

**CITY COUNCIL
CITY OF LEXINGTON, NEBRASKA
January 28, 2025**

A Regular Meeting of the Lexington City Council was held Tuesday, January 28, 2025, at Lexington, Nebraska at 5:30 p.m. Members of the Council present were John Fagot, John Salem, Dora Vivas, and Jared Jacob. Jeremy Roberts was absent. 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 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 1-14-2025: Minutes of the Regular meeting held Tuesday, January 14, 2025, were presented. Moved by Vivas, seconded by Salem, to approve the minutes as presented. Roll call. Voting “aye” were Jacob, Salem, Vivas, Fagot.

CLAIMS & BILLS: Claims and Bills in the amount of \$2,096,083.17 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Jacob, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$260,483.41 from General Fund, \$70,689.40 from Street Fund, \$83,500.00 from Lexington Revolving Loan Fund, \$1,618,362.18 from LEXUS, \$44,152.77 from Sanitation, \$2,868.35 from Ambulance, \$12,403.33 from Health Fund, and \$3,623.73 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Jacob, Salem, Fagot.

**ACCOUNTS PAYABLE
January 28, 2025**

Ask Supply Co LLC	ST / Supplies	778.53
American Family Life Assurance Co/AFLAC	Premiums	1,821.63
ARK I CEI HoldCo LLC	Solar Power Purchase	5,690.33
B & H Services / Service Master	Cleaning Service	6,254.00
Baires, Maricarmen	Electric Rebate	1,750.00
Baker & Taylor	LB / Books	610.63
Beverly Bogle Louthan PC	Professional Fees	1,200.00
Bliven, Matt	Electric Rebate	2,325.00
Business Card / Bank of America		
Amazon.com	EL / GGC / ND / PD / REC / Supplies	433.22
Bomgaars	PD / Tools	47.97
Canva	LB / Software	14.99
Galls	PD / Equipment	278.83
ICC	DS/Conference Registration/Harris/Ramirez	901.60

Marshall Wolf Automation	WWTP / Filters	186.18
Microsoft	LB / Software	9.75
Nebraska Secretary of State	LB / Notary Renewal / Norton, J	30.00
Northface	DS / Uniform Expense	171.20
Notarystamp.com	LB / Notary Stamp / Norton, J	28.62
Sam's Club	FD / Supplies	240.61
Subway	CC / Meeting Meal	100.22
United States Postal Service	CM / OC / WR / Postage	135.30
Vista Print	EL / Business Cards	107.09
Cash-Wa Distributing	OC / PK / ST / Janitorial Supplies	2,839.26
Cengage Learning	LB / Books	667.77
Center Point Inc	LB / Books	374.22
Chesterman Company	FH / MOW / Beverages	262.00
Column Software PBC	Publications	259.50
Complete Underground	EL / Directional Boring / Set Transformer	6,188.02
Criminal Addiction Inc	Criminal Interdiction Class/Schwarz/Renderos	600.00
Dana F Cole & Company LLP	Audit Services	18,240.00
Davis Energy	ST / Fuel Purchase / Fuel	4,800.94
Eakes Inc	EL/ST/DocMgmt Support/Copier Expenses	859.03
Electrical Engineering & Equipment Company	REC / Hardware	19.92
Epcoc LTD Inc	PK / Corner Guards / Racquet Center	1,986.00
Fagot Refrigeration & Electric Inc	GGC/ST/Filters/Service Call/Thermostat	301.83
Hach Company	WWTP / Lab Supplies	611.44
Health Claims	Claims	8,997.54
Hiland Dairy Foods Company LLC	MOW / Dairy Products	111.21
Holbein, Dahlas	AMB/FD/Truck Maint/Fueling/Cleaning	1,500.00
Homeier Ventures LLC	PK / Hardware	3.16
Hoppe Homes LP	Electric Rebate	63,875.00
Hydro Optimization&Automation Solutions	WR / SW / Screen Connect Hosting	321.00
Lawson Products Inc	ST / Tools	89.37
Lechuga, Rodolfo Roman	Electric Rebate	1,650.00
Lexington City Payroll Account		
Payroll	Wages	171,748.46
Social Security	Employer Portion / FICA Med	12,724.54
Union Bank & Trust	Employer Portion / Pension	5,797.24
Union Bank & Trust	Police Pension	3,700.23
ICMA	City Manager Pension	1,130.64
Lexington Health Fund	Self-Funding	58,145.35
LEXUS	Utilities	57,753.01
Lincoln Winwater Works Co	WR / Supplies / Parts	1,443.74
Madison Energy Holdings LLC	Solar Power Purchase	16,939.88
Mead Lumber	GGC / PK / Supplies / Tools	880.21
Meritain Health	Health Premium	42,763.59
Mins, Garth	Electric Rebate	300.00
Mobotrex Inc	EL / LED Traffic Light Bulbs	856.00
Municipal Supply	WR / Tools	499.74
Nava, Julio	Electric Rebate	1,775.00
Nebraska Dept of Environment & Energy	Facility Operator Certification Renewal/Glaze	150.00
Nebraskaland Tire	WR / Oil & Lube	79.81
On Target Ammunition LLC	PD / Supplies	5,800.00
O'Reilly Auto Parts	ST / Parts	2.37
Pepplichtsch, Joe	Electric Rebate	79.80
Platte Valley Auto Mart Inc	PD / Oil & Lube	75.44
Principal	Dental Premium	4,826.73
Ramirez-Rodriguez, Maria	Reimbursement EMT Certification Fees	821.33
Ryde Transit	GGC / Monthly Riders	90.00
S & W Auto Parts	PD / Parts	16.14

Silva, Juan / S.B. Auto Detailing	ST / Alignment Service	515.00
Standard Insurance Company	Life Insurance Premiums	1,046.36
State of Nebraska	Unemployment	751.50
State of NE / Public Health Environmental Lab	WR / Testing	246.00
Stout, Robbie	Electric Rebate	2,025.00
TASC	Administration Fees	175.62
T & R Electric	EL / Transformers	74,114.72
Titan Machinery Inc	WWTP / Clutch Adjustment	1,275.27
Unitech Inc	WR / Grease	498.00
U Save Pharmacy / Business Equipment	LB / ND / PD / PK / Supplies	603.77
Verizon Wireless	Cellular Service	436.81
VSP / Vision Service Plan	Vision Premium	1,120.40
W W Grainger	WWTP / Supplies	17.07
Walmart Inc	LB/ND/PD/PK/ST/WR/WWTP/Supplies	1,064.55
YMCA of the Prairie	Fitness Memberships	1,692.00
Axent Buildings LLC	WWTP / Overhead Door Repair	350.00
Bound Tree Medical LLC	AMB / Medical Supplies	1,631.14
Cash-Wa Distributing	MOW / Food & Supplies	1,991.39
Change Clothing LLC	PD/REC/Uniform Exp/Wimbledon Shirts	1,483.88
City of Lexington	Utility Franchise Fees	104,373.43
Dan's Sanitation	Sanitation Fees	44,152.77
Davis Energy Inc	FD / Fuel	49.66
Dawson County Sheriff	PD / Range Fees	300.00
Eakes Inc	LB / Supplies	23.79
Electrical Engineering & Equipment	OC / Lights	229.60
Fagot Refrigeration & Electric Inc	FH/SW/WWTP/Filters/Svc Calls/Repairs	4,225.80
First Interstate Bank	LB / Petty Cash	239.99
Glaze, Doug	WWTP / Reimbursement / Boots	59.12
Health Claims	Claims	1,408.54
Heldt McKeone & Copley / Real Estate Trust	Revolving Loan Fund/Lex Self Storage	83,500.00
Hiland Dairy Foods Company LLC	MOW / Dairy Products	210.58
Hydro Optimization&Automation Solutions Inc	WR / SW / Screen Connect Hosting	300.00
Iowa Pump Works LLC	SW / Floats	1,065.17
Lincoln Winwater Works Company	WR / Tools / Parts	982.26
Mead Lumber	GGC/OC/PK/REC/Hardware/Supplies	336.67
Nebraska Public Power District	O & M	98,061.87
	Power Purchase	1,112,855.30
O'Neill Wood Resources LLC	ST / Wood Grinding	20,700.00
O'Reilly Auto Parts	ST / Supplies	4.99
Ramos, Saul / Saul Ramos Construction Inc	WR / Tap	5,385.00
Roseberry, Hunter	WR / Reimbursment / Boots	112.35
Rose Equipment LLC	ST / Parts	285.36
S & W Auto Parts Company	PK / Tools	42.97
Village Cleaners Inc	GGC / Janitorial Supplies	67.31
	TOTAL CLAIMS:	2,096,083.17

FINANCIAL REPORT: Moved by Jacob, seconded by Vivas, to accept the financial report for December 2024 as presented. Roll call. Voting “aye” were Salem, Vivas, Jacob, Fagot.

PUBLIC HEARING: Mayor Fagot opened a public hearing to consider a redevelopment plan for a workforce housing project in Redevelopment Area #1. Pepplitsch reviewed the developer intent to utilize Workforce Housing TIF to construct approximately 200 housing units in south Lexington phased over multiple years. He also reviewed the cost-benefit analysis and noted the Lexington CDA and Planning Commission have reviewed and recommended approval. There were no public comments, and the public hearing was closed. Resolution No. 2025-01 was presented. Following

discussion, moved by Vivas, seconded by Jacob, to approve Resolution No. 2025-01 as presented. Roll call. Voting “aye” were Salem, Jacob, Vivas, Fagot. Motion carried.

RESOLUTION NO. 2025-01

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, ADOPTING AND APPROVING A REDEVELOPMENT PLAN ENTITLED, "Redevelopment Plan for the R. Perry Workforce Housing Redevelopment Project."

WHEREAS, pursuant to the Nebraska Community Development Law, Nebraska Revised Statutes Sections 18-2101 et. seq. (the "Act"), the Mayor and City Council of the City of Lexington, Nebraska (the "City"), designated a portion of the City, commonly referred to as “Redevelopment Area #1”, as blighted, substandard, and in need of redevelopment under the Act; and

WHEREAS, the Mayor and City Council finds based on substantial evidence in the record of this proceeding that redevelopment of Redevelopment Area #1 will result in the elimination and prevention of blight and aligns with the purposes of the Act and the City’s comprehensive plan for land use and development (the “Comprehensive Plan”); and

WHEREAS, attached hereto as Exhibit "A" is a proposed redevelopment plan entitled, “Redevelopment Plan for the R. Perry Workforce Housing Redevelopment Project” (the "Redevelopment Plan"), which sets forth a specific redevelopment project pertaining to a portion of Redevelopment Area #1 (the “Redevelopment Project”); and

WHEREAS, in conformance with the Act, the Planning Commission of the City held a duly-noticed public hearing on the Redevelopment Plan on January 8, 2025, and provided written findings on and recommended the Mayor and City Council’s adoption and approval of the Redevelopment Plan; and

WHEREAS, in conformance with the Act, on January 20, 2025, the Community Development Agency of Lexington, Nebraska (the “Agency”), provided written findings on and recommended the Mayor and City Council's adoption and approval of the Redevelopment Plan; and

WHEREAS, on January 28, 2025, the Mayor and City Council held a duly-noticed public hearing on the Redevelopment Plan, in conformance with the Act; and

WHEREAS, after public hearing and review of the Redevelopment Plan, the Mayor and City Council determined that the Redevelopment Plan complies with the Comprehensive Plan of the City and will result in the elimination and prevention of blight; and

WHEREAS, after public hearing and review of the Redevelopment Plan, the Mayor and City Council determined that the Redevelopment Project contemplated in the Redevelopment Plan would not occur and would not be economically feasible without the use of tax-increment financing.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY:

Section 1. The Redevelopment Plan attached hereto as Exhibit "A" complies with, and furthers the objectives of, the Comprehensive Plan of the City.

Section 2. Based on the substantial evidence in the record of this proceeding, the Mayor and City Council finds as follows:

(a) The proposed land uses and building requirements for the Redevelopment Project as described in the Redevelopment Plan are designed with the general purpose of accomplishing, in conformance with the City's Comprehensive Plan, a coordinated, adjusted and harmonious development of the City and its environs which will, in accordance with the present and future needs, promote health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development; that under the Redevelopment Plan adequate provision is made for traffic, vehicular parking, the promotion of safety from fire, panic and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of populations, the provision of adequate transportation, water, sewage and other public utilities, schools, parks, recreational and community facilities and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds and the elimination of, or prevention of the recurrence of, insanitary or unsafe dwelling accommodations or conditions of blight.

(b) The Redevelopment Plan contains a satisfactory statement of the proposed method and estimated costs of the Redevelopment Project; that no public improvements are required to be provided except as set forth in the Redevelopment Plan with respect to the Redevelopment Project; that there are no estimated proceeds or revenue expected to be obtained by the City from disposal of property to the redeveloper except as set forth in the Redevelopment Plan; that the Redevelopment Plan sets forth a satisfactory method of financing for the Redevelopment Project consisting of direct payment for public improvements or grant assistance to the redeveloper for the Redevelopment Project, as designated in the Redevelopment Plan, which method of financing is the issuance by the City of its tax increment revenue bond to provide funds to pay for the costs of certain eligible improvements by grant assistance, and that there are no families currently living within the site of the Redevelopment Project, as set forth in the Redevelopment Plan, which are currently expected to be displaced from such area as a direct result of the Redevelopment Project.

(c) The cost-benefit analysis prepared in conjunction with the Redevelopment Plan and attached thereto sets forth the factors required under section 18-2113 of the Act and supports the Mayor and City Council's adoption and approval of the Redevelopment Plan.

Section 3. The Redevelopment Project set forth in the Redevelopment Plan would not be economically feasible without the use of tax-increment financing; would not occur without the use of tax-increment financing; and the costs and benefits of the Redevelopment Project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the Mayor and City Council and have been found to be in the long-term best interest of all those impacted by the Redevelopment Plan.

Section 4. The Redevelopment Plan contemplates the use of workforce housing tax-increment financing (as set forth under the Act), pursuant to and in accordance with the workforce housing tax-increment financing incentive plan previously adopted by the City, all

in compliance with the Act; and the Mayor and City Council hereby authorize and approve the same, in the manner set forth under the Redevelopment Plan.

Section 5. Based on the foregoing and substantial evidence in the record of this proceeding, the Mayor and City Council hereby approve and adopt the Redevelopment Plan.

PASSED AND ADOPTED THIS 28TH DAY OF JANUARY 2025.

PUBLIC HEARING: Mayor Fagot opened a public hearing to consider an Application for a Conditional Use Permit submitted by Obed Arreaga for a store-front church located at 117 East 6th Street. Brecks reviewed a CUP agreement which would allow the applicant to use a portion of his building for religious purposes. He noted the Planning Commission has reviewed the application and based on findings of fact, recommends approval of the application and agreement. There were no public comments, and the public hearing was closed. Moved by Salem, seconded by Jacob, to approve the application for a Conditional Use Permit and to authorize the execution of an agreement as presented. Roll call. Voting “aye” were Vivas, Jacob, Salem, Fagot. Motion carried.

RESOLUTION: Resolution No. 2025-02 was presented. Following discussion, moved by Vivas, seconded by Salem, to approve Resolution No. 2025-02. Roll call. Voting “aye” were Jacob, Salem, Vivas, Fagot. Motion carried.

RESOLUTION NO. 2025-02

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 28th day of January 2025.

RESOLUTION: Resolution No. 2025-03 was presented. Following discussion, moved by Jacob, seconded by Salem, to approve Resolution No. 2025-03. Roll call. Voting “aye” were Vivas, Salem, Jacob, Fagot. Motion carried.

RESOLUTION NO. 2025-03

A RESOLUTION APPROVING THE LVFD SERVICE AWARD PROGRAM AND VOLUNTEER EMERGENCY RESPONDERS INCENTIVE ACT CERTIFIED MEMBER LIST FOR CALENDAR 2024.

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 2024.

Rex Adams	Mike Maguire
Everardo Andablo	Robert Martin
Bo Berry	Trevor Miller
Michael Boling	David Molina
Daniel Bowers	Blake Munster
Kristin Byrne	Lance Olsen
Alfred Copper	Carlos Pano
Gary Donnelson	Janell Patton
Matthew Fitzgerald	Chad Reutlinger
Doug Glaze	Roger Reutlinger
Dahlas Holbein	Austin Roemmich
Kent Jergensen	Kenny Schwarz
Anely Laguna	Jacob Stallbaumer
Myrka Lara Aguilar	Kerry Teetor
Vincent Leibert	Brad Worthing
James Linch	

Passed and approved this 28th day of January 2025.

PROJECT: Peplitsch requested Council authorization to solicit bids for the Wycoff Drive Phase 2 2025 project. He noted the project would include water and sewer lines, and paving to connect Wycoff Drive to Liberty via Hawks Lane. Bids would be scheduled for opening in late February. Moved by Salem, seconded by Vivas, to authorize the solicitation of bids for the Wycoff Drive Phase 2 2025 project. Roll call. Voting “aye” were Jacob, Vivas, Salem, Fagot. Motion carried.

PROJECT: Peplitsch requested Council authorization to solicit bids for the Lexington South Phase 1 2025 project. He noted the project would include water and sewer lines, and paving of South Harrison Street in the South Lexington Second Subdivision. Bids would be scheduled for opening in late February. Moved by Vivas, seconded by Salem, to authorize the solicitation of bids for the Lexington South Phase 1 2025 project. Roll call. Voting “aye” were Jacob, Salem, Vivas, Fagot. Motion carried.

ROUNDTABLE: Peplitsch noted that NDOT is scheduled to let a project in February to complete paving improvements on portions of Highways 30 and 283 in the community. Cost-share agreements will be on the next Council agenda.

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