

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, June 11, 2002, at the Lexington Municipal Building, located at 406 E. 7<sup>th</sup> 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 – 4-28-02:** Minutes of the Regular Meeting that was held Tuesday, May 28, 2002 was presented for Council’s consideration and approval. Moved by Klamm, seconded by Tomasek, to approve the Minutes of the Regular Meeting held May 28, 2002 as presented. Roll call. Voting “aye” were Cook, Salem, Tomasek, Klamm, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$1,128,640.27 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 \$349,599.39 from the General Fund, \$756,483.91 from LEXUS, \$10,000.00 from City Sanitation, \$2,215.36 from Health Fund, \$10,341.61 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  
June 11, 2002

All Points	Fuel/Oil	252.19
Alltel	Phone Service	103.06
American Fence Co	Supplies	753.26
Associated Supply Co. Inc.	Aquatic Center Start Up	4,697.50
Barco Municipal Products	Speed Limit Signs	116.65
Berntson Oil	Fuel/Oil	2,260.30
Best Books	Books	205.85
Booth, Kimberlee	Tree Board T-Shirts	90.00
Bose, Michael	Court Expenses	20.00
Broadwing Telecommunications	Dept. Phone Service	343.25
Cantrell, Elaine	Rebate	700.00

Card Center-Orscheln	Supplies on Account	21.17
Cash Credit Advantage	Display	11.94
Cash-Wa Distributing	Food & Supplies	3,200.68
CBSA	Employee Medical Claims	349.55
CBSA	Admin Fee/Premiums	9,747.72
Central Garage	Labor/Parts/Fuel for April	5,948.90
Cindy's Heavenly Cookies	Concessions	114.00
Coca Cola/Dr Pepper of Kearney	Beverages	1,701.50
Culligan Water	Service for May	152.20
D & R Computing	Office Supply	55.99
Dan's Sanitation	Sanitation for City	12,054.44
Dawson County Clerk.	Dispatch and Title Fee	7,225.76
Dawson County Treasurer	Tax on 1999 Rgr Pick Up	840.13
Dawson County Weed Control	Sterilize	380.67
Deere Credit Inc	WWTP Mower Payment	2,376.26
Demco	Library Supplies	58.28
Depository Trust Co	GO Bond Payment	181,410.00
Dotty's Diner	Rolls	72.00
Eakes	Labels	10.29
Electric Fixture	Supplies	77.87
Fagot Refrigeration & Electric	Repairs and Service	420.74
Five Points Bank	Copier Payment	205.12
Gary's Detail	Car Washes	20.00
Gengenbach, Kevin	Toilet Rental	270.00
Gillette Dairy	Dairy	240.98
Gnirk Lawn Care	Spray Application	166.00
Grolier Publishing	Books	284.85
Hank's Plumbing	Repair Faucet-Fire Dept	259.70
Hipp Wholesale Foods, Inc	Grocery and Supplies	1,586.21
Hometown Leasing	Copier Pymt	544.60
Husker Ag Sales	Supplies	98.01
Ingram Library Services	Books	96.39
Insurance & Personnel Services	Employee 125 Plan	633.88
Jim Phillips Const.	Pool Project	9,615.00
Jones Plumbing	Services for May	1,175.56
K & K Parts	Batteries	70.80
Kriz-Davis Co	Supplies and Contact	244.67
Lexington Animal Clinic	Animal Care	273.50
Lex Area Solid Waste Agency	Waste Disposal	2,390.76
Lexington Health Fund	Self Funding-CBSA	27,631.00
Lexington Newspapers	Meeting Notices	155.93
Lexington Postmaster	Postage for GGC	150.00
Lexington Public Library	Petty Cash-Postage	45.49
Lexington True Value	Supplies	84.88
Lexington Volunteer Fire Dept	Conference Fees	3,191.40
Lexington, City of	Monthly Franchise Fees	23,885.41
Lien Lawn Services	Aquatic Center Grounds	1,325.00
Lexington, City Payroll	Wages	89,181.40
Social Security	Soc Sec (Emplyr Port)	6,731.94
First National Bank	Emp Pens (Emplyr Port)	2,564.85
American Funds	Police Pens (Emplyr Port)	1,146.18
I.C.M.A.	Emp Pens (Emplyr Port)	250.38
Mac's Short Stop	Concessions Supplies	94.64
Matt Parrott & Sons	Disconnect Notices	370.89
Mead Big Valley Lumber	Supplies	537.08
Meester, Robert	Rebate	125.00

Mid Nebraska Printing	Copies and Supplies	52.95
Miller, Mark	Court Expenses	20.00
Minden Exchange Bank	Bond Obligation Payment	209,607.50
Misko Sports	Recreation Equipment	189.50
Moore	Uniform Citations	350.88
Municipal Supply	Supplies	897.77
National Assoc of Purchasing Mgt	Annual Membership Dues	120.00
NCMA Summer Conference	Conference-Peplitsch	75.00
Nebraska Machinery	Service Truck-WWTP	902.07
Nebraska National Bank	Postage System	361.56
Nebraska Waste Handlers	Waste Removal	2,263.00
Nelson, Margie	May Cleaning	500.00
NPPD	May Power Charges	422,603.66
Olsson Associates	Services E35vk Line	1,755.00
OMB Police Supply	Batteries and Flashlight	455.67
Patty's Hallmark	Postage	42.57
Paulsen Inc	Concrete and Gravel	1,626.00
Precision Industries	Supplies	34.97
Qwest	Libr/Rec Phone Service	412.45
Reader's Digest	Subscription-Library	13.98
Ream's Sprinkler Supply Co	Supplies	10.72
Rodale Books	Subscription	36.44
S & W Auto Parts, Inc	Supplies	1,035.50
Sandhill Plastics	Plastic Sheeting	653.70
Seward, Randall	Cleaning Library-May	300.00
Subway of Lexington	Civil Service Meeting	20.95
Sunmart #763/Sixth Street	Grocery and Supplies	89.88
T O Haas	Tire/Service	360.08
T.L. Sund	Bal-Van Buren Drainage	1,081.20
Telegraph	Visitors Guide	500.00
The Printing Press	Supplies-Police	142.43
Total Lawn Care	City Mowing Contract	620.00
Underwood, James	Carpet Cleaning-Library	285.00
Usher Pest Control	Monthly Service	27.00
Utility Equipment	Tapping Valve	934.56
Valentino's	Boards and Meetings	65.95
Veetronix	Service for Fire Dept	1,095.00
Wal-Mart	Misc Supplies	340.76
Wesco Distribution	Transformer	4,779.72
Willard Weinhold Law Offices	Services Rendered-May	1,253.04
Alamar Uniform Co	Uniforms	335.94
Allstate Imaging	Cartridge	331.80
Arnold Pool	Kit and Handle	145.15
Barco	Supplies	42.80
Cash Wa Distributing	Grocery and Supplies	1,633.86
CBSA	Medical Claims	1,231.93
Dawson County Public Power	Lighting of City Areas	199.85
Dawson County Register of Deeds	Filing Fees	47.00
Dawson County Sheriff	Advertisement	30.00
Eakes	Cartridge	107.97
Electric Fixture	Supplies	1,836.29
Environmental Resource Assoc	Testing	713.70
Farmer Brothers Coffee	Coffee Filters	119.24
Fox Bros. Hay Co	Grind Wood Waste	1,031.25
Gillette Dairy	Milk	72.56
Great Plains One-Call Service	Emergency Locate	97.49

Ingram Library Services	Books	103.94
K n Energy	Gas Service	4,463.00
Lexington Newspapers	Meeting Notices	194.78
Lexington True Value	Supplies	95.94
Linweld	Oxygen-Fire Dept	35.48
Mead/Big Valley Lumber	Supplies	290.75
Michael Todd & Co, Inc	Broom	524.83
Mills, Barbara	Conference Expense	120.00
Nebraska Dept of Revenue	Use Tax	27,077.42
Nebraskaland Tire	Repair Tire	10.00
NPPD	Conference-Pepplitsch	20.00
NT & T	Phone Service	1,223.72
Patty's Hallmark	Supplies	347.02
Paulsen's Inc	Concrete	224.10
Pepplitsch, Joe	Expenses	179.87
Petty Cash	Shipping Chg-Sfty Videos	57.70
Platte Valley Communications	Maintenance	90.00
Plum Creek Cleaners	Cleaning	186.00
Ream's Sprinkler Supply Co	Supplies	381.30
S & W Auto Parts	Supplies	7.15
Skarshaug Testing	Testing	50.07
Sunmart	Grocery	80.84
Tri County Hospital	Wellness Program	162.00
US Filter Distribution Group	Testing	916.19
Utility Equipment	Water Meter Section	78.32
Wal-Mart	Supplies	225.86
Wesco	Fixture	181.05
Windstone	Mapsifter	16,000.00
	<b>TOTAL CLAIMS</b>	<b>1,128,640.27</b>

**PLANNING  
COMMISSION  
APPOINTMENT:**

Mayor Fagot reminded the Council that Rob Waterman has resigned from his position on the Planning Commission due to employment conflicts. Mayor Fagot nominated Kevin Kisker to fulfill the vacancy on the Commission. Following discussion, moved by Klamm, seconded by Tomasek, to ratify the nomination of Kevin Kisker for appointment to the Planning Commission. Roll call. Voting "aye" were Cook, Salem, Tomasek, Klamm, Fagot. Motion carried.

**ROOF REPAIR:**

Pepplitsch addressed the City Council requesting their approval of a proposal by Walker Roofing, in the amount of \$27,629.00, to repair the roof of the Municipal Building located at 406 East 7<sup>th</sup> Street, Lexington, Nebraska. Following discussion, moved by Klamm, seconded by Salem, to approve the proposal from Walker Roofing, in the amount of \$27,629.00, to repair the roof of the Municipal Building located at 406 East 7<sup>th</sup> Street, Lexington, Nebraska. Roll call. Voting "aye" were Tomasek, Cook, Salem, Klamm, Fagot. Motion carried.

**BID AWARD:**

Reed Miller, representing Miller and Associates, addressed the City Council presenting them with a Bid Tabulation Sheet for the Tennis Court Project located at Plum Creek and Memorial Park. Mr. Miller reviewed the bids, and noted several errors and omissions on the Bids submitted. He then recommended that Award of the Bid go to Southwest Recreational Industries in the amount of \$227,535.63, which is the original bid of \$305,535.63 less a Change Order of approximately \$78,000 for removal of the 4" P.C. Concrete Sidewalk. Following

discussion, moved by Cook, seconded by Klamm, to approve the Bid from Southwest Recreational Industries, for the Tennis Court Project at Plum Creek and Memorial Parks, in the amount of \$305,535.63, with a Change Order reducing sidewalks by approximately \$78,000, for a total projected construction cost of \$227,535.63. Roll call. Voting “aye” were Salem, Tomasek, Klamm, Cook, Fagot. Motion carried.

**CONTRACT:**

Pepplitsch addressed the City Council presenting them with a contract between the City of Lexington and Mr. David F. Malone, for appraisal services in the amount of \$13,500, in connection with acquisition of right of way for the Adams Street Viaduct Project. Following discussion, moved by Klamm, seconded by Salem, to approve the Contract with David F. Malone for Appraisal Services in connection with acquisition of right of way for the Adams Street Viaduct Project. Roll call. Voting “aye” were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

**RESOLUTION:**

Pepplitsch addressed the City Council requesting their approval of a Resolution deeding Lots One and Two of the Lexington Industrial Addition to the Community Redevelopment Authority. Following discussion, moved by Klamm, seconded by Tomasek, to approve Resolution Number 02-10, deeding Lots One and Two of the Lexington Industrial Addition to the Community Redevelopment Authority. Roll call. Voting “aye” were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

CITY OF LEXINGTON, NEBRASKA  
RESOLUTION NO. 02-10

A RESOLUTION AUTHORIZING AND DIRECTING THE CONVEYANCE OF REAL ESTATE DESCRIBED AS LOT 1 AND LOT 2, LEXINGTON INDUSTRIAL ADDITION, IN THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA TO THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF LEXINGTON.

WHEREAS, the City of Lexington (“City”) has previously adopted an economic development program, funded partially by the local option sales tax, and pursuant to such program has acquired real estate described as Lot 1 and Lot 2, Lexington Industrial Addition, in the City of Lexington, Dawson County, Nebraska (the “Property”);

WHEREAS, the City has created, pursuant to the Nebraska Community Development Law, Neb. Rev. Stat. Section 18-2101 et seq. (the “Act”) the Community Redevelopment Authority of the City of Lexington (the “Authority”);

WHEREAS, pursuant to the Act, the City has declared an area of the City, including the Property, to be blighted and substandard in accordance with the Act;

WHEREAS, the Authority has received a proposal for a redevelopment project in the blighted and substandard area including the Property, and has requested that the City convey the Property to the Authority.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lexington, Nebraska as follows:

1. Pursuant to Section 18-2138 of the Nebraska Community Development Law, the Mayor and Council have determined and hereby determine that, for the purpose of aiding and cooperating in the planning, undertaking, and carrying out of a redevelopment project located within a blighted and substandard area of the City, it is in the best interests of the City to sell and convey to the Community Redevelopment Authority of the City a parcel included in the blighted and substandard area described as follows:

Lot 1 and Lot 2, Lexington Industrial Addition, in the City of Lexington, Dawson County, Nebraska

2. The President of the Council is hereby directed and authorized on behalf of the City of Lexington to execute a deed transferring the foregoing described real estate to the Community Redevelopment Authority of the City of Lexington.
3. The President is further authorized to take such actions and execute and deliver such documents and instruments as are necessary in connection with such conveyance.

Passed and approved: June 11, 2002

John Fagot  
Mayor

ATTEST:

Shirley Lewis  
Deputy City Clerk

**WEST CENTRAL AREA  
ON AGING:**

Peplitsch addressed the City Council presenting Operating Contracts for the Grant Generation Center Meals and Operations for Fiscal Year 2003, by the West Central Area Agency on Aging. Following discussion, moved by Klamm, seconded by Salem, to authorize the Mayor to sign Operating Contracts for Grand Generation Center Meals and Operations for Fiscal Year 2002, by the West Central Area Agency on Aging. Roll call. Voting "aye" were Cook, Tomasek, Salem, 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