

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, October 24, 2000 at the Lexington Municipal Building, located at 406 East 7th Street, Lexington, Nebraska at 7:30 p.m. Members of the Council present were Mayor John Fagot, Rick Klamm, John Wightman, Neal Kohl, Ted Cook. City Officials present were City Manager Joe Peplitsch, City Attorney Willard Weinhold, Deputy City Clerk Shirley Lewis. Department Heads present were Charles Clark, Barb Mills, Ruth Seward. Citizens in attendance were DeEtta Hartman representing Dawson Area Development, Sharon Fellows, Alan and Anita Smith, Kermit Debban, Jim Lauby, Officer Jesus Naputi, and other concerned citizens. Also present were Bob Blankenship and Dana Daniels representing Miller and Associates. The Press was represented by the Clipper-Herald, KRVN, Tri-City Tribune and the Kearney Hub.

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 John Fagot

MINUTES – REGULAR MEETING – 10-10-00: Minutes of the Regular Meeting held Tuesday, October 10, 2000 was presented for Council’s consideration and approval. Moved by Klamm, seconded by Wightman, to approve the Minutes of the Regular Meeting held October 10, 2000 as presented. Roll call. Voting “aye” were Cook, Kohl, Wightman, Klamm, Fagot. Motion carried.

CLAIMS AND BILLS: Claims and Bills in the amount of \$505,726.72 was presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Kohl, seconded by Klamm, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$380,482.84 from the General Fund, \$89,736.86 from LEXUS, \$21,145.50 from City Sanitation Fund, \$250.00 from Library Memorial Fund, \$8,630.84 from the Health Fund, \$5,480.68 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Wightman, Cook, Klamm, Kohl, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
OCTOBER 24, 2000 COUNCIL

AFLAC	OCTOBER CANCER PREMIUM	636.38
ALAMAR UNIFORM CO.	UNIFORM - POLICE.	286.31
ALLSTATE IMAGING, INC	INK CARTRIDGES	169.58
ALLTEL	CELLULAR CHARGES	48.82
AMPRIDE	MTG MEAL	30.97
BARCO MUNICIPAL PRODUCTS	ST & WTR SUPPLIES	471.00
BARMORE'S	OFFICE SUPPLIES	18.28
BARRETT-HOUSEL-GRAFTON	BOND RENEWAL	92,378.00
BEANS, KENNETH 7 ANGIE	R-O-W ACQUISITION	89,926.95
BERNTSON OIL	OIL AND SOLVENT	3,644.65
BULLER FIXTURE CO	COFFEE URN/GGC	88.82
C.B.S.A.	EMPLOYEES MEDICAL CLAIMS	6,025.50

CASH-WA DISTRIBUTING	FOOD AND SUPPLIES	(27.76)
CENTURY LABORATORIES	WWTP SUPPLIES	229.32
CHIEF SUPPLY	FIRE DEPT SUPPLIES	361.88
COMPUTERS BY HAMPTON	COMPUTER	755.00
COOPERATIVE EXTENSION	FOOD SAFETY CLASS	15.00
DAWSON AREA DEVELOPMENT	MEMBERSHIP	10,000.00
DAWSON CO PUBLIC POWER	ELECTRICAL SUPPLIES	321.41
DAWSON CO REG OF DEEDS	FILING FEES	12.00
EILERS MACHINE & WELDING	WWTP SUPPLIES	340.00
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	609.20
ENGINEERED SEAL PRODUCTS	WWTP SUPPLIES	346.82
ESTEX MANUFACTURING CO	ELECTRICAL SUPPLIES	92.31
FAGOT, JOHN	REIMBURSE/BOSTON CONF	40.00
FUEHRER'S LAWN CARE	MOW LAWN	50.00
GEMPLER'S	UNIFORMS	572.84
GILLETTE/NE DAIRIES, INC.	DAIRY PRODUCTS-GGC	368.05
GREAT PLAINS ON-CALL SVC	SEPT LOCATES	162.19
H.O. SMITH	TITLE INSURANCE/STAHLA	142.00
H.W. WILSON COMPANY, THE	LIBRARY BOOKS	396.00
HECHT, RICHARD JR	R-O-W ACQUISITION	7,855.07
HIPP WHOLESALE FOODS	FOOD & SUPPLIES	932.53
HOBBY LOBBY	AWARDS BANQUET SUPPLIES	71.78
HOLIDAY INN EXPRESS - LEX	HALL RENTAL/AWARDS BANQ	250.00
INGRAM LIBRARY SERVICES	LIBRARY BOOKS	200.54
K N ENERGY, INC.	ENERGY SERVICE	1,493.97
KRIZ-DAVIS COMPANY	ELECTRICAL SUPPLIES	338.16
LAMA NATIONAL INSTITUTE	REGISTRATION/LIBRARY	430.00
LEX AREA CHAM OF COMM	CHAMBER BLDG PURCHASE	3,000.00
LEXINGTON COOP	CAR WASHES	7.00
LASWA	LANDFILL CHARGES	257.76
LEXINGTON NEWSPAPER	PUBLICATIONS	519.35
LEXINGTON OPTIMISTS	PETER KIEWIT GRANT	107,700.00
LEXINGTON PUBLIC LIBRARY	REPLENISH PETTY CASH	38.87
LEXINGTON TRUE VALUE	MISC SUPPLIES	12.27
LEX CITY PAYROLL ACCT.	PAYROLL FOR 10/17/00WAGES	73,115.73
SOCIAL SECURITY	SOC SEC(EMPLOYER PORTION)	5,520.10
FIRST NATIONAL BANK	EMP PENSION(EMPLR. PORTION)	2,302.92
AMERICAN FUNDS	POLICE PENSION(EMPLYR PORT)	1,054.03
I.C.M.A.	EMP PENSION(EMPLR. PORTION)	131.54
LINDEN'S PLUMBING	LIBRARY BLDG REPAIRS	63.50
MATT FRIEND TRUCK EQUIP	CENTRAL GARAGE SUPPLIES	779.73
MEAD/BIG VALLEY LUMBER	MISC SUPPLIES	332.56
MICK'S PLATTE VALLEY GLASS	CENTRAL GARAGE SUPPLIES	167.73
MID-STATES UNITS	PORTA POTTY RENTAL	780.00
MOORE MEDICAL CORP	FIRE DEPT SUPPLIES	155.50
NCK SOFTWARE & SUPPORT SVC	SCADA SYSTEM SVC	1,200.00
NEBRASKA LIBRARY ASSOC	MEMBERSHIP/CLIFF FOSTER	15.00
NE VINTAGE RACE ASSOC	LIBRARY SUPPLY	20.00
NSAWWA	FALL CONF REGIS/WWTP	70.00
OFFICE EQUIPMENT CENTER	POLICE COPIER MAINT	295.00
OLLIS BOOK CORP	LIBRARY SUPPLY	215.20
PATTY'S HALLMARK	OFFICE SUPPLIES	858.49
PAULSEN INC.	CONCRETE	274.11
PENWORTHY CO	LIBRARY SUPPLY	916.11
PLUM CREEK MOTORS	CENTRAL GARAGE SUPPLIES	34.19
PROTECTIVE LIFE INS	CANCER INS/ACKERMAN	43.90

QA BALANCE SERVICES	BALANCED METTLER BALANCE	85.00
QUALITY STORES	MISC SUPPLIES	689.67
S & W AUTO PARTS, INC.	TOOLS	614.60
SAFETY-KLEEN (PPM) INC	USED OIL PICKUP	294.50
SCHOLASTIC INC	BOOK ORDER	18.49
SCHMADER ELECTRIC	FIRE DEPT SUPPLIES	145.00
SERVICE SUPPLY	SURGE REPAIRS	140.88
SIGN PRO	SIGNAGE/CITY OFFICES	22.50
SIGNATURE CREATIONS	POLICE UNIFORM REPAIRS	16.00
SIXTH STREET PHARMACY	FILM PROCESS	10.88
SPRING CRK EMBR WORKS	UNIFORM LOGOS	159.50
T.O. HAAS TIRE CO	TIRES & REPAIRS	458.95
TASTE OF HOME	LIBRARY BOOKS	22.90
TB LAWN SERVICE	SPRAY WWTP LAWN	261.00
TIME LIFE BOOKS	LIBRARY BOOKS	20.98
U-SAVE FOODS	FOOD & SUPPLIES	21.09
VILLAGE CLEANERS	LAUNDRY SVC	18.00
WAL-MART	MISC SUPPLIES	418.62
WESCO DISTRIBUTION	ELECTRICAL SUPPLIES	1,420.72
WORLD BOOK ENCYCLOPEDIA	LIBRARY BOOKS	28.44
ZEP MANUFACTURING	CLEANING SUPPLIES	48.38
ADVANCED CONTROL SYSTEMS	TECH SUPPORT/SCADA SYSTEM	350.00
ALLTEL	CELLULAR CHARGES	86.60
AM WATER WORKS ASSOC	MEMBERSHIP/HAWKS	235.00
AM PUBLIC WORKS ASSOC	MEMBERSHIP/HAWKS	215.00
C.B.S.A.	EMPLOYEE MEDICAL CLAIMS	1,124.75
CASH-WA DISTRIBUTING	FOOD & SUPPLIES	708.18
CENTRAL GARAGE FUND	LABOR/PARTS/OIL/TIRES	4,457.50
DAN'S SANITATION	SA SVC	21,145.50
INSURANCE & PERSONNEL SVC	EMPLOYEE'S 125 ACCT	800.31
LEXINGTON, CITY OF	FRANCHISE FEES	27,104.81
LEXUS	UTILITY BILLING	16,819.43
MARTEL ELECTRONICS	RECORDER/COUNC CHAMBERS	393.00
MEAD/BIG VALLEY LUMBER	MISC SUPPLIES	820.97
MILLER & ASSOCIATES	13TH ST OVERLAY	2,563.49
MYERS, THURMAN	RETURN CEMETERY SPACE	75.00
NEBRASKA ESCO	REGISTRATION FEE/PEPPLITSCH	21.50
NEBRASKA NATIONAL BANK	MAIL MACHINE LEASE	361.56
NEBRASKA SALT & GRAIN CO	ICE CONTROL SALT	750.00
PAPER WAREHOUSE	SUPPLIES/BISHOP RETIREMENT	60.83
PETTY CASH FUND	REPLENISH PETTY CASH	39.20
PRECISION INDUSTRIES	WWTP SUPPLIES	561.57
QUALITY STORES INC	MISC SUPPLIES	71.30
QUILL CORP	MISC SUPPLIES	453.82
SAFETY-KLEEN	OIL ANALYSIS/ELECT	240.00
U S FILTER DISTRIBUTION	REC COMPLEX SUPPLIES	364.56
UTILITY EQUIPMENT	WATER SUPPLIES	272.58
WESTERNER MOTEL	LVFD LODGING	750.00
	TOTAL CLAIMS	\$505,726.72

CITIZEN COMMENTS:

Sharon Fellows addressed the Lexington City Council voicing her opinion on the loud music and parking problems in her neighborhood on Laramie Court. She stated that there is a band that practices next door to their home. Cars, belonging to band members parked in the area, create a problem getting in, and out, of the driveway for Ms. Fellows. The noise created by the band rattles her windows,

and doesn't allow her to open her doors. Mayor Fagot informed Ms. Fellows that there is due process, and that she would be required to file a complaint, and testify, should it go to Court.

FINANCIAL REPORT:

Financial Director Barb Mills, presented the Financial Report to the Lexington City Council, for the month of September, 2000. Following Ms. Mills' presentation, moved by Klamm, seconded by Wightman, to accept the Financial Report for September, 2000. Roll call. Voting "aye" were Cook, Kohl, Wightman, Klamm, Fagot. Motion carried.

**LEGISLATIVE
REDISTRICTING:**

DeEtta Hartman, Executive Director of Dawson Area Development, addressed the Lexington City Council, stating that the State Legislature will consider redistricting the State Legislative Districts due to the 2000 Census. It is being requested that the Lexington City Council pass a Resolution of Support to have Dawson County remain in one Legislative District, and not split the County into . Following discussion, and the reading of Resolution No. 00-23, moved by Wightman, seconded by Klamm, to adopt the following Resolution. Roll call. Voting "aye" were Kohl, Cook, Wightman, Klamm, Fagot. Motion carried.

RESOLUTION 00 -23

A RESOLUTION OF THE MAYOR AND COUNCIL OF
LEXINGTON, DAWSON COUNTY, NEBRASKA, REQUESTING
THE CONSIDERATION THAT DAWSON COUNTY REMAIN AS
A TOTAL UNIT OF A NEBRASKA LEGISLATIVE DISTRICT.

WHEREAS, State and Federal regulations require the redrawing of boundary lines following the United States decennial census to equalize district populations, and

WHEREAS, the Nebraska Legislature is in the process of a consideration of proposals for this redistricting and the passage of legislation this legislative session to approve said redistricting, and

WHEREAS, Dawson County including all the communities therein, have been a part of one legislative district for the purposes of providing the citizens of the Dawson County area equal and responsive representation, and

WHEREAS, through the efforts of the Dawson County Commissioners and the Mayors and Councils of Lexington, Cozad, and Gothenburg have formed the Dawson Area Development Corporation, uniting the progressive efforts for the economic well being of the Dawson County area, and

WHEREAS, citizens of the Dawson County community have benefited from this united effort and it is felt by the public officials that separation by legislative districts of any part of a Dawson County area would curtail and severely hinder the continued progressive economic growth of our area.

IT IS THEREFORE RESOLVED THAT THE MAYOR AND CITY COUNCIL OF THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA, do hereby respectfully request the members of the Nebraska Legislature in their efforts to redistrict the legislative districts in the equalization of population to allow Dawson County and the communities therein to be part of one legislative district.

PASSED AND APPROVED this 24th day of October, 2000.

John Fagot, Mayor

ATTEST:

Shirley Lewis
Deputy City Clerk

WAIVER OF OBJECTION:

Council Person John Wightman summarized the history of the proposed Waiver of Objection for the Lexington Cooperative Oil Company, to the Lexington City Council. Following discussion, moved by Klamm, seconded by Kohl, to approve the Waiver of Objection for Lexington Cooperative Oil Company, and authorize the Mayor to sign said Waiver. Roll call. Voting "aye" were Cook, Kohl, Klamm, Fagot. Abstaining was "Wightman". Motion carried.

CATTLEMEN DRIVE:

Mr. Dana Daniels, representing Miller and Associates, addressed the Lexington City Council, presented the plans and specifications for Cattlemen Drive. It is the intent to advertise for bids with a bid opening on November 16, 2000. Construction is anticipated to begin next spring, with a proposed completion date of July 1, 2000. Moved by Klamm, seconded by Wightman, to accept the plans and specifications, and authorize the advertising for bids, for Cattlemen Drive. Roll call. Voting "aye" were Kohl, Cook, Wightman, 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