

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, January 22, 2013, at the Lexington City Hall, located at 406 E. 7<sup>th</sup> 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 KRVN Radio. Also in attendance was Dana Daniels, Miller & Associates.

**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. 7<sup>th</sup> Street, Lexington, Nebraska.

**MINUTES – REGULAR MEETING 1-8-2013** Minutes of the Regular meeting held Tuesday, January 8, 2013, were presented for Council approval. Moved by Miller, seconded by Salem, to approve Minutes as presented. Roll call. Voting “aye” were Vivas, Roberts, Salem, Miller, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$494,148.25 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Roberts, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$171,823.06 from the General Fund, \$80,336.87 from Street Fund, \$181,097.98 from LEXUS, \$28,676.27 from Sanitation, \$2,127.45 from Ambulance, \$20,442.94 from Health Fund, and \$9,643.68 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Miller, Roberts, Salem, Fagot. Motion carried.

**CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
January 22, 2013**

AFLAC	Premium	1,310.12
Annie's Attic Books	Library Books	19.94
Axis Capital, Inc.	Mail Machine Payment	840.00
Best Books, Inc.	Library Books	207.85
Cash-Wa Distributing	Food / Supplies	3,449.84
CDW Government, Inc.	Storm Water Printer Warranty	635.28
Center Point Large Print	Library Books	85.08
Central Garage Fund	Service / Repair	15,038.99
Central Tire & Tread, Inc.	Tire Repair	79.08
Century Manufacturing Corp	Central Garage Supplies	210.00
Certified Laboratories	Central Garage Supplies	403.34
Consumer Reports Money Adviser	Library Subscription	29.00
Contryman Associates, P. C.	Audit Fees	22,000.00

Copper, Michael	Yard Clean-up	240.00
Dan's Sanitation, Inc.	Sanitation Fees	1,377.60
Danko emergency Equipment Co.	Fire Dept Supplies	192.88
Data-Pac Mailing Machine Systems	Postage	1,500.00
Davis Energy, Inc.	Fuel / ST Supplies	5,999.83
Dawson County Clerk	Dispatch Fee	1,250.00
Dutton-Lainson Company	EL Switch	3,517.10
Eustis Body Shop, Inc.	Towing Expense	100.00
Fagot Refrigeration & Electric	DCOC Furnace Repair	114.95
Fastenal	ST Supplies	198.01
Fisher Scientific	WWTP Testing Supplies	188.68
Gale Group, The	Library Books	188.42
Gonzalez, Onoria	EL Rebate	1,025.00
Gothenburg State Bank	Energy Assessment Payments	2,453.11
Great Western Bank-Lib. Petty Cash	Postage/Stamps/Food/Registration	168.38
Hach Company	WWTP Testing Supplies	237.34
HD Supply Waterworks	WR Supplies	1,065.73
Health Claims Fund	Claims	17,926.90
Holbein, Dahlas D.	Fire Dept Maint/Cleaning Service	1,000.00
Holbein, Dale	EL Rebate	1,900.00
Holiday Inn Express	Employee Banquet	2,032.19
Homestead Bank	ST Improvement Dist 09-02	55,535.04
Image Trend, Inc.	Ambulance Software Support	750.00
Intellicom Computer Consulting	Computer Service	238.00
Island Supply Company, The	ST Supplies	1,100.00
Jim Phillips Const	Main Breaks / Repairs	5,871.00
John Deere Financial	Central Garage Supplies	188.90
Lexington Newspapers, Inc.	Publications	1,475.22
Lexington Truck & Auto, Inc.	Central Garage Supplies	125.00
Matheson Tri-Gas, Inc.	Ambulance Supplies	55.55
Matt Friend Truck Equipment	ST Supplies	62.03
McCandless Backhoe, Inc.	Snow Removal	360.00
Mead Lumber & Rental-Lexington	PK / ST Supplies	174.54
Mid-State Units	Rental	100.00
Mid-States Organized Crime Information	Membership Fees	150.00
Midwest Radar & Equipment	Police Service	240.00
Miller & Associates, Inc.	Pro Service	480.00
Moore Medical LLC	Ambulance Supplies	631.13
NE Law Enforcement Training Center	Police Recertification	50.00
Nebraska Library Association	Library Seminar	60.00
Nebraska Machinery	Central Garage Supplies	950.99
Nebraska Tech & Telecomm, Inc.	Telephone Expense	1,058.15
O'Hanlon, Zelda	EL Rebate	1,100.00
OCLC, Inc.	Library Subscription	34.70
Overton Community Center	Meals on Wheels	100.00
Oxmoor House	Library Book	36.91
Paulsen, Inc.	Concrete	1,704.50
Pinnacle Agency, The	WC Audit Premium	5,829.00
Platte Valley Auto Mart, Inc.	Central Garage Supplies	190.18
Platte Valley Communications of Kearney	Maintenance / Tower Rent	1,089.96
Plum Creek Cleaners	Rug Service	340.25
Plum Creek Market Place	Food	177.85
Plum Creek Medical Group	Flu Shot	37.00
Randy's Body Shop	Towing Expense	100.00
Roberts Dairy Company	Beverages / Food	805.07
Roper's Radiator Service, Inc.	Central Garage Supplies	45.00
S & W Auto Parts, Inc.	WWTP / Central Garage Supplies	2,316.18

Sargent Drilling Co.	WWTP Supplies	518.00
Service Master Mid Nebraska	Cleaning Service	4,741.00
Sign Pro Fire Dept	Uniform Expense	111.80
Standard Life Insurance Company	Premium	662.24
Subway @ Wal-Mart	Meals	30.00
T. O. Haas Tire Co., Inc.	Tires	525.93
TASC - Client Invoices	Fees	178.85
Thompson Company, The	Food / Supplies	3,360.81
Tools Renewed, Inc.	WR Equipment Parts	778.94
Utility Service Co., Inc.	WR Tower Maintenance	26,211.04
Vision Service Plan	Premium	581.71
Wal-Mart	Supplies	640.23
Wiesler, Jeremy	EL Rebate	700.00
Barco Products Company	ST / WR Supplies	362.57
Business Card		
CO Chap of International Code Council	Conference	375.00
Surveymonkey.com	Bldg Insp Online Subscription	200.00
American Red Cross Services	LFAC Training Conference	350.00
Net Nanny	Library Software	59.98
PayPalFire	Dept Supplies	304.49
Northern Tool & Equipment	Storeroom Tools	268.36
Rug Doctor	Cleaning Machine Rental	35.28
Card Center/Orscheln	PK/WWTP/Amb/WR/EL Supplies	379.88
CDW Government, Inc.	Bldg Insp Supplies	100.64
Dan's Sanitation, Inc.	Sanitation Fees	28,676.27
Davis Energy, Inc.	Fuel / Propane	5,270.66
Dell Marketing L P	Police Computer	1,483.45
Exchange Bank	Copier Payments	1,195.44
Gale Group, The	Library Books	99.96
Grayek, Monte	Meals at School	38.32
Great Western Bank-City Petty Cash	Postage / Bldg Insp Supplies	51.80
Great Western Bank-Lib. Petty Cash	Postage / Meals	24.25
Health Claims Fund	Claims	1,027.07
Holiday Inn - Kearney	Ambulance Conference	389.75
Ingram Library Services	Library Books	434.59
Intellicom Computer Consulting	Computer Service	89.88
Lifetime Library	Books	114.25
Lexington Health Fund	Self-Funding	33,080.08
Lexington Utilities System	Utilities	6,479.14
Lexington, City of	Franchise Fees	71,018.61
Lexington City Payroll Account		
Payroll	Wages	114,758.66
Social Security	Employer Portion / FICA Med	8,461.77
Union Bank & Trust	Employer Portion / Pension	3,822.63
Union Bank & Trust	Police Pension	1,896.06
ICMA	City Manager Pension	470.77
Mead Lumber & Rental-Lexington	PK Repair / Supplies	92.79
Nebraska Machinery	Central Garage Returns	-249.40
Nebraska Public Health Environmental Lab	WR Testing	444.00
Oliver Consulting Services, Inc.	Library Computers	2,250.00
Police Chiefs Association of Nebraska	Membership Dues	50.00
Quality Books, Inc.	Library Books	135.39
Reutlinger, Chad	Meals at School	40.45
Smith, Terry	Meals at School	43.13
Terryberry	Service Pin	68.90
Verizon Wireless	Cellphone Service	366.04

TOTAL CLAIMS: 494,148.25

**UTILITY PROJECT:** Dana Daniels presented close out documents for the South Lexington Utility Improvements project. He reviewed Change Order #1, Pay Request #2 (Final), and a Certificate of Substantial Completion. Following discussion, moved by Salem, seconded by Roberts, to approve Change Order #1 as presented. Roll call. Voting “aye” were Vivas, Miller, Roberts, Salem, Fagot. Motion carried.

Moved by Miller, seconded by Vivas, to approve Pay Request #2 (Final) from Midlands Contracting in the amount of \$174,278.05. Roll call. Voting “aye” were Salem, Roberts, Vivas, Miller, Fagot. Motion carried.

Moved by Salem, seconded by Miller, to approve the Certificate of Substantial Completion as presented. Roll call. Voting “aye” were Vivas, Roberts, Miller, Salem, Fagot. Motion carried.

**ORDINANCE:** Ordinance No. 2325 entitled “AN ORDINANCE OF THE CITY OF LEXINGTON, NEBRASKA, AMENDING SECTIONS 18-19 AND 18-20 OF THE LEXINGTON CITY CODE TO CORRECT REFERENCES TO CITY SALES TAX; TO REPEAL ORIGINAL SECTIONS 18-19 AND 18-20, 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 explained the ordinance was drafted to correct outdated code language identified during the recent recodification process. Following discussion, moved by Salem, seconded by Miller, to approve Ordinance No. 2325 on first reading.

**FINANCIAL REPORT:** Peplitsch presented a financial report for December 2012. Following discussion, moved by Miller, seconded by Vivas, to accept the financial report as presented. Roll call. Voting “ay” were Roberts, Salem, Vivas, Miller, Fagot. Motion carried.

**ROUNDTABLE DISCUSSION:** Peplitsch reminded Council and Staff of a work session scheduled for Saturday, January 26, 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