

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

A Regular Meeting of the Lexington City Council was held Tuesday, July 10, 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 Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Brian Copley, Finance Director Barb Hodges, and City Clerk Pamela Baruth. Press present was Clipper-Herald.

NOTICE: Notice of the meeting was given in advance, thereof by thereof by posting in the following locations: Lexington City Hall, Dawson County Courthouse, Homestead Bank, Great Western Bank, Lexington Public Library. 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 6-26-18: Minutes of the Regular meeting held Tuesday, June 26, 2018, were presented. Moved by Salem, seconded by Vivas, to approve the minutes as presented. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$810,047.91 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Smith, seconded by Roberts, to approve the Claims and Bills as listed and to authorize the City Treasurer to transfer \$304,263.21 from General Fund, \$66,847.43 from Street Fund, \$24,127.45 from TIF, \$306,335.45 from LEXUS, \$10,000.00 from Sanitation, \$2,631.45 from Landfill, \$5,017.37 from Ambulance, \$86,689.07 from Health Fund, and \$4,136.48 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Salem, Roberts, Smith, Fagot. Motion carried.

**ACCOUNTS PAYABLE
July 10, 2018**

Arnold Pool Co	AC / Pool Test Kit / Telescoping Pole	716.70
Associated Supply Co	AC / Pool Supplies	4,488.16
B & D Diamond Pro	PK / Ball Infield Ground Supplies	4,128.00
Baker & Taylor	LB / Books	1,484.16
Bennett Advertising	Business Cards	59.24
Black Hills Energy	Gas Service	2,696.92
Bob's True Value	DV SRV/OC/ST/Cold Patch/Key/Tools/Cord	1,097.41
Burnside, Dennis	Conference Mileage	180.94
Cash-Wa Distributing	AC / MOW / PK / Food & Supplies	5,001.42
Chesterman Coca-Cola	AC / PK / Beverages	518.40
Community Development Agency	Orthman TIF Bond 2014	24,127.45
Consolidated Management Co	PD / Academy Meals	157.18
Country Partners Coop	PK / Herbicide / Fertilizer	202.00
Culligan	Soft Water Supplies	359.53
Dan's Sanitation	Sanitation Fees	11,894.00
Davis Energy	Ambulance / PK / ST / Fuel	6,134.06
Dawson County Communication	Quarterly Dispatch Fees	27,500.00
Dawson County Register of Deeds	Filing Fees / Abatement Ordinance	56.00
Dawson Pest Control	FD / GGC / OC / Pest Control	159.10
Dawson Public Power District	Power Purchase	397.40

Downey Drilling	DV SRV / Decommission Well / Tax Credit	1,750.41
Dugan Printing	EL / Printing Utility Bill Forms	963.48
Eakes Office Solutions	LB / Office Supplies	43.26
Electrical Engineering & Equipment	AC / Pool Supplies	37.83
Fagot Refrigeration & Electric	AC / Circuit Repair	75.00
Gale/Cengage Learning	LB / Books	226.91
Galls	PD / Uniforms	191.97
Great Western Bank	LB / Petty Cash	199.81
Greater Nebraska Cities	Monthly Lobbying Services	667.00
Hawkins Inc	AC / Pool Chemicals	1,554.10
Health Claims Fund	Claims	86,689.07
Heldt McKeone & Copley	Professional Fee	2,700.00
Hiland Dairy Foods	MOW / Dairy Products	377.49
Hi-Line Motors	PK / Mower Repair	801.71
Hylite LED	ST / FD / LED Light Bulbs	6,572.36
Ingram Library Services	LB / Books	70.83
JEO Consulting	Professional Services / Kirkpatrick Park	6,150.00
Jones Plumbing & Heating	AC/PK/WWTP/Plumbing Fittings/Repairs	395.29
League of Nebraska Municipalities	Conference / Meals	445.00
Lexington, City Street Department	Fuel	9,931.86
Lexington, City of	Franchise / Interdepartment Service Fees	68,108.94
Lexington, City Payroll Account:		
Payroll	Wages	171,622.64
Social Security	Employer Portion / FICA Med	12,831.60
Union Bank & Trust	Employer Portion / Pension	4,668.04
Union Bank & Trust	Police Pension	2,467.33
ICMA	City Manager Pension	876.35
Lexington Health Fund	Self-funding	96,093.86
Matheson Tri-Gas	Ambulance / Medical Supplies	47.42
Mead Lumber & Rental	PK / Lumber	18.58
Meritain Health	Health Premium	21,447.88
Midwest Door and Hardware	OC / Door Lock Hardware	322.00
Morris Press	LB / Stamp / Paper	104.91
Municipal Supply	WR / Meter Valves / Glands / Gaskets	1,153.20
Nebraska Dept of Revenue	Sales and Use Tax	57,433.17
Nebraska Environmental Products	ST / Sweeper Brooms	1,864.20
Nebraska Law Enforcement	PD / Training Certificates	100.00
Nebraska State Treasure	Unclaimed Property	21.94
Novo Benefits	Benefit Administration	250.00
O'Hanlon Seed Inc	WWTP / Disk Property	1,255.65
O'Hara Lindsay and Associates	Monthly Lobbying Services	333.00
Olsson Associates	ST / SW / WR / Professional Services	1,060.11
One Call Concepts	Locate Fees	96.03
Paulsen Inc	PK / ST / WR / Concrete	3,926.36
Perdomo, Edwin	PD / Training Mileage	98.10
Pinnacle Bank	WWTP / Tractor Payment	31,007.14
Plum Creek Promotions	PK / St / Event Jersey's / Uniforms	1,778.50
Precision Detail	FD / Cleaning	300.00
Principal	Dental Premium	3,550.24
Quality Flow Systems	WWTP / Maintenance	800.00
Richardson Mowing	LB / Lawn Care	270.00
Robles, Julie	MOW / Conference Mileage	88.29
S & W Auto Parts	Cemetery / ST / Filters / Spark Plugs	21.64
Service Master	GGC / Kitchen Floor Maintenance	78.75
Showcases	LB / Art Bins	57.45
Standard Insurance Company	Life Insurance Premiums	1,040.03
Titan Machinery	ST / Skid Loader / Mower Parts	223.94

TO Haas Tire	PD / SW / Tire Repair / Inner Tube	29.16
Total Lawn Care	AC / Mowing / Trimming	1,060.00
Tri-City Tribune	PK / 5K Run Ad	107.25
U-Save Business Equipment	Paper Contract	1,491.58
USA Communications	City Internet Services	345.60
US Foods	MOW / Food & Supplies	1,082.17
Utility Service Co	WR / Tower Maintenance	9,964.12
Van Diest Supply	ST / Mosquito Spray	1,410.80
VSP / Vision Service Plan	Vision Premium	957.64
Walmart	AC/GGC/LB/PD/ST/Produce/Spls/Herbicide	452.14
Arnold Pool Co	AC / Pool Vac Shipping / Handling	185.60
Axxent Buildings	ST / Overhead Door Track Repair	195.00
Bauer Built Tire	ST / Loader Tire Repair / Service Call	219.50
Cash-Wa Distributing	AC / PK / Concessions	735.79
Consolidated Management	PD / Academy Meals	51.94
Dan's Sanitation	Sanitation Fees	2,204.80
Davis Energy	PK / Fuel / Oil	139.41
Dawson Public Power District	Power Purchase	11,187.31
Eakes Office Solutions	EL / Printer Repair Tax	5.11
EMS Billing Services	Ambulance Billing	1,998.53
Fagot Refrigeration & Electric	OC / Heat Pump Adjustment	200.00
John Deere Financial	Cemetery / PK / Mower Repairs / Parts	2,675.45
John Deere Financial / Orscheln	Cemetery/PK/ST/Boots/Applicator/Cords	698.50
Johnson Lake Flying Service	Landfill / Muskthistle Spraying	2,631.45
Jones Plumbing & Heating Inc	WR / Pipe / Fittings	183.50
KRVN	Public Service Announcements	301.60
Lexington Animal Clinic	Animal Care	852.68
Lexington Area Solid Waste	Waste Removal	1,531.52
Lexington Volunteer Fire Department	FD / Ambulance Billing	2,837.82
Majestic Theatre	Advertising	225.00
Mead Lumber & Rental	OC / Caulking	6.99
Miller & Associates	PK / Park Planning	4,211.25
Mobotrex	EL / LED Signal Lights	1,074.00
Nebraska Tech & Telecomm	Phone Service	1,426.34
Platte Valley Communications	PD/ST/WR/Repairs/Mo Maintenance Fee	722.45
Plum Creek Promotions	PK / Event T-Shirts	2,335.80
Service Master of Mid Nebraska	City Hall / EL / OC / Janitorial Services	4,320.37
Straight-Line Striping Inc	ST / Striping Paint	4,371.00
TotalFunds / Neopost	Postage	3,000.00
Wesco Distribution	EL / LED Street Lights	46,000.00

TOTAL CLAIMS: 810,047.91

RESOLUTION: Pepplichtsch requested Council consideration of Resolution No. 2018-08 which authorizes the execution of a deed to convey property in the Commerce First Addition. Following discussion, moved by Salem, seconded by Vivas, to approve Resolution No. 2018-08 as presented. Roll call. Voting "aye" were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

RESOLUTION NO. 2018 - 08

WHEREAS, the City has by Ordinance No. 2408 approved the conveyance of the following described real estate owned by the City of Lexington, to-wit:

A tract of land being part of the Northeast Quarter of the Southwest Quarter (NE¼SW¼), of Section Seventeen (17), Township Nine (9) North, Range Twenty-one (21) West of the 6th Principal Meridian, Dawson County, Nebraska, and more particularly described as follows:

Referring to a mag nail at the Southeast Corner of the Northeast Quarter of the Southwest Quarter (NE¼SW¼) of Section Seventeen (17) and assuming the East line of said Southwest Quarter (SW¼) as bearing N 01°23'19" E and all bearings contained herein are relative thereto;

Thence N 01°23'19" E on said East line a distance of 1000.00 feet;

Thence N 89°21'45" W a distance of 85.01 feet to a survey spike on the West Right of Way line of U.S. Highway 283;

Thence N 01°23'19" E on said West Right of Way line a distance of 169.63 feet to a 5/8" rebar w/cap at the Southeast corner of a tract of land described in Warranty Deed, recorded as Instrument 2009-2740 in the Dawson County Register of Deeds Office, and the ACTUAL POINT OF BEGINNING;

Thence N 88°39'04" W on the South line of said tract a distance of 414.34 feet to a 5/8" rebar w/cap at the Southwest corner of said tract;

Thence N 01°20'58" E on the West line of said tract a distance of 25.00 feet to a 5/8" rebar w/cap;

Thence S 88°39'04" E a distance of 414.36 feet to a 5/8" rebar w/cap on said West Right of Way line;

Thence S 01°23'19" W on said West Right of Way line a distance of 25.00 feet to the Point of Beginning.

WHEREAS, the above described real estate shall be conveyed to S & Holdings, L.L.C. pursuant to Ordinance No. 2408;

WHEREAS the City of Lexington has since passed Resolution 2018-07 approving the subdivision of certain real estate including the above described real estate, which addition is known as Commerce First Addition to the City of Lexington, Dawson County, Nebraska;

WHEREAS, included in said subdivision is the dedication of real estate establishing Commerce Road;

WHEREAS, pursuant to Ordinance No. 2408, and in consideration of the conveyance set forth above, S & H Holdings, L.L.C. shall dedicate to the City of Lexington any and all real estate owned by S & Holdings, L.L.C. which is a part of the Commerce Road as set forth on the plat of Commerce First Addition to the City of Lexington, Dawson County, Nebraska.

WHEREAS, Notice of Ordinance No. 2408 has been duly published and the time for remonstrance has passed, and no petition against such sale has been filed.

BE IT THEREFORE RESOLVED by the Council and President of the Council of the City of Lexington, Nebraska, that Joe Peplitsch, as City Manager for the City of Lexington is hereby directed and authorized on behalf of the City to execute a deed conveying the above described property to S & H Holdings, L.L.C., in accordance with the terms and conditions for such sale as set forth in Ordinance No. 2408 and as set forth in this Resolution.

PASSED AND APPROVED July 10, 2018

ACCOUNTS RECEIVABLE: Peplitsch reviewed delinquent account receivable balances that have been deemed uncollectible. Following discussion, moved by Roberts, seconded by Smith, to authorize Staff to remove uncollectible account receivable balances as presented. Roll call. Voting "aye" were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

ROUNDTABLE: Peplitsch gave an update on the Kirkpatrick Memorial Park Improvement project and noted that the budget process for the FY 2019 has begun.

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