

**COMMUNITY DEVELOPMENT AGENCY
LEXINGTON NEBRASKA
December 16, 2024**

A Regular Meeting of the Community Development Agency was held Monday, December 16, 2024, at Lexington City Hall, located at 406 East 7th Street, Lexington, Nebraska at 5:30 p.m. Members present were Seth McFarland, Jason Fagot, John Fagot, Gail Hall, Steve Smith and Chris Denker. Kory Cetak was absent. City Officials present were City Manager Joe Pepplitsch, 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, 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 McFarland 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 11-18-2024: Minutes of the Regular meeting held Monday, November 18, 2024, were presented for consideration. Moved by Smith, seconded by Jason Fagot, to approve the minutes as presented. Roll call. Voting “aye” were Denker, Hall, John Fagot, Jason Fagot, Smith, McFarland. Motion carried.

REDEVELOPMENT PLAN: Pepplitsch reviewed a proposed redevelopment plan for a workforce housing project in Redevelopment Area #1. He noted the project by R Perry Construction Inc. consists of phased construction of 110 single-family residences and three 30-unit apartment buildings with public and private improvements, dictated by market demand. He reported that a TIF bond for approximately \$9.8 million with an interest rate of 2% would be issued as part of a financing package. Following discussion, Resolution No. 2024-08 was presented. Moved by Hall, seconded by Smith, to approve Resolution No. 2024-08. Voting “aye” were John Fagot, Jason Fagot, Denker, Smith, Hall, McFarland. Motion carried.

RESOLUTION NO. 2024-08

RESOLUTION FORWARDING A REDEVELOPMENT PLAN OF THE CITY OF LEXINGTON, NEBRASKA, TO THE PLANNING COMMISSION OF THE CITY OF LEXINGTON FOR PURPOSES OF HOLDING A PUBLIC HEARING THEREON AND FOR ITS REVIEW AND RECOMMENDATION REGARDING SAID PLAN’S CONFORMITY WITH THE COMPREHENSIVE PLAN OF THE CITY OF LEXINGTON

RECITALS:

a. The Mayor and 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”), duly declared the redevelopment area legally described on Exhibit A attached hereto (the “Redevelopment Project Area”), to be blighted and substandard and in need of redevelopment; and

b. R. Perry Construction, Inc. (the “Redeveloper”), has submitted an application for assistance (the “Application”) from tax increment financing to the Agency; and

c. Pursuant to and in furtherance of the Act, the “Redevelopment Plan for the R. Perry Workforce Housing Redevelopment Project” (the “Redevelopment Plan”), has been prepared and submitted to the Community Development Agency of Lexington, Nebraska (the “Agency”), by the Redeveloper, a copy of which is on file in the office of the Lexington City Clerk, and is incorporated herein by this reference, for the purpose of redeveloping the Redevelopment Project Area; and

d. Pursuant to §18-2112 of the Act, the Agency, prior to recommending the Redevelopment Plan to the City, must refer the Redevelopment Plan to the Planning Commission of the City for a public hearing pursuant to the Act and for its review and recommendation as to its conformity to the general plan for the development of the City as a whole:

NOW, THEREFORE, BE IT RESOLVED BY THE AGENCY:

- 1.The Agency has reviewed the Application and Redevelopment Plan.
- 2.The Agency hereby refers the Redevelopment Plan to the Planning Commission of the City for a public hearing thereon and for its review and recommendations as to the Redevelopment Plan’s conformity to the general plan for the development of the City as a whole.
- 3.All prior resolutions of the Agency in conflict with the terms and provisions of this resolution are hereby expressly repealed to the extent of such conflicts.

PASSED AND APPROVED this 16th day of December 2024.

DEVELOPMENT AGREEMENT: Peplitsch reviewed a development agreement with Lexington Event Center, LLC and the City of Lexington. He explained development group intends to renovate the commercial property at 402 N Grant into a community event center. He outlined the obligations of the city, the CDA and the developer. Resolution No, 2024-09 was presented. Following discussion, moved by John Fagot, seconded by Jason Fagot, to approve Resolution No. 2024-09. Roll call. Voting “aye” were Smith, Hall, Denker, Jason Fagot, John Fagot, McFarland. Motion carried.

RESOLUTION NO. 2024-09

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 16th day of December, 2024.

MICRO-TIF NOTE: Pepplitsch reviewed a Promissory Note for Expedited Review Redevelopment Projects for the Lexington Event Center LLC project as approved by the City Council for commercial property at 402 N Grant. He stated the note for \$200,000 will be issued for 15 years at an interest of 0%. Following discussion, moved by John Fagot, seconded by Denker, to approve the issuance of the Promissory note as presented. Roll call. Voting “aye” were Jason Fagot, Smith, Hall, Denker, John Fagot, McFarland. Motion carried.

PROJECTS: Pepplitsch gave a review of upcoming commercial and housing development projects.

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

Respectfully submitted,
Pamela Baruth
CDA Secretary