

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

A Regular Meeting of the Lexington City Council was held Tuesday, May 14, 2019, at the Lexington City Hall, 406 E. 7th Street, Lexington, Nebraska at 5:30 p.m. Members of the Council present were John Fagot, Dora Vivas, Steve Smith, and Jeremy Roberts. John Salem was excused. 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, Tri-City Tribune, KRVN, and KNOP-TV.

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 4-23-19: Minutes of the Regular meeting held Tuesday, April 23, 2019, were presented. Moved by Smith, seconded by Vivas, to approve the minutes as presented. Roll call. Voting “aye” were Vivas, Roberts, Smith, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,510,237.91 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 \$749,370.27 from General Fund, \$64,956.27 from Street Fund, \$373,026.60 from TIF, \$29,690.00 from Housing Reuse, \$242,734.69 from LEXUS, \$10,000.00 from Sanitation, \$786.20 from Landfill, \$1,329.25 from Ambulance, \$33,175.82 from Health Fund, and \$5,168.81 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Smith, Roberts, Fagot. Motion carried.

ACCOUNTS PAYABLE

May 14, 2019

Anytime Fitness	Memberships	139.75
Axxent Buildings LLC	ST / Roof Leak Repair	210.00
Baker & Taylor	LB / Books	1,002.00
Black Hills Energy	Gas Service	3,581.43
Bob's True Value	CM / Hose Gaskets	16.24
Brecks, Bill	GGC / ND / Mileage	132.24
Cash-Wa Distributing	MOW / Food & Supplies	2,860.09
Center Point Large Print	LB / Books	180.36
Central Hydraulic	ST / Plow Parts	7,613.00
Central Plains Library Systems	LB / Office Supplies	104.08
Chesterman Coca-Cola	PK / Beverages	142.80
Community Development Agency	Orthman TIF Bond 2014/WWTP/OC Parking	373,026.60

Consolidated Management Company	PD / Training Meals	59.57
Country Partners Coop	PK / Fertilizer	3,776.10
Culligan	Soft Water Supplies	359.75
Dan's Sanitation	Sanitation Fees	14,005.60
Davis Energy	Fuel	6428.04
Dawson County Register of Deeds	Filing Fees	68.00
Dawson Pest Control	FD / GGC / OC / Pest Control	159.10
Dawson Public Power District	Power Purchase	9,915.42
Dell Marketing	WWTP / Computer	1,041.91
Eakes Office Solutions	LB / Office Supplies	100.73
Eilers Machine & Welding	Sign Holders	308.75
Electrical Engineering & Equipment	EL / WR / LED Lens / Conduit	94.98
EMS Billing Services	Ambulance Billing	1,034.51
Express Laundry	Rug Maintenance	320.34
Fastenal	WR / ST / Paint Wand / Saw	93.56
Fleet US LLC	PK / Sprayer Replacement	1,718.00
Gale/Cengage	LB / Books	395.54
Galls	PD / Uniforms	32.94
Gangwish Turf	PK / Sod	252.00
Grainger	WWTP / Fuses / Pump / Shelving	801.03
Great Western Bank	LB / Office Supplies	177.99
Greater Nebraska Cities	Monthly Lobbying Services	667.00
Hawkins Inc	AC / Pool Supplies	1,450.50
Health Claims	Claims	16,698.59
Heldt McKeone & Copley	Professional Fee	2,700.00
Hiland Dairy Foods	MOW / Dairy Products	614.65
Holbein Lawn Service	FD / ST / Lawn Care / Snow Removal	285.00
ICMA	CM / Dues	1,079.50
Ingram Library Services	LB / Books	137.55
Intellicom	Computer Services	2,255.45
JEO Consulting	PK / Professional Fees	2,857.50
Jim Phillips Construction	ST / WR / WWTP / Repairs	7,841.00
John Deere Financial	AC/PK/ST/SW/WR/WWTP Supplies	1,095.57
Johnny on the Spot	PK / Rentals	300.00
Jones Plumbing & Heating	OC / PK / WR / WWTP Repairs	4,596.10
J-Spot Services LLC	EL / Hydro Vac	690.00
Krueger Contracting	WWTP / Manway Replacement	9,129.28
KRVN / NE Rural Radio Association	NPPD Co-op Ads	278.40
Lexington Animal Clinic	Animal Care	710.50
Lexington Area Solid Waste Agency	Waste Removal	1,255.75
Lexington, City Street Department	Fuel	3,315.44
Lexington, City Street Department	SW/WR/Interdepartment Service Fees	5,651.89
Lexington, City of	Interdepartment Service Fees	68,080.66
Lexington, City Payroll Account		
Payroll	Wages	141855.98
Social Security	Employer Portion / FICA Med	10558.51
Union Bank & Trust	Employer Portion / Pension	4571.94
Union Bank & Trust	Police Pension	2733.34
ICMA	City Manager Pension	934.52
Lexington Health Fund	Self-funding	46,404.07
Lexington Newspapers	Publications	1,814.55

Marshall Land Brokers & Auctioneers	Land Purchase	530,000.00
Matheson Tri-Gas	AMB / Medical Supplies	99.74
Mead Lumber	PK / Hardware	12.00
Meritain Health	Health Premium	28,615.23
MicroMarketing	LB / Books	902.78
Midwest Laboratories	WWTP / Lab Testing	215.00
Milco Environmental Services	Landfill/EL/WR/SW/Professional Srvcs	2,316.70
Miller & Associates	ND/PK/ST/SW/ Professional Fees	7,600.78
Morris Press	GGC / Newsletter	263.15
Municipal Automation & Control	WWTP / Level Sensor	2,542.78
Nebraska Dept of Revenue	Sales and Use Tax	56,919.55
Nebraska Economic Developers Assoc	CM / Annual Memberships	300.00
Nebraska Environmental Products	ST / Sweeper Repairs	926.93
Nebraska Law Enforcement Training	PD / Training	340.00
Nebraska Machinery	ST/WR/SW/Equipment Rental/Repairs	14,200.22
Nebraska Technology & Telecom	Phone Service	1,504.59
Nebraskaland Tire	ST / WR / Repairs	282.66
Nebraskalink	LB / Internet Service	15.00
New Horizons LLC	OOR / Lead Based Paint Inspection	2,090.00
Northern Lights Display LLC	ST / Downtown Light Pole Banners	4,770.00
OCLC	LB / Cataloging / Resource Subscription	141.55
Odeys Inc	PK / Field Paint	3,745.33
O'Hara Lindsay and Associates	Monthly Lobbying Services	333.00
Oliver Consulting Services	LB/Computer Repairs/Monthly Backup	22.50
One Call Concepts	Locate Fees	160.61
O'Reilly Auto Parts	ST / Battery	101.99
Paper Tiger Shredding	Paper Shredding	175.00
Paulsen Inc	PK / WR / Concrete	841.67
Peque Roofing INC	OOR / Housing Rehab	27,600.00
Platte Valley Auto Mart	PD / Maintenance	618.12
Platte Valley Communications	PD/PK/Monthly Maint Fee/Cameras	290.54
Platte Valley Excavating INC	PK / Oak Park Stump Removal	125.00
Plum Creek Market Place	MOW / Supplies	19.56
Plum Creek Medical Group	Inoculations	285.00
Precision Detail	FD / Cleaning	240.00
Principal	Dental Premium	3,503.94
Quiltmaker	LB / Subscription	22.97
Rainbow Printing	LB / Office Supplies	750.00
Rasmussen Mechanical Services Inc	LB / Preventative Maintenance	1,290.25
S & W Auto Parts	Cemetery / PK / WWTP / Parts	94.35
Service Master of Mid Nebraska	EL / OC / Janitorial Services	4,504.62
Sirchie	PD / Evidence Supplies	74.00
Spectrum	Cable Service	23.57
Standard Insurance Company	Life Insurance Premiums	1,001.31
Statewide Collections	Utility Collections	335.96
Taste of Home Magazine	LB / Subscription	12.98
TimeValue Software	FN / Software Renewal	35.00
Titan Access	FD / Battery	249.58
Titan Machinery	EL / Generator Repair	791.69
TO Haas Tire Co	PD / PK / ST / Tire Repair	567.51
USA Communications	City Internet Services	345.60

U Save Business Equipment	Office Supplies	1,375.21
US Foods	MOW / Food & Supplies	1,497.54
USA Bluebook	WR / Tools	322.07
Village Uniform	GGC / Janitorial Supplies	55.84
VSP / Vision Service Plan	Vision Premium	1,094.74
Walmart	AC/Cemetery/DS/LB/ST/Supplies	555.00
Weathercraft Companies	EL / Roof Repairs	787.31
Wesco Receivables Corp	ST / WR Supplies	90.99
Aflac	Premiums	1,404.44
Baker & Taylor	LB / Books	383.51
Bauer Built Tire	WWTP / Spreader Repair	3,068.92
Cash-Wa Distributing	GGC / PK / Food & Concessions	1,664.28
Central Platte NRD	CM / Application Fee Well #19	50.00
Chesterman Coca-Cola	GGC / PK / Beverages / Concessions	621.60
Consolidated Management Company	PD / Meals	84.93
Country Partners Coop	CEM / ST / Weed Killer	539.81
Davis Energy Inc	Fuel	526.93
Dutton-Lainson Company	WR / Amp Sockets	443.73
Great Western Bank	City / Petty Cash	87.26
Health Claims	Claims	15,072.79
John Deere Financial Landmark	CEM/PK/ST/WWTP/Parts & Repairs	1,794.06
Lexington Newspapers Inc	Publications	31.49
Lexington Regional Health Center	AMB / Medical Supplies	195.00
Mead Lumber	WWTP / AC / Signage / Key	54.44
MicroMarketing	LB / Books	145.97
Mid-American Research Chemical	PK / Herbicide	385.45
Nebraska Environmental Products	ST / Maintenance	413.28
Nebraska Law Enforcement	PD / Testing	10.00
Nebraska Mosquito & Vector Control	ST / Workshop	120.00
Nebraska Safety & Fire Equipment Inc	PK / Security Maintenance	135.00
Nebraskaland Tire Inc	WR / Maintenance	54.59
OCLC	LB / Books	141.55
O'Reilly Auto Parts	CEM / Mower Battery	104.22
Oriental Trading	LB / Promotional Supplies	20.35
Orthman	YMCA Baseball Sponsorships	400.00
Plum Creek Promotions	PK / Baseball Shirts	1,652.50
PrestoX	LB / Pest Control	79.00
Rasmussen Mechanical Services LLC	LB / Air System Repair	474.93
TO Haas Tire Co	ST / Mower Tires	392.34
Total Lawn Care	AC / Lawn Care	915.00
Village Uniform	GGC / Janitorial Supplies	55.84
	TOTAL CLAIMS:	1,510,237.91

PUBLIC HEARING: Mayor Fagot opened a public hearing to consider the proposed Heartland Military Museum Addition. Pepplitsch explained the property is being platted as an additional in a joint effort between the museum and city to ultimately bring the property into the corporate limits for the provision of city services and electric service. Being no further comments, the public hearing was closed. Resolution No. 2019-07 was presented. Moved by Roberts, seconded by Vivas, to approve Resolution No. 2019-07 as presented. Roll call. Voting “aye” were Smith, Vivas, Roberts, Fagot. Motion carried.

RESOLUTION NO. 2019 - 07

HEARTLAND MILITARY MUSEUM ADDITION

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

The plat of HEARTLAND MILITARY MUSEUM ADDITION, being a part of the Northeast Quarter of Section 20, 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 14th day of May, 2019.

PUBLIC HEARING: Mayor Fagot opened a public hearing to consider annexation of the Heartland Military Museum Addition. Peplitsch noted the intent is to include Heartland Military Museum Addition within the corporate limits. Being no further comments, the public hearing was closed. Resolution No. 2019-08 was presented. Moved by Vivas, seconded by Smith, to approve Resolution No. 2019-08 as presented. Roll call. Voting “aye” were Roberts, Smith, Vivas, Fagot. Motion carried.

RESOLUTION NO. 2019-08

**HEARTLAND MILITARY MUSEUM ADDITION
ANNEXATION**

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

That the HEARTLAND MILITARY MUSEUM ADDITION, being part of the Northeast Quarter of Section 20, Township 9 North, Range 21 West of the Sixth Principal Meridian, Dawson County, Nebraska, shall be included within the corporate limits of the City and become a part of the City for all purposes whatsoever and the inhabitants of the Addition shall be entitled to all the rights and privileges and be subject to all the laws, ordinances, rules and regulations of the City.

PASSED AND APPROVED this 14th day of May, 2019.

RESOLUTION: Resolution No. 2019-09 was presented. Peplitsch explained this direct borrowing would allow the city to purchase a 104-acre tract of land north of the city and outlined the terms of the loan. Moved by Roberts, seconded by Smith, to approve Resolution No. 2019-09 as presented. Roll call. Voting “aye” were Vivas, Smith, Roberts, Fagot. Motion carried.

RESOLUTION 2019-09

**A RESOLUTION AUTHORIZING THE CITY OF LEXINGTON TO OBTAIN FINANCING
FOR LAND ACQUISITION.**

WHEREAS the City of Lexington, Nebraska has entered into an agreement for the purchase of the following described real estate:

A tract of land in the Northwest Quarter (NW1/4) and the West Half of the Northeast Quarter (W1/2NE1/4) of Section Thirty-Two (32), Township Ten (10) North, Range Twenty-One (21) West of the 6th P.M., Dawson County, Nebraska, as more particularly described in Instrument 2000-3650 of the records of Dawson County, Nebraska, consisting of approximately 103.98 acres.

WHEREAS the financing of the purchase of said property through traditional bond financing would be impractical;

WHEREAS the financing of the purchase of said property through direct borrowing would generate taxpayer savings over traditional bond financing;

WHEREAS the City Council of the City of Lexington, Nebraska has published notice that an ordinance or resolution authorizing direct borrowing from a financial institution will appear on the agenda of the City Council meeting for May 14, 2019;

WHEREAS the total amount of indebtedness from direct borrowing shall not exceed \$530,000.00, said amount being less than ten percent of the municipal budget of the City of Lexington, Nebraska;

WHEREAS the City of Lexington, Nebraska has considered, to the extent possible, proposals from multiple financial institutions;

WHEREAS as a result of the foregoing the City of Lexington, Nebraska may borrow directly for the purchase of A Tract of Land in the Northwest Quarter (NW1/4) and the West Half of the Northeast Quarter (W1/2NE1/4) of Section Thirty-Two (32), Township Ten (10) North, Range Twenty-One (21) West of the 6th P.M., Dawson County, Nebraska, as more particularly described in Instrument 2000-3650 of the records of Dawson County, Nebraska, consisting of approximately 103.98 acres, pursuant to Neb Rev. Stat. § 18-201.

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

1. That the City of Lexington, Nebraska is hereby authorized to contract for financing with Home Federal Bank of Lexington for the purchase of the above described tract of real estate. The loan amount shall not exceed \$530,000.00 for a term of 10 years at an interest rate of 2.89%.
2. That Joe Peplitsch, City Manager, is hereby directed and authorized, on behalf of the City of Lexington, Nebraska to execute all necessary documents.

Passed and approved this 14th day of May 2019.

MANAGER'S APPLICATION: Peplitsch reviewed a manager change application for the Liquor License #62005-D, Walmart Inc. He stated he received no adverse comments or reports. Following discussion, moved by Salem, seconded by Smith, to recommend approval of the manager change application as presented. Roll call. Voting "aye" were Roberts, Smith, Salem, Fagot. Motion carried.

ROUNDTABLE: Peplitsch gave an update on the Kirkpatrick Memorial Park Lake Restoration project. Hodges noted a phone scam purportedly from Lexington Utilities System has been reported.

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