

**CITY COUNCIL
CITY OF LEXINGTON, NEBRASKA
October 24, 2023**

A Regular Meeting of the Lexington City Council was held Tuesday, October 24, 2023, at Lexington, Nebraska at 5:30 p.m. Members of the Council present were John Fagot, John Salem, Dora Vivas, and Jeremy Roberts. Steve Smith was absent. City Officials present were City Manager Joe Pepplitsch, Assistant City Manager Dennis Burnside, City Attorney Brian Copley, Finance Director Derek Haines 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 10-10-2023: Minutes of the Regular meeting held Tuesday, October 10, 2023, were presented. Moved by Salem, seconded by Vivas, to approve the minutes as presented. Roll call. Voting “aye” were Roberts, Vivas, Salem, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$2,398,372.39 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 \$229,740.44 from General Fund, \$466,200.60 from Street Fund, \$1,630,555.24 from LEXUS, \$40,717.36 from Sanitation, \$2,116.48 from Ambulance, \$23,605.58 from Health Fund, and \$5,436.69 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Salem, Roberts, Fagot. Motion carried.

**ACCOUNTS PAYABLE
October 24, 2023**

Adams, Amy	Electric Rebate	65.60
Amazon Capital Services Inc	LB / Books / Supplies / Equipment	288.31
American Family Life Assurance Company	Premiums	1,560.28
Axxent Buildings LLC	ST / Repairs / Garage Door Switch	63.45
B & H Services / Service Master	Cleaning Service	6,110.00
Baird Holm LLP	Pension Services	435.00
Baker & Taylor	LB / Books	885.83
Beverly Bogle Louthan PC	Professional Fees	1,200.00
Bowen, Nicholas / Change Clothing	REC / Halloween Hustle Shirts	2,901.54
BSN Sports Inc	REC / Soccer Balls	69.00
Business Card / Bank of America		
Amazon.com	CM / ND / PK / Supplies / Tools / Parts	756.64
Canva	LB / Software	14.99
Central Community College	CM / Work Summit Registration / Foster, S	49.00

Dynamism Inc	CM / Glowforge Cartridge	294.00
Express Carriage Park / Lincoln NE	CT / Parking Pass / Haines, D	22.50
Facebook / Meta	REC / Ads / Halloween Hustle	134.35
Goodwill	REC / Supplies / Halloween Hustle	92.89
Single Barrel - Graduate Hotel / Lincoln NE	CC/CT/Travel Meals/Salem, J/Haines, D	71.08
Hilton Garden Inn / Wichita KS	LB / Lodging / Norton, J	1,061.21
Lazlo's Brewery & Grill / Lincoln NE	CC/CT/Travel Meals/Salem, J/Haines, D	42.36
Microsoft	LB / Software	9.75
Miller Time / Lincoln NE	CT / Travel Meal / Haines, D	23.08
Sprinkler Warehouse	PK / Parts	188.11
United States Postal Service	WR / Postage	186.50
Whirlpool Appliances	ND / Refrigerator	1,229.43
Cash-Wa Distributing	MOW / Food & Supplies	3,926.43
Cengage Learning	LB / Books	52.70
Center Point Inc	LB / Books	189.96
Chiguil Menchu, Andres S / Chiguil Construction	AC / Roofing	17,607.70
Danko Emergency Equipment	FD / Fire Gloves	1,720.66
Davis Energy	FD / ST / Fuel / Fuel Purchase	5,470.34
Dell Marketing LP	EL / Computer Monitor	237.99
Depository Trust	2020 Highway Allocation Bond	307,608.75
Eakes Inc	EL/LB/ST/DocMgmt Sprt/Spls/Copier Exp	870.43
Eilers Machine & Welding Inc	AC / Panel Modification	299.60
Fagot Refrigeration & Electric Inc	Service Call/Repairs	2,305.19
Fastenal	ST / Supplies	39.00
Fyr-Tek Inc	FD / Annual Pump Test	1,447.50
Gomez Vazquez, Eduardo / Supreme Lawn Care	DS / Abatements / Mowing / Trimming	850.00
Gonzalez, Jonathan	Electric Rebate	213.80
HD Supply Inc	WR / Parts	295.59
Health Claims	Claims	11,381.48
Heiman Fire Equipment	FD / Gear Repair	325.00
Hiland Dairy Foods	MOW / Dairy Products	330.44
Homeier Ventures LLC / Bob's True Value	AC / Hardware	20.85
Holbein, Dahlas	AMB/FD/Truck Maint/Fueling/Cleaning	1,500.00
Home Federal Bank	SW 1st Addition 2017 Loan Payment	66,528.30
Hydro Optimization & Automation Solutions Inc	WR / WWTP / Parts / Service Call / Repairs	1,768.68
IGS ORIX Solar I	Solar Power Purchase	38,996.92
Ingram Library Services	LB / Books	144.37
Invest Plus Inc / Plum Creek Market Place	EL / LB / MOW / PD / Food / Supplies	527.86
Iowa Farm Equipment	ST / ACMA Ditch Bank Flail Mower	9,200.00
J & A Traffic Products	ST / Barricades	1,762.80
JEO Consulting Group Inc	ND/Pro Services / Comprehensive Plan	1,660.75
John Deere Financial / Bomgaars	AC/CEM/PK/ST/WR/Spls/Parts/Hardware	1,794.42
Kearney Winnelson Company	PD / Toilet Parts	95.89
Kelly Supply Company	WR / Tools	308.98
League of Nebraska Municipalities	CC/CT/Conference / Salem, J / Haines, D	790.00
Lexington City Payroll Account		
Payroll	Wages	159,667.59
Social Security	Employer Portion / FICA Med	11,937.13
Union Bank & Trust	Employer Portion / Pension	0.00
Union Bank & Trust	Police Pension	3,054.42
ICMA	City Manager Pension	1,085.25
Lexington Health Fund	Self-Funding	52,690.80
Lexington Volunteer Fire Department	AMB / Quarterly Billing Revenue	507.62
LEXUS	Utilities	40,366.76
Lien Inc	AC / PK / Sprinkler Parts / Repairs	5,288.76
Lincoln Winwater Works Co	SW / Manhole Covers	283.28
Marcus Lincoln Hotel LLC / Cornhusker Marriott	CC / CT / Lodging / Haines, D / Salem, J	440.00

Martinez, Roberto	Electric Rebate	45.80
Matt Friend Truck Equipment Inc	ST / Snowplow Edges	2,907.21
Mead Lumber	AC/ND/PK/Hardware/Tools/Roofing Spls	15,365.81
Mid-American Supply Company	LB / Supplies	228.35
Midwest Door & Hardware	GGC / Door Repair / Replacement	4,625.00
Nebraska Crane Inc	WWTP / Crane / Operator Rental	416.25
Nebraska Economic Developers Association	CM / 2024 Membership Dues / Burnside, D	150.00
Nebraska Public Power District	O & M	198,846.77
	Power Purchase	1,165,499.36
Nebraska Safety & Fire Equipment Inc	FH / Fire Alarm System Inspection	145.00
Nebraskaland Tire	WR / WWTP / Tire / Tire Repair	245.84
Newsbank Inc	LB / Periodical Subscription	364.00
Odeys	PK / Paint	3,150.00
Oliver Consulting Services	LB / Tech Support / Data Backup	97.50
Paulsen Inc	ST / Gravel / Fiber Mesh	6,419.63
Principal	Dental Premium	3,870.22
Quick Med Claims	AMB / Billing Fees	256.08
Ryde Transit	GGC / Monthly Riders / July-September	183.00
Sirchie Acquisition Company LLC	PD / Supplies	329.00
Standard Insurance Company	Life Insurance Premiums	979.57
Statewide Collections LLC	EL / Collections Expense	418.69
Stryker Sales Corporation	AMB / Medical Supplies	937.04
TASC	Administration Fees	175.62
Uline Inc	ST / Paint Barrels	19,291.13
Utility Service Company Inc	WR / Quarterly Water Tower Service	11,060.17
Verizon Wireless	Cellular Service	373.86
VSP / Vision Service Plan	Vision Premium	1,004.08
Waterman, Robert	Electric Rebate	50.00
Western Pathology Consultants Inc	Drug Testing	250.00
B & H Services / Service Master	Cleaning Service	206.80
Bauer Built Inc	ST / Tire Repair	55.00
Bennett, Curtis W / Sign Pro	PK / ST / Signs / Lettering	799.00
Cash-Wa Distributing	MOW / Food	373.58
Cengage Learning	LB / Books	244.86
City of Lexington	Utility Franchise Fees	94,290.51
Danko Emergency Equipment	FD / Parts / Helmet	81.61
Dan's Sanitation	Sanitation Fees	40,717.36
HD Supply Inc	WR / Parts	110.95
Health Claims	Claims	10,238.20
Jalux Americas Inc / Aqua Patch Road Materials	ST / Cold Patch Asphalt	1,980.00
Marcus Lincoln Hotel LLC / Cornhusker Marriott	CT / Lodging / Hodges, B	238.00
Mead Lumber	ND / Cabinet Trim	170.00
Mobotrex	EL / Traffic Lights	3,172.00
O'Reilly Auto Parts	ST / Battery / Parts	269.84
Paulsen Inc	ST / Sand & Gravel / Fiber Mesh	742.50
Platte Valley Auto Mart	PD / Oil & Lube	71.34
Rentokil NA / Presto-X	LB / Pest Control	113.50
State of NE/DHHS/Public Health Environmental Lab	WR / Testing	1,006.00
Statewide Collections LLC	EL / Collection Fees	32.22
Stout, Robby B	ST / Sidewalk Repairs	13,809.00
Van Diest Supply Company	ST / Mosquito Fogger / Briquettes	16,920.00
Village Cleaners Inc	GGC / Janitorial Supplies	64.06
Walmart	Supplies	1,632.19
	TOTAL CLAIMS:	2,398,372.39

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

PUBLIC HEARING: Mayor Fagot opened a public hearing to consider an application for a Planned Unit Development Overlay District for property located at 1231 Liberty Drive for senior housing project. Pepplitsch reviewed the plans for the senior housing project to include row housing, community center, recreation amenities, and infrastructure. He noted the PUD Overlay would allow for amended setback requirements to accommodate the layout and type of housing units. There were no public comments, and the public hearing was closed. Ordinance No. 2458 entitled “**AN ORDINANCE TO APPROVE A PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT FOR LOTS 1-7, WYCOFF 2ND ADDITION; TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN ELECTRONIC 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, Roberts, Salem, Fagot. Motion carried.

Ordinance No. 2458 was presented on final reading. Moved by Salem, seconded by Roberts, to approve Ordinance No. 2458 on final reading. Roll call. Voting “aye” were Vivas, Roberts, Salem, Fagot. Motion carried.

ROUNDTABLE DISCUSSION: Pepplitsch gave updates on several 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