

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, October 14, 2003 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. Department Heads present were Deb Jensen 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 – 9-23-03: Minutes of the Regular Meeting that was held Tuesday, September 23, 2003 was presented for Council’s consideration and approval. Moved by Salem, seconded by Klamm, to approve the Minutes of the Regular Meeting held September 23, 2003 as presented. Roll call. Voting “aye” were Cook, Tomasek, Klamm, Salem, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,314,704.98 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Klamm, seconded by Tomasek, to approve the Claims and Bills as listed and authorize the City Treasurer to transfer \$200,733.51 from the General Fund, \$25,371.74 from Housing Reuse, \$829,277.01 from LEXUS, \$10,000.00 from Sanitation, \$1,600.07 from Landfill, \$211,532.32 from Library Building Fund, \$24,342.91 from Health Fund, \$10,847.42 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Salem, Cook, Tomasek Klamm, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
October 14, 2003

Alamar Uniform Co.	Police Supplies	124.98
All Points Coop	Park Supplies	295.55
Alltel	Cell Phone Service	146.48
Amazon.com	Library Supplies	35.67
Ampride	Meeting Expense	55.60
Arrow Seeds	Lawn Supplies	300.00
Barmore's	Office Supplies	107.36
Beran, Todd dba TB Lawn Services	Lawn Service	333.80
Berntson Oil	Fuel/Diesel	2,967.35
Spring Creek Embroidery	Street Supplies	10.00
Broadwing Telecommunications Inc.	Phone Service	131.34
Cadwell Construction	OOR Program	10,909.00

Card Center-Orscheln	Misc Supplies	10.69
Cash-Wa Distributing	Food & Supplies	235.17
CBSA	Claims	22,247.37
CBSA	Premiums	13,590.87
Central Community College	Training/Conference	458.00
Central Garage Fund	Labor/Parts/Oil	6,710.15
Ciaccio Dennell Group	Schematic Design	1,800.00
Cindy's Heavenly Cookies	Meeting Expense	19.70
Cook, Ted	Reimb/Meeting Expenses	276.22
Culligan Water Conditioning	Water Service	147.18
Dan's Sanitation	Sanitation Service	10,769.64
Dawson Area Development	Membership	10,000.00
Dawson County Clerk	Dispatch Fee	7,465.94
Dawson County Public Power	Electrical Service	2,739.12
Dawson Pest Control	Pest Services	27.00
Demco	Library Supplies	169.39
Diamond Vogel Paint	Recreation Supplies	343.27
Doran Post & Associates	Notary Renewal	60.00
Eakes Office Products	Office Supplies	84.43
Eiler's Machine & Welding	Sewer Supplies	3,617.10
Electric Fixture	Elec & Parks Supplies	215.39
Elwood Schools	Transportation	108.00
Eustis Body Shop	Parts	68.00
Fagot Refrigeration & Electric	Repair Services	738.93
Farmer Brothers Coffee	Coffee Supplies	95.34
Fifth Street Automotive	Vehicle Repair	158.59
Fox Bros. Hay Co. Inc.	Grinding Services	1,800.00
Fransyl Equipment Co.	Elec Inspection Services	2,595.32
Gary's Detail Shop	Car Wash	30.00
Gempler's Inc.	Street Supplies	89.85
Gillette Dairy	Dairy	419.07
Great Plains One-Call Service	Diggers Hotline Service	135.66
Halmes, Ellen	Reimb/Meeting Expenses	42.86
Hank's Plumbing	Plumbing Services	323.50
Harker's	Food & Supplies	1,088.28
Haines, Dick	Wax	56.00
Hipp Wholesale Foods, Inc.	Food & Supplies	1,082.28
Hobart	Dishwasher Repair	638.01
Hometown Leasing	Copier Payment	544.60
Husker Ag Sales	Parts/Supplies	639.65
Ideals Publications, Inc.	Library Supplies	19.95
Ingram Library Services	Library Supplies	631.65
Jeffery Contracting	OOR Program	4,676.85
JMS Millwright & Repair	Crane Services	180.00
Jones Plumbing & Heating	Supplies/Services	1,093.29
Joyce, Theresa	Utility Refund	197.54
K.R.V.N.	Advertisement	86.13
Kayton Electric	Underground Line Maint	23,700.00
Kinder Morgan	Gas Service	1,161.53
Kriz-Davis Company	Electrical Supplies	2,729.38
Lab Safety Supply	Non-Dept Supplies	63.33
Lakota	Meeting Expense	23.50
Lexington Animal Clinic	Animal Services	695.65
Lexington Area Solid Waste Agency	Waste Services	1,317.96
Lexington Boy Scout Troop #88	Aluminum Recycling	52.50
Lexington Foundation	Library Building Fund	211,532.32

Lexington Girl Scout Troop #212	Aluminum Recycling	52.50
Lexington Health Fund	Self-Funding	27,447.00
Lexington Newspapers, Inc.	Publications	155.38
Lexington Optimists	Membership	170.00
Lexington Postmaster	Postage/GGC	150.00
Lexington Public Library	Petty Cash Fund	113.60
Lexington, City of	Franchise Fees	23,798.70
Lien Lawn Service	Lawn Service	875.00
Linweld	Oxygen/Supplies	99.00
Lundeen-Isaacson Inc.	Fire Pak Policy	6,924.00
Payroll	Wages	81,098.93
Lexington City Payroll Account	Employer Port/FICA Med	6,093.67
Social Security	Employer Portion/Pension	2,841.05
First National Bank	Police Pension	1,066.79
First National Bank	Peplitsch Pension	224.00
Masonry Structures Inc.	Utility Refund	24.89
Matt Parrott & Sons Co.	Office Supplies	200.76
Mead/Big Valley Lumber	Misc Supplies	122.70
Michael Todd & Co. Inc.	Fire Dept Supplies	467.91
Mid-Nebraska Printing	Office Supplies	327.11
Mid-States Units	Toilet Rental	660.00
Milco Environmental Services, Inc.	WWTP Site Closure/Wtr	
	Sample/Drum Disposal	3,753.87
Miller & Associates	Retainer/Industrial Tract	
	Paving/Water	72,300.00
Moore Medical Corp	Fire Dept Supplies	693.50
Morton, Allyn	OOR Program	5,799.03
Municipal Supply	Water Supplies	1,639.50
Murphy Tractor & Equipment	Central Garage Supplies	1,468.83
National Waterworks	Water Supplies	2,677.31
NCIP Fund	Conference/Seminar	33.00
Nebraska Dept of Motor Vehicles	License Renewal	3.75
Nebraska Law Enforcement	Lodging/Training	110.00
Nebraska Life	Library Supplies	19.00
Nebraska National Bank	Lease Payment	361.56
Nebraska Public Power District	Ethernet/Thermovision/	
	Power Purchase	570,809.09
Nebraska Secretary of State	Notary Services	60.00
Nebraska Tech & Telecomm, Inc.	Phone Service	1,400.67
Nebraska Truck & Equipment Co.	Tax Increment Financing	2,042.15
Nebraska Waste Handlers	Sludge Removal	3,285.00
Nebraskaland Tire	Tire Repair	22.00
Nelson, Margie	Cleaning Services	500.00
Overton Sand & Gravel	Sand/Gravel	1,140.00
Patty's Hallmark	Office Supplies	180.10
Paulsen's Inc.	Concrete	185.74
People Weekly	Library Supplies	108.68
Platte Valley Communications	Maintenance/Radio	
	Repair/Supplies	683.54
Plum Creek Cleaners	Dry Cleaning Services	138.00
Plum Creek Promotions	Plng & Inspec Supplies	97.50
Quill Corporation	Office Supplies	141.39
Qwest	Phone Service	255.23
Reams Sprinkler Supply Co.	Park Supplies	902.93
Recorded Books	Library Supplies	285.60
S&W Auto Parts	Misc Supplies	231.31

Sav-A-Lot	Food Supplies	34.02
Seward, Randell	Cleaning Services	400.00
Smets, Brent	Reimbursement/Glasses	237.00
Spectrum Products, LLC	Aquatic Supplies	206.51
Sunmart	Food Supplies	89.96
T&R Electric	Electrical Supplies	4,095.00
T.O. Haas Tire Co	Tire Repair	18.50
TASC	125 Plan	152.00
Taste of Home	Library Supplies	29.98
Third Party Environmental	Asbestos Inspection	380.00
Total Lawn Care	Lawn Service	1,250.00
Tri-City Tribune	Publications	192.00
Tri-County Hospital	Wellness Program	220.00
Utility Equipment	Water Supplies	482.11
Viking Office Products	Library Supplies	45.41
Wal-Mart	Misc Supplies	603.20
Wesco Distribution, Inc.	Electrical Supplies	743.22
Willard Weinhold Law Office	Lawyer Services	1,448.00
Yung Construction	OOR Program	3,986.86
American Library Association	Library Supplies	67.50
Araujo, Phillip Jr.	Electrical Rebate	425.00
Berntson Oil	Diesel	36.50
Brown, Harold	Electrical Rebate	1,025.00
Cash-Wa Distributing	Food Supplies	391.64
CBSA	Claims	2,943.54
Dawson County Clerk	Dispatch Fee/Credit	-1,105.78
Dawson County Road Department	Street & Sign Markings	86.00
Dutton-Lainson Company	Electrical Supplies	96.74
Eakes Office Supplies	Copier Payment	152.44
Fagot Refrigeration & Electric	Sewer Supplies	69.85
Fastenal	Sewer Supplies	206.03
Flores, Hilma	Electrical Rebate	125.00
Flynn, Jeff	Conference/Training	45.00
Follett Software	Library Supplies	480.00
Gall's Inc.	Police Supplies	59.64
Gengenbach, Kevin dba Johnny on the Spot	Toilet Rental	200.00
Gillette Dairy	Dairy	51.29
Keim, Bob	Remove Freon	300.00
Kinder Morgan	Gas Service	6.00
Kriz-Davis Company	Electrical Supplies	1,523.95
Lexington Newspaper, Inc.	Publications	235.77
Mac's Short Stop	Food Supplies	20.72
Mead Rental Center	Rental Supplies	104.16
Midlands Contracting	Sewer Line Repair	3,341.00
Miller & Associates	WWTP/ Phase 1	43,906.95
Nebraska Dept of Revenue	Sales Tax	37,155.28
Nebraska Truck & Equipment	Truck Repair	725.27
Patty's Hallmark	Rental Supplies	474.00
Petty Cash Fund	Petty Cash	48.95
Poirier, Dale Paul	Utility Refund	44.42
Racek, Lois	Electrical Rebate	300.00
Resource Management	Scrap Tire Recycling	23,296.02
Schroeder, Rodney	Electrical Rebate	900.00
Siaz, Carlos	Electrical Rebate	1,025.00
St. John, Paul	Electrical Rebate	1,025.00
Sunmart	Food Supplies	8.38

Wal-Mart	Film Developing	4.56
Wesco Distribution, Inc.	Electrical Supplies	829.84
	TOTAL:	1,314,704.98

PUBLIC HEARING: Peplitsch requested that Council table the Public Hearing and Resolution until the October 28, 2003 City Council Meeting. Moved by Klamm, seconded by Salem, to extend the Public Hearing to consider Redevelopment Plan and Redevelopment Contract for Redevelopment Area #3, and table the Resolution accepting the Redevelopment Plan for Redevelopment Area #3, until the October 28, 2003 City Council Meeting. Roll call. Voting “aye” were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

PAY REQUEST: Dana Daniels, representing Miller and Associates, requested Council’s approval of Pay Request No. 2, for the Industrial Park Watermain Extension Project. Following discussion, moved by Klamm, seconded by Tomasek, to approve Pay Request No. 2, for the Industrial Park Watermain Extension Project, to BSB Construction, Inc., in the amount of \$63,973.57. Roll call. Voting “aye” were Cook, Salem, Tomasek, Klamm, Fagot. Motion carried.

PAY REQUEST: Peplitsch requested Council’s approval of Pay Request No. 2, for the 15 MVA Substation Addition Project. Following discussion, moved by Tomasek, seconded by Klamm, to approve Pay Request No. 2, for the 15 MVA Substation Addition Project, to Kayton Electric Inc., in the amount of \$65,340.00. Roll call. Voting “aye” were Salem, Cook, Klamm, Tomasek, Fagot. Motion carried.

PAY REQUEST: Peplitsch requested Council’s approval of Pay Request No. 2, for Phase I of the WWTP Improvement Project. Following discussion, moved by Klamm, seconded by Salem, to approve Pay Request No. 2, for Phase I of the WWTP Improvement Project, to Eriksen Construction Co., Inc., in the amount of \$266,700.60. Roll call. Voting “aye” were Tomasek, Cook, Salem, Klamm, Fagot. Motion carried.

CHANGE ORDER: Peplitsch requested Council’s approval of Change Order No. 1 for Adams Street Viaduct Project. Following discussion, moved by Klamm, seconded by Tomasek, to approve Change Order No. 1 for the Adams Street Viaduct Project No. STPN-TMT-6555(1), to Paulsen, Inc., in the amount of \$9,483.50. Roll call. Voting “aye” were Cook, Salem, Tomasek, Klamm, Fagot. Motion carried.

PAY REQUEST: Peplitsch requested Council’s approval of Pay Request No. 4 for the Adams Street Viaduct Project. Following discussion, moved by Tomasek, seconded by Salem, to approve Pay Request No. 4 for the Adams Street Viaduct Project, to Paulsen, Inc., in the amount of \$65,725.11. Roll call. Voting “aye” were Klamm, Cook, Salem, Tomasek, Fagot. Motion carried.

BILLBOARD ORDINANCE: Peplitsch requested Council’s approval of an Ordinance regulating Billboards in the City of Lexington’s Zoning Jurisdiction. Following discussion, an Ordinance entitled “AN ORDINANCE TO PROVIDE REGULATION OF BILLBOARDS; TO AMEND SECTION 28-30.9

OF THE LEXINGTON CITY CODE; TO REPEAL ORIGINAL SECTION 28-30.9 AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO DECLARE AN EMERGENCY AND PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was read before 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 Cook, Salem, Tomasek, Klamm, Fagot. Motion carried.

Said Ordinance was read by title. Moved by Klamm, seconded by Salem, to approve Ordinance No. 2175 on Final Reading. Roll call. Voting “aye” were Tomasek, Cook, Salem, Klamm, Fagot. Motion carried.

**MAIN STREET DISTRICT
LIGHTING:**

Peplitsch requested Council’s approval of a Resolution approving the Agreement with the State Department of Roads, to install historical lighting in the Lexington Main Street District. Following discussion, Resolution was read. Moved by Klamm, seconded by Salem, to approve Resolution No. 03-19. Roll call. Voting “aye” were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

RESOLUTION NO. 03-19

WHEREAS, the City of Lexington wishes to enter into an agreement with the State of Nebraska Department of Roads to install historical lighting in the Lexington Main Street District, with funds made available through STP Enhancement Program funds, and

WHEREAS, the Federal share payable shall be a maximum of fifty-four (54%) percent of the eligible costs thereof, up to a maximum payment from federal funds of \$30,000.00, and

WHEREAS, the City of Lexington shall be responsible for approximately \$25,610.00, which is estimated by the City to be the City’s forty-six (46%) percent matching share of eligible project costs, and

WHEREAS, the City of Lexington has agreed to place in its fiscal budget said amount,

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, that the City enter into an agreement with the State of Nebraska Department of Roads for the installation of historical lighting in the Lexington Main Street District; that this project be constructed under the designation of Project Number STPB 24(35), State Control No. 61353, and that the terms and conditions as contained in the Agreement with the Nebraska Department of Roads are hereby approved and that the Mayor is hereby authorized to execute said Agreement.

PASSED AND APPROVED THIS 14th day of October, 2003.

Signed:

John Fagot, Mayor, City of Lexington

Attest:

Joe Peplitsch, City
Manager/Clerk, City of
Lexington

**HOUSING REHAB
PROGRAM:**

Peplitsch requested Council's approval to request a time extension for CDBG #01-H0-303 Housing Rehab Program. Following discussion, moved by Klamm, seconded by Tomasek, to request a 120-day extension period, from December 5, 2003 until April 5, 2004, from the State of Nebraska for the CDBG #01-H0-303 Housing Rehab Program. Roll call. Voting "aye" were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

MEETING DATE:

Councilman Ted Cook requested a date be set for Council to receive a presentation on the recommendations from the Library Steering Committee. Moved by Cook, seconded by Salem, to set October 21, 2003 at 7:30 p.m. as the date and time for a Special City Council Meeting, to receive a presentation on the recommendations from the Library Steering Committee. 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