

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Regular Meeting of the Lexington City Council was held Tuesday, August 8, 1995, at the Municipal Building, 406 East 7th Street, Lexington, Nebraska, at 7:30 P.M. Members of the City Council present were: Mayor John Wightman, Dorothy Anderson and John Fagot. Councilperson Hawks entered the meeting at approximately 7:45 p.m. and Councilperson Jerry Long was absent. City Officials present were: City Manager Bill Podraza, City Clerk Leon E. Malzahn and City Attorney Will Weinhold. Department Heads present were: Vance Bricker and Kerry Rader. Also present was Bob Blankenship representing Miller & Associates and Patti Johnson representing BHA Realty. The press was represented by the Tri-City Tribune.

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 John Wightman.

**MINUTES REGULAR
MEETING 07/25/95:**

The minutes of the regular council meeting held July 25, 1995 were presented for Council's consideration and approval. Moved by Anderson, seconded by Fagot to approve the minutes of the regular meeting held July 25, 1995. Roll call. Voting "aye" were: Fagot, Anderson, Wightman. Motion carried.

CLAIMS AND BILLS:

Claims and Bills in the amount of \$735,374.13 were presented for Council's consideration and approval. Moved by Fagot, seconded by Anderson to approve the claims as listed and authorized the City Treasurer

to transfer \$78,020.02 from the General Fund, \$615,881.06 from LEXUS Funds, \$10,000.00 from City Sanitation Fund, \$21,030.76 from the Landfill Fund, \$285.29 from the Library Memorial, \$5,197.58 from the Health Fund, and \$4,958.12 from Meals on Wheels and \$1.30 from CED funds to the City of Lexington Operating Account. Roll call. Voting "aye" were: Anderson, Fagot, Wightman. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 August 8, 1995

Ace Equipment & Supply Co.	Gutter broom	456.00
Altec Industries Inc.	Filter element, auger	201.30
American Media Corp.	Books	2,499.11
Americana Resource Tech.	Consulting agreement	2,500.00
American Red Cross	Lifeguarding class	394.20
AT & T	Service	10.26
Awards Plus	Trophies	84.00
Barmore's	Misc. Supplies	90.27
Berntson Oil	Fuel, grease, diesel	685.11
Bill's Kirby	Clean vacuum	21.20
Brown, Clifford	Electric rebate	150.00
Bricker, Vance	Meeting expense	143.86
Bueno, Refugio	Electric rebate	450.00
Cadwell Construction	Electric rebate	450.00
Cash-Wa Distributing	Food, tissue	710.64
C.J. Small Engine Repair	Chain saw repair	40.00
Central Garage Fund	Labor, repairs, parts, gas	11,530.35
Central Community College	Registration	50.00
Chivers	Books	46.68
City Production Inc.	Books	127.30
Coast to Coast	Supplies	49.63
Computer Hardware Inc.	Computer equipment	2,099.00
Corp. Diversified Services	Life insurance	60.00
CBSA	Insurance claims	3,325.45
Culligan Water Conditioning	Service	60.40
Dawson Co. Register of Deeds	Register plats	97.00
Dawson Co. Highway Dept.	Culvert	480.53
Dan's Sanitation	Service	10,000.00
Dawson Co. Area Economic Dev.	Membership Fee	10,000.00
Donna's Cafe	Service - MOW	687.72
Dutton Lainson Co.	Wire support shield, bolts	245.38
Dugan Business Forms	Paper, payable checks	635.07
Electric Fixture	Lamps, deadends, parts	1,153.11

Electronic Systems	Fire alarm inspection	25.00
Emergency Medical Products	Safety gloves	219.23
Emery Pratt Co.	Books	30.52
Fairbanks International	Hose, coupler, switch	46.95
Fagot Refrigeration	Repair leak	88.50
Farm Plan Corp.	Chains - landfill	33.90
Five Star Flooring	Carpet	95.98
Furst Group	Service	7.23
Gillette/NE Dairies	Dairy Products - MOW	75.54
Great Plains Sales Inc.	Light	7.19
Heartland Scuba Center	Scuba equipment	36.55
Hipp Wholesale Co.	Lids, cups, towels, plates	741.06
Hinds Electric	Remove faulty circuit	27.00
Hilti Inc.	Concrete blades	275.55
Hueftle, Mark	Carpet installation	102.00
ICMA	City Mgr. Pension	133.85
Int. Conference of Bldg. Offic.	Codebook	42.65
Ingram Library Service	Books	23.81
Jacobs, Lee C.	Book	22.50
Jones Plumbing	Electric rebate, parts	2,534.63
Kearney Hub	Subscription	24.00
KN Energy	Service	40.70
Kriz Davis Co.	Alumaform, tool bag	
256.63		
Law Enforcement Equip.	Ties, clips, cases	182.15
Lexington Animal Clinic	Service	374.35
Lexington Coop	Weed spray, fuel	436.80
Lexington Glass Co.	Mirror repair	6.00
Lexington Laundry	Service	44.00
Lexington Postmaster	Postage	1,500.00
Lexington Public Library	Postage, supplies	46.85
Lexington Newspaper Inc.	Service	906.27
Lexington Truck & Auto	Steering gear	674.00
City of Lexington	Franchise fee	35.06
Lexington Postmaster	Newsletter postage - GGC	80.00
City of Lexington	Landfill charges	156.00
Lucent Books	Books	223.95
Martin Electric	Check air conditioner	45.54
MCI	Service	220.83
Mead/Big Valley	Misc. Supplies	675.34
Meyer Welding	Metal, iron	131.01
Midway Supply	Misc. Supplies	254.38
Miller & Assoc.	Service - July	1,850.00
Mike's Pharmacy	Gloves	12.18
Morris Press & Office	Office Supplies	80.88
Mr. Automotive	Auto Supplies	197.91

Nebraskaland Tire	Tube,, muffler	40.25
Nebraska Machinery	Loader payments	2,218.00
Nebraska Library Comm.	OCLC Charges	26.62
Nebraska Dept. of Revenue	Sales tax - July	23,577.76
State of Nebraska	Flouride water analysis	18.10
Nebraska Public Power	Field test metering	128.00
State of Nebraska	Quarterly disposal fee	11,700.42
Nebraska Cellular	Service	72.13
Northern Pump & Irrigation	Pilot valve stem	29.07
Olsson Associates Inc.	Engineering service	964.21
OK Tire	Tire repair, tires	730.18
Old Dominion Brush	Chain drag shoe tow	50.84
Overton Sand & Gravel	Gravel	14.40
Payroll Account	7/19 - 8/1/95	70,616.42
Paulsen Bldg. & Supply	Concrete, mud rock	826.75
Patty's Hallmark	Copier master unit, stamp, repair typewriter, view binders	618.61
Petty Cash	Postage, meeting exp, Misc.	159.00
Platte Valley Auto Mart	Insulator, rotor, crossmember assembly	1,328.04
Platte Valley Communications	Radio repair	117.00
Plum Creek Medical Group	Work comp. - Riege	30.00
Podraza, Bill	Meeting expense	63.47
Pollution Control Systems	Inspect lift station	338.00
Precision Industries	O ring	.92
Quality Books Inc.	Book	13.62
Ranger Rick's Nature Club	Subscription	15.00
Ramirez, Trinidad	Electric rebate	300.00
Rittgarn, Robert	Certification	75.00
Riege, Ivan	Medicine	24.85
Rutledge, Clifton	Electric rebate	450.00
Schuckman, Marsha	Service	200.00
Schnieber Fine Foods	Food, gloves, bleach	575.96
Service Supply	Adapter	10.82
Sixth Street Market	UPS, Food, charcoal, coffee	86.98
Social Security Fund	7/19 - 8/1/95	5,314.33
Super 8 Motel	Room - Bricker	42.99
Sund, T.L.	Fence	112.00
S & W Auto Parts	Toggle switch, batter, rotor, filters, bels, tire machine repair, starter, parts	1,014.45
Telegraph	Meeting notice	11.73
Tri County Hospital	Work comp - Nelson	257.00
The Travelers	Pension	797.11
Trautman's Meat Center	Hot dogs	16.68
Unisys Corp.	Lease agreement	1,266.00

Utility Equipment	Flange acc. set	112.57
Van Waters & Rogers Inc.	Calcium hypochlorite	517.50
Valentino's	Meeting expense	16.67
Wal-Mart	Film, coffee, cards, towels, tape, glue, velcro, vacuum, weed killer, pens, calculator	452.22
Wesco Distribution	Snaphooks, guy strain insulator, arrester, trainer bracket	6,942.73
Weber & Weinhold	Legal service - July	1,200.00
Wheeler's	Seat covers, floor dry, fittings, tee, cap, parts	229.63
Wisdom, Tom	Electric rebate	900.00
Ackerman, Terry	CDL License	40.00
AT & T	Service	41.77
AT & T	Service	53.10
AT & T	Service	24.25
Awards Plus	Trophies	84.00
Classic Pool & Spa	Supplies	32.60
CBSA	Insurance claims	869.93
Dawson Co. Public Power	Purchase agreement	45,053.50
KN Energy	Service	311.25
Knapp Electric	Motor repair	103.71
League of NE Municipalities	Meeting expense	995.00
Nebraska Library Commission	Registration	5.00
NPPD	Power	486,379.05
Nebraska Online	Service agreement	300.00
State of Nebraska	Certification registration	460.00
NE Volunteer Fire Fighters Trust	Life insurance	1,330.00
Nichols, Charles	CDL License	40.00
Plum Creek Medical Group	Work comp., physicals	649.00
Radiology Service	Work comp. - Nelson	41.35
US West Communication	Service	1,378.55
	TOTAL	735,374.13

**DIGGER TRUCK
BIDS:**

City Manager Podraza addressed the Lexington City Council stating that the current truck used to dig holes and set poles for the City of Lexington is at a substantially deteriorated state due to the age of the equipment. He is then requesting the authority to advertise for bids for a digger truck. He further informed the council that the estimated cost of this new truck is approximately \$35,000. Upon completion of the discussion, moved by Fagot, seconded by Anderson to authorize the City Administration to advertise for bids for a new digger

truck for the electric department. Roll call. Voting "aye" were: Anderson, Fagot, Wightman. Motion carried.

NATIONAL LEAGUE OF CITIES MEMBERSHIP: City Manager Podraza stated that the City of Lexington should belong to this national organization and would have many benefits back to the City of Lexington. He further stated that the estimated dues to this organization were \$698 annually. Upon completion of the discussion, moved by Fagot, seconded by Wightman that the City of Lexington be allowed to join the National League of Cities. Roll call. Voting "aye" were: Anderson, Fagot, Wightman. Motion carried.

SALE OF PROPERTY: An ordinance entitled, "AN ORDINANCE DIRECTING THE SALE OF LOT 14, BLOCK 5, SOUTHAVEN ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE." was read before the council. Moved by Anderson, seconded by Fagot to approve said ordinance on first reading. Roll call. Voting "aye" were: Fagot, Anderson, Wightman. Motion carried.

SALE OF PROPERTY: An ordinance entitled, "AN ORDINANCE DIRECTING THE SALE OF LOT 19, BLOCK 8, SOUTHAVEN ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE." was read before the council. Moved by Anderson, seconded by Fagot to approve said ordinance on first reading. Roll call. Voting "aye" were: Fagot, Anderson, Wightman. Motion carried.

SALE OF PROPERTY: An ordinance entitled, "AN ORDINANCE DIRECTING THE SALE OF LOTS 1-3, BLOCK 55, ORIGINAL TOWN OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE." was read before the council. Moved by Anderson, seconded by Fagot to approve said ordinance on first reading. Roll call. Voting "aye" were: Fagot, Anderson, Wightman. Motion carried.

The discussion which followed pertained to having a special meeting for the passage of these ordinances to start the remonstrance period. Upon completion of that discussion, Councilperson Hawks entered the room. At this time, Mayor Wightman stated that there being enough elected officials present to suspend the rules and pass the ordinance, he would entertain a motion to reconsider the ordinances. Moved by Anderson, seconded by Fagot that the City Council reconsider the ordinances for the sale of property.

SALE OF PROPERTY:

An ordinance entitled, "AN ORDINANCE DIRECTING THE SALE OF LOT 14, BLOCK 5, SOUTHAVEN ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE." was read before the council. Moved by Anderson, seconded by Fagot to suspend the rules requiring the reading of said ordinance on three separate days. Roll call. Voting "aye" were: Hawks, Fagot, Anderson, Wightman. Motion carried. The ordinance was then read by title. Moved by Anderson, seconded by Fagot that ordinance number 2029 be passed on final reading. Roll call. Voting "aye" were: Fagot, Hawks, Anderson, Wightman. Motion carried. The passage and adoption of said ordinance having been concurred by a majority of the Council, the President declared said ordinance be adopted and signed the same. The Municipal Clerk attested to the passage and adoption of the ordinance by affixing his signature and the Seal of the City of Lexington in declaring Ordinance No. 2029 be published in pamphlet form.

SALE OF PROPERTY:

An ordinance entitled, "AN ORDINANCE DIRECTING THE SALE OF LOT 19, BLOCK 9, SOUTHAVEN ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE." was read before the council. Moved by Fagot, seconded by Anderson to suspend the rules requiring the reading of said ordinance on three separate days. Roll call. Voting "aye" were: Anderson, Hawks, Fagot, Wightman. Motion carried. The ordinance was then read by title. Moved by

Fagot, seconded by Anderson that ordinance number

2030 be passed on final reading. Roll call. Voting "aye" were: Hawks, Fagot, Anderson, Wightman. Motion carried. The passage and adoption of said ordinance having been concurred by a majority of the Council, the President declared said ordinance be adopted and signed the same. The Municipal Clerk attested to the passage and adoption of the ordinance by affixing his signature and the Seal of the City of Lexington in declaring Ordinance No. 2030 be published in pamphlet form.

SALE OF PROPERTY:

An ordinance entitled, "AN ORDINANCE DIRECTING THE SALE OF LOTS 1-3, BLOCK 55, ORIGINAL TOWN OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE." was read before the council. Moved by Hawks, seconded by Anderson to suspend the rules requiring the reading of said ordinance on three separate days. Roll call. Voting "aye" were: Fagot, Anderson, Hawks, Wightman. Motion carried. The ordinance was then read by title. Moved by Anderson, seconded by Fagot that ordinance number 2031 be passed on final reading. Roll call. Voting "aye" were: Hawks, Fagot, Anderson, Wightman. Motion carried. The passage and adoption of said ordinance having been concurred by a majority of the Council, the President declared said ordinance be adopted and signed the same. The Municipal Clerk attested to the passage and adoption of the ordinance by affixing his signature and the Seal of the City of Lexington in declaring Ordinance No. 2031 be published in pamphlet form.

COUNCIL REORGANIZATION:

At this time, Mayor Wightman announced that he would be resigning his official title as Mayor to the City of Lexington with the close of the meeting and therefore, a reorganization of the council is required. Moved by Anderson, seconded by Fagot that Bob Hawks be nominated as President of the City Council and John Wightman as Vice-President of the City Council, that nominations cease and a unanimous ballot be cast for this ticket. Roll call. Voting "aye" were: Hawks, Fagot, Anderson, Wightman. Motion carried.

ADJOURNMENT:

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

John Wightman
Council President

Leon E. Malzahn
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.

Leon E. Malzahn
City Clerk