

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, January 11, 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, Joni Bennett, and John Salem. Council member Linda Miller was absent. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Will Weinhold, Finance Director Barb Hodges, Building Inspector Bill Brecks and Deputy City Clerk Pamela Berke. The press was represented by the Lexington Clipper-Herald. Also in attendance was Mr. Leonardo.

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.

PUBLIC COMMENTS: Mr. Leonardo expressed his appreciation for the work that the Council and City does.

MINUTES – REGULAR MEETING 12-28-10 Minutes of the Regular meeting held Tuesday, December 28, 2010, were presented for Council approval. Moved by Tomasek, seconded by Bennett, to approve Minutes as presented. Roll Call. Voting “aye” were Salem, Bennett, Tomasek, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,590,675.51 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 \$304,206.43 from the General Fund, \$1,250,187.51 from LEXUS, \$10,000.00 from Sanitation, \$1,425.50 from Landfill, \$5,849.61 from Ambulance Fund, \$15,944.42 from Health Fund, and \$3,062.04 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Salem, Tomasek, Bennett, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
January 11, 2011

Alamar Uniform Co.	Uniform Expense	65.53
All Points Cooperative	Fuel	332.38
Audio Editions	Books	377.48
Barco Municipal Products, Inc.	ST Supplies	191.51
Bauer Underground, Inc	Underground Boring	9,035.00
Business Office Systems, Inc.	Supplies	53.69
Card Center/Orscheln	ST / WR Supplies	127.07
Cash-Wa Distributing	Food & Supplies	817.56

Central Garage Fund	Fuel	9,838.94
Conney Safety Products	ST Supplies	186.05
Culligan Water Conditioning Co.	Soft Water Supplies	182.48
Dan's Sanitation	Sanitation Fees	11,219.00
Data-Pac Mailing Systems	Postage	1,500.00
Davis Energy, Inc.	Fuel	5,505.27
Dawson County Court	Court Fees	17.00
Dawson County Handibus	Transportation	26.00
Dawson Pest Control	GGC Service	35.00
Dawson Public Power District	Power Purchase	3,812.50
Demco	Lib Supplies	160.76
Eakes Office Plus	Lib Supplies	66.83
Electric Fixture & Supply	EL Supplies	8.26
EMS Billing Services, Inc.	Ambulance Service	1,886.18
Eustis Body Shop	Towing Expense	100.00
Fagot Refrigeration & Electric, Inc .	GGC/Muni Bldg/Well #17 & #18	19,717.43
Farmer Brothers Coffee	Food & Supplies	299.45
Fastenal	WR / WWTP Supplies	160.93
First Presbyterian Church	EL Rebate	337.50
Flowers of Joy	Business Office Supplies	42.80
HD Supply Waterworks	Meters / Registers / WR Supplies	8,918.60
Health Claims Fund	Claims	11,353.38
Homestead Bank	Wightman Land Pmt	45,133.48
Ingram Library Services	Books	339.82
Jack's Uniform & Equipment	Police Car Equipment	4,871.56
Jim Phillips Const.	Manhole/Sidewalk/Main Brk Rep	2,280.00
JK Energy Consulting, LLC	EL Rate Study	2,100.00
Jones Plumbing & Heating	ST/WR/WWTP/Svc/Spls/Rep	1,384.54
Lexington Animal Clinic	Animal Care	608.40
Lexington Glass Co.	Repair / Council Chamber Doors	1,802.00
Lexington Health Fund	Self-Funding	32,119.44
Lexington Newspapers, Inc.	Publications	1,681.35
Lexington Postmaster	Postage	150.00
Lexington Volunteer Fire Dept.	Ambulance Fees	3,621.18
Lexington, City of	Franchise Fees	81.43
Lincoln Winwater Works	WR Supplies	1,287.74
Linda's Stitches & Creations	Uniform Expense	30.00
Matheson Tri-Gas, Inc.	Ambulance Supplies	72.00
McCookNet Internet Service	Service	139.00
Mead Lumber & Rental-Lexington	Muni Bldg / Bldg Insp Supplies	313.72
Menards-Kearney	WWTP Supplies	98.94
Meritain Health	Premium	23,032.18
Michael Todd & Co., Inc.	ST Supplies	28.24
MicroMarketing, LLC	Books / Supplies	205.90
Mid-State Units	Rental	100.00
Midwest Laboratories, Inc.	WWTP Supplies	3,246.10
Municipal Supply, Inc.	WR Supplies	1,798.87
Nebraska Public Power District	Power Purchase	815,981.22
Nebraska Public Power District	NW 3rd Add/ACB 102 Conv/Sunset Dr	208,808.07
Nebraska Safety Council	Membership Dues	365.00
Overton Sand & Gravel	Fill Sand	199.95
Pinnacle Agency, The	WC-S Audit Premium	521.00
Platte Valley Communication of Kearney	Repairs / Maintenance	369.00
Plum Creek Market	Food & Supplies	75.90
Plum Creek Motors	Service	34.39
Pony Express Chevrolet, Buick	Police Cars	49,308.71
Presto-XFire	Service	75.00

Principal	Dental Premium	1,886.12
Rainbow Printing	Lib Supplies	370.00
Roberts Dairy Company	Beverages	120.72
Service Master Mid Nebraska	Cleaning Service	711.12
Steve's Lock & Key	Keys	11.90
Source Gas, LLC	Gas Service	9,999.51
Subway Sandwiches & Salads	Food	28.70
T. O. Haas Tire Co., Inc.	Tire Repair	117.22
Team Detail & Quicklube	Uniform Expense / Car Wash	29.99
Thompson Co., The	Food & Supplies	688.25
U-Save Business Equipment	Supplies / UPS	324.90
Village Uniform	GGC Supplies	22.70
Vision Internet Providers, Inc.	Website Design/Mo Hosting Fee	20,115.00
Wal-Mart	Supplies	366.81
Wilke-Donovan True Value	ST Supplies	1,119.44
Card Center/Orscheln	WWTP Supplies	63.97
Cash-Wa Distributing	Municipal Bldg Supplies	103.60
Cornhusker Energy Lexington, LLC	EL Rebate	650.00
Davis Energy, Inc.	Fuel	1,014.75
Designer Craft Woodworking	City Hall Casework	8,213.00
Fagot Refrigeration & Electric, Inc.	WWTP Service / Repair	676.38
Garden Lawn & Landscaping	Yard Clean-up	100.00
Great Plains One-Call Service	Locates	59.34
Health Claims Fund	Claims	2,704.92
Holbein, Dahlas D.	Yard Clean-up	225.00
HTM Sales, Inc.	WWTP Supplies	369.75
Kelso, Roger	EL Rebate	1,175.00
Lexington Area Solid Waste Agency	Landfill	829.84
Payroll	Wages	109,689.46
Social Security	Employer Portion / FICA Med	8,055.29
First National Bank	Employer Portion / Pension	3,860.10
First National Bank	Police Pension	1,625.29
ICMA	City Manager Pension	433.84
Lincoln Journal Star	Subscription	179.40
McCandless, Don	EL Rebate	650.00
Municipal Automation & Control	WWTP Service & Repair	309.37
Nebraska Department of Labor	Unemployment	4,134.00
Nebraska Department of Revenue	Sales & Use Tax	47,452.79
Nebraska National Bank	Copier Pmts	1,195.44
Nebraska Public Power District	O & M	65,500.00
Nebraska Tech & Telecomm, Inc.	Telephone Expense	1,260.23
Paulsen Inc.	Concrete	457.99
Post, Doran G.	EL Rebate	1,025.00
Precision Industries	WWTP Supplies	97.84
Rasmussen Mechanical Services	Library Service & Repair	656.71
Schwarz, Charlie	EL Rebate	1,025.00
T. L. Sund Constructors, Inc.	Bore & Ream SW Line	628.00
Terryberry	Service Awards	1,227.32
Tri-County Hospital	Wellness / Ambulance Supplies	311.00
Wal-Mart	Supplies	164.80
	TOTAL CLAIMS:	1,590,675.51

RESOLUTION:

Resolution No. 2011-01 was presented. Peplitsch explained the resolution is intended as an update to past banking resolutions to keep the City current on designated depositories. Following discussion, moved by Salem, seconded by

Bennett to approve Resolution No. 2011-01 as presented. Roll call. Voting "aye" were Tomasek, Bennett, Salem, Fagot. Motion carried.

RESOLUTION NO. 2011-01

A RESOLUTION DESIGNATING DEPOSITORIES FOR CITY FUNDS.

BE IT RESOLVED by the Mayor and Council of the City of Lexington, Nebraska, as follows:

Sec. I That Great Western Bank; Home Federal Savings and Loan of Nebraska; Homestead Bank; and Pinnacle Bank are hereby designated as depositories of the funds of the City, including checking accounts, certificates of deposit, or time deposits. All checks, drafts, or other orders for payment of money may be endorsed for deposit by stamp or personal endorsement of any officer or employee of the City for deposit in said accounts.

Sec. II That any two of the following persons, including the City Treasurer, Deputy City Treasurer, City Clerk, or City Manager be and hereby are authorized to draw checks, drafts, or other orders for the payment of money on said accounts, and the bank is authorized to honor the same.

Sec. III. That the above named depository banks shall provide security for deposits as provided by law, and in the event security is provided by deposit guarantee bond, the Lexington City Manager is hereby authorized on behalf of the City to approve the form of such deposit guarantee bond.

Sec. IV. BE IT FURTHER RESOLVED, that the power and authority granted in this Resolution shall continue in full force and effect until notice in writing is given to said banks of the cancellation or modification hereof.

PASSED AND APPROVED this 11th day of January 2011.

CITY OF LEXINGTON, NEBRASKA

John Fagot, Mayor

ATTEST: Pamela Berke, Deputy City Clerk

RESOLUTION:

Resolution No. 2011-02 was presented. Pepplitsch indicated this resolution was also intended to keep the City current on fiscal transactions. Following discussion, moved by Salem, seconded by Tomasek, to approve Resolution No. 2011-02 as presented. Roll call. Voting "aye" were Bennett, Tomasek, Salem, Fagot. Motion carried.

RESOLUTION NO. 2011-02

A RESOLUTION GRANTING AUTHORIZATION FOR STOCK, BOND, OR OTHER SECURITIES TRANSACTIONS.

BE IT RESOLVED by the Mayor and Council of the City of Lexington, Nebraska, as follows:

That Joe Pepplitsch, City Manager of Lexington, Nebraska and / or Barbara Hodges, City Treasurer of Lexington, Nebraska are hereby authorized to sell, assign, and endorse for transfer certificates representing stocks, bonds, or other

securities now registered or hereafter registered in the name of the City of Lexington, Nebraska.

PASSED AND APPROVED this 11th day of January 2011.

CITY OF LEXINGTON, NEBRASKA

John Fagot, Mayor

ATTEST: Pamela Berke, Deputy City Clerk

AGREEMENT:

Pepplitsch presented a program agreement with NDOR for a federal aid street improvement project, including 17th Street between Adams and Polk, and Walnut Street between Madison and Van Buren Streets. Following discussion, Resolution No. 2011-03 was presented. Moved by Salem, seconded by Tomasek, to approve Resolution No. 2011-03 as presented. Roll call. Voting "aye" were Bennett, Tomasek, Salem, Fagot. Motion carried.

RESOLUTION NO 2011-03

WHEREAS: The City of Lexington desires to enter into an Agreement with the State of Nebraska Department of Roads, to proceed with construction of Project No. URB-6558(1), 17th Street, Madison-Van Buren, Lexington, Control No. 61537;

NOW BE IT RESOLVED by the City Council, City of Lexington, Nebraska, that the Agreement for the above described Project, attached hereto, is hereby approved, and that John Fagot, as President of the Council, is hereby directed and authorized to sign said Agreement on behalf of the City of Lexington, Nebraska.

PASSED AND APPROVED this 11th day of January, 2011.

CITY OF LEXINGTON, NEBRASKA

John Fagot, President of the Council

ATTEST: Pamela Berke, Deputy City Clerk

ROUNDTABLE:

Pepplitsch updated several current projects and reminded Council and Staff of the planning session scheduled for Saturday, January, 29.

Salem commended City Staff on the snow removal after a recent snowfall.

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