

**COMMUNITY DEVELOPMENT AGENCY  
LEXINGTON NEBRASKA  
September 18, 2023**

A Regular Meeting of the Community Development Agency was held Monday, September 18, 2023, at Lexington City Hall, located at 406 East 7<sup>th</sup> Street, Lexington, Nebraska at 5:30 p.m. Members present were Chris Denker, John Fagot, Jason Fagot, Gail Hall, and Steve Smith. Kory Cetak and Seth McFarland were absent. City Officials present were City Manager Joe Pepplitsch, Assistant City Manager Dennis Burnside, City Attorney Brian Copley, Finance Director Derek Haines, and Secretary Pamela Baruth.

**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 Denker who informed the public that the Open Meetings Act is posted in the Council Chambers at the Lexington City Hall, located at 406 E. 7<sup>th</sup> Street, Lexington, Nebraska.

**MINUTES – REGULAR MEETING 7-17-2023:** Minutes of the Regular meeting held Monday, July 17, 2023, were presented. Moved by John Fagot, seconded by Jason Fagot, to approve the minutes as presented. Roll call. Voting “aye” were Hall, Smith, Jason Fagot, John Fagot, Denker. Motion carried.

**RESOLUTION:** Pepplitsch requested board consideration of a purchase agreement for property located at 1208 North Airport, noting the property could be marketed for redevelopment following annexation to the corporate limits. Resolution No. 2023-07 was presented. Following discussion, moved by John Fagot, seconded by Smith, to approve Resolution No. 2023-07. Roll call. Voting “aye” were Hall, Jason Fagot, Smith, John Fagot, Denker. Motion carried.

**RESOLUTION NO. 2023-07**

**A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF  
LEXINGTON, NEBRASKA AUTHORIZING THE CHAIRMAN TO PURCHASE  
REAL ESTATE PURSUANT TO A CONTRACT**

**WHEREAS**, the Community Development Agency of Lexington, Nebraska (the “Agency”), created pursuant to Nebraska Community Development Law (the “Act”), has the authority to purchase real estate in accordance with said Act; and

**WHEREAS**, the Agency deems it to be in the public interest and in furtherance of the purposes of the Act to purchase real estate pursuant to the terms of the Contract attached as Exhibit A.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF THE COMMUNITY  
DEVELOPMENT AGENCY OF LEXINGTON, NEBRASKA:**

**Section 1.** The Chairman of the Agency is hereby authorized and directed on behalf of said Agency to accept execute the Contract set forth on the attached Exhibit A

**Section 2.** The Chairman of the Agency is hereby authorized and directed on behalf of said Agency to execute any and all documents necessary to effectuate the purchase of the real estate pursuant to the terms of the Contract.

**PASSED AND APPROVED** this 18<sup>th</sup> day of September, 2023.

**RESOLUTION:** Pepplitsch requested Board consideration of a development agreement with Peque Roofing Inc. for housing development in the Southwest Second Subdivision. He reviewed the agreement regarding the obligations of the agency and the developer. Resolution No. 2023-08 was presented. Following discussion, move by Jason Fagot, seconded by Hall, to approve Resolution No. 2023-08 as presented. Roll call. Voting “aye” were Smith, John Fagot, Hall, Jason Fagot, Denker. Motion carried.

**RESOLUTION NO. 2023-08**

**A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF LEXINGTON, NEBRASKA AUTHORIZING THE CHAIRMAN TO ENTER INTO DEVELOPMENT AGREEMENT**

**WHEREAS,** the Community Development Agency of Lexington, Nebraska (the “Agency”), created pursuant to Nebraska Community Development Law (the “Act”), has the authority to enter into Development Agreements in accordance with said Act; and

**WHEREAS,** the Agency deems it to be in the public interest and in furtherance of the purposes of the Act to enter into the Development Agreement attached hereto as **Exhibit A**.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF THE COMMUNITY DEVELOPMENT AGENCY OF LEXINGTON, NEBRASKA:**

**Section 1.** The Chairman of the Agency is hereby authorized and directed on behalf of said Agency to enter into the Development Agreement as set forth on the attached **Exhibit A**.

**Section 2.** The Chairman of the Agency is hereby authorized and directed on behalf of said Agency to execute any and all documents necessary to effectuate the terms of said Development Agreement.

**PASSED AND APPROVED** this 18<sup>th</sup> day of September, 2023.

**ROUNDTABLE DISCUSSION:** Pepplitsch gave an update on upcoming projects.

**ADJOURNMENT:** There being no further business to discuss, Chair Denker declared the meeting adjourned.

Respectfully submitted,  
Pamela Baruth  
CDA Secretary