

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, October 12, 1999 at the Lexington Municipal building, 406 East 7th Street, Lexington, Nebraska at 7:30 p.m. Members of the Council present were Mayor John Fagot, Neal Kohl, John Wightman, Rick Klamm. City Officials present were City Manager Vance Bricker, Assistant City Manager Joe Peplitsch, City Attorney Willard Weinhold, Deputy City Clerk Shirley Lewis. Department Heads present were Charles Clark, Ruth Seward. Also present were Bob Blankenship representing Miller and Associates, John Redding, Tom Mooberry, Barry Carpenter, Adolfo Flores, and Wes Lubberstedt. The Press was represented by the Clipper-Herald and the Tri-City Tribune.

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 Fagot.

MINUTES - REGULAR MEETING - 9-28-99: Minutes of the Regular Meeting held September 28, 1999 was presented for Council's consideration and approval. Moved by Klamm, seconded by Wightman to approve the minutes of the Regular Meeting held September 28, 1999 as presented. Roll call. Voting "aye" were Cook, Kohl, Wightman, Klamm, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,103,659.28 was presented for Council's consideration and approval. Upon review of the claims and bills as listed, moved by Wightman, seconded by Klamm, to approve the claims and bills as listed, and authorize the City Treasurer to transfer \$190,450.57 from the General Fund, \$820,014.53 from LEXUS Fund, \$10,000.00 from City Sanitation Fund, \$26.88 from the Landfill Fund, \$104.70 from the Library Memorial Fund, 11,951.97 from the Health Fund, \$6,110.63 from Meals on Wheels, and \$65,000.00 from Police Pension, to the City of Lexington's Operating Account. Roll call. Voting "aye" were Kohl, Cook, Wightman, Klamm, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
OCTOBER 12, 1999 COUNCIL

ACCU CUT	OFFICE SUPPLIES	147.00
ACE EQUIP & SUPPLY CO	GUTTER BROOMS	533.37
ALLTEL	CELLULAR CHARGES	59.54
BARMORE'S	OFFICE SUPPLIES	11.00

BARRETT-HOUSEL-GRAFTON	INSURANCE PREMIUM	84,432.00
BERNTSON OIL	GAS AND DIESEL	2,428.23
BEST WAY, INC.	RATCHET SUSPENSION	204.30
BOSE, MICHAEL	UNIFORM EXPENSE	88.00
BOTTOM LINE/HEALTHQ	LIBR MAGAZINE RENEWAL	29.95
BUS & PROF CREDIT	UTIL CREDIT COLLECTIONS	73.56
C.B.S.A.	EMPLOYEES MED CLAIMS	7,277.63
C.B.S.A.	OCT PREMIUM CHARGES	8,178.43
CASH-WA DISTRIBUTING	FOOD AND SUPPLIES	354.48
CENTRAL COMM COLLEGE	EMP TRN-RICHMAN, MICHAEL	388.00
CENTRAL GARAGE FUND	PARTS/LABOR/OIL/GAS/DIESEL	9,413.37
CENTURY LUMBER CENTER	HARDWARE	90.68
CHILDS WORLD, THE	LIBRARY BOOKS	916.15
COAST TO COAST	FIREMAN TRAIN HOUSE EXP	59.21
COPYCAT PRESS, INC.	LIBRARY MATERIAL	19.45
COUNTRY GENERAL	SCREWDRIVER	3.70
COZAD SERVICES, INC.	REPLACE FAN MOTOR GGC	318.45
CULLIGAN WATER COND	GGC & WWTP WTR TREAT	91.20
DAN'S SANITATION	SOLID WASTE FEES	10,825.44
DAWSON AREA DEVEL	MEMBERSHIP FEES 1999-2000	10,000.00
DAWSON COUNTY CLERK	DISPATCH FEES	5,067.67
DAWSON CO PUBLIC POWER	SEPT POWER CHARGES	2,161.06
DAWSON CO ROAD DEPT.	PLANKS	480.00
DAWSON COUNTY SHERIFF	CIVIL PRCS BY WEINHOLD	18.00
DAWSON CO WEED CONTROL	WEED SPRAYING	1,999.42
DEMCO	LIBRARY SUPPLIES	377.98
DIAMOND VOGEL PAINT	TRAFFIC PAINT	501.50
DUTTON-LAINSON COMPANY	SHOVELS AND SPADES	305.93
EAKE'S OFFICE PRODUCTS	COPIER PAYMENT	575.40
EDEAL, JEAN	ELECTRIC REBATE	750.00
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	1,221.90
FLOOR SHINE	FLOOR CARE FIREHALL	65.00
FOLLETT SOFTWARE CO.	LIBRARY SUPPLIES	120.06
FRIEND, MATT TRUCK EQUIP	CYLINDER KITS	183.53
GENERAL FIRE & SAFETY	REPLACEMENT LENSE	36.58
GILLETTE/NE DAIRIES, INC.	DAIRY PRODUCTS-GGC	162.63
GROLIER PUBLISHING CO INC.	LIBRARY BOOKS	508.60
HAAS, T.O., TIRE INC.	TIRES	317.43
HALL'S SAFETY EQUIPMENT	SAFETY EQUIPMENT	14.45
HIPP WHOLESALE COMPANY	FOOD AND SUPPLIES	164.95
HOFAKER'S IRON & METAL	HANDLES	25.05
HOUSE OF HAIR	REPAIR UNIFORMS	30.00
HUSKER AG SALES	RIM AND TUBE	82.42
IIMC	MBRSHIP MALZAHN, LEON	100.00
INGRAM LIBRARY SERVICES	LIBRARY BOOKS	40.62
INS & PERSONNEL SERVICES	ADMINSTRATIVE FEES	422.28
INTERNET USA, LLC	LIBRARY INTERNET SERVICE	99.90
INTL. CONF. OF BLG. OFICLS	BUILDING INSPECTOR MAT	57.30
INVENTORY TRADING CO	EMPLOYEE UNIFORMS	434.00
JELCO CARPET CLEANING	CLEAN CARPETS SRVC BLDG	150.00
JONES PLUMBING & HEATING	WNTRZ BTHHS/WR. DPT SPLS	1,503.07
K.R.V.N. - FM	CONTR #2287502 SEPT 1999	173.25
KAPCO	LIBRARY SUPPLIES	45.92
KAR PRODUCTS	SHOP SUPPLIES	209.52
KNAPP ELECTRIC	REPAIR SIREN MOTOR	46.88

KRIZ-DAVIS COMPANY	ELECTRICAL SUPPLIES	7,432.59
LEXINGTON ANIMAL CLINIC	ANIMAL CARE	300.60
LEXINGTON COOP	KEROSENE AND CAR WASHES	25.20
LEXINGTON HEALTH FUND	OCTOBER SELF FUNDING	14,591.27
LEXINGTON LAUNDRY	SEPT LAUNDRY CHARGES	88.00
LEXINGTON POSTMASTER	GGC POSTAGE	150.00
LEXINGTON PUBLIC LIBRARY	REPLENISH PETTY CASH	73.21
LASWA	SOLID WASTE FEES	399.96
LEXINGTON, CITY OF	ECON DEV. RSRV/PLC PENS.	65,000.00
LEXINGTON, CITY OF	MO CHRGS/FRANCHISE FEES	23,849.47
LEXINGTON, CITY OF	13 ST PRJ IN-LIEU OF DBT SRV	156,680.00
LEX CITY PAYROLL ACCT.	PAYROLL FOR 10/7/99	71,616.53
SOCIAL SECURITY	SOCIAL SEC(EMPLYR PORT)	5,400.70
FIRST NATIONAL BANK	EMP PENS(EMPLOYER PORT)	2,296.61
AMERICAN FUNDS	POLICE PENS(EMPLYR PORT)	979.60
I.C.M.A.	EMP PENS(EMPLOYER PORT)	99.70
LEXUS	13 ST. PROJ-TRNSFR WATER	91,230.00
LUTHER, ANN	WCAA TRAINING	72.60
MEAD/BIG VALLEY LUMBER	BUILDING MATERIAL	1,431.91
MEYER WELDING & REPAIR	STRAP	20.40
MICK'S PLATTE VALLEY GLSS	TIGHTEN DR SRVC BUILDING	15.00
MIDWAY SUPPLY	PARTS AND SUPPLIES	375.62
MORRIS PRESS & OFC SPLIES	LIBRARY & OFFICE SUPPLIES	44.62
NE. DEPT OF HHS LAB	COLIFORM TESTS	920.00
NEBRASKA DEPT. OF REV	SEPTEMBER SALES TAX	27,931.85
NELSON, THOMAS R.	SEPTEMBER CLEANING	500.00
OLD DOMINION BRUSH	WATER PUMP	324.30
OMAHA LIFE INSURANCE CO	OCTOBER INS - FIREMEN	58.00
OMAHA WORLD HERALD	SUBSCRIPTION RENEWAL	184.60
ORYX PRESS	LIBRARY HANDBOOK	65.00
PATTY'S HALLMARK	OFFICE SUPPLIES	136.83
PAULSEN INC.	CONCRETE	1,163.76
PLATTE VALLEY AUTO MART	ALTERNATOR & CAR WASHES	236.46
PLATTE VALLEY COMMUN.	SEPT. MAINT - SCADA WORK	141.10
PLUM CREEK PROMOTIONS	VOLLYBALL SHIRTS	1,050.00
S&W AUTO PARTS, INC.	PARTS AND SUPPLIES	474.63
SAV A LOT DISCOUNT FOODS	CIVIL SERVICE MEETING	25.74
SCHNIEBER FINE FOODS INC.	FOOD AND SUPPLIES	568.13
SCHULTE, MICHAEL	ELECTRIC REBATE	200.00
SEWARD, JUSTIN	SEPT LIBRARY CLEANING	225.00
SEWARD, RUTH	LIBRARY MATERIALS	106.91
SIXTH STREET MARKET	FOOD AND SUPPLIES	71.53
SUND, DENNIS	REIMB- SAFETY BOOTS	48.45
TIME LIFE BOOKS	LIBRARY BOOKS	23.98
U.S. WEST COMMUNICATIONS	SEPTEMBER PHONE CHRGS	1,679.81
US POSTAL SERVICE	UTILITY POSTAGE	1,500.00
VER MAAS, KEN JR.	ELECTRIC REBATE	1,100.00
VIKING OFFICE PRODUCTS	LIBRARY BOOKS	105.27
WALKER ROOFING CO, INC.	REPAIR ROOF CITY HALL	537.00
WAL-MART	MISC. SUPPLIES	119.22
WAREHOUSE SURPLUS	SUCKERS	4.47
WORLD ALMANAC EDUC	LIBRARY BOOKS	671.62
BARRETT- HOUSEL-GRAFTON	RENEW-TRVLRS BOILER POL	3,056.00
C.B.S.A.	EMPLOYEE MEDICAL CLAIMS	4,216.44
CHANUTE RADAR SERVICE	REPAIR POLICE RADIOS	218.57

ECLIPSE COMMUNICATIONS	SEPT LONG DISTANCE FEES	265.49
EGAN SUPPLY COMPANY	CLEANING SUPPLIES	67.37
FOX BROS. HAY CO. INC.	TREE GRINDING	500.00
GILLETTE/NEBR DAIRIES, INC. DAIRY		144.08
GR PLNS ONE-CALL SRVC	SEPT UTILITY LOCATE CHRGS	91.38
GROVES, CHUCK	SEPT WATER SUPPLIES	64.00
JOY BOOK NOOK	LIBRARY BOOKS	64.40
K N ENERGY	SEPTEMBER ENERGY BILLS	712.17
LEX RURAL FIRE DEPT.	BOND PMT RURAL FIRE BLDG	4,453.75
NE. DEPT. OF H.H.S. LAB	WELL #16 REVIEW FEES	327.42
NPPD	SEPTEMBER POWER BILL	450,614.43
PAULSEN INC.	CONCRETE AND WHITE ROCK	456.52
PETTY CASH FUND	REPLEN PTY CSH(CITY OFC)	75.87
PLATTE VALLEY COMMUN	RMT SRV. BLDG - RADIO RPRS	912.30
PROTECTIVE LIFE INSURANCE	CANCER PREMIUM	35.62
TEXACO CSTMR CRD CENTER	FUEL EXPENSE - VAN	12.13
TRI-COUNTY HOSPITAL	SEPTEMBER REC. CHARGES	218.50
U S WEST COMMUNICATIONS	SEPT PHONE CHARGES	410.15
	TOTAL CLAIMS	\$1,103,659.28

**CERTIFICATE OF
FINAL COMPLETION:**

Bob Blankenship, representing Miller and Associates, presented a Certificate of Final Completion on Grant and 20th Street Water Line Project. The Certificate shows the adjusted quantities on the project, as they reflect what was completed and installed by Midlands Contracting. Moved by Wightman, seconded by Kohl, to accept the Certificate of Final Completion on the Grant and 20th Street Water Line Project. Roll call. Voting "aye" were Klamm, Cook, Kohl, Wightman, Fagot. Motion carried.

FINAL PAY ESTIMATE:

Mr. Bob Blankenship, representing Miller and Associates presented the Final Pay Estimate Number 3. Mr. Blankenship stated that the only difference between this Estimate, and the one approved earlier, is the sod on Grant Street. All the other items remain the same. Moved by Wightman, seconded by Kohl, to approve the Final Pay Estimate on the Grant and 20th Street Water Line. Roll call. Voting "aye" were Cook, Klamm, Kohl, Wightman, Fagot. Motion carried.

LIQUOR LICENSE:

Upon Mayor Fagot opening the Public Hearing, Wes Lubberstedt, representing Mr. Adolfo Flores, who is the major stockholder in LaMexicana Inc., addressed the Lexington City Council, requesting a Liquor License for Mr. Flores. Mr. Lubberstedt gave a brief history of Mr. Flores, his business, and his family. The request is for a license to apply to substantially all of the building except the southeast corner, and there is no access from the southeast corner of the building into his part of the building. The request if for a Bottle-Club License, which would allow him to serve on-sale spirits.

Mr. Adolfo Florez addressed the Lexington City Council stating that he has applied for this Liquor License because of the customer demand for the beverages. His aim is to please his customers. Following the presentations, Mayor Fagot closed the Public Hearing. Moved by Wightman, seconded by Klamm, to recommend approval of the Class M Liquor License for LaMexicana Inc. Roll call. Voting "aye" were Kohl, Cook, Klamm, Wightman, Fagot. Motion carried.

**SUNDAY LIQUOR
SALES:**

Mr. Tom Mooberry, representing Tom's Midwest Liquor, speaking on behalf of John's Liquor, Mac's Short Shop, Len's Liquor, Sav-A-Lot Grocery Store, the thousands of customers that come to their stores every week, and himself, addressed the Lexington City Council requesting them to consider approval of the sale of off-sale liquor on Sundays in the City of Lexington, which already allows the sale of off-sale beer and wine on Sundays. Due to the many requests from customers, they feel the addition of hard liquor would be another plus for Lexington, its residents, and the economy.

Barry Carpenter, representing Sav-A-Lot, stated that Sundays are the only day off for a lot of people in town, and that when they like to do their shopping. Council Person Wightman informed Mr. Mooberry that in order to do this, they would have to do it by Ordinance. Mayor Fagot requested City Attorney Weinhold to draw up an Ordinance so the Lexington City Council can have it put on the Agenda at the next Council Meeting.

MISCELLANEOUS:

City Manager Bricker addressed the Lexington City Council stating that the Lexington Area Solid Waste Agency Executive Board interviewed applicants for the Manager last week. There were approximately 15 applicants for the position, and five people were interviewed. The job was offered to a person from Wray, Colorado, and hopefully he will begin as Manager of the Agency on December 1, 1999.

City Manager Bricker informed the Lexington City Council that October 13 - 15, the Nebraska League of Municipalities will be having their 1999 Annual Conference. Assistant City Manager Joe Peplitsch, Mayor John Fagot, and himself will be attending. City Manager Bricker will be speaking on the 15th at 8:30 a.m. on Council Managers and Relations.

Council Person Ted Cook inquired about the trash containers being permanently left out on the west side of Jefferson Street between 14th and 16th Streets. City Manager Vance Bricker informed the City Council that the problem had been discussed, and Chief Building Inspector Tom Nelson has been working on it. He has left notices at each house on the street, and also moved the Trash Containers back into the yards. City Manager Bricker has instructed Mr. Nelson to keep issuing the citations until the residents start cooperating.

ADJOURNMENT:

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

John Fagot
Mayor

Shirley Lewis
Deputy City Clerk

I, the undersigned Deputy 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.

Lexington Deputy City Clerk