

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Wednesday, August 26, 1998 at the Lexington Municipal Building, 406 East 7<sup>th</sup> Street, Lexington, Nebraska at 7:30 p.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. Department Heads present were Assistant City Manager Joe Peplitsch, Police Chief Charles Clark, Head Librarian Ruth Seward, Finance Director Barb Mills, and Recreation Director Chris Huff. Also present was Dana Daniels, representing Miller and Associates. Citizens in attendance were approximately 35 citizens with an interest in the Items on the Agenda. The press was represented by the Clipper-Herald, KRVN, KNOP-TV, Tri-City Trib, the Kearney Hub, and NTV.

**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.

**MINUTES 8-11-98:** Minutes of the regular council meeting held August 11, 1998 were presented for Council's consideration and approval. Moved by Klamm, seconded by Mandelko to approve the minutes of the regular meeting held August 11, 1998 as presented. Roll call. Voting "aye" were Fagot, Kohl, Mandelko, Klamm, Wightman. Motion carried.

**CLAIMS & BILLS:** Claims and bills in the amount of \$805,061.74 was presented for Council's consideration and approval. Upon review of the claims and bills, moved by Kohl, seconded by Mandelko to approve the claims and

bills as listed and authorize the City Treasurer to transfer \$114,507.02 from the General Fund, \$637,614.59 from LEXUS, \$19,208.75 from City Sanitation Fund, \$10,461.71 from the Landfill Fund, \$12,345.00 from the Heartland Museum Fund, \$3,496.27 from the Health Fund, and \$7,428.40 from the Meals on Wheels Fund to the City of Lexington Operating Account. Roll call. Voting "aye" were Klamm, Fagot, Kohl (with the exception of Mr. Automotive), Mandelko, Wightman. Motion carried.

CITY OF LEXINGTON  
 ACCOUNTS PAYABLE  
 AUGUST 26. 1998

ABINGDON PRESS	LIBRARY BOOKS	56.23
ACKERMAN, TERRY	TRAVEL EXPENSES-PICK UP TRUCK	182.75
AFLAC	EMPLOYEE CANCER POLICY	302.32
A T & T	LONG DISTANCE-POOL	18.24
BARMORE'S DRUG	OFFICE SUPPLIES	12.61
BEE OFC SOLUTIONS	OFFICE SUPPLIES	50.43
BERNTSON OIL	OIL AND FUEL	2,757.87
BECKER FIRE EQUIP. CO.	COATS AND PANTS	4,188.85
BRICKER, VANCE	TRAVEL EXP. NPPD MEETINGS	89.46
BUS. & PROF. CREDIT	UTL COLLECTION FEES	103.92
CASH-WA	FOOD AND SUPPLIES	1,208.32
CENTRAL GAR. FUND	PARTS/LABOR/OIL	8,521.65
CHURCHICH REC. DSN	PVC BENCHES	1,148.00
CINDY'S HEAV. COOKIES	POOL COOKIES	86.00
COAST TO COAST	MISC SUPPLIES	28.52
COCA COLA/DR PEPPER OF KRNY.	POOL POP	90.25
COUNTRY GENERAL	MISC SUPPLIES	112.39
C.B.S.A.	EMPLOYEE CLAIMS	2,646.72
C.B.S.A.	EMPLOYEE PREMIUMS	7,028.18
COZAD SERVICE	WATER COOLER ADJUSTMENT-GGC	32.00
CPRA	ANNUAL CONF.-HUFF, CHRIS	210.00
C & S TRUCKING	SWEEPER REPAIRS	621.44
DAWSON AREA DEV.	ANNUAL MEETING	60.00
DITCH WITCH OF NE INC.	CHAIN AND SPROCKET	77.77
DOZIER EQUIPMENT	STRAIGHT WALL CONTAINERS	235.40
E & I ELECTRONICS	REPAIR RADIOS	17.50
EGAN SUPPLY CO.	JANITORIAL SUPPLIES	46.80
ELECTRIC FIXTURE	ELECTRICAL SUPPLIES	13.90
EMERG. MED. PROD.	MEDICAL SUPPLIES	367.33
EUSTIS BODY SHOP	TOW VAN TO CITY SHOP	30.00

FAIRBANKS INT. INC.	REPAIRS TO TRACTOR	215.54
FAGOT REFRIG. & ELEC.	MISC. REPAIRS-WWTP/WATER DEPT	3,186.86
FARM PLAN CORP.	PARTS AND SUPPLIES	568.14
FISCHER-SCIENTIFIC	ELECTRODE	139.40
FIVE STAR FLOORING	FLOOR TILE AND TROWEL	328.18
FLOOR SHINE	RESTORE FLOORS-SRV. BLDG.	64.00
GILLETTE/NE DAIRIES, INC.	DAIRY PRODUCTS-GGC	305.76
GUSTAVE, A OT JR.	REFUND OVERPAYMENT ON UTILITY	20.12
T.O. HAAS TIRE CO. INC	TIRES	967.86
HALOGEN SPLY CO. INC.	CHECK PINS	155.19
HRTLND MILIT. MUSEUM	DRAWDOWN #'S 6 & 7	12,345.00
HEARTLAND CLERKS ASSOC.	ANNUAL MEMBERSHIP	10.00
HOFAKER'S IRON & METAL	USED IRON	12.00
INGRAM LIBR. SRVCS	LIBRARY BOOKS	33.71
INTERN. TRANSF. CO	RECONDITION TRANSFORMERS	393.88
JONES, JAMES	ELECTRIC REBATE	1,200.00
KAPCO	LIBRARY SUPPLIES	29.30
K N ENERGY INC	ENERGY CHARGE	56.34
KNAPP ELECTRIC	REPAIR LIFT PUMP	102.70
LEAGUE OF NE. MUNIC.	UTILITIES MEMBERSHIP	1,637.00
LEX CHBR OF COMM.	TEACHERS BREAKFAST MEALS	70.00
LEX. HEALTH FUND	SELF-FUNDING	13,873.70
LEX. PUBLIC LIBRARY	POSTAGE & SUPPLIES(PETTY CASH)	33.59
LEX. NEWSPAPERS	PUBLIC NOTICES & MTG MINUTES	464.54
LEX. AREA SOLID WSTE	SOLID WASTE FEES	291.24
LEX. POSTMASTER	ANNUAL BULK MAIL FEE-GGC	85.00
LIEHS DRILLING	REPAIRS ON WELLS	10,341.08
LUTHER, ANN	NASC PRAIRIE REGION MEETING	38.19
LUCENT TECH.	QUARTERLY LEASE AGREEMENT	89.40
MALOLEY, JOE	ELECTRIC REBATE	500.00
MEAD/BIG VALLEY LMBR	MISC. SUPPLIES	102.50
MIDWAY SUPPLY	PARTS AND SUPPLIES	44.64
MILLER & ASSOCIATES	LANDFILL-WATER SAMPLING	3,629.46
PROFESSIONAL	CEDAR ST. WATERMAIN	3,643.62
FEES	AQUATIC PARK PARKING	2,361.85
MIDLANDS RENTAL/MACH.	REPAIRS TO ELECTRIC	405.56
MID-NEBR. FOOD BANK	AUGUST FOOD CHARGES-GGC	24.92
MIDWEST LAB. INC.	WATER SAMPLING ANALYSIS	6,832.25
MORRIS PR. & OFC SPLY	OFFICE SUPPLIES	74.84
MR. AUTOMOTIVE	MISC. SUPPLIES	38.77
MUNICIPAL SUPPLY	PC CLAMPS	1,369.37
NAT. INTRAMURAL-REC.	ANNUAL MEMBERSHIP THRU 8/99	95.00
NAT. LEAGUE OF CITIES	ANNUAL DUES	785.00
NAT. LEAGUE OF CITIES	REGISTRATION FEES-FAGOT, J & M	415.00
NE ASSOC. - SR CTRS	REGISTRATION - LUTHER, ANN	75.00

NEBRASKA MACHINERY AMBER STROBE		78.72
NEBRASKA TRANSPORTFREIGHT TO SKARSHAUG		62.09
NE VOL. FIRE FIGHTERS ANNUAL PREMIUM-LIFE INSURANCE		1,069.22
N-CHEP	DIETARY MANAGER CONFERENCE	45.00
OVERTON COMM. CTR	BUILDING RENT	100.00
PAYROLL ACCOUNT	WAGES PAYROLL FOR 8/13/98	79,833.81
SOCIAL SECURITY	SO. SEC.(EMPLOYER PORTION)	6,056.02
FIRST NATIONAL BANK	EMP. PENSION(EMPLOYER PORT)	2,108.16
AMERICAN FUNDS	POLICE PENSION(EMPLOYER PORT)	959.53
I.C.M.A.	EMP. PENSION(EMPLOYER PORT)	95.09
PAULSEN INC.	CONCRETE	2,859.72
PATTY'S HALMARK	OFFICE SUPPLIES	219.86
PETTY CASH FUND	REPLENISH PETTY CASH	114.03
PITNEY-BOWES	MAIL MACH/SCALE MAINTENANCE	343.00
PL. VALLEY AUTO MART	MISC. SUPPLIES	78.64
PLUM CREEK PROMO.	SPECIAL DESIGN SHIRTS	300.00
PL. VALLEY EXTERM.	GGC AND FIRE HALL	132.00
PRICE'S TREE SERVICE	TREE AND STUMP REMOVAL	550.00
PRINTING PRESS, THE	WARNING BOOKS	308.34
REACH ELECTRONICS	ELECTRIC REBATE	1,400.00
RENT-ALL RENTALS	WEED MOWER RENTAL	63.00
RESCO	DANGER SIGNS	220.42
SABLE, LARRY	REFUND OVERPAYMENT UTILITY	88.19
SCHNIEBER FINE FOODS INC.	FOOD AND SUPPLIES	1,112.61
SIXTH STREET MARKET	FOOD AND SUPPLIES	49.47
STARR, A.D.	BASEBALL/SOFTBALL EQUIPMENT	463.00
STEPHENSON SCL SPLY CO	LIBRARY BOOKS	8.30
S & W AUTO PARTS, INC.	PARTS AND SUPPLIES	634.26
TELEGRAPH	ONE YEAR RENEWAL	108.00
THORNAPPLE PUBL. CO.	SHORT PLAYS/SKITS-GRPARENTS	26.95
TIME LIFE BOOKS	LIBRARY BOOKS	68.62
TRI-COUNTY HOSPITAL	34 MEMBERS/LUNCHES/DR. SCREEN	292.91
UTILITY EQUIPMENT	SVC TAPS-HYDRANT REPAIR KIT	758.65
VALENTINO'S	CIVIL SRV MTG/PIZZA FOR POOL	111.48
WALKER, ALLEN	REFUND OVERPAYMENT UTILITY	31.01
WAL-MART	MISC. SUPPLIES	119.87
WAREHOUSE SURPLUS	UTILITY CANDY	17.00
WESCO DISTRIB., INC.	TRANS.-CONDUIT-SUPPLIES	1,486.86
C.B.S.A.	EMPLOYEE CLAIMS	547.23
CASH-WA	FOOD & SUPPLIES-GGC	487.83
DAN'S SANITATION	AUGUST BILLING-SOLID WASTE	19,208.75
DEPOSIT. TRUST CO.	97A INTEREST	86,845.00
DEPOSIT. TRUST CO.	97B PRINCIPAL AND INTEREST	
	415,497.50	
ELECTRIC FIXTURE	TOOL APRON & PVC HOOK	461.71
FISCHER-SCIENTIFIC	REFRIGERATED INCUBATOR	2,596.25

JMS MILLWRIGHT & RPRELECTRIC BUILDING ADDITION	24,895.00
K N ENERGY, INC. ENERGY COSTS-POOL & WWTP	1,022.24
LEX. AREA SLD WASTE SOLID WASTE FEES	146.61
LEXUS UTILITY BILLING AUGUST	23,503.79
LEXINGTON, CITY OF UTILITY FRANCHISE FEES	28,652.92
MEWIS, KEITH TREAT DOWNTOWN AREA TREES	224.00
MORRIS PR. & OFC SPLSDISKETTES	9.86
NE. MUN. CLERK' ASSOC.MEMBERSHIP(MALZAHN & LEWIS)	60.00
SCHNIEBER FINE FOODSFOOD & SUPPLIES-GGC	502.09
SCHLSTIC BK CLUBS, INC.LIBRARY BOOKS	11.95
TEXACO CUS. CARD CTRFUEL EXP.-PICK UP TRUCK IN WI.	58.36
TREE TOPS MEDIA LIBRARY BOOKS	156.47
TOTAL CLAIMS 8/25/98	805,061.74

**CITIZEN'S COMMENTS:** During the citizen's comments, Mr. David Selk addressed the Lexington City Council requesting to know how much longer it would take for signalization of Walnut and Plum Creek Parkway. The Mayor informed Mr. Selk that the State of Nebraska controls the placement of signals since that is a state highway and is currently conducting a study, however, he should rest assured that the City Council and Administration of Lexington is urging the State of Nebraska to complete the study and place signals at that location.

**PUBLIC HEARING:** The Lexington City Council held a public hearing to consider the application of Casey's General Stores Inc., dba Casey's General Store for a Class B Beer Off-Sale Liquor License at 607 Plum Creek Parkway. The representatives from Casey's was there to state that the liquor license would be for the similar use as the other Casey's store is in Lexington. Hearing no opposition, Mayor Wightman declared the public hearing closed. Moved by Kohl, seconded Klamm to recommend approval of the issuance of the license to Casey's General Stores Inc., dba Casey's General Store for a Class B Beer Off-Sale Only Liquor License at 607 Plum Creek Parkway. Roll call. Voting "aye" were Fagot, Mandelko, Klamm, Kohl, Wightman. Motion carried.

**OVERPASS FUNDING:** At this time, Mayor Wightman again reviewed the process and the results of the placements of an overpass on Adams Street. Mr. Frank Hennigan,

Harlan Anderson, John Knapple, Jim Jones, Joe Jeffrey were some of the citizens who wanted to reopen Washington Street and renegotiate with the State of Nebraska and Union Pacific Railroad for the Adams Street Overpass. Speaking in favor of the construction of the overpass and the closing of Madison Street was Nova Workman. Mayor Wightman stated that if at anytime we refuse to accept the offer from the State of Nebraska, and Union Pacific Railroad, we would lose approximately \$900,000. Since we have decided to leave the Madison Street Crossing open at this time, we have already lost \$250,000. If we were to reopen Washington Street, we would lose the entire \$900,000. Upon completion of the discussion and the input from the public, moved by Fagot, seconded by Mandelko, that the following resolution be passed and approved. Roll call. Voting "aye" were Kohl, Klamm, Mandelko, Fagot, Wightman.

#### RESOLUTION NO. 98-13

WHEREAS, the City of Lexington has made application to the State of Nebraska Department of Roads for funding of an Adams Street grade separation project; and

WHEREAS, the State of Nebraska department of Roads has determined that no funding priority will be established unless the City agrees to closing of the railroad grade crossings at Washington Street, Madison Street, and Adams Street; and

WHEREAS, the State of Nebraska Department of Roads is unwilling to make a commitment to provide a pedestrian crossing to replace the closed grade crossings.

BE IT THEREFORE RESOLVED by the Mayor and Council of the City of Lexington, Nebraska, that the Washington Street railraod grade crossing will remain closed, and the Madison Street crossings and Adams Street crossings will be permanently closed at the same time as an Adams Street viaduct is completed and open for traffic.

BE IT FURTHER RESOLVED that the City Administration is authorized to enter into agreements with the Nebraska Department of Roads and with Union Pacific Railroad consistent with the terms of this Resolution.

BE IT FURTHER RESOLVED, that this Resolution shall be subject to the following conditions:

- a. That the State of Nebraska Department of Roads will approve funding of an Adams Street grade separation project; and
- b. The State of Nebraska Department of Roads and Union Pacific Railroad will approve and fund a pedestrian crosswalk at or in the immediate vicinity of Madison Street as a part of the Adams Street grade separation project.

Dated this 26<sup>th</sup> day of August, 1998.

CITY OF LEXINGTON, NEBRASKA

BY: John Wightman, Mayor

ATTEST:

Leon E. Malzahn, City Clerk

**ENGINEERING  
PROPOSAL**

At this time, representatives from Miller and Associates addressed the Lexington City Council with the proposal for engineering of the overpass. Included in this presentation, was a timeline for construction of the overpass, and the cost for the engineering study. Upon completion of the presentation, moved Kohl, seconded by Mandelko, to amend the agreement between the City of Lexington and Miller and Associates to include the engineering for the construction of the Adams Street overpass. Roll call. Voting "aye" were Fagot, Klamm, Mandelko, Kohl, Wightman. Motion carried.

**PUBLIC HEARING-  
ALIAN T CELLULAR**

The Lexington City Council held a public hearing to consider the request of Aliant Cellular to construct a tower at the intersection of Highway 30 and Road 755. Representatives from Aliant Cellular were

present to explain the need for the tower and the height. Upon completion of their presentation, Mayor Wightman declared the public hearing closed. Moved by Mandelko, seconded by Kohl, that a special use permit be granted to Aliant Cellular to construct a cellular phone tower at the property located at Highway 30 and Road 755. Roll call. Voting "aye" were Fagot, Klamm, Kohl, Mandelko, Wightman. Motion carried.

**PUBLIC HEARING:**

The Lexington City Council held a public hearing to consider the request of Don Price for a special use permit for extension of a Mobil Home court located at 803 West Walnut. Mr. Price addressed the Lexington City Council stating that he would like permission to extend the Mobile Home Court for placement of additional Mobile Homes. Council person Fagot requested that at the earliest date, he negotiate the paving of the streets at his Mobile Home Court. Mr. Price stated that he would be more than willing to listen to any proposals from the City for initiation of a paving district. Upon completion of discussion, moved by Kohl, seconded by Fagot to issue a special use permit to Mr. Don Price for the extension of a Mobil Home Park. Roll call. Voting "aye" were Fagot, Kohl, Wightman. Voting "nay" was Mandelko. Abstaining was Klamm. Motion carried.

**CONVEYANCE OF PROPERTY:**

City Manager Bricker addressed the Lexington City Council stating that we had passed an ordinance selling property to Union Pacific Railroad and therefore needed to have a resolution conveying a warranty deed. Upon completion of the presentation, moved by Klamm, seconded by Mandelko, that the following resolution be passed and approved. Roll call. Voting "aye" were Fagot, Kohl, Mandelko, Klamm, Wightman. Motion carried.

**RESOLUTION NO.98-14**

WHEREAS, the City has by Ordinance No. 2098 approved the sale of the following described real estate owned by the City, to-wit:



A tract of land in the City of Lexington, County of Dawson, State of Nebraska being a part of Lot 3, Tract G, in the Southeast Quarter (SE ¼) of Section Five (5), Township Nine (9) North, Range Twenty-one (21) West of the 6<sup>th</sup> P.M. Dawson County, Nebraska, and more particularly described as follows:  
Beginning at the Southeast Corner of Section Five (5), Township Nine (9) North, Range Twenty-one (21) West of the 6<sup>th</sup> P.M., Dawson County, Nebraska;  
Thence N 89°29'37" W, and along the South line of the Southwest Quarter, a distance of 60.00 feet;  
Thence North 0°30'23" E, a distance of 32.60 feet;  
Thence on a 610.81 foot radius curve to the left (the initial tangent which coincides with the last described course), a distance of 92.75 feet;  
Thence S 89°29'37" E, and parallel to the South line of the Southeast Quarter, a distance of 68.52 feet;  
Thence S 1°11'23" W, and along the East line of the Southeast Quarter a distance of 125.00 feet to the place of beginning and containing 0.18 Acres more or less; subject to a permanent easement for maintenance and repair of a City sanitary sewer main, such easement to extend fifteen feet (15') either side of the center line of said sanitary sewer main.

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 John Wightman, 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 26th day of August,  
1998.

CITY OF LEXINGTON, NEBRASKA

BY: John Wightman, Mayor

ATTEST:

Leon E. Malzahn City Clerk

**LANDFILL  
APPOINTMENT:**

City Manager Bricker stated that the City of Lexington needed to appoint a representative and an alternate to the area landfill board. Upon completion of his presentation, moved by Klamm, seconded by Mandelko that the following resolution be passed and approved. Roll call. Voting "aye" were Kohl, Fagot, Mandelko, Klamm, Wightman. Motion carried.

RESOLUTION NO. 98-15

A RESOLUTION APPOINTING REPRESENTATIVE  
AND ALTERNATE REPRESENTATIVE TO  
LEXINGTON AREA SOLID WASTE AGENCY.

WHEREAS, the undersigned political subdivision has previously approved and adopted an Interlocal Agreement, thereby becoming a member of the Lexington Area Solid Waste Agency; and

WHEREAS, it is necessary to adopt a Resolution to appoint a representative to serve on the governing body of the Lexington Area Solid Waste Agency.

BE IT THEREFORE RESOLVED that Vance Bricker residing at Lexington Nebraska is hereby appointed as the representative of the undersigned political subdivision to serve on the Agency Board of the Lexington Area Solid Waste Agency, and that Joe Pepplitsch residing at Lexington Nebraska is hereby appointed as alternate representative of the undersigned political subdivision to serve on the Agency Board of the Lexington Area Solid Waste Agency. Such representation to be effective upon the

date of this Resolution, and continue until a successor representative has been appointed.

PASSED AND APPROVED August 26, 1998

City of Lexington

By:

John Wightman Mayor

ATTEST

Leon E. Malzahn Lexington City Clerk

**AIRPORT BUDGET:**

The City Council was informed by the Assistant City Manager that changing the state law requires the City of Lexington to include the Airport Authority in their budget, and therefore, the Airport Authority has submitted a resolution which delineates the amount of money they are requesting to be included in the Lexington call for taxes. Upon completion of his presentation, moved by Kohl, seconded by Fagot, that the following resolution be passed and approved. Roll call. Voting "aye" were Mandelko, Klamm, Fagot, Kohl, Wightman. Motion carried.

**RESOLUTION NO. 98-16**

WHEREAS, the Airport Authority has requested an allocation of a part of the City of Lexington property tax levy for budget purposes.

BE IT RESOLVED by the Mayor and Council of the City of Lexington, Nebraska, that \$40,095.00 of the City of Lexington Property Tax Levy Authority is hereby allocated to the Lexington Airport Authority for fiscal year 1998-1999,

Passed and approved this 26th day of August, 1998.

CITY OF LEXINGTON, NEBRASKA

ATTEST

BY: John Wightman, Mayor

Leon Malzahn, City Clerk

**FINANCIAL REPORT:** Barb Mills presented the Financial Report for the month of July, 1998. After review of the report, moved by Klamm, seconded by Mandelko to accept the Financial Report for July, 1998. Roll call. Voting "aye" were Fagot, Kohl, Mandelko, Klamm, Wightman. Motion carried.

**CERTIFICATE OF FINAL COMPLETION:** Mr. Dana Daniels, representing Miller and Associates stated that a certificate of final completion needed to be approved by the Lexington City Council to complete the Phase II closure of the landfill. He further stated that at the last meeting, the final payment was approved, which would also be the amount on the certificate of final completion. On the completion of his report, moved by Klamm, seconded by Fagot, that the certificate of final completion in the amount of \$206,705.00 for Phase II Closure of the Lexington Landfill be approved. Roll call. Voting "aye" were Kohl, Mandelko, Fagot, Klamm, 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.

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Lexington City Clerk