

**CITY COUNCIL  
CITY OF LEXINGTON, NEBRASKA  
October 13, 2020**

A Regular Meeting of the Lexington City Council was held Tuesday, October 13, 2020, at 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 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 9-22-2020:** Minutes of the Regular meeting held Tuesday, September 22, 2020, were presented. Fagot noted that Roberts was not in attendance for the roll call vote to approve the financial report of August, 2020. Moved by Smith, seconded by Vivas, to approve the minutes as corrected. Roll call. Voting “aye” were Salem, Roberts, Vivas, Smith, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$1,187,451.77 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Roberts, seconded by Salem, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$552,663.69 from General Fund, \$52,223.25 from Street Fund, \$90,633.54 from TIF, \$452,578.05 from LEXUS, \$10,000.00 from Sanitation, \$4,044.38 from Ambulance, \$21,378.31 from Health Fund, and \$3,930.55 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Smith, Salem, Roberts, Fagot. Motion carried.

**ACCOUNTS PAYABLE  
October 13, 2020**

Aflac	Premiums	1,586.80
Anytime Fitness	Employee Fitness Memberships	149.95
Ask Supply Co	ST / Supplies	185.69
Baker & Taylor	LB / Books	909.19
Barco Municipal Products	ST / Parts / Supplies	535.85
Bauer Built Tire	ST / Parts / Repairs	254.00
Black Hills Energy	Natural Gas Service	359.04
Business Management Daily	CM / Annual Subscription	97.00
Cash-Wa Distributing	MOW / Food & Supplies	2,449.74
Cengage Learning	LB / Books	317.08
Central Plains Library System	LB / Disc Cleaning	17.66
CNH Industrial / Titan	WR / Parts	2.85

Community Development Agency	TIF / Legend Oaks I / Legend Oaks II	38,552.00
Consolidated Management	PD / Training Meals	225.74
Corona, Jasmin	PD / Training Mileage	310.50
Culligan	Soft Water Supplies	372.90
Dan's Sanitation	Sanitation Fees	14,346.10
Davis Energy	ST / Fuel Purchase	2,862.15
	AMB/FD/ST/WWTP/Gear Oil/Fuel/Grease	1,927.47
Dawson County Register of Deeds	Filing Fees	114.00
Dawson County Surveyor's Office	DS / Survey Work / NW 3rd Addition	175.00
Dawson Pest Control	FD / GGC / OC / Pest Control	159.10
Dawson Public Power District	Power Purchase	83.29
Depository Trust	2015 GO Bond	108,800.00
	2018 CURRB Bond	249,900.00
Diamond Vogel	ST / Paint Sprayer Cleaner	61.20
DXP	WWTP / Digester Mixer	30.78
Eakes Office Solutions	LB / Supplies	63.72
Electrical Engineering & Equipment	EL / Conduit	1,817.10
Fagot Refrigeration & Electric	OC / Service Call / Repairs	1,414.29
Fastenal	ST / Gloves / Drill Bits	150.57
Galls	PD / Uniforms	337.16
Greater Nebraska Cities	Monthly Lobbying Services	667.00
Health Claims	Claims	13,142.35
Heartland Chevrolet	EL / Chevy Volt / Oil & Lube	45.03
Heldt McKeone & Copley	Professional Fee	2,700.00
Hiland Dairy Foods	MOW / Dairy Products	91.67
Homestead Bank	NW Paving Improvements	52,081.54
Ideal Linen & Uniform	Rug Maintenance	401.65
Ingram Library Services	LB / Books	309.63
Integrated Security Solutions	ND/OC/ Fire Extinguisher Inspections	292.00
Intellicom	Tech Support / Software	2,388.00
Intermedia	Web Phone Charges	497.45
JEO Consulting	PK / Professional Fees	175.00
John Deere Financial	CEM/PK/ST/WR/WWTP/Parts/Spls	735.68
Johnstone Supply	REC / Fieldhouse / Pleated Filters	176.20
Jones Plumbing & Heating	CEM / PK / REC / Parts / Service Call	604.70
Lexington Animal Clinic	Animal Care	745.00
Lexington Area Chamber of Commerce	2021 Membership Dues	4,500.00
Lexington Area Solid Waste Agency	Waste Removal	1,382.70
Lexington, City of	Interdepartmental Service Fees	55,749.00
	Utility Franchise Fees	494.75
Lexington, City Street Department	Fuel	6,270.68
	SW/WR/Interdepartmental Service Fees	5,651.89
Lexington, City Payroll Account:		
Payroll	Wages	151,714.13
Social Security	Employer Portion / FICA Med	11,341.99
Union Bank & Trust	Employer Portion / Pension	4,513.07
Union Bank & Trust	Police Pension	3,154.12
ICMA	City Manager Pension	923.45
Lexington Community Foundation	LB / Public Donations	661.30
Lexington Newspapers	Publications	964.17
Lexington Volunteer Fire Department	Quarterly EMS Billing	2,033.34

LPS Peru Trip	2020 Community Cleanup	150.00
LPS Spain Trip	2020 Community Cleanup	150.00
Mac's Short Stop	PK / Supplies	9.08
Martha Steward Living	LB / Annual Subscription	19.00
Mead Lumber	AC / CEM / PK / REC / Supplies / Parts	219.08
MicroMarketing	LB / Books	1,840.96
Miller & Associates	ND/ST/WR/Professional Srvcs/Projects	11,026.07
Morris Press	GGC / Newsletter	192.78
NE Dept. of Health & Human Services	EL / Energy Assistance Returns	1,960.45
Nebraska Dept of Revenue	Sales and Use Tax	68,378.03
Nebraska Library Association	LB / Dues / Thomsen, K	60.00
Nebraska Machinery	ST / Parts	2,329.32
Nebraska Technology & Telecom	Phone Service	1,512.44
Nebraskaland Magazine	LB / Annual Subscription	19.26
Nebraskaland Tire	CEM / Oil & Lube	41.49
Nebraskalink / OPTK Networks	LB / Internet	15.00
O'Hanlon Seed	PK / Grass Seed	273.00
O'Hara Lindsay and Associates	Monthly Lobbying Services	333.00
Oliver Consulting Services	LB/Monthly Backup/Remote Svc Calls	245.00
One Call Concepts	Locate Fees	139.59
Optimist Club	CM / Membership Dues / Pepplitsch, J.	80.00
O'Reilly Auto Parts	ST / Parts	81.27
Original Watermen	AC / Lifeguard Uniforms	145.65
Paulsen Inc	WR / Limestone	562.50
Pinnacle Agency, The	Commercial Insurance Coverage	204,649.00
Platte Valley Communications	LB/PD/Monthly Maintenance Fee/Cameras	416.79
Plum Creek Market Place	MOW / Food	25.66
Plum Creek Medical Group	Employee Flu Shots	4,307.00
Precision Detail	FD / Cleaning	240.00
Primary Electric	WWTP/Exhaust Fan/Boiler/Switch/Rep	1,564.20
Quick Med Claims	AMB / Billing Services 607.69	899.61
	FD / Billing Services	291.92
Rentokil Company / Presto-X	LB / WWTP / Pest Inspection / Pesticide	140.00
Richardson Mowing	LB / Lawn Care	180.00
Rose Equipment	ST / Parts	989.00
Route 30 Grafix	PK/WR/Uniform Embroidery/Uniform Shirts	483.73
S & W Auto Parts	ST / Parts	34.94
Saul Ramos Construction	Plum Creek Park Improvements	73,625.00
ServiceMaster of Mid NE	Cleaning Service	10,236.77
Spectrum	City Cable Service	53.86
TLC Lawn Care	AC / Mowing	1,625.00
TO Haas Tire Co	CEM / PK / Tires / Tire Repairs	284.97
US Foods	MOW / Food & Supplies	877.69
USA Communications	City Internet Services	345.60
Utility Service Company	Water Tower Tank Service	9,964.12
Village Uniform	GGC / Janitorial Supplies	55.84
Watch Guard	PD / Radio Parts	60.00
YMCA of the Prairie	Employee Fitness Memberships	1,261.00
Baker & Taylor	LB / Books	443.00
Cash-Wa Distributing	ND / OC / ST / Supplies	1,506.39
Center Point Large Print	LB / Books	180.36

Central Hydraulic	ST / Plow Equipment	7,932.25
Double I Farms / J & N Sales	WWTP / Sludge Tanker Parts	1,442.89
Electrical Engineering & Equipment	FD / Parts	59.96
Fagot Refrigeration & Electric	OC / Emergency Light Repairs	100.55
Fastenal	WWTP / Supplies	13.09
Gehle, Aaron / RhinoRock Concrete	ND/Cement Work/City Hall/South Side	2,190.00
Great Western Bank	City / Petty Cash	130.10
Great Western Bank	LB / Petty Cash	105.18
Health Claims	Claims	2,342.16
Heartland Chevrolet	PD / Oil & Lube	52.93
Heartland Scuba Center	AMB/Annual Regulator Service/Repairs	1,348.60
Holbein Lawn Service	FD / Lawn Care	275.00
Intellicom	Tech Support / Software	1,603.57
John Deere Financial / Landmark	PK / Parts	7.94
Jones Plumbing & Heating	WWTP / Parts	11.85
Komline-Sanderson	WWTP / Sludge Pump Parts	4,844.76
Mead Lumber	GGC / WWTP / Parts / Supplies	49.55
Midwest Laboratories	WWTP / Testing Kits	19.25
Nebraska Library Commission	LB / Overdrive Annual Subscription	1,002.40
Nebraska Machinery	ST / Credit on Returned Parts	-1,060.77
Paulsen Inc	WR / Limestone	196.88
Platte Valley Auto Mart	PD / Oil & Lube	52.91
ServiceMaster	ND/WWTP/Carpet Cleaning/Cleaning Svc	190.00
Tyler Technologies	EL/Utility Billing Notifications/Insite Fees	5,532.5
US Foods	MOW / Food & Supplies	401.82
Village Uniform	GGC / Janitorial Supplies	137.44
YMCA of the Prairie	Employee Fitness Memberships/ Sept	1,261.00
	<b>TOTAL CLAIMS:</b>	<b>1,187,451.77</b>

**PROJECT BIDS:** Peplitsch reviewed a bid tabulation for the East Addition Phase I Improvements project, noting the project was broken into Bid A-Water/Sanitary Sewer and Bid B-Paving/Storm Sewer. He indicated the low bidder is Van Kirk Brothers for Bid A and Paulsen, Inc. for Bid B. Following discussion, moved by Salem, seconded by Vivas, to accept the bids received for the project, to award a contract to Van Kirk Brothers for Bid A and Paulsen, Inc. for Bid B, and to authorize the execution of contract documents. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

**PROJECT BIDS:** Peplitsch reviewed a bid tabulation for the Hike/Bike Trail Northwest Phase II project, noting TL Sund Constructors as the low bidder. Following discussion, moved by Roberts, seconded by Smith, to accept the bids for the project, to award a contract to TL Sund Constructors, and to authorize the execution of contract documents, contingent upon grant funding entity concurrence. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

**RESOLUTION:** Resolution No. 2020-18 was presented. Following discussion, moved by Vivas, seconded by Roberts, to approve Resolution No. 2020-18. Roll call. Voting “aye” were Smith, Salem, Roberts, Vivas, Fagot. Motion carried.

**RESOLUTION NO. 2020-18**

**SIGNING OF THE MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM  
COMPLIANCE FORM  
2020**

**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 13<sup>th</sup> day of October, 2020.**

**EXECUTIVE SESSION:** Moved by Salem, seconded by Roberts, to enter into executive session at 5:39 p.m. to discuss negotiations for the purchase of land. Roll call. Voting “aye” were Vivas, Smith, Roberts, Salem, Fagot. Motion carried.

Moved by Roberts, seconded by Salem, to enter into open session at 6:05 p.m. Roll call. Voting “aye” were Vivas, Smith, Salem, Roberts, Fagot. Motion carried.

**WORK SESSION:** Moved by Salem, seconded by Smith, to schedule a council work session on Saturday, November 7, 2020, at 8:00 a.m. Roll call. Voting “aye” were Vivas, Roberts, Smith, Salem, Fagot. Motion carried.

**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