

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

A Regular Meeting of the Lexington City Council was held Tuesday, June 23, 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 Pepplichts, Assistant City Manager Dennis Burnside, City Attorney Brian Copley, Finance Director Barb Hodges, Community Development Director Bill Brecks and City Clerk Pamela Baruth. The press was represented by Clipper-Herald, KRVN 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. 7<sup>th</sup> Street, Lexington, Nebraska.

**MINUTES – REGULAR MEETING 6-9-20:** Minutes of the Regular meeting held Tuesday, June 9, 2020, were presented. Moved by Roberts, seconded by Smith, to approve the minutes as presented. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$1,392,420.13 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Vivas, seconded by Salem, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$267,212.68 from General Fund, \$37,034.25 from Street Fund, \$6,649.72 from TIF, \$1,032,854.65 from LEXUS, \$31,774.82 from Sanitation, \$812.75 from Ambulance, \$12,745.44 from Health Fund, and \$3,335.82 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Smith, Roberts, Salem, Vivas, Fagot. Motion carried.

**ACCOUNTS PAYABLE  
June 23, 2020**

Acromat	LB / Supplies	684.00
Amazon	LB / Supplies / Books	406.05
Associated Supply Company	AC / Parts	92.10
Awards Plus	PD / Uniforms	59.50
Baker & Taylor	LB / Books	716.78
Bank of America		
Amazon.com	AC/CM/ND/REC/Masks/Mat/Plexiglas/5K Spls	778.30
Galco	WWTP / Control Cabinet Filters	414.20
Ceu Plan Incorporated	WWTP / Wastewater Operator CEU's	193.85
Dairy Queen	ST / Cake / Employee Achievement	37.38
Dick's Sporting Goods	REC / Golf Program Supplies	2,054.25
Hoparazzi.com	REC / Tennis Program Supplies	486.79
Missouri Star Quilt Company	LB / Annual Subscription	47.94
National Assn of School Resource Officers	PD / Officer Membership	40.00
NCS Pearson Inc	ST / Mosquito Spraying / Testing	110.00
On Court Off Court	REC / Tennis Program Supplies	959.60
Plum Creek Market Place	ST / Cake / Employee Achievement	60.86
Sprinkler Warehouse	CEM / Sprinkler Parts	316.65
Tennis Warehouse	REC / Tennis Program Supplies	495.40

United States Postal Service	WR / Postage	189.25
Beverly Bogle Louthan PC	Professional Fees	1,200.00
Bob's True Value	PK / ST / Supplies	569.54
Cengage Learning	LB / Books	247.90
Community Development Agency	Designer Craft TIF	6,649.72
Country Partners Coop	ST / Herbicide	522.99
Cummins Central Power	WWTP / Generator Service	523.62
Davis Energy	Fuel Purchase	3,696.88
	FD / PK / Fuel / Oil	46.04
Demco	LB / Supplies	121.30
Diamond Vogel	ST / Parts	34.50
Dutton-Lainson Company	EL / 125 Amp Meters	347.96
Fagot Refrigeration & Electric	AC/EL/ND/WWTP/Equipment Repairs/Upgrades	3,974.56
Fastenal	PK / Safety Equipment	31.69
Fyr-Tek	FD / Pumper Equipment Repairs	1,577.25
Grainger	WWTP / Parts / Supplies	275.90
Great Western Bank	LB / Petty Cash	52.47
Health Claims	Claims	4,300.20
Holbein, Dahlas D	AMB/FD/Truck Maint/Fueling/Cleaning	1,500.00
ICMA	CM / Annual Membership / D. Burnside	677.20
Ideal Linen & Uniform	GGC / WWTP / Rug Service	77.18
IGS Solar	Solar Power Purchase	45,120.40
Ingram Library Services	LB / Books	82.10
John Deere Financial	CEM / PK / ST / WWTP / Parts / Supplies	2,776.59
Komline-Sanderson	WWTP / Sludge Pump Packing	1,382.78
Landmark Implement	WWTP / Mower	4,250.00
Lexington, City Payroll Account:		
Payroll	Wages	175,190.64
Social Security	Employer Portion / FICA Med	13,127.09
Union Bank & Trust	Employer Portion / Pension	4,937.31
Union Bank & Trust	Police Pension	2,981.83
ICMA	City Manager Pension	917.57
Lexington Newspapers	Publications	997.10
LEXUS	Utilities	38,800.03
Matheson Tri-Gas	AMB / Medical Oxygen	123.44
Mead Lumber	ST / WR / WWTP / Parts / Paint	175.12
MicroMarketing	LB / Books	279.93
Mikes Sprinklers	LB / Sprinkler System Repairs	303.44
Morris Press	GGC / Newsletter	233.32
Municipal Supply	WR / Fire Hydrant Parts	51.86
Nebraska Public Power District	Power Purchase	678,603.86
	O & M	132,628.68
Nebraskaland Tire	DS / Oil & Lube	245.94
North Platte Telegraph, The	Annual Subscription	414.75
Oliver Consulting Services	LB / Dell Computers / Monitors	3,950.00
O'Reilly Auto Parts	ST / Parts	23.59
Original Watermen	AC / Uniforms	561.15
Overton Sand & Gravel Co	EL / White Rock	869.74
Patton, Janell	AMB / EMT Testing Fees	80.00
Paulsen Inc	ND / ST / WR / Gravel / Limestone	973.68
Pinnacle Bank	2016 Fire Pumper	68,130.09
Platte Valley Auto Mart	DS / Keys	10.00
Platte Valley Communications	FD/PD/Equipment/Monthly Maint Fee	104.12
Platte Valley Glass & Trailers	Windshield / Ford Fusion	245.00
Platte Valley Laboratories	WWTP / Testing Supplies	782.50
Polydyne Inc	WWTP / Parts	8,556.00
Prado, Ramon	Electric Rebate	1,425.00

Primary Electric	EL/Commerce Road Lift Station/Wiring Upgrade	4,572.18
Quadient	Postage	3,000.00
Quick Med Claims	AMB / Billing Service	191.27
S & D Contractors	Concrete Pads / Plum Creek Pky Mailboxes	750.00
S & W Auto Parts	PK / WWTP / Oil / Filters	204.16
Southern Living Books	LB / Books	39.49
Statewide Collections	Utility Collections	359.99
Taste of Home	LB / Books	37.43
TerryBerry	ST / Employee Recognition	358.82
U Save Business Equipment	LB / WWTP / Supplies / Postage	73.17
United States Treasury	2020 PCORI Fees	438.55
US Foods	MOW / Food	402.91
Baker & Taylor	LB / Books	97.69
Bob's True Value	WWTP / Supplies	95.15
Cash-Wa Distributing	MOW / Food & Supplies	1,815.20
Core & Main	WR / Meter Flange	117.16
Country Partners Coop	WWTP / Herbicide	48.90
Dan's Sanitation	Sanitation Fees	31,774.82
Great Western Bank	Petty Cash	23.28
	LB / Petty Cash / March 2020	197.62
Health Claims	Claims	7,819.48
Hiland Dairy	MOW / Dairy Products	380.51
Hydro Optimization&Automation Solutions	WWTP / Decanter Control Repairs	989.72
Ideal Linen & Uniform	ST / Rug Service	36.21
Lexington, City of	Utility Franchise Fees	72,213.48
Lexington Newspapers	Publications	566.60
Mead Lumber	DS / ND / Supplies	33.87
Mid-American Research Chemical	ST / Disinfectant	290.00
Meritain Health	Premiums	32,084.12
Nebraska Secretary of State	Notary Fee / Allen, M.	30.00
O'Reilly Auto Parts	ST / Tools	36.98
Primrose Oil Company	ST / Grease	440.84
Principal Dental Insurance	Premiums	3,198.12
Rasmussen Mechanical Services	LB / Repairs	763.05
Route 30 Grafix	PK / REC / Uniform Shirts	287.20
Sign Pro	DS / Sign Frame	36.50
Standard Life Insurance	Premiums	1,009.58
TASC	Administration Fees	187.21
Unitech	ST / Hand Sanitizer / Disinfectant	643.00
US Foods	MOW / Food & Supplies	363.43
Verizon Wireless	Cellular Service	380.16
Village Uniform	GGC / Janitorial Supplies	55.84
VSP Vision Care	Premiums	1,078.09
Walmart	AC/CEM/DS/LB/ST/WWTP/Supplies	833.90
Weekly Bulletin, The	EL / Annual Subscription	160.00
	<b>TOTAL CLAIMS:</b>	<b>1,392,420.13</b>

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

**PUBLIC HEARING:** Mayor Fagot opened a public hearing to consider a Conditional Use Permit application by Valente and Miguel Pinedo for a family dwelling at 113 West 5<sup>th</sup> Street. Brecks reviewed the plans for a family dwelling and hair salon, stating there is adequate parking for both areas. Miguel Pinedo explained that a family member acting as a manager will likely occupy the dwelling. Brecks noted the Planning Commission recommended approval of the application. There were no public comments, and the public hearing was closed.

Moved by Salem, seconded by Vivas, to approve the CUP application as presented. 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 Viaero Wireless Inc to construct an 80-foot monopole communications tower in a C-3 Highway Commercial Zone at the southwest corner of Frontier Road and Plum Creek Parkway. Brecks reviewed the application and draft CUP agreement, stating the Planning Commission had recommended approval of the application. Chris Riha, Viaero Wireless, noted final design of the retail store and office suites are contingent of final purchase of the property. He stated the project would be completed in 2021. There were no public comments, and the public hearing was closed. Moved by Roberts, seconded by Salem, to approve the CUP application as presented. Roll call. Voting “aye” were Vivas, Salem, Roberts, Fagot. Smith abstained. Motion carries.

**ORDINANCE:** Ordinance No. 2428 entitled “AN ORDINANCE APPOINTING A CITY MANAGER; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was presented on first reading. Moved by Salem, seconded by Roberts, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting “aye” were Vivas, Smith, Roberts, Salem, Fagot. Motion carried.

Ordinance No. 2428 was read on final reading. Moved by Salem, seconded by Smith, to approve Ordinance No. 2428 on final reading. Roll call. Voting “aye” were Vivas, Roberts, Smith, Salem, Fagot. Motion carried.

**ROUNDTABLE DISCUSSION:** Pepplitsch gave an update on current projects.

**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