

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

A Regular Meeting of the Lexington City Council was held Tuesday, September 27, 2016, 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 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 9-13-16: Minutes of the Regular meeting held Tuesday, September 13, 2016, 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.

CLAIMS & BILLS: Claims and Bills in the amount of \$756,294.33 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Vivas, seconded by Roberts, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$151,631.74 from General Fund, \$56,354.88 from Street Fund, \$161,184.08 from TIF, \$295,038.04 from LEXUS, \$31,146.37 from Sanitation, \$4,613.77 from Landfill, \$1,092.35 from Ambulance, \$50,276.92 from Health Fund, and \$4,956.18 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Miller, Salem, Roberts, Vivas, Fagot. Motion carried.

**CITY OF LEXINGTON
ACCOUNTS PAYABLE
September 27, 2016**

Amazon	Library Books	61.97
Anytime Fitness	Memberships	128.40
Associated Supply Company, Inc.	Pool Materials	76.71
Baker & Taylor	Library Books	641.11
Barco Municipal Products, Inc.	ST Signs	165.01
Bauer Built Tire	ST Tire Repair	41.50
Bennett, Connie	LED Lighting Rebate	200.00
Business Card:		
American Red Cross	Lifeguard Training	27.00
Bob's True Value	ST Pole Saw & Supplies	215.39
Cabela's	WR Boots	244.94
Colorado Association of Libraries	Conference Registration	252.00
PayPal	Police Supplies / Library Membership	140.98
Post Office	WR Postage	181.90
Runza	Police Conference Meals	6.68
USI, Inc.	Laminating Materials	20.25
Buysm Sod	Fieldhouse Landscaping	700.00
Cash-Wa Distributing	Food & Supplies	809.12
Center Point Large Print	Library Books	88.68

Community Development Agency	CEL Series B2	41,004.05
Consolidated Management Co.	Police School Meals	88.87
Country Partners Coop	Weed Spray & Fertilizer	547.88
Davis Energy, Inc.	Fuel / Fuel Nozzle Repair	3,643.90
Dawson County Sheriff	Subpoena Services	18.57
Diamond Vogel	ST Paint & Materials	700.88
Eakes Office Solutions	Library Spls/Business Office Printer Reps	1,431.50
Electrical Engineering & Equipment, Co.	Tennis Court Light Bulbs	209.34
Energy Pioneer Solutions	EPS Payments	2,254.88
Fagot Refrigeration & Electric, Inc .	Library / PK / EL / ST Service	6,216.51
Fastenal Company	ST Materials	52.68
Friedrichsen, Leon	Safety Boot Reimbursement	127.50
Gale/Cengage Learning	Library Books	243.31
Great Western Bank-Lib. Petty Cash	Postage / Craft Supplies / Food	207.69
HD Supply Waterworks	WR Supplies	415.27
Health Claims Fund	Claims	36,731.50
Hiland Dairy Foods	Food & Supplies	204.49
Holbein, Dahlas	Fire Equipment Maintenance/Yard Svc	1,100.00
Holbein, Steve	GGC Door Repair	67.50
Ingram Library Services	Library Books	111.35
Johnny on the Spot	Rentals	450.00
Johnson Service, Co.	Liftstation Cleaning	14,175.00
Jones Plumbing & Heating, Inc.	ST A/C Svc/WR Spls/Lighting Rebate	1,615.55
Kent Jergensen Contractor	PK Plumbing Materials	36.35
Komline-Sanderson	WWTP Sludge Pump Supplies	1,037.00
League of Nebraska Municipalities	Conference Registration	1,295.00
Lexington, City of	Annual Bank Fees/Oppt Cntr Paving Imp	35,530.10
Lexington Newspapers	Publications	11.04
Lexington Optimist	Memberships	75.00
Lexington Regional Health Center	Drug Screens	70.00
Lexus	Utilities	40,615.42
Lien, Inc.	Frontier Street Landscaping	5,440.00
Little Caesars	Swim Meet Food	203.30
Martin Electric, Co.	PK Materials	35.20
Mead Lumber & Rental - Lexington	ST / PK / SW / Cemetery Supplies	334.59
Michael Todd & Company, Inc.	ST & WR Tools	387.57
MicroMarketing	Library Books	49.99
Midwest Connect	Postage Machine Ink	288.90
Milco Environmental Services, Inc.	Landfill Groundwater Testing	4,613.77
Miller & Associates	Professional Services	6,196.50
Mins, Jay	Police Academy Mileage	177.12
Municipal Supply, Inc.	Driving Range Stormwater Parts	275.45
Munoz, Omar	EL Rebate	600.00
Nebraska Association of Senior Centers	Conference Registration	90.00
Nebraska Environmental Products	ST Sweeper Materials	136.27
Nebraska Machinery, Co.	ST Equipment Parts	3,192.80
Nebraska Public Health Environmental Lab	WR Testing	464.40
Nebraska Public Power District	O&M	109,966.48
Oliver Consulting Services, Inc.	Library Computer Service	40.00
Orthman Community YMCA	Memberships	997.34
Paulsen, Inc.	Fabric Storage Bldg Concrete/ST&Sidewalk Reps	4,252.30
Platte Valley Communications	Monthly Maint/Camera Repair/New Radios	6,464.75
Post, Doran	EL Rebate	1,125.00
Primary Electric	WWTP Boiler Service	156.69
Reader's Digest	Library Subscription	14.98
Rural Community Insurance Services	Insurance Premiums	113.00

RYDE Transit	Transportation Services	12.00
S & W Auto Parts	PK / ST / SW Parts	230.09
Scholastic Library Publishing	Library Books	152.10
Service Master Mid Nebraska	Cleaning Service	5,015.00
Sign Pro	PK Signs	54.00
Sirchie Fingerprint Laboratories	Police Supplies	39.90
Taste of Home	Library Books	32.98
Thompson Co, The	Food & Supplies	473.61
Verizon Wireless	Cellphone Service	273.39
Village Uniform	GGC Janitorial Supplies	81.14
Vollmer, James	ST Vehicle Repair	214.14
Wal-Mart	Supplies	520.66
Wilson, Todd	Professional Services	1,200.00
Young, Dustin	EL Rebate	1,000.00
Baruth, Pam	Conference Expenses & Mileage	142.03
Bennett Advertising Specialties	Stormwater Promotional Materials	254.75
Bob's True Value	PK / GGC Supplies	82.13
Cash-Wa Distributing	Food & Supplies	854.72
Clinical Laboratory Improvement Amendments	Ambulance Certificate Fee	150.00
Consolidated Management Co.	Police Academy Mileage	88.87
Dan's Sanitation	Sanitation Fees	31,146.37
Davis Energy, Inc.	Fuel	172.49
Fleet US LLC	PK Equipment Parts	24.08
Fyr-Tek	Fire Dept Tool & Parts	415.05
Great Western Bank-Lib Petty Cash	Postage / Books	9.68
Great Western Bank-City Petty Cash	Meals / Postage / EL Rebate	157.15
Health Claims Fund	Claims	12,891.17
Hiland Dairy Foods	Food & Supplies	237.75
Hodges, Barb	Conference Mileage	82.08
Lexington, City of	Franchise Fees / TIF to Project Funding	177,496.65
Lexington City Payroll Account:		
Payroll	Wages	147,780.95
Social Security	Employer Portion / FICA Med	10,977.37
Union Bank & Trust	Employer Portion / Pension	4,317.27
Union Bank & Trust	Police Pension	2,819.81
ICMA	City Manager Pension	870.93
Lexington Community Foundation	Coffee & Memorial Book Sales	2,547.68
Lexington Newspapers	Publications	373.02
Lexington Regional Health Center	Service	361.00
Mead Lumber & Rental - Lexington	PK Tools	295.00
Moore Medical LLC	Ambulance Medical Supplies	596.71
Nebraska Investment Finance Authority	Conference Registration	25.00
Northern Lights Display, LLC	Lighted Christmas Decorations	10,710.00
Radiology Associates	Service	52.00
Reader's Digest	Claim Withdrawn	-14.98
Tasc-Client Invoices	Admin Fees	171.25
Thompson Co, The	Food & Supplies	830.78
Wal-Mart	Supplies	170.39
	TOTAL CLAIMS:	756,294.33

FINANCIAL REPORT: Moved by Roberts, seconded by Miller, to accept the financial report for August 2016 as presented. Roll call. Voting "aye" were Vivas, Salem, Miller, Roberts, Fagot. Motion carried.

PUBLIC COMMENTS: Mary Maloley appeared before the Council to request clarification of the AMI fees on utility bills and as to the length of time those will be included. Mayor Fagot explained the need for the fees and gave an estimated time of inclusion on the bills.

DAD ANNUAL REPORT: Jen McKeone presented an annual report for Dawson Area Development operations for the past year. Following discussion, no action was taken.

INCUBATOR: Peplitsch reviewed bids received for the Incubator Space, Dawson County Opportunity Center project, with the low bid from TFC Services of Gothenburg in the amount of \$194,979, which is consistent with the architect's estimate. Following discussion, moved by Roberts, seconded by Miller, to accept the bids, to award a contract to TFC Services, and to authorize the execution of necessary documents. Roll call. Voting "aye" were Vivas, Salem, Miller, Roberts, Fagot. Motion carried.

LAND & WATER CONSERVATION FUND: Peplitsch presented Resolution No. 2016-23, authorizing application to Land and Water Conservation Fund. Following discussion, moved by Miller, seconded by Vivas, to approve Resolution No. 2016-23. Roll call. Voting "aye" were Salem, Roberts, Vivas, Miller, Fagot. Motion carried.

RESOLUTION NO. 2016-23

A RESOLUTION AUTHORIZING THE APPLICATION TO THE LAND AND WATER CONSERVATION FUND PROGRAM FOR GRANT ASSISTANCE.

The City of Lexington, Nebraska proposes to apply for federal assistance from the Land and Water Conservation Fund program for the purpose of constructing four (4) ADA fishing piers at Kirkpatrick Memorial Park Lake.

The Mayor of the City of Lexington is authorized to sign documents to obtain financial assistance, including a Project Agreement with the State of Nebraska and the National Park Service. The City of Lexington, Nebraska will, within thirty (30) days following federal approval, obtain the necessary consultant or appraisal service for this project as directed and as required by Nebraska Game and Parks Commission staff.

The City of Lexington, Nebraska has budgeted or currently has available its 50 percent match of the proposed total project funds and will allocate these funds toward this project upon project approval by the Nebraska Game and Parks Commission.

The City of Lexington, Nebraska has the financial capability to operate and maintain the completed project and park property in a safe, attractive and sanitary manner.

The City of Lexington, Nebraska will not discriminate against any person on the basis of race, color, age, religion, disability, sex or national origin in the use of any property or facility acquired or developed pursuant to the project proposal, and shall comply with the terms and intent of Title VI of the Civil Rights Act of 1964, P.L. 88-354 (1964), and any of the regulations promulgated pursuant to such Act by the Secretary of the interior and contained in 43 CFR 17.

No property acquired and/or developed under this project shall, without the approval of the Nebraska Game and Parks Commission and the Secretary of the Interior, be converted to other than public outdoor recreation use. And, such approval may be granted only if it is in accord with the then existing Statewide Comprehensive Outdoor Recreation Plan (SCORP), and only upon such conditions as deemed necessary to assure the substitution of other outdoor recreation properties of at least equal fair market value and of reasonable equivalent usefulness and location.

The City of Lexington, Nebraska will replace the land in the event of a conversion in use in accordance with Section 6(f)(3) of the Land and Water Conservation Fund Act of 1965, as amended.

The City of Lexington, Nebraska agrees to comply with all State and Federal requirements and standards where they can be applied in making the facilities developed under this project, and all future projects, accessible to and usable by the disabled.

This is to certify that this resolution is a true copy of the original document that was adopted and passed by the City of Lexington, Nebraska at a duly advertised public meeting held this 27th day of September, 2016.

PAY REQUEST: Peplitsch reviewed Pay Request #1 from Paulsen Inc. for the 2016 CIS Improvements project in the amount of \$143,907.57. Following discussion, moved by Miller, seconded by Salem, to approve Pay Request #1. Roll call. Voting “aye” were Vivas, Roberts, Salem, Miller, Fagot. Motion carried.

WORK SESSION: Moved by Salem, seconded by Vivas, to schedule a council work session on Saturday, October 15, 2016, at 8:00 a.m. Roll call. Voting “aye” were Miller, Roberts, Vivas, Salem, Fagot. Motion carried.

ROUNDTABLE: Peplitsch gave a brief update on current projects. Burnside reported the Ontario Street project will begin next week. Fagot voiced his displeasure with individuals that would intentionally deface or damage properties that represent substantial investments by the taxpayers or local citizens. He requested the news media’s assistance in continuing to encourage citizens to report any mischievous behavior or vandalism they witness in the community, whether it is on public or private property; reporting is the first step in changing such behavior.

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