

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, September 10, 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, and Dora Vivas. Councilmember Jeremy Roberts was absent. City Officials present were City Manager Joe Peplitsch, 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, KRVN Radio, and Kearney Hub. Deb Jensen, DAD, 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 8-27-2013 Minutes of the Regular meeting held Tuesday, August 27, 2013, were presented for Council approval. Moved by Vivas, seconded by Miller, to approve Minutes as presented. Roll call. Voting “aye” were Salem, Miller, Vivas, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,017,438.95 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Miller, seconded by Salem, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$193,018.49 from the General Fund, \$61,989.35 from Street Fund, \$688,789.43 from LEXUS, \$10,000.00 from Sanitation, \$7,103.25 from Landfill, \$24,315.29 from Ambulance, \$8,110.46 from Health Fund, and \$24,112.68 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Salem, Miller, Fagot. Motion carried.

**CITY OF LEXINGTON
ACCOUNTS PAYABLE
September 10, 2013**

All Points Cooperative	Fuel	249.61
Allied Systems, Inc.	WWTP Pump	1,553.07
Anderson Graphics	Library Service	277.00
Annie's Attic Books	Library Book	19.94
Aqua-Tronics, Inc.	Repair Cable Fault Locator	489.34
Barco Municipal Products, Inc.	ST Supplies	71.84
Book Farm, Inc.	Library Books	255.55
Brecks, Bill	Travel Expense	98.31
Cash-Wa Distributing	Food & Supplies	1,363.02
Central Garage Fund	Fuel	10,735.91
Culligan Water Conditioning Co.	Soft Water Supplies	115.16
Daktronics, Inc.	Ball Field Scoreboards	7,820.00
Dan's Sanitation	Sanitation Fees	11,718.16

Davis Energy, Inc.	Fuel / Oil	4,328.67
Dawson County Register of Deeds	Filing Fees	68.00
Dawson Pest Control	GGC Service	36.75
Demco, Inc.	Library Supplies	59.85
Depository Trust Company	11 Combined UTL Refund Bond	136,262.50
Diamond Vogel Paint	PK Supplies	283.74
Eakes Office Plus	Libr/Pol Copiers/SB/Admin Copies	18,940.40
Electric Fixture & Supply, Inc.	EL Supplies	188.79
EZ Street Company, The	Cold Patch	1,119.44
Fagot Refrigeration & Electric, Inc.	GGC Repair	67.99
Gale Group, The	Library Books	276.12
Grainger	WWTP Supplies	93.05
Great Plains Govt Finance Officers Assn	Conference Registration	150.00
HD Supply Waterworks	WR Meters / Radios for AMI PJ	69,795.98
Health Claims Fund	Claims	7,510.64
Ingram Library Services	Library Books	140.83
Jakes Toro Sprinklers	LFAC Repair	82.25
JEO Consulting Group, Inc.	Lex Zoning Update	2,516.50
Jones Plumbing & Heating, Inc.	Repairs / Supplies	1,108.32
Lexington Animal Clinic	Animal care	1,252.85
Lexington Health Fund	Self-Funding	32,390.94
Lexington Newspapers, Inc.	Publication	466.63
Lexington Postmaster	GGC Postage	165.00
Lexington, City of - General Fund	Annual Inter Dept Service Fees	244,093.23
Lexington, City of	Franchise Fees	75.41
Lexington City Payroll Account		
Payroll	Wages	120,189.56
Social Security	Employer Portion / FICA Med	8,906.08
Union Bank & Trust	Employer Portion / Pension	3,959.64
Union Bank & Trust	Police Pension	1,885.31
ICMA	City Manager Pension	836.93
Matheson Tri-Gas Inc.	Ambulance Supplies	76.24
Mead Lumber & Rental-Lexington	PK / ST / Fire Dept Supplies	48.51
Meritain Health	Health Premium	19,118.22
MicroMarketing LLC	Library Books	71.48
Midwest Laboratories, Inc.	WWTP Testing Supplies	292.90
Miller & Associates	East Viaduct PJ	38,804.60
Moore Medical LLC	Ambulance Supplies	915.42
Morris Press	GGC Supplies	194.00
Municipal Supply, Inc.	WR Supplies	295.94
National Recreation and Park Association	Membership Fee	159.00
Nebraska Rural Water Association	Membership Fee	275.00
Nebraska Public Power District	O & M	77,601.67
Nebraska Public Power District	Capital Projects	63,906.53
North Platte Telegraph, The	Muni Bldg Subscription	152.00
O'Hanlon Seed, Inc.	PK / Cem Grass Seed	780.00
One-Call Concepts	Locates	125.45
Paulsen, Inc.	Concrete	93.09
Primary Electric, Inc.	WWTP Repair	50.00
Principal	Dental Premium	2,259.58
Pumpkin Books	Library Books	81.96
RepCo Marketing, Inc.	Police Supplies	25.50
Richardson Mowing	Lawn Care	180.00
Roberts Dairy Company	Beverages & Food	383.58
Service Master Mid Nebraska	Cleaning Service	4,134.12
Source Gas, LLC	Gas Service	4,084.45
Standard Life Insurance Company	Premium	666.63

T. O. Haas Tire Company	Tires / Repair	250.46
Team Detail & Quicklube	Car Washes	75.00
Thompson Co., The	Food & Supplies	581.37
Total Lawn Care	Lawn Care	900.00
Unisan Products	Rec Supplies	96.26
Village Uniform	GGC Supplies	50.20
Vision Service Plan	Premium	559.37
Wal-Mart	Supplies	628.85
Cash-Wa Distributing	Supplies	711.20
Central Garage Fund	Service / Repairs	2,623.69
Coca Cola/Dr Pepper Bottling of Kearney	Beverages	80.00
Culligan Water Conditioning Co.	Softwater Supplies	77.43
Dawson Pest Control	DCOC Service	54.60
Egan Supply Company	Supplies	259.00
EMS Billing Service, Inc.	Ambulance Billing Service	1,652.28
Fastenal	ST / Bldg Insp Supplies	109.45
Forestry Suppliers, Inc.	Police Supplies	115.01
HD Supply Waterworks	AMI PJ Setup / Meter Wires	7,761.64
Health Claims Fund	Claims	599.82
Holbein, Dahlas	Lawn Care / Paint Fire Hall	725.00
John Deere Financial	Central Garage Supplies	1,823.04
Keim, Bob	Ice Machine Repair	95.95
Konica Minolta Business Solutions	Police / Library / Admin Copies	68.61
Kratzer Electric, Inc.	Rec Center Service	208.80
Lexington Area Solid Waste Agency	Landfill	1,067.52
Lexington Regional Health Center	Wellness	196.00
Lexington Truck & Auto, Inc.	Central Garage Supplies	200.00
Mac's Short Stop	Food	18.18
Milco Environmental Services, Inc.	Landfill WR Sampling	7,103.25
Nebraska Dept. of Revenue	Sales & Use Tax	58,451.76
NebraskaLink	City Service	380.00
NLA/NEMA Conference	Library Conference	390.00
O'Hara Lindsay and Associates, Inc.	Lobbying Service	833.33
Perez, Andres	EL Rebate	300.00
Perez, Gerardo	Dewinterize / Winterize Pool	1,494.00
Platte Valley Auto Mart	Service Vehicle	44.14
Rockmount Research & Alloys, Inc.	Central Garage Supplies	1,138.48
S & W Auto Parts	WWTP / Central Garage Supplies	414.80
Scholastic Library Publishing	Library Books	152.10
Service Master Mid Nebraska	GGC Cleaning Service	158.75
Thalman, Julie	Cleaning Service	200.00
Thompson Company, The	Food	696.48
Twin Rivers Testing/Environmental LLC	WWTP Improvements PJ Testing	15,884.75
U-Save Business Equipment	Muni Bldg/GGC/BI Spls/UPS	1,274.11
Wal-Mart	Supplies	28.09
Weinhold Law Office	Legal Fees	112.00
	TOTAL CLAIMS:	1,017,438.95

18TH ST/HEARTLAND RD:

Pepplitsch presented a bid tabulation for the 18th Street/Heartland Road Paving Project, and recommended acceptance of the bid from Paulsen, Inc. Following discussion, moved by Salem, seconded by Miller, to accept the bids and award a contract to Paulsen Inc. for the 18th St/Heartland Road Paving project in the amount of \$403,082.50. Roll call. Voting "aye" were Vivas, Miller, Salem, Fagot. Motion carried.

- CIS STUDY:** Deb Jensen, DAD, presented special condition documents for the CIS Study, CDBG No. 13-CIS-002. Following discussion, moved by Miller, seconded by Salem, to approve the special condition documents and authorize appropriate execution. Roll call. Voting “aye” were Vivas, Salem, Miller, Fagot. Motion carried.
- INTERLOCAL AGMT:** Peplitsch reviewed a draft interlocal agreement with the Lexington School District for a School Resource Officer. Following discussion, moved by Miller, seconded by Vivas, to authorize the City Manager to negotiate and enter into agreement with the Lexington School District for an SRO. Roll call. Voting “aye” were Salem, Vivas, Miller, Fagot. Motion carried.
- ACCOUNTS RECEIVABLE:** Peplitsch reviewed delinquent utility accounts that have been deemed uncollectible. Following discussion, moved by Salem, seconded by Miller, to authorize Staff to remove balances for utility accounts as presented. Roll call. Voting “aye” were Vivas, Salem, Miller, Fagot. Motion carried.
- BUDGET HEARING:** Mayor Fagot opened a public hearing to discuss the proposed FY 2014 budget. Council and Staff reviewed the proposed budget. Being no further comments, the public hearing was closed.
- RESTRICTED FUNDS:** Peplitsch reviewed the restricted funds authority. Following discussion, moved by Miller, seconded by Salem, to increase the base of restricted funds by an additional 1% for FY 2014. Roll call. Voting “aye” were Vivas, Salem, Miller, Fagot. Motion carried.
- TAX REQUEST HEARING:** Mayor Fagot opened a public hearing to discuss setting the FY 2014 final tax request at a different amount than the prior year request. Following discussion, the public hearing was closed. Resolution No. 2013-27 was presented. Moved by Salem, seconded by Miller, to approve Resolution No. 2013-27. Roll call. Voting “aye” were Vivas, Miller, Salem, Fagot. Motion carried.

RESOLUTION NO. 2013-27

A RESOLUTION SETTING THE PROPERTY TAX REQUEST FOR FISCAL YEAR 2013-2014 AT A DIFFERENT AMOUNT THAN THE PRIOR YEAR REQUEST.

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the city of Lexington passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of the Municipality that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE, the Governing Body of the city of Lexington by a majority vote resolves that:

1. The 2013-2014 property tax request is set at \$988,167.86.

2. A copy of this resolution shall be certified and forwarded to the County Clerk prior to October 13, 2013.

PASSED AND APPROVED this 10th day of September 2013.

John Fagot, Mayor

ATTEST: Pamela Baruth, City Clerk

APPROPRIATION ORD:

Ordinance No. 2335 entitled "AN ORDINANCE TO ADOPT THE BUDGET STATEMENT FOR FISCAL YEAR 2013-2014; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM" was presented. Moved by Salem, second by Miller, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting "aye" were Vivas, Miller, Salem, Fagot. Motion carried.

Ordinance No. 2335 was presented on final reading. Moved by Salem, seconded by Miller, to approve Ordinance No. 2335 on final reading. Roll call. Voting "aye" were Vivas, Miller, Salem, Fagot. Motion carried.

PAY REQUEST:

Pepplichtsch presented Pay Request #6 from BRB Contractors Inc. for the WWTP Improvement project in the amount of \$399,982.86. Following discussion, moved by Salem, seconded by Vivas, to approve Pay Request #6 as presented. Roll call. Voting "aye" were Miller, Vivas, Salem, Fagot. Motion carried.

WORK SESSION:

Moved by Miller, seconded by Salem, to schedule a Council work session on Saturday, October 12, 2013, at 8:00 am. Roll call. Voting "aye" were Vivas, Salem, Miller, Fagot. Motion carried.

ROUNDTABLE DISCUSSION:

Burnside gave an update on the Jackson Street Paving Improvement project, as well as recent improvements to Monroe Street.

Miller indicated she will be absent from the September 24th regular meeting.

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.

/s/ Pamela Baruth
City Clerk