

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, October 26, 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, Linda Miller and John Salem. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, and City Attorney Will Weinhold. The press was represented by the Kearney Hub. Also in attendance was Ann Eilers.

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 10-12-10 Minutes of the Regular meeting held Tuesday, October 12, 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 \$488,052.51 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Bennett, seconded by Tomasek, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$236,257.50 from the General Fund, \$211,969.65 from LEXUS, \$27,710.05 from Sanitation, \$294.37 from Ambulance Fund, \$8,585.76 from Health Fund, and \$3,235.18 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Salem, Miller, Tomasek, Bennett, Fagot. Motion carried.

**CITY OF LEXINGTON
ACCOUNTS PAYABLE
October 26, 2010**

Addicus Books, Inc.	Book	14.96
AFLAC	Premium	1,114.18
Amazon	Books	39.67
Annie's Attic Books	Book	18.94
Axis Capital, Inc.	Mail Machine Pmt	840.00
B & D Office City	Police Supplies	233.34
Baker & Taylor	Book	14.95
Barco Municipal Products, Inc.	ST Supplies	539.36
Berke, David	Yard Clean-up	300.00
Better Homes and Gardens	Book	30.91
Biothane LLC	Anaerobic Biomass	20,310.00
Bob's Auto Repair & Service	Repair	414.45
Business Card	Supplies	2,472.98

Business Office Systems, Inc.	Copies	32.68
Card Center/Orscheln	WWTP/ST/CG Spls	297.38
Case Credit Advantage	WWTP / Tractor Repair	2,616.15
Cash-Wa Distributing	Food / Supplies	908.48
Central Garage Fund	Service / Repair	5,569.99
Dawson County Handibus	Transportation	34.00
Dell Marketing, LP	Computer	927.27
Designer Craft Woodworking	City Hall Casework	33,180.00
Eakes Office Plus	Lib Supplies	54.97
EDM Publishers, Inc.	Subscription	98.78
Eilers Machine & Welding	WWTP Supplies	54.34
Eustis Body Shop	Police Vehicle Repair	946.45
Evans, Jesse	Travel Expense	180.00
Farm Plan	Central Garage Supplies	154.01
Gale Group, The	Books	318.93
Great Western Bank-Lib. Petty Cash	Postage / Food / Supplies	205.31
Guideposts	Book	17.74
HD Supply Waterworks	Meters / Wrenches	8,813.49
Health Claims Fund	Claims	5,323.65
Holbein, Dahlas D.	Maint / Cleaning Service	1,000.00
Husker Illustrated	Subscription	51.95
Ingram Library Services	Books	985.64
Intellicom	Muni Bldg Phone System	12,307.01
Lexington Newspapers, Inc.	Publications	61.34
Lexington Public Schools	MS Sec Cameras-SOS	31,553.50
Lexington, City of	Service Fees	54,857.75
Payroll	Wages	101,123.69
Social Security	Employer Port/FICA Med	7,415.56
First National Bank	Employer Port/ Pension	3,359.91
First National Bank	Police Pension	1,546.93
ICMA	City Manager Pension	423.46
Linda's Stitches & Creations	ST Shirts	78.32
Lundeen-Isaacson, Inc.	Fire Dept Ins Premium	12,879.00
Marshall Cavendish Corporation	Books	435.24
Mead Lumber & Rental-Lexington	ST/WWTP/Admin Spls	158.54
Miller & Associates	Rtnr Svc/WWAnnual Rep	1,758.05
Morris Press	Rec Supplies	71.00
Mr. Automotive	WWTP Supplies	5.77
Municipal Supply	WR / Cem Supplies	4,309.83
Naumann, Sondra	Cleaning Service	238.00
Nebraska Machinery	Central Garage Supplies	179.78
Nebraska Municipal Clerks Association	Dues	35.00
Nebraska Salt & Grain	Ice Control Salt	1,372.30
OCLC, Inc.	Subscription	12.32
Overton Community Center	Meals on Wheels	100.00
Oxbow Construction	Secondary Digester Rehab	3,001.50
Platte Valley Auto Mart	Repair	648.40
Plum Creek Market Place	Food	24.72
Precision Industries	WWTP/CG Supplies	33.24
Roberts Dairy Company	Beverages / Food	155.07
Rourke Publishing Group	Books	220.35
S & W Auto Parts, Inc.	Central Garage Supplies	345.79
Service Master Mid Nebraska	Cleaning Service	4,819.75
Sostad, Jon	Utility Refund	49.69
Steve's Lock & Key	Repair	125.50
T. O. Haas Tire Co., Inc.	Tires	160.04
TASC	Fees	164.90

Technical Maintenance & Service	WWTP Repair	315.00
Thompson Co., The	Food / Supplies	1,104.34
U-Save Business Equipment	Postage/ Spls	279.36
Wal-Mart	Supplies	599.19
Yant Equipment Co., Inc.	Central Garage Supplies	698.09
Ametek, Inc.	WWTP Air Compressor	5,761.32
Barmore Drug Store, Inc.	Police/Ambulance Spls	154.32
Brecks, Bill	Meeting Expense	60.00
Business Office Systems, Inc.	Mail Machine Supplies	80.75
Card Center/Orscheln	Fire / ST Supplies	124.26
Dan's Sanitation	Sanitation Fees	27,710.05
Davis Energy, Inc.	Fuel	3,222.22
Eakes Office Plus	Copies	41.67
Fireguard, Inc.	Fire Supplies	60.72
FYR-TEK	Fire Supplies	541.91
Grand Generation Center	Seminar	133.20
Great Western Bank-City Petty Cash	Food/Postage/TestingSpls	168.29
Great Western Bank-LEXUS	Start-up Cash	50.00
Health Claims Fund	Claims	1,983.03
Lexington, City of	Franchise Fees	65,250.30
Lexington Utilities System	Utilities	30,312.78
Mead Lumber & Rental-Lexington	WWTP/Bldg Insp Spls	78.26
Midwest Laboratories, Inc.	WWTP Testing	1,760.00
Miller & Associates	Pro Svc-CEL Wastewater	884.50
Municipal Supply	WR/Muni Bldg Supplies	780.75
National Wildlife Federation	Subscription	19.95
Paulsen, Inc.	Concrete	752.85
Rodale	Book	43.94
South Central Area Law Enforcement Svcs	Svc&Sply Buy In Fee/Dues	5,500.00
Taste of Home Books	Book	29.98
U-Save Business Equipment	Admin Chairs/Pstg/Spls	7,308.47
Wal-Mart	Supplies	53.43
Weigl Publishers, Inc.	Books	43.38
	TOTAL CLAIMS:	488,052.51

ORDINANCE NO. 2287:

Ordinance No. 2287, entitled “AN ORDINANCE TO AMEND SECTION 16-86 OF THE LEXINGTON CITY CODE; TO RESTRICT PARKING IN DOWNTOWN LEXINGTON FOR STREET CLEANING PURPOSES; TO REPEAL ORIGINAL SECTION 16-86 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 presented on Third and Final Reading. Following discussion, moved by Salem, seconded by Miller, to approve Ordinance No. 2287 on Third and Final Reading. Roll call. Voting “aye” were Tomasek, Bennett, Miller, Salem, Fagot. Motion carried.

LEX EAST VIADUCT:

Pepplitsch presented an agreement between the City, UPRR, and NDOR regarding a cost share commitment for the construction of a grade separation east of Lexington in the vicinity of County Road 435. Following discussion, moved by Miller, seconded by Tomasek, to approve the agreement as presented and authorize execution by the Mayor, pending concurrence by the Dawson County Commissioners. Roll call. Voting ‘aye’ were Bennett, Salem, Tomasek, Miller, Fagot. Motion carried.

BRIDGE INSPECTION:

Pepplitsch presented an agreement with NDOR regarding the National Bridge Inspection Standards responsibilities. Following discussion,

Resolution No. 2010-24 was presented. Moved by Salem, seconded by Tomasek, to approve Resolution No. 2010-24 as presented. Roll call. Voting "aye" were Bennett, Miller, Tomasek, Salem, Fagot. Motion carried.

RESOLUTION NO. 2010-24

A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF AN AGREEMENT WITH THE STATE OF NEBRASKA DEPARTMENT OF ROADS REGARDING THE NATIONAL BRIDGE INSPECTION STANDARDS RESPONSIBILITIES.

Be it resolved by the City Council, City of Lexington, Nebraska, that:

1. The City shall enter into an Agreement with the Nebraska Department of Roads for the purpose of defining responsibilities in meeting the National Bridge Inspection Standards.
2. The Mayor is hereby authorized and directed to execute said agreement on behalf of the City of Lexington, and the City Clerk is authorized to attest said execution.
3. This resolution will be marked Exhibit "A" and a copy attached to each original agreement.

PASSED AND APPROVED THIS 26TH DAY OF OCTOBER, 2010.

John Fagot, Mayor

ATTEST: Joe Peplitsch, City Clerk

FINANCIAL REPORT:

Peplitsch reviewed a financial report for September 2010. Following discussion, moved by Tomasek, seconded by Bennett, to accept the financial report as presented. Roll call. Voting "aye" were Salem, Miller, Bennett, Tomasek, Fagot. Motion carried.

ROUNDTABLE:

Peplitsch presented project updates, and encouraged council members to attend a NIFA Housing Seminar scheduled for November 5 at the Legend Oaks Clubhouse. He reported on his appointment to a strategic planning committee for NPPD and the expectations of that committee.

Burnside updated the Jackson Street project and discussed the design consultant selection. He also gave an overview of the new city website.

ADJOURNMENT:

There being no further business to come before the Council, Mayor Fagot declared the meeting adjourned.

John Fagot
Mayor

Joe Peplitsch
City Clerk

I, the undersigned 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.

City Clerk