

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, August 23, 2011, 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, Linda Miller, Joni Bennett and John Salem. City Officials present were City Manager Joe Pepplichtsch, Assistant City Manager Dennis Burnside, Finance Director Barb Hodges, and Deputy City Clerk Pamela Berke. The press was represented by the Lexington Clipper-Herald and Kearney Hub. Also in attendance were Wesley Neben, Juliska Derockbraine, and Jeff Bielser.

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 8-9-2011 Minutes of the Regular meeting held Tuesday, August 9, 2011, were presented for Council approval. Moved by Bennett, seconded by Tomasek, to approve Minutes as presented. Roll Call. Voting “aye” were Miller, Salem, Tomasek, Bennett, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$558,159.17 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 \$253,879.14 from the General Fund, \$8,333.34 from ED Reuse, \$232,200.11 from LEXUS, \$29,119.15 from Sanitation, \$11,457.20 from Landfill, \$4,352.24 from Ambulance Fund, \$11,075.68 from Health Fund, and \$7,742.31 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
August 23, 2011

AFLAC	Premium	1,360.59
American Red Cross	Swimming Lessons	65.00
Axis Capital, Inc.	Mail Machine Pmt	840.00
Barmore Drug Store, Inc.	WWTP Supplies	6.36
Berke, David	Yard Clean-up	150.00
Cash-Wa Distributing	Food & Supplies	4,890.36
Central Garage Fund	Service & Repair	2,442.59
Coca Cola/Dr. Pepper Bottling of Kearney	Beverages	50.00
Consolidated Management Company	Police Training Meals	74.00
Consumer Reports on Health	Library Book	29.00
Copycat Printing	Bldg Insp Supplies	86.60
Culligan Water Conditioning Co.	Soft Water Supplies	61.59
Concordia University, NE-Plum Creek	Library Registration Fee	50.00

Data-Pac Mailing	System Postage	1,500.00
Davis Energy, Inc.	Fuel / Supplies	4,559.97
Dawson Pest Control	GGC Service	36.75
Demco, Inc.	Library Supplies	90.54
Downey Drilling, Inc.	Optimist Field Sprinkler Repair	5,060.25
Eakes Office Plus	Library Supplies	99.99
Eagan Supply Company	ST / Muni Bldg Supplies	66.26
Electric Fixture & Supply	EL / WWTP Supplies	148.44
Fagot Refrigeration & Electric	DTR Ph II-Twin Fashions Heat Pump	6,704.00
Farm Plan	Central Garage Supplies	378.99
Farmer Brothers Coffee	Food & Supplies	519.21
Fastenal	ST / PK / Cem / WR Supplies	142.33
Fireguard, Inc.	Fire Dept Air Packs / Supplies	19,519.57
Gale Group, The	Library Books	186.51
Galls	Police Uniform Expense	16.98
Garden Lawn & Landscaping	Yard Clean-up	400.00
Great Western Bank-Lib. Petty Cash	Postage / Meals / Stamps	170.59
H. O. Smith Co.	DTR Ph II / Title Certificate	125.00
Hagan, Butch	EL Rebate	30.00
HD Supply Waterworks	Meter Reading Equipment	4,481.77
Health Claims Fund	Claims	7,758.43
Holbein, Dahlas D.	FD Maint/Cleaning Svc/Yard Clean-up	1,060.00
Indianola Public Library	Library Book	5.00
Ingram Library Services	Library Books	627.57
Lawson Products, Inc.	ST / Cem Supplies	250.64
Lerner Publishing Group	Library Books	114.15
Lexington Area Solid Waste Agency	Landfill	21.96
Lexington Newspapers, Inc.	Publications	520.48
Lexington Truck & Auto, Inc.	Central Garage Supplies	200.00
Mead Lumber & Rental - Lexington	ST / PK / WWTP Supplies	142.41
Mellen & Associates, Inc.	Biothane	5,522.40
MicroMarketing, LLC	Library Books	633.79
Mid-State Units	Rental	720.00
Milco Environmental Services	WR Analysis / Landfill Disposal Site	11,457.20
Miller & Associates, Inc.	Service	414.23
Moore Medical LLC	Ambulance Supplies	720.00
Morris Press	GGC Service	73.00
Municipal Pipe Services, Inc	WR Valve Repair	2,996.00
Municipal Supply	WR / Meter Supplies	7,192.34
Munoz, Margaret	EL Rebate	30.00
Nebraska Business Furniture	Service Bldg Supplies	277.10
Nebraska Dept .of Economic Development	Mid Plains CDBG Pmts	8,333.34
Nebraska Public Health Environmental Lab	WR Testing	160.00
Nebraska Library Commission	Library Registration Fee	10.00
Nebraska National Bank	Copier Payments	1,195.44
Nebraska Tech & Telecomm, Inc.	Telephone Service	1,253.85
NE Library Assn/NEMA Conference	Library Registration Fee	60.00
Overton Community Center	Meals on Wheels	100.00
Platte Valley Auto Mart, Inc.	Bldg Insp Supplies	83.18
Plum Creek Market Place	Food	200.56
Presto-X	Fire Dept Service	83.00
Primary Electric, Inc.	WWTP Supplies	634.00
Pro Track and Tennis, Inc.	Paint Tennis Courts-Final Pmt	25,275.00
Quality Books, Inc.	Library Books	25.44
Randy's Body Shop	Tow Expense	100.00
Roberts Dairy Company	Beverages / Food	533.23
Rowan, Joshua J	UTL Refund	42.06

S & W Auto Parts, Inc.	WWTP / Central Garage Supplies	42.63
Service Master Mid Nebraska	Cleaning Service	4,819.75
Snow, Brian	Travel Expense	199.80
Sports Illustrated	Library Subscription	89.04
T. O. Haas Tire Co., Inc.	Tire Repair	33.44
TASC	Flex Plan Admin Fees	162.69
Taste of Home Books	Library Book	30.98
Team Detail & Quicklube	Car Wash	23.99
Thompson Company, The	Food & Supplies	2,193.84
Travelers-RMD	W C Premium Fire Pack	4,343.00
U-Save Business Equipment	Bldg Insp Supplies / Postage	26.09
Univar USA, Inc.	Caustic Soda	8,025.50
Utility Service Co., Inc.	WR Tower Painting / Maintenance	66,195.86
Village Uniform	GGC Supplies	134.60
Wal-Mart	Supplies	536.53
Ward Laboratories, Inc.	WR Testing	52.00
Weathercraft Companies, Inc.	D C Opportunity Center Roof Repair	10,117.72
Barmore Drug Store, Inc.	DTR-Ph II / EL Improvements	2,332.91
Berke, David	Yard Clean-up	210.00
Card Center/Orscheln	ST / CG / Cem / PK / Police / WWTP Spls	750.59
Case Credit Advantage	Central Garage Supplies	181.87
Central Garage Fund	Service / Repair	5,267.31
Dan's Sanitation	Sanitation Fees	29,119.15
Davis Energy, Inc.	Kerosene	84.00
Eakes Office Plus	Library Supplies	130.95
Fagot Refrigeration & Electric	DTR-Ph II / Pinnacle Agency Heat Pump	11,425.42
Gempler's, Inc.	WWTP Supplies	94.70
Great Western Bank-City Petty Cash	Meals / Postage / Uniform Expense	51.44
Great Western Bank-Lib Petty Cash	Meal / Postage	13.30
Greater Lexington Corp.	EL Rebate	1,175.00
HD Supply Waterworks	WR Supplies	86.30
Health Claims Fund	Claims	1,793.97
Ingram Library Services	Library Books	386.95
Intellicom Computer Consulting, Inc.	DC Opportunity Center Cabling - DHHS	7,615.00
League of Nebraska Municipalities	Membership Dues	8,592.00
Lexington Newspaper, Inc.	Publications	238.04
Lexington Utilities System	Utilities	37,446.89
Lexington, City of	Franchise Fees	80,175.98
Payroll	Wages	120,219.63
Social Security	Employer Portion / FICA Med	8,863.76
First National Bank	Employer Portion / Pension	3,584.82
First National Bank	Police Pension	1,656.16
ICMA	City Manager Pension	443.08
MicroMarketing, LLC	Library Books	117.43
Midland Scientific, Inc.	WWTP Testing Supplies	362.56
Nebraska Rural Water Association	Membership Dues	275.00
Nebraska State Treasurer	Unclaimed Property	212.27
Outdoor Recreation Products	Aquatic Center Repair	408.00
Paulsen, Inc.	ST / Mains Repair	2,036.68
Platte Valley Communication of Kearney	Radio Repair	28.00
Rios, Jesse	Commercial Driver's License	57.50
S & W Auto Parts, Inc.	Central Garage Supplies	1,785.12
Steve's Lock & Key	Aquatic Center Lock	450.50
Thomas Bouregy & Company, Inc.	Library Books	139.50
Verizon Wireless	Cellphone Service	124.89
Ward Laboratories	WR Testing	26.00

SUBTOTAL CLAIMS:

558,159.17

MANAGER APPLICATION: Mayor Fagot opened a Public Hearing to consider an application to change the name of the manager on Liquor License #D-62005 for Wal-Mart Supercenter. The change is necessitated by the appointment of Darin Buescher as manager of the Lexington location. Following discussion, Mayor Fagot closed the Public Hearing. Moved by Miller, seconded by Tomasek, to recommend approval of a Manager Application for Darin Buescher in connection with Liquor License #D-62005 for Wal-Mart Supercenter. Roll call. Voting “aye” were Bennett, Salem Tomasek, Miller, Fagot. Motion carried.

MANAGER APPLICATION: Mayor Fagot opened a Public Hearing to consider an application to change the name of the manager on Liquor License #I-03693 for Eagles Fraternal Order 2922. Wesley Neben has been named manager for the Eagles Club. Following discussion, the public hearing was closed. Moved by Salem, seconded by Miller, to recommend approval of a Manager Application for Wesley Neben in connection with Liquor License #I-03693 for Eagles Fraternal Order 2922. Roll call. Voting “aye” were Bennett, Tomasek, Miller, Salem, Fagot. Motion carried.

ORDINANCE: An Ordinance entitled “AN ORDINANCE DIRECTING THE SALE OF LOT 1, BLOCK ONE, NORTHWEST FOURTH ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE” was presented. Peplitsch indicated this land would be used as part of the New Neighborhood development as planned. Following discussion, 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, Tomasek, Miller, Salem, Fagot. Motion carried.

Ordinance No. 2305 was presented on final reading. Moved by Miller, seconded by Bennett, to approve Ordinance No. 2305 on final reading. Roll call. Voting “aye” were Salem, Tomasek, Bennett, Miller, Fagot. Motion carried.

APPOINTMENT: Fagot proposed the appointment of Vickie Clements to the Lexington Housing Authority Board to fill a vacant position. Moved by Salem, seconded by Tomasek, to appoint Vickie Clements to the Lexington Housing Authority Board. Roll call. Voting “aye” were Miller, Bennett, Tomasek, Salem, Fagot. Motion carried.

ACCOUNTS RECEIVABLES: Peplitsch requested authorization to remove balances for utility accounts deemed uncollectible. Following discussion, moved by Miller, seconded by Tomasek, to authorize Staff to remove the balances for utility accounts deemed uncollectible as presented. Roll call. Voting “aye” were Bennett, Salem, Tomasek, Miller, Fagot. Motion carried.

FINANCIAL REPORT: Peplitsch reviewed a financial report for July 2011. Following discussion, moved by Salem, seconded by Bennett, to accept the financial report as presented. Roll call. Voting “aye” were Miller, Tomasek, Bennett, Salem, Fagot. Motion carried.

FY 2012 BUDGET: Council and Staff reviewed a draft budget proposal for Fiscal Year 2012. Following review, Peplitsch and Hodges noted that a budget hearing will likely be scheduled for the September 13, 2011, council meeting.

EXECUTIVE SESSION:

Moved by Miller, seconded by Tomasek, to adjourn to Executive Session at 6:16 pm to discuss negotiations related to the sale of property. Roll call. Voting "aye" were Bennett, Salem, Tomasek, Miller, Fagot. Motion carried.

Moved by Tomasek, seconded by Miller, to close the Executive Session and return to Open Session at 6:33 pm. Roll call. Voting "aye" were Bennett, Salem, Miller, Tomasek, Fagot. Motion carried.

ROUNDTABLE:

Peplitsch reminded Council and Staff of the Planning Session scheduled for Saturday, August 27, 2011, at 8:00 am in the council chambers. He also reported that the City received a dividend refund check on the Workers Compensation insurance premium for FY 2010, a direct result of City employees' commitment to job safety.

Burnside gave an update on the 13th Street Improvement project.

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