

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, July 25, 2000 at the Lexington Municipal Building, 406 E. 7th Street, Lexington, Nebraska at 7:30 p.m. Members of the Council present were Mayor John Fagot, Neal Kohl, Ted Cook, Rick Klamm, John Wightman. City Officials present were City Manager Joe Peplitsch, City Attorney Willard Weinhold, Deputy City Clerk Shirley Lewis. Department Heads present were Ruth Seward. Others in attendance were Lori Weston, Nova Workman, Bill Ashmore, Mark Yung, Opal Hilty, Nola Reed Ken Gydesen, Kermit and Glenda Debban, and approximately 70 concerned citizens. The Press was represented by the Clipper-Herald, KRVN, Tri-City Tribune, 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 – 7-10-00: Minutes of the Regular Meeting held Tuesday, July 10, 2000 was presented for Council's consideration and approval. Moved by Wightman, seconded by Klamm, to approve the Minutes of the Regular Meeting held July 10, 2000, as presented. Roll call. Voting "aye" were Kohl, Cook, Klamm, Wightman, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$251,797.45 was presented for Council's consideration and approval. Upon review of the Claims and Bills as listed, moved by Wightman, seconded by Kohl, to approve the claims and bills as listed, and authorize the City Treasurer to transfer \$117,777.60 from the General Fund, \$89,108.51 from LEXUS, \$21,245.25 from the City Sanitation Fund, \$3,555.97 from the Landfill Fund, \$96.98 from Library Memorial Fund, \$13,942.69 from the Health Fund, \$6,070.45 from Meals on Wheels to the City of Lexington's Operating Account. Roll call. Voting "aye" were Cook, Klamm, Kohl, Wightman, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
JULY 25, 2000 COUNCIL

ADVANCED CONTROL SYSTEMS	SUPPORT AGREEMENT	2,188.00
AFLAC	CANCER PREMIUM	704.18
ALLSTATE IMAGING INC	OFFICE SUPPLIES	263.70
ALLTEL	CELLULAR CHARGES	32.00
AXIS CAPITAL INC	MAIL MACHINE LEASE/JULY	283.31
BARMORE'S	ELECTRIC SUPPLIES	210.22
BERTNSON OIL	GAS & DIESEL	3,150.32
BOTTOM LINE/TOMORROW	SUBSCRIPTION	39.00
BUSI & PROFESSIONAL CREDIT	UTILITY COLLECTIONS	588.07
C.B.S.A.	EMPLOYEE MEDICAL CLAIMS	12,191.81
CASH-WA	FOOD & SUPPLIES	1,278.91

CENTRAL GARAGE FUND	CENTRAL GARAGE SUPPLIES	3,680.27
CHESTERMAN CO	POP FOR POOL & GGC	48.90
CINDY'S HEAVENLY COOKIES	COOKIES FOR POOL	175.80
COAST TO COAST	CEN GAR & SEWER SUPPLIES	70.71
CURTIS INDUSTRIES INC	ELECTRIC SUPPLIES	408.31
DAN'S SANITATION	SANITATION SVC	1,041.44
DAW COUNTY WEED CONTROL	WEED SPRAYING	1,495.37
DEMCO	LIBRARY SUPPLIES	69.45
EAKES OFFICE PRODUCTS	OFFICE SUPPLIES	40.35
EGAN SUPPLY COMPANY	CLEANING SUPPLIES	108.60
ELECTRIC FIXTURE	ELECTRIC SUPPLIES	3,221.45
EXECUTIVE OFFICES	CLEANING SUPPLIES	74.00
FAGOT REFRIG & ELECTRIC	AIR CONDITIONER	1,675.15
FAIRBANKS INT INC	CEN GAR & ELECTRIC SUPPLIES	328.63
FOLLETT SOFTWARE CO	LIBRARY SUPPLIES	120.35
GILLETTE/NE DAIRIES INC	DAIRY	258.92
GREAT PLAINS SALES INC	CENTRAL GARAGE SUPPLIES	10.50
HACH COMPANY	SEWER SUPPLIES	184.60
HIPP WHOLESALE FOODS INC	FOOD & SUPPLIES	982.84
HOLIDAY INN	LODGING	46.00
HUSKER AG SALES	CEN GAR & SEWER SUPPLIES	72.90
INGRAM LIBRARY SERVICES	LIBRARY SUPPLIES	561.90
INS & PERSONNEL SERVICES	EMPLOYEE 125 ACCT	835.40
JONES HEATING & PLUMBING	INSURANCE INSPECTION	411.25
K N ENERGY INC	GAS SERVICE	5,743.41
KRIZ-DAVIS COMPANY	ELECTRIC SUPPLIES	671.83
LASWA	SOLID WASTE FEES	242.28
LEXINGTON NEWSPAPERS INC	PUBLICATION FEES	289.95
LEXINGTON PUBLIC LIBRARY	PETTY CASH REPLENISH	43.03
LEX RECREATION PROGRAM	SUPPORT PERSONNEL	100.00
LEXINGTON, CITY OF	POOL CASH DRAW/REFUND	87.00
LIEHS DRILLING	WATER DEPT SUPPLIES	6.82
LORMAN EDUCATION SERVICES	TRAINING REGISTRATION	189.00
LUTHER, ANN	MTG REIMBURSEMENT	39.44
MEAD/BIG VALLEY LUMBER	MISC SUPPLIES	155.49
MEYER WELDING & REPAIR	REPAIRS	134.86
MIDWAY SUPPLY	MISC SUPPLIES	101.34
MIDWEST LABORATORIES INC	LANDFILL TESTS	2,167.60
MORRIS PRESS & OFC SUPPLIES	OFFICE SUPPLIES	362.68
MTS SAFETY PRODUCTS INC	PARK SUPPLIES	98.05
NE LIBRARY COMMISSION	MEMBERSHIP	814.70
NEBRASKA MACHINERY	CENTRAL GARAGE SUPPLIES	303.59
NE MUNICIPAL CLERK'S ASSN	MEMBERSHIP	30.00
NE PUBLIC POWER DISTRICT	MONITORING SERVICE	581.50
OPS SYSTEMS	SOFTWARE	1,695.00
OVERTON COMM CENTER	RENT	100.00
PAYROLL 11-Jul-00	LEX CITY PAYROLL ACCOUNT	90,371.28
SOCIAL SECURITY	EMPLOYER PORTION FICA/MED	6,835.77
FIRST NATIONAL BANK	EMPLOYER PORTION PENSION	2,298.95
AMERICAN FUNDS	POLICE PENSION	1,095.31
ICMA	PEPPLITSCH PENSION	131.54
PATTY'S HALLMARK	OFFICE SUPPLIES	323.65
PAULSEN INC	CONCRETE	1,018.74
PEAK INTEREST	MTG LUNCH	31.53
PIERCE, FLOYD	ELECTRIC REBATE	1,100.00
PROGRESSIVE BUS PUBL	SUBSCRIPTION	230.00

PROTECTIVE LIFE INSURANCE	CANCER PREMIUM	43.90
QUALITY STORES INC	MISC SUPPLIES	149.42
RELIABLE	OFFICE SUPPLIES	45.28
RIEGE, IVAN	CONF REIMBURSEMENT	115.40
S & W AUTO PARTS INC	MISC SUPPLIES	346.10
SENSUS TECHNOLOGIES	METER READER REPAIRS	222.56
SIXTH STREET PHARMACY	MISC SUPPLIES	39.78
SPECIALTY STORE SERVICES INC	LIBRARY SUPPLIES	71.14
T.O. HAAS	CENTRAL GARAGE SUPPLIES	247.56
TIME LIFE BOOKS	LIBRARY SUPPLIES	23.98
TRI-CITY TRIBUNE	SUBSCRIPTION	23.50
U S FILTER DISTR GROUP	WATER DEPT SUPPLIES	952.14
U-SAVE FOODS	FOOD & SUPPLIES	136.19
UTILITY EQUIPMENT	ELECTRIC SUPPLIES	1,290.21
WAL-MART	MISC SUPPLIES	599.96
WESCO DISTRIBUTION INC	ELECTRIC SUPPLIES	546.32
ZEP MANUFACTURING CO	CLEANING SUPPLIES	52.89
ALLTEL	CELLULAR CHARGES	143.12
CASH-WA DISTRIBUTING	FOOD & SUPPLIES	2,723.12
CHESTERMAN CO	BOTTLED POP	1,202.50
CINDY'S HEAVENLY COOKIES	CONCESSIONS	96.60
C.B.S.A.	EMPLOYEE MEDICAL CLAIMS	167.40
DAWSON COUNTY SURVEYOR	SURVEYS	328.30
DAN'S SANITATION	SA CONTRACT	21,245.25
GILLETTE/NEBRASKA DAIRIES	DAIRY/GGC	109.38
LEXINGTON, CITY OF	FRANCHISE FEES	30,486.33
LEXUS	UTILITY BILLING	20,282.64
McCOOKNET INTERNET SVC	LIBRARY SUPPLIES	677.45
MILLER & ASSOCIATES	PROFESSIONAL SERVICES	14,500.00
NATIONAL LEAGUE OF CITIES	CONFERENCE REGISTRATION	602.94
NE WATER ENV ASSN	CONFERENCE REGISTRATION	40.00
PETTY CASH FUND	PETTY CASH REPLENISH	39.14
	TOTAL CLAIMS	\$251,797.45

CITIZENS COMMENTS:

Mayor Fagot informed the citizens in attendance that those who are not on the scheduled Agenda would be given a few minutes to present their comments to the Council. Lori Weston addressed the Lexington City Council expressing her concerns, and the concerns of others present at the meeting, of the possible Library Site going on property currently owned by Kermit and Glenda Debban. The Debbans do not want to sell their home, and would like to see the Library Board chose another site. Others voicing their concerns were Bill Ashmore, Mark Yung, Opal Hilty, Nola Reed, and Ken Gydesen.

Nova Workman addressed the City Council inquiring about zoning of pornography businesses in Lexington. It was brought before the Planning Commission quite some time ago, and was then taken to the City Council. She stated that nothing has been done since that point, and she hopes to see it on a future Agenda.

LIBRARY SITING:

Mr. Kermit Debban addressed the Lexington City Council informing them of his, and his family's, concerns about giving up their home for a possible Library Expansion Project. He stated that they are not opposed to progress, or any reasonable expansion of the Library. They would just like to see it done, without his family having to give up their home. Following Mr. Debban's presentation, no action was taken.

PUBLIC HEARING:

Mayor Fagot opened the public hearing. City Manager Joe Peplitsch addressed the Lexington City Council informing them that there had been no comments made regarding the rezoning of property located at the "City Compost Site" on East Walnut Street, Lexington, NE. The request was to have the property rezoned from M-2 to A-2. The Public Hearing was closed by Mayor Fagot. Following discussion, an Ordinance entitled "AN ORDINANCE TO REZONE LOTS 2 & 3, BLOCK G. OF THE SUBDIVISION OF SECTION 5-9-21, IN THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA, FROM M-2 HEAVY INDUSTRIAL TO A-2, URBAN RESERVE DISTRICT; TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM" was read before the Council. Moved by Klamm, seconded by Wightman, that the rules requiring the reading of said Ordinance on three separate days be suspended. Roll call. Voting "aye" were Cook, Kohl, Wightman, Klamm, Fagot. Motion carried.

Said Ordinance was then read by title. Moved by Klamm, seconded by Kohl, that Ordinance No. 2130 be passed on final reading. Roll call. Voting "aye" were Cook, Wightman, Kohl, Klamm, Fagot. Motion carried.

PUBLIC HEARING:

Mayor Fagot opened the public hearing. City Manager Joe Peplitsch addressed the City Council stating that this Ordinance, that was tabled at the last meeting, is being brought before the Council again. The Ordinance would regulate the distance between Billboards in the City of Lexington. Following discussion, Mayor Fagot closed the Public Hearing. Moved by Wightman, seconded by Kohl, to pass the following Ordinance on First Reading, with the language in Part B read "Off-premises advertising signs shall be located so that a minimum distance of six hundred feet (600') exists between signs on the same side of the street". Roll call. Voting "aye" were Klamm, Cook, Kohl, Wightman, Fagot. Motion carried.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTION 28-30.9 OF THE LEXINGTON CITY CODE, PROVIDING FOR REGULATION OF BILLBOARDS; TO REPEAL ORIGINAL SECTION 28-30.9 AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM.

FINANCIAL REPORT:

City Manager Joe Peplitsch, in the absence of the Financial Director, addressed the Lexington City Council, presenting the Financial Report for June, 2000. Following his presentation, moved by Klamm, seconded by Wightman, to accept the Financial Report for June, 2000. Roll call. Voting "aye" were Cook, Kohl, Wightman, Klamm, Fagot. Motion carried.

EXECUTIVE SESSION:

Moved by Wightman, seconded by Klamm, to recess the Regular Session, into Executive Session at 8:26 p.m. Roll call. Voting "aye" were Cook, Kohl, Klamm, Wightman, Fagot. Motion carried.

Moved by Wightman, seconded by Klamm, to reconvene the Regular Session, from Executive Session at 9:30 p.m. Roll call. Voting "aye" were Kohl, Cook, 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.

Lexington Deputy City Clerk