

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday September 8, 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, and Patty Mandelko. City Officials present were City Clerk Leon Malzahn, City Manager Vance Bricker, City Attorney Willard Weinhold. Department Heads present were Charles Clark, Ruth Seward, Barb Mills, Joe Peplitsch.. The Press was represented by the Clipper-Herald, KRVN, 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 8-26-98:** After review of the minutes of August 26, 1998, moved by Mandelko, seconded by Klamm, to approve the minutes of said meeting. Roll call. Voting "aye" were: Fagot, Kohl, Klamm, Mandelko, Wightman. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of 350,591.23 was presented for Council's consideration and approval. Moved by Klamm, seconded by Mandelko to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$185,383.93 from the General Fund, \$119,003.90 from LEXUS Funds, \$10,000.00 from the City Sanitation Fund, \$8.69 from the Landfill Fund, \$2,826.60 from the Health Fund, \$200.00 from Library Memorials, \$27,688.00 from the Heartland Museum Grant, and \$5,480.11 from the Meals on

Wheels Funds to the City of Lexington Operating Account. Roll call. Voting "aye" were: Kohl, Fagot, Mandelko, Klamm, Wightman. Motion carried.

CITY OF LEXINGTON  
 ACCOUNTS PAYABLE  
 September 8, 1998

ALIAANT CELLULAR	AUGUST CELLULAR CHARGES	70.32
ANTHONY, DUTCH	REFUND CEMETARY LOT FEES	400.00
BARMORE'S	FILM-POLICE DEPT	24.45
BEE OFC SOLUTIONS	OFFICE SUPPLIES	54.65
BERNTSON OIL	OIL AND FUEL	777.79
BROWN, HAROLD	TOOL ALLOWANCE	50.00
C.B.S.A.	EMPLOYEES MEDICAL CLAIMS	2,826.60
C.B.S.A.	SEPTEMBER PREMIUM CHARGES	7,479.94
CENTRAL GAR. FUND	PARTS/LABOR/OIL	7,478.89
CENTURY LUMBER CTR	DOOR STOPS	7.78
CHIEF SUPPLY CORP.	MISC. SUPPLIES	270.90
CINEMA CENTER, THE	LIBRARY MATERIAL	65.55
COAST TO COAST	VACUUM BAGS	6.17
COCA COLA/DR PEPPER OF KRNY.	POOL POP	99.75
COMPUTER PROS	WIRELESS NETWORK SERVICE	90.00
COUNTRY GENERAL	MISC. SUPPLIES	295.42
CULLIGAN WATER COND.	GGC & WWTP WATER TREATMENT	76.50
CURTIS IND., INC.	TAPE AND EXTENSION CORD	332.00
DAN'S SANITATION	SOLID WASTE FEES	10,974.44
DAWSON CO. CLERK	DISPATCH FEES	4,607.30
DAWSON COUNTY PPD	ENERGY CHARGES-AUGUST	2525.01
DEMCO	LIBRARY OFFICE SUPPLIES	31.68
DUTTON-LAINSON CO.	150 WATT LUMINAIRE	1,558.20
EAKE'S OFC PRODUCTS	COPIER PAYMENT & MISC. SUPPLIES	623.72
EGAN SUPPLY CO.	JANITORIAL SUPPLIES	312.25
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	1,483.08
ELECTRIC METER SVC	CLEAN-TEST-CALIBRATE METER	15.90
FAGOT REFRIG. & ELEC.	HEAT PUMP-LIBRARY	20002.60
FAIRBANKS INT. INC.	TRACTOR REPAIR	378.30
FLOOR SHINE	STRIP & WAX CITY BUILDING	300.00
GANGWISH TURF	BLUEGRASS SOD	45.90
GILLETTE/NE DAIRIES, INC.	DAIRY PRODUCTS-GGC	192.05
GONZALEZ, ANDREA B.	LIBRARY CLEANING	200.00
HAAS, T.O., TIRE INC.	TIRES	486.66
HALL'S SAFETY EQUIP.	LINEMAN WRENCH	214.80
HANK'S PLUMBING	WATER HEATER/SUPPLIES/MNTNCE.	
	765.31	
HARLEQUIN RETAIL, INCL	LIBRARY BOOKS	10.52

HEARTLAND MILIT. MUS.97-TD-007 DRAWDOWN #8		24,485.00
HEARTLAND MILIT. MUS.97-TD-007 DRAWDOWN #9		3,203.00
HEINE, ZADA	REFUND CEMETARY LOT FEES	25.00
IMPACT COMP. SOL.	COMPUTER EQUIPMENT	4803.65
INGRAM LIBR. SVCS	LIBRARY BOOKS	681.28
JELCO CARPET CL.	CLEAN SERVICE BUILDING	115.00
JONES PLUMBING & HEATING	WWTP & WATER SUPPLIES	185.20
K N ENERGY	ENERGY CHARGES LIBRARY	929.86
K.R.V.N. - FM	AD CONTRACT	132.00
KRIZ-DAVIS COMPANY	FUSE LINKS & ELBOWS	201.48
LAW ENFORCEMENT	BLOOD COLLECTION KITS	29.75
LEAGUE OF NE. MUNI.	LEWIS, SHIRLEY WORKSHOP IN N.P.	50.00
LEWIS, SHIRLEY	MILEAGE-WORKSHOP - NO. PLATTE	37.80
LEX. ANIMAL CLINIC	ANIMAL CARE	390.20
LEX. AREA SOLID WASTE	SOLID WASTE FEES	370.17
LEXINGTON COOP	KEROSENE AND PARTS	37.15
LEX. HEALTH FUND	SELF-FUNDING	14,352.08
LEXINGTON LAUNDRY	AUGUST LAUNDRY CHARGES	65.50
LEX. NEWSPAPERS	AUGUST ADS AND NOTICES	515.87
LEX. POSTMASTER	SEPTEMBER UTILITY POSTAGE	1,500.00
LEX. POSTMASTER	GGC POSTAGE	150.00
LEXINGTON PUBLIC LIBRARY	REPLENISH PETTY CASH	40.30
LEXINGTON, CITY OF	MONTHLY CHARGES	24,019.00
LIEHS DRILLING	MISC. SUPPLIES	1,193.63
MEAD/BIG VALLEY LBR	MARBLE DUST AND MISC. SUPPLIES	118.06
MEYER WELDING	EXPANDED METAL	294.12
MIDWAY SUPPLY	MISC. SUPPLIES	118.21
MILLER AND ASSO.	GRADE SEPARATION STUDY	61,699.50
MILLER AND ASSO.	ORIGIN & DESTINATION	4,100.00
MUNICIPAL SUPPLY	REPAIR CLAMPS	444.81
NE DEPT. OF HHS LAB.	LAB ANALYSIS	18.10
NE DEPT. OF REVENUE	AUGUST SALES TAX	26,601.94
NE TRUCK & EQUIP.	HOSE	4.14
NELSON, THOMAS R.	CITY HALL CLEANING	500.00
NEWMAN TRAF. SIGNS	SCHOOL CROSSING SIGN	200.00
OLLIS BOOK CORP.	LIBRARY BOOKS	85.65
OMAHA LIFE INS. CO	FIREMAN INSURANCE	74.00
ORIGIN	PRINTED SOURCES-LIBRARY	54.10
OVER. SAND & GRAVEL	GRAVEL	117.00
PATTY'S HALLMARK	MISC. OFFICE SUPPLIES	177.80
PAULSEN INC.	CONCRETE	85.07
PAYROLL ACCOUNT	PAYROLL FOR 8/27/98	73,666.63
SOCIAL SECURITY	SOC. SEC.(EMPLOYER PORTION)	5,583.11
FIRST NATIONAL BANK	EMP. PENSION(EMPLOYER PORT)	2,101.40
AMERICAN FUNDS	POLICE PENSION(EMPLOYER PORT)	946.74
I.C.M.A.	EMP. PENSION(EMPLOYER PORT)	95.09

PETTY CASH FUND	REPLENISH PETTY CASH-CITY	56.67
PL. VALLEY COMM.	SVC CONTRACT & CHECK STATION	221.50
PRECISION INDUSTRIES	O-RING MATERIAL	36.71
PREVENTION MAGAZINE	1 YEAR SUBSCRIPTION-LIBRARY	16.97
S & W AUTO PARTS INC.	PARTS AND SUPPLIES	1,097.43
SAFETY-KLEEN (PPM), INC.	OIL ANALYSIS	30.00
SCHNIEBER FINE FOODS INC.	FOOD AND SUPPLIES	887.92
SCHOLASTIC BOOK CLUB, INC.	LIBRARY BOOKS	21.90
SHOE MART	SAFETY SHOES-EMPLOYEE	164.88
SIXTH STREET MARKET	FOOD AND SUPPLIES	133.65
SKARSHAUG TESTING	CLEAN & TEST LINE	71.13
STEFFEN	PARTS FOR SAWS	192.26
STEINSHOUER, BETTY JEAN	LIBRARY PERFORMANCE	200.00
TRI-COUNTY HOSPITAL	35 MEMBERS FITNESS CENTER	264.00
UNISYS CORPORATION	SOFTWARE SUPPORT	1,646.09
US WEST COMMUNICATIONS	AUGUST PHONE CHARGES	2,183.22
UTILITY EQUIPMENT	WATER SUPPLIES	567.72
VIKING OFFICE PROD.	OFFICE SUPPLIES	9.99
WAL-MART	MISC. SUPPLIES	545.32
WEBER AND WEINHOLD	PROFESSIONAL SERVICES	1,679.96
WESCO DISTRIB. INC.	TRANSFORMER AND SUPPLIES	9,094.80
ALIAANT COMMUN.	EQUIPMENT CHARGES	19.95
COMPUTER MGT SVCS	PACE & UTL SOFTWARE & MAINT.	8,755.
MULLENDORE, ROBERT A, PE	PROJ. NO 125.00 TIME & EXP.	2,812.34
NE. DEPT OF HEALTH & HUMAN RES.	OVERPAYMENT-UTL-	
	SHREVES, SANDRA	
	149.00	
	TOTAL CLAIMS	\$350,591.23

**BUDGET HEARING:** The Lexington City Council held a public hearing to consider the Fiscal Year 1998-99 Budget as presented to the Council. Upon review of the proposed figures and no comments being forwarded to the Council, Mayor Wightman declared the public hearing closed.

**TAX LID:** The Lexington City Council considered the following action allowing the City to exceed restricted funds by one percent (1%). Assistant City Manager, Joe Pepplichtsch informed the Lexington City Council that a favorable vote would allow the City, to exceed the one percent (1%) limit which would be held in reserve for the ensuing year and not effect this year's call on taxes. Upon completion of his presentation, moved by Fagot, seconded by Klamm that the City of

Lexington exceed their restricted fund allowance for the fiscal year 98-99 by one percent (1%). Roll call. Voting "aye" were: Mandelko, Kohl, Fagot, Klamm, Wightman. Motion carried.

**SPECIAL PUBLIC HEARING:**

Mayor Wightman opened the special public hearing to consider setting the tax requested which is different than the tax requested last year. City Manager Vance Bricker addressed the Lexington City Council stating that there was no increase in the General Fund request. The increase in Debt Service is due to the bond payments coming due on the 13<sup>th</sup> Street Project. There being no further comments, Mayor Wightman declared the public hearing closed.

**TAX REQUEST RESOLUTION:**

Moved by Klamm, seconded by Kohl that the following resolution be passed and approved. Roll call. Voting "aye" were: Fagot, Mandelko, Kohl, Klamm, Wightman. Motion carried.

**RESOLUTION NO. 98-17**

WHEREAS, Nebraska Revised Statutes Section 77-1601.02 authorizes the governing body to set a final property tax request at a different amount than the property tax request for the prior year; and

WHEREAS, the Mayor and Council of the City of Lexington, Nebraska has conducted a public hearing as prescribed by law and heard and considered comments concerning the need to establish a different property tax request;

WHEREAS, the Mayor and the Council of the City of Lexington, Nebraska hereby finds and determines that it is in the best interests of the Municipality that property tax request be set at a different amount than the request for the previous year.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, that the property tax request for the Municipality for the fiscal year 1998-1999 is set at \$287,630.00.

PASSED AND APPROVED THIS 8th DAY OF  
SEPTEMBER, 1998.

CITY OF LEXINGTON, NEBRASKA

John Wightman Mayor

ATTEST:

Leon E. Malzahn, City Clerk

**APPROPRIATIONS  
ORDINANCE:**

An ordinance entitled AN ORDINANCE TO ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE was read before the Council. Moved by Fagot, seconded by Mandelko, that the rules requiring the reading of said ordinance on three separate days be suspended. Roll call. Those voting "aye" were: Klamm, Kohl, Mandelko, Fagot, Wightman. Motion carried. Said Ordinance was then read by title. Moved by Fagot, seconded by Klamm, that Ordinance No. 2102 be passed on final reading. Roll call. Voting "aye" were Mandelko, Kohl, Klamm, Fagot, Wightman. Motion carried.

The passage 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

**APPOINTMENT TO CRA:** City Manager Bricker informed the City Council that there is a vacancy on the Community Redevelopment Authority due to the resignation of Patty Johnson. To fill this vacancy Mr. Bricker stated that he is appointing Patty Mandelko who will assume these duties after her term as Council person expires.

**OCCUPATION TAX:**

The City Council continued their discussion of the request from Bill Bailey for the elimination of the Occupation Tax on Coin Operated amusement games. The City Manager filed a report, with the Council, on the status of this tax in other communities. After a discussion of the report the Council took no action to make an adjustment at this time.

**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