

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, April 9, 2013, at the Lexington City Hall, located at 406 E. 7th Street, Lexington, Nebraska at 5:30 p.m. Members of the Council present were John Fagot, John Salem, Linda Miller, Dora Vivas and Jeremy Roberts. 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 Lexington Clipper-Herald and Kearney Hub.

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 City Hall, located at 406 E. 7th Street, Lexington, Nebraska.

MINUTES – REGULAR MEETING 3-26-2013 Minutes of the Regular meeting held Tuesday, March 26, 2013, were presented for Council approval. Moved by Salem, seconded by Vivas, to approve Minutes as presented. Roll call. Voting “aye” were Miller, Roberts, Vivas, Salem, Fagot. Motion carried.

MINUTES – WORK SESSION 3-30-2013 Minutes of the Work Session held Saturday, March 30, 2013 were presented for Council approval. Moved by Miller, seconded by Roberts, to approve Minutes as presented. Roll call. Voting “aye” were Vivas, Salem, Roberts, Miller, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,910,348.19 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Vivas, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$239,763.46 from the General Fund, \$32,616.64 from Street Fund, \$1,594,725.43 from LEXUS, \$10,000.00 from Sanitation, \$1,669.05 from Landfill, \$4,878.22 from Ambulance, \$19,560.76 from Health Fund, and \$7,134.63 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Miller, Roberts, Vivas, Salem, Fagot. Motion carried.

**CITY OF LEXINGTON
ACCOUNTS PAYABLE
April 9, 2013**

All Points Cooperative	Fuel	403.87
American Water	Membership Dues	170.00
Cash-Wa Distributing	Food & Supplies	3,096.45
Central Garage	Service & Repair	16,403.36
Central Tire & Tread Inc	Tires	215.10
Cozad Services, Inc.	Service Bldg Repair	100.50
Culligan Water Conditioning Co.	Soft Water Supplies	199.29

Danko Emergency Equipment Co.	Fire Dept Supplies	1,231.90
Dan's Sanitation Inc	Sanitation Fees	13,349.52
Dawson County Clerk	Dispatch Fee	26,250.00
Dawson County Surveyor	WWTP 1st Addition	450.00
Dawson County Transit Bus	Transportation	28.00
Dawson Pest Control	GGC Service	36.75
Dawson Public Power	Line Move- SE Business PK PJ	15,060.68
Demco Inc	Library Supplies	195.98
Depository Trust Co.	10 Go Bond/08 Comb UTL Bond Pmts	85,137.50
Dugan Business Forms	Utility Office Supplies	1,464.07
Dutton-Lainson Company	Meter Supplies	713.77
Fairbanks International, Inc.	Central Garage Supplies	758.77
Fastenal Street	Supplies	20.42
Follett Software Co.	Library Supplies	149.94
Gale Group, The Library	Books	268.00
HD Supply Waterworks	WR Supplies	687.15
Health Claims Fund	Claims	15,259.74
Holmes Plbg & Htg Supply Co	WR Supplies	117.00
Ingram Library Services	Library Books	895.79
JEO Consulting Group Inc	Comprehensive Plan PJ	13,143.22
Johnson Service Company	Lift Station Service	1,085.00
Jones Plumbing & Heating Inc	PK Service/WR/WWTP Supplies	495.55
Lexington Animal Clinic	Animal Care	1,138.84
Lexington Area Solid Waste Agency	Landfill	1,007.29
Lexington Health Fund	Self-Funding	33,007.01
Lexington Newspapers, Inc.	Publication	11.45
Lexington Postmaster	Postage	165.00
Lexington Regional Health Center	Wellness / Ambulance Supplies	366.00
Lexington, City Of	Franchise Fees	29.73
Lexington City Payroll Account		
Payroll	Wages	117,863.81
Social Security	Employer Portion / FICA Med	8,700.66
Union Bank & Trust	Employer Portion / Pension	3,972.16
Union Bank & Trust	Police Pension	1,903.88
ICMA	City Manager Pension	470.77
Madeline's Cafe & Bakery	Food	18.95
Marriott Hotels & Resorts	Conference in Lincoln	1,936.00
Martin Electric Inc	ST Supplies	195.85
Matheson Tri-Gas Inc	Ambulance Supplies	75.22
Matt Parrott/Storey Kenworthy	UTL Office Supplies	234.00
Mead Lumber & Rental-Lexington	ST / PK Supplies	381.95
Menards-Kearney	LFAC Supplies	134.93
Meritain Health	Premium	20,092.48
Micromarketing LLC	Library Books	492.32
Mid-American Research Chemical Corp	ST Supplies	152.32
Midland Scientific, Inc	WWTP Supplies	317.73
Morris Press	Library / GGC Supplies	158.00
National Pen Company	Library Supplies	80.40
Nebraska Machinery	Central Garage Supplies	309.94
Nebraska Public Power District	Power Purchase	975,284.10
Nebraska Public Power District	MS/Adams 102 Conv/Condos PJs	9,494.96
Nebraska Public Power District	O & M	74,115.70
Nebraskaland Tire	Tire Repair	31.08
NebraskaLink	Internet Service	380.00
Oliver Consulting Services Inc	Library Computer Service	180.00
Omni Contracting Inc	AMI System Antenna Install	19,162.00
One-Call Concepts Inc	Locates	84.70

Overton Sand & Gravel	Road Gravel	192.21
Paulsen Inc.	Concrete	201.03
Plum Creek Cleaners	Rug Service	378.50
Principal	Dental Premium	2,328.11
Regional Books, Inc	Library Books	86.19
Roberts Dairy Company	Beverages & Food	426.83
S & W Auto Parts, Inc.	Central Garage / ST Supplies	671.70
Service Master Mid Nebraska	GGC/DCOC/EL Bldg Cng Svc	4,192.87
Source Gas, LLC	Gas Service	7,340.00
Sport Supply Group Inc	Rec Supplies	489.18
Standard Life Insurance Company	Premium	677.63
Statewide Collections LLC	Collection Fees	901.69
T.O. Haas Tire Co., Inc.	Tire Repair	14.74
Taste Of Home Books	Library Book	31.98
Team Detail & Quicklube	Car Washes	75.00
Julie Thalman	Cleaning Service	160.00
Thompson Co., The	Food	1,156.27
Tri-City Tribune	Publication	49.50
Unisan Products	REC/ST/LFAC/Muni Bldg Spls	568.20
Utility Service Co, Inc	WR Tower Maintenance	26,211.04
Village Uniform	GGC Supplies	50.20
Vision Service Plan	Premium	591.72
Wal-Mart	Supplies	94.34
Western Engineering Company, Inc.	ST Supplies	385.40
Whitten, Dr Eulen	Refund	75.00
Annie's Attic Books	Library Books	19.94
Better Homes and Gardens	Library Book	30.91
Blue Cross-Blue Shield	Ambulance Refund	34.34
Cerilliant	WWTP Testing Supplies	561.68
Coca-Cola/Dr Pepper Bottling - Kearney	GGC Beverages	70.00
Data-Pac Mailing Systems	Postage	1,500.00
Davis Energy, Inc	Fuel	4,781.29
Dawson Pest Control	DCOC Service	54.60
Dawson Public Power	Power Purchase	6,966.25
DXP Enterprises, Inc	WWTP Service	30.76
Electric Fixture & Supply	WWTP Supplies	115.42
Ems Billing Services, Inc.	Ambulance Billing Service	1,870.96
Fagot Refrigeration & Electric, Inc	GGC Repair	1,170.91
Health Claims Fund	Claims	4,301.02
Ingram Library Services	Library Books	338.17
Intellicom Computer Consulting Inc	Computer Service	473.74
Jim Phillips Const	Sidewalk/Curb/Main Break Rep	4,638.00
John Fagot	Award Luncheon Expense	245.21
Kathleen Thomsen	Seminar Expense	54.96
Lexington Newspapers, Inc.	Publications	772.45
Lexington Volunteer Fire Dept.	Ambulance Fees	2,580.37
Mead Lumber & Rental-Lexington	PK Supplies	10.58
Micromarketing, LLC	Library Books	69.98
Midland Scientific, Inc	WWTP Supplies	278.23
Mid-State Units	Rental	100.00
Midwest Laboratories, Inc.	WWTP Testing Supplies	198.55
Milco Environmental Services Inc	WR Analysis/Drum Disposal Site	1,669.05
Miller & Associates Inc	Wastewater Improvements PJ	284,625.00
Nebraska Department of Labor	Unemployment	1,752.41
Nebraska Department of Revenue	Sales & Use Tax	50,634.83
Nebraskalink	Internet Service	15.00
Northern Safety Co., Inc.	SW / ST Supplies	185.30

Oclc, Inc	Library Subscription	32.04
Oxmoor House	Library Book	36.92
Paulsen, Inc.	WWTP Fill Sand / Armor Coat	1,208.78
Platte Valley Auto Mart Inc	PK Vehicle	18,999.00
Plum Creek Market Place	GGC Food	61.40
Presto-X	Fire Dept Service	87.86
QA Balance Services	WWTP Service	125.00
South Central Area Law Enforcement Svcs	Membership Dues	1,000.00
Stock Seed Farms, Inc	ST Supplies	147.00
Sund, Dennis	Boots	20.98
T.O. Haas Tire Co., Inc.	Police Vehicle Tires	545.49
Team Detail & Quicklube	Bldg Dept Service	33.99
Unisan Products	Library Supplies	154.68
U-Save Business Equipment	GGC/Fire/BI/Lib/Muni Bldg Spls	964.55
Wal-Mart	Supplies	94.71
	TOTAL CLAIMS:	1,910,348.19

ORDINANCE:

Ordinance No. 2328 entitled “AN ORDINANCE DIRECTING THE SALE OF THE WEST 34 FEET OF LOT 7, BLOCK 35, ORIGINAL TOWN, NOW CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE” was presented. Peplitsch reviewed the terms of the sale. Following discussion, moved by Miller, seconded by Salem, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting “aye” were Vivas, Roberts, Salem, Miller, Fagot. Motion carried.

Ordinance No. 2328 was presented on final reading. Moved by Salem, seconded by Miller, to approve Ordinance No. 2328 on final reading. Roll call. Voting “aye” were Vivas, Roberts, Miller, Salem, Fagot. Motion carried.

ORDINANCE:

Ordinance No. 2329 entitled “AN ORDINANCE TO AMEND SECTIONS 2-218 OF THE LEXINGTON CITY CODE; TO REPEAL ORIGINAL SECTION 2-218 AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was presented. Peplitsch reviewed the proposed amendment related to the Community Development Agency. Moved by Vivas, seconded by Roberts, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting “aye” were Miller, Salem, Roberts, Vivas, Fagot. Motion carried.

Ordinance No. 2329 was presented for final reading. Moved by Miller, seconded by Vivas, to approve Ordinance No. 2329 as presented. Roll call. Voting “aye” were Salem, Roberts, Vivas, Miller, Fagot. Motion carried.

APPOINTMENTS:

Peplitsch proposed the appointment of Kory Cetak and Seth McFarland to the Community Development Agency to fill vacated terms of Jeff Wightman and Steve Atwood. Moved by Salem, seconded by Vivas, to approve the appointments as presented. Roll call. Voting “aye” were Miller, Roberts, Vivas, Salem, Fagot. Motion carried.

PAY REQUEST:

Peplitsch reviewed Pay Request #1 from BRB Contractors for the WWTP Improvement project in the amount of \$150,803.29. Following discussion, moved by Roberts, seconded by Miller, to approve the pay request as presented. Roll call. Voting “aye” were Vivas, Salem, Miller, Roberts, Fagot. Motion carried.

WORK SESSION: Following discussion, moved by Salem, seconded by Roberts, to schedule a Council work session for Saturday, April 20, 2013, at 8:00 a.m. in the Council Chambers at City Hall. Roll call. Voting "aye" were Vivas, Miller, Roberts, Salem, Fagot. Motion carried.

EXECUTIVE SESSION: Moved by Salem, seconded by Vivas, to enter into executive session at 5:50 p.m. to discuss the annual job performance of the city manager. Roll call. Voting "aye" were Miller, Roberts, Vivas, Salem, Fagot. Motion carried.

Moved by Miller, seconded by Roberts, to exit executive session at 6:48 p.m. Roll call. Voting "aye" were Vivas, Salem, Roberts, Miller, Fagot. Motion carried.

ROUNDTABLE DISCUSSION: Pepplitsch noted that the bid opening for the Jackson Street Improvement project is scheduled for April 18. He gave an update on other current projects.

Salem congratulated Mayor Fagot on being awarded the Elected Official of the Year by the Nebraska Chapter of the American Society of Public Administration.

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.

City Clerk