

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, January 8, 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, and Jeremy Roberts. Council member Dora Vivas was absent. 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 Kearney Hub, Lexington Clipper-Herald and KRVN Radio.

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. 7th Street, Lexington, Nebraska.

MINUTES – REGULAR MEETING 12-21-2012 Minutes of the Regular meeting held Friday, December 21, 2012, were presented for Council approval. Moved by Miller, seconded by Salem, to approve Minutes as presented. Roll call. Voting “aye” were Roberts, Salem, Miller, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,780,143.56 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Roberts, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$360,974.48 from the General Fund, \$47,933.25 from Street Fund, \$1,262,046.54 from LEXUS, \$10,000.00 from Sanitation, \$5,956.49 from Ambulance, \$91,831.40 from Health Fund, and \$1,401.40 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Miller, Roberts, Salem, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
January 8, 2013

| | | |
|--------------------------------|-------------------------|----------|
| All Points Cooperative | Fuel | 405.27 |
| Barco Municipal Products, Inc. | ST Supplies | 184.22 |
| BlueTarp Financial, Inc. | WWTP Supplies | 261.87 |
| Business Card | | |
| Data-Pak | Ink Cartridges / Labels | 100.61 |
| Staples | Ink Cartridges / Pens | 64.18 |
| AM Airlines | Luggage Fees | 100.00 |
| Atlantic Cab | Taxi Service | 20.95 |
| Boston Taxi | Taxi Service | 65.48 |
| Salvatore's | Meals at Conference | 58.86 |
| Seaport Hotel | Hotel at Conference | 1,992.56 |
| Tamo Lounge | Meals at Conference | 190.00 |
| NPRA | National PK & Rec Dues | 150.00 |

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| ShinDigz | Appreciation Banquet Supplies | 119.55 |
| Mometrix Media | EMT Study System | 53.98 |
| National League Registration | Conference Registrations | 500.00 |
| Central Garage Fund | Fuel | 11,590.42 |
| Central Tire & Tread, Inc. | Tire Repair | 104.50 |
| Copper, Michael | Yard Clean-up | 60.00 |
| Cozad Services, Inc. | WWTP / GGC Service / Repair | 733.91 |
| Culligan Water Conditioning Co. | Soft Water Supplies | 191.09 |
| Dan's Sanitation | Sanitation Fees | 11,377.60 |
| Data-Pac Mailing System | Postage | 1,500.00 |
| Davis Energy, Inc. | Fuel / Oil | 4,052.00 |
| Dawson County Clerk | Dispatch Fee | 23,750.00 |
| Dawson County Register of Deeds | Filing Fees | 44.00 |
| Dawson County Transit Bus | Transportation | 36.00 |
| Dawson County Treasurer | Drainage Tax/Personal Prop Tax | 822.90 |
| Dawson Pest Control | GGC Service | 36.75 |
| Demco, Inc. | Library Supplies | 97.76 |
| Eakes Office Plus | Library Supplies | 36.90 |
| Environmental Systems Research Inst. | GSI Server / Maintenance Fees | 3,000.00 |
| Fagot Refrigeration & Electric | Lex Regional Health Center- 50% of New EL Service | 11,259.00 |
| Gale Group, The | Library Books | 216.16 |
| HD Supply Waterworks | WR Meter / Supplies | 1,308.16 |
| Health Claims Fund | Claims | 87,670.38 |
| Hinds Electric | Locating Circuits for DTR | 720.00 |
| History Education | Library Books | 192.00 |
| Huskers Illustrated | Library Subscription | 59.95 |
| Ingram Library Services | Library Books | 167.84 |
| Intellicom Computer Consulting | Computer Service | 2,335.60 |
| JEO Consulting Group, Inc. | Comprehensive Plan Study | 18,132.16 |
| Jones Plumbing & Heating, Inc. | Library Repair | 199.50 |
| Kratzer Electric, Inc. | PK Lights Repair | 2,541.52 |
| Lexington Health Fund | Self-Funding | 33,414.65 |
| Lexington Newspapers, Inc. | Publications | 317.80 |
| Lexington Postmaster | GGC Postage | 165.00 |
| Lexington, City of Ambulance Fund | Medicare Contract | 532.00 |
| Lexington, City of | Franchise Fees | 126.69 |
| Lexington City Payroll Account | | |
| Payroll | Wages | 115,739.26 |
| Social Security | Employer Portion / FICA Med | 8,493.67 |
| Union Bank & Trust | Employer Portion / Pension | 3,845.95 |
| Union Bank & Trust | Police Pension | 1,903.11 |
| ICMA | City Manager Pension | 470.77 |
| Lien, Inc. | Rep/Dirt & Sand for Trees-DTR | 579.67 |
| Matheson Tri-Gas Inc. | Ambulance Supplies | 74.00 |
| Mead Lumber & Rental-Lexington | Bldg Insp/PK/DCOC/WWTP Spl | 134.64 |
| Meritain Health | Premium | 20,034.04 |
| MicroMarketing, LLC | Library Book | 29.99 |
| Midland Scientific, Inc. | WWTP Testing Supplies | 90.76 |
| Municipal Pipe Services, Inc. | WR Supplies | 1,500.00 |
| Municipal Supply | WR Supplies | 286.85 |
| NADA Used Car Guide | Library Subscription | 99.00 |
| NE Public Health Environmental Lab | WR Testing | 477.00 |
| Nebraska Public Power District | Power Purchase | 1,024,669.54 |
| Nebraska Safety Council | Membership Dues | 330.00 |
| NFPA | Membership Dues | 165.00 |
| One Call Concepts, Inc. | Locates | 45.40 |

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| Paulsen, Inc. | Concrete | 282.03 |
| Platte Valley Communications of Kearney | Ambulance Supplies | 1,243.04 |
| Post, Doran G. | EL Rebate | 925.00 |
| Principal | Dental Premium | 2,204.44 |
| Rasmussen Mechanical Services | Library Service / Repair | 3,625.29 |
| Source Gas, LLC | Gas Service | 7,450.60 |
| Subway @ Wal-Mart | Meals | 50.80 |
| T. O. Haas Tire Company, Inc. | Repair | 27.70 |
| Terryberry | Service Pins | 1,024.64 |
| Thalman, Julie | Cleaning Service | 200.00 |
| Tri-City Tribune | Municipal Bldg Subscription | 29.50 |
| Unisan Products | ST Supplies | 201.36 |
| Verizon Wireless | Cellphones | 367.83 |
| Village Uniform | GGC Supplies | 57.70 |
| Vision Internet Providers, Inc. | Monthly Hosting Fee | 220.50 |
| Wal-Mart | Supplies | 272.47 |
| Zlatkovsky, Frank | EL Rebate | 125.00 |
| Anderson Graphics | Library Service | 71.00 |
| Audio Editions | Library Books | 51.99 |
| Books Galore, Inc. | Library Books | 1,844.69 |
| CDW Government, Inc. | Storm Water Printer / Supplies | 3,139.37 |
| Coca-Cola/Dr Pepper Bottling of Kearney | Beverages | 80.00 |
| Copycat Printing | Bldg Insp Supplies | 41.32 |
| Dan's Sanitation, Inc. | Sanitation Fees | 1,093.92 |
| Dawson Pest Control | DCOC Service | 54.60 |
| Dawson Public Power District | Power Purchase | 7,273.34 |
| Ed Roehr Safety Products | Police Supplies | 667.28 |
| EMS Billing Services, Inc. | Ambulance Billing Service | 1,192.85 |
| Health Claims Fund | Claims | 1,956.58 |
| Holbein, Dahlas D. | Snow Removal | 225.00 |
| Homestead Bank | Wightman Land Pymt | 45,133.48 |
| Ingram Library Services | Library Books | 562.62 |
| Jones Plumbing & Heating, Inc. | DCOC Rep/MTR Install/WR/WWTP Spl | 527.29 |
| K.R.V.N. | Radio Advertisements | 80.00 |
| Kirk's Nebraskaland Restaurant | Council Reception | 688.07 |
| Knapp Electric, Inc. | SW Supplies | 130.00 |
| Lexington Animal Clinic | Animal Care | 616.70 |
| Lexington Area Solid Waste Agency | Landfill | 441.60 |
| Lexington Family Eyecare | Safety Glasses | 332.00 |
| Lexington Newspapers, Inc. | Publications | 147.65 |
| Lexington Regional Health Center | Wellness | 182.00 |
| Lexington Health Fund | Self-Funding | 33,414.65 |
| Lexington Volunteer Fire Dept. | Ambulance Fees | 2,680.33 |
| Lexington City Payroll Account | | |
| Payroll | Wages | 120,506.30 |
| Social Security | Employer Portion / FICA Med | 8,904.48 |
| Union Bank & Trust | Employer Portion / Pension | 3,830.95 |
| Union Bank & Trust | Police Pension | 2,216.79 |
| ICMA | City Manager Pension | 470.77 |
| Lincoln Winwater Works | WR Supplies | 1,417.75 |
| Michael Todd & Co., Inc. | ST Supplies | 196.62 |
| Mid-Continent Safety LLC | ST Supplies | 120.76 |
| Midwest Laboratories, Inc. | WWTP Testing Supplies | 2,717.60 |
| Morris Press | GGC Supplies | 73.00 |
| Municipal Supply | WR Supplies | 1,271.58 |
| Nebraska Dept. of Revenue | Sales & Use Tax | 47,281.17 |
| Nebraska Public Power District | O & M | 34,511.25 |

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| Nebraska Public Power District | Middle School/Adams 102 | Conversion/New |
| | Condos PJ's | 26,739.59 |
| NebraskaLink | Internet Service | 395.00 |
| Price's Tree Service, Inc. | Snow Removal | 1,800.00 |
| S & W Auto Parts, Inc. | WWTP Supplies | 81.31 |
| Service Master Mid Nebraska | Cleaning Service | 4,832.12 |
| Subway @ Wal-Mart | Meals | 70.00 |
| U-Save Business Equipment | Lib/Admin/ST Spls/Postage/UPS | 437.96 |
| Unison Products | DCOC/Muni Bldg/Library Spls | 528.61 |
| Village Uniform | GGC Supplies | 50.20 |
| Wal-Mart | Supplies | 73.85 |
| Weathercraft Companies, Inc. | Overhead Door Repairs | 651.25 |
| | TOTAL CLAIMS: | 1,780,143.56 |

LOAN AGREEMENT: Peplitsch reviewed a USDA loan agreement with Dawson Area Development to assist in the purchase of the Orthman South Plant to be used as a speculative building. Following discussion, moved by Miller, seconded by Salem, to approve the loan agreement as presented and to authorize the City Manager to execute. Roll call. Voting "aye" were Roberts, Salem, Miller, Fagot. Motion carried.

PAY REQUEST: Peplitsch reviewed close-out documents for the Commerce Road Paving Improvements project. Following discussion, moved by Salem, seconded by Miller, to approve Change Order #1 as presented. Roll call. Voting "aye" were Roberts, Miller, Salem, Fagot. Motion carried.

Moved by Miller, seconded by Salem, to approve Pay Request #2 (Final) as presented. Roll call. Voting "aye" were Roberts, Salem, Miller, Fagot. Motion carried.

Moved by Roberts, seconded by Miller, to approve a Certificate of Substantial Completion as presented. Roll call. Voting "aye" were Salem, Miller, Roberts, Fagot. Motion carried.

EXECUTIVE SESSION: Moved by Salem, seconded by Miller, to enter into an Executive Session at 5:39 pm to discuss the property acquisition. Roll call. Voting "aye" were Roberts, Miller, Salem, Fagot. Motion carried.

Moved by Miller, seconded by Salem, to exit the Executive Session at 6:10 pm., which purpose was to discuss property acquisition. Roll call. Voting "aye" were Roberts, Salem, Miller, Fagot. Motion carried.

ROUNDTABLE DISCUSSION: Fagot noted that the city is not currently interested in acquiring the old armory facility which is for sale, but will support any effort taken by the Lexington School District to acquire the facility for their needs.

Peplitsch noted that a work session will be scheduled for Saturday, January 26, 2013, at 8:00 a.m.

Berke reminded Council members to respond to her regarding attendance at the League of Nebraska Municipalities Mid-Winter Conference scheduled for February 25th and 26th.

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