

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

The Special Meeting of the Lexington City Council was held Friday, June 9, 1995, at the Municipal Building, 406 East 7th Street, Lexington, Nebraska, at 3:30 P.M. Members of the City Council present were: Mayor John Wightman, Robert Hawks, Dorothy Anderson, John Fagot and Jerry Long. City Officials present were: City Clerk Leon E. Malzahn, City Manager Bill Podraza and City Attorney Will Weinhold. Department Head present was: Vance Bricker. The press was represented by the Lexington Clipper Herald, the Tri-City Tribune, the Kearney Hub and KRVN.

**NOTICE:** Notice of the meeting was given in advance, by posting at the Dawson County Courthouse, Lexington State Bank, Farmers State Bank and the Lexington Municipal Building. 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 John Wightman.

**SPECIAL ELECTION:** Mayor Wightman opened the meeting by stating that a publication notice for the special election had not been published on the scheduled date causing irreparable damage to the process of holding a special election for the purpose of a bond sale on June 20, 1995. He then read a letter from Richard Pedersen representing Baird, Holm Law Firm of Omaha, Nebraska which serves as bond counsel for the City of Lexington which reinforced his previous statement regarding the publication notice and the necessity to cancel the proposed election and call for another election. Upon completion of that letter, he then read a letter from the Clipper-Herald accepting full responsibility for the mistake of not publishing that notice as required by the City.

Mayor Wightman was then asked at this time if there were to be any action against the Clipper-Herald resulting from their error of not publishing the notice. Mayor Wightman stated that no action at this time was planned against the Clipper-Herald. However, some action at a later date should not be ruled out. Moved by Anderson, seconded by Hawks that the City Clerk notify the Dawson County Election Office of the intent to stop the June 20, 1995 election in an effort to mitigate further expense incurred with that election. Roll call. Voting "aye" were: Fagot, Long, Hawks, Anderson, Wightman. Moved by Fagot, seconded by Hawks that the City Council hold a special meeting on June 12, 1995 at 7:30 a.m. for the purpose of passing a resolution to reschedule the election. Roll call. Voting "aye" were: Anderson, Long, Hawks, Fagot, Wightman. Motion carried.

**ADJOURNMENT:**

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

John Wightman  
Council President

Leon E. Malzahn  
Lexington 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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Leon E. Malzahn  
Lexington City Clerk