

**CITY COUNCIL  
CITY OF LEXINGTON, NEBRASKA  
November 10, 2020**

A Regular Meeting of the Lexington City Council was held Tuesday, November 10, 2020, at Lexington, Nebraska at 5:30 p.m. Members of the Council present were John Fagot, John Salem, Steve Smith and Jeremy Roberts. Dora Vivas was absent. 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 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 10-27-2020:** Minutes of the Regular meeting held Tuesday, October 27, 2020, were presented. Moved by Roberts, seconded by Salem, to approve the minutes as presented. Roll call. Voting “aye” were Smith, Salem, Roberts, Fagot. Motion carried.

**MINUTES – WORK SESSION 11-7-2020:** Minutes of the Work Session held Saturday, November 7, 2020, were presented. Moved by Smith, seconded by Roberts, to approve the minutes as presented. Roll call. Voting “aye” were Salem, Roberts, Smith, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$868,631.61 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Roberts, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$171,502.00 from General Fund, \$171,065.34 from Street Fund, \$48,123.78 from Housing Reuse, \$432,969.67 from LEXUS, \$10,000.00 from Sanitation, \$430.80 from Ambulance, \$31,879.42 from Health Fund, and \$2,660.60 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Smith, Roberts, Salem, Fagot. Motion carried.

**ACCOUNTS PAYABLE  
November 10, 2020**

AFLAC	Premiums	1,586.80
Asphalt Research Technology Inc	ST / Cold Patch	2,350.88
Atlas Copco	WWTP / Blower Inlet Filters	2,369.43
B & H Services / Service Master	GGC/Extra Service/Exterior Windows	70.00
Baker & Taylor	LB / Books	644.05
Barco Municipal Products	ST / Street Signs	741.98
Bauer Underground	EL/Excavate/Trench/Bore/East Pacific	35,280.02
Black Hills Energy	Natural Gas Service	642.69
Cash-Wa Distributing	MOW / Food / Supplies	946.64

Cengage Learning	LB / Books	139.45
Citibank / CNH Industrial	FD / ST / Equipment Repairs / Parts	6,580.20
Core & Main	EL/Metering Cntrct/Upgrades/Support	44,895.86
County of Dawson, Register of Deeds	Filing Fees	76.00
Dane Melson / Anytime Fitness	Fitness Memberships	149.95
Dan's Sanitation	Sanitation Fees	13,447.80
Davis Energy	WWTP / Gear Oil	112.50
Dawson Area Development	2020-2021 Annual Dues	28,000.00
Dawson Public Power District	Power Purchase	82.35
Demco	LB/Media Pouch/Hooks/Shelving	1,252.67
Depository Trust Company	2020 Combined Utilities Revenue Bond	97,805.00
Double I Farms Inc	WWTP / PTO Tanker Assembly	1,081.89
Dugan Printing & Promotions	EL / Utility Bills	1,681.77
Electrical Engineering & Equipment	EL / Parts	273.91
Fagot Refrigeration & Electric	LB/REC/Fieldhouse/Blower/Timer/Reps	180.00
Fastenal	ST / WR / Parts / Supplies	70.20
Galls	PD / Uniforms	322.21
Greater Nebraska Cities	Monthly Lobbying Services	667.00
Health Claims	Claims	5,985.27
Heldt McKeone & Copley	Professional Fee	2,700.00
Hiland Dairy Foods	MOW / Dairy Products	302.39
Holbein Lawn Service	FD / Lawn Care	165.00
Home Depot USA	REC / Fieldhouse / Covid / Sprayer	1,696.43
Homeier Ventures / Bob's True Value	OC / Supplies	22.47
Hydro Optimization&Automation Solutions	WWTP / SCADA Computer Upgrade	5,771.00
Ingram Library Services	LB / Books	103.60
Intellicom	ND / Network / Computer / Support	3,669.88
Jim Phillips Construction	ST / WR / Repairs	9,696.00
Jones Plumbing & Heating	AC/PK/REC/WR/WWTP/Parts/Repairs	1,485.75
Joseph Vak / Lex Animal Clinic	PD / Animal Care	911.80
Knapp Electric	WWTP / Parts / Repairs / Grit Unit	1,251.28
Lexington Area Solid Waste Agency	Mixed Solid Waste Disposal	972.18
Lexington, City of	Interdepartmental Service Fees	55,749.00
	Utility Franchise Fees	292.24
Lexington, City Street Department	Fuel	3,717.73
	SW/WR/Interdepartmental Service Fees	5,651.89
Lexington, City Payroll Account:		
Payroll	Wages	147,563.44
Social Security	Employer Portion / FICA Med	11,028.83
Union Bank & Trust	Employer Portion / Pension	4,530.82
Union Bank & Trust	Police Pension	3,052.53
ICMA	City Manager Pension	923.45
Lexington Newspapers	Publications	1,016.43
Lien Inc	ND/PK/Winterize Undrgrnd Sprinklers	637.50
Matheson Tri-Gas	AMB / Medical Oxygen	131.80
Mead Lumber	PK / ST / Parts / Tools / Supplies	1,644.07
MicroMarketing	LB / Books	1,181.70
Midland Scientific	WWTP / Lab Testing	1,020.75
Miller & Associates	East Addition Phase I Improvements	94,013.64
Morris Press	GGC / Newsletter	109.00
Motortrend	LB / Annual Subscription	18.00

Municipal Supply	WR / Parts	1,972.52
Nebraska Dept of Revenue	Sales and Use Tax	59,219.23
Nebraska Interactive	Annual Access Fee	100.00
Nebraska Safety & Fire Equipment	REC/Fieldhouse/Service Call/Alarms	135.00
Nebraska Water Experts / Culligan	Soft Water Supplies	385.77
Nebraskalink / OPTK Networks	LB / Internet Service	15.00
Nebraska Tech & Telecommunications	Phone Service	1,115.64
NSG Logistics	ST / Ice Slicer	9,374.93
OCLC	LB/Cataloging/Metadata/Worldshare	146.86
O'Hara Lindsay and Associates	Monthly Lobbying Services	333.00
Olsson	Indoor Recreation Feasibility Study	2,000.00
Omaha World Herald	LB / Annual Subscription	617.55
One Call Concepts	Locate Fees	210.09
O'Reilly Auto Parts	ST / Gearbox	686.05
Paper Tiger Shredding	Paper Shredding	260.00
Paulsen Inc	ST / WR / Limestone	1,828.13
Platte Valley Auto Mart	PD / Oil & Lube / Repairs	875.33
	ST / 2021 Ford F-750	64,941.00
Platte Valley Communications	ND/PD/PK/Monthly Maint Fee/Cameras	264.00
Platte Valley Excavating	ND / Tree Removal	2,000.00
Plum Creek Medical Group	Testing	79.19
Quadient	Postage	3,000.00
Rentokil / Presto X	WWTP / Pest Control	52.00
S & W Auto Parts	REC/ST/WWTP/Fieldhouse/Fan Belt/Parts	179.43
Titan Machinery- Lexington	ST / WWTP / Parts / Service	632.39
TO Haas Tire Co	PK/SW/Truck Mount Repair/Battery	186.60
Total Lawn Care	AC / Mowing / Leaf Removal / October	1,910.00
US Foods	MOW / Food & Supplies	507.90
Werner's Sprinklers/Dawson Pest Control	FD / GGC / OC / Pest Control	159.10
WW Grainger	WWTP/Clarifier Parts/El Drum Pump	1,547.94
Yung, Mark	DS / Reimbursement / Work Boots	76.12
B & H Services / Service Master	Cleaning Service	10,336.77
Baker & Taylor	LB / Books	156.38
Cash-Wa Distributing	MOW / Food / Supplies	721.74
Country Partners Coop	PK / Fertilizer	1,500.13
Davis Energy	FD / Fuel	52.12
Eakes Office Solutions	LB / Covid Supplies / Toner	297.91
Electrical Engineering & Equipment	OC / Tube Lights	86.76
Fastenal	ST / Supplies	5.28
Fremarek	PK / Janitorial Supplies	581.96
Fyr-Tek	FD / Parts	61.70
Gene L Johnson / Oxbow Construction	WWTP / Welding Repairs	1,500.00
Great Plains Uniforms	PD / Uniform Expenses	5,239.53
Health Claims	Claims	24,103.16
Ideal Linen & Uniform	Rug Service	607.94
Ingram	LB / Books	83.98
Intermedia.net	ND / Web Phone Charges / Sept. / Oct.	568.86
Knapp Electric	SW / Liftstation #2 / Pump Repairs	1,269.46
Mead Lumber	PK / Tools / Supplies	520.21
Midlands Contracting / Johnson Supply	Clean&Vac/Tyson/MRK/Apache/Lift Stations	1,987.50
Municipal Supply	WR / Inventory Parts	2,477.13

NE Dept of Economic Development	Return of Overfunding	48,123.78
Nebraska Safety & Fire Equipment	REC/Fieldhouse/Annual Fee/Svc Call	586.00
Nebraskaland Tire	CEM / Repairs / Parts	260.64
Novo Benefits	ND / Booklets	294.63
O'Reilly Auto Parts	ST / Parts	229.45
Overton Sand & Gravel	EL / White Rock	898.19
Precision Detail / Julie Thalman	FD / Firehouse Cleaning	300.00
Rasmussen Mechanical Services	LB / Preventative Maintenance	1,290.25
S & W Auto Parts	FD / PD / Supplies	35.52
Stryker	AMB/Defibrillator Data Transmission/Agmt	299.00
TO Haas Tire Co	WR / Tires	351.30
USA Communications	Internet Service	345.60
Village Uniform	GGC / Janitorial Supplies	55.84
Western Pathology Consultants	DOT Testing Expenses / Annual Fees	125.00
	<b>TOTAL CLAIMS:</b>	<b>868,631.61</b>

**PUBLIC HEARING:** Mayor Fagot opened a public hearing to consider the proposed O'Donnell Fourth Addition plat. Peplitsch reviewed the proposed plat, current utilities, and zoning changes. Dave Dobbins asked how the paving of East 16<sup>th</sup> Street would affect the current homeowners. Peplitsch noted that the city would work with homeowners to replace any disturbed areas. He also noted the likelihood of covenants being put in place at a later date. The public hearing was closed. Resolution No. 2020-19 was presented. Following discussion, moved by Salem, seconded by Roberts, to approve Resolution No. 2020-19 as presented. Roll call. Voting "aye" were Smith, Roberts, Salem, Fagot. Motion carried.

#### **RESOLUTION NO. 2020 - 19**

##### **O'DONNELL FOURTH ADDITION**

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

The plat of O'DONNELL FOURTH ADDITION, to the City of Lexington, Dawson County, Nebraska, being a replat of Lots 5, 6, and part of Lot 7, Block One & part of Lot 6 and all of Lots 7, 8, & 9, Block Two, all in O'Donnell Addition, an addition to Lexington, Dawson County, Nebraska and part of the Southeast Quarter of Section Thirty-two, Township Ten North, Range Twenty-one West of the 6<sup>th</sup> P.M., 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 10<sup>th</sup> day of November, 2020.**

**PUBLIC HEARING:** Mayor Fagot opened a public hearing to consider the annexation of the O'Donnell Fourth Addition. Peplitsch reviewed current and proposed city corporate limits. The public hearing was closed. Resolution No. 2020-20 was presented. Following discussion, moved by Smith, seconded by Roberts, to approve Resolution No 2020-20 as presented. Roll call. Voting "aye" were Salem, Roberts, Smith, Fagot. Motion carried.

#### **RESOLUTION NO. 2020 - 20**

**O'DONNELL FOURTH ADDITION  
ANNEXATION**

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

That the O'DONNELL FOURTH ADDITION, to the City of Lexington, Dawson County, Nebraska, being a replat of Lots 5, 6, and part of Lot 7, Block One & part of Lot 6 and all of Lots 7, 8, & 9, Block Two, all in O'Donnell Addition, an addition to Lexington, Dawson County, Nebraska and part of the Southeast Quarter of Section Thirty-two, Township Ten North, Range Twenty-one West of the 6<sup>th</sup> P.M., 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 10<sup>th</sup> day of November, 2020.**

**PAY REQUEST:** Peplitsch requested Council consideration of Pay Request #3 for the Lexington Well #19 project from Downey Drilling Inc. in the amount of \$29,007. 00. Following a project update, moved by Roberts, seconded by Salem, to approve Pay Request #3 from Downey Drilling as presented. Roll call. Voting "aye" were Smith, Salem, Roberts, Fagot. Motion carried.

**ROUNDTABLE DISCUSSION:** There were no topics of discussion.

**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.

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City Clerk