

**CITY COUNCIL  
CITY OF LEXINGTON, NEBRASKA  
April 23, 2024**

A Regular Meeting of the Lexington City Council was held Tuesday, April 23, 2024, at Lexington, Nebraska at 5:30 p.m. Members of the Council present were John Fagot, John Salem, Dora Vivas, and Steve Smith, and Jeremy Roberts. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Brian Copley, Finance Director Derek Haines, Community Development Director Bill Brecks and City Clerk Pamela Baruth. The press was represented by 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 4-9-24:** Minutes of the Regular meeting held Tuesday, April 9, 2024, were presented. Moved by Salem, seconded by Vivas, to approve the minutes as presented. Roll call. Voting “aye” were Roberts, Smith, Vivas, Salem, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$2,046,581.00 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Roberts, seconded by Smith, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$232,192.56 from General Fund, \$214,704.18 from Street Fund, \$3,919.84 from TIF, \$1,528,234.74 from LEXUS, \$43,809.68 from Sanitation, \$8,151.50 from Ambulance, \$7,570.76 from Health Fund, and \$7,997.74 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

**ACCOUNTS PAYABLE  
April 23, 2024**

4Imprint	DS / Stormwater Lanyards	247.60
Aguirre, Patricio	Electric Rebate	1,750.00
Amazon Capital Services Inc	LB / Books / Supplies	501.16
American Family Life Assurance Company	Premiums	1,612.66
ARK I CEI Holdco LLC	Solar Power Purchase	13,550.99
Asphalt Research Technology Inc	ST / Cold Patch	2,548.00
Auto-Graphics Inc	LB / Annual Verso Subscription	862.75
B & H Services / Service Master	Cleaning Service	6,254.00
Baker & Taylor	LB / Books	588.08
Beverly Bogle Louthan PC	Professional Fees	1,200.00
Border States	EL / Meter Tags	1,437.31
Bound Tree Medical LLC	AMB / Medical Supplies	2,281.29
Business Card / Bank of America Amazon	FD/ND/PD/PK/ST/Parts/Tools/Supplies	655.32

Bomgaars	PD / Rifle / Ammunition	47.97
Canva	LB / Software	14.99
Glowforge	CM / Annual Subscription	239.00
Government Finance Officers Association	CT / Membership Dues / Haines, D	190.00
Microsoft	LB / Software	9.75
Nebraska Secretary of State	CT / Notary Renewal / Haines, D	30.00
Paper Direct	CM / Certificate Stationary	267.14
Sam's Club	AMB / FD / Supplies	89.48
Scarlet Hotel - Lincoln NE	CM/Lodging/Education Quest/Foster	110.90
Sprinkler Warehouse	PK / Impact Roter	217.90
United States Postal Service	CM / WR / Postage	281.70
Walmart	AMB / CC / PD / Supplies	2,005.73
Cash-Wa Distributing	MOW / PK / REC / Food & Supplies	5,426.38
Cengage Learning	LB / Books	92.22
Center Point Inc	LB / Books	146.80
Chesterman Company	FH / Beverages	424.00
City of Lexington / Street	TIF / CED Close Out	13.65
Core & Main LP	WR / Meter Registers	1,644.99
Country Partners Cooperative	FD / Fuel	14.23
County of Dawson - Treasurer	TIF / Return Taxes for CED	3,906.19
Cummins Inc	WWTP / Preventative Maintenance	581.56
Davis Energy	FD / ST / Fuel / Fuel Purchase	4,043.73
Depository Trust	2020 Highway Allocation Bonds	1,846.25
Dewitt, Marty	Electric Rebate	1,300.00
Eakes Inc	EL/ST/DocMgmt Support / Copier Expense	887.89
Edgewater Insurance LLC	CT / Notary Bond Renewal / Haines, D	40.00
Eilers Machine & Welding Inc	SW / Cover Plate	95.32
Electrical Engineering & Equipment	DS/GGC/PK/EL/Hardware/LED Relay	273.53
Fagot Refrigeration & Electric Inc	GGC/PD/SW/Repairs/Downey Lift Station	2,033.37
Fitzgerald, Matthew	FD / Travel Expenses / Conferences	232.56
Florez, Eleazor	Electric Rebate	1,750.00
Fremarek Inc	ST / SW / WR / Supplies	875.48
Fyr-Tek Inc	FD / Equipment Repairs	2,031.87
Gonzalez, Pedro	Electric Rebate	50.00
Gourock Inc	Netting/Cables/Hardware/Racquet Center	2,829.45
Health Claims	Claims	2,153.66
Heinrich, Carol	Electric Rebate	1,650.00
Hiland Dairy Foods	MOW / Dairy Products	105.30
Holbein, Dahlas	AMB/FD/Truck Maint/Fueling/Cleaning	1,500.00
Home Federal Bank	Southwest First Addition	66,528.30
Homeier Ventures LLC	GGC / PK / REC / Supplies / Hardware	112.05
Hoppe Homes	Electric Rebate	8,400.00
Hydro Optimization & Automation Solutions Inc	WWTP / VFD Replacement	5,450.00
IGS ORIX Solar I	Solar Power Purchase	40,407.93
Ingram Library Services	LB / Books	106.02
Invest Plus Inc / Plum Creek Market Place	DAD / Food	383.91
Jasnoch, Mike	Electric Rebate	1,650.00
John Deere Financial / Landmark	CEM / Equipment Parts / Supplies	30.12
Lexington City Payroll Account		
Payroll	Wages	174,519.31
Social Security	Employer Portion / FICA Med	12,971.88
Union Bank & Trust	Employer Portion / Pension	6,504.19
Union Bank & Trust	Police Pension	3,037.64
ICMA	City Manager Pension	1,104.49
Lexington Health Fund	Self-Funding	53,890.80
Lexington Volunteer Fire Department	AMB / 2nd Quarter / Billing	1,981.82
LEXUS	Utilities	44,326.07

Lien Inc	ND / Sprinkler Repairs	960.97
McCormack Distributing Company Inc	GGC / Equipment Repair	1,102.25
Mead Lumber	AC/ND/OC/REC/WR/Hardware/Tools	377.00
Meritain Health	Health Premium	46,585.06
Miller & Associates Consulting Engineers	ST / WR / WWTP / Professional Services	26,157.85
Municipal Pipe Services Inc	WR / Valve / Valve Insertion	8,050.00
National Telephone Message Corporation	PD / Printing / Promotions	1,141.00
NE Department Of Environment & Energy	WWTP / Operator Certification / Philippi, S	150.00
Nebraska Diplomats Inc	CM / Membership Dues / Pepplitsch, J	350.00
Nebraska Public Power District	O & M	122,206.46
	Power Purchase	1,023,688.70
Nebraska Safety & Fire Equipment	OC / Annual Monitoring Fee	540.00
Nebraskaland Tire	WR / Oil & Lube	134.33
Odeys Inc	REC / Base Anchors	201.42
Olsson Inc	Hoppe Sbdvsn-Vintage Row/Pro Services	1,926.46
Otto, Clay / Tri City Concrete	ST / Concrete Repairs	32,787.50
Paulsen Inc	ST / Limestone	1,236.75
Platte Valley Auto Mart Inc	PD / Oil & Lube / Battery	177.72
Polydyne Inc	WWTP / Dewatering Polymer	7,682.00
Principal	Dental Premium	4,506.40
Quick Med Holdings	AMB / Billing Fees	1,069.29
Ramos, Saul / Saul Ramos Construction	ST / Storm Sewer	73,926.04
Regaldo, Marybell	Electric Rebate	1,750.00
Rentokil N A / Presto-X	LB / Pest Control	113.50
Reynoso, Ron	Electric Rebate	3,300.00
S & W Auto Parts	PK / Tools	95.94
Sager, James	Electric Rebate	1,750.00
Sonthana, Vanin	Electric Rebate	119.80
Standard Insurance Company	Life Insurance Premiums	971.86
State of Nebraska - Department of Labor	Unemployment Insurance	1,720.00
Statewide Collections LLC	EL / Collections Expense	110.49
Syndicate Publishing	Publications	8.83
TASC	Administration Fees	175.62
Terryberry Company LLC	GGC/WWTP/Recognition/Sund,A/Sund,D	771.06
Titan Machinery - Lexington	ST / Equipment Parts	46.80
U Save Pharmacy / Business Equipment	GGC / LB / ST / WWTP / Office Supplies	539.29
US Foods	MOW / Food & Supplies	832.17
Utility Service Company Inc	WR / Service / Water Towers	11,060.17
Verizon Wireless	Cellular Service	391.56
W W Grainger Inc	WWTP / Supplies	317.45
Watson, Ron	Electric Rebate	1,150.00
YMCA of the Prairie	Fitness Memberships	1,616.00
Arrow Seed Company Inc	PK / Grass Seed	5,446.30
Cash-Wa Distributing	MOW / Supplies	244.89
City of Lexington	Utility Franchise Fees	87,921.17
Complete Underground LLC	EL / Directional Boring / Tesla EV Station	2,124.80
Core & Main LP	WR / Pit Lit Housing Assemblies	776.86
Country Partners Cooperative	PK / Herbicide	80.48
Dan's Sanitation	Sanitation Fees	43,809.68
Davis Energy	CEM / Grease	59.00
Fagot Refrigeration & Electric Inc	REC / Hardware	7.82
First Interstate Bank	PD / GGC / WWTP / Petty Cash	306.06
GB Auto Service Inc	PK / Tire Repair	24.87
Health Claims	Claims	3,628.82
Hiland Dairy Foods	MOW / Dairy Products	264.57
Homeier Ventures LLC / Bob's True Value	ND / Sprinkler Parts	5.49
Hydro Optimization&Automation Solutions Inc	WWTP / VT Scada Upgrade	7,551.10

Invest Plus Inc / Plum Creek Market Place	DAD / MOW / Food & Supplies	148.06
Lexington Regional Health Center	AMB / Laundry Service	170.00
Lien Inc	PK / Sprinkler Connect / Veterans Pavilion	1,063.44
Mead Lumber	REC/ST/WR/Hardware/Lumber/Tools	33.86
Midwest Radar & Equipment	PD / Books	246.00
Page My Cell	AMB / Annual Service Subscription	550.00
Platte Valley Communications Inc	ST / Radio Repairs	95.00
State of NE / DHHS / Public Health Lab	WR / Testing	1,257.00
Stout, Robby B / Stout Construction	ST / Parking Lot Repairs	12,502.00
Titan Machinery - Lexington	ST / Parts	106.50
VSP / Vision Service Plan	Vision Premium	1,054.37
W W Grainger Inc	WWTP / Supplies	74.90
Wal-Mart Stores Inc	Supplies	883.54
	<b>TOTAL CLAIMS:</b>	<b>2,046,581.00</b>

**FINANCIAL REPORT:** Moved by Smith, seconded by Salem, to accept the financial report for March 2024 as presented. Roll call. Voting “aye” were Vivas, Roberts, Salem, Smith, Fagot. Motion carried.

**PUBLIC COMMENTS:** Haleigh Eschliman, Two Rivers Public Health Dept, gave an update on available programs and current activities for Lexington and Dawson County.

**ORDINANCE:** Ordinance No. 2465 entitled “**AN ORDINANCE PROVIDING FOR AGREEMENT TO THE ESTABLISHMENT OF AN ENHANCED EMPLOYMENT AREA BUSINESS OCCUPATION TAX; THE LEVY OF AN ENHANCED EMPLOYMENT AREA BUSINESS OCCUPATION TAX; PROVIDING FOR THE ADMINISTRATION, COLLECTIONS, RETURNS, DELINQUENCIES AND RECOVERY OF UNPAID AMOUNTS RELATED TO SUCH OCCUPATION TAX; SPECIFYING HOW SUCH TAX REVENUE WILL BE USED; PROVIDING A SUNSET PROVISION FOR THE TAX; AND RELATED MATTERS**” was presented on second reading. Following discussion, moved by Salem, seconded by Vivas, to suspend the reading of an ordinance on three separate occasions. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

Moved by Salem, seconded by Smith, to approve Ordinance No. 2465 on final reading. Roll call. Voting “aye” were Vivas, Roberts, Smith, Salem, Fagot. Motion carried.

**AUDIT REPORT:** Derek Haines, Finance Director, presented a draft 2023 Audit Report. Following his presentation, moved by Smith, seconded by Roberts, to accept the 2023 Audit Report as presented. Roll call. Voting “aye” were Vivas, Salem, Roberts, Smith, Fagot. Motion carried.

**PILOT:** Peplitsch reviewed a requested waiver of the Payment in Lieu of Taxes agreement for the Lexington Housing Authority for Fiscal Year 2024. Following discussion, moved by Roberts, seconded by Salem, to approve a waiver of the PILOT agreement as requested. Roll call. Voting “aye” were Vivas, Smith, Salem, Roberts, Fagot. Motion carried.

**PURCHASE OF PROPERTY:** Peplitsch reviewed the purchase of properties located at 505 East Pacific and 605 East Pacific for redevelopment purposes. Following discussion, moved by Roberts, seconded by Vivas, to approve the purchase of properties located at 505 East Pacific and 605 East Pacific and to authorize the city manager to execute necessary documents. Roll call. Voting “aye” were Smith, Salem, Vivas, Roberts, Fagot. Motion carried.

**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