

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, February 24, 2004 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. Councilman Steve Tomasek was excused. City Officials present were City Manager Joe Peplitsch, City Attorney Willard Weinhold, Deputy City Clerk Shirley Lewis. Department Head present was Charles Clark.

**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 – 02-10-04:** Minutes of the Regular Meeting scheduled for Tuesday, February 10, 2004 was presented for Council’s consideration and approval. Moved by Klamm, seconded by Salem, to approve the Minutes of the Regular Meeting held February 10, 2004 as presented. Roll call. Voting “aye” were Cook, Salem, Klamm, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$353,651.96 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Cook, seconded by Klamm, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$172,529.56 from the General Fund, \$109,881.64 from LEXUS, \$21,026.17 from Sanitation, \$17.52 from Library Memorial, \$40,528.57 from Health Fund, \$9,668.50 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Salem, Klamm, Cook, Fagot. Motion carried.

CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
February 24, 2004

Access Data Corporation	Software/Service	250.00
Aflac	Supp Insurance	1025.50
All Points Cooperative	Fuel/Kerosene	39.08
Arrow Seeds	Grass Seed	550.00
B.P.C.M.	Collection Service	130.40
Bernston Oil	Fuel	64.00
Card Center-Orscheln	Misc Supplies	109.67
Case Credit Advantage	Sewer Expense	26.32
Cash-Wa Distributing	Food & Supplies	850.54
CBSA	Claims	32,547.72
Central Community College	CPR Classes	217.50
Central Garage Fund	Labor/Parts/Oil	4,070.26

Charter Communications	Internet Fee	119.95
Chief Supply Corporation	Fire Dept Expense	61.98
Country Books	Library Supplies	20.27
Elberta Brummet	Mileage	28.13
Electric Fixture	Parts/Supplies	286.96
Farmer Brothers Coffee	Coffee Supplies	243.01
Gillette Dairy	Dairy	161.25
G-Neil	Office Supplies	40.23
H.O. Smith Co.	Owners Policy	215.50
Harker's	Food & Supplies	1,008.73
Harold Brown	Tool Allotment	50.00
Health & Human Svcs Reg & Lic	Pool Permit	3.00
Hipp Wholesale Foods, Inc.	Food & Supplies	966.66
Ingram Library Services	Library Supplies	3.19
Jones Plumbing & Heating	Maint. Bldg. Repair	359.41
Kinder Morgan	Gas Service	1,619.88
Lab Safety Supply	EMS Equip	3,037.53
Lexington Health Fund	Self Funding	26,417.00
Lexington Newspaper, Inc.	Publications	501.36
Lexington Public Library	Refund Petty Cash	8.75
Lexington Truck & Auto	Central Garage Supplies	45.00
Liehs Drilling	Well Repair	2,109.93
Matt Parrott & Sons Co.	Office Supplies	101.87
McCooknet Internet Service	Spam & Virus Software	5.00
Mead/Big Valley Lumber	Cemetery Expense	53.84
Meyer-Century Labs	Utility Supplies	246.09
Miami Systems Corp.	Central Garage Supplies	394.40
Mick's Platte Valley Glass	Window Repair	238.79
Mid-Nebraska Printing	Signs	82.20
The Island Supply Company	Water Supplies	1,026.80
Lexington City Payroll Account	Wages	86,570.55
Social Security	Employer Port/FICA Med	6,504.84
First National Bank	Employer Portion/Pension	2,968.09
First National Bank	Police Pension	1,151.31
ICMA	City Manager Pension	224.00
Misko Sports	Recreation Supplies	419.40
Municipal Supply	Sewer Supplies	461.62
Nebraska Dept. of Roads	Engineering Expense	33,148.00
Nebraska Machinery	Central Garage Expense	857.84
Nebraska Safety Council	Membership Dues/Video	280.00
Nebraska Statewide Arboretum	Membership Dues	100.00
Nebraskaland Tire	Electric Expense	475.56
OCLC, Inc.	Library Supplies	369.50
Omaha Slings, Inc.	Electric Expense	457.33
Overton Community Center	Rental Service	100.00
Overton Sand & Gravel	Gravel Expense	52.50
Patty's Hallmark	Office Supplies	112.37
Paulsen Inc.	Concrete	390.50
Petty Cash	Refund Petty Cash	15.01
Plum Creek Motors	Parts & Service	52.91
PPCT Management Systems, Inc.	Police Expense	261.00
Precision Industries	Central Garage Expense	221.44
Precision PC	Computer Repair	708.00
Reiman Publications	Library Supplies	10.98
Rick's Audio/Video	Police Expense	42.00
S&W Auto Parts, Inc.	Misc Supplies	240.00

Scholastic Library Publishing	Library Supplies	259.00
Sign Pro	Office Supplies	220.00
Sunmart	Food & Supplies	15.51
T&R Electric	Transformers	2,820.00
T.O. Haas Tire Co.	Central Garage Expense	37.56
Taqueria Mexico	Meeting Expense	50.00
Taste of Home	Library Supplies	28.98
United Nebraska Bank	Interim Financing Interest	15,901.20
Utility Equipment	Water Supplies	666.20
Wal-Mart	Misc Supplies	171.62
Zep Manufacturing	Misc Supplies	95.93
Alltel	Cell Phone Expense	207.16
Barmore Drug	Office Supplies	9.99
Bailey, William	Electric Rebate	425.00
Berntson Oil	Fuel	19.00
Cash-Wa Distributing	Food & Supplies	527.59
Central Community College	CPR Classes	112.50
C.B.S.A.	Claims	6,955.35
Dan's Sanitation	Sanitation Expense	21,026.17
Demco	Library Supplies	120.43
Dutton-Lainson Company	Electric Supply	621.94
Fairbanks International, Inc.	Maintenance Expense	304.39
Fred Pryor Seminars	Educatioin/Training	158.00
Gillette Dairy	Food & Supplies	45.09
Ingram Library Services	Library Supplies	46.13
James Underwood	Janitorial Expense	115.00
Jensen, Deb	Mileage Reimbursement	57.00
Lexington Health Fund	Self-Funding	26,417.00
Lexington Public Library	Petty Cash	6.20
Lexus	Utility Services	17,961.40
Lexington, City of	Franchise Fees	31,485.82
Platinum Plus for Business	Supplies/Travel Expense	396.66
Mead Big Valley Lumber	Supplies	106.72
Mick's Platte Valley Glass	Library Expense	11.08
Mid-Nebraska Printing	Supply Expense	234.30
National Waterworks	Meter Supplies	269.18
NE Dept of HHS Laboratory	Analysis	1,149.00
Nelson, Margie L.	Janitorial Expense	50.00
Olsson Associates	Rate/I-80 Access/ Viaduct/15 mVA	6,849.53
Dawson County Handibus	Transportation	170.00
Paper Showcase	Office Supplies	23.95
Patty's Hallmark	Office Supplies	97.53
Petty Cash Fund	Petty Cash	27.53
Jim Phillips Construction	Water Main Repair	1,310.00
Service Master Mid Nebraska	Janitorial Expense	48.00
Skarshaug Testing	Supply Expense	39.20
Sunshine Filters of Pinellas, Inc.	Supply Expense	127.64
Upstart	Library Expense	28.70
Valladares, Juan	Electric Rebate	125.00
Viking Office Products	Library Expense	64.18
Wal-Mart	Supply Expense	104.15
	TOTAL:	353,651.96

**PUBLIC COMMENT PERIOD:**

Three Boy Scouts were in attendance with their Scout Master. Each of them introduced themselves, and stated the Badge that they were earning. Mayor Fagot welcomed them to the Meeting, and wished them luck in obtaining their badges.

**ORDINANCE:**

Mayor Fagot requested input on a proposed Ordinance to regulate the presence of minors in licensed liquor establishments. An Amendment was recommended, indicating the provisions in the Ordinance would not apply to licensed premises whose primary business is providing food, lodging, or a bowling alley. Following discussion, moved by Cook, seconded by Klamm, to amend Section 1c in the proposed Ordinance to state the provisions in the Ordinance would not apply to licensed premises whose primary business is providing food, lodging, or a bowling alley. Roll call. Voting “aye” were Salem, Klamm, Cook, Fagot. Motion carried.

An Ordinance entitled “AN ORDINANCE TO REGULATE THE PRESENCE OF MINORS IN PREMISES LICENSED FOR THE SALE OF ALCOHOLIC BEVERAGES; TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was read before Council. Moved by Klamm, seconded by Salem, to adopt amended Ordinance on First Reading. Roll call. Voting “aye” were Cook, Salem, Klamm, Fagot. Motion carried.

**PUBLIC HEARING:**

Mayor Fagot opened the Public Hearing. Lisa Yan, representing China Red II, requested Council’s approval of a Class “A” Liquor License, for her business located at 413 N. Washington, Lexington, NE. Following discussion, Mayor Fagot closed the Public Hearing. Moved by Klamm, seconded by Salem, to recommend approval of the Class “A” Liquor License, for China Red II, located at 413 N. Washington, Lexington, NE. Roll call. Voting “aye” were Cook, Salem, Klamm, Fagot. Motion carried.

**TENNIS COURTS:**

Mr. Ernie French, representing the Lexington Tennis Association, requested Council’s approval to name the Tennis Courts at Plum Creek Park, the “Champions Tennis Complex”, and the Tennis Courts at Memorial Park, the “Mary Maloley Tennis Complex”. Following Mr. French’s presentation, and discussion by the Council, moved by Salem, seconded by Klamm, to table this item, so that Councilman Salem, and one other City Councilman, could meet with Mr. French and the Lexington Tennis Association, to discuss this further. Roll call. Voting “aye” were Cook, Klamm, Salem, Fagot. Motion carried.

**PUBLIC HEARING:**

Mayor Fagot opened the Public Hearing. Pepplichtsch requested Council’s approval of the One and Six Year Street Improvement Plan, and presented a summary of the projects in the Plan. Following Pepplichtsch’s presentation, Mr. Frank Hennigan expressed his concerns regarding Item #5 (Program No. 92 – 20<sup>th</sup> & Park Streets) in the One Year Plan. Mr. Jim O’Donnell also expressed his concerns regarding the same item. Following discussion, moved by Klamm, seconded by Salem, to approve the One and Six Year Street Improvement Plan. Roll call. Voting “aye” were Cook, Salem, Klamm, Fagot. Motion carried.

**FINANCIAL REPORT:** Peplitsch requested Council's approval of the Financial Report for January, 2004. Following discussion, moved by Salem, seconded by Klamm, to accept the Financial Report for January, 2004. Roll call. Voting "aye" were Cook, Klamm, Salem, Fagot. Motion carried.

**EXECUTIVE SESSION:** With the absence of Councilman Tomasek, Mayor Fagot requested this item be tabled until all Councilmen could be present.

**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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Deputy City Clerk