

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, July 10, 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 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 Barb Batie of the Clipper-Herald. Interested citizens included Bo Berry and Calvin and Emily Burnside.

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 6-26-07 Minutes of the Regular meeting held Tuesday, June 26, 2007, were presented for Council approval. Moved by Miller, seconded by Bennett, to approve Minutes as presented. Roll Call. Voting “aye” were Salem, Tomasek, Bennett, Miller, Fagot. Motion Carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,376,077.56 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Bennett, seconded by Miller, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$224,438.60 from the General Fund, \$8,209.17 from ED Reuse, \$125.00 from Housing Reuse, \$1,101,517.59 from LEXUS, \$10,000.00 from Sanitation, \$6,367.90 from Landfill, \$6,302.55 from Ambulance Fund, \$10,418.97 from Health Fund, and \$8,697.78 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
July 10, 2007**

All Points Cooperative	Propane/Fuel	70.08
Alltel	Cellphone Service	149.61
Awards Plus	Rec Supplies	136.00
Axis Capital	Mail Machine Payment	527.37
Barmore Drug Store, Inc.	Library Supplies	31.99
Blue Cross Blue Shield	Ambulance Refunds	419.98
Brand, Joan	Ambulance Refund	249.16
Brown Traffic Products	EL Supplies	30.39
Business Card	ST Supplies	212.52
Card Center/Orscheln	Supplies	175.96

Case Credit Advantage	Central Garage Supplies	531.63
Cash-Wa Distributing	Food & Supplies	5,805.59
Central Garage Fund	Repairs/Service/Fuel	52,508.47
Certified Laboratories	Central Garage Supplies	121.66
Coca Cola/Dr. Pepper of Kearney	Beverages	1,856.00
Comfort Inn	Police/Seminar	111.52
Corporate Benefit Services of America	Premium	17,030.98
Culligan Water Conditioning Co.	Soft Water Supplies	203.71
Dan's Sanitation	Sanitation Fees	11,630.00
Dawson County Red Cross	Lifeguard Training	600.00
Dawson Pest Control	GGC Service	27.00
Deere Credit, Inc.	WWTP Tractor Payment	7,316.99
Delta Dental of Nebraska	Premium	1,115.20
Demco	Library Supplies	44.54
Dutton-Lainson Company	Meters	2,610.80
EDM Equipment Company	Central Garage Supplies	255.95
Eilers Machine & Welding	Central Garage Supplies	23.00
Electric Fixture	EL Supplies	99.08
EMS Billing Services, Inc.	Ambulance Service	1,300.04
Farmer Brothers Coffee	Food & Supplies	77.76
Fastenal	ST Supplies	8.87
Gale Group, The	Books	204.40
Gengenbach, Kevin	Rental	165.00
Gnirk Lawn Care, Inc.	Lawn Care	1,440.00
Great Plains One-Call Service	Locates	69.33
Health Claims Fund	Claims	6,289.28
Hometown Leasing	Copier Payments	603.83
Husker Ag Sales	Central Garage Supplies	47.65
Ingram Library Services	Books	104.54
Jakes Toro Sprinklers	Sprinkler Repair	64.75
Jim Phillips Construction	Main Break Repairs	1,486.00
Jones Plumbing & Heating	WWTP/WR Supplies	1,147.33
Kinder Morgan	Gas Service	12,465.73
Knapp Electric	Pool Equipment Repairs	62.96
Kratzer Electric, Inc.	EL Repairs	803.76
Lexington Animal Clinic	Animal Care	1,179.20
Lexington Area Solid Waste Agency	Landfill	1,405.08
Lexington Boy Scout Troop 144	Recycling	11.25
Lexington Boy Scout Troop 88	Recycling	11.25
Lexington Girl Scouts	Recycling	22.50
Lexington Health Fund	Self-funding	31,503.38
Lexington Housing Authority	OOR Housing	125.00
Lexington Newspapers, Inc.	Publications	433.69
Lexington Postmaster	Postage	150.00
Lexington Truck & Auto	Central Garage Supplies	75.00
Lexington True Value	Supplies	201.32
Lexington Volunteer Fire Dept.	Ambulance Fees	3,201.18
Lexington, City of	Franchise/Service Fees	46,111.82
Payroll	Wages	119,611.22
Social Security	Employer Portion/FICA Med	8,919.15
First National Bank	Employer Portion/Pension	2,966.13
First National Bank	Police Pension	1,316.14
ICMA	City Manager Pension	373.08
Lien Lawn Services	Lawn Care	1,000.00
Linden's Plumbing	Library Service	35.00
Mac's Short Stop	Food	147.57
Martin Electric	Repair	102.00

Martin's Flag Company	ST Supplies	727.79
Mead Lumber & Rental-Lexington	WR/PK/Pool/ST Supplies	1,185.98
Mid-Nebraska Printing	Copies	240.90
Midwest Laboratories, Inc.	WWTP Testing Supplies	143.30
Miller Mechanical Specialties, Inc.	WWTP Regulator	3,591.43
Municipal Supply	WR Supplies	377.76
NE Dept. of Economic Development	Mid Plains CDBG Payments	4,166.67
Nebraska Dept. of Labor	Unemployment	2,076.75
Nebraska Machinery	Central Garage Supplies	12.15
Nebraska Public Power District	Service/Power Purchase	896,110.15
Nebraska Waste Handlers	Sludge Removal	4,095.30
Nelson, Margie L.	Cleaning Service	500.00
Overton Sand & Gravel	Gravel	175.97
Paulsen, Inc.	Concrete	325.28
Platte Valley Auto Mart	Vehicle Repair	844.81
Platte Valley Communications	Repairs/Maint./Supplies	464.50
Plum Creek Market Place	Food	11.16
Plum Creek Promotions	Rec Supplies	834.82
Roberts Dairy Company	Beverages	184.88
S & W Auto Parts, Inc.	Central Garage Supplies	1,648.58
Schwan's Sales Ent	Food	56.96
Service Master Mid Nebraska	Cleaning Service	807.50
State Fire Marshall Training Division	Conference & Seminars	50.00
Steve's Lock & Key	Lock Repair	49.50
Superior Signals, Inc.	Central Garage Supplies	34.10
T. O. Haas Tire Co., Inc.	Tires/Repair	207.89
TASC	Premium	170.20
Technical Maintenance & Service	WWTP Supplies	3,010.00
Thomas Bouregy & Company, Inc.	Books	138.50
Thompson Company, The	Food & Supplies	544.82
TierOne-Lib. Petty Cash	Postage	26.98
Total Lawn Care	Lawn Care	2,550.00
Tricare North	Ambulance Refund	276.28
Tri-City Tribune	Advertisements	180.00
Tri-County Hospital	Wellness/Supplies	370.00
U-Save Business Equipment	Office Supplies	376.51
Wal-Mart	Supplies	55.92
Water Environment Federation	Membership Dues	52.00
Willard Weinhold Law Office	Fees	2,151.00
Wolf, Tracy	Conference & Seminars	341.78
All-American Sewer & Drain Cleaning, Inc.	WWTP Service	400.00
All Points Cooperative	Fuel	114.21
Arcmate Manufacturing Corp.	PK Supplies	221.58
Arias, Laura	Electric Rebate	1,025.00
Builders Warehouse	Library Supplies	124.76
CDH Electric, Inc.	GGC Service	693.79
Card Center/Orscheln	WWTP Supplies	151.67
Case Credit Advantage	WR Supplies	10.36
Cash-Wa Distributing	Food	1,348.00
Centaur Enterprises, Inc.	WR Supplies	27.77
Central Garage Fund	Repair	1,034.48
Christensen, Martin	Electric Rebate	1,025.00
Coca Cola/Dr. Pepper of Kearney	Beverages	320.00
Davis Energy, Inc.	Fuel	5,747.08
Dawson County Public Power	Power Purchase	7,678.17
Dawson County Register of Deeds	Filing Fees	148.00
Dutton-Lainson Company	EL Supplies	427.09

EDM Equipment Company	Central Garage Supplies	241.98
Eakes Office Plus	Library Supplies	162.97
Electric Fixture	PK Supplies	178.54
Health Claims Fund	Claims	3,959.49
Heartland Scuba Center	Seminar	602.32
Ingram Library Supplies	Books	34.18
Linda's Stitches & Creations	Uniform Expense	119.92
Linweld	Ambulance Supplies	36.40
Mac's Short Stop	Food	50.60
McCookNet Internet Service	Service	139.00
Mead Lumber & Rental-Lexington	WWTP Supplies	13.47
Mid-Nebraska Printing	Office Supplies	302.30
Milco Environmental Services, Inc.	Disposal Site	5,692.90
Miller & Associates	Professional Fees	17,682.65
NE Conf of Building Officials & Inspectors	Conference	40.00
NE Department of Economic Development	Orthman's CDBG Payment	4,042.50
Nebraska Department of Revenue	Sales & Use Tax	40,443.81
Nebraska Tech & Telecomm, Inc.	Telephone Expense	1,329.63
Plum Creek Cleaners	Supplies	302.50
Plum Creek Market Place	Food	4.77
Plum Creek Medical Group	Medical Expense	87.00
Recorded Books	Books	260.20
Roberts Dairy Company	Beverages	143.38
Schwan's Sales Ent	Food	9.98
Service Master Mid Nebraska	Cleaning Service	148.75
Steve's Lock & Key	WR Supplies/Repair	77.00
Subway Sandwiches & Salads	Food	39.89
Thompson Company, The	Food & Supplies	832.39
TierOne-City Petty Cash	Postage/Food	12.10
TierOne-Library Petty Cash	Postage	18.78
Wal-Mart	Pool Supplies	86.81
Wesco Distribution, Inc.	EL Supplies	178.90
	TOTAL CLAIMS:	1,376,077.56

ADDITION:

Peplitsch presented a resolution that would include Kirkpatrick's Third Addition within the corporate limits of the City of Lexington. He explained that the original dedication of the plat intended the addition; however, there was an oversight when approved in 1996. Following discussion, moved by Salem, seconded by Tomasek, to approve Resolution No. 07-20. Roll call. Voting "aye" were Miller, Bennett, Tomasek, Salem, Fagot. Motion carried.

RESOLUTION NO. 07-20

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

That KIRKPATRICK'S THIRD 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 July 10, 2007.

CITY OF LEXINGTON, NEBRASKA

BY: John Fagot, President of the Council
ATTEST: Pamela Berke, Deputy City Clerk

LAND ACQUISITION:

Resolution No. 07-21 was read. Pepplichtsch explained this resolution states that the City Council authorizes the acquisition of property by the CRA in Redevelopment Area #1. Following discussion, moved by Miller, seconded by Salem, to approve Resolution No. 07-21. Roll call. Voting "aye" were Bennett, Tomasek, Salem, Miller, Fagot. Motion carried.

RESOLUTION NO. 07-21

RESOLUTION OF THE CITY OF LEXINGTON FINDING THAT THE ACQUISITION AND DEVELOPMENT OF UNDEVELOPED AND VACANT LAND IS ESSENTIAL TO THE PROPER CLEARANCE AND REDEVELOPMENT OF SUBSTANDARD AND BLIGHTED AREAS AND IS A NECESSARY PART OF THE GENERAL COMMUNITY REDEVELOPMENT PROGRAM AND AUTHORIZING THE ACQUISITION OF THE SAME BY THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA.

WHEREAS, Section 18-2123 R.R.S provides that a Redevelopment Authority may acquire undeveloped land when the same is essential to the proper clearance or redevelopment of a substandard or blighted area; and

WHEREAS, the governing body of the City of Lexington has determined that the property described herein is necessary for the proper clearance and redevelopment of substandard and blighted areas within the City of Lexington; and

WHEREAS, the governing body determines that the acquisition of such an area is beneficial to the removal of blight and substandard conditions in redevelopment areas within the City; and

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

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

Section 1. The governing body of the City finds that the following described lands are located within the limits of the City; that said lands are vacant and undeveloped; are essential to the proper clearance or redevelopment of substandard or blighted areas; and are a necessary part of the general community redevelopment program of the city, to wit:

Lots 3 & 4, Kirkpatrick's Third Addition, being a part of the South One-half of the Southeast Quarter of Section 17, Township 9 North, Range 21 West of the 6th P.M., Dawson County, Nebraska.

Section 2. The Community Redevelopment Authority of the City of Lexington is hereby authorized and directed to acquire and provide for the development and redevelopment of said lands according to the Community Development Law.

Passed and approved this 10th day of July, 2007.

CITY OF LEXINGTON, NEBRASKA.

John Fagot, Mayor

ATTEST: Pamela Berke, Deputy City Clerk

LAND ACQUISITION:

Resolution No. 07-22 was read. Peplitsch explained that this resolution states that the City Council authorizes the acquisition of property by the CRA under terms of the redevelopment plan for Redevelopment Area #1. Moved by Tomasek, seconded by Bennett, to approve Resolution No. 07-22. Roll call. Voting "aye" were Salem, Miller, Bennett, Tomasek, Fagot. Motion carried.

RESOLUTION NO. 07-22

RESOLUTION OF THE CITY OF LEXINGTON FINDING THAT THE ACQUISITION AND DEVELOPMENT OF UNDEVELOPED AND VACANT LAND IS ESSENTIAL TO THE PROPER CLEARANCE AND REDEVELOPMENT OF SUBSTANDARD AND BLIGHTED AREAS AND IS A NECESSARY PART OF THE GENERAL COMMUNITY REDEVELOPMENT PROGRAM AND AUTHORIZING THE ACQUISITION OF THE SAME BY THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA.

WHEREAS, Section 18-2123 R.R.S provides that a Redevelopment Authority may acquire undeveloped land when the same is essential to the proper clearance or redevelopment of a substandard or blighted area; and

WHEREAS, the governing body of the City of Lexington has determined that the property described herein is necessary for the proper clearance and redevelopment of substandard and blighted areas within the City of Lexington; and

WHEREAS, the governing body determines that the acquisition of such an area is beneficial to the removal of blight and substandard conditions in redevelopment areas within the City; and

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

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

Section 1. The governing body of the City finds that the following described lands are located within the limits of the City; that said lands are vacant and undeveloped; are essential to the proper clearance or redevelopment of substandard or blighted areas; and are a necessary part of the general community redevelopment program of the city, to wit:

Lot 1, Wesleyan Addition, Lexington, Dawson County, Nebraska.

Section 2. The Community Redevelopment Authority of the City of Lexington is hereby authorized and directed to acquire and provide for the development and redevelopment of said lands according to the Community Development Law.

Section 3. The Community Redevelopment Authority of the City of Lexington is hereby authorized and directed to amend Project Area #1 in Redevelopment Area #1 to include said lands as such amendment does not substantially change the redevelopment plan previously approved, and qualifies for such amendment pursuant to the Community Development Law.

Passed and approved this 10th day of July, 2007.

CITY OF LEXINGTON, NEBRASKA.

John Fagot, Mayor

ATTEST: Pamela Berke, Deputy City Clerk

LAND SALE:

An ordinance entitled "AN ORDINANCE DIRECTING THE SALE OF LOT 1, WESLEYAN ADDITION, AN ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE" was read. Following discussion, moved by Tomasek, seconded by Salem, to suspend rules regarding the reading of the ordinance on three separate occasions. Roll call. Voting "aye" were Miller, Bennett, Salem, Tomasek, Fagot. Motion carried.

Ordinance No. 2235 was read. Moved by Tomasek, seconded by Bennett, to approve Ordinance No. 2235 on final reading. Roll call. Voting "aye" were Salem, Miller, Bennett, Tomasek, Fagot. Motion carried.

AMBULANCE BIDS:

Bo Berry, representing the Lexington Volunteer Fire Department, reviewed ambulance bids recently received for a replacement ambulance. He reported that the department is requesting approval for purchase of a demonstration model from Midwest Vehicle Professionals. Following discussion, moved by Tomasek, seconded by Salem, to approve purchase of a 2006 Ford 450 Medtec PD-156 with the optional storage cabinet, for a total cost of \$103,400. Roll call. Voting "aye" were Miller, Bennett, Salem, Tomasek, Fagot. Motion carried.

BAT HOUSES:

Council viewed a PowerPoint presentation by Burnside regarding bat houses in the city parks, a prospective project by a local Eagle Scout candidate. Council discussed revising city codes regarding exotic animals within the city limits. Staff was directed to review those particular codes. No other action was taken on this issue.

BUDGET WORK SESSION:

Pepplitsch presented a draft of the 2008 General Fund budget with the Council, highlighting equipment and capital needs in the General Fund. Following discussion, no action was taken.

ROUNDTABLE:

When questioned by Fagot, Burnside reported that he will contact Jerry Bergstrom regarding status of membership of the Multi-Cultural Commission and would report to the Council in the near future.

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