

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

A Regular Meeting of the Lexington City Council was held Tuesday, April 11, 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, and Steve Smith. Dora Vivas and Jeremy Roberts had excused absences. Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Brian Copley, Finance Director Barb Hodges, and Development Services Director Bill Brecks. 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 3-28-17: Minutes of the Regular meeting held Tuesday, March 28, 2017 were presented. Moved by Smith, seconded by Salem, to approve the minutes as presented. Roll call. Voting “aye” were Salem, Smith, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,813,234.37 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Smith, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$230,270.25 from General Fund, \$39,094.99 from Street Fund, \$260,000.00 from Economic Development, \$1,251,484.58 from LEXUS, \$10,000.00 from Sanitation, \$6,586.95 from Ambulance, \$10,173.24 from Health Fund, and \$5,624.36 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Smith, Salem, Fagot. Motion carried.

ACCOUNTS PAYABLE

American Fence Company	AC / Fence Repair	404.78
Anderson Graphics	LB / Monthly Hosting Charge	65.00
Arbor Health Plan	Ambulance Refund	63.24
Baker & Taylor	LB / BOOKS	478.21
Black Hills Energy	Gas Service	6,217.29
Bob's True Value	AC / Paint & Supplies /	31.96
Cash-Wa Distributing	GGC / Food & Supplies	2,805.47
Chesterman Coca-Cola	GGC / Beverages	40.00
Comfort Inn - Grand Island	PD / Training Lodging	165.90
Consolidated Management Co	PD / Training Meals	17.48
Culligan	Soft Water Supplies	502.43
Dan's Sanitation	Sanitation Fees	11,648.00

Davis Energy, Inc.	Ambulance / ST / Fuel	821.65
Dawson County	Dispatch Fees	27,500.00
Dawson County Surveyor's Office	Parkview Addition / Elevation Shots	75.00
Demco	LB / Supplies	537.76
Depository Trust Co	2013 Utilities & 2015 GO Bond Payments	37,673.75
Dutton-Lainson Company	EL / Meter Socket / Disconnect Sleeve	183.66
Eakes Office Solutions	LB / Office / Printer Supplies	244.14
Eilers Machine and Welding	SW/Crane Mount/Pre-Treatment Hardware	146.86
Electrical Engin. & Equipment	OC / Light Bulbs	40.52
Fagot Refrig. & Electric Inc	LB/OC/PK/Electric Repairs	5,451.77
Fastenal Company	AC/ST/SW/WR/Hardware/Tools	565.02
FYR-TEK	FD / Pump Repair	226.56
Gale/Cengage Learning	LB / BOOKS	285.40
Game Time	PK / Slide Replacement / Volcano Climber	3,761.34
Health Claims Fund	Claims	10,152.84
Heldt & McKeone Law Offices	Professional Fee	2,700.00
Hiland Dairy Foods Co. LLC	GGC / Food & Beverages	773.09
Hunt Cleaners	PK / ST / WR / Industrial Gloves	331.95
Ingram Library Services	LB / BOOKS	102.06
John Deere Financial	LB/PK/ST/SW/WR/Compressor/Hdwr/Post	1,175.48
Jones Plumbing & Heating	GGC / OC / Lavatory / Garbage Disposal	449.75
Lexington Animal Clinic	Animal Care	871.50
Lexington, City Street Dept.	Fuel	8,655.19
Lexington, City of	Franchise Fees/Interdepartment Ser. Fees	57,307.00
Lexington Comm. Foundation	Fieldhouse Donations	1,796.67
Lexington Health Fund	Self-funding	49,689.80
Lexington Newspapers	Publications	366.87
Lexington Recreation	PK Start-Up Cash	1,500.00
Lexington Regional Health Center	Wellness Labs	20.40
Lexington Volunteer Fire Dept.	FD / Ambulance Billing	3,483.35
Majestic Theatre	Advertisement	225.00
Mead Lumber & Rental - Lexington	AC / PK / WR / Blocks / Sign Hdwr / Supplies	100.46
Meritain Health	Health Premium	20,478.17
Mid-America Research Chemical	PK / Janitorial Supplies	157.13
Midwest Laboratories Inc	SW / Shipping	10.50
Morris Press	GGC / Newsletter	309.46
Mr Automotive	FD / Auto Supplies	5.98
Municipal Supply Inc of Nebraska	WR / NW 5th Add Mains	2,140.00
Natl Assoc School Resource Officers	PD / Membership	80.00
Nebraska Commission / Law Enforcement	PD / Training	120.00
Nebraska Dept of Revenue	Sales and Use Tax	53,982.42

Nebraska Environmental Products	ST / Brooms / Repair	2,262.55
Nebraska Machinery	ST / Blade Parts / Tail Light	266.36
Nebraska Public Power	Power Purchase	1,025,065.67
Nebraskaland Tire	GGC / Maintenance	89.73
NebraskaLink	LB / Internet Service	30.00
Odeys Inc	PK / Ball Field Equipment	6,057.80
Oliver Consulting Services	LB / Wireless Access / Computer Repair	480.00
One Call Concepts, Inc.	Locate Fees	91.59
O'Reilly Auto Parts	ST / Battery Chargers / Light Bulb	223.14
Page My Cell	FD / Dispatch To Text / Yearly Fee	550.00
Paper Tiger Shredding	Paper Shredding	35.00
Paulsen Inc	WR / NW 5th Gravel	321.93
Pineda, Harold	EL / Rebate	350.00
Platte Valley Auto Mart	PD / Vehicle Maintenance	323.78
Platte Valley Communications	FD/PD/Monthly Main. Fee	2,079.74
Presto-X	LB / Pest Control	75.00
Principal	Dental Premium	3,115.62
QA Balance Service	SW / Scale Certification	125.00
Quiltmaker	LB / Periodical	19.97
RYDE Transit	GGC / Transportation	128.00
Service Master	EL / OC / Janitorial Services	4,174.47
Sign Pro	PD / Vehicle Lettering	160.00
Standard Insurance Company	Life Insurance Premiums	885.62
Steve's Lock & Key	SW / Door Hardware Repair	83.00
Sterling West	PK / Swing Chain	735.00
Subway	CED / Meeting Lunch	59.00
S W Auto Parts	ST SW / Batteries / Hardware / Tools / Belts	213.17
Taste of Home	LB / Periodical	32.98
TO Haas Tire Co Inc	WR / Tire Repair	59.22
The Thompson Co	GGC / Food & Supplies	1,193.92
Titan Productivity	SW / Hardware	6.00
USA Communications	City Internet Services	345.60
Village Uniform	GGC / Supplies	127.84
Walmart	LB / PD / SW / DVDs / Supplies / First Aid	853.29

SUB TOTAL: 1,367,558.25

ADDED CLAIMS

Bob's True Value	AC / Paint	23.98
Centurion Technologies	LB / Annual Maintenance Fee	190.50
Chesterman Co	PK / Beverages	448.80
City Directory Inc	Ad / City Directory Book	988.00
Dan's Sanitation	Sanitation Fees	2,185.40

Davis Energy	SW / Oil	9.98
Dawson County Register of Deeds	Filing Fees	78.00
Dawson Public Power District	Power Purchase	9099.44
Eakes Office Solutions	LB / Office / Program Supplies	92.65
Electrical Engineering & Equip. Co	EL / NW 5th Addition Conduit	120.93
EMS Billing Services	Ambulance Billing	2,428.21
Gale/Cengage Learning	LB / Books	151.29
John Deere Financial	PK / Wheel	176.84
Jones Plumbing & Heating	WR / Nozzles / Couplings / PVC Caps	238.72
Lexington Area Solid Waste	Waste	2,432.64
Lexington, City Payroll Account		
	Payroll Wages	133,446.38
	Social Security Employer Portion / FICA Med	9,916.83
	Union Bank & Trust Employer Portion / Pension	4,265.81
	Union Bank & Trust Police Pension	2,685.32
	ICMA City Manager Pension	870.93
Lexington Family Eyecare	ST / Safety Equipment	518.00
Lexington Newspaper	Publications	205.73
Lexington Postmaster	GGC / Postage	165.00
Luther, Ann	AC / PK / Food Show / Lifeguard Mileage / Rent	90.81
McFarland Family Farms LLC	Econ Dev Loan	260,000.00
Mead Lumber	FD / Rope	12.49
Municipal Supply	WR / NW 5th Addition Mains	195.93
Nebraska Environmental Products	ST/Service Contracts/Sweeper/Jetter Service	5,640.00
Nebraska Technology & Telecom	Phone Service	1,426.52
OCLC Inc	LB / Subscription	112.56
O'Hare Lindsay and Associates	Monthly Lobbying Services	1,000.00
Overton Sand & Gravel	WR / Gravel / NW 5th Addition	1,510.60
Platte Valley Auto Mart	GGC / Maintenance	79.26
Plum Creek Market	LB / MOW / PD / Produce / Bakery	219.37
Precision Detail	FD / Cleaning Services	300.00
Rasmussen Mechanical Services	LB / HVAC Inspection	184.75
Team Detail Quicklube & Rhinolinings	PD / Uniform Alterations	83.00
TM Sporting Goods	PK / TEE Ball Baseballs	97.38
TO Haas Tire Co Inc	PK / Tire Repair	36.01
Tyler Technologies	EL / WR / Billing Notifications / Transaction Fees	1,298.60
U-Save Business Equipment	AC / DV SRV / EL / LB / ST / Office Supplies	1,489.34
VSP / Vision Service Plan	Vision Premium	903.95
Walmart	PD / SW / Janitorial / Office Supplies	256.17

TOTAL ADDED CLAIMS: 445,676.12

TOTAL CLAIMS: 1,813,234.37

SUBDIVISION: Mayor Fagot opened a public hearing to consider a subdivision titled the Northwest Sixth Addition. Peplitsch reviewed the plat and indicated that the subdivision is being proposed by the City and School District to replat exiting lots into residential lots along Independence Avenue from 18th Street south to the Western Heights Second Addition. Being no further public comment, the public hearing was closed. Following discussion, Resolution No. 2017-13 was presented. Moved by Salem, seconded by Smith, to approve Resolution No. 2017-13. Roll call. Voting “aye” were Smith, Salem, Fagot. Motion carried.

RESOLUTION NO. 2017-13

NORTHWEST SIXTH ADDITION

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

The plat of NORTHWEST SIXTH ADDITION, a Replat of Part of Lot 1, Block 3 of Northwest Second Addition and all of Block 4 of Northwest Addition to the City of Lexington, 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 11th day of April, 2017.

REZONE: Mayor Fagot opened a public hearing to consider a rezoning request from the City of Lexington for Lots 1-8, Block 1, Northwest Sixth Addition. Peplitsch reviewed the request indicating that the zone would need to be changed from A-2 to R-1 to allow the intended single family housing development. Being no further public comment, the public hearing was closed. Following discussion, Ordinance No. 2391 entitled “AN ORDINANCE TO REZONE LOTS 1-8, BLOCK 1, NORTHWEST SIXTH ADDITION, A REPLAT OF PART OF LOT 1, BLOCK 3 OF NORTHWEST SECOND ADDITION AND ALL OF BLOCK 4 OF NORTHWEST ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA, FROM A-2 TRANSITIONAL AGRICULTURE 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. Moved by Salem, seconded by Smith, to approve Ordinance No. 2931 on first reading. Roll call. Voting “aye” were Smith, Salem, Fagot. Motion carried.

LIFT STATION: Peplitsch reviewed bids received for the NW 5th Addition Improvements—Lift Station project, indicating a low bid from Midlands Contracting, Inc. Following discussion, moved by Smith, seconded by Salem, to accept the bids for the project and award a contract to Midlands Contracting, Inc. for the base bid of \$147,450.00, and authorize the execution of all necessary documents. Roll call. Voting “aye” were Salem, Smith, Fagot. Motion carried.

PROJECT CLOSEOUT: Peplitsch reviewed project closeout documents for the Northwest 5th Addition Improvements—Sewer project, including Change Order #2 a deduct of \$7,963.00, Pay Request #2—Final in the amount of \$159,988.65, and a Certificate of Substantial Completion. Following discussion, moved by Salem, seconded by Smith, to approve the project closeout documents as presented. Roll call. Voting “aye” were Smith, Salem, Fagot. Motion carried.

PROPERTY CONVEYANCE: Resolution No. 2017-14 was presented. Peplitsch indicated that the resolution would authorize the conveyance of residential lots in the Southwest First Addition to the CDA in accordance with the terms of the current housing redevelopment project in that area. Following discussion, moved by Smith, seconded by Salem, to approve Resolution No. 2017-14. Roll call. Voting “aye” were Salem, Smith, Fagot. Motion carried.

RESOLUTION NO. 2017-14

WHEREAS, the City of Lexington owns certain real estate for the purpose of residential development; and

WHEREAS, the Community Development Agency of Lexington, Nebraska is preparing a redevelopment project involving the same real estate, and it is in the best interest of the City to aid and cooperate in the planning, undertaking and carrying out of said redevelopment project by transferring title to said real estate to the Community Development Agency.

BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, as follows:

That the President of the Council is hereby directed and authorized on behalf of the City of Lexington, to execute a Deed, transferring to the Community Development Agency of Lexington, Nebraska, the following described real estate, to-wit:

Lot 1, Block 1, Southwest First Addition, an Addition to the City of Lexington, Dawson County, Nebraska; and

Lot 6, Block 6, Southwest First Addition, and Addition to the City of Lexington, Dawson County, Nebraska.

Passed and approved the 11th day of April, 2017.

WORK SESSION: Motion by Salem, seconded by Smith, to schedule a Council Work Session on May 13, 2017 at 8:00 a.m. Roll call. Voting “aye” were Smith, Salem, Fagot. Motion carried.

ROUNDTABLE: Pepplichtsch reviewed preliminary plans for single family houses in the Southwest First Addition for Council information. Burnside presented plaques received by the City on April 5th for 20 consecutive years in the Tree City USA program and a Nebraska Community Forestry Outstanding Tree Care Award for past and planned community projects.

ADJOURNMENT: There being no further business to come before the Council, Fagot declared the meeting adjourned.

John Fagot, Mayor

Joe Pepplichtsch, City Manager

I, the undersigned City Manager 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 Manager