

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, August 10, 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 Steve Tomasek, Joni Bennett, Linda Miller and John Salem. Mayor John Fagot was absent. 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 Kearney Hub and Lexington Clipper-Herald.

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 Vice President Tomasek. Tomasek 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 7-27-10 Minutes of the Regular meeting held Tuesday, July 27, 2010, were presented for Council approval. Moved by Salem, seconded by Miller, to approve Minutes as presented. Roll Call. Voting “aye” were Bennett, Miller, Salem, Tomasek. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,528,266.66 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Miller, seconded by Salem, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$247,275.93 from the General Fund, \$1,241,825.53 from LEXUS, \$10,000.00 from Sanitation, \$2,605.90 from Ambulance Fund, \$19,937.55 from Health Fund, and \$6,621.75 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Bennett, Salem, Miller, Tomasek. Motion carried.

**CITY OF LEXINGTON
ACCOUNTS PAYABLE
August 10, 2010**

All Points Cooperative	Fuel / Seed / Weed Spray	1,409.35
Anderson Graphics	Lib Supplies	44.05
Associated Supply Company, Inc.	Aquatic Center Supplies / Chlorine	6,208.79
Awards Plus	Police Plaque	62.10
Baker & Taylor	Books	21.12
Barco Municipal Products	ST Barricades	1,730.27
Bauer Underground, Inc.	Boring in Conduit	6,519.51
BCDM	DC Opportunity Center-Phase II/III	6,464.49
Berke, David	Yard Clean-up	200.00
Business Office Systems	Copies / Supplies	478.75
Card Center/Orscheln	Rec / ST Supplies	257.91

Case Credit Advantage	WWTP Supplies	142.25
Cash-Wa Distributing	Food / Supplies	3,885.47
Central Arkansas Library System	Book	40.00
Central Garage Fund	Fuel/Service/Repair/Transmission	20,432.67
Coca Cola Bottling Krny	Beverages	239.50
Cook's Illustrated	Subscription	28.95
Country Books	Book	29.98
Culligan Water Conditioning Co.	Soft Water Supplies	296.18
CUNE-PC Children's Literacy Festival	Registration Fee	50.00
Dan's Sanitation	Sanitation Fees	13,215.00
Dash Medical Gloves, Inc.	Police Supplies	64.90
Data-Pac Mailing Systems	Postage	4,000.00
Davis Energy, Inc.	Fuel / Propane	4,710.10
Dawson County Register of Deeds	Fees	11.50
Dawson Pest Control	GGC Service	70.00
Dell Marketing L P	Business Office Computers	1,771.46
Diamond Vogel Paint	PK Supplies	657.44
Dugan Business Forms	Supplies	224.64
Dutton-Lainson Company	ST Light Supplies	2,195.38
DWA Partners, LLC	Secure Our Schools Website	3,750.00
Eakes Office Plus	Lib Supplies	34.82
Electric Fixture & Supply	EL / City Office / Aquatic Center Supplies	191.07
EMS Billing Services, Inc.	Ambulance Service	1,494.05
Eustis Body Shop	Tow Charges	595.00
Farm Plan/Landmark Implement	Central Garage Supplies	3,568.85
Farmer Brothers Coffee	Food & Supplies	144.91
Fastenal	WWTP Supplies	25.68
Fifth Street Automotive	Repair	764.23
FYR-TEK, Inc.	Repair	241.24
Gale Group, The	Books	147.21
Garden, Lawn & Landscaping	Yard Clean-up	150.00
Great Plains One-Call Service	Locates	92.20
Great Western Bank-Lib Pty Cash	Petty Cash	100.00
Hach Company	WWTP Supplies	479.43
HD Supply Waterworks	Meters	2,141.58
Health Claims Fund	Claims	17,981.57
Holbein, Dahlas D.	Lawn Service	550.00
Ingram Library Services	Books	321.70
Jewett, Connie	Food	154.00
Jones Plumbing & Heating	GGC/Police/PK/ST/WR/WWTP Spl/Rep	2,042.14
Kapco	Lib Supplies	49.98
Larsen, Ashley	Lib Internship	1,000.00
Lerner Publishing Group	Books	124.53
Lexington Animal Clinic	Animal Care	1,171.90
Lex Area Solid Waste Agency	Landfill	1,296.00
Lexington Glass Co.	Repair	133.75
Lexington Newspapers, Inc.	Publications	118.19
Lexington Postmaster	Postage	150.00
Lexington, City of	Franchise Fees	76.65
Linweld Ambulance	Supplies	72.00
Mac's Short Stop	Food & Supplies	604.70
McCookNet Internet Service	Service / Repair	139.00
Mead Lumber & Rental-Lexington	Central Garage / PK / St / WWTP Supplies	284.05
Michael Todd & Co., Inc.	WR Supplies	255.71
Moore Medical	Ambulance Supplies	694.01
Morris Press	GGC Supplies	73.00
Morry's Body Shop	Repair	82.22

Mr. Automotive	Fire Supplies	8.15
Municipal Supply, Inc.	WR Supplies	2,005.89
NE Bureau of Animal Industry	License Fee	150.00
NE Dpt Health & Human Services	Utility Refund	1,598.96
Nebraska Machinery	Fork Lift / Loader Transmission Repair	23,687.96
Nebraska National Bank	Copier Pmts	1,195.44
Nebraska Truck & Equipment Co.	Fire Equipment Service	492.00
Nebraska Waste Handlers	Sludge Removal	6,716.00
Oriental Trading Company, Inc.	Lib Supplies	48.92
Overton Sand & Gravel	Gravel / Sand	728.53
Paulsen, Inc.	Concrete	2,299.87
Peak Interests, LLC	Food	26.00
Plains Tsuanmi Swim League	ST Swim Meet Fees	778.00
Platte Valley Auto Mart	Police / GGC Repair	475.99
Platte Valley Communication Krny	Repair / Maintenance	512.00
Plum Creek Market Place	Food & Supplies	61.11
Principal	Dental Premium	1,559.88
Rasmussen Mechanical Service	Lib Service / Repair	2,267.20
Republican Valley Library System	Registration Fee	20.00
Roberts Dairy Company	Beverages / Food	488.33
S & W Auto Parts, Inc.	Central Garage / WWTP Supplies	115.92
Schwan's Sales ENT	Food	152.88
Service Master Mid Nebraska	Cleaning Service	202.87
Sign Pro Aquatic Center	Supplies	60.00
Sirchie Finger Print Lab	Police Supplies	264.24
Source Gas, LLC	Gas Service	3,668.66
Statewide Collections LLC	Collection Fees	409.86
T. O. Haas Tire Co., Inc.	Repair	93.70
Thompson Co., The	Food & Supplies	1,077.83
Total Lawn Care	Lawn Service	3,101.00
Tri-City Tribune	Publications	109.50
Tri-County Hospital	Wellness / Ambulance Supplies	296.00
U-Save Business Equipment	Lib / GGC / WR / Police Supplies	677.97
Van Diest Supply Company	Insecticide	4,613.00
Village Uniform	GGC Supplies	114.20
W P C I	Drug Test	27.10
Wal-Mart	Supplies	540.90
Ward Laboratories	Lab Tests	312.00
Advance Auto Parts	WWTP Supplies	44.97
Afternooners	Meals for Police Training	1,200.12
Alamar Uniform Co.	Uniform Expense	362.32
American Red Cross	Classes	283.16
Baker & Taylor	Books	84.65
Berke, David	Yard Clean-up	250.00
Case Credit Advantage	Central Garage Supplies	114.98
Cash-Wa Distributing	Food & Supplies	659.96
Central Garage Fund	Repair / Service	7,728.45
Certified Laboratories	Central Garage Supplies	321.50
D & R Computing	Repair	75.00
Dawson Public Power District	Power Purchase	3,842.49
Downey Drilling, Inc.	NW 3rd Addition Sewer PJ	19,000.00
Farm Plan (Landmark Implement)	Central Garage Supplies / Repair	3,829.82
Follett Software Co.	Lib Supplies	147.88
FYR-TEK	Fire Service / Repair	1,746.19
Haines, Dick	EL Rebate	1,025.00
Health Claims Fund	Claims	334.00
Ingram Library Services	Books	524.74

Jakes Toro Sprinklers	Service	42.00
Lawson Products, Inc.	ST Supplies	214.87
League of NE Municipalities	Membership Dues	8,277.00
League of NE Municipalities	Utility Section Dues	3,896.00
Lexington Newspapers	Publications	267.39
Payroll	Wages	127,920.53
Social Security	Employer Portion / FICA Med	9,471.56
First National Bank	Employer Portion / Pension	3,445.07
First National Bank	Police Pension	1,636.38
ICMA	City Manager Pension	423.46
Lexington Truck & Auto	Central Garage Supplies	75.00
Linda's Stitches & Creations	Uniform Expense	204.00
Manufacturers' News, Inc.	Book	83.00
Mead Lumber & Rental-Lexington	Supplies	52.98
Mid-Nebraska Food Bank	Food & Supplies	42.99
Monteagudo, David	EL Rebate	1,025.00
Municipal Automation & Control	WWTP Supplies	237.20
Naumann, Sondra	Cleaning Service	126.00
Nebraska Department of Revenue	Sales & Use Tax	49,701.21
Nebraska Environmental Products	ST Sweeper Parts	1,505.07
Nebraska Public Power District	Power Purchase	1,096,320.65
Nebraska Tech & Telecomm, Inc.	Telephone Expense	1,327.32
OCLC, Inc.	Subscription	26.05
Plum Creek Market	Food & Supplies	43.64
Precision Industries	Central Garage Supplies	7.10
Presto-X	Fire Service	75.00
Roberts Dairy Company	Beverages / Food	218.80
S & L Inc.	Central Garage Supplies	41.83
S & W Auto Parts, Inc.	Central Garage Supplies	860.30
T. O. Haas Tire Co., Inc.	Repair	107.03
Thompson Co., The	Food & Supplies	734.83
U-Save Business Equipment	Paper	404.35
Village Uniform	GGC Supplies	14.20
Wal-Mart	Supplies	148.63
	TOTAL CLAIMS:	1,528,266.66

INTERLOCAL AGREEMENT: Peplitsch presented an interlocal agreement to facilitate the planning and construction of the East Lexington Viaduct project. Peplitsch explained that the agreement between City, Dawson County, and RTSD outlines each entity's responsibilities in the project. He noted that this agreement is at the request of the NDOR as a funding requirement; and makes good sense at the local level. Following discussion, moved by Miller, seconded by Bennett, to authorize the execution of the agreement pending potential amendments by the RTSD and/or Dawson County. Roll call. Voting "aye" were Salem, Bennett, Miller, Tomasek. Motion carried.

BOARD OF EQUALIZATION: Mayor Fagot opened a public hearing for Council to sit as a Board of Equalization to consider assessments for delinquent abatement fees. Peplitsch reviewed the list of assessments. Following discussion, the public hearing was closed.

Ordinance No. 2284 entitled "AN ORDINANCE TO ASSESS THE COST OF PROPERTY MAINTENANCE AGAINST CERTAIN PROPERTIES; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM" was presented for Council consideration. Moved

by Salem, seconded by Miller, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting "aye" were Bennett, Miller, Salem, Tomasek. Motion carried.

Ordinance No. 2284 was presented for final reading. Moved by Salem, seconded by Bennett, to approve Ordinance No. 2284 on final reading. Roll call. Voting "aye" were Miller, Bennett, Salem, Tomasek. Motion carried.

LVFD ROSTER:

A roster of active members of the Lexington Volunteer Fire Department was presented to Council. Peplitsch noted that there has been recent changes in membership. Following discussion, moved by Salem, seconded by Miller, to approve the current 2010 LVFD roster as presented. Roll call. Voting "aye" were Bennett, Miller, Salem, Tomasek. Motion carried.

AIRPORT AUTHORITY:

Pepplitsch presented a resolution allocating levy authority to the Lexington Airport Authority for Fiscal Year 2011, which is an annual request. The resolution was read and following discussion, moved by Salem, seconded by Bennett, to approve Resolution No. 2010-18. Roll call. Voting "aye" were Miller, Bennett, Salem, Tomasek. Motion carried.

RESOLUTION NO. 2010-18

WHEREAS, the Lexington Airport Authority has requested an allocation of a part of the City of Lexington property tax levy for budget purposes.

BE IT RESOLVED, by the Mayor and Council of the City of Lexington, Nebraska, that \$120,000.00 of the City of Lexington Property Tax Levy Authority is hereby allocated to the Lexington Airport Authority for the fiscal year 2010-2011.

Passed and approved this 10th day of August 2010.

CITY OF LEXINGTON, NEBRASKA

BY: Steve Tomasek, Vice President

ATTEST: Pamela Berke, Deputy City Clerk

PAY REQUEST:

Pepplitsch presented Pay Request #3 from Simon Contractors for the Dawson County Opportunity Center Phase 2 project in the amount of \$183,735.00. Following a project update, moved by Miller, seconded by Bennett, to approve the pay request as presented. Roll call. Voting "aye" were Salem, Bennett, Miller, Tomasek. Motion carried.

PAY REQUEST:

Pepplitsch presented Pay Request #4 from Paulsen Inc. for the Soccer Building project in the amount of \$18,846.00. Following a project update, moved by Bennett, seconded by Miller, to approve the pay request as presented. Roll call. Voting "aye" were Salem, Miller, Bennett, Tomasek. Motion carried.

PAY REQUEST:

Pepplitsch presented Pay Request #6 from Paulsen Inc. for the Municipal Building Renovation Project in the amount of \$79,816.73. Following a project update, moved by Miller, seconded by Salem, to approve the pay request as presented. Roll call. Voting "aye" were Bennett, Salem, Miller, Tomasek. Motion carried.

FY 2011 BUDGET:

Pepplitsch reviewed draft budget items for Fiscal year 2011. He reviewed the enterprise funds and a utility capital improvement and equipment plan.

ROUNDTABLE:

Peplitsch noted that a planning session is scheduled for Saturday, August 28, 2010, at 8:00 a.m., and a draft agenda would be forwarded for review.

ADJOURNMENT:

There being no further business to come before the Council, Vice President Tomasek declared the meeting adjourned.

Steve Tomasek
Vice President

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