

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, February 9, 2010, at the Lexington Municipal Building, located at 406 E. 7<sup>th</sup> Street, Lexington, Nebraska at 5:30 p.m. Members of the Council present were Mayor 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, Building Inspector Bill Brecks and Deputy City Clerk Pamela Berke. The press was represented by the Kearney Hub.

**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. 7<sup>th</sup> Street, Lexington, Nebraska.

**MINUTES – REGULAR MEETING 1-26-10** Minutes of the Regular meeting held Tuesday, January 26, 2010, were presented for Council approval. Moved by Salem, seconded by Miller, to approve Minutes as presented. Roll Call. Voting “aye” were Tomasek, Bennett, Miller, Salem, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$1,417,290.02 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Miller, seconded by Bennett, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$182,655.06 from the General Fund, \$1,194,144.86 from LEXUS, \$10,000.00 from Sanitation, \$4,426.96 from Ambulance Fund, \$22,898.45 from Health Fund, and \$3,164.69 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Salem, Tomasek, Bennett, Miller, Fagot. Motion carried.

**CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
February 9, 2010**

All Points Cooperative	Fuel	271.06
Ask Supply Co.	ST Supplies	227.50
Audio Editions	Books	897.02
Axis Capital, Inc.	Mail Machine Pmt	527.37
Bamford, Inc.	Fire Sprinkler Inspection	200.00
Blue Cross Blue Shield of MN	Ambulance Refund	88.60
Blue Cross Blue Shield of NE	Ambulance Refund	337.68
Bob's Auto Repair & Service	Central Garage Supplies	336.00
Brecks, Bill	Travel Expense	88.00
Business Card	Bldg Inspect/Fire Supplies	449.46
Card Center/Orscheln	WWTP / ST Supplies	501.50
Cash-Wa Distributing	Food / Supplies	1,680.45

Central Garage Fund	Fuel / Service / Repairs	20,415.45
Chemsearch	WWTP Supplies	308.44
Conney Safety Products	ST Supplies	272.12
Culligan Water Conditioning Co.	Soft Water Supplies	192.40
D & R Computing	GGC Service	50.00
Dan's Sanitation	Sanitation Fees	12,535.00
Danko Emergency Equipment Co.	Fire Supplies	728.57
Davis Energy, Inc.	Fuel / Oil	11,850.15
Dawson County	Ambulance Refund	133.61
Dawson County Register of Deeds	Fees	8.50
Dawson County Surveyor	Maps	8.00
Dawson Pest Control	GGC Service	35.00
Don McCandless Backhoeing	Cem Service	120.00
Downey Drilling, Inc.	Geo Thermal System/DC Opp Cntr	48,708.90
Dugan Business Form	Supplies	146.62
Eakes Office Plus	City / Library Copies / Supplies	452.60
Ecolab	Polymer	1,122.84
Electric Fixture & Supply	ST / Fire / PK Supplies	234.97
EMS Billing Services, Inc.	Ambulance Service	1,921.65
Fagot Refrigeration & Electric	Municipal Bldg Service / Repair	456.97
Farmer Brothers Coffee	Food & Supplies	204.41
Fastenal	ST / Central Garage Supplies	51.41
Fisher Scientific	Testing Supplies	270.11
Flowers of Joy	Awards Banquet Supplies	61.41
FYR-TEK	Fire Supplies	232.01
Gale Group, The	Books	172.58
Great Plains One-Call Services	Locates	49.64
HD Supply Waterworks	WR Supplies	164.24
Health Claims Fund	Claims	18,436.64
Image Trend, Inc.	Ambulance Service	750.00
Ingram Library Services	Books	357.56
Jim Phillips Const.	Main Break Repairs	3,113.59
Jones Plumbing & Heating	Repairs / Supplies	280.74
Kearney Hub	Subscription	227.79
Lexington Animal Clinic	Animal Care	787.80
Lex Area Solid Waste Agency	Landfill	1,161.54
Lexington Health Fund	Self Funding	30,887.30
Lexington Newspapers, Inc.	Publications	386.03
Lexington Postmaster	Postage	150.00
Lexington Truck & Auto	Central Garage Supplies	75.00
Linweld	Ambulance Supplies	84.00
Matt Parrott And Sons Co.	Supplies	230.50
McCookNet Internet Service	Service	139.00
Mead Lumber & Rental-Lexington	WR/ST/Muni Bldg/Cem Supplies	229.84
Meritain Health	Premium	20,285.99
Michael Todd & Co., Inc.	ST Supplies	277.79
Morris Press	GGC Supplies	73.00
Mr. Automotive	Fire / Central Garage Supplies	53.55
Municipal Supply	Repair Clamps / Supplies	4,184.35
National Civic League	Membership Dues	250.00
Nebraska Machinery	Loader/Road Grader/CG	2,315.23
Nebraska Medicare	Ambulance Refund	354.42
Nebraska National Bank	Copier Payments	1,195.44
Nebraska Public Power District	Power Purchase	904,661.16
Nebraska Public Power District	O & M	65,500.00
Nebraska Public Power District	Tyson Relay Replace/SCADA Install	29,723.66
Nebraska Safety Council	Membership Dues	340.00

Nebraska Society of Fire Service	Books	425.00
Nebraska Waste Handlers	Sludge Removal	7,446.00
Nelson, Marge L.	Cleaning Service	500.00
Omaha World Herald	Subscription	30.00
Oprah Magazine, The	Subscription	24.00
Overton Sand & Gravel	Fill Sand / Road Gravel	658.09
Paulsen, Inc.	Concrete	1,007.94
Penworthy Company	Books	1,220.58
Platte Valley Auto Mart	Transmission / Repair	3,126.06
Platte Valley Communication Krny	Maint / Tower Rent / Repair	1,304.96
Plum Creek Market Place	Food	86.33
Plum Creek Motors	Vehicle Repair	185.56
Principal	Dental Premium	3,027.60
Roberts Dairy Company	Beverages	319.82
S & W Auto Parts	WWTP / Central Garage Supplies	1,130.47
Service Master Mid Nebraska	Cleaning Service	189.12
Source Gas, LLC	Gas Service	12,285.22
Statewide Collections, LLC	Collection Fees	206.74
Steve's Lock & Key	Business Office Supplies	367.32
Subway Sandwiches & Salads	Food	26.94
T. O. Haas Tire Co., Inc.	Tires / Repair	341.00
Team Detail & Quicklube	Full Car Details	280.00
Technical Maintenance & Service	WWTP Electronic Soft Service	382.50
Thompson Co., The	Food & Supplies	330.72
Tri-City Tribune	Publications	96.00
Tri-County Hospital	Wellness / Ambulance Supplies	483.00
U-Save Business Equipment	Lib / Fire Supplies / Postage / UPS	1,687.44
USA BlueBook	WR Supplies	74.87
Wal-Mart	Supplies	269.49
Walling Company Inc., The	Central Garage Supplies	153.24
Wamsley, Carol	Ambulance Refund	487.50
Warner Distributing	WWTP Supplies	122.20
Wilke-Donovan True Value	Cold Patch	1,119.44
Brecks, Bill	Invoice Correction	-8.00
Card Center/Orscheln	PK Supplies	29.13
D & R Computing	Supplies	52.99
Dawson Public Power District	Power Purchase	6,884.44
DBSP, Inc.	Software Maintenance	1,000.00
Eat Healthy Lose Weight	Book	18.43
Electric Fixture & Supply	WWTP / EL Supplies	78.69
Fagot Refrigeration & Electric	GGC Service / Repair	55.00
FYR-TEK	Fire Supplies	30.79
Hach Company	WWTP Testing Supplies	949.76
Health Claims Fund	Claims	1,372.11
Jones Plumbing & Heating	Fire Pump Repair	139.59
Lexington Newspapers	Publication	8.18
Lexington, City of	Franchise	168.19
Payroll	Wages	99,597.38
Social Security	Employer Portion / FICA Med	7,310.36
First National Bank	Employer Portion / Pension	3,258.94
First National Bank	Police Pension	1,574.05
ICMA	City Manager Pension	414.23
Lynn Peavey Company	Police Supplies	39.90
Mast's Fire Extinguisher Sales	Fire Supplies	42.62
Meridian Library System	Conference	15.00
Micromarketing, LLC	Books	115.47
Mid-State Units	Rental	80.00

Mills, Barbara	Office Supplies	39.56
Nebraska Code Officials Assn	Membership Dues	100.00
Nebraska Department of Revenue	Sales & Use Tax	59,591.58
Nebraska Tech & Telecomm, Inc.	Telephone Service	1,269.32
NE Floodplain/Strmwtr Mgr's Assn	Membership Dues	35.00
People Books	Book	39.90
Plum Creek Cleaners	Supplies	257.50
Sewer Equipment Co of America	WWTP Supplies	259.00
Steve's Lock & Key	Keys	24.50
W P C I	Drug Test	27.10
	<b>TOTAL CLAIMS:</b>	<b>1,417,290.02</b>

**ORDINANCE:**

An Ordinance entitled “AN ORDINANCE TO ESTABLISH STORM WATER MANAGEMENT REGULATIONS AS CHAPTER 15 OF THE LEXINGTON CITY CODE; TO REPEAL ORIGINAL CHAPTER 15 AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was read on second reading. Following discussion, moved by Tomasek, seconded by Salem, to suspend the rules regarding the reading of ordinances on three separate occasions. Roll call. Voting “aye” were Bennett, Miller, Salem, Tomasek, Fagot. Motion carried.

Ordinance No. 2277 was presented on final reading. Moved by Tomasek, seconded by Bennett, to approve Ordinance No. 2277 on final reading. Roll call. Voting “aye” were Salem, Miller, Bennett, Tomasek, Fagot. Motion carried.

**1 & 6 YEAR STREET PLAN:**

Pepplitsch reviewed a draft of the 2010 1&6 Year Street Improvement Plan. He noted that the plan has been reviewed by the Planning Commission with no comments or revisions forwarded. Following discussion, Resolution 2010-03 was presented for consideration. Moved by Salem, seconded by Miller, to approve the resolution as presented. Roll call. Voting “aye” were Tomasek, Bennett, Miller, Salem, Fagot. Motion carried.

**RESOLUTION OF ADOPTION 2010-03**

BE IT RESOLVED by the Mayor and City Council of Lexington, Nebraska that the attached One- and Six-Year Street Improvement Programs are hereby adopted by said City Council.

BE IT FURTHER RESOLVED, this Program was approved:

Approved as presented  
 Approved with the following changes:

Date: February 9, 2010

John Fagot, Mayor

Attest: Pamela Berke, Deputy City Clerk

**PAY REQUEST:**

Pepplitsch requested approval of Pay Request #5 from Paulsen Inc. for the Dawson County Opportunity Center Phase 1 in the amount of \$181,134.00. He gave a project update, and estimated interior completion by the end of March. The exterior painting of the building will be completed as soon as

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

**ROUNDTABLE:**

Pepplitsch reported that the renovations for the municipal building have begun with city crews performing minor demolition work. The general contractor is scheduled to begin work in mid February. He reminded Council of the planning session scheduled for Saturday, February 20, and requested items for discussion. He also gave updates on the soccer field improvements and the New Neighborhood application.

Burnside reported the kickoff meeting with RDG regarding the Downtown Revitalization Study has been conducted and a survey is available online and hard copy. Surveys are due by March 1. He also noted that city staff will be meeting with a website developer.

**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.

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Deputy City Clerk