

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, October 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 Ted Cook, Steve Tomasek, Joni Bennett, John Fagot, and Linda Miller. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Willard Weinhold, and Deputy City Clerk Pam Berke. Other city personnel included Barb Mills and Bill Brecks. Citizens attending included Dick Helvey, Connie Bennett, Sharon Wood, Terri Burch, Clinton & Deb Witt, Scott Nierman, Eva Johnson, Julie Otero, and Boy Scout Troop #88. Members of the press included Harry Perkins of Kearney Hub and Barb Batie of Clipper-Herald.

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. Cook informed the public that the Open Meetings Act is posted in the Meeting Room at the Lexington Municipal Building, located at 406 E. 7th Street, Lexington, Nebraska.

**MINUTES – REGULAR
MEETING 10-10-06**

Minutes of the Regular meeting held Tuesday, October 10, 2006 were presented for Council approval. Moved by Tomasek, seconded by Bennett, to approve Minutes as presented. Roll Call. Voting “aye” were Fagot, Miller, Bennett, Tomasek, Cook. Motion Carried.

CLAIMS & BILLS:

Claims and Bills in the amount of \$512,947.48 were 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 \$169,088.10 from the General Fund, \$106,032.76 from Economic Development, \$12,375.84 from ED Reuse, \$161,495.77 from LEXUS, \$23,959.24 from Sanitation, \$3,522.57 from Ambulance Fund, \$29,622.95 from Health Fund, and \$6,850.25 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Tomasek, Bennett, Fagot, Miller, Cook. Motion carried.

**CITY OF LEXINGTON
ACCOUNTS PAYABLE**

October 24, 2006

AFLAC	Premiums	950.36
All Points Cooperative	Fuel	46.26
Alltel	Cellphone Service	52.19
Anderson Graphics	Library Supplies	21.00
Arner, Travis	Phone Reimbursement	125.00
Barco Municipal Products	Street Supplies	196.44
Bob's Auto Repair & Service	Central Garage / Vehicle Repair	784.72

Card Center/Orscheln	Supplies	147.48
Cash-Wa Distributing	Food & Supplies	962.42
Central Fire & Safety, Inc. Fire	Extinguisher Inspection & Maintenance	699.30
Central Garage Fund	Maint. & Repairs	3,546.99
Certified Laboratories	Central Garage Supplies	340.04
Conney Safety Products	WWTP Supplies	189.90
Dan's Sanitation	Sanitation Fees	1,410.00
Davis Energy, Inc.	Fuel	4,491.32
Dawson County Handibus	Transportation	36.00
Dawson County Public Power	Power Purchase	6,361.93
Demco	Library Supplies	262.64
Dugan Business Forms	Office Supplies	213.26
Eakes Office Plus	Office Supplies	30.55
Ecolab	WWTP / Polymer	1,098.93
EDM Equipment Company	Central Garage Supplies	98.87
Electric Fixture	Electric Supplies	61.27
Environmental Pest Control	Building Maintenance	100.00
Fox Bros. Hay Co., Inc.	Tree Grinding	1,547.60
Gale Group, The	Books	247.40
Galeton Gloves	WWTP Supplies	368.75
Grayek, Monte	Phone Reimbursement	125.00
H. W. Wilson Company, The	Books	587.00
Health Claims Fund	Claims	24,702.87
Hipp Wholesale Foods, Inc.	Food & Supplies	1,160.04
Holbein, Dahlas D.	Maint. & Cleaning	850.00
Hunt Cleaners, Inc.	Electric Supplies	335.10
Ingram Library Services	Books	829.36
Kapco	Library Supplies	71.32
Kemps-Gillette	Beverages	184.24
Kriz-Davis Company	Electric Supplies / Transformers	7,421.52
Lawson Products, Inc.	Electric Supplies	149.01
Lexington Newspapers, Inc.	Publications	32.54
Lexington True Value	Misc. Supplies	89.43
Lexington Volunteer Fire Dept.	Ambulance Fees	2,594.55
Payroll	Wages	92,498.62
Social Security	Employer Portion / FICA Med	6,842.57
First National Bank	Employer Portion / Pension	3,042.75
First National Bank	Police Pension	1,348.14
ICMA	City Manager Pension	359.12
Little Caesars	Food	28.00
Marriott Hotels & Resorts	Conference / Seminars	444.00
McCookNet Internet Service	Service	139.00
Mead Lumber	Supplies	11.98
Mead Rental Center	Central Garage Supplies	12.00
Mid-State Units	Park Rentals	525.00
Midwest Laboratories, Inc.	WWTP Supplies	143.30
Moore Medical Corp.	Ambulance Supplies	758.02
Murphy Tractor & Equipment	Central Garage Supplies	194.64
National Waterworks/Hughes Sply	Water Dept. Supplies / Meters	2,165.38
NE Dept of Econ Development	CDBG Loan Payments	12,375.84
NPPD	Electric Extension	19,767.24
Ollis Book Corporation	Books	166.35
Overton Community Center	Meals on Wheels	100.00
Paulsen Inc.	Concrete	412.89
Pepplitsch, Joe	Conference / Seminars	270.99
Platinum Plus For Business	Misc. Supplies	140.11
Platte Valley Communications	New Well Controllers (7,8,9)	11,611.58

Plum Creek Cleaners	Supplies	299.00
Plum Creek Market Place	Food	11.94
R. C. Booth Enterprises	Book	28.00
Random House, Inc.	Books	237.15
Recorded Books	Books	115.60
Reutlinger, Chad	Phone Reimbursement	100.00
Reutlinger, Troy	Phone Reimbursement	125.00
Rodale, Inc.	Book	36.94
S & W Auto Parts, Inc.	Central Garage Supplies	505.81
Schwarz, Paul	Phone Reimbursement	125.00
Service Master Mid Nebraska	Library Cleaning Service	742.50
Skiles, Kenneth	Phone Reimbursement	125.00
State Electrical Division	License Renewal	50.00
Steve's Lock & Key	GGC Service	52.00
T. O. Haas Tire Co., Inc.	Tires / Repair	121.80
Tasc	Flex Plan	30.00
TierOne-Lib. Petty Cash	Postage	63.37
T S M Cleaning	Library Cleaning Service	832.00
U-Save Business Equipment	Office Supplies	386.05
Unique Books, Inc.	Books	564.19
Unitech	WWTP Supplies	737.50
United Methodist Church	Park Clean-up	300.00
Wal-Mart	Supplies	423.83
Watts Electric Company	Viaduct Electric Line Relocate	8,161.95
Wesco Distribution, Inc.	Electric Supplies	112.35
Westech	WWTP Supplies	117.59
Wolf, Tracy	Phone Reimbursement	125.00
Alltel	Cellphone Service	541.60
American Water Works Assn	Dues	265.00
B & D Office City	Office Supplies	241.72
Barmore Drug Store, Inc.	Supplies	11.98
Bob's Auto Repair & Service	Repair	131.80
Card Center/Orscheln	Supplies	157.68
Cash-Wa Distributing	Food & Supplies	810.42
Colon, Jamie	Electric Rebate	125.00
Cranwell, Craig	Electric Rebate	1,025.00
Chapman, Randy	Electric Rebate	1,025.00
Dan's Sanitation	Sanitation Fees	23,959.24
Dawson County Clerk	Quarterly Dispatch Fees	18,150.92
Diamond Lake Book Company	Books	95.98
Eakes Office Plus	Office Supplies	341.71
Electronic Gaming Monthly	Subscription	24.97
Farmer Brothers Coffee	Food & Supplies	215.05
Fisher Scientific	WWTP Supplies	212.59
Guedes, Alberto	Electric Rebate	900.00
Hach Company	WWTP Supplies	179.00
Health Claims Fund	Claims	3,939.72
Hernandez, Jorge	Electric Rebate	900.00
Ingram Library Services	Books	117.35
Jim Phillips Construction	Viaduct Fence Repair	1,702.00
Johnson, Lane	Phone Reimbursement	125.00
Kemps-Gillette	Beverages	73.47
Kriz-Davis Company	Electric Supplies	1,261.54
Lexington, City of	Franchise / Service Fees	50,859.39
Lexington Newspapers, Inc.	Publications	186.13
Lexington Utilities System	Utilities	17,893.95
Lundeen-Isaacson, Inc.	Insurance / Fire Dept.	9,730.00

Mead Lumber	Supplies	362.51
Miller & Associates	Handicap Imp. / 13th St./Trail Phase I	30,835.83
Naumann, Sondra	Cleaning Service	72.00
NCIP Fund	Registration Fee	21.00
Nebraska Machinery	WWTP / Service	454.67
Nebraska Dept. of HHS Lab	Water Test Analysis	816.00
NE Dept. of Environmental Control	Certification Renewal	150.00
Perez, Gerardo	Electric Rebate	425.00
Platinum Plus For Business	Supplies	684.80
Plum Creek Promotions	Uniform Exp/Youth Basketball T-shirts	2,861.89
Price's Tree Service	Tree Stump Removal	75.00
Random House, Inc.	Book	84.15
Reiber, Diane	Phone Reimbursement	25.00
T. O. Haas Tire Company, Inc.	Tire	65.90
TierOne Bank	ED Sales Tax Loan Payment	106,032.76
TierOne-City Petty Cash	Petty Cash / Misc. Expense	36.78
TireOne-Library Petty Cash	Postage	4.80
U-Save Business Equipment	Supplies	67.35
Univar USA, Inc.	WWTP Supplies	758.00
Wal-Mart	Supplies	359.26
Wesco Distribution, Inc.	Electric Supplies	918.06
York Comfort Inn	Fire Dept. Conference / Seminars	1,223.82
	TOTAL:	512,947.48

PUBLIC COMMENT:

Bob Brogan, assistant scout leader of Boy Scout Troop #88, introduced his troop and explained that the members are working towards a communication badge and had questions for the Council. Council members Miller and Bennett answered questions regarding the proposed smoking ban ordinance and the process the Council completed to get the issue on the election ballot.

PUBLIC HEARING – BURCH:

Mayor Cook opened the public hearing regarding a special use permit request by Truman and Terri Burch for a fitness studio to be located at 900 N. Washington. Terri Burch appeared before Council to answer questions. Following discussion, Mayor Cook closed the public hearing with thanks to Mrs. Burch. Moved by Fagot, seconded by Tomasek, to approve the Special Use permit request. Roll Call. Voting “aye” were Bennett, Miller, Tomasek, Fagot, Cook. Motion carried.

PUBLIC HEARING-WITT:

Mayor Cook opened the public hearing for a special use permit request by Clinton and Deb Witt, owners of Grandma’s RV Park, to locate a permanent mobile home for their private use at the campground, located at 3030 Plum Creek Pkwy. Cook expressed concerns regarding conditions of a special use permit currently issued to Witt’s that are not meeting city codes. Witt replied that he would like to address that issue at a later date. Cook closed the public hearing. Council took no action and directed Peplitsch to meet with Witt to address code violations and return to Council at a later date.

HISTORIC STREET LIGHTS:

Peplitsch requested Council approval of specifications for the Historic Street Lights Phase II project and requested authorization to advertise for material bids. Following discussion, moved by Miller, seconded by Fagot, to approve the material specifications and authorize administration to advertise for bids pending final NDOR approval. Roll call. Voting “aye” were Bennett, Tomasek, Fagot, Miller, Cook. Motion carried.

INTERLOCAL AGREEMENT: Peplitsch requested Council approval for participation in an interlocal agreement with Nebraska Phase II Storm Water Communities. Following discussion, moved by Tomasek, seconded by Bennett, to authorize execution of an interlocal agreement for storm water management programs. Roll call. Voting “aye” were Fagot, Miller, Bennett, Tomasek, Cook. Motion carried.

LAND GIFT: Peplitsch presented Council with a proposed land gift from Peterson Oil Company; which lot is located in the 800 block of West Vine Street. Following discussion, Council took no action and directed Peplitsch to contact Peterson Oil Company with contact information of private investors interested in the lot.

FINANCIAL REPORT: Peplitsch requested Council acceptance of September 2006 financial report. Moved by Miller, seconded by Fagot, to accept report. Roll call. Voting “aye” were Tomasek, Bennett, Fagot, Miller, Cook. Motion carried.

ROUNDTABLE: Peplitsch gave a progress report on the Handicap Ramp Improvement project, new links on city website regarding ongoing projects, and a preliminary lease request by US Cellular for placement of radio equipment on the water tower located at Hwy 30 and Madison Street.

Cook requested an administrative report to Council on liability issues regarding the City’s recreational property.

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

Ted Cook
Mayor

Pamela Berke
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