

**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  
AT & T  
AT & T

Medical couch - Pool	258.00
Service	78.06
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.

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Leon E. Malzahn  
City Clerk