

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, June 11, 2013, at the Lexington City Hall, located at 406 E. 7<sup>th</sup> Street, Lexington, Nebraska at 5:30 p.m. Members of the Council present were John Salem, Linda Miller, Dora Vivas and Jeremy Roberts. John Fagot 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 the Kearney Hub.

**NOTICE:** Notice of the meeting was given in advance, thereof by posting in the following locations: Lexington City Hall, Dawson County Courthouse, Homestead Bank, Great Western Bank, Pinnacle Bank. 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 Vice President Salem. Salem informed the public that the Open Meetings Act is posted in the Meeting Room at the Lexington City Hall, located at 406 E. 7<sup>th</sup> Street, Lexington, Nebraska.

**MINUTES – REGULAR MEETING 5-28-2013** Minutes of the Regular meeting held Tuesday, May 28, 2013, were presented for Council approval. Moved by Roberts, seconded by Miller, to approve Minutes as presented. Roll call. Voting “aye” were Vivas, Miller, Roberts, Salem. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$1,682,666.18 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Miller, seconded by Vivas, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$412,216.79 from the General Fund, \$31,591.47 from Street Fund, \$1,210,027.21 from LEXUS, \$10,000.00 from Sanitation, \$4,345.91 from Ambulance, \$6,738.94 from Health Fund, and \$7,745.86 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Roberts, Vivas, Miller, Salem. Motion carried.

**CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
June 11, 2013**

Advanced Water Company, Inc.	Service Contract	450.00
Annie's Attic Books	Library Book	19.94
Arnold Pool Company	LFAC Supplies	169.30
Associated Supply Company, Inc.	LFAC Supplies / Repair	290.85
B & D Office City	Business Office Supplies	359.94
Beehive Industries	Code Compliance/Permitting Licensing Fees	8,000.00
BSN Sports, Inc.	PK Supplies	385.32
Cash-Wa Distributing	GGC/Rec/LFAC Food&Supplies	8,519.98
Central Community College	CPR Classes	1,268.00
Central Garage Fund	Fuel	12,909.72
Coca Cola/Dr. Pepper Bottling of Kearney	LFAC/Rec Beverages	1,308.40
Country Sampler	Library Book	18.00
Culligan Water Conditioning Co.	Soft Water Supplies	126.16

Dan's Sanitation	Sanitation Fees	11,911.66
Data-Pac Mailing Systems	Postage	1,500.00
Dawson County Transit Bus	Transportation	36.00
Dawson Pest Control	GGC Service	36.75
Dawson Public Power District	Power Purchase	499.07
Dell Marketing LP	Bldg Insp Monitor	641.48
Depository Trust Co.	08 GO Bond/09 Combined UTL Rfnd Bond Pmt	228,482.50
Eakes Office Plus	Library / Business Office Supplies	277.28
Ed Roehr Safety	Taser / Taser Supplies	1,916.51
EDM Publishers, Inc.	Bldg Insp Books	99.00
Egan Supply Company	ST Supplies	24.27
Electric Fixture & Supply	EL Supplies	55.82
EMS Billing Services, Inc	Ambulance Billing Service	1,806.62
Farmer Brothers Coffee	Food	447.50
Fastenal	PK Supplies	24.79
FluxLight Incorporated	Meter Reading Supplies	614.00
Fox Bros. Hay Co., Inc.	Wood Grinding	5,520.00
Hawkins, Inc.	LFAC Chemicals	1,665.70
HD Supply Waterworks	EL Meter Remotes for AMI Pj	14,894.40
Health Claims Fund	Claims	2,485.47
Holbein, Dahlas D.	Lawn Care	495.00
Holiday Inn	Fire School / EMS Classes	4,678.05
Holmes Plbg & Htg Supply Co.	Lift Station Pump	340.91
HTM Sales, Inc.	Lift Station Repair	684.89
International City/County Mgmt Assn	Membership Dues	1,437.28
Ingram Library Services	Library Books	604.02
Jim Phillips Const.	Sidewalk Repair	3,235.00
Jones Plumbing & Heating, Inc.	LFAC/GGC/PK/CG Rep/WR/SW Spls	4,728.83
Kratzer Electric, Inc.	PK / NPPD Bldg Repairs	288.83
Lexington Animal Clinic	Animal Care	1,107.19
Lexington Area Solid Waste Agency	Landfill	968.57
Lexington Health Fund	Self-Funding	33,623.08
Lexington Newspapers, Inc.	Publications	652.78
Lexington, City of	Franchise Fees	263.74
Lift Solutions, Inc.	EL Supplies	4,510.13
Linda's Stitches & Creations	Employee Shirts	1,059.05
LIPS Printing Service	WR Report Mailers	1,960.32
Mac's Short Stop	Food & Supplies	462.09
Mandelko, Hailey	Pool Clinic	60.00
Matheson Tri-Gas Inc.	Ambulance Supplies	76.24
Mead Lumber & Rental-Lexington	LFAC / ST Supplies	165.76
Menards-Kearney	WWTP Supplies	26.49
Meritain Health	Health Premium	20,443.82
Mersino Dewatering, Inc.	WWTP Improvement PJ / Rental	9,000.00
Micromarketing LLC	Library Books	1,640.18
Mid-American Research Chemical Corp	LFAC / ST Supplies	288.31
Midwest Laboratories, Inc.	WWTP Service / Supplies	336.55
Morales-Deleon, Juan F	UTL Refund	84.31
Morris Press	GGC Service	186.00
Nebraska Public Power District	O & M	58,499.61
Nebraska Public Power District	Capital PJ's	73,413.59
O'Meara, Olivia	Pool Clinic	60.00
One-Call Concepts	Locates	78.00
Original Watermen	LFAC Supplies	253.55
Overton Sand & Gravel	Road Gravel	717.02
Oxmoor House	Library Book	36.91

Paulsen, Inc.	Concrete	85.50
PC World	Library Subscription	24.95
Platte Valley Auto Mart, Inc.	Police Vehicle Repair	34.20
Plum Creek Cleaners	Rug Service	456.00
Plum Creek Market Place	Food	170.35
Plum Creek Promotions	Rec Shirts	372.80
Principal	Dental Premium	2,332.65
Resource Management	Used Tire Disposal	318.25
Richardson Mowing	Lawn Care	180.00
Roberts Dairy Company	Beverages / Food	526.16
Schwan's Sales Ent	Food	135.97
Service Master Mid Nebraska	Cleaning Service	4,114.12
Source Gas, LLC	Gas Service	6,800.68
South Central Nebraska Baseball League	Tournament Fees	150.00
Standard Life Insurance Company	Premium	666.63
Subway @ Wal-Mart	Meals	38.25
Thalman, Julie	Cleaning Service	200.00
Thompson Co., The	Food & Supplies	2,098.93
Total Lawn Care	Lawn Care	1,125.00
Tri-City Tribune	Publications	207.00
U-Save Business Equipment	WR/Library/ST Spls/Postage/UPS	937.92
Unisan Products	Rec Supplies	161.02
Village Uniform	GGC Supplies	95.20
Vision Service Plan	Premium	575.38
Wal-Mart	Supplies	274.25
Weekly Bulletin, The	Business Office Subscription	176.00
Western Engineering Company, Inc.	ST Patch	770.13
Wilke's True Value	PK / Cem Supplies	151.33
Yung, Mark	Travel Expense	193.95
American Red Cross	Lifeguard Training Books	384.00
Area Services	Lift Station Service	150.00
B2 Environmental, Inc.	Bldg Inspection / Analysis	475.00
Batie, Cicely	CPR/AED Classes	23.00
Better Homes and Gardens	Library Book	33.91
Book Farm, Inc., The	Library Book	18.95
Cash-Wa Distributing	Food & Supplies	692.53
Davis Energy, Inc.	Fuel / Propane	7,013.00
Dawson County Court	Court Fees	34.00
Dawson Pest Control	DCOC Service	109.20
Dawson Public Power District	Power Purchase	6,080.35
Dell Marketing LP	Bldg Inspection Computers	2,531.74
Demco, Inc.	Library Supplies	76.66
Diamond Vogel Paint	Ball Field Paint	174.36
Eakes Office Plus	Library Supplies	185.13
Fagot Refrigeration & Electric	LFAC Service/DCOC Installation	1,117.46
Fairbanks International, Inc.	Fire Unit Service / Repair	965.62
Great Western Bank-City Petty Cash	Meals / Travel Expense / Postage	105.07
Hawkins, Inc.	LFAC Supplies	445.22
HD Supply Waterworks	Meters for AMI PJ	36,979.20
Health Claims Fund	Claims	4,253.47
Intellicom Computer Consulting, Inc.	Computer Service	646.90
JEO Consulting Group, Inc.	Comprehensive Plan PJ	3,656.72
Jones Plumbing & Heating, Inc.	PK Supplies	9.00
K R V N Radio	NPPD Coop Ads	208.00
Lexington Regional Health Center	Wellness / Ambulance Supplies	353.00
Lexington Truck & Auto, Inc.	Central Garage Supplies	116.00

Lexington City Payroll Account		
Payroll	Wages	150,511.06
Social Security	Employer Portion / FICA Med	11,223.77
Union Bank & Trust	Employer Portion / Pension	3,899.79
Union Bank & Trust	Police Pension	1,966.84
ICMA	City Manager Pension	830.00
Linda's Stitches & Creations	Bldg Insp Shirts	211.80
Martin Electric Co.	WWTP / LFAC Service / Repair	558.73
Midland Scientific, Inc.	WWTP Lab Supplies	70.77
Mid-State Units	Rental	660.00
National League of Cities	Membership Dues	1,489.00
Nebraska Dept. of Revenue	Sales & Use Tax	51,796.02
Nebraska Public Power District	Power Purchase	832,523.55
Nebraska Tech & Telecomm, Inc.	Telephone Service	1,192.76
NebraskaLink	City Service	380.00
OCLC, Inc.	Library Subscription	29.39
O'Hara Lindsay and Associates, Inc.	Lobbying Services	833.33
Oriental Trading Company, Inc.	Library Supplies	195.23
Paulsen, Inc.	Concrete	363.38
Presto-X	Fire Dept Service / Credit	2.54
Team Detail & Quicklube	Car Wash / Uniform Repair	35.00
Unitech	ST Supplies	79.00
Village Uniform	GGC Supplies	123.90
Wal-Mart	Supplies	249.68
	<b>TOTAL CLAIMS:</b>	<b>1,682,666.18</b>

**SALE OF LAND:**

Resolution No. 2013-20 was presented. Following discussion, moved by Miller, seconded by Roberts, to approve Resolution No. 2013-20. Roll call. Voting "aye" were Vivas, Roberts, Miller, Salem. Motion carried.

**RESOLUTION NO. 2013 - 20**

WHEREAS, the City has by Ordinance No. 2328 approved the sale of the following described real estate owned by the City, to-wit:

The West 34 feet of Lot 7, Block 35 of the Original Town of Plum Creek, now City of Lexington, Dawson County, Nebraska;

WHEREAS, Notice of such Ordinance has been duly published and the time for remonstrance has passed, and no petition against such sale has been filed.

BE IT THEREFORE RESOLVED by the Council and President of the Council of the City of Lexington, Nebraska, that John Fagot, as President of the Council is hereby directed and authorized on behalf of the City to execute a deed conveying the above described property to Darr Real Estate, LLC, a Nebraska Corporation, the purchaser thereof.

PASSED AND APPROVED June 11, 2013.

BY: John Fagot, Mayor

ATTEST: Pamela Berke, City Clerk

**STREET VACATION:**

Ordinance No. 2331 entitled "AN ORDINANCE TO VACATE THAT PORTION OF TAYLOR STREET LYING BETWEEN WEST 10TH STREET AND WEST 11TH STREET; TO PROVIDE FOR REVERSION OF

THE VACATED STREET TO ADJOINING PROPERTY OWNERS; TO RETAIN EASEMENT FOR PUBLIC UTILITIES; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was presented. Peplitsch noted the street vacation had been planned to assist with Bryan School improvements. Following discussion, moved by Miller, seconded by Vivas, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting “aye” were Roberts, Vivas, Miller, Salem. Motion carried.

Ordinance No. 2331 was presented on final reading. Moved by Miller, seconded by Roberts, to approve Ordinance No. 2331 on final reading. Roll call. Voting “aye” were Vivas, Roberts, Miller, Salem. Motion carried.

**RESOLUTION:**

Resolution No. 2013-21 was presented. Following discussion, moved by Roberts, seconded by Miller, to approve Resolution No. 2013-21. Roll call. Voting “aye” were Vivas, Miller, Roberts, Salem. Motion carried.

RESOLUTION 2013 - 21

A RESOLUTION AUTHORIZING THE CITY OF LEXINGTON TO OBTAIN FINANCING FOR PROPERTY ACQUISITION.

WHEREAS, the City of Lexington, Nebraska has entered into an agreement for the acquisition of property; and

WHEREAS, it is necessary and advisable for the City to borrow funds for the payment of such property acquisition; and

WHEREAS, the City of Lexington, Nebraska is authorized by law to borrow funds to pay the cost of such property acquisition.

BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA as follows:

1. That the City of Lexington, Nebraska is hereby authorized to contract for financing with Great Western Bank, Lexington, Nebraska. The loan amount shall not exceed \$135,000.00 for a term of 5 years at an interest rate of 2.14%.
2. That Joe Peplitsch, City Manager, is hereby directed and authorized, on behalf of the City of Lexington, Nebraska to execute all necessary documents.

Passed and approved this 11th day of June, 2013.  
City of Lexington, Nebraska

John Fagot, Mayor

ATTEST: Pamela Berke, City Clerk

**PUBLIC HEARING:**

Salem opened a public hearing to receive a report from the Citizens Advisory Review Committee on the operation of the Lexington Economic Development Program. Peplitsch reviewed program activities and noted the committee did not issue any specific findings or recommendations, and is supportive of the activities undertaken to date. Following discussion, the public hearing was closed. Moved by Miller, seconded by Vivas, to accept the committee report as presented. Roll call. Voting “aye” were Roberts, Vivas, Miller, Salem. Motion carried

**PAY REQUEST:** Peplitsch reviewed Pay Request #3 from BRB Contractors for the WWTP Improvement Project in the amount of \$1,126,564.35. Following a project update, moved by Miller, seconded by Roberts, to approve the pay request as presented. Roll call. Voting “aye” were Vivas, Roberts, Miller, Salem. Motion carried.

**ROUNDTABLE DISCUSSION:** Peplitsch provided an update on the Jackson Street and Comprehensive Plan projects. He also reviewed recent organizational changes.

**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