

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, July 23, 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 Fagot, John Salem, Linda Miller, Dora Vivas and Jeremy Roberts. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Will Weinhold and City Clerk Pamela Berke. The press was represented by Lexington Clipper-Herald and Kearney Hub. Deb Jensen, DAD, Jeff Ray, JEO Consulting Group, Brian Ray, HDR, and Ramon Prado were 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. 7<sup>th</sup> Street, Lexington, Nebraska.

**MINUTES – REGULAR MEETING 7-9-2013** Minutes of the Regular meeting held Tuesday, July 9, 2013, were presented for Council approval. Moved by Miller, seconded by Roberts, to approve Minutes as presented. Roll call. Voting “aye” were Vivas, Salem, Roberts, Miller, Fagot. Motion carried.

**MINUTES – WORK SESSION 7-20-2013** Minutes of the Work session held Saturday, July 20, 2013, were presented for Council approval. Moved by Roberts, seconded by Vivas, to approve Minutes as presented. Roll call. Voting “aye” were Miller, Salem, Vivas, Roberts, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$1,705,555.93 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Miller, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$245,867.41 from the General Fund, \$35,208.81 from Street Fund, \$1,385,694.81 from LEXUS, \$29,552.98 from Sanitation, \$1,310.74 from Ambulance, \$6,646.93 from Health Fund, and \$1,274.25 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Roberts, Miller, Salem, Fagot. Motion carried.

CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
July 23, 2013

AFLAC	Premium	1310.12
American Cancer Society	St Softball Tournament Support Personnel	500.00
Axis Capital, Inc.	Mail Machine Payment	840.00
B & D Office City	Police Supplies	148.93
Bamford, Inc.	Sprinkler Repair	519.08
Berke, David	Yard Clean-up	300.00
Cash-Wa Distributing	Food & Supplies	2,515.82
Center Point Large Print	Library Books	86.28

Central Garage Fund	Service / Repairs	10,601.56
Central Tire & Tread, Inc.	Tire Service / Repair	122.00
Coca Cola Bottling Krny	Beverages	444.80
Dan's Sanitation, Inc.	Sanitation Fees	2,051.10
Davis Energy, Inc.	Fuel / Oil / Propane	9,791.34
Dawson Pest Control	Library Service	54.60
Dawson Public Power District	Power Purchase	9,502.20
Dell Marketing LP	Computer Software	1,282.47
Demco, Inc.	Library Supplies	104.56
Eakes Office Plus	Library Supplies	93.80
Electric Fixture & Supply	EL Supplies	92.25
Eustis Body Shop	Towing Expense	100.00
Evans, Jesse	Mileage to Lincoln	184.19
Exchange Bank	Copier Payments	1,195.44
Fastenal Company	WWTP Supplies	7.26
Follett Software Company	Library Supplies	149.94
Gale Group, The	Library Books	96.26
Gothenburg State Bank	Monthly EPS Pymts	1,876.31
Great Western Bank-Lib. Petty Cash	Postage / Stamps / Supplies	192.55
Health Claims Fund	Claims	3,893.68
Holbein, Dahlas D.	Fire Dept Maint / Cleaning Service	1,000.00
International Institute Municipal Clerks	Membership Fee	145.00
Ingram Library Services	Library Books	892.73
Jakes Toro Sprinklers	Sprinkler Service	55.00
Jasnoch, Shon	EL Rebate	1,200.00
Kids Reference Company, Inc.	Library Books	70.93
Lex Area Solid Waste Agency	Landfill	3,589.02
Lexington Newspapers, Inc.	Publications	800.04
Lexington Truck & Auto, Inc.	Central Garage Supplies	75.00
Lexington Utilities System	Utilities	42,757.19
Mead Lumber & Rental-Lexington	WR Supplies	244.83
Mersino Dewatering, Inc.	WWTP Improvements PJ / Rental	9,000.00
Midland Scientific, Inc.	WWTP Lab Supplies	440.82
Mid-State Units	Rental	500.00
Miller & Associates, Inc.	East Viaduct PJ	4,961.82
Moore Medical LLC	Ambulance Supplies	1,067.29
Morrow, Megan	EL Incentives	30.00
Municipal Supply, Inc.	WR Supplies	527.02
Nebraska Department of Labor	Unemployment	551.00
NE Law Enforcement Training Ctr	TABE Tests	60.00
Nebraska Public Power District	Power Purchase	1,070,252.95
Nebraska Public Power District	O & M	71,674.96
Nebraska Public Power District	Capital PJ's	65,456.91
Nebraska Tech & Telecomm, Inc.	Telephone Service	1,240.41
NE Water Environment Assn	WWTP Membership Dues	20.00
NebraskaLink	Library Service	15.00
NE Wastewater Environmental Assn	Conference Registration	60.00
OCLC, Inc.	Library Subscription	27.17
O'Hara Lindsay & Associates Inc.	Lobbying Services	833.33
Oliver Consulting Service, Inc.	Computer Service	580.00
Overton Community Center	Meals on Wheels	100.00
Oxmoor House, Inc.	Library Book	36.92
Pinnacle Agency, The	Premium	22.00
Price's Tree Service	House Demolition	4,500.00
Progressive Business Publications	Subscription	230.00
Pumpkin Books	Library Books	100.55
Randy's Body Shop	Towing Expense	100.00

S & W Auto Parts	Central Garage Supplies	1,277.61
S & D Contractors	Yard Clean-up	100.00
Schwan's Sales Ent	Food	47.40
Service Master Mid Nebraska	Cleaning Service	4,741.00
Sign Pro DCOC Sign	Service / Repair	825.00
Statewide Collection, LLC	Collection Fees	868.10
Subway @ Wal-Mart	Meals	70.00
T. O. Haas Tire Co.	Tire / Repair	152.80
Team Detail & Quicklube Car	Detail / Uniform Repair	118.00
Tri-City Tribune	Library Subscription	31.50
Unisan Products	Rec/LFAC/Srv Bldg Supplies	225.86
Vermeer High Plains	Central Garage Supplies	1,283.22
Wal-Mart	Supplies	
471.55		
YMCA of Lexington	Baseball / Softball Sponsorship	600.00
American Patriot Pictures LLC	Library DVD	19.99
Awards Unlimited, Inc.	ST Softball Tournament Awards	275.15
Boyd Surveying, LLC	Survey Service	350.00
Business Card		
Microsoft Store	Computer Program Licenses	706.17
4-Imprint	WR Bottles / Pocket Coolies	1,603.29
ASPA	Membership Dues	75.00
Data-Pak	Mail Machine Part / Supplies	1,589.94
Sprinkler Warehouse	Sprinkler Parts	269.52
Water Environment Federation	Membership Dues	96.00
Business Supply	Folders / Personnel Record Jackets	53.10
National Safety Compliance	Labor Law Posters	107.77
USI ED GOV	Laminating Supplies	26.55
Card Center/Orscheln	PK/WR/WWTP/CG/Cem/BI Supplies	734.19
Cash-Wa Distributing	Food & Supplies	1,113.64
Coca Cola Bottling of Kearney	Beverages	835.60
Dan's Sanitation, Inc.	Sanitation Fees	29,552.98
Dutton-Lainson Company	EL Supplies	484.65
Fastenal Company	WR / ST Supplies	185.69
Great Western Bank-City Petty Cash	Postage / Meals / Vehicle Parts	62.73
Great Western Bank-Lib. Petty Cash	Postage / Food / Book	29.09
Health Claims Fund	Claims	1,284.72
Intellicom Computer Consulting.	Computer Service	126.16
Jim Phillips Const.	ST / Sidewalk Repair	3,210.00
Johnstone Supply	DCOC Supplies	427.72
LaserTec of Nebraska, Inc.	Data-Pak Mail Machine Repair	457.42
Lexington Girls Fast Pitch	St Softball Tournament Support Personnel	1,500.00
Lexington Newspapers, Inc.	Publications	140.69
Lexington, City of	Franchise Fees	83,432.83
Lexington City Payroll Account		
Payroll	Wages	157,304.14
Social Security	Employer Portion / FICA Med	11,745.34
Union Bank & Trust	Employer Portion / Pension	3,938.69
Union Bank & Trust	Police Pension	1,764.07
ICMA	City Manager Pension	836.93
LTR Products LLC	Crumb Rubber	40,240.00
Matt Parrott	UTL Office Supplies	1,110.72
Mead Lumber & Rental-Lex	EL / WR Supplies	40.11
Midwest Workwear	ST Shirts	1,928.71
Municipal Pipe Services, Inc.	WR Supplies	1,605.00
NE Public Health Environmental Lab	WR Testing	188.00
Nebraska Amateur Softball Assn	State Softball Tournament Fees	3,600.00

NE Bureau of Animal Industry	License Fee	150.00
Paulsen, Inc.	Concrete	574.47
Platte Valley Communications	Mo Maintenance / Repair	132.00
Plum Creek Promotions	ST Softball Tournament Shirts	2,010.50
S & W Auto Parts	Bldg Insp Supplies	9.90
TASC - Client Invoices	Fees	158.41
Twin Rivers Testing/ Environmental	WWTP PJ Testing	7,020.00
Verizon Wireless	Cellphone Service	361.88
TOTAL CLAIMS:		1,705,555.93

**THEATER PROJECT:**

Deb Jensen, DAD, reviewed special conditions requirements of CDBG grant No. 12-TD-001, Majestic Theater Project. Following discussion, moved by Miller, seconded by Vivas, to approve the special conditions documentation as presented and to authorize their execution by the City Manager, Mayor, and Clerk. Roll call. Voting “aye” were Salem, Roberts, Vivas, Miller, Fagot. Motion carried.

**PUBLIC HEARING:**

Mayor Fagot opened a public hearing to discuss the proposed final draft of the Comprehensive Development Plan update as prepared by JEO and HDR consulting firms. Jeff and Brian Ray gave an overview of the planning process and reviewed specific components that were incorporated into the plan. Following discussion and there being no further comments, the public hearing was closed. Council members and staff thanked the consultants for their work on the project. Resolution No. 2013-22 was presented. Moved by Salem, seconded by Roberts, to approve Resolution No. 2013-22. Roll call. Voting “aye” were Vivas, Miller, Roberts, Salem, Fagot. Motion carried.

RESOLUTION NO. 2013-22

WHEREAS, the Lexington Planning Commission has, after public hearing, adopted and recommended an update to the comprehensive plan entitled “The Lex-Plan 2013”, and

WHEREAS, after notice being published and public hearing before the Council, the Council determines that said plan should be adopted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, that the document prepared under the direction of the Lexington Planning Commission and entitled “The Lex-Plan 2013”, should be and hereby is adopted as the comprehensive plan for the City of Lexington, Nebraska.

Passed and approved this 23rd day of July, 2013.

CITY OF LEXINGTON, NEBRASKA

By: John Fagot, President of the Council

ATTEST: Pamela Berke, City Clerk

**AIRPORT AUTHORITY:**

Resolution No. 2013-23 was presented. Pepplitsch reviewed a request from the Airport Authority for tax levy allocation for Fiscal Year 2014. Moved by Miller, seconded by Vivas to approve Resolution No. 2013-23. Roll call. Voting “aye” were Roberts, Salem, Vivas, Miller, Fagot. Motion carried.

RESOLUTION NO. 2013-23

WHEREAS, the Lexington Airport Authority has requested an allocation of a part of the City of Lexington property tax levy for budget purposes.

BE IT RESOLVED, by the Mayor and Council of the City of Lexington, Nebraska, that \$125,000.00 of the City of Lexington Property Tax Levy Authority is hereby allocated to the Lexington Airport Authority for the fiscal year 2013-2014.

Passed and approved this 23rd day of July 2013.

CITY OF LEXINGTON, NEBRASKA

BY: John Fagot, Mayor

ATTEST: Pamela Berke, City Clerk

- FINANCIAL REPORT:** Peplitsch reviewed a financial report for June 2013. Following discussion, moved by Miller, seconded by Salem, to accept the financial report as presented. Roll call. Voting “aye” were Vivas, Robert, Salem, Miller, Fagot. Motion carried.
- BUDGET FY 2014:** Council and Staff reviewed draft budget proposals for the general and street funds for FY 2014. Following discussion, no action was taken.
- ROUNDTABLE DISCUSSION:** Burnside gave an update on the Jackson Street Improvement project.
- 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