

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, May 25, 2010, 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, Joni Bennett, and John Salem. Linda Miller was absent. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Will Weinhold, Finance Director Barb Mills, Building Inspector Bill Brecks and Deputy City Clerk Pamela Berke. The press was represented by the Lexington Clipper-Herald and the Kearney Hub. Also in attendance was Dana Daniels.

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 5-10-10 Minutes of the Regular meeting held Monday, May 10, 2010, were presented for Council approval. Moved by Tomasek, seconded by Bennett, to approve Minutes as presented. Roll Call. Voting “aye” were Salem, Bennett, Tomasek, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$620,220.36 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Bennett, seconded by Tomasek, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$196,188.95 from the General Fund, \$148,005.97 from TIF, \$163,545.62 from LEXUS, \$27,341.55 from Sanitation, \$6,824.04 from Ambulance Fund, \$75,204.98 from Health Fund, and \$3,109.25 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Salem, Tomasek, Bennett, Fagot. Motion carried.

**CITY OF LEXINGTON
ACCOUNTS PAYABLE
May 25, 2010**

AFLAC	Premium	1,114.18
Alamar Uniform Co.	Uniform Expense	31.44
American Red Cross	Lifeguarding Class	100.00
Associated Supply Company, Inc.	Aquatic Center Chemicals/Supplies	5,660.41
Baker & Taylor	Books	29.42
Barco Municipal Products, Inc.	ST Supplies	485.00
Bibliographical Center for Research	Subscription	24.28
Bound Tree Medical, LLC	Ambulance Supplies	6,536.29
Business Card	Conference/Supplies	606.99
Business Office Systems, Inc.	Lib / Police Supplies	36.61
Card Center/Orscheln	WR / ST / Lib Supplies	189.27

Case Credit Advantage	Central Garage Supplies	242.51
Cash-Wa Distributing	Food & Supplies	538.63
Central Garage Fund	Service / Repair	6,816.87
Community Redevelopment Authority	Lex Investors/CEL-TIF Pmts	125,154.21
Davis Energy, Inc.	Fuel / Oil	5,947.58
Dawson County Handibus	Transportation	48.00
Dell Marketing L P	Lib Computers	1,554.00
Demco	Lib Supplies	222.74
Diaz, Salomon	Yard Clean-up	260.00
Dos Mundos	Subscription	45.00
Downey Drilling, Inc.	PK / SW Supplies	546.00
Dugan Business Forms	Supplies	146.62
Dunrite, Inc.	PK Supplies	49.80
Eakes Office Plus	Lib Supplies	37.06
Ebsco Subscription Service	Subscription	24.45
Eilers Machine & Welding	Central Garage Supplies	24.70
Eustis Body Shop	Tow Charges / Repair	335.00
Fagot Refrigeration & Electric	WWTP Repair	60.00
Fireguard, Inc.	Fire Supplies	44.20
Flower's of Joy	Police Supplies	30.95
FYR-TEK	Fire Supplies	121.28
Fyrestick, Inc.	Fire Equipment	959.00
Gale Group, The	Books	69.46
Great Plains One-Call Service	Locates	80.26
Hawkins, Inc.	Aquatic Center Chemicals	273.45
Health Claims Fund	Claims	65,261.68
Holbein, Dahlas D.	Maint & Cleaning	1,000.00
IES Commercial, Inc.	Ball Field Light Repair	1,453.98
Ingram Library Services	Books	943.75
International Municipal Lawyers Assn	Membership Dues	480.00
Jim Phillips Const.	DCOC-Remove Pharmacy	1,200.00
Lexington Newspapers, Inc.	Publications	547.75
Lexington Recreation Program	Pool/Rec Start-Up/Umpire Fees	1,700.00
Lexington Truck & Auto, Inc.	Central Garage Supplies	30.00
Lexington, City of	Service Fees	54,857.75
Payroll	Wages	107,653.88
Social Security	Employer Portion / FICA Med	7,923.65
First National Bank	Employer Portion / Pension	3,359.26
First National Bank	Police Pension	1,596.87
ICMA	City Manager Pension	423.46
LexisNexis Matthew Bender	Book	121.46
Mead Lumber & Rental-Lexington	PK / Cem / Fire / ST Supplies	406.26
Mid-Nebraska Food Bank	Food & Supplies	72.02
Miller & Associates	Retainer Service / Bldg Insp	1,494.60
National Council on Aging	Membership Dues	145.00
Naumann, Sondra	Cleaning Service	196.00
Ne. Public Health Environmental Lab.	Water Testing	112.00
Nebraska Machinery	Central Garage Supplies	210.00
Neopost	Postage	1,500.00
Overton Community Center	Meals on Wheels	100.00
Oxmoor House	Book	26.91
Peak Interests, LLC	Food	44.78
Pettem, Silvia	Books	44.95
Plum Creek Market Place	Food	20.46
Plum Creek Promotions	Shirts	731.87
Presto-X	Lib Service	88.00
RDG Planning & Design	Downtown Revitalization Service	7,200.00

Roberts Dairy Company	Beverages	360.62
S & W Auto Parts	Fire / Central Garage Supplies	1,292.76
Security First Bank	Wilkinson Development-TIF Pmt	22,851.76
Service Master Mid Nebraska	GGC/Lib/Muni Bldg Cleaning Svc	4,741.00
Sign Pro	Signs	290.00
T. L. Sund Constructors, Inc.	Fire Repair	1,997.27
T. O. Haas Tire Co., Inc.	Repair / Tires	141.34
TASC	Fees	194.00
Taste of Home Books	Book	29.98
Thompson Company, The	Food & Supplies	935.17
TierOne-Lib. Petty Cash	Postage / Food	151.83
Tnemecc Company, Inc.	Aquatic Center Paint	1,169.95
Tyler Technologies	Training	240.00
U-Save Business Equipment	Supplies / Postage	382.87
Univar USA, Inc	Sulfuric Acid	3,217.20
VWR International LLC	Testing Supplies	234.68
Wal-Mart	Supplies	786.08
Warren-T Plumbing Services	WWTP / Line Repair & Replace	5,500.00
West Central Nebraska Development Dist	Annual Dues	4,000.00
Brecks, Bill	Conference	60.00
Buysm Sod	Sod	285.00
Card Center/Orscheln	WWTP Supplies	58.55
Cash-Wa Distributing	Food & Supplies	2,596.85
Coca Cola/Dr. Pepper Bottling of Kearney	Beverages	716.20
Dan's Sanitation	Sanitation Fees	27,341.55
Dodson, Pauline	EL Rebate	1,025.00
Fifth Street Automotive	Repair	116.90
H. O. Smith Co.	Land Purchase Cost	170.00
Health Claims Fund	Claims	8,635.12
Lau, Jan	Food	150.00
Lexington Newspapers, Inc.	Publications	42.93
Lexington Rural Fire Protection District	Building Pmt	25,634.55
Lexington, City of	Franchise	51,162.72
Lexington Utilities System	Utilities	30,361.10
Linweld	Ambulance Supplies	41.95
Mac's Short Stop	Food & Supplies	31.41
Mead Lumber & Rental-Lexington	WWTP Supplies	137.47
Meridian Library System	Conference	10.00
MicroMarketing, LLC	Books	247.40
Original Watermen	Swimsuits & Supplies	2,095.25
Plum Creek Motors	Repair / Maintenance	55.95
Plum Creek Promotions	Shirts	326.80
Rasmussen Mechanical Service, Inc.	Lib Service	384.00
Roberts Dairy Company	Beverages / Food	87.71
Rodale	Book	39.94
T. O. Haas Tire Co., Inc.	Repair	14.95
Team Detail & Quicklube	Car Washes	68.97
TierOne-City Petty Cash	Food/Postage/Conf/Fee/Registration	226.00
TierOne-Lib Petty Cash	Food	3.00
U-Save Business Equipment	ST Supplies	50.60
Verizon Wireless	Cellphone Service	133.98
	TOTAL CLAIMS:	620,220.36

CED SECOND ADDITION:

Mayor Fagot opened a Public Hearing to consider annexation of the CED Second Addition into the corporate limits of the City of Lexington. Peplitsch reviewed development plans for the area and noted that annexation was requested during the subdivision process. Following discussion, the public hearing was closed.

Mayor Fagot opened a Public Hearing to consider a rezoning application to change zoning from A-2 Urban Reserve to R-2 Residential District for the CED Second Addition. Peplitsch noted that this zoning designation would allow for single family and duplex units, and be consistent with abutting land use. Following discussion, the public hearing was closed.

Peplitsch presented a subdivision agreement for the CED Second Addition. He noted that this agreement mirrors the CED Addition agreement and highlighted the financing of infrastructure to support housing development. He also noted an error in the subdivision name in the proposed agreement.

Resolution No. 2010-12 was presented for consideration. Moved by Salem, seconded by Bennett, to approve Resolution No. 2010-12 as presented. Roll call. Voting "aye" were Tomasek, Bennett, Salem, Fagot. Motion carried.

**RESOLUTION NO. 2010-12
CED SECOND ADDITION**

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

That CED SECOND ADDITION, to the City of Lexington, Nebraska, shall be included within the corporate limits of the City and become a part of the City for all purposes whatsoever and the inhabitants of the Addition shall be entitled to all the rights and privileges and be subject to all the laws, ordinances, rules and regulations of the City.

PASSED AND APPROVED MAY 25, 2010.

CITY OF LEXINGTON, NEBRASKA

BY: John Fagot, President of the Council

ATTEST: Pamela Berke, Deputy City Clerk

Ordinance No. 2282, entitled "AN ORDINANCE TO REZONE CED SECOND ADDITION TO THE CITY OF LEXINGTON, FROM A-2 URBAN RESERVE, TO R-2 RESIDENTIAL DISTRICT; TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM", was presented for Council consideration. Moved by Salem, seconded by Tomasek, to approve Ordinance No. 2282 on first reading. Roll call. Voting "aye" were Bennett, Tomasek, Salem, Fagot. Motion carried.

Moved by Salem, seconded by Bennett, to approve the Subdivision Agreement with noted amendment to the name of the subdivision in the agreement and to authorize the City Manager to execute. Roll call. Voting "aye" were Tomasek, Bennett, Salem, Fagot. Motion carried.

NW 3rd INFRASTRUCTURE: Dana Daniels presented plans and specification for the Northwest Third Addition Infrastructure Improvements project. He outlined the services to include concrete paving and sanitary sewer in the project, with the water line to be installed by city crews. Peplitsch reported that this project is being done in conjunction with the New Neighborhood grant project. Following discussion, moved by Salem, seconded by Bennett, to approve the plans and specifications for the NW Third Infrastructure Improvements and authorize the solicitation of bids. Roll call. Voting “aye” were Tomasek, Bennett, Salem, Fagot. Motion carried.

INTERLOCAL AGREEMENT: Peplitsch presented an interlocal agreement with Dawson County for GIS web hosting services. He reported that this will be a cooperative effort by both entities to integrate county and city public records that will be available in a web based format. He and Brecks noted that new aerial imagery has recently been received. Following discussion, moved by Tomasek, seconded by Salem, to authorize the mayor to execute the interlocal agreement with Dawson County as presented. Roll call. Voting “aye” were Bennett, Salem, Tomasek, Fagot. Motion carried.

FINANCIAL REPORT: Peplitsch presented the financial report for April 2010. Following discussion, moved by Salem, seconded by Bennett, to approve the financial report as presented. Roll call. Voting “aye” were Tomasek, Bennett, Salem, Fagot. Motion carried.

ROUNDTABLE: Peplitsch gave updates on several current projects. He also proposed a date for a Council planning session on June 26th; which would be a mobile session to tour current and future project sites.

Burnside noted that a kickoff meeting with the website design firm is scheduled for June 3; and he is conducting a photo contest available for area residents for photos to be included on the new website.

Salem noted the increased pedestrian traffic on the trail abutting Hwy 283.

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