

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, February 8, 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 – COUNCIL
RETREAT – 01-22-05:** Minutes of the Council Retreat scheduled for Saturday, January 22, 2005 was presented for Council’s consideration and approval. Moved by Tomasek, seconded by Bennett, to approve the Minutes of the Council Retreat held January 22, 2005 as presented. Roll call. Voting “aye” were Fagot, Miller, Bennett, Tomasek, Cook. Motion carried.

**MINUTES – REGULAR
MEETING – 01-25-05:** Minutes of the Regular Meeting scheduled for Tuesday, January 25, 2005 was presented for Council’s consideration and approval. Moved by Tomasek, seconded by Miller, to approve the Minutes of the Regular Meeting held January 25, 2005 as presented. Roll call. Voting “aye” were Bennett, Fagot, Miller, Tomasek, Cook. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$867,941.26 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Tomasek, seconded by Fagot, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$199,496.57 from the General Fund, \$637,014.16 from Housing Reuse, \$10,000.00 from LEXUS, \$4,115.60 from Landfill, \$21,54.40 from Ambulance Fund, \$6,370.32 from Health Fund, \$8,790.21 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Bennett, Fagot, Fagot, Tomasek, Cook. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
February 8, 2005

Alamar Uniform Company	Uniform Pants	139.98
All Points Cooperative	Fuel & Supplies	528.83
Alltel	Cellphone Service	145.83
Annie's Attic Books	Book	28.92
Awards Plus	Plaque	54.00

Barmore Drug Stores, Inc.	Office Supplies	16.46
Barnes Distribution	Electric Supplies	117.20
Berntson Oil	Fuel	3,876.20
Bevard, Elna Jean	Reimburse Cemetery Space	170.00
Business & Professional Credit	Collection Fees	91.20
Card Center/Orscheln	Supplies	134.20
Case Credit Advantage	Supplies/Central Garage	78.55
Cash-Wa Distributing	Food & Supplies	897.98
Central Garage	Maint./Repairs/Fuel	12,347.33
Consumer Guide	Subscription	99.00
Corporate Benefit Svcs of America	Claims	3,953.94
Corporate Benefit Svcs of America	Premiums	15,582.61
Culligan Water Conditioning Co.	Soft Water Supplies	169.78
Dan's Sanitation	Sanitation Fees	10,850.15
Dawson County Clerk	Dispatch Fees	6,360.16
Dawson Pest Control	Building Maintenance	27.00
Diabetic Cooking Magazine	Subscription	14.95
Drummond American Corporation	Sewer Supplies	492.04
Dutton-Lainson Company	Downtown Historical Lighting/Supplies	37,467.00
Eakes Office Products	Office Supplies	201.96
Electric Fixture	Electric Supplies	76.13
Environmental Pest Control	Building Maintenance	30.00
Fagot Refrigeration & Electric	Service/Repair	946.32
Farmer Brothers Coffee	Food	135.33
FC&A	Book	33.96
Flowers Of Joy	Electric/GGC Supplies	133.55
FYR-TEK	Fire Dept. Supplies/Svc	412.00
G & V Inc.	Demolish & Clean up Bldg	13,600.00
Gateway Companies Inc.	Computers	4,266.00
General Binding Corporation	Library Supplies	85.07
Geostat Environmental, LLC	Groundwater Analysis	2,000.00
Gov. Finance Officers Assn.	Membership Dues	170.00
Great Plains One-Call Service	Locates	13.49
Harker's	Food	282.54
Hipp Wholesale Foods, Inc.	Food & Supplies	1,125.82
Hometown Leasing	Copier Lease	697.04
Ingram Library Services	Books	61.52
JMS Millwright & Repair	Crane Rental	100.00
Jones Plumbing & Heating	Repair/Supplies	544.72
Kearney Hub	Subscription	108.00
Kemps-Gillette	Beverages	263.56
Kovels Books	Library Supplies	11.95
Lakota	Food	29.00
Lexington Animal Clinic	Animal Care	95.00
Lex Area Chamber of Commerce	Annual Banquet	375.00
Lex Area Solid Waste Agency	Landfill	2,173.80
Lexington Glass Co.	Building Maintenance	719.20
Lexington Health Fund	Self-funding	26,858.50
Lexington Newspapers, Inc.	Publications	250.47
Lexington Postmaster	Postage	150.00
Lexington Truck & Auto	Street Equipment	1,000.00
Lexington, City of	Franchise/Service Fees	31,007.34
Payroll	Wages	85,743.02
Social Security	Employer Port/FICA Med	6,437.82
First National Bank	Employer Portion/Pension	3,153.99

First National Bank	Police Pension	1,164.15
ICMA	City Manager Pension	275.31
Little Caesars	Food	19.00
Marlin Leasing	Mail Machine Payment	570.16
Mason Crest Publishers	Book	19.95
Mead/Big Valley Lumber	Maintenance Supplies	116.03
Mead Rental Center	Central Garage Supplies	31.20
Meridian Library System	Conference/Seminars	15.00
Michael Todd & Company, Inc.	Street Supplies	393.48
Mid-Nebraska Printing	Office Supplies	361.72
Movies Unlimited	Movies	157.43
Mr. Automotive	Central Garage Supplies	11.22
Municipal Clerk Institute	Conference/Seminars	195.00
Nebraska Assoc of Senior Centers	Membership Dues	55.00
Nebraska Safety Council	Membership Dues	275.00
Nebraska Waste Handlers	Sludge Removal	4,161.00
Nelson, Margie L.	Cleaning Service	500.00
Olsson Associates	15mVA Substn.Add./	
	Ethanol Plant/Adams	
	El. Relocate	1,863.22
Overton Sand & Gravel	Gravel	126.00
Platte Valley Auto Mart	Central Garage Supplies/	
	Repair	282.48
Platte Valley Communications	Maintenance/Repair	1,377.76
Plum Creek Auto Spa	Car Wash	20.50
Plum Creek Cleaners	Cleaning Service	5.00
Plum Creek Motors	Central Garage Supplies/	
	Repair	288.57
Qwest	Library Phone Expense	61.64
Recorded Books	Books	39.80
Reiman Publications	Subscription	12.98
Rodale Books	Books	36.44
S & W Auto Parts	Central Garage Supplies	404.44
Service Master Mid Nebraska	Cleaning Service	992.82
Seward, Randell	Cleaning Service	400.00
SunMart #763	Food	11.07
Taste of Home	Book	23.98
Team Detail & Quicklube	Car Wash	60.00
TierOne-City Petty Cash	Petty Cash	36.50
TierOne-Lib. Petty Cash	Petty Cash	29.15
Tri-City Tribune	Publications	112.00
Tri-County Hospital	Wellness	230.00
U-Save Business Equipment	Office Supplies	29.70
Unitech	Waste Water Treatment	
	Plant Supplies	490.00
Walling Company, The	Central Garage Supplies	236.51
Wal-Mart	Misc. Supplies	611.78
Wesco Distribution, Inc.	Electric Supplies	1,071.07
Will Weinhold Law Office	Fees	1,207.50
Barco Municipal Products	Water Dept. Supplies	82.99
Barnes Distribution	Electric Supplies	33.12
Brody Chemical	Snow Removal Supplies	120.00
Bus. Telecomm Systems, Inc.	Telephone Repair	40.00
Card Center/Orscheln	Supplies	16.17
Cash-Wa Distributing	Food / Supplies	555.19
CBSA Midlands Choice	Ambulance Fee Refund	312.00

Clark, Charles	Travel Expense	141.96
Corporate Benefit Svcs of America	Claims	2,354.28
Dawson County Handibus	Transportation	90.00
Dawson County Public Power	Electricity	327.30
EMS Billing Services, Inc.	Ambulance Billing	679.02
Glaze, Douglas J.	Travel Expense	173.74
Gomez, Mike	Travel Expense	161.33
H2O Technical Services, Inc.	Ferric Chloride	4,391.64
Holbein, Dahlas	Uniform Expense	31.63
Ingram Library Service	Books	43.21
Jeffery Norton Publishers, Inc.	GED Video Sets/Grant	820.00
Jelco Carpet Cleaning	Carpet Cleaning/GGC	240.00
Jones Plumbing & Heating	Maintenance Supplies	42.80
Kemps-Gillette	Beverages	93.80
Kinder Morgan	New Gas Line/Gas Svc	9,995.78
Linweld	Air System Parts/ Fire Dept.	1,420.67
Mead/Big Valley Lumber	Maintenance Supplies	68.92
Merchant JT&S	Conference/Seminars	430.00
Milco Environmental Services, Inc.	Water Testing/Landfill	2,115.60
Nebraska Department of Revenue	Sales/Use Tax	36,868.29
Nebraska Public Power District	Power Purchase	489,529.21
Nebraska Safety Council	Supplies	10.00
Olsson Associates	15mVA Substation Continuation Proj	1,011.51
People Books	Book	34.90
Plum Creek Medical Group	Flu Shots/Fire Dept.	21.00
Richardson, Calvin	Travel Expense	182.26
Rodale Inc.	Books	69.37
S & W Auto Parts, Inc.	Misc. Supplies	135.95
Sheet Music	Subscription	21.97
Skarshaug Testing	Supplies	118.09
TierOne Bank	Interim Financing Interest	9,344.31
TierOne-Lib. Petty Cash	Petty Cash	4.85
Terrascan Inc.	Software & Support	9,850.00
Tri-County Hospital	Wellness	231.00
WPCI	Drug Test	27.10
Wal-Mart	Supplies	220.04
Wolf, Tracy	Travel Expense	163.29
	TOTAL:	867,941.26

PUBLIC COMMENT PERIOD:

Barb Batie, Clipper-Herald Reporter, addressed the Council inquiring as to the reason an Item had been removed from the original Agenda issued on Friday, February 4, 2005. The item in question referred to Appreciation Plaques that were to be presented to former City Council Members Rick Klamm and John Salem. Mayor Cook reported that he had directed Administration to remove the item. When asked if the Mayor would elaborate, he indicated that he would not.

PAY REQUEST:

Peplitsch requested Council's approval of Pay Request No. 5 for the Lexington Public Library Project. Following discussion, moved by Miller, seconded by Bennett, to approve Pay Request No. 5 for the Lexington Public Library Project, to Lacy Construction Co., in the amount of \$107,307.48. Roll call. Voting "aye" were Tomasek, Fagot, Bennett, Miller, Cook. Motion carried.

PAY REQUEST:

Peplitsch requested Council’s approval of Pay Request No. 10 for the Lexington Wastewater Pretreatment Facility. Following discussion, moved by Miller, seconded by Tomasek, to approve Pay Request No. 10 for the Lexington Wastewater Pretreatment Facility, to Wanzek Construction Inc., in the amount of \$10,741.65. Roll call. Voting “aye” were Fagot, Bennett, Tomasek, Miller, Cook. Motion carried.

PAY REQUEST:

Peplitsch requested Council’s approval of Pay Request No. 6 for the High Rate Anaerobic Process Equipment. Following discussion, moved by Bennett, seconded by Tomasek, to approve Pay Request No. 6 for the High Rate Anaerobic Process Equipment, to Biothane Corporation, in the amount of \$122,008.50. Roll call. Voting “aye” were Miller, Fagot, Tomasek, Bennett, Cook. Motion carried.

LVFD SERVICE AWARD PROGRAM:

Peplitsch requested Council’s approval of a Resolution that would designate Dale Holbein as the Certification Administrator for the Lexington Volunteer Fire Department Service Award Program. Following discussion, moved by Fagot, seconded by Miller, to approve Resolution No. 05-02 designating Dale Holbein as the Certification Administrator for the LVFD Service Award Program. Roll call. Voting “aye” were Tomasek, Bennett, Miller, Fagot, Cook. Motion carried.

RESOLUTION NO. 05-02

WHEREAS, the Lexington Volunteer Fire Department has designated Dale Holbein as the Certification Administrator for the LVFD Service Award Program.

BE IT RESOLVED, by the Mayor and Council of the City of Lexington, Nebraska that Dale Holbein is hereby approved as the Certification Administrator for the LVFD Service Award Program.

Passed and approved this 8th day of February, 2005.

Ted Cook, Mayor

ATTEST:

Shirley Lewis, Deputy City Clerk

VOLUNTEER FIREFIGHTERS PENSION FUND:

Peplitsch requested Council’s approval of a Resolution accepting the Certification List of Lexington Volunteer Fire Department for Retention and Recruitment Pension Funding. Following discussion, moved by Fagot, seconded by Tomasek, to approve Resolution No. 05-03 accepting the Certification List of Lexington Volunteer Fire Department for Retention and Recruitment Pension Funding. Roll call. Voting “aye” were Bennett Miller, Tomasek, Fagot, Cook. Motion carried.

RESOLUTION NO. 05-03

A RESOLUTION APPROVING THE LVFD SERVICE AWARD PROGRAM CERTIFIED MEMBER LIST FOR CALENDAR 2004.

WHEREAS, the Lexington Volunteer Fire Department members must attain Certified status as defined by the LVFD Service Award Program in order to participate in the program.

BE IT RESOLVED, by the Mayor and Council of the City of Lexington, the following list of members have completed the certification requirements as determined by the Certification Administrator for calendar year 2004.

Travis Arner	Ron Balthazor	David Berke
Bo Berry	Jeffrey Block	Bruce Bonini
Robert Bullis	Gary Donnelson	Michael Dowling
Matthew Fitzgerald	Michael Gomez	Terry Gullion
Everett Hagan	Dale Holbein	Dahlas Holbein
Chris Jensen	Kent Jergensen	Ryan Johnson
Jeremy Kaiser	Richard Klauz	James Linch
Michael Maguire	Robert Martin	Dean Norseen
Eldon Peck	Chad Reutlinger	Roger Reutlinger
Michael Richman	Jon Robles	Jerry Saulsbury
Kerry Teetor	Dean Wheeler	Tim Wheeler
David Zlatkovsky	Frank Zlatkovsky	

Passed and Approved this 8th day of February, 2005.

CITY OF LEXINGTON, NEBRASKA

BY: Ted Cook, Mayor

ATTEST:

Shirley Lewis, Deputy City Clerk

**LEXINGTON VOLUNTEER
FIRE DEPARTMENT
PENSION CONTRIBUTION:**

Peplitsch requested Council's approval of a Resolution setting the contribution amount to be deposited for the LVFD Certified Firefighters for 2004. Following discussion, moved by Fagot, seconded by Tomasek, to approve Resolution No. 05-04 setting the contribution amount to be deposited for LVFD Certified Firefighters for 2004. Roll call. Voting "aye" were Miller, Bennett, Tomasek, Fagot, Cook. Motion carried.

RESOLUTION NO. 05-04

**A RESOLUTION SETTING THE CONTRIBUTION AMOUNT FOR
THE LVFD SERVICE AWARD PROGRAM.**

WHEREAS, the Mayor and Council of the City of Lexington, Nebraska have, by Resolution #04-02, established the LVFD Service Award Program.

And;

WHEREAS, the contributions be made in accordance with the Volunteer Emergency Responders Recruitment and Retention Act-Nebraska Revised Statutes 35.1301-35.1330; Section 457(e)(11) of the

Internal Revenue Code of 1986, as amended; and the LVFD Service Award Program Plan Document.

THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lexington, Nebraska that the contribution to the Participant Annual Accounts for each Certified Lexington Volunteer Firefighter is hereby set at Five-Hundred Dollars (\$500.00) for the 2004 calendar year. The contribution amount shall remain the same for future calendar years until changed by resolution of the Mayor and City Council.

Passed and approved this 8th day of February, 2005.

CITY OF LEXINGTON, NEBRASKA

BY: Ted Cook, Mayor

ATTEST:

Shirley Lewis, Deputy City Clerk

**TECHNOLOGY
APPLICATION:**

Mayor Cook requested that this item be added to the Agenda for the purpose of discussing Lexington's Web Site, and E-Commerce Capacity. Items discussed included various ways of making Utility payments which could possibly include On-Line, Debit Card, Credit Card, etc. Administration was directed by Council to look into this, and report back. Also discussed was Lexington's Web-Site, and the need to keep in updated. Peplitsch reported that they would like to make it simpler to use, but it is a slow process, and to do it ourselves is costly, but will direct City Staff work on it.

EXECUTIVE SESSION:

Moved by Tomasek, seconded by Miller, to enter into Executive Session at 7:58 p.m. for the purpose of discussing sale of land. Roll call. Voting "aye" were Fagot, Bennett, Miller, Tomasek, Cook. Motion carried.

Moved by Tomasek, seconded by Miller, to reconvene Regular Session from Executive Session at 8:25 p.m. Roll call. Voting "aye" were Bennett, Fagot, Miller, Tomasek, Cook. Motion carried.

**ROUNDTABLE
DISCUSSION:**

Discussion was held regarding evaluation of the Municipal Building for current and future space needs. Mayor Cook and Councilman Tomasek will serve on the Evaluation Committee, with two members of the LVFD.

Discussion was held regarding scheduling a Marketing Meeting. It was recommended to advertise the meeting as a public meeting, so that all Council Members may attend.

Discussion was held regarding another Planning Session, where Council could continue the strategic planning process and begin defining goals for the next year. Council will be notified of the date and time of the next Planning Session Meeting.

Peplitsch presented a brief overview of the One and Six-Year Street Improvement Plan. A formal presentation will be presented to Council for their consideration at the next regular meeting, as a public hearing.

Council Member Miller reported an interest by the Masonic Temple in putting in a Cornerstone in the new Public Library. Peplitsch indicated that he would get the proper people connected to discuss this issue.

Discussion was held regarding the Lexington Area Solid Waste Agency Executive Board.

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