

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, February 26, 2013, at the Lexington City Hall, located at 406 E. 7th Street, Lexington, Nebraska at 5:30 p.m. Members of the Council present were John Fagot, John Salem, Linda Miller, Dora Vivas and Jeremy Roberts. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Will Weinhold, Finance Director Barb Hodges, and City Clerk Pamela Berke. The press was represented by Lexington Clipper-Herald, KRVN Radio and Kearney Hub. Other present included Linda Erickson of Contryman Associates, Omar and Veronica Munoz, and Benicia Palma.

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 City Hall, located at 406 E. 7th Street, Lexington, Nebraska.

MINUTES – REGULAR MEETING 2-12-2013 Minutes of the Regular meeting held Tuesday, February 12, 2013, were presented for Council approval. Moved by Vivas, seconded by Roberts, to approve Minutes as presented. Roll call. Voting “aye” were Miller, Salem, Roberts, Vivas, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,177,520.51 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Miller, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$128,272.47 from the General Fund, \$34,550.03 from Street Fund, \$814,285.00 from TIF, \$144,208.69 from LEXUS, \$30,029.43 from Sanitation, \$4,405.89 from Ambulance, \$15,279.66 from Health Fund, and \$6,489.34 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Roberts, Miller, Salem, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
February 26, 2013

Acosta, Moises	ST Banner Repair	150.00
AFLAC	Premium	1310.12
American Girl	Library Subscription	22.95
Axis Capital, Inc.	Mail Machine Payment	840.00
Barmore Drug Store, Inc.	Ambulance Supplies	354.54
Bauer Underground, Inc.	Excavator Rental for Middle School PJ	1,200.00
Bert Gurney & Associates, Inc.	WWTP Supplies	1,606.00
Business Card		
International Code Council	Bldg Insp Book	196.75
Banner Buzz	Downtown Banners	1,415.46
Peach New Media	Webinar - Burnside	149.00
China Buffet	Legislature - Wolf	8.50

Pilot #912	Fuel to Lincoln - Wolf	33.71
Holiday Inn Express	Life Guard Training Class @ Hastings - Luther	219.90
American Red Cross	Books/Video@Training/Swim Lessons 2013	519.95
United Rentals	WR Dept Supplies	112.89
DeWalt Service	WWTP Supplies	73.55
Thompson Publishing	Webinar - Berke	199.00
EcoTec	Police Weapon Repair	79.00
Card Center/Orscheln	WWTP / Central Garage / WR Supplies	223.82
Center Point Large Print	Library Books	85.08
Central Tire & Tread, Inc.	Tire Repair	19.50
Community Development Agency	CEL Series B-1	800,000.00
D & R Computing, Inc.	Fire Dept Supplies	119.99
Data-Pac Mailing Systems	Postage	1,500.00
Davis Energy, Inc.	Propane / Fuel	6,114.59
Eakes Office Plus	Library Supplies	818.52
Emedco	Fire Dept Supplies	98.23
Eustis Body Shop, Inc.	Police Car Repair	1,425.40
Exchange Bank	Copier Payments	1,195.44
FYR-TEK, Inc.	Fire Dept Supplies	166.10
Gale Group, The	Library Books	92.91
Gnirk, Steven R	UTL Refund	88.35
Great Western Bank-Lib. Petty Cash	Postage / Stamps / Food / Supplies	213.69
Health Claims Fund	Claims	13,665.18
Holbein, Dahlas D.	Fire Dept Maint / Cleaning Service	1,000.00
Ingram Library Services	Library Books	202.27
JEO Consulting Group, Inc.	PK Master Plan	1,648.75
Jim Phillips Const	Main Breaks / Repairs	7,892.00
Lawson Products, Inc.	ST Supplies	251.89
Lexington Newspapers, Inc.	Publications	268.72
Lexington Utilities System	Utilities	31,526.72
Lexington, City of - Street	TIF to ST for DCOC Parking Lot Paving	14,285.00
Lexington City Payroll Account		
Payroll	Wages	117,110.25
Social Security	Employer Portion / FICA Med	8,640.93
Union Bank & Trust	Employer Portion / Pension	3,852.15
Union Bank & Trust	Police Pension	1,890.23
ICMA	City Manager Pension	470.77
Madeline's Café & Bakery	Meals	43.80
Mead Lumber & Rental-Lex	ST/PK/WWTP Supplies	129.82
Menards-Kearney	WWTP Supplies	63.02
Microfilm Imaging Systems, Inc.	Library Service	380.00
Midland Scientific, Inc.	WWTP Supplies	35.90
Moomey, Larry	EL Incentive Rebate	300.00
National Imprint Corp.	Police Supplies	135.60
NE Dept of HHS	LFAC Permit	40.00
Nebraska Library Commission	Seminar Registration	10.00
NE Public Health Environmental Lab	WR Testing	1,989.25
Overton Community Center	Meals on Wheels	100.00
Platte Valley Communications	Maintenance/Radio Repair/Fire Dpt Pagers	6,145.01
Presto-X	Fire Dept Service	87.78
Primary Electric, Inc.	WWTP - Install Heat Pump	6,365.00
Rodale, Inc.	Library Book	39.94
Service Master Mid Nebraska	Cleaning Service	4,741.00
Subway @ Walmart	Meals	36.00
T. L. Sund Constructors, Inc.	DCOC Parking Lot Repair	14,285.00
Tasc - Client Invoices	Fees	183.96
Vision Internet Providers, inc.	Monthly Hosting Fee	220.50

Walmart	Supplies	214.75
Bloomberg Businessweek	Library Subscription	75.00
Burmood, Jo	Library Repair	25.00
Card Center/Orscheln	WWTP Supplies	18.98
Cash-Wa Distributing	Food & Supplies	2,393.30
Commercial Maint Chemical Corp	WWTP Supplies	846.73
Dan's Sanitation, Inc.	Sanitation Fees	30,029.43
Danko Emergency Equipment Co.	Fire Dept Equipment	167.03
Davis Energy, Inc.	Fuel	4,262.45
Fairbanks International, Inc.	WWTP Supplies	15.07
FYR-TEK, Inc.	WR Supplies	84.35
Gale Group, The	Library Books	232.70
Great Western Bank-City Petty Cash	Postage / Meals / Fuel / Food	121.33
Great Western Bank-Lib. Petty Cash	Postage / Meal	20.79
HD Supply Waterworks	WR Tapping Sleeves	1,012.61
Health Claims Fund	Claims	120.40
Larson Products, Inc.	ST Supplies	38.00
Lexington Volunteer Fire Dept.	Fire School Expenses	220.40
Lexington, City of	Franchise Fees	74,347.46
Omaha World-Herald	Library Subscription	268.84
Price's Tree Service, Inc.	Tree Removal / Haul Debris	737.50
Primary Electric, Inc.	WWTP Repair	110.00
Roberts Dairy Company	Beverages / Food	507.74
Thompson Co., The	Food & Supplies	2,199.25
Unisan Products	DCOC Supplies	309.90
Verizon Wireless	Cellphone Service	365.92
Wal-Mart	Supplies	86.20

TOTAL CLAIMS: 1,177,520.51

RESOLUTION:

Resolution No. 2013-02 was presented. Following discussion, moved by Miller, seconded by Vivas, to approve Resolution No. 2013-02. Roll call. Voting "aye" were Salem, Roberts, Vivas, Miller, Fagot. Motion carried.

RESOLUTION NO 2013 - 02

Whereas, Nebraska Revised Statutes Section 60-680 authorizes the City of Lexington to designate the location of stop signs;

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA AS FOLLOWS:

That the Lexington City Manager is hereby authorized and directed to install stop signs at the following locations:

1. Intersection of Washington Street and Walnut Streets, to stop north and south bound traffic on Washington Street.
2. Remove the stop signs at the intersection of Washington Street and Walnut Streets, which currently stop east and west bound traffic on Walnut Street.

Passed and approved February 26, 2013.

CITY OF LEXINGTON, NEBRASKA

John Fagot, Mayor

ATTEST: Pamela Berke, City Clerk

PUBLIC HEARING:

Mayor Fagot opened a public hearing to receive comments on a Class A liquor license application by Omar Munoz dba Taqueria El Paraiso, 702 South Washington. Mr. Munoz stated that he would like to serve beer with meals at his restaurant. There being no further comments, the public hearing was closed. Following discussion, moved by Miller, seconded by Roberts, to recommend approval of the Class A Liquor License application by Omar Munoz dba Taqueria El Paraiso as presented. Roll call. Voting "aye" were Vivas, Salem, Roberts, Miller, Fagot. Motion carried.

AUDIT REPORT:

Linda Erickson, Contryman Associates, presented a Fiscal Year 2012 Audit Report, noting that an unqualified report has been issued. Fagot commended City Staff on their fiscal management. Following discussion, moved by Salem, seconded by Vivas, to accept the audit report as presented. Roll call. Voting "aye" were Miller, Roberts, Vivas, Salem, Fagot. Motion carried.

CONSERVATION EASEMENT:

Council reviewed a request by the Central Platte NRD on a proposed conservation easement for surface water rights for property within the City's zoning jurisdiction. Following discussion, moved by Miller, seconded by Salem, to direct the issue to the Planning Commission for review and comment. Roll call. Voting "aye" were Vivas, Roberts, Salem, Miller, Fagot. Motion carried.

RESOLUTION:

Resolution No. 2013-04 was presented. Following discussion, moved by Salem, seconded by Roberts, to approve Resolution No. 2013-04. Roll call. Voting "aye" were Vivas, Miller, Roberts, Salem, Fagot. Motion carried.

RESOLUTION NO. 2013-04

A RESOLUTION APPROVING THE LVFD SERVICE AWARD PROGRAM CERTIFIED MEMBER LIST FOR CALENDAR YEAR 2012.

WHEREAS, the Lexington Volunteer Fire Department members must attain Certified status as defined by the LVFD Service Award Program in order to participate in the program.

BE IT RESOLVED, by the Mayor and Council of the City of Lexington, the following list of members have completed the certification requirements as determined by the Certification Administrator for calendar year 2012.

Ronald Balthazor	David Berke	Bo Berry
Jeffrey Block	Bruce Bonini	Robert Bullis
Alfred Copper	Gary Donnelson	Michael Dowling
Darrel Dutro	Matthew Fitzgerald	Douglas Glaze
Michael Gomez	Everett Hagan	Nick Hoendervoogt
Dahlas Holbein	Dale Holbein	Kent Jergensen
Ryan Johnson	Richard Klauz	Tracy Lauby
James Linch	Michael Maguire	Robert Martin
Troy Moore	Lance Olsen	Eldon Peck
Chad Reutlinger	Roger Reutlinger	Jon Robles
Jerald Saulsbury	Kerry Teetor	Blake Thorell
Eldon Wheeler	Brad Worthing	David Zlatkovsky
Frank Zlatkovsky		

Passed and Approved this 26th day of February 2013.

CITY OF LEXINGTON, NEBRASKA

BY: John Fagot, Mayor

ATTEST: Pamela Berke, City Clerk

- ONE AND SIX YEAR PLAN:** Council and Staff reviewed a draft of the One and Six Year Street Improvement Plan. Following the review and comments, Peplitsch noted that a public hearing will be conducted at the next council meeting to receive comment and approve the plan.
- LCFA AGREEMENT:** Peplitsch presented an amendment to the Lexington Middle School Project Construction, Management, and Lease Agreement. He explained that the amendment addresses updated funding levels, including the city's contribution and support of necessary infrastructure improvements. Following discussion, moved by Miller, seconded by Vivas, to approve the amendment as presented and to authorize the mayor to execute necessary documentation. Roll call. Voting "aye" were Roberts, Salem, Vivas, Miller, Fagot. Motion carried.
- FINANCIAL REPORT:** Peplitsch reviewed a financial report for January 2013. Following discussion, moved by Roberts, seconded by Salem, to accept the financial report as presented. Roll call. Voting "aye" were Vivas, Miller, Salem, Roberts, Fagot. Motion carried.
- ROUNDTABLE DISCUSSION:** Peplitsch reminded Council and Staff of a Work Session scheduled for Saturday, March 2, 2013, at 8:00 a.m.
- ADJOURNMENT:** There being no further business to come before the Council, Mayor Fagot declared the meeting adjourned.

John Fagot
Mayor

Pamela Berke
City Clerk

I, the undersigned 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.

City Clerk