

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

A Regular Meeting of the Lexington City Council was held Tuesday, September 22, 2015, 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, Linda Miller, Dora Vivas 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 KRVN and 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 9-8-2015: Minutes of the Regular meeting held Tuesday, September 8, 2015, were presented. Moved by Salem, seconded by Vivas, to approve the minutes as presented. Roll call. Voting “aye” were Miller, Roberts, Vivas, Salem, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,222,287.88 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Roberts, seconded by Miller, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$191,584.95 from the General Fund, \$52,853.18 from Street Fund, \$350,000.00 from TIF, \$486,687.65 from LEXUS, \$30,420.02 from Sanitation, \$40,097.85 from Ambulance, \$64,034.65 from Health Fund, and \$6,609.58 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Salem, Miller, Roberts, Fagot. Motion carried.

**CITY OF LEXINGTON
ACCOUNTS PAYABLE
September 22, 2015**

Anderson Graphics	Library Services	50.00
Alinoor, Jibril	UTL Refund	30.67
Alvarenga, Gladis	EL Rebate	1,025.00
Baker & Taylor	Library Books	283.53
Barco Municipal Supply, Inc.	SW Supplies	333.26
Bauer Built Tire	Tire Repair	161.45
Beehive Industries	License Renewal	8,000.00
Bennett Advertising Specialties	Business Cards	162.00
Bob's Auto Repair	Parks Vehicle Repair	74.75
Business Card		
Amazon	Police Supplies	406.97
PayPal	NSA Conference	190.00
National League of Cities	Conference Registration	1,470.00
Post Office	WR Postage	227.30
Xccent	Equipment Repair	551.24
Calixto, Claudia Esthela	EL Rebate	1,325.00
Cash-Wa Distributing	Food & Supplies	1,898.76
Center Point Large Print	Library Books	86.28
Community Development Agency	Cornhusker Energy B2 Bond	350,000.00

Consolidated Management Co.	Police School Meals	50.75
Dan's Sanitation	Sanitation Fees	2,187.84
Davis Energy, Inc.	Fuel	4,496.29
Dawson Pest Control	DCOC Service	54.60
Dawson Public Power District	Power Purchase	13,784.87
Downey Drilling, Inc.	Decommission Well	2,470.80
Dugan Business Forms	Admin Supplies	340.31
Dutton-Lainson	EL Supplies	115.14
Eakes Office Solutions	ST Copies	252.23
Electronic Systems, Inc.	Fire Alarm Repairs	580.00
Energy Pioneer Solutions	EPS Payments	2,645.24
Fagot Refrigeration and Electric, Inc.	Library/Pool/St/DCOC/City Hall Repairs	4,511.43
Fastenal Company	ST Supplies	362.10
Gale/Cengage Learning	Library Books	84.00
Gnirk Lawn Care	WWTP Ground Maintenance	1,256.35
Great Western Bank	Ambulance Pmt	38,211.18
Great Western Bank-Lib. Petty Cash	Postage / Stamps / Supplies / Food	162.06
Health Claims Fund	Claims	64,034.65
Hiland Dairy Foods Company LLC	Food & Beverages	472.74
Holbein, Dahlas	Fire Dept Maintenance / Cleaning Service	1,000.00
Ingram Library Services	Library Books	224.61
Intellicom Computer Consulting, Inc.	Monthly Fee	1,150.00
John Deere Financial	PK / ST Supplies	520.19
KRVN AM & FM	NPPD Coop Ads	436.80
Lexington Area Solid Waste Agency	Landfill	931.77
Lexington Newspapers	Publications	1,105.91
Lexington Regional Health Center	Laundry	370.00
Lexington, City of	Interdepartment Fees / Operating Analysis	181,080.94
Lexington Utilities System	Utilities	34,910.34
Lexington City Payroll Account		
Payroll	Wages	137,796.73
Social Security	Employer Portion / FICA Med	10,231.17
Union Bank & Trust	Employer Portion / Pension	4,443.32
Union Bank & Trust	Police Pension	2,597.85
ICMA	City Manager Pension	865.69
Lift Solutions, Inc.	Equipment Maintenance	84.33
Linda's Stitches & Creations	Police Supplies	502.24
Martin Electric	LFAC Light Repair	107.97
Mead Lumber-Lexington	OPP Cntr / Field House / Park Supplies	318.23
MicroMarketing	Library Books	124.97
Mid-American Research Chemical Co	WWTP Supplies	176.70
Midwest Connect	Equipment Repair	37.46
Miller & Associates	Lexington East Viaduct	11,731.44
Mr. Automotive	Generator Service	142.56
Municipal Supply, Inc.	SW / WR Supplies	1,803.20
Nebraska Rural Water Association	Membership Fees	275.00
Nebraska Department of Revenue	Recycling Fee	25.00
Nebraska Library Association	Conference Registration	40.00
Nebraska Life	Subscription	24.00
Nebraska Public Power District	O & M	131,341.02
Nebraska Tech & Telecommunications, Inc.	Telephone Expense	1,275.25
NebraskaLand Tire	PK Vehicle Maintenance	41.19
NebraskaLink	Library Service	30.00
OCLC, Inc.	Library Subscription	108.31
ODB Company	ST Supplies	465.52
O'Hara Lindsay and Associates, Inc.	Monthly Fee	1,000.00
Oliver Consulting Services, Inc.	Library Computer Service	898.00

O'Neill Wood Resources LLC	Wood Grinding Services	7,500.00
Overton Sand and Gravel	SW Gravel	1,243.39
Paulsen Inc.	ST Repair	1,050.50
Physio-Control Inc.	Fire Dept Supplies	1,043.00
Platte Valley Auto Mart, Inc.	Ford Explorer / Vehicle Maintenance	34,568.89
Platte Valley Seamless Gutter	Library Repair	250.00
Plum Creek Market Place	Food	45.56
Primary Electric, Inc.	SW Repairs	502.05
Richardson Mowing	Library Tree Trimming	340.00
S & D Contractors	Yard Cleanup	200.00
S & W Auto Parts	WR / SW / PK / ST Supplies	267.44
Scholastic Library Publishing	Books	152.10
Service Master of Mid Nebraska	Cleaning Service	5,169.50
Sign Pro	Signs	219.00
Sirche Fingerprint Laboratories	Police Supplies	40.50
Subway	Food	39.90
Taste of Home	Subscription	32.98
Team Detail & Quick Lube	ST Supply / Uniform Repair	81.50
Thompson Co, The	Food & Supplies	1,160.15
Totalfunds by Hasler	Postage	3,000.00
U-Save Business Equipment	Office Supplies	407.24
Vision Technology Solutions LLC	Monthly Fee	243.10
Wal-Mart	Supplies	321.38
Alamar Uniforms	Police Uniforms	81.24
Associated Supply Company, Inc.	Pk Supplies	459.45
Baker & Taylor	Library Books	69.03
Bauer Built Tire	SW Tires	17.68
Bennett Advertising Specialties	Dev Services Business Cards	93.00
Bok Financial	2015 COP WWTP Bond Agent Fees	850.00
Consolidated Management Co.	Police Meals	78.25
Cash-Wa Distributing	Food & Supplies	973.70
Dan's Sanitation	Sanitation Fees	30,420.02
Dawson Area Development	Majestic Project Admin Work	4,508.16
Demco, Inc.	Library Supplies	249.75
Diamond Vogel Paint	ST Supplies	161.30
Doran Post & Associates	Notary Renewal	40.00
Electrical Engineering & Equipment Co	Pk Supplies	333.91
Gale/Cengage Learning	Library Books	199.62
Gilmore & Bell PC	2015 COP WWTP Bond Legal Fees	1,750.00
Great Western Bank-Lib. Petty Cash	Postage	5.66
Great Western Bank-City Petty Cash	Postage / Meals / EL Incentives	188.13
Hiland Dairy Foods	Beverages & Food	185.31
Intellicom Computer Consulting, Inc.	Monthly Fee / Maintenance	317.26
John Deere Financial	Cemetery Mower Repairs	315.00
Lexington Community Foundation	Coffee / Memorial Bk Sales	2,116.43
Lexington Newspapers	Publications	8.18
Lexington Volunteer Fire Dept	EMT Testing	230.00
Lexington, City Of	Franchise fees	83,959.74
Mid-American Research Chemical Co	ST Supplies	364.49
Mid-State Engineering & Testing	Soil Testing	220.00
Morris Press	GGC Newsletter	244.00
Nebraska Secretary of State	Notary Renewal	30.00
NebraskaLand Tire	WR Vehicle Maintenance	57.60
Paulsen Inc.	Concrete	1,265.37
Platte Valley Communications	Monthly fee / Police Vehicle Parts	2,066.96
Presto-X	Library Service	75.00
S & W Auto Parts	ST / WR Supplies	87.26

Thompson Co, The	Food	502.05
Tyler Technologies, Inc.	Maintenance Fees	399.70
UltraMax	Ammunition	399.00
Verizon Wireless	Cellphone Service	355.50
Village Uniform	GGC Supplies	50.84
Wal-Mart	Supplies	114.61

TOTAL CLAIMS: 1,222,287.88

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

NON-CONFORMING USE: Mayor Fagot open a public hearing to consider an application to change a non-conforming use to another non-conforming use on the property located at 502 East 6th Street. Terry Jorgensen appeared to explain his intentions of using the buildings on the property for vehicle and personal storage, as opposed to the current plumbing contractor business. Discussion included prohibition of outside storage and compliance with minimal landscaping and other code requirements. It was noted the Planning Commission had reviewed the application and recommended approval with specific conditions as deemed appropriate. The public hearing was closed. Following discussion, moved by Salem, seconded by Miller, to approve the application for the change in a non-conforming use, with prohibition of outdoor storage and compliance with code requirements including landscaping. Roll call. Voting “aye” were Vivas, Roberts, Miller, Salem, Fagot. Motion carried.

LIQUOR LICENSE: Mayor Fagot opened a public hearing to consider a liquor license application by Los Arcos, LLC dba Los Arcos Mexican Restaurant. Gerardo Vazquez, along with his attorney Jesus Tena, outlined his plans to serve alcoholic beverages in connection with the restaurant operation. Following discussion, the public hearing was closed. Moved by Vivas, seconded by Salem, to recommend approval of the liquor license application. Voting “aye” were Miller, Roberts, Salem, Vivas, Fagot. Motion carried.

DAD ANNUAL REPORT: Jen Wolf presented a 2014-2015 annual report for Dawson Area Development operations. Following discussion, no action was taken.

PAY REQUEST: Peplitsch reviewed Pay Request #3 from TL Sund Constructors for the Lexington Fieldhouse project in the amount of \$80,531.75. Following discussion, moved by Miller, seconded by Salem, to approve the pay request as presented. Roll call. Voting “aye” were Vivas, Roberts, Salem, Miller, Fagot. Motion carried.

PAY REQUEST: Peplitsch reviewed Pay Request #4 from TL Sund Constructors for the WWTP Support Facility project in the amount of \$66,301.50. Following discussion, moved by Roberts, seconded by Vivas, to approve the pay request as presented. Roll call. Voting “aye” were Miller, Salem, Vivas, Roberts, Fagot. Motion carried.

PAVING PROJECT: Peplitsch reviewed bids received for the 2015 Opportunity Center South Paving Improvements project. One bid was received from TL Sund Constructors for \$132,503.50, which was 16% under the engineer’s estimate. Following discussion, moved by Salem, seconded by Vivas, to accept the bid, award a contract to TL Sund Constructors for the project, and authorize the execution of necessary documents. Roll call. Voting “aye” were Miller, Roberts, Vivas, Salem, Fagot. Motion carried.

WORK SESSION: Moved by Miller, seconded by Vivas, to schedule a council work session for Saturday, October 10, 2015, at 8:00 a.m. Roll call. Voting “aye” were Salem, Roberts, Vivas, Miller, Fagot. Motion carried.

ROUNDTABLE DISCUSSION: Peplitsch gave an update on current projects.

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