

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, April 10, 2001 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, Rick Klamm, John Salem, Steve Tomasek. Council Person Ted Cook was absent. City Officials present were City Manager Joe Peplitsch, City Attorney Willard Weinhold, Deputy City Clerk Shirley Lewis. Department Heads present were Jess Bliven, Charlie Clark, Barb Mills, Ruth Seward. Also in attendance were Reed Miller and Bob Blankenship representing Miller and Associates. Citizens in attendance were Maggie Salem, and Kermit Debban. The Press was represented by the Clipper-Herald, KRVN, 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 Fagot.

MINUTES – REGULAR MEETING – 3-27-01: Minutes of the Regular Meeting held Tuesday, Marcy 27, 2001 was presented for Council’s consideration and approval. Moved by Salem, seconded by Tomasek, to approve the Minutes of the Regular Meeting held March 27, 2001 as presented. Roll call. Voting “aye” were Klamm, Tomasek, Salem, Fagot. Motion carried.

CLAIMS AND BILLS: Claims and Bills in the amount of \$641,909.73 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 \$123,533.46 from the General Fund, \$488,013.59 from LEXUS, \$10,000.00 from City Sanitation Fund, \$153.29 from Library Memorial Fund, \$10,076.16 from Health Fund, \$10,133.23 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Salem, Tomasek, Klamm, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
April 10, 2001

ALAMAR UNIFORM CO	POLICE UNIFORMS	450.83
ALLTEL	CELLULAR CHARGES	45.08
ARNOLD POOL COMPANY	ROPE	99.50
BERNTSON OIL	UNLEADED & DIESEL GAS	2,687.87
BILL'S FARM & RANCH SVC	GRASS SEED	225.00
BROADWING TELECOMMUNICATIONS	TELEPHONE CHARGES	231.75
C.B.S.A.	INSURANCE PREMIUMS	8,226.90

C.B.S.A.	EMPLOYEE MEDICAL CLAIMS	7,658.14
CASH-WA DISTRIBUTING	FOOD & SUPPLIES	2,079.57
CDBG CERTIFICATION	REGISTRATION FEE/JENSEN	35.00
CENTRAL GARAGE FUND	LABOR, PARTS, TIRES, GAS & OIL	8,714.19
CENTURY LABORATORIES INC	STREET PATCH	235.93
COOK, TED	CONF REIMBURSEMENT	1,158.73
CRANE RENTAL & RIGGING CO, INC	CRANE RENTAL	4,004.00
CULLIGAN WATER CONDITIONING CO.	WWTP & GGC WATER TRTMNT	86.80
D&M SECURITY	POLICE CONNECTION	84.00
D&R COMPUTING	TONER CARTRIDGES	55.99
DAN'S SANITATION	SOLID WASTE FEES	10,000.00
DAWSON AREA DEVELOPMENT	MEMBERSHIP FEE 00-01	10,000.00
DAWSON COUNTY CLERK	DISPATCH FEES	6,380.62
DEMCO	LIBRARY SUPPLIES	52.18
EAKES OFFICE PRODUCTS	OFFICE SUPPLIES/COPIER PMT	718.30
EDM EQUIPMENT COMPANY	CENTRAL GARAGE SUPPLIES	40.29
EGAN SUPPLY CO	CLEANING SUPPLIES	66.02
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	652.50
FAIRBANKS INTERNATIONAL INC	HARDWARE SUPPLIES	19.10
FISCHER-SCIENTIFIC	WWTP SUPPLIES	123.79
FIVE POINTS BANK	COPIER PAYMENT	205.12
FRANSYL EQUIPMENT CO	ELECTRIC SUPPLIES	517.76
GALE GROUP, THE	LIBRARY BOOKS	34.42
GALL'S INC	POLICE UNIFORMS	15.71
GEMPLER'S INC	CITY CAPS	24.15
GILLETTE/NEBRASKA DAIRIES, INC.	DAIRY PRODUCTS-GGC	217.79
GOVERNMENT FINANCE OFFICERS ASSN	VIDEOS	39.95
GROLIER PUBLISHING INC	LIBRARY BOOKS	133.54
H.O. SMITH CO	TITLE CERTIFICATES	250.00
HARLEQUIN RETAIL, INC.	LIBRARY BOOKS	10.52
HIPP WHOLESALE COMPANY	FOOD & SUPPLIES	1,818.03
HOLIDAY INN-MIDTOWN	LODGING/LEWIS	98.00
H-T-M SALES INC	WWTP SUPPLIES	261.34
HUSKER AG SALES	MOWER/TRACTOR	10,775.00
INGRAM LIBRARY SERVICES	LIBRARY BOOKS	489.18
INSURANCE & PERSONNEL SERVICES	ADMINISTRATIVE FEES	478.17
INTERNET USA LLC	INTERNET SVC	99.90
JOHN DEE COMPANY	GATOR UTILITY VEHICLE	6,223.00
JONES PLUMBING & HEATING	MONTHLY SUPPLIES	314.21
JOY BOOK NOOK	LIBRARY BOOKS	18.87
JUNIOR LIBRARY GUILD	SUBSCRIPTIONS	274.80
K.R.V.N. - FM	CONTRACT 2287502	181.50
KRIZ-DAVIS COMPANY	ELECTRICAL SUPPLIES	2,259.98
LEAGUE OF NE MUNICIPALITIES	ELEC METER CLASSES	270.00
LEXINGTON ANIMAL CLINIC	ANIMAL CARE	416.90
LEX AREA SOLID WASTE AGENCY	SOLID WASTE FEES	40.32
LEXINGTON COOP	FERTILIZER	165.00
LEXINGTON FOUNDATIONS	REGISTRATIONS	30.00
LEXINGTON HEALTH FUND	SELF-FUNDING	25,313.00
LEXINGTON NEWSPAPERS, INC.	PUBLICATIONS	403.68
LEXINGTON POSTMASTER	POSTAGE-GGC	150.00
LEXINGTON PUBLIC LIBRARY	PETTY CASH REPLENISH	43.14
LEXINGTON SWIM ASSOCIATION	SWIM TEAM DONATION	1,000.00
LEXINGTON, CITY OF	MO FEES & FRANCHISE FEES	23,889.38
LIEHS DRILLING	WATER SUPPLIES	873.67
LEXINGTON CITY PAYROLL ACCOUNT	05-Apr-01 WAGES	69,707.05

SOCIAL SECURITY	SOC SEC (EMPLOYER PORTION)	5,237.05
FIRST NATIONAL BANK	EMP PENS (EMPLOYER PORTION)	2,140.41
AMERICAN FUNDS	POLICE PENS (EMPLOYER PORT)	1,040.24
I.C.M.A.	EMP PENS (EMPLOYER PORT)	131.54
M W SALVAGE	FREON & APPL REMOVAL	42.00
MATT FRIEND TRUCK EQUIPMENT	CENTRAL GARAGE SUPPLIES	353.55
MATT PARROT & SONS CO	OFFICE SUPPLIES	111.70
MEAD/BIG VALLEY LUMBER	MISC SUPPLIES	506.83
MICHAEL TODD & CO INC	WATER SUPPLIES	148.37
MIDWAY SUPPLY	MEDICAL SUPPLIES	14.00
MILLER & ASSOCIATES	PROFESSIONAL SVC	2,300.00
MORRIS PRESS & OFFICE SUPPLIES	RECEIPT BOOKS	213.20
NEBRASKA MUNICIPAL POWER POOL	MEMBERSHIP DUES	1,425.28
NEBRASKA WASTE HANDLERS	WASTE REMOVAL	2,263.00
NELSON, THOMAS R	MARCH CITY HALL CLEANING	500.00
NEWSWEEK	SUBSCRIPTION	29.70
OMAHA LIFE INSURANCE CO	FIREMAN INSURANCE	58.05
OMB POLICE SUPPLY	POLICE UNIFORM	108.88
OSCAR'S GARAGE	CENTRAL GARAGE SUPPLIES	28.50
OVERTON SAND & GRAVEL	GRAVEL	462.00
PATTY'S HALLMARK	MISC OFFICE SUPPLIES	117.81
PAULSEN INC.	CONCRETE	492.51
PLATTE VALLEY COMMUNICATIONS	LVFD SUPPLIES	16.98
PLUM CREEK MOTORS	IGNITION	184.54
QUALITY STORES INC	MISC SUPPLIES	99.52
RAINBOW BOOK COMPANY	LIBRARY BOOKS	481.46
READER'S DIGEST	SUBSCRIPTION	23.96
ROCKMOUNT RESEARCH & ALLOY INC	CENTRAL GARAGE SUPPLIES	879.19
S&W AUTO PARTS, INC.	CENTRAL GARAGE SUPPLIES	75.50
SEWARD, JUSTIN	MARCH CLEAN LIBRARY	225.00
SPRING CREEK EMBROIDERY	EMBLEM - CAPS/TREE BD SHIRTS	152.00
SUBWAY OF LEXINGTON	MEALS	25.10
T.O. HAAS TIRE CO INC	TIRE REPAIR	30.88
TRI-COUNTY HOSPITAL	WELLNESS MEMBERSHIPS	180.00
U-SAVE FOODS	FOOD & SUPPLIES	51.26
VILLAGE CLEANERS	LAUNDRY SVC	28.00
WAL-MART	MISC. SUPPLIES	275.60
WATER SAFETY PRODUCTS INC	POOL SUPPLIES	561.37
WEBER & WEINHOLD	PROFESSIONAL SERVICES	1,965.00
ALLTEL	CELLULAR CHARGES	48.82
CASH-WA DISTRIBUTING	FOOD & SUPPLIES	381.70
CBSA	EMPLOYEE MEDICAL	1,166.41
CHESTERMAN CO	GGC SUPPLIES	17.90
CHURCHICH RECREATIONAL DESIGN	PICNIC TABLES	3,512.40
DAWSON CO REGISTER OF DEEDS	FILING FEES	15.50
ELECTRIC FIXTURE	ELECTRIC SUPPLIES	1,007.97
GREAT PLAINS ONE-CALL SERVICE	LOCATING SERVICES	67.19
HACH COMPANY	WWTP SUPPLIES	359.70
INSURANCE & PERSONNEL SERVICES	EMPLOYEE 125 ACCT	773.44
KRIZ-DAVIS COMPANY	ELECTRIC SUPPLIES	-13.48
MEAD/BIG VALLEY LUMBER	MISC SUPPLIES	140.83
MERCHANT JT&S	ELECTRIC SUPPLIES	390.00
N.P.P.D.	POWER PURCHASED	361,188.91
NEBRASKA DEPT OF REVENUE	MARCH SALES & USE TAX	25,909.21
OLSSON ASSOCIATES	PROF FEES/ELEC STUDIES	7,318.24
PETTY CASH FUND	REPLENISH PETTY CASH	71.22

PROFESSIONAL TRAINING ASSOCIATES	SUBSCRIPTION	58.00
QWEST	TELEPHONE CHARGES	1,660.65
SAV-A-LOT DISCOUNT FOODS	FOOD & SUPPLIES	90.74
SIGN PRO	PARK/CITY OFFICE SIGNS	390.00
T.O. HAAS TIRE CO INC	TIRE REPAIR	23.13
TEXACO CUSTOMER CARD CENTER	CREDIT CARD FUEL/PD	12.52
USHER PEST CONTROL	MONTHLY SVC - GGC	24.00
WAL-MART	MISC SUPPLIES	367.94
WEATHERCRAFT COMPANY	INSTALL DOOR/ELECT BLDG	1,909.00
WESCO DISTRIBUTION INC	ELECTRIC SUPPLIES	862.65
	TOTAL CLAIMS	641,909.73

PUBLIC HEARING:

Mayor Fagot opened the Public Hearing to consider an application for a Class “B” Liquor License for Kwik Stop Food Stores, #11, located at 603 W. Pacific, Lexington, NE. Deputy City Clerk Lewis stated that the Liquor Control Commission informed her that this is a new application filed by Kwik Stop, and are unsure why they chose not to renew their current license. Following discussion, Mayor Fagot closed the Public Hearing. Moved by Klamm, seconded by Tomasek, to recommend approval of the Class “B” Liquor License for Kwik Stop Food Stores, #11, located at 603 W. Pacific, Lexington, Nebraska. Roll call. Voting “aye” were Salem, Tomasek, Klamm, Fagot. Motion carried.

WASTE WATER STUDY:

Mr. Reed Miller, representing Miller and Associates, addressed the Council, reporting on the Waste Water Studies for the City. Mr. Miller presented three different improvement options available, and reviewed the history of the Waste Water Treatment Facility. Following discussion, no action was taken.

STANDING COMMITTEES:

Pepplitsch addressed the City Council, recommending adoption of Standing Committees in the areas of Finance, Public Works, and Culture & Leisure, as a way to help Council be better informed on certain issues. Following discussion, moved by Klamm, seconded by Tomasek, to form Standing Committees in the areas of Finance, Public Works, and Culture & Leisure, and that there be two Council People appointed to each of these Committees. Roll call. Voting “aye” were Salem, Tomasek, Klamm, Fagot. Motion carried.

OPTIMIST ADDITION:

Pepplitsch addressed the City Council, on a Plat titled “Optimist Addition”. Following discussion, moved by Klamm, seconded by Salem, to adopt the “Optimist Addition” Plat, as well as, the following Resolution, and authorize the Mayor, and Administration to sign said documents. Roll call. Voting “aye” were Tomasek, Salem, Klamm, Fagot. Motion carried.

RESOLUTION NO. 01-04
OPTIMIST ADDITION

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, AS FOLLOWS:

The plat of OPTIMIST ADDITION TO THE CITY OF LEXINGTON, NEBRASKA, Dawson County, Nebraska, duly made out, acknowledged and certified to be, and the same hereby is approved, accepted, and ordered, filed and recorded in the office of the Register of Deeds of Dawson County, Nebraska, and hereafter the Addition shall be and remain a part of the City of Lexington, Nebraska, and shall be included within the corporate limits of the City and become a part of the City for all purpose whatsoever and the inhabitants of the

Addition shall be entitled to all the right and privileges and be subject to all the laws, ordinances, rules and regulations of the City.

PASSED AND APPROVED April 10, 2001.

CITY OF LEXINGTON, NEBRASKA

BY: John Fagot, Mayor

ATTEST:

Shirley Lewis
Deputy City Clerk

CATTLEMEN'S ADDITION:

Pepplitsch addressed the City Council, requesting approval of the Plat "Cattlemen's Addition" to the Corporate Limits. Following discussion, moved by Klamm, seconded by Tomasek, to approve the following Resolution, and to adopt the Plat "Cattlemen's Addition", and authorize the Mayor, and Administration to sign said documents. Roll call. Voting "aye" were Salem, Tomasek, Klamm, Fagot. Motion carried.

RESOLUTION NO. 01-05
CATTLEMEN'S DRIVE ADDITION

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, AS FOLLOWS:

The plat of CATTLEMEN'S DRIVE ADDITION TO THE CITY OF LEXINGTON, NEBRASKA, Dawson County, Nebraska, duly made out, acknowledged and certified to be, and the same hereby is approved, accepted, and ordered, filed and recorded in the office of the Register of Deeds of Dawson County, Nebraska, and hereafter the Addition shall be and remain a part of the City of Lexington, Nebraska, and shall be included within the corporate limits of the City and become a part of the City for all purpose whatsoever and the inhabitants of the Addition shall be entitled to all the right and privileges and be subject to all the laws, ordinances, rules and regulations of the City.

PASSED AND APPROVED, April 10, 2001.

CITY OF LEXINGTON, NEBRASKA

BY: John Fagot, Mayor

ATTEST:

Shirley Lewis
Deputy City Clerk

ORDINANCE:

Pepplitsch addressed the City Council, requesting approval of Ordinance amending Chapters 8, 23, 26A, and 27 of the Lexington City Code. Mr. Pepplitsch stated that this Ordinance has already been passed on first reading, and would recommend approval of this Ordinance on second reading. When it is brought to Council for Final Reading, all corrections will be complete, as well as, having Resolutions available for presentation. Following discussion, an Ordinance entitled "AN ORDINANCE TO AMEND SECTIONS 8-5, 8-5A, 8-

6, 8-7, 8-8, 8-9, 8-17, 8-19, 23-10, 23-10.3, 26A-2, 26A-3, 27-3 27-8, AND 27-12; TO REPEAL SECTIONS 23-10.1, 23-10.2, 27-26, AND 27-30; TO REPEAL ORIGINAL SECTIONS 8-5, 8-5A, 8-6, 8-7, 8-8, 8-9, 8-17, 8-19, 23-10, 23-10.3, 26A-2, 26A-3, 27-3, 27-8, AND 27-12, AND ALL OTHER ORDINANCES OR SECTIONS OR ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE FOR PUBLICATION IN PAMPHLET FORM” was read before Council. Moved by Klamm, seconded by Salem, to adopt Ordinance on second reading. Roll call. Voting “aye” were Tomasek, Salem, Klamm, Fagot. Motion carried.

EXECUTIVE SESSION:

Moved by Klamm, seconded by Salem, to recess the Regular Session to Executive Session at 8:12 p.m., for the purpose of discussing personnel and purchase of land. Roll call. Voting “aye” were Tomasek, Salem, Klamm, Fagot. Motion carried.

Moved by Klamm, seconded by Salem, to reconvene the Regular Session from Executive Session at 9:03 p.m. Roll call. Voting “aye” were Tomasek, Salem, Klamm, Fagot. Motion carried.

ROUNDTABLE:

Salem requested that the Noise Ordinance be reviewed at a future meeting.

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