

**CITY COUNCIL
CITY OF LEXINGTON, NEBRASKA
September 23, 2025**

A Regular Meeting of the Lexington City Council was held Tuesday, September 23, 2025, at Lexington, Nebraska at 5:30 p.m. Members of the Council present were John Fagot, John Salem, Dora Vivas, Jared Jacob, and Jeremy Roberts. City Officials present were City Manager Joe Pepplitsch, Finance Director Derek Haines, Community Development Director Bill Brecks, City Attorney Brian Copley and City Clerk Pamela Baruth.

NOTICE: Notice of the meeting was given in advance, thereof by publication in Tuesday, September 16, 2025, edition of 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 9-9-2025: Minutes of the Regular meeting held Tuesday, September 9, 2025, were presented. Moved by Vivas, seconded by Salem, to approve the minutes as presented. Roll call. Voting “aye” were Jacob, Roberts, Salem, Vivas, Fagot. Motion carried.

MINUTES – BUDGET HEARING 9-9-2025: Minutes of the Budget Hearing held Tuesday, September 9, 2025, were presented. Moved by Roberts, seconded by Vivas, to approve the minutes as presented. Roll call. Voting “aye” were Salem, Jacob, Vivas, Roberts, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$2,644,318.85 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Roberts, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$307,716.15 from General Fund, \$80,455.04 from Street Fund, \$125,025.48 from Economic Development, \$257,795.02 from TIF, \$1,798,634.44 from LEXUS, \$43,668.87 from Sanitation, \$2,819.83 from Ambulance, \$19,797.14 from Health Fund, and \$8,406.88 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Jacob, Roberts, Salem, Fagot. Motion carried.

**ACCOUNTS PAYABLE
September 23, 2025**

180 Solutions LLC	ND / Accounts Billing Survey	110.50
Adame, Martin	Electric Rebate	1,750.00
Advanced Stores Company Incorporated	WR / Tools / Parts	220.06
Amarasinghe, Samanga	Utility Refund/Overpayment Final Bill	13.27
Amazon Capital Services Inc	LB / Books / Supplies	1,004.57
American Family Life Assurance Co	Premiums	1,734.85
B & H Services Inc	Cleaning Service	6,839.00
Baker and Taylor	LB / Books	176.73

Barkmeier, Amanda	Electric Rebate	69.60
Bauer Built Inc	CEM / Tires	693.82
Benchmark Government Solutions LLC	PD / Training Meals	41.85
Beverly Bogle Louthan PC	Professional Fees	1,500.00
Buller Fixture a Division of Cash-Wa	GGC / Shelving - Walk in Cooler	1,351.38
Bye Masonry Inc	PK / Labor / Veterans Pavillion Bricks	1,760.00
Byrns Floor Covering & Installation	ND / PD / Flooring Materials	6,659.00
Cash-Wa Distributing	MOW / ST / Food & Supplies	6,330.03
Center Point Inc	LB / Books	395.52
Change Clothing	ST / Uniform Expense	1,488.62
City of Lexington - Operating	Bank Account Analysis Charges	3,598.19
Civicplus LLC	DS / Online Code Book	367.50
CJ Imprints LLC	ST / Uniform Expense	5,050.50
Column Software PBC	Publications	136.80
Community Development Agency	TIF/From Dawson Co Treasurer (12)	257,795.02
Country Partners Cooperative	ST / Herbicide	172.05
Davis Energy Inc	FD / Fuel	143.17
Denker, Christopher	Electric Rebate	1,750.00
Eakes Inc	EL / DocMgmt Support	490.00
Gonzalez, Christobal	Electric Rebate	1,750.00
Health Claims	Claims	9,764.16
Hiland Dairy Foods Company LLC	MOW / Dairy Products	267.78
Hill, Chris	Electric Rebate	1,750.00
Holbein Lawn Care	FD / Lawn Care	232.00
Holbein, Dahlas	AMB/FD/Truck Maint/Fuel/Clean	1,500.00
Homeier Ventures LLC	PK / Tools	16.99
Invest Plus Inc	MOW / Food	119.92
Johnson Heater Corp	FH / Parts	412.73
Johnson, Lynn	Electric Rebate	3,300.00
Lexington Health Fund	Self-Funding	55,745.35
Lexington City Payroll Account		
Payroll	Wages	194,772.94
Social Security	Employer Portion / FICA Med	14,492.68
Union Bank & Trust	Employer Portion / Pension	6,429.82
Union Bank & Trust	Police Pension	4,334.23
ICMA	City Manager Pension	1,142.23
LEXUS	Utilities	56,001.37
Madison Energy Holdings LLC	Solar Power Purchase	38,557.80
Mead Holding Company Inc	ND / PK / Supplies	160.65
Mendez, Silvina	Electric Rebate	1,750.00
Meritain Health	Health Premium	42,112.49
National Telephone Message Corporation	PD / Supplies	217.77
Nebraska Dept of Environment & Energy	DS / Water Operator License / Harris, J	28.75
Nebraska Public Power District	O & M	150,629.48
	Power Purchase	1,210,922.72
Nebraska Rural Water Association	2025-2026 Membership Dues	550.00
Nebraskaland Tire Inc	SW / Repairs	2,096.50
NMC Industrial Services LLC	ST / Equipment Rentals	3,949.50
Olsson	ST / Professional Services	4,404.08
One Billing Solutions	AMB / Billing Fees	2,393.97
On Target Ammunition LLC	PD / Ammunition	8,700.00

O'Reilly Auto Enterprises LLC	ST / Parts	59.18
Paulsen Inc ST / Limestone		679.50
Platte Valley Auto Mart Inc	PD/ST/Transmission Service/Oil/Lube	685.86
Platte Valley Laboratories Inc	WWTP / Testing	819.75
Polydyne Inc	WWTP / Dewatering Polymer	16,100.00
Principal	Dental Premium	4,782.22
Ramos, Saul	SW / WR / Repairs / Installation	54,213.50
Retirementhome.tv Corporation	RSL / Cable Service	1,210.88
Romero, Josse Eduwiges	Electric Rebate	1,750.00
Ronnenkamp, Diane	Electric Rebate	550.00
Rose Holdings Inc	ST / Parts	812.00
Saulsbury, Gerda	Electric Rebate	30.00
SMC Exteriors LLC	ST/Sign Install/Lex Regional Hospital	3,600.00
Standard Insurance Company	Life Insurance Premiums	1,044.98
TASC	Administration Fees	175.62
Titan Machinery - Lexington	ST / Parts / Service	1,694.58
Tyler Technologies	Annual Service Contract	105,934.41
Verizon Wireless	Cellular Service	711.05
Village Cleaners Inc	GGC / Janitorial Supplies	70.75
VVS Inc	ND / Software Upgrade	654.15
WAM Inc	CEM / Repairs	620.85
Bauer Built Inc	PK / Parts & Labor	24.00
Business Card / Bank of America		
Amazon.com	REC / Fuses	97.18
Canva	LB / Software	14.99
Casey's General Store	DS / Fuel	36.83
Chipotle	PD / Travel Meals	71.81
Days Inn - York	PD / Lodging	93.74
Fairfield Inn	PD / Lodging	1,299.40
Guth Labs	PD / Testing Supplies	1,277.90
Hanks Conoco	CM / Meeting Meal	31.98
International Code Council	DS / Testing / Ramirez, J	240.00
Isla Del Mar	PD / Travel Meals	79.01
Jerzee's	PD / Travel Meals	92.14
Magnum LTL	WWTP / Shipping / Blower Repair	320.15
Microsoft	LB / Software	12.25
Midwest Inn	PD / Lodging	104.44
Ollie & Hobbs	PD / Travel Meals	75.79
Postermyswall.com	PK / Promotional Ads	29.95
Pump & Pantry	DS / PD / Fuel	88.88
Speedee	PD / Fuel	40.42
Texas Roadhouse	PD / Travel Meals	113.31
The Good Life Sports Bar	PD / Travel Meals	72.55
Zeffy	LB / Software	40.00
Zoom.com	LB / Online Training	159.90
Cash-Wa Distributing Co of Kearney Inc	MOW / Food & Supplies	2,157.03
Cengage Learning	LB / Books	41.98
Center Point Inc	LB / Books	404.48
City of Lexington	Utility Franchise Fees	110,914.18
Coffee Cottage LLC	EL / Open House Beverages	68.20
Credit Services of Logan Inc	EL / Collection Fees	591.94

Dan's Sanitation	Sanitation Services `	43,668.87
Davis Energy Inc	PK / ST / Oil / Fuel Purchase	5,453.33
First Interstate Bank	AMB / CM / LB / PD / Petty Cash	255.88
Fagot Refrigeration & Electric Inc	LB / General Maintenance	875.38
Health Claims	Health Claims	8,122.51
Hiland Dairy Foods Company LLC	MOW / Dairy Products	341.32
Homeier Ventures LLC	PK/Parts/Connectors/Hardware/Supplies	89.58
Johnson, Ryan	PK / Boot Reimbursement	69.79
LEE Enterprises Inc	LB / GI Independent Subscription	698.99
Lexington Area Chamber of Commerce	AC / GGC / PK / Full Page Ad	2,500.00
Lexington Public Schools	Refund/Tobacco/Liquor License Fees	5,572.50
Mead Holding Company Inc	PK / Spray Paint / Battery	22.58
Municipal Supply Inc of Nebraska	ST / Curb Inlet Frame	1,770.00
Platte Valley Auto Mart Inc	SW / Repairs / Service	1,377.12
Plumbing & Heating Wholesale Inc	WR / Tools	212.93
S & W Auto Parts Company	FD / PD / PK / Tools / Supplies / Parts	97.05
State of NE / DHHS / Public Health Lab	WR / Testing	1,979.00
Stewart, Jason	ST / Lawn Care	200.00
Stout, Robby B	ST / Repairs	8,795.00
Studio 6 Bistro	EL / Catering	1,070.00
Thriv Construction Inc	Economic Development Loan	125,025.48
Village Cleaners Inc	GGC / Janitorial Supplies	70.75
VSP / Vision Service Plan	Vision Premium	1,109.14
TOTAL CLAIMS:		2,644,318.85

FINANCIAL REPORT: Moved by Roberts, seconded by Salem, to accept the financial report for August 2025 as presented. Roll call. Voting “aye” were Vivas, Jacob, Salem, Roberts, Fagot. Motion carried.

PUBLIC COMMENT: Jennifer Norton, Library Director, appeared before the Council to express her gratitude to Council and Staff for allowing her to attend a development seminar out of state recently. She also stated the library is a recipient of a National Endowment for the Arts Big Read grant and a kickoff event is planned for Monday, October 6.

PUBLIC HEARING: Mayor Fagot opened a public hearing to consider a Conditional Use Permit application by Dennis Nava for an automotive repair shop located at 201 East Pacific. Brecks stated the applicant, who was not present, would like to repair vehicles at their current car sales location. He gave a history of the code violations at the locations over the years, including parking inoperable vehicles on adjacent properties. He also noted that public comments received in his office include a desire to clean up the downtown area by not having repair shops and salvage yards there. There being no other public comments, the public hearing was closed. Moved by Salem, seconded by Roberts, to deny the Conditional Use Permit application for an automotive repair shop at 201 East Pacific. Roll call. Voting “aye” were Vivas, Jacob, Roberts, Salem, Fagot. Motion carried.

RESOLUTION: Resolution No. 2025-20 was presented. Following discussion, moved by Salem, seconded by Jacob, to approve Resolution No. 2025-20. Roll call. Voting “aye” were Vivas, Roberts, Jacob, Salem, Fagot. Motion carried.

RESOLUTION NO. 2025-20

**A RESOLUTION SETTING THE PROPERTY TAX REQUEST FOR
FISCAL YEAR 2025-2026**

WHEREAS, Nebraska Revised Statute 77-1632 and 77-1633 provides that the Governing Body of the City of Lexington passes by a majority vote a resolution setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the Governing Body of the City of Lexington resolves that:

1. The 2025-2026 property tax request be set at \$1,884,102.48.
2. The total assessed value of property differs from last year's total assessed value by 5.75%.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$0.304185 per \$100 of assessed value.
4. The City of Lexington proposes to adopt a property tax request that will cause its tax rate to be \$0.319017 per \$100 of assessed value.
5. Based on the proposed tax request and changes in other revenue, the total operating budget of the City of Lexington will increase last year's budget by 1.73 percent.
6. A copy of this resolution shall be certified and forwarded to the Dawson County Clerk on or before October 15, 2025.

PASSED AND APPROVED this 23rd day of September 2025.

ORDINANCE: Ordinance No. 2478 entitled "AN ORDINANCE TO ADOPT THE BUDGET STATEMENT FOR FISCAL YEAR 2025-2026. TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN ELECTRONIC FORM" was presented. Moved by Roberts, seconded by Vivas, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting "aye" were Salem, Jacob, Vivas, Roberts, Fagot. Motion carried.

Ordinance No. 2478 was presented on final reading. Moved by Roberts, seconded by Jacob, to approve Ordinance No. 2478 on final reading. Voting "aye" were Salem, Vivas, Jacob, Roberts, Fagot. Motion carried.

ORDINANCE NO. 2478

AN ORDINANCE TO ADOPT THE BUDGET STATEMENT FOR FISCAL YEAR 2025-2026. TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN ELECTRONIC FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA:

SECTION 1: That after complying with all procedures required by law, the budget presented and set forth in the budget statement is hereby approved as the Annual Appropriation Bill for the fiscal year beginning October 1, 2025 through September 30, 2026. All sums of money contained in the budget statement are hereby appropriated for the necessary expenses and liabilities of the city of Lexington. A copy of the budget document shall be forwarded as provided by law to the Auditor of Public Accounts, State Capitol, Lincoln, Nebraska, and to the County Clerk of Dawson County, Nebraska, for use by the levying authority.

SECTION 2: This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

PASSED AND ADOPTED THIS 23rd DAY OF SEPTEMBER, 2025.

RESOLUTION: Resolution No. 2025-21 was presented. Following discussion, moved by Salem, seconded by Roberts, to approve Resolution No. 2025-21. Roll call. Voting “aye” were Smith, Roberts, Salem, Fagot. Motion carried.

**RESOLUTION NO. 2025-21
SIGNING OF THE MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM
COMPLIANCE FORM
2025**

WHEREAS: State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

WHEREAS: State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include the resolution of the governing body of the municipality authorizing the signing of the certification.

BE IT RESOLVED that the Mayor of Lexington is hereby authorized to sign the Municipal Annual Certification of Program Compliance.

Adopted the 23rd day of September, 2025.

BOARD OF EQUALIZATION: The Council sat as a Board of Equalization to consider assessments for delinquent property maintenance abatement fees. Pepplitsch reviewed the outstanding fees. Ordinance No. 2479 entitled “**AN ORDINANCE TO ASSESS THE COST OF PROPERTY MAINTENANCE AGAINST CERTAIN PROPERTIES; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM**” was presented. Hipolita Huerta addressed proposed charges for nuisance abatement costs related to her property. No other comments were received. Following discussion, 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, Jacob, Roberts, Salem, Fagot. Motion carried.

Ordinance No. 2479 was presented on final reading. Moved by Salem, seconded by Jacob, to approve Ordinance No. 2479 on final reading. Roll call. Voting “aye” were Vivas, Roberts, Jacob, Salem, Fagot. Motion carried.

ORDINANCE NO. 2479

AN ORDINANCE TO ASSESS THE COST OF PROPERTY MAINTENANCE AGAINST CERTAIN PROPERTIES; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN ELECTRONIC FORM.

Be it ordained by the Mayor and Council of the City of Lexington, Nebraska as follows:

SECTION 1 - That pursuant to the International Property Maintenance Code, and after notice given and required by law, the City has abated nuisance violations located upon the following described properties, to-wit:

1. Lot 10 S ½ of Lot 11 Block J Mac Coll and Leflang's Addition to the City of Lexington, Dawson County, Nebraska (1008 N Washington);

Owner: Hassane Abdallah
1008 N Washington
Lexington, NE 68850

Mowing Incurred: June 3, 2025 \$300.00

2. Lot 15 TR L (.16) 5-29-21 Acreage in the City of Lexington, Dawson County, Nebraska (301 S Washington)

Owner Salomon Argueta
956 W 9th
Lexington, NE 68850

Mowing Incurred: September 16, 2024 \$300.00

3. Lot 15 TR L (.16) 5-29-21 Acreage in the City of Lexington, Dawson County Nebraska (301 S Washington)

Owner Salomon Argueta
956 W 9th
Lexington, NE 68850

Mowing Incurred: June 3, 2025 \$300.00

4. Lot 8 Block 3 Woodward's First Addition to the City of Lexington, Dawson County, Nebraska, (915 W 15);

Owner: Hipolita Huerta
915 W 15
Lexington, NE 68850

Mowing Incurred: September 6, 2024 \$300.00

5. Lot 35 and N 20 FT Lot 34 Woodlawn Addition to the City of Lexington, Dawson County, Nebraska, (1405 N Jackson);

Owner: Irvin Lopez
1405 N Jackson
Lexington, NE 68850

Mowing Incurred: September 17, 2024 \$400.00

6. Lots 5 and 6 Block 16 Mac Coll and Leflang's Second Addition to the City of Lexington, Dawson County, Nebraska, (903 N Madison);

Owner: Adalberto Mejia
903 N Madison
Lexington, NE 68850

Fence Removal Incurred: March 20, 2025 \$165.00

7. S 25 FT 3 Inches Lot 28 and N 49 FT 9 Inches Lot 27 Block 1 Olives First Addition to the City of Lexington, Dawson County, Nebraska, (1200 N Fillmore);

Owner: Aminta Morales-Ortiz
1200 N Fillmore
Lexington, NE 68850

Mowing Incurred: July 31, 2024 \$300.00

8. E ½ Lots 7 and 8 Block M Mac Coll and Leflang's Addition to the City of Lexington, Dawson County, Nebraska, (207 W 9th);

Owner: Manual Palma Junior
306 W Walnut Street
Lexington, NE 68850

Mowing Incurred: June 3, 2025 \$600.00

9. S ½ E ½ Lot 12 and S ½ Lots 13 and 14 Block 3 James Ervins Second to the City of Lexington, Dawson County, Nebraska, (811 S Madison);

Owner: Derik Rowe
75721 Road 427
Cozad, NE 69130

Mowing Incurred: June 3, 2025 \$300.00

10. Lot 6 Block 21 Mac Coll and Leflang's Second Addition to the City of Lexington, Dawson County, Nebraska (601 W 7th);

Owner: Derik Rowe
75721 Road 427
Cozad, NE 69130

Property Demolition Incurred July 8, 2025 \$11,900.00

11. Lot 1 Block 7 Mac Coll and Leflang's Third Addition to the City of Lexington, Dawson County, Nebraska (1012 N Jackson);

Owner: Giovanni Victorino
1012 N Jackson
Lexington, NE 68850

Lawn Care Incurred July 2, 2025 \$300.00

SECTION 2 - That there be and is hereby levied and assessed against the above described real estate, a special tax in the amount of costs incurred for each property, to pay the cost of abatement of nuisance violations as aforesaid, and that said assessment shall be due and payable in full upon adoption of this Ordinance, and thereafter shall draw delinquent interest as provided by Section 45-104.01 R.R.S. 1943.

SECTION 3 - The City Clerk shall cause a copy of this Ordinance to be recorded in the office of the Register of Deeds of Dawson County, Nebraska.

SECTION 4 - That this Ordinance shall be published in electronic form and take effect as provided by law.

PASSED AND APPROVED this 23rd day of September, 2025.

ROUNDTABLE: There were no items for discussion.

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