

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, April 28, 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, Rick Klamm. Council person Patty 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 Peplitsch, and Chris Huff. Also present was Dana Daniels representing Miller and Associates. Also present Barb Geddison and Alvin Zimmerman representing the Tree Board, Bob Martin and Dale Holbein representing the Lexington Fire Department, Courtney Klamm, and Jim Florke representing NPPD. The press was represented by the Clipper-Herald, KRVN, 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 4-14-98: Minutes of the regular council meeting held April 14, 1998 were presented for Council's consideration and approval. Moved by Kohl, seconded by Fagot to approve the minutes of the regular meeting held April 14, 1998 as presented. Roll call. Voting "aye" were Klamm, Fagot, Kohl, Wightman. Motion carried.

CLAIMS & BILLS: Claims and bills in the amount of \$194,517.05 was presented for Council's consideration and approval. Upon review of the claims and bills, moved by Klamm, seconded by Kohl, to approve the claims and bills as listed, and authorize the City Treasurer to transfer \$86,344.50 from the General Fund, \$73,234.27 from the LEXUS Fund, \$19,090.25 from the City Sanitation Fund, \$3,268.75 from the Landfill Fund, \$3,787.19 from the Health Fund, \$266.63 from the Library Memorial Fund,

\$5,619.76 from the Meals On Wheels Fund, \$2,240.00 from the Ed Reuse 90-HD-010 Fund, and \$665.70 from the Housing Reuse Fund to the City of Lexington Operating Account. Roll call. Voting "aye" were Fagot, Kohl, Klamm, Wightman. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 April 28, 1998

AFLAC	CANCER PREMIUM	312.82
ALAMAR UNIFORM CO	UNIFORMS POLICE	135.51
ALDAN SAFETY PRODUCTS	CLASS 2 BLANKET	167.59
AM. APPROVED EQUIPMENT	SWING CHAIN SHACKLES	319.00
BESTWAY, INC.	RAINSUITS	30.92
BOARDROOM CLASSICS	ENCYCLO. OF ESTATE PLAN.	35.00
BRICKER, VANCE	MILEAGE EXPENSES	151.83
CASH-WA	FOOD & SUPPLIES	561.91
CARLSON, LAURIE & ASSOC., LTD.	LINE STRIPER	1,364.50
CENTRAL GARAGE FUND PARTS/LABOR/OIL		4,830.00
CHANUTE RADAR SERVICE	RADAR REPAIR	100.59
COAST TO COAST	DOOR BELL & BAT.-POLICE	20.18
CONTRYMAN & ASSOCIATES	9/30/97 AUDIT SERVICES	28,175.00
CORNHUSKER CASUALTY CO.	PROP. DAMAGE DEDUCTIBLE	250.00
COUNTRY GENERAL	SUPPLIES AND PARTS	248.06
C.B.S.A.	EMPLOYEE MEDICAL CLAIMS	1,799.16
CURTIS INDUSTRIES. INC.	ELECTRICAL SUPPLIES	129.58
DAWSON COUNTY SURVEYOR	LEGAL COPIES	40.00
DAN'S SANITATION	SOLID WASTE FEES	19,090.25
DC SERVICES/LARRY K SMITH	LIGHTS AND INSTALLATION	82.91
DESIGN. CR. WOODWORKING	GROMMETS	7.14
DUTTON-LAINSON CO.	LOCKWASHERS	455.82
EAKE'S OFFICE PRODUCTS	OFFICE SUPPLIES	296.33
EGAN SUPPLY COMPANY	TRAFFIC CARPETS	203.01
EILER'S MACHINE & WELDING	ROLLER PLATES	103.00
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	406.18
FAIRBANKS INTERN. INC	PARTS & LABOR REPAIRS	373.18
FAGOT REFRIG. & ELECTRIC	UNDERGROUND WIRE REPAIR	82.00
FARM PLAN CORPORATION	PARTS	329.33
FISCHER-SCIENTIFIC	SAFETY EQUIPMENT	128.05
F & S SUPPLY CO. INC.	OFFICE SUPPLIES POLICE	12.94
GILLETTE/NEBR. DAIRIES, INC.	DAIRY PRODUCTS-GGC	230.64
HAAS, T.O. TIRE CO., INC.	4-WHEEL ALIGNMENT	44.95
HIGH VALLEY GARDENS	TREES	1,077.50
HOFAKER'S IRON & METAL	CHANNEL IRON	6.70
INS. & PERSONNEL SERV.	JAN.-MAR. 125 ADMIN. FEES	318.78
INT. CONF. OF BLDG. OFFIC.	CONTRACTORS GUIDE	53.35
INGRAM LIBRARY SERVICES	LIBRARY BOOKS	558.95
JOY BOOK NOOK	LIBRARY BOOKS	38.67

KAPCO	LIBRARY OFFICE SUPPLIES	29.07
KIDS DISCOVER	LIBR. MAGAZINE RENEWAL	19.95
K N ENERGY INC.	CENTRAL GAR. ENERGY COST	757.04
KRIZ-DAVIS COMPANY	SUPPLIES	1,513.84
LATINA	MAGAZINE SUBSCRIPTION	14.97
LEAGUE OF NE MUNICIPAL.	1998 DIRECTORY	90.00
LEXINGTON COMMUN.	RADIO ANTENNA	607.50
LEXINGTON PUBLIC LIBRARY	POSTAGE AND SUPPLIES	33.10
LEXUS	MARCH 1998 UTILITIES	18,994.28
LEXINGTON, CITY OF	FRANCHISE FEES	13,540.16
LEXINGTON SOLID WASTE	SOLID WASTE FEES	78.12
MC MAHON, KIM	FIRE-HALL CLEANING APRIL	108.33
MEAD/BIG VALLEY LUMBER	CAULKING AND KEY	11.36
MIDWAY SUPPLY	PARTS	138.14
MUNICIPAL SUPPLY	TUBE CUTTER & METER IDLER	162.26
NEBRASKA LIBRARY COMM.	OCLC PRODUCTS & SERVICE	31.78
NEBRASKALAND TIRE	TIRES	15.75
OVERTON SAND & GRAVEL	GRAVEL	175.50
OVERTON COMMUNITY CTR	RENT FOR APRIL	100.00
PAYROLL ACCOUNT	PAYROLL FOR 4/21/98	75,222.39
PAULSEN BLDG & SUPPLY	CONCRETE AND ROCK	802.10
PARROTT, MATT & SONS INC.	WINDOW ENVELOPES	477.16
PATTY'S HALLMARK	OFFICE SUPPLIES	1,632.68
PITNEY-BOWES	EQUIP. MAINTENANCE APRIL	343.00
RELIABLE OFFICE SUPPLY	LIBRARY OFFICE SUPPLIES	70.69
SCANTRON FPC	CUSTOM MADE CABLES	312.00
SCHNIEBER FINE FOODS	FOOD AND SUPPLIES	957.19
6TH STREET MARKET	FOOD AND SUPPLIES	119.15
6TH STREET PHARMACY	PHOTO PROCESSING	3.29
SIRCHIE	EVIDENCE BAGS	116.41
S&W AUTO PARTS INC	PARTS AND SUPPLIES	797.69
TIME LIFE BOOKS	LIBRARY BOOKS	23.48
TOOL HOUSE	CONCRETE PLACER	75.87
TRI-COUNTY HOSPITAL	LAB WORK(CASE 9709-0)	8.57
WAL-MART	OFFICE SUPPLIES	268.79
WESCO DISTRIBUTION, INC.	LAMPS	963.36
WESTERN UNIFORM & TOWEL	UNIF. FOR ELEC. DEPT.	5,490.45
ALIAN T CELLULAR	CELLULAR PHONE USEAGE	64.92
C.B.S.A.	EMPLOYEE MEDICAL CLAIMS	1,356.43
E&L METER INSTALLATION	12 METERS INSTAL. 4/13-27	480.00
HANNA:KEELAN ASSOC., P.C.	COMP. PLAN 25% COMPLETE	4,925.00
INTER. CITY/COUNTY MNGT. ASSOC.	PEPPLITSCH MBRSHIP	347.68
SCHNIEBER FINE FOODS INC.	FOOD AND SUPPLIES GGC	566.27
ADDED MILLER FUND AFTER COUNCIL		
EDM EQUIPMENT	RESCUE TRUCK	35,000.00
	GRAND TOTAL:	\$229,517.05

NPPD PRESENTATION: Mr. Jim Florke, representing Nebraska Public Power District, presented a report to the Lexington City Council concerning the options the City Of Lexington had for expanding their rebate program or their incentive program for the installation of electric heat. Mr. Florke explained that there was a margin in the current demand that if the City would be able to attract more customers to electric heat this margin would decrease and therefore the City would receive electricity at a more economical rate, and the customers that converted would be able to enjoy a more efficient method of heating their homes. Upon completion of his presentation, the City Administration was directed to prepare a program for the next council meeting that would outline the strategies for initiation of such an incentive program. No further action was taken.

ZONING ORDINANCE: The Lexington City Council discussed the possibility of considering an ordinance for rezoning of land requested by Don Price at the previous meeting. Mayor Wightman stated that since the makeup of the Council has not changed since the last meeting, he recommend this be tabled. Moved by Fagot, seconded by Kohl, that any action on these ordinances be tabled to the first regular meeting in May. Roll call. Voting "aye" were Kohl, Fagot, Wightman. Council person Klamm abstained.

LAND SALE ORDINANCE: City Manager Bricker informed the Lexington City Council that he had been in negotiations with Union Pacific Railroad to sell them .18 of an acre of ground that belonged to the City of Lexington. He further advised the Council that his negotiations with Union Pacific Rail Road resulted in a selling price of \$1,200.00 plus publication costs and attorneys fees. Upon the completion of his presentation, and Ordinance entitled "AN ORDINANCE DIRECTING THE SALE OF A PART OF LOT 3 IN TRACT D, IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 9 NORTH, RANGE 21 WEST OF THE 6TH P.M. IN THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE" was read on first reading and moved Klamm, seconded by Kohl, that the rules requiring the reading of said ordinance on three separate days be suspended. Roll call. Voting "aye" were Fagot, Kohl, Klamm, Wightman. Motion carried. Said ordinance was then read by title. Moved by Fagot, seconded by Klamm that Ordinance No. 2098 be

passed on final reading. Roll call. Voting "aye" were Kohl, Klamm, Fagot, Wightman. Motion carried.

The passage and adoption of said Ordinance 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, 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

**RESCUE UNIT
PURCHASE:**

At this time, the Lexington City Council adjourned to the Fire Hall where they inspected the Utility Truck that the Fire Department is requesting be purchase for transportation of equipment and apparatus used at fires, and accident location. Upon returning to the Council Chambers, members of the Fire Department stated that they would request the Council approval for the purchase of this truck since it was a reasonable price and that funds from the Miller estate be used to pay for this truck. Upon the completion of the presentation, moved by Klamm, seconded by Kohl, that the volunteer fire department be allowed to purchase this truck and that funds be allocated from the Jim Miller estate money to pay for its purchase. Roll call. Voting "aye" were Fagot, Kohl, Klamm, Wightman. Motion carried.

FINANCIAL REPORT:

Assistant City Manager/Treasurer Joe Peplitsch presented the Financial Reports for the City of Lexington for March, 1998. Upon review of the Financial Report, Council person Kohl moved for acceptance of the report, seconded by Fagot. Roll call. Voting "aye" were Klamm, Fagot, Kohl, Wightman. Motion carried.

CHANGE ORDER:

City Manager Bricker addressed the Lexington City Council stating that Diamond Engineering had requested a change order which would delay the start of the water main project to connect well no. 16 to the main system. The request for this delay was caused by the negotiations for the construction of municipal water well no. 16. With no further discussion, moved by Fagot, seconded by Klamm, that change order no. 1 to Diamond Engineer for municipal water well no. 16 be approved. Roll call. Voting "aye" were Kohl, Fagot, Klamm, Wightman. Motion carried.

**MUNICIPAL WELL
NO. 16 NEGOTIATIONS:**

City Manager Bricker addressed the Lexington City Council stating that the price for municipal water well no. 16 had been negotiated to \$152,900.00 with Liehs Drilling doing the work. The estimated time to have this completed would be in December 1998. With no further comments, moved by Kohl, seconded by Klamm to award the contract for municipal water well no. 16 to Liehs Drilling of Lexington, Nebraska in the amount of \$152,900.00. Roll call. Voting "aye" were Fagot, Kohl, Klamm, Wightman. Motion carried.

BUILDING ADDITION:

City Manager Bricker informed the City Council that the Electric Department needed additional storage room for their equipment, so that it may be stored inside a building, rather than having to sit outside. He said additional room that would be made available for this could be used for storage of wire and transformers. He is therefore requesting the City Council approve the purchase of this building for the Electric Department in the amount of \$34,000.00. With no further discussion, moved by Klamm, seconded by Kohl, to allow the administration to enter into a contract with JMS for the construction of an addition to a building for the Electric Department storage. Roll call. Voting "aye" were Fagot, Kohl, Klamm, Wightman. Motion carried.

**CHANGE OF MEETING
DATE:**

The Lexington City Council was informed that the next date of the regular meeting of May 12th is Election Day, and that the election office would be using the Council Chambers until 8:00 p.m. Afterwards, it would be quite some time before they had their paraphernalia cleaned up, and is requesting that the next regular City Council meeting be changed. With no further discussion, moved by Fagot, seconded by Klamm, that the next regular Council meeting scheduled for May 12, 1998 be changed to May 14, 1998 in the Municipal Building at 7:00 a.m. Roll call. Voting "aye" were Kohl, Klamm, Fagot, 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.

Leon E. Malzahn Lexington City Clerk