

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, April 24, 2007, at the Lexington Municipal Building, located at 406 E. 7th Street, Lexington, Nebraska at 5:30 p.m. Members of the Council present were John Fagot, Steve Tomasek, Joni Bennett, Linda Miller and John Salem. City Officials present were City Manager Joe Pepplitsch, Assistant City Manager Dennis Burnside, City Attorney Will Weinhold and Deputy City Clerk Pam Berke. Members of the press included Harry Perkins of Kearney Hub and Barb Batie of the Clipper-Herald.

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 4-10-07 Minutes of the Regular meeting held Tuesday, April 10, 2007, were presented for Council approval. Moved by Tomasek, seconded by Miller, to approve Minutes as presented. Roll Call. Voting “aye” were Salem, Bennett, Miller, Tomasek, Fagot. Motion Carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$301,911.94 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Miller, seconded by Salem, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$135,367.04 from the General Fund, \$2,000.00 from Econ Development, \$4,042.50 from ED Reuse, \$1,300.00 from Housing Reuse, \$120,542.96 from LEXUS, \$23,748.85 from Sanitation, \$228.11 from Ambulance Fund, \$8,952.34 from Health Fund, and \$5,730.14 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Bennett, Tomasek, Salem, Miller, Fagot. Motion carried.

**ACCOUNTS PAYABLE
April 24, 2007**

AFLAC	Premium	1,001.26
All Points Cooperative	Fuel	58.11
Alltel	Cellphone Service	51.75
Awards Plus	Library Supplies	16.00
B&D Office City	Office Supplies	298.20
Barmore Drug Store, Inc.	Office Supplies	893.79
Bob's Auto Repair & Service	Police/ST Vehicle Repair	1,062.01
Business Card	Police Supplies	158.00
Card Center/Orscheln	Supplies	66.83
Case Credit Advantage	SW Supplies	27.95
Cash-Wa Distributing	Food & Supplies	713.26
Central Garage Fund	Repairs / Service	2,019.75

Clean Harbors Environmental Svcs Inc.	EL Supplies	80.00
Culligan Water Conditioning Co.	Soft WR Supplies	93.00
Davis Energy, Inc.	Propane	204.46
Dawson County Clerk	Quarterly Dispatch Fees	24,955.00
Dawson County Handibus	Transportation	6.00
Demco	Library Supplies	50.51
Dugan Business Forms	Office Supplies	614.35
Electric Fixture	EL Supplies	106.49
Farmer Brothers Coffee	Food & Supplies	113.94
Fastenal	SW & WR Supplies	85.35
Fisher Scientific	SW Supplies	77.25
Fox Bros. Hay Co., Inc.	Tree Grinding	8,026.20
Fyr-Tek	Fire Dept. Supplies	44.25
Gale Group, The	Books	66.21
Galls Inc.	Uniform Expense	44.97
Hall's Safety Equipment	EL Supplies	99.15
Health Claims Fund	Claims	6,341.52
Hipp Wholesale Foods, Inc.	Food & Supplies	471.44
Holbein, Dahlas D.	Maint. & Cleaning	850.00
Husker Ag Sales	Central Garage Supplies	356.25
International City/County Management	Membership Dues	684.00
Ingram Library Services	Books	769.33
International Code Council, Inc.	Membership Dues	100.00
Investment Property Exchange, Inc.	Appraisal/Ped.-Bike Trail	1,000.00
Johnson Service Company	Repair/WWTP	1,800.00
Junior Library Guild	Books	450.00
K-Lawn	Lawn Care	75.05
Kemps-Gillette	Beverages	202.00
Lexington Newspapers, Inc.	Publications	8.42
Lexington Recreation Program	Softball/Baseball Instruction	1,270.00
Lexington True Value	Supplies	74.11
Lexington Utilities Systems	Utilities	19,617.68
Payroll	Wages	92,699.03
Social Security	Employer Portion / FICA Med	6,852.89
First National Bank	Employer Portion / Pension	3,150.02
First National Bank	Police Pension	1,293.74
ICMA	City Manager Pension	356.81
McCookNet Internet Service	Service	139.00
Mead Lumber	PK/SW/Central Garage Supplies	405.20
Michael Todd & Co., Inc.	Central Garage Supplies	86.03
Mid-Nebraska Printing	Office Supplies	24.80
Milco Environmental Services, Inc.	Envir. Site Assess. /Lex. Ind. Add.	2,000.00
Municipal Supply	WR Supplies	777.26
Nebraska Crane	SW Rental	740.00
Nebraska Dept. of Economic Development	Orthman's CDBG Payment	4,042.50
Nebraska Dept. of HHS Laboratory	Water Testing	300.00
Nebraska Machinery	Central Garage Supplies	500.49
Peak Interest	Food	42.37
Plum Creek Market Place	Food	3.94
QPR (United States)	ST Supplies	441.44
Ron's Spas & Pools	GGC/Pool Tables	2,300.00
S & W Auto Parts, Inc.	Central Garage Supplies	72.42
Service Master Mid Nebraska	Lib./GGC Cleaning Service	2,234.09
Sign Pro	Fire Dept. Supplies	27.00
Svoboda, Alan J.	Appraisal/Ped.-Bike Trail	500.00
T. O. Haas Tire Co., Inc.	Tires/Repair	157.41
Tasc	Premium	207.00

Taste of Home Books	Book	30.99
Team Detail & Quicklube	Car Washes	197.91
Technical Maintenance & Service	SW Service	404.40
Third Party Enviromental	Asbestos Insp./So. Madison	225.00
TierOne-Lib. Petty Cash	Postage	22.01
U-Save Business Equipment	Office Supplies	53.09
Wal-Mart	Supplies	550.70
Wolf, Tracy	Travel Expense	135.95
All Points Cooperative	Fuel	92.89
Alltel	Cellphone Service	337.04
Awards Plus	Fire Dept. Supplies	27.65
Bob's Auto Repair & Service	Repair	224.93
Business Card	WR Supplies	479.66
Cash-Wa Distributing	Food & Supplies	590.35
Dan's Sanitation	Sanitation Fees	23,748.85
Davis Energy, Inc.	Fuel	106.20
Eakes Office Plus	Copy Fees	400.48
Ed Roeher Safety Products	Police Supplies	822.16
Egan Supply Company	Cleaning Supplies	183.30
Fisher Scientific	SW Testing Supplies	95.95
Fyr-Tek	Fire Dept. Repair/Test	427.71
Health Claims Fund	Claims	1,402.56
Horizontal Boring & Tunneling Co.	20th ST WR Improvements	10,800.00
International City/County Management.	Membership Dues	376.00
Jeffery, Richard	Electric Rebate	125.00
Johnson Controls	Lib./Equipment Repair	1,480.66
Johnson, Ryan	Electric Rebate	1,475.00
Kemps-Gillette	Beverages	72.88
Lexington Newspapers	Publication	41.94
Lexington, City of	Franchise / Service Fees	47,275.11
Mead Lumber	SW Supplies	19.95
Mr. Automotive	Fire Dept. Supplies	87.02
Naumann, Sondra	Cleaning Service	102.00
Nebraska Machinery	WR/Packer Rent	2,081.16
Newman Traffic Signs	ST Supplies	512.94
Paulsen, Inc.	Concrete	221.90
Platte Valley Communications	Phone	175.00
Plum Creek Auto Spa	Car Washes	27.00
S & W Auto Parts, Inc.	ST Supplies	77.06
Service Master of Mid Nebraska	GGC Cleaning Service	1,285.00
Steve's Lock & Key	EL Dept. Repair	109.24
T & R Electric	Transformers	7,316.00
Third Party Environmental	Asbestos Removal/Ballheim Prop	1,300.00
TierOne-City Petty Cash	Postage / Food	21.27
Toledo, Norma	Electric Rebate	1,025.00
Wal-Mart	Supplies	137.75
Wesco Distribution, Inc.	EL Supplies	750.00
	TOTAL CLAIMS:	301,911.94

CITY CODE AMENDMENT: Weinhold reviewed each section of Chapter 19 of the Lexington City Code with the City Council. Amendments and revisions to the chapter were discussed. Staff will draft an ordinance amending the chapter for Council consideration at the next regular meeting.

RESOLUTION: Peplitsch reviewed a recent wholesale electric rate assessment by NPPD. Following discussion, Resolution 07-14 was read. Moved by Tomasek,

seconded by Bennett, to approve Resolution 07-14. Roll call. Voting "aye" were Salem, Miller, Bennett, Tomasek, Fagot. Motion carried.

RESOLUTION NO. 07-14

WHEREAS, Lexington City Code Section 8-19, authorizes the City Council to establish by Resolution a schedule of rates and charges for electric service;

WHEREAS, the Nebraska Public Power District has levied a Production Cost Adjustment of \$0.0010 per kilowatt hour to wholesale electric customers effective April 1, 2007 through March 31, 2008;

BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, that the following electric rates are established and shall take effect April 1, 2007, to be reflected on billings received during the month of May, 2007. That all other electric rates previously established shall remain unchanged.

Production Cost Adjustment (P.C.A.): A production cost adjustment of \$0.0010 per kilowatt hour for all electric utility customers.

PASSED AND APPROVED this 24th day of April, 2007.

CITY OF LEXINGTON, NEBRASKA

John Fagot, President of Council

ATTEST:

Pamela Berke, Deputy City Clerk

DAD BOARD APPT:

Mayor Fagot proposed the appointment of Council Member Joni Bennett as a Lexington representative to the Dawson Area Development Executive Board, filling a seat vacated by John Wightman. Motion by Miller, seconded by Salem, to appoint Joni Bennett to the DAD Board. Roll call. Voting "aye" were Tomasek, Bennett, Salem, Miller, Fagot. Motion carried.

ORDINANCE:

Pepplitsch indicated that following his annual performance review at the last regular meeting, the following ordinance was drafted as directed by the Council. An ordinance entitled "AN ORDINANCE APPOINTING A CITY MANAGER; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM" was read. Following discussion, moved by Salem, seconded by Tomasek, to suspend rules regarding the reading of ordinance on three separate occasions. Roll call. Voting "aye" were Miller, Bennett, Tomasek, Salem, Fagot. Motion carried.

Ordinance No. 2230 was read by title. Moved by Salem, seconded by Bennett, to approve Ordinance No. 2230 on final reading. Roll call. Voting "aye" were Miller, Tomasek, Bennett, Salem, Fagot. Motion carried.

FINANCIAL REPORT:

Peplitsch presented the financial report for March 2007. Following discussion, moved by Salem, seconded by Bennett, to accept the financial report as presented. Roll call. Voting "aye" were Miller, Tomasek, Bennett, Salem, Fagot. Motion carried.

MEETING DATE:

Council discussed setting a time and date for the next Council planning session. Moved by Bennett, seconded by Tomasek, to hold a planning meeting on May 12, 2007 at 8:00 a.m. in the City Council Chamber. Roll call. Voting "aye" were Salem, Miller, Tomasek, Bennett, Fagot. Motion carried.

ROUNDTABLE:

Weinhold updated Council on vicious dog offences that have been filed. He noted that he is recommending to the court either a fine or removal of the animals.

Peplitsch reviewed with Council the special use permit process in the local zoning code, in response to a recent inquiry. He noted that Staff is continuing to work on revisions to the local animal control code. He indicated plans to start budget meetings in early June. He reported that the Pedestrian Trail project continues to proceed. He also noted that he has not received response from LASWA on a recent Council letter.

Burnside reported that the Welcome Sign project area has been staked and construction will begin as soon as possible, weather permitting.

Bennett stated that she will not be able to attend the next council meeting.

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