

**COMMUNITY DEVELOPMENT AGENCY  
LEXINGTON NEBRASKA  
December 19, 2022**

A Regular Meeting of the Community Development Agency was held Monday, December 19, 2022, at Lexington City Hall, located at 406 East 7<sup>th</sup> Street, Lexington, Nebraska at 5:30 p.m. Members present were Kory Cetak, Chris Denker, John Fagot, Gail Hall, and Steve Smith. Seth McFarland and Jason Fagot were absent. 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 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. 7<sup>th</sup> Street, Lexington, Nebraska.

**MINUTES – REGULAR MEETING 11-21-2022:** Minutes of the Regular meeting held Monday, November 21, 2022, were presented for consideration. Moved by Smith, seconded by Denker, to approve the minutes as presented. Roll call. Voting “aye” were Hall, John Fagot, Denker, Smith, Cetak. Motion carried.

**RESOLUTION:** Peplitsch reviewed a redevelopment plan titled “Amendment to the Redevelopment Plan of the City of Lexington, NE (Vintage Rows Redevelopment Project)” in Redevelopment Area #6. He noted the Planning Commission had recently determined the redevelopment plan is in conformance with the city comprehensive plan. Following discussion, Resolution No. 2022-14 was presented. Moved by Fagot, seconded by Smith, to approve Resolution No. 2022-14. Voting “aye” were Denker, Hall, Smith, Fagot, Cetak. Motion carried.

**RESOLUTION NO. 2022-14**

(Amendment to Redevelopment Plan and Cost-Benefit Analysis—Vintage Rows  
Redevelopment Project)

**A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF  
LEXINGTON, NEBRASKA, APPROVING AND ADOPTING AN AMENDMENT TO  
REDEVELOPMENT PLAN #6 IN THE CITY OF LEXINGTON, NEBRASKA AND  
COST-BENEFIT ANALYSIS FOR THE VINTAGE ROWS REDEVELOPMENT  
PROJECT.**

**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 prepared an Amendment to the Redevelopment Plan for the Vintage Rows Redevelopment Project (the “**Project**”), which is attached hereto as **Exhibit A** and incorporated by this reference (the “**Amendment**”).

C. The Project would use tax increment financing from a specified project site pursuant to Section 18-2147 of the Act to assist in paying for the costs incurred by the Redeveloper to construct the eligible public improvements for the Project.

D. The Agency, as required under Section 18-2113(2) of the Act, has conducted a Cost-Benefit Analysis for the Project, which is attached as Exhibit “C” to the Amendment.

E. On December 19, 2022, a meeting of the Agency was held at the Lexington City Council Chambers, 406 E. 7th Street in Lexington, Nebraska in order to determine whether the Amendment and the Cost-Benefit Analysis should be approved.

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

1. The Amendment will, in accordance with the present and future needs of the City, promote the health, safety, morals, order, convenience, prosperity, and the general welfare of the community in conformance with the legislative declarations and determinations set forth in the Act.

2. The Amendment is feasible and is in conformance with the general plan for development of the City as a whole, as set forth in the City of Lexington Comprehensive Plan, as amended.

3. The costs and benefits of the Project, including the costs and benefits to other affected political subdivisions, the economy of the City, and the demand for public and private services are in the long-term best interest of the City.

4. The Project Site, as defined in the Amendment, is within the Redevelopment Area.

5. The Project would not be economically feasible and would not occur in the Redevelopment Area without the use of Tax Increment Financing on the Project.

**BE IT FURTHER RESOLVED**, pursuant to the provisions of the Act and in light of the foregoing findings and determinations, the Agency hereby approves and adopts the Cost-Benefit Analysis as the cost-benefit analysis for the Project.

**BE IT FURTHER RESOLVED**, pursuant to the provisions of the Act and in light of the foregoing findings and determinations, the Agency hereby adopts the Amendment and recommends that the City Council of the City of Lexington, Nebraska approve the Amendment.

**PASSED AND APPROVED** this 19<sup>th</sup> day of December, 2022.

**RESOLUTION:** Peplitsch reviewed the redevelopment contract process for the Vintage Rows Redevelopment Project. Resolution No. 2022-15 was presented. Following discussion, moved by Smith, seconded by Denker, to approve Resolution No. 2022-15. Roll call. Voting “aye” were Hall, Fagot, Denker, Smith, Cetak. Motion carried.

**RESOLUTION NO. 2022-15**

**A 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.**

**RECITALS**

- A. The Community Development Agency of the City of Lexington, Nebraska (“**Agency**”), has pursuant to Section 18-2119 of the Community Development Law (the “**Act**”), solicited proposals for redevelopment of an area within the City limits of the City of Lexington.
- B. The Agency has considered all of the redevelopment proposals and financial and legal ability of the prospective redevelopers to carry out their proposals.
- C. 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 as **Exhibit A** (the “**Redevelopment Agreement**”).

**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 the Redevelopment Agreement, 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 the Redevelopment Agreement 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 Council of the City of Lexington’s approval of an Amendment to the Redevelopment Plan to include the Vintage Rows Redevelopment 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 Vintage Rows Redevelopment Project, and if the City Council 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 19<sup>th</sup> day of December, 2022.

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

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

Respectfully submitted,  
Pamela Baruth, CDA Secretary