

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

A Regular Meeting of the Lexington City Council was held Tuesday, November 23, 2021, 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, and City Clerk Pamela Baruth. The press was represented by the Clipper-Herald 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 11-9-2021: Minutes of the Regular meeting held Tuesday, November 9, 2021, 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 11-20-2021: Minutes of the Work Session held Saturday, November 20, 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 \$2,084,887.37 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Roberts, seconded by Smith, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$181,341.73 from General Fund, \$95391.81 from Street Fund, \$495.39 from TIF, \$1,682,072.65 from LEXUS, \$32,435.71 from Sanitation, \$4,374.61 from Ambulance, \$87,256.94 from Health Fund, and \$1,518.53 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

**ACCOUNTS PAYABLE
November 23, 2021**

AFLAC	Premiums	1,717.61
B & H Services / Service Master	Cleaning Service	5,364.00
Baker & Taylor	LB / Books	774.50
Bank of America		
Amazon	AMB/EL/PK/WR/Supplies/Books/Tools	3,217.55
Arby's	PD / Training Meals	11.27
Cenex Country Partners	FD / Fuel	100.00
Facebook	REC / Event Advertisements	7.99

Federal Signal Solutions	ST / Title Fee	100.00
Galco Industrial Electronics	WWTP / Decanter Controls	947.25
Hilton Hotels -Omaha	LB / Conference Lodging / Norton, J	199.96
Jimmy Johns	PD / Training Meals	17.69
Nick's Gyros-Hastings	PD / Training Meals	12.84
Pay Pal / Battery Junction	PD / Supplies	57.62
Quiznos	PD / Training Meals	16.80
Sam's Club	FD / ND / Supplies	472.69
Surveymonkey.com	WR / Backflow Survey / Online	408.00
United States Postal Service	WR / Postage	159.20
Wendy's	PD / Meeting / Training Meals	13.65
Beverly Bogle Louthan PC	Professional Fees	1,200.00
Blue360 Media	PD / Books	87.75
BOK Financial	2017 COP WWTP Bond Pymt/Final	227,050.00
Cash-Wa Distributing	MOW / Food & Supplies	765.65
Cengage Learning	LB / Books	321.17
Chesterman Company	REC / Beverages	268.00
City of Lexington - General Fund	TIF / To Close Area #1- Sonic	495.39
Core & Main	AMI System Upgrade/Meter Registers	47,979.48
Danko Emergency Equipment	FD / Leather Boots	362.00
Davis Energy	ST / FD / Fuel Purchase / Fuel	5,274.04
Dawson Area Development	Leadership Tuition / Norton, J	300.00
Delap, Corey	Electric Rebate	1,650.00
Dutton-Lainson Company	EL / Supplies / Metering Equipment	685.94
Electrical Engineering & Equipment	ND / PK / Tube Lights / Hardware	937.66
Fagot Refrigeration & Electric Inc	EL / OC / Repairs / Install Fixtures	387.48
Fastenal	PK / ST / Supplies / Hardware	35.78
Galls	PD / Uniform Expense	62.98
Hach Company	WWTP / Lab Supplies	543.00
Health Claims	Claims	31,036.20
Hiland Dairy Foods	MOW / Dairy Products	30.62
Holbein, Dahlas	AMB/FD/Truck Maint/Fueling/Cleaning	1,500.00
Holmes Plumbing & Heating Supply Co	WR / Tools	35.37
Homeier Ventures LLC	PK / Supplies	24.57
Huerta, Reuben	Electric Rebate	1,650.00
IGS ORIX Solar I	Solar Power Purchase	31,581.55
Ingram Library Services	LB / Books	190.79
John Deere Financial/Landmark Implement	CEM/PK/ST/WWTP / Parts & Repairs	1,100.10
J-Spot Services Inc	EL / Hydro Vac / NPPD Shop Drains	320.00
Kirk's Trenching & Septic/Johnny on the Spot	CEM / PK / Portable Rental / Cleaning	200.00
Lexington Area Solid Waste Agency	Mixed Solid Waste Disposal	1,775.55
Lexington City Payroll Account:		
Payroll	Wages	157,549.23
Social Security	Employer Portion / FICA Med	11,798.20
Union Bank & Trust	Employer Portion / Pension	4,644.74
Union Bank & Trust	Police Pension	3,333.32
ICMA	City Manager Pension	957.23
LEXUS	Utilities	40,616.74
Majestic Theatre	ND / Advertising	1,800.00
Matheson Tri-Gas	AMB / Medical Oxygen	42.95
Mead Lumber	PK / ST / Tools / Hardware / Lumber	280.36

Melson, Dane/Melson Fitness/Anytime Fitness	Fitness Memberships	149.95
Mid-State Engineering & Testing Inc	2020 WWTP Improvements	596.50
Municipal Code Corporation / Municode	DS / 2021-2022 Online Codebook	950.00
Municipal Supply	WR / SW / Parts / Sewer Pipe	8,984.01
NE Department of Environment & Energy	WWTP / 2013 Loan Payment	135,698.47
Nebraska Public Power District	O & M	175,406.44
	Power Purchase	858,708.99
Novo Benefits	2021-2022 Benefit Booklets	385.31
OCLC	LB/Cataloging/Metadata/Worldshare	149.80
Olsson Associates	ST/SW 1st Addition/Professional Svcs	8,000.00
O'Reilly Auto Parts	ST / Parts	107.95
Paulsen Inc	WWTP / Road Gravel	181.10
Platte Valley Auto Mart	PD / Oil & Lube	81.66
Potter, Timothy	Electric Rebate	1,650.00
Principal	Dental Premium	3,346.17
Richardson, Calvin / Richardson Mowing	LB / Lawn Care	90.00
Rodriguez, Francisco	Electric Rebate	1,400.00
Schroeder, Mickey / Platte Valley Glass	ST / Install Glass	50.00
Shooks, Chris	Electric Rebate	1,650.00
Standard Insurance Company	Life Insurance Premiums	991.86
TO Haas LLC	PD / Tire Repairs	20.73
Unitech	REC / Janitorial Supplies	235.50
US Foods	MOW / Food & Supplies	365.64
Verizon Wireless	Cellular Service	409.83
Village Cleaners Inc / Village Uniform	GGC / Janitorial Supplies	58.12
VVS Surveillance Systems	ND / Support	190.80
Wilke Contracting Corp	ST / Adams Street Viaduct / Repairs	46,714.44
YMCA of the Prairie	Fitness Memberships	1,180.00
Axon Enterprises Inc	PD / Tasers	2,640.00
CCP Industries	WWTP / Lab Supplies	290.22
City of Lexington	Utility Franchise Fees	83,404.59
Core & Main	WR / Meters	695.75
Dan's Sanitation	Sanitation Fees	32,435.71
Davis Energy	FD / ST / Fuel / Fuel Purchase	3,934.29
Eakes Inc	LB / Copier Expense	1,073.20
Fagot Refrigeration & Electric Inc	WWTP / Head Works Repairs	312.64
Fastenal Company	ST / WR / Tools / Hardware	84.24
Galls	PD / Uniform Expense	377.87
Gilmore Bell	NDEE WWTP Loan / Legal Fees	20,610.00
Great Western Bank	EL / LB / PD / Petty Cash	208.30
HD Supply Facilities Maintenance LTD	ST / WR / Tools	235.67
Health Claims	Claims	54,503.13
Holmes Plumbing & Heating Supply Co	WR / Tools	17.37
Mead Lumber	WWTP / Lumber	28.25
Meritain Health	Health Premiums	34,842.63
Nebraskaland Tire	WWTP / Tire Repairs	35.00
Nichols, Robbie	ST / Reimbursement / Safety Boots	117.70
Paulsen Inc	ST / Limestone	276.00
Priority Medical Transport	AMB / Non-Billable Runs	3,000.00
State of NE Public Health Environmental Lab	WR / Testing	2,976.00
Statewide Collections LLC	EL / Collection Expenses	191.34

Tyler Technologies	EL / Utility Billing Online / Annual Fee	1,370.67
VSP / Vision Service Plan	Vision Premium	1,001.07
TOTAL CLAIMS:		2,084,887.37

FINANCIAL REPORT: Moved by Salem, seconded by Vivas, to accept the financial report for October 2021. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

LEASE AGREEMENT: Pepplitsch reviewed a lease agreement with Green Light Farms LLC for 4.3-acre tract of land in the Wesleyan Addition. Following discussion, moved by Salem, seconded by Roberts, to approve the lease agreement with Green Light Farms LLC and to authorize the City Manager to execute documents. Roll call. Voting “aye” were Smith, Vivas, Roberts, Salem, Fagot. Motion carried.

RESOLUTION: Resolution No. 2021-27 was presented. Following discussion, moved by Roberts, seconded by Salem, to approve Resolution No. 2021-27. Roll call. Voting “aye” were Vivas, Smith, Salem, Roberts, Fagot. Motion carried.

RESOLUTION NO. 2021-27

**SIGNING OF THE YEAR-END CERTIFICATION OF
CITY STREET SUPERINTENDENT
2021**

WHEREAS: State of Nebraska Statutes, sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive Payment; and

WHEREAS: The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31st of each year) the appointment of the City Street Superintendent to the NDOT using the Year-End Certification of City Street Superintendent form; and

WHEREAS: The NDOT requires that such certification shall also include a copy of the documentation of the city street superintendent’s appointment, i.e., meeting minutes; showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), their License Number (if applicable), and Class of License (if applicable), and type of appointment, i.e. employed, contract (consultant, or interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment; and

WHEREAS: The NDOT also requires that such Year-End Certification of City Street Superintendent form shall be signed by the Mayor and shall include a copy of a resolution of the governing body authorizing the signing of the Year-End Certification of City Street Superintendent form by the Mayor.

BE IT RESOLVED that the Mayor of Lexington is hereby authorized to sign the attached Year-End Certification of City Street Superintendent form.

Adopted the 23rd day of November 2021.

PUBLIC HEARING: Fagot opened a public hearing to receive comments from Citizens Advisory Review Committee on the Lexington Economic Development Program. As directed by the Committee, Peplitsch reported on activities and balances of the funds, noting the Committee had no comments or findings on the operation of the program. Following discussion, the public hearing was closed. Moved by Smith, seconded by Vivas, to accept the CARC report. Roll call. Voting “aye” were Salem, Roberts, Vivas, Smith, Fagot. Motion carried.

ROUNDTABLE DISCUSSION: There were no items to report.

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