

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

A Regular Meeting of the Lexington City Council was held Tuesday, August 23, 2022, 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. The press was represented by The 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 John 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 8-9-2022: Minutes of the Regular meeting held Tuesday, August 9, 2022, were presented. Moved by Vivas, seconded by Salem, to approve the minutes as presented. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

MINUTES – WORK SESSION 8-13-2022: Minutes of the Work Session held Saturday, August 13, 2022, 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 \$ 1,998,540,33 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 \$269,904.12 from General Fund, \$113,182.30 from Street Fund, \$5,220.00 from Housing Reuse, \$1,516,652.12 from LEXUS, \$35,918.84 from Sanitation, \$3,335.70 from Ambulance, \$49,764.65 from Health Fund, and \$4,562.60 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

**ACCOUNTS PAYABLE
August 23, 2022**

AFLAC	Premiums	2,169.82
Amazon Capital Services Inc	LB / Books / Supplies	812.66
Asphalt Research Technology Inc	ST / Cold Patch	2,380.00
Associated Supply Company	AC / Parts	119.18
Avalos, Roselia	Electric Rebate	1,425.00
B & H Services / Service Master	Cleaning Service	5,702.00
Baker & Taylor	LB / Books	2,557.95
Beverly Bogle Louthan PC	Professional Fees	1,200.00
Blackstone Audio Inc	LB / Books	124.85

Business Cards / Bank of America		
Amazon.com	CM / PK / Supplies / Equipment	422.65
Casey's General Store	CM / Meeting Meals	74.50
Central Nebraska Bobcat	ST / Parts	461.05
Daktronics	REC / Baseball Field / Scoreboards	2,380.00
Liberty Flags	LB / Flag	62.92
Pickleball Central	REC / Supplies	1,322.02
Pizza Hut- Grand Island	PD / Meals	6.29
United States Postal Service	CM / WR / Postage	300.70
Vistaprint	EL / LEXUS Business Cards	77.03
Cash-Wa Distributing	AC/MOW/Food/Supplies/Concessions	1,677.12
Caterpillar Financial Services Corporation	ST / Equipment Lease Payments	65,727.74
Cengage Learning	LB / Books	148.14
Central Community College	EMT Training/Schwarz,K/Leibert,V	2,268.00
Complete Underground LLC	WR / Directional Boring / Service Repair	960.96
Core & Main	WR / Meters	4,142.13
Country Partners Cooperative	PK / Herbicide	290.25
Crouch Recreation Inc	PK / Splash Pad / Parts	238.50
Danko Emergency Equipment	FD / Helmet Lights	389.80
Davis Energy	ST / Fuel / Fuel Purchase	7,339.07
Delaney Communications Inc	LB / Books	250.00
Des PP LLC / Little Caesars	LB / Pizza / Summer Reading Party	77.56
Eakes Inc	Supplies/DocMgmt Software/Copier Exp	1,950.97
Eilers Machine & Welding Inc	PK / Fabrication	1,076.93
Electrical Engineering & Equipment Co	EL / PK / Hardware / Conduit	2,190.29
Eustis Body Shop	Electric Rebate	588.00
Fagot Refrigeration & Electric Inc	WWTP / Repairs	294.39
Fyr-Tek	FD / Equipment Parts	743.75
GB Auto Services Inc / TO Haas	CEM/PK/Mower Tire Repair/Oil & Lube	93.51
Geotech	WWTP / Sensors	1,022.59
Great Plains Uniforms LLC	PD / Bullet Proof Vests	3,080.00
Hach Company	WWTP / Lab Supplies	211.19
HD Supply Facilities Maintenance LTD	WR / WWTP / Tools / Supplies	669.86
Health Claims	Claims	43,925.72
Hiland Dairy Foods	MOW / Dairy Products	160.64
Holbein, Dahlas	AMB/FD/Truck Maint/Fueling/Cleaning	1,500.00
Homeier Ventures LLC / Bob's True Value	PK / WWTP / Hardware / Supplies	23.26
IGS ORIX Solar I	Solar Power Purchase	51,338.43
IIMC/International Institute of Municipal Clerks	CM/Membership Dues/Baruth, P	200.00
Ingram Library Services	LB / Books	112.41
John Deere Financial - Landmark Implement	CEM / PK / Parts	756.90
Kirk's Trenching & Septic/Johnny on the Spot	CEM / PK / Portable Rental / Cleaning	295.00
Laguna, Edgar	Electric Rebate	850.00
LEXUS	Utilities	44,085.06
Lincoln Winwater Works Company	CEM / Parts	780.00
Mead Lumber	ND / PK / Hardware / Supplies	84.26
Midland Scientific Inc	WWTP / Lab Supplies	206.99
Mid-State Engineering & Testing Inc	2021 Wastewater Facility Improvements	658.00
Mid-States Automation & Control Inc	OC / Heat Pump Repairs	3,369.00
National League of Cities	CM / Professional Membership / Baruth, P	1,604.00
Nebraska Department of Agriculture	PD / Annual Animal Control Fees	175.00
Nebraska Public Power District	O & M	107,528.27
	Power Purchase	1,119,390.86
Nebraska Law Enforcement Training Center	Training Materials/Sarmiento,J/Schwarz,P	330.00

Nebraskaland Tire	ST / Oil & Lube	65.42
Oliver Consulting Services	LB / Tech Support / Data Backup	591.25
O'Reilly Auto Parts	ST / SW / Tools / Supplies	145.93
Pinedo, Juan	Electric Rebate	850.00
Platte Valley Auto Mart	FD / PD / Service / Transmission	3,347.40
Principal	Dental Premium	3,829.80
Psota, Kirk	Electric Rebate	850.00
Quick Med Claims	AMB / Billing Service	644.61
Rasmussen, Susan	Electric Rebate	1,425.00
S & R Diamond LLC	EL / Lease Payment / Solar Carport	18,800.00
S & W Auto Parts	PK / ST / Parts	73.80
Sandry Fire Supply LLC	FD / Equipment Testing	1,832.92
Seward Memorial Library	LB / Books	18.00
Sigma-Aldrich RTC	WWTP / Lab Supplies	824.14
Smith, Kelly R / Smith Irrigation	CEM/Water Driven Traveling Sprinklers	20,691.44
Southeast Library System	LB / Retreat / Casanova, R	160.00
St. Ann's Church	St Ann's Remodel / CDBG Grant	5,220.00
Standard Insurance Company	Life Insurance Premiums	1,039.70
Syndicate Publishing LLC	LB / Annual Subscription	40.00
U Save Pharmacy / Business Equipment	AMB / GGC / LB / PD / ST / Supplies	437.48
Verizon Wireless	Cellular Service	223.99
Village Cleaners Inc	GGC / Janitorial Supplies	61.00
VSP / Vision Service Plan	Vision Premium	1,054.84
YMCA of the Prairie	Fitness Memberships	1,200.00
Cash-Wa Distributing	MOW / Food & Supplies	1,514.07
City of Lexington	Utility Franchise Fees	106,223.40
Dan's Sanitation	Sanitation Fees	35,918.84
Davis Energy	ST / Fuel	377.94
Eakes Inc	EL / Copier Expense	188.57
Fagot Refrigeration & Electric Inc	REC / Filters	50.00
Fremarek Inc	PK / Disinfectant	1,158.24
GB Auto Services Inc / TO Haas	ST / Tire Repair	50.00
Health Claims	Claims	3,481.90
Hiland Dairy Foods	MOW / Dairy Products	415.08
Holbein Lawn Service	DS / Abatements	750.00
Karakas, Ruth Ellen	EL/LEXUS/Overpayment Closed Acct	20.70
Lexington City Payroll Account		
Payroll	Wages	168,142.40
Social Security	Employer Portion / FICA Med	12,571.77
Union Bank & Trust	Employer Portion / Pension	5,674.98
Union Bank & Trust	Police Pension	3,337.49
ICMA	City Manager Pension	1,001.92
Lincoln Winwater Works Company	CEM/Parts/Hardware / Sprinkler System	13,220.80
Mead Lumber	CEM / PK / WR / Hardware / Supplies	82.30
Meritain Health Inc	Premiums / August & September 2022	78,475.20
Nebraska Machinery Company	ST / Equipment Parts	338.59
Paulsen Inc	WR / Limestone	446.25
S & W Auto Parts	ST / Tools	11.49
Statewide Collections LLC	EL / Collection Fees	136.60
Stout, Robby B	CEM/SW/WR/Cement Work/Repairs	6,116.00
TASC	Administration Fees	187.21
TL Sund Constructors Inc	PK / Crushed Concrete	59.34
Union Bank & Trust	2022 Mailing / Participant Fee Disclosures	178.00
US Foods	MOW / Food & Supplies	581.36

TOTAL CLAIMS:

1,998,540.33

FINANCIAL REPORT: Moved by Roberts, seconded by Salem, to accept the financial report for July 2022 as presented. Roll call. Voting “aye” were Vivas, Smith, Salem, Roberts, Fagot. Motion carried.

PAY REQUEST: Pepplitsch requested Council consideration of Pay Request #1 for the 2020 Wastewater Equipment Procurement project from Envirodyne Systems in the amount of \$74,169.90. Following project update, moved by Roberts, seconded by Smith, to approve Pay Request #1 from Envirodyne Systems for the 2020 Wastewater Equipment Procurement project as presented. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

PAY REQUEST: Pepplitsch requested Council consideration of Pay Request #11 for the 2021 Wastewater Facility Improvements project from Walters-Morgan Construction in the amount of \$236,117.40. Following project update, moved by Salem, seconded by Vivas, to approve Pay Request #11 from Walters-Morgan Construction for the 2021 Wastewater Facilities Improvements project as presented. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

PAY REQUEST: Pepplitsch requested Council consideration of Pay Request #1 for the 2020 Wastewater Equipment Procurement project from Walker Process Equipment Division in the amount of \$365,580.00. Following project update, moved by Salem, seconded by Roberts, to approve Pay Request #1 from Walker Process Equipment Division for the 2020 Wastewater Equipment Procurement project as presented. Roll call. Voting “aye” were Vivas, Smith, Roberts, Salem, Fagot. Motion carried.

RESOLUTION: Resolution No. 2022-19 was presented for Council consideration. Burnside explained grant funds would be used complete the northwest section of the hike/bike trail system. Following discussion, moved by Vivas, seconded by Smith, to approve Resolution No. 2022-19 as presented. Roll call. Voting “aye” were Salem, Roberts, Smith, Vivas, Fagot. Motion carried.

RESOLUTION NO. 2022 - 19

WHEREAS, The City of Lexington, Nebraska, is applying for federal assistance from the Recreational Trails Program for the purpose of building new hike/bike trails in northwest Lexington; and

WHEREAS, The Mayor of Lexington, Nebraska, is authorized to sign the application for federal assistance, and any other official project documents that are necessary to obtain such assistance, including any agreements, contracts or other documents that are required by the State of Nebraska or the Federal Highway Administration; and

WHEREAS, The City of Lexington, Nebraska, currently has the written commitment for the 20% local matching share for the project elements that are identified on the application form and the supplemental documents and will, as it becomes necessary, allocate the local funds for the project; and

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

The City of Lexington, Nebraska, will commit the necessary financial resources to operate and maintain the completed project in a safe and attractive manner for at least 10 years; and

The City of Lexington, Nebraska, will not discriminate against any person on the basis of race, color, age, religion, disability, sex or nation origin in the use of any property or facility that is acquired or developed pursuant to the project proposal, and shall comply with the terms and intent of Title VI of the Civil Rights Act of 1964, and any of the regulations promulgated pursuant to such Act; and

The City of Lexington, Nebraska, will comply with all rules and regulations of the Recreational Trails Program, applicable Executive Orders and all state laws that govern the grant applicant during the performance of the project; and

The City of Lexington, Nebraska, will comply with the Federal accessibility and use standards where they can be reasonably applied.

Passed and approved the 23rd day of August 2022.

ROUNDTABLE DISCUSSION: Peplitsch requested a budget hearing date be scheduled. Following discussion, moved by Smith, seconded by Vivas, to schedule a budget hearing on Tuesday, September 6, 2022, at 5:30 p.m. Roll call. Voting “aye” were Salem, Roberts, Vivas, Smith, Fagot. Motion carried. Peplitsch also reported on a pre-construction meeting for the Veterans Pavilion project.

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