

**COMMUNITY DEVELOPMENT AGENCY
LEXINGTON NEBRASKA
February 20, 2023**

A Regular Meeting of the Community Development Agency was held Monday, February 20, 2023, at Lexington City Hall, located at 406 East 7th Street, Lexington, Nebraska at 5:30 p.m. Members present were Kory Cetak, Jason Fagot, John Fagot and Seth McFarland. Steve Smith, Gail Hall, and Chris Denker were absent. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Brian Copley, Finance Director Barb Hodges and Secretary Pamela Baruth. The press was represented by Clipper-Herald.

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. 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 Chair Cetak 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 12-19-2022: Minutes of the Regular meeting held Monday, December 19, 2022, were presented for consideration. Moved by John Fagot, seconded by Jason Fagot, to approve the minutes as presented. Roll call. Voting “aye” were McFarland, Jason Fagot, John Fagot, Cetak. Motion carried.

ELECTION: Moved by John Fagot, seconded by Jason Fagot, to elect Chris Denker as Chairman, Seth McFarland as Vice-Chair, and Pamela Baruth as Secretary for 2023. Roll call. Voting “aye” were McFarland, Jason Fagot, John Fagot, Cetak. Motion carried.

Vice-Chair McFarland presided over the remainder of the meeting.

RESOLUTION: Peplitsch reviewed a resolution approving a redevelopment agreement and issuing TIF indebtedness for the Vintage Rows Redevelopment Project. He gave an update of the project. Following discussion, Resolution No. 2023-01 was presented. Moved by Jason Fagot, seconded by Cetak, to approve Resolution No. 2023-01. Roll call. Voting “aye” were John Fagot, Cetak, Jason Fagot, McFarland. Motion carried.

RESOLUTION NO. 2023-01

(Redevelopment Agreement—Vintage Rows Redevelopment Project)

**A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF
LEXINGTON, NEBRASKA, AUTHORIZING AND APPROVING A
REDEVELOPMENT AGREEMENT FOR THE VINTAGE ROWS
REDEVELOPMENT PROJECT UTILIZING TAX INCREMENT FINANCING; AND
TAKING OTHER ACTIONS REQUIRED OR PERMITTED UNDER THE
COMMUNITY DEVELOPMENT LAW.**

RECITALS

A. The General Redevelopment Plan for Redevelopment Area #6 (the “**Redevelopment Plan**”), which covers certain portions of the City of Lexington, Nebraska that have been declared blighted and substandard and in need of redevelopment (the “**Redevelopment Area**”), was adopted by the City Council of the City of Lexington, Nebraska (the “**City**”) on November 8, 2022, pursuant to Resolution No. 2022-25.

B. The Community Development Agency of Lexington, Nebraska (the “**Agency**”), in furtherance of the purposes and pursuant to the provisions of the Community Development Law, Neb. Rev. Stat. §§ 18-2101 to 18-2155, as amended (the “**Act**”), has approved the Amendment to the Redevelopment Plan (the “**Amendment**”) to create and implement the Vintage Rows Redevelopment Project (the “**Project**”) in the Redevelopment Area.

C. The Agency has prepared a redevelopment agreement for the Project, a copy of which is attached hereto as **Exhibit A** and incorporated by this reference (the “**Redevelopment Agreement**”).

D. December 19, 2022, the Agency passed a resolution providing notice to the City Council of its intent to enter into the Redevelopment Agreement and delivered said resolution to the City Council.

E. The Project would use tax increment financing pursuant to Section 18-2147 of the Act to assist in paying for the cost of certain eligible public improvements authorized by the Act and identified in the Amendment and the Redevelopment Agreement.

NOW THEREFORE BE IT RESOLVED, the Community Development Agency of the City of Lexington, Nebraska, does hereby approve the Redevelopment Agreement and authorizes the Chairperson of the Agency to execute and enter into the Redevelopment Agreement, with such changes, modifications, additions, and deletions that are necessary or appropriate, for and on behalf of the Agency.

BE IT FURTHER RESOLVED, the Agency hereby authorizes the Chairperson of the Agency to take all actions contemplated and required in the Redevelopment Agreement including, without limitation, the issuance of TIF Indebtedness authorized pursuant to the Redevelopment Agreement. Such TIF Indebtedness shall be repaid solely from the Tax Increment created by the Project and does not represent the general obligation of the Agency or the City.

BE IT FURTHER RESOLVED, the foregoing resolutions are subject to and contingent upon the City Council of the City of Lexington’s approval and adoption of the Amendment, and if the City Council does not approve and adopt the Amendment, this Resolution shall be void and of no effect.

PASSED AND APPROVED this 20th day of February, 2023.

ASSIGNMENTS: Pepplitsch requested board ratification of assignments associated with the Orthman Manufacturing Redevelopment Project. He explained the business was recently purchased and the redevelopment contract was assumed by the new owner. Following discussion, moved by John Fagot, seconded by Cetak, to ratify the Assignment of Redevelopment Contract and the Assignment and

Assumption of TIF Bond as presented. Roll call. Voting “aye” were Jason Fagot, Cetak, John Fagot, McFarland. Motion carried.

ROUNDTABLE DISCUSSION: Pepplitsch gave an update on current projects.

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

Respectfully submitted,
Pamela Baruth
CDA Secretary