

**CITY COUNCIL
CITY OF LEXINGTON, NEBRASKA
September 9, 2025**

A Regular Meeting of the Lexington City Council was held Tuesday, September 9, 2025, at Lexington, Nebraska at 5:30 p.m. Members of the Council present were John Fagot, John Salem, Dora Vivas, Jared Jacob and Jeremy Roberts. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, 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 Tuesday, September 2, 2025, edition of 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 8-26-2025: Minutes of the Regular meeting held Tuesday, August 26, 2025, were presented. Moved by Vivas, seconded by Roberts, to approve the minutes as presented. Roll call. Voting “aye” were Salem, Jacob, Roberts, Vivas, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,316,385.36 were presented for Council 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 \$312,828.90 from General Fund, \$161,232.43 from Street Fund, \$75,658.21 from Economic Development, \$715,452.49 from LEXUS, \$25,958.98 from Sanitation, \$365.42 from Ambulance, \$14,627.09 from Health, and \$10,261.84 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Roberts, Jacob, Salem, Fagot. Motion carried.

**ACCOUNTS PAYABLE
September 9, 2025**

180 Solutions LLC	ND / Accounts Billing Survey	6.50
Ask Supply Co LLC	ST / Janitorial Supplies	701.66
Associated Supply Company Inc	AC / Parts	663.01
Baker & Taylor	LB / Books	620.93
Bauer Built Inc	PK / Tire Repair	39.00
Black Hills Utility Holdings Inc	Natural Gas Service	3,108.13
Brouillette Troshynski Kinston&Jackson	ST/Professional Services/East Viaduct	4,220.01
Cash-Wa Distributing	MOW / Food & Supplies	3,738.38
Central Community College	PD / CPR Training (15)	1,125.00
City of Lexington	Interdepartmental Service Fees	70,032.09
	Interdepartmental Service Fees - Meals	5,000.00
City of Lexington / Landfill	Annual Fund Transfer	15,000.00
	Utility Franchise Fees	316.56

City of Lexington / Street	Fuel	11,350.37
	Monetize TIF Note/Vintage Townhomes	400,000.00
	SW/WR/Interdepartmental Service Fees	6,876.23
CivicPlus LLC	DS / 2025-2026 Online Code Hosting	1,246.87
Column Software PBC	Publications	38.80
Community Development Agency	Annual Funding	50,000.00
Country Partners Cooperative	PK / Herbicide	187.96
Dan's Sanitation	Sanitation Fees	15,482.97
Davis Energy	FD / ST / Fuel / Oil	374.58
Dawson Public Power District	Power Purchase	78.17
Eakes Inc	LB / Supplies	61.52
Fagot Refrigeration & Electric Inc	LB / Lighting Upgrade	1,781.56
Galls Parent Holdings LLC	PD / Uniform Expense	540.21
GIS Workshop LLC	Annual Subscription	3,780.00
Gnirk Lawn Care Inc	WWTP / Ground Sterilant	2,145.00
Great Plains Communications	Internet Services	1,143.65
Greater Nebraska Cities	Monthly Lobbying Services	667.00
Health Claims	Claims	11,712.15
Heldt McKeone & Copley	Professional Fee	2,700.00
Hiland Dairy Foods Company LLC	MOW / Dairy Products	399.03
Homeier Ventures LLC / Bob's True Value	PK / Supplies	18.47
Hunt Cleaners Inc	CEM / PK / ST / WR / Gloves	818.81
Ideal Laundry & Cleaners Inc	Rug Service	947.05
IIMC / International Institute of Municipal Clerks	CM / Membership Dues	195.00
Intermedia.com	Web Phone Charges	585.83
Jones Plumbing & Heating	Service/Repairs/Parts	241.11
Kirk's Trenching & Septic Service LLC	CEM / PK / Portable Rental / Cleaning	125.00
Lexcares Inc	Economic Development Loan	10,000.00
Lexington, City Payroll Account		
Payroll	Wages	191,041.97
Social Security	Employer Portion / FICA Med	14,206.93
Union Bank & Trust	Employer Portion / Pension	6,243.82
Union Bank & Trust	Police Pension	3,945.48
ICMA	City Manager Pension	1,142.23
Lien Inc	Sprinkler Connect/Repairs/Landscaping	15,111.92
McFadden, Ryan	PK / Repairs	236.83
Mead Lumber	Supplies/Cabinets/Tools	7,314.45
Menard Inc	DS / Field Supplies	69.98
Mid-American Supply Company	LB / Supplies	270.95
National League of Cities	CM / 2025-2026 Membership Dues	1,805.00
NEBCO Inc	PK / Supplies	52.55
Nebraska Dept of Revenue	Sales and Use Tax	74,073.74
Nebraska Interactive LLC	CT / DS / TLR Interactive	9.00
Nebraska Tech & Telecommunications	Phone Service	1,208.63
Nebraska Water Experts / Culligan	Soft Water Supplies	602.15
Nebraskaland Tire	WR / Tires	1,029.00
Nebraskalink	LB / Internet Service	25.00
NOVO Benefits	Actuarial Services	225.00
Odey's Inc	PK / Grass Seed	6,745.00
O'Hara Lindsay and Associates	Monthly Lobbying Services	333.00
One Call Concepts Inc	Locates	108.19

Patton, Janelle	AMB / FD / Record Keeping	500.00
Platte Valley Communications Inc	PD / Maintenance / Parts	216.50
Playcore Group Inc	PK / Trash Receptacles	1,291.93
Quality Fitness Lexington LLC	Fitness Memberships	224.64
Quality Flow Systems Inc	WWTP / Equipment Repairs	5,270.00
Rentokil NA / Presto-X	WWTP / Pest Control	76.57
Richardson, Calvin N / Richardson Mowing	LB / Lawn Care	200.00
Rose Holdings Inc	ST / Parts	1,600.50
S & W Auto Parts	CEM / FD / PK / ST / Parts / Supplies	180.39
Spectrum	Cable Service	50.00
US Foods	MOW / Food & Supplies	921.39
Wam Inc	PK / Equipment Repair	3,191.89
Weathercraft Company of North Platte	ND/Roof Repairs/City Hall	3,245.55
B & H Services / Service Master	EL / OC / Cleaning Service	6,114.29
Baird Holm LLP	Professional Services / Pension	1,380.00
Baker & Taylor	LB / Books	377.16
Cengage Learning	LB / Books	62.97
Complete Underground LLC	Trenching/Boring/ Secondary Conduit	29,447.84
Core & Main LP	WR / Meters / Smartpoint	3,979.06
County of Dawson - Register of Deeds	Filing Fees	28.00
Dana F Cole & Company	2024 Audit / Accounting Services	57,750.00
Davis Energy Inc	ST / Fuel Purchase	4,422.09
Fagot Refrigeration & Electric Inc	FH / Wire Sump Pump	414.36
First Interstate Bank	LB / Petty Cash	316.53
Fremarek Inc	ST / Janitorial Supplies	580.54
Greater Lexington Corporation	ST/SW/Reimbursement/Improvements	137,000.00
Harris, Jason	DS/Reimburse/Travel Expense/Training	302.70
Health Claims	Claims	2,914.94
Homeier Ventures LLC	PK / Tools	17.99
Intellicom Computer Consulting Inc	Tech Support / Software	4,572.25
John Deere Financial / Bomgaars	Supplies/Parts	950.64
John Deere Financial / Landmark	Equipment Repairs / Parts	4,135.03
Jones Plumbing & Heating Inc	ND / PK / Parts / Service Calls	7,168.57
Lexington Area Solid Waste Agency	Special Waste Disposal	1,090.49
Mead Lumber	ND / PK / Parts / Supplies	171.33
Municipal Supply Inc of Nebraska	WR / Parts	1,929.10
NE Mosquito & Vector Control Assn	ST/Continuing Ed/License/Nichols	50.00
O'Reilly Auto Enterprises LLC	FD / Parts	0.89
Overton Sand & Gravel	EL / Limestone	2,479.49
Paulsen Inc	PK / Sand & Gravel / Fiber Mesh	1,171.50
RetirementHomeTV Corporation	RSL / Cable Service	1,210.88
Stout, Robby B	PK / ST / Concrete Work	6,241.00
Thriv Construction Inc	Economic Development Loan	65,658.21
Vak, Joseph / Lexington Animal Clinic	PD / Animal Care	1,440.20
Walmart Stores Inc	LB / ND / Supplies	516.52
YMCA of the Prairie	Fitness Memberships	1,652.00
	TOTAL CLAIMS:	1,316,385.36

ORDINANCE: Ordinance No. 2477 entitled “ **AN ORDINANCE TO AMEND SECTION 2-26 OF THE LEXINGTON CITY CODE; TO REPEAL ORIGINAL SECTIONS 2-26, AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN ELECTRONIC FORM**” was presented on second reading. Pepplitsch reviewed a recent statutory change that allows the council to convene as a board of adjustment in cities of the first class in Nebraska. Following discussion, moved by Salem, seconded by Vivas, to suspend the rules related to the reading of an ordinance on three separate occasions. Roll call. Voting “aye” were Jacob, Roberts, Salem, Vivas, Fagot. Motion carried.

Moved by Roberts, seconded by Vivas, to approve Ordinance No. 2477 on final reading. Roll call. Voting “aye” were Salem, Jacob, Vivas, Roberts, Fagot. Motion carried.

ORDINANCE NO. 2477

AN ORDINANCE TO AMEND SECTION 2-26 OF THE LEXINGTON CITY CODE; TO REPEAL ORIGINAL SECTIONS 2-26, AND ALL OTHER ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN ELECTRONIC FORM.

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

Section 1. That Section 2-26 of the Lexington City Code is hereby amended to read as follows:

Sec. 2-26 Board of Adjustment.

The City Council of the City of Lexington, Nebraska shall constitute a board of adjustment and exercise only the powers granted to boards of adjustment by Section 19-910 of the Nebraska Revised Statutes. The concurring vote of two-thirds of the members of the City Council acting as a board of adjustment shall decide any question upon which it is required to pass as such board of adjustment.

Section 2. That original Sections 2-26, together with all ordinances or sections of ordinances in conflict herewith are hereby repealed.

Section 3. This Ordinance shall be published in electronic form and take effect September 3, 2025.

Passed and approved September 9, 2025.

RESOLUTION: Resolution No. 2025-19 was presented. Pepplitsch noted the agreement is for additional engineering services by WSP USA Inc for the East Viaduct Project. Moved by Vivas, seconded by Salem, to approve Resolution No. 2025-19 as presented. Roll call. Voting “aye” were Jacob, Roberts, Salem, Vivas, Fagot. Motion carried.

**RESOLUTION
SIGNING OF PRELIMINARY ENGINEERING SERVICES AGREEMENT - BK2534**

CITY OF LEXINGTON

Resolution No. 2025-19

Whereas: City of Lexington is developing a transportation project for which it intends to obtain Federal funds; and

Whereas: City of Lexington as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State, and local laws, rules, regulations, policies, and guidelines applicable to the funding of the Federal-aid project; and

Whereas: City of Lexington and WSP USA, Inc. wish to enter into a Professional Services Agreement to provide Preliminary Engineering Services for the Federal-aid project.

Be It Resolved: by the City Council of the City of Lexington that:

John Fagot, Mayor of City of Lexington, is hereby authorized to sign the attached Preliminary Engineering Services Agreement between the City of Lexington, Nebraska and WSP USA, Inc.

NDOT Project Number: RRZ-TMT-1705(3)

NDOT Control Number: 61457

NDOT Project Description: Lexington East Viaduct

Adopted this 9th day of September 2025 at Lexington, Nebraska.

WHOLESALE POWER CONTRACT: Peplitsch reviewed a Wholesale Power Contract with NE Public Power District. He reviewed the review process undertaken by NPPD for new contracts and outlined the current and proposed contracts. Following discussion, moved by Salem, seconded by Roberts, to approve the Wholesale Power Contract 2026 with NPPD as presented and to authorize the city manager to execute necessary documents. Roll call. Voting “aye” were Vivas, Jacob, Roberts, Salem, Fagot. Motion carried.

ROUNDTABLE: Peplitsch gave an update on current projects. Burnside noted that the city has been awarded a grant for 10 trees, and he will be working with the FFA Instructor at Lexington High School to install them along the newly completed trail project.

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