

**CITY COUNCIL
CITY OF LEXINGTON, NEBRASKA
December 14, 2021**

A Regular Meeting of the Lexington City Council was held Tuesday, December 14, 2021, 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, Finance Director Barb Hodges, and City Clerk Pamela Baruth. The press was represented by 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 11-23-2021: Minutes of the Regular meeting held Tuesday, November 23, 2021, were presented. Moved by Vivas, seconded by Salem, to approve the minutes as presented. Roll call. Voting “aye” were Smith, Roberts, Salem, Vivas, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,602,949.89 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 authorize the City Treasurer to transfer \$327,804.09 from General Fund, \$545,232.21 from Street Fund, \$589,849.03 from LEXUS, \$10,000.00 from Sanitation, \$625.40 from Landfill, \$1,926.61 from Ambulance, \$62,516.11 from American Rescue Plan Act Fund, \$59,084.35 from Health Fund, and \$5,912.09 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
December 14, 2021**

American Family Life Assurance Co/AFLAC	Premiums	1,717.61
American Water Works Association	WR / 2022 Membership / Thompson, R	338.00
Atlas Copco Compressors LLC	WWTP / Filters	3,145.74
B & H Services / Service Master	EL / GGC / LB / OC / Cleaning Service	5,955.13
Baird Holm	Pension Plan / Legal Expense	688.50
Baker & Taylor	LB / Books	1,024.24
Bauer Built Tire	ST / WR / Tire Repairs	245.78
Black Hills Energy	Natural Gas Service	1,265.57
Bound Tree Medical LLC	AMB / Medical Supplies	467.19
Bowen, Nicholas / Change Clothing	PK / Uniform Shirts	337.50
C A Enterprises / PIP Marketing	EL / Utility Bills	1,972.32
Calco Management / Subway at Walmart	CC / Meeting Meals	34.74
Cash-Wa Distributing	MOW / OC / ST / Food & Supplies	2,693.55

Cengage Learning	LB / Books	345.91
Citibank NA / Titan Productivity Plus	ST / Parts	389.59
City of Lexington	Interdepartmental Service Fees	55,749.00
	Utility Franchise Fees	341.00
City of Lexington / Street	SW/WR/Interdepartmental Service Fees	6,876.23
	Fuel	8,145.80
Complete Underground LLC	EL/Trenching/St Lights/East Addition	11,789.80
Contractors Services Inc	ST/Signal Set Up/Adams St Viaduct	22,000.00
Core & Main	WR / Meters / Parts	11,797.56
County of Dawson - Register of Deeds	Filing Fees	164.00
Danko Emergency Equipment	FD / Uniform Repair / Hose	427.12
Dan's Sanitation	Sanitation Fees	14,318.60
Davis Energy	AMB / FD / ST / Fuel / Fuel Purchase	3,988.35
Dawson Public Power District	Power Purchase	82.02
Depository Trust	2014 Combined Utilities Bond Payment	295,157.50
	2016 GO Hwy Alloc Bond Payment	231,667.50
	2017 Hwy Alloc Bond Payment	206,742.50
Downey Drilling Inc	Well 8/Pump Reps/Chemical Treatment	62,146.95
DXP Enterprises Inc	WWTP / Parts	51.06
Eakes Inc	EL / PD / Copier Expense	2,048.51
Electrical Engineering & Equipment Co	EL / PK / Hardware	395.66
Fagot Refrigeration & Electric Inc	REC/WWTP/Fieldhouse Filters/Service	286.00
Fastenal	WR / ST / SW / Supplies	473.29
Greater Nebraska Cities	Monthly Lobbying Services	667.00
Hatch Company	WWTP / Lab Supplies	239.67
HD Supply Facilities Management / USA Bluebook	WR / Supplies	205.61
Health Claims	Claims	46,264.45
Heldt McKeone & Copley	Professional Fee	2,700.00
Hiland Dairy Foods	MOW / Dairy Products	336.65
Holbein Lawn Service	FD / Lawn Care	110.00
Homeier Ventures Inc / Bob's True Value	PK / Supplies	31.27
Ideal Laundry & Cleaners	Rug Service	720.89
Ingram Library	LB / Books	144.05
Intellicom Computer Consulting	Tech Support / Software	13,129.05
Intermedia.com	Web Phone Charges	276.09
JEO Consulting Group	Northwest Pond Design/Professional Svcs	2,727.00
John Deere Financial / Orscheln	FD/PK/ST/WWTP/Parts/Hardware/Spls	654.73
Jones Plumbing & Heating Inc	Winterization/Parts/ Repairs	789.52
KBC Inc / Johnstone Supply	OC / Mesh Filter	9.17
Kearney Hub	LB / Annual Subscription	462.59
Kohl, Patrick/Kohl Welding&Machining LLC	ST / Equipment Parts	80.36
LEE BHM / Lexington Clipper Herald	Publications	551.62
Lexington Area Chamber of Commerce	LB/Ambassador Membership/Norton	25.00
Lexington Area Solid Waste Agency	Mixed Solid Waste Disposal	959.85
Lexington, City Payroll Account		
Payroll	Wages	165,917.90
Social Security	Employer Portion / FICA Med	12,200.30
Union Bank & Trust	Employer Portion / Pension	4,835.94
Union Bank & Trust	Police Pension	3,535.83
ICMA	City Manager Pension	957.23
Lexington Regional Health Center	PD / Physical / Flu Shot	205.00

Martin Electric Company	FD / Fluorescent Lights	209.25
Matt Friend Truck Equipment Inc	ST / Cutting Edges	1,269.00
Mead Lumber	DS/PK/ST/SW/Hardware/Supplies	209.12
Melson, Dane / Anytime Fitness	Fitness Memberships	149.95
Menard Inc	PK / Hardware / Supplies	1,934.90
Merideth Corp / Southern Living Books	LB / Books	45.91
Midlands Contracting Inc	Watermain Installation / Walnut Street	15,244.90
Midwest Laboratories Inc	WWTP / Testing	228.00
Milco Environmental Services Inc	Municipal Landfill (Closed)/Monitoring	625.40
Miller & Associates	ND / ST / WR / Professional Services	1,990.86
Morris Printing Group / Morris Press	GGC / Newsletter	121.00
Municipal Supply	WR / SW / Parts / Well #8 Parts / Pipe	17,434.03
Nebraska Dept of Environment & Energy	WR / Operator License Renewals / 6	690.00
Nebraska Department of Revenue	Sales and Use Tax	49,168.10
Nebraska Library Association	LB / 2021-2022 Membership / Norton, J	60.00
Nebraska Machine / NMC Cat	Snow Pusher Parts/Cutting Edges/Blades	2,540.22
Nebraska Tech & Telecommunications	Phone Service	1,254.32
Nebraska Water Experts / Culligan	Soft Water Supplies	509.95
Nebraskalink	LB / Internet Service	15.00
OCLC	LB/Cataloging/Metadata/Worldshare	149.80
O'Hara Lindsay and Associates	Lobbying Services / 2021 Registration	333.00
One Call Concepts Inc	Locates	141.16
O'Reilly Auto Parts	ST / Parts	7.01
Paulsen Inc	WR / Limestone	716.90
Phillips, Jim / Jim Phillips Construction	ST / WR / Repairs	25,074.00
Platte Valley Auto	PD / Oil & Lube / Repairs	271.23
Platte Valley Communications	FD / PD / Hardware / Maintenance	4,248.00
Platte Valley Laboratories	WWTP / Lab Supplies	782.50
Precision Detail / Julie Thalman	FD / Firehall Cleaning Service	280.00
Quadient Finance USA Inc	Postage	3,000.00
Quick Med Claims	AMB / Billing Expense	1,312.51
Rentokil Company / Presto-X	LB / WWTP / Pest Control	149.00
Richardson, Calvin N / Richardson Mowing	LB / Lawn Care / End of Season	150.00
S & W Auto Parts	PK / WWTP / Hardware / Supplies	175.46
Simmerman, William/Municipal Automation&Control	WWTP / Pump #2 Repairs	674.73
Spectrum	Cable Service	30.26
State of Nebraska/Cornhusker State Industries	LB / Display Unit	2,025.00
TASC	Administrative Fees	419.21
TO Haas LLC	PK / WR / Tires	1,637.60
U Save Pharmacy / Business Equipment	EL/GGC/FD/ND/ST/ Office Supplies	2,445.71
US Foods	MOW / Food & Supplies	1,552.80
US Postal Service	Post Office Box Rent / #70	160.00
USA Communications	City Internet Services	345.60
Vak, Joseph / Lexington Animal Clinic	PD / Animal Care	652.11
Village Cleaners	GGC / Janitorial Supplies	88.42
Walmart	DS/LB/PD/PK/ST/WR/WWTP/Supplies	956.13
Weathercraft of North Platte	LB / Repairs	250.00
Werner's Sprinklers / Dawson Pest Control	FD / GGC / OC / Pest Control	159.10
YMCA Of The Prairie	Fitness Memberships	1,207.00
Zoll Data Systems	FD / Fire Reporting System / 2022	105.00
Amazon Capital Services Inc	LB / Books	80.66

Bamford Inc	REC / Fieldhouse Sprinkler Inspection	200.00
Cash-Wa Distributing	MOW / Food & Supplies	1,410.77
Cengage Learning	LB / Books	160.87
Center Point Inc	LB / Books	185.16
County of Dawson – Treasurer	Drainage Tax / 2021	158.76
Davis Energy	WR / Fuel	81.46
Fyr-Tek	FD / Parts	42.26
Galls LLC	PD / Uniform Expense	77.93
Health Claims	Claims	10,508.08
Homeier Ventures Inc / Bob's True Value	PK / Supplies	8.52
Hydro Optimization&Automation Solutions Inc	Decanter Repairs/Parts/Labor/Mileage	10,749.09
KBC Inc / Johnstone Supply	OC / Pleated Filters	373.56
Lexington City Payroll Account		
Payroll	Wages	154,410.16
Social Security	Employer Portion / FICA Med	10,857.66
Union Bank & Trust	Employer Portion / Pension	4,817.78
Union Bank & Trust	Police Pension	2,976.64
ICMA	City Manager Pension	957.23
Lexington Health Fund	Self-Funding	42,199.49
Lexington Post Prom	Donation	100.00
Lexington Regional Health Center	Inoculations/Flu Shot/DOT Drug Screen	159.00
Mead Lumber	REC / Supplies	210.28
Mid-State Engineering & Testing	2021 WWTP Facility Imp/Testing	1,393.50
Mobotrex Inc	EL / Parts / Traffic Lights	140.00
Municipal Supply Inc	WR / SW / Supplies / Sewer Grate	703.00
Nebraska Interactive LLC	NIC Subscription Fee	100.00
Oliver Consulting Services Inc	LB / Data Storage / Backup	65.00
O'Reilly Auto Parts	ST / Tools	32.98
Paulsen Inc	ST / Flowable Fill	2,100.00
S & W Auto Parts	PK / WR / Parts	44.46
State of NE-Nebraska Library Commission	Overdrive Participation Fee 2021-2022	331.90
TO Haas LLC	WR / Alignment	107.95
	TOTAL CLAIMS:	1,602,949.89

PUBLIC COMMENTS: Drew Price appeared before Council to inquire about the status of a proposal to purchase the former Downey Drilling building. Following his presentation, Mayor Fagot stated future plans for the building are still be considered.

PUBLIC HEARING: Mayor Fagot opened a public hearing to consider a Subdivision application by Wilkinson Development for the Wilkinson Addition. Pepplitsch explained the parcels will be combined with the current building for future development. He stated the final plat will be include a sewer easement and an additional signature block. There being no public comments, the public hearing was closed. Resolution No. 2021-28 was presented. Following discussion, moved by Smith, seconded by Roberts, to approve Resolution No. 2021-28 as presented. Roll call. Voting “aye” were Vivas, Salem, Roberts, Smith, Fagot. Motion carried.

RESOLUTION NO. 2021 - 28

WILKINSON ADDITION

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

The plat of WILKINSON 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 December, 2021.

CONSULTANT SELECTION: Council considered the recommended consultant selection by the St. Ann’s Parish Council for the CDBG #20-EMCV-008 project. Jennifer McKeone reviewed the process and requirements for consultant selection, noting that W Design Associates of McCook, NE, were selected for the project. Moved by Smith, seconded by Roberts, to concur with the selection of W Design Associates for consulting services and to authorize the execution of necessary documents. Roll call. Voting “aye” were Vivas, Salem, Roberts, Smith, Fagot. Motion carried.

RESOLUTION: Resolution No. 2021-29 was presented for council consideration. Following discussion, moved by Vivas, seconded by Smith, to approve Resolution No. 2021-29 as presented. Roll call. Voting “aye” were Salem, Roberts, Smith, Vivas, Fagot. Motion carried.

RESOLUTION NO. 2021 – 29

WHEREAS, Lexington City Code Sections 28-232 and 28-439 authorizes the City Council to establish by Resolution a schedule of rates and charges for water service, and sanitary sewer service.

BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, that the following rates and charges are established and shall take effect January 1, 2022, to be reflected on billings following such date. That all other electric rates, water rates, and sanitary sewer rates and charges previously established shall remain unchanged.

Section 1. Water Rates

Residential Metered:	The first 5,000 gallons	\$20.25 monthly minimum
	> 5,000 gallons	\$1.00 per 1,000 gallons
Residential Flat Rate:	\$27.25 per dwelling unit per month	
Commercial Metered:	The first 5,000 gallons	\$20.25 monthly minimum
	> 5,000 gallons	\$1.00 per 1,000 gallons
Multi-unit Service Fee:	\$13.30 per dwelling/commercial unit, where more than one dwelling/commercial unit is served by a single metered service.	
Industrial Metered:	Base Charge per Month -- \$2,450 \$0.362 per 1,000 gallons metered use	
Automated Meter Reading Fee:	\$1.00 per month per metered or unmetered service.	

Section 2. Sanitary Sewer Rates

Flat Rate Residential: \$26.75 per month.

Flat Rate Commercial: \$26.75 per month
Commercial Metered: \$2.55 per 1,000 gallons
\$26.75 minimum

PASSED AND APPROVED this 14th day of December, 2021.

PAY REQUEST: Peplitsch reviewed Pay Request #3 from Walters-Morgan Construction for the 2021 Wastewater Facility Improvements project in the amount of \$156,315.51. Following discussion, moved by Smith, seconded by Salem, to approve Pay Request #3 for the 2021 Wastewater Facility Improvements project as presented. Roll call. Voting “aye” were Vivas, Roberts, Salem, Smith, Fagot. Motion carried.

PROJECT CLOSEOUT: Peplitsch presented closeout documents for the Hike/Bike Trail-Northwest Phase II project and gave an update on the project. The documents include Pay Request #2-Final for \$103,091.23, Change Order #1 for an addition of \$2,852.25, and Certificate of Substantial Completion. Moved by Roberts, seconded by Smith, to approve Pay Request #1-Final, Change Order #1, and Certificate of Substantial Completion as presented. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

APPOINTMENTS: The following appointments to boards and commissions for CY 2022 were presented for Council approval:

Board of Adjustment – Reappoint Ron Balthazor
Housing Authority – Reappoint John Salem
Library Board – Appoint Erin Hanna
Planning Commission – Reappoint Jeremy Kaiser, Jared Jacob; Appoint Jeff Tappan
Tree Board – Reappoint Dave Stenberg, Tom Nelson
Community Development Agency – Reappoint Gail Hall, Jason Fagot
Special Prosecutor – Beverly Bogle Louthan
Street Superintendent – Christopher Miller, License #1091-A

Moved by Salem, seconded by Vivas, to approve the list of appointments for CY 2022 as presented. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

ROUNDTABLE: Roberts passed along favorable comments regarding the current light display in Kirkpatrick Memorial Park. Salem commended the Lexington Volunteer Fire Department for their work at a residential fire.

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