

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, May 23, 2006, at the Lexington Municipal Building, located at 406 E. 7th Street, Lexington, Nebraska at 7:30 p.m. Members of the Council present were Mayor Ted Cook, Joni Bennett, John Fagot, Linda Miller, and Steve Tomasek. City Officials present were City Manager Joe Peplitsch, City Attorney Willard Weinhold and Deputy City Clerk Shirley Lewis.

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 Cook.

MINUTES – REGULAR MEETING – 05-08-06: Minutes of the Rescheduled Meeting scheduled for Monday, May 8, 2006 was presented for Council’s consideration and approval. Upon review of the Claims and Bills, moved by Tomasek, seconded by Bennett, to approve the Minutes of the Rescheduled Meeting held May 8, 2006 as presented. Roll call. Voting “aye” were Fagot, Miller, Bennett, Tomasek, Cook. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$483,759.44 was presented for Council’s consideration and approval. Upon review of the Claims and Bills, moved by Bennett, seconded by Tomasek to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$286,642.66 from the General Fund, \$4,042.50 from Ed Reuse, \$11,033.09 from Housing Reuse, \$118,126.55 from LEXUS, \$23,798.71 from Sanitation, \$16,489.87 from Ambulance Fund, \$14,501.45 from Health Fund, \$9,124.61 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Miller, Fagot, Tomasek, Bennett, Cook. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
May 23, 2006

AFLAC	Premiums	1,155.46
Alamar Uniform Company	Uniform Expense	139.98
All Points Cooperative	Fuel / Supplies	214.43
Alltel	Cellphone Service	52.14
Automotive Sales & Svc Co., Inc.	Central Garage Supplies	27.54
Axis Capital, Inc.	Mail Machine Payment	455.85
B & D Office City	Office Supplies	318.05
Barco Municipal Products	Park Supplies	130.22
Barmore Drug Store, Inc.	Ambulance Supplies	54.69
Beardslee, Idamae	Reimburse Cemetery Space	50.00
Brown Traffic Products	Traffic Light Supplies	2,453.98

Business Ofc Systems of Nebraska	Office Supplies	172.27
Bus Telecomm Systems, Inc.	Phone Expense	245.82
Card Center/Orscheln	Supplies	380.55
Case Credit Advantage	Supplies	130.23
Cash-Wa Distributing	Food & Supplies	3,475.92
Central Garage Fund	Maint. & Repairs	4,490.82
Coca Cola/Dr. Pepper of Kearney	Beverages	925.50
Davis Energy, Inc.	Fuel	6,639.08
Dawson County Handibus	Transportation	50.00
Dawson County Road Department	Prospect & So. Adams / Vine-Elm-Ontario	155,179.75
Dutton-Lainson Company	Electric Supplies	844.20
Eakes Office Products	Office Supplies	214.40
EDM Equipment Company	Street / Central Garage Supplies	22.87
Electronic Systems	Fire Alarm Inspection	30.00
Emedco	Park Supplies	90.73
Epperly, Dick	Supplies	137.50
Farmer Brothers Coffee	Food & Supplies	344.28
Galls, Inc.	Police Dept. Supplies	19.49
Health Claims Fund	Claims	12,565.52
Hipp Wholesale Foods, Inc.	Food & Supplies	925.23
Holmes Plbg & Htg Supply Co.	Supplies	177.23
Home Federal Savings	Ambulance Payment	16,157.57
Husker Ag Sales	Central Garage Supplies	270.53
Hydraulic Equipment Service	Electric Supplies	337.40
Ingram Library Services	Books	124.91
J H Lawn Service	Lawn Care	536.00
Keller, Dr. Edward	Books	50.00
Kemps-Gillette	Beverages	190.17
Lawson Products, Inc.	Electric Supplies	88.28
Lexington Glass Co.	Central Garage Supplies	15.00
Lexington Health Fund	Self-funding	31,335.98
Lexington Newspapers, Inc.	Publications	1,063.71
Payroll	Wages	90,372.83
Social Security	Employer Port/FICA Med	6,705.16
First National Bank	Employer Port/Pension	3,267.79
First National Bank	Police Pension	1,190.18
ICMA	City Manager Pension	268.64
Lexington Recreation Program	Aquatic Center Start-up	300.00
Lexington Truck & Auto	Central Garage Supplies	35.00
Lexington True Value	Supplies	74.49
Lexington Volunteer Fire Dept.	Fire School	1,350.00
Linden's Plumbing	Service	140.78
Linweld	Ambulance Supplies	56.18
Lowry's Custom Sewing & Upholstery	Uniform Expense	2.00
Mac's Short Stop	Food	47.30
McCookNet Internet Service	Service	139.00
Mead/Big Valley Lumber	Supplies	515.15
Mead Rental Center	Supplies	23.34
Mick's Platte Valley Glass	Central Garage Supplies	153.36
Mid-Nebraska Food Bank	Food & Supplies	33.30
Mid-Nebraska Printing	Office Supplies	22.96
Mr. Automotive	Supplies	18.31
Nebraska Mosquito & Vector		

Control Association	Conf/Membership Fee	95.00
Nebraska Tech & Telecomm, Inc.	Telephone Service	1,469.61
Nelson, Thomas R.	Conference	36.00
Old Dominion Brush	Street Supplies	522.00
Overton Community Center	MOW	100.00
Platinum Plus For Business	Conference	99.68
Platte Valley Auto Mart	Maintenance / Repair	61.80
Plum Creek Cleaners	Water Tap Refund	672.13
Plum Creek Motors	Repair / Maintenance	567.69
Plum Creek Promotions	Shirts	94.80
Public Safety Center, Inc.	Fire Dept. Supplies	488.36
Random House, Inc.	Book	76.50
Recorded Books	Book	80.77
S & W Auto Parts, Inc.	Central Garage /Electric/ Police Supplies	1,064.02
Sav A Lot Discount Foods	Food	275.91
Sign Pro	Signs	103.50
T. O. Haas Tire Co., Inc.	Tires & Repair	47.38
TASC	Flex Plan	207.00
Taste of Home	Book	23.98
Team Detail & Quicklube	Car Washes	40.00
Thomas Bouregy & Company, Inc.	Books	138.50
TierOne-Lib. Petty Cash	Postage	12.74
Tri-City Tribune	Publication	35.00
UN-L Extension	Seminar	20.00
Univar USA, Inc.	Aquatic Center Supplies	860.63
Utility Equipment	Supplies	658.19
Vessco, Inc.	WWTP Supplies	93.29
Wal-Mart	Supplies	198.51
Walter F Stephens, Jr., Inc.	Police Dept. Supplies	167.30
Wesco Distribution, Inc.	Electric Supplies	464.40
Acosta, Moises	Electric Rebate	1,025.00
Alltel	Cellphone Service	302.58
B & D Office City	Office Supplies	37.87
BHA Real Estate, Inc.	Property / Taylor & Cedar	11,033.09
Burton, Bill	Electric Rebate	125.00
Cash-Wa Distributing	Food & Supplies	762.18
City Directory, Inc.	Books	90.00
Conney Safety Products	Safety Glasses	112.83
Country Gardens Magazine	Subscription	19.97
Dan's Sanitation	Sanitation Fees	23,798.71
Dutton-Lainson Company	Electric Supplies	658.98
Eakes Office Products	Office Supplies	144.02
Holbein, Dahlas D.	Maint. & Cleaning Service	850.00
Health Claims Fund	Claims	573.47
Ingram Library Services	Books	50.66
International Code Council	Supplies	36.00
Jiminez, Jose	Electric Rebate	300.00
Kemps-Gillette	Beverages	66.69
Kriz-Davis Company	Electric Supplies	392.80
League of Nebraska Municipalities	Dues	329.25
Lexington, City of	Franchise / Service Fees	45,471.52
Lexington Recreation Program	Start-up/Umpire Fees/ Regional Tournament	5,460.00
Lexington True Value	Supplies	205.95
Lexington Utilities System	Utilities	22,276.70

Lynch, Robert	Electric Rebate	425.00
Mac's Short Stop	Food	44.31
Mead/Big Valley Lumber	Supplies	27.60
Meyer, Greg	Electric Rebate	125.00
Miller & Associates	Retainer Service	800.00
Mid-Nebraska Printing	GGC Supplies	349.15
Naumann, Sondra	Cleaning Service	48.00
Nebraska Dept of Economic Dev.	Orthman's CDBG Loan Payment	4,042.50
Nebraska Dept of HHS Laboratory	Chemicals	1,688.00
Nebraska Law Enforcement	Books	15.00
Neopost	Postage	1,500.00
Paulsen, Inc.	Concrete	124.53
Platinum Plus For Business	Conference	1,488.64
Plum Creek Motors	Maintenance	96.32
Positive Promotions, Inc.	Books	146.95
Promac, Inc.	Service	135.00
Reams Sprinkler Supply Co.	Supplies	270.00
Recorded Books	Books	247.20
S & W Auto Parts, Inc.	Supplies	11.29
Sav-A-Lot Discount Foods	Food	15.69
T M S Cleaning	Cleaning Service	832.00
Team Detail & Quicklube	Car Wash	20.00
TierOne-City Petty Cash	Petty Cash / Misc. Exp.	44.95
U-Save Business Equipment	Office Supplies	5.19
Wal-Mart	Supplies	82.11
Ward Laboratories	Lab Tests	28.00
Wesco Distribution, Inc.	Electric Supplies	1,250.00
	TOTAL:	483,759.44

PUBLIC HEARING:

Mayor Cook opened the Public Hearing. Mr. Todd Schwindt, representing L&R Inc., dba Baja's #2, requested Council's approval of a Class "D" Liquor License for L&R Inc., located at 603 W. Pacific. Following discussion, Mayor Cook closed the Public Hearing. Moved by Miller, seconded by Fagot, to approve a Class "D" Liquor License for L&R, Inc., dba Baja's #2, located at 603 W. Pacific, Lexington, NE 68850. Roll call. Voting "aye" were Tomasek, Bennett, Fagot, Miller, Cook. Motion carried.

APPOINTMENTS:

Mayor Cook requested ratification of the following appointments: Mr. Ed Yeutter to the Citizen Advisory Review Committee, and Mrs. Gail BeDunnah to the Lexington Library Board. Following discussion, moved by Fagot, seconded by Miller to ratify Mayor Cook's recommendation to appoint Mr. Ed Yeutter to the Citizen Advisory Review Committee, and Mrs. Gail BeDunnah to the Lexington Library Board. Roll call. Voting "aye" were Bennett, Tomasek, Miller, Fagot, Cook. Motion carried.

ORDINANCE:

An ordinance entitled "AN ORDINANCE APPOINTING A CITY MANAGER; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM" was read before Council. Moved by Fagot, seconded by Tomasek, to suspend the rules requiring the reading of said Ordinance on three separate days. Roll call. Voting "aye" were Bennett, Miller, Tomasek, Fagot, Cook. Motion carried.

Said Ordinance was read by title. Moved by Fagot, seconded by Tomasek, to approve Ordinance No: 2212 on Final Reading. Roll call. Voting "aye" were Miller, Bennett, Tomasek, Fagot, Cook. Motion carried.

ORDINANCE:

Peplitsch requested Council's approval of an Ordinance entitled "AN ORDINANCE TO AMEND SECTION 16-41 OF THE LEXINGTON CITY CODE; TO PROVIDE FOR SPEED LIMITS ON PROSPECT ROAD; TO REPEAL ORIGINAL SECTION 16-41, AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HERewith; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM" was read before Council. Moved by Fagot, seconded by Tomasek, to suspend the rules requiring the reading of said ordinance on three separate days. Roll call. Voting "aye" were Miller, Bennett, Tomasek, Fagot, Cook. Motion carried.

Said Ordinance was read by title. Moved by Miller, seconded by Tomasek, to approve Ordinance No: 2213 on final reading. Roll call. Voting "aye" were Fagot, Bennett, Tomasek, Miller, Cook. Motion carried.

FINANCIAL REPORT:

Peplitsch requested Council's acceptance of the Financial Report for April, 2006. Following discussion, moved by Tomasek, seconded by Bennett, to accept the Financial Report for April, 2006. Roll call. Voting "aye" were Miller, Fagot, Bennett, Tomasek, Cook. Motion carried.

ROUNDTABLE DISCUSSION:

City Attorney Willard Weinhold informed the City Council, that due to recent changes in the Nebraska State Statutes regarding sexual predator residency restrictions, a proposed Ordinance will be presented to them in the near future regarding the same.

Following discussion, the time for the Planning Session on June 24th was changed from 8:00 a.m. to 10:00 a.m. in the City Council Chambers.

ADJOURNMENT:

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

Ted Cook
Mayor

Shirley Lewis
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