

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, July 28, 1998 at the Lexington Municipal Building, 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. Department Heads present were Assistant City Manager Joe Peplitsch, Police Chief Charles Clark, Head Librarian Ruth Seward, Finance Director Barb Mills, Recreation Director Chris Huff. Also present were Dana Daniels representing Miller and Associates, Donna and Dean Linn, Steve Heldt. The press was represented by the Clipper-Herald, and the 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 7-14-98:**

Minutes of the regular council meeting held June 23, 1998 were presented for Council's consideration and approval. Moved by Mandelko, seconded by Klamm to approve the minutes of the regular meeting held July 14, 1998 as presented. Roll call. Voting "aye" were Fagot, Kohl, Klamm, Mandelko, Wightman. Motion carried.

**CLAIMS & BILLS:**

Claims and bills in the amount of \$248,146.06 was presented for Council's consideration and approval. Upon review of the claims and bills, moved by Kohl, seconded by Mandelko to approve the claims and bills as listed and authorize the City Treasurer to

transfer \$121,183.71 from the General Fund, \$98,721.92 from the LEXUS Fund, \$19,038.00 from City Sanitation Fund, \$96.00 from Library Memorial Fund, \$4,022.51 from the Health Fund, and \$5,083.92 from Meals On Wheels Fund to the City of Lexington Operating Account. Roll call. Voting "aye" were Klamm, Fagot, Mandelko, Kohl, Wightman. Motion carried. CITY OF LEXINGTON  
 ACCOUNTS PAYABLE  
 July 28, 1998

AFLAC	EMPLOYEE CANCER POLICY	302.32
ALLBRIGHT, AUDREY	ELECTRIC REBATE	1,400.00
ASSOCIATED SUPPLY COMPANY	CHEMICALS	8,314.50
A T & T	LONG DISTANCE-POOL	9.76
BERNTSON OIL	OIL AND FUEL	497.87
BESTWAY INC.	WAR FLAGS	65.08
BRICKER, VANCE	TRAVEL EXP. KRNY & COZAD MEETINGS	75.60
BUSINESS & PROFESSIONAL CREDIT	UTL COLLECTION FEES	49.99
CASH-WA	FOOD AND SUPPLIES	1,509.00
CENTRAL GARAGE FUND	PARTS/LABOR/OIL	5,540.77
CENTURY LABORATORIES, INC.	PATCHING COMPOUND	191.06
CENTURY LUMBER CENTER	LUMBER-NAILS-CEMENT-BRUSHES	198.70
CHIEF SUPPLY CORP.	FIRE GLOVES	89.97
CINDY'S HEAVENLY COOKIES	COOKIES FOR POOL	79.55
CLINE'S SMALL ENGINE REPAIR	MOWER REPAIRS	97.92
COCA COLA/DR PEPPER OF KRNY.	POP FOR POOL	72.00
COUNCIL FOR ECONOMIC DEV.	CED OPERATING YEAR	3,500.00
COURTESY SHADE TREE CO.	REPAIR & REBUILD TREE	150.00
COUNTRY GENERAL	SUPPLIES	23.25
C.B.S.A.	EMPLOYEE CLAIMS	1,214.73
DAWSON COUNTY ROAD DEPT.	SIGN POSTS	86.00
DAN'S SANITATION	SOLID WASTE FEES	19,038.00
DANKO EMERGENCY EQUIPMENT	SERVICE & LABOR CONTRACT FEES	2,658.46
DITCH WITCH OF NEBRASKA INC.	TIRE	244.83
D & M SECURITY	POLICE CONNECTION	105.00
EASTERN LIBRARY SYSTEM	OMAHA SEMINAR-RUTH SEWARD	20.00
EGAN SUPPLY COMPANY	POLY TUBING	23.00
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	102.09
ELECTRONIC SYSTEMS	FIRE ALARM SYS. INSPECTION	25.00
FAIRBANKS INTERNATIONAL INC.	UNILOADER	12,700.00
FAGOT REFRIGERATION & ELECTRIC	REWIRE MOTOR AT POOL	28.50
FARM PLAN CORPORATION	PARTS AND SUPPLIES	34.19

FISCHER-SCIENTIFIC	FILTERS	93.03		
FOX BROS. HAY CO. INC.	5 HOURS HAY GRINDING		1,250.00	
F & S SUPPLY CO INC.	CLEANING SUPPLIES	18.38		
GILLETTE/NEBRASKA DAIRIES, INC.	DAIRY PRODUCTS-GGC	122.12		
T.O. HAAS TIRE CO. INC	TIRES	1,053.00		
HACH CHEMICAL	WWTP CHEMICALS	210.75		
HALL'S SAFETY EQUIPMENT	STORAGE BAGS	60.50		
HOBBY LOBBY STORES INC	CRAFT SUPPLIES	101.10		
HOFAKER'S IRON & METAL	SUPPLIES	23.30		
H-T-M SALES, INC.	METERS	87.73		
HUSKER AG SALES	JOHN DEERE TRACTOR	14,900.00		
ICMA	CONF. REGISTRATION-BRICKER,		VANCE	
		881.00		
INGRAM LIBRARY SERVICES	LIBRARY BOOKS	356.70		
JELCO CARPET CLEANING	CITY CARPET CLEANING		60.00	
JOY BOOK NOOK	LIBRARY BOOKS	84.07		
K N ENERGY INC	ENERGY CHARGE	6.00		
LANDMARK AUDIOBOOKS	AUDIOBOOKS-LIBRARY	174.00		
LEAGUE OF NE. MUNICIPALITIES	ASSOCIATION DUES-1998-1999			
		367.50		
LEXINGTON COMMUNICATION REPAIR	RADIOS	128.39		
LEXINGTON PUBLIC LIBRARY	POSTAGE AND SUPPLIES(PETTY CASH)			
		47.83		
LEXINGTON NEWSPAPERS	PUBLIC NOTICES AND MEETING MINUTES			
		597.43		
LEXUS	JULY UTILITY BILLING	18,953.26		
LEXINGTON, CITY OF	FRANCHISE FEES	25,303.70		
LEXINGTON AREA SOLID WASTE	SOLID WASTE FEES		264.60	
LINCOLN JOURNAL-STAR	52 WEEK RENEWAL	171.60		
LUTHER, ANN	WCAA AREA 'J' MEETING	40.92		
MC GEE, MARION	ELECTRIC REBATE	2,800.00		
MIDWAY SUPPLY	PARTS AND SUPPLIES	242.89		
MORRIS PRESS & OFFICE SUPPLY	OFFICE SUPPLIES	5.00		
NEBRASKA LIBRARY COMMISSION	OCLC PROD/SERV FOR 6/98		31.58	
N.P.P.D	WORD & EXCEL CLASSES	962.50		
OVERTON SAND & GRAVEL	ROAD GRAVEL	19.50		
OVERTON COMMUNITY CENTER	BUILDING RENT	100.00		
PAYROLL ACCOUNT	WAGES		PAYROLL	FOR 7/16/98
		83,788.60		
	SOCIAL SECURITY		SOCIAL SECURITY(EMPLOYER	
	PORTION)	6,353.59		
FIRST NATIONAL BANK	EMPLOYEE			
	PENSION(EMPLOYER PORT)	2,168.76		
AMERICAN FUNDS	POLICE PENSION(EMPLOYER			
	PORT)	1,032.91		

I.C.M.A. EMPLOYEE  
PENSION(EMPLOYER PORT) 95.09

PAULSEN INC.	CONCRETE	2,607.07	
PATTY'S HALMARK	OFFICE SUPPLIES	1,042.87	
PETTY CASH FUND	REPLENISH PETTY CASH	47.71	
PITNEY-BOWES	MAIL MACH/SCALE MAINTENANCE		343.00
PLATTE VALLEY AUTO MART	MUD FLAPS	6.23	
PLUM CREEK PROMOTIONS	SPECIAL DESIGN SHIRTS		284.00
PROTECTIVE LIFE INSURANCE	EMPLOYEE CANCER PREMIUMS		67.96
QUINN, JEFF	MAGIC SHOW AT LIBRARY	75.00	
RAPIDS	FIRE HALL SUPPLIES	561.90	
RECORDED BOOKS	LIBRARY BOOKS	117.60	
SAFETY-KLEEN (PPM), INC.	TRANSFORMER OIL ANALYSIS		15.00
SCHNIEBER FINE FOODS INC	FOOD AND SUPPLIES	967.77	
SEWARD, RUTH	GRANT WRITING SEMINAR	24.80	
SHIELDS, JULIE	REFUND RED CROSS FEES	24.00	
SIXTH STREET MARKET	FOOD AND SUPPLIES	55.32	
SIGN PRO	LETTERING	198.00	
SIRCHIE	FINGER PRINT HINGE	92.29	
SKARSHAUG TESTING	TEST RUBBER GLOVES	45.55	
SMITH, R.P.	LIBRARY PERFORMANCE		80.00
SOLOMAN CORPORATION	FIELD SERVICE	1,440.00	
S&W AUTO PARTS, INC.	PARTS AND SUPPLIES	928.45	
TIME LIFE BOOKS	LIBRARY BOOKS	44.42	
UTILITY EQUIPMENT	CURB STOPS AND SUPPLIES	1,079.90	
VETERANS CLUB	BUSINESS MEETING	30.05	
VIKING OFFICE PRODUCTS	5 LINE STAMP	15.99	
WAL-MART	MISC. SUPPLIES	319.21	
WATER SUPPLY PRODUCTS, INC.	HIP PAKS	35.36	
WESCO DISTRIBUTION, INC.	TRANSFORMERS-CONDUIT-SUPPLIES		2,812.98
WOLF, TRACY	N.F.I. ASSOC. ANNUAL MEETING		60.00

SUBTOTAL: \$ 234,826.90

ADDED CLAIMS 7/28/98

ALIAANT CELLULAR	CELLULAR CHARGES(MANAGERS)	141.45	
BERNTSON OIL	GAS & DIESEL	1915.69	
C.B.S.A.	EMPLOYEE CLAIMS	2437.50	
INT. CONF. OF BLDG. OFFICIALS	SPANISH '91 DWELL. UNDER UBC		22.00

PAULSEN INC. CONCRETE 722.55  
SPECIALTY ELECTRIC UNDERGROUND FEED FAIL @ KRVN 420.00  
U.S. FILTER/WATERPRO WATER METERS AND FLANGES 1930.88  
WESCO DISTRIBUTION, INC. TRANSFORMER PADS & RED PAINT  
5729.09

TOTAL ADDED CLAIMS 13319.16

TOTAL CLAIMS 7/28/98 248146.06

**PUBLIC HEARING:**

The Lexington City Council held a public hearing to consider the request of Dean Linn to rezone property at 803 West Walnut Street. Donna Linn addressed the Lexington City Council stating that they would like to have this property rezoned from R-1 (Single Family Residential) to R-4 (Mobile Home Dwelling District) so Mr. Price can use this property as a development. Upon the completion of her presentation, and an Ordinance entitled "AN ORDINANCE TO REZONE THE NORTH 480 FEET OF THE EAST 165 FEET OF TRACT G OF THE SUBDIVISION OF THE E 1/2 OF SECTION 6-9-21, FROM R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO R-4 MOBILE HOME DWELLING DISTRICT; TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM" was read before the Council. Moved by Fagot, seconded by Kohl, that said ordinance be passed on first reading. Roll call. Voting "aye" were Mandelko, Klamm, Kohl, Fagot, Wightman. Motion carried.

**"TAQUERIA MEXICO"  
LIQUOR LICENSE:**

The Lexington City Council held a public hearing to consider the application of Jose A. Munoz dba "Taqueria Mexico" at 501 S. Washington Street, Lexington, Nebraska for a Class "M" (bottle club) Liquor License. Mr. Steve Heldt addressed the Lexington City Council stating that Mr. Munoz is making this application for a liquor license because

his clientele had requested this type of service to be provided with a meal. Upon completion of his presentation, Mayor Wightman closed the public hearing. Moved by Fagot, seconded by Mandelko, to recommend approval of issuance of the Class "M" (bottle club) license to Jose A. Munoz, dba "Taqueria Mexico" at 501 S. Washington Street. Roll call. Voting "aye" were Klamm, Kohl, Mandelko, Fagot, Wightman. Motion carried.

**TRAFFIC CONTROL:** City Manager Vance Bricker stated that the resolution presented to the City Council would authorize the placement of stop signs as discussed with the Washington Street closing. The stop signs would direct through traffic to Washington Street after using the Madison Street crossing. Upon completion of his presentation, moved by Kohl, seconded by Klamm, that the following resolution be passed and approved. Roll call. Voting "aye" were Mandelko, Fagot, Klamm, Kohl, Wightman. Motion carried.

RESOLUTION NO 98-11

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA AS FOLLOWS:

That the Lexington City Manager is hereby authorized and directed to place stop signs at the intersections designated on the attached exhibit, thereby providing through traffic from the Madison Street railroad crossing to Elm Street and to the intersection with Washington Street.

Passed and approved this 28 day of July, 1998.

CITY OF LEXINGTON, NEBRASKA

John Wightman Mayor

ATTEST:  
Leon E. Malzahn  
City Clerk

**WATER TOWER  
RESTORATION:**

Mr. Dana Daniels, representing Miller and Associates, stated that they had attempted negotiations for restoration of the north water tower in the City of Lexington, and had found some

deficiencies in the contractor that was recommended for negotiations. Therefore, he is requesting the Council to authorize Administration to readvertise for bids for restoration of this tower. Upon completion of his detailed presentation, moved by Klamm, seconded by Mandelko, to authorize Administration to readvertise for bids for restoration of the north water tower. Roll call. Voting "aye" were Kohl, Fagot, Mandelko, Klamm, Wightman. Motion carried.

**FINANCIAL REPORT:**

Barb Mills presented the Financial Report for the month of June, 1998. With no comments from the Council, moved by Klamm, seconded by Mandelko to accept the Financial Report for June, 1998 as presented. Roll call. Voting "aye" were Fagot, Kohl, Mandelko, Klamm, Wightman. Motion carried.

**AQUATIC CENTER FEES:**

Mr. Chris Huff addressed the Lexington City Council stating that the Recreation Advisory Board recommended that no addressment be made to the entrance fee at the Aquatic Center for relatives or babysitters that wish to enter the pool with a regular patron. Mr. Huff also presented a report of statistics on attendance at the pool, and use of the concession stand. Upon the completion of his report, no action was taken.

**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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Lexington City Clerk