

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Special Meeting of the Lexington City Council was held Wednesday, July 1, 1998 at the Lexington Municipal Building, 406 East 7th Street, Lexington, Nebraska at 7:00 a.m. Members of the Council present were Mayor John Wightman, John Fagot, Neal Kohl, Rick Klamm, Patty Mandelko. City Officials present were City Clerk Leon Malzahn, City Manager Vance Bricker, City Attorney Willard Weinhold. Also present was Assistant City Manager Joe Pepplitsch, Bob Cappel, Frank , Bernie Valish, Neal Kugler, Homer Pierce, Ken Graus, John and Anita Ohstrom, Scott Sarnes, Lars Ohstrom, Bob Alber, Mike Maloley, Mr. and Mrs. Richard Cross.

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 Wightman.

CDBG HEARING: The Lexington City Council held a public hearing to consider the request of Anna and Richard Cross to use CDBG funds for loan guarantees in financing. Assistant City Manager Joe Pepplitsch addressed the Lexington City Council stating the use of the funds and where the funds were to come from, and how they would be repaid. Upon the completion of his presentation, and receipt of no negative comments, Mayor Wightman declared the public hearing closed.

CDBG RESOLUTION: Moved by Fagot, seconded by Klamm, that the following Resolution be passed and approved. Roll call. Voting "aye" were Fagot, Klamm, Mandelko, Kohl, Wightman.

RESOLUTION 98-09

RESOLUTION AUTHORIZING CHIEF ELECTED
OFFICIAL TO SIGN AN APPLICATION FOR CDBG
FUNDS

WHEREAS, the City of Lexington, Nebraska, is an eligible unit of a general local government authorized to file an application under the Housing and Community Development act of 1974, as Amended, for Small Cities Community Development Block Grant Program; and,

WHEREAS, the City of Lexington, Nebraska, has obtained its citizens' comments on community development and housing needs; and has conducted public hearings upon the proposed application and received favorable public comment respecting the application for an amount of CDBG Reuse Funds of \$70,000 for Hometown Brand Center and Rent-To-Own Inc. for a loan guarantee and direct loan for fixed assets,

NOW THEREFORE, BE IT RESOLVED BY, the Mayor and City Council of the City of Lexington, Nebraska, that John Wightman, Mayor of the City of Lexington, Nebraska, be authorized and directed to proceed with the formulation of any and all contracts, documents or other memoranda between the City of Lexington, Nebraska, and Hometown Brand Center and Rent-To-Own Inc. so as to effect acceptance of this application.

APPROVED THIS 1st DAY OF JULY, 1998.

John Wightman, Mayor

ATTEST:

Leon E. Malzahn, City Clerk

UPRR CROSSINGS:

Mr. John Wightman addressed the citizens in attendance at this meeting, stating that the City Council has been approached by Union Pacific Rail Road to close the Washington and Madison Street crossings, and build an overpass over Adams Street. He further stated that the Council at this time is

considering not only the safety of the citizens crossing the Rail Road that would be imperative if an overpass was to be constructed. The number of trains, which at this time, is approximately 120 trains, with 140 cars each being reported as increasing to 160 trains with no estimation on the length. The inconvenience caused to people by closing these crossings and the amount of a bond issue and the tax burden that the citizens of Lexington would need to recoup over a period of years if the viaduct was constructed. With this, City Manager Bricker, addressed the City Council, outlining the meetings that were held for the public. In attendance where a crossing was selected, the statistics in the traffic study of this area which also included pedestrian traffic, the cost of the overpass and the location that was selected at the last meeting, and the monies that would be given to the City of Lexington by the UPRR and Dept. of Roads for constructing this overpass. Upon conclusion of his presentation, the meetings was opened for public input. At this time, Mr. Ken Graus addressed the Council regarding the number of lanes, which resulted in the answer of two lanes, with pull-off lanes should someone get into trouble, plus sidewalks, reviewed the money that would be paid to the City of Lexington for the closing of both crossings. He also inquired if both crossings needed to be closed. Additionally Mr. Frank Hennigan addressed the City Council stating that the study had been flawed by the wrong classification of businesses that would be affected if the Washington Street crossing would be closed. Also speaking with regard to opposing the closing of the crossings, was John Ostrom and Lars Ostrom. Upon completion of the input from the public, Mayor Wightman requested that a special meeting be set to receive additional input from the public on this matter. Moved by Kohl, seconded by Mandelko, to hold a special meeting on July 8, 1998 at 7:00 p.m. for the purpose of receiving input on the proposed overpass and closing of Rail Road crossings. Roll call. Voting "aye" were Fagot, Klamm, Mandelko, Kohl, Wightman. Motion carried.

ADJOURNMENT:

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

John Wightman
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