

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

A Regular Meeting of the Lexington City Council was held Tuesday, February 9, 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, 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, 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, located at 406 E. 7th Street, Lexington, Nebraska.

City Attorney Brian Copley requested the addition of an emergency executive session to the agenda to discuss pending litigation regarding the Islamic Center. Moved by Salem, seconded by Roberts, to add an emergency executive session to the agenda to discuss possible litigation regarding the Islamic Center. Roll call. Voting “aye” were Vivas, Roberts, Salem, Fagot. Motion carried.

MINUTES – REGULAR MEETING 1-23-16: Minutes of the Regular meeting held Tuesday, January 23, 2016, were presented. Moved by Vivas, seconded by Salem, to approve the minutes as presented. Roll call. Voting “aye” were Roberts, Salem, Vivas, Fagot. Motion carried.

MINUTES – WORK SESSION 1-30-16: Minutes of the Work Session held Saturday, January 30, 2016 were presented. Moved by Roberts, seconded by Vivas, to approve the minutes as presented. Roll call. Voting “aye” were Salem, Vivas, Roberts, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$506,418.29 were presented for Council 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 \$179,166.29 from the General Fund, \$59,942.88 from Street Fund, \$233,134.07 from LEXUS, \$10,000.00 from Sanitation, \$2,742.79 from Ambulance, \$17,456.79 from Health Fund, and \$3,975.47 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Salem, Roberts, Vivas, Fagot. Motion carried.

**CITY OF LEXINGTON
ACCOUNTS PAYABLE
February 9, 2016**

| | | |
|---------------------------------|---------------------------|-----------|
| Anytime Fitness | Wellness | 128.40 |
| Baker & Taylor | Library Books | 30.37 |
| Bauer Built Tire | Tire Repair & Replacement | 76.50 |
| Cash-Wa Distributing | Food & Supplies | 1,744.74 |
| Coca-Cola Bottling Kearney. | Beverages | 509.35 |
| Culligan Water Conditioning Co. | Soft Water Supplies | 332.65 |
| Dan’s Sanitation, Inc. | Sanitation Fees | 13,291.60 |
| Davis Energy, Inc. | Fuel | 151.04 |
| Dawson Pest Control | GGC Monthly Pest Control | 36.75 |
| Ed Roehr Safety Products | Police Work Light | 308.00 |

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| Egan Supply Co. Fieldhouse | Large Area Vacuum | 1,449.00 |
| Electrical Engineering/Equipment | Fieldhouse Cage Materials | 198.10 |
| EMS Billing Services | Ambulance Fee | 1,984.64 |
| Fagot Refrigeration & Electric, Inc. | WR Parts | 9.58 |
| Fastenal Company | WR Tools / Fieldhouse Netting Materials | 271.12 |
| Grainger WWTP | Support Facility Shelving | 669.43 |
| Health Claims Fund | Claims | 17,456.79 |
| Heldt & McKeone Law Offices | Professional Fees | 2,700.00 |
| Hiland Dairy Foods Co LLC | Food & Beverages | 450.01 |
| Holbein, Dahlas | Snow Removal | 250.00 |
| Holmes Plbg & Htg Supply | WR LED Stand Light & Tools | 325.09 |
| Ingram Library Services | Library Books | 79.11 |
| Jim Phillips Construction | ST / WR Breaks & Holes Repair | 14,177.00 |
| Jones Plumbing & Heating, Inc. | City Hall/WWTP/Fldhs/GGC Parts & Svc | 1,032.40 |
| Lexington Animal Clinic | Animal Care | 535.50 |
| Lexington Area Solid Waste | Landfill | 1,184.00 |
| Lexington City Payroll Account: | | |
| Payroll | Wages | 130,401.97 |
| Social Security | Employer Portion / FICA Med | 9,669.68 |
| Union Bank & Trust | Employer Portion / Pension | 4,561.87 |
| Union Bank & Trust | Police Pension | 2,384.55 |
| ICMA | City Manager Pension | 865.69 |
| Lexington Community Foundation | Fieldhouse Donations | 935.84 |
| Lexington Health Fund | Self-funding | 48,116.64 |
| Lexington Newspapers, Inc. | Publications | 417.39 |
| Lexington Postmaster | GGC Postage | 165.00 |
| Lexington Regional Health Center | Ambulance Supplies | 140.00 |
| Lexington Volunteer Fire Dept. | Conference Expenses | 520.50 |
| Lexington, City of | Franchise Fees/Interdepartment Svc Fees | 64,366.60 |
| Lexington, City of - Street Dept | Fuel | 7,953.77 |
| Mac's Short Stop | Food | 33.92 |
| Madeline's Café & Bakery | Food | 18.95 |
| Martha Stewart Living | Library Subscription | 9.99 |
| Matheson Tri-Gas, Inc. | Ambulance Supplies | 29.12 |
| Matt Friend Truck Equipment | ST Vehicle Parts | 159.50 |
| McCandless Backhoeing, Inc. | Snow Removal | 1,090.00 |
| Mead Lumber & Rental-Lex | Dev Svcs / Fieldhouse / ST Supplies | 130.05 |
| Menards | WWTP Lamps & Tools | 214.15 |
| Meritain Health | Health Premium | 22,665.12 |
| Mid-American Research Chemical | Fieldhouse Cleaning Supplies | 57.26 |
| Municipal Code Corporation | Code Books | 306.62 |
| Municipal Supply, Inc. of NE | Water Main Plugs/ Gasket Kits/Materials | 818.12 |
| Mr. Automotive | Fieldhouse / WR / ST Parts & Tools | 119.68 |
| N.G.E Inc. | Fieldhouse Padding | 3,398.01 |
| Neben, Sara | EL Rebate | 1,900.00 |
| NE Public Health Environmental Lab | WR Testing | 282.00 |
| NE Department of Revenue | Sales & Use Tax | 65,557.12 |
| NE Environmental Products | ST Vehicle Parts | 341.32 |
| NE Machinery | ST Vehicle Parts | 264.29 |
| Nebraskaland Tire | ST / WR Vehicle Service | 109.35 |
| O'Hara Lindsay & Associates, Inc. | Monthly Lobbying Service | 1,200.00 |
| O'Reilly Auto Parts | ST Parts | 55.63 |
| One Call Concepts, Inc. | Locate Fees | 30.57 |
| Paulsen, Inc. | ST Repair | 1,033.34 |
| Precision Detail | Fire Hall Cleaning | 240.00 |
| Presto-XLibrary | Monthly Spray | 75.00 |
| Principal | Dental Premium | 3,160.63 |

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| Ross, Bill | EL Rebate | 1,000.00 |
| Rourke Educational Media | Library Books | 398.19 |
| RYDE Transit | Monthly Riders | 16.00 |
| S & W Auto Parts, Inc. | ST / Police Vehicle Parts | 661.35 |
| SCALES | Annual Law Enforcement Expenses | 1,000.00 |
| Service Master of Mid Nebraska | Cleaning Service | 4,646.47 |
| Sign Pro | Dev Svcs Field Supplies | 30.00 |
| Standard Life Insurance Co | Premiums | 923.12 |
| Statewide Collections, LLC | Collection Fees | 161.87 |
| Subway @ Walmart | Food | 52.20 |
| Thompson Company, The | Food & Supplies | 988.11 |
| Unisan Nebraska | Fieldhouse Supplies | 158.05 |
| United Rentals SW Pipe | Plugs | 478.00 |
| USA Communications | Internet Service | 345.60 |
| USDA Wildlife Services | Pigeon Control | 4,000.00 |
| Vernon Library Supplies, Inc. | Patron Counter | 412.68 |
| Village Uniform | GGC Supplies | 50.84 |
| Vollmer, James | ST Vehicle Repair | 135.87 |
| VSP / Vision Service Plan Vision | Premium | 875.61 |
| Walmart | Supplies | 91.65 |
| Weathercraft Companies | Police Overhead Door Repair | 925.50 |
| Center Point Large Print | Library Books | 86.28 |
| Central Platte NRD | PK Trees | 17.50 |
| Coca-Cola Bottling Kearney. | Fieldhouse Beverages | 588.75 |
| Dawson County Register of Deeds | Filing Fees | 30.00 |
| Dawson Public Power District | Power Purchase | 658.68 |
| Downey Drilling | Replace Aquatic Center Well Pump | 15,862.63 |
| Eakes Office Solutions | Svc Bldg Copies / Library Supplies | 353.56 |
| Electrical Engineering/Equipment | WWTP Lamps | 8.00 |
| Fagot Refrigeration & Electric | EL Car Charging Station Wiring | 2,159.06 |
| Fastenal Company | ST Vehicle Parts | 3.83 |
| Gale Cenagage Learning | Library Books | 273.50 |
| Great Western Bank-City Petty Cash | Fuel / EL Rebates | 69.00 |
| Ingram Library Services | Library Books | 123.18 |
| John Deere Financial | PK / SW / ST / Fire Dept Supplies | 528.16 |
| Jones Plumbing & Heating, Inc. | PK Parts / Library Repair | 125.90 |
| Kids Reference Company, Inc. | Library Books | 189.34 |
| League of NE Municipalities | WR Operator's Workshop | 180.00 |
| Lexington Area Solid Waste Agency | Special Waste | 728.57 |
| Lexington Newspapers, Inc. | Publications | 55.61 |
| Mead Lumber – Lexington | Fieldhouse Cord & Connectors | 48.48 |
| Mid-American Research Chemical | Svc Bldg Cleaning Supplies | 227.73 |
| Miller & Associates | NW Addition Infrastructure Improvements | 14,385.07 |
| Nebraska Machinery | ST Vehicle Parts | 77.00 |
| Nebraskalink | Library Internet | 30.00 |
| Oliver Consulting Services, Inc. | Library Computer Service | 300.00 |
| Omaha World Herald | Library Subscription | 311.48 |
| Oxmoor House, Inc. | Library Subscription | 42.91 |
| O'Reilly Auto Parts | WR / ST Vehicle Parts & Supplies | 116.61 |
| Paulsen, Inc. | Concrete | 1,880.52 |
| Platte Valley Auto Mart, Inc. | Police Vehicle Service | 400.00 |
| Randy's Body Shop | Towing Service | 580.00 |
| Scholastic Library Publishing | Library Books | 152.10 |
| Source Gas | Gas Service | 10,046.87 |
| S & W Auto Parts, Inc. | ST Vehicle Parts | 43.23 |
| Titan Access/Productivity Acct | ST Vehicle Parts | 25.56 |
| Total Funds by Hasler | Postage | 3,000.00 |

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| Tri-City Tribune | Publications | 242.25 |
| Uline | Fieldhouse Panel Truck | 282.08 |
| Vollmer, James | WR / ST Vehicle Repair | 1,592.99 |
| Walmart | Supplies | 60.34 |

TOTAL CLAIMS: 506,418.29

ACTION PLAN: Peplitsch presented the 2016 Development Action Plan. Following discussion, moved by Salem, seconded by Vivas, to approve the 2016 Development Action Plan as presented. Roll call. Voting “aye” were Roberts, Vivas, Salem, Fagot. Motion carried.

1 & 6 YEAR PLAN: Peplitsch reviewed a draft 1&6 Year Street Improvement Plan for 2016. Following discussion it was noted a public hearing on the issue will be scheduled for March 8th.

RESOLUTION: Resolution No. 2016-02 was presented. Following discussion, moved by Salem, seconded by Roberts, to approve Resolution No. 2016-02. Roll call. Voting “aye” were Vivas, Roberts, Salem, Fagot. Motion carried.

RESOLUTION NO. 2016-02

A RESOLUTION APPROVING THE LVFD SERVICE AWARD PROGRAM CERTIFIED MEMBER LIST FOR CALENDAR 2015.

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 2015.

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| Rex Adams | David Berke | Bo Berry |
| Bruce Bonini | Robert Bullis | Alfred Copper |
| Eunice Deleon | Gary Donnelson | Darrel Dutro |
| Matthew Fitzgerald | Douglas Glaze | Everett Hagan |
| Walter Hughan | Nick Hoendervoogt | Dahlas Holbein |
| Dale Holbein | Kent Jergensen | Richard Klauz |
| James Linch | Michael Maguire | Mike Maloley |
| Robert Martin | Troy Moore | Lance Olsen |
| Eldon Peck | Chad Reutlinger | Roger Reutlinger |
| Elmer Sotelo | Kerry Teetor | Blake Thorell |
| Eldon Wheeler | Brad Worthing | David Zlatkovsky |
| Frank Zlatkovsky | | |

Passed and Approved this 9th day of February 2016.

STREET PROJECT: Peplitsch presented plans and specifications for Adams Street/Airport Road Asphalt Overlay project. Following a review of the project, moved by Roberts, seconded by Salem, to approve plans and specifications as presented and to authorize the solicitation of bids. Roll call. Voting “aye” were Miller, Salem, Roberts, Fagot. Motion carried.

APPOINTMENT: Peplitsch discussed an agreement with Todd Wilson for prosecution services. Following discussion, moved by Salem, seconded by Vivas, to appoint Todd Wilson as special prosecutor for the City of Lexington and authorize execution of an agreement for services. Roll call. Voting “aye” were Roberts, Vivas, Salem, Fagot. Motion carried.

EXECUTIVE SESSION: Moved by Vivas, seconded by Roberts, to go into executive session to discuss pending litigation regarding the Islamic Center at 5:55 p.m. Roll call. Voting “aye” were Salem, Roberts, Vivas, Fagot. Motion carried.

Moved by Vivas, seconded by Salem, to enter into open session at 7:02 p.m. Roll call. Voting “aye” were Roberts, Salem, Vivas, Fagot. Motion carried.

ROUNDTABLE DISCUSSION: Salem commended the Street Crew for the snow removal efforts following the recent blizzard.

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