

**CITY COUNCIL  
CITY OF LEXINGTON, NEBRASKA  
June 13, 2023**

A Regular Meeting of the Lexington City Council was held Tuesday, June 13, 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, and City Clerk Pamela Baruth.

**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 5-23-2023:** Minutes of the Regular meeting held Tuesday, May 23, 2023, 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.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$833,365.27 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 \$454,399.06 from General Fund, \$74,693.82 from Street Fund, \$246,399.95 from LEXUS, \$10,000.00 from Sanitation, \$820.14 from Ambulance, \$41,421.72 from Health Fund, and \$5,630.58 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Salem, Roberts, Smith, Fagot. Motion carried.

**ACCOUNTS PAYABLE  
June 13, 2023**

Abdo Publishing Company	LB / Books	528.90
Advanced Water Company Inc	WWTP/Annual Water Treatment Svc	603.57
ARK I CEA Holdco LLC / Solsystems	Solar Power Purchase / Airport Road	15,340.65
B & H Services / Service Master	EL / OC / Cleaning Service	5,682.31
Baker & Taylor	LB / Books	1,591.83
Black Hills Energy	Natural Gas Service	403.15
Bound Tree Medical LLC	AMB / Medical Supplies	256.31
Bowen, Nicholas / Change Clothing	REC / 2023 Aussie Open Shirts	1,308.30
Brooks, Gary E&Cheryl L/Meridian Rentals	PK / Trimmer Heads	103.96
Cash-Wa Distributing	Food / Supplies	13,927.85
Castaneda, Allen	PD / Training Mileage / Castaneda, A	353.70
Cengage Learning	LB / Books	151.45
Center Point Inc	LB / Books	189.96
Chesterman Company	AC / FH / MOW / PK / Beverages	2,612.00

City of Lexington	Interdepartmental Service Fees	55,749.00
	Utility Franchise Fees	628.97
City of Lexington / Street	SW/WR/Interdepartmental Service Fees	6,876.23
	Fuel	12,377.86
Consolidated Management Company	PD / Training Meals / Castaneda, A	203.25
Country Partners Cooperative	Fuel/Fertilizer/Herbicides/Propane	892.32
County of Dawson - Register of Deeds	Filing Fees	40.00
Crouch Recreation Inc	PK / Tool Kit / Splash Pad	280.00
Cummins Inc	WWTP / Generator Service / Inspection	561.48
Danko Emergency Equipment	FD / Lightbox System	723.67
Dan's Sanitation	Sanitation Fees	15,670.02
DARKA Inc / Arnold Pool Company	AC / PH Testing Supplies	498.55
Davis Energy	FD/ST/DEF Fluid/Fuel/Fuel Purchase	6,867.38
Dawson Public Power District	Power Purchase	79.15
Demco Inc	LB / Supplies	102.40
Downey Drilling Inc	CEM / Sprinkler Parts	152.01
Eakes Inc	LB / PD / Supplies / Copier Expense	1,105.61
Easy Picker Golf Products	REC / Driving Range Distance Markers	570.80
Electrical Engineering & Equipment Co	ND/OC/PK/Hardware/Supplies/Parts	291.31
Fagot Refrigeration & Electric Inc	Service Call / Filters / Freon	6,012.46
Federal Flags LLC	Flag Poles/Ornaments/Veterans Pavilion	5,673.60
First Interstate Bank	LB / Petty Cash	271.72
Fremarek Inc	PD / Degreaser	153.61
Galdamez Zacarias, Jackie / Quadem	PD / Appreciation Plaque	50.00
GB Auto Service Inc	CEM/PD / PK / Tire Repairs	86.97
Great Plains Communications	City Internet Services	345.60
Greater Nebraska Cities	Monthly Lobbying Services	667.00
Hach Company	WWTP / Lab Supplies	386.76
Hawkins Inc	AC / Pool Chemicals	1,198.06
Health Claims	Claims	15,067.67
Heldt McKeone & Copley	Professional Fee	2,700.00
Hiland Dairy Foods	MOW / Dairy Products	473.75
Holbein Lawn Care	FD / Lawn Care	275.00
Holmes Plumbing & Heading Supply Co	CEM / Parts	399.68
Homeier Ventures Inc / Bob's True Value	Supplies/Plants/Potting Soil/Hardware	964.35
Ideal Laundry & Cleaners Inc	Rug Service	1,132.94
Ingram Library	LB / Books	192.76
Intellicom Computer Consulting Inc	Tech Support / Software	3,444.50
Intermedia.com	Web Phone Charges	279.56
Invest Plus / Plum Creek Market Place	MOW / Food	151.84
John Deere Financial / Orscheln	CEM/PK/ST/WR/WWTP/Supplies/Parts	2,901.82
Jones Plumbing & Heating Inc	AC / CEM / LB / PK / Repairs / Parts	2,600.72
Kearney Printing LLC / LIPS	WR / Annual Report Mailer / Postage	2,742.45
Kirk's Trenching & Septic Service LLC	CEM / PK / Portable Rental / Cleaning	175.00
Kohl, Patrick J/Kohl's Welding&Machining LLC	ST / Drive Line Repair / Mower Repair	355.47
LEE Enterprises Inc / Clipper Herald	Publications	1,065.76
Lexington Area Solid Waste Agency	Special Waste Disposal	2,351.90
Lexington, City Payroll Account		
Payroll	Wages	180,082.05
Social Security	Employer Portion / FICA Med	13,468.48
Union Bank & Trust	Employer Portion / Pension	5,364.79

Union Bank & Trust	Police Pension	3,545.72
ICMA	City Manager Pension	1,078.84
Lien Inc	PK / Landscape Maintenance	1,393.24
Lift Solutions Inc	ST / Equipment Repairs	2,966.31
McFadden, Ryan/McFadden Auto Repair	PK / Auto Repair	784.09
Mead Lumber	Hardware/Supplies/Parts	553.69
Metal Designs NY Inc	PK/Bronze Emblems/Veterans Pavilion	8,805.25
Mid-States Engineering & Testing Inc	2021 Wastewater Facility Imp/Testing	340.00
Midwest Laboratories Inc	WWTP / Testing	253.50
Miller, Trever	FD / Record Keeping	250.00
Morris Printing Group Inc	GGC / Newsletter	121.50
Nebraska Dept of Revenue	Sales and Use Tax	49,486.58
Nebraska Machinery Company	Rental/Patriot Park/Loader Edges	20,591.23
Nebraska Rural Radio Assn/KRVN	EL / NPPD Cooperative Ads	503.50
Nebraska Tech & Telecommunications	Phone Service	1,488.07
Nebraska Water Experts / Culligan	Soft Water Supplies	458.25
Nebraskalink	LB / Internet Service	150.00
Norfolk Library Foundation	Literature Festival/Norton/Casanova	40.00
OCLC Inc	LB/Cataloging/Metadata/Worldshare	156.73
Odeys Inc	REC / Pitching Rubber	647.01
O'Hara Lindsay & Associates	Monthly Lobbying Services	333.00
Oliver Consulting Services Inc	LB / Tech Support / Data Backup	71.25
Olsson Inc	REC / Professional Services	3,570.00
One Call Concepts Inc	Locates	101.88
O'Reilly Auto Enterprises LLC	CEM / ST / Hardware / Battery	66.45
Overton Sand & Gravel Company	EL / Limestone	1,172.24
Patton, Janell	FD / Fire School Expenses	157.66
Paulsen Inc	ST / Limestone	945.63
Platte Valley Communications	FD / PD / Equipment / Maintenance	1,751.44
Polydyne Inc	WWTP / Dewatering Polymer	15,364.00
Quadient Finance USA Inc	Postage	3,000.00
Recreation Supply Company Inc	AC / Safety Track	162.00
Rentokil NA / Presto-X	LB / WWTP / Pest Control	168.37
Roemmich, Austin	AMB / Record Keeping	250.00
S & W Auto Parts	Parts / Hardware / Supplies	292.07
Sigma-Aldrich RTC	WWTP / Testing	333.28
Spectrum	Cable Service	46.08
Statewide Collections LLC	EL / Fees	15.65
Stout, Robby B	ST / WR / Repairs	2,905.00
Tappan, Jeffery James / Mac's Shortstop	REC / Supplies	307.58
Trejo, Alejandra	FD / Fire School Expenses	150.16
U-Save Pharmacy / Business Equipment	Office Supplies	471.42
Vak, Joseph / Lexington Animal Clinic	PD / Animal Care	578.75
Village Cleaners Inc	GGC / Janitorial Supplies	64.06
Vollmer, James L / Jamie's Garage	CEM / Repairs	243.89
W W Grainger	WWTP / Batteries / Boots	372.69
Walmart	Supplies	784.56
Werner's Sprinklers/Dawson Pest Control	FD / GGC / OC / Pest Control	167.05
Wilkins ArchitectureDesignPlanning LLC	Façade Design/Racquet Center Services	9,707.30
Amazon Capital Services Inc	LB / Books / Supplies	918.52
Associated Supply Company Inc	AC / Chemicals / Parts / Hardware	2,028.91

Atlas Automation LLC	WWTP / Automation Control Repairs	2,106.00
Barco Municipal Products Inc	ST / Street Sign	195.16
Berry, Bo	FD / Fire School Expenses	152.22
Cash-Wa Distributing	AC / REC / Concessions	1,020.00
Chesterman Company	REC / Beverages	689.00
Consolidated Management Company	PD / Training Meals / Castaneda, A	126.25
Country Partners Cooperative	FD / Fuel	182.51
Core & Main LP	WR / Meter Parts	480.74
Davis Energy	FD / ST / Fuel / Fuel Purchase	6,474.55
Edgewater Insurance LLC	Auto Premiums / New Pickup (2)	160.00
Electrical Engineering & Equipment Co	EL / PK / Hardware / Conduit	1,550.33
Fagot Refrigeration & Electric Inc	WWTP / Freon / Headworks	437.84
First Interstate Bank	AC / PD / PK / ST / Petty Cash	60.05
Fitzgerald, Matt	FD / Fire School Expenses	169.46
Hach Company	WWTP / Lab Supplies	573.30
Health Claims	Claims	26,354.05
Homeier Ventures Inc / Bob's True Value	OC / Batteries	19.99
John Deere Financial / Landmark	CEM / PK / Parts / Repairs	5,565.63
Jones Plumbing & Heating Inc	PD / Repairs	133.00
Lexington, City Payroll Account		
Payroll	Wages	209,630.30
Social Security	Employer Portion / FICA Med	15,707.31
Union Bank & Trust	Employer Portion / Pension	5,415.08
Union Bank & Trust	Police Pension	4,403.58
ICMA	City Manager Pension	1,078.84
Lexington Recreation Program	REC / Umpire Funds	300.00
Matt Friend Truck Equipment Inc	ST / Equipment Parts	429.50
Melson, Dane / Anytime Fitness	Fitness Memberships	187.20
Municipal Supplies Inc	WR / 4" Hymax Coupling	2,505.94
Nebraskaland Tire	DS / Tire Repair	16.45
Ramada Midtown / Grand Island	FD / Lodging / 2023 Fire School (9)	2,944.05
Rose Holding Inc	ST / Sweeper Parts / Repairs	3,018.56
Stout, Robby B	ST / Repairs	2,812.00
Vogel West Inc / Diamond Vogel	ST / White Traffic Paint	78.12
Werner's Sprinklers	FD / Sprinkler Repairs	513.64
	<b>TOTAL CLAIMS:</b>	<b>833,365.27</b>

**ORDINANCE:** Ordinance No. 2453 entitled “**AN ORDINANCE OF THE CITY OF LEXINGTON, NEBRASKA, AMENDING SECTIONS 26-1 and 26-195 OF THE LEXINGTON CITY CODE, RELATING TO VEHICLE PARKING; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE AND FOR PUBLICATION IN ELECTRONIC FORM**” was presented on second reading. Following discussion, moved by Salem, seconded by Smith, to approve Ordinance No. 2453 on second reading. Roll call. Voting “aye” were Vivas, Roberts, Smith, Salem, Fagot. Motion carried.

**PAY REQUEST:** Pepplitsch reviewed Pay Request #21 for the 2021 Wastewater Facility Improvements project from Walters-Morgan Construction in the amount of \$249,360.94. Following a project update, moved by Roberts, seconded by Vivas, to approve Pay Request #21 as presented. Roll call. Voting “aye” were Smith, Salem, Vivas, Roberts, Fagot. Motion carried.

**CHANGE ORDER:** Peplitsch reviewed Change Order #2 from Walters-Morgan Construction for the 2021 Wastewater Facility Improvements project for an increase of \$18,250.00. He noted this was for potable water and infrastructure required for testing that was not included in the original contract. Following discussion, moved by Smith, seconded by Roberts, to approve Change Order #2 as presented. Roll call. Voting “aye” were Vivas, Salem, Roberts, Smith, Fagot. Motion carried.

**PAY REQUEST:** Peplitsch reviewed Pay Request #1 in the amount of \$69,087.60 from Lacy Construction for the 2020 Wastewater Equipment Procurement – Bid D project. Following a project update, moved by Salem, seconded by Vivas, to approve Pay Request #1 as presented. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

**PROJECT CLOSEOUT:** Peplitsch reviewed project close documents for the Revere Circle and Prescott Circle project. Pay Request #3-Final in the amount of \$10,040.79 and the Certificate of Substantial Completion were considered. Following an update of the project, moved by Smith, seconded by Roberts, to approve close out documents for the Revere Circle and Prescott Circle project as presented. Roll call. Voting “aye” were Vivas, Salem, Roberts, Smith, Fagot. Motion carried.

**RESOLUTION:** Resolution No. 2023-11 was presented for Council consideration. Following discussion, moved by Vivas, seconded by Salem, to approve Resolution No. 2023-11 as presented. Roll call. Voting “aye” were Smith, Roberts, Salem, Vivas, Fagot. Motion carried.

## **RESOLUTION NO. 2023-11**

### **PARTICIPATION IN MUTUAL FINANCE ORGANIZATION**

BE IT RESOLVED BY THE CITY OF LEXINGTON, NE, AS FOLLOWS:

1. That the undersigned hereby agrees to participate as a member in the Interlocal Agreement creating a Dawson County Mutual Finance Organization, and Joe Peplitsch is hereby directed and authorized to execute such Agreement on behalf of the undersigned.
2. That Joe Peplitsch is hereby designated as the person to represent the undersigned on the governing board of the said Dawson County Mutual Finance Organization.

Adopted this 13<sup>th</sup> day of June, 2023, by the City of Lexington, Nebraska.

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

Moved by Roberts, seconded by Smith, to enter into open session at 6:13 p.m. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

**ROUNDTABLE DISCUSSION:** Peplitsch gave an update on current projects. Vivas will be absent from the June 27, 2023, council meeting.

**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