

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, July 26, 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, Joni Bennett, John Fagot, Linda Miller, Steve Tomasek. City Officials present were City Manager Joe Peplitsch, City Attorney Willard Weinhold, 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 – 07-12-05: Minutes of the Regular Meeting scheduled for Tuesday, July 12, 2005 was presented for Council’s consideration and approval. Moved by Miller, seconded by Fagot, to approve the Minutes of the Regular Meeting held July 12, 2005 as presented. Roll call. Voting “aye” were Tomasek, Bennett, Fagot, Miller, Cook. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$330,060.04 was presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Fagot, seconded by Miller, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$157,475.61 from the General Fund, \$4,166.67 from Ed Reuse, \$117,842.03 from LEXUS, \$22,959.77 from Sanitation, \$10,669.35 from Landfill, \$804.74 from Ambulance Fund, \$9,744.71 from Health Fund, \$6,397.15 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Bennett, Tomasek, Miller, Fagot, Cook. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
July 26, 2005

AFLAC	Premiums	982.66
Alamar Uniform Co.	Uniform Expense	135.63
All Points Cooperative	Fuel & Supplies	891.78
Alltel	Cellphone Service	164.88
Barmore Drug Store, Inc.	Office Supplies	55.89
Beringer Ciaccio Dennell Mabrey	Architect/Library	637.50
Berntson Oil	Fuel	4,316.09
Best Books	Books	413.85
Bottom Line/Tomorrow	Subscription	39.00
Business & Professional Credit	Collection Fees	124.05
Card Center/Orscheln	Supplies	120.49

Case Credit Advantage	Misc. Supplies	40.21
Cash-Wa Distributing	Food & Supplies	3,017.14
CDBG Certification	Conference/Seminars	50.00
Certified Laboratories	Central Garage Supplies	168.55
Charter Communications	Internet Service	119.95
Coca Cola/Dr. Pepper of Kearney	Beverages	939.00
Dan's Sanitation	Sanitation Fees	1,278.00
Dawson County Handibus	Transportation	102.00
Dutton-Lainson Company	Electric Supplies/Ethanol Plant	5,224.85
Eakes Office Products	Office Supplies	2.99
Eddie's Service & Repair	Rec. Service	395.48
EDM Equipment Company	Central Garage Supplies	19.57
Electric Fixture	Electric Supplies	176.81
EZ Liner Industries	Street Equipment	4,865.00
Farmer Brothers Coffee	Food	162.79
Fisher Scientific	WWTP Supplies	145.18
Flynn, Jeff	Uniform Expense	69.53
Fox Valley Systems, Inc.	Park Supplies	57.62
Galls Inc.	Uniform Expense	41.08
General Binding Corporation	Copier Expense	85.07
Gnirk Lawn Care	Lawn Care	266.00
Grainger Industrial & Commercial	WWTP Supplies	8.50
Hach Company	WWTP Supplies	587.10
Harker's	Food	550.62
Health Claims Fund/CBSA	Claims	4,946.21
Hipp Wholesale Foods, Inc.	Food & Supplies	823.45
Holbein, Dahlas D.	Cleaning/Maintenance Svc	850.00
Holiday Inn Express	Rec. Expense	299.80
Husker Ag Sales	Central Garage Supplies	47.98
HWS Consulting Group	Long Range Transportation Plan/Comprehensive Plan Update-June 05	5,086.95
Ingram Library Services	Books	586.91
Int. Municipal Lawyers Assoc.	Conference/Seminars	510.00
Jim Phillips Construction	Street Repairs	3,417.00
Kemps-Gillette	Beverages	246.55
Kinder Morgan	Gas Service	646.38
Kriz Davis Company	Electric Supplies	2,480.36
Lexington Glass Company	Pool Expense	20.52
Lexington Housing Authority	Rec Equipment	490.06
Lexington Newspapers, Inc.	Publications	312.78
Lexington Recreation Program	Theft/Stolen Cash	150.00
Lexington True Value	Fire Supplies	7.99
Payroll	Wages	118,735.58
Social Security	Employer Portion/FICA Med	8,960.76
First National Bank	Employer Portion/Pension	3,261.12
First National Bank	Police Pension	1,222.73
ICMA	City Manager Pension	238.80
Linweld	Oxygen/Supplies	99.48
Mac's Short Stop	Food	172.19
Matt Parrott And Sons Company	Office Supplies	194.44
McCookNet Internet Service	Service	53.00
Mead/Big Valley Lumber	Maintenance Supplies	93.62
Meridian Library System	Conference/Seminars	15.00

Micro-Marketing, LLC	Book	16.80
Mid-Nebraska Printing	Office Supplies	42.50
Midwest Laboratories, Inc.	Testing	2,719.35
Miller & Associates	Retainer Service	800.00
Money Handling Machines, Inc.	Utility Equipment	1,995.00
Moore Medical Corp.	Medical Supplies	339.95
Mr. Automotive	Central Garage Supplies	17.94
NE Dept of Econ. Dev.	Mid Plains CDBG Loan Payment	4,166.67
Omaha World Herald	Advertising	523.05
Overton Community Center	Meals On Wheels	100.00
Pace Analytical	Landfill Water Analysis	7,950.00
Paulsen Inc.	Concrete/Gravel	819.04
PDR	Book	59.95
Platinum Plus For Business	Park Supplies	269.88
Platte Valley Auto Mart	Central Garage Supplies	11.74
Platte Valley Communications	Maintenance/Repairs	403.09
Plum Creek Cleaners	Cleaning Supplies	3.00
Plum Creek Motors	Maintenance/Repairs	203.72
Plum Creek Promotions	T-Shirts	18.46
Precision Industries	WWTP Supplies	30.77
Progressive Business Publication	Subscription	230.00
Random House, Inc.	Books	53.55
S & W Auto Parts	Central Garage Supplies	835.71
Sav-A-Lot Discount Foods	Food	80.88
Schwan's Sales Ent	Food	89.92
Skarshaug Testing	Testing	76.57
Team Detail & Quicklube	Car Washes	40.00
TierOne-Lib. Petty Cash	Petty Cash	16.04
Top Health	Subscription	106.30
U-Save Business Equipment	Office Supplies	136.67
Ultramax	Police Supplies	969.00
W P C I	Employee DOT Screen	27.10
Wal-Mart	Misc. Supplies	337.92
Wesco Distribution, Inc.	Electric Supplies/Terminator/ Copper	7,295.56
Wolf, Tracy	Conference/Seminars	37.50
Automotive Sales & Svc. Co., Inc.	Central Garage/Engine	1,187.49
B & D Office City	Office Supplies	91.00
Barnes Distribution	Electric Dept. Supplies	331.51
Card Center/Orschlen	Misc. Supplies	127.32
Cash-Wa Distributing	Food & Supplies	402.86
Central Garage Fund	Supplies/Repair	5,122.70
City Directory, Inc.	Books	264.00
Coca Cola/Dr. Pepper of Kearney	Beverages	273.00
Country Books	Book	23.98
Dan's Sanitation	Sanitation Fees	22,959.77
Eakes Office Products	Office Supplies	4.10
Electric Fixture	Electric Dept. Supplies	225.89
FC&A	Book	33.96
Fox Bros. Hay Co., Inc.	Grinding Service	1,613.16
Gomez, Jose	Electric Rebate	300.00
Health Claims Fund/CBSA	Claims	3,788.74
Ingram Library Services	Books	89.39
Jeffrey Contracting	Bldg Repair/Police Dept.	2,598.50
Kemps-Gillette	Beverages	44.78

Knapp Electric	Repair/Electric Dept.	86.71
Lauby, Philip	Travel Expense	53.00
Lexington, City of	Franchise/Service Fees	40,094.94
Lexington Girls Fast Pitch Assoc.	State Tournament Support	
	Help	1,000.00
Lexington Girl Scouts	Recycling	13.50
Lexington Boy Scouts Troop 88	Recycling	6.75
Lexington Boy Scouts Troop 144	Recycling	6.75
Lexington Newspapers, Inc.	Publications/Subscription	538.25
Lexington True Value	Fire Dept. Supplies	28.87
Lexington Utilities System	Utilities	23,205.61
Linda's Stitches & Creations	Shirts	273.89
Mac's Short Stop	Food	90.21
Martinez, Juan	Electric Rebate	900.00
Mead/Big Valley Lumber	WWTP Supplies	58.85
Meridian Library System	Conference/Seminars	30.00
Micro-Marketing, LLC	Book	20.00
Mid-Nebraska Printing	Office Supplies	253.60
Naumann, Sondra	Cleaning Service	72.00
National Wildlife Federation	Subscription	14.95
Nebraska Dept of HHS Laboratory	Water Test Analysis	150.00
Ollis Book Corporation	Books	695.20
Osborne, Cyndi	Lawn Mowing Service	50.00
Paulsen Inc.	Concrete/Gravel	555.76
Platinum Plus For Business	Misc. Supplies	3,946.05
Plum Creek Auto Spa	Car Washes	27.50
Precision Sprinklers	Ground Maintenance/Pool	26.16
Random House, Inc.	Book	68.85
S & W Auto Parts, Inc.	Maintenance Supplies	7.18
Schwan's Sales Ent	Food	43.96
Showcases	Office Supplies	21.75
T. O. Haas Tire Co. Inc.	Tire Repair	13.00
Teel, Marlyn	Electric Rebate	450.00
TierOne-City Petty Cash	Petty Cash	49.28
Vicente, Sabastian	Electric Rebate	900.00
Wal-Mart	Misc. Supplies	44.33
Werger, Mike	Electric Rebate	1,025.00
Wesco Distribution, Inc.	Electric Dept. Supplies	4,678.92
Woodworking For Women	Book	28.92
	TOTAL:	330,060.04

PUBLIC HEARING:

Mayor Cook opened the Public Hearing. Mr. Brian Davis, Attorney representing Rodriguez Restaurante, requested Council's approval of a New Manager for the Premier Night Club, located at 501 Plum Creek Parkway. Following discussion, Mayor Cook closed the Public Hearing. Moved by Fagot, seconded by Miller, to recommend approval of Jose Luis Espinoza Marin as the new Manager for a Class "I" Liquor License, for Rodriguez Restaurante, Inc., dba Premier Night Club, located at 501 Plum Creek Parkway, Lexington, NE 68850, with the recommendation that the new Manager receive adequate training for his new position. Roll call. Voting "aye" were Tomasek, Bennett, Miller, Fagot, Cook. Motion carried.

PUBLIC HEARING:

Mayor Cook opened the Public Hearing. Mr. Javier Ramirez requested Council's approval of a Class "C" Liquor License, for Ramirez

Corporation, dba El Dos De Oros. Following discussion, Mayor Cook closed the Public Hearing. Moved by Tomasek, seconded by Fagot, to recommend approval of a Class “C” Liquor License, for Ramirez Corporation, dba El Dos De Oros, located at 405 East Pacific, Lexington, NE 68850. Roll call. Voting “aye” were Miller, Bennett, Fagot, Tomasek, Cook. Motion carried.

**LEXINGTON
DEVELOPMENT, LLC**

John Wightman, representing Lexington Development, LLC, gave a brief presentation on the Group’s purpose, and requested Council authorize two Council Members to participate in development planning and discussions. Following discussion, moved by Miller, seconded by Tomasek, to appoint Council Members John Fagot and Joni Bennett to help develop and discuss planning of land owned by Lexington Development, LLC. Roll call. Voting “aye” were Bennett, Fagot, Tomasek, Miller, Cook. Motion carried.

APPOINTMENT:

Mayor Cook proposed John Wightman’s name as a representative on the Dawson Area Development Board of Directors. Following discussion, moved by Fagot, seconded by Miller, to appoint Mr. John Wightman to the Dawson Area Development Board of Directors. Roll call. Voting “aye” were Tomasek, Bennett, Miller, Fagot, Cook. Motion carried.

**NORTHWEST STREET
IMPROVEMENTS:**

Dana Daniels, representing Miller and Associates, requested Council’s approval to award the contract for the Northwest Street Improvement project, to Blessing, LLC, in the amount of \$323,930.00. Following discussion, moved by Fagot, seconded by Tomasek, to award the contract for the Northwest Street Improvement Project, to Blessing, LLC, in the amount of \$323,930.00. Roll call. Voting “aye” were Miller, Bennett, Tomasek, Fagot, Cook. Motion carried.

**PARKS & TRAILS
COMMITTEE:**

Council Member and Parks & Trails Committee Co-Chair, Joni Bennett, and City Manager Peplitsch, reported that at the last Parks and Trails Committee Meeting, it was approved to submit a preliminary application for a grant to be used for a stage of a Trail within the City of Lexington. Following discussion, Mayor Cook thanked Council Members Joni Bennett and Linda Miller for their work on the Committee.

**US-283/PROSPECT ROAD
SIGNALIZATION:**

Peplitsch requested Council’s concurrence of selection of low bidder of US283/Prospect Road Signalization. Following discussion, moved by Miller, seconded by Fagot, to concur with Nebraska Department of Roads on low bidder of Project No. ELEC-283-2(1008) – US-283/Prospect Road Signalization. Roll call. Voting “aye” were Bennett, Tomasek, Fagot, Miller, Cook. Motion carried.

FINANCIAL REPORT:

Peplitsch requested Council’s acceptance of the Financial Report for June, 2005. Following discussion, moved by Tomasek, seconded by Bennett, to accept the Financial Report for June, 2005. Roll call. Voting “aye” were Fagot, Miller, Bennett, Tomasek, Cook. Motion carried.

EXECUTIVE SESSION:

Moved by Tomasek, seconded by Fagot, to enter into Executive Session at 7:58 p.m. for the purpose of discussing sale of property. Roll call. Voting “aye” were Miller, Bennett, Fagot, Tomasek, Cook. Motion carried.

Moved by Tomasek, seconded by Bennett, to reconvene Regular Session from Executive Session at 8:07 p.m. Roll call. Voting "aye" were Fagot, Miller, Bennett, Tomasek, Cook. Motion carried.

**MUNICIPAL BUILDING
TOUR:**

Peplitsch gave a brief tour of the Lexington Municipal Building to those Council Members interested, to assess the condition and space requirement of the facility.

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

