

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, June 24, 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, 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 – 6-10-03:** Minutes of the Regular Meeting that was held Tuesday, June 10, 2003 was presented for Council’s consideration and approval. Moved by Salem, seconded by Tomasek, to approve the Minutes of the Regular Meeting held June 10, 2003 as presented. Roll call. Voting “aye” were Cook, Klamm, Tomasek, Salem, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$320,699.46 was presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Klamm, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$166,600.27 from the General Fund, \$14,918.24 from Housing Reuse, \$84,493.39 from LEXUS, \$21,383.86 from Sanitation, \$27,776.96 from Health Fund, and \$5,526.74 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Tomasek, Cook, Klamm, Salem, Fagot. Motion carried.

CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
June 24, 2003

Ackerman, Arlan	OOR/Construction	\$9,877.86
Aflac	Employee Premiums	1,063.56
Alamar Uniform	Uniforms	131.00
Allison Mechanical Sales	Sewer Supplies	1,335.25
Associated Supply Company	Aquatic Center Supplies	206.26
AT&T	Phone Service	8.64
Barco Municipal Products	Misc Supplies	297.73
Berntson Oil	Fuel & Oil	2,338.87
Bob's Auto Repair & Service	Central Garage Supplies	472.58
Spring Creek Embroidery	Printing/Shirt Service	1,309.00
Business Telecomm System Inc.	Phone Repair	132.50

Business & Professional Credit	Collection Service	50.80
C.B.S.A.	Employee Medical Claims	26,713.40
Card Center-Orscheln	Misc Supplies	33.12
Cash-Wa	Food & Supplies	2,431.95
Central Garage Fund	Parts/Labor/Oil/Tires	4,188.31
Chapman, Randy	Public Infrastructure Imp	8,100.00
Chesterman Co.	Food & Supplies	724.50
Collegiate Pacific	Painting Supplies	155.10
Conney Safety Products	Park Supplies	82.97
Culligan Water Conditioning	Water Supplies	54.00
D&M Security	Police Connection	84.00
D&R Computing	Office Supplies	25.00
Dawson County Handibus	Transportation Service	170.00
Ditch Witch of Nebraska, Inc.	Electric Supplies	32.89
Dutton-Lainson Co	Electric Supplies	6,862.98
Eakes Office Products	Office Supplies	59.99
Electric Fixture	Electric Supplies	823.25
Environmental Resource Assoc	Sewer Supplies	763.55
Farmer Brothers Coffee	Food & Supplies	47.67
Fireade Source	Fire Dept Supplies	304.05
Fisher Scientific	Sewer Supplies	107.95
Gary's Detail Shop	Carwash	20.00
Gillette/Nebraska Dairies	Dairy	232.49
Harker's	Food & Supplies	662.34
Hastings Fiber Glass Products, Inc.	Electric Supplies	141.06
Hipp Wholesale Foods, Inc	Food & Supplies	931.55
Husker Ag Sales	Misc Supplies	144.12
Ingram Library Svc	Library Supplies	56.53
International Code Council	Membership Dues	100.00
Kinder Morgan	Gas Service	6.00
Kisker, Kevin	Mtg Exp Reimbursement	41.60
K-Lawn	Lawn Service	174.27
Kriz-Davis Co.	Electric Supplies	1,409.90
Lexington Newspapers	Publications	342.69
Lexington Public Library	Petty Cash Refund	51.43
Lexington Truck & Auto	Central Garage Supplies	620.80
Lexington True Value	Misc Supplies	169.31
Jelco Carpet Cleaning	Cleaning Services	115.00
Lexington, City Payroll	Wages	101,713.75
Social Security	Soc Sec (Employer Port)	7,669.03
First National Bank	Emp Pens (Emplyr Port)	2,752.67
First National Bank	Police Pens (Emplyr Port)	1,094.09
I.C.M.A.	Emp Pens (Emplyr Port)	224.00
Mac's Short Stop	Food & Supplies	98.59
Martin Electric	OOR/Construction	2,450.38
McCook Internet Service	Computer Services	167.50
Mead/Big Valley Lumber	Misc Supplies	467.38
Mid-Nebraska Printing	Office Supplies	50.00
Midwest Laboratories, Inc.	Sludge Analysis	333.00
Miller & Associates	Well #17 & #18 Projects	2,393.30
Moore Medical Corp.	Fire Dept. Supplies	292.00
Morton, Allyn	OOR/Construction	2,590.00
NE Dept of HHS Laboratory	Water Analysis	1,290.00
OMB Police Supply	Police Supplies	1,176.99
Overton Community Center	Rental	100.00
Patty's Hallmark	Office Supplies	1,305.37

Paulsen Inc	Concrete/Rock	584.66
Peak Interest	Meeting Expense	41.97
Peplitsch, Joe	Meeting Expense Reimb	209.26
Plum Creek Motors	Central Garage Supplies	175.00
Plum Creek Promotions	Printing/Shirt Service	5,480.00
S&W Auto Parts Inc	Central Garage Supplies	330.99
Schwan's	Food & Supplies	27.97
Service Master-Mid Nebraska	Cleaning Services	48.00
Sign Pro	Signage	240.00
Simmerman Electric	Sewer Supplies	441.50
Simon & Schuster	Library Supplies	116.82
Subway of Lexington	Meeting Expense	35.12
Sunmart #763/Sixth Street	Food & Supplies	22.04
T. O. Haas	Tire Repair	80.50
Ultramax	Police Supplies	496.00
Utility Equipment	Water Supplies	172.61
Walmart	Misc Supplies	542.18
Wax Shop (The)	Vehicle Repair	64.15
Western Engineering Company Inc.	Street Supplies	527.20
All Points Cooperative	Lawn Care Supplies	142.20
Alltel	Phone Service	151.07
Associated Pool Builders, Inc.	Start-Up Services	1,920.00
Berntson Oil	Diesel	35.00
Brush, Darlene	2002 Reimb Mdcr & FICA	46.65
Card Center-Orscheln	Misc Supplies	67.48
Cash-Wa	Food & Supplies	684.50
Chesterman Co.	Beverages	179.25
Ciaccio Dennell Group	Design Services	6,300.00
Dan's Sanitation	Franchise Fees	21,383.86
Electric Fixture	Electric Supplies	151.78
Five Star Flooring	Remodeling Supplies	5.99
G&V Inc.	Demolition/Viaduct Proj	3,000.00
Jilka, Sam	Landscaping Services	732.51
John's Liquor & Video	Rental Service	293.20
Keim, Bob	Waste Removal	90.00
Lexington Boy Scout Troop #88	Aluminum Recycling	82.00
Lexington Girl Scout Troop #212	Aluminum Recycling	82.00
Lexington, City of	Franchise Fees	27,263.62
LEXUS	Utilities	22,738.31
Lynn Peavey Co.	Police Supplies	42.80
Mac's Short Stop	Food & Supplies	10.32
Nelson, Margie	Lawn Service	35.00
Patty's Hallmark	Office Supplies	111.39
Petty Cash Fund	Petty Cash	58.09
Platinum Plus for Business	Misc Supplies	717.36
Reliable Maintenance	Aquatic Center Supplies	191.45
Schwan's	Food & Supplies	18.98
Security First Bank	TIF Pmt/Wilkinson Dev	22,851.76
Sherman Lawn Sprinklers	Lawn Care Services	390.00
Sunmart #763/Sixth Street	Food & Supplies	13.12
Thomsen, Einer	Utility Refund	30.07
Torres, Leonel	Electric Rebate	700.00
Wal-Mart	Misc Supplies	167.86
	TOTAL	\$320,699.46

**PUBLIC COMMENT  
PERIOD:**

Council welcomed Boy Scout Shawn Evans, who is attempting to earn his Citizenship in the Community Badge.

**RESOLUTION:**

Peplitsch requested Council's approval of a reimbursement Resolution for Utility Improvement Projects. Following discussion, moved by Klamm, seconded by Tomasek, to approve Resolution Number 03-09. Roll call. Voting "aye" were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

RESOLUTION NO. 03-09

BE IT RESOLVED by the Mayor and City Council of the City of Lexington, Nebraska (the "City"), as follows:

Section 1. The Mayor and Council of the City hereby find and determine that it is necessary and appropriate to declare their official intent to issue tax-exempt bonds on behalf of the City and in addition, the City's reasonable expectations to reimburse certain expenditures with the proceeds of such bonds as proposed to be issued by the City in connection with the proposed project as described below.

Section 2. This resolution shall stand as a statement of the City's official intent under Regulation Section 1.150-2 of the regulations of the United States Treasury and for such purpose the following information is given:

1. A general functional description of the projects for which expenditures may be made and reimbursement from bond proceeds provided are as follows:

15 MVA Electrical Substation  
Wastewater Treatment Plant Improvements

2. The maximum principal amount of debt expected to be issued for such projects are as follows:

\$1,200,000 for 15 MVA Substation  
\$3,000,000 for Wastewater Treatment Plant Improvements

PASSED AND APPROVED this 24<sup>th</sup> day of June, 2003.

John Fagot, Mayor

ATTEST:

Shirley Lewis, Deputy City Clerk

**RESOLUTION:**

Peplitsch requested Council's approval of a Resolution to enter into an agreement with NDOR for Project No. STPAA-6556(4), 13<sup>th</sup> Street Improvements. Following discussion, moved by Klamm, seconded by Salem, to approve Resolution Number 03-10. Roll call. Voting "aye" were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

RESOLUTION NO. 03-10

WHEREAS, it is in the best interests of the City of Lexington to enter into an Agreement with the Nebraska Department of Roads for Project No. STPAA-6556(4), 13<sup>th</sup> Street Improvements;

BE IT THEREFORE RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEXINGTON, that the President of the Council is hereby directed and authorized to execute on behalf of the City of Lexington an Agreement with the State of Nebraska Department of Roads for Project No. STPAA-6556(4), 13<sup>th</sup> Street in Lexington, Urban Reconstruction.

Passed and approved on June 24, 2003.

John Fagot, President of Council

ATTEST:

Shirley Lewis, Deputy City Clerk

**RESOLUTION:**

Peplitsch requested Council's approval of a Resolution to enter into an Agreement with NDOR for Project No. STPAA-6555(2), Adams Street in Lexington, Urban Reconstruction. Following discussion, moved by Salem, seconded by Klamm, to approve Resolution Number 03-11. Roll call. Voting "aye" were Tomasek, Cook, Klamm, Salem, Fagot. Motion carried.

RESOLUTION NO. 03-11

WHEREAS, it is in the best interests of the City of Lexington to enter into an Agreement with the Nebraska Department of Roads for Project No. STPAA-6555(2), Adams Street in Lexington.

BE IT THEREFORE RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEXINGTON, that the President of the Council is hereby directed and authorized to execute on behalf of the City of Lexington an Agreement with the State of Nebraska Department of Roads for Project No. STPAA-6555(2), Adams Street in Lexington, Resurface/Urban Reconstruction.

Passed and approved on June 24, 2003.

John Fagot, President of Council

ATTEST:

Shirley Lewis, Deputy City Clerk

**PAY REQUEST:**

Peplitsch requested Council approval of Pay Request No. 4 for 34.5 kV East Feeder Rebuild Project. Following discussion, moved by Klamm, seconded by Tomasek, to approve Pay Request No. 4 in the amount of \$58,392.23 to Kayton Electric, for the 34.5 kV East Feeder Rebuild Project. Roll call. Voting "aye" were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

**PAY REQUEST:** Dana Daniels, representing Miller and Associates, requested Council approval of Pay Request No. 1 for Adams Street Viaduct Detour Improvements. Following discussion, moved by Klamm, seconded by Tomasek, to approve Pay Request No. 1 in the amount of \$34,894.62 to T.L. Sund Constructors, Inc., for the Adams Street Viaduct Detour Improvements. Roll call. Voting "aye" were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

**PUBLIC HEARING:** Mayor Fagot opened the Public Hearing. On behalf of the Citizens Advisory Review Committee, Pepplitsch reported on the Lexington Economic Development Program. Following Pepplitsch's presentation, Mayor Fagot closed the Public Hearing. Moved by Klamm, seconded by Salem, to accept the Citizens Advisory Review Committee's Report as presented. Roll call. Voting "aye" were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

**FINANCIAL REPORT:** Financial Report for May, 2003 was presented to Council for consideration. Following discussion, moved by Salem, seconded by Tomasek, to accept the Financial Report for May, 2003. Roll call. Voting "aye" were Klamm, Cook, Tomasek, Salem, 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.

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Lexington Deputy City Clerk