

**PLANNING COMMISSION**  
**JULY 17, 2002**

A Special Meeting of the Lexington Planning Commission was held Wednesday, July 17, 2002 at the Lexington Municipal Building, 406 East 7<sup>th</sup> Street, at 12:00 p.m. Commissioners present were Vice-Chairman Mark Yung, Kevin Kisker, Jim Macias, Margaret Nielsen, Toby Owens, Nova Workman. Planning Commissioners absent were Chairman Bill Grant, Steve Smith, and Charlene West. City Officials present were City Manager Joe Peplitsch, City Attorney Willard Weinhold, Chief Building Inspector Thomas R. Nelson, Secretary Shirley Lewis.

**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. Notice of the meeting was simultaneously given to the Chairman and all Members of the Planning Commission. 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 Vice-Chairman Mark Yung.

**MINUTES – REGULAR  
MEETING – 7-3-02:**

Minutes of the Regular Meeting held July 3, 2002 was presented to the Lexington Planning Commission for consideration and approval. Moved by Macias, seconded by Kisker, to approve the Minutes from the Regular Meeting held July 3, 2002 as presented. Roll call. Voting “aye” were Workman, Nielsen, Owens, Kisker, Macias, Yung. Motion carried.

**RESOLUTION:**

Pepplitsch addressed the Planning Commission requesting their approval of a Resolution recommending approval of a Redevelopment Plan for Redevelopment Area #4. Following Pepplitsch’s presentation, and discussion by the Planning Commission, moved by Nielsen, seconded by Macias, to approve Resolution #02-03, which approves the Redevelopment Plan of the Community Redevelopment Authority of the City of Lexington, Nebraska. Roll call. Voting “aye” were Owens, Kisker, Workman, Yung, Macias, Nielsen. Motion carried.

PLANNING COMMISSION OF THE CITY OF  
LEXINGTON, NEBRASKA

RESOLUTION NO. 02-03

A RESOLUTION RECOMMENDING APPROVAL OF A REDEVELOPMENT PLAN OF THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF LEXINGTON, NEBRASKA.

WITNESSETH:

WHEREAS, the Community Redevelopment Authority of the City of Lexington Nebraska (“Authority”), in furtherance of the purposes and pursuant to the provisions of Section 18-2101 to 18-2154, Reissue of Revised Statutes of Nebraska, 1997, as amended (the “Act”) has recommended to the City of Lexington (“City”) a Redevelopment Plan for a blighted and substandard area designated by the City (the “Redevelopment Area”); and

WHEREAS, pursuant to any furtherance of the Act, the Authority published notice of a Request for Proposals for redevelopment of the blighted and substandard area targeted for redevelopment pursuant to the Redevelopment Plan, and received a proposal from Cornhusker Energy Lexington, L.L.C. (“Redeveloper”) to enter into a Redevelopment Contract in substantially the form attached hereto as Exhibit A, the terms and conditions of which are herein incorporated by reference (“Redevelopment Contract”), whereby Authority would agree to incur indebtedness and take other actions for purposes specified in the Redevelopment contract pursuant to the Act (the “Project”);

WHEREAS, the Authority has made certain findings and pursuant thereto has determined that it is in the best interests of the Authority and the City to approve the Redevelopment Plan and to enter into the Redevelopment Contract and to carry out the transactions contemplated thereby.

NOW, THEREFORE, be it resolved by the Planning Commission of the City of Lexington, Nebraska as follows:

1. In accordance with Section 18-2112 of the Act, this Planning Commission has reviewed the proposed Redevelopment Plan and Redevelopment Project as set forth in the Redevelopment Contract.
2. The Planning Commission finds that the proposed Redevelopment Plan and Redevelopment Project are in conformity with the general plan for the development of the City as a whole, and hereby recommends approval of the Redevelopment Plan and the Redevelopment Contract

by the City substantially in the form presented to this meeting.

IN WITNESS WHEREOF, the undersigned Members of the Planning Commission of the City of Lexington, Nebraska, hereby pass and adopt this Resolution, and this Resolution shall be in force effective this 17<sup>th</sup> day of July, 2002.

Toby Owens  
Member

Margaret F. Nielsen  
Member

Nova Workman  
Member

Mark Yung  
Member

Kevin Kisker  
Member

Jim Macias  
Member

Shirley Lewis  
Deputy City Clerk

**RESOLUTION:**

Pepplitsch addressed the Planning Commission requesting their approval of a Resolution making recommendations with respect to a Blight and Substandard Study for Redevelopment Area #3. Following Pepplitsch's presentation, and discussion by the Planning Commission, moved by Owens, seconded by Nielsen, to approve Resolution No. 02-04. Roll call. Voting "aye" were Kisker, Workman, Macias, Yung, Nielsen, Owens. Motion carried.

CITY OF LEXINGTON PLANNING COMMISSION

RESOLUTION NO. 02-04

A RESOLUTION FOR THE PLANNING COMMISSION OF THE CITY OF LEXINGTON, NEBRASKA, MAKING RECOMMENDATIONS WITH RESPECT TO A BLIGHT AND SUBSTANDARD STUDY FOR AN AREA IN THE CITY PURSUANT TO THE NEBRASKA COMMUNITY DEVELOPMENT ACT.

WHEREAS, the Mayor and City Council of the City of Lexington, Nebraska, (the "City") by its Ordinance passed and approved, created the Community Redevelopment Authority of the City of Lexington, Nebraska (the "Authority") pursuant to Sections 18-2110 through 18-2153, Reissue Revised Statutes of Nebraska, as amended (the "Act");

WHEREAS, the City has adopted and has in place a Comprehensive Plan, which includes a general plan for development of the City, within the meaning of Section 18-2110 of the Act;

WHEREAS, the City has submitted the question of whether an area is blighted and substandard for purposes or review and recommendation pursuant to Section 18-2109 of the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF LEXINGTON, NEBRASKA, AS FOLLOWS:

RESOLVED, that the Planning Commission hereby makes the following finding with respect to the Blight and Substandard Determination Study prepared for the City by the Hanna:Keelan firm.

1. The Planning Commission has reviewed the Study (attached as Exhibit 'A') as to its conformity with the general plan for the development of the City as a whole, and
2. The Planning Commission makes no other recommendation with regard to such study.

RESOLVED FURTHER, that any Resolution passed and approved prior to the passage, approval and publication of this Resolution which is in conflict with the terms and provisions of this Resolution is hereby repealed. This Resolution shall take effect and be in full force and effect from and after its passage, approval and publication as required by law. The provisions of this Resolution are separable, and invalidity of any phrase, clause or part of this Resolution shall not affect the validity of effectiveness of the remainder of this Resolution.

PASSED AND APPROVED by the Planning Commission of the City of Lexington, Nebraska, this 17<sup>th</sup> day of July, 2002.

PLANNING COMMISSION  
CITY OF LEXINGTON, NEBRASKA

Toby Owens  
Commission Member

Jim Macias  
Commission Member

Margaret F. Nielsen  
Commission Member

Kevin Kisker  
Commission Member

Nova Workman  
Commission Member

Mark Yung  
Commission Member

Shirley Lewis  
Deputy City Clerk

**ADJOURNMENT:**

There being no further business to come before the Planning Commission, Vice-Chairman Mark Yung declared the meeting adjourned.

Respectfully submitted,

Shirley Lewis  
Secretary