

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

A Regular Meeting of the Lexington City Council was held Tuesday, February 28, 2017, at the Lexington City Hall, 406 E. 7<sup>th</sup> 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, Financial Director Barb Hodges and City Clerk Pamela Baruth. The press was represented by KRVN.

**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. 7<sup>th</sup> Street, Lexington, Nebraska.

**MINUTES – REGULAR MEETING 2-14-17:** Minutes of the Regular meeting held Tuesday, February 14, 2017 were presented. Moved by Roberts, seconded by Salem, to approve the minutes as presented. Roll call. Voting “aye” were Vivas, Smith, Salem, Roberts, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$926,732.27 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Vivas, seconded by Smith, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$573,064.99 from General Fund, \$59,798.32 from Street Fund, \$12,500.00 from Housing Reuse, \$237,834.27 from LEXUS, \$31,431.56 from Sanitation, \$548.17 from Ambulance, \$7,116.40 from Health Fund, and \$4,438.56 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were, Roberts, Salem, Smith, Vivas, Fagot. Motion carried.

**CITY OF LEXINGTON  
ACCOUNTS PAYABLE  
February 28, 2017**

Baker & Taylor	LB / Books	27.11
Bauer Built Tire	WR / Tire Repair	21.50
Bennett Advertising Specialties	City / Stationery	1,819.86
Business Card		
Adobe Acrobat	ST / Software	192.47
Amazon	WR / Manuals	42.06
Arby's	PD / Training Meals	7.55
Casey's General Store	PD / Training Expenses	6.93
CCC Cafeteria	PD / Training Meals	16.00
Fairfield Inn	Ambulance EMS Conference	106.18
KFC	PD / Training Meals	13.14
Microsoft Office	City / Software	855.98
Nelson Inn	PD / Training Expenses	78.37
City of Lincoln	Dv Srv / Parking	7.50
Pizza Hut	PD / Training Meals	9.54
Post Office	WR / Postage	94.20
Pyramid Technology	PK / Clock	248.21
Red Cross	PK / Life Guard Instructor's Kit	531.21
Runza	PD / Training Meals	7.48

Thomas & Meens	PD / Training Expenses	200.00
C & L Agri-Construction	OOR / House Materials	12,500.00
Cash-Wa Distributing	MOW / Food & Supplies	1,236.28
Center Point Large Print	LB / Books	88.68
Chesterman Coca-Cola	PK / Fieldhouse Beverages	693.60
Comfort Inn - Hastings	PD / Conference	82.81
Contryman Associates Inc	Audit Fees	16,000.00
Davis Energy Inc	ST / Fuel	5,951.17
Dawson Area Development	ST / Admin Fees	10,875.00
Eakes Office Solutions	LB / Copier Fees / Toner	1,068.98
Electrical Engineering & Equipment	EL / PK / PVC / Sprinkler Hardware	401.66
Energy Pioneer Solutions	EPS Payments	2,913.99
Fastenal Company	ST / SW / WR / Hardware	199.36
Frederick, Michael	LB / Books	40.00
Fyr-Tek	Ambulance Tools	140.65
Gale/Cengage Learning	LB / Books	240.46
Gardner Media LLC	LB / Books	174.32
Gothenburg Times	Publications / DC Mutual Finance Org	5.40
Health Claims Fund	Claims	6,933.88
Heldt, McKeone Trust	Purchase Beans Property	408,917.25
Hiland Dairy Foods Company LLC	GGC / Dairy Products	386.26
HOA Solutions Inc	SW / DAFT Disconnect	597.00
Holbein, Dahlas	Truck Maintenance/Repairs	1,000.00
Ingram Library Services	LB / Books	86.89
Jack's Uniforms & Equipment	PD / Ford Console / Adjustable Desk	520.16
Jamie's Garage	ST / Truck Repair	216.78
Jim Phillips Construction	WR / Main Break Repairs	3,128.00
Jimenez, Jacqueline	EL Rebate	350.00
Lexington Lions Club	Donation	210.00
Lexington Newspapers	Publications	125.64
Lexus	Utilities	39,951.68
Mead Lumber	EL / PK / WR / Lumber/Blocks/Hardware	81.16
Mid-American Research Chemical	ST / Janitorial Supplies	377.28
Midlands Contracting	ST / Water Main Repair	17,047.80
Mr Automotive	FD / Grease / Hose / Applicator	45.69
Nebraska Dept of Environmental Quality	WWTP / License Renewal Fee / D Glaze	150.00
Nebraska Dept of Health/Human Services	AC / Pool Permit	40.00
Nebraska Public Health Environmental Lab	WR Testing	137.00
Nebraska Public Power District	O & M	69,231.58
Oliver Consulting	LB / Computer Backup	20.00
Oprah Magazine	LB / Books	34.97
Orthman Community YMCA	Memberships	842.00
Paulsen Inc.	WR / Concrete / Street Repair	556.40
Platte Valley Auto Mart	SW / Truck Maintenance	80.47
Rainbow Book Company	LB / Books	2,260.57
Rasmussen Mechanical Services	LB / Heat Pump Repair	1,298.91
Scholastic Library Publishing	LB / Books	152.10
Service Master	Janitorial Services	5,093.75
Sign Pro	OC / Caution Signs	100.00
Subway	Meals	58.50
TASC	Administration Fees	182.52
T O Haas Tire & Auto	ST / Skid Loader Tire Repair	28.70
Taste of Home Magazine	LB / Books	32.98
The Thompson Co	MOW / Food & Supplies	1,227.42
Todd Wilson PC	Professional Fees	1,200.00
Tri-City Tribune	City / DC Mutual Finance Org	6.69
Tyler Technologies	Online Annual Fee	1,200.00

Union Bank and Trust	LVFD Service Award / 2016 Contribution	18,500.00
Village Uniform	GGC / Janitorial Supplies	50.84
Verizon Wireless	Cell Phone Service	349.66
Walmart	Dv Srv / SW / Auto / Office Supplies	312.13
Weathercraft Companies	OC / Building Repair	262.02
Yung, Mark	Dv Srv / Code Conference	479.50
Allfasteners	ST / Sign Hardware / Saw Blades	110.33
Awards Plus - Lexington	PD / Plaque	49.95
Bob's True Value	WWTP / Hardware	17.55
CCP Industries	WWTP / Lab Supplies	136.03
Dan's Sanitation	Sanitation Fees	31,131.56
Davis Energy, Inc.	ST / Fuel	2,505.35
Dell Marketing	City / Computer	887.00
Fagot Refrigeration & Electric Inc	GGC / Refrigeration Line Repair	241.95
Great Western Bank-City Petty Cash	City / PD / WTTP / Postage / Meals	58.48
Great Western Bank-Lib. Petty Cash	LB / Postage / Crafts / Office /	268.77
Johnstone Supply	City / OC / PK / Furnace Filters	609.45
Lexington Area Chamber of Commerce	City / Banquet	120.00
Lexington City Payroll Account:		
Payroll	Wages	133,087.31
Social Security	Employer Portion / FICA Med	9,878.54
Union Bank & Trust	Employer Portion / Pension	4,398.13
Union Bank & Trust	Police Pension	2,687.55
ICMA	City Manager Pension	870.93
Lexington, City of	Franchise Fees	86,304.55
Martin Electric	SW / Ballast / Bulbs	143.95
Mead Lumber	ST / WWTP / Hardware	61.45
Midwest Radar & Equipment	PD / Radar Equipment	280.00
Moorhous Inc	EL / Generator	11,648.26
Morris Press	GGC / Newsletter	316.83
Rojas Barrera, Amparo	Utility Refund	90.16
TO Haas	PD / Tire Repair	19.74
Walmart	PD / Supplies	46.62
	<b>TOTAL CLAIMS:</b>	<b>926,732.27</b>

**FINANCIAL REPORT:** Moved by Salem, seconded by Roberts, to accept the financial report for January 2017. Roll call. Voting “aye” were Vivas, Smith, Roberts, Salem, Fagot. Motion carried.

**AUDIT REPORT:** Amy Barth, Contryman Associates, presented the 2016 Audit Report, stating an unmodified opinion with no findings was issued. Following her report, moved by Salem, seconded by Smith, to accept the 2016 Audit Report as presented. Roll call. Voting “aye” were Vivas, Roberts, Smith, Salem, Fagot. Motion carried.

**ED PROGRAM:** Peplitsch reviewed an application to the Lexington Economic Development Program by the City of Lexington for funds to acquire the Downey Drilling properties along 4<sup>th</sup> and Grant Streets. He noted the properties will be acquired by the City with the intent to redevelop with proceeds from future sales to be returned to the program. Following discussion, moved by Roberts, seconded by Vivas, to approve the application by the City in the amount of \$200,000 and authorize the use of funds for the intended purpose. Roll call. Voting “aye” were Salem, Smith, Vivas, Roberts, Fagot. Motion carried.

**CHANGE ORDER:** Peplitsch reviewed Change Order #1 for the sanitary sewer portion of the Northwest 5<sup>th</sup> Addition Improvements project with a net addition of \$13,766.00. He explained the change order amends the scope of the project to eliminate improvements for Revere Circle and replace with improvements to Independence Avenue. Following discussion, moved by Smith, seconded by Salem, to approve Change Order #1 as presented. Roll call. Voting “aye” were Vivas, Roberts, Salem, Smith, Fagot. Motion carried.

**1 & 6 YEAR STREET IMPROVEMENT PLAN:** Council and Staff reviewed a draft 2017 1 & 6 Year Street Improvement plan. Peplitsch stated the Planning Commission will be reviewing the draft at their March 1 meeting, and a Council hearing will be scheduled for March 14. No action was taken.

**EXECUTIVE SESSION:** Moved by Salem, seconded by Vivas, to enter Executive Session at 5:54 p.m. to discuss negotiations for the purchase of land. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

Moved by Roberts, seconded by Smith, to enter into Open Session at 6:03 p.m. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

**ROUNDTABLE DISCUSSION:** Peplitsch requested possible topics and times for a work session. He stated the city has received notification of the reservation of tax credits for The Row housing project. Baruth announced that she will be out on medical leave beginning March 20.

**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