

**CITY COUNCIL  
CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Regular Meeting of the Lexington City Council was held Tuesday, May 24, 2022, at the Lexington City Hall, 406 E. 7<sup>th</sup> Street, Lexington, Nebraska at 5:30 p.m. Members of the Council present were John Fagot, John Salem, Steve Smith, and Jeremy Roberts. Dora Vivas was absent. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, Finance Director Barb Hodges, Community Development Director Bill Brecks and City Clerk Pamela Baruth. The press was represented by the Clipper-Herald and Tri-City Tribune.

**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 John Fagot. Fagot informed the public that the Open Meetings Act is posted in the Meeting Room at the Lexington City Hall, 406 E. 7<sup>th</sup> Street, Lexington, Nebraska.

**MINUTES – REGULAR MEETING 5-10-2022:** Minutes of the Regular meeting held Tuesday, May 10, 2022, were presented. Moved by Roberts, seconded by Salem, to approve the minutes as presented. Roll call. Voting “aye” were Smith, Salem, Roberts, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$ 2,152,659.19 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Smith, seconded by Roberts, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$668,876.67 from General Fund, \$62,524.49 from Street Fund, \$1,303,884.89 from LEXUS, \$35,684.24 from Sanitation, \$1,076.74 from Ambulance, \$76,510.14 from Health Fund, and \$4,102.02 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Salem, Roberts, Smith, Fagot. Motion carried.

**ACCOUNTS PAYABLE  
May 24, 2022**

Amazon Capital Services Inc / Amazon.com	LB / Books / Promotions / Supplies	121.22
American Family Life Assurance Co/AFLAC	Premiums	2,169.82
B & H Services / Service Master	Cleaning Service	5,702.00
Baker & Taylor	LB / Books	1,587.34
Barco Municipal Products Inc	ST / Supplies	279.40
Beverly Bogle Louthan PC	Professional Fees	1,200.00
Brooks, Gary E & Cheryl L/Meridian Rentals	PK / Equipment Purchase / Rental	683.84
Business Cards / Bank Of America		
4Imprint	CM / Shirts	901.48
Amazon.com	ND/PK/Spls/Oak Park Splash Pad/Parts	643.64
Log Me In	CT / Software	374.49
Marine Rescue Products	AC / Lifeguard Uniform / Equipment	991.00
Subway- Kearney	PD / Meals	9.72

Time Value	EL / Software	35.00
United States Postal Service	WR / Postage	110.50
Vistaprint	PD / Office Supplies	56.70
Walmart.com	ND / Supplies	44.55
Cash-Wa Distributing	MOW/REC/Food/ Supplies/Concessions	2,402.38
Cengage Learning	LB / Books	318.63
Center Point Inc	LB / Books	185.16
Chesterman Company	MOW / REC / Beverages	294.80
Complete Underground LLC	EL / Directional Boring / Oregon Trail	5,154.16
Core & Main	PK / WR / Meter Cable / Meter Registers	4,842.39
Davis Energy	ST / Fuel	331.80
Ditch Witch	ST / Equipment Repairs	3,583.73
Dutton-Lainson Company	EL / Meter Disconnect Sleeves	70.87
Eakes Inc	EL / LB / Supplies / Copier Expense	1,241.25
Eilers Machine & Welding Inc	PK / Equipment Modification	771.54
Electrical Engineering & Equipment	EL / OC / PK / Hardware / Lights	4,943.17
Fagot Refrigeration & Electric Inc	EL/LB/ST/WWTP/Repairs/Supplies	3,262.89
Fastenal	ST / Supplies	107.53
Fregoso, Hilda	Electric Rebate	50.00
GB Auto Service Inc / TO Haas Tire & Auto	PD / ST / SW / Tires / Auto Repairs	2,684.43
GEA Mechanical Equipment US Inc	WWTP / Parts	4,466.18
Hach Company	WWTP / Lab Supplies	192.46
Health Claims	Claims	37,072.58
Heldt, McKeone & Copley / Real Estate Trust	St. Ann's Land Purchase / Phase 2	236,268.50
Hiland Dairy	MOW / Dairy Products	331.46
Holbein, Dahlas	AMB/FD/Truck Maint/Fueling/Cleaning	1,500.00
Homeier Ventures LLC / Bob's True Value	PK / Supplies	98.99
IGS ORIX Solar I	Solar Power Purchase	50,993.75
Ingram Library Services	LB / Books	89.63
International City Management Assn/ICMA	CM / Membership Renewal / Burnside, D	503.04
KBC Inc / Johnstone Supply	ND / OC / Pleated Filters	1,260.08
Kohl, Patrick J/Kohl Welding & Machining	ST / Equipment Parts	37.96
Lauby, Judy	Electric Rebate	100.00
Lexington City Payroll Account		
Payroll	Wages	160,771.92
Social Security	Employer Portion / FICA Med	11,999.70
Union Bank & Trust	Employer Portion / Pension	5,475.56
Union Bank & Trust	Police Pension	3,199.98
ICMA	City Manager Pension	995.69
LEXUS	Utilities	38,960.23
Lincoln Winwater Works Co	WR / Parts	503.92
Lopez, Elmer	Electric Rebate	1,650.00
Mead Lumber	AC/CEM/LB/PK/REC/WR/Lumber/Spls	543.49
Meritain Health	Health Premium	35,232.39
Miller & Associates Consulting Engineers PC	ND / Professional Services	952.50
Municipal Supply Inc	WR / Hardware	613.54
Nebraska Dept of Environment & Energy	WWTP / NDEQ 2013 / Loan Payment	135,397.94
Nebraska Public Power District	O & M	65,793.77
	Power Purchase	864,584.77
Odeys Inc	REC / Supplies	64.97
Oliver Consulting Services	LB / Tech Support / Data Backup	35.00
Paulsen Inc	WR / Limestone	477.50
Platte Valley Auto Mart	WWTP / Parts	158.95
Principal	Dental Premium	3,893.31

QA Balance Service Inc	WWTP / Balance Calibration	125.00
Quick Med Claims	AMB / Billing Service	661.08
S & W Auto Parts	WR / WWTP / Parts / Supplies	49.97
Standard Insurance Company	Life Insurance Premiums	1,035.68
Stetson Building Products LLC	ST / Road Patch	420.70
Taste Of Home Books	LB / Books	77.00
TL Sund Constructors Inc	PK / White Rock	588.15
Tnemec Company Inc	AC / Pool Paint / Paint Thinner	321.47
US Foods	MOW / Food & Supplies	746.16
Verizon Wireless	Cellular Service	417.23
Vogel West Inc / Diamond Vogel- McCook	ST / Paint	2,552.40
VSP / Vision Service Plan	Vision Premium	1,050.33
Wilke Contracting Corporation	ST/Viaduct Reps/Replace Expansion Joint	10,272.00
YMCA of the Prairie	Fitness Memberships	1,172.00
ASK Supply Company LLC	ST / Supplies	84.28
Cash-Wa Distributing	MOW / REC / Concessions	605.78
Chesterman Company	AC / Beverages	600.00
City of Lexington	Utility Franchise Fees	84,019.43
City of Lexington / General Fund	Note Payable to Econ Dev 2000 / 2010	241,628.94
Core & Main	WR / Meter Flanges	440.54
Country Partners Cooperative	PK / Supplies	7.11
Dan's Sanitation	Sanitation Fees	35,684.24
Davis Energy	ST / Fuel Purchase	6,319.31
Eakes Inc	EL/LB/Copier Exp/DocMgmt/Supplies	885.52
Electrical Engineering & Equipment	EL / PK / Hardware	1,637.22
Fastenal	CEM / PK / ST / Supplies	33.00
Global Equipment Company Inc	FD / Safety Harnesses / Snap Hooks	220.99
Hach Company	WWTP / Lab Supplies	220.47
Health Claims	Claims	37,080.53
Homeier Ventures LLC / Bob's True Value	PK / Flowers / Plants	550.34
Kohl, Patrick J/Kohl Welding & Machining	AC / Grate Holders	192.36
Kostrunek, Tim/Thunderhawk Drone Svcs	ND/Drone Video/Editing/Spring Creek	325.00
Lien Inc	PK/Sprinkler Service / Land Maintenance	1,352.14
Mead Lumber	PK / Hardware	13.78
Nebraskaland Tire	PK / Service Call / Repairs	101.65
S & W Auto Parts	PD/PK/Steering Wheel Cover / Oil Filters	47.58
State of NE Public Health Environmental Lab	WR / Testing	1,167.00
Statewide Collections	Fees	401.12
Straight-Line Striping Inc	ST / Traffic Paint Application	6,802.95
TASC	Administration Fees	187.21
TL Sund Constructors Inc	PK / White Rock	1,632.35
US Foods	MOW / Food & Supplies	711.27
Village Cleaners Inc	GGC / Janitorial Supplies	138.10
Vogel West Inc / Diamond Vogel- McCook	ST / Paint Machine Cleaner	92.20
Walmart	LB / ND / PD / PK / ST / Supplies	612.42
	TOTAL CLAIMS:	2,152,659.19

**FINANCIAL REPORT:** Moved by Roberts, seconded by Salem, to accept the financial report for April 2022. Roll call. Voting “aye” were Smith, Salem, Roberts, Fagot. Motion carried.

**STREET DANCE:** Pepplicht reviewed a request and plan from the Lexington Optimist Club and Three 21 Tavern to use the parking lot at the southwest corner of 5th and Grant Streets for a street dance during Alumni Weekend, June 18, 2022. Following discussion, moved by Salem, seconded by

Smith, to approve the use of the parking lot abutting Three 21 Tavern for a street dance on Saturday, June 18, 2022, per the plan as presented. Roll call. Voting “aye” were Roberts, Smith, Salem, Fagot. Motion carries.

**SUBDIVISION APPLICATION:** Mayor Fagot opened a public hearing to consider a proposed Nuno Subdivision, a tract of land located in the Northwest Quarter of Section 12, Township 9 North, Range 22 West of the Sixth Principal Meridian, Dawson County, Nebraska. Brecks explained the property owners plan to construct a second residence which requires the creation of a subdivision. He noted the Planning Commission recommends approval following their recent review, and stated there have been no public comments. Copley reviewed a draft subdivision agreement. Following discussion, the public hearing was closed. Resolution No. 2022-11 was presented. Moved by Salem, seconded by Roberts, to approve Resolution No. 2022-11. Roll call. Voting “aye” were Smith, Roberts, Salem, Fagot. Motion carried.

### **RESOLUTION NO. 2022 - 11**

#### **NUNO SUBDIVISION**

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

The plat of NUNO SUBDIVISION, a Tract in the Northwest Quarter of Section 12, Township 9 North, Range 22 West of the Sixth Principal Meridian, 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 24th day of May, 2022.**

Moved by Roberts, seconded by Smith, to approve the subdivision agreement as presented. Roll call. Voting “aye” were Salem, Smith, Roberts, Fagot. Motion carried.

**REZONE APPLICATION:** Mayor Fagot opened a public hearing to consider an application to rezone Nuno Subdivision from A-1 Agricultural to R-1 Residential. Brecks noted this would be appropriate for the intended use. The public hearing was closed. Ordinance No. 2445 entitled “**AN ORDINANCE TO REZONE A CERTAIN TRACT OF REAL ESTATE TO R-1; TO REPEAL ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM**” was presented. Moved by Salem, seconded by Smith, to suspend the rules reading of an ordinance on three separate occasions. Roll call. Voting “aye” were Roberts, Smith, Salem, Fagot. Motion carried.

Moved by Smith, seconded by Salem, to approve Ordinance No. 2445 as presented on final reading. Roll call. Voting “aye” were Roberts, Salem, Smith, Fagot. Motion carried.

**ROUNDTABLE DISCUSSION:** Hodges noted the utility bill pay-by-phone option is now available in Spanish.

**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