

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, January 8, 2008, 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, 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 Pamela Berke. The press was represented by the Lexington Clipper-Herald and Kearney Hub. Also present were Ella Herrarte-Monterroso and Connie Bennett.

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 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 12-27-07 Minutes of the Regular meeting held Thursday, December 27, 2007, were presented for Council approval. Moved by Tomasek, seconded by Salem, to approve Minutes as presented. Roll Call. Voting “aye” were Bennett, Salem, Tomasek, Fagot. Motion Carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,346,436.87 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Bennett, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$271,675.10 from the General Fund, \$8,333.34 from ED Reuse, \$28,080.41 from Housing Reuse, \$951,831.79 from LEXUS, \$10,000.00 from Sanitation, \$4,250.79 from Ambulance Fund, \$68,867.38 from Health Fund, and \$3,398.06 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Tomasek, Bennett, Salem, Fagot. Motion carried.

**CITY OF LEXINGTON
ACCOUNTS PAYABLE
January 8, 2008**

Alamar Uniform Co.	Uniform Expense	142.33
All Points Cooperative	WWTP Supplies	160.00
Awards Plus	Police Dept. Supplies	39.75
Axis Capital	Mail Machine Payment	527.37
Brody Chemical	ST Supplies	202.92
Business Card	Office Supplies	303.48
Business Professional Credit Management	Collection Fees	208.95
Card Center/Orscheln	WWTP Supplies	161.99
Case Credit Advantage	WWTP Service	94.56
CCP Industries, Inc.	WWTP Supplies	351.38
Concrete Workers, Inc.	15th ST Improvements	45,708.90
Dan's Sanitation	Sanitation Fees	10,000.00

Davis Energy, Inc.	Fuel	4,399.47
Dawson Area Development	Able Housing Project	28,080.41
Dawson County Handibus	Transportation	24.00
Dawson County Historical Society	WR Line-Museum Expansion	32,253.53
Delta Dental of Nebraska	Premium	1,209.30
Demco	Library Supplies	139.98
Dutton-Lainson Company	St. Lights-Memorial Park	1,473.45
Eakes Office Plus	Library Supplies	482.11
Ecolab	WWTP Supplies	1,687.87
Egan Supply Company	Cleaning Supplies	114.06
Eustis Body Shop	Tow	115.00
FC&A	Book	34.45
Fagot Refrigeration & Electric	WWTP Service	344.00
Fisher Scientific	WWTP Supplies	105.61
FYR-TEK	Fire Dept. Supplies	686.99
Gale Group, The	Books	66.86
Hach Company	WWTP Supplies	438.60
Health Claims Fund	Claims	66,546.62
Hometown Leasing	Copier Payments	561.94
Ingram Library Services	Books	300.01
Jones Plumbing & Heating	WWTP Service/Repair	1,720.00
Kearney Hub	Publications	353.04
Kratzer Electric, Inc.	PK/ST Repair	879.80
KRVN - FM	Service Announcements	567.00
League of Nebraska Municipalities	Conference/Seminars	100.00
Lexington Animal Clinic	Animal Care	642.80
Lexington Area Solid Waste Agency	Landfill	309.60
Lexington Boy Scouts Troop 88	Recycling	16.12
Lexington Boy Scouts Troop 144	Recycling	16.13
Lexington Girl Scouts	Recycling	32.25
Lexington Health Fund	Self-funding	32,192.51
Lexington Newspapers, Inc.	Publications	252.63
Lexington Postmaster	Postage	150.00
Lexington, City of	Franchise/Service Fees	47,753.43
Payroll	Wages	90,222.48
Social Security	Employer Portion / FICA Med	6,693.91
First National Bank	Employer Portion / Pension	3,001.21
First National Bank	Police Pension	1,463.83
ICMA	City Manager Pension	413.07
Lincoln Journal Star	Subscription	154.70
Marshall Cavendish Corporation	Books	208.63
McCookNet Internet Service	Service	139.00
Mead Lumber & Rental-Lexington	GGC Supplies	1.99
Meritain Health	Premium	17,322.69
Mid-State Units	Rental	240.00
Miller & Associates	13th ST Reconstruction	2,523.80
Municipal Supply	WR Supplies	91.56
Nebr. Conf Bldg Officials & Inspectors	Conference/Membership	265.00
Nebraska Machinery	Central Garage Supplies	76.39
Nebraska Public Power District	O&M	75,000.00
Nebraska Public Power District	Add SCADA to Kugler Substation	35,491.98
Nebraska Public Power District	Kugler Substation Conversion	50,000.00
Nebraska Public Power District	Power Purchase	607,563.61
Nelson, Margie L.	Cleaning Service	500.00
Oxbow Construction	Demolition-DeBruce	21,276.74
Peak Interest	Food	47.97
Platte Valley Communications	Repairs/Maint.	1,443.61

Plum Creek Market Place	Food	6.41
Plum Creek Motors	Repair	602.50
Run-N-Iron	Police Dept. Supplies	3,824.00
S & W Auto Parts, Inc.	WWTP Supplies	8.64
Service Master Mid Nebraska	Cleaning Service	752.00
SourceGas, Inc.	Gas Service	4,648.68
Stryker Sales Corporation	Ambulance Supplies	471.00
TASC	Premium	170.20
TierOne-Lib. Petty Cash	Postage	22.10
Travelers	Premium	154.00
Tri-City Tribune	Publications	204.00
U-Save Business Equipment	Office Supplies	153.04
Upstart	Library Supplies	20.85
Utility Equipment	WR Supplies	35.56
Value Line Publishing, Inc.	Subscription	798.00
Wal-Mart	Supplies	197.71
Ziebell, Don	Awards Banquet	50.00
All Points Cooperative	Fuel	164.84
Alltel	Cellphones	174.76
Anderson Graphics	Library Service	26.25
B&D Office City	Office Supplies	174.40
Business Card	Office Supplies	152.52
Business Professional Credit Management	Collection Fees	229.79
Cash-Wa Distributing	Food & Supplies	996.68
Central Garage Fund	Fuel	11,544.94
Culligan Water Conditioning Co.	Soft Water Supplies	167.21
DBSP, Inc.	Software	4,500.00
Dawson County Public Power	Power Purchase	7,132.34
Dawson County Register of Deeds	Filing Fees	15.50
Electronic Systems	Library Service	40.00
EMS Billing Services, Inc.	Ambulance Service	802.86
Galls, Inc.	Ambulance Supplies	370.98
Great Plains One-Call Service	Locates	33.62
Handi-Clean Products, Inc.	Cleaning Supplies	232.16
Health Claims Fund	Claims	2,150.56
Ingram Library Services	Books	61.97
Johnson Jewelry, Inc.	GGC Supplies	209.97
Jones Plumbing & Heating	GGC Service	106.00
Knapp Electric	WWTP Repair	769.01
Lexington Newspapers, Inc.	Publications	1,002.92
Lexington Volunteer Fire Dept.	Ambulance Fees	2,485.83
Linweld	Fire Dept. Supplies	37.48
Mid-Nebraska Food Bank	Food	54.42
Monter, Joel	Snow Removal	50.00
Naumann, Sondra	Cleaning Service	78.00
Nebraska Dept. of Economic Development	Mid Plains CDBG Payments	8,333.34
Nebraska Department of Revenue	Sales & Use Tax	38,763.42
Nebraska State Historical Society	Membership Dues	40.00
Nebraska Waste Handlers	Sludge Removal	5,329.00
Nelson, Margie L.	Cleaning Service	30.00
Neopost	Postage	1,500.00
Omaha World Herald	Subscription	189.28
Paulsen, Inc.	Concrete	166.00
Platte Valley Auto Mart	Repair	173.04
Plum Creek Bank	Wightman Land Payment	45,133.48
Razo, Manuel	Electric Rebate	1,025.00
Roberts Dairy Company	Beverages	240.18

Sign Pro	Fire Dept. Supplies	5.50
Terryberry	Service Awards	748.36
The Thompson Co.	Food	62.41
TierOne-City Petty Cash	Postage/Food/Fuel/Tire Repair	65.36
TierOne-Library Petty Cash	Postage	13.08
Tri-County Hospital	Wellness	187.00
U-Save Business Equipment	Office Supplies/Postage	414.39
Vet's Club Steakhouse	Awards Banquet	1,586.00
Wesco Distribution, Inc.	WR Supplies	171.20
Wal-Mart	Supplies	283.76
	TOTAL CLAIMS:	1,346,436.87

RESOLUTION:

Resolution No. 08-01 was read by title. Following discussion, moved by Salem, seconded by Bennett, to approve Resolution No. 08-01 as presented. Roll call. Voting "aye" were Tomasek, Bennett, Salem, Fagot. Motion carried.

RESOLUTION NO. 08-01

RESOLUTION OF THE CITY OF LEXINGTON ACCEPTING THE GIFT OF REAL ESTATE FROM THE HAROLD KIRKPATRICK FAMILY.

WHEREAS, the City of Lexington has received a deed from Nancy Wright, Gary Wright, Kathy Boldt and Gary Boldt, representing a gift on behalf of the Harold Kirkpatrick family of the following described real estate, to-wit:

Lot 5, Block 2, Replat of Kirkpatrick's Addition to the City of Lexington, Dawson County, Nebraska.

Lots 1 and 4 and all that part of Lots 2 and 3, not a part of the Replat of Kirkpatrick's Addition, all in Block 1, Kirkpatrick's Addition to the City of Lexington, Dawson County, Nebraska.

Lots 2 and 3, Block 2, Kirkpatrick's Addition to the City of Lexington, Dawson County, Nebraska.

All that part of Lots 1 and 4, Block 2, Kirkpatrick's Addition to the City of Lexington, Dawson County, Nebraska, lying west of the easterly boundary line of the land conveyed to Harold K. Kirkpatrick and Glenrose Kirkpatrick by the Dawson County Historical Society in the Corporation Corrective Quitclaim Deed recorded in Deed Book 130, Page 660.

All that part of Lot 5, in Tract "C" of the Subdivision of Section 5, in Township 9 North, Range 21, West of the 6th P.M., in the City of Lexington Dawson County, lying west of the easterly boundary line of the land conveyed to Harold K. Kirkpatrick and Glenrose Kirkpatrick by the Dawson County Historical Society in the Corporation Corrective Quitclaim Deed recorded in Deed Book 130, Page 660, except the North 420 feet thereof which was platted as a part of Kirkpatrick's Addition, and except the South 40 feet thereof condemned by the City of Lexington for a street as evidenced by the Report of Appraisers recorded in Miscellaneous Book 33, Page 760, and except that part which was platted as a part of Block 2, Replat of Kirkpatrick's Addition.

Lot 4, in Tract "C" of the Subdivision of Section 5, in Township 9 North, Range 21, West of the 6th P.M., in the City of Lexington Dawson County, except that part which was platted as a part of Block 1, Replat of Kirkpatrick's Addition,

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

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

That the gift of real estate from the Harold Kirkpatrick Family is hereby accepted, and that said real estate shall be dedicated to and used for park purposes in the City of Lexington, Nebraska;

Passed and approved this 8th day of January, 2008.

CITY OF LEXINGTON, NEBRASKA.

John Fagot, Mayor

ATTEST: Pamela Berke, Deputy City Clerk

RESOLUTION:

Resolution No. 08-02 was read by title. Following discussion, moved by Tomasek, seconded by Salem, to approve Resolution No. 08-02 as presented. Roll call. Voting "aye" were Bennett, Salem, Tomasek, Fagot. Motion carried.

RESOLUTION NO. 08-02

RESOLUTION OF THE CITY OF LEXINGTON ACCEPTING THE GIFT OF REAL ESTATE FROM M & H ENTERPRISES;

WHEREAS, the City of Lexington has received a deed from M & H Enterprises, representing a gift of the following described real estate, to-wit:

Lot 1, Block 2, Paulsen's First Addition to the City of Lexington, Dawson County, Nebraska;

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

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

That the gift of real estate M & H Enterprises is hereby accepted, and that said real estate shall be dedicated to and used for park purposes and other public purposes in the City of Lexington, Nebraska;

Passed and approved this 8th day of January, 2008.

CITY OF LEXINGTON, NEBRASKA.

John Fagot, Mayor

ATTEST: Pamela Berke, Deputy City Clerk

APPOINTMENTS:

Mayor Fagot requested Council's approval of Appointments to the following Boards and Commissions:

Library Board – Ella Herrarte-Monterroso
Housing Authority – Neal Kohl

Pepplitsch requested Council's approval of the reappointment of Jeff Wightman to the Community Redevelopment Authority. Moved by Tomasek, seconded by Bennett, to approve appointments to the various boards and commissions as presented. Roll call. Voting "aye" were Salem, Bennett, Tomasek, Fagot. Motion carried.

MEETING DATE:

Pepplitsch requested council consideration of planning session meeting date and time. Moved by Bennett, seconded by Tomasek, to schedule a planning session for Saturday, January 26, 2008, at 8 am. Roll call. Voting "aye" were Salem, Tomasek, Bennett, Fagot. Motion carried.

EXECUTIVE SESSION:

Finding that it is clearly necessary for the protection of the Public interest that a closed strategy session be held in regards to the purchase/sale of real estate, moved by Salem, seconded by Bennett to adjourn into closed executive session at 5:52 pm. Roll call. Voting "aye" were Tomasek, Bennett, Salem, Fagot. Motion carried. Mayor Fagot announced that the Council would go into Executive Session at 5:52 pm for a closed strategy session regarding purchase/sale of real estate.

Moved by Salem, seconded by Bennett, to adjourn Executive Session at 6:40 pm. Roll call. Voting "aye" were Tomasek, Bennett, Salem, Fagot. Motion carried.

ROUNDTABLE:

Pepplitsch requested that Council members forward any ideas to be included in the 2008 Development Action Plan draft. He reported that plans and specifications for the Northwest Detention cell will be presented at the next council for consideration.

Burnside noted he would not be at the planning session scheduled for January 26, 2008.

Weinhold wanted to formally thank Steve Smith for donated work on the title search related to the Kirkpatrick Family land donation.

Salem thanked the Employee Committee and city staff for another successful appreciation banquet on January 5, 2008.

ADJOURNMENT:

There being no further business to come before the Council, Mayor 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