

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, October 10, 2000 at the Lexington Municipal Building, located at 406 East 7<sup>th</sup> Street, Lexington, Nebraska at 7:30 p.m. Members of the Council present were Mayor John Fagot, Rick Klamm, John Wightman, Neal Kohl, Ted Cook. City Officials present were City Manager Joe Peplitsch, City Attorney Willard Weinhold, Deputy City Clerk Shirley Lewis. Department Heads present were Charles Clark, Barbara Mills, Ruth Seward. Citizens in attendance were John Salem, Mark Schmidt, Kermit Debban, Porf and Trish Bliven, Cindy Smith, Heather Hagan, David Selk, Alan and Anita Smith. The Press was represented by KRVN, Clipper-Herald, and Kearney Hub.

**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 John Fagot.

**MINUTES – REGULAR MEETING – 9-26-00:** Minutes of the Regular Meeting held Tuesday, September 26, 2000 was presented for Council’s consideration and approval. Moved by Klamm, seconded by Kohl, to approve the Minutes of the Regular Meeting held September 26, 2000 as presented. Roll call. Voting “aye” were Cook, Wightman, Kohl, Klamm, Fagot. Motion carried.

**CLAIMS AND BILLS:** Claims and Bills in the amount of \$809,189.16 was submitted for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Wightman, seconded by Klamm, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$119,952.51 from the General Fund, \$649,642.76 from LEXUS, \$10,000.00 from City Sanitation, \$407.50 from the Landfill Fund, \$2.55 from Library Memorial Fund, \$234.61 from Library House fund, \$20,178.71 from the Health Fund, and \$8,770.52 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Cook, Kohl, Klamm, Wightman, Fagot. Motion carried.

CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
OCTOBER 10, 2000 COUNCIL

ADVANCED CONTROL SYSTEMS	RTU REPAIRS	479.25
ALLTEL	CELLULAR CHARGES	52.25
BARMORE'S	OFFICE SUPPLIES	19.48
BERNTSON OIL	GAS AND DIESEL	48.30
BILL'S FARM & RANCH SVCS	GRASS SEED	260.00
BROADWING TELECOMM	TELEPHONE CHARGES	235.11
C.B.S.A.	EMPS MEDICAL CLAIMS	6,069.76
C.B.S.A.	OCT PREMIUM CHGS	8,009.06
CASH-WA DISTRIBUTING	FOOD AND SUPPLIES	1,463.87
CENTRAL GARAGE FUND	PRTS/LBR/OIL/GS/DIESL	7,264.14
CHILDREN'S BOOK COUNCIL	LIBRARY SUPPLIES	37.00

COMPUTER GAMING WORLD	SUBSCRIPTION	34.97
COMPUTERS BY HAMPTON	LABOR/CONTRACT/EQUIPMENT	1,944.88
CONSUMER GUIDE	SUBSCRIPTION	99.00
CULLIGAN WATER COND	GGC & WWTP WTR TREATMENT	154.29
D & M SECURITY	QUARTERLY SVC	84.00
DAN'S SANITATION	SOLID WASTE FEES	10,641.44
DAWSON COUNTY CLERK	DISPATCH FEES	5,623.73
DAWSON CO PUBLIC POWER	SEPTEMBER POWER CHARGES	2,559.72
DAWSON COUNTY TREASURER	PD AUCTION	3,332.70
DEMCO	LIBRARY SUPPLIES	95.85
EAKES OFFICE PRODUCTS	COPIER PYMT/LABOR	768.36
EGAN SUPPLY COMPANY	CLEANING SUPPLIES--GGC	28.65
EILERS MACHINE & WELDING	PARTS & LABOR	96.41
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	3,147.73
EUSTIS BODY SHOP	SALVAGE VEHICLE--FIRE DEPT	50.00
FAGOT REFRIG& ELECTRIC	SVC TO CITY OFFICES	34.50
FAIRBANKS INTERNAT INC	CENTRAL GARAGE SUPPLIES	194.97
FISCHER-SCIENTIFIC	WWTP SUPPLIES	685.68
FIVE POINTS BANK	COPIER PAYMENT	205.12
FIVE STAR FLOORING	WWTP SUPPLIES	17.98
FLOOR SHINE	FLOOR CARE FIREHALL	65.00
FOLLETT SOFTWARE CO	LIBRARY SUPPLIES	19.02
GILLETTE/NE DAIRIES, INC.	DAIRY PRODUCTS-GGC	148.95
GROLIER PUBLISHING CO	BOOK ORDER	89.02
HALL'S SAFETY EQUIPMENT	EMPLOYEE BOOTS	153.95
HARLEQUIN RETAIL INC	BOOK ORDER	10.52
HIPP WHOLESALE COMPANY	FOOD AND SUPPLIES	949.84
HOEHNER TURF IRRIGATION II	REC COMPLEX SUPPLIES	1,140.86
HOLBROOK, BONNIE	CLEANING--FIRE DEPT	87.00
HOLIDAY TRAVEL & CRUISES	AIR FARE--SEWARD	244.22
HRONE. COM	OFFICE SUPPLIES	21.27
IDEALS PUBLICATIONS INC	SUBSCRIPTION	19.95
INGRAM LIBRARY SERVICES	LIBRARY BOOKS	592.83
INS & PERSONNEL SERVICES	ADMINISTRATIVE FEES	403.65
INTERNET USA, LLC	LIBRARY INTERNET SERVICE	99.90
INVENSYS METERING SYSTEMS	SUPPORT CONTRACT	750.00
JONES PLUMBING & HEATING	SUPPLIES & SERVICES	1,079.18
K.R.V.N. - FM	ADVERTISING CONTRACT	165.00
KELLY SUPPLY COMPANY	ELECTRICAL SUPPLIES	110.38
KIDS DISCOVER	SUBSCRIPTION	19.95
KRIZ-DAVIS COMPANY	ELECTRICAL SUPPLIES	5,991.69
LANDMARK AUDIOBOOKS	AUDIOBOOK LEASE	759.50
LEXINGTON ANIMAL CLINIC	ANIMAL CARE	832.60
LA SWA	SOLID WASTE FEES/REFUND	473.63
LEXINGTON HEALTH FUND	OCTOBER SELF FUNDING	25,239.50
LEXINGTON LAUNDRY	SEPTEMBER LAUNDRY CHGS	46.00
LEXINGTON NEWSPAPERS INC	PUBLICATIONS	196.90
LEXINGTON POSTMASTER	GGC POSTAGE	150.00
LEXINGTON PUBLIC LIBRARY	REPLENISH PETTY CASH	44.01
LEXINGTON TRUE VALUE	GGC SUPPLIES	14.13
LEXINGTON, CITY OF	REIMBURSE AR/HOEHNER	98.08
LEXINGTON, CITY OF	MONTHLY CHARGES	23,851.79
LEX CITY PAYROLL ACCT.	PAYROLL FOR 10/3/00	72,842.66
SOCIAL SECURITY	SOCIAL SEC(EMPLYR PORTION)	5,498.26
FIRST NATIONAL BANK	EMP PENSN(EMPLOYER PORT)	2,245.81
AMERICAN FUNDS	POLICE PENSN(EMPLYR PORT)	1,046.09

I.C.M.A.	EMP PENSION(EMPLOYER PORT)	131.54
MEAD/BIG VALLEY LUMBER	MISC. SUPPLIES	547.41
MIDWAY SUPPLY	MISC. SUPPLIES	231.16
MILLER & ASSOCIATES	RETAINER/SUNSHINE 2ND SUB	3,645.05
MORRIS PRESS & OFC SUPPLIES	OFFICE SUPPLIES	32.50
NE DEPT OF MOTOR VEHICLES	POLICE SUPPLIES	48.00
NE. DEPT OF HHS LABORATORY	WWTP TEST	1,253.00
NEBRASKA MANUFACTURERS	REG LIBRARY SUPPLIES	69.00
NEBRASKA NATIONAL BANK	MAIL SYSTEM PYMT	379.64
NEBRASKA PUBLIC POWER DIST	POWER PURCHASED	512,848.05
NEBRASKA WASTE HANDLERS	WWTP WASTE HAULING	3,175.50
NEBRASKALAND TIRE	TIRE REPAIR	112.68
NELSON, THOMAS R.	SEPTEMBER CLEANING	500.00
OMAHA LIFE INSURANCE CO	OCT INSURANCE - FIREMEN	62.35
OMAHA WORLD HERALD	SUBSCRIPTION RENEWAL	184.60
PATTY'S HALLMARK	OFFICE SUPPLIES	125.16
PAULSEN INC.	CONCRETE/MILLING	12,594.57
PEAK INTEREST	MEALS	20.54
PEOPLE WEEKLY	SUBSCRIPTION RENEWAL	103.48
PLATTE VALLEY COMMUN	SEPT. MAINT - SCADA WORK	1,469.34
PLUM CREEK MOTORS	PARTS & LABOR	83.09
PRECISION INDUSTRIES	WWTP SUPPLIES	547.54
QUALITY STORES INC	MISC. SUPPLIES	35.96
QUILL CORPORATION	OFFICE SUPPLIES	108.65
RADER, STEVE	ELECTRIC REBATE	750.00
REACH ELECTRONICS	PAGER REPAIR	17.50
RENT-ALL RENTALS	WWTP RENTAL	5.00
S&W AUTO PARTS, INC.	PARTS AND SUPPLIES	80.49
SAV A LOT DISCOUNT FOODS	FOOD & SUPPLIES --GGC	32.30
SEWARD, JUSTIN	SEPT LIBRARY CLEANING	225.00
SEWARD, RUTH	REG REIMBURSEMENT	20.00
SIXTH ST PHARMACY	FILM DEVELOPMENT	4.94
SKARSHAUG TESTING	CLEAN & TEST	51.72
SPRING CR EMBRDY WORKS	JACKET EMBROIDERY	200.00
SUTTON, MIKE	ELECTRIC REBATE	1,100.00
T.O. HAAS TIRE CO	TIRE REPAIR	38.97
TIME LIFE BOOKS	LIBRARY SUPPLIES	23.98
TRI CITY TRIBUNE	PUBLICATIONS	77.00
TRI COUNTY HOSPITAL	WELLNESS CTR MEMBERSHIPS	180.00
U S FILTER DISTRIB GROUP	AUTOGUN/TOUCHREAD	6,336.75
U.S. WEST COMMUNICATIONS	SEPTEMBER PHONE CHARGES	1,950.25
U-SAVE FOODS INC	FOOD & SUPPLIES --GGC	115.06
USHER PEST CONTROL	MONTHLY SVC	24.00
WAL-MART	MISC. SUPPLIES	216.72
WEBER & WEINHOLD	PROFESSIONAL SVC	2,232.50
WESCO DISTRIBUTION INC	ELECTRICAL SUPPLIES	7,584.50
WESTERN STATES INDUSTRIES	STREET SUPPLIES	160.71
C.B.S.A.	EMPLOYEE MEDICAL CLAIMS	12,904.99
CASH-WA DISTRIBUTING	FOOD & SUPPLIES	682.53
CCP INDUSTRIES INC	CLEANING SUPPLIES	416.19
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	28.44
INSURANCE & PERSONNEL SVC	EMPLOYEE 125 ACCT	800.31
KOVAR, KENT	CDL REIMBURSEMENT	50.00
KRIZ-DAVIS COMPANY	ELECTRICAL SUPPLIES	773.19
LEXINGTON NEWSPAPERS	SUBSCRIPTION	36.00
LEXINGTON, CITY OF	FRANCHISE FEES	21.72

LIEHS DRILLING	WR DEPT SUPPLIES	1.17
MARTIN ELECTRIC	FIRE DEPT SUPPLIES	85.75
MEAD/BIG VALLEY LUMBER	CREDIT ISSUED	-230.70
NATL ASSN OF PRCHSNG MGT	MEMBERSHIP	90.00
NATL COUNCIL ON THE AGING	MEMBERSHIP	200.00
NE DEPT OF REVENUE	SEPT SALES TAX	30,359.36
NE TRUCK & EQUIPMENT	WWTP SUPPLIES	125.46
PATTY'S HALLMARK	MISC OFFICE SUPPLIES	651.90
PETTY CASH FUND	REPLENISH PETTY CASH	78.10
PROMACO, INC	RECEPTACLE	397.15
US POSTAL SERVICE	POSTAGE	1,500.00
WAL-MART	MISC SUPPLIES	117.72
WESCO DISTRIBUTION INC	ELECTRICAL SUPPLIES	988.32
WILSON, BOHANNAN COMPANY	PARK SUPPLIES	136.02
	TOTAL CLAIMS	\$809,189.16

**CITIZENS COMMENTS:**

Mr. David Selk addressed the Lexington City Council stating his concerns on several issues including Loud Noise, Smell, Pornography, Sale of Alcohol on Sundays, and Litter.

Cindy Smith approached the Lexington City Council voicing her concerns regarding the Pornography Issue in Lexington. Mayor Fagot informed Mrs. Smith that this issue will be addressed at a future meeting.

**LITTER ENFORCEMENT:**

Cindy Smith and Heather Hagan addressed the Lexington City Council suggesting some ideas to help control the Litter problem in the City of Lexington. Some ideas were to post signs in parks and downtown, have a "Hotline" available for reporting litter, enforce nuisance citations judicially, get volunteer help financially, educate better at schools, get volunteers to supervise kids who must serve community service while they pick up litter, obtain more dumpsters, and possibly hire a part-time compliance officer. Following the presentation by Cindy Smith and Heather Hagan, City Manager Pepplitsch recommended that Staff be directed to develop a program to encourage stronger enforcement of the Litter Ordinance, and then follow up with a Report at a later date.

**NOISE ORDINANCE:**

Police Chief Charles Clark addressed the Lexington City Council presenting them with the Policies and Procedures of the Lexington Police Department, in regard to the Noise Ordinance within the City of Lexington. Citizens voicing their concerns regarding the Noise issue in Lexington were Alan and Anita Smith, and David Selk. Following extensive discussion, no action was taken on the Ordinance, although Council did recommend to give the issue 60 days with direction to Staff and to the Police Department to work on stronger enforcement of the noise ordinance for the City of Lexington.

**SALE OF LAND:**

Following discussion, moved by Klamm, seconded by Wightman, that the following Resolution be adopted and passed. Roll call. Voting "aye" were Kohl, Cook, Wightman, Klamm, Fagot. Motion carried.

RESOLUTION NO. 00-22

WHEREAS, the City has by Ordinance No. 2128 approved the sale of the following described real estate owned by the City, to-wit:

Lots C, E, and G, in the Replat of Lots 1-11, Block 2, SOUTHAVEN ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; (407 Oregon Trail, 415 Oregon Trail, and 507 Oregon Trail)

WHEREAS, Notice of such Ordinance has been duly published and the time for remonstrance has passed, and no petition against such sale has been filed.

BE IT THEREFORE RESOLVED by the Council and President of the Council of the City of Lexington, Nebraska, that John Fagot, as President of the Council is hereby directed and authorized on behalf of the City to execute a deed conveying the above described property to RON STAHLA and MARY STAHLA, the purchaser thereof.

PASSED AND APPROVED this 10<sup>th</sup> day of October, 2000.

CITY OF LEXINGTON, NEBRASKA

BY: John Fagot, Mayor

ATTEST:

Shirley Lewis  
Deputy City Clerk

**EXECUTIVE SESSION:**

Moved by Klamm, seconded by Wightman, to recess Regular Session to Executive Session at 8:38 p.m. Roll call. Voting "aye" were Kohl, Cook, Wightman, Klamm, Fagot. Motion carried.

Moved by Wightman, seconded by Klamm, to reconvene Regular Session from Executive Session at 8:59 p.m. Roll call. Voting "aye" were Cook, Kohl, Klamm, Wightman, Fagot. Motion carried.

**ADJOURNMENT:**

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

John Fagot  
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.

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Lexington Deputy City Clerk