

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

A Regular Meeting of the Lexington City Council was held Tuesday, September 12, 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 Pepplitsch, Assistant City Manager Dennis Burnside, City Attorney Brian Copley, Finance Director Barb Hodges 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. 7th Street, Lexington, Nebraska.

MINUTES – REGULAR MEETING 8-22-17: Minutes of the Regular meeting held Tuesday, August 22, 2017, 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.

MINUTES – WORK SESSION 8-26-17: Minutes of the Work Session held on Saturday, August 26, 2017, were presented. It was noted that Barb Hodges’ name was inadvertently missed as those attending the meeting. Moved by Smith, seconded by Roberts, to approve the minutes as corrected. Roll call. Voting “aye” were Vivas, Salem, Roberts, Smith, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$2,365,593.36 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 \$355,817.71 from General Fund, \$98,446.16 from Street Fund, \$9,171.98 from TIF, \$1,832,913.54 from LEXUS, \$10,000.00 from Sanitation, \$46,665.84 from Ambulance, \$7,304.14 from Health Fund, and \$5,273.99 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
September 12, 2017**

AcroMat	OC / Janitorial Supplies	637.20
Baker & Taylor	LB / Books	322.37
Bennett, Susan	GGC / Conference Mileage	74.15
Black Hills Energy	Gas Service	3,662.98
Bob's True Value	AC/ST/Ballast/Weed Control/Polesaw	460.75
BSN Sports	PK / Tennis Nets	349.98
Burnside, Dennis	Conference Mileage / Meals	282.54

Cash-Wa Distributing	GGC / Food / Supplies	2,187.81
Community Action Partnership	Transportation Services Agreement	21,650.00
Community Development Agency	CDA / TIF Area 1 / Series 2013A	9,171.98
Concordia University	LB / Conference Registration	99.00
Consolidated Management	PD / Academy Meals	152.63
Core & Main	WR/Meter/Flange Kit/Remote Disconnect	3,507.47
Country Partners Co-op	PK / Weed & Pest Control	552.15
Culligan	Soft Water Supplies	403.03
Dan's Sanitation	Sanitation Fees	11,894.00
Davis Energy	Amb/FD/PK/ST/SW/Fuel/Oil	6,292.18
Dawson County Sherriff	Land Purchase	750.00
Dawson Count Register of Deeds	Filing Fees	82.00
Dawson Pest Control	FD / GGC / OC / Pest Control	159.10
Dawson Public Power District	Power Purchase	380.04
Demco	LB / Office Supplies	549.46
Depository Trust Company	2016 CURRB Principal / Interest	146,531.25
Diamond Vogel	PK / ST / WR / Paint Brushes	203.36
Ditch Witch UnderCon	ST / Trencher Teeth	276.81
Downey Drilling	AC/SW/Pump/Motor/Filter/Dewatering	67,834.25
Eakes	LB / Office Supplies	450.49
Electric Pump	WWTP / Process Pump	20,123.15
Electrical Engineering & Equipment	EL/PK/Conduit/Elbows/Cable Handle	3,077.33
Fagot Refrigeration & Electric Inc	City Hall/GGC/Electrical Circuit/Low Voltage	405.60
Fastenal	PK/ST/WWTP/Hardware/Tools/Cleaner	243.00
Fyr-tek	FD / Hose Roller	217.25
Gale/Cengage	LB / Books	456.48
GPM	WWTP / Refrigerated Auto-Sampler	6,313.00
Great Western Bank	Ambulance / Loan Payment	38,211.17
Great Western Bank-Lib Petty Cash	LB / Book Loans/ Postage	152.57
Health Claims Fund	Claims	6,043.03
Heldt & McKeone Law Offices	Professional Fee	2,700.00
Hiland Dairy Foods Co	GGC / Dairy Products	453.39
IGS Solar	EL / Power Purchase	55,461.06
Ingram Library Services	LB / Books	310.61
JEO Consulting	PK / Professional Fees	9,525.00
Johnson Service Co	SW/Clean/Vac/Lift Station/Sewer Mains	9,398.25
Jones Plumbing & Heating	LB/PK/ST/WR/WWTP/Plumbing/Sprinkler	1,172.79
Lexington Animal Clinic	Animal Care	1,489.56
Lexington Area Solid Waste	Waste	4,931.68
Lexington, City Street Department	Fuel	9,409.36
Lexington, City of	Franchise/Interdepartment Service Fees	64,149.76
Lexington, City Payroll Account		
Payroll	Wages	142,622.54
Social Security	Employer Portion / FICA Med	10,613.16
Union Bank & Trust	Employer Portion / Pension	4,514.33
Union Bank & Trust	Police Pension	2,813.60
ICMA	City Manager Pension	870.93
Lexington Health Fund	Self-funding	49,230.36
Lexington Newspapers	Publications	710.14
Lien	PK / Sprinkler Repair	318.99
Mac's Short Stop	AC / PK / Concessions	31.41

Mead Lumber & Rental	PK / Weed Eater String	45.06
Meritain Health	Health Premium	22,612.04
MicroMarketing	LB / Books	1,947.66
Midland Scientific	WWTP / Testing Supplies	44.99
Midlands Contracting	WR / Water Main Repair	4,250.40
Miller & Associates	ST / Professional Fees	6,692.60
Moore Medical	Ambulance / Supplies	81.24
Morris Press	GGC / Newsletter	309.46
Mr Automotive	FD / Battery	139.73
Nebraska Dept of Agriculture	Animal Control Facility Annual Fee	175.00
Nebraska Dept of Revenue	Sales and Use Tax / Recycling Fee	61,950.06
Nebraskaland Tire	PK / Vehicle Maintenance	47.71
Nunez, Luis	PD / Police Academy Mileage	263.22
Oliver Consulting Services	LB / Monthly Backup / Printer Support	177.50
Olsson Associates	ST / SW / WR / Professional Services	31,331.18
One Call Concepts	Locate Fees	103.23
Paulsen	ST / WR / Sand / Gravel	754.15
Penworthy	LB / Books	634.00
Platte Valley Communications	PD / Maintenance Fee	90.00
Platte Valley Excavating	Byrns Property Work	2,000.00
Plum Creek Motors	WWTP / Mower Parts	182.92
Principal	Dental Premium	3,328.51
Qtech Automation	WWTP/Replaced Actuator Power Supply	1,116.15
Quality Flow Systems	WWTP / Mixer Maintenance	800.00
Richardson Mowing	LB / Lawn Care	270.00
S & W Auto Parts	PK/WR/WWTP/Batteries/Fuel Line/Tools	367.71
Service Master of Mid Nebraska	EL/GGC/OC/Janitorial/Floor Maint	4,515.97
SiteOne	PK / Sprinklers	987.91
Standard Insurance Company	Life Insurance Premiums	927.26
Statewide Collections	Utility Collections	96.74
Subway	Civil Service Meeting Lunch	40.65
Terryberry	GGC / Service Award	89.00
The Thompson Co	GGC / Food & Supplies	801.53
Titan Machinery	ST/WWTP/Parts/Maintenance/Repair	1,750.41
TL Sund	WWTP / Concrete	20,824.75
TO Haas	CM/EL/PK/ST/WWTP/Repair/Replacement	450.23
Total Funds by Hasler	Postage	3,000.00
Total Lawn Care	AC / Lawn Care	1,200.00
USA Communications	City Internet Services	345.60
Village Uniform	GGC / Supplies	127.84
VSP / Vision Service Plan	Vision Premium	928.31
Walmart	LB / Office / Promotional Supplies	484.96
Aflac	Premiums	1,261.11
Bauer Built Tire	ST / Tire Repair	97.67
Dan's Sanitation Inc	Sanitation Fees	2,067.00
Davis Energy Inc	Parks / Fuel	109.24
Dawson Public Power District	Power Purchase	11,168.96
Ditch Witch	ST / Trencher Repair	276.81
EMS Billing Service	Ambulance Fees	1,676.79
Fagot Refrigeration & Electric Inc	WR / Well Repair	228.48
Fastenal	ST / Supplies	8.61

Grainger	WWTP / Clarifiers	68.01
Great Western Bank	LB / Petty Cash	16.88
Great Western Bank	City / Petty Cash	47.67
Holbein Lawn Service	FD / Lawn Care	275.00
IGS Solar	EL / Power Purchase (August)	50,937.71
Intellicom	Upgrades/Domain/Computer Services	1,753.50
John Deere Financial	Parks/Cem/ST/WWTP/Parts/Repairs	3,178.92
Johnny On The Spot	Cemetery / PK / Rentals	325.00
Lexington, City General Fund	Fieldhouse Donations	50,050.00
Lexington, City Operating Account	Annual Bank Fees	4,715.59
Lexington, City Payroll Account:		
Payroll	Wages	147,297.81
Social Security	Employer Portion / FICA Med	10,959.19
Union Bank & Trust	Employer Portion / Pension	4,731.42
Union Bank & Trust	Police Pension	3,011.49
ICMA	City Manager Pension	903.47
Lexington Public Schools	Refunds to Schools	5,240.00
Lift Solutions Inc	ST / Stock Picker Repair	84.00
Matheson Tri-Gas Inc	Ambulance / Medical Supplies	131.65
Mead Lumber	WR / Cement Repair	49.22
Nebraska Public Power District	Power Purchase	1,157,921.68
Nebraska Technology & Telecom	Phone Service	1,398.26
O'Hare Lindsay and Associates	Monthly Lobbying Services	1,000.00
Platte Valley Auto Mart	PD / Vehicle Maintenance	137.66
Platte Valley Excavating Inc	ST / Debris Removal	1,200.00
Precision Detail	FD / Cleaning	300.00
Reutlinger, Troy	PD / Conference Meals	33.62
Rowan, Erik	PD / Conference Meals	51.24
Rural Community Insurance Services	WWTP / Insurance	102.00
The Pinnacle Agency	Public Official Bond	513.00
Tomasek, Steve	EL / Rebate	850.00
TO Haas Tire Co Inc	Parks / Tire Repair	35.78
Union Bank & Trust	Disclosure Fees	76.00
Walmart	WWTP / Supplies	130.76

TOTAL CLAIMS: 2,365,593.36

BUDGET HEARING: Mayor Fagot opened a public hearing on the proposed 2017-2018 fiscal year budget. Peplitsch reviewed the proposed budget and property tax request. Following discussion and there being no public comments received, the public hearing was closed.

RESTRICTED FUNDS: Peplitsch requested Council approval to increase the allowable restricted funds authority to provide additional budgetary flexibility. Following discussion, moved by Roberts, seconded by Vivas, to increase the base of restricted funds by an additional 1% for FY 2018. Roll call. Voting "aye" were Smith, Salem, Vivas, Roberts, Fagot. Motion carried.

TAX REQUEST HEARING: Mayor Fagot opened a public hearing to discuss setting the FY 2017-2018 final tax request at a different amount than the prior year request. Following discussion and no public comment received, the public hearing was closed. Resolution No. 2017-31 was presented. Moved by Salem, seconded by Roberts, to approve Resolution No. 2017-31. Roll call. Voting "aye" were Vivas, Smith, Roberts, Salem, Fagot. Motion carried.

RESOLUTION NO. 2017-31

A RESOLUTION SETTING THE PROPERTY TAX REQUEST FOR FISCAL YEAR 2017-2018 AT A DIFFERENT AMOUNT THAN THE PRIOR YEAR REQUEST.

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the city of Lexington passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of the Municipality that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE, the Governing Body of the city of Lexington by a majority vote resolves that:

1. The 2017-2018 property tax request is set at \$1,264,863.40.
2. A copy of this resolution shall be certified and forwarded to the County Clerk prior to October 13, 2017.

PASSED AND APPROVED this 12th day of September 2017.

APPROPRIATION ORDINANCE: Ordinance No. 2398 entitled “AN ORDINANCE TO ADOPT THE BUDGET STATEMENT FOR FISCAL YEAR 2017-2018; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was presented. Moved by Salem, seconded by Smith, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting “aye” were Vivas, Roberts, Smith, Salem, Fagot. Motion carried.

Ordinance No. 2398 was presented on final reading. Moved by Salem, seconded by Roberts, to approve Ordinance No. 2398 on final reading. Voting “aye” were Vivas, Smith, Roberts, Salem, Fagot. Motion carried

RESOLUTION: Peplitsch presented Resolution No. 2017-30, pertaining to a multi-jurisdictional hazard mitigation plan update. Burnside stated that CPNRD had recently updated the plan in conjunction with its member communities with the assistance of JEO Consulting. Following discussion, moved by Smith, seconded by Vivas, to approve Resolution No. 2017-30. Roll call. Voting “aye” were Salem, Roberts, Vivas, Smith, Fagot. Motion carried.

RESOLUTION NO. 2017-30

WHEREAS, the Federal Disaster Mitigation Act of 2000 was signed into law on October 30, 2000, placing new emphasis on state and local mitigation planning for natural hazards and requiring communities to adopt a hazard mitigation action plan to be eligible for pre-disaster and post-disaster federal funding for mitigation purposes; and

WHEREAS, a Multi-Jurisdictional Hazard Mitigation Plan was prepared by the Central Platte Natural Resources District, with assistance from JEO Consulting Group, Inc. of Lincoln, NE, which includes City of Lexington; and

WHEREAS, the purpose of the mitigation plan was to lessen the effects of disasters by increasing the disaster resistance of the Natural Resources District and participating jurisdictions located within the planning boundary by identifying the hazards that affect City of Lexington and prioritize mitigation strategies to reduce potential loss of life and property damage from those hazards; and

WHEREAS, FEMA regulations require documentation that the plan has been formally adopted by the governing body of City of Lexington in the form of a resolution and further requesting approval of the plan at the Federal Level;

NOW, THEREFORE, the City Council of City of Lexington does herewith adopt the Central Platte Natural Resources District Multi-Jurisdictional Hazard Mitigation Plan Update in its entirety; and

PASSED AND APPROVED this 12th day of September, 2017

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