

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

A Regular Meeting of the Lexington City Council was held Tuesday, January 10, 2017, 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, Steve Smith and Jeremy Roberts. City Officials present were City Manager Joe Pepplichtsch, 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 12-27-16: Minutes of the Regular meeting held Tuesday, December 27, 2016 were presented. Moved by Vivas, seconded by Smith, to approve the minutes as presented. Roll call. Voting “aye” were Salem, Roberts, Smith, Vivas, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,821,310.22 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 \$238,101.87 from General Fund, \$42,159.60 from Street Fund, \$13,999.00 from Housing Reuse, \$1,489,652.24 from LEXUS, \$10,000.00 from Sanitation, \$5,761.40 from Ambulance, \$19,057.87 from Health Fund, and \$2,578.24 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Smith, Salem, Roberts, Fagot. Motion carried.

ACCOUNTS PAYABLE

January 10, 2017

American Water Works Assn	WT / Membership - Robert Thompson	300.00
Animal Health	PK / Pest Control	16.20
Axxent	EL / Building Maintenance	240.00
Baker & Taylor	Library Books	370.94
Black Hills Energy	Gas Service	9,954.05
Bob's True Value	FD / ST / PK / Supplies / Cold Patch	1,175.52
Cash-Wa Distributing	GGC / Food & Supplies	633.94
Coca-Cola of Kearney	GGC / Field House / Beverages	183.60
Complete Roofing & Remodeling	OOR Rehab Work	12,499.00
Conney Safety	SW / Industrial Gloves	20.98
Culligan	Soft Water Supplies	1,699.43
D & M Security Inc	Opp Ctr / Alarm Inspection	335.00
Danko Emergency Equipment	FD / Structural Leather Boots	1,112.49
Dan's Sanitation	Sanitation Fees	11,638.00
Davis Energy, Inc.	FD / Fuel	39.70

Dawson County Court	Court Fees	17.00
Dawson County	Dispatch Fees	27,500.00
Dawson Co Register of Deeds	Filing Fees	76.00
Dawson Pest Control	OC / FD / GGC / Pest Control	149.10
Eakes Office Solutions	Lib / Office / Janitorial Supplies	224.67
EBSCO	Library Subscriptions	873.46
Eilers Machine and Welding	SW / Sump Pump Repair	26.00
Electric Pump	SW / Lift Station Rebuild / Hardware	66,989.44
Electrical Engineering & Equipment	EL / Hardware	5.45
Fagot Refrigeration & Electric Inc	PK / ST / Heater / Field House Service	3,684.64
Fastenal Company	ST / SW / Tools / Hardware	50.13
Gale/Cengage Learning	Library Books	137.49
Health Claims Fund	Claims	19,057.87
Heldt & McKeone Law Offices	Professional Fee	2,700.00
Hiland Dairy Foods Company LLC	Food & Beverages	234.85
Ingram Library Services	Library Books	74.92
Jack's Uniforms & Equipment	PD / Uniforms	173.94
JEO Consulting	Professional Services / Kirkpatrick Park	4,500.00
Jones Plumbing & Heating	PK / OC / Fountain / Faucet Repair	332.00
Kelly Supply Co	SW / Pump Suction Hose	1,263.75
Lexington Animal Clinic	Animal Care	918.80
Lexington, City Street Department	Fuel	8,515.63
Lexington, City of	Franchise Fees/Interdepartment Svc Fees	57,297.59
Lexington, City Payroll Account		
Payroll	Wages	138,808.90
Social Security	Employer Portion / FICA Med	10,309.73
Union Bank & Trust	Employer Portion / Pension	4,320.87
Union Bank & Trust	Police Pension	3,231.25
ICMA	City Manager Pension	870.93
Lexington Health Fund	Self-funding	50,873.22
Lexington Newspapers	Publications	200.82
Lexington Volunteer Fire Department	Ambulance Billing	5,335.31
Martin Electric Co	SW / Area Lighting	251.43
Matheson Tri-Gas Inc	FD / Medical Supplies	31.60
Mead Lumber & Rental - Lexington	PK / Bench Hardware	45.84
Meritain Health	Health Premium	21,778.20
MicroMarketing	Library Books	128.66
Midwest Door & Hardware	City / Door Repair	383.00
Miller & Associates	OC / NW 3rd / NW 5th Improvements	28,878.14
Morris Press	GGC / Newsletter	309.46
Motor Trend	Library Books	15.00
Nebraska Dept of Revenue	Sales and Use Tax	55,171.10
Nebraska Safety & Fire Equipment	PK / Fire Sprinkler System Repair	222.30
Nebraska Safety Council	2017 Membership	350.00
Nebraskaland Tire	WR / Maintenance	79.40
New Horizons	OOR / Lead-Based Paint Survey	1,500.00
OmniSite	SW / Wireless Reporting Service	276.00
One Call Concepts Inc	EL / Locates	31.35
Oriental Trading	Library Promo Supplies	48.77
Paper Tiger	Paper Shredding	35.00
Platte Valley Communications	PD / PK / ST / WR / Equipment Repair	8,394.86
Precision Detail	FD / Cleaning	300.00
Principal	Dental Premium	3,418.06
Rasmussen Mechanical Services	Library / Heat Pump Service	2,290.82

S W Auto Parts	ST / SW / Tools / Wiper Blades	135.28
Service Master of Mid Nebraska	EL / OC / Cleaning Service	4,174.47
Standard Insurance Company	Life Insurance Premiums	943.76
T O Haas Tire & Auto	PD / Tires	19.74
Thompson Co, The	GGC / Food & Supplies	765.42
Titan Machinery	ST / SW / Vehicle Maintenance	2,555.55
Tri-City Tribune	City / Yearly Subscription	31.50
USA Communications	City Internet Services	345.60
Village Uniform	GGC Supplies	50.84
Vollmer, James	ST Vehicle Tune-up	75.52
VSP / Vision Service Plan	Vision Premium	930.63
Walmart	Lib / PD / PK / ST / WR / Supplies	364.71
4imprint	Dev Svc / ST / SW / City Polo Shirts	1,592.77
Alvarenga, Gladis	EL Rebate	1,125.00
Best Books Inc	Library Books	2,805.46
Blue Cross Blue Shield of NE	Ambulance Refund	259.81
Bob's True Value	ST / SW / Hardware / Tools	211.98
Country Magazine	Library Books	14.98
Dan's Sanitation	Sanitation Fees	1,653.60
Davis Energy	FD / Fuel	94.98
Dawson Public Power District	Power Purchase	472.22
Eilers Machine & Welding Inc	PK / Skid Loader Broom Repair	46.00
Electrical Engineering & Equipment Co	OC / ST / Light Bulbs	552.71
EnvisionWare	LB / Annual System Maintenance	1,022.43
Fagot Refrigeration & Electric	SW / Wire Lift Station	3,986.19
Hagan, Everett	EL Rebate	1,900.00
Jim Phillips	WR / Main Break Repair	6,948.00
John Deere Financial	FD/GGC/PK/ST/SW/Spls Parts Repairs	981.13
Jones Plumbing & Heating	LB/WR/WWTP/Pipe/Water Line Pump Seals	559.34
Kelly Supply Company	WR / Fuel Tank	162.59
Lexington Area Solid Waste	Waste Removal	914.88
Lexington Newspapers Inc	Notices / Minutes	167.68
Living Magazine	Library Books	19.00
Mac's Short Stop	MOW / Food Color	2.59
Mead Lumber	PK / Park Bench Wood	68.76
Midwest Connect	Mailing System Annual Maintenance Fee	881.68
Midwest Laboratories Inc	WWTP / Lab Testing	1,161.00
Moritz, Gary	EL Rebate	2,025.00
Naprstek, Tara	EL Rebate	1,900.00
Nebraska Public Power District	Power Purchase	1,126,516.78
Nebraska Public Power District	O&M	72,746.36
Nebraska Technology & Telecom.	Phone Service	1,394.80
O'Hara Lindsay & Associates	Lobbying Services	1,200.00
Overton Sand & Gravel	EL / ST / White Rock / Fill Sand	1,040.77
Platte Valley Communications	FD / Program Codes	45.00
Plum Creek Market Place	MOW / Food	78.77
Rodriguez, Silva San Roman	EL Rebate	1,500.00
Ryde Transit	GGC / Transportation	160.00
U-Save Business Equipment	FD / GGC / PK / ST / Office Supplies	1,511.55
Village Uniform	GGC / Janitorial Supplies	123.73
Walmart	PD/SW/Head Gear/Office/Cleaning Spls	158.06
	TOTAL CLAIMS:	1,821,310.22

SUBDIVISION: Mayor Fagot opened a public hearing for Council to consider a proposed subdivision titled "Masten First Subdivision" along West River Road. Bill Brecks explained the owners would like the ability to sell a residential lot for future development or use. He noted the Planning Commission recommended approval with some minor corrections to the final plat. He also explained the lots will meet the requirements for residential use. Being no further comments, the public hearing was closed. Resolution No. 2017-01 was presented. Following discussion, moved by Salem, seconded by Vivas, to approve Resolution No. 2017-01. Roll call. Voting "aye" were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

RESOLUTION NO. 2017-01

MASTEN FIRST SUBDIVISION

**BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON,
NEBRASKA, AS FOLLOWS:**

The plat of MASTEN FIRST SUBDIVISION, Being a Part of Government Lot 5, Lying South of I-80 and also part of the accretion to Government Lot 5, Section 18, Township 9 North, Range 21 West of the Sixth Principal Meridian, Dawson County, Nebraska, duly made out, acknowledged and certified, and the same hereby is approved, accepted and ordered filed and recorded in the office of the Register of Deeds of Dawson County, Nebraska.

PASSED AND APPROVED this 10th day of January, 2017

Pepplitsch presented a draft subdivision agreement and noted some minor corrections to be made. Following discussion, moved by Smith, seconded by Roberts, to approve the subdivision agreement with corrections as noted. Roll call. Voted "aye" were Vivas, Salem, Roberts, Smith, and Fagot. Motion carried.

ZONING: Mayor Fagot opened a public hearing to consider an application to rezone Masten First Subdivision, located at 190 West River Road from A-1 Agricultural to R-1 Single Family Residential. Following discussion and no further public comment, the public hearing was closed. Ordinance No. 2384 entitled "AN ORDINANCE TO REZONE LOTS 1 and 2, MASTEN FIRST SUBDIVISION, A SUBDIVISION BEING PART OF GOVERNMENT LOT 5, LYING SOUTH OF I-80, AND ALSO PART OF THE ACCRETION TO GOVERNMENT LOT 5, SECTION 18, TOWNSHIP 9 NORTH, RANGE 21 WEST OF THE SIXTH PRINCIPAL MERIDIAN, DAWSON COUNTY, NEBRASKA, FROM A-1 AGRICULTURAL TO R-1 SINGLE-FAMILY RESIDENTIAL; TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM" was presented. Following discussion, moved by Salem, seconded by Vivas, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting "aye" were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

Ordinance No. 2384 was presented on final reading. Moved by Salem, seconded by Smith, to approve Ordinance No. 2384 on final reading. Roll call. Voting "aye" were Vivas, Roberts, Smith, Salem, Fagot. Motion carried.

DISCLOSURE FORMS: Pepplitsch reported that the contractual interest statements received from each council member will need to be accepted on record and file per Nebraska law. Moved by Salem, seconded by Roberts, to recognize and accept contractual interest statements from current council members to be held on file with the City Clerk. Roll call. Voting "aye" were Vivas, Smith, Roberts, Salem, Fagot. Motion carried.

ROUNDTABLE: Peplitsch reminded Council and Staff of the Council Work Session scheduled for Saturday, January 14, 2017, at 8:00 a.m. Baruth requested confirmation of council members attending the League of Nebraska Municipalities Mid-winter Conference in February.

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