

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, September 25, 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 Acknowledgement 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 – 9-11-01: Minutes of the Regular Meeting that was held Tuesday, September 11, 2001 was presented for Council’s consideration and approval. Moved by Klamm, seconded by Salem, to approve the Minutes of the Regular Meeting held September 11, 2001 as presented. Roll call. Voting “aye” were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

MINUTES – COUNCIL RETREAT – 9-15-01: Minutes of the Council Retreat was that held Saturday, September 15, 2001 was presented for Council’s consideration and approval. Moved by Klamm, seconded by Salem, to approve the Minutes of the Council Retreat, with the time of the meeting be amended to 8:00 a.m. Roll call. Voting “aye” were Tomasek, Cook, Salem, Klamm, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$242,233.06 was presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Klamm, seconded by Tomasek, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$88,733.14 from the General Fund, \$98,581.98 from LEXUS, \$21,057.13 from City Sanitation, \$2,242.31 from Landfill, \$536.93 from Library Memorial, \$734.00 from Library House Fund, \$9,129.90 from Health Fund, \$21,217.67 from Meals on Wheels, to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
SEPTEMBER 25, 2001 COUNCIL

All Points Cooperative	Alfalfa Seed	1,740.00
Barmore Drug Store	Misc Supplies	29.95
Berntson Oil	Fuel	96.30
Bill's Farm & Ranch Services	Grass Seed	75.00
Biography Today	Subscription	57.00
Business & Professional Credit	Utility Collections	146.85
Bus Telecommunications Systems Inc	Move Phones	352.50

C.B.S.A	Employee Medical	1,588.17
Cash-Wa Distributing	Food/Supplies/Concessions	1,254.13
Central Nebraska Cleaners	Carpet Cleaning	125.00
Century Laboratories Inc	Cleaning Supplies	113.66
Chesterman Co	Soda	26.85
Cindy's Heavenly Cookies	Rolls	6.90
Country Discoveries	Subscription	14.98
Crossroads Ford Inc	Repairs/LVFD	301.43
Dawson Public Power District	Power Purchased	2,481.35
Designer Craft Woodworking	Cabinets/Countertops-GGC	10,682.00
Dunrite Inc	Tape Measure	78.15
Eakes Office Supplies	Office Supplies	114.32
Electric Fixture	Electric Supplies	562.71
Fagot Refrigeration & Electric	Repairs	38.50
Farco Corporation	Electric Supplies	247.79
Gall's Inc.	Police Uniforms	335.02
Gillette/Nebraska Dairies	Dairy	179.68
Gray Supply	Library Supplies	37.85
Hach Company	WWTP Supplies	162.00
Hasty, Charles	Electric Rebate	1,000.00
HD Electric Co	Electric Supplies	169.95
Hinrich, Randy	Electric Rebate	1,150.00
Hipp Wholesale Foods, Inc	Food & Supplies	1,119.73
Husker Outdoor Power Equipment	Electric Supplies	298.18
Ingram Library Svc	Library Books	108.50
KN Energy	Gas Svc	776.64
Kriz Davis Company	Transformer/Supplies	4,746.33
Latsch's	Circuit Breaker	50.89
Lexington Booster Club	Lex Flags	400.00
Lexington Communications	Radio Repair	25.00
Lexington Foundation	Rent/Donations	720.00
Lexington Lawn Care	Spray Weeds	560.00
Lexington Newspapers	Publications	369.24
Lexington Postmaster	Mail Permit	125.00
Lexington Public Library	Replenish Petty Cash	27.12
Lexington Public Schools	Tobacco/Liquor Lic Refund	6,890.00
Lexington True Value	Electric Supplies	8.07
Lexington, City of	Vehicle Cost	11,500.00
Luther, Ann	Conference Meals	40.00
Lexington City Payroll Account	Wages	73,399.04
Social Security	Employer Portion/FICA Med	5,525.55
First National Bank	Employer Portion/Pension	2,408.09
First National Bank	Police Pension	1,045.40
ICMA	Pepplitsch Pension	180.00
Magana, Laurae	Electric Rebate	1,150.00
Matt Parrott & Sons Co	Envelopes	185.71
Mead/Big Valley Lumber	Misc Supplies	1,763.01
Michael Todd & Co	LVFD Equipment	1,083.83
Mid-Nebraska Food Bank	Food & Supplies	36.56
Milco Environmental Services	Professional Svc	2,242.31
Miller & Associates	Professional Svc	1,728.68
Monaco Hotel	Lodging/Luther	540.00
Mr. Automotive	Electric Supplies	11.98
National Automobile Dealers	Subscription	55.00
Nebraska Community Foundation	Registration	20.00
Nebraska Dept of Roads	Engineering Svc	653.38

Nebraska Library Commission	Banners/Membership	68.17
Nebraska Statewide Arboretum	Membership/Registration	100.00
Nebraska Tech & Telecomm Inc	Telephone Svc	1,347.71
Nebraska Truck & Equipment	Electric Supplies	7.23
Newman Traffic Signs	Lettering	65.40
Omnigraphics	Library Books	78.00
Overton Community Center	Rent	100.00
Oxford University Press	Library Books	46.22
Patty's Hallmark	Office Supplies	329.45
Paulsen Inc	Concrete/Sewer Grate	469.98
Peak Interest/Pizza Hut	Meals	40.87
People Weekly	Subscription	108.68
Pepplitsch	Mileage	112.82
Plum Creek Telephone Systems	Replacement Set	130.00
Quality Stores Inc	Nuts & Bolts	1.08
Quinlan Publishing	Subscription	81.78
Recorded Books	Replacement Tapes	35.75
Reliable	Office Supplies	71.26
S&W Auto Parts	Electric Supplies	12.76
Sanchez, Raul	Electric Rebate	1,150.00
Servicemaster Mid Nebraska	Carpet Cleaning	48.00
Sund, Tim	Electric Rebate	1,150.00
Sunmart/Sixth Street	Groceries	14.28
Tri County Hospital	Wellness Memberships	162.00
University of Nebraska-Kearney	Library Books	23.00
Vetronix Inc	Batteries	116.50
Wal-Mart	Misc Supplies	445.53
Walmart-Kearney	Glasses/Nelson	177.00
Wesco Distribution	Electric Supplies	402.89
World Book Marketing	Library Books	71.90
Alltel	Cellular Chgs	94.61
Associated Pool Builders	Winterize Pool	1,440.00
Bottom Line/Health	Subscription	29.95
C.B.S.A.	Employee Medical	6,568.82
Cash Wa Distributing	Food & Supplies	617.40
Computers By Hampton	Labor & Supplies	3,819.25
D&M Security	Police Connection	84.00
Dan's Sanitation	Sanitation Chgs	21,057.13
Egan Supply Co	Cleaning Supplies	108.71
Electric Fixture	Electric Supplies	96.98
EZ Book Co	Library Books	84.70
Fairbanks Internationals Inc	Parts & Service	1,431.54
Family Eyewear	Safety Glasses	158.00
Gillette/Nebraska Dairies Inc	Dairy	93.81
Hach Company	WWTP Supplies	164.35
Hampton Inn & Suites	Lodging/Luther	110.00
IAEI, Nebraska Chapter	Conf Registration/Nelson	99.00
Ingram Library Services	Library Books	756.01
Insurance & Personnel Svc	Employee 125 Acct	972.91
League of Nebraska Municipalities	WR Training	20.00
Lexington Newspapers Inc	Publications	62.89
Lexington Public Library	Replenish Petty Cash	26.56
Lexington, City of	Franchise Fees	30,979.62
Lexus	Utility Services	18,422.88
Mead/Big Valley Lumber	Misc Supplies	49.42
NE Dept of HHS Laboratory	Test WR Samples	1,004.00

Nebraska Supreme Court	Publications	53.00
Petty Cash Fund	Replenish Petty Cash	29.96
Plum Creek Medical Group	Hepatitis Shot	56.00
Recorded Books	Library Books	499.90
Rent All Rentals	Equipment Rental	25.00
Taste of Home	Book	23.90
TB Lawn Service	Fertilizing	208.80
Wesco Distribution	Transformer/Fixtures	3,054.42
	GRAND TOTAL:	242,233.06

RESOLUTION:

Peplitsch addressed the City Council stating that the City is proposing the construction of new Tennis Courts at Plum Creek Park and Memorial Park. The City would like to secure grant funding from the Land and Water Conservation Fund Program. In order to complete the funding application, approval is being requested in the form of a Resolution from the City Council. Upon reading of the following resolution, moved by Klamm, seconded by Salem, to approve Resolution Number 01-16. Roll call. Voting “aye” were Tomasek, Cook, Salem, Klamm, Fagot. Motion carried.

RESOLUTION NO. 01-16

LAND AND WATER CONSERVATION FUND

The City of Lexington, Nebraska proposes to apply for federal assistance from the Land and Water Conservation Fund program for the purpose of construction of additional and replacement of dilapidated tennis courts.

The Mayor is authorized to sign documents to obtain financial assistance including a Project Agreement with the State of Nebraska and the National Park Service.

The City of Lexington, Nebraska will, within thirty (30) days following federal approval, obtain the necessary consultant or appraisal services for this project as directed and as required by the NGPC.

The City of Lexington, Nebraska has budgeted or currently has available its 60% share of the proposed total project funds and will allocate these funds toward this project upon project approval by the NGPC.

The City of Lexington, Nebraska has also the financial capability to operate the maintain the completed project and park property in a safe, attractive and sanitary manner.

The City of Lexington, Nebraska will not discriminate against any person on the basis of race, color, age, religion, handicap, sex or national origin in the use of any property or facility acquired or developed pursuant to the project proposal, and shall comply with the terms and intent of Title VI of the Civil Rights Act of 1964, P.L. 88-354 (1964), and any of the regulations promulgated pursuant to such Act by the Secretary of the Interior and contained in 43 CFR 17.

No property acquired and/or developed under this project shall, without the approval of the Nebraska Game and Parks Commission and the Secretary of the Interior, be converted to non-public outdoor recreation uses. And, such approval may be granted only if it is in accord with the then existing Statewide Comprehensive Outdoor Recreation Plan (SCORP), and only upon such

conditions as deemed necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.

The City of Lexington, Nebraska will replace the land in the event of a conversion in use in accordance with Section 6(f)(3) of Land and Water Conservation Fund Act of 1965, as amended.

The City of Lexington, Nebraska agrees to comply with all State and Federal requirements and standards where they can be applied in making the facilities developed under this project, and all future projects, accessible to and usable by the disabled.

This is to certify that this resolution is a true copy of the original document that was adopted and passed by the City of Lexington, Nebraska, at a duly advertised public meeting held this 25th day of September, 2001.

John Fagot, Mayor

ATTEST:

Shirley Lewis, Deputy Clerk

**WHOLESALE ELECTRIC
CONTRACT:**

Pepplitsch addressed the City Council stating that different contract options with NPPD had been previously discussed, and what Administration believes is the best option is being presented to Council, for approval. Following discussion, moved by Klamm, seconded by Tomasek, to accept the 20 Year Wholesale Power Contract, as presented, with NPPD, and enter into the Agreement, effective January 1, 2002, and authorize the proper authority to execute said agreement. Roll call. Voting "aye" were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

INSURANCE:

Pepplitsch addressed the City Council, informing them that every three years the City's General Insurance Package is put out for bids. This year, it is being recommended that Council approve Cornhusker Casualty as the General Insurance Carrier, and Fire Pak as the Fire Department Carrier. Following discussion, moved by Cook, seconded by Klamm, to authorize the City Manager to enter into an agreement with Cornhusker Casualty as the General Insurance Carrier, and Fire Pak as the Fire Department Carrier. Roll call. Voting "aye" were Tomasek, Salem, Klamm, Cook, Fagot. Motion carried.

VACATE ALLEY:

Pepplitsch addressed the City Council, stating that Nash-Finch, owners of Sun Mart Food Store, has requested that the alley in front of their store, located at 603 North Lincoln, be vacated. Following discussion, an Ordinance entitled "AN ORDINANCE TO VACATE THE EAST 200 FEET OF THE ALLEY IN BLOCK 34, ORIGINAL TOWN OF LEXINGTON; TO PROVIDE FOR REVERSION OF THE VACATED ALLEY TO ADJOINING PROPERTY OWNERS; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM" was read before the Council. Moved by Klamm, seconded by Tomasek, to approve said Ordinance on First Reading. Roll call. Voting "aye" were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

FINANCIAL REPORT:

Following discussion by Council, moved by Klamm, seconded by Tomasek, to approve the Financial Report for August, 2001. Roll call. Voting "aye" were Cook, Salem, Tomasek, Klamm, 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