

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, January 23, 2001 at the Lexington Municipal Building, located at 406 East 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. Department Heads present were Charles Clark, Barb Mills, Ruth Seward. Citizens in attendance were Mr. and Mrs. Kermit Debban, Jim Doyle, and approximately 20 concerned citizens. The Press was represented by Tri-City Tribune, Clipper-Herald, 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 – 1-9-01:** Minutes of the Regular Meeting held Tuesday, January 9, 2001 was presented for Council's consideration and approval. Moved by Klamm, seconded by Salem, to approve the Minutes of the Regular Meeting held January 9, 2001 as presented. Roll call. Voting "aye" were Tomasek, Cook, Salem, Klamm, Fagot. Motion carried.

**CLAIMS AND BILLS:** Claims and Bills in the amount of \$201,549.69 was presented for Council's consideration and approval. Upon review of the Claims and Bills as listed, moved by Klamm, seconded by Tomasek, to approve the Claims and Bills as listed and authorize the City Treasurer to transfer \$78,748.00 from the General Fund, \$87,517.91 from LEXUS, \$20,531.00 from City Sanitation Fund, \$455.80 from Library Memorial Fund, \$21.54 from Library House Fund, \$8,397.12 from Health Fund, and \$5,878.32 from Meals on Wheels to the City of Lexington's Operating Account. Roll call. Voting "aye" were Cook, Salem, Tomasek, Klamm, Fagot. Motion carried.

CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
JANUARY 23, 2001 COUNCIL

AETHER SYSTEMS DBA SUNPRO	COMPUTER MAINT-/LVFD	\$99.00
ALLSTATE IMAGING, INC	INKJET CARTRIDGES	212.10
ALLTEL	CELLULAR CHARGES	93.79
AWARDS PLUS	PLAQUES FOR AWARDS BANQUET	165.10
BARCO MUNICIPAL PRODUCTS	STREET SUPPLIES	210.00
BERNTSON OIL	GAS AND DIESEL	2,665.13
BOOKS ON TAPE, INC	LIBRARY BOOKS	167.75
BUSINESS OFFICE SUPPLIES	MAIL MACHINE SUPPLIES	11.97
C.B.S.A.	EMPLOYEE MEDICAL	738.71
CASH-WA	FOOD AND SUPPLIES	453.85
CHESTERMAN CO.	GGC POP	17.90
CHIEF SUPPLY	LVFD SUPPLIES	134.94

CLARK ENERSEN PARTNERS	PRE FUND-RAISING SVC	1,104.84
DAN'S SANITATION	ROLL OFF SVC	300.00
DAWSON COUNTY PUBLIC POWER	POWER PURCHASED	1,933.49
DAWSON COUNTY SHERIFF	SUMMONS SVC	20.00
DAWSON COUNTY SURVEYOR	COPIES	43.00
EAKES OFFICE PRODUCTS	OFFICE SUPPLIES	94.90
EILERS MACHINE & WELDING	CENTRAL GARAGE SUPPLIES	628.75
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	318.96
ELECTRIC METER SERVICE	TEST METER	12.00
EVANGELICAL FREE CHURCH	ELECTRIC REBATE	100.00
FAGOT REFRIGERATION & ELECTRIC	REPAIRS - GGC	67.05
FAIRBANKS INTERNATIONAL INC	CENTRAL GARAGE SUPPLIES	11.94
FIVE STAR FLOORING	CARPET - ELECTRIC DEPT	279.87
FLOOR SHINE	FLOORS - SVC BLDG & FD	135.00
FOLLETT SOFTWARE CO	LIBRARY SUPPLIES	122.00
FYR-TEK	ANNUAL PUMPER TEST	680.24
GALE GROUP, THE	LIBRARY BOOKS	263.36
GENERAL BINDING CORP	LIBRARY SUPPLIES	84.30
GILLETTE/NEBRASKA DAIRIES INC.	DAIRY	309.94
GRAND ISLAND INDEPENDENT, THE	SUBSCRIPTION - LIBRARY	148.00
GRAY SUPPLY	LIBRARY SUPPLIES	21.90
GREEN MUFFLERS & BRAKES	MUFFLER	42.60
HERNANDEZ, VERONICA	ELECTRIC REBATE	1,200.00
HIPP WHOLESALE COMPANY	FOOD & SUPPLIES	477.15
HOLIDAY INN EXPRESS	AWARDS BANQUET	2,920.98
INGRAM LIBRARY SERVICES	LIBRARY BOOKS	37.29
INSURANCE & PERSONNEL SERVICES	EMPLOYEE 125 ACCT	982.91
JIM PHILLIPS CONST	REPAIR MAIN BREAK	750.00
JOHNSON, MERLE	ELECTRIC REBATE	100.00
K N ENERGY, INC	GAS SERVICE	1,473.35
KAPCO	BOOK JACKET COVERS	107.96
KING, RON	ELECTRIC REBATE	1,200.00
KNAPP ELECTRIC	BLOWER MOTOR - WWTP	87.93
KRIZ-DAVIS COMPANY	ELECTRICAL SUPPLIES	1,298.89
LAWSON PRODUCTS, INC	ELECTRICAL SUPPLIES	85.56
LEAGUE OF NE MUNICIPALITIES	MIDWINTER CONF REGISTRATIONS	1,973.00
LEX AREA SOLID WASTE AGENCY	SOLID WASTE	66.24
LEXINGTON NEWSPAPERS, INC.	PUBLICATIONS	641.73
LEXINGTON PUBLIC LIBRARY	REPLENISH PETTY CASH	16.23
LEXINGTON TRUCK & AUTO	CENTRAL GARAGE SUPPLIES	800.00
LEXINGTON TRUE VALUE	MISC SUPPLIES	39.73
LIEHS DRILLING	WELL #18 TESTING	5,585.00
LEXINGTON CITY PAYROLL ACCT.	PAYROLL FOR 1/11/2001 WAGES	70,883.18
SOCIAL SECURITY	SOCIAL SEC(EMPLOYER PORTION)	5,329.01
FIRST NATIONAL BANK	EMP PENSION(EMPLOYER PORT)	2,199.08
AMERICAN FUNDS	POLICE PENSION(EMPLOYER PORT)	1,053.87
I.C.M.A.	EMP PENSION(EMPLOYER PORT)	131.54
MEAD/BIG VALLEY LUMBER	MISC SUPPLIES	44.86
MIAMI SYSTEMS CORP	FUEL TICKETS	352.60
MID-NEBRASKA FOOD BANK	GGC FOOD ORDER	29.40
MIDWAY SUPPLY	CENTRAL GARAGE SUPPLIES	30.46
MILLS, HEATHER	TUITION REIMBURSEMENT	222.44
MONTEY, TERRY	ELECTRIC REBATE	1,200.00
MORRIS PRESS & OFFICE SUPPLIES	OFFICE SUPPLIES	54.00
MR. AUTOMOTIVE	CENTRAL GARAGE SUPPLIES	303.84
N C B O & I	REGISTRATION/NELSON	15.00

NEBRASKA LIBRARY ASSOCIATION	MEMBERSHIPS	120.00
NEBRASKA LIBRARY COMMISSION	LIBRARY SUPPLIES	192.00
NEWMAN TRAFFIC SIGNS	STOP SIGNS	335.00
OLSSON ASSOCIATES	PROFESSIONAL SVC	2,553.87
OMNIGRAPHICS INC	LIBRARY SUPPLIES	35.47
OVERTON COMMUNITY CENTER	RENT	100.00
OXFORD UNIVERSITY PRESS INC	LIBRARY SUPPLIES	662.50
PATTY'S HALLMARK	MISC SUPPLIES/BOOKCASES	732.80
PAULSEN INC.	CONCRETE	330.58
PEAK INTEREST	MEAL	39.57
PEOPLE BOOKS	LIBRARY SUPPLIES	34.50
PFEIFFER, CHAD	TREE REMOVAL	600.00
PLATTE VALLEY AUTO MART	CENTRAL GARAGE SUPPLIES	198.60
PRICE'S TREE SERVICE	REMOVE TREE STUMPS	292.50
QUALITY STORES INC	ELECTRICAL SUPPLIES	159.20
REIMAN PUBLICATIONS	LIBRARY SUBSCRIPTION RENEWAL	29.98
RELIABLE	LIBRARY SUPPLIES	70.18
ROWAN, ERIC	ELECTRIC REBATE	1,200.00
S & W AUTO PARTS, INC.	CENTRAL GARAGE SUPPLIES	516.61
SAFETY KLEEN INC	OIL TESTS	500.00
SAV A LOT DISCOUNT FOODS	SUPPLIES	31.96
SCULLEY, MIKE & ELLA MAE	GATED PIPE PURCHASE	3,500.00
SIMS, PATRICK	ELECTRIC REBATE	500.00
SIXTH STREET PHARMACY	PHOTO PROCESS	22.64
SPECIALTY STORE SERVICE INC	LIBRARY SUPPLIES	53.04
SUBWAY OF LEXINGTON	MEALS	60.67
T.O. HAAS TIRE CO., INC	ALIGNMENT	36.95
TEACHER'S VIDEO COMPANY	LIBRARY SUPPLIES	455.80
TELEGRAPH	PUBLICATION	142.56
TETEN, RON	ELECTRIC REBATE	750.00
UNIQUE BOOKS, INC	LIBRARY SUPPLIES	6.44
U-SAVE FOODS, INC.	FOOD & SUPPLIES	30.52
UTILITY EQUIPMENT	WATER SUPPLIES	524.18
VILLAGE CLEANERS	LAUNDRY SVC	10.00
WAL-MART	MISC. SUPPLIES	147.55
WATSON, RON	ELECTRIC REBATE	1,200.00
WESCO DISTRIBUTION, INC.	ELECTRICAL SUPPLIES	1,708.54
WEST GROUP	INTERNET SVC	95.00
ZEP MANUFACTURING	LIBRARY SUPPLIES	42.60
AFLAC	CAFETERIA PLAN	856.76
BROWN, HAROLD	REIMBURSE BOOTS	42.34
C.B.S.A.	EMPLOYEE MEDICAL CLAIMS	5,818.74
CASH-WA DISTRIBUTING	FOOD & SUPPLIES	652.64
CENTRAL GARAGE	LABOR/PARTS/OIL/TIRES	4,947.77
COLORADO CHAPTER, ICBO	REGISTRATION/NELSON	260.00
DAN'S SANITATION	UTILITY BILLING SOLID WASTE	20,531.00
DAWSON COUNTY PUBLIC POWER	ADVERTISING	130.55
FLOWERS OF JOY	AWARDS BANQUET/EMP OF YR	49.95
FRANSYL EQUIPMENTS	ELECTRIC REPAIRS	5,015.71
LEXINGTON, CITY OF	FRANCHISE FEES	22,309.36
LEXUS	JANUARY UTILITY CHARGES	3,495.21
LUTHER, ANN	MILEAGE	127.22
NEBRASKA DIPLOMATS	LEGISLATIVE RECEPTION	140.00
NEBRASKA NATIONAL BANK	MAIL MACHINE LEASE	361.56
OMAHA LIFE INS	LIFE INS PREM/LVFD/DEC & JAN	120.40
PEPPLITSCH, JOE	MILEAGE & FEE REIMBURSEMENT	73.18

PETTY CASH FUND	REPLENISH PETTY CASH	62.46
PLATTE VALLEY COLLECTIONS	COLLECTION FEE	32.74
STEVE'S LOCK & KEY	REPAIRS/KEYS	102.20
SUMMIT SPORTS & EVENTS INC	3 ON 3 EVENT / 1ST INSTALLMENT	5,000.00
SUND, DENNIS	REIMBURSE BOOTS	12.48
	<b>TOTAL CLAIMS</b>	<b>\$201,549.69</b>

**LIBRARY BOARD REPORT:**

Mr. Jim Doyle, representing the Lexington Library Board addressed the Lexington City Council, requesting the Council's help in proceeding with the Library Project. They believe that there is a need for thorough and complete communication between the Library Board and City Council, and the best method for this would be to form a joint committee. Following discussion, moved by Klamm, seconded by Cook, to appoint Steve Tomasek, and Rick Klamm to sit on the Joint Committee for the Library Project, along with three other public Members-At-Large, and two members from the Library Board. Roll call. Voting "aye" were Salem, Klamm, Tomasek, Cook, Fagot. Motion carried.

Councilman Cook expressed his concerns regarding funding for the Library Project. He requested that the City Manager gather information necessary for Council to look into this, at the next meeting.

**LIBRARY HOURS:**

Councilman Ted Cook, addressed the Council, stating that at one time the Public Library was open on Sundays, and he would like to know what could be done to restore the Sunday hours. Mr. Jim Doyle, representing the Library Board, informed Councilman Cook that the Board would look into it, and see what the costs would be.

**SPECIAL ASSESSMENTS:**

City Manager Peplitsch addressed the Lexington City Council stating that before them is a Resolution to consider unpaid assessments on District 96-03. Payments have not been made in the past three years, and if Council would consider them delinquent, they would carry a rate of 14% on the initial assessment. Following discussion, Resolution Number 01-01 was read before the Council. Moved by Klamm, seconded by Salem, to adopt Resolution Number 01-01. Roll call. Voting "aye" were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

**RESOLUTION NO. 01-01**

WHEREAS, various water districts, sewer districts, and paving improvement districts have been created within the City of Lexington, Nebraska, upon order of the City Council, and the cost of creating said districts has been properly assessed against abutting property owners, and,

WHEREAS, the owners of the following described property have failed to make timely payments on special assessments and have allowed the assessments to become delinquent and unpaid for a total of three (3) or more installments.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA as follows:

That the Mayor and Council, in accordance with Section 16-622 and 16-669, R.R.S. 1943, do hereby declare all future installments of

special assessments on the following described property to be delinquent on January 23, 2001:

All in District 96-03

- |   |  |
|---|--|
| 1. Gladyce T. Woodward<br>302 N. Fillmore<br>Lexington, NE 68850    | Lot 3,Block 1, Woodward's Fourth<br>Addition, City of Lexington, Dawson<br>County, Nebraska<br>\$9,915.41  |
| 2. Bamford, Inc.<br>P.O. Box 1868<br>Kearney, NE 68847              | Tract in NE1/4SE1/4, Sec. 31-9-21<br>Dawson County, Nebraska<br>\$1,924.02                                 |
| 3. Paulsen Development, Inc.<br>P.O. Box 833<br>Lexington, NE 68850 | Part of E1/2NE1/4 south of ditch and<br>N & W of city limits<br>Sec. 31-9-12, Dawson County<br>\$16,348.50 |
|   | Lot 1, Block 1, Woodward's 2d Addition<br>\$10,076.05  |
|   | Lot 2, Block 1, Woodward's 2d Addition<br>\$5,043.95   |
|   | Lot 3, Block 1, Woodward's 2d<br>Addition<br>\$4,016.25  |
|   | Lot 4, Block 1, Woodward's 2d Addition<br>\$4,016.25   |
|   | Lot 5, Block 1, Woodward's 2d Addition<br>\$2,598.75   |

PASSED AND APPROVED this 23rd day of January, 2001.

CITY OF LEXINGTON, NEBRASKA,

BY: John Fagot, Mayor

ATTEST:

Joe Peplitsch  
City Clerk

**ORDINANCE:**

An Ordinance entitled "AN ORDINANCE TO AMEND SECTION 5-11; TO PROVIDE FOR RABIES VACCINATION RECORDS; TO REPEAL SECTIONS 5-9 AND 5-10, THEREBY ELIMINATING THE REQUIREMENT OF DOG AND CAT LICENSES; TO REPEAL ORIGINAL SECTION 5-11 AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HERewith; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM" was read before the Council. Moved by Klamm,

seconded by Tomasek, that the rules requiring the reading of said ordinance on three separate days be suspended. Roll call. Voting "aye" were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

Said Ordinance was then read by title. Moved by Klamm, seconded by Salem, that Ordinance No. 2136 be passed on final reading. Roll call. Voting "aye" were Tomasek, Cook, Salem, Klamm, Fagot. Motion carried.

**ORDINANCE:**

City Manager Peplitsch addressed the Lexington City Council, recommending that they amend Section 8 of the Lexington City Code dealing with the Electric Service. Following discussion, and review of the recommended amendments, an Ordinance entitled "AN ORDINANCE TO AMEND SECTIONS 8-2, 8-3, 8-4, 8-5, 8-6, 8-7, 8-8, 8-9, 8-10, 8-11, 8-12, 8-13, AND 8-19, AND TO ADOPT NEW SECTIONS 8-5A, 8-10A, 8-20, AND 8-21 OF THE LEXINGTON CITY CODE; TO AMEND AND UPDATE THE CITY CODE PROVISIONS RELATING TO ELECTRICAL SERVICE; TO REPEAL ORIGINAL SECTIONS 8-2, 8-3, 8-4, 8-5, 8-6, 8-7, 8-8, 8-9, 8-10, 8-11, 8-12, 8-13, AND 8-19, AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM" was read before the Council. Moved by Klamm, seconded by Tomasek, to approve said Ordinance on first reading. Roll call. Voting "aye" were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

**PRODUCTION COST  
ADDER CHARGES:**

City Manager Peplitsch addressed the Lexington City Council stating that NPPD has informed the City that they will be implementing a 2001 PCA. City Manager Peplitsch indicated that it would be beneficial to put the PCA on for a 12-month period, which would be \$.00194 per Kwh. Following discussion, moved by Klamm, seconded by Cook, that the City of Lexington set the Production Cost Adder at a factor of \$.00194 per Kwh effective for January 2001 use. Roll call. Voting "aye" were Salem, Tomasek, Cook, Klamm, Fagot. Motion carried.

**FINANCIAL REPORT:**

Financial Director Barb Mills, presented the Financial Report for December, 2000. Following her presentation, moved by Klamm, seconded by Salem, to accept the Financial Report for December, 2000. Roll call. Voting "aye" were Tomasek, Cook, 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.

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Lexington Deputy City Clerk