

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, August 14, 2001 at the Lexington Municipal Building, located at 406 E. 7th Street, Lexington, Nebraska at 7:30 p.m. Members of the Council present were Mayor John Fagot, Ted Cook, Rick Klamm, John Salem, Steve Tomasek. City Officials present were City Manager Joe Peplitsch, City Attorney Willard Weinhold, Deputy City Clerk Shirley Lewis.

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.

MINUTES – REGULAR MEETING – 7-24-01: Minutes of the Regular Meeting held Tuesday, July 24, 2001 was presented for Council’s consideration and approval. Moved by Klamm, seconded by Tomasek, to approve the Minutes of the Regular Meeting held July 24, 2001 as presented. Roll call. Voting “aye” were Cook, Salem, Tomasek, Klamm, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,097,705.36 was presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Klamm, to approve the Claims and Bills as listed, and authorize the city Treasurer to transfer \$271,258.56 from the General Fund, \$790,648.79 from LEXUS, \$10,000.00 from City Sanitation, \$25.00 from Library Memorial, \$11,628.95 from Health Fund, \$14,144.06 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Tomasek, Cook, Klamm, Salem, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
AUGUST 14, 2001 COUNCIL

Accu Cut	Library Supplies	30.00
Aflac	Supplemental Ins	962.56
All Points Cooperative	Supplies/Tire Repair	261.08
Alltel	Cellular Chgs	98.14
Arnold Pool Co	Rake/Umbrella	264.85
Associated Supply Co	Pool Supplies	2,457.36
Automotive Sales & Service Co	Central Garage Supplies	252.19
Barrett-Housel-Grafton	Add'l Vehicle Ins	29.00
Berntson Oil	Fuel	2,328.70
Berryman Funeral Home	Certificate	8.00
BiFolkal Productions	Study Kits	5,072.00
Broadwing Telecommunications	LD Telephone Chgs	235.71
Burklund, DL	Electric Rebate	150.00
C.B.S.A.	Employee Medical Claims	8,653.47

Callahan, Bill	Electric Rebate	1,000.00
Cash-Wa Distributing	Food/Supplies/Concessions	4,451.30
Central Garage Fund	Labor/Parts/Oil	10,623.83
Chesterman Co	Beverages	1,892.50
Churchich Recreational Design	Park Bench	260.00
Cindy's Heavenly Cookies	Concessions	396.50
Cozad Services Inc	Repairs	379.60
Culligan Water Conditioning	Water Treatment	115.70
CultureGrams	Library Supplies	109.34
Dan's Sanitation	SA Services	11,487.44
Dawson County Clerk	Dispatch Fees	6,380.62
Dawson County Public Power District	Power/Spls/Construction Aid	16,810.44
Dawson County Register of Deeds	Filing Fees	16.00
Demco	Library Supplies	225.15
Ditch Witch of Nebraska Inc	Electric Supplies	281.19
Done Rite Janitorial	Floors/Svc Bldg & GGC	550.00
Dunrite Inc	WWTP Supplies	135.98
Eakes Office Products	Copier Pymt/Supplies	703.24
Egan Supply Co	Cleaning Supplies	58.80
Eilers Machine & Welding	Labor/Central Garage	28.00
Electric Fixture	Electric Supplies	320.92
Electronic System	Fire Alarm Inspect	25.00
Fagot Refrigeration & Electric	Electric Supplies	106.63
Fairbanks International Inc	Repairs/Parts	1,175.95
Five Points Bank	Copier Pmt	205.12
Five Star Flooring	Carpet Remnants	30.00
Fyr-Tek	LVFD Supplies	1,940.64
Gale Group, The	Library Supplies	105.51
Gall's Inc	Nametag	18.97
Gangwish Turf	Sod	60.48
Gillette/Nebraska Dairies	Dairy	475.86
Great Plains One-Call Svc	Locates	54.46
Hampton Inn & Suites	Lodging/Luther	35.00
Harlequin Retail Inc	Library Supplies	10.52
Hipp Wholesale Foods, Inc	Food & Supplies	1,813.21
House of White Birches	Library Supplies	23.91
Hunt Cleaners Inc	Gloves	58.39
Husker Ag Sales	Central Garage Supplies	529.34
Husker Outdoor Power Equipment	WWTP Supplies	7.56
Ingram Library Svc	Library Supplies	644.86
Insurance & Personnel Svc	Employee 125 Acct	982.91
Internet USA LLC	Internet Svc	99.90
Int'l Assn of Building Inspectors	Membership	60.00
Jim Phillips Const	Concrete/Rec Complex	1,426.00
Jones Plumbing & Heating	Repairs/Supplies	747.52
Kapco	Library Supplies	57.72
Kids Discover	Subscription	19.95
Kirk's	Meals	69.59
Knapp Electric	Repair Lift Pump	758.51
KRVN-FM	Contract Advertising	181.50
Lawson Products Inc	Electric Supplies	147.64
League of Ne Municipalities/Util	Memberships	7,841.00
Lexington Animal Clinic	Animal Care	607.15
Lexington Area Solid Waste Agency	Landfill Exp	1,033.20
Lexington Glass Co	Windshield	295.75
Lexington Newspapers	Publications	276.78

Lexington Postmaster	Postage/GGC	150.00
Lexington Public Library	Petty Cash Replenish	68.99
Lexington True Value	Misc Supplies	162.16
Lexington, City of	Monthly & Franchise Fees	23,881.31
Liehs Drilling	Pond Pump	128.00
Linweld	Oxygen Refill	16.75
Lexington City Payroll Account	Wages	93,385.68
Social Security	Employer Portion-FICA/Med	7,053.76
First National Bank	Employer Portion-Pension	2,452.85
First National Bank	Police Pension	1,009.04
ICMA	Pepplitsch Pension	180.00
Lexington City Payroll Account	Wages	89,387.77
Social Security	Employer Portion-FICA/Med	6,747.97
First National Bank	Employer Portion-Pension	2,392.38
First National Bank	Police Pension	992.67
ICMA	Pepplitsch Pension	180.00
Mac's Short Stop	Concessions	20.63
Matt Parrott & Sons Co	Disconnect Notices	353.25
McClain, Don DBA Mac's Repair	Mowing	125.00
Mead/Big Valley Lumber	Misc Supplies	568.91
Mechant JT&S	Electric School	390.00
Midwest Striping	Stripe Cattlemen Dr	200.00
Miller & Associates	Professional Svc	2,687.00
Mills, Barbara	Mileage	46.23
Misko Sporting Goods	Rec Supplies	90.92
Mr. Automotive	Central Garage Supplies	22.26
National League of Cities	Congress Reg/Fagot	470.00
NE Volunteer Fire Fighters Trust	Insurance Prem	748.64
Nebraska Law Enforcement	Training/Recert	140.00
Nebraska Library Commission	Registrations	75.00
Nebraska Machinery	Central Garage Supplies	218.22
Nebraska Power Review Bd	Assessment	828.56
Nebraska Public Power District	Power Purchased/Review	620,912.06
Nebraska Recreation & Parks	Registrations	160.00
Nebraska Truck & Equipment	Repairs	428.08
Nebraska Truck & Equipment	Tax Increment Financing	4,045.37
Nebraska Waste Handlers	Sludge Removal	3,723.00
Nelson, Thomas R	Cleaning Admin Bldg	500.00
Neopost	Rate Chg/Rental	633.21
Old Dominion Brush	Street Supplies	724.40
Olsson Associates	Electric Study	2,518.24
Omaha Life Insurance	LVFD Ins Prem	64.50
Omni Hotel/Atlanta	Lodging/Fagot/NLC	363.00
Omnigraphics, Inc	Library Supplies	35.47
Outdoor Power Equipment	Central Garage Supplies	710.75
Overton Sand & Gravel	Sand	200.00
Patty's Hallmark	Office Supplies	377.56
Paulsen Inc	Gravel/Concrete	440.87
Peak Interest	Meals	15.11
Pittman, Bill	Electric Rebate	800.00
Platte Valley Communications	Repairs/Monthly Svc	281.20
Plum Creek Motors	Central Garage Supplies	9.66
Quality Stores Inc	Misc Supplies	320.54
Quill Corp	Office Supplies	266.68
Rivera, Roberto	Electric Rebate	1,000.00
S&W Auto Parts Inc	Central Garage Supplies	1,081.53

Savalot Discount Foods	Misc Supplies	64.72
Service Supply	Flapper	2.49
ServiceMaster Mid Nebraska	Carpet Cleaning	117.95
Seward, Justin	Library Cleaning	225.00
Sign Pro	Zoning Signs	180.00
Simmerman Electric	Pump Repair	122.50
Skarshaug Testing	Electric Testing	142.12
Specialty Electric	Install Restarts	952.79
Subway of Lexington	Meals	12.57
T.O. Haas Tire Co	Tire Repair	119.44
TB Lawn Svc	Fertilizer	261.00
Time	Subscription	53.46
Total Lawn Care	Mow City Lawns	700.00
Tri County Hospital	Memberships/Drug Screens	173.00
U S Filter Distribution Group	Water Supplies	14.45
Ultramax	Ammunition	645.00
U-Save Foods	Food/Supplies/Concessions	231.93
Usher Pest Control	Pest Control	104.00
Utility Equipment	Water Supplies	206.40
Vettronix Inc	LVFD Pagers	1,314.00
Village Cleaners	Laundry Svc	41.00
Vopak USA Inc	Pool Supplies	654.10
W P C I	Drug Screens	27.10
Wal-Mart	Misc Supplies	301.45
Wesco Distribution Inc	Electric Supplies	2,808.95
Willard Weinhold Law Office	Professional Svc	1,200.00
American Playground Corp	Park Supplies	377.50
Cash-Wa Distributing	Food & Supplies	865.40
CBSA	Premiums/Admin Fees	8,955.27
Chesterman	Cr>Returns	-146.10
Electric Pump	WWTP Pump	1,789.17
Gillette/Nebraska Dairies	Dairy	104.56
Hampton Inn & Suites	Lodging/Luther--Add'l Amt	20.00
Insurance & Personnel Svc	Employee 125 Acct	982.91
K N Energy	Gas Svc	5,155.80
Lexington Baseball Commission	Reimburse Concessions	1,470.00
Lexington Health Fund	Self-Funding	26,821.50
Miller & Associates	Adams St Viaduct	28,200.00
N C B O & I	Registration/Nelson	20.00
Nebraska Dept of Revenue	Sales & Use Tax	34,030.91
NT&T	Telephone/Install Chgs	2,145.06
Patty's Hallmark	Misc Office Supplies	726.36
Paul A. Otto Construction	Curb Grinding	252.00
Petty Cash Fund	Replenish Petty Cash	57.18
Price's Tree Svc	Tree Removal	250.00
Quality Stores	Rec Supplies	97.50
Qwest	Telephone Charges	303.24
Resco	Electric Supplies	294.05
U S Filter Distribution Group	Electric Supplies	135.52
U Save Foods (Sixth St Foods)	Concessions	6.87
Utility Equipment	WR Supplies	241.76
Wal-Mart	Misc Supplies	132.16
	TOTAL CLAIMS	\$1,097,705.36

WAIVER OF OBJECTION:

Wes Lubberstedt, representing Frank Hennigan, addressed the City Council, requesting approval of a Waiver of Objection on property located south of the interstate, which was recently purchased by Mr. Hennigan. Following Mr. Lubberstedt’s presentation, moved by Klamm, seconded by Tomasek , to approve the Waiver of Objection, and authorize signatures on said documents. Roll call. Voting “aye” were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

PUBLIC HEARING:

Mayor Fagot opened the Public Hearing. Mr. Scott Lundstrom, representing Dan O’Neill, addressed the City Council, requesting approval of an Application for Mr. O’Neill as the new Manager at Kwik Stop Food Store #11, located at 603 W. Pacific, Lexington, NE 68850 for a Class “B” Liquor License. Following Mr. Lundstrom’s presentation, Mayor Fagot closed the Public Hearing. Moved by Klamm, seconded by Salem, to recommend approval of the Application for Mr. Dan O’Neill, as the new Manager at Kwik Stop Food Store #11, located at 603 W. Pacific, Lexington, NE 68850 for a Class “B” Liquor License, as presented. Roll call. Voting “aye” were Tomasek, Cook, Salem, Klamm, Fagot. Motion carried.

RESOLUTION – MAIN STREET PROGRAM:

Pepplitsch, representing Clyde McCormick, Manager of the Main Street Program addressed the City Council, requesting approval of the following Resolution that requests the City of Lexington to be a participant in the Nebraska Lied Main Street Program. Following Pepplitsch’s presentation, Mr. Wes Lubberstedt spoke positively on behalf of the program. Moved by Klamm, seconded by Tomasek, to adopt Resolution No. 01-13. Roll call. Voting “aye” were Cook, Salem, Tomasek, Klamm, Fagot. Motion carried.

RESOLUTION NO. 01-13

WHEREAS, the Nebraska Lied Main Street Program has been created to assist small cities in developing a public-private effort to revitalize their “Main Street” areas, and up to four cities will be selected to participate in the program in 2002, and

WHEREAS, the Nebraska Lied Main Street Program is of benefit to the overall economic health of the Community, and

WHEREAS, the City of Lexington agrees to participate in the development of the local Main Street Program with the specific goal of revitalization of the Central Business District, including the preservation and rehabilitation of its historic and culturally important buildings,

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEXINGTON, that it does hereby request its selection as a participant in the Nebraska Lied Main Street Program.

PASSED, APPROVED, AND ADOPTED THIS 14th DAY OF AUGUST, 2001.

John Fagot, Mayor

ATTEST:

Shirley Lewis, Deputy City Clerk

- SUNDAY LIBRARY HOURS:** Councilman Ted Cook expressed his thanks and appreciation to the Lexington Library Board Members for reinstating the Sunday Library Hours. He also expressed his thanks to the other Council Members that were prepared to vote in favor of reinstating the new hours. No action was taken.
- C.O.D.E. OFFICER:** Dawson County Sheriff Gary Reiber, addressed the City Council, requesting the City of Lexington's participation in funding for a drug officer. Following Sheriff Reiber's presentation, Bill Stewart, representing the Dawson County Board of Commissioners, also requested approval of the funding. Discussion was held, and following a question and answer period, Council requested that this Agenda Item be tabled until the August 28, 2001 City Council Meeting.
- AQUATIC CENTER PARKING LOT:** Dana Daniels, representing Miller and Associates, addressed the City Council requesting approval of plans and specifications for extension, or completion, of the Aquatic Center parking lot, and authorize the advertisement for project bids. Mr. Daniels stated that, upon approval, bids would be opened September 6, 2001, and construction could begin this fall. Following discussion, moved by Klamm, seconded by Salem, to approve the plans and specifications for extension, or completion, of the Aquatic Center parking lot, and authorize the advertisement for project bids. Roll call. Voting "aye" were Tomasek, Cook, Salem, Klamm, Fagot. Motion carried.
- ORDINANCE:** Pepplitsch addressed the Lexington City Council, stating that a petition was received, requesting the creation of an improvement district, in anticipation of paving 14th Street, from Tyler to Jefferson. Following discussion, an Ordinance entitled "AN ORDINANCE CREATING IMPROVEMENT DISTRICT NO. 01-01, PROVIDING FOR GRADING, CONCRETE PAVING, CURB AND GUTTER, AND DRAINAGE THEREIN, AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM" was read before the Council. Moved by Klamm, seconded by Cook, that the rules requiring the reading of said Ordinance on three separate days be suspended. Role call. Voting "aye" were Salem, Tomasek, Cook, Klamm, Fagot. Motion carried.
- Said Ordinance was then read by title. Moved by Klamm, seconded by Tomasek, that Ordinance Number 2146 be adopted on final reading. Roll call. Voting "aye" were Cook, Salem, Tomasek, Klamm, Fagot. Motion carried.
- ACCOUNTS RECEIVABLE:** Pepplitsch addressed the Lexington City Council, requesting approval to remove balances from miscellaneous accounts receivable and utility accounts that are not collectible. Following discussion, moved by Cook, seconded by Salem, to removed balances from miscellaneous accounts receivable and utility accounts that are not collectible. Roll call. Voting "aye" were Klamm, Tomasek, Salem, Cook, Fagot. Motion carried.
- ROUNDTABLE DISCUSSION:** Pepplitsch requested the City Council set a date for a Budget Workshop. Following discussion, moved by Klamm, seconded by Tomasek, that the next Budget Workshop will be scheduled for Wednesday, August 22, 2001 at 7:00 a.m. Roll call. Voting "aye" were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.
- EXECUTIVE SESSION:** Moved by Klamm, seconded by Salem, to go into Executive Session at 8:29 p.m. Roll call. Voting "aye" were Tomasek, Cook, Salem, Klamm, Fagot. Motion carried.

Moved by Salem, seconded by Klamm, to reconvene Regular Session from Executive Session at 8:51 p.m. Roll call. Voting "aye" were Cook, Tomasek, Klamm, Salem, 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