

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, December 27, 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 and John Salem. Council member Joni Bennett was absent. City Officials present were City Manager Joe Pepplitsch, Assistant City Manager Dennis Burnside, City Attorney Will Weinhold, and Deputy City Clerk Pamela Berke. The press was represented by Kearney Hub and Lexington Clipper-Herald. Derek Mitchell, Juan Rodriguez and Brenda Endrano were also in attendance.

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 12-13-2011 Minutes of the Regular meeting held Tuesday, December 13, 2011, were presented for Council approval. Moved by Tomasek, seconded by Miller, to approve Minutes as presented. Roll Call. Voting “aye” were Salem, Miller, Tomasek, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$540,026.70 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Tomasek, seconded by Miller, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$163,550.21 from the General Fund, \$114,371.19 from TIF, \$4,166.67 from ED Reuse, \$207,221.93 from LEXUS, \$28,641.73 from Sanitation, \$361.27 from Ambulance Fund, \$17,679.73 from Health Fund, and \$4,033.97 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Salem, Miller, Tomasek, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
December 27, 2011

AFLAC	Premium	1,200.99
Awards Plus	Police Supplies	45.95
Axis Capital, Inc.	Mail Machine Pmt	840.00
B & D Office City	Police Supplies	48.73
Book Farm, Inc., The	Library Books	371.00
Business Card	Admin/Business Office/Bldg Insp/ST/WWTP Spls/ Conf	2,756.20
Card Center/Orscheln	WR/Fire/WWTP/CG/ST Supplies	402.36
Cash Wa Distributing	Food & Supplies	2,226.61
Community Redevelopment Authority	Kirkpatrick Land Payment	114,371.19
Consolidated Management Co	Police Training Meal	9.50
Converse Flooring, Inc.	DC Opportunity Cntr Service	126.00
Data-Pac Mailing Systems	Postage	1,500.00

Davis Energy, Inc.	Fuel	6,370.90
Dawson County Transit Bus	Transportation	24.00
Dawson Pest Control	GGC Service	36.75
Demco, Inc.	Library Supplies	96.72
Electric Pump	WWTP Supplies	158.94
Envisionware Inc.	Library Software Supplies	469.80
Eustis Body Shop	Towing Expense	400.00
Exchange Bank	Copier Payments	1,195.44
Fagot Refrigeration & Electric	GGC Repair	36.17
Farmer Brothers Coffee	Food & Supplies	380.87
FYR-TEK Inc.	Fire Dept Supplies	32.47
Gale Group, The	Library Books	205.60
Gallery Collection, The	Admin Supplies	342.21
Great Western Bank-Lib Petty Cash	Postage / Stamps / Food	212.27
HD Supply Waterworks	WR Supplies	58.10
Health Claims Fund	Claims	13,894.34
Holbein, Dahlas D.	Fire Dept Maint / Cleaning Service	1,000.00
Ingram Library Services	Library Books	685.02
Kelly Supply Company	WWTP Supplies	441.10
Lexington Newspapers, Inc.	Publications	260.95
Lexington Postmaster	Box Fee	110.00
Lynn Peavey Company	Police Supplies	19.95
Mead Lumber & Rental - Lexington	Bldg Inspection/Muni Bldg/Cem Supplies	50.85
Mr. Automotive	Ambulance / Fire Dept / WR Supplies	23.25
Municipal Emergency Services, Inc.	Fire Dept Supplies	192.00
Nebraska Dept.of Economic Development	Mid Plains CDBG Pmt	4,166.67
Nebraska Economic Developers Assn	Employee Dues	200.00
NE Law Enforcement Training Center	Police Tests	30.00
Nebraska Public Power District	Lex N ACB 106 13.8kV Conversion	100,000.00
North Platte Telegraph, The	Library Subscription	149.95
Overton Community Center	Meals on Wheels	100.00
Paulsen, Inc.	Concrete / Gravel	281.60
Peak Interests LLC	Meals	31.00
Platte Valley Auto Mart, Inc.	Vehicle Repair	175.55
Platte Valley Communication of Kearney	Monthly Maintenance	90.00
Police Chiefs Association of Nebraska	Membership Dues	50.00
Pollution Control Systems	Lift Station Supplies	2,730.00
Rainbow Book Company	Library Books	1,227.75
Roberts Dairy Company	Beverages	190.95
Run-N-Iron	Police Supplies	135.00
S & W Auto Parts, Inc.	Fire Dept / WR Supplies	72.67
Service Master Mid Nebraska	Cleaning Service	4,741.00
Sharpe Mixers	WWTP Supplies	891.21
Shopsmart	Library Subscription	22.95
Sign Pro	DC Opportunity Center Signs	70.00
T.O. Haas Tire Co., Inc.	ST Tire	144.67
TASC	Fees	164.67
Terryberry	Service Pins	362.24
Thompson Company, The	Food	668.47
Tillotson Enterprises, Inc.	DTR - 415 & 421 N Washington	12,799.00
U-Save Business Equipment	Bus Ofc/ST/Bldg Insp/WR Postage/Spls	674.91
Verizon Wireless	Cellphone Service	125.02
Wal-Mart	Supplies	308.17
World Chamber of Commerce Directory	Book	49.00
Zern, Michael	EL Rebate	180.00
All Points Cooperative	Fuel	211.52
Dan's Sanitation, Inc.	Sanitation Fees	28,641.73

Danko Emergency Equipment Co.	Fire Dept Supplies	99.62
Dell Marketing L P	Admin Supplies	44.99
Designer Craft Woodworking, Inc.	Police Cabinets	6,204.00
Eakes Office Plus	UTL Printer	5,040.77
Great Western Bank-City Petty Cash	Meals / Postage / Beverages / Car Wash	58.37
HD Supply Waterworks	WR Meters / Supplies	1,590.19
Health Claims Fund	Claims	2,419.73
Hunt Cleaners, Inc.	PK / Cem / ST Gloves	282.95
Lexington Health Fund	Self-Funding	31,430.30
Lexington, City of	Franchise Fees	54,059.27
Payroll	Wages	112,402.56
Social Security	Employer Portion / FICA Med	8,264.79
Union Bank & Trust	Employer Portion / Pension	3,649.80
Union Bank & Trust	Police Pension	1,851.31
ICMA	City Manager Pension	454.62
Municipal Emergency Services, Inc.	Fire Dept Supplies	258.54
Municipal Supply	WR Supplies	205.96
NE Dept. of Health & Human Services	Utility Refund	1,067.00
Primary Electric, Inc.	WWTP Service / Repair	360.00
	TOTAL CLAIMS:	540,026.70

LIQUOR LICENSE CHANGE: Derek Mitchell, legal counsel for Rodriguez Restaurante Inc., appeared before Council to request approval of an application for Change of Location for his clients' liquor license. He explained that his client is planning to relocate the Premier Club to a downtown property already owned by them with plans to have food available during daytime hours and alcohol service after 9 p.m. Following discussion, moved by Miller, seconded by Salem, to recommend approval of the application to the Liquor Control Commission. Roll call. Voting "aye" were Tomasek, Salem, Miller, Fagot. Motion carried.

ORDINANCE: Ordinance No. 2309 entitled "AN ORDINANCE TO AMEND SECTIONS 28-10.5, 28-11.4, 28-19.5 and 28-20.5; TO REPEAL ORIGINAL SECTIONS 28-10.5, 28-11.4, 28-19.5 and 28-20.5, 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. Peplitsch reviewed the revisions to allow the development of trailer (camping) parks as special uses in four zoning classifications. Following discussion, moved by Salem, seconded by Tomasek, to suspend the rules requiring the reading of an ordinance on three separate occasions. Roll call. Voting "aye" were Miller, Tomasek, Salem, Fagot. Motion carried.

Ordinance No. 2309 was presented on Final reading. Moved by Miller, seconded by Salem, to approve Ordinance No. 2309 as presented. Roll call. Voting "aye" were Tomasek, Salem, Miller, Fagot. Motion carried.

AMENDMENT: Peplitsch reviewed an amendment to the Downtown Revitalization Guidelines for Building Renovations. He explained that the amendment would include an investment threshold to allow for additional funding assistance on a case-by-case basis. Following discussion, moved by Miller, seconded by Tomasek, to approve an amendment to the Downtown Revitalization Guidelines as presented. Roll call. Voting "ay" were Salem, Tomasek, Miller, Fagot. Motion carried.

FINANCIAL REPORT: Peplitsch presented the financial report for November 2011. Following his review, moved by Tomasek, seconded by Salem, to accept the report as

presented. Roll call. Voting "aye" were Miller, Salem, Tomasek, Fagot. Motion carried.

PLANNING SESSION:

Following discussion on planning session dates, moved by Miller, seconded by Salem, to schedule a planning session on Saturday, January 14, 2012, time to be determined. Roll call. Voting "aye" were Tomasek, Salem, Miller, Fagot. Motion carried.

ROUNDTABLE:

Peplitsch noted that he has been in discussions with School staff to schedule a joint meeting of the School Board and City Council in early January to discuss joint facility projects; he will forward information on the date.

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