

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

A Regular Meeting of the Lexington City Council was held Tuesday, January 24, 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 Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Brian Copley, Police Chief Tracy Wolf, and City Clerk Pamela Baruth. The press was represented by KRVN.

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 1-10-17: Minutes of the Regular meeting held Tuesday, January 10, 2017 were presented. Moved by Roberts, seconded by Salem, to approve the minutes as presented. Roll call. Voting “aye” were Vivas, Smith, Salem, Roberts, Fagot. Motion carried.

MINUTES – WORK SESSION 1-14-17: Minutes of the Work Session held Saturday, January 14, 2017, were presented. Moved by Smith, seconded by Vivas, to approve the minutes as presented. Roll call. Voting “aye” were Salem, Roberts, Vivas, Smith, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$644,758.42 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Vivas, seconded by Salem, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$164,191.70 from General Fund, \$58,742.73 from Street Fund, \$372,977.05 from LEXUS, \$31,061.21 from Sanitation, \$2,177.33 from Ambulance, \$11,420.78 from Health Fund, and \$4,187.62 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Smith, Roberts, Salem, Vivas, Fagot. Motion carried.

ACCOUNTS PAYABLE

January 24, 2017

Aflac	Premiums	1,318.05
Amazon	Library Books	46.93
American Water Works Assn	WT / Membership - Tom Nelson	97.00
Assn of State Floodplain Managers	Exam Fees / B Brecks	50.00
Axxent Buildings LLC	EL/Warehouse Overhead Door Rep	1,350.00
Baker & Taylor	Library Books	505.42
Baker, Michael	PD / Meals @ SCALES Training	40.60
Barco Municipal Products	ST / Truck Flashers	263.55
Baruth, Pam	Food for Council Work Session	23.98
Bauer Built Tire	ST / Loader Tire Repair	74.00
Bauer Underground Inc	EL / W 13th St Connect 4" Conduit	2,390.00
Bob's True Value	PK/WR/WWTP/Bench Rep/Maintenance	191.10
Cash-Wa Distributing	GGC / Food & Supplies	1,377.20
Center Point Large Print	Library Books	88.68
Central Hydraulics	ST / PK / Snow Plow Blades	14,998.00
Coca-Cola of Kearney	Field House / Beverages	387.60
Dankco Emergency Equipment	FD / Replacement Helmets	1,733.66

Davis Energy, Inc.	FD / Fuel	3,831.18
Dawson Public Power District	Power Purchase	9,801.31
Demco	Library / Supplies	163.92
EMS Billing Services	Ambulance Billing	1,507.44
Energy Pioneer Solutions	Monthly Payments	1,656.92
Fagot Refrigeration & Electric	OC / Install / Repair Lighting	511.14
Gale/Cengage Learning	Library Books	138.91
Good Housekeeping	Library Periodical	22.97
HD Supply Waterworks	WR / Well #17 Meter	2,258.52
Health Claims Fund	Claims	9,716.07
Hiland Dairy Foods Company LLC	MOW / Food & Beverages	281.21
Holbein, Dahlas	Truck Maint/Repairs/Snow Removal	1,350.00
Holdrege Area Public Library	Library Books	26.00
Ingram Library Services	Library Books	74.98
Intellicom Computer Consulting	Computer Services	2,310.50
John Deere Financial	PK / Oil Filter	19.62
Johnny on the Spot	Rental	75.00
Kelly's Sales and Ag Service	PK / SW / WR / Truck Flatbeds	20,072.88
Kinney, Joel	PD / Meals @ SCALES Training	36.36
KRVN	PD / Public Service Announcement	40.00
League of NE Municipalities	WWTP/Annual Conference/Sund/Moore	190.00
Lexington, City Payroll Account:		
Payroll	Wages	136,818.12
Social Security	Employer Portion / FICA Med	10,159.18
Union Bank & Trust	Employer Portion / Pension	4,382.58
Union Bank & Trust	Police Pension	2,929.80
ICMA	City Manager Pension	870.93
Lexington Newspapers	Publications	47.83
Lexington Regional Health Center	Employee Flu Shot	27.00
Lexus	Utilities	43,577.06
Lien Inc	PK/ST/Winterize Sprinklers/Lawn Maint	4,508.02
Majestic Theatre	Advertisement	225.00
McCandless Backhoeing Inc	OC / Snow Removal	840.00
Mead Lumber & Rental - Lexington	PK/ST/Bench Maint/Saw Repair/Key/File	97.85
MicroMarketing	Library Books	74.99
Mr Automotive	ST / Vehicle Switch	32.82
Municipal Supply Inc of Nebraska	WR / NW 5th Addition Improvement	42,230.94
Nebraska Association of Senior Centers	GGC / Yearly Membership / S Bennett	20.00
Nebraska Public Power District	O & M	151,308.18
Nebraskaland Tire	PK / Maintenance Unit 60 / '97 F150	108.22
OCLC	Monthly Cataloging Service	112.56
Oliver Consulting Services Inc	Library Computer Service	517.50
Orthman Community YMCA	Memberships	743.10
Pinkelman, Luke	PD / Meals @ SCALES Training	42.70
Platte Valley Auto Mart	Dev Svc / PD / PK / Vehicle Maintenance	1,933.96
Randy and Brian's Towing	Dev Svc / Towing	100.00
Rasmussen Mechanical Services	Library / Heat Pump Repair	914.16
Service Master of Mid Nebraska	Mo Svcs/Carpet	5,716.51
Sign Pro	PK / Decal Installation	30.00
South Central Area Law Enforcement	PD / Annual Dues	1,000.00
TASC	Administration Fees	178.83
T L Sund Constructors Inc	OC / Keyed Locked Entry	170.22
T O Haas Tire & Auto	WR / ST / Tires / Repairs	93.44
Thompson Co, The	GGC / Food & Supplies	1,050.18
Todd Wilson PC	Professional Fees	1,200.00
Total Funds by Hassler	Postage	3,000.00
Tri-City Tribune	GGC / Senior Care Ad	111.38

Tyler Technologies	Utility Billing Notifications / Fees	1,288.19
Verizon Wireless	Cell Phone Service	351.92
Wal-Mart	LB / PK / PD / ST / WR / Supplies / Paint	814.37
Bauer Built Tire	ST / Tire Repair	25.00
Bob's True Value	FD / Chainsaw Chain / Batteries	104.93
Business Card		
4imprint	Dev Svc / ST / SW / City Polo Shirts	1,592.77
Amazon	ST / Decals	18.48
International Code Council	Dev Svc / Code Manual	38.52
Marriott Hotel	Dev Svc / Hotel / Parking	171.27
Palos Sports	AC / PK / Balls / Tunnel / Foam Noodle	265.92
Postage	WR /	22.95
Taco Bell	PD Meals	6.60
USPS	WR / SW / Postage	93.80
Dan's Sanitation	Sanitation Fees	31,061.21
Fagot Refrigeration and Electric Inc	GGC / Steamer Service	205.90
Fastenal	Dev Svc / Tools	18.81
Great Western Bank-City Petty Cash	Postage / Meals	114.14
Great Western Bank-Lib. Petty Cash	Postage / Books	189.80
Lexington, City of	Franchise Fees	91,592.42
Lexington Newspaper	Council Hearing Notices	21.67
Mead Lumber & Rental - Lexington	PK / WR / Door Repair / Well Paneling	47.65
Mid-American Research Chemical	PK / Stainless Steel Cleaner	117.59
Moore Medical	FD / Medical Supplies	395.09
Nebraska Salt & Grain Co	ST / Salt / Sand	9,448.44
Platte Valley Auto Mart	FD / Truck Maintenance	21.80
Service Master of Mid NE	ST / Carpet Cleaning	131.25
Sign Pro	FD / Decals	22.50
TASC	Administration Fees	180.83
Titan Productivity Account	ST / Bobcat Accessories	12,150.00
Village Uniform	GGC / Janitorial Supplies	50.84
	TOTAL CLAIMS:	644,758.42

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

SUBDIVISION: Mayor Fagot opened a public hearing to consider a proposed subdivision titled "Beans 2nd Subdivision". Pepplitsch reviewed the plat and a draft subdivision agreement. There being no public comments, the public hearing was closed. Following discussion, Resolution No. 2017-02 was presented. Following discussion, moved by Salem, seconded by Roberts, to approve Resolution No. 2017-02. Roll call. Voting "aye" were Vivas, Smith, Roberts, Salem, Fagot. Motion carried. Moved by Roberts, seconded by Smith, to approve the subdivision agreement as presented. Voting "aye" were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

RESOLUTION NO. 2017-02

BEANS 2ND SUBDIVISION

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

The plat of BEANS 2ND SUBDIVISION, being a part of the Southwest Quarter of Section 8, 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 24th day of January, 2017.

ED PROGRAM: Mayor Fagot opened a public hearing to consider amendments to the Lexington Economic Development Program. Peplitsch indicated that the Citizen Advisory Review Committee recommended including additional eligible businesses to participate in the program; such additional businesses have been added to the state statutes governing the program since the program's inception. There being no public comments, the public hearing was closed. Ordinance No. 2385 entitled "AN ORDINANCE AMENDING AN ECONOMIC DEVELOPMENT PROGRAM; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM" was presented. 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. 2385 was presented on final reading. Moved by Salem, seconded by Smith, to approve Ordinance No. 2385 on final reading. Roll call. Voting "aye" were Vivas, Roberts, Smith, Salem, Fagot. Motion carried.

ACTION PLAN: Peplitsch presented a final draft of the 2017 Development Action Plan. Following discussion, moved by Salem, seconded by Roberts, to approve the 2017 Development Action Plan as presented. Roll call. Voting "aye" were Vivas, Smith, Roberts, Salem, Fagot. Motion carried.

IMPROVEMENT PROJECT: Peplitsch reviewed bids received for the Northwest 5th Addition Improvements project, with the low bid from Midlands Contracting Inc. in the amount of \$235,070.00 for Bid A – Sanitary Sewer, and from Paulsen Inc. in the amount of \$869,262.00 for Bid B – Storm Sewer and Paving. The combined bids were approximately 24% below the engineer's estimate. He noted water lines will be installed by city crews. Following discussion, moved by Salem, seconded by Vivas, to accept the bids, to award contracts to Midlands Contracting and Paulsen Inc., and to authorize execution of necessary documents. Roll call. Voting "aye" were Roberts, Smith, Vivas, Salem, Fagot. Motion carried.

LAND SALE: Ordinance No. 2386 entitled "AN ORDINANCE DIRECTING THE SALE OF THE EAST 5 FEET OF LOT 11 AND ALL OF LOT 12, BLOCK 5, J.L. MAY'S ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA AND THE NORTH ONE-HALF OF LOTS 1 AND 2, BLOCK 6, J.L. MAY'S ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE" was presented. Following discussion, moved by Roberts, seconded by Smith, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting "aye" were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

Ordinance No. 2386 was presented on final reading. Moved by Roberts, seconded by Smith, to approve Ordinance No. 2386 on final reading. Roll call. Voting "aye" were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

EXECUTIVE SESSION: Moved by Salem, seconded by Vivas, to enter Executive Session at 5:57 p.m. to discuss negotiations for the purchase of land. Roll call. Voting "aye" were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

Moved by Salem, seconded by Smith, to enter into Open Session at 6:25 p.m. Roll call. Voting "aye" were Vivas, Roberts, Smith, Salem, Fagot. Motion carried.

ROUNDTABLE DISCUSSION: Baruth reviewed potential upcoming dates that may work to update Council portraits. Roberts requested Staff provide a history on City Council compensation. Fagot mentioned an opportunity to work with Dawson County on the acquisition of construction equipment.

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.

City Clerk