

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, July 8, 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. Department Heads present were Glenn Hawks, Charles Clark, Ruth Seward, Barb Mills. Also present were Tom Nelson and Byron Schuckman. Citizens in attendance were Dale Mooberry, Mike and Sharon Araujo, Chuck and Charlene Wiley, Julie Owens, and other citizens with other items on the agenda. The press were 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 Wightman.

**MINUTES OF  
REGULAR  
MEETING 6/24/97** Moved by Mandelko, seconded by Klamm to approved the minutes of the regular meeting held June 24, 1997 as presented. Roll call. Voting "aye" were: Fagot, Kohl, Klamm, Mandelko, Wightman. Motion carried.

**CLAIMS AND BILLS:** Claims and bills in the amount of \$908,306.46 was presented for Council's consideration and approval. Moved by Klamm, seconded by Mandelko to approve the claims and bills as listed, and authorize the City Treasurer to transfer \$312,902.48 from General Fund, \$559,926.36 from LEXUS, \$10,000.00 from City Sanitation, \$16,515.26 from the Landfill, \$2,044.52 from the Health Fund, \$927.86 from Housing Re-Use, \$5,989.98 from Meals On Wheels to the City of Lexington Operating Account. Roll call. Voting "aye" were Kohl, Fagot, Mandelko, Klamm, Wightman. Motion carried.

CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
July 8, 1997

AHLERS, MARC	TRAVEL EXP	92.89
ALAMAR UNIFORM CO	UNIFORM EXP	41.24
ASSOCIATED SUPPLY CO	VACUUM W/CAR	2,675.17
AUDITOR OF PUBLIC ACCOUNTS	COMPUTER DISK	3.00
AUTOMATIC SYSTEMS CO.	AUTOCON REPAIRS	952.20
BARMORE'S	PING PONG BALLS	7.09
BSB CONSTRUCTION	COVER DIRT	8,930.00
BERNTSON OIL	FUEL	2,486.73
BESTWAY, INC.	BUG SPRAY	141.48
BSN SPORTS	REC SUPPLIES	395.36
BTS	INSTALLATION	133.40
CASH-WA DISTRIBUTING	FOOD	7,855.71
CENTURY LABORATORIES	COIN MACHINES	727.79
CINDY'S HEAVENLY COOKIES	COOKIES	332.00
CONTRYMAN & ASSOCIATES	SERVICES	975.00
COCA COLA/DR. PEPPER	COKE	983.25
COUNTRY GENERAL	SUPPLIES	336.57
C.B.S.A	CLAIMS	1,277.06
C.B.S.A	PREMIUMS & ADMIN FEES	6,657.86
CONTRACTORS MACHINERY	HARDWARE	211.26
C & S TRUCK & SALVAGE	BRAKE PADS/RETAINER	119.77
CURTIS INDUSTRIES	SCREWS	106.55
CULLIGAN WATER CONDITIONING	SERVICES	52.50
DAWSON CO. CLERK	DISPATCH FEE	4,607.30
DAN'S SANITATION	SERVICES	10,000.00
DANKO EMERGENCY EQUIPMENT	SERVICE AGREEMENT	2,387.68
DEMCO	BOOK SUPPLIES	51.08
DUTTON-LAINSON CO.	BRACES	2,584.37
DUGAN BUSINESS FORMS	UTL BILL FORMS	1,012.99
EAKE'S OFFICE SUPPLIES	SERVICE AGREEMENT	542.52
EGAN SUPPLY CO	SUPPLIES	161.86
ELECTRIC FIXTURE & SUPPLY	EL SUPPLIES	366.74
FAIRBANKS INT'L, INC.	PARTS	158.49
FAMILY EYEWEAR	SAFETY GLASSES	71.85
FAMILY CLUBHOUSE	POOL DIAPERS	237.79
FOX BROS.	GRINDING	6,393.75
FOLLETT SOFTWARE CO.	PRINTER LABELS	119.85
FRANSYL EQUIPMENT CO.	LABOR/PARTS	2,088.02
GILLETTE/NE. DAIRIES	MILK	186.43
HACIENDA HOTEL	CONF. EXP	88.14
HARLEQUIN RETAIL, INC.	BOOKS	10.48
HIGH VALLEY GARDENS	BIRCH TREE	65.00
HIPP WHOLESALE	FOOD	451.58
HOUSING AUTHORITY	APPLIANCES	798.75
ICMA	ASST C/M PENSION	40.38
INGRAM LIBRARY SERVICES	BOOKS	145.62
INTERSTATE STRUCTURES	BLDG- FIRE HALL	25,036.00
JONES PLMB & HTG.	GATE VALVE	9.85

KAPCO	BOOK SUPPLIES	50.22
KIEFER, ADOLPH	SWIM SUITS	38.50
KENDALL & SONS	CLEANER	224.20
K N ENERGY, INC	GAS BILL	6.00
KRIZ-DAVIS	EL SUPPLIES	670.08
LEXINGTON HEALTH FUND	SELF FUNDING	13,873.70
LEXINGTON COMMUNICATIONS	REPAIRS	74.42
LEXINGTON COOP	KEROSENE	163.22
LEXINGTON POSTMASTER	POSTAGE	1,650.00
LEXINGTON PUBLIC LIBRARY	PETTY CASH	29.98
LEXINGTON, CITY OF	FRANCHISE FEE/MO CHGS	23,871.37
LEXINGTON SOLID WASTE AGENCY	LANDFILL EXP	128.57
LEXINGTON RECREATION PROGRAMS	SUPPORT PERSONNEL	180.00
LEWIS, NATE	MOWING	50.00
LIEH'S DRILLING	HYDRANT OIL	135.79
LUCENT TECHNOLOGIES	SIGNAL CHG	77.54
MEAD/BIG VALLEY LUMBER	BLDG SUPPLIES	344.31
MEYER'S WELDING	OXYGEN REFILLS	20.00
MIDWAY SUPPLY	PARTS	249.97
MILLER & ASSOCIATES	SERVICES	725.00
MID-NEBRASKA RESTAURANT	SHELVING	711.76
MIRACLE RECREATION EQUIP	BENCHES	956.00
MID-NEBRASKA FOOD BANK	FOOD	55.51
MINDEN EXCHANGE BANK	BOND P&I	149,550.00
MORRIS PRESS & OFFICE SUPPLY	OFFICE SUPPLIES	141.99
MR. AUTOMOTIVE	LIFT SUPPORT	49.44
NAT'L LIBRARY SERVICES	BOOKS	95.40
NAT'L WILDLIFE FEDERATION	SUBSCRIPTION	15.00
NE. MACHINERY	LOADER PMT	2,254.09
NE LIBRARY COMMISSION	SERVICE AGREEMENT	23.44
NE DEPT OF REVENUE	UTL SALES TAX	19,631.58
N.P.P.D	POWER BILL	450,713.41
NELSON, THOMAS R.	CLEANING	500.00
O.K. TIRE	REPAIRS	164.40
OMAHA WORLD HERALD	SUBSCRIPTION	32.50
OMAHA WORLD HERALD	AD	201.76
OMAHA LIFE INSURANCE	INS. PREMIUMS	72.00
OMNIGRAPHICS, INC.	BOOKS	201.00
OSTENDORF, GINA	SMOKE-FREE CONTRACT	25.00
OVERTON SAND & GRAVEL	GRAVEL	63.64
PAULSEN BLDG & SUPPLY	CONCRETE	692.39
PATTY'S HALLMARK	OFFICE SUPPLIES	157.65
PEPPLITSCH, JOE	CONF. EXP	38.74
PETTY CASH FUND	PETTY CASH	127.89
PHILLIPS CONSTRUCTION	REPAIRS	325.00
PITNEY BOWES	SERVICE AGREEMENT	707.00
PLATTE VALLEY COMMUNICATIONS	REPAIRS	300.00
PRENTICE HALL	BOOK	49.46
REACH ELECTRONICS	PAGER REPAIRS	50.55

RENT ALL RENTALS	TILLER RENTAL	116.96
RECREONICS	ANCHOR/REEL	7,504.37
RESCO	CONNECTOR TESTER	329.91
RUIZ, JAVIER	CITY SHARE OF BOOTS	19.98
SAV-A-LOT DISCOUNT FOODS	FOOD	47.93
SCHERER, BRAD	REIMBURSE POOL TKT	100.00
SCHUMACHER, KEN	REIMBURSE WHEEL GRIP	8.13
SCHNIEBER FINE FOODS	FOOD	954.86
SHOE MART	CITY SHARE OF BOOTS	63.90
SIXTH STREET MARKET	FOOD	84.25
SUND, DENNIS	CITY SHARE OF BOOTS	21.28
S & W AUTO PARTS	PARTS	1,475.39
TEXACO	FUEL	24.10
UNISYS CORPORATION	SERVICE AGREEMENT	2,782.80
VAN WATERS & ROGERS, INC.	POOL TABLETS	1,665.00
VALENTINO'S	MTG EXP	30.86
WAL-MART	SUPPLIES	798.97
WAREHOUSE SURPLUS	NACHO CHIPS	2.25
WESCO DISTRIBUTION	TRANSFORMERS	11,805.53
WEBER & WEINHOLD	LEGAL SERVICES	2,046.50
WESTERN PATHOLOGY CONSULT.	DRUG TESTS	108.40
WESTERN ENGINEERING	SUPPLIES	267.26
WORLD BOOK EDUCATIONAL PROD.	BOOKS	21.90
ZEP MANUFACTURING	TOWELS	37.81
ALIAN T CELLULAR	PHONE	19.78
AWARDS PLUS	AWARDS	230.20
C.B.S.A	CLAIMS	634.06
DAN'S SANITATION	SERVICES	285.48
FIRST NAT'L BANK OF OMAHA	PENSION	2,050.02
INT'L TRANSFORMER	REPAIRS	1,592.82
JELCO	CLEANING	85.00
JOHNSON, ROBERT	SURGE REPAIRS	150.81
KRIZ-DAVIS	EL SUPPLIES	2,717.87
KYLER CO., THE	RESURFACING	6,968.00
LEXINGTON ANIMAL CLINIC	ANIMAL SERVICES	682.55
LEXINGTON SOLID WASTE AGENCY	LANDFILL EXP	54.00
LEXINGTON RECREATION PROGRAMS	SUPPORT PERSONNEL	137.71
PAYROLL ACCOUNT	PAYROLL	88,845.97
SCHUCKMAN, MARSHA	CLEANING	200.00
SOCIAL SECURITY FUND	EMPLOYER'S FICA	6,737.88
TRAVELERS, THE	POLICE PENSION	875.41
TRAVELERS, THE	ASSET MGMT	2,140.69

SUBTOTAL: 114,408.25

GRAND TOTAL: 908,306.46

**TRUCK BIDS:**

City Manager Bricker presented the City Council with a tabulation of the bids received on June 27<sup>th</sup> for a two ton cab and chassis. The City Manager stated that after reviewing all the bids, he is recommending awarding the bid to Nebraska Truck Center of Grand Island in the amount of \$23,937.00. Upon a thorough discussion of the model truck that was bid by this company, Council Person Fagot moved that the bid for a new two ton cab and chassis truck be awarded to Nebraska Truck Center of Grand Island, Nebraska, in the amount of \$23,937.00. Seconded by Council Person Klamm. Roll call. Voting "aye" were Mandelko, Kohl, Klamm, Fagot, Wightman. Motion carried.

**ANIMAL  
ORDINANCE:**

The City Council reviewed an ordinance which would prohibit the keeping of fowl in the residential areas of Lexington. During the discussion of this ordinance which followed, the City Attorney was directed to prepare amendments to this ordinance at the next council meeting which would exclude the keeping of these animals in the City Parks by the City of Lexington, and qualified educational programs such as 4-H and FFA. An ordinance entitled "An ordinance to amend Section 5-5 of the Lexington City Code; to remove poultry, chickens, turkeys, ducks, geese and other fowl from residential areas of the City; to repeal original section 5-5 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 Kohl, seconded by Mandelko that said ordinance be passed on first reading. Roll call. Voting "aye" was Klamm, Fagot, Mandelko, Kohl, Wightman. Motion carried.

**SANITARY SEWER  
PROBLEMS:**

Mr. Mike Araujo addressed the Lexington City Council relaying to them the problems which occurred resulting in a sanitary sewer backup which flooded their basement, Roy Bentley's basement, and Dale Mooberry's basement. He further requested the City of Lexington pay damages occurring from this action. City Manager Bricker reviewed the report which was the result of the problem that was reported by Mr. Araujo. Mr. Glenn Hawks addressed the Council stating their actions that happened that night. Upon completion of the reports, Mr. Araujo was informed that the City Council cannot take action on this request, however, the claim should be submitted to our Insurance Company for their consideration and investigation. Upon a thorough discussion of this matter, no further action was taken.

**EXECUTIVE  
SESSION:**

Moved by Klamm, seconded by Fagot to recess the regular session to executive session for the purpose of

discussing personnel at 8:15 p.m. Roll call. Voting "aye" were Mandelko, Kohl, Fagot, Klamm, Wightman. Motion carried.

Moved by Kohl, seconded by Fagot to reconvene the session from executive session at 9:22 p.m. Roll call. Voting "aye" were Klamm, Mandelko, Fagot, Kohl, Wightman. Motion carried.

**DISCUSSION:**

Items that were discussed that were not on the Agenda pertained to the Dawson County Housing Development Committee that City Manager Bricker is a member of. Upon completion of that discussion, no action was taken.

**ADJOURNMENT:**

There being no further business to come before the Council, Mayor 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  
Lexington City Clerk