

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, August 24, 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, Charles Clark, Ruth Seward, Barbara Mills, Chris Huff. Also present were Bob Blankenship representing Miller and Associates and Doug Evans representing Research Associates. Citizens in attendance were Jim Doyle, Dr. Joseph and Linda Miller, Kermit and Glenda Debban, Jeff Wiley, Mary Stewart, Marilyn Hirsh. Tim Miller was present and was working on his Citizenship badge. 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 - 8-10-99:** Minutes of the Regular Meeting held August 10, 1999 was presented for Council's consideration and approval. Moved by Wightman, seconded by Kohl to approve the minutes of the Regular Meeting held August 10, 1999 as presented. Roll call. Voting "aye" were Cook, Klamm, Kohl, Wightman, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$720,984.15 was presented for Council's consideration and approval. Upon review of the claims and bills as listed, and questions concerning the payments from the Recreation Department to Adolph Keifer, moved by Kohl, seconded by Klamm, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$117,432.59 from the General Fund, \$562,719.57 from the LEXUS Fund, \$19,693.00 from City Sanitation Fund, \$7,764.25 from the Landfill Fund, \$40.00 from the Library House Fund, \$6,776.76 from the Health Fund, \$6,557.98 from Meals on Wheels to the City of Lexington's Operating Account. Roll call. Voting 'aye' were Wightman, Cook, Klamm, Kohl, Fagot. Motion carried.

CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
AUGUST 24, 1999

ADOLPH KEIFER	AQUATIC CNTR PROMO EVENT	1,566.80
AFLAC	CANCER PREMIUM	572.42
ALAMAR UNIFORM CO.	POLICE UNIFORM	170.98
AMERICAN PLAYGROUND CORP	HACKLE FOR TIRE SWING	81.50
ASSOCIATED SUPPLY CO, INC.	SYSTEM CONTROLLER POOL	3,500.00
AXIS CAPITAL, INC.	POSTAGE MACHINE LEASE	283.31
BECKER FIRE EQUIPMENT CO	FIRE DEPARTMENT EQUIPMENT	5,883.00

BERNTSON OIL	FUEL	2,178.91
BRICKER, VANCE	MILEAGE-SCTSBLF-G.I.-BR BOW	240.60
C.B.S.A.	EMPLOYEE MEDICAL	6,168.72
C.B.S.A.	PREMIUM INCREASE AMOUNT	461.47
CASH-WA	FOOD AND SUPPLIES	1,378.68
CENTURY LABORATORIES, INC.	ODOR AEROSOLS	111.99
CINDY'S HEAVENLY COOKIES	COOKIES FOR POOL	81.00
CLINE'S SMALL ENGINE REPAIR	MOWER WHEEL	14.95
COCA COLA/DR PPR-KEARNEY	POP FOR POOL AND GGC	122.75
COMPLETE MUSIC	ENTRTNMNT FOR POOL PARTY	345.00
COMPUTER MGMNT SRVCS INC	SOFTWARE MAINTENANCE	8,648.00
COUNTRY GENERAL	CHN SWS-TREE TRMR-OIL-MISC	661.02
CRC PRESS LLC	HANDWRITING ID-POLICE DEPT.	78.90
DAN'S SANITATION	SERVICE FOR JULY	20261.00
DAWSON CO REGIS OF DEEDS	VACATING ALLEY - ORDIN 2112	11.00
DEMCO	BAR CODED BRWR CRDS & MISC	509.76
DEPOSITORY TRUST CO.	97A & 97B INT AND PRINCIPAL	470,940.00
DOERR, L.H.	REFUND UTIL OVERPAYMENT	20.43
EAKE'S OFFICE PRODUCTS	COPIER MAINTENANCE	105.38
ECLIPSE COMMUNICATIONS	LONG DISTANCE CHARGES	288.97
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	854.55
ELECTRONIC SYSTEMS	FIRE ALARM INSPECTION	25.00
FAGOT REFRIG & ELECTRIC	SERVICE WINDOW A/C AT RNTL	40.00
FAIRBANKS INTERN INC.	PARTS	312.64
FARM & RANCH SERVICES	RYE GRASS	190.00
FOLLETT SOFTWARE CO.	PRINTER MAINT AGREEMENT	160.00
FRANCO CONST, ROBERTO	SHELVING UNITS-POLICE DEPT.	270.00
FRANSYL EQUIPMENT, INC.	RPRS-UNTS 25 & 29-ELECT DPT.	2,546.63
GALL'S INC.	NAMETAG-NEW POLICE OFFCR	19.97
GILLETTE/NEBR DAIRIES, INC.	DAIRY FOR GGC	272.12
HAAS, T.O. TIRE CO. INC.	ROTATION	11.00
HACH CHEMICAL	CHEMICALS	139.25
HARLEQUIN RETAIL INC.	LIBRARY BOOKS	10.52
HEARTLAND CLERKS ASSOC	MEMBERSHIP DUES - MALZAHN	10.00
HIPP WHOLESALE FOODS, INC.	FOOD AND SUPPLIES	62.97
HORIZON BORNG & TNLNG CO.	STEEL CASING-OPT REC CNTR	7,124.00
I.A.E.I., NE CHAPTER	CONFERENCE - NELSON, TOM	89.00
I.C.M.A. DISTRIBUTION CENTER	HANDBOOK - PERSONNEL	41.00
IMPACT COMPUTER SOLUTIONS	OFFICE 2000 UPGRADE	6,157.50
INGRAM LIBRARY SERVICES	LIBRARY BOOKS	813.38
JORDENING, GENICE B.	HISTORIC DAW CO PICTURE	105.44
K N ENERGY, INC.	ENERGY CHARGES	3,712.41
KRIZ-DAVIS COMPANY	RELAY	447.30
LEAGUE OF NE MUNICIPALITIES	UTILITIES MEMBERSHIP DUES	1,751.00
LEX. AREA CHAMBER-COMM	TEACHERS RECOG BREAKFAST	30.00
LEXINGTON AREA SOLID WASTE	SOLID WASTE AND RUBBLE	129.33
LEXINGTON COMMUNICATIONS	REPAIR RADIO	40.00
LEXINGTON COOP	SOIL SMPLS WWTP-CAR WSHES	96.00
LEXINGTON NEWSPAPERS, INC.	MTNG NOTICES AND MINUTES	1066.54
LEXINGTON PUBLIC LIBRARY	REPLENISH PETTY CASH	57.48
PAYROLL 12-Aug-99	WAGES	82,649.18
SOCIAL SECURITY	EMPLOYER PORTION FICA/MED	6,243.67
FIRST NATIONAL BANK	EMPLOYER PORTION PENSION	2,290.98
AMERICAN FUNDS	POLICE PENSION	912.30
ICMA	PEPPLITSCH PENSION	99.70

LICKING, CHARLES	ELECTRIC REBATE	1,100.00
LUCENT TECHNOLOGIES	QUARTERLY LEASE	95.22
LUTHER, ANN	MILEAGE-SR. CNTR COUN MTNG	40.92
MEAD/BIG VALLEY LUMBER	SHELVING MAT-SCRN DR - MISC.	527.22
MEWIS, KEITH	SPRAY TREES	400.00
MICRO-MARKETING, LLC.	CITIZENSHIP EXAM	18.10
MID-NEBRASKA FOOD BANK	FOOD FOR GGC	21.70
MID-STATES UNITS	PORTABLE RESTROOMS	1,295.00
MIDWAY SUPPLY	OXYGEN	81.10
MIDWEST LABORATORIES INC.	LAB TESTING	6,990.50
MILLER AND ASSOCIATES	PROFESSIONAL SERVICES	4,944.90
MISKO SPORTING GOODS	PITCHING RUBBERS	79.94
MORRIS PRS & OFC SUPPLIES	STENCILS, MARKER, & STAMP	45.84
MR. AUTOMOTIVE	MATS	99.50
MULLENDORE, ROBERT A., P.E.	REMOTE PRINTER ADDITION	414.24
MUNICIPAL SUPPLY	REPAIR CLAMPS	938.20
NE ASSOC. OF SR. CENTERS	NASC CONF REGIS-LUTHER	85.00
NEWMAN TRAFFIC SIGNS	LETTERS AND SHEETING	364.57
OLLIS BOOK CORPORATION	LIBRARY BOOKS	333.65
OVERTON COMMUNITY CENTER	BUILDING RENT	100.00
OVERTON SAND & GRAVEL	SAND AND GRAVEL	123.50
PARSONS TECHNOLOGY	LIBRARY BOOKS	55.85
PATTY'S HALLMARK	OFFICE SUPPLIES	274.71
PAULSEN INC.	CONCRETE	2,992.02
PLATTE VALLEY COMMUN	REPAIR RADIO	93.80
PLUM CREEK MEDICAL GROUP	PHYSICAL - NEW POLICEMAN	218.00
PLUM CREEK PROMOTIONS	SAND VLLYBLL LEAGUE SHIRTS	300.00
PROTECTIVE LIFE INSURANCE	CANCER PREMIUM	35.62
RENT-ALL RENTALS	GAS SAW	24.50
REVAS, JOSE	ELECTRIC REBATE	200.00
RILEY, GERALD	ELECTRIC REBATE	1,100.00
S & W AUTO PARTS, INC.	CASE OF OIL	11.88
SCHNIEBER FINE FOODS INC.	FOOD AND SUPPLIES	1,060.31
SENSUS TECHNOLOGIES, INC.	ANNUAL SUPPORT RENEWAL	750.00
SEWARD, RUTH	LIBR STAFF - HASTING LUNCH	21.50
SIXTH STREET MARKET	FOOD AND SUPPLIES	58.60
SIXTH STREET PHARMACY	GLOVES AND DEVELOP FILM	36.34
SKARSHAUG TESTING	CLEAN & TEST LINE HOSE	70.75
TEXACO CUSTOMER CRD CNTR	FUEL	11.50
TIME LIFE BOOKS	LIBRARY BOOKS	44.96
TRI-COUNTY HOSPITAL	25 MEMBERS FITNESS CENTER	212.50
U S WEST COMMUNICATIONS	PHONE CHARGES GGC	48.72
UNION PACIFIC RAILROAD	LICENSE PAYMENT	100.00
WAL-MART	PAINT AND MISC. SUPPLIES	473.83
WAREHOUSE SURPLUS	DUM DUM POPS-UTIL CUST	8.40
WENBURG, FLOYD	MW YRDS-1401 IND & 304 E. 8TH	95.00
WESCO DISTRIBUTION, INC.	ELECTRICAL SUPPLIES	1,854.68
YORK, STEVEN	ELECTRIC REBATE	1,100.00
ALIAN T CELLULAR	CELLULAR CHARGES	117.78
AT&T	LONG DIST CHARGES AT POOL	11.07
BOSE, MICHAEL	MILEAGE EXP-TRAINING IN G.I.	218.24
BSN/PASSON'S/GSC SPORTS	TENNIS NET AND STRAP	463.68
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	529.23
LEXINGTON, CITY OF	FRANCHISE FEES	28,689.21
LEXUS	UTILITY BILLS	17,917.54

NEWMAN TRAFFIC SIGNS  
TODD, MICHAEL & CO., INC.

RETD. LTRS / INV-FIRST LISTING -94.57  
DIRT SHOES FOR ELGIN 312.00

TOTAL CLAIMS 720,984.15

**LIBRARY REPORT:**

Mr. Jim Doyle addressed the Lexington City Council and introduced Mr. Doug Evans from Research Associates. During his introduction, Mr. Doyle informed the Council of the Survey that was taken by Research Associates for the City to determine a need in the City for an expansion or renovation of the Library. With that, Mr. Doyle yielded the podium to Mr. Evans. Mr. Doug Evans reviewed the report he submitted, that was produced from the survey of library needs, highlighting some of the areas that would indicate the need to expand or renovate the current library. Upon the completion of Mr. Evan's report, Mr. Jim Doyle addressed the City Council requesting that the Council assist the Library Board in the formation of a Committee to further study the needs and possible improvements to the library. Upon the completion of his request, Mr. Kermit Debban addressed the City Council stating that he had some concerns and would like to know what direction the Library is taking, as his house would be directly next door to the Library, and any construction on the Library would definitely affect the property of his location. Upon the completion of the request, and comments by Mr. Debban, moved by Klamm, seconded by Wightman, that the City of Lexington form a Committee to aid the Library Board in guidance and direction on a possible expansion of the Library. Roll call. Voting "aye" were Kohl, Cook, Wightman, Klamm, Fagot. Motion carried.

**TRANSFER OF FUNDS:**

Mr. Jim Doyle stated that the City of Lexington holds money that has been donated to the Library, for Friends of the Library, and is that requesting the money be transferred to the Library Foundation for its handling. Upon review of the proposed resolution, and after their review, Council Person Klamm moved that the following resolution be passed and approved. Council Person Wightman seconded the motion. Roll call. Voting "aye" were Cook, Kohl, Wightman, Klamm, Fagot. Motion carried.

RESOLUTION NO. 99-24

WHEREAS, the Lexington City Treasurer has control of a Library Building Fund account which consists of public donations to the City Library, and income from those donations; and

WHEREAS, said funds are to be transferred to the Lexington foundation for diversification of the investment and to facilitate a public fund raising effort.

BE IT THEREFORE RESOLVED by the mayor and Council of the city of Lexington, Nebraska, as follows:

1. That the Lexington City Treasurer is hereby authorized to transfer the Library Building Fund account to the custody of the Lexington Foundation, for such investment as such is permitted by Sec. 77-2341 R.R.S. 1943, and subject to normal administrative expense.
2. That such transferred funds shall be held in trust for the purpose of paying the cost of improvements and additions to the Lexington Public Library building, as such expenditures are approved jointly by the Lexington Library Board and the Lexington City Council.

3. That as additional donations or net income from the rental property are received, the Lexington City Treasurer is further authorized and director to transfer said funds to the Lexington Foundation upon the same terms and conditions.
4. As a further condition for transfer of said funds, the Lexington Foundation shall provide at least quarterly a report showing the investments held, and income received for said building account, and said investments and reports shall be further subject to the annual financial audit of the city of Lexington, Nebraska.

PASSED AND APPROVED this 24<sup>th</sup> day of August, 1999.

John Fagot, Mayor

ATTEST:

Leon E. Malzahn, City Clerk

**CLASSIFICATION  
REQUEST:**

City Manager Bricker addressed the City Council stating that the Washington Street and Jackson Street was reclassified in the City Council by motion, and the State of Nebraska would not accept that as legal document, even with an extract of the minutes, therefore, the following resolution needed to be passed. Whereupon Council Person Wightman moved that the following resolution be passed and approved. Seconded by Council Person Klamm. Roll call. Voting "aye" were Cook, Kohl, Klamm, Wightman. Motion carried.

**RESOLUTION 99-23**

**RESOLUTION TO REQUEST RECLASSIFICATION OF STREET**

WHEREAS, the City Council of the City of Lexington, Nebraska, does hereby determine that Washington Street should be properly re-classified from Arterial to collector, and Jackson Street re-classified from Collector to 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 re-classify Washington Street from Other Arterial to Collector, and Jackson Street from Collector to Other Arterial.

PASSED AND APPROVED this 24<sup>th</sup> day of August, 1999.

CITY OF LEXINGTON, NEBRASKA

BY: John Fagot, Mayor

ATTEST:

Leon E. Malzahn, City Clerk

**MANDATORY WASTE**

The Mandatory Solid Waste Collection Item was removed

**COLLECTION:**

from the Agenda by the Mayor, who stated that problems by this would be a result through the Police Department.

**AIRPORT BUDGET:**

City Manager Bricker informed the Council that a resolution needs to be passed by the Lexington City Council including the Airport request in the City Budget, and therefore this item was on the Agenda. Moved by Klamm, seconded by Wightman that the following resolution be passed and approved. Roll call. Voting "aye" were Kohl, Cook, Wightman, Klamm, Fagot. Motion carried.

RESOLUTION NO. 99-25

WHEREAS, the Airport Authority has requested an allocation of a part of the City of Lexington property tax levy for budget purposes.

BE IT RESOLVED by the Mayor and Council of the City of Lexington, Nebraska at \$50,752.00 of the City of Lexington Property Tax levy Authority is hereby allocated to the Lexington Airport authority for fiscal year 1999-2000.

Passed and approved this 24<sup>th</sup> day of August, 1999.

CITY OF LEXINGTON, NEBRASKA

BY: John Fagot, Mayor

ATTEST:

Leon Malzahn, City Clerk

**FINANCIAL REPORT:**

The Lexington City Council reviewed the Financial Report for July, 1999. Upon completion of the reviewed, moved by Klamm, seconded by Kohl, to accept the Financial Report for July, 1999 as presented. Roll call. Voting "aye" were Wightman, Cook, Kohl, Klamm, Fagot. Motion carried.

**DISCUSSION:**

Upon completion of the discussion, it was announced by the City Manager that a Budget Workshop would be held on September 2, 1999 at 7:00 a.m. and a public hearing on the budget would be held September 14, 1999 during the regular meeting. Council Person Cook once again visited the expenditure for the Aquatic Center, specifically in the amount of \$1,911.00. Mr. Cook stated that he was very disturbed by these expenditures, and was inquiring if this department needed additional supervision. City Manager Bricker informed Council Person Cook that this would be taken care of.

Council Person Kohl inquired about the lack of sirens, and why they did not blow when the last storm went through. The City Manager advised that the sirens did not blow because there was not electric service to the sirens, as the power lines providing electricity to the sirens had been downed in another location and were not operable.

**ADJOURNMENT:**

That being the end of the scheduled Agenda, and with no further comments from 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