

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, February 12, 2008, at the Lexington Municipal Building, located at 406 E. 7th Street, Lexington, Nebraska at 5:30 p.m. Members of the Council present were Mayor John Fagot, Steve Tomasek, John Salem, Linda Miller and Joni Bennett. City Officials present were City Manager Joe Pepplitsch, Assistant City Manager Dennis Burnside, City Attorney Will Weinhold, Finance Director Barb Mills, and Deputy City Clerk Pamela Berke. The press was represented by the Lexington Clipper-Herald and Kearney Hub. Also present were Dana Daniels, Laura Landa-Rodriguez, Susan Bennett, and Connie Bennett.

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 1-22-08 Minutes of the Regular meeting held Tuesday, January 22, 2008, were presented for Council approval. Moved by Salem, seconded by Miller, to approve Minutes as presented. Roll Call. Voting “aye” were Bennett, Tomasek, Miller, Salem, Fagot. Motion carried.

MINUTES – PLANNING MEETING 1-26-08 Minutes of the Planning Session held Saturday, January 26, 2008, were presented for Council approval. Moved by Miller, seconded by Tomasek, to approve Minutes as presented. Roll call. Voting “aye” were Salem, Bennett, Tomasek, Miller, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,419,168.60 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Bennett, seconded by Salem, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$276,446.38 from the General Fund, \$66,623.02 from Econ Development, \$11,383.09 from TIF, \$12,251.67 from ED Reuse, \$996,122.02 from LEXUS, \$10,000.00 from Sanitation, \$3,478.00 from Landfill, \$3,866.43 from Ambulance Fund, \$30,809.43 from Health Fund, and \$8,188.56 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Miller, Tomasek, Salem, Bennett, Fagot. Motion carried.

**CITY OF LEXINGTON
ACCOUNTS PAYABLE
February 12, 2008**

Adamson, Tom	Book	8.00
Alamar Uniform Company	Uniform Expense	196.65
All-American Sewer, LLC	SW Service	800.00
All Points Cooperative	Fuel	244.23
Alltel	Cellphones	181.81

Anderson Graphics	Lib. Supplies	30.00
Apco Willamette	WWTP Supplies	644.88
Audio Editions	Books/Supplies	552.25
Awards Plus	Police Dept. Supplies	39.75
Axis Capital	Mail Machine Payment	527.37
B & D Office City	Supplies	362.76
Barco Municipal Products	WR Supplies	91.08
Benefit Consultants Group	Fire Pension/Admin Fees	2,250.00
Better Homes And Gardens	Subscription	19.97
Bob's Auto Repair & Service	Central Garage Supplies	631.63
Business Professional Credit Management	Collection Fees	189.99
Card Center/Orscheln	WWTP/Fire Supplies	422.70
Case Credit Advantage	WWTP Service	10.36
Cash-Wa Distributing	Food & Supplies	2,311.01
Central Garage Fund	Fuel/Repair	16,826.58
Chapman, Randy	Electric Rebates	2,050.00
Chief Supply Corp.	Fire Dept. Supplies	333.19
Clean Harbors Environmental Services, Inc.	Disposal of Oil	3,159.84
Comfort Inn	Seminar	186.18
Community Redevelopment Authority	Note Interest	11,383.09
Conney Safety Products	WWTP Supplies	158.60
Culligan Water Conditioning Co.	Soft Water Supplies	164.21
D & R Computing	Supplies	55.99
Dan's Sanitation	Sanitation Fees	12,697.00
Davis Energy, Inc.	Fuel	3,626.64
Dawson County Court	Court Fees	17.00
Dawson County Register of Deeds	Filing Fees	31.00
Dawson Pest Control	GGC Service	27.00
Delight Donuts	Food	6.90
Delta Dental of Nebraska	Premium	1,208.15
Drummond American Corporation	WWTP Supplies	102.60
Dugan Business Forms	Supplies	692.09
Eakes Office Plus	City/Lib. Supplies	420.40
Eilers Machine & Welding	Fire Dept. Supplies	163.24
Electric Fixture	PK/ST/WWTP Supplies	647.69
EMS Billing Services, Inc.	Ambulance Service	1,471.48
Envision Ware	Lib. Service	1,086.30
Fagot Refrigeration & Electric	GGC/WWTP Service	135.00
Farmer Brothers Coffee	Food	126.70
Fastenal	WR Supplies	45.86
FYR-TEK	Fire Dept. Supplies	884.04
G & V Inc.	Demolish Building	3,500.00
Gale Group, The	Books	115.43
GeoStat Environmental, LLC	Groundwater Analysis	2,000.00
HD Supply Waterworks	WR Supplies	107.60
HTM Sales, Inc.	WWTP Supplies	2,092.38
Hall, Debra L.	Book	20.00
Harper Brush Works	WWTP Supplies	168.50
Hastings, Peg	Transportation	24.24
Health Claims Fund	Claims	22,989.85
Hometown Leasing	Copier Payments	561.94
Ingram Library Services	Books	348.62
Intellicom	Lib. Service	24.79
Jones Plumbing & Heating	WR/WWTP Supplies	428.02
Kearney Hub	Subscription	211.54
Kiburz, Scott	Electric Rebate	425.00
Kirkham Michael	Rural Viaduct Study	9,900.00

Kratzer Electric, Inc.	Civil Defense Service	887.00
Lexington Animal Clinic	Animal Care	814.60
Lexington Area Chamber of Commerce	Annual Banquet	225.00
Lexington Area Solid Waste Agency	Landfill	1,809.79
Lexington Health Fund	Self-funding	33,153.15
Lexington Newspapers, Inc.	Publications	747.94
Lexington Postmaster	Postage	150.00
Lexington Public Schools	Seminars	111.00
Lexington True Value	Fire Dept. Supplies	210.54
Lexington, City of	ED Sales Tax Reimburse	66,623.02
Lexington, City of	Franchise/Service Fees	47,795.78
Payroll	Wages	89,993.36
Social Security	Employer Port/FICA Med	6,677.63
First National Bank	Employer Port / Pension	0.00
First National Bank	Police Pension	1,338.30
ICMA	City Manager Pension	413.07
Linweld	Ambulance Supplies	187.48
McCookNet Internet Service	Service	1,349.82
Mead Lumber & Rental-Lexington	Fire Dept. Supplies	321.95
Menards-Kearney	Lib. Supplies	223.68
Meridian Library System	Seminar	20.00
Meritain Health	Premium	17,502.84
Mid-Nebraska Printing	GGC Supplies	678.14
Mid-State Units	Rental	270.00
Miller & Associates	Professional Services	50,392.42
Morton, Shelly A.	Utility Refund	10.81
Mr. Automotive	Police Dept. Supplies	150.18
Municipal Pipe Tool Co., Inc.	Central Garage Supplies	109.93
Municipal Supply	WR Supplies	1,105.19
National Arbor Day Foundation	Dues	15.00
Nebraska Dept of Economic Development	CDBG Payments	12,251.67
Nebraska Dept of Environmental Quality	Seminar	150.00
Nebraska Public Power District	O&M	75,000.00
Nebraska Public Power District	SCADA/Adams Sub	30,048.79
Nebraska Public Power District	Power Purchase	656,330.85
Nebraska Safety Council	Membership Dues	315.00
Nebraska Waste Handlers	Sludge Removal	6,570.00
Nelson, Margie L.	Cleaning Service	500.00
Neopost	Postage	1,500.00
Omaha World Herald	Subscription	189.28
Oxbow Construction	Demolition-DeBruce	43,871.83
Paulsen, Inc.	Concrete	670.09
Peak Interest	Food	47.97
Platte Valley Auto Mart	Central Garage Supplies	160.83
Platte Valley Communications	Radio/Tower Rent/Supplies	1,526.20
Plum Creek Auto Spa	Car Washes	13.00
Plum Creek Cleaners	Supplies	362.00
Plum Creek Market Place	Food	32.84
Precision Industries	WWTP Supplies	1,033.50
Reiman Publications	Subscription	14.98
Roberts Dairy Company	Beverages	388.02
S & W Auto Parts, Inc.	Police Dept. Supplies	1,119.22
Scholastic Library Publishing	Books	148.20
Sentimental Productions	Books	300.00
Service Master Mid Nebraska	Cleaning Service	807.50
Sewer Equipment Co. of America	WWTP Supplies	260.43
SourceGas, Inc.	Gas Service	23,388.27

T. O. Haas Tire Co., Inc.	Tires/Repair	545.63
Taste of Home Books	Book	28.98
Team Detail & Quicklube	Fire Dept. Service	177.92
Technical Maintenance & Service	WWTP Repair	425.00
Thompson Co., The	Food	1,127.92
TierOne-Lib. Petty Cash	Postage	45.04
Tri-City Tribune	Publications	204.00
Tri-County Hospital	Wellness	241.50
U-Save Business Equipment	Supplies/Postage	367.38
Unique Books, Inc.	Books	39.07
Unitech	WWTP Supplies	189.00
Utility Equipment	CED Infrastructure Supplies	23,539.25
Wal-Mart	Supplies	458.44
Wolf, Tracy	Seminar	188.12
Alltel	Service	51.92
Cash-Wa Distributing	Food & Supplies	539.55
Coca Cola/Dr. Pepper of Kearney	Beverages	40.00
Dan's Sanitation	Sanitation Fees	550.00
Dawson County Public Power	Power Purchase	7,200.21
Dugan Business Forms	Supplies	370.10
Electric Fixture	ST Supplies	284.16
Great Plains One-Call Service	Locates	41.81
Health Claims Fund	Claims	7,819.58
Ingram Library Services	Books	95.96
Lexington Health Fund	Self-funding	33,153.15
Lexington Newspapers, Inc.	Publications	301.98
Morales, Eduardo	Ambulance Refund	270.00
NCMA-Lincoln Conference	Conference	75.00
Naumann, Sondra	Cleaning Service	135.00
Nebraska Tech & Telecomm, Inc.	Telephone Expense	1,270.17
Nebraska Department of Revenue	Sales & Use Tax	42,733.93
Nebraska Department of Roads	ST Supplies	261.44
Nelson, Thomas R.	Conference	238.92
Peak Interest	Food	63.46
Platte Valley Communications	Fire Dept. Supplies	168.00
Plum Creek Market Place	Food	17.55
Price's Tree Service	Snow Removal	90.00
Rasmussen Mechanical Service Corp.	Library Service	716.82
Roberts Dairy Company	Beverages	214.55
Sughroue Implement Painting	Landfill Service	1,478.00
The Thompson Co.	Food	787.01
TierOne-City Petty Cash	Postage/Food	26.31
TierOne-Library Petty Cash	Postage	4.00
Tri-County Hospital	Ambulance Supplies	1,773.48
U-Save Business Equipment	Supplies	-8.39
Upstart	Lib. Supplies	197.91
Wal-Mart	Supplies	202.56
	TOTAL CLAIMS:	1,419,168.60

PUBLIC HEARING:

Mayor Fagot opened the public hearing to consider a request by Laura Landa-Rodriguez for a Class "I" Liquor License for El Eclipse, 405 East Pacific, Lexington. Ms. Landa-Rodriguez explained her intentions for the business. Following discussion, the public hearing was closed. Moved by Tomasek, seconded by Bennett, to recommend approval to the Nebraska Liquor Control Commission for a Class "I" liquor license for Laura Landa-Rodriguez DBA El Eclipse, as well as recommended employee alcohol

serving awareness training. Roll call. Voting “aye” were Salem, Miller, Bennett, Tomasek, Fagot. Motion carried.

4TH OF JULY EVENT:

Susan Bennett, Chamber of Commerce Executive Director, appeared before the Council to request Council’s approval of a proposed event in the downtown area during the 4th of July weekend. She explained a preliminary schedule of the events which would include a carnival, sidewalk sales, and a car show. Following discussion, moved by Salem, seconded by Miller, to authorize city staff to work with the Chamber regarding street closings for the event. Roll call. Voting “aye” were Tomasek, Bennett, Miller, Salem, Fagot. Motion carried.

CED ADDITION PAVING:

Dana Daniels, Miller & Associates, presented Council with plans and specifications for the CED Addition Paving project and requested authorization for solicitation for bids. Following discussion, moved by Miller, seconded by Tomasek, to approve the plans and specifications for the CED Addition Paving and to authorize solicitation of bids to be opened on March 6, 2008, at 2 pm. Roll call. Voting “aye” were Salem, Bennett, Tomasek, Miller, Fagot. Motion carried. As a point of interest, Fagot announced that nine of the 22 lots in the CED Addition have been sold.

ONE & SIX YEAR PLAN:

Daniels presented Council with a draft of the 2008 One and Six Year Street Improvement Plan. Following discussion, no action was taken. The Council will consider a final draft of the plan at a public hearing on February 26, 2008.

ELECTRIC PROJECT:

Pepplitsch presented Council with a proposal to complete Phase 2 of a 4.16 kV to 13.8 kV distribution system conversion in south Lexington, with a proposed cost of \$275,539.86. Pepplitsch also updated Council on other conversion projects in progress. Following discussion, moved by Tomasek, seconded by Salem, to authorize Staff to execute the work order for the Lexington Kugler ACB 108 Conversion project. Roll call. Voting “aye” were Miller, Bennett, Salem, Tomasek, Fagot. Motion carried.

BOND REFUNDING:

Pepplitsch presented Council with information regarding refinancing a Series 2001 General Obligation bond. Following discussion, moved by Tomasek, seconded by Miller, to authorize City Manager to prepare refinancing documents for consideration at the March 11, 2008, Council meeting. Roll call. Voting “aye” were Bennett, Salem, Miller, Tomasek, Fagot. Motion carried.

MEETING DATES:

Council discussed moving the second regular Council meeting time in February due to scheduling conflicts. They also discussed setting a time and date for a Council planning session. Following discussion, moved by Salem, seconded by Miller, to schedule the February 26, 2008 regular Council meeting for a 6:30 pm start time and to schedule a council planning session on Saturday, February 23, 2008, at 8 am. Roll call. Voting “aye” were Tomasek, Bennett, Miller, Salem, Fagot. Motion carried.

ROUNDTABLE:

Pepplitsch updated the Council on the Pedestrian Trail project. He also requested Council representation to work with Staff on City Hall renovation concepts. Joni Bennett and Steve Tomasek volunteered to work with Staff on this issue.

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