

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, October 9, 2007, at the Lexington Municipal Building, located at 406 E. 7th Street, Lexington, Nebraska at 5:30 p.m. Members of the Council present were Mayor John Fagot, Steve Tomasek, John Salem, Linda Miller and Joni Bennett. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Will Weinhold, Finance Director Barb Mills, and Deputy City Clerk Pam Berke. Members of the press included Harry Perkins of Kearney Hub and Malena Ward of the Clipper-Herald. John Saathoff, Todd Booth, Dave Smith, and John Wightman were also in attendance.

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 John Fagot. Fagot 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 9-25-07 Minutes of the Regular meeting held Tuesday, September 25, 2007, were presented for Council approval. Moved by Tomasek, seconded by Miller, to approve Minutes as presented. Roll Call. Voting “aye” were Salem, Bennett, Miller, Tomasek, Fagot. Motion Carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,384,791.64 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Miller, seconded by Tomasek, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$238,418.90 from the General Fund, \$30,000.00 from Housing Reuse, \$1,078,096.50 from LEXUS, \$10,000.00 from Sanitation, \$8,873.27 from Ambulance Fund, \$16,164.09 from Health Fund, and \$3,238.88 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Salem, Bennett, Tomasek, Miller, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
October 9, 2007

All Points Cooperative	Weed Killer	1,315.50
Audio Editions	Books	331.68
Axis Capital	Mail Machine Payment	527.37
B & D Office City	Office Supplies	57.64
Barco Municipal Products	WR Supplies	383.31
Barmore Drug Store, Inc.	Office Supplies	106.99
Beringer Ciaccio Dennell Mabrey	GGC Architect	122.98
Bottom Line/Health	Subscription	29.95
Business Professional Credit Management	Collection Fees	69.91
Card Center/Orscheln	Supplies	259.99

Cash-Wa Distributing	Food/Supplies	1,002.51
Central Garage Fund	Repairs/Service/Fuel	13,999.15
Community Redevelopment Authority	CED Addition Lots 8-12	30,000.00
Corporate Benefit Services of America	Premium	15,872.57
Dan's Sanitation	Sanitation Fees	11,119.00
Davis Energy, Inc.	Fuel/Supplies	4,917.19
Dawson Area Development	Dues/CDBG-GGC	17,680.00
Dawson County Handibus	Transportation	14.00
Dawson Pest Control	GGC Service	27.00
Delta Dental of Nebraska	Premium	1,045.60
Depository Trust Co.	2004 GO Bond Payments	85,001.25
Diamond Vogel Paint	Park Supplies	198.69
Dugan Business Forms	Office Supplies	222.58
Eakes Office Plus	Library Supplies	262.93
EDM Equipment Company	Central Garage Supplies	317.66
Eilers Machine & Welding	Central Garage Supplies	56.80
Electric Fixture	EL/ST Supplies	771.00
Electric Pump	WWTP Supplies	3,316.12
EMS Billing Services, Inc.	Ambulance Service	2,696.38
Experience Works, Inc.	GGC Donation	250.00
Fagot Refrigeration & Electric	WWTP/Rec/Pool/Service	1,576.65
Farmer Brothers Coffee	Food & Supplies	103.54
Fastenal	Central Garage Supplies	85.50
Five Star Flooring	Supplies	5.99
Flowers of Joy	Office Supplies	46.00
FYR-TEK	Fire Dept. Supplies	1,014.50
Gale Group, The	Books	321.87
Galls, Inc.	Police Dept. Supplies	50.14
Gengenbach, Kevin	Rental	165.00
Great Plains One-Call Service	Locates	143.82
Hach Company	WWTP Supplies	157.85
HD Supply Waterworks	WR Supplies	646.68
Health Claims Fund	Claims	15,993.89
Heartland Clerks Association	Membership Dues	10.00
Heartland Scuba Center	Ambulance Supplies	94.50
Holbein, Dahlas D.	Lawn Care	55.00
Holmes Plbg & Htg Supply Co.	WR Supplies	10.00
Hometown Leasing	Copier Payments	561.94
Husker Ag Sales	WWTP Supplies	71.99
Ingram Library Services	Books	1,245.18
Jones Plumbing & Heating	WR/WWTP/ELSupplies/Repairs	276.04
Kirkham Michael	Pro. Service/Rural Viaduct Study	3,600.00
League of Nebraska Municipalities	Conference/Seminars	993.00
Lexington Animal Clinic	Animal Care	767.69
Lexington Area Chamber of Commerce	Membership Dues	4,090.00
Lexington Area Solid Waste Agency	Landfill	959.40
Lexington Boy Scouts Troop 88	Recycling	10.25
Lexington Boy Scouts Troop 144	Recycling	10.25
Lexington Girl Scouts	Recycling	20.50
Lexington Health Fund	Self-funding	29,728.23
Lexington Newspapers, Inc.	Publications	370.95
Lexington Postmaster	Postage	150.00
Lexington True Value	Cemetery/Fire Supplies	23.22
Lexington Volunteer Fire Dept.	Ambulance Fees	4,210.04
Lexington, City of	Franchise Fees	16.16
Linden's Plumbing	Library Service	35.00
McCookNet Internet Service	Service	139.00

McCormack Distributing Co., Inc.	Meals On Wheels Supplies	31.84
Mead Lumber & Rental-Lexington	ST/Central Garage Supplies	5.28
Michael Todd & Co., Inc.	WR/ST Supplies	264.87
Mid-Nebraska Printing	GGC Copies/Library Supplies	291.63
Moore Medical Corp.	Ambulance Supplies	1,125.66
National Imprint Corp.	Police Supplies	276.98
Nebraska Public Power District	O&M/Service	81,400.00
Nebraska Public Power District	Power Purchase	819,297.35
Nebraska Waste Handlers	Sludge Removal	6,080.90
Nelson, Margie L.	Cleaning Service	500.00
Neopost	Postage	1,500.00
Overton Sand & Gravel	Gravel	1,245.01
Platte Valley Auto Mart	Central Garage Supplies	13.57
Platte Valley Communications	Repairs/Maint./New Siren	13,031.86
Plum Creek Auto Spa	Car Wash	19.50
Plum Creek Bank	NW Improvements Payment	52,199.46
Plum Creek Cleaners	Supplies	93.00
Plum Creek Market Place	Food	27.50
Plum Creek Promotions	Shirts	1,695.54
Random House, Inc.	Book	51.00
Reiman Publications	Subscription	14.97
Roberts Dairy Company	Beverages	98.26
S & W Auto Parts, Inc.	Police/Central Garage Supplies	644.38
Service Master Mid Nebraska	Cleaning Service	807.50
Sign Pro	Police Supplies	170.00
Subway Sandwiches & Salads	Food	20.62
Sund, Dennis	Boots	16.39
T. L. Sund Constructors, Inc.	Price's Trailer Ct/Commerce Lights	3,709.47
T. O. Haas Tire Co., Inc.	Tires/Repair	77.45
TASC	Premium	170.20
Technical Maintenance & Service	WWTP Service/Maintenance	2,312.40
Thompson Co., The	Food & Supplies	613.25
TierOne-Lib. Petty Cash	Postage	33.35
Total Lawn Care	Lawn Care	2,550.00
Tri-City Tribune	Publications	75.00
Tri-County Hospital	Wellness/Ambulance Supplies	356.00
Univar USA, Inc.	Ferric Chloride	6,118.44
Utility Equipment	WR Supplies	86.78
Wal-Mart	Supplies	311.15
Ward Laboratories	Lab Tests	24.00
Weathercraft Companies	EL Building Roof	16,422.23
Willard Weinhold Law Office	Fees	1,575.00
Winter Equipment Company	Central Garage Supplies	2,025.91
Alltel	Cellphone Service	145.69
B & D Office City	Office Supplies	36.98
Bennett, Curt	Electric Rebate	1,025.00
Business Card	Conference/WR/WWTP Supplies	465.71
Card Center/Orscheln	WWTP Supplies	28.99
Corpro Waterworks	WR Service	1,150.00
Crafts 'N Things	Subscription	21.97
Culligan Water Conditioning Co.	Soft Water Supplies	153.96
Dawson County Public Power	Power Purchase	8,862.85
Eakes Office Plus	Library Supplies	1.00
Faudoa, Pedro	Electric Rebate	125.00
Fisher Scientific	WWTP Supplies	207.86
Friends of Seward Library	Library Supplies	5.00
Husker Ag Sales	WWTP Supplies	61.72

Kinder Morgan	Gas Service	101.72
Lexington, City of	Monthly Chgs.	47,693.48
Mid-Nebraska Food Bank	Food & Supplies	92.11
Mid-Nebraska Printing	Office Supplies	165.50
Moore, Thane	Electric Rebate	125.00
Naumann, Sondra	Cleaning Service	192.00
Nebraska Department of Labor	Unemployment	1,959.75
Nebraska Department of Revenue	Sales & Use Tax	41,663.47
Ortega, Jesus	Electric Rebate	1,025.00
Paulsen, Inc.	Concrete	466.64
Plum Creek Cleaners	Supplies	91.50
Roberts Dairy Company	Beverages	98.37
Thompson Co., The	Food & Supplies	661.03
Thomsen, Kathleen	Conference/Seminars	143.56
TierOne-City Petty Cash	Postage/Food/Testing Supplies	19.94
TierOne-Lib. Petty Cash	Postage	22.12
Tyler Technologies	New Financial Mgt. Software	814.00
Wal-Mart	Supplies	45.50
	SUBTOTAL CLAIMS:	1,384,791.64

ORDINANCE:

Burnside reviewed a draft ordinance regarding regulation of street vendors with suggested changes made at the previous meeting. A draft resolution setting license fees was also presented. Following discussion, Staff was directed to make amendments to the ordinance for future consideration.

SUBDIVISION:

John Wightman, representing Kenneth and Angelina Beans, requested Council approval of a subdivision plat. He explained that the Beans are in the process of selling the subject property and are requesting a subdivision. Dave Smith, representing the purchasers, reviewed preliminary plans for the subdivision. Following discussion, Resolution 07-32 was read. Moved by Salem, seconded by Tomasek, to approve Resolution 07-32.

RESOLUTION NO. 07-32

AUTO HAUS ADDITION

BE IT RESOLVED BY THE PRESIDENT OF THE COUNCIL AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, AS FOLLOWS:

The plat of AUTO HAUS ADDITION to the City of Lexington, Dawson County, Nebraska, duly made out, acknowledged and certified, and the same hereby is approved, accepted and ordered filed and recorded in the office of the Register of Deeds of Dawson County, Nebraska.

PASSED AND APPROVED this 9th day of October, 2007.

CITY OF LEXINGTON, NEBRASKA

BY: John Fagot, President of the Council

ATTEST: Pamela Berke, Deputy City Clerk

SUBDIVISION AGREEMENT:

Peplitsch requested Council approval of a subdivision agreement for the Auto Haus Addition. Following discussion, moved by Miller, seconded by Salem, to approve subdivision agreement for the Auto Haus Addition. Roll call. Voting "aye" were Tomasek, Bennett, Salem, Miller, Fagot. Motion carried.

**CONSERVATION
EASEMENT:**

Council reviewed a request by the Central Platte NRD that a proposed conservation easement for property within the City's zoning jurisdiction be forwarded to the Planning Commission for review and comment. Moved by Tomasek, seconded by Bennett, to direct the issue to the Planning Commission for review and comment at their next regular meeting. Roll call. Voting "aye" were Salem, Miller, Bennett, Tomasek, Fagot. Motion carried.

MASTER TRAIL PLAN:

Peplitsch presented a proposed master trail plan as recommended by the Park Improvement Committee and Staff. The plan includes a general route map and a 20-year capital plan for a community trail system. The intent of the master plan is to provide a guide for future project planning. Following discussion, moved by Miller, seconded by Salem, to approve a capital plan for a community trail system as presented. Roll call. Voting "aye" were Tomasek, Bennett, Salem, Miller, Fagot. Motion carried.

ROUNDTABLE:

Peplitsch advised that a revised land purchase agreement was received from LASWA and the issue will be on the next agenda. He reported on progress of the property maintenance inspection program.

Burnside reminded Council of the Rural Viaduct Study open house on Thursday, October 11, 2207, from 5-7 pm at the Grand Generation Center.

ADJOURNMENT:

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

John Fagot
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