

**CITY COUNCIL**  
**CITY OF LEXINGTON, NEBRASKA**  
**July 14, 2020**

A Regular Meeting of the Lexington City Council was held Tuesday, July 14, 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 Pepplitsch, Assistant City Manager Dennis Burnside, City Attorney Brian Copley, Finance Director Barb Hodges, Community Development Director Bill Brecks and City Clerk Pamela Baruth. The press was represented by Clipper-Herald, Tri-City Tribune, and KRVN.

**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 6-23-20:** Minutes of the Regular meeting held Tuesday, June 23, 2020, were presented. Moved by Smith, seconded by Salem, to approve the minutes as presented. Roll call. Voting “aye” were Vivas, Roberts, Salem, Smith, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$963,996.75 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Vivas, seconded by Roberts, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$442,287.36 from General Fund, \$69,791.55 from Street Fund, \$7,174.62 from TIF, \$275,970.74 from LEXUS, \$10,000.00 from Sanitation, \$687.18 from Landfill, \$6,339.04 from Ambulance, \$148,758.14 from Health Fund, and \$2,988.12 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Smith, Salem, Roberts, Vivas, Fagot. Motion carried.

**ACCOUNTS PAYABLE**  
**July 14, 2020**

Anytime Fitness	Employee Memberships	149.95
Baker & Taylor	LB / Books	448.11
Black Hills Energy	Natural Gas Service	326.90
Bob's True Value	ST / Supplies	64.06
Bound Tree	AMB / Medical Supplies	7.62
Cash-Wa Distributing	AC / MOW / ND / ST / Food / Supplies	2,649.38
Cengage Learning	LB / Books	70.44
Center Point Large Print	LB / Books	180.36
Change Clothing	REC / Run for Parks T-Shirts	1,494.50
Chesterman Coca-Cola	AC / Beverages	51.40
Community Development Agency	TIF / Pentad-True Value	7,174.62
Core & Main	EL / WR / Sensus Command Link / Meters	3,264.75
Country Partners Coop	PK / WWTP / Herbicide / Parts	379.02
Culligan	Soft Water Supplies	376.20
Dan's Sanitation	Sanitation Fees	16,922.00
Davis Energy	FD / ST / Fuel Purchase / Fuel	3,918.58
Dawson County Dispatch	PD / 3rd Quarter Fees	27,500.00
Dawson County Register of Deeds	Filing Fees	110.00
Dawson County Treasurer	Drainage Tax	135.26
Dawson Pest Control	FD / GGC / OC / Pest Control	159.10

Dawson Public Power District	Power Purchase	85.49
Diamond Vogel	WR / Hydrant Paint	625.56
Doran Post & Associates	CT / Surety Bond / Allen, M	40.00
Downey Drilling	WR / Annual Well Maintenance	1,200.00
Eakes Office Solutions	LB / PD / Office Supplies	221.54
Electrical Engineering & Equipment	EL / OC / Conduit / Lighting Tubes	108.19
Fagot Refrigeration & Electric	AC / OC / Repairs / Installation	1,132.07
Fastenal	ST / WWTP / Parts	36.77
Felsburg Holt & Ullevig	DS / Storm Water / Professional Services	3,651.00
Floor to Ceiling	ST / Paint / Line Stripper Repair	75.00
FYR-TEK	FD / Equipment Parts	97.50
Grainger	WWTP / Parts / Supplies	328.78
Great Western Bank	LB / Petty Cash	99.73
Greater Nebraska Cities	Monthly Lobbying Services	667.00
Hawkins	AC / Pool Chemicals	2,436.00
Health Claims	Claims	101,530.24
Heldt McKeone & Copley	Professional Fee	2,700.00
Hiland Dairy Foods	MOW / Dairy Products	190.34
Holbein Lawn Service	FD / Mowing / June 2020	220.00
Holmes Plumbing & Heating Supply	WR / Parts / Tools	111.23
Hydro Optimization&Automation Solutions	WWTP / Decanter Control Panel	487.27
Ideal Linen & Uniform	Rug Service	215.76
Ingram Library Services	LB / Books	85.67
Intellicom	Software / Support	8,597.00
John Deere Financial	AC/PK/REC/WR/WWTP/Supplies/Repairs	4,528.19
Johnson Service Company	SW / Lift Station #5 / Clean & Vac	750.00
Jones Plumbing & Heating	AC / PK / WR / WWTP / Parts / Repairs	1,590.33
Lexington Animal Clinic	Animal Care	498.50
Lexington Area Solid Waste Agency	Waste Removal	2,043.60
Lexington, City of	Interdepartmental Service /Utility Franchise Fees	68,066.80
Lexington, City Payroll Account:		
Payroll	Wages	175,554.39
Social Security	Employer Portion / FICA Med	13,154.96
Union Bank & Trust	Employer Portion / Pension	4,980.56
Union Bank & Trust	Police Pension	2,979.56
ICMA	City Manager Pension	917.57
Lexington, City Street Department	Fuel	7,776.38
	SW / WR / Interdepartmental Service Fees	5,651.89
Lexington Newspapers	Publications	667.31
Lien Inc	ND / PK / Sprinkler Spring Turn On	887.94
Linden's Plumbing	LB / Repairs	65.00
LIPS Printing Service	WR / Water Report Mailers	2,368.16
Mead Lumber	LF / ST / Pre-Mix Cement / Silica Sand	90.88
MicroMarketing	LB / Books	3,305.36
Midwest Connect	EL / Spanish Mailers	1,562.73
MILCO	Pro Services/ Municipal Landfill (Closed)	676.20
Miller & Associates	WR / Professional Services	130.00
Morris Press	GGC / Newsletter	241.22
Municipal Automation & Control	WWTP / Decanter Feed Pump	967.34
Municipal Supply	WR / Parts / Hydrant Kits / Inventory	4,973.71
Nebraska Dept of Revenue	Sales and Use Tax	57,746.68
Nebraska Machinery	ST / Equipment Repairs	1,135.50
Nebraska Public Health Lab	WR / Testing	1,121.00
Nebraska State Treasurer	Unclaimed Property	847.62
Nebraska Technology & Telecom	Phone Service	1,545.77
Nebraskaland Tire	SW / WR / Oil & Lube	86.48
Nebraskalink	LB/Internet Service/March 2020/June 2020	30.00

O'Hara Lindsay and Associates	Monthly Lobbying Services	333.00
Oliver Consulting Services	LB / Monthly Backup	20.00
One Call Concepts	Locate Fees	80.66
O'Neill Wood Resources	ST / Wood Grinding	8,800.00
O'Reilly Auto Parts	CEM / ST / Parts	17.97
Original Watermen	AC / Lifeguard Uniforms	201.75
Patton, Janell	AMB / State Patrol Background Check	46.38
Paulsen Inc	ST/WR/Gravel/Well #18 Rock/Limestone	1,492.90
Platte Valley Auto Mart	PD / Oil & Lube / Repairs	1,126.91
Platte Valley Communications	PD/PK/WWTP/Monthly Maint Fee/Cameras	2,499.83
Plum Creek Market Place	LB / MOW / Supplies / Food	263.07
Plum Creek Promotions	ST / Uniform Shirts	198.68
Precision Detail	FD / Cleaning	240.00
Priority Medical	AMB / Non-Billable Calls	5,250.00
Publishers Prime	LB / Books	97.62
Richardson Mowing	LB / Lawn Care	180.00
Service Master of Mid Nebraska	EL/GGC/LB/ND/OC/Janitorial Services	11,737.88
State of Nebraska Power Review Board	Annual Fees	2,318.78
Timm, Deb	AC / Refund 2020 Season Pass	50.00
Titan Machinery / CNH Industrial	PK / ST / WWTP / Parts / Repairs	2,036.08
TLC Lawn Care	AC / Mowing / Trimming	1,625.00
TO Haas Tire Co	PD / PK / Tires / Repairs	193.41
Tri City Tribune	LB / Annual Subscription	31.50
Tyler Technologies	EL / Email Billing Maintenance	1,666.82
US Foods	MOW / Food & Supplies	976.61
USA Communications	City Internet Services	345.60
Village Uniform	GGC / Janitorial Supplies	55.84
Volvo Trucks of Lexington	WWTP / Repairs	314.64
Wall Street Journal, The	LB / Annual Subscription	539.88
Watch Guard	PD / Parts	51.00
White, Josephine	AC / Refund 2020 Season Pass	110.00
YMCA	Employee Memberships	1,288.00
Aflac	Premiums	1,681.55
Bob's True Value	AC / Shop Vac / Supplies	176.97
Cash-Wa Distributing	AC / Concessions	179.22
Chesterman Coca-Cola	GGC / Beverages	110.00
Dugan Printing & Promotions	EL / Utility Bills	1,148.35
Eakes Office Solutions	PD / Office Supplies	38.98
Fagot Refrigeration & Electric	GGC / Repairs / AC / Trane 20 Ton Unit	602.87
GPM	WWTP/Annual Calibration of Flow Meters	618.00
Health Claims	Claims	45,546.35
Hydro Optimization&Automation Solutions	WWTP / Decanter	5,394.00
Lexington, City Payroll Account:		
Payroll	Wages	182,992.62
Social Security	Employer Portion / FICA Med	13,724.89
Union Bank & Trust	Employer Portion / Pension	5,008.63
Union Bank & Trust	Police Pension	3,289.76
ICMA	City Manager Pension	917.57
Lexington Health Fund	Self-Funding	86,570.98
Lexington Volunteer Fire Department	Quarterly Billing	976.54
Lien Inc	REC / Underground Sprinkler Repairs	5,235.68
Oliver Consulting Services	LB / Tech Support	90.00
Quality Flow Systems	WWTP / Mixer Repairs	1,699.11
Quick Med Claims	AMB / FD / Billing Services	163.30
Tyler Technologies	Util Billing Notification/Insite Transaction Fees	5,966.50
U Save Business Equipment	DS / EL / GGC / LB / REC	409.05

TOTAL CLAIMS:

963,996.75

**SPECIAL EVENT:** Kelli Bender, a representative of Parkview Baptist Church, requested Council approval of a request to conduct a firework display during an outdoor church event on July 24, 2020. She outlined a plan for safety measures, notification to nearby residences, and a timeline of events. Following discussion, moved by Salem, seconded by Roberts, to approve the request by Parkview Baptist Church to conduct a firework display during a church event at presented. Roll call. Voting “aye” were Vivas, Smith, Roberts, Salem, Fagot. Motion carried.

**TELECONFERENCE MEETINGS:** Moved by Smith, seconded by Vivas, to ratify all actions taken in teleconference meetings held by the City Council from March 24, 2020, through May 26, 2020, due to the coronavirus pandemic. Roll call. Voting “aye” were Salem, Roberts, Vivas, Smith, Fagot. Motion carried.

**PUBLIC HEARING:** Mayor Fagot opened a public hearing to consider the proposed Final Plat of St. Ann’s Second Addition. Pepplitsch reviewed the plat and discussed planned development projects. He noted the Planning Commission recommended approval upon their review. There were no public comments, and the public hearing was closed. Resolution No. 2020-07 was presented. Moved by Vivas, seconded by Salem, to approve Resolution No. 2020-07. Roll call. Voting “aye” were Smith, Roberts, Salem, Vivas, Fagot. Motion carried.

**RESOLUTION NO. 2020 - 07**

**ST. ANN’S SECOND ADDITION**

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON,  
NEBRASKA, AS FOLLOWS:

The plat of ST. ANN’S SECOND ADDITION, an addition to the City of Lexington, Dawson County, Nebraska, duly made out, acknowledged and certified, and the same hereby is approved, accepted and ordered filed and recorded in the office of the Register of Deeds of Dawson County, Nebraska.

**PASSED AND APPROVED this 14th day of July, 2020.**

**PUBLIC HEARING:** Mayor Fagot opened a public hearing to consider the annexation of St. Ann’s Second Addition. Pepplitsch noted the proposed annexation is being requested by the owner and would expand the current corporate limits by about 3 acres. He also noted the Planning Commission recommended approval following their review. There were no public comments, and the public hearing was closed. Resolution No. 2020-08 was presented. Moved by Roberts, seconded by Smith, to approve Resolution No. 2020-08. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

**RESOLUTION NO. 2020-08**

**ST. ANN’S SECOND ADDITION  
ANNEXATION**

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON,  
NEBRASKA, AS FOLLOWS:

That the ST. ANN’S SECOND ADDITION, an addition to the City of Lexington, Dawson County, Nebraska, shall be included within the corporate limits of the City and become a part of the City for all purposes whatsoever and the inhabitants of the Addition shall be entitled to all the rights and privileges and be subject to all the laws, ordinances, rules and regulations of the City.

**PASSED AND APPROVED this 14<sup>th</sup> day of July, 2020.**

**POWER PURCHASE AGREEMENT:** Pepplitsch reviewed a minor amendment to a power purchase agreement dated November 27, 2019, with Sol CES Projects, LLC. He explained the amendments are generally related to various grammatical terms and project milestone dates due to project delays. Following discussion, moved by

Roberts, seconded by Vivas, to approve the amendment to the power purchase agreement as presented and to authorize document execution. Roll call. Voting “aye” were Smith, Salem, Vivas, Roberts, Fagot. Motion carried.

**ROUNDTABLE DISCUSSION:** Pepplitsch gave an update 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