

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, April 13, 1999 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 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 Pepplitsch, Charles Clark, Ruth Seward, Barb Mills, Chris Huff. Also present was Dana Daniels representing Miller and Associates. The press was represented by the Clipper-Herald, KRVN, Tri-City Tribune, and Kearney Hub. Citizens in attendance were Barb Gydesen, Alan Zimmerman, John Whittington, Jeff Richardson, Ella Mae Scully, Jeannie Homan, Maria Knaggs, Nancy Price, Terry Casper, Linda Graus.

**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 - 3-23-99:** Minutes of the Regular Council Meeting held March 23, 1999 was presented for Council's consideration and approval. Moved by Kohl, seconded by Klamm, to approve the minutes of the Regular Meeting held March 23, 1999 as presented. Roll call. Voting "aye" were Wightman, Cook, Klamm, Kohl, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$731,211.26 was presented for Council's consideration and approval. Upon the review of the claims and bills as listed, moved by Klamm, seconded by Wightman, that the claims and bills be approved as listed and authorize the City Treasurer to transfer \$173,185.43 from the General fund, \$511,580.45 from the LEXUS fund, \$12,119.00 from City Sanitation fund, \$12,734.83 from Landfill fund, \$10,767.64 from Meals on Wheels, and \$10,823.91 from the Health Fund, to the City of Lexington Operating Account. Roll call. Voting "aye" were Kohl, Cook, Klamm, Wightman, Fagot. Motion carried.

CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
APRIL 13, 1999 COUNCIL

ADV. CONTROL SYSTEMS	SUPPORT AGREEMENT	2,112.00
ALIAN T CELLULAR	MARCH CELLULAR CHARGES	125.88
AMERICAN GIRL	MAGAZINE RENEWAL-LIBR.	19.95
AMERICAN LIBRARY PREVIEW	LIBRARY BOOKS	538.02
BARMORE'S	CLEANING SUPPLIES	3.15
BEE OFFICE SUPPLIES	FILE CABINET AND SUPPLIES	469.66

BERNTSON OIL	OIL	723.80
BISHOP, PETE	DMPP MEETING IN HASTINGS	114.40
BOARD OF PUBLIC WORKS	USED VALVE	150.00
BOTTOM LINE PERSONAL	ONE YEAR MAGAZINE	39.00
BRICKER, VANCE	COZAD-KEARNEY-YORK-EXP	113.80
BUSINESS & PROF CREDIT	UTILITY COLLECTION FEES	151.31
C.B.S.A.	INSURANCE PREMIUMS	7,900.37
C.B.S.A.	EMPLOYEE MEDICAL CLAIMS	8,515.31
CAREER TRACK MS2	WORKSHOP-LEWIS, SHIRLEY	79.00
CASH-WA DISTRIBUTING	FOOD AND SUPPLIES	989.02
CENTRAL GARAGE FUND	LBR, PARTS, TIRES, GAS & OIL	7,432.58
CENTURY LABS, INC.	PATCHING COMPOUND	236.51
CENTURY LUMBER CENTER	LUMBER AND MATERIALS	152.34
COAST TO COAST	FURNACE FILTERS & BULBS	17.64
COLORADO PARKS & RECR	WEST SLP SEM-HUFF, CHRIS	10.00
COMPUTER GAMING WORLD	MAGAZINE RENEWAL-LIBR	14.97
CONNEY SAFETY PRODUCTS	GLOVES	143.00
CONSUMER RPTS ON HEALTH	MAGAZINE RENEWAL-LIBRARY	24.00
CONTRYMAN & ASSOCIATES	AUDIT Y/E 9/30/98	28,800.00
COUNTRY GENERAL	CHAIN, CABLE & MISC. TOOLS	310.74
CULLIGAN WATER COND CO.	WWTP & GGC WATER TRTMT	99.75
DAN'S SANITATION	SOLID WASTE FEES	10,820.88
DAWSON AREA DEV	MEMBERSHIP FEES	10,000.00
DAWSON COUNTY CLERK	DISPATCH FEES	5,067.67
DAWSON CO PUBLIC POWER	MARCH ELECTRIC CHARGES	1,041.69
DIVISION OF COMM	1999 NE STATE GOV DIR	5.00
DUNRITE, INC.	BRUSH HEADS AND HANDLES	145.02
DUTTON-LAINSON COMPANY	ELECTRICAL SUPPLIES	635.31
EAKE'S OFFICE PRODUCTS	OFC SUPPLIES/COPIER PMNT	1,150.16
EDM EQUIPMENT COMPANY	BULBS	21.35
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	2,896.90
FAGOT REFRIG & ELECTRIC	SERVICE LIFT STATION	32.00
FAMILY EYEWEAR	EMPLOYEE SAFETY GLASSES	109.00
FISCHER-SCIENTIFIC	LAB SUPPLIES	116.78
FOREST HOUSE	LIBRARY BOOKS	91.70
FOX BROS. HAY CO., INC.	GRINDING TREES	937.50
GALL'S INC.	DOUBLE MAG POUCH	23.98
GILLETTE/NE DAIRIES, INC.	DAIRY PRODUCTS-GGC	408.99
GLOOR SHINE	RESTORE FLOORS-SVC BLDG	70.00
HAAS, T.O., TIRE CO., INC.	TIRE REPAIR	52.95
HALL'S SAFETY EQUIPMENT	EMPLOYEE SAFETY BOOTS	284.30
HARLEQUIN RETAIL, INC.	LIBRARY BOOKS	10.52
HILL-HOLDREGE INTER-LIBR	REFERRALS	9.00
HIPP WHOLESALE COMPANY	SUPPLIES	51.52
HUNT CLEANERS, INC.	UNLINED WORK GLOVES	113.86
HUSKER AG SALES	BOLTS	1.42
INGRAM LIBRARY SERVICES	LIBRARY BOOKS	913.58
INS & PERSONNEL SERVICES	ADMINISTRATIVE FEES	422.28
INT. ASSOC. OF ELEC INSP	HANDBOOKS	147.55
INT TRANSFORMERS CO, INC	RECONDITION TRANSFOR	6,842.74
JELCO CARPET CLEANING	CLEAN CARPET/CITY HALL	60.00
JONES PLUMBING & HEATING	WORK ON EXHAUST FAN	36.50
JOY BOOK NOOK	LIBRARY BOOKS	37.36
K.R.V.N. - FM	CONTRACT #2287501	147.00
KRIZ-DAVIS COMPANY	ELECTRICAL SUPPLIES	4,697.94

LEAGUE OF NE MUNIC	WATER OPER TRAIN COURSE	60.00
LEXINGTON ANIMAL CLINIC	FEBRUARY ANIMAL CARE	384.40
LEX AREA SOLID WST AGNCY SOLID	WASTE FEES	410.40
LEX BASEBALL COMMISSION	SUPPORT PERSONNEL	1,000.00
LEXINGTON COOP	MISC. CAR CARE & FERT	875.53
LEXINGTON HEALTH FUND	SELF-FUNDING	15,156.69
LEXINGTON LAUNDRY	LAUNDRY CRGS. & UNIF RPRS	87.25
LEX NEWSPAPERS, INC.	MARCH NOTICES	107.22
LEXINGTON POSTMASTER	UTILITY POSTAGE	1,500.00
LEXINGTON POSTMASTER	GGC POSTAGE	150.00
LEXINGTON PUBLIC LIBRARY	PTY CASH-MAIL & POSTAGE	67.73
LEX RURAL FIRE DEPT	BUILDING BOND PAYMENT	4,361.00
LEXINGTON, CITY OF	MO FEES & FRANCHISE FEES	23,883.00
LEXUS	TREE BOARD EXPENSES	91.90
LEX CITY PAYROLL ACCOUNT	WAGES 25-Mar-99	73,941.19
SOCIAL SECURITY	EMPLOYER POR BENEFITS	8,881.15
LEX CITY PAYROLL ACCOUNT	WAGES 4/8/99	71,100.60
SOCIAL SECURITY	EMPLOYER PORT BENEFITS	8,626.02
LIBR BK SELEC SRVS. INC.	LIBRARY BOOKS	52.87
LIGHT THE FIRE BOOKS	LIBRARY BOOKS	388.44
LUTHER, ANN	TRAVEL EXP-KEARNEY/G.I.	70.20
MEAD/BIG VALLEY LUMBER	PAINT AND SUPPLIES	250.16
MERIDIAN LIBRARY SYSTEM	SUMMER READING MAT	26.55
MEYER WELDING & REPAIR	MTL BENDING & CUT HOLES	110.06
MICRO-MARKETING ASSOC	LIBRARY BOOKS	101.03
MIDWAY SUPPLY	MISC. SHOP SUPPLIES	160.42
MILLER & ASSOCIATES	RETAINER & MISC PROJECTS	26,069.60
MILLER, LINDA	CHICAGO EXPENSES	48.50
MORRIS PR & OFC SUPPLIES	LEAD AND FOLDERS	10.54
NE DEPT. OF HHS LAB	CHEMICAL TESTING	179.20
NE DEPT. OF HHS LAB	TRAIN COURSE DON MCCLAIN	90.00
NEBRASKA DEPT. OF LABOR	UNEMPLOYMENT PAYMENT	925.15
NE DEPT. OF REVENUE	UTILITY BILLING TAXES	19,758.29
NE MUNICIPAL POWER POOL	MEMBERSHIP DUES	2,108.80
NE PLAN & ZONING ASSOC.	NELSON AND WORKMAN	180.00
NE PUBLIC POWER DISTRICT	MARCH POWER BILL	324,733.19
NELAND TIRE TRUCK CENTER	TIRE REPAIR	8.00
NELSON, THOMAS R	MARCH CITY HALL CLNG	500.00
NEWMAN TRAFFIC SIGNS	LETTERS AND BLADES	245.78
OM2 MULTIMEDIA, INC.	ED ROM PROGRAM-POLICE	55.00
OMAHA LIFE INSURANCE CO	FIREMAN INSURANCE	64.00
OMNIGRAPHICS, INC.	LIBRARY BOOKS	37.30
OSCAR'S GARAGE	TRUCK LIGHT	56.85
OVERTON COMMUNITY CTR	MARCH RENT	100.00
OVERTON SAND & GRAVEL	GRAVEL	19.50
PATTY'S HALLMARK	PRNTR/TPWRTR/WALL DVDR	692.59
PAULSEN INC.	CONCRETE	997.61
PEPPLITSCH, JOE	NPPD-GRAND ISLAND	46.20
PLATTE VALLEY AUTO MART	CAR MAINTENANCE	25.00
PLATTE VALLEY COMMUN	MAINT. AGRMNT & SUPPLIES	532.90
PLATTE VALLEY EXTERM	BUG CONTROL AT GGC	24.00
PLUM CREEK MOTORS	PARTS AND SUPPLIES	354.66
PLUM CREEK PROMOTIONS	RECR CAPS & LIBRARY BOOK	118.00
PRICE'S TREE SERVICE	STUMP REMOVAL	375.00
RADIOLOGY SERVICES, P.C.	X-RAY RIBS MARK MILLER	53.00

RAZO, MANUEL	ELECTRIC REBATE	200.00
REACH ELECTRONICS	PAGER REPAIR	17.50
RESEARCH ASSOCIATES	PUBLIC OPINION POLL	4,000.00
S&W AUTO PARTS, INC.	PARTS AND SUPPLIES	478.81
SCHNIEBER FINE FOODS INC.	FOOD AND SUPPLIES	1,209.20
SEWARD, JASON	MARCH CLEAN LIBRARY	225.00
SEWARD, RUTH	CONFERENCE EXPENSES	107.48
SHERMAN LAWN SPRINKLERS	SPRINK SYST AT CITY HALL	2,437.00
SIMON & SCHUSTER	LIBRARY BOOKS	89.76
SIXTH STREET MARKET	FOOD AND SUPPLIES	67.80
SIXTH STREET PHARMACY	DEVELOP FILM	3.25
SKARSHAUG TESTING	GLOVE CLEANING	51.79
STEVE'S LOCK & KEY	LOCKSETS	955.24
SUBWAY OF LEXINGTON	CIVIL SERVICE MEETING	25.14
TIME LIFE BOOKS	LIBRARY BOOKS	44.96
TODD, MICHAEL & CO., INC.	SHOVELS, BRMS & HANDLES	599.89
TRI-COUNTY HOSPITAL	FEB & MARCH FITNESS CNTR	392.50
U.S. FILTER/DISTR/OMAHA	METERS	1,447.29
U.S. WEST COMMUNICATIONS	PHONE CHARGES	2,096.59
UTILITY PROD SUPPLY CO.	FREIGHT CHARGES	105.46
WAL-MART	MISC. SUPPLIES	277.81
WARD LABORATORIES	COMPOST TESTS	56.00
WAREHOUSE SURPLUS	UTILITY SUPPLIES-SUCKERS	16.80
WATER ENV FEDERATION	OPERATOR GUIDES	212.00
WEATHERCRAFT COMPANY	WEATHERSEAL	155.00
WEBER & WEINHOLD	PROFESSIONAL SERVICES	1,498.50
WESCO	ELEC METERS & TRANSFOR	10,182.36
WIEST, ROBERT	ELECTRIC REBATE	1,200.00
BERNTSON OIL	DIESEL AND GAS	2,410.49
COUNTRY GENERAL	IMPULSE SPRINKLERS	211.89
C.B.S.A.	EMPLOYEE MEDICAL CLAIMS	1,833.32
DAWSON CO PUBLIC POWER	TRUCK & LABOR (TCH)	418.35
GREAT PLAINS ONE-CALL SVC	MARCH UTILITY LOCATES	75.38
JELCO CARPET CLEANING	MARCH CLEANING AT GGC	82.00
MULLENDORE, ROBERT A., PE	SCADA SYSTEM EXPENSES	910.98
NTL., ENV TRAINING CENTER	JESS BLIVEN-ASSESS WSTWTR	95.00
PETTY CASH FUND	REPLENISH PETTY CASH	79.60
	TOTAL	\$731,211.26

**TREE BOARD REPORT:**

Mr. Alan Zimmerman and Barb Gydesen addressed the Lexington City Council presenting them with a report of the activities of the Lexington Tree Board for the last year and outlining the programs for this year. They also stated that Lexington had qualified for the Tree City USA award and was also looking forward to that same award this year. Activities for this year include the Arbor Day celebration which has various activities within it, as outlined by Mr. Zimmerman. They also outlined the planned activity of placing flowers in the Triangle Parks along Highway 30 and improving the park around the water tower.

**NCIP REPORT:**

Mr. John Whittington representing the NCIP, addressed the Lexington City Council, stating that the NCIP Board is represented by Tami Reynolds, Liz Richardson, and Gayle Wightman. Mr. Whittington then outlined the activities of the NCIP Board and requested that the City Council pass the resolution allowing Lexington to enter the NCIP for

1999. Upon completion of his report, moved by Wightman, seconded by Klamm, that the following resolution be passed and approved. Roll call. Voting "aye" were Cook, Kohl, Klamm, Wightman, Fagot. Motion carried.

1999 NCIP Government Resolution  
Resolution #99-07

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 1999.

PASSED AND APPROVED THIS 13th DAY OF April, 1999.

Attest:

Leon E. Malzahn  
City Clerk

John Fagot  
Chief Elected Official

**RECREATION REPORT:**

Mr. Chris Huff addressed the Lexington City Council reviewing the operation of the Aquatic Center, and a change in the fee schedule recommended by the Recreation Board. Mr. Huff stated that most of the fees had been rounded up to the nearest quarter, alleviating the need for making change at the 13 cent level. He then reviewed the rates that would be in effect, which would, with Council's approval be in effect. For a single admission, Children would be \$2.25, Adults 16 - 54 would be \$3.25, Senior Citizens would be \$2.25, and Family Passes would be \$11.00. Season Tickets for Individual would be \$50.00, and Family Pass would be \$140.00. After reviewing the amount of money it takes per hour to operate the Aquatic Center with concessions, Mr. Huff concluded his report. Speaking in opposition to the increase in fees were Jeannie Holman, Maria Knaggs, Ella Mae Scully, Nancy Price, Terry Casper, and Linda Graus. Most of their comments were that the Family Pass of \$140.00 was too much and needed to be reduced to allow families to afford this fee. After a debate concerning the budget for the Aquatic Center and the operation of the Aquatic Center, moved by Cook to reduce the cost from \$2.25 to \$2.00, \$3.25 to \$3.00, and leave the Family Passes at \$100.00. After a period of time, and hearing

no second to the motion, Mayor Fagot declared the motion dead for the lack of a second. After further discussion of rates for the Aquatic Center, moved by Klamm, seconded by Wightman, to refer this situation back to the Recreation Board for their further consideration. Roll call. Voting "aye" were Kohl, Wightman, Klamm, Fagot. Voting "nay" was Cook. Motion carried.

**REQUEST FOR BIDS:**

Mr. Dana Daniels, representing Miller and Associates, addressed the Lexington City Council with specifications for water main projects on Grant Street, and on 20<sup>th</sup> Street. He outlined the need for replacement of this main, and moving of the main behind the curb, which would reduce maintenance costs in the future, due to the fact that no pavement would need to be removed and replaced. Upon completion of his presentation, moved by Wightman, seconded by Klamm, to approve the plans and specifications for the replacement of water main on Grant Street and 20<sup>th</sup> Street, and authorize Administration to advertise for bids. Roll call. Voting "aye" were Cook, Kohl, Klamm, Wightman, Fagot. Motion carried.

**SALE OF PROPERTY:**

City Manager Bricker stated that Charlie Cadwell had requested to purchase these lots and the Ordinance had been passed and remonstrance period had gone by with no objections, and therefore, the conveyance of the deed by this resolution needed to be accomplished. Upon completion of his report, moved by Klamm, seconded by Wightman, that the following resolution be passed and approved. Roll call. Voting "aye" were Cook, Kohl, Wightman, Klamm, Wightman. Motion carried.

**RESOLUTION NO. 99-08**

WHEREAS, the City has by Ordinance No. 2108 approved the sale of the following described real estate owned by the City, to-wit:

LOTS 1 & 2, BLOCK 6, SOUTHAVEN ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; (118 and 120 Oregon Trail)

WHEREAS, Notice of such Ordinance has been duly published and the time for remonstrance has passed, and no petition against such sale has been filed.

BE IT THEREFORE RESOLVED by the Council and President of the Council of the City of Lexington, Nebraska, that John Fagot, as President of the Council is hereby directed and authorized on behalf of the City to execute a deed conveying the above described property to Cadwell Construction Company, Inc., the purchaser thereof.

PASSED AND APPROVED this 13<sup>TH</sup> day of April, 1999. CITY OF LEXINGTON, NEBRASKA

BY: \_\_\_\_\_  
John Fagot, Mayor

ATTEST:

---

City Clerk

**FOOD HANDLERS:**

Mayor Fagot stated that he had some requests on additional regulations for Food Handlers, and maybe some occupation tax, and policing people who are selling food out of mobile homes around town. After the Mayor's statements on Food Handlers, City Manager Bricker stated that they will discuss this problem internally and set up some regulations for additional inspection of these Food Handlers. No further action was taken.

**WATER RATES:**

Assistant City Manager Pepplichtsch addressed the Lexington City Council with a recommended water rate change. He further stated that he based this water rate on the needs of the water department that he related to the Council during the retreat, and additionally stated that contingencies and reconstruction of existing mains throughout the coming years would require that type of revenue to accomplish a program. After a lengthy discussion, by the Council on the affect these new rates would have upon water bills in the City, it was recommended that an additional look be taken at the request for funds and the request be lowered to compensate for the reduction in the proposed rates. No further action was taken.

**LANDFILL REPORT:**

City Manager Bricker addressed the City Council relating the past history of the Lexington Area Solid Waste Disposal Facility and the reason for the size of the physical structure the site. His presentation also included a forecast of the remaining capacity of the current cell if the inflow of waste continued at the current rate. Mr. Bricker then reviewed the financial structure and Impact the closing of the recycling center would have upon the operation of this facility. Mr. Bricker concluded his report on the ability of the solid waste agency to meet their bond payments and alternative actions that need to occur if this situation were to come to pass.

**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