

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, January 12, 1999 at the Lexington Municipal Building, 406 East 7th Street, Lexington, Nebraska at 7:30 p.m. Members of the Council present were Mayor John Fagot, Neal Kohl, John Wightman, Rick Klamm, Ted Cook. 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, Barb Mills, Chris Huff. Also present were Reed Miller and Bob Blankenship representing Miller and Associates, and Boy Scouts Tim Bogosian and Jordan Homan representing Troop #144 working on their Citizenship badge. The Press was represented by KRVN, Clipper-Herald, and Tri-City Tribune.

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 Fagot.

MINUTES - REGULAR MEETING 12-22-98: Minutes of the Regular Council Meeting held December 22, 1998 was presented for Council's consideration and approval. Moved by Klamm, seconded by Kohl to approve the minutes of the regular meeting held December 22, 1998 as presented. Roll call. Voting "aye" were Wightman, Cook, Kohl, Klamm, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$622,464.10 was presented for Council's consideration and approval. Upon review of the claims and bills as listed, moved by Wightman, seconded by Klamm that the claims and bills be approved and authorize the City Treasurer to transfer \$120,747.51 from the General Fund, \$468,902.04 from the LEXUS Fund, \$10,000.00 from the City Sanitation Fund, \$6,856.07 from the Landfill Fund, \$8,840.59 from Meals On Wheels, and \$7,117.89 from the Health Fund to the City of Lexington Operating Account. Roll Call. Voting "aye" were Kohl with the exception of Mr. Automotive, Cook, Klamm, Wightman, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
JANUARY 12, 1999

ACE EQUIP. & SUPPLY CO.	PLOW MARKERS	160.25
ADAMS, JAMES	ELECTRIC REBATE	400.00
ALFAX WHSALE FURN., INC.	STACK CHRS FOR SRV. BLDG	335.20
ALIANI CELLULAR	DEC. CELLULAR CHARGES	113.38
AM. LIBR. ASSOC.	SPRING SYMP. -LIBR. REGIS.	15.00
ANCESTRY	SUBSCRIPTION RENEWAL	24.95
AWARDS PLUS	BRUSHES AND NAME PLATES	71.94

BARCO MUNICIPAL PROD.	CHAIN PLIERS	105.92
BARMORE'S	TELEPHONE JACK AND CORD	19.48
BARRETT-HOUSEL-GRAFTON INS.-	COMM. AUDIT & BONDS	167.00
BEE OFFICE SOLUTIONS	OFFICE SUPPLIES	40.61
BENEFIT PLANS INC.	1099R AND 945 FORMS	107.00
BERNTSON OIL	FUEL AND OIL	2,250.74
BUS. & PROF. CREDIT	UTILITY CREDIT COLLEC.	121.92
C.B.S.A.	EMPLOYEE MEDICAL CLAIMS	2,382.25
C.B.S.A.	INSURANCE PREMIUMS	7,894.67
CASH-WA DISTRIBUTING	FOOD AND SUPPLIES	936.08
CENTRAL GARAGE FUND	LBR, PTS, TIRES, GAS AND OIL	8,975.40
CENTRAL TIRE AND TREAD	TIRE AND TUBE	781.38
CENTURY LUMBER CENTER	DRILL BITS	9.79
CHURCHICH REC. DESIGN	6' WOOD TABLES	3,351.93
CLINE'S SMALL ENG. REPAIR	RADIATOR REPAIR	35.00
COAST TO COAST	DIGGER/HNDL & CERAM. HTR	56.96
COMPUTER PROS	LAPTOP BATTERY	110.00
CORNHUSKER HOTEL, THE	ROOM/BRICKER, VANCE	141.94
COUNTRY GENERAL	SUPPLIES	97.05
CRAWFORD GRAIN INC.	CORN FOR DUCKS	24.18
CULLIGAN WATER COND. CO.	WATER TREATMENT	68.75
CURTIS INDUSTRIES, INC.	GRAFFITI SCRUB	94.90
DAN'S SANITATION	SOLID WASTE FEES	10,504.44
DAWSON COUNTY CLERK	JAN. DISPATCH CHARGES	5,067.67
DE BOER, MICHAEL	ELECTRIC REBATE	500.00
DUTTON-LAINSON COMPANY	HOTLINE CLAMPS	758.96
EAKE'S OFFICE PRODUCTS	OFC SUPPLIES/COPIER PMT	769.64
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	1,690.55
ELECTRONIC GAMING MO.	12 ISSUE SUBSCRIPTION	19.99
FAGOT REFRIG. & ELECTRIC	DEC. ELECTRICAL CHARGES	294.03
FAGOT, MARK	ELECTRIC REBATE	400.00
FAMILY EYEWEAR	SFTY GLSS/REIGE & BROWN	249.50
FISCHER-SCIENTIFIC	GLVS-BLOWER-TABLETS-CR.	3.83
FIVE STAR FLOORING	WALL PAPER PASTE	6.99
FLOOR SHINE	REFURBISH FLOORS	130.00
FRANSYL EQUIPMENT CO.	DOLLY REPAIR	351.78
FRIEND, MATT TRUCK EQUIP.	PISTON ASSEMBLY	34.90
GILLETTE/NEBR. DAIRIES, INC.	DAIRY PRODUCTS-GGC	324.14
H-T-M SALES, INC.	START RELAY	44.62
HAAS, T.O., TIRE CO., INC.	TIRES	1,074.77
HANNA-KEELAN ASSOC., PC	COMP PLAN CDBG 97-PP-026	4,925.00
HIPP WHOLESALE COMPANY	FOOD AND SUPPLIES	261.48
HOFAKER'S IRON AND METAL	RAKE AND SHOVEL HANDLES	63.20
HUSKER AG SALES	GAS CAP	2.31
HUTCHESON ENG. PROD.	BLUE PENS	23.68
IMPACT COMP. SOLUTIONS	COMPUTER LABOR & VIDEO	3,178.52
INGRAM LIBRARY SERVICES	LIBRARY BOOKS	592.84
INS. & PERSONNEL SERVICES	ADMINISTRATION FEES	362.25
J&R SALVAGE	REMOVE FREON	27.00
JELCO CARPET CLEANING	CLEAN CITY HALL	60.00
JENSEN TOOLS INC.	TEST SETS	147.00
JONES PLUMBING & HEATING	WWTP & WATER SUPPLIES	8.30
K.R.V.N. - FM	CONTRACT & CHRIST. GRTS	185.00
KEIM, BOB	ELECTRIC REBATE	1,200.00
KRIZ-DAVIS COMPANY	ELECTRICAL SUPPLIES	1,232.21

LANDMARK AUDIOBOOKS	SHIPPING FEE	10.00
LEXINGTON ANIMAL CLINIC	ANIMAL CARE	384.66
LEX. AREA SOLID WASTE	SOLID WASTE FEES	998.64
LEXINGTON COOP	KEROSENE AND PROPANE	29.12
LEXINGTON HEALTH FUND	SELF-FUNDING	14,917.50
LEXINGTON LAUNDRY	DEC. LAUNDRY SERVICE	41.00
LEX. NEWSPAPERS INC.	DECEMBER ADS & NOTICES	876.36
LEXINGTON POSTMASTER	UTILITY POSTAGE	1,500.00
LEXINGTON POSTMASTER	GGC POSTAGE	150.00
LEXINGTON PUBLIC LIBRARY	REPLENISH PETTY CASH	20.10
LEXINGTON. CITY OF	MO. FEES & FRANCHISE FEES	23,928.37
LEX. CITY PAYROLL ACCOUNT,	WAGES	74,808.97
SOCIAL SECURITY	SOC. SEC.(EMPLOYER PORT.)	5,672.51
FIRST NATIONAL BANK	EMP. PENS.(EMPLOYER PORT)	2,166.12
AMERICAN FUNDS	POLICE PENS.(EMPL. PORT)	1,066.54
I.C.M.A.	EMP. PENS.(EMPLOYER PORT)	97.74
MEAD/BIG VALLEY LUMBER	TILE & INSUL. & PADLK/HASP	118.28
MILLER & ASSOCIATES	PROFESSIONAL SERVICES	12,364.47
MILLS, BARBARA	REIMBURSE SCHOOL FEES	237.75
MISKO SPORTS	SCOREBOOKS AND JERSEYS	99.00
MOORE MEDICAL CORP.	TRACTION SPLINT	239.00
MORRIS PRESS & OFC SPLS	BIND BOOKS & BUSI. CARDS	74.00
MR. AUTOMOTIVE	TAIL LIGHT AND PIPE	43.02
MUNICIPAL SUPPLY	CLAMPS AND RINGS	803.84
MURPHY TRACTOR & EQUIP.	PARTS AND SUPPLIES	856.34
NE. DEPT OF MOTOR VEH.	UNDERCOVER LICENSES	12.00
NE. DEPT. OF HHS LAB.	ANN. BILLING SAFE WATER	1,153.24
NE. DEPT. OF LABOR/UNEMP.	PRASCH, RICHARD UNEMP.	736.00
NEBRASKA DEPT OF REV.	UTILITY BILLING TAXES	18,337.58
NEBRASKA MACHINERY	CABLE AND ROD END	95.85
NE PUBLIC POWER DISTRICT	DECEMBER POWER BILL	364,623.85
NE SALT AND GRAIN CO	ICE CONTROL	416.50
NEBRASKA SUPREME COURT	REISSUE OF PUB.-POLICE DPT	55.75
NEBRASKA TRANSPORT	FREIGHT ON RETURN. GOODS	27.50
NELSON, THOMAS R	DEC CLEANING CITY HALL	500.00
OLD DOMINION BRUSH	ELEVATOR CHAINS	1,143.04
OMAHA LIFE INSURANCE CO	FIREMAN INSURANCE	66.00
OVERTON COMM. CENTER	DECEMBER RENT	100.00
OVERTON SAND AND GRAVEL	GRAVEL	16.25
PATTY'S HALLMARK	OFFICE SUPPLIES	238.59
PAULSEN INC.	CONCRETE	276.68
PITNEY BOWES	EQUIP. MAINT. CONTRACT	439.00
PLATTE VALLEY AUTO MART	REPAIR MERC	116.70
PLATTE VALLEY COMMUN.	LOW BAND RADIO & PAGERS	2,534.00
RECORDED BOOKS	LIBRARY BOOKS	298.40
REIMAN PUBLICATIONS	RENEWAL FOR LIBRARY	9.98
S & W AUTO PARTS	PARTS AND SUPPLIES	1,159.29
SCHNIEBER FINE FOODS INC.	FOOD AND SUPPLIES	1,607.21
SEWARD, JASON	DEC. LIBRARY CLEANING	150.00
SIGN PRO	VINYL	48.00
SIMON AND SCHUSTER	LIBRARY BOOKS	89.76
SIXTH STREET MARKET	FOOD AND UPS CHARGES	60.25
SPORTS ILLUSTRATED	54 ISSUE SUBSCRIPTION	79.96
SUBWAY OF LEXINGTON	LASWA MEETING	22.21
TIME LIFE BOOKS	LIBRARY BOOKS	47.68

TODD, MICHAEL & CO. INC.	SNOW PLOW MARKERS	56.35
TRI-COUNTY HOSPITAL	35 MBRS FITNESS CENTER	280.00
U S WEST COMMUNICATIONS	DECEMBER PHONE CHARGES	1,714.03
U.S. FILTER/DISTR/OMAHA	MTR WRENCH. & COUPLINGS	111.48
UTILITY EQUIPMENT	FIRE HYDRANTS & LOCATER	2,154.40
VAN CURA, BABE	ELECTRIC REBATE	100.00
VIKING OFFICE PRODUCTS	OFFICE SUPPLIES & PRINTER	358.66
WAL-MART	MISC. SUPPLIES	286.71
WAREHOUSE SURPLUS	ELECTRIC REBATE	1,472.00
WEBER & WEINHOLD	DEC. PROF. SERVICE	1,447.50
WESCO DISTRIBUTION, INC.	ELECTRICAL SUPPLIES	1,535.09
BERNTSON OIL	DECEMBER OIL CHARGE	16.44
CASH-WA DISTRIBUTING	FOOD AND SUPPLIES - GGC	430.84
C.B.S.A.	EMPLOYEE MEDICAL CLAIMS	4,373.39
CENTRAL GARAGE	LABOR-PARTS-OIL	4,412.30
FALES, TERRY	MUSIC FOR AWARDS BANQ.	250.00
GREAT PLAINS ONE-CALL SVC	DECEMBER 1998 LOCATES	57.92
JOHN DAY COMPANY	8' ENDLESS SLING	54.06
LEXINGTON GLASS CO	WEATHER STRIP. DEC. BILL	22.50
NEBRASKA MACHINERY	PARTS AND SUPPLIES	482.24
OLD DOMINION BRUSH	BRAKES AND PARTS	332.80
PEPLITSCH, JOE	TRVL EXP.-KARNY & GOTHNBG	39.60
S & W AUTO PARTS, INC.	PARTS	232.30
SCHNIEBER FINE FOODS INC.	FOOD AND SUPPLIES - GGC	574.22
VETERAN'S MEMORIAL CLUB	MEALS FOR AWARDS BANQ.	2,035.50
WESCO DISTRIBUTION, INC.	ELECTRICAL SUPPLIES	280.90
	TOTAL	\$622,464.10

REZONING ORDINANCE:

An Ordinance entitled "AN ORDINANCE TO REZONE BLIVEN SUBDIVISION, FROM A-1 AGRICULTURAL DISTRICT TO R-2 TWO 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. After a brief discussion concerning the rezoning, moved by Wightman, seconded by Klamm, to suspend the rules requiring the reading of said Ordinance on three separate days. Roll call. Voting "aye" were Cook, Kohl, Klamm, Wightman, Fagot. Motion carried.

Said Ordinance was then read by Title. Moved by Klamm, seconded by Wightman that Ordinance No. 2107 be passed on final reading. Roll call. Voting "aye" were Kohl, Cook, Klamm, Wightman, Fagot. Motion carried.

PAY ESTIMATE:

Mr. Reed Miller representing Miller and Associates addressed the Lexington City Council presenting Application No. 1 from Liehs Drilling for completion of work on Municipal Well No. 16. After a review of the project and a statement from Mr. Miller that the amount paid matches the amount of work completed. Moved by Klamm, seconded by Wightman, to approve the Pay Estimate to Liehs Drilling in the amount of \$103,695.30 for Municipal Well No. 16, and authorize the City Treasurer to transfer \$103,695.30 from the Water Department to the City of Lexington Operating Account. Roll call. Voting "aye" were Cook, Kohl, Wightman, Klamm, Fagot. Motion carried.

**POLICE DEPARTMENT
REPORT:**

Mr. Charles Clark addressed the Lexington City Council presenting a Crime Statistic Report for 1997. Mr. Clark presented various figures which compared Lexington, not only to a National-wide survey, but the State of Nebraska, and other municipalities within the State of Nebraska. These statistics ranked various types of crimes. Upon completion of his report, no further action was taken.

FINANCIAL REPORT:

The Financial Report for the City of Lexington for the months of October and November was presented to the City Council by Barb Mills. Upon review of the Financial Report for these months, moved by Wightman, seconded by Klamm, to accept the Financial Report as presented for the months of October and November. Roll call. Voting "aye" were Kohl, Cook, Klamm, Wightman, Fagot. Motion carried.

**FIRE DEPARTMENT
BY-LAWS:**

The by-laws of the Lexington Fire Department were presented to the Lexington City Council. City Attorney Weinhold advised the Council that some changes had been made, and had been changed to his satisfaction. Upon completion, moved by Klamm, seconded by Kohl, to accept the Fire Department By-Laws as amended. Roll call. Voting "aye" were Cook, Wightman, Kohl, Wightman, Fagot. Motion carried.

SALE OF PROPERTY:

City Manager Bricker informed the Lexington City Council that an offer had been made to purchase the west part of the parking lot owned by the City located at 5th and Grant. After the discussion pertaining to the development of procedures and policies for the sale of City Property, moved by Kohl, seconded by Wightman to reject the offer for the sale of the property at 5th and Grant Street, and instruct the Administration to develop policies and procedures for the sale of City Property. Roll call. Voting "aye" were Cook, Klamm, Wightman, Kohl, Fagot. Motion carried.

ADJOURNMENT:

There being no further business to come before the Council, Mayor Wightman declared the meeting adjourned.

John Fagot
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.

Lexington City Clerk