## CITY OF LEXINGTON LEXINGTON, NEBRASKA

A Regular Meeting of the Lexington City Council was held Tuesday, May 10, 2011, 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 John Fagot, Steve Tomasek, Linda Miller and John Salem. Councilmember Joni Bennett was absent. City Officials present were City Manager Joe Pepplitsch, Assistant City Manager Dennis Burnside, City Attorney Will Weinhold, Building Inspection Bill Brecks, Finance Director Barb Hodges, and Deputy City Clerk Pamela Berke. The press was represented by the Lexington Clipper-Herald and Kearney Hub. Also present were Yanet Ibarra, Raul Contreras, Ruben Lopez-Razo, Clemente Gonzalez, Angel Murillo, Gaspar Ajiatal, Guillermo Escobar, Karl and Patsy Lowry, and other interested citizens.

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 4-26-2011	Minutes of the Regular meeting held Tuesday, April 26, 2011, were presented for Council approval. Moved by Salem, seconded by Miller, to approve Minutes as presented. Roll Call. Voting "aye" were Tomasek, Miller, Salem, Fagot. Motion carried.
MINUTES – SPECIAL MEETING 4-29-2011	Minutes of the Special meeting held Tuesday, April 29, 2011, were presented for Council approval. Moved by Miller, seconded by Tomasek, to approve Minutes as presented. Roll call. Voting "aye" were Salem, Tomasek, Miller, Fagot. Motion carried.
CLAIMS & BILLS:	Claims and Bills in the amount of \$1,332,011.25 were presented for Council's consideration and approval. Upon review of the Claims and Bills as listed, moved by Tomasek, seconded by Salem, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$213,584.38 from the General Fund, \$12,500.01 from ED Reuse, \$1,072,075.11 from LEXUS, \$10,000.00 from Sanitation, \$2,875.60 from Ambulance Fund, \$15,870.49 from Health Fund, and \$5,105.66 from Meals on Wheels to the City of Lexington's Operating Account. Roll call. Voting "aye" were Miller, Salem, Tomasek, Fagot. Motion carried.
	ACCOUNTS PAYABLE

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May 10, 2011

Alamar Uniform Co.	Police Uniform Expense		152.68
All Points Cooperative	Fuel / Fertilizer		4,599.74
Ameri-Kart Corporation	PK Supplies		115.33
Anderson Graphics Arrow Seed Company, Inc. PK / Co	Library Service	278.32	84.65
Associated Pool Builders, Inc.	Aquatic Center Maint. & Repair		9,117.72
Awards Plus	Fire Supplies		60.00
Barco Municipal Products	WR Supplies		234.57

Beringer, Ciaccio, Dennell, Mabrey	DCOC-Phase III Service		4,973.23
Cash-Wa Distributing	Srv Bldg/DCOC/GGC Supplies & Fo	ood	2,374.51
Central Garage Fund	Fuel		12,472.96
Central Tire & Tread, Inc.	WWTP Tires / Repair		205.02
CocaCola/Dr Pepper Bottling Krny	Rec/GGC Beverages		829.60
Commercial Maint Chemical Corp	WWTP Supplies		833.86
Country Sampler	Library Subscription		18.00
Culligan Water Conditioning Co.	Soft Water Supplies		216.21
Dan's Sanitation	Sanitation Fees		13,168.36
Davis Energy, Inc. Fuel		5,129.50	
Dawson County Register of Deeds	Filing Fees		32.00
Dawson Pest Control	GGC Service		36.75
Eakes Office Plus	Library / Serv Bldg Supplies		154.99
EMS Billing Services, Inc.	Ambulance Service		1,829.94
Farm Plan	Central Garage Supplies / PK Equipm	nent	983.62
Fastenal	PK / Cem Supplies		83.67
Gale Group, The	Library Books		151.15
Galls	Police Uniform Expense		187.88
HD Supply Waterworks	WR Meter Supplies		19,242.12
Health Claims Fund	Claims		11,638.96
Heiman Fire Equipment, Inc.	Fire Supplies		487.35
Holbein, Dahlas D.	Lawn Care		385.00
International City Management Assn	Membership Dues	1,283.20	
		1,205.20	411.86
Ingram Library Services	Library Books	a .	
Jones Plumbing & Heating, Inc.	Muni Bldg/ WR/WWTP Supplies &	Service	1,316.99
K-Lawn	Fertilizer / Insecticide Application		56.85
Kelly Supply Company	WWTP Supplies		130.66
Knapp Electric, Inc.	WWTP Pump Rebuild		1,375.00
Kratzer Electric, Inc.	Scoreboard Repair	170.68	
Lawson Products, Inc.	ST Supplies		177.23
Lexington Animal Clinic	Animal Care		955.40
LASWA	Landfill		1,268.28
Lexington Health Fund	Self-Funding		32,735.51
Lexington Newspapers, Inc. Publicati		221.37	- ,
Lexington Postmaster	GGC Postage		150.00
Lexington, City of	Franchise Fees		58.50
Payroll			
-	Wages		107,276.33
Social Security	Employer Portion / FICA Med	2 500 20	7,871.52
First National Bank	Employer Portion / Pension	3,580.20	
First National Bank	Police Pension		1,682.63
ICMA	City Manager Pension		433.84
Lincoln Winwater Works	Meter Supplies		2,703.46
Matheson Tri-Gas, Inc.	Ambulance Supplies		70.00
Matt Parrott and Sons Co.	Business Office Supplies		236.64
Mead Lumber & Rental-Lexington	Muni Bldg/Bldg Insp/PK/ST/Fire Su	pplies	525.65
Menards-Kearney WR Sup		359.64	
Meritain Health	Health Premium		23,450.63
MicoMarketing, LLC	Library CD Books	305.85	20,100100
Mid-State Units	Rental	505.05	895.00
Midland Scientific, Inc.	WWTP Supplies		259.46
Midwest Door and Hardware	Muni Bldg Doors		563.00
Moore Medical LLC	Ambulance Supplies		790.45
Morris Press	GGC Service		77.87
Municipal Pipe Services, Inc.	WR Supplies		1,000.00
Municipal Supply Co.	WR Meter Supplies		4,601.85
National Geographic En Espanol	Library Subscription		32.00
Nebraska Public Power District	O & M		65,500.00
Nebraska Public Power District	Power Purchase		825,278.67
Overton Sand & Gravel	Road Gravel		418.01
Paulsen, Inc.	Concrete	175.48	

Peak Interests I.I.C Food 28.00 Planc Yaley Communications Kry Maintenance/UTL Office Phone/WR Repit 769.92 Plum Creek Cleaners N Supplies 230.50 Plum Creek Market Place GC Food 18.88 Principal Dental Premium 1,781.20 Rand Materials Handling ST Supplies 446.85 Rassmussen Mechanical Service Library Maintenance Contract 1,157.50 Roberts Dairy Company Beverages 232.04 Rodale Library Book 39.94 Rum-N-Iron Police Supplies 40.00 S & W Auto Pars, Inc. WR / Fire / WWTP Supplies 40.00 S & W Auto Pars, Inc. WR / Fire / WWTP Supplies 140.95 Service Master Mid Nebraska Cleaning Service 2,124.12 Strchie Finger Print Lab Police Supplies 106.75 Sow, Brian Police Cunform Expense 148.65 Source Gas, LLC G Gas Service 7,41.39 Statewide Collections, LLC Collection Fees 242.78 Summit Supply Corporation Table Frames - PK Supplies 3,440.25 T. O. Haas Tire Co., Inc. Repair 40.09 Tagge, Darold ST Contractual Expense 115.00 U-Save Business Equipment Muni Bldg / Rec Supplies 122.09 Village Uniform GCC Supplies 15.00 U-Save Business Equipment Muni Bldg / Rec Supplies 15.00 U-Save Business Equipment Muni Bldg / Rec Supplies 15.00 Village Uniform GCC Supplies 133.125 Willard Weinhold Law Offices Downtown Revitalization - Hea Pump 6,975.00 Cash-Wa Distributing Food & Supplies 14.331.25 Willard Weinhold Law Offices Downtown Revitalization - Hea Pump 6,975.00 Cash-Wa Distributing Food & Supplies 345.67 FyR-TEK Fire Dept Supplies 345.67 FyR-TEK Fire Dept Supplies 345.67 FyR-TEK Fire Dept Supplies 345.67 Gale Group, The Library Supplies 345.67 FyR-TEK Fire Dept Suppl				
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Wal-Mart	Supplies	135.54
Weathercraft Companies, Inc.	Muni Bldg Repair	522.74

## TOTAL CLAIMS:

1,332,011.25

ASSESSMENTS:	Mayor Fagot opened a public hearing for the Council to sit as a Board of Equalization to consider an assessment schedule for Street Improvement District 09-02. Yanet Ibarra was present to interpret. Pepplitsch reminded Council and the public of the process to establish the improvement district in 2009 and reviewed the history of the paving project. Pepplitsch reviewed the assessment schedule and discussed the project costs the City assumed due to higher than estimated asphalt material prices. According to Burnside, property owners were assessed \$58.64 per frontage foot. Through Ms. Ibarra, several property owners addressed Council and Staff with questions related to payment schedules, notification process, and assessed amounts. Following questions and comments, the public hearing was closed.
ORDINANCE:	Ordinance No. 2297 entitled "AN ORDINANCE LEVYING A SPECIAL ASSESSMENT UPON THE LOTS, PARTS OF LOTS, LANDS AND REAL ESTATE SPECIALLY BENEFITED BY THE IMPROVEMENTS IN IMPROVEMENT DISTRICT 09-02, OF THE CITY OF LEXINGTON, NEBRASKA; TO DEFRAY THE COSTS OF SAID IMPROVEMENTS TO THE EXTENT OF THE SPECIAL BENEFIT TO SUCH LOTS, PARTS OF LOTS, LANDS AND REAL ESTATE BY REASON OF SUCH IMPROVEMENTS AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM" was read. Moved by Salem, seconded by Tomasek, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting "aye" were Miller, Tomasek, Salem, Fagot. Motion carried.

Ordinance No. 2297 was read on final reading. Moved by Salem, seconded by Miller, to approve Ordinance No. 2297 on final reading. Roll call. Voting "aye" were Tomasek, Miller, Salem, Fagot. Motion carried.

**SUBDIVISION PLAT:** Pepplitsch presented a subdivision request to replat a portion of the Northwest Third Addition to become the Northwest Fourth Addition. He explained the property in the Northwest Third Addition that was planned for 55+ housing development is undersized; therefore this replat is being proposed to increase the project area from 7.24 acres to 11.54 acres. A conceptual layout of the 55+ housing project was reviewed. The replat will eliminate 14 single family lots and a 600 foot public street; however, more housing units will be able to be accommodated with the change. He noted that the Planning Commission has reviewed the issue and recommended approval. Following discussion, Resolution No. 2011-18 was read. Moved by Miller, seconded by Tomasek, to approve Resolution No. 2011-18. Roll call. Voting "aye" were Salem, Tomasek, Miller, Fagot. Motion carried.

## RESOLUTION NO. 2011-18 NORTHWEST FOURTH ADDITION

A Replat of Vacated lots 8-14, Block Six; Vacated lots 1-7, Block Seven; Vacated Freedom Lane as it abuts Blocks Six and Seven; and Vacated Block Eight, all in Northwest Third Addition to the City of Lexington, Dawson County, Nebraska;

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

The plat of NORTHWEST FOURTH ADDITION, an addition to the City of Lexington, Dawson County, Nebraska, duly made out, acknowledged and certified, and the same hereby is approved, accepted and ordered filed and recorded in the office of the Register of Deeds of Dawson County, Nebraska.

	PASSED AND APPROVED this 10th day of May, 2011.
	CITY OF LEXINGTON, NEBRASKA
	BY: John Fagot, Mayor
	ATTEST: Pamela Berke, Deputy City Clerk
PAY REQUEST:	Pepplitsch reviewed Pay Request #1 from Central Contracting in the amount of \$155,321.10 for the Dawson County Opportunity Center Phase 3 project, and gave a project update. Moved by Miller, seconded by Salem, to approve Pay Request #1 as presented. Roll call. Voting "aye" were Tomasek, Salem, Miller, Fagot. Motion carried.
ROUNDTABLE:	Pepplitsch requested agenda topics for the Planning Session scheduled for Saturday, May 21, 2011.
	Burnside noted that work has started on the Frontier Street intersection project with a mid-July completion date anticipated. He also reported that a public open house for the 13 <sup>th</sup> Street project is scheduled for Wednesday, May 18, 2011 at the Lexington Public Library, as construction is anticipated to start the first full week of June.
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 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