

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, March 25, 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 Charlie Clark, 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 – 3-11-03: Minutes of the Regular Meeting that was held Tuesday, March 11, 2003 was presented for Council’s consideration and approval. Moved by Salem, seconded by Klamm, to approve the Minutes of the Regular Meeting held March 11, 2003 as presented. Roll call. Voting “aye” were Cook, Tomasek, Klamm, Salem, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$247,998.95 was 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 \$104,964.55 from the General Fund, \$103,891.63 from LEXUS, \$21,188.56 City Sanitation, \$776.63 from Landfill, \$10,567.05 from Health Fund, \$6,610.53 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
March 25, 2003

Aflac	125 Plan	1,091.46
Alamar Uniform Co	Uniforms	106.98
All Points Cooperative	Misc Supplies	271.69
Alltel	Cellular Charges	126.93
Ancestry	Library Supplies	17.95
Arias, Rigoberto	Electric Rebate	825.00
Associated Supply Company	Aquatic Center Supplies	10.58
Awards Unlimited	St Softball Tourn Awards	351.25
B.P.C.M., Inc.	Collection	39.50
Barmore's	Misc Supplies	10.71
Bernie & Pat's Frame Shop	Framing	41.45
Berntson Oil	Fuel/Oil	2,809.50

Booth, Todd	Utility Refund	39.61
Brown, Harold	Tool Allotment	50.00
Card Center	Park/Street/Elec Supplies	389.58
Case Credit Advantage	Central Garage Supplies	406.17
Cash-Wa Distributing	Meat/Frozen Foods	345.15
CBSA	Employee Medical Claims	4,277.79
CBSA	Admin Fees/March	402.40
Central Garage Fund	Gas/Diesel/Lbr/Parts/Oil	3,301.48
Chesterman's Co.	Beverages	18.60
Chief Supply	Fire Dept Gear	1,105.64
Computer Assistance	Computer Repair	70.00
Conney Safety Products	First Aid Supplies	355.99
Cook, Ted	Reimburse Conf/Seminar	290.45
D&M Security	Alarm Service	84.00
Dan's Sanitation	Error Correction	51.36
Dawson Area Development	Membership	10,000.00
Dawson County Handibus	Transportation Service	170.00
Dawson County Public Power	Electric Service	1,824.01
Demco	Library Supplies	24.00
Department of Motor Vehicles	License Plate Renewal	7.50
Drawing Board (The)	Office Supplies	64.52
Dugan Business Forms	Office Supplies	154.96
Eakes Office Products	Office Supplies	316.43
Electric Fixture	Electrical Supplies	26.60
Electromark	Electric Supplies	826.06
Farmer Brothers Coffee	Food Supplies	98.89
Five Star Flooring	Non-Dept Supplies	4.00
Flowers of Joy	Office Supplies	59.81
Gary's Detail Shop	Car Wash	40.00
Gillette Dairy	Dairy	210.37
Halogen Supply Company, Inc.	Sewer Supplies	124.87
Harker's	Food Supplies	640.72
Hipp Wholesale Foods, Inc	Food	1,171.15
Husker Ag Sales	Water Supplies	11.54
Ideas Publishing Group	Library Supplies	12.00
Ingram Library Services	Books	117.01
KAPCO	Library Supplies	44.79
Keim, Bob	Planning & Inspection Svc	225.00
Kinder Morgan	Gas Service	1,455.56
Kriz-Davis Co	Electrical Supplies	665.28
Lawson Products, Inc.	Water Supplies	210.38
Lewis, Shirley	Reimb/Conf/Seminars	67.50
Lexington Newspapers	Publications/Notices	202.22
Lexington Public Library	Petty Cash-Postage	33.64
Lexington Recreation Program	Concessions & Adm	2,000.00
Lexington Truck & Auto	Central Garage Supplies	261.77
Lexington True Value	Supplies	132.98
Lexington City Payroll	Wages	79,801.64
Social Security	Soc Sec (Employer Port)	5,995.65
First National Bank	Emp Pens (Emplyr Port)	2,604.75
First National Bank	Police Pens (Emplyr Port)	0.00
I.C.M.A.	Emp Pens (Emplyr Port)	215.38
McCook Internet Service	Internet Service/Repair	516.88
McDaniel, Christina	Reimburse Training Exp	253.44
Mead Big Valley Lumber	Misc Supplies	72.63
Mid-Nebraska Printing	Office Supplies	269.98

Milco Environmental Services, Inc.	Disposal Service	776.63
Miller & Associates	Sth Lex Utility Imp	9,760.20
Moody, Ardis	Library Supplies	8.00
Municipal Pip Services, Inc.	Water Supplies	1,284.00
National Imprint Corp	Police Supplies	152.84
National Waterworks	Water Meters	2,381.76
Nebraska Community Foundation	Conference/Seminars	90.00
Nebraska National Bank	Mail System Lease	361.56
Nebraska Tech & Telecomm, Inc.	Phone Service	1,153.64
Nebraskaland Magazine	Library Supplies	16.00
NFPA International	Membership Renewal	135.00
Oscar's Garage	Fire Department Equip	1,000.00
Overton Community Center	Rental	100.00
Patty's Hallmark	Office Supplies	326.14
Paulsen Inc	White Rock	432.92
Platte Valley Auto Mart	Central Garage Supplies	41.27
Reams Sprinkler Supply Co.	Parks Supplies	305.65
S & W Auto Parts Inc	Parts and Supplies	588.36
S&S Sprinkler Systems	Street Supplies	3,152.62
Sanchez Jose Manuel	Relocation Incidentals	1,359.40
Sav-A-Lot	Food Supplies	18.90
Sunmart #763/Sixth Street	Grocery	10.27
Swanson Corp (The)	Training Expense	323.68
T.O. Haas Tire	Tire Repair	15.50
Van Diest Supply Company	Street Supplies	1,081.20
Viking Office	Library Supplies	51.18
Wal-Mart	Supplies	409.67
Wesco Distribution, Inc.	Tennis Court Supplies	12,456.19
Alamar Uniform Co.	Uniforms	92.46
Assembly of God Campground	Training	30.00
Barmore Drug Store	Office Supplies	21.69
Barco Municipal Products	Street Supplies	169.22
Berntson Oil	Fuel	43.01
Boggs, Inc.	Pumping Equipment	210.74
Cash-Wa Distributing	Food Supplies	744.17
Corp. Benefit Services of America	Employee Claims	5,197.80
Dan's Sanitation	Sanitation Charges	21,188.56
Fattig Fish Farm	Gambusia Fish	150.00
Gillette Dairy	Dairy Products	63.08
Harker's	Food Supplies	288.12
International Paper Company	Wood Poles	9,238.31
Lakeside Country Club	Membership	415.00
League of Nebraska Municipalities	Postage	1.84
Lexington Public Library	Refund Petty Cash	42.80
Lexus	Utility Billings	17,696.16
City of Lexington	Franchise Fees	21,825.42
Platinum Plus for Business	Tools & Shop Maint	539.67
Mead/Big Valley Lumber	Electric	31.97
National Waterworks	Inventory	186.54
Nebraska Department of Labor	WWTP Inspection	30.00
Card Center	Hand Tools	40.08
Paulsen Inc.	Concrete/Rock	1,472.95
Patty's Hallmark	Office Supplies	24.50
Petty Cash Fund	Petty Cash	48.46
Skarshaug Testing	Electric Testing	80.90
Sunmart	Food Supplies	23.63

Traveler's Property Casualty	Work Comp Premium	966.00
Lexington Boy Scout Troop #88	Recycling	60.00
Lexington Girl Scout Troop #212	Recycling	60.00
Universal Inspections LTD	Safety Inspections	1,395.00
Wal-Mart	Misc Supplies	3.16
	TOTAL	247,998.95

PUBLIC HEARING:

Mayor Fagot opened the Public Hearing. The City Council was informed that CRA Attorney Mike Bacon would not be able to attend this meeting, and requested that this item be tabled until the April 8, 2003 Meeting. Moved by Klamm, seconded by Tomasek, to table the Public Hearing to consider Redevelopment Plan for Redevelopment Area #1, until the April 8, 2003 City Council Meeting. Roll call. Voting "aye" were Cook, Salem, Tomasek, Klamm, Fagot. Motion carried.

TAFT STREET PROJECT:

Dana Daniels, representing Miller and Associates, addressed the City Council, requesting awarding the contract for Taft Street Project, to Paulsen, Inc. in the amount of \$187,666.70. Following Mr. Daniels presentation, moved by Salem, seconded by Klamm, to accept the Bid of \$187,666.70 to Paulsen, Inc. for the Taft Street Project. Roll call. Voting "aye" were Tomasek, Cook, Klamm, Salem, Fagot. Motion carried.

AGREEMENT:

Dana Daniels, representing Miller and Associates, addressed the City Council, requesting approval of a Construction Observation Agreement for the Taft Street Project. Following Mr. Daniels presentation, moved by Klamm, seconded by Salem, to approve the Construction Observation Agreement, and authorize the Mayor to execute said documents, for the Taft Street Project. Roll call. Voting "aye" were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

DETOUR IMPROVEMENTS:

Dana Daniels, representing Miller and Associates, addressed the City Council, requesting approval of plans and specifications for detour improvements associated with Adams Street Viaduct Project and authorize advertisement for bids. Following Mr. Daniels presentation, moved by Klamm, seconded by Tomasek, to approve the plans and specifications for detour improvements associated with Adams Street Viaduct Project and authorize advertisement for bids. Roll call. Voting "aye" were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

INTERSECTION IMPROVEMENTS:

Dana Daniels, representing Miller and Associates, addressed the City Council, requesting approval of plans and specifications for Highway 283 intersection (5th Street/Walnut) radius improvements and authorize advertisement for bids. Following Mr. Daniels presentation, moved by Klamm, seconded by Salem, to approve the plans and specifications for Highway 283 intersection (5th Street/Walnut) radius improvements and authorize advertisement for bids. Roll call. Voting "aye" were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

BIO-TOWER REHAB:

Reed Miller, representing Miller and Associates, addressed the City Council, requesting approval of plans and specifications for bio-tower rehab at Wastewater Treatment Facility and authorize advertisement for bids. Following Mr. Reed's presentation, moved by Klamm, seconded

by Tomasek, to approve the plans and specifications for bio-tower rehab at Wastewater Treatment Facility and authorize advertisement for bids. Roll call. Voting "aye" were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

TRANSFORMER:

Ken Fairchild, representing Olsson Associates, addressed the City Council requesting award of contract for transformer associated with substation project. Following discussion, moved by Klamm, seconded by Salem, to award the contract for the transformer to Delta Star in the amount of \$320,461. Roll call. Voting "aye" were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

PROPERTY DEMOLITION:

Peplitsch addressed the City Council, requesting their authorization to request proposals for demolition of five pieces of property associated with the Adams Street Viaduct Project. Following Peplitsch's presentation, moved by Salem, seconded by Tomasek, to authorize City Manager to request proposals for demolition of properties associated with the Adams Street Viaduct Project. Roll call. Voting "aye" were Klamm, Cook, Tomasek, Salem, Fagot. Motion carried.

CONSTRUCTION AGREEMENT:

Peplitsch addressed the City Council, requesting authorization to execute the construction agreement with Union Pacific Railroad for Adams Street Viaduct Project. Following discussion, moved by Klamm, seconded by Salem, to authorize execution of construction agreement with Union Pacific Railroad for the Adams Street Viaduct Project, subject to Exhibit "G" dispute of the Agreement being resolved prior to filing documents with the State. Roll call. Voting "aye" were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

REPORT:

City Councilman Ted Cook addressed the City Council, reporting on the Water Policy Task Force operations. At a recent meeting, the Task Force discussed in great detail, well drilling moratoriums. Councilman Cook requested input from the Lexington City Council, on their thoughts regarding the possibility of having a 60-day window on obtaining water rights. It was the recommendation of the City Council, that they would support shortening the 60-day window. Councilman Cook will take their recommendation back to the next Task Force Meeting.

INTERLOCAL AGREEMENT:

City Councilman Ted Cook addressed the City Council, requesting their consideration to participate in an Economic Study, on the Economic and Social Impact of the Platte River Habitat with the Platte River Recovery Implementation Program. Following discussion, moved by Cook, seconded by Klamm, to approve an expenditure of \$5,000 to the Coalition providing an Economic Study, on the Economic and Social Impact of the Platte River Habitat with the Platte River Recovery Implementation Program, contingent upon the Project going forward. Roll call. Voting "aye" were Salem, Tomasek, Klamm, Cook, Fagot. Motion carried.

FINANCIAL REPORT:

Peplitsch addressed the City Council requesting their acceptance of the Financial Report for February, 2003. Following discussion, moved by Klamm, seconded by Salem, to accept the Financial Report for February, 2003 as presented. Roll call. Voting "aye" were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

**ROUNDTABLE
DISCUSSION:**

Peplitsch addressed the City Council, presenting them with a summary of the findings from the interviews held for architectural design work on the proposed library project. Councilman Rick Klamm reported that Ciaccio Dennell Group, from Omaha, Nebraska, would be their recommendation as Architect. Moved by Cook, seconded Tomasek, to authorize Administration to obtain a contract with Ciaccio Dennell Group, from Omaha, Nebraska, as the Architectural Design Firm for the proposed Library project. Roll call. Voting "aye" were Salem, Klamm, Tomasek, 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