

**CITY OF LEXINGTON
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, February 24, 2015, at the Lexington City Hall, located at 406 E. 7th Street, Lexington, Nebraska at 5:30 p.m. Members of the Council present were John Fagot, John Salem, Linda Miller, Dora Vivas and Jeremy Roberts. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, Assistant City Attorney Brian Copley, Development Services Director Bill Brecks, Finance Director Barb Hodges, Police Chief Tracy Wolf, and City Clerk Pamela Baruth. The press was represented by KRVN and Clipper-Herald. Jim Doyle, Drew Welch, Sharon Miller and members of Boy Scouts Troop 88, Marc Munford, and Dana Daniels were also in attendance.

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, located at 406 E. 7th Street, Lexington, Nebraska.

Mayor Fagot welcomed members of Boy Scout Troop 88 and their leaders.

MINUTES – REGULAR MEETING 2-10-2015: Minutes of the Regular meeting held Tuesday, February 10, 2015, were presented. Moved by Miller, seconded by Vivas, to approve the minutes as presented. Roll call. Voting “aye” were Salem, Roberts, Vivas, Miller, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,832,837.42 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Roberts, seconded by Salem, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$174,200.36 from the General Fund, \$133,646.94 from Street Fund, \$4,980.57 from TIF, \$1,462,747.94 from LEXUS, \$30,060.82 from Sanitation, \$3,250.23 from Ambulance, \$19,826.23 from Health Fund, and \$4,124.33 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Miller, Vivas, Salem, Roberts, Fagot. Motion carried.

**CITY OF LEXINGTON
ACCOUNTS PAYABLE
February 24, 2015**

AESSEAL LLC	WWTP Sludge Pump Supplies	821.95
Amazon	Library DVDs	23.27
Anderson Graphics	Library Service	51.00
ASK Supply Co.	WWTP Lighting Supplies	531.48
Baker & Taylor	Library Books	53.59
Bamford, Inc.	Fire Dept Service	225.00
Bennett Advertising Specialties Business Card	Admin Business Cards	92.36
International Code Council	Registration Fees	375.00
Microsoftstore	UTL Software	149.79
Runza	Meeting / School Meals	15.07
Streamlight	Police Flashlight Parts	86.52
Syracuse Inn & Suites	Police School Lodging	72.99
UNL Agron & Hort	Mosquito School Registrations	120.00
Comfort Inn	Lodging-EMS Conference/Fire Instructor Seminar	299.15

Holiday Inn	Lodging - EMS Conference	301.44
NE Emergency Medical Services	EMS Conference Registrations	990.00
Central Community College	Fire Conference Registration	200.00
Adobe Systems	ST Computer Program	256.67
Amazon.com	Compost Machine Parts	15.00
Post Office	WR Sample Postage	62.20
McDonalds	Snow Removal Crew Meals	62.85
American Airlines	Council Tickets / Cancellation	465.20
National League of Cities	Conference Registration Cancellation	-510.00
National Safety Compliance	Labor Law Posters	137.66
Cash-Wa Distributing	Food & Supplies	1,596.85
Center Point Large Print	Library Books	86.28
Central Garage Fund	WWTP/ST/Cem/PK/GGC/WR Service & Repair	5,314.96
Central Tire & Tread, Inc.	Tire Repair	18.00
Chief / Law Enforcement Supply	Police Uniform Expense	15.39
Danko Emergency Equipment	Fire Department Uniform Expense	8,113.52
Davis Energy, Inc.	Fuel	3,041.61
Dawson Pest Control	DCOC Service	54.60
Downey Drilling, Inc.	Well #17 Service	125.00
Dutton-Lainson Company	WR / EL Supplies	615.18
DXP Enterprises, Inc.	WWTP Supplies	128.84
Eakes Office Solutions	Library Supplies / UTL Printer Repair	911.67
Ed Roehr Safety Products	Police Uniform Expense	48.17
Eilers Machine and Welding, Inc.	Central Garage Supplies	24.12
Electrical Engineering/Equipment	WWTP / EL / GGC Supplies	220.40
Energy Pioneer Solutions	EPS Payments	3,686.93
Express Laundry Center	Rug Service	331.51
Fastenal	WR / ST Supplies	99.65
FYR-TEK, Inc.	Ambulance / Fire Units Repaired	1,070.75
Gale/Cengage Learning	Library Books	93.86
Galls LLC	Police Uniform Expense	39.43
Grainger	WWTP Supplies	210.80
Great Western Bank-Lib Petty Cash	Postage / Stamps / Food / Supplies	239.69
HD Supply Waterworks	WR Radios for AMI PJ	28,890.00
Health Claims Fund	Claims	19,630.23
Hiland Dairy Foods Co LLC	Beverages	214.99
Holbein, Dahlas	Fire Dept Maintenance / Cleaning Service	1,000.00
Ingram Library Services	Library Books	77.33
Intellicom Computer Consulting	Monthly Billing	1,150.00
JEO Consulting Group, Inc.	Plum Creek Park Lake Restoration PJ	9,160.00
Komline-Sanderson	WWTP Primary Clarifier	1,197.54
Lexington Newspapers, Inc.	Publications	884.53
Lexington Truck & Auto, Inc.	Central Garage Supplies	25.00
Lexington Volunteer Fire Dept	Fire Dept Conference Expense	110.85
Lexington Utilities System	Utilities	39,991.12
Lexington City Payroll Account		
Payroll	Wages	128,667.89
Social Security	Employer Portion / FICA Med	9,560.25
Union Bank & Trust	Employer Portion / Pension	4,340.97
Union Bank & Trust	Police Pension	2,289.31
ICMA	City Manager Pension	861.07
Mead Lumber & Rental-Lexington	DCOC / ST / WWTP Supplies	115.31
Midland Scientific, Inc.	WWTP Testing Supplies	112.65
Mid-Plains Community College	Student Accounts EMT Class	376.00
Miller & Associates	Lexington East Viaduct PJ	45,705.86
Moore Medical LLC	Ambulance Supplies	388.43
Municipal Supply, Inc.	WR Supplies	1,467.26

MV Technologies LLC	Energy Information Analysis	100.00
Nebraska Dept of HHS	LFAC Pool Permit	40.00
Nebraska Library Commission	Library Classes	30.00
Nebraska Public Power District	O & M	65,028.12
Nebraska Public Power District	Large Capital Projects	32,094.81
Nebraska Public Power District	Power Purchase	1,136,025.74
Nebraska Recreation & Park Assn	Registration Fees	900.00
Nebraska Tech & Telecomm, Inc.	Telephone Expense	1,124.06
OCLC, Inc.	Library Subscription	104.20
Omaha World-Herald	Library Subscription	283.40
Orthman Community YMCA	Membership Dues	1,164.90
Overton Community Center	Meals on Wheels	100.00
Platte Valley Communication	Mo Maint / Radio Repair / WR / Police Supplies	1,680.30
Plum Creek Market Place	Food	47.86
Presto-X	Fire Dept Service	89.77
Price's Tree Service	Machine Hire for Snow Removal	7,174.50
Quality Books, Inc.	Library Books	1,004.60
Randy's Body Shop	Towing Expense	55.00
S & W Auto Parts	Cem / Central Garage / WWTP Supplies	622.44
Scholastic Library	Library Books	152.10
Service Master of Mid Nebraska	Cleaning Service	5,227.75
Statewide Collections LLC	Collection Fees	505.52
Thompson Co., The	Food / Supplies	765.20
Tyler Technologies, Inc.	Maintenance Fees	2,149.17
ULINE	Street Supplies	163.61
Union Bank & Trust Company	LVFD Service Award	17,500.00
Unisan Nebraska LLC	DCOC / Muni Bldg Supplies	544.37
U-Save Business Equipment	BO/SBldg/Amb/Library/GGC Supplies / Postage	729.16
Wal-Mart	Supplies	599.61
Best Books, Inc.	Library Books	50.35
Community Development Agency	TIF / Miller & Associates / Comfort Inn	3,090.50
Dan's Sanitation	Sanitation Fees	30,060.82
Davis Energy, Inc.	Fuel	5,161.90
Davis, Susan	Library Book	15.00
Dell Marketing, L.P.	UTL Computer	859.18
Deterdings	Library Repair	162.50
Downey Drilling, Inc.	WR Supplies	34.54
Electro Industries/Gauge Tech	Nexus Metering	1,665.00
Great Western Bank-City Petty Cash	Postage / Meals / EL Incentives / Uniform Expense	203.65
Lexington, City of - Street	Commerce Road Parking Apron	1,890.07
Lexington, City of	Franchise Fees	81,969.66
Midlands Contracting, Inc.	WR Main for Frontier ST	2,889.00
Miller & Associates	Projects / Service	95,822.29
NE Public Health Environmental Lab	WR Testing	1,798.00
O'Reilly Auto Parts	ST Supplies	43.98
Paulsen, Inc.	Concrete	334.27
Quality Books, Inc.	Library Books	140.08
Storey Kenworthy/Matt Parrott	UTL Office Supplies	242.45
TASC Client Invoices	Admin Fees	196.00
Totalfunds by Hasler	Postage	3,000.00
	TOTAL CLAIMS:	1,832,837.42

FINANCIAL REPORT: Moved by Vivas, seconded by Miller, to accept the financial report for January 2015 as presented. Roll call. Voting "aye" were Salem, Roberts, Miller, Vivas, Fagot. Motion carried.

DEVELOPMENT AGREEMENT: Peplitsch reviewed a draft development agreement with Jose Gomez-Aguirre for property located at 210 West 17th Street. Moved by Vivas, seconded by Salem, to authorize the city manager to enter into the development agreement as presented. Roll call. Voting “aye” were Miller, Roberts, Salem, Vivas, Fagot. Motion carried.

1 & 6 YEAR PLAN 2015: Mayor Fagot opened a public hearing to receive comment on the 2015 1&6 Year Street Improvement plan. Following discussion and public comment, the public hearing was closed. Resolution No. 2015-05 was presented. Moved by Salem, seconded by Roberts, to approve Resolution No. 2015-05. Roll call. Voting “aye” were Miller, Vivas, Roberts, Salem, Fagot. Motion carried.

RESOLUTION OF ADOPTION 2015-05

BE IT RESOLVED by the Mayor and City Council of Lexington, Nebraska that the attached One- and Six-Year Street Improvement Programs are hereby adopted by said City Council.

BE IT FURTHER RESOLVED, this Program was approved: Approved as presented

Date: February 24, 2015.

LIQUOR LICENSE: Mayor Fagot opened a public hearing to consider a manager change application for the current San Pedro Inc. liquor license. Following discussion and public comments, the public hearing was closed. Moved by Miller, seconded by Vivas, to recommend approval of the manager change application as presented. Roll call. Voting “aye” were Salem, Roberts, Vivas, Miller, Fagot. Motion carried.

RESOLUTION: Resolution No. 2015-04 was presented. Marc Munford, Ameritas, reviewed proposed refinancing savings of 8.5% on the Series 2010 General Obligation bonds. Following discussion, moved by Salem, seconded by Roberts, to approve Resolution No. 2015-04. Roll call. Voting “aye” were Miller, Vivas, Roberts, Salem, Fagot. Motion carried.

RESOLUTION NO. 2015-04

**RESOLUTION CALLING GENERAL OBLIGATION REFUNDING BONDS,
SERIES 2010, FOR REDEMPTION**

BE IT RESOLVED by the Mayor and City Council of the City of Lexington, Nebraska:

Section 1. That the following bonds of the City of Lexington, Nebraska (the “City”), which are callable at any time on or after March 30, 2015, are hereby called for redemption on March 31, 2015:

General Obligation Refunding Bonds, Series 2010, date of original issue—March 30, 2010, in the principal amount of Nine Hundred Five Thousand Dollars (\$905,000), numbered as shown on the books of the Paying Agent becoming due and bearing interest as follows:

<u>Principal Amount</u>	<u>Maturing October 15 Of Year</u>	<u>Interest Rate</u>	<u>CUSIP No.</u>
\$80,000	2015	2.40%	529437 HF5
85,000	2016	2.75	529437 HG3
80,000	2017	3.00	529437 HH1
85,000	2018	3.30	529437 HJ7
90,000	2019	3.50	529437 HK4
95,000	2020	3.60	529437 HL2
90,000	2021	3.70	529437 HM0
95,000	2022	3.80	529437 HN8
100,000	2023	3.90	529437 HP3
105,000	2024	4.00	529437 HQ1

Said bonds were issued for the purpose of refunding the City's outstanding General Obligation Bonds, Series 2004, dated September 1, 2004, in the principal amount of \$1,245,000 maturing in the years 2010 through 2024, and to pay costs of issuance and underwriting associated with issuance of the Series 2010 Bonds.

Section 2. Said bonds are payable at the office of the City Treasurer of the City of Lexington, Nebraska, as paying agent and registrar (the "Paying Agent").

Section 3. A copy of this resolution shall be filed at least 30 days prior to the date of call with the Paying Agent and said Paying Agent is hereby irrevocably instructed to mail notice to each registered owner of said bonds not less than thirty days prior to the date fixed for redemption, all in accordance with the ordinance authorizing said called bonds.

PASSED AND APPROVED this 24th day of February, 2015.

ORDINANCE: Ordinance No. 2359 entitled "AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF LEXINGTON, NEBRASKA, IN THE PRINCIPAL AMOUNT OF EIGHT HUNDRED NINETY THOUSAND DOLLARS (\$890,00) FOR THE PURPOSE OF REFUNDING, TOGETHER WITH FUNDS ON HAND, \$905,000 OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010; DIRECTING THE APPLICATION OF THE PROCEEDS OF SAID BONDS; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM" was presented. Following discussion, moved by Salem, seconded by Miller, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting "aye" were Vivas, Robert, Miller, Salem, Fagot. Motion carried.

Ordinance No. 2359 was presented on final reading. Moved by Miller, seconded by Salem, to approve Ordinance No. 2359 on final reading. Roll call. Voting "aye" were Vivas, Roberts, Salem, Miller, Fagot. Motion carried.

ORDINANCE: Ordinance No. 2360 entitled "AN ORDINANCE TO AMEND SECTION 22-53 OF THE LEXINGTON CITY CODE; TO PROHIBIT "JAKEBRAKING" BY SEMITRACTORS AS AN UNNECESSARY NOISE; TO REPEAL ORIGINAL SECTION 22-53 AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM" was presented. Peplitsch explained that part of Section 22-53 regarding jakebraking was inadvertently omitted when the city code was recodified in 2012; this will correct the code as intended. Moved by Miller, seconded by Roberts, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting "aye" were Vivas, Salem, Roberts, Miller, Fagot. Motion carried.

Ordinance No. 2360 was presented on final reading. Moved by Salem, seconded by Vivas, to approve Ordinance No. 2360 on final reading. Roll call. Voting "aye" were Miller, Roberts, Vivas, Salem, Fagot. Motion carried.

POOL PAINTING: Daniels presented a bid tab for the Pool Painting Restoration project, noting Jameson Painting of Minden is the low bidder at \$47,594.50. Completion date would be the first part of May to coincide with the start of the pool season. Following discussion, moved by Miller, seconded by Vivas, to accept the bids as presented and to award a contract to Jameson Painting of Minden. Roll call. Voting "aye" were Salem, Roberts, Vivas, Miller, Fagot. Motion carried.

ACTION PLAN: Peplitsch presented a draft 2015 Development Action Plan. Following discussion, moved by Roberts, seconded by Miller, to approve the 2015 Development Action Plan as presented. Roll call. Voting "aye" were Vivas, Salem, Miller, Roberts, Fagot. Motion carried.

ROUNDTABLE DISCUSSION: Peplitsch reminded Council and Staff of the work session scheduled for Saturday, February 28. Roberts indicated he will be absent from the Work Session.

Burnside announced that there will be a media day in March for information related to the electric vehicle and charge station funding received in cooperation with NCEA.

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.

City Clerk