

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, May 10, 2005 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, John Fagot, Steve Tomasek. Absent were Council Members Joni Bennett, Linda Miller. City Officials present were City Attorney Willard Weinhold, Deputy City Clerk Shirley Lewis. Absent was City Manager/City Clerk Joe Peplitsch. Department Heads present were Charlie Clark.

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 – 04-26-05: Minutes of the Regular Meeting scheduled for Tuesday, April 26, 2005 was presented for Council’s consideration and approval. Moved by Tomasek, seconded by Fagot, to approve the Minutes of the Regular Meeting held April 26, 2005 as presented. Roll call. Voting “aye” were Fagot, Tomasek, Cook. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,480,937.92 was presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Fagot, seconded by Tomasek, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$343,476.36 from the General Fund, \$22,057.08 from TIF, \$495,000.00 from Ed Reuse, \$583,140.84 from LEXUS, \$10,570.00 from Sanitation, \$2,564.07 from Landfill, \$1,558.67 from Ambulance Fund, \$13,201.90 from Health Fund, \$9,369.00 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Tomasek, Fagot, Cook. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
May 10, 2005

All Points Cooperative	Weed Killer	548.00
Alltel	Cellphone Service	146.29
Associated Technologies Limited	WWTP Supplies	320.90
Automotive Sales & Svc Co., Inc.	Central Garage Supplies/ Engine	1,210.58
B & D Office City	Office Supplies	112.53
Barmore Drug Store, Inc.	Office Supplies	9.99
Beringer Ciaccio Dennell Mabrey	Architect/Library	5,156.84
Berntson Oil	Fuel	4,732.30
Brummet, Elberta	Transportation Expense	12.15

Card Center/Orscheln	Supplies	207.95
Cash-Wa Distributing	Food & Supplies	1,043.72
Central Garage	Maint./Repairs/Fuel	12,618.82
Central Platte Nat Resources Dist	Parks Supplies	87.50
Certified Laboratories	Central Garage Supplies	139.99
Chief Supply Corp.	Fire Dept. Supplies	105.97
Comm. Redevelopment Authority	Wilkinson Development- TIF Pmt/Lex Investors	22,057.08
Computer Gaming World	Subscription	24.97
Contryman Associates, P.C.	Pro.Service/Audit	44,750.00
Corporate Benefit Svcs of America	Claims	5,847.57
Corporate Benefit Svcs of America	Premium	14,851.14
Crowner, Dee	Interview Expense	456.74
Culligan Water Conditioning Co.	Soft Water Supplies	202.70
Dan's Sanitation	Sanitation Fees	11,041.50
Dawson County Clerk	Dispatch Fees	6,360.16
Dawson Pest Control	Building Maintenance	27.00
Depository Trust Co.	2002 GO Bond Payment	140,345.00
Dream Gardens Nursery, Inc.	Trees	426.68
Dutton-Lainson Company	Electric Supplies/Meters/ Poles	12,460.92
Eakes Office Products	Office Supplies	199.95
Electric Fixture	Electric Supplies	1,092.26
Fagot Refrigeration & Electric	Service/Repair	876.10
Farmer Brothers Coffee	Beverages	14.58
Fed Ex	Delivery Service	17.22
Fisher Scientific	WWTP Supplies	294.89
Gale Group, The	Book	14.55
Galls Inc.	Uniform Expense	556.61
Glaze, Gary	Uniform Expense	26.75
Gnirk Lawn Care	Lawn Care	1,073.10
Great Plains One-Call Service	Locates	77.00
Hach Company	WWTP Supplies/ Spectrometer	3,019.80
Harker's	Food	230.91
Hipp Wholesale Foods, Inc.	Food & Supplies	668.24
Hometown Leasing	Copier Payment	697.04
Husker Ag Sales	Central Garage Supplies	468.80
Int. City/County Mgt Assoc.	Membership Dues	651.00
Ingram Library Services	Books	36.19
Jones Plumbing & Heating	Repair/Service	295.29
K.R.V.N Radio	Advertisements	148.80
Kemps-Gillette	Beverages	214.63
Kriz-Davis Company	Electric Supplies	83.66
Lexicon Marketing Corp.	Books	82.50
Lexington Animal Clinic	Animal Care	481.05
Lex Area Solid Waste Agency	Landfill	2,568.54
Lexington Newspapers, Inc.	Publications	65.48
Lexington Public Schools	Conference/Seminars	50.00
Lexington True Value	Maintenance Supplies	79.95
Lexington, City of	Franchise/Service Fees	31,046.33
Payroll	Wages	86,823.34
Social Security	Employer Port/FICA Med	6,518.96
First National Bank	Employer Portion/Pension	3,255.51
First National Bank	Police Pension	1,191.69
ICMA	City Manager Pension	231.84

Lien Lawn Services	Lawn Care	625.00
Linda's Stitches & Creations	Shirts	740.32
Marlin Leasing Corp.	Mailing Machine	1,082.15
Martin Electric	Electric Service/Repair	9.37
Matt Parrott And Sons Company	Office Supplies	427.80
Mead/Big Valley Lumber	Maintenance Supplies	195.88
Mid-Nebraska Printing	Office Supplies	281.27
Milco Environmental Services, Inc.	Post Closure/Drum Disposal Site	2,564.07
Miller & Associates	G I S System/Viaduct/West 13th Street/Library	34,414.52
Mr. Automotive	Central Garage Supplies	63.52
National Waterworks	Water Department Supplies/ Meters	3,457.37
Nebraska Public Power District	Power Purchase	395,960.94
Nebraska Waste Handlers	Sludge Removal	4,849.78
Nelson, Margie L.	Cleaning Service	500.00
Olsson Associates	US 283 & Prospect Road	3,470.00
Omaha World Herald	Advertisement	475.23
Orthman Manufacturing, Inc.	CDBG Loan	495,000.00
Outdoor Recreation Products	Splash Pad Surfacing	14,696.00
Paulsen Inc.	Concrete	377.42
Pennsylvania Transformer	Transformer Supplies	2,396.00
Penworthy Company	Books	996.81
Platinum Plus For Business	Office Supplies	686.29
Platte Valley Auto Mart	Central Garage Supplies	92.52
Platte Valley Communications	Radio/Pager Repair/ Maintenance	845.69
Plum Creek Cleaners	Janitorial Supplies	26.00
Pump & Pantry	Liquor License Refund	75.00
Qwest	Library Phone Expense	61.66
Random House, Inc.	Books	53.55
Reams Sprinkler Supply Company	Supplies	80.04
Recorded Books	Books	260.91
S & W Auto Parts	Central Garage Supplies	630.80
Service Master Mid Nebraska	Cleaning Service	856.83
Seward, Randell D.	Cleaning Service	400.00
Solomon Corporation	Electric Service/Gear Box Installation	2,550.00
Stobbe Welding	WWTP Repair Service	285.00
Subway of Lexington	Food	17.56
SunMart #763	Food	10.77
T. & R. Electric	Transformers	4,662.00
T. O. Haas Tire Co., Inc.	Tires/Repair	295.66
Taqueria Mexico	Food	57.78
Team Detail & Quicklube	Car Washes	80.00
TierOne-Lib. Petty Cash	Petty Cash	21.47
Total Lawn Care	Lawn Care	1,240.00
Tri-County Hospital	Wellness	255.00
U-Save Business Equipment	Office Supplies	549.50
Wal-Mart	Misc. Supplies	443.51
Wesco Distribution, Inc.	Electric Supplies	2,210.28
Weston Woods	Books	65.70
Willard Weinhold Law Office	Fees	1,575.00
Automotive Sales & Svc Co., Inc.	Engine	277.00
Berntson Oil	Fuel	63.00

Brody Chemical	Maintenance Supplies	190.68
Card Center/Orscheln	Sprinkler Parts/Oil	105.20
Cash-Wa Distributing	Food	617.46
Central Garage	Pool Pump Repair	636.91
Corporate Benefit Svcs of America	Claims	7,319.33
Cadwell, Charles	Electric Rebates	850.00
Dawson County Handibus	Service Contract	110.00
Dawson County Public Power	Power Purchase	7,127.05
Dan's Sanitation	Waste Removal	1,560.00
Deterding	Pool Repair Supplies	120.14
Diamond Vogel Paint	Field Marking Paint	86.05
Elfring Fonts, Inc.	Signature Card	131.00
EMS Billing Services, Inc.	April Ambulance Fees	1,443.13
Elm Creek Backhoe & Trenching	Line Repair	2,493.75
Fastenal	Electric Supplies	4.10
Gehl's Hot Top2	Cheese/Chili Dispenser	82.00
Harker's	Food	399.00
Hipp Wholesale Foods, Inc.	Food	321.00
Ingram Library Services	Books	100.83
Kemps-Gillette	Food	149.55
Kriz-Davis Company	Compression Tool	599.20
Lexington Newspapers, Inc.	Mtg. Notices/Ads	514.99
Lexington Recreation Program	Rec Start-up/Concessions	300.00
Linweld	Oxygen Supplies	260.90
Mendoza, Maria	Electric Rebate	125.00
Naumann, Sondra	Janitorial Service	48.00
Nebraska Department of Revenue	Sales & Use Tax	33,864.36
Nebraska Tech & Telecomm, Inc.	Telephone Expense	1,463.16
Neopost	Postage	1,500.00
Omnigraphics, Inc.	Books	37.55
Oriental Trading Company, Inc.	Library Supplies	40.80
Platte Valley Communications	Scada Controls/Pagers	5,621.50
Random House, Inc.	Books	76.50
Skarshaug Testing	Rubber Gloves	62.07
Specialty Electric	Load Monitoring Expense	560.00
Taste Of Home	Books	23.98
The Pinnacle Agency	Insurance	95.00
TierOne - City Petty Cash	Petty Cash	49.97
TierOne - Library Petty Cash	Petty Cash	8.84
Tri-City Tribune	Advertising	143.00
Wal-Mart	Misc. Supplies	541.68
Wesco Distribution, Inc.	URD Service Drop	1,357.62
W P C I	Employee DOT Screen	27.10
	TOTAL:	1,480,937.92

PUBLIC HEARING:

Mayor Cook opened the Public Hearing. Justin Tepy, representing The Box Bar, located at 405 N. Washington, Lexington, Nebraska, was present to witness the consideration by Council for the Class "D" and Class "M" Liquor License Application for Teps, Inc., dba The Box Bar. Police Chief Clark reported to Council two drunk driving convictions on Sam Tepy that were omitted from the Application. Following discussion, Mayor Cook closed the Public Hearing. Moved by Fagot, seconded by Tomasek, to make no local recommendation for Teps, Inc., dba The Box Bar, located at 405 N. Washington, Lexington,

Nebraska, due to the Application being incomplete and inaccurate. Roll call. Voting “aye” were Tomasek, Fagot, Cook. Motion carried.

PUBLIC HEARING:

Mayor Cook opened the Public Hearing. Laura Schumacher, representing Len’s Liquor, requested Council’s acceptance of a Class “D” Liquor License, for KLAAD Enterprises, Inc., dba Len’s Liquor, located at 200 E. 4th Street, Lexington, Nebraska. Following discussion, Mayor Cook closed the Public Hearing. Moved by Fagot, seconded by Tomasek, to recommend approval of a Class “D” Liquor License, for KLAAD Enterprises, Inc., dba Len’s Liquor, located at 200 E. 4th Street, Lexington, NE. Roll call. Voting “aye” were Tomasek, Fagot, Cook. Motion carried.

APPLICATION:

John Wightman, representing Lexington Development, LLC, requested Council’s approval of funding to the Lexington Economic Development Program, for Lexington Development, LLC to help develop an area in Northwest Lexington, which would include Parks, Green Space, Housing Sites, and a Private Golf Course. Speaking in favor of the proposed development was Bob Heinz, representing the Council for Economic Development. Following discussion, moved by Fagot, seconded by Tomasek, to accept the recommendation, and approve \$20,000 in funding to Lexington Development, LLC, from the Lexington Economic Development Program (Sales Tax Fund). Roll call. Voting “aye” were Tomasek, Fagot, Cook. Motion carried.

SOUTH JEFFERSON STREET PROJECT:

Dana Daniels, representing Miller and Associates, requested Council’s approval of the plans and specifications for the South Jefferson Street Project, and authorization to advertise for bids. Following discussion, moved by Tomasek, seconded by Fagot, to approve the plans and specifications for the South Jefferson Street Project, and authorize the advertisement for bids. Roll call. Voting “aye” were Fagot, Tomasek, Cook. Motion carried.

PAY REQUEST:

Pay Request No. 8 for the Lexington Public Library Project was presented to Council for their consideration. Following discussion, moved by Tomasek, seconded by Fagot, to approve Pay Request No. 8 for the Lexington Public Library Project, to Lacy Construction Co., in the amount of \$244,101.29. Roll call. Voting “aye” were Fagot, Tomasek, Cook. Motion carried.

LIBRARY FURNISHINGS:

Deputy City Clerk Shirley Lewis, requested Council’s approval of the Library Shelving and Furnishings Specifications, and allow for the advertisement for bids for the two packages. Following discussion, moved by Fagot, seconded by Tomasek, to approve specifications for Lexington Public Library Shelving and Furnishings, and authorize the advertisement for bids. Roll call. Voting “aye” were Tomasek, Fagot, Cook. Motion carried.

ROUNDTABLE DISCUSSION:

Chief Clark reported to Council a Liquor Control Commission hearing was scheduled for May 24, 2005 at 11:00 a.m. for Rodrigue Restaurant Inc, dba “The Premier Night Club” because of a request by the Commission. Chief Clark requested direction from Council as to if and how Council would like to express their concerns to the Commission. Moved by Fagot, seconded by Tomasek, to direct Chief Clark to draft a Letter to the Commission, for signature by the Mayor

and Police Chief, requesting mandatory training for The Premier Night Club Staff, and expressing appreciation to the Commission for their past efforts. Roll call. Voting "aye" were Tomasek, Fagot, Cook. Motion carried.

ADJOURNMENT:

There being no further business to come before 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