

## AFFIDAVIT OF PUBLICATION

**Lexington Clipper-Herald**  
**114 W. 5th St., Lexington, NE 68850**  
**(308) 324-5511**

State of Florida, County of Orange, ss:

I, Edmar Corachia, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Lexington Clipper-Herald, a newspaper published in Lexington, County of Dawson and State of Nebraska, and personally knows that said newspaper is a legal twice weekly newspaper under the statute of Nebraska, having a bonafide circulation of over three hundred copies, has published in said county for more than fifty-two successive weeks prior to the first publication of the attached printed notice and is published in said office maintained in the city of Lexington, in said county, which said notice has been printed hereto and published on the dates listed below.

### Publication Dates:

- Oct 4, 2025

**Notice ID:** WIHTSlyMrpRYUQKZBVQ1

**Notice Name:** CC Mins 9-23-2025

**Publication Fee:** \$216.00

*Edmar Corachia*

Agent

### VERIFICATION

State of Florida  
 County of Orange

Signed or attested before me on this: 10/08/2025

*[Signature]*

Notary Public

Notarized remotely online using communication technology via Proof.



PAMELA BAEZ  
 Notary Public - State of Florida  
 Commission # HH 186700  
 Expires on October 14, 2025

### CITY COUNCIL CITY OF LEXINGTON, NEBRASKA September 23, 2025

A Regular Meeting of the Lexington City Council was held Tuesday, September 23, 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 Pappalisch, Finance Director Derek Haines, Community Development Director Bill Brecks, City Attorney Brian Copley and City Clerk Pamela Baruth.

**NOTICE:** Notice of the meeting was given in advance, thereof by publication in Tuesday, September 16, 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 9-9-2025:** Minutes of the Regular meeting held Tuesday, September 9, 2025, were presented. Moved by Vivas, seconded by Salem, to approve the minutes as presented. Roll call. Voting "aye" were Jacob, Roberts, Salem, Vivas, Fagot. Motion carried.

**MINUTES-BUDGET HEARING 9-9-2025:** Minutes of the Budget Hearing held Tuesday, September 9, 2025, were presented. Moved by Roberts, seconded by Vivas, to approve the minutes as presented. Roll call. Voting "aye" were Salem, Jacob, Vivas, Roberts, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$2,644,318.85 were presented for Council's consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Roberts, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$307,716.15 from General Fund, \$80,455.04 from Street Fund, \$125,025.48 from Economic Development, \$257,795.02 from TIF, \$1,798,634.44 from LEXUS, \$43,668.87 from Sanitation, \$2,819.83 from Ambulance, \$19,797.14 from Health Fund, and \$8,406.88 from Meals on Wheels to the City of Lexington's Operating Account. Roll call. Voting "aye" were Vivas, Jacob, Roberts, Salem, Fagot. Motion carried.

**AC-COUNTS PAYABLE:** 180 Solutions LLC Accts Blg Srvy 110.50 Adame Martin El Reb 1750.00 Advanced Stores Co Inc Tls/Prts 220.06 Amaras-inghe Samanga Util Rfnd/Ovrpymt Fnl Bf 13.27 Amazon Capital Services Inc Bks/Spls 1004.57 American Family Life Assurance Co Prems 1734.85 B&H Services Inc Cing Svc 6839.00 Baker&Taylor Bks 176.73 Barkmeier Amanda El Reb 69.60 Bauer Built Inc Tires 693.82 Benchmark Government Solutions LLC Trng Mls 41.85 Beverly Bogle Louthan PC Pro Fees 1500.00 Buller Fixture, a Division of CashWa Shlvg-Clr 1351.38 Bye Masonry Inc Lbr/Vets Pvin Brcks 1760.00 Byrns Floor Covering&Installation Flrg Mtrls 6659.00 CashWa Distributing Fd/Spls 6330.03 Center Point Inc Bks 395.52 Change Clothing Unfrm Exp 1488.62 City of Lex-Operating Bnk Act Anlys Chrgs 3598.19 Civioplus LLC Cde Bk 367.50 C.J. Imprints LLC Unfrm Exp 5050.50 Column Software PBC



Pblctns 136.80 Community Development Agency TIF/DC Trsr 257795.02 Country Partners Cooperative Hrbcd 172.05 Davis Energy Inc Fuel 143.17 Denker Christopher El Reb 1750.00 Eakes Inc DocMgmt Sprt 490.00 Gonzalez Christobal El Reb 1750.00 Health Claims Clms 9764.16 Hiland Dairy Foods Co LLC Dairy 267.78 Hill Chris El Reb 1750.00 Holbein Lawn Care Lwn Cr 232.00 Holbein Dahlas Trck Maint/ Fuel/Cln 1500.00 Homeier Ventures LLC Tls 16.99 Invest Plus Inc Fd 119.92 Johnson Heater Corp Prts 412.73 Johnson Lynn El Reb 3300.00 Lex Health Fund Sif-Fndg 55745.35 Lex City Payroll Acct: PR Wages 194772.94, Soc Sec Emplr Prtin/ FICA Med 14492.68, Union Bank&Trust Emplr Prtin/Pnsn 6429.82, Union Bank&Trust Pol Pnsn 4334.23, ICMA CM Pnsn 1142.23, LEXUS Utls 56001.37 Madison Energy Holdings LLC Slr Pwr 38557.80 Mead Holding Co Inc Spis 160.65 Mendez Silvina El Reb 1750.00 Meritain Health Hlth Prem 42112.49 National Telephone Message Corp Spis 217.77 NE Dept of Environment/Energy Wtr Oprtr Lcns/Harris 28.75 NPPD O&M 150629.48, Power 1210922.72, NE Rural Water Assoc Mbrshp 550.00 Nebraska Land Tire Inc Reps 2096.50 NMC Industrial Services LLC Equipment Rentals 3949.50 Olsson Pro Svcs 4404.08 One Billing Solutions Bllng Fees 2393.97 On Target Ammunition LLC Ammo 8700.00 O'Reilly Auto Enterprises LLC Prts 59.18 Paulsen Inc Lmstn 679.50 Platte Valley Auto Mart Inc Svc/Oil/Lube 685.86 Platte Valley Laboratories Inc Tstg 819.75 Polydyne Inc Dwtgr Plymr 16100.00 Principal Dntl Prem 4782.22 Ramos Saul Reps/Insttn 54213.50 Retirementthomety Corp Cbl Svc 1210.88 Romero Josse Eduwiges El Reb 1750.00 Ronnenkamp Diane El Reb 550.00 Rose Holdings Inc Prts 812.00 Sautsbury Gerda El Reb 30.00 SMC Exteriors LLC Sign Install/LRHC 3600.00 Standard Insurance Co Life Ins Prem 1044.98 TASC Admin Fees 175.62 Titan Machinery-Lex Prts/Svc 1694.58 Tyler Technologies Svc Cntrct 105934.41 Verizon Wireless Cell Svc 711.05 Village Cleaners Inc Spis 70.75 VVS Inc Sftwr Upgrd 654.15 WAM Inc Reps 620.85 Bauer Built Inc Prts/Lbr 24.00 Business Card/Bank of America: Amazon.com Fuses 97.18, Canva Sftwr 14.99, Caseys General Store Fuel 36.83, Chipotle Trvl Mls 71.81, Days Inn-York Ldg 93.74, Fairfield Inn Ldg 1299.40, Guth Labs Tstg Spis 1277.90, Hanks Conoco Mtg Ml 31.98, International Code Council Tstg Ramirez 240.00, Isla Del Mar Trvl Mls 79.01, Jerzee's Trvl Mls 92.14, Magnum LTL Shpg/Blwr Rep 320.15, Microsoft Sftwr 12.25, Midwest Inn Ldg 104.44, Ollie&Hobbs Trvl Mls 75.79, Postermypal.com Promo Ads 29.95, Pump&Pantry Fuel 88.88, Speedee Fuel 40.42, Texas Roadhouse Trvl Mls 113.31, The Good Life Sports Bar Trvl Mls 72.55, Zeffy Sftwr 40.00, Zoom.com Trng 159.90, CashWa Distributing Co of Kearney Inc Fd/Spis 2157.03 Cengage Learning Bks 41.98 Center Point Inc Bks 404.48 City of Lex Util Frnchs Fees 110914.18 Coffee Cottage LLC Byrgs 68.20 Credit Services of Logan Inc Clctn Fees 591.94 Dans Sanitation Sntn Svcs 43668.87 Davis Energy Inc Oil/Fuel 5453.33 First Interstate Bank Pty Csh 255.88 Fagot Refrigeration&Electric Inc Gnrl Maint 875.38 Health Claims Hlth Clms 8122.51 Hiland Dairy Foods Co LLC Dairy 341.32 Homeier Ventures LLC Prts/Cntrcts/Hrdwr/Spis 89.58 Johnson Ryan Bt Rmbrs 69.79 LEE Enterprises Inc Sbscrptn 698.99 Lex Area Chamber of Commerce Ad 2500.00 Lex Public Schools Ref/Tbco/Lqr Lcns Fees 5572.50 Mead Holding Co Inc Spry Pnt/Btry 22.58 Municipal Supply Inc of Nebraska Crb Init Fmr 1770.00 Platte Valley Auto Mart Inc Reps/ Svc 1377.12 Plumbing&Heating Wholesale Inc Tls 212.93 S&W Auto Parts Co Tls/Spis/Prts 97.05 State of NE/DHHS/ Public Health Lab Tstg 1979.00 Stewart Jason Lwn Cr 200.00 Stout Robby B Reps 8795.00 Studio 6 Bstro Ctrg 1070.00 Thriv Construction Inc Econ Dvlpmt Ln 125025.48 Village Cleaners Inc Spis 70.75 VSP/Vision Service Plan Vsn Prem 1109.14 TTL CLMS: 2644318.85 **FINANCIAL REPORT:** Moved by Roberts, seconded by Salem, to accept the financial report for August 2025 as presented. Roll call. Voting "aye" were Vivas, Jacob, Salem, Roberts, Fagot. Motion carried. **PUBLIC COMMENT:** Jennifer Norton, Library Director, appeared before the Council to express her gratitude to Council and Staff

for allowing her to attend a development seminar out of state recently. She also stated the library is a recipient of a National Endowment for the Arts Big Read grant and a kickoff event is planned for Monday, October 6. **PUBLIC HEARING:** Mayor Fagot opened a public hearing to consider a Conditional Use Permit application by Dennis Nava for an automotive repair shop located at 201 East Pacific. Brecks stated the applicant, who was not present, would like to repair vehicles at their current car sales location. He gave a history of the code violations at the locations over the years, including parking inoperable vehicles on adjacent properties. He also noted that public comments received in his office include a desire to clean up the downtown area by not having repair shops and salvage yards there. There being no other public comments, the public hearing was closed. Moved by Salem, seconded by Roberts, to deny the Conditional Use Permit application for an automotive repair shop at 201 East Pacific. Roll call. Voting "aye" were Vivas, Jacob, Roberts, Salem, Fagot. Motion carried. **RESOLUTION:** Resolution No. 2025-20 was presented. Following discussion, moved by Salem, seconded by Jacob, to approve Resolution No. 2025-20. Roll call. Voting "aye" were Vivas, Roberts, Jacob, Salem, Fagot. Motion carried. **RESOLUTION NO. 2025-20 A RESOLUTION SETTING THE PROPERTY TAX REQUEST FOR FISCAL YEAR 2025-2026 WHEREAS,** Nebraska Revised Statute 77-1632 and 77-1633 provides that the Governing Body of the City of Lexington passes by a majority vote a resolution setting the tax request; and **WHEREAS,** a special public hearing was held as required by law to hear and consider comments concerning the property tax request; **NOW, THEREFORE,** the Governing Body of the City of Lexington resolves that: 1. The 2025-2026 property tax request be set at \$1,884,102.48. 2.0 The total assessed value of property differs from last year's total assessed value by 5.75%. 3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$0.304185 per \$100 of assessed value. 4. The City of Lexington proposes to adopt a property tax request that will cause its tax rate to be \$0.319017 per \$100 of assessed value. 5. Based on the proposed tax request and changes in other revenue, the total operating budget of the City of Lexington will increase, last year's budget by 1.73 percent. 6. A copy of this resolution shall be certified and forwarded to the Dawson County Clerk on or before October 15, 2025. **PASSED AND APPROVED this 23 rd day of September 2025. ORDINANCE:** Ordinance No. 2478 entitled "AN ORDINANCE TO ADOPT THE BUDGET STATEMENT FOR FISCAL YEAR 2025-2026. TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN ELECTRONIC FORM" was presented. Moved by Roberts, seconded by Vivas, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting "aye" were Salem, Jacob, Vivas, Roberts, Fagot. Motion carried. Ordinance No. 2478 was presented on final reading. Moved by Roberts, seconded by Jacob, to approve Ordinance No. 2478 on final reading. Voting "aye" were Salem, Vivas, Jacob, Roberts, Fagot. Motion carried. **ORDINANCE NO. 2478 AN ORDINANCE TO ADOPT THE BUDGET STATEMENT FOR FISCAL YEAR 2025-2026. 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:** SECTION 1: That after complying with all procedures required by law, the budget presented and set forth in the budget statement is hereby approved as the Annual Appropriation Bill for the fiscal year beginning October 1, 2025 through September 30, 2026. All sums of money contained in the budget statement are hereby appropriated for the necessary expenses and liabilities of the city of Lexington. A copy of the budget document shall be forwarded as provided by law to the Auditor of Public Accounts, State Capitol, Lincoln, Nebraska, and to the County Clerk of Dawson County, Nebraska, for use by the levying authority. **SECTION 2:** This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting

as required by law. **PASSED AND ADOPTED THIS 23 rd DAY OF SEPTEMBER, 2025. RESOLUTION:** Resolution No. 2025-21 was presented. Following discussion, moved by Salem, seconded by Roberts, to approve Resolution No. 2025-21. Roll call. Voting "aye" were Smith, Roberts, Salem, Fagot. Motion carried. **RESOLUTION NO. 2025-21 SIGNING OF THE MUNICIPAL ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE FORM 2025 WHEREAS:** State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and **WHEREAS:** State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each municipality shall be signed by the Mayor or Village Board Chairperson and shall include the resolution of the governing body of the municipality authorizing the signing of the certification. **BE IT RESOLVED** that the Mayor of Lexington is hereby authorized to sign the Municipal Annual Certification of Program Compliance. **ADOPTED the 23 rd day of September, 2025. BOARD OF EQUALIZATION:** The Council sat as a Board of Equalization to consider assessments for delinquent property maintenance abatement fees. Peppiltsch reviewed the outstanding fees. Ordinance No. 2479 entitled "AN ORDINANCE TO ASSESS THE COST OF PROPERTY MAINTENANCE AGAINST CERTAIN PROPERTIES; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM" was presented. Hipolita Huerta addressed proposed charges for nuisance abatement costs related to her property. No other comments were received. Following discussion, moved by Salem, seconded by Roberts, to suspend the rules regarding the reading of an ordinance on three separate occasions. Roll call. Voting "aye" were Vivas, Jacob, Roberts, Salem, Fagot. Motion carried. Ordinance No. 2479 was presented on final reading. Moved by Salem, seconded by Jacob, to approve Ordinance No. 2479 on final reading. Roll call. Voting "aye" were Vivas, Roberts, Jacob, Salem, Fagot. Motion carried. **ORDINANCE NO. 2479 AN ORDINANCE TO ASSESS THE COST OF PROPERTY MAINTENANCE AGAINST CERTAIN PROPERTIES; 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 pursuant to the International Property Maintenance Code, and after notice given and required by law, the City has abated nuisance violations located upon the following described properties, to-wit: 1. Lot 10 S ½ of Lot 11 Block J Mac Coll and Leffang's Addition to the City of Lexington, Dawson County, Nebraska (1008 N Washington); Owner: Hassane Abdallah, 1008 N Washington, Lexington, NE 68850, Mowing Incurred: June 3, 2025 \$300.00. 2. Lot 15 TR L (.16) 5-29-21 Acreage in the City of Lexington, Dawson County, Nebraska (301 S Washington, Owner Salomon Argueta, 956 W 9 th, Lexington, NE 68850, Mowing Incurred: September 16, 2024 \$300.00. 3. Lot 15 TR L (.16) 5-29-21 Acreage in the City of Lexington, Dawson County Nebraska (301 S Washington), Owner Salomon Argueta, 956 W 9 th, Lexington, NE 68850, Mowing Incurred: June 3, 2025 \$300.00. 4. Lot 8 Block 3 Woodwards First Addition to the City of Lexington, Dawson County, Nebraska, (915 W 15); Owner: Hipolita Huerta, 915 W 15, Lexington, NE 68850, Mowing Incurred: September 6, 2024 \$300.00. 5. Lot 35 and N 20 FT Lot 34 Woodlawn Addition to the City of Lexington, Dawson County, Nebraska, (1405 N Jackson); Owner: Irvin Lopez, 1405 N Jackson, Lexington, NE 68850, Mowing Incurred: September 17, 2024 \$400.00. 6. Lots 5 and 6 Block 16 Mac Coll and Leffang's Second Addition to the City of Lexington, Dawson County, Nebraska, (903 N Madison); Owner: Adalberto Mejia, 903 N Madison, Lexington, NE 68850, Fence Removal Incurred: March 20, 2025 \$165.00. 7. S 25 FT 3 Inches Lot 28 and N 49 FT 9 Inches Lot 27 Block 1 Olives First Addition to the City of Lexington, Dawson County, Nebraska, (1200 N Fillmore); Owner: Aminta Morales-Ortiz, 1200 N Fillmore, Lexington, NE 68850, Mowing Incurred: July 31, 2024 \$300.00. 8.

E ½ Lots 7 and 8 Block M Mac Coll and Leflang's Addition to the City of Lexington, Dawson County, Nebraska, (207 W 9th); Owner: Manual Palma Junior, 306 W Walnut Street, Lexington, NE 68850, Mowing Incurred: June 3, 2025 \$600.00, 9. S ½ E ½ Lot 12 and S ½ Lots 13 and 14 Block 3 James Ervins Second to the City of Lexington, Dawson County, Nebraska, (811 S Madison); Owner: Derik Rowe, 75721 Road 427, Cozad, NE 69130, Mowing Incurred: June 3, 2025 \$300.00, 10. Lot 6 Block 21 Mac Coll and Leflang's Second Addition to the City of Lexington, Dawson County, Nebraska (601 W 7 th ; Owner: Derik Rowe, 75721 Road 427, Cozad, NE 69130, Property Demolition Incurred July 8, 2025 11,900.00, 11. Lot 1 Block 7 Mac Coll and Leflang's Third Addition to the City of Lexington, Dawson County, Nebraska (1012 N Jackson); Owner: Giovanny Victorino, 1012 N Jackson, Lexington, NE 68850 Lawn Care Incurred, July 2, 2025 \$300.00, SECTION 2 - That there be and is hereby levied and assessed against the above described real estate, a special tax in the amount of costs incurred for each property, to pay the cost of abatement of nuisance violations as aforesaid, and that said assessment shall be due and payable in full upon adoption of this Ordinance, and thereafter shall draw delinquent interest as provided by Section 45-104.01 R.R.S. 1943. SECTION 3 - The City Clerk shall cause a copy of this Ordinance to be recorded in the office of the Register of Deeds of Dawson County, Nebraska. SECTION 4 - That this Ordinance shall be published in electronic form and take effect as provided by law. **PASSED AND APPROVED this 23 rd day of September, 2025. ROUNDTABLE:** There were no items for discussion. **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  
October 4, 2025  
COL-NE-1200680 ZNEZ