

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, February 24, 2009, 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, Joni Bennett, Linda Miller, and John Salem. Council member Steve Tomasek 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 the Kearney Hub and Lexington Clipper-Herald. Also in attendance were Marc Munford, Susan Bennett, and Rich McGinnis.

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 – JOINT MEETING
MEETING 2-09-09:** Minutes of the Joint meeting between Lexington City Council and the Lexington School Board held Monday, February 9, 2009, were presented for Council approval. Moved by Miller, seconded by Salem, to approve Minutes as presented. Roll call. Voting “aye” were Bennett, Salem, Miller, Fagot. Motion carried.

**MINUTES – REGULAR
MEETING 2-10-09:** Minutes of the Regular meeting held Tuesday, February 10, 2009, were presented for Council approval. Moved by Salem, seconded by Bennett, to approve Minutes as presented. Roll Call. Voting “aye” were Miller, Bennett, Salem, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$336,077.45 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 \$152,896.65 from the General Fund, \$8,333.34 from ED Reuse, \$118,805.03 from LEXUS, \$28,136.30 from Sanitation, \$804.06 from Ambulance Fund, \$24,407.84 from Health Fund, and \$2,694.23 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Salem, Miller, Bennett, Fagot. Motion carried.

**CITY OF LEXINGTON
ACCOUNTS PAYABLE
February 24, 2009**

Aesseal LLC	WWTP Seals	2,279.36
AFLAC	Premium	1,016.91
Alltel	Cellphone Service	51.83
Applied Industrial Technologies	WWTP Supplies	67.40
Awards Plus	Cem. Supplies	580.00

Bader Insulation & Sandblasting	Secondary Digester Rehab	400.00
Barmore Drug Store, Inc.	WR Supplies	17.64
Brecks, Bill	Conference	172.50
Business Card	Fuel/Postage/Conference/Books	1,240.60
Capstone Press, Inc.	Books	233.04
Card Center/Orscheln	WWTP/Cem. Supplies	147.75
Case Credit Advantage	WWTP/WR Supplies	256.04
Cash-Wa Distributing	Food & Supplies	903.75
Central Garage Fund	Repairs/Service	3,857.81
Certified Laboratories	Central Garage Supplies	271.30
Community Service Center, Inc.	Bridge Fund-Haven House	3,940.10
Dan's Sanitation	Sanitation Fees	588.00
Davis Energy, Inc.	Fuel/Supplies	5,189.67
Dawson County Handibus	Transportation	66.00
Demco	Lib Supplies	94.79
Electric Fixture	WWTP/PK/ Supplies	2,059.82
Envision Ware	Maintenance Fees	1,002.15
Fireguard, Inc.	Fire Dept. Supplies	55.79
FYR-TEK	Fire Dept. Supplies	2,596.95
G & V Inc.	Haul Trash	850.00
Galeton Gloves	Gloves	241.99
Galls, Inc.	Uniform Expense	205.74
Gempler's, Inc.	Police Supplies	103.85
Gonzalez, Ramon	Utility Refund	280.88
Grainger	WWTP Supplies	176.10
HD Supply Waterworks	WR Supplies	42.13
Health Claims Fund	Claims	23,141.73
Holbein, Dahlas D.	Maint. & Cleaning	1,000.00
Husker Ag Sales	Central Garage Supplies	65.65
Ingram Library Services	Books	481.85
Lexington Newspapers, Inc.	Publications	350.09
Lexington True Value	PK/ST/WR Supplies	171.98
Mead Lumber & Rental-Lexington	Lib/ST/WWTP Supplies	791.20
Municipal Supply	WWTP Supplies	303.20
NE Dept Economic Development	Mid Plains CDBG Pmt.	4,166.67
NE Public Health Environmental Lab	WR Testing	988.00
Nebraska Machinery	WWTP/Central Garage Supplies	762.57
Nebraska Municipal Clerk Institute	Conference	392.00
Nebraska Waste Handlers	Sludge Removal	4,380.00
Neopost	Postage	1,500.00
Omaha World-Herald	Subscription	30.00
Overton Community Center	Meals On Wheels	100.00
Oxbow Construction	Secondary Digester Rehab	7,386.05
Paulsen, Inc.	Concrete/Rebar	1,279.32
Penworthy Company	Books	1,248.17
Physio-Control, Inc.	Ambulance Supplies	584.06
Pinon, Juanita H.	Utility Refund	85.44
Plum Creek Cleaners	Supplies	227.50
Plum Creek Market Place	Food	45.82
Rasmussen Mechanical Service	Lib Service	4,614.35
Republican Valley Library System	Seminar	15.00
Roberts Dairy Company	Beverages/Supplies	165.09
S & W Auto Parts, Inc.	PK/Central Garage Supplies	697.66
Schmidt, Mike	Permit Refund	100.00
Service Master Mid Nebraska	GGC/Lib Cleaning Service	2,950.00
Source Gas, LLC	Gas Service	616.16
Subway Sandwiches & Salads	Food	47.52

T. O. Haas Tire Company, Inc.	Tires/Repair	135.02
TASC	Premium	190.00
Thompson Co., The	Food & Supplies	639.30
TierOne-Lib. Petty Cash	Postage	58.93
U-Save Business Equipment	Supplies/Postage	142.90
Van Diest Supply Company	Mosquito Sprayer	10,405.00
Wal-Mart	Supplies	2,036.42
Wesco Distribution, Inc.	EL Supplies	2,058.00
Alltel	Cellphone Service	75.45
American Plus, Inc.	PK Supplies	152.66
Dan's Sanitation	Sanitation Fees	28,136.30
Fed Ex	Shipping Charges	60.45
Gale Group, The	Book	22.72
Health Claims Fund	Claims	59.20
Johnson Service Company	Clean Lift Station	787.50
Kearney Hub	Subscription	126.50
Lexington True Value	Supplies	80.96
Lexington Utilities System	Utilities	29,605.28
Lexington, City of	Franchise Fees	54,407.71
Payroll	Wages	103,026.79
Social Security	Employer Portion / FICA Med	7,621.83
First National Bank	Employer Portion / Pension	3,315.48
First National Bank	Police Pension	0.00
ICMA	City Manager Pension	399.23
Mead Lumber & Rental-Lex	ST Supplies	20.32
NADA Used Car Guide	Subscription	90.00
Naumann, Sondra	Cleaning Service	192.00
NE Dept Economic Development	Mid Plains CDBG Pmt.	4,166.67
Taste of Home Books	Book	29.98
TierOne-City Petty Cash	Food	66.84
TierOne-Lib. Petty Cash	Seminar	3.00
U-Save Business Equipment	Postage	97.63
Village Uniform	GGC Supplies	103.20
Wal-Mart	Supplies	87.21
	TOTAL CLAIMS:	336,077.45

BOND REFINANCING:

Marc Munford, Ameritas, presented information on potential debt service savings by refunding the Series 2002 and Series 2003 Combined Utility Revenue Bonds. Following discussion, moved by Miller, seconded by Bennett, to authorize City Manager to direct the bond agent to prepare the issue at such time the present value savings meet or exceed a 4% threshold. Roll call. Voting "aye" were Salem, Bennett, Miller, Fagot. Motion carried.

PUBLIC HEARING:

Mayor Fagot opened a public hearing to consider an application to the Lexington Economic Development Program from the Lexington Council for Economic Development in the amount of \$115, 000.00. Peplitsch explained that the funds would be used for renovations at the Lexington Business Center to accommodate a new tenant. Rich McGinnis, president of CED, noted a May 15, 2009, tentative occupancy date. Peplitsch indicated that the CED currently has a loan from this program and it would seem reasonable to amend the original loan agreement to include the new amount with the same repayment terms. The public hearing was closed. Following discussion, moved by Miller, seconded by Bennett, to approve the

loan application and to authorize the city manager to execute the necessary documents. Roll call. Voting "aye" were Salem, Bennett, Miller, Fagot. Motion carried.

JULY 4TH ACTIVITIES:

Susan Bennett, Executive Director of the Lexington Area Chamber of Commerce, appeared before the Council to request approval to conduct various events in the downtown area from July 3-5, 2009. Following an outline of the activities and requested street closings, moved by Salem, seconded by Miller, to authorize the city manager to work with the chamber office staff for the July 4th events. Roll call. Voting "aye" were Bennett, Miller, Salem, Fagot. Motion carried.

LVFD SERVICE AWARD:

Resolution No. 09-05 was presented for Council consideration. Following discussion, moved by Bennett, seconded by Salem, to approve Resolution No. 09-05 as presented. Roll call. Voting "aye" were Miller, Salem, Bennett, Fagot. Motion carried.

RESOLUTION NO. 09-05

A RESOLUTION APPROVING THE LVFD SERVICE AWARD PROGRAM CERTIFIED MEMBER LIST FOR CALENDAR 2008.

WHEREAS, the Lexington Volunteer Fire Department members must attain Certified status as defined by the LVFD Service Award Program in order to participate in the program.

BE IT RESOLVED, by the Mayor and Council of the City of Lexington, the following list of members have completed the certification requirements as determined by the Certification Administrator for calendar year 2008.

Travis Arner	Ron Balthazor	David Berke
Bo Berry	Jeffrey Block	Bruce Bonini
Bill Brecks	Robert Bullis	Alfred Copper
Gary Donnelson	Michael Dowling	Matthew Fitzgerald
Doug Glaze	Michael Gomez	Everett Hagan
Dale Holbein	Dahlas Holbein	Kent Jergensen
Ryan Johnson	Jeremy Kaiser	Richard Klauz
James Linch	Michael Maguire	Robert Martin
Seth McFarland	Eldon Peck	Chad Reutlinger
Roger Reutlinger	Nick Reynolds	Michael Richman
Jon Robles	Jerry Saulsbury	Kerry Teetor
Dean Wheeler	David Zlatkovsky	Frank Zlatkovsky

Passed and Approved this 24th day of February 2009.

CITY OF LEXINGTON, NEBRASKA

BY: John Fagot, Mayor

ATTEST: Pamela Berke, Deputy City Clerk

FINANCIAL REPORTS:

Pepplitsch presented and reviewed the Financial Report for January 2009. Moved by Salem, seconded by Miller, to accept the financial report as presented. Roll call. Voting "aye" were Bennett, Miller, Salem, Fagot. Motion carried.

ROUNDTABLE:

Peplitsch suggested setting a specific day each month for council planning sessions and indicated he would send out a recommendation. He also indicated that the National League of Cities annual conference will be in San Antonio, TX, this year.

Weinhold reported that two foreclosed properties in which the city has a vested interest will be sold at a sheriff's auction on March 25, 2009.

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