

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, May 25, 1999 at the Lexington Municipal Building, 406 East 7<sup>th</sup> Street, Lexington, Nebraska at 7:30 p.m. Members of the Council present were Mayor John Fagot, Neal Kohl, John Wightman, Rick Klamm, Ted Cook. 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, Ruth Seward, Barb Mills, Chris Huff. Also present was Bob Blankenship representing Miller and Associates, and Dale Larkins representing the Presbyterian Church. The Press was represented by the Clipper-Herald, 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 Fagot.

**MINUTES - REGULAR MEETING - 5-11-99:** Minutes of the Regular Council Meeting held May 11, 1999 was presented for Council's consideration and approval. Moved by Wightman, seconded by Klamm to approve the minutes of the Regular Meeting held May 11, 1999 as presented. Roll call. Voting "aye" were Kohl, Cook, Klamm, Wightman, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$370,006.65 was presented for Council's consideration and approval. Upon review of the claims and bills as listed, moved by Wightman, seconded by Klamm, that the claims and bills be approved as listed and authorize the City Treasurer to transfer \$244,986.04 from the General Fund, \$91,279.22 from the LEXUS Fund, \$19,460.25 from City Sanitation Fund, \$2,088.75 from the Landfill Fund, \$6,181.76 from Meals On Wheels Fund, \$5,995.33 from the Health Fund, \$15.30 from the Library Memorial Fund to the City of Lexington Operating Account. Roll call. Voting "aye" were Cook, Kohl, Klamm, Wightman, Fagot. Motion carried.

CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
MAY 25, 1999 COUNCIL

AFLAC	CANCER PREMIUM	\$572.42
ALAMAR UNIFORM CO.	UNIFORM PANTS	92.03
AXIS CAPITAL, INC.	POSTAGE MACHINE LEASE	283.31
BERNTSON OIL	DIESEL FUEL	55.00
BLACKBURN MFG. CO.	WIRE STAKE FLAGS	91.38
BOTTOM LINE BUS.	LIBRARY MAGAZINE	44.00
BRICKER, VANCE	MILE-GOTH-COZAD-G.I.	72.00

C.B.S.A.	EMPLOYEE MEDICAL CLAIMS	3,468.02
CASH-WA	FOOD AND SUPPLIES	865.88
COCA COLA/DR. PEP-KEAR	GGC POP	62.72
COMPUTER MGT. SRVCS, INC.	DISCONNECT NOTICES	180.00
COUNTRY GENERAL	HOSE FITTINGS	46.35
DEMCO	VISTAFOIL LAMINATE GLOSS	49.71
DEPOSITORY TRUST CO.	96 GEN BOND INT & PRINC	133,821.25
DUTTON-LAINSON COMPANY	TERMIN & CONNECTORS	628.49
EAKE'S OFFICE PRODUCTS	TONER AND PAPER	42.92
ECLIPSE COMMUNICATIONS	APRIL LONG DISTANCE	253.66
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	789.25
ELECTRIC METER SERVICE	METER TESTING	16.00
F & S SUPPLY CO. INC.	POWER LUBRICANT	7.78
FLOOR SHINE	CL FLRS CEN. GRG. & FIRE HL	520.00
GEN TRAFFIC CONT, INC.	TIME CLOCK & RELAY	416.61
GILLETTE/NE DAIRIES, INC.	DAIRY FOR GGC	192.93
GORDON, DAVE	ELECTRIC REBATE	1,200.00
GREEN MUFFLER AND BRAKE	EXHAUST PIPE AND MUFFLER	96.88
GROLIER PUBL CO., INC.	LIBRARY BOOKS	222.56
GYDESON, BARB	TREE BOARD EXP - STAMPS	33.00
HAAS TIRE CO., INC.	TIRE REPAIR	7.50
HARLEQUIN RETAIL, INC.	LIBRARY BOOKS	7.89
HERNANDEZ, JOE	ELECTRIC REBATE	1,400.00
HIPP WHLSALE FOODS, INC.	SUPPLIES	68.61
HOLIDAY TRAVEL & CRUISES	BRICKER-ICMA-PORTLAND	227.00
INGRAM LIBRARY SERVICES	LIBRARY BOOKS	739.71
JELCO CARPET CLEANING	CLEAN CARPETS - SVC BLDG	150.00
JOHNSON, TIM	ELECTRIC REBATE	1,200.00
JONES PLUMBING & HEATING	THREAD PIPE	30.00
K N ENERGY, INC.	ENERGY CHARGES	1,307.46
KAPCO	EASY BIND-LIBR SUPPLIES	29.30
KELLY, JEANNE	ELECTRIC REBATE	1,200.00
KRIZ-DAVIS COMPANY	WELL INSRTS-ELBWS-WHSRS	2,289.60
KULHANEK, JOHN	HYDRAULIC DRILL PART	129.74
LEAGUE OF NEBR MUNIC	REGISTRATION-LEWIS	60.00
LEARNING CO., THE	RENEWAL LIBR MAGAZINE	24.95
LEXINGTON COOP	CAR WASH AND PROPANE	18.25
LEXINGTON PUBLIC LIBRARY	REPLENISH PETTY CASH	48.65
LEXINGTON SWIM ASSOC	DONATION	1,000.00
PAYROLL- 20-May-99	WAGES	76,092.83
SOCIAL SECURITY	EMPLOYER PORT FICA/MED	5,742.09
FIRST NATIONAL BANK	EMPLOYER PORT PENSION	2,297.74
AMERICAN FUNDS	POLICE PENSION	993.50
ICMA	PEPPLITSCH PENSION	99.70
LORMAN EDUCATION SRVCS	HUMAN RESRCE MGT. REGIST	395.00
LUCENT TECHNOLOGIES	QUARTERLY LEASE	94.76
MAC TEAM SPORTS	BASEBALL UNIFORMS	969.42
MALZAHN, LEON	ELECTRIC REBATE	1,200.00
MERIDIAN LIBRARY SYSTEM	ANNUAL MTG-LIBRARY-G.I.	10.00
MID-NEBRASKA FOOD BANK	GGC FOOD	29.58
MIDWAY SUPPLY	OXY REFILL	21.50
MIDWEST LABS INC.	WATER SAMPLING LANDFILL	2,088.75
MILLS, BARBARA	REIMBURSE FOR SCHOOL	472.50
MORRIS PRESS & OFC SPLIES	TAGS AND CUTTING	5.50
NEBRASKA DEPT. OF HHS LABCOLIFORM TESTING		26.25

NORTHWESTERN SERVICES	RFND DUPLICATE PMT TO A/R	75.54
VERTON SAND & GRAVEL	GRAVEL AND SAND	578.50
PATTY'S HALLMARK	MISC. OFFICE SUPPLIES	262.71
PAULSEN INC.	CONCRETE	1,078.28
PEAK INTEREST	BRD MEETING LUNCHEONS	55.45
PENWORTHY COMPANY	LIBRARY BOOKS	741.87
PICTURE THIS	PHOTO PROCESSING	6.99
PITNEY-BOWES	LST MO-MAIL MACH CONT	343.00
PITNEY-BOWES CR CORP	CNTRT TERM-MAIL MACH	9,828.00
PRESTIGE BUSINESS FORMS	TRIATHLON T-SHIRTS	37.10
PROTECTIVE LIFE INSURANCE	CANCER PREMIUM	35.62
RAIN DROP PRODUCTS	WATER FEATURE AT POOL	4,940.00
RECORDED BOOKS	LIBRARY BOOKS	78.60
REIBER, GARY	ELECTRIC REBATE	1,200.00
RENT ALL RENTALS	RENT LARGE TILLER	64.27
SCHNIEBER FINE FOODS INC.	FOOD AND SUPPLIES	1,365.42
SIXTH STREET MARKET	FOOD AND SUPPLIES	52.23
SKARSHAUG TESTING	CLEAN AND TEST LINE	127.25
SUNSHINE FILTERS-PINELLAS	FILTER ELEMENT	119.58
SWEETWATER PRESS	LIBRARY BOOKS	35.92
TEXACO CUST CRD CNTR	FUEL EXPENSE	23.80
TIME INC. BOOKS	LIBRARY BOOKS	34.31
TRI-COUNTY HOSPITAL	LUNCHEONS	11.24
VAN CURA, BABE	ELECTRIC REBATE	1,200.00
WAL-MART	MISC. OFFICE SUPPLIES	164.15
WALL STREET JOURNAL, THE	LIBRARY SUBSCRIPTION	175.00
WENBURG, FLOYD	MOW AND CLEAN 3 LAWNS	155.00
WESCO DISTRIBUTION, INC.	ELECTRICAL SUPPLIES	2,523.33
WESTERN ENGINEERING	ASPHALTIC COMPOUND	306.43
ALIANAT CELLULAR	CELL CHRGS APRIL-MAY	61.15
ASSOCIATED SUPPLY CO INC.	VAC/MTR & SUPPLIES-POOL	7,031.00
BERNTSON OIL	FUEL-CENTRAL GARAGE	1,917.65
BROWN, HAROLD	TL ALOW/MARCH-APRIL-MAY	50.00
C.B.S.A.	EMPLOYEE MEDICAL CLAIMS	1,919.27
DAN'S SANITATION	SOLID WST-MAY UTIL BILLS	19,460.25
LEXINGTON RECR PROGRAM	UMPIRE FEES-SMR BALLS	1,690.00
LEXINGTON, CITY OF	FRANCHISE FEES	22,317.27
LEXUS	CITY UTILITY BILLS	45,079.29
MAC TEAM SPORTS	POOL CAPS	41.34
PETTY CASH FUND	REPLENISH PETTY CASH	45.23
WEATHERCRAFT COMPANY	OVRHD DR PRTS-APRIL BILL	172.68
	GRAND TOTAL:	\$370,006.65

**OFF STREET PARKING  
REQUEST:**

Mr. Dale Larkins, representing the Building Committee of the Presbyterian Church, addressed the Lexington City Council requesting curb cut parking on Lincoln Street from 8<sup>th</sup> north to the Alley for the Presbyterian Church. After review of the plans that was presented to the Council, moved by Kohl, seconded by Wightman, to allow the Presbyterian Church curb cut parking on Lincoln Street from 8<sup>th</sup> north to the alley on both sides of the street. Roll call. Voting "aye" were Klamm, Cook, Wightman, Kohl, Fagot. Motion carried.

**911 FEE:**

The Lexington City Council held a public hearing to consider an agreement between the City of Lexington and Dawson County for

Enhanced 911 Service charge to be increased by 50 cents, to \$1.00 per phone, per month. City Manager Bricker stated that in order to make the 911 equipment Y2K compatible, additional equipment and software would need to be purchased, and this would require an additional 50 cents. per phone, per month, to support this change. Hearing no further comments, Mayor Fagot declared the public hearing closed. Moved by Klamm, seconded by Wightman, that the City of Lexington enter into an Agreement with Dawson County for Enhanced 911 Service Charges to be increased by 50 cents, to \$1.00 per month. Roll call. Voting "aye" were Kohl, Cook, Wightman, Klamm, Fagot. Motion carried.

**RELOCATION  
RESOLUTION:**

City Manager Bricker informed the Council that the Museum of Military Vehicles had requested the Army National Guard Tank at the Water Tower park, be moved to their location south of town. They said that they did not have a sherman tank and that they would like to have this tank. He further informed the Council that the Tree Board would then be planting flowers and trees at that location after the tank has been moved. With no further comments, moved by Klamm, seconded by Wightman, that the following resolution be passed and approved. Roll call. Voting "aye" were Cook, Kohl, Wightman, Klamm, Fagot. Motion carried.

RESOLUTION NO. 99-12

WHEREAS, an Army National Guard tank is currently being displayed at the Water Tower Park, located at the intersection of U. S. Highway 30 and West Fifth Street;

WHEREAS, it is in the public interest that said National Guard tank be relocated for public display at the Heartland Museum.

BE IT THEREFORE RESOLVED that the Lexington City Manager is hereby authorized to make arrangements for relocation of the Army National Guard tank for display at the Heartland Museum of Military Vehicles.

Passed and approved this 25<sup>th</sup> day of May, 1999.

John Fagot, Mayor

ATTEST:

Leon E. Malzhan, City Clerk

**FINANCIAL REPORT:**

Barb Mills presented the Financial Report for April of 1999. Upon review of the report, and request for additional information from Council Person Cook concerning investments, locations, and interest, moved by Wightman, seconded by Klamm, to accept the Financial Report for the City of Lexington for April, 1999. Roll call. Voting "aye" were Kohl, Cook, Klamm, Wightman, Fagot. Motion carried.

**APPOINTMENT  
RESOLUTION:**

City Manager Bricker informed the Council that there is a State Law that requires a Pawn Shop to obtain a license from the City of Lexington. This law also allows the City Council to delegate the authority of review of this license to an individual. The Resolution

presented would then allow the Chief of Police to review the applicant's background and recommend issuing the license. Upon completion of this presentation, moved by Klamm, seconded by Kohl, that the following resolution be passed and approved. Roll call. Voting "aye" were Wightman, Cook, Kohl, Klamm, Fagot. Motion carried.

RESOLUTION NO. 99-13

WHEREAS Sec. 69-202 of the Nebraska Revised Statutes allows the City to designate an officer to approve permits for the business of pawn broking.

BE IT THEREFORE SOLVED by the Mayor and Council of the City of Lexington, Nebraska, that the Chief of Police of the City of Lexington is hereby designated as the person having authority to review applications for pawnbroker permits and either approve or disapprove issuance of such permits as provided by law.

Passed and approved this 25<sup>th</sup> day of May, 1999.

John Fagot, Mayor

ATTEST:

Leon E. Malzahn, Lexington City Clerk

**EXECUTIVE SESSION:**

Moved by Klamm, seconded by Kohl, to recess the regular session into executive session to discuss personnel and the negotiation for the purchase of real estate. Roll call. Voting "aye" were Cook, Wightman, Kohl, Klamm, Fagot. Motion carried.

Moved by Klamm, seconded by Wightman, to reconvene the regular session from executive session at 9:10 p.m. Roll call. Voting "aye" were Cook, Kohl, Wightman, Klamm, Fagot. Motion carried.

**ADJOURNMENT:**

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

John Fagot  
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