

**COMMUNITY DEVELOPMENT AGENCY
LEXINGTON NEBRASKA
October 19, 2015**

A Regular Meeting of the Community Development Agency was held Monday, October 19, 2015, at Lexington City Hall, 406 East 7th Street, Lexington, Nebraska at 5:30 p.m. Members present were Jason Fagot, Gail Hall, Steve Smith, Seth McFarland, Linda Miller and John Fagot. Kory Cetak was excused. City Officials present were City Manager Joe Pepplitsch, Assistant City Manager Dennis Burnside, City Attorney Brian Copley, and Secretary Pamela Baruth. The press was represented by KRVN.

NOTICE: Notice of the meeting was given in advance notice, 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 and thereof by posting in the following locations: Lexington City Hall, Dawson County Courthouse, Homestead Bank, Great Western Bank, Pinnacle Bank. 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 Vice Chair Jason Fagot who informed the public that the Open Meetings Act is posted in the Council Chambers at the Lexington City Hall, located at 406 E. 7th Street, Lexington, Nebraska.

MINUTES – REGULAR MEETING 8-17-15 and 9-21-15: Minutes of the Regular meeting held Monday, August 17, 2015, and Monday, September 21, 2015, were presented. Moved by John Fagot, seconded by McFarland, to approve Minutes as presented. Roll call. Voting “aye” were Miller, Smith, Hall, McFarland, John Fagot, Jason Fagot. Motion carried.

RESOLUTION: Resolution 2015-14 was presented. Pepplitsch reviewed a proposed redevelopment plan amendment in Redevelopment Area #1. He noted the Planning Commission reviewed the plan’s conformance with the Comprehensive Plan and recommended approval. Following discussion, moved by Smith, seconded by Miller, to approve Resolution 2015-14. Roll call. Voting “aye” were John Fagot, McFarland, Hall, Miller, Smith, Jason Fagot. Motion carried.

RESOLUTION NO. 2015-14

**A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY
OF LEXINGTON, NEBRASKA RECOMMENDING APPROVAL OF AN
AMENDED REDEVELOPMENT PLAN OF THE CITY OF LEXINGTON,
NEBRASKA, APPROVING A REDEVELOPMENT PROJECT OF THE
CITY OF LEXINGTON, NEBRASKA; AND APPROVAL OF RELATED
ACTIONS.**

WHEREAS, the Mayor and City Council of the City of Lexington, Nebraska (the “City”), upon the recommendation of the Planning Commission of the City of Lexington, Nebraska (the “**Planning Commission**”), and in compliance with all public notice requirements imposed by the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “**Act**”), duly declared the redevelopment area legally described in the Amended Redevelopment Plan, set forth hereafter to be blighted and substandard and in need of redevelopment; and

WHEREAS, pursuant to and in furtherance of the Act, a Redevelopment Plan Amendment (the “**Redevelopment Plan**”), has been prepared by the Agency in the form attached hereto as **Exhibit A**, for the purpose of redeveloping a portion of the Blighted and Substandard Area and includes a provision to divide certain ad valorem taxes as provided in Section 18-2147 of the Act on that portion of the Blighted and Substandard Area legally described in **Exhibit B** to assist in the redevelopment thereof; and

WHEREAS, pursuant to the Redevelopment Plan, the Agency would agree to incur indebtedness and make a grant for the purposes specified in the Redevelopment Plan (the “**Project**”) in accordance with and as permitted by the Act; and

WHEREAS, the Agency has made certain findings and pursuant thereto has determined that it is in the best interests of the Agency and the City to enter into the Redevelopment Plan and to carry out the transactions contemplated thereby.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF LEXINGTON, NEBRASKA AS FOLLOWS:

Section 1. The Agency has determined that the proposed land uses and building requirements in the Project Area are designed with the general purposes of accomplishing, and in conformance with the general plan of the City, a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency in economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provisions for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations, or conditions of blight.

Section 2. The Agency has conducted a cost benefit analysis for the Project in accordance with the Act, and has found and hereby finds that the Project would not be economically feasible without the use of tax increment financing, the Project would not occur in the Project Area without the use of tax increment financing and the costs and benefits of the Project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services, have been analyzed and have been found to be in the long term best interests of the community impacted by the Project.

Section 3. The Planning Commission of the City of Lexington has recommended approval of the Redevelopment Plan.

Section 4. The Agency recommends approval of the Redevelopment Plan by the City Council.

Section 5. This resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 19th day of October, 2015.

PROJECT: Pepplitsch reviewed a draft development agreement with C&J Auto Sales, for Lot 3, Wightman Subdivision in Redevelopment Area #1. The developer proposes to construct a 3,250 square foot commercial building, associated paving for access and off-street parking/display facilities, and required landscaping. The developer is requesting assistance for the installation of public street access abutting the property, being Jeffery Road. Pepplitsch indicated that the agreement provided for the creation of an improvement district and a performance standard where assessments could be waived upon completion of the project. He also indicated that Council approval would be needed, as the City would be responsible for street construction. Following discussion, moved by Miller, seconded by Smith, to approve the development agreement and authorize execution, contingent upon City Council approval. Roll call. Voting “aye” were John Fagot, McFarland, Hall, Smith, Miller, Jason Fagot. Motion carried.

ROUNDTABLE: Pepplitsch gave an update on current projects.

ADJOURNMENT: There being no further business to discuss, Vice Chair Jason Fagot declared the meeting adjourned.

Respectfully submitted,
Pamela Baruth
CDA Secretary