

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, September 22, 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, and Patty Mandelko who entered the meeting at 7:47 p.m. City Officials present were City Clerk Leon Malzahn, City Manager Vance Bricker, City Attorney Willard Weinhold. Department Heads present were Assistant City Manager Joe Pepplitsch, Ruth Seward, Barb Mills, Chris Huff. Citizens in attendance included Terry Delp, Patty Johnson, Dr. Marcia Bader, Jim Doyle, and Roger Morrison. The Press was represented by the Clipper-Herald, KRVN, 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 - REGULAR MEETING 9-8-98:** Minutes of the regular Council Meeting held September 8, 1998 was presented for Council's consideration and approval. Moved by Klamm, seconded by Kohl to approve the minutes of the regular meeting held September 8, 1998 as presented. Roll call. Voting "aye" were Fagot, Kohl, Klamm, Wightman. Motion carried.

**CLAIMS & BILLS:** Claims and bills in the amount of \$1,102,648.97 was presented for Council's consideration and approval. Upon review of the claims and bills, moved by Klamm, seconded by Fagot to approve the claims and bills as listed and authorize the City Treasurer to transfer \$105,767.66 from the General Fund,

\$930,902.50 from the LEXUS Fund, \$18,571.50 from the City Sanitation Fund, \$14,975.09 from the Landfill Fund, \$15,000.00 from the Police Pension Fund, \$8,426.74 from the Health Fund, \$6,005.48 from Meals on Wheels, and \$3,000.00 from the Cemetery Memorial Fund to the City of Lexington Operating Account. Roll call. Voting "aye" were Kohl, Fagot, Klamm, Wightman. Motion carried.

CITY OF LEXINGTON  
 ACCOUNTS PAYABLE  
 September 22, 1998

ADV. CONTROL SYSTEMS	2 MO. HARD & SOFTWARE SPT	2,112.00
AFLAC	EMPLOYEE CANCER POLICY	302.32
ALIAANT COMMUNICATIONS	EQUIPMENT-LIBRARY	19.95
ASSOC. SPLY CO., INC	POOL SUPPLIES	2,550.00
AT&T	LONG DISTANCE-POOL	10.76
BARMORE'S DRUG	OFFICE SUPPLIES	51.00
BEE OFFICE SOLUTIONS	OFFICE SUPPLIES	19.18
BERNTSON OIL	OIL AND FUEL	1,813.69
BISHOP, PETE	EXP.-LOVELAND, COLORADO	51.70
BRICKER, VANCE	TRAVEL EXP- ORLANDO CONF.	1,501.20
BUSI. TELECOMM. SYS.	25% OF PROP.-NEW PHONE SYS.	4,132.75
CASH-WA	FOOD AND SUPPLIES	960.36
COAST TO COAST	BATTERIES	6.17
COCA-COLA/DR PEPPER OF KEARNEY	GGC POP	53.98
CONNEY SAFETY PRODUCTS	GLOVES	143.00
COUNTRY GENERAL	PARTS AND SUPPLIES	289.60
C.B.S.A.	EMPLOYEE MEDICAL CLAIMS	6,964.81
DAWSON CO. REG. OF DEEDS	EASEMENTS	21.00
DEMCO	LIBRARY SUPPLIES	320.26
EAKE'S OFFICE PRODUCTS	COPIER SPLS & DESKJET CART.	147.48
ECLIPSE COMMUNICATIONS	LONG DISTANCE CHARGES	249.94
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	1,330.51
FISCHER-SCIENTIFIC	WWTP SUPPLIES	82.72
FLOOR SHINE	CLEAN & BUFF FIRE HALL	75.00
FRIEND, MATT, TRUCK EQUIP.	MNTING PLATE FOR CRANE	1,649.51
GALL'S INC.	PRO BADGE AND STATE SEAL	42.24
GILLETTE/NEBR. DAIRIES, INC.	DAIRY PRODUCTS-GGC	195.53
GRAY SUPPLY	LAMPS	45.40
GREAT PLAINS ONE-CALL SVC	CLOCATES	83.59
GROLIER EDUCATION CORP.	LIBRARY MATERIAL	946.90
HACH CHEMICAL	LAB SUPPLIES	39.45
HANNA:KEELAN ASSOC. PC.	COMPREHENSIVE CDBG PLAN	4,925.00
HEARST CORPORATION, THE	REDBOOK SUBSCRIPTION	18.00

HIPP WHOLESALE COMPANY	FOOD AND SUPPLIES	196.98
HUTCHESON ENG. PROD.	ADD TOTALIZER - RECORDER	487.00
I.C.M.A.	INSTRUCTIONAL MATERIAL	40.95
INGRAM LIBRARY SERVICES	LIBRARY BOOKS	325.51
JOY BOOK NOOK	LIBRARY BOOKS	50.96
K N ENERGY INC	CTRL GARAGE ENERGY CHG	3.07
KRIZ-DAVIS COMPANY	SHIELD ADAPTER KIT	60.35
LEARNING CO., THE	LIBRARY MATERIAL	25.90
LEX AREA CHAMBER OF COM.	SERVICES AND PROGRAMS	3,604.00
LEXINGTON PUBLIC LIBRARY	REPLENISH PETTY CASH	8.11
LEXINGTON PUBLIC SCHOOLS	REFUND TO SCHOOLS	4,645.00
LEXINGTON NEWSPAPERS	MTG NOTICES AND MINUTES	331.58
LEX. AREA SOLID WASTE	SOLID WASTE FEES	56.25
MANINKA, PETE ENT., INC.	1988 FORD F700 TRUCK	53,000.00
MARTIN ELECTRIC	LOAD MONITERING EQUIP.	20.00
MEAD/BIG VALLEY LUMBER	CEMENT	24.58
MICK'S PLATTE VALLEY GLASS	SRPR WINDOW DMG BY SWEEP	200.46
MICRO-MARKETING ASSOC.	LAW FORMS	27.90
MILLER & ASSOCIATES	MONTHLY FEES	2,100.00
PROFESSIONAL FEES	OPTIMIST REC CENTER	6,454.55
	STREET	4,190.05
	WATER	14,501.30
	SEWER	1,959.79
	LANDFILL	4,975.09
MID-NEBRASKA FOOD BANK	FOOD FOR GGC	32.20
MORRIS PR. & OFC SUPPLIES	PEN REFILLS	10.32
MUNICIPAL SUPPLY	COUPLINGS AND INSERTS	1,559.43
NAT. AUTOMOBILE DEALERS	ONE YEAR SUB.-LIBRARY	52.00
NAT. FIRE PROT. ASSOC.	MEMBERSHIP-BOB MARTIN	115.00
NATIONAL LEAGUE OF CITIES	KLAMM & PEPPLITSCH REGIS.	675.00
NEBR. PUBLIC POWER DIST.	AUGUST POWER BILL	468,876.30
NE RURAL WATER ASSOC.	MEMBERSHIP RENEWAL	187.50
NEBRASKA POWER REVIEW BOARD	POWER ASSESSMENT	567.93
NELSON, TOM A.	GRASS MOWING	80.00
NELS	SEWARD CONF. REGIS.	25.00
NE STATEWIDE ARBORETUM	PROJ. & DESIGN ASSESSMENT	250.00
NLA/NEMA	ANNUAL CONF. REGIS.	55.50
OLD DOMINION BRUSH	SWEEPERS	605.00
OMNIGRAPHICS, INC.	LIBRARY BOOKS	36.40
OVERTON SAND & GRAVEL	FILL SAND	132.00
PAYROLL ACCOUNT	WAGES PAYROLL FOR 9/10/98	72,745.49
SOCIAL SECURITY	SOC. SEC.(EMPLOYER PORT.)	5,516.48
FIRST NATIONAL BANK	EMP. PENS.(EMPLOYER PORT)	
		2,118.94

AMERICAN FUNDS	POLICE	PENS.(EMPLOYER
PORT)1,035.08		
I.C.M.A.	EMP. PENSION(EMPLOYER PORT)	95.09
PAULSEN INC.	CONCRETE	117.66
PATTY'S HALLMARK	OFFICE SUPPLIES	1,007.35
PETTY CASH FUND	REPLENISH PETTY CASH	75.20
PLUM CREEK ELECTRONICS	LABOR TO CHECK VCR	30.00
PROG. BUS. PUBLICATION	ONE YEAR SUBSCRIPTION	230.00
PROT. LIFE INSURANCE	CANCER PREMIUM	29.00
PUBLIC. INT., LTD.	CONSUMER GUIDE-LIBRARY	99.00
RELIABLE OFFICE SUPPLY	LIBRARY SUPPLIES	66.32
SCHNIEBER FINE FOODS INC.	FOOD AND SUPPLIES	1,215.13
SENSUS TECHN., INC.,	SPT PROG. THRU 10/16/99	524.74
SIXTH STREET MARKET	FOOD AND SUPPLIES	48.87
TEXACO CUST. CARD CENTER	FUEL EXP.-ELECTRIC DEPT	45.48
TIME LIFE BOOKS	LIBRARY BOOKS	47.68
WAL-MART	MISC. SUPPLIES	253.30
WESCO DISTRIBUTION, INC.	LAMPS	68.69
ZEP MANUFACTURING CO.	LIBRARY SUPPLIES	39.67
CASH-WA DISTRIBUTING	FOOD AND SUPPLIES	310.01
CENTRAL GARAGE	LABOR/PARTS/OIL	3,463.79
CLINE'S SMALL ENG. RPR	BLADES - SIDE-WALK EDGER	11.88
COUNTRY GENERAL	TOOLS AND SUPPLIES	169.49
C.B.S.A	EMPLOYEE MEDICAL CLAIMS	1,130.61
DAN'S SANITATION	SOLID WASTE/UTIL. BILLING	18,571.50
DAWSON AREA DEV.	KOHL & WIGHTMAN MEETING	30.00
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	1,994.21
FAIRBANKS INTERN., INC.	PARTS FOR CENT. GARAGE	7.28
FISCHER-SCIENTIFIC	TOOLS & TESTING SUPPLIES	1,860.78
FRANSYL EQUIPMENT CO	DIGGER TRUCK REPAIRS	1,073.40
GEN. TRFC CONTROLS, INC.	POLE WITH SIGNALS	1,048.00
HAAS, T.O., TIRE CO. INC.	TIRE AND TIRE REPAIR	30.58
INGRAM LIBRARY SERVICES	LIBRARY BOOKS	138.20
J& R SALVAGE	REMV FREON-JNK REFRIG.'S	78.00
JELCO CARPET CLEANING	CL. CITY HALL & GGC CRPETS	234.00
LEX AREA CHAM. OF COMM.	FAREWELL RECEP. SPONSOR	60.00
LEXINGTON, CITY OF	CEMETERY MEMORIAL	3,000.00
TRANSFER MONIES	LANDFILL	10,000.00
	POLICE PENSION	15,000.00
	SEWER	210,518.00
LEXINGTON, CITY OF	FRANCHISE FEES	27,475.68
LEXUS	SEPTEMBER UTILITY BILLING	23,866.83
LEXUS	TRANSFER MONEY--WATER	91,230.00
MEYER WELDING	SCRAP IRON/SHAFT & LABOR	90.88
MIDWAY SUPPLY	SPLS FOR CENTRAL GARAGE	66.05
MORRIS PRESS & OFC SPLS	TIME REPORTS	341.61

PEPPLITSCH, JOE	MILEAGE EXP.-KEARNEY & GOTHEN.	62.40
PITNEY-BOWES	MAIL MACH/SCALE MO. CHG.	343.00
RECORDED BOOKS	LIBRARY BOOKS	5.95
SKARSHAUG TESTING	CLEAN & TEST GLOVES	41.35
S & W AUTO PARTS, INC.	PARTS & SPLS - CENT. GARG.	323.12
TIME LIFE BOOKS	LIBRARY BOOKS	20.94
UTILITY EQUIPMENT	WATER DEPT. SUPPLIES	
	1,251.28	
WAL-MART	MISC. SUPPLIES	50.57
WENGERT, ALLAN	DAMAGE TO GARAGE DOORS	422.97
WEBER & WEINHOLD	PROFESSIONAL SERVICES	1,200.00
ZEP MANUFACTURING CO	JANITORIAL SUPPLIES	57.00
	TOTAL	\$1,102,692.49

**ADAMS STREET  
CROSSING LIGHTS:**

Mr. Jim Doyle addressed the Lexington City Council stating that the school is requesting crossing lights be placed between 9<sup>th</sup> and 10<sup>th</sup> Street on Adams, and also requested the placements of 25 MPH speed limit signs be placed in that block. Upon the completion of his request, moved by Kohl, seconded by Klamm, that the following resolution be passed and approved. Roll call. Voting "aye" were Fagot, Klamm, Kohl, Wightman. Motion carried.

RESOLUTION NO. 98-18

WHEREAS, the Board of Education of Dawson County School District #1 has requested pedestrian crossing lights on Adams Street, between 9<sup>th</sup> Street and 10<sup>th</sup> Street; and,

WHEREAS, crossing lights on a state highway are under the jurisdiction of the State of Nebraska Department of Roads.

BE IT THEREFORE RESOLVED by the Mayor and Council of the City of Lexington, Nebraska, that request is hereby made for the State of Nebraska Department of Roads to consider placements of pedestrian crossing signals with a 25 mile per hour speed limit on Adams Street between 9<sup>th</sup> and 10<sup>th</sup> Street, and pay the cost of signals and signs.

BE IT FURTHER RESOLVED, that the City of Lexington will provide for erecting said signals and signs and provide any energy cost for flashing lights.

Passed and approved this 22<sup>nd</sup> day of September, 1998.

CITY OF LEXINGTON, NEBRASKA

BY: John Wightman, Mayor

ATTEST:

Leon Malzahn, City Clerk

**PUBLIC HEARING:**

The Lexington City Council held a Public Hearing to consider the request of John Stuckey to rezone the property located at 2704 and 2706 N. Adams Street from A-1 Agricultural, to R-1 Single Family. Ms. Patty Johnson representing the Stuckeys, requested this zoning be accomplished so that the property can be subdivided and sold. She further stated that Lot 1 was sold and Lot 2 has an option on it, and therefore would like to have this accomplished as soon as possible. Hearing no further comments, Mayor Wightman declared the public hearing closed. An Ordinance entitled "AN ORDINANCE TO REZONE LOTS 1 & 2, MINUTEMAN ACRES SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 21 WEST OF THE 6<sup>TH</sup> P.M., IN DAWSON COUNTY, NEBRASKA FROM A-1 AGRICULTURAL TO R-1 SINGLE FAMILY RESIDENTIAL 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 Klamm, seconded by Kohl that the rules requiring the reading of said ordinance on three separate days be suspended. Roll call. Voting "aye" were Fagot, Kohl, Klamm, Wightman. Motion carried.

Said ordinance was then read by title. Moved by Klamm, seconded by Fagot that Ordinance No. 2103

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

The passage and adoption of said Ordinance having been concurred with by a majority of all members elected to the Council, was by the Mayor declared passed and adopted and the Mayor, in the presence of the Council, signed and approved said Ordinance, and the Clerk attested the passage and approval of the same and affixed the seal of the City thereto.

Leon E. Malzahn, City Clerk  
Lexington, Nebraska

**SUBDIVISION PLAT:**

The Lexington City Council reviewed the plat of the Minuteman Subdivision submitted for their approval. After discussion, moved by Fagot, seconded by Kohl, that the following resolution be passed and approved. Roll call. Voting "aye" were Klamm, Kohl, Fagot, Wightman. Motion carried.

RESOLUTION NO. 98-19

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

That the plat of MINUTEMAN ACRES SUBDIVISION of part of the Southwest Quarter of the Southwest Quarter of Section 29, Township 10 North, Range 21 West of the 6<sup>th</sup> P.M., in Dawson County, Nebraska, duly made out, acknowledged and certified be and the same hereby is approved, accepted and ordered filed and recorded in the office of the Register of Deeds of Dawson County, Nebraska.

PASSED AND APPROVED this 22<sup>nd</sup> day of September, 1998.

CITY OF LEXINGTON, NEBRASKA

BY: John Wightman, Mayor

ATTEST:

Leon E. Malzahn

City Clerk

**SUBDIVISION  
AGREEMENT:**

A subdivision agreement for Minuteman Subdivision was presented for Council's consideration and approval. After a discussion of the methods in which sanitary sewer could be disposed of on a lot of this size, either by a drain field, or by discharge through a lift pump into the force main serving Bennett Subdivision. Council person Klamm moved that the Minuteman Subdivision Agreement be approved and that the City Manager is hereby authorized to sign the same. Seconded by Kohl. Roll call. Voting "aye" were Mandelko, Fagot, Kohl, Klamm, Wightman. Motion carried.

**APPOINTMENT:**

Mayor Wightman informed the council that there was an absence on the Airport Authority due to the resignation of Steve Johnson, and he is submitting the name of Rev. Joe Maston to fill this vacancy. Upon the completion of his recommendation, moved by Kohl, seconded by Mandelko, to approve the Mayor's appointment of Rev. Joe Maston to fulfill the unexpired term of Steve Johnson on the Airport Authority. Roll call. Voting "aye" were Fagot, Klamm, Mandelko, Kohl, Wightman. Motion carried.

**ACCOUNTS  
RECEIVABLE:**

Barb Mills presented a list of Accounts Receivable for accounts receivable for merchandise billing that has been on the City books for period of time, and is requesting the City Council give authority to write these off. After a review of the receivables and a suggestion for the collection activity on two accounts, moved by Klamm, seconded by Mandelko, that the City of Lexington be authorized to remove the delinquent accounts as listed from the Accounts Receivable account with the City of Lexington. Roll call. Voting "aye" were Fagot, Kohl, Mandelko, Klamm, Wightman. Motion carried.

**INSURANCE BIDS:**

City Manager Bricker addressed the Lexington City Council explaining a memo that was forwarded to them concerning the bids received for insurance coverage for the City of Lexington. He further explained to the Council that this bid would be for a



period of three years. After an explanation of the reason for recommending Cornhusker Casualty be awarded the bid, questions were forwarded to Terry Delp who was representing the Insurance Carrier concerning the rating of the company which the Council was informed the rating was A++, and the size of the company is now \$41 billion in surplus. Upon completion of questions and answers, and the presentation, moved by Kohl, seconded by Klamm, to award the bid to Cornhusker Casualty for the City Insurance for a period of three years. Roll call. Voting "aye" were Kohl, Klamm, Fagot, Mandelko, Wightman. Motion carried.

**INFORMATION:**

After completion of the regular Agenda items, the City Manager reviewed the projects now being undertaken by the City of Lexington, and a status of these projects. Upon completion of his presentation, 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

