

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, August 24, 2004 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. Department Head present was Barb Mills.

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 – 08-10-04: Minutes of the Regular Meeting scheduled for Tuesday, August 10, 2004 was presented for Council’s consideration and approval. Moved by Salem, seconded by Tomasek, to approve the Minutes of the Regular Meeting held August 10, 2004 as presented. Roll call. Voting “aye” were Cook, Klamm, Tomasek, Salem, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$362,031.45 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Tomasek, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$154,765.73 from the General Fund, \$147,866.59 from LEXUS, \$21,262.37 from Sanitation, \$8,305.00 from Landfill, \$18.55 from Library Memorial, \$21,341.84 from Health Fund, \$8,471.38 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Klamm, Cook, Tomasek, Salem, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
August 24, 2004

AFLAC	Premiums	942.36
Alltel	Cellphone Service	139.96
Am Casting & Mfg Corp	Metal Padlocks	1,201.80
American Library Association	Books	69.50
Anderson Graphics	State Softball Programs	643.00
Barmore Drug	Office Supplies	6.95
Berntson Oil	Fuel	4,371.89
Big Cheese Pizza	Meeting Expense	32.82
Business Week	Subscription	119.97
Card Center (Orscheln)	Parts/Supplies	14.99
Cash-Wa	Food & Supplies	931.87
Central Garage	Maint./Repairs	3,239.80

Children's Library Resources	Book	12.96
Coca Cola/Dr. Pepper of Kearney	Beverages	24.00
Corporate Benefit Svcs of America	Claims	12,790.24
Dawson County Handibus	Transportation	92.00
Demco	Library Supplies	788.98
EDM Equipment Company	Brooms for Sweeper	425.05
Egan Supply Company	Cleaning Supplies	127.78
Electric Fixture	Electric Supplies	150.14
Electric Pump	Pump Parts	1,232.24
EMS Billing Services, Inc.	Service / July	1,390.20
Fagot Refrigeration & Electric	Electric Repair	96.86
Farmer Brothers Coffee	Food	92.02
Gall's Inc.	Uniform Expense	54.58
Gillette Dairy	Dairy Products	273.02
Gnirk Lawn Care	Lawn Care	704.75
Hall's Safety Equipment	Supplies	701.85
Harker's	Food	1,014.66
Hipp Wholesale Foods, Inc.	Food & Supplies	920.38
Holiday Inn	Travel Exp/Tracy Wolf	54.00
Incode-CMS	Software Service	9,257.75
Ingram Library Services	Books	50.50
Jim Phillips Construction	Street Repair	5,693.00
Keim, Bob	Freon Removal	240.00
Kinder Morgan	Gas Service	6.15
Kriz-Davis Company	Meter / Electric Supplies	1,925.33
Latina	Subscription	12.00
Lawson Products, Inc.	Maintenance Supplies	301.35
Lexington Health Fund	Self-funding	25,350.00
Lexington Newspapers	Publications	536.56
Lexington Public Library	Petty Cash	43.30
Lexington Recreation Program	Soccer Instruction	500.00
Lexington Truck & Auto	Truck Parts	20.80
Lexington True Value	Misc. Supplies	214.73
Lexington, City of	Service Fees	20,355.50
Lexington City Payroll Account	Wages	101,811.60
Social Security	Employer Port/FICA Med	7,678.95
First National Bank	Employer Portion/Pension	2,860.54
First National Bank	Police Pension	1,134.67
ICMA	City Manager Pension	231.84
Linweld	Medical Supplies	80.60
McCooknet Internet Service	Service	5.00
Mead Rental Center	Supplies/Gasket	3.68
Mead/Big Valley Lumber	Maintenance Supplies	386.77
Mejia, Rigoberto	Electric Rebate	900.00
Mid-Nebraska Food Bank	Food	73.34
Mid-Nebraska Printing	Office Supplies	20.38
Midlands Contracting Inc.	IBP Lift Station Repair	17,287.02
National League of Cities	Membership Dues	1,273.00
National Waterworks	Water Supplies	62.40
Nebraska Vol Fire Fighters Trust	Premium	887.60
Nebraska Assoc of Senior Centers	Conference/Seminars	100.00
Neopost	Postage	1,500.00
Olsson Associates	Adams Electric Relocate	779.66
Overton Community Center	MOW	100.00
Pace Analytical	Landfill/Analysis	8,305.00
Paulsen Inc.	Concrete	2,400.38

Precision PC	Internet Service	278.00
Precision Sprinklers	Sprinkler Repair	69.29
Repco Marketing, Inc.	Simulator Supplies	18.40
S & W Auto Parts, Inc.	Central Garage Supplies	1,268.14
Schwan's Sales Ent	Food	91.92
SunMart #763/Sixth Street	Food	25.35
T.O. Haas Tire Company, Inc.	Tires/ Repair	46.00
Top Health	Subscription	106.30
U-Save Business Equipment	Office Supplies	108.70
Utility Equipment	Equipment	388.53
Wal-Mart	Supplies	225.50
Warner, Ruby	Electric Rebate	900.00
Wesco Distribution, Inc.	Tester	1,332.15
Woodworking For Women	Book	25.92
Associated Supply Company, Inc.	Pool Supplies	211.22
Berntson Oil	Fuel	57.50
Card Center	Misc. Supplies	74.54
Cash-Wa Distributing	Food & Supplies	233.35
Certified Laboratories	Maint./Supplies	118.96
Corporate Benefit Svcs of America	Claims	7,609.24
Dan's Sanitation	Sanitation Fees	21,262.37
Electric Fixture	Electric Supplies	112.45
Gall's Inc.	Uniform Expense	29.74
Gillette Dairy	Dairy Supplies	69.48
Ingram Library Services	Books	510.51
Jones Plumbing & Heating	Supplies/Repair	15.15
L. F. W. Sandblasting / Painting	Water Tower Repair & Maintenance	600.00
Lexington Public Library	Petty Cash	23.15
Lexington Utilities System	Utilities	20,544.09
Lex Area Solid Waste Agency	Special Waste Expense	24.48
Lexington, City of	Service Fees	37,646.51
Linden's Plumbing	Repair	356.65
Mead / Big Valley Lumber	Misc. Supplies	61.77
Miller & Associates	Retainer Services	800.00
Moore Medical Corporation	Medical Supplies	297.00
Platinum Plus For Business	Misc. Supplies	541.43
National Waterworks	Water Supplies	233.10
Nebraska Department of HHS Lab	Water Analysis	1,400.00
Nebraska Recreation & Park Assoc	Membership	50.00
Petty Cash Fund	Petty Cash	37.02
Platte Valley Communications	Maint./Repair	1,157.24
Precision PC	Computer Service	45.00
Quill Corporation	Office Supplies	53.98
Schwan's Sales Ent	Food	11.99
T. O. Haas	Tire Repair	22.58
Underwood, James	Carpet Cleaning	230.00
United Nebraska Bank	Loan Viaduct/Industrial Paving/15 MVA	17,486.20
U-Save Business Equipment	Office Supplies	74.00
Wal-Mart	Misc. Supplies	96.54
	TOTAL:	112,097.24

PUBLIC HEARING:

Mayor Fagot opened the Public Hearing. Mr. Ed Foster requested Council's approval of a Class "D" Liquor License Application for All

Points Cooperative, dba Cenex/Ampride. Following discussion, Mayor Fagot closed the Public Hearing. Moved by Klamm, seconded by Salem, to recommend approval of the Class "D" Liquor License Application for All Points Cooperative, dba Cenex/Ampride, located at 2700 Plum Creek Parkway, Lexington, NE. Roll call. Voting "aye" were Tomasek, Cook, Salem, Klamm, Fagot. Motion carried.

REVENUE BOND:

Jim Fox, representing Ameritas, requested Council's approval of an Ordinance authorizing the issuance of Combined Utilities Revenue Bonds, 2004 Series. Following Mr. Fox's presentation, an Ordinance entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF COMBINED UTILITES REVENUE BONDS, 2004 SERIES, OF THE CITY OF LEXINGTON, NEBRASKA, IN THE AGGREGATE PRINCIPAL AMOUNT OF TWO MILLION TWO HUNDRED FIVE THOUSAND DOLLARS (\$2,205,000) FOR THE PURPOSE OF PAYING THE COSTS OF IMPROVEMENTS AND EXTENSIONS FOR THE CITY'S SEWAGE DISPOSAL PLANT AND SANITARY SEWER SYSTEM; DIRECTING THE APPLICATION OF THE PROCEEDS OF SAID BONDS; PRESCRIBING THE FORM, TERMS AND DETAILS OF SAID BONDS; PLEDGING AND HYPOTHECATING THE REVENUE AND EARNINGS OF THE SEWER, WATER AND ELECTRIC SYSTEMS OWNED BY THE CITY FOR THE PAYMENT OF SAID BONDS AND INTEREST THEREON; ESTABLISHING THE TERMS UPON WHICH ADDITIONAL BONDS OF EQUAL LIEN UPON REVENUES MAY BE ISSUED; ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE OWNERS OF SAID BONDS; SELLING THE BONDS AND AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM" was read before Council. Moved by Klamm, seconded by Salem, to suspend the rules requiring the reading of said ordinance on three separate days. Roll call. Voting "aye" were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

Said Ordinance was read by title. Moved by Salem, seconded by Tomasek, to approve Ordinance No. 2186 on Final Reading. Roll call. Voting "aye" were Klamm, Cook, Tomasek, Salem, Fagot. Motion carried.

PAY REQUEST:

Pepplitsch requested Council's approval of Pay Request #23 for the Lexington Viaduct Project. Following discussion, moved by Klamm, seconded by Tomasek, to approve Pay Request #23 for the Lexington Viaduct Project, to Paulsen, Inc., in the amount of \$45,009.78. Roll call. Voting "aye" were Cook, Salem, Tomasek, Klamm, Fagot. Motion carried.

PAY REQUEST:

Dana Daniels, representing Miller and Associates, requested Council's approval of Pay Request #2 for the South Adams Street Improvements. Following discussion, moved by Tomasek, seconded by Klamm, to approve Pay Request #2 for the South Adams Street Improvements, to Paulsen, Inc., in the amount of \$267,255.69. Roll call. Voting "aye" were Salem, Cook, Klamm, Tomasek, Fagot. Motion carried.

ACCOUNTS RECEIVABLE: Peplitsch requested Council's approval of removing balances for accounts deemed uncollectable. Following discussion, moved by Klamm, seconded by Tomasek, to approve removing balances for accounts deemed uncollectable. Roll call. Voting "aye" were Cook, Salem, Tomasek, Klamm, Fagot. Motion carried.

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

ADJOURNMENT: There being no further business to come before 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.

Deputy City Clerk