

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, November 24, 1998 at the Lexington Municipal Building, 406 East 7th Street, Lexington, Nebraska at 7:30 p.m. Members of the Council present were Mayor John Wightman, John Fagot, Rick Klamm, Neal Kohl, Patty Mandelko. City Officials present were City Clerk Leon Malzahn, City Manager Vance Bricker, City Attorney Willard Weinhold, Assistant City Manager Joe Peplitsch. Department Heads present were Charles Clark, Ruth Seward, Chris Huff. Also present were Dana Daniels representing Miller and Associates, Richard Hecht, Ernie French, Courtney Klamm, David Selk, Charles Nichols, Gary Mulligan, Zack Maudlin, Wes Maudlin, Kevin Johnson, Scott Mulligan, Seth Noble, Matt Schwartz, and Al Meyer.

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 11-10-98:**

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

CLAIMS & BILLS:

Claims and Bills in the amount of \$299,686.56 was presented for Council's consideration and approval. Upon review of the claims and bills, moved by Klamm, seconded by Mandelko, to approve the claims and bills as listed and authorize the City Treasurer to transfer \$117,502.47 from the General Fund, \$83,870.61 from the LEXUS Fund, \$19,184.25 from the City Sanitation Fund, \$21.30 from the Housing Reuse Fund, \$58,821.25 from the GO Bond Fund, \$15,045.41 from

the Health Fund, \$5,241.27 from Meals on Wheels to the City of Lexington's Operating Account. Roll call. Voting "aye" were Kohl, Fagot, Mandelko, Klamm, Wightman. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 November 24, 1998

ACE EQUIP. & SUPPLY CO.	PART - SWEEPER	\$354.46
ADV. CONTROL SYSTEMS	HARDWARE/SOFTWARE	
	AGRE.	\$2,112.00
AFLAC	CANCER PREMIUM	302.32
ALAMAR UNIFORMS CO	UNIFORM PANTS - POLICE	92.05
ALTEC INDUSTRIES INC	AUGER TEETH	73.74
AT & T	LONG DISTANCE CHARGES	10.72
BARMORE'S	FILM	47.83
BEE OFFICE SOLUTIONS	OFFICE SUPPLIES	42.91
BOJORQUEX, OSCAR	ELECTRICAL REBATE	1,200.00
BOTTOM LINE/TOMORROW	PUBLICATION	29.95
CASH-WA DISTRIBUTING	FOOD AND SUPPLIES	493.07
CENTURY LAB., INC	DEODORIZER	99.47
COAST TO COAST	TOOLS/TELEPHONE	72.64
CONNEY SAFETY PRODUCTS	SUPPLIES	105.60
COCA COLA/DR PEPPER OF KEARNEY POP		35.80
COUNTRY GENERAL	SUPPLIES	203.71
CORP. BENEFIT SVC OF AM.	EMPLOYEE CLAIMS	12,476.70
DAW. CO. HABITAT FOR HUM.	ELECTRIC REBATE	1,300.00
DEMCO	LABELS/LAMINATE	65.44
DYEKMAN TROPHIES, INC	MEDALS FOR TURKEY TROT	161.96
ECLIPSE COMMUNICATIONS	LONG DISTANCE CHARGES	147.51
EILERS MACHINE & WELDING	NITROGEN	28.50
ELECTRIC FIXTURE	SUPPLIES	1,829.35
GILLETTE/NE DAIRIES, INC.	FOOD AND SUPPLIES	240.74
GRAINGER INDUSTRIAL	STROKE ADJ . ENGRAVER	19.30
GREAT PLAINS ONE-CALL SVC	OCTOBER LOCATES	70.92
INFORMATION PLUS	LIBRARY BOOKS	152.70
INGRAM LIBRARY SERVICES	BOOKS & PERIODICALS	78.12
JELCO CARPET CLEANING	CARPET CLEANING	180.00
KENT ADHESIVE PROD. CO	BINDER	42.12
K N ENERGY, INC	ENERGY BILLS	1,091.03
KAM, KHAMTA	ELECTRICAL REBATE	1,200.00
LEXINGTON COOP	ELECTRICAL REBATE	738.50
LEXINGTON COOP	CAR WASH	7.00
LEXINGTON PUBLIC LIBRARY	REPLENISH PETTY CASH	7.22
LEXINGTON NEWSPAPER	NOTICES AND ADS	739.73
LEXINGTON AREA SOLID WASTE AG	MIXED SOLID WASTE	43.56
LEX. CITY PAYROLL ACCT.	PAYROLL FOR 11/19/98	

PAID TO:	WAGES	71,705.13
SOCIAL SECURITY	SOC. SEC.(EMPLOYER POR.)	5,433.25
FIRST NATIONAL BANK	EMP. PENS.(EMPLOYER PORT)	2,206.06
AMERICAN FUNDS	POLICE PENS.(EMPLOYER PORT)	0.00
I.C.M.A.	EMP. PENSION(EMPLOYER PORT)	97.74
LIEHS DRILLING	PACKING GLANDS	173.15
LUCENT TECHNOLOGIES	LEASE AND RENTAL	89.40
MEAD/BIG VALLEY LUMBER	BUILDING MATERIAL	55.97
MISKO SPORTS	BASKETBALLS	276.00
MID-STATES UNITS	RENTAL OF PORT. TOILETS	5,120.00
MID-NEBRASKA FOOD BANK	FOOD AND SUPPLIES	37.38
MORRIS PRESS & OFC SPLS	REC. - LAMINATION	3.85
NEBR. HEALTH & HUMAN SVCS	LAB TESTS	18.10
NEBRASKALAND TIRE	TIRE	59.19
NEBRASKA MACHINERY	KEYS	10.39
NE DEPT OF HHS LAB.	LAB TESTS	518.70
NEBR. STATE HIST. SOCIETY	DUES - LIBRARY	25.00
OVERTON SAND & GRAVEL	GRAVEL	343.20
OVERTON COMM. CENTER	RENT	100.00
PATTY'S HALLMARK	OFFICE SUPPLIES	126.85
PEPPLITSCH, JOE	ELECTRICAL REBATE	1,400.00
PICTURE THIS	PHOTO DEVELOPING	6.99
PITNEY-BOWES	MAIN MACH/SCALES MAINT.	686.00
PLATTE VALLEY AUTO	1998 FORD RANGER	12,473.00
PLUM CREEK MEDICAL	FLU SHOTS	696.00
PROTECTIVE LIFE INS.	EMP. CANCER PREMIUM	29.00
SCHNIEBER FINE FOODS INC.	FOOD AND SUPPLIES	826.60
SIXTH STREET MARKET	FOOD AND SUPPLIES	28.28
SMITH, PEARL	ELECTRICAL REBATE	1,200.00
SPECIALTY STORE SVCS, INC	AUDIO CASE	69.71
S & W AUTO PARTS INC	SUPPLIES	6.24
TIME LIFE BOOKS	LIBRARY BOOKS	44.68
TODD, MICHAEL & CO, INC	STEEL BANDING	179.90
UNIQUE BOOKS, INC	BOOKS AND PERIODICALS	684.14
U.S. FILTER DISTR/OMAHA	WATER METER	899.83
UTILITY EQUIPMENT	TOOLS AND SUPPLIES	1,620.03
WAL-MART	MODEM/MISC SUPPLIES	305.28
WILSON, THE H.W. CO	SUBSCRIPTION	325.00
YUNG CONSTRUCTION	SCR. DRS/SHELVES AQ. CENT	330.33
BARMORE'S	BINOCULARS-UTIL. READING	166.10
BISHOP, PETE	MINDEN LEAGUE EXPENSE	12.50
CENTRAL GARAGE	LABOR/ PARTS/OIL	5,245.91
C.B.S.A.	EMPLOYEE MEDICAL CLAIMS	1,709.39
CLINE'S SMALL ENG. REPAIR	USED CHAIN SAW	373.50
COUNTRY GENERAL	MISC. EXPENSES	1,029.15
DAN'S SANITATION	SOLID WASTE BILLING	19,184.25
DEPOSITORY TRUST CO.	96 GO BOND INTEREST	58,821.25
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	888.32
ELECTROMARK	DANGER SIGNS	679.50

EUSTIS BODY SHOP	REPAIR BOX FOR PICKUP	
	1,372.58	
FAIRBANKS INTERN. INC. SVC	TRACTOR & MOTOR KIT	551.46
FOX BROS. HAY CO., INC.	GRINDING HAY	625.00
FRANSYL EQUIPMENT CO.	REPAIRS ON UNIT #23	1,221.40
FRIEND, MATT TRUCK EQUIP.	HEADLIGHT	99.13
HAAS, TO, TIRE CO. INC	TIRES	184.02
HOLIDAY INN EXPRESS	FIRE CONVENTION	1,000.80
IMPACT COMP. SOLUTIONS	LAP TOP COMPUTER	1,510.00
INGRAM LIBRARY SERVICES	LIBRARY BOOKS	64.85
ISLAND SUPPLY CO	ASPHALT CRACK FILLER	881.76
KNAPP ELECTRIC	PUMP PACKING	290.70
LEXINGTON COMMUNICATION	RADIO REPAIRS	206.45
LEXINGTON PUBLIC LIBRARY	PETTY CASH	19.63
LEXINGTON TRUCK AND AUTO	HOOD LATCH	20.00
LEXUS	NOVEMBER UTILITY BILLS	20,309.84
LEXINGTON, CITY OF	FRANCHISE FEES	22,725.68
LEX. RECREATION PROG.	TUR. TROT & SUN. B-BALL	
	PROG1,690.00	
MICRO-MARKETING ASSOC.	EASY WINDOW-LIBRARY	27.94
MIDWAY SUPPLY	MISC. PARTS AND SUPPLIES	526.58
MILLER & ASSOCIATES	GRADE SEPARATION	21,580.00
MR. AUTOMOTIVE	PARTS	13.51
MUNICIPAL SUPPLY	PARTS	550.16
NEBRASKA DIV. OF COMM.	ST. GOVERNMENT DIR.	5.00
NEBRASKA LIBRARY COMM.	OCLC CHARGES	18.49
NICHOLS II, CHARLES	MINDEN LEAGUE EXPENSE	12.50
OVERTON SAND AND GRAVEL	GRAVEL	550.89
PATTY'S HALLMARK	OFFICE SUPPLIES	425.49
PETTY CASH FUND	REPLEN. PETTY CASH (CITY)	75.47
PLATTE VALLEY AUTO MART	PARTS	34.64
PLUM CREEK MOTORS	PARTS	2.70
QUALITY INN NORTHEAST	CONF. EXP.-NELSON, TOM	61.04
S&W AUTO PARTS INC.	PARTS AND SUPPLIES	371.91
SUPERIOR SIGNALS INC.	STROBE UNITS	383.25
TEXACO CUST. CARD CENTER	FUEL EXPENSES	56.78

TOTAL CLAIMS AND ADDED CLAIMS \$299,686.56

CITIZEN'S COMMENTS: During the citizens' comments part of the Agenda, Mr. David Selk addressed the City Council complaining of the odor from IBP's processing plant. He additionally complained about the increased crime rate in Lexington, stating that due to all of these factors, he has been unable to sell his house. Upon completion of his statement, no further action was taken.

TRAFFIC CONTROL The Lexington City Council considered the reading of

SIGNS:

a resolution that would remove the signs on Jackson Street at 6th allowing a continuous flow of traffic over the overpass to 13th Street. Mr. Al Meyer representing himself, addressed the Lexington City Council, and gave testimony that he would not recommend that, as the traffic coming east to west on 6th Street needed a chance to turn and go over the overpass. He is requesting that the City Council not take action on it. Additional testimony came from Ernie French who stated approximately the same argument as Mr. Meyer. The question of the ability of handicapped people in electric vehicles getting across the street and gaining access to the downtown was raised. Upon further discussion of the matter, Council Member Kohl moved that the resolution for removal of the stop signs on Jackson at 6th Street be tabled indefinitely. Seconded by Klamm. Roll call. Voting "aye" were Mandelko, Fagot, Klamm, Kohl, Wightman. Motion carried.

**NO PARKING
ORDINANCE:**

At this time, City Manager Bricker stated that this ordinance, if passed, would have no effect and immediate benefit, as the removal of the stop signs would require no parking. Therefore, it was moved by Klamm, seconded by Fagot, to table this ordinance indefinitely. Roll call. Voting "aye" were Kohl, Mandelko, Fagot, Klamm, Wightman. Motion carried.

CERTIFICATE OF VOTES:The Lexington City Council reviewed the Certificate of Votes from the Dawson County Election Commissioner. Upon review of the tabulation, Council Person Klamm moved that the Lexington City Council accept the Certificate of Votes from the Dawson county Election Commissioner as presented. Seconded by Kohl. Roll call. Voting "aye" were Fagot, Mandelko, Kohl, Klamm, Wightman. Motion carried.

**ADAMS STREET/
HWY 283 LINK:**

Assistant City Manager Joe Peplitsch addressed the Lexington City Council with a conceptual drawing of the design for the link road between Hwy. 283 and Adams Street. Mr. Peplitsch stated that this road would be placed along the drainage ditch with a reverse curve close to the east end to accommodate the location of IBP's driveway, where there is a stop light already located. He further stated that construction of this road could be completed and financed by monies that would not affect the taxes in the City of Lexington. Upon completion of his presentation, moved by Klamm, seconded by Mandelko that the City Administration be

allowed to proceed with the design of the link road and enter into the necessary contracts for the design of said link road. Roll call. Voting "aye" were Kohl, Fagot, Mandelko, Klamm, Wightman. Motion carried.

CHANGE ORDER:

The Lexington City Council reviewed a change order from Cement Products Inc. which would in effect, extend their completion date to December 25th. City Manager Bricker stated that this had been reviewed at the last Council Meeting and had been approved, however, the actual change order needs to be approved by the Council. Upon completion of the discussion, moved by Kohl, seconded by Mandelko, to approve the change order extending the completion date on the Cedar Street Water Main Project for Cement Products, Inc. to December 25, 1998 and authorize the City Manager to sign same. Roll call. Voting "aye" were Mandelko, Fagot, Klamm, Kohl, Wightman. Motion carried.

MEETING TIME:

Since the State Statutes require an Organizational Meeting on December 1st, and Council Person Klamm, Fagot, and Assistant City Manager Joe Pepplitsch are leaving that afternoon for the National League of Cities Meeting in Kansas City, City Manager Bricker recommended that the time of the meeting be changed from the normal 7:30 p.m. After discussion, moved by Fagot, seconded by Klamm, to hold the organizational meeting on December 1, 1998 at 7:00 a.m. Roll call. Voting "aye" were Kohl, Mandelko, Klamm, Fagot, Wightman. Motion carried.

EXECUTIVE SESSION:

Moved by Mandelko, seconded by Kohl, to recess the regular session to executive session at 8:35 p.m. for the purpose of discussing the City Manager's evaluation and other personnel responsibilities. Roll call. Voting "aye" were Fagot, Klamm, Kohl, Mandelko, Wightman. Motion carried.

Moved by Mandelko, seconded by Klamm to reconvene the regular session from executive session at 9:40 p.m. Roll call. Voting "aye" were Kohl, Fagot, Klamm, Mandelko, Wightman. Motion carried.

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 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 City Clerk