

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

A Regular Meeting of the Lexington City Council was held Tuesday, January 12, 2016, 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, Police Chief Tracy Wolf 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, located at 406 E. 7th Street, Lexington, Nebraska.

MINUTES – REGULAR MEETING 12-22-15: Minutes of the Regular meeting held Tuesday, December 22, 2015, were presented. Moved by Vivas, seconded by Salem, to approve the minutes as presented. Roll call. Voting “aye” were Miller, Roberts, Salem, Vivas, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,682,566.31 were presented for Council 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 \$212,190.84 from the General Fund, \$135,411.24 from Street Fund, \$328.86 from TIF, \$1,288,125.05 from LEXUS, \$10,000.00 from Sanitation, \$591.70 from Landfill, \$116.59 from Ambulance, \$30,284.79 from Health Fund, and \$5,517.24 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
January 12, 2016**

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| Accucut Systems | Library Die-cuts | 292.00 |
| Alamar Uniforms | Police Uniforms | 77.29 |
| All Fasteners Midwest, LLC | ST Tools | 93.75 |
| Anytime Fitness | Wellness | 107.00 |
| Audio Editions | Library Books | 81.47 |
| Baker & Taylor | Library Books | 46.32 |
| Bauer Built Tire | Tire Repair & Replacement | 1,035.78 |
| Cash-Wa Distributing | Food & Supplies | 1,235.13 |
| Central Community College | CPR Skills Test | 30.00 |
| Coca-Cola Bottling of Kearney, Inc. | Beverages | 191.85 |
| Community Development Agency | Property Taxes | 328.86 |
| Culligan Water Conditioning Co. | Soft Water Supplies | 234.35 |
| Dan's Sanitation, Inc. | Sanitation Fees | 11,584.00 |
| Davis Energy, Inc. | Fuel | 6,280.95 |
| Dawson County | Dispatch Fees | 27,500.00 |
| Dawson Pest Control | GGC Monthly Pest Control | 36.75 |
| Downey Drilling, Inc. | WWTP Plumbing Materials | 985.40 |
| Dutton-Lainson Co. | Meter Sockets | 155.30 |
| Electrical Engineering & Equipment Co. | WWTP/Police/Fieldhouse Lighting Supplies | 159.19 |

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| Eustis Body Shop, Inc. | Towing Fees | 230.00 |
| Fagot Refrigeration & Electric, Inc . | WWTP Reznor Service | 764.89 |
| Fastenal Company | WR / ST Tools | 481.67 |
| Friesenborg, Sharon | Cemetery Spaces | 200.00 |
| Health Claims Fund | Claims | 30,098.59 |
| Heldt & McKeone Law Offices | Professional Fees | 2,700.00 |
| Hiland Dairy Foods Company LLC | Food & Beverages | 304.54 |
| Hobart | GGC Dishwasher Repair | 294.53 |
| Holbein, Dahlas | Snow Removal | 500.00 |
| Ingram Library Services | Library Books | 143.24 |
| Intellicom Computer Consulting, Inc. | Cisco Switch | 146.60 |
| Jaime's Garage | ST Vehicle Repair | 3,531.25 |
| Jones Plumbing & Heating, Inc. | Fieldhouse/Opp Cntr/WWTP Svc/WR Meter Install | 3,005.86 |
| Kearney Hub | Library Subscription | 145.60 |
| Lexington Animal Clinic | Animal Care | 606.10 |
| Lexington City Payroll Account: | | |
| Payroll | Wages | 136,645.70 |
| Social Security | Employer Portion / FICA Med | 10,147.34 |
| Union Bank & Trust | Employer Portion / Pension | 4,577.02 |
| Union Bank & Trust | Police Pension | 2,813.63 |
| ICMA | City Manager Pension | 865.69 |
| Lexington Community Foundation | Fieldhouse Donations | 855.84 |
| Lexington Health Fund | Self-funding | 48,116.64 |
| Lexington Newspapers, Inc. | Publications | 746.37 |
| Lexington Postmaster | GGC Postage | 165.00 |
| Lexington, City of | Franchise Fees/Interdepartment Service Fees | 64,369.51 |
| Lexington, City of - Street Dept | Fuel | 7,534.96 |
| Lexis Nexis Matthew Bender | Police Book | 68.08 |
| Matheson Tri-Gas, Inc. | Ambulance Supplies | 29.12 |
| McCandless Backhoe, Inc. | Snow Removal | 896.00 |
| Mead Lumber & Rental - Lexington | Fieldhouse Painting Supplies/WWTP Heaters | 452.25 |
| Meritain Health | Health Premium | 22,665.12 |
| MicroMarketing, LLC. | Library Books | 2,843.11 |
| Milco Environmental Services, Inc. | Landfill Closure | 591.70 |
| Mid-States Organized Crime Information Center | Membership Dues | 150.00 |
| Midwest Laboratories, Inc. | WWTP Lab Testing | 200.50 |
| Miller & Associates, Inc. | Professional Services | 990.00 |
| Municipal Supply, Inc. of Nebraska | WWTP Gasket Repair Kits | 129.02 |
| MPH Industries, Inc. | Police Radar Equipment | 206.25 |
| Mr. Automotive | WR / ST Vehicle Parts & Tools | 249.76 |
| Nebraska Department of Revenue | Sales & Use Tax | 53,652.67 |
| Nebraska Law Enforcement | TABE Testing | 10.00 |
| Nebraska Machinery | ST Vehicle Repair & Parts | 765.00 |
| Nebraskaland Tire | Dev Svcs / WR / PK Vehicle Service | 389.61 |
| Nebraskalink | Library Internet Service | 30.00 |
| O'Neill Wood Resources, LLC | Plum Creek Park Wood Grinding Service | 5,750.00 |
| O'Reilly Auto Parts | ST Vehicle Parts/Generator Battery Charger | 136.90 |
| Overton Sand & Gravel | Gravel | 658.16 |
| Paulsen, Inc. | ST Repair | 2,240.45 |
| Platte Valley Excavating, Inc. | Snow Removal/Memorial PK Tree Stump Removal | 14,680.00 |
| Plum Creek Motors, Inc. | ST Vehicle Parts | 42.03 |
| Plum Creek Promotions | Developmental Services Field Supplies | 32.50 |
| Precision Detail | Fire Hall Cleaning Service | 240.00 |
| Principal | Dental Premium | 3,004.18 |

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| Quality Books, Inc. | Library Books | 50.84 |
| Regional Books, Inc. | Library Books | 269.89 |
| S & W Auto Parts, Inc. | ST / WR / WWTP Supplies | 474.27 |
| Service Master of Mid Nebraska | Cleaning Service / EL Rebate | 5,259.97 |
| Source Gas, LLC | Gas Service | 9,953.00 |
| Standard Life Insurance Company | Premiums | 910.37 |
| Statewide Collections, LLC | Collection Fees | 861.85 |
| Subway @ Walmart | Police Meals | 16.90 |
| Tagge, Darold | Highway Superintendent Services | 3,000.00 |
| Tasc-Client Invoices | Admin Fees | 186.20 |
| Thompson Company, The | Food & Supplies | 926.75 |
| Titan Access/Productivity Plus | ST Vehicle Parts | 151.60 |
| T.L Sund Constructors, Inc. | Fieldhouse Materials | 22.36 |
| Total Funds by Hasler | Postage | 3,000.00 |
| Verizon Wireless | Cell Phone Service | 355.33 |
| Village Uniform | GGC Supplies | 50.84 |
| VSP / Vision Service Plan | Vision Premium | 875.61 |
| Walmart | Supplies | 539.41 |
| Baker & Taylor | Library Books | 126.61 |
| Cash-Wa Distributing | Food & Supplies | 936.47 |
| Central Plains Library System | Library Workshop | 40.00 |
| Conney Safety | PK / ST / SW Supplies | 431.60 |
| Dan's Sanitation, Inc. | Recycling | 2,324.58 |
| Davis Energy, Inc. | Oil & Antifreeze | 2,454.10 |
| Dawson County Register of Deeds | Filing Fees | 32.00 |
| Dawson Pest Control | Opportunity Center Monthly Pest Control | 54.60 |
| Dawson Public Power District | Power Purchase | 624.66 |
| Designer Craft Woodworking, Inc. | Fieldhouse Casework & Countertop | 2,444.00 |
| Eakes Office Solutions | Library Paper Supplies | 34.87 |
| Great Western Bank-City Petty Cash | Postage / EL Rebates | 133.93 |
| HD Supply Waterworks | Meters & Installation Materials | 3,598.28 |
| Hiland Dairy Foods Company LLC | Food & Beverages | 329.92 |
| Homestead Bank Street | Improvement District 09-02 Paving Pymt | 55,517.96 |
| Ingram Library Services | Library Books | 81.79 |
| Intellicom Computer Consulting, Inc. | Monthly Svc/Remote Connect/WWTP Connect | 2,723.33 |
| Jim Phillips Construction | Cemetery Fence Repair | 1,849.00 |
| John Deere Financial | PK / SW / ST Supplies | 1,454.04 |
| KRVN AM & FM | Advertisements | 40.00 |
| Lerner Publishing Group | Library Books | 12.74 |
| Lexington Area Solid Waste Agency | Special Waste | 783.52 |
| Lexington Newspapers, Inc. | Publications | 359.93 |
| Mead Lumber & Rental - Lexington | PK/WR Spls/Fieldhouse Painting Materials | 304.73 |
| Michael Todd & Company, Inc. | ST LED Light | 154.83 |
| MicroMarketing, LLC. | Library Books | 9.95 |
| Mr. Automotive | ST Vehicle Parts | 109.65 |
| Nebraska Public Power District | Power Purchase | 1,085,229.82 |
| Nebraska Tech & Telecomm, Inc. | Telephone Expense | 1,567.17 |
| OCLC, Inc. | Library Subscription | 108.31 |
| Paulsen, Inc. | WWTP Gravel | 87.50 |
| Platte Valley Auto Mart, Inc. | Police / Dev Svc / ST Vehicle Service | 336.10 |
| Plum Creek Market Place | Food | 39.90 |
| Primary Electric | WWTP Wiring Service | 1,036.40 |
| S & W Auto Parts, Inc. | Police Vehicle Parts | 37.94 |
| T.L Sund Constructors, Inc. | Storm Water Drain Work & Alteration | 6,890.00 |
| Team Detail & Quicklube | Police Uniforms | 13.00 |
| Thompson Company, The | Food & Supplies | 984.52 |

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| Tyler Business Forms | Business Office Supplies | 26.69 |
| USA Communications | Internet Service | 382.14 |
| VVS Surveillance Systems, Inc. | Police Battery Backup | 189.05 |
| Village Uniform | GGC Supplies | 123.73 |
| Walmart | Supplies | 93.39 |
| TOTAL CLAIMS: | | 1,682,566.31 |

INTENT RESOLUTION: Resolution No. 2016-01 was presented. Peplitsch reviewed the resolution. Following discussion, moved by Salem, seconded by Miller, to approve Resolution No. 2016-01. Roll call. Voting “aye” were Vivas, Robert, Miller, Salem, Fagot. Motion carried.

RESOLUTION NO. 2016-01

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

Section 1. The Mayor and City Council (the “Council”) of the City of Lexington, Nebraska (“City”) hereby find and determine that it is necessary and appropriate to declare an official intent to issue tax-exempt bond anticipation notes or bonds by the City to provide funds and, in addition, the City's reasonable expectations to reimburse certain expenditures with the proceeds of such bond anticipation notes or bonds as proposed to be issued by the City in connection with the construction of certain highway and street improvements and other related appurtenant improvements now being or to be constructed in the City.

Section 2. This resolution shall stand as a statement of the official intent of the City under Regulation Section 1.150-2 and for such purpose the following information is hereby given:

1. A general functional description of the project for which expenditures may be made and reimbursement with bond anticipation notes or bond proceeds may be taken is: construction of concrete or asphalt streets, grading, curbing and drainage improvements, and other related improvements including sub-grade preparation, paving replacement, and other necessary and appurtenant improvements, the cost of which improvements is estimated to total \$1,000,000 for project costs for Northwest Third Addition Phase II Improvements, 2016 Asphalt Overlay Improvements, and Frontier Street Paving projects.

2. The principal amount of general obligation notes or bonds expected to be issued by the City for that portion of improvements pertaining to this reimbursement resolution is estimated to be \$1,000,000, which amount represents the expected funds to be advanced by the City for project costs to be reimbursed by the issuance of tax-exempt bond anticipation notes or tax-exempt bonds.

PASSED AND APPROVED this 12th day of January, 2016.

PAY REQUEST: Peplitsch reviewed Pay Request #7 for the Lexington Fieldhouse project from TL Sund Constructors in the amount of \$6,519.45. Following discussion, moved by Vivas, seconded by Roberts, to approve the pay request as presented. Roll call. Voting “aye” were Miller, Salem, Vivas, Roberts, Fagot. Motion carried.

PAY REQUEST: Peplitsch reviewed Pay Request #8 for the WWTP Support Facility from TL Sund Constructors in the amount of \$31,270.86. 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.

LAKE PROJECT: Peplitsch presented close out documents for the Plum Creek Lake Restoration project which include Change Order #2, Pay Request #3-Final in the amount of \$124,746.25, and the Certification of Completion. Following discussion, moved by Miller, seconded by Vivas, to approve all documents as presented. Roll call. Voting “aye” were Salem, Roberts, Vivas, Miller, Fagot. Motion carried.

WORK SESSION: Moved by Salem, seconded by Vivas, to schedule a work session Saturday, January 30, 2016 at 8:00 a.m. Roll call. Voting “aye” were Miller, Roberts, Vivas, Salem, Fagot. Motion carried.

ROUNDTABLE DISCUSSION: Baruth reminded Council members of the February 1 filing date for incumbents intending to run in the 2016 election. She also stated she will be making reservations for the League of Nebraska Municipalities Mid-Winter Conference. Salem mentioned a positive article in NebraskaLand magazine on Lexington, and encouraged people to read the article if they have not.

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