

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, February 24, 1998 at the Lexington Municipal Offices, 406 East 7<sup>th</sup> Street, Lexington, Nebraska at 7:30 p.m. Members of the Council present were Mayor John Wightman, John Fagot, Rick Klamm, Patty Mandelko. Council person Neal Kohl was absent as requested at the last meeting. City Officials present were City Clerk Leon Malzahn, City Manager Vance Bricker, City Attorney Willard Weinhold. Department Heads present were Assistant City Manager Joe Pepplichtsch, Police Chief Charles Clark, Head Librarian Ruth Seward, Recreation Director Chris Huff and Bob Blankenship representing Miller and Associates. Also present were Doug Cunningham and Mike Winterfeld representing KN Energy, Barb Gydeson, Alvin Zimmerman, Girl Scout Leaders Kyle Ferguson, and substitute leader Roger Kelso, and Girl Scouts Sarah Kelso, Megan Ferguson, Kimberly Ferguson, Brandy Stevens, Jennifer Albrecht, Shauna Swedberg, Christina Swedberg, Chelsa Eldredge, Jhaimie Dye. The Press was represented by the Clipper-Herald, KNOP-TV, KRVN, the Tri-City Tribune, and the 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 OF REGULAR MEETING 2-10-98:** Minutes of the regular council meeting held February 10, 1998 were presented for Council's consideration and approval. Moved by Klamm, seconded by Mandelko to approve the minutes of the Regular Meeting held February 10, 1998 as presented. Roll call. Voting "aye" were Fagot, Mandelko, Klamm, Wightman. Motion carried.

**CLAIMS AND BILLS:**

Claims and Bills in the amount of \$348,925.55 were presented for Council's consideration and approval. Upon discussion of the added claims and repayment to the debt service of \$97,000.00, moved by Klamm, seconded by Mandelko to approve the claims and bills as listed, and authorize the City Treasurer to transfer \$195,033.90 from the General Fund, \$115,976.09 from LEXUS, \$18,476.00 from City Sanitation, \$420.67 from the Landfill Fund, \$12,763.30 from the Health Fund, \$9.48 Library Memorial Fund, \$6,246.11 from Meals on Wheels, to the City of Lexington Operating Account. Roll call. Voting "aye" were Mandelko, Fagot, Klamm, Wightman. Motion carried.

CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
February 24, 1998

ACE EQUIPMENT	GUTTER BROOMS & SECTIONS	284.40
AFLAC	CANCER PREMIUM	272.52
AMERICAN FUNDS	POLICE PENSION 2/12 PAYROLL,	945.63
BARMORES DRUG	SUPPLIES	10.97
BARRETT-HOUSEL-GRAFTON	VEHICLE & PROPERTY INSURANCE	795.00
BERNTSON OIL	FUEL	2,040.50
BESTWAY INC.	WARNING FLAG	434.10
BUSINESS TELECOMMUNICATION	SERVICE AND PHONES	764.10
CASH-WA DISTRIBUTING	FOOD & SUPPLIES	1,251.39
CENTRAL GARAGE FUND	CHARGES	3,832.99
CENTURY LABORATORIES	ASPHALTIC HOSE PATCH	223.78
CENTURY LUMBER	SUPPLIES	354.86
CONTRYMAN & ASSOCIATES	BLDG. A BETTER BUSINESS-CLASS	900.00
COMPUTER MANAGEMENT	TRAINING AND SOFTWARE	3,016.49
COCA COLA/DR		
PEPPER OF KEARNEY	POP	26.85
COUNTRY GENERAL	SUPPLIES	238.18
C.B.S.A.	EMPLOYEE MEDICAL CLAIMS	5,523.63
C & S TRUCK & SALVAGE	SUPPLIES	128.45
DAWSON PUBLIC POWER	SUPPLIES	42.60
DAWSON COUNTY TREAS	NEW AMBULANCE TIRE FEE	6.00
DEMCO	LIBRARY MATERIAL	82.98
DUTTON-LAINSON COMPANY	RUBBER GLOVES	54.37
EAKE'S OFFICE PRODUCTS	CALCULATOR	37.88
ECLIPSE COMMUNICATION	LONG DISTANCE FEES	262.42
EDM EQUIPMENT COMPANY	FIRE TRUCK AND EQUIPMENT	17,590.00
ELECTRIC FIXTURE	ELECTRIC SUPPLIES	3,587.87
ELECTRIC METER SERVICE	METER TESTING	14.90
ELECTRONIC SYSTEMS	INSPECT FIRE ALARM	25.00
ENGINEERED SEAL		
PRODUCTS	WWTP SUPPLIES	326.17
EUSTIS BODY SHOP	LIGHT ASSEMBLY	84.50
FAIRBANKS INTERNATIONAL	JACK	42.74

FAGOT, JOHN	TAPES PURCHASED & MEETING EXP	137.10
FIVE STAR FLOORING	BLINDS AND COVE BASE	1,097.40
FIRST NATIONAL BANK	EMP. PENSION 2/12/98 PAYROLL	2,052.30
FLOOR SHINE	CLEAN FLOOR SERVICE BUILDING	64.00
GILLETTE DAIRIES	DAIRY PRODUCTS	305.25
GOVT FIN. OFFICERS	FINANCE MATERIAL	10.00
HAAS, T.O.	TIRES	142.08
HALL'S SAFETY EQUIPMENT	BOOTS	479.40
HIPP WHOLESALE CO.	FOOD & SUPPLIES	131.87
HOFAKER'S IRON & METAL	USED SCRAP IRON	24.15
I.C.M.A.	PEPPLITSCH PENSION 1/15 PR	91.59
INGRAM LIBRARY SERVICES	LIBRARY MATERIAL	529.92
JONES PLUMB & HEATING	SUPPLIES	469.84
KARRE'S CITY BAKERY	FOOD FOR COUNCIL RETREAT	13.58
K N ENERGY INC	ENERGY BILLS	3,355.85
KRIZ-DAVIS COMPANY	SUPPLIES	786.98
LAWSON PRODUCTS	SUPPLIES	213.26
LEX AREA C.O.C	NEBR. CHAMBER MEETING	60.00
LEXINGTON COOP	SUPPLIES	132.00
LEX. PUBLIC LIBRARY	REPLENISH PETTY CASH	34.77
LEX. PUBLIC SCHOOLS	REFUND TO SCHOOLS	6,065.00
LEXINGTON NEWSPAPERS	MEETING NOTICES	295.74
LEXINGTON, CITY OF	REPAY DEBT SERVICE PER AUDITOR	97,651.89
LEXINGTON SOLID		
WASTE AGENCY	SOLID WASTE	295.92
LUTHER, ANN	MEETING EXPENSES	114.51
LUCENT TECHNOLOGIES	QUARTERLY SERVICE	74.40
MARTIN ELECTRIC	SUPPLIES	28.50
MC MAHON, KIM	CLEANING FIRE HALL FEBRUARY	108.33
MEAD/BIG VALLEY LUMBER	SUPPLIES	8.59
MIDWAY SUPPLY	SUPPLIES	348.40
MILLS, BARBARA	MILEAGE EXPENSE CLASS IN G.I.	44.10
MORRIS PRESS	SUPPLIES	6.65
MOORE BUSINESS FORMS	UNIFORM CITATIONS	43.11
MR. AUTOMOTIVE	BRAKES	94.61
MUNICIPAL SUPPLY	SUPPLIES	2,528.67
NEBRASKALAND TIRE	USED TIRE 30.00	
NE STATE HISTORICAL SOCIETY	ANNUAL RENEWAL 25.00	
NEBRASKA HHS LABORATORY	ANNUAL TESTING 1,404.70	
NELSON, TOM	BOOTS 47.92	
OLD DOMINION BRUSH	BROOMS FOR SWEEPER 800.00	
OVERTON SAND & GRAVEL	GRAVEL 260.00	
PAYROLL ACCOUNT	2/12/98 PAYROLL 67,849.93	
PAULSEN INC	CEMENT 875.29	
PATTY'S HALLMARK	OFFICE SUPPLIES 809.14	
PETTY CASH FUND	REPLENISH PETTY CASH 74.74	
PITNEY-BOWES	FEBRUARY MAINTENANCE 343.00	
PLUM CREEK ELECTRONICS	WIRING 1,790.51	
PROTECTIVE LIFE INSURANCE	CANCER PREMIUM 67.96	
RELIABLE OFFICE SUPPLY	LIBRARY SUPPLIES 21.07	
SCANTRON FPC	LIGHTENING ARRESTOR 420.00	
SCHNIEBER FINE FOODS INC	FOOD & SUPPLIES 1,213.34	
SIXTH STREET MARKET	FOOD & SUPPLIES 68.81	
SIMON & SCHUSTER	LIBRARY MATERIAL 162.52	
SOCIAL SECURITY	2/12/98 PAYROLL 5,130.09	
SOLOMAN CORPORATION	FIELD SERVICE 230.00	

STEINWART, DON	REFUND BUILDING PERMIT	56.50	
S & W AUTO PARTS, INC.	SUPPLIES	167.23	
TRI-COUNTY HOSPITAL	20 EMPLOYEES FITNESS CENTER	170.00	
WAL-MART	SUPPLIES	252.29	
C.B.S.A	EMPLOYEE MEDICAL CLAIMS	6,899.19	
DAN'S SANITATION	SOLID WASTE JANUARY BILLED FEB.	18,476.00	
DEPOSITORY TRUST	1997 B COMBINED UTILITIES	32,736.58	
E&L METER INSTALLATION	22 METERS INSTALLED 2/6-20/98	880.00	
LEXINGTON UTILITIES	JANUARY UTILITY BILLS	23,264.84	
LEXINGTON, CITY OF	JANUARY FRANCHISE FEES	22,357.87	
HIPP WHOLESALE COMPANY	HOLD-CREDIT MORE THAN CHARGES		(131.87)
	GRAND TOTAL:	\$348,793.68	

**TREE BOARD  
PRESENTATION:**

Barb Gydeson and Alvin Zimmerman addressed the Lexington City Council with a report on the progress and plans for the Tree Board. Their report contained an inventory on the number of trees located on City Property, including parks and cemeteries. Additionally, they stated there is a Arbor Day program to held on the 22<sup>nd</sup> of April, whereby there would be over 200 trees planted in the City of Lexington. These trees are made possible through a grant and funds donated by the Lexington Lions Club. In closing with their presentation, they requested the City Council consider allowing them to have a budget so they may attend workshops, and allow this Board to be an active board for the beautification of Lexington. At this time, no further action was taken.

**CHOICE GAS:**

An ordinance entitled, "AN ORDINANCE ESTABLISHING STANDARDS APPLICABLE TO THE UNBUNDLING OF NATURAL GAS SERVICE; SUPPLY COST ADJUSTMENT PROVISIONS WITH A BALANCING ACCOUNT TO PROVIDE FOR THE COLLECTION OF VARIOUS UNBUNDLED GAS SUPPLY COSTS OF KN ENERGY, INC., FROM RESIDENTIAL, COMMERCIAL AND NONCONTRACT CUSTOMERS AND REPEALING ORDINANCE NO. 1988, AND PROVIDING FOR AN EFFECTIVE DATE" was read before the Council. Moved by Klamm, seconded by Mandelko that said Ordinance No. 2094 be passed on third and final reading. Roll call. Voting "aye" were Fagot, Mandelko, Klamm, Wightman. Motion carried.

The passage and adoption of said Ordinance No. 2094 having been concurred with by a majority of all members elected to the Council, was by the Mayor

declared passed and adopted, and the Mayor, in the presence of the Council, signed and approved said Ordinance No. 2094, and the Clerk attested the passage and approval of the same and affixed the seal of the City thereto.

Leon E. Malzahn, City Clerk  
Lexington, Nebraska

**KN ENERGY RATE  
ORDINANCE:**

An Ordinance entitled "AN ORDINANCE RELATING TO THE SCHEDULE OF RATES FOR THE DELIVERY OF NATURAL GAS IN THE CITY OF LEXINGTON, NEBRASKA; REPEALING ORDINANCE NO. 1989 AND PROVIDING FOR AN EFFECTIVE DATE" was read before the Council. Moved by Klamm, seconded by Mandelko that said Ordinance No. 2095 be passed on third and final reading. Roll call. Voting "aye" were Mandelko, Fagot, Klamm, Wightman. Motion carried.

The passage and adoption of said Ordinance No. 2095 having been concurred with by a majority of all members elected to the Council, was by the Mayor declared passed and adopted, and the Mayor, in the presence of the Council, signed and approved said Ordinance No. 2095, and the Clerk attested the passage and approval of the same and affixed the seal of the City thereto.

Leon E. Malzahn, City Clerk  
Lexington, Nebraska

**KN ENERGY**

An Ordinance entitled "AN ORDINANCE AMENDING THE EXISTING FRANCHISE AGREEMENT BY AND BETWEEN THE CITY OF LEXINGTON, NEBRASKA, AND K N ENERGY, INC., A KANSAS CORPORATION, ITS SUCCESSORS AND ASSIGNS AND PROVIDING FOR AN EFFECTIVE DATE" was read before the Council. Moved by Mandelko, seconded by Klamm that said Ordinance No. 2096 be passed on third and final reading. Roll call. Voting "aye" were Fagot, Klamm, Mandelko, Wightman. Motion carried.

The passage and adoption of said Ordinance No. 2096 having been concurred with by a majority of all

members elected to the Council, was by the Mayor declared passed and adopted, and the Mayor, in the presence of the Council, signed and approved said Ordinance No. 2096, and the Clerk attested the passage and approval of the same and affixed the seal of the City thereto.

Leon E. Malzahn, City Clerk  
Lexington, Nebraska

**PUBLIC HEARING  
ONE-SIX YEAR ROAD  
PLAN:**

The Lexington City Council held a public hearing to consider the one and six year road plan for the City of Lexington. Mr. Bob Blankenship, representing Miller and Associates addressed the Lexington City Council stating that the One Year Plan for the City of Lexington is the Viaduct Placement Study in the amount of \$125,000, and the Taft Street Paving which would be the repaving of Taft Street at the cost of approximately \$300,000. Projects included in the Six Year Plan is a bridge over the City Drain on County Road No. 340 at the cost of \$55,000, the paving of South Jefferson Street from the Greater Lexington Addition to the County Road at approximately \$287,000, a Hike and Bike Trail along U.S. 283 to Interstate 80 in the amount of \$264,000, Grant Street from 10<sup>th</sup> to 11<sup>th</sup> Street, and repaving 10<sup>th</sup> Street from Washington Street to Madison Street in the amount of \$22,000, a box culvert at the intersection of County Road No. 55 and 440, approximately a 10 foot span and 50 foot in length for \$75,000, the paving of Maple Street from Adams west 830 feet and Spruce Street from Adams to west of the City limits at the cost of \$100,000, paving of Fifth and Jackson Street and Walnut Street and Bridge Street at a cost of \$30,000, a new street from Adams to Highway 283 along the drainage ditch \$300,000, a Hike and Bike Trail on 20<sup>th</sup> Street approximately ½ mile long for \$30,000, the intersection of South Plum Creek Parkway and Washington Street grading and paving of \$60,000, 17<sup>th</sup> Street concrete surfacing Jefferson Street to Monroe Street \$96,000, the resurfacing of 13<sup>th</sup> Street from Liberty to Freedom in the amount of \$25,000, the surfacing of 14<sup>th</sup> Street Tyler to Monroe \$45,000, the resurfacing of Taft Street from 6<sup>th</sup> Street to 12<sup>th</sup> Street in the amount of \$350,000. Upon the completion of his report, Mayor

Wightman addressed all people in attendance at the meeting if they have comments concerning the One and Six Year Road Plan. Hearing none, Mayor Wightman declared the public hearing closed.

**ONE AND SIX YEAR  
RESOLUTION:**

Moved by Fagot, seconded by Klamm that the following resolution be passed and approved. Roll call. Voting "aye" were Mandelko, Klamm, Fagot, Wightman. Motion carried.

RESOLUTION NO. 98-01

**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  
Plum Creek Bank

PASSED AND APPROVED this 24<sup>th</sup> day of February, 1998.

CITY OF LEXINGTON, NEBRASKA

Mayor John Wightman

ATTEST: Leon E. Malzahn, City Clerk

**MEMBER NOMINATION:** City Manager Bricker addressed the Lexington City Council stating that a nomination of a member of the Council to be placed on a nomination list for the Nebraska Choice Committee should be acted upon by the Council. After a description of the duties that may be involved by this member, if nominated to the Nebraska Choice Committee, Mayor Wightman requested this be placed on the next Agenda, at which Council person Neal Kohl would be in attendance.

**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.

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Lexington City Clerk