

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, January 13, 1998 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 Willard Weinhold, and Assistant City Manager Joe Pepplitsch. Department Heads present were Police Chief Charlie Clark, Head Librarian Ruth Seward, Finance Director Barb Mills, and Recreation Director Chris Huff. Also present were Dana Daniels representing Miller and Associates, Deloy Jahnke, Ken Graus, and Dan Cunningham. The press was represented by KRVN, Tri-City Tribune, Kearney Hub and KNOP-TV.

**NOTICE:** Notice of the meeting was given in advance, thereof by publication in the Lexington Clipper-Herald, the designated methods 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 12-23-97:** Minutes of the Regular Council Meeting was held December 23, 1997, was presented for Council's consideration and approved. Moved by Klamm, seconded by Mandelko to approve the minutes of the Regular Meeting held December 23, 1997 as presented. Roll call. Voting "aye" were Fagot, Kohl, Mandelko, Klamm, Wightman. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$616,925.02 were presented for Council's consideration and approval. After a question concerning the payment of rent for the Overton Community Center, moved by Fagot, seconded by Mandelko to approve the claims and

bills subject to the rent payment before mentioned being for two different months, and authorize the City Treasurer to transfer, \$110,807.99 from the General Fund, \$479,937.66 from the LEXUS Fund, \$10,000.00 from the City Sanitation Fund, \$1,696.83 from the Landfill Fund, \$7,600.05 from the Health Fund, \$37.07 from the Library Memorial Fund, and \$6,845.42 from Meals on Wheels to the City of Lexington's Operating Account. Roll call. Voting "aye" were Kohl with the exception of Mr. Automotive, Klamm, Mandelko, Fagot with the exception of Fagot Electric, Wightman. Motion carried.

CITY OF LEXINGTON  
 ACCOUNTS PAYABLE  
 January 13, 1998

ACE EQUIPMENT & SUPPLY CO	GUTTER BROOMS	1,079.87
ALIAN T COMMUNICATIONS	DECEMBER EQUIP. CHGS	19.95
ALIAN T CELLULAR	CELLULAR CHARGES	55.15
AMERICAN FUNDS	POLICE PENSION 1/1/98	
1,029.47		
AMERICAN BUSINESS DIRECT.	BUSI. DIRECTORIES	262.00
BARMORES DRUG STORE	SUPPLIES	49.93
BARCO MUNICIPAL PRODUCTS	RUBBER WASHERS	29.41
BECKER FIRE EQUIPMENT CO	PANTS & SUSPENDERS	751.17
BERNTSON OIL	FUEL	2,073.98
BEST WESTERN AIRPORT INN	ROOMS-FAGOT & KLAMM	154.89
BROWN TRANSFER	FRT. CHGS/MERCH. RTRN.	88.70
CASH-WA DISTRIBUTING	FOOD & SUPPLIES	655.16
CENTRAL GARAGE FUND	PARTS & LABOR & FUEL CHARGES	9,443.20
CENTURY LUMBER CENTER	MAINT. SUPPLIES	5.18
COMPUTER ASSISTANCE	LIBR. SUPPORT & CD PLAYER	228.75
COMPUTER MGT SERVICES	SFTWR AND SUPPORT	16,181.69
COUNTRY GENERAL	SUPPLIES	94.21
C.B.S.A	EMPL. INS. CLAIMS	6,903.38
C.B.S.A	INSURANCE PREMIUMS	6,924.57
CRAFTING TRADITIONS	LIBRARY MATERIAL	29.98
CULLIGAN WATER CONDITIONING	MO. WATER MAINT.	82.50
DAWSON COUNTY PUBLIC POWER	DECEMBER CHARGES	1,690.59
DAWSON COUNTY TREASURER	DRAINAGE TAX	17.76
DAWSON COUNTY REG. OF DEEDS	ORDINANCE #2089	16.00
DAWSON COUNTY SHERIFF	SUPPORT DRUG PROG.	4,160.00
DAWSON COUNTY CLERK	DISPATCH FEES	4,607.30

DAN'S SANITATION	SOLID WASTE	10,169.48
DEMPCO	OFFICE SUPPLIES	156.40
DUTTON-LAINSON COMPANY	TRIPLEX	1,688.11
DYNAMIC SYSTEMS INC	W.W.T.P. EQUIP. & INSTALL	5,761.50
EAKE'S OFFICE PRODUCTS	OFFICE SUPPLIES	559.37
EGAN SUPPLY COMPANY	CLEANING SUPPLIES	26.10
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	1,193.56
ELECTRONIC GAMING MONTHLY	LIBRARY MATERIAL	19.97
EMERGENCY MEDICAL PRODUCTS	MEDICAL SUPPLIES	456.59
FAIRBANKS INTERNATIONAL INC	GARAGE SUPPLIES	26.45
FAGOT REFRIG. & ELECTRIC	REPAIRS AND SUPPLIES	504.27
FISCHER-SCIENTIFIC	MICROSCOPE BINOCULAR	1,078.29
FIRST NATIONAL BANK	EMPLOYEE PENSION	2,118.62
GALL'S INC.	UNIFORM SUPPLIES	376.19
GENERAL TRAFFIC CONTROLS INC	REPAIR SIGNAL LIGHT	1,048.00
GILLETTE/NEBRASKA DAIRIES	DAIRY PRODUCTS	249.98
GLOBAL COMPUTER SUPPLIES	DIGITAL CAMERA	290.35
GREAT PLAINS ONE-CALL SERVICE	DECEMBER LOCATES	22.60
T.O. HAAS TIRE CO INC	TIRES	219.74
HARLEQUIN RETAIL INC	LIBRARY MATERIAL	10.52
HIPP WHOLESALE CO	FOOD & SUPPLIES	588.00
I.C.M.A.	PEPPLITSCH PENSION	91.59
INGRAM LIBRARY SERVICES	LIBRARY MATERIAL	362.35
INTERNATIONAL CITY/COUNTY	SKILL STUDY COURSE	259.50
JELCO CARPET CLEANING	CARPET CLEANING	75.00
JONES PLUMBING & HEATING	PLUMBING SUPPLIES	21.12
KRIZ-DAVIS COMPANY	ELECTRICAL SUPPLIES	357.24
K.R.V.N.	HOLIDAY GRTG/POLICE	20.00
LEAGUE OF NE. MUNICIPALITIES	W.W.T.P. OPER. CONF.	100.00
LEXINGTON ANIMAL CLINIC	DEC. ANIMAL SERVICE	296.80
LEX. AREA CHAM. OF COMMERCE	SIGNS	60.00
LEXINGTON HEALTH FUND	JAN. SELF-FUNDING	13,634.51
LEXINGTON COMMUNICATIONS	RADIO REPAIR	50.56
LEXINGTON COOP	MISC. SUPPLIES	109.61
LEXINGTON LAUNDRY	LAUNDRY FEES	40.00
LEXINGTON CITY OF	PETTY CASH	128.80
LEXINGTON POSTMASTER	UTILITY POSTAGE	1,500.00
LEXINGTON POSTMASTER	GGC POSTAGE	150.00
LEXINGTON PUBLIC LIBRARY	REPLEN. PETTY CASH	9.52
LEXINGTON NEWSPAPERS	NOTICES	619.85
LEXINGTON TRUCK AND AUTO	PLYMOUTH PARTS	50.00
LEXINGTON CITY OF	JAN. MONTHLY CHGS	23,773.71
LEXINGTON GLASS CO	WINDOW REPLACEMENT	117.50
LEXINGTON AREA SOLID WASTE	SOLID WASTE	94.82
MC LAUGHLIN MFG CO	GARAGE SUPPLIES	213.83
MEAD/BIG VALLEY LUMBER	SUPPLIES	209.76

MEYER WELDING	MAKE VALVE WRENCH	104.33
MIDWAY SUPPLY	SUPPLIES	373.70
MILLER AND ASSOCIATES	PROFESSIONAL SVCS	2,130.00
MIDWEST COMPUTER SYSTEMS	COMPUTER SUPPLIES	204.24
MILLS, BARB	REIMB. TUITION & FEES	223.50
MORRIS PRESS & OFFICE SUPPLIES	OFFICE SUPPLIES	7.55
MORRY'S BODY SHOP	REPAIR RADIATOR	32.00
MR. AUTOMOTIVE	SUPPLIES	188.31
MUNICIPAL SUPPLY INC	SUPPLIES	196.25
NEBRASKA STATE OF	UTIL. SALES TAX DEC.	22,505.86
N C B O & I	NELSON MTG IN SEWARD	20.00
NEBRASKALAND TIRE	ALIGNMENT	39.95
NEBRASKALAND TIRE AND TRUCK	TIRE REPAIR	67.20
NEBRASKA MACHINERY	LOADER PMT & PARTS	1,552.26
NEBRASKA SALT & GRAIN CO	ICE CONTROL	680.91
N P P D	DEC. POWER BILL	351,479.12
NE. DEPT OF MOTOR VEHICLES	UNDERCOVER PLATES	6.00
NELSON, THOMAS R.	DECEMBER CLEANING	500.00
NEWSWEEK	LIBRARY MATERIAL	24.00
NEBRASKA LIBRARY ASSOC.	MEMBERSHIP FEES	60.00
OMAHA LIFE INSURANCE CO	JAN. LIFE INSURANCE	66.00
OVERTON COMMUNITY CENTER	DECEMBER RENT	100.00
PATTY'S HALLMARK	MISC. OFFICE SUPPLIES	514.97
PAYROLL	1/1/98 PAYROLL	69,197.70
PARROTT, MATT & SONS CO	COMPUTER SUPPLIES	65.67
PENWORTHY COMPANY	LIBRARY MATERIAL	1,047.00
PLATTE VALLEY AUTO MART	TRANSMISSION & RPR	1,165.16
PLATTE VALLEY COMMUNICATIONS	RADIO REPAIR	475.50
PLUM CREEK MEDICAL GROUP	FLU SHOT	11.00
PLUM CREEK HOLIDAY DE-LITES	RPR CHRISTMAS LIGHTS	480.00
PRECISION INDUSTRIES	SUPPLIES	19.02
PRASCH, RICHARD	ANNUITY REIMBURS.	618.17
QUEST DIAGNOSTICS INC	BLOOD TESTING/POLICE	48.40
REACH ELECTRONICS	PAGER REPAIR	33.43
RODALE PRESS INC.	LIBRARY MATERIAL	35.12
SCANTRON SERVICE GROUP	COMP. EQUIP & INSTALL	
3,842.37		
SCHUMACHER, KENNETH	REIMB. TUITION & FEES	127.80
SCHUCKMAN, MARSHA	DECEMBER CLEANING	225.00
SCHNIEBER FINE FOODS	FOOD & SUPPLIES	1,007.33
SHESHUNOFF	EMP. LAW & PRACTICE BK	289.95
SIXTH STREET MARKET	FOOD & SUPPLIES	142.33
SKARSHAUG TESTING	METER TESTING	160.97
SOCIAL SECURITY FUND	1/1/98 PAYROLL	5,233.22
SPORTS ILLUSTRATED	LIBRARY MATERIAL	79.96
SUPER '8' MOTEL	NELSON MTG - SEWARD	39.36

T.L. SUND	SUPPLIES	75.00
S & W AUTO PARTS	SUPPLIES	1,182.43
TEAGUE EQUIPMENT CO	MANUALS	71.99
TEXACO CUSTOMER CARD CENTER	FUEL	13.69
TERRYBERRY	30 YEAR PIN	143.35
TIME LIFE BOOKS	LIBRARY MATERIAL	23.48
US WEST COMMUNICATIONS	DEC. PHONE CHARGES	1,855.05
UTILITY EQUIPMENT	SUPPLIES & HYDRANT RPR	883.55
VALENTINO'S	MEETING EXPENSE	37.47
WAL-MART	SUPPLIES	346.44
WESCO DISTRIBUTION INC	SUPPLIES	3,509.18
WAREHOUSE SURPLUS	OFFICE SUPPLIES	17.00
WEBER & WEINHOLD	PROF. SVCS-DEC.	1,200.00
W P C I	DOT DRUG TESTING	50.00
WOLF, TRACY	REIMB. ANNUAL DUES	10.00
YUNG CONSTRUCTION	COUNCIL PLATFORM	712.82
ALIAN COMMUNICATIONS	DEC. EQUIP. CHGS/LIBR.	19.95
BERNTSON OIL CO	CENTRAL GARAGE FUEL	2,076.42
COLORADO CHAPTER ICBO	REGISTR. TOM NELSON	245.00
EAKE'S OFFICE PRODUCTS	LIBRARY SUPPLIES	136.05
E&L METER INSTALLATION	WATER METER INSTAL.	960.00
EILERS MACHINE & WELDING	MCHN STAINLESS SLEEVES	1,292.03
ELFRING SOFT FORMS INC	ADDED CHG. SIGN. PLATES	75.00
ELECTRIC FIXTURE	SUPPLIES	184.77
JELCO CARPET CLEANING	CLEAN CARPET	73.50
JERRY'S ELECTRIC INC	TRANSFORMER	1,200.00
LEXINGTON NEWSPAPERS	MEETING NOTICE	172.76
MARTIN ELECTRIC	WIRING FOR LOAD RPT	106.05
MISTER ANDERSON'S COMPANY	LIBRARY MATERIAL	122.70
NEBRASKA HEART NETWORK	REF. ELEC. OVERCHG	1,657.96
OVERTON COMMUNITY CENTER	JANUARY RENT	100.00
PHYSIO-CONTROL CORP.	EMER. EQUIP./FIRE DEPT.	6,771.60
PLUM CREEK MEDICAL GROUP	HEPATITIS B SHOTS/WWTP	112.00
RELIABLE OFFICE SUPPLY	LIBRARY SUPPLIES	110.12
SCHNIEBER FINE FOODS INC	FOOD & SUPPLIES	412.10

GRAND TOTAL: \$616,925.02

**KN ENERGY  
ORDINANCES:**

Mr. Deloy Jahnke, representing KN Energy addressed the Lexington City Council stating that KN Energy and the Coalition of Municipals through the League of Nebraska Municipalities have reached an agreement and the modifications suggested at those meetings are included in the Ordinances as presented tonight. City Manager Bricker then addressed the Lexington City Council outlining the

recommendations that had been forthcoming from the Municipal Organization that opposed the Ordinances as they were first presented. Mr. Jahnke informed the Council that on the franchise part of the new ordinances the City would be receiving the same amount of money, however, commercial customers would be included in the new franchise payment. He further stated that this was arrived at by taking the total amount of the franchise fee, and the total amount of sales in Lexington, and arriving at a rate for the franchise fee. Upon the conclusion of his presentation, and questions from the City Council, an Ordinance entitled "AN ORDINANCE RELATING TO THE SCHEDULE OF RATES FOR THE DELIVERY OF NATURAL GAS IN THE CITY OF LEXINGTON, NEBRASKA; REPEALING ORDINANCE NO. 1989 AND PROVIDING FOR AN EFFECTIVE DATE" was read before the Council. Moved by Klamm, seconded by Kohl that said Ordinance be passed on first reading. Roll call. Voting "aye" were Mandelko, Fagot, Kohl, Klamm, Wightman. Motion carried.

**KNE FRANCHISE  
ORDINANCE:**

An Ordinance entitled "AN ORDINANCE AMENDING THE EXISTING FRANCHISE AGREEMENT BY AND BETWEEN THE CITY OF LEXINGTON, NEBRASKA, AND K N ENERGY, INC., A KANSAS CORPORATION, ITS SUCCESSORS AND ASSIGNS AND PROVIDING FOR AN EFFECTIVE DATE" was read before the Council. Moved by Fagot, seconded by Klamm that said Ordinance be passed on first reading. Roll call. Voting "aye" were Kohl, Mandelko Klamm, Fagot, Wightman. Motion carried.

**CHOICE SERVICE  
ORDINANCE:**

An Ordinance entitled "AN ORDINANCE ESTABLISHING STANDARDS APPLICABLE TO THE UNBUNDLING OF NATURAL GAS SERVICE; SUPPLY COST ADJUSTMENT PROVISIONS WITH A BALANCING ACCOUNT TO PROVIDE FOR THE COLLECTION OF VARIOUS UNBUNDLED GAS SUPPLY COSTS OF K N ENERGY, INC., FROM RESIDENTIAL, COMMERCIAL AND NONCONTRACT CUSTOMERS AND REPEALING ORDINANCE NO. 1988, AND PROVIDING FOR AN EFFECTIVE DATE" was read before the Council. Moved by Klamm, seconded by Mandelko that said

Ordinance be passed on first reading. Roll call. Voting "aye" were Fagot, Kohl Mandelko Klamm, Wightman. Motion carried.

**CONVEYANCE  
PROPERTY:**

City Manager Bricker informed the Lexington City Council that this was the final step in conveying the property that the City of Lexington sold to the Lexington Area Solid Waste Agency by Ordinance at an earlier meeting. Upon completion of this presentation, 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. 98-00

WHEREAS, the City has by Ordinance No. 2090 approved the sale of the following described real estate owned by the City, to-wit:

A tract of land in Section Twenty-Township Eleven North, Range Twenty-one west of the 6<sup>th</sup> p.m. in Dawson County, Nebraska, as described on the attached Exhibit A.

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 the purchaser thereof.

PASSED AND APPROVED this 13<sup>th</sup> day of January, 1998.

CITY OF LEXINGTON, NEBRASKA

BY: John Wightman, Mayor

ATTEST: Leon E. Malzahn City Clerk

**PLANNING GRANT:**

Assistant City Manager Peplitsch addressed the Lexington City Council stating that the City of Lexington had been awarded a grant in the amount of \$15,200.00 to assist with the Comprehensive Plan Update for the City of Lexington. He further stated that the total grant is for \$15,200.00 with a \$500 administration fee, making the project \$14,700.00. Upon completion of the discussion, moved by Kohl, seconded by Klamm to approve the execution of required materials to request CDBG funds for the City of Lexington CDBG Grant No. 97-ED-026. Roll call. Voting "aye" were Fagot, Mandelko, Klamm, Kohl, Wightman. Motion carried.

**TRAFFIC CONTROL REPORT:**

Mr. Dana Daniels, representing Miller and Associates addressed the Lexington City Council reviewing a report on the engineering needed for traffic control signals and more in depth, the traffic control for school crossings. Mr. Daniels reviewed his report. The City Council discussed the possibility of developing guidelines for the City Administration to follow. Further discussion of that item pertained to the liability the City of Lexington would have if these guidelines were to be implemented. Upon completion of this discussion, no further action was taken.

**MUNICIPAL WELL:**

Mr. Dana Daniels, representing Miller and Associates, presented a plan setting specifications for engineers estimate for completion of proposed water well No. 16 in the City of Lexington. He stated that this well would be in the north west part of town, preferably close to Sandoz School. Included were the plans for integration of this well into the water system. Mr. Daniels further stated that the water quality test had not been received from the State at this time, and may be a considerable amount of time before they are received. It was requested upon receipt of these tests, the administration be allowed to advertise for bids. Upon completion of his presentation, moved by Mandelko, seconded by Kohl, to allow the City Administration to advertise for bids for Municipal Water Well No. 16 dependent upon receipt of the water quality tests from the State of Nebraska. Roll call. Voting "aye" were Fagot, Klamm, Mandelko, Kohl, Wightman. Motion carried.



**FINANCIAL REPORT:** The financial report of the City of Lexington, for September, 1997 was presented by Barb Mills who gave a comparison report of various items, of this month compared to a year ago. Upon completion of this report, moved by Klamm, seconded by Mandelko to accept the Treasurer's Report for September, 1997. Roll call. Voting "aye" were Fagot, Kohl, Mandelko, Klamm, Wightman. Motion carried.

**RESCHEDULE MEETING:** After receiving a request from the City Manager to reschedule the Council Retreat, moved by Kohl, seconded by Fagot to move the Retreat from January 17<sup>th</sup> to January 24, 1998, 8:00 a.m. at the Grant Generation Center. Roll call. Voting "aye" were Mandelko, Klamm, Fagot, Kohl, 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 of the time and place of said meeting and the subjects to be discussed at said meeting.

Leon E. Malzahn  
Lexington City Clerk