

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, October 28, 1997 at the Lexington Municipal Offices, 406 East 7<sup>th</sup> Street, Lexington, Nebraska at 7:30 P.M. Members of the Council present were Mayor John Wightman, John Fagot, Neal Kohl, Rick Klamm, Patty Mandelko. City Officials present were City Clerk Leon Malzahn, City Manager Vance Bricker, City Attorney Will Weinhold. Also present were Assistant City Manager Joe Peplitsch, Glenn Hawks, Charles Clark, Barb Miills, Tom Nelson. Employees present were Tom Nelson, Jr., and Doug Monter. Representing Miller and Associates was Dana Daniels and Bob Blankenship. Citizens present were Bryan Schroeder, Bud Brecks, Bob Cappel, Dale Holbein, Leo Lang. The press was represented by KRVN, 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 Wightman.

**MEETING OF REGULAR MEETING 10-14-97:** Moved by Kohl, seconded by Mandelko, to approve the minutes of the Regular Meeting held October 14, 1997 as presented. Roll call. Voting "aye" were Fagot, Klamm, Mandelko, Kohl, Wightman. Motion carried.

**MINUTES OF SPECIAL MEETING 10-22-97:** Moved by Klamm, seconded by Mandelko to approve the minutes of the Special Meeting held October 22, 1997 as presented. Roll call. Voting "aye" were Fagot, Kohl, Mandelko, Klamm, Wightman. Motion carried.

**CLAIMS & BILLS:**

Claims and Bills in the amount of \$196,866.10 was presented for Council's consideration and approval. Moved by Klamm, seconded by Fagot, to approve the claims and bills as listed, and authorize the City Treasurer to transfer \$65,906.34 from the General Fund, \$10,000.00 from the Fire Department Miller Memorial Funds, \$91,239.48 from LEXUS funds, \$33.96 from Block Grant 90-HD-010, \$89.50 from Housing Reuse, \$17,653.50 from City Sanitation, \$1,637.00 from Landfill, \$70.85 from Library Memorial, \$5,448.73 from Health Fund, \$4,786.74 from Meals on Wheels to the City of Lexington Operating Account. Roll call. Voting "aye" were Mandelko, Kohl, Klamm, Wightman. Motion carried.

CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
October 28, 1997

AMERICAN FUNDS  
894.19

POLICE PENSION

BARRETT-HOUSEL-GRAFTON	INS. FOR 1997 PLYMOUTH	171.00
BARCO MUNICIPAL PRODUCTS	2 HOUR PARKING SIGNS	249.63
BERNSTON OIL	DIESEL	27.00
BOTTOM LINE/HEALTH	12 ISSUE RENEWAL	29.95
CASH-WA DISTRIBUTING	FOOD	292.19
CCP INDUSTRIES	CLEANING SUPPLIES	280.71
CENTURY LUMBER CENTER	MISC. SUPPLIES & PAINT	217.99
CHANUTE RADAR SERVICE	REPAIR RADARS	357.42
COAST TO COAST	MISC. SUPPLIES	9.06
COMPUTER ASSISTANCE	PROFESSIONAL SERVICE	283.75
COUNTRY GENERAL	MISC. SUPPLIES	187.39
CORP. BENEFIT SVCS OF AMER.	EMPLOYEE HEALTH CLAIMS	5,235.58
CONTRACTORS SUPPLY CO.	SAFETY GAS CANS	350.40
DAWSON CO. ROAD DEPT.	INSTALL ENGINE IN FIRE TRK.	430.47
DAN'S SANITATION	BALANCE OF OCTOBER BILLS	17,653.50
D & M SECURITY	POLICE CONNECTION	105.00
DUTTON-LAINSON COMPANY	MISC. SUPPLIES	1,667.14
EAKE'S OFFICE PRODUCTS	SHARP PAYMENT & INKJETS	381.19
EDUTAINMENT CATALOG	EDUCATIONAL MATERIAL	70.85
EGAN SUPPLY COMPANY	SUPPLIES	11.90
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	1,243.95
EUSTIS BODY SHOP	REPAIR 1994 PLYMOUTH	499.97
FAGOT REFR. & ELECTRIC	MISC. REPAIRS	28.50
FIVE STAR FLOORING	BASE ADHESIVE	4.99

FIRST NATIONAL BANK	EMP. PENSION P/R 10/21	
2,143.65		
GALLOPADE PUBL. GROUP	NEBRASKA CD-ROM	108.90
GILLETTE/NEBRASKA DAIRIES	DAIRY PRODUCTS	172.93
T.O. HAAS TIRE CO	REPAIR TIRE	7.50
HIPP WHOLESALE COMPANY	FOOD & SUPPLIES	261.60
I.C.M.A.	PEPPLITSCH PENS. 10/21 P/R	91.59
INGRAM LIBRARY SERVICE	BOOKS	111.02
INTERSTATE STRUCTURES INC	FIRE HALL PROJECT #9704	10,000.00
INTERN. TRANSFORMER CO	RECONDITION TRANSFORMER	5,980.26
JELCO CARPET CLEANING	CARPET CLEANING	185.00
JONES PLUMBING & HEATING	SUPPLY LINE	11.00
KENDALL & SONS LTD.	PAINT	424.00
K N ENERGY INC	ENERGY	59.48
KNAPP ELECTRIC	5 HP 3 PHASE MOTOR	437.71
LAUBSCHER, ROGER	MOW GRASS (2)	100.00
LEX. COMMUNICATIONS	REPAIR RADIO	27.50
LEXINGTON COOP	REPAIR TIRE & PROPANE	15.70
LEXINGTON LAUNDRY	PATCHES & PRESSING	19.00
LEXINGTON POSTMASTER	OCTOBER POSTAGE	1,500.00
LEXINGTON PUBLIC LIBRARY	REPLENISH PETTY CASH	39.56
LEXINGTON TRUCK & AUTO	USED OIL PAN	80.00
LEXUS	OCTOBER UTL BILLS	16,989.67
LEXINGTON, CITY OF	OCTOBER FRANCHISE FEES	21,691.48
LEXINGTON SOLID WASTE AGENCY	SOLID WASTE	83.25
LUTHER, ANN	MEETING EXPENSE	80.04
MEAD/BIG VALLEY LUMBER	MISC. SUPPLIES	86.29
MIDWAY SUPPLY	MISC. SUPPLIES	40.00
N C B O & I	MEETING REG. TOM NELSON	20.00
NEBRASKA MACHINERY	SUPPLIES	538.39
NEBR. LIBRARY COMMISSION	OCLC CHARGES	136.13
NEBRASKA, STATE OF	WATER ANALYSIS	1,592.30
NEBR. DEPT MOTOR VEHICLES	HANDICAP PARKING FEES	67.00
NEBRASKALAND CONFERENCE	ANNUAL MEMBERSHIP FEE	10.00
OVERTON COMMUNITY CENTER	MEALS ON WHEELS	100.00
PAYROLL ACCOUNT	10/21/97 PAYROLL	73,577.34
PAULSEN INC.	CEMENT	764.62
PATTY'S HALLMARK	MISC. OFFICE SUPPLIES	422.16
PLUM CREEK MED. GROUP	JOHN BISCHOFF/ DOG BITE	32.00
PLUM CREEK PROMOTIONS	150 DESIGN SHIRTS	1,050.00
PRESTIGE BUSINESS FORMS	TURKEY TROT	79.88
PRENTICE HALL	LIFETIME LETTERS	41.54
PRINTING PRESS, THE	TIME SHEETS	129.47
PRUITT, CHARLES	ELECTRIC REBATE	1,050.00
RAMADA LIMITED	ROOMS-FIREMEN	784.00
SCHNIEBER FINE FOODS INC.	FOOD	726.95

SIXTH STREET MARKET	FOOD	55.97
SIGN PRO	PARKING SIGNS/FIRE HALL	105.00
SOCIAL SECURITY FUND	10/21 PAYROLL	5,569.99
S & W AUTO PARTS, INC	MISC. PARTS & SUPPLIES	222.45
U.S. FILTER/WATERPRO	FLANGES	45.72
U S WEST COMMUNICATIONS	CABLE DAMAGE/EL. CREW	190.60
WAL-MART	MISC. SUPPLIES	146.85
WATTS, CHARLES R. CO	MEGA PUMP	65.12
WARD LABORATORIES	STANDARD MANURE	28.00
WESCO DISTRIBUTION, INC	TRANSFORMERS & SUPPLIES	9,723.46
WILSON CO, THE H.W.	READER GUIDE RENEWAL	311.00
WORLD BOOK ED. PROD.	EDUCATIONAL MATERIAL	9.95
AMER. WATER WORKS ASSOC	AWWA ANNUAL DUES-HAWKS	
190.00		
AMER. PUBLIC WORKS ASSOC.	FALL CONFERENCE-BLIVENS	60.00
BERNSTON OIL	FUEL	2,340.12
BRICKER, VANCE	MEETING EXPENSE	164.30
CENTURY LUMBER CENTER	PAINT & SUPPLIES	24.14
CORP. BENEFIT SERVICES	EMPLOYEE HEALTH CLAIMS	181.15
ELECTRIC FIXTURE	MISC SUPPLIES	1.06
TO HAAS TIRE CO	TIRE REPAIR AND TUBE	20.23
HOLIDAY INN SELECT	ROOM DEP. FOR RICK KLAMM	152.55
ICMA SUBSCR. RENEWALS	SUBSCRIPTION RENEWAL	75.00
INGRAM LIBRARY SERVICES	BOOKS	28.38
KRIZ-DAVIS COMPANY	15KV SOLID BLADE	384.75
LEAGUE OF NEBR. MUNICIPAL.	GERING CONF.-R. SEWARD	693.00
LEX PUBLIC LIBRARY	REPLENISH PETTY CASH	17.46
LEX NEWSPAPERS	MEETING NOTICES	232.71
MEAD/BIG VALLEY LUMBER	VACUMN BRUSHES	22.13
MPLA NEWSLETTER	DUES SCHEDULE	25.00
NEBRASKA MACHINERY	LOADER PAYMENT & SWITCH	1,762.13
NEBRASKA PAY SURVEYS	PAY SURVEY	225.00
PETTY CASH	REPLENISH PETTY CASH	87.59
RENT ALL RENTALS	SKID-LOADER	122.23
REPUBLICAN VALLEY LIBRARY	SYS. CATALOGING	15.00
RESEARCH INSTITUTE OF AMERICA	MG&L HUMAN RESOURCES	73.96
SCANTRON	BULK UTP CABLE	263.00
SCHNIEBER FINE FOODS	FOOD FAIR CREDIT	(20.65)
SCHULTZ, EDNA	KEARNEY WORKSHOP	30.12
SIXTH STREET MARKET	UPS	13.25
US FILTER/WATERPRO	FLANGES	45.60
UTILITY EQUIPMENT	12X6 TAP SLEEVE	333.88
WAL-MART	PAINT & SUPPLIES	119.47
WAREHOUSE SURPLUS	CANDY	17.00
HW WILSON CO	LIBRARY MATERIALS	113.36
WORLD BOOK ENCYCLO.	1998 HEALTH & MEDICAL	26.44

TOTAL ADDED CLAIMS 7,839.36

GRAND TOTAL: \$196,866.10

**CITIZEN'S COMMENTS:** During the Citizen's comments part of the agenda, Mr. Bud Brecks addressed the Lexington City Council with a complaint about the times that the Service Building yard is open for disposal of branches. Mr. Brecks stated that he had previously dumped some branches on the east triangle, and was informed that he could not do that, so he loaded them up. He works all week and Saturday a.m., and does not have time to dump at the Service Building. Taking a suggestion from Bud Brecks, a person could possibly keep the yard open on a Saturday afternoon for the disposal of limbs. Additional complaints from Mr. Brecks related to the dumping of garbage next to his dumpster, and him not being able to deposit his garbage into the dumpster because of it being full. This problem was then turned over to Mr. Tom Nelson, was advised to contact the people in this block regarding the use of this dumpster. Upon the completion of the citizen's comments, Mayor Wightman moved to item 13, which was an operational report from Leo Lang.

**IBP OPERATIONS  
REPORT:**

Mr. Lang addressed the Council stating that two items are under investigation at the plant here in Lexington. That being the treatment of the lagoons, and the rendering. He further stated that IBP is testing a chlorine mister at Joslyn, Illinois, and Dakota City, Nebraska, to see if this would control the odor emitted by the lagoons. He further stated that Dakota City may try to cover their lagoons, however, one of the two systems may be used at the Lexington plant when either one of these treatment methods are approved. He went on to state that the rendering as planned, was changed, when the building was constructed, and with a study of these alternative systems at the two previous locations, he is hoping to control the odors caused by the rendering operation. He further stated that IBP does need time to test these processes to make sure that they are adequate as just the rendering process alone would cost

around \$2,000,000 per plant. Upon the completion of his discussion, no further action was taken.

**TRAFFIC CONTROL**

A resolution entitled Resolution No 97-21, was read before the Council. Moved by Kohl, seconded by Mandelko, that the following resolution be passed and approved. Roll call. Voting "aye" were Fagot, Klamm, Mandelko, Kohl, Wightman. Motion carried.

RESOLUTION NO 97-21

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

That the Lexington City Manager is hereby authorized and directed to place No U-turn signs in the downtown business district, so as to make any U-turn unlawful within the area bounded by Lincoln Street on the West, Highway 30 on the South, Grant Street on the East and 8<sup>th</sup> Street on the North.

Passed and approved this 28 day of October, 1997.

CITY OF LEXINGTON, NEBRASKA

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Mayor

ATTEST:

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City Clerk

**TRAFFIC CONTROL LIGHTS:**

City Manager Bricker informed the Council of the action that had been previously taken for the pedestrian crossings at 10<sup>th</sup> and Adams Street. Mr. Bricker informed the Council that since this was a state highway, we need state permission to install these lights, and we have been unable to obtain that permission. He further stated that he would continue to work on this, hopefully, with the placement of these lights at a later date. Also discussed was the possibility of having an elevated cross-walk over Adams street. No further action was taken.

**FIRE DEPARTMENT  
REQUEST:**

Mr. Dale Holbein, representing the Lexington Volunteer Fire Department addressed the Lexington City Council stating that the Fire Department is seeking permission to have an additional \$10,000.00 from the Miller Memorial Estate money to finish the meeting room at the Fire Hall and to cover the over-run cost of approximately \$5,000 on cement. Upon completion of his request, moved by Klamm, seconded by Mandelko, that the Volunteer Fire Department be allowed an additional \$10,000 from the Miller Memorial Fund for completion of the meeting room. Roll call. Voting "aye" were Fagot, Kohl, Mandelko, Klamm, Wightman. Motion carried.

**COUNCIL CHAMBER  
REVIEW:**

City Manager Bricker presented some plans to the Lexington City Council for possible arrangements of the furniture in the proposed council chambers, which was the Fire Department's meeting room, prior to their evacuating this area. Mr. Bricker informed the Council of the advances that had been made on the remodeling of this room, and asked for any input from the Council, regarding the items he had on his memo, which included a P.A. system, type of chairs, tables, a raised platform, and other items. Upon completion of this item, no further action was taken.

**WATER TOWER  
REPORT:**

City Manager Bricker distributed a memo outlining actions that were taken when the leak in the water tower was discovered, which brought the Council up to date. Mr. Dana Daniels, representing Miller and Associates, distributed some pictures of the inside of the water tower after the water was drained, and repairs that needed to be made to the tower at a later date. Mr. Daniels stated that repairs to the water tower would run approximately \$75,000-\$85,000, which did not include the inside painting of the tower. He further stated that the outside would probably need to be painted, as the welding of the seams and repair to the corrosion spots would burn the paint on the outside. Upon completion of his report, no further action was taken.

**PARK POLICIES:**

City Manager Bricker reviewed the memo sent to the City Council which outlined the problems that had been experienced by other cities in their parks with graffiti and vandalism of city property. He further

explained a report of the cost for use of Porta-Potties versus use of the restrooms in the park, stating that the City could save money by renting a Porta-Potty rather than having an employee check the restrooms each day and repair the vandalism that had occurred the night before. Upon the completion of this report, and the discussion which followed, there was no action taken.

**TREASURER'S REPORT:** Barb Mills presented the Treasurer's Report to the City Council for the months of June and July, reviewing the increases in revenue and expenditures, and operations of various departments for these two months. Upon completion of the report, no action was taken.

**CONTRACTOR REGISTRATION:** Council member John Fagot stated that he had asked this be on the agenda, as there are some contractors in town that do not have insurance or a bond, and are not performing adequate work, causing the citizens who have work performed by these people to have the work redone in the proper fashion. He stated that he believes Lexington is the only first class city in the State of Nebraska that does not require contract registration. Included in the Agenda was part of the City Code from another Municipality stating the requirements for the registration of contractors in their town. Upon further discussion, City Attorney Will Weinhold was instructed to prepare an ordinance requiring the registration of contractors who perform work in the City of Lexington. Upon completion of this presentation, no further action was taken.

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

John Wightman  
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 of the time and place of said meeting and the subjects to be discussed at said meeting.

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Lexington City Clerk