

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

A Regular Meeting of the Lexington City Council was held Tuesday, February 23, 2021, 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, Jeremy Roberts, and Steve Smith. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Brian Copley, Finance Director Barb Hodges, Community Development Director Bill Brecks and City Clerk Pamela Baruth. The press was represented by the Clipper-Herald and Tri-City Tribune.

**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 2-9-2021:** Minutes of the Regular meeting held Tuesday, February 9, 2021, were presented. Moved by Vivas, seconded by Salem, to approve the minutes as presented. Roll call. Voting “aye” were Smith, Roberts, Salem, Vivas, Fagot. Motion carried.

**MINUTES – WORK SESSION 2-6-2021:** Minutes of the Work Session held Saturday, February 6, 2021, 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 \$1,779,317.76 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Smith, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$188,658.81 from General Fund, \$69,436.43 from Street Fund, \$1,473,512.58 from LEXUS, \$31,982.57 from Sanitation, \$1,739.92 from Ambulance, \$10,741.40 from Health Fund, and \$3,246.05 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Roberts, Smith, Salem, Fagot. Motion carried.

**ACCOUNTS PAYABLE  
February 23, 2021**

AFLAC	Premiums	1,960.27
Amazon / SYNCB	LB / Tablet Accessories	69.83
Axxent Buildings & Doors	ST / Overhead Door Repair	65.00
B & H Services / Service Master	GGC/LB/ND/WWTP/Monthly Cleaning Svc	5,457.31
Baker & Taylor	LB / Books	115.58
Bamford	Fieldhouse/5 Yr Fire Sprinkler Inspection	925.00
Bank of America	Refundable Service Fees	8.06

Adobe	ST / Software	192.47
Amazon	CM/DS/EL/REC/ST/Prime Membership/Spls	617.02
American Red Cross	AC / Learn to Swim Program Fees	300.00
Casey's General Store	CC / Council Work Session Meal	23.74
Dairy Queen	ST / Employee Recognition	26.70
League of Nebraska Municipalities	CT/2021 Virtual Midwinter Conference	405.00
Mac's Short Stop	ST / Snow Crew Meals	23.38
Microsoft	AMB / Software	106.99
Nebraska.gov / Secretary of State	CM/Lex Main St Program/Non-Profit Filing Fees	23.00
Subway	ST / Snow Crew Meals	134.69
United States Postal Service	PD / WR / Postage	116.35
Walmart	WR / Supplies	87.28
Beverly Bogle Louthan PC	Professional Fee	1,200.00
Boling, Michael	AMB / FD / Training / Mileage / Meals	233.59
Bound Tree Medical	AMB / Medical Supplies	102.80
Cash-Wa Distributing	MOW / Food & Supplies	1,979.87
Cengage Learning	LB / Books	296.39
Center Point	LB / Books	349.62
Central Hydraulic	ST / Install Plow	2,838.00
Country Partners Cooperative	PK / Kerosene	35.95
Danko Emergency Equipment	FD/Turnout Gear Cleaner/Disinfectant	204.91
Davis Energy	AMB/FD/ST/WR/WWTP/Propane/Fuel/Fuel Purchase	6,573.50
Double I Farms / J & N Sales	WWTP / Spreader Pump Assembly	5,235.48
Eakes Inc	LB / Copier Expense	409.06
Fagot Refrigeration & Electric	LB / Repairs	174.96
FedEx	PD / Shipping	22.96
Fellers, Corey	Electric Rebate	3,100.00
Health Claims	Claims	5,845.73
Holbein, Dahlas D	AMB/FD/Maint/Fueling/Cleaning	1,500.00
Holiday Inn- Kearney	FD / Conference Lodging	879.60
Hydro Optimization&Automation Solutions	WR / Well Transducer Repair	3,007.63
IGS ORIX Solar I	Solar Power Purchase	17,456.40
Jergensen, Kent	Electric Rebate	900.00
Jerleen Corp/Publishers Prime	LB / Books	17.49
Lamberts, Albert	Electric Rebate	1,650.00
LEXUS	Utilities	51,095.99
Martin Electric Co	REC / Fieldhouse Vacuum Belts	39.90
Matt Friend Truck Equipment	ST / Equipment Parts	791.36
McKesson Medical	AMB / Medical Supplies	592.78
Mead Lumber	AC/OC/PK/WWTP/Hardware/Tools	186.59
Melson, Dane / Anytime Fitness	Fitness Memberships	299.90
Meritain Health	Health Premium	35,980.60
MicroMarketing	LB / Books	240.92
Moreno, Hardy	Electric Rebate	1,650.00
Municipal Supply	WR / Tap Machine Parts	119.30
NE Dept of Health & Human Svcs	Swimming Pool Permit Renewal/2021	40.00
Nebraska Machinery	ST / Grader Cutting Edges	1,944.81
Nebraska Public Power District	Power Purchase	1,106,094.09
Nebraska Public Power District	O & M	143,676.94

Nebraskaland Tire	DS / Tires / Oil & Lube	315.97
NSG Logistics/Nebraska Salt&Grain	ST / Ice Slicer	13,314.06
OCLC	Cataloging/Metadata/Worldshare/Subscription	146.86
O'Reilly Auto Parts	ST / WWTP / Battery / Parts	548.96
Parent Child Center	Electric Rebate	5,000.00
Platte Valley Auto Mart	PD / Vehicle Repair	302.21
Platte Valley Excavating	ST / Snow Hauling / Downtown	5,600.00
Plum Creek Medical Group	ST / WR / Inoculations	181.00
Potter, Timothy	ST/2006 Dodge Stratus/Accident Claim	2,100.00
Precision Plumbing	ND / Repairs	127.20
Principal	Dental Premium	3,614.01
S & W Auto Parts	PK / ST / WWTP / Parts	109.12
Simmerman, William D / Municipal Automation & Control	WWTP/Troubleshoot Bar Screen Press	366.78
Standard Insurance Company	Life Insurance Premiums	1,034.42
Statewide Collections	Utility Collections	1,317.55
Tuma, Stephen	FD / Training / Mileage / Meals	74.69
USave Pharmacy/Business Equipment	CM/EL/LB/PD/WWTP/Office Spls/Postage	2,135.67
Union Bank & Trust Company	LVFD Service Award Program Contribution/2020	15,500.00
US Foods	MOW / Food & Supplies	431.09
Velazquez, Maria	Electric Rebate	1,750.00
Village Uniform	GGC / Janitorial Supplies	58.12
VSP	Vision Premiums	1,084.67
YMCA Of the Prairie	Fitness Memberships	1,253.00
Baker & Taylor	LB / Books	4.84
Cash-Wa Distributing	MOW / Food	93.45
City of Lexington	Utility Franchise Fees	90,635.04
Core & Main	WR / Meters / Parts	4,169.32
Dan's Sanitation	Sanitation Services	31,982.57
Davis Energy	WWTP / Fuel	22.99
Dutton-Lainson Company	EL / Meters	290.89
Eakes Inc	EL / LB / Copier Expense / Supplies	1,281.17
Electrical Engineering & Equipment	ND / WR / Parts / Supplies	185.98
Health Claims	Claims	2,748.19
Hiland Dairy	MOW / Dairy Products	96.65
Ingram Library Services	LB / Books	113.11
Lexington City Payroll Account		
Payroll	Wages	159,797.51
Social Security	Employer Portion / FICA Med	11,939.82
Union Bank & Trust	Employer Portion / Pension	5,183.97
Union Bank & Trust	Police Pension	3,156.45
ICMA	City Manager Pension	951.23
Lexington Lions Club	EL / Donation	210.00
McKesson Medical	AMB / Medical Supplies	362.99
Mead Lumber	AC / REC / Parts / Tools / Supplies	66.04
NE Commission on Law Enforcement / Training Center		
	PD / TABE Testing Fee	10.00
NE Dept of Health & Human Svcs	WR / Operator License / Vetter, Jake	115.00
O'Reilly Auto Parts	ST / WR / Parts / Supplies	99.12
S & W Auto Parts	PK / ST / Parts / Supplies	40.54

State of NE/DHHS/Public Health Lab	WR / Testing	197.00
TASC	Administration Fee	187.21
Thompson, Robert	WR / Reimbursement / Safety Boots	75.03
Verizon Wireless	Cellular Service	370.45
Walmart	DS/LB/PD/PK/ST/WR/WWTP/Supplies	1,141.03
	<b>TOTAL CLAIMS:</b>	<b>1,779,317.76</b>

**FINANCIAL REPORT:** Moved by Roberts, seconded by Salem, to accept the financial report for January 2021. Roll call. Voting “aye” were Vivas, Smith, Salem, Roberts, Fagot. Motion carried.

**PUBLIC TRANSIT:** Charles McGraw, Executive Director of RYDE-Transit, requested Council support of an application for public transportation assistance funds for RYDE Transit for FY 2021-2022. Resolution No. 2021-07 was presented. Following an update of the program and discussion, moved by Vivas, seconded by Smith, to approve Resolution No. 2021-07. Roll call. Voting “aye” were Salem, Roberts, Smith, Vivas, Fagot. Motion carried.

**RESOLUTION NO. 2021 - 07**

**WHEREAS,** there are federal funds available under Section 5311 of the Federal Transit Act and for the Nebraska Public Transportation Assistance Program, and

**WHEREAS,** the RYDE Transit-Community Action Partnership of Mid Nebraska desires to apply for said funds to provide public transportation in Dawson County.

**NOW THEREFORE, BE IT RESOLVED:** The City Council of Lexington, Nebraska hereby instructs the RYDE Transit-Community Action Partnership of Mid Nebraska to apply for said funds.

Said funds are to be used for the RYDE Transit-Community Action Partnership of Mid Nebraska transportation operations in the FY 2021-2022 Application for Public Transportation Assistance.

**Passed and approved this 23<sup>rd</sup> day of February, 2021.**

**SUBDIVISION APPLICATION:** Mayor Fagot opened a public hearing to consider a proposed The Williamson Subdivision, a tract of land located on the Northwest ¼ of the Northwest ¼ of Section 29, Township 9, Range 21 of Dawson County, Nebraska. Brecks explained that as Scott Williamson has plans to construct a self-storage facility, a subdivision of more than 2 acres would be needed to satisfy code regulations. He noted the Planning Commission recommends approval following their recent review, and stated there have been no public comments. He reviewed a draft subdivision agreement with Williamson. Following discussion, the public hearing was closed. Resolution No. 2021-08 was presented. Following discussion, moved by Salem, seconded by Roberts, to approve Resolution No. 2021-08. Roll call. Voting “aye” were Vivas, Smith, Roberts, Salem, Fagot. Motion carried.

**RESOLUTION NO. 2021 - 08  
THE WILLIAMSON SUBDIVISION**

**BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, AS FOLLOWS:**

The plat of THE WILLIAMSON SUBDIVISION, Being Part of the NW ¼ of the NW ¼ Section 29-T9N-R21 West of the 6th P.M., Dawson County, Nebraska, duly made out, acknowledged and certified, and the same hereby is approved, accepted and ordered filed and recorded in the office of the Register of Deeds of Dawson County, Nebraska.

**PASSED AND APPROVED this 23rd day of February, 2021.**

Moved by Smith, seconded by Salem, to approve the subdivision agreement as presented. Roll call. Voting “aye” were Vivas, Roberts, Salem, Smith, Fagot. Motion carried.

**REZONE APPLICATION:** Mayor Fagot opened a public hearing to consider an application to rezone The Williamson Subdivision from A-1 Agricultural to M-1 Light Industrial. Brecks stated that the change in zone was determined to be best suited for the intended self-storage use or future uses. The public hearing was closed. Ordinance No. 2433 entitled “**AN ORDINANCE TO REZONE A CERTAIN TRACT OF REAL ESTATE TO M-1; TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM**” was presented. Moved by Salem, seconded by Smith, to suspend the rules reading of an ordinance on three separate occasions. Roll call. Voting “aye” were Vivas, Roberts, Smith, Salem, Fagot. Motion carried.

Moved by Salem, seconded by Vivas, to approve Ordinance No. 2433 on final reading. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

**WASTEWATER IMPROVEMENTS:** Peplitsch requested Council authorization to solicit bids for mechanical equipment associated with the proposed 2021 Wastewater Facility Improvements project which includes a new headworks facility and primary clarifier systems. He reviewed a summary of major equipment proposed for the project. Following discussion, moved by Roberts, seconded by Smith, to authorize Staff to solicit bids for the Equipment Procurement – 2021 Wastewater Facility Improvements project. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

**ROUNDTABLE DISCUSSION:** Peplitsch gave an update on several current projects.

**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