Smeal	Fire Truck Equipment	25,533.00
Subway of Lexington	Food	38.72
Taser International	Police Dept. Supplies	183.76
Team Detail & Quicklube	Car Washes	110.00
Telegraph	Subscription	129.95
Thomas Bouregy & Company, Inc.	Books	138.00
TierOne-Lib. Petty Cash	Petty Cash/Postage	25.75
U-Save Business Equipment	Office Supplies	234.65
Ultramax	Ammunition	131.99
Villatoro, Pedro	Utility Refund	32.27
Wal-Mart	Misc. Supplies	685.42
Walker Roofing Company, Inc	Roofing Material	33.60
Ward Laboratories	Water Testing	24.00
Weiss Ratings, Inc.	Books	249.00
Wesco Distribution, Inc.	Electric Supplies	665.11

AFLAC	Premium	884.28
Alltel	Cellphone Service	52.70
Barmore Drug Store, Inc.	Office Supplies	7.96
Business Ofc Systems of Nebraska	Office Supplies	180.31
Card Center/Orscheln	WWTP Supplies	28.96
Case Credit Advantage	WWTP Supplies	4.11
Cash-Wa Distributing	Food	260.85
Central Garage Fund	Maint./Repairs	4,442.50
Country Sampler Decorating Ideas	Subscription	11.94
Dan's Sanitation	Sanitation Fees	23,350.89
Electric Fixture	Electric Supplies	216.51
Fastenal	Water Supplies	34.90
Fisher Scientific	WWTP/Testing Supplies	244.81
Gnirk, Rodney	Elec Rebate Adjustment	-25.00
Health Claims Fund	Claims	6,801.46
Incode-CMS	Annual Hardware/Software	
	Maintenance	12,824.00
Ingram Library Services	Books	114.07
Kemps-Gillette	Beverages	67.73
Kinder Morgan	Gas Service	69.89
Kumed Books	Book	166.25
Lex Area Solid Waste Agency	Landfill	13.50
Lexington, City of	Franchise/Service Fees	40,984.91
Lexington Public Schools	Refund Tobacco/Liquor	
	License Fees	4,630.00
Mid-Nebraska Printing	Office Supplies	247.50
Miner, Ronald	Elec Rebate Adjustment	-25.00
Miller, Esther	Elec Rebate Adjustment	-25.00
Municipal Supply	Water Dept. Supplies	159.57
Murphy Tractor & Equipment	Central Garage Supplies	3,713.26
Naumann, Sondra	Cleaning Service	54.00
National Waterworks	Water Dept. Supplies	105.76
Nebraska Machinery	Central Garage Supplies	9.73
Nebraska Transport	Water Dept. Supplies	240.00
Neopost	Postage	1,500.00
Platte Valley Communications	Radio Repair	99.19
Random House, Inc.	Book	53.55
Sign Pro	Signs	30.00
Solomon Corporation	DGA/PCB Tests	2,420.00
TASC	Flex Plan	144.00
Teledyne Isco, Inc.	WWTP/Repair	529.46
TierOne-City Petty Cash	Petty Cash/Misc. Expense	55.05
Univar USA, Inc.	WWTP Supplies	670.00
Wal-Mart	Misc. Supplies	243.25
Ward Laboratories	Water Test	24.00
	TOTAL:	414,855.68

**PUBLIC COMMENT PERIOD:**

On behalf of the City of Lexington Staff, Peplitsch welcomed Police Chief Charles Clark back to work following an illness.

**PUBLIC HEARING:**

Mayor Cook opened the Public Hearing. Peplitsch requested Council's approval of an application under the CDBG Housing Re-Use Plan from the City of Lexington for land acquisition and site preparation for a housing project in association with the Lexington Council for Economic Development. Following discussion, Mayor

Cook closed the Public Hearing. Moved by Cook, seconded by Fagot, to authorize Administration to utilize up to \$130,000 in CDBG Re-Use Funds for Housing Projects with local non-profit entities. Roll call. Voting "aye" were Tomasek, Bennett, Miller, Fagot, Cook. Motion carried.

**RESOLUTION:**

Peplitsch requested Council's approval of a Resolution authorizing application to the Transportation Enhancement Fund for the Lexington Pedestrian and Bike Trail. Following discussion, said Resolution was read by title. Moved by Fagot, seconded by Miller, to approve Resolution No. 05-22 authorizing application to the Transportation Enhancement Fund for the Lexington Pedestrian and Bike Trail Phase I. Roll call. Voting "aye" were Bennett, Tomasek, Miller, Fagot, Cook. Motion carried. Mayor Cook thanked Council Members Bennett and Miller for their time and commitment to the Parks and Trails Committee.

RESOLUTION NO. 05-22

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

WHEREAS, the City of Lexington, Nebraska proposes to apply for assistance from the TRANSPORTATION ENHANCEMENT PROGRAM for the purpose of constructing the "Lexington Pedestrian and Bike Trail, Phase I"; and

WHEREAS, the project includes construction of a hiking/biking trail from the Madison Street Pedestrian Bridge over the UPPR, south to the Frontier Street and Highway 283 intersection, near the Wal-Mart Supercenter along Interstate 80; and

WHEREAS, the City of Lexington, Nebraska has available a minimum of 20% of the project cost and has the financial capability to operate and maintain the facility in a safe and attractive manner for public use; and

WHEREAS, the proposed application and supporting documents were made available for public review at a properly advertised meeting of the Lexington City Council;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, that the City of Lexington applies for assistance from the Transportation Enhancement Program for the purpose of constructing the "Lexington Pedestrian and Bike Trail, Phase I".

Passed and approved this 27<sup>th</sup> day of September, 2005.

Ted Cook, Mayor

ATTEST:

Joe Peplitsch, City Manager/Clerk

**RESOLUTION:**

Peplitsch requested Council’s approval of a Resolution authorizing application to the Transportation Enhancement Fund for the Lexington Historic Street Lights. Following discussion, said Resolution was read by title. Moved by Miller, seconded by Fagot, to approve Resolution No. 05-23 authorizing application to the Transportation Enhancement Fund for the Lexington Historic Street Lights, Phase II. Roll call. Voting “aye” were Tomasek, Bennett, Fagot, Miller, Cook. Motion carried.

RESOLUTION NO. 05-23

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

WHEREAS, the City of Lexington, Nebraska proposes to apply for assistance from the TRANSPORTATION ENHANCEMENT PROGRAM for the purpose of constructing the “Lexington historical Street Lights, Phase II”; and

WHEREAS, the project includes construction for the completion of the historical street lights in the Lexington Main Street district, along Washington Street and 5<sup>th</sup>, 6<sup>th</sup>, and 7<sup>th</sup> Streets one block each side of Washington Street; and

WHEREAS, the City of Lexington, Nebraska has available a minimum of 20% of the project cost and has the financial capability to operate and maintain the street lights in a safe and attractive manner; and

WHEREAS, the proposed application and supporting documents were made available for public review at a properly advertised meeting of the Lexington City Council;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, that the City of Lexington applies for assistance from the Transportation Enhancement Program for the purpose of constructing the “Lexington Historical Street Lights, Phase II”.

Passed and approved this 27<sup>th</sup> day of September, 2005.

Ted Cook, Mayor

ATTEST:

Joe Peplitsch, City Manager/Clerk

**SANITATION SERVICE FEES:**

Peplitsch requested Council’s approval of a Resolution establishing Sanitation Service Fees to become effective October 1, 2005. Following discussion, said Resolution was read by title. Moved by Fagot, seconded by Bennett, to approve Resolution No. 05-24 establishing a fuel cost adjustment fee of \$.25 per month. Roll call. Voting “aye” were Miller, Tomasek, Bennett, Fagot, Cook. Motion carried.

RESOLUTION NO. 05-24

WHEREAS, fuel fees have increased due to uncertain market conditions, thereby increasing the cost of operating the trash collection service for5 The City of Lexington.

BE IT THEREFORE RESOLVED, that effective October 1, 2005, a fuel cost adjustment fee will be charged to residential solid waste collection customers within the City of Lexington and shall be at the rate of \$.25 per month.

BE IT FURTHER RESOLVED, that the fuel cost adjustment shall be monitored by the Lexington City Manager, and eliminated upon determination that the charge is no longer appropriate.

PASSED AND APPROVED this 27<sup>th</sup> day of September, 2005.

Ted Cook, Mayor

ATTEST:

Shirley Lewis, Deputy City Clerk

**ELECTRIC SERVICE FEES:**

Peplitsch requested Council’s approval of a Resolution establishing electric service fees to become effective October 1, 2005. Following discussion, said Resolution was read by title. Moved by Fagot, seconded by Tomasek, to approve Resolution No. 05-25 establishing electric service fees to become effective October 1, 2005. Roll call. Voting “aye” were Bennett, Miller, Tomasek, Fagot, Cook. Motion carried.

RESOLUTION NO. 05-25

WHEREAS, Lexington City Code Section 8-19, authorizes the City Council to establish by Resolution a schedule of rates and charges for electric service.

BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, that the following electric rates for the following use classifications are established and shall take effect October 1, 2005, to be reflected on billings following such date. That all other electric rates previously established shall remain unchanged.

	Summer	Winter
	<u>May 1-Sep 30</u>	<u>Oct 1-Apr 30</u>
<u>Residential – Basic:</u>		
First 100 kWh @ \$/kWh	\$0.1403	\$0.1367
Next 400 kWh @ \$/kWh	\$0.1010	\$0.0849
Over 500 kWh @ \$/kWh	\$0.0549	\$0.0376
Minimum Bill	\$6.55	\$6.55

	Summer	Winter
	<u>May 1-Sep 30</u>	<u>Oct 1-Apr 30</u>
<u>Residential – All Electric:</u>		
First 100 kWh @ \$/kWh	\$0.1343	\$0.1373
Next 400 kWh @ \$/kWh	\$0.1010	\$0.0817
Over 500 kWh @ \$/kWh	\$0.0549	\$0.0347
Minimum Bill	\$6.55	\$6.55

<u>Commercial – Small:</u>	Summer <u>May 1-Sep 30</u>	Winter <u>Oct 1-Apr 30</u>
First 100 kWh @ \$/kWh	\$0.1844	\$0.1754
Next 400 kWh @ \$/kWh	\$0.1125	\$0.1069
Next 500 kWh, per kWh	\$0.1061	\$0.1009
Over 1000 kWh @ \$/kWh	\$0.0549	\$0.0347
Minimum Bill	\$6.55	\$6.85

<u>Commercial – Heat:</u>	Summer <u>May 1-Sep 30</u>	Winter <u>Oct 1-Apr 30</u>
First 500 kWh @ \$/kWh	\$0.1680	\$0.1346
Next 500 kWh @ \$/kWh	\$0.1024	\$0.0709
Next 4000 kWh @ \$/kWh	\$0.0985	\$0.0433
Over 5000 kWh @ \$/kWh	\$0.0582	\$0.0354
Minimum Bill	\$6.55	\$18.30

<u>Commercial – Large:</u>	Summer <u>May 1-Sep 30</u>	Winter <u>Oct 1-Apr 30</u>
Base Charge per Month	\$15.85	\$15.85
Plus Demand Charge per Kw	\$10.50	\$10.01
Plus Energy Charge per kWh	\$0.0329	\$0.0311

Minimum bill shall be \$10.20 per kW for 65% of highest demand during the summer period, but not less than \$61.35 per month.

<u>Industrial – Non-Interruptible:</u>	Summer <u>May 1-Sep 30</u>	Winter <u>Oct 1-Apr 30</u>
Base Charge per Month	\$46.01	\$46.01
Plus Demand Charge per kW	\$9.55	\$9.17
Plus Energy Charge per kWh	\$0.0318	\$0.0286

Minimum Bill shall be \$9.35 per kW for 65% of highest demand during the summer period, but not less than \$66.50 per month.

<u>Irrigation – Non-Interruptible:</u>	<u>All Year Rate</u>
Horsepower Charge, per HP	\$49.56
Plus All kWh, per kWh	\$0.0504

<u>Yard Lights:</u>	<u>Unmetered</u>
150 watt, HP Sodium Vapor	\$8.00

<u>High Tension Service:</u>	Summer <u>Jun 1-Sep 30</u>	Winter <u>Oct 1-May 31</u>
Demand Charge per kW	\$13.80	\$10.63
On-Peak kWh @\$/kWh	\$0.0307	\$0.0234
Off-Peak kWh @\$/kWh	\$0.0157	\$0.0120

Energy time period are as follows:

Summer	On-Peak	Mon.-Sat. 1001-2200
	Off-Peak	All other Hours

Winter	On-Peak	Mon.-Sat. 0801-2200
	Off-Peak	All other Hours



All hours on New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day shall be considered Off-Peak hours.

Power Factor penalty applies for a power factor less than 90%.

<u>Municipal Street Lights:</u>	<u>All Year Rate</u>
Base Charge per Month	\$2,137.00
Plus All kWh, per kWh	\$0.0405

<u>Municipal Power &amp; Light:</u>	<u>All Year Rate</u>
Charge per Month per meter	\$10.12
Plus All kWh, per kWh	\$0.0421

PASSED AND APPROVED this 27<sup>th</sup> day of September, 2005.

CITY OF LEXINGTON, NEBRASKA

Ted Cook, President of Council

ATTEST:

Shirley Lewis, Deputy City Clerk

**WATER SERVICE FEES:**

Peplitsch requested Council's approval of a Resolution establishing water service fees to become effective October 1, 2005. Following discussion, said Resolution was read by title. Moved by Bennett, seconded by Tomasek, to approve Resolution No. 05-26 establishing water service fees to become effective October 1, 2005. Roll call. Voting "aye" were Fagot, Miller, Tomasek, Bennett, Cook. Motion carried.

RESOLUTION NO. 05-26

WHEREAS, Lexington City Code Section 27-34, authorizes the City Council to establish by Resolution a schedule of rates and charges for water use.

BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, that the following water rates for the following use classifications are established and shall take effect October 1, 2005, to be reflected on billings following such date. That all other water rates previously established shall remain unchanged:

Residential Metered:

The first 5,000 gallons	\$11.50 monthly minimum
> 5,000 gallons	\$0.80 per 1,000 gallons

Residential Flat Rate:

\$18.00 per dwelling unit per month

Commercial Metered:

The first 5,000 gallons	\$11.50 monthly minimum
> 5,000 gallons	\$0.80 per 1,000 gallons

Multi-family Service Fee:

\$6.00 per dwelling unit, where more than one dwelling unit is served by a single metered service.

Industrial Metered:

\$0.207 per 1,000 gallons

PASSED AND APPROVED this 27<sup>th</sup> day of September, 2005

Ted Cook, President of Council

ATTEST:

Shirley Lewis, Deputy City Clerk

**CITY HEALTH INSURANCE PLAN:**

Peplitsch presented Council with an Evaluation of the City's Employee Health Benefit Plan. Following discussion, Administration was directed to present Council with a more detailed evaluation for future consideration.

**ORDINANCE:**

Mayor Cook requested Council's approval of an Ordinance to amend Section 2-10 of the Lexington City Code, relating to Council Compensation. Following discussion, an Ordinance entitled "AN ORDINANCE TO AMEND SECTION 2-10 OF THE LEXINGTON CITY CODE; TO AMEND THE ANNUAL SALARY FOR MEMBERS OF THE CITY COUNCIL AND THE PRESIDENT OF THE CITY COUNCIL; TO REPEAL ORIGINAL SECTION 2-10 AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM" was read before Council. Moved by Miller, seconded by Bennett, to suspend the rules requiring the reading of said ordinance on three separate days. Roll call. Voting "aye" were Tomasek, Bennett, Miller, Cook. Voting "nay" was Fagot. Motion carried.

Said Ordinance was read by title. Moved by Miller, seconded by Bennett, to approve Ordinance No. 2203 on Final Reading. Roll call. Voting "aye" were Tomasek, Bennett, Miller, Cook. Voting "nay" was Fagot. Motion carried.

**FINANCIAL REPORT:**

Peplitsch requested Council's acceptance of the Financial Report for August, 2005. Following discussion, moved by Miller, seconded by Fagot, to accept the Financial Report for August, 2005. Roll call. Voting "aye" were Tomasek, Bennett, Fagot, Miller, Cook. Motion carried.

**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.

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Deputy City Clerk