

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, October 22, 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 Pepplichtsch, Assistant City Manager Dennis Burnside, City Attorney Will Weinhold, Finance Director Barb Hodges and City Clerk Pamela Baruth. The press was represented by Lexington Clipper-Herald and Kearney Hub. Marc Munford, Ameritas, was also present.

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 10-8-2013 Minutes of the Regular meeting held Tuesday, October 8, 2013, were presented for Council approval. Moved by Vivas, seconded by Miller, to approve Minutes as presented. Roll call. Voting “aye” were Roberts, Miller, Vivas, Salem. Fagot abstained from the vote. Motion carried.

MINUTES – WORK SESSION 10-12-2013 Minutes of the work session held Saturday, October 12, 2013, were presented for Council approval. Moved by Salem, seconded by Miller, to approve Minutes as presented. Roll call. Voting “aye” were Vivas, Roberts, Miller, Salem, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$590,939.78 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Miller, seconded by Roberts, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$137,745.99 from the General Fund, \$81,858.33 from Street Fund, \$324,079.81 from LEXUS, \$29,443.95 from Sanitation, \$309.00 from Ambulance, \$13,268.27 from Health Fund, and \$4,234.43 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Salem, Roberts, Miller, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
October 22, 2013

AFLAC	Premium	1310.12
Allfasteners Midwest LLC	WR Supplies	95.43
Annie's Attic Books	Library Book	6.94
Axis Capital, Inc.	Mail Machine Payment	840.00
Ben Meadows	WR / SW Supplies	111.51
Bert Gurney & Associates, Inc.	WWTP Pump	7,750.25
Bottom Line/Health	Library Subscription	29.95
Burnside, Dennis	Mileage	93.23

Business Card		
Computer Software Store	Dev Svc Software	117.69
Marriott Courtyard	GFOA Conference	257.60
Frontier Airlines	League Conf Plane Tickets	2,269.20
National League of Cities	Conference Registrations	665.00
Deco Hotel	WWTP Travel Expense	482.66
Dickleman's	Meals	19.35
Petro	Meals	32.89
Pump & Pantry	Fuel	48.75
Lexington Post Office	WR Sample Postage	89.70
Hilton Garden Inn	Library Conference	109.00
Uncle Neal's	Fuel	15.00
Capstone Press, Inc.	Library Books	1,193.74
Cardenas, Jorge	EL Rebate	1,025.00
Cash-Wa Distributing	Food / Supplies	808.56
Center Point Large Print	Library Books	86.28
Central Community College	First Aid / CPR / AED Class	55.00
Central Garage Fund	Service / Repairs	4,875.03
Central Tire & Tread, Inc.	Tires / Repair	537.36
Centurion Technologies	Library Renewal Fee	67.06
Child's World, The	Library Books	753.00
Coca Cola/Dr Pepper Bottling Krny	Beverages	60.00
CopyCat Printing	Dev Svc Supplies	264.73
Dan's Sanitation, Inc.	Sanitation Fees	1,504.14
Data-Pac Mailing System	Postage	1,500.00
Davis Energy, Inc.	Fuel	5,022.31
Dawson Public Power District	Power Purchase	10,064.47
Demco, Inc.	Library Supplies	414.80
Diass, Dan	EL Rebate	550.00
Downey Drilling, Inc.	Cem Sprinkler Motor Repair	2,598.08
Electric Fixture & Supply	EL / WR Supplies	590.78
Ellis, Francis	EL Rebate	900.00
Fox Bros. Hay Company, Inc.	Wood Grinding Service	5,760.00
Franzen, Dianne	Mileage	44.07
Gothenburg State Bank	Monthly EPS Pmts	3,127.50
Gray, Ron	EL Rebate	800.00
Great Western Bank-Lib Petty Cash	Postage / Stamps / Supplies / Meals	163.91
Health Claims Fund	Claims	11,662.15
Hodges, Barb	Conference Expense	280.18
Holbein, Dahlas D.	Fire Dept Maint / Cleaning Service	1,000.00
Ingram Library Services	Library Books	969.06
Intellicom Computer Consulting	Computer Service	581.93
Isse, Yurub D.	Utility Refund	23.27
John Deere Financial	Central Garage Supplies	862.84
Johnson Service Company	Clean / Camera Sewer	1,355.50
Klein Survey System, Inc.	WR / SW Pipe Laser Kit	4,516.89
Lerner Publishing Group	Library Books	178.13
Lexington Newspapers, Inc.	Publications	598.79
Lexington Optimist Club	Membership Dues	75.00
Lexington Truck & Auto, Inc.	Central Garage Supplies	40.00
Lexington Utilities System	Utilities	29,813.33
Lexington City Payroll Account		
Payroll	Wages	118,253.25
Social Security	Employer Portion / FICA Med	8,755.83
Union Bank & Trust	Employer Portion / Pension	3,961.77
Union Bank & Trust	Police Pension	2,026.61
ICMA	City Manager Pension	836.93

Linda's Stitches & Creations	WWTP Uniform Expense	362.73
Martin Electric Co.	WWTP/Fire Dept Spls/LFAC Repair	142.40
Mead Lumber & Rental-Lex	Cem / ST / WWTP Supplies	82.22
MicroMarketing LLC	Library Audio Books	2,097.68
Midland Scientific, Inc.	WWTP Lab Supplies	695.55
Miller & Associates	Lexington East Viaduct PJ	32,141.80
Milliken Valve Company	WWTP Supplies	588.75
Motor Trend	Library Subscription	10.00
Muirhead Auction & Realty LLC	ST Supplies	240.00
Municipal Supply, Inc.	SW Supplies for New Mains	8,009.93
Nebraska Library Commission	Library Subscription	1,023.00
Nebraska Life Magazine	Library Subscription	24.00
Nebraska Machinery	Central Garage Supplies	116.85
Nebraska Municipal Clerk's Assn	Membership Dues	35.00
Nebraska Public Power District	O & M	88,390.16
Nebraska Public Power District	Capital PJ's	60,321.04
Nebraska Salt & Grain Co.	Ice Control Salt	1,363.40
Nebraska Sheriff's Association	Training / Conference	210.00
Nebraska Statewide Arboretum	Membership Dues	100.00
Nebraska Tech & Telecomm, Inc.	Telephone Service	1,076.91
Nebraskaland Magazine	Library Subscription	18.00
Nebraskaland Tire, Inc.	Dev Svc Dept Tire	261.84
OCLC, Inc.	Library Subscription	99.94
O'Hara Lindsay & Associates, Inc.	Lobbying Services	833.33
Oliver Consulting Services, Inc.	Library Repairs	400.00
Overton Community Center	Meals on Wheels	100.00
People	Library Subscription	116.07
Plum Creek Market Place	GGC Food	190.52
Police Officers Assn of Nebraska	Officer's Dues	300.00
Quintero, Gerardo	EL Rebate	1,025.00
Reiman Publications	Library Subscription	16.98
Roberts Dairy Company	Beverages / Food	328.79
Rural Community Insurance Svcs	Crop Ins Premium	356.00
S & W Auto Parts	WWTP / Central Garage Supplies	1,775.94
Service Master Mid Nebraska	Cleaning Service	4,819.75
Sports Illustrated	Library Subscription	89.04
T & R Service Company	Transformer Disposal	616.00
Taste of Home Books	Library Book	31.98
Team Detail & Quicklube	Uniform Expense / Car Wash / Serviced	77.99
Thompson Company, The	Food / Supplies	1,599.86
Unisan Products	Library Supplies	161.74
Village Uniform	GGC Supplies	50.20
Wal-Mart	Supplies	222.16
Wingate by Wyndham	Police Conference	161.90
Wolfe, Dan	EL Rebate	900.00
Alamar Uniforms Police	Uniform Expense	145.78
B & D Office City	Police Supplies	1.20
Business Card		
Frontier Airlines	League Conf Plane Ticket Canceled	-567.30
Amazon.com	Fire Dept Books	202.88
Idea Shield	Fire Dept Bldg Supplies	724.43
Card Center/Orscheln	WR / ST / Fire Dept / WWTP Supplies	920.41
Dan's Sanitation, Inc.	Sanitation Fees	29,443.95
Dutton-Lainson Company	EL Supplies	2,446.65
Fagot Refrigeration & Electric	Lift Station Repair	165.00

Gale Group, The	Library Books	235.40
Graphic Screen Printing	Police Uniform Expense	66.00
Gray, Ron	EL Rebate Correction	-400.00
Great Western Bank-City Petty Cash	Meals	189.40
Great Western Bank-Lib. Petty Cash	Postage / Stamps	36.12
HD Supply Waterworks	Meter Reader	478.74
Lexington, City of	Franchise Fees	72,931.21
Mead Lumber & Rental-Lex	PK Supplies	21.90
MicroMarketing LLC	Audio Books	35.00
Midland Scientific, Inc.	WWTP Testing Supplies	180.78
Mid-State Units	Rental	560.00
Paulsen, Inc.	Monroe ST Panel Replacement	20,679.96
Platte Valley Comm. of Kearney	Mo Maint / Radio Repair	214.91
Plum Creek Medical Group	Tetanus / Flu Shots	452.00
Presto-X	Lib / Fire Dept Pest Service	192.03
Price's Tree Service	Remove/Fill Dirt for Adams Substation PJ	5,070.00
S & W Auto Parts	WWTP Supplies	44.90
Statewide Collection LLC	Collection Fee	328.08
T. O. Haas Tire Co.	Tires / Repair	760.70
USA BlueBook	WR Pump	718.91
Wal-Mart	Supplies	174.74
	TOTAL CLAIMS:	590,939.78

RESOLUTION:

Resolution No. 2013-32 was presented. Marc Munford, Ameritas, reviewed the proposed refinancing of the Series 2008 Combined Utilities Revenue Bonds at a 12.4% present value savings. Following discussion, moved by Salem, seconded by Miller, to approve Resolution No. 2013-32 as presented. Roll call. Voting "aye" were Vivas, Roberts, Miller, Salem, Fagot. Motion carried.

RESOLUTION 2013-32

BE IT RESOLVED by the Mayor and City Council of the City of Lexington, Nebraska:

Section 1. The following bonds of the City of Lexington, Nebraska, in accordance with their option provisions are hereby called for payment on November 26, 2013, after which date interest on the bonds will cease:

Combined Utilities Revenue Bonds, 2008 Series, of the City of Lexington, Nebraska, date of original issue - September 26, 2008, outstanding in the principal amount of Two Million Eight Hundred Ninety-five Thousand Dollars (\$2,895,000), numbered as shown on the books of the Paying Agent and Registrar, in denomination of \$5,000 each, becoming due and bearing interest as follows:

Principal Amount	Maturity Date	Interest Rate	CUSIP No.
\$145,000	October 15, 2014	3.50%	529449 ER7
150,000	October 15, 2015	3.65	529449 ES5
155,000	October 15, 2016	3.80	529449 ET3
160,000	October 15, 2017	4.00	529449 EU0
165,000	October 15, 2018	4.15	529449 EV8
170,000	October 15, 2019	4.35	529449 EW6
180,000	October 15, 2020	4.50	529449 EX4
185,000	October 15, 2021	4.60	529449 EY2
195,000	October 15, 2022	4.70	529449 EZ9

205,000	October 15, 2023	4.75	529449 FA3
1,185,000	October 15, 2028	5.00	529449 FB1

Said bonds are hereinafter referred to as the "Refunded Bonds."

The Refunded Bonds are subject to redemption at any time on or after September 26, 2013, at par and accrued interest, and said interest is payable semiannually. The proceeds of the Refunded Bonds were used to 1) pay costs of extending, enlarging, and improving the City's electric light and power distribution system; 2) make a deposit into the Bond Reserve Account with respect to the Refunded Bonds; and 3) pay the costs of issuance.

Section 2. The Refunded Bonds are to be paid at the office of the Treasurer of the City of Lexington, Lexington, Nebraska, as paying agent and registrar (the "Paying Agent and Registrar").

Section 3. A true copy of this resolution shall be filed immediately with the Paying Agent and Registrar and said Paying Agent and Registrar is hereby instructed to mail notice to each registered owner of said bonds and give notice to The Depository Trust Company in accordance with its standard procedures not less than thirty (30) days prior to the date fixed for redemption, all in accordance with the ordinance authorizing the Refunded Bonds.

PASSED AND APPROVED this 22nd day of October, 2013.

Pamela Baruth
City Clerk

John Fagot
Mayor

ORDINANCE:

Ordinance No. 2336 entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF COMBINED UTILITIES REVENUE REFUNDING BONDS, 2013B SERIES, OF THE CITY OF LEXINGTON, NEBRASKA, IN THE AGGREGATE PRINCIPAL AMOUNT OF TWO MILLION NINE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$2,925,000) FOR THE PURPOSE OF PROVIDING FOR THE PAYMENT AND REDEMPTION OF THE CITY'S OUTSTANDING COMBINED UTILITIES REVENUE BONDS, 2008 SERIES; DIRECTING THE APPLICATION OF THE PROCEEDS OF SAID BONDS; PRESCRIBING THE FORM, TERMS AND DETAILS OF SAID BONDS; PLEDGING AND HYPOTHECATING THE REVENUE AND EARNINGS OF THE SEWER, WATER AND ELECTRIC SYSTEMS OWNED BY THE CITY FOR THE PAYMENT OF SAID BONDS AND INTEREST THEREON; ESTABLISHING THE TERMS UPON WHICH ADDITIONAL BONDS OF EQUAL LIEN UPON REVENUES MAY BE ISSUED; ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE OWNERS OF SAID BONDS; SELLING THE BONDS AND AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM" was presented. Moved by Salem, seconded by Miller, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting "aye" were Vivas, Roberts, Miller, Salem, Fagot. Motion carried.

Ordinance No. 2336 was presented on final reading. Moved by Salem, seconded by Roberts, to approve Resolution No. 2336 on final reading. Roll call. Voting "aye" were Miller, Vivas, Roberts, Salem, Fagot. Motion carried.

PAY REQUEST: Peplitsch reviewed Pay Request #7 from BRB Contractors Inc. for the WWTP Improvements Project in the amount of \$386,971.83. Following a project update, moved by Miller, seconded by Roberts, to approve the Pay Request as presented. Roll call. Voting “aye” were Vivas, Salem, Roberts, Miller, Fagot. Motion carried.

FINANCIAL REPORT: Peplitsch reviewed a financial report for September 2013. Following a review, moved by Vivas, seconded by Salem, to accept the financial report as presented. Roll call. Voting “aye” were Miller, Roberts, Salem, Vivas, Fagot. Motion carried.

ROUNDTABLE DISCUSSION: Peplitsch provided an update on the Legend Oaks II and Lexington Development Group projects. He stated he would be sending potential dates for a work session in November. He also indicated there will open houses in November for the East Viaduct and the 6th Street projects.

Burnside gave an update on the Jackson Street project, noting that it is anticipated to be complete the second week of November.

ADJOURNMENT: There being no further business to come before the Council, Mayor Fagot declared the meeting adjourned.

John Fagot
Mayor

Pamela Baruth
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