

**CITY COUNCIL
CITY OF LEXINGTON, NEBRASKA
August 12, 2025**

A Regular Meeting of the Lexington City Council was held Tuesday, August 12, 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 Pepplichtsch, 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, August 5, 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 7-22-2025: Minutes of the Regular meeting held Tuesday, July 22, 2025, were presented. Moved by Vivas, seconded by Jacob, to approve the minutes as presented. Roll call. Voting “aye” were Salem, Roberts, Jacob, Vivas, Fagot. Motion carried.

MINUTES – WORK SESSION 8-2-2025: Minutes of the Work Session held Saturday, August 2, 2025, were presented. Moved by Salem, seconded by Roberts, to approve the minutes as presented. Roll call. Voting “aye” were Vivas, Jacob, Roberts, Salem, Fagot. Motion carried.

CLAIMS & BILLS: Claims and Bills in the amount of \$1,034,892.72 were presented for Council consideration and approval. Upon review of the Claims and Bills as listed, moved by Roberts, seconded by Vivas, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$307,394.44 from General Fund, \$89,455.51 from Street Fund, \$116,601.42 from Economic Development, \$474,989.74 from LEXUS, \$10,000.00 from Sanitation, \$10,251.58 from Landfill, \$6,117.65 from Ambulance, \$2,994.50 from American Rescue Plan Act, \$12,725.83 from Health, and \$4,362.05 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Salem, Jacob, Vivas, Roberts, Fagot. Motion carried.

**ACCOUNTS PAYABLE
August 12, 2025**

180 Solutions LLC	ND / Accounts Billing Survey	6.50
Anixter Inc	ST / Supplies	147.50
B & H Services / Service Master	EL / OC / Cleaning Service	6,114.29
Baker & Taylor	LB / Books	961.22
Bauer Built Inc	PK / Tire Rotation	50.00
Beverly Bogle Louthan PC	Professional Fees	600.00
Black Hills Energy	Natural Gas Service	1,601.34
Boling, Michael	AMB/Exps/Hotel/Registration/EMS Conf	2,645.67

Casanova, Rocio	LB / Reimbursement / UNK Tuition	1,051.89
Cash-Wa Distributing	AC / ND / OC / PK / ST / Supplies	3,728.30
Cengage Learning	LB / Books	879.69
Central Septic Tank Pumping & Plumbing	EL/Clear Main Swr Line/Electric Shop	556.50
Center Point Inc	LB / Books	200.16
Charles Sargent Irrigation Inc	WR / Well #12 Repairs	39,960.71
Chesterman Company	AC / Beverages	180.00
City of Lexington	Interdepartmental Service Fees	70,032.09
	Utility Franchise Fees	547.88
City of Lexington / Street	SW/WR/Interdepartmental Service Fees	6,876.23
Cline Williams Wright Johnson & Oldfather	ST / Professional Services	134.00
Colonial Research Chemical Corporation	ST / Supplies	203.89
Column Software PBC	Publications	139.20
Commonweath Electric Company	WWTP / Fiber Line Repair	2,467.00
Country Partners Cooperative	PK / Herbicide	373.50
County of Dawson - Register of Deeds	Filing Fees	16.00
Credit Services of Logan Inc	EL / Collection Services	56.99
Dan's Sanitation	Sanitation Fees	15,968.15
Davis Energy	FD / ST / Fuel / Fuel Purchase	7,073.67
Dawson Public Power District	Power Purchase	78.46
Demco Inc	LB / Supplies	192.62
DRL Investments LLC	DS / Abatement	250.00
Eakes Inc	Repairs/Supplies/Copier Exp	1,199.54
Eilers Machine & Welding Inc	PK / Parts	867.37
Electrical Engineering & Equipment Co	FH / Lights	55.72
Fagot Refrigeration & Electric Inc	GGC / LB / PK / Parts / Service Call	1,990.22
Fyr-Tek	FD / Annual Pump Test	1,527.50
Graphic Arts Shop	PD / Printing	825.00
Great Plains Communications	AC / FD / ND / PK / Internet Service	716.97
Greater Nebraska Cities	Monthly Lobbying Services	667.00
Health Claims	Claims	8,368.28
Heldt McKeone & Copley	Professional Fee / Services	2,921.50
Hiland Dairy Foods	MOW / Dairy Products	403.48
Holbein Lawn Service	FD / Lawn Care	290.00
Homeier Ventures Inc / Bob's True Value	PK / Supplies	1.88
Hydro Optimization&Automation Solutions	WWTP / SCADA Repairs / Parts	3,265.10
Ideal Laundry & Cleaners	Rug Service	935.12
Intellicom Computer Consulting Inc	Tech Support / Software	7,342.45
Intermedia.com	Web Phone Charges	298.22
John Deere Financial/Bomgaars/Landmark	Supplies / Parts / Labor	12,828.89
Jones Plumbing & Heating	EL/PK/WR/WWTP/Parts/ Service Call	423.60
Kirk's Trenching & Septic Service LLC	CEM / PK / Portable Rental / Cleaning	125.00
Kohl, Patrick J/Kohl Welding&Machining	WWTP / Skimmers (6)	2,086.54
LEE Enterprises Inc	Publications	60.40
Lexington, City Payroll Account		
Payroll	Wages	226,284.07
Social Security	Employer Portion / FICA Med	16,901.34
Union Bank & Trust	Employer Portion / Pension	6,181.35
Union Bank & Trust	Police Pension	3,799.25
ICMA	City Manager Pension	1,142.23
Mead Lumber	AC / PK / SW / Parts / Supplies / Tools	2,275.56

Menard Inc	REC / Steel Door / Post Wrap	737.29
Meritain Health	Premiums / Annual Quest Lab Testing	50,988.45
Midland Scientific Inc	WWTP / Lab Supplies	318.43
Milco Environmental Services Inc	Professional Services	10,251.58
Miller & Associates Consulting Engineers	Professional Services	11,789.55
NEBCO Inc / Kearney Crete & Block	PK / Supplies	52.55
Nebraska Dept of Revenue	Sales and Use Tax	73,499.73
Nebraska Library Association	LB/Conference Registration/Norton, J	125.00
Nebraska Tech & Telecommunications	Phone Service	1,182.40
Nebraska Water Experts / Culligan	Soft Water Supplies	538.95
Nebraskaland Tire	ST / Tire Repair / Oil & Lube	97.82
Nebraskalink Holdings LLC	LB / Internet Service	25.00
NMC Industrial Services Inc / RAKA	ST / Large Equipment Rental	19,885.00
O'Hara Lindsay and Associates	Monthly Lobbying Services	333.00
Oliver Consulting Services Inc	LB / Data Backup	20.00
One Call Concepts Inc	Locates	121.00
O'Reilly Auto Parts	ST / Oil	35.43
Patton, Janelle	AMB / FD / Record Keeping	500.00
Paulsen Inc	ST / WR / Limestone	1,455.50
Placer Labs Inc	CM / Annual Platform Access	15,225.00
Platte Valley Auto Mart Inc	PD / Oil & Lube	76.65
Platte Valley Communications Inc	PD / Equipment Maintenance	90.00
Quadient Finance USA Inc	Postage	3,000.00
Quality Fitness Lexington LLC	Fitness Memberships	187.20
Rentokil NA / Presto-X	LB / WWTP / Pest Control	326.27
Richardson, Calvin N / Richardson Mowing	LB / Lawn Care	300.00
S & W Auto Parts	GGC/PK/ST/WWTP/Parts/Supplies	488.30
Sirchie Acquisition Company LLC	PD / Supplies	32.45
Spectrum	Cable Service	50.00
State of NE / DHHS / Public Health Lab	WR / Testing	1,400.70
Tappan, Jeffery / Mac's Shortstop	REC / Concessions	183.17
THRIV Construction Inc	Econ Develop Loan/101/103 Revere Circle	116,601.42
Titan Machinery Inc - Lexington	PK / ST / Repairs / Parts	1,040.64
Travelers - RMD	AMB/FD/Workers Compensation Insurance Premium	2,678.00
Trejo, Alejandra	AMB/Travel Expenses/EMT Conf	93.00
Uline Inc	LB / Supplies	78.00
U Save Pharmacy / Business Equipment	WR / Postage	166.90
Van Diest Supply Company	ST / Mosquito Spray	2,581.25
Vak, Joseph / Lexington Animal Clinic	PD / Animal Care	1,752.90
Village Cleaners Inc	GGC / Janitorial Supplies	70.75
Walmart	Supplies	1,593.86
Werner's Sprinklers / Dawson Pest Control	FD / GGC / ND / OC / Pest Control	364.20
Amazon Capital Services Inc	LB / Books / Supplies	950.78
Anixter Inc	PK / ST / Ice Packs	450.00
B & H Services Inc	GGC / Kitchen Floor Maintenance	119.00
Bauer Built Inc	PK / Tire Repair	152.70
Cash-Wa Distributing	MOW / Food & Supplies	2,237.30
Cengage Learning	LB / Books	104.95
City of Lexington / Street	EL/Reimburse Black Hills-E Viaduct Fuel	164,159.66
		12,103.52

Core & Main LP	WR / Meters	3,181.49
Danko Emergency Equipment Company	FD/Turnout Gear Cleaner/Coat/Pants	6,117.00
Davis Energy	ST / Fuel Purchase / Bulk Oil	6,220.48
Eakes Inc	PD / Office Supplies	48.65
First Interstate Bank	EL / LB / PK / PD Petty Cash	474.65
Gibbens Tree & Lawn Service	PK / Spray for Japanese Beetles	675.00
Health Claims	Claims	4,357.55
Kohl, Patrick J / Kohl Welding & Machining LLC	ST / Welding / Mower Repair	451.60
Lexington Area Solid Waste Agency	Special Waste Disposal	1,667.79
Lincoln Winwater Works Co	WR / Socket Set	697.55
MAS Modern Marketing Inc	LB / Promotional Supplies	285.50
Mead Lumber	PK / WWTP / Hardware / Supplies	100.93
Menard Inc	PK / Lumber / Hardware	462.56
Midlands Contracting Inc	SW / Clean / Vacuum / Liftstations	9,237.75
Municipal Supply Inc of Nebraska	WR / Parts	3,904.40
Odeys Inc	REC / Mound Clay / Whisk Plugs	1,042.90
One Billing Solutions	AMB / Billing Fees	1,040.14
Paulsen Inc	ST/WR/Limestone/Sand/Gravel/Mesh	3,030.00
S & W Auto Parts	ST / Parts	0.56
Stout, Robby B / Stout Construction	ST / WR / Cement Work / Repairs	11,614.00
Utility Service Company Inc	WR / Service Water Towers	12,719.19
Village Cleaners Inc	GGC / Janitorial Supplies	70.75
TOTAL CLAIMS		1,034,892.72

RESOLUTION: Resolution No. 2025-15 was presented. Pepplitsch noted the city's revised estimated cost share of \$1.2 million. Following discussion, moved by Salem, seconded by Vivas, to approve Resolution No. 2025-15 as presented. Roll call. Voting "aye" were Jacob, Roberts, Vivas, Salem, Fagot. Motion carried.

RESOLUTION NO. 2025-15

Whereas: The City of Lexington desires to enter into an Agreement with the State of Nebraska Department of Transportation, to modify Project No. STP-30-3(119) Control No. 61692, in Lexington.

NOW BE IT RESOLVED by the City of Lexington that the Supplemental Agreement for the above-described Project, attached hereto, is hereby approved, and that the Mayor is hereby directed and authorized to sign said Supplemental Agreement on behalf of the City of Lexington.

Passed and approved this 12th day of August, 2025.

RESOLUTION: Resolution No. 2025-16 was presented. Following discussion, moved by Vivas, seconded by Salem, to approve Resolution No. 2025-16 as presented. Roll call. Voting "aye" were Jacob, Roberts, Salem, Vivas, Fagot. Motion carried.

RESOLUTION PRELIMINARY ENGINEERING SERVICES AGREEMENT SUPPLEMENTAL AGREEMENT NO. 9 - BK2052

CITY OF LEXINGTON
Resolution No. 2025-16

Whereas: City of Lexington and WSP USA, Inc. have previously executed a Preliminary Engineering Services Agreement for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds; and

Whereas: City of Lexington understands that it must continue to strictly follow all Federal, State, and local laws, rules, regulations, policies, and guidelines applicable to the funding of this Federal-aid project; and

Whereas: City of Lexington and WSP USA, Inc. wish to enter into a supplemental Preliminary Engineering services agreement setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

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

John Fagot, Mayor of City of Lexington, is hereby authorized to sign the attached Preliminary Engineering Services Supplemental Agreement No. 9 between the City of Lexington and WSP USA, Inc.

NDOT Project Number: RRZ-TMT-1705(3) NDOT Control Number: 61457
NDOT Project Description: Lexington East Viaduct

Adopted this 12th day of August 2025 at Lexington Nebraska.

RESOLUTION: Resolution No. 2025-17 was presented. Pepplitsch explained statutory changes that require updates to the Police Pension Plan. Following discussion, moved by Jacob, seconded by Vivas, to approve Resolution No. 2025-17 as presented. Roll call. Voting "aye" were Salem, Roberts, Vivas, Jacob, Fagot. Motion carried.

RESOLUTION NO. 2025-17

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA:

1. That in order to adopt certain changes enacted under the Police Officers Retirement Act pursuant to 2025 Nebraska Legislative Bill 179, and to adopt such other changes required by applicable law or as otherwise determined to be necessary and appropriate by the City, the City of Lexington, Nebraska, Police Officers' Pension Plan (the "Plan") shall be, and it hereby is, amended in the form of the First Amendment attached hereto and by this reference fully incorporated herein.

2. That the Mayor and other appropriate elected officials and officers of the City of Lexington shall be, and they hereby are, authorized to do all things necessary to carry out and accomplish the foregoing Resolution, including the execution of any document or amendment which may be necessary or appropriate to amend and administer the Plan, including such actions as may be necessary or appropriate to achieve and maintain qualification of the Plan under Section 401(a) of the Internal Revenue Code of 1986, as amended, as such sections apply to government plans.

PASSED AND APPROVED this 12th day of August, 2025.

RESOLUTION: Resolution No. 2025-18 was presented. Pepplitsch noted this is an annual consideration for the Airport Authority, with no increase in tax request. Following discussion, moved by Salem, seconded by Roberts, to approve Resolution No. 2025-18. Roll call. Voting “aye” were Vivas, Jacob, Roberts, Salem, Fagot. Motion carried.

RESOLUTION NO. 2025-18

WHEREAS, the Lexington Airport Authority has requested an allocation of a portion of the City of Lexington property tax levy for budget purposes.

BE IT RESOLVED, by the Mayor and Council of the City of Lexington, Nebraska, that \$167,000 of the City of Lexington Property Tax Levy Authority is hereby allocated to the Lexington Airport Authority for the fiscal year 2025-2026.

Passed and approved this 12th day of August, 2025.

PAY REQUEST: Pepplitsch reviewed Pay Request #1 from Saul Ramos Construction Inc for the Hike/Bike Trail Northwest Phase 3 project in the amount of \$169,490.05. Following a project update, moved by Roberts, seconded by Jacob, to approve Pay Request #1 as presented. Roll call. Voting “aye” were Vivas, Jacob, Salem, Roberts, Fagot. Motion carried.

ROUNDTABLE: Pepplitsch gave an update on the draft budget process and noted the budget hearing will be set for September 9.

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