

**COMMUNITY DEVELOPMENT AGENCY  
LEXINGTON NEBRASKA  
August 15, 2016**

A Regular Meeting of the Community Development Agency was held Monday, August 15, 2016, at Lexington City Hall, located at 406 East 7<sup>th</sup> Street, Lexington, Nebraska at 5:30 p.m. Members present were Jason Fagot, John Fagot, Linda Miller, Gail Hall, Kory Cetak and Seth McFarland. Steve Smith was excused. City Officials present were City Manager Joe Peplitsch, 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. 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 Chairman 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. 7<sup>th</sup> Street, Lexington, Nebraska.

**MINUTES – REGULAR MEETING 6-20-16:** Minutes of the Regular meeting held Monday, June 20, 2016, were presented. Moved by Miller, seconded by John Fagot, to approve the minutes as presented. Roll call. Voting “aye” were Hall, McFarland, Cetak, John Fagot, Miller, Jason Fagot. Motion carried.

**RESOLUTION:** Peplitsch reviewed a proposed redevelopment contract with Reflections of “U” Floral Design & Boutique, LLC for property located at 5<sup>th</sup> Street and Madison Street. Following discussion, Resolution No. 2016-06 was presented. Moved by Miller, seconded by McFarland, to approve Resolution No. 2016-06. Roll call. Voting “aye” were John Fagot, Cetak, Hall McFarland, Miller, Jason Fagot. Motion carried.

**RESOLUTION NO. 2016-06**

A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF LEXINGTON, NEBRASKA FORWARDING A REDEVELOPMENT PLAN TO THE PLANNING COMMISSION OF THE CITY FOR ITS RECOMMENDATION; PROVIDING NOTICE TO THE GOVERNING BODY THAT THE AGENCY INTENDS TO ENTER INTO A REDEVELOPMENT CONTRACT PREPARED BY REFLECTIONS OF “U” FLORAL DESIGN & BOUTIQUE, L.L.C. FOR REAL PROPERTY WITHIN THE CITY PURSUANT TO THE NEBRASKA COMMUNITY DEVELOPMENT LAW.

WHEREAS, it is desirable and in the public interest that the City of Lexington, Nebraska, a municipal corporation, undertake and carry out urban redevelopment projects in areas of the City which are determined to be blighted and substandard and in need of redevelopment; and

WHEREAS, Chapter 18, Article 21, Nebraska Reissue Revised Statutes of 2012, as amended, known as the Community Development Law, (the “Act”) is the Urban Renewal and Redevelopment Law

for the State of Nebraska and prescribes the requirements and procedures for the planning and implementation of urban redevelopment projects; and

WHEREAS, the City in accordance with the laws of the State of Nebraska has duly prepared and approved a general plan for the development of the City known as its Comprehensive Plan, all as required by Section 18-2110 of the Act; and

WHEREAS, Reflections of “U” Floral Design & Boutique, LLC, has prepared a redevelopment plan contained in a redevelopment contract, for an area declared blighted and substandard by the City; and

WHEREAS, Section 18-2112 of the Act, as amended, requires that, prior to the recommendation of a redevelopment plan or redevelopment amendment, this Community Development Agency of the City, (the “Agency”), should submit such plan to the Planning Commission of the City for its review and recommendations as to its conformity with the general plan for the development of the City as a whole.

WHEREAS, Section 18-2119 of the Act, as amended, requires that, prior to the execution of a redevelopment contract for a redevelopment project, this Agency should provide the governing body notice of the Agency’s intent to execute a proposed redevelopment contract.

NOW, THEREFORE, BE IT RESOLVED BY THE CHAIR AND MEMBERS OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY, AS FOLLOWS:

1. The Agency hereby submits the redevelopment plan contained in the proposed redevelopment contract attached hereto as **Exhibit A** to the Lexington Planning Commission for its review and recommendations as to its conformity with the general plan for the development of the City as a whole.

2. By copy of this Resolution delivered to the City council of 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 contract proposal with Reflections of “U” Floral Design & Boutique, LLC., such acceptance to occur not earlier than approval of the redevelopment plan contained in said redevelopment contract, by action of the City Council, after hearing according to law, in substantially the attached form **Exhibit A** and with such modifications, additions or deletions deemed necessary or appropriate by the Agency.

**Passed and approved August 16, 2016.**

**REDEVELOPMENT CONTRACT:** Peplitsch reviewed a proposed redevelopment contract with Dusting O’Hanlon for property located at Highway 30 and Erie Street. Mr. O’Hanlon stated the plans are to construct an 11,000 square foot building for equipment storage and maintenance and associated improvements to the property. Following discussion, Resolution No. 2016-07 was presented. Moved by McFarland, seconded by Miller, to approve Resolution No. 2016-07. Roll call. Voting “aye” were Hall, Cetak, John Fagot, Miller, McFarland, Jason Fagot. Motion carried.

#### **RESOLUTION NO. 2016-07**

A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF LEXINGTON, NEBRASKA PROVIDING NOTICE TO THE GOVERNING BODY OF THE CITY OF LEXINGTON THAT THE AGENCY INTENDS TO ENTER INTO A REDEVELOPMENT CONTRACT FOR REAL PROPERTY WITHIN THE CITY PURSUANT TO THE NEBRASKA COMMUNITY DEVELOPMENT LAW.

WHEREAS, it is desirable and in the public interest that the City of Lexington, Nebraska, a municipal corporation, undertake and carry out urban redevelopment projects in areas of the City which are determined to be blighted and substandard and in need of redevelopment; and

WHEREAS, Chapter 18, Article 21, Nebraska Reissue Revised Statutes of 2012, as amended, known as the Community Development Law, (the "Act") is the Urban Renewal and Redevelopment Law for the State of Nebraska and prescribes the requirements and procedures for the planning and implementation of urban redevelopment projects; and

WHEREAS, Dustin C. O'Hanlon has submitted a redevelopment contract proposal for the redevelopment of certain property located in a redevelopment area; and

WHEREAS, Section 18-2119 of the Act, as amended, requires that, prior to the execution of a redevelopment contract for a redevelopment project, this Agency should provide the governing body notice of the Agency's intent to execute a proposed redevelopment contract.

NOW, THEREFORE, BE IT RESOLVED BY THE CHAIR AND MEMBERS OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY, AS FOLLOWS:

By copy of this Resolution delivered to the City Council of 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 contract proposal with Dustin C. O'Hanlon, in substantially the attached form Exhibit A and with such modifications, additions or deletions deemed necessary or appropriate by the Agency.

**Passed and approved August 16, 2016**

**ROUNDTABLE:** Pepplitsch gave an update on residential lots available in the NW 3<sup>rd</sup> Addition, and stated there will be a possible housing discussion at the next meeting.

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

Respectfully submitted,  
Pamela Baruth  
CDA Secretary