

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, December 23, 2008, at the Lexington Municipal Building, located at 406 E. 7<sup>th</sup> Street, Lexington, Nebraska at 5:30 p.m. Members of the Council present were Mayor John Fagot, Steve Tomasek, and Joni Bennett. Linda Miller arrived at 5:40 p.m. Council member John Salem was absent. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Will Weinhold, and Deputy City Clerk Pamela Berke. The press was represented by the Lexington Clipper-Herald and Kearney Hub. Paul St. John and Dick Helvey 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. 7<sup>th</sup> Street, Lexington, Nebraska.

**MINUTES – REGULAR MEETING 12-9-08** Minutes of the Regular meeting held Tuesday, December 9, 2008, were presented for Council approval. Moved by Bennett, seconded by Tomasek, to approve Minutes as presented. Roll Call. Voting “aye” were Tomasek, Bennett, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$430,899.22 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Tomasek, seconded by Bennett, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$170,997.03 from the General Fund, \$201,227.46 from LEXUS, \$28,000.65 from Sanitation, \$333.00 from Ambulance Fund, \$26,761.00 from Health Fund, and \$3,580.08 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Salem, Miller, Tomasek, Bennett, Fagot. Motion carried.

**CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
December 23, 2008**

AFLAC	Premium	890.56
Alltel	Cellphone Service	52.10
America's Test Kitchen	Book	30.90
Anderson Graphics	Lib. Supplies	26.25
Barmore Drug Store, Inc.	Lib. Supplies	69.97
Bennett Advertising Specialties	Envelopes	919.00
Business Card	Supplies/Conference	2,392.70
Card Center/Orscheln	PK/WWTP/Cem. Supplies	561.16
Case Credit Advantage	WR/WWTP Supplies	104.60
Cash-Wa Distributing	Food & Supplies	1,140.63
Central Garage Fund	Repair	4,914.39

Central States Group	WWTP Supplies	68.97
Certified Laboratories	Central Garage Supplies	245.00
Dawson County Clerk	Dispatch Fee	25,000.00
Dawson County Handibus	Transportation	46.00
Dawson County Treasurer Personal	Property Tax/Drainage Tax	253.40
Dawson Public Power District	Power Purchase	5,873.25
Downey Drilling, Inc.	Service	136.30
Eakes Office Plus	Supplies	285.95
Ecolab	WWTP Supplies	1,120.28
EDM Publishers, Inc.	Book	98.78
Electric Fixture	WWTP/ST/PK Supplies	87.39
Fastenal	WWTP Supplies	19.80
Fisher Scientific	WWTP Supplies	233.59
Gale Group, The	Books	130.05
Gumdrop Books	Books	773.99
Hach Company	WWTP Supplies	32.13
HD Supply Waterworks	WR Supplies	2,167.72
Health Claims Fund	Claims	13,772.90
Holbein, Dahlas	Maint. & Cleaning	1,000.00
Home Accents	Fire Dept. Supplies	380.00
HTM Sales, Inc.	WWTP Supplies	343.18
Ingram Library Services	Books	283.58
Keim, Bob	Freon Removal	150.00
Kully Pipe And Steel Supply	Secondary Digester Supplies	9,151.06
Ladies' Home Journal	Subscription	16.97
Lexington Health Fund	Self-Funding	32,537.08
Lexington Newspapers, Inc.	Publications	47.85
Payroll	Wages	97,922.74
Social Security	Employer Portion / FICA Med	7,285.06
First National Bank	Employer Portion / Pension	3,263.80
First National Bank	Police Pension	1,508.77
ICMA	City Manager Pension	399.23
Lien Lawn Services	PK Supplies	68.75
Linda's Stitches & Creations	Bldg./Inspection Supplies	8.00
Linweld	Ambulance Supplies	113.00
Martin Electric	Repair	54.78
Mead Lumber & Rental-Lexington	WWTP/CEM./PK/WR Supplies	961.03
Michael Todd & Company, Inc.	ST Supplies	103.63
Miller & Associates	Hike-Bike Trail	4,948.33
National Wildlife Federation	Subscriptions	39.90
NE Law Enforcement Training	Seminar	15.00
NE Public Health Environmental Lab	WR Testing	160.00
Nebraska Rural Water Association	Seminar	50.00
North Platte Telegraph, The	Subscription	146.00
Overton Community Center	Meals On Wheels	100.00
Overton Sand & Gravel	Limestone	142.61
Oxmoor House	Book	33.91
Paulsen Inc.	Concrete/Limestone	1,246.19
Pinnacle Agency, The	Premium	214.00
Platte Valley Communication	Service	90.00
Plum Creek Market Place	Food	19.95
Roberts Dairy Company	Beverages	118.39
S & W Auto Parts, Inc.	WR Supplies	49.31
Service Master Mid Nebraska	Library/GGC Cleaning Service	2,207.50
Steve's Lock & Key	PK Supplies	5.67
T.L. Sund Constructors, Inc.	Hike-Bike Trail	500.00
T. O. Haas Tire Co., Inc.	Repair	14.75

Thompson Co., The	Food	579.30
TierOne-Lib. Petty Cash	Postage/Supplies	51.22
U-Save Business Equipment	Postage/Supplies	372.39
Wal-Mart	Supplies	701.56
Wesco Distribution, Inc.	PK Supplies	739.00
Alltel	Cellphone Service	98.14
B & D Office City	Supplies	139.14
Cash-Wa Distributing	Food & Supplies	615.86
Creative Forecasting, Inc.	Subscription	60.00
Dan's Sanitation	Sanitation Fees	28,000.65
Davis Energy, Inc.	Fuel	3,184.71
Demco	Lib. Supplies	44.74
Eakes Office Plus	Lib. Supplies	157.98
Electric Fixture	WR/WWTP Supplies	563.23
Gale Group, The	Books	123.80
Galvan, Celina	Electric Rebate	200.00
Health Claims Fund	Claims	12,097.54
Lexington Boy Scout Troop #88	Recycling	33.19
Lexington Boy Scout Troop #144	Recycling	33.19
Lexington Girl Scouts	Recycling	66.37
Lexington Newspapers, Inc.	Publication	243.36
Lexington Truck & Auto	Central Garage Supplies	175.00
Lexington, City of	Franchise Fees	53,400.84
Lexington Utilities System	Utilities	30,668.76
Mead Lumber & Rental-Lexington	WR Supplies	14.97
Morris Press	Lib. Supplies	21.25
Naumann, Sondra	Cleaning Service	87.00
NE Economic Developers Assn	Membership Dues	75.00
Nebraska Machinery, Inc.	Central Garage Supplies	28.20
Nebraska Public Power District	O & M	67,000.00
Peak Interests LLC	Food	49.47
Plum Creek Cleaners	Supplies	144.50
Plum Creek Market Place	Food & Supplies	32.18
Roberts Dairy Company	Beverages	73.04
Rodale, Inc.	Book	50.90
Roper's Radiator Service, Inc.	Central Garage Supplies	45.00
S & W Auto Parts, Inc.	Central Garage Supplies	819.52
Saenz, Gryselda	Electric Rebate	1,175.00
Service Master Mid Nebraska	Cleaning Service	78.75
Smith, Terry	GGC Floor Repair	257.00
Source Gas, LLC	Gas Service	60.12
Thompson Company, The	Food & Supplies	564.88
Thomsen, Kathy	Travel Expense	18.14
TierOne-Lib. Petty Cash	Postage	19.93
U-Save Business Equipment	Supplies	79.54
Utility Equipment	WR Supplies	587.39
Wal-Mart	Supplies	119.69
	<b>TOTAL CLAIMS:</b>	<b>430,899.22</b>

**ANNUAL APPTS:**

Mayor Fagot requested approval of appointment to the following boards and commissions:

- Board of Adjustment – John Knapple; Leo Gonzalez; Rod Ziegler (alternate).
- Planning Commission – Rusty Sutton; Nancy Evans; Doug Heineman

- Housing Authority – Vance Bricker
- Tree Board – Dave Stenberg

Pepplitsch requested approval of reappointments to the following boards:

- Civil Service Commission – Ted Harvey
- Community Redevelopment Authority – Steve Smith

Dick Helvey spoke on his service on the Lexington Housing Authority and requested to be reappointed to the board. Following his comments, Fagot again thanked him for his years of service.

Moved by Tomasek, seconded by Bennett, to approve the slate of appointments as presented. Roll call. Voting “aye” were Miller, Bennett, Tomasek, Fagot. Motion carried.

**HWY 293 PROJECT:**

Pepplitsch outlined a project agreement between NDOR and the City for road improvements to Highway 283 from Ash Street to Jefferson Street. Following the project review, Resolution 08-25 was read. Moved by Miller, seconded by Tomasek, to approve Resolution 08-25 as presented. Roll call. Voting “aye” were Bennett, Tomasek, Miller, Fagot. Motion carried.

**RESOLUTION NO 08-25**

WHEREAS: The City of Lexington desires to enter into an Agreement with the State of Nebraska Department of Roads, to proceed with construction of Project No. STP-283-2(102), Improve Highway US-283 in Lexington, Control No. 61433;

NOW BE IT RESOLVED by the City Council, City of Lexington, Nebraska, that the Agreement for the above described Project, attached hereto, is hereby approved, and that John Fagot, as President of the Council, is hereby directed and authorized to sign said Agreement on behalf of the City of Lexington, Nebraska.

PASSED AND APPROVED this 23rd day of December, 2008.

CITY OF LEXINGTON, NEBRASKA

John Fagot, President of the Council

ATTEST: Pamela Berke, Deputy City Clerk

**FINANCIAL REPORTS:**

Pepplitsch presented the Financial Report for October 2008 for Council consideration. Moved by Miller, seconded by Bennett, to accept the financial report as presented. Roll call. Voting “aye” were Tomasek, Bennett, Miller, Fagot. Motion carried.

Pepplitsch presented the Financial Report for November 2008 for Council consideration. Moved by Miller, seconded by Tomasek, to accept the financial report as presented. Roll call. Voting “aye” were Bennett, Tomasek, Miller, Fagot. Motion carried.

**MEETING DATE:**

Pepplitsch requested Council consideration of setting a date for a planning session to discuss several current and future projects. Following discussion, moved by Tomasek, seconded by Miller, to set a council planning session for

Saturday, January 10, 2009, at 8 a.m. Roll call. Voting "aye" were Bennett, Miller, Tomasek, Fagot. Motion carried.

**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.

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Deputy City Clerk