

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

A Regular Meeting of the Lexington City Council was held Tuesday, November 13, 2018, at the Lexington City Hall, 406 E. 7<sup>th</sup> Street, Lexington, Nebraska at 5:30 p.m. Members of the Council present were John Fagot, John Salem, Steve Smith, and Jeremy Roberts. Dora Vivas was excused. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Brian Copley and City Clerk Pamela Baruth. Press present were Clipper-Herald, KRVN, and Tri-City Tribune.

**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. 7<sup>th</sup> Street, Lexington, Nebraska.

**MINUTES – REGULAR MEETING 10-23-18:** Minutes of the Regular meeting held Tuesday, October 23, 2018, were presented. Moved by Smith, seconded by Roberts, to approve the minutes as presented. Roll call. Voting “aye” were Salem, Roberts, Smith, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$2,672,865.71 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 to authorize the City Treasurer to transfer \$209,331.69 from General Fund, \$198,519.83 from Street Fund, \$7,212.02 from TIF, \$1,500.00 from Housing Reuse, \$2,189,410.72 from LEXUS, \$10,000.00 from Sanitation, \$2,028.60 from Ambulance, \$48,445.02 from Health Fund, and \$6,417.83 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Roberts, Smith, Salem, Fagot. Motion carried.

**ACCOUNTS PAYABLE  
November 13, 2018**

Aflac	Premiums	1,165.97
Allfasteners	PK / ST / WR / Winter Gloves	469.48
Anytime Fitness	Memberships	195.65
Baker & Taylor	LB / Books	1,518.04
Bauer Built Tire	ST / WWTP / Tires / Repairs	793.45
Black Hills Energy	Gas Service	2,935.53
Bob's True Value	ST / WWTP / Cold Patch / Pipe	574.68
Cash-Wa Distributing	MOW / PK / Food & Supplies	3,205.92
CCP Industries	WWTP / Glove Samples	5.50
Central Platte NRD	Bur Oak Trees	20.25
Chesterman Coca-Cola	PK / Beverages	510.00
Comfort Inn	PD / Training Lodging	328.00
Community Development Agency	Designer Craft TIF	7,212.02
Consolidated Management Co	PD / Academy Meals	173.80
Culligan	Soft Water Supplies	341.30
Dan's Sanitation	Sanitation Fees	13,316.60
Davis Energy	Fuel	3,909.26
Dawson County Register of Deeds	Filing Fees	52.00
Dawson Pest Control	FD / GGC / OC / Pest Control	159.10
Dawson Public Power District	Power Purchase	8,988.49

Demco Inc	LB / Office Supplies	583.08
Depository Trust Co	Payoff 2013B CURRB	1,911,649.97
DitchWitch	ST / Trencher Belt	210.71
Downey Drilling	WWTP / Pipe / Connections	3,536.88
Dugan Printing	EL / Utility Bills	1,000.67
Dutton-Lainson Co	EL / ST / Socket Covers / Tape	72.26
Eakes Office Solutions	LB / Copier / Office Supplies	382.78
EDM Publisher	DV SRV / Subscription	99.49
ESRI	GIS Software Maintenance	1,000.00
Evangelical Free Church	2018 Community Cleanup	150.00
Fagot Refrigeration & Electric	OOR / WWTP / Inspection / Centrifuge	49,112.46
Fastenal Co	PK / WWTP / Hardware	18.54
Fisher Scientific	WWTP / Testing Supplies	191.28
GaleCengage Learning	LB / Books	279.74
Galls	PD / Uniforms	163.96
Grainger	WWTP / Dewatering Supplies / Safety Gear	1,547.87
Great Western Bank	LB / Petty Cash	295.87
Great Western Bank	Street Sweeper / Snow Blower Payment	65,749.85
Greater Nebraska Cities	Monthly Lobbying Services	667.00
Hach Co	WWTP / Testing Supplies	2,156.61
Health Claims	Claims	47,229.05
Heldt McKeone & Copley	Professional Fee	2,700.00
Hiland Dairy Foods	MOW / Dairy Products	647.08
Homestead Bank	Liberty Drive Payment	68,960.89
Hylite	LB / LED Lights	242.99
Ingram Library Services	LB / Books	99.71
Intellicom	Computer Services / Installs / Repairs	3,057.50
Jack's Uniforms & Equipment	PD / Uniforms / Accessories	362.59
JEO Consulting	PK / Professional Fees	2,042.50
Jim Phillips Construction	ST / SR / WR / Repairs	14,322.00
John Deere Financial / Orscheln	DV SRV / PK / ST / WWTP / Supplies	1,377.93
Jones Plumbing & Heating	AC / City Hall / PK / Winterizing / Repairs	2,124.15
J-Spot Services	EL / Vac Pole Site	710.00
Lexington Animal Clinic	Animal Care	1,163.60
Lexington Area Solid Waste Agency	Waste Removal	958.08
Lexington, City Street Department	Fuel	3,875.97
Lexington, City Street Department	ST / Interdepartment Service Fees	5,651.89
Lexington, City of	Franchise / Interdepartment Service Fees	68,145.95
Lexington, City Payroll Account		
Payroll	Wages	140,768.42
Social Security	Employer Portion / FICA Med	10,358.55
Union Bank & Trust	Employer Portion / Pension	4,544.28
Union Bank & Trust	Police Pension	2,846.87
ICMA	City Manager Pension	881.89
Lexington Health Fund	Self-funding	47,587.50
Lexington Newspapers	Publications	268.29
Lexington Postmaster	GGC / Postage	165.00
Lexington Rotary Club	2018 Community Cleanup	150.00
Lexington Volunteer Fire Department	FD / Conf Registration / Meals / Mileage	455.82
Matt Friend Truck	ST / Sander Parts	546.53
McDougall, Kareem	PD / Training Meals	97.50
Mead Lumber	DV SRV/OC/WR/Hdwr/Lumber/Tools/Keys	419.84
Meritain Health	Health Premium	29,891.12
Mid-American Research Chemical Corp	PK / Cleaning Supplies	120.73
Midwest Laboratories	WWTP / Testing Supplies	225.50
Miller & Associates	OOR / SW / WWTP / Professional Fees	9,114.80

Morris Press	GGC / Newsletter	409.27
Municipal Supply	SR/WR/Clamps/Valves/Man Hole Parts	935.94
Nebraska Dept of Revenue	Sales and Use Tax	51,602.42
Nebraska Environmental Products	ST / Sweeper Parts / Repairs	2,353.25
Nebraska Law Enforcement Training	PD / Academy Training	150.00
Nebraska Machinery	ST / Maintenance / Repairs	1,072.54
Nebraska Statewide Arboretum	Membership	100.00
Nebraskaland Tire	WR / Maintenance	123.10
Neopost	Postage Meter Rental	577.80
O'Hara Lindsay and Associates	Monthly Lobbying Services	333.00
One Call Concepts	Locate Fees	70.59
Paper Tiger Shredding	Paper Shredding	70.00
Paulsen Inc	ST / WR / Concrete / Gravel	1,595.22
Platte Valley Auto Mart	GGC/PD/Maintenance / Repairs / Batteries	849.79
Platte Valley Communications	PD / Monthly Maintenance Fee	90.00
Platte Valley Excavating	ST / Tree / Stump Removal	600.00
Plum Creek Market Place	City Hall / MOW / Meals / Produce	33.75
Police Officers Association of Nebraska	PD / Memberships	315.00
Principal	Dental Premium	3,832.06
Ramada	FD / Conference Lodging	324.00
Rose Equipment	ST / Sweeper Maintenance	1,664.92
S & W Auto Parts	PD / PK / Vehicle Supplies	24.46
Service Master of Mid Nebraska	EL / GGC / OC / Janitorial Services	4,419.37
Sirchie	PD / Evidence Supplies	76.57
Society for Human Resource Management	Membership	209.00
Standard Insurance Company	Life Insurance Premiums	1,063.26
Statewide Collections	Utility Collections	501.47
Sterling West	PK / Playground Equipment	1,435.00
The Child's World	LB / Books	705.15
Church of Jesus Christ Latter Day Saints	2018 Community Cleanup	150.00
Titan Machinery	Ambulance/WR/ST/WWTP/FD/Repairs	8,566.22
Torres, Jose	PD / Training Mileage	196.20
Total Lawn Care	AC / Mowing / Trimming	1,550.00
Tri State Oil Reclaimers	ST / Waste Oil Disposal	72.75
Tyler Technologies	EL / Scanner Maintenance	124.01
USA Communications	City Internet Services	345.60
U Save Business	EL / GGC / LB / PD / ST / Office Supplies	1,204.53
US Foods	MOW / Food	1,838.87
Village Uniform	GGC / Janitorial Supplies	55.84
VSP / Vision Service Plan	Vision Premium	1,047.03
Walmart	City Hall/Cemetery/GGC/LB/PD/WWTP	493.50
Wesco Receivables	ST / SW / Supplies	410.45
WPCI	Drug Screening	50.00
Yant Equipment	ST / Gas Dispenser Inspection	357.80
Baker & Taylor	LB / Books	470.01
Bob's True Value	WR / Heater	26.74
Center Point Large Print	LB / Books	180.36
Central Community College	Ambulance / Training	360.00
Consolidated Management Co	PD / Academy Meals	80.38
Country Partners Coop	DV SRV / PK / Herbicide / Propane	545.20
Davis Energy	PD / Fuel	102.98
Great Western Bank	City / Petty Cash	88.88
Holbein Lawn Service	FD / Lawn Care	165.00
Ingram Library Services Inc	LB / Books	149.58
John Deere Financial / Landmark	Cemetery / PK / ST / Maintenance / Repairs	3,944.96
Jones Plumbing & Heating	WR / Pipe	13.92
Lexington Newspapers Inc	Publications	8.18

Lexington Regional Health Center	Ambulance / Medical Supplies	235.00
Logan Contractors Supply	ST / Tar	6,388.00
Mead Lumber	ST / WR / Hardware / Paint Supplies	113.27
Mid-Iowa Solid Waste Equipment Co	SW / Nozzle	689.99
Municipal Supply	ST / WR / Pipe / Glue / Clamps	1,584.60
Nebraska Machinery	ST / Repairs / Cutting Edges	1,482.53
Nebraska Safety and Fire Equipment	PK / Monitoring Fee	360.00
Nebraska Technology & Telecom	Phone Service	1,334.22
Nebraskaland Tire	ST / Starter	408.22
NebraskaLink	LB / Internet Service	15.00
OCLC	LB / Cataloging / Resource Subscription	141.55
O'Reilly Auto Parts	ST / Battery Terminals	35.11
Oriental Trading Co	LB / Promo Supplies	31.32
Overton Sand & Gravel	ST / Sand / Gravel	1,596.37
Paulsen Inc	WR / Concrete	1,856.18
Precision Detail	FD / Cleaning	240.00
Rasmussen Mechanical Services	LB / HP Maintenance	1,265.00
Reader's Digest Large Print	LB / Periodical	29.96
Taste of Home Books	LB / Book	33.98
Walmart	GGC / Office Supplies	30.91
	<b>TOTAL CLAIMS:</b>	<b>2,672,865.71</b>

**RESOLUTION:** Peplitsch presented Resolution 2018-11. Following discussion, moved by Salem, seconded by Roberts, to approve Resolution No. 2018-11 as presented. Roll call. Voting "aye" were Smith, Roberts, Salem, Fagot. Motion carried.

#### **RESOLUTION NO 2018 - 11**

Whereas, Nebraska Revised Statutes Section 60-680 authorizes the City of Lexington to designate the location of stop signs;

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

That the Lexington City Manager is hereby authorized and directed to install a stop sign at the following location:

1. Intersection of Plum Creek Parkway (Highway 283) and Commerce Road, to stop east bound traffic on Commerce Road.

**Passed and approved November 13, 2018.**

**ORDINANCE:** Ordinance No. 2412 entitled "AN ORDINANCE TO AMEND BACKFLOW PREVENTION REGULATIONS, SECTIONS 28-268 TO 28-306 OF CHAPTER 28 OF THE LEXINGTON CITY CODE; TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM" was presented on first reading. Peplitsch reviewed the proposed amendments to update the regulations and improve testing enforcement operations. Following discussion, 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 Roberts, Smith, Salem, Fagot. Motion carried.

Ordinance No. 2412 was presented on final reading. Moved by Salem, seconded by Roberts, to approve Ordinance No. 2412 on final reading. Roll call. Voting "aye" were Smith, Roberts, Salem, Fagot. Motion carried.

**WORK SESSION:** Moved by Roberts, seconded by Smith, to schedule a council work session on Saturday, December 1, 2018, at 8:00 a.m. Roll call. Voting “aye” were Salem, Smith, Roberts, Fagot. Motion carried.

**REGULAR MEETING:** Moved by Salem, seconded by Smith, to schedule the second regular meeting in December on Friday, December 21, 2018, at 12:00 p.m. Roll call. Voting “aye” were Roberts, Smith, Salem, Fagot. Motion carried.

**ORGANIZATIONAL MEETING:** Moved by Smith, seconded by Salem, to schedule an organizational meeting for Tuesday, December 4, 2018, at 12:00 p.m. Roll call. Voting “aye” were Roberts, Salem, Smith, Fagot. Motion carried.

**ROUNDTABLE:** There were no topics for discussion.

**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