

**CITY COUNCIL  
CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, August 27, 2019, at the Lexington City Hall, 406 E. 7<sup>th</sup> Street, Lexington, Nebraska at 5:30 p.m. Members of the Council present were John Fagot, John Salem, Steve Smith and Jeremy Roberts. Dora Vivas was absent. City Officials present were City Manager Joe Pepplichtsch, Assistant City Manager Dennis Burnside, City Attorney Brian Copley, Community Development Director Bill Brecks, Finance Director Barb Hodges, and City Clerk Pamela Baruth. The press was represented by Clipper-Herald 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 Mayor Fagot. Fagot informed the public that the Open Meetings Act is posted in the Meeting Room at the Lexington City Hall, 406 E. 7<sup>th</sup> Street, Lexington, Nebraska.

**MINUTES – REGULAR MEETING 8-13-19:** Minutes of the Regular meeting held Tuesday, August 13, 2019, were presented. Moved by Salem, seconded by Smith, to approve the minutes as presented. Roll call. Voting “aye” were Roberts, Smith, Salem, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$908,424.62 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Smith, seconded by Salem, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$323,266.61 from General Fund, \$50,496.07 from Street Fund, \$35,294.02 from TIF, \$26,152.00 from Housing Reuse, \$420,954.60 from LEXUS, \$31,403.02 from Sanitation, \$644.95 from Landfill, \$1,362.01 from Ambulance, \$14,861.40 from Health Fund, and \$3,989.94 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Roberts, Salem, Smith, Fagot. Motion carried.

**ACCOUNTS PAYABLE  
August 27, 2019**

ABC Partnership	Owner Occupied Rehab Work	20,667.00
Baker & Taylor	LB / Books	282.43
Bank of America:		
4 Imprint	PK / Employee Shirts	505.04
Amazon.com	PK/WR/Water Pump/Magnetic Locator	699.90
American Red Cross	AC / Lifeguard Training	988.00
Mid-West Instrument	WR / Backflow Test Kits	200.40
National League of Cities	CC / 2019 City Summit Registration	1,585.00
Panda Express	PD / Meals	8.70
PayPal	LB / NE Library Association Dues	60.00
Popeyes Chicken	PD / Meals	10.02

The Gallery Collection	CC / CM / Holiday Cards	350.20
United States Postal Service	WR / Postage	311.15
Walmart.com	CM / ND / Supplies	242.27
Best Books Inc	LB / Books	1,943.15
BSN Sports	PK / Softball Field Supplies	449.98
Cash-Wa Distributing	MOW / Food & Supplies	746.50
Castaneda, Zolia	Electric Rebate	700.00
Cengage Learning	LB / Books	151.79
Chesterman Company	MOW / Beverages	70.00
Community Development Agency	HNB Properties Redevelopment Project	35,294.02
	Annual Funding	50,000.00
Designer Craft Woodworking	AC / Countertops	279.00
Diamond Vogel	ST / Paint / Supplies	367.96
Eakes	LB / Supplies	1,960.85
Electrical Engineering & Equipment	EL / PK / Parts	348.91
Fagot Refrigeration & Electric	GGC / PK / Service Call	473.68
	SW/ Shotkoski Lift Station/#2/Repair	138.48
	NPPD Lift Station/Tyson Substation/Pump	801.45
Fastenal	PK / ST / Supplies / Tools	588.46
Fix It Center	GGC / Equipment Repairs	203.00
Health Claims	Claims	5,107.34
Heldt McKeone & Copley	Legal Expenses	399.35
Hiland Dairy Foods	MOW / Dairy Products	249.50
Holbein, Dahlas	AMB / FD / Truck Maintenance	1,500.00
IGS Solar	Solar Power Purchase	57,449.60
Ingram Library Services	LB / Books	463.45
J & N Sales	WWTP / Bearing Rebuild Kit	366.65
John Deere Financial	CEM / PK / ST / Parts & Repairs	5,035.98
Johnny On the Spot	CEM / PK / Rentals	375.00
Lexington Newspapers	Publications	22.08
Lexington, City Street Department	Annual Sales Tax Support	100,000.00
LEXUS	Utilities	44,159.00
Lift Solutions	ST / Equipment Maintenance	84.00
Lincoln Winwater Works Co	WR / Parts	3,015.77
LIPS Printing Service	EL / Door Tags	408.10
McKesson	AMB / Medical Supplies	929.26
Mead Lumber	AC / ST / Paint / Concrete Anchors	122.13
Meritain Health	Health Premium	29,464.71
MicroMarketing	LB / Books	39.99
Mid-American Research Chemical	PK / Herbicide	167.27
Milco Environmental Services Inc	Methane Monitoring	644.95
Miller & Associates	PK / Planning / Veterans Memorial	792.10
Municipal Supply	WR / Parts	483.42
Nebraska Association of Senior Centers	NASC Fall Conference Registration	95.00
Nebraska Department of Agriculture	PD / Animal Control Annual Fee	175.00
Nebraska Environmental	ST / Sweeper Brooms	1,116.61
Nebraska Health & Environmental Lab	WR / Testing	1,807.00
Nebraska Law Enforcement	PD / Basic Training Materials	135.00
Nebraska Public Power District	O & M	102,334.23
Nebraskaland Tire	WR / Truck Repairs	419.49
New Horizons LLC	Owner Occupied Rehab Work	5,485.00

O'Reilly Auto Parts	ST / Supplies	29.98
Paulsen Inc	ST / WR / Sand / Gravel / Limestone	4,968.62
Platte Valley Auto Mart	GGC / Auto Repair	1,061.06
Precision Detail	FD / Cleaning	180.00
Principal	Dental Premium	3,735.09
Rasmussen Mechanical Services	LB / Service Call	1,251.64
Rodriguez, Elida T	Electric Rebate	700.00
Sigma-Aldrich	WWTP / Lab Testing	780.76
Standard Insurance Company	Life Insurance Premiums	1,009.02
Statewide Collections	Utility Collections	191.64
Taste of Home	LB / Books	34.98
TL Sund	ST / Crushed Concrete	544.28
U Save Business Equipment	Paper Contract	1,680.76
US Foods	MOW / Food & Supplies	499.22
Van Diest Supply Company	ST / Insecticide	2,116.20
Verdin Company	ST / Clock Restoration	5,232.50
Verizon Wireless	Cell Phone Service	398.97
Village Uniform	GGC / Supplies	55.84
VSP / Vision Service Plan	Vision Premium	1,105.49
Walmart	AC / DS / LB / PK / ST / Supplies	752.40
YMCA	Memberships	1,218.00
Cash-Wa Distributing	MOW / ND / Food / Supplies	1,289.58
Cengage Learning	LB / Books	232.93
Davis Energy	Fuel	3,940.47
Dan's Sanitation	Sanitation	31,403.02
Eakes	PD / Copier Expense	642.90
Great Western Bank	City / Petty Cash	61.29
Health Claims	Claims	9,566.85
Hiland Dairy	MOW / Dairy Products	220.12
Lexington City Of,	Franchise Fees	98,459.44
Lexington City Of, General Fund	Interdepartmental Fees	67,984.75
Lexington City Payroll Account:		
Payroll	Wages	152,130.87
Social Security	Employer Portion / FICA Med	11,365.83
Union Bank & Trust	Employer Portion / Pension	4,724.93
Union Bank & Trust	Police Pension	2,863.74
ICMA	City Manager Pension	940.29
Lexington City Of, Street Fund	Interdepartmental Fees	5,651.89
Lexington Newspapers Inc	Publications	171.37
Micromarketing	LB / Books	34.99
Mid-American Research Chemical	ST / SW / Supplies	745.18
Nebraska Rural Water Association	WR/ Membership Dues	275.00
Proseal	ST / Cold Patch	4,051.92
Spectrum	Cable Service	23.57
TASC	Administration Fees	187.21
Taste of Home	LB / Books	34.98
US Foods	MOW / Food	600.73
	<b>TOTAL CLAIMS:</b>	<b>908,424.62</b>

**FINANCIAL REPORT:** Moved by Roberts, seconded by Smith, to accept the financial report for July 2019. Roll call. Voting “aye” were Salem, Smith, Roberts, Fagot. Motion carried.

**PUBLIC HEARING:** Mayor Fagot opened a public hearing to consider a Conditional Use Permit application by First United Methodist Church for the operation of a child care facility on property located at 201 East 8<sup>th</sup> Street. Kurt McBride, church council member, explained plans for a licensed child care facility to be housed in the church, physical modifications required by DHHS, age groups served, and personnel. There being no public comments, the public hearing was closed. Following discussion, moved by Salem, seconded by Smith, to approve the Conditional Use Permit application as presented and to authorize execution of CUP agreement. Roll call. Voting “aye” were Roberts, Smith, Salem, Fagot. Motion carried.

**PUBLIC HEARING:** Mayor Fagot opened a public hearing to consider a final plat of the Northeast First Addition. Peplitsch reviewed the plat of City owned property. There being no public comments, the public hearing was closed. Resolution No 2019-13 was presented. Moved by Salem, seconded by Roberts, to approve Resolution No. 2019-13. Roll call. Voting “aye” were Smith, Roberts, Salem, Fagot. Motion carried.

### **RESOLUTION NO. 2019 - 13**

#### **NORTHEAST FIRST ADDITION**

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

The plat of NORTHEAST FIRST ADDITION, being part of the north one-half of Section 32, Township 10 North, Range 21 West of the Sixth Principal Meridian, Dawson County, Nebraska, duly made out, acknowledged and certified, and the same hereby is approved, accepted and ordered filed and recorded in the office of the Register of Deeds of Dawson County, Nebraska.

**PASSED AND APPROVED this 27th day of August, 2019.**

**PUBLIC HEARING:** Mayor Fagot opened a public hearing to consider the annexation of the Northeast First Addition. Peplitsch explained the addition is proposed to be included in corporate limits for future development. There were no public comments, and the public hearing was closed. Resolution No. 2019-14 was presented. Moved by Roberts, seconded by Smith, to approve Resolution No. 2019-14 as presented. Roll call. Voting “aye” were Salem, Smith, Roberts, Fagot. Motion carried.

### **RESOLUTION NO. 2019-14**

#### **NORTHEAST FIRST ADDITION ANNEXATION**

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

That the NORTHEAST FIRST ADDITION, being part of the north one-half of Section 32, Township 10 North, Range 21 West of the Sixth Principal Meridian, Dawson County, Nebraska, shall be included within the corporate limits of the City and become a part of

the City for all purposes whatsoever and the inhabitants of the Addition shall be entitled to all the rights and privileges and be subject to all the laws, ordinances, rules and regulations of the City.

**PASSED AND APPROVED this 27th day of August, 2019.**

**BUDGET:** Council and Staff discussed draft budget proposals for Fiscal Year 2020. Following discussion, it was indicated that a budget hearing will be scheduled for the September 10, 2019 council meeting.

**ROUNDTABLE DISCUSSION:** Burnside announced an open house is scheduled for Thursday, September, 12, 2019, in the Council Chambers, to receive public comment on the environmental assessment report for the East Viaduct Project. The open house will be scheduled for 4-6 p.m. with a formal presentation at 5 p.m.

**ADJOURNMENT:** There being no further business to come before the Council, Fagot declared the 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