

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

A Regular Meeting of the Lexington City Council was held Tuesday, August 14, 2018, at the Lexington City Hall, 406 E. 7th 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. Press present were Clipper-Herald, KRVN, and Tri-City Tribune.

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 7-24-18: Minutes of the Regular meeting held Tuesday, July 24, 2018, were presented. Moved by Vivas, seconded by Smith, to approve the minutes as presented. Roll call. Voting “aye” were Salem, Roberts, Smith, Vivas, Fagot. Motion carried.

MINUTES – WORK SESSION 8-4-18: Minutes of the Work Session held Saturday, August 4, 2018, were presented. Moved by Roberts, seconded by Vivas, to approve the minutes as presented. Roll call. Voting “aye” were Smith, Salem, Vivas, Roberts, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$964,803.74 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Smith, to approve the Claims and Bills as listed and to authorize the City Treasurer to transfer \$405,988.27 from General Fund, \$82,176.95 from Street Fund, \$15,750.00 from TIF, \$381,255.97 from LEXUS, \$10,000.00 from Sanitation, \$602.30 from Landfill, \$12,441.99 from Ambulance, \$48,266.21 from Health Fund, and \$8,322.05 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Roberts, Smith, Salem, Fagot. Motion carried.

**ACCOUNTS PAYABLE
August 14, 2018**

Abdo Spotlight Magic Wagon	LB / Books	1,553.95
Acromat	PK / Janitorial Supplies	370.60
Aflac	Premiums	1,234.61
Allfasteners	ST / Gloves / Safety Glasses	84.30
Anytime Fitness	Memberships	195.65
Arnold Pool Co	AC / Vacuum Attachments	510.67
Associated Supply co	AC / Valve	201.22
Baker & Taylor	LB / Books	2,187.28
Black Hills Energy	Gas Service	2,127.28
Bob's True Value	PK/ST/WR/Paint/Trimmer Line/Chalk	400.70
Cash-Wa Distributing	AC / MOW / PK / Food & Supplies	2,787.60
Chesterman Coca-Cola	MOW / Beverages	130.00
Community Development Agency	CDA/TIF Legend Oaks Series 2013B	15,750.00
Consolidated Management Co	PD / Academy Meals	409.75
Core & Main	WR / Meters	2,779.27

Country Partners	ST / Insecticide / Herbicide	201.50
Culligan Soft Water	Supplies	354.13
Dan's Sanitation	Sanitation Fees	13,961.00
Davis Energy	Ambulance / PK / ST / Fuel / Oil	6,285.19
Dawson County Register of Deeds	Filing Fees	46.00
Dawson Pest Control	FD / GGC / OC / Pest Control	159.10
Dawson Public Power District	Power Purchase	11,406.07
Downey Drilling	EL/WWTP/Dewatering Project/Credit	64,339.09
Electrical Engineering & Equipment	AC / OC / WR / WWTP / Bulbs / Fixtures	222.23
EMS Billing Services	Ambulance Billing	3,883.44
Fagot Refrigeration & Electric	AC/OC/SW/Wiring/Repairs/Coil Cleaner	5,287.23
Fastenal	ST/PK/WR/Batteries/Safety Glasses/Hdwr	329.95
G & V Inc	ST / Ditch Excavation	2,240.00
Gale/Cengage	LB / Books	296.74
Grainger	WWTP / Push Button Control Station	296.51
Greater Nebraska Cities	Monthly Lobbying Services	667.00
Great Western Bank-Lib Petty Cash	LB / Supplies / Postage / Meals	204.75
Guled, Mohamed F	EL / Deposit Refund	66.82
Health Claims Fund	Claims	46,969.50
Heldt McKeone & Copley	Professional Fee	2,700.00
Hiland Dairy Foods	MOW / Dairy Products	635.88
Holbein Lawn Service	DV SRV / FD / Lawn Care	570.00
Ingram Library Services	LB / Books	95.48
Integrated Controls	OC / Heat Pump Repair	443.02
Intellicom	Computer Services / Phone Diagnostics	2,626.00
Jack's Uniforms & Equipment	PD / Uniform Accessories	95.79
JEO Consulting	PK / Professional Fees	5,703.75
John Deere Financial	Cemetery / PK / WR / WWTP / Supplies	599.40
Jones Plumbing & Heating	City Hall / PK / ST / SW / WWTP / Repairs	1,023.90
J-Spot Services	EL / Hydro Vac Pole Hole	1,208.75
Kohl Welding	ST / Equipment Repair	217.10
Komline-Sanderson	WWTP / Pump Gland	1,790.29
Lexington Animal Clinic	Animal Care	999.18
Lexington Area Solid Waste	Waste Removal	1,342.72
Lexington, City Street Department	Fuel	11,247.95
Lexington, City of	Franchise / Interdepartment Service Fees	68,379.14
Lexington, City Payroll Account		
Payroll	Wages	176,187.53
Social Security	Employer Portion / FICA Med	13,182.02
Union Bank & Trust	Employer Portion / Pension	4,826.86
Union Bank & Trust	Police Pension	2,701.97
ICMA	City Manager Pension	892.96
Lexington Health Fund	Self-funding	48,046.93
Lexington Newspapers	Publications	203.27
Lexington Postmaster	GGC / Postage	165.00
Lexington Regional Health Center	Health Screen	35.00
Lien Inc	PK / Sprinkler Repairs	2,261.89
Lift Solutions	ST / Equipment Repair	715.60
Mac's Short Stop	AC / PK / Concessions	417.45
Madeline's Café & Bakery	Council / Coffee Cake	18.95
Matheson Tri-Gas	Ambulance / Medical Supplies	90.91
Mead Lumber & Rental	PK / WWTP / Concrete / Key / Plywood	73.80
Mellen & Associates	WWTP / Valve	439.92
Meritain Health	Health Premium	30,334.05
MicroMarketing	LB / Books	84.98
Mid-American Research Chemical	PK / Herbicide	313.87
Midwest Laboratories	WWTP / Lab Testing	930.00

Milco Environmental Services	Landfill / Professional Services	602.30
Miller & Associates	Admin / PK / Professional Fees	20,926.52
Morris Press	GGC / Newsletter	309.33
Municipal Automation & Control	WWTP / Pump Repair	5,449.00
Municipal Supply	WR/O-Rings/Extensions/Clamps/Gaskets	2,554.78
Nebraska Association of Senior Centers	GGC / Conference Fee	90.00
Nebraska Dept Health & Human Services	WR / Operator License	115.00
Nebraska Dept of Revenue	Sales and Use Tax	64,004.32
Nebraska Technology & Telecom	Phone Service	1,332.15
Nebraskaland Tire	WR / WWTP / Tire Repair / Maintenance	113.59
NSA & POAN	PD / Conference Fee	300.00
O'Hanlon Seed	Cemetery / ST / Grass Seed	1,162.00
O'Hara Lindsay and Associates	Monthly Lobbying Services	333.00
One Call Concepts	Locate Fees	107.70
O'Reilly Auto Parts	ST / Battery Terminal / Cleaner	13.98
Overton Sand & Gravel	ST / Sand	395.28
Paulsen Inc	Cemetery/PK/WR/SW/Concrete/Sand	5,518.55
Perdomo, Edwin	PD / Training Mileage	294.30
Platte Valley Auto Mart	PD / Repairs / Maintenance	923.32
Platte Valley Communications	FD/PD/PK/Monthly Fee/Radios/Battery	3,588.21
Platte Valley Glass & Trailers	WR / Mirror Repair	48.15
Plum Creek Medical Group	PD / Physical	143.00
Plum Creek Promotions	PK / ST / Uniforms	251.25
Principal	Dental Premium	3,585.69
S & D Contractors	DV SRV / Yard Care	500.00
S & W Auto Parts	Cemetery/PK/ST/Oil/Filter/Spark Plug	80.56
Service Master of Mid Nebraska	EL / GGC / OC / Janitorial Services	4,334.12
Sirchie	PD / Evidence Supplies	150.00
Standard Insurance Company	Life Insurance Premiums	1,051.53
The Weekly Bulletin	EL / Subscription	160.00
Titan Machinery	PK / ST / Repair / Maintenance	518.02
TO Haas Tire Co	Cemetery / ST / Tires / Tire Repair	248.44
Total Lawn Care	AC / Mowing / Trimming	1,325.00
Travelers	Ambulance / FD / WC Premium	6,074.00
Tri-City Tribune	LB / Subscription	31.50
Tyler Technologies	Annual Maintenance Fees	40,293.64
USA Communications	City Internet Services	345.60
U-Save Business Equipment	EL / LB / PK / Office Supplies	927.64
US Foods	MOW / Food & Supplies	1,576.37
Village Uniform	GGC / Janitorial Supplies	131.14
VSP / Vision Service Plan	Vision Premium	967.65
Walmart	AC / LB / ST / WWTP / Supplies	397.30
WPCI	Drug Screening	27.10
Adamson, Tom	LB / Book	8.00
Baker & Taylor	LB / Books	147.13
Bauer Underground	EL / Charge Station	4,704.00
Brecks, Bill	DV SRV / Conference Mileage / Meals	498.75
Cash-Wa Distributing	MOW / Food / Supplies	1,440.87
Central Plains Library System	LB / Audio Book Repairs	17.41
Davis Energy	PK / WWTP / Fuel / Additive	182.08
Fagot Refrigeration & Electric	GGC / Freezer Repair	379.00
Fastenal	WR / Hardware	10.12
Grainger	WWTP/Pipe/Connections/Sockets/Drink Mix	701.39
Hiland Dairy	MOW / Dairy Products	219.60
Ingram	LB / Books	66.67
Jakes	LB / Sprinkler Repair	92.65
John Deere Financial	Cemetery / PK / Repairs / Filters	2,658.79

Johnny on the Spot	Cemetery / PK / Rentals	325.00
Komline-Sanderson	WWTP / Pump Repair	774.31
Krueger Contracting Inc	WWTP / Conveyor Installation	8,752.12
Lexington City Payroll Account		
Payroll	Wages	159,450.53
Social Security	Employer Portion / FICA Med	11,901.85
Union Bank & Trust	Employer Portion / Pension	4,685.50
Union Bank & Trust	Police Pension	2,687.66
ICMA	City Manager Pension	881.89
Lexington Newspapers Inc	Publications	391.80
Lexington Regional Health Center	Ambulance / Medical Supplies	275.00
Matheson Tri-Gas	Ambulance / Medical Supplies	90.91
Mead Lumber & Rental	WWTP / Fence Post Concrete	9.58
MicroMarketing	LB / Books	334.92
Municipal Supply	WR / Tubing / Connectors / Box Riser	1,592.74
OCLC Inc	LB / Subscription	141.55
Precision Detail	FD / Cleaning	240.00
Progressive Business Publications	Subscription	299.00
Quality Flow Systems	WWTP / Mixer Repair	2,952.36
Richardson Mowing	LB / Lawn Service	270.00
S & W Auto Parts	SW / Tools	41.99
Sandry Fire Supply	FD / Equipment Inspection / Repair	1,330.55
Service Master	GGC / Rental Janitorial Services	85.25
SiteOne	PK / Sprinkler Parts	596.74
TL Sund Constructors Inc	PK / Construct Sidewalk	13,668.00
TO Haas	Cemetery / PK / Tire / Repairs	147.17
US Foods	MOW / Food	494.01
W Bar Fire Extinguishers	FD / Repairs / Maintenance	326.55
Walmart	PD / Office Supplies	88.83
	TOTAL CLAIMS:	964,803.74

ORDINANCE: Ordinance No. 2374 entitled “AN ORDINANCE TO REZONE THE NORTH 27 FEET OF LOT 9, AND ALL OF LOTS 10, 11, AND 12, BLOCK 4, LEXINGTON HEIGHTS ADDITION TO THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA FROM R-1 SINGLE-FAMILY RESIDENTIAL TO R-3 HIGH DENSITY RESIDENTIAL; TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HERewith; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was presented on second reading. Following an update, moved by Roberts, seconded by Salem, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

Ordinance No. 2374 was presented on final reading. Moved by Roberts, seconded by Smith, to approve Ordinance No. 2374 on final reading. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

PUBLIC HEARING: Mayor Fagot opened a public hearing for Council to sit as a Board of Equalization to consider assessments for delinquent property maintenance abatement fees. Hodges noted payment in full had been received from one property owner and additional charges have been included for another property. The public hearing was closed. Ordinance No. 2409 entitled “AN ORDINANCE TO ASSESS THE COST OF PROPERTY MAINTENANCE AGAINST CERTAIN PROPERTIES; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was presented. Moved by Salem seconded by Smith, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting “aye” were Vivas, Roberts, Smith, Salem, Fagot. Motion carried.

Ordinance No. 2409 was presented for final reading. Moved by Salem, seconded by Roberts, to approve Ordinance No. 2409 with corrections on final reading. Voting “aye” were Vivas, Smith, Roberts, Salem, Fagot. Motion carried.

LEVY REQUEST: Resolution No. 2018-09 was presented. Following discussion, moved by Smith seconded by Salem, to approve Resolution No. 2018-09. Roll call. Voting “aye” were Vivas, Roberts, Salem, Smith, Fagot. Motion carried.

RESOLUTION NO. 2018-09

WHEREAS, the Lexington Airport Authority has requested an allocation of a part of the City of Lexington property tax levy for budget purposes.

BE IT RESOLVED, by the Mayor and Council of the City of Lexington, Nebraska, that \$150,000.00 of the City of Lexington Property Tax Levy Authority is hereby allocated to the Lexington Airport Authority for the fiscal year 2018-2019.

Passed and approved this 14th day of August 2018.

BOND REFUNDING: Ordinance No. 2410 entitled “ AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF COMBINED UTILITIES REVENUE REFUNDING BONDS, 2018 SERIES, OF THE CITY OF LEXINGTON, NEBRASKA, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED ONE MILLION NINE HUNDRED FIFTY THOUSAND DOLLARS (\$1,950,000) FOR THE PURPOSE OF PROVIDING, ALONG WITH OTHER AVAILABLE FUNDS, FOR THE PAYMENT AND REDEMPTION OF THE CITY’S OUTSTANDING COMBINED UTILITIES REVENUE REFUNDING BONDS, 2013B SERIES; DIRECTING THE APPLICATION OF THE PROCEEDS OF SAID BONDS; PRESCRIBING THE FORM, TERMS AND DETAILS OF SAID BONDS; PLEDGING AND HYPOTHECATING THE REVENUE AND EARNINGS OF THE SEWER, WATER AND ELECTRIC SYSTEMS OWNED BY THE CITY FOR THE PAYMENT OF SAID BONDS AND INTEREST THEREON; ESTABLISHING THE TERMS UPON WHICH ADDITIONAL BONDS OF EQUAL LIEN UPON REVENUES MAY BE ISSUED; ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE OWNERS OF SAID BONDS; SELLING THE BONDS AND AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM” was presented. Marc Munford, Ameritas, reviewed the parameters of the bond issuance, payment schedule, and anticipated savings. Following discussion, 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. 2410 was presented on final reading. Moved by Salem, seconded by Smith, to approve Ordinance No. 2410 as presented on final reading. Roll call. Voting “aye” were Vivas, Roberts, Smith, Salem, Fagot. Motion carried.

WEST COMMERCE ROAD: Pepplitsch presented plans and specifications for the proposed Commerce Road and Frontage Road Paving project and requested authorization to solicit bids. Following discussion, moved by Smith, seconded by Vivas, to approve plans and specifications for the West Commerce Road project and to authorize the City Manager to solicit bids. Roll call. Voting “aye” were Salem, Roberts, Vivas, Smith, Fagot. Motion carried.

BUDGET: Council and Staff discussed a draft of the proposed FY 2019 budget. Pepplitsch noted a final property valuation will be issued by August 20 and the final budget hearing will be scheduled for the September 11 council meeting.

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