

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, April 8, 1997, at the Lexington Municipal Offices, 406 East 7th Street, Lexington, Nebraska, at 7:30 P.M. Present were: , Vice President John Wightman, John Fagot, Rick Klamm, and Neal Kohl. Mayor Robert Hawks was absent. City Officials present were: City Manager Vance Bricker, City Clerk Leon E. Malzahn and City Attorney Willard Weinhold. Department Heads present were: Charles Clark, Ruth Seward Kerry Rader, and Joe PEPPLITSCH. Also in attendance were: DeEtta Hartman representing Dawson Area Development, Jim Fox representing Ameritas, Patty Johnson representing Habitat for Humanity, and Jo Kiem. The press was represented by the KRVN, Kearney Hub, and Tri-City Trib.

**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 Vice President Wightman.

**MINUTES REGULAR MEETING 3/25/97:** The minutes of the regular meeting held March 25, 1997 were presented for Council's consideration and approval. Moved by Kohl, seconded by Klamm to approve the minutes of the regular meeting held March 11, 1997 as presented. Roll call. Voting "aye" were: Fagot, Klamm, Kohl, Wightman. Motion carried.

**CLAIMS AND BILLS:** Claims and Bills in the amount of \$619,990.44 were presented for Council's consideration and approval. Moved by Klamm, seconded by Fagot to approve the claims as listed and authorized the City Treasurer to transfer \$101,143.35 from the General Fund, \$483,651.41 from LEXUS Funds, \$10,000.00 from

City Sanitation Fund, \$8,901.43 from the Landfill Fund, \$6,770.52 from the Health Fund, \$2,750.00 from CDBG 90-HD-010, and \$44.00 from the Old Police Pension Fund to the City of Lexington Operating Account. Roll call. Voting "aye" were: Kohl, Fagot, Klamm, Wightman. Motion carried.

CITY OF LEXINGTON  
 ACCOUNTS PAYABLE  
 APRIL 22, 1997

ACE EQUIPMENT & SUPPLY CO.	SUPPLIES	200.20
AFLAC	CANCER INS.	160.24
ALAMAR UNIFORM CO.	UNIFORM EXP.	307.66
ALIAANT COMMUNICATIONS	NAVIX	39.90
BARMORE'S	PRINTER SUPPLIES	34.08
BARCO	SIGN	57.19
BERNTSON OIL	FUEL	2560.65
BESTWAY, INC.	RAINSUITS	98.58
BOTTOM LINE BUSINESS	SUBSCRIPTION	44.00
BRIN, BERNITA	TRAVEL EXP.	6.82
BRUMMETT, ELBERTA	BOOK REFUND	13.00
CASH-WA DISTRIBUTING	FOOD	880.90
CENTRAL GARAGE FUND	PARTS/LABOR	3205.95
CENTURY LUMBER CENTER	PAINT	81.20
COAST TO COAST	SUPPLIES	38.33
COCA COLA/DR. PEPPER	COKE	17.90
COUNTRY GENERAL	HAND TOOLS	53.90
C.B.S.A	CLAIMS	1816.64
CURTIS INDUSTRIES	HACKSAW	98.74
DAWSON CO. PUBLIC POWER	POWER	2043.60
D.C. SERVICES/LARRY SMITH	FUSE/LABOR	26.30
DITCH WITCH OF NE., INC.	SWITCH	15.25
D & M SECURITY	WATER ALARMS	210.00
EAKE'S OFFICE PRODUCTS	OFFICE SUPPLIES	178.00
EGAN SUPPLY CO.	BOWL CLEANER	44.73
ELECTRIC FIXTURE & SUPPLY	EL SUPPLIES	1906.43
EMERY PRATT CO.	BOOKS	16.70
FAGOT ELECTRIC & REFRIG.	MOTOR CONTROLS/LABOR	3752.27
FARM PLAN CORPORATION	BUSHINGS/IDLERS	71.45
FIVE STAR FLOORING	DUPLEX CARPETING	4361.30
FIRST NAT'L BANK OF OMAHA	EMPL. PENSION	1993.37
GAYLORD BROS., INC.	LABEL SET	30.85
GALLS, INC.	UNIFORM EXP.	53.70
GILLETTE/NE. DAIRIES	MILK	122.58

GREAT PLAINS ONE-CALL	LOCATES	49.52
HARLEQUIN RETAIL, INC.	BOOKS	10.48
HIPP WHOLESALE, CO.	FOOD	745.44
HILL-HOLDREGE INTER-LIBRARY	SERVICE	9.00
I.C.M.A	ASST. MGR. PENSION	40.38
IMLA	MEMBERSHIP	406.00
INGRAM LIBRARY SERVICES	BOOKS	251.31
INT'L TRANSFORMER CO.	TRANSFORMERS	2178.75
JONES PLUMBING & HEATING	PLUGS	18.67
KARRE'S CITY BAKERY	CAKE	30.00
KEIM, JO	MTG. EXP.	18.00
K N ENERGY, INC.	GAS BILLINGS	946.67
LAW ENFORCEMENT EQUIP. CO.	BULLET PROOF VEST	460.95
LEAGUE OF NE. MUNICIPALITIES	SCHOOL EXP.	70.00
LEXINGTON COMMUNICATIONS	BATTERIES	123.90
LEXINGTON COOP	MOWER/SNOW THROWER	3929.57
LEXINGTON PUBLIC LIBRARY	PETTY CASH	26.49
LEXINGTON NEWSPAPERS, INC.	ADS/MINUTES	585.97
LEXUS	PHOTOCOPIES	18.00
LEX SOLID WASTE AGENCY	LANDFILL EXP.	56.25
LIBRARY BOOK SELECTION	BOOKS	210.96
MARTIN ELECTRIC	SERVICE	465.52
MALZAHN, LEON	MILAGE/MEAL EXP.	161.40
MARKS, JIMMY	PAINTING DUPLEXES	1750.00
MEAD/BIG VALLEY LUMBER	SUPPLIES	342.29
MEYER WELDING	SERVICE	109.73
MIDWAY SUPPLY	PARTS	249.20
MIRACLE RECREATION EQUIP.	PARK EQUIP.	10788.60
MIDWEST LABORATORIES	SLUDGE TESTS	30.00
MORRIS PRESS & OFFICE SUPPLY	OFFICE SUPPLIES	68.00
MORRY'S BODY SHOP	REPAIRS	32.00
MR. AUTOMOTIVE	PARTS	9.37
N T I	PHONE	139.02
NE. ASSOC. OF SR. CENTERS	DUES	20.00
NE. DEPT. OF ENVIR. QUALITY	QRTLTY FEE	8521.09
NE. MACHINERY	FILTER	48.48
NE. PLANNING & ZONING ASSOC.	CONF. EXP.	50.00
O.K. TIRE	TIRES	120.38
OVERTON COMMUNITY CENTER	BLDG RENTAL	100.00
PAYROLL ACCOUNT	PAYROLL	65332.06
PATTY'S HALLMARK	PRINTER RIBBONS	153.95
PETTY CASH FUND	PETTY CASH	44.74
PLATTE VALLEY COMMUNICATIONS	RADIOS	1172.00
PLATTE VALLEY EXTERMINATING	SERVICE	24.00
PRECISION INDUSTRIES	BUSHINGS	5.30

PRECISION COMPUTER SYSTEMS	SOFTWARE AGRMT.	725.00
PROTECTIVE LIFE INSURANCE	INSURANCE	
180.86		
REACH ELECTRONICS	BATTERIES	184.75
READ ALL ABOUT IT	BOOKS	42.51
ROURKE PUBLISHING GROUP	VIDEO/MOVIE	23.90
RODALE PRESS, INC.	BOOKS	31.63
SCANTRON FPC	EQUIPMENT	157.68
SCHNIEBER FINE FOODS	FOOD	689.26
SHOE MART	HATS/LETTERING	19.62
SIXTH STREET MARKET	FOOD	128.85
SOCIAL SECURITY FUND	FICA	4936.54
SUPER 8 MOTEL	MOTEL EXP.	78.24
STECK-VAUGHN CO.	BOOKS	446.52
S & W AUTO PARTS, INC.	PARTS	278.87
TIME LIFE BOOKS	BOOK	23.48
TRAVELERS, THE	POLICE PENSION	874.88
ULTRAMAX	BULLET PROOF JACKET	204.00
UNIV. OF NE. - LINCOLN	SCHOOL EXP.	60.00
U S WEST COMMUNICATIONS	PHONE	1838.38
WAL-MART	SUPPLIES	246.36
WAREHOUSE SURPLUS	SUCKERS	24.00
WESCO DISTRIBUTING, INC.	EL SUPPLIES	1198.13
WEBER & WEINHOLD	MTG. EXP.	620.87
B S B CONSTRUCTION	COVER DIRT	9900.00
C.B.S.A	CLAIMS	4504.18
DAN'S SANITATION	2ND 1/2 SA MAR.	16999.25
EMERGENCY MEDICAL PRODUCTS	INFECTION CNTR. KITS	807.50
FAIRBANKS INT'L, INC.	PARTS	127.58
FAMILY CLUBHOUSE	POOL DIAPERS	134.75
GILLETTE/NE. DAIRIES	MILK	58.92
HACH CHEMICAL	CHEMICALS	191.10
KOMLINE-SANDERSON ENGINEERING	PACKINGS/PLUNGER	1292.24
KRIZ-DAVIS COMPANY	EL SUPPLIES	259.86
LEXUS	UTILITIES	18495.14
LEXINGTON, CITY OF	FRANCHISE FEE	20496.02
MILLER & ASSOCIATES	SERVICE	11365.55
NE. DEPT. OF HEALTH LAB	WATER ANALYSES	649.02
NELSON, THOMAS R.	MILAGE EXP.	23.56
OVERHEAD DOOR CO.	DOOR REPAIR	1531.00
PRICES TREE SERVICE	SNOW REMOVAL	405.00
TEXACO CUSTOMER SERV. CENTER	GAS	43.03
WEST, CHARLENE	MILAGE EXP.	23.56

SUBTOTAL \$87,307.26

GRAND TOTAL \$224,787.44

**FISCAL AGENT  
REVIEW:**

Mr. Jim Fox addressed the City Council to explain the changes which have occurred when the decision was made to retain control as it previously was. He further explained that he would be associated with Ameritas from now on and would be able to furnish the same level of service that the City has received in the past. Upon the conclusion of his presentation Council person Fagot moved to employ Ameritas as the firm, represented by Jim Fox to assist the City with financing issues, seconded by Klamm. Voting "aye" were: Kohl, Klamm, Fagot, Wightman. Motion carried.

**BOND RESOLUTION**

Mr. Jim Fox presented a schedule of payments that would result in a savings of interest expense, if the City decided to call the outstanding bond issue and anticipation notes. The Council reviewed the payment schedules in detail and upon conclusion, Council person Klamm Moved that the following Resolution be passed and approved. Seconded by Kohl. Voting "aye" were: Fagot, Kohl, Klamm, Wightman. Motion carried.

RESOLUTION NO.97-07

BE IT THEREFORE RESOLVED by the Mayor and Council of the City of Lexington, Nebraska: Section 1. The following bonds, in accordance with their option provisions are hereby called for payment on May 15, 1997, after which dates interest on the bonds will cease:

Various Purpose Bonds, of the City of Lexington, Nebraska, date of original issue August 1, 1991, in the principal amount of Six Hundred Sixty-five Thousand Dollars (\$665,000), numbered as shown on the books of the paying agent and Registrar, in denominations of \$5,000 each, becoming due and bearing interest as follows:

Principal		
Amount	Maturity Date	Interest Rate
\$155,000	July 15, 1998	6.10%
\$160,000	July 15, 1999	6.20%
\$170,000	July 15, 2000	6.30%
\$180,000	July 15, 2001	6.35%

Said bonds are hereinafter referred to as the "Refunded Bonds." Said bonds are subject to redemption at any time on or after July 15, 1996 at par and accrued interest, and said interest is payable semiannually. Said bonds were authorized by ordinance and were issued for the purpose of paying costs of improving streets, alleys and intersections and areas formed by crossing of streets, avenues or alleys and streets adjacent to real estate owned by the City in improvement District Nos. 86-2, 90-01 and 235, flood control improvements in Improvement District No.91-1 and water extension improvements in Water Extension District No. 90-1.

Section 2. Said bonds are to be paid off at the corporate trust office of Minded Exchange Bank and Trust Company, Minden, Nebraska, as successor paying agent and registrar. (original paying agent and registrar United Nebraska Bank, formerly Lexington State Bank and Trust Co., Lexington, Nebraska.)

Section 3. A true copy of this resolution shall be filed immediately with the Minded Exchange Bank and Trust Company, Minden, Nebraska, as Paying Agent and Registrar for the Refunded Bonds, and said Paying Agent and Registrar is hereby instructed to mail Notice to each registered owner of said bonds not less than thirty days prior to the date fixed for redemption, all in accordance with Section 9 of the Ordinance authorizing said called bonds. In addition, a true copy of this resolution shall be filed with the office of the Auditor of Public Accounts of the State of Nebraska at least thirty (30) days prior to the call date of the Refunded Bonds.

Leon E. Malzahn  
City Clerk

John Wightman  
Vice President

Moved by Klamm Moved that the following Resolution be passed and approved. Seconded by Kohl. Voting "aye" were: Fagot, Kohl, Klamm, Wightman. Motion carried.

#### RESOLUTION NO.97-08

BE IT THEREFORE RESOLVED by the Mayor and Council of the City of Lexington, Nebraska:

Section 1. The following notes, in accordance with their option provisions are hereby called for payment on May 15, 1997, after which dates interest on the notes will cease:

Bond anticipation notes, 1995 Series, of the City of Lexington, Nebraska, date of original issue April 15, 1995, in the principal amount of One Million One Hundred Ninety Thousand Dollars (\$1,190,000), numbered as shown on the books of the paying agent and Registrar, in denominations of \$5,000 each, becoming due and bearing interest as follows:

Principal Amount	Maturity Date	Interest Rate
\$1,190,000	December 1, 1997	4.90%

Said notes are hereinafter referred to as the "Refunded Notes"

Said notes are subject to redemption at any time on or after January 1, 1997 at par and accrued interest, and said interest is payable semiannually. Said notes were authorized by ordinance and were issued for the purpose of providing interim financing for the cost of constructing street improvements in Street Improvement District No 94-03 and storm sewer improvements in Storm Sewer District No 94-04, pending the issuance of general obligation Various Purpose Bonds or other bonds of the City.

Section 2. Said notes are to be paid off at the office of the Treasurer of the City of Lexington, Paying Agent and Registrar, in Lexington, Nebraska.

Section 3. A true copy of this resolution shall be filed immediately with the Treasurer of the City of Lexington, Nebraska, as Paying Agent and Registrar for the Refunded Notes, and said Paying Agent and Registrar is hereby instructed to mail Notice to each registered owner of said notes not less than thirty days prior to the date fixed for redemption, all in accordance with Section 8 of the Ordinance authorizing said called notes. In addition, a true copy of this resolution shall be filed with the office of the Auditor of Public Accounts of the State of Nebraska at least thirty (30) days prior to the call date of the Refunded Notes.

Leon E. Malzahn  
City Clerk

John Wightman  
Vice President

An Ordinance entitled AN ORDINANCE AUTHORIZING THE ISSUANCE OF VARIOUS PURPOSE BONDS OF THE CITY OF LEXINGTON, NEBRASKA, IN THE PRINCIPAL AMOUNT OF TWO MILLION FOUR HUNDRED NINETY FIVE THOUSAND DOLLARS (\$2,495,000) FOR THE PURPOSE OF PAYING THE COST OF IMPROVING STREETS AND INTERSECTIONS IN STREET IMPROVEMENT DISTRICT NOS. 94-03 AND 9602; PAYING THE COSTS OF STORM WATER SEWER IMPROVEMENTS IN STORM SEWER DISTRICT NOS 94-04 AND 9601; PAYING AND REDEEMING \$665,000 OF THE CITY'S OUTSTANDING VARIOUS PURPOSE BONDS, DATE OF ORIGINAL ISSUE AUGUST 1, 1991; DIRECTING THE APPLICATION OF THE PROCEEDS OF SAID BONDS; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM. was read before the council. Moved by Fagot, seconded by Klamm that the rules requiring the reading of said ordinance on three separate days be suspended. Roll call. Voting "aye" were: Kohl, Klamm, Fagot, Wightman. Motion carried. Said ordinance was then read by title. Moved by Fagot, seconded by Kohl



that Ordinance NO. 2074 be passed on final reading. Roll call. Voting "aye" were: Klamm, Kohl, Fagot, Wightman. 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. 2074 to be published in pamphlet form.

**D.A.D. REPORT:**

DeEtta Hartman addressed the Council and presented them with the semi annual report outlining the activities of the Dawson Area Development District for the past six (6) months. Upon completion of this presentation no action was taken.

**HABITAT FOR HUMANITY:**

The Council addressed the request form Habitat For Humanity presented at the last meeting. Said request was for a reduced price on a lot in the Southaven Subdivision. Upon completion of a discussion on this matter concerning the problems that would arise if the project were to use a plan for a duplex the following action occurred.

An Ordinance entitled AN ORDINANCE DIRECTING THE SALE OF LOT F, IN REPLAT OF LOT 1 OF THE REPLAT OF LOTS 1-12, BLOCK 8, SOUTHAVEN ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE. was read before the council. Moved by Klamm, seconded by Fagot that the rules requiring the reading of said ordinance on three separate days be suspended. Roll call. Voting "aye" were: Kohl, Fagot, Klamm, Wightman. Motion carried. Said ordinance was then read by title. Moved by Fagot, seconded by Klamm that Ordinance NO. 2075 be passed on final reading. Roll call. Voting "aye" were: Kohl, Fagot, Klamm, Wightman. 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. 2075 to be published in pamphlet form.

**15TH STREET  
PARKING:**

The amendments to the ordinance that was recommended at the last Council Meeting were discussed by the Council after which Councilperson Fagot moved for the amendments to the Ordinance , seconded by Kohl Roll call. Voting "aye" were: Klamm, Kohl, Fagot, Wightman. Motion carried. An ordinance entitled, "AN ORDINANCE TO AMEND SECTION 16-45 OF THE LEXINGTON CITY CODE; TO LIMIT PARKING ON 15TH STREET FROM LAKE STREET TO ADAMS STREET; 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 . Moved by Fagot, seconded by Klamm that said Ordinance as amended be passed on second reading. Roll call. Voting "aye" were: Kohl, Klamm, Fagot, Wightman. Motion carried.

**CAMPER TRAILER  
PARKS REGULATION:**

An ordinance entitled, "AN ORDINANCE TO AMEND SECTIONS 25-6 AND 25-12 OF THE LEXINGTON CITY CODE; TO MAKE PROVISION FOR REGULATION AND SPECIAL USE PERMITS FOR TRAILER CAMPGROUNDS; TO REPEAL 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. The City Manager stated that he had not heard of any objections to this Ordinance. Moved by Klamm, seconded by Kohl that ordinance NO. 2076 be passed on third reading. Roll call. Voting "aye" were: Fagot, Kohl, Klamm, Wightman. 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. 2076 to be published in pamphlet form.

**AQUATIC FEES:** City Manager Bricker reported to City Council That the Resolution before them is the result of a survey of charges from other Municipalities who operate a swimming pool or aquatic center. The Resolution was reviewed with some opposition and questions concerning the costs and regulations regarding children under the age of four (4). After a lengthy discussion the proposed Resolution was referred back to the City Manager for further study.

**LIQUOR LICENSE:** The City Council reviewed an application from Investplus for an expansion of their existing liquor license. The application outlined that an addition to their store prompted the request for modification to their license. Upon the conclusion of the review Councilperson Fagot moved for approval of the expansion of the liquor license for Investplus dba SAV A LOT Discount Food Store, Seconded by Kohl. Roll call. Voting "aye" were: Klamm, Kohl, Fagot, Wightman. Motion carried.

**TRAILER PARK PUBLIC HEARING:** The City Council held a public hearing to consider amending the City Code allowing Camper Trailer parks by Special Use Permits. Vice President Wightman opened the hearing . City manager Bricker stated that he has not received any comments in opposition to this amendment. Hearing no further comments Vice President Wightman declared the Hearing Closed.

**CAMPER TRAILER PARKS AMENDMENT:** An ordinance entitled, "AN ORDINANCE TO AMEND SECTIONS 28-19.5 OF THE LEXINGTON CITY CODE; TO PROVIDE FOR TRAILER PARKS AS A SPECIAL USE IN C-3 HIGHWAY COMMERCIAL DISTRICT; TO REPEAL 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. Moved by Klamm, seconded by Kohl that said ordinance passed on first reading. Roll call. Voting "aye" were: Fagot, Kohl, Klamm, Wightman. Motion carried.

**THIRD STREET:**

City Attorney Weinhold addressed the Council stating that this portion of third street is located in from of a store directly west of the overpass. The store owner has requested to cover this triangular piece with concrete and cannot accomplish this with out ownership of the real estate. City Manager Vance Bricker stated that this triangle amounted to about one hundred (100) square feet. An Ordinance entitled AN ORDINANCE TO VACATE A PORTION OF THIRD STREET LYING WEST OF JACKSON STREET; TO PROVIDE FOR THE REVERSION OF THE VACATED STREET TO ADJOINING PROPERTY OWNERS; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM. was read before the council. Moved by Kohl, seconded by Fagot that the rules requiring the reading of said ordinance on three separate days be suspended. Roll call. Voting "aye" were: Klamm, Fagot, Kohl, Wightman. Motion carried. Said ordinance was then read by title. Moved by Fagot, seconded by Klamm that Ordinance NO. 2077 be passed on final reading. Roll call. Voting "aye" were: Kohl, Klamm Fagot, Wightman. 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. 2077 to be published in pamphlet form.

**TREASURER REPORT:**

Kerry Rader Lexington City Treasurer presented Her report to the City Council for the Month of December 1996. After a review of the financial data. Moved by Fagot seconded by Kohl to accept the Treasurers Report for the month of December 1996. Roll Call voting "AYE" were Klamm, Kohl, Fagot , Wightman. Motion carried.

**PENSION RIDER:**

City Clerk Malzahn informed the Lexington City Council that the rider presented tonight was prepared by The Travelers to remove the Civilian Pension from the pension plan with the Police Pension remaining. Moved by Klamm seconded by Fagot to authorize the Vice President to sign the rider from Travelers removing the Civilian Pension from contract GR918A.

Roll Call voting "AYE" were Kohl, Klamm, Fagot , Wightman. Motion carried.

**PAY ESTIMATE:**

The Lexington City Council considered Pay Estimate NO. 9 from Associated Pool Builders Inc. for pool construction at the Aquatic Center. After review of the pay estimate, moved by Kohl, seconded by Klamm to approve pay estimate No. 9 from Associated Pool Builders Inc. of Bismarck ND. for completion of pool construction at the Aquatic Center in the amount of \$8,000.00 and authorized the City Treasurer to transfer \$8,000.00 from the Aquatic Center funds to the City of Lexington Operating Account. Roll call. Voting "aye" were: Fagot, Klamm, Kohl, Wightman. Motion carried.

**ADJOURNMENT:**

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

John Wightman  
Vice President

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.

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Leon E. Malzahn  
Lexington City Clerk