

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

A Regular Meeting of the Lexington City Council was held Tuesday, November 14, 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, Dora Vivas, Steve Smith, and Jeremy Roberts. John Salem was excused. 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 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 10-24-17: Minutes of the Regular meeting held Tuesday, October 24, 2017, were presented. Moved by Vivas, seconded by Smith, to approve the minutes as presented. Roll call. Voting “aye” were Roberts, Smith, Vivas, Fagot. Motion carried.

MINUTES – WORK SESSION 10-28-17: Minutes of the Work session held Saturday, October 28, 2017, were presented. Moved by Smith, seconded by Vivas, to approve the minutes as presented. Roll call. Voting “aye” were Roberts, Vivas, Smith, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$2,587,746.82 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Roberts, seconded by Smith, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$438,457.71 from General Fund, \$257,364.33 from Street Fund, \$97,756.50 from TIF, \$1,700,058.55 from LEXUS, \$10,000.00 from Sanitation, \$629.80 for Landfill, \$5,262.91 from Ambulance, \$70,510.43 from Health Fund, and \$7,706.59 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Smith, Roberts, Fagot. Motion carried.

**CITY OF LEXINGTON
ACCOUNTS PAYABLE
November 14, 2017**

Ace Irrigation & Mfg	ST / Culvert Repair	175.00
Advance Auto Parts	EL / Rebate	1,025.00
Andrade Barragan, Claudia	Ambulance Refund	310.24
Anytime Fitness	Memberships	55.90
ASK Supply	Cemetery / ST / WR / Uniforms	1,045.17
Associated Supply	AC / Filter Sand	3,791.69

Axon	PD / Annual Equipment Contract	2,392.22
Baker & Taylor	LB / Books	45.83
Barco Municipal Products	ST / Pavement Markers	1,298.92
Bauer Built Tire	ST / Tire Repair	55.00
Bishop, Steve	EL / Rebate	1,050.00
Black Hills Energy	Gas Service	3,272.21
Blue Cross Blue Shield	Ambulance Refund	479.81
Bob's True Value	ST/WR/Brooms/Drill Bits/Ladder/Nozzle	136.60
Cash-Wa Distributing	MOW / Food & Supplies	2,576.54
CCP Industries	WWTP / Lab Supplies	136.03
Center Point Large Print	LB / Books	91.08
Central Fire & Safety	GGC / Fire System Maintenance	342.00
Central Platte NRD	PK / Tree	20.25
Chesterman Coca-Cola	PK / Beverages	346.80
Comfort Inn	PD / Training Lodging	248.85
Consolidated Management	PD / Academy Meals	166.53
Culligan	Soft Water Supplies	350.83
Dan's Sanitation	Sanitation Fees	13,454.40
Davis Energy	Ambulance / FD / ST / Antifreeze / Fuel	9,172.75
Dawson Pest Control	FD / GGC / OC / Pest Control	159.10
Dawson Public Power District	Power Purchase	10,191.27
Deterdings	LB / Equipment Repair	162.16
Ditch Witch Undercon	ST / Trencher Belt	193.81
Downey Drilling	ST / Pump / Well	9,285.00
Dugan Printing	Purchase Order Forms	4.51
Eakes Office Solutions	LB / PD / ST / Office / Printer Supplies	537.22
Electrical Engineering & Equipment	EL/PK/WWTP/Bulbs/Conduit/Valves/Wire	1,585.95
EMS Billing Services	Ambulance Billing	2,402.20
Fagot Refrigeration & Electric	GGC / PK / Thermostat / Sensor	684.09
Gale/Cengage Learning	LB / Books	46.50
Galls	PD / Uniforms	198.50
GEA Mechanical	WWTP / Dewatering Equipment	389,500.00
Great Western Bank	ST / Sweeper / Snow Blower Payment	65,731.48
Green, Michael	ST / Safety Equipment	239.20
Hach Co	WWTP / Lab Supplies	416.22
Health Claims Fund	Claims	61,233.90
Heldt & McKeone Law Offices	Professional Fee	2,700.00
Hiland Dairy Foods	MOW / Dairy Products	730.44
Holbein Lawn Service	FD / Lawn Service	220.00
Homestead Bank	Liberty Drive Loan	68,960.89
Ingram Library Services	LB / Books	313.00
John Deere Financial	Tools/Chalk Line/Bulbs/Gloves	443.75
Jones Plumbing & Heating	GGC/PK/Fixture Repair/Winterize Park	1,053.85
Kelly Supply	ST / Water Pump	395.06
LaQuinta Inns	FD / Training Lodging	299.85
Lexington Animal Clinic	Animal Care	786.18
Lexington Area Solid Waste Agency	Waste Removal	1,289.60
Lexington, City Street Department	Fuel	8,673.93
Lexington, City of	Franchise/Interdepartment Service Fees	68,155.64
Lexington, City Payroll Account: Payroll	Wages	137,658.08

Social Security	Employer Portion / FICA Med	10,242.96
Union Bank & Trust	Employer Portion / Pension	4,295.00
Union Bank & Trust	Police Pension	2,811.23
ICMA	City Manager Pension	876.35
Lexington Health Fund	Self-funding	48,868.36
Lexington Housing Authority	EL / Rebate	600.00
Lexington Newspapers	Publications	694.28
Lexington Postmaster	GGC / Postage	165.00
Lexington Regional Health Center	Ambulance / Medical Supplies	140.00
Mac's Short Stop	PK / Concessions	5.94
Matheson Tri-Gas	Ambulance / Medical Supplies	33.15
Mead Lumber & Rental	PK/WWTP/Fence/Tower Repair Parts	725.07
Meritain Health	Health Premium	21,804.78
MicroMarketing	LB / Books	224.89
Mid-American Research Chemical	PK/ST/SW/WR/Janitorial Supplies/Paint	999.53
Midland Scientific	WWTP / Lab Supplies	545.80
Midwest Laboratories	WWTP / Lab Testing	225.50
Milco Environmental Services	Landfill / Professional Services	629.80
Miller & Associates	PK / WWTP / Professional Fees	28,796.30
Moore Medical	Ambulance / Medical Supplies	864.47
Morris Press	GGC / Newsletter	409.14
Mr. Automotive	FD/ST/Battery/Flasher Units/Lift Support	161.51
Nebraska Dept of Revenue	Sales and Use Tax	51,310.74
Nebraska Environmental Products	ST / Sweeper Repair	1,423.20
Nebraska Law Enforcement	PD / Certificate / L Nunez	50.00
Nebraska Machinery	ST / Speaker	26.76
Nebraska Public Power District	Power Purchase	984,835.62
Nebraska Statewide Arboretum	City Membership	100.00
Nebraska Technology & Telecom	Phone Service	1,280.84
Nebraskaland Tire	PK/ST/WR/Mower Tires/Repair/Maint	888.72
NebraskaLink	LB / Internet Service	15.00
Neopost USA	Meter Rental / Annual Maintenance	577.80
Nunez, Luis	PD / Police Academy Mileage	263.22
Ogden, Dixie	EL / Rebate	600.00
O'Hare Lindsay and Associates	Monthly Lobbying Services	1,000.00
Olsen, Lance	EL / Rebate	600.00
One Call Concepts	Locate Fees	87.36
Paper Tiger Shredding	Paper Shredding	334.00
Paulsen Inc	PK / ST / WR / Sand & Gravel / Cement	1,016.10
Platte Valley Auto Mart	PD / Battery Replacement	27.00
Platte Valley Communications	FD/PD/Mo Maintenance/Batteries/Holder	371.41
Plum Creek Medical Group	Flu Shots	2,136.00
Precision Detail	FD / Cleaning	240.00
Primary Electric	WWTP / Disconnect Switch	439.94
Principal	Dental Premium	3,260.93
Ramirez, Rolando	EL / Rebate	600.00
Raynor Garage Doors	Ambulance / Door Repair	530.00
RDO Truck Centers	ST / Truck Repair	1,799.01
Richardson Mowing	LB / Lawn Care	180.00
Rourke Publishing	LB / Books	1,438.70
Route 30 Grafix	PK / Uniforms	437.80

S & W Auto Parts	Wiper Blades/Belt/Cleaner/Antifreeze	255.02
Santos, Juan	EL / Rebate	600.00
Scholastic	LB / Books	303.18
Service Master of Mid Nebraska	Janitorial Services	4,174.47
Shur-Tite	ST / Delineator Posts / Anchors	817.50
Sirchie Fingerprint Lab	PD / Evidence Supplies	255.49
Standard Insurance Company	Life Insurance Premiums	851.87
Steve's Lock & Key	OC / Door Lock Repairs	143.00
Subway	Training Lunch	69.60
Taste of Home	LB / Books	32.98
The Children's World	LB / Books	1,048.25
The Pinnacle Agency	Yearly Premiums	201,756.00
The Thompson Co	MOW / Food & Supplies	1,895.12
Titan Machinery	ST/WWTP/Fan Drive/Belt/Maintenance	904.54
TL Sund	ST / Ditch Flow Liners	51,788.00
Tnemec	AC / Pool Paint	152.36
TO Haas	PD / ST / Tires / Repairs	752.66
Total Lawn Care	AC / Lawn Care	1,425.00
Tyler Technologies	Bar Code Scanner Contract	112.74
USA Bluebook	WR / Water Pump	440.49
USA Communications	City Internet Services	345.60
U-Save Business Equipment	FD/UTIL/PD/PK/ST/WR/Office Spls	1,436.17
Village Uniform	GGC / Janitorial Supplies	55.84
VSP / Vision Service Plan	Vision Premium	924.30
Walmart	GGC/FD/LB/PD/ST/Office/Shop Spls	416.58
Weathercraft	OC / Roof Repair	319.00
Wesco	ST / Lights	47,818.00
WPCI	Drug Screen	50.00
York, Steve	EL / Rebate	600.00
AccuCut Education	LB / Die-Cuts	393.50
Aesseal	WWTP / Sludge-Pak Set	1,152.19
Aflac	Premiums	1,261.11
Amazon	LB / Grant Supplies	577.67
Awards Plus	Name Tags / Desk Plate	65.00
Baker & Taylor	LB / Books	1,009.15
Bob's True Value	ST / Paint / Supplies	44.46
Cash-Wa	MOW / Food / Supplies	913.36
Central Community College	Ambulance / CPR Certifications	220.00
Chapters Books & Gifts	LB / Books	286.05
Chesterman Co	PK / Beverages	265.20
Community Development Agency	Chief Industries Series B Payment	97,756.50
Consolidated Management	PD / Academy Meals	88.62
Country Partners Coop	PK / Weed / Pest Control	270.00
Cummins Sales & Service	WWTP/Emergency System Maint	354.36
Danko Emergency Equipment	Amb/FD/Thermal Imaging Cameras	1,372.76
Davis Energy	PK/ST/WWTP/Oil/Diesel Additive	694.05
Dutton-Lainson	EL / Meter Sockets	564.96
Fagot Refrigeration & Electric	PK / Ballast	95.57
Gale/Cengage Learning	LB / Books	270.55
Galls	PD / Battery	195.96
Great Western Bank	LB / Petty Cash	249.86

Great Western Bank	City / Petty Cash	44.20
Hach	WWTP / Lab Testing Supplies	267.05
Health Claims Fund	Claims	5,829.42
Hiland Dairy	MOW / Dairy Products	58.75
HOA Solutions	WWTP / Pump	6,394.00
Holiday Inn Express	GGC / Conference Lodging	240.00
IGS Solar	EL / Power Purchase	31,699.07
Intellicom	Computer / Telephone Services	3,900.50
John Deere Financial	PK / Mower Replacement Parts	322.35
Johnny On the Spot	Cemetery / PK / Rentals	325.00
Jones Plumbing & Heating	WR / Pipe Fittings	41.26
Kovels On Antiques & Collectibles	LB / Periodical	27.00
Lexington Newspapers Inc	Publications	80.16
Lexington Volunteer Fire Department	FD / Training Expenses	510.01
LIPS Printing Service	WR / Backflow Survey	1,699.76
Martin Electric	PK / Popper Repair	303.90
Midland Scientific	WWTP / Lab Testing	661.72
Miller & Associates	Professional Fees	33,246.48
Municipal Code	Web Hosting	950.00
Municipal Supply	WR / Fixtures	443.89
Nebraska DHHS	Energy Assistance Returns	1,676.74
Nebraska Safety & Fire Equipment	PK / Alarm Repair / Contract	667.00
Nebraska Salt & Grain	ST / Salt & Sand	4,585.94
Nebraskaland Magazine	LB / Periodical	18.00
Nebraskaland Tire	ST / WR / Vehicle Repairs	1,693.40
OCLC	LB / Subscription	136.33
Oxmoor House	LB / Books	42.91
Platte Valley Communications	Frequency Repair/Camera/Well/Tower	2,382.00
Plum Creek Promotions	WWTP / Uniforms	677.18
Quality Flow Systems	WWTP / Mixer Repair	1,932.24
Rasmussen	LB / Maintenance	1,265.00
Real Simple	LB / Periodical	24.00
Rose Equipment	ST / Sweeper Parts	360.69
S & W Auto Parts	FD / ST / Deicer / Wipers / Cleaner	259.28
Scholastic	LB / Books	3.41
The Thompson Co	MOW / Food / Supplies	394.38
Village Uniform	GGC / Janitorial Supplies	172.84
Walmart	Office-Auto-Janitorial Supplies	286.08

TOTAL CLAIMS: 2,587,746.82

RESOLUTION: Resolution No. 2017-33 was presented. Pepplitsch reviewed proposed rate adjustments for water and sanitary sewer utility rates, noting most rates equated to an approximate 2% increase for users. Following discussion, moved by Roberts, seconded by Smith, to approve Resolution No. 2017-33. Roll call. Voting “aye” were Vivas, Roberts, Smith, Fagot. Motion carried.

RESOLUTION NO. 2017 – 33

WHEREAS, Lexington City Code Sections 28-232 and 28-439 authorizes the City Council to establish by Resolution a schedule of rates and charges for water service and sanitary sewer service.

BE IT THEREFORE RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, that the following water rates and charges are established and shall take effect January 1, 2018, to be reflected on billings following such date. That all other water rates and charges previously established shall remain unchanged.

Section 1. Water Rates

Residential Metered: The first 5,000 gallons \$19.25 monthly minimum
 > 5,000 gallons \$0.90 per 1,000 gallons

Residential Flat Rate: \$26.00 per dwelling unit per month

Commercial Metered: The first 5,000 gallons \$19.25 monthly minimum
 > 5,000 gallons \$0.90 per 1,000 gallons

Multi-unit Service Fee: \$12.50 per dwelling/commercial unit, where more than one dwelling/commercial unit is served by a single metered service.

Industrial Metered: Base Charge per Month -- \$2,310
\$0.33 per 1,000 gallons metered use

Automated Meter Reading Fee: \$1.00 per month per metered or unmetered service.

Section 2. Sanitary Sewer Rates

Flat Rate Residential: \$25.50 per month.

Flat Rate Commercial: \$25.50 per month

Commercial Metered: \$2.35 per 1,000 gallons
 \$25.50 minimum

PASSED AND APPROVED this 14th day of November, 2017.

ORDINANCE: A draft ordinance entitled “AN ORDINANCE OF THE CITY OF LEXINGTON, NEBRASKA, AMENDING SECTION 22-23 OF THE LEXINGTON CITY CODE, RELATING TO THE SALE AND DISCHARGE OF FIREWORKS WITHIN THE CORPORATE LIMITS; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT HERewith; AND TO PROVIDING AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM” was presented. Pepplitsch indicated that the draft ordinance would limit the number of days fireworks could be sold and used in the community from 11 days to 5 days, and allow discharge of fireworks from only 9 am to 10 pm on June 30th thru July 3rd, and 9 am to midnight on July 4th. Fagot stated that these limitations were being considered due to citizen comments received regarding the annual discharge of fireworks in the community negatively affecting their families and pets. Smith indicated that the daily time limitation is his biggest concern and he would like to see the New Year sales and use be incorporated into the ordinance. Bernie and Pat Valish voiced concerns that limited days to sell

fireworks would negatively impact vendors by limiting sales options when costs remained the same. Kirk Mills indicated that he agreed with prior comments, but if a limitation in the number of days to sell is desirable, he would like it be no less than 7-days. Elizabeth Moore voiced her opinion that vendors should not be impacted based upon the actions of those that discharge fireworks during late hours or in a negative manner; people should be held responsible for their own actions. Following discussion, no action was taken.

PAY REQUEST: Pay Request #5 for the Southwest 1st Addition Infrastructure project from Paulsen Inc. in the amount of \$129,535.17 was presented. Following a project update, moved by Roberts, seconded by Smith, to approve Pay Request #5 as presented. Roll call. Voting “aye” were Vivas, Smith, Roberts, Fagot. Motion carried.

PAY REQUEST: Pay Request #6 for the Southwest 1st Addition Infrastructure project from Paulsen Inc. in the amount of \$798,387.36 was presented. Moved by Smith, seconded by Vivas, to approve Pay Request #6 as presented. Roll call. Voting “aye” were Roberts, Vivas, Smith, Fagot. Motion carried.

ROUNDTABLE: Peplitsch gave an update on current projects and stated he would send out potential dates December meetings.

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