

**PLANNING COMMISSION**  
**NOVEMBER 5, 2003**

A Regular Meeting of the Lexington Planning Commission was held Wednesday, November 5, 2003 at the Lexington Municipal Building, 406 East 7<sup>th</sup> Street, at 7:00 p.m. Commissioners present were President Margaret Nielsen, Jim Haines, Jim Macias, Toby Owens, Steve Smith, Charlene West, Nova Workman, Mark Yung. Commissioner Kevin Kisker arrived at 7:15 p.m. City Officials present were City Manager Joe Pepplitsch, 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 President Margaret Nielsen.

**MINUTES – REGULAR MEETING – 10-1-03:** Minutes of the Regular Meeting held October 1, 2003 was presented to the Lexington Planning Commission for consideration and approval. Moved by West, seconded by Yung, to approve the Minutes from the Regular Meeting held October 1, 2003 as presented. Roll call. Voting “aye” were Macias, Haines, Nielsen, Owens, Smith, Workman, Yung, West. Motion carried.

**SPECIAL USE REQUEST:** President Nielsen opened the Public Hearing. Mr. Michael Arps addressed the Lexington Planning Commission requesting their approval of a Special Use Permit, on property owned by him and Peggy L. King, and located at 3039 Plum Creek Parkway, Lexington, Nebraska, for the purpose of mining activity. Following a question and answer period, and hearing no opposition, President Nielsen closed the Public Hearing. Moved by Yung, seconded by West, to recommend approval of a Special Use Permit for Michael D. Arps and Peggy L. King, on property located at 3039 Plum Creek Parkway, Lexington, Nebraska, for the purpose of Mining Activity (Sand Pit), for a 12 month period, beginning October 1, 2003, with the

provision that Mr. Rick Brandt, of Brandt Excavating be the only contractor for this project. Roll call. Voting "aye" were Workman, Kisker, Smith, Owens, Nielsen, Macias, Haines, West, Yung. Motion carried. Mr. Arps was reminded that this request will be on the City Council Agenda for Tuesday, November 25, 2003, and his presence is requested.

**ROUNDTABLE:**

Discussion was held regarding the review of Special Use Permits on an annual basis. City Attorney Weinhold stated that the only time a review should be done, was if it was in the terms set by the Planning Commission.

**ADJOURNMENT:**

There being no further business to come before the Lexington Planning Commission, President Nielsen declared the Meeting adjourned.

Respectfully submitted,

Shirley Lewis  
Secretary