

**CITY COUNCIL
CITY OF LEXINGTON, NEBRASKA
March 28, 2023**

A Regular Meeting of the Lexington City Council was held Tuesday, March 28, 2023, 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, and City Clerk Pamela Baruth. The press was represented by the 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. 7th Street, Lexington, Nebraska.

MINUTES – REGULAR MEETING 3-14-23: Minutes of the Regular meeting held Tuesday, March 14, 2023, were presented. Moved by Smith, seconded by Vivas, to approve the minutes as presented. Roll call. Voting “aye” were Salem, Roberts, Vivas, Smith, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,982,299.68 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Roberts, seconded by Smith, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$251,445.41 from General Fund, \$76,932.24 from Street Fund, \$1,602,019.51 from LEXUS, \$36,599.56 from Sanitation, \$734.66 from Ambulance, \$10,117.74 from Health Fund, and \$4,450.56 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

**ACCOUNTS PAYABLE
March 28, 2023**

Amazon Capital Services Inc	LB / Books	263.40
American Payroll Institute Inc	CT / Membership Renewal / Allen, M	298.00
Asphalt Research Technology Inc/The EZ Street ST / Cold Patch Asphalt		2,380.00
B & H Services / Service Master	Cleaning Service	6,222.00
Baird Holm LLP	ND / Pension Clarification	54.00
Baker & Taylor	LB / Books	2,162.74
Baruth, Pamela	CM / Clerk School / Travel Expenses	50.27
Beverly Bogle Louthan PC	Professional Fees	1,200.00
Blackstone Audio Inc	LB / Books	102.71
Bound Tree Medical LLC	AMB / Medical Supplies	208.22
Business Card / Bank of America		
Amazon.com	CM / ND / PK / ST / Supplies / Equipment	481.15
American Chamber of Commerce	CM/HR Literature/Web Access/Baruth, P	270.00
Casey's General Store- Lexington , NE	CC / ND / Meeting Meals	41.55
Cornhusker Square- Lincoln, NE	CM/Parking/League Conference / Baruth, P	11.25
Embassy Suites- Loveland, CO	DS / Lodging / Training / Harris, J	954.40
KFC / Taco Bell- Lincoln, NE	CM/Travel Meals/Conference / Baruth, P	10.20

Kwikgoal	REC / Quick Lock Net Clips	131.10
Marriott Cornhusker Hotel- Lincoln, NE	Meals/Parking/Conference/Roberts/Vivas	128.64
Microsoft	LB / Software	9.75
Phillips 66- Windsor, CO	EL / Fuel / Fusion / Training / Harris, J	39.76
Pump & Pantry- York, NE	EL/Fuel/Fusion/Conference / Baruth, P	28.32
United States Postal Service	WR / Postage	155.40
WAM Inc / Central Nebraska Bobcat	ST / Equipment Attachments	2,440.00
Water Environment Federation	WWTP / Membership Renewal / Glaze, D	150.00
C A Enterprises Inc	EL / Service Deposit Checks	224.85
Cash-Wa Distributing	AC / MOW / Food & Supplies	2,821.99
Cengage Learning	LB / Books	329.31
Contryman Associates PC	2022 Audit Services	52,500.00
Core & Main LP	WR / Meters / Touchpads / Cables	9,857.41
Danko Emergency Equipment	FD / Helmets	1,300.93
Davis Energy	FD / ST / Fuel	278.39
Demco Inc	LB / Supplies	143.89
Eakes Inc	EL / LB / DocMgmt Support / Supplies	563.50
Fagot Refrigeration & Electric Inc	Compressor Inspection/Tube Heat Install	5,041.94
Fitzgerald, Matt	FD/Conference / Travel Expenses	87.28
HD Supply Inc / USA Blue Book	PK / WWTP / Supplies	606.01
Health Claims	Claims	7,662.27
Hiland Dairy Foods	MOW / Dairy Products	187.64
Holbein, Dahlas	AMB/FD/Truck Maint/Fueling/Cleaning	1,500.00
	FD/Conference / Travel Expenses	87.28
Homeier Ventures LLC / Bob's True Value	PK / Hardware / Supplies	35.93
IGS ORIX Solar I	Solar Power Purchase	28,834.91
Ingram Library Services	LB / Books	103.85
Lexington City Payroll Account		
Payroll	Wages	162,607.59
Social Security	Employer Portion / FICA Med	12,117.44
Union Bank & Trust	Employer Portion / Pension	5,692.92
Union Bank & Trust	Police Pension	3,499.87
ICMA	City Manager Pension	1,078.84
Lexington Health Fund	Self-Funding	56,290.80
Lexington Recreation Program	2023 Summer Start-Up Funds	3,750.00
LEXUS	Utilities	46,253.39
Mead Lumber	Parts / Lumber / Supplies	551.95
Meritain Health	Health Premium	32,677.92
Mid-American Supply Company	LB / Supplies	285.86
Millennium Development LLC	Electric Rebate (22)	9,350.00
Municipal Supply Inc	WR / Hardware / Supplies / Parts	3,847.67
Nebraska Diplomats Inc	CM / Membership Dues / Pepplitsch, J	350.00
Nebraska Public Power District	O & M	116,137.24
	Power Purchase	1,175,445.39
Nebraskaland Tire	WR / Oil & Lube	100.14
Novoa, Julia	Electric Rebate	2,100.00
Odeys Inc	REC / Field Paint	650.61
Olsson Inc	Hoppe Subdivision/Vintage Row/Hike-Bike Trail	19,110.00
O'Reilly Auto Enterprises LLC	ST / Parts	99.21
Ortiz, Gerardo	Electric Rebate	1,050.00
Overton Sand & Gravel Company	EL / Limestone	2,214.00
Paulsen Inc	SW / WR / White Rock / Limestone	900.15
Platte Valley Auto Mart	PD / Repairs	1,343.44
Polydine Inc	WWTP / Dewatering Polymer	15,364.00
Principal	Dental Premium	4,043.84
Rasmussen Mechanical Services	WWTP / Boiler Repairs	683.54
Rodriguez, Erica	Electric Rebate	1,200.00
S & W Auto Parts	PD / PK / ND / Parts / Hardware	708.31

Sirchie Acquisition Company LLC	PD / Evidence Supplies	42.93
Standard Insurance Company	Life Insurance Premiums	998.19
State of NE Public Health Environmental Lab	WR / Testing	435.00
Statewide Collections LLC	EL / Collection Fees	441.52
Teply, Justin	Electric Rebate	171.60
Thomsen, Kathleen	Electric Rebate	100.00
Velazquez, Maria	Electric Rebate	100.00
Verizon Wireless	Cellular Service	417.01
Vogel West Inc	ST / Traffic Paint	1,190.50
Vollmer, James L / Jamie's Garage	CEM / Repairs	95.00
VSP / Vision Service Plan	Vision Premium	1,099.75
W W Grainger Inc	WWTP / Supplies	85.12
City of Lexington	Utility Franchise Fees	91,070.76
Dan's Sanitation	Sanitation Fees	35,790.62
Davis Energy	ST / Fuel / Fuel Purchase	4,980.61
Fagot Refrigeration & Electric Inc	LB / Install Geothermal heat Pump	20,526.00
GB Auto Service Inc / TO Haas	PD / Tire Repair	24.87
Health Claims	Claims	2,279.85
Hiland Dairy Foods	MOW / Dairy Products	327.31
Homeier Ventures LLC / Bob's True Value	PK / ST / Supplies / Chainsaw Parts	58.98
Jalux Americas Inc/Aqua Patch Road Materials	ST / Cold Patch Asphalt	1,080.00
Keep Lexington Beautiful	KLB Hosting / Summer Clean-ups	400.00
Mead Lumber	PK / Hardware / Supplies	58.65
Midwest Radar & Equipment	PD / Books	280.00
Miller & Associates Consulting Engineers PC	Pro Services/Grant Writing/RAISE Grant	2,500.00
Morris Printing Group Inc	GGC / Newsletter	121.50
Paulsen Inc	SW / WR / Limestone	1,164.27
Pioneer Door Inc	PD / Replace Wall Control	203.00
Positive Concepts Inc	PD / Specialty Thermal Paper	420.00
S & W Auto Parts	ST / Tools	54.99
Spectrum	Cable Service	37.13
Stout, Robby B	SW / WR / Repairs	5,145.00
TASC	Administration Fees	175.62
Village Cleaners Inc	GGC / Janitorial Supplies	61.00
Vitito, Dale / Jack's Uniforms & Equipment	PD / Baton Holders / Cuff Case	100.84
W W Grainger Inc	WWTP / Supplies	186.74
Walmart	Supplies	610.96
	TOTAL CLAIMS:	1,982,299.68

FINANCIAL REPORT: Moved by Vivas, seconded by Salem, to accept the financial report for February 2023 as presented. Roll call. Voting “aye” were Smith, Roberts, Salem, Vivas, Fagot. Motion carried.

PUBLIC HEARING: Fagot opened a public hearing to consider an application for Liquor License D-125574 by Hoeft Convenience Store LLC dba Tom’s Midwest Liquor. Fagot noted that he is not aware of any issues with the applicants or application. There were no public comments and the public hearing was closed. Following discussion, moved by Salem, seconded by Roberts, to recommend approval of liquor license application by Hoeft Convenience Store LLC as presented. Roll call. Voting “aye” were Vivas, Smith, Roberts, Salem, Fagot. Motion carried.

APPOINTMENT: Moved by Salem, seconded by Smith, to appoint Reyna Mendoza to the Lexington Library Board to fulfill the term vacated by Amanda Barkmeier. Roll call. Voting “aye” were Vivas, Roberts, Smith, Salem, Fagot. Motion carried.

ORDINANCE: Ordinance No. 2452 entitled “AN ORDINANCE APPOINTING A CITY MANAGER; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN

PAMPHLET FORM” was presented. Moved by Vivas, seconded by Roberts, to suspend the rules regarding the reading of an ordinance on three different occasions. Roll call. Voting “aye” were Smith, Salem, Roberts, Vivas, Fagot. Motion carried.

Ordinance No. 2452 was presented on final reading. Move by Vivas, seconded by Salem, to approve Ordinance No. 2452 as presented. Roll call. Voting “aye” were Smith, Roberts, Salem, Vivas, Fagot. Motion carried

ROUNDTABLE: There were no items for 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.

/s/ Pamela Baruth
City Clerk