

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

A Regular Meeting of the Lexington City Council was held Tuesday, February 25, 2020, 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, Dora Vivas, Steve Smith and Jeremy Roberts. City Officials present were City Manager Joe Pepsplitsch, 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. 7<sup>th</sup> Street, Lexington, Nebraska.

**MINUTES – REGULAR MEETING 2-11-20:** Minutes of the Regular meeting held Tuesday, February 11, 2020, 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.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$1,865,219.19 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Roberts, seconded by Vivas, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$178,939.16 from General Fund, \$44,036.64 from Street Fund, \$1,547,181.19 from LEXUS, \$31,721.26 from Sanitation, \$1,019.79 from Ambulance, \$59,911.46 from Health Fund, and \$2,409.69 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Smith, Salem, Vivas, Roberts, Fagot. Motion carried.

**ACCOUNTS PAYABLE**  
February 25, 2020

Amazon	LB / Books	552.25
Ask Supply Co	ST / Supplies	165.00
Baker & Taylor	LB / Books	1,129.97
Bank of America		
Adobe	ST / Software	192.47
Amazon.com	EL/PD/ST/Prime Membership/Supplies	195.95
American Library Association	LB / Membership Dues	225.00
Aunt Jo's Maytag	GGC / Washer	800.95
International Code Council	DS / Education Institute	278.10
Mac's Short Stop	WR / Testing Supplies / Ice	12.00
McFadden Auto Repair	WWTP / Truck Repairs	330.00
Pizza Hut	CC / Civil Service	42.23
Runza NP South	PD / Meals	14.42
United States Postal Service	WR / Postage	140.55
University of Nebraska	WR / ST / Pesticide Training	240.00
Walmart.com	ND / Breakroom Supplies	47.62
Water Environment Federation	WWTP / Membership Dues	148.00
Beverly Bogle Louthan PC	Professional Fees	1,200.00
Bliven, Mike	Electric Rebate	2,575.00
Blocher, Craig	Electric Rebate	1,650.00

Cash-Wa Distributing	MOW / ND / OC / ST / Supplies	1,209.91
Casey's Retail Company	Electric Rebate	1,460.00
Cengage Learning	LB / Books	195.59
Central Community College	AMB / Classes	200.00
Chesterman Coca-Cola	REC / Field House / Beverages	294.00
Core & Main	WR / Meters	4,638.49
Dawson County Court	Court Costs	17.00
Diamond Vogel	ST / PK / Supplies	263.52
Eakes Office Solutions	LB / Copier Expenses	909.45
Energy Pioneer Solutions	EPS Payments	65.15
Fastenal	ST / Supplies / Tools	107.86
Gomez, Jose	Electric Rebate	3,300.00
Gothenburg Times	Publications	4.44
Hiland Dairy Foods	MOW / Dairy Products	233.71
Holbein, Dahlas D	FD/Truck Maintenance/Fueling/Cleaning	1,500.00
Hoppe Homes	Electric Rebate	2,650.00
Ideal Laundry & Cleaners	Rug Service	290.47
IGS Solar	Solar Power Purchase	22,149.40
Ingram Library Services	LB / Books	304.17
Intellicom	Tech Services / Support	162.50
Jamie's Garage	ST / Labor / Repairs	543.41
JMS Millwright & Repairs	REC / Field House / Parts	848.50
Jim Phillips Construction	ST / WR / Cement Work	14,188.00
Johnson Service Company	SW / Tyson Lift Station / Clean & Vac	3,350.00
John Deere Financial / Landmark	CEM / Labor / Repairs	358.88
Juarez, Manuel	Electric Rebate	300.00
Lexington Area Chamber of Commerce	Banquet Tickets	150.00
Lexington Newspapers	Publications	251.11
LEXUS	Utilities	39,610.83
Matt Friend Truck Equipment	ST / Parts	355.94
Martin Electric	FD / Repairs	142.95
Mead Lumber	PK / ST / Parts / Tools / Supplies	129.01
Meritain Health	Health Premium	30,808.11
Miller & Associates	ND / Professional Services	942.50
Nebraska Dept of Health & Human Svcs	AC / Pool Permit	40.00
Nebraska Machinery	ST / Equipment Repairs	3,288.06
Nebraska Mosquito & Vector Control Assn	ST / Mosquito Workshop	170.00
Nebraska Public Health Lab	WR / Testing	434.00
Nebraska Public Power District	Power Purchase	1,116,933.61
Nebraska Public Power District	O & M	200,971.12
Nebraskaland Tire	WR / Oil & Lube	43.45
Nichols, Robbie	ST / Uniform Reimbursement / Boots	112.88
O'Reilly Auto Parts	CEM / WR / Parts	348.88
Oriental Trading	LB / Supplies	17.72
Paulsen Inc	WR / Limestone	570.71
Platte Valley Auto Mart	PD / Repairs	93.01
Plum Creek Market Place	Electric Rebate	4,347.00
Presto-X	LB / Pest Control	83.00
Principal	Dental Premium	3,516.78
Publishers Prime	LB / Books	85.62
Recorded Books	LB / Books	358.92
Route 30 Grafix	WWTP / Jackets / Embroidery	95.48
SCALES	PD / 2020 Membership Dues	1,000.00
S & W Auto Parts	DS / PK / ST / WWTP / Supplies	377.69
Standard Insurance Company	Life Insurance Premiums	993.04
Storey Kenworthy / Matt Parrott	EL / Envelopes	296.29
Taste of Home	LB / Books	34.98

Tingelhoff, Sam	PK / Mileage	113.28
TO Haas	PD / Tire Repairs	19.74
Total Funds by Hasler	Postage	3,000.00
Tri-City Tribune	Publications	6.69
Tyler Technologies	Sensus Interface	2,200.00
Union Bank & Trust	FD/Service Award Prgrm Contribution/2019	15,500.00
US Foods	MOW / Food & Supplies	700.92
Vancura, Nic	Electric Rebate	1,750.00
Verizon Wireless	Cellular Service	402.25
Village Uniform	GGC / Janitorial Supplies	55.84
VSP / Vision Service Plan	Vision Premium	1,054.86
Walmart	Department Supplies	711.13
Weathercraft Companies	LB / Repairs	189.47
Dan's Sanitation	Sanitation Fees	31,721.26
Davis Energy	Fuel	5,047.30
Eakes Office Solutions	ND / Copier Expenses	767.66
Great Western Bank	City / Petty Cash	71.79
Health Claims	Claims	59,724.25
Heartland Chevrolet Buick	WR / Oil & Lube	54.08
J-Spot Services	EL / Vacuum Pit / Electric Shop	305.00
Lexington, City of	Utility Franchise Fees	89,654.89
Lexington City Payroll Account:		
Payroll	Wages	146,245.59
Social Security	Employer Portion / FICA Med	10,923.00
Union Bank & Trust	Employer Portion / Pension	4,801.91
Union Bank & Trust	Police Pension	2,638.63
ICMA	City Manager Pension	917.57
Lexington Post Prom	Promotion	100.00
Lexington Volunteer Fire Department	AMB / FD / Conference Expenses	1,064.20
MC2	WWTP / UV Disinfection Controls	5,819.68
Mead Lumber	PK / Supplies	0.80
Mid-American Research Chemical	PK / Supplies	121.14
Miller & Associates	ND / ST / Professional Services	1,322.50
Paulsen Inc	ST / Sand / Gravel	99.50
TASC	Administration Fees	187.21
Yant Equipment Company	ST / Software Installation / Fuel Pumps	1,840.40
	<b>TOTAL CLAIMS:</b>	<b>1,865,219.19</b>

**FINANCIAL REPORT:** Moved by Salem, seconded by Smith, to accept the financial report for January 2020 as presented. Roll call. Voting "aye" were Vivas, Roberts, Smith, Salem, Fagot. Motion carried.

**AUDIT REPORT:** Amy Barth, Contryman Associates, presented the 2019 Audit Report, stating an unqualified opinion was issued. Following her report, moved by Roberts, seconded by Smith, to accept the 2019 Audit Report as presented. Roll call. Voting "aye" were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

**PUBLIC TRANSIT:** Charles McGraw, Executive Director of RYDE-Transit, requested Council support of an application for public transportation assistance funds for RYDE Transit for FY 2020-2021. Resolution No. 2020-03 was presented. Following discussion, moved by Salem, seconded by Roberts, to approve Resolution No. 2020-03. Roll call. Voting "aye" were Vivas, Smith, Roberts, Salem, Fagot. Motion carried.

### **RESOLUTION NO. 2020 - 03**

WHEREAS, there are federal funds available under Section 5311 of the Federal Transit Act and for the Nebraska Public Transportation Assistance Program, and

WHEREAS, the RYDE Transit-Community Action Partnership of Mid Nebraska desires to apply for said funds to provide public transportation in Dawson County.

NOW THEREFORE, BE IT RESOLVED: The City Council of Lexington, Nebraska hereby instructs the RYDE Transit-Community Action Partnership of Mid Nebraska to apply for said funds.

Said funds are to be used for the RYDE Transit-Community Action Partnership of Mid Nebraska transportation operations in the FY 2020-2021 Application for Public Transportation Assistance.

**Passed and approved this 25th day of February, 2020.**

**CONDITIONAL USE PERMIT:** Mayor Fagot opened a public hearing to consider a conditional use permit application by Mary A. Shaw for a childcare center at 1215 North Harrison. Brecks reviewed the proposed plans for the property and a draft CUP agreement, noting the Planning Commission has recommended approval following their review. The public hearing was closed. Following discussion, moved by Roberts, seconded by Smith, to approve the CUP application for a childcare center at 1215 North Harrison as presented. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

**CONDITIONAL USE PERMIT:** Mayor Fagot opened a public hearing to consider a conditional use permit application by Naji Ahmed Abdi for a family dwelling at 405 North Washington. Brecks reviewed the proposed plans for the living space and a draft CUP agreement, noting the Planning Commission has recommended approval following their review. The public hearing was closed. Following discussion, moved by Smith, seconded by Vivas, to approve the CUP application for a family dwelling at 405 North Washington. Roll call. Voting “aye” were Salem, Roberts, Vivas, Smith, Fagot. Motion carried.

**WATER SYSTEM IMPROVEMENTS:** Peplitsch presented the bid tabulation for the Lexington 2020 Water System Improvements project, noting the low bid of \$468,860 from Midlands Contracting Inc. was below the Engineer’s Opinion of Construction. Following discussion, moved by Roberts, seconded by Salem, to accept the bids for the project, to award a contract to Midlands Contracting Inc., and to authorize the execution of necessary documents. Roll call. Voting “aye” were Vivas, Smith, Salem, Roberts, Fagot. Motion carried.

**ROUNDTABLE DISCUSSION:** Peplitsch reminded Council of the work session scheduled for Saturday, March 7, 2020.

**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