

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Joint Meeting of the Lexington City Council and Dawson County Commissioners was held Tuesday, March 11, 2014, at the Lexington Municipal Building, located at 406 E. 7<sup>th</sup> Street, Lexington, Nebraska at 4:30 p.m. Members of the Council present were Mayor John Fagot, John Salem, Linda Miller, Dora Vivas, and Jeremy Roberts. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Will Weinhold, Development Services Director Bill Brecks, and City Clerk Pamela Baruth. Dawson County officials included Commissioners Bill Stewart, Dean Kugler, PJ Jacobson, Dennis Rickertsen, Everett Hagan, and County Clerk Karla Zlatkovsky. The press was represented by the Lexington Clipper-Herald, KRVN Radio and Kearney Hub.

**NOTICE:**

Notice of the joint 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 joint 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 joint 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 joint meeting was called to order by Mayor Fagot. Fagot informed the public that the Open Meetings Act is posted in the Meeting Room at the Lexington Municipal building, located at 406 East 7<sup>th</sup> Street, Lexington, Nebraska.

**VIADUCT ALIGNMENT:**

Lance Harter, Miller & Associates, and Karl Fredrickson, Parsons Brinckerhoff, reviewed the process of evaluating and selecting alignment options for the East Lexington Viaduct project, as well as information contained in a comparison document created for the environmental study. It was indicated that the environmental review process has narrowed the number of reasonable alternative alignments to two, generally referred to as Concept A and Concept B. Discussion of the options included right of way needs, impacts to property and business access, bridge lengths, touchdown points, detour routes, current and future traffic concerns, connecting roadways, and environmental concerns. Public comments from Scott Fitzke and Roger Biehl indicated that they felt Concept A should be the preferred option based upon all issues discussed to date.

Council and Commission members were asked to voice their thoughts on the project and which alignment they preferred. Following the discussion, it was determined that a joint resolution should be considered. A joint resolution was presented. Moved by Salem, seconded by Roberts, to approve City of Lexington Resolution No. 2014-08 with Concept A preferred. Roll call. Voting "aye" were Miller, Vivas, Roberts, Salem, Fagot. Motion carried.

Moved by Jacobson, seconded by Rickertsen, to approve Dawson County Resolution No. 2014-13 with Concept A preferred. Roll call. Voting "aye" were Kugler, Rickertsen, Jacobson, Stewart. Voting "nay" was Hagan. Motion carries.

WHEREAS, the City of Lexington and Dawson County are cooperatively working to facilitate the planning and construction of a viaduct near the intersection of County Road 435 and the Union Pacific Railroad, known as the Lexington East Viaduct project, P.N. URB-1705(3), C.N. 61457; and

WHEREAS, the preliminary design and environmental assessment for the project is currently in process, and the number of alternative project alignments has been narrowed to two (2) concepts as indicated in the attached "Exhibit 1"; and

WHEREAS, it is necessary to determine the preferred alignment based upon the evaluation criteria in "Exhibit 1".

BE IT THEREFORE JOINTLY RESOLVED BY the Mayor and Council of the City of Lexington, Nebraska, and the Board of Commissioners of Dawson County, Nebraska, as follows:

1. That Concept A, as outlined in "Exhibit 1", is recommended as the locally preferred project alignment for the Lexington East Viaduct project, P.N. URB-1705(3), C.N. 61457, and should be further evaluated as part of the National Environmental Policy Act study process.
2. If the National Environmental Policy Act study process identifies a substantially different alignment, additional coordination with the City of Lexington and Dawson County should be initiated immediately.
3. This resolution shall not be interpreted as the final input or acceptance on the design and construction of the project by either the City of Lexington or Dawson County.

This Joint Resolution PASSED AND APPROVED by the City Council of the City of Lexington, Nebraska, on the 11<sup>th</sup> day of March, 2014.

APPROVED by the Board of Commissioners of Dawson County, Nebraska, on this 11<sup>th</sup> day of March, 2014.

**ADJOURNMENT:**

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

John Fagot  
Mayor

Pamela Baruth  
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.

/s/ Pamela Baruth  
City Clerk

I, the undersigned County Clerk for the County of Dawson, 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 County Clerk during regular business hours prior to said meeting; that the Minutes of the Commissioners of the County of Dawson, 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.

/s/ Karla Zlatkovsky  
County Clerk