

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, March 24, 1992, at the Municipal Building, 406 East 7th Street, Lexington, Nebraska, at 7:30 P.M. Members of the City Council present were: Mayor Robert Hawks, John Wightman, John Weeder, Dorothy Anderson, and Kenneth VerMaas. City Officials present were: City Clerk Leon E. Malzahn, and City Attorney Willard Weinhold. City Manager Bill Podraza was absent. Department Heads present were: Charles Clark, Glenn Hawks, Vance Bricker and Neldene Skwarek. Also present were: Dana Daniels representing Miller and Associates, Tommy Smith, Cliff Stockmeyer, Greg Wagner, Seth McFarland, Mike Henninger, Lee Hebe and Marlin Reynolds. The Press was represented by Lexington Publishing and North Platte Telegraph.

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 Vice-President John Wightman.

MINUTES REGULAR MEETING 03/10/92: Moved by VerMaas, seconded by Anderson to approve the minutes of the Regular Council Meeting held Tuesday, March 10, 1992, as presented. Roll call. Voting "aye" were: Wightman, Weeder, Anderson, VerMaas., Hawks. Motion carried.

CLAIMS AND BILLS: Claims and Bills in the amount of \$142,782.56 were presented for Council's consideration and approval. Moved by Wightman, seconded by Weeder, to approve the Claims and Bills as

presented and authorize the City Treasurer to transfer \$52,779.13 from the General Fund, \$4,793.66 from Meals on Wheels, \$334.83 from C.E.D, \$3,365.69 from the Health Fund, \$76,682.33 from Lexington Utilities Fund, \$4,826.92 from the Landfill to the City of Lexington Operating Account. Roll call.

Voting "aye" were: Anderson, VerMaas., Weeder, Wightman and Hawks. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 MARCH 24, 1992

Alamar Uniform Co.	Cuff case	26.58
Anderson Electronics	Batteries	50.00
Araujo, Josephine	Mileage	38.00
AT & T Information Center	Service	50.85
Badger Meter	Calibration	115.68
Berntson Oil	Oil, diesel, gas	2,372.11
Brummet, Elberta	Medicine	3.95
Business & Professional Cred.	Collection - February	40.11
Central Garage Fund	Labor, parts, oil	2,943.70
Century Laboratories	Caulking	813.80
Century Lumber Center	Repairs - Haven House	226.68
Central Tire & Tread	Tire change	7.00
Coast to Coast	Repairs - Haven House	
	clamps, couplers, keys	114.87
The Cornhusker	Mtg. Expense - Podraza	206.00
Crescent Electric Supply	Socket, hub	154.63
Dawson County Judge	Court cost	1.00
Dawson County Public Power	Service	433.29
Dawson County Register of Deeds	Ordinance	6.50
Donna's Cafe	Meals on Wheels - Overton	948.44
Dutton-Lainson Co.	Cable	12,344.54
Dugan Business Forms	Disconnect notices, env.	2,213.03
Egan Supply Co.	Liners, mats, air freshener	410.44
Electric Fixture	Connectors, coupling, fuses,	
	cords, tube, meter socket	684.77
The Executive Program	Book - Crazy bosses	20.54
Farm Plan Corp.	Filters	1.84
Fischer Scientific	Flask, timer, blower	221.28
Five Points Bank of GI	Loader payment	1,400.00
Fire & Emergency TV Network	Service	288.00
Great Plains Rad. & Pierce	Radiology	81.59
HDR	Service - February	1,632.45

Hodges Auto World	Handle	14.04
Holiday Inn	Meeting expense - Malzahn	70.20
I.C.M.A.	3/4 - 3/17/92 Pension	119.37
J & S Oil, Inc.	Diesel	11.40
Kearney Hub	Subscription	78.00
Kearney Orthopedic & Pierce	Doctor	233.29
King's Pharmacy	Diskette, UPS, ribbons	59.00
Kirk's	Meeting expense	9.00
K N Energy	Service	1,861.69
KOLN/KGIN TV	Our Town Lexington - Ad	742.50
Kriz-Davis Co.	Ties, degreaser,	547.74
Lex Area Chamber of Commerce	CED expenses	334.83
Lexington Coop	Fertilizer, hose	144.59
Lexington Truck & Auto	Muffler mount	7.50
LEXUS	Service	11,632.51
City of Lexington	Franchise fee	18,343.46
Lease America Corp.	Lease agreement	308.19
Lieh's Drilling	Well repair	1,958.42
Luther, Ann	Mileage	9.50
Malzahn, Leon	Clerk School	84.26
Mead/Big Valley Lumber	Key, door knob, pine, fastener, boards, lumber, stain, roller, Bldg. Maint. - Haven House	608.69
Midway Supply	Manifold resurface, bolts, gasket, bearing, clutch, point set, engine parts	1,212.50
Miller & Associates	Service	2,824.20
Milbank Manufacturing	Meter socket	574.90
Mid Nebr. ENT & Royball	Doctor	80.15
Morris Press & Office	Binders, tape, paper clips, pads, ribbon, paper	56.98
Mr. Automotive	Mini lamp, antifreeze, belt, muffler, clamp, filter, plugs	173.49
R.A. Mullendore Consultants	Service - load management	775.45
Nebraskaland Tire	Tube	8.87
State of Nebraska	Swimming pool permit	3.00
Nebraska Public Power	Check subs	38.23
Nelson, Thomas R.	Doctor	14.00
Nebraska Chapter GRCDA	Membership	120.00
Omni Construction	Dewatering	3,000.00
Payroll Account	3/4 - 3/17/92	49,318.15
Pamida	Bags, coffee, lysol	24.16
Platte Valley Auto Mart	Socket clutch, valve, gasket, spark plug, swivel assy	40.84
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Police Officers Assoc. of NE	Fillers, revisions	70.50
Q125 Commission	Nebr. Q125 book	36.95
Rimpley Construction	Stump removal - 17	620.00
Sands, Jean	Books	17.50
Safety Council of Nebraska	Membership - Bricker	100.00
Schultz, Edna	Medicine	25.90
Seton Name Plate Corp.	Signs	162.66
Sixth Street Market	Supplies	37.19
Skwarek, Neldene	Workshop - Lincoln	37.50
Snow, Lori	Overpayment	60.00
Social Security Fund	3/4 - 3/17/92	3,702.52
S & W Auto Parts	Red lens	2.40
The Travelers	3/4 - 3/17/92	1,577.64
Tri-Co. Hospital & Barta	Hospital	2,126.40
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Westinghouse Electric	Meter, lamp, rope	1,668.12
Weekend Handyman Service	Haven House repairs	231.00
Wheeler's	Bed mat, hooks, battery	83.57
Wiley, Jan	Medicine, doctor	18.92
Wolf, Tracy	Doctor	4.50
Hutt, Cecil	Electric rebate	1,200.00
Lynch, Bob	Electric rebate	2,000.00
Tri-County Hospital	Meals on Wheels - Febr.	3,293.68

TOTAL \$142,782.56

DEFERRED COMP PLAN:

Clifford Stockmeyer addressed the Lexington City Council requesting the Council give his company, Northwestern Mutual Life, the ability to operate a deferred comp plan for the employees for the City of Lexington. Mr. Stockmeyer proceeded to inform the Council that his company has obtained a private letter

ruling from the IRS for the operation of this plan. After further discussion, Council member Wightman moved that the City of Lexington be allowed to participate with Northwestern Mutual Life in a 457 Deferred Comp Plan for its employees, seconded by Weeder. Roll call. Voting "aye" were VerMaas, Anderson, Weeder, Wightman, Hawks. Motion Carried.

**KN ENERGY RATE
ADJUSTMENT:**

Mr. Percy Borges, representing KN Energy addressed the Lexington City Council stating that this filing from KN Energy will adjust their rates downward at the rate of approximately 7.3% equates to an estimated reduction of the average bill, for a residence in Lexington, for the month of January, of \$7.70. He further stated that this downward adjustment was due to the purchase gas cost and not to the operation and maintenance part of the rate which stays the same. No further action was taken at this time.

**REQUEST FOR GAP
PAVING:**

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ROAD:**

Mr. Vance Bricker addressed the Lexington City Council stating that in order to complete the requirements for Wendy's and Amigo's to retain their signs along South Highway 283, the City would be required to vacate the frontage road associated with their businesses. The City Administration was reminded that easements should be obtained for city utilities laying under these streets and that the understanding be that the City would not be responsible for snow removal or maintenance of these roads.

An ordinance entitled, "AN ORDINANCE TO VACATE FRONTAGE STREET RIGHT OF WAY ADJOINING LOTS 8, 9, 10, OF GREATER LEXINGTON ADDITION; TO PROVIDE FOR REVERSION OF THE VACATED STREET TO ADJOINING PROPERTY OWNERS; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM." was read before the Council. Moved by Wightman that said ordinance be passed on first reading, seconded by Anderson. Roll call voting "aye" were: Weeder, VerMaas, Anderson, Wightman, Hawks. Motion carried.

LIQUOR LICENSE APPLICATION:

The Lexington City Council held a public hearing to considered the request of Mr. Frank Hennigan for a Bottle Club License for Lakota Inc. 405 north Washington Lexington NE. Mr. Frank Hennigan stated that this action was required because the name was changing from Frank Hennigan dba Lakota to Lakota Inc. Hearing no further comments Mayor Hawks declared the Public Hearing closed. Moved by Wightman, seconded by VerMaas to approve the application of Lakota, Inc. for a Bottle club License at 405 North Washington Lexington NE. Roll call. Voting "aye" were: Anderson, Weeder, VerMaas, Wightman, Hawks. Motion carried.

JOINT COUNCIL RETREAT:

Mr. Vance Bricker informed the Lexington City Council that the towns of Cozad and Gothenburg would like to have a Tri-City Retreat held at Cozad in the Municipal Building on April 4, 1992. Moved by Weeder, seconded by Wightman that the City Council hold a special meeting on April 4, 1992 at City Hall, 406 East 7th Street, in Lexington, Nebraska to be adjourned to the Council Chambers in Cozad, Nebraska for a Tri-City Council Retreat. Seconded by Wightman. Roll call. Voting "aye" were: VerMaas, Anderson, Wightman, Weeder, Hawks. Motion carried.

CEMETERY LOT PRICING:

The City Clerk addressed the Lexington City Council stating that prices on the Resolution for cemetery spaces have been increased according to the Council's request. He additionally reported that after

a discussion with the staff and a review of prices for cemetery lots from other communities the declining price on a greater number of lots was not the normal practice and therefore; staff thought that one price for a space rather than the declining prices should be considered by the Council. Councilman Wightman moved that the following resolution be passed and approved Seconded by Anderson. Roll call. Voting "aye" were: VerMaas, Weeder, Anderson, Wightman, Hawks. Motion carried.

Resolution No. 92-6.

WHEREAS, it is necessary to revise the charges for use of City cemeteries.

BE IT, THEREFORE, RESOLVED, that the following schedule of charges for City cemeteries shall be applicable immediately upon adoption of the Resolution:

GREENWOOD	RESIDENT	NON-RESIDENT
One (1) Space	\$200.00	\$400.00
Baby Space	\$100.00	\$200.00
EVERGREEN	RESIDENT	NON-RESIDENT
One (1) Space	\$50.00	\$100.00
Baby Space	\$30.00	\$60.00

GRAVEOPENINGS

	WEEKDAY	WEEKEND/HOLIDAYS
Adult	\$200.00	\$250.00
Baby	\$100.00	\$125.00
Cremation	\$100.00	\$125.00
Disinterment	\$200.00	\$250.00

PASSED AND APPROVED this day of , 19

CITY OF LEXINGTON, NEBRASKA

President of Council

ATTEST:

City Clerk

EXTENSION OF CONTRACT:

Mr. Vance Bricker addressed the Lexington City Council stating that the work that has not been completed at the Waste Water Treatment Plant would require an extension of the contract with the engineering firm of Hdr, & of Denver. The estimated amount their contract would need to be increased would be \$10,000.00. Mr. Bricker further stated that is not to saying they would use the entire \$10,000.00. Further discussion revealed that this could be charged back against the contractor relieving the city from the liability of this charge. Upon conclusion of the discussion Councilman Weeder moved that the City Manager be authorized to sign a change order increasing the contract price for HDR by \$10,000.00, seconded by Wightman. Roll call. Voting "aye" were: Anderson, VerMaas, Wightman, Weeder, Hawks. Motion carried.

FINANCIAL REPORT:

City Treasurer's report presented the February Financial Report to City Council. After a brief discussion pertaining mostly to Sales Tax Revenues, Councilman Wightman moved that the Treasurer's Financial Report for February 1992 be accepted, seconded by Weeder. Roll call voting "aye" were: VerMaas, Anderson, Weeder, Wightman, Hawks. Motion carried.

ADJOURNMENT:

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

Robert Hawks
President of the Council

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.

City Clerk

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LEXINGTON, NEBRASKA

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CALL TO ORDER: The meeting was called to order by Vice-President John Wightman.

MINUTES REGULAR Moved by VerMaas, seconded by Anderson to approve
MEETING 03/10/92: the minutes of the Regular Council Meeting held Tuesday, March 10, 1992, as presented. Roll call. Voting "aye" were: Wightman, Weeder, Anderson, VerMaas., Hawks. Motion carried.

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CITY OF LEXINGTON

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Resolution No. 92-6.

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Baby Space	\$100.00	\$200.00

EVERGREEN

RESIDENT NON-RESIDENT

One (1) Space	\$50.00	\$100.00
Baby Space	\$30.00	\$60.00

GRAVE OPENINGS

WEEKDAY WEEKEND/HOLIDAYS

Adult	\$200.00	\$250.00
Baby	\$100.00	\$125.00
Cremation	\$100.00	\$125.00
Disinterment	\$200.00	\$250.00

PASSED AND APPROVED this day of , 19

CITY OF LEXINGTON, NEBRASKA

President of Council

ATTEST:

City Clerk

EXTENSION OF Mr. Vance Bricker addressed the Lexington City

CONTRACT: Council stating that the work that has not been completed at the Waste Water Treatment Plant would require an extension of the contract with the engineering firm of Hdr, & of Denver. The estimated amount their contract would need to be increased would be \$10,000.00. Mr. Bricker further stated that is not to saying they would use the entire \$10,000.00. Further discussion revealed that this could be charged back against the contractor relieving the city from the liability of this charge. Upon conclusion of the discussion Councilman Weeder moved that the City Manager be authorized to sign a change order increasing the contract price for HDR by \$10,000.00, seconded by Wightman. Roll call. Voting "aye" were: Anderson, VerMaas, Wightman, Weeder, Hawks. Motion carried.

FINANCIAL REPORT: City Treasurer's report presented the February Financial Report to City Council. After a brief discussion pertaining mostly to Sales Tax Revenues, Councilman Wightman moved that the Treasurer's Financial Report for February 1992 be accepted, seconded by Weeder. Roll call voting "aye" were: VerMaas, Anderson, Weeder, Wightman, Hawks. Motion carried.

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

Robert Hawks
President of the Council

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.

City Clerk