

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, April 24, 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, Ted Cook, Rick Klamm, John Salem, Steve Tomasek. City Officials present were City Manager Joe Pepplichtsch, City Attorney Willard Weinhold, Deputy City Clerk Shirley Lewis. Department Heads present were Charles Clark, Barb Mills, Ruth Seward. Also in attendance were Steve Heldt and Kermit Debban. The Press was represented by the Clipper-Herald, 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 – 4-10-01:**

Minutes of the Regular Meeting held Tuesday, April 10, 2001 was presented for Council's consideration and approval. Moved by Salem, seconded by Tomasek, to approve the Minutes of the Regular Meeting held April 10, 2001 as presented. Roll call. Voting "aye" were Klamm, Cook, Tomasek, Salem, Fagot. Motion carried.

CLAIMS & BILLS:

Claims and Bills in the amount of \$225,493.93 was presented for Council's consideration and approval. Upon review of the Claims and Bills as listed, moved by Cook, seconded by Salem, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$83,573.47 from the General Fund, \$103,055.85 from LEXUS, \$20,881.38 from City Sanitation, \$11.62 from Library Memorial Fund, \$17.94 from Library House Fund, \$11,232.80 from Health Fund, and \$6,720.87 from Meals on Wheels to the City of Lexington's Operation Account. Roll call. Voting "aye" were Tomasek, Klamm, Salem, Cook, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
APRIL 24, 2001 COUNCIL

Alamar Uniform Co	Police Uniforms	96.80
All Points Cooperative	Car Washes	14.00
Americ-Kart Corp	Trash Cans	640.26
Associated Supply Company Inc	Pool Supplies	125.47
AT&T	Long Distance Svc/Pool	3.78
Berntson Oil	Unleaded & Diesel Fuel	2,719.48
Best Way Inc.	St & Wtr Supplies	219.07
Bill's Farm & Ranch Svc	Grass Seed	150.00
Bill's Kirby	Vacuum Bags	12.35
C.B.S.A.	Employee Medical Claims	9,831.93
Cash-Wa Distributing	Food & Supplies	747.95

CDBG Certification	Conf Register/Mills/Jensen	80.00
Central Garage	Labor/Parts/Oil/Tires	3,154.17
Central Nebraska Cleaners	Carpet Cleaning/City Office	40.00
Certified Laboratories	Central Garage Supplies	244.50
Clark, Enersen Partners, The	Library Fund Raising Svc	2,733.21
Dawson County Historical Society	Cemetery Space Buy Back/Greenwood	150.00
Dawson County Public Power	Power Purchased	3,631.19
Dugan Business Forms	Letterhead	115.50
Dutton-Lainson Co.	Electric Supplies	1,125.34
Eakes Business Products	Library Supplies	55.76
Egan Supply Company	GGC Supplies	62.40
Eilers Machine & Welding	Central Garage Supplies	16.10
Electric Fixture	Electric Supplies	1,323.63
Eustis Body Shop	Vehicle Repairs	50.00
F&S Supply	Svc Bldg Supplies	180.40
Fagot Refrigeration & Electric	Supplies/Well Repairs	1,954.30
Fairbanks International Inc	WWTP Supplies	23.40
Family Eyewear	Safety Glasses/Brown	172.00
Gall's Inc	Police Uniforms	60.98
Gillette/Nebraska Dairies	Dairy	188.87
Hach Company	WWTP Supplies	257.00
Hipp Wholesale Foods, Inc.	Food & Supplies	1,428.09
HTM Sales Inc	WWTP Supplies	246.44
Husker Ag Sales	Central Garage Supplies	125.00
Ingram Library Svc	Library Books	188.07
International Muni Lawyers Association	Membership	465.00
Jack Lederman Co., Inc	Park Supplies	94.08
Jensen, Deb	Mileage	27.60
Kapco	Library Supplies	84.81
KN Energy	Gas Svc	3,728.59
Kriz-Davis Co	Electric Supplies	7,656.99
Laurie Carlson & Associates LTD	Line Striper	1,480.00
Lexington Newspapers Inc	Publications	261.14
Lexington Public Library	Replenish Petty Cash	74.56
Lexington Recreation Program	Support Personnel	1,700.00
Lexington Truck & Auto	Central Garage Supplies	175.00
Lexington True Value	Misc Supplies	242.27
Lexington Payroll Account	Payroll 4/19/2001	70,029.70
Social Security	Social Security (Employer Portion)	5,261.75
First National Bank	Employee Pension (Employer Portion)	0.00
American Funds	Police Pension (Employer Portion)	987.33
I.C.M.A.	Employee Pension (Employer Portion)	131.54
Matt Parrot & Sons Co	Disconnect Notices	337.68
Mead/Big Valley Lumber	WWTP Supplies	13.58
Municipal Supply	Water Supplies	142.46
National Fire Protection Association	Membership	115.00
Ne Dept of Health & Human Svc	Education	90.00
Nebraska National Bank	Mail Machine Lease Pymt	361.56
Old Dominion Brush	Street Supplies	400.00
Paper Showcase	Certificates	51.85
Patty's Hallmark	Office Supplies	286.11
Paulsen Inc	Concrete/Gravel	239.93
Pinnacle Bank	WWTP Land Loan Pmt	16,741.77
Platte Valley Communications	Monthly Maint/Install Radio	744.00
Precision Industries	WWTP Supplies	159.61
Printing Press, The	Library Supplies	43.70

Protective Life Insurance	Cancer Premium	43.90
Quality Stores Inc	Misc Supplies	344.49
Quill Corp	Office Supplies	150.32
S&W Auto Parts	Central Garage Supplies	346.44
Subway of Lexington	Meals	33.90
T.O. Haas Tire Co Inc	Tires/Repairs	422.00
TB Lawn Svc	Fertilize Lawn	261.00
U-Save Foods Inc.	Food & Supplies	35.55
Veetronix, Inc	LVFD Supplies	75.30
Village Cleaners	Laundry Svc	31.00
Wall Street Journal, The	Subscription	175.00
Wal-Mart	Misc Supplies	74.48
Water Safety Products, Inc	Pool Supplies	99.31
Wesco Distribution Inc.	Electric Supplies	1,078.67
West Group	Statute Internet Svc	95.00
Zep Manufacturing	Paper Products	107.77
Allstate Imaging Inc	Inkjet Cartridges	126.00
Alltel	Cellular Charges	86.60
Ben Meadows Company	WWTP Supplies	105.66
C.B.S.A.	Employee Medical	603.53
Cash-Wa Distributing	Food & Supplies	215.75
Ce Ne Assn for Purchasing Mgmt	Seminar Book	20.00
Dan's Sanitation	Solid Waste Fees	20,881.38
Doran Post & Associates Inc	Notary Bond/Lewis	30.00
Floor Shine	Floor Svc-Service Bldg	370.00
Gillette/Nebraska Dairies	Dairy	148.91
Gydesen, Barb	Tree City USA Conf Reimburse	117.03
Hank's Plumbing	Sw Line Repair	597.94
Hird, Bruce	Electric Rebate	1,000.00
Holbein, Dallas	Electric Rebate	1,150.00
Insurance & Personnel Svc	Employee's 125 Acct	753.44
Lexington, City of	Franchise Fees/First Half	23,313.57
Lexus	Utility Billing	16,486.01
Misko Sporting Goods	Baseball Equipment	1,691.51
MPH Industries	Radar Equipment	990.00
Ne Dept of HHS Laboratory	WWTP Testing	1,732.00
Ne Secretary of State	Notary Renewal/Lewis	30.00
Overton Community Center	Rent	100.00
Petty Cash Fund	Petty Cash Replenish	44.80
Sav-a-lot Discount Foods	Food & Supplies	75.18
Steve's Lock & Key	New Locks	1,955.12
Wesco Distribution Inc	Electric Supplies	1,930.32
Wildwood Tree Farm	Trees	3,270.00
	TOTAL CLAIMS	\$225,493.93

ORDINANCE:

Peplitsch addressed the City Council requesting approval of the Ordinance amending Chapters 8, 23, 26A, and 27 of the Lexington City Code on Third and Final Reading. 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 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 Ordinance Number 2138 on third and final reading. Roll call. Voting "aye" were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

RESOLUTION:

Pepplitsch addressed the City Council requesting approval of the Resolution setting Interruptible Irrigation Electric Rates. Following discussion, moved by Klamm, seconded by Tomasek, to approve the following Resolution. Roll call. Voting "aye" were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

RESOLUTION NO. 01-06

WHEREAS, Lexington City Code Section 8-19, authorizes the City Council to establish by Resolution a schedule of rates and charges for electric service.

BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, that the following electric rates for the following use classification is established and shall take effect May 1, 2001, to be reflected on billings received during the month of May, 2001. That all other electric rates previously established shall remain unchanged.

Proposed Seasonal Interruptible Irrigation Service

Interruptible Irrigation Rate

Horsepower Charge	\$24.80 per H.P.
Energy	\$0.0368 per Kilowatt hour

PASSED AND APPROVED this 24th day of April, 2001.

CITY OF LEXINGTON, NEBRASKA

John Fagot, Mayor

ATTEST:

Shirley Lewis
Deputy City Clerk

**WAIVER OF
OBJECTION:**

Mr. Steve Heldt, attorney representing Ferne Minges, addressed the Lexington City Council, stating that Mrs. Minges and her late husband owns some land south of the City, but within the two mile zoning jurisdiction, and would like to split the lot, due to the sale of the two homes located on this lot. Following discussion, moved by Klamm, seconded by Salem, to accept the Waiver of Objection, and authorize the Mayor to executive said document. Roll call. Voting "aye" were Tomasek, Cook, Salem, Klamm, Fagot. Motion carried.

RESOLUTION:

Pepplitsch addressed the Lexington City Council, requesting approval of the Resolution that sets the various fees and charges for Sanitary Sewer, Storm Sewer, Water Tap, and Utility Deposits. Following discussion, moved by Klamm, seconded by Tomasek, to approve the following Resolution. Roll call. Voting "aye" were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

RESOLUTION NO. 01-07

WHEREAS, Lexington City Code authorizes the City Council to establish by Resolution a schedule of deposits, fees, and charges for utility services,

BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, that the following deposits, fees, and charges are established and shall take effect immediately. That all other deposits, fees, and charges previously established shall remain unchanged.

<u>Sanitary Sewer Tap Fees:</u>	\$100.00
<u>Storm Sewer Tap Fees:</u>	\$100.00
<u>Water Tap Fees:</u>	Total fee based upon actual labor and Materials required to tap main and bring Service line to private property.
<u>Utility Deposits:</u>	\$100.00

PASSED AND APPROVED this 24th day of April, 2001.

CITY OF LEXINGTON, NEBRASKA

John Fagot, President of Council

ATTEST:

Shirley Lewis
Deputy City Clerk

RESOLUTION:

Pepplitsch addressed the City Council, requesting passage of a Resolution that is necessary for the City of Lexington to participate in the NCIP Program for the upcoming year. Following discussion, moved by Klamm, seconded by Cook, to approve the following Resolution. Roll call. Voting "aye" were Salem, Tomasek, Cook, Klamm, Fagot. Motion carried.

RESOLUTION NO. 01-08

**2001 NCIP
GOVERNMENT RESOLUTION**

WHEREAS, local municipal and county government must provide leadership for improving community and economic development efforts; and

WHEREAS, community and economic development needs can best be determined and solved through a cooperative effort between elected officials and the citizens they represent; and

WHEREAS, the Nebraska Community Improvement Program, administered by the Nebraska Department of Economic Development, has been reviewed and found to be a means to improve our community; and

WHEREAS, the City Council, of the City of Lexington, Nebraska do herewith pledge their full support, endorsement, and cooperation in carrying out the requirements of the NCIP;

NOW THEREFORE BE IT RESOLVED, that the City of Lexington, Nebraska urges its citizens to join this effort and hereby declares this City to be an official entrant in the NCIP for the year of 2001.

PASSED AND APPROVED this 24th DAY OF APRIL, 2001.

CITY OF LEXINGTON, NEBRASKA

BY: John Fagot, Mayor

ATTEST:

Shirley Lewis
Deputy City Clerk

ORDINANCE:

Following discussion by the City Council, and Ordinance entitled "AN ORDINANCE TO ESTABLISH COMPENSATION FOR THE LEXINGTON CITY MANAGER. TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM" was read before the Council. Moved by Klamm, seconded by Cook, that the rules requiring the reading of said ordinance on three separate days be suspended. Roll call. Voting "aye" were Salem, Tomasek, Cook, Klamm, Fagot. Motion carried.

Said Ordinance was then read by title. Moved by Klamm, seconded by Salem, that Ordinance No. 2139 be passed on final reading. Roll call. Voting "aye" were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

STANDING COMMITTEE APPOINTMENTS:

Fagot addressed the City Council, recommending rotating positions on the Finance, Public Works, and Leisure Committees, where each Council Member would serve one year on a committee, and then be rotated off to another committee each "calendar" year. Following agreement by Council, Mayor Fagot recommended the appointment of Steve Tomasek, and Rick Klamm, to serve on the Finance Committee, John Salem and John Fagot on the Public Works Committee, and John Salem and Ted Cook on the Leisure Committee. Moved by Klamm, seconded by Salem, to ratify Mayor Fagot's appointments to the Standing Committees. Roll call. Voting "aye" were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

FINANCIAL REPORT:

Upon presentation of the Financial Report for March, 2001, Peplitsch stressed to the City Council that the format of future Financial Reports will be changed to be made easier to read. Following review of the Financial Report, moved by Klamm, seconded by Tomasek, to approve the Financial Report for March, 2001. Roll call. Voting "aye" were Cook, Salem, Tomasek, 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