

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

A Regular Meeting of the Lexington City Council was held Tuesday, May 9, 2017, 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. Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Brian Copley, 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. 7th Street, Lexington, Nebraska.

MINUTES – REGULAR MEETING 4-25-17: Minutes of the Regular meeting held Tuesday, April 25, 2017 were presented. Moved by Smith, seconded by Salem, to approve the minutes as presented. Roll call. Voting “aye” were Vivas, Roberts, Salem, Smith, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$613,947.58 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Roberts, seconded by Vivas, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$250,949.73 from General Fund, \$99,363.61 from Street Fund, \$236,027.01 from LEXUS, \$10,000.00 from Sanitation, \$2,586.06 from Ambulance, \$8,450.99 from Health Fund, and \$6,570.18 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Smith, Salem, Vivas, Roberts, Fagot. Motion carried.

ACCOUNTS PAYABLE

Alexander, Trenton	EL / Rebate	1,900.00
Area Services	EL / Lift Station Pumping	252.50
Bailey, Bill	EL / Rebate	1,900.00
Bauer Underground	EL / Erie St Underground Drilling	10,420.00
Black Hills Energy	Gas Service	6,022.37
Bob's True Value	OC / Batteries / Paint Supplies	29.55
Cash-Wa Distributing	Admin/GGC/Food/Paper/Janitorial Spls	2,045.76
Central Community College	FD / CPR Training	69.75
Chief Supplies	PD / Name Plates	20.71
Christensen, Andy	EL / Rebate	2,250.00
Consolidated Management Co	PD / Training Meals	8.74
Country Partners Coop	CM/FD/PK/SW/Fuel/Fertlzer/AntiFreeze	622.13
Culligan	Soft Water Supplies	412.43
Dan's Sanitation	Sanitation Fees	14,184.52
Davis Energy Inc	Ambulance / FD / ST / Fuel	3,787.90
Dawson County Register of Deeds	Filing Fees	372.00
Dawson Pest Control	FD / GGC / OC / Pest Control	159.10

Dawson Public Power District	Power Purchase	406.74
Diamond Vogel Paint Center	ST / Traffic Paint	687.50
Downey Drilling	AC / Gasket Material	164.73
Eakes Office Solutions	Admin / LB / Software / Office Supplies	799.86
Eilers Machine & Welding	ST / Sheet Metal / Overpass Repair	43.60
Electrical Engineering & Equipment	PK / Shelter Maintenance	12.88
EMS Billing Services	Ambulance Billing	1,902.63
Eustis Body Shop	WR / Vehicle Repair	3,711.65
Felsburg Holt & Ullevig	DV SRV / Storm Water Management	2,500.00
Gangwish Turf	PK / Ballfield Seed	939.60
Gilmore & Bell	SW / Bond Issuance Expense	1,500.00
Great Western Bank	Lukas Land Payment	28,733.36
Hawkins	AC / Pool Chemicals	1,312.86
Health Claims Fund	Claims	8,450.99
Heldt & McKeone Law Offices	Professional Fee	2,700.00
Hiland Dairy Foods Company LLC	GGC / Dairy Products	228.02
Holbein, Dahlas	FD / Lawn Service	165.00
Ingram Library Services	LB / Books	381.29
Jamie's Garage	PK / ST / Flywheel / PTO Cable	693.81
JEO Consulting	Professional Services / Kirkpatrick Park	600.00
Leger, Jean	AC / Pool Clinic	40.00
Lexington Animal Clinic	Animal Care	529.90
Lexington Area Solid Waste	Waste	1,900.14
Lexington, City Street Department	Fuel	7,236.20
Lexington, City of	Franchise Fees/Interdepartment Svc Fees	57,281.64
Lexington Community Foundation	Fieldhouse Donations	80.00
Lexington Health Fund	Self-funding	48,046.94
Lexington Newspapers	Publications	109.91
Lexington Postmaster	GGC / Postage	165.00
Lexington Recreation	AC / Concessions / Admission	500.00
Lien Inc	PK/ST/Tree Planting/Sprinkler Maint	3,118.35
Matheson Tri-Gas Inc	FD / Medical Supplies	31.00
Mead Lumber & Rental - Lexington	AC / Paint Supplies	212.81
Meritain Health	Health Premium	20,446.96
MicroMarketing	LB / Books	4,229.55
Mid-American Research Chemical	PK / Lawn Maintenance	858.05
Midland Scientific	WWTP / Lab Supplies	1,076.90
Midwest Connect	EL / Ink Cartridge	288.90
Morris Press	GGC / Newsletter	309.46
Mr Automotive	ST / WR / Battery / PTO Cable	171.73
Municipal Supply	WR / Pipe / NW 5th Add	3,427.94
Nebraska Dept of Revenue	Sales and Use Tax	54,492.74
Nebraska Machinery	ST/ Loader Fender	246.68
Nebraskaland Tire	PK / Truck Maintenance	47.56
O'Hanlon Seed	CM / Seed / Fertilizer	3,337.50
Oliver Consulting Services	LB / Backup Subscription	10.00
One Call Concepts, Inc.	Locate Fees	114.90
Platte Valley Auto Mart	PD / Vehicle Maintenance	140.20
Platte Valley Communications	Admin/FD/PD/ST/Maint Fee/Radio/Siren	854.15
Plum Creek Motors	SW / Belt	55.95
Pony Express	PD / AC Maintenance	158.38
Precision Detail	FD / Cleaning	240.00
Primary Electric	WWTP / Lighting	320.00
Principal	Dental Premium	3,205.17

Quality Books	LB / Books	10.52
Rasmussen Mechanical Services	LB / Maintenance Contract Installment	1,265.00
Robinson, Michael	AC / Pool Clinic	40.00
Rowan, Jeff	AC / Pool Clinic	40.00
S W Auto Parts	EL/FD/PK/ST/Btry/Cleaner/Gauge/Filter	210.36
Service Master of Mid Nebraska	EL / OC / Janitorial Services	4,174.47
Standard Insurance Company	Life Insurance Premiums	899.50
Subway @ Walmart	Main St Meeting Lunch	29.10
Tnemec Company	AC / Pool Paint	404.86
The Thompson Co	GGC / Food & Supplies	1,566.45
The Wall St Journal	LB / Subscription	478.88
Tingelhoff, Tiffany	AC / Pool Clinic	40.00
Titan Productivity Account	ST/WWTP/Machine/Tractor Maint	3,456.60
TO Haas	PD / Tires	499.86
Total Funds by Hasler	Postage	3,000.00
Total Lawn Care	PK / Lawn Service	960.00
U-Save Business Equipment	Admin/GGC/LB/ST/WWTP/Supplies/Ink	813.21
USA Communications	City Internet Services	345.60
Village Uniform	GGC / Supplies	55.84
VSP / Vision Service Plan	Vision Premium	897.95
W Bar Fire Extinguishers	FD / PD / Extinguisher Repair / Recharge	391.32
Walmart	Admin / EL / LB / ST / Supplies / DVDs	243.77
Werner's Sprinklers	ST / CIS Sprinkler Repair	253.44
Baker & Taylor	LB / Books	718.42
Bob's True Value	Admin/OC/ST/Paint/Hrdwr/Sealant/Tools	1,263.69
Cash-Wa	GGC / PK / Food / Supplies	2,200.64
Chesterman Coca-Cola	PK / Beverages	571.20
Dawson Public Power District	Power Purchase	9,589.55
Fagot Refrigeration & Electric	AC / Magnetic Starters / Repair Controls	3,529.00
Hiland Dairy	GGC / Dairy Products	415.43
Holmes Plumbing & Heating	SW / Line Check Valves	70.56
John Deere Financial	CM/PK/ST/WT/WWTP/Hose/Psts/Seed/Tools	5,025.02
Johnnie On The Spot	Rental	325.00
Jones Plumbing & Heating	Admin/OC/PK/SW/WR/Dewinterize/Rep Pipes	1,696.33
Knapp Electric	SW / Pump Repair	2,327.00
Lexington, City Payroll Account		
Payroll	Wages	135,101.15
Social Security	Employer Portion / FICA Med	10,043.45
Union Bank & Trust	Employer Portion / Pension	4,291.60
Union Bank & Trust	Police Pension	2,693.45
ICMA	City Manager Pension	870.93
Lexington Newspapers Inc	Notices / Minutes	228.21
Mead Lumber	OC / Keys	2.98
Midwest Laboratories Inc	SW / Lab Testing Supplies	317.50
Miller & Associates	Professional Fees	845.00
Moore Medical	Ambulance Supplies	415.37
Nebraska Link	LB / Internet Service	15.00
Nebraska Technology & Telecom.	Phone Service	1,374.74
O'Hanlon Seed	PK / Grass Seed	2,758.39
O'Hare Lindsay and Associates	Monthly Lobbying Services	1,000.00
Oliver Consulting	LB / Computer Repair	202.50
Olsson Associates	EL / ST / WR / SW 1st Addition	65,614.00

O'Neill Wood Resources	ST / Wood Grinding	7,000.00
Paulsen	WT / NW 5th Addition Gravel	363.19
Plum Creek Market	MOW / Produce	25.78
Plum Creek Promotions	PK / Rec Supplies / Jerseys	1,564.46
Rasmussen Mechanical Services	LB / Entryway Heater Maintenance	336.13
Sirchie	PD / Supplies	225.31
The Thompson Co	GGC / Food	554.15
Titan Machinery	ST / Pull-Behind Seeder	5,740.00
TL Sund	PK / Plum Creek Park Sidewalk	10,077.00
USA BlueBook	WR / Hose Kit / Threaded PVC	505.39
Walmart	Admin/LB/PK/ST/Janitorial/Office Spls	296.74
TOTAL CLAIMS:		613,947.58

ORDINANCE: Marc Munford, Ameritas, presented final documents of a lease-purchase arrangement utilizing Certificates of Participation to fund the Solids Dewatering project at the Wastewater Treatment Plant. Following discussion, Ordinance No. 2393 entitled “AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA AUTHORIZING AND APPROVING A LEASE-PURCHASE TRANSACTION WITH BOKF, NATIONAL ASSOCIATION, THE PROCEEDS OF WHICH WILL BE USED TO PAY THE COSTS TO ACQUIRE AND INSTALL EQUIPMENT AT THE CITY’S EXISTING WASTEWATER PLANT; APPROVING THE ISSUANCE, SALE AND DELIVERY OF \$820,000 PRINCIPAL AMOUNT OF CERTIFICATES OF PARTICIPATION IN SUCH LEASE; FIXING IN PART AND PROVIDING FOR THE FIXING IN PART OF CERTAIN PROVISIONS OF THE LEASE AND RELATED DOCUMENTS; AND RELATED MATTERS” was presented for Council consideration. Moved by Salem, seconded by Roberts, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting “aye” were Vivas, Smith, Roberts, Salem, Fagot. Motion carried.

Ordinance No. 2393 was presented on final reading. Moved by Salem, seconded by Roberts, to approve Ordinance No. 2393 on final reading. Roll call. Voting “aye” were Vivas, Smith, Roberts, Salem, Fagot. Motion carried.

RESOLUTION: Peplitsch presented and reviewed Resolution No. 2017-15, which authorizes the conveyance of the remaining housing lots in Phase 1 Southwest 1st Addition of the HNB project to the Community Development Agency as needed. He noted the City would hold the property and execute deeds as needed to streamline the development process. Following discussion, moved by Roberts, seconded by Salem, to approve Resolution No. 2017-15 as presented. Roll call. Voting “aye” were Vivas, Smith, Salem, Roberts, Fagot. Motion carried.

RESOLUTION NO. 2017-15

WHEREAS, the City of Lexington owns certain real estate for the purpose of residential development; and

WHEREAS, the Community Development Agency of Lexington, Nebraska is preparing a redevelopment project involving the same real estate, and it is in the best interest of the City to aid and cooperate in the planning, undertaking and carrying out of said redevelopment project by transferring title to said real estate to the Community Development Agency.

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

That the President of the Council is hereby directed and authorized on behalf of the City of Lexington, to execute a Deed, transferring to the Community Development Agency of Lexington, Nebraska, the following described real estate, to-wit:

Lots 2 and 3, Block 1, Southwest First Addition, an Addition to the City of Lexington, Dawson County, Nebraska; and

Lots 1 through 14, Block 2, Southwest First Addition, an Addition to the City of Lexington, Dawson County, Nebraska; and

Lots 1 through 8, Block 3, Southwest First Addition, an Addition to the City of Lexington, Dawson County, Nebraska; and

Lots 1 through 4, Block 4, Southwest First Addition, an Addition to the City of Lexington, Dawson County, Nebraska; and

Lots 1 through 8, Block 5, Southwest First Addition, an Addition to the City of Lexington, Dawson County, Nebraska; and

Lots 1 through 5, Block 6, Southwest First Addition, an Addition to the City of Lexington, Dawson County, Nebraska.

Passed and approved the 9th day of May, 2017.

ORDINANCE: Ordinance No. 2394 entitled “AN ORDINANCE APPOINTING A CITY MANAGER; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was presented on first reading. Moved by Salem, seconded by Vivas, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

Ordinance No. 2394 was presented on final reading. Moved by Salem, seconded by Smith, to approve Ordinance No. 2394 on final reading. Roll call. Voting “aye” were Vivas, Roberts, Smith, Salem, Fagot. Motion carried.

PAY REQUEST: Peplitsch reviewed Pay Request #1 from Paulsen Inc for the Northwest 5th Addition project in the amount of \$107,823.60. Following a project update, moved by Smith, seconded by Roberts, to approve Pay Request #1 as presented. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

ROUNDTABLE: Peplitsch gave an update on current projects and reminded Council and Staff of the Council Work Session scheduled for Saturday, May 13, at 8:00 a.m.

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