

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, January 27, 2015, at the Lexington City Hall, located at 406 E. 7<sup>th</sup> Street, Lexington, Nebraska at 5:30 p.m. Members of the Council present were John Fagot, John Salem, Linda Miller, Dora Vivas and Jeremy Roberts. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, Assistant City Attorney Brian Copley, Development Services Director Bill Brecks and City Clerk Pamela Baruth. The press was represented by KRVN and Clipper-Herald. Deb Jensen, Dana Daniels, Jose Gomez-Aguirre, Maria Vazquez, and Enrique Vazquez 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. 7<sup>th</sup> Street, Lexington, Nebraska.

**MINUTES – REGULAR MEETING 1-13-2015:** Minutes of the Regular meeting held Tuesday, January 13, 2015, were presented. Moved by Miller, seconded by Salem, to approve the minutes as presented. Roll call. Voting “aye” were Vivas, Roberts, Salem, Miller, Fagot. Motion carried.

**MINUTES – WORK SESSION 1-24-2015:** Minutes of the Work Session held Saturday, January 24, 2015, were presented. Moved by Vivas, seconded by Roberts, to approve the minutes as presented. Roll call. Voting “aye” were Miller, Salem, Roberts, Vivas, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$597,407.04 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Roberts, seconded by Miller, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$167,275.66 from the General Fund, \$27,490.06 from Street Fund, \$62,865.75 from TIF, \$292,976.37 from LEXUS, \$30,140.76 from Sanitation, \$1,847.82 from Ambulance, \$10,065.67 from Health Fund, and \$4,744.95 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Salem, Miller, Roberts, Fagot. Motion carried.

**CITY OF LEXINGTON  
ACCOUNTS PAYABLE**

**January 27, 2015**

AFLAC	Premium	1,188.85
Amazon.com	Library Books	288.19
AmSan	ST Supplies	195.21
ASK Supply Co.	WWTP/ ST / PK / WR Supplies	843.66
Awards Plus-Lexington	Admin / Fire Dept Supplies	163.95
Baker & Taylor	Library Books	128.98
Baker, Michael	Meals @ School	79.06
Barco Municipal Products, Inc.	ST Signs	1,890.99
Bob's Auto Repair & Service	ST Vehicle Repair	402.00
Business Card		
Adobe System, Inc.	Development Services Software	480.43
Amazon.com	GIS Manual	97.93
Adudimute	DCOC Sound Deadening Material	349.00
Microsoftstore	Development Services Software	427.99

American Red Cross	2015 Swim Lessons	300.00
Post Office	WR Sample Postage	71.80
Card Center/Orscheln	Clamps / Casters	20.60
BallastShop	WWTP Light Ballast	49.45
Card Center/Orscheln	WWTP Supplies	70.92
Cash-Wa Distributing	Food & Supplies	1,379.99
Center Point Large Print	Library Books	86.28
Central Garage Fund	Repair	193.25
Central Tire & Tread, Inc.	Tires / Repair	811.28
Community Development Agency	Legend Oaks Series 2009 A	19,096.00
Danko Emergency Equipment	Fire Dept Supplies / Boots	339.43
Davis Energy, Inc.	Propane	201.00
Eakes Office Plus	Library Supplies	109.16
Electrical Engineering & Equipment	DCOC Bulbs	26.24
Energy Pioneer Solutions	EPS Payments	3,301.59
EnvisionWare, Inc.	Library Maintenance	1,022.43
Environmental Systems Research List	GSI Server / Maintenance Fees	1,000.00
Fagot Refrigeration & Electric, Inc.	GGC Rep/Exterior Lights/Lift Station Rep	3,261.39
Fastenal	WWTP / WR Supplies	117.40
Gale/Cengage Learning	Library Books	116.00
Great Western Bank-Lib. Petty Cash	Postage / Supplies / DVD / Stamps	150.97
GT Distributors, Inc.	Police-Pistol / Supplies	1,279.40
Health Claims Fund	Claims	8,680.82
Hiland Dairy Foods Company, LLC	Beverages / Food	229.74
Hi-Line Motors LLC	PK Mower	18,078.00
Hobart	GGC Dishwasher Repair	1,781.83
Holbein, Dahlas	Fire Dept Maintenance / Cleaning Service	1,000.00
Intellicom Computer Consulting, Inc.	Monthly Billing/Computer Svc/Renewals	3,215.07
Jim Phillips Const.	Concrete Work for Main Breaks	11,678.00
Kearney Hub	Library Subscription	145.60
Kinney, Joel	Meals @ School	79.64
Lakeside Country Club	Annual Membership	1,034.00
League of Nebraska Municipalities	Membership Dues	9,839.00
Lexington Newspapers, Inc.	Publications	471.52
Lexington Utilities System	Utilities	48,031.09
Lexington City Payroll Account		
Payroll	Wages	123,012.42
Social Security	Employer Portion / FICA Med	9,127.62
Union Bank & Trust	Employer Portion / Pension	4,288.16
Union Bank & Trust	Police Pension	2,206.80
ICMA	City Manager Pension	861.07
Lien, Inc.	Sprinkler Repair	188.00
Martin Electric Co.	Fire Dept Repair	72.80
Mead Lumber & Rental-Lexington	WWTP Supplies	13.47
Menards-Kearney	WWTP Supplies	174.26
MicroMarketing LLC	Library Books	180.99
Midland Scientific	WWTP Testing Supplies	1,098.45
Midwest Connect	Maintenance Agreement	770.40
Municipal Automation & Control	WWTP VFD	4,992.00
Municipal Supply, Inc.	WR Supplies	362.04
NE Dept of Environmental Quality	WWTP License Renewal	150.00
NE Law Enforcement Training Center	TABE Testing	40.00
Nebraska Library Commission	Library Classes	40.00
Nebraska Public Power District	O & M	76,302.91
Nebraska Public Power District	Large Capital Projects	34,444.76
Nebraskaland Tire, Inc.	WR Vehicle Serviced	39.01
Overton Community Center	Meals on Wheels	100.00

Oxmoor House, Inc.	Library Book	42.91
Paulsen, Inc.	Concrete	503.17
Platte Valley Communication Kearney	Maint/Tower Rent/SCADA Rep/Wiring	1,579.34
Plum Creek Motors, Inc.	2015 Chevrolet Volt	10,133.00
Price's Tree Service	Machine Hire for Snow Removal	3,300.00
S & W Auto Parts	WWTP / Cem / WR Supplies	209.61
Service Master of Mid Nebraska	Cleaning Service	4,819.75
Sign Pro	Fire Dept Supplies	18.15
Sirchie Fingerprint Laboratories	Police Dept Supplies	128.31
Subway @ Walmart	Meals	74.00
TASC Client Invoices	Admin Fees	196.00
Thompson Co., The	Food / Supplies	1,055.77
Unisan Nebraska LLC	PK/ST/DCOC/Muni Bldg Supplies	988.61
Upstart	Library Supplies	625.76
V V S Surveillance Systems	Doors Software Move	225.00
Village Uniform	GGC Supplies	50.84
Vision Technology Solutions LLC	Web Hosting Fee	243.10
Walmart	Supplies	971.32
Applied Industrial Technologies	Central Garage Supplies	16.48
ASK Supply Co.	ST / PK Supplies	41.58
Coca-Cola/Dr Pepper Bottling Kearney	GGC / Beverages	30.00
Dan's Sanitation	Sanitation Fees	30,140.76
Davis Energy, Inc.	Fuel / Oil	3,307.66
Dawson Pest Control	GGC Service	36.75
Eilers Machine & Welding, Inc.	WWTP Repair	240.00
Electrical Engineering & Equipment	EL / DCOC Supplies	10.82
Galls	Police Dept Supplies	37.33
Gomez, Jose	EL Rebate	1,200.00
Lexington Volunteer Fire Department	EMS Conference Expenses	614.25
Lexington, City of	Franchise Fees	86,106.98
Mead Lumber & Rental-Lexington	Cem Supplies	24.99
NE Dept of Health & Human Services	UTL Refund	507.00
NE Public Health Environmental Lab	WR Testing	667.00
NE Emergency Medical Svcs Assoc	Conference Registrations	990.00
Orthman Community YMCA	Membership Dues	1,078.20
Paulsen, Inc.	Concrete	563.34
Security First Bank	Wilkinson Development-TIF Pmt	43,769.75
University of Nebraska-Lincoln	GGC Class	40.00
Verizon Wireless	Cellphone Service	360.30
Village Uniform	GGC Supplies	50.84
Walmart	Supplies	116.08
Ward Laboratories, Inc.	WR Testing	22.00
	<b>TOTAL CLAIMS:</b>	<b>597,407.04</b>

**FINANCIAL REPORT:** Moved by Miller, seconded by Salem, to accept the financial report for December 2014 as presented. Roll call. Voting “aye” were Vivas, Roberts, Salem, Miller, Fagot. Motion carried.

**PUBLIC HEARING:** Mayor Fagot opened a public hearing to consider an application for rezoning submitted by Jose Gomez-Aguirre for property located at 210 West 17<sup>th</sup> Street from R-1 Single Family Residential to R-2 Two Family Residential. Peplitsch reviewed plans for renovating the building on the property into a two apartment unit. Fagot recommended that rezoning the property be contingent upon the completion of code compliance issues outlined in a development agreement. The public hearing was closed. Staff was directed to draft a development agreement for future consideration. Ordinance No. 2357 entitled “AN ORDINANCE TO REZONE THE NORTH 27 FEET OF LOT 9, AND ALL OF LOTS 10, 11, AND 12, BLOCK 4, LEXINGTON HEIGHTS ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA FROM R-1 SINGLE-FAMILY RESIDENTIAL TO R-2 TWO-FAMILY RESIDENTIAL; TO REPEAL ALL

ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM.” was read on first reading. Moved by Salem, seconded by Roberts, to approve Ordinance No. 2357 on first reading. Roll call. Voting “aye” were Miller, Vivas, Roberts, Salem, Fagot. Motion carried.

**WWTP PROJECT:** Peplitsch indicated this item would need to be continued to the February 10 Council meeting as Staff is finalizing negotiations with the low bidder.

**POOL PAINTING:** Dana Daniels, Miller & Associates, reviewed plans and specifications for the 2015 Pool Paint Restoration Project. Following discussion, moved by Miller, seconded by Roberts, to approve plans and specifications and authorize the solicitation of bids. Roll call. Voting “aye” were Vivas, Salem, Roberts, Miller, Fagot. Motion carried.

**FRONTIER STREET:** Daniels reviewed plans and specifications for the 2015 Frontier Street Improvement project. Following discussion, moved by Miller, seconded by Salem, to approve plans and specifications and authorize the solicitation of bids. Roll call. Voting “aye” were Vivas, Roberts, Salem, Miller, Fagot. Motion carried.

**CIS PROJECT:** Daniels reviewed plans and specifications for the 2015 CIS Improvements project. Following discussion, moved by Salem, seconded by Vivas, to approve plans and specifications and authorize the solicitation of bids. Roll call. Voting “aye” were Miller, Roberts, Vivas, Salem, Fagot. Motion carried.

**SUBDIVISION REGULATIONS:** Mayor Fagot opened a public hearing to consider an ordinance amending Chapter 111 of the City Code regarding subdivision regulations. Peplitsch reviewed the proposed amendments. Following discussion, the public hearing was closed. 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 first reading. Moved by Salem, seconded by Roberts, to approve Ordinance No. 2358 on first reading. Roll call. Voting “aye” were Miller, Vivas, Roberts, Salem, Fagot. Motion carried.

**RESOLUTION:** Resolution No. 2015-01 was presented. Following discussion, moved by Roberts, seconded by Vivas, to approve Resolution No. 2015-01 as presented. Roll call. Voting “aye” were Miller, Salem, Vivas, Roberts, Fagot. Motion carried.

#### **RESOLUTION 2015 - 01**

WHEREAS, the City of Lexington, Nebraska and the Lexington Volunteer Fire Department have by Resolution 03-15, authorized and established a plan to charge and collect fees for the performance of fire and rescue services, and for the use of fire and rescue equipment; and

WHEREAS, it is in the best interest of the City of Lexington, Nebraska and the Lexington Volunteer Fire Department to continue the established plan;

BE IT THEREFORE RESOLVED, by the Mayor and Council of the City of Lexington, Nebraska, that the established plan for charge and collection of fees for fire and rescue services, and for the use of fire and rescue equipment of the Lexington Volunteer Fire Department is hereby authorized to continue for an additional twelve month period.

BE IT FURTHER RESOLVED, that effective February 1, 2015, the fees collected for such service shall be according to the schedule attached hereto.

**Passed and approved January 27, 2015.**

**APPOINTMENT:** Mayor Fagot proposed the appointment of Dorothy Woodside as the resident representative on the Housing Authority Board. Moved by Vivas, seconded by Roberts, to appoint Dorothy Woodside to the Housing Authority Board. Roll call. Voting “aye” were Salem, Roberts, Vivas, Fagot. Motion carried.

**ROUNDTABLE DISCUSSION:** Baruth reminded Council and Staff that LONM Midwinter Conference registration is due February 2.

**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.

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City Clerk