

**CITY COUNCIL  
CITY OF LEXINGTON, NEBRASKA  
May 23, 2023**

A Regular Meeting of the Lexington City Council was held Tuesday, May 23, 2023, at Lexington, Nebraska at 5:30 p.m. Members of the Council present were John Fagot, John Salem, Dora Vivas, Steve Smith, 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 Barb Hodges 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 5-9-2023:** Minutes of the Regular meeting held Tuesday, May 9, 2023, were presented. Moved by Vivas, seconded by Smith, to approve the minutes as presented. Roll call. Voting “aye” were Salem, Roberts, Smith, Vivas, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$2,513,241.64 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Vivas, seconded by Smith, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$522,740.08 from General Fund, \$116,609.32 from Street Fund, \$82,077.73 from TIF, \$151,117.78 from CDBG Programs, \$1,564,727.76 from LEXUS, \$40,592.06 from Sanitation, \$1,812.40 from Ambulance, \$29,381.65 from Health Fund, and \$4,182.86 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Salem, Roberts, Smith, Vivas, Fagot. Motion carried.

**ACCOUNTS PAYABLE  
May 23, 2023**

ABC Abatement Company	ND / Asbestos Abatement / City Hall	7,400.00
Aguado, Cesar	Electric Rebate (8)	10,400.00
Amazon Capital Services Inc	LB / Books / Supplies	1,037.13
American Family Life Assurance Co/AFLAC	Premiums	1,679.89
Arias, Rosaura	Electric Rebate	950.00
B & H Services / Service Master	Cleaning Service	6,110.00
Baker & Taylor	LB / Books	1,330.82
Barco Municipal Products Inc	ST / Orange Safety Fence	197.81
Bauer Built Inc	ST / Tire Repair	72.77
Bennett, Constance J/Bennett Advertising	CM / Business Cards / Foster, S	145.75
Bennett, Curtis W / Sign Pro	PD/Create/Install Graphics/Police Cars	336.00
Beverly Bogle Louthan PC	Professional Fees	1,200.00
Business Card / Bank of America		
4Imprint	DS / Stormwater Lanyards	282.29
Amazon.com	Thumb Drives/Soccer Balls/Vinyl Letters	263.35

Chargepoint	EL / Car Fobs / Electrical Charge Points	16.00
Glowforge Store	CM / Hardwood Plaques	109.61
Log Me In	CT / Software	374.49
Microsoft	LB / Software	9.75
National Assn of School Resource Officers	PD / Membership Dues / Pinkelman, L	40.00
NE Law Enforcement Coordinating Cmte	PD/Conf Registration/Wolf/Schwarz	300.00
Raising Canes-Kearney	PD / Travel Meals	19.43
Runza-Kearney	PD / Travel Meals	11.65
Sprinkler Warehouse	PK / Sprinkler Heads	471.44
Stericycle	CM / Document Destruction	180.47
Targets Online	PD / Paper Targets	173.52
Test Gauge Inc Co	WR / Gauge Certification	123.20
Tribute Store Flowers	ND/Funeral Memorial/Employee Cmte	88.93
United States Postal Service	CM / WR / Postage	162.88
Walmart	CC/CM/Picture Frames/Supplies	45.05
Wendy's-Kearney	PD / Travel Meals	22.78
Casanova-Gomez, Anvar J	Electric Rebate	37.00
Castaneda, Allen	PD / NLETC Basic Training / Mileage	235.80
Cengage Learning	LB / Books	353.61
Chesterman Company	REC / Beverages	1,139.50
City of Lexington	Utility Franchise Fees	82,063.02
Lex Economic Development 2010 Fund	GF/OC Workforce Development Economic Loan	200,000.00
CNH Industrial America LLC / Titan	ST/WWTP/Repairs/Parts/Labor	10,638.10
Community Development Agency	TIF/Bauer/Designer Craft/HNB123/The Row12	82,077.73
Consolidated Management Company	PD / Training Meals / Castaneda, A	252.50
Country Partners Cooperative	PK / Herbicide	159.60
County of Dawson - Courts	PD / Court Costs	68.00
Crouch Recreation Inc	PK / Splash Pad Parts	86.50
Cummins Inc	WWTP / Generator Repair	2,529.70
Danko Emergency Equipment Company	FD / Fire Coats / Pants (5)	14,169.02
Dan's Sanitation	Sanitation Fees	40,592.06
Davis Energy	FD/ST/WWTP/Fuel/Gear Oil	5,592.70
Diaz, Sandra	Electric Rebate	850.00
Eakes Inc	EL/FD/LB/DocMgmt Support/Supplies	845.28
Edgewater Insurance LLC	Auto Ins/Equipment Ins/Work Comp Audit	6,284.00
Electrical Engineering & Equipment	OC / Emergency Exit Light	88.08
Fagot Refrigeration & Electric Inc	SW / Lift Station #5 / Repairs	185.16
Fastenal Company	CEM / ST / SW / Supplies / Hardware	598.86
GB Auto Service Inc / TO Haas	PK / ST / Repairs / Oil & Lube	108.83
Greater Lexington Corporation	Electric Rebate (4)	7,300.00
Health Claims	Claims	5,001.23
Holbein, Dahlas	AMB/FD/Truck Maint/Fueling/Cleaning	1,500.00
Homeier Ventures / Bob's True Value	CEM / PK / ST / Hardware	98.97
IGS ORIX Solar I	Solar Power Purchase	50,152.28
Ingram Library Services	LB / Books	153.26
International City Managers Association	CM / Membership Dues / Burnside, D	601.25
JEO Consulting Group Inc	PK/ST/Professional Svcs	11,480.00
Jones Plumbing & Heating Inc	FD / Filters	132.00
Lexington City Payroll Account		
Payroll	Wages	171,798.31
Social Security	Employer Portion / FICA Med	12,844.31
Union Bank & Trust	Employer Portion / Pension	5,347.95
Union Bank & Trust	Police Pension	3,566.66
ICMA	City Manager Pension	1,078.84
Lexington Health Fund	Self-Funding	55,745.35
LEXUS	Utilities	37,780.18
Mead Lumber	DS / Supplies	149.14

Midlands Contracting Inc/Johnson Service Co	Clean/Vacuum/Lift Stations/MRK/Tyson	9,926.00
Nebraska Dept of Environment & Energy	WWTP / NDEQ 2013 Loan Payment	134,794.62
Nebraska Machinery Company	PK/Equipment Rental/Patriot Park&Pond	18,444.28
Nebraska Mosquito & Vector Control Assn	ST/Workshop/Nichols/Chali	130.00
Nebraska Public Power District	O & M	176,412.96
	Power Purchase	959,410.88
Nebraskaland Tire	WR / Brake Service / Repairs	595.98
Noller, Betty	Electric Rebate	3,100.00
Olsson Inc	ST/SW/WR/Design/Schematics	10,800.00
O'Reilly Auto Parts	ST / Parts / Supplies	403.97
Paulsen Inc	CEM / WR / Limestone	1,911.90
Platte Valley Auto Mart	PD / Oil & Lube / Repairs	2,196.02
	ST / 2023 Ford F-150 XL	37,305.00
Platte Valley Laboratories Inc	WWTP / Lab Supplies	792.50
Prado, Ramon	Electric Rebate	2,625.00
QA Balance Services Inc	WWTP / Annual Calibration	125.00
Quick Med Claims	AMB / Billing	671.18
Recreation Supply Company Inc	AC / Lifeguard Seat / Safety Track	582.00
S & W Auto Parts	CEM / PD / Parts	97.42
Sage, Deeann	GGC / Mileage / "Stepping On" Class	157.20
Sigma-Aldrich Inc	WWTP / Lab Supplies	619.11
Trejo, Alejandra	AMB / EMS Conference Expenses	725.72
Truax, Phil	Electric Rebate	3,100.00
Vargas, Fredy	Electric Rebate	1,700.00
Verizon Wireless	Cellular Service	416.93
Vonasek, Jeremy	Electric Rebate	3,500.00
Werner's Sprinklers Inc/Dawson Pest Control	OC / FD / GGC / Pest Control	167.05
YMCA of the Prairie	Fitness Memberships	1,446.00
Accurate Environmental LLC	WR / EPA Samples	40.00
Alexander, Michael/Mike's Sprinkler Service	LB / Sprinkler Repairs	141.62
Associated Supply Company Inc	AC / Pool Chemicals	10,040.71
Baird Holm LLP	Pension Support / Document Drafting	1,026.00
Baker & Taylor	LB / Books	356.99
BSN Sports	REC / Indoor Soccer Balls	69.00
Cash-Wa Distributing	MOW/REC/Food/Supplies/Concessions	3,909.90
Complete Underground LLC	EL/Directional Boring/ East Addition Ph II	6,253.65
Country Partners Cooperative	PK/REC/Herbicide/Fertilizer/Propane Refill	654.15
Davis Energy	ST / Fuel	181.16
Dawson County	Interlocal Roads Prjs/Concrete Surfacing	12,722.60
Eakes Inc	EL / Copier Expense	212.60
Fagot Refrigeration & Electric Inc	AC / Equipment Repair	75.00
HD Supply Inc	CEM / Hardware	64.95
Health Claims	Claims	13,858.51
Hiland Dairy Foods Company	MOW / Dairy Products	337.99
Homeier Ventures/Bob's True Value	OC/PK/REC/WWTP/Hardware / Supplies	110.11
Kohl, Patrick J/Kohl Welding&Machining	Fabrication / Repairs	943.67
Lawson Products Inc	ST / Drill Bits	38.58
Lien Inc	PK/REC/Sprinkler Turn On/Landscaping/Reps	2,490.51
Mead Lumber	AC / ND / PK / REC / Hardware / Supplies	89.48
Meritain Health	Health Premium	39,770.78
O'Hanlon Seed Inc	PK / Grass Seed	195.00
Original Watermen Inc	AC / Lifeguard Suits / Accessories	3,679.37
Platte Valley Auto Mart Inc	PK / 2023 Ford F-150	36,295.0
S & W Auto Parts	PK / ST / Battery / Supplies	1,018.03
St. Ann's Church	St. Ann's Remodel / CDBG Grant	151,117.78
DHHS/Public Health Environmental Lab	WR / Testing	1,483.00
Principal	Dental Premium	3,615.84
Standard Insurance Company	Life Insurance Premiums	970.94

TASC	Administration Fees	175.62
US Foods	MOW / Food & Supplies	684.54
Village Cleaners Inc	GGC / Janitorial Supplies	151.94
VSP / Vision Service Plan	Vision Premium	1,070.11

TOTAL CLAIMS: 2,513,241.64

**FINANCIAL REPORT:** Moved by Smith, seconded by Roberts, to accept the financial report for April 2023 as presented. Roll call. Voting “aye” were Vivas, Salem, Roberts, Smith, Fagot. Motion carried.

**CONTRACT:** Peplitsch reviewed an annual operating contract with West Central Area Agency on Aging for the Meals Program for FY 2024. Following a review of the contract, moved by Roberts, seconded by Smith, to approve the operating contract as presented and to authorize execution of necessary documents. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

**ORDINANCE:** Ordinance No. 2453 entitled “**AN ORDINANCE OF THE CITY OF LEXINGTON, NEBRASKA, AMENDING SECTIONS 26-1 and 26-195 OF THE LEXINGTON CITY CODE, RELATING TO VEHICLE PARKING; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE AND FOR PUBLICATION IN ELECTRONIC FORM**” was presented for Council consideration. Peplitsch reviewed the ordinance as it relates to vehicle definition and residential parking. Following discussion, moved by Salem, seconded by Smith, to approve Ordinance No. 2453 on first reading. Roll call. Voting “aye” were Vivas, Roberts, Smith, Salem, Fagot. Motion carried.

**STREET DANCE:** Peplitsch 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, on Saturday, June 17, 2023. Following discussion, moved by Roberts, seconded by Vivas, to approve the use of the parking lot abutting Three 21 Tavern for a street dance on Saturday, June 17, 2023, as requested. Roll call. Voting “aye” were Smith, Salem, Vivas, Roberts, Fagot. Motion carries.

**ROUNDTABLE:** Peplitsch gave an update on local projects.

**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