

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, February 25, 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, Ruth Seward and Kerry Rader. Also present was Bob Blankenship representing Miller & Associates, Dick Prasch, Mary Maloley, Barb Batie, Liz Richardson, Orville Rieker, Mark Yung, Jeff Konen and Pat Samway. 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 OF REGULAR MEETING 2-11-97: The minutes of the regular meeting held February 11, 1997 were presented for Council's consideration and approval. Moved by Klamm seconded by Wightman to approve the minutes of the regular meeting held February 11, 1997 as amended after changing the Fire Department report from the 10-year period rather than 1-year period. Roll call. Voting "aye" were: Fagot, Kohl, Wightman, Klamm, Hawks. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$248,198.56 were presented for Council's consideration and approval.

Moved by Wightman, seconded by Fagot to approve the claims as listed and authorized the City Treasurer to transfer \$66,443.59 from the General Fund, \$142,135.54 from LEXUS Funds, \$17,030.25 from City Sanitation Fund, \$4,250.34 from the Landfill Fund, \$5,899.99 from the Health Fund, \$6,503.50 from CDBG 90-HD-010, and \$5,935.35 from Meals on Wheels to the City of Lexington Operating Account. Roll call. Voting "aye" were: Klamm, Kohl with the exception of the claim to Mr. Automotive, Fagot with the exception of the claim to Fagot Electric, Wightman, Hawks. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 FEBRUARY 25, 1997,

ADVANCED CONTROL SYSTEMS,	SERVICE,	2028.00,
AFLAC,	CANCER INS.,	160.24,
ALIAN T COMMUNICATIONS,	NAVIX CHGS,	39.90,
AT & T,	LEASE,	68.92,
BARMORE'S,	SPEAKERS,	9.99,
BARRETT-HOUSEL-GRAFTON,	INSURANCE,	87.00,
BARCO MUNICIPAL PRODUCTS,	LETTERING,	87.94,
BERNTSON OIL CO,	FUEL,	2746.24,
BECKER FIRE EQUIPMENT CO.,	HOSE,	363.49,
BRICKER, VANCE,	MILAGE,	93.00,
CASH-WA DISTRIBUTING,	FOOD,	517.35,
CENTURY LUMBER CENTER,	SUPPLIES,	267.64,
CENTRAL AUTO ELECTRIC,	REPAIRS,	128.76,
CENTRAL COMM. COLLEGE,	RECERTIFICATION,	40.00,
COUNTRY GENERAL,	SUPPLIES,	111.42,
DAWSON CO. PUBLIC POWER,	SERVICE,	2558.21,
DUGAN BUSINESS FORMS,	FORMS,	1942.29,
EAKE'S OFFICE PLUS,	SUPPLIES,	28.35,
ELECTRIC FIXTURE & SUPPLY,	SUPPLIES,	812.95,
ELECTRONIC SYSTEMS,	INSPECTION,	25.00,
EMERY PRATT CO.,	BOOKS,	82.65,
ENVIRONMENTAL RESOURCE,	LAB SET,	207.40,
FAGOT ELECTRIC & REFRIG.,	REPAIRS,	152.00,
FARM PLAN CORP.,	BOLTS,	5.12,
FISCHER-SCIENTIFIC,	CONDENSER,	543.20,
FIRST NAT'L BANK OF OMAHA,	PENSION,	2097.92,
FRIEND, MATT TRUCK EQUIP,	BLADE,	228.24,
GALL'S, INC.,	SUPPLIES,	32.96,
GEHRING ELECTRIC,	DUPLEXES,	6000.00,

GILLETTE/NE. DAIRIES,	MILK,	242.36,
HARLEQUIN RETAIL, INC.,	BOOKS,	10.48,
HIPP WHOLESALE CO.,	FOOD,	644.48,
HOLIDAY TOUR & TRAVEL,	AIRFARE,	252.00,
INSTRUCTIONAL VIDEO CO.,	VIDEOS,	18.58,
INGRAM LIBRARY SERVICES,	BOOKS,	96.65,
JELCO CARPET CLEANING,	CLEANING,	201.50,
JONES PLMB & HEATING,	PIPE,	160.00,
KARRE'S CITY BAKERY,	ROLLS,	46.14,
KAR PRODUCTS,	SCREWS,	79.35,
K N ENERGY, INC.,	GAS,	1448.24,
KRIZ-DAVIS CO.,	SUPPLIES,	8238.22,
LAWSON PRODUCTS, INC.,	TOOLS,	388.01,
LEX AREA CHAM. OF COMMERCE,	EXPENSES,	60.00,
LEXINGTON COOP,	WASHES,	10.00,
LEXINGTON PUBLIC LIBRARY,	PETTY CASH,	27.68,
LEXINGTON NEWSPAPERS, INC.,	ADS,	289.01,
LEXINGTON TRUCK & AUTO,	AXLE,	123.50,
LEXINGTON, CITY OF,	MO. CHGS,	20848.78,
LIFE BOOKS,	BOOK,	28.90,
MALZAHN, LEON,	MILAGE,	314.34,
MEAD/BIG VALLEY LUMBER,	TOOLS,	113.81,
MEYER WELDING,	STEEL,	4.76,
MIDWAY SUPPLY,	GENERATOR,	1197.90,
MILLER & ASSOCIATES,	SERVICES,	976.40,
MORRIS PRESS,	SUPPLIES,	244.29,
MUNICIPAL SUPPLY,	CLAMP,	100.25,
N T I,	SERVICES,	169.58,
NAPE CONFERENCE,	CONF. EXP.,	10.00,
NE LIBRARY COMMISSION,	SERVICE,	36.94,
NE DEPT. OF REVENUE,	SALES TAX,	15.06,
N P P D,	CONF. EXP.,	149.00,
OCCUPATIONAL CENTER,	CATALOGS,	30.00,
OTTE, BONNIE,	MILAGE,	22.62,
OVERTON COMM. CENTER,	RENT,	100.00,
PAYROLL ACCOUNT ,	PAYROLL,	64975.51,
PATH MASTER, INC.,	RELAY,	136.00,
PATTY'S HALLMARK,	SUPPLIES,	3397.17,
PITNEY-BOWES, INC.,	SERVICE,	1237.00,
PIONEER OVERHEAD DOOR,	DUPLEX,	503.50,
P.J.'S RESTAURANT,	MTG. EXP.,	66.28,
PROTECTIVE LIFE INS.,	PREMIUMS,	180.86,
PUPI ENTERPRISES,	BUSHING,	295.70,
QUILL CORPORATION,	SUPPLIES,	63.23,
REACH ELECTRONICS,	REPAIRS,	59.73,

SCHNIEBER FINE FOODS,	FOOD,	1016.56,
SEWARD, LOUISE,	MILAGE EXP.,	6.38,
SIXTH STREET MARKET,	FOOD,	239.53,
SIMON & SCHUSTER,	BOOKS,	86.01,
SOCIAL SECURITY FUND,	FICA,	4911.35,
S & W AUTO PARTS, INC.,	PARTS,	672.13,
TIME LIFE BOOKS,	BOOK,	23.48,
TODD, MICHAEL & CO.,	PLOW BLADE,	625.99,
TRAUTMAN'S MEAT CENTER,	MEAT,	42.80,
TRAVELERS, THE,	PENSION,	872.19,
U S WEST COMMUNICATIONS,	PHONE,	387.10,
VALLEY PAINT & BODY,	SERVICE,	20.00,
VICI METRONICS, INC.,	HYDRO. SULFIDE TEST,	402.35,
WALMART,	SUPPLIES,	176.80,
WARD LABORATORIES,	MANURE,	25.00,
WAREHOUSE SURPLUS,	CANDY,	8.00,
WATER ENVIRONMENTAL FED.,	MEMBERSHIP,	79.00,
WATERPRO,	PARTS,	1001.22,
WESCO DISTRIBUTION, INC.,	SUPPLIES,	4089.31,
ZEP MANUFACTURING,	JANITOR CART,	152.71,
BOGGS, H.L., INC.,	CONNECTORS,	205.00,
CENTRAL GARAGE FUND,	SERVICE,	4049.78,
C.B.S.A.,	CLAIMS,	5558.89,
COUNTRY GENERAL,	RUNNING BOARD,	164.04,
C & S TRUCK AND SALVAGE,	FUEL TANK,	427.57,
DITCH WITCH OF NE.,	TRENCHER,	43302.90,
DAWSON CO. DEPT. OF ROADS,	SUPPLIES,	77.50,
DAN'S SANITATION,	SERVICE,	17030.25,
FRIEND, MATT TRUCK & EQUIP,	HEADLIGHT,	96.20,
HOLIDAY INN,	SCHOOL EXP.,	141.94,
I.M.L.A.,	CONFRENCE,	375.00,
JERRY'S ELECTRIC, INC.,	FLARE GLOVES,	692.88,
LEXINGTON FIRE DEPT.,	CONF. EXP.,	67.04,
LEXINGTON NEWSPAPERS,	ADS,	301.50,
LEXINGTON, CITY OF,	FRANCHISE,	20011.05,
MR. AUTOMOTIVE,	PARTS,	25.81,
MUNICIPAL SUPPLY,	GENERATOR,	144.76,
NEBRASKA MACHINERY,	REPAIRS,	118.40,
NE. DEPT OF HEALTH LAB.,	TESTS,	848.40,
OVERTON SAND & GRAVEL,	GRAVEL,	40.00,
PAULSEN BLDG & SUPPLY,	CONCRETE,	701.75,
PLATTE VALLEY AUTO MART,	PICKUP,	9900.00,
	GRAND TOTAL	\$248,198.56

LANDFILL BOARD

City Manager Bricker informed the Lexington City

VACANCY:

Council that an appointment, by the mayor, needs to be made to fill the vacancy on the Landfill Board. Mayor Hawks then appointed Vance Bricker to that vacancy. Moved by Klamm, seconded by Kohl to confirm the Mayor's appointment of Vance Bricker to the Landfill Board. Roll call. Voting "aye" were: Wightman, Fagot, Kohl, Klamm, Hawks. Motion carried.

ONE AND SIX YEAR ROAD PROGRAM:

The Lexington City Council held a public hearing to consider the one and six year road plan for the City of Lexington for 1997. Mr. Bob Blankenship addressed the Lexington City Council presenting an outline of the construction projects for 1997, their approximate costs, and other projects planned for the next six (6) years. Mr. Mark Yung was present to voice his opinion on the hike and bike trail along South Plum Creek Parkway stating that this was probably the busiest road in town and does not think that this is a proper place for the trail. He requested a different location be sought. City Manager Bricker informed him that this hike and bike trail was on the six year plan and may change many times prior to being placed in the one year plan. Hearing no further comments, Mayor Hawks declared the public hearing closed. Moved by Wightman, seconded by Kohl that the following resolution be passed and approved. Roll call. Voting "aye" were: Klamm, Fagot, Kohl, Wightman, Hawks. Motion carried.

**RESOLUTION NO. 97-03
RESOLUTION OF ADOPTION**

BE IT RESOLVED by the Lexington City Council of Lexington Nebraska that the attached one and six-year Street Improvement Programs are hereby adopted by said City Council. The said City Council attests that Notice of Public Hearing was posted in the following public places:

United Nebraska Bank, Farmers State Bank & Trust,
Lexington City Offices, Dawson County Court House
PASSED AND APPROVED this 25th day of February,
1997.

CITY OF LEXINGTON, NEBRASKA;
ROBERT HAWKS Mayor

ATTEST:

LEON E. MALZAHN City Clerk

**PARKING ON
15TH STREET:**

City Manager Bricker requested the Lexington City Council cause an ordinance to be prepared for the next meeting to eliminate parking on the south side of 15th Street from Adams Street to Park Street. After a discussion pertaining to the possible use of that street by Westside Care Homes and students of Lexington Senior High School, the City Manager was instructed to have an ordinance prepared for the next regular council meeting on March 11. No further action was taken.

**WITHDRAWAL OF
GARBAGE INCREASE:**

City Manager Bricker informed the Lexington City Council that Dan's Sanitation had requested the \$1 increase be removed until further study could be completed on the cost of hauling garbage in the City of Lexington. City Councilperson Fagot stated that this request came from a meeting with Dan's Sanitation in which rates from other cities were compared to the rates in the City of Lexington. At the conclusion of this meeting, Dan had agreed to withhold the \$1 increase previously granted until such time as the trucks could be weighed at a scale and the tipping fee determined. Upon completion of the discussion, moved by Fagot, seconded by Klamm to withdraw the \$1 rate increase until the trucks can be weighed and the cost determined in that manner. Roll call. Voting "aye" were: Wightman, Kohl, Klamm, Fagot, Hawks. Motion carried.

LIQUOR LICENSE:

The Lexington City Council reviewed a request from DLT, Inc. dba LaCorona Club for a change in the location of their liquor license. Mr. De La Torre was present representing LaCorona Club and explained to the Lexington City Council that they had lost their lease at the present location and purchased a building at 405 East Pacific. Ms. Barb Batie, representing Farm Bureau addressed the Lexington City Council with a letter from Farm Bureau not objecting to the move by the LaCorona Club but

requesting that they respect their property as they from time to time conduct business in the evenings, and that they do not use their parking lot. Chief of Police Charles Clark was requested to report on the number of calls at the LaCorona Club. Chief Clark reported that in 1992, there were 55 calls; 1993 there were 59 calls; 1994 there were 66 calls; 1995 there were 30 calls with approximately one-half relating to loud music. The ownership changed and in 1996 there have been 9 calls. Mr. De La Torre stated that this business would have only music played by juke boxes and pool rooms with no food preparation. In response to the parking problem next to Farm Bureau Office, he stated there were 20 spaces plus the one-half lot north of Farm Bureau and if a problem does exist, the club will place signs directing traffic to park on the property owned by the LaCarona Club. Upon completion of the discussion, moved by Kohl, seconded by Wightman to approve the moving of the liquor license for LaCorona Club from South Plum Creek Parkway to 405 E Pacific Street. Roll call. Voting "aye" were: Fagot, Klamm, Wightman, Kohl, Hawks. Motion carried.

**BID PROPOSAL -
AQUATIC CENTER:**

The Lexington City Council considered a request from Paulsen, Inc. of Cozad for completion of work at the Aquatic Center. Upon review of the request and a statement from the City Manager stating that the project engineer has approved this request, moved by Klamm, seconded by Kohl that Pay Request No. 9 from Paulsen, Inc. of Cozad in the amount of \$8,833 for work at the Aquatic Center be approved and the City Treasurer be authorized to transfer funds from the Aquatic Center to the City of Lexington Operating Account. Roll call. Voting "aye" were: Wightman, Fagot, Kohl, Klamm, Hawks. Motion carried.

**RESOLUTION TO
RENAME SERVICE
SERVICE BUILDING:**

In order to complete the request at the last Council meeting for renaming of the service building to the Glenn Hawks Service Building, 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. 97-04

WHEREAS, Glenn Hawks has provided invaluable service to the community of Lexington through his many years of employment with the City of Lexington and his position as community Services Director; and; WHEREAS, it is appropriate for the City of Lexington to honor Glenn Hawks for that service to the community.

BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, that the City Service Building on West Vine Street shall hereinafter be called the "Glenn Hawks Building." PASSED AND APPROVED this 25th day of February, 1997.

CITY OF LEXINGTON, NEBRASKA
ROBERT HAWKS Mayor

ATTEST:

LEON E. MALZAHN City Clerk

RECREATION DIRECTOR City Manager Bricker informed the Council as to the progress he had made on the job description for the Recreation Director. The discussion which followed pertained to the programs this position would manage and the coordination effort this person would need to satisfy all recreation factions involved. Other discussion pertained to the Recreation Committee obtaining sufficient revenues to support existing new programs without the City violating the lid limit. Upon completion of the discussion Council Klamm moved that the City Manager be authorized to advertise for and fill the position of Recreation Director. Seconded by Wightman. Roll call. Voting "aye" were: Fagot, Kohl, Wightman, Klamm, 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.

Leon E. Malzahn
Lexington City Clerk