

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, March 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, Steve Tomasek, Joni Bennett, John Salem and Linda Miller. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Will Weinhold, Finance Director Barb Mills, and Deputy Clerk Pamela Berke. The press was represented by the Kearney Hub and the Lexington Clipper-Herald. Also in attendance were Dana Daniels, Miller & Associates; Jen Wolf, DAD; and Linda Erickson, Contryman Associates.

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 3-10-09 Minutes of the Regular meeting held Tuesday, March 10, 2009, were presented for Council approval. Moved by Salem, seconded by Bennett, to approve Minutes as presented. Roll Call. Voting “aye” were Miller, Tomasek, Bennett, Salem, Fagot. Motion carried.

MINUTES – PLANNING SESSION 3-14-09 Minutes of the Planning session held Saturday, March 14, 2009 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 \$382,491.27 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 \$190,450.00 from the General Fund, \$8,209.17 from ED Reuse, \$7,187.73 from Housing Reuse, \$135,019.82 from LEXUS, \$28,108.36 from Sanitation, \$2,220.75 from Ambulance Fund, \$6,924.11 from Health Fund, and \$4,371.33 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Salem, Miller, Tomasek, Bennett, Fagot. Motion carried.

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

AFLAC	Premium	1,016.91
Alltel	Cellphone Service	50.44
Arbor Day Foundation	Membership Dues	15.00
Assemblies of God Campground	Pool Rent	110.00
Audio Editions	Books/Supplies	944.37
B & D Office City	Office Supplies	53.98

Bliven Construction	OOR Housing	1,879.50
Business Card	Conference/Rec Supplies	1,442.92
Card Center/Orscheln	PK/Cem/EL Supplies	188.20
Case Credit Advantage	WWTP Supplies	322.17
Cash-Wa Distributing	Food & Supplies	678.29
Central Garage Fund	Repairs/Service	6,915.59
Central States Group	WWTP Supplies	301.22
Chief Supply Corp.	Fire Dept. Supplies	627.75
D & R Computing	Service	50.00
Davis Energy, Inc.	Fuel	1,583.22
Dawson County Clerk	Dispatch Fee	25,000.00
Dawson County Handibus	Transportation	56.00
Dawson Public Power District	Power Purchase	6,598.08
DC Horizons	Utility Refund	142.83
Demco	Lib. Supplies	161.83
Eilers Machine & Welding	Central Garage/WR Supplies	304.55
EMS Billing Services, Inc.	Ambulance Service	1,170.96
Fastenal	WR Supplies	89.74
Fisher Scientific	WWTP Supplies	726.65
FYR-TEK	Fire Dept. Supplies	460.00
Geotechnical Services, Inc.	WWTP Improvements Report	2,600.00
Gale Group, The	Books	45.44
Gnirk Lawn Care, Inc.	Aeration/Insecticide/Applications	5,875.50
Hach Company	WWTP Supplies	40.14
HD Supply Waterworks	EL Supplies	400.55
Health Claims Fund	Claims	5,001.38
Holbein, Dahlas D.	Maint. & Cleaning	1,000.00
Husker Ag Sales	Central Garage Supplies/Mower	11,025.40
Ingram Library Services	Books	131.18
Jim Phillips Const.	Manhole Repair	3,077.00
Lange, Christa	Utility Refund	225.44
Lawson Products, Inc.	WWTP Supplies	166.70
Lexington Newspapers, Inc.	Publications	520.66
Lexington True Value	WWTP/ST/Cem. Supplies	1,362.40
Madeline's Café	Food	16.95
Mead Lumber & Rental-Lexington	ST/WR Supplies	145.86
Mid-Nebraska Food Bank	Food	57.13
Mid-State Units	Rental	108.00
Miller, Linda	Conference	44.00
Misko Sporting Goods	Rec Supplies	175.41
NE Dpt of Economic Development	Orthman's/Mid Plains CDBG Pmt.	8,209.17
Nebraska Machinery	Central Garage Supplies	65.30
NE Public Health Environmental Lab	WR Testing	3,244.00
Neopost	Postage	1,500.00
Newman Traffic Signs	ST Supplies	156.34
NE Planning & Zoning Assn	Conference	750.00
Omaha World-Herald	Subscription	248.56
Overton Community Center	Meals On Wheels	100.00
Paulsen, Inc.	Concrete/Gravel	824.41
Peak Interests LLC	Food	50.67
Pinnacle Agency, The	Work. Comp. Audit	3,026.00
Platte Valley Auto Mart	Central Garage Supplies	116.85
Plum Creek Market Place	Food	60.86
Precision Industries	Central Garage Supplies	86.06
Roberts Dairy Company	Beverages/Food	247.87
S & W Auto Parts, Inc.	PK/Central Garage Supplies	607.31
Service Master Mid Nebraska	GGC/Lib Cleaning Service	2,950.00

T & R Service	Transformer Disposal	3,594.00
T. L . Sund Constructors, Inc.	WWTP Service	145.00
T. O. Haas Tire Company, Inc.	Tires/Supplies	301.30
TASC	Premium	190.00
Taste of Home Books	Book	29.98
Thompson Co., The	Food & Supplies	1,296.05
TierOne-Lib. Petty Cash	Postage	42.95
Treat America Food Service	Food	14.23
U-Save Business Equipment	Supplies/Postage	148.28
Upstart	Lib. Supplies	135.47
Wal-Mart	Supplies	814.08
Wilson Bohannon Padlock Co	PK Supplies	183.54
ABC Partnership	OOR Housing	5,308.23
Alltel	Cellphone Service	83.63
Barco Municipal Products	ST Supplies	1,134.90
Bennett, Joni	Conference	220.00
Case Credit Advantage	WWTP Supplies	11.96
Cash-Wa Distributing	Food & Supplies	532.99
Dan's Sanitation	Sanitation Fees	28,108.36
Dash Medical Gloves, Inc.	Police Supplies	119.80
Dawson County Dept of Roads	PK Supplies	56.00
DBSP, Inc.	Software Maintenance	1,000.00
Dutton-Lainson Company	EL Supplies	1,781.25
Electric Fixture	Municipal Bldg/GGC Supplies	71.10
Fagot, John	Conference	176.00
Farmer Brothers Coffee	Food & Supplies	379.75
Fastenal WWTP	Supplies	27.61
Glaze, Douglas J.	Conference	506.41
Health Claims Fund	Claims	715.82
Healthcare Recoveries	Ambulance Refund	323.38
Home Federal Savings/Loan Assn	Loader Pmt.	15,137.16
HTM Sales, Inc.	WWTP Supplies	2,053.03
Jim Phillips Const.	Fence Repair	3,155.80
Lakeside Country Club	Membership Fee	922.00
Lexington Newspapers	Publications	351.34
Lexington True Value	Supplies	198.47
Lexington Utilities System	Utilities	25,592.91
Lexington, City of	Franchise Fees	50,946.98
Payroll	Wages	99,276.63
Social Security	Employer Portion / FICA Med	7,332.04
First National Bank	Employer Portion / Pension	3,308.03
First National Bank	Police Pension	0.00
ICMA	City Manager Pension	399.23
Marriott Hotels & Resorts	Conference	1,934.84
McCookNet Internet Service	Server Batteries	361.02
Mead Lumber & Rental-Lex	Bldg. Inspection Supplies	96.35
Miller & Associates	Trail/Annual Report/Retainer	1,928.69
Morris Press	GGC Copies	195.00
Municipal Supply	WWTP/ST Supplies	987.66
Nebraska Machinery	Central Garage Supplies	85.14
Nebraska Public Power District	Contract Filing Fee	25.00
Paulsen Inc.	Concrete	856.64
Price's Tree Service	Tree Removal	7,300.00
Roberts Dairy Company	Food & Beverages	41.98
Service Master Mid Nebraska	GGC Cleaning Service	78.75
Statewide Collections	Collection Fees	353.49
TierOne-City Petty Cash	Food	25.66

Tomasek, Steve	Conference	198.00
U-Save Business Equipment	UPS Fees/Supplies	142.13
Wal-Mart	Supplies	132.96
Weathercraft Companies	WWTP Lab-Roof Replaced	6,469.53
TOTAL CLAIMS:		382,491.27

RESOLUTION:

Jen Wolf requested Council approval of a resolution in support of a Rural Business Enterprise Grant for renovations to the Opportunity Center. She gave a project overview and budget. Following discussion, Resolution No. 09-08 was read. Moved by Salem, seconded by Tomasek to approve Resolution No. 09-08. Roll call. Voting "aye" were Bennett, Miller, Tomasek, Salem, Fagot. Motion carried.

RESOLUTION NO. 09-08

RESOLUTION OF THE
CITY OF LEXINGTON, NEBRASKA
FOR A \$290,000 RURAL BUSINESS ENTERPRISE
GRANT FROM RURAL DEVELOPMENT

WHEREAS, the City of Lexington (hereinafter called Grantee) intends to apply for a Rural Business Enterprise Grant in the amount of \$290,000 from the United States of America, acting through Rural Development ("the agency"), United States Department of Agriculture, acting under the provisions of the Rural Business Enterprise Grant Program (7 C.F.R. Part 1942, Subpart G) for the purpose of renovating an existing building to support small business development in the Lexington, Nebraska area.

WHEREAS, as a condition to and in consideration of receiving financial assistance in the form of the Rural Business Enterprise Grant from the agency, this Resolution is being adopted.

THEREFORE, in consideration of the premises, Grantee agrees as follows:

(1) The Grantee hereby applies for, approves and accepts a Rural Business Enterprise Grant in an amount not to exceed \$290,000 in accordance with the terms specified in the Application for Federal Assistance Grants (RD Instruction 1942, Subpart G) copies of which have been provided to us.

(2) The Mayor and City Clerk are hereby authorized and directed to apply for, approve, accept and take all actions necessary to obtain and complete the requirements of the Rural Business Enterprise Grant under the terms offered by the agency.

The Resolution shall be in force and effective March 24, 2009.

John Fagot, Chief Elected Official

Attest: Joe Pepplichtsch, City Clerk

- MONROE STREET:** Dana Daniels presented plans and specifications for the Monroe Street Paving Improvements project, and requested authorization to advertise for bids. Following discussion, moved by Miller, seconded by Tomasek, to approve the plans and specifications as presented and to authorize advertisement for bids. Roll call. Voting "aye" Salem, Bennett, Tomasek, Miller, Fagot. Motion carried.
- AUDIT REPORT:** Linda Erickson, Contryman Associates, presented the Fiscal Year 2008 Audit Report to Council. Following discussion, moved by Tomasek, seconded by Bennett, to accept the audit report as presented. Roll call. Voting "aye" were Miller, Salem, Bennett, Tomasek, Fagot. Motion carried.
- FINANCIAL REPORT:** Pepplitsch reviewed the financial report for February 2009. Following discussion, moved by Tomasek, seconded by Miller, to accept the financial report as presented. Roll call. Voting "aye" were Bennett, Salem, Miller, Tomasek, Fagot. Motion carried.
- ROUNDTABLE:** Pepplitsch gave project status updates. Burnside gave an update on Arbor Park playground equipment upgrades. He also reported on Arbor Day plans and a recent awarded grant for shade trees.
- 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