

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, March 24, 1998 at the Grand Generation Center, 407 East 6<sup>th</sup> Street, Lexington, Nebraska at 6:30 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. Department Heads present were Assistant City Manager Joe Peplitsch, Charles Clark, Ruth Seward, Barb Mills, Tom Nelson. Also present was Dana Daniels representing Miller and Associates. Citizens present were Courtney Klamm, Scott Sarnes, George Keller, Gary Schultz, Todd Booth, Harold Stevens, Denzel Mills, James VanMark, Dr. Roger Pentz, John Cox, Terry Trueblood, Wes Lubberstadt, Paul Norden, Ken Krings, Bill Motzner, Nova Workman, Liz Richardson, Bob Cappel, Marvin Bogner, Kerry and Jason Rader, Jack and Betty Hines, Elaine Peck, Mr. Chuck Nichols, Larry and Eleanor Shindle, Ann Smith, Mrs. Terry Unterseher. The press was represented by the Clipper-Herald, KRVN, KNOP-TV, 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.

**MINUTES OF REGULAR MEETING 3-10-98:** Minutes of the regular council meeting held March 10, 1998 were presented for Council's consideration and approval. Moved by Mandelko, seconded by Kohl to approve the minutes of the regular meeting held March 10, 1998 as presented. Roll call. Voting "aye" were Klamm, Fagot, Kohl, Mandelko, Wightman. Motion carried.

**MINUTES OF SPECIAL** Minutes of the special council meeting held March

**MEETING 3-17-98:**

17, 1998 were presented for Council’s consideration and approval. Moved by Klamm, seconded by Mandelko, to approve the minutes of the Special Meeting held March 17, 1998 as presented. Roll call. Voting “aye” were Fagot, Kohl, Mandelko, Klamm, Wightman. Motion carried.

**CLAIMS & BILLS:**

Claims and Bills in the amount of \$196,386.19 was presented to Council’s consideration and approval. After an examination of the claims and bills as listed, moved by Klamm, seconded by Mandelko, to approve the claims and bills as listed and authorize the City Treasurer to transfer \$85,940.89 from the General Fund, \$79,468.15 from the LEXUS Fund, \$19,024.75 from the City Sanitation Fund, \$2.64 from the Landfill Fund, \$4,711.39 from the Health Fund, \$75.07 from the Library Memorial Fund, \$7,004.68 from Meals On Wheels Fund, \$158.62 from Block Grant 98-HD-010 to the City of Lexington Operating Account. Roll call. Voting “aye” were Kohl with the exception of Mr. Automotive, Fagot with the exception of Fagot Electric, Mandelko, Klamm, Wightman. Motion carried.

CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
MARCH 24, 1998 COUNCIL

AFLAC	MARCH CANCER PREMIUM	312.82
ALAMAR UNIFORM CO.	REPAIR UNIFORMS POLICE	156.31
ALIAN COMM.	MARCH EQUIPMENT CHARGES	19.95
AWARDS PLUS	PLAQUE FOR DONNA OLSON	48.50
BARMORE'S	OFFICE SUPPLIES	12.48
BARRETT-HOUSEL-GRAFTON	AUDIT INCR. & AMBUL. INS.	4591.00
BERNTSON OIL	FUEL AND OIL	3878.92
BENEFIT PLANS INC.	414 AND 401 REPORTS	1057.00
BECKER FIRE EQUIP. CO.	FIRE HOUSE SUPPLIES	92.66
BURKLUND, D.L.	ELECTRIC REBATE	450.00
CASH-WA DISTRIB.	FOOD AND SUPPLIES	739.55
CENTRAL GARAGE	VEHICLE REPAIRS	3181.44
CENTURY LABORATORIES INC	ODOR ELIMINATOR	166.85
CENTURY LUMBER CTR	HAMMERDRILL-PAINT-SUPPLIES	171.36
COAST TO COAST	OFFICE SUPPLIES	39.46
COLO. PARKS & RECR.	GENERAL MBR.-CHRIS HUFF	35.00
COUNTRY GENERAL	PAINT AND SUPPLIES	36.84
C.B.S.A.	EMPLOYEE CLAIMS 3/4-17/98	4353.07

CONTR. MACHINERY INC.	SEAL KIT	154.76
C&S TRUCK & SALV. INC.	DOOR HINGE	74.55
DEMCO	LIBRARY CATALOG CARDS	26.62
DOER, L.H.	ELECTRIC REBATE	450.00
DUNRITE INC.	CLEANERS	121.46
DURA WAX CO INC	BOWL CLEANER	57.50
DUTTON-LAINSON CO.	SUPPLIES	876.71
DUERING, GLENN	SEMINAR EXPENSES-KEARNEY	29.82
EAKE'S OFC PRODUCTS	LIBRARY PROJECTOR	379.00
ECLIPSE COMMUN.	LONG DISTANT CHARGES	257.23
EILERS MACH. & WELDING	SUPPLIES	6.70
ELECTRIC FIXTURE	SUPPLIES	959.84
FARM PLAN CORP.	PARTS	242.91
FISCHER-SCIENTIFIC	FREIGHT ON LAB SUPPLIES	10.74
FRANSYL EQUIP. CO.	PARTS AND LABOR ON ELECTRIC	6320.44
FRIEND, MATT TRUCK	EQUIPMENT PARTS	219.61
GAYLORD BRO. INC	LIBRARY DATA LABELS	35.50
GALL'S	POLICE SUPPLIES	192.44
GILLETTE/NEBR. DAIRIES INC	DAIRY	215.41
GROLIER PUBL. CO INC	LIBRARY BOOKS	330.72
GREAT PLAINS ONE-CALL SERVICE	FEBRUARY LOCATES	31.13
HAAS, T.O., TIRE CO.	REPAIR TIRES	14.06
HIPP WHOLESAL CO.	FOOD AND SUPPLIES	215.58
HOLTZ, MARCIA	SEMINAR EXPENSES/NORTH PLATTE	38.44
INGRAM LIBR. SVCS	LIBRARY BOOKS	810.66
JOY BOOK NOOK	LIBRARY BOOKS	59.46
KARRE'S CITY BAKERY	CAKES FOR EMPLOYEES	66.00
KAPCO	LIBRARY SUPPLIES	81.23
KAR PRODUCTS	NUTS-BOLTS-WASHERS	287.22
K N ENERGY INC	ENERGY COSTS	2484.20
KRIZ-DAVIS COMPANY	SUPPLIES	1721.83
LEWIS, SHIRLEY	EXP.-CLERK SCHOOL-KEARNEY	15.00
LEXINGTON COMM.	ANTENNA WHIP	13.75
LEXINGTON COOP	KEROSENE	18.86
LEX. PUBLIC LIBRARY	POSTAGE AND MEETING EXPENSE	54.29
LEX. NEWSPAPERS, INC	NOTICES	726.55
LEX. SOLID WASTE AG.	SOLID WASTE	56.25
MARTIN ELECTRIC	MONITERING AND SUPPLIES	66.95
MALZAHN, LEON	EXP.-CLERK SCHOOL-KEARNEY	105.82
MC MAHON, KIM	CLEAN FIRE HALL - MARCH	108.33
MEAD/BIG VALLEY LMBR	SUPPLIES	17.83
MICK'S PL. VALLEY GLASS	REPLACE 4X5 WINDOW	494.11
MIDWAY SUPPLY	SUPPLIES	192.70
MILLS, BARBARA	BETTER BUSINESS CLASS/G.I.	44.10
MR. AUTOMOTIVE	FUEL PUMP	144.60
MUNICIPAL SUPPLY	WATER SUPPLIES	1228.02

NEBR. STATEWIDE ARBORETOM	LIBRARY BOOKS	19.35
NPPD	METERS FOR TECOM	702.42
NEBR. LIBRARY ASSOC.	MEMBERSHIP/LEX. PUBLIC LIBRARY	40.00
NE. DEPT. OF REG. & LIC.	PERMIT-AQUATIC CENTER	3.00
OVERTON COMM. CNTR	RENT FOR SENIOR CENTER HALL	100.00
PAULSEN INC	CONCRETE	85.47
PARROTT, MATT & SONS CO.	UTILITY BILLS	1526.30
PATTY'S HALLMARK	OFFICE SUPPLIES	315.82
PETTY CASH FUND	POSTAGE AND SUPPLIES	37.54
PEOPLE BOOKS	PEOPLE YEARBOOK	29.20
PITNEY BOWES-LOUISVILLE	KYSOFTGUARD AGREEMENT	292.00
PITNEY BOWES-SHELTON CT	MAIL MACHINE MAINT. AGRMNT.	343.00
PLUM CREEK MED. GR.	POLICE PHYSICAL-MARK MILLER	218.00
PLUM CREEK ELECT.	RADIO REPAIRS AND PARTS	311.91
PRECISION INDUSTRIES	PARTS	28.74
PRICE'S TREE SERVICE	TRUCK RENTAL - SNOW REMOVAL	360.00
QUINLAN PUBLISHING	RENEW BLDG. PRMT LAW BULLETIN	72.78
RACEK, MIKE	ELECTRIC REBATE	1500.00
RENT ALL RENTALS	LINOLEUM ROLLER	16.00
SCANTRON FPC	POLICE COMPUTER EQUIPMENT	2840.00
SCHNIEBER FINE FOODS INC	FOOD AND SUPPLIES	2041.55
SEWARD, RUTH	PLA CONF.-K.C. & LIB. SUPPLIES	99.30
SIXTH STREET MRKET	FOOD AND SUPPLIES	105.84
SKARSHAUG TESTING	CLEAN AND TEST GLOVES	61.75
S & W AUTO PARTS, INC	PARTS	617.46
TIME LIFE BOOKS	LIBRARY BOOKS	14.42
TODD, MICHAEL & CO. INC.	PRESS. SENSITIVE LABELS	32.42
TRI-COUNTY HOSPITAL	LAB CHARGES-DAN ARDEN	45.50
VETERANS CLUB	PLANNING COMMISSION MEETING	368.00
WAL-MART	MISC. SUPPLIES	287.39
WESCO DISTRIB., INC.	ELECTRIC SUPPLIES	295.54
WYMAN, CRAIG	CDL EXAMINATION EXPENSE	40.00
YOUNG, EUGENE	ELECTRIC REBATE	450.00
ZEP MFG CO	CLEANING SUPPLIES	100.25
AMERICAN FUNDS	POLICE PENSION 3/12/98 PAYROLL	902.22
DAN'S SANITATION	2ND HALF MARCH SOLID WASTE	19024.75
E&L METER INSTALL.	13 METERS INSTALLED	520.00
FIRST NATIONAL BANK	EMP. PENSION 3/12/98 PAYROLL	2166.55
I.C.M.A	PEPPLITSCH PENSION 3/12 PAYROLL	91.59
LEXUS	MARCH UTILITY BILLING	18866.58
LEXINGTON, CITY OF	FRANCHISE FEES	21873.14
LUTHER, ANN	W/WCAAA MEETING EXPENSE-N.P.	41.85
LEAGUE OF NEB. MUNIC.	CONFERENCE 2/23-24 IN LINCOLN	1035.00
PAYROLL ACCOUNT	3/12/98 PAYROLL	70407.60
SOCIAL SEC. FUND	SOCIAL SECURITY 3/12/98 PAYROLL	5352.00
RECREONICS CORP.	PLATFORM FOR POOL	2415.00

TRANSPO IND. INC	SUPPLIES-BOLTS AND SKIRTS	886.82
	TOTAL CLAIMS	196386.19

**NCIP ENTRY  
RESOLUTION:**

Mr. Bob Cappel addressed the Lexington City Council stating that the City of Lexington NCIP Committee has become active and has nominated a Chairman. He also stated that Gail Wightman is going to be the Chairman of the NCIP Committee, and with the passage of this resolution, the City of Lexington will be able to enter the NCIP Competition once again, and hopefully will be successful in securing some additional awards for the City as they have in the past. Upon the completion his resolution, moved by Klamm, seconded by Kohl, that the following resolution be passed and approved. Roll call. Voting "aye" were Mandelko, Fagot, Kohl, Klamm, Wightman. Motion carried.

1998 NCIP Government Resolution

Resolution #98-03

WHEREAS, local municipal and county government must provide leadership for improving community and economic development efforts; and

WHEREAS, community and economic development needs can best be determined and solved through a cooperative effort between elected officials and the citizens they represent; and

WHEREAS, the Nebraska Community Improvement Program, administered by the Nebraska Department of Economic Development, has been reviewed and found to be a means to improve our community; and

WHEREAS, the city council of the city of Lexington, Nebraska do herewith pledge their full support, endorsement, and cooperation in carrying out the requirements of the NCIP;

NOW, THEREFORE BE IT RESOLVED, that the city of Lexington, Nebraska urges its citizens to join this effort and hereby declares this city to be an official entrant in the NCIP for the year of 1998.

PASSED AND APPROVED THIS 24<sup>TH</sup> DAY OF MARCH, 1998.

Attest:

Leon E. Malzahn  
City Clerk

John Wightman  
Chief Elected Official

**AWARD BID FOR  
WATER MAIN:**

City Manager Bricker stated that the bids for the water main connecting Municipal well #16 to the system, had been tabled since the negotiation of the well was to be determined, however, with this out of the way, he is recommending that this be awarded to Diamond Engineering of Grand Island. Upon completion of his presentation, moved by Kohl, seconded by Mandelko, to award the bid for the main improvements to water well no. 16, to Diamond Engineering of Grand Island, Nebraska, in the amount of \$42,413.00. Roll call. Voting "aye" were Klamm, Fagot, Mandelko, Kohl, Wightman. Motion carried.

**FINANCIAL REPORTS:**

Barb Mills presented the Financial Reports to the City Council for the month of December, 1997, and January, 1998. Upon the completion of the report, moved by Mandelko, seconded by Fagot, to accept the Financial Reports for December 1997, and January 1998. Roll call. Voting "aye" were Kohl, Klamm, Fagot, Mandelko, Wightman. Motion carried.

**PUBLIC HEARING:**

The Lexington City Council held a Public Hearing to consider input on the passage of an ordinance for removal of junk vehicles on second reading. Mayor Wightman declared the public hearing open. First to speak was Mrs. Terry Unterseher, relayed the number of calls and letters that they had received on junk cars in the City of Lexington, and stated that they had talked with two cities, North Platte and Fremont, and that these two cities had experienced some success with the ordinance that they had passed for the removal of junk vehicles, and is asking that the City of Lexington pass this ordinance on the second reading. Morry O'Brien addressed the Council stating that he was concerned about vehicle registration, and why the requirement for vehicles to be in a building, as the car he has been working on has been outside a number of years. He also

stated that he does not have the resources to place this indoors. His suggestion was for a stronger enforcement of covered vehicles and requested to know how many tickets had been issued. James VanMark also expressed similar concerns as did Mr. O'Brien, and stated that his vehicles are not enclosed, but are in a car port that is open. He feels that some allowance should be granted for that type of a situation. Mr. Paul Norden addressed the Council stating that the cars in the street by him are there for the removal of parts, and that most of his vehicles are of the older vintage. He further explained the troubles he has incurred getting parts for older vehicles. Mr. Gary Schultz, representing Platte Valley Auto, addressed the Lexington City Council, stating that his business has a regular inventory of older vehicles, for which he is removing parts to repair vehicles that are brought to their shop for repair, and the abandoned vehicles on his lot are an asset to his business. Mr. Schultz was informed that the business district is exempt from this ordinance. Speaking in favor of the ordinance was Dr. Roger Pentz, George Keller, Bill Motzner, Terry Trueblood and Bob Cappel who presented pictures of junk vehicles located on private property. Betty Hines and Nova Workman registered complaints of junk vehicles in the yards, , and additional mattresses and other junk that is being piled in the yard. Mr. Terry Trueblood further requested the City Council pass the Ordinance, and said the problem had been on check too long, and needs to be caught up. Upon the completion of any additional input from the Citizens, Mayor Wightman declared the public hearing closed.

**JUNK VEHICLE  
ORDINANCE:**

An ordinance entitled "AN ORDINANCE TO AMEND SECTIONS 18-2, 18-2.1, AND 18-3 OF THE LEXINGTON CITY CODE; TO PROVIDE FOR CHANGES OF DEFINITION AND REMOVAL OF JUNK VEHICLES; TO REPEAL ORIGINAL SECTIONS 18-2, 18-2.1, AND 18-3, 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 Fagot, seconded by Mandelko, that said Ordinance be passed on second reading. Roll call. Voting "aye" were Kohl, Klamm, Mandelko, Fagot, Wightman.

**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.

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Leon E. Malzahn Lexington City Clerk