

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

A Regular Meeting of the Lexington City Council was held Tuesday, July 25, 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. 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.

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 7-11-17: Minutes of the Regular meeting held Tuesday, July 11, 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 \$770,179.41 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Roberts, seconded by Smith, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$208,381.93 from General Fund, \$39,899.58 from Street Fund, \$477,532.19 from LEXUS, \$29,023.61 from Sanitation Fund, \$1,331.48 from Ambulance Fund, \$10,158.42 from Health Fund, and \$3,852.20 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

**ACCOUNTS PAYABLE
July 25, 2017**

Acromat	PK / Janitorial Supplies	296.48
Aflac	Premiums	1,261.11
Associated Supply Co	AC / O-ring Lid / Gasket / Chemicals	6,371.46
Baker & Taylor	LB / Books	1,529.83
Bob's True Value	AC / PK / Paint / Masonry Bit / Weedeater Head	67.46
Cash-Wa Distributing	AC / MOW / PK / ST / Food / Containers / Soap	3,614.13
Center Point Large Print	LB / Books	91.08
Chesterman's	AC / PK / Beverages	373.20
Cobeccon Benefits	Benefit Negotiations	250.00
Conney Safety	WWTP / Janitorial / Safety Supplies	575.62
Copycat Printing	DV SRV / Blue Print Copies	322.00
Country Partners Coop	PK / ST / Grass / Weed Control	211.50
Davis Energy	Ambulance / PK / ST / Fuel / Oil / Propane	7,807.73
Dell Marketing	Lexus / WWTP / Computer	940.92

Dino O'Dell	LB / Book	15.00
Dugan Printing	LEXUS / Utility Bills	1,527.21
Dutton-Lainson	EL / Meters	229.64
Eakes Office Solutions	LB / Janitorial Supplies	88.42
Eilers	AC / PK / Brackets / Spacers / Pipe	153.93
Energy Pioneer Solutions	EPS Payments	2,213.97
Fagot Refrigeration & Electric	OC / Ice Machine Cleaner	35.90
Fastenal	AC / WWTP / Slide Connections / Hardware	321.69
Ferguson, Boyd	Buy Back 2 Cemetery Spaces	60.00
Fire Extrication Hazmat	FD / Fire Equipment Fees	50.00
Fyr-Tek	FD / Unit #22 Valve Repair	362.00
Gale/Cengage	LB / Books	475.78
Gallery Collection	Office Supplies	349.52
Health Claims	Claims	8,557.48
Hiland Dairy	MOW / Dairy Products	387.43
Holbein, Dahlas	Truck Maintenance/Repairs	1,000.00
IGS Solar	EL / Power Purchase	58,324.31
International Institute Municipal Clerks	Membership Dues	160.00
Intellicom	Upgrades/Domain/Computer Services	1,753.50
Jake's Sprinklers	AC / Replace Sprinkler Heads	446.27
JMS Millwright	PK / Back Stop Repair	785.46
John Deere Financial	Cemetery / WWTP / Lawn Mower Repairs	1,238.36
Johnny On The Spot	Cemetery / PK / Rentals	325.00
Jones Plumbing	LB / Plumbing Repair	118.75
Lexington City Payroll Account:		
Payroll	Wages	177,993.79
Social Security	Employer Portion / FICA Med	13,317.92
Union Bank & Trust	Employer Portion / Pension	4,500.03
Union Bank & Trust	Police Pension	3,071.78
ICMA	City Manager Pension	870.93
Lexington Newspapers	Publications	669.48
Lexington Regional Health	Services	160.00
Lexus	Utilities	41,767.22
Lincoln Winwater Works	ST / Power Tools	369.00
Mead Lumber	AC/ OC/ PK/ WR/ WWTP/ Keys/ Blades/ 16" Bar	135.73
Micro-Marketing	LB / Books	50.00
Mid-American Research Chemical	PK / Insect Repellent	154.64
Moore Medical	Ambulance / Medical Equipment	1,014.91
Mr Automotive	ST / V-Belt	35.90
Municipal Supply	ST / Air Compressor Valve	36.51
National League of Cities	Municipal Dues	1,489.00
Nebraska Power Review Board	Annual Fees	2,067.94
Nebraska Public Power District	O & M	185,258.12
Nebraska Rural Radio	Public Service Announcements	208.80
Nebraskaland Tire	PK / Maintenance	165.27
OCLC Inc	LB / Subscription	112.56
Orthman Community YMCA	Memberships	896.00
Overton Sand & Gravel	ST / Fill Sand	369.18
Paulsen	WR / Sand / Gravel / Fiber Mesh	303.36
Platte Valley Glass	LB / Replace Window	356.50
Plum Creek Market	MOW / PK / Food	152.73
Plum Creek Promotions	PK / ST / WR / Shirts / Hats	358.37
Richardson Mowing	LB / Lawn Service	270.00
S & D Contractors	DV SRV / PK / Lawn Care / Retaining Walls	4,350.00

S W Auto Parts	ST / Serpentine Belts / Spark Plug	61.65
Service Master	Janitorial Services	5,158.75
Sign Pro	PK / Plum Creek Park Sign	870.00
SiteOne Landscape Supply	PK / Sprinkler Heads / Fittings	654.95
Spectrum	Cable Service	23.56
Stiehl, Frieda	LB / Book	24.00
Terry-Durin	EL / Conduit	10,839.10
The Thompson Co	MOW / Food / Janitorial Supplies	1,238.37
TO Haas Tire	Cemetery / PD / WWTP / Tire Repair	92.54
Todd Wilson, P.C.	Professional Fees	1,200.00
Total Funds by Hasler	Postage	3,000.00
Tri-City Trib	PK / Advertisements	115.50
Tyler Technologies	Transaction Fees / Phone Notification	1,250.55
Underground Solutions	EL / WR / NW 3rd Add / Expose Main	48,790.00
U-Save	GGC / LB / PD / EL / Paper / Office Supplies	2,497.82
Village Uniform	GGC / Janitorial Supplies	100.84
Walmart	AC/GGC/LB/PD/PK/Cleaning/Office/DVDs	626.41
Bauer Underground	EL / Excavate / Splice Conduit	1,850.00
Bob's True Value	AC / ST / Ballast / Trimmer Line	259.94
Business Card		
Fire House Sub	PD / Meeting Lunch	20.38
In The Swim	AC / Fanny Packs	95.88
Masek Golf Car Co	PK / Golf Cart	3,195.00
Parking Meter Linc	Parking	1.85
Raising Cane	PD / Council Lunch	8.36
Sprinkler Warehouse	PK / Sprinkler Parts	281.75
USPS	Postage / Water Samples	152.10
Chesterman Coca-Cola	AC / Beverages	224.40
Dan's Sanitation	Sanitation Fees	29,023.61
Davis Energy, Inc.	PK / ST / Fuel	5,207.06
DXP	WWTP / Flex Coupling Sleeve	71.16
Eakes Office Solutions	LB / Office Supplies	65.03
Electrical Engineering&Equipment	AC / Light Bulbs	35.85
Fagot Refrigeration	Field Lights/Pool Heater/Lift Station Drive	687.62
Fastenal	ST / Safety Equipment	75.85
Galls	PD / Uniforms	105.96
Grainger	WWTP / Tank Boots	99.54
Great Western Bank-LB Petty Cash	LB / Craft Supplies / Interlibrary Loans / Postage	151.40
Hawkins	AC / Pool Chemicals	1,381.03
HD Supply	WR / Computer-Meter Programmer Connection	378.17
Lexington, City of	Franchise Fees	95,853.39
Lexington Newspaper	Publications	20.03
Little Caesars	AC / Swim Meet Concessions	208.50
Mid-American Research Chemical	ST / Cleaning Solution	252.64
Miller & Associates	PK / WR / Professional Services	6,233.80
Mobotrex	EL / Traffic Lights / Pedestrian Lights	766.00
Municipal Pipe Services	WR / Tap Water Main	800.00
Nebraska Machinery	ST / Loader Door Latch	77.98
NE Public Health Environmental Lab	WR / Water Testing	195.00
Nebraskaland Tire	WR / Vehicle Maintenance	59.36
North Platte Telegraph	Yearly Subscription	171.60
NSA/POAN Conference	PD / Conference Fees	400.00
Oliver Consulting	LB / Computer Repairs	247.50
Philippi, Scott	WWTP / Conference Meals / Mileage	83.90

Plum Creek Motors	ST / Tires	777.49
Service Master	LB / Water Damage Service	32.88
TASC	Administration Fees	179.83
TO Haas	ST / Tires / Tire Repair	288.70
Verizon	Cell Phone Service	349.86
Village Uniform	GGC / Janitorial Supplies	55.84
Walmart	LB / PK / Office Supplies / Janitorial Supplies	11.32
TOTAL CLAIMS:		770,179.41

FINANCIAL REPORT: Moved by Vivas, seconded by Salem, to accept the financial report for June 2017. Roll call. Voting “aye” were Smith, Roberts, Salem, Vivas, Fagot. Motion carried.

SUBDIVISION APPLICATION: Mayor Fagot opened a public hearing for Council to consider a proposed subdivision titled “Huxoll Subdivision” along West River Road. Bill Brecks explained the owners would like the ability to sell 1 lot for future development and retain 2 lots for residential use. He noted the Planning Commission has recommended approval. Being no further comments, the public hearing was closed. Resolution 2017-23 was presented. Moved by Salem, seconded by Roberts, to approve Resolution No. 2017-23 as presented. Roll call. Voting “aye” were Vivas, Smith, Roberts, Salem, Fagot. Motion carried.

RESOLUTION NO. 2017-23

HUXOLL SUBDIVISION

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

The plat of HUXOLL SUBDIVISION, being a Replat of Tract 9 of the River Platte Subdivision along with part of Government Lot 4 and Accretive Lands located in 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 25th day of July, 2017

Pepplitsch presented a draft subdivision agreement. Following discussion, moved by Smith, seconded by Vivas, to approve the subdivision agreement as presented. Roll call. Voted “aye” were Salem, Roberts, Vivas, Smith, Fagot. Motion carried.

REZONING APPLICATION: Mayor Fagot opened a public hearing to consider a rezoning application to rezone a portion of Huxoll Subdivision. Brecks explained the owners would like to sell Lot 3, Huxoll Subdivision, and retain ownership of the other lots. The public hearing was closed. An ordinance entitled “AN ORDINANCE TO REZONE LOTS 1 and 2, HUXOLL SUBDIVISION, A SUBDIVISION BEING A REPLAT OF TRACT 9 OF THE RIVER PLATTE SUBDIVISION ALONG WITH PART OF GOVERNMENT LOT 4 AND ACCRETIVE LANDS LOCATED IN 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 for Council consideration. 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. 2396 was read on final reading. Moved by Salem, seconded by Roberts, to approve Ordinance 2396 on final reading. Roll call. Voting "aye" were Vivas, Smith, Roberts, Salem, Fagot. Motion carried.

BUDGET REQUEST: Resolution No. 2017-24 was presented. Following discussion, moved by Roberts, seconded by Smith, to approve Resolution No. 2017-24. Roll call. Voting "aye" were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

RESOLUTION NO. 2017-24

WHEREAS, the Lexington Airport Authority has requested an allocation of a part of the City of Lexington property tax levy for budget purposes.

BE IT RESOLVED, by the Mayor and Council of the City of Lexington, Nebraska, that \$135,000.00 of the City of Lexington Property Tax Levy Authority is hereby allocated to the Lexington Airport Authority for the fiscal year 2017-2018.

Passed and approved this 25th day of July 2017

CHANGE ORDER: Peplitsch reviewed Change Order #1 from Paulsen Inc. for the Southwest First Addition project. He explained this order will add sanitary sewer, water main, paving and grading improvements to the Hoppe development and future development. Following an update of the project, moved by Vivas, seconded by Salem, to approve the change order as presented. Roll call. Voting "aye" were Roberts, Smith, Salem, Vivas, Fagot. Motion carried.

PAY REQUEST: Peplitsch reviewed Pay Request #2 from Paulsen Inc. for the Southwest First Addition project in the amount of \$319,162.72. Following an update of the project, moved by Smith, seconded by Vivas, to approve the pay request as presented. Roll call. Voting "aye" were Salem, Roberts, Vivas, Smith, Fagot. Motion carried.

PAY REQUEST: Peplitsch reviewed Pay Request #3 from Paulsen Inc. in the amount of \$158,395.04 for the Northwest 5th Addition Improvements project. Following an update of the project, moved by Roberts, seconded by Smith, to approve the pay request as presented. Roll call. Voting "aye" were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

INTERLOCAL AGREEMENT: Peplitsch requested Council consideration of an Interlocal Agreement for dispatching services with Dawson County. He noted the E911 communications interlocal agreement updates some language and adds Gosper County as a member. Following discussion, moved by Smith, seconded by Salem, to approve the Interlocal Agreement with Dawson County as presented. Roll call. Voting "aye" were Vivas, Roberts, Salem, Smith, Fagot. Motion carried.

EXECUTIVE SESSION: Moved by Roberts, seconded by Smith, to enter into executive session at 5:48 p.m. to discuss negotiations for the purchase of real estate. Roll call. Voting "aye" were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

Moved by Roberts, seconded by Vivas, to enter into open session at 6:10 p.m. Roll call. Voting "aye" were Smith, Salem, Vivas, Roberts, Fagot. Motion carried.

ROUNDTABLE: Peplitsch gave an update of numerous 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.

City Clerk