

**COMMUNITY DEVELOPMENT AGENCY
LEXINGTON NEBRASKA
February 19, 2024**

A Regular Meeting of the Community Development Agency was held Monday, February 19, 2024, at Lexington City Hall, located at 406 East 7th Street, Lexington, Nebraska at 5:30 p.m. Members present were Chris Denker, Kory Cetak, Jason Fagot, John Fagot, Steve Smith, Gail Hall, and Seth McFarland. City Officials present were City Manager Joe Pepplitsch, Finance Director Derek Haines and Secretary Pamela Baruth. The press was represented by Clipper-Herald and KRVN.

NOTICE: Notice of the meeting was given in advance notice, thereof by posting in the following locations: Lexington City Hall, Dawson County Courthouse – East Entrance, Homestead Bank, First Interstate Bank, Lexington Public Library. 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. 7th Street, Lexington, Nebraska.

MINUTES – REGULAR MEETING 9-18-2023: Minutes of the Regular meeting held Monday, September 18, 2023, were presented for consideration. Moved by McFarland, seconded by Jason Fagot, to approve the minutes as presented. Roll call. Voting “aye” were John Fagot, Cetak, Hall, Smith, Jason Fagot, McFarland, Denker. Motion carried.

ELECTION: Moved by John Fagot, seconded by Denker, to elect Seth McFarland as Chairman, Jason Fagot as Vice-Chair, and Pamela Baruth as Secretary for 2024. Roll call. Voting “aye” were Hall, Smith, McFarland, Jason Fagot, Cetak, Denker, John Fagot. Motion carried.

Chair McFarland presided over the remainder of the meeting.

PLAN AMENDMENT: Pepplitsch reviewed a redevelopment plan amendment in Redevelopment Area #1, Lexington HIE Project. He stated the proposed project is for a four story, 80 room hotel complex in the southeast portion of the redevelopment area and includes a request for the creation of an Enhanced Employment Area to assist with development costs. Resolution No. 2024-01 was presented. Following discussion, moved by Jason Fagot, seconded by Smith, to approve Resolution No. 2024-01. Roll call. Voting “aye” were John Fagot, Cetak, Hall, Smith, Denker, Jason Fagot, McFarland. Motion carried.

RESOLUTION NO. 2024-01

A RESOLUTION FORWARDING A PROPOSED REDEVELOPMENT PLAN AMENDMENT OF THE CITY OF LEXINGTON, NEBRASKA, TO THE PLANNING COMMISSION OF THE CITY OF LEXINGTON, NEBRASKA FOR REVIEW AND RECOMMENDATION PURSUANT TO THE COMMUNITY DEVELOPMENT LAW; 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"), adopted the General Redevelopment Plan for Redevelopment Area #1 (the "Redevelopment Plan") on April 8, 2003, pursuant to Resolution 03-03; and

WHEREAS, pursuant to and in furtherance of the Act, an amendment to the Redevelopment Plan (the "Redevelopment Plan Amendment"), has been prepared by the Agency in the form attached hereto as Exhibit A, for the purpose of redeveloping an area located in the Redevelopment 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 Redevelopment Area legally described in Exhibit A to assist in the redevelopment thereof; and

WHEREAS, pursuant to the §18-2112 of the Act the Agency is required to submit the Redevelopment Plan to the Planning Commission of the City for its review and recommendation as to the Redevelopment Plan's conformity to the general plan for development of the City as a whole;

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

Section 1. The Agency hereby submits the Redevelopment Plan in the form attached hereto as Exhibit A to the Planning Commission of the City for its review and recommendation as to the Redevelopment Plan's conformity to the general plan for development of the City as a whole.

PASSED AND APPROVED this 19th day of February, 2024.

REDEVELOPMENT AGREEMENT: Pepplitsch reviewed a redevelopment agreement with Lexington HIE, LLC, for the proposed Lexington HIE Project. He reviewed obligations of the developer and of the CDA and City. Resolution No. 2024-02 was presented. Following discussion, moved by Smith, seconded by Denker, to approve Resolution No. 2024-02 as presented. Roll call. Voting "aye" were John Fagot, Jason Fagot, Hall, Cetak, Denker, Smith, McFarland. Motion carried.

RESOLUTION NO. 2024-02

RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF LEXINGTON, NEBRASKA, PROVIDING NOTICE TO THE GOVERNING BODY OF THE CITY OF LEXINGTON, OF INTENT TO ENTER INTO A REDEVELOPMENT AGREEMENT.

WHEREAS, this Community Development Agency of the City of Lexington, Nebraska ("Agency"), has pursuant to Section 18-2119 of the Nebraska Community Development Law (the "Act"), solicited proposals for redevelopment of an area within the City limits of the City of Lexington; and

WHEREAS, the Agency has considered all of the redevelopment proposals and financial and legal ability of the prospective redevelopers to carry out their proposals;

WHEREAS, the Agency deems it to be in the public interest and in furtherance of the purposes of the Act to accept the redevelopment agreement proposal submitted in the form of the proposed redevelopment agreement attached hereto;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS: By copy of this Resolution delivered to the City of Lexington on this date, the Agency hereby gives the 30 day notice required by Section 18-2119 of the Act of its intention to accept such redevelopment agreement

proposal with Lexington HIE, LLC, in substantially the attached form and with such modifications, additions or deletions deemed necessary or appropriate by the Agency.

BE IT FURTHER RESOLVED, the Agency intends to enter into said Redevelopment Contract upon the later of: (i) the expiration of the 30 day notice period required by Section 18-2119 of the Act, and (ii) the City's approval of an amendment to the Redevelopment Plan to include the Lexington HIE, LLC project in compliance with the Act

BE IT FURTHER RESOLVED, the Agency's intent to enter into said Redevelopment Agreement is contingent upon the adoption of an amendment to the Redevelopment Plan to include the Lexington HIE, LLC project, and if the City does not approve and adopt said amendment to the Redevelopment Plan, this Resolution shall be void and of no further effect.

Passed and approved this 19th day of February, 2024.

ROUNDTABLE DISCUSSION: Peplitsch gave an update on current and future projects.

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

Respectfully submitted,
Pamela Baruth
CDA Secretary