

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Special Meeting of the Lexington City Council was held Thursday, September 10, 2009, at the Lexington Municipal Building, located at 406 E. 7th Street, Lexington, Nebraska at 6:00 p.m. Members of the Council present were Mayor John Fagot, Steve Tomasek, Linda Miller, and John Salem. Council member Joni Bennett was absent. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Will Weinhold and Deputy City Clerk Pamela Berke. The press was represented by Kearney Hub.

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.

BUDGET HEARING: Mayor Fagot opened a public hearing to consider the proposed 2009-2010 fiscal year budget. Peplitsch reviewed the proposed budget. Following discussion, the public hearing was closed.

RESTRICTED FUNDS: Peplitsch requested approval to increase the base of restricted funds by an additional 1%. Following discussion, moved by Miller, seconded by Tomasek, to increase the base of restricted funds by an additional 1% for FY 2010. Roll call. Voting "aye" were Salem, Tomasek, Miller, Fagot. Motion carried.

TAX REQUEST HEARING: Mayor Fagot opened a public hearing to consider setting the FY 2010 final tax request at a different amount than the prior year request. Following discussion, the public hearing was closed. Resolution 09-21 was read before Council. Moved by Salem, seconded by Tomasek, to approve Resolution 09-21. Roll call. Voting "aye" were Miller, Tomasek, Salem, Fagot. Motion carried.

RESOLUTION NO. 09-21

A RESOLUTION SETTING THE PROPERTY TAX REQUEST FOR FISCAL YEAR 2009-2010 AT A DIFFERENT AMOUNT THAN THE PRIOR YEAR REQUEST.

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the city of Lexington passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of the Municipality that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE, the Governing Body of the city of Lexington by a majority vote resolves that:

1. The 2009-2010 property tax request is set at \$831,934.00.
2. A copy of this resolution shall be certified and forwarded to the County Clerk prior to October 13, 2009.

PASSED AND APPROVED this 10th day of September 2009.

John Fagot, Mayor

ATTEST: Pamela Berke, Deputy City Clerk

APPROPRIATION ORDINANCE: An ordinance entitled "AN ORDINANCE TO ADOPT THE BUDGET STATEMENT FOR FISCAL YEAR 2009-2010. TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM" was read by title. Following discussion, moved by Salem, seconded by Miller, to suspend rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting "aye" were Tomasek, Miller, Salem, Fagot. Motion carried.

Ordinance No. 2267 was read by title. Moved by Salem, seconded by Miller, to approve Ordinance No. 2267 on final reading. Roll call. Voting "aye" were Tomasek, Miller, Salem, Fagot. Motion carried.

ROUNDTABLE: Peplitsch reviewed preliminary plans for a building to be located near the new soccer fields to house rest rooms, concessions, and a storage area. He stated that he would be meeting with the School District and would make a formal presentation to the Council at a later date.

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