

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

A Regular Meeting of the Lexington City Council was held Tuesday, October 8, 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, City Attorney Brian Copley, Finance Director Barb Hodges and City Clerk Pamela Baruth. The press was represented by Clipper-Herald 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. 7th Street, Lexington, Nebraska.

MINUTES – REGULAR MEETING 9-24-19: Minutes of the Regular meeting held Tuesday, September 24, 2019, were presented. Moved by Smith, seconded by Roberts, to approve the minutes as presented. Roll call. Voting “aye” were Vivas, Salem, Roberts, Smith, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,451,860.37 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Smith, seconded by Roberts, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$321,954.65 from General Fund, \$42,758.48 from Street Fund, \$500,000.00 from Economic Development, \$67,462.66 from TIF, \$466,792.33 from LEXUS, \$10,000.00 from Sanitation, \$3,481.54 from Ambulance, \$37,063.54 from Health Fund, and \$2,347.17 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Salem, Roberts, Smith, Fagot. Motion carried.

**CITY OF LEXINGTON
ACCOUNTS PAYABLE
October 8, 2019**

Awards Plus	PD / Shirts	52.00
Black Hills Energy	Natural Gas Service	1,318.13
Bennett Advertising Specialties	CM / ND / Business Cards / Envelopes	459.96
Bob's True Value	DS / WWTP / Supplies / Appliances	669.88
Cash-Wa Distributing	AC/MOW/OC/PK/Food & Supplies	877.68
Cengage Learning	LB / Books	231.60
Change Clothing	PK / Tennis Shirts	1,234.20
Chesterman Coca-Cola	MOW / Beverages	120.00
Community Development Agency	Bauer Built Central Tire	15,263.20
Consolidated Management	PD / Training Meals	123.47
Culligan	Soft Water Supplies	359.75

Dan's Sanitation	Sanitation Fees	11,778.00
Dash	PD / Supplies	71.90
D J Gongole & Associates	SW / Parts	366.73
Dawson County Communications	Dispatch Services / 4th Quarter	27,500.00
Dawson Pest Control	FD / GGC / OC / Pest Control	159.10
Depository Trust	2018 CURRB	241,935.00
	2015 GO Bond Payment	104,450.00
Diamond Vogel	ST / Paint	1,425.50
Downey Drilling	WWTP / Pump Repair	3,097.26
Dugan Printing & Promotions	EL / Printing Service	1,038.25
Eakes Office Solutions	LB / Supplies	241.81
Electrical Engineering & Equipment	AC / Parts	74.88
Fagot Refrigeration & Electric	GGC / Repairs	75.00
Fastenal	WR / Tools / Supplies	169.16
Fyr-Tek	FD / Equipment Repairs	666.87
Greater Nebraska Cities	Monthly Lobbying Services	667.00
Great Western Bank	LB / Petty Cash	210.51
Health Claims	Claims	28,201.60
Heldt McKeone & Copley	Professional Fee	2,700.00
Hiland Dairy Foods	MOW / Dairy Products	185.59
Holbein Lawn Service	Mowing Services	220.00
Homestead Bank	NW Paving Improvements	52,199.46
Ingram Library Services	LB / Books	1,264.34
Intellicom	Computer Support	2,372.00
James, Deb	GGC / Mileage / Meals	222.01
JEO Consulting	PK / Professional Fees	3,383.00
Jones Plumbing & Heating	OC / WWTP / Repairs / Parts	1,472.45
Lexington Animal Clinic	Animal Care	1,111.24
Lexington Area Chamber of Commerce	Membership Dues 2020	4,500.00
Lexington, City	Franchise Fees/Interdepartment Svc Fees	68,023.41
Lexington Community Foundation	Public Donations	1,729.15
Lexington Newspapers	Publications	200.81
Lexington Volunteer Fire Department	Quarterly Billing	1,444.06
Lexington, City Street Department	Fuel	4,725.99
Lexington, City Street Department	SW/WR/Interdepartmental Service Fees	5,651.89
Linden's Plumbing	SW / Pumping	622.50
Martin Electric	PK / Parts	810.85
Mead Lumber	AC / PK / ST / Supplies	240.63
National Geographic	LB / Subscription	41.15
Nebraska Dept of Revenue	Sales and Use Tax	59,233.88
Nebraskalink	LB / Telephone Service	15.00
Nebraska Machinery	ST / Repairs	820.99
Nebraskaland Tire	WR/ST/SW/Auto Maintenance/Parts	371.60
Odeys	PK / Paint	1,557.13
One Call Concepts	Locate Fees	104.49
O'Reilly Auto Parts	WR / ST / Parts / Tools	58.31
Pace Analytical Labs	WR / EPA Testing	5,360.00
Paper Tiger Shredding	Paper Shredding	157.00
Paulsen Inc	PK / ST / Sand & Gravel / Supplies	1,670.72
Pinnacle Agency, The	Bond Renewal	513.00
Platte Valley Communications	PD / Monthly Maintenance Fee	90.00

Platte Valley Excavating	WWTP / Bio-Solids Disposal	2,763.60
Plum Creek Medical Group	ST / Inoculation	95.00
Plum Creek Motors	WWTP / Parts	19.99
Precision Detail	FD / Cleaning	240.00
Presto-X	LB / Pest Control	83.00
Ramada Inn Columbus	GGC / Lodging / Conference	199.90
Renderos, Joe	PD / Mileage	164.72
Shaner, Matthew	PK / Training	90.49
Smith, Anita	Grave Opening Refund	300.00
S & W Auto Parts	PD / ST / WR / Parts / Supplies	108.51
Service Master of Mid Nebraska	GGC / Janitorial Services	164.00
Titan Machinery	CEM/FD/ST/WWTP/Parts/Repairs	2,715.19
TNEMEC Company	AC / Pool Paint	998.38
Total Lawn Care	AC / Mowing / Trimming	1,525.00
Tyler Technologies	EL / Yearly Maintenance	744.95
US Foods	MOW / Food & Supplies	590.42
USA Communications	City Internet Services	345.60
Yung, Mark	DS / Work Boots	72.21
Anytime Fitness	Fitness Memberships	139.75
Calvary Assembly of God Youth	2019 Community Cleanup	300.00
Church of Jesus Christ of Latter Day Saints	2019 Community Cleanup	225.00
Core & Main	WR / Fire Hydrant Parts	729.32
Dan's Sanitation	Sanitation Fees	2,342.60
Davis Energy	Fuel	4,084.87
Dawson Public Power District	Power Purchase	11,462.35
Eilers Machine & Welding	WR / Supplies	32.04
EMS Billing Services	AMB / Billing	2,037.48
Fastenal	ST / Supplies	13.42
Health Claims	Claims	8,276.94
Intellicom	Computer Support	496.25
Jim Phillips Construction	ST / SW / WR / Repairs	28,978.00
John Deere Financial / Orscheln	WR / Boots / Supplies / Parts	1,600.37
Jones Plumbing & Heating	WR / Parts / Supplies	212.12
Kevin Brown Design	ND / Website Design & Host	10,000.00
Lexington Area Solid Waste Agency	Waste Removal	8,923.25
Lexington City Payroll Account:		
Payroll	Wages	149,861.65
Social Security	Employer Portion / FICA Med	11,183.72
Union Bank & Trust	Employer Portion / Pension	4,682.99
Union Bank & Trust	Police Pension	2,937.85
ICMA	City Manager Pension	940.29
Lexington Newspapers Inc	Publications	400.41
Lexington Regional Health Center	Drug Testing	35.00
Lexington Rotary Club	2019 Community Cleanup	225.00
Lexington Women Helping Others	2019 Community Cleanup	300.00
LHS Peru Trip	2019 Community Cleanup	300.00
LHS Spain Trip	2019 Community Cleanup	300.00
Majestic Theatre	ND / Advertising	225.00
Mead Lumber	ST / Supplies	17.16
Midwest Connect	EL / Supplies	288.90
Midwest Laboratories Inc	WWTP / Testing	26.00

MRK Real Estate LLC	Economic Development Loan	500,000.00
Nebraska Tech & Telecom	Phone Service	1,483.60
O'Hara Lindsay & Associates	Lobbying Services	333.00
O'Reilly Auto Parts	ST / Parts	5.72
Paulsen Inc	ST / WR / Limestone	1,011.22
Platte Valley Auto Mart	PD / Oil & Lube	53.62
Platte Valley Glass & Trailers	WWTP / Window Repair	10.16
Plum Creek Market Place	MOW / Food	14.57
Plum Creek Medical Group	Flu Shots	522.00
S & W Auto Parts	PD / Supplies	19.03
Service Master	EL/GGC/LB/ND/ST/OC/Cleaning Svc	9,554.67
TO Haas Tire Co	ST / Parts	150.88
Utility Service Company	WR / Water Tower Tank Service	9,964.12
WPCI	Drug Screening	28.00
	TOTAL CLAIMS:	1,451,860.37

ORDINANCE: An Ordinance entitled “AN ORDINANCE TO REPEAL AND RESERVE SECTION 4-6 OF THE LEXINGTON CITY CODE REGULATING THE PRESENCE OF MINORS IN PREMISES LICENSED FOR THE SALE OF ALCOHOLIC BEVERAGES; 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. Pepplitsch reviewed the ordinance. Following discussion, moved by Vivas, seconded by Salem, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting “aye” were Smith, Roberts, Salem, Vivas, Fagot. Motion carried.

Ordinance No. 2420 was presented on final reading. Moved by Vivas, seconded by Smith, to approved Ordinance No. 2420 on final reading. Roll call. Voting “aye” were Salem, Roberts, Smith, Vivas, Fagot. Motion carried.

RESOLUTION: Resolution No. 2019-16 was presented. Pepplitsch reviewed the updated Nebraska Board of Public Roads Classifications and Standards certification process. Following discussion, moved by Salem, seconded by Roberts to approve Resolution No. 2019-16 as presented. Roll call. Voting “aye” were Vivas, Smith, Roberts, Salem, Fagot. Motion carried.

RESOLUTION NO. 2019-16
SIGNING OF THE MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM
COMPLIANCE FORM
2019

WHEREAS: State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

WHEREAS: State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include a copy of a resolution of the governing body of the municipality authorizing the signing of the certification form.

BE IT RESOLVED that the Mayor of Lexington is hereby authorized to sign the attached Municipal Annual Certification of Program Compliance Form.

Adopted the 8th day of October, 2019.

LVFD ROSTER: Pepplitsch reviewed the current LVFD membership roster and requested approval. Moved by Salem, seconded by Vivas, to approve the current LVFD roster as presented. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.,

PAY REQUEST: Pepplitsch reviewed Pay Request #4 from TL Sund Constructors for the Workforce Training Space project in the amount of \$35,871.66. Following a project update, moved by Roberts, seconded by Smith, to approve the pay request as presented. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

ROUNDTABLE: Pepplitsch reminded Council and Staff to submit work session discussion ideas.

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