

**CITY COUNCIL  
CITY OF LEXINGTON, NEBRASKA  
October 12, 2021**

A Regular Meeting of the Lexington City Council was held Tuesday, October 12, 2021, at 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, City Attorney Brian Copley, Finance Director Barb Hodges, and City Clerk Pamela Baruth. The press was represented by Tri-City Trib.

**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 9-28-2021:** Minutes of the Regular meeting held Tuesday, September 28, 2021, were presented. Moved by Smith, seconded by Roberts, to approve the minutes as presented. Roll call. Voting “aye” were Salem, Roberts, Smith, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$1,097,708.86 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Salem, seconded by Smith, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$307,016.37 from General Fund, \$40,520.38 from Street Fund, \$122,553.58 from TIF, \$497,713.58 from LEXUS, \$10,000.00 from Sanitation, \$4,018.31 from Ambulance, \$71,527.10 from American Rescue Plan Act Fund, \$40,332.19 from Health Fund, and \$4,027.35 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Roberts, Smith, Salem, Fagot. Motion carried.

**ACCOUNTS PAYABLE  
October 12, 2021**

ARK I CEA Holdco LLC / Solsystems	Solar Power Purchase / Airport Road	12,021.56
B & H Services / Service Master	EL / OC / Cleaning Service	5,372.82
Baker & Taylor	LB / Books	58.13
Bennett, Constance / Bennett Advertising	LB / Business Cards	74.17
Black Hills Energy	Natural Gas Service	172.44
Brooks, Gary E & Cheryl L	PK / Equipment Repairs	45.74
Cash-Wa Distributing	MOW / Food & Supplies	1,930.94
Cengage Learning	LB / Books	433.08
Center Point Inc	LB / Books	185.16
Citibank NA / CNH / Titan Machine	CEM / ST / Equipment Repairs / Parts	3,856.69
City of Lexington	Interdepartmental Service Fees	55,749.00
	Utility Franchise Fees	190.00
City of Lexington / Street	SW/WR/Interdepartmental Service Fees	6,876.23

	Fuel	10,651.45
Community Development Agency	TIF / Legend Oaks I / Legend Oaks II	39,236.00
County of Dawson - Register of Deeds	Filing Fees	92.00
Dan's Sanitation	Sanitation Fees	13,632.20
Davis Energy	AMB / WWTP / Fuel / Gear Oil	1,647.93
Dawson County Communications	Dispatch Fees	29,750.00
Dawson Public Power District	Power Purchase	87.94
Demco	LB / Supplies	711.25
Depository Trust Company	2015 GO Bond Payment	97,986.25
	2018 CU Revenue Refunding Bond	247,600.00
Eakes Inc	LB / Supplies	97.95
Electrical Engineering & Equipment Co	PK / Tools	18.99
Eustis Body Shop	PD / Accident Repairs	1,313.0
Fastenal	ST / Supplies	81.10
Fed Ex	2021 Hwy Allocations Bonds/Delivery Exp	32.07
Galls	PD / Uniform Expense	9.28
Gilmore Bell	2021 Hwy Allocations Bonds / Legal Exp	3,040.00
Great Western Bank	LB / Petty Cash	234.04
Greater Nebraska Cities	Monthly Lobbying Services	667.00
Health Claims	Claims	32,497.75
Heldt McKeone & Copley	Professional Fee	2,700.00
Hiland Dairy Foods	MOW / Dairy Products	37.96
Holbein Lawn Service	DS / FD / Abatements / Lawn Care	585.00
Homeier Ventures Inc / Bob's True Value	DS / OC / Supplies	41.05
Ingram Library	LB / Books	182.76
Intellicom Computer Consulting Inc	Tech Support / Software	4,418.74
Intermedia.com	Web Phone Charges	278.45
Invest Plus / Plum Creek Market Place	MOW / Food	141.61
John Deere Financial / Orscheln	CEM/PK/ST/WR/WWTP/Spls/Parts	650.16
Jones Plumbing & Heating	PD/REC/Fieldhouse/Service/Repairs	277.25
LEE BHM / Lexington Clipper Herald	Publications	680.07
Lexington, City Payroll Account:		
Payroll	Wages	152,241.88
Social Security	Employer Portion / FICA Med	11,386.25
Union Bank & Trust	Employer Portion / Pension	4,746.04
Union Bank & Trust	Police Pension	3,103.83
ICMA	City Manager Pension	957.23
Lexington Community Foundation	LB / Public Donations	220.27
McFadden, Ryan / McFadden Auto Repair	CEM / Repairs / Oil & Lube	416.34
McKesson Medical	AMB / Medical Supplies	881.99
Mead Lumber	DS / PK / Tools / Supplies	477.92
Midlands Contracting	SW/Clean/Vac/Polk/MRK/Tyson Lift Stations	2,670.00
	SW/Cure In Place Pipe Lining/ NW Lex	67,805.00
Mid-States Automation & Control	OC / Heat Pump Repairs	525.25
Midwest Laboratories Inc	WWTP / Lab Supplies	19.25
Miller & Associates	WR/Well #8 Rehabilitation/Pro Services	3,722.10
Municipal Supply	ST / WR / Culverts / Grates	850.82
Nebraska Dept of Revenue	Sales and Use Tax	72,204.29
Nebraska Tech & Telecommunications	Phone Service	1,251.04
Nebraska Water Experts / Culligan	Soft Water Supplies	379.82
Nebraskaland Tire	CEM / WR / Oil & Lube	176.09

Nebraskalink	LB / Internet Service	15.00
OCLC	LB/Cataloging/Metadata/Worldshare	149.80
O'Hara Lindsay and Associates	Lobbying Services / 2021 Registration	333.00
One Call Concepts Inc	Locates	160.36
O'Reilly Auto Parts	ST / Parts	126.53
Paper Tiger Shredding	Document Shredding	364.00
Paulsen Inc	ST / Limestone	1,416.00
Platte Valley Auto	GGC / PD / Oil & Lube	187.36
Platte Valley Communications	PD/Maint/Install Equipment/New Cruiser	3,326.16
Police Officers' Association of Nebraska	PD / Employee Dues	315.00
Precision Detail / Julie Thalman	FD / Firehall Cleaning Service	350.00
Price, Kami S / Route 30 Grafix	PK / Employee Shirts	299.08
Quadient Finance USA Inc	Postage	3,000.00
Read Aloud Nebraska	LB/Workshop Registration/Casanova, R	35.00
Rentokil NA / Presto-X	LB / Pest Control	93.00
Richardson, Calvin N / Richardson Mowing	LB / Lawn Care	270.00
Ryde Transit	GGC / July-September 2021 / Riders	80.00
S & R Diamond LLC	Solar Carport Lease Payment	18,800.00
S & W Auto Parts	ST / Parts	56.85
Silva, Juan F / S.B. Auto Detailing	FD / Water Spot Remover / Paint Polish	150.00
Spectrum	Cable Service	30.26
State Farm Automobile Insurance Co	WR / Damage Claim	1,310.04
TL Sund Constructors Inc	PK / Crushed Concrete	269.72
US Foods	MOW / Food	656.46
USA Communications	City Internet Services	345.60
Vak, Joseph / Lexington Animal Clinic	PD / Animal Care	893.75
Vetter, Jake	WR / Reimbursement / Safety Boots	85.58
W W Grainger	AMB / Medical Supplies	542.88
Walmart	AMB / DS / LB / PD / ST / Supplies	945.65
Werner's Sprinklers / Dawson Pest Control	FD / GGC / OC / Pest Control	159.10
Yant Equipment Company Inc	ST / Diesel Pump / Service	372.80
Acromat	ST / Supplies	505.58
Bowen, Nicholas / Change Clothing	REC / Shirts / Halloween Hustle	1,778.75
Community Action Partnership/RYDE Transit	Transportation Service Agreement	2,270.33
Community Development Agency	TIF/Designer Craft/Orthman 2014/Pentad	83,317.58
Country Partners Cooperative	CEM / Herbicide	645.10
Davis Energy	ST / Fuel Purchase	4,013.12
Dutton-Lainson Company	EL / Meter Sockets	247.36
Electrical Engineering & Equipment Co	PK / Supplies	15.87
FNLLC / Choice Paint & Supply	ST / Traffic Paint	200.00
Fyr-Tek	FD / Annual Pump Tests	1,200.00
Galls	PD / Uniform Expense	76.75
Health Claims	Claims	7,834.44
Holbein Lawn Service	AC / Lawn Aeration	195.00
John Deere Financial / Landmark	CEM / WWTP / Parts / Repairs	601.43
Lexington Area Solid Waste Agency	Mixed Solid Waste Disposal	1,406.85
Lexington Volunteer Fire Department	AMB / 4th Quarter Billing	1,268.96
Lincoln Winwater Works Co	WR / Chainsaw Tune-up	128.40
Matheson Tri-Gas Inc	AMB / Medical Oxygen	74.95
Mead Lumber	PK / WWTP / Hardware / Lumber	64.03
Melson, Dane / Anytime Fitness	Fitness Memberships	149.95

Midland Scientific Inc	WWTP / Lab Supplies	114.67
Municipal Supply	PK / Culvert Ends	489.03
Nebraskaland Tire	WR / Oil & Lube	57.98
Overton Sand & Gravel Co	EL / White Rock	1,828.85
Paulsen Inc	ST / Limestone	2,330.50
Platte Valley Auto	FD / Parts	259.00
PoolEquip LLC	AC / Interlocking Grating	18,435.54
Quick Med Claims	AMB / Billing Fees	725.62
US Foods	MOW / Food	413.72
Utility Service Company Inc / Suez	WR / Tower Inspections	11,060.17
Village Cleaners Inc	GGC / Janitorial Supplies	139.72
VVS Inc	Surveillance System Support	760.00
Wesco Distribution	EL / Street Light Fixtures	19,580.00
	<b>TOTAL CLAIMS:</b>	<b>1,097,708.86</b>

**ORDINANCE:** Ordinance No. 2441 entitled “**AN ORDINANCE TO VACATE A PORTION OF HIKE/BIKE TRAIL AND TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM**” was presented on first reading. Peplitsch reviewed the vacation of a portion of trail ROW needed for the design of a future subdivision. 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 Smith, Roberts, Salem, Fagot. Motion carried.

Ordinance No. 2441 was presented of Final reading. Moved by Salem, seconded by Smith, to approve Ordinance No. 2441 on Final reading. Roll call. Voting “aye” were Roberts, Smith, Salem, Fagot. Motion carried.

**PAY REQUEST:** Peplitsch reviewed Pay Request #1 from Walters-Morgan Construction for the 2021 Wastewater Facility Improvements project in the amount of \$161,746.03. Following discussion, moved by Roberts, seconded by Smith, to approve Pay Request #1 for the 2021 Wastewater Facility Improvements project from Walters-Morgan Construction as presented. Roll call. Voting “aye” were Salem, Smith, Roberts, Fagot. Motion carried.

**PROJECT:** Peplitsch reviewed plans for the 18<sup>th</sup> Street Phase 2 and Kirkpatrick Memorial Park Paving Improvements projects and requested authorization to solicit bids. Following a review of the project areas, moved by Salem, seconded by Roberts, to approve the plans and specification for the 18<sup>th</sup> Street Phase 2 and Kirkpatrick Memorial Park Paving Improvements projects and to authorize the solicitation of bids. Roll call. Voting “aye” were Smith, Roberts, Salem, Fagot. Motion carried.

**ROUNDTABLE DISCUSSION:** Peplitsch gave an update on several current 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