

**CITY COUNCIL  
CITY OF LEXINGTON, NEBRASKA  
January 24, 2023**

A Regular Meeting of the Lexington City Council was held Tuesday, January 24, 2023, 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, Library Director Jennifer Norton and City Clerk Pamela Baruth. The press was represented by the 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 1-10-23:** Minutes of the Regular meeting held Tuesday, January 10, 2023, were presented. Moved by Salem, seconded by Vivas, to approve the minutes as presented. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$2,179,826.41 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Smith, seconded by Salem, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$226,150.85 from General Fund, \$124,072.56 from Street Fund, \$114,986.36 from TIF, \$1,655,242.38 from LEXUS, \$35,929.10 from Sanitation, \$655.66 from Ambulance, \$19,654.87 from Health Fund, and \$3,134.63 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Salem, Roberts, Vivas, Smith, Fagot. Motion carried.

**ACCOUNTS PAYABLE  
January 24, 2023**

AFLAC	Premiums	1,785.99
Asphalt Research Technology Inc	ST / Cold Patch Asphalt	2,380.00
B & H Services / Service Master	Cleaning Service	5,838.00
Baker & Taylor	LB / Books	1,545.77
Beverly Bogle Louthan PC	Professional Fees	1,200.00
Business Card / Bank of America		
Amazon.com	DS/ST/Uniform Exp/Salt Spreader	479.95
Big Lots	ND / Employee Banquet Supplies	41.72
Culvers - Grand Island NE	PD / Travel Meal	13.74
Harbor Freight Tools	ST / Portable Generator	510.36
International Code Council	DS / Inspector Exam / Harris, J	230.00
Microsoft	LB / Software	7.86
National Registry of Emergency Medical Technicians	Exam Fees/Leibert/Schwarz	196.00

Paper Direct	CM / Office Supplies	129.46
Pizza Hut - Grand Island NE	PD / Travel Meal	8.82
United States Postal Service	WR / Postage	164.10
Walmart	PK / Lights / Holiday Walk	112.44
C A Enterprises Inc / PIP Marketing	EL / Tax Documents	310.37
Cash-Wa Distributing	MOW / Food & Supplies	1,150.50
Cengage Learning	LB / Books	123.71
Community Development Agency	TIF/B&H Svcs/HNB1/HNB3/HNB4	114,986.36
Core & Main LP	EL / 2S Meters	16,022.26
Davis Energy	FD / ST / Fuel / Fuel Purchase	5,288.74
Eakes Inc	LB / Office Supplies	51.60
Eilers Machine & Welding Inc	WR / Steel Rod	31.91
Electrical Engineering & Equipment	FH / Lights	222.40
Fagot Refrigeration & Electric Inc	PK/Upgrade Electrical/Memorial Park	9,344.60
Health Claims	Claims	7,494.58
Hiland Dairy Foods	MOW / Dairy Products	137.98
Holbein, Dahlas	AMB/FD/Truck Maint/Fueling/Cleaning	1,500.00
Holmes Plumbing & Heating Supply Co	WR / Tools	49.22
Homeier Ventures LLC / Bob's True Value	PK / Supplies	12.98
IGS ORIX Solar I	Solar Power Purchase	17,149.04
Ingram Library Services	LB / Books	19.45
Integrated Security Solutions	GGC / Range Hood Inspections	700.00
Jeffrey, David	Electric Rebate	1,525.00
JEO Consulting Group	ND / PK / ST / Professional Services	7,350.00
Keim, Jo	Refund / AFLAC Premium	33.09
Kelly Supply Company	WR / Cordless Pump	283.55
Lexington Health Fund	Self-Funding	58,036.25
Lexington Housing Authority	Electric Rebate	1,900.00
LEXUS	Utilities	54,665.91
Matt Friend Truck Equipment Inc	Snowplow Frame/Hydraulic Cylinder	892.74
Mead Lumber	DS / PK / Supplies / Lumber	108.74
Meritain Health	Health Premium	33,706.66
Metzger, Timothy	Electric Rebate	1,525.00
Municipal Supply	SW / Repair Couplings	268.36
Nebraska Public Power District	O & M	128,691.48
	Power Purchase	1,185,923.52
Nebraska Safety Council	2023 Membership Renewal	425.00
Nebraskaland Tire	PK / ST / WR / Tires / Oil & Lube	535.63
NSG Logistics LLC	ST / Ice Slicer / 122.8 Ton	19,402.40
Oliver Consulting Services	LB / Laptop Computers (2)	1,270.00
O'Neill Wood Resources LLC	ST / Wood Grinding	20,800.00
O'Reilly Auto Parts	WR / Parts	5.34
Platte Valley Excavating	ST / Snow Removal	2,300.00
Pop, Abraham	Electric Rebate	1,200.00
Prairie Fire Development LLC	Electric Rebate (44)	62,700.00
Principal	Dental Premium	4,084.22
RR Donnelley & Sons Company	PD / Nebraska Citation Books	167.73
Ryde Transit	GGC / Monthly Riders / 59	177.00
S & W Auto Parts	ST / Pressure Gauge	12.26
Standard Insurance Company	Life Insurance Premiums	1,011.43

State of Nebraska - Department of Labor	Unemployment Insurance	1,560.00
Thompson, Robert	WR / Reimbursement / Boots	101.65
Tyler Technologies	EL / Billing Notification Calls	52.80
Union Pacific Railroad Company	PK / Lease - Rent	100.00
U Save Pharmacy / Business Equipment	AMB/CM/LB/WWTP/Office Supplies	497.03
US Foods	MOW / Food	860.02
Velazquez, Eduardo	Electric Rebate	1,525.00
Verizon Wireless	Cellular Service	417.01
Vicente, Raquel	Electric Rebate	1,525.00
Village Cleaners Inc	GGC / Janitorial Supplies	61.00
VSP / Vision Service Plan	Vision Premium	1,111.01
YMCA of the Prairie	Fitness Memberships	1,280.00
Asphalt Research Technology Inc	ST / Cold Patch Asphalt	2,380.00
Baker & Taylor	LB / Books	683.73
Barco Municipal Products Inc	ST / Stop Signs / Street Signs / Letters	2,838.80
Bauer Built Inc	ST / Tire Repairs	42.00
Cengage Learning	LB / Books	99.96
Chesterman Company	FH / Beverages	336.00
City of Lexington	Utility Franchise Fees	100,593.01
CNH Industrial America LLC	FD/ST/WWTP/Svc/Lube/Repairs/Parts	4,355.34
Complete Underground LLC	Directional Boring/Excavation/St Lights	13,790.62
Core & Main	EL/WR/Meters/Meter Wires/Hardware	8,355.59
Dan's Sanitation	Sanitation Fees	35,929.10
Davis Energy	ST / Fuel Purchase	7,264.07
Eakes Inc	EL / DocMgmt Support	455.00
Fagot Refrigeration & Electric Inc	Remove Power/Install Ignitor/Gas Valve	775.05
Fastenal	ST / Hardware / Repairs	169.06
Hach Company	WWTP / Lab Supplies	487.59
Health Claims	Claims	10,142.59
Hiland Dairy Foods	MOW / Dairy Products	154.88
Ingram Library Services	LB / Books	25.96
Lexington City Payroll Account		
Payroll	Wages	165,190.49
Social Security	Employer Portion / FICA Med	12,306.14
Union Bank & Trust	Employer Portion / Pension	6,162.61
Union Bank & Trust	Police Pension	3,396.23
ICMA	City Manager Pension	1,078.84
Lincoln Winwater Works Company	WR / Repair Clamps / Paint	811.49
Matt Friend Truck Equipment Inc	ST / Equipment Parts	66.75
Municipal Supply Inc	WR / Repair Clamps / Poly tubing	2,404.37
O'Reilly Auto Parts	ST / Parts	45.94
Paulsen Inc	WR / Limestone / Calcium / Heat	1,231.84
State Of NE/Public Health Environmental Lab	WR / Testing	430.00
Stout, Robby B	WR / Water Main Repairs	4,138.00
TASC	Administration Fees	198.62
True North Agency LLC	FD/Group Life/Fire&Rescue Premiums	6,155.00
	TOTAL CLAIMS:	2,179,826.41

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

**PAY REQUEST:** Peplitsch reviewed Pay Request #16 for the 2021 Wastewater Facility Improvements project from Walters-Morgan Construction in the amount of \$99,447.89. Following a project update, moved by Roberts, seconded by Smith, to approve Pay Request #16 as presented. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

**RESOLUTION:** Resolution No. 2023-01 was presented. Following discussion, moved by Salem, seconded by Vivas, to approve Resolution No. 2023-01. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

**RESOLUTION NO. 2023-01**

**A RESOLUTION APPROVING THE CERTIFICATION ADMINISTRATOR FOR THE LVFD SERVICE AWARD PROGRAM AND THE VOLUNTEER EMERGENCY RESPONDERS INCENTIVE ACT.**

WHEREAS, the Lexington Volunteer Fire Department has designated Kristin Byrne as the Certification Administrator for the LVFD Service Award Program and the Volunteer Emergency Responders Incentive Act;

BE IT RESOLVED, by the Mayor and Council of the city of Lexington, Nebraska that Kristin Byrne is hereby approved as the Certification Administrator for the LVFD Service Award Program and the Volunteer Emergency Responders Incentive Act.

**Passed and approved this 24<sup>th</sup> day of January 2023.**

**RESOLUTION:** Resolution No. 2023-02 was presented. Following discussion, moved by Smith, seconded by Salem, to approve Resolution No. 2023-02. Roll call. Voting “aye” were Vivas, Roberts, Salem, Smith, Fagot. Motion carried.

**RESOLUTION NO. 2023-02**

**A RESOLUTION APPROVING THE LVFD SERVICE AWARD PROGRAM AND VOLUNTEER EMERGENCY RESPONDERS INCENTIVE ACT CERTIFIED MEMBER LIST FOR CALENDAR 2022.**

WHEREAS, the Lexington Volunteer Fire Department members must attain Certified status as defined by the LVFD Service Award Program AND the Volunteer Emergency Responders Incentive Act in order to participate in the programs.

BE IT RESOLVED, by the Mayor and Council of the City of Lexington, the following list of members have completed the certification requirements as determined by the Certification Administrator for calendar year 2022.

Rex Adams	Bo Berry	Michael Boling
Daniel Bowers	Kristin Byrne	Alfred Copper
Dustin Davis	Gary Donnelson	Matthew Fitzgerald
Douglas Glaze	Dahlas Holbein	Walter Hughan

Kent Jergensen	James Linch	Michael Maguire
Robert Martin	Trevor Miller	Lance Olsen
Carlos Pano	Janell Patton	Chad Reutlinger
Roger Reutlinger	Jon Robles	Austin Roemmich
Kenny Schwarz	Jacob Stallbaumer	Kerry Teetor
Alejandra Trejo	Stephan Tuma	Brad Worthing
David Zlatkovsky		

**Passed and approved this 24<sup>th</sup> day of January 2023.**

**LIBRARY REPORT:** Jennifer Norton, Library Director, provided the annual report of library activities for 2022. Following discussion, moved by Roberts, seconded by Smith, to accept the library report as presented. Roll call. Voting “aye” were Vivas, Smith, Roberts, Salem. Motion carried.

**EXECUTIVE SESSION:** Moved by Roberts, seconded by Smith, to amend the agenda to include an emergency executive session to discuss real estate negotiations. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

Moved by Smith, seconded by Vivas, to enter into Executive Session at 5:43 p.m. to discuss real estate negotiations. Roll call. Voting “aye” were Salem, Roberts, Vivas, Smith, Fagot. Motion carried.

Moved by Roberts, seconded by Smith, to enter into Open Session at 6:19 p.m. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

**ROUNDTABLE:** Pepplitsch and Burnside provided project updates.

**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