

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, June 25, 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 – 6-11-02: Minutes of the Regular Meeting that was held Tuesday, June 11, 2002 was presented for Council’s consideration and approval. Moved by Salem, seconded by Klamm, to approve the Minutes of the Regular Meeting held June 11, 2002 as presented. Roll call. Voting “aye” were Cook, Tomasek, Klamm, Salem, Fagot. Motion carried.

CLAIMS AND BILLS: Claims and Bills in the amount of \$253,138.44 was presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Cook, seconded by Tomasek, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$131,304.19 from the General Fund, \$78,306.78 from LEXUS, \$21,017.69 from City Sanitation, \$15,292.40 from Health Fund, \$7,217.38 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Klamm, Salem, Tomasek, Cook, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
June 25, 2002

Aflac	Employee Premiums	1,023.12
Alamaar Uniform	Uniforms	92.46
All Points Cooperative	Fertilizer	43.10
American Red Cross	Video	9.50
Associated Supply Company	Supplies	29.23
Berntson Oil	Fuel & Oil	2,329.20
C.B.S.A.	Employee Medical Claims	12,612.97
Cash-Wa	Food/Supplies/Concs	2,360.35
Central Garage Fund	Parts/Labor/Oil/Tires	2,949.88
Cindy's Heavenly Cookies	Concessions	120.00
Coca Cola/Dr Pepper of Kearney	Concessions/Pop	797.40

D&M Security	Police Connection	84.00
Dawson County Public Power	Well Power	1,285.18
Demco	Book Supplies	58.13
Dunrite	Supplies	171.08
Dutton-Lainson Co	Supplies	1,075.65
Electric Fixture	Electric Supplies	363.98
Farmer Brothers Coffee	Coffee Filters	47.67
Four Seasons Swimwear	Pool Swim Wear	290.15
Gillette/Nebraska Dairies	Dairy	169.87
Helena Chemical Co	Infield Chemicals	3,004.56
Hernandez, Sarah	Utilities Training Exps	77.50
Hipp Wholesale Foods, Inc	Food & Supplies	926.46
Husker Ag Sales	Parts	164.24
Ingram Library Svc	Library Supplies	147.27
Insurance & Personnel Svc	Employee 125 Acct	624.32
Int. Conference of Bldg. Officials	Annual Membership	85.00
Kapco	Library Supplies	71.13
KN Energy	Gas Svc	17.85
Knapp Electric	Parts	161.00
Lawson Products Inc	Electric Supplies	40.63
League of Nebraska Municipalities	Financial Conf	288.00
Lexington Baseball Commission	Program Donation	1,000.00
Lexington Communications	Radio Repair	25.00
Lexington Newspapers	Publications	640.91
Lexington Public Library	Replenish Petty Cash	13.89
Lexington True Value	Misc Supplies	347.53
Lexington City Payroll Account	Wages	102,135.33
Social Security	Employer Port FICA/Med	7,722.85
First National Bank	Employer Portion Pension	2,575.37
American Funds	Police Pension	1,051.97
ICMA	Pepplitsch Pension	250.38
M & W Salvage	Appliance/Freon Removal	46.00
Mac's Short Stop	Ice	36.68
Mead/Big Valley Lumber	Misc Supplies	293.32
Mid-Am Research Chemical Corp	Chemicals and Solvents	585.08
Mid-Nebraska Printing	Printing and Copies	1,000.74
Municipal Supply	Tank Stand	198.20
NE Dept of HHS Laboratory	Water Tests	766.00
Nebraska Power Review Board	Assessment	799.86
Nelson, Margie	Cleaning	200.00
OMB Supply	Vests	1,074.95
Overton Community Center	Rent	100.00
Patty's Hallmark	Office Supplies	438.02
Paulsen Inc	Concrete	850.61
Pinnacle Agency	Insure 1999 Ford Ranger	79.00
Platte Valley Communications	Radios/Phn Upgrd/Btrs	4,366.64
RedBook	Subscription	15.00
S&W Auto Parts Inc	Central Garage Supplies	702.71
Sav-a-Lot Discount Foods	Food & Supplies	81.34
Schultz, Edna	Reimbursement	15.00
Schwan's Sales Ent	Dairy	24.46
Service Master-Mid Nebraska	Monthly Svc/Admin	48.00
Spring Creek Embroidery Works	Softball Shirts	1,513.00
Subway of Lexington	Dept. Head Meeting	36.77
Sunmart #763/Sixth Street	Grocery	203.36
T & R Electric	Transformer	995.00

T. O. Haas	Tire Repair	58.60
Taste of Home	Cook Book	28.94
Teen	Subscription	12.00
The Wilson Bohannan Company	Keys	272.32
US Filter Distribution Group	Inventory	614.81
Walmart	Misc Supplies	527.94
Wesco Distribution Inc	Electric Supplies	780.92
Allstate Imaging	Cartridges	265.44
Alltel	Wireless Service	103.13
American National Red Cross	Training Materials	489.50
Associated Supply Co	Supplies	39.99
Berke, David	Electric Rebate	825.00
Brockway, Donald	Electric Rebate	700.00
Business & Professional Credit	Collection Fees	153.89
C.B.S.A.	Employee Medical Claims	1,031.99
Card Center	Orscheln Supplies	86.56
Cash Wa Distributing	Food & Supplies/Concs	1,565.47
Charter Communications	Internet Service	114.90
Chief Supply	Fire Dept Uniforms	792.68
Cindy's Heavenly Cookies	Concessions	170.00
Coca Cola/Dr Pepper of Kearney	Concessions	301.60
Credit Bureau of Lexington	Annual Bulletin	150.00
Dan's Sanitation	Sanitation Charges	21,017.69
Dawson Area Development	Industry Appreciation Day	136.00
Don McClain DBA Mac's Repair	Lawn Mowing	489.00
Dutton-Lainson Co	Supplies	41.71
Eakes Office Products	Ribbon	15.87
Fisher Scientific	Chemicals and Gloves	368.32
Gillette	Dairy	60.95
Grolier Publishing	Books	26.25
Hipp Wholesale	Grocery	579.06
Ingram Library Svc	Library Supplies	20.32
Lexington Newspapers	Meeting Notices	33.32
Lexington Public Library	Postage Reimbursement	47.02
Lexington True Value	Misc Supplies	26.39
Lexington, City of	Franchise Fees	28,354.84
Lexus	Utility Billing	22,369.99
Mead Rental Center	Concrete Saw Rental	15.75
Mead/Big Valley Lumber	Misc Supplies	361.85
Mid-Nebraska Food Bank	Grocery	104.26
Mills, Barbara	Conference Expenses	342.53
Misko Sporting Goods	Baseballs	78.47
Municipal Emergency Services	Fire Dept-Demo Set	1,500.00
OCLC Inc	User Charges	369.50
Patty's	Supplies	217.75
Paulsen, Inc	Concrete Saw Rental	1,019.88
Petty Cash Fund	Replenish Petty Cash	60.83
Phillips, Jim Construction	Jackson Street Project	841.00
Platinum Plus for Business	MasterCard:Supplies	1,775.75
Precision PC	Computer Expense	338.00
Price's Tree Service	Stump Removal	225.00
Reams Sprinkler	Toro Head	471.48
Reliable	Supplies	67.43
S & W Auto Parts	Parts	6.99
Schwan's Sales Ent	Concessions	68.37
SkillPath Seminars	Seminar:C Wyman	149.00

SunMart	Grocery and Supplies	59.68
Valentino's	CRA Meeting	29.57
Wal-Mart	Misc Supplies	324.11
Western Section IAEI	Mtg Registration:T Nelson	175.00
Zep	Supplies	109.98
	TOTAL	\$253,138.44

LIQUOR LICENSE:

Mayor Fagot opened the Public Hearing. Christopher H. Luong was present to answer any questions Council may have regarding his application for a Class “D” and Class “M” Liquor License, for Saigon Palace Restaurant, located at 413 N. Washington, Lexington, Nebraska. There being no questions for Mr. Luong, Mayor Fagot closed the Public Hearing. Moved by Klamm, seconded by Salem, to recommend approval of a Class “D” and Class “M” Liquor License, for Saigon Palace Restaurant, located at 413 N. Washington, Lexington, Nebraska. Roll call. Voting “aye” were Tomasek, Cook, Salem, Klamm, Fagot. Motion carried.

REZONING REQUEST:

Mayor Fagot opened the Public Hearing. Reynaldo Ortiz was present to answer any questions Council may have regarding his rezoning request on property located at 311 South Washington, Lexington, NE, from C-3 to R-1. There being no questions for Mr. Ortiz, Mayor Fagot closed the Public Hearing. An Ordinance entitled “AN ORDINANCE TO REZONE THE SOUTH 92 FEET OF LOT 6, TRACT L, IN THE SUBDIVISION OF SECTION 5, TOWNSHIP 9, RANGE 21, FROM C-3, HIGHWAY COMMERCIAL, TO R-1 SINGLE FAMILY RESIDENTIAL DISTRICT; TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was read before the Council. Moved by Klamm, seconded by Tomasek, to suspend the rules requiring the reading of said Ordinance on three separate days. Roll call. Voting “aye” were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

Said Ordinance was read by Title. Moved by Klamm, seconded by Salem, to approve Ordinance No. 2158 on Final Reading. Roll call. Voting “aye” were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

WAIVER OF OBJECTION:

John Wightman, representing Gene and Virginia Hokom, addressed the City Council, requesting their approval of a Waiver of Objection, on property generally described as Lot 21 of Jil-Mar Subdivision, Lexington, Nebraska. Following discussion, moved by Klamm, seconded by Salem, to approve the Waiver of Objection on property owned by Gene and Virginia Hokom, and generally described as Lot 21 of the Jil-Mar Subdivision, Lexington, Nebraska, and authorize execution of said document. Roll call. Voting “aye” were Tomasek, Cook, Salem, Klamm, Fagot. Motion carried.

BOND RESOLUTION:

Jim Fox, representing Ameritas Investment Corporation, addressed the City Council, requesting their approval of a resolution calling the Series 1997 General Obligation Bonds. Following Mr. Fox’s presentation, moved by Klamm, seconded by Cook, to approve Resolution Number 02-11 calling the Series 1997 General Obligation Bonds.

RESOLUTION NO. 02-11

BE IT RESOLVED by the Mayor and City Council of the City of Lexington, Nebraska: for payment on August 1, 2002, after which date interest on the bonds will cease:

Section 1. The following bonds, in accordance with their option provisions are hereby called for payment on August 1, 2002, after which date interest on the bonds will cease:

Various Purpose Bonds, Series 1997, of the City of Lexington, Nebraska, date of original issue – May 15, 1997, in the principal amount of One Million Five Hundred Thirty-five Thousand Dollars (\$1,535,000), numbered as shown on the books of the Paying Agent and Registrar, in denomination of \$5,000 each, becoming due and bearing interest as follows:

<u>Principal Amount</u>	<u>Maturity Date</u>	<u>Interest Rate</u>	<u>CUSIP No.</u>
\$225,000	May 15, 2003	5.10%	529437 DM 4
235,000	May 15, 2004	5.15	529437 DN 2
250,000	May 15, 2005	5.20	529437 DP 7
260,000	May 15, 2006	5.30	529437 DQ 5
275,000	May 15, 2007	5.40	529437 DR 3
290,000	May 15, 2008	5.50	529437 DS 1

Said bonds are hereinafter referred to as the “1997 Refunded Bonds.”

Said bonds are subject to redemption at any time on or after May 15, 2002, at par and accrued interest, and said interest is payable semiannually. Said bonds were authorized by ordinance and were issued for the purpose of paying the costs of street improvements in Street Improvement District Nos. 94-03 and 9602; paying the cost of storm water sewer improvements in Storm Sewer District Nos. 94-04 and 9601; and paying and redeeming \$665,000 of the City’s outstanding Various Purpose Bonds, Date of Original Issue – August 1, 1991.

Section 2. The 1997 Refunded Bonds are to be paid off at the office of the Treasurer of the City of Lexington, Nebraska, as paying agent and registrar.

Section 3. A true copy of this resolution shall be filed immediately with the Treasurer of the City of Lexington, Nebraska, as Paying Agent and Registrar for the 1997 Refunded Bonds, and said Paying Agent and Registrar is hereby instructed to mail notice to each registered owner of said bonds not less than thirty days prior to the date fixed for redemption, all in accordance with the ordinance authorizing the 1997 Refunded Bonds.

John Fagot
Mayor

Shirley Lewis
Deputy City Clerk

BOND ORDINANCE:

Jim Fox, representing Ameritas Investment Corporation, addressed the City Council, requesting their approval of an Ordinance authorizing the issuance of General Obligation Refunding Bonds, Series 2002. Following Mr. Fox's presentation, an Ordinance entitled "AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF LEXINGTON, NEBRASKA, IN THE PRINCIPAL AMOUNT OF ONE MILLION FIVE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$1,525,000) FOR THE PURPOSE OF PAYING AND REDEEMING \$1,535,000 OF THE CITY'S OUTSTANDING VARIOUS PURPOSE BONDS, DATE OF ORIGINAL ISSUE – MAY 15, 1997; DIRECTING THE APPLICATION OF THE PROCEEDS OF SAID BONDS; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM: was read before the Council. Moved by Klamm, seconded by Salem, to suspend the rules requiring the reading of said ordinance on three separate days. Roll call. Voting "aye" were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

Said Ordinance was read by Title. Moved by Klamm, seconded by Tomasek, to approve Ordinance Number 2159 on Final Reading. Roll call. Voting "aye" were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

PUBLIC HEARING:

Mayor Fagot opened the Public Hearing. Pepplichtsch addressed the City Council, stating that the Citizen Advisory Review Committee reviewed the Lexington Economic Development Program, and found everything to be in order. Following Pepplichtsch's report, Mayor Fagot closed the Public Hearing. Moved by Klamm, seconded by Tomasek, to accept the report from the Citizen Advisory Review Committee. Roll call. Voting "aye" were Cook, Salem, Tomasek, Klamm, Fagot. Motion carried.

AGREEMENT:

Pepplichtsch addressed the City Council requesting their approval of a proposal for engineering services from Olsson Associates for the construction of the 15 MVA Electric Substation. Following discussion, moved by Klamm, seconded by Salem, to approve the proposal for engineering services from Olsson Associates for the construction of the 15 MVA Electric Substation, and authorize the Mayor, and/or City Administration to sign the necessary documents. Roll call. Voting "aye" were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

DAD APPOINTMENT:

Mayor Fagot announced that John Wightman currently serves on the Dawson Area Development Board, and his term has expired, therefore, Mayor Fagot would like to nominate John Wightman for reappointment to the Board. Following discussion, moved by Salem, seconded by Klamm, to reappoint John Wightman as a Board Member of the Dawson Area Development. Roll call. Voting "aye" were Tomasek, Cook, Klamm, Salem, Fagot. Motion carried.

FINANCIAL REPORT:

Peplitsch addressed the City Council reviewing the Financial Report for May, 2002. Following discussion, moved by Klamm, seconded by Tomasek, to accept the Financial Report May, 2002. Roll call. Voting "aye" were Salem, Cook, 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