

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, February 28, 2006 at the Lexington Municipal Building, located at 406 E. 7<sup>th</sup> Street, Lexington, Nebraska at 7:30 p.m. Members of the Council present were Mayor Ted Cook, Joni Bennett, John Fagot, Linda Miller, and Steve Tomasek. City Officials present were City Manager Joe Peplitsch. Department Heads present were Charles Clark and Barb Mills.

**NOTICE:** Notice of the meeting was given in advance, there of 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

**MINUTES – REGULAR MEETING – 02-14-06:** Minutes of the Regular Meeting scheduled for Tuesday, February 14, 2006 was presented for Council’s consideration and approval. Moved by Miller, seconded by Bennett, to approve the minutes as presented. Roll call. Voting “aye” were Fagot, Tomasek, Bennett, Miller, Cook. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$321,873.68 was presented for Council’s consideration and approval. Upon review of the Claims and bills as listed, moved by Tomasek, seconded by Fagot, to approve the Claims as listed, and authorize the City Treasurer to transfer \$128,398.55 from the General Fund, \$4,042.50 from Ed Reuse, \$2,866.24 from Housing Reuse, \$123,596.03 from LEXUS, \$23,699.42 from Sanitation, \$10,952.61 from Landfill Fund, \$234.97 from Ambulance Fund, \$219.58 from Library Memorial, \$19,535.50 from Health Fund, \$8,328.28 from Meals on Wheels, to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Bennett, Miller, Fagot, Tomasek, Cook. Motion carried.

CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
February 28, 2006

All Points Cooperative	Fuel / Supplies	208.88
All-American Sewer & Drain Cleaning, LLC	WWTP Supplies	150.00
Alltel	Cellphone Service	297.56
Automotive Sales & Service	Central Garage Supplies	116.80
B&D Office City	Office Supplies	53.24
Barmore Drug Store, Inc.	Office Supplies	2.66
Bennett, Joni	Conference	245.26
Bernal, Raymond	Electric Rebate	1,025.00

Berntson Oil	Fuel	5,194.18
Card Center/Orscheln	Supplies	201.09
Case Credit Advantage	Central Garage / Loader Repair	3,523.17
Cash-Wa Distributing	Food & Supplies	1,765.12
Central Fire & Safety, Inc.	Park Supplies	203.70
Central Garage Fund	Maint. / Repairs	6,851.43
D & R Computing	Office Supplies / Maintenance	117.08
Dawson County Handibus	Transportation	60.00
Demco	Library Supplies	219.58
Downey Drilling Inc.	Well Repair / Supplies	2,662.96
EDM Equipment Company	Central Garage Supplies	172.39
Eilers Machine & Welding	Central Garage Supplies	36.80
Electric Fixture	Library Supplies	2.34
Envision Ware	Computer Software / Library	9,810.00
Family Eyewear	Safety Glasses	233.00
Farmer Brothers Coffee	Food & Supplies	153.96
Flowers of Joy	Supplies	40.00
FYR-TEK	Fire Dept. Supplies	84.48
Gale Group, The	Books	159.47
Geostat Environmental, LLC	Groundwater Analysis	2,000.00
Guerrero, Jose	Electric Rebate	125.00
H. O. Smith Co.	WWTP Title Certificate	125.00
Health Claims Fund	Claims	11,617.18
Hipp Wholesale Foods, Inc.	Food & Supplies	576.57
Holbein, Dahlas D.	Maint. & Cleaning Service	850.00
Husker Ag Sales	Central Garage Supplies	36.00
Ingram Library Services	Books	27.46
Jergensen, Kent	Electric Rebate	1,400.00
Jim Phillips Construction	Main Break Repairs / Viaduct Fence Repair	5,212.79
Kemps-Gillette	Beverages	209.25
Lexington Newspapers, Inc.	Publication	515.84
Lexington True Value	Supplies	223.32
	Payroll Wages	91,337.51
	Social Security Employer Portion / FICA Med	6,765.80
	First National Bank Employer Portion / Pension	3,258.48
	First National Bank Police Pension	1,183.89
	ICMA City Manager Pension	238.80
Lexington Utilities System	Utilities	22,354.83
Mead/Big Valley Lumber	Supplies	71.78
Michael Todd & Co., Inc.	Barricade Flashers / Water Dept.	420.21
MidAmerica Books	Books	771.20
Mid-Nebraska Printing	Office Supplies	240.90
Milco Environmental Services, Inc.	Disposal Site / Water Test Analysis	8,952.61

Miller & Associates	Professional Services / WWTP	13,592.85
Mr. Automotive	Police Dept. Supplies	36.40
Nebraska Dept. of Economic Development	Orthman's CDBG Loan Payment	4,042.50
Nebraska Dept. of HHS Laboratory	Water Test Analysis	1,014.00
Nebraska Dept. of Labor	WWTP / Inspections	60.00
Nebraska State Recycling Association	Membership	250.00
Newman Traffic Signs	Street Supplies	271.20
Northeast Community College	Water Dept. Supplies	15.90
Ollis Book Corporation	Books	460.78
Overton Community Center	MOW	100.00
Paulsen Inc.	Concrete	601.46
Peak Interest	Food	42.37
Platinum Plus For Business	Conference	162.68
Platte Valley Auto Mart	Repairs	63.58
Plum Creek Cleaners	Cleaning Service	17.50
Price's Tree Service	Tree Removal	2,575.00
Random House, Inc.	Books	142.80
Reader's Digest	Subscription	15.98
Run-N-Iron	Police Dept. Supplies	200.00
S & W Auto Parts, Inc.	Central Garage Supplies	474.52
Sav A Lot Discount Foods	Food	10.58
T. O. Haas Tire Co., Inc.	Tire Repair	12.79
TASC	Flex Plan	202.40
Team Detail & Quicklube	Car Washes	40.00
TierOne-Lib. Petty Cash	Postage	9.39
TMS Cleaning	Library Cleaning Service	832.00
Tomasek, Steve	Conference	160.20
U-Save Business Equipment	Office Supplies	199.88
Unique Books, Inc.	Books	1,578.81
Unitech	WWTP Supplies	925.03
Vermeer Equipment of Nebraska	Electric Supplies	44.47
Wal-Mart	Misc. Supplies	455.20
Walling Company, Inc., The	Central Garage Supplies	334.66
Ward Laboratories	Water Test	24.00
Wesco Distribution, Inc.	Electric Supplies	128.40
All Points Cooperative	Fuel	87.50
American Girl	Subscription	22.95
B & D Office City	Office Supplies	10.48
Barmore Drug Store, Inc.	Office Supplies	12.58
Canizalez, Flor M.	Utility Refund	57.18
Case Credit Advantage	Vehicle Repair	253.20
Cash-Wa Distributing	Food & Supplies	1,059.02
Dan's Sanitation	Sanitation Fees	23,711.73

Dawson Pest Control	Building Maintenance	27.00
Demco	Office Supplies	135.36
Eakes Office Products	Office Supplies	21.90
Electric Fixture	Electric Supplies	290.76
Fagot Refrigeration & Electric	Service & Repair	364.19
Farmer Brothers Coffee	Food & Supplies	213.06
Follett Software, Co.	Office Supplies	45.96
Kemps-Gillette	Beverages	170.53
H2O Technical Services, Inc.	Testing Supplies	1,263.26
Health Claims Fund	Claims	7,715.92
Heiman Fire Equipment, Inc.	Supplies	91.90
Hipp Wholesale Foods, Inc.	Food & Supplies	445.45
Husker Ag Sales	Supplies	8.50
Hydro Metering Technology, Inc.	Meter	927.23
Ingram Library Services	Books	554.68
Island Supply Company, The	Street Supplies	3,418.00
Kinder Morgan	Gas Service	3,427.23
Lexington Newspapers, Inc.	Publications	114.60
Lexington, City of	Franchise / Service Fee	44,567.25
Mead/Big Valley Lumber	Library Supplies	7.79
Mid-Nebraska Printing	Office Supplies	4.00
Mid-State Units	Rental	120.00
Municipal Emergency Services	Uniform Expense	1,026.18
National Waterworks	Meters & Supplies	2,431.06
Naumann, Sondra	Cleaning Service	66.00
Nebraska Waste Handlers	Sludge Removal	4,672.00
Neopost, Inc.	Postage	186.18
Pepplitsch, Joe	Conference / Seminars	402.20
S. & W. Auto Parts, Inc.	Supplies	11.09
T. L. Sund Construction, Inc.	CED Project	2,350.40
Teledyne Isco, Inc.	WWTP Supplies	156.40
TierOne-City Petty Cash	Petty Cash / Misc. Expense	49.26
TierOne-Lib. Petty Cash	Postage	9.11
U-Save Business Equipment	Office Supplies	33.50
Wal-Mart	Misc. Supplies	19.15
Zep Manufacturing Co.	Supplies	110.04
	<b>TOTAL</b>	<b>321,873.68</b>

**PUBLIC COMMENT PERIOD:**

There were no public comments.

**DISINFECTION PROJECT:**

Greg Werner, Miller & Associates, presented the February 10, 2006 bid tabulation for the Municipal Ultraviolet Disinfection Facility Project, and recommended approval of the low bid for August 2006 completion.

Following discussion, moved by Fagot, seconded by Miller to accept bids, award contract for the Municipal Ultraviolet Disinfection Facility Project to Ericksen Construction Co. for August 2006 completion in the amount of \$764,000.00, and authorize execution of contract documents. Roll Call. Voting "aye" were Tomasek, Bennett, Miller, Fagot, Cook. Motion carried.

**HAZARD MITIGATION:**

Mayor Cook opened the public hearing to consider the final draft of the All Hazards Mitigation Plan 2006 for the City of Lexington, which was completed by the Nebraska Department of Natural Resources. Following a brief overview of the Plan and discussion, Mayor Cook closed the public hearing. Resolution No. 06-06 was read for approval. Moved by Miller, seconded by Bennett to approve Resolution No. 06-06. Roll call. Voting "aye" were Tomasek, Fagot, Bennett, Miller, Cook. Motion Carried.

RESOLUTION NO. 06-06

WHEREAS, a study was prepared by the Nebraska Department of Natural Resources for the City of Lexington, and

WHEREAS, the purpose of the study was to prepare an all-hazards mitigation plan which establishes the framework and also a process to implement and review the plan to reduce hazards as conditions change, and

WHEREAS, a complete mitigation plan shows that a community is addressing its hazards and qualifies the community for assistance from federal and state agencies.

NOW, THEREFORE, the governing body of the City of Lexington, Dawson County, does herewith adopt the All-Hazards Mitigation Plan, a copy of which is marked "Exhibit A" and attached hereto and made a part thereof by reference.

PASSED AND APPROVED this 28<sup>th</sup> day of February, 2006

Ted Cook, Mayor

ATTEST:

Joe Peplitsch, City Clerk

**ONE AND SIX YEAR STREET IMPROVEMENT PLAN:**

Mayor Cook opened the public hearing for the 2006 One and Six Year Street Improvement Plan. Dana Daniels, Miller & Associates, gave an overview of the proposed plan. Following discussion, Mayor Cook closed the public hearing. Resolution No. 06-07 was read for approval. Moved by Fagot, seconded by Miller to approve Resolution No. 06-07. Roll call. Voting "aye" were Tomasek, Bennett, Miller, Fagot, Cook. Motion Carried.

RESOLUTION NO. 06-07

BE IT RESOLVED by the City Council of Lexington, Nebraska that the attached One- and Six-Year Street Improvement Programs are

hereby adopted by said Mayor and City Council. The Lexington City Council states that Notice of Public Hearing was posted in the following five public places:

City Municipal Building  
Dawson County Courthouse  
Plum Creek Bank  
United Nebraska Bank  
Pinnacle Bank

PASSED AND APPROVED this 28<sup>th</sup>, day of February, 2006.

Ted Cook, Mayor

ATTEST:

Joe Peplitsch, City Clerk

**PAVING DISTRICT:**

Peplitsch presented an overview of a street improvement project for Council consideration. The project would involve the asphalt paving of West Elm Street from Adams to Ontario, Ontario Street from Elm to Vine, and Vine Street from Adams to the Community Service Building entrance. Peplitsch indicated that this project is included in the 1&6 Year plan, it is budgeted for the current fiscal year, and Staff will meet with the impacted property owners to further discuss the project. Following discussion, an Ordinance entitled "AN ORDINANCE CREATING IMPROVEMENT DISTRICT NO. 06-01, PROVIDING FOR GRADING, CONCRETE or ASPHALT PAVING, CURB AND GUTTER, AND DRAINAGE THEREIN, AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM" was read before the Council. Moved by Fagot, seconded by Tomasek to suspend the rules requiring the reading of said ordinance on three separate dates. Roll call. Voting "aye" were Bennett, Miller, Tomasek, Fagot, Cook. Motion carried.

Said Ordinance was read by title. Moved by Fagot, seconded by Miller, to approve Ordinance No. 2210 on Final Reading. Roll call. Voting "aye" were Tomasek, Bennett, Miller, Fagot, Cook. Motion carried.

**CDBG ADMINISTRATION:**

Peplitsch indicated that the City was in the need of grant administration services for current and future CDBG supported projects. Peplitsch had solicited proposals for such services and is requesting Council authorization to procure those services by contract. Following discussion, moved by Cook, seconded by Miller to authorize the City Manager to enter into agreement with Dawson County Area Economic Development Council for CDBG grant administration services. Roll call. Voting "aye" were Bennett, Tomasek, Fagot, Bennett, Cook. Motion carried.

**FINANCIAL REPORT:**

Peplitsch requested Council's acceptance of the Financial Report for January 2006. Following discussion, moved by Tomasek, seconded by Bennett to accept the Financial Report for January 2006. Roll call. Voting "aye" were Fagot, Miller, Bennett, Tomasek, Cook. Motion carried.

**EXECUTIVE SESSION:**

Moved by Tomasek, seconded by Bennett, to enter into executive session at 7:55 p.m. for the purpose of discussing purchase of land. Roll call. Voting "aye" were Miller, Fagot, Bennett, Tomasek, Cook. Motion carried.

Moved by Tomasek, seconded by Bennett, to reconvene regular session from executive session at 8:55 p.m. Roll call. Voting "aye" were Fagot, Miller, Bennett, Tomasek, Cook. Motion carried.

**ROUNDTABLE  
DISCUSSION:**

Miller requested that the Council receive an overview of the current emergency operations plan. Fagot indicated that the Fire Department has discussed reviewing the plan for their new membership. Peplitsch indicated he would organize an informational/educational session for all City departments.

**ADJOURNMENT:**

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

Ted Cook  
Mayor

Joe Peplitsch  
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.

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City Clerk