

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

A Regular Meeting of the Lexington City Council was held Tuesday, February 10, 2015, at the Lexington City Hall, located at 406 E. 7th Street, Lexington, Nebraska at 5:30 p.m. Members of the Council present were John Fagot, John Salem, Linda Miller, and Dora Vivas. Jeremy Roberts was absent. City Officials present were City Manager Joe Pepplichtsch, Assistant City Manager Dennis Burnside, Assistant City Attorney Brian Copley, Finance Director Barb Hodges, Development Services Director Bill Brecks, Police Chief Tracy Wolf and City Clerk Pamela Baruth. The press was represented by KRVN and the Clipper Herald. Linda Erickson and Sarah Borchers, Contryman Associates, and Tina Reil-Lux were also in attendance.

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, located at 406 E. 7th Street, Lexington, Nebraska.

MINUTES – REGULAR MEETING 1-27-15: Minutes of the Regular meeting held Tuesday, January 27, 2015, were presented. Moved by Salem, seconded by Vivas, to approve the minutes as presented. Roll call. Voting “aye” were Miller, Vivas, Salem, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$513,004.99 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Miller, seconded by Salem, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$254,605.91 from the General Fund, \$43,245.21 from Street Fund, \$180,465.10 from LEXUS, \$10,000.00 from Sanitation, \$3,135.70 from Ambulance, \$14,600.15 from Health Fund, and \$6,952.92 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Salem, Miller, Fagot. Motion carried.

**CITY OF LEXINGTON
ACCOUNTS PAYABLE
February 10, 2015**

| | | |
|---|----------------------------------|-----------|
| American Backflow Prevention Assn Region 12 | Registration Fee | 75.00 |
| Alamar Uniforms | Police Uniform Expense | 81.49 |
| All Points Cooperative | Fuel | 93.34 |
| Baker & Taylor | Library Books | 63.89 |
| Bliven, Mike | PK Gazebo Repair | 2,200.00 |
| Cash-Wa Distributing | Food & Supplies | 1,647.42 |
| Central Garage | Fuel / Service / Repair | 27,340.01 |
| Chief Supply Company | Police Uniform Expense | 29.87 |
| Comfort Inn | Police School Lodging | 323.80 |
| Culligan Water Conditioning Co. | Soft Water Supplies | 138.89 |
| Dan's Sanitation | Sanitation Fees | 15,699.94 |
| Dawson Area Development | Admin Fees - CIS | 7,250.00 |
| Dawson County Surveyor's Office | Scanning for Plats & Plans | 75.00 |
| Eakes Office Solutions | Svc Bldg Maint Fees/Library Spls | 157.36 |
| Ed Roehr Safety Products | Police-Taser Spls/Uniform Exp | 1,873.14 |
| Electrical Engineering & Equipment Co. | Light Bulbs/EL Spls | 242.91 |
| EMS Billing Service | Ambulance Billing | 1,924.29 |
| EZ Street Company | Cold Patch | 1,119.44 |

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|---|------------------------------------|------------|
| Fagot Refrigeration & Electric, Inc. | Rec / WWTP Repairs | 2,663.35 |
| Fastenal Company | WWTP Supplies | 22.55 |
| Gale/Cengage Learning | Library Books | 199.63 |
| Galls, LLC | Police Uniform Expense | 228.04 |
| HD Supply Waterworks | WR / EL Meters | 16,016.80 |
| Health Claims Fund | Claims | 13,411.30 |
| Heldt & McKeone Law Offices | Professional Fees | 2,700.00 |
| Hiland Dairy Foods Company, LLC | Food & Beverages | 373.56 |
| Holbein, Dahlas | Snow Removal | 525.00 |
| Ingram Library Services | Library Books | 178.69 |
| JEO Consulting Group, Inc. | PC PK Lake Restoration Services | 3,972.50 |
| Leigh Environmental Equipment, Inc. | WWTP Supplies | 772.00 |
| Lexington Animal Clinic | Animal Care | 742.80 |
| Lexington Area Solid Waste Agency | Landfill | 747.13 |
| Lexington Family Eyecare | Safety Glasses | 500.00 |
| Lexington Health Fund | Self-funding | 46,473.78 |
| Lexington Housing Authority | EL Rebates-Legend Oaks II/Santa Fe | 17,950.00 |
| Lexington Newspapers, Inc. | Publications | 283.97 |
| Lexington Postmaster | GGC Postage | 165.00 |
| Lexington Public Schools | CDBG - Majestic Theater PJ | 46,068.00 |
| Lexington Regional Health Center | Ambulance Supplies | 145.00 |
| Lexington Truck & Auto, Inc. | Central Garage - Truck Engine | 1,250.00 |
| Lexington, City of | Franchise Fees | 48.48 |
| Lexington City Payroll Account | | |
| Payroll | Wages | 126,692.30 |
| Social Security | Employer Portion / FICA Med | 9,409.10 |
| Union Bank & Trust | Employer Portion / Pension | 4,401.68 |
| Union Bank & Trust | Police Pension | 2,216.46 |
| ICMA | City Manager Pension | 861.07 |
| Matt Friend Truck Equipment, Inc. | Central Garage Supplies | 304.60 |
| Meritain Health | Health Premium | 20,083.78 |
| MicroMarketing, LLC | Library Books | 217.92 |
| Mid-American Research Chemical | ST Supplies | 434.58 |
| Mid-States Organized Crime Information Center | Membership Dues | 150.00 |
| Midwest Connect | Business Office Supplies | 283.56 |
| Moore Medical, LLC | Ambulance Supplies | 818.27 |
| Morris Press | GGC / Library Supplies | 289.51 |
| Nebraska Code Officials Association | Membership Dues | 115.00 |
| Nebraska Library Commission | Library Subscription | 219.00 |
| Nebraska Machinery | ST Equipment Repairs | 10,000.08 |
| O, The Oprah Magazine | Library Subscription | 32.97 |
| One Call Concepts, Inc. | Locates | 34.95 |
| Overton Sand & Gravel | Fill Sand | 634.72 |
| Oxmoor House, Inc. | Library Book | 42.90 |
| Paulsen, Inc. | Concrete | 1,622.12 |
| Platte Valley Communications | Police Supplies | 106.60 |
| Principal | Dental Premium | 2,769.35 |
| Ryde Transit | Transportation | 32.00 |
| S & W Auto Parts, Inc. | Central Garage/WWTP/ST Spls | 1,561.37 |
| South Central Area Law Enforcement | Membership Dues | 1,000.00 |
| Service Master of Mid Nebraska | Cleaning Service | 4,315.47 |
| Source Gas, LLC | Gas Service | 8,083.93 |
| Standard Life | Life Premium | 698.10 |
| Statewide Collections, LLC | Collection Fees | 1,387.93 |
| Steve's Lock & Key | Library Repair | 104.50 |
| Streamlight | Police Supplies | 86.52 |
| Subway @ Walmart | Meals | 38.00 |

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| Thompson Co., The | Food & Supplies | 1,200.56 |
| Titan Access Account | WWTP Service / Repair | 622.03 |
| Totalfunds by Hasler | Postage | 3,000.00 |
| Tri-City Tribune | Publications | 99.00 |
| Vision Technology Solutions, LLC | Web Hosting | 243.10 |
| VSP / Vision Service Plan | Vision Premium | 735.84 |
| Wal-Mart | Supplies | 199.44 |
| AFLAC | Premium | 1,188.85 |
| Alamar Uniforms | Police Uniform Expense | 350.84 |
| Baird Holm LLC | Professional Service | 75.00 |
| Cash-Wa Distributing | Food & Supplies | 1,115.94 |
| Culligan Water Conditioning Co. | Soft Water Supplies | 100.69 |
| Danko Emergency Equipment | Fire Dept Uniform Rack | 1,229.60 |
| Davis Energy, Inc. | Fuel | 81.24 |
| Dawson Public Power | Power Purchase | 9,471.67 |
| Demco, Inc. | Library Supplies | 645.06 |
| Ed Roehr Safety Products | Police Supplies | 134.77 |
| Eustis Body Shop | Vehicle Repair | 664.23 |
| Fagot Refrigeration and Electric, Inc. | DCOC Light Repair | 124.99 |
| Glock Professional, Inc. | Police Class | 195.00 |
| Great Western Bank-City Petty Cash | Uniform Exp/Postage/Veh Reg/Meals/EL Incentives | 198.29 |
| GT Distributors, Inc. | Police Supplies | 310.00 |
| Hiland Dairy Foods Company LLC | Food & Beverages | 453.56 |
| Intellicom Computer Consulting, Inc. | Mo Billing/Meter Reading Service | 382.18 |
| Jack's Uniforms & Equipment | Police Supplies | 364.08 |
| John Deere Financial / Landmark Implement, Inc. | PK Supplies / Repair | 423.76 |
| John Deere Financial / Orscheln | ST/WWTP/CG/Cem/Fire Spls | 359.74 |
| Lexington Glass Company, Inc. | Library Door Repair | 50.00 |
| Lexington Newspapers, Inc. | Publication | 16.76 |
| Lynn Peavey Company | Police Supplies | 16.05 |
| Matheson Tri-Gas, Inc. | Ambulance Supplies | 72.52 |
| McCandless Backhoeing, Inc. | Snow Removal | 140.00 |
| Miller & Associates | CIS Improvements | 426.19 |
| Moore Medical LLC | Ambulance Supplies | 49.81 |
| Municipal Supply, Inc. | SW / WR Supplies | 2,631.91 |
| Nebraska Department of Revenue | Sales & Use Tax | 65,438.52 |
| Nebraska Library Association | Registration | 35.00 |
| NebraskaLink | City / Library Service | 395.00 |
| O'Hara Lindsay and Associates, Inc. | Mo Lobbying Service | 1,002.79 |
| Paulsen, Inc. | Concrete / Sand / Gravel | 715.70 |
| Platte Valley Auto Mart | Police Vehicles Service/Repair | 1,353.35 |
| S & W Auto Parts | WWTP Supplies | 66.04 |
| Thalman, Julie | Cleaning Service | 160.00 |
| Thompson Co., The | Food & Supplies | 1,394.72 |
| Village Uniform | GGC Supplies | 50.84 |
| Walmart | Supplies | 198.62 |
| | TOTAL CLAIMS: | 513,004.99 |

SUBDIVISION REGULATIONS: Ordinance No. 2358 entitled “AN ORDINANCE TO AMEND CHAPTER 111 OF THE LEXINGTON CITY CODE, TO PROVIDE FOR ADOPTION OF SUBDIVISION REGULATIONS; TO REPEAL ORIGINAL SECTIONS 111-1 THROUGH 111-134, 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 presented on second reading. Peplitsch reported that he has had no further comments on the proposed subdivision regulations.

Moved by Miller, seconded by Vivas, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting "aye" were Salem, Vivas, Miller, Fagot. Motion carried.

Ordinance No. 2358 was presented on final reading. Moved by Miller, seconded by Salem, to approve Ordinance No. 2358 as presented. Roll call. Voting "aye" were Vivas, Salem, Miller, Fagot. Motion carried.

LIQUOR LICENSE: Mayor Fagot opened a public hearing to consider an Application for Addition to Liquor License for Mid Plains Food and Lodging/Conoco Travel Plaza, 2607 Plum Creek Parkway. Peplitsch reviewed the application. There being no comments, the public hearing was closed. Moved by Salem, seconded by Vivas, to recommend approval of the Application to the Liquor Control Commission. Roll call. Voting "aye" were Miller, Vivas, Salem, Fagot. Motion carried.

AUDIT REPORT: Linda Erickson, Contryman Associates, presented a FY 2014 Audit Report, noting that an unmodified opinion with no findings has been issued. She noted that Sarah Borchers was the lead auditor. Mayor Fagot commended Barb Hodges and her staff on a job well done. Following discussion, moved by Vivas, seconded by Salem, to accept the FY 2014 audit report. Roll call. Voting "aye" were Miller, Salem, Vivas, Fagot. Motion carried.

WWTP PROJECT: Peplitsch reviewed negotiation efforts with the low bidder for the Wastewater Treatment Plant Support Facility project. He indicated Staff and bidder were able to agree on project amendments and deductions that would bring the project in line with original cost estimates, without reducing the intended layout or purpose of the facility; a reduction of approximately \$217,000. He recommended that Council accept the project bids and award a contract to TL Sund Constructors, and following execution of contracts, a change order would be issued detailing the negotiated deductions. Following discussion, moved by Salem, seconded by Vivas, to accept Wastewater Treatment Plant Support Facility project bids, and award a contract to Tl Sund Contractors in the amount of \$982,948. Roll call. Voting "aye" were Miller, Vivas, Salem, Fagot. Motion carried.

FIELDHOUSE: Peplitsch presented plans and specifications for the 2015 Lexington Fieldhouse project and requested authorization to solicit bids. He noted that fundraising for this project continues and bids will help determine final fundraising requirements. The desired facility completion date is mid-October 2015. Following discussion, moved by Vivas, seconded by Miller, to approve plans and specifications as presented and to authorize the solicitation of bids. Roll call. Voting "aye" were Salem, Miller, Vivas, Fagot. Motion carried.

1 & 6 YEAR STREET PLAN: Peplitsch reviewed a draft 1&6 Year Street Improvement Plan for 2015. Following discussion it was noted a public hearing on the issue will be scheduled for February 24th.

RESOLUTION: Resolution No. 2015-02 was presented. Following discussion, moved by Miller, seconded by Vivas, to approve Resolution No. 2015-02. Roll call. Voting "aye" were Salem, Vivas, Miller, Fagot. Motion carried.

RESOLUTION NO. 2015-02

A RESOLUTION APPROVING THE LVFD SERVICE AWARD PROGRAM CERTIFIED MEMBER LIST FOR CALENDAR 2014.

WHEREAS, the Lexington Volunteer Fire Department members must attain Certified status as defined by the LVFD Service Award Program in order to participate in the program.

BE IT RESOLVED, by the Mayor and Council of the City of Lexington, the following list of members have completed the certification requirements as determined by the Certification Administrator for calendar year 2014.

Rex Adams
Bruce Bonini
Gary Donnelson
Matthew Fitzgerald

David Berke
Robert Bullis
Michael Dowling
Douglas Glaze

Bo Berry
Alfred Copper
Darrel Dutro
Michael Gomez

Everett Hagan
Dale Holbein
Tracy Lauby
Mike Maloley
Lance Olsen
Roger Reutlinger
Blake Thorell
David Zlatkovsky

Nick Hoendervoogt
Kent Jergensen
James Linch
Robert Martin
Eldon Peck
Jon Robles
Eldon Wheeler
Frank Zlatkovsky

Dahlas Holbein
Richard Klauz
Michael Maguire
Troy Moore
Chad Reutlinger
Kerry Teetor
Brad Worthing

Passed and Approved this 10th day of February 2015.

RESOLUTION: Resolution No. 2015-03 was presented. Following discussion, moved by Miller, seconded by Salem, to approve Resolution No. 2015-03. Roll call. Voting “aye” were Vivas, Salem, Miller, Fagot. Motion carried.

RESOLUTION No. 2015-03

A RESOLUTION SETTING CITY CEMETERY FEES

WHEREAS, it is necessary to revise the City Cemetery Fees.

BE IT, THEREFORE, RESOLVED, that the following schedule of fees for City of Lexington cemeteries shall be applicable immediately upon adoption of the Resolution:

GREENWOOD – North Taft Street

Full (1) Space \$400.00
Half (1/2) Space \$200.00

EVERGREEN – East Highway 30

Full (1) Space \$200.00
Half (1/2) Space \$100.00

GRAVE OPEN / CLOSE

| | WEEKDAY | SATURDAY | SUNDAY /HOLIDAY |
|------------------|----------|----------|-----------------|
| Full (1) Space | \$400.00 | \$550.00 | \$700.00 |
| Half (1/2) Space | \$300.00 | \$450.00 | \$600.00 |

DISINTERMENT

Full (1) Space \$700.00
Half (1/2) Space \$600.00

PASSED AND APPROVED this 10th day of February, 2015

MEETING DATE: Moved by Miller, seconded by Vivas, to set Saturday, February 28, 2015, at 8:00 a.m. for a Council work session. Roll call. Voting “aye” were Salem, Vivas, Miller, Fagot. Motion carried.

ROUNDTABLE DISCUSSION: Chief Wolf announced that Jordan Hawkins was recently hired as a police officer, bringing the police department to a full staff level.

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