

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, February 14, 2006 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, City Attorney Willard Weinhold, Deputy City Clerk Shirley Lewis. Department Head present was Charles Clark.

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

**CLAIMS & BILLS:** Claims and Bills in the amount of \$986,410.04 was presented for Council’s consideration and approval. Upon review of the Claims and bills as listed, moved by Fagot, seconded by Miller, to approve the Claims as listed, and authorize the City Treasurer to transfer \$229,012.36 from the General Fund, \$8,209.17 from Ed Reuse, \$214.00 from Housing Reuse, \$691,098.98 from LEXUS, \$10,000.00 from Sanitation, \$238.01 from Ambulance Fund, \$35,487.62 from Health Fund, \$12,149.90 from Meals on Wheels, to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Tomasek, Bennett, Miller, Fagot, Cook. Motion carried.

CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
February 14, 2006

All-Am. Sewer & Drain Cleaning	WWTP / Service	300.00
All Points Cooperative	Fuel / Propane	149.93
Allied Insurance	Fire Dept Pension Liab Ins	100.00
Alltel	Cellphone Service / Phone	344.60
Anderson Graphics	Library Supplies	227.50
B & D Office City	Office Supplies	120.70
Benefit Consultants Group	Fire Pension / Admin./ Trustee Fees	2,250.00
Berntson Oil	Fuel / Oil	4,366.99
Best Western Irving Inn & Suites	Conference / Seminars	76.83
Box Bar, The	Food	21.90

Campus Bookstore #256	Books	120.75
Card Center/Orscheln	Supplies	551.22
Case Credit Advantage	WWTP Supplies	25.83
Cash-Wa Distributing	Food & Supplies	2,002.05
Central Garage Fund	Maint. / Repairs / Fuel	14,961.63
Central Tire & Tread	Tires	248.32
Certified Laboratories	Central Garage Supplies	296.83
Chief Supply Corp.	Fire Dept. Supplies	109.98
City Directory, Inc.	Book	18.00
Consumer Guide	Subscription	99.00
Corporate Benefit Svcs of America	Premium	19,499.41
Country Sampler Decoration Ideas	Subscription	29.88
Culligan Water Conditioning, Co.	Soft Water Supplies	264.20
Dan's Sanitation	Sanitation Fees	12,086.67
Dawson County Clerk	Dispatch Fees	6,804.08
Dawson County Public Power	Power Purchase	5,819.30
Dawson County Register of Deeds	Filing Fees	22.50
Dawson Pest Control	Building Maintenance	27.00
Demco	Library Supplies	75.71
Downey Drilling, Inc.	WWTP Supplies	42.00
Eilers Machine & Welding	Supplies / Repairs	631.00
Electric Fixture	Supplies	147.16
EMS Billing Services, Inc.	Ambulance Fees	105.02
Env. Systems Research Inst.	GIS Server / Maint. Fees	4,613.81
Eustis Body Shop	Vehicle Repair	114.60
Fagot Refrigeration & Electric	Maintenance / Repairs	353.03
Fagot, John	Conference / Seminars	146.86
Family Eyewear	Safety Glasses	204.00
Farmer Brothers Coffee	Food	15.12
Fireguard, Inc.	Fire Dept/SCBA Air Tanks	3,472.00
Fisher Scientific	WWTP / Testing Supplies	2,757.13
Freedom Account FBO / LVFD Plan #657193	Fire Dept. Pension	17,500.00
G-Tec	Central Garage Supplies	802.52
Galls, Inc.	Uniform Expense	151.95
Gov Finance Officers Association	Membership Dues	175.00
Grainger	Central Garage Supplies	34.90
Great Plains One-Call Service	Locates	68.43
Gumdrop Books	Book	9.26
H. O. Smith Co.	Title Ins. / Old Library	253.75
Hach Company	WWTP Supplies	359.70
Hall's Safety Equipment	Uniform Expense	197.25
Health Claims Fund	Claims	23,603.60
Hernandez, Sarah	Conference / Seminars	131.00
Hilton Dallas Lincoln Centre	Conference / Seminars	400.20
Hipp Wholesale Foods, Inc.	Food & Supplies	2,661.95
Holiday Inn Experss	Awards Banquet	2,058.65
Hometown Leasing	Copier Lease	697.04
Husker Ag Sales	Central Garage Supplies	404.90
Info USA Marketing, Inc.	Books / Internet Access	2,850.00
Ingram Library Services	Books	1,028.54
Jelco Carpet Cleaning	GGC / Carpet Cleaning	250.00
Jones Plumbing & Heating	Maintenance / Supplies	821.91
Kearney Hub	Subscription / Library	114.00
Kemps-Gillette	Beverages	713.25
Kinder Morgan	Gas Service	13,583.82

League of Nebraska Municipalities	Conference	260.00
Lex Area Chamber of Commerce	Membership Dues / Annual Banquet	425.00
Lexington Area Solid Waste	Landfill	945.72
Lexington Health Fund	Self-funding	35,141.76
Lexington Newspapers, Inc.	Publications	359.22
Lexington Postmaster	Postage	150.00
Lexington Truck & Auto	Central Garage Supplies	90.00
Lexington True Value	Supplies	35.62
Lexington, City of	Franchise / Service Fees	37,834.40
Payroll	Wages	90,958.57
Social Security	Employer Portion / FICA Med	6,729.93
First National Bank	Employer Port/Pension	3,239.36
First National Bank	Police Pension	1,393.53
ICMA	City Manager Pension	238.80
Linweld	Ambulance Supplies	82.98
Lundeen-Isaacson, Inc.	Insurance / Fire Dept.	709.00
Marlin Leasing Corp.	Mail Machine Payment	570.16
Martin Electric	Fire Dept. Repairs	421.28
McNett, Julie	Conference / Seminars	106.00
Mead/Big Valley Lumber	Supplies	1,371.91
Menards-Kearney	Supplies	88.88
Merchant JT&S	Elec Dept/Training Manual	500.00
Mid-Nebraska Printing	Office Supplies	265.49
Miller & Associates	Pro. Service / WWTP / 10th St. Improvements	25,262.28
Mr. Automotive	Central Garage Supplies	42.01
Municipal Emergency Services	Fire Dept. Supplies	112.75
Municipal Supply	Supplies	54.14
National Waterworks	Repair / Meters	3,374.00
Nebraska Dept. of Economic Dev.	Mid Plains / Orthman's CDBG Loan	8,209.17
Nebraska Dept. of Roads	Millings Hauled	8,021.30
Nebraska Amateur Softball Assoc	Recreation Dept. Fees	100.00
Nebraska Forest Service	Advertising / Conference	140.00
Nebraska Machinery	Central Garage Supplies	543.19
Nebraska Public Power District	Power Purchase	460,685.42
Nebraska Rural Water Association	Membership Dues	250.00
Nebraska Tech & Telecomm, Inc.	Telephone Service	1,239.41
Nebraska Waste Handlers	Sludge Removal	5,256.00
Nelson, Margie L.	Cleaning Service	500.00
Neopost	Postage	1,500.00
Omaha Slings, Inc.	Supplies	150.55
Omaha Standard Truck Equip Co.	St Equip/Dual Spreader	4,399.00
Paulsen, Inc.	Concrete / Rental	129.94
People Books	Book	39.90
Pinnacle Agency, The	Insurance	6,298.00
Platinum Plus For Business	Supplies	156.49
Platte Valley Communications	Maintenance / Repairs	1,657.53
Plum Creek Auto Spa	Car Wash	27.50
Plum Creek Cleaners	Cleaning Service	39.00
Plum Creek Motors	Vehicle Maintenance	99.31
Plum Creek Promotions	Shirts	157.89
PPCT Management Systems, Inc.	Manuals	207.00
QPR (United States)	Road Repair Material	337.41

Quill Corporation	Office Supplies	47.80
Random House, Inc.	Book	84.15
Reiman Publications	Subscription	29.98
S & W Auto Parts, Inc.	Central Garage Supplies	1,024.77
Sav A Lot Discount Foods	Food	126.80
Sheet Music	Subscription	21.97
Sign Pro	Signs / Banners	1,038.50
Solomon Corporation	Transformer Repair/Tyson	25,000.00
Specialty Store Services, Inc.	Supplies	58.19
Subway of Lexington	Food	32.98
Summit Supply Corporation	Parks / Benches	1,250.00
T. L. Sund Constructors, Inc.	Boring / Optimist Batting Facility	4,316.06
Team Detail & Quicklube	Car Washes	40.00
Thomas Bouregy & Company, Inc.	Books	138.50
TierOne-Lib. Petty Cash	Petty Cash/Postage	19.73
Tri-County Hospital	Wellness	231.00
TSM Cleaning / Sophie Sarratt	Cleaning Service	832.00
U S News & World Report	Subscription	44.00
U-Save Business Equipment	Office Supplies	41.36
University of Nebraska-Lincoln	Conference / Seminars	80.00
Value Line Publishing, Inc.	Membership Dues	798.00
Vettronix, Inc.	Radio Repair	17.50
Wal-Mart	Misc. Supplies	1,014.81
Warco, Inc.	Electric Supplies	228.82
Wesco Distribution, Inc.	Electric Supplies	189.20
Westech	WWTP Supplies	1,558.75
Willard Weinhold Law Office	Fees	1,703.00
A C Technologies, LLC	Camera System / Library	10,320.00
AFLAC	Premiums	1,244.16
Alltel	Cellphone Service	29.40
B & D Office City	Office Supplies	202.48
Caraway, Robert	Electric Rebate	1,025.00
Card Center / Orscheln	Supplies	5.74
Central Garage Fund	Maint. / Repairs	3,079.65
Central Community College	Tuition / Bill Brecks	372.00
Dawson County Surveyor	Survey	214.00
EDM Equipment Company	Central Garage Supplies	134.58
Eilers Machine & Welding	Central Garage Supplies	53.60
Electric Fixture	Electric Supplies	383.52
Fastenal	WWTP Supplies	163.91
Gaylord Bros, Inc.	Library Supplies	37.38
Guerrero, Jose	Electric Rebate	900.00
H2O Technical Services, Inc.	Ferric Chloride	5,581.95
Hach Company	WWTP / Testing Supplies	276.00
Health Claims Fund	Claims	10,639.86
Husker Ag Sales	Parks Supplies	140.49
Ingram Library Services	Books	67.16
Karr, Bill	Electric Rebate	1,025.00
League of Nebraska Municipalities	2006 Midwinter Conf.	1,750.00
Lexington Animal Clinic	Animal Care	183.25
Lexington Newspapers, Inc.	Publications	508.18
Lexington True Value	Supplies	2.31
Marriott Hotels & Resorts	Conference / Seminars	728.00
Michael Todd & Co., Inc.	Fire Dept. Supplies	389.55
Micro-Marketing, LLC	Book	15.50

Naumann, Sondra	Cleaning Service	66.00
Nebraska Department of Revenue	Sales & Use Tax	38,810.18
Nebraska Safety Council	Membership Dues	275.00
Nebraska Transport	Library / Freight	68.70
Platte Valley Communications	Maint. / Repair	87.00
Random House Direct	Book	24.90
Random House, Inc.	Books	160.65
Recorded Books	Books	111.60
Rockmount Research & Alloys Inc	Central Garage Supplies	197.50
St. John, Paul	Electric Rebate	425.00
S & W Auto Parts, Inc.	Central Garage Supplies	706.08
Service Master Mid Nebraska	Cleaning Service	65.00
Sewer Equipment Co. of America	Central Garage Supplies	238.42
Steve's Lock & Key	Repair	226.00
Team Detail & Quicklube	Car Wash	30.99
Terryberry	Awards Banquet Supplies	84.04
TierOne-City Petty Cash	Petty Cash / Misc. Exp	47.86
TierOne-Lib. Petty Cash	Postage	16.02
Universal Inspections LTD	Equipment Maintenance	1,280.00
U-Save Business Equipment	Office Supplies	19.26
Wal-Mart	Misc. Supplies	40.46
Wesco Distribution, Inc.	Electric Supplies	587.88
	TOTAL:	986,410.04

**PUBLIC COMMENT PERIOD:**

Mrs. Audrey Albright, 1406 N. Washington, addressed the City Council regarding a fence issue with the neighbors to the south of her property. Council, again, reiterated that this is a civil matter, and that she should contact her neighbor to settle the dispute.

**REZONING REQUEST:**

Mayor Cook opened the Public Hearing. Mr. Bob Heinz, General Manager for Dawson Public Power District, requested approval of a zoning change from A-1 to M-1, on their property located at the corner of Highway 283 and Road 433, Lexington, Nebraska. Following discussion, Mayor Cook closed the Public Hearing.

**ORDINANCE:**

An Ordinance entitled “AN ORDINANCE TO REZONE A TRACT OF LAND IN THE EAST ONE-HALF OF SECTION 30, TOWNSHIP 9 NORTH, RANGE 21 WEST OF THE 6<sup>TH</sup> P.M., DAWSON COUNTY NEBRASKA, FROM A-1 AGRICULTURAL, TO M-1 LIGHT INDUSTRIAL DISTRICT; TO REPEAL ALL ORDINANCES OR SECTIONS OR ORDINANCES IN CONFLICT HEREWITH; 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. 2209 on Final Reading. Roll call. Voting “aye” were Tomasek, Bennett, Miller, Fagot, Cook. Motion carried.

**ONE AND SIX YEAR STREET IMPROVEMENT PLAN:** Dana Daniels, representing Miller and Associates, presented the One and Six Year Street Improvement Plan to the City Council. Following discussion, Council directed the One and Six Year Street Improvement Plan be amended, and presented for consideration at the next regular meeting.

**APPOINTMENTS:** Peplitsch requested Council's ratification of Jeff Wightman'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 Bennett, Tomasek, Miller, Fagot, 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