

**CITY COUNCIL
CITY OF LEXINGTON, NEBRASKA
April 8, 2025**

A Regular Meeting of the Lexington City Council was held Tuesday, April 8, 2025, at Lexington, Nebraska at 5:30 p.m. Members of the Council present were John Fagot, John Salem, Dora Vivas, and Jeremy Roberts. Jared Jacob was absent. City Officials present were City Manager Joe Pepplitsch, City Attorney Brian Copley, Community Development Director Bill Brecks, 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 3-25-2025: Minutes of the Regular meeting held Tuesday, March 25, 2025, were presented. Moved by Vivas, seconded by Salem, to approve the minutes as presented. Roll call. Voting “aye” were Roberts, Salem, Vivas, Fagot. Motion carried.

MINUTES – WORK SESSION 3-29-2025: Minutes of the Work Session held Saturday, March 29, 2025, were presented. Moved by Salem, seconded by Vivas, to approve the minutes as presented. Roll call. Voting “aye” were Roberts, Vivas, Salem, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$673,941.00 were presented for Council consideration and approval. Upon review of the Claims and Bills as listed, moved by Roberts, seconded by Vivas, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$249,595.05 from General Fund, \$68,236.95 from Street Fund, \$296,474.28 from LEXUS, \$10,000.00 from Sanitation, \$923.92 from Ambulance, \$5,980.31 from American Rescue Plan Act, \$36,407.84 from Health, and \$6,322.65 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Salem, Vivas, Roberts, Fagot. Motion carried.

**ACCOUNTS PAYABLE
April 8, 2025**

180 Solutions LLC	ND / Accounts Billing Survey	19.50
Arrow Seed Company Inc	CEM / PK / Grass Seed	5,700.00
Associated Supply Company Inc	AC / Pool Chemicals / Supplies	171.72
Baker & Taylor	LB / Books	920.94
Bauer Built Inc	PK / WR / Tire Repair	78.00
Benchmark Government Solutions LLC	PD / Training Meals / Manzo, A	555.00
Benson, John Kevin / Benson Tree Service	PK / Ash Tree Removal	7,650.00
Black Hills Energy	Natural Gas Service	4,119.68
Bound Tree Medical LLC	AMB / Medical Supplies	186.59
Brouillette,Troshynski,Kingston&Jackson	ST/East Viaduct/Professional Services	7,355.03

Casanova, Rocio	LB/Travel Expenses/Reading Workshop	67.90
Cash-Wa Distributing	MOW / Food & Supplies	3,738.84
Cengage Learning	LB / Books	849.84
Chesterman Company	FH / Beverages	616.00
City of Lexington	Interdepartmental Service Fees	70,032.09
	Utility Franchise Fees	282.48
City of Lexington / Street	SW/WR/Interdepartmental Service Fees	6,876.23
	Fuel	7,664.75
Column Software PBC	Publications	359.60
Complete Underground LLC	EL/Directional Boring/St Light UG	13,682.16
Copper, Al	FD/Travel Expense/Wildland Training	100.60
Country Partners Cooperative	FD / PK / Fuel / Fertilizer Blend	379.79
County of Dawson - Register of Deeds	Filing Fees	28.00
Cummins Inc	FD / Equipment Repair	3,777.12
Dan's Sanitation	Sanitation Fees	15,353.31
Davis Energy	FD / ST / WWTP / Fuel / Oil	1,119.94
Dawson County Communications	Dispatch Fees	29,750.00
Dawson Public Power District	Power Purchase	76.75
Demco Inc	LB / Supplies	268.61
Depository Trust	2018 CURRB / 2021 Hwy Allocation	8,022.50
DGA Construction LLC	PK/Cement Work/Tennis Shed/PC Park	2,100.00
Dutton-Lainson Company	SW / Fuses	185.76
Eakes Inc	EL / GGC / LB / Copier Expense	1,247.99
Electrical Engineering & Equipment	SW / Hardware / Parts	2,360.13
Electric Pump Inc	WWTP / Digester Pump Rebuild	10,635.42
Electronic Systems Inc	GGC / LB / Fire Alarm Inspections	323.22
Fagot Refrigeration & Electric Inc	GGC/LB/SW/Service Call/Parts/Repairs	1,109.45
Faronics	LB / Maintenance Renewal	433.20
Fastenal Company	ST / Supplies	118.93
Fremarek Inc	PK / ST / Janitorial Supplies	442.89
Friedrichsen, Leon	ST / Reimbursement / Boots	133.73
Fyr-Tek	FD / Equipment Repair	231.25
Galls Parent Holdings LLC	PD / Uniform Expense	773.85
Gnirk Lawn Care Inc	EL / Ground Sterilant	2,156.00
Gothenburg Memorial Hospital District	Health Screening	210.00
Great Plains Communications	City Internet Services	428.88
Greater Nebraska Cities	Monthly Lobbying Services	667.00
Great Plains Uniforms LLC	PD / Uniform Expense	1,520.00
Health Claims	Claims	6,222.25
Heldt McKeone & Copley	Professional Fee	2,700.00
Hiland Dairy Foods	MOW / Dairy Products	227.30
Homeier Ventures Inc / Bob's True Value	PK / ST / Supplies	43.58
Hydro Optimization&Automation Solutions	WR / WWTP / Service Call / Parts	3,118.51
Ideal Laundry & Cleaners	Rug Service	1,190.53
Intellicom Computer Consulting Inc	Tech Support / Software	6,957.71
Intermedia.com	Web Phone Charges	302.91
J & A Traffic Products	ST / Signs	474.00
John Deere Financial / Bomgaars	Supplies	1,656.53
Jones Plumbing & Heating	Service/Parts/Supplies	2,257.82
Kirk's Trenching & Septic Service LLC	CEM / Portable Rental	75.00

Lexington, City Payroll Account		
Payroll	Wages	175,396.15
Social Security	Employer Portion / FICA Med	12,995.10
Union Bank & Trust	Employer Portion / Pension	5,840.86
Union Bank & Trust	Police Pension	3,888.75
ICMA	City Manager Pension	1,130.64
Lincoln Winwater Works Company	WR / Tools	785.62
Mead Lumber	AC/AMB/DS/FH/GGC/PK/Supplies	716.37
MH Logistics Corporation	ST / Parts	190.44
Municipal Supply Inc of Nebraska	WR / Parts	339.10
Nebraska Dept of Revenue	Sales and Use Tax	78,601.06
Nebraska Interactive LLC	CT / DS / TLR Interactive	3.00
Nebraska Machinery Company	ST / Parts	152.92
Nebraska Tech & Telecommunications	Phone Service	1,265.76
Nebraska Water Experts / Culligan	Soft Water Supplies	573.45
Nebraskaland Tire	ST / Oil & Lube	79.81
Nebraskalink Holdings LLC	LB / Internet Service	25.00
O'Hara Lindsay and Associates	Monthly Lobbying Services	333.00
Olsson Inc	ST / Professional Services	16,777.57
One Call Concepts Inc	Locates	163.60
O'Reilly Auto Parts	FD / ST / Parts	126.30
Patton, Janelle	AMB/FD/Record Keeping/Travel Exp	522.50
Paulsen Inc	Sand/Gravel/Limestone/Fiber Mesh	2,537.00
Platte Valley Auto Mart Inc	PD / Oil & Lube / Brake Service	787.78
Platte Valley Communications Inc	PD / Equipment Maintenance	90.00
Plum Creek Medical Group PC	PK/ST/WR/Vaccinations/Tetanus/HepB	678.00
Quality Fitness Lex LLC / Anytime Fitness	Fitness Memberships	187.20
RR Donnelley & Sons Company	PD / Citation Books	1,026.10
Rapid Fire Protection	Alarm Monitoring/Backflow Inspections	1,235.00
Rentokil NA / Presto-X	LB / WWTP / Pest Control	201.42
S & W Auto Parts	PK / ST / Parts / Supplies	115.92
Spectrum	Cable Service	50.00
Thrifty's Gas & Liquor	Refund Duplicate Pymt/Liquor License	325.00
Trejo, Alejandra	FD/Travel Exp/Wildland Training	250.56
Tyler Technologies Inc	EL / Software / Support Subscription	31,164.42
W W Grainger	WWTP / Parts / Tools	1,035.95
Werner's Sprinklers / Dawson Pest Control	FD / GGC / OC / Pest Control	180.45
Arrow Seed Company Inc	PK / Grass Seed	1,038.20
Axxent Buildings LLC	FD / Service Call / Repairs	719.26
B & H Services Inc	Cleaning Service	6,377.74
Baker & Taylor	LB / Books	692.98
Cash-Wa Distributing	MOW / Food & Supplies	2,121.41
Column Software PBC	Publications	30.00
Cummins Inc	WWTP / Service Call / Repairs	674.92
Davis Energy	ST / Fuel Purchase	3,486.80
Fagot Refrigeration & Electric Inc	Parts/Labor/Polk St Liftstation/Mini Split	5,672.55
First Interstate Bank	PD / ST / WR / Petty Cash	93.05
Health Claims	Claims	30,125.59
Holbein Lawn Service	FD / Weed Spraying / Ground Sterilant	85.00
Invest Plus Inc	MOW / Food & Supplies	91.30
John Deere Financial / Landmark	GGC / PK / WWTP / Parts / Repairs	3,829.28

Kohl, Patrick/Kohl Welding&Machining	ST / Loader Repair	46.50
Lexington Area Solid Waste Agency	Special Waste Disposal	1,195.40
McFadden, Ryan / McFadden Auto Repair	ST / Repairs	574.84
Mead Lumber	PK / ST / Hardware / Supplies	44.78
Midwest Laboratories Inc	WWTP / Lab Supplies	93.83
Municipal Pipe Services Inc	WR / 4" Tap Service	750.00
Nebraska Library Association	LB/Spring Meeting Registration/Norton	10.00
O'Reilly Auto Parts	SW / WR / Parts	65.64
Pioneer Door Inc	PD / Commercial Door Repair	338.00
Platte Valley Excavating	ST/CEM/Machine Hire/Import Freight	10,231.20
Quadient Finance USA Inc	Postage	3,000.00
Ryde Transit Inc	GGC / Monthly Riders / Jan-Mar 2025	144.00
S & W Auto Parts Inc	PK / ST / Parts	389.81
South Central Nebraska Baseball League	REC / 2025 League Fees	700.00
Stout, Robby B / Stout Construction	ST / WR / Repairs	13,097.00
Tyler Technologies Inc	EL / Insite Transaction Fees	5,718.75
Vak, Joseph / Lexington Animal Care	PD / Animal Care	773.25
Village Cleaners Inc	GGC / Janitorial Supplies	67.31
Western Pathology Consultants Inc	Random Drug Screens	60.00
YMCA of the Prairie	Fitness Memberships	1,724.00
	TOTAL CLAIMS:	673,941.00

PUBLIC HEARING: Mayor Fagot opened a public hearing to consider an amendment application for Class D-126169 Liquor License for Casey's Retail Company dba Casey's General Store #4526 at 2700 Plum Creek Parkway. There were no public comments, and the public hearing was closed. Following discussion, moved by Salem, seconded by Roberts, to recommend approval to the Liquor Control Commission of the amendment application as presented. Roll call. Voting "aye" were Vivas, Roberts, Salem, Fagot. Motion carried.

PUBLIC HEARING: Mayor Fagot opened a public hearing to consider an amendment application for Class C-153002 Liquor License for Pinedo Enterprises LLC dba Toro Tom's Sports Bar & Grill for a Catering Secondary License. There were no public comments, and the public hearing was closed. Following discussion, moved by Roberts, seconded by Salem, to recommend approval to the Liquor Control Board Commission of the amendment application for a Catering Secondary License as presented. Roll call. Voting "aye" were Vivas, Salem, Roberts, Fagot. Motion carried.

PUBLIC HEARING: Mayor Fagot opened a public hearing to consider an amendment application for Class C-153002 Liquor License for Pinedo Enterprises LLC dba Toro Tom's Sports Bar & Grill for a beer garden. Discussion included fencing requirements and property lines. There were no public comments, and the public hearing was closed. Moved by Roberts, seconded by Vivas, to recommend approval to the Liquor Control Commission of the amendment application for a beer garden as presented. Roll call. Voting "aye" were Salem, Vivas, Roberts, Fagot. Motion carried.

PUBLIC HEARING: Mayor Fagot opened a public hearing to consider a final plat of Wycoff 3rd Addition, a replat of Lot 7, Wycoff 2nd Addition. Peplitsch reviewed the planned senior townhome project associated with the subdivision. There were no public comments, and the public hearing was closed. Resolution No. 2025-08 was presented. Moved by Salem, seconded by Vivas, to approve Resolution No. 2025-08. Roll call. Voting "aye" were Roberts, Vivas, Salem, Fagot. Motion carried.

**RESOLUTION NO. 2025-08
WYCOFF 3RD ADDITION**

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

The Wycoff 3rd Addition, being a Re-plat of Lot 7 of Wycoff 2nd Addition, an Addition to the City of Lexington, Dawson County, Nebraska, duly made out, acknowledged and certified, and the same hereby is approved, accepted and ordered filed and recorded in the office of the Register of Deeds of Dawson County, Nebraska.

PASSED AND APPROVED this 8th day of April, 2025.

PUBLIC HEARING: Mayor Fagot opened a public hearing to consider a final plat of C.O.L. First Subdivision, a replat of a portion of MacColl’s Addition. Pepplitsch reviewed the layout of the parcels and intended use. There were no public comments, and the public hearing was closed. Resolution No. 2025-09 was presented. Copley requested a correction in the resolution to the name of the final plat. Moved by Vivas, seconded by Salem, to approve Resolution No. 2025-09 with corrections. Roll call. Voting “aye” were Roberts, Salem, Vivas, Fagot. Motion carried.

**RESOLUTION NO. 2025-09
C.O.L. FIRST SUBDIVISION**

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

The C.O.L. First Subdivision, a Replat of the South 140 Feet of Block 7, and the Southwest One-Quarter of Block 8, and the South 140 Feet of Vacated Ontario Street Adjacent Thereto, MacColl’s Addition to Plum Creek, now the City of Lexington, Dawson County, Nebraska, duly made out, acknowledged and certified, and the same hereby is approved, accepted and ordered filed and recorded in the office of the Register of Deeds of Dawson County, Nebraska.

PASSED AND APPROVED this 8th day of April, 2025.

ORDINANCE: Ordinance No. 2474 entitled “**AN ORDINANCE APPOINTING A CITY MANAGER; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN ELECTRONIC FORM**” was presented. Moved by Salem , seconded by Roberts, to suspend the reading of an ordinance on three separate occasions. Roll call. Voting “aye” were Vivas, Roberts, Salem, Fagot. Motion carried.

Ordinance No. 2474 was presented on final reading. Moved by Salem, seconded by Vivas, to approve Ordinance No. 2474 on final reading. Roll call. Voting “aye” were Roberts, Vivas, Salem, Fagot. Motion carried.

PAY REQUEST: Pepplitsch reviewed Pay Request #3 from Van Kirk Bros Inc. for the Polk Street Lift Station & Force Main Improvement project in the amount of \$26,198.15. Following a project update, moved by Roberts, seconded by Vivas, to approve Pay Request #3 from Van Kirk Bros Inc. as presented. Roll call. Voting “aye” were Salem, Vivas, Roberts, Fagot. Motion carried.

ROUNDTABLE: Peplitsch gave an update on current projects. Baruth announced there will be a retirement open house for Jo Keim on May 9 from 2-4 p.m.

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