

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Monday, May 10, 2010, at the Lexington Municipal Building, located at 406 E. 7th Street, Lexington, Nebraska at 5:00 p.m. Members of the Council present were Mayor John Fagot, Steve Tomasek, Joni Bennett, and John Salem. Linda Miller was absent. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Will Weinhold, Building Inspector Bill Brecks and Deputy City Clerk Pamela Berke. The press was represented by the Lexington Clipper-Herald and the Kearney Hub. Also in attendance were Mark Yung and Audrey Allbright.

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 4-27-10 Minutes of the Regular meeting held Tuesday, April 27, 2010, 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 \$1,169,331.62 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 \$227,961.71 from the General Fund, \$61,514.00 from Economic Development, \$4,042.50 from ED Reuse, \$854,401.15 from LEXUS, \$10,000.00 from Sanitation, \$2,320.62 from Ambulance Fund, \$4,376.89 from Health Fund, and \$4,714.75 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
May 10, 2010

Alamar Uniform Co.	Uniform Expense	111.46
All Points Cooperative	Fuel / Weed Killer / Fertilizer	2,314.67
Andablo, Everardo	Utility Refund	27.34
Annie's Attic Books	Book	18.94
Awards Plus	Plaques	71.00
Axis Capital, Inc.	Mail Machine Pmt	527.37
Bader Insulation & Sandblasting, Inc.	Aquatic Center Painting Project	15,500.00
Beringer Ciaccio Dennell Mabrey	D C Opportunity Center-Phase II	11,207.00
Card Center/Orscheln	WR Supplies	32.09
Case Credit Advantage	WWTP / Central Garage Supplies	117.61
Cash-Wa Distributing	Food / Supplies	3,073.85

CB Richard Ellis/MEGA	Leasing Commission	2,000.00
Central Garage Fund	Fuel	10,329.81
Central Tire & Tread	Repair	15.00
Conney Safety Products	ST Supplies	176.28
Cozad Services, Inc.	GGC Service	71.00
Culligan Water Conditioning Co.	Soft Water Supplies	206.30
Dan's Sanitation	Sanitation Fees	13,440.00
Dawson County Register of Deeds	Fees	48.00
Dawson Pest Control	GGC Service	35.00
Dawson Public Power District	Power Purchase	362.93
DWA Partners, LLC	Secure Our Schools Website	3,750.00
Eakes Office Plus	Lib / ST Supplies	245.22
Electronic Systems, Inc.	GGC Service	35.00
Endorf, Charlotte	Books	143.70
Farmer Brothers Coffee	Food & Supplies	520.59
Fastenal	WWTP Supplies	29.26
FYR-TEK	Fire Dept Supplies	18.24
Gale Group, The	Books	182.75
HD Supply Waterworks	Meters / Wire	908.99
Health Claims Fund	Claims	4,199.64
Holbein, Dahlas D.	Lawn Service	330.00
Ingram Library Services	Books	891.46
Intellicom	Telephone System Municipal Bldg	7,683.83
International City Management Association	Membership Dues	1,247.20
International Code Council, Inc.	Membership Dues	100.00
Jones Plumbing & Heating	GGC/PK/WR/WWTP/EL Spls/Svc	1,207.75
Lexington Animal Clinic	Animal Care	579.50
Lexington Area Solid Waste Agency	Landfill	1,793.16
Lexington Health Fund	Self Funding	31,774.87
Lexington Newspapers, Inc.	Publications	1,271.77
Lexington Postmaster	Postage	150.00
Payroll	Wages	104,433.36
Social Security	Employer Portion / FICA Med	7,676.95
First National Bank	Employer Portion / Pension	3,291.74
First National Bank	Police Pension	1,674.98
ICMA	City Manager Pension	414.23
Linweld	Ambulance Supplies	111.95
Ludeke, Pat	Conference	40.00
Luther, Ann	Conference	147.50
McCookNet Internet Service	Service	139.00
Mead Lumber & Rental-Lexington	Bldg Insp / PK / REC Supplies	96.57
Meritain Health	Premium	20,863.49
Mid-State Units	Rental	615.00
Miller & Associates	NW Addition Water Imp	179.40
Morris Press	GGC Supplies	73.00
Nebraska Dept. of Economic Development	Orthman's CDBG Pmt	4,042.50
Nebraska Machinery	WR / Rec Packer Rental	1,980.00
Nebraska National Bank	Copier Pmts.	1,195.44
Nebraska Public Power District	O & M	65,500.00
Nebraska Public Power District	Power Purchase	660,245.32
Nebraska Waste Handlers	Sludge Removal	6,570.00
Nebraska Water Environment Association	Membership Dues	20.00
Northern Tool & Equipment Co.	ST Supplies	133.30
O'Meara, Maisie	Conference	40.00
Overton Sand & Gravel	Road Gravel / White Rock	653.12
Paulsen, Inc.	Concrete / Rock	505.75
Peak Interests LLC	Food	36.78

Platte Valley Auto Mart	Bldg Insp Vehicle / Repair	15,754.53
Platte Valley Communication of Kearney	Maint / Rpr / Scada System	5,131.47
Plum Creek Cleaners	Supplies	499.00
Plum Creek Market Place	Food	31.16
Rainbow Book Company	Books	1,035.24
Reutlinger, Roger	Conference	120.00
Roberts Dairy Company	Beverages / Food	440.57
Rodale	Book	39.94
S & W Auto Parts	WR / PK Supplies	99.93
Service Master Mid Nebraska	Cleaning Service	202.87
Source Gas, LLC	Gas Service	5,610.32
Statewide Collections, LLC	Collection Fees	195.11
Sund Investments, LLC	Spec Bldg Lot #2 Industrial Track	61,514.00
Team Detail & Quicklube	Uniform Expense	22.50
Thomas Bouregy & Company, Inc.	Books	139.50
Thompson Co., The	Food & Supplies	1,277.06
Thorell, Andrea	Conference	40.00
Tnemec Company, Inc.	Aquatic Center Paint	428.40
Tomasek, Tara	Conference	40.00
Total Lawn Care	Lawn Service	2,382.00
Tri-County Hospital	Wellness / Ambulance Supplies	413.50
Tuepker, Danielle	Conference	40.00
Village Uniform	GGC Supplies	42.60
Wal-Mart	Supplies	288.18
Wall Street Journal, The	Subscription	398.48
Western Engineering Company, Inc.	ST Supplies	778.10
Bibliographical Center for Research	Subscription	24.28
Card Center/Orscheln	ST / Cem / WWTP Supplies	138.60
Central Garage Fund	Service / Repair	4,367.55
Dawson Public Power District	Power Purchase	6,202.14
Diaz, Salomon	Yard Cleaning Service	400.00
EMS Billing Services, Inc.	Ambulance Service	1,758.56
Fagot Refrigeration & Electric, Inc.	Well Svc/Legend Oaks Lift Stn/Scada	14,143.81
Farm Plan / Landmark Implement, Inc.	Central Garage Supplies	896.73
Health Claims Fund	Claims	177.25
Junior Library Guild	Books	334.80
Lexington Glass Company	PK / Rec / Lib Supplies / Repair	229.00
Lexington, City of	Franchise	50.09
Mead Lumber & Rental-Lexington	PK Supplies	29.00
Municipal Supply, Inc.	WR / EL / PK Supplies	531.51
Nebraska Department of Revenue	Sales & Use Tax	42,756.88
Ne. Public Health Environmental Lab.	WR Testing	48.00
Nebraska Tech & Telecomm, Inc.	Telephone Service	1,244.05
Oriental Trading Company, Inc.	Lib Supplies	52.92
Paulsen, Inc.	Central Garage Service & Supplies	1,223.55
Rodale	Books	77.88
S & W Auto Parts, Inc.	Central Garage Supplies	19.46
T. O. Haas Tire Co., Inc.	Tires	62.44
Team Detail & Quicklube	Uniform Expense	42.50
Time	Subscription	35.00
Wal-Mart	Supplies	93.20
	TOTAL CLAIMS:	1,169,331.62

PUBLIC COMMENTS:

Audrey Allbright appeared before the Council to request guidance on an issue regarding her neighbor. Weinhold suggested she seek legal counsel regarding the issue that appeared civil in nature.

PLAQUE:

Council and Staff presented Mark Yung with a plaque commemorating his years of service on the Lexington Planning Commission.

ORDINANCE:

Ordinance No. 2280 entitled "AN ORDINANCE LEVYING A SPECIAL ASSESSMENT UPON THE LOTS, PARTS OF LOTS, LANDS AND REAL ESTATE SPECIALLY BENEFITED BY THE IMPROVEMENTS IN IMPROVEMENT DISTRICT 09-01, OF THE CITY OF LEXINGTON, NEBRASKA; TO DEFRAY THE COSTS OF SAID IMPROVEMENTS TO THE EXTENT OF THE SPECIAL BENEFIT TO SUCH LOTS, PARTS OF LOTS, LANDS AND REAL ESTATE BY REASON OF SUCH IMPROVEMENTS AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM" was presented on second reading. Peplitsch noted that no further comments have been received regarding the assessment schedule. Following discussion, moved by Salem, seconded by Tomasek, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting "aye" were Bennett, Tomasek, Salem, Fagot. Motion carried.

Ordinance No. 2280 was presented on final reading. Moved by Salem, seconded by Bennett, to approve Ordinance No. 2280 on final reading. Roll call. Voting "aye" were Tomasek, Bennett, Salem, Fagot. Motion carried.

ORDINANCE:

Ordinance No. 2281 entitled "AN ORDINANCE APPOINTING A CITY MANAGER; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM" was presented on first reading. Following discussion, moved by Salem, seconded by Tomasek, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting "aye" were Bennett, Tomasek, Salem, Fagot. Motion carried.

Ordinance No. 2281 was presented on final reading. Moved by Salem, seconded by Bennett, to approve Ordinance No. 2281 on final reading. Roll call. Voting "aye" were Tomasek, Bennett, Salem, Fagot. Motion carried.

PAY REQUEST:

Peplitsch recommended approval of Pay Request #3 for the Municipal Building project from Paulsen Inc. in the amount of \$45,360.00. Following a project update, moved by Tomasek, seconded by Bennett, to approve the pay request as presented. Roll call. Voting "aye" were Salem, Bennett, Tomasek, Fagot. Motion carried.

ROUNDTABLE:

Tomasek requested an update on the progress of the Greenwood Expansion project. Peplitsch indicated that design is complete and that Council would need to approve the project to move forward.

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