

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, September 26, 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 Sarah Gomez, Jim Underwood, Alan and Anita Smith, Mr. and Mrs. Kermit Debban, Connie Foster, Bill & Linda Motzner, Heather Hagan and Family, Cyndi 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 – 9-12-00:** Minutes of the Regular Meeting held Tuesday, September 12, 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 12, 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 \$389,629.37 was submitted for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Kohl, seconded by Klamm, to approve the Claims and Bills as listed, and authorize the city Treasurer to transfer \$109,367.50 from the General Fund, \$50,000.00 from Ed Reuse Fund, \$185,490.15 from LEXUS, \$21,356.75 from City Sanitation Fund, \$529.05 from Library Memorial Fund, \$4,800.00 from Library House Fund, \$11,932.59 from the Health Fund, and \$6,153.32 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Wightman, Cook, Klamm, Kohl, Fagot. Motion carried.

CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
SEPTEMBER 26, 2000 COUNCIL

AFLAC	CANCER PREMIUM	693.47
BARMORE DRUG	POOL SUPPLIES	13.61
BASURTO, CYDNEY	ELECTRIC REBATE	1,100.00
BERNTSON OIL	FUEL	102.45
BISHOP, PETE	MILEAGE REIMBURSE--NMPP MTG	19.00
BUSINESS & PROF CREDIT	COLLECTIONS	274.01
C.B.S.A.	EMPLOYEE MEDICAL	10,438.81
CASH-WA	FOOD AND SUPPLIES	1,123.45
CERTIFIED LABORATORIES	CENTRAL GARAGE SUPPLIES	220.17
COAST TO COAST	MISC SUPPLIES	248.19
COMPUTER MGT SERVICES INC	SOFTWARE MAINTENANCE	15,955.39

CURTIS INDUSTRIES, INC	ELECTRICAL SUPPLIES	66.39
D & R COMPUTING	COMPUTER--FIRE DEPT	999.00
DAW CO PUBLIC POWER DIST	ELECTRICAL SUPPLIES	2,238.44
DAWSON CO REG OF DEEDS	FILING FEES/BULLIS	5.50
DEMCO	LIBRARY SUPPLIES	263.66
DITCH WITCH OF NE INC	ELECTRICAL SUPPLIES	15.00
DO IT ALL LANDSCAPING	SEED GRASS-JEFFERSON ST	645.80
DUTTON-LAINSON COMPANY	FUSE CABINETS	5,936.31
EAKES OFFICE PRODUCTS	LIBRARY SUPPLIES	132.81
EILERS MACHINE & WELDING	CENTRAL GARAGE SUPPLIES	32.32
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	2,268.53
FAIRBANKS INTERN INC.	PARTS	25.87
FIVE STAR FLOORING	CARPET--GGC	2,243.06
FOS BROS HAY CO INC	TREE GRINDING	618.75
GALL'S INC.	GLOVE POUCHES	15.98
GILLETTE/NE DAIRIES, INC.	DAIRY FOR GGC	215.98
GROLIER PUBLISHING	LIBRARY SUPPLIES	505.63
H.O. SMITH, CO	TITLE INSURANCE/BULLIS	107.00
H.R. ONE.COM	I-9 FORMS	25.57
HACH CHEMICAL	CHEMICALS	52.38
HIPP WHOLESALE FOODS, INC.	FOOD AND SUPPLIES	964.30
HUNT CLEANERS	ELECTRICAL SUPPLIES	125.85
INGRAM LIBRARY SERVICES	LIBRARY BOOKS	562.87
K N ENERGY	FINAL BILL--POOL	5.00
KAR PRODUCTS	CENTRAL GARAGE SUPPLIES	10.81
KIRSNER, DAVID	ELECTRIC REBATE	750.00
KRING, KEN	PHONE CASE--P&I	45.00
KRIZ-DAVIS COMPANY	15KV SPACER & SUPPLIES	2,894.42
LAKOTA	DEPT HEAD MTG	47.39
LASWA	SOLID WASTE AND RUBBLE	104.04
LEXINGTON COOP	CAR WASHES	8.00
LEXINGTON FOUNDATION	ANNUAL TRANSFER	4,800.00
LEXINGTON NEWSPAPERS, INC.	MEETING NOTICES AND MINUTES	236.16
LEXINGTON PUBLIC LIBRARY	REPLENISH PETTY CASH	33.32
LEXINGTON PUBLIC SCHOOLS	REFUND TOBACCO & LIQUOR LICENSE	7,125.00
LEXINGTON RURAL FIRE DEPT	2ND 1/2 CITY SHARE-BLDG BOND PYMT	4,453.75
LEXINGTON, CITY OF	DEBT SVC	70,172.00
PAYROLL 19-Sep-00	WAGES	72,321.25
SOCIAL SECURITY	EMPLOYER PORTION FICA/MED	5,454.95
FIRST NATIONAL BANK	EMPLOYER PORTION PENSION	2,294.64
AMERICAN FUNDS	POLICE PENSION	1,025.62
ICMA	PEPLITSCH PENSION	131.54
MARQUEZ, ROBERTO	ELECTRIC REBATE	200.00
MATT FRIEND TRUCK EQUIP	CENTRAL GARAGE SUPPLIES	1,477.55
MEAD/BIG VALLEY LUMBER	MISC SUPPLIES	95.25
MICHAEL TODD & CO, INC	GUTTER BROOM	519.02
MID-STATES UNITS	PORTABLE RESTROOMS	975.00
MIDWAY SUPPLY	CENTRAL GARAGE SUPPLIES	19.06
MILLER AND ASSOCIATES	ADAMS ST VIADUCT	14,100.00
MOISES, NAVA	ELECTRIC REBATE	1,200.00
MUNICIPAL SUPPLY	REPAIR CLAMPS	1,743.61
NAT AUTO DEALERS (NADA)	YEARLY SUBSCRIPTION	55.00
NCK SOFTWARE & SUPPORT SVC	SCADA SYSTEM SVC	935.00
NEBRASKA MACHINERY	CENTRAL GARAGE SUPPLIES	542.46
NEBRASKA STATE TREASURER	UNCLAIMED METER DEPOSITS	3,848.52
OVERTON COMMUNITY CENTER	BUILDING RENT	100.00

PATTY'S HALLMARK	OFFICE SUPPLIES	709.68
PAULSEN INC.	CONCRETE & SUPPLIES	372.19
PLATTE VALLEY COMMUN	RADIO EQUIP--FIRE DEPT	3,200.00
PLUM CREEK BANK	LOAN GUARANTEE--CE NE TRUSS	50,000.00
QUALITY STORES, INC	MISC SUPPLIES	771.29
QUEST ENGINEERING INC	WATER DEPT SUPPLIES	472.21
REACH ELECTRONICS	BATTERIES--FIRE DEPT	132.00
RECORDED BOOKS	LIBRARY SUPPLIES	492.95
RENT-ALL RENTALS	SCAFFOLD	27.78
RICHMAN, JOHN	ELECTRIC REBATE	1,100.00
S & W AUTO PARTS, INC.	CENTRAL GARAGE SUPPLIES	658.47
SAFETY-KLEEN (PPM) INC	PICKUP USED OIL	189.47
SIRCHIE FINGER PRINT LABS	POLICE DEPT SUPPLIES	115.92
SKARSHAUG TESTING	CLEAN & TEST LINE HOSE	101.06
SPIKE NASHBAR	VOLLEYBALLS	199.80
TIME LIFE BOOKS	LIBRARY BOOKS	44.96
TOTAL LAWN CARE	MOW LAWNS	135.00
U S FILTER DISTRIB GROUP	WATER DEPT SUPPLIES	222.27
U-SAVE FOODS	ELECTRIC SUPPLIES	10.81
UTILITY EQUIPMENT	WATER DEPT SUPPLIES	866.80
VETERANS CLUB	PLANNING COMMISSION	225.86
VILLAGE CLEANERS	LAUNDRY SVC	5.00
WAL-MART	MISC SUPPLIES	58.58
WESCO DISTRIBUTION, INC.	ELECTRICAL SUPPLIES	1,451.60
WEST GROUP	STATUTE INTERNET SVC	95.00
ZEP MANUFACTURING CO	LIBRARY SUPPLIES	109.77
ALLTEL	CELLULAR CHARGES	86.60
ASSOC POOL BUILDERS INC	WINTERIZE POOL	750.00
BERNTSON OIL	FUEL	2,873.13
BILL'S FARM & RANCH SVCS	GRASS SEED	170.40
BOSE, MICHAEL	REIMBURSE ALTERATIONS	24.50
CASH-WA DISTRIBUTING	FOOD & SUPPLIES/CREDITS	250.66
CENTRAL GARAGE FUND	LABOR/PARTS/OIL	3,014.83
COAST TO COAST	GGC SUPPLIES	5.37
DAN'S SANITATION	SA COLLECTION	21,356.75
DAWSON COUNTY SURVEYOR	SURVEY-CATTLEMEN DRIVE	774.00
ELECTRIC FIXTURE	ELECTRIC SUPPLIES	777.30
GILLETTE/NE DAIRIES INC	DAIRY--GGC	151.98
INS & PERSONNEL SERVICES	EMPLOYEE 125 ACCT	800.31
LEAGUE OF NE MUNICIPALITIES	REG--ANNUAL CONF/PEPPLITSCH	187.00
LASWA	SOLID WASTE	169.56
LEXINGTON COOP	CAR WASHES	10.50
LEXINGTON NEWSPAPERS INC	PUBLICATIONS	286.96
LEXINGTON, CITY OF	FRANCHISE FEES	29,614.32
LEXUS	UTILITY BILLING	19,154.71
NEBRASKA MACHINERY	CENTRAL GARAGE SUPPLIES	43.48
PETTY CASH FUND	REPLENISH PETTY CASH	44.42
QUALITY STORES INC	WWTP SUPPLIES	31.98
S & W AUTO PARTS	CENTRAL GARAGE SUPPLIES	9.66
TERRYBERRY	2001 BANQUET AWARDS	566.70
WESCO DISTRIBUTION	ELECTRIC SUPPLIES	726.87
	TOTAL CLAIMS	389,629.37

**CITIZENS COMMENTS:**

Alan and Anita Smith addressed the Lexington City Council requesting enforcement of the City Ordinance regarding noise in the City Limits. They stated that they have neighbors that continue to play loud music during all hours of the day. In addition, cars driving by playing their stereos have also become a nuisance. Following discussion, Council requested that this item be put on the next Agenda, and also have Police Chief Charles Clark present to address this item.

Heather Hagan addressed the Lexington City Council requesting enforcement of the City Ordinance regarding Litter in the City Limits. Following Mrs. Hagan's presentation, Mrs. Kermit Debban expressed her concerns regarding this item. Council requested that this item be put on the next Agenda.

**PUBLIC HEARING:**

Mayor Fagot opened the public hearing regarding the consideration of a Rezoning Ordinance for Keith and Retha Wycoff G.P.'s, Relco Limited Partnership, on property located at 409 East 12<sup>th</sup> Street, Lexington, NE 68850, from R-1 to R-2. City Manager Joe Peplitsch represented the Wycoff's, informing the Council of Wycoff's intentions to make this house into a duplex, in order to make it more marketable. Following discussion, Mayor Fagot closed the public hearing. Moved by Cook, seconded by Kohl, to deny the Rezoning Request for Keith and Retha Wycoff GP's, Relco Limited Partnership, on property located at 409 East 12<sup>th</sup> Street, Lexington, NE 68850, from R-1 to R-2. Roll call. Voting "aye" were Kohl, Cook, Fagot. Voting "nay" were Klamm, Wightman. Motion carried.

**REZONING ORDINANCE:**

City Manager Joe Peplitsch addressed the Lexington City Council stating that he has heard no opposition to the Rezoning Request by James and Lois Underwood, for property located at 43330 Road 757, Lexington, NE 68850 from A-1 to R-1. Following discussion, an Ordinance entitled "AN ORDINANCE TO REZONE PIONEER SUBDIVISION FROM A-1 AGRICULTURAL TO R-1 SINGLE FAMILY RESIDENTIAL DISTRICT; TO REPEAL ALL ORDINANCE 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 Wightman, seconded by Klamm, that the rules requiring the reading on three separate days be suspended. Roll call. Voting "aye" were Cook, Kohl, Klamm, Wightman, Fagot. Motion carried.

Said Ordinance was then read by title. Moved by Wightman, seconded by Klamm, that Ordinance Number 2133 be passed on final reading. Roll call. Voting "aye" were Kohl, Cook, Klamm, Wightman, Fagot. Motion carried.

**PIONEER SUBDIVISION REQUEST:**

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

RESOLUTION NO. 00-21  
PIONEER SUBDIVISION

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, AS FOLLOWS:

The plat of PIONEER SUBDIVISION, A Replat of Sunshine Second Subdivision of part of the North Half of the Northwest Quarter of Section 32, Township 10 North, Range 21 West of the 6<sup>th</sup> P.M., in Dawson County,

Nebraska, duly made out, acknowledged and certified to be and the same hereby is approved, ordered, filed and recorded in the office of the Register of Deeds of Dawson County, Nebraska.

PASSED AND APPROVED this 26<sup>th</sup> day of September, 2000.

CITY OF LEXINGTON, NEBRASKA

BY: John Fagot, Mayor

ATTEST:

Shirley Lewis  
Deputy City Clerk

**PIONEER SUBDIVISION  
AGREEMENT:**

Discussion was held by the Lexington City Council regarding the Subdivision Agreement for Pioneer Subdivision owned by James and Lois Underwood. Following discussion, moved by Wightman, seconded by Kohl, to approve the Subdivision Agreement for Pioneer Subdivision, and authorize execution by the City Manager. Roll call. Voting "aye" were Cook, Klamm, Kohl, Wightman, Fagot. Motion carried.

**FINANCIAL REPORT:**

Financial Director Barb Mills presented the Lexington City Council with the Financial Report for August, 2000. Following Ms. Mills presentation, moved by Wightman, seconded by Klamm, to accept the Financial Report for August, 2000. Roll call. Voting "aye" were Cook, Kohl, Klamm, Wightman, Fagot. Motion carried.

**LIBRARY BOARD  
APPOINTMENT:**

Mayor John Fagot announced his appointment to the Library Board to replace Donna Trueblood, who recently resigned from the Board. Mayor Fagot's appointment for the position is Mr. Cliff Foster. Moved by Klamm, seconded by Wightman, to ratify the appointment of Mr. Cliff Foster to the Lexington Library Board. Roll call. Voting "aye" were Kohl, Cook, Wightman, Klamm, Fagot. Motion carried.

**EXECUTIVE SESSION:**

Motion by Klamm, seconded by Kohl, to recess Regular Session, to Executive Session at 7:59 p.m. Roll call. Voting "aye" were Cook, Wightman, Kohl, Klamm, Fagot. Motion carried.

Motion by Wightman, seconded by Klamm, to reconvene Regular Session from Executive Session at 8:53 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