

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

A Regular Meeting of the Lexington City Council was held Tuesday, October 22, 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, John Salem, Dora Vivas, Steve Smith and Jeremy Roberts. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, Community Development Director Bill Brecks, Finance Director Barb Hodges, and City Clerk Pamela Baruth. The press was represented by Clipper-Herald and Tri-City Trib.

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 10-8-19: Minutes of the Regular meeting held Tuesday, October 8, 2019, 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 \$2,317,742.70 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Smith, seconded by Salem, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$410,031.65 from General Fund, \$145,180.01 from Street Fund, \$37,888.00 from TIF, \$1,647,014.27 from LEXUS, \$31,642.33 from Sanitation, \$619.42 from Ambulance, \$41,525.37 from Health Fund, and \$3,841.65 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Roberts, Salem, Smith, Fagot. Motion carried.

**ACCOUNTS PAYABLE
October 22, 2019**

Aflac	Premiums	1,404.44
Bauer Built Tire	ST / Tire Repairs	237.00
Bauer Underground	EL / Underground Lines / Solar Farm	21,970.24
Beverly Bogle Louthan PC	Professional Fees	1,200.00
Brecks, Bill	Electric Rebate	75.00
BSN Sports	PK / Equipment	505.16
Campany, Janet	Electric Rebate	800.00
Cash-Wa Distributing	GGC / ND / Food & Supplies	1,864.15
Cengage Learning	LB / Books	336.18
Center Point Large Print	LB / Books	180.36
Chesterman Coca-Cola	PK / Beverages	388.80
Community Development Agency	Legend Oaks I / Legend Oaks II	37,888.00
Consolidated Management Co	PD / Training Meals	52.19

Country Partners Coop	ST / Insecticide	136.80
Demco	LB / Supplies	118.62
Eakes	LB / Supplies	95.95
Eilers Machine & Welding	PK / Repairs	190.00
Fagot Refrigeration & Electric	SW / Repairs / Optimist Rec Center	870.59
Fastenal	ST / Supplies / Tools	216.76
Galls	PD / Uniforms	68.93
Gordon, Sandy	Electric Rebate	800.00
Health Claims	Claims	10,894.33
Hiland Dairy Foods	MOW / Dairy Products	386.00
Holbein, Dahlas D	AMB / FD / Truck Maintenance	1,500.00
Ingram Library Services	LB / Books	164.28
IGS Solar	Solar Power Purchase	41,825.55
John Deere Financial	CEM / PK / WWTP / Parts & Supplies	776.86
Johnny on the Spot	CEM / PK / Rentals	375.00
Jones Plumbing & Heating	PK / Parts	24.00
Kaiser, Jeremy	Electric Rebate	1,325.00
Kelly Supply Company	ST / Ice Melt	525.00
Kelly's Sales and Ag Service	ST / Flatbed	1,000.00
Lange Structural Group, LLC	AC / Pool Slide Inspection	1,500.00
Lexington Housing Authority	Electric Rebate	800.00
Lexington Newspapers	Publications	213.08
Lexus	Utilities	35,786.71
Lincoln Winwater Works Co	WR / Tools	333.84
Matheson Tri-Gas	AMB / Medical Oxygen	62.15
McKesson	AMB / Medical Supplies	74.32
Mead Lumber	PK/ST/WWTP/Parts/Tools/Supplies	173.17
Miller & Associates	ND / Professional Fees	2,275.00
Morris Press	GGC / Newsletter	261.51
MPH Industries	PD / Cruiser Brackets	100.95
Nebraska Machinery	ST / Repairs / Parts	2,581.57
Nebraska Public Power District	Power Purchase	1,061,775.13
Nebraska Safety and Fire Equipment	PK / Fire Alarm Testing / Parts	385.00
Nebraska Salt & Grain	ST / Ice Slicer	9,334.97
Nebraskaland	LB / Periodical	18.00
Nebraskaland Tire	CEM / PK / ST / Oil & Lube / Repairs	2,498.78
OCLC	LB / Data Sharing	146.86
O'Reilly Auto Parts	ST / Parts	570.92
Pinnacle Agency, The	Annual Insurance Premiums	221,002.00
Platte Valley Auto Mart	PD / Parts	11.88
Platte Valley Laboratories	WWTP / Testing	772.50
Polydyne	WWTP / Dewatering Supplies	5,704.00
Read Aloud Nebraska	LB / Conference Registration Fee	40.00
Reiber, Diane	Electric Rebate	800.00
Richardson Mowing	LB / Lawn Care	180.00
Rose Equipment	ST / Repairs	2,394.67
Ruiz, Jesus	Electric Rebate	925.00
Ryde Transit	GGC / Transportation	222.00
S & W Auto Parts	CEM / PK / Parts	142.80
Sandoval, Cecelia	Electric Rebate	100.00
Service Master of Mid Nebraska	GGC / Janitorial Services	85.25

Standard Insurance Company	Life Insurance Premiums	1,036.27
TO Haas Tire Co	PD / PK / WR / Tires / Repairs / Shocks	1,620.80
Tyler Technologies	Notification Fees/Insite Trans Fees	1,521.35
US Foods	MOW / Food & Supplies	1,073.53
U Save Business Equipment	Supplies	870.07
Village Uniform	GGC / Janitorial Supplies	55.84
Bank of America		
Casey's General Store	CC / PD / Meeting Meals / Fuel	63.50
Cenex / Country Partners Coop	PD / Fuel	50.01
Facebook	PK / Promotion	25.00
Marriott	LB / Hotel / Conference	304.78
National League of Cities	CC / Conference Workshop	75.00
On Court Off Court	PK / Tennis Supplies	4,188.52
United States Postal Service	WR / Postage	156.45
Walmart	CM / EL / ND / Supplies	70.88
Central Plains Library System	LB / Workshop Fees	30.00
Consolidated Management Co	PD / Training Meals	34.96
Core & Main	EL / Remote Disconnect Meters	4,352.33
Dan's Sanitation	Sanitation Services	31,642.33
Davis Energy	Fuel	3,341.75
Eakes	ST / Copier Maintenance	159.58
Great Western Bank	ST / Equipment Loan	46,260.04
Hach	WWTP / Lab Equipment Repairs	1,183.65
Health Claims	Claims	25,897.39
Home Federal Bank	SW 1st Addition Loan	66,528.30
Ideal Laundry & Cleaners	Rug Maintenance	164.08
Lexington, City	Utility Franchise Fees	88,538.80
Lexington Health Fund	Self-Funding	43,452.63
Lexington City Payroll Account		
Payroll	Wages	148,080.70
Social Security	Employer Portion / FICA Med	11,049.96
Union Bank & Trust	Employer Portion / Pension	4,754.43
Union Bank & Trust	Police Pension	2,918.72
ICMA	City Manager Pension	940.29
Lexington Newspapers Inc	Publications	9.40
Mead Lumber	PK / Supplies	28.73
Meritain	Premiums	32,029.07
NE Public Health & Environmental Lab	WR / Testing	432.00
Nebraska Public Power District	O & M	303,110.95
Paulsen	ST / WWTP / Limestone / Sand	130.46
Platte Valley Auto	PD / Parts	57.58
Plum Creek Medical Group	Flu Vaccinations	3,092.00
Principal	Dental Insurance Premiums	3,771.78
Renderos, Joe	PD / Mileage	164.72
S & W Auto Parts	PK / Battery	120.32
TASC	Administration Fees	187.21
Thomsen, Kathleen	LB / Conference Meals	24.42
TO Haas Tire Co	PK / Tires	519.38
Total Funds / Neopost	Postage	3,000.00
VSP	Vision Insurance Premiums	1,105.49
W.P.C.I.	2020 Drug Screen Management	50.00

TOTAL CLAIMS:

2,317,742.70

FINANCIAL REPORT: Moved by Salem, seconded by Roberts, to accept the financial report for September 2019. Roll call. Voting “aye” were Vivas, Smith, Roberts, Salem, Fagot. Motion carried.

PUBLIC HEARING: Mayor Fagot opened a public hearing to consider a Rezoning Application by St. Ann’s Catholic Church for property located along Taft Street, between East 3rd Street and East 13th Street, from Residential R-1 and R-2, and Agricultural A-1 and A-2, to Residential R-3. Pepplitsch reviewed the application and discussed future housing opportunities. There were no public comments, and the public hearing was closed. Ordinance No. 2422 entitled “AN ORDINANCE TO REZONE A CERTAIN TRACT OF REAL ESTATE TO R-3; 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. Following discussion, 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. 2422 was presented on final reading. Move by Salem, seconded by Vivas, to approve Ordinance No. 2422 on final reading. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

PUBLIC HEARING: Mayor Fagot opened a public hearing to consider a Conditional Use Permit Application by Javier Ramirez Zamora for an automotive repair shop located at 119 West Pacific. Brecks reviewed the application and indicated the Planning Commission recommended approval of the application. Javier Ramirez Zamora stated the building will need repairs and agreed to a limited number of vehicles on the property at any one time. A draft CUP agreement was reviewed. There were no public comments, and the public hearing was closed. Moved by Smith, seconded by Salem, to approve the Conditional Use Permit application based on the standards set in Section 6.08 of the Zoning Code and to amend the CUP agreement to indicate a limit of 9 vehicles to be stored outdoor on the property. Roll call. Voting “aye” were Vivas, Roberts, Salem, Smith, Fagot. Motion carried.

PUBLIC HEARING: Mayor Fagot opened a public hearing to consider a Final Plat of the Scooter’s Coffee Addition, located at 2809 Plum Creek Parkway. Pepplitsch presented the plat. There were no public comments, and the public hearing was closed. Resolution No. 2019-17 was presented. Moved by Vivas, seconded by Roberts, to approve Resolution No. 2019-17. Roll call. Voting “aye” were Smith, Salem, Roberts, Vivas, Fagot. Motion carried.

RESOLUTION NO. 2019 - 17

SCOOTER’S COFFEE ADDITION

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

The plat of SCOOTER’S COFFEE ADDITION, an addition to the City of Lexington, 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 22nd day of October, 2019.

ROUNDTABLE DISCUSSION: Peplitsch reminded Council and Staff of the Work Session scheduled for Saturday, November 2, at 8:00 a.m.

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