

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

A Regular Meeting of the Lexington City Council was held Tuesday, November 24, 2015, at the Lexington City Hall, 406 E. 7th 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, City Attorney Brian Copley, Finance Director Barb Hodges, Development Services Director Bill Brecks, and City Clerk Pamela Baruth. The press was represented by KRVN and Clipper-Herald.

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. 7th Street, Lexington, Nebraska.

MINUTES – REGULAR MEETING 11-10-2015: Minutes of the Regular meeting held Tuesday, November 10, 2015, were presented. Moved by Miller, seconded by Vivas, to approve the minutes as presented. Roll call. Voting “aye” were Salem, Roberts, Vivas, Miller, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$824,499.73 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Roberts, seconded by Salem, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$173,765.71 from the General Fund, \$65,630.29 from Street Fund, \$105,453.83 from TIF, \$429,540.03 from LEXUS, \$30,475.68 from Sanitation, \$1,135.80 from Ambulance, \$12,680.39 from Health Fund, and \$5,818.00 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Miller, Vivas, Salem, Roberts, Fagot. Motion carried.

**CITY OF LEXINGTON
ACCOUNTS PAYABLE
November 24, 2015**

American Public Works Assn	Membership Dues	310.00
American Water Works Assn	Membership Dues	385.00
Baker & Taylor	Library Books	104.76
Bauer Built Tire	Tire Repair	94.56
Bok Financial	2015 COP Bond WWTP Support Facility	1,006.88
Business Cards		
Home 2 Suites	Lodging / Nat Leag of Cities Conference	2,039.20
NashVegas Cab	Transportation/Nat Leag of Cities Conf	33.00
National League of Cities	Conference Registration	150.00
Marriott Hotel	Lodging / National Library Association	277.84
Lied Lodge	Lodging / Volunteer Firefighter Assn	3,084.76
Buy Light Fixtures	WWTP Lighting Parts	73.85
Post Office	WR Postage	139.89
Cash-Wa Distributing	Food & Supplies	1,115.12
CCP Industries, Inc.	WWTP Testing Supplies	131.16
Cerrato, Edith	EL Rebate	1,200.00
Community Development Agency	CEL Series B/Ford&Ford/Lex Investors Pymt	105,453.83

Davis Energy, Inc.	Fuel Purchase	70.70
Dawson Public Power District	Power Purchase	7,682.05
Designer Craft Woodworking, Inc.	WWTP Support /Cabinets & Countertops	15,732.00
Ditch Witch Undercon	WR Equipment Parts	323.94
Downey Drilling, Inc.	Plum Creek Park / Decommission Well	711.26
Eilers Machine & Welding, Inc.	WR Repair Service	90.00
Electrical Engineering & Equipment, Co.	Conduit for Fieldhouse/Econ Dev Supplies	1,862.95
Energy Pioneer Solutions	Monthly Payments	2,610.22
Fagot, John	Natl League of Cities Conference Exp	142.62
Felsburg Holt & Ullevig, Co.	Professional Services	399.13
Gale/Cengage Learning	Library Books	370.85
Gempler's Inc.	WWTP Supplies	236.75
Gomez, Jose	EL Rebate	1,200.00
Grainger	WWTP Heat Exchange Meter	1,835.50
Great Western Bank-Lib. Petty Cash	Postage / Stamps / Supplies / Food	248.24
Health Claims Fund	Claims	12,439.39
Hiland Dairy Foods Company LLC	Food & Beverages	107.00
Holbein, Dahlas	Fire Equipment Maintenance	1,000.00
Holmes Plbg & Htg Supply, Co.	WWTP Sump Pump	496.53
HTM Sales, Inc.	WWTP Equipment Parts	361.95
Ingram Library Services	Library Books	107.91
Intellicom Computer Consulting, Inc.	Monthly Billing/Website IP Error/Email Filtering	1,400.10
Jamie's Garage	ST Vehicle Repair	235.38
Johnstone Supply	Opportunity Center Furnace Filters	212.64
Knapp Electric, Inc.	Liftstation Pump Repair	2,058.97
La Iglesia De Dios	EL Rebate	1,200.00
Lexington Housing Authority	EL Rebate	1,600.00
Lexington Newspapers	Publications	2,259.78
Lexington Rural Fire Protection District	7th & Tyler Building Payment	25,634.55
Lexus	Utilities	33,997.7
McCormack Distributing Co, Inc.	GGC / Equipment Repair	966.76
Mead Lumber & Rental - Lexington	PK/ WWTP/Econ Dev/ST/CEM Supplies	813.35
Menards	WWTP Wall Mount Heaters	459.98
Mid-American Research Chemical Corp	WWTP / ST Supplies	590.81
Mid-State Units	Rentals	900.00
Miller & Associates , Inc.	2015 CIS Improvements Prof Svc	38,085.35
Money Handling Machines, Inc.	Service Agreement	395.00
Moore Medical LLC	Ambulance Supplies	749.61
Mr. Automotive	Ambulance Supplies	127.47
Municipal Code Corporation	City Code Internet Fee	700.00
Nebraska Dept of Environmental Quality	WWTP Improvement Payment	158,380.07
Nebraska Environmental Products	ST Supplies	1,083.13
Nebraska Safety Council	Municipal Dues	350.00
Nebraska Tech & Telecomm. Inc.	Telephone Expense	1,271.24
Nebraska Public Power District	O & M	101,933.07
OCLC, Inc.	Library Subscription	108.31
O'Reilly Auto Parts	ST Parts	143.68
Oriental Trading, Co.	Library Supplies	18.76
Paulsen, Inc.	Concrete	178.82
Platte Valley Communications	Monthly Maintenance / Fire Dept Service	1,798.73
Presto-XLibrary	Pest Service	75.00
Reader's Digest Large Print	Library Subscription	29.96
Real Simple	Library Subscription	20.00
Recorded Books, Inc.	Library Books	362.94
Regional Books, Inc.	Library Books	68.66
Richardson Mowing	Library Service	170.00

S & W Auto Parts, Inc.	PK / ST Supplies	401.16
Service Master Mid Nebraska	City Hall / GGC / Library Cleaning	4,999.00
Storey Kenworthy / Matt Parrott	Business Office Supplies	238.92
Subway @ Walmart	Food	55.50
Thompson Co, The	Food & Supplies	529.62
Village Uniform	GGC Supplies	50.84
Walmart	Supplies	198.65
Baker & Taylor	Books	20.58
Bauer Built Tire	Tire Repair	216.00
Cash-Wa Distributing	Food & Supplies	739.52
D&R Computing, Inc.	Fire Dept Computer Maintenance	50.00
Dan's Sanitation	Sanitation Fees	30,475.68
Eakes Office Solutions	Library Supplies	94.14
EDM Publishers	Economic Development Subscription	99.49
Eustis Body Shop, Inc.	WR Vehicle Repair	202.57
Fagot, John	National League of Cities Conf Expenses	255.30
Great Western Bank-Lib. Petty Cash	Postage	2.59
Great Western Bank-City Petty Cash	Postage / Meals / EL Rebate	62.91
Grove, JoAnn	Read Aloud Workshop Expenses	173.65
Hiland Dairy Foods Company LLC	Food & Beverages	204.62
Hunt Cleaners, Inc.	WR / PK / ST / Cemetery Supplies	727.99
Jim Phillips Construction	Replace Fence at Evergreen Cemetery	2,381.00
Lexington Area Solid Waste	Special Waste	501.20
Lexington City Payroll Account		
Payroll	Wages	133,772.59
Social Security	Employer Portion / FICA Med	9,771.13
Union Bank & Trust	Employer Portion / Pension	865.69
Union Bank & Trust	Police Pension	2,625.38
ICMA	City Manager Pension	4,338.98
Lexington, City of	Franchise Fees	73,279.78
Lexington Glass Company, Inc.	ST Windshield / Library Door Repair	325.00
Lexington Newspapers	Publications	8.99
Lincoln Winwater Works, Co	WR Supplies	113.21
Mead Lumber & Rental - Lexington	ST / Cemetery Supplies	29.09
Mid-State Engineering & Testing, Inc.	Soil Testing	220.00
Miller & Associates, Inc.	Professional Services	675.00
Nebraska Public Health Environmental Lab	WR Testing	166.00
North Platte Telegraph, The	Library Subscription	166.40
Paulsen, Inc.	Cement	87.50
Platte Valley Communications	Cruiser Lightbar Install	2,152.53
Playground Guardian	Playground Equipment Painting	7,087.50
Plum Creek Medical Group	Flu Shots	166.00
Rasmussen Mechanical Services	Repair Library Expansion Tank	940.81
S & W Auto Parts	ST / Cemetery / Sewer Supplies	131.57
Storey Kenworthy / Matt Parrott	Business Office Supplies	212.45
Thompson Co, The	Food & Supplies	463.64
Tyler Technologies, Inc.	Annual Utility Online Billing Fee	2,056.00
WPCI	Policy Renewal	75.00
Wal-Mart	Supplies	79.86
	TOTAL CLAIMS:	824,499.73

FINANCIAL REPORT: Moved by Salem, seconded by Vivas, to accept the financial report for October 2015 as presented. Roll call. Voting "aye" were Miller, Roberts, Vivas, Salem, Fagot. Motion carried.

RESOLUTION: Resolution No. 2015-18 was presented. Pepplichtsch reviewed proposed utility rates to become effective January 1, 2016. Following discussion, moved by Miller, seconded by Roberts, to approve Resolution No. 2015-18. Roll call. Voting “aye” were Vivas, Salem, Roberts, Miller, Fagot. Motion carried.

RESOLUTION NO. 2015 – 18

WHEREAS, Lexington City Code Sections 28-100, 28-232, and 28-439 authorize the City Council to establish by Resolution a schedule of rates and charges for electric service, water service, and sanitary sewer service.

BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, that the following utility rates are established and shall take effect January 1, 2016, to be reflected on billings following such date. That all other electric rates, water rates, and sanitary sewer rates previously established shall remain unchanged.

Section 1. Electric Rates

Residential – Basic:	Summer	Winter
	May 1 – Sept. 30	Oct. 1 – Apr. 30
Base Charge per Month	\$16.00	\$16.00
First 500 kWh @ \$/kWh	\$0.1160	\$0.1117
Over 500 kWh @ \$/kWh	\$0.0950	\$0.0573
Minimum Bill	\$16.00	\$16.00
Residential – All-Electric:	Summer	Winter
	May 1 – Sept. 30	Oct. 1 – Apr. 30
Base Charge per Month	\$14.00	\$14.00
First 500 kWh @ \$/kWh	\$0.1160	\$0.1011
Over 500 kWh @ \$/kWh	\$0.0926	\$0.0525
Minimum Bill	\$14.00	\$14.00
Commercial - Small:	Summer	Winter
	May 1 – Sept. 30	Oct. 1 – Apr. 30
Base Charge per Month	\$16.00	\$16.00
First 1000 kWh @ \$/kWh	\$0.1444	\$0.1366
Over 1000 kWh @ \$/kWh	\$0.0937	\$0.0822
Minimum Bill	\$16.00	\$16.00
Commercial – Heat:	Summer	Winter
	May 1 – Sept. 30	Oct. 1 – Apr. 30
Base Charge per Month	\$16.00	\$16.00
First 1000 kWh @ \$/kWh	\$0.1444	\$0.1356
Next 4000 kWh @ \$/kWh	\$0.0937	\$0.0773
Over 5000 kWh @ \$/kWh	\$0.0937	\$0.0586
Minimum Bill	\$16.00	\$16.00
Municipal Power & Light:	Summer	Winter
	May 1 – Sept. 30	Oct. 1 – Apr. 30
Base Charge per Month	\$16.00	\$16.00
Plus All kWh @ \$/kWh	\$0.0695	\$0.0695
Commercial - Large:	Summer	Winter
	May 1 – Sept. 30	Oct. 1 – Apr. 30
Base Charge per Month	\$21.00	\$21.00
Plus Demand @ \$/kW	\$14.93	\$13.93
Plus All kWh @ \$/kWh	\$0.0479	\$0.0458
Industrial:	Summer	Winter

	May 1 – Sept. 30	Oct. 1 – Apr. 30
Base Charge per Month	\$53.00	\$53.00
Plus Demand @ \$/kW	\$13.77	\$12.70
Plus All kWh @ \$/kWh	\$0.0456	\$0.0425

High Tension Service:

The High Tension rate shall be based upon a cost-plus calculation obtained from real-time metering. The rate shall include the actual cost of wholesale electricity purchased plus a percentage added to cover the required electric utility margin. The High Tension rate will be calculated, charged, and managed by the City Manager.

Irrigation – Non-Interruptible:

All Year	
Horsepower Charge @ \$/HP	\$71.25
Plus All kWh @ \$/kWh	\$0.0684

Municipal Street Lights:

All Year	
Base Charge per Month	\$2,300.00
Plus All kWh @ \$/kWh	\$0.0695

Yard Lights:

All Year	
Base Charge per Month	\$13.35

Automated Meter Reading Adder: \$1.00 per month per electric meter.

Section 2. Water Rates

Residential Metered:	The first 5,000 gallons	\$16.75 monthly minimum
	> 5,000 gallons	\$0.90 per 1,000 gallons
Residential Flat Rate:	\$24.00 per dwelling unit per month	
Commercial Metered:	The first 5,000 gallons	\$16.75 monthly minimum
	> 5,000 gallons	\$0.90 per 1,000 gallons
Multi-unit Service Fee:	\$10.00 per dwelling/commercial unit, where more than one dwelling/commercial unit is served by a single metered service.	

Industrial Metered: \$0.2905 per 1,000 gallons

Automated Meter Reading Adder: \$1.00 per month per water meter, or unmetered service.

Section 3. Sanitary Sewer Rates

Flat Rate Residential: \$25.00 per month.

Flat Rate Commercial: \$25.00 per month

Commercial Metered: \$2.30 per 1,000 gallons \$17.00 minimum

PASSED AND APPROVED this 24th day of November, 2015.

DEVELOPMENT AGREEMENT: Pepplichtsch reviewed the terms of a proposed development agreement between the CDA and C&J Auto Sales, for Lot 3, Wightman Subdivision in Redevelopment Area #1. He stated the CDA has approved the agreement contingent upon Council approval. Following discussion, moved by Salem, seconded by Vivas, to approve the development agreement as presented. Roll call. Voting “aye” were Miller, Roberts, Vivas, Salem, Fagot. Motion carried.

ORDINANCE: Ordinance No. 2366 entitled “AN ORDINANCE TO VACATE A PORTION OF PUBLIC STREET RIGHT-OF-WAY ADJOINING LOT 3, WIGHTMAN SUBDIVISION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR REVERSION OF THE VACATED PORTION TO THE ADJOINING PROPERTY OWNER; TO RESERVE A PUBLIC ACCESS EASEMENT; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was presented. Moved by Salem, seconded by Miller, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting “aye” were Vivas, Roberts, Miller, Salem, Fagot. Motion carried.

Ordinance No. 2366 was presented on final reading. Moved by Miller, seconded by Roberts, to approve Ordinance No. 2366 on final reading. Roll call. Voting “aye” were Miller, Vivas, Roberts, Salem, Fagot. Motion carried.

ROUNDTABLE DISCUSSION: Pepplitsch gave an update on current projects. Hodges noted that a hearing for to assess uncollected nuisance abatement costs will be scheduled for December 8th.

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