

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, February 10, 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 Joe Peplitsch, City Attorney Willard Weinhold, Deputy City Clerk Shirley Lewis. Department Head present was Charles Clark.

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 – 01-27-04: Minutes of the Regular Meeting that was scheduled for Tuesday, January 27, 2004 was presented for Council’s consideration and approval. Moved by Klamm, seconded by Tomasek, to approve the Minutes of the Regular Meeting held January 27, 2004 as presented. Roll call. Voting “aye” were Cook, Salem, Tomasek, Klamm. Abstaining was Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$829,481.58 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 \$143,714.39 from the General Fund, \$3,004.85 from Housing Reuse, \$638,460.93 from LEXUS, \$10,092.00 from Sanitation, \$48.67 from Library Memorial, \$22,778.45 from Health Fund, and \$11,382.29 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
February 10, 2004

Ag Nebraska District Council/ Assemblies of God	Assembly of God Water Imp.	20,386.72
All Points Cooperative	Fuel	16.50
Alltel	Phone Service	98.09
B.P.C.M.	Collections	113.04
Berntson Oil	Fuel/Diesel	2,990.10
Bus. Telecommunication Syst. Inc.	Street Supplies	194.00
Card Center-Orscheln	Misc Supplies	124.55
Cash-Wa Distributing	Food & Supplies	923.86
CBSA	Claims	19,485.91

Central Garage	Gas & Diesel Reports	6,597.95
Chief Supply Corp	Fire Dept Supplies	331.89
Computer Management Svcs, Inc.	Software/Service	10,550.00
Cozad Services, Inc.	Sewer Jetting Service	250.00
Culligan Water Conditioning Co.	Water Service	168.58
D&R Computing	Service/Repair	25.00
Dan's Sanitation	Sanitation Service	11,167.44
Dawson County Clerk	Dispatch Fee	6,360.16
Dawson County Public Power	Power Service/Supplies	1,208.39
Dawson Pest Control	Pest Service	27.00
Eilers Machine & Welding	Central Garage Supplies	117.62
Electric Fixture	Parts/Supplies	875.03
Fagot Refrigeration & Electric	Lighting Replacement	3,112.34
Farmer Brothers Coffee	Coffee Supplies	344.68
Gillette Dairy	Dairy	335.56
Gov. Finance Officers Association	Employee Dues	165.00
Great Plains One-Call Service	Diggers Hotline	64.15
Harker's	Food & Supplies	855.70
Hipp Wholesale Foods, Inc.	Food & Supplies	1,302.92
Hometown Leasing	Copier Payments	697.04
Ingram Library Services	Library Supplies	594.76
Kar Products	Electrical Supplies	321.26
Kearney Hub	Yearly Subscription	112.00
Kriz-Davis Company	Electrical Supplies	1,173.29
League of Nebraska Municipalities	Safety Videos	1.84
Lexington Animal Clinic	Animal Service	729.55
Lex Area Solid Waste Agency	Sanitation Service	861.48
Lexington Newspaper, Inc.	Publications	173.07
Lexington Postmaster	Postage	150.00
Lexington Public Library	Refund Petty Cash	4.45
Lexington True Value	Misc Supplies	308.03
Lexington, City of	Franchise Fees	23,885.25
Lowry's Cust Sewing & Upholstery	Repair/Supplies	298.20
Lexington City Payroll Account	Wages	83,277.25
Social Security	Employer Portion/FICA Med	6,252.91
First National Bank	Employer Portion/Pension	2,876.75
First National Bank	Police Pension	1,157.72
ICMA	City Manager Pension	224.00
Matt Parrott & Sons Co.	Office Supplies	471.54
McDonald's	Meal Expense	63.02
Mead/Big Valley Lumber	Misc Supplies	69.76
Michael Todd & Co., Inc.	Street Supplies	135.69
Mid-Nebraska Printing	Copies	234.30
Miller & Associates	Retainer/Mapping	966.00
Municipal Supply	Sewer Supplies	648.80
National Waterworks	Water Supplies	528.45
Nebraska National Bank	Lease Payment	361.56
Nebraska Public Power District	Power Purchase	475,045.13
Nebraska Truck & Equip Co., Inc.	Repair	4,488.24
Nebraska Waste Handlers	Waste Removal	4,708.50
Nelson, Margie	Cleaning Services	500.00
Neopost	Postage	498.00
Patty's Hallmark	Office Supplies	42.31
Paulsen Inc.	Concrete	315.38
Platte Valley Auto Mart	Parts & Service	74.13
Platte Valley Communications	Radio Repair	486.27

Plum Creek Auto Spa	Car Wash	4.50
Plum Creek Cleaners	Dry Cleaning Service	225.00
Plum Creek Medical Group	Medical Service	80.00
Plum Creek Motors	Parts & Service	39.37
Presco Sales & Service, Inc.	Blades	454.16
Promo Unlimited	Office Supplies	185.00
Qwest	Phone Service	62.32
Resource Management Co. Inc.	Recycling Service	85.75
S&W Auto Parts, Inc.	Misc Supplies	205.00
Service Master Mid-Nebraska	Admin Offices	48.00
Seward, Randell	Cleaning Services	400.00
Subway	Meeting Expense	19.96
Sunmart	Food & Supplies	49.19
Tagge Engineering	West Prospect Improvements	655.62
TASC	125 Plan	164.00
Tri-County Hospital	Wellness Program	231.00
Value Line Publishing, Inc.	Library Supplies	798.00
Wal-Mart	Misc Supplies	461.99
Weinhold Law Office	City Attorney Fees	1,200.00
Wesco Distribution, Inc.	Electrical Supplies	796.35
Anderson Graphics	Brochures	586.50
Bailey, Rod	Electric Rebate	900.00
Barmore Drug Store Inc.	Office Supplies	50.83
Berntson Oil	Diesel/Gasohol/Oil	3,031.60
Briefings Publishing Group	Training Supplies	74.00
Brodart Co.	Library Supplies	21.91
Cash-Wa Distributing	Food Supplies	529.58
CBSA	Claims	3,128.54
CBSA	Premiums	13,302.42
Central Garage Fund	Labor/Parts/Oil	8,273.36
Computer Pros	Office Supplies	5.95
Dan's Sanitation	Sanitation Service	793.00
Dawson County Public Power	Electric Service	4,605.72
Dawson County Register of Deeds	Filing Fees	10.50
Eakes Office Products	Equipment Parts/Repair	323.67
Fagot Refrigeration & Electric	Equipment Repair	104.99
Fisher Scientific	Sewer Supplies	568.74
Fyr-Tek	Fire Department Supplies	209.37
Gillette Dairy	Dairy	66.26
Gomez, Frances	Electric Rebate	125.00
HRDQ	Training Supplies	227.25
Ingram Library Services	Library Supplies	29.13
Jelco Carpet Cleaning	Cleaning Services	115.00
Jones Plumbing & Heating	Water Maintenance/Supplies	1,241.22
K.R.V.N.	Contract Renewal	128.25
Kar Products	Electrical Supplies	42.50
Kinder Morgan	Gas Service	5,647.04
Koen Book Distributors, Inc.	Library Supplies	15.40
Lexington Health Fund	Self-Funding	26,417.00
Lexington Newspapers	Publications	21.57
Lexington Public Library	Refund Petty Cash	46.74
Linweld	Oxygen	49.12
Matt Friend Truck Equipment	Central Garage Supplies	31.46
Meridian Library System	Training/Seminar	20.00
Mid-Nebraska Printing	Office Supplies	121.27
Miller & Associates	Optimist Rec Center	2,768.90

Morton, Allyn	OOR/Construction	1,929.85
Nebraska Department of Labor	Unemployment	2,388.00
Nebraska Department of Revenue	Sales/Use Tax	34,087.29
Nebraska Machinery	Repair Gear Box	4,802.59
Newman Traffic Signs	Street Signs	652.00
Nichols, Charles	Reimburse Expenses	80.93
NT&T	Phone Service	1,106.69
People Books	Library Supplies	34.90
Platte Valley Communications	Siren Repair	357.50
Price's Tree Service	Snow Removal	700.00
S&W Auto Parts	Central Garage Supplies	923.01
Sign Pro	Park Supplies	283.00
South Central Nebraska	Membership	30.00
Sunmart	Food Supplies	33.48
T.O. Haas Tire Co. Inc.	Tire Repair	73.99
Treasure Bay, Inc.	Library Supplies	103.87
Tri-County Hospital	Ambulance Charges	325.00
Unique Books, Inc.	Library Supplies	35.60
Utility Equipment	Water Supplies	470.59
Wal-Mart	Misc Supplies	99.18
Weathercraft Company	Building Repair	237.00
	TOTAL:	829,481.58

PUBLIC COMMENT PERIOD:

Ernie French addressed the City Council requesting their consideration of naming the Tennis Courts at Plum Creek and Memorial Parks. Following discussion, Mr. French was informed that this item would be put on the Agenda for the February 24, 2004 City Council Meeting.

ORDINANCE:

Discussion was held regarding an Ordinance to regulate the presence of minors in licensed liquor establishments. Following discussion, an Ordinance entitled "AN ORDINANCE TO REGULATE THE PRESENCE OF MINORS IN PREMISES LICENSED FOR THE SALE OF ALCOHOLIC BEVERAGES; TO REPEAL ALL 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 Klamm, seconded by Tomasek, to adopt said Ordinance on First Reading. Roll call. Voting "aye" were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

PAY REQUEST:

Pepplitsch requested Council's approval of Pay Request No. 6 for 15 MVA Substation Addition. Following discussion, moved by Klamm, seconded by Salem, to approve Pay Request No. 6 for the 15 MVA Substation Addition, to Kayton Electric Inc., in the amount of \$5,085.00. Roll call. Voting "aye" were Cook, Tomasek, Salem, Klamm, Fagot. Motion carried.

CHANGE ORDER:

Pepplitsch requested Council's approval of Change Order No. 5 for the Adams Street Viaduct Project. Following discussion, moved by Salem, seconded by Klamm, to approve Change Order No. 5 for the Adams Street Viaduct Project, to Paulsen, Inc., in the amount of \$6,971.00. Roll call. Voting "aye" were Cook, Tomasek, Klamm, Salem, Fagot. Motion carried.

PAY REQUEST: Peplitsch requested Council's approval of Pay Request No. 12 for Adams Street Viaduct Project. Following discussion, moved by Klamm, seconded by Tomasek, to approve Pay Request No. 12 for Adams Street Viaduct Project, to Paulsen, Inc., in the amount of \$198,390.01. Roll call. Voting "aye" were Salem, Cook, Tomasek, Klamm, Fagot. Motion carried.

LIBRARY DEVELOPMENT PLANS: Discussion was held regarding the Library Development Plans. Following discussion, moved by Cook, seconded by Salem, to add Dave Fairbanks and Wes Lubberstedt to the Library Steering Committee, and to charge the Library Steering Committee with the responsibility for finishing the plan, and for reporting back to the City Council for its approval, a plan and estimates ready to submit for construction bids. Roll call. Voting "aye" were Klamm, Tomasek, Salem, Cook, Fagot. Motion carried.

STREETS: Dana Daniels, representing Miller and Associates, reviewed the proposed One and Six Year Street Improvement Plan Projects with Council. Following discussion, Council directed Administration to schedule a Public Hearing for consideration of the One and Six Year Street Improvement Plan, on February 24, 2004. No further action was taken.

EXECUTIVE SESSION: Moved by Salem, seconded by Tomasek, to enter into Executive Session at 8:03 p.m. for the purpose of discussing Personnel. Roll call. Voting "aye" were Klamm, Cook, Tomasek, Salem, Fagot. Motion carried.

Moved by Salem, seconded by Klamm, to reconvene Regular Session from Executive Session at 8:14 p.m. Roll call. Voting "aye" were Cook, Tomasek, Klamm, 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.

Deputy City Clerk