## CITY OF LEXINGTON LEXINGTON, NEBRASKA

A Regular Meeting of the Lexington City Council was held Tuesday, April 12, 2005 at the Lexington Municipal Building, located at 406 E. 7<sup>th</sup> Street, Lexington, Nebraska at 7:30 p.m. Members of the Council present were Mayor Ted Cook, Joni Bennett, John Fagot, Linda Miller, Steve Tomasek. City Officials present were City Manager Joe Pepplitsch, City Attorney Willard Weinhold, Deputy City Clerk Shirley Lewis. Department Heads present were Charlie Clark, Deb Jensen, Ann Luther, Barb Mills.

| NOTICE:   | the Lexington Clipper-Herald, t<br>as shown by the Affidavit of<br>Notice of this meeting was sim<br>members of the Council, and<br>Receipt of Notice and the A<br>Availability of the Agenda was<br>the notice to the Mayor and Co<br>hereafter shown were taken wh | en in advance, thereof by publication in<br>the designated method for giving notice,<br>Publication attached to these Minutes.<br>nultaneously given to the Mayor and all<br>a copy of their Acknowledgment of<br>Agenda is attached to these Minutes.<br>communicated in advance notice and in<br>puncil of this Meeting. The proceedings<br>hile the convened meeting was open to<br>All items presented and discussed on the<br>ic inspection. |
|---|--|---|
| CALL TO ORDER:  | The meeting was called to order  | by Mayor Cook.  |
| MINUTES – REGULAR<br>MEETING – 03-22-05:  | 2005 was presented for Counci<br>by Miller, seconded by Tom<br>Regular Meeting held March 22   | scheduled for Tuesday, March 22,<br>il's consideration and approval. Moved<br>asek, to approve the Minutes of the<br>2, 2005 as presented. Roll call. Voting<br>hasek, Miller, Cook. Motion carried.  |
| CLAIMS & BILLS:   | Council's consideration and app<br>Bills as listed, moved by Fagot<br>Claims and Bills as listed, and<br>\$331,838.26 from the Gener<br>\$10,000.00 from Sanitation, \$2<br>from Library Memorial, \$16,57<br>from Meals on Wheels to the 0                          | nt of \$1,023,067.86 were presented for<br>proval. Upon review of the Claims and<br>t, seconded by Tomasek, to approve the<br>authorize the City Treasurer to transfer<br>al Fund, \$650,251.56 from LEXUS,<br>3,645.00 from Ambulance Fund, \$8.95<br>5.02 from Health Fund, and \$10,749.07<br>City of Lexington's Operating Account.<br>Bennett, Miller, Tomasek, Fagot, Cook.   |
|   | April 12, 2005   |   |
| Access Data Corporation<br>AccuCut<br>Alamar Uniform Company<br>All Points Cooperative<br>Alltel<br>Ask Supply Company<br>Awards Plus | Software Support<br>Books<br>Uniform Expense<br>Fertilizer/Soil Analysis<br>Cellphone Service<br>Office Supplies<br>Recreation Supplies/Medals   | 600.00<br>188.00<br>593.89<br>3,570.55<br>145.83<br>136.43<br>383.50  |
| B & D Office City<br>Barco Municipal Products   | Office Supplies<br>WWTP Supplies   | 198.21<br>534.56  |
| Barmore Drug Store, Inc.<br>Barnes Distribution   | Office Supplies<br>Water Dept. Supplies  | 6.99<br>279.80  |

| Beringer Ciaccio Dennell Mabrey   | Architect/Library                 | 5,299.20  |
|-----------------------------------|-----------------------------------|-----------|
| Berntson Oil                      | Fuel                              | 5,991.19  |
| Business & Professional Credit    | Collection Fees                   | 186.63    |
| Card Center/Orscheln              | Supplies                          | 43.08     |
| Case Credit Advantage             | Supplies                          | 296.25    |
| Cash-Wa Distributing              | Food & Supplies                   | 657.80    |
| Central Garage                    | Maint./Repairs/Fuel               | 10,508.82 |
| Conney Safety Products            | Respirators                       | 114.13    |
| Corporate Benefit Svcs of America | 1                                 | 13,262.84 |
| Corporate Benefit Svcs of America |                                   | 15,339.30 |
| Culligan Water Conditioning, Co.  | Soft Water Supplies               | 206.45    |
| Dan's Sanitation                  | Sanitation Fees                   | 10,890.15 |
| Dawson County Clerk               | Dispatch Fees                     | 6,360.16  |
| Dawson County Court               | Court Fees                        | 57.50     |
| Dawson County Handibus            | Transportation                    | 124.00    |
| Dawson County Register of Deeds   |                                   | 5.50      |
| Dawson Pest                       | Building Maintenance              | 27.00     |
| Depository Trust Co.              | 2004 GO Bond Interest             | 38,649.33 |
| Dept. of Correctional Services    | Fed Surplus Prop/Street Supplies  | 414.00    |
| Diamond Vogel Paint               | Rec. Supplies                     | 289.93    |
|                                   |                                   |           |
| Ditch Witch of Nebraska, Inc.     | Electric Supplies                 | 33.39     |
| Dutton-Lainson Company            | Elec Supplies/Historical Lighting | 37,016.28 |
| Eakes Office Products             | Office Supplies                   | 224.55    |
| Eilers Machine & Welding          | Street Dept. Supplies             | 78.02     |
| Electric Fixture                  | Electric Supplies                 | 3,588.47  |
| Experience Works, Inc.            | GGC Donation                      | 300.00    |
| Farmer Brothers Coffee            | Beverages                         | 79.09     |
| Farwest Line Specialties          | Electric Dept. Supplies           | 261.90    |
| FuCare Consulting Services, Inc.  | Professional Services             | 500.00    |
| Gale Group, The                   | Book                              | 14.24     |
| GIS Workshop                      | GPS Software                      | 6,870.00  |
| Great Plains One-Call Service     | Locates                           | 48.49     |
| Hach Company                      | WWTP Supplies                     | 279.90    |
| Hank's Plumbing                   | Plumbing Supplies                 | 56.48     |
| Harker's                          | Food                              | 683.39    |
| Hernandez, Jose S.                | Utility Refund                    | 72.73     |
| Hipp Wholesale Foods, Inc.        | Food & Supplies                   | 1,414.24  |
| Holbein Lawn Service              | Lawn Care                         | 45.00     |
| Holiday Inn                       | Conference Expense                | 119.90    |
| Holtz, Marcia                     | Conference/Seminar                | 29.97     |
| Hometown Leasing                  | Copier Lease                      | 697.04    |
| Husker Ag Sales                   | Central Garage Supplies           | 17.55     |
| Ingram Library Services           | Books                             | 94.17     |
| Jensen, Deb                       | Conference/Seminar                | 52.65     |
| Jones Plumbing & Heating          | Repair/Supplies                   | 369.69    |
| K & K Parts Co., Inc.             | Water Dept. Supplies              | 61.12     |
| K. R. V. N. Radio                 | Advertisements                    | 148.80    |
| Kearney Hub                       | Advertisements                    | 110.00    |
| Kemps-Gillette                    | Beverages                         | 377.36    |
| Kriz-Davis Company                | Electric Supplies/Wire            | 7,143.36  |
| Lexington Animal Clinic           | Animal Care                       | 483.75    |
| Lex Area Solid Waste Agency       | Landfill                          | 1,944.42  |
| Lexington Boy Scout Troop #88     | Recycling                         | 48.00     |
| Lexington Boy Scout Troop #144    | Recycling                         | 48.00     |
| Lexington Girl Scouts             | Recycling                         | 96.00     |
| Lexington Health Fund             | Self-funding                      | 26,417.00 |
|                                   |                                   |           |

|                                |                             | 206.55    |
|--------------------------------|-----------------------------|-----------|
| Lexington High School          | Concessions/3 on 3          | 386.57    |
| Lexington Newspapers, Inc.     | Publications                | 242.80    |
| Lexington Public Schools       | Janitorial Services/3 on 3  | 368.48    |
| Lexington True Value           | Fire Dept. Supplies         | 6.78      |
| Lexington, City of             | Franchise/Service Fees      | 31,115.04 |
| Payroll                        | Wages                       | 85,054.19 |
| Social Security                | Employer Portion / FICA Med | 6,381.84  |
| First National Bank            | Employer Portion / Pension  | 3,180.39  |
| First National Bank            | Police Pension              | 1,159.76  |
| ICMA                           | City Manager Pension        | 231.84    |
| Linweld                        | Oxygen                      | 81.37     |
| Little Caesars                 | Food                        | 22.98     |
| Luther, Ann                    | Conference/Seminar          | 37.47     |
| Mac's Short Stop               | Food                        | 5.09      |
| Marlin Leasing Corp.           | Mail Machine Payment        | 570.16    |
| Martin Electric                | Electric Supplies           | 152.21    |
| Mead/Big Valley Lumber         | Maintenance Supplies        | 2,270.98  |
| Metrotech                      | Repair                      | 491.98    |
| Micro-Marketing, LLC           | Book                        | 26.50     |
| Mid-Nebraska Food Bank         | Food                        | 81.26     |
| Mid-Nebraska Printing          | Office Supplies             | 567.24    |
| Mid-States Units               | Park Rentals                | 360.00    |
| Miller & Associates            | Professional Services/WWTP  | 25,581.60 |
| Misko Sporting Goods           | Rec. Dept. Supplies         | 261.41    |
| Moore Medical Corp.            | Ambulance Supplies          | 471.17    |
| Moore                          | Office Supplies             | 378.07    |
| Mr. Automotive                 | Supplies                    | 209.68    |
| Municipal Supply               | Water Dept. Supplies        | 5,754.67  |
| National Waterworks            | Meters/Hydrant              | 5,529.56  |
| Naumann, Sondra                | Cleaning Service            | 24.00     |
| Ne. State Historical Society   | Books/Microfilm             | 80.00     |
| Nebraska Community Foundation  | Conference/Seminar          | 50.00     |
| Nebraska Department of Labor   | Boiler Inspection           | 30.00     |
| Nebraska Law Enforcement       | Conference/Seminar          | 60.00     |
| Nebraska Municipal Power Pool  | Membership Dues             | 1,936.65  |
| Nebraska Tech & Telecomm, Inc. | Telephone Service           | 1,366.57  |
| Nebraska Waste Handlers        | Sludge Removal              | 2,932.41  |
| Nelson, Margie                 | Cleaning Service            | 500.00    |
| Olsson Associates              | 15mVA Substn.Add./Adams     |           |
|                                | El.Relocate                 | 9,676.09  |
| Overton Sand & Gravel          | Gravel                      | 540.59    |
| Paulsen Inc.                   | Concrete                    | 1,097.06  |
| Platte Valley Communication    | Radio Maintenance & Repair  | 2,217.25  |
| Plum Creek Auto Spa            | Car Wash                    | 10.00     |
| Plum Creek Cleaners            | Cleaning Service            | 37.27     |
| Plum Creek Promotions          | Shirts                      | 1,640.62  |
| Qwest                          | Library Phone Expense       | 61.64     |
| Random House, Inc.             | Books                       | 88.40     |
| Recorded Books                 | Books                       | 55.80     |
| Resource Management Co., Inc.  | Tire Removal                | 105.30    |
| S & W Auto Parts               | Central Garage Supplies     | 904.51    |
| Schultze, Kim                  | Conference/Seminar          | 23.25     |
| Seward, Randell D.             | Cleaning Service            | 400.00    |
| Sign Pro                       | Signs/Repair                | 45.50     |
| Steve's Lock & Key             | Lock Repair                 | 81.00     |
| Subway of Lexington            | Food                        | 22.55     |
|                                |                             |           |

| SunMart #763Food $34,57$ T. O. Has: The Co., Inc.Tires/Repair $368, 86$ Taste of HomeBook $23,98$ Thomson LearningBooks $119,27$ TierOne-Lib. Petty CashPetty Cash $35,98$ Tri-Cury HospitalWellness $231,00$ U-Save Business EquipmentOffice Supplies $134,61$ United Laboratories, Inc.Chemical Clean Up Sol. $459,60$ Vestronix, Inc.Pager Repair $17,50$ Wal-MartMiss: Supplies $290,49$ Wesco Distribution, Inc.Electric Supplies $4,681,30$ Bappe, Robert & NormaNoise Mitigation Project $2,500,00$ Barco Municipal ProductsStreet Supplies $178,87$ Berntson OilFuel $4,215,64$ Business Ofz Systems of NebraskaOffice Supplies $296,25$ Cast-Wa DistributingFood/Supplies $331,05$ Center Point PublishingBooks $54,02$ Other Supplies $33,12,18$ Customer Solution NetworkMembership Fee $50,00$ Santomer Solution NetworkDan's SantiationSantiation Fees $14,35,00$ Dan's Solution Relectric Supplies $14,85$ Electric FixtureElectric Supplies $13,22,18$ Customer Solution NetworkMembership Fee $50,00$ Dan's SantiationSantiation Fees $14,35,00$ Dan's SantiationSantiation Fees $14,35,00$ Dan's SantiationSantiation Fees $14,35,00$ Dan's SantiationSantiation Fees <th>See Mont #762</th> <th>Feed</th> <th>24.57</th>  | See Mont #762                    | Feed                            | 24.57     |
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| Taste of HomeBook $23.98$ Thomson LearningBooks $119.27$ TierOne-Lib. Petty Cash $35.98$ Tir-Cuty IribunePublications $208.00$ United Laboratorics, Inc.Chemical Clean Up Sol. $459.60$ Vestronix, Inc.Pager Repair $17.50$ Wal-MartMisc. Supplies $4.681.30$ Willard Weinhold Law OfficeFees $2.079.50$ Bappe, Robert & NormaNoise Mitigation Project $2.500.00$ Barco Manicipal ProductsStreet Supplies $4.681.30$ Berntson OilFuel $4215.54$ Business Ofe Systems of NebraskaOffice Supplies $296.25$ Case Credit AdvantageSupplies $-296.25$ Case Credit DublishingBooks $534.02$ Chief Supply Corp.Fire Dept. Supplies $294.97$ Corporate Benefit Sves of AmericaClaims $3.312.18$ Customer Solution NetworkMembership Fee $50.00$ Dawson County Public PowerElectricity $6.635.80$ Diamond Vogel PaintStreet Supplies $1.452.00$ Eakes Office ProductsOffice Supplies $14.18.85$ Electric FixtureElectric Robatis $2.529.22$ EMS Billing Services, Inc.Amblance Billing $75.04$ Instrantional Code CouncilOffice Su   |                                  |                                 |           |
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| Knapp ElectricLift Pump Repair1,645.38Kriz-Davis CompanyElectric Supplies2,196.59Lexington Baseball Commission3 on 3 Labor1,320.00Lexington Health FundSelf-funding26,417.00Lexington Girls Fast Pitch Assoc3 on 3 Labor1,320.00Lexington NewspapersPublications65.10Lexington Recreation ProgramSoftball/Baseball Instr/Sign up1,400.00  | Kemps-Gillette                   | Beverages                       |           |
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| Lexington Recreation Program Softball/Baseball Instr/Sign up 1,400.00   | Lexington Girls Fast Pitch Assoc | 3 on 3 Labor                    | 1,320.00  |
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| Lexington True ValueGGC Supplies4.32  | Lexington Recreation Program     | Softball/Baseball Instr/Sign up | 1,400.00  |
|   | Lexington True Value             | GGC Supplies                    | 4.32      |
|   |                                  |                                 |           |

| Lexington Volunteer Fire Dept.<br>Lynn Peavey Company<br>Marlin Leasing Corp.<br>Martin's Flag Company<br>Mead/Big Valley Lumber<br>Miller & Associates<br>Mid-Nebraska Printing<br>Mr. Automotive<br>National Waterworks<br>Nebraska Department of Revenue<br>Nebraska Department of Revenue<br>Nebraska Machinery<br>Nebraskaland Magazine<br>Nebraska Public Power District<br>Nebraska Rural Electric Assoc<br>Neopost<br>Omaha World Herald<br>Platte Valley Communications<br>Plum Creek Medical Group<br>Precision PC<br>Reynolds, John<br>SunMart #763<br>T. O. Haas Tire Co., Inc.<br>TierOne-City Petty Cash<br>TierOne-Lib. Petty Cash<br>Tiri-County Hospital<br>United Laboratories<br>Upstart<br>U-Save Business Equipment<br>Wal-Mart<br>Wall Street Journal, The<br>Wesco Distribution, Inc.<br>Western Engineering Co, Inc.<br>Zep Manufacturing Co. | Ambulance Fees<br>Police Dept. Supplies<br>Property Tax Est/Mailing Machine<br>Street Supplies<br>Maintenance Supplies<br>G I S System<br>Office Supplies<br>Supplies<br>Water Dept. Supplies<br>Sales & Use Tax<br>Caterpiller Tractor<br>Subscription<br>Power Purchase<br>Conference/Seminar<br>Postage<br>Advertising<br>Radio Repair<br>Physical<br>Computer Service<br>Electric Rebate<br>Food<br>Tire Repair<br>Petty Cash<br>Petty Cash<br>Petty Cash<br>Ambulance Supplies<br>Chemical Clean Up Sol./Freight<br>Library Supplies<br>Office Supplies<br>Subscription<br>Transformer/Epoxilator<br>Street Supplies | 1,728.92<br>32.85<br>511.99<br>678.10<br>173.89<br>9,919.75<br>99.82<br>29.28<br>1,094.94<br>28,814.07<br>57,550.00<br>18.00<br>415,553.00<br>720.00<br>1,500.00<br>467.26<br>102.00<br>140.00<br>430.00<br>1,925.00<br>9.03<br>20.00<br>99.88<br>23.40<br>574.00<br>43.45<br>43.90<br>148.48<br>229.04<br>215.00<br>2,012.84<br>541.89<br>77.69 |
|---|---|--|
| Zep Manufacturing Co.   | Office Supplies   | 77.69  |
|   | TOTAL:  | 1,023,067.86   |
| PUBLIC COMMENT<br>PERIOD:   | Mayor Cook opened the public com<br>present that they would be limited  |  |

Mayor Cook opened the public comment period by informing those present that they would be limited to fifteen (15) minutes during this period, with a two (2) minute limit for each individual. Mr. Mark Yung, Mr. John Salem, and Ms. Della Rios all spoke individually, asking Mayor Cook to resign from the City Council. Mr. Bill Ashmore requested the Mayor retain his position on Council. No action was taken.

PUBLIC HEARING: Mayor Cook opened the Public Hearing. Mr. Jim Tacha, representing Casey's General Stores, requested Council's approval of changing their current Class "D" Liquor License, to a Class "B" Liquor License for their store located at 609 Plum Creek Parkway. Expressing concern of the Liquor License was Bill Ashmore and Chaplain Victor Diaz. Following discussion, Mayor Cook closed the Public Hearing. Moved by Fagot, seconded by Miller to recommend approval of a Class "B" Liquor License, to replace the current Class "D" Liquor License, for Casey's General Store #2068, located at 609 Plum Creek Parkway, Lexington, Nebraska 68850. Roll call. Voting "aye" were Bennett, Tomasek, Miller, Fagot, Cook. Motion carried. **PUBLIC HEARING:** Mayor Cook opened the Public Hearing. Deb Jensen requested Council's approval to apply for a CDBG Grant for expansion of the Grand Generation Center. Speaking in favor of the expansion project was Mr. Bill Ashmore and Reverand Cole. Following discussion regarding the plans for the Building, Mayor Cook closed the Public Hearing.

**RESOLUTION:** Following the reading of said Resolution, moved by Fagot, seconded by Bennett, to approve Resolution No. 05-10 authorizing the Mayor of the City of Lexington to sign an application for CDBG Funds. Roll call. Voting "aye" were Tomasek, Miller, Bennett, Fagot, Cook. Motion carried.

#### **RESOLUTION NO. 05-10**

# A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF LEXINGTON TO SIGN AN APPLICATION FOR CDBG FUNDS.

WHEREAS, the City of Lexington, Nebraska, is an eligible unit of a general local government authorized to file an application under the Housing and Community Development Act of 1974 as amended for Small Cities community Development Block Grant Program, and,

WHEREAS, the City of Lexington, Nebraska, has obtained its citizens' comments on community development and housing needs; and has conducted public hearing(s) upon the proposed application and received favorable public comment respecting the application which for an amount of \$344,000 for expansion and improvements to the Lexington Grand Generation Center; and,

NOW, THEREFORE BE IT RESOLVED BY the Lexington City Council of the City of Lexington, Nebraska, that Mayor Ted Cook be authorized and directed to proceed with the formulation of any and all contracts, documents or other memoranda between the City of Lexington and the Nebraska Department of Economic Development so as to effect acceptance of the grant application.

PASSED AND APPROVED THIS 12<sup>th</sup> DAY OF APRIL, 2005.

Ted Cook, Mayor

## ATTEST:

Joe Pepplitsch, City Clerk

**PUBLIC HEARING:** Mayor Cook opened the Public Hearing. Deb Jensen requested Council's approval to apply for a CDBG Grant for construction of a Tornado-Safe Storm Shelter at Willow Ridge Trailer Court. Mr. Kevin Kennedy, Co-owner of Willow Ridge Trailer Court made a brief presentation. Following discussion, Mayor Cook closed the Public Hearing.

**RESOLUTION:** Following reading of said Resolution, moved by Tomasek, seconded by Miller, to approve Resolution No. 05-11 authorizing Chief Elected

Official to sign an application for construction of a Tornado-Safe Storm Shelter at Willow Ridge Trailer Court with CDBG Funds. Roll call. Voting "aye" were Fagot, Bennett, Miller, Tomasek, Cook. Motion carried.

#### **RESOLUTION NO. 05-11**

## A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF LEXINGTON TO SIGN AN APPLICATION FOR CDBG FUNDS.

WHEREAS, the City of Lexington, Nebraska, is an eligible unit of a general local government authorized to file an application under the Housing and Community Development Act of 1974 as amended for Small Cities community Development Block Grant Program, and,

WHEREAS, the City of Lexington, Nebraska, has obtained its citizens' comments on community development and housing needs; and has conducted public hearing(s) upon the proposed application and received favorable public comment respecting the application which for an amount of \$22,000 for construction of a tornado-safe storm shelter in Willow Ridge Court; and,

NOW, THEREFORE BE IT RESOLVED BY the Lexington City Council of the City of Lexington, Nebraska, that Mayor Ted Cook be authorized and directed to proceed with the formulation of any and all contracts, documents or other memoranda between the City of Lexington and the Nebraska Department of Economic Development so as to effect acceptance of the grant application.

PASSED AND APPROVED THIS 12<sup>th</sup> DAY OF APRIL, 2005.

Ted Cook, Mayor

## ATTEST:

Joe Pepplitsch, City Clerk

JOINT RESOLUTION: Pepplitsch requested Council's approval of a Joint Resolution with the Community Redevelopment Authority to extend the paving on South Jefferson Street to accommodate an expansion project of Eiler's Machine and Welding, which is located in Redevelopment Area #1. Following discussion, Mr. Brian Eilers, owner of Eiler's Machine and Welding gave a brief presentation. Following reading of said Resolution, moved by Fagot, seconded by Miller, to approve Joint Resolution No. 05-09 with the Community Redevelopment Authority to extend the paving on South Jefferson Street to accommodate future development in Redevelopment Area #1. Roll call. Voting "aye" were Bennett, Tomasek, Miller, Fagot, Cook. Motion carried.

## JOINT RESOLUTION NO. 05-09

WHEREAS, the Community Redevelopment Authority (CRA) has adopted a redevelopment plan for Redevelopment Area #1; and

WHEREAS, the CRA has determined that a portion of South Jefferson Street should be extended to provide for future development activities in Redevelopment Area #1; and

WHEREAS, the CRA has completed plans, specifications, and estimates for the extension of South Jefferson Street within Redevelopment Area #1; and

WHEREAS, the project costs can be paid with tax increment financing funds receivable from Redevelopment Area #1;

It is therefore jointly resolved by the Board of the Community Redevelopment Authority of the City of Lexington, Nebraska, and the City Council of the City of Lexington, Nebraska, (City) as follows:

- 1. That the Lexington City Manager is hereby authorized, on behalf of City and CRA, to advertise for bids for the South Jefferson Street Extension, such construction to be a joint project between City and CRA.
- 2. That the cost of such extension shall be paid from City funds, and CRA guarantees reimbursement to City to be paid as tax increment financing funds from Redevelopment Area #1 are collected.

PASSED AND APPROVED APRIL 12, 2005

### CITY OF LEXINGTON

Ted Cook, Mayor

Attest:

Shirley Lewis, Deputy City Clerk

STORM WATERMr. Paul Norden addressed the City Council regarding a drainageDRAINAGE:problem near his residence at the intersection of South Lincoln and<br/>Spruce Streets. Pepplitsch indicated that it would take approximately<br/>60 days to evaluate the situation. Once the evaluation is complete, Mr.<br/>Norden will be contacted.

**LIBRARY COOPERATIVE AGREEMENT:** Pepplitsch requested Council's approval of the Library Cooperative Agreement for sale of the existing Library property. Following discussion, and comments from Library Board Member Penny Knapp, moved by Miller, seconded by Fagot, to approve the Library Cooperative Agreement providing Paragraph 8 be changed to read as follows: "The parties agree that any proceeds of the sale shall be placed in General Fund of the City of Lexington, Nebraska for completion of the Library Project", and direct the Mayor to sign said documents. Roll call. Voting "aye" were Tomasek, Bennett, Fagot, Miller, Cook. Motion carried.

PAY REQUEST:Pepplitsch requested Council's approval of Pay Request No. 7 for the<br/>Lexington Public Library Project. Following discussion, moved by<br/>Tomasek, seconded by Bennett, to approve Pay Request No. 7 for the<br/>Lexington Public Library Project, to Lacy Construction co., in the<br/>amount of \$298,746.78. Roll call. Voting "aye" were Miller, Fagot,<br/>Bennett, Tomasek, Cook. Motion carried.

| EXECUTIVE SESSION: | Moved by Tomasek, seconded by Bennett, to go into Executive Session<br>at 8:08 p.m. for the purpose of discussing Personnel. Roll call. Voting<br>"aye" were Fagot, Miller, Bennett, Tomasek, Cook. Motion carried. |
|--------------------|---|
|                    | Moved by Tomasek, seconded by Bennett, to reconvene Regular<br>Session from Executive Session at 9:34 p.m. Roll call. Voting "aye"<br>were Miller, Fagot, Bennett, Tomasek, Cook. Motion carried.                   |
| ADJOURNMENT:       | There being no further business to come before Council, Mayor Cook declared the meeting adjourned.  |

Ted Cook Mayor

Shirley Lewis 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