

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

A Regular Meeting of the Lexington City Council was held Tuesday, September 8, 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, Dora Vivas, and Jeremy Roberts. Linda Miller was excused. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Brian Copley, Finance Director Barb Hodges, 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, located at 406 E. 7th Street, Lexington, Nebraska.

MINUTES – REGULAR MEETING 8-25-15: Minutes of the Regular meeting held Tuesday, August 25, 2015, were presented. Moved by Salem, seconded by Vivas, to approve the minutes as presented. Roll call. Voting “aye” were Roberts, Vivas, Salem, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,686,252.07 were presented for Council 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 \$193,373.98 from the General Fund, \$35,153.97 from Street Fund, \$1,344,600.73 from LEXUS, \$10,000.00 from Sanitation, \$46,316.31 from Ambulance, \$54,283.51 from Health Fund, and \$2,523.57 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Salem, Roberts, Fagot. Motion carried.

CITY OF LEXINGTON
ACCOUNTS PAYABLE
September 8, 2015

911 Custom	Police Vehicle Parts	1,898.39
Adamson, Tom	Library Books	8.00
All Points Cooperative	PK Supplies	573.33
Aesseal, LLC	SW Repair	821.95
Anytime Fitness	Wellness	128.40
Awards Plus	Retirement Plaque	49.95
Baker & Taylor	Library Books	495.71
Barco Municipal Products, Inc.	ST Signs / Supplies	2,835.72
Bob's Auto Repair	ST Vehicle Repairs	60.00
Cash-Wa Distributing	Food & Supplies	625.01
Center Point Large Print	Library Books	175.00
Coca Cola/Dr. Pepper of Kearney	Beverages	10.00
Consolidated Management Co.	Police School Meals	161.75
Culligan Water Conditioning Co.	Soft Water Supplies	215.04
Dan's Sanitation	Sanitation Fees	11,813.00
Davis Energy, Inc.	Fuel / Propane	152.35
Dawson Area Development	Diplomats Banquet / Membership	2,437.14
Dawson County Surveyor's Office	Scans	31.00
Dawson Pest Control	GGC	36.75
Depository Trust Co	2011 Combined UTL Refunding Bond Pmt	129,853.75

Diamond Vogel Paint Center	ST Paint / Supplies	745.50
Dugan Business Forms	Business Office Supplies	237.91
Eakes Office Solutions	Maint Fees / Printer Repair	2,805.60
Eilers Machine & Welding, Inc.	WWTP Supplies	228.19
Electrical Engineering & Equipment	EL Supplies	57.58
Fastenal Company	PK / ST / WR Supplies	402.57
Fyr-Tek	Compressor Repair	337.33
Gale/Cengage Learning	Library Books	310.71
Gallery Collection, The	Admin Supplies	363.53
Grainger	WWTP Supplies	106.90
Health Claims Fund	Claims	53,124.06
Heldt & McKeone Law Offices	Professional Fees	2,700.00
Hiland Dairy Foods Co LLC	Food & Beverages	223.76
HOA Solutions, Inc.	VFD Repair	5,840.00
Holbein, Dahlas	Lawn Care / Yard Clean-up	220.00
Integrated Controls	DCOC A/C Repair	1,696.16
Intellicom Computer Consulting	Mo Billing / Port Adj	1,239.40
JEO Consulting Group, Inc.	Plum Creek Park Lake Restoration Service	4,225.00
Jones Plumbing & Heating, Inc.	GGC / DCOC / WWTP / WR Repairs / Spls	277.75
Lexington Animal Clinic	Animal Care	693.34
Lexington Community Foundation	Fieldhouse Donations	895.84
Lexington Health Fund	Self-funding	48,673.50
Lexington Newspapers	Publications	136.68
Lexington Postmaster	GGC Postage	165.00
Lexington Public Schools	Refund to Schools	5,605.00
Lexington, City of	Franchise Fees	10.00
Lexington, City of - Street Dept	Fuel	9,328.36
Lexington City Payroll Account:		
Payroll	Wages	133,742.22
Social Security	Employer Portion / FICA Med	9,920.55
Union Bank & Trust	Employer Portion / Pension	4,429.79
Union Bank & Trust	Police Pension	2,339.22
ICMA	City Manager Pension	865.69
Logan Contractors Supply, Inc.	ST Supplies	1,472.50
Matheson Tri-Gas, Inc.	Ambulance Supplies	91.73
Mead Lumber & Rental-Lexington	Rec Supplies	80.66
Meritain Health	Health Premium	22,699.26
MicroMarketing LLC	Library Books	75.00
Midland Scientific, Inc.	WWTP Testing Supplies	93.90
Mid-State Units	Rentals	720.00
Midwest Laboratories, Inc.	WWTP Testing Supplies	1,099.50
Moore Medical LLC	Ambulance Supplies	135.90
Municipal Supply Inc of Nebraska	WR Supplies	1,123.50
Nebraska Assn of Senior Centers	Fall Conference	90.00
Nebraska Environmental Products	ST Supplies	1,085.71
Nebraska Machinery Co.	WR Supplies	92.38
One Call Concepts, Inc.	Locates	69.15
Orthman Community YMCA	Membership Dues	1,288.50
Paulsen, Inc.	Concrete / Sand	102.19
Price's Tree Service	Haul Concrete from DCOC	650.00
Principal	Dental Premium	2,914.77
Q-Star Technology, LLC	Security Camera Repair	288.75
S & W Auto Parts	ST / WR Supplies	77.85
S and D Contractors	Yard Clean up	400.00
Sign Pro	Park Sign	144.00
Sirchie Fingerprint Laboratories	Police Supplies	64.10
Source Gas, LLC	Gas Service	2,040.12

Southeast Library System	Conference	155.00
Stryker Medical	Ambulance Cot	15,447.51
Standard Life	Life Premium	714.03
Subway @ Walmart	Meals	50.00
Thompson Co., The	Food & Supplies	895.07
Titan Access/Productivity Plus Acct	Fire Dept / WWTP Supplies	2,867.36
T.O. Haas Tire & Auto	Tire Repair	19.74
Total Lawn Care	LFAC Lawn Care	940.00
Travelers RMD	Policy Renewal	8,564.00
Tyson Foods	EL Incentive Program	2,396.00
Unitech	Insect Spray	149.50
University of Nebraska-Lincoln	Conference	20.00
VSP / Vision Service Plan	Vision Premium	788.21
Wal-Mart	Supplies	680.50
XcCent, Inc.	PK Supplies	551.24
AFLAC	Premiums	1,159.45
Cash-Wa Distributing	Food & Supplies	121.50
Dawson Area Development	Membership Dues	250.00
Dawson County Register of Deeds	Filing Fees	144.00
Dawson Public Power District	Power Purchase	489.48
EMS Billing Services	Billing Service	2,501.69
Holmes Plbg & Htg Supply Co.	WR Supplies	219.88
John Deere Financial	WWTP / Fire Dept / ST / PK / Cem Spls	1,355.50
Jones Plumbing & Heating, Inc.	Library Repair	73.75
Klein Survey System, Inc.	WR Auto Level	1,401.48
Lexington, City of	Interdepartmental Fees	21,789.33
Little Caesars	Food	231.12
Mac's Short Stop	Food	24.77
Nebraska Department of Revenue	Sales & Use Tax	64,032.19
Nebraska Public Power District	Power Purchase	1,071,579.89
OMG National	G.R.E.A.T Grant Supplies	487.26
Rural Community Insurance Co	Premium	146.00
RYDE Transit	Transportation	40.00
Service Master of Mid Nebraska	Cleaning Service	4,394.22
Thalman, Julie	Cleaning Service	180.00
Village Uniform	GGC Supplies	124.75
Wal-Mart	Supplies	38.80
	TOTAL CLAIMS:	1,686,252.07

PUBLIC HEARING: Mayor Fagot opened a public hearing to receive an update and receive public comment on CDBG Project No. 13-CIS-002. Suzanne Brodine, DAD, requested comments related to the project and Peplitsch gave a brief update. Following discussion and there being no public comments received, the public hearing was closed.

PUBLIC HEARING: Mayor Fagot opened a public hearing on a proposed 2015-2016 fiscal year budget. Peplitsch gave an overview of the proposed budget, highlighting the property tax request. Following discussion and there being no public comments received, the public hearing was closed.

RESTRICTED FUNDS: Peplitsch recommended increasing the allowable restricted funds authority. Following discussion, moved by Roberts, seconded by Salem, to increase the base of restricted funds by an additional 1% for FY 2016. Roll call. Voting "aye" were Vivas, Salem, Roberts, Fagot. Motion carried.

TAX REQUEST HEARING: Mayor Fagot opened a public hearing to discuss setting the FY 2016 final tax request at a different amount than the prior year request. Following discussion, the public hearing was closed. Resolution No. 2015-16 was presented. Moved by Salem, seconded by Roberts, to approve Resolution No. 2015-16. Roll call. Voting "aye" were Vivas, Roberts, Salem, Fagot. Motion carried.

RESOLUTION NO. 2015-16

A RESOLUTION SETTING THE PROPERTY TAX REQUEST FOR FISCAL YEAR 2015-2016 AT A DIFFERENT AMOUNT THAN THE PRIOR YEAR REQUEST.

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the city of Lexington passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of the Municipality that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE, the Governing Body of the city of Lexington by a majority vote resolves that:

1. The 2015-2016 property tax request is set at \$1,072,546.07.
2. A copy of this resolution shall be certified and forwarded to the County Clerk prior to October 13, 2015.

PASSED AND APPROVED this 8th day of September 2015.

APPROPRIATION ORDINANCE: Ordinance No. 2365 entitled “AN ORDINANCE TO ADOPT THE BUDGET STATEMENT FOR FISCAL YEAR 2015-2016; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was presented. Moved by Salem, second by Vivas, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting “aye” were Roberts, Vivas, Salem, Fagot. Motion carried.

Ordinance No. 2365 was presented on final reading. Moved by Salem, seconded by Roberts, to approve Ordinance No. 2365 on final reading. Roll call. Voting “aye” were Vivas, Roberts, Salem, Fagot. Motion carried.

PLUM CREEK LAKE PROJECT: Peplitsch reviewed negotiation efforts on bids received for the Plum Creek Park Lake Restoration project, as authorized by the Council on August 25th. He outlined the negotiation process with each bidder, and detailed the most beneficial results from Road Builders, Inc. of Lincoln, NE. He reviewed the proposed project scope and unit price modifications, noting the proposed amendments would minimally change the original project intent. He recommended accepting the base bid from Road Builders, Inc. for the project, and award a contract based upon a subsequent change order that would modify the project scope and reduce the cost to \$454,975.00. Following discussion, moved by Salem, seconded by Roberts, to award a contract to Road Builders, Inc. for the Plum Creek Park Lake Restoration project, with proposed Change Order #1 modifying the project scope and reducing the contract cost to \$454,975.00. Roll call. Voting “aye” were Vivas, Roberts, Salem, Fagot. Motion carried.

PAVING PROJECT: Peplitsch reviewed plans and specifications for the 2015 Opportunity Center South Paving Improvements project. Following discussion, moved by Roberts, seconded by Vivas, to approve plans and specifications for the project and authorize the solicitation of bids. Roll call. Voting “aye” were Salem, Roberts, Vivas, Fagot. Motion carried.

ROUNDTABLE DISCUSSION: Peplitsch provided updates on current city projects. Burnside noted the city service building will be a household hazardous waste collection site on Friday, September 18.

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