

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, March 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, Ruth Seward and Kerry Rader. Also present was Bob Blankenship representing Miller & Associates, Kay and Wes Wiley, Ernie and Rhonda Harris, Gail Hall, Dale Nielsen, Dave Smith, and Larry Allen. The press was represented by the Clipper-Herald, Tri-City Trib, 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 2/25/97: The minutes of the regular meeting held February 25, 1997 were presented for Council's consideration and approval. Moved by Wightman, seconded by Klamm to approve the minutes of the regular meeting held February 25, 1997 as presented. Roll call. Voting "aye" were: Fagot, Kohl, Klamm, Wightman, Hawks. Motion carried.

CLAIMS AND BILLS: Claims and Bills in the amount of \$680,040.15 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 \$114,408.20 from the General Fund,

\$524,457 from LEXUS Funds, \$10,000 from City Sanitation Fund, \$6,794.97 from the Landfill Fund, \$8,155.71 from the Health Fund, \$8,257.38 from CDBG 90-HD-010, and \$6,294 from Meals on Wheels and \$1,672.89 from the "457" Fund to the City of Lexington Operating Account. Roll call. Voting "aye" were: Klamm, Kohl, Wightman, Fagot, Hawks. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 MARCH 11, 1997

ADVANCED CONTROL SYSTEMS	SERVICE AGREEMENT	2028.00
ALIAANT CELLULAR	CELLULAR SERVICE	59.52
AMERICAN INSTITUTE	PAMPHLET	5.00
AMERICAN LIBRARY PREVIEW	BOOKS	260.39
AULTS PLUMBING	2 SIDE SEWERS	1000.00
BERNSTSON OIL	FUEL	3441.74
BROWN, HAROLD	TOOL ALLOWANCE	50.00
BURBACH ENGINEERS	ENGINEERING SERVICE	17500.00
CADWELL CONSTRUCTION	DUPLEX CHGS.	3490.00
CASH-WA DISTRIBUTING	FOOD	405.01
CAREERTRACK, INC.	CONF. EXP.	79.00
CATHODIC PROTECTION SERVICES	ANNUAL FEE	2115.00
CALIFORNIA LANGUAGE LABS	CASSETTES	23.21
CDBG CERTIFICATION CENTER	CONF. EXP.	30.00
CENTRAL GARAGE FUND	FUEL/LABOR/PARTS	7281.00
CENTURY LUMBER CENTER	BLDG SUPPLIES	96.38
COAST TO COAST	CLEANING SUPPLIES	17.65
CONNEY SAFETY PRODUCTS	FIRST AID SUPPLIES	473.38
COCA COLA/DR. PEPPER OF KRNY	COKE	62.65
COMPTON'S HOME LIBRARY	CD	35.90
CORNHUSKER HOTEL, THE	CONF. EXP.	792.84
COUNTRY GENERAL	TARP/SUPPLIES	380.81
C.B.S.A	CLAIMS	5167.74
CULLIGAN WATER CONDITIONING	WATER SERVICE	60.00
DAWSON CO. CLERK	DISPATCH SERVICE	4607.30
DAN'S SANITATION	SA SERVICE	
10169.48		
DEMCO	BOOK SUPPLIES	38.58
EAKE'S OFFICE PRODUCTS	SERVICE/SUPPLIES	575.86
EGAN SUPPLY CO.	CLEANING SUPPLIES	69.40
EILER'S MACHINING	STAINLESS STEEL	11.34
ELECTRIC FIXTURE	EL SUPPLIES	2028.55
ELECTRONIC GAMING MONTHLY	SUBSCRIPTION	19.97

FISCHER-SCIENTIFIC	STOPPER	56.11
FIRST NAT'L BANK	EMP. PENSION	2027.04
FRIEND, MATT TRUCK & EQUIP.	PARTS	102.31
GILLETTE/NE. DAIRIES	MILK	215.71
GREAT PLAINS SALES, INC.	PICKUP FLATBED	1022.88
GREAT PLAINS ONE-CALL	LOCATES	.58
HAWKS, ROBERT	TRAVEL EXP.	101.70
HACH CHEMICAL	LAB CHEMICALS	187.90
HAINES, BILL	SCHOOL EXP.	94.25
HIPP WHOLESALE COMPANY	FOOD	442.80
HOLIDAY INN	CONF. EXP.	131.63
INGRAM LIBRARY SERVICES	BOOKS	857.22
JELCO CARPET CLEANING	CLEAN CARPETS	148.50
JONES PLUMBING & HTG.	PLMB SUPPLIES	252.48
KAR PRODUCTS	TOOL ASSORT.	684.75
KIRK'S RESTAURANT	MTG. EXP.	14.22
K N ENERGY, INC.	GAS BILL	637.60
KRIZ-DAVIS, CO.	EL SUPPLIES	4383.86
LEXINGTON ANIMAL CLINIC	ANIMAL SERVICES	404.67
LEXINGTON COMMUNICATIONS	ANTENNA	73.90
LEXINGTON COOP	PROPANE/KEROSENE	162.50
LEXINGTON LAUNDRY	SERVICE	68.50
LEXINGTON POSTMASTER	POSTAGE	1650.00
LEXINGTON PUBLIC LIBRARY	PETTY CASH	42.00
LEXINGTON NEWSPAPERS, INC.	MINUTES	344.39
LEXINGTON TRUCK & AUTO	BOX FOR TRUCK	7.50
LEXUS	UTILITIES	24521.98
LEXINGTON CED	BUS. DEV. ACTIVITIES	3500.00
LUTHER, ANN	MTG. EXP.	7.50
MALZAHN, LEON	MEAL EXP.	25.50
MARTIN'S FLAG CO.	FLAGS	609.17
MEAD/BIG VALLEY LUMBER	WASHERS	56.98
MIAMI SYSTEMS, CORP.	METER TKTS.	286.10
MIDWAY SUPPLY	PARTS	179.78
MID NE. CABINET DIST.	CABINETS	3701.00
MILLER & ASSOCIATES	SERVICE	2100.00
MILLS, BARBARA	ED. REIMBURSEMENT	215.05
MR. AUTOMOTIVE	SERVICE	14.00
NE. MACHINERY	LOADER PMTS.	2829.05
STATE OF NE. DEPT. MOTOR	HANDICAPP PERMITS	30.00
NE. LIBRARY COMMISSION	CONF. EXP.	25.00
NEBRASKALAND MAGAZINE	SUBSCRIPTION	14.00
N.P.P.D.	POWER BILL	332776.74
NE SAFETY COUNCIL	MEMBERSHIP	100.00
NELSON, THOMAS R.	CLEANING	500.00
OTTE, BONNIE	SCHOOL EXP.	75.00

PAYROLL ACCOUNT	PAYROLL	63867.26
PAULSENS BLDG. & SUPPLY	CONCRETE	1149.00
PATTY'S HALLMARK	OFFICE SUPPLIES	503.89
PETTY CASH FUND	PETTY CASH	75.86
PHYSIO-CONTROL CORP.	DEFIB BATTERY	157.39
PLATTE VALLEY COMMUNICATIONS	RADIOS	594.00
PLATTE VALLEY EXTERMINATING	EXTERMINATING	24.00
PRECISION INDUSTRIES	ANTI SEIZE	36.18
RAYVE PRODUCTIONS	BOOK	17.95
REACH ELECTRONICS	BATTERIES	57.00
RENT ALL RENTALS	PACKER RENTAL	21.30
RECORDED BOOKS	BOOK	19.15
READER'S DIGEST	MAGAZINE	22.46
SAUBER MANUFACTURING, INC.	TRAILER	7434.00
SCANTRON FPC	DEPOSIT	2500.00
SCHUCKMAN, MARSHA	CLEANING	200.00
SCHNIEBER FINE FOODS, INC.	FOOD	934.16
SEWARD, LOUISE	MILAGE EXP.	6.38
SEWARD, RUTH	REIMBURSE FOR BOOK	11.70
SIXTH STREET MARKET	FOOD	168.78
SOCIAL SECURITY FUND	FICA	4818.60
SOMERSET PUBLISHERS, INC.	DICTIONARY	87.50
S & W AUTO PARTS, INC.	PARTS	528.70
TEXACO CUSTOMER SERVICE	FUEL	15.55
TRAVELERS, THE	POLICE PENSION	899.86
UNITED NE. BANK	BOND INT. PMT.	64512.50
UNIV. OF NE. OMAHA	CLERKS SCHOOL	180.00
UNISYS CORPORATION	SERVICE AGREEMENT	2782.80
WAL-MART	SUPPLIES	210.18
WAREHOUSE SURPLUS	SUCKERS	16.00
WESCO DISTRIBUTION, INC.	EL SUPPLIES	354.11
WEBER & WEINHOLD	LEGAL SERVICES	1450.00
YOUNG & MODERN (YM)	SUBSCRIPTION	13.97
ALIAN COMMUNICATIONS	NAVIX CHG	19.95
BRICKER, VANCE	CONF. EXP.	46.81
C.B.S.A	CLAIMS	2987.97
C.B.S.A	PREMIUMS/ADMIN FEE	7036.13
ELECTRIC FIXTURE	EL SUPPLIES	12.50
FAGOT, JOHN	MTG. EXP.	138.10
GOV. FINANCE OFFICERS ASSN.	MEMBERSHIP	125.00
LEXINGTON HEALTH FUND	SELF FUNDING	14678.31
LEXINGTON LAUNDRY	CLEANING	4.50
LEXINGTON, CITY OF	MONTHLY CHGS	24125.06
LEX SOLID WASTE AGENCY	LANDFILL EXP.	56.25
MEAD/BIG VALLEY LUMBER	BLDG SUPPLIES	64.08
MIDWAY SUPPLY	PARTS	69.20

MR. AUTOMOTIVE	PARTS	9.17
N.T.I	PHONE	92.05
NEBRASKA MACHINERY	PARTS	576.00
NE. DEPT. OF REVENUE	UTL SALES TAX	24215.01
OMAHA LIFE INSURANCE CO.	FIREMENS' INS.	64.00
PETTY CASH FUND	PETTY CASH	73.00
QUILL CORPORATION	OFFICE SUPPLIES	111.55
SAUBER MANUFACTURING CO.	OUTRIGGER	248.00
SCHUMACHER, KENNETH	MTG. EXP.	17.50
SKWAREK, NELDENE	457 PROCEEDS	1672.89
U.S. WEST COMMUNICATIONS	PHONE	1814.38
WAL-MART	SUPPLIES	54.96
	GRAND TOTAL	\$680,040.15

CITIZENS COMMENTS: Mr. Dale Nielsen, representing the Airport Authority, reported to the Lexington City Council that the Authority felt a need to work closer with the City Council and from time-to-time report upon their operations. He then went on to explain the operations of the Airport Authority stating that they had approximately four medical flights per week, two air ambulances per month and one to fifteen transits which would stop for gas. There are 25 airplanes based at the airport; 5 belong to Neben and 20 to private owners. He further stated there were approximately 3 jets per month that use the long runway. Projects for the next year include: paving the access road from the county road to the terminal building, build a maintenance building for equipment and building repairs. He completed his report by answering questions pertaining to the runways and stating that the concrete runway is 5,500 feet which is probably the longest runway for that type of airport. He further stated that he did not believe Lexington would become a regional airport since our closeness to Kearney. Regional airports at this time include: McCook, North Platte, and Kearney. He then reviewed the rates that individuals pay for leasing and operating their own hangers and/or leasing the airport's hanger.

**15TH STREET
PARKING:**

City Manager Bricker informed the Council that the Ordinance had been prepared upon the suggestion of the council at the last meeting which would prohibit parking from Adams to Park Streets on both sides of

15th Street. During the discussion, the Ordinance was modified to limit the parking from Adams to Lake Street only. Other items of discussion included a possible parking time limit on the north side. Mr. Larry Allen, representing Plum Creek Care Home, addressed the Lexington City Council stating that he would whole-heartedly support the ordinance for no parking on either side. Also supporting the ordinance was Kay Wiley. Upon conclusion of the discussion, an ordinance entitled, "AN ORDINANCE TO AMEND SECTION 16-45 OF THE LEXINGTON CITY CODE; TO LIMIT PARKING ON 15TH STREET FROM LAKE STREET TO ADAMS STREET; TO REPEAL ORIGINAL SECTION 16-45, AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM." was read before the council. Moved by Fagot, first by Klamm that said ordinance be passed on second reading. Roll call. Voting "aye" were: Wightman, Kohl, Klamm, Fagot, Hawks. Motion carried.

SANITATION RATES:

City Manager Bricker informed the Lexington City Council that this resolution would delete the section of the resolution passed that allows sanitation rates to go up whenever tipping fees increased and the price of gas exceeded \$1.35 per gallon. Upon completion of this discussion, moved by Klamm, seconded by Wightman that the following resolution be passed and approved. Roll call. Voting "aye" were: Fagot, Kohl, Wightman, Klamm, Hawks. Motion carried.

RESOLUTION 97-05

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

That pursuant to authority granted by Section 22-6 of the Lexington City Code, and in order to reflect changes in tipping procedures at the Lexington Area Landfill, the authorized charges and formulas for determination of charges for collection of refuse and garbage are hereby amended as follows:

1. Basic Residential service, consisting of either a 96 gallon roll-out container, 2-55 gallon barrels, or joint use of dumpster, for each residential unit: \$11.25 per month

2. Basic Residential charge for person 65 years of age or older and residing alone: \$9.25 per month

This rates adopted by this Resolution shall be effective for refuse collections beginning March 1, 1997. Original Resolution 92-16 is hereby repealed.

Passed and approved this 11th day of March, 1997.

Robert Hawks, Mayor

ATTEST:

Leon E. Malzahn, City Clerk

SWEEPER BIDS:

City Manager Bricker addressed the Lexington City Council stating that one of our current street sweepers has reached the age of approximately 20 years and needs to be traded for a new sweeper. Upon further discussion of the capabilities of the sweeper specified in the bids, moved by Wightman, seconded by Fagot that City Administration be allowed to advertise for bids for a street sweeper. Roll call. Voting "aye" were: Kohl, Klamm, Fagot, Wightman, Hawks. Motion carried.

**LIQUOR LICENSE
MANAGER:**

The Lexington City Council considered the request of Lexington Co-op Oil dba Ampride to have the liquor license manager changed to Gail Hall. Mr. Hall was present and addressed the Council stating that he visits the station frequently during the day and is fully qualified to manage this liquor license. Hearing no further comments or recommendations, moved by Wightman, seconded by Kohl to recommend Gail Hall be accepted as manager for the Lexington Co-op Oil Liquor License. Roll call. Voting "aye" were: Fagot, Klamm, Kohl, Wightman, Hawks. Motion carried.

**LIQUOR LICENSE
HEARING:**

The Lexington City Council held a public hearing to consider the application of Central Tire and Tread dba Stoney's for a Class "B" liquor license at 2705 S Bridge St. Ernie and Rhonda Harris were there to inform the council that they had purchased this store

from the Stone brothers and would like to have the liquor license renewed in their name. Hearing no comments opposing this license, Mayor Hawks declared the public hearing closed. Moved by Fagot, seconded by Klamm to recommend the issuance of a license to Central Tire and Tread dba Stoney's for a Class "B" Liquor License at 2705 S. Plumcreek Parkway. Roll call. Voting "aye" were: Wightman, Kohl, Klamm, Fagot, Hawks. Motion carried.

**CONSTRUCTION PAY
REQUEST:**

The Lexington City Council considered a pay request from Associated Pool Builders for the pool mechanical contract. City Manager Bricker reviewed the pay request stating that this request for \$59,700 has been approved by Dave Burbach as matching the percentage of completion of the project. Upon completion of the presentation, moved by Klamm, seconded by Fagot that Application NO. 7 from Associated Pool Builders, Inc. in the amount of \$59,700 for construction of the pool mechanical contract be approved and the City Treasurer be authorized to transfer \$59,700 from the Aquatic Center Funds to the City of Lexington Operating Account. Roll call. Voting "aye" were: Kohl, Wightman, Fagot, Klamm, Hawks. Motion carried.

**CAMPER TRAILER
PARKS:**

City Manager Bricker informed the Council that there had been some requests for camper trailer stalls in the City of Lexington and the request had gone through the Planning Commission and is now at the stage whereby the council passes their judgement on this ordinance. The ordinance was discussed in detail by the City Council, the City Manager, the Attorney, especially with regard to the 30-day time limit. Upon completion of the discussion, no changes were made to the ordinance. an ordinance entitled, "AN ORDINANCE TO AMEND SECTIONS 25-6 AND 25-12 OF THE LEXINGTON CITY CODE; TO MAKE PROVISION FOR REGULATION AND SPECIAL USE PERMITS FOR TRAILER CAMPGROUNDS; TO REPEAL ANY ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM." was read before the council. Moved by Wightman, seconded by Klamm that said ordinance be passed on first

reading. Roll call. Voting "aye" were: Kohl, Klamm, Wightman, Hawks. Voting "nay" was: Fagot. Motion carried.

MONITORING REPORT: Mr. Bob Blankenship, representing Miller & Associates addressed the Lexington City Council with a map depicting the locations of the monitoring cages which were placed around the IBP plant to measure hydrogen sulfide. City Manager Bricker then discussed the details of the measuring process and stated that this would then be made available to the council.

COMMITTEE APPOINTMENT: City Manager Bricker informed the Mayor that appointments needed to be made to the audit committee. With that suggestion, the mayor appointed Councilperson John Wightman and Councilperson Rick Klamm to the audit committee. The City Manager then informed them that there was a meeting of this audit committee to review the findings of the audit on Monday, March 17 at 7:00 a.m. Moved by Fagot, seconded by Kohl to confirm the Mayor's appointment of John Wightman and Rick Klamm to the audit committee. Roll call. Voting "aye" were: Klamm, Wightman, Kohl, Fagot, 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