

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, September 23, 2008, at the Lexington Municipal Building, located at 406 E. 7<sup>th</sup> Street, Lexington, Nebraska at 5:30 p.m. Members of the Council present were Mayor John Fagot, Steve Tomasek, and Linda Miller. Council members Joni Bennett and John Salem were absent. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Will Weinhold and Deputy City Clerk Pamela Berke. Other city personnel included Finance Director Barb Mills. The press was represented by the Lexington Clipper-Herald, and Kearney Hub. Also present was Gabrielle Mills.

**NOTICE:** Notice of the meeting was given in advance, thereof by posting in the following locations: Lexington Municipal Building, Lexington Public Library, Dawson County Courthouse, Plum Creek Bank, TierOne 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 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. 7<sup>th</sup> Street, Lexington, Nebraska.

**MINUTES – REGULAR MEETING 9-9-08** Minutes of the Regular meeting held Tuesday, September 9, 2008, were presented for Council approval. Moved by Tomasek, seconded by Miller, to approve Minutes as presented. Roll Call. Voting “aye” were Tomasek, Miller, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$982,285.45 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Miller, seconded by Tomasek, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$302,368.11 from the General Fund, \$25,869.00 from TIF Fund, \$4,042.50 from ED Reuse, \$574,558.70 from LEXUS, \$28,062.14 from Sanitation, \$3,879.71 from Ambulance Fund, \$35,009.78 from Health Fund, and \$8,495.51 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Tomasek, Miller, Fagot. Motion carried.

**CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
September 23, 2008**

AFLAC	Premium	844.16
Alltel	Cellphones	267.75
B & D Office City	Supplies	20.24
Barco Municipal Products	ST Supplies	135.15
Barmore Drug Store Inc.	Supplies	19.99
Bonsack, Ray	Boots	14.97
Brin, Bernita	Travel Expense	95.94
Brown Traffic Products	Controller Unit	2,510.00
Brown Transfer Co.	Freight	63.24
Business Card	Storm Water Mgmt/EL Supplies	304.12
Card Center/Orscheln	CEM/WR Supplies	85.91

Case Credit Adavantage	Central Garage Supplies	38.86
Cash-Wa Distributing	Food & Supplies	2,247.06
Central Garage Fund	Repair/Service	2,144.40
Central Tire & Tread	WWTP Supplies	376.64
Community Redevelopment Authority	Reimburse Fees	25,869.00
Davis Energy, Inc.	Fuel	8,807.57
Dawson Area Development	Admin. Fees	4,000.00
Dawson County Public Power	Power Purchase	6,205.94
Diaz, Salomon	Mowing Service	85.00
Dunrite, Inc.	PK Supplies	60.42
Eakes Office Plus	Lib. Supplies	201.36
Electric Fixture	PK/GGC/Fire Supplies	131.59
Fox Bros. Hay Co., Inc.	Tree Grinding	2,827.83
FYR-TEK	Central Garage Supplies	31.38
Gale Group, The	Books	72.89
HD Supply Waterworks	WR Supplies	1,909.63
Health Claims Fund	Claims	31,400.40
Holbein, Dahlas D.	Maint. & Cleaning	1,000.00
International Assoc. of Electric Inspectors	Conference Registration	125.00
Ingram Library Services	Books	636.35
Jones Plumbing & Heating	WWTP Service	456.50
Keim, Bob	Freon Removal	180.00
Knapp Electric	Central Garage Supplies	56.01
KNOP-TV	Service Announcements	1,905.00
Lexington Health Fund	Self-Funding	65,763.30
Lexington Newspapers, Inc.	Publications	459.85
Lexington Public Schools	Refund	6,482.50
Lexington True Value	Cem/Fire Dept.Supplies	398.42
Loudon's of Lexington	Boots	128.00
Mead Lumber & Rental-Lexington	WR/PK/ST/Fire Dept. Supplies	64.20
Mid-Nebraska Food Bank	Food & Supplies	44.78
Miller & Associates	CED Addition/N.W.Detention Cell	21,498.40
Misko Sporting Goods	REC Supplies	127.83
Mr. Automotive	ST Supplies	10.89
Municipal Emergency Services, Inc.	Uniform Expense	80.00
Municipal Supply	WR Supplies	35.33
National Automobile Dealers	Subscription	78.00
Nebraska Dept. of Revenue	NE Waste Reduction/ Recycle Fee	25.00
Nebraska Law Enforcement	Conference	30.00
Outdoor Recreation Products	Oak PK Playground Equipment	22,076.00
Overton Community Center	Meals on Wheels	100.00
Paulsen, Inc.	Concrete	934.66
Pepplitsch, Joe	Conference/Seminars	774.31
Platte Valley Communications	WWTP Service	220.00
Precision Industries	WR Supplies	32.07
Roberts Dairy Company	Beverages	264.94
S & W Auto Part, Inc.	ST/Central Garage Supplies	344.33
Service Master Mid Nebraska	GGC/Lib. Cleaning Service	2,027.50
ST Paul Travelers	W.C. Premium Fire Pack	4,155.00
Sterling West	PK Supplies	104.35
Summitt Supply Corporation	Aquatic Center Supplies	63.36
Superior Signals, Inc.	Central Garage Supplies	358.00
T. L. Sund Constructors, Inc.	Arbor PK Skate Board Slab	17,345.00
T. O. Haas Tire Co., Inc.	Tire Repair	29.50
T & R Service	Transformer Disposal	590.00
TASC	Admin. Fees	151.80
Thompson Co., The	Food	554.83

TierOne-Lib. Petty Cash	Postage	51.44
U-Save Business Equipment	WWTP/REC/ST/WR Supplies	272.23
USA Bluebook	Storm Water Management Supplies	857.90
W P I C	Lab Test	27.10
Wal-Mart	Supplies	423.85
Wayne Manufacturing Company	ST Supplies	255.96
Wesco Distribution, Inc.	EL Supplies	507.18
Wilson Bohanna Padlock Co., The	ST/PK Supplies	578.89
Alltel	Cellphones	89.27
Associated Supply Company, Inc.	Aquatic Center Supplies	241.23
B & D Office City	Supplies	92.09
Baird Holm LLP	Professional Services	6,825.00
Brown Transfer Co.	Freight	58.50
Burnside, Dennis	Conference	261.80
Card Center/Orscheln	WWTP Supplies	92.12
Dan's Sanitation	Sanitation Fees	28,062.14
Dawson County Clerk	Dispatch Fees	25,000.00
Denker, Kay	EL Rebate	1,475.00
Fagot Refrigeration & Electric	Well #10 Repair/WWTP Service	3,474.18
Fastenal	Supplies	149.38
Galls, Inc.	Uniform Expense	196.64
Hach Company	WWTP Supplies	102.39
Health Claims Fund	Claims	2,586.32
Lexington Utilities System	Utilities	22,122.77
Lexington Volunteer Fire Dept.	Seminar	298.23
Lexington, City of	Franchise Fees	56,854.32
Payroll	Wages	100,820.32
Social Security	Employer Portion / FICA Med	7,501.92
First National Bank	Employer Portion / Pension	3,326.51
First National Bank	Police Pension	1,526.63
Health Fund	Insurance Premiums	23,715.66
ICMA	City Manager Pension	392.30
Miller & Associates	Pro Svc/Anaerobic Digester Gas Piping	17,871.00
Montoya-Rivas, Gloria	EL Rebate	1,025.00
Naumann, Sondra	Cleaning Services	123.00
Nebraska Dept. of Economic Development	Orthman's CDBG Pmt.	4,042.50
Nebraska Public Power Dist.	New Sub-T Line	400,000.00
Neopost	Postage	1,500.00
Pinnacle Bank	ST Sweeper Pmt.	19,806.25
Platte Valley Communications	Rec/Aquatic Ctr Security Equipment	8,144.85
Plum Creek Market Place	Food	7.85
S & W Auto Parts	Supplies	53.85
State Wide Collections	Collection Fees	263.56
T. L. Sund Contractors, Inc.	Refund	30.00
T. O. Haas Tire Company, Inc.	Repair	248.26
TierOne-City Petty Cash	Food/Postage	27.50
TierOne-Lib. Petty Cash	Food	16.65
U-Save Business Equipment	Postage	9.60
Wal-Mart	Supplies	367.86
Ward Laboratories	Lab Test	26.00
	<b>TOTAL CLAIMS:</b>	<b>982,285.45</b>

**ORDINANCE:**

An ordinance entitled "AN ORDINANCE TO VACATE THAT PORTION OF TYLER STREET LYING BETWEEN EAST 12<sup>TH</sup> STREET AND EAST 11<sup>TH</sup> STREET; TO PROVIDE FOR REVERSION OF THE VACATED STREET TO ADJOINING PROPERTY OWNERS; TO

PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was read by title on second reading. Peplitsch gave an update of a meeting between City and School staff regarding potential plans for this area. A discussion regarding a street light circuit in the area was held. Following discussion, moved by Miller, seconded by Tomasek, to approve Ordinance on second reading. Roll call. Voting “aye” were Tomasek, Miller, Fagot. Motion carried.

**FORECLOSED PROPERTIES:** Peplitsch gave a summary of the history associated with foreclosed properties that are scheduled for a sheriff’s sale on October 8, 2008. Following discussion, moved by Miller, seconded by Tomasek, to authorize the city manager to use his discretion to protect the city’s interest in the properties. Roll call. Voting “aye” were Tomasek, Miller, Fagot. Motion carried.

**PAY REQUEST:** Peplitsch presented Pay Request #5 from Cement Products, Inc. for the Lexington Pedestrian/Bike Trail project in the amount of \$76,827.59. Following an update of the project, moved by Miller, seconded by Tomasek, to approve the pay request as presented. Roll call. Voting “aye” were Tomasek, Miller, Fagot. Motion carried.

**ACCOUNTS RECEIVABLE:** Peplitsch requested authorization to remove balances for accounts deemed uncollectible. Following discussion, moved by Tomasek, seconded by Miller, to authorize the City Treasurer to remove balances for accounts deemed uncollectible for 2008. Roll call. Voting “aye” were Miller, Tomasek, Fagot. Motion carried.

**FINANCIAL REPORT:** Peplitsch presented Council with the financial report for August 2008. Following discussion, moved by Tomasek, seconded by Miller, to accept the financial report as presented. Roll call. Voting “aye” were Miller, Tomasek, Fagot. Motion carried.

**ROUNDTABLE:** Peplitsch gave an update of the soccer field improvement and the cemetery expansion projects. He noted that a planning session to address capital improvement projects will need to be scheduled as will a joint meeting between the city council and the school board. He will forward tentative dates for both.

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

John Fagot  
Mayor

Pamela Berke  
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.

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Deputy City Clerk