

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, November 23, 2004 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/City Clerk Joe Peplitsch, City Attorney Willard Weinhold. Department Head present was 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 – 11-09-04: Minutes of the Regular Meeting scheduled for Tuesday, November 9, 2004 was presented for Council’s consideration and approval. Moved by Klamm, seconded by Tomasek, to approve the Minutes of the Regular Meeting held November 9, 2004 as presented. Roll call. Voting “aye” were Cook, Salem, Tomasek, Klamm, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$340,073.26 were 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 \$123,851.71 from the General Fund, \$60,298.13 from Economic Development Fund, \$88,459.52 from LEXUS, \$21,159.78 from Sanitation, \$40,848.36 from Health Fund, and \$5,445.75 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Cook, Tomasek, Klamm, Salem, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
November 23, 2004

AFLAC	Premiums	942.36
American Fence Company, Inc.	Maint. Supplies	22.33
Barco Municipal Products	Street Supplies	196.83
Bennett Advertising Specialties	Supplies	438.83
Bischoff, John	Uniform Expense	26.61
Brummet, Elberta	Conference / Seminar	35.63
Business Telecomm. Systems, Inc.	Telephone Service	209.00
Card Center	Supplies	2.19
Cash-Wa Distributing	Office Supplies	74.25
Central Garage	Maint./Repairs	562.77

Charter Communications	Internet Service	23.12
Chief Supply Company	Equipment Supplies	132.87
Copier Connection	Copier Services	350.00
Corporate Benefit Svcs of America	Claims	36,440.16
Eakes Office Products	Office Supplies	127.96
Electric Fixture	Electric Supplies	696.15
Flowers Of Joy	GGC Supplies	33.50
Gale Group, The	Books	298.76
GameTime	Parks-Playground Equip.	11,050.24
Hipp Wholesale Foods, Inc.	Food & Supplies	347.05
Hunt Cleaners, Inc.	Gloves	238.91
Ingram Library Services	Books	595.11
Jim Phillips Const.	Street Repairs	1,493.00
Kemps-Gillette	Beverages	61.64
Lawson Products, Inc.	Maint. Supplies	124.50
League Of Nebraska Municipalities	Conference / Seminar	120.00
Lexington Baseball Commission	Rec Complex Clean Up	1,400.00
Lexington Newspapers, Inc.	Publications	56.68
Lexington Recreation Program	Youth Basketball Officials	1,600.00
Lexington Swim Association	Park Clean Up	1,000.00
Lexington True Value	Supplies	34.46
Lexington City Payroll Account	Wages	85,790.43
Social Security	Employer Port/FICA Med	6,456.65
First National Bank	Employer Portion/Pension	2,942.18
First National Bank	Police Pension	1,120.51
ICMA	City Manager Pension	275.31
Lien Lawn Services	Lawn Service	875.00
Linda's Stitches & Creations	Shirts/Caps	49.70
Little Caesars	Food	26.96
McCookNet Internet Service	Service	5.00
Mead/Big Valley Lumber	Maintenance Supplies	231.98
Mick's Platte Valley Glass	Window Repair	275.00
Micro-Marketing, LLC	Books	74.55
Mid-Nebraska Printing	Office Supplies	17.00
Miller & Associates	Professional Fees-Viaduct	14,893.65
MPH Industries, Inc.	Recalibration/Repairs	201.22
Mr. Automotive	Supplies	22.68
Municipal Supply	Water Supplies	200.59
National Waterworks	Meter Supplies	431.73
Nelson, Thomas R.	Glasses	182.00
Olsson Associates	Prof. Fees-RS Rate Study	5,680.00
Overton Community Center	MOW	100.00
Paulsen Inc.	Concrete	514.51
Plum Creek Auto Spa	Car Wash	15.00
Plum Creek Promotions	T-Shirts	591.80
QA Balance Service	Service	85.00
Recorded Books	Books	55.80
Rentway	Rental	75.00
Rodale Books	Books	36.44
Rowman & Littlefield Publishing	Books	227.60
S & W Auto Parts	Misc. Supplies	184.15
Skarshaug Testing	Gloves Cleaned & Tested	67.43
Subway of Lexington	Food	30.63
SunMart #763/Sixth Street	Food	27.34
T. O. Haas Tire Company, Inc.	Tire Repair	12.50
Team Detail & Quiklube	Car Wash	20.00

TierOne Bank	Ind. Tract Land Payment	60,298.13
TierOne-Lib. Petty Cash	Petty Cash	17.65
U-Save Business Equipment	Office Supplies	82.81
Underwood, James	Carpet Cleaning	240.00
Wal-Mart	Supplies	139.45
Wesco Distribution, Inc.	Electric Supplies	831.39
Alltel	Cellphone Service	198.03
Berntson Oil	Fuel	66.00
Books On Tape, Inc.	Books	91.80
Brown Traffic Products	Traffic Light Supplies	273.58
Brown, Harold	Tool Allotment	50.00
Brown, Kim	Library Speaker	286.50
Cash-Wa Distributing	Food & Supplies	361.98
Central Garage	Maint./Repairs	4,081.14
Central Community College	Fire Dept. Classes	697.00
Certified Laboratories	Central Garage Supplies	618.63
Corporate Benefit Svcs of America	Claims	3,321.84
Dan's Sanitation	Sanitation Service	22,452.78
DeBruce Grain	Ice Control Salt	656.81
Demco	Office Supplies	55.68
Ditch Witch of Nebraska, Inc.	Supplies	55.84
Farco Corporation	Supplies	53.01
Farmer Brothers Coffee	Food	51.84
Hach Company	Testing Supplies	213.60
Hall's Safety Equipment	Boots	151.91
Harker's	Food	297.07
Hipp Wholesale Foods, Inc	Food & Supplies	466.14
Ingram Library Services	Books	55.88
Kapco	Office Supplies	47.72
Keim, Bob	Freon Removal	120.00
Kemps-Gillette	Beverages	139.44
Laurie Carlson & Assoc., LTD.	Central Garage Supplies	101.50
Lex Area Chamber of Commerce	CED Collaboration/ Chamber Dues	4,750.00
Lexington Utilities Systems	Utilities	14,356.54
Lexington, City of	Monthly Fees	28,373.56
McCookNet	Computer Hardware	4,561.15
Mead/Big Valley Lumber	Supplies	380.29
Meyer-Century Labs	Supplies	111.71
Municipal Pipe Tool Co., Inc.	Central Garage Supplies	1,829.29
Nebraska Dept. of HHS Laboratory	Water Analysis	1,499.00
NE Dept. of Health & Human Svcs	Class/Cert./Fire Dept.	264.00
Neopost	Postage	3,000.00
Platinum Plus For Business	Traffic Counter/Street Dept./Supplies	1,123.19
Recorded Books	Books	231.20
S & W Auto Parts, Inc.	Central Garage Supplies	358.54
Save A Lot Discount Foods	Food	6.54
Service Master Mid Nebraska	Carpet/Floor Cleaning	136.53
Signal Equipment Co.-Seco South	Street Light Supplies	70.21
T. O. Haas Tire Company, Inc.	Tires	162.42
TASC	Flex Plan	144.00
Third Party Environmental	Asbestos Inspection	350.00
TierOne-City Petty Cash	Petty Cash	126.33
Total Lawn Care	Lawn Service	736.00
Travelers Property Casualty	2004 Work. Comp. Audit	383.00

Wal-Mart	Supplies	14.36
	TOTAL:	340,073.26

PUBLIC HEARING: Mayor Fagot opened the Public Hearing. Due to no one being present to represent the Lamberts, Council moved on to other Agenda Items, keeping the Public Hearing open.

PUBLIC HEARING: Mayor Fagot opened the Public Hearing. Eleazar Hernandez requested Council’s approval of a Rezoning Request on their property located at 705 E. 6th Street, from R-1 to R-2. Following discussion, Mayor Fagot closed the Public Hearing.

ORDINANCE: An Ordinance entitled “AN ORDINANCE TO REZONE THE SOUTH ONE-HALF OF LOT 12, TRACT “D” OF THE SUBDIVISION OF SECTION 5-9-21, FROM R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-2 TWO FAMILY RESIDENTIAL DISTRICT; TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was read before Council. Moved by Klamm, seconded by Tomasek, to approve said Ordinance on First Reading. Roll call. Voting “aye” were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

PUBLIC HEARING: Mayor Fagot opened the Public Hearing. Gail Wightman, representing the Citizen’s Advisory Review Committee, presented the findings and suggestions from the Committee on the Economic Development Program, funded with local option sales tax dollars. Following Mrs. Wightman’s presentation, Mayor Fagot closed the Public Hearing. Moved by Klamm, seconded by Tomasek, to accept the Report presented by the Citizen’s Advisory Review Committee on the Economic Development Program. Roll call. Voting “aye” were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

PAY REQUEST: Peplitsch requested Council’s approval of Pay Request #29 for the Adams Street Viaduct Project. Following discussion, moved by Tomasek, seconded by Klamm, to approve Pay Request #29 for the Adams Street Viaduct Project, from Paulsen, Inc., in the amount of \$122,988.34. Roll call. Voting “aye” were Cook, Salem, Klamm, Tomasek, Fagot. Motion carried.

ROUNDTABLE DISCUSSION: In order to qualify for FEMA Funds to help mitigate any hazard in our community, an All Hazard Mitigation Plan Meeting is required by the Federal Emergency Management Association. A Meeting will be scheduled sometime between December 2nd and December 16th with the Department of Natural Resources.

Peplitsch reported on the Library Progress. The Rain has set them back about a week. It was reported that the south 1/3 of the floor has been poured, and are anticipating pouring the north 1/3 tomorrow morning. The middle 1/3 should be poured sometime next week. Steel will be arriving sometime next week as well. Mid to late January, selections for furnishings will begin.

Pepplitsch reported that the next Long-Term Transportation and Comprehensive Plan Meeting will be scheduled for December 8, 2004 at 6:00 p.m. Everyone is invited.

Councilman John Salem stated that since this is his last Council Meeting, he wanted to thank everyone, and is very happy to see all the construction going on within the City.

Councilman Rick Klamm stated that since this is his last Council Meeting, he wanted to thank everyone. It has been an enjoyable eight years and has always been a pleasure to sit on the Council. Councilman Klamm took this opportunity to thank City Manager Pepplitsch for all of his work for the City, and how he believes Pepplitsch is one of the finest City Managers in the State. He also expressed his thanks to Barb Mills, Will Weinhold, Shirley Lewis, and Charlie Clark. A challenge was given to the new City Council Members to keep the momentum going in making Lexington a better place to live.

Mayor Fagot thanked both Councilmen John Salem and Rick Klamm for their service. Many things have been accomplished, especially on the infrastructure side, and they should be very proud of their accomplishments.

With the continued absence of anyone to represent the Lamberts, moved by Tomasek, seconded by Klamm, to table the Public Hearing to consider a Special Use Request for an Antique Retail Sales Shop, on their property located at 1007 N. Washington Street, until the December 14, 2004 City Council Meeting. Roll call. Voting "aye" were Cook, Salem, Klamm, Tomasek, Fagot. Motion carried.

ADJOURNMENT:

There being no further business to come before Council Mayor Fagot declared the meeting adjourned.

John Fagot
Mayor

Joe Pepplitsch
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.

City Clerk