

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, December 9, 2003 at the Lexington Municipal Building, located at 406 E. 7<sup>th</sup> Street, Lexington, Nebraska at 7:30 p.m. Members of the Council present were Mayor John Fagot, Ted Cook, John Salem, Steve Tomasek. Councilman Rick Klamm was excused. City Officials present were City Manager Joe Peplitsch, City Attorney Willard Weinhold, Deputy City Clerk Shirley Lewis. Department Heads present were 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 – 11-25-03:** Minutes of the Regular Meeting that was scheduled for Tuesday, November 25, 2003, was presented for Council’s consideration and approval. Moved by Salem, seconded by Tomasek, to approve the Minutes of the Regular Meeting held November 25, 2003 as presented. Roll call. Voting “aye” were Cook, Tomasek, Salem, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$916,353.01 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Tomasek, to approve the Claims and Bills as listed, with the exception of the Jones Plumbing bill in the amount of \$20,386.72, which was removed, and will be brought back at a future meeting, and authorize the City Treasurer to transfer \$304,933.17 from the General Fund, \$3,189.07 from Housing Reuse, \$582,919.88 from LEXUS, \$10,000.00 from City Sanitation, \$119.73 from Library Memorial, \$6,667.73 from Health Fund, \$8,523.43 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Cook, Tomasek, Salem, Fagot. Motion carried.

CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
December 9, 2003

Accu Cut	Library Supplies	153.75
Aflac	125 Plan	1,052.16
Alamar Uniform, Co.	Library Supplies	229.98
Alltel	Phone Service	152.08
Barmore Drug Store, Inc.	Office Supplies	199.99
Berntson Oil	Fuel/Diesel	30.40
Brown, Harold	Tool Allotment	50.00
Brummet, Elberta	Reimb Workshop Expense	47.16
Business Ofc Systems of Nebraska	Office Supplies	82.88

Card Center-Orscheln	Misc Supplies	359.00
Case Credit Advantage	Central Garage Supplies	28.63
Cash-Wa Distributing	Food & Supplies	825.68
CBSA	Emp Claims/Premiums	16,954.77
Central Garage Fund	Labor/Parts/Oil	10,283.71
Charter Communications	Internet Services	350.10
Culligan Water Conditioning	Water Service	195.33
Dan's Sanitation	Sanitation Service	10,667.44
Dawson County Clerk	Dispatch Fee	6,360.16
Dawson County Public Power	Electrical Supplies	286.85
Dawson County Register of Deeds	Filing Fees	45.00
Dawson County Treasurer	Property/Drainage Tax	351.64
Dawson Pest Control	Pest Services	27.00
Depository Trust, Co.	2001 GO Bond Payment	176,460.00
Eakes Office Products	Office Supplies	22.96
Editorial Televisa	Library Supplies	22.50
Eilers Machine & Welding	Materials/Labor	19.44
Electric Fixture	Electrical Supplies	56.19
Fagot Refrigeration & Electric	Electrical Services/Repair	2,312.07
Fastenal	Sewer Supplies	14.52
Fisher Scientific	Sewer Supplies	317.11
Gillette Dairy	Dairy	82.74
Governing	Library Supplies	16.00
Great Plains One-Call Service	Diggers Hotline	45.83
Harker's	Food & Supplies	337.34
Hinds Electric	OOR, Construction	1,170.69
Hometown Leasing	Copier Pmts (Admin/Libr)	697.04
Ingram Library Services	Library Supplies	655.50
Jones Plumbing	WWTP/Water Supplies	139.22
Lexington Animal Clinic	Animal Services	747.30
Lex Area Solid Waste Agency	Sanitation Svc/Scale House	2,338.74
Lexington Health Fund	Self-Funding	27,189.50
Lexington Newspapers, Inc.	Publications	231.87
Lexington Postmaster	Postage	150.00
Lexington Public Library	Petty Cash Fund	51.20
Lexington Truck & Auto	Central Garage Supplies	90.00
Lexington True Value	Winter Supplies	34.21
Lexington, City of	Gift Cert/Emp Apprec	1,200.00
Lexington, City of	Monthly Franchise Fees	23,851.79
LexisNexis, Matthew Bender	Publications	45.16
Linweld	Oxygen	47.60
Luther, Ann	Reimb/Meeting Expense	186.66
Lexington City Payroll Account	Wages	82,347.98
Social Security	Employer Port/FICA Med	6,192.23
First National Bank	Employer Portion/Pension	2,763.58
First National Bank	Police Pension	1,159.73
ICMA	City Manager Pension	224.00
Mead/Big Valley Lumber	Misc Supplies	29.61
Mid-Nebraska Printing	Office Supplies	337.55
Milco Environmental Services, Inc.	2003 Tire Grant	476.00
Miller & Associates	Industrial Park Watermain & Paving	11,049.14
Morton, Allyn	OOR/Construction	1,170.66
Mr. Automotive	Central Garage Supplies	32.67
NE Dept. of HHS Laboratory	Analysis	220.00
NE Economic Developers Assoc	Dues	100.00

Nebraska National Bank	Lease Payment	361.56
Nebraska Public Power District	Power Service	416,807.02
Nebraska Waste Handlers	Sludge Removal	2,920.00
Nelson, Margie	Cleaning Service	500.00
Olsson Associates	15mVA Substn/Adams	
	Elect Relocate	3,570.16
Omnigraphics, Inc.	Library Supplies	37.55
Patty's Hallmark	Office Supplies	170.04
Peak Interest	Meeting Expense	22.99
Pinnacle Agency, The	Fidelity Bond	50.00
Platte Valley Auto Mart	Central Garage Supplies	79.58
Platte Valley Communications	Radio Sale/Maint/Repair	800.21
Plum Creek Cleaners	Dry Cleaning Services	144.00
Qwest	Payphone Service	61.69
Recorded Books	Library Supplies	201.60
Resource Management, Co. Inc.	Tire Disposal	60.55
S&W Auto Part, Inc.	Central Garage Supplies	2,028.04
Seward, Randell	Cleaning Service	400.00
Specialty Store Services, Inc.	Library Supplies	38.68
Sports Illustrated	Library Supplies	83.44
SunMart	Food & Supplies	21.83
T.O. Haas	Tire Purchase & Repair	205.18
Tri-County Hospital	Wellness Program	231.00
U.S. News & World Report	Library Supplies	34.97
Jelco Carpet Cleaning	Carpet Cleaning	385.00
Wal-Mart	Misc Supplies	270.61
Wesco Distribution, Inc.	Electrical Supplies	8,648.28
Willard Weinhold Law Office	Lawyer Services	1,282.50
Yung Construction	OOR/Construction	847.72
Berntson Oil	Fuel/Diesel	13.03
Brand, Dean	Electrical Rebate	1,125.00
Card Center-Orscheln	Electrical Supplies	14.52
Cash-Wa Distributing	Food & Supplies	485.45
CBSA	Claims	2,121.81
Chesterman Co.	Beverages	55.80
Dawson County Public Power	Electrical Service	4,433.57
Fagot Refrigeration & Electric	Well #13 Repair/Lift	
	Station Repair	914.95
Farmer Brothers Coffee	Coffee Supplies	148.64
Flowers of Joy	Misc Office Supplies	47.50
Gillette Dairy	Food & Supplies	233.57
Hach Company	Testing Supplies	350.45
Hansen, Anthony	Electrical Rebate	1,400.00
Hipp Wholesales Foods, Inc.	Food & Supplies	806.42
Jim Phillips Construction	Street Repair Water	
	Main Break	472.00
Jones Plumbing & Heating	Buffalo Bend/Assembly	
	of God Water Improv	20,386.72
Kinder Morgan	Gas Service	3,741.32
Lexington Glass Co.	Door Replacement	295.00
Lexington Newspaper, Inc.	Publications	225.36
Lexington Public Schools	Education/Training	68.00
Miller & Associates	Buffalo Bend/Assembly	
	of God Water Improv	3,810.00
National Waterworks	Water Supplies	176.66
Nebraska Dept of Revenue	Sales/Use Tax	30,245.07

Nebraska Truck & Equipment Co.	Truck Repair	1,485.42
NT&T	Phone Service	1,338.68
Osborne, Cyndi	Reimb Ofc Supplies	17.15
Petty Cash Fund	Petty Cash	44.43
Platte Valley Auto Mart	Truck Repair	145.13
Platte Valley Communications	Equipment Replacement	2,352.02
Precision Industries	Sewer Supplies	73.40
Schroeder, Rodney	Electrical Rebate	900.00
Summit Supply Corporation	Park Supplies	2,687.00
Tri-County Hospital	Fire Dept Supplies	907.28
Wal-Mart	Misc Supplies	48.43
Wesco Distribution	Electrical Supplies	1,023.99
WPCI	Random Pool Mgt/Policy Update	125.00
Jones Plumbing & Heating (not approved)	Buffalo Bend/Assembly of God Water Improv	-20,386.72
	<b>TOTAL</b>	<b>895,966.29</b>

**COOPERATIVE AGREEMENT:**

Peplitsch requested Council's approval of a Cooperative Agreement with Dawson County for street maintenance and traffic control. Following discussion, moved by Tomasek, seconded by Salem, to approve the Cooperative Agreement with Dawson County for street maintenance and traffic control. Roll call. Voting "aye" were Cook, Salem, Tomasek, Fagot. Motion carried.

**STREET NAME:**

Peplitsch requested Council's approval of an Ordinance naming the new street in the Lexington Industrial Addition. Following discussion, and Ordinance entitled "AN ORDINANCE TO AMEND SECTION 24-7 OF THE LEXINGTON CITY CODE; TO NAME THE STREET IN LEXINGTON INDUSTRIAL ADDITION; TO REPEAL ORIGINAL SECTION 24-7 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 Council. Moved by Salem, seconded by Tomasek, to suspend the rules requiring reading of said Ordinance on three separate days. Roll call. Voting "aye" were Cook, Tomasek, Salem, Fagot. Motion carried.

Said Ordinance was read by title. Moved by Salem, seconded by Tomasek, to approve Ordinance No. 2177 on Final Reading. Roll call. Voting "aye" were Cook, Tomasek, Salem, Fagot. Motion carried.

**SPEED LIMIT:**

Peplitsch requested Council's approval of an Ordinance providing the Speed Limit on East Industry Drive, in the Lexington Industrial Addition. Following discussion, an Ordinance entitled "AN ORDINANCE TO AMEND SECTION 16-41 OF THE LEXINGTON CITY CODE; TO PROVIDE FOR SPEED LIMITS ON "EAST INDUSTRY DRIVE"; TO REPEAL ORIGINAL SECTION 16-41, 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 Council. Moved by Salem, seconded by Tomasek, to suspend the rules requiring the reading of

said Ordinance on three separate days. Roll call. Voting "aye" were Cook, Tomasek, Salem, Fagot. Motion carried.

Said Ordinance was read by title. Moved by Tomasek, seconded by Salem, to approve Ordinance No. 2178 on Final Reading. Roll call. Voting "aye" were Cook, Salem, Tomasek, Fagot. Motion carried.

**TRAFFIC CONTROL:**

Peplitsch requested Council's approval of a Resolution to install traffic control at the intersection of East Walnut Street and East Industry Drive in the Lexington Industrial Addition. Following discussion, moved by Salem, seconded by Tomasek, to approve Resolution No. 03-21. Roll call. Voting "aye" were Cook, Tomasek, Salem, Fagot. Motion carried.

RESOLUTION NO. 03-21

Whereas, Code Section 16-14 gives the City Council authority to revise the location of stop signs by Resolution.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA AS FOLLOWS:

That the Lexington City Manager is hereby authorized and directed to install stop signs at the intersection of Walnut Street and East Industry Drive, requiring north-bound traffic to stop at that intersection.

Passed and approved December 9, 2003.

CITY OF LEXINGTON, NEBRASKA

John Fagot, Mayor

ATTEST:

Shirley Lewis, Deputy City Clerk

**PAY REQUEST:**

Peplitsch requested Council's approval of Pay Request No. 3 for the Industrial Park Watermain Extension. Following discussion, moved by Salem, seconded by Tomasek, to approve Pay Request No. 3 for the Industrial Park Watermain Extension Project, to BSB Construction Inc., in the amount of \$25,616.29. Roll call. Voting "aye" were Cook, Tomasek, Salem, Fagot. Motion carried.

**PAY REQUEST:**

Peplitsch requested Council's approval of Pay Request No. 8 for the Adams Street Viaduct Project. Following discussion, moved by Tomasek, seconded by Salem, to approve Pay Request No. 8 for the Adams Street Viaduct Project, in the amount of \$628,077.68. Roll call. Voting "aye" were Cook, Salem, Tomasek, Fagot. Motion carried.

**PAY REQUEST:**

Peplitsch requested Council's approval of Pay Request No. 4 for the 15 MVA Substation Addition. Following discussion, moved by Salem, seconded by Tomasek, to approve Pay Request No. 4 for the 15 MVA Substation Addition, to Kayton Electric Inc., in the amount of \$62,955.00. Roll call. Voting "aye" were Cook, Tomasek, Salem, Fagot. Motion carried.

**PUBLIC HEARING:**

Mayor Fagot opened the Public Hearing. On behalf of the Citizens Advisory Review Committee, Peplitsch gave a Report on the Lexington Economic Development Program. Following Peplitsch's presentation, Mayor Fagot closed the Public Hearing. Moved by Salem, seconded by Tomasek, to accept the Report from the Citizens Advisory Review Committee on the Lexington Economic Development Program. Roll call. Voting "aye" were Cook, Tomasek, Salem, Fagot. Motion carried.

**APPOINTMENTS:**

Mayor Fagot requested Council's approval of Appointments to the following Lexington Boards and Commissions:

- City Attorney – Willard Weinhold
- City Clerk – Joe Peplitsch
- City Engineer – Miller and Associates
- Community Redevelopment Authority – Steve Smith
- Board of Health – John Fagot, Mayor
  - Joe Peplitsch, City Manager
  - Charles Clark, Chief of Police
  - Dr. Acosta-Carlson – City Physician
  - Thomas R. Nelson – Environmental Health Officer
- Housing Authority – Dick Helvey
- Tree Board – Barb Gydesen

Following discussion, moved by Cook, seconded by Tomasek, to accept the Mayor's nominations to the Lexington's Boards and Commissions, with the nominations for the Board of Adjustment, Library Board, and Planning Commission to be held at the next Regular City Council Meeting. Roll call. Voting "aye" were Salem, Tomasek, Cook, Fagot. Motion carried.

**PROGRESS REPORT:**

Peplitsch made a Power Point Presentation to City Council on the progress of the Adams Street Viaduct Project. Assisting him was City Employee Bill Brecks.

**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.

Deputy City Clerk

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