

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, January 24, 2006 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 Charles Clark, Deb Jensen and 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 – 01-10-06: Minutes of the Regular Meeting scheduled for Tuesday, January 10, 2006 was presented for Council’s consideration and approval. Moved by Tomasek, seconded by Bennett, to approve the Minutes of the Regular Meeting held January 10, 2006 as presented. Roll call. Voting “aye” were Fagot, Miller, Bennett, Tomasek, Cook. Motion carried.

MINUTES – SPECIAL PLANNING SESSION – 01-17-06: Minutes of the Special Planning Session Meeting scheduled for Tuesday, January 17, 2006 was presented for Council’s consideration and approval. Moved by Miller, seconded by Tomasek, to approve the Minutes of the Special Planning Session Meeting held January 17, 2006 as presented. Roll call. Voting “aye” were Bennett, Fagot, Tomasek, Miller, Cook. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$342,309.13 was presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Bennett, seconded by Tomasek, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$130,093.00 from the General Fund, \$4,042.50 from Ed Reuse, \$500.00 from Housing Reuse, \$160,112.81 from LEXUS, \$23,658.25 from Sanitation, \$185.40 from Landfill, \$240.14 from Ambulance Fund, \$15,981.20 from Health Fund, \$7,495.83 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Miller, Fagot, Tomasek, Bennett, Cook. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
January 24, 2006

AFLAC	Premiums	1,244.16
Alamar Uniform Co.	Uniform Pants	73.86
All Points Cooperative	Fuel / Supplies	175.44
Arner, Travis	Education	85.00

Awards Plus	Plaques	92.78
B&D Office City	Office Supplies	97.97
Baird, Holm, McEachen, Pedersen	Attorney Fees	50.00
Barco Municipal Products	Street & Water Supplies	1,073.25
Barnes Distribution	Water Supplies	73.98
Bennett Advertising Specialties	Office Supplies / Letterhead & Envelopes	2,077.94
Berntson Oil	Fuel	226.70
Bio-Key International, Inc.	Fire Dept. Supplies	115.50
Brody Chemical	Street & Park Supplies	105.86
Business Ofc Systems of Nebraska	Office Supplies	144.40
Card Center/Orscheln	Supplies	480.20
Case Credit Advantage	Repairs / Park & WWTP	186.85
Cash-Wa Distributing	Food & Supplies	924.20
CCP Industries, Inc.	WWTP Supplies	318.71
CDW Government, Inc.	Wireless Hub / Library	87.79
Dan's Sanitation	Sanitation Fees	1,193.00
Dawson County Handibus	Transportation	46.00
Dell Marketing L P	Vita Computers	4,103.78
Dodge, Jim	Burial Fee Refund	100.00
Downey Drilling Inc.	Well Repair / Landfill	185.40
Dutton-Lainson Company	Steel Pole	1,621.06
Electric Fixture	Electric Supplies	356.89
FC&A	Book	33.96
Farmer Brothers Coffee	Food & Supplies	177.24
Grayek, Monte	Education	85.00
Hach Company	WWTP Supplies	405.00
Health Claims Fund	Claims	10,392.16
Holbein, Dahlas D.	Maint. & Cleaning Service	850.00
Husker Ag Sales	Supplies	51.08
Ingram Library Services	Books	57.86
Island Supply Company, The	Street Supplies	3,618.00
Jim Phillips Construction	Main Break Repairs	1,686.00
Kemps-Gillette	Beverages	196.82
Lawson Products, Inc.	Electric Supplies	260.11
Lexington Glass Co.	Fire Dept. Supplies	27.50
Lexington Newspapers, Inc.	Publication	8.42
Lexington True Value	Supplies	2.85
Payroll	Wages	89,458.30
Social Security	Employer Port/FICA Med	6,616.50
First National Bank	Employer Port/Pension	3,282.51
First National Bank	Police Pension	1,246.97
ICMA	City Manager Pension	238.80
Lincoln Journal Star	Subscription	141.60
Linden's Plumbing	Repairs	140.20
Mead/Big Valley Lumber	Supplies	155.58
Meyer-Century Labs	Street Supplies	501.24
Mid-Nebraska Printing	Office Supplies	27.03
Mid-State Units	Rental	150.00
Midwest Laboratories, Inc.	Testing	1,067.70
Miller & Associates	Professional Svcs/WWTP	35,560.15
Municipal Supply	Water Dept. Supplies	1,406.67
Nat. Arbor Day Foundation, The	Plaque	19.90
National Waterworks	Water Dept. Supplies	1,650.64
Nebraska Dept. of Econ. Dev.	Orthman's CDBG Loan Payment	4,042.50

Nebraska Library Association	Membership Fee	15.00
Nebraska Public Power District	Power Purchase	1,566.20
Nebraska Safety Council	Safety Videos	46.02
Nebraska Transport	Library / Freight	98.18
Nelson, Thomas R.	Conference / Seminars	60.00
Neopost	Postage	1,500.00
Overton Community Center	MOW	100.00
Paulsen Inc.	Concrete	79.72
Peak Interest	Food	42.37
Pinnacle Agency, The	Premiums	1,390.00
Platinum Plus For Business	Supplies / Conference	1,533.92
Platte Valley Auto Mart	Repairs	591.14
Platte Valley Communications	Radio / Police Dept.	1,249.78
Price's Tree Service	Tree Removal	500.00
Quill Corporation	Office Supplies	636.29
Reutlinger, Troy	Education	85.00
S & W Auto Parts, Inc.	Fire Dept. Supplies	108.60
Sav A Lot Discount Foods	Food	38.26
Skarshaug Testing	Testing	167.52
Steve's Lock & Key	Service	45.00
Subway of Lexington	Food	61.33
TASC	Flex Plan	202.40
Team Detail & Quicklube	Car Washes	40.00
TMS Cleaning	Library Cleaning Service	832.00
TierOne-Lib. Petty Cash	Postage	1.97
U-Save Business Equipment	Office Supplies	390.27
Wal-Mart	Misc. Supplies	126.80
Ward Laboratories	Water Test	24.00
Weathercraft Company	Fire Dept. Supplies	61.00
Wesco Distribution, Inc.	Electric Supplies	1,034.14
Accu Cut Systems	Library Supplies	46.00
Alltel	Cellphones	120.78
B&D Office City	Office Supplies	560.96
Becerra, Francisco	Electric Rebate	125.00
Berntson Oil	Fuel	60.00
C&H Distributors, LLC	Park Supplies	90.84
Dan's Sanitation	Sanitation Fees	23,658.25
DeBruce Grain	Ice Control Salt	1,736.65
Demco	Office Supplies	460.64
Electric Fixture	Electric Supplies	1,687.94
Gale Group, The	Book	150.25
Galls Inc.	Uniform Expense	55.96
Health Claims Fund	Claims	4,142.48
Hill, Chris	Electric Rebate	1,025.00
JMS Floral	Office Supplies	45.90
Lexington Health Fund	Self-Funding	35,806.01
Lexington Newspapers, Inc.	Publications	511.54
Lexington Utility System	Utilities	23,344.83
Lexington, City of	Franchise / Service Fee	44,775.63
Luther, Ann	Conference / Seminars	181.30
M&N International	Office Supplies	292.07
Mead/Big Valley Lumber	WWTP Supplies	133.19
MediaPro	Books	341.70
Mendoza, Tone	Books / Conference	943.02
Miller & Associates	Retainer Service	800.00
Mr. Automotive	Supplies	109.29

Municipal Supply	Water Dept. Supplies	649.74
Naumann, Sondra	Cleaning Service	48.00
Nebraska Dept. of HHS Laboratory	Water Test Analysis	180.00
Pack-O-Fun	Subscription	34.97
Paulsen, Inc.	Concrete / Equip. Rental	6,459.93
Pepplitsch, Joe	Conference / Seminars	177.85
Platinum Plus For Business	Conference / Seminars	20.00
Random House, Inc.	Books	76.50
Razo, Teresa	Electric Rebate	1,025.00
Recorded Books	Books	401.10
Repeco Marketing, Inc.	Book	28.20
S & W Auto Parts, Inc.	Supplies	15.99
Taste of Home	Book	28.98
Team Detail & Quicklube	Car Wash	20.00
TierOne-City Petty Cash	Petty Cash / Misc. Exp.	49.72
TierOne-Lib. Petty Cash	Postage	12.54
U-Save Business Equipment	Office Supplies	16.99
Wal-Mart	Misc. Supplies	229.60
Wesco Distribution, Inc.	Supplies	202.87
	TOTAL:	342,309.13

SMOKING:

Discussion was held regarding a proposed referendum on smoking prohibition for City of Lexington. Following discussion, moved by Fagot, seconded by Tomasek, to table this item until July 11, 2006, so further information may be gathered for a potential referendum on November, 2006 General Election Ballot. Roll call. Voting “aye” were Miller, Bennett, Tomasek, Fagot, Cook. Motion carried.

ORDINANCE:

Pepplitsch requested Council’s approval of an Ordinance directing the sale of land to the Lexington Council for Economic Development. Following discussion, an Ordinance entitled “AN ORDINANCE DIRECTING THE SALE OF LOTS 12, 13, AND 14, JOHN L. MAY’S ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE” was read before Council. Moved by Fagot, seconded by Tomasek to suspend the rules requiring the reading of said ordinance on three separate dates. 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: 2208 on Final Reading. Roll call. Voting “aye” were Tomasek, Bennett, Miller, Fagot, Cook. Motion carried.

HISTORICAL LIGHTING:

Pepplitsch requested Council’s approval of a Resolution authorizing the City of Lexington to enter into an Agreement with the Department of Roads to install historical lighting in the Lexington Main Street District. Following discussion, moved by Fagot, seconded by Tomasek, to approve Resolution No: 06-03 authorizing the City of Lexington to enter into an Agreement with the Department of Roads to install historical lighting in the Lexington Main Street District. Roll call. Voting “aye” were Bennett, Miller, Tomasek, Fagot, Cook. Motion carried.

RESOLUTION NO: 06-03

WHEREAS, the City of Lexington wishes to enter into an agreement with the State of Nebraska Department of Roads to install historical lighting in the Lexington Main Street District, with funds made available through STP Enhancement Program funds, and

WHEREAS, the Federal share payable shall be a maximum of eighty (80) percent of the eligible costs thereof, up to a maximum payment from federal funds of \$47,780.80, and

WHEREAS, the City of Lexington shall be responsible for approximately \$11,945.20, which is estimated by the City to be the City's twenty (20) percent matching share of eligible project costs, and

WHEREAS, the City of Lexington has agreed to place in its fiscal budget said amount,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, that the City enter into an agreement with the State of Nebraska Department of Roads for the installation of historical lighting in the Lexington Main Street District; that this project be constructed under the designation of Project Number _____, State Control Number _____, and that the terms and conditions as contained in the Agreement with the Nebraska Department of Roads are hereby approved and that the Mayor is hereby authorized to execute said Agreement.

PASSED AND APPROVED THIS 24th day of January, 2006.

Ted Cook, Mayor

ATTEST:

Shirley Lewis, Deputy City Clerk

**PEDESTRIAN AND
BICYCLE TRAIL:**

Peplitsch requested Council's approval of a Resolution authorizing the City of Lexington to enter into an Agreement with the Department of Roads to construct a Pedestrian and Bicycle Trail. Following discussion, moved by Fagot, seconded by Bennett, to approve Resolution No. 06-04 authorizing the City of Lexington to enter into an Agreement with the Department of Roads to construct a Pedestrian and Bicycle Trail. Roll call. Voting "aye" were Tomasek, Miller, Bennett, Fagot, Cook. Motion carried.

RESOLUTION NO. 06-04

WHEREAS, the City of Lexington wishes to enter into an agreement with the State of Nebraska Department of Roads to construct a concrete pedestrian and bicycle trail connecting residential neighborhoods with industrial and commercial property along the Highway 283 corridor in Lexington, Nebraska, with funds made available through STP Enhancement Program funds, and

WHEREAS, the Federal share payable shall be a maximum of eighty (80) percent of the eligible costs thereof, up to a maximum payment from federal funds of \$462,861, and

WHEREAS, the City of Lexington shall be responsible for approximately \$115,715, which is estimated by the City to be the City's twenty (20) percent matching share of eligible project costs, and

WHEREAS, the City of Lexington has agreed to place in its fiscal budget said amount,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, that the City enter into an agreement with the State of Nebraska Department of Roads for the construction of a concrete pedestrian and bicycle trail connecting residential neighborhoods with industrial and commercial property along the Highway 283 corridor in Lexington, Nebraska; that this project be constructed under the designation of Project Number _____, State Control Number _____, and that the terms and conditions as contained in the Agreement with the Nebraska Department of Roads are hereby approved and that the Mayor is hereby authorized to execute said Agreement.

PASSED AND APPROVED THIS 24th day of January, 2006.

Ted Cook, Mayor

Attest:

Shirley Lewis, Deputy City Clerk

RESOLUTION:

Pepplichtsch requested Council's approval of a Resolution approving the Lexington Volunteer Fire Department Service Award Program Certified Member List for Calendar Year 2005. Following discussion, moved by Miller, seconded by Tomasek, to approve Resolution No. 06-05 approving the LVFD Service Award Program Certified Member List for Calendar Year 2005. Roll call. Voting "aye" were Fagot, Bennett, Tomasek, Miller, Cook. Motion carried.

RESOLUTION NO. 06-05

A RESOLUTION APPROVING THE LVFD SERVICE AWARD PROGRAM CERTIFIED MEMBER LIST FOR CALENDAR YEAR 2005.

WHEREAS, the Lexington Volunteer Fire Department members must attain Certified status as defined by the LVFD Service Award Program in order to participate in the program.

BE IT RESOLVED, by the Mayor and Council of the City of Lexington, the following list of members have completed the certification requirements as determined by the Certification Administrator for calendar year 2005.

Travis Arner
Bo Berry

Dean Norseen
Chad Reutlinger

Michael Gomez
Everett Hagan

Jeff Block	Michael Richman	Dale Holbein
Bill Bosler	Jerry Saulsbury	Jeremy Kaiser
Alfred Copper	Dean Wheeler	James Linch
Michael Dowling	Frank Zlatkovsky	Robert Martin
Douglas Glaze	Ron Balthazor	Eldon Peck
Terry Gullion	Dave Berke	Roger Reutlinger
Dahlas Holbein	Bruce Bonini	Jon Robles
Kent Jergensen	Robert Bullis	Kerry Teetor
Richard Klauz	Gary Donnelson	David Zlatkovsky
Michael Maguire	Matt Fitzgerald	

Passed and approved this 24th day of January, 2006.

CITY OF LEXINGTON, NEBRASKA

BY: Ted Cook, Mayor

Attest:

Shirley Lewis, Deputy City Clerk

APPOINTMENTS:

Peplitsch requested Council’s ratification of Steve Atwood’s appointment to the Community Redevelopment Authority. Following discussion, moved by Fagot, seconded by Miller, to ratify the appointment of Steve Atwood to the Lexington Community Redevelopment Authority. Roll call. Voting “aye” were Tomasek, Bennett, Miller, Fagot, Cook. Motion carried.

Mayor Cook requested Council’s ratification of Janelle VerMaas and Marian Berke to the Lexington Library Board. Following discussion, moved by Miller, seconded by Fagot, to ratify the appointment of Janelle VerMaas and Marian Berke to the Lexington Library Board. Roll call. Voting “aye” were Bennett, Tomasek, Fagot, Miller, Cook. Motion carried.

FINANCIAL REPORT:

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

FINANCIAL REPORT:

Peplitsch requested Council’s acceptance of the Financial Report for December, 2005. Following discussion, moved by Bennett, seconded by Miller, to accept the Financial Report for December, 2005. Roll call. Voting “aye” were Tomasek, Fagot, Miller, Bennett, 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.

Deputy City Clerk