

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, August 13, 1996, at the Municipal Building, 406 East 7th Street, Lexington, Nebraska, at 7:30 P.M. Members of the City Council present were: Mayor Robert Hawks, John Wightman, Dorothy Anderson, Jerry Long, and John Fagot. City Official present was: Interim City Manager Vance Bricker, City Clerk Leon E. Malzahn, and City Attorney Willard Weinhold. Department Heads present were: Charles Clark, Tom Nelson and Kerry Rader. Also present were: Dana Daniels representing Miller & Associates, and approximately 40 citizens with an interest in items on the agenda. The press was represented by the Clipper Herald, Tri-City Trib, Kearney Hub, KRVN and KNOP.

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 Hawks.

MINUTES REGULAR MEETING 7/23/96: The minutes of the regular council meeting held July 23, 1996 were presented for Council's consideration and approval. Moved by Wightman, seconded by Anderson to approve the minutes of the regular meeting held July 23, 1996. Roll call. Voting "aye" were: Fagot, Long, Anderson, Wightman, Hawks. Motion carried.

CLAIMS AND BILLS: Claims and Bills in the amount of \$801,178.53 were presented for Council's consideration and approval. Moved by Wightman, seconded by Fagot to approve the claims as listed and authorized the City Treasurer to transfer \$126,450.48 from the General Fund,

\$616,628.23 from LEXUS Funds, \$10,000.00 from City Sanitation Fund, \$24,183.29 from the Landfill Fund, \$803.44 from Library Memorial, \$191.99 from CDBG 90-HD-010, \$14,016.95 from the Health Fund, \$416.60 from CED, and \$8,487.55 from Meals on Wheels to the City of Lexington Operating Account. Roll call. Voting "aye" were: Anderson, Long, Fagot, Wightman, Hawks. Motion carried.

CITY OF LEXINGTON
 ACCOUNTS PAYABLE
 AUGUST 13, 1996

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| ABINGTON PRESS | BIBLES | 136.44 |
| A T & T | PHONE SERVICE | 41.77 |
| AWARDS PLUS | AWARD PLAQUES | 33.50 |
| BARMORE'S | CORD MINDERS/FILM | 108.62 |
| BARCO MUNICIPAL PRODUCTS | BOOTS/BATTERIES/BULBS | 563.86 |
| BERNTSON OIL | DIESEL/UNLEADED FUEL | 5430.34 |
| BRICKER, VANCE | MTG. EXP./CONFERENCE | 223.60 |
| BURBACH ENGINEERS | FAMILY AQUATIC SVC. | 2044.90 |
| B&P CREDIT MGMT | CREDIT MGMT SVC. | 78.14 |
| C.A.S.H ENTERPRISES | USED PRINTER (FIRE DEPT.) | 150.00 |
| CASH-WA DISTRIBUTING | FOOD/NON-FOOD/CONTAINERS | 1303.69 |
| CAMINO INN & SUITES | ROOMS FOR LEON & VANCE | 105.82 |
| C.J. SMALL ENGINE REPAIR | CHAIN | 7.98 |
| CENTRAL GARAGE FUND | LABOR/PARTS/OIL/DIESEL/GAS | 20795.72 |
| CENTRAL TIRE & TREAD | TIRE CHG/FLAT RPRS | 20.00 |
| CENTURY LABORATORIES, INC. | DRUM/PUMP/CHEM. | 1289.08 |
| COAST TO COAST | CLEANING SUPPLIES | 14.24 |
| CONTRYMAN & ASSOCIATES | AUDIT PREP. SVC. | 928.00 |
| COCA COLA/DR. PEPPER | COKE | 26.85 |
| COUNTRY GENERAL | RAIN SUITS/TOOLS/PAINT | 489.63 |
| C.B.S.A | MEDICAL CLAIMS | 6190.36 |
| COZAD SERVICES | SERVICE CALL | 32.00 |
| COUNCIL OF ECONOMIC DEVELOP. | REFUND KN ENERGY DONATION | 250.00 |
| C&S TRUCKING & SALVAGE | WATER PUMP | 113.56 |
| CULLIGAN WATER CONDITIONING | CULLIGAN RENTAL/SALT | 70.50 |
| DAWSON CO. WEED CONTROL | SPRAYING WEEDS | 189.69 |

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| DAWSON CO. REGISTER OF DEEDS | SURVEY SERVICES | 25.50 |
| DAWSON CO. CLERK | DISPATCH SERVICE | 3870.50 |
| DAN'S SANITATION | LANDFILL EXPENSES | 173.92 |
| DEETER FOUNDRY, INC. | MANHOLE FRAMES/GRATES | 322.00 |
| DITCH WITCH OF NEBRASKA | FUEL PUMP & FILTER | 67.22 |
| DUTTON-LAINSON CO. | HARD HATS | 50.81 |
| DUGAN BUSINESS FORMS | GEN. FUND CHECKS | 149.01 |
| EAKE'S OFFICE PRODUCTS | TONER CARTR./SVC. CONT. | 411.57 |
| EILER'S MACHINING | FLAT SHIMS | 4.70 |
| ELECTRIC FIXTURE | TRANSF/CONDUIT/METER SUPP. | 3805.42 |
| EMERGENCY MEDICAL PRODUCTS | REGULATOR GAUGES | 123.19 |
| EMERY PRATT CO. | BOOKS | 58.26 |
| FAIRBANKS INT.,INC. | BEARINGS/LINKS/BOLTS | 81.86 |
| FARM PLAN CORP. | PARTS | 216.67 |
| FURST GROUP | PHONE SERVICE | 8.68 |
| GARY'S KLEEN & SHINE | CLEAN PATROL CAR | 60.00 |
| GILLETTE/NE. DAIRIES | MILK | 313.65 |
| GRUNKO FILMS, INC. | BOOKS | 189.55 |
| GROVES DICTIONARIES | MUSIC DICTIONARIES | 475.00 |
| HAWKS, ROBERT | TRAVEL/CONFERENCE EXP. | 136.40 |
| HIPP WHOLESALE CO. | FOOD/NON-FOOD ITEMS | 899.24 |
| HOLIDAY INN | RMS. FOR FIRE DEPT. CONFERENCE | 520.50 |
| KAPCO | BOOK COVERS | 34.32 |
| KN ENERGY, INC. | GAS BILLS | 59.29 |
| KRATZER, RODNEY | ELECTRIC REBATE | 150.00 |
| KRIZ-DAVIS CO. | CLAMPS/WASHERS/TERMINATORS | 1718.19 |
| LARSON, CLARENCE | REFUND CEMETERY LOTS | 350.00 |
| LEAGUE OF NE. MUNICIPALITIES | UPDATED STATUTES | 78.26 |
| LEXINGTON HOUSING AUTHORITY | ELECTRIC REBATES | 11550.00 |
| LEXINGTON POSTMASTER | POSTAGE | 1595.00 |
| LUCENT TECHNOLOGIES | MONTHLY PHONE CHARGES | 63.70 |
| MORRIS PRESS & OFFICE SUPP. | ELECT/PLMB/BLDG. PERMIT FORMS | 2899.50 |
| MUNICIPAL SUPPLY CO. | CPLG GSKTS/BREAK KITS | 719.38 |
| NE DEPT. OF ENVIRONMENTAL | QRT. WASTE DISP. FEE | 12523.87 |
| NEBRASKA MACHINERY | LOADER PAYMENTS | 2646.00 |
| N.P.P.D | POWER USAGE | 477329.95 |

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| N.C.B.O & I | CONFERENCE FEE | 15.00 |
| NEBRASKA CELLULAR | CELLULAR CHARGES | 67.81 |
| OMAHA LIFE INS. CO. | FIREMEN'S PREMIUMS | 64.00 |
| PAYROLL ACCOUNT | EMPLOYEE WAGES | 72224.26 |
| PETTY CASH | POSTAGE/MTG EXP/MISC. | |
| | | 174.40 |
| PLATTE VALLEY COMMUNICATIONS | EXTEND LIGHT CONTROL SWITCH | |
| | | 117.60 |
| PLATTE VALLEY COMMUNICATIONS | COMMUNICATION EXP.(RADIO) | |
| | | 630.00 |
| SOCIAL SECURITY FUND | EMPLOYER'S FICA | 5466.78 |
| SWANSON, HARRY | ELECTRIC REBATE | 900.00 |
| THORELL, DENNIS | ELECTRIC REBATE | 900.00 |
| TRI-COUNTY HOSPITAL | W/C INJURY - D. HALL | 265.90 |
| THE TRAVELERS | EMPLOYEE PENSION | 1986.60 |
| THE TRAVELERS | POLICE PENSION | 861.13 |
| TRAMPE, PAM | REFUND RED CRS. FEES | 10.00 |
| U.S. WEST COMMUNICATIONS | LONG DISTANCE CHGS | 1396.24 |
| UTILITY EQUIPMENT CO. | ADAPTORS/COUPLERS | 205.31 |
| WESCO | TRANSFORMERS/TERMINATORS | |
| | | 12618.78 |
| ADVANCED CONTROL SYSTEMS | H/W & S/W SERV. AGREEMT. | |
| | | 1928.00 |
| ALAMAR UNIFORM CO. | OFFICER'S COAT | 71.81 |
| A T & T | PHONE CHARGES | 226.25 |
| BROWN TRANSFER | FREIGHT CHARGES | 54.44 |
| BRICKER, VANCE | CONF. TRAVEL EXPENSE | |
| | | 197.14 |
| CENTRAL GARAGE FUND | LABOR/PARTS/OIL | 1400.37 |
| CENTURY LUMBER CENTER | HINGE PINE DOOR STOP | 2.19 |
| COMFORT INN-YORK | CONFERENCE COSTS | 55.35 |
| COUNTRY GENERAL | PIPE CAP | 2.34 |
| C.B.S.A | HOSPITAL/DOCTOR CLAIMS | |
| | | 7560.69 |
| C.B.S.A. | ADMINISTRATION FEE | 300.00 |
| C.B.S.A | EMPLOYEE HEALTH/LIFE PREM. | |
| | | 5981.59 |
| DAWSON CO. HIGHWAY DEPT. | SIGN POSTS | 140.00 |
| DAN'S SANITATION | 1ST 1/2 OF AUGUST BILLING | |
| | | 10000.00 |
| DONNA'S CAFE | FOOD/NON-FOOD ITEMS (MOW) | |
| | | 1017.83 |
| EAKES' OFFICE PRODUCTS | COPY OVERAGE | 219.29 |
| EGAN SUPPLY CO. | CLEANING SUPPLIES | 288.53 |
| EUSTIS BODY SHOP | REPAIR FIRE TRUCK | 1275.10 |
| FAIRBANKS INTERNATIONAL | ENGINE PARTS | 457.58 |

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| FAMILY EYEWEAR | EMP. SAFETY GLASSES | 63.35 |
| FARM PLAN CORPORATION | BOLTS/BUSHINGS/SPROCKET | 157.50 |
| FOLLETT SOFTWARE CO. | OFFICE SUPPLIES | 33.20 |
| FRANSYL EQUIPMENT CO. | LABOR/PARTS/MILAGE | 1842.40 |
| HACH CHEMICAL | CHEMICALS | 111.80 |
| HALOUSKA, HOWARD | CHAIN SAW REPAIR | 26.00 |
| HEARTLAND SCUBA CENTER | WET SUIT HANGERS FOR LVFD | 16.96 |
| HIPP WHOLESAL | FOOD ITEMS | 271.67 |
| HILL-HOLDREGE INTERLIBR. | QRTL | 9.00 |
| HOFAKER'S IRON & METAL | SPADE HANDLES | 21.25 |
| HOLIDAY INN | CITY MGR. CONF. EXP. | 142.36 |
| I.C.M.A | I.C.M.A CITY MGR. DUES | 372.75 |
| INGRAM LIBRARY SERVICES | BOOKS | 784.57 |
| INT'L CITY/COUNTY MGMT. | NEWS AD | 126.16 |
| JELCO CARPET CLEANING | CLEAN C/H HALLWAYS | 49.00 |
| JONES PLUMBING | CLAMPS/BUSHINGS/FITTINGS | 102.98 |
| KAR PRODUCTS | GLASS CLEANER | 33.30 |
| KRIZ-DAVIS CO. | TRANSFORMER | 5060.88 |
| LAW ENFORCEMENT EQUIP CO. | BULLET PROOF VESTS | 3000.00 |
| LEXINGTON ANIMAL CLINIC | ANIMAL SERVICES | 381.20 |
| LEX AREA CHAMBER OF COMM. | CED BILLING FOR JULY | 166.60 |
| LEXINGTON HEALTH FUND | SELF FUNDING | 13048.45 |
| LEXINGTON COMMUNICATIONS | RADIO/ANTENNA | 578.75 |
| LEXINGTON COOP | HOSE COUPLINGS/PROPANE | 19.17 |
| LEXINGTON FIRE DEPT. | FIRE DEPT. EXP. VOUCHERS | 759.20 |
| LEXINGTON GLASS CO. | REPAIR DUPLEX WINDOW/PLEXIGL. | 244.50 |
| LEXINGTON PUBLIC LIBRARY | PETTY CASH | 51.99 |
| LEXINGTON NEWSPAPERS | NOTICE OF MTGS. | 83.21 |
| LEXINGTON, CITY OF | FRANCHISE FEE/MONTHLY CHGS. | 30524.52 |
| LEXINGTON, CITY OF | LANDFILL EXPENSES | 305.00 |
| LIBRARY OF SCIENCE | BOOK | 46.49 |
| LIBRARY VIDEO CO. | SOFTWARE | 104.90 |
| LINDEN'S PLUMBING | PUMP LINE (LABOR) | 75.00 |
| LUTHER, ANN | CONFERENCE EXPS. | 114.41 |
| MCI | PHONE CHARGES | 198.48 |
| MEAD/BIG VALLEY LUMBER | PAINT/STAKES/SUPPLIES | 337.66 |
| MEYER WELDING | PARTS/CUT DOWN MANHOLE | 253.44 |
| MIDWAY SUPPLY | COVER | 797.16 |
| | AUTOMOTIVE PARTS | |

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| MISKO SPORTING GOODS | VOLLEYBALL NETS | 144.75 |
| MILLER & ASSOCIATES | JULY SVC AGREEMENT | 1850.00 |
| MIDLANDS RENTAL & MACHINERY | ELECTRIC LIFT REPAIR | 113.85 |
| MINUTEMAN | COLLATE WITH COVER | 513.97 |
| MOORE BUSINESS FORMS | UNIFORM CITATIONS | 249.57 |
| MR. AUTOMOTIVE | TOOL SET | 34.99 |
| NATIONAL LEAGUE OF CITIES | MEMBERSHIP DUES | 726.00 |
| NATIONAL TEXTBOOK CO. | SPANISH TAPES | 53.39 |
| NEBRASKA MACHINERY | TRUCK PARTS/REPAIRS | 914.61 |
| NEBRASKA LIBRARY COMMISSION | JUNE SVC CONTRACT | 28.62 |
| NEBRASKA DEPT OF REVENUE | JULY SALES TAX | 24763.02 |
| NE VOL. FIRE FIGHTERS TRUST | FIREMAN'S LIFE PREM. | 997.38 |
| NEBR. PUBLIC POWER DIST. | SERVICE CONTRACT | 129.34 |
| NE SAFETY & FIRE EQUIP. CO. | BLDG. SAFETY EQUIP | 74.00 |
| O.K. TIRE | TIRES/TUBES/TUBE REPAIRS | 614.49 |
| OLD DOMINION BRUSH | SPRING/GUTTER BRUSH | 9.51 |
| OTTE, BONNIE | REIMBURSE SCHOOL COSTS | 38.00 |
| OVERTON SAND & GRAVEL | MUD ROCK AND GRAVE | 661.00 |
| PAULSEN BLDG. & SUPPLY | CONCRETE/SAND & GRAVEL | 3937.45 |
| PATTY'S HALLMARK | OFFICE SUPPLIES | 72.87 |
| PLATTE VALLEY AUTOMART | REPAIR SENSOR/TRANSMISSION | 1012.29 |
| PLATTE VALLEY EXTERMINATING | EXTERMINATING COSTS JUNE/JULY | 48.00 |
| PRECISION INDUSTRIES | SEAL | 9.63 |
| PROGRESSIVE BUSINESS PUBL. | MAG. SUBSCRIPTION | 192.00 |
| PRINTING PRESS, THE | MEMO PADS | 339.04 |
| SAUBER MANUFACTURING | OIL CAP/O-RING/PLUGS | 11.94 |
| SCHNIEBER FINE FOODS, INC. | FOOD ITEMS | 775.61 |
| SIXTH STREET MARKET | FOOD ITEMS/POSTAGE/SUPPLIES | 286.93 |
| S & W AUTO PARTS | OIL FILTERS/ANTIFREEZE/PARTS | 772.21 |
| TELEGRAPH | NOTICE OF MTGS. | 15.35 |
| TIME SUBSCRIPTION SERVICE | TIME SUBSCRIPTION | 59.80 |
| TODD, MICHAEL CO. | BARRICADE FLASHERS | 352.47 |
| TOOL HOSPITAL, THE | REPAIR HAMMER DRILL | 164.55 |
| TRAUTMAN'S MEAT CENTER | FOOD ITEMS | 79.05 |
| VOLLEYBALL | MAG. SUBSCRIPTION | 19.95 |
| WALMART | SUPPLIES | 509.01 |
| WATERPRO | REMOTE WATER METER READER | 2874.79 |

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| WEBER & WEINHOLD | RETAINER FEE/JULY BILLING | 1815.00 |
| ZEP MANUFACTURING | TOWELS | 34.64 |
| | TOTAL | \$801,178.53 |

**COMMUNITY
REDEVELOPMENT
AUTHORITY MEETING:**

Moved by Wightman, seconded by Fagot to recess the regular meeting to a Community Redevelopment Authority meeting at 7:35 p.m. Roll call. Voting "aye" were: Anderson, Long, Fagot, Wightman, Hawks. Motion carried. Moved by Wightman, seconded by Fagot to reconvene the regular session at 7:38 p.m. Roll call. Voting "aye" were: Long, Anderson, Fagot, Wightman, Hawks. Motion carried.

**PETITION
PRESENTATION:**

A petition was filed with the city clerk from residents around the 18th and Lake Street area requesting that piles of dirt in that area should be removed as that area is not a storage area for this spoils dirt and is requesting city administration take action to have the area cleaned up. Interim City Manager Bricker stated that a notice had been given to the developer to move these dirt piles and to the best of his knowledge work would begin on that this week. Hearing no further comments, no further action was taken by the council.

PUBLIC HEARING:

The Lexington City Council held a public hearing to consider input from citizens on the curfew ordinance. Mr. Dave Zauha addressed the Lexington City Council stating that the proposed ordinance would put a curfew on people under 16 years of age to 18 years of age and feels this is similar to a speed limit where the use of drugs is deterred as you try to deter speeding with a speed limit and also stated that the time needs to be adjusted in the current ordinance. Dr. Roger Pentz also stating his comments summarized them saying he would be in favor of the 18 year and 16 year old differential in the ordinance. Jesse Bennett stated that curfew ordinances in Central City and other towns require 16 year olds in by 10:30 in the evening and realizes the new ordinance would aid the police department and also feels that if the kids have violated the curfew ordinance twice, the parents should be fined. Mr. Shane Sage also echoed those comments stating the curfew times would be 10:30 and that there should be

a fine for parents. Barb Gudysen also testified on behalf of the committee that the main thrust of the ordinance was to stop gang violence and activity and was the idea of the committee that this curfew ordinance would be the best alternative to doing that. Judy Daake addressed the council stating that this is taking away the rights of the children who have not violated a curfew for those that have. Shelly Scherer stated that curfew violations are appearing in Lexington. Those people violating the curfew are from Cozad and Gothenburg because our current curfew is at 12:00 a.m. and think that this curfew should be set at 10:30 p.m. Mr. Greg Lauby polled the people in attendance inquiring how many people on the committee made up the input to the ordinance and also stated that those people are the people this curfew ordinance is regulating have rights also. Also speaking in favor of the curfew ordinance was Ed Rickli. After a few opinion votes by show of hands, the city council instructed administration to prepare an ordinance initiating a curfew for the next meeting. No further action was taken.

ASSESSMENTS 94-01: The Lexington City Council sat as a Board of Equalization to levy benefits on lands and parts of lands specially benefited by improvements in Improvement District 94-01. Ms. Nola Reed addressed the city council requesting the 30% deduction in cost due to defects in the street and also an accounting of the \$8,000 credit that was to be given for the change in design of the street. Dana Daniels being absent of figures to support the costs of the assessments in this district and a realignment of assessments due to discrepancy in the map, the city council postponed further action on this ordinance until the next regular meeting. Ms. Reed who was still addressing the council then asked the city council to reduce the assessment on this street by 20% and no interest on said assessments. Being no further business on this item, no further action was taken.

RURAL FIRE DEPT: Mr. Steve Weides addressed the Lexington City Council stating that the rural fire district had purchased a lot south and east of the city building directly across the street in which they plan to erect a building to house some of the rural fire district trucks

and have a meeting room for the Lexington Volunteer Fire Department. He is requesting the city cooperate in a 2/3-1/3 agreement with the city taking 3 or 5 years to pay off the building. Upon completion of his presentation, he was advised that the city would take this under consideration at their budget hearings. No further action was taken.

INCREASE FINES:

An ordinance entitled, "AN ORDINANCE TO AMEND SECTION 1-7 OF THE LEXINGTON CITY CODE; TO INCREASE THE MAXIMUM FINE FOR VIOLATION OF THE CITY CODE; TO REPEAL ORIGINAL SECTION 1-7 AND ANY ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM." was read before the council. Stating that this was passed on first reading, moved by Anderson, seconded by Fagot that the rules requiring the reading of said ordinance on three separate days be suspended. Roll call. Voting "aye" were: Wightman, Long, Fagot, Anderson, Hawks. Motion carried. Said ordinance was then read by title. Moved by Anderson, seconded by Wightman that ordinance No. 2060 be passed on final reading. Roll call. Voting "aye" were: Long, Fagot, Wightman, Anderson, Hawks. Motion carried. The passage and adoption of said ordinance having been concurred by a majority of the Council, the President declared said ordinance be adopted and signed the same. The Municipal Clerk attested to the passage and adoption of the ordinance by affixing his signature and the Seal of the City of Lexington in declaring Ordinance No. 2060 to be published in pamphlet form.

PARKING ORDINANCE:

An ordinance entitled, "AN ORDINANCE TO AMEND SECTION 16-45 OF THE LEXINGTON CITY CODE; TO PROVIDE FOR LIMITED PARKING BY THE HIGH SCHOOL; TO REPEAL ORIGINAL SECTION 16-45, AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM." was read before the council on first reading. The discussion which followed pertained to the added areas of no parking which would be from

8:00 a.m. to 4:00 p.m. Monday through Friday including both sides of 13th Street from Adams to Park Street and both sides of 15th Street from Adams to Lake Street. The request was made by the school to initiate such parking restrictions because of the traffic generated by the realignment of the school buildings. Hearing no further comments, moved by Wightman, seconded by Fagot that said ordinance be passed on first reading. Roll call. Voting "aye" were: Anderson, Long, Fagot, Wightman, Hawks. Motion carried.

**CONVEYANCE OF
PROPERTY:**

City Attorney Weinhold addressed the Lexington City Council stating that the properties included in the two resolutions presented to the council have been sold and the developers of these properties are now wishing to make payment to the city and receive the deeds. Moved by Wightman, seconded by Fagot that the following resolution be passed and approved. Roll call. Voting "aye" were: Anderson, Long, Fagot, Wightman, Hawks. Motion carried.

RESOLUTION NO. 96-26

WHEREAS, the City has by Ordinance No. 2020 approved the sale of the following described real estate owned by the City, to-wit:

Lot 10, Block 4, Southaven Addition to the City of Lexington, Dawson County, Nebraska.

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 Robert Hawks, 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 the purchaser thereof

Passed and approved this 13th day of August, 1996.

CITY OF LEXINGTON, NEBRASKA

BY: _____

ATTEST: Robert Hawks, Mayor

City Clerk

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

RESOLUTION NO. 96-27

WHEREAS, the City has by Ordinance No. 2055 approved the sale of the following described real estate owned by the City, to-wit:

Lot E of the Replat of Lots One through Twelve (1-12), Block Eight (8), Southaven Addition to the City of Lexington, Dawson County, Nebraska,

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 Robert Hawks, 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 the purchaser thereof.

Passed and approved this 13th day of August, 1996.

CITY OF LEXINGTON, NEBRASKA

BY: _____

ATTEST: Robert Hawks, Mayor

City Clerk

**RESOLUTION OF
INTENT:**

Interim City Manager Bricker addressed the Lexington City Council stating that the following resolution needs to be passed for fiscal agents so that the city may pay for contracts and be reimbursed with bond proceeds. He further stated that this project would be the link between Heartland Museum and Hwy 283. Hearing no further comments, moved by Wightman, seconded by Anderson that the following resolution be passed and approved. Roll call. Voting "aye" were: Long, Fagot, Anderson, Wightman, Hawks. Motion carried.

RESOLUTION NO. 96-28

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

Section 1. The Mayor and Council of the City hereby find and determine that it is necessary and appropriate to declare their official intent to issue tax-exempt bonds on behalf of the City and in addition, the City's reasonable expectations to reimburse certain expenditures with the proceeds of such bonds as proposed to be issued by the City in connection with the proposed street improvements as described below.

Section 2. This resolution shall stand as a statement of the City's official intent under Regulation Section 1.150-2 of the regulations of the United States Treasury and for such purpose the following information is hereby given:

1. A general functional description of the project for which expenditures may be made and reimbursement from bond proceeds provided is as follows:

Street Improvement District No. 9604 described as Kirkpatrick's Subdivision, which includes Heartland Drive from Hwy 283 East to Jefferson, then south to Heartland Museum at county road.

2. The maximum principal amount of debt expected to be issued for such project is \$ 150,000.

PASSED AND APPROVED this 13th day of August, 1996.

CITY OF LEXINGTON

by _____
Mayor

ATTEST:

City Clerk

**SPECIAL MEETING
DATE:**

Interim City Manager Bricker addressed the Lexington City Council stating that dates need to be set to have budget workshops and is recommending August 19 and 27th at 7:00 a.m. as the dates and also a meeting needed to be set to receive the input and have discussion with Countryman Associates concerning the management study. Moved by Wightman, seconded by Fagot that a special meeting date to review the management study should be set on September 3, 1996 at 6:00 p.m. Roll call. Voting "aye" were: Anderson, Long, Fagot, Wightman, Hawks. Motion carried. Moved by Wightman, seconded by Fagot to set budget workshop dates for August 19 at 7:00 a.m. and August 27 at 7:00 a.m. Roll call. Voting "aye" were: Long, Anderson, Fagot, Wightman, Hawks. Motion carried.

Councilman Long left the meeting prior to the following items and did not return.

**TREASURERS
REPORT:**

Ms. Kerry Rader addressed the Lexington City Council presenting them with the treasurer's report for the month of June. In her report, she stated that there had been an investment of funds made for a term of one year with the anticipation that the 13th Street project would not be completed as soon as it was. At this time, funds needed to be borrowed from that C.D. and is requesting the city council authorize a warrant to borrow funds against that C.D. at a rate 2% higher than the current rate of the C.D. Moved by Wightman, seconded by Fagot to authorize the city treasurer to

warrant up to \$612,000 at a rate of 8.2% for the payment of bills. Roll call. Voting "aye" were: Anderson, Fagot, Wightman, Hawks. Motion carried. Moved by Anderson, seconded by Wightman to approve the treasurers report for June, 1996. Roll call. Voting "aye" were: Fagot, Anderson, Wightman, Hawks. Motion carried.

LIFT STATION:

In an item that was added to the agenda 24 hours prior to the council meeting, a request was made by city administration to authorize bids for a lift station to serve the Shotkoski Subdivision. After review of plans and specifications, moved by Wightman, seconded by Fagot to authorize city administration to advertise for bids for one lift station to serve the Shotkoski Subdivision. Roll call. Voting "aye" were: Anderson, Fagot, Wightman, Hawks. Motion carried.

EXECUTIVE SESSION:

Moved by Wightman, seconded by Fagot to recess the regular session to executive session at 10:07 p.m. for the purpose of negotiation of purchase of property. Roll call. Voting "aye" were: Anderson, Fagot, Wightman, Hawks. Motion carried. Moved by Anderson, seconded by Fagot to reconvene the regular session from executive session at 10:15 p.m. Roll call. Voting "aye" were: Wightman, Fagot, Anderson, Hawks. Motion carried.

ADJOURNMENT:

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

Robert Hawks
Mayor

Leon E. Malzahn
City Clerk

I, the undersigned City Clerk of 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.

Leon E. Malzahn
City Clerk