

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, March 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 Joe Peplitsch, City Attorney Willard Weinhold, Deputy City Clerk Shirley Lewis.

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 Acknowledgement 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 – 2-26-02: Minutes of the Regular Meeting that was held Tuesday, February 26, 2002 was presented for Council’s consideration and approval. Moved by Klamm, seconded by Tomasek, to approve the Minutes of the Regular Meeting held February 26, 2002 as presented. Roll call. Voting “aye” were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$718,742.00 was presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Klamm, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$124,640.33 from the General Fund, \$564,911.90 from LEXUS, \$10,000.00 from City Sanitation, \$2,148.81 from Landfill, \$9,692.70 from Police Pension, \$7,348.26 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Cook, Tomasek, Klamm, Salem, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
MARCH 12, 2002 COUNCIL

Acu Cut	Library Supplies	30.00
Aflac	Employee 125 account	1,023.12
Alamar Uniform Co	Uniforms	106.98
Allstate Imaging Inc	Office Supplies	348.39
Alltel	Cellular Charges	49.78
American Girl	Subscription	19.95
American Society on Aging	Conference Registration	385.00
Automotive Sales & Service	Central Garage Supplies	69.75
Barco Municipal Products	Street Signs	129.09
Barmore's	Library Supplies	9.99

Berntson Oil	Fuel/Oil	2,011.00
Booth, Kimberlee	Embroidery	10.00
Broadwing Telecomm Inc	Telephone Charges	333.95
Business & Professional Credit	Utility Collections	121.26
Cash-Wa Distributing	Meat/Frozen Foods	765.80
Casper Oil	Battery Ford	93.95
CBSA	Employee Medical Claims	2,931.21
Central Garage Fund	Gas/Dsl/Lbr/Prts/Oil	5,965.28
Charter Pipeline	March Service	114.90
Cornhusker Hotel	LNM Conf Lodging	1,109.39
Culligan Water Conditioning	Water Treatment	142.80
Curtis Industries	Bolts and Nuts	68.53
Dan's Sanitation	Waste Removal	10,767.44
Dawson County Clerk	Dispatch Fees	7,215.76
Depository Trust Co	Bond Interest	42,552.50
Dutton Lainson	Curved Washer	158.88
Eakes Office Products	Supplies	2,042.76
EDM Equipment	Seal Rep Kit	84.09
Electric Fixture	Electrical Supplies	248.71
Fagot Refrigeration	Service Heater and Pumps	613.95
Fagot, John	League Conf Reimb	266.72
Farmer Brothers Coffee	Filters	47.67
Five Points	Copier Pymt March	205.12
Galeton Gloves	Rubber Boots	174.20
Gempler's Inc	Jacket	82.85
Gillette Dairy	Milk	100.43
Great Plains OneCall Service	Locates	5.00
Harold Brown	Tool Allotment	50.00
Hipp Wholesale Foods, Inc	Food	621.59
Holiday Travel & Cruises	Airline/Ruth Seward	311.00
Husker Ag Sales	Bar and Deck	18,626.06
Ingram Library Services	Books	739.60
Investment Property Exchange Inc	Appraisal	500.00
Island Supply Company	Asphalt Crack Filler	1,122.00
Jones Plumbing	February Supplies	171.87
KAPCO	Books	45.88
Kelly Supply Co	Supplies	73.32
Klamm, Rick	League Conf Reimb	140.21
K-Lawn	Spray Lawns at City Ofcs	172.90
Kriz-Davis Co	Insulators	1,096.52
KRVN-FM	Contract	72.00
Kully Pipe and Steel Co	Tube	301.24
Lakeside Country Club	Membership	415.00
Lewis, Shirley	Clerk Academy	62.50
Lexington Animal Clinic	Board	437.50
LASWA	Mixed Solid Waste	380.88
Lexington Newspapers	Notices	438.41
Lexington Postmaster	Postage	150.00
Lexington Public Library	Petty Cash-Postage	34.10
Lexington True Value	Supplies	203.45
Lexington, City of	Monthly Charges	23,877.30
Liehs Drilling	Well	128.00
Linweld	Oxygen	32.24
LEX CITY PAYROLL ACCT	WAGES	76,282.92
SOCIAL SECURITY	SOC SEC(EMPLYR PRT)	5,739.69
FIRST NATIONAL BANK	EMP PNSN(EMPLYR PRT)	2,519.11

AMERICAN FUNDS	PLC PNSN(EMPLYR PRT)	1,071.72
ICMA	EMP PNSN(EMPLYR PRT)	180.00
Mead Big Valley Lumber	Supplies	492.84
Mendoza, Juan	Electric Rebate	300.00
Mid-Nebraska Printing	Supplies	112.51
Milco Environmental Services Inc	Sampling/Disposal	2,148.81
Mitchell, Derek	Electric Rebate	825.00
Moreno, Hardy	Electric Rebate	1,025.00
Municipal Supply	Supplies	530.21
MW Salvage	Haul Appliances	87.00
NE Association of Sr. Centers	Conference Registration	100.00
Nebraska Machinery	Bulbs	62.37
Nebraska National Bank	Mail System Lease	361.56
Nebraska Safety Council	Membership	150.00
Nebraska Waste Handlers	Sludge Removal	3,285.00
Nebraskaland Magazine	Subscription	16.00
Nelson, Thomas R.	Cleaning	500.00
NPPD	Power Purchased	416,236.36
Overton Community Center	Meals on Wheels	100.00
Overton Sand & Gravel	Fill Sand	130.00
Patty's Hallmark	Supplies	47.89
Paulsen Inc	White Rock	1,582.74
Peplitsch, Joe	League Conf Reimb	288.16
Platte Valley Auto Mart	Trans Shift	33.30
Platte Valley Communications	Wiring/Repairs	641.27
Plum Creek Motors	Wheel/Cover.	114.15
Plus 4 Engineering Inc	Simulator Solution	31.39
PPCT Management Systems Inc	DEF Tact Manuals	215.81
Precision Industries	Belting	47.34
Price's Tree Service	Stump Removal	940.00
Quill Corporation	Office Supplies	51.55
Qwest	Telephone	346.03
S & W Auto Parts Inc	Parts and Supplies	401.13
S&S Repair	Repair	30.00
Salem, John	League Conf Reimb	133.23
Service Master Mid Nebraska	Carpet Cleaning	48.00
Seward, Randall	Library Cleaning	300.00
Simone Engineering/FCX	Charts	112.24
Sunmart #763/Sixth Street	Grocery	64.47
T & R Electric	Pole Mount	2,300.00
T.O. Haas Tire	Tire Repair/Mount	22.00
Tomasek, Steve	League Conf Reimb	131.40
Union Pacific Railroad	Lease Property	2,000.00
Unique Books, Inc	Library Books	11.65
Upstart	Supplies	45.25
Valentino's	Business Meeting	50.18
Viking Office Products	Supplies	44.23
W. H. Wilson Company	Catalogue	153.00
Wagner, Paul	Electric Rebate	125.00
Wal-Mart	Supplies	287.73
Willard Weinhold Law Office	Services	1,989.50
YM	Subscription	14.97
Bernie and Pat's	Framing	226.04
C.B.S.A	Claims	4,710.61
Cash-Wa Distributing	Food and Supplies	617.47
CBSA	Premiums	9,511.73

CDBG Certification	Registration	70.00
Dawson County Public Power	Power	1,654.90
Dawson County Surveyor	Copies	60.00
Electric Fixture	Electric Supplies	1,252.41
Electronic Systems	Inspection	25.00
Fisher Scientific	WWT Supplies	588.43
Gillette Dairy	Dairy	154.35
Grainger Ind and Commercial	Supplies	313.74
Hach Company	WWT Supplies	313.50
Hipp Wholesale	Food and Supplies	641.95
Insurance & Personnel Services	Employee 125 Account	1,027.76
Keep Lexington Beautiful	Membership	125.00
KN Energy	Gas Service	5,045.40
League of Nebraska Municipalities	Council Registration	1,662.00
Lexington Newspapers	Publications	201.07
Lexington Recreation Program	Support Personnel	1,800.00
Michael Todd	Receptacles	603.14
Nebraska Dept. of Revenue	Sale /Use Tax Feb 2002	29,100.73
Nebraska Tech & Telecom, Inc	March Charges	1,150.68
Petty Cash Fund	Replenish Petty Cash	49.57
Plum Creek Cleaners	Mats	98.00
S&W Parts, Inc	Items Returned	(79.43)
T & R Electric	Transformers	1,855.00
The Pinnacle Agency	Additional Insurance	68.00
Tri-City Tribune	Adv-Hoopfest	154.00
Tri-County Hospital	Fitness Center Mbrshp	180.00
Viking Office Products	Chair	91.47
	TOTAL CLAIMS	718,742.00

PUBLIC HEARING:

Mayor Fagot opened the Public Hearing. Irma Flores, representing El-Tequila, addressed the City Council, stating that she just received notice that the Class "I" Liquor License, that she has applied for is not available in the City of Lexington, and is therefore requesting the Council approve amending her application to a Class "M" License. Following discussion, Mayor Fagot closed the Public Hearing. Moved by Cook, seconded by Tomasek, to request the Liquor License Application for Irma I. Flores, dba "El-Tequila", located at 2307 Plum Creek Parkway, Lexington, NE 68850 be corrected to a Class "M" License, and presented again to Council in the proper form. Roll call. Voting "aye" were Klamm, Salem, Tomasek, Cook, Fagot. Motion carried.

BOND RESOLUTION:

Pepplitsch addressed the City Council, requesting their approval of a Resolution directing the issuance of a Bond to fund the Lexington Economic Development Fund. Following discussion, a Resolution entitled "A RESOLUTION OF THE CITY OF LEXINGTON, NEBRASKA, AUTHORIZING THE ISSUANCE OF ECONOMIC DEVELOPMENT FUND SALES TAX BOND OF THE CITY OF LEXINGTON, NEBRASKA, IN THE PRINCIPAL AMOUNT OF SEVEN HUNDRED FIFTY THOUSANT DOLLARS (\$750,000) FOR THE PURPOSE OF FUNDING THE LEXINGTON ECONOMIC DEVELOPMENT PROGRAM AS ESTABLISHED BY ORDINANCE NO. 2123 OF THE CITY; PRESCRIBING THE FORM OF SAID BOND; PROVIDING FOR THE PLEDGING OF SALES TAX COLLECTIONS RECEIVED FOR SAID PROGRAM INTO

THE ECONOMIC DEVELOPMENT FUND OF THE CITY OF LEXINGTON FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON SAID BOND; PROVIDING FOR A PLEDGE OF CERTAIN REVENUES; PROVIDING FOR CERTAIN COVENANTS FOR THE PROTECTION OF THE HOLDER OF SAID BOND; PROVIDING FOR THE SALE OF THE BOND; PROVIDING FOR THE APPLICATION OF THE PROCEEDS OF SAID BOND; AND AUTHORIZING THE DELIVERY OF THE BOND TO THE PURCHASER” was read before Council. Moved by Klamm, seconded by Salem, to approve Resolution Number 02-02 as presented, and authorize proper signatures on said documents. Roll call. Voting “aye” were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

PUBLIC HEARING:

Mayor Fagot declared the Public Hearing open. Mike Bacon, representing the Community Redevelopment Authority, presented the City Council with the proposed Redevelopment Plan for Redevelopment Area #2. Following Mr. Bacon’s presentation, Mayor Fagot closed the Public Hearing. No action was taken.

RESOLUTION:

A Resolution entitled “RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LEXINGTON; APPROVING A REDEVELOPMENT PLAN; MAKING FINDINGS WITH REGARD TO SUCH PLAN AND APPROVING OTHER ACTION THEREON” was read before the Council. Moved by Klamm, seconded by Tomasek, to approve Resolution 02-03 as amended. Roll call. Voting “aye” were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

EASEMENT RELEASE:

Peplitsch presented the City Council with a request for the release of an easement associated with Spring Creek Watershed on land described as Section 28, Township 14 North, Range 24 West of the 6th P.M., in Custer County, Nebraska. Following discussion, moved by Klamm, seconded by Tomasek, to table the request indefinitely, and direct Administration to bring back to Council should anything pertinent arise. Roll call. Voting “aye” were Cook, Salem, Tomasek, Klamm, Fagot. Motion carried.

**COUNCIL
COMPENSATION:**

Mayor Fagot presented the City Council with an Ordinance to set compensation levels of City Council Members. Following discussion, an Ordinance entitled “AN ORDINANCE TO AMEND SECTION 2-10 OF THE LEXINGTON CITY CODE; TO AMEND THE ANNUAL SALARY FOR MEMBERS OF THE CITY COUNCIL AND THE PRESIDENT OF THE CITY COUNCIL; TO REPEAL ORIGINAL SECTION 2-10 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 Tomasek, seconded by Klamm, to approve said Ordinance on First Reading. Roll call. Voting “aye” were Klamm, Tomasek, Fagot. Voting “nay” were Cook, Salem. Motion carried.

EXECUTIVE SESSION:

Moved by Klamm, seconded by Tomasek, to enter into Executive Session at 7:52 p.m. Roll call. Voting “aye” were Cook, Salem, Tomasek, Klamm, Fagot. Motion carried.

Moved by Salem, seconded by Tomasek, to reconvene Regular Session from Executive Session at 8:40 p.m. Roll call. Voting “aye” were Klamm, Cook, Tomasek, Salem, 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