

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Regular Meeting of the Lexington City Council was held Tuesday, October 10, 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, and John Fagot. Councilperson Long was absent. City Officials present were: City Manager Bill Podraza, City Clerk Leon E. Malzahn and City Attorney Will Weinhold. Department Heads present were: Vance Bricker, Glenn Hawks and Kerry Rader. Also present were Scott Latter, John Redding, Chuck Mooberry and Len Bonczynski. The press was represented by the Clipper Herald, KRVN, Kearney Hub and Tri-City Tribune.

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 09/26/95:**

The minutes of the regular council meeting held September 26, 1995 were presented for Council's consideration and approval. Moved by Wightman, seconded by Anderson to approve the minutes of the regular meeting held September 26, 1995. Roll call. Voting "aye" were: Fagot, Anderson, Wightman, Hawks. Motion carried.

CLAIMS AND BILLS:

Claims and Bills in the amount of \$756,324.86 were presented for Council's consideration and approval. Moved by Anderson, seconded by Fagot to approve the claims as listed and authorized the City Treasurer to transfer \$99,301.72 from the General Fund, \$620,050.44 from LEXUS Funds, \$10,000.00 from City Sanitation Fund, \$14,001.46 from the Landfill Fund, \$986.18 from the Health Fund, \$4,921.24 from CDBG 90-HD-010, \$1,909.69 from Haven House Grant and

\$5,154.13 from Meals on Wheels to the City of Lexington Operating Account. Roll call. Voting "aye" were: Wightman, Fagot, Anderson, Hawks. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 October 10, 1995

Alamar Uniform Co.	Uniforms - Police Dept.	916.05
All American Lib. Preview	Books	167.90
American Public Works Assoc.	Membership	171.00
Americana Resource Tech.	Consulting agreement-Landfill	2,500.00
Applied Electronics	Intoxilyzer repair	72.95
AT & T	Service	53.10
Barmore's	film, camcorder battery, frames	66.00
Berntson Oil	Diesel, unleaded fuel	2,898.31
Becker Fire Equipment	Hinges, bulbs	48.88
Bricker, Vance	Mileage	82.10
Bryant, Clyde	Duplex work	1,910.00
Buller Fixture Co.	Utility carts, silverware	227.65
Burbach Engineers	Service - Aquatic project	7,787.11
Cash-Wa Distributing	Food, bleach, oven mitt	523.87
Central Garage Fund	Parts, labor, oil	8,689.56
Century Laboratories	Cleaning supplies	736.39
Clark Boardman Callaghan	Employment Alert	199.42
Coast to Coast	Screws, sealant	33.79
Corp. Diversified Services	Life insurance - Fire	60.00
CBSA	Insurance claims	419.93
Culligan Water Conditioning	Salt, rental	43.50
Dawson Co. Weed Control	Service	1,729.13
Dawson Co. Clerk	Dispatch Service	3,917.33
Dan's Sanitation	Service	10,000.00
DEMCO	Laminate gloss, frame	92.31
Donna's Cafe	Meals on Wheels - Overton	798.03
Dozier Equipment	Straight wall containers	276.10
Egan Supply	Cleaning supplies	184.69
Electric Fixture	Connectors, conduit, couplings	
	bolt cutters, wrench sets	1,132.93
Emergency Medical Products	Safety gloves	221.84
Emery Pratt Co.	Books	246.12
Epperly, Dick	Leather work gloves	63.50
Fairbanks International	Shreader weed cutter, blade	1,448.01
Fox Bros. Hay Co.	Grinding service	2,100.00
Fremont National Bank	Interest payment	1,597.50
Furst Group	Service	26.93
Gillette/NE Dairies	Dairy products	81.58
Govt. Finance Officers	Book	15.00
Heartland Clerks Assoc.	Dues - Malzahn	10.00

Hipp Wholesale Co.	Food, trays, gloves	452.44
Hofaker's Iron & Metal	Handles	18.45
Holdrege Public Library	Interlibrary loans	12.00
Hydraulic Equipment Service	Repair unit 25	151.13
Insurance & Personnel Serv.	125 Admin. fees	409.86
Ingram Library Services	Books	173.67
Interstate Structures	Pay Est 12 - Service Bldg.	36,158.66
Jerry's Electric	Transformers	2,940.00
Jones Plumbing & Heating	Supplies	161.31
Kendall & Sons Ltd.	Liftstation cleaner	235.80
K N Energy	Service	479.95
Lexington Animal Clinic	Service	581.80
Lexington Laundry	Service	44.00
Lexington Public Library	Postage, supplies	31.70
Lexington Public Schools	Duplex charges - 9/95	3,011.24
Lexington Newspaper	Service	353.80
Lexington Truck & Auto	Oil filter adapter, parts	30.00
City of Lexington	Franchise Fee, Misc. charges	32,721.62
Lexington Postmaster	Bulk Mail Rate	85.00
City of Lexington	Landfill	72.00
Maturi, Richard	Books	41.95
MCI	Service	207.50
Mead/Big Valley Lumber	Lumber, drywall, stakes	328.35
Meyer Welding	Iron	16.94
Midway Supply	Drill bits, hose, water pump, shuts, link, parts	152.18
Miller & Associates	Service - September	1,850.00
Morris Press	Sheets	1.20
Mr. Automotive	Seal, struts, switch, rotors	188.79
Municipal Supply	Dresser couplings	825.40
Nebraska Machinery	Loader payments, repair bucket truck, replace thermostat	5,330.28
Nebraska Law Enforcement	Classes	265.30
Nebr. Dept of Revenue	Sales tax - September	28,371.39
NPPD	Annual support fee	545.00
State of Nebraska	Water tests	612.82
New World Inn	Room - Bricker	91.39
Nelson, Tom	Meeting expense	37.50
Newman Traffic Signs	Stop signs	379.00
Nebraska Cellular	Service	100.42
Olsson Associates	Engineering Service	604.39
O K Tire	Alignment, tire repair	191.95
OCT Inc.	Training material - WWTP	196.00
Overton Sand & Gravel	Gravel, fill sand, ice control gravel, mud rock	1,805.10
Payroll Account	9/13 - 9/26/95	62,783.64
Panhandle Library System	Registration	50.00
Patty's Hallmark	Minute book binders, calculator chairs, pens, legal pads	714.49

Platte Valley Communication	Lift station alarm, service	2,055.84
Plum Crk. Medical Grp.	Work Comp - Otte	156.39
Platte Valley Exterminating	Service	24.00
Prasch, Dick	Meeting expense	37.50
Reed Reference Publishing	Books	482.84
Regional Books Inc.	Books	355.70
Robicon	Circuit board	204.93
Rocheter Instrument System	Volt meters	2,921.18
Schuckman, Marsha	Service	200.00
Schnieber Fine Foods	Food, foil	529.44
Seamax	Axle	43.14
Shoe Mart	Lettering	12.46
Simone Engineering	7 day charts	41.30
Sixth Street Market	Food	39.51
Simon & Schuster	Books	49.24
Sign Pro	Lettering - Recycling trailer	288.13
Social Security Fund	9/13 - 9/26/95	4,724.46
Standard & Poors	Books	66.40
S & W Auto Parts	Filters, brakes, spark plugs, coupler, fuse, lamp, ignition	630.46
Michael Todd & Co.	Flasher batteries	109.80
The Travelers	Pension	1,773.60
Unisys Corp.	Contract	1,266.00
US West Communications	Service	1,238.81
Valentino's	Meeting expense	43.99
Walker Roofing	Roof on firehall	15,331.00
Wal-Mart	Film, paper, receipts, tape, level, folders, supplies	220.03
Charles R Watts Co.	Carrying case, pump	77.45
Waterpro	Metersetter, meters	1,084.20
Weichel, Mark	Electric rebate	1,050.00
Wesco Distributing	Meter, bolts, lamps, wire	4,050.11
Wheelers	Flashlite, saw, battery, bulb	91.17
World Book Encyclopedia	Encyclopedias	559.00
Haven House	Grant bills - September	1,909.69
JC Penny's	Shades - New service bldg.	71.72
Malzahn, Leon	Meeting expense	89.42
Mine Safety Appliances	Supplies - Fire dept.	45.62
NPPD	Power bill	472,792.95
Nelson, Thomas R.	Meeting expense	45.24
Petty Cash	Misc. expense	206.93
The Travelers	Admin Fees	5,043.76
US West Communications	Service	45.37
Weber & Weinhold	Service - September	1,200.00
Wolfe, Leslie	Meeting expense	52.16
	TOTAL	\$756,624.86

ZONING ORDINANCE:

Prior to the consideration and reading of this ordinance, John Wightman and John Fagot stated that they had a conflict of interest and would not enter into the discussion or voting on this matter. This left the council with a deficient number of votes with Jerry Long absent. No further action was taken.

**SALE OF LIQUOR
ORDINANCE:**

Mr. John Redding addressed the Lexington City Council requesting the ordinance in the city code be changed to allow sale of liquor on Christmas and New Year's Eve when these holidays fall on a Sunday. Mr. Tom Mooberry and Len Bonczynski's testimony to the council was along the same line as Mr. Redding's. Upon completion of their presentation and request, the council discussed their personal feelings of allowing alcohol other than beer to be sold on these days. Upon completion of the discussion, an ordinance entitled, "AN ORDINANCE TO AMEND SECTION 3-6 OF THE LEXINGTON CITY CODE; TO PROVIDE FOR SALE OF LIQUOR ON NEW YEARS EVE WHEN THE SAME FALLS ON SUNDAY; TO REPEAL ORIGINAL SECTION 3-6, 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 Fagot that said ordinance be passed on first reading. Hearing no second after an appropriate amount of time, Mayor Hawks declared the motion dead for lack of a second. After further discussion relating to the sale of liquor on Christmas Eve, moved by Wightman, seconded by Hawks to amend the ordinance to allow the sale of liquor and alcoholic beverages when December 31 falls on a Sunday removing the clause for December 25. Roll call. Voting "aye" were: Fagot, Wightman, Hawks. Voting "nay" was Anderson. Motion carried. Said ordinance was then read by title. Moved by Wightman, seconded by Hawks that this ordinance be passed on first reading. Roll call. Voting "aye" were: Fagot, Hawks, Wightman. Voting "nay" was: Anderson. Motion carried.

**PUBLIC HEARING
WARDS SUBDIVISION:**

The Lexington City Council held a public hearing to consider the request of Don Ward to change his zoning from A-2 Agriculture to R-1. Mr. Vance Bricker stated that this had been approved by the Planning Commission and is requesting the council rezone this property for the construction of residential homes. Hearing no objections to the rezoning, Mayor Hawks

declared the public hearing closed. An ordinance entitled, "AN ORDINANCE TO REZONE WARD'S SUBDIVISION FROM A-2 AGRICULTURE TO R-1 SINGLE FAMILY RESIDENTIAL; to repeal all ordinances or sections of ordinances in conflict herewith; to provide for an effective date and for publication in pamphlet form." was read before the council. Moved by Wightman, seconded by Anderson that said ordinance be passed on first reading. Roll call. Voting "aye" were: Fagot, Anderson, Wightman, Hawks. Motion carried.

SIGN ORDINANCE:

City Manager Podraza addressed the Lexington Council requesting an ordinance be passed which would prohibit the posting of notices on traffic control signs within the city limits of Lexington. Upon completion of the City Manager's request, an ordinance entitled, "AN ORDINANCE PROHIBITING THE POSTING OF NOTICES OR ADVERTISING ON TRAFFIC CONTROL STRUCTURES IN THE CITY OF LEXINGTON, NEBRASKA; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM." was read before the council. Moved by Wightman, seconded by Anderson that the rules requiring the reading of said ordinance on three separate days be suspended. Roll call. Voting "aye" were: Fagot, Anderson, Wightman, Hawks. Motion carried. Said ordinance was then read by title. Moved by Wightman, seconded by Fagot that said ordinance be passed on final reading. Roll call. Voting "aye" were: Anderson, Fagot, Wightman, 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. 2036 to be published in pamphlet form.

CREATION OF PAVING DISTRICT:

City Manager Podraza informed the Lexington City Council that according to the subdivision agreement, streets in the Paulsen's Addition to the City of Lexington should have been paved at this time. This has not happened and therefore is polling the council to see if they would be in favor of creating a paving district in that part of town to hard surface these streets. Mayor Hawks informed City Manager Podraza to have the ordinance prepared for the next meeting and the council would take it under advisement at that time.

PARKING BAN:

City Manager Podraza stated that there are two parking stalls between the driveways of the public parking lot on the south side of the courthouse. These parking stalls are dangerous to ingress and egress from that parking lot. He stated that this ordinance would abandoned two parking stalls. He further stated that this ordinance would allow for controlled parking on the southwest corner of 7th and Grant making those parking stalls available to compact cars only. Upon completion of his request, an ordinance entitled, "AN ORDINANCE TO AMEND SECTION 16-45 OF THE LEXINGTON CITY CODE; TO RESTRICT PARKING BETWEEN THE COURT HOUSE DRIVEWAYS ON 7TH STREET, AND TO PROVIDE FOR LIMITED PARKING IN CONGESTED AREAS; 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. Moved by Wightman, seconded by Anderson that said ordinance be passed on first reading. Roll call. Voting "aye" were: Fagot, Anderson, Wightman, Hawks. Motion carried.

NAMING OF DEPOSITORIES:

City Manager Podraza informed the Lexington City Council that the Lexington State Bank and the Farmers State Bank have been previously named as depositories for city funds. Since that time, statutes have been changed and there has been addition of a new bank in Lexington and is requesting the ordinance allowing the City of Lexington to deposit in these financial institutions be passed. Moved by Wightman, seconded by Fagot that the following resolution be passed and approved. Roll call. Voting "aye" were: Anderson, Fagot, Wightman, Hawks. Motion carried.

RESOLUTION NO. 95-16

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA as follows:

Section 1. That the Plum Creek Bank and Home Federal Savings & Loan Association of Lexington, Nebraska, are both designated as depositories of the funds of the City, and all checks, drafts, or other orders for payment of money may be endorsed for deposit by stamp or personal endorsement of any officer or employee and deposited in said account.

Section 2. That any 2 of the following: Mayor, Treasurer, Deputy Treasurer and City Manager be and hereby are authorized to draw checks, drafts or other orders for the payment of money on said account, and the bank is authorized to honor the same.

Section 3. BE IT FURTHER RESOLVED that the power and authority granted in the Resolution shall continue in full force and effect until notice in writing is given to said banks of the cancellation or modification thereof.

PASSED AND APPROVED this 10th day of October, 1995.

CITY OF LEXINGTON, NEBRASKA

Robert Hawks, Mayor

ATTEST:

City Clerk

RENTAL INSPECTION:

City Manager Podraza informed the Council that he had been requested to bring the procedure of inspecting rentals before the Council to obtain their opinion of the procedure. The City Manager stated that if the council would be in favor of this type of a program he would call a meeting of city administration, housing authority, and rental owners to pursue the program . Mr. Podraza stated that the City would not inspect a rental property unless a request or complaint had been received to do so. Questions pertained to inspection of utilities including electric, water, and gas. Mr. Vance Bricker said that inspection would be according to Section 8 procedures.

CALL FOR BIDS:

City Manager Podraza requested the City Council allow City Administration to advertise for bids for a pickup truck to be used in the Street Department. He further stated that this truck would replace the 4-wheel drive unit used to push snow in the parking lots and difficult places for snow plows to reach. After a discussion pertaining to the specifications for this truck, Councilman Fagot requested that the specifications be listed in a poundage rather than just stating heavy duty. Upon completion of the discussion, moved by Wightman, seconded by Anderson to authorize City Administration to advertise for bids for a 4-wheel drive heavy duty pickup to be used by the Street Department. Roll call. Voting "aye" were: Fagot, Anderson, Wightman, Hawks. Motion carried.

**RESOLUTION -
PROPERTY TRANSFER:**

Moved by Anderson, seconded by Wightman that the following resolution be passed and approved. Roll call. Voting "aye" were: Fagot, Wightman, Anderson, Hawks. Motion carried.

RESOLUTION NO. 95-13

WHEREAS, the City has by Ordinance No. 2031 approved the sale of the following described real estate owned by the City, to-wit:

Lots 1-3, Block 55, Original Town of Lexington, Dawson County, Nebraska.

Whereas, notice of such Ordinance has been duly published and the time for remonstrance has passed, and no petition against such sale has been filed.

BE IT THEREFORE RESOLVED by the Council and President of the Council of the City of Lexington, Nebraska, that Robert Hawks, as President of the Council is hereby directed and authorized on behalf of the City to execute a deed conveying the above described property to the purchaser thereof.

Passed and approved this 10th day of October, 1995.

CITY OF LEXINGTON, NEBRASKA,

BY: _____

Robert Hawks, Mayor

ATTEST:

City Clerk

PROPERTY TRANSFER:

Moved by Wightman, seconded by Fagot that the following resolution be passed and approved. Roll call. Voting "aye" were: Anderson, Fagot, Wightman, Hawks. Motion carried.

RESOLUTION NO. 95-14

WHEREAS, the City has by Ordinance No. 2030 approved the sale of the following described real estate owned by the City, to-wit:

Lot 19, Block 8, Southaven Addition to the City of Lexington, Dawson County, Nebraska

WHEREAS, notice of such Ordinance has been duly published and the time for remonstrance has passed, and no petition against such sale has been filed.

BE IT THEREFORE RESOLVED by the Council and President of the Council of the City of Lexington, Nebraska, that Robert Hawks, as President of the

Council is hereby directed and authorized on behalf of the City to execute a deed conveying the above described property to the purchaser thereof.

Passed and approved this 10th day of October, 1995.

CITY OF LEXINGTON, NEBRASKA,
BY: _____
Robert Hawks, Mayor

ATTEST:

City Clerk

EXECUTIVE SESSION: Moved by Fagot, seconded by Wightman to recess the regular to executive session at 8:22 p.m. to discuss possible litigation facing the City of Lexington. Roll call. Voting "aye" were: Anderson, Wightman, Fagot, Hawks. Motion carried. Moved by Wightman, seconded by Fagot to reconvene the regular session from executive session at 8:42 p.m. Roll call. Voting "aye" were: Anderson, Fagot, 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
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.

Leon E. Malzahn
City Clerk

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Regular Meeting of the Lexington City Council was held Tuesday, October 24, 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, City Clerk Leon E. Malzahn and City Attorney Will Weinhold. Department Heads present were: Charles Clark, Vance Bricker, and Kerry Rader. Also present were John Redding, DeEtta Hartman, Mel Uphoff, Tom Mooberry, Len Bonczynski, and Bob Blankenship representing Miller and Associates. The press was represented by the Clipper Herald, KRVN, Kearney Hub and Tri-City Tribune.

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

CLAIMS AND BILLS: Claims and Bills in the amount of \$254,216.30 were presented for Council's consideration and approval. Moved by Anderson, seconded by Wightman to approve the claims as listed and authorized the City Treasurer to transfer \$89,399.12 from the General

Fund, \$114,767.73 from LEXUS Funds, \$9,538.25 from City Sanitation Fund, \$31,466.03 from the Landfill Fund, \$3,984.79 from the Health Fund, \$164.32 from CDBG 90-HD-010, and \$4,896.06 from Meals on Wheels to the City of Lexington Operating Account. Roll call. Voting "aye" were: Long, Fagot, Wightman, Anderson, Hawks. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 October 24, 1995

Advanced Control System	Software Support Agreement	2,892.00
AFLAC	Cancer insurance	110.38
AIS, Inc.	Election expense	413.55
American Water Works Assoc.	Dues - Hawks	239.00
AT & T	Service	41.77
AT & T	Service	13.80
AT & T	Service	42.41
Barmore's	Medical supplies	114.80
Barco Municipal Products	Signs	428.50
Berntson Oil	Diesel, unleaded fuel	2,842.21
Buller Fixture	Chair gliders	30.03
Cash-Wa Distributing	Tissue, cups, food	468.06
Central Garage	Labor, parts, oil	3,486.97
Century Lumber	Rebar, wire, bits, screws	81.08
C & H Distrutors Inc.	Fork attachment	83.17
Coast to Coast	Surge protector	9.95
CBSA	Insurance claims	3,545.88
CBSA	Insurance premiums	6,630.26
Dawson Co. Public Power	Service	4,234.89
Dan's Sanitation	Service	9,547.00
DANKO Emergency Equipment	Maint. contract	350.00
DEMCO	Book cards, tape, supplies	81.94
Donna's Cafe	Meals, cartons	776.61
Eake's Office Products	Note pads, ink, copier agreement	170.97
Electric Fixture	Meter socket, plate, cable, coupling, elbow,	1,732.45
Emery Pratt Co.	Books	9.56
Eustis Body Shop	Parts, labor	6,319.82
Fagot Refrigeration	Motor, bushings	68.34
Gillette/NE Dairies	Dairy products	137.81
Hach Chemical	Sulfuric acid	97.15
Hipp Wholesale Co.	Food	277.21
Holen, Ken	Fertilize trees	222.00
ICMA Retirement	City Mgr Pension	279.70

ICMA	Registration - Mtg	295.00
International Paper Co.	Transformer	8,422.81
Ingram Library Services	Books, card sets	85.67
Jones Plumbing	Couplings	87.56
Joy Book Nook	Books	38.65
K N Energy	Service	255.25
Kriz-Davis co.	Spacer, short pin, ring tie	1,292.91
KRVN	Internet subscription	40.00
Lakota	Meeting expense	25.40
Law Enforcement Supply Co.	Porta clips	138.73
League of NE Municipalities	Registration	60.00
Lexington Postmaster	Postage	1,500.00
LEXUS	Service	18,048.97
City of Lexington	Franchise fee	21,419.45
Lexington Postmaster	Newsletter postage	80.00
Luther, Ann	Meeting expense	98.70
Malzahn, Leon	Meeting expense	177.60
Mead/Big Valley Lumber	Saw blades, lumber, paint	389.39
Midway Supply	Batteries, gasket, oil, starter, pipes, muffler	292.29
Mid-States Units	Units in Park	260.00
Miller & Assoc.	Service	32,742.43
Morris Press	Oak tag	1.50
Mr. Automotive	Belts, water pump, brakes rotors, lp gas	220.59
Municipal Supply	Bolt cutter	47.33
National Fire Protection	NEC Handbook	43.65
National League of Cities	Membership fees	499.00
Nebraska Rural Water Assoc.	Membership	150.00
Nebraska Pay Survey	Pay survey	220.00
NE Dept of Env Control	Quarterly disposal fee	11,752.20
OK Tire	Tire repair	14.00
Overton Sand & Gravel	Gravel, rock, fill sand	501.80
Payroll Account	9/27 - 10/10/95	61,433.75
Paulsen Bldg. & Supply	Concrete	898.50
Patty's Hallmark	Ink stamp, binder posts, scissors, balloons, folders	106.28
Pitney-Bowes	Maint. agreement	195.00
Pitney Bowes	Lease agreement	135.00
Platte Valley Auto Mart	Lighter, parts	19.47
Plum Creek Medical Group	Work Comp - Holtz	63.00
Podraza, Bill	Meeting expense	91.00
Precision Industries	Insert bearing	44.04
The Printing Press	Time sheets, election expense	418.57
Protective Life Insurance	Cancer insurance	179.64
Q A Balance Service	Balance scales	80.00

Quinlan Publishing	Zoning bulletin	81.81
Read Well Media	Books	176.34
Reed Reference Publishing	Subject guide	335.39
Reeves, Wayne	Refund overpayment	74.02
Roper's Radiator Service	Rebuild radiator	197.50
Schnieber Find Foods	Food, napkins	542.60
Sixth Street Market	UPS, Food, coffee	108.28
Social Security Fund	9/27 - 10/10/95	4,621.19
Strever, Mary	Meter socket	100.00
T.L. Sund	Racks, shelves for Serv. Bldg.	6,575.00
S & W Auto Parts	Belts, bearing, bulbs, filter, switch, bushing, tire patch	253.65
The Travelers	Pension	1,729.14
U S West Communications	Service	294.03
Utility Equipment	Meter	101.98
Veetronix	Desk	50.00
Virtual Technology	Processor	730.00
Wal-Mart	Duct tape, battery, film, . mini blinds, ammo, paint	125.27
Waterpro	Meters	1,935.70
WESCO	Lamps, brackets, meter, parts	4,162.98
Weber & Weinhold	Service - Maloley case	57.90
Wheeler's	Turbine, wheel barrow, battery	259.71
Wolf, Tracy	Recertification school	72.16
Zep Manufacturing	Supplies	34.10
Armstrong, Tammi	Support personnel	125.00
Central Community College	Registration	35.00
Hawks, Robert	Meeting expense	165.00
Lexington Housing Authority	Electric rebate	22,050.00
Luther, Ann	Meeting expense	88.95
Midwest Laboratories	Testing - Landfill	484.00
Social Security Bureau	Employers contribution	5.20
	TOTAL	\$254,216.30

SALE OF LIQUOR NEW YEARS & CHRISTMAS:

The Lexington City Council considered an ordinance as amended for the sale of liquor when New Years falls on Sunday. Mr. John Redding and Tom Mooberry addressed the Lexington City Council individually requesting that they reconsider and allow the stores to remain open when Christmas falls on a Sunday also. After a discussion among the council, moved by Fagot, seconded by Long to amend the ordinance to allow the sale of liquor on Sunday when Christmas and New Years fall on those days. Roll call. Voting "aye" were: Long, Fagot. Voting "nay"

were: Hawks, Wightman, Anderson. Motion failed. An ordinance entitled, "AN ORDINANCE TO AMEND SECTION 3-6 OF THE LEXINGTON CITY CODE; TO PROVIDE FOR SALE OF LIQUOR ON NEW YEARS EVE WHEN THE SAME FALLS ON SUNDAY; TO REPEAL ORIGINAL SECTION 3-6, 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 Fagot, seconded by Wightman that said ordinance be passed on second reading. Roll call. Voting "aye" were: Long, Fagot, Wightman, Hawks. Voting "nay" was Anderson. Motion carried.

UPHOFF REZONING:

Prior to the discussion on this item, Councilmen Wightman and Fagot declared a conflict of interest and individually stated that they would not enter into the discussion and/or voting on this item. An ordinance entitled, "AN ORDINANCE TO REZONE LOT TWO (2) OF UPHOFF SUBDIVISION OF A TRACT OF LAND IN THE FRACTIONAL SOUTHEAST QUARTER (SE1/4) OF SECTION TWENTY-ONE (21), TOWNSHIP NINE (9) NORTH, RANGE TWENTY-ONE (21), WEST OF THE 6TH P.M., DAWSON COUNTY, NEBRASKA, FROM A-1 AGRICULTURE TO C-3 HIGHWAY COMMERCIAL; TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT WEREWITH; TO PROVIDE FOR AN EFFECCTIVE DATE AND FOR PUBLICATION IN PHAMPHLET FORM." was read before the council. Concerning this item, the council reviewed letters restating objections to the rezoning of this property. Upon conclusion of that review, Mayor Hawks inquired of Mr. Uphoff the reason for selling

his property. There being no reply from Mr. Uphoff and the conclusion of the discussion, Councilperson Anderson moved that the following ordinance be passed on second reading, seconded by Long. Roll call. Voting "aye" were: Long, Anderson. Voting "nay" was: Hawks. Motion failed.

ORDINANCE RELATED TO SIGNS:

An ordinance entitled, "AN ORDINANCE PROHIBITING THE POSTING OF NOTICES OR ADVERTISING ON TRAFFIC CONTROL STRUCTURES IN THE CITY OF LEXINGTON, NEBRASKA; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM." was read before the council. Moved by Anderson, seconded by Fagot that the rules requiring the reading of said ordinance on three separate days be suspended. Roll call. Voting "aye" were: Long, Wightman, Fagot, Anderson, Hawks. Motion carried. Said ordinance was then read by title. Moved by Anderson, seconded by Wightman that said ordinance be passed on final reading. Roll call. Voting "aye" were: Fagot, Long, Wightman, 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. 2036 to be published in pamphlet form.

WARDS REZONING:

An ordinance entitled, "AN ORDINANCE TO REZONE WARD'S SUBDIVISION FROM A-2 AGRICULTURE TO R-1 SINGLE FAMILY RESIDENTIAL; to repeal all ordinances or sections of ordinances in conflict herewith; to provide for an effective date and for publication in pamphlet form." was read before the council. Moved by Wightman, seconded by Anderson that said ordinance be passed on second reading. Roll call. Voting "aye" were: Long, Fagot, Anderson, Wightman, Hawks. Motion carried.

ORDINANCE RELATED TO PARKING:

An ordinance entitled, "AN ORDINANCE TO AMEND SECTION 16-45 OF THE LEXINGTON CITY CODE; TO RESTRICT PARKING BETWEEN THE

COURT HOUSE DRIVEWAYS ON 7TH STREET, AND TO PROVIDE FOR LIMITED PARKING IN CONGESTED AREAS; 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. Moved by Wightman, seconded by Fagot that said ordinance be passed on second reading. Roll call. Voting "aye" were: Anderson, Long, Fagot, Wightman, Hawks. Motion carried.

CDBG LOAN:

Ms. DeEtta Hartman addressed the Lexington City Council introducing Bob Strickland, Suzzette Gaudreault, and Tammy Hardesty who have purchased Teresa's Tortillas Bakery and is requesting a loan from the revolving loan fund in the amount of \$15,000. Ms. Hartman stated that the bakery began operation in 1993 and at this time has 7 employees. With this loan, she expects four additional employees and increased sales. When inquired about sales, Mr. Strickland stated that current sales started at approximately 4,000 per month this year and have increased to 7,000. The sales area includes North Platte, Lexington, and Kearney with hopes to expand to Grand Island, Scotts Bluff, and Omaha this year, and a nationwide market in the near future. Upon completion of the presentation for the loan request, moved by Wightman, seconded by Anderson to authorize the loan of \$15,000 to Teresa's Tortillas Bakery with the principals being Robert Strickland, Suzzette Gaudreault, Tammy Hardesty and Bobbette Sanchez. Roll call. Voting "aye" were: Fagot, Long, Anderson, Wightman, Hawks. Motion carried. Moved by Wightman, seconded by Fagot that the mayor of Lexington be authorized to sign any and all documents pertaining to the loan to Teresa's Tortillas Bakery. Roll call. Voting "aye" were: Anderson, Long, Fagot, Wightman, Hawks. Motion carried.

BIDS:

City Manager Podraza requested authorization for the advertisement for bids for a pickup to replace the one at the Wastewater Treatment Plant. Inquiries from the council on this bid related to the need for air conditioning or if air conditioning were standard and if

the trucks should be a heavy duty. Upon completion of the questions and answer period, moved by Wightman, seconded by Fagot to authorize administration to advertise for bids for a new or used pickup at the Wastewater Treatment Plant. Roll call. Voting "aye" were: Long, Anderson, Fagot, Wightman, Hawks. Motion carried.

PAY REQUEST:

The Lexington City Council reviewed application No. 7 from Midlands Contracting, Inc. for construction of 13th Street Phase I improvements in the amount of \$385,564.70. Mr. Bob Blankenship addressed the Lexington City Council giving a quick review of the progress so far on 13th Street. Upon completion of his presentation, Mayor Wightman requested the retainage be raised from 5% to 7%. With no favorable comments to that arrangement, Mayor Wightman moved that application No. 7 from Midlands Contracting, Inc. in the amount of \$385,564.70 for construction of 13th Street Phase I improvements be approved, seconded by Anderson. Roll call. Voting "aye" were: Fagot, Long, Anderson, Wightman, Hawks. Motion carried.

LOTTERY AGREEMENT:

The Lexington City Council reviewed the lottery agreement which has been approved by the other communities in the county and would be forwarded to the county commissioners for their consideration at their next meeting. After reviewing the agreement, moved by Wightman, seconded by Long to authorize the execution of this agreement on behalf of the City of Lexington. Roll call. Voting "aye" were: Anderson, Fagot, Long, Wightman, Hawks. Motion carried.

MANAGEMENT AGREEMENT:

The Lexington City Council reviewed the management agreement between the City of Lexington and Lexington City Schools Dist. #1 for construction and division of responsibilities of the assets to be constructed by proceeds from bond sale. After trying to deal with confusion concerning the percentage of distribution of funds no further action was taken.

TREASURERS REPORT:

Ms. Kerry Rader addressed the Lexington City Council presenting them with the treasurer's report for July, 1995. Upon review and scrutinization of the

report and questions answered by Ms. Rader, moved by Wightman, seconded by Long to accept the Treasurer's Report for July, 1995. Roll call. Voting "aye" were: Fagot, Anderson, Long, Wightman, Hawks. Motion carried.

Additional discussion which followed the council meeting related to the write-off of bad debts which occurred during the audit period at which time the council was informed that a list of those were available for them to review at their convenience.

ADJOURNMENT:

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

Robert Hawks
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.

Leon E. Malzahn
City Clerk

CITY OF LEXINGTON
LEXINGTON, NEBRASKA

A Regular Meeting of the Lexington City Council was held Tuesday, January 10, 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, Robert Hawks, Dorothy Anderson, Jerry Long and John Fagot. City Officials present were: City Manager Bill Podraza, City Clerk Leon E. Malzahn and City Attorney Willard Weinhold. Department Head present was: Charles Clark, Vance Bricker, Neldene Skwarek. Also present were Dana Daniels and Bob Blankenship representing Miller and Associates. The press was represented by 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 John Wightman.

MINUTES REGULAR The minutes of the regular council meeting held MEETING 12/27/94: December 27, 1994 were presented for council's consideration and approval. Moved by Anderson, seconded by Hawks to approve the minutes of the regular meeting as presented. Roll call. Voting "aye" were: Long, Fagot, Hawks, Anderson, Wightman. Motion carried.

MINUTES SPECIAL The minutes of the special council meeting held MEETING 12/29/94: December 29, 1994 were presented for council's consideration and approval. Moved by Hawks, seconded by Fagot to approve the minutes of the special meeting as presented. Roll call. Voting "aye" were: Anderson, Long, Fagot, Hawks, Wightman. Motion carried.

CLAIMS AND BILLS: Claims and Bills in the amount of \$631,006.97 were presented for Council's consideration and approval. Upon review of the claims as listed, moved by Hawks, seconded by Long to approve the claims and bills as listed and authorized the City Treasurer to transfer \$187,867.47 from the General Fund, \$415,933.64 from LEXUS Funds, \$10,000.00 from City Sanitation Fund, \$9,648.39 from the Landfill Fund, \$43.45 from Library Memorial, \$3,329.34 from the Health Fund, \$3,728.50 from Meals on Wheels and \$456.18 from CDBG 93-HDL-001, to the City of Lexington Operating Account. Roll call. Voting "aye" were: Fagot, Anderson, Long, Hawks, Wightman. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
January 10, 1995

AT & T Information System	Service	44.35
Barmore's	Wire, modular, film	39.67
B & D Office Supply	Toner	118.26
Berntson Oil Co.	Diesel, gas	1,573.75
B & S Industries Inc.	Duffle bags - Fire dept.	135.91
Cash-Wa Distributing	Food	205.71
Carmack, Beverly	Computer training - Library	36.00

Central Garage Fund	Labor, parts, oil	5,917.53	
Century Laboratories Inc.	Urinal block, Odor be gone		85.63
Century Lumber Center	Wooden stakes - Landfill	10.77	
Children's Press	Books	8.95	
Coast to Coast	Caulking, propane torch, shovel handles, supplies	166.09	
Conney Safety Products	Medical supplies	66.20	
Corporate Diversified Serv.	Life insurance - Fire dept.		60.00
CBSA	Insurance claims	1,151.15	
Cozad Police Dept.	Refund intoxylizer	25.00	
Cozad Chamber of Commerce	Annual banquet ticket - Podraza	15.00	
Curtis Industries	Hose clamp	19.80	
Culligan Water Conditioning	Service	30.00	
Dawson Co. Treasurer	Drainage tax - Landfill	5.93	
Dawson County Clerk	Dispatch service - January	3,917.33	
Dan's Sanitation	Service	10,000.00	
Davidson Titles Inc.	Books	14.95	
Ditch Witch of NE	Maint work on Trencher	769.87	
D & M Security	Police connection - wells	90.00	
Donna's Cafe	Meals on Wheels	695.73	
Dugan Business Forms	Meter sheets, W2's	913.30	
Eake's Office Products	Copy paper	29.50	
Egan Supply Company	Cleaning supplies	97.40	
Electric Fixture	Light, batteries, pole bracket, wire, heater switch, parts	1,165.93	
Emery Pratt Co.	Books, cataloging kits	57.48	
Fairbanks International	Bolts	5.96	
Fagot Refrigeration	Ck heater in well	135.69	
Fehr Tractor & Equipment	Dust shield	82.99	
Ferrellgas Inc.	Propane torch, hose, fittings	97.34	
Fransyl Equipment	Equipment repairs - Elec.	1,599.24	
Matt Friend Truck Equipment	Washers, nut, labor		117.99
Furst Group	Telephone service	8.21	
Gillette/NE Dairies	Dairy products	198.62	
Grolier Electronic Pub.	Encyclopedia	55.95	
Heritage House Publishing	History book	43.45	
Hydraulic Equipment Serv.	Repair winch - Unit 25		279.00
I.C.M.A.	City Mgr. pension	133.85	
Ingram Library Service	Books	18.94	
Interstate Structures	Pay estimate 3 - Serv. Bldg.	95,525.82	
Jones Plumbing & Heating	Repair rooftop unit - WWTP		3,313.75
K N Energy	Service - shop	393.80	
Kriz Davis Co.	Universal fuse link	120.58	
KRVN - FM	Christmas greeting - Police		20.00
Lawson Products	Screws, kits, insulator	137.69	
Lauby, Marie	Electric rebate	40.00	
Lee's Flowers	Arrangement - Awards Banquet		25.00
Lexington Animal Clinic	Service	239.85	
Lex Area Chamber of Commerce	Cash bucks		20.00
Lexington Coop	Kerosene, soil samples	136.56	
Lexington Laundry	Service	100.00	
Lexington Postmaster	Box rent	104.00	
Lexington Public Library	Stamps	3.80	
City of Lexington	Franchise fee, Misc. charges		24,974.67

Lexington State Bank	Coupon payment	30,237.50	
Lexington Postmaster	Newsletter postage - GGC	70.00	
City of Lexington	Landfill charges	102.00	
Lieh's Drilling	Backhoe rental	25.00	
Victor Loose Construction	Central office remodeling	266.00	
Luther, Ann	Milage	23.10	
May, Sue	Service - Library	200.00	
Mead/Big Valley	Screws, doorlock	31.42	
Meyer Welding	Pipe	37.91	
Midway Supply	Wiperblades	12.54	
Miller & Assoc.	Service		
	Water quality sampling	2,569.57	
	WWTP Diesel underground	2,425.99	
	Service - December	1,850.00	
Mike's Pharmacy	Film processing	2.89	
Mid-Nebraska Food Bank	Food - MOW	17.22	
Morris Press & Office	Tape	6.13	
Mr. Automotive	Clamp, muffler, pipe, polish	132.31	
Municipal Supply	Bolt cutter, repair clamps	675.81	
Nebraska Machinery	Loader payments, oil sample bottles	3,022.69	
State of Nebraska	License plate, handicap parking permits	27.00	
Nebraska Dept. of Revenue	Sales tax - December	18,871.29	
State of Nebraska	Water analysis, specimen collection kits	340.80	
NE Conf. of Bldg. Inspec.	Registration - Nelson	15.00	
Nebraska Cellular	Service	33.11	
Olsson Associates Inc.	IBP Rate study	948.59	
O K Tire	Tire repair, valve stems	17.00	
Otte, Bonnie	School tuition	90.00	
Overton Sand & Gravel	Gravel	67.20	
Payroll Account	12/21 - 1/3/95	61,513.56	
Paulsen Bldg. & Supply	Concrete	520.85	
Patty's Hallmark	Bookends, calendars, cable, ribbons, copier cartridge	159.74	
Petty Cash	Mtg. expense, postage, misc.	250.59	
Platte Valley Exterminating	Service - December	20.00	
Precision Industries	Hand chain hoist, lever tool	480.19	
Quality Book Inc.	Books	373.49	
Reliable Office Supply	Tape, notepads, supplies	23.15	
Schnieber Fine Foods	Food, trays	695.18	
Seamax	Sprocket, connector link	202.07	
Sixth Street Market	Food, supplies	113.72	
Social Security Fund	12/21 - 1/3/95	4,615.91	
T.L. Sund	Fence	112.00	
S & W Auto Parts	Battery, terminal, blade, filter, hose, cable, parts	209.60	
The Travelers	Pension	1,850.62	
The Travelers	Police pension	864.52	
Unisys	Maint. agreement	1,082.09	
Unitech	Hand cleaner, chemicals	130.00	
U S West Communications	Service	1,567.71	
Utility Equipment	Registration fee - School	36.00	

Video Store Services	Insta seal - Library	42.92
Wal-mart	Bags, tape, trailer light kit, headlamp, mops, ribbon, filters	204.94
Wesco Distribution	HPS Lamp	61.48
Weber & Weinhold	Legal service - December	1,200.00
Wheeler's	Socket, paint	152.41
Zep Manufacturing	Cleaning supplies, liners	255.36
Bishop, Pete	League meeting, school expense	104.65
CBSA	Insurance claims	1,778.17
Insurance & Personnel Serv.	125 Admin. fees	385.02
Lexington Public Schools	Duplex expenses	456.18
Lexington Newspaper	Nov & Dec Services	1,240.55
National Fire Protection	Membership - Martin	95.00
NPPD	Power bill	332,298.85
Nebraska Cellular	Service	39.17
Platte Valley Communication	Maint. agreement	90.00
Sund, T.L.	Fire school expense	___263.27
TOTAL		631,006.97

SALVAGE YARD ZONING: An ordinance entitled, "AN ORDINANCE TO AMEND 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. After some brief comments concerning definitions regarding body shops in a C-3 zone, moved by Long, seconded by Hawks that said ordinance be passed on second reading. Roll call. Voting "aye" were: Anderson, Fagot, Hawks, Long, Wightman. Motion carried.

STOP WORK ORDER: Mr. Dana Daniels, representing Miller & Associates, informed the Lexington City Council that his discussions with Paulsen Development lead to insurance that they would resume work on Fillmore Street as soon as the weather permitted them to establish the hiring of a working crew. He further stated that the project had been shut down since December 12, 1994 due to weather conditions and is requesting the city council to authorize a shutdown order. Upon completion of the discussion, moved by Hawks, seconded by Fagot to issue a stop work order to Paulsen Development during the winter months on Fillmore Street. Roll call. Voting "aye" were: Long, Anderson, Fagot, Hawks, Wightman. Motion carried.

ZONING SET-BACKS: An ordinance entitled, "AN ORDINANCE TO AMEND SECTION 28-19.9 OF THE LEXINGTON CITY CODE; TO CHANGE SET-BACK REQUIREMENTS FOR PREVIOUSLY PLATTED LOTS; TO REPEAL ORIGINAL SECTION 28-10.9, 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. Discussion followed which pertained to the possibility of buildings being built very close to homes in a C-3 District which would exist along Adams Street and Hwy 30. Upon completion of the discussion, moved by Hawks, seconded Long that said ordinance be passed on second reading. Roll call. Voting "aye" were: Long. Voting "nay" were: Anderson, Fagot, Hawks, Wightman. Motion failed.

BOARDS AND COMMISSIONS: Mayor Wightman announced the appointment of Dr. Larry Moomey to the Housing Authority and Jack Maxcy as an alternate to the Board of Adjustment. Upon completion of these appointments, moved by Hawks, seconded by Anderson to approve the appointments of Mayor Wightman. Roll call. Voting "aye" were: Fagot, Long, Anderson, Hawks, Wightman. Motion carried.

CIVIL DEFENSE Moved by Hawks, seconded by Anderson that the
RESOLUTION: following resolution be passed and approved. Roll call. Voting "aye" were: Long,
Fagot, Anderson, Hawks, Wightman. Motion carried.

RESOLUTION NO. 95-01

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF
THE CITY
OF LEXINGTON, NEBRASKA, AS FOLLOWS:

That in order to provide for a coordinated response to a disaster or emergency in Dawson
County, the City of Lexington and other cities and villages of Dawson County, the Lexington City Council
deems it advisable and in the best interests of the community and Dawson County to approve the attached
Dawson county Local Emergency Operations Plan.

PASSED AND APPROVED this 10th day of January, 1995.

Mayor
ATTEST:

City Clerk

CIVIL DEFENSE Moved by Hawks, seconded by Fagot that the
APPOINTMENTS: following resolution be passed and approved. Roll call. Voting "aye" were:
Anderson, Long, Fagot, Hawks, Wightman. Motion carried.

RESOLUTION NO. 95-02

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE
CITY OF LEXINGTON, NEBRASKA, AS FOLLOWS:

WHEREAS, the eighty-third session of the Nebraska Legislature
enacted into law the Nebraska Civil Defense Act of 1973, which authorizes and direct each county, and
each city or village which is desirous, within the State of Nebraska to establish a local organization for Civil
Defense, and to do certain other acts in the connection therewith, and

WHEREAS, each political subdivision, except those directly managing
a local civil defense agency, shall have a liaison officer to facilitate the cooperation and protection of that
subdivision, and

WHEREAS, such action is not only required by law, but that it appears in the best interest of
the City of Lexington and of the citizens thereof to participate in the benefits and responsibilities of said act,
and

WHEREAS, it is the desire and intent of the City Council of Lexington, Nebraska to
establish a Civil Defense Organization.

NOW, THEREFORE, BE IT RESOLVED BY THE SAID CITY COUNCIL:

1. That there is hereby established within the city, a city organization for Civil Defense to be
operated in conformity with the Nebraska Civil Defense Act of 1973, as amended.

This organization will be known as the Lexington Civil Defense Agency.

2. That, reposing great confidence in his integrity and ability, Vance M. Bricker whose address
is 304 Cherokee Road, Lexington, is hereby appointed Director for City of Lexington, Nebraska Civil
Defense Agency, to serve during the pleasure of this City Council or until a successor is duly appointed.

3. That, reposing great confidence in his integrity and ability Richard L. Klauz whose address is 400 North Monroe, Lexington, Nebraska, is hereby appointed Deputy Director of Civil Defense for said city organization, to serve during the pleasure of this City Council or until a successor is duly appointed.

4. That the Lexington city clerk will be responsible for the receipt and disbursement of all Civil Defense funds, where funds are provided for Civil Defense purposes.

PASSED AND APPROVED this 10th day of January, 1995.

Mayor
ATTEST:

City Clerk

STREET IMPROVEMENT Councilmember Hawks introduced an ordinance
DISTRICT: entitled: ORDINANCE NO. 2012

AN ORDINANCE CREATING STREET IMPROVEMENT DISTRICT NO. 94-03 IN THE
CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA, AND DESCRIBING SAID STREET
IMPROVEMENT DISTRICT AND IMPROVEMENTS TO BE CONSTRUCTED THEREIN.

Said ordinance was fully and distinctly read, and by motion Councilmember Hawks, seconded by Councilmember Anderson, it was designated as Ordinance No. 2012 and the title thereof was approved. The roll call was called on the passage of said motion and the following voted "AYE": Fagot, Long, Anderson, Hawks, Wightman. Voting "NAY": None. Councilmember Hawks moved that the statutory rule requiring reading on three different days be suspended, which motion was seconded by Councilmember Anderson. The roll was called on the passage of said motion and the following voted "AYE": Fagot, Long, Anderson, Hawks, Wightman. "NAY": None. The motion to suspend the statutory rule having been concurred in by three-fourths of all members of the Council was declared passed and adopted.

Whereupon Ordinance No. 2012 was read by title thereafter Councilmember Hawks moved for final passage of said Ordinance. Councilmember Anderson seconded the motion. The Mayor stated: "The question is, shall Ordinance No. 2012 be passed and adopted?" The roll was called and the following voted "AYE": Fagot, Long, Anderson, Hawks, Wightman; the following voted "NAY": None. The passage and adoption of said Ordinance having been concurred with by a majority of all members elected to the Council, was by the Mayor declared passed and adopted, and the Mayor, in the presence of the Council, signed and approved said Ordinance, and the Clerk attested the passage and approval of the same and affixed the seal of the City thereto. A true and complete copy of said Ordinance No. 2012 is as follows: ORDINANCE NO. 2012

AN ORDINANCE CREATING STREET IMPROVEMENT DISTRICT NO. 94-03 IN THE
CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA, AND DESCRIBING SAID STREET
IMPROVEMENT DISTRICT AND IMPROVEMENTS TO BE CONSTRUCTED THEREIN.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON,
NEBRASKA:

Section 1. That Street Improvement District No. 94-03 be and the same is hereby created within the City of Lexington, Nebraska, the outer boundaries of which District shall include the street described below together with all lots and lands directly abutting upon said street.

The street to be improved is described as follows:

Thirteenth Street from 180 feet east of the center line of Taft Street west to the alley running north and south between Lincoln Street and Washington Street.

Section 2. The improvements to be constructed in Street Improvement District No. 94-03, shall include grading, paving and repaving (including street widening), curbing, guttering, storm sewer improvements, sidewalks and other necessary or incidental appurtenances to the improvements.

Section 3. All of said improvements shall be constructed to the established grades as fixed by ordinance of said City and shall be constructed in accordance with plans and specifications to be made by Reed Miller & Associates employed by the City, to be approved by the City Council. The Mayor and Council hereby determine that the improvements in said district are of general benefit, and that special assessments shall not be levied against owners of abutting property.

Section 4. That this ordinance shall be known as Ordinance No. 2012 and shall be in effect from and after its passage, approval and publication according to law.

Passed and approved this 29th day of December, 1994.

ATTEST:

Clerk

Mayor

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

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Regular Meeting of the Lexington City Council was held Tuesday, November 14, 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 and Jerry Long. Councilman John Fagot was absent. City Officials present were: City Manager Bill Podraza, City Clerk Leon E. Malzahn and City Attorney Will Weinhold. Department Heads present were: Glenn Hawks, Charles Clark, Vance Bricker, and Kerry Rader. Also present were: Bob Cappel representing the Chamber of Commerce, Len Bonczynski, John Redding, Jim Fox, Skip Wolf and Dick Smith representing Chiles Heider, Marvin Goldsmith, Carl Ratcliff and Arvind M. Patel. The press was represented by the Clipper Herald, KRVN, Kearney Hub and Tri-City Tribune.

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 10/24/95: The minutes of the regular council meeting held October 24, 1995 were presented for Council's consideration and approval. Moved by Wightman, seconded by Long to approve the minutes of the regular meeting held October 24, 1995. Roll call. Voting "aye" were: Anderson, Long, Wightman, Hawks. Motion carried.

CLAIMS AND BILLS: Claims and Bills in the amount of \$809,849.57 were presented for Council's consideration and approval. Moved by Wightman, seconded by Anderson to

approve the claims as listed and authorized the City Treasurer to transfer \$277,522.81 from the General Fund, \$466,781.15 from LEXUS Funds, \$10,000.00 from City Sanitation Fund, \$15,866.47 from the Landfill Fund, \$10,240.17 from the Health Fund, \$1,085.83 from CDBG 90-HD-010, and \$11,018.49 from Meals on Wheels, \$57.30 from Library Memorial, \$166.15 from CED, \$15,000.00 from Housing Reuse, \$2,111.20 from Haven House Grant to the City of Lexington Operating Account. Roll call. Voting "aye" were: Long, Anderson, Wightman, Hawks. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 November 14, 1995

Ackerman, Thad	CDL License	40.00
Ackerman, James	Electric rebate	900.00
Alfax Wholesale Furniture	Chairs, consoles, tables	1,353.90
Altec Industries	Seal	16.45
American Water Works	Corrected registration	40.00
AT & T	Service	68.92
AT & T	Service	53.10
AT & T	Service	103.01
Awards Plus	Signs	52.30
Barmores	Film, markers, paper punch	14.56
Barrett-Housel-Grafton	Insurance	88,815.00
Barco Municipal Products	Sign	65.50
Berntson Oil	Diesel, grease, unleaded fuel	2,698.34
Bricker, Vance	Meeting expense	118.00
Business & Prof. Credit	Service	64.18
Cash-Wa Distributing	Silverware, trays, food, gloves	851.12
Central Garage Fund	Labor, parts, oil	9,944.01
Century Lumber Center	Bolts, anchors, bit, drill	395.15
CERCO Inc.	Heat treated dirt tooth	38.62
Cleveland Cotton Products	Gloves	56.63
Coast to Coast	Plug end, screws	3.29
Coca Cola/Dr. Pepper	Pop	53.70
Corp. Diversified Services	Life insurance - Fire	60.00
CBSA	Claims	8,179.50
Cozad Services	Filter, Install thermostat	250.61
Culligan Water Conditioning	Install second tank, salt	217.50
Dan's Sanitation	Service	10,000.00
Data Technologies	Unix support, Media charge	1,820.00
Designer Craft Woodworking	Drawer slides	3.67

Design Associates of Lincoln	Architectural service	2,000.00
Dunrite Inc.	Deck brushes	138.35
Eake's Office	Toner, repair typewriter	115.45
EIS	Repair radar	45.00
Egan Supply Co.	Liners, cleaning supplies	177.55
Eiler's Machine	Driveshaft, motor mounts	354.88
Electric Fixture	Coupling, wire, hacksaw frame	468.52
Electric Meter Service	Clean & test meter	10.00
Electric Pump	Pump	727.65
Emery Pratt Co.	Books	78.16
Fairbanks International	Service work - tractor, pins	251.93
Fagot Refrigeration	Ck power - WWTP	25.00
Fehr Tractor & Equipment	Filter, bracket	138.40
Fine Things	Vertical blinds - Duplex	643.26
Fox Bros. Hay Co.	Grinding	800.00
Follett Software	Support agreement, supplies	477.12
Fransyl Equipment	Cable lube	89.15
Furst Group	Service	6.45
GE Capital	Lease agreement	309.64
Gillette/NE Dairies	Dairy products	349.31
Grayarc	Mailing labels	78.50
Gullion, Terry	Omaha World Herald	16.25
Hipp Wholesale Co.	Food, trays, towels	927.18
Hodges Auto World	Ck & Repair front drive	1,452.85
Houchen Bindery Ltd.	Books	139.30
Holiday Inn	Room - Nelson	86.00
Hot Springs Super 8	Rooms	138.66
I.C.M.A.	City Mgr. pension	279.70
Ingram Library Service	Books	201.26
Information/Reference Group	Books	125.00
International Transformer	Transformers, poles	5,127.84
Jerry's Electric	Transformers	2,940.00
Jones Plumbing	Water parts	96.60
Junior Library Guild	Books	441.00
Karre's City Bakery	Rolls	36.57
Kearney Hub	Subscription	91.00
K N Energy	Service	950.38
Kovar, Kent	CDL License	40.00
Kriz-Davis Co.	Connectors, transformers	4,814.21
Lawson Products	Terminals	63.81
Lexington Animal Clinic	Service	264.70
Lex Area Chamber of Commerce	CED Expenses	166.15
Lexington Health Fund	October & November	27,914.84
Lexington Communications	Radio repair	47.50
Lexington Coop	Kerosene	6.26
Lexington Glass Co.	Replace window	29.50

Lexington Laundry	Service	56.00
Lexington Postmaster	Postage	1,500.00
Lexington Public Library	Stamps	52.00
Lexington Public Schools	Duplex charges - October	442.57
Lexington Newspaper Inc.	Service	345.40
Lexington Truck & Auto	Heater core, bell housing	60.00
Lexus	Postage, envelopes	19.74
City of Lexington	Franchise fee, Misc.	24,909.14
Lexington Postmaster	Newsletter postage	80.00
City of Lexington	Landfill charges	40.00
Lieh's Drilling	Well repair	5,404.05
Malzahn, Leon	Cable, data selector	63.88
MCI	Service	235.37
Mead/Big Valley	Lumber, keys, asphalt	521.38
Meyer Welding	Labor on motor mount	15.00
Midway Supply	Hose, fittings, pump, lamp	270.70
Miller & Assoc.	Service - October	1,850.00
Morris Press	Notary stamps, incident report	231.70
Mr. Automotive	Turn signal	32.35
Nebraska Machinery	Loader payments, seals, sleeve	5,782.58
Nebraska Salt & Grain	Ice control salt	637.31
Nebraska Library Commission	OCLC Charges	46.49
Nebraska Dept. of Revenue	Sales Tax - October	20,886.23
Nebraska Public Power Dist.	Power bill	320,675.96
State of Nebraska	Quarterly nitrate analysis	36.20
Nebraska Public Power	Remove voltage monitor	136.00
Nebraskaland Tire	Tire, tire change	29.15
State of Nebraska	Grade 3 exam - Water	100.00
Nelson, Thomas R	Meeting expense	67.74
New World Inn	Room - Malzahn	42.46
Nebraska Cellular	Service	81.77
Olsson Associates	Service	127.40
OK Tire	Tires, ck alignment	320.61
Old Dominion Brush	Bearings, seal, dirt shoe runner	629.70
Payroll Account	10/11 - 11/7/95	126,070.05
Paulsen Development	School parking lot	55,433.28
Paulsen Bldg. & Supply	Concrete	1,885.50
Patty's Hallmark	Folders, printer stand, toner	529.77
Petty Cash	Misc. expense	226.86
Platte Valley Auto Mart	Switch, battery, ck engine	170.22
Platte Valley Communications	Radio repair	310.25
Platte Valley ExterminatingService		24.00
Precision Industries	Hubs, element, seal	211.46
Reach Electronics	Batteries	160.50
Recorded Books	Tapes	282.20
Regional Books Inc.	Books	31.48

Roper's Radiator	Radiator	175.00
Rochester Instrument	Faceplate for attachment	24.36
Sav A Lot	Food	132.67
Schuckman, Marsha	Service	200.00
Schnieber Fine Foods	Food, cleanser, trays	1,394.60
Selectform	Employee record jackets	142.96
Seamax	Axle shaft	194.50
Simone Engineering	Chart range	130.78
Sixth Street Market	Food, coffee, towels, pop	204.61
Sign Pro	Signs	30.00
Skarshaug Cleaning	Clean & test gloves	58.72
Social Security Fund	10/11 - 11/7/95	9,487.39
Standard & Poors	Poors registration	173.07
Super 8 Motel	Room - Bliven	114.76
T.L. Sund	Fence ties	61.50
S & W Auto Parts	V Belt, parts	47.88
Telegraph	Notice, subscription	115.78
Texaco Inc.	Gas	27.04
TNT Dugan	Freight - Transformers	567.57
Tri City Tribune	Subscription	21.00
Tri County Hospital	Lunch	25.31
The Travelers	Pension	3,805.99
The Travelers - Police	Police Pension	1,168.79
The Travelers	Police	1,801.71
Unisys	Maint Agreement	1,266.00
US West Communications	Service	1,315.73
Utility Equipment	Tapping sleeve, valve, meter	843.67
Valentino's	Meeting expense	20.77
Wal-Mart	Batteries, paint, broom, markers, wiper blades, scrapers, gloves	277.57
Weinhold, Willard	Electric rebate	150.00
Western Auto	Vacuum bags	11.98
West Central NE Development	Service	2,180.00
WESCO	Meters, transformers, brace	5,397.43
Weber & Weinhold	Legal service	450.00
Wheelers	Wire rope, hooks, clevis, heater, tool box	245.19
HW Wilson Co.	Readers Guide	282.00
Wightman, John	Council travel	139.20
World Book Encyclopedia	Health & Medical books	26.44
Zep Manufacturing	Floor pads	49.33
ZZYZ Corp.	Electric rebate	150.00
AT & T	Service	51.75
Berntson Oil	Diesel	32.20
CBSA	Insurance claims	1,609.67
Donna's Cafe	Meals on Wheels	1,066.27

Hawks, Robert	Meeting expense	103.60
Haven House	Grant money	2,111.20
Service Master	Service - Library	1,520.00
KN Energy	Service	276.70
Lexington Fire Dept	School expense	1,953.06
Lexus	Postage, envelopes	20.16
Lincoln Telephone	Service	19.95
NE Dept of Motor Vehicles	License plate	3.00
Plum Creek Medical Group	Flu shots	451.00
Reliable Office Supplies	Supplies	159.10
Teresa's Tortillas	Loan	15,000.00
US West Communications	Service	338.22
Weber & Weinhold Service -	October	1,200.00
	TOTAL	\$809,849.57

LIQUOR ORDINANCE: An ordinance entitled, "AN ORDINANCE TO AMEND SECTION 3-6 OF THE LEXINGTON CITY CODE; TO PROVIDE FOR SALE OF LIQUOR ON NEW YEARS EVE WHEN THE SAME FALLS ON SUNDAY; TO REPEAL ORIGINAL SECTION 3-6, 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. There being no objections or further comments on this ordinance, moved by Wightman, seconded by Long that said ordinance be passed on third reading. Roll call. Voting "aye" were: Long, Wightman, Hawks. Voting "nay" were: Anderson. 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. 2037 to be published in pamphlet form.

ZONING ORDINANCE WARDS: An ordinance entitled, "AN ORDINANCE TO REZONE WARD'S SUBDIVISION FROM A-2 AGRICULTURE TO R-1 SINGLE FAMILY RESIDENTIAL; to repeal all ordinances or sections of ordinances in conflict herewith; to provide for an effective date and for publication in pamphlet form." was read before the council. Hearing no comments

on this ordinance, moved by Anderson, seconded by Wightman that said ordinance be passed on third reading. Roll call. Voting "aye" were: Long, Wightman, 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. 2038 to be published in pamphlet form.

PARKING ORDINANCE: An ordinance entitled, "AN ORDINANCE TO AMEND SECTION 16-45 OF THE LEXINGTON CITY CODE; TO RESTRICT PARKING BETWEEN THE COURT HOUSE DRIVEWAYS ON 7TH STREET, AND TO PROVIDE FOR LIMITED PARKING IN CONGESTED AREAS; 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. Speaking in favor of final passage of this ordinance was Mr. Bob Cappel, Director of Lexington Chamber of Commerce. Upon completion of his remarks, moved by Anderson, seconded by Long that Ordinance No. 2039 be passed on final reading. Roll call. Voting "aye" were Wightman, Long, 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. 2039 to be published in pamphlet form.

BOND ORDINANCE: Mr. Jim Fox, representing Chiles Heider division of Smith Barney, addressed the Lexington City Council stating that this is the first bond issue as directed by the vote of the people for high school and swimming pool improvements. Mr. Fox reviewed the series of events which led up to the passage of this ordinance and the municipal bond market relating that at this

time, bonds are at a very favorable rate of interest for the city as these bonds will carry an average of 5.9% interest. Upon completion of his presentation, an ordinance entitled, "AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF LEXINGTON, NEBRASKA IN THE PRINCIPAL AMOUNT OF TWO MILLION TWO HUNDRED THOUSAND DOLLARS (\$2,200,00) FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF PURCHASING AN EXISTING BUILDING OR BUILDINGS, INCLUDING RELATED SITE, ACQUIRING A SITE OR SITES INCLUDING LEASEHOLD INTERESTS, CONSTRUCTING ON SUCH SITE OR SITES A PUBLIC BUILDING OR BUILDINGS AND REMODELING EXISTING BUILDINGS FOR THE PURPOSE OF PROVIDING INDOOR ATHLETIC FACILITIES, PUBLIC AUDITORIUM FACILITIES, INCLUDING RELATED PARKING FACILITIES (EITHER DIRECTLY BY THE CITY OR THROUGH THE LEXINGTON COMMUNITY FACILITIES AGENCY), AND PROVIDING FURNISHINGS AND EQUIPMENT FOR SUCH PUBLIC BUILDINGS; DIRECTING THE APPLICATION OF THE PROCEEDS OF SAID BONDS; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM." was read before the council. Said Ordinance was fully and distinctly read, and by motion of Councilmember Wightman, seconded by Councilmember Long, it was designated as Ordinance No. 2040 and the title thereof was approved. The roll was called on the passage of said motion and the following voted "AYE": Anderson, Long, Wightman, Hawks. The following voted "NAY": None. Councilmember Wightman moved that the statutory rule requiring ordinances to be fully and distinctly read on three different days be suspended, seconded by Councilmember Long. The roll was called and the following voted "AYE": Anderson, Long, Wightman, Hawks. The following voted "NAY": None. The motion to suspend the statutory rule

having been concurred in by three-fourths of all members of the Council was declared passed and adopted. Whereupon Ordinance No. 2040 was read by title and thereafter Councilmember Wightman moved for final passage of said Ordinance. Councilmember Anderson seconded the motion. The Mayor stated: "The question is, shall Ordinance No. 2040 be passed and adopted?" The roll was called and the following voted "AYE": Long, Anderson, Wightman, Hawks. The following voted "NAY": None. The passage and adoption of said Ordinance having been concurred with by a majority of all members elected to the Council, was by the Mayor declared passed and adopted, and the Mayor, in the presence of the Council, signed and approved said Ordinance, and the Clerk attested the passage and approval of the same and affixed the seal of the City thereto.

**MANAGEMENT
AGREEMENT:**

City Manager Podraza informed the Lexington City Council with the final figures of the management agreement have been arrived upon whereby the city agrees to provide at least \$2,700,000 of proceeds from bond sale with approximately \$2,200,000 being received by December, 1995 and the balance of \$500,000 in April, 1996. He further stated that the agreement states that sixty two percent (62%) of the proceeds are to be used by the Middle School and thirty eight percent (38%) to the High School. Mr. Podraza then went on to further define additional clauses in the management agreement. Upon completion of the review, moved by Wightman, seconded by Long to authorize the Mayor to sign said agreement. Roll call. Voting "aye" were: Anderson, Long, Wightman, Hawks. Motion carried.

SALE OF LOT:

Mr. Will Weinhold addressed the Lexington City Council stating that Mr. Arvind M. Patel wished to purchase a lot in the Southaven Addition. Since these were the replat of the replat of lots that were originally 70 foot wide and are now 82 foot wide, the price of the lot has increased to \$7,114. Upon completion of his presentation, an ordinance entitled, "AN ORDINANCE DIRECTING THE SALE OF LOT C OF REPLAT OF LOT 1 OF THE REPLAT OF LOTS 1-12, BLOCK 8, SOUTHAVEN ADDITION TO THE

CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE." was read before the council. Moved by Wightman, seconded by Long that the rules requiring the reading of said ordinance on three separate days be suspended. Roll call. Voting "aye" were: Anderson, Long, Wightman, Hawks. Motion carried. Said ordinance was then read by title. Moved by Wightman, seconded Long that Ordinance No. 2041 be passed on final reading. Roll call. Voting "aye" were: Anderson, Long, Wightman, 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. 2041 to be published in pamphlet form.

**PUBLIC HEARING
SPECIAL USE
PERMIT:**

Mr. Marvin Goldsmith addressed the Lexington City Council requesting their consideration of issuing a special use permit for a Bed and Breakfast and antique shop at 9th and Washington Streets. Mr. Goldsmith stated that the previous owner had this business and was operating under a special use permit and therefore, he is required to request a special use permit from the council. Upon completion of his request, moved by Wightman, seconded by Anderson to grant the issuance of a special use permit to Mr. Marvin Goldsmith for a Bed and Breakfast and antique shop at 9th & Washington. Roll call. Voting "aye" were: Long, Anderson, Wightman, Hawks. Motion carried.

**13TH STREET
AGREEMENT:**

City Manager Bill Podraza addressed the Lexington City Council requesting the council authorize the agreement between the City of Lexington and the State of Nebraska for the remainder of 13th Street from Lincoln to Hampton Street. He further stated that Miller & Associates would be doing the engineering and bid letting would occur some time after the first of the year. Hearing no further comments, moved by Wightman, seconded by Long to authorize the Mayor to execute the agreement between the State of Nebraska and the City of

Lexington for improvements to 13th Street from Hampton to Lincoln Streets. Roll call. Voting "aye" were: Anderson, Long, Wightman, Hawks. Motion carried.

COUNCIL YOUTH:

Representative Dottie Anderson stated that she, John Fagot and Bill Podraza had met with members of the youth committee and requested that a youth member be in attendance at the council meeting and allowed input with no voting privileges. She further reviewed the meeting that resulted in the nomination of the youth to sit on this committee and the selection process of these members. Upon completion of her presentation, moved by Anderson, seconded by Wightman to request that a youth member from this committee be in attendance at the council meeting and be invited to enter into discussion of items pertaining to city business. Roll call. Voting "aye" were: Long, Wightman, Anderson, Hawks. Motion carried.

ADVERTISEMENT FOR BIDS:

City Manager Podraza requested the Lexington City Council give authorization to advertise for bids for a sewer jetter machine to replace the existing one which was purchased in approximately 1973. Upon completion of the request, moved by Wightman, seconded by Long to authorize city administration to advertise for bids for one sewer jetter. Roll call. Voting "aye" were: Anderson, Long, Wightman, Hawks. Motion carried.

AWARD PICKUP BIDS:

City Manager Podraza reviewed the bids which had been received from Platte Valley Auto and Plum Creek Auto for a pickup to be used by the street department. The city manager stated that since there was such a slight difference between the two bids, he did not have a recommendation and therefore deferred it to the council. The city council inquired of Mr. Glenn Hawks, Community Service Director, his preference. Mr. Hawks stated the difference in the pickups being that one pickup had a transmission cooler on it and the other had an air conditioner. Upon his completion, moved by Wightman, seconded by Long to award the bid for one pickup to be used in the street department to Platte Valley Auto in the

amount of \$16,995. Roll call. Voting "aye" were:
Anderson, Long, 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

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.

Leon E. Malzahn
City Clerk

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Regular Meeting of the Lexington City Council was held Tuesday, November 28, 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 and John Fagot. Councilman Jerry Long was absent. City Officials present were: City Manager Bill Podraza, City Clerk Leon E. Malzahn and City Attorney Will Weinhold. Department Heads present were: Glenn Hawks, Jess Bliven, Vance Bricker, and Kerry Rader. Also present were: Reed Miller and Dana Daniels representing Miller & Associates, Cleon Hansen, Jeff Wightman, Kyle Otte, Rod Vanpelt and Lauri Hamit representing the Dawson Area Development Leadership Class and Bob Cappel representing Lexington Chamber of Commerce. The press was represented by the Clipper Herald, KRVN, Kearney Hub and Tri-City Tribune.

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 11/14/95: The minutes of the regular council meeting held November 14, 1995 were presented for Council's consideration and approval. Moved by Wightman, seconded by Anderson to approve the minutes of the regular meeting held November 14, 1995. Roll call. Voting "aye" were: Fagot, Anderson, Wightman, Hawks. Motion carried.

CLAIMS AND BILLS: Claims and Bills in the amount of \$444,409.46 were presented for Council's consideration and approval. Upon completion of review of the claims and a

discussion concerning the payment to Burbach Engineering billed for engineering for the aquatic center, moved by Wightman, seconded by Fagot to approve the claims as listed and authorized the City Treasurer to transfer \$148,296.43 from the General Fund, \$146,560.44 from LEXUS Funds, \$9,392.25 from City Sanitation Fund, \$19,072.36 from the Landfill Fund, \$13,530.32 from the Health Fund, \$80.68 from CDBG 90-HD-010, and \$5,390.86 from Meals on Wheels, \$653.65 from Library Memorial, \$167.03 from CED, \$101,265.44 from Capital Interest Payment, to the City of Lexington Operating Account. Roll call. Voting "aye" were: Anderson, Fagot, Wightman, Hawks. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
November 28, 1995

A New Day	Subscription	24.95
AFLAC	Cancer insurance	110.38
Alamar Uniform	Name tags, badge holders	31.34
Barrett-Housel-Grafton	Bond - Rader	1,500.00
Barco Municipal Products	Boots, snow plow blades	545.93
Berntson Oil Co.	Diesel, lead free gas	3,551.19
H.L. Boggs Inc.	Ground rod, clamp	762.00
BSB	Scraper work	9,205.00
Business Telecommunication	Move system to Service Bldg.	469.00
B & P Credit Mgmt.	Service	63.05
Burbach Engineers	Service - New Pool	77,737.68
Michie Butterworth	Book	11.42
Cash-Wa Distributing	Towels, food, cups	568.91
Century Lumber	Hinge sets	74.54
The Childs World	Books	73.84
Coast to Coast	Supplies, book cases	573.61
Contryman & Associates	Annual budget conferences	385.00
Coca Cola/Dr. Pepper	Pop	62.65
CBSA	Insurance claims	1,908.96
CBSA	Premium	6,859.89
Crescent Electric	Pole controller	1,410.81
Dawson County Judge	Court Cost - Jochem	1.00
Dawson Co. Public Power	Service	1,999.31
Dan's Sanitation	Service	9,392.25
John Day Co.	Nylon slings	40.32
Days Inn Omaha	Room - Malzahn	103.50
Dozier Equipment	Key cabinets	142.60

Dugan Business Forms	W-2's, 1099's, paper	443.48
Eake's Office Products	Supplies	85.74
Egan Supply Co.	Cleaning supplies	262.60
Eiler's Machine	Aluminum sheet	22.15
Electric Fixture	Fuses, wire, plug ins, cap	409.75
Emery Pratt Co.	Books	57.71
Fairbanks International	Nuts, bolts, jack	51.97
Fales, Terry	Entertainment - Awards Banq.	225.00
Fransyl Equipment	Bearing	32.54
Gall's Inc.	Emblems, badge holders	44.78
GE Capital	Lease agreement	619.28
Gillette/NE Dairies	Dairy products	152.42
Great Plains One Call Serv.	Locate requests	3.96
Hawks, Robert	Meeting expense	48.46
Hipp Wholesale	Food, napkins, containers	638.05
Hunt, Mark	Electric rebate	900.00
I.C.M.A.	City Mgr pension	139.85
Information Plus	Books	122.74
Ingram Library Service	Books	77.36
Interstate Structure Inc.	Pay estimate #13	62,225.44
International Transformer	Transformers, repair	4,323.59
Kerr, Wayne	Electric rebate	450.00
Knapp Electric	Repair motor	338.93
Kriz-Davis Co.	Machine bolts, clevis	1,736.59
Lex Area Chamber of Commerce	CED Expense	167.03
Lexington Coop	Tire repair, propane	11.50
Lexington Fire Dept.	School expense	723.63
Lexington Glass Co.	Glass desktops	56.50
Lexington Public Library	Postage	20.74
Lexington Public Schools	Workshop	28.50
LEXUS	Service	19,719.40
City of Lexington	Franchise fee	20,034.05
Lexington Recreation Program	Support personnel	432.00
Lexington Lions Club	Transport recycling material	3,034.64
Loudon, Carroll	Electric rebate	150.00
Malzahn, Leon	Meeting expense	147.60
Mead/Big Valley Lumber	Lumber, nails	92.29
Meyer Welding	Labor	3.00
Meridian Library System	Registration - Abood	5.00
Midway Supply	Alternator	52.38
Misko Sporting Goods	Basketballs, scorebooks	220.20
Nebraska Library Commission	OCLC Charges, registration	54.56
State of Nebraska	Water testing	208.60
New World Inn	Room - Podraza	51.18
O K Tire	Tire repair	20.18
Overton Sand & Gravel	Gravel	373.00

Path Master Inc.	Relay	168.00
Patty's Hallmark	Labels, lead, staples, mat	114.88
Pitney Bowes	Maint. agreements	629.00
Pitney Bowes	Lease	135.00
Plum CReek Telephone System	Move phones to new Serv. Bldg.	551.50
Podraza, Bill	Meeting expense	25.00
Precision Industries	Bearing insert	146.46
The Printing Press	Election expense	340.86
Protective Life Insurance	Cancer insurance	179.64
Public Risk Management	Dues	410.00
Quill Corp.	Paper	124.27
Read Well Media	Books	653.65
Rent All Rentals	Portapower kit	15.90
Schumacher, Ken	Meeting expense	215.00
Schnieber Fine Foods	Trays, food, towels	770.08
Sixth Street Market	Food	24.96
Simon & Schuster	Books	40.61
Steve's Lock & Key	Change locks - Service Bldg.	169.25
Telegraph	Notice	12.89
Texaco	Fuel	25.66
Viking Office Products	Paper	30.68
Virtual Techology	B28 Processor	640.00
Wal-Mart	Cleaning supplies, wastebaskets, book case, frames, film processing, file cabinets, film	342.96
WESCO	Poles	9,159.00
Wheeler's	Shovels, handles, battery	144.12
CBSA	Insurance claims	11,200.67
Donna's Cafe	Meals on Wheels	624.75
Miller & Associates	Service	7,867.25
Payroll Account	11/8 - 11/21/95	64,071.30
Social Security Fund	11/8 - 11/21/95	4,823.01
The Travelers	Pension	1,928.34
The Travelers	Police pension	931.83
Depository Trust Co.	Capital Interest payment	101,265.44
	TOTAL	444,409.46

PARKING:

City Manager Podraza presented a map depicting the parking stalls that would be changed to no parking or minimum parking for compact cars within the downtown area of the City of Lexington. He then asked the council to review this map making any recommendations prior to the December, 12, 1995 council meeting so a resolution can be drawn. No further action was taken.

LANDFILL FEES:

City Manager Podraza addressed the Lexington City council outlining the need for a rate increase at the present landfill. Mr. Podraza stated that the increase in this is approximately 25% which would also reflect an increase in residential rates allowable by the haulers of solid waste in the City of Lexington per the agreement signed by the city council. Upon completion of his presentation, moved by Wightman, seconded by Anderson that the following resolution be passed and approved. Roll call. Voting "aye" were: Fagot, Anderson, Wightman, Hawks. Motion carried.

RESOLUTION NO. 95-15

WHEREAS, Section 22-6 of the Lexington City Code authorizes the City Council to establish rates for the use of the Lexington Sanitary Landfill.

BE IT THEREFORE RESOLVED by the Mayor and Council of the City of Lexington, Nebraska, that effective 1-1-96, the fees for use of the Lexington Sanitary Landfill shall be as follows:

- Cars \$ 3.75 each
- Pickups \$15.00 each
- Cars & Pickups with Small Trailers \$15.00 each
- Trucks & Trailers \$25.00 each
- Compactor Trucks:
 - Rated Capacity \$ 5.00/yd
 - Non-Resident \$ 5.00/yd
- Tires:
 - Cars & Recreational Vehicles \$ 2.50 each
 - Truck & Tractor \$ 6.25 each
- Appliances \$ 6.25 each

PASSED AND APPROVED this 28th day of November, 1995.

CITY OF LEXINGTON, NEBRASKA

By _____

ATTEST:

City Clerk

AWARD PICKUP BID: The Lexington City Council reviewed two bids received for a pickup to be used by the wastewater treatment plant. City Manager Podraza stated that since there was approximately \$21 difference between the two bids, he would not have a recommendation for awarding the bid. Mayor Hawks requested that a bid form be devised rather than the sheet which was turned in by a bidder making it difficult to determine what equipment a vehicle contained. Upon completion of the discussion, moved by Wightman, seconded by Fagot to award the bid for a pickup to Platte Valley Auto in the amount of \$14,495. Roll call. Voting "aye" were: Anderson, Fagot, Wightman, Hawks. Motion carried.

PAY ESTIMATE: The Lexington City Council reviewed pay estimate No. 8 from Midlands Construction. Mr. Bob Blankenship addressed the Lexington City Council relaying the progress of the project and some dissatisfaction with the amount of time it is taking to complete the approaches to alleys and intersections. He further stated that he would be speaking with the contractor in an effort to speed up completion of this part of the project. Upon completion of discussion, moved by Fagot, seconded by Anderson to approve pay estimate No. 8 from Midlands Contracting in the amount of \$81,441.13 for 13th Street Improvements, Phase I and authorized the City Treasurer to transfer \$64,084.16 from the General Fund and \$17,356.97 from LEXUS from the City of Lexington Operating Account. Roll call. Voting "aye" were: Wightman, Anderson, Fagot, Hawks. Motion carried.

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

Robert Hawks
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.

Leon E. Malzahn
City Clerk

CITY OF LEXINGTON
LEXINGTON, NEBRASKA

A Special Meeting of the Lexington City Council was held Saturday, January 14, 1995, at the Grand Generation Center, 407 East 6th Street, Lexington, Nebraska, at 8:00 A.M. Members of the City Council present were: Mayor John Wightman, Robert Hawks, Dorothy Anderson, Jerry Long and John Fagot. City Officials present were: City Manager Bill Podraza, City Clerk Leon E. Malzahn and City Attorney Willard Weinhold. Department Head present were: Vance Bricker and Neldene Skwarek. Also present was: Dana Daniels and Reed Miller representing Miller and Associates.

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.

WASTEWATER Moved by Hawks, seconded by Fagot to recess the
TREATMENT PLANT regular session to the City of Lexington Wastewater
TOUR: Treatment Plant. Roll call. Voting "aye" were: Long, Anderson, Fagot, Hawks, Wightman.
Motion carried. Moved by Anderson, seconded by Long to reconvene the regular session at 9:30 a.m. Roll
call. Voting "aye" were: Fagot, Long, Anderson, Hawks, Wightman. Motion carried.

ENGINEERING City Manager Podraza addressed the Lexington City
REVIEW: Council outlining the projects that had been completed by Miller & Associates since their
employ by the City of Lexington and the costs related to these projects. Additionally, Mr. Podraza
reviewed the charges for other cities for engineering services both with inhouse engineers and those with
contract engineering services such as we have with Miller and Associates. This report emphasized that the
cost for contracting engineering services compared to those with resident engineers was comparable and in
some instances less than the City of Lexington paid for their association with Reed

Miller. Upon completion of the report by the City Manager, Mr. Reed Miller addressed the Lexington City Council outlining the procedures used by their company for estimating the cost of a project before advertising for bids. The requirements during the work on the project for construction engineering and the contract documents for construction of the project. Upon completion of the presentation, no action was taken.

ELECTRIC SYSTEM Mr. Pete Bishop joined the meeting as did Chief of
REVIEW: Police Charles Clark. The City Manager reviewed the progress which had been made in the conversion of the electric system from a Delta to a Wye as outlined by the engineering firm of Armstrong and Associates. He further explained the problem area in the Northwest part of Lexington and the actions which are being taken by the electric department to remedy the problems which exist in that area. He concluded his report with a projection of work which needs to be done in the east part of town changing a voltage that is supported by one substation to one that is supported by all other substations within the city. The City Manager stated that the total cost for the corrections in the Northwest part of town, the building of a new feeder line from the north sub to the east and the modification of the service system giving it more reliability would cost approximately \$250,000.

POLICE DEPT Chief of Police Charles Clark presented statistics
REPORT: and operation for the Lexington Police Department ranging from 1971 through 1994. Additionally, Mr. Clark presented a summary of statistical data from other cities giving like population of Lexington. The summary stated populations and numbers of officers, Part I crimes, DWI offenses and calls for service with additional other statistical data. Upon completion of the report, no action was taken.

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

**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

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, December 26, 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, and Dorothy Anderson. , Councilmembers Jerry Long and John Fagot were absent. City Officials present were: City Manager Bill Podraza, City Clerk Leon E. Malzahn and City Attorney Will Weinhold. Department Heads present were: Jess Bliven, and Kerry Rader. Also present were: Steve Lewis representing the Dawson Area Development Leadership class and Bob Blankenship representing Miller & Associates. The press was represented by the Clipper Herald, KRVN, Tri-City Trib 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 12/12/95:**

The minutes of the regular council meeting held December 12, 1995 were presented for Council's consideration and approval. Moved by Wightman, seconded by Anderson to approve the minutes of the regular meeting held December 12, 1995. Roll call. Voting "aye" were: Anderson, Wightman, Hawks. Motion carried.

CLAIMS AND BILLS:

Claims and Bills in the amount of \$205,699.36 were presented for Council's consideration and approval. Upon completion of review of the claims, moved by Wightman, seconded by Anderson to approve the claims as listed and authorized the City Treasurer to

transfer \$80,683.67 from the General Fund, \$88,182.55 from LEXUS Funds, \$9,536.50 from City Sanitation Fund, \$7,951.27 from the Landfill Fund, \$7,357.54 from the Health Fund, \$2,888.25 from CDBG 90-HD-010, \$5,706.24 from Meals on Wheels, \$3,390.00 from BID Reuse and \$3.34 from CED to the City of Lexington Operating Account. Roll call. Voting "aye" were: Anderson, Wightman, Hawks. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 December 26, 1995

Abood, Kayleen	Mileage	7.00
AFLAC	Cancer insurance	110.38
Alamar Uniform Co.	Uniforms - Police	280.53
AT & T	Service	57.90
AT & T	Service	23.58
Barmore's	Stick on letters	8.20
Barco Municipal Products	Signs	485.75
B & D Office Supplies	Toner	118.80
Berntson Oil	Grease, diesel, antifreeze	2,791.20
Cash-Wa Distributing	Food	500.47
California Language Lab.	Video	52.95
C.J. Small Engine Repair	Bit	4.00
Central Garage	Labor, parts, oil	5,407.21
Central Community College	CPR Class	19.00
Coast to Coast	Batteries, vacuum cleaner bags	41.23
Contryman & Associates	Audit expense	18,390.00
CBSA	Claims	6,967.52
CBSA	Insurance premium	7,144.06
Contractors Machinery Inc.	Sensor, alarm	128.40
Dawson Co. Public Power	Service	1,958.14
Dan's Sanitation	Service	9,554.00
Donna's Cafe	MOW - Overton	782.76
Dugan Business Forms	Paper	235.91
Egan Supply Co.	Cleaning supplies	38.40
Electric Fixture	Hub, elbow, wire, lamps	1,591.30
Emery Pratt	Books	295.94
Fairbanks International	Parts	32.36
Gillette/NE Dairies	Dairy products	137.69
Great Plains One Call Serv.	Digger hot line	143.04
Hawks, Robert	Meeting expense	153.80
Hipp Wholesale Co.	Food, trays, foil	613.07
ICMA	City Mgr. pension	139.85

IIMC Region 8 Conference	Registration - Malzahn	185.00
Int. Assoc. of Elec. Inspect.	Code books	50.45
Ingram Library Service	Books	63.50
Klauz, Richard	Electric rebate	1,500.00
K N Energy	Service	1,438.04
Kriz Davis Co.	Pole, tube guard, connector	6,452.70
Lex Area Chamber of Commerce	Community in transition	40.00
Lexington Communications	Speaker, pin, reducer	127.88
Lexington Coop	Kerosene, auger bits	99.65
Lexington Glass Co.	Front & side glass	169.50
Lexington Postmaster	PO Box rent	276.00
Lexington Public Library	Stamps	59.56
Lexington Public Schools	Duplex charges	1,752.66
Lexington Newspaper	Library notice	7.40
Lexington Truck & Auto	Transmission	250.00
City of Lexington	Franchise Fee	20,075.15
Lexington Recreation Prog.	Support personnel	432.00
Lexington Lions Club	Recycling bin	410.69
Markee, Beulah	Electric rebate	150.00
MCI	Service	387.75
Mead/Big Valley Lumber	Lumber, screws	226.65
Meyer Welding	Square	10.25
Midway Supply	Hook, chain, hose clamp, rods	218.13
Misko Sporting Goods	Volleyballs, whistles	237.50
Mid Nebraska Food Bank	Food	26.81
Morris Press	Ribbons, transparencies	24.50
Monter, Doug	CDL License	32.00
Mr. Automotive	Spark plugs, turn lamp, fuses, switch, module	246.54
Munson Sales	Books	17.25
Nebraska Machinery	Insert	186.32
Nebraska Public Power Dist.	Holiday recipe books	370.00
State of Nebraska	Water analysis	468.00
Nebraska Cellular	Service	41.24
OK Tire	Tire repair, tires, tube	353.98
Payroll Account	12/6 - 12/19/95	65,006.37
Path Master Inc.	Relay	192.00
Patty's Hallmark	Day books, check signer	1,323.89
Pitney-Bowes	Postage meter rental	204.00
Pitney Bowes	Maint. agreement	270.00
PLatte Valley Auto Mart	Control assy., cable, switch	134.87
Plum Creek Medical Group	Flu shots	100.00
The Printing Press	Time sheets	148.01
Protective Life Insurance	Cancer insurance	179.64
Quality Books	Books	21.89
Schnieber Fine Foods	Food	395.68

Service Supply	Electric rebate	450.00
Sixth Street Market	Food, UPS, dog bisquits	113.20
Sign Pro	Vinyl lettering	176.18
Skarshaug Testing	Clean & Test Gloves	46.92
Social Security Fund	12/6 - 12/19/95	4,740.41
S & W Auto Parts	Motor, filters, heater core, terminal, battery, bulb	448.95
The Travelers	Pension	1,934.48
The Travelers	Police pension	1,885.10
US West Communications	Service	339.40
Utility Equipment	Curb box	346.50
Valentino's	Meeting expense	13.05
Veteran's Club	Awards Banquet	1,800.00
Vondras Construction	Bldg. repair - Library	80.67
Wal-mart	Duct tape, trash cans, film, batteries, paint, door mat	376.03
Ward Financial Group	Books	100.00
WESCO	ACSR, hubs, wedge clamp	3,470.52
Wheeler's	Tarp, strap, paint, bench, motor	269.66
LEXUS	Service	19,117.58
Miller & Associates	Service	7,258.78
Social Security Fund	FICA	154.04
	TOTAL	\$205,699.36

**APPOINTMENT
CITY OFFICIALS:**

An ordinance entitled, "AN ORDINANCE TO APPOINT A CITY CLERK, DEPUTY CLERK, CITY ATTORNEY, CITY ENGINEER, AND CITY PHYSICIAN; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM." was read before the council. Moved by Wightman, seconded by Anderson that said ordinance be passed on first reading. Roll call. Voting "aye" were: Anderson, Wightman, Hawks. Motion carried.

**WASTEWATER
TREATMENT PLANT
REPAIRS:**

Mr. Jess Bliven, Superintendent of the wastewater treatment plant for the City of Lexington addressed the City Council stating that the motors used for discharging city outflow through the force main into the Platte River are experiencing difficulties with the calibration of the motor whereby they may be running with a dry well or may not be running when the well is full. He is requesting the city council's permission to replace these motors with 50 hp variable speed

motors and the controls which would adjust the speed at which these motors would operate. Mr. Dana Daniels, representing Miller & Associates, addressed the council with an estimate for replacement of these motors. Mr. Daniels stated that their estimate was approximately \$48,385. He further stated that the replacement motors would be more energy efficient as they would run at a variable speed rather than the motors that are there now which when turned on would run at full speed. Upon completion of his presentation, City Manager Podraza addressed the council requesting an emergency be declared since the total breakdown of these motors would cause the city to discharge into drainage ditch No. 1 in violation of their permit. Upon completion of these presentations, moved by Wightman, seconded by Anderson that a state of emergency exists at the wastewater treatment plant with the effluent discharge motors and that they authorize city administration to negotiate for the replacement of these motors. Roll call. Voting "aye" were: Wightman, Anderson, Hawks. Motion carried.

PAY ESTIMATE:

The Lexington City Council reviewed pay estimate No. 9 from Midlands Contracting, Inc. for work completed on 13th Street. Bob Blankenship, representing Miller & Associates addressed the Lexington City Council stating that the amount of work completed and the amount of pay requested was comparable and therefore is recommending approval of this pay estimate. Upon completion of his presentation, moved by Wightman, seconded by Anderson to approve pay estimate No. 9 in the amount of \$210,604.03 to Midland Contracting, Inc. for construction of 13th Street and authorized the city treasurer to transfer same amount from the general fund to the City of Lexington operating account. Roll call. Voting "aye" were: Wightman, Anderson, Hawks. Motion carried.

WINTER SHUT DOWN:

Mr. Bob Blankenship again addressed the Lexington City Council requesting a winter shut down for Midland Contracting on the 13th Street project. Mr. Blankenship stated that there would be approximately 20 days remaining for completion of the project next spring. He further stated that the work remaining to

be completed would be sidewalk replacement grading, sprinkler system repair and sodding. Upon completion of his presentation, moved by Anderson, seconded by Wightman to authorize the shut down for the 13th Street project for the winter months. Roll call. Voting "aye" were: Wightman, Anderson, Hawks. Motion carried.

D.O.R. RESOLUTION: Moved by Wightman, seconded by Anderson that the following resolution pertaining to Phase II of the 13th Street project be passed and approved. Roll call. Voting "aye" were: Anderson, Wightman, Hawks. Motion carried.

RESOLUTION NO. 95-

BE IT RESOLVED by the Mayor and Council of the City of Lexington, Nebraska, as follows;

Section 1.: That an Agreement with the State of Nebraska Department of Roads for construction of PROJECT NO. STPAA-6556(3) should be and hereby is approved.

Section 2.: That Robert Hawks, Mayor is hereby directed and authorized to execute said Agreement on behalf of the City of Lexington, Nebraska.

PASSED AND APPROVED this 26th day of December, 1995.

CITY OF LEXINGTON, NEBRASKA

Robert L. Hawks, Mayor

ATTEST:

City Clerk

**PUBLIC HEARING
LACORONA CLUB:** The Lexington City Council held a public hearing to receive input on a request from LaCorona Club for an addition of off-sale beer to their current

liquor license. The clerk reported to the council that telephone he was unable to make contact with the owners of the club via receiving a message of a disconnect and no alternate number. After a brief discussion concerning the amount of time the city had for a recommendation to the Liquor Control Commission, it was moved by Wightman, seconded by Anderson to continue the public hearing to the next regular council meeting of January 9, 1996. Roll call. Voting "aye" were: Wightman, Anderson, Hawks. Motion carried.

ADJOURNMENT:

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

Robert Hawks
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.

Leon E. Malzahn
City Clerk

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

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Special Meeting of the Lexington City Council was held Friday, January 27, 1995, at the Lexington Municipal Offices, 406 East 7th Street, Lexington, Nebraska, at 7:30 A.M. Members of the City Council present were: Mayor John Wightman, Robert Hawks, Dorothy Anderson, Jerry Long and John Fagot. City Officials present were: City Manager Bill Podraza, City Clerk Leon E. Malzahn and City Attorney Willard Weinhold. Department Head present was: Vance Bricker. Also present was Bob Blankenship representing Miller and Associates.

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.

PUBLIC HEARING: The Mayor stated that this was the time and place for the Mayor and City Council to hold a hearing on the proposed ordinance for construction of a storm sewer in Storm Sewer District No. 94-04 of the City and presented proof of publication of the notice of said hearing which was published in the Clipper-Herald on (date) .

The Clerk certified that he had received no objections to the proposed Ordinance No. 2013.

ORDINANCE NO. 2013: It was then moved by Council member Hawks that the aforesaid Ordinance No. 2013 as proposed at the meeting held December 27, 1994 be passed verbatim, as proposed:

ORDINANCE NO. 2013

AN ORDINANCE OF THE CITY OF LEXINGTON, NEBRASKA, CREATING STORM SEWER DISTRICT NO. 94-04; DECLARING THE ADVISABILITY AND NECESSITY OF CONSTRUCTING A STORM SEWER THEREIN; DESCRIBING SAID STORM SEWER AND THE LOCATION AND TERMINAL POINTS THEREOF; REFERRING TO PLANS, SPECIFICATIONS AND ESTIMATE OF COST FOR SAID IMPROVEMENTS

and that the statutory rule requiring ordinances to be fully and distinctly read on three different days be suspended, seconded by Council member Fagot. The roll was called and the following voted "AYE": Long, Anderson, Fagot, Hawks, Wightman. The following voted "NAY": None. The motion to suspend the statutory rule having been concurred in by three-fourths of all members of the Council was declared passed and adopted.

Whereupon Ordinance No. 2013 was read by title and thereafter Council member Hawks moved for final passage of said Ordinance. Council member Anderson seconded the motion. The Mayor stated: "The question is, shall Ordinance No. 2013 be passed and adopted?" The roll was called and the following voted "AYE": Long, Fagot, Anderson, Hawks, Wightman. The following voted "NAY": None.

The passage and adoption of said Ordinance having been concurred with by a majority of all members elected to the Council, as by the Mayor declared passed and adopted, and the Mayor, in the presence of the Council, signed and approved said Ordinance, and the Clerk attested the passage and approval of the same and affixed the seal of the City thereto.

A true and complete copy of said Ordinance No. 2013 is attached hereto.

City Clerk
Lexington, Nebraska

**PASSAGE OF
ORDINANCE 2015:**

Council member Anderson introduced an ordinance entitled:

ORDINANCE NO. 2015

AN ORDINANCE OF THE CITY OF LEXINGTON, NEBRASKA, ORDERING CONSTRUCTION IN STORM SEWER DISTRICT NO. 94-04.

Said Ordinance was fully and distinctly read, and by motion of Council member Anderson, seconded by Council member Hawks, it was designated as Ordinance No. 2015 and the title thereof was approved. The roll was called on the passage of said motion and the following voted "AYE": Fagot, Long, Hawks, Anderson, Wightman. The following voted "NAY": None. Council member Anderson moved that the statutory rule requiring ordinances to be fully and

distinctly read on three different days be suspended, seconded by Council member Hawks. The roll was called and the following voted "AYE": Fagot, Long, Hawks, Anderson, Wightman. The following voted "NAY": None. The motion to suspend the statutory rule having been concurred in by three-fourths of all members of the Council was declared passed and adopted.

Whereupon Ordinance No. 2015 was read by title and thereafter Council member Anderson moved for final passage of said Ordinance. Council member Fagot seconded the motion. The Mayor stated: "The question is, shall Ordinance No. 2015 be passed and adopted?" The roll was called and the following voted "AYE": Long, Hawks, Fagot, Anderson, Wightman. The following voted "NAY": None.

The passage and adoption of said Ordinance having been concurred with by a majority of all members elected to the Council, was by the Mayor declared passed and adopted, and the Mayor, in the presence of the Council, signed and approved said Ordinance, and the Clerk attested the passage and approval of the same and affixed the seal of the City thereto.

A true and complete copy of said Ordinance No. 2015 is attached hereto.

City Clerk
Lexington, Nebraska

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

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, February 14, 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, Robert Hawks, Dorothy Anderson, Jerry Long and John Fagot. City Officials present were: City Manager Bill Podraza, City Clerk Leon E. Malzahn and City Attorney Willard Weinhold. Department Heads present were: Glenn Hawks, Charles Clark, Vance Bricker, and Neldene Skwarek. Also present were: Dana Daniels and Bob Blankenship representing Miller and Associates. Citizens in attendance were Gary Schultz and Todd Booth. The press was represented by 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 John Wightman.

MINUTES REGULAR MEETING 01/24/95: The minutes of the regular council meeting held January 24, 1995 were presented for council's consideration and approval. Moved by Hawks, seconded by Anderson to approve the minutes of the regular meeting as presented. Roll call. Voting "aye" were: Fagot, Long, Anderson, Hawks, Wightman. Motion carried.

MINUTES SPECIAL MEETING 01/27/95: The minutes of the special meeting held January 25, 1995 were presented for council's consideration and approval. Moved by Long, seconded by Anderson to approve the minutes of the special

meeting as presented. Roll call. Voting "aye" were: Hawks, Fagot, Anderson, Long, Wightman. Motion carried.

CLAIMS AND BILLS:

Claims and Bills in the amount of \$810,395.64 were presented for Council's consideration and approval. Upon discussion of a claim from Forrester Dodge City for a used car for the Police Department and the submittal of a quote for a car that was less expensive than the one quoted by Forrester's and after this claim had been processed for the list of bills, moved by Hawks, seconded by Long that the claim for Forrester's Dodge City for a 1994 Plymouth to be used by the Police Department be tabled and removed from the claims. Roll call. Voting "aye" were: Anderson, Fagot, Hawks, Wightman. Voting "nay" was: Long. Motion carried. It was then moved by Hawks, seconded by Fagot to approve the claims and bills as listed and authorized the City Treasurer to transfer \$90,676.91 from the General Fund, \$519,141.45 from LEXUS Funds, \$10,000.00 from City Sanitation Fund, \$21,790.10 from the Landfill Fund, \$29,543.06 from the Health Fund, \$6,099.77 from Meals on Wheels, \$1,075.00 from CDBG 90-HD-010, \$414.35 from Lexington CED, and \$123,225.00 from CDBG 85-ED-028 to the City of Lexington Operating Account. Roll call. Voting "aye" were: Long, Anderson, Fagot, Hawks, Wightman. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 February 14, 1995

AT&T	Service	87.55
AT& T	Service	14.55
AT&T	Service	27.03
AT&T	Service	10.75
Barmore's	Film, Jacks, wire	29.78
Barrett-Housel-Grafton	Casualty Insurance	848.00
Barco Municipal Products	Locator	1,500.00
Baker & Taylor Company	Books, book lease	193.85
Backwood Home	Subscription	17.95
Berntson Oil	Diesel, gas, oil, parts	4,578.52
B & S Industries, Inc.	Helmet	134.77
Cash-Wa Distributing	Oil, food, supplies	742.44

Catholic Protection Serv.	Annual service	2,143.00
Beverly Carmack	Comp Training	29.25
C.J. Small Engine Repair	Chainsaw Repair	106.65
Central Garage Fund	Gas, labor, parts,	10,550.00
Champion America, Inc.	Signs	311.47
Cleveland Cotton Products	Gloves, towels	382.12
Coast to Coast	Supplies	38.34
Contryman & Associates	Audit	17,450.00
Computer Assistance	Install Software	25.00
Corporate Diversified Serv	Fireman Insurance	60.00
Corporate Benefit Services	Doctor, medicine, hospital	29,267.39
Culligan Water Conditioning	Service-WWTP, salt	43.50
Dawson County Public Power	Bolts	140.14
Dawson County Clerk	Dispatch Services-Feb	3,917.33
Dan's Sanitation	Sanitation Service	10,000.00
Dawson County Area Economic	Membership, meal	10,021.86
Designer Craft Woodworking	CDBG94ED019	120,000.00
Donna's Cafe	MOW-Overton	1,034.20
Dragon Restaurant	Mtg expense	26.71
Dutton-Lainson Co	Transformer, lamp, etc	1,255.59
Dugan Business Forms	Comp paper	190.83
Egan Supply Co.	Stripping	86.39
E.I.S.	Repair Radar	57.65
Electric Fixture	Lamp, supplies, wire, sockets	4,021.29
Emery Pratt Co.	Books	188.75
EMI Motor Hotels-Ramada	Room	42.71
Fairbanks Intl	Hardware, kit	64.79
Family Eyeware	Ritgarn-glasses	82.35
Fagot Refrigeration	Service	374.63
Five Star Flooring	Wallpaper	19.46
Forever New Upholstery	Repair Furniture	77.40
Forrester's	'94 Plymouth	8,430.00
First Group	Phone	12.12
General Traffic Controls	Traffic Sign equip	2,810.00
GFOA Career Devel	Membership	115.00
Gillette/Nebraska Dairies	Dairy Products	277.69
Hipp Wholesale Co.	Food, trays, supplies	894.21
I.C.M.A.	ICMA Retirement	133.85
Int. Conference of Bldg Off	Books	254.45
Int'l Paper Co.	Pine Poles	7,891.80
Ingram Library Services	Books	415.28
Interstate Structures, Inc	Lex Maint	12,709.80
Int'l Transformer Co	Transformer repair	780.60
Jones Plumbing, Heating	Hardware	24.44
Joy Book Nook	Books	49.44
KN Energy	Nat gas	2,285.59

Kriz-Davis Co.	Wire, crossarms, supplies	6,058.41
The League of Ne. Municipal	Conference	80.00
Lexington Animal Clinic	Services	376.50
Lexington Area Chamber	State Mtg, salary, postage	469.35
Lexington Coop	Car wash, supplies	14.65
Lexington Glass Co.	Mirror	5.00
Lexington Laundry	Towel cab, service, mops	52.00
Lexington Newspapers	Legal notice	11.22
Lexington Truck & Auto	Booster, heater	154.50
LEXUS	Elec	1,000.14
City of Lexington	Franc Fee	3,266.51
Lexington Recreation Program	Support personnel	342.00
Lexington Postmaster	Postage	70.00
City of Lexington	Landfill	56.00
Ann Luther	Conference	75.00
Mac's Short Stop	Carpet Cleaner	3.17
Sue Maya	Service-January	200.00
Meyer Welding	Iron	22.68
Midway Supply	Towels, supplies	108.65
Miller & Associates	Service Fee	1,850.00
Midwest Laboratories	Analysis	1,365.96
Mine Safety Appliance	Air mask repair	87.70
Morris Press & Office	Supplies	1,085.45
Mr. Automotive	Spark Plug	65.70
Municipal Supply	Cplgs, water meter remote	2,976.51
National Information Data	Directory	46.90
National Technical Info	Manual	31.00
Nebraskaland Tire	Tire repair	37.00
Nebraska Machinery	Hardware, parts	879.63
Nebraska Dept of Motor Veh	License application	6.00
Nebraska Library Comm	Membership	36.14
Nebraska Dept of Revenue	December sales tax	22,624.26
Nebraska Municipal Power	Electric dist service	150.00
Nebraska Public Power	Service	358,448.26
Nebraska Dept of Health	Nitrate tests	612.82
Nebraska Public Power	Outage assistance	228.00
Nebraska Secretary of State	Report	20.00
Nelson, Thomas	NCBO & I Conf	100.50
NE Dept of Env. Control	Solid Waste Disp	10,805.30
NE Assn of Sr. Centers	Training	15.00
Nebraska Cellular	Cellular	29.98
Northern Hydraulics	Parts,	141.92
Olsson Associates, Inc.	El rate report	476.44
O K Tire	Tire repair	181.61
Old Dominion Brush	Motor, bearings	1,076.46
Omaha World Herald	Subscription	59.80

Overton Sand & Gravel	Gravel	144.00
Payroll Account	Payroll	57,801.06
Patty's Hallmark	Office supplies	357.40
Pathmaster Inc	Relay	84.00
Petty Cash	Misc expense	181.14
Platte Valley Auto Mart	Cable, core, switch	1,183.75
Platte Valley Communications	Repair and maint	2,165.00
Plum Creek Medical Group	Doctor	14.50
Plum Creek Promotions	Repair flags	70.00
Platte Valley Exterm.	Service	20.00
Podraqza, Bill	Travel expenses	69.60
Percision Ind.	Parts	343.50
Protective Life Ins	Life ins	246.17
Reiman Publications	Subscription	12.98
Rodeo Road Equip	Parts	78.49
Saulsbury Photo	Employee of year	42.40
Sav-A-Lot	Supplies	37.63
Sauber Manufacturing	Jumper cord	63.35
Schnieber Fine Foods	Food, supplies	790.58
Sixth Street	Food, UPS	107.06
Simon & Schuster Inc	Dictionary	92.00
Sirchie	Print supplies	97.50
Social Security	Social security	4,331.90
S & W Auto Parts	Parts, filters, fuses	724.28
Telegraph	Newspaper	11.36
Travelers	Pension	1,801.49
Travelers	Police pension	754.87
Unitech	Cleaner	140.79
U S West	Telephone	1,660.71
Utility Equipment	Valves, sleeves	2,935.82
Valentino's	Meals	50.03
Virtual Technology	Computer equip	595.00
Wal-Mart	Supplies	157.62
Ward Laboratories	Analysis	25.00
Water Environmental	Membership, subscription	70.00
Warren Gorham Lamont	Manual	335.97
Wesco Distribution	Meters, transformers	30,214.03
Weber & Weinhold	Legal service	1,357.50
Wheeler's	Supplies	46.96
City of Lexington	Misc. charges	24,912.92
Nebraska Machinery	Loader payments	2,646.00
Smith Barney Inc.	Register fees	538.90
	TOTAL	810,395.64

WAIVER OF

Mr. Vance Bricker addressed the Lexington City

OBJECTION:

Council stating that a waiver of objection from the City Council is requested for a split in a rural subdivision east and north of Lexington. Mr. Bricker stated that the property is being divided into three separate lots with Lot 1 being sold off at the present time. After further review of the plot presented with a request for a waiver, moved by Hawks, seconded by Fagot to approve the waiver of objection for a replat for a rural subdivision north and east of Lexington formerly owned by Kevin Bartels. Roll call. Voting "aye" were: Anderson, Long, Fagot, Hawks, Wightman. Motion carried.

ONE & SIX YEAR ROAD PLAN:

Mr. Dana Daniels, representing Miller & Associates, addressed the Lexington City Council presenting a map and documentation outlining the proposed projects in the one and six year street improvement program for the City of Lexington. Mr. Daniels, in reviewing his report, stated that in the one year plan is Phase I and II of the 13th Street improvements. Project No. 3 would be signalization at the 13th and Adams Street intersection. Project No. 4 for the current year would be the Nebraska Department of Roads paving project which would pave a road going east and west from Plum Creek Parkway to Jefferson Street with a frontage road proceeding north from that to cover the front of the motel. Additionally, there would be engineering on South Jefferson Street from this proposed paved road to the entrance of the military museum. Proceeding to the six year plan, Mr. Daniels stated that there would be a project for a grade separation study over the Union Pacific Railroad, south of Jefferson Street paving from the Greater Lexington Addition to the Nebraska Department of Roads maintenance yards, Phase III of 13th Street improvements which would extend the storm sewer from Adams Street to the West, the hike and bike trail on South Plum Creek Parkway, signalization of pedestrian lights at 10th and Harrison, an overlay project for Grant Street

between 10th and 11th Streets, Spring Creek Bridge construction at the intersection east of town by the Nebraska By-Products, an intersection at 20th and Cleveland, paving of Maple and Spruce Streets west of Adams Street, Jackson and Walnut radius reconstruction to facilitate truck traffic at these intersections, paving of a road from Adams Street east to Plum Creek Parkway north of the Beans Addition and south of the Southaven division or the drainage ditch, a hike and bike trail in Paulsen's Subdivision and the last item being a bridge over the city drain east of Lexington to service a resident on the north side of the road. Hearing no further comments, City Manager Podraza informed the City Council that the formal public hearing for the one and six year road plan would be at the next council meeting on February 28, 1995. No further action was taken.

**ORDINANCE FOR
MANUFACTURED
HOMES:**

An ordinance entitled, "AN ORDINANCE TO AMEND SECTIONS 25-1, 25-2 AND 28-9 OF THE LEXINGTON CITY CODE; TO MAKE PROVISION FOR LOCATION OF MANUFACTURED HOMES; TO REPEAL ORIGINAL SECTION 25-1, 25-2, AND 28-9 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. The council was informed that this ordinance had been passed on first reading in December, 1994 and awaits their decision. Moved by Hawks, seconded by Long to approve said ordinance on second reading. Roll call. Voting "aye" were: Fagot, Anderson, Long, Hawks, Wightman. Motion carried.

AWARD OF BIDS:

Mr. Dana Daniels, representing Miller & Associates, addressed the Lexington City Council stating that five bids had been received for Phase I construction of 13th Street. After a tabulation of the bids, it was determined that the apparent low bidder was Midland Contracting of Kearney, Nebraska in the amount of \$1,773,549.20. After considerable consideration concerning the possibilities that could exist for problems during the construction period, moved by Fagot, seconded by Anderson to award the bid for

construction of the 13th Street Improvement project, Phase I to Midland Contracting, Inc. of Kearney, Nebraska in the amount of \$1,773,549.20. Roll call. Voting "aye" were: Hawks, Long, Anderson, Fagot, Wightman. Motion carried.

**DISCUSSION OF
LEGISLATIVE BILLS:**

City Manager Podraza addressed the Lexington City Council informing them of three bills, those bills being LB66, LB606 and LB648 which relates to the elimination of the local sales tax option. He stated that in the passage of these bills, if the sales tax option was removed from the cities and given to the states who would in turn redistribute the sales tax based upon population rather than on actual sales to these political subdivisions, some political subdivisions such as those with higher retail sales would stand to lose revenue and those with lower sales would stand to gain additional revenue above the amount currently produced by property taxes. The next bill that the City Manager discussed was the possibility of amending the constitution allowing counties to adopt an administrative form of government after a vote of the people allowing them to do so. Upon conclusion of his report no further action was taken at this time.

EXECUTIVE SESSION:

City Manager Podraza informed the council that the city had an offer to sell some city property and therefore needed an executive session to discuss this matter. Moved by Hawks, seconded by Anderson to recess the regular session to executive session at 8:40 p.m. for the purpose of negotiating the sale of real estate currently owned by the city. Roll call. Voting "aye" were: Fagot, Long, Anderson, Hawks, Wightman. Motion carried. Moved by Hawks, seconded by Fagot to reconvene the regular session from executive session at 8:55 p.m. Roll call. Voting "aye" were: Anderson, Long, Fagot, Hawks, 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

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, February 28, 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, Robert Hawks, Dorothy Anderson, and John Fagot. Councilman Jerry Long was absent. City Officials present were: City Clerk Leon E. Malzahn and City Attorney Willard Weinhold. Department Heads present were: Vance Bricker, Charles Clark and Neldene Skwarek. Also present was: Bob Blankenship representing Miller and Associates, Jeff Konen, John Hines, Jim Lauby, Tony Casilla and Derrick Mitchell. The press was represented by the Kearney Hub, Lexington Publishing, Tri-City Tribune and KRVN.

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 MEETING 02/14/95: The minutes of the regular council meeting held February 14, 1995 were presented for council's consideration and approval. Moved by Hawks, seconded by Anderson to approve the minutes of the regular meeting as presented. Roll call. Voting "aye" were: Fagot, Anderson, Hawks, Wightman. Motion carried.

CLAIMS AND BILLS: Claims and Bills in the amount of \$334,182.55 were presented for Council's consideration and approval. Moved by Hawks, seconded by Anderson to approve the claims and bills as listed and authorized the City

Treasurer to transfer \$84,664.43 from the General Fund, \$183,639.75 from LEXUS Funds, \$9,347.25 from City Sanitation Fund, \$34,191.14 from the Landfill Fund, \$3,719.96 from the Health Fund, \$5,173.97 from Meals on Wheels and \$13,446.05 from CDBG 90-HD-010 to the City of Lexington Operating Account. Roll call. Voting "aye" were: Anderson, Fagot, Hawks, Wightman. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 February 28, 1995

Abood, Kayleen	Meeting expense	11.51
ALFAC	Cancer Insurance	110.38
Awards Plus	Trophies	254.85
Barmores	Batteries	34.95
Barco	Traffic cones	586.50
Berntson Oil Col	Gas, diesel	1,855.96
Benak, Dave	Lineman school	45.00
Bricker, Vance	Meeting expense	134.70
B & S Industries	Fire hood	25.28
BSB Dirt work -	Landfill	5,000.00
Business & Prof. Credit	Service	262.77
Cash Wa Distributing	Cups, food, foil, liners	224.90
Central Garage Fund	Labor, parts, oil	1,149.41
Century Laboratories	Urinal blocks	14.23
Century Lumber Center	Chair tips, door	435.13
Coast to Coast	Parts	42.44
Contryman & Associates	Service	160.00
CBSA	Insurance claims	3,591.58
CBSA	Insurance premiums	6,792.90
Cozad Service	Service - WWTP	34.21
Dawson Co. Public Power	Service	2,079.14
Dawson Co. Register of Deeds	Registration - Easement	16.50
Dan's Sanitation	Service	9,347.25
DEMCO	Tape, labels, lamante gloss	176.64
Donna's Cafe	MOW - Overton	724.36
Dutton-Lainson Co.	Machine bolts	89.89
Electric Fixture	Anchor kit, elbow, base, tape	118.05
ELE International	Soiltest - Slumpbase only	101.75
Fairbanks International	Cotter kit	12.98
Family Eyewear	Glasses - Nelson	82.35
Fischer Scientific	Chemicals	734.81
Follett Software Co.	Print labels	33.02
GE Capital	Lease agreement	308.19

Gillette/NE Dairies	Dairy products	247.88
G Neil Companies	Expandable file	133.96
Hawks, Robert	Meeting expense	48.25
Hach Chemical	Chemicals	185.20
Haines, Bill	Lineman school	45.00
Hipp Wholesale Co.	Food, towels, mitt	271.34
Hodges Auto World	Weather stripping	20.63
Hofaker's Iron & Metal	Used iron	9.00
Holday Inn	Room - Luther	43.20
H T M Sales Inc.	Profile gasket	29.67
I.C.M.A.	City Mgr Pension	133.85
Ingram Library Service	Books	111.38
Kiesler Police Supply	Baton, holder	107.04
K N Energy	Service	547.43
Knapp Electric	Lift station repair	2,171.47
Kriz-Davis Co.	Misc. Supplies	8,296.87
Lapoint, Edward	Water conference	30.00
Lakota	Mtg. expense	21.04
League of NE Municipalities	League conference	900.00
Lexington Health Fund	Side fund - 1/95 & 2/95	22,843.34
Lexington Communication	Repair antenna	20.00
Lexington Coop	Tile spade	20.99
Lexington Public Library	Postage	26.42
Lexington Public Schools	Duplex expenses	13,437.50
Lexington Newspaper	Service	1,049.96
LEXUS	Service	14,756.66
City of Lexington	Franchise fee	19,857.43
Luther, Ann	Mileage	22.28
Lynch, Bob	Electric rebate	450.00
MCI	Service	141.17
Mead/Big Valley	Stakes, forms, bolts	70.75
Meyer Welding	Service	9.00
Meridian Library System	Registration - Abood	15.00
Midway Supply	Flasher, shield, scrapers	83.69
Mike's Pharmacy	Film processing	5.42
Mid Nebraska Food Bank	Food	38.08
Morris Press	Misc. Forms, etc.	409.07
Mr. Automotive	Rotor, weather stripping	75.09
Municipal Supply	Gaskets, meters, couplings	2,488.50
Municipal Clerks' School	Registration - Malzahn	145.00
Nebraska Machinery	Gasket, seals, gear	71.31
Nebraska Library Comm.	OCLC Charges	36.78
New World Inn	Room - Bricker	50.95
Nelson, Tom	Water conference	30.00
Nebraska Cellular	Service	45.30
O K Tire	Tire	86.50

Omaha Sling Inc	Cable sling	32.46
Overton Sand & Gravel	Gravel	12.00
Payroll Account	2/1 - 2/14/95	59,627.54
Paulsen Bldg. & Supply	Concrete	54.00
Patty's Hallmark	Misc. Supplies, UPS	215.44
Pitney Bowes	Lease Agreement	135.00
Platte Valley Auto Mart	1994 Plymouth Acclaim	8,790.00
Plum Creek Medical Group	Claim - Ackerman	18.00
Podraza, Bill	Meeting expense	91.50
Polkarobics Inc.	Videos - Line dancing	54.84
Precision Industries	Roller bearings, belt, bearing	162.59
Pryor Resources	Class - Skwarek	99.00
Quill Corp.	Fax paper	62.46
Schnieber Fine Foods	Food, film wrap	639.40
Sixth Street Market	Food, UPS	100.28
Social Security Fund	2/1 - 2/14/95	4,471.64
Stevens, Harold	Easement	1,500.00
Sund, William Jr.	Electric rebate	420.00
S & W Auto Parts	Spot light, lamp, switch	89.90
Time Life Books	Books	18.48
The Travelers	Pension	1,872.28
The Travelers	Police pension	763.86
Unisys Corp.	Lease agreement	1,266.00
Viking Office Products	Paper, tape	44.82
Vondras Construction	Service - Library	411.14
Wal-mart	Misc. Supplies	218.26
WESCO	Misc. Supplies	13,559.96
Wheeler's	Chain, oil, grease	164.84
Husker Ag Sales	Front Mower	6,750.00
KN Energy	Service - shop	359.08
City of Lexington	Land purchase - Landfill	22,589.70
Lexington State Bank	Bond Payment	83,956.25
Miller & Assoc.	Service - WWTP	382.50
Plum Creek Recycling	Service	1,018.30
	TOTAL	334,182.55

**EXTENSION OF
SPECIAL USE
PERMIT:**

Mr. Derrick Mitchel, representing Stephen Potter, addressed the Lexington City Council stating that Mr. Potter would like to withdraw his request for a special use permit for his property at 909 N. Grant. Additional discussion pertained to this item related to the condition of the building and the possibility of the city condemning that building as a public health hazard. At this time, it was moved by Fagot, seconded by Hawks to withdraw the special use

permit granted to Stephen Potter for a house at 909 N. Grant. Roll call. Voting "aye" were: Anderson, Hawks, Fagot, Wightman. Motion carried.

Prior to the consideration of the next three items, Mayor Wightman requested item number 11 be considered directly after item number 6. He further declared a conflict of interest and stated that he would not enter into the discussion or voting concerning these matters. At this time, Mayor Wightman relinquished control of the meeting to Vice-President Hawks. Vice-President Hawks stated that item number 11 be considered after item number 5 and 6 as requested.

PUBLIC HEARING:

The Lexington City Council held a public hearing to consider a request to rezone a mobile home court at 1901 Plum Creek Parkway from C-3 Highway Commercial to R-4 Mobile Home Zone. Mr. Jim Lauby addressed the Lexington City Council stating he is requesting a rezoning of his mobile home court to place it in proper zoning. Mr. Vance Bricker addressed the city council stating that this request had been channeled through the Planning Commission and there was no opposition from the Planning Commission concerning this request as it would make the zoning in this area conform to the actual use of this area. Hearing no further comments, Vice President Hawks declared the public hearing closed.

An ordinance entitled, "AN ORDINANCE TO REZONE A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 9 NORTH, RANGE 21 WEST OF THE 6TH P.M., IN THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA, FROM C-3 HIGHWAY COMMERCIAL TO R-4, MOBILE HOME DWELLING DISTRICT; TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; 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 first reading. Roll call. Voting "aye" were: Fagot, Anderson, Hawks. Motion carried.

**SPECIAL USE
PERMIT:**

The Lexington City Council held a public hearing to consider a request from Jim Lauby for a special use permit to expand his current mobile home court at 1901 Plum Creek Parkway. Mr. Lauby presented a drawing of his mobile home court and the part that would be extended. During the hearing, it was brought to the attention of the council that an extension of a road in a mobile home court would need to be a hard surface road as required by the Lexington City Code. Considerable discussion pertained to the surfacing of this road versus a rock and gravel base was considered during the public hearing with no remedy to the problem at hand and upon completion of the discussion, Vice President Hawks declared the public hearing closed. Additional discussion of the situation regarding the road was continued after the public hearing with questions to Bob Blankenship, representing Miller & Associates, if specifications could be drawn for the rocking of a road as opposed to the black topping or hard surfacing the road. Mr. Blankenship replied that he could have some specifications ready for the council at the next meeting. It was then moved by Fagot, seconded by Anderson to continue the public hearing until the first regular council meeting in March of 1995. Roll call. Voting "aye" were: Anderson, Fagot, Hawks. Motion carried.

**REQUEST TO EXTEND
SUBDIVISION
AGREEMENT:**

The Lexington City Council considered a request from Jeff Konen to remove the twelve (12) month clause from the subdivision agreement for K & K Subdivision. Mr. Vance Bricker explained to council that at the time the subdivision agreement was passed, the clause was placed in that agreement whereby the plat would be vacated after a 12 month

period if no development had occurred. He further stated that this had been extended once before and they are now asking for the removal of this clause. Moved by Fagot, seconded by Anderson to approve the removal of the twelve (12) month limit in the subdivision agreement for K & K Subdivision. Roll call. Voting "aye" were: Anderson, Fagot, Hawks. Motion carried.

**ONE AND SIX YEAR
ROAD PLAN:**

The Lexington City Council held a public hearing to consider the one and six year road plan. Mr. Bob Blankenship, representing Miller & Associates, addressed the Lexington City Council stating that there had been no changes in the one and six year road plan from the workshop held at the last regular council meeting held February 14, 1995. Mr. John Hines addressed the Lexington City Council questioning the entrance road to the military museum and how the rerouting of this road would affect that entrance. Mr. Vance Bricker explained to Mr. Hines in detail where the road would be rerouted and how it would enter the military museum. Hearing no further comments, Mayor Wightman declared the public hearing closed. Moved by Hawks, seconded by Anderson that the following resolution be passed and approved. Roll call. Voting "aye" were: Fagot, Anderson, Hawks, Wightman. Motion carried.

RESOLUTION NO. 95-03

RESOLUTION OF ADOPTION

BE IT RESOLVED by the Lexington City Council of Lexington, Nebraska that the attached one and six-year Street Improvement Programs are hereby adopted by said City Council. The said City Council attests that Notice of Public Hearing was posted in the following public places:

Lexington State Bank & Trust
Farmers State Bank & Trust
Lexington City Offices
Dawson County Court House

PASSED AND APPROVED this 28th day of February, 1995.

CITY OF LEXINGTON, NEBRASKA

Mayor

ATTEST:

City Clerk

MANUFACTURED HOMES

An ordinance entitled, "AN ORDINANCE TO AMEND SECTIONS 25-1, 25-2 AND 28-9 OF THE LEXINGTON CITY CODE; TO MAKE PROVISION FOR LOCATION OF MANUFACTURED HOMES; TO REPEAL ORIGINAL SECTION 25-1, 25-2, AND 28-9 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. Upon completion of the reading, moved by Hawks, seconded by Anderson that said ordinance be passed on final reading. Roll call. Voting "aye" were: Anderson, Fagot, Hawks, Wightman. Motion carried. The passage and adoption of said ordinance having been concurred by a majority of the Council, the President declared said ordinance b e 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. 2016 to be published in pamphlet form.

FINANCIAL STATEMENT:

The financial report for the City of Lexington including a budget recap was presented to the Lexington City Council by City Treasurer, Neldene Skwarek. Upon completion of the presentation, it was moved by Hawks, seconded by Anderson to approve the financial report for the City of Lexington for January, 1995. Roll call. Voting "aye" were: Fagot, Anderson, Hawks, Wightman. Motion carried.

YOUTH COMMITTEE:

Mr. John Fagot addressed the Lexington City Council stating that he had, at a meeting in Lincoln, been inspired to recommend a committee made up of youths from schools that would serve on an advisory

committee to the Lexington City Council concerning youth activities and possibly recreation programs for the city. He stated that this committee could help with the decisions by giving their input for the swimming pool and recreation programs and possibly other activities involving the youth thereby making it more desirable for the youth to participation in activities. It was the consensus of the council that this idea should be pursued further and presented at the next regular council meeting. No further action was taken at this time.

EXECUTIVE SESSION: Moved by Hawks, seconded by Anderson to recess the regular session to executive session at 8:37 p.m. to discuss the negotiation for sale of real estate owned by the City of Lexington. Roll call. Voting "aye" were: Fagot, Anderson, Hawks Wightman. Motion carried. Moved by Anderson, seconded by Hawks to reconvene the regular scheduled session from executive session at 8:49 p.m. Roll call. Voting "aye" were: Fagot, Hawks, Anderson, 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

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, March 14, 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 Clerk Leon E. Malzahn City Manager Bill Podraza and City Attorney Willard Weinhold. Department Heads present were: Vance Bricker, Charles Clark, Francine Canfield and Neldene Skwarek. Also present were: Dana Daniels and Bob Blankenship representing Miller and Associates, Jim Fox, Skip Wolf and Doug Goodwater representing Shearson's, DeEtta Hartman representing Dawson Area Development and Jim Lauby. The press was represented by the Kearney Hub, Lexington Publishing, and KRVN.

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
MEETING 02/28/95:**

The minutes of the regular council meeting held February 28, 1995 were presented for council's consideration and approval. Moved by Anderson, seconded by Fagot to approve the minutes of the regular meeting as presented. Roll call. Voting "aye" were: Long, Fagot, Anderson, Wightman. Motion carried.

CLAIMS AND BILLS:

Claims and Bills in the amount of \$542,523.09 were presented for Council's consideration and approval.

Moved by Long, seconded by Anderson to approve the claims and bills as listed and authorized the City Treasurer to transfer \$75,428.06 from the General Fund, \$421,844.49 from LEXUS Funds, \$10,000.00 from City Sanitation Fund, \$11,477.31 from the Landfill Fund, \$298.92 from Library Memorial, \$17,197.40 from the Health Fund, \$4,402.18 from Meals on Wheels and \$1,107.73 from CDBG 90-HD-010, and 767.00 from CDBG 85-ED-028 to the City of Lexington Operating Account. Roll call. Voting "aye" were: Fagot, Anderson, Long, Wightman. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
March 14, 1995

Ackerman, Thad	Meeting expense	62.50
AFLAC	Cancer insurance	110.38
AT & T	Service	77.71
AT & T	Service	44.35
Barmore's	Film processing, voltmeter	57.97
Baker & Taylor Co.	Book leasing	149.00
Bashlin Industries	Hot stick bag, disconnect stick, ratchet assembly	586.77
Berntson Oil	Diesel, gas, grease	2,343.72
Becker Fire Equipment Co.	Wrench, bulbs, hose	785.14
Brown, Harold	Tool allowance	50.00
Cash-Wa Distributing	Food, foil	442.32
Central Garage Fund	Gas, labor, parts, oil	6,572.53
Coast to Coast	Cleaning supplies	51.59
Country Magazine	Subscription	22.50
Conney Safety Products	Advil, first aid kits	121.89
Coca Cola/Dr. Pepper of Krny	Pop	26.85
Corporate Diversified Serv.	Life insurance - Fire Dept.	60.00
CBSA	Insurance claims	2,974.94
CBSA	Reinsurance	13,945.83
Compu Soft	Computer software	56.88
Culligan Water Conditioning	Serviec - WWTP	30.00
Dawson Co. Register of Deeds	Filing fees	11.00
Dawson Co Clerk	Dispatch services - March	3,917.33
Dan's Sanitation	Service	10,194.00
DAS Central Stores	Motor Vehicle Law books	66.04
DEMCO	Tape, polyfit	40.55
Donna's Cafe	Meals on Wheels	655.11
Dutton Lainson Co.	Loadbreak elbow	1,249.74

Egan Supply Co.	Cleaning supplies, mat	392.05
Electric Fixture	Electric Supplies	1,558.13
Emery Pratt Co.	Books	14.05
Fairbanks International	Parts	65.61
Family Eyewear	Safety glasses	112.25
Fagot Refrigeration	Well repair	270.69
Farm Plan Corp.	Chain link, filter element	164.16
Fischer Scientific	Cylinders, chemicals	284.27
Five Star Flooring	Glue, remnant	17.99
Fox Bros. Hay Co.	Grinding	1,800.00
Gillette/NE Dairies	Dairy products	207.82
Hipp Wholesale	Food, trays, bags	744.66
Holiday Inn	Room - Haines	102.00
I.C.M.A.	City Mgr. pension	133.85
Int. Assoc. of Elec. Inspec.	Family dwelling book	21.75
International Paper Co.	Poles	75.16
Ingram Library Service	Books	370.06
Interstate Structure Inc.	Pay estimate #5	3,375.00
International Transformer Co.	Transformers	1,135.78
Jones Plumbing	Plumbing parts	27.92
K N Energy	Service	1,640.40
Kriz Davis co.	Supplies	5,031.12
Lexington Animal Clinic	Service	242.70
Lex Area Chamber of Commerce	Mtg. expense	4.25
Lexington Coop	Snow pusher	17.98
Lexington Laundry	Service	36.00
Lexington Postmaster	Postage	1,500.00
Lexington Public Library	Postage, coffee	58.99
Lexington Public School	Duplex charges - 2/95	1,107.73
Lexington Newspaper	Service	549.22
City of Lexington	Franchise fee, Misc. charge	24,940.75
Lexington Postmaster	Newsletter postage - GGC	80.00
City of Lexington	Landfill charges	80.00
Lieh's Drilling	Landfill wells	1,198.20
Loos Electric Supply Co.	Bulbs, voltage transformer	1,558.11
Luther, Ann	Mileage	49.50
Malzahn, Leon	Gas	16.01
May, Sue	Service - February	200.00
MCI	Service	169.78
Mead/Big Valley	Plywood	127.90
Meyer Welding	Repair manhole lid	8.00
Meridian Library Service	Class registration	40.00
Midway Supply	Machine bolts, gasket, light	160.80
Miller & Assoc.	Service	1,850.00
	Landfill	2,372.35
	New Landfill	435.75

	13 Street Project	9,096.37
Morris Press	Paper, tape, supplies	70.53
Morry's Body Shop	Repair radiator	30.00
Mr. Automotive	Spark plug, filter	46.19
Municipal Supply	Meters, gasket, wire, clamp	643.36
Nebraska Machinery	Loader payments	2,646.00
Nebraskaland Magazine	Subscription	14.00
Nebraska Dept. of Revenue	Sales tax - February	18,701.15
Nebraska Mun. Power Pool	Registration - Podraza	60.00
Nebraska Public Power	Power bill, training	328,012.77
Nebraska Safety Council	Membership dues	100.00
State of Nebraska	Swim Pool Permit	3.00
Nebraskaland Conf of Bldg	Registration - Nelson	65.00
Nebraska Cellular	Service	66.90
Nebr. Dept of Health	Class - Tom Nelson	130.00
O K Tire	Alignment, tire repair, tires	331.35
Old Dominion Brush	Gutter broom	605.00
Omaha World Herald	Subscription	104.00
Payroll Account	2/15 - 2/28/95	58,155.34
Paulsen Development	Pay Est #3	2,007.35
Paulsen Bldg. & Supply	Concrete	1,271.55
Patty's Hallmark	Supplies	1.76
Petty Cash	Misc expense	205.37
Platte Valley Auto Mart	Swag bar, repairs to Unit 71	168.49
Platte Valley Communication	Maint. agreement, radio battery	240.00
Platte Valley Exterminating Service		20.00
Podraza, Bill	Mtg. expense	211.13
Protective Life Insurance	Cancer insurance	166.25
Quill Corporation	Fax paper	37.59
Reach Electronics	Pager repair	54.98
Roper's Radiator Service	Radiator repair	15.00
Schnieber Fine Food	Strainer, food	230.33
Sixth Street Market	Food, UPS	86.95
Social Security Fund	2/15 - 2/28/95	4,358.97
S & W Auto Parts	Auto Supplies	434.55
The Travelers	Pension	1,778.13
The Travelers	Police pension	776.28
Unisys Corporation	Maint. agreement	1,266.00
U S West Communication	Service	1,628.72
Utility Equipment	Couplings	199.57
Virtual Technology	Processor, keyboard	567.00
Wal-Mart	Misc. Supplies	145.89
Wattier, Darryl	Lineman School	214.78
Waterpro	Handyhorns	286.23
WESCO	Supplies	5,847.80
Weber & Weinhold	Service	1,996.50

Wheeler's

Misc. Supplies

222.58

TOTAL

542,523.09

**G.O. ANTICIPATION
NOTES:**

Mr. Jim Fox, representing Shearson Lehman, addressed the Lexington City Council stating that the bond issue before the council for this evening would be to pay for the general obligation part of the 13th Street project. He further stated that upon completion of this project, these notes would be converted to long term bonds. Mr. Fox also stated that the first six months interest on these bonds had been capitalized in the principal amount. This being the end of his presentation,

Whereupon, Council member Anderson introduced Ordinance No. 2017 entitled: "AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES OF THE CITY OF LEXINGTON, NEBRASKA, IN THE PRINCIPAL AMOUNT OF ONE MILLION ONE HUNDRED NINETY THOUSAND DOLLARS (\$1,190,000) FOR THE PURPOSE OF PROVIDING INTERIM FINANCING FOR THE COSTS OF CONSTRUCTING STREET IMPROVEMENTS IN STREET IMPROVEMENT DISTRICT NO. 94-03, AND STORM SEWER IMPROVEMENTS IN STORM SEWER DISTRICT NO. 94-04 OF SAID CITY PENDING THE ISSUANCE OF PERMANENT GENERAL OBLIGATION VARIOUS PURPOSE BONDS OF THE CITY; PRESCRIBING THE FORM OF SAID NOTES; AGREEING TO ISSUE THE CITY'S GENERAL OBLIGATION VARIOUS PURPOSE BONDS TO PAY THE NOTES AT MATURITY OR TO PAY THE NOTES FROM OTHER AVAILABLE FUNDS; ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE HOLDERS OF SAID NOTES; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM."

Said Ordinance was fully and distinctly read, and by motion of Council member Anderson, seconded by Council member Long, it was designated as Ordinance No. 2017 and the title thereof was approved. The roll was called on the passage of said motion and the following voted "AYE": Fagot, Long,

Anderson, Wightman. The following voted "NAY":
None.

Council member Anderson moved that the statutory rule requiring ordinances to be fully and distinctly read on three different days be suspended, seconded by Council member Long. The roll was called and the following voted "AYE": Fagot, Long, Anderson, Wightman; "NAY": None. The motion to suspend the statutory rule having been concurred in by three-fourths of all members of the Council was declared passed and adopted.

Whereupon Ordinance No. 2017 was read by title and thereafter Council member Long moved for final passage of said Ordinance. Council member seconded the motion. The Mayor stated: "The question is, shall Ordinance No. 2017 be passed and adopted?" The roll was called and the following voted "AYE": Fagot, Anderson, Long, Wightman. The following voted "NAY": None.

The passage and adoption of said Ordinance having been concurred with by a majority of all members elected to the Council, was by the Mayor declared passed and adopted, and the Mayor, in the presence of the Council, signed and approved said Ordinance, and the Clerk attested the passage and approval of the same and affixed the seal of the City thereto.

A true and complete copy of said Ordinance No. 2017 is attached hereto.

City Clerk of
Lexington, Nebraska

**REVENUE
ANTICIPATION**

Mr. Jim Fox addressed the Lexington City Council stating that these revenue anticipation bonds in

BONDS:

the amount of \$775,000.00 are being issued as interim financing for the utilities part of the 13th Street project and purchase of the service area snnexed form Dawson Public Power. These bonds are issued like the G.O. Bonds, with interest capitalized in these bonds. Upon completion of his presentation,

Whereupon, Council member Fagot introduced Ordinance No. 2018 entitled: "AN ORDINANCE OF THE CITY OF LEXINGTON, NEBRASKA, AUTHORIZING THE ISSUANCE AND SALE OF COMBINED UTILITIES REVENUE BOND ANTICIPATION NOTES OF THE CITY OF LEXINGTON, NEBRASKA, IN THE PRINCIPAL AMOUNT OF SEVEN HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$775,000), FOR THE PURPOSE OF PROVIDING INTERIM FINANCING FOR THE COST OF EXTENDING, ENLARGING AND IMPROVING THE CITY'S SEWAGE DISPOSAL PLANT AND SYSTEM, WATERWORKS PLANT AND SYSTEM AND ELECTRICAL LIGHT AND POWER PLANT AND DISTRIBUTION SYSTEM PENDING THE ISSUANCE OF PERMANENT COMBINED REVENUE BONDS; PRESCRIBING THE FORM OF SAID NOTES; AGREEING TO ISSUE THE CITY'S COMBINED REVENUE BONDS TO PAY THE NOTES AT MATURITY OR TO PAY THE NOTES FROM OTHER AVAILABLE FUNDS; ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE HOLDERS OF SAID NOTES; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM."

Said Ordinance was fully and distinctly read, and by motion of Council member Fagot, seconded by Council member Anderson it was designated as Ordinance No. 2018 and the title thereof was approved. The roll was called on the passage of said motion and the following voted "AYE": Long, Anderson, Fagot, Wightman. The following voted "NAY": None.

Council member Anderson moved that the statutory rule requiring ordinances to be fully and distinctly read on three different days be suspended, seconded by

Council member Long. The roll was called and the following voted "AYE": Fagot, Long, Anderson, Wightman; "NAY": None. The motion to suspend the statutory rule having been concurred in by three-fourths of all members of the Council was declared passed and adopted.

Whereupon Ordinance No. 2018 was read by title and thereafter Council member Anderson moved for final passage of said Ordinance. Council member seconded the motion. The Mayor stated: "The question is, shall Ordinance No. 2018 be passed and adopted?" The roll was called and the following voted "AYE": Fagot, Long, Anderson, Wightman. The following voted "NAY": None.

The passage and adoption of said Ordinance having been concurred with by a majority of all members elected to the Council, was by the Mayor declared passed and adopted, and the Mayor, in the presence of the Council, signed and approved said Ordinance, and the Clerk attested the passage and approval of the same affixed the seal of the City thereto.

A true and complete copy of said Ordinance No. 2018 is attached hereto.

City Clerk of
Lexington, Nebraska

**DAWSON AREA
DEVELOPMENT:**

Ms. DeEtta Hartman, representing Dawson Area Development, presented a report to the Lexington City Council highlighting the expansion of the existing business recruitment, tourism, aid with start-up businesses, legislative activities, leadership class, consolidation committee and general activities for the past six months. Upon completion of her report, the Lexington City Council thanked her for appearing before them with her report. No action was taken.

**CONTINUATION OF
LAUBY PUBLIC
HEARING:**

Prior to the continuation of this public hearing, Councilman Wightman stated that he would disqualify himself from entering into the discussion or voting on this matter and therefor relinquished control of this meeting to Councilperson Anderson. Councilperson

Anderson opened the public hearing. Mr. Jim Lauby addressed the Lexington City Council reviewing a memo he had prepared stating standards to be used when constructing the road in the trailer park. At this time, City Manager Podraza addressed the council stating that if Miller & Associates were to develop specifications for a gravel or white rock road as proposed by Jim Lauby, the cost of this road would well exceed or match that of the hard surface road as Miller & Associates have certain standards which they must comply with. Upon completion of this discussion, the public hearing was closed. Moved by Fagot, seconded by Long to issue a special use permit to Jim Lauby for the expansion of his trailer court and allowing him to construct a gravel and white road according to the specifications presented at this meeting. Roll call. Voting "aye" were: Long, Fagot, Anderson. Motion carried.

ZONING ORDINANCE

An ordinance entitled, "AN ORDINANCE TO REZONE A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 9 NORTH, RANGE 21 WEST OF THE 6TH P.M., IN THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA, FROM C-3 HIGHWAY COMMERCIAL TO R-4, MOBILE HOME DWELLING DISTRICT; TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM." was read before the council to be considered on second reading. Moved by Fagot, seconded by Long that said ordinance be passed on second reading. Roll call. Voting "aye" were: Long, Fagot, Anderson. Motion carried.

At this time, control of the meeting was returned to Mayor John Wightman.

LIBRARY COMPUTER GRANT:

Ms. Francine Canfield addressed the Lexington City Council requesting application for a grant from LSCA Title II for computers at the Lexington Library. Ms. Canfield reviewed the application which would be submitted stating that the total project expenditures are estimated to be \$15,235 with \$7,500 being supplied from the grant and \$7,735 from the City of

Lexington. This money would be used for \$1,500 in building repair, \$700 for staff development, \$4,035 for capital and \$1,500 for software. Upon completion of her presentation, moved by Anderson, seconded by Fagot to authorize the City of Lexington to apply for a grant for a computer, hardware and software at the library. Roll call. Voting "aye" were: Long, Fagot, Anderson, Wightman. Motion carried.

**JUNK CAR
ORDINANCE:**

The Lexington City Council reviewed an ordinance pertaining to the removal of junk cars in the City of Lexington. An indepth discussion was held concerning the ownership of the cars and the rotation used for establishments in the business of towing vehicles, how a title is obtained for these vehicles and later on, the vehicles being destroyed or salvaged. Upon completion of the discussion, an ordinance entitled, "AN ORDINANCE TO AMEND SECTIONS 18-2, 18-2.1, AND 16-91 OF THE LEXINGTON CITY CODE; TO DEFINE UNLICENSED MOTOR VEHICLES AS A NUISANCE, AND TO PROVIDE FOR REMOVAL OF SAID VEHICLES FROM PRIVATE PROPERTY; TO REPEAL ORIGINAL SECTIONS 18-2, 18-2.1, AND 16-91, 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 and approve don first reading. Roll call. Voting "aye" were: Fagot, Anderson, Wightman. Voting "nay" was: Long. Motion carried.

**PAY ESTIMATE
FILLMORE ST.:**

Mr. Bob Blankenship, representing Miller and Associates, addressed the Lexington City Council with a pay estimate to Paulsen Development of Lexington, Nebraska in the amount of \$2,007.35. Upon review of the pay estimate and the question concerning the amount of retainage, moved by Anderson, seconded by Long to approve the pay estimate to Paulsen Development of Lexington, Nebraska in the amount of \$2,007.35 for construction on Fillmore Street. Roll call. Voting "aye" were: Fagot, Long, Anderson, Wightman. Motion carried.

EXECUTIVE SESSION: Moved by Long, seconded by Fagot to recess the regular session to executive session at 9:20 p.m. to consider negotiations for the sale of city property. Roll call. Voting "aye" were: Anderson, Fagot, Long, Wightman. Motion carried. Moved by Fagot, seconded by Anderson to reconvene the regular session from executive session at 9:30 p.m. Roll call. Voting "aye" were: Long, Anderson, Fagot, 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

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, March 28, 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, Robert Hawks, Dorothy Anderson, and John Fagot. Councilman Jerry Long was absent. City Officials present were: City Clerk Leon E. Malzahn, City Manager Bill Podraza and City Attorney Willard Weinhold. Department Heads present were: Charles Clark and Neldene Skwarek. Also present were: Bob Blankenship representing Miller and Associates and Todd McKeone. The press was represented by the Kearney Hub, Clipper Herald, Tri-City Tribune and KRVN.

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
MEETING 03/14/95:**

The minutes of the regular council meeting held March 14, 1995 were presented for council's consideration and approval. Moved by Anderson, seconded by Fagot to approve the minutes of the regular meeting as presented. Roll call. Voting "aye" were: Hawks, Fagot, Anderson, Wightman. Motion carried.

CLAIMS AND BILLS:

Claims and Bills in the amount of \$205,721.07 were presented for Council's consideration and approval. Moved by Hawks, seconded by Fagot to approve the claims and bills as listed and authorized the City

Treasurer to transfer \$69,144.04 from the General Fund, \$106,388.58 from LEXUS Funds, \$9,425.75 from City Sanitation Fund, \$3,664.17 from the Landfill Fund, \$128.57 from Library Memorial, \$9,922.74 from the Health Fund, \$6,572.50 from Meals on Wheels, \$122.90 from CDBG 90-HD-010, and \$351.82 from Lexington CED to the City of Lexington Operating Account. Roll call. Voting "aye" were: Anderson, Fagot, Hawks, Wightman. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
March 28, 1995

AT & T	Service	60.13
Barmore's	Film	20.93
Barrett-Housel-Grafton	Clerk bond	60.00
Berntson Oil	Diesel, gas, oil	2,466.05
Bishop, Pete	Meeting expense	32.50
Bricker, Vance	Meeting expense	42.35
B & P Credit Management	Service	155.53
Cash-Wa Distributing	Food, napkins, towels	604.47
C.J. Small Engine Repair	Starter ropes	21.00
Central Garage Fund	Labor, oil, parts	3,401.25
Century Lumber Center	Lumber for backboards - Fire	219.83
Coast to Coast	Hog rings, screws, WD40	14.94
CBSA	Insurance claims	2,743.94
CBSA	Health & Life insurance	6,575.94
Contractors Machinery Inc.	Cable, cylinder, clamp	354.43
C & S Salvage	Diaphram	3.93
Dawson Co. Judge	Dismissed cases	5.00
Dawson Co. Public Power	Service	2,134.36
Dawson Co. Register of Deeds	Filing fee	17.00
Daberkow, Lauren	Electric rebate	41.25
Dan's Sanitation	Service	9,425.75
Donna's Cafe	MOW	727.94
Eake's Office	Toner, ink cartridges	108.20
Electric Fixture	Electric Supplies	2,637.47
Electric Meter Service	Clean & Test Meter	13.20
Emery Pratt Co.	Exec. guide to Employment	19.31
Fairbanks International	Pin, piston, ring, valve	75.19
Farm Plan Corp.	Bolts, belt, bearing	34.83
GE Capital	Copier lease	308.19
Gillette/NE Dairies	Food, dairy products	125.31
Green, Jeff	Radar set	500.00

Hipp Wholesale Co.	Food, aprons, foil, trays	638.47
Holtz, Marcia	Meeting expense	33.55
I.C.M.A.	City Mgr. Pension	133.85
Ingram Library Service	Books	353.74
International Transformer	Transformer	1,060.00
Jones Plumbing & Heating	PVC, Glue, couplings	188.05
K N Energy	Service	592.84
Kriz-Davis Co.	Misc. Supplies	5,954.10
Larson, James	Electric rebate	816.00
Lex Area Chamber of Commerce	CED Expenses	351.82
Lexington Health Fund	Side fund	11,489.94
Lexington Communications	Repair mic	12.50
Lexington Coop	Kitchen bags	14.98
Lexington Public Library	Erasers	1.50
LEXUS	Service	20,851.68
City of Lexington	Franchise fee	20,658.44
Loos Electric Supply	Trinetics relay	1,267.34
Malzahn, Leon	Meeting expense	133.35
Mead/Big Valley Lumber	Plugs, fiberglass ladder	383.84
Meyer Welding	Steel	14.00
Midway Supply	Misc. Supplies	412.05
Midland Area Agen. of Aging	Registration	30.00
Morris Press	Binder clips	4.63
Larry Moomey	Electric rebate	52.00
Municipal Supply	Misc. Supplies	613.81
Nebraska Library Comm.	OCLC Charges	33.61
NE Municipal Power Pool	Registration	170.00
NE Dept. of Health	Water tests	7,656.10
New World Inn	Room - Lapoint	87.00
Nightingale-Conant Corp.	Book	44.71
OK Tire	Tire repair, alignment	34.95
Overton Sand & Gravel	Concrete, gravel	229.50
Payroll Account	3/1 - 3/14/95	61,695.11
Patty's Hallmark	Legal pads, post it notes	40.89
PC Computing	Subscription	14.97
Pitney-Bowes	Software, meter rent, ink	425.32
Podraza, Bill	Meeting expense	112.88
Pitney Bowes	Lease - Postage machine	135.00
Precision Bearing Industries	Roller bearings	46.95
Price's Tree Service	Snow removal	315.00
Prentice Hall	Managers script book	48.70
Quality Books	Books, card sets	24.45
R & W Investments	Electric rebates	9,835.00
Sav A Lot	Supplies	64.13
Schnieber Fine Foods	Food, & Supplies	858.31
Seamax	Pump	2,110.47

Sixth Street Market	Food, pop, UPS	89.56
Skarshaug Testing	Clean & test gloves	86.44
Skwarek, Neldene	Meeting expense	51.50
Social Security Fund	3/1 - 3/14/95	4,629.82
Steuben, Wanda	Electric rebate	30.00
S & W Auto Part	Auto Supplies	574.31
Michael Todd & Co.	Traffic Signs	546.76
Tri County Hospital	Lab tests	200.00
The Travelers	Pension	1,843.83
The Travelers	Police pension	777.83
Utility Equipment	Hose nozzle	651.77
Valentino's	Meeting expense	10.39
Video Store Services	Insta seal	26.07
Wal-Mart	Refrigerator, & Misc.	365.81
Wesco Distribution	Misc. Supplies	5,379.03
Wheeler's	Misc. Supplies	102.22
CBSA	Reinsurance claims	7,178.80
Diesel Power Equipment	Hose	181.18
	TOTAL	205,721.07

**REZONING
ORDINANCE:**

An ordinance entitled, "AN ORDINANCE TO REZONE A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 9 NORTH, RANGE 21 WEST OF THE 6TH P.M., IN THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA, FROM C-3 HIGHWAY COMMERCIAL TO R-4, MOBILE HOME DWELLING DISTRICT; TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM." was read before the council. Moved by Hawks, seconded by Fagot that Ordinance No. 2019 be passed on final reading. Roll call. Voting "aye" were: Fagot, Anderson, Hawks, Wightman. 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. 2019 to be published in pamphlet form.

HAVEN HOUSE GRANT: Mr. Todd McKeone addressed the Lexington City Council with a request for the city to apply for a grant for the operation of Haven House. Mr. McKeone stated that the last grant the Haven House had received was three years ago and is in need of financial assistance at this time. He further stated that Haven House would apply for this grant on their own, however, the grant must be submitted by a governmental organization and is a pass through grant which will be administered by the city for which the city would receive a sum of \$1,000 for this service. Speaking to the operation of Haven House, Mr. McKeone stated that the occupancy of this house is changing from a single male type service to family service. Upon completion of this presentation, moved by Hawks, seconded by Anderson to authorize City Administration to apply for a grant on behalf of Haven House. Roll call. Voting "aye" were: Fagot, Anderson, Hawks, Wightman. Motion carried.

TREASURER'S REPORT:

Neldene Skwarek presented the Treasurer's Report for the month of February, 1994. Upon completion of the report, moved by Hawks, seconded by Fagot to accept the Treasurer's Report for February, 1994. Roll call. Voting "aye" were: Anderson, Fagot, Hawks, Wightman. Motion carried.

SPECIAL MEETING:

The Lexington City Council discussed a time and date to hold a special meeting to discuss the bond elections for the use of the one-half percent sales tax either for the schools and/or the aquatic center. It was decided to have the special meeting April 10, 1995 at 4:30 p.m. with the regular meeting being held at the Grand Generation Center on April 11, 1995 at 7:30 p.m.

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

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Special Meeting of the Lexington City Council was held Monday, April 10, 1995, at the Lexington Municipal Offices, 406 East 7th Street, Lexington, Nebraska, at 4:30 P.M. Members of the City Council present were: Mayor John Wightman, Robert Hawks, Dorothy Anderson, and John Fagot and Jerry Long. City Officials present were: Deputy City Clerk Neldene Skwarek and City Manager Bill Podraza. Department Heads present were: Vance Bricker and Glenn Hawks. Also present were: Dana Daniels, representing Miller and Associates, Carolyn Fairbanks, Jo Keim, Robin Schultz, Roger Reutlinger and Gail Hall. The press was represented by the Tri-City Tribune and KRVN.

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.

**OPEN FORUM
AQUATIC CENTER:** Carolyn Fairbanks reviewed the site plan for the family aquatic center with the Lexington City Council. Mrs. Fairbanks pointed out that the plan provides for two separate pools. The first being the zero depth pool. This pool would start with a zero depth and progress into 3.5 feet depth. The zero depth pool would contain a water slide and eliminate a separate baby pool. The second pool would consist of the swimming lanes and the diving well. The diving well area would contain one diving board and a drop slide. Other areas included in the family aquatic center are the concession stand, which would provide more than candy bars and soda for the users, a sand volleyball

court and a wet sand play area for the children with a wash off station. The concession stand would be designed so that softballers and others in the park would be able to use the facility. Mrs. Fairbanks also stated that the site of the old swimming pool would be a parking lot and provide parking for 273 cars.

City Manager Bill Podraza addressed the Lexington City Council stating that if 4.3 million were bonded for 20 to 25 years at 6% interest for the construction of the aquatic center and for parts of the school, debt payments would be approximately \$376,000 annually. He proposed that the resolution be set up with 1.8 million bonded for the aquatic center and 2.5 million for the school. This would be approximately a 40/60 split. Further discussion pertaining to the financing indicated that the foundation group could donate money for the construction of the aquatic center and there would be some build up of the 1/2 cent sales tax to be applied to the construction costs.

Other concerns of the Council that were discussed were the increase in operating costs, staffing and revenues. No further action was taken.

ADJOURNMENT:

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

John Wightman
Council President

Neldene Skwarek
Lexington 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.

Neldene Skwarek
Lexington Deputy City Clerk

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Regular Meeting of the Lexington City Council was held Tuesday, April 11, 1995, at the Grand Generation Center, 407 East 6th Street, Lexington, Nebraska, at 7:30 P.M. Members of the City Council present were: Mayor John Wightman, Robert Hawks, Dorothy Anderson, John Fagot and Jerry Long. City Officials present were: Deputy City Clerk Neldene Skwarek, City Manager Bill Podraza and City Attorney Will Weinhold. Department Heads present were: Vance Bricker and Glenn Hawks. Also present were: Dana Daniels, representing Miller and Associates, Jim Fox, Richard Peterson. and Skip Wolf, representing Smith Barney, Lexington School Board Members, Carolyn Fairbanks, Jeff Richardson, Wes Lubberstedt and others with an interest in the agenda items. The press was represented by the Lexington Clipper Herald, the Tri-City Tribune, the Kearney Hub and KRVN.

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 MEETING 03/28/95: The minutes of the regular council meeting held March 28, 1995 were presented for Council's consideration and approval. Moved by Hawks, seconded by Fagot, to approve the minutes of the regular meeting as presented. Roll call. Voting "aye" were: Anderson, Long, Fagot, Hawks, Wightman. Motion carried.

MINUTES SPECIAL The minutes of the special council meeting held

MEETING 04/10/95:

April 10, 1995 were presented for Council's consideration and approval. Moved by Fagot, seconded by Hawks, to approve the minutes of the regular meeting as presented. Roll call. Voting "aye" were: Long, Anderson, Hawks, Fagot, Wightman. Motion carried.

CLAIMS AND BILLS:

Claims and Bills in the amount of \$710,398.38 were presented for Council's consideration and approval. Moved by Fagot, seconded by Anderson, to approve the claims and bills as listed and authorized the City Treasurer to transfer \$194,409.45 from the General Fund, \$473,269.32 from LEXUS Funds, \$10,000.00 from City Sanitation Fund, \$11,819.26 from the Landfill Fund, \$530.53 from Library Memorial, \$15,113.01 from the Health Fund, \$5,227.31 from Meals on Wheels, and \$29.50 from CDBG 90-HD-010, to the Lexington Operating Account. Roll call. Voting "aye" were: Long, Hawks, Anderson, Fagot, Wightman. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
April 11, 1995

Automatic Systems	Annual service charge	2,120.00
AT & T	Service	41.58
AT & T	Service	52.23
AT & T	Service	29.94
Barmore's	Film	5.54
Berntson Oil	Diesel, gas, oil	1,917.66
Bricker, Vance	Meeting expense	29.50
BSB	Haul & stockpile dirt	5,000.00
Cash-Wa	Food, gloves	411.40
Canfield, Francine	Postage, dry markers	41.28
Central Garage	Labor, parts, oil	8,130.95
Century Laboratories	Wood handle	16.68
Century Lumber	Lumber, washers, door closures	439.13
Coast to Coast	Chain saw repair, Misc. Supplies	31.07
The Cornhusker	Meeting expense	1,109.29
Computer Pros	Network connection - Police	90.00
Corp. Diversified Service	Life insurance - Fire	60.00
CBSA	Insurance claims	11,779.04
CBSA	Reinsurance claim - Barnes	1,516.71
Cozad Service	Remove freon, service	81.00
Curtis Industries	Round washer	109.08

Culligan Water Conditioning	Service	50.25
Dawson County Clerk	Dispatch service	3,917.33
DEMCO	Laminate, cards	142.66
Diamond Vogel Paint	Paint - Street, Pool	3,644.20
D & M Security	Police connection	90.00
Dutton - Lanson Co.	Misc. Supplies	2,981.19
Dugan Business Forms	Misc. Forms and Bills	2,717.34
Eake's Office	Copier rent	155.92
Egan Supply Co.	Cleaning supplies	230.46
Electric Fixture	Electric Supplies	542.37
Emery Pratt Co.	Books	69.12
Fairbanks International	Bolts, post hole digger, disk	2,423.29
Fagot Refrigeration	Check compressor	25.00
Farm & Ranch Service	Grass seed	49.20
Farm & Home Publishers	Book	26.50
Farm Plan Corp.	Switch	9.65
Fox Bros. Hay Co.	Grinding	1,766.65
Fremont National Bank	Bond payment	43,007.50
Gary's Implement	Used connector rods	144.35
Gall's Inc.	Latex gloves	70.87
Gillette/NE Dairies	Dairy products	111.97
Grey House Publishing	Book	123.50
Halmar Robicon Group	Circuit board	205.23
Hipp Wholesale Co.	Food, trays, cups	1,067.15
Hofaker's Iron	Handles	21.25
Interstate Holiday Inn	Room - Bricker	92.40
Holiday Inn	Room - Malzahn	81.34
Holmes Plumbing	Coupling	35.12
HTM Sales Inc.	Float switch cables	340.24
Husker Electric	Blackburn elbow	76.16
I.C.M.A.	City Mgr. pension	133.85
Insurance & Personnel Serv.	125 Admin Fees	546.48
Int. Conference of Bldg.	UBC Code Book	23.30
Ingram Library Service	Books	97.74
Interstate Structure	Pay est. #6 - Service Bldg	27,514.80
Jones Plumbing	Parts	118.92
Kids Discover	Subscription	17.95
K & K Chemical	Lift station cleaner	139.70
K N Energy	Service	2,044.80
Kriz - Davis co.	Misc. Supplies	19,575.44
League of NE Municipalities	Registration	405.00
Lexington Animal Clinic	Service	165.15
Lex Area Chamber of Commerce	Comcor bulletin	400.00
Lexington Coop	Fertilizer	158.20
Lexington Postmaster	Postage	1,500.00
Lexington Public Library	Postage, subscription	70.59

Lexington Newspaper	Service	411.64
Lexington Truck & Auto	Brake booster, drive shaft	192.69
City of Lexington	Franchise fee, Misc. charges	24,812.06
Lexington State Bank	Printed checks	127.15
Lexington Postmaster	Newsletter postage - GGC	80.00
City of Lexington	Landfill	116.00
May, Sue	Service	200.00
Mead/Big Valley	Misc. Supplies	265.31
Midway Supply	Misc. Supplies	193.22
Miller & Associates	Service - March	1,850.00
Mikes Pharmacy	Film processing	9.74
Morris Press	Misc. Supplies	293.23
Mr. Automotive	Auto Supplies	241.79
Municipal Supply	Parts	20.42
Nebraska Machinery	Loader payments	2,646.00
Nebraska Dept. of Revenue	Sales tax - March	20,176.73
State of Nebraska	Water analysis, testing	926.10
NE. State Historical Soc.	Microfilm	350.00
NE Assoc. of Sr. Centers	Dues - Luther	15.00
Nebraska Cellular	Service	89.57
NIMLO	Membership - Weinhold	362.00
Olsson Associates	IBP Rate Data	240.62
Old Dominion Brush	Suspension cable	30.66
Overton Sand & Gravel	Gravel, sand	291.00
Payroll Account	3/15 - 3/28/95	58,607.88
Paulsen Development	Pay est #4 - Fillmore St.	55,349.41
Paulsen Bldg. & Supply	Concrete, mud rock	1,232.37
Patty's Hallmark	Misc. Supplies	356.76
Platte Valley Communication	Install equipment, Maint.	435.60
Plum Creek Promotions	Flag repair, hat	18.50
Podraza, Bill	Meeting expense	123.88
Prentice Hall	Book	37.04
Protective Life Insurance	Cancer insurance	39.96
Quality Books Inc.	Tape	18.35
Schnieber Fine Foods	Food, towels, liners, cleaner	1,056.89
Service Supply	Couplings	35.74
Seamax	Rod end	36.79
Sixth Street	Food, coffee	63.65
Social Security Fund	3/15 - 3/28/95	4,393.63
S & W Auto Parts	Auto Supplies	625.26
Texaco Inc.	Fuel	11.72
The Travelers	Pension	1,811.83
The Travelers	Police pension	744.64
Unisys Corp.	Maint. agreement	1,266.00
US West Communication	Service	1,603.75
Utility Equipment	Valve kit, repair clamps	120.79

Valley Bargain Barn	Platform wood	88.80
Viking Office Products	Ribbons, adding tape	39.62
Vondras Construction	Install door	67.50
Wal-Mart	Misc. Supplies	316.91
Waterpro	Couplings, meter	819.34
WESCO	Misc. Supplies	1,962.07
Weber & Weinhold	Service	1,357.50
Wheeler's	Misc. Supplies	236.90
Wolverine Sports	Whistles, megaphone	202.11
Mead/Big Valley	Fence	20,553.09
CBSA	Insurance claims	1,230.82
Dan's Sanitation	Service	10,000.00
Donna's Cafe	Service	741.67
NPPD	Power bill - March	340,543.66
Petty Cash	Misc. Expenses	164.81
	TOTAL	710,398.38

**JOINT MEETING
BOND ISSUES:**

Mayor John Wightman addressed the members of the Lexington City Council and of the Lexington School Board stating that the citizens of the community voted in November for the approval of an additional 1/2 cent sales tax to be used for funding of a new city pool and help with the school facility. The revenues from this 1/2 cent sales tax could support a 4.3 million bond issue of which 1.8 would be designated for the aquatic center and 2.5 million for the school's use. The funding for the school could be used for the purchase of the middle school gym, renovation of the auditorium, cafeteria, the new high school gym and parking facilities. Mayor Wightman also stated that the 2.5 million would be split according to the size of the school bond issue which would be 62% for the middle school and 38% for the high school.

An item discussed was how the value of the middle school gym would be determined if the City were to purchase it with bond proceeds. Mr. Richard Peterson responded that the probable method to be used would be appraisal based on depreciated replacement cost. Another concern addressed was what happens if the sales tax bond issue fails. Mr. Jim Doyle stated that if the sales tax bond did not pass then it would be impossible for the school to do the entire project. If the high school bond passed and

the sales tax use passed then you would continue with the high school project and like wise with the middle school so the real key is the sales tax use bond issue.

It was also addressed to the Council and the School Board that if a joint entity is formed then there would be joint ownership of the property. If there is joint ownership, then the facility would have to be available for public use, the entities would share the facilities. This is done many times in political subdivisions to share resources for economical reasons. The main function of this group would be to determine how this is going to be used and who is going to maintain it. Another idea discussed was entering into a 25 year contract which would ensure all the going ons and then using this board as an oversight committee to make sure that the contract was being enacted.

Other discussion pertained to the foundation's contributions. Some of the proceeds would be bonded in with the City's sale tax use bond issue as many of the donations would not be collected up front.

Councilperson Hawks moved that the concept of an interlocal agency agreement between the City and the Schools be adopted and that the two entities meet to work out an agreement for presentation for final approval at the April 25th meeting. Seconded by Fagot. Roll call. Voting "aye" were Anderson, Long, Fagot, Hawks and Wightman. Motion carried.

Councilperson Fagot moved that 2.7 million be bonded for the schools with 2.5 million from sales tax and to be split 62% of the middle school and 38% for the high school and the \$200,000 for the auditorium. Seconded by Hawks. Voting "aye" were Long, Anderson, Hawks, Fagot and Wightman. Motion carried.

**WAIVER OF
OBJECTION:**

Mr. Vance Bricker presented to the Lexington City Council a waiver of objection for a lot split at 510 West 7th Street which has two residents on one piece of property and in order to sell these the property needs to be split. Hearing no objections,

Councilperson Hawks moved that the waiver of objection for a lot split at 510 West 7th Street be approved. Seconded by Anderson. Roll call. Voting "aye" were Long, Fagot, Anderson, Hawks and Wightman. Motion carried.

**SIDEWALK
INSTALLATION:**

City Manager Podraza addressed the Lexington City Council stating that there are requirements that when a house is built a sidewalk must be in place. Some years ago some houses or facilities were built and sidewalks were not installed, so the City is going to start to enforce this requirement. He also stated that in the past that if person ordered to install a sidewalk and if they didn't, the city would install it and then assessed the person. No action was taken.

**MITIGATION GRANT
APPLICATION:**

Mr. Vance Bricker addressed the Lexington City Council that the Federal government has \$16 million for elimination of flooding and for mitigating processes to make sure flooding does not reoccur. This would work into the 13th Street project on sanitary sewer improvement from Adams Street to Hampton Street and also would include storm sewer improvements on 13th Street from Adams 850 feet west which would take it to intercept the storm drain coming across the school from 15th Street and then include Lake Street North to 18th Street. This would be in the amount of \$750,000.

Councilperson Hawks moved that the administration be authorized to submit a mitigation grant application for a project related to storm water runoff in Northwest Lexington. Seconded by Long. Roll call. Voting "aye" were Fagot, Anderson, Long, Hawks and Wightman. Motion carried.

**PUBLIC HEARING
PIZZA HUT:**

Mayor John Wightman declared the public hearing open. City Manager Podraza stated that Pizza Hut has an absenteeism owner who has requested to have the liquor license issued in his name. Hearing no further comments Mayor Wightman closed the public hearing. Councilperson Fagot moved that the application from Joseph M. Aragon for Peak Interests L.L.C. for a liquor license be approved. Seconded by Long. Roll call. Voting "aye" were Anderson, Hawks, Long, Fagot and Wightman. Motion carried.

PAY ESTIMATE

Mr. Dana Daniels presented to the Lexington City Council Pay Estimate No. 4 from Paulsen Development Construction, Inc., in the amount of \$55,349.41. This reflects a reduction in retainage to 5% and with a retainage of \$7,629.82. At this point Paulsens are substantial complete. All the concrete is in place and they have not done the grinding work or removal to eliminate the ponding of water. Mr. Daniels reviewed the diagram of Fillmore Street which highlights the areas holding water.

After further discussion, Councilperson Long moved that Pay Estimate No. 4 from Paulsen Development Construction, Inc. for the Fillmore Street Project in the amount of \$45,000 be approved. Seconded by Hawks. Roll call. Voting "aye" were Fagot, Hawks, Long, and Wightman. Voting "na" were Anderson. Motion carried.

ADJOURNMENT:

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

John Wightman
Council President

Neldene Skwarek
Lexington 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.

Neldene Skwarek
Lexington Deputy City Clerk

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Regular Meeting of the Lexington City Council was held Tuesday, April 11, 1995, at the Grand Generation Center, 407 East 6th Street, Lexington, Nebraska, at 7:30 P.M. Members of the City Council present were: Mayor John Wightman, Robert Hawks, Dorothy Anderson, John Fagot and Jerry Long. City Officials present were: Deputy City Clerk Neldene Skwarek, City Manager Bill Podraza and City Attorney Will Weinhold. Department Heads present were: Vance Bricker and Glenn Hawks. Also present were: Dana Daniels, representing Miller and Associates, Jim Fox, Richard Peterson. and Skip Wolf, representing Smith Barney, Lexington School Board Members, Carolyn Fairbanks, Jeff Richardson, Wes Lubberstedt and others with an interest in the agenda items. The press was represented by the Lexington Clipper Herald, the Tri-City Tribune, the Kearney Hub and KRVN.

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 MEETING 03/28/95: The minutes of the regular council meeting held March 28, 1995 were presented for Council's consideration and approval. Moved by Hawks, seconded by Fagot, to approve the minutes of the regular meeting as presented. Roll call. Voting "aye" were: Anderson, Long, Fagot, Hawks, Wightman. Motion carried.

MINUTES SPECIAL The minutes of the special council meeting held

MEETING 04/10/95:

April 10, 1995 were presented for Council's consideration and approval. Moved by Fagot, seconded by Hawks, to approve the minutes of the regular meeting as presented. Roll call. Voting "aye" were: Long, Anderson, Hawks, Fagot, Wightman. Motion carried.

CLAIMS AND BILLS:

Claims and Bills in the amount of \$710,398.38 were presented for Council's consideration and approval. Moved by Fagot, seconded by Anderson, to approve the claims and bills as listed and authorized the City Treasurer to transfer \$194,409.45 from the General Fund, \$473,269.32 from LEXUS Funds, \$10,000.00 from City Sanitation Fund, \$11,819.26 from the Landfill Fund, \$530.53 from Library Memorial, \$15,113.01 from the Health Fund, \$5,227.31 from Meals on Wheels, and \$29.50 from CDBG 90-HD-010, to the Lexington Operating Account. Roll call. Voting "aye" were: Long, Hawks, Anderson, Fagot, Wightman. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
April 11, 1995

Automatic Systems	Annual service charge	2,120.00
AT & T	Service	41.58
AT & T	Service	52.23
AT & T	Service	29.94
Barmore's	Film	5.54
Berntson Oil	Diesel, gas, oil	1,917.66
Bricker, Vance	Meeting expense	29.50
BSB	Haul & stockpile dirt	5,000.00
Cash-Wa	Food, gloves	411.40
Canfield, Francine	Postage, dry markers	41.28
Central Garage	Labor, parts, oil	8,130.95
Century Laboratories	Wood handle	16.68
Century Lumber	Lumber, washers, door closures	439.13
Coast to Coast	Chain saw repair, Misc. Supplies	31.07
The Cornhusker	Meeting expense	1,109.29
Computer Pros	Network connection - Police	90.00
Corp. Diversified Service	Life insurance - Fire	60.00
CBSA	Insurance claims	11,779.04
CBSA	Reinsurance claim - Barnes	1,516.71
Cozad Service	Remove freon, service	81.00
Curtis Industries	Round washer	109.08

Culligan Water Conditioning	Service	50.25
Dawson County Clerk	Dispatch service	3,917.33
DEMCO	Laminate, cards	142.66
Diamond Vogel Paint	Paint - Street, Pool	3,644.20
D & M Security	Police connection	90.00
Dutton - Lanson Co.	Misc. Supplies	2,981.19
Dugan Business Forms	Misc. Forms and Bills	2,717.34
Eake's Office	Copier rent	155.92
Egan Supply Co.	Cleaning supplies	230.46
Electric Fixture	Electric Supplies	542.37
Emery Pratt Co.	Books	69.12
Fairbanks International	Bolts, post hole digger, disk	2,423.29
Fagot Refrigeration	Check compressor	25.00
Farm & Ranch Service	Grass seed	49.20
Farm & Home Publishers	Book	26.50
Farm Plan Corp.	Switch	9.65
Fox Bros. Hay Co.	Grinding	1,766.65
Fremont National Bank	Bond payment	43,007.50
Gary's Implement	Used connector rods	144.35
Gall's Inc.	Latex gloves	70.87
Gillette/NE Dairies	Dairy products	111.97
Grey House Publishing	Book	123.50
Halmar Robicon Group	Circuit board	205.23
Hipp Wholesale Co.	Food, trays, cups	1,067.15
Hofaker's Iron	Handles	21.25
Interstate Holiday Inn	Room - Bricker	92.40
Holiday Inn	Room - Malzahn	81.34
Holmes Plumbing	Coupling	35.12
HTM Sales Inc.	Float switch cables	340.24
Husker Electric	Blackburn elbow	76.16
I.C.M.A.	City Mgr. pension	133.85
Insurance & Personnel Serv.	125 Admin Fees	546.48
Int. Conference of Bldg.	UBC Code Book	23.30
Ingram Library Service	Books	97.74
Interstate Structure	Pay est. #6 - Service Bldg	27,514.80
Jones Plumbing	Parts	118.92
Kids Discover	Subscription	17.95
K & K Chemical	Lift station cleaner	139.70
K N Energy	Service	2,044.80
Kriz - Davis co.	Misc. Supplies	19,575.44
League of NE Municipalities	Registration	405.00
Lexington Animal Clinic	Service	165.15
Lex Area Chamber of Commerce	Comcor bulletin	400.00
Lexington Coop	Fertilizer	158.20
Lexington Postmaster	Postage	1,500.00
Lexington Public Library	Postage, subscription	70.59

Lexington Newspaper	Service	411.64
Lexington Truck & Auto	Brake booster, drive shaft	192.69
City of Lexington	Franchise fee, Misc. charges	24,812.06
Lexington State Bank	Printed checks	127.15
Lexington Postmaster	Newsletter postage - GGC	80.00
City of Lexington	Landfill	116.00
May, Sue	Service	200.00
Mead/Big Valley	Misc. Supplies	265.31
Midway Supply	Misc. Supplies	193.22
Miller & Associates	Service - March	1,850.00
Mikes Pharmacy	Film processing	9.74
Morris Press	Misc. Supplies	293.23
Mr. Automotive	Auto Supplies	241.79
Municipal Supply	Parts	20.42
Nebraska Machinery	Loader payments	2,646.00
Nebraska Dept. of Revenue	Sales tax - March	20,176.73
State of Nebraska	Water analysis, testing	926.10
NE. State Historical Soc.	Microfilm	350.00
NE Assoc. of Sr. Centers	Dues - Luther	15.00
Nebraska Cellular	Service	89.57
NIMLO	Membership - Weinhold	362.00
Olsson Associates	IBP Rate Data	240.62
Old Dominion Brush	Suspension cable	30.66
Overton Sand & Gravel	Gravel, sand	291.00
Payroll Account	3/15 - 3/28/95	58,607.88
Paulsen Development	Pay est #4 - Fillmore St.	55,349.41
Paulsen Bldg. & Supply	Concrete, mud rock	1,232.37
Patty's Hallmark	Misc. Supplies	356.76
Platte Valley Communication	Install equipment, Maint.	435.60
Plum Creek Promotions	Flag repair, hat	18.50
Podraza, Bill	Meeting expense	123.88
Prentice Hall	Book	37.04
Protective Life Insurance	Cancer insurance	39.96
Quality Books Inc.	Tape	18.35
Schnieber Fine Foods	Food, towels, liners, cleaner	1,056.89
Service Supply	Couplings	35.74
Seamax	Rod end	36.79
Sixth Street	Food, coffee	63.65
Social Security Fund	3/15 - 3/28/95	4,393.63
S & W Auto Parts	Auto Supplies	625.26
Texaco Inc.	Fuel	11.72
The Travelers	Pension	1,811.83
The Travelers	Police pension	744.64
Unisys Corp.	Maint. agreement	1,266.00
US West Communication	Service	1,603.75
Utility Equipment	Valve kit, repair clamps	120.79

Valley Bargain Barn	Platform wood	88.80
Viking Office Products	Ribbons, adding tape	39.62
Vondras Construction	Install door	67.50
Wal-Mart	Misc. Supplies	316.91
Waterpro	Couplings, meter	819.34
WESCO	Misc. Supplies	1,962.07
Weber & Weinhold	Service	1,357.50
Wheeler's	Misc. Supplies	236.90
Wolverine Sports	Whistles, megaphone	202.11
Mead/Big Valley	Fence	20,553.09
CBSA	Insurance claims	1,230.82
Dan's Sanitation	Service	10,000.00
Donna's Cafe	Service	741.67
NPPD	Power bill - March	340,543.66
Petty Cash	Misc. Expenses	164.81
	TOTAL	710,398.38

**JOINT MEETING
BOND ISSUES:**

Mayor John Wightman addressed the members of the Lexington City Council and of the Lexington School Board stating that the citizens of the community voted in November for the approval of an additional 1/2 cent sales tax to be used for funding of a new city pool and help with the school facility. The revenues from this 1/2 cent sales tax could support a 4.3 million bond issue of which 1.8 would be designated for the aquatic center and 2.5 million for the school's use. The funding for the school could be used for the purchase of the middle school gym, renovation of the auditorium, cafeteria, the new high school gym and parking facilities. Mayor Wightman also stated that the 2.5 million would be split according to the size of the school bond issue which would be 62% for the middle school and 38% for the high school.

An item discussed was how the value of the middle school gym would be determined if the City were to purchase it with bond proceeds. Mr. Richard Peterson responded that the probable method to be used would be appraisal based on depreciated replacement cost. Another concern addressed was what happens if the sales tax bond issue fails. Mr. Jim Doyle stated that if the sales tax bond did not pass then it would be impossible for the school to do the entire project. If the high school bond passed and

the sales tax use passed then you would continue with the high school project and like wise with the middle school so the real key is the sales tax use bond issue.

It was also addressed to the Council and the School Board that if a joint entity is formed then there would be joint ownership of the property. If there is joint ownership, then the facility would have to be available for public use, the entities would share the facilities. This is done many times in political subdivisions to share resources for economical reasons. The main function of this group would be to determine how this is going to be used and who is going to maintain it. Another idea discussed was entering into a 25 year contract which would ensure all the going ons and then using this board as an oversight committee to make sure that the contract was being enacted.

Other discussion pertained to the foundation's contributions. Some of the proceeds would be bonded in with the City's sale tax use bond issue as many of the donations would not be collected up front.

Councilperson Hawks moved that the concept of an interlocal agency agreement between the City and the Schools be adopted and that the two entities meet to work out an agreement for presentation for final approval at the April 25th meeting. Seconded by Fagot. Roll call. Voting "aye" were Anderson, Long, Fagot, Hawks and Wightman. Motion carried.

Councilperson Fagot moved that 2.7 million be bonded for the schools with 2.5 million from sales tax and to be split 62% of the middle school and 38% for the high school and the \$200,000 for the auditorium. Seconded by Hawks. Voting "aye" were Long, Anderson, Hawks, Fagot and Wightman. Motion carried.

**WAIVER OF
OBJECTION:**

Mr. Vance Bricker presented to the Lexington City Council a waiver of objection for a lot split at 510 West 7th Street which has two residents on one piece of property and in order to sell these the property needs to be split. Hearing no objections,

Councilperson Hawks moved that the waiver of objection for a lot split at 510 West 7th Street be approved. Seconded by Anderson. Roll call. Voting "aye" were Long, Fagot, Anderson, Hawks and Wightman. Motion carried.

**SIDEWALK
INSTALLATION:**

City Manager Podraza addressed the Lexington City Council stating that there are requirements that when a house is built a sidewalk must be in place. Some years ago some houses or facilities were built and sidewalks were not installed, so the City is going to start to enforce this requirement. He also stated that in the past that if person ordered to install a sidewalk and if they didn't, the city would install it and then assessed the person. No action was taken.

**MITIGATION GRANT
APPLICATION:**

Mr. Vance Bricker addressed the Lexington City Council that the Federal government has \$16 million for elimination of flooding and for mitigating processes to make sure flooding does not reoccur. This would work into the 13th Street project on sanitary sewer improvement from Adams Street to Hampton Street and also would include storm sewer improvements on 13th Street from Adams 850 feet west which would take it to intercept the storm drain coming across the school from 15th Street and then include Lake Street North to 18th Street. This would be in the amount of \$750,000.

Councilperson Hawks moved that the administration be authorized to submit a mitigation grant application for a project related to storm water runoff in Northwest Lexington. Seconded by Long. Roll call. Voting "aye" were Fagot, Anderson, Long, Hawks and Wightman. Motion carried.

**PUBLIC HEARING
PIZZA HUT:**

Mayor John Wightman declared the public hearing open. City Manager Podraza stated that Pizza Hut has an absenteeism owner who has requested to have the liquor license issued in his name. Hearing no further comments Mayor Wightman closed the public hearing. Councilperson Fagot moved that the application from Joseph M. Aragon for Peak Interests L.L.C. for a liquor license be approved. Seconded by Long. Roll call. Voting "aye" were Anderson, Hawks, Long, Fagot and Wightman. Motion carried.

PAY ESTIMATE

Mr. Dana Daniels presented to the Lexington City Council Pay Estimate No. 4 from Paulsen Development Construction, Inc., in the amount of \$55,349.41. This reflects a reduction in retainage to 5% and with a retainage of \$7,629.82. At this point Paulsens are substantial complete. All the concrete is in place and they have not done the grinding work or removal to eliminate the ponding of water. Mr. Daniels reviewed the diagram of Fillmore Street which highlights the areas holding water.

After further discussion, Councilperson Long moved that Pay Estimate No. 4 from Paulsen Development Construction, Inc. for the Fillmore Street Project in the amount of \$45,000 be approved. Seconded by Hawks. Roll call. Voting "aye" were Fagot, Hawks, Long, and Wightman. Voting "na" were Anderson. Motion carried.

ADJOURNMENT:

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

John Wightman
Council President

Neldene Skwarek
Lexington 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.

Neldene Skwarek
Lexington Deputy City Clerk

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Regular Meeting of the Lexington City Council was held Tuesday, April 25, 1995, at the Municipal Building, 406 East 7th Street, Lexington, Nebraska, at 7:30 P.M. Members of the City Council present were: Mayor John Wightman, Robert Hawks, Dorothy Anderson, John Fagot and Jerry Long. City Officials present were: Deputy City Clerk Neldene Skwarek, City Manager Bill Podraza and City Attorney Will Weinhold. Department Heads present were: Vance Bricker, Glenn Hawks, and Charlie Clark. Also present were: Dana Daniels, representing Miller and Associates, Carolyn Fairbanks, Jo Keim, Gail Hall, Jim Doyle, Jim Lundgren, Bill Skinner, Jim and Marilyn Crawford, Robin Schultz, Liz Richardson and other citizens with an interest in the agenda items. The press was represented by the Lexington Clipper Herald, the Tri-City Tribune, the Kearney Hub and KRVN.

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 MEETING 04/11/95: The minutes of the regular council meeting held April 11, 1995 were presented for Council's consideration and approval. Moved by Anderson, seconded by Fagot, to approve the minutes of the regular meeting as presented. Roll call. Voting "aye" were: Long, Hawks, Fagot, Anderson, and Wightman. Motion carried.

CLAIMS AND BILLS: Claims and Bills in the amount of \$234,874.51 were presented for Council's consideration and approval.

Moved by Hawks, seconded by Long, to approve the claims and bills as listed and authorized the City Treasurer to transfer \$79,274.64 from the General Fund, \$107,702.67 from LEXUS Funds, \$9,409.00 from City Sanitation Fund, \$4,151.52 from the Landfill Fund, \$21,223.50 from the Health Fund, \$5,693.55 from Meals on Wheels, and \$7,419.63 from CDBG 90-HD-010, to the Lexington Operating Account. Roll call. Voting "aye" were: Fagot, Anderson, Long, Hawks, and Wightman. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 April 25, 1995

Advanced Control System	Software support	2,886.00
AFLAC	Cancer insurance	110.38
Alexander Hamilton Inst.	Book	68.80
AT & T	Service	13.83
Barmores	Calculator, color ribbon	27.48
Baker & Taylor	Book leasing	149.00
Berntson Oil	Diesel, oil, gas	2,168.20
Becker Fire Equipment	Pump repair kit	22.33
H.L. Boggs Inc.	Ground rod	281.50
Bricker, Vance	Meeting expense	48.25
B & P Credit Mgmt.	Service	398.86
Cash-Wa Distributing	Food, foil	458.20
Central Garage Fund	Labor, parts, oil	2,770.18
Century Lumber	Saw blades	19.37
The Cornhusker	Room - Podraza	66.00
Conney Safety Products	Support belt	39.40
CBSA	Insurance claims	436.02
CBSA	Insurance premiums	6,684.00
Dawson Co. Law Enforcement	Refund intoxylizer	25.00
Dawson Co. Public Power	Service	2,005.52
Dawson Co. Highway Dept.	Posts	105.00
Dan's Sanitation	Service	9,409.00
Dodson, Pauline	Electric rebate	40.00
Donna's Cafe	MOW	826.48
Dunrite Inc.	Scrub brushes	96.28
Dutton - Lainson Co.	X Arms, rod, machine bolts	4,720.88
Eake's Office Products	Toner, printer repair	71.70
E.I.S.	Certify radar	45.00
Electric Fixture	Nipple, couplings, bulbs	149.78
ELE International	Soil sampling tube	67.00
Emergency Medical Products	Safety gloves	221.85

Emery Pratt Co.	Books, cataloging kits	70.28
Fagot, Paul	Electric rebate	150.00
Farm & Ranch Services	Grass seed, mole poison	71.45
GE Capital	Lease agreement	309.64
Gillette/NE Dairies	Dairy products	209.04
Hipp Wholesale Co.	Food, table covers, foil	1,002.44
Holdrege Public Library	Registration, referrals	104.00
I.C.M.A.	City Mgr. pension	133.85
Int. Conf. of Bldg. Offic.	Membership	85.00
Ingram Library Service	Card sets, books	131.49
Jones Plumbing & Heating	Remodel bathroom - Library	895.00
Johnson, Leon	Electric rebate	1,300.00
Joy Book Nook	Books	42.52
K N Energy	Service	232.46
Kriz-Davis co.	Misc. Supplies	4,867.33
Lex Area Chamber of Commerce	Luncheon, meeting exp.	66.94
Lexington Coop	Propane bottle, propane	29.74
Lexington Glass Co.	Windshield	185.00
Lexington Laundry	Service	46.00
Lexington Public Schools	Duplex charges, paint	7,491.27
Lexington Newspaper	Subscription	25.00
Lexington Truck & Auto	Leaf springs	170.00
LEXUS	Copies, envelopes, postage	58.76
City of Lexington	Franchise fee	20,288.08
Lexington Swim Association	Donation	1,200.00
Luther, Ann	Mileage, tape	101.71
Mead/Big Valley Lumber	Stakes, wall anchor, lumber	200.53
Meyer Welding	Rod, shaft	8.00
Midway Supply	Misc. Supplies	188.31
Miller & Associates	Service - New landfill	112.00
	Service - Fillmore St.	3,149.30
	Service - Lex Landfill	379.28
	Service - 13th ST.	6,679.63
Miracle Recreation Equip.	Playground equipment	4,299.00
Morris Press	Paper, copies, cards, labels	265.87
Moore Business Forms	Uniform citations	229.68
Mr. Automotive	Rotors, wiper refill	43.68
Nebraska Machinery	Ring, seals	8.85
Nebraska Unemployment	Unemployment - Pfeiffer	34.30
Nebr. Liquor Control Comm.	Law book	4.00
Nebraska Library Commission	OCLC Charges	40.73
NE Rural Water Assoc.	Registration	110.00
NE Planning & Zoning Assoc.	NPZA Conference Registration	175.00
Olsson Associates	Engineering service	3,174.29
Old Dominion Brush	Shaft, seal, hub	311.07
Omaha World Herald	AD - Police dept.	200.40

Payroll Account	3/29 - 4/11/95	57,135.60
Paulsen Bldg. & Supply	Cement	198.00
Patty's Hallmark	Copier cartridge	49.95
Pitney Bowes	Maint. agreement	135.00
Platte Valley Exterminating Service - GGC		24.00
Podraza, Bill	League mtg.	143.63
Precision Industries	Ball valve	80.00
Presco Sales & Service	Grader blades	518.58
Protective Life Ins.	Cancer insurance	206.21
Rivendell of Nebraska	Hospital	651.00
Schnieber Fine Foods	Food	483.28
Sixth Street Market	Food, UPS, supplies	176.45
Social Security Fund	3/29 - 4/11/95	4,280.97
S & W Auto Parts	Auto Supplies	658.03
The Travelers	Pension	1,795.41
The Travelers	Admin. fees	5,098.89
The Travelers	Police pension	711.72
Transit Works	Range pole, tape, reel	296.09
Unisys Corporation	Lease	1,266.00
U S West Comm.	Service	45.62
Utility Equipment	Valves, sleeves, pipe	4,673.82
Viking Office Products	Copier paper	40.77
Wal-Mart	Misc. Supplies	59.75
Water Products Co.	Meter, connectors	3,319.24
Waterpro	valve, coupling	520.91
WESCO	Misc. Supplies	597.58
Western Engineering	Silex	256.51
Wheeler's	Misc. Supplies	692.92
CBSA	Insurance claims	19,712.89
Lexus	Service	18,877.56
Matitas, Jose Carlos	Refund overpayment	59.92
Plum Creek Med Group	Work Comp - Kevin Baruth	107.00
T.L. Sund	Fence - WWTP	4,100.00
	Fence - Service bldg.	14,400.00
Vet's Club	Meal - Planning commission	189.00
	TOTAL	\$234,874.51

**PUBLIC HEARING
JIM CRAWFORD:**

Mayor Wightman opened the public hearing for a request for a special use permit to allow expansion of a feedlot. Mr. Jim Crawford addressed the Lexington City Council requesting approval to add an additional 4 pen on the West corner of the existing feedlot. This addition has been approved by the Planning Commission and EPA. He stated that there would be 200 head per pen for a total of 800 head. Mr. Vance

Bricker informed the Council that there were no comments pro or con on this project. Mayor Wightman declared the public hearing closed.

Councilperson Hawks moved that the special use permit be issued to Jim Crawford for the expansion of a feedlot. Seconded by Fagot. Roll call. Voting "aye" were Anderson, Long, Fagot, Hawks and Wightman. Motion carried.

WATER ISSUES:

Mr. Jim Lundgren addressed the Lexington City Council stating there are number of issues that are placing agriculture in particular and urban at risk. The risk is coming through the Endangered Species Act. This has been used to list the critical habitat areas in the Platte River Valley and has been used to seek additional habitat units for endangered species. Mr. Lundgren discussed with the Council the MOA, conjunctive use, bureau of reclamation irrigation projects, federal energy regularity. He reviewed the MOA (the Three State Memorandum of Agreement) stating that it suggests that the waters in the Platte River are 70% depleted from historic flows or predevelopment flows. It is also stated that to protect endangered species we need to back the usage up to about 450,000 acre feet of water in time. It will take alot of reduction of existing uses to obtain this amount of water. To resolve this proponents would like to reclaim water from agriculture for instream use which could deplete the reservoirs. He also discussed incrementalism which would result in a gradual taking away of the water usage. He then discussed the cost benefit analysis. Because of the dynamics you would have to take out of production twice as much irrigation crop land than what they need per acre foot in the Platte River, in other words if they need 1 acre foot of water you need to take out 2 acres of irrigated farm land to require that amount of water. So that means approximately 900,000 acres of crop land will have to come out of production to meet MOA required amount of water. Using the Bureau of Reclamation's figures of 1 foot of acre water value ranges from \$4,000 to \$10,000 per acre. If one uses the low side it would cost 1.8 billion dollars to acquire the 450,000 acre foot of water. They also claim that there needs to be another 30,000 acres restored for habitat

between Lexington and Chapman in the Platte River which would result in \$2,500 per acre for a total of \$75 million. He also stated that one the big kickers on all of this is the cap on depletion of future water which would limit new industries and crops which require large amounts of water. Upon further discussion, no action was taken.

**RESOLUTION
INTERLOCAL
AGREEMENT:**

Mr. Bill Podraza addressed the Lexington City Council stating that the only changes in the Interlocal Agreement were to the membership, which will consist of 2 city councilmembers, 2 school board members and 1 person from each administration, and the duration of the contract is 35 years instead of 25 years. The main function of this oversight committee will be to oversee the contractually arrangements. Also need to change the Agreement on page 5 to read "not to exceed the amount in accordance with Resolution No. 95-03 for the payment".

Councilperson Fagot offered the following Resolution and moved its adoption:

RESOLUTION NO. 95-03

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, that the City of Lexington, Nebraska, should enter into an agreement entitled "INTERLOCAL COOPERATION ACT AGREEMENT CREATING THE LEXINGTON COMMUNITY FACILITIES AGENCY" with Dawson County School District 001, that the form of said agreement is hereby approved and the Mayor is hereby authorized to execute and deliver for and on behalf of the City of Lexington said agreement in substantially the form presented but with such changes as shall be deemed by such officer appropriate for and on behalf of the City.

The foregoing resolution having been read, Councilmember Hawks seconded the motion for its passage and adoption. After consideration, the roll was called and the following Councilmembers voted in favor of the passage and adoption of said resolution: Wightman, Fagot, Hawks, Long and

Anderson. The following Councilmembers voted against the same: None.

The passage of said resolution having been consented to by more than a majority of the members elected to the Council, the Mayor declared the resolution duly passed and adopted.

PASSED AND ADOPTED this 25th day of April, 1995.

Mayor

Deputy City Clerk

RESOLUTION BONDS

Discussion pertained to items that could be eliminated or prices lowered on items on the family aquatic center. Also discussed was financing of the aquatic center which lead to a consensus of bonding \$1.6 million with an additional \$234,000 from accrued sales tax proceeds and at least \$66,000 coming from the Foundation for a total project of \$1.9 million.

Discussion pertaining to contributions to the Middle School and High School projects resulted in a decision of bonding \$2.9 million of which \$200,000 will be funded by the Foundation.

Councilperson Fagot offered the following Resolution and moved its adoption:

RESOLUTION NO. 95-04

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA:

Section 1. The Mayor and Council hereby find and determine that it is necessary that funds be provided for the purpose of constructing a new swimming pool facility and related aquatic park improvements; that a proposition to issue bonds for such purpose should be submitted to the electors of the City of Lexington at a special election to be held on June 20, 1995,

under the authority of Section 16-695, R.R.S. Neb. 1943; that the question of a bond issue for such purpose has not been submitted to the electors of the City within six months prior to June 20, 1995.

Section 2. The Mayor and Council further find and determine that it is necessary that funds be provided for the purpose of purchasing an existing building or buildings, including related site, acquiring a site or sites including leasehold interests, constructing on such site or sites a public building or buildings and remodeling an existing building or buildings for the purpose of providing indoor athletic facilities, public auditorium facilities, including related parking facilities, and providing furnishings and equipment for such public buildings, either directly or through the Lexington Community Facilities Agency; that a proposition to issue bonds for such purpose should be submitted to the electors of the City of Lexington at a special election to be held on June 20, 1995, under the authority of section 16-6100, R.R.S. Neb. 1943; that the question of a bond issue for such purpose has not been submitted to the electors of the City within six months prior to June 20, 1995.

Section 3. A special election is hereby called and shall be held in the City of Lexington, Nebraska, on June 20, 1995, at which special election there shall be submitted to the qualified electors of the City of Lexington, the following propositions:

Proposition No. 1

Shall the City of Lexington, Nebraska issue its negotiable bonds in the principal amount not to exceed One Million Six Hundred Thousand Dollars (\$1,600,000) for the purpose of constructing a new swimming pool facility and related aquatic park improvements, said bonds to bear interest at such rate or rates and to become due at such time or times, as may be determined by the Mayor and Council; and

"Shall the City cause to be levied and collected annually a special levy of taxes against all the taxable property in the City sufficient in rate and amount to

pay the interest and principal of said bonds as the same become due?"

_____ FOR said bonds and tax

_____ AGAINST said bonds and tax

Proposition No. 2

Shall the City of Lexington, Nebraska, issue its negotiable bonds in the principal amount not to exceed Two Million Nine Hundred Thousand Dollars (\$2,900,000) for the purpose of purchasing an existing building or buildings, including related site, acquiring a site or sites including leasehold interests, constructing on such site or sites a public building or buildings and remodeling existing buildings for the purpose of providing indoor athletic facilities, public auditorium facilities, including related parking facilities (either directly by the City or through the Lexington Community Facilities Agency), and providing furnishings and equipment for such public buildings; and

"Shall the City cause to be levied and collected annually a special levy of taxes against all the taxable property in the City sufficient in rate and amount to pay the interest and principal of said bonds as the same become due?"

_____ FOR said bonds and tax

_____ AGAINST said bonds and tax

The ballots to be voted upon and cast at said election shall have printed thereon the foregoing propositions, followed by the words: "FOR said bonds and tax" and "AGAINST" said bonds and tax" following the propositions.

Qualified electors voting in favor of each proposition shall blacken completely the oval opposite the words "FOR said bonds and tax" following said proposition, and qualified electors voting against each proposition shall blacken completely the oval opposite the words

"AGAINST said bonds and tax" following said proposition.

Section 4. The City Clerk is hereby directed to cause special notice of said election to be given by publication three successive weeks (four weekly publications) prior to such election in the Lexington Clipper-Herald, a newspaper published and printed and of general circulation in the City.

Section 5. The City Clerk is further directed to certify a copy of this resolution to the County Clerk of Dawson County, Nebraska, (not less than 50 days prior to election), who shall conduct the election as provided by law. General notice of election shall be published in the Lexington Clipper-Herald, as designated by the Mayor and Council, and posted by the County Clerk not less than 40 days prior to election. The City does hereby agree to reimburse said County Clerk for the expense of conducting the election.

Section 6. The form of Notice to be published and the form of ballot to be submitted to the County Clerk for use at said election are hereby approved as presented to the Mayor and Council and a copy of said form of notice and said form of ballot are hereby ordered attached to these Minutes and made a part of this Resolution. The City Clerk is hereby authorized and directed in conjunction with the County Clerk conducting the election, to arrange for the printing of the necessary ballots and publication of the sample ballot and to do all other things and take all other action appropriate or necessary in order to cause said propositions to be submitted to the qualified electors of the City as above provided.

Section 7. The polling places for such election shall be those polling places designated by the County Clerk of Dawson County for such election.

Section 8. The Mayor and Council of the City of Lexington hereby declare that it is their intention to issue bonds pursuant to Proposition No. 2 only if the qualified electors of Dawson County School District 001 (including affiliates, if appropriate) shall have also

approved the issuance of bonds by such school district to pay a portion of the costs of the facilities which are proposed to be financed pursuant to such Proposition No. 2.

The foregoing resolution having been read, Councilmember Hawks seconded the motion for its passage and adoption. After consideration, the roll was called the following Councilmembers voted in favor of the passage and adoption of said resolution: Wightman, Fagot, Hawks, Long and Anderson. The following Councilmembers voted against the same: None.

The passage of said resolution having been consented to by more than a majority of the members elected to the Council, the Mayor declared the resolution duly passed and adopted.

PASSED AND ADOPTED this 25th day of April, 1995.

Deputy City Clerk

Mayor

**TREASURER'S
REPORT:**

City Treasurer Neldene Skwarek presented to the Lexington Council the Financial Statements for the Month of March 1995. After reviewing the Financial Statements, Councilmember Hawks moved for the approval of March 1995 Financial Statement. Seconded by Fagot. Roll call. Voting "aye" were Fagot, Anderson, Long, Hawks and Wightman. Motion carried.

**PAY ESTIMATE NO.
1 MIDLANDS CON.:**

Mr. Dana Daniels, representing Miller & Associates, presented to the Lexington City Council Pay Estimate No. 1 from Midlands Contracting in the amount of \$154,952.14 for the 13th Street Project. Mr. Daniels stated that the majority of this claim is for stored materials on site and the progress has been limited due to the weather. After reviewing Pay Estimate No. 1, Councilmember Hawks moved that Pay Estimate No. 1 in the amount of \$154,952.14 to Midlands Contracting, Inc., be approved for payment. Seconded by Fagot. Roll call. Voting "aye" were

Anderson, Long, Fagot, Hawks and Wightman.
Motion carried.

ADJOURNMENT:

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

John Wightman
Council President

Neldene Skwarek
Lexington 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.

Neldene Skwarek
Lexington Deputy City Clerk

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Special Meeting of the Lexington City Council was held Saturday, April 29, 1995, at the Municipal Building, 406 East 7th Street, Lexington, Nebraska, at 7:30 A.M. Members of the City Council present were: Mayor John Wightman, Robert Hawks, Dorothy Anderson and John Fagot. Councilmember Long was absent. City Officials present were: City Manager Bill Podraza, City Clerk Leon E. Malzahn and City Attorney Will Weinhold. Department Heads present was: Vance Bricker.

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.

**COUNTYWIDE
RETREAT:**

Moved by Anderson, seconded by Hawks to recess the regular session to an open session at the Cozad Municipal Building for the purpose of a countywide retreat. Roll call. Voting "aye" were: Fagot, Hawks, Anderson, Wightman. Motion carried.

The following minutes were recorded by the Clerk of Cozad concerning the joint meeting of county officials to include Lexington, Cozad, Gothenburg, Overton and Dawson County Commissioners.

A joint meeting of the elected and appointed officials of the City of Cozad, City of Gothenburg, City of Lexington and Dawson County Commissioners was held at 8:00 a.m. on Saturday, April 29, 1995 in the

council chambers of the city offices at 215 West 8th Street in Cozad.

Present for the meeting from the representative governments were: City of Cozad; Mayor Walters, Council Members Harvill, Worthman, Meyer, and City Clerk/Treasurer York. City of Gothenburg: Mayor Blase, Council Members Christensen, Norseen, Hudson, and City Administrator Clymer, and City Attorney Bacon. City of Lexington: Mayor Wightman, Council Members Hawks, Anderson, Fagot, and City Manager Podraza, Assistant City Manager Bricker, City Clerk Malzahn, and City Attorney Weinhold. Village of Overton: Clerk Jensen. Also in attendance were Dawson County Commissioners Benjamin and special guest Senator Jim Cudaback.

Advance notice of the meeting was given by publishing notice in the Tri City Tribune. Advance notice and a copy of the agenda was also given to the members of the governmental units. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public. All action herein represented is deemed not to be final until ratified by each governmental unit at a meeting in each governmental unit's jurisdiction.

The assembled representatives traveled by bus to the closed Cozad dump site. A presentation of the overview of the contamination of the ground water and site investigation as per Nebraska Department of Environmental Quality guidelines was reviewed. Representatives then traveled to the Lexington Regional Landfill site and informed of the progress on the approval of the licensing of the new cells by the Nebraska Department of Environmental Quality. The representatives also were able to observe the amount of patrons using the landfill site as per the countywide clean up free day at the disposal site. The representatives then returned to the Cozad City Offices.

Mr. Jim Lundgrin, Nebraska Water Users Incorporated, presented an update on the progress of the development of the Enhanced 911 system. Copies of the county mapping were presented to

those in attendance and was reported that the signage project will be proceeding in the near future.

Mr. Leo Lang, IBP General Manager of Lexington, presented an industrial report on the operation of the Lexington facility. The report revealed the large economic impact made by company's expenditures for cattle and wages together with those supplies that are available locally. Mr. Lang thanked the public officials present for their support and cooperation in working not only with his company but with the employees of the facility. The report revealed there is still a housing shortage in the region and public officials present expressed their support in housing development.

Senator Cudaback and City Manager Podraza presented an overview of the property tax reform proposal presented by the Nebraska Legislative Revenue Committee. The number one public concern received by elected officials is property tax relief. The discussion revealed that in order to consider changes in the need for property tax finance local government, the Nebraska Legislature needs to provide for the legislative changes to authorize changes, encourage changes, and force changes in order for the governmental units to provide the services demanded by the public with any type of property tax relief.

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

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Regular Meeting of the Lexington City Council was held Tuesday, May 23, 1995, at the Municipal Building, 406 East 7th Street, Lexington, Nebraska, at 7:30 P.M. Members of the City Council present were: Mayor John Wightman, Robert Hawks, Dorothy Anderson, Jerry Long and John Fagot. City Officials present were: City Manager Bill Podraza, City Clerk Leon E. Malzahn and City Attorney Will Weinhold. Department Heads present were: Vance Bricker, and Charlie Clark. Also present were: Dana Daniels and Bob Blankenship representing Miller & Associates. The press was represented by the Clipper Herald, the Tri-City Tribune and the Kearney Hub, and KRVN.

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 SPECIAL
MEETING 04/29/95:**

The minutes of the special council meeting held April 29, 1995 were presented for Council's consideration and approval. Moved by Fagot that these minutes be amended to correct the paragraph regarding Jim Lundgren and the second paragraph correcting the report on 911, seconded by Anderson, to approve the corrections of the special meeting. Roll call. Voting "aye" were: Hawks, Long, Anderson, Fagot, Wightman. Motion carried. Moved by Hawks, seconded by Long to approve the minutes of the special meeting as amended held April 29, 1995. Roll call. Voting "aye" were: Anderson, Fagot, Long, Hawks, Wightman. Motion carried.

**MINUTES REGULAR
MEETING 05/09/95:**

The minutes of the regular council meeting held May 9, 1995 were presented for Council's consideration and approval. Moved by Hawks, seconded by Fagot to approve the minutes of the regular meeting as presented. Roll call. Voting "aye" were: Long, Anderson, Fagot, Hawks, Wightman. Motion carried.

CLAIMS AND BILLS:

Claims and Bills in the amount of \$168,923.35 were presented for Council's consideration and approval. Moved by Fagot, seconded by Hawks to approve the claims and bills as listed and authorized the City Treasurer to transfer \$66,844.99 from the General Fund, \$76,717.20 from LEXUS Funds, \$9,567.75 from City Sanitation Fund, \$6,651.14 from the Landfill Fund, \$370.61 from the Library Memorial, \$1,425.16 from the Health Fund, \$109.85 from CDBG 90HD010, \$728.99 from Lexington CED and \$6,507.66 from Meals on Wheels to the Lexington Operating Account. Roll call. Voting "aye" were: Anderson, Long, Hawks, Fagot, Wightman. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
May 23, 1995

AFLAC	Cancer insurance	110.38
American Red Cross	Book for CPR	65.00
AT & T	Service	54.70
AT & T	Service	45.92
Barmores	Brushes, markers, film	65.03
Baker & Taylor	Leasing service	149.00
B & D Office	Toner	118.80
Berntson Oil	Diesel, grease, gas	3,421.05
Cash-Wa Distributing	Food, liners, bleach, bags	1,094.43
C.J. Small Engine	Cap, line	17.92
Central Garage Fund	Labor, parts, oil	2,932.33
Classic Pool & Spa	Hose	113.92
Coast to Coast	Brooms, pump parts, hammer	109.26
Coca Cola/Dr Pepper of Krny	Pop	71.60
CBSA	Insurance claims	1,047.09
CBSA	Insurance premium	7,220.72
Curtis Industries	Nuts & bolts	203.70
Dawson Co. Public Power	Service	2,071.66
Dawson Co. Weed Control	Spray water tower	41.92

DEMCO	ID Cards, tape	55.10
Ditch Witch of NE	Insert, clamps	144.50
Donna's Cafe	Meals, cartons	766.24
Dutton-Lainson Co.	Deadends, machine bolts, bulbs	781.78
Eake's Office Products	Toner	51.70
Eiler's	Iron	6.96
Electric Fixture	Test blocks, breakers, bulbs	5,283.75
Emery Pratt	Books	87.61
Fischer-Scientific	Ether, tools	626.90
Financial Research Center	Grant Source book	59.00
Flowers of Joy	Mugs, plant	46.27
Gillette/NE Dairies	Dairy products	196.51
Grolier Education Group	Books	94.96
Hach Chemical	Buffer pillows	93.80
Halogen Supply Co.	Hydrostream, block	51.93
Heaven's Best	Service - police dept.	80.00
Hipp Wholesale Co.	Lids, container, food, cups	1,083.47
Hofaker's Iron & Metal	Handles	42.50
I.C.M.A.	City Mgr. Pension	133.85
International Paper Co.	Poles	9,396.90
Information Plus	Books	98.02
Ingram Library Service	Books	351.79
Karre's City Bakery	Rolls - Council retreat	10.00
KN Energy	Service	283.90
Kriz-Davis Co.	Returned wire	-370.62
Lawson Products	Nuts, screws, spades	399.97
League of NE Municipalities	Registration	100.00
Lexington Postmaster	Postage	750.00
Lexington Public Library	Postage, supplies	51.49
Lexington Public Schools	Duplex charges	28.04
Lexington Truck & Auto	Hood latch, rear end, parts	551.00
LEXUS	Service	16,474.95
Lieh's Drilling	Pump parts	15.50
Martin Electric	Repair pump motor, capacitor	37.44
Mason Motors	Windshield	179.34
Richard Maturi	Books	30.00
Mead/Big Valley	Shelves, cement, tarp, nails	597.65
Midway Supply	Misc. Supplies	88.97
Miracle Recreation Equip.	Park equipment	408.86
Mike's Pharmacy	Work comp - Bill Haines	31.92
Mid Nebr. Food Bank	Food	33.32
Midwest Laboratories	Sludge analysis	178.25
Mr. Automotive	Battery, cable	43.55
Municipal Supply	Reducers, repair clamp	41.45
National Fire Protection	Safety code book	39.50
National School Products	CD-Rom	37.95

Nebraska Library Comm.	OCCLC Charges	30.35
Nebraska Public Power	Data Entry	250.00
OK Tire	Tire repair, tires	103.44
Old Dominion Brush	Plate, shoe, retainer	355.71
Otte, Bonnie	Tuition	288.00
Overton Sand & Gravel	Gravel	784.80
Payroll Account	4/26 - 5/9/95	58,768.93
Patty's Hallmark	Staples	7.02
Petty Cash	Misc.	134.60
Platte Valley Communication	Pager repair	51.50
Plum Creek Recycling	Service	1,660.20
Protective Life Insurance	Cancer insurance	206.21
Reliable Office Supply	Envelopes, clipboards	61.68
Sav A Lot	Coffee, filters	37.70
Schnieber Fine Food	Food, cleaner	616.32
Sixth Street Market	UPS, Food	38.78
Social Security Fund	4/26 - 5/9/95	4,405.95
S & W Auto Parts	Auto Supplies	298.00
Michael Todd Co.	Letters, sign	570.77
The Travelers	Pension	1,758.93
The Travelers	Police pension	737.52
Ulverscroft	Books	154.37
Wal-Mart	Misc. Supplies	762.48
Waterpro	Washers, meters	720.26
WESCO	Armor rod, bolt cutters	1,448.22
Wheeler's	Batteries, oil, sledge hammer	193.52
Bliven, Jess	Meeting expense	137.58
CLassic Pool & Spa	Pool chemicals	4,166.99
CBSA	Insurance claims	29.56
Dan's Sanitation	Service	9,567.75
GE Capital	Lease agreement	309.64
Hawks, Robert	Mtg. expense	48.25
Lex Area Chamber of Commerce	CED Bills	728.99
City of Lexington	Franchise fee	18,995.93
Lexington Recreation Program	Support personnel	1,938.00
Nebraska Library Commission	Registration	25.00
TOTAL		168,923.35

**ORDINANCE ON
ABANDONED
VEHICLES:**

City Manager Podraza informed the Lexington City Council that this ordinance is being considered on second reading with the amendments as requested by the city council and legal counsel. An ordinance entitled, "AN ORDINANCE TO AMEND SECTIONS 18-2, 18-2.1, AND 16-91 OF THE LEXINGTON CITY CODE; TO DEFINE UNLICENSED MOTOR

VEHICLES AS A NUISANCE, AND TO PROVIDE FOR REMOVAL OF SAID VEHICLES FROM PRIVATE PROPERTY; TO REPEAL ORIGINAL SECTIONS 18-2, 18-2.1, AND 16-91, 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 Hawks, seconded by Anderson that said ordinance be passed on second reading. Roll call. Voting "aye" were: Fagot, Long, Hawks, Anderson, Wightman. Motion carried.

**ORDINANCE FOR
MOBILE HOME PARKS:**

City Manager Podraza stated that this ordinance is presented to the council with the amendments as requested by the building and zoning officials in granting special use permits to mobile home parks. An ordinance entitled, "AN ORDINANCE TO PROVIDE FOR RULE EXCEPTIONS IN GRANTING MOBILE HOME PARK PERMITS AND SPECIAL USE PERMITS; TO REPEAL ANY ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM." was read before the council. Moved by Hawks, seconded by Long that said ordinance be passed on second reading. Roll call. Voting "aye" were: Anderson, Fagot, Long, Hawks, Wightman. Motion carried.

PUBLIC HEARING:

The Lexington City Council held a public hearing to discuss the request of City Administration to make application for a grant for construction of storm and sanitary sewer lines from 18th and Ridgeway to the storm sewer at Park and 13th Streets, and the removal of a lift station at 15th and Hampton street.

Assistant City Manager Bricker informed the Council that this request is for a public works grant to relieve the flooding in the northwest part of Lexington which occurred during the spring of 93. He further explained that \$350,925.00 of this grant would be used for storm sewer improvements while \$500,875.00 will be used for sanitary sewer improvements. The last category covered by the

grant would be administrative costs which are budgeted at \$29,800.00.

Favorable comments for this project were received from the citizens in attendance.

Hearing no further comments either for or against the project Mayor Wightman declared the public hearing closed.

Moved by Hawks seconded by Anderson to authorize the city administration to apply for a grant to improve the drainage of water in the north west part of town. Voting "aye" were: Hawks, Anderson, Fagot, Long, Wightman. Motion carried.

PAY ESTIMATE:

The Lexington City Council reviewed the pay estimate from Midland Contractors as being application No. 2 in the amount of \$107,417.90. Mr. Bob Blankenship, representing Miller & Associates addressed the Lexington City Council stating that this pay estimate also included a change order of \$18,206.15. Upon completion of the consideration of this pay estimate, moved by Fagot, seconded by Hawks to approve application No. 2 to Midlands Contracting, Inc. in the amount of \$107,417.90 for construction of 13th Street Improvements, Phase 1. Roll call. Voting "aye" were: Long, Anderson, Hawks, Fagot, Wightman. Motion carried.

**SPECIAL MEETING
DATE:**

City Manager Podraza stated that he had arranged a meeting with school officials to be televised on June 6, 1995 at the library located in the Lexington High School at which time the sales tax, school and swimming pool options will be discussed. Moved by Anderson, seconded by Long to set a special meeting of the Lexington City Council for June 6, 1995 at the Lexington High School at 13th & Adams. Roll call. Voting "aye" were: Hawks, Fagot, Long, Anderson, Wightman. Motion carried.

**STORM SEWER TAP
FEES:**

The Lexington City Council reviewed the charges for the tapping of the storm sewer for discharge from sump pumps or geothermal heat pumps. Lacking a clear definition of the charge that would be levied for each, moved by Hawks, seconded by Anderson to table any action on this ordinance until the next

regular meeting of June 13, 1995. Roll call. Voting "aye" were: Long, Fagot, Anderson, Hawks, Wightman. Motion carried.

ADVERTISEMENT FOR BIDS:

City Manager Podraza stated that the roof over the fire barn on the east end of the city building needs to be redone and is asking that the city administration be allowed to advertise for bids. Moved by Hawks, seconded by Anderson to allow the city administration to advertise for bids for the replacement of the roof over the fire hall truck garage. Roll call. Voting "aye" were: Fagot, Long, Anderson, Hawks, Wightman. Motion carried.

UNION PACIFIC RAILROAD EASEMENT:

City Manager Podraza addressed the Lexington City Council stating that this easement for power line encroachments for the Union Pacific Railroad would be for a period of time greater than the annual fee that has been paid normally by the City of Lexington and is therefore requesting the city council to approve the attached resolution and the payment of \$700. Moved by Long, seconded by Hawks that the following resolution be passed and approved. Roll call. Voting "aye" were: Anderson, Fagot, Hawks, Long, Wightman. Motion carried.

RESOLUTION NO. 95-06

WHEREAS, Union Pacific Railroad Company has tendered a SUPPLEMENTAL AGREEMENT covering the continued maintenance and operation of an overhead power wire line encroachment across the right-of-way and tracks of the Union Pacific Railroad Company at Lexington, Nebraska; and

WHEREAS, said Agreement should be approved.

BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA that the President of the Council is hereby directed and authorized on behalf of the City to execute said Agreement, a copy of which is attached to this Resolution.

PASSED AND APPROVED this 23rd day of May, 1995.

CITY OF LEXINGTON, NEBRASKA

BY: _____

John M. Wightman, Mayor

ATTEST:

City Clerk

**ORDINANCE FOR SALE
OF PROPERTY:**

City Manager Podraza stated that he had received two offers for the sale of property in Southaven. The first one was through BHA and the second one privately sold to Cadwell Construction. An ordinance entitled, "AN ORDINANCE DIRECTING THE SALE OF LOT 10, BLOCK 4, SOUTHAVEN ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE." was read before the council. Moved by Hawks, seconded by Long that the statutory rules requiring the reading of said ordinance on three separate days be suspended. Roll call. Voting "aye" were: Fagot, Anderson, Long, Hawks, Wightman. Motion carried. Said ordinance was then read by title. Moved by Hawks, seconded by Long that Ordinance No. 2020 be passed on final reading. Roll call. Voting "aye" were: Fagot, Anderson, Long, Hawks, Wightman. Motion carried. The passage and adoption of said ordinance having been concurred by a majority of the Council, the President declared said ordinance b e 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. 2020 to be published in pamphlet form.

SALE OF PROPERTY:

An ordinance entitled, "AN ORDINANCE DIRECTING THE SALE OF LOT A OF THE REPLAT OF LOT 1 OF THE REPLAT OF LOTS 1-12, BLOCK 8, SOUTHAVEN ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; AND LOT 2, BLOCK 1, SOUTHAVEN ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA, TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE." was read before the council. Moved by Hawks, seconded by Long that the rules requiring the reading of said ordinance on three separate days be suspended. Roll call. Voting "aye" were: Fagot, Anderson, Long, Hawks,

Wightman. Motion carried. Said ordinance was then read by title. Moved by Hawks, seconded by Long that Ordinance No. 2021 be passed on final reading. Roll call. Voting "aye" were: Anderson, Fagot, Long, Hawks, Wightman. Motion carried. The passage and adoption of said ordinance having been concurred by a majority of the Council, the President declared said ordinance b e 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. 2021 to be published in pamphlet form.

EXECUTIVE SESSION: City Manager Podraza then requested the City Council go into executive session to discuss a personnel matter. Moved by Hawks, seconded by Long that an emergency exists and thereby the City Council go into executive session at 8:17 p.m. to discuss a personnel matter. Roll call. Voting "aye" were: Fagot, Anderson, Long, Hawks, Wightman. Motion carried.

Moved by Hawks, seconded by Fagot to reconvene the regular session from executive session at 8:26 p.m. Roll call. Voting "aye" were: Long, Anderson, Fagot, Hawks, 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
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
City Clerk

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Special Meeting of the Lexington City Council was held Saturday, May 6, 1995, at the Grand Generation Center, 407 East 6th Street, Lexington, Nebraska, at 8:00 A.M. Members of the City Council present were: Mayor John Wightman, Robert Hawks, Dorothy Anderson, John Fagot and Jerry Long. City Officials present were: City Clerk Leon E. Malzahn, City Manager Bill Podraza and City Attorney Will Weinhold. Department Heads present were: Neldene Skwarek and Ann Luther.

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.

AQUATIC CENTER: City Manager Podraza stated that Mr. Burbach needs to furnish the city with a rendition and a visit which were included in his fees. During his visit, it is planned to have Mr. Burbach attend a Chamber of Commerce meeting and a special meeting of the Lexington City Council for June 6, 1995 at 7:30 p.m. which meeting could be televised from the high school. City Manager Podraza also suggested a series of question and answer type articles to be placed in the paper regarding the sales tax issue for schools and the swimming pool. Councilmember Fagot suggested the City of Lexington joining a national aquatic association whereby the City may receive discounts for equipment. City Manager Podraza informed council that the study of aquatic

centers throughout the state reveal that revenues have increased through increased participation and also increase in charges for admission. When discussing the cost of the pool, the recent renovation bid from Gothenburg was discussed with the understanding that this bid came in at approximately \$600,000.

BUDGET DISCUSSION: City Manager Podraza stated that the target for the fiscal year '95-'96 fiscal year was not to increase the tax call from the current position of \$157,971 for the general fund, plus the bonds which would equal \$205,000 of property tax call. He stated that this call was based upon a \$167,000,000 valuation of the town resulting in a levy of .0942 cents per \$100 dollars. He further stated that a problem could exist with the upcoming fiscal year which the state legislature has changed to a 14 month fiscal year for a one year period. This problem would arise in the fact that we have told the citizens of Lexington that the property tax call would not increase, but having a 14 month budget would make that statement look to be false. The city manager further stated that there may be a possibility of submitting a 12 month budget, a 2 month budget, and a 14 month budget to further explain to the citizens that the overall spending has not increased but the fiscal year would be longer for the next year only. Also discussed was the merit increase for employees if they qualify for the 5% which equates to approximately 3.5% increase in the budget. The city manager touched slightly on the ADA requirements in the job descriptions as another agenda item later on deals with this subject.

INSURANCE: City Manager Podraza relayed to the council the wishes of administration to change the deductible for surgery from a 50/50 for the first \$2,000 to an 80/20 for the first \$2,000. This change would affect, as stated before, surgery and outpatient care. He then stated that the side fund at this time is approximately \$145,000 which is down from a high of \$185,000. This reduction in assets of the side fund is due to several employees who have had severe illness. The city manager further explained the PPO and HMO organization and the availability of a PPO from our hospital and the requirements of that PPO.

BUILDING:

City Manager Podraza reviewed a memorandum from Tom Nelson to Vance Bricker regarding inspection fees and the increase brought about by the adoption of the 1991 code book and the ability in the city code for permits to do plumbing work in the city of Lexington. On the discussion of permits to do plumbing work related to the degree in which the City of Lexington would be exposing themselves to liability by issuing a license for plumbers in the city. Other items discussed under this related to the inspection which Cozad does on rental properties, the junked vehicle situation in the City of Lexington, the Keep America Beautiful plan and a plan for Keep Lexington Beautiful, the situation regarding sidewalk placement and repair and the changes which have occurred to the physical plan of the City of Lexington, the municipal building and the library to make these buildings conform with the Americans with Disabilities Act.

LANDFILL:

City Manager Podraza reviewed the changes that have occurred in the time and closure of the existing landfill that were granted by the Department of Environmental Quality regarding testing for ground water and monitoring wells and postclosure inspection. City Manager Podraza stated that these changes would save the City of Lexington millions of dollars over the ensuing years.

**COMMUNITY SERVICE
BUILDING REPORT:**

City Manager Podraza reported that the Community service building was negotiated at \$605,599 with change orders amounting to \$4,500 which included a sprinkler system for the paint storage as required by the state fire marshal deleting and rebidding the fence at \$14,400 including the gas tanks. City Manager Podraza stated that the bid to move the gas tanks is \$36,000. They were considered as high and they negotiated to move in \$17,000. Rock for the yard is estimated at \$5,000. Wood shelving was opted as opposed to metal shelving at a cost of \$10,000 for a total of \$660,000. Of this \$660,000, \$400,000 would be paid by the general fund with the remainder to be paid by the utilities. City Manager Podraza further stated that depending upon the progress on

construction, the building may be included in the next fiscal year's budget.

SANITARY SEWER RATES:

City Manager Podraza stated that there is a possibility that the City of Lexington and IBP may cooperate with the sewage disposal plant whereby the city handled some of the sludge from IBP as IBP is not set up to accommodate and that IBP would handle some of the ammonia removal for the City of Lexington as their equipment is already in place. Additionally, they discussed the gross profit of the sanitary sewer department stating that this department without any franchise fees paid to the city of Lexington was operating \$15,000 in the red and therefore, the rate increase would be forthcoming.

13TH STREET PROJECT:

City Manager Podraza stated that the entire project on 13th Street has been halted due to the rainy weather and muddy conditions. However, the tree removal has been completed and the intersection at 13th and Taft will be given the highest priority as soon as the condition of the ground allows.

GRAND GENERATION CENTER:

Ann Luther presented a report to the City Council outlining the attendance at the Grand Generation Center compared to one year ago. Additionally, she explained the activities that were planned by the Grand Generation Center and the contents of these activities.

SUMMER OFFICE HOURS:

City Manager Podraza requested that the city office be allowed to open at 7:00 a.m. and close at 4:00 p.m. versus the 8:00 to 5:00 in the summer months. It was the feeling of several councilmembers that there would be a need to have the office open from 4:00 to 5:00 p.m. Therefore, they did not recommend this step be taken.

COMPARISON OF ELECTRIC RATES:

City Manager Podraza presented graphs of Lexington's electric rates compared to other towns in the state of Nebraska stating that Lexington falls within the mean class of cost for blocks of kilowatt hours in 80% of the surveyed towns.

COMPUTER

City Clerk, Leon E. Malzahn presented an outline of

DISCUSSION: previous activities with the computer system for the city office proposing a change in the workstation environment to a network type environment using a operating system which is more capable of interfacing with and using current technology. The City Clerk stated that a total cost of this conversion could be accomplished by the reduction of the maintenance charge on our current mainframe.

ADMINISTRATIVE VAN: City Manager Podraza requested the city council to include a new van for administrative use at the city office. He further stated that this van would be rolled into another department and would be used as our other vehicles to their degree of inefficiency.

TAX INCREMENT FINANCING: The City Manager discussed a project that could use tax increment financing in the City of Lexington to construct apartments on land in the north part of Lexington. After a discussion concerning the impact of tax increment financing would have on not only the City of Lexington, but also the school district, it was recommended the staff call a meeting with the administration of the school to discuss the impact this may have on their tax base.

RAILROAD OVERPASS: City Manager Podraza reviewed the offer from Union Pacific Railroad of last year to close the crossings in Lexington. Also discussed at this time were the possible locations of an overpass. These were on Adams Street or the Airport Road. With no further discussion, no action was taken.

SUMMER INTERN: The City Manager stated that he would be employing an intern for the summer to complete the job descriptions, a risk study concerning the safety committee, and the impact IBP has had on our community. City Manager Podraza further stated that the student would be paid approximately \$5.00 per hour.

SWIMMING POOL FEES: An increase in the admission rates for the swimming pool was discussed with the recommendation that this would be placed on the agenda for the May 9, 1995 council meeting.

ADJOURNMENT:

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

John Wightman
Council President

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.

Leon E. Malzahn
City Clerk

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Regular Meeting of the Lexington City Council was held Tuesday, May 9, 1995, at the Municipal Building, 406 East 7th Street, Lexington, Nebraska, at 7:30 P.M. Members of the City Council present were: Mayor John Wightman, Robert Hawks, Dorothy Anderson and John Fagot. Councilmember Jerry Long was absent. City Officials present were: City Manager Bill Podraza, City Clerk Leon E. Malzahn and City Attorney Will Weinhold. Department Heads present were: Vance Bricker, and Charlie Clark. Also present were: Dutch Anthony and Doris Linn. The press was represented by the Lexington Clipper Herald, the Tri-City Tribune and the Kearney Hub KRVN.

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 MEETING 04/25/95: The minutes of the regular council meeting held April 25, 1995 were presented for Council's consideration and approval. Moved by Hawks, seconded by Fagot, to approve the minutes of the regular meeting as presented. Roll call. Voting "aye" were: Anderson, Fagot, Hawks, Wightman. Motion carried.

MINUTES SPECIAL MEETING 05/06/95: The minutes of the regular council meeting held May 6, 1995 were presented for Council's consideration and approval. Moved by Hawks, seconded by Anderson to approve the minutes of the special meeting as presented. Roll call. Voting "aye"

were: Fagot, Anderson, Hawks, Wightman. Motion carried.

CLAIMS AND BILLS:

Claims and Bills in the amount of \$575,863.17 were presented for Council's consideration and approval. Upon questioning of a claim for construction of the service building and an appropriate answer, moved by Anderson, seconded by Fagot to approve the claims and bills as listed and authorized the City Treasurer to transfer \$121,740.91 from the General Fund, \$412,643.80 from LEXUS Funds, \$10,000.00 from City Sanitation Fund, \$20,946.43 from the Landfill Fund, \$253.80 from the Library Memorial, \$3,202.08 from the Health Fund and \$7,076.15 from Meals on Wheels to the Lexington Operating Account. Roll call. Voting "aye" were: Hawks, Fagot, Anderson, Wightman. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
May 9, 1995

Abood, Kayleen	Meeting expense	66.01
American Girl	Subscription	19.95
American Red Cross	First Aid Class	60.00
AT & T	Service	41.77
AT & T	Service	53.10
Awards Plus	Signs	37.50
Bader Insulation	Sandblasting - Pool	380.00
Bee Line Motor Freight	Freight	128.03
Berntson Oil	Diesel, gas, oil	2,866.03
Bendler, Robert	Starter kit	511.05
Bishop, Pete	Meeting expense	84.25
Buller Fixture	Meat slicer	819.00
Cash-Wa Distributing	Food, gloves, oil	683.39
Central Garage	Labor, parts, oil, gas	7,699.46
Century Laboratories	Algaecide, soap	542.93
Century Lumber	Anchor, bit	11.32
Coast to Coast	Coupling, pipe, propane	105.10
Corporate Div. Service	Insurance	60.00
CBSA	Insurance claims	3,164.35
Culligan Water Conditioning	Salt, rental	43.50
Dawson Co. Law Enforcement	Intoxylizer refund	25.00
Dawson Co. Public Power	Boots - Foster	43.64
Dawson Co. Weed Control	Service	697.54
Dawson Co. Register of Deeds	Filing fees	17.50

Dawson Co. Highway Dept.	Posts	39.36
Dawson Co. Clerk	Dispatch service	3,917.33
Dan's Sanitation	Service	10,000.00
Donna's Cafe	MOW	749.36
Dutton Lainson Co.	X Arm brace, anchor, washers	1,339.24
Electric Fixture	Electric Supplies	701.74
Emery Pratt	Book	14.68
Fairbanks International	Parts, filter	26.58
Family Eyewear	Glasses - Nelson	98.75
Fagot Refrigeration	Pump repair	432.47
Fischer-Scientific	Meter	706.46
Fox Bros. Hay Co.	Grinding	1,450.00
Follett Software Co.	Labels	33.12
Gillette/NE Dairies	Dairy products	145.42
Hawks, Robert	Meeting expense	48.25
Hastings College	Registration - Deal	100.00
Hipp Wholesale Co.	Food, trays	379.62
Holiday Inn	Rooms	196.00
Holmes Plumbing & Heating	Sewage pump	54.04
I.C.M.A.	City Mgr. pension	133.85
Ingram Library Service	Books	40.76
Interstate Structures	Pay estimate #7 - Serv. Bldg.	39,927.60
Jones Plumbing	Parts	130.34
Kearney Hub	Subscription	19.50
K N Energy	Service	1,017.49
Kriz-Davis Co.	Misc. Supplies	4,793.16
League of NE Municipalities	Directory, conference	280.00
Lexington Animal Clinic	Service	358.75
Lexington Health Fund	Side fund	11,489.94
Lexington Coop	Gasket, kerosene	53.15
Lexington Laundry	Service	55.00
Lexington Public Library	Stamps	32.00
Lexington Newspaper	Service	1,008.00
City of Lexington	Franchise fee	- 50.82
Lexington Recreation Program	Support personnel	1,600.00
Lexington Postmaster	Newsletter postage	80.00
City of Lexington	Landfill	276.00
Lieh's Drilling	Well repair	781.48
Loos Electric	Hard hats, bracket	542.11
Lou's Sporting Goods	Balls	1,044.07
LRP Publication	Labor arbitration manuals	125.00
Luther, Ann	Meeting expense	27.50
Mead/Big Valley Lumber	Drill bits, door, brush	324.88
Midway Supply	Misc. Supplies	225.67
Miller & Assoc.	Service	1,850.00
Mike's Pharmacy	Film processing	8.76

Morris Press	Landfill tickets	1,421.30
Mr. Automotive	Belt, pulley, brake fluid	296.28
National Fire Protection	Fire extinguisher	26.40
Nebraska Machinery	Loader payments	2,646.00
Nebraska Dept. of Revenue	Sales tax - April	20,581.22
Nebraska Municipal Power Pool	Member dues	1,070.97
State of Nebraska	Water analysis	1,324.62
Nebraskaland Tire	Tube	6.07
Nelson, Thomas	Meeting expense	239.22
State of Nebraska	Quarterly disposal fee	10,887.50
Nebraska Cellular	Service	82.40
OK Tire	Tire repair, tires	525.13
Old Dominion Brush	Gutter brooms	450.00
Omaha Slings	Freight	3.63
Overton Sand & Gravel	Gravel	220.80
Payroll Account	4/12 - 4/25/95	58,209.31
Paulsen Bldg. & Supply	Concrete	136.25
Patty's Hallmark	Card file, index, chalk, pens	87.16
Platte Valley Auto Mart	Auto Repairs	604.10
Platte Valley Communication	Battery, radio repair, Maint.	195.00
Plum Creek Medical Group	Work Comp. - Foster	12.50
Plum Creek Electronics	Repair speaker system	84.99
Precision Industries	Seal	3.84
Ramada Hotel	Meeting expense	275.50
Rent All Rentals	Sprayer	11.16
Recreonics Corp.	Clock, supplies	219.42
Schnieber Fine Food	Paper towels, food	801.11
Shoe Mart	Meter reader shirts	13.85
Sixth Street Market	Food, gloves, postage	93.55
Social Security Fund	4/12 - 4/25/95	4,363.13
S & W Auto Parts	Auto parts	392.96
Telegraph	Ad - Police	80.16
Texaco Inc.	Gas	20.10
The Travelers	4/12 - 4/25/95	1,731.38
The Travelers	Police pension	729.10
Ultramax	Ammunition	456.00
US West Communications	Service	1,341.19
Valentino's	Meeting expense	13.05
Video Store Service	Insta seals	25.80
VWR Scientific	Chemicals	62.00
Wal-Mart	Misc. Supplies	297.48
WESCO	Misc. Supplies	3,713.50
Weber & Weinhold	Service	1,650.00
Wheeler's	Trees, & Misc. Supplies	532.65
Zep Manufacturing	Towels, tissue, trash bags	179.43
Awards Plus	Trophies	595.60

CBSA	Insurance claims	25.23
Dangler, Clark	CDL License	40.00
Decker, Wayne	Paint, thinner, faucet	253.80
Hastings College	Registration	20.00
Lexington Health Fund	Side fund - Insurance	11,489.94
City of Lexington	Admin. charges, Misc.	24,912.92
May, Sue	Service - Library	100.00
Midlands Rental & Machinery	Truck maint.	107.68
NPPD	Power bill	316,798.44
Podraza, Bill	Meeting expense	88.85
Schuckman, Marsha	Service	50.00
US West Communications	Service	496.47
	TOTAL	575,863.17

**ABANDONED
VEHICLES:**

The Lexington City Council reviewed the action that had been taken regarding an ordinance to regulate abandoned vehicles. The following discussion related to regulations which would require vehicles to be either licensed or properly stored. Additionally, City Manager Podraza stated that the City Building Inspector had requested a change in the ordinance regarding the placement of recreational vehicles in the back yard rather than on the side yards. Without the ordinance and or the amendments added to the ordinance, it was recommended that this be tabled until the next meeting. No action was taken.

INTERLOCAL AGENCY:

The Lexington City Council reviewed a resolution which would appoint members of a Lexington City Council and administration to serve on a committee to govern the community facilities the City of Lexington would be constructing with the one-half cent sales tax. Upon completion of the discussion following the resolution, moved by Hawks, seconded by Anderson that the following resolution be passed and approved. Roll call. Voting "aye" were: Fagot, Anderson, Hawks, Wightman. Motion carried.

RESOLUTION NO. 95-05

WHEREAS, both the City of Lexington, Nebraska, and Dawson County School District #1, have approved and adopted an INTERLOCAL COOPERATION ACT AGREEMENT CREATING

THE LEXINGTON COMMUNITY FACILITY AGENCY;
and

WHEREAS, it is necessary to appoint representatives to such Agency and establish guidelines for contributions to community facilities by the City.

BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, as follows:

1. That the following persons are appointed to serve on the governing body of such Agency, appointments continue until January 1, 1996, or until a replacement is duly appointed:

Lexington City Council Person: John Wightman

Lexington City Council Person: John Fagot

Lexington City Administrator: Vance Bricker

PASSED AND APPROVED this 9th day of May, 1995.

CITY OF LEXINGTON, NEBRASKA

BY: _____
John Wightman, Mayor

ATTEST:

City Clerk

MOBILE HOME:

The Lexington City Council held a public hearing to receive input on a request to place a mobile home in an A-1 zoned area. The City Council was informed by Doris Linn that she would like to move a trailer next to hers which is in an A-1 zone, for her daughter who is recovering from an illness. Mr. Vance Bricker addressed the Lexington City Council stating that this had gone through the Planning Commission with the recommendation that this mobile home not be occupied by any other person other than Ms. Linn's daughter and that 90 days after the daughter moves from the mobile home, the mobile home would be removed. Hearing no further comments, Mayor Wightman declared the public hearing closed. Moved by Hawks, seconded by Fagot to grant a special use permit to Doris Linn for a placement of a mobile home in an A-1 zone with the stipulation that the only

occupant of this home is to be Ms. Linn's daughter and when her daughter vacates the mobile home, the mobile home is to be removed within 90 days. Roll call. Voting "aye" were: Anderson, Fagot, Hawks, Wightman. Motion carried.

**PUBLIC HEARING
HOME COURTS:**

The Lexington City Council held a public hearing to consider an ordinance to amend the city code regarding the requirements in a mobile home park whereby the requirements of the existing ordinance would change the requirements for the extension of the mobile home park making that extension of the park in noncompliance with the original park. After reviewing examples presented by Mr. Bricker whereby a road constructed in an existing park would, under current conditions, need to be black topped in an extension of a park rather than to continue on with a rock and gravel base. Hearing no further input on the public hearing, Mayor Wightman declared the public hearing closed. An ordinance entitled, "AN ORDINANCE TO PROVIDE FOR RULE EXCEPTIONS IN GRANTING MOBILE HOME PARKS PERMITS AND SPECIAL USE PERMITS; TO REPEAL ANY ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM." was read before the council. Moved by Hawks, seconded by Anderson that said ordinance be passed on first reading. Roll call. Voting "aye" were: Fagot, Anderson, Hawks, Wightman. Motion carried.

**SWIMMING POOL
FEES:**

City Manager Podraza reported to the council that forthcoming from a review of the swimming pool fees at the council retreat held the previous Saturday, the recommendation is to make season tickets as follows: 1-\$20; 2-\$30; 3-\$35; 4-\$40; and for 5-\$50. After completion of this discussion, moved by Anderson, seconded by Fagot, that the recommended fees as stated previously be accepted by the city council for the most current swimming pool season.

Roll call. Voting "aye" were: Hawks, Fagot, Anderson, Wightman. Motion carried.

STORM SEWER TAP FEES:

The Lexington City Council reviewed the tap fees to be charged for taps into the storm sewer. The discussion relating to this subject is referred to the cost for each tap. Various prices were reviewed. During the discussion pertaining to this ordinance, Councilperson Fagot stated that the cost of tapping the storm sewers should be high enough so a person with a heat pump would not choose a tap in the storm sewer rather than a recharge well. Upon completion of this discussion, an ordinance entitled, "AN ORDINANCE TO AMEND ARTICLE 23 OF THE LEXINGTON CITY CODE; TO MAKE PROVISION FOR STORM SEWER TAPS AND TO PROVIDE FOR PERMITS AND FEES; TO REPEAL ANY 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 Hawks that said ordinance be passed on first reading. Roll call. Voting "aye" were: Fagot, Hawks, Anderson, 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
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

City Clerk

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Special Meeting of the Lexington City Council was held Monday, June 12, 1995, at the Municipal Building, 406 East 7th Street, Lexington, Nebraska, at 7:30 A.M. Members of the City Council present were: Mayor John Wightman, Robert Hawks, Dorothy Anderson, and Jerry Long. Councilman Fagot was absent. City Officials present were: City Clerk Leon E. Malzahn, City Manager Bill Podraza and City Attorney Will Weinhold. Department Head present was: Vance Bricker. Also present was: Bob Cappel. The press was represented by KRVN.

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.

RESOLUTION BONDS: The following resolution was read before the Lexington City Council. Upon completion of reading this resolution, Councilperson Anderson moved that said resolution be passed and approved, seconded by Hawks. Roll call. Voting "aye" were: Long, Hawks, Anderson, Wightman. Motion carried.

RESOLUTION NO. 95-07

BE IT RESOLVED BY THE MAYOR AND CITY
COUNCIL OF THE CITY OF LEXINGTON,
NEBRASKA:

Section 1. The Mayor and Council hereby find and determine that it is necessary that funds be provided

for the purpose of constructing a new swimming pool facility and related aquatic park improvements; that a proposition to issue bonds for such purpose should be submitted to the electors of the City of Lexington at a special election to be held on August 8, 1995, under the authority of Section 16-695, R.R.S. Neb. 1943; that the question of a bond issue for such purpose has not been submitted to the electors of the City within six months prior to August 8, 1995.

Section 2. The Mayor and Council further find and determine that it is necessary that funds be provided for the purpose of purchasing an existing building or buildings, including related site, acquiring a site or sites including leasehold interests, constructing on such site or sites a public building or buildings and remodeling an existing building or buildings for the purpose of providing indoor athletic facilities, public auditorium facilities, including related parking facilities, and providing furnishings and equipment for such public buildings, either directly or through the Lexington Community Facilities Agency; that a proposition to issue bonds for such purpose should be submitted to the electors of the City of Lexington at a special election to be held on August 8, 1995, under the authority of section 16-6100, R.R.S. Neb. 1943; that the question of a bond issue for such purpose has not been submitted to the electors of the City within six months prior to August 8, 1995.

Section 3. A special election is hereby called and shall be held in the City of Lexington, Nebraska, on August 8, 1995, at which special election there shall be submitted to the qualified electors of the City of Lexington, the following propositions:

Proposition No. 1

Shall the City of Lexington, Nebraska issue its negotiable bonds in the principal amount not to exceed One Million Six Hundred Thousand Dollars (\$1,600,000) for the purpose of constructing a new swimming pool facility and related aquatic park improvements, said bonds to bear interest at such rate or rates and to become due at such time or times, as may be determined by the Mayor and Council; and "Shall the City cause to be levied and

collected annually a special levy of taxes against all the taxable property in the City sufficient in rate and amount to pay the interest and principal of said bonds as the same become due?"

_____ FOR said bonds and tax
_____ AGAINST said bonds and tax

Proposition No. 2

Shall the City of Lexington, Nebraska, issue its negotiable bonds in the principal amount not to exceed Two Million Nine Hundred Thousand Dollars (\$2,900,000) for the purpose of purchasing an existing building or buildings, including related site, acquiring a site or sites including leasehold interests, constructing on such site or sites a public building or buildings and remodeling existing buildings for the purpose of providing indoor athletic facilities, public auditorium facilities, including related parking facilities (either directly by the City or through the Lexington Community Facilities Agency), and providing furnishings and equipment for such public buildings; and "Shall the City cause to be levied and collected annually a special levy of taxes against all the taxable property in the City sufficient in rate and amount to pay the interest and principal of said bonds as the same become due?"

_____ FOR said bonds and tax
_____ AGAINST said bonds and tax

The ballots to be voted upon and cast at said election shall have printed thereon the foregoing propositions, followed by the words: "FOR said bonds and tax" and "AGAINST" said bonds and tax" following the propositions.

Qualified electors voting in favor of each proposition shall blacken completely the oval opposite the words "FOR said bonds and tax" following said proposition, and qualified electors voting against each proposition shall blacken completely the oval opposite the words "AGAINST said bonds and tax" following said proposition.

Section 4. The City Clerk is hereby directed to cause special notice of said election to be given by publication three successive weeks (four weekly publications) prior to such election in the Lexington Clipper-Herald, a newspaper published and printed and of general circulation in the City.

Section 5. The City Clerk is further directed to certify a copy of this resolution to the County Clerk of Dawson County, Nebraska, (not less than 50 days prior to election), who shall conduct the election as provided by law. General notice of election shall be published in the Lexington Clipper-Herald, as designated by the Mayor and Council, and posted by the County Clerk not less than 40 days prior to election. The City does hereby agree to reimburse said County Clerk for the expense of conducting the election.

Section 6. The form of Notice to be published and the form of ballot to be submitted to the County Clerk for use at said election are hereby approved as presented to the Mayor and Council and a copy of said form of notice and said form of ballot are hereby ordered attached to these Minutes and made a part of this Resolution. The City Clerk is hereby authorized and directed in conjunction with the County Clerk conducting the election, to arrange for the printing of the necessary ballots and publication of the sample ballot and to do all other things and take all other action appropriate or necessary in order to cause said propositions to be submitted to the qualified electors of the City as above provided.

Section 7. The polling places for such election shall be those polling places designated by the County Clerk of Dawson County for such election.

Section 8. The Mayor and Council of the City of Lexington hereby declare that it is their intention to issue bonds pursuant to Proposition No. 2 only if the qualified electors of Dawson County School District 001 (including affiliates, if appropriate) shall have also approved the issuance of bonds by such school district to pay a portion of the costs of the facilities

which are proposed to be financed pursuant to such Proposition No. 2.

Section 9. The Special Election previously called by Resolution adopted April 25, 1995 to be held June 20, 1995 is hereby canceled due to the failure in publication of election notice.

PASSED AND ADOPTED this 12th day of June, 1995.

Mayor

City Clerk

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

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Regular Meeting of the Lexington City Council was held Tuesday, June 13, 1995, at the Municipal Building, 406 East 7th Street, Lexington, Nebraska, at 7:30 P.M. Members of the City Council present were: Mayor John Wightman, Robert Hawks, Dorothy Anderson, Jerry Long and John Fagot. City Officials present were: City Manager Bill Podraza, City Clerk Leon E. Malzahn and City Attorney Will Weinhold. Department Heads present were: Vance Bricker, and Charlie Clark. Also present were: Dana Daniels and Bob Blankenship representing Miller & Associates and Rich Bukovinsky and Ray Meyers representing Regional Insurance Managers, Inc. Citizens in attendance were: Dan and Marilyn Sabin. The press was represented by the Clipper Herald, the Tri-City Tribune and KRVN.

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
MEETING 05/23/95:**

The minutes of the regular council meeting held May 23, 1995 were presented for Council's consideration and approval. Moved by Long, seconded by Hawks to approve the minutes of the regular meeting as held May 23, 1995. Roll call. Voting "aye" were: Anderson, Fagot, Hawks, Long, Wightman. Motion carried.

**MINUTES SPECIAL
MEETING 06/06/95:**

The minutes of the special council meeting held June 6, 1995 were presented for Council's consideration and approval. Moved by Hawks,

seconded by Long to approve the minutes of the special meeting as presented. Roll call. Voting "aye" were: Long, Anderson, Fagot, Hawks, Wightman. Motion carried.

MINUTES SPECIAL MEETING 06/09/95:

The minutes of the special council meeting held June 9, 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: Hawks, Fagot, Long, Anderson, Wightman. Motion carried.

MINUTES SPECIAL MEETING 06/12/95:

The minutes of the special council meeting held June 12, 1995 were presented for Council's consideration and approval. Moved by Hawks, seconded by Anderson to approve the minutes of the special meeting as presented. Roll call. Voting "aye" were: Fagot, Long, Anderson, Hawks, Wightman. Motion carried.

CLAIMS AND BILLS:

Claims and Bills in the amount of \$872,023.04 were presented for Council's consideration and approval. After a discussion concerning the bill to Paulsen Development of Lexington, Nebraska for construction of Fillmore Street, moved by Anderson, seconded by Hawks to remove that claim from the list of bills making the total bills listed as \$852,382.81 and authorized the City Treasurer to transfer \$165,611.68 from the General Fund, \$642,359.50 from LEXUS Funds, \$10,000.00 from City Sanitation Fund, \$21,491.64 from the Landfill Fund, \$228.15 from the Library Memorial, \$3,378.37 from the Health Fund, and \$9,313.47 from Meals on Wheels to the Lexington Operating Account. Roll call. Voting "aye" were: Long, Fagot, Hawks, Anderson, Wightman. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
June 13, 1995

Alfax Wholesale Furniture	Medical couch - Pool	258.00
AT & T	Service	78.06
AT & T	Service	53.10

AT & T	Service	15.09
Barrett-Housel-Grafton	Insurance	44.00
Baker & Taylor Co.	Leasing Service	149.00
Berntson Oil	Diesel, unleaded fuel, oil	2,838.83
Brown Transfer	Freight	82.83
Brown, Harold	Tool Allowance	50.00
BSB	Pay est. 3, land covering	10,061.00
Buller Fixture Co.	Wire grate	11.51
Cash-Wa Distribution	Food, oil, towels	972.24
Carpenter, Randy	Pony league baseball	250.00
CDW Computer Centers	Printer	477.46
Central Garage Fund	Labor, parts, oil	7,636.74
Century Laboratories	Misc. Supplies	682.09
Century Lumber Center	Screws, bits	30.95
Classic Pool & Spa	Tubing, valves	255.60
Coast to Coast	Keys, bolts, flood light	19.96
Contryman & Associates	Review of financials	121.00
Conney Safety Products	Wipes, pads, bandages	329.12
Corp. Diversifies Serv.	Life insurance	60.00
CBSA	Insurance claims	3,348.37
Culligan Water Conditioning	Service	43.50
Dawson County Public Power	Bolts	40.00
Dawson Co. Register of Deeds	Easement filing	16.50
Dawson Co. Highway Dept.	Cable, clamps	101.76
Dan's Sanitation	Service	10,291.00
Dawson Co. Area Development	Registration	100.00
DEMCO	Paper, cards	49.37
Diamond Vogel Paint	Paint	1,032.00
Display Sales	Seal	70.35
Donna's Cafe	MOW	1,026.21
Dunrite Inc.	Whisk brooms	70.74
Dutton Lainson Co.	Misc. Supplies	521.42
Eake's Office Products	Toner	51.70
Electric Fixture	Electric Supplies	2,126.98
Emery Pratt Co.	Book	13.18
Eustis Body Shop	Training car - Fire Dept.	50.00
Fairbanks International	Hardware	6.87
Fagot Refrigeration	Starter coil, well repair	1,394.40
Farm Plan Corp.	Belt, blade, disc	111.51
Fischer-Scientific	Chemicals, thermometer	232.46
Furst Group	Service	8.59
General Traffic Controls	Flashing beacons	5,620.00
Gillette/NE Dairies	Dairy products	351.41
Hawks, Robert	Meeting expense	96.50
Hipp Wholesale Co.	Napkins, trays, food	1,558.43
Hofaker's Iron & Metal	Hammer hdls, shov. handles	22.75

Holiday Inn	Meeting expense	80.00
H-T-M Sales Inc.	Repair kit	135.71
ICMA Retirement	City Manager pension	267.70
Ingram Library Service	Books	288.36
Interstate Structures Inc.	Pay est #8	46,464.30
Jones Plumbing & Heating	Parts	314.55
K & K Chemical	Pails	212.00
K N Energy	Service	1,432.68
Knapp Electric	Resistor with plate	97.63
Kriz Davis Company	Misc. Supplies	1,362.37
Law Enforcement Equip. Co.	Pistol insignias	50.80
Lexington Animal Clinic	Service	240.50
Lexington Communication	Cleaned switches	35.00
Lexington Coop	Engine parts, rain jackets	251.34
Lexington Laundry	Service	56.00
Lexington Postmaster	Postage	750.00
Lexington Public Library	Postage	27.71
Lexington Truck & Auto	Wiper switch	8.00
City of Lexington	Franchise fee, Misc. chgs	24,994.43
Lexington State Bank	Bond payment	209,192.50
Lexington Recreation Program	Support personnel	1,399.00
Lexington Postmaster	Postage - Newsletter	80.00
City of Lexington	Landfill charges	104.00
Lien, Kevin	Tuition reimbursement	108.00
Malzahn, Leon	School	69.00
MCI	Service	444.75
Mead/Big Valley Lumber	Misc. Supplies	127.78
Meyer Welding	Weld pipe fittings	37.72
Midway Supply	Misc. Supplies	115.10
Misko Sporting Goods	Plates, bases, books	712.87
Miller & Associates	Service	2,316.88
Mid Nebr. Restaurant Supply	Replace condenser	141.32
Morris Press	Rubber bands, ribbon, ntcs	98.87
Mr. Automotive	Bearing, seal	35.49
National Council on Aging	Membership	90.00
Nebraska Machinery	Loader pmts, filter, spring	3,255.66
Nebraska Dept. of Revenue	Sales tax	19,583.66
Nebraska Public Power Dist.	Power bill	307,359.92
State of Nebraska	Testing	5,007.60
NE Dept. of Econ. Development	Refund admin. fees	3,337.00
Nebraska Cellular	Service	81.68
Occupational Center/Catalog	Subscription	30.00
Old Dominion Brush	Misc.	69.00
Overton Sand & Gravel	Gravel	357.00
Payroll Account	5/10 - 6/6/95	132,203.74
Paulsen Development	Fillmore St. Pay Estimate	19,640.23

Paulsen Bldg. & Supply	Concrete	289.50
Patty's Hallmark	Word processor & Supplies	752.45
Pitney Bowes Inc.	Meter rental	144.75
Pitney Bowes	Maint. agreement	135.00
Plum Crk. Medical Group	Work comp. - Haines	30.00
Plum Creek Electronics	Repair projector	46.75
Platte Valley Exterminating	Service	24.00
Podraza, Bill	Meeting	126.50
Prices Tree Service	Sod, repair track on skid	185.00
The Printing Press	Season tickets	83.79
Quinlan Publishing	Law bulletins	61.78
Reach Electronics	Pager repair	32.50
Reliable Office Supply	Office Supplies	66.66
Richardson, William	Mop heads	127.67
Schuckman, Marsha	Service	200.00
Schnieber Fine Foods	Food, cups, towels	1,095.36
Scherer, Brad	Travel expense	150.00
Shoe Mart	Boots - Lien	74.55
Sixth Street Market	UPS Charges, food	107.01
Social Security Fund	5/10 - 6/6/95	9,933.85
S & W Auto Parts	Auto Supplies	331.20
Telegraph	Subscription	25.00
Texaco Inc.	Gas	20.10
Michael Todd & Co.	Hose fittings	431.36
The Travelers	5/10 - 6/6/95	3,479.58
Trautman's Meat Center	Chicken	67.54
The Travelers	Police pension	1,516.01
Union Pacific Railroad	Easement	1,000.00
US News & World Report	Subscription	19.89
US West Communications	Service	1,709.88
Utility Equipment	Coupling, valve, curb box	1,363.62
Valentino's	Meeting expense	23.40
Video Store Services	Laminator, cards, insta seal	303.74
Walker Roofing Company	Roof repair	673.10
Wal-Mart	Balls, keyrings, paint, rollers, ammo, knife, brushes, film processing, word processor, gloves, pliers	653.43
Waterpro	Meter seal, coil seal wire	63.59
WESCO	Hot line clamp, bolt, dampener, meter sockets, harness	4,571.89
Weber & Weinhold	Service	1,525.32
Wheeler's	Ball hitch, paint, pliers, file, hammer, fence posts	411.87
Window Sources	Subscription	16.94
Century Lumber	Grinder, stripper	110.87

Dawson Co. Public Power Service	1,967.93
Ramada Inn Meeting expense	146.79
Shoe Mart Boots - Prasch	56.44
Union Pacific Railroad Easement	700.00
Unisys Corp. Maint. agreement	_1,266.00

TOTAL \$872,023 .04

MOBILE HOME An ordinance entitled, "AN ORDINANCE TO PROVIDE FOR ORDINANCE: RULE EXCEPTIONS IN GRANTING MOBILE HOME PARK PERMITS AND SPECIAL USE PERMITS; TO REPEAL ANY ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM." was read before the council. Moved by Hawks, seconded by Fagot that said ordinance be passed on third and final reading. Roll call. Voting "aye" were: Anderson, Long, Fagot, Hawks, Wightman. 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. 2022 to be published in pamphlet form.

ABANDONED VEHICLE The Lexington City Council considered an ordinance ORDINANCE: for the removal and disposal of abandoned and junk vehicles. Included in this ordinance was a paragraph which allowed the entrance upon property to remove vehicles and set a fee for their towing. Upon further discussion, city administration has requested that this paragraph be stricken from the ordinance and that administration be allowed to set the towing fee. After a discussion, moved by Fagot, seconded by Long to amend the ordinance presented by removing Section 3 of the ordinance presented. Roll call. Voting "aye" were: Hawks, Anderson, Long, Fagot, Wightman. Motion carried. Ordinance No. 2023 entitled, "AN ORDINANCE TO AMEND SECTIONS 18-2, 18-2.1, AND 16-91 OF THE LEXINGTON CITY CODE; TO DEFINE UNLICENSED MOTOR VEHICLES A NUISANCE, AND TO PROVIDE FOR REMOVAL OF SAID VEHICLES FROM PRIVATE PROPERTY; TO INCREASE TOWING FEES; TO REPEAL ORIGINAL SECTIONS 18-2, 18-2.1, AND 16-91, 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 Hawks, seconded by Fagot that the rules requiring the reading of said ordinance of three separate days be suspended. Roll call. Voting "aye" were: Anderson, Long, Fagot, Hawks, Wightman. Motion carried. Said ordinance was then read by title. Moved by Hawks, seconded by Long that Ordinance No. 2023 be passed on third and final reading. Roll call. Voting "aye" were: Fagot, Anderson, Long, Hawks, Wightman. The passage and adoption of said

ordinance having been concurred by a majority of the Council, the President declared said ordinance b e 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. 2023 to be published in pamphlet form.

TAPPING FEE An ordinance entitled, "AN ORDINANCE TO AMEND
ORDINANCE: ARTICLE 23 OF THE LEXINGTON CITY CODE; TO MAKE
PROVISION FOR STORM SEWER TAPS AND TO PROVIDE FOR PERMITS
AND FEES; TO REPEAL ANY 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 stated that the cost in this ordinance
should be \$400 for tapping a sewer for heat pump, \$100 when tapping a sewer
for a sump pump. Moved by Hawks, seconded by Fagot that this ordinance be
passed on third reading. Roll call. Voting "aye" were: Long, Anderson, Fagot,
Hawks, Wightman. Motion carried. The passage and adoption of said ordinance
having been concurred by a majority of the Council, the President declared said
ordinance b e 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. 2024 to be published in pamphlet form.

RECYCLING AGREEMENT: City Manager Podraza informed the council of the coalition of cities that were combining resources to form a coop whereby the coop would deliver papers to the recycler. The recycler would credit the members of the coop for the amount of paper they delivered and when sold, would reimburse that cooperative member. He then reviewed the steps that had been taken concerning recycling of newspapers in Lexington by the Lions Club and the possibility of a paper drive in Lexington with the Lions Club and Boy Scouts performing the duty of collecting the newspapers and charging the city for their services. Upon completion of the discussion, moved by Hawks, seconded by Anderson to authorize the City Manager to enter into a cooperative agreement for recycling newspapers. Roll call. Voting "aye" were: Fagot, Long, Anderson Hawks, Wightman. Motion carried.

U.P.R.R. EASEMENT: City Manager Podraza presented an easement to the Lexington City Council for sewer line encroachments. Mr. Podraza stated that this easement, as opposed to the electric easement has a cost of \$1,000 per year which was negotiated down from \$2,000 per year. Upon completion of this presentation, moved by Hawks, seconded by Long to approve the easement and payment of costs to Union Pacific Railroad for sewer line encroachments. Roll call. Voting "aye" were: Anderson, Fagot, Long, Hawks, Wightman. Motion carried.

PAY ESTIMATE: The Lexington City Council considered a request from BSB Construction in the amount of \$6,061.00. Mr. Dana Daniels addressed the Lexington City Council stating that a change order had been incorporated into this pay estimate and this pay estimate was for the installation of gas monitoring wells at the landfill. Moved by Hawks, seconded by Anderson to approve application No. 3 from BSB Construction for work completed at the landfill in the amount of \$6,061.00. Roll call. Voting "aye" were: Fagot, Long, Anderson, Hawks, Wightman. Motion carried.

CONTRACT EXTENSION: Dan and Marilyn Sabin addressed the Lexington City Council requesting an extension for renewal of their contract for a period of six years to help defray the capital costs of installing a one-man

garbage pickup system. The Sabins explained to the council that with the system, four houses would be placed on one-three hundred gallon garbage container in the place where there are alleys. For the customers who do not have alleys, a 90 gallon container would be placed at their house which the container would be on wheels and it could be rolled to the street on pickup date. In conclusion, they stated that this change in equipment for collection of garbage would be an investment of approximately \$500,000. No further discussion. Moved by Hawks, seconded by Long to approve a six year contract for the Sabins for collection of garbage. Roll call. Voting "aye" were: Anderson, Fagot, Long, Hawks, Wightman. Motion carried

HAVEN HOUSE City Manager Podraza presented a contract with DED CONTRACT: for a grant to Haven House. The City Manager stated that the city is required to receive the funds and pass them through to Haven House retaining a portion for administrative costs. Moved by Anderson, seconded by Long to authorize the mayor to enter into an agreement with the Department of Economic Development for a grant for Haven House. Roll call. Voting "aye" were: Hawks, Fagot, Long, Anderson, Wightman. Motion carried.

WEST CENTRAL AREA City Manager Podraza presented a contract to the AGENCY ON AGING Lexington City Council regarding the meals served CONTRACT: at the Grand Generation Center. Mr. Podraza reviewed the declining rate per meal and the attendance at the center stating that the attendance has increased over the past years. Upon completion of the presentation, moved by Fagot, seconded by Anderson to authorize the City Manager to sign a contract with West Central Area Agency on Aging for meal subsidies at the Grand Generation Center. Roll call. Voting "aye" were: Hawks, Long, Anderson, Fagot, Wightman. Motion carried.

FINAL ACCEPTANCE The Lexington City Council considered application FILLMORE STREET: No. 5 which is final payment for construction on Fillmore Street from Paulsen Development in the amount of \$19,640.23. During the discussion, an area of the street where water stands which could be described as an area approximately two foot wide and six foot long was debated whether payment should be paid in full or whether that area should be re-excavated to match the other. Mr. Daniels, representing Miller & Associates stated it would take more than just that area of the street to be re-excavated in order to stop the ponding of water. An additional withholding was discussed as reported

to the council that Paulsen Development has refunded \$8,000.00 to the city as requested when the specs were changed. Upon completion of the discussion, moved by Long, seconded by Wightman to approve Application No. 5 which is a final pay estimate for the Fillmore Street Project to Paulsen Development Construction, Inc. of Lexington, Nebraska in the amount of \$19,640.23 and accept the engineers certificate of substantial completion. Roll call. Voting "aye" were: Anderson, Wightman, Long. Voting "nay" were: Hawks, Fagot. Motion carried.

HEALTH INSURANCE: Mr. Rich Bukovinsky, representing Regional Insurance Managers, Inc. addressed the Lexington City Council with an explanation of the PPO system and the HMO system of health care that is currently on the reform throughout the United States. Mr. Bukovinsky explained the possibilities and the savings that the City of Lexington and its employees would receive if they were to join the PPO which is Midlands Choice and is supported by Tri-County Hospital in Lexington. Additionally, he explained the existence of other PPO's in Kearney, Cozad and Callaway. Upon completion of his presentation, the City Council requested the hospital administrator attend the next regular council meeting explaining the reason and advantages of joining Midlands Choice which is the PPO organization Tri-County Hospital has joined. Additionally, Mr. Bukovinsky reviewed the benefits of our current health insurance program and a change that would affect those people having required surgery to pay 80/20 of the first \$2,000 as opposed to 50/50. Upon completion of his presentation, no action was taken.

TREASURERS REPORT: Deputy City Treasurer Leon E. Malzahn presented the Treasurers report for April, 1995 highlighting some of the major expenses and incomes. Upon completion of the report, moved by Long, seconded by Anderson to accept the Treasurers Report for April, 1995. Roll call. Voting "aye" were: Hawks, Fagot, Anderson, Long, Wightman. Motion carried.

ROOF BIDS: City Manager Podraza stated that he had advertised for bids for repair of the firebarn roof. One bid had been received from Walker Roofing Company in the amount of \$14,641. He further stated that to further increase the thickness to 60 mils rather than 45 mils would be an additional \$690. He would recommend that this be placed in the contract. After further consideration, moved by Hawks, seconded Long to award the bid to Walker Roofing

for the 60 mils membrane in the amount of \$14,641 plus \$690 for the additional thickness. Roll call. Voting "aye" were: Fagot, Anderson, Long, Hawks, 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
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
City Clerk

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Regular Meeting of the Lexington City Council was held Tuesday, June 27, 1995, at the Municipal Building, 406 East 7th Street, Lexington, Nebraska, at 7:30 P.M. Members of the City Council present were: Mayor John Wightman, Robert Hawks, Dorothy Anderson and John Fagot. Councilman Jerry Long was absent. City Officials present were: City Manager Bill Podraza, City Clerk Leon E. Malzahn and City Attorney Will Weinhold. Department Heads present were: Vance Bricker, Glenn Hawks, Neldene Skwarek, Kerry Rader and Charlie Clark. Also present were: Dana Daniels representing Miller & Associates. Citizens in attendance were: Don Ward and Mel Uphoff. The press was represented by 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 John Wightman.

**MINUTES REGULAR
MEETING 06/13/95:**

The minutes of the regular council meeting held June 13, 1995 were presented for Council's consideration and approval. Moved by Hawks, seconded by Anderson to approve the minutes of the regular meeting as held June 13, 1995. Roll call. Voting "aye" were: Fagot, Anderson, Hawks, Wightman. Motion carried.

Prior to consideration of the claims, Councilman Anderson requested the bill for Custom Creations be removed from the list of bills and considered separately. Moved by Fagot, seconded by Hawks

that the bill for Custom Creations be removed from the list of bills and considered separately. Roll call. Voting "aye" were: Anderson, Hawks, Fagot, Wightman. Motion carried.

CLAIMS AND BILLS:

Claims and Bills in the amount of \$208,221.98 were presented for Council's consideration and approval. Moved by Anderson, seconded by Hawks to approve the claims as listed and authorized the City Treasurer to transfer \$96,245.28 from the General Fund, \$73,957.47 from LEXUS Funds, \$9,536.75 from City Sanitation Fund, \$8,430.28 from the Landfill Fund, \$147.43 from the Library Memorial, \$8,216.56 from the Health Fund, and \$5,631.96 from Meals on Wheels, \$341.73 from Lexington CED and \$5,714.52 from CDBG 90-HD-010 to the Lexington Operating Account. Roll call. Voting "aye" were: Fagot, Hawks, Anderson, Wightman. Motion carried. The claim to Custom Creations was then considered by the City Council. Moved by Hawks, seconded by Fagot to approve the claim to Custom Creations in the amount of \$102.00 and authorized the City Treasurer to transfer \$102.00 from the General Fund to the City of Lexington Operation Account. Roll call. Voting "aye" were Fagot, Hawks, Wightman. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 June 27, 1995

AFLAC	Cancer insurance	110.38
AT & T	Service	57.90
AT & T	Service	22.96
Barmore's	Film, paper	29.62
Barco Municipal Prod.	Hose, handles	447.29
Berntson Oil	Gas, diesel	2,789.08
Blackburn Manufacturing	Flags	83.40
Bryant, Clyde	Duplex - Service	1,600.00
Buller Fixture	Wire grate	26.46
Cash-Wa Distributing	Food, liners, gloves	499.66
Central Garage	Labor, parts, oil	4,718.65
Classic Pool & Spa	Tubing	121.51
Coca Cola/Dr. Pepper	Pop	44.75
CBSA	Insurance claims	7,899.97
Curtis Industries	Ready jet blow gun	48.53

Custom Creations	Uniforms - Police	102.00
Dan's Sanitation	Service	9,536.75
Davidson Titles	Books	13.88
Donna's Cafe	Meals on Wheels	748.23
Dutton Lainson Co.	Anchor	252.41
Dugan Business Forms	Paper, payroll cks	551.29
Electric Fixture	Electric Supplies	694.24
Emery Pratt Co.	Books	134.01
Farm Plan Corp.	Drum, gear, bearings, blade	206.55
Fischer - Scientific	Flask, replacement filter	243.87
Fox Valley System	Paint	267.78
Fox Bros. Hay Co.	Grinding	2,400.00
Gehring Electric	Duplex work	1,462.00
GE Capital	Lease	309.64
Gillette/NE Dairies	Food	144.56
Hipp Wholesale	Food, trays	603.44
Hodges Auto World	AC Repair	148.35
Holen Floral	Fertilize trees	410.00
Holtz, Marcia	Tuition	232.00
Holmes Plumbing	Pump	585.46
HTM Sales	Vacuum pump	486.33
Hunt Cleaners	Gloves	122.18
ICMA	Dues - Podraza	435.00
ICMA	City Mgr Pension	133.85
Ingram Library Service	Books	36.93
Jones Plumbing	Flush valve repair	63.00
Keim, Jo	Tuition	96.25
Kirk's	Meeting expense	25.00
Klein Survey Systems	Level repair	64.60
K N Energy	Service	584.10
League of NE Municipalities	Dues - V Bricker	50.00
Lex Area Chamber of Commerce	CED Expenses	387.73
Lexington Fire Dept.	Fire school	3,273.30
Lexington Postmaster	Box Fee, postage	836.00
Lexington Public Library	Postage, crafts	26.16
City of Lexington	Franchise fee	21,107.94
Luther, Ann	Mileage	36.30
Martin Electric	Service - Pool pump	18.00
Martin's Flag Co.	Flags	608.97
Mead/Big Valley Lumber	Circular saw, lumber, & Misc.	829.49
Meyer Welding	Flat iron	19.96
Midway Supply	Misc. Supplies	116.42
Misko Sporting Goods	Chest protector, helmets	61.12
Miller & Assoc.	WWTP	5.31
	13th St. Lighting	1,581.00
	Landfill	1,216.11

	New Landfill	1,889.73
	13th ST	11,424.08
Mississippi Tool Supply	Insect repellent	99.51
Morris Press	Meter work orders, ribbons	1,163.12
Nebraska Library Commission	OCLC Charges	18.27
Nebraska Mun. Power Pool	Training	75.00
State of Nebraska	Water analysis	36.20
NIMLO	Membership - Weinhold	50.00
OK Tire	Tire repair	40.80
Old Dominion Brush	Flood light, sprocket, chain	1,380.18
Oscar's Garage	AC Repair	91.64
Paul A Otto Construction	Curb grinding	264.00
Overton Sand & Gravel	Gravel	28.80
Payroll Account	6/7 - 6/20/95	71,398.28
Patty's Hallmark	Office Supplies	123.77
Petty Cash	Misc. expenses	243.69
Pitney Bowes	Maint. agreement	270.00
Platte Valley Auto	Relay assembly	7.80
Podraza, Bill	Meeting exp.	40.00
Precision Industries	Bolts, bearings	81.59
Protective Life Ins.	Cancer insurance	206.21
Quinlan Publishing	Bulletin - Engineering	81.81
Quill Corp.	Toner, white out	89.47
Reach Electronics	Pager repair	30.48
Sargent Sowell	Measure master	82.44
Schnieber Fine Foods	Liners, glass cleaner, food	633.77
School Tech. Inc.	Megaphone, whistle	172.85
Sixth Street Market	Food, UPS, Misc. Supplies	114.74
Skarshaug Testing	Clean & Test gloves	77.30
Social Security Fund	6/7 - 6/20/95	5,372.08
S & W Auto Parts	Misc. Supplies	654.42
Telegraph	Subscription	17.25
Michael Todd & Co.	Signs	478.03
Tri City Tribune	Subscription	21.00
The Travelers	Pension	1,769.38
The Travelers	Police pension	707.78
US West Communications	Service	30.03
Utility Equipment	Inserts	180.36
Valentino's	Council retreat	49.09
Wal-mart	Misc. Supplies	600.71
WESCO	Misc. Supplies	5,795.31
Western Engineering Co.	Silvex	237.31
Wheeler's	Misc. Supplies	512.84
Zep Manufacturing	Cleaning supplies	258.01
Bricker, Vance	Mileage	88.00
Burklund, D L	Electric rebates	300.00

CBSA	Insurance premium	5,484.90
Derickson, Christopher	Electric rebate	150.00
Hillers, Steve	Men's softball sanction fee	75.00
Lexington Public Schools	Duplex expenses	2,377.30
LEXUS	Utilities	18,806.98
Lex Recreation Program	Support personnel	600.00
Schroeder, Rodney	Electric rebate	100.00
West Central Ne Dev	Annual dues	3,675.00
	TOTAL	208,323.98

TOWING ORDINANCE: City Manager Podraza addressed the Lexington City Council requesting a passage of this ordinance which would allow the City Manager to set the towing fees charged by the City of Lexington for abandoned vehicles. An ordinance entitled, "AN ORDINANCE TO AMEND SECTION 16-91 OF THE LEXINGTON CITY CODE; TO PROVIDE FOR TOWING AND STORAGE FEES; TO REPEAL ORIGINAL SECTION 16-91, 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 Hawks, seconded by Anderson to approve said ordinance on first reading. Roll call. Voting "aye" were: Fagot, Anderson, Hawks, Wightman. Motion carried.

WARDS SUBDIVISION: Mr. Don Ward addressed the Lexington City Council stating that he is planning to subdivide the property into six lots for residential use in a reasonable range of \$80,000 to \$100,000. Upon completion of the review of the plat, moved by Hawks, seconded by Anderson that the following resolution be passed and approved. Roll call. Voting "aye" were: Anderson, Fagot, Hawks, Wightman. Motion carried.

RESOLUTION NO. 95-08

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, AS FOLLOWS:

That the WARD SUBDIVISION of a part of the North one-half of the Northwest Quarter of section 32, Township 10 North, Range 21 West of the 6th P.M. in

Dawson County, Nebraska, duly made out and certified be and the same hereby is approved, and accepted and ordered filed and recorded in the office of the Register of Deeds of Dawson County, Nebraska.

PASSED AND APPROVED this 27th day of June, 1995.

CITY OF LEXINGTON, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

The subdivision agreement for Ward's Subdivision was presented to the council and reviewed. Upon completion of the review, moved by Hawks, seconded by Anderson to approve said agreement. Roll call. Voting "aye" were: Fagot, Anderson, Hawks, Wightman.

**UPHOFF
SUBDIVISION:**

The Lexington City Council reviewed the plat of the Uphoff Subdivision which would divide the parcel into two lots. Upon completion of the discussion, moved by Fagot, seconded by Anderson that the following resolution be passed and approved. Roll call. Voting "aye" were: Hawks, Anderson, Fagot, Wightman. Motion carried.

RESOLUTION NO. 95-09

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, AS FOLLOWS:

That the UPHOFF SUBDIVISION of a tract of land in the fractional Southeast Quarter of Section 21, Township 9 North, Range 21 West of the 6th P.M. in Dawson County, Nebraska, duly made out and certified be and the same hereby is approved, and accepted and ordered filed and recorded in the office of the Register of Deeds of Dawson County,

PASSED AND APPROVED this 27th day of June, 1995.

CITY OF LEXINGTON, NEBRASKA

ATTEST: By _____
Mayor

City Clerk

The subdivision agreement was then reviewed for the Uphoff Subdivision. Moved by Anderson, seconded by Fagot to approve said agreement. Roll call. Voting "aye" were: Fagot, Hawks, Anderson, Wightman Motion carried.

COPS GRANT:

The Lexington City Council reviewed an application submitted for a grant from Office of Community Oriented Policing Services, U.S. Justice Dept. for a grant for an additional police officer for the City of Lexington. Mr. Charles Clark stated that this grant would be for an addition officer for a period of three years in the amount of \$65,499. After which time this grant runs out, a decision would need to be made whether this officer would be kept on force or the position cancelled. Upon completion of the discussion of this grant, moved by Hawks, seconded by Fagot to authorize the mayor to sign the appropriate documents applying for this grant. Roll call. Voting "aye" were: Anderson, Fagot, Hawks, Wightman. Motion carried.

PAY ESTIMATE:

Mr. Dana Daniels, representing Miller & Associates addressed the Lexington City Council with a pay estimate for pay request No. 3 from Midlands Contracting, Inc. for work completed on 13th Street. Mr. Daniels stated that the pay estimate does match the work completed and materials stored. Moved by Anderson, seconded by Hawks to approve pay estimate No. 3 to Midlands Contracting, Inc. in the amount of \$111,548.15 for work on 13th street and authorized the City Treasurer to transfer \$83,416.31 funds from the General Fund, and \$28,131.84 from the Water Department to the City of Lexington Operating Account. Roll call. Voting "aye" were: Fagot, Hawks, Anderson, Wightman. Motion carried.

LANDFILL CLOSURE:

Mr. Dana Daniels, representing Miller & Associates presented Application No. 4 to the Lexington City

Council from BSB Construction for closure of the landfill. Mr. Daniels further stated that a Certificate of Substantial Completion was attached as this request is the final request for payment. Upon reviewing the application for payment, Councilmember Hawks moved that Application No. 4 in the amount of \$8,700.24 for Phase I Closure of the Lexington Municipal Solid Waste Disposal Facility to BSB Construction be approved and authorize the City Treasurer to transfer \$8,700.24 from the Landfill to the City of Lexington Operating account. Roll call. Voting "aye" were: Anderson, Fagot, Hawks, Wightman. Motion carried.

On the Certificate of Final Completion, Mr. Daniels pointed out the contract price of \$22,079.00 and a total construction cost of \$117,133.99 representing approximate \$4,000.00 savings on the contract price. Moved by Fagot, seconded by Anderson to approve the engineer's Certificate of Final Completion for Phase I Closure of the Lexington Municipal Solid Waste Disposal Facility. Roll call. Voting "aye" were: Hawks, Anderson, Fagot, Wightman. Motion carried.

LIFT STATION:

City Manager Podraza stated that Lift Station No. 1 located by the Fairgrounds along Plum Creek Parkway has been failing recently and plugging due to the age of the pumps and the debris collected at that station. He further requested that an ordinance be passed declaring an emergency so that the City of Lexington could negotiate a price to replace these pumps. The reason for the emergency was explained by City Manager Podraza as being a situation that the sewer lift station would plug causing the lines to back up and overflow in stores and businesses in Southaven Addition to Lexington. An ordinance entitled, "AN ORDINANCE TO DECLARE AN EMERGENCY AND WAIVE THE COST ESTIMATES AND ADVERTISING FOR BIDS FOR REPAIRS OF LIFT STATION NO. 1 TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM." was read before the Council. Moved by Anderson, seconded by Hawks that the rules requiring the reading of said ordinance on three separate days be suspended. Roll call. Voting "aye" were: Fagot, Hawks, Anderson, Wightman. Motion carried. Said

ordinance was then read by title. Moved by Hawks, seconded by Anderson that Ordinance No. 2025 be passed on final reading. Roll call. Voting "aye" were: Anderson, Fagot, Hawks, Wightman. Motion carried.

SPECIAL MEETINGS: City Manager Podraza requested special meetings be held to review budgets for the upcoming year. He requested these meetings be held on July 11 and 18 at 7:00 a.m. Upon completion of his request, moved by Hawks, seconded by Fagot to set two special meetings for review of the budget for the City of Lexington, the first date being July 11 at 7:00 a.m. and the second on July 18 at 7:00 a.m. Roll call. Voting "aye" were: Anderson, Fagot, Hawks, Wightman. Motion carried.

CLAIMS: The City Manager requested item No. 3, claims and bills be reopened and a claim for a forklift be included. After reviewing the purpose and need of the forklift, the cost and sales tax liability, moved by Hawks, seconded by Fagot to approve the claim for a forklift for the Electric Department and authorized the City Treasurer to transfer \$16,500.00 plus sales tax from the Electric Department to the City of Lexington Operating Account. Roll call. Voting "aye" were: Fagot, Anderson, Hawks, 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
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
City Clerk

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Special Meeting of the Lexington City Council was held Tuesday, June 6, 1995, at the Lexington High School in the Library at 13th and Adams, Lexington, Nebraska, at 7:30 P.M. Members of the City Council present were: Mayor John Wightman, Robert Hawks, Dorothy Anderson, and John Fagot. Councilman Jerry Long was absent. City Officials present were: City Manager Bill Podraza, City Clerk Leon E. Malzahn and City Attorney Will Weinhold. Department Heads present were: Vance Bricker and Glenn Hawks. Also present was: Dave Burbach representing Burbach Engineering, Jo and Bob Keim, Carolyn Fairbanks, Gail Hall, Jim Doyle and Pat Jones. The press was represented by the Clipper Herald and KRVN.

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.

SWIMMING POOL PROJECT: Mayor Wightman prefaced the opening of the presentation by Mr. Burbach concerning the swimming pool by stating that proceeds for the construction of the pool would be collected from the one-half cent sales tax which the City of Lexington is now collecting with part of that money being used to purchase school facilities. With that, Mr. Dave Burbach addressed the audience in attendance by reviewing the various types of pools available with uses of zero depth entry, diving pools, and amenities such as showers, concession stands, sand volleyball courts which all may be incorporated into the City of

Lexington's pool. Producing a rendition of the City of Lexington pool, he reviewed the location of each building and area such as the bath house, concession stand, sand volleyball courts, zero depth entry and diving tank. In concluding his presentation, Mr. Burbach stated that he had hoped that concrete work for the pool would be completed by December 11 and would be able to fill and store water in the pool over the winter months.

Upon completion of his presentation, Mayor Wightman made a few statements concerning the issue to be placed on the ballot which contains the wording that property tax could be collected to pay these bonds. The wording, reflects the decision of the City of Lexington to issue general obligation bonds in an effort to reduce the amount of interest to be paid over the life of the bond. He further stated that revenue bonds would tie directly to pool proceeds and collection of sales tax and would also contain a higher interest rate. He further stated that part of the proceeds for construction of this swimming pool would be coming from the Lexington Foundation in an estimated amount of \$200,000. No figure has been set at this time.

ADJOURNMENT:

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

John Wightman
Council President

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.

Leon E. Malzahn
City Clerk

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Special Meeting of the Lexington City Council was held Friday, June 9, 1995, at the Municipal Building, 406 East 7th Street, Lexington, Nebraska, at 3:30 P.M. Members of the City Council present were: Mayor John Wightman, Robert Hawks, Dorothy Anderson, John Fagot and Jerry Long. City Officials present were: City Clerk Leon E. Malzahn, City Manager Bill Podraza and City Attorney Will Weinhold. Department Head present was: Vance Bricker. The press was represented by the Lexington Clipper Herald, the Tri-City Tribune, the Kearney Hub and KRVN.

NOTICE: Notice of the meeting was given in advance, by posting at the Dawson County Courthouse, Lexington State Bank, Farmers State Bank and the Lexington Municipal Building. 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.

SPECIAL ELECTION: Mayor Wightman opened the meeting by stating that a publication notice for the special election had not been published on the scheduled date causing irreparable damage to the process of holding a special election for the purpose of a bond sale on June 20, 1995. He then read a letter from Richard Pedersen representing Baird, Holm Law Firm of Omaha, Nebraska which serves as bond counsel for the City of Lexington which reinforced his previous statement regarding the publication notice and the necessity to cancel the proposed election and call for another election. Upon completion of that letter, he then read a letter from the Clipper-Herald accepting full responsibility for the mistake of not publishing that notice as required by the City.

Mayor Wightman was then asked at this time if there were to be any action against the Clipper-Herald resulting from their error of not publishing the notice. Mayor Wightman stated that no action at this time was planned against the Clipper-Herald. However, some action at a later date should not be ruled out. Moved by Anderson, seconded by Hawks that the City Clerk notify the Dawson County Election Office of the intent to stop the June 20, 1995 election in an effort to mitigate further expense incurred with that election. Roll call. Voting "aye" were: Fagot, Long, Hawks, Anderson, Wightman. Moved by Fagot, seconded by Hawks that the City Council hold a special meeting on June 12, 1995 at 7:30 a.m. for the purpose of passing a resolution to reschedule the election. Roll call. Voting "aye" were: Anderson, Long, Hawks, Fagot, 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

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Regular Meeting of the Lexington City Council was held Tuesday, July 11, 1995, at the Municipal Building, 406 East 7th Street, Lexington, Nebraska, at 7:30 P.M. Members of the City Council present were: Mayor John Wightman, Robert Hawks, Dorothy Anderson, Jerry Long and John Fagot. City Officials present were: City Manager Bill Podraza, City Clerk Leon E. Malzahn and City Attorney Will Weinhold. Department Heads present were: Vance Bricker, Neldene Skwarek, Kerry Rader and Charlie Clark. Citizen in attendance was: Cal Hiner representing Tri-County Hospital. The press was represented by the Tri-City Tribune and KRVN.

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 MEETING 06/27/95: The minutes of the regular council meeting held June 27, 1995 were presented for Council's consideration and approval. Moved by Hawks, seconded by Fagot to approve the minutes of the regular meeting as held June 27, 1995. Roll call. Voting "aye" were: Anderson, Long, Fagot, Hawks, Wightman. Motion carried.

MINUTES SPECIAL MEETING 07/11/95: The minutes of the special council meeting held July 11, 1995 were presented for Council's consideration and approval. Moved by Fagot, seconded by Hawks to approve the minutes of the special meeting as held July 11, 1995. Roll call.

Voting "aye" were: Long, Anderson, Hawks, Fagot, Wightman. Motion carried.

CLAIMS AND BILLS:

Claims and Bills in the amount of \$838,360.61 were presented for Council's consideration and approval. Moved by Long, seconded by Fagot to approve the claims as listed and authorized the City Treasurer to transfer \$254,769.06 from the General Fund, \$531,441.37 from LEXUS Funds, \$10,000.00 from City Sanitation Fund, \$15,969.24 from the Landfill Fund, \$48.49 from the Library Memorial, \$16,116.33 from the Health Fund, and \$4,580.46 from Meals on Wheels, \$668.66 from Lexington CED and \$4,767.00 from CDBG 90-HD-010 to the Lexington Operating Account. Roll call. Voting "aye" were: Hawks, Anderson, Fagot, Long Wightman. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 July 11, 1995

American Fence Co.	Barb wire	53.15
Anderson, Corky	Wellness booklet	171.88
AT & T	Service	41.77
AT & T	Service	53.10
AT & T	Service	50.99
Barmore's	Meter rpr, modem adapter	10.98
Barco Municipal Products	Rubber washers	13.62
B B S Construction	Scraper service	9,490.00
Berntson Oil	Diesel, oil, gas	2,670.78
Buller Fixture	Microwave	221.91
B & P Credit Management	Service	645.56
Burndy Electric Group	Repair hydraulic tool	262.50
Cash-Wa Distribution	Paper products, food	483.52
Central Garage Fund	Labor, parts, oil	2,489.27
Century Lumber	Bolts	4.59
Central Community College	Training course - Rittgarn	130.00
Classic Pool & Spa	O rings, bladders	135.79
Computer Assistance	Install software	37.50
CBSA	Insurance claims	5,987.67
Compu Soft	Install MS Word	30.00
Credit Bureau of Lexington	Bulletin	110.00
Culligan Water	Service - GGC	33.75
Dawson Co. Public Power	Angle clamp	47.52
Dan's Sanitation	Service	10,000.00
Dawson Area Econ. Develop.	Industry Appreciation Day	330.00

Data Technologies	Cartridge	123.59
Diamond Lake Book Co.	Books	110.70
D & M Security	Police connection	90.00
Donna's Cafe	Meals on Wheels	659.25
Dugan Business Forms	Payroll envelopes	359.13
Eake's Office	Copies, lease	120.15
E.I.S.	Certify radar	45.00
Electric Fixture	Electric Supplies	306.03
Fairbanks International	Blade, hitch pin, hardware	63.63
Farm & Ranch Service	Grass seed	18.45
Farm Plan Corp.	Plugs, springs	51.20
Fischer - Scientific	Tube connector	61.20
Furst Group	Service	7.80
Gillette/NE Dairies	Dairy products	143.49
Gullion, Terry	Omaha World subscription	17.50
Hipp Wholesale	Food, trays, towels	498.33
Holdrege Public Library	Loan request	9.00
Holmes Plumbing & Heating	Septic tank	236.07
Insurance & Personnel Serv.	Admin fees. - 125 plan	409.86
International Paper Co.	Poles	8,437.83
Ingram Library Service	Books	137.76
Interstate Structures	Pay Est. #9	62,489.70
Jone's Plumbing	Rubber clamps, parts	188.33
Joy Book Nook	Books	26.96
K N Energy	Service	1,401.25
Knapp Electric	Repair generator	455.39
Kriz Davis Co.	Clamp, nut, bolts	882.65
Law Enforcement Equip. Co.	Bars	74.20
Lakota	Meeting exp.	17.04
League of NE Municipalities	ICMA Dues, books, mtg. exp.	796.50
Lexington Animal Clinic	Service	170.60
Lexington Laundry	Service	44.00
Lexington Postmaster	Postage	750.00
Lexington Public Library	Stamps	32.55
Lexington Public School	Duplex charges	4,767.00
Lexington Newspaper	Service - May & June	1,399.02
City of Lexington	Misc. chgs, franchise fee	24,947.15
Lexington State Bank	Bonds & Interest	120,732.50
Lexington Postmaster	Newsletter postage	80.00
MCI	Service	202.86
Mead/Big Valley	Misc. Supplies	322.73
Midway Supply	Brushes, parts	88.44
Misko Sporting Goods	Helmets, mask, guard	75.69
Miller & Assoc.	Service - June	1,850.00
Midlands Rental & Machinery	Lift station repair	107.68
Miracle Recreation Equip.	Park grill, benches	906.52

Morris Press	Pens	11.77
Mr. Automotive	Lamps, hose, flasher	103.11
Municipal Supply	Repair clamps	1,145.46
Nebraska Machinery	Misc. Supplies & loader pmts	2,998.50
Nebraska Law Enforcement	TABE Tests	28.00
NE Dept. of Revenue	Sales tax - June	21,207.68
State of Nebraska	Mouth pieces, cards	98.00
Nebraska Power Review Board	Assessment	431.91
Nebraskaland Conference	Registration	15.00
Newman Traffic Signs	Stop signs	379.00
Nebraska Cellular	Service	72.77
O K Tire	Tire repair, tires	196.22
Oscar's Garage	Service A/C	50.25
Otte, Bonnie	Meeting expense	122.50
Overton Sand & Gravel	Fill sand	216.60
Payroll Account	6/21 - 7/4/95	69,757.35
Paulsen Bldg. & Supply	Concrete, rock	808.01
Patty's Hallmark	Stencils, ribbons, index	48.75
Platte Valley Communications	Battery, maint. agreement	248.00
Plum Creek Medical Group	Work comp - Abood, Riege	360.21
Platte Valley Exterminating	Service - June	24.00
Precision Industries	Oil seals	11.90
Riverside Inn	Meeting expense	210.00
Sav A Lot	Distilled water	4.98
Schuckman, Marsha	Cleaning service	200.00
Schnieber Fine Foods	Liners, cleaner, food	710.39
Sixth Street Market	Food, UPS	75.26
Skwarek, Neldene	Meeting expense	46.75
Social Security Fund	6/21 - 7/4/95	5,246.59
S & W Auto Parts	Valve, filter, parts, oil	258.39
Unisys Corp.	Maint agreement	1,266.00
U S West Comm.	Service	1,200.72
Utility Equipment	Inserts	172.27
Virtual Technology	Computer Hardware, etc.	2,080.00
Wal-Mart	Misc. Supplies	499.50
Water stoppers	Linestopping equipment	3,294.04
Waterpro	Ford meter coupling	284.69
WESCO	Misc. Supplies	1,389.72
Weber & Weinhold	Service	2,729.00
Wheeler's	Misc. Supplies	77.46
Central Garage	Fuel, oil	3,925.52
CBSA	Claims	9,156.71
Lex Chamber of Commerce	CED salaries, postage	338.66
Nebraska Public Power	June power bill	438,638.39
	TOTAL	838,360.61

TOWING ORDINANCE: An ordinance entitled, "AN ORDINANCE TO AMEND SECTION 16-91 OF THE LEXINGTON CITY CODE; TO PROVIDE FOR TOWING AND STORAGE FEES; TO REPEAL ORIGINAL SECTION 16-91, 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 Hawks, seconded by Fagot to approve said ordinance on second reading. Roll call. Voting "aye" were: Long, Anderson, Fagot, Hawks, Wightman. Motion carried.

HEALTH INSURANCE COVERAGE: Mr. Cal Hiner, representing Tri-County Hospital addressed the Lexington City Council with a presentation concerning the City of Lexington joining a PPO in which the hospital is associated for the purpose of aiding in reduction in health care claims. Additionally, Mr. Hiner reviewed the hospitals in surrounding communities and their affiliation with PPO's and the affiliation of PPO's and Tri-County Hospital. Mr. Hiner then explained how a patient employed by the City of Lexington could be transferred from Lexington to other hospitals within the PPO and receive discounts for service by belonging to that organization. Questions raised by the council concerned the possibility of the choice of an employee going to a hospital or doctor who is not included in the PPO and if they would receive a penalty. City Manager Podraza interjected that 90% of the claims by the City of Lexington came from local health care providers with 10% coming from medical facilities other than local. He further stated that this 90% would receive a discount and the 10% would not. Upon conclusion of the discussion, it was recommended that CBSA develop a plan for the City of Lexington to join a PPO with Tri-County Hospital. No further action was taken.

BOARD APPOINTMENT: Mayor Wightman stated that he is submitting the name of DeLoy Jahnke to replace Maurice Sapp on the DAD Board. Moved by Hawks, seconded by Anderson to approve the Mayor's appointment. Roll call. Voting "aye" were: Long, Fagot, Anderson, Hawks, Wightman. Motion carried.

DOR AGREEMENT:

City Manager Podraza presented an agreement between the City of Lexington and the State of Nebraska for improvements to the intersection at Hwy 283 and I-80. Mr. Podraza stated that this agreement would cover a connecting street between U.S. 283 and South Jefferson Street, frontage road and South Jefferson Street from approximately the north line of the state yards south to the entrance of the Heartland Museum. He further stated that this cost of approximately \$112,558.00 would be assessed and would be recovered by the City of Lexington. Upon conclusion of the discussion, moved by Hawks, seconded by Long to authorize the Mayor to sign an agreement with the Nebraska Department of Roads for construction of street improvements in the Hwy 283 and I-80 interchange. Roll call. Voting "aye" were: Fagot, Anderson, Long, Hawks, Wightman. Motion carried.

SALE OF LOTS:

The Lexington City Council was informed by City Attorney Weinhold that two lots in the Southaven Subdivision would be closed on Monday which requires a resolution that the other lot scheduled for sale will be held until the approval of that person's loan. Moved by Hawks, seconded by Fagot that the following resolution be passed and approved. Roll call. Voting "aye" were: Anderson, Long, Fagot, Hawks, Wightman. Motion carried.

RESOLUTION NO. 95-10

WHEREAS, the City has by Ordinance No. 2021 approved the sale of the following described real estate owned by the City, to-wit:

Lot A of the Replat of Lot 1 of the Replat of Lots 1-12, Block 8, Southaven Addition to the City of Lexington, Dawson County, Nebraska; and

Lot 2, Block 1, Southaven Addition to the City of Lexington, Dawson County, Nebraska.

WHEREAS, notice of such Ordinance has been duly published and the time for remonstrance has

passed, and no petition against such sale has been filed.

BE IT THEREFORE RESOLVED by the Council and President of the Council of the City of Lexington, Nebraska, that John M. Wightman, as President of the Council is hereby directed and authorized on behalf of the City to execute a deed conveying the above described property to the purchaser thereof.

Passed and approved this 11th day of July, 1995.
CITY OF LEXINGTON, NEBRASKA,

BY: _____

ATTEST:

City Clerk

TREASURERS REPORT: The Treasurers Report for May, 1995 was presented to the council by Kerry Rader, City Treasurer Designee. Upon reviewing some highlights of the expenses and extraordinary items that were purchased, moved by Hawks, seconded by Long to approve the Treasurers Report for May, 1995. Roll call. Voting "aye" were: Fagot, Anderson, Long, Hawks, 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
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
City Clerk

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Special Budget Meeting of the Lexington City Council was held Tuesday, July 11, 1995, at the Municipal Building, 406 East 7th Street, Lexington, Nebraska, at 7:00 P.M. Members of the City Council present were: Mayor John Wightman, Robert Hawks, Jerry Long and John Fagot. Councilperson Dottie Anderson was absent. City Officials present were: City Manager Bill Podraza and City Clerk Leon E. Malzahn. City Attorney Will Weinhold was absent. Department Heads present were: Chief of Police Charles Clark, City Treasurer Neldene Skwarek, Vance Bricker and Kerry Rader.

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.

BUDGET REVIEW: Prefacing the meeting, City Treasurer Skwarek presented a memo to the Lexington City Council outlining the procedure the City of Lexington would be required to perform in order to budget for the change in the fiscal year causing a fourteen month fiscal year of expenditures and receipts in the accounting. Upon completion of that report, the City Manager reviewed budgets for City Council which included expenses for the National League City Meeting, Boards and Commissions which had changes, City Manager's budget which reflected a change in wages only, the City Clerk's budget which remained the same, the City Treasurer's budget which reflected a decrease in

wages due to change in personnel, nondepartmental budget which reflected and increase in insurance workmen's compensation audit, engineering budget with no changes from the previous year's budget, the inspection of planning which affected mainly a wage adjustment, a dispatcher which is paid to Dawson County reflected no change, the Police Department reflected an increase due to the grant received for an additional officer and additional outlay of \$1,000 in the capital outlay department, the Fire Department increased reflected in the hiring of an employee to enter statistical data which the Fire Department is required to report to the State, and the replacement of the roof over the fire barn and radios. This being the number of departments scheduled for review at this time and with no further business to come before the council, Mayor Wightman declared the meeting adjourned.

John Wightman
Council President

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.

Leon E. Malzahn
City Clerk

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Special Budget Meeting of the Lexington City Council was held Tuesday, July 18, 1995, at the Municipal Building, 406 East 7th Street, Lexington, Nebraska, at 7:00 A.M. Members of the City Council present were: Mayor Vice President Robert Hawks, Dorothy Anderson, Jerry Long and John Fagot. Mayor John Wightman was absent. City Officials present were: City Manager Bill Podraza and City Clerk Leon E. Malzahn. Department Heads present were: Glenn Hawks, Ann Luther, Vance Bricker, Francine Canfield, Neldene Skwarek and Kerry Rader. The press was represented by the Clipper Herald.

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 Hawks.

BUDGET REVIEW: City Manager Podraza presented the changes in departmental budgets reviewed at the previous workshop. These changes were an increase in capital outlay of the nondepartmental budget to accommodate the construction of the school project if the election for August 8, 1995 should pass. This increase amounted to \$2,900,000.00. He further stated that this would be offset by bond proceeds and that no tax money would be used to budget for these costs.

Continuing with the general fund departments, the Grand Generation Center budget increased due to reallocation of employees, utility budget increased

\$500.00 from last year's budget and capital outlay was increased \$1,800.00 for the purchase of a trash receptacle and a cabinet. At this time, the Meals budget was reviewed. The City Manager stated that all expenditures in this budget are offset by donations, grants from Area Aging Council and other federal programs.

Reviewing the Library budget, Mr. Podraza stated that supplies were up \$700.00, capital outlay increased significantly due to the possibility of including a community bulletin board on the computers at the library and the grant for additional computers from the Library Association which one-half of the cost of \$7,000.00 would be paid by the Nebraska Library Association. Other explanation of the City's involvement and the technology committee and the possibility of being on-line with the internet and the community bulletin board was presented to the City Council by Francine Canfield and Leon E. Malzahn.

Reviewing the personnel services and civil defense budgets, City Manager Podraza explained that changes in these two budgets were minimal. However, personnel services had an increase in contractual services and supplies.

Swimming pool budget included more cleaning and the capital outlay for a new pool which would also be offset by bond proceeds if the election scheduled for August 8, 1995 were successful.

Recreation budget included increases in personnel service for additional coordinators to be used for the volleyball program.

Parks budget increases were for playground equipment for Oak Park, for a mower and for picnic tables for general use of the department. Cemetery department basically remained the same and the street department increased in contractual services for tree grinding and the first phase of 13th Street was added to the capital outlay.

In reviewing the general fund totals, City Manager Podraza noted that the budget had increased from

\$3,580,000.00 to \$9,139,000.00. He further stated that this increase was due to the 13th Street project, the inclusion of the school project and the swimming pool in this year's budget and that the cost of these projects and the expenditure of these projects would be off-set by bond proceeds and not affect the tax call.

In conclusion, the last set of figures presented to the council was documents which reflected the estimated property tax request for fiscal year 95-96 which remained the same at \$205,526.00. This figure was composed of a request from the general fund of \$157,971.00 and debt service of \$147,555.00. This total figure matched fiscal year 94-95 request and the estimated valuation of the town however has increased from the 94-95 figure reducing the levy or call for taxes by approximately 10.9%. There was a brief discussion concerning this estimated property tax request.

ADJOURNMENT:

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

Robert Hawks
Vice President

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.

Leon E. Malzahn

City Clerk

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Regular Meeting of the Lexington City Council was held Tuesday, July 25, 1995, at the Municipal Building, 406 East 7th Street, Lexington, Nebraska, at 7:30 P.M. Members of the City Council present were: Mayor John Wightman, Robert Hawks, Dorothy Anderson, Jerry Long and John Fagot. City Officials present were: City Manager Bill Podraza, City Clerk Leon E. Malzahn and City Attorney Will Weinhold. Department Heads present were: Vance Bricker, Kerry Rader and Charlie Clark. Also present were Dana Daniels and Bob Blankenship representing Miller & Associates, Deputy Clerk Designee Bonnie Otte, Patti Johnson representing BHA Realty, Marvin Reynolds, Jeff Richardson and Linda Benjamin representing the Dawson County Commissioners. The press was represented by the Tri-City Tribune and KRVN.

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
MEETING 07/11/95:**

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

**MINUTES SPECIAL
MEETING 07/18/95:**

The minutes of the special council meeting held July 18, 1995 were presented for Council's consideration and approval. Moved by Hawks,

seconded by Long to approve the minutes of the special meeting held July 18, 1995. Roll call. Voting "aye" were: Anderson, Fagot, Long Hawks, Wightman. Motion carried.

MINUTES SPECIAL BUDGET 07/25/95:

The minutes of the special budget meeting held July 25, 1995 were presented for Council's consideration and approval. Moved by Fagot, seconded by Anderson to approve the minutes of the special budget meeting held July 25, 1995. Roll call. Voting "aye" were: Long, Hawks, Fagot, Anderson, Wightman. Motion carried.

CLAIMS AND BILLS:

Claims and Bills in the amount of \$337,411.06 were presented for Council's consideration and approval. Moved by Hawks, seconded by Long to approve the claims as listed and authorized the City Treasurer to transfer \$223,333.96 from the General Fund, \$86,571.37 from LEXUS Funds, \$9,514.00 from City Sanitation Fund, \$6,411.64 from the Landfill Fund, \$260.10 from the Library Memorial, \$5,278.16 from the Health Fund, and \$6,030.61 from Meals on Wheels and \$11.22 from CDBG 90-HD-010 to the City of Lexington Operating Account. Roll call. Voting "aye" were: Anderson, Fagot, Long, Hawks, Wightman. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
July 25, 1995

Advanced Control System	Hardware - Load control	1,924.00
AFLAC	Cancer insurance	110.38
Adle, Virg	Ground probe, cable	436.32
AT & T	Service	13.80
AT & T	Service	5.00
Barmore's	Film, sunblock, batteries	32.77
Barrett-Housel-Grafton	Insurance	17,562.00
Baker & Taylor	Leasing service	149.00
Berntson Oil	Diesel, unleaded gas, grease	2,671.87
Bricker, Vance	Meeting expense	95.70
Cash-Wa Distributing	Cups, food, onions, oil	449.99
C.J. Small Engine Repair	Used weed mower	275.00
Century Laboratories	O'ring, cleaning supplies	166.61
Century Lumber	Oxboard	23.90
The Cornhusker	Mtg. expense	90.00

Corporate Diversified Serv.	Life insurance - Fire	360.00
CBSA	Insurance claims	4,852.57
Creative Markings	Police designs - Car	170.00
Dawson Co. Public Power	Service	2,463.17
Dawson Co. Register of Deeds	Easement	11.00
Dan's Sanitation	Service	9,514.00
Dawson Co. Area Econ. Dev.	Tuition - Malzahn	100.00
Donna's Cafe	Meals on Wheels - Overton	697.53
Dutton Lainson Co.	Anchors	372.22
Eake's Office	Toner	55.45
Egan Supply Co.	Mats	60.80
Electric Fixture	Misc. Supplies	2,395.88
Farm Plan Corp.	Tractor seat	193.11
GE Capital	Copier lease	309.64
Gillette/NE Dairies	Dairy products	152.89
Hawks, Robert	Meeting expense	50.20
Hipp Wholesale Co.	Food, trays	548.74
Hobby Lobby Stores	Craft supplies	87.90
Hodges Auto World	Repair A/C	148.35
Hydraulic Equipment Serv.	Repair truck #25	209.25
ICMA	City Mgr. pension	267.70
Intern. Inst. of Mun. Clerk	Membership	80.00
Ingram Library Services	Books	303.30
Interstate Structures	Pay Est 10 -Service Bldg.	113,368.68
K N Energy	Service	461.52
Knapp Electric	Repair vacuum pumps	120.90
Kriz-Davis Co.	Wire, tools	3,808.27
Lawson Products	Nuts, bolts, screws	94.80
Lexington Health Fund	Side fund - insurance	10,030.90
Lexington Coop	Pramitol	133.25
Lexington Postmaster	Postage	750.00
Lexington Public Schools	Ref. liq. & tobacco license	5,145.00
LEXUS	Service	18,504.56
City of Lexington	Franchise fee	23,363.87
City of Lexington	Landfill charges	74.00
Luther, Ann	Meeting expense	69.52
Malzahn, Leon	Meeting expense	42.30
Mead/Big Valley	Lumber, & Misc. Supplies	288.46
Midway Supply	Mirror	2.00
Midwest Laboratories	Groundwater testing	2,713.38
Mid Nebr. Restaurant Supply	Turntable, seal kit	320.40
Morris Press	Stamper, ink, binders, clips	50.69
Mr. Automotive	Alternator, clutch	224.61
Nebraska Machinery	Electrical system, repair	557.13
State of Nebraska	Handicap parking permits	28.50
Nebraska Rural Water Assoc.	Sewer smoke bombs	112.00

State of Nebraska	Mouth pieces	26.00
NE Safety & Fire Equip.	Ck fire equipment	74.00
OK Tire	Tire repair, tube	191.85
Overton Sand & Gravel	Gravel	105.00
Payroll Account	7/5 - 7/18/95	71,486.08
Patty's Hallmark	Chairs	198.00
Platte Valley Auto Mart	Repair unit 24	346.55
Plum Crk Medical Group	Work Comp - Riege	109.00
Podraza, Bill	ICMA Conference	485.00
The Printing Press	Tickets	29.26
Protective Life Insurance	Cancer insurance	206.21
Rent all Rentals	Pump rental	25.56
Recorded Books	Books	260.10
Recreonics Corp.	Rescue tubes	152.16
Reed Veach Wurdeman	Engineering service	1,733.45
Schnieber Fine Foods	Food, cleaning supplies	724.10
Sixth Street Market	Food, bags	87.99
Skillpath Inc.	Seminar	69.00
Social Security Fund	7/5 - 7/18/95	5,378.86
S & S Arts & Crafts	Craft supplies	107.54
S & W Auto Parts	Auto Supplies	4,717.76
Time Subscription Service	Subscription	59.80
US West Communications	Service	430.85
Utility Equipment	Cut in valve, elbow	1,013.26
Valentino's	Meeting expense	27.05
Virtual Technology	Printer, processor	895.00
Wal-Mart	Trees, & Office Supplies	354.73
WESCO	Misc. Supplies	6,788.42
Wheeler's	Nipples, sprinklers, paint	152.92
Zep Manufacturing	Cleaning supplies, trash bags	443.82
Barrett-Housel-Grafton	Bond coverage	255.00
Dawson County Clerk	Dispatch June & July	7,834.66
Travelers	Admin & service Fees	4,967.30
	TOTAL	\$337,411.06

**DAWSON COUNTY
LOTTERY:**

Mr. Jeff Richardson addressed the Lexington City Council outlining the rules that regulate lotteries in Dawson County. Mr. Richardson went on to state the feelings of elected officials in other towns which is that the proceeds of these games should be returned to the communities where they were generated. Additionally he reviewed the outcome of the special election in Cozad. In closing, he stated that the Dawson County Commissioners would like to have this question of a division of lottery funds turned over

to a committee headed by Commissioner Linda Benjamin with additional representatives from Dawson Area Development Consolidation Committee serving as members to this committee. No further action was taken at this time.

TOWING ORDINANCE: Ordinance No. 2027 entitled, "AN ORDINANCE TO AMEND SECTION 16-91 OF THE LEXINGTON CITY CODE; TO PROVIDE FOR TOWING AND STORAGE FEES; TO REPEAL ORIGINAL SECTION 16-91, 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 Hawks, seconded Fagot that said ordinance be passed on final reading. Roll call. Voting "aye" were: Anderson, Long, Fagot, Hawks, Wightman. 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. 2027 to be published in pamphlet form.

HEALTH CARE COSTS: Mr. Vance Bricker addressed the Lexington City Council outlining coverages and premiums the City of Lexington would be required to pay to sustain the health insurance coverage currently in effect. He went on to state that these costs were lower than premiums for other governmental units. City Manager Podraza then addressed the Lexington City Council requesting the city join a Preferred Provider's Organization for the employee health insurance. The organization recommended by the City Manager would be Midland's Choice. This Organization would require Tri-County Hospital as the first provider on that policy. A discussion followed regarding the choice of the employee to use a specialist in Kearney or the doctors in Lexington and if that specialist would be included in the PPO. The City Manager replied that the employee may go to any doctor they choose however the coverage would become less if those doctors were not in the organization. He concluded

by saying that the City of Lexington could possibly save \$10,000 in premium costs by joining the PPO through the discounts offered given by the health care providers. Upon conclusion of the discussion, moved by Fagot, seconded by Anderson to approve Midland's Choice as the PPO for the City of Lexington for a trial period of one year with a review. Roll call. Voting "aye" were: Long, Anderson, Fagot, Wightman. Voting "nay" was: Hawks. Motion carried.

**FISCAL YEAR BUDGET
ORDINANCE:**

City Manager Podraza informed the Lexington City Council that an ordinance allowing the City of Lexington to expend monies in the month of August and September to facilitate the new state law which would move the fiscal year from August 1 to October 1 which requires passage by the city council prior to adoption of a budget. Upon completion of the budget document and a public hearing, the city would then pass a 14 month budget to accommodate this change.

An ordinance entitled, "AN ORDINANCE RELATING TO MUNICIPAL EXPENDITURES; TO AUTHORIZE EXPENDITURES PRIOR TO ADOPTION OF BUDGET; TO PROVIDE FOR AN EFFECTIVE DATE." was read before the council. Moved by Anderson, seconded by Long that the rules requiring the reading of said ordinance on three separate days be suspended. Roll call. Voting "aye" were: Hawks, Fagot, Long, Anderson Wightman. Motion carried. Said ordinance was then read by title. Moved by Anderson, seconded by Fagot that Ordinance No. 2026 be passed on final reading. Roll call. Voting "aye" were: Long, Hawks, Fagot, Anderson, Wightman. Motion carried.

**LIFT STATION
REPAIR:**

City Manager Podraza presented the cost estimates for repair of the lift station No. 1 on South Plumcreek Parkway. These estimates included charges for labor rather than a total cost stating the estimated charge for labor is approximately \$25,000 with the same amount of money for the replacement of the pumps for a total estimated cost of \$50,000. He further stated that the low quote was from Midland Contracting, however they are requesting a 7-day

extension on the 13th Street Project to accommodate the days they would need to be absent while replacing this lift station. Upon completion of this discussion, moved by Hawks, seconded by Fagot to approve awarding of the bid to Midlands Contracting for repair of the Sanitary Lift Station No. 1 on South Plumcreek Parkway. Roll call. Voting "aye" were: Long, Anderson, Fagot, Hawks, Wightman. Motion carried.

**SERVICE BUILDING
CHANGE ORDER:**

City Manager Podraza addressed the Lexington City Council asking to increase a concrete apron on the south side of the service building for the full length of this building. After discussing the alternatives, it was moved by Fagot, seconded by Hawks to build a 20 foot wide apron between the driveway for the Community Services Director and the Storekeeper which is approximately one-half of the building, and construct a sidewalk the remaining distance to the east end of the building. Roll call. Voting "aye" were: Anderson, Long, Hawks, Fagot, Wightman. Motion carried.

**13TH STREET
CHANGE ORDERS:**

Dana Daniels, representing Miller & Associates addressed the Lexington City Council requesting approval of changeorder No. 2 in the amount of \$933.00. This \$933.00 is composed of the installation of an 8"-90 degree bend for water main, removal of a 24" culvert near Taft Street and installation of flowable fill at the Monroe intersection. Moved by Long, seconded by Anderson to approve changeorder No. 2 in the amount of \$933 for construction of the 13th Street project. Roll call. Voting "aye" were: Hawks, Fagot, Anderson, Long, Wightman. Motion carried.

Mr. Daniels then presented changeorder No. 3 which requested an extension of days due to the rainy weather and the amount of time required to install

lift station No. 1. A discussion concerning the contractor's requirement to return and finish the project when weather conditions allow, resulted in an explanation from City Manager Podraza who stated that when Miller & Associates informed the contractor that they believe it is suitable weather to continue construction, the remaining days begin to decrement at that point. Seemingly satisfied with that explanation, moved by Hawks, seconded by Long to approve changeorder No. 3 increasing the number of days on the 13th Street project by 52. Roll call. Voting "aye" were: Anderson, Hawks, Fagot, Long, Wightman. Motion carried.

PAY ESTIMATE:

Pay Estimate No. 4 from Midlands Contracting for the 13th Street Project was presented for council's consideration. Upon review of the project and the application, moved by Hawks, seconded by Long to approve No. 4 to Midlands Contracting in the amount of \$156,156.20 for the 13th Street Improvements Phase I and authorized the city treasurer to transfer \$151,981.76 from the General Fund, and \$4,174.44 from the City of Lexington Utilities to the City of Lexington Operating Account. Roll call. Voting "aye" were: Fagot, Anderson, Long, Hawks, Wightman. Motion carried.

APPOINTMENT OF DEPUTY CLERK:

An ordinance entitled, "AN ORDINANCE APPOINTING A DEPUTY CITY CLERK; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM." was read before the council. Moved by Anderson, seconded by Hawks that the rules requiring the reading of said ordinances on three separate days be suspended. Roll call. Voting "aye" were: Fagot, Long, Hawks, Anderson, Wightman. Motion carried. Said ordinance was then read by title. Moved by Hawks, seconded by Long that Ordinance No. 2028 be passed on final reading. Roll call. Voting "aye" were: Anderson, Fagot, Long, Hawks, Wightman. Motion carried.

EXECUTIVE SESSION:

Moved by Hawks, seconded by Anderson to recess the regular session to executive session at 8:47 p.m. to discuss negotiations of real estate sale. Roll call. Voting "aye" were: Fagot, Long, Anderson, Hawks,

Wightman. Motion carried. Moved by Hawks, seconded by Fagot to reconvene the regular session from executive session at 9:05 p.m. Roll call. Voting "aye" were: Anderson, Long, Fagot, Hawks, 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
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
City Clerk

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Special Budget Meeting of the Lexington City Council was held Tuesday, July 25, 1995, at the Municipal Building, 406 East 7th Street, Lexington, Nebraska, at 7:00 A.M. Members of the City Council present were: Mayor John Wightman, Dorothy Anderson, and John Fagot. Council members Robert Hawks and Jerry Long were absent. City Officials present were: City Manager Bill Podraza and City Clerk Leon E. Malzahn. Department Heads present were: Glenn Hawks, Pete Bishop, Vance Bricker and Kerry Rader.

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.

BUDGET PRESENTATION: City Manager Podraza presented the budget for the electric department for fiscal year 1995-96 to the City Council for their review. He pointed out highlights of increased revenues in the facility charges due to the installation of transformers at IBP. The capital outlay part of the budget included requests for a volt amp recorder in the amount of \$2,500, a used digger for \$3,500, mower for substations at \$1,000, administrative van at \$20,000, and a take-up reel at \$15,000.

Construction outlay for the ensuing year is estimated at \$100,000 for transformers, work in the Woodward Edition of \$60,000, continuing conversion of 14.4 to

13.8 on South Plum Creek Parkway, \$50,000 and rebuilds of lines in the alleys of \$40,000.

The next budget reviewed was the water department. In the revenues, the City Manager stated that water revenues would be less due to the lack of water sale due to excessive rain. He further stated that the meter conversion at this time was approximately 600 meters changed. The expense part of the budget remained basically the same with capital outlay for a pump of \$2,500, a generator of \$2,500 and a backhoe payment of \$17,500.

Construction projects amounted to \$600,000 for 13th Street with the off-set being the issuance of \$600,000 in bonds as stated in the non-operating income part of the budget.

In reviewing the sanitary sewer budget the City Manager stated that a rate increase may be required to enhance revenues in this department. In reviewing the expenses, there was basically no change in the expenses except for capital outlay which included the \$950,000 outlay for 13th Street with the off-set being in sale of bonds, the purchase of a pickup truck for \$15,000 and the repair of the IBP lift station on South Plum Creek Parkway of which one-half would be paid for by IBP.

The City Manager further stated that the City of Lexington had received a mitigation grant in the amount of \$880,000 of which \$851,000 would be for construction of facilities in the northwest part of town and \$29,000 for administrative costs to West Central Nebraska Development District.

Other budgets reviewed at this time included the city sanitation which is a pass-thru of collecting fees for Dan's Sanitation Service and the County Landfill budget which is also off-set by revenues.

ADJOURNMENT:

With no further questions from the council concerning the fiscal year 1995-96 budgets presented, Mayor Wightman declared the meeting adjourned.

John Wightman

Council President

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.

Leon E. Malzahn
City Clerk

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, August 22, 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, City Clerk Leon E. Malzahn and City Attorney Will Weinhold. Department Heads present were: Charles, Clark, Pete Bishop, Vance Bricker, Kerry Rader and City Intern Nathan Brown. Also present was Bob Blankenship representing Miller & Associates, Mel Uphoff, Terry Trueblood and Bill Fattig. The press was represented by the Kearney Hub, Tri-City Tribune and KRVN.

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 Robert Hawks.

MINUTES REGULAR MEETING 08/08/95: The minutes of the regular council meeting held August 8, 1995 were presented for Council's consideration and approval. Moved by Wightman, seconded by Long to approve the minutes of the regular meeting held August 8, 1995. Roll call. Voting "aye" were: Fagot, Anderson, Long, Wightman, Hawks. Motion carried.

CLAIMS AND BILLS: Claims and Bills in the amount of \$677,056.31 were presented for Council's consideration and approval. Moved by Wightman, seconded by Fagot to approve the claims as listed and authorized the City Treasurer to transfer \$93,473.34 from the General Fund, \$543,685.55 from LEXUS Funds, \$9,384.00 from City Sanitation Fund, \$8,147.17 from the Landfill Fund, \$206.46 from the Library Memorial, \$12,151.89 from the Health Fund, and \$3,049.12 from CDBG

90HD010 and \$6,958.78 from Meals on Wheels to the City of Lexington Operating Account. Roll call. Voting "aye" were: Anderson, Long, Fagot, Wightman, Hawks. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 August 22, 1995

AFLAC	Cancer insurance	110.38
Anderson, Beverly	Election wages	70.00
AT & T	Service	51.75
AT & T	Service	12.04
Avalos, Maria	Electric rebate	150.00
Barmore's	Scanner, adapter	106.98
Berntson Oil	Gas, diesel	2,495.19
Benak, Dave	Travel expense	15.00
Brock, Marlene	Election wages	59.50
BSB	Grading - Service Bldg.	800.00
Cash Wa Distributing	Food, foil, bags, gloves	845.83
Central Garage	Labor, parts	1,259.20
Century Laboratories	Soap, cleaning supplies	158.18
Classic Pool & Spa	Meter	93.23
Coast to Coast	Batteries	5.99
CBSA	Insurance claims	4,189.79
Culligan Water Conditioning	Salt	13.50
Dawson Co. Public Power	Service	2,364.60
Dawson Co. Highway Dept.	18" culvert	784.00
Dan's Sanitation	Service	9,384.00
DEMCO	Label sets, laminate	124.70
Denker, Marion	Election wages	57.38
Diamond Vogel Paint	Paint	621.10
Diamond Lake Book Co.	Books	82.18
Egan Supply Co.	Cleaning supplies	95.50
Electric Fixture	Electric Supplies	672.69
Fairbanks International	Belt	11.73
Family Eyewear	Safety glasses	90.75
Ford, Jean	Election wages	57.38
Fox, Rose	Election wages	57.38
Fox Bros.	Grinding	1,950.00
Fransyl Equipment	Truck repair	4,981.30
GE Capital	Lease agreement	309.64
Gillette/NE Dairies	Dairy products	229.69
Grey House Publishing	Encyclopedia handbook	98.50
Hagan, Dorothy	Election wages	74.15
Hipp Wholesale Co.	Food, gloves, bags, cups	904.20

Hodges Auto World	AC Compressor	482.18
ICMA	City Mgr retirement	133.85
Ingram Library Services	Books, card sets	304.49
International Transformer Co.	Transformer	4,197.60
Klein's	Repair radio case	5.00
KN Energy	Service	47.38
Kriz-Davis Co.	Arrester, clamp, cutout	3,330.18
Lexington Coop	Propane	10.00
Lexington Fire Dept.	EMS Conference	1,467.70
Lexington Public Library	Stamps	20.00
Lexington Public Schools	Duplex expenses	3,037.84
Lexington Truck & Auto	Bolt, rear spring	67.26
LEXUS	Service	19,660.52
City of Lexington	Franchise fee	25,012.41
Lexington State Bank	Bond payment	439,451.25
Mc Cormick, Marie	Election wages	72.50
Mead/Big Valley Lumber	Siding, lumber, & supplies	611.69
Meyer, Jessie	Election wages	57.38
Midway Supply	Oxygen, shop towels, parts	115.75
Morris Press	Adding machine tape	4.31
Municipal Supply	Dresser clamps	1,077.82
NE Chapter of I.A.E.I.	Registration - Nelson	66.00
Nebraskaland Tire	Tire	94.10
Occupational Center/Catalogs	Subscription	30.00
OK Tire	Tire repair	50.00
Old Dominion Brush	Main broom - Elgin	585.00
Overton Sand & Gravel	Rock, gravel	1,043.50
Payroll Account	8/2 - 8/15/95	69,811.00
Patty's Hallmark	Folders, cash box, binders	119.02
Platte Valley Auto Mart	Key	6.22
Plum Creek Medical Group	Work comp - Riege	30.00
Platte Valley Exterminating Service		24.00
Protective Life Insurance	Cancer insurance	206.21
Recreonics Corp.	Rescue Tube, whistle, supplies	223.75
Schnieber Fine Foods Inc.	Food	506.60
Sixth Street Foods	Food, UPS, dog bisquits	77.16
Social Security Fund	8/2 - 8/15/95	5,260.19
The Solid Waste Assoc.	Annual membership	210.00
Soundy, Patricia	Election wages	57.38
S & W Auto Parts	EMG Lite	130.22
Telegraph	Subscription	25.00
Michael Todd & Co.	Hose ends	21.67
The Travelers	Pension	1,814.51
US West Communications	Service	361.65
Utility Equipment	Ck valve, elbow	1,648.34
Wal-Mart	Phone cord, hedge trimmer,	

	paint, roller handle, timer	257.25
WESCO Distribution	Plug, ACSR, parts	4,886.28
Wheeler's	Bolt, hook, saw blade	33.13
Berntson Oil	Diesel, oil	258.46
Brown Transfer	Freight	60.17
Canfield, Francine	Postage	40.64
Central Garage	Labor, parts, oil	2,416.17
CBSA	Insurance claims	7,462.89
CBSA	Insurance premium	6,252.31
Dawson Co. Area Econ. Dev.	Registration	75.00
Donna's Cafe	MOW	646.14
Eake's Office Products	Toner	55.45
Egan Supply Co.	Cleaning supplies	67.15
Electric Fixture	Terminal crimper	351.49
Electric Meter Service	Clean & test meter	13.58
Electric Pump	Pump - Liftstation	9,722.55
Fairbanks International	Switch	10.80
Hawks, Robert	Meeting expense	100.30
Johnson Jewellery	Clock - Skwarek	59.57
Joy Book Nook	Books	71.27
Lex Area Chamber of Commerce	Teachers breakfast	8.50
Lexington Health Fund	Side fund	13,511.33
Lexington Glass Co	Glass, plexiglass	45.00
Library Admin. Digest	Book	39.00
Lincoln Journal Star	Subscription	161.20
Mead/Big Valley	Lumber	127.05
Midway Supply	U joint, power str kit	29.12
Midwest Service & Sales	Flared end section	76.55
Midwest Laboratories	Sample testing - Landfill	2,150.24
NASC Prarie Region	Registration	65.00
Nebraska Machinery	Parts	14.92
Nebraska Library Comm.	OCLC Charges	72.79
Nebraska Mun. Clerk Assoc.	Membership	30.00
Newsweek	Subscription	20.97
OK Tire	Tire	84.90
Otte, Bonnie	Work Comp - Medicine	7.97
Patty's Hallmark	Labels, pens	26.17
Pitney Bowes	Lease	135.00
Platte Valley Auto Mart	Fuel pump, manual, sheet	241.74
Podraza, Bill	Meeting expense	92.00
The Printing Press	Receipt books	291.55
S & W Auto Part	Alternator, power steering hose, pump, filters, parts	254.29
Telegraph	Subscription	85.45
Tri-County Hospital	Work comp - Riege	144.65
Upstart	Banners, posters	83.64

Wal-Mart	Film, envelopes	39.94
WESCO	Bail	314.18
Wheeler's	Parts	4.04
Wilson Concrete	Manhole section	421.00
Yant Equipment	Tanks - Service Bldg.	10,681.46
	TOTAL	677,056.31

PUBLIC HEARING:

The Lexington City Council held a public hearing to consider the request of Bill Fattig for a change in zoning from A-1 to C-3. Mr. Fattig addressed the Lexington City Council stating that this property is located on the south side of I-80 and approximately one mile east of the Lexington interchange . After describing the property, he stated that he requested the rezoning of this property to construct a warehouse and showroom for his equipment. He further stated that drive-in traffic would not be a factor as 90% of the sales would occur away from the building. He then stated that his product line consisted of portable unloading pits and two designs of feedlot scrapers and that he would have an outside display of approximately 8 units. After completion of Mr. Fattig's presentation, Mr. Mel Uphoff presented a plot plan of the area that would be rezoned and its location relevant to other properties in the area.

Also speaking in favor of Mr. Fattig was Mr. Terry Trueblood who vouched for his method of operation, the cleanliness of his business, and the character of Mr. and Mrs. Fattig.

Speaking in opposition to the rezoning was Kerry Rader. Her objections to the rezoning was the placement of commercial property next to residential property in the A-1 zone that has been established and the increased traffic that it may cause.

Upon completion of the presentations for and against the rezoning of this property, Mayor Hawks declared the public hearing closed. An ordinance entitled, "AN ORDINANCE TO REZONE LOT TWO (2) OF UPHOFF SUBDIVISION OF A TRACT OF LAND IN THE FRACTIONAL SOUTHEAST QUARTER (SE 1/4) OF SECTION TWENTY-ONE (21), TOWNSHIP

NINE (9) NORTH, RANGE TWENTY ONE (21), WEST OF THE 6TH P.M., DAWSON COUNTY, NEBRASKA, FROM A-1 AGRICULTURE TO C-3 HIGHWAY COMMERCIAL; to repeal all ordinances or sections of ordinances in conflict herewith; to provide for an effective date and for publication in pamphlet form." was read before the council. Moved by Fagot, seconded by Long that said ordinance be passed on first reading. Roll call. Voting "aye" were: Fagot, Anderson, Long, Wightman, Hawks. Motion carried.

ZONING CHANGE:

The Lexington City Council held a public hearing to consider the input on the change in the zoning ordinance concerning the regulations in the C-3 zones. Speaking in favor of the ordinance was Assistant City Manager Vance Bricker who stated to the Council that the passage of this ordinance would bring into compliance already existing conditions in the C-3 zoning by allowing office buildings within that zone. With no further comments and no objections to this ordinance, Mayor Hawks declared the public hearing closed. An ordinance entitled, "AN ORDINANCE TO AMEND SECTION 23-19.2 OF THE LEXINGTON CITY CODE; TO MAKE PROVISION FOR OFFICES AS A PERMITTED USE IN C-3 HIGHWAY COMMERCIAL ZONE; TO REPEAL ORIGINAL SECTION 28-19.2 AND ANY 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 Wightman, seconded by Anderson that said ordinance be passed on first reading. Roll call. Voting "aye" were: Long, Fagot, Anderson, Wightman, Hawks. Motion carried.

MANAGER APPLICATION:

The Lexington City Council considered a request from the Eagle's Club to have Becky Fagot as its manager in accordance with the liquor license laws for the State of Nebraska. Upon reviewing the application with no negative comments, moved by Wightman, seconded by Long to approve the application of the Eagle's Club for Becky Fagot as manager of their liquor license. Roll call. Voting

"aye" were: Anderson, Long, Wightman, Hawks. Motion carried. Councilman Fagot abstained.

PAY ESTIMATE:

Mr. Bob Blankenship, representing Miller & Associates addressed the Lexington City Council and presented them with Application No. 5 from Midlands Contractors for work completed on 13th Street. Mr. Blankenship then gave a progress report on the amount of construction that has been completed and stated that the current payment requested is in accordance with the amount of work completed. Upon completion of his presentation, moved by Wightman, seconded by Anderson that Application No. 5 to Midland Contracting in the amount of \$124,206.42 for construction work on 13th Street improvements Phase I be approved by the council and authorized the City Treasurer to transfer \$85,420.94 from LEXUS funds and \$38,785.48 from the General fund to the City of Lexington operating account for payment of the bill from Midland Contracting. Roll call. Voting "aye" were: Fagot, Long, Anderson, Wightman, Hawks. Motion carried.

MITIGATION GRANT CONTRACT:

City Manager Podraza presented a contract to the Lexington City Council for administration of the mitigation grant for improvements in the northwest part of town. Mr. Podraza stated that West Central Nebraska would be administering this grant and would receive a sum of \$21,800 for that service. With no further comments, moved by Wightman, seconded by Fagot to authorize the Mayor to enter into an agreement with West Central Nebraska Development District for administration of the Mitigation Grant. Roll call. Voting "aye" were: Anderson, Long, Fagot, Wightman, Hawks. Motion carried.

BUDGET DISCUSSION:

City Manager Podraza reviewed the budget as presented to the City Council and would be considered in a hearing at 7:30 a.m. on August 29, 1995. Reviewing the budget, a question was raised concerning the revenues received for property taxes and the sales of lots and a recommendation was given that these would be included in this fiscal year's budget. Upon completion of the discussion and recommendations, no further action was taken.

CERTIFICATE OF VOTES:

The Lexington City Council reviewed the Certificate of Votes as reported by the election commissioner of Dawson County. Councilmember Wightman offered the following resolution and moved for its adoption.

RESOLUTION NO. 95-11

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, AS FOLLOWS:

Section 1. The Mayor and Council hereby find and determine that pursuant to a resolution previously adopted, there was submitted to the electors of the City the question of issuing bonds in the amount of \$1,600,000 (Proposition No. 1) for the purpose of constructing a new swimming pool facility and related aquatic park improvements; that said question was duly submitted to the electors of the City at a special election held on August 8, 1995; that the County Clerk and County Canvassing Board for the County of Dawson have submitted their report of canvass with respect to said election, reflecting that the following votes were cast with respect to said proposition:

Ballots for said bonds and tax: 891

Ballots against said bonds and tax: 801

Ballots rejected and not counted: 0

That more than a majority of the electors of the City have authorized the issuance by the City of said bonds.

Section 2. The Mayor and Council of the City of Lexington, Nebraska, further find and determine that pursuant to a resolution previously adopted, there was submitted to the electors of the City the question of issuing bonds in the amount of \$2,900,000 (Proposition No. 2) for the purpose of purchasing an existing building or buildings, including related site, acquiring a site or sites including leasehold interests, constructing on such site or sites a public building or buildings and remodeling existing buildings for the

purpose of providing indoor athletic facilities, public auditorium facilities, including related parking facilities (either directly by the city or through the Lexington Community Facilities Agency) and providing furnishings and equipment for such public buildings; that said question was duly submitted to the electors of the City at a special election held on August 8, 1995; that the County Clerk and County Canvassing Board for the County of Dawson have submitted their report of canvass with respect to said election, reflecting that the following votes were cast with respect to said proposition:

Ballots for said bonds and tax: 917

Ballots against said bonds and tax: 782

Ballots rejected and not counted: 0

That more than a majority of the electors of the City have authorized the issuance by the City of said bonds.

PASSED AND APPROVED this _____ day of August, 1995.

CITY OF LEXINGTON

by _____
Mayor

ATTEST:

City Clerk

The foregoing resolution having been read, Councilmember Anderson seconded the motion for passage and adoption. After consideration, the roll was called and the following councilmembers voted in favor of the passage and adoption of said resolution: Long, Fagot, Anderson, Wightman, Hawks. The following councilmembers voted against: None. The passage of said resolution having been consented to by more than a majority of the members elected to the council. The mayor declared the resolution duly passed and adopted this 22nd day of August, 1995.

SPECIAL MEETING: The mayor stated that a special meeting of the Lexington City Council should be held August 29, 1995 at 7:30 a.m. and the Municipal Building for the purpose of conducting a public hearing for the fiscal year 95-96 budget. Moved by Wightman, seconded by Fagot that a special meeting of the Lexington City Council be held Tuesday, August 29, 1995 at 7:30 a.m. for the purpose of holding a public hearing on the fiscal year 1995-1996 budget. Roll call. Voting "aye" were: Anderson, Long, Fagot, Wightman, Hawks. Motion carried.

AWARD OF BIDS: City Manager Podraza stated that two bids had been received for the digger derrick truck for use by the electric department. He stated that a bid from Trueco, Inc. was for \$36,300 and a bid from Cerco, Inc. in the amount of \$21,500. Mr. Pete Bishop of the electric department stated that the truck from Cerco would meet his requirements and requested this bid be accepted. Moved by Anderson, seconded by Wightman that the bid from Cerco, Inc. for a digger derrick truck for the City of Lexington in the amount of \$21,500 plus freight of \$350 be accepted and awarded. Roll call. Voting "aye" were: Fagot, Long, Wightman, Anderson, Hawks. Motion carried.

TREASURERS REPORT: Kerry Rader, Lexington City Treasurer, reported the Treasurers Report for June, 1995 to the City Council. Upon completion of her report, moved by Wightman, seconded by Fagot to accept the Treasurers Report as presented. Roll call. Voting "aye" were: Long, Anderson, Fagot, Wightman, Hawks. Motion carried.

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

Robert Hawks
Council President

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.

Leon E. Malzahn
City Clerk

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Special Meeting of the Lexington City Council was held Tuesday, August 29, 1995, at the Municipal Building, 406 East 7th Street, Lexington, Nebraska, at 7:30 A.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, City Clerk Leon E. Malzahn and City Attorney Will Weinhold. Department Heads present were: Vance Bricker, Charles Clark and Kerry Rader. The press was represented by the Tri-City Tribune.

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 Robert Hawks.

**FISCAL YEAR 95-96
PUBLIC HEARING:**

The Lexington City Council held a public hearing to consider a fiscal year 95-96 budget. City Manager Podraza informed the council that revenues and necessary cash reserve had been increased to include the offset of additional sales tax received for payment of the swimming pool and approximately \$28,000 from the sale of the lot in downtown Lexington. He further stated that the amount of tax collected for a twelve month period in this budget would remain the same. However, since the state has passed a statute requiring a change in the fiscal year period, the fourteen month budget has been prepared and the increase for fourteen months is 17%. Hearing no further comments on the budget, Mayor Hawks declared the public hearing closed.

Moved by Wightman seconded by Fagot that the City of Lexington to allow the call on property tax to be increased by two and six tenths percent (2.6%) as authorized by the budgeting laws of the State of Nebraska. Roll call. Voting "aye" were: Long, Anderson, Fagot, Wightman, Hawks. Motion carried.

Moved by Wightman seconded by Anderson that the City of Lexington be allowed to increase the call on property by one and four tenths percent (1.4%) lid limit with the fiscal year 95-96 budget. Roll call. Voting "aye" were: Fagot, Long, Wightman, Anderson, Hawks. Motion carried.

**ADOPTION
ORDINANCE:**

An ordinance entitled, "AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE." was read before the council. Moved by Wightman, seconded by Anderson to suspend the rules requiring the reading of said ordinance on three separate days. Roll call. Voting "aye" were: Fagot, Long, Anderson, Wightman, Hawks. Motion carried. Said ordinance was then read by title. Moved by Wightman, seconded by Anderson that Ordinance No. 2323 be passed on final reading. Roll call. Voting "aye" were: Long, Fagot, Anderson, Wightman, 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. 2323 be published in pamphlet form.

ADJOURNMENT:

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

Robert Hawks
Council President

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.

Leon E. Malzahn
Lexington City Clerk

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Regular Meeting of the Lexington City Council was held Tuesday, August 8, 1995, at the Municipal Building, 406 East 7th Street, Lexington, Nebraska, at 7:30 P.M. Members of the City Council present were: Mayor John Wightman, Dorothy Anderson and John Fagot. Councilperson Hawks entered the meeting at approximately 7:45 p.m. and Councilperson Jerry Long was absent. City Officials present were: City Manager Bill Podraza, City Clerk Leon E. Malzahn and City Attorney Will Weinhold. Department Heads present were: Vance Bricker and Kerry Rader. Also present was Bob Blankenship representing Miller & Associates and Patti Johnson representing BHA Realty. The press was represented by the Tri-City Tribune.

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
MEETING 07/25/95:**

The minutes of the regular council meeting held July 25, 1995 were presented for Council's consideration and approval. Moved by Anderson, seconded by Fagot to approve the minutes of the regular meeting held July 25, 1995. Roll call. Voting "aye" were: Fagot, Anderson, Wightman. Motion carried.

CLAIMS AND BILLS:

Claims and Bills in the amount of \$735,374.13 were presented for Council's consideration and approval. Moved by Fagot, seconded by Anderson to approve the claims as listed and authorized the City Treasurer

to transfer \$78,020.02 from the General Fund, \$615,881.06 from LEXUS Funds, \$10,000.00 from City Sanitation Fund, \$21,030.76 from the Landfill Fund, \$285.29 from the Library Memorial, \$5,197.58 from the Health Fund, and \$4,958.12 from Meals on Wheels and \$1.30 from CED funds to the City of Lexington Operating Account. Roll call. Voting "aye" were: Anderson, Fagot, Wightman. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 August 8, 1995

Ace Equipment & Supply Co.	Gutter broom	456.00
Altec Industries Inc.	Filter element, auger	201.30
American Media Corp.	Books	2,499.11
Americana Resource Tech.	Consulting agreement	2,500.00
American Red Cross	Lifeguarding class	394.20
AT & T	Service	10.26
Awards Plus	Trophies	84.00
Barmore's	Misc. Supplies	90.27
Berntson Oil	Fuel, grease, diesel	685.11
Bill's Kirby	Clean vacuum	21.20
Brown, Clifford	Electric rebate	150.00
Bricker, Vance	Meeting expense	143.86
Bueno, Refugio	Electric rebate	450.00
Cadwell Construction	Electric rebate	450.00
Cash-Wa Distributing	Food, tissue	710.64
C.J. Small Engine Repair	Chain saw repair	40.00
Central Garage Fund	Labor, repairs, parts, gas	11,530.35
Central Community College	Registration	50.00
Chivers	Books	46.68
City Production Inc.	Books	127.30
Coast to Coast	Supplies	49.63
Computer Hardware Inc.	Computer equipment	2,099.00
Corp. Diversified Services	Life insurance	60.00
CBSA	Insurance claims	3,325.45
Culligan Water Conditioning	Service	60.40
Dawson Co. Register of Deeds	Register plats	97.00
Dawson Co. Highway Dept.	Culvert	480.53
Dan's Sanitation	Service	10,000.00
Dawson Co. Area Economic Dev.	Membership Fee	10,000.00
Donna's Cafe	Service - MOW	687.72
Dutton Lainson Co.	Wire support shield, bolts	245.38
Dugan Business Forms	Paper, payable checks	635.07
Electric Fixture	Lamps, deadends, parts	1,153.11

Electronic Systems	Fire alarm inspection	25.00
Emergency Medical Products	Safety gloves	219.23
Emery Pratt Co.	Books	30.52
Fairbanks International	Hose, coupler, switch	46.95
Fagot Refrigeration	Repair leak	88.50
Farm Plan Corp.	Chains - landfill	33.90
Five Star Flooring	Carpet	95.98
Furst Group	Service	7.23
Gillette/NE Dairies	Dairy Products - MOW	75.54
Great Plains Sales Inc.	Light	7.19
Heartland Scuba Center	Scuba equipment	36.55
Hipp Wholesale Co.	Lids, cups, towels, plates	741.06
Hinds Electric	Remove faulty circuit	27.00
Hilti Inc.	Concrete blades	275.55
Hueftle, Mark	Carpet installation	102.00
ICMA	City Mgr. Pension	133.85
Int. Conference of Bldg. Offic.	Codebook	42.65
Ingram Library Service	Books	23.81
Jacobs, Lee C.	Book	22.50
Jones Plumbing	Electric rebate, parts	2,534.63
Kearney Hub	Subscription	24.00
KN Energy	Service	40.70
Kriz Davis Co.	Alumaform, tool bag	
256.63		
Law Enforcement Equip.	Ties, clips, cases	182.15
Lexington Animal Clinic	Service	374.35
Lexington Coop	Weed spray, fuel	436.80
Lexington Glass Co.	Mirror repair	6.00
Lexington Laundry	Service	44.00
Lexington Postmaster	Postage	1,500.00
Lexington Public Library	Postage, supplies	46.85
Lexington Newspaper Inc.	Service	906.27
Lexington Truck & Auto	Steering gear	674.00
City of Lexington	Franchise fee	35.06
Lexington Postmaster	Newsletter postage - GGC	80.00
City of Lexington	Landfill charges	156.00
Lucent Books	Books	223.95
Martin Electric	Check air conditioner	45.54
MCI	Service	220.83
Mead/Big Valley	Misc. Supplies	675.34
Meyer Welding	Metal, iron	131.01
Midway Supply	Misc. Supplies	254.38
Miller & Assoc.	Service - July	1,850.00
Mike's Pharmacy	Gloves	12.18
Morris Press & Office	Office Supplies	80.88
Mr. Automotive	Auto Supplies	197.91

Nebraskaland Tire	Tube,, muffler	40.25
Nebraska Machinery	Loader payments	2,218.00
Nebraska Library Comm.	OCLC Charges	26.62
Nebraska Dept. of Revenue	Sales tax - July	23,577.76
State of Nebraska	Flouride water analysis	18.10
Nebraska Public Power	Field test metering	128.00
State of Nebraska	Quarterly disposal fee	11,700.42
Nebraska Cellular	Service	72.13
Northern Pump & Irrigation	Pilot valve stem	29.07
Olsson Associates Inc.	Engineering service	964.21
OK Tire	Tire repair, tires	730.18
Old Dominion Brush	Chain drag shoe tow	50.84
Overton Sand & Gravel	Gravel	14.40
Payroll Account	7/19 - 8/1/95	70,616.42
Paulsen Bldg. & Supply	Concrete, mud rock	826.75
Patty's Hallmark	Copier master unit, stamp, repair typewriter, view binders	618.61
Petty Cash	Postage, meeting exp, Misc.	159.00
Platte Valley Auto Mart	Insulator, rotor, crossmember assembly	1,328.04
Platte Valley Communications	Radio repair	117.00
Plum Creek Medical Group	Work comp. - Riege	30.00
Podraza, Bill	Meeting expense	63.47
Pollution Control Systems	Inspect lift station	338.00
Precision Industries	O ring	.92
Quality Books Inc.	Book	13.62
Ranger Rick's Nature Club	Subscription	15.00
Ramirez, Trinidad	Electric rebate	300.00
Rittgarn, Robert	Certification	75.00
Riege, Ivan	Medicine	24.85
Rutledge, Clifton	Electric rebate	450.00
Schuckman, Marsha	Service	200.00
Schnieber Fine Foods	Food, gloves, bleach	575.96
Service Supply	Adapter	10.82
Sixth Street Market	UPS, Food, charcoal, coffee	86.98
Social Security Fund	7/19 - 8/1/95	5,314.33
Super 8 Motel	Room - Bricker	42.99
Sund, T.L.	Fence	112.00
S & W Auto Parts	Toggle switch, batter, rotor, filters, bels, tire machine repair, starter, parts	1,014.45
Telegraph	Meeting notice	11.73
Tri County Hospital	Work comp - Nelson	257.00
The Travelers	Pension	797.11
Trautman's Meat Center	Hot dogs	16.68
Unisys Corp.	Lease agreement	1,266.00

Utility Equipment	Flange acc. set	112.57
Van Waters & Rogers Inc.	Calcium hypochlorite	517.50
Valentino's	Meeting expense	16.67
Wal-Mart	Film, coffee, cards, towels, tape, glue, velcro, vacuum, weed killer, pens, calculator	452.22
Wesco Distribution	Snaphooks, guy strain insulator, arrester, trainer bracket	6,942.73
Weber & Weinhold	Legal service - July	1,200.00
Wheeler's	Seat covers, floor dry, fittings, tee, cap, parts	229.63
Wisdom, Tom	Electric rebate	900.00
Ackerman, Terry	CDL License	40.00
AT & T	Service	41.77
AT & T	Service	53.10
AT & T	Service	24.25
Awards Plus	Trophies	84.00
Classic Pool & Spa	Supplies	32.60
CBSA	Insurance claims	869.93
Dawson Co. Public Power	Purchase agreement	45,053.50
KN Energy	Service	311.25
Knapp Electric	Motor repair	103.71
League of NE Municipalities	Meeting expense	995.00
Nebraska Library Commission	Registration	5.00
NPPD	Power	486,379.05
Nebraska Online	Service agreement	300.00
State of Nebraska	Certification registration	460.00
NE Volunteer Fire Fighters Trust	Life insurance	1,330.00
Nichols, Charles	CDL License	40.00
Plum Creek Medical Group	Work comp., physicals	649.00
Radiology Service	Work comp. - Nelson	41.35
US West Communication	Service	1,378.55
	TOTAL	735,374.13

**DIGGER TRUCK
BIDS:**

City Manager Podraza addressed the Lexington City Council stating that the current truck used to dig holes and set poles for the City of Lexington is at a substantially deteriorated state due to the age of the equipment. He is then requesting the authority to advertise for bids for a digger truck. He further informed the council that the estimated cost of this new truck is approximately \$35,000. Upon completion of the discussion, moved by Fagot, seconded by Anderson to authorize the City Administration to advertise for bids for a new digger

truck for the electric department. Roll call. Voting "aye" were: Anderson, Fagot, Wightman. Motion carried.

NATIONAL LEAGUE OF CITIES MEMBERSHIP: City Manager Podraza stated that the City of Lexington should belong to this national organization and would have many benefits back to the City of Lexington. He further stated that the estimated dues to this organization were \$698 annually. Upon completion of the discussion, moved by Fagot, seconded by Wightman that the City of Lexington be allowed to join the National League of Cities. Roll call. Voting "aye" were: Anderson, Fagot, Wightman. Motion carried.

SALE OF PROPERTY: An ordinance entitled, "AN ORDINANCE DIRECTING THE SALE OF LOT 14, BLOCK 5, SOUTHAVEN ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE." was read before the council. Moved by Anderson, seconded by Fagot to approve said ordinance on first reading. Roll call. Voting "aye" were: Fagot, Anderson, Wightman. Motion carried.

SALE OF PROPERTY: An ordinance entitled, "AN ORDINANCE DIRECTING THE SALE OF LOT 19, BLOCK 8, SOUTHAVEN ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE." was read before the council. Moved by Anderson, seconded by Fagot to approve said ordinance on first reading. Roll call. Voting "aye" were: Fagot, Anderson, Wightman. Motion carried.

SALE OF PROPERTY: An ordinance entitled, "AN ORDINANCE DIRECTING THE SALE OF LOTS 1-3, BLOCK 55, ORIGINAL TOWN OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE." was read before the council. Moved by Anderson, seconded by Fagot to approve said ordinance on first reading. Roll call. Voting "aye" were: Fagot, Anderson, Wightman. Motion carried.

The discussion which followed pertained to having a special meeting for the passage of these ordinances to start the remonstrance period. Upon completion of that discussion, Councilperson Hawks entered the room. At this time, Mayor Wightman stated that there being enough elected officials present to suspend the rules and pass the ordinance, he would entertain a motion to reconsider the ordinances. Moved by Anderson, seconded by Fagot that the City Council reconsider the ordinances for the sale of property.

SALE OF PROPERTY:

An ordinance entitled, "AN ORDINANCE DIRECTING THE SALE OF LOT 14, BLOCK 5, SOUTHAVEN ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE." was read before the council. Moved by Anderson, seconded by Fagot to suspend the rules requiring the reading of said ordinance on three separate days. Roll call. Voting "aye" were: Hawks, Fagot, Anderson, Wightman. Motion carried. The ordinance was then read by title. Moved by Anderson, seconded by Fagot that ordinance number 2029 be passed on final reading. Roll call. Voting "aye" were: Fagot, Hawks, Anderson, Wightman. 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. 2029 be published in pamphlet form.

SALE OF PROPERTY:

An ordinance entitled, "AN ORDINANCE DIRECTING THE SALE OF LOT 19, BLOCK 9, SOUTHAVEN ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE." was read before the council. Moved by Fagot, seconded by Anderson to suspend the rules requiring the reading of said ordinance on three separate days. Roll call. Voting "aye" were: Anderson, Hawks, Fagot, Wightman. Motion carried. The ordinance was then read by title. Moved by

Fagot, seconded by Anderson that ordinance number

2030 be passed on final reading. Roll call. Voting "aye" were: Hawks, Fagot, Anderson, Wightman. 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. 2030 be published in pamphlet form.

SALE OF PROPERTY:

An ordinance entitled, "AN ORDINANCE DIRECTING THE SALE OF LOTS 1-3, BLOCK 55, ORIGINAL TOWN OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE." was read before the council. Moved by Hawks, seconded by Anderson to suspend the rules requiring the reading of said ordinance on three separate days. Roll call. Voting "aye" were: Fagot, Anderson, Hawks, Wightman. Motion carried. The ordinance was then read by title. Moved by Anderson, seconded by Fagot that ordinance number 2031 be passed on final reading. Roll call. Voting "aye" were: Hawks, Fagot, Anderson, Wightman. 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. 2031 be published in pamphlet form.

COUNCIL REORGANIZATION:

At this time, Mayor Wightman announced that he would be resigning his official title as Mayor to the City of Lexington with the close of the meeting and therefore, a reorganization of the council is required. Moved by Anderson, seconded by Fagot that Bob Hawks be nominated as President of the City Council and John Wightman as Vice-President of the City Council, that nominations cease and a unanimous ballot be cast for this ticket. Roll call. Voting "aye" were: Hawks, Fagot, Anderson, 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
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
City Clerk

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Regular Meeting of the Lexington City Council was held Tuesday, September 12, 1995, at the Municipal Building, 406 East 7th Street, Lexington, Nebraska, at 7:30 P.M. Members of the City Council present were: Vice-President John Wightman, Dorothy Anderson, Jerry Long and John Fagot. Mayor Robert Hawks was absent. City Officials present were: City Manager Bill Podraza, City Clerk Leon E. Malzahn and City Attorney Will Weinhold. Department Heads present were: Glenn Hawks, Charles Clark and Kerry Rader. Also present was Dana Daniels representing Miller & Associates and Mel Uphoff. The press was represented by the Clipper Herald, Tri-City Tribune and KRVN.

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 Wightman.

**MINUTES REGULAR
MEETING 08/22/95:**

The minutes of the regular council meeting held August 22, 1995 were presented for Council's consideration and approval. Moved by Anderson, seconded by Long to approve the minutes of the regular meeting held August 22, 1995. Roll call. Voting "aye" were: Fagot, Long, Anderson, Wightman. Motion carried.

**MINUTES SPECIAL
MEETING 08/29/95:**

The minutes of the special council meeting held August 29, 1995 were presented for Council's consideration and approval. Moved by Fagot, seconded by Long to approve the minutes of the special meeting held August 29, 1995. Roll call.

Voting "aye" were: Anderson, Long, Fagot, Wightman. Motion carried.

CLAIMS AND BILLS:

Claims and Bills in the amount of \$967,111.71 were presented for Council's consideration and approval. Moved by Fagot, seconded by Anderson to approve the claims as listed with the exception of Custom Creations and authorized the City Treasurer to transfer \$155,500.52 from the General Fund, \$726,670.16 from LEXUS Funds, \$10,000.00 from City Sanitation Fund, \$51,617.23 from the Landfill Fund, \$333.12 from the Library Memorial, \$5,049.79 from the Health Fund, and \$1.08 from CED and \$5,623.10 from CDBG 90-HD-010 \$4,322.50 from Haven House Grant, \$7,340.21 from Meals on Wheels to the City of Lexington Operating Account. Roll call. Voting "aye" were: Long, Anderson, Fagot, Wightman. Motion carried. In considering the claim from Custom Creations, Councilperson Anderson stated that she would not enter into the discussion or voting due to a conflict of interest. Moved by Long, seconded by Fagot to approve the bill from Custom Creations in the amount of \$654 and authorized the City Treasurer to transfer \$654 to the City of Lexington Operating Account from the General Fund. Roll call. Voting "aye" were: Fagot, Long, Wightman. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 September 12, 1995

Ace Equipment & Supply	Gutter brooms	456.00
Ancestry	Subscription	18.00
AT & T	Service	78.06
AT & T	Service	53.10
AT & T	Service	59.52
Barmore's	Flashlight, batteries	48.76
Barco Municipal Products	Hose, strainer, banding	527.19
B & D Office Supplies	Toner	118.80
Berntson Oil	Diesel, unleaded gas	2,114.54
Bishop, Pete	Meeting expense	233.36
RC Booth Enterprises	TAM of Dawson Co.	41.24
Bricker, Vance	Mtg expense, workshop	75.00
Brown, Harold	Tool allowance	50.00
BSB	Cover dirt, access road	13,972.00

Cash-Wa Distributing	Liners, mitt, food, bleach	751.55
C.J. Small Engine	Trimmer	258.96
Central Garage Fund	Labor, parts, oil, gas	6,448.44
Chapman, Randy	Electric rebate	1,050.00
Children's Book Council	Bookmarks, books	107.80
Computer Assistance	Install CD's	12.50
Cornhusker Casualty co.	Insurance deductible	250.00
City of Cozad	Special census	1,968.00
CBSA	Insurance claims	4,288.20
CBSA	Insurance premium	6,312.24
Curtis Industries	Tape, silicone	66.63
Custom Creations	Uniforms	654.00
Culligan Water Conditioning	Service	50.25
Dawson Co. Clerk	Dispatch Chg - August	3,917.33
Dan's Sanitation	Service	485.00
DEMCO	Books cards	29.06
Diamond Vogel Paint	Paint thinner	193.20
Ditch Witch of NE	Sprinkler heads	90.72
Diesel Power Equipment Co.	Grease seal, gasket	73.95
Donna's Cafe	MOW	1,044.87
Dutton - Lainson Co.	Connectors, support	677.94
Electric Fixture	Side cut, folding, URD, tape, fuseholders, sockets, parts	2,889.65
Fairbanks International	Bearings, cutting edge	68.42
Family eyewear	Glasses - Wattier	112.35
Five Star Flooring	Carpet, vinyl - Duplex	4,608.10
Follett Software Co.	Labels	33.12
F & S Supply Co.	Supplies - Library	287.05
Gillette/NE Dairies	Dairy products	245.29
Guth Laboratories	Simulator	404.30
Haven House	Expenses - Grant	4,322.50
Hipp Wholesale Co.	Food, cups, trays	886.70
I.A.E.I.	Membership - Nelson	36.00
Ingram Library Services	Books	542.61
Interstate Structures	Pay estimate #11	50,356.90
Jones Plumbing & Heating	Plug, adapter, pipe	112.43
Johnson Service Co.	TV Sewer line	600.00
Joy Book Nook	Books	16.13
K N Energy	Service	1,438.96
Kriz Davis	Transformers, clamp, wire, hotline clamp, junctions	58,604.90
Law Enforcement Equip.	Police Equipment	361.30
Lambert, Bob	Loss due to disconnection	44.47
Lexington Animal Clinic	Service	286.45
Lex Area Chamber of Commerce	Appreciation dinner	40.00
Lexington Coop	Stove, refrigerator - Duplex	978.00

Lexington Glass Co.	Windshield	62.50
Lexington Laundry	Service	44.00
Lexington Postmaster	Postage	1,500.00
Lexington Public Library	Postage, supplies	71.58
Lexington Newspaper	Service, subscription	756.46
City of Lexington	Franch. fee, Elec. rebate	1,422.15
Lexington Meals on Wheels	Meeting exp.	24.00
Life Skill Education	Books	59.00
Malzahn, Leon	Meeting expense	162.60
Mary Lou Productions	Video	23.00
MCI	Service	162.09
Mead/Big Valley Lumber	Construction Supplies	293.97
Meyer Welding	Bolts, nuts, steel, water keys	68.88
Midway Supply	Oxygen, cable	54.24
Miller & Associates	Landfill	3069.21
	New landfill	2933.61
	Landfill closure	1779.47
	13th street	17530.09
	Clean air act	340.00
	Water quality	2053.83
	Monthly billing	1850.00
		29,556.21
The Millbrook Press Inc.	Books	218.61
Morris Press	Nameplate	8.50
Mr. Automotive	Auto Supplies	369.03
Nebraska Machinery	Filter	64.96
Nebraska Dept. of Revenue	Sales tax - August	26,055.11
State of Nebraska	Water analysis	36.20
NE Dept of Economic Dev.	Conference	40.00
NE Dept of Environmental	Annual Operating Fee	7,500.00
New World Inn	Rooms	161.65
Nebraska Cellular	Service	74.06
O K Tire	Change tires	126.91
Overton Sand & Gravel	Rock, gravel	1,581.40
Payroll Account	8/16 - 8/29/95	64,306.61
Patty's Hallmark	Office Supplies	108.23
Petty Cash	Misc. expense	232.63
Pitney Bowes Inc.	Postage meter rental	204.00
Platte Valley Exterminating	Service	24.00
Plum Creek Recycling	Recycling report	3,351.80
Podraza, Bill	Meeting expense	262.50
The Printing Press	Envelopes - Library	68.83
Protrainer	Recycle trailer	8,595.00
Rainbow Industrial Products	Contact, penfoam	409.75
Reliable Office Supply	Tape, ribbons	53.78
Sav A Lot	Filters, coffee	41.98

Schuckman, Marsha	Service - August	200.00
Schnieber Fine Foods	Food, bleach, cups, towels	954.91
Seamax	Shaft	43.14
Sixth Street Market	Cards, food	131.93
Simon & Schuster	Books	193.93
Skarshaug testing	Clean & test gloves	48.02
Social Security Fund	8/16 - 8/29/95	4,839.16
S & W Auto Parts	Auto Supplies	256.93
The Travelers	Pension	1,780.97
University Press of Kansas	Book	38.00
US West Communications	Service	1,373.02
Virtual Technology	Cleaning kits	520.00
Video Store Service	Full sleeve case	55.61
Wal-mart	Paint, tissue, film, filters, clock, bowls, eraser, gloves	186.19
WESCO	Trainer bracket, adapter pin, fiberglass poles, hose	18,642.97
Weber & Weinhold	Service - August	2,031.00
Wheeler's	Coupler, chain, hooks, hammer, wrenches, chain saw, parts	466.10
Yant Equipment	Tanks, concrete	5,714.65
AFLAC	Cancer insurance	110.38
AT & T	Service	57.90
CERCO Inc.	Truck - Electric Dept.	21,850.00
Corp. Diversified Services	Life insurance - Fire Dept.	60.00
Dan's Sanitation	Service	10,000.00
I.C.M.A.	City Mgr. Pension	133.85
Lexington Health Fund	Side fund	13,511.33
City of Lexington	Monthly Misc. Charges	49,825.84
Lexington Postmaster	Newsletter postage	80.00
Nebraska Machinery	Loader payments	2,646.00
NPPD	Power bill	508,648.69
Protective Life Insurance	Cancer insurance	206.21
Schumacher, Ken	Meeting expense	51.92
	TOTAL	967,111.71

ORDINANCE AMENDING

An ordinance entitled, "AN ORDINANCE TO AMEND SECTION 23-19.2 OF THE LEXINGTON CITY CODE; TO MAKE PROVISION FOR OFFICES AS A PERMITTED USE IN C-3 HIGHWAY COMMERCIAL ZONE; TO REPEAL ORIGINAL SECTION 28-19.2 AND ANY 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 Fagot, seconded by Anderson that the rules requiring reading of said ordinance on three separate days be suspended. Roll call. Voting "aye" were: Long, Anderson, Fagot, Wightman. Said ordinance was then read by title. Moved by Anderson, seconded by Long that ordinance No. 2033 be passed on final reading. Roll call. Voting "aye" were: Fagot, Long, Anderson, Wightman. 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. 2033 to be published in pamphlet form.

**WAIVER OF
OBJECTION:**

Mr. Wes Lubberstedt addressed the Lexington City Council requesting consideration for the waiver of objection for a strip of land between the Valley Sales property and the county road east of Lexington in the industrial tract. After reviewing a plat and a drawing of the area, moved by Fagot, seconded by Long to approve the waiver of objection and the replat for a strip of land in the industrial area belonging to Valley Sales. Roll call. Voting "aye" were: Anderson, Long, Fagot, Wightman. Motion carried.

CHANGE ORDER:

Mr. Dana Daniels, representing Miller & Associates, addressed the Lexington City Council outlining a problem which exists with the 13th Street project created by a sewer line in the alley between Washing and Grant Streets from 11th Street to 15th Street. Mr. Daniels further stated the problem which exists is that the current sanitary sewer runs under the junior high building has been requested to be changed by their architect. The second problem which exists is the sewer line in the alley serving the residences is at a shallow slope and does not drain properly. This has been a continuing problem for the City of Lexington and has had claims for damages as a result of sewer backup on this line. He is requesting a change order be approved allowing the replacement of the line from 12th to 13th Street and rerouting of the line from 15th Street to 13th Street. After discussing the difficulties

in laying this line while the services are still active to houses in the alley from 12th to 13th Street and the cost as quoted at approximately \$30 per foot, it was Mr. Daniels recommendation that the city council approve this change order. Other items that were discussed was the possibility of installing a lift station and not constructing the line which would result in approximately \$5,000 less in initial costs. However, maintenance and operation over the years and replacement of pumps, etc. would more than exhaust the \$5,000 savings. A discussion was held pertaining to the total cost of the project which was not available at this time causing some apprehension in the approval. Upon completion of that discussion, moved by Anderson, seconded by Long to allow the change order for the 13th Street project rerouting the sanitary sewer in the alley between Washington and Grant Street from 11th to 15th Street. Roll call. Voting "aye" were: Fagot, Long, Anderson, Wightman. Motion carried.

CLAIM FOR DAMAGES: A claim was presented to the Lexington City Council for damages and associated losses which occurred to a house when the electricity was disconnected as requested by the customer. However, the water and sanitary sewer were not discontinued. This resulted in the pipes freezing and breaking and when thawed caused water damage to the house. Mr. Vance Bricker informed the Lexington City Council that normal procedures had been followed with this claim and the documentation attached to his memo of September 8, 1995 shows that our insurance company had rejected the claim. He further stated that the claim for damages resulted in \$10,269.63 in repair, \$6,000 in depreciated value of the property and \$1,300 for mortgage payments incurred due to the damages. Upon completion of the presentation, moved by Anderson, seconded by Fagot that the City Council of Lexington should deny said claim. Roll call. Voting "aye" were: Long, Fagot, Anderson, Wightman. Motion carried.

GARAGE SALE SIGNS: City Manager Podraza informed the Lexington City Council that garage sale signs have been posted around town and have not been removed upon completion of the garage sale. Our current ordinance

does not cover the penalty for this type of littering and he is requesting guidance whether the City Council would like to have policies governing these signs. The City Manager was informed to include the penalties for nonremoval of these signs in the nuisance ordinance and present this at the next council meeting. No further action was taken.

CITY CLERK PAY:

Vice-President Wightman informed the City Council that he and Mayor Hawks had met with the City Clerk regarding salary and past year's performance and that the City Clerk had submitted a list of five goals for the ensuing year as requested. He is therefore recommending an ordinance for an increase in pay of 4.5% be passed. An ordinance entitled, "AN ORDINANCE TO ESTABLISH COMPENSATION FOR THE LEXINGTON CITY CLERK." was read before the council. Moved by Anderson, seconded by Long that the rules requiring the reading of said ordinance on three separate days be suspended. Roll call. Voting "aye" were: Fagot, Long, Anderson, Wightman. Motion carried. Said ordinance was then read by title. Moved by Anderson, seconded by Fagot that Ordinance No. 2034 be passed on final reading. Roll call. Voting "aye" were: Long, Fagot, Anderson, Wightman. 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. 2034 to be published in pamphlet form.

EXECUTIVE SESSION:

Vice President Wightman stated that he felt it be in the best interest of the City to discuss the Maloley case decision and evaluation of the City Manager in executive session. Moved by Fagot, seconded by Anderson to recess the regular to executive session at 8:20 p.m. for the purpose of discussing litigation in the Maloley case and the evaluation of the City Manager. Roll call. Voting "aye" were: Long, Anderson, Fagot, Wightman. Motion carried. Moved by Anderson, seconded by Long to reconvene the regular session from executive session at 8:57 p.m.

Roll call. Voting "aye" were: Fagot, Long, Anderson, Wightman. Motion carried. Moved by Anderson, seconded by Fagot that an ordinance be drafted and presented at the next council meeting setting the compensation for the Lexington City Manager at \$61,000 per year. Roll call. Voting "aye" were: Long, Fagot, Anderson, Wightman. Motion carried.

ADJOURNMENT:

There being no further business to come before the Council, Vice President Wightman declared the meeting adjourned.

John Wightman
Vice President

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.

Leon E. Malzahn
City Clerk

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

The Regular Meeting of the Lexington City Council was held Tuesday, September 26, 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: Vance Bricker, Charles Clark and Kerry Rader. Also present was Dana Daniels and Bob Blankenship representing Miller & Associates, Mel Uphoff, Darlene Teetor, Diane Adams, Terry Delp, Dan Nielsen, Bill Linn, Jim Murphy and John Redding. The press was represented by the Clipper Herald and Tri-City Tribune.

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 09/12/95: The minutes of the regular council meeting held September 12, 1995 were presented for Council's consideration and approval. Moved by Wightman, seconded by Anderson to approve the minutes of the regular meeting held September 12, 1995. Roll call. Voting "aye" were: Long, Fagot, Wightman, Anderson, Hawks. Motion carried.

CLAIMS AND BILLS: Claims and Bills in the amount of \$520,227.43 were presented for Council's consideration and approval. Moved by Wightman, seconded by Long to approve the claims as listed and authorized the City Treasurer to transfer \$289,849.56 from the General Fund,

\$192,956.55 from LEXUS Funds, \$9,549.00 from City Sanitation Fund, \$17,216.24 from the Landfill Fund, \$174.38 from the Library Memorial, \$1,971.78 from the Health Fund, \$696.23 from CED, \$1,064.68 from CDBG 90-HD-010, and \$6,749.01 from Meals on Wheels to the City of Lexington Operating Account. Roll call. Voting "aye" were: Fagot, Anderson, Long, Wightman, Hawks. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 September 26, 1995

Advanced Control System	Software support agreement	964.00
Alexander Hamilton Inst.	Legal liability audit	77.80
All American Lib. Preview	Boxes	16.45
Automatic Systems	Furnas lamp transformer	116.48
Awards Plus	Plaque	48.20
Barmore's	Computer paper	34.00
Barco Municipal Products	Sign	35.13
Berntson Oil	Diesel, lead free gas	3,044.06
Becker Fire Equipment	ABC Chemicals	40.82
BSB	Scraper - Landfill work	7,050.00
Cash-Wa Distribution	Tape, food, towels, cleaner	577.07
Central Garage Fund	Labor, parts, oil	2,752.73
Century Lumber	Mortar patch, screws, lumber	154.43
The Childs World	Books	174.38
Coast to Coast	Sump pump, tape, keys, misc.	215.60
Coca Cola/Dr. Pepper	Pop	62.65
Comfort Inn - Lexington	Room - Skwarek	133.05
Cornhusker State Industries	Cleaning supplies	85.70
CBSA	Insurance claims	1,971.78
CBSA	Premium	6,251.24
Dawson Co. Public Power	Service	2,361.11
Dawson Co. Weed Control	Service	1,351.26
Dan's Sanitation	Service	9,549.00
Daylight Donuts	Meeting - Water Conf.	26.63
DEMCO	Signs, frame, cards, tape	160.41
Ditch Witch	Reamer, shaft, bolt, yoke	1,299.27
Donna's Cafe	Meals on Wheels - Overton	857.76
Dutton Lainson Co.	Bracket	190.42
Dugan Business Forms	Envelopes, paper, bills	2,185.50
Eake's Office Products	Toner, cart	121.35
EBSCO Subscription Service	Books	1,202.84
Electric Fixture	Fuse, cable, fixtures	794.04
Emergency Medical Products	Splints	56.99

Emery Pratt co.	Books	159.23
Fairbanks International	C & B Kit	37.36
Fagot Refrigeration	Parts	43.00
Farm & Ranch Service	Grass seed	165.00
Fischer-Scientific	Filter paper	48.96
Matt Friend Truck Equip.	Duralift switches	86.00
GE Capital	Lease agreement	309.64
Gillette/NE Dairies	Dairy products	152.42
Hipp Wholesale Co.	Food, trays, table cover	588.84
Hodges Auto World	Door jam switch	1.84
Hutt Plumbing	Repair leak - WWTP	28.00
Ingram Library Service	Books	197.53
K N Energy	Service	52.81
Kriz Davis Co.	ACSR, standoff, junction	2,530.24
League of NE Municipalities	League membership, conference	6,543.00
Lex Area Chamber or Commerce	CED Bills, Membership	4,465.73
Lexington Communications	Repair mics	37.50
Lexington Public Library	Postage	1.53
Lexington Public Schools	Duplex charges	506.89
Lexington Truck & Auto	Backing plate	30.00
LEXUS	Service	21,426.75
City of Lexington	Franchise Fee	27,087.98
Lexington Arts Council	Donation	1,000.00
City of Lexington	Landfill	190.00
Luther, Ann	Mileage	24.65
Martin Electric	Lamp	5.95
Mason Motors	Windshield	134.89
Mead/Blg Valley	Stakes, stud, key, towel bars, chime, home fogger	290.61
Meyer Welding	Channel	36.67
Midway Supply	Oil, carburetor kit, primer, oil seal, u joint, screws	80.66
Misko Sporting Goods	Scorebooks, volleyballs	251.85
Mike's Pharmacy	Film Processing	3.46
Mid Nebraska Food Bank	Food	42.74
Mid NE Restraunt Supply Co.	Repair disposer	147.00
Morris Press	Pens, binders, cover sheets	42.63
Mr. Automotive	Auto Supplies	137.01
Municipal Supply	Tube cutter	71.85
National Auto Dealers	Subscription	47.00
Nebraska Library Comm.	OCLC Charges	34.75
State of Nebraska	Specimen kits	33.60
Nebraska Power Assoc.	Registration - Bishop	85.00
Nebraska Hydraulics & Equip.	Bushings	30.33
Nebraska Public Power	Install transformer	748.80
NAPM Of Central Nebraska	Membership	85.00

Nebraska Recycling Assn.	Subscription	75.00
Olsson Associates	Engineering service	643.69
O K Tire	Tires, tire repair	1,464.34
Old Dominion Brush	Sprocket	47.70
Omaha Slings Inc.	Chain endless sling	453.99
Osborne, Cyndi	Mileage	42.66
Otte, Bonnie	Tuition	152.00
Overton Sand & Gravel	Rock, Gravel	566.00
Payroll Account	8/30 - 9/12/95	66,093.06
Panhandle Library System	Registration & Meals	183.00
Paulsen Bldg. & Supply	Concrete, rebar	4,356.25
Patty's Hallmark	Calculator, staplers, paper	86.41
People Magazine	Subscription	89.57
Pitney Bowes	Contract	135.00
Platte Valley Auto Mart	Seal	10.75
Platte Valley Communication	Service, Load monitoring repair	361.48
Podraza, Bill	Motel room, parking	589.87
Precision Industries	Sprocket, bushing, insert	87.99
Quality Books	Books	1,866.53
Rader, Kerry	Mileage	24.65
Reach Electronics	Pager repair	17.50
Red Lion Hotel	Rooms - Conference	557.15
Rent All Rentals	Tractor rental	110.25
Rodeo Road Equipment	Tips, pins	53.71
Schnieber Fine Foods	Food, detergent	1,004.36
Sheet Music	Subscription	16.97
Sixth Street Market	UPS, Food	59.71
Simon & Schuster	Books	40.61
Skwarek, Neldene	Audit expenses	199.70
Social Security Fund	8/30 - 9/12/95	4,969.19
S & W Auto Parts	Auto Parts	469.68
The Travelers	Pension	1,793.00
Trueco	Skid mount	9,500.00
Ultramax	Ammunition	175.00
Unisys Corp.	Maint. Agreement	2,557.80
US West Communications	Service	316.03
Utility Equipment	Elbow, coupling, flange	315.82
Valentino's	Meeting expense	18.26
Virtual Technology	Ribbons, printer, monitor	1,561.40
Wal-Mart	Misc. Supplies	168.36
Waterpro	Water meter	419.72
Western Auto	Vacuum cleaner	189.99
WESCO	Fixtures, brackets	1,641.70
Wheelers	Misc. Supplies	340.24
Xerox Corp.	Copy cartridge	346.00
Zep Manufacturing Co.	Towels	34.10

Bricker, Vance	Travel expense	117.80
BSB	Dirt work - Landfill	5,000.00
Central Community College	Registration - Wolfe, Bliven	130.00
GE Capital	Lease agreement	116.80
Gillette	Dairy Products	78.94
ICMA	City Mgr Pension	133.85
Int. Conference of Bldg Off.	Code book	23.30
Nebraska Dept. of Revenue	Recycling fee	25.00
Nebraskaland Conf of Bldg.	Registratiion	15.00
Veranda Communications	ICMA Videotape	42.00
	TOTAL	\$242,362.45

ZONING ORDINANCE: An ordinance entitled, "AN ORDINANCE TO REZONE LOT TWO (2) OF UPHOFF SUBDIVISION OF A TRACT OF LAND IN THE FRACTIONAL SOUTHEAST QUARTER (SE1/4) OF SECTION TWENTY-ONE (21), TOWNSHIP NINE (9) NORTH, RANGE TWENTY-ONE (21), WEST OF THE 6TH P.M., DAWSON COUNTY, NEBRASKA, FROM A-1 AGRICULTURE TO C-3 HIGHWAY COMMERCIAL; to repeal all ordinances or sections of ordinances in conflict herewith; to provide for an effective date and for publication in pamphlet form." was read before the council. Council members Fagot and Wightman stated that they would not enter into the discussion or voting due to a conflict of interest. Moved by Anderson, seconded by Long that said Ordinance be passed on second reading. Roll call. Voting "aye" were: Long, Anderson, Hawks. Motion carried.

TEMPORARY LIQUOR PERMIT: Mr. John Redding addressed the Lexington City Council requesting a change in the ordinance or a granting a special permit to allow off-sale liquor to be sold on December 24, 1995 and December 31, 1995 as these days fall on Sunday and the current ordinance does not allow off-sale liquor sales on Sunday. After a brief discussion, the council requested City Attorney Weinhold draft an ordinance allowing the off-sale sale of liquor on these two days and to place the item on the next agenda. No further action was taken.

HOUSING AUTHORITY Ms. Diane Adams of the Lexington Housing Authority

UPDATE:

addressed the Lexington City Council reviewing the progress of the 32 scattered site housing units and the rules and criteria utilized in determining occupancy of the units. She stated that the units are available to very low income residents based on Dawson County's income guidelines. There are approximately 20 finished units which will be occupied within the next two to three weeks following the final application process and income verifications. The Housing Authority will make monthly inspections of all units for the first six months of occupancy.

INSURANCE BINDS:

Mr. Vance Bricker addressed the Lexington City Council presenting bid tabulations for the City liability/workers compensation insurance package. The three agencies presenting bids were: Kiffin-Murphy representing Employers Mutual with a bid of \$100,793; Barret-Housel-Grafton representing Cornhusker Casualty with a bid of \$86,380; and Meadowbrook representing the League Pool with a bid of \$96,029. Moved by Wightman, seconded by Anderson to accept the bid for the liability and workers compensation insurance package from Barret-Housel-Grafton representing Cornhusker Casualty in the amount of \$86,380. Roll call. Voting "aye" were: Fagot, Long, Wightman, Anderson, Hawks. Motion carried.

RESOLUTION RELATED TO TAX RECEIPTS:

City Attorney Weinhold addressed the Lexington City Council stating that the following resolution needed to be passed to comply with LB 122. Moved by Wightman, seconded by Fagot that the following resolution be passed and approved. Roll call. Voting "aye" were: Long, Anderson, Fagot, Wightman, Hawks. Motion carried.

RESOLUTION NO. 95-12

WHEREAS, LB 122, adopted by the 1995 Legislature, changes the procedure for receiving property tax funds from the County Treasurer.

BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, as follows:

Section 1: that the Dawson County Treasurer is hereby requested and authorized to issue a check for

the City's share of property tax receipts to the City of Lexington on or before the 15th day of each month. The county Treasurer shall at that same time provide a statement detailing the source and amount of collections and disbursements as of the close of business on the last day of the previous month.

Section 2: Upon receipt of said check for property taxes, the City Treasurer shall sign and return a receipt to the Dawson County Treasurer.

Dated this 27th day of September, 1995.

CITY OF LEXINGTON, NEBRASKA

BY: _____
Mayor

ATTEST:

City Clerk

PAY ESTIMATE:

Mr. Bob Blankenship representing Miller & Associates, addressed the Lexington City Council with a request for pay estimate No. 6 to Midlands Contracting, Inc in the amount of \$318,838.42. He stated that the contractor is requesting a decrease from 10% to 5% retainage fee due to the portion of contract which has been completed as outlined in the bid specifications. Mr. Blankenship stated that the Monroe Street intersection is open and paving preparation for the remainder of this phase should begin the middle of October. Moved by Wightman, seconded by Fagot to approve pay request No. 6 to Midlands Contracting in the amount of \$298,351.70 which includes a 7% retainage fee and authorize the City Treasurer to transfer \$207,727.80 from the General Fund and \$90,623.90 from Lexus funds to the City of Lexington Operating Account. Roll call. Voting "aye" were: Long, Anderson, Fagot, Wightman, Hawks. Motion carried.

YOUTH LEADERSHIP:

Councilman Fagot addressed the council asking for input on developing a youth leadership advisory group consisting of a cross section of area youth to assist the council and administration in community activity and information from their perspectives. Mr. Fagot presented results of a pole taken by the Lexington teachers, Police Chief Clark and the high

school students. The survey tabulated results of who each of these three groups would like to see represent them on this advisory group. He further suggested that this group could come before the council every other month as an agenda item to discuss their concerns and information. After a brief discussion and with council approval, John Fagot and Dottie Anderson agreed to contact the students on the survey and invite them to be a part of this advisory group. No further action was taken.

**INTERLOCAL
AGREEMENT:**

The Lexington City Council discussed an Interlocal Cooperation Agreement between Dawson County and the City of Lexington whereby the city would receive 30% of all net proceeds generated from approved lottery outlets within the city's jurisdiction. This agreement is in connection with the Nebraska County and City Lottery Act which permits County, City and Village governments in the State of Nebraska upon approval of their respective electorates to operate a lottery scheme for the purpose of community betterment. After a brief discussion, council asked City Attorney Weinhold to research the distribution time frame for the monies and how other lottery monies such as video slots would affect the agreement. No action was taken.

CITY MANAGER PAY:

The Lexington City Council reviewed an ordinance to establish compensation for the City Manager and to establish a \$275 per month car allowance. An ordinance entitled, "AN ORDINANCE TO ESTABLISH COMPENSATION FOR THE LEXINGTON CITY MANAGER; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM." was read before the council. Moved by Anderson, seconded by Wightman that the rules requiring the reading of said ordinance on three separate days be suspended. Roll call. Voting "aye" were: Fagot, Long, Wightman, Anderson, Hawks. Motion carried. Said ordinance was then read by title. Moved by Anderson, seconded by Wightman that Ordinance No. 2035 be passed on final reading. Roll call. Voting "aye" were: Fagot, Long, Wightman, 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. 2035 to be published in pamphlet form.

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