

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

A Regular Meeting of the Lexington City Council was held Tuesday, July 12, 2016, at the Lexington City Hall, 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, City Attorney Brian Copley, Finance Director Barb Hodges, Development Services Director Bill Brecks and City Clerk Pamela Baruth. The press was represented by 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. 7<sup>th</sup> Street, Lexington, Nebraska.

Mayor Fagot requested a moment of silence in honor of the slain Dallas police officers.

**MINUTES – REGULAR MEETING 6-28-16:** Minutes of the Regular meeting held Tuesday, June 28, 2016, were presented. Moved by Vivas, seconded by Salem, to approve the minutes as presented. Roll call. Voting “aye” were Miller, Roberts, Salem, Vivas, Fagot. Motion carried.

**MINUTES – WORK SESSION 7-9-16:** Minutes of the Work Session held Saturday, July 9, 2016, were presented. Moved by Miller, seconded by Roberts, to approve the minutes as presented. Roll call. Voting “aye” were Vivas, Salem, Roberts, Miller, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$1,899,525.86 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Vivas, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$277,249.81 from General Fund, \$48,636.97 from Street Fund, \$115,000.00 from Lexington Revolving Loan Fund, \$7,050.00 from Housing Reuse, \$1,391,055.70 from LEXUS, \$10,000.00 from Sanitation, \$521.20 from Landfill, \$6,843.35 from Ambulance, \$40,724.38 from Health Fund, and \$2,444.45 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Miller, Roberts, Vivas, Salem, Fagot. Motion carried.

**CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
July 12, 2016**

Alamar Uniforms	Police Uniforms	77.33
Allen, Michelle	Education Expenses	55.00
Anytime Fitness	Wellness	107.00
Arbor Day Foundation	Membership	15.00
Arnold Pool Company	Aquatic Center Supplies	584.45
Ask Supply, Co.	ST Janitorial Supplies	292.61
Associated Supply	Aquatic Cntr Pumps & Parts	7,800.18
Baker & Taylor	Library Books	181.65
Cash-Wa Distributing	Food & Supplies	1,533.65
Coca-Cola Bottling of Kearney	Beverages	285.60
Country Partners Coop	Fuel	39.52

Culligan Water Conditioning Co.	Soft Water Supplies	369.23
Danko Emergency Equipment	Bunker Gear	51.16
Dan's Sanitation, Inc.	Sanitation Fees	14,898.60
Davis Energy, Inc.	Fuel / Oil	10,846.68
Dawson County	Dispatch Fees	27,500.00
Dawson County Register of Deeds	Filing Fees	76.00
Dawson Pest Control	Oppt Ctr / GGC / Fire Hall Pest Service	149.10
Dawson Public Power District	Power Purchase	518.66
Dell Marketing, LLC.	GGC Sound Bar/Dev Svc & Pol Monitors	494.98
Diamond Vogel	ST Traffic Paint	687.50
Diaz, Solamon	Yard Care	500.00
Dutton-Lainson Company	Electric Meters	1,001.79
Eakes Office Solutions	Library Supplies	95.88
Eilers Machine & Welding	PK Sprinkler Repair	10.00
EMS Billing Services	Ambulance Fees	2,562.47
Fagot Refrigeration & Electric	LFAC/FH/PK/WWTP/Lift Station Svc	3,029.88
Gale/Cengage Learning	Library Books	191.87
Galls	Police Supplies	144.48
Health Claims Fund	Claims	40,724.38
Heldt & McKeone Law Offices	Professional Fees	2,700.00
HD Supply Waterworks	Water Meters	3,163.76
Hiland Dairy Foods Company LLC	Food & Beverages	386.24
Holbein, Dahlas	Fire Hall Yard Care	375.00
Ingram Library Services	Library Books	77.71
Jack's Uniforms & Equipment	Police Supplies	108.79
JEO Consulting Group	Kirkpatrick Memorial Park Lake Imp	1,410.00
John Deere Financial	PK / Aquatic Ctr / ST Parts & Supplies	1,288.32
Jones Plumbing & Heating, Inc.	WWTP / Aquatic Ctr / ST Service	436.25
K Lawn	PK Lawn Care	190.75
Knapp Electric, Inc.	Lift Station Motor Repair	2,261.64
Lexington Animal Clinic	Animal Care	708.84
Lexington Area Solid Waste	Landfill	1,752.64
Lexington City Payroll Account:		
Payroll	Wages	172,582.40
Social Security	Employer Portion / FICA Med	12,888.74
Union Bank & Trust	Employer Portion / Pension	4,542.71
Union Bank & Trust	Police Pension	2,870.12
ICMA	City Manager Pension	865.69
Lexington, City of	Franchise Fees/Interdepartmental Svc Fees	64,298.66
Lexington, City of - Street Dept	Fuel	10,062.29
Lexington Community Foundation	Fieldhouse Donations	966.19
Lexington Health Fund	Self-funding	49,759.50
Lexington Newspapers, Inc.	Publications	564.27
Lexington Postmaster	GGC Postage	165.00
Lexington Recreation Program	Swim Meet Start-up Money	300.00
Lexington Regional Health Center	Ambulance Supplies	260.00
Lexington Volunteer Fire Dept	Ambulance Billing	3,835.51
Mac's Short Stop	Food & Supplies	361.26
Matheson Tri-Gas, Inc.	Ambulance Supplies	29.50
McCormack Distributing, Inc.	GGC Ice Cream Machine Service	36.85
Mead Lumber & Rental - Lexington	PK / WWTP Supplies	777.04
Meritain Health	Health Premium	22,471.70
MicroMarketing	Library Books	229.91
Mid-American Research Chemical	ST Janitorial Supplies	208.24
Midwest Laboratories, Inc.	WWTP Lab Testing	4,119.00
Milco Environmental Services, Inc.	Landfill Closure Testing	521.20
Mr. Automotive	ST Vehicle Parts	64.15

Nebraska Department of Revenue	Sales & Use Tax	53,272.58
NE Law Enforcement Training Center	Firearms Instructor Recertification	50.00
Nebraska Machinery	ST Parts	346.39
Nebraska State Treasurer	Unclaimed Property	705.98
Nebraska Tech & Telecom	Telephone Service	1522.78
Norfolk Lodge & Suites	Conference Lodging	179.98
Nutrition Action Health Letter	Library Subscription	20.00
O'Hara Lindsay & Associates	Lobbying Service	1,000.00
Oliver Consulting Services, Inc.	Library Computer Service	16.80
One Call Concepts, Inc.	Locate Fees	209.22
Overton Sand & Gravel, Co.	Gravel	83.09
Paper Tiger	Shredding Service	35.00
Platte Valley Auto Mart	Police Vehicle Service / Cemetery Parts	464.46
Platte Valley Glass & Trailers	Desk Glass	132.13
Plum Creek Market Place	Food & Supplies	175.36
Plum Creek Medical Group	Service	190.00
Plum Creek Promotions	PK T-shirts	1,849.97
Precision Detail	Fire Hall Cleaning	300.00
Principal	Dental Premium	3,205.30
Richardson Mowing	Library Lawn Service	255.00
Roberts, Matthew	Firearms Instructor Recertification Exp	58.34
RYDE Transit	Transportation	14.00
S & W Auto Parts, Inc.	Cemetery / WR Parts	198.82
Schwan's Home Service	Food & Supplies	128.59
Service Master of Mid Nebraska	Cleaning Service	4,403.47
Sirchie Fingerprint Laboratories	Police Supplies	161.41
Source Gas	Gas Service	4,182.22
South Central Nebraska Baseball League	League Fees	225.00
Standard Life Insurance Company	Premiums	922.47
Taste of Home	Library Books	31.98
T.O. Haas Tire & Auto	PK Mower Tire	28.01
Terryberry	Employee Recognition	1,787.75
Thompson Company, The	Food & Supplies	562.55
Titan Access/Productivity Account	ST / PK / WWTP / Cemetery Parts	155.77
TotalFunds by Hasler	Postage	3,000.00
Unitech, Inc.	ST Insecticides	596.10
Utility Service Co, Inc.	WR Tower Maintenance	8,976.68
USA Communications	Internet Service	345.60
U-Save Business Equipment	Supplies	624.61
VSP / Vision Service Plan Vision	Premium	897.95
Wagner, Greg	EL Lightbulb Rebate	40.00
Wal-Mart	Supplies	458.25
Weathercraft Companies	Opt Ctr Roof Repair	183.00
Baker & Taylor	Library Books	49.43
Cash-Wa Distributing	Food & Supplies	7,590.15
Coca-Cola Bottling of Kearney	Beverages	387.60
Country Partners Coop	PK / WWTP Weed Spray	410.67
Davis Energy, Inc.	Propane / Fuel	137.54
Dawson Area Development	Professional Fees	11,175.00
Dawson Public Power District	Power Purchase	10,358.94
Fastenal Company	PK / ST / Cemetery Safety Glasses	41.04
Hofferber, David	EL Rebate	1,900.00
Johnstone Supply	Opt Ctr / Fieldhouse Furnace Filters	101.62
Jones Plumbing & Heating, Inc.	WR / PK Plumbing Materials	1,595.44
Kearney, City of	Library Books	8.00
Komline-Sanderson	WWTP Sludge Pump Materials	356.29
KRVN AM & FM	Advertisements	457.60

Lexington Newspapers, Inc.	Publications	20.44
Madeline's Café & Bakery	Food	18.95
Mead Lumber & Rental - Lexington	PK Supplies	2.78
MicroMarketing	Library Books	129.97
Municipal Supply, Inc.	Driving Range Drains	177.96
NE Law Enforcement Training Center	Material Fee	95.00
Nebraska Public Power District	Power Purchase	1,141,328.74
OCLC, Inc.	Library Subscription	108.31
Oliver Consulting Services, Inc.	Library Remote Comp Svc/Laptop/Scanner Purchase	1,144.00
Paulsen, Inc.	Gravel	170.20
Pinnacle Agency, The	PK Vehicle Added to Policy	83.00
Pinnacle Bank	WWTP Case IH Tractor Payment	31,002.95
Rasmussen Mechanical Services	Library Heat Pump Repair	446.60
RR Donnelley	Police Supplies	490.52
Village Uniform	GC Cleaning Materials	50.84
Walmart	Supplies	65.15
Weekly Bulletin, The	Subscription	160.00
Whilee, LLC.	Revolving Loan Fund	115,000.00
	<b>TOTAL CLAIMS:</b>	<b>1,899,525.86</b>

**ORDINANCE:** Ordinance No. 2380 entitled “AN ORDINANCE TO DEFINE PUBLIC PLACE FOR THE PURPOSES OF CHAPTER 26 OF THE LEXINGTON CITY CODE; TO REGULATE THE PARKING OF VEHICLES PURSUANT TO SAID CHAPTER AS IT PERTAINS TO VEHICLES PARKED ON PUBLIC PLACES FOR THE PURPOSES OF SALE, REPAIR, OR STORAGE; TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH, SPECIFICALLY SEC. 26-1 AND 26-193 OF THE LEXINGTON CITY CODE; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was presented on first reading. Peplitsch explained the ordinance would amend the city code to prohibit parking of vehicles in several additional instances in an effort to abate several nuisance situations. Following discussion, moved by Salem, seconded by Roberts, to approve Ordinance No. 2380 on first reading. Roll call. Voting “aye” were Miller, Vivas, Roberts, Salem, Fagot. Motion carried.

**AGREEMENT:** Peplitsch requested Council consideration of a proposed right-of-way encroachment agreement with Lexington Public Schools for the Majestic Theater. He presented draft plans for the façade, the installation of an awning and modifications of the sidewalk and two parking spots. Noting the property in question is public right-of-way, an easement encroachment agreement with the Lexington Public Schools has been drafted. Following discussion, moved by Miller, seconded by Roberts, to approve the encroachment agreement with the Lexington Public Schools for the Majestic Theater and to authorize the execution of necessary documents. Roll call. Voting “aye” were Vivas, Salem, Roberts, Miller, Fagot. Motion carried.

**RESOLUTION:** Resolution No. 2016-17 was presented for Council consideration. Following discussion, move by Miller, seconded by Vivas, to approve Resolution No. 2016-17 as presented. Roll call. Voting “aye” were Salem, Roberts, Vivas, Miller, Fagot. Motion carried.

#### **RESOLUTION NO. 2016-17**

BE IT RESOLVED by the Mayor and Council of the City of Lexington, Nebraska, that the proposed street located in the Replat of Tract 2 Wal-Mart Subdivision linking Washington Street to Highway 283, be named Pioneer Drive.

**PASSED AND APPROVED this 12th day of July, 2016.**

**APPOINTMENTS:** The following appointments to boards and commissions were proposed for Council approval:

Planning Commission – Sadie Worthing

Board of Adjustment – Kristie Moyer.

Following discussion, moved by Miller, seconded by Salem, to approve appointments to said boards as proposed. Roll call. Voting “aye” were Vivas, Roberts, Salem, Miller, Fagot. Motion carried.

**ACCOUNTS RECEIVABLE:** Pepplitsch reviewed delinquent account receivable balances that have been deemed uncollectible. Following discussion, moved by Roberts, seconded by Miller, to authorize Staff to remove uncollectible account receivable balances as presented. Roll call. Voting “aye” were Vivas, Salem, Roberts, Fagot. Motion carried.

**ROUNDTABLE:** Pepplitsch gave an update on current projects.

**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