

**CITY COUNCIL
CITY OF LEXINGTON, NEBRASKA
July 13, 2021**

A Regular Meeting of the Lexington City Council was held Tuesday, July 13, 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 6-22-2021: Minutes of the Regular meeting held Tuesday, June 22, 2021, were presented. Moved by Smith, seconded by Roberts, to approve the minutes as presented. Roll call. Voting “aye” were Vivas, Salem, Roberts, Smith, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,239,830.79 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Vivas, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$564,616.13 from General Fund, \$139,713.96 from Street Fund, \$365,403.10 from LEXUS, \$10,000.00 from Sanitation, \$1,516.65 from Ambulance, \$153,284.41 from Health Fund, and \$5,299.54 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

**CITY OF LEXINGTON
ACCOUNTS PAYABLE
July 13, 2021**

| | | |
|---------------------------------|--|-----------|
| Adams, Rex | FD / Fire School / Mileage / Meals | 126.10 |
| AFLAC | Premiums | 1,959.62 |
| Aguirre, Maria | AC/Reimbursement/Pool Operator Fee | 40.00 |
| Associated Supply Company | AC / Pool Chemicals | 12,171.19 |
| Axxent Building & Doors | EL / Photo Eye Adjustment | 60.00 |
| B & H Services / Service Master | EL / OC / Cleaning Service | 5,337.13 |
| Baker & Taylor | LB / Books | 724.49 |
| Barco Municipal Products | ST / Street Sign Brackets | 470.00 |
| Bauer Built Inc | ST / WWTP / Tire Repairs | 274.63 |
| Bauer Underground | EL/Pipe/Excavation/Tyson Medical Bldg | 6,669.53 |
| Bennett, Curtis W / Sign Pro | FD/PK/Vinyl Numbers/Trash Cntnr Decals | 31.80 |
| Berry, Bo | FD / Fire School / Mileage / Meals | 141.10 |

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| Black Hills Energy | Natural Gas Service | 16.22 |
| Boling, Michael | FD / Fire School / Mileage / Meals | 141.10 |
| Bowen, Nicholas / Change Clothing | REC/Shirts Tennis Program/4th July 5K | 3,548.00 |
| Bowers, Daniel | FD / Fire School / Mileage / Meals | 126.10 |
| Brooks, Gary E&Cheryl L/Meridian Rentals | PK / Trimmers / Trimmer Repairs | 563.22 |
| Byrne, Kristin | FD / Fire School / Mileage / Meals | 141.10 |
| Cash-Wa Distributing | AC / MOW / REC / Food & Supplies | 6,923.85 |
| Cengage Learning | LB / Books | 422.99 |
| Center Point Inc | LB / Books | 180.36 |
| Central Community College | AMB / Provider CPR Classes | 104.85 |
| Central Septic Tank Pumping & Plumbing | SW / Pump Lift Station | 418.64 |
| Chesterman Company | AC / REC / Fieldhouse / Beverages | 1,656.00 |
| Citibank NA/CNH Industrial/Titan Machine | PK / ST / Equipment Repairs / Parts | 1,052.11 |
| City of Lexington | Interdepartmental Service Fees | 55,749.00 |
| City of Lexington | Utility Franchise Fees | 554.37 |
| City of Lexington / Street | SW/WR/Interdepartmental Service Fees | 5,651.89 |
| City of Lexington / Street | Fuel | 12,859.81 |
| Community Action Partnership/Ryde Transit | 2021-2022 Transportation Svc Agmt | 23,150.00 |
| Complete Underground | EL/Main Line Trenching/St. Ann's 2nd Addn/St Lights | 33,072.94 |
| Conney Safety Products | WWTP / Janitorial Supplies | 98.81 |
| Country Partners Cooperative | ST / WWTP / Herbicide / Parts | 454.10 |
| Dan's Sanitation | Sanitation Fees | 15,101.80 |
| Darca Inc / Arnold Pool Company | AC / Pool Chemicals / Testing Supplies | 819.55 |
| Davis Energy | FD / Fuel | 216.09 |
| Dawson Public Power District | Power Purchase | 83.81 |
| Dugan Printing & Promotions | EL / Envelopes | 994.83 |
| Electrical Engineering & Equipment | AC / PK / LED Lights / Parts | 43.28 |
| Fagot Refrigeration & Electric | Building/Equipment Repairs | 4,160.93 |
| Fastenal | ST / WT / Supplies | 376.25 |
| Fitzgerald, Matt | FD / Fire School / Mileage / Meals | 133.60 |
| FYR-TEK | FD / Equipment Parts | 77.86 |
| Galls Parent Holdings / Galls LLC | PD / Uniform Expense | 253.94 |
| Great Western Bank | LB / Petty Cash | 170.10 |
| Greater Nebraska Cities | Monthly Lobbying Services | 667.00 |
| Health Claims | Claims | 126,314.12 |
| Heldt McKeone & Copley | Professional Fee | 2,700.00 |
| Hiland Dairy Foods | MOW / Dairy Products | 395.52 |
| Holbein Lawn Service | FD / Lawn Care | 275.00 |
| Holmes Plumbing & Heating Supply Co | WR / Supplies | 55.52 |
| Homeier Ventures / Bob's True Value | PK / REC / Supplies | 45.90 |
| Hughan, Walter | FD / Fire School / Mileage / Meals | 141.10 |
| Hydro Optimization&Automation Solutions | WWTP / Ethernet Switch / Service Call | 3,566.46 |
| Ideal Laundry & Cleaners | Rug Service / June 2021 | 991.42 |
| Ingram Library Services | LB / Books | 88.44 |
| Intellicom | Software & Support | 2,737.73 |
| Intermedia.com | ND / Web Phone Charges | 279.90 |
| Invest Plus / Plum Creek Market Place | MOW / Food / Supplies | 82.56 |
| John Deere Financial / Landmark | Parts/Tools | 1,713.49 |
| Jones Plumbing & Heating | AC/PK/WR/WWTP/Parts/Repairs | 1,415.67 |
| LEE BHM / Lexington Clipper Herald | Publications | 794.11 |

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| Lexington Area Solid Waste | Waste Removal | 1,953.60 |
| Lexington, City Payroll Account: | | |
| Payroll | Wages | 190,186.86 |
| Social Security | Employer Portion / FICA Med | 14,266.24 |
| Union Bank & Trust | Employer Portion / Pension | 4,888.42 |
| Union Bank & Trust | Police Pension | 3,181.43 |
| ICMA | City Manager Pension | 951.23 |
| Lexington Health Fund | Self-Funding | 86,765.84 |
| Maguire, Mike | FD / Fire School / Mileage / Meals | 141.10 |
| Mead Lumber | PK / WWTP / Parts / Supplies | 34.13 |
| Melson, Dane / Anytime Fitness | Fitness Memberships | 149.95 |
| Micromarketing | LB / Books | 1,211.21 |
| Midland Scientific | WWTP / Testing Supplies | 294.97 |
| Miller & Associates | ST / Engineering Costs | 6,515.90 |
| Miller, Trever | FD / Fire School / Mileage / Meals | 141.10 |
| Morris Press | GGC / Newsletter | 109.00 |
| Municipal Supply | WR / Tools | 38.34 |
| Nebraska Dept of Revenue | Sales and Use Tax | 60,627.30 |
| Nebraska Machinery Company | ST/Parts/Repairs/Lg Equipment Rental | 12,598.49 |
| Nebraska Rural Radio Association / KRVN | EL / NPPD Coop Advertising | 208.80 |
| Nebraska Tech & Telecommunications | Phone Service | 1,205.23 |
| Nebraska Water Experts / Culligan | Soft Water Supplies | 389.02 |
| Nebraskaland Tire | PD / Tires | 663.80 |
| OCLC | LB/Cataloging / Metadata / WorldShare | 146.86 |
| O'Hara Lindsay and Associates | Lobbying Services / 2021 Registration | 333.00 |
| One Call Concepts | Locates | 201.21 |
| One Stop LLC | AC / REC / Supplemental Concessions | 436.64 |
| O'Reilly Auto Parts | ST / Parts / Supplies / Tools | 21.97 |
| Overton Golf Club | REC / Youth Golf Camp | 280.00 |
| Pano, Carlos | FD / Fire School / Mileage / Meals | 141.10 |
| Patton, Janell | FD / Fire School / Mileage / Meals | 141.10 |
| Paulsen Inc | EL / ST / WR / Limestone / Gravel | 1,820.86 |
| Phillips, Jim | EL / ST / WR / Cement Work / Repairs | 11,653.00 |
| Platte Valley Auto Mart | PD/2021 Ford Truck/Maint/Repairs | 42,704.05 |
| Platte Valley Communications | ND/PD/Security Camera Upgrades/Maint | 8,030.10 |
| Polydyne | WWTP / Dewatering Polymer | 8,556.00 |
| Precision Detail / Julie Thalman | FD / Firehall Cleaning Service | 300.00 |
| Pro Team Design | REC / Baseball Supplies | 437.82 |
| Quality Flow Systems | WWTP / Service Check / KSB Mixers | 1,100.00 |
| Rentokil NA / Presto-X | WWTP / Pest Control | 52.00 |
| Richardson, Calvin N / Richardson Mowing | LB / Lawn Care | 270.00 |
| Roemmich, Austin | FD / Fire School / Mileage / Meals | 141.10 |
| S & W Auto Parts | PK / ST / Parts / Supplies | 269.09 |
| Schwarz, Caleb | FD / Fire School / Mileage / Meals | 126.10 |
| Schwarz, Kenny | FD / Fire School / Mileage / Meals | 126.10 |
| Simmerman, William D/Municipal Automation | Troubleshoot/Repairs/Headworks | 222.78 |
| Spectrum | Cable Service | 30.26 |
| Stallbaumer, Jacob | FD / Fire School / Mileage / Meals | 126.10 |
| State Fire Marshal / Training Division | FD / Hazmat Operations Certification | 100.00 |
| TASC | Administration Fees | 187.21 |
| TO Haas | PK / Tire Repairs | 20.73 |

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| Tuma, Stephen | FD / Fire School / Mileage / Meals | 141.10 |
| US Foods | MOW / Food & Supplies | 1,386.73 |
| USA Communications | City Internet Services | 345.60 |
| Utility Service Company | Water Tower Maintenance | 11,060.17 |
| Vak, Joseph / Lexington Animal Clinic | PD / Animal Care | 1,493.50 |
| Vermeer Equipment of Nebraska | ST / Chipper Parts | 110.96 |
| Village Uniform | GGC / Janitorial Supplies | 139.72 |
| Vogel West Inc / Diamond Vogel | WR / Fire Hydrant Paint | 244.32 |
| Walmart | AC/CEM/LB/PK/REC/ST/Supplies | 579.75 |
| Watson, Cathy | AC/Refund/Red Cross Swim Lessons | 60.00 |
| Weekly Bulletin, The | EL / Annual Subscription / 2021 | 160.00 |
| Werner's Sprinklers / Dawson Pest Control | FD / GGC / OC / Pest Control | 159.10 |
| American Fidelity | Health Insurance Binder | 27,672.15 |
| ARK I CEI Holdco / Sol Systems | Solar Power Purchase | 17,083.33 |
| Asphalt Research Technology/The EZ Street | ST / Cold Pack | 2,350.88 |
| Atlas Copco | WWTP / Blower Repairs | 4,448.00 |
| Baker & Taylor | LB / Books | 219.12 |
| Business Management Daily/HR Specialist | CM / Annual Subscription | 137.00 |
| Cash-Wa Distributing | AC / GGC / Food & Supplies | 1,292.77 |
| County of Dawson - Register of Deeds | Filing Fees | 16.00 |
| Davis Energy | FD / ST / Fuel / Fuel Purchase | 5,798.99 |
| Dawson County Communications | 3rd Quarter Dispatch Fees | 29,750.00 |
| Downey Drilling Inc | SW / Liftstation Parts | 288.00 |
| Dutton-Lainson Company | EL / Meter Sockets | 295.51 |
| Electrical Engineering & Equipment | EL / Street Light Parts | 653.54 |
| Fagot Refrigeration & Electric | ST/SW/WWTP/Repairs/Polk Liftstation | 613.84 |
| Fastenal | SW / WR / Liftstation Parts / Supplies | 320.12 |
| Great Western Bank | Petty Cash | 81.66 |
| Health Claims | Claims | 24,823.46 |
| Hiland Dairy Foods | MOW / Dairy Products | 82.78 |
| Intellicom | Tech Support / Software | 718.24 |
| Kirk's Trenching&Septic/Johnny on the Spot | CEM / Portable Rental | 75.00 |
| Lexington City Payroll Account: | | |
| Payroll | Wages | 194,414.65 |
| Social Security | Employer Portion / FICA Med | 14,593.10 |
| Union Bank & Trust | Employer Portion / Pension | 4,974.15 |
| Union Bank & Trust | Police Pension | 3,490.40 |
| ICMA | City Manager Pension | 951.23 |
| Lexington Health Fund | Self-Funding | 43,382.92 |
| Lexington Volunteer Fire Department | AMB / Ambulance Fees | 1,086.07 |
| Matheson Trigas | AMB / Medical Oxygen | 74.95 |
| Miller & Associates | East Addition Ph I Imp/Construction Svcs | 18,232.85 |
| MPH Industries | PD / Auto Parts | 103.47 |
| Municipal Supply | ST/SW/WR/Liftstation Parts / Supplies | 4,240.75 |
| Oliver Consulting | LB / Data Storage / Cloud Backup | 45.00 |
| O'Reilly Auto Parts | ST / Parts | 111.20 |
| Paulsen Inc | SW / Limestone / Liftstation | 4,130.00 |
| Quick Med Claims | AMB / Billing Service | 247.78 |
| Ramos, Saul / Saul Ramos Construction | PK / Sidewalk Installation | 9,154.00 |
| Region 12 American Backflow Prevention | Conference / Thompson, R / Maciel, M | 170.00 |
| S & W Auto Parts | ST / Parts | 37.88 |

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| State of Nebraska / Power Review Board | Annual Fees | 2,244.66 |
| TL Sund Constructors | WR / Street Repairs / Main Break | 695.60 |
| TO Haas | PD / Tires | 567.10 |
| Tyler Technologies | EL / Utility Billing Notification | 78.60 |
| Weathercraft of North Platte | LB / Roof Repairs | 118.92 |
| TOTAL CLAIMS: | | 1,239,830.79 |

SPECIAL EVENT: Kelli Bender, Parkview Baptist Church, requested Council approval of a request to conduct a firework display as part of a wrap-up celebration for vacation bible school on July 22, 2021. She outlined a plan for safety measures, notification to nearby residences, and a timeline of events. Following discussion, moved by Salem, seconded by Smith, to approve the request by Parkview Baptist Church to conduct a firework display during a church event on July 22, 2021. Roll call. Voting “aye” were Vivas, Roberts, Smith, Salem, Fagot. Motion carried.

RESOLUTION: Resolution No. 2021-16 was presented. Peplitsch discussed the value of conveying housing lots to the CDA for future conveyance to builders and developers. Following discussion, moved by Vivas, seconded by Salem, to approve Resolution No. 2021-16. Roll call. Voting “aye” were Smith, Roberts, Salem, Vivas, Fagot. Motion carried.

RESOLUTION NO. 2021 – 16

A RESOLUTION OF THE CITY OF LEXINGTON, NEBRASKA, AUTHORIZING AND DIRECTING THE TRANSFER OF REAL ESTATE TO THE COMMUNITY DEVELOPMENT AGENCY OF LEXINGTON, NEBRASKA.

WHEREAS, the City of Lexington owns certain real estate for the purpose of residential housing development; and

WHEREAS, the Community Development Agency of Lexington, Nebraska is preparing a housing development project involving the same real estate, and it is in the best interest of the City to aid and cooperate in the planning, undertaking and carrying out of said development project by transferring title to said real estate to the Community Development Agency.

BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, as follows:

That the City Manager is hereby directed and authorized on behalf of the City of Lexington, to execute a Deed, transferring to the Community Development Agency of Lexington, Nebraska, the following described real estate, to-wit:

Lots 2, 6, 7, 8, and 9, Block 3, St. Ann’s Second Addition, an addition to the City of Lexington, Dawson County, Nebraska; and

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, Block 4, St. Ann’s Second Addition, an addition to the City of Lexington, Dawson County, Nebraska; and

Lots 1, 2, 3, 4, 5, 6, and 7, Block 5, St. Ann’s Second Addition, an addition to the City of Lexington, Dawson County, Nebraska; and

Lots 1, 2, 3, 4, 5, and 6, Block 6, St. Ann's Second Addition, an addition to the City of Lexington, Dawson County, Nebraska; and

Passed and approved July 13, 2021.

LEASE AGREEMENT: Peplitsch reviewed a property lease agreement in cooperation with the Lexington Community Foundation for the development of the proposed Veterans Pavilion in Kirkpatrick Memorial Park. Following discussion, moved by Roberts, seconded by Smith, to approve the lease agreement as presented. Roll call. Voting "aye" were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

RESOLUTION: Resolution No. 2021-17 was presented. Peplitsch reviewed the status of a 0% interest capital improvement loan contract with the Nebraska Department of Environment and Energy. Following discussion, moved by Smith, seconded by Salem, to approve Resolution No. 2021-17. Roll call. Voting "aye" were Vivas, Roberts, Salem, Smith, Fagot. Motion carried.

RESOLUTION 2021 - 17

WHEREAS, the City of Lexington, Nebraska recognizes that a properly functioning sewer system is necessary to the health and welfare of the citizens of the City; and

WHEREAS, the Mayor and City Council have determined that portions of the City of Lexington sewer system are in need of significant repair and improvement; and

WHEREAS, funding for the cost of the repair and improvement of portions of the City of Lexington sewer system may be obtained by loan from the Nebraska Department of Environment and Energy, subject to certain requirements and obligations;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Lexington, Nebraska that they should execute the contract for loan between the Nebraska Department of Environment and Energy and the City of Lexington, Nebraska designated as Project No. C318042 incorporated by reference into this Resolution as if fully set forth; and

BE IT FURTHER RESOLVED, John Fagot, Mayor, is hereby directed to execute the contract and all other documents necessary to facilitate the loan between the Nebraska Department of Environment and Energy and the City of Lexington, Nebraska for the purpose of repairing and improving the City sewer system; and

BE IT FURTHER RESOLVED THAT, Joe Peplitsch, City Manager, be authorized and directed to sign all necessary documents, to furnish such assurances to the State of Nebraska as may be required by law or regulations, and to receive payment on behalf of the applicant.

PASSED AND APPROVED THIS 13th day of July, 2021.

ROUNDTABLE DISCUSSION: Peplitsch gave an update on current projects. He noted an open house regarding the proposed indoor tennis facility in Plum Creek Park will be held on Thursday, July 15, 2021, from 6:00 pm to 8:00 pm at the Lexington Fieldhouse, 1602 North Airport Road.

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