

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, September 12, 2000 at the Lexington Municipal Building, 406 East 7<sup>th</sup> 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, Barbara Mills, Ruth Seward. Also present was bob Blankenship representing Miller and Associates. Citizens in attendance were DeEtta Hartman, James and Lois Underwood, Robert Bullis, Bryce Anderson, Chuck Tilson, Mr. and Mrs. Kermit Debban, Retha Wycoff.

**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 – 8-22-00:** Minutes of the Regular Meeting held Tuesday, August 22, 2000 was presented for Council’s consideration and approval. Moved by Klamm, seconded by Wightman, to approve the Minutes of the Regular Meeting held August 22, 2000 as presented. Roll call. Voting “aye” were Kohl, Cook, Wightman, Klamm, Fagot. Motion carried.

**MINUTES – BUDGET MEETING – 8-30-00:** Minutes of the Special Budget Workshop Meeting held Wednesday, August 30, 2000 was presented for Council’s consideration and approval. Moved by Wightman, seconded by Klamm, to approve the Minutes of the Special Budget Workshop Meeting held August 30, 2000 as presented. Roll call. Voting “aye” were Cook, Kohl, Klamm, Wightman, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$1,086,764.43 were submitted for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Wightman, seconded by Klamm, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$316,114.15 from the General Fund, \$736,083.45 from LEXUS, \$10,000.00 from City Sanitation Fund, \$10,259.08 from the Health Fund, \$14,307.75 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Cook, Kohl, Klamm, Wightman, Fagot. Motion carried.

CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
SEPTEMBER 12, 2000 COUNCIL

4-M CO/MIKE MALOLEY	UTILITY REFUND	494.63
ALLTEL	CELLULAR CHARGES	189.18
ASSOCIATED SUPPLY CO INC	POOL CHEMICALS	594.00
BARCO MUNICIPAL PRODUCTS	STREET SUPPLIES	81.98
BERNTSON OIL	FUEL AND OIL	2,957.66
BEST WAY, INC	FLAGS	125.63

BILL'S FARM & RANCH SVC	GRASS SEED	319.50
BILL'S KIRBY	VACCUM	1,100.00
BIOGRAPHY TODAY	SUBSCRIPTION	56.00
BOTTOM LINE/HEALTH	SUBSCRIPTION	29.95
BROADWING TELECOMM	TELEPHONE SVC	260.54
BROWN, HAROLD	TOOL ALLOTMENT	50.00
C.B.S.A.	INSURANCE PREMIUMS	17,579.20
C.B.S.A.	EMPLOYEE MEDICAL CLAIMS	8,961.00
CASH-WA DISTRIBUTING	FOOD AND SUPPLIES	2,387.27
CENTRAL GARAGE FUND	LABOR, PARTS, TIRES, GAS & OIL	10,520.05
CENTRAL NE CLEANERS	CLEANING SVC	186.00
CENTRAL TIRE & TREAD	TIRES AND TIRE REPAIRS	50.40
CHESTERMAN CO	CONCESSIONS	288.50
COMPUTERS BY HAMPTON	COMPUTER SVC	62.60
CONNEY SAFETY PRODUCTS	FIRST AID SUPPLIES	182.29
COUNTRY BOOKS	LIBRARY SUPPLIES	19.94
CULLIGAN WATER COND CO.	WATER TRTMNT WWTP & GGC	142.92
D & M SECURITY	SECURITY REPAIRS	94.50
DAN'S SANITATION	SOLID WASTE FEES	10,000.00
DAVIS, TIM	ELECTRIC REBATE	1,200.00
DAWSON COUNTY CLERK	DISPATCH FEES	5,623.73
DAWSON CO REG OF DEEDS	RECORDING FEES	20.50
DEMCO	LIBRARY SUPPLIES	115.09
DUNRITE, INC	SEWER SUPPLIES	75.52
DUTTON-LAINSON COMPANY	ELECTRICAL SUPPLIES	374.29
EAKES OFFICE PRODUCTS	COPIER PMT & LIBR SUPPLIES	732.69
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	1,352.10
ELECTRONIC SYSTEMS	FIRE ALARM INSPECTION	25.00
ELFRING SOFT FONTS, INC	SOFTWARE SVC	129.00
ELY CHURCHICH & ASSOCIATES	POOL FURNITURE	2,640.33
FAGOT REFRIG & ELECTRIC	MISC. REPAIR PARTS	5,434.27
FAGOT, JOHN	REIMBURSEMENT/AIRFARE	443.00
FAIRBANKS INTERN, INC.	MISC. REPAIR PARTS	204.79
FAMILY EYEWEAR	SAFETY GLASSES	142.00
FIVE POINTS BANK	COPIER PYMT	205.12
FOUR SEASONS SWIMWEAR INC	POOL SUPPLIES	101.84
FYR-TEK	NEW TRUCK EQUIP	6,693.06
GALE GROUP, THE	LIBRARY BOOKS	98.76
GEMPLER'S INC	WINTER COATS	1,350.00
GENERAL BINDING CORP	LIBRARY SUPPLIES	84.30
GILLETTE/NE DAIRIES, INC.	DAIRY PRODUCTS-GGC	419.16
GRAN, STACY	ELECTRIC REBATE	1,100.00
HACH COMPANY	SEWER SUPPLIES	84.58
HARLEQUIN RETAIL INC	LIBRARY BOOKS	10.52
HERITAGE FLAG & BANNER INC	NE FLAGS	255.00
HIPP WHOLESALE FOODS INC	FOOD & SUPPLIES	1,719.19
H-T-M SALES INC	SEWER SUPPLIES	246.17
HUSKER AG SALES	SEWER SUPPLIES	48.76
INGRAM LIBRARY SERVICES	LIBRARY BOOKS	188.71
INSURANCE & PERSONNEL SVC	EMPLOYEE'S 125 ACCT	520.92
INTERNET USA,, LLC	INTERNET SERVICES LIBRARY	99.90
JELCO CARPET CLEANING	CLN CARPETS - CITY HALL/GGC	92.00
JONES PLUMBING & HEATING	WATER AND SEWER SUPPLIES	797.95
JOY BOOK NOOK	LIBRARY BOOKS	26.97
K.R.V.N. - FM	RADIO ADS	198.00
KAR PRODUCTS	CENTRAL GARAGE SUPPLIES	148.25

KARRE'S CITY BAKERY	ROLLS FOR MEETINGS	6.90
KRIZ-DAVIS COMPANY	ELECTRICAL SUPPLIES	10,937.73
LAKOTA	MTG LUNCH	27.16
LEXINGTON ANIMAL CLINIC	AUGUST ANIMAL CARE	447.90
LASWA	SOLID WASTE FEES	723.96
LEXINGTON CO-OP	CHEMICALS/PROPANE	129.61
LEXINGTON HEALTH FUND	AUG & SEPT FUNDING	53,128.01
LEXINGTON LAUNDRY	AUGUST LAUNDRY	68.00
LEXINGTON NEWSPAPERS	MEETING NOTICES AND ADS	1,490.65
LEXINGTON POSTMASTER	BULK MAILING CHG & POSTAGE	250.00
LEXINGTON PUBLIC LIBRARY	REPLENISH PETTY CASH	35.35
LEXINGTON, CITY OF	MONTHLY & FRANCHISE FEES	28,137.09
LEXUS	AUGUST UTILITIES	22,132.88
LUTHER, ANN	MILEAGE REIMBURSE	49.91
PAYROLL 22-Aug-00	WAGES	82,980.89
SOCIAL SECURITY	EMPLOYER PORTION FICA/MED	6,270.42
FIRST NATIONAL BANK	EMPLOYER PORTION PENSION	2,280.18
AMERICAN FUNDS	POLICE PENSION	1,012.41
ICMA	PEPPLITSCH PENSION	131.54
PAYROLL 05-Sep-00	WAGES	74,848.06
SOCIAL SECURITY	EMPLOYER PORTION FICA/MED	5,648.31
FIRST NATIONAL BANK	EMPLOYER PORTION PENSION	2,293.76
AMERICAN FUNDS	POLICE PENSION	1,102.42
ICMA	PEPPLITSCH PENSION	131.54
MEAD/BIG VALLEY LUMBER	MISC SUPPLIES	656.88
MERIDIAN LIBRARY SYSTEM	REGISTRATIONS	75.00
METALMASTERS AUTOMATED	TARGET BACKERS	1,367.70
MEWIS, KEITH	TREE SPRAYING	17.00
MID-NEBRASKA FOOD BANK	FOOD & SUPPLIES/GGC	90.58
MIDWAY SUPPLY	AUTO PARTS	63.36
MIDWEST TURF & IRRIGATION	PARK SUPPLIES	205.08
MILLER AND ASSOCIATES	PRO FEES/ADAMS ST VIADUCT	16,400.00
MPLA/NLA/NEMA	REGISTRATION/MEALS/LIBRARY	66.95
NCK SOFTWARE & SPT SYSTEMS	SCADA SYSTEM SVC	3,798.00
NE DEPT OF REVENUE	WASTE REDUCTION FEE	25.00
NE RURAL WATER ASSOCIATION	MEMBERSHIP RENEWAL	225.00
NEBRASKA DEPT OF HHS LAB.	LAB TESTS	1,377.71
NEBRASKA LIBRARY COMM	CERTIFICATION RENEWAL	5.00
NEBRASKA MACHINERY	CENTRAL GARAGE SUPPLIES	55.27
NE PUBLIC POWER DISTRICT	AUGUST POWER CHARGES	552,941.08
NEBRASKA SAFETY COUNCIL	OSHA STANDARDS	30.00
NELSON, THOMAS R	CITY OFFICES CLEANING	500.00
NOURSE FENCING SUPPLY	FENCE REPAIR	750.00
ORTHMAN MAN INC	GP812 8FT SCRAPER	2,400.00
PATTY'S HALLMARK	MISC OFFICE SUPPLIES	434.92
PAULSEN INC.	CONCRETE	13,749.72
PAULSEN INC.	13TH ST PROJECT	30,892.98
PAULSEN INC.	GRANT ST PROJECT	42,819.46
PLATTE VALLEY COMMUN	RADIO RPRS& MAINT. CNTRT	230.85
PLUM CREEK MOTORS	CENTRAL GARAGE SUPPLIES	109.36
POLLUTION CONTROL SYSTEMS	TSURUMI PUMP	3,200.00
PROFESSIONAL EQUIPMENT	LASER POINTER	22.77
QUALITY STORES	MISC SUPPLIES	76.16
ROPER'S RADIATOR SVC INC	CENTRAL GARAGE SUPPLIES	365.00
S & W AUTO PARTS, INC.	MISC. AUTO PARTS	839.87
SELLIN, DICK	ELECTRIC REBATE	1,200.00

SEWARD, JUSTIN	LIBRARY CLEANING	225.00
SIGN PRO	SVC BLDG SIGN	70.00
TELEGRAPH	SUBSCRIPTION	111.00
TIME LIFE BOOKS	LIBRARY BOOKS	20.98
T.O. HAAS TIRE CO	TIRES & REPAIRS	445.84
TRI-COUNTY HOSPITAL	WELLNESS CTR MEMBERSHIPS	180.00
U S FILTER DISTRIB GROUP	WATER DEPT SUPPLIES	17,687.10
U S WEST COMMUNICATIONS	TELEPHONE CHARGES	1,794.21
U SAVE FOODS	FOOD & SUPPLIES	60.19
UNITED STATES POSTAL SVC	UTILITY DEPARTMENT POSTAGE	1,500.00
USHER PEST CONTROL	MONTHLY SVC	24.00
UTILITY EQUIPMENT	WATER DEPT SUPPLIES	1,594.32
VALENTINO'S	LUNCH FOR MTG	42.56
VAN WATERS & ROGERS INC	POOL CHEMICALS	573.35
VIKING OFFICE PRODUCTS	OFFICE SUPPLIES	266.42
WAL-MART	MISC. OFFICE SUPPLIES	392.81
WEBER & WEINHOLD	PROFESSIONAL SERVICES	2,312.98
WESCO DISTRIBUTION, INC.	ELECTRICAL SUPPLIES	378.08
WEST GROUP	INTERNET SVC/STATUTES	95.00
ALLTELL	CELLULAR CHARGES	48.82
CASH-WA	FOOD AND SUPPLIES -- CREDIT	-117.85
CHESTERMAN CO.	SODA POP	53.70
CORP BNFT SVCS OF AMERICA	EMPLOYEE MEDICAL	4,500.21
COMPUTERS BY HAMPTON	LABOR & MILEAGE	976.50
DAN'S SANITATION	WST REMOVAL/ROLL OFF SVC	1,028.44
DAWSON CO PUBLIC POWER	POWER PURCHASES	1,991.40
GREAT PLAINS ONE-CALL SVC	LOCATE SERVICE CHARGES	44.65
INSURANCE & PERSONNEL SVC	EMPLOYEE'S 125 ACCT	751.91
K N ENERGY INC.	GAS SERVICE	4,797.55
LUCENT TECHNOLOGIES	QUARTERLY SERVICE CHARGES	95.22
MEYER WELDING & REPAIR	LABOR/MANHOLE COVER	10.00
MILLER & ASSOCIATES	JFRSN ST WTRMAIN/WELL#17&18	181,732.50
NE DEPT OF REVENUE	SALES & USE TAX	32,405.55
PETTY CASH FUND	REPLENISH PETTY CASH	40.90
PROTECTIVE LIFE INSURANCE	EMPLOYEE CANCER POLICY	43.90
STRATFORD HALL	SUPPLIES	130.02
S&W AUTO PARTS, INC	LAWNMOWER BATT/FUSES	42.01
SHELDON, RICK	ELECTRIC REBATE	1,600.00
SUBWAY OF LEXINGTON	LUNCH MEETING	22.10
UNTIED SECURITY PRODUCTS	VOICE/PAGER DIALER	502.80
WEST GROUP	MONTHLY SERVICE CHARGES	\$95.00
STAROSTKA CONSTRUCTION	PAY RQST #2-JFRSN ST WTR IMP	43,014.40
	GRAND TOTAL:	\$1,180,574.16

**PUBLIC HEARING:**

Upon Mayor Fagot opening the Public Hearing, DeEtta Hartman addressed the Lexington City Council, requesting a \$50,000.00 Loan Guarantee from the CDBG Reuse Program for Central Nebraska Truss Company. Following Ms. Hartman's presentation, Mr. Chuck Tilson, representing Central Nebraska Truss Company addressed the City Council stating that their operation has undercapitalized, by focusing on commercial projects, which has helped their business grow a little faster than they anticipated, thus, the reason for the requested funds. Following discussion, Mayor Fagot closed the Public Hearing. Moved by Wightman, seconded by Klamm, to approve the application, and authorize the Mayor to execute, the request for Funds from the CDBG Reuse

Program, for Central Nebraska Truss Company. Roll call. Voting “aye” were Cook, Kohl, Klamm, Wightman, Fagot. Motion carried.

**PUBLIC HEARING:**

Mayor Fagot opened the Public Hearing. Mr. James Underwood addressed the Lexington City Council, requesting the rezoning of property located at 43330 Road 757, Lexington, Nebraska 68850 from A-1 to R-1. Following discussion, Mayor Fagot closed the Public Hearing. Moved by Klamm, seconded by Wightman, to adopt the following Ordinance on First Reading, for a Rezoning Request by James and Lois Underwood, for property located at 43330 Road 757, Lexington, NE 68850 from A-1 to R-1. Roll call. Voting “aye” were Kohl, Cook, Wightman, Klamm, Fagot. Motion carried.

ORDINANCE \_\_\_\_\_

AN ORDINANCE TO REZONE PIONEER SUBDIVISION FROM A-1 AGRICULTURAL TO R-1 SINGLE FAMILY RESIDENTIAL DISTRICT; TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM.

**JEFFERSON STREET WATER PROJECT:**

Mr. Bob Blankenship, representing Miller and Associates, addressed the Lexington City Council, stating that approval of Payment No. 2 is being requested to Starostka Group Co., for the Jefferson Street Water Project, in the amount of \$43,014.40. Following discussion, moved by Wightman, seconded by Klamm, to approve Payment No. 2 to Starostka Group Co., for the Jefferson Street Water Project, in the amount of \$43,014.40. Roll call. Voting “aye” were Cook, Kohl, Klamm, Wightman, Fagot. Motion carried.

**BUDGET HEARING:**

Mayor John Fagot opened the Public Hearing to review, and act upon, the proposed budget for the fiscal year ending September 30, 2001. City Manager Joe Pepplitsch reviewed, and discussed, the Budget with the Lexington City Council. Following discussion, Mayor Fagot closed the Public Hearing. Moved by Wightman, seconded by Kohl, to approve, and accept, the Budget for the fiscal year ending September 30, 2001. Roll call. Voting “aye” were Cook, Klamm, Kohl, Wightman, Fagot. Motion carried.

**RESTRICTED FUNDS:**

City Manager Pepplitsch addressed the Lexington City Council, stating that the one percent (1%) increase in Restricted Funds, indicates the increase in the City’s base. Moved by Wightman, seconded by Klamm, to increase the base of Restricted Funds by one percent (1%). Roll call. Voting “aye” were Kohl, Cook, Klamm, Wightman, Fagot. Motion carried.

**TAX RATE HEARING:**

Mayor John Fagot opened the public hearing to accept input and act upon setting the tax request for fiscal 2001 at a different amount than last year. Following discussion, Mayor Fagot closed the Public Hearing. Following the reading of Resolution Number 00-18, moved by Wightman, seconded by Klamm, to adopt the following Resolution. Roll call. Voting “aye” were Cook, Kohl, Klamm, Wightman, Fagot. Motion carried.

RESOLUTION NO. 00-18

WHEREAS, Nebraska Revised Statute 77-1601-02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing body of the City of Lexington passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of the Municipality that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE, the Governing Body of the City of Lexington by a majority vote resolves that:

1. The 2000-2001 property tax request be set at \$448,405.46.
2. A copy of this resolution be certified and forwarded to the County Clerk prior to October 14, 2000.

PASSED AND APPROVED this 12<sup>th</sup> day of September, 2000.

John Fagot, Mayor

ATTEST:

Shirley Lewis, Deputy City Clerk

**EXECUTION OF DEED:**

Mr. Robert Bullis addressed the Lexington City Council, requesting approval of Resolution Number 00-19 directing the President of Council to execute the deed conveying property to himself. Moved by Wightman, seconded by Klamm, to adopt Resolution Number 00-19 directing the President of Council to execute the deed conveying property to Mr. Robert W. Bullis, located at 108 Conestoga, Lexington, Nebraska 68850. Roll call. Voting "aye" were Cook, Kohl, Klamm, Wightman, Fagot. Motion carried.

RESOLUTION NO. 00-19

WHEREAS, the City has by Ordinance No. 2129, approved the sale of the following described real estate owned by the City, to wit:

Lot 23, BLOCK 5, SOUTHAVEN ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; (108 Conestoga)

WHEREAS, Notice of such Ordinance has been duly published and the time for remonstrance has passed, and no petition against such sale has been filed.

BE IT THEREFORE RESOLVED by the Council and President of the Council of the City of Lexington, Nebraska, that John Fagot, as President of the Council is hereby directed and authorized on behalf of the City to execute a deed conveying the above described property to ROBERT W. BULLIS, the purchaser thereof.

PASSED AND APPROVED this 12<sup>th</sup> day of September, 2000.

CITY OF LEXINGTON, NEBRASKA

John Fagot, Mayor

ATTEST:

Shirley Lewis, Deputy City Clerk

**EXECUTION OF DEED:**

Following the Reading of the following Resolution, moved by Klamm, seconded by Wightman, to adopt Resolution Number 00-20 directing the President of the Council to execute the need conveying property, located at 504 Sante Fe, to Cadwell Construction Company, Inc., for exchange Jeremy E. Randolph and Michele L. Randolph, the purchaser. Roll call. Voting "aye" were Cook, Kohl, Wightman, Klamm, Fagot. Motion carried.

RESOLUTION NO. 00-20

WHEREAS, the City has by Ordinance No. 2128, approved the sale of the following described real estate owned by the City, to-wit:

Lot E, in the replat of Lot 1 of the Replat of Lots 1-12, Block 8, SOUTHAVEN ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; (504 Santa Fe)

WHEREAS, Notice of such Ordinance has been duly published and the time for remonstrance has passed, and no petition against such sale has been filed.

BE IT THEREFORE RESOLVED by the Council and President of the Council of the City of Lexington, Nebraska, that John Fagot, as President of the Council is hereby directed and authorized on behalf of the City to execute a deed conveying the above described property to Cadwell Construction Company, Inc., for exchange JEREMY E. RANDOLPH and MICHELE L. RANDOLPH, the purchaser thereof.

PASSE D AND APPROVED this 12<sup>th</sup> day of September, 2000.

CITY OF LEXINGTON, NEBRASKA

John Fagot, Mayor

ATTEST:

Shirley Lewis, Deputy City Clerk

**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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Lexington Deputy City Clerk