CITY OF LEXINGTON LEXINGTON, NEBRASKA

A Regular Meeting of the Lexington City Council was held Tuesday, October 13, 1998 at the Lexington Municipal building, 406 East 7th Street, Lexington, Nebraska at 7:30 p.m. Members of the Council present were Mayor John Wightman, John Fagot, Neal Kohl, and Rick Klamm. Council Person Mandelko was absent. City Officials present were City Clerk Leon Malzahn, City Manager Vance Bricker, City Attorney Willard Weinhold. Department Heads present were Assistant City Manager Joe Pepplitsch, Charles Clark, Ruth Seward, Chris Huff. Also present was Dana Daniels representing Miller and Associates. Citizens in attendance were Paul Kugler, Roger Lobscher, Jim Doyle, Jim Florke representing Nebraska Public Power District, Donna Trueblood, Linda Miller, Sally Margritz, and Wes Lubberstedt. The Press was represented by the Clipper-Herald, KRVN, Tri-City Tribune, and Kearney Hub.

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 Wightman.

MINUTES - REGULAR MEETING 9-22-98:

Minutes of the regular Council Meeting held September 22, 1998 was presented for Council's consideration and approval. Moved by Klamm, seconded by Kohl to approve the minutes of the regular meeting held September 22, 1998 as presented. Roll call. Voting "aye" were Fagot, Kohl, Klamm, Wightman. Motion carried.

CLAIMS & BILLS:

Claims and Bills in the amount of \$916,931.38 was presented for Council's consideration and approval. After a brief discussion of the bills, moved by Kohl, seconded by Klamm to approve the claims and bills

as listed and authorize the City Treasurer to transfer \$245,688.26 from the General Fund, \$618,159.39 from the LEXUS Fund, \$10,356.00 from the City Sanitation Fund, \$613.65 from the Landfill Fund, \$7.99 from Library Memorial Fund, \$9,066.58 from the Health Fund, \$12,171.09 from Meals on Wheels Fund, and \$20,868.42 from Urban Renewal Fund to the City of Lexington Operating Account. Roll call. Voting "aye" were Klamm, Fagot, Kohl, Wightman. Motion carried.

CITY OF LEXINGTON ACCOUNTS PAYABLE 10/13/1998 COUNCIL

BARMORE'S BARCO MUNIC. PROD. BAILEY, TROY BAILEY, WILLIAM BANZHAF, NORMAN B S B CONSTRUCTION BEE OFC SOLUTIONS BERNTSON OIL BLIVEN, JESS BRICKER, VANCE BRUMMET, ELBERTA BURR, HOWARD BUS. & PROF. CREDIT CASH-WA DISTR. CASPER OIL INC. CCP INDUSTRIES INC. C.B.S.A. C.B.S.A. CENTRAL GAR. FUND	CD ROM-WATER DEPARTMENT SEPTEMBER CELLULAR CHARGES OCTOBER EQUIPMENT CHARGES MEMBERSHIP-GLENN HAWKS OFFICE SUPPLIES 7' SIGN POSTS ELECTRIC REBATE ELECTRIC REBATE ELECTRIC REBATE WELL END CAPS OFFICE SUPPLIES OIL AND FUEL EQUIPMENT REBATE LEAGUE CONFERENCE CAT-EXPRESS TRAINING ELECTRIC REBATE UTILITY CREDIT COLLECTIONS FOOD AND SUPPLIES ELECTRIC REBATE SUPPLIES EMPLOYEES MEDICAL CLAIMS SEPTEMBER PREMIUM CHARGES PARTS/LABOR/OIL	1,000.00 111.41 19.95 347.00 29.86 173.80 1,900.00 738.50 1,194.00 575.00 5.59 2,118.38 29.71 123.00 40.20 1,200.00 100.34 1,023.08 60.00 286.55 7,092.04 7,043.77 5,710.00
CENTRAL GAR. FUND CENTURY LMBR CNTR		5,7 10.00 77.23
	PARTIAL TUITION-SMETS, BRENT	28.00
CHILDREN'S BK COUN.		33.50
CLAREY'S SFTY EQUIP.		753.50
CLINE'S SM. ENG. RPR		38.65
COAST TO COAST	MISC. SUPPLIES	99.94
	TO CRA	20,868.42
COUNTRY GENERAL	SPADE HANDLES	40.31

CULLIGAN WTR COND.	GGC & WWTP WATER TREATMENT	107.50
D-5 INC.	VIRAHOL KITS	159.00
DAWSON COUNTY PPD	SEPTEMBER POWER CHARGES	2,017.70
DAWSON CO. CLERK	DISPATCH FEES	4,607.30
DAN'S SANITATION	DISPATCH FEES SOLID WASTE FEES 1/2 ANNUAL MEMBERSHIP FEES	10,949.44
DAWSON AREA DEVEL.	1/2 ANNUAL MEMBERSHIP FEES	10,000.00
	BRICKER - LODGING - 9/28/98	39.00
D&M SECURITY	OCT-DEC 1998	105.00
DUGAN BUSI. FORMS	OCT-DEC 1998 COMPUTER FORMS	2,200.67
EAKE'S OFFICE PROD.		•
		54.02
ELECTRIC FIXTURE	SPRING ELECTRICAL SUPPLIES HYDRAULIC HOSE WWTP SUPPLIES AND CHEMICALS	297.24
FARM PLAN CORP.	HYDRAULIC HOSE	11.45
I IOOI ILIX-OOILINIII IO		3.298.42
FIVE STAR FLOORING	COVE BASE AND ADHESIVE	42.49
FLOOR SHINE	COVE BASE AND ADHESIVE STRIP & WAX FIRE HALL	75.00
FRIEND. MATT TRUCK E	QUIPMENT SNOW PLOW CONTROL	268.19
G & V INC.	CLEAN DRAIN DITCH	1,170.00
GILLETTE/NE DAIRIES. I	CLEAN DRAIN DITCH NC. DAIRY PRODUCTS-GGC LIBRARY CLEANING	397.30
GONZALEZ. ANDREA B.	LIBRARY CLEANING	200.00
GROLIER PUBL. CO INC.	LIBRARY BOOKS	222.56
CREAT DI AINS ONE CAI	I SERVICE SERTEMBER LOCATES	
HAAS, T.O., TIRE INC.	TIRE REPAIR	45.00
HALL'S SAFETY EQUIP.	BOOTS	233.60
HANSEN CAROLYN	FLECTRIC REBATE	100.00
HARLEQUIN RETAIL. INC	TIRE REPAIR BOOTS ELECTRIC REBATE CLIBRARY BOOKS FOOD AND SUPPLIES LIBRARY 6 BOOK REFERRALS IMPACT WRENCH	10.52
HIPP WHOI FSALE CO	FOOD AND SUPPLIES	128.09
HILL-HOLDREGE INTER-	LIBRARY 6 BOOK REFERRALS	6.00
HYDRAULIC EQUIP. SVC	IMPACT WRENCH	662.14
I.C.M.A SUBSC.RENEW.	IMPACT WRENCH PLUG-IN SUBSCRIPTION	25.00
IMPACT COMP. SOLU.	CD-ROM	69.95
INGRAM LIBR. SVC	LIBRARY BOOKS	262.99
INS & PERS SVC	125 PLAN ADMINISTRATION FEES	310.50
INT. CONF. OF BLDG OF		78.15
	PAIR ELECTRIC BLDG. ADDITION	6,800.00
	WWTP & WATER SUPPLIES	364.48
KAPCO	LIBRARY SUPPLIES	67.93
KAR	NUTS & BOLTS	196.96
KIRBY, JIM	ELECTRIC REBATE	1,200.00
KNAPP ELECTRIC	REWIND MOTOR	451.23
K.R.V.N FM	SEPTEMBER AD CONTRACT	147.00
	ANNUAL AUDIOBOOK LEASE	661.50
	WORKSHOP-OSBORNE, CYNDI	50.00
LEX. ANIMAL CLINIC	ANIMAL CARE	718.95
	NCIP REPORT- SUPPLIES	56.78
LEX. HEALTH FUND	OCTOBER SELF FUNDING	13,330.21
	OO. ODE. COLLI I ONDINO	. 0,000.21

LEXINGTON COMM. LEXINGTON COOP LEXINGTON LAUNDRY LEX. POSTMASTER LEX. PUBLIC LIBRARY LEX. NEWSPAPER LEXINGTON, CITY OF LEXINGTON, CITY OF LEX. AREA SLD WASTE LEX. CITY PAYRL ACCT.	REPAIR RADIO PROPANE AND SWEEPER PARTS SEPTEMBER LAUNDRY CHARGES UTILITIES POSTAGE REPLENISH PETTY CASH SEPTEMBER NOTICES AND ADS. ELECTRIC REBATE OCTOBER MONTHLY CHARGES SOLID WASTE FEES PAYROLL FOR 9/24/98	88.45 105.46 68.00 1,500.00 51.85 668.48 7,242.00 23,254.03 27.00
PAID TO: SOCIAL SECURITY FIRST NATIONAL BANK AMERICAN FUNDS I.C.M.A. LEX. CITY PAYRL ACCT.	POLICE PENSION(EMPLOYER PORT) EMP. PENSION(EMPLOYER PORT)	71,706.18 5,433.20 2,130.07) 957.16 95.09
PAID TO: SOCIAL SECURITY FIRST NATIONAL BANK AMERICAN FUNDS I.C.M.A. LEX. AREA ARTS COUN. LEX. POSTMASTER LUTHER, ANN LUBRA SYSTEMS MARTIN ELECTRIC	POLICE PENSION(EMPLOYER PORT) EMP. PENSION(EMPLOYER PORT)	69,508.48 5,268.83 2,089.06) 990.53 95.09 500.00 150.00 31.20 263.87 20.00
MEAD/BIG VALLEY LMBF		
NTL. ASSOC-PURCH. MO NE LIBR. COMMISSION	TRIM TREES DOWN-TOWN TRAVEL GUIDES MISC. SUPPLIES PROFESSIONAL SERVICES VOLLEYBALLS BOOKS AND STICKERS ELECTRIC REBATE NON-BREAKABLE FLANGE	
NE PUBLIC POWER DIST	CHEMICALS REPAIR TIRE UNDERCOVER LIC. PLATE APPLIC. T.WEB CHARGES SEPTEMBER CLEANING	3,844.90 8.00 3.00 60.00 500.00 430.00

NSAWWA OLD DOMINION BRUSH OMAHA LIFE INS. CO OMAHA WORLD HERAL OVERTON SAND & GRA	CONFERENCE-BLIVENS & YOUNG SPROCKET & IDLER FIREMAN INSURANCE DSUBSCRIPTION RENEWALS VEL SAND AND GRAVEL R BUILDING RENT MISC. OFFICE SUPPLIES CONCRETE	120.00 193.56 64.00 193.70 928.50
PATTY'S HALLMARK	MISC OFFICE SUPPLIES	663 35
PAULSEN INC.	CONCRETE	982.05
PEAK INT.(PIZZA HUT)	PIZZAS-DEPARTMENT HEAD MTG.	36.49
PEPPLITSCH, JOE	KEARNEY LEAGUE MTG EXPENSES PHOTO PROCESSING & REPRINTS	143.40
PLATTE VALLEY COMM	. MONTHLY MAINT. & BATTERIES	168.75
PLATTE VALLEY EXTER	R. GGC EXTERMINATING	48.00
PRECISION INDUSTRIES	. MONTHLY MAINT. & BATTERIES 2. GGC EXTERMINATING SWWTP SUPPLIES GAS-SAW RENTAL LIBRARY BOOKS OS INC. FOOD AND SUPPLIES FOOD AND SUPPLIES ENCYCLOPEDIA FILM DEVELOPMENT ELECTRIC REBATE . MISC. PARTS & SUPPLIES 34 MEMBERS FITNESS CENTER	10.70
RENT ALL RENTALS	GAS-SAW RENTAL	21.73
RECORDED BOOKS	LIBRARY BOOKS	169.60
	TEAAN AND SUPPLIES	2,207.04 107.65
SIMON & SCHIISTED	ENCYCLOPEDIA	107.05
SIXTH STR PHARMACY	FILM DEVELOPMENT	3 38
STOLL CLIFFORD	FI FCTRIC REBATE	500.00
S&W AUTO PARTS. INC	. MISC. PARTS & SUPPLIES	263.64
TRI-COUNTY HOSPITAL	. MISC. PARTS & SUPPLIES . 34 MEMBERS FITNESS CENTER . 125TH CELEBRATION AD . METER IDLERS .TIONS PHONE CHARGES . POLY ROLLER .RS INC. ACID . MISC. SUPPLIES .S SUCKERS MOW GRASS V.MEMBERSHIP ASSESSMENT 98-99	272.00
TRI-CITY TRIBUNE	125TH CELEBRATION AD	325.00
U.S. FILTER/WATERPRO	METER IDLERS	108.78
U S WEST COMMUNICA	TIONS PHONE CHARGES	2,086.91
UTILITY EQUIPMENT	POLY ROLLER	295.86
VAN WATERS & ROGER	RS INC. ACID	107.40
WAL-MART	MISC. SUPPLIES	356.16
WAREHOUSE SURPLUS	SSUCKERS	16.40
WENBURG, FLOYD	MOW GRASS	50.00
		0,01010
WESCO DISTRIB., INC. ACE EQUIPMENT	MARKING PAINT BROOMS FOR STREET SWEEPER	127.20 1,030.39
AM. NAT. RED CROSS		
AM. NAT. NED CROSS	151.00	CLASSES
BARRETT- HOUSEL-GR	AFTON RENEWAL OF INSURANCE PO	
		48,407.00
	WORKERS COMPENSATION	37,398.00
	TRAVELERS BOILER POLICY	2,939.00
CDCA	UNION BONDS	581.00
C.B.S.A. DAWSON CO. CLERK	EMPLOYEE MEDICAL CLAIMS 1998-99 MO. ADDTL. DISPATCH FEES	1,664.04 3460.37
DUTTON-LAINSON CO.		929.83
ECLIPSE COMMUN.		
ELECTRIC FIXTURE		634.59
		2000

HUFF. CHRIS EXP.-CONFERENCE-COLORADO 20.93 K N ENERGY SEPTEMBER ENERGY BILLS 386.14 POSTAGE & SUPPLIES(PETTY CASH)15.72 LEX. PUBLIC LIBRARY MALZAHN, LEON ANNUAL LEAGUE MTG EXPENSES 73.50 MILLER & ASSOCIATES GRADE SEPARATION-ADAMS ST. 9.045.00 NE PUBLIC POWER DIST.SEPTEMBER POWER BILL 455,966.84 NE PAY SURVEYS ANNUAL PAY & BENEFIT SURVEY 230.00 PETTY CASH FUND REPLENISH PETTY CASH(CITY OFCE)96.17 SCHNIEBER FINE FOODS INC. FOOD AND SUPPLIES(GGC) 450.59 DIAMOND ENG. CO. **WELL #16 IMPROVEMENTS** 37480.32

GRAND TOTAL:

\$954,411.70

LIBRARY STUDY:

Mr. Jim Doyle representing the Lexington Library Board presented a report to the Lexington City Council concerning the size of the Lexington Public Library as compared to other towns that have a similar population, as well as statistical reports for attendance at the Library. Mr. Doyle stated that the attendance at the Library had increased approximately 11%. Upon the completion of his report, moved by Klamm, seconded by Fagot, that the following Resolution be passed and approved. Roll Voting "aye" were Kohl, Fagot, Klamm, call. Wightman. Motion carried.

RESOLUTION NO. 98-20

WHEREAS, THE Lexington Public Library Board, after studying the relevant and material facts, has made findings and determinations concerning the condition and state of the Lexington Public Library facilities; and

WHEREAS, action is required of the City to respond to such facts and to promote the general welfare of the people of the City of Lexington.

THEREFORE, BE IT RESOLVED the City Council does herewith and hereby adopt the Lexington Library Board's determinations and findings concerning the state and condition of the Lexington Public Library and incorporates such determinations and findings herein by this reference; and

IT IS, THEREFORE, RESOLVED the Lexington Public Library Board is authorized to contract for and obtain a needs assessment and public interest survey, using such techniques, methods, persons and entities as the Library Board shall determine after due and diligent inquiry and investigation, to identify and quantify the needs of the citizens of Lexington for information and other services provided by the Public Library, to quantify the support for library facilities and improvements and the preferences expressed for the means by which such improvements can be financed.

AND BE IT FURTHER RESOLVED the Lexington Library Board is authorized to obtain requests for proposals from architectural and design firms for the purpose of investigating renovations, improvements, remodeling, additions and other construction efforts to pursue the mission of the Lexington Public Library and to meet the current and future needs of the Lexington citizens for information and other resources.

BE IT FURTHER RESOLVED that the cost of the needs assessment shall be paid for from the general operating budget of the City from such funds and programs as determined by the City's administration.

PASSED AND APPROVED this 13th day of October, 1998.

CITY OF LEXINGTON, NEBRASKA

BY: John M. Wightman, Mayor

ATTEST:

Leon E. Malzahn City Clerk

LAND DONATION:

Mayor John Wightman stated that since he is representing the client who is giving this gift of land to the City, it would be in his best interest to abstain from the discussion and voting. At this time, he further stated that the donor of this land would like to remain anonymous, and this land is given to the City

to be used for the Optimist Recreation Facility. Upon further discussion, the City Manager informed the Council that this type of land would work in well with the City, as we are poor, as far as acreage per capita park area is concerned. This would help the City considerably. Upon the completion of discussion, moved by Kohl, seconded by Klamm that the following Resolution be passed and approved. Roll call. Voting "aye" were Fagot, Klamm, Kohl. Council Person Wightman abstained. Motion carried.

RESOLUTION NO. 98-21

WHEREAS, the City has received an offer of donation of the tract of land as described in the survey attached hereto, said land to be used for the Optimist Recreation Complex.

BE IT THEREFORE RESOLVED, that the Lexington City Manager is hereby authorized on behalf of the City of Lexington to take any action required in order to accept the gift of such tract of land for public use, and proceed with any required subdivision and rezoning of such property.

Passed and approved this 13th day of October, 1998.

CITY OF LEXINGTON, NEBRASKA

John Wightman, Mayor

ATTEST:

Leon E. Malzahn City Clerk

ELECTRIC LOAD REPORT:

Mr. Jim Florke, representing Nebraska Public Power District, addressed the Lexington City Council stating that he would like to commend the City of Lexington for their job in operating their electric system as the amount of demand had decreased by 588 kw and the amount of kilowatt hours had increased by over 3 million. This resulted in a lower rate of purchasing power and he is happy that the City is involved in this program. With no further discussion, no further action was taken.

TCI MERGER:

Mr. Paul Kugler, representing TCI addressed the Lexington City Council stating that with the merger of TCI with Bresnan Telecommunications resulted in a change of the franchise, and the City of Lexington is required to pass a resolution allowing this change. Upon the completion of his discussion, moved by Kohl, seconded by Klamm, that the resolution on the merger be passed as printed, and labeled Resolution No. 98-22. Roll call. Voting "aye" were Fagot, Klamm, Kohl, Wightman. Motion carried.

TRAFFIC WARRANTS:

Mr. Dana Daniels representing Miller and Associates presented graphs and other graphic demonstrations of the traffic that occurs at the intersection of Plum Creek Parkway (Hwy 283), and Walnut Street, and Jackson Street and 6th Street, referencing the peak number of vehicles at ½ hour intervals that pass through these intersections. It was further stated that the State has determined that it is not necessary for traffic lights at the corner of Plum Creek Parkway and Walnut Street, as it would have a tendency to delay the traffic on Plum Creek Parkway. After a considerable discussion pertaining to the traffic study performed by the State and other alternatives, no further action was taken.

STREET RECLASSIFICATION:

City Manager Bricker stated that the closing of Washington Street has changed the classification of some streets in the City around that area, therefore reclassifications have to be made other compensate for this change. Mr. Bricker further stated that most of the changes would reclassification of Jackson Street to an arterial and declassification of Washington Street as a collector. Upon the completion of his presentation and further discussion, moved by Klamm, seconded by Kohl, that the City Administration be allowed to petition a Board of Public Roads classifications and standards for the State of Nebraska to modify the classifications of Washington Jackson and Street. and reclassifications of Jackson Street. Roll call. Voting "aye" were Fagot, Kohl, Klamm, Wightman. Motion carried.

PLUM CREEK PARKWAY LINK:

City Manager Bricker requested the City Council allow City Administration to begin studies concerning the link road between Plum Creek Parkway and Adams Street as a Bypass for traffic to be diverted over to Adams Street from Plum Creek Parkway, or as a choice for cars to use Adams Street rather than Plum Creek Parkway. He further stated that maybe there would be some highway safety money available for the construction of this project. Upon the completion of his presentation, moved by Fagot, seconded by Klamm that the City Administration be allowed to proceed with the study of the development of a street between Plum Creek Parkway and Adams Street in the City of Lexington. Roll call. Voting "aye" were Kohl, Klamm, Fagot, Wightman. Motion carried.

PAY REQUEST:

Mr. Dana Daniels representing Miller and Associates addressed the Lexington City Council stating that the Application No. 1 from Diamond Engineering for the construction of the Water Main to connect water well no. 16 to the main line is within the standards and acceptable progress and is recommending payment be made with a retainage of 10%. He felt there was some seeding that needed to be done, but the retainage would be sufficient to cover these costs. Upon the completion of his recommendation, moved by Klamm, seconded by Fagot to approve Application No. 1 from Diamond Engineering for improvements to water well no. 16 in the amount of \$37,480.32 and authorize the City Treasurer to transfer \$37,480.32 from LEXUS to the City of Lexington Operating Account. Roll call. Voting "aye" were Kohl, Fagot, Klamm, Wightman. Motion carried.

WATER TOWER BIDS:

Mr. Dana Daniels representing Miller and Associates, addressed the Lexington City Council stating that bids had been opened on the 6th of October. There had been three bids received with two scheduled, one for a 45 day completion, and one for a 65 day completion. The three contractors that bid were W.S. Bunch Co., McGuire Iron Inc., and H & H Contracting. On the 45 day bid, W.S. Bunch Co. had no bid, McGuire Iron Inc. had \$142,440.00, H & H Contracting had \$111,275.00. On the 65 day completion date W. S. Bunch Co. had \$109,275.00, Mcguire Iron Inc. had \$130,440.00, and H & H

Contracting had \$111,275.00. He stated that Miller and Associates is recommending that award of the bid go to W.S. Bunch Co. in the amount of \$109,275.00 with a 65 day completion period. At this time, Mayor Wightman stated that Mike Amos, representing First National Bank of Sioux Falls, South Dakota had written a letter and obtained references for H & H Contracting and felt that the references were sufficient to award the contracting to H & H Contracting at the 45 day completion. discussion of references in which Mr. Daniels from Miller and Associates stated that any of the references previously furnished by H & H Contracting in the previous quote late last year, were for work that was performed in the 1987 to 1990 year ranges but no recent recommendations had been received. Upon further examination of the bids received and a discussion of the rapid pace the contractors would need to work to complete the 45 day schedule, moved by Klamm, seconded by Kohl, to award the bid to W.S. Bunch Co. in the amount of \$109,275.00 with a 65 day completion date range. Roll call. Voting "aye" were Fagot, Kohl, Klamm, Wightman. Motion carried.

ADJOURNMENT:

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

John Wightman 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.

Lovington City Clark	
Lexington City Clerk	