

**CITY COUNCIL  
CITY OF LEXINGTON, NEBRASKA  
August 13, 2024**

A Regular Meeting of the Lexington City Council was held Tuesday, August 13, 2024, 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 Derek Haines, 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 7-23-2024:** Minutes of the Regular meeting held Tuesday, July 23, 2024, were presented. Moved by Roberts, seconded by Smith, to approve the minutes as presented. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$1,069,852.05 were presented for Council consideration and approval. Moved by Smith, seconded by Vivas, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$378,930.02 from General Fund, \$126,545.46 from Street Fund, \$291,687.28 from LEXUS, \$10,000.00 from Sanitation, \$2,526.25 from Landfill, \$2,792.99 from Ambulance, \$231,984.88 from American Rescue Plan Act Fund, \$18,446.93 from Health Fund, and \$6,938.24 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Roberts, Salem, Vivas, Smith, Fagot. Motion carried.

**ACCOUNTS PAYABLE  
August 13, 2024**

American Family Life Assurance	Premium	1,593.86
ARK I CEA Holdco LLC / Solsystems	Solar Power Purchase / Airport Road	16,581.86
Associated Supply Company Inc	AC / Parts	48.56
Atlas Copco USA Holdings Inc	WWTP / Pump Repair	5,187.50
Axxent Buildings LLC	ST / Door Repairs	346.75
B & H Services / Service Master	EL / OC / Cleaning Service	5,981.59
Baker & Taylor	LB / Books	1,433.28
Bauer Built Tire & Service	PK / Mower / Tires	64.02
Bennett, Curtis W / Sign Pro	Aluminum Lettering/Signs/Racquet Center	19,336.00
Black Hills Energy	Natural Gas Service	416.79
Bound Tree Medical LLC	AMB / Medical Supplies	41.67
Brooks, Gary E & Cheryl L / Meridian Rentals	PK / Equipment Parts	20.99
Cash-Wa Distributing	AC / MOW / Food & Supplies	7,497.71
Cengage Learning	LB / Books	310.37
Center Point Inc	LB / Books	282.99

Chesterman Company	AC / FH / Beverages	1,290.00
City of Grand Island	LB / Books	28.00
City of Lexington / General Fund	Interdepartmental Service Fees	55,749.00
	Utility Franchise Fees	545.97
City of Lexington / Street	SW / WR / Interdepartmental Service Fees	6,876.23
	Fuel	10,674.72
Column Software PBC	Publications	599.38
Conney Safety	WWTP / Supplies	326.01
Core & Main	WR / Parts	2,075.61
Country Partners Cooperative	FD / REC / Fuel / Propane	145.18
County of Dawson / Register of Deeds	Filing Fees	82.00
County of Dawson / Surveyor	Legal Description	150.00
Dan's Sanitation	Sanitation Fees	15,751.58
Davis Energy	FD/ST/WWTP/Fuel/Fuel Purchase/Gear Oil	6,669.14
Dawson Public Power District	Power Purchase	78.56
Deal, Aaron	PK / Boot Reimbursement	70.00
Downey Drilling Ins	ST / Supplies	19.00
Electrical Engineering & Equipment	DS / REC / Tools / Hardware	137.85
Eustis Body Shop	ST / Body Work	4,157.13
Fagot Refrigeration & Electric Inc	EL/FD/GGC/LB/PK/SW/Hardware/Repairs	10,614.61
Fremarek Inc	FH / Janitorial Supplies	652.23
Fyr-Tek	FD / Annual Pump Testing	1,507.50
G & V Inc	DS / Demolition / 605 E Pacific	46,235.50
Galls Parent Holdings LLC	PD / Uniform Expense	138.70
GB Auto Service Inc	PK / PD / WR / Tires / Repair	844.99
GEA Mechanical Equipment US Inc	WWTP / Decanter Maintenance	15,007.82
Gnirk Lawn Care Inc	WWTP / Ground Sterilant	2,350.00
Gomez Vazquez, Eduardo / Supreme Lawn	DS / Abatement / Lawn Care	750.00
Great Plains Communications	DAD / LVFD / City Internet Services	598.57
Greater Nebraska Cities	Monthly Lobbying Services	667.00
Health Claims	Claims	14,607.22
Heldt McKeone & Copley	Professional Fee	2,700.00
Hernandez, Francisco	ST / Reimbursement / Boots	85.60
Hiland Dairy Foods	MOW / Dairy Products	472.04
Holbein Lawn Service	FD / Lawn Care	290.00
Homeier Ventures Inc / Bob's True Value	REC / Supplies	17.28
Ideal Laundry & Cleaners	Rug Service	800.69
Ingram Library	LB / Books	94.86
Intellicom Computer Consulting Inc	Tech Support / Software	9,644.77
Intermedia.com	Web Phone Charges	296.05
Invest Plus Inc / Plum Creek Market Place	DAD / MOW / Food & Supplies	596.62
Iowa Pump Works	WWTP / Tank	2,145.00
JK Energy Consulting PC	EL / Rate Study	8,500.00
Jones Plumbing & Heating Inc	Hardware/Install AC Unit	15,978.39
John Deere Financial / Bomgaars / Landmark	Supplies/Parts/Repairs	3,736.13
Johnson, Ryan	PK / Reimbursement / Fuel	25.02
Kirk's Trenching & Septic Service LLC	CEM / PK / Portable Rental / Cleaning	125.00
Kohl, Patrick J / Kohl Welding	CEM / WWTP / Equipment Repair	754.70
Lawson Products Inc	ST / Supplies	101.86
LEE Enterprises Inc / Clipper Herald	Publications	534.40
League of Nebraska Municipalities	Membership/Utilities Section 2024-2025	6,302.00
Lexington, City Payroll Account		
Payroll	Wages	205,373.18
Social Security	Employer Portion / FICA Med	15,331.97
Union Bank & Trust	Employer Portion / Pension	6,122.27
Union Bank & Trust	Police Pension	3,557.14
ICMA	City Manager Pension	1,111.41

Lexington Regional Health Center	PD / Exam	241.00
Liebert, Vince / 308 Tint N Wrap	PD / Graphics	800.00
Lincoln Winwater Works Co	SW / WR / Repairs	796.00
Mead Lumber	ND / PK / ST / Supplies	233.93
Melson, Dane / Anytime Fitness	Fitness Memberships	149.76
Menard Inc	REC / Shelving	505.09
Midlands Contracting / Johnson Service	WWTP / Clean & Vac / Tank	7,960.00
Mid-States Automation & Control Inc	OC / Preventative Maintenance	1,125.00
MILCO Environmental Services Inc	Lex Municipal Landfill (Closed) / Services	2,526.25
Morris Printing Group Inc	GGC / Newsletter	149.69
Motorola Solutions Inc	PD / Service / Repairs	500.00
Municipal Supply Inc	WR / Hardware / Supplies	1,705.70
Nebraska Dept of Revenue	Sales and Use Tax	64,804.82
Nebraska Interactive LLC	CT / DS / TLR Interactive	2.00
Nebraska Library Association	LB / Conference Registration / Norton, J	115.00
Nebraska Machinery Company	ST / Equipment	41,650.00
Nebraska Municipal Clerks Association	CM / Membership Dues / Baruth, P	150.00
Nebraska Safety and Fire Equipment Inc	OC / Fire System Inspection	150.00
Nebraska Tech & Telecommunications	Phone Service	1,076.34
Nebraska Water Experts / Culligan	Soft Water Supplies	559.13
Nebraskaland Tire	PK / Battery	148.99
Nebraskalink Holdings LLC	LB / Internet Service	25.00
Nichols, Robbie	ST / Boot Reimbursement	95.76
Novo Benefits LLC	Actuarial Certification	250.00
Odeys	PK / Ballfield Repairs / Topdressing / Poles	4,251.47
O'Hara Lindsay and Associates	Monthly Lobbying Services	333.00
Oliver Consulting Services Inc	LB / Data Backup	45.00
One Call Concepts Inc	Locates	105.02
O'Reilly Auto	ST / Supplies	14.99
Overton Sand & Gravel Company	ST / Ready Mix Concrete	1,360.00
Patton, Janelle	AMB / FD / Record Keeping	500.00
Paulsen Inc	REC/ST/WR/Limestone/Rock/Gravel/Rebar	7,742.90
Platte Valley Auto Mart Inc	FD / PD / WR / Oil & Lube / Repairs	682.41
Platte Valley Communications Inc	PD / Maintenance	90.00
Platte Valley Excavation	ST / Machine Hire	5,395.00
Plumbing & Heating Wholesale Inc	WR / Tool	203.30
Polydyne Inc	WWTP / Dewatering Polymer	15,364.00
Quik Med Holdings Inc	AMB / Billing Fees	375.04
Rentokil NA / Presto-X	LB / WWTP / Pest Control	183.11
Richardson, Calvin N / Richardson Mowing	LB / Lawn Care	300.00
Rose Holding Inc	WR / Equipment Parts	690.62
S & W Auto Parts	PK / Parts	96.98
Spectrum	Cable Service	37.11
Statewide Collections	EL / Collection Fees	490.17
Tappan, Jeffery / Mac's Shortstop	REC / Supplies	43.03
Text My Gov	Annual Software Management / Support	3,500.00
Titan Machinery	ST / Repairs / Parts	2,669.27
Travelers RMD	AMB/FD/Workers Compensation Premiums	2,726.00
United States ThermoAmp Inc	AC / Heat Siphons (13) / Final	37,391.00
Utility Service Company Inc	WWTP/Tank Svc/Digester Tank Renovations	238,470.19
Vak, Joseph / Lexington Animal Clinic	PD / Animal Care	1,306.30
Village Cleaners Inc	GGC / Janitorial Supplies	155.58
W W Grainger	WWTP / Hardware / Parts / Supplies	1,058.66
Werner's Sprinklers / Dawson Pest Control	FD / GGC / OC / Pest Control	167.05
Willson, Peggy	CEM / Space Buy-Back	800.00
YMCA of the Prairie	Fitness Memberships	1,650.00
Amazon Capital Services Inc	LB / Books / Promotions / Supplies	245.12

Bauer Built Inc	PK / ST / Tire Repairs	431.22
Brown, Kevin	ND / Website Accessibility Upgrade	500.00
Davis Energy	FD / Fuel	352.09
Deterdings Inc	AC / Chemicals	48.56
Dutton-Lainson Company	EL / Street Light Bases	3,720.00
Fagot Refrigeration & Electric Inc	WWTP / Retrofit Lighting	1,537.39
First Interstate Bank	LB / Petty Cash	263.02
Fremarek Inc	PK / Herbicide	893.75
GB Auto Service Inc	PD / ST / Tires / Repairs	255.00
Government Jobs.com Inc	CM / HR Software / Subscription	10,620.72
Health Claims	Claims	2,245.85
Hiland Dairy Foods	MOW / Dairy Products	181.70
Lexington Area Solid Waste Agency	Special Waste Disposal	1,787.22
Lien Inc	PK / Sprinkler Repairs / Maintenance	3,866.07
Mead Lumber	PK / Hardware	82.01
Mid-American Supply Company	LB / Supplies	269.95
Miller & Associates Consulting Engineers PC	Polk Street Lift Station Rehab/Pro Services	6,233.88
Municipal Supply Inc	ST / Storm Drain Pipe	391.00
Nebraska Library Association	LB / Membership Dues / Norton, J	15.00
Nebraskaland Tire	PK / ST / Oil & Lube	154.53
Paulsen Inc	ST / Limestone	1,200.38
Platte Valley Auto Mart Inc	PD / Repairs	75.00
S & W Auto Parts	CEM / WR / Parts	10.88
Stout, Robby B / Stout Construction	ST / WR / Repairs	13,817.00
Titan Machinery	ST / Parts	109.28
U Save Pharmacy / Business Equipment Inc	EL / GGC / LB / REC / Supplies	1,498.12
Vacker Inc	PK / Signs	1,958.00
Village Cleaners Inc	GGC / Janitorial Supplies	67.31
Warriner, David Glenn / Arborists Anon	ST / Paint Machine Repairs	101.29
WSP USA Inc	ST/Professional Services / East Lex Viaduct	19,764.23
	TOTAL CLAIMS:	1,069,852.05

**ORDINANCE:** Ordinance No. 2469 entitled “AN ORDINANCE TO ANNEX RIGHT-OF-WAY CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF LEXINGTON, NEBRASKA; TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN ELECTRONIC FORM” was presented. Pepplitsch explained this right-of-way was acquired as part of Lexington East Viaduct Project, contiguous to the city limits and needs to be included in the city limits as city owned and controlled roadway. Following discussion, moved by Salem, seconded by Smith, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting “aye” were Vivas, Roberts, Smith, Salem, Fagot. Motion carried.

Ordinance No. 2469 was presented on final reading. Moved by Salem, seconded by Smith, to approve Ordinance No. 2469 as presented. Roll call. Voting “aye” were Vivas, Roberts, Smith, Salem, Fagot. Motion carried.

**RESOLUTION:** Resolution No. 2024-18 was presented. Pepplitsch noted the new roadway as part of the East Viaduct Project needs to be named. Following discussion, moved by Roberts, seconded by Vivas, to approve Resolution No. 2024-18. Roll call. Voting “aye” were Smith, Salem, Vivas, Roberts, Fagot. Motion carried.

**RESOLUTION NO. 2024 – 18**

WHEREAS, the construction of the Lexington East Viaduct Project, Project No. RRZ-TMT-1705(3), CN 61457, resulted in the construction of a new roadway within the corporate limits of the City of Lexington, Nebraska; and

WHEREAS, the City of Lexington, Nebraska is responsible for the operation and maintenance of the roadway and right-of-way.

BE IT RESOLVED by the Mayor and Council of the City of Lexington, Nebraska, that the road adjacent to the west side of Block 1, Walnut 1<sup>st</sup> Addition, the east side of Block 2, Walnut 1<sup>st</sup> Addition, and north side of Lot 4, Lexington Industrial Addition connecting East Walnut Street and County Road 435, be named East Walnut Bypass.

**PASSED AND APPROVED this 13<sup>th</sup> day of August, 2024.**

**RESOLUTION:** Resolution No. 2024-19 was presented. Peplitsch explained the proposed layout of traffic control on East Walnut Bypass. Following discussion, moved by Vivas, seconded by Salem, to approve Resolution No. 2024-19. Roll call. Voting “aye” were Smith, Roberts, Salem, Vivas, Fagot. Motion carried.

**RESOLUTION NO. 2024 - 19**

Whereas Nebraska Revised Statutes Section 60-680 authorizes the City of Lexington to designate the location of stop signs;

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA AS FOLLOWS:

That the Lexington City Manager is hereby authorized and directed to install a stop sign at the following location:

1. Intersection of East Walnut Street and East Walnut Bypass, to stop north bound traffic on East Walnut Bypass; and
2. Intersection of County Road 435 and East Walnut Bypass, to stop east bound traffic on East Walnut Bypass; and
3. 90-degree intersection of East Walnut Bypass, to stop south bound traffic on East Walnut Bypass.

**Passed and approved August 13, 2024.**

**PAY REQUEST:** Peplitsch reviewed Pay Request #35 from Walters Morgan Construction for the 2021 Wastewater Facility Improvements project in the amount of \$248,011.05. Following a project update, moved by Smith, seconded by Roberts, to approve Pay Request #35 as presented. Roll call. Voting “aye” were Vivas, Salem, Roberts, Smith, Fagot. Motion carried.

**ROUNDTABLE:** Peplitsch gave an update on current and future projects. Burnside noted the Close the Loop Trails project has received environmental approval.

**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