

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, May 26, 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, and John Salem. Council member Linda Miller was absent. City Officials present were City Manager Joe Pepplitsch, Assistant City Manager Dennis Burnside, City Attorney Will Weinhold, Finance Director Barb Mills, and Deputy City Clerk Pamela Berke. The press was represented by the Kearney Hub.

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 5-12-09**

Minutes of the Regular meeting held Tuesday, May 12, 2009, were presented for Council approval. Moved by Salem, seconded by Bennett, to approve Minutes as presented. Roll Call. Voting “aye” were Tomasek, Bennett, Salem, Fagot. Motion carried.

CLAIMS & BILLS:

Claims and Bills in the amount of \$917,569.56 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Bennett, seconded by Salem, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$204,276.78 from the General Fund, \$148,005.97 from TIF, \$4,166.67 from ED Reuse, \$489,775.70 from LEXUS, \$25,266.09 from Sanitation, \$16,857.08 from Ambulance Fund, \$24,456.28 from Health Fund, and \$4,764.99 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Tomasek, Salem, Bennett, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
May 26, 2009

AFLAC	Premium	985.51
All Points Cooperative	Fuel	495.57
Alltel	Service	138.29
Associated Supply Company, Inc.	Diving Board	2,100.00
Barmore Drug Store, Inc.	Bldg. Inspection Supplies	199.98
Business Card	Conference/WWTP/ST Supplies	937.53
Card Center/Orscheln	Pool/ST/PK/Cem/WWTP Supplies	148.58
Cash-Wa Distributing	Food & Supplies	5,450.51
Coca Cola/Dr. Pepper Bottling of Kearney	Beverages	1,380.00
Community Redevelopment Authority	Lex.Investors/CEL-TIF Pmts.	125,154.21
Dan's Sanitation	Sanitation Fees	25,266.09
Davis Energy, Inc.	Fuel/Supplies	3,394.90

Dawson County Election Office	Special Election	836.37
Dos Mundos	Subscription	40.00
Dunrite, Inc.	ST/PK Supplies	165.83
Eakes Office Plus	Library Supplies	175.96
Eustis Body Shop	Repair	460.00
Fagot Refrigeration & Electric	GGC Repair	153.73
Fastenal	Pool/WWTP/WR Supplies	286.92
Fed Ex	Delivery Fees	62.45
G & V Inc.	Haul Debris	540.00
Gale Group, The	Books	352.45
HD Supply Waterworks	WR Supplies	447.55
Health Claims Fund	Claims	19,332.06
Hernandez, Hazmin	Utility Refund	505.42
Hobart	GGC Repair	306.05
Holbein, Dahlas D.	Maint. & Cleaning	1,000.00
Home Federal Savings	Ambulance Payment	16,154.08
Ingram Library Services	Books	196.34
Kriz-Davis Company	EL Supplies	908.69
Lakeshore	Books	35.94
Landmark Implement, Inc.	WWTP Supplies	250.36
Lantz, Kathy	Cemetery Space Refund	200.00
Lawson Aquatics	Pool Supplies	922.00
League of Nebraska Municipalities	Conferences	462.00
Lexington Newspapers	Publications	210.67
Lexington Public Schools	Rec.Supplies/Food	997.87
Lexington Rural Fire Protection District	Building Payment	25,634.55
Lexington True Value	Fire Dept/ST Supplies	1,158.75
Lexington Utilities System	Utilities	25,975.31
Lexington, City of	Franchise Fees	50,490.06
Payroll	Wages	99,924.88
Social Security	Employer Portion / FICA Med	7,389.71
First National Bank	Employer Portion / Pension	3,190.85
First National Bank	Police Pension	0.00
ICMA	City Manager Pension	408.46
Lien, Inc.	Trees	800.00
Linda's Stitches & Creations	Shirts	226.08
Mac's Short Stop	Food & Supplies	88.53
Manufacturers' News, Inc.	Book	80.00
Mead Lumber & Rental-Lexington	Pool/Cem/WWTP Supplies	110.70
Miller & Associates	Retainer Fee/Bike-Hike Trail	4,994.85
Misko Sporting Goods	PK Supplies	246.87
National Council on Aging	Membership Dues	195.00
National Geographic En Espanol	Subscription	24.00
Nebraska Library Commission	Library Supplies	74.44
Neopost	Postage	2,056.40
Otzoy, Juan	EL Rebate	1,025.00
Overton Community Center	Meals On Wheels	100.00
Paquin, Ann	EL Rebate	125.00
Paulsen, Inc.	Concrete/White Rock	1,441.06
Platte Valley Communications	GGC Repair	141.18
Plum Creek Cleaners	Supplies	71.00
Plum Creek Market Place	Food	33.70
Plum Creek Promotions	Youth T-Shirts	1,102.94
Quill Corporation	Supplies	209.17
Roberts Dairy Company	Beverages/Food	308.71
S & W Auto Parts, Inc.	WWTP Supplies	78.36
Security First Bank	Wilkinson Dev.-TIF Pmt.	22,851.76

Service Master of Mid Nebraska	Library/GGC Cleaning Service	2,950.00
State Wide Collections	Collection Fees	101.24
Sterling West	PK Supplies	720.60
TASC	Premium	190.00
Taste of Home Books	Books	59.96
Thompson Co., The	Food & Supplies	729.75
TierOne-LB Petty Cash	Postage/Food/Supplies	44.88
Time	Subscription	26.95
U-Save Business Equipment	Supplies	55.04
Village Uniform	GGC Supplies	7.60
VJ Enterprises, Inc.	Library Program	275.00
Wal-Mart	Supplies	500.78
Wall Street Journal, The	Subscription	398.48
Weekly Bulletin, The	Subscription	172.50
Weinhold, Will	EL Rebate	1,200.00
West Central Nebraska Development	Municipal Dues	4,000.00
Wozny, Tim	EL Rebate	1,175.00
Card Center/Orscheln	PK Supplies	25.06
Case Credit Advantage	Central Garage Supplies	258.69
Cash-Wa Distributing	Food & Supplies	2,797.29
Central Community College	Fire Dept. Classes	483.00
Central Garage Fund	Repairs/Service	4,750.39
Danko Emergency Equipment Co.	Fire Dept. Supplies	61.92
Dell Marketing L P	Computers	1,943.50
Farmer Brothers Coffee	Food & Supplies	285.19
H D Supply Waterworks	WR Supplies	586.54
Health Claims Fund	Claims	3,948.71
Landmark Implement, Inc.	Central Garage Supplies	27.40
Lexington Health Fund	Self-Funding	32,610.15
Lexington True Value	PK/Rec/Bldg.Insp. Supplies	410.09
Lexington Volunteer Fire Dept.	Fire School	5,871.00
Mac's Short Stop	Food & Supplies	185.32
Mead Lumber & Rental-Lexington	Central Garage Supplies	13.93
Michael Todd & Co., Inc.	ST Supplies	247.43
Municipal Supply	WR Supplies	1,383.56
Nebraska Dept. of Economic Development	Mid Plains CDBG Pmt.	4,166.67
Nebraska Public Health Environmental Lab.	WR Testing	1,364.00
Nebraska Public Power District	O & M	67,000.00
Nebraska Public Power District	Breaker/Switchgear/Relay Maint.	53,010.20
Nebraska Public Power District	Capital Projects	258,222.89
Original Lifeguard, Inc.	Pool Supplies	181.00
Platte Valley Auto Mart	Central Garage Supplies	145.13
Plum Creek Market Place	Food	16.96
Plum Creek Promotions	T-Shirts	1,342.70
Roberts Dairy Company	Beverages	43.73
S & W Auto Parts, Inc.	Central Garage Supplies	499.95
Service Master of Mid Nebraska	Cleaning Service	70.00
Stobbe Welding	Central Garage Supplies	865.00
Thompson Co., The	Food & Supplies	363.18
TierOne-City Petty Cash	Postage/Food/Fuel	49.06
Triple S Trucking	Hauling Fee	450.00
Village Uniform	GGC Supplies	7.60
Wal-Mart	Supplies	63.31
	TOTAL CLAIMS:	917,569.56

MONROE STREET IMP:

Peplitsch gave an update on bids received on the Monroe Street Paving Improvements project. He noted that only one bid was received which was considerably higher than the engineer's estimate and projected funding. He recommended the Council reject the bid, and consider negotiating with the low bidder for a contract to construct the improvement project. Following discussion, moved by Tomasek, seconded by Salem, to reject the bid as received. Roll call. Voting "aye" were Bennett, Salem, Tomasek, Fagot. Motion carried.

Moved by Salem, seconded by Bennett, to authorize the city manager to negotiate with the low bidder for a project contract commensurate with the estimated project cost. Roll call. Voting "aye" were Tomasek, Bennett, Salem, Fagot. Motion carried.

FINANCIAL REPORT:

Peplitsch presented the Financial Report for April 2009. Following discussion, moved by Tomasek, seconded by Bennett, to accept the Financial Report as presented. Roll call. Voting "aye" were Salem, Bennett, Tomasek, Fagot. Motion carried.

EXECUTIVE SESSION:

Moved by Salem, seconded by Tomasek, to go into executive session at 6:02 p.m. to discuss current litigation involving the City of Lexington. Roll call. Voting "aye" were Bennett, Tomasek, Salem, Fagot. Motion carried.

Moved by Bennett, seconded by Tomasek, to come out of executive session at 6:35 p.m. Roll call. Voting "aye" were Salem, Tomasek, Bennett, Fagot. Motion carried.

ROUNDTABLE:

Peplitsch and Burnside gave an update on several current projects including 13th Street Improvements, Pedestrian Trail, skate park equipment installation, and soccer fields.

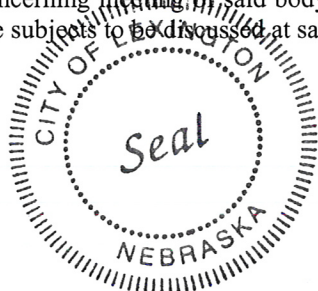
ADJOURNMENT:

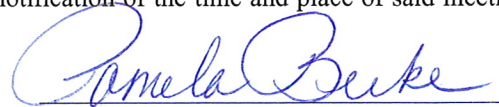
There being no further business to come before the Council, Mayor Fagot declared the meeting adjourned.

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