

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, January 25, 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, Linda Miller and John Salem. 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, Kearney Hub, and KRVN Radio.

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 1-11-2011 Minutes of the Regular meeting held Tuesday, January 11, 2011, were presented for Council approval. Moved by Tomasek, seconded by Salem, to approve Minutes as presented. Roll Call. Voting “aye” were Miller, Bennett, Salem, Tomasek, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$446,702.00 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Bennett, seconded by Miller, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$187,276.08 from the General Fund, \$4,166.67 from ED Reuse, \$160,129.71 from LEXUS, \$27,711.14 from Sanitation, \$220.00 from Ambulance Fund, \$13,360.07 from Health Fund, and \$53,838.33 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Salem, Tomasek, Miller, Bennett, Fagot. Motion carried.

**CITY OF LEXINGTON
ACCOUNTS PAYABLE
January 25, 2011**

Acosta, Moises	Central Garage Service	150.00
AFLAC	Premium	1,259.24
Anderson Graphics	Library Service	67.50
APEX	Police Supplies	114.50
Axis Capital, Inc.	Mail Machine Pmt	840.00
Barco Municipal Products	ST / WR Supplies	70.19
Benefit Consultants Group	Fire Pension Services	2,400.00
Business Card	WWTP/Bldg Insp/Muni Bldg/EL/ST/PK Spls	3,505.37
Business Office Systems, Inc	Copies	145.94
Cabela's Mktg. & Brand Mgt. Inc.	WR Supplies	309.16
Case Credit Advantage	WWTP Supplies	107.02
Cash-Wa Distributing	Food / Supplies	1,971.80

Central Garage Fund	Service / Repair	7,440.99
Certified Laboratories	Central Garage Supplies	394.44
Commercial Maintenance Chemical	WWTP Supplies	131.18
Dan's Sanitation	Sanitation Fees	2,375.00
Davis Energy, Inc.	Fuel	6,437.41
Dell Marketing L P	Computers/Supplies	2,009.31
Demco	Library Supplies	134.67
Dutton-Lainson Company	EL Supplies	553.03
Eakes Office Plus	Library Supplies	15.98
Electric Fixture & Supply	Library / EL Supplies	62.98
Eustis Body Shop	Police Repair	547.10
Fagot Refrigeration & Electric	Library Repair	362.92
Family Advocacy Network	Subscription Fee	1,000.00
Farm Plan	Central Garage Supplies	32.88
Fifth Street Automotive	Fire Supplies	24.24
Fisher Scientific	WWTP Supplies	96.10
FYR-TEK	Fire Supplies	128.51
Gale Group, The	Library Books	140.37
Galls	Fire Supplies	246.91
Gonzalez, Leo	Travel Expense	244.86
Great Western Bank-Lib Petty Cash	Postage / Food	166.84
HD Supply Waterworks	WR Supplies	1,835.48
Health Claims Fund	Claims	11,766.85
Holbein, Dahlas	Maint / Cleaning Service	1,000.00
Holiday Inn Express	Awards Banquet	1,688.27
Ingram Library Services	Library Books	503.25
Intellicom	DCOC/Muni Bldg Phone Service	3,653.37
JMS Millwright & Repair	DC Opportunity Cntr Roof Project	260.00
Jones Plumbing & Heating	GGC Repair	210.00
K. R. V. N. - FM	Advertisements	70.00
Lexington Area Solid Waste Agency	Landfill	221.00
Lexington Feeders Service	WR Supplies	94.17
Lexington Newspapers, Inc.	Publications	186.09
Lexington Truck & Auto	Central Garage Supplies	25.00
Marshall Cavendish Corporation	Library Books	383.68
Matt Friend Truck Equipment	Central Garage Supplies	479.00
Mead Lumber & Rental-Lexington	ST / Cem / Muni Bldg Supplies	45.85
Menards-Kearney	WWTP Supplies	45.00
Miller & Associates	Retainer Fee / Frontier ST-Hwy 283 Improvement	12,211.50
Municipal Automation & Control	Anaerobic Digester Piping	4,573.00
NE Dpt of Economic Development	Mid Plains CDBG Pmt	4,166.67
Nebraska Library Association	Registration Fee	40.00
Nebraska Machinery	Central Garage Supplies	159.07
NE Public Health Environmental Lab	WR Testing	256.00
OCLC, Inc.	Library Subscription	23.84
Overton Community Center	Meals on Wheels	100.00
Oxmoor House	Library Book	41.91
Platte Valley Auto Mart	Central Garage Service / Repair	68.59
Plum Creek Cleaners	Supplies / Service	321.50
Plum Creek Market Place	Food	16.29
Plum Creek Motors	Central Garage Supplies	263.00
Precision Industries	WWTP Supplies	9.42
Price's Tree Service	Snow Removal	4,750.00
Quality Books, Inc.	Library Books	1,751.34
Regional Books, Inc.	Library Books	53.64
Roberts Dairy Company	Beverages	323.87
S & W Auto Parts	Central Garage / WWTP Supplies	1,187.04

Service Master Mid Nebraska	Cleaning Service	5,357.00
Sign Pro	Police Supplies	280.00
Statewide Collection, LLC	Collection Fees	78.89
Subway Sandwiches & Salads	Food	37.88
T. O. Haas Tire Co., Inc.	Tires / Repair	754.39
TASC	Fees	177.48
Technical Maintenance & Service	WWTP Service	207.00
Thompson Co., The	Food & Supplies	814.07
Tri-City Tribune	Subscription	29.50
U-Save Business Equipment	Fire / Library / Muni Bldg Supplies / Postage / UPS	416.73
Univar USA, Inc.	Caustic Soda	7,540.62
USA Blue Book	Hydrant Supplies	2,089.49
Village Uniform	GGC Supplies	15.20
Wal-Mart	Supplies	423.72
Weathercraft Companies	Police Door Repair	195.00
Bauer Underground, Inc.	Underground Boring	8,491.00
Business Office Systems, Inc.	Shipping Charges	9.14
Dan's Sanitation	Sanitation Fees	27,711.14
Davis Energy, Inc.	Fuel	4,703.78
Dell Marketing L P	WWTP / GGC Computers & Supplies	2,267.32
Department of Motor Vehicles	Police Dept License Plates	13.20
Dutton-Lainson Company	EL Supplies	206.39
FYR-TEK	Fire Dept Supplies	37.50
Great Western Bank-City Petty Cash	Food / Car Titles / Municipal Bldg Supplies	43.31
Great Western Bank-Lib Petty Cash	Food	3.00
HD Supply Waterworks	WR Supplies / Meters	4,691.58
Health Claims Fund	Claims	156.50
Ingram Library Services	Library Books	420.77
Jim Phillips Const.	ST / Sidewalk Repair	2,796.00
Kearney Hub	Library Subscription	130.30
Larsen, James	EL Rebate	650.00
Lexington Newspapers, Inc.	Publications	21.26
Lexington, City of	Inter-Department Service Fees	50,000.00
Lexington, City of	Franchise Fees	67,315.80
Payroll	Wages	103,981.06
Social Security	Employer Portion / FICA Med	7,619.38
First National Bank	Employer Portion / Pension	3,680.02
First National Bank	Police Pension	1,519.43
ICMA	City Manager Pension	433.84
Lexington Utilities System	Utilities	46,351.69
Mohawk USA	PK Supplies	349.16
Morris Press	GGC Supplies	73.00
National Fire Protection Assn	Membership Fee	390.00
Nebraska Forest Service	Seminar	140.00
Niederdeppe, Doug	EL Rebate	1,050.00
Paulsen, Inc.	Concrete	236.74
T. L. Sund Constructors, Inc.	Building Repair at 5th & Washington	5,900.00
U-Save Business Equipment	Postage / UPS / Business Office Supplies	622.59
	TOTAL CLAIMS:	446,702.00

AGREEMENT:

Resolution No. 2011-04 was presented. Pepplitsch reviewed an engineering and environmental review services agreement with Schemmer Associates for the Jackson Street Improvement Project; indicating that authorization to execute the agreement would need to be done by resolution per NDOR requirements. Following discussion, and indication of two needed amendments to the resolution, moved by Salem, seconded by Miller, to approve Resolution No.

2011-04 with amendments as noted, seconded by Bennett. Roll call. Voting “aye” were Salem, Tomasek, Bennett, Miller, Fagot. Motion carried.

RESOLUTION NO 2011-04

SIGNING OF AN ENGINEERING SERVICES AGREEMENT

Whereas: The City of Lexington is developing a transportation project for which it intends to obtain Federal funds;

Whereas: The City of Lexington as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project;

Whereas The City of Lexington and Schemmer Associates wish to enter into an Engineering Services Agreement to provide Preliminary Engineering and Environmental Assessment Services for the Federal-aid project.

Be It Resolved: by the City Council of the City of Lexington that:

John Fagot, Mayor, is hereby authorized to sign the attached Engineering Services Agreement between the City of Lexington and Schemmer Associates.

PASSED AND APPROVED this 25th day of January, 2011.

CITY OF LEXINGTON, NEBRASKA

John Fagot, President of the Council

ATTEST: Pamela Berke, Deputy City Clerk

ORDINANCE:

Ordinance No. 2289, entitled “AN ORDINANCE OF THE CITY OF LEXINGTON, NEBRASKA, AMENDING CHAPTER 6 OF THE CITY CODE BY ADDING PROVISIONS FOR FENCES; AMENDING CHAPTER 24 OF THE CITY CODE BY ADDING PROVISIONS FOR VISION CLEARANCE; TO REPEAL ORIGINAL CHAPTER 9, 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. Pepplitsch reviewed the ordinance and amendments it proposed to the City Code, including associated regulations in the zoning code. No action was taken by Council, pending Planning Commission review of related zoning issues.

FINANCIAL REPORT:

Pepplitsch presented the Financial Report for December 2010. Following discussion, moved by Miller, seconded by Tomasek, to accept the financial report as presented. Roll call. Voting “aye” were Salem, Bennett, Tomasek, Miller, Fagot. Motion carried.

ROUNDTABLE:

Pepplitsch reminded Council and Staff of the Planning Session scheduled for Saturday, January 29, 2011, at 8 a.m. He also updated Council on activities at the Dawson County Opportunity Center, including progress on Phase 3 of the project and a tentative date for an open house.

Weinhold reported on parking enforcement issues in the downtown area.

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