

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, August 13, 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 – SPECIAL MEETING – 7-18-02: Minutes of the Special Meeting that was held Thursday, July 18, 2002 was presented for Council’s consideration and approval. Moved by Klamm, seconded by Tomasek, to approve the Minutes of the Special Meeting held Thursday, July 18, 2002 as presented. Roll call. Voting “aye” were Cook, Salem, Tomasek, Klamm, Fagot. Motion carried.

MINUTES – REGULAR MEETING – 7-23-02: Minutes of the Regular Meeting that was held Tuesday, July 23, 2002 was presented for Council’s consideration and approval. Moved by Salem, seconded by Tomasek, to approve the Minutes of the Regular Meeting held Tuesday, July 23, 2002 as presented. Roll call. Voting “aye” were Klamm, Cook, Tomasek, Salem, Fagot. Motion carried.

MINUTES – SPECIAL MEETING – 7-30-02: Minutes of the Special Meeting that was held Tuesday, July 30, 2002 was presented for Council’s consideration and approval. Moved by Tomasek, Seconded by Klamm, to approve the Minutes of the Special Meeting held Tuesday, July 30, 2002 as presented. Roll call. Voting “aye” were Salem, Cook, Klamm, Tomasek, Fagot. Motion carried.

CLAIMS AND BILLS: Claims and Bills in the amount of \$1,086,397.11 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 \$245,996.54 from the General Fund, \$793,964.59 from LEXUS, \$10,000.00 from City Sanitation, \$8,082.63 from Landfill, \$12,421.61 from Health Fund, \$15,931.74 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
AUGUST 13, 2002 COUNCIL

Alamar	Uniforms	50.49
All Points Cooperative	Fertilizer	23.10
Alltel	Cellular Chgs	53.78
Arnold Pool Co	Rake/Umbrella	191.90
Berntson Oil	Fuel	2,434.29
Best Way Inc	Supplies	232.77
Broadwing Telecommunications	LD Telephone Chgs	309.76
C.B.S.A.	Employee Medical Claims	4,862.42
C.B.S.A.	Premium and Adm Fee	11,826.46
Cash-Wa Distributing	Food/Supplies/Concs	1,931.82
Central Garage Fund	Labor/Parts/Oil	10,103.13
Central Nebraska Public Power	Concrete Removal	1,100.00
Century Laboratories Inc	Supplies	68.57
Champlin Tire Recycling	Tire Disposal	1,300.00
Chesterman Co	Beverages	70.00
Chief Supply	Gear and Supplies:LVFD	4,457.87
Churchich Recreational Design	Park Equipment	1,433.81
Computer Assistance	Services	35.00
Copper, Alfred	Clean up Services	162.00
Culligan Water Conditioning	Water Treatment	153.00
Curtis Industries	Supplies	83.20
Dan's Sanitation	SA Services	12,101.44
Dawson Area Development	Annual Mtg Registration	117.00
Dawson County Clerk	Dispatch Fees	7,215.76
Dawson Co Public Power District	Pwr/Supplies/Constr Aid	158.66
Dawson County Register of Deeds	Filing Fees	50.50
Dawson County Weed Control	Weed/Spray Application	158.08
DBS Manufacturing	Shipping	933.12
Demco	Library Supplies	72.57
Eakes Office Products	Supplies:library	46.72
EDM Equipment Co	Supply	81.32
Egan Supply Co	Cleaning Supplies	28.00
Electric Fixture	Electric Supplies	301.71
Fairbanks International Inc	Repairs/Parts	11.11
Farmer Brothers Coffee	Coffee and Tea	71.57
Fed Ex	Mailing	39.32
Five Points Bank	Copier Pymt	205.12
General Binding Corp	Laminate	84.75
Gengenbach, Kevin	Toilet Facility Rental	540.00
Gillette/Nebraska Dairies	Dairy	218.09
Great Plains One-Call Svc	Locates	79.49
Hipp Wholesale Foods, Inc	Food & Supplies	748.66
Holbein Lawn Service	Contact	305.00
Holmes Plbg & Htg Supply	Lift Pump	501.39
Hometown Leasing	Copier Pymt	544.60
Ingram Library Svc	Library Supplies	79.52
Insurance & Personnel Svc	Employee 125 Acct	2,155.52
Jones Plumbing & Heating	Repairs/Supplies	2,601.52
Kapco	Library Supplies	72.14
Kinder Morgan	Gas	4,684.84
KRVN-FM	Contract Advertising	108.00
League of NE Municipalities/Util	Memberships	9,165.00
Lexington Animal Clinic	Animal Care	580.00
Lex Area Solid Waste Agency	Landfill Exp	870.48
Lexington Health Fund	Self Funding	26,122.50

Lexington Newspapers	Publications	1,584.38
Lexington Postmaster	Postage/GGC	150.00
Lexington Public Library	Petty Cash Replenish	60.77
Lexington Truck & Auto	Seat	75.00
Lexington True Value	Misc Supplies	10.56
Lexington, City of	Monthly & Franchise Fees	23,893.30
Lien Lawn Services	Services	700.00
Linweld	Oxygen Refill	87.03
Munoz, Joe	Electric Rebate	1,325.00
Lexington City Payroll Account	Wages	94,036.34
Social Security	Employer Port-FICA/Med	7,093.97
First National Bank	Employer Portion-Pension	2,607.87
First National Bank	Police Pension	1,013.88
ICMA	Pepplitsch Pension	250.38
Mac's Short Stop	Concessions	6.45
Martin Electric	Parts	100.80
Matt Parrott & Sons Co	Disconnect Notices	499.95
McClain, Don DBA Mac's Repair	Saw Repairs	98.00
Mead/Big Valley Lumber	Misc Supplies	80.61
MTL Way Wayne NE	Conference:Jensen	47.96
Municipal Supply	Sampling Station	1,190.33
NE Dept of Environmental Quality	Cert Renewal	75.00
NE RWA	Municipal Membership	200.00
Nebraska National Bank	Lease Mail System	361.56
Nebraska Public Power District	Power Purchased	615,749.07
Nebraskaland Tire	Repairs	10.00
Nelson, Margie	July Services	500.00
Neopost	Rate Chg/Rental	503.21
Olsson Associates	Engineering	17,398.00
Patty's Hallmark	Office Supplies	351.12
Paulsen Inc	Gravel/Concrete	278.25
Platte Valley Auto Mart	Ford Repairs	137.70
Platte Valley Communications	Repairs and Supplies	248.55
Precision Industries	Supplies	62.60
Qwest	Phone Service	397.95
S&W Auto Parts Inc	Central Garage Supplies	1,022.13
Savalot Discount Foods	Misc Supplies	50.05
Schwan's Sales Ent	Concessions	44.04
Seward, Randall	July Cleaning	300.00
Solomon Corp	Polemout	4,970.00
Southeast Library System	Registration:Library	60.00
Spectrum Entertainment Products	Supplies	35.26
Stobbe Welding	Repairs	332.88
Subway of Lexington	Meetings	55.48
SunMart	Grocery and Supplies	109.54
T.O. Haas Tire Co	Tire Repair	521.78
THK Associates	Feasibility Study Service	662.25
Time	Subscription	61.00
Total Lawn Care	Mow City Lawns	860.00
Tri County Hospital	Mbrs/Drug Screens	232.00
Underwood, James	Carpet Cleaning	92.00
US Royal Construction	Reinstall Clarifier:WWTP	725.00
Usher Pest Control	Pest Control	27.00
Wal-Mart	Misc Supplies	363.10
Wesco Distribution Inc	Electric Supplies	159.75
Willard Weinhold Law Office	Professional Svc	1,875.00

Abingdon Press	Books	49.74
AFLAC	Cancer Insurance	980.52
All Points	Pramitol	218.40
Alltel	Wireless Service	50.78
Bader Insulation	Paint WWTP	85.00
Baird Holm Atty's	Pension Plans	1,400.49
Barco Municipal Products	Signs	138.40
Berntson Oil	Fuel	20.00
Books On Tape, Inc	Books	5.00
Bottom Line/Tomorrow	Subscription	39.00
Business & Professional Credit	Collection Fee	108.07
Cash-Wa Distributing	Food & Supplies	1,764.48
CBSA	Claims	3,311.19
Century Laboratories, Inc	Cleaners	172.21
Charter Communications	Service	114.90
Cindy's Heavenly Cookies	Concessions and Meeting	211.65
Coca Cola/Dr Pepper of Kearney	Concessions	1,330.00
Dawson County Public Power	Traffic Signal & Power	991.61
Eakes Office	Supply	127.74
Egan Supply Co	Supplies	33.50
Electric Fixture	Supplies	36.82
Electronic Systems	Inspection	25.00
Flowers of Joy	Supplies	70.90
Gary's Detail	Car Wash	20.00
Gillette/Nebraska Dairies	Dairy	184.50
HIPP Wholesale	Grocery	1,141.88
Ingram Library Services	Library books	132.73
Insurance & Personnel Services	Employee 125 Acct	987.76
K & k Parts	Batteries	112.20
Kids Discover	Renewal	19.95
Kinder Morgan	Gas Svc	6.00
Knapp Electric	Repair Lift Station	610.65
Kriz-Davis	Supplies	1,898.78
Lexington Newspapers	Notices	418.15
Lexington Public Library	Postage	12.20
Lexington True Value	Cleaners	6.58
Lexington True Value	Credit Memo	-19.46
McBride Vision Clinic	Lens Replaced: Hall	180.00
Mead/Big Valley Lumber	Supplies	106.93
Mr. Automotive	Car Wash	23.41
National League of Cities	Membership	1,177.00
NASC Cottonwood Region	Conference: Luther/Holtz	200.00
Nebraska Dept of Revenue	Sales & Use Tax	37,041.40
Nebraska Truck and Equipment	Tax Increment Financing	3,732.57
Nebraska Waste Handlers	Sludge Removal	3,796.00
Nelson, Tom	NCBO*I Conference	35.00
NT&T	Phone Service	1,143.18
Omnigraphics Inc	Books	37.55
Pace Analytical	Landfill Services	8,082.63
Patty's Hallmark	Supplies & Postage	184.19
Paulsen Inc	Concrete	1,215.98
Lexington City Payroll Account	Wages	97,885.28
Social Security	Employer Port-FICA/Med	7,399.62
First National Bank	Employer Portion-Pension	2,641.37
First National Bank	Police Pension	1,014.86
ICMA	Pepplitsch Pension	250.38

Petty Cash Fund	Replenish Petty Cash	60.74
Platte Valley Communications	Credit Memo	-48.20
Plum Creek Auto Spa	Car Wash	4.50
Price's Tree Svc	Trimming: Cent Pk	475.00
Public Safety Center	Fire Dept Gear	472.56
Reams Sprinkler Supply	Parts	31.68
Recorded Books	Books	93.10
S & W Auto Parts	Parts	9.38
S.A. L.T. Group	Manual	35.00
Safety-Kleen	Oil Analysis	180.00
Sav A Lot Discount	Concessions	65.59
Swan's Sales Ent	Concessions	43.63
Simmerman Electric	Service Calls	3,056.12
SunMart #763	Grocery	62.85
Time	Subscription	61.00
U S News & World Report	Subscription	44.00
Veetronix	Pager Repair	36.12
W P C I	Drug Screening	54.20
Wal Mart	Supplies	281.38
Ward Laboratories	Bacteria Water Analysis	72.00
Wesco Distribution Inc	Inventory and Supplies	2,661.07
	TOTAL CLAIMS	1,086,397.11

ORDINANCE:

Following discussion, an ordinance entitled “AN ORDINANCE TO AMEND SECTION 16-45 OF THE LEXINGTON CITY CODE; TO RESTRICT PARKING ON 13TH STREET AT THE OPTIMIST PARK; TO REPEAL ORIGINAL SECTION 16-45 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 said Ordinance on second reading. Roll call. Voting “aye” were Salem, Tomasek, Klamm, Fagot. Voting “nay” was Cook. Motion carried.

14th STREET PAVING PROJECT:

Dana Daniels, representing Miller and Associates, addressed the City Council, requesting their acceptance of a bid in the amount of \$24,619.20 and award the contract to Paulsen, Inc., of Cozad, Nebraska, for the 14th Street Paving Improvement Project. Following Mr. Daniels presentation, moved by Klamm, seconded by Salem, to accept the bid of \$24,619.20, and award the contract to Paulsen, Inc., of Cozad, Nebraska, for the 14th Street Paving Improvement Project. Roll call. Voting “aye” were Tomasek, Cook, Salem, Klamm, Fagot. Motion carried.

34.5 KV EAST FEEDER REBUILD:

Mr. Ken Fairchild, representing Olsson Associates, addressed the City Council, requesting their approval of the plans and specifications for the 34.5 KV East Feeder Rebuild. Following Mr. Fairchild’s presentation, moved by Klamm, seconded by Tomasek, to approve the Plans and Specifications for the 34.5 KV East Feeder Rebuild, and authorize the advertising of bids. Roll call. Voting “aye” were Cook, Salem, Tomasek, Klamm, Fagot. Motion carried.

**15 MVA SUBSTATION
ADDITION:**

Mr. Ken Fairchild, representing Olsson Associates, addressed the City Council, requesting their approval of the 15 MVA Substation Addition Plans. Following Mr. Fairchild's presentation, moved by Klamm, seconded by Salem, to approve the Plans for the 15 MVA Substation Addition, and continue with the process as laid out. Roll call. Voting "aye" were Tomasek, Cook, Salem, Klamm, Fagot. Motion carried.

WAIVER OF OBJECTION:

John Wightman, representing Dan and Marilyn Sabin, addressed the City Council, requesting their approval of a Waiver of Objection for Mr. and Mrs. Sabin, who wish to transfer title of a tract of land to their daughter, Sheila Adams, and her husband Knox Adams. Following discussion, moved by Klamm, seconded by Salem, to approve the Waiver of Objection for Dan and Marilyn Sabin, and authorize the Mayor to execute said document. Roll call. Voting "aye" were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

EASEMENT:

Wes Lubberstedt, representing Mr. Harold Green, addressed the City Council, requesting their approval of an Easement on City owned property, lots 3, 4, and 5 of Cattlemen's Addition. Following Mr. Lubberstedt's presentation, moved by Klamm, seconded by Salem, to approve the Easement on City owned property, lots 3, 4, and 5 of Cattlemen's Addition. Roll call. Voting "aye" were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

RESOLUTION:

Pepplichtsch addressed the City Council requesting their approval of a Resolution accepting the 2002 Edition of the National Electric Code, with the exception that Section 210.12 relating to Arc-Fault Equipment is deleted. Following discussion, moved by Klamm, seconded by Tomasek, to approve Resolution Number 02-15, accepting the 2002 Edition of the National Electric Code, with the exception that Section 210.12 relating to Arc-Fault Equipment is deleted. Roll call. Voting "aye" were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

RESOLUTION NO. 02-15

WHEREAS, Lexington City Code Section 6-23, authorizes the City Council to approve by Resolution subsequent editions of electrical codes.

BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, that the 2002 Edition of the National Electric Code is hereby adopted, with the exception that Section 210.12 relating to Arc-Fault equipment is deleted.

That the building code herein adopted shall take effect upon the adoption of this Resolution and the filing of one copy with the City Clerk.

PASSED AND APPROVED this 13th day of August, 2002.

CITY OF LEXINGTON, NEBRASKA

John Fagot, President of the Council

ATTEST:

Shirley Lewis, Deputy City Clerk

**TWO-MILE ZONING
JURISDICTION:**

Mayor Fagot addressed the City Council requesting their input on future plans within the two-mile zoning jurisdiction. Discussion was held regarding concerns of having residential lots that are less than the 10-acre minimum requirement in Agricultural Zones. Following discussion, City Manager Peplitsch was directed to obtain information from other areas to see what is done elsewhere, and bring it back to the Council.

EXECUTIVE SESSION:

Moved by Salem, seconded by Klamm, to enter into Executive Session from Regular Session at 8:08 p.m. to discuss purchase of land. Roll call. Voting "aye" were Tomasek, Cook, Klamm, Salem, Fagot. Motion carried.

Moved by Cook, seconded by Salem, to reconvene Regular Session from Executive Session at 8:35 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

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