

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, January 10, 2012, 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, Joni Bennett, Linda Miller, and John Salem. 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, Kearney Hub, and Lexington Clipper-Herald. Scott Kleebe, Toby Owens and Connie Bennett 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 12-27-2011** Minutes of the Regular meeting held Tuesday, December 27, 2011, were presented for Council approval. Moved by Salem, seconded by Miller, to approve Minutes as presented. Roll Call. Voting “aye” were Bennett, Tomasek, Miller, Salem, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$1,700,261.64 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 \$389,732.28 from the General Fund, \$4,166.67 from ED Reuse, \$1,269,489.84 from LEXUS, \$10,000.00 from Sanitation, \$1,425.50 from Landfill, \$5,220.19 from Ambulance Fund, \$12,907.49 from Health Fund, and \$7,319.67 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Miller, Salem, Tomasek, Bennett, Fagot. Motion carried.

CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
January 10, 2012

Alamar Uniform Co.	Police Uniform Expense	238.57
Allied Systems, Inc.	Install Pump-WWTP	998.00
Anderson Graphics	Library Service	67.50
Area Services	SW Service	177.50
Assembly of God Campground	EL Rebates	5,330.00
B & D Office City	Police Supplies	40.70
Best Books Inc.	Library Books	168.24
Business Card	Business Office Supplies	57.74
Cash-Wa Distributing	Food & Supplies	1,343.78
Central Garage Fund	Fuel	9,948.32
Chemsearch	WWTP Supplies	307.44
Coca-Cola/Dr Pepper Bottling of Kearney	Beverages	40.00

Contryman Associates, P.C.	Audit Fees	22,000.00
Cornhusker Energy Lexington, LLC	EL Incentive Program	9,000.00
Cozad Services, Inc.	Service Bldg Heater Repair	73.00
Crafts'N Things	Library Subscription	24.99
Culligan Water Conditioning Co.	Soft Water Supplies	197.91
Dan's Sanitation	Sanitation Fees	12,727.48
Davis Energy, Inc.	Fuel	3,573.24
Dawson Area Development	New Neighborhood Initiative / DTR	9,000.00
Dawson County Clerk	Dispatch Fees	25,000.00
Dawson County Transit Bus	Transportation	40.00
Dawson Pest Control	GGC / DC Opportunity Center Service	217.35
Dutton-Lainson Company	EL Supplies	637.65
Eakes Office Plus	Library Supplies	47.92
Ed M. Feld Equipment Co., Inc.	Ambulance Supplies	57.97
Eilers Machine & Welding, Inc.	WWTP Repairs	349.64
Fagot Refrigeration & Electric, Inc.	Aquatic Center-Replace WR Heater	3,898.00
Fastenal	WWTP Supplies	23.69
Fox Bros. Hay Co., Inc.	Wood Grinding	3,184.30
Gale Group, The	Library Books	63.75
Galls	Police Supplies / Uniform Expense	289.93
Hach Company	WWTP Testing Supplies	824.30
HD Supply Waterworks	WR Supplies	79.41
Health Claims Fund	Claims	10,179.99
Holbein, Dahlas D.	Snow Removal	445.00
Holmes Plbg & Htg Supply Co.	Lift Station Supplies	1,098.30
Homestead Bank	Wightman Land Pmt	45,133.48
Hunt Cleaners, Inc.	Gloves	27.07
Huskers Illustrated	Library Subscription	59.95
Ingram Library Services	Library Books	242.75
Intellicom Computer Consulting	Server Equipment / Service	318.40
Jim Phillips Const.	House Demolition / Clean-up	4,500.00
JK Energy Consulting, LLC	Update 2012 Rate Schedule	450.00
Jones Plumbing & Heating, Inc.	Police/Svc Bldg Svc/WR/SW Supplies	1,886.39
Kelly Supply Company	WWTP Supplies	252.91
Kratzer Electric, Inc.	Lift Station Repair	60.00
Lexington Animal Clinic	Animal Care	695.90
Lexington Health Fund	Self-Funding	33,080.08
Lexington Newspapers, Inc.	Publications	619.68
Lexington Postmaster	GGC Postage	150.00
Lexington Regional Health Center	Wellness	168.00
Lexington Utilities System	Utilities	45,277.92
Lexington, City of	Franchise Fees	11,857.46
Mac's Short Stop	EL Rebate	600.00
Margritz, Dwayne	EL Rebate	1,100.00
Matheson Tri-Gas Inc.	Ambulance Supplies	74.00
McCookNet Internet Service	Service	139.00
Mead Lumber & Rental-Lexington	ST / EL Supplies	68.85
Meritain Health	Health Premium	23,919.54
Municipal Emergency Services, Inc.	Fire Dept Supplies	91.77
MicroMarketing, LLC	Library Books	389.33
Midland Scientific, Inc.	Testing Supplies	607.94
Milco Environmental Services	Stormwr Pollution Prevention Plan-WWTP	2,000.00
Morris Press	GGC Service	73.00
Municipal Automation & Control	WWTP Supplies	286.59
Municipal Supply	WR Supplies	1,215.25
NADA Used Car Guide	Library Subscription	98.00
Nebraska Planning & Zoning Association	Membership Dues	40.00

Nebraska Public Power District	O & M	65,000.00
Nebraska Public Power District	Power Purchase	977,255.14
Nebraska Safety Council	Membership Dues	330.00
NFPA	Membership Dues	165.00
Platte Valley Communications of Kearney	Radio/Camera Rep/Monthly Maintenance	478.50
Plum Creek Market Place	Food & Supplies	91.15
Pony Express Chevrolet	Vehicle Repair	321.02
Principal	Dental Premium	1,860.56
Quick Quilts	Library Subscription	35.98
Randy's Body Shop	Towing Expense	200.00
Resource Management Co., Inc.	Haul Tires	258.75
Roberts Dairy Company	Beverages / Food	257.04
Service Master Mid Nebraska	Cleaning Service	4,192.87
Sign Pro	Service Bldg Supplies	30.00
Source Gas, LLC	Gas Service	6,908.56
Subway @ Wal-Mart	Meals	41.37
T. O. Haas Tire Co., Inc.	Tire Repair	117.70
Thalman, Julie	Cleaning Service	160.00
Thomas Bouregy & Company, Inc.	Library Books	139.50
Thompson Co., The	Food	372.58
U-Save Business Equipment	Postage/Police/Bldg Insp/Library Supplies	156.12
Univar USA, Inc.	Caustic Soda	8,692.67
Village Uniform	GGC Supplies	38.90
Vision Internet Providers, Inc.	Monthly Hosting Fees	210.00
Wal-Mart	Supplies	213.56
Ward Laboratories, Inc.	WR Testing	45.00
Annie's Attic Books	Library Book	20.94
Auto-Graphics, Inc.	Library Software Support	1,900.00
B & D Office City	Police Supplies	22.99
Cash-Wa Distributing	Food & Supplies	1,626.43
Central Garage Fund	Service / Repair	14,436.34
Certified Laboratories	Central Garage Supplies	381.95
Davis Energy, Inc.	Oil	2,909.50
Dawson County Register of Deeds	Filing Fees	25.50
Dawson Public Power District	Power Purchase	730.44
Demco, Inc.	Library Supplies	76.89
Eakes Office Plus	Library Supplies	112.13
Eilers Machine & Welding, Inc.	Central Garage Supplies	13.65
EMS Billing Services, Inc.	Ambulance Service	1,410.36
Environmental Systems Research Inst.	GSI Server / Maintenance Fees	3,000.00
Eustis Body Shop, Inc.	Towing Expense / Vehicle Repair	1,174.80
Galls	Police Supplies	139.99
Great Plains One-Call Service	Locates	42.06
Health Claims Fund	Claims	866.94
Homestead Bank	ST Imp District 09-02	55,535.04
Image Trend, Inc.	Ambulance Software Support	750.00
Ingram Library Services	Library Books	298.69
Intellicom Computer Consulting	Server Equipment	10,824.60
Jones Plumbing & Heating, Inc.	Fire Dept Supplies	258.00
K. R. V. N. Radio	Advertisements	80.00
Lexington Area Solid Waste Agency	Landfill	502.56
Lexington Volunteer Fire Dept.	Ambulance Fees	2,324.16
Lexington, City of	UTL Portion Server Equipment	8,659.68
Payroll	Wages	112,407.10
Social Security	Employer Portion / FICA Med	8,247.98
First National Bank	Employer Portion / Pension	3,682.06
First National Bank	Police Pension	1,850.59

ICMA	City Manager Pension	454.62
Martin Electric, Inc.	Fire Dept Supplies	9.20
Matt Friend Truck Equipment	Central Garage Supplies	868.00
Mid-State Units	Rental	80.00
Midwest Laboratories, Inc.	Landfill / WWTP Testing	2,247.60
Moore Medical LLC	Ambulance Supplies	603.70
Nebraska Dept. of Economic Development	Mid Plains CDBG Pmt	4,166.67
Nebraska Public Health Environmental Lab	WR Testing	266.00
Nebraska Department of Revenue	Sales & Use Tax	51,521.48
Nebraska Machinery	Central Garage / Loader Supplies	2,178.92
Nebraska Tech & Telecomm, Inc.	Telephone Service	388.58
Oliver Consulting Services, Inc.	Library Computer / Software Installation	4,463.00
Paulsen, Inc.	Concrete	87.00
Plum Creek Cleaners	Rug Service	294.00
Plum Creek Market Place	Food	11.88
Plum Creek Promotions	GGC Shirts	126.00
Presto-X	Fire Dept Service	83.00
Roberts Dairy Company	Food & Beverages	451.35
S & W Auto Parts, Inc.	Central Garage / WR Supplies	2,883.91
T. O. Haas Tire Co., Inc.	Tire / Repair	468.99
Thompson Co., The	Food & Supplies	1,881.63
Utility Service Co., Inc.	WR Towers Maintenance	26,211.04
Wal-Mart	Supplies	136.02
Winter Equipment Company	Central Garage Supplies	1,260.84
	<b>TOTAL CLAIMS:</b>	<b>1,700,261.64</b>

**ENERGY EFFICIENCY SVCS:** Scott Kleeb, Energy Pioneer Solutions, Inc., appeared before the Council to answer any questions regarding a draft agreement with the City to provide residential energy efficiency services to utility customers in Lexington. Council members questioned the need to use the city utility billing system, how this may affect businesses with similar services, financing arrangements, energy conservation and community impact. Peplitsch noted that the agreement has a 3 year term with a goal to assist in improving 500 homes. Following discussion, moved to Miller, seconded by Tomasek, to enter into an agreement with Energy Pioneer Solutions Inc. Roll call. Voting “aye” were Bennett, Tomasek, Miller. Voting “nay” were Salem, Fagot. Motion carries.

**AGREEMENT:** Peplitsch requested Council approval an agreement for engineering services for the 2012 Municipal WWTF Improvements project. The agreement with Miller and Associates would allow for a preliminary engineering report, design, construction oversight and closeout. Following discussion, moved by Miller, seconded by Salem, to approve the agreement for engineering services as presented. Roll call. Voting “aye” were Bennett, Tomasek, Salem, Miller, Fagot. Motion carried.

**RESOLUTION:** Resolution No. 2012-01 was presented. Following discussion regarding rates remaining unchanged from 2011, moved by Salem, seconded by Miller, to approve Resolution No. 2012-01 as presented. Roll call. Voting “aye” were Bennett, Tomasek, Miller, Salem, Fagot. Motion carried.

#### RESOLUTION 2012-01

WHEREAS, the City of Lexington, Nebraska and the Lexington Volunteer Fire Department have by Resolution 03-15, authorized and established a plan to charge and collect fees for the performance of fire and rescue services, and for the use of fire and rescue equipment; and

WHEREAS, it is in the best interest of the City of Lexington, Nebraska and the Lexington Volunteer Fire Department to continue the established plan;

BE IT THEREFORE RESOLVED, by the Mayor and Council of the City of Lexington, Nebraska, that the established plan for charge and collection of fees for fire and rescue services, and for the use of fire and rescue equipment of the Lexington Volunteer Fire Department is hereby authorized to continue for an additional twelve month period.

BE IT FURTHER RESOLVED, that effective February 1, 2012, the fees collected for such service shall be according to the schedule attached hereto.

Passed and approved January 10, 2012.

John Fagot, Mayor

ATTEST: Pamela Berke, City Clerk

**ROUNDTABLE:**

Peplitsch reminded Council and Staff of the Council planning session scheduled for Saturday, January 14, 2012, 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.

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City Clerk