

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

A Regular Meeting of the Lexington City Council was held Tuesday, May 22, 2018, 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, 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 5-8-18: Minutes of the Regular meeting held Tuesday, May 8, 2018, were presented. Moved by Smith, seconded by Salem, to approve the minutes as presented. Roll call. Voting “aye” were Vivas, Roberts, Salem, Smith, Fagot. Motion carried.

MINUTES – WORK SESSION 5-19-18: Minutes of the Work Session held Saturday, May 19, 2018, 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 \$1,993,079.13 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Vivas, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$258,360.66 from General Fund, \$62,861.21 from Street Fund, \$127,756.88 from TIF, \$1,488,881.35 from LEXUS, \$31,130.73 from Sanitation, \$4,012.39 from Ambulance, \$16,892.37 from Health Fund, and \$3,183.54 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

**ACCOUNTS PAYABLE
May 22, 2018**

Aflac	Premiums	1,261.11
Amazon	LB / Bulletin Boards	70.07
Arnold Pool Co	AC / Pool Supplies	217.98
Baker & Taylor	LB / Books	1,683.88
BOK Financial	2015 & 2017 COP Bond Payment	6,532.50
Boling, Michael	Ambulance/EMT Training/Mileage/Meals	431.11
Business Card:		
Association of Aquatic Professionals	AC / Membership	40.00
LogMeIn	TR / Subscription	349.99
Oriental Trading	PD / Employee Recognition	59.77
USPS	WR / Postage	194.05
VistaPrint.Com	PD / Office Expense	71.12
Walmart.Com	City Hall / Ink Cartridges	78.81
Wendy's	PD / Meals	22.34
WordPress.Com	LB / Subscription	96.00

Cash-Wa Distributing	GGC / PK / Food / Supplies	2,855.42
Center Point Large Print	LB / Books	180.36
Central Fire & Safety	Fire Extinguisher Maintenance	2,496.00
Chesterman Coca-Cola	PK / Beverages	864.00
Community Development Agency	Ford & Ford / Chief Industries A & B	127,756.88
Consolidated Management Co	PD / Academy Meals	119.14
Core & Main	WR / Meter Gaskets	64.34
Country Partners Coop	PK / Fertilizer	1,203.25
Davis Energy	Ambulance / FD / PK / Fuel	340.15
Eakes Office Solutions	LB / Copier Expense	21.78
Energy Pioneer Solutions	EPS Payments	628.66
Electrical Engineering & Equipment	EL / Connectors	55.80
Electronic Systems Inc	GGC / LB / Alarm Inspection	266.00
EMS Billing Services	Ambulance Billing	1,830.54
Express Laundry	Rug Maintenance	326.67
Fagot Refrigeration & Electric Inc	City Hall / LB / Light Repair / AC Repair	458.52
Fastenal	AK / PK / Safety Glasses / Hardware	169.60
Gale/Cengage	LB / Books	248.40
Galls	PD / Uniform Accessories	41.94
Greater Lexington Corp	EL / Rebate	1,125.00
Health Claims Fund	Claims	15,446.53
Hiland Dairy Foods	MOW / Dairy Products	203.01
Holbein, Dahlas	Vehicle Maintenance	1,500.00
Holbein Lawn Service	FD / Lawn Service	110.00
Hoppe Homes LP	EL / Rebate	2,775.00
IGS Solar	EL / Power Purchase	44,394.09
Jamie's Garage	ST / Steering Column Repair	125.00
Johnny on the Spot	Cemetery / PK / Rentals	400.00
Komline-Sanderson	WWTP / Pump Bearing	315.03
KRVN	Public Service Announcements	278.40
Lawless, Jason	EL / Rebate	725.00
Lexington Area Solid Waste Agency	Waste Removal	1,515.52
Lexington, City Street Department	EL / Rebate	1,640.00
Lexington Family Eyecare	ST / Safety Glasses	299.00
Lexington Health Fund	Self-funding	97,012.72
Lexington Newspapers	Publications	2,487.70
Lexington Postmaster	GGC / Postage	165.00
Lexington Regional Health	Ambulance / Supplies	395.00
Lexus	Utilities	32,035.77
Lips Printing Service	EL / Door Hangers	408.10
Louthan & Wilson PC	Professional Fees	1,200.00
Matheson Tri-Gas Inc	Ambulance / Medical Supplies	81.80
Mead Lumber	PK / Hardware	54.39
Michael Todd & Co	ST / Light Bar / Ratchet Strap	252.95
Micro-Marketing	LB / Books	540.67
Mid-American Research Chemical	PK / Janitorial Supplies	65.54
Midwest Laboratories Inc	WWTP / Testing Supplies	225.50
Morales, Asencion	EL / Rebate	1,125.00
Municipal Supply Inc	WR / Wire / Lube	324.53
Nebraska Dept of Environmental Quality	WWTP / Principal / Interest / Admin Fee	155,754.37
Nebraska Dept of Health & Human Services	WR / Operator Testing	150.00
Nebraska Power Review Board	EL / 2018 Annual Fees	2,122.87
Nebraska Public Power District	Power Purchase	968,624.54
Nebraska Public Power District	O & M	115,343.45
Nebraskaland Tire	ST / Maintenance	51.72
OCLC Inc	LB / Subscription	136.44
Ollis Book Corporation	LB / Books	903.62

Orthman Community YMCA	Memberships	1,046.00
Overton Sand & Gravel Co	AC / ST / Gravel / Sand	410.27
Paulsen Inc	ST / Concrete	1,384.62
Perdomo, Edwin	PD / Training Mileage	196.20
Physio Control	Ambulance / Medical Supplies	84.00
Platte Valley Auto Mart	GGC / PD / Maintenance / Repairs	2,181.72
Platte Valley Glass & Trailers	WWTP / Window Glass	55.28
Publishers Prime	LB / Books	57.69
Rasmussen Mechanical Services	LB / Heat Pump Repair	756.40
Romero, Juan	EL / Rebate	725.00
S W Auto Parts	PD / PK / Spark Plug / JB Weld	10.64
Service Master	City Hall / GGC / LB / Janitorial Services	5,194.05
SiteOne Landscaping Supply	PK / Sprinkler Supplies	636.94
Spectrum	Cable Service	23.56
Statewide Collection LLC	Utility Collections	478.47
Titan Machinery	PK / Bobcat Utility Vehicle	11,063.45
Tnemec	AC / Paint	209.00
TO Haas Tire & Auto	PK / Tire Repair	28.70
Tri-City Tribune	PK / Tennis / Triathlon Ads	165.00
US Foods	MOW / Food & Supplies	322.81
Verizon Wireless	Cell Phone Service & Equipment	992.78
Village Uniform	GGC / Janitorial Supplies	55.84
Walmart	City Hall/ Cemetery/ PD/ PK/ ST/ Supplies	422.85
Wesco	EL/ST/SW/WR/Light Poles/Rain Gear/First Aid	4,826.98
Associated Supply Co	AC / Pool Chemicals	6,654.50
Baker & Taylor	LB / Books	78.89
Bob's True Value	ST / Plants	356.71
Business Card / Sprinkler Warehouse	WR/Pipe Cutter/Sprinkler Parts/Vacuum Breaker	155.74
Cash-Wa Distributing	PK / Food	296.38
Chesterman Coca-Cola	PK / Beverages	367.20
Consolidated Management Co	PD / Academy Meals	186.84
Dan's Sanitation	Sanitation Fees	31,130.73
Davis Energy	PK / Fuel	109.77
Dawson County Register of Deeds	Filing Fees	270.00
Fagot Refrigeration & Electric Inc	AC / OC / WWTP / Control Panel / Wiring	23,694.39
FEH	FD / Fire Equipment Fees	50.00
Great Western Bank	John Deere Mower Payment	15,631.32
Great Western Bank-City Petty Cash	DV SRV/PD/WR/Training Meals/Postage/Tolls	61.44
HOA Solutions	WWTP / Scada Programming	225.00
Jack's Uniforms & Equipment	PD / Uniforms	191.89
Lexington City Payroll Account		
Payroll	Wages	157,957.17
Social Security	Employer Portion / FICA Med	11,787.58
Union Bank & Trust	Employer Portion / Pension	4,645.57
Union Bank & Trust	Police Pension	3,278.82
ICMA	City Manager Pension	876.35
Lexington, City of	Franchise Fees	76,890.08
Lexington Newspaper	Publications	8.99
Madeline's Café & Bakery	Work Session / Coffee Cake	18.95
Marv's Fireworks	Permit Refund	50.00
Mead Lumber	PK/ST/Keys/Cement/Tools/Fence/Paint/Lumber	202.64
Nebraska Dept Economic Development	Certification Training	100.00
Nebraska Public Health Environmental Lab	WR / Testing	1,068.00
Paulsen Inc	ST / Concrete	836.00
Pinnacle Bank	ST / Bobcat Excavator Final Payment	20,834.93
Plum Creek Promotions	PK / Uniforms	186.96
Service Master	GGC / Janitorial Services	85.25

SiteOne Landscape Supply	PK / Sprinkler Fittings	167.05
T & R Service Co	EL / Transformer Disposal	1,055.00
TASC	Administration Fees	184.73
TO Haas	ST / Tire Repair	19.74
Upbeat Site Furnishings	ST / Bike Rack	417.29
Walmart	EL/LB/PD/ST/WR/Office Supplies/Plants	269.54

TOTAL CLAIMS: 1,993,079.13

FINANCIAL REPORT: Moved by Roberts, seconded by Salem, to accept the financial report for April 2018 as presented. Roll call. Voting “aye” were Vivas, Smith, Salem, Roberts, Fagot. Motion carried.

PUBLIC HEARING: Mayor Fagot opened a public hearing for Council to sit as a Board of Equalization to consider assessments for delinquent property maintenance abatement fees. Following discussion and no public comments, the public hearing was closed. Ordinance No. 2407 entitled “AN ORDINANCE TO ASSESS THE COST OF PROPERTY MAINTENANCE AGAINST CERTAIN PROPERTIES; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was presented. Moved by Roberts, seconded by Salem, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting “aye” were Smith, Vivas, Salem, Roberts, Fagot. Motion carried.

Ordinance No. 2407 was presented for final reading. Moved by Roberts, seconded by Vivas, to approve Ordinance No. 2407 on final reading. Voting “aye” were Smith, Salem, Vivas, Roberts, Fagot. Motion carried.

LIQUOR LICENSE MANAGER APPLICATION: Mayor Fagot opened a public hearing to consider a manager change application for the current Walmart Store #637 liquor license. Following discussion and no public comments, the public hearing was closed. Moved by Roberts, seconded by Smith, to recommend approval of the manager change application as presented. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

LAKE RESTORATION: Peplitsch presented the bid tabulation for the Kirkpatrick Memorial Park Lake Improvements project, noting the low bid from Leising Inc. of \$328,339.81 was below the Engineer’s Opinion of Construction Cost and budgeted amount. He noted that this may allow for additional improvements to be included. Following discussion, moved by Smith, seconded by Roberts, to accept the bids for the project, award a contract to Leising Inc., and authorize the execution of necessary documents. Roll call. Voting “aye” were Vivas, Salem, Roberts, Smith, Fagot. Motion carried.

APPOINTMENT: Moved by Roberts, seconded by Smith, to appoint Kyle Ferguson as the resident representative to the Lexington Housing Authority to fulfill the term held by Dorothy Woodside. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried. Fagot thanked Ms. Ferguson for her service.

ORDINANCE: Ordinance No. 2408 entitled “AN ORDINANCE DIRECTING THE SALE/EXCHANGE OF A CERTAIN TRACT OF REAL ESTATE LOCATED IN THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION SEVENTEEN (17), TOWNSHIP NINE (9) NORTH, RANGE TWENTY-ONE (21) WEST OF THE SIXTH PRINCIPAL MERIDIAN AND WITHIN THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA; TO PROVIDE FOR PUBLICATION AND THE RIGHT OF REMONSTRANCE” was presented. Peplitsch explained that a land exchange with S&H Holdings LLC is necessary to further the development of property in the area and needed right-of-way for the proposed West Commerce Road. Moved by Vivas, seconded by Salem, to suspend the reading of an ordinance on three separate occasions. Roll call. Voting “aye” were Smith, Roberts, Salem, Vivas, Fagot. Motion carried.

Ordinance No. 2408 was presented on Final reading. Moved by Vivas, seconded by Salem, to approve Ordinance No. 2408 on Final reading. Roll call. Voting “aye” were Smith, Roberts, Salem, Vivas, Fagot. Motion carried.

ROUNDTABLE DISCUSSION: Peplitsch gave updates on the Optimist Rec Complex Paving and Hike/Bike Trail Northwest Segment 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.

/s/ Pamela Baruth, City Clerk