

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, October 27, 1998 at the Lexington Municipal Building, 406 East 7th Street, Lexington, Nebraska at 7:00 a.m. Members of the Council present were Mayor John Wightman, John Fagot, Neal Kohl, Rick Klamm, and Patty Mandelko. City Officials present were Assistant City Manager Pepplitsch, City Attorney Willard Weinhold, and Deputy Clerk Shirley Lewis. Department Heads present were Barb Mills, and Chris Huff. Also present was Dana Daniels representing Miller and Associates. 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 Wightman.

MINUTES - REGULAR MEETING 10-13-98: Minutes of the Regular Council Meeting held October 13, 1998 was presented for Council's consideration and approval. Moved by Klamm, seconded by Mandelko to approve the minutes of the regular meeting held October 13, 1998 as presented. Roll call. Voting "aye" were Fagot, Kohl, Mandelko, Klamm, Wightman. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$209,590.63 was presented for Council's consideration and approval. After a brief discussion of the bills, moved by Mandelko, seconded by Kohl to approve the claims and bills as listed and authorize the City Treasurer to transfer \$92,382.01 from the General Fund, \$13.00 from Ed Reuse (90-HD-010), \$16.46 from Housing Reuse, \$80,264.85 from the LEXUS Fund,

\$18,927.50 from City Sanitation Fund, \$188.57 from the Landfill Fund, \$13,075.46 from the Health Fund, and \$4,722.78 from Meals on Wheels Fund to the City of Lexington Operating Account. Roll call. Voting "aye" were Klamm, Fagot, Kohl, Mandelko, Wightman. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 10/27/98 COUNCIL

AT&T	LONG DISTANCE CHARGES	10.72
BARMORE'S	OFFICE SUPPLIES	5.00
BEE OFC SOLUTIONS	OFFICE SUPPLIES	61.76
BENTSON OIL	OIL AND FUEL	2,605.88
BOWKER, R.R.	LIBRARY BOOKS	533.66
C.B.S.A.	EMPLOYEES MEDICAL CLAIMS	9,816.96
CASH-WA DISTR.	FOOD AND SUPPLIES	395.90
CENTRAL GAR. FUND	PARTS/LABOR/OIL	4,736.96
CENTURY LAB., INC.	AIRE GEL	85.30
CHILDS WORLD, THE	LIBRARY BOOKS	262.66
COUNTRY GENERAL	PARTS AND SUPPLIES	462.26
DAWSON CO. JUDGE	DISMISSED CASE CHARGES	25.00
DAWSON COUNTY WEED CONTROL	WEED SPRAYING	2,703.63
DECKER, EUGENE	ELECTRIC REBATE	1,300.00
DEMCO	LIBR. SUPPLIES & BOOK REPAIRS	1,027.73
DUNRITE, INC.	WINTER LINERS FOR BOOTS	143.05
EAKE'S OFC PROD.	COPIER PAYMENT - LIBRARY	205.00
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	3,936.83
FAIRBANKS INT., INC.	PTS & POST HOLE DIGGER RENTAL	103.87
FARM PLAN CORP.	80 LINK CHAIN	106.88
FLOOR SHINE	SCRUB, RESTORE & BURNISH FLRS	149.00
FOLLETT SOFTWARE CO.	SRV. SPT AGMNT. & LABELS-LIBR.	549.38
GALL'S INC.	POLICE SUPPLIES	82.95
GAYLORD BROS, INC.	DATA LABEL SET	35.50
GILLETTE/NEBRASKA DAIRIES, INC.	DAIRY PRODUCTS-GGC	184.83
GR. JCTN HILTON-COLO.	EXTRA NIGHT-HUFF-COLO. CONF.	121.56
HAAS, T.O., TIRE INC.	TIRES AND TIRE REPAIR	423.94
HALL'S SAFETY EQUIP.	EQUIPMENT BOOTS	128.65
HOME FED. SAVINGS	FILING FEES-HOMETOWN BRAND	13.00
I.C.M.A SUBSCR. RENEW.	PEPPLITSCH-MAGAZINE RENEWAL	75.00
INGRAM LIBRARY SVCS	LIBRARY BOOKS	1,575.25
INT. TRANSFORMER CO	TRANSFORMER RECONDITIONS	6,865.71
KRIZ-DAVIS COMPANY	ELECTRICAL SUPPLIES	1,733.13
LEAGUE OF NE. MUNIC.	1998 ANNUAL CONFERENCE	1,486.00
CHAMBER OF COMM.	ADDITIONAL DUES	875.00

LEX. AREA ARTS COUN.	ADDITIONAL DONATION	500.00
LEX. AREA SOLID WST	SOLID WASTE FEES	56.52
LEXINGTON COOP	CAR WASH-RECREATION	4.00
LEXINGTON GLASS CO	REPLACE WINDOWS	1,875.00
LEX. NEWSPAPER	MTG NOTICE AND SUBS. RENEWAL	43.65
LEX. PUBLIC LIBRARY	REPLENISH PETTY CASH	29.19
LEX. TRUCK AND AUTO	WIPER SWITCH	5.00
LEXUS	UTILITIES	14,900.08
LEX. CITY PAY. ACCT.	PAYROLL FOR 10/22/98	
PAID TO:	WAGES	69,395.78
SOCIAL SECURITY	SOC. SEC.(EMPLOYER PORTION)	5,256.69
FIRST NATIONAL BANK	EMP. PENSION(EMPLR. PORTION)	2,102.93
AMERICAN FUNDS	POLICE PENSION(EMPLOYER PORT.)	960.53
I.C.M.A.	EMP. PENSION(EMPLR. PORTION)	97.74
LIBEL, GENE	RYE SEED FOR WWTP ACREAGE	255.00
LUTHER, ANN	KEARNEY-FOOD BANK	21.60
MEAD/BIG VALLEY LBR	SUPPLIES, SERVICE BUILDING	170.41
MEYER WELDING	WELDING ROD & SQUARE TUBING	18.07
MID-NEBR. FOOD BANK	FOOD GGC	20.44
MIDWAY SUPPLY	GAS MAGNUM	71.92
MUNICIPAL SUPPLY	SUPPLIES-WATER	162.98
MUTUAL FUNDS MAG.	1 YEAR SUBSCRIPTION-LIBRARY	9.97
NE. DEPT. - HEALTH & HUMAN SRV.	RENEW WATER CERT.	20.00
NE. ST. RECYCL. ASSOC.	MEMBERSHIP & NEWSLETTER	75.00
NE. STATE ELEC. DIV.	JOURNEYMAN ELECT. MAGAZINE	30.00
OLD DOMINION BRUSH	BEARING	89.90
OVERTON COMM. CTR	OCTOBER CENTER RENT	100.00
PATTY'S HALLMARK	FAX-POLICE CALCULATOR-WWTP	625.89
PAULSEN INC.	CONCRETE	593.88
PETTY CASH FUND	REPLENISH PETTY CASH	28.90
PICTURE THIS	PHOTO PROCESSING	6.99
PITNEY-BOWES	MAIL MACH/SCALE MO. PMT	343.00
PL. VALLEY AUTO MART	1995 CHEVROLET LUMINA	6,050.00
PL. VALLEY AUTO MART	1998 CHEVROLET LUMINA	9,950.00
PL. VALLEY AUTO MART	SERVICE PARTS	173.69
PLATTE VALLEY COMM.	REPAIR MONITOR	30.00
PLUM CR. MED. GROUP	HEPATITIS IMMUN. WWTP EMP.	168.00
PLUM CREEK MOTORS	PARTS	3.31
PROTECTIVE LIFE INS.	CANCER PREMIUM	29.00
RDO MAT. HANDLING CO.	REPAIRS TO ELECTRIC MOTOR	749.92
S & W AUTO PARTS, INC.	PARTS AND SUPPLIES	920.59
SALEM PRESS, INC.	LIBRARY BOOKS	94.25
SCHNIEBER FINE FOODS INC.	FOOD	617.82
SCHUMACHER, KEN	PER DIEM EXP. 4 DAYS TO OMAHA	100.00
SIXTH STREET MARKET	FOOD	128.46

STEPHENSON SCH. SPLY CO.	LIBRARY BOOKS	8.36
SUND, T.L.	TENSION RODS AND BANDS	41.88
TERRYBERRY	ANNUAL AWARDS PINS	270.95
TIME LIFE BOOKS	LIBRARY BOOKS	20.94
TODD, MICHAEL & CO. INC.	FUSES	333.26
UTILITY EQUIPMENT	TAPPING SLEEVE	314.38
VIKING OFFICE PROD.	OFFICE SUPPLIES	63.85
WAL-MART	OFFICE SUPPLIES	310.55
WILEY, GRAYCE	ELECTRIC REBATE	1,200.00
WOLF, TRACY	FIREARMS RECERTIFICATION	71.61
WORLD BK ENCYC., INC.	LIBRARY BOOKS	26.44
ALIAANT CELLULAR	CELLULAR CHARGES OCTOBER	59.81
C.B.S.A.	EMPLOYEE MEDICAL CHARGES	3,229.50
DAN'S SANITATION	SOLID WASTE CHARGES	18,927.50
JELCO CARPET CL.	CLEAN CITY HALL AND GGC	135.00
LEXINGTON, CITY OF	FRANCHISE FEES	23,968.78
LEXINGTON COMM.	REPAIR RADIO FOR EL. DEPT.	45.00
NE. DEPT. - HEALTH & HUMAN SRV.	RENEW WATERCERT. (CORRECTION)	(10.00)
NE SALT & GRAIN CO.	ICE CONTROL SALT	748.47
TEXACO CUST. CD CTR	TRAVEL EXPENSE-FUEL	13.66
WAL-MART	DOG BISCUITS	11.84
WESCO DISTR., INC.	EL. MULTIMETER	84.80
	TOTAL	\$209,590.63

CONVEYANCE OF LAND TO UPRR: Following a brief discussion regarding the Resolution for the conveyance of land to Union Pacific Rail Road, moved by Fagot, seconded by Mandelko, that the following Resolution be passed and approved. Roll call. Voting "aye" were Kohl, Klamm, Mandelko, Fagot, Wightman.

RESOLUTION NO. 98-23

WHEREAS, the City has by Ordinance No. 20 approved the sale of the following described real estate owned by the City, to wit:

A tract of land in the Southwest Quarter of Section 4, Township 9 North, Range 21 West of the 6th P.M., in Dawson County, Nebraska, and more particularly described as follows:

Commencing at the West Section Corner to Sections 4 and 9, Township 9 North, Range 21 West of the 6th P.M.;

Thence N 1°11'23"E (an assumed bearing), and along the West Line of the Southwest Quarter of said Section 4, a distance of 242.35 feet;

Thence N 89°23'56"E, a distance of 156.69 feet to the Point of Beginning;

Thence continuing along the same bearing, N 89°23'56"E, a distance of 52.34 feet, to a point of intersection with the Southerly right-of-way line of the Union Pacific Railroad;

Thence N 73°20'09"W, and along the Southerly right-of-way line of the Union Pacific Railroad, a distance of 50 feet;

Thence Southwesterly and perpendicular to the Southerly right-of-way line of the Union Pacific Railroad, a distance of 15.46 feet to the Place of Beginning, and consisting of 387 square feet. Subject to easements and restrictions of record.

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 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 Union Pacific Railroad Company, the purchaser thereof.

PASSED AND APPROVED this 27th day of October, 1998.

CITY OF LEXINGTON, NEBRASKA

BY: John Wightman, Mayor

ATTEST:

Shirley Lewis, Deputy City Clerk

CONTRACT EXTENSION: Dana Daniels representing Miller and Associates addressed the Lexington City Council stating that Wes Liehs is requesting a time extension. They experienced some problems in getting some gravel pack for the well, and drilling the bore hole with the sides caving in. Due to these delays, they are requesting a time extension. The contract on the water tower begins April 1, 1998. Mr. Daniels stated that it would be an advantage to have the well available when they started work on the water tower. Assistant City Manager Joe Peplitsch addressed the City Council stating that he would recommend that the Council approve a ninety day extension, and at time, if work has not started on the water tower, the City could approve another month. With no further comments, moved by Klamm, seconded by Mandelko to extend Liehs Drilling contract 90 days. Roll call. Voting "aye" were Kohl, Fagot, Mandelko, Klamm, Wightman. Motion carried.

**TRAFFIC COUNT
RESOLUTION:**

Assistant City Manager Joe Peplitsch addressed the Lexington City Council stating that the City has received many suggestions that consideration needs to be made on removing, or making changes to the traffic signals located at the intersection of Washington Street and Highway 30. He further stated that a Resolution needs to be passed in order for the State to consider doing a traffic study, which is the first step in getting further action taken. Council Person Klamm expressed concern on what removal of the lights would do for retail trade in the business district downtown. After further discussion, moved by Kohl, seconded by Mandelko, to pass the following Resolution, as printed. Roll call. Voting "aye" Klamm, Kohl, Mandelko, Fagot, Wightman. Motion carried.

RESOLUTION 98-24

WHEREAS, closing of grade crossings of the Union Pacific Railroad at Washington Streets, may require moving of the automated traffic signals at Washington Street and Highway 30.

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, that the State of Nebraska Department of Roads is hereby requested to conduct traffic studies to determine whether the automatic traffic signals at Washington Street and highway 30 are still warranted.

Passed and approved this 27th day of October, 1998.

John M. Wightman, President of the Council

ATTEST:

Shirley Lewis, Deputy City Clerk

FINANCIAL REPORT:

Finance Director Barb Mills presented the Financial Report to the Lexington City Council for the months of August and September, 1998. She stated that in the LEXUS Account, there seems to be a substantial excess. That is due to the power bill. All the average profits for Utilities are up, and expenses were held on the Landfill. In September, the balance for total cash and investments for the year increased about \$240,000, compared to September, 1997. It appears that overall total fiscal figures are within budget. She stated that it looks as though the City has maintained their cash and held their expenses. Barb Mills went on to comment that the City did receive their \$250,000 from the Railroad, and that money is being invested. The audit has been scheduled for November 10, 1998, and they hope to have their reports back before December 31, 1998. After further discussion, moved by Klamm, seconded by Kohl, to approve the Financial Report for August and September, 1998. Roll call. Voting "aye" were Fagot, Mandelko, Kohl, Klamm, Wightman. Motion carried.

**RECREATION
DIRECTOR'S REPORT:**

Recreation Director, Chris Huff, presented the Pool Report for 1998. He stated that the Pool was closed 22 of the 88 days this summer, due to the weather. Last year, the pool was closed 8 days. Mr. Huff reported on the number of passes purchased, revenue, wages, and expenses. Concession prices were raised this year. They weren't as busy as last

year, but it was more effective, because of the increase in prices. The total attendance was up from last year with 20,523 people. Last year there was approximately 19,000 people.

Mr. Huff further stated that thirty people participated in this year's Tri-Athlon. There was a profit of approximately \$308.00.

Mr. Huff has some concern with Summer Ball. There was a decrease in the number of players in Little League and Minute Maids. This Fall, there will be Girl's Basketball, the Dawson County Eco-Challenge which is a co-op between the City and the Lexington Fitness Center, Lexington Fitness Week, and the Turkey Trot. After further discussion, no action was taken.

DISCUSSION:

Council Person Neal Kohl expressed his concern regarding cleaning up the City of Lexington. He believes more should be done. Assistant City Manager Pepplitsch stated that he thinks a lot of things have been cleaned up. From what he has seen from the Roll-Off Box and Collection Space at the City Yard, there is a lot of clean up being done. Mr. Kohl explained his concern is the clean up of brush and grass piles, trees that need to be trimmed, and the repair of sidewalks. Nothing seems to be getting done about it. Council Person John Fagot stated that he feels that Pride means a lot. If you don't take care of things, the Pride goes, and crimes comes in. Assistant City Manager Pepplitsch informed the Council that the City can get tougher on that.

Mayor Wightman informed the Lexington City Council that he will be in China when the next Council Meeting is scheduled.

ADJOURNMENT:

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

John Wightman
Mayor

Shirley Lewis

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.

Lexington Deputy City Clerk