

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, December 28, 2010, 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, and John Salem. Council member Linda Miller was absent. City Officials present were City Manager Joe Pepplitsch, Assistant City Manager Dennis Burnside, City Attorney Will Weinhold, and Deputy City Clerk Pamela Berke. The press was represented by the Kearney Hub, Lexington Clipper-Herald, and KRVN Radio. Also in attendance was John Krajewski, JK Energy Consulting LLC.

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 12-14-10 Minutes of the Regular meeting held Tuesday, December 14, 2010, were presented for Council approval. Moved by Salem, seconded by Bennett, to approve Minutes as presented. Roll Call. Voting “aye” were Tomasek, Bennett, Salem, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$588,948.80 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Tomasek, seconded by Bennett, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$190,782.39 from the General Fund, \$114,371.19 from TIF, \$122,918.73 from LEXUS, \$27,708.03 from Sanitation, \$395.28 from Ambulance Fund, \$129,049.32 from Health Fund, and \$3,723.86 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Salem, Bennett, Tomasek, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
December 28, 2010

AFLAC	Premium	1,114.18
Amazon	Books	48.67
Audio Editions	Books	1,148.74
Axis Capital, Inc.	Mail Machine Pmt	840.00
Barco Municipal Products	ST Supplies	92.14
B&D Office City	ST Supplies	99.75
Barmore Drug Store	Amb / WWTP Supplies	122.07
Business Office Systems, Inc	Copies / Police Supplies	153.43
Card Center/Orscheln	Insp / PK Supplies	153.95
Cash-Wa Distributing	Food	1,236.85
Chemsearch	WWTP Supplies	150.00
Davis Energy, Inc.	Fuel	3,239.98
Dawson County Clerk	Dispatch Fees	25,000.00
Dawson County Treasurer	Personal Property Tax/Drainage Tax	1,176.36
Eakes Office Plus	Lib Supplies	5.99
Electric Fixture & Supply	EL / PK / Lib Supplies	1,474.27

Fastenal	ST Supplies	14.55
Gale Group, The	Books	244.95
Gallery Collection, The	Office Supplies	285.84
Galls	Uniform Expense	70.98
Gnirk Lawn Care Inc	Pk Service	739.00
Great Western Bank-Lib. Petty Cash	Postage / Food / Supplies	208.17
Guideposts	Book	17.74
Health Claims Fund	Claims	120,783.66
Home Accents	City Hall	4,613.84
Ingram Library Services	Books	1,025.61
Lawson Products, Inc.	ST Supplies	164.50
Lexington Newspapers, Inc.	Publications	52.76
Lexington Utilities System	Utilities	33,022.77
Linweld	Amb Supplies	31.35
MaxQ Enterprises, LLC	Book	22.95
Mead Lumber & Rental-Lexington	Fire Dept / ST Supplies	243.95
Menards-Kearney	WWTP Supplies	42.99
Michael Todd & Co. Inc	ST Supplies	56.03
MicroMarketing, LLC	Lib Supplies	447.40
Miller & Associates	Retainer Fee	800.00
Municipal Supply, Inc of NE	WR Supplies	281.97
Nebraska Economic Developers Association	Membership Dues	200.00
Overton Community Center	Meals on Wheels	100.00
Paulsen, Inc.	Concrete	430.50
Peak Interests LLC	Food	34.00
Plum Creek Market Place	Food / ST Supplies	99.29
Roberts Dairy Company	Beverages	210.30
S & W Auto Parts	SW / Police / Fire Dept Supplies	77.09
Service Master Mid Nebraska	Cleaning Service	80.00
Sign Pro	WR/City Hall/DCOC Signage	1,828.58
TASC	Fees	167.62
Thompson Co., The	Food & Supplies	688.73
U-Save Business Equipment	ST/WR Supplies/Conf Rm Supplies	1,391.65
Value Line Publishing, Inc	Books	1,598.00
Verizon Wireless	Cellphones	129.52
Wal-Mart	Supplies	195.63
B & D Office City	Police Supplies	43.68
Bennett, Joni	Seminar	120.00
Business Card	Conf/Food/Fuel/Software/ST Spls	3,767.25
Card Center/Orscheln	ST Supplies	1.16
Central Garage Fund	Service / Repair	7,059.98
Community Redevelopment Authority	Kirkpatrick Land Pmt	114,371.19
Copycat Printing	Bldg Insp Supplies	49.61
Dan's Sanitation	Sanitation Fees	27,708.03
Electric Fixture & Supply	WWTP Supplies	40.97
Great Western Bank-City Petty Cash	Food/Pstg/Uniform Exp/Car Wash	144.22
HD Supply Waterworks	Meter Pit	2,139.15
Health Claims Fund	Claims	6,983.86
Holbein, Dahlas	Maint/Cleaning Svc/Yard Clean-up	1,125.00
Komline-Sanderson	WWTP Supplies	800.82
League of Nebraska Municipalities	WR Workshop	70.00
Lexington Health Fund	Self-Funding	33,080.08
Lexington Newspapers, Inc.	Publications	395.52
Lexington Truck & Auto	Central Garage Supplies	965.00
Lexington, City of	Franchise Fees	58,573.36
Payroll	Wages	103,251.98
Social Security	Employer Portion / FICA Med	7,645.42
First National Bank	Employer Portion / Pension	3,285.06
First National Bank	Police Pension	1,781.76
ICMA	City Manager Pension	433.84

Mead Lumber & Rental-Lexington	Muni Bldg Supplies	102.95
Morris Press	GGC Supplies	73.00
Mr. Automotive	Central Garage Supplies	6.47
Nebraska Public Health Environmental Lab	WR Testing	956.00
S & W Auto Parts, Inc.	Central Garage Supplies	1,835.57
Service Master of Mid Nebraska	Cleaning Service	4,741.00
Sign Pro	Sign at D C Opportunity Center	900.00
T. O. Haas Tire Co., Inc.	Repair	18.70
U-Save Business Equipment	Postage / ST Supplies	19.87
	TOTAL CLAIMS:	588,948.80

ELECTRIC RATES:

Resolution No. 2010-31 was presented for Council consideration. Peplitsch introduced John Krajewski, JK Energy Consulting, LLC, who was contracted to complete an electric cost of service/rate design study. Discussion included wholesale cost increase of 10% effective January 1st, retail rate design, and impact on the average residential bill. It was noted that the overall recommended increase to rates is 7% across all customer classes with a realized 4% increase for the residential class. Following discussion, moved by Salem, seconded by Tomasek, to approve Resolution No. 2010-31 as presented. Roll call. Voting "aye" were Bennett, Tomasek, Salem, Fagot. Motion carried.

RESOLUTION NO. 2010-31

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

BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, that the following electric rates for the following use classifications are established and shall take effect January 1, 2011, to be reflected on billings following such date.

Residential – Basic:	Summer	Winter
	May 1 – Sept. 30	Oct. 1 – Apr. 30
Base Charge per Month	\$15.00	\$15.00
First 500 kWh @ \$/kWh	\$0.1100	\$0.0980
Over 500 kWh @ \$/kWh	\$0.0861	\$0.0500
Minimum Bill	\$15.00	\$15.00
Residential – All-Electric:	Summer	Winter
	May 1 – Sept. 30	Oct. 1 – Apr. 30
Base Charge per Month	\$13.00	\$13.00
First 500 kWh @ \$/kWh	\$0.1080	\$0.0870
Over 500 kWh @ \$/kWh	\$0.0835	\$0.0450
Minimum Bill	\$13.00	\$13.00
Commercial - Small:	Summer	Winter
	May 1 – Sept. 30	Oct. 1 – Apr. 30
Base Charge per Month	\$15.00	\$15.00
First 1000 kWh @ \$/kWh	\$0.1350	\$0.1200
Over 1000 kWh @ \$/kWh	\$0.0870	\$0.0720
Minimum Bill	\$15.00	\$15.00
Commercial – Heat:	Summer	Winter
	May 1 – Sept. 30	Oct. 1 – Apr. 30
Base Charge per Month	\$15.00	\$15.00
First 1000 kWh @ \$/kWh	\$0.1330	\$0.1180
Next 4000 kWh @ \$/kWh	\$0.0870	\$0.0670

Over 4000 kWh @ \$/kWh	\$0.0870	\$0.0502
Minimum Bill	\$15.00	\$15.00
Municipal Power & Light:	Summer	Winter
	May 1 – Sept. 30	Oct. 1 – Apr. 30
Base Charge per Month	\$15.00	\$15.00
Plus All kWh @ \$/kWh	\$0.0575	\$0.0575
Commercial - Large:	Summer	Winter
	May 1 – Sept. 30	Oct. 1 – Apr. 30
Base Charge per Month	\$20.00	\$20.00
Plus Demand Charge	\$14.00	\$12.20
Plus All kWh @ \$/kWh	\$0.0430	\$0.0400
Industrial–Non-Interruptible:	Summer	Winter
	May 1 – Sept. 30	Oct. 1 – Apr. 30
Base Charge per Month	\$50.00	\$50.00
Plus Demand Charge	\$12.75	\$11.00
Plus All kWh @ \$/kWh	\$0.0410	\$0.0366

High Tension Service: The High Tension rate shall be based upon a cost-plus calculation obtained from real-time metering. The rate shall include the actual cost of wholesale electricity purchased plus a percentage added to cover the required electric utility margin. The High Tension rate will be calculated, charged, and managed by the City Manager.

Irrigation–Non-Interruptible:	Summer	Winter
	May 1 – Sept. 30	Oct. 1 – Apr. 30
Horsepower Charge @ \$/HP	\$64.00	\$64.00
Plus All HP @ \$/HP	\$0.0612	\$0.0612
Municipal Street Lights:	Summer	Winter
	May 1 – Sept. 30	Oct. 1 – Apr. 30
Base Charge per Month	\$2,500.00	\$2,500.00
Plus All kWh @ \$/kWh	\$0.0575	\$0.0575
Yard Lights:	Summer	Winter
	May 1 – Sept. 30	Oct. 1 – Apr. 30
Base Charge per Month	\$10.00	\$10.00

PASSED AND APPROVED this 28th day of December, 2010.

CITY OF LEXINGTON, NEBRASKA

John Fagot, President of Council

ATTEST: Pamela Berke, Deputy City Clerk

ORDINANCE:

An ordinance entitled “AN ORDINANCE APPOINTING CITY OFFICIALS; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was presented. Following discussion, moved by Tomasek, seconded by Bennett, to suspend the rules regarding the reading of ordinances on three separate occasions. Roll call. Voting “aye” were Salem, Bennett, Tomasek, Fagot. Motion carried.

Ordinance No. 2288 was presented for Final reading. Moved by Tomasek, seconded by Bennett, to adopt Ordinance No. 2288 on final reading. Roll call. Voting “aye” were Salem, Bennett, Tomasek, Fagot. Motion carried.

APPOINTMENTS:

The following appointments to boards and commissions were proposed for Council approval:

Board of Adjustment – Deb Stuchlik, Don Ziebell, Rod Ziegler (alternate);
Planning Commission – Steve Smith, Dora Vivas, Eli Vazquez;
Housing Authority – Julie Owens;
Tree Board – Marty Smith, Janice Wolfinger;
Library Board – Delpha Albus;
Community Redevelopment Authority – Steve Atwood

Following discussion, moved by Tomasek, seconded by Bennett, to approve the appointments as presented. Roll call. Voting “aye” were Salem, Bennett, Tomasek, Fagot. Motion carried.

FINANCIAL REPORT:

Pepplitsch reviewed a financial report for November 2010. Following discussion, moved by Salem, seconded by Tomasek, to accept the financial report as presented. Roll call. Voting “aye” were Bennett, Tomasek, Salem, Fagot. Motion carried.

PLANNING SESSION:

Potential dates for a planning session were discussed. Moved by Bennett, seconded by Tomasek, to conduct a planning session on Saturday, January 29, 2011, at 8 a.m. at City Hall. Roll call. Voting “aye” were Salem, Tomasek, Bennett, Fagot. Motion carried.

ROUNDTABLE:

Pepplitsch gave an update on several current projects and the Police Chief search process.

Berke advised that an Employee Awards Banquet is scheduled for Saturday, January 8, 2011, and reported that 3 permits for the sale of fireworks had been issued for the winter season.

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