

**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