

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Regular Meeting of the Lexington City Council was held Tuesday, December 12, 1995, 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, Dorothy Anderson, Jerry Long and John Fagot. City Officials present were: City Manager Bill Podraza, Deputy City Clerk Bonnie Otte and City Attorney Will Weinhold. Department Heads present were: Glenn Hawks, Charlie Clark, Vance Bricker, and Kerry Rader. Also present were: Dana Daniels representing Miller & Associates, Byron Schuckman, and approximately 50 citizens with an interest in the agenda. The press was represented by the Clipper Herald, KRVN, and 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 Hawks.

MINUTES REGULAR MEETING 11/28/95: The minutes of the regular council meeting held November 28, 1995 were presented for Council's consideration and approval. Moved by Anderson, seconded by Wightman to approve the minutes of the regular meeting held November 28, 1995. Roll call. Voting "aye" were: Long, Fagot, Wightman, Anderson, Hawks. Motion carried.

CLAIMS AND BILLS: Claims and Bills in the amount of \$818,025.61 were presented for Council's consideration and approval. Upon completion of review of the claims and a discussion concerning the payment to Liehs Drilling for well repair, moved by Wightman, seconded by

Long to approve the claims as listed and authorized the City Treasurer to transfer \$68,650.44 from the General Fund, \$710,914.07 from LEXUS Funds, \$10,000.00 from City Sanitation Fund, \$17,475.47 from the Landfill Fund, \$2,195.47 from the Health Fund, \$5,387.64 from Meals on Wheels, and \$3,402.52 from Haven House Grant to the City of Lexington Operating Account. Roll call. Voting "aye" were: Fagot, Anderson, Long, Wightman, Hawks. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 December 12, 1995

Alamar Uniform Co.	Uniforms - Police	747.99
AT & T	Service	50.91
AT & T	Service	53.10
Awards Plus	Plates, charms	73.90
Barmore's	Tylenol, video tapes	41.70
Bee Line Motor Freight	Freight	127.35
Berntson Oil	Diesel, grease, oil	128.62
Brown, Harold	Tool allowance	50.00
Cash-Wa Distributing	Food, liners, gloves	749.79
Central Garage	Labor, parts, oil, gas	9,992.84
Century Laboratories	Ice melt	477.25
Century Lumber	Anchor, bits, screws	29.77
C & H Distributors	Dock bumper	142.50
Coast to Coast	Key, heater, keys, batteries	37.23
Conney Safety Products	Advil, motrin, gloves	97.66
Computer Assistance	Clean computers	37.50
Consumer Credit Counseling	Collection service	.76
Corp. Diversified Service	Life insurance - Fire Dept.	60.00
CBSA	Insurance claims	2,102.82
Cozad Service	Repair water chiller - GGC	26.00
Culligan Water Conditioning	Salt, water rental	70.50
Dawson Co. Judge	Case dismissed	24.00
Dawson Co. Register of Deeds	Filing fees	21.00
Dan's Sanitation	Service	10,000.00
DEMCO	Bookplates, ID Cards, labels	655.44
Donna's Cafe	Meals on Wheels	765.48
Durkin Equipment Co.	Repair water meter	783.78
Dugan Business Forms	Disconnect tags	306.90
Eake's Office Products	Toner	55.45
Egan Supply Co.	Rug, cleaning supplies, mops	521.63
Electric Fixture	Wire, elbow, cement, fixtures,	

	tape, conduit, adapter	3,252.79
Electric Pump	Pump	2,414.36
Emery Pratt Co.	Book	59.95
Eustis Body Shop	Repair windshield	289.30
Fairbanks International	Blade, hardware	60.62
Farm Plan Corp.	Parts	17.06
Five Star Flooring	Carpet	100.77
Follett Software Co.	Labels	63.12
Fremont National Bank	Annual service fee	381.42
Fransyl Equipment Co.	Repair Hi Ranger	480.74
Furst Group	Service	20.60
Gillette/NE Dairies	Dairy products - MOW	139.52
Hach Chemicals	Chemicals	199.70
Halouska, Howard	Chain saw repair	17.00
Haven House	November bills	3,402.52
Hipp Wholesale Co.	Food, bleach, trays, tissue	622.28
HTM Sales Inc.	Pump	2,000.00
Hunt Cleaners	Gloves	133.72
ICMA	City Mgr pension	133.85
Ingram Library Service	Books	46.81
Jones Plumbing	Water parts	26.60
Johnson Jewelry	Retirement watch	263.06
Kansas Electric Coop. Inc.	Substation maintenance	3,401.41
KN Energy	Service	804.45
Kriz Davis Co.	Deadend Clevis	1,292.89
Lexington Animal Clinic	Service	320.45
Lexington Coop	Propane	10.00
Lexington Laundry	Service	36.00
Lexington Postmaster	Postage	1,500.00
Lexington Public Library	Postage	24.85
Lexington Newspaper	Recreation ad, Office ad	246.75
City of Lexington	Franchise fees, Misc. charge	27,533.57
Lexington State Bank	Bond payment	206,897.50
Lexington Postmaster	Newsletter postage	80.00
Mead/Big Valley Lumber	Screws, parts	380.28
Meyer Welding	Sheet metal	118.79
Midway Supply	Batteries, bearings	55.19
Midland Contracting Co.	Lift Station	37,376.80
Miller & Assoc.	Service	1,930.00
Mid. Nebr. Restaurant Supply	Cartridge	59.20
Morris Press & Office	Requisition slips, paper	127.10
Mr. Automotive	Rotor, brake set	67.99
Nebraska Machinery	Cap, fender, loader payments	5,058.74
Nebraska Law Enforcement	Recertification - Wolf	26.45
Nebraska Dept. of Roads	Junkyard permit	50.00
Nebraska Dept. of Revenue	Sales tax	20,127.56

Nebraska Municipal Power Pool	Seminar	125.00
NPPD	Power bill	342,308.81
NE Safety & Fire Equipment	Service	74.00
Nebraska Cellular	Service	28.67
OK Tire	Tires, tire repair	409.48
Omaha World Herald	Subscription	70.20
Overton Sand & Gravel	Gravel	153.00
Payroll Account	11/22 - 12/5/95	67,763.07
Paulsen Bldg. & Supply	Concrete	81.00
Patty's Hallmark	Fax machine, wreaths, glue, tape, calendar, ink refill	421.01
Platte Valley Auto Mart	1996 Pickup, ignition switch	14,571.15
Platte Valley Communication	Service agreement, radio repair	109.50
Plum Creek Medical Group	Work Comp. - Brown	92.65
Plum Creek Promotions	Shirts - Recreation program	900.00
Platte Valley Exterminating	Service	24.00
Plum Creek Motors	Tension	36.38
Police Officers Assoc.	Handbooks	49.00
Precision Industries	Bearing	.70
Randy's Towing	Towing charges	75.00
Read-Well Media	Books, tapes	710.41
Saulsbury, Gerda	Refund special use permit	60.00
Schuckman, Marsha	Service	200.00
Schnieber Fine Foods	Food, trays	530.79
Service Supply	Seals handle	6.25
Seamax	Axle shaft	343.13
Sixth Street Market	UPS, Food, filters, towels	99.84
Social Security Fund	11/22 - 12/5/95	5,099.65
Sophir Morris	Paint - Library	368.42
S & W Auto Parts	Belts, adaptor, wiper blades, wrench, filters, spark plugs	987.24
Terryberry	Service awards	397.45
The Travelers	Pension	1,910.56
Unisys Corp.	Maint. agreement	1,266.00
US West Communications	Service	1,539.97
Valentino's	Meeting expense	41.11
Wal-Mart	Files, tissue, film, paint, film processing, batteries, photo albums, trash can	364.43
Ward's Photo	Film processing	89.71
WESCO	Transformers, brackets, deadend, anchor hub	5,947.26
Weber & Weinhold	Service	1,602.46
Wheeler's	Pitch forks, tapes, paint, chisels, screwdrivers	393.76
Worldwide Technologies	Computer drive	201.00

Yant Equipment	Repair pumps	218.70
Zep Manufacturing	Supplies	47.03
Fagot Refrigeration	Well repair	3,592.56
Fischer Scientific	Glass still	2,016.40
Five Star Flooring	Vacuum bags	5.42
Lex Area Chamber of Commerce	Bonus - Daniels	10.00
Lexington Newspaper	Service	619.38
Lieh's Drilling	Well repair	11,758.53
Petty Cash	Misc. expenses	162.23
Platte Valley Auto Mart	Repairs	237.92
Tri City Tribune	Notice	21.75
	TOTAL	\$818,025.61

**SPEED LIMIT
ORDINANCE:**

An ordinance entitled, "AN ORDINANCE TO AMEND SECTION 16-41 OF THE LEXINGTON CITY CODE; TO PROVIDE FOR SPEED LIMITS ON 13TH STREET FROM TAFT STREET TO LINCOLN STREET; TO REPEAL ORIGINAL SECTION 16-41, AND ALL OTHER ORDINANCES OR SECTIONS F ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM." was discussed by the Lexington City Council.

City Manager Podraza addressed the Lexington City Council stating that the 13th Street project was designed to improve the sanitary sewer system to handle the city's growth, especially in the northwest part of Lexington and street runoff. The street was designed as an arterial street with a 35 mph speed limit and restricted parking and as such was eligible for STP funds in the amount of approximately \$606,000. The state now has determined that they will not be involved with requiring speed limits on the arterial street nor would they restrict parking. Podraza stated that setting a lower mph speed limit on 13th Street would not affect the STP funding. Sgt. Tracy Wolf, Jerry Bergstrom, Kyle Otte, Barb Margritz, Rob Waterman, Linda Graus, Fr. Bob Lambert, Ron Laux, Hap Hardesty, Greg Stucklik, David Doss and several other citizens attending the meeting made comments opposing the 35 mph speed limit mainly due to concern for safety of children crossing the street, playing in the nearby neighborhoods, people backing onto 13th Street, and

people using the street for walking or running. Mr. Dana Daniels, representing Miller & Associates, stated that the street was designed for 35 mph including the water and sewer lines and vision clearances. Councilperson Anderson stated that she had received several phone calls at home all opposing the increased speed limit. After completion of citizen comments and council discussion, moved by Wightman, seconded by Anderson to post the speed limit on 13th Street from Taft to Adams Street at 25 mph. Roll call. Voting "aye" were: Fagot, Long, Anderson, Wightman, Hawks. Motion carried.

PARKING ORDINANCE: An ordinance entitled, "AN ORDINANCE TO AMEND SECTIONS 16-45 OF THE LEXINGTON CITY CODE; TO PROVIDE FOR NO PARKING ON 13TH STREET FROM TAFT STREET TO LINCOLN STREET; TO REPEAL ORIGINAL SECTION 16-45, AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM." was read before the council.

City Manager Podraza addressed the Lexington City Council stating that the 13th Street project design calls for no parking on this street. He continued by saying that parking along this street could cause problems in snow emergency situations and may disrupt the flow of traffic where special allowances have been made for turning lanes. Mr. Dana Daniels, representing Miller & Associates, stated that the design allows for sight clearance and parking along the street will obstruct this clearance.

Citizens in the audience had various suggestions for parking but none wished that parking be completely banned. After a discussion pertaining to limited, time parking and no parking, the council asked Mr. Daniels to research the effect of traffic flow with parking on one side of the street and sight obstruction at the intersections, especially where the turning lanes are involved. Upon conclusion of the discussion, Mayor Hawks asked for a motion on the ordinance. Hearing no motion to the ordinance, Mayor Hawks declared the proposed ordinance amendment dead.

AWARD JETTER BID: The Lexington City Council reviewed two bids for a sewer jetter machine to be used in the street department. One bid was from Utility Equipment Company in the amount of \$18,870.73 and the other was from Diesel Power Equipment Company in the amount of \$22,059.00. City Manager Podraza recommended awarding the bid to Utility Equipment Company in the amount of \$18,870.73 because of the lesser price and because it would fit the truck the city plans on using without any modifications. Moved by Wightman, seconded by Long to award the bid for a sewer jetter machine to be used in the street department to Utility Equipment Company in the amount of \$18,870.73. Roll call. Voting "aye" were: Anderson, Fagot, Long, Wightman, Hawks. Motion carried.

D.O.R. AGREEMENT: The Lexington City Council considered Agreement No. 16 which is a maintenance agreement between the Nebraska Department of Roads and the City of Lexington for maintenance of state roads within the city limits. Moved by Wightman, seconded by Anderson that said agreement be passed and the Mayor be authorized to sign Maintenance Agreement No. 16 with the Nebraska Department of Roads. Roll call. Voting "aye" were: Fagot, Long, Anderson, Wightman, Hawks. Motion carried.

**AUDIT REPORT
FISCAL 94-95:** City Manager Podraza advised the council that the audit committee met and reviewed the fiscal 94-95 audit. The only findings were with administration of a block grant and action on delinquent assessments. Moved by Wightman, seconded by Anderson that the Lexington City council accept the fiscal year 94-95 audit from Contryman Associates as presented. Roll call. Voting "aye" were: Fagot, Long, Anderson, Wightman, Hawks. Motion carried.

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

Robert Hawks
Mayor

Bonnie Otte
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.

Bonnie Otte
Deputy City Clerk