

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

A Regular Meeting of the Lexington City Council was held Tuesday, April 26, 2022, 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 absent. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, Finance Director Barb Hodges, 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 John 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 4-12-2022: Minutes of the Regular meeting held Tuesday, April 12, 2022, 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.

CLAIMS & BILLS: Claims and Bills in the amount of \$ 1,918,573.79 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Smith, seconded by Roberts, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$260,545.60 from General Fund, \$99,865.20 from Street Fund, \$11,500.00 from Housing Reuse, \$1,474,510.45 from LEXUS, \$35,645.75 from Sanitation, \$1,874.69 from Ambulance, \$28,743.54 from Health Fund, and \$5,888.56 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Roberts, Smith, Fagot. Motion carried.

**ACCOUNTS PAYABLE
April 26, 2022**

AFLAC	Premiums	2,169.82
Araujo, Sharon	Electric Rebate	1,250.00
Altas Copco	WWTP / Pleated Filters	4,288.22
Avalos, Miguel	Electric Rebate	1,250.00
B & H Services / Service Master	Cleaning Service	5,831.00
Baker & Taylor	LB / Books	1,371.84
Barco Municipal Products Inc	ST / Signs	1,214.05
Baruth, Pam	Electric Rebate	1,250.00
Beverly Bogle Louthan PC	Professional Fees	1,200.00
Blackstone Audio Inc	LB / Books	47.95
Business Card / Bank of America		
Association of Aquatic Professionals	AC / Membership Fee / Luther, A	40.00
Cantaloup	Driving Range Tech/Support/3g Upgrade	232.81
National Assn of School Resource Officers	PD / Membership Fee / Pinkelman, L	40.00
SPW Industrial	WWTP / Decanter Parts	1,306.62
Subway / Kearney	PD / Meals	9.72

Test Gauge Inc	WR / Gauge Calibration / Backflow	290.00
Truck Center	ST / Repairs	59.40
United States Postal Service	PD / WR / Postage	330.10
Walmart	CC/FD/Arbor Day Supplies/Radio Parts	140.47
Calco Management LLC / Subway	CC / Civil Service Meeting / Meal	36.54
Cash-Wa Distributing	MOW / Food & Supplies	2,335.06
Cengage Learning	LB / Books	23.25
Chesterman Company	REC / Beverages	194.00
Consolidated Management	PD / Training Meals / Lauby, B	56.13
Core & Main	EL / Meters	4,134.48
Country Partners Cooperative	FD / Fuel	710.03
Cummins Inc	WWTP / Generator Inspection	396.51
D & M Security Inc	OC / Service / Fire Alarm System	225.00
Davis Energy	FD / ST / Fuel	615.62
Depository Trust	2020 HIWA Allocation Bond Pymt/Int	3,295.00
Ditch Witch	ST / Equipment Belts	264.43
Eakes Inc	LB / Supplies	61.96
Fagot Refrigeration & Electric Inc	Clarifier Motor/Repairs/LED Upgrades	3,211.86
Family Advocacy Network	PD/2022-2023 Annual Subscription Fee	1,000.00
Fremarek	REC / Janitorial Supplies	151.01
Funes, Reyna	Electric Rebate	850.00
Garcia Santos, Oscar	Electric Rebate	1,700.00
GB Auto Service Inc / TO Haas	WR / Tire Repairs	21.60
Global Equipment Company Inc	AMB / Storage Cabinet	1,297.70
Gomez, Noe	Electric Rebate	1,650.00
Great Western Bank	ST / CED Loan Payment	46,607.65
Hawkins Inc	AC / Pool Chemicals	1,255.62
Health Claims	Claims	21,563.64
Hiland Dairy Foods	MOW / Dairy Products	554.34
Holbein, Dahlas	AMB/FD/Truck Maint/Fueling/Cleaning	1,500.00
Home Federal Bank	Southwest 1st Addition Loan Payment	66,528.30
Homeier Ventures LLC / Bob's True Value	CEM / PK / Supplies / Hardware	93.50
IGS ORIX Solar I	Solar Power Purchase	40,298.94
	2021 NE Capacity Tax Reimbursement	12,559.00
Ingram Library Services	LB / Books	228.54
Intellicom Computer Consulting Inc	Tech Support / Software	378.75
International City Management Assn/ICMA	CM / Membership / Pepplitsch, J	1,166.00
Irwin, Susan	Electric Rebate	1,250.00
Kelly Supply Company	WWTP / Parts	751.90
Krueger Contracting	Primary Digester Clean Out/NonOrganic Debris	35,000.00
Lauby, Brylee	PD / Mileage / Training	105.30
Law Enforcement Coordination Unit	LECC/NECAA Conf/Wolf/Schwarz	300.00
Lazano, Maritza	Electric Rebate	1,200.00
Lexington City Payroll Account		
Payroll	Wages	153,969.09
Social Security	Employer Portion / FICA Med	11,478.87
Union Bank & Trust	Employer Portion / Pension	5,428.72
Union Bank & Trust	Police Pension	3,342.50
ICMA	City Manager Pension	995.69
LEXUS	Utilities	47,892.40
Matheson Tri-Gas Inc	AMB / Medical Oxygen	77.95
Mead Lumber	PK / REC / Hardware / Supplies	168.00
Midland Scientific Inc	WWTP / Lab Supplies	1,087.72
Midlands Contracting Inc	Clean/Vac/Debris Removal/Tap Cutting	14,513.75

Mid-State Engineering & Testing Inc	Services/2021 Treatment Plant Imps	1,778.00
Mid-States Automation & Control Inc	OC / HVAC Repairs	2,777.25
Miller & Associates Consulting Engineers	ND / Professional Services	1,485.00
Mobotrex	Traffic Signal Controller/7th&Washington	8,726.00
Nebraska Public Power District	O & M	124,511.79
	Power Purchase	991,198.46
Oliver Consulting Services	LB / Tech Support / Data Backup	120.00
O'Neill Wood Resources LLC	ST / Wood Grinding	11,700.00
O'Reilly Auto Parts	ST / Supplies	16.99
Orteca Ayala, Jesus	Electric Rebate	1,650.00
Page My Cell	FD / Dispatch to Text Service / Annual	550.00
Perez, Gerardo	Electric Rebate	1,050.00
Platte Valley Auto Mart	PD / Repairs	342.26
Pool Equip LLC	AC / Supplies	185.95
Principal	Dental Premium	3,854.82
Quick Med Claims / Fire	FD / Fire Incident Billing	236.00
Ramirez De Vargas, Adriana	Electric Rebate	1,250.00
Scott, Cody	Electric Rebate	1,425.00
Standard Insurance Company	Life Insurance Premiums	1,039.70
State of NE/Public Health Environmental Lab	WR / Testing	1,888.00
Sutton, Linda	Electric Rebate	1,650.00
TASC	Administration Fees	187.21
Tri City Printers Inc / Tri-City Tribune	Publications	10.80
U Save Pharmacy / Business Equipment	AMB/GGC/LB/ST/WWTP/Supplies	254.47
US Foods	MOW / Food	1,394.74
Utility Service Company Inc / Suez	Water Tank Service / Inspections	11,060.17
Vasquez, Maria	Electric Rebate	850.00
Verizon Wireless	Cellular Service	417.23
Village Cleaners Inc	GGC / Janitorial Supplies	61.00
VSP / Vision Service Plan	Vision Premium	1,071.83
Wesco Receivables Corp	SW / Supplies	68.10
Wolslaben, Maxine	Electric Rebate	850.00
Wood, Tracy	Electric Rebate	1,250.00
Atlas Copco	WWTP / Pleated Filters	2,141.49
Cengage Learning	LB / Books	149.34
City of Lexington	Utility Franchise Fees	90,284.85
Country Partners Cooperative	FD / Fuel	419.10
Cozad Development Corporation	St. Ann's Project / Administration	11,500.00
Danko Emergency Equipment	FD / Uniform Expense	2,783.00
Dan's Sanitation	Sanitation Fees	35,645.75
Davis Energy	FD / ST / Fuel / Fuel Purchase	5,774.62
Demco Inc	LB / Supplies	114.27
Dutton-Lainson Company	ST / Sensors	1,937.22
Eakes Inc	ST / Copier Expense	357.57
Fastenal	ST / Tools	123.37
HD Supply Facilities Maintenance LTD	WR / Pump / Hoses	1,269.56
Health Claims	Claims	4,822.87
Hiland Dairy Foods	MOW / Dairy Products	116.53
Meritain Health	Health Premium	34,879.20
Nebraska Machinery Company	Equipment Rental/NW Detention Patriot Lake	13,837.50
Nebraskaland Tire	FD / ST / Equipment Repairs	1,126.68
NMC Industrial Services LLC	Equipment Rental/NW Detention Patriot Lake	5,131.23
Paulsen Inc	WR / Limestone	986.25
S & W Auto Parts	FD / Parts	34.31

Schroeder, Mickey L / Platte Valley Glass	ST / Window Chip Repair	60.00
South Central Nebraska Baseball League	REC / Team Registrations	375.00
State of NE / Cornhusker State Industries	LB / Furniture / Chairs	4,187.00
Statewide Collections LLC	Collection Fees	425.90
Steinbrink Landscaping Inc	PK / Trees / Supplies	9,441.00
US Foods	MOW / Food	742.54
Village Cleaners Inc	GGC / Janitorial Supplies	148.52
	TOTAL CLAIMS:	1,918,573.79

FINANCIAL REPORT: Moved by Roberts, seconded by Vivas, to accept the financial report for March 2022. Roll call. Voting “aye” were Smith, Vivas, Roberts, Fagot. Motion carried.

PUBLIC COMMENTS: Beth Bauer appeared before the Council to introduce herself as a candidate for Dawson County Treasurer.

PILOT: Derek Haines, Lexington Housing Authority Director, requested a waiver of the Payment in Lieu of Taxes agreement with the City of Lexington for Fiscal Year 2022-2023. Following discussion, moved by Roberts, seconded by Smith, to approve a waiver of the PILOT agreement as requested. Roll call. Voting “aye” were Vivas, Smith, Roberts, Fagot. Motion carried.

RESOLUTION: Resolution No. 2022-09 was presented for Council consideration. Following discussion, moved by Vivas, seconded by Smith, to approve Resolution No. 2022-09 as presented. Roll call. Voting “aye” were Roberts, Smith, Vivas, Fagot. Motion carried.

RESOLUTION NO. 2022 – 09

A RESOLUTION OF THE CITY OF LEXINGTON, NEBRASKA, AUTHORIZING AND DIRECTING THE TRANSFER OF REAL ESTATE TO THE COMMUNITY DEVELOPMENT AGENCY OF LEXINGTON, NEBRASKA.

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

WHEREAS, the Community Development Agency of Lexington, Nebraska is preparing a housing development 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 development 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 City Manager 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, 3, and 4, Block Three, O’Donnell Fourth Addition to the City of Lexington, Dawson County, Nebraska; and

Lots 1, 2, 3, 4, 5, and 6, Block Four, Northwest Fifth Addition, a Replat of Part of Lot 1, Block One, and Part of Lot 1, Block Three, Northwest Second Addition, an Addition to the City of Lexington, Dawson County, Nebraska; and

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13, Northwest Eighth Addition, a Replat of Block Five, Northwest Fifth Addition, to the City of Lexington, Dawson County, Nebraska; and,

Lots 1, 2, 3, 4, and 5, Block One, Northwest Ninth Addition, an Addition to the City of Lexington, Dawson County, Nebraska; and

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, Block Two, Northwest Ninth Addition, an Addition to the City of Lexington, Dawson County, Nebraska.

Passed and approved April 26, 2022.

PROJECT PAYMENT: Peplitsch reviewed Pay Request #1 for the 18th Street & Kirkpatrick Memorial Park Paving Improvements project in the amount of \$226,937.47 from Paulsen, Inc. Following an update of the project, moved by Smith, seconded by Roberts, to approve Pay Request #1 as presented. Roll call. Voting “aye” were Vivas, Roberts, Smith, Fagot. Motion carried.

ROUNDTABLE DISCUSSION: Peplitsch gave an update on current projects. Burnside noted Arbor Day will be celebrated this week with winners of the elementary poster contest being recognized. He also noted the city received 64 trees as part of the Community Tree Recovery grant which will be distributed in the city parks, schools, cemeteries, museum, and Housing Authority properties. Baruth announced she will be absent from the May 10 city council meeting. Fagot relayed appreciation from the Cambridge Fire Dept to our firefighters for their assistance with the recent grass fires.

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