

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, October 14, 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, Joni Bennett, John Salem and Linda Miller. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Will Weinhold and Deputy City Clerk Pamela Berke. The press was represented by the Lexington Clipper-Herald and Kearney Hub. Also present were Nancy Evan, Delpha Albus, and Dora Vivas.

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. Mayor Fagot acknowledged the members of the Dawson Area Development Leadership class who were in attendance at the meeting and wished them luck in their class.

MINUTES – REGULAR MEETING 9-23-08 Minutes of the Regular meeting held Tuesday, September 23, 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 \$1,683,340.12 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Tomasek, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$373,561.94 from the General Fund, \$52,199.46 from TIF Fund, \$4,166.67 from ED Reuse, \$1,117,305.63 from LEXUS, \$13,939.30 from Sanitation, \$3,224.12 from Landfill, \$19,011.23 from Ambulance Fund, \$91,401.72 from Health Fund, and \$8,530.05 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Miller, Bennett, Tomasek, Salem, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
October 14, 2008

Alamar Uniform Company	Uniform Expense	77.94
All Points Cooperative	Weed Killer/Fuel/Central Garage Supplies	2,515.87
Alltel	Cellphones	190.27
Arnold Pool Company	Supplies	207.65
Associated Pool Builders, Inc.	Service	2,990.00
Axis Capital	Mail Machine Payment	527.37
B & D Office City	Office Supplies	181.16
Barmore Drug Store, Inc.	Ambulance Supplies	71.37

Blythe, Lance	Uniform Expense	71.33
Bob's Auto Repair & Service	Repair	60.00
Bottom Line Health	Subscription	29.95
Brownells, Inc.	Ammunition	208.44
Business Card	Conference/Fuel/Promotional Expense	1,605.86
Card Center/Orscheln	Supplies	269.77
Cash-Wa Distributing	Food/Supplies	1,510.74
Central Garage Fund	Repairs/Service/Fuel	16,656.26
Central Tire & Tread	Tire/Wheel	472.11
Central Valley Irrigation, Inc.	WWTP Supplies	13.80
Certified Laboratories	ST Supplies	142.55
Cosmos Club	PK Clean-up	300.00
Culligan Water Conditioning Co	Soft Water Supplies	267.85
Dan's Sanitation	Sanitation Fees	11,239.14
Davis Energy, Inc.	Fuel	5,801.78
Dawson County Handibus	Transportation	92.00
Dawson County Public Power	Power Purchase	6,357.42
Dawson County Register of Deeds	Filing Fees	5.50
Dawson Pest Control	GGC Service	27.00
Delta Dental of Nebraska	Premium	1,454.45
Demars Gordon Olson & Zalewski	Professional Service	2,348.03
Demco	Library Supplies	145.37
Depository Trust Company	2004 GO Bond Pmt.	89,286.25
Diamond Vogel Paint	Rec Supplies	508.29
Dmilaco	Uniform Expense	93.04
Dutton-Lainson Company	EL Supplies	640.94
Eakes Office Plus	Library Supplies	165.13
Electric Fixture	EL/WWTP Supplies	307.36
Experience Works, Inc.	GGC Donation	150.00
Farmer Brothers Coffee	Food/Supplies	371.85
Fastenal	WWTP Supplies	524.96
Fed Ex	Shipping Charges	127.31
Fisher Scientific	WWTP Supplies	382.39
G & V Inc.	Haul Tree Grindings	900.00
Gale Group, The	Books	276.42
Galls Inc.	Uniform Expense	474.85
God of Prophecy/Youth	PK Clean-up	300.00
Grace Lutheran Church/Youth	PK Clean-up	200.00
Great Plains One-Call Service	Locates	75.21
HD Supply Waterworks	WR Supplies	1,395.57
Hach Company	WWTP Supplies	56.79
Harper Brush Works	WWTP Supplies	203.20
Health Claims Fund	Claims	84,345.50
Hearst Corporation, The	Subscription	12.97
Heartland Services, Inc.	Ambulance Service	105.20
Holbein, Dahlas D.	Lawn Care	495.00
Holiday Inn	Conference	70.00
Holtz, Marcia	Conference	65.00
Hometown Leasing	Copier Payments	561.94
Hunt Cleaners, Inc.	ST/PK/Cem/WR Supplies	392.77
Husker Ag	Central Garage Supplies	58.20
Huskers Illustrated	Subscription	51.95
Ingram Library Services	Books	528.65
Jakes Toro Sprinklers	Repair	148.41
Jones Plumbing & Heating	WR/WWTP/Cem/ST Supplies/Repair	658.32
KRVN - FM	Service Announcements	171.60
Kiwanis	PK Clean-up	200.00

Lara, Juanita	EL Refund	154.24
League of Nebraska Municipalities	Conference	607.00
Lexington Animal Clinic	Animal Care	1,445.40
Lex Area Solid Waste Agency	Landfill	1,508.40
Lexington Boy Scout Troop #31	PK Clean-up	300.00
Lexington Boy Scout Troop #88	PK Clean-up	300.00
Lexington Christian Church	PK Clean-up	100.00
Lexington Eagles Club	PK Clean-up	300.00
Lexington Health Fund	Self-funding	32,265.58
Lexington Newspapers, Inc.	Publications	740.69
Lexington Postmaster	Postage	150.00
Lexington True Value	Cem/Fire/WWTP Supplies	175.00
Lexington, City of	NW Paving Payback	52,199.46
Lexington, City of	Franchise Fees/Service Fees	47,735.01
Payroll	Wages	99,018.20
Social Security	Employer Portion / FICA Med	7,369.80
First National Bank	Employer Portion / Pension	3,284.08
First National Bank	Police Pension	1,526.72
ICMA	City Manager Pension	433.84
Linweld	Ambulance Supplies	113.00
Lion's Club	PK Clean-up	300.00
Lips Printing Service	Rec/GGC Supplies	194.10
Lundeen-Isaacson Inc.	Premium	11,517.00
Mary Engelbreit's Home Companion	Subscription	29.95
McCookNet Internet Service	Service/WWTP Repair	700.00
Mead Lumber & Rental-Lexington	ST/WWTP/Central Garage Supplies	188.47
Meritain Health	Premium	20,168.47
Metzger, Kurt	CDL	55.00
Michael Todd & Co., Inc.	ST/Ambulance Supplies	297.00
Milco Environmental Services, Inc.	Water Analysis/Disposal Site	2,093.92
Miller & Associates	N.W. Storm SW Study	382.50
Municipal Automation & Control	WWTP Repair	1,107.69
Municipal Emergency Services	Uniform Expense	33.00
Municipal Supply	ST/PK/WR Supply	4,482.07
NE Dpt of Economic Development	Mid Plains CDBG Pmt.	4,166.67
Nebraska Library Commission	Books/Seminar	1,857.96
Nebraska Life	Subscription	21.00
NE Public Health Environmental Lab	WR Analysis	2,542.00
Nebraska Public Power District	O&M/Service	67,000.00
Nebraska Public Power District	Power Purchase	803,316.88
Nebraska Public Power District	Tri-County Hospital Expansion Serv.UG	60,000.00
Nebraska State Library	Book	57.00
Nebraska Tech & Telecomm, Inc.	Telephone Expense	1,330.00
Nelson, Margie L.	Cleaning Service	500.00
Overton Sand & Gravel	Gravel/Limestone	3,239.68
Paulsen, Inc.	Concrete/Rebar	3,738.69
Peak Interests LLC	Food	40.47
Penworthy Company	Books	1,103.27
People	Subscription	116.07
Pinnacle Bank	Ambulance Pmt.	18,352.45
Platte Valley Auto Mart	Central Garage Supplies	12.09
Platte Valley Communications	Repairs/Maint./Radios	3,099.11
Plum Creek Bank	NW Improvements Pmt.	52,199.46
Plum Creek Market Place	Food	77.65
Plum Creek Promotions	T-Shirts	567.72
Price's Tree Service	Tree Removal	3,250.00
Q Club (Quincinera Group)	PK Clean-up	200.00

Rasmussen Mechanical Service.	Library Service	1,775.00
Reiman Publications	Subscriptions	34.95
Roberts Dairy Company	Beverages	530.28
Run-N-Iron	Fire Arms	2,638.00
S & W Auto Parts, Inc.	WWTP/Central Garage Supplies	861.46
Sargent Drilling Company	Well Valve	1,150.25
Scholastic Library Publishing	Books	240.50
Schwarz, Jeff	Seminar	142.32
Service Master Mid Nebraska	Cleaning Service	1,944.37
Source Gas, LLC	Gas Service	5,951.73
St. Ann's Catholic Youth	PK Clean-up	200.00
Subway Sandwiches & Salads	Food	80.13
T. L. Sund Constructors, Inc.	Trenching Service	297.00
T. O. Haas Tire Co., Inc.	Repair	131.12
Team Detail & Quicklube	Car Washes	87.96
Thompson Co., The	Food & Supplies	3,770.65
TierOne-Lib. Petty Cash	Postage/Food/Book/Office Supplies	80.57
Total Lawn Care	Lawn Care	3,712.50
Traces	Books	145.00
Tri-City Tribune	Publications/GGC Supplies	338.90
Tri-County Hospital	Wellness/Drug Tests	259.00
U-Save Business Equipment	Lib/ST/Police/PK/Cem/GGC Supplies	738.07
Unique Books, Inc.	Book	16.91
United Methodist Youth Group	PK Clean-up	200.00
Univar USA, Inc.	Ferric Chloride/Calcium Hypochlorite	7,033.57
Upstart	Library Supplies	32.90
Utility Equipment	WR Supplies	1,665.86
W P C I	Drug Test	27.10
Wal-Mart	Supplies	392.15
Ward Laboratories	Lab Tests	28.00
Young Women's Association	PK Clean-up	300.00
Zook's Welding Shop, Inc.	WWTP Supplies	99.38
AFLAC	Premium	890.56
All Points Cooperative	Fuel/Propane	100.04
Alltel	Cellphone Service	52.16
Anderson Graphics	Library Service	17.50
B & D Office City	Office Supplies	72.27
Blue Cross Blue Shield	Ambulance Refund	273.99
Business Card	WWTP Supplies	498.38
Card Center/Orscheln	WR Supplies	190.63
Central Garage Fund	Service/Maint.	615.50
Certified Laboratories	Central Garage Supplies	370.50
Consumer Reports Money Adviser	Subscription	29.00
EMS Billing Services, Inc.	Ambulance Service	1,208.20
Fastenal	PK Supplies	43.22
General Binding Corp.	Library Supplies	125.61
Health Claims Fund	Claims	4,579.11
Heartland Clerks Association	Membership Dues	10.00
Kiburz, Scott	Electric Rebate	1,925.00
Lex Area Chamber of Commerce	Membership Dues	4,090.00
Lexington Newspapers	Publications	508.10
Lexington Recreation Program	Support Personal	2,500.00
Lexington True Value	Fire Dept. Supplies	12.87
Lexington Volunteer Fire Dept.	Ambulance Fees	2,385.58
Mead Lumber & Rental-Lexington	Supplies	5.98
Mid-State Units	Rental	492.00
Miller & Associates	CED Add/McDermott Sub/Hike-Bike Trail	20,238.95

Miller, Joe	Electric Rebate	250.00
Nebraska Department of Revenue	Sales & Use Tax	39,231.94
Nebraska Medicaid	Ambulance Refund	71.53
Nebraska Waste Handlers	Sludge Removal	7,387.60
S & W Auto Parts, Inc.	Central Garage Supplies	211.17
T. O. Haas Tire Co., Inc.	Central Garage Supplies	102.69
TierOne-City Petty Cash	Postage/Food	63.16
Wal-Mart	Supplies	196.44
Weston, Wayne	Electric Rebate	1,475.00
	TOTAL CLAIMS:	1,683,340.12

ORDINANCE:

An ordinance entitled “AN ORDINANCE TO VACATE THAT PORTION OF TYLER STREET LYING BETWEEN EAST 12TH STREET AND EAST 11TH STREET; TO PROVIDE FOR REVERSION OF THE VACATED STREET TO ADJOINING PROPERTY OWNERS; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was read by title on third reading. Peplitsch reviewed the potential plans of the Lexington School District for that area. Following discussion, moved by Salem, seconded by Miller, to approve Ordinance No. 2254 on third reading. Roll call. Voting “aye” were Bennett, Tomasek, Miller, Salem, Fagot. Motion carried.

APPOINTMENTS:

Fagot requested Council consideration of appointing Cindy Wheeler to the Lexington Housing Authority to complete the term of Della Mae Corder who has resigned. Moved by Bennett, seconded by Miller, to appoint Cindy Wheeler to the Housing Authority. Roll call. Voting “aye” were Tomasek, Salem, Miller, Bennett, Fagot. Motion carried.

Peplitsch requested Council consideration of appointing Jason Fagot to the Community Redevelopment Authority to complete the term of Wesley Lubberstedt who has resigned from the board. Following discussion, moved by Miller, seconded by Salem, to appoint Jason Fagot to the Community Redevelopment Authority. Roll call. Voting “aye” were Tomasek, Bennett, Salem, Miller, Fagot. Motion carried.

MEETING DATE:

Peplitsch noted several conflicts with the November 11 council meeting and requested a change in the meeting date and time. Following discussion, moved by Miller, seconded by Bennett, to move the November 11, 2008 council meeting to Monday, November 10, at 5 pm. Roll call. Voting “aye” were Tomasek, Salem, Bennett, Miller, Fagot. Motion carried.

PLANNING SESSION:

Peplitsch requested Council consideration of setting a planning session date and time for Saturday, October 18, 2008, at 8 am. Possible agenda items were discussed. Moved by Miller, seconded by Tomasek, to schedule a planning session for Saturday, October 18, 2008, at 8am. Roll call. Voting “aye” were Salem, Bennett, Tomasek, Miller, Fagot. Motion carried.

ROUNDTABLE:

Peplitsch gave an update of several current and potential projects, including the old Wal-Mart building, the New Neighborhood application process, and the CROWN and ABLE housing projects.

Burnside reported that the City is partnering with NPPD in their energy efficiency program by renewing a heat pump rebate program with them and distributing energy efficient light bulbs through the city’s utility office.

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