

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, January 11, 2005 at the Lexington Municipal Building, located at 406 E. 7th Street, Lexington, Nebraska at 7:30 p.m. Members of the Council present were Mayor Ted Cook, Joni Bennett, John Fagot, Linda Miller, Steve Tomasek. City Officials present were City Manager Joe Pepplichtsch, City Attorney Willard Weinhold, and Deputy City Clerk Shirley Lewis. Department Heads present were Deb Jensen and Barb Mills.

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 Cook.

**MINUTES – REGULAR
MEETING – 12-28-04:**

Minutes of the Regular Meeting scheduled for Tuesday, December 28, 2004 was presented for Council's consideration and approval. Moved by Cook, seconded by Miller, to amend the Minutes of December 28, 2004 as follows: Under the Agenda Item "Parks and Trails", strike "no further funding would be needed" following the statement "Gilpin and Cook assured Fagot that the process would be open to the public". Also strike "for any plan" following the statement "Fagot asked if they were sure engineering would not be needed". Following the statement "Miller and Cook assured him", strike "there would not be", and add "that there would not be engineering needed in the initial stages and that the committee was capable of dealing with the matter should it become an issue. Pepplichtsch requested his name be replaced with "City Manager" as the project is scheduled to take a year and he might not be here the entire time." Further, under the Agenda Item, "Adjournment", the name "Fagot" shall be changed to the name "Cook". Roll call. Voting "aye" were Tomasek, Fagot, Bennett, Miller, Cook. Motion carried.

Moved by Fagot, seconded by Miller, to approve the amended Minutes of the Regular Meeting held December 28, 2004. Roll call. Voting "aye" were Bennett, Tomasek, Miller, Fagot, Cook. Motion carried.

CLAIMS AND BILLS:

Claims and Bills in the amount of \$858,823.99 was presented for Council's consideration and approval. Upon review of the Claims and Bills as listed, moved by Tomasek, seconded by Bennett, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$158,655.67 from the General Fund, \$20,000.00 from Ed Reuse, \$621,593.58 from LEXUS, \$10,000.00 from Sanitation, \$1,829.35 from Landfill, \$250.27 from Ambulance Fund, \$515.50 from Library Memorial, \$37,363.45 Health Fund, \$8,616.17 from Meals on Wheels to the City of Lexington's Operating Account. Roll call. Voting "aye" were Miller, Fagot, Bennett, Tomasek, Cook. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 January 11, 2005

Acoustics Inc.	Building Maintenance	80.64
All Points Cooperative	Fuel	117.03
Alltel	Cellphone Service	145.09
American Library Preview	Books	584.42
Barco Municipal Products	Street Supplies	319.25
Barnes Distribution	Electric Supplies	38.67
Berntson Oil	Fuel	3,484.93
Books On Tape, Inc.	Books	107.10
Bray, Jerry	Electric Refund	64.68
Card Center/Orscheln	Supplies	96.04
Cartez-Huerta, Amalia	Electric Refund	31.31
Case Credit Advantage	Equipment Repair	96.70
Cash-Wa Distributing	Food	465.43
Central Garage	Maint./Repairs/Fuel	8,157.21
Central Tire & Tread	Tire/ Repair	124.74
Corporate Benefit Svcs of America	Claims	15,915.24
Corporate Benefit Svcs of America	Premiums	15,827.01
Cosmos Club	Park Clean-up	300.00
Country Sampler Decorating Ideas	Subscription	16.95
Culligan Water Conditioning Co.	Soft Water Supplies	169.78
Dan's Sanitation	Sanitation Fees	633.44
Dawson County Clerk	Dispatch Fees	6,360.16
Dawson County Public Power	Transformers	64.20
Dawson Pest Control	Building Maintenance	27.00
Direct Safety Company	Electric Supplies	411.73
Dog Gone Dogs 4-H Club	Park Clean-up	200.00
Eakes Office Products	Office Supplies	146.90
Eilers Machine & Welding	Machinery Maint.	256.80
Electric Fixture	Electric Supplies	548.32
Fagot Refrigeration & Electric	Service/Repair	365.08
Farmer Brothers Coffee	Food	102.21
Farr	Electric Supplies	156.15
Fisher Scientific	Sewer Supplies	290.99
Gale Group, The	Books	160.18
Gall's Inc.	Office Supplies	112.09
Gneil	Printed Forms	45.14
Great Plains One-Call Service	Locates	30.00
Harker's	Food	570.69
Hipp Wholesale Foods, Inc.	Food & Supplies	833.75
Hometown Leasing	Copier Lease	697.04
HWS Consulting Group	Long Range Transportation Plan/ Comprehensive Plan Update	14,574.66
Ingram Library Services	Books	25.54
Island Supply Company, The	Street Supplies	3,115.50
Job's Daughters	Park Clean-up	300.00
Jones Plumbing & Heating	Repair/Supplies	831.43
K. R. V. N. Radio	Advertisements	202.50
Kemps-Gillette	Beverages	281.97
Knapp Electric	Equipment Repair	136.46
Lexington Animal Clinic	Animal Care	481.00

Lex Area Solid Waste Agency	Landfill	852.84
Lexington Boy Scout Troop #88	Park Clean-up	300.00
Lexington Eagles Club	Park Clean-up	300.00
Lexington Health Fund	Self-funding	26,858.50
Lexington Newspapers, Inc.	Publications	586.61
Lexington Postmaster	Postage	150.00
Lexington, City of	Service Fees	31,017.66
Lexington City Payroll Account	Wages	89,782.58
Social Security	Employer Portion/ FICA Med	6,746.95
First National Bank	Employer Portion/Pension	3,191.17
First National Bank	Police Pension	1,389.62
ICMA	City Manager Pension	275.31
Liehs Drilling	Well Repair	1,367.46
Linweld	Oxygen	61.27
Lion's Club	Park Clean-up	300.00
Marlin Leasing Corp.	Mail Machine Payment	570.16
McCookNet Internet Service	Server/Antivirus	3,639.01
Mid-Nebraska Food Bank	Food	45.76
Mid-States Units	Park Rentals	810.00
Miller & Associates	Pro. Service/Cattleman Dr./ Tennis Ct.	3,578.25
Nebraska Dept. of Env. Control	Schooling/WWTP	325.00
Nebraska Public Power District	Power Purchase	478,743.23
Nebraska State Historical Society	Membership Renewal	35.00
Nebraska Waste Handlers	Sludge Removal	4,708.50
Nelson, Margie L.	Cleaning Service	500.00
Old Dominion Brush	Equipment Supplies	430.50
Omaha World Herald	Subscription	182.00
Overton Sand & Gravel	Gravel	472.50
Paulsen, Inc.	Concrete/Cattleman Dr. Repair	2,172.63
Platte Valley Auto Mart	Central Garage Supplies	8.05
Platte Valley Communications	Maintenance/Repairs	1,179.34
Plum Creek Medical Group	Flu Shots/Fire Dept.	189.00
Precision PC	Computer Supplies	335.48
Quill Corporation	Office Supplies	72.25
Qwest	Library Phone Expense	61.54
Richardson, Calvin	Travel Expense	77.50
S & W Auto Parts	Misc. Supplies	241.91
Seward, Randell D.	Cleaning Service	400.00
Subway of Lexington	Food	30.73
T. O. Haas Tire Company, Inc.	Tire/ Repair	409.36
Tagge Eng. Consultants, Inc.	Professional Service/ Prospect Rd./Adams St. Improvements	512.28
TASC	Flex Plan	60.00
Team Detail & Quicklube	Car Wash	20.00
Third Party Environmental	Asbestos Inspection	325.00
TierOne-Lib. Petty Cash	Petty Cash	8.90
Tri-City Tribune	Publications	364.00
Tri-County Hospital	Wellness	231.00
U-Save Business Equipment	Office Supplies	176.73
Utility Equipment	Water Dept Supplies	796.62
Value Line Publishing, Inc.	Membership Renewal	798.00
Wal-Mart	Supplies	100.85

Willard Weinhold Law Office	Fees	2,250.00
Alamar Uniform Company	Shirts/Patches	204.96
Brown Traffic Products	Traffic Light Supplies	804.38
Cash-Wa Distributing	Food & Supplies	493.93
Conney Safety Products	Overshoes	242.08
Corporate Benefit Svcs of America	Claims	21,388.21
Dan's Sanitation	Sanitation Fees	10,000.00
Dawson County Public Power	Electricity	7,066.80
Demco	Office Supplies	122.66
Eakes Office Products	Office Supplies	36.54
EMS Billing Services, Inc.	Ambulance Billing	1,560.27
Follett Software Company	Software Support	380.00
FYR-TEK	Fire Truck Repair	19.16
Hain, Jim	Electric Rebate	125.00
Hydraulic Equipment Service	Truck Repair	447.85
Ingram Library Service	Books	49.47
K & K Parts Co., Inc.	Supplies	89.70
Kemps-Gillette	Beverages	82.12
Kinder-Morgan	Natural Gas Service	6,497.08
Laux, Ron	Electric Rebate	1,025.00
Lexington, City of	Franchise Fees	142.02
Lexington Newspapers	Publication Expense	19.14
Lexington Volunteer Fire Dept	Ambulance Fees	3,449.34
Michael Todd & Company, Inc.	Maintenance Supplies	122.72
Midwest Laboratories Inc.	Analysis Expense	1,829.35
MidAmerican Books	Books	342.40
National Waterworks	Water Dept. Freight Charges	689.96
Nebraska Department of Revenue	Sales/Use Tax	32,371.75
Nebraska Library Association	Membership	15.00
Nebraska State Historical Society	Books	515.50
Nebraska Tech & Telecomm, Inc.	Telephone Service	1,771.07
Omaha World Herald	Publication Expense	357.24
Platinum Plus For Business	Office Supplies	35.75
Plum Creek Auto Spa	Car Wash	15.00
S & W Auto Parts, Inc.	Misc. Supplies	46.00
T. O. Haas Tire Co., Inc.	Vehicle Maintenance	52.99
Teen Vogue	Subscription	7.97
Tierone-City Petty Cash	Petty Cash	30.12
Tierone-Lib. Petty Cash	Petty Cash	19.45
Veatch, Randy & Angie	ED Reuse Loan	20,000.00
Wal-Mart	Supplies	211.81
	TOTAL:	858,823.99

PUBLIC HEARING:

Mayor Cook opened the public hearing. DeEtta Hartman, representing Dawson Area Development, requested Council's approval of forwarding an application to the Nebraska Department of Economic Development for CDBG Funds, for Orthman Manufacturing Inc. in the amount of \$500,000. Following Mrs. Hartman's presentation, Mr. John McCoy, representing Orthman Manufacturing addressed the Council. Hearing no further comments, Mayor Cook closed the Public Hearing. Moved by Fagot, seconded by Tomasek, to approve sending an application to the Nebraska Department of Economic Development for CDBG Funds, for Othman Manufacturing Inc., in the amount of \$500,000. Roll call. Voting "aye" were Bennett, Miller, Tomasek,

Fagot, Cook. Motion carried.

Moved by Fagot, seconded by Miller, to authorize the Mayor to sign the said documents. Roll call. Voting "aye" were Tomasek, Bennett, Miller, Fagot, Cook. Motion carried.

PAY REQUEST: Peplitsch requested Council's approval of Pay Request No. 4 for the Lexington Public Library Project. Following discussion, moved by Miller, seconded by Tomasek, to approve Pay Request No. 4 for the Lexington Public Library Project, to lacy Construction Co., in the amount of \$217,192.21. Roll call. Voting "aye" were Fagot, Bennett, Tomasek, Miller, Cook. Motion carried.

PAY REQUEST: Peplitsch requested Council's approval of Pay Request No. 9 for the Municipal Wastewater Pretreatment Facility. Following discussion, moved by Bennett, seconded by Fagot, to approve Pay Request No. 9 for the Municipal Wastewater Pretreatment Facility, to Wanzek Construction, Inc., in the amount of \$39,075.46. Roll call. Voting "aye" were Tomasek, Miller, Fagot, Bennett, Cook. Motion carried.

APPOINTMENTS: Peplitsch requested Council's ratification of the reappointment of Gail Hall to the Community Redevelopment Authority. Following discussion, moved by Fagot, seconded by Tomasek, to ratify Gail Hall's reappointment to the Community Redevelopment Authority. Roll call. Voting "aye" were Miller, Bennett, Tomasek, Fagot, Cook. Motion carried.

LIBRARY MANAGEMENT: Mayor Cook led Council discussion on the current Public Library Cooperative Agreement as well as the Lexington Library Director position. Council Members Fagot and Miller agreed that the Cooperative Agreement was a good written foundation from which the operations of the Library should be maintained. Questions were raised regarding the responsibility of hiring a new Director. Peplitsch reported that all Employees of the City, including the Library Director, are the responsibility of the City Manager set by Nebraska State Statute. Peplitsch indicated that the plans to have a new director on board in the Spring is still in effect.

FINANCIAL REPORT: Peplitsch requested Council's acceptance of the Financial Report for October, 2004. Following discussion, moved by Tomasek, seconded by Miller, to accept the Financial Report for October, 2004. Roll call. Voting "aye" were Fagot, Bennett, Miller, Tomasek, Cook. Motion carried.

FINANCIAL REPORT: Peplitsch requested Council's acceptance of the Financial Report for November, 2004. Following discussion, Moved by Miller, seconded by Bennett, to accept the Financial Report for November, 2004. Roll call. Voting "aye" were Tomasek, Fagot, Bennett, Miller, Cook. Motion carried.

ROUNDTABLE DISCUSSION: Peplitsch asked for further discussion of the items for the Planning Session. Miller thought an explanation of the Financial Reports would be good. An anticipated Agenda will be e-mailed to the Council.

Mayor Cook presented a letter to the Council on a resignation from the Tree Board due to personnel issues within the City organization. Cook

requested information about the issue. Peplitsch indicated that he would provide as much information as allowable.

ADJOURNMENT:

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

Ted Cook
Mayor

Shirley Lewis
Deputy City Clerk

I, the undersigned Deputy 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.

Deputy City Clerk