

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, November 14, 2006, at the Lexington Municipal Building, located at 406 E. 7th Street, Lexington, Nebraska at 7:30 p.m. Members of the Council present were Ted Cook, Steve Tomasek, Joni Bennett, John Fagot, and Linda Miller. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Willard Weinhold, and Deputy City Clerk Pam Berke. Other city personnel included Barb Mills. Citizens attending included Clinton Witt and John Salem. Members of the press included Harry Perkins of Kearney Hub and Barb Batie of Clipper-Herald.

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 Cook. Cook 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. Cook noted that items 5d and 5e of New Business were removed from the agenda.

**MINUTES – REGULAR
MEETING 10-24-06**

Minutes of the Regular meeting held Tuesday, October 24, 2006 were presented for Council approval. Moved by Miller, seconded by Tomasek, to approve Minutes as presented. Roll Call. Voting “aye” were Fagot, Bennett, Tomasek, Miller, Cook. Motion Carried.

CLAIMS & BILLS:

Claims and Bills in the amount of \$1,492,066.99 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 \$619,176.76 from the General Fund, \$25,637.50 from ED Reuse, \$24,650.00 from Housing Reuse, \$778,759.37 from LEXUS, \$10,000.00 from Sanitation, \$4,388.56 from Landfill, \$1,439.55 from Ambulance Fund, \$16,209.67 from Health Fund, and \$11,805.58 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Fagot, Miller, Tomasek, Bennett, Cook. Motion carried.

**CITY OF LEXINGTON
ACCOUNTS PAYABLE
November 14, 2006**

All Points Cooperative	Fuel / Supplies	865.14
Alltel	Service	94.56
Associated Pool Builders, Inc.	Winterize Pool	1,265.00
Axis Capital	Mail Machine Payment	455.85
B & D Office City	Office Supplies	43.10
Barco Municipal	Water Dept. Supplies	1,268.32

Beringer Ciaccio Dennell Mabrey	Architect / GGC	2,850.93
Blue Cross / Blue Shield	Ambulance Refund	276.87
Brecks, Bill	Conference / Seminars	77.43
Burnside, Dennis	Conference / Seminars	223.40
Business Office Systems of NE	Office Supplies	193.67
Card Center/Orscheln	Supplies / Uniform Expense	1,261.30
Case Credit Advantage	Supplies	23.31
Cash-Wa Distributing	Food & Supplies	1,348.57
Center Point Publishing	Books	35.34
Central Community College	Schooling / Ambulance	698.60
Central Fire & Safety, Inc.	Fire Extinguishers Inspection	12.75
Central Garage Fund	Fuel	7,151.45
Corporate Benefit Services of America	Premium	17,959.88
Culligan Water Conditioning, Co.	Soft Water Supplies	199.23
D & R Computing	Office Supplies	55.99
Dan's Sanitation	Sanitation Fees	12,593.15
Davis Energy, Inc.	Fuel	3,697.06
Dawson Area Development	CDBG / OOR Housing / GGC	3,630.00
Dawson County Public Power	Power Purchase	6,778.66
Dawson County Register of Deeds	Filing Fees	26.00
Dawson Pest Control	Building Maintenance	27.00
Delta Dental of Nebraska	Premium	1,014.45
Depository Trust Co.	2002 GO Bond Payment	139,640.00
Downey Drilling, Inc.	Cemetery Supplies	72.30
Dugan Business Forms	Office Supplies	476.95
Earl May Nursery	Trees	450.00
EBSCO Subscription Service	Books	1,361.98
Electric Fixture	Electric Supplies	1,610.50
Electronic Systems	Fire Alarm Inspections / Library	40.00
Epperly, Dick	Electric Supplies	80.25
Fagot Refrigeration & Electric	Service / Repair	329.20
Fastenal	WWTP Supplies	23.98
Gale Group, The	Books	204.84
Gempler's, Inc.	Uniform Expense	194.45
General Traffic Controls, Inc.	Electric Supplies	1,285.68
Great Plains One-Call Service	Locates	70.63
H. O. Smith Company	Title Certificates	200.00
Hach Company	WWTP Supplies	407.50
Health Claims Fund	Claims	12,346.11
Hipp Wholesale Foods, Inc.	Food & Supplies	1,629.49
HiTech, Inc.	WWTP Supplies	300.00
Hometown Leasing	Copier Lease	472.46
HR Direct	Office Supplies	348.56
Jones Plumbing & Heating	Maintenance / Supplies	528.78
Juhlin, Lori	Conference / Seminars	256.04
Kemps-Gillette	Beverages	357.42
Kinder Morgan	Gas Service	12,840.39
Kovels On Antiques & Collectibles	Subscription	27.00
Lexington Animal Clinic	Animal Care	649.20
Lex Area Solid Waste Agency	Landfill	1,039.41
Lexington Health Fund	Self-funding	33,424.65
Lexington Newspapers	Publications	652.21
Lexington Postmaster	Postage	150.00
Lexington True Value	Supplies	72.60
Lexington, City of	Franchise / Service Fees	46,134.09
Payroll	Wages	90,656.80
Social Security	Employer Portion / FICA Med	6,701.44

First National Bank	Employer Portion / Pension	2,977.27
First National Bank	Police Pension	1,319.01
ICMA	City Manager Pension	356.81
Linda's Stitches & Creations	Uniform Expense	20.00
Linweld	Oxygen Supplies	37.48
Maines Electric	WWTP Supplies	2,776.18
Martin's Flag Company	Flags	537.22
Mead Lumber	WWTP / Street Supplies	424.65
Michael Todd & Co., Inc.	Street Supplies	61.45
Micro-Marketing, LLC	Books	16.99
Mid-Nebraska Printing	Office Supplies	247.50
Mid-State Units	Park Rentals	460.00
MidAmerica Books	Books	114.12
Milco Environmental Services, Inc.	Water Analysis / Disposal Site	4,388.56
Miller & Associates	Retainer Service	800.00
Misko Sporting Goods	Recreation Supplies	20.96
Municipal Emergency Services	Fire Dept. Supplies	330.79
National Patent Analytical Systems	Office Supplies	49.99
NE Economic Developers Assn	Membership Dues	75.00
Nebraska Public Power District	Power Purchase	532,703.78
Nebraska Public Power District	Metering	792.55
Nebraska Tech & Telecomm, Inc.	Telephone Expense	1,423.99
Nebraska Waste Handlers	Sludge Removal	5,489.60
Nelson, Margie L.	Cleaning Service	500.00
Neopost	Postage	1,500.00
Olsson Associates	Professional Fees	1,037.07
OMB Police Supply	Matrix Vests	3,699.00
Overton Sand & Gravel	Gravel	112.50
Paulsen, Inc.	Gravel / Concrete	483.90
Peak Interest	Food	33.37
Pinnacle Agency, The	Insurance Renewal	200,081.00
Platinum Plus For Business	Supplies / Conference / Seminars	836.95
Platte Valley Auto Mart	Repair	706.76
Platte Valley Communications	Maintenance / Repairs	289.52
Plum Creek Auto Spa	Car Wash	12.00
Plum Creek Market Place	Food	69.15
Randy Hood Salvage	Special Waste Expense	100.00
Recorded Books	Books	111.60
Repco Marketing, Inc.	Supplies	20.00
Richardson, Calvin	Boots	19.92
S & W Auto Parts, Inc.	Street / Electric Supplies	168.93
Service Master Mid Nebraska	Carpet / Cleaning Service	807.50
Sign Pro	Sign	80.00
Spring Creek Embroidery Works	Uniform Expense	209.04
Steve's Lock & Key	Police Dept. Repair	433.84
T & R Electric	Transformer	2,499.00
T. O. Haas Tire Co., Inc.	Repair	13.00
Tasc	Flex Plan	188.60
Taste of Home	Book	28.98
Team Detail & Quicklube	Car Wash	80.00
TierOne-Lib. Petty Cash	Petty Cash/Postage	72.54
Total Lawn Care	Lawn Care	2,865.00
Tri-City Tribune	Publications / Subscription	596.50
Tri-County Hospital	Wellness / Supplies	548.00
U-Save Business Equipment	Office Supplies	353.62
Unique Books, Inc.	Books	101.34
Univar USA, Inc.	WWTP / Sodium Hydroxide	5,210.09

Upstart	Library Supplies	108.45
Utility Equipment	Water Dept. Supplies	225.01
Wal-Mart	Supplies	262.68
Weathercraft Company	Electric / Enlarge Door	2,627.92
Wesco Distribution, Inc.	Electric Supplies	1,760.35
Westech	WWTP Supplies	650.31
Willard Weinhold Law Office	Fees	1,586.30
Zamora-Duran, Manuel	Utility Refund	0.38
Ackerman, Arlan	OOR Housing	9,125.00
AFLAC	Premium	950.36
All Points Cooperative	Fuel	71.55
Alltel	Service	52.37
Anderson Graphics	Library Supplies	17.50
Card Center/Orscheln	Supplies	50.31
Central Community College	Schooling / Ambulance	36.00
Central Garage Fund	Maintenance / Repairs	4,961.76
Crafts'n Things	Subscription	21.97
Davis Energy, Inc.	Fuel / Starplex	152.30
Dawson County Hanidbus	Transportation	38.00
Demco	Library Supplies	478.96
Diamond Lake Book Company	Books	76.82
Electric Fixture	Electric Supplies	90.78
Fagot Refrigeration & Electric	OOR Housing	10,675.00
Follett Software Company	Library Supplies	480.00
Gengenbach, Kevin	Rental	275.00
Governing Magazine	Subscription	16.00
Health Claims Fund	Claims	2,724.60
Husker Ag Sales	Central Garage Supplies	150.10
Ingram Library Services	Books	390.69
Jeffrey Construction	OOR Housing	4,650.00
Jinks, Walter	Electric Rebate	1,025.00
Lexington Newspapers, Inc.	Publications	575.96
Lexington Volunteer Fire Dept	Conference / Schooling	2,142.65
Payroll	Wages	92,283.63
Social Security	Employer Portion / FICA Med	6,819.41
First National Bank	Employer Portion / Pension	3,066.35
First National Bank	Police Pension	1,344.16
ICMA	City Manager Pension	356.81
Mac's Creek Vineyards & Winery	ED Reuse Loan	25,637.50
Martin's Flag Company	Flags	2,096.23
Matt Friend Truck Equipment	Central Garage Supplies	549.60
Midwest Laboratories, Inc.	WWTP Testing Supplies	925.00
Miller & Associates	Storm Water/Price Detention Cell	500.00
Mueller, Phyllis	Electric Rebate	1,025.00
Municipal Supply	Water Dept. Supplies	1,113.85
NE Conf of Building Officials & Inspectors	Conference	70.00
Naumann, Sondra	Cleaning Service	66.00
Nebraska Department of Revenue	Sales & Use Tax	33,214.50
Nebraska Machinery	Central Garage Supplies	114.81
Omaha World Herald	Subscription	45.50
Paraclete Press, Inc.	Books	234.61
Plum Creek Bank	Fire Pumper Payment	50,573.61
Price's Tree Service	Tree Removal / Trim	800.00
QA Balance Services	WWTP Supplies	95.00
Random House, Inc.	Books	135.15
S & W Auto Parts, Inc.	Central Garage Supplies	1,054.17
Solomon Corporation	DGA Tests	2,500.00

Sports Illustrated	Subscription	89.04
T. L. Sund Constructors, Inc.	Electric Rebate	1,025.00
T. O. Haas Tire Company, Inc.	Tires / Repair	721.35
Thomas Bouregy & Company, Inc.	Books	138.50
TierOne-City Petty Cash	Petty Cash / Misc. Expense	68.73
Underground Construction, Inc.	Bore Conduit /Lake & Woodward	14,573.00
Univar USA, Inc.	Ferric Chloride	5,874.56
Wal-Mart	Supplies	51.30
Paulsen, Inc.	GGC Renovations	36,072.00
	TOTAL:	1,528,138.99

PUBLIC COMMENT: Lexann Roach of Project Extra Mile expressed the group’s condolences regarding the recent deaths of two local teens in an auto accident.

PAY REQUEST #1 Peplitsch requested Council approval for Pay Request #1 from Paulsen, Inc. for the Grand Generation Center Improvement project in the amount of \$36,072.00. Following discussion, moved by Tomasek, seconded by Miller, to approve Pay Request #1. Roll call. Voting “aye” were Bennett, Fagot, Miller, Tomasek, Cook. Motion carried.

TOWER LEASE: Peplitsch presented a draft lease agreement to Council with US Cellular for placement of radio equipment on City water tower located at 411 North Madison. Following discussion, moved by Miller, seconded by Fagot, to authorize execution of a lease agreement with US Cellular, pending the completion of required signal interference study. Roll call. Voting “aye” were Bennett, Tomasek, Fagot, Miller, Cook. Motion carried.

ORDINANCE: Peplitsch requested Council consideration of an ordinance to extend enforcement of the Property Maintenance Code to subdivisions and special use property which lies in the two mile zoning jurisdiction. An ordinance entitled “AN ORDINANCE TO EXTEND THE ENFORCEMENT JURISDICTION FOR THE INTERNATIONAL PROPERTY MAINTENANCE CODE; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; TO PROVIDE FOR PUBLICATION IN PAMPHLET FROM AND FOR AN EFFECTIVE DATE.” Following discussion, Moved by Fagot, seconded by Bennett, to approve ordinance on first reading. Roll call. Voting “aye” were Miller, Tomasek, Bennett, Fagot, Cook. Motion carried.

ROUNDTABLE: Bennett voiced disappointment in the failure of the smoking ban ordinance to pass during the General Election. She suggested Council study the smoking issue in more detail.

ADJOURNMENT: There being no further business to come before the Council, Mayor Cook declared the meeting adjourned.

Ted Cook
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