

CITY OF LEXINGTON
LEXINGTON, NEBRASKA

A Regular Meeting of the Lexington City Council was held Tuesday, January 24, 1995, at the Lexington Municipal Offices, 406 East 7th Street, Lexington, Nebraska, at 7:30 P.M. Members of the City Council present were: Mayor John Wightman, Dorothy Anderson, Jerry Long and John Fagot. Councilman Robert Hawks was absent. City Officials present were: City Manager Bill Podraza, City Clerk Leon E. Malzahn and City Attorney Willard Weinhold. Department Heads present were: Charles Clark, Vance Bricker, and Neldene Skwarek. Also present were: Dana Daniels representing Miller and Associates, Norman Reynolds, Roger Bauer, Dale Carlson, Butch Hagan, Mark Yung, Tom Richards, Jeff Richardson, Maurice Sapp, John Wood, Bill Grant and Barbara Winters. The press was represented by Clipper-Herald, Tri-City Tribune 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 John Wightman.

MINUTES REGULAR The minutes of the regular council meeting held
MEETING 01/10/95: January 10, 1995 were presented for council's consideration and approval. Moved by Long, seconded by Fagot to approve the minutes of the regular meeting as presented. Roll call. Voting "aye" were: Anderson, Fagot, Long, Wightman. Motion carried.

MINUTES SPECIAL The minutes of the special retreat meeting held
MEETING 01/14/95: January 14, 1995 were presented for council's consideration and approval. Moved by Anderson, seconded by Long to approve the minutes of the special meeting as presented. Roll call. Voting "aye" were: Long, Fagot, Anderson, Wightman. Motion carried.

CLAIMS AND BILLS: Claims and Bills in the amount of \$220,113.60 were presented for Council's consideration and approval.

Upon review of the claims as listed, moved by Anderson, seconded by Fagot to approve the claims and bills as listed and authorized the City Treasurer to transfer \$72,558.06 from the General Fund, \$105,572.27 from LEXUS Funds, \$9,324.50 from City Sanitation Fund, \$11,774.73 from the Landfill Fund, \$14,700.92 from the Health Fund, \$5,803.12 from Meals on Wheels, \$8.62 from CDBG 90-HD-010 and \$371.38 from Lexington CED, to the City of Lexington Operating Account. Roll call. Voting "aye" were: Long, Fagot, Anderson, Wightman. Motion carried.

CITY OF LEXINGTON

ACCOUNTS PAYABLE

January 24, 1995

Advanced Control System Scada Equipment Maint.	2,886.00	
Baker & Taylor Co. Book leasing	149.00	
B & B Transformer Transformers	17,070.89	
Matthew Bender & Co. Govt. law manuals	148.60	
Berntson Oil Diesel, unleaded fuel	1,874.97	
Bishop, Pete League Mtg.	25.00	
Business Telecommunication Phone system	3,189.00	
B & P Credit Mgmt. Service	349.28	
Cash-Wa Distributing Food, table cover, tape	837.97	
C.J. Small Engine Chainsaw chain	28.42	
Central Garage Fund Labor, oil, parts	2,418.21	
Central Community College Class registration	120.00	
Coca Cola Pop	17.90	
CBSA Insurance claims	14,026.54	
CBSA Insurance premium	6,403.76	
Culligan Water Conditioning Salt, service	40.79	
Dawson Co. Public Power Service	2,058.82	
Dawson Co. Treasurer Drainage tax - Landfill	1.17	
Dan's Sanitation Service	194.00	
Donna's Cafe MOW	755.70	
Dutton - Lainson co. Connectors, cluster mount	389.46	
Eake's Office Products Copier rental - Library	102.05	
Electric Fixture Climber pads, hubs, cement	429.41	
Electronic Systems Fire alarm inspection - GGC	25.00	
Emery Pratt Co. Books	12.85	
Farm Plan Corp. Chain line, cap screw	6.40	
Forever New Upholstery Recover chairs	275.00	
Matt Friend Truck Equip. Filter	7.75	
GE Capital Lease agreement	308.19	
Gillette/NE Dairies Dairy products - MOW	82.98	
Hipp Wholesale Co. Food, towels, containers	912.18	
Hodges Auto World Tank switch	6.40	
Holdrege Public Library Interloans	9.00	
Husker Electric Supply Meter sockets	298.07	
I.C.M.A. City Mgr. pension	133.85	
Ingram Library Service Books	51.30	
Karre's City Bakery Rolls - Council Mtg.	16.63	

K N Energy	Service	2,813.68	
Kriz - Davis Co.	Crossarms, Comp connectors		5,830.88
Lex Area Chamber of Commerce	CED Expenses		371.38
Lexington Postmaster	Postage	1,500.00	
Lexington Public Library	Postage, supplies	63.80	
LEXUS Paper, envelopes, postage		46.29	
LDDS Communications	Service	29.50	
Lien, Kevin	Tuition reimbursements	216.00	
Loos Electric	Cyclometer	858.60	
Luther, Ann	Mtg. expense	44.63	
MCI	Service	117.35	
Mead/Big Valley Plywood,	nails, keys	49.38	
Midway Supply	Studs, Gaskets, tube	45.06	
Miller & Associates	13th St project	8,282.73	
	Fillmore St	569.46	
	Landfill	94.20	
	Landfill closure	2,492.37	11,438.76
Midwest Laboratories	Sample tests	3,335.74	
Mine Safety Appliances	Screws, nuts	44.45	
Morris Press	Calendar, paper clips, pencils		
	food service reports, receipts	255.34	
Mr. Automotive	Push rod	2.08	
Municipal Supply	Meter gaskets	87.04	
Nebraska Salt & Grain	Ice control salt	617.10	
NPPD	Recipe books, seminar	575.00	
State of Nebraska	Water analysis	336.20	
Nebraska Hydraulics	Chuck bits	166.40	
Nebraska Planning & Zoning	Membership		40.00
NE Dept. of Roads	Traffic light	1,121.22	
NE Assoc. of Sr. Centers	Certification	25.00	
Nichols, Charles	League Mtg.	12.50	
Overton Sand & Gravel	Ice control salt, road gravel		499.20
Payroll Account	1/4 - 1/17/95	58,766.20	
Patty's Hallmark	UPS, pens, erasers, calendars,		
	scissors, film, envelopes	111.48	
Pitney Bowes	Maint. agreement	270.00	
Plum Creek Recycling	Service	1,265.85	
Podraza, Bill	Mtg. expense	69.01	
Reach Electronics	Battery, pager repair		47.50
Reader's Digest	Subscription	22.46	
Republican Valley Library	Format guide	34.50	
Regional Books Inc.	Book	13.07	
Riege, Ivan	League mtg.	12.50	
Schnieber Fine Foods	Food, supplies	468.55	
Shoe Mart	Meter reader shirts	21.12	
The Shop	Labor	30.00	
Sixth Street Market	Food, UPS	61.95	
Smith & Loveless Inc.	Time meter	80.32	
Social Security Fund	1/4 - 1/17/95	4,405.72	
S & W Auto Parts	Starter, choke, float, pulloff,		
	carb. kit, parts	95.44	
Time Life Books	Book	18.48	
Tri County Hospital	Work comp - Wosleben, Teetor,		
	Skiles	165.00	

The Travelers	Pension	1,828.82	
The Travelers	Admin. fees	5,011.01	
The Travelers - Police	Police pension	791.21	
US West Communications Service		45.65	
Valentino's	Mtg. expense	22.74	
Wal-Mart	Film processing, pens, paper, pliers, tape, battery, mop	161.87	
Wattier, Darryl	League Mtg.	12.50	
Wesco Distribution	Battery, transformer, parts	7,468.56	
Wheeler's	Hammer, spade, screws	56.61	
Zep Manufacturing	Cleaning supplies	42.33	
AFLAC	Cancer insurance	110.38	
AT & T Service		11.55	
AT & T Service		68.61	
AT & T Service		107.59	
Bishop, Pete	Mtg. expense	12.00	
CBSA	Insurance claims	232.75	
Dawson Co. Public Power Service		378.42	
Dan's Sanitation Service		9,324.50	
Fairtron Corp.	Wire	211.00	
LEXUS Service		22,602.82	
City of Lexington	Franchise fee	19,282.16	
Protective Life Insurance	Cancer insurance	___166.25	

TOTAL 220,113.60

HIGHWAY 30 Mr. Bill Riggs addressed the Lexington City Council

DISCUSSION: stating that he had been requesting the State of Nebraska Department of Roads to correct the situation on Highway 30 between Lexington and Overton. He informed the Council that he considered the resurfacing of this road to be an inferior job and presented a video tape outlining the reasons for his feelings. He further stated that he feels he needs backing from local governmental organizations to impress upon the Department of Roads and the Governor how strongly he feels that these repairs are needed to this road. Upon completion of this discussion, he was informed by Mayor Wightman that the City Council may conduct an inspection of this road and would possibly place this item on the agenda for February 14, 1995. No further action was taken at this time.

PUBLIC HEARING Prior to opening the public hearing, City Manager

TOM RICHARDS: Podraza requested an executive session. Moved by Long, seconded by Anderson to recess the regular session to executive session at 8:28 p.m. to discuss possible litigation. Roll call. Voting "aye" were: Fagot, Anderson, Long, Wightman. Motion carried. Moved by Anderson, seconded by Fagot to reconvene the regular session from executive session at 8:42 p.m. Roll call. Voting

"aye" were: Long, Fagot, Anderson, Wightman. Motion carried. Mayor Wightman declared the public hearing to consider the application of Tom Richards for a special use permit open. At this time, Mr. Richards addressed the Lexington City Council stating that he is requesting a special use permit to place a mobile home on his lot for the storage of auto parts. Discussion which followed pertained to the reasons Mr. Richards did not fulfill the special use permit granted in spring of 1994 for this project. Mr. Richards stated that the City's requirement for a fence exhausted his funds making it impossible to purchase the concrete necessary for the foundation. Mr. Richards was asked about the status of his license but this time refused to comment based upon the fact that the license had no bearing on the special use permit. Hearing no further comments, either for or against the issuance of the special use permit, Mayor Wightman declared the public hearing closed. Moved by Long, seconded by Anderson to grant a special use permit to Mr. Tom Richards to place a mobile home for storage space on his lot at 302 E. Pacific. Roll call. Voting "aye" were: Long, Wightman. Voting "nay" were: Anderson, Fagot. Motion failed.

SALVAGE YARDS An ordinance entitled, "AN ORDINANCE TO AMEND ZONING: SECTION 28-21.2 AND SECTION 28-21.5 OF THE LEXINGTON CITY CODE; TO ALLOW JUNK OR SALVAGE YARDS IN AN M-2 ZONE ONLY WITH SPECIAL USE PERMIT; TO REPEAL ORIGINAL SECTIONS 28-21.2 AND 28-21.5, 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. Moved by Anderson, seconded by Fagot that said ordinance be passed on third and final reading. Roll call. Voting "aye" were: Long, Fagot, Anderson, Hawks. Motion carried. The passage and adoption of said ordinance having been concurred by a majority of the Council, the President declared said ordinance be adopted and signed the same. The Municipal Clerk attested to the passage and adoption of the ordinance by affixing his signature and the Seal of the City of Lexington in declaring Ordinance No. 2014 to be published in pamphlet form.

WAIVER OF Mr. Maurice Sapp presented a waiver of objection to
OBJECTION: the Lexington City Council for the building located at 123 East 5th Street, Lexington. Mr. Sapp presented a drawing of that area to the City Council for a better understanding of his request. Upon completion of his request, moved by Long, seconded by Fagot to approve the waiver of

objection for the building at 123 East 5th Street, Lexington, Nebraska. Roll call. Voting "aye" were: Anderson, Fagot, Long, Wightman. Motion carried.

APPOINTMENTS TO PLANNING COMMISSION: Mayor Wightman stated that two members of the Planning Commission needed to be reappointed and therefore is submitting the names of Mark Yung and Margaret Nielsen to fulfill a term until December 31, 1997. Moved by Anderson, seconded by Long to approve the Mayor's appointment to the Lexington Planning Commission. Roll call. Voting "aye" were: Fagot, Long, Anderson, Wightman. Motion carried.

FINANCIAL REPORT: Neldene Skwarek presented the Financial Report to the City Council for the month of December, 1994 and highlighted portions of the report. Upon completion of the report, moved by Long, seconded by Anderson to accept the financial report for December, 1994. Roll call. Voting "aye" were: Anderson, Fagot, Long, Wightman. Motion carried.

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

John Wightman
Council President

Leon E. Malzahn
Lexington 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.

Leon E. Malzahn
Lexington City Clerk