

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, February 11, 1997, at the Lexington Municipal Offices, 406 East 7th Street, Lexington, Nebraska, at 7:30 P.M. Present were: Mayor Robert Hawks, John Wightman, John Fagot, Rick Klamm, and Neal Kohl. City Officials present were: City Manager Vance Bricker, City Clerk Leon E. Malzahn and City Attorney Willard Weinhold. Department Heads present were: Charles Clark and Kerry Rader. Also present was Bob Blankenship representing Miller & Associates, DeLoy Jahnke, Dennis Melton, Liz Richardson, Mary Maloley, Carolyn Fairbanks, Wes Mr. & Mrs. Wes Wiley, Mark Yung, Dan Roberts, Elton Peck, Robert Martin, Dale Holbein, Jeff Konen, Steve Heldt, Bob Cappel, Dave Zauha, Dr. Mike Mandelko, Melody Laughry, Eric Brown, Ken Graus, Dr. Unterseher, Mark Hueftle, Steve Weides, Pat Samway, Bruce Smith, Norma Page with approximately 13 students. The press was represented by the Clipper-Herald, Kearney Hub, and KRVN.

**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 Hawks.

**MINUTES REGULAR  
MEETING 1/28/97:**

The minutes of the organizational meeting held January 28, 1997 were presented for Council's consideration and approval. Moved by Klamm seconded by Kohl to approve the minutes of the regular meeting held January 28, 1997. Roll call. Voting "aye" were: Wightman, Fagot, Kohl, Klamm, Hawks. Motion carried.

**CLAIMS AND BILLS:**

Claims and Bills in the amount of \$671,462.69 were presented for Council's consideration and approval. Moved by Fagot, seconded by Wightman to approve the claims as listed and authorized the City Treasurer to transfer \$75,165.30 from the General Fund, \$471,000.07 from LEXUS Funds, \$10,000 from City Sanitation Fund, \$38,561.20 from the Landfill Fund, \$61,102.01 from the Health Fund, \$9,035.36 from CDBG 90-HD-010, and \$6,498.77 from Meals on Wheels, and \$99.98 from the Library Memorial to the City of Lexington Operating Account. Roll call. Voting "aye" were: Kohl, Klamm, Wightman, Fagot, Hawks. Motion carried.

CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
FEBRUARY 11, 1997

ALAMAR UNIFORM CO.	UNIFORM SERVICE	85.88
ALIAN T CELLULAR	CELLULAR SERVICE	63.55
AMPROBE INSTRUMENT	METER REPAIRS	50.95
AT & T	PHONE	.61
AWARDS PLUS	TROPHIES	285.00
BARMORE'S	MEDICAL SUPPLIES	78.92
BERNTSON OIL CO.	FUEL	249.07
BESTWAY, INC.	HAT LINERS	113.26
BERNIE & PAT'S	EMPLOYEE PLAQUE	15.50
CADWELL CONSTRUCTION	DUPLEX COSTS	2690.36
CASH-WA DISTRIBUTING	FOOD	672.74
CENTRAL GARAGE FUND	FUEL	5000.41
CENTURY LUMBER CENTER	BLDG. SUPPLIES	16.05
COAST TO COAST	SWEEPER	19.99
COUNTRY GENERAL	FENCE POSTS	353.72
C.B.S.A.	PREMIUMS/ADMIN FEES	6296.59
C.B.S.A.	CLAIMS	15162.63
CRESCENT EL. SUPPLY CO.	ELECTRIC SUPPLIES	171.89
CULLIGAN WATER COND.	SERVICE	75.80
DAWSON CO. PUBLIC POWER	ENERGY ED KITS	64.00
DAWSON CO. CLERK	DISPATCH FEE	4607.30
DAN'S SANITATION	SERVICE	10169.48
DAWSON CO. AREA DEV.	REGISTRATION FEE	30.00
DEMCO	BOOK SUPPLIES	100.82
EAKE'S OFFICE PRODUCTS	SERVICE CONTRACT	352.84
EBSCO SUBSCRIPTION SVC.	BOOKS	10.30
EGAN SUPPLY CO.	CLEANING SUPPLIES	144.10
EILER'S MACHINING	REPAIRS	65.00

ELECTRIC FIXTURE & SUPPLY	EL SUPPLIES	138.59
EMERGENCY MEDICAL PRODUCTS	MEDICAL SUPPLIES	435.97
EMERY PRATT CO.	BOOK	14.97
FAIRBANKS INT'L, INC.	ANTI-FREEZE	15.03
FAGOT REFRIGERATION & ELECTRIC	WELL REPAIRS	72.00
FISCHER-SCIENTIFIC	MOTOR STIRRER	91.90
FIVE STAR FLOORING	VACUUM BELT	2.00
FRANSYL EQUIPMENT CO.	PARTS/LABOR	5301.16
GILLETTE/NE. DAIRIES	MILK	155.46
HAWKS, ROBERT	MILAGE EXP.	50.85
HACH CHEMICAL	ACID	29.50
HAPPY PRODUCTS, INC.	VOLUNTEER BUTTONS	80.00
HIPP WHOLESALE CO.	FOOD	593.95
H-T-M SALES, INC.	BLUE OIL	29.45
I.C.M.A	BOOKS	60.50
INT'L CONF. OF BLDG. OFFICIALS	BOOKS	38.20
INGRAM LIBRARY SERVICES	BOOKS	182.52
JELCO CARPET CLEANING	CLEANING	73.50
JONES PLUMBING & HEATING	PVC PIPE	49.92
JOY BOOK NOOK	BOOKS	40.86
KRIZ-DAVIS CO.	EL SUPPLIES	9513.75
LEAGUE OF NE MUNICIPALITIES	CONF. EXP.	120.00
LEXINGTON ANIMAL CLINIC	ANIMAL SERVICES	363.15
LEXINGTON HEALTH FUND	SELF FUNDING	13286.35
LEXINGTON LAUNDRY	SERVICES	34.00
LEXINGTON POSTMASTER	POSTAGE	1500.00
LEXINGTON POSTMASTER	GGC POSTAGE	150.00
LEXINGTON PUBLIC LIBRARY	PETTY CASH	4.88
LEXINGTON NEWSPAPERS	ADS	15.17
LEXINGTON, CITY OF	FRANCHISE FEE	4924.22
LEX SOLID WASTE AGENCY	TIPPING FEES	29604.22
LINDEN'S PLUMBING	BLDG. REPAIRS	237.58
LUCENT TECHNOLOGIES	MO. PHONE SERVICE	63.70
LUNN, VELMA E.	LEXUS REFUND	168.44
MEYER WELDING	WELDING	47.39
MIDWAY SUPPLY	SUPPLIES	49.53
MILLER & ASSOCIATES	JAN. SERVICE AGMT.	2100.00
MORRIS PRESS	FORMS	141.10
MULLENDORE, R.A. CONSULTANTS	SERVICES	330.50
MUNICIPAL SUPPLY CO.	REPAIR CLAMPS	1502.78
NE. DAS CENTRAL STORES	LAW BOOKS	68.01
NE. SUPREME CT. PUBLICATIONS	BOOKS	89.00
NE. MACHINERY	LOADER PMTS	4986.22
NE DEPT. OF REVENUE	UTL SALES TAX	25081.13
N.P.P.D	SCHOOL EXP.	398.00
NEBRASKALAND TIRE TRUCK CENTER	REPAIR	8.00

NELSON, THOMAS	CLEANING	500.00
OVERTON SAND & GRAVEL	GRAVEL/SAND	305.00
OVERHEAD DOOR CO.	REPAIRS	653.32
PAULSEN BLDG & SUPPLY CO.	FLOWABLE FILL	108.00
PATH MASTER, INC.	SIGNALS/RELAY	318.00
PATTY'S HALLMARK	OFFICE SUPPLIES	211.20
PEOPLE BOOKS	YEARBOOK	23.90
PLATTE VALLEY COMMUNICATIONS	SERVICE AGREEMENT	90.00
PLUM CREEK MOTORS	PAINT FENDER	209.09
PRECISION INDUSTRIES	BEARING	7.29
PRINTING PRESS	RECEIPT BOOKS	299.79
RAMADA INN	CONF. EXP.	179.85
SAULSBURY, BILL PHOTOGRAPHY	EMPLOYEE PHOTO	40.00
SCHUCKMAN, MARSHA	CLEANING	200.00
SCHNIEBER FINE FOODS, INC.	FOOD	522.50
SEWARD, RUTH	BOOK REIMBURSEMENT	10.20
SIXTH STREET	FOOD	61.84
STOBBE WELDING	TRUCK REPAIRS	150.00
SUBWAY OF LEXINGTON	MTG. EXP.	15.89
S & W AUTO PARTS, INC.	PARTS	101.69
SYNCHRONIZED INSTRUMENTS, INC.	REPAIR METERS	286.52
TODD, MICHAEL & CO.	AIR HOSES	342.98
TRAUTMAN'S MEAT CENTER	MEAT	31.80
TRAVELERS, THE	POLICE PENSION	872.98
UNISYS CORPORATION	SERVICE CONTRACT	2782.80
U S WEST COMMUNICATIONS	PHONE	1568.51
UTILITY EQUIPMENT CO.	COMP FLANGE	25.86
WALMART	B-BALL BACKBOARDS	211.19
WESTECH	SPREADERS/GASKETS	310.30
WEBER & WEINHOLD	LEGAL SERVICES	1639.50
AULTS PLUMBING	DUPLEX CHGS	2750.00
BERNTSON OIL	FUEL	397.00
CENTRAL GARAGE FUND	PARTS/LABOR	4066.23
CENTRAL TIRE & TREAD	REPAIRS	24.00
COMPUTER ASSISTANCE	SERVICE	25.00
C.B.S.A	CLAIMS	45939.38
DOERR, L.H.	EL REBATE	450.00
EGAN SUPPLY CO.	SUPPLIES	33.02
FAIRBANKS INT'L, INC.	BLADE	486.83
FIRST NAT'L BANK OF OMAHA	PENSION	2053.14
HUSS, KYLAEL	REBATE	150.00
I.C.M.A	PUBLICATION	148.26
LEAGUE OF NE MUNICIPALITIES	CONFERENCE	900.00
LEXINGTON COOP	PAINT SUPPLIES	11.16
LEXINGTON NEWSPAPERS	AD	9.45
LEXINGTON TRUCK & AUTO	BEARING	22.65



that the members of the Fire Department were present to request this money be placed in use for construction of the additional fire barn garage and meeting room to be constructed on the corner of 6th & Taylor. After a discussion concerning the control of the money that had been received, moved by Fagot, seconded by Wightman that the following resolution be passed and approved. Roll call. Voting "aye" were: Klamm, Kohl, Wightman, Fagot, Hawks. Motion carried.

#### RESOLUTION 97-01

WHEREAS, the City of Lexington and the Lexington Rural Fire District are proposing a joint funding of a second fire hall to be constructed on land owned by the Rural Fire District; and

WHEREAS, the City of Lexington is the beneficiary of a bequest from the James D. Miller Estate in the estimated amount of \$130,000, which was directed "for the exclusive use of the Volunteer Fire Department and Rescue Unit".

BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, that the gift from the James D. Miller Estate shall be dedicated for use as follows:

- A. \$80,000, or one-third (13) of the cost of construction and furnishing of the new fire building, whichever is greater, shall be applied to the construction and furnishing of the new fire building;
- B. The remaining amount shall be applied to the purchase of equipment and capital expenditures for use by the Lexington Volunteer Fire Department and Rescue Unit.

PASSED AND APPROVED this 11th day of February, 1997.

CITY OF LEXINGTON, NEBRASKA

BY: \_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**ONE & SIX YEAR  
PLAN:**

Mr. Bob Blankenship addressed the Lexington City Council presenting the One and Six Year Plan that had been presented to the Lexington Planning Commission previously approved by them. Mr. Blankenship stated that this would be addressed at a public hearing at the next Council meeting on February 25; however, if there were any concerns at this time, he would be glad to hear them so he may prepare additional information for the public hearing. Hearing no further comments, moved by Wightman, seconded by Kohl that a public hearing be set for February 25, 7:30 p.m. to accept citizens input on One & Six Year Plan for the City of Lexington. Roll call. Voting "aye" were: Fagot, Klamm, Kohl, Wightman, Hawks. Motion carried.

**REQUEST FOR  
BUILDING NAME:**

Liz Richardson addressed the Lexington City Council stating that various groups had thought the effort which Mr. Glenn Hawks had given to volunteer organizations throughout the town should be rewarded by naming the service building the Glenn Hawks Service Building. Ms. Richardson was informed that the resolution for this function would be presented at the next council meeting. No further action was taken.

**RECREATION  
BOARD  
RECOMMENDATION:**

The Lexington City Council received input from Pat Samway, Carolyn Fairbanks, Steve Weides, Dan Roberts all urging them to hire a full-time recreation director for the City of Lexington so this person may coordinate the volunteer projects which are ongoing in the City of Lexington. Also included in the discussion was the possibility of having this person coordinate the recreation program with the coordinator of the Wellness Center. Ms. Carolyn Fairbanks addressed the Lexington City Council on the same matter stating that she feels the City Council should hire a full-time director of the aquatic center so that the activities scheduled at the pool do not become diminished. No further action was taken.

**BENNETT'S  
SUBDIVISION:**

Mr. Steve Heldt addressed the Lexington City Council stating that an addition to the Bennett Subdivision requires council action as the lots on the south side of the subdivision had been extended to the banks of Spring Creek and this was the only

modification. Upon completion of his presentation, moved by Wightman, seconded by Klamm that the following resolution be passed and approved. Roll call. Voting "aye" were: Kohl, Fagot, Klamm, Wightman, Hawks. Motion carried.

RESOLUTION NO. 97-02

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, AS FOLLOWS:

That the plat of an Amendment adding Lots 1A, 2A and 3A to BENNETT'S SUBDIVISION, of part of the Southwest Quarter (SW 1/4) of Section Twenty-Nine (29), Township Ten (10) North, Range Twenty-One (21) West of the 6th P.M., in Dawson County, Nebraska, duly made out, acknowledged and certified to be and the same hereby is approved, accepted and ordered filed and recorded in the office of the Register of Deeds of Dawson County, Nebraska.

PASSED AND APPROVED this 11th day of February, 1997.

CITY OF LEXINGTON, NEBRASKA

BY: \_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**REVIEW OF  
ADJUSTMENT TO  
SANITATION RATES:**

The Lexington City Council reviewed the adjustment to the sanitation rates with several other proposals being presented by Councilman Fagot. Upon completion of his discussion, Mr. Bruce Smith, representing Dan Sabin addressed the Lexington City Council saying that the variation in rates from town to town are realized by the other towns because of the frequency of collection. After listening to various plans and explanations, Mayor Hawks stated that he would like to have a committee composed of Councilman Fagot, City Manager Bricker, Mr. Dan Sabin and Mr. Sabin's Attorney review additional data concerning the rates charged in Lexington. No further action was taken at this time.

**AIR QUALITY**

City Manager Bricker addressed the Lexington



**MONITORING REPORT:** City Council stating that he had made contact with some air quality testing companies and would be placing devices in the city that would change color according to the content of hydrogen sulfide. However, it is not an exact test as the patches could be affected by temperature, humidity and wind direction. He further stated that upon the conclusion of gathering this data, he would present a report to the Lexington City Council. No further action was taken.

**LAKOTA MANAGER:** The Lexington City Council considered the application of Ramona Finnell as manager of the liquor license for the Lakota. There being no objections to the change in managers, moved by Kohl, seconded by Klamm to approve the application of Ramona Finnell as manager of the Lakota's liquor license. Roll call. Voting "aye" were: Wightman, Fagot, Klamm, Kohl, Hawks. Motion carried.

**PAY ESTIMATE NO. 6 - POOL:** The Lexington City Council considered Pay Estimate No. 6 from Associated Pool Builders in the amount of \$54,000 for work completed on the pool contract. Moved by Klamm, seconded by Kohl that Pay Estimate No. 6 for Associated Pools be paid in the amount of \$54,000 and authorized the City Treasurer to transfer \$54,000 from the aquatic funds to the City of Lexington Operating account. Roll call. Voting "aye" were: Wightman, Fagot, Kohl, Klamm, Hawks. Motion carried.

**PAY ESTIMATE NO. 7 - POOL:** The Lexington City Council considered Pay Estimate No. 7 from Associated Pool Builders in the amount of \$12,000 for work completed on the pool contract. Moved by Wightman, seconded by Fagot that Pay Estimate No. 7 for Associated Pools be paid in the amount of \$12,000 and authorized the City Treasurer to transfer \$12,000 from the aquatic funds to the City of Lexington Operating account. Roll call. Voting "aye" were: Klamm, Kohl, Fagot, Wightman, Hawks. Motion carried.

**PAY ESTIMATE NO. 8 - POOL:** The Lexington City Council considered Pay Estimate No. 8 from Associated Pool Builders in the amount of \$8,850 for work completed on the pool contract. Moved by Wightman, seconded by Klamm

that Pay Estimate No. 8 for Associated Pools be paid in the amount of \$8,850 and authorized the City Treasurer to transfer \$8,850 from the aquatic funds to the City of Lexington Operating account. Roll call. Voting "aye" were: Fagot, Kohl, Klamm, Wightman, Hawks. Motion carried.

**PAY ESTIMATE  
NO. 5 - POOL:**

The Lexington City Council considered Pay Estimate No. 5 from Associated Pool Builders in the amount of \$104,000 for mechanical work completed on the pool contract. Moved by Fagot, seconded by Kohl that Pay Estimate No. 5 for Associated Pools be paid in the amount of \$104,000 and authorized the City Treasurer to transfer \$104,000 from the aquatic funds to the City of Lexington Operating account. Roll call. Voting "aye" were: Klamm, Wightman, Kohl, Fagot, Hawks. Motion carried.

**PAY ESTIMATE  
NO. 6 - POOL:**

The Lexington City Council considered Pay Estimate No. 6 from Associated Pool Builders in the amount of \$24,895.40 for mechanical work completed on the pool contract. Moved by Klamm, seconded by Wightman that Pay Estimate No. 6 for Associated Pools be paid in the amount of \$24,895.40 and authorized the City Treasurer to transfer \$24,895.40 from the aquatic funds to the City of Lexington Operating account. Roll call. Voting "aye" were: Kohl, Fagot, Wightman, Klamm, Hawks. Motion carried.

**TREASURERS REPORT:** Ms. Kerry Rader addressed the Lexington City Council and presented the Treasurer's Report for October, 1996. After completion of the review of her report, moved by Wightman, seconded by Klamm to accept the Treasurer's Report for October, 1996. Roll call. Voting "aye" were: Fagot, Kohl, Klamm, Wightman, Hawks. Motion carried.

**COMPUTER UPDATE:** City Clerk Leon E. Malzahn addressed the Lexington City Council presenting a report and schematic of the design of the computer system that could be employed by the City of Lexington in the future. Mr. Malzahn also reported that he had been in contact with the software company from Sioux Falls, S.D. and had reviewed the software with favorable opinion and had nothing more to report at this time. No further action was taken.

**EXECUTIVE SESSION:** Moved by Wightman, seconded by Klamm to recess the regular session to executive session at 9:39 p.m. in order to discuss personnel. Voting "aye" were: Fagot, Kohl, Klamm, Wightman, Hawks. Motion carried. Moved by Wightman, seconded by Kohl to reconvene the regular session from executive session at 9:57 p.m. Roll call. Voting "aye" were: Klamm, Fagot, Kohl, Wightman, Hawks. Motion carried.

**ADJOURNMENT:** There being no further business to come before the Council, Mayor Hawks declared the meeting adjourned.

Robert Hawks  
Mayor

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.

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Leon E. Malzahn  
Lexington City Clerk