

**CITY COUNCIL
CITY OF LEXINGTON, NEBRASKA
December 8, 2020**

A Regular Meeting of the Lexington City Council was held Tuesday, December 8, 2020, at 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, Finance Director Barb Hodges, Development Services Director Bill Brecks 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 11-24-2020: Minutes of the Regular meeting held Tuesday, November 24, 2020, were presented. Moved by Roberts, seconded by Vivas, to approve the minutes as presented. Roll call. Voting “aye” were Smith, Salem, Vivas, Roberts, Fagot. Motion carried.

MINUTES – ORGANIZATIONAL MEETING 12-1-2020: Minutes of the Organizational meeting held Tuesday, December 1, 2020, were presented. Moved by Smith, seconded by Roberts, to approve the minutes as presented. Roll call. Voting “aye” were Vivas, Salem, Roberts, Smith, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,159,847.84 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Vivas, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$180,109.90 from General Fund, \$474,205.53 from Street Fund, \$480,712.16 from LEXUS, \$10,000.00 from Sanitation, \$1,930.03 from Ambulance, \$10,708.66 from Health Fund, and \$2,181.56 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

**ACCOUNTS PAYABLE
December 8, 2020**

Aflac	Premiums	1,586.80
Baker & Taylor	LB / Books	995.95
Bauer Built Inc	ST / Tire Repairs	233.77
Black Hills Energy	Natural Gas Service	2,151.37
Cengage Learning	LB / Books	194.89
Citibank N A / CNH Industrial / Titan	AMB/FD/WWTP/Repairs/Service	10,853.48
Danko Emergency Equipment	FD / Helmet Light Kits	428.58
Dan's Sanitation	Sanitation Fees	14,638.20

Davis Energy	FD / Fuel	217.84
Dawson Public Power District	Power Purchase	81.92
Depository Trust Company	2014 CURRB	292,793.75
	2016 GO Highway Allocation Bond	228,130.00
	2017 Highway Allocation Bond	203,292.50
Eakes Office Solutions	PD / Copier Expenses	707.04
Electrical Engineering & Equipment	WWTP / Tools	24.30
Fagot Refrigeration & Electric	EL / GGC / Repairs	1,087.52
Fyr-Tek	FD/Repairs/Foam System/Ladder Rack	911.80
Gilmore & Bell	Highway Allocation Bond/Legal Exp	3,050.00
Greater Nebraska Cities	Monthly Lobbying Services	667.00
HD Supply Facilities Maintenance	AMB / Medical Supplies	30.03
Health Claims	Claims	2,160.58
Heldt McKeone & Copley	Professional Fee	2,700.00
Hiland Dairy Foods	MOW / Dairy Products	336.43
Holbein Lawn Service	FD / Mowing	55.00
Homeier Ventures LLC	OC / Parts	17.58
Ingram Library Services	LB / Books	74.25
Jones Plumbing & Heating	PK / WWTP / Part / Repairs	653.05
LEE BHM Corporation/Clipper Herald	Newspaper Publications	293.77
Lerner Publishing Group	LB / Books	1,284.84
Lexington, City of	Interdepartmental Service Fees	55,749.00
	Utility Franchise Fees	262.54
Lexington, City Street Department	Fuel	5,727.77
	SW/WR/Interdepartmental Service Fees	5,651.89
Lexington, City Payroll Account		
Payroll	Wages	163,252.41
Social Security	Employer Portion / FICA Med	11,845.92
Union Bank & Trust	Employer Portion / Pension	4,567.97
Union Bank & Trust	Police Pension	3,484.10
ICMA	City Manager Pension	923.45
Lien Inc	PK/REC/ST/WR/Repairs/Landscaping	8,244.08
Martin Electric	FD / 1500 Watt Light	19.50
Mead Lumber	PK / REC / Supplies	261.92
MicroMarketing	LB / Books	210.54
Morris Press	GGC / Newsletter	109.00
Nebraska Dept of Revenue	Sales and Use Tax	58,152.29
Nebraska Water Experts	Soft Water Supplies	498.42
Nebraskalink	LB / Internet Service	15.00
Nichols, Robbie	Reimbursement / Safety Glasses	157.00
O'Hara Lindsay and Associates	Monthly Lobbying Services	333.00
One Call Concepts	Locate Fees	90.75
O'Reilly Auto Parts	ST / Parts	121.96
Paulsen Inc	ST / Wash Sand	81.61
Philadelphia Mixing Solutions	WWTP / Immersion Heater	1,620.71
Precision Detail	FD / Cleaning	240.00
Priority Medical	AMB / Non-Billable Runs / 3rd Quarter	1,900.00
S & W Auto Parts	ST / WWTP / Supplies	103.71
Schroeder, Mickey L/Platte Valley Glass	LB / Door Repairs	209.00
Southern Living Books	LB / Books	45.91
Taste of Home	LB / Books	38.50

TO Haas Tire Co	PK / ST / Tire Repairs / Tires	345.11
US Foods	MOW / Food & Supplies	412.32
US Postal Service	Post Office Box Svc Fee/Box 70/778	424.00
Vak, Joseph / Lexington Animal Clinic	Animal Care	602.36
Werner's Sprinklers/Dawson Pest Control	FD / GGC / OC / Pest Control	159.10
B & H Services Inc / ServiceMaster	EL / OC / Monthly Cleaning Service	5,121.47
Cash-Wa Distributing	MOW / Food / Supplies	618.44
County of Dawson - Treasurer	Drainage Tax	158.76
Downey Drilling	WR/Well #14/Service Call/Bad VFD	940.00
Dutton-Lainson Company	ST / Sign Poles	12,840.00
Federal Express	Bond Delivery Exp/20 Highway Allocation	46.56
Great Western Bank	EL / FD / ST / Petty Cash	62.38
Health Claims	Claims	6,961.28
Herrera, Guadalupe	EL / Utility Overpayment	182.81
Homeier Ventures LLC/Bob's True Value	OC / Hardware	23.27
Hydro Optimization&Automation Solutions	Well 14/Install New Variable Frequency Drive	9,462.50
Ideal Linen & Uniform	Rug Maintenance / November 2020	607.94
Intellicom	EL/ND/Network/Computer/Support	8,673.95
Intermedia	Web Phone Service	279.35
John Deere Financial	FD/PK/ST/WR/Parts/Supplies/Tools	1,144.66
Jones Plumbing & Heating	FD / WR / Parts	97.68
Kirk's Nebraskaland Restaurant	Gift Cards	300.00
Lexington Area Solid Waste Agency	Mixed Solid Waste Disposal	1,361.55
Logan Contractors Supply	ST / Set-up Tar Pot	1,676.00
Mead Lumber	GGC / REC / WR / Supplies / Parts	151.78
Melson, Dane / Anytime Fitness	Fitness Memberships	149.95
Midwest Laboratories	WWTP / Testing Supplies	247.25
Municipal Pipe Service	WR/Valve Insertion/8th & Erie Street	8,527.00
Nebraska Tech & Telecommunications	Telephone Expense	1,261.44
O'Reilly Auto Parts	ST / Supplies	167.34
Platte Valley Auto Mart	PD / Repairs	784.03
Platte Valley Communications	PD / Monthly Maintenance Fee	90.00
Rentokil / Presto-X	WWTP / Pest Control	52.00
S & W Auto Parts	ST / Tools	47.69
Schwarz, Mataya / Madeline's Café	Gift Cards	75.00
Tep's Bar & Grill	Gift Cards	500.00
USA Communications	Internet Service	345.60
Village Uniform	GGC / Janitorial Service	55.84
Ward Laboratories	WR / Testing	11.00
YMCA of the Prairie	Fitness Memberships	1,310.24
	TOTAL CLAIMS:	1,159,847.84

PUBLIC COMMENTS: Dr. Brady Beecham, MD MPH, presented a letter signed by local physicians, urging the city council to adopt a universal mask recommendation to combat the COVID-19 pandemic.

RESOLUTION: Resolution No. 2020-23 was presented. Pepplicht explained that due to the death of Darold Tagge on November 20, 2020, an additional certification form will need to be completed for the services rendered for the remainder of calendar year 2020, per NDOT requirements. Following

discussion, moved by Salem, seconded by Roberts, to approve Resolution No. 2020-23 as presented. Roll call. Voting “aye” were Vivas, Smith, Roberts, Salem, Fagot. Motion carried.

**RESOLUTION NO. 2020-23
SIGNING OF THE YEAR-END CERTIFICATION OF
CITY STREET SUPERINTENDENT FORM
2020**

WHEREAS: State of Nebraska Statutes, sections 39-2302, and 39-2511 through 39-2515 details the requirements that must be met in order for a municipality to qualify for an annual Incentive Payment;

WHEREAS: The State of Nebraska Department of Transportation (NDOT) requires that each incorporated municipality must annually certify (by December 31st of each year) the appointment of the City Street Superintendent to the NDOT using the Year-End Certification of City Street Superintendent form;

WHEREAS: The NDOT requires that such certification shall also include a copy of the meeting minutes showing the appointment of the City Street Superintendent by their name as it appears on their License (if applicable), their License Number and Class of License (if applicable), and type of appointment, i.e. employed, contract (consultant, or interlocal agreement with another incorporated municipality and/or county), and the beginning date of the appointment; and

WHEREAS: The NDOT also requires the such Year-End Certification of City Street Superintendent form shall be signed by the Mayor and shall include a copy of a resolution of the governing body authorizing the signing of the Year-End Certification of City Street Superintendent form by the Mayor.

BE IT RESOLVED that the Mayor of Lexington is hereby authorized to sign the attached Year-End Certification of City Street Superintendent form.

Adopted the 8th day of December 2020.

APPOINTMENTS: The following appointments to boards and commissions for CY 2021 were presented for Council approval:

Community Development Agency – Kory Cetak
Civil Service Commission – Ted Harvey
Special Prosecutor – Beverly Bogle Louthan PC
Street Superintendent – Christopher Miller, License #1091-A, by contract with Miller & Associates

Moved by Roberts, seconded by Vivas, to approve the list of appointments for CY 2021 as presented. Roll call. Voting “aye” were Smith, Salem, Vivas, Roberts, Fagot. Motion carried.

Moved by Roberts, seconded by Smith, to appoint Christopher Miller, License #1091-A, as street superintendent for the period of November 25, 2020, to December 31, 2020 to fill the vacancy created by the death of Darrold Tagge on November 20, 2020. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

PURCHASE AGREEMENT: Peplitsch reviewed a draft purchase agreement with St. Ann's Church of Lexington for property in St. Ann's Second Addition. Following discussion, moved by Salem, seconded by Roberts, to approve the purchase agreement with St. Ann's Church of Lexington as presented and to authorize the City Manager to execute all documents needed to complete the purchase. Roll call. Voting "aye" were Vivas, Smith, Roberts, Salem, Fagot. Motion carried.

ROUNDTABLE DISCUSSION: Peplitsch gave an update on current infrastructure improvements.

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