

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held, Tuesday, November 12, 2002, 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/City Clerk Joe Peplitsch, City Attorney Willard Weinhold. Department Heads present were Charlie Clark, and Barb Mills.

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 – 10-22-02: Minutes of the Regular Meeting that was held Tuesday, October 22, 2002 was presented for Council’s consideration and approval. Moved by Klamm, seconded by Tomasek, to approve the Minutes of the Regular Meeting held Tuesday, October 8, 2002 as presented. Roll call. Voting “aye” were Cook, Salem, Tomasek, Klamm, Fagot. Motion carried.

MINUTES – SPECIAL MEETING – 10-28-02: Minutes of the Special Meeting that was held Tuesday, October 28, 2002 was presented for Council’s consideration and approval. Moved by Salem, seconded by Klamm, to approve the Minutes of the Regular Meeting held Tuesday, October 28, 2002 as presented. Roll call. Voting “aye” were Tomasek, Cook, Klamm, Salem, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$905,981.26 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 \$328,479.41 from the General Fund, \$537,815.11 from LEXUS, \$10,000.00 from City Sanitation, \$19,240.17 from Health Fund, \$10,446.57 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Klamm, Tomasek, Salem, Cook, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
November 12, 2002

Aflac	Supplemental Ins	980.52
All Points Cooperative	Car Washes/Chemicals	130.00
Alltel	Cellular Charges	104.13

Alvarado, Modesto	Adams St Viaduct ROW	5125.00
American Plus, Inc	Glasses	233.11
Bailey, William	Rebate	425.00
Barco Municipal Products	Electric Supplies	204.83
Barmore Drug	Supplies	13.40
Bernal, Raymond	Rebate	825.00
Berntson Oil	Fuel	2,824.00
Books on Wings	Books	405.14
Brin, Bernita	Conf Exp	51.83
Broadwing Telecommunications	Telephone Svc	297.92
Buccholz, John	Boot Reimb	54.78
Business & Prof Credit Mgmt	Utility Collections	30.50
C.B.S.A	Employee Medical	12,967.59
C.B.S.A	Premiums	12,323.53
Cadwell Construction Co	Sewer Tap Refund	200.00
Capstone Press Inc	Books	502.35
Case Credit Advantage	Supplies	338.63
Cash-Wa Distributing	Food & Supplies	1,324.19
CCP Industries Inc	Gloves	75.89
Central Garage Fund	Prts/Lbr/Oil/Gas & Diesel	13,838.21
Century Laboratories Inc	Deodorant	133.51
Charter Communications	Service	114.90
Coca Cola-Kearney	Beverages	18.60
Cozad Services Inc	Prts/Lbr/Oil/Gas & Diesel	143.15
Crabtree Publishing	Books	241.36
Culligan Water Conditioning	Water Treatment	144.80
Curtis Industries	Lubes/Oil	67.26
Dan's Sanitation	Sanitation Charges	10,457.04
Dawson County Clerk	Dispatch Fees	7,465.94
Dawson County Judge	Police Court Fees	39.00
Dawson County Public Power	Power/Traffic Signal	2,082.26
Dawson County Register of Deeds	Fees	55.00
Dawson County Surveyor	EL Dept Survey	312.20
Demco	Library Supplies	94.40
Depository Trust Co.	2002 GO Bond Payment	117,486.51
Direct Safety Co	Supplies	86.14
Eakes Office Products	Cartridges	266.94
Editorial Televisa	Subscription	34.00
EDM Equipment Co	Supplies	459.31
Electric Fixture	Electric Supplies	2,892.74
Element Journals	Subscription	67.00
Environmental Resource Assoc	Permit	75.00
Equipment Center Inc	Copier Maintenance	295.00
Fagot, Anita	Adams St Viaduct ROW	8,775.00
Family Eyewear	Safety Glasses	74.00
Farmer Brothers Coffee	Coffee	119.24
Fischer-Scientific	WWTP Supplies	171.83
Five Points Bank	Copier Pmt	205.12
Follette Software	Labels	120.00
G Neil	Forms	29.37
Gall's Inc	Jacket	51.93
Gengenbach, Kevin	Park Toilet Units	270.00
Giesbrecht, David	Rebate	1,025.00
Gillette Dairy of Black Hills	Dairy	314.28
Great Plains One-Call Svc	Locates	80.49
Hallan, Kevin	Rebate	900.00

Halmes, Ellen	Conf Exp	14.00
Health and Human Services	Warrant Refunds	656.00
Hipp Wholesale Foods Inc.	Food & Supplies	1,430.70
Holbein, Steve	Door Repair	61.75
Hometown Leasing	Copier Pymt	544.60
Husker Ag Sales	Parts	54.33
Ideals Publications	Subscription	19.95
Ingram Library Svc	Library Books	1,299.93
Insurance & Personnel Svc	Employee 125	987.76
Jones Plumbing & Heating	Supplies/Winterize	274.53
Kearney Hub	Subscription	106.50
Kearney Truck & Salvage	Hoist	600.00
Kinder Morgan	Gas Use	2,176.39
Knights of Columbus	Refund Zoning Chg	100.00
Kriz-Davis Company	Electric Supplies	90.92
Kvols, Scott	Rebate	900.00
Lexington Animal Clinic	Animal Care	326.70
Lex Area Solid Waste Agency	Mixed Solid Waste	798.48
Lexington Health Fund	Self-Funding	27,005.50
Lexington Newspapers	Publications	276.93
Lexington Postmaster	Postage/GGC	150.00
Lexington Public Library	Replenish Petty Cash	33.54
Lexington Truck & Auto	Central Garage Supplies	625.63
Lexington True Value	Supplies/Winterize	101.88
Lexington Volunteer Fire Dept	Annual Mtg Reimb	1,958.88
Lexington, City of	Monthly/Franchise Fees	23,851.79
Lien Lawn Care	Lawn Care/Pool	175.00
Linweld	Oxygen	35.48
Lundeen-Isaacson Inc	LVFD Ins	8,555.00
Luther, Ann	Mtg Exp	15.00
Lynch, Robert	Adams St Viaduct ROW	2,500.00
Lexington City Payroll Account	Wages	76,724.60
Social Security	Employer Port/FICA Med	5,779.73
First National Bank	Employer Portion/Pension	2,596.09
First National Bank	Police Pension	1,017.95
ICMA	Peplitsch Pension	215.38
Mason Crest Publishers	Books	484.85
McCormack Dist Co	Supplies	34.09
Mead/Big Valley Lumber	Misc Supplies	814.41
Mendrano, Mario	Rebate	425.00
Mick's Platte Valley Glass	Replacement	227.07
Mid State Engineering & Testing	Prof Services	140.00
Mid States Units	Park Toilet Rental	510.00
Mid-Nebraska Printing	Ofc Supplies	628.01
Midwest Right of Way Services	Services	5,040.00
Miller & Associates	Professional Svc	8,444.65
Misko Sporting Goods	Basketballs	34.40
Mr Automotive	Parts	113.60
National Council on the Aging	Membership Fees	170.00
NE Dept of Environmental Control	Cert Renewal	150.00
Nebraska Library Commission	Products	21.98
Nebraska Machinery	Bulbs	29.90
Nebraska National Bank	Mail Machine Lease Pmt	361.56
Nebraska Public Power District	Power Purchased	395,123.82
Nebraska Truck Center	LVFD Truck Repair	727.75
Nebraska Waste Handlers	Sludge Removal	2,482.00

Nebraskaland Tire	Repairs	10.00
Nelson, Margie	Cleaning	580.00
Ogg, Betty	Adams St Viaduct ROW	4,200.00
Old Dominion Brush	Sweeper Brush	410.00
Ollis Book Corp	Books	177.87
Olsson Associates	Prof Svc	8,882.63
Overton Sand & Gravel	Gravel	735.00
Patty's Hallmark	Office Supplies	812.01
Paulsen Inc	Concrete	166.38
Peak Interest	Meeting	27.80
Petty Cash Fund	Petty Cash	200.00
Pinnacle Bank	Land Pmt	16,741.77
Platte Valley Auto Mart	Supplies	32.19
Platte Valley Communications	Repairs	1,972.40
Plum Creek Auto Spa	Washes	9.00
Plum Creek Bank	Fire Truck Loan Pmt	19,971.52
Plum Creek Cleaners	Services	114.00
Plum Creek Holiday De-lites	Awards	214.00
Plum Creek Motors	Supplies	18.28
Qwest	Telephone Charges	324.60
Randy's & Brian's Towing	Tow	40.00
Razo, Manuel	Boot Reimb	22.42
Redding, John	Adams St Viaduct ROW	3,075.00
Rosebud Casino Quality Inn	LVFD Convention	990.00
S&W Auto Parts	Central Gar/Elec Supplies	1,203.21
Serrano-Calixto, Humberto	Refund Util Overpmt	64.77
Seward, Randall	Cleaning	400.00
Seward, Ruth	Conf Exp	19.75
Simmerman Electric	Fans	293.50
Sinsel, Loren	Rebate	900.00
Subway of Lexington	Meetings	63.30
Sunmart/Sixth Street	Food & Supplies	84.44
Superior Signals Inc	Parts	266.24
T.O. Haas Tire Co.	Tire Repair	39.50
Telegraph	Subscription	121.00
Texaco/Shell	Fuel	17.31
Total Lawn Care	Lawn Care	320.00
Treffer, Christy	Awards	45.70
Tri County Hospital	Wellness Center Mbrshps	250.00
Tri-City Trib	Subscription	28.00
Usher Pest Control	Monthly Svc	27.00
Walker Roofing Company	Admin Roof Final	5,525.80
Wal-Mart	Misc Supplies	929.15
Warner, Robert	Adams St Viaduct ROW	3,250.00
Willard Weinhold Law Office	Professional Svc	1,455.00
WPCI	Drug Testing	54.20
Wurster, Robert	Adams St Viaduct ROW	6,300.00
Accu Cut	Books	128.00
Bottom Line/Health	Subscription	29.95
C.B.S.A	Employee Medical Claims	4,180.10
Cash-Wa Distributing	Food & Supplies	710.79
Chief Supply	Supplies	374.97
City of Lexington	Franchise Fees	42.65
Dan's Sanitation	Sanitation/Recycling	759.00
Gillette Dairy	Supplies	73.05
Ingram Library Services	Books	77.32

Kinder Morgan	Service	341.24
Landmark Audiobooks	Books	303.95
Lexington Public Library	Postage Reimb	35.20
LexisNexis Matthew Bender	Books	71.45
Mister Anderson's Co	Books	64.60
Ne Dept of Environmental Control	Cert Renewal-Sund	75.00
NE Dept of Revenue	Sales and Use Tax	29,372.25
NT&T	Telephone Svc	1,025.58
Ollis Book Corp	Books	115.55
Petty Cash Fund	Replenish Petty Cash	41.78
Public Safety Center Inc	Supplies	37.73
Quill Corp	Cards	179.46
S&W Auto Parts	Electric Supplies	43.66
Sav A Lot Discount Foods	Bakery	45.36
	TOTAL:	905,981.26

VACATION OF PLAT:

John Wightman, representing Harold and Virginia Stevens, addressed the City Council requesting their approval of vacating a portion of Stevens Subdivision, Lexington, Nebraska. Following discussion, an Ordinance entitled “AN ORDINANCE TO VACATE A PORTION OF STEVENS ADDITION TO THE CITY OF LEXINGTON; TO PROVIDE FOR REVERSION OF THE VACATED STREETS AND RIGHT-OF-WAY TO ADJOINING PROPERTY OWNER; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was read before Council. Moved by Klamm, seconded by Salem, to approve Ordinance vacating a portion of Stevens Subdivision, Lexington, Nebraska, on first reading. Roll call. Voting “aye” were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

PUBLIC HEARING:

Mayor Fagot opened the Public Hearing. Christopher Luong, representing Saigon Palace Restaurant, addressed the City Council requesting their approval of a Class “A” Liquor License, for their business located at 413 N. Washington, Lexington, Nebraska. Following discussion, Mayor Fagot closed the Public Hearing. Moved by Klamm, seconded by Tomasek, to recommend approval of a Class “A” Liquor License for the Saigon Palace Restaurant, located at 413 N. Washington, Lexington, Nebraska. Roll call. Voting “aye” were Cook, Salem, Tomasek, Klamm, Fagot. Motion carried.

SOUTH WATER SYSTEM IMPROVEMENTS:

Dana Daniels, representing Miller and Associates, addressed the City Council, presenting them with drawings and specifications for a water improvement project in the south part of Lexington. Following Mr. Daniels presentation, moved by Klamm, seconded by Tomasek, to accept plans and specifications for transmission main included in the South Water System Improvement Project. Roll call. Voting “aye” were Cook, Salem, Tomasek, Klamm, Fagot. Motion carried.

DEMOLITION BIDS:

Pepplichtsch addressed the City Council, requesting their approval to authorize City Staff to take bids for demolition of dilapidated buildings, owned by Nancy S. Ward, and located at 945 West 7th Street. Following discussion, moved by Klamm, seconded by Tomasek, to authorize City Staff to take bids for demolition of dilapidated buildings, owned by Nancy S. Ward, and located at 945 West 7th Street. Roll call. Voting “aye” were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

**FIRE DEPARTMENT
ROSTER:**

Pepplitsch addressed the City Council, requesting their approval of the annual Lexington Volunteer Fire Department Roster. Following discussion, moved by Salem, seconded by Klamm, to approve the annual Lexington Volunteer Fire Department Roster. Roll call. Voting "aye" were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

**CITY MANAGER/CITY
TREASURER
AUTHORIZATION:**

Pepplitsch addressed the City Council requesting their approval of a Resolution authorizing the City Manager and/or City Treasurer to authorize various investments for the City of Lexington. Moved by Klamm, seconded by Tomasek, to approve Resolution Number 02-22, authorizing the City Manager and/or City Treasurer to authorize various investments for the City of Lexington. Roll call. Voting "aye" were Cook, Salem, Tomasek, Klamm, Fagot. Motion carried.

RESOLUTION NO. 02-22

BE IT RESOLVED THAT Joe Pepplitsch, City Manager of Lexington, Nebraska and/or Barbara Mills, City Treasurer of Lexington, Nebraska are hereby authorized to sell, assign and endorse for transfer, certificates, representing stocks, bonds, or other securities now registered or hereafter registered in the name of the City of Lexington, Nebraska.

PASSED AND APPROVED this 12th day of November, 2002.

John Fagot
Mayor

ATTEST:

I, Joe Pepplitsch, hereby certify that the foregoing is a true copy of a resolution duly adopted by the Mayor and Council of the City of Lexington, Nebraska at a meeting duly held the 12th day of November, 2002, at which a quorum was present and voting and that the same has not been repealed and or amended and remains in full force and effect and does not conflict with any other City Ordinance or City Resolution of the City of Lexington, Nebraska.

Joe Pepplitsch, City Clerk
Lexington, Nebraska

EXECUTIVE SESSION:

Moved by Salem, seconded by Tomasek, to enter into Executive Session from Regular Session at 7:49 p.m. for the purpose of discussing purchase of land. Roll call. Voting "aye" were Cook, Klamm, Tomasek, Salem, Fagot. Motion carried.

Moved by Cook, seconded by Salem, to reconvene Regular Session from Executive Session at 8:03 p.m. Roll call. Voting "aye" were Klamm, Tomasek, Salem, Cook, Fagot. Motion carried.

ADJOURNMENT:

There being no further business to come before the Council, Mayor Fagot declared the meeting adjourned.

John Fagot
Mayor

Joe Peplitsch
City Clerk

I, the undersigned 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 City Clerk