

**CITY OF LEXINGTON  
LEXINGTON, NEBRASKA**

A Special Meeting of the Lexington City Council was held Friday, June 15, 2001 at the Lexington Municipal Building, located at 406 E. 7<sup>th</sup> Street, Lexington, Nebraska at 7:00 a.m. Members of the Council present were Mayor John Fagot, Ted Cook, Rick Klamm, John Salem, Steve Tomasek. City Officials present were City Manager Joe Peplitsch, City Attorney Willard Weinhold, Deputy City Clerk 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 this meeting was simultaneously given to the Mayor and all members of the Council, and a copy of their Acknowledgment of Receipt of Notice and the Agenda is attached to these Minutes. Availability of the Agenda was communicated in advance notice and in the notice to the Mayor and Council of this Meeting. 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 Mayor Fagot.

**PUBLIC HEARING:** Mayor Fagot opened the Public Hearing. Peplitsch addressed the City Council, stating that it has been recommended by the CRA, as well as, the Planning Commission, to approve the Blighted and Substandard Determination Redevelopment Area #2. Peplitsch's presentation included reviewing the proposed area within the City Limits, briefly defining what qualifies as a Blighted and Substandard Area, and explaining TIF Financing. Citizens showing concern about their properties within this area were Sharon Wood, Jerry Rich, Shirley Wheeler, and August Daake. Following discussion, Mayor Fagot closed the Public Hearing. A Resolution entitled "A RESOLUTION FOR THE CITY OF LEXINGTON, NEBRASKA, MAKING A DETERMINATION OF A BLIGHTED AND SUBSTANDARD AREA IN THE CITY PURSUANT TO THE NEBRASKA COMMUNITY DEVELOPMENT ACT" was read before the Council. Moved by Klamm, seconded by Salem, to approve the following Resolution as presented. Roll call. Voting "aye" were Tomasek, Cook, Salem, Klamm, Fagot. Motion carried.

RESOLUTION NO. 01-11

A RESOLUTION FOR THE CITY OF LEXINGTON, NEBRASKA,  
MAKING A DETERMINATION OF A BLIGHTED AND  
SUBSTANDARD 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 18-2101 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 received the recommendation of the Lexington Planning Commission after review pursuant to Section 18-2109 of the Act; and

WHEREAS, the Notice of Public Hearing has been published two (2) consecutive weeks in the legal newspaper for the City, the second publication being at least ten (10) days prior to the Public Hearing held June 15, 2001 before the Lexington City Council, and copies of said notice have been sent by first class mail to the president or chairperson of the governing body of Dawson county, Dawson County School District #1, Central Community College, Educational Service Unit #13, and the Central Platte Natural Resources District; and

WHEREAS, after public hearing, it is hereby determined that the area described in "Exhibit A" as attached is substandard and blighted as defined by Section 18-2103 of the Act, and is in need of redevelopment.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, AS FOLLOWS:

1. RESOLVED, that the area described in "Exhibit A" as attached, is hereby found and declared to be a blighted and substandard area as defined by Section 18-2103, R.R.S. 1943, subsections (10) and (11), in that said area meets the criteria described in subsection (10) and meets on or more of the factors set forth in (i) through (iv) of subsection (11)(b) and that said area is in need of redevelopment.
2. That such substandard and blighted condition is beyond the remedy and control solely by regulatory process and the exercise of police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids provided by the community Development Law. The elimination of said substandard and blighted condition under the authority of the Community Development Law is found to be a public purpose and in the public interest.
3. That it is hereby found and determined that said area is an eligible site for a redevelopment project under the provisions of Chapter 18, Article 21, Nebraska Revised Statutes of 1943 as amended.
4. That any Resolution passed and approved prior to the passage, approval and publication of the 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 or effectiveness of the remainder of this Resolution.

PASSED AND APPROVED, this 15<sup>th</sup> day of June, 2001.

CITY OF LEXINGTON, NEBRASKA

John Fagot, Mayor

ATTEST:

Shirley Lewis  
Deputy City Clerk

**ADJOURNMENT:**

There being no further business to come before the Council, Mayor Fagot declared the meeting adjourned.

John Fagot  
Mayor

Shirley Lewis  
Deputy City Clerk

I, the undersigned Deputy City Clerk for the City of Lexington, Nebraska, hereby certify that all of the subjects included in the foregoing proceedings were contained in the Agenda for the meeting, kept continually current and available for public inspection at the office of the City Clerk during regular business hours prior to said meeting; that the Minutes of the Mayor and Council of the City of Lexington, Nebraska, from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

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Lexington Deputy City Clerk