

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, March 14, 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, and Steve Tomasek. City Officials present were City Manager Joe Peplitsch and City Attorney Will Weinhold.

NOTICE: Notice of the meeting was given in advance, thereof by posting in five public places, a designated method for giving notice, as shown by the Affidavit of Posting 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 – 02-14-06: Minutes of the Regular Meeting scheduled for Tuesday, February 28, 2006 was presented for Council’s consideration and approval. Moved by Fagot, seconded by Tomasek, to approve the minutes as presented. Roll call. Voting “aye” were Bennett, Tomasek, Fagot, Cook. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,112,402.00 were presented for Council’s consideration and approval. Upon review of the Claims and bills as listed, moved by Bennett, seconded by Fagot, to approve the Claims as listed, and authorize the City Treasurer to transfer \$159,071.98 from the General Fund, \$37,807.00 from the TIF Fund, \$4,166.67 from Ed Reuse, \$813,602.38 from LEXUS, \$10,000.00 from Sanitation, \$1,299.16 from Ambulance Fund, \$77,877.85 from Health Fund, \$8,576.96 from Meals on Wheels, to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Tomasek, Fagot, Bennett, Cook. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
March 14, 2006

CITY OF LEXINGTON

ACCOUNTS PAYABLE

March 14, 2006

All Points Cooperative	Fuel / Propane	241.22
Alltel	Cell phone Service	92.12
Anderson Graphics	Library Supplies	38.50
Annie's Attic Books	Books	28.92
Arnold Pool Company	WWTP Supplies	107.45
Automotive Sales & Service Co., Inc.	Central Garage Supplies	65.22

B & D Office City	Office Supplies	5.87
B & M Cleaning Service	Supplies	320.00
Barmore Drug Store, Inc.	Electric Supplies	2.66
Berntson Oil	Fuel	4,668.00
Business & Professional Credit	Collection Fees	180.09
Card Center/Orscheln	Supplies	270.78
Cash-Wa Distributing	Food & Supplies	353.54
Central Garage Fund	Maint. / Repairs / Fuel	9,203.18
Central Valley Irrigation Co.	Water Tap Refund	416.00
Corporate Benefit Services of America	Premium	18,071.44
Culligan Water Conditioning, Co.	Soft Water Supplies	179.20
D & R Computing	Ambulance Supplies	155.13
Dan's Sanitation	Sanitation Fees	10,875.67
Dawson County Clerk	Dispatch Fees	6,804.08
Dawson County Public Power	Power Purchase	6,038.80
Dell Marketing L. P.	Computers / Monitors	4,162.92
Depository Trust Co.	2002 & 2004 Combined Utility Bond Interest	91,178.75
Dept. of Correctional Services	Street Supplies	600.00
Designer Craft Woodworking	Supplies	87.50
Eakes Office Products	Office Supplies	39.52
Electric Fixture	Supplies	825.51
EMS Billing Services, Inc.	Ambulance Fees	675.38
Fagot Refrigeration & Electric	Maintenance / Repairs	329.95
Family Eyewear	Safety Glasses	160.00
Follett Software Co.	Library Supplies	99.00
FYR-TEK	Fire Dept. Supplies	145.00
Galls, Inc.	Supplies	23.85
Great Plains One-Call Service	Locates	34.45
Health & Human Services Regulation & Licensure	Fees	40.00
Health Claims Fund	Claims	75,826.47
Hernandez, Sarah	Conference / Seminars	7.00
Hipp Wholesale Foods, Inc.	Food & Supplies	1,128.17
Hometown Brand Center	Appliance / Library	529.99
Hometown Leasing	Copier Lease	152.44
Hydraulic Equipment Service	Repairs	312.48
Ingram Library Services	Books	167.38
Island Supply Company, The	Trailer	8,690.00
Jones Plumbing & Heating	Maintenance / Supplies	264.71
K Lawn	Lawn Care	186.62
Kemps-Gillette	Beverages	230.46
Kinder Morgan	Gas Service	22,132.85
Lexington Animal Clinic	Animal Care	178.80
Lexington Area Solid Waste	Landfill	674.28
Lexington Health Fund	Self-funding	31,780.85

Lexington Newspapers, Inc.	Publications	615.27
Lexington Postmaster	Postage	150.00
Lexington True Value	Supplies	3.99
Lexington, City of	Franchise / Service Fees	37,768.00

Lexington City Payroll Account

Payroll	Wages	91,310.93
Social Security	Employer Portion / FICA Med	6,756.14
First National Bank	Employer Portion / Pension	3,385.56
First National Bank	Police Pension	1,251.45
ICMA	City Manager Pension	238.80
		102,942.88

Linden's Plumbing	WWTP Service	345.00
Linweld	Ambulance Supplies	113.14
Marlin Leasing Corp.	Mail Machine Payment	570.16
Martin Electric	Fire Dept. Supplies	18.10
McNett, Julie	Conference / Seminars	225.60
Mead/Big Valley Lumber	Supplies	85.91
Mead Rental Center	Supplies	146.35
Metalmasters Automated	Police Dept. Supplies	218.24
Mid-Nebraska Printing	Office Supplies	27.80
Mid-State Units	Rental	120.00
Miller & Associates	Pro. Service / WWTP	11,551.80
Mr. Automotive	Central Garage Supplies	31.68
Municipal Supply	Supplies	177.76
National Seminars Group	Book	225.77
National Waterworks	Supplies / Meters	4,867.18
Nebraska Dept. of Economic Development	Mid Plains CDBG Loan Payment	4,166.67
Nebraska Public Power District	Power Purchase	534,244.84
Nebraska Tech & Telecomm, Inc.	Telephone Service	1,242.30
Nelson, Margie L.	Cleaning Service	500.00
Neopost	Postage	1,500.00
Omnigraphics, Inc.	Books	57.78
Overton Sand & Gravel	Gravel	125.82
Paulsen, Inc.	Concrete	216.68
Platte Valley Communications	Maintenance / Repairs	235.84
Plum Creek Cleaners	Cleaning Service	92.00
Price's Tree Service	Trim / Remove Trees / Parks	1,160.00
Reams Sprinkler Supply Co.	Street / Park Supplies	390.44
S & W Auto Parts, Inc.	Central Garage Supplies	529.20
Sav A Lot Discount Foods	Food	250.24
Stobbe Welding	WWTP Supplies	2,076.00
T. L. Sund Constructors, Inc.	Boring / Ethanol Plant	1,696.00

TASC	Flex Plan	15.00
Taste of Home	Book	23.98
TierOne-Lib. Petty Cash	Petty Cash/Postage	25.87
Tri-County Hospital	Wellness / Service	541.00
TSM Cleaning / Sophie Sarratt	Cleaning Service	832.00
U-Save Business Equipment	Office Supplies	142.11
Wal-Mart	Supplies	613.86
Water Environment Federation	Fees	52.00
Wesco Distribution, Inc.	Electric Supplies	1,250.00
Willard Weinhold Law Office	Fees	1,302.50
Wolf, Tracy	Conference / Dues	17.50

SUBTOTAL: 1,012,286.46

ADDED CLAIMS

All Points Cooperative	Fuel	45.51
Alltel	Cell phone Service	52.14
B & D Office City	Office Supplies	18.45
Barraza-Sota, Eloy	Electric Rebate	1,025.00
Benefit Consultants Group	Fire Dept. Pension Fees	500.00
Bob's Auto Repair & Service	Repair	133.23
Community Redevelopment Authority	TIF Payments to CRA	37,807.00
Computer Gaming World	Subscription	29.97
Consolidated Plastics Company, Inc.	Fire Dept. Supplies	405.24
Consumer Guide	Subscription	99.00
Dan's Sanitation	Sanitation Fees	1,404.00
Dawson County Public Power Dist.	Power Purchase	177.99
Fireguard, Inc.	Fire Dept. Equipment	6,762.38
Flores, Domingo	Electric Rebate	1,025.00
Flynn, Jeff	Boots	50.50
Health Claims Fund	Claims	2,036.38
Husker Ag Sales	Parks Equipment / Mower	9,000.00
Ingram Library Services	Books	52.66
Jones Plumbing & Heating	Repair	88.80
League of Nebraska Municipalities	Electric Dept. / 2006 Workshop	370.00
Lexington Newspapers, Inc.	Publications	242.82
Menards-Kearney	Park Supplies	407.24
Mick's Platte Valley Glass	WWTP Supplies	10.00
Mid-Nebraska Food Bank	Food & Supplies	35.40
Montoya, Gabriel	Electric Rebate	1,025.00
Nebraska Association of Senior Centers	Registration Fee / Dues	70.00
Nebraska Department of Revenue	Sales & Use Tax	34,515.69

Paulsen, Inc.	Concrete	71.16
QPR (United States)	Road Repair Material	283.59
Sav A Lot Discount Foods	Food	54.43
Thomas Bouregy & Company, Inc.	Books	138.50
TierOne-City Petty Cash	Petty Cash / Misc. Expense	16.38
TierOne-Lib. Petty Cash	Postage	9.39
U-Save Business Equipment	Office Supplies	37.44
Wal-Mart	Supplies	198.75
Wesco Distribution, Inc.	Electric Supplies	1,916.50

TOTAL ADDED CLAIMS: 100,115.54

SUBTOTAL CLAIMS: 1,112,402.00

ADDED PAY ESTIMATES

Subtotal 0.00

GRAND TOTAL: 1,112,402.00

PUBLIC COMMENT PERIOD:

There were no public comments.

RESOLUTION:

Pepplichtsch requested approval of a resolution directing the sale of property to the Council for Economic Development. Following discussion, Resolution No. 06-08 was read. Moved by Fagot, seconded by Bennett to approve Resolution No. 06-08. Roll Call. Voting "aye" were Tomasek, Bennett, Fagot, Cook. Motion carried.

RESOLUTION NO. 06-08

WHEREAS, the City has by Ordinance No. 2208 approved the sale of the following described real estate owned by the City, to -wit:

Lots 12, 13, and 14, Block 14, John L. May's Addition to the City of Lexington, Dawson County, Nebraska;

WHEREAS, Notice of such Ordinance has been duly published and the time for remonstrance has passed, and no petition against such sale has been filed.

BE IT THEREFORE RESOLVED by the Council and President of the Council of the City of Lexington, Nebraska, that Ted Cook, as President of the Council is hereby directed and authorized on behalf of the City to execute a deed conveying the above described property to COUNCIL FOR ECONOMIC DEVELOPMENT, the purchaser thereof.

PASSED AND APPROVED this 14th day of March, 2006.
CITY OF LEXINGTON, NEBRASKA

Ted Cook, Mayor

ATTEST:

Joe Peplitsch, City Clerk

RESOLUTION:

Peplitsch requested approval of a resolution authorizing a cquisition of property by the CRA for redevelopment purposes. Following discussion, Resolution No. 06-09 was read. Moved by Tomasek, seconded by Fagot to approve Resolution No. 06-09. Roll call. Voting “aye” were Bennett, Fagot, Tomasek, Cook. Motion Carried.

RESOLUTION 06-09

RESOLUTION OF THE CITY OF LEXINGTON FINDING THAT THE ACQUISITION AND DEVELOPMENT OF UNDEVELOPED AND VACANT LAND IS ESSENTIAL TO THE PROPER CLEARANCE AND REDEVELOPMENT OF SUBSTANDARD AND BLIGHTED AREAS AND IS A NECESSARY PART OF THE GENERAL COMMUNITY REDEVELOPMENT PROGRAM AND AUTHORIZING THE ACQUISITION OF THE SAME BY THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA.

WHEREAS, Section 18-2123 R.R.S provides that a Redevelopment Authority may acquire undeveloped land when the same is essential to the proper clearance or redevelopment of a substandard or blighted area; and

WHEREAS, the governing body of the City of Lexington has determined that the property described herein is necessary for the proper clearance and redevelopment of substandard and blighted areas within the City of Lexington; and

WHEREAS, the governing body determines that the acquisition of such an area is beneficial to the removal of blight and substandard conditions in redevelopment areas within the City; and

WHEREAS, the governing body has determined that it is in the best interests of the City and the Authority to acquire the real estate hereafter described;

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

Section 1. The governing body of the City finds that the following described lands are located within the limits of the City; that said lands are vacant and undeveloped; are essential to the proper clearance or redevelopment of substandard or blighted areas; and are a necessary part of the general community redevelopment program of the city, to wit:

The West 308.35 feet of the North 320 feet of Lot 23, and the South 135 feet of the North 320 feet of the East 32.4 feet of the West 340.75 feet of Lot 23, all in Tract "C" of the Subdivision of "B" and "C" of the Subdivision of the East Half of Section 6, Township 9 North, Range 21 West of the 6th P.M. and within the City of Lexington, Dawson County, Nebraska.

Section 2. The Community Redevelopment Authority of the City of Lexington is hereby authorized and directed to acquire and provide for the development and redevelopment of said lands according to the Community Development Law.

Passed and approved this 14th day of March, 2006.

CITY OF LEXINGTON, NEBRASKA.

Ted Cook, Mayor

ATTEST:

Joe Peplitsch, City Clerk

SALE OF PROPERTY:

Peplitsch requested Council approval to sell a 2.5 acre tract of property north of the Wastewater Treatment Facility. Peplitsch indicated this land would be used as truck staging for the ethanol facility. Following discussion, an Ordinance entitled "AN ORDINANCE DIRECTING THE SALE OF A TRACT OF LAND IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 9-9-21, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE" was read before the 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, Tomasek, Fagot, Cook. Motion carried.

Said Ordinance was again read by title. Moved by Fagot, seconded by Cook, to approve Ordinance No. 2211 on Final Reading. Roll call. Voting "aye" were Tomasek, Bennett, Fagot, Cook. Motion carried.

**ROUNDTABLE
DISCUSSION:**

Bennett inquired as to the status of the trail project. Peplitsch stated State is currently reviewing the consulting agreements, following State approval and Council approval the functional design can begin. Peplitsch requested a two member Council committee to work with Staff to formulate park improvement projects for the current fiscal year. Miller and Bennett will work on the project.

ADJOURNMENT:

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

Ted Cook
Mayor

Joe Peplitsch
City Clerk

I, the undersigned 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.

City Clerk