

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, August 10, 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, Ted Cook. Council person Klamm was absent. City Officials present were City Clerk Leon Malzahn, City Manager Vance Bricker, City Attorney Willard Weinhold. Departments Heads present were Charles Clark, Jess Bliven, Ruth Seward. Also present were Bob Blankenship representing Miller and Associates, and Jerry Hartman. The Press was represented by the Clipper-Herald, KRVN, 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 - 7-27-99: Minutes of the Regular Meeting held July 27, 1999 was presented for Council's consideration and approval. Moved by Wightman, seconded by Kohl to approve the minutes of the Regular Meeting held July 27, 1999 as presented. Roll call. Voting "aye" were Cook, Kohl, Wightman, Fagot. Motion carried.

MINUTES - BUDGET WORKSHOP - 7-29-99: Minutes of the Budget Workshop Meeting held July 29, 1999 was presented for Council's consideration and approval. Moved by Wightman, seconded by Kohl to approve the minutes of the Budget Workshop Meeting held July 29, 1999 as presented. Roll call. Voting "aye" were Cook, Kohl, Wightman, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$743,654.03 was presented for Council's consideration and approval. Upon review of the claims and bills as listed, moved by Wightman, seconded by Kohl, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$123,521.88 from the General Fund, \$837.21 from the Fire Department (Miller), \$584,326.21 from LEXUS, \$10,000.00 from City Sanitation, \$8.70 from the Landfill Fund, \$1,924.69 from Library Memorial Fund, \$15,947.91 from the Health Fund, \$7,087.43 from Meals on Wheels to the City of Lexington's Operating Account. Roll call. Voting "aye" were Cook, Kohl, Wightman, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
AUGUST 10, 1999 COUNCIL

ABINGDON PRESS	LIBRARY BOOKS	59.60
ADV CONTROL SYSTEMS	STATUS EXTENSION	333.91
ALIANTE CELLULAR	CELLULAR CHARGES	40.26

AM SAFETY UTILITY CORP	WINCH LINE	347.31
AT&T	LONG DIST CHRGS AT POOL	6.67
AWARD PLUS	PLAQUE FOR SCHERER	23.50
BARMORE'S	FILM AND HEAD PHONE JACK	9.52
BECKER FIRE EQUIPMENT CO	UNIFORMS	2,123.80
BEE OFFICE SOLUTIONS	COPY PAPER	534.00
BERNIE AND PAT'S	POOL STAFF PHOTO	44.89
BERNTSON OIL	FUEL	2,302.61
BRIDGE STREET LIQUOR	REFUND UTILITY CREDIT	227.54
BUSINESS OFFICE SUPPLIES	LABELS AND ROLLERS	87.52
C.B.S.A.	INSURANCE PREMIUMS	7,649.28
C.B.S.A.	EMPLOYEE MEDICAL CLAIMS	15,331.07
CASH-WA DISTRIBUTING	FOOD AND SUPPLIES	1,894.29
CENTRAL GARAGE FUND	LBR, PRTS, TRS, GAS AND OIL	10,473.26
CENTURY LUMBER	SAW BLADES	27.38
CINDY'S HEAVENLY COOKIES	COOKIES FOR POOL	112.50
CLINE'S SMALL ENG REPAIR	EDGER BLADES	11.02
COCA COLA/DR PEPPER-KRNY POP FOR POOL		96.50
COLORADO PARKS AND REC	ANNUAL CONF/HUFF,CHRIS	295.00
COUNTRY GENERAL	MISC. SUPPLIES	398.51
CRAYOLA KIDS MAGAZINE	12 ISSUES FOR LIBRARY	19.97
CULLIGAN WATER COND CO.	WTR TRTMNT WWTP & GGC	86.10
D & M SECURITY	REPAIR LOCK SYSTEM	53.80
DAN'S SANITATION	SOLID WASTE FEES	10,405.44
DAWSON AREA DEV	LDRSHP PROG/HUFF & SEWRD	300.00
DAWSON COUNTY CLERK	DISPATCH FEES	5,067.67
DAWSON CO PUBLIC POWER	JULY POWER USEAGE	1,966.68
DAW CO REGISTER OF DEEDS	EASEMENTS	10.50
DEMCO	LIBRARY BOOKS	2,005.37
DURO-TEST CORPORATION	400 WATT LAMPS	345.60
DUTTON-LAINSON COMPANY	TITAN BIN W/PALLET	1,852.77
EAKE'S OFFICE PRODUCTS	OFC SPLS & COPIER PMNT	615.02
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	676.80
FAGOT REFRIG & ELECTRIC	REPAIR HEAT PUMP	45.45
FAIRBANKS INTERN, INC.	ANTIFREEZE	34.07
FISCHER-SCIENTIFIC	CHEMICALS	138.51
FOLLETT SOFTWARE CO.	PRINTER	300.00
FOUR SEAS SWIMWEAR INC.	SWIMWEAR	383.75
FRIEND, MATT TRUCK EQUIP	CABLE	37.80
GILLETTE/NEBR DAIRIES, INC. DAIRY PRODUCTS-GGC		87.24
GR PLAINS ONE-CALL SRVC	UTILITY LOCATES	69.57
HAAS, T.O. TIRE CO., INC.	TIRES AND TIRE REPAIRS	287.66
HANK'S PLUMBING	BUSHINGS	9.60
HIPP WHOLESALE FDS, INC.	FOOD AND SUPPLIES	148.44
HUSKER AG SALES	PARTS	109.15
IMPACT COMP SOLUTIONS	PRINTER AND SUPPLIES	412.37
INGRAM LIBRARY SERVICES	LIBRARY BOOKS	122.75
INT. CONF OF BLDG. OFCLS	INSTRUCTIONAL BOOKS	74.35
INTERNET USA., LLC	INTERNET SERVICES LIBRARY	99.90
JONES PLUMBING & HEATING	SUPPLIES & WTR HTR REPAIR	391.10
JOY BOOK NOOK	LIBRARY BOOKS	29.67
K.R.V.N. - FM	CONTRACT #2287501	66.00
KAPCO	SUPPLIES	42.12
KARRE'S CITY BAKERY	ROLLS FOR RETREAT	11.75
KRIZ-DAVIS COMPANY	WIRE AND HOTLINE BAIL	267.69

LAW ENFORCEMENT	BODY ARMOR VESTS	76.50
LEXINGTON ANIMAL CLINIC	ANIMAL CARE JULY	546.70
LASWA	SOLID WASTE FEES	688.68
LEXINGTON COMM	UPS CHARGES	18.25
LEXINGTON COOP	PROPANE	11.25
LEXINGTON HEALTH FUND	AUGUST SELF FUNDING	14,830.46
LEXINGTON LAUNDRY	JULY LAUNDRY CHARGES	45.75
LEXINGTON POSTMASTER	AUGUST POSTAGE FOR GGC	150.00
LEXINGTON PUBLIC LIBRARY	REPLENISH PETTY CASH	54.26
LEXINGTON REC PROGRAM	WSI /REUTLINGER & BERANS	200.00
LEXINGTON, CITY OF	MO FEES & FRANCHISE FEES	23,858.42
PAYROLL 27-Jul-99	WAGES	90,460.78
SOCIAL SECURITY	EMPLOYER PORT FICA/MED	6,841.13
FIRST NATIONAL BANK	EMPLOYER PORT PENSION	2,363.11
AMERICAN FUNDS	POLICE PENSION	974.67
ICMA	PEPPLITSCH PENSION	99.70
M & S SALVAGE	FREON REMOVAL	35.00
MAXIM TECHNOLOGIES INC.	REFUND UTILITY CREDIT	74.54
MEAD/BIG VALLEY LUMBER	KEYS	9.21
MEWIS, KEITH	TRIM, TREAT, & SPRAY TREES	502.00
MICRO-MARKETING, LLC.	LIBRARY BOOKS	290.95
MIDWAY SUPPLY	HOSE AND FILTER	18.51
MILLER AND ASSOCIATES	PROFESSIONAL SERVICES	2,100.00
MORRIS PRESS & OFC SPLS	PENS	9.73
MR. AUTOMOTIVE	FUEL PUMP	54.50
NEBRASKA DEPT OF HHS LAB.COLIFORM		78.75
NE DEPT OF REVENUE	SALES TAX FOR JULY	27,641.62
NEBRASKA MACHINERY	MUFFLER AND PIPE	285.51
NE POWER REVIEW BOARD	POWER ASSESSMENT	634.86
NELSON, THOMAS R	CLEAN CITY HALL	500.00
OLD COMINION BRUSH	RUBBER SOCKET	85.64
OLSEN'S AGRI LAB., INC.	WATER ANALYSIS	24.00
OMNIGRAPHICS, INC.	BUSINESS PHONE BOOKS	164.00
OVERTON SAND AND GRAVEL	GRAVEL	19.50
PATTY'S HALLMARK	MISC. OFFICE SUPPLIES	118.93
PAULSEN INC.	CONCRETE	976.47
PEAVY, LYNN COMPANY	NARCOPOUCH KITS	43.75
PLATTE VALLEY COMM	MAINT., RADIO RENT & RPRS	552.05
PROGRESSIVE BUS PUBL	KEEP UP TO DATE PAYROLL	230.00
QUILL CORPORATION	OFFICE SUPPLIES	205.32
RDO FINANCIAL SRVCS CO.	PARTS	286.32
RENT ALL RENTALS	EDGER BLADES	7.00
RICHARDSON, CALVIN	ADDIT ELECTRIC REBATE	100.00
RON'S SPAS AND POOLS	REAGENTS FOR POOL	20.67
S & W AUTO PARTS, INC.	PARTS AND SUPPLIES	904.88
SCHNIEBER FINE FOODS INC.	FOOD AND SUPPLIES	1,052.42
SEWARD, JASON	LIBRARY CLEANING-JULY	225.00
SIGN PRO	SIGNS AND ALUMALITE	414.56
SIXTH STREET MARKET	FOOD AND SUPPLIES	71.49
SIXTH STREET PHARMACY	FILM PROCESSING	3.19
SKARSHAUG TESTING	CLEAN AND TEST CLOVES	46.99
SUBWAY OF LEXINGTON	CIVIL SRVC MTG LUNCH	17.85
SUPERTEL HOSPITALITY, INC.	ROOM EXPENSE, REIGE, IVAN	47.94
TAYLOR & ASSOCIATES, INC.	BAR STOOLS	474.00
TELEGRAPH	ONE YEAR PAPER RENEWAL	108.00

TIME LIFE BOOKS	LIBRARY BOOKS	23.98
U S WEST COMMUNICATIONS	PHONE EXPENSES FOR JULY	1,995.63
ULTRAMAX	FULL METAL JACKET	216.00
US POSTAL SERVICE	POSTAGE-UTILITY DEPT	1,500.00
VALENTINO'S	PIZZA FOR POOL	265.82
WAL-MART	MISC. OFFICE SUPPLIES	165.00
WARD LABORATORIES	COLIFORM TEST	24.00
WEBER & WEINHOLD	PROFESSIONAL SERVICES	1,200.00
WESCO DISTRIBUTION, INC.	LETTERS AND WIRE CREDIT	71.81
C.B.S.A.	EMPLOYEE MEDICAL CLAIMS	616.84
CASH-WA	FOOD AND SUPPLIES	491.57
COCA COLA/DR PEPPER-KRNY POP FOR POOL		97.50
HEIMAN FIRE EQUIP, INC.	5 GL PAIL - HOSE - ADAPTERS	1,095.00
LEAGUE OF NE MUNIC	CITY MEMBERSHIP DUES	5,495.00
LEAGUE OF NE MUNIC	OPER TRAINING WORKSHOP	80.00
MILLS, BARBARA	TUITION REIMBURSEMENT	229.50
NE PUBLIC POWER DISTRICT	JULY POWER USEAGE	479,530.38
OVERHEAD DOOR CO.	REMOTES & RPR FOR DOOR	459.00
PETTY CASH FUND	REPLENISH PETTY CASH	73.41
PRICE'S TREE SERVICE	TRIM, FERT, & RMV TREES	650.00
UTILITY EQUIPMENT	VALVES-PLUGS-STOP BOXES	714.18
	TOTAL CLAIMS	\$743,654.03

**PAWN BROKER
LICENSE:**

The City Attorney addressed the Lexington City Council explaining that Mr. Hartman had been convicted of loaning money to an individual under the age of 18, and was fined for this action. State Statute requires that the City Council may have a hearing to determine whether his pawn brokers license should be revoked. He further stated that this is not a public hearing, but a hearing where by Mr. Hartman can present his case. After that explanation, Mr. Hartman addressed the Lexington City Council stating that he had made a mistake by loaning money to someone under 18 years of age. He made an honest mistake and will watch closer in the future that this did not happen again. He also requested the City Council would not revoke his license. After further discussion pertaining to the actions that could be taken, Mayor Fagot advised Mr. Hartman that at this time, he did not feel like any action should be taken, however, if this would occur again, he could rest assured that as Mayor, Mr. Fagot would be obliged to take action concerning his pawn brokers license. No further action was taken.

PAY ESTIMATE:

Mr. Bob Blankenship representing Miller and Associates addressed the Lexington City Council presenting them with Pay Request No. 2 from Midlands Construction for work completed on the 20th Street and Grant Street water main projects. Upon Mr. Blankenship's statement that the Pay Request represents the actual amount of work completed, plus a retainage of \$6,811.79. Discussion on the project included the replacement of sod on Washington Street. Upon completion of discussion, moved by Wightman, seconded by Kohl, to approve Application No. 2 to Midlands Contracting for work on 20th Street and Grant Street in the amount of \$84,764.61 and authorize the City Treasurer to transfer that amount from the LEXUS funds to the City of Lexington Operating Account. Roll call. Voting "aye" were Cook, Kohl, Wightman, Fagot. Motion carried.

LINK ROAD NAME:

City Manager Bricker informed the Lexington City Council that a Resolution is needed to give a name to the Link Road. After a few suggestions regarding a name for this road, it was suggested that the name of Cattlemen Drive be placed in the Resolution. After placing that name in the Resolution, moved by Kohl, seconded by Wightman, that the following resolution be passed and approved. Roll call. Voting "aye" were Cook, Wightman, Kohl, Fagot. Motion carried.

RESOLUTION NO. 99-21

BE IT RESOLVED by the Mayor and Council of the City of Lexington, Nebraska that the proposed road to link Adams Street to Plum Creek Parkway and running generally along the south line of the Northwest Quarter of Section 8-9-21 is to be named Cattlemen Drive.

PASSED AND APPROVED THIS 10TH DAY OF AUGUST, 1999.

CITY OF LEXINGTON, NEBRASKA

BY: John Fagot, Mayor

ATTEST:

Leon Malzahn, City Clerk

LINK ROAD IDENTIFICATIONS:

The Lexington City Council held a public hearing to classify the link road now known as Cattlemen Drive as other arterial road. City Manager Bricker stated that this would be necessary for state participation in this project. Hearing no further comments, Mayor Fagot declared the public hearing closed.

Moved by Wightman, seconded by Cook, to classify the link road as an arterial road. Roll call. Voting "aye" were Kohl, Cook, Wightman, Fagot. Motion carried.

CLASSIFICATION REQUEST:

The Lexington City Council was instructed by the City Manager that a Resolution would be required to submit to the State of Nebraska to classify the Link Road, now known as Cattlemen Drive. Upon completion of his presentation, moved by Wightman, seconded by Cook, that the following resolution be passed and approved. Roll call. Voting "aye" were Kohl, Cook, Wightman, Fagot. Motion carried.

RESOLUTION NO. 99-22

RESOLUTION TO REQUEST CLASSIFICATION OF STREET

WHEREAS, after public hearing, the City Council of the City of Lexington, Nebraska, does hereby determine that Cattlemen Drive should be properly classified as "other arterial."

BE IT THEREFORE RESOLVED by the Mayor and Council of the City of Lexington, Nebraska, that the State of Nebraska Department of Roads is hereby requested to classify Cattlemen Drive, which is the

proposed street linking Adams Street and Plum Creek Parkway as
"other arterial."

PASSED AND APPROVED this 10th day of August, 1999.

CITY OF LEXINGTON, NEBRASKA

BY: John Fagot, Mayor

ATTEST:

Leon Malzahn, City Clerk

EXECUTIVE SESSION:

Moved by Wightman, seconded by Kohl, to recess the Regular Session into Executive Session at 7:52 p.m. to discuss negotiations for the purchase of land and personnel. Roll call. Voting "aye" were Cook, Kohl, Wightman, Fagot. Motion carried.

Moved by Wightman, seconded by Cook, to reconvene the Regular Session from Executive Session at 8:29 p.m. Roll call. Voting "aye" were Kohl, Cook, Wightman, 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.

Lexington City Clerk