

**CITY OF LEXINGTON, NEBRASKA
PLANNING COMMISSION
November 3, 2010**

A Regular Meeting of the Lexington Planning Commission was held Wednesday, November 3, 2010, at the Lexington Municipal Building, 406 E. 7th Street, Lexington, Nebraska, at 5:30 p.m. Commissioners present were Cathy Fagot, Curt Bennett, Doug Heineman, Ellie Vazquez, Dora Vivas, Nancy Evans, Steve Smith, and Seth McFarland. Rusty Sutton was absent. City Officials present were City Manager Joe Pepplitsch, Assistant City Manager Dennis Burnside, Building Inspector Bill Brecks and Secretary Pamela Berke. Also present were Jeremy Bals and Andrew Stark of USA Communications.

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 Chairman Cathy Fagot. The Chairman informed the public that the Open Meetings Act is posted in the Meeting Room at the Lexington Municipal Building, located at 406 East 7th Street, Lexington, Nebraska.

**MINUTES – MEETING
8-4-10** Minutes of the Regular Meeting held Wednesday, August 4, 2010, were presented to the Lexington Planning Commission for consideration and approval. Moved by Vivas, seconded by Smith, to approve Minutes as presented. Roll call. Voting “aye” were Bennett, Heineman, Evans, McFarland, Smith, Vivas, Fagot. Vazquez was absent for the vote. Motion carried.

SPECIAL USE PERMIT: Chairperson Fagot opened the public hearing to consider a special use permit application by USA Communications to erect a 150 foot free-standing broadband communication tower at Lot 1, Tract G, Lexington. Jeremy Bals of USA Communications explained that a tower in Lexington would better serve wireless internet customers in the area. He noted that the tower would be similar in height to the current cell tower near the proposed area. When

questioned as to why not co-locate on the current cell tower in the area, he explained that it is most cost effective to construct a tower than to co-locate at this time. He continued to explain that that USA Communications would enter into a lease agreement with the current property owners once a special use permit application was approved. Other discussion included future towers, broadband widths and licenses, and FAA and airport approvals.

Pepplitsch stated that the building for this type of structure is a permitted use but towers of this height are not currently permitted in an M-2 zone, thus the need for a special use permit. He also expressed a concern of abandoned towers in the future. The hearing was closed.

Following discussion, moved by McFarland, seconded by Smith, to recommend to the City Council approval of the special use permit application, with conditions that would ensure that removal of the tower would be completed should the use terminate. Roll call. Voting “aye” were Bennett, Heineman, Vazquez, Vivas, Evans, Smith, McFarland, Fagot. Motion carried.

ROUNDTABLE:

Pepplitsch reviewed upcoming issues and gave an update on current projects. He also gave an update on the Comprehensive Plan process and possible grant funding.

ADJOURNMENT:

There being no further business to come before the Lexington Planning Commission, Chairman Fagot declared the meeting adjourned.

Respectfully submitted,
Pamela Berke
Planning Commission Secretary