

STUDY OF BLIGHT AND SUBSTANDARD CONDITIONS

Fremont Powerhouse Site
City of Fremont

RDG Crose Gardner Shukert
February 1, 2002

This report documents the existence of blighted or substandard conditions at a property in Fremont, Nebraska currently occupied by a vacant building housing the former electrical power generating facility of the City of Fremont. This property is proposed for redevelopment as the Power House Apartments. This study is intended to review the property for eligibility as blighted or substandard pursuant to Section 18-2103 of Nebraska Revised Statutes.

Legal Description

The subject parcel is described as the north 140 feet of Block 113, Original Town, now City of Fremont, in Dodge County, Nebraska, including adjacent portions of vacated alleys.

Justification for Blighted Area Designation

■ Objective Criteria

State statute establishes a series of five quantitative, or "objective" criteria. "Blighted" areas must meet at least one of these initial criteria.

- *Unemployment.* The qualifying condition is an unemployment rate in the designated area that is at least 120% of the state or national average.
- *Average age of residential or commercial units in the area.* The qualifying condition is an average age that is at least forty (40) years old.
- *Per capita income.* The qualifying condition is a per capita income for the area that is lower than the average per capita income of the municipality in which the area is designated.
- *Population.* The qualifying condition is that the area has had either stable or decreasing population based on the last two decennial censuses.
- *Unimproved land.* The qualifying condition is that more than half of the plotted or subdivided property in the area is unimproved and has been within the city for at least 40 years.

■ Subjective Criteria

If an area meets **one** of the objective qualifying requirements, it is then subject to further review under the "Subjective Criteria" section of the statute. The subjective criteria include the following:

- A substantial number of deteriorated or deteriorating structures,
- The existence of defective or inadequate street layout,
- Faulty lot layout in relation to size, adequacy, accessibility, or usefulness,
- Unsanitary or unsafe conditions,
- Deterioration of site or other improvements,
- Diversity of ownership,
- Tax or special delinquency exceeding the fair value of the land,
- Defective or unusual conditions of title,
- Improper subdivision or obsolete platting,
- The existence of conditions which endanger life or property by fire and other causes, or
- Any combination of such factors that substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use.

Analysis of Subject Site

■ Subject Site: Objective Criteria

The subject property is located within an area proposed as satisfying the objective criteria for designation as a blighted and substandard area by The Fremont Plan, the comprehensive development plan for the City of Fremont, dated May, 1999. A map locating the powerhouse site in this area is attached. The larger area proposed for blight declaration by the comprehensive plan displays the presence of three of the criteria required for designation:

- *Unemployment is over 120% of the state average.* Unemployment within the larger area for 1990 (the most recent year for which area-specific data were available until release of Census 2000 data scheduled for late 2002) was 5.8%, compared with a statewide unemployment rate of 3.7%. The local area rate is 157% of the statewide average for 1990.
- *The average age of residential structures is at least 40 years.* Within the larger area, 55% of all residential structures were built before 1960.
- *The per capita income of the area is lower than that of Fremont as a whole.* In 1990, the per capita income of the larger area was \$10,317, compared to a citywide per capita income of \$11,504.

In addition, the subject site individually meets two criteria, specifically:

- The age of the structure on the site, the former Fremont powerhouse, is over 40 years.
- The site has had no population in either 1990 and 2000. Therefore, the study area has displayed a stable or declining population during the last two decennial censuses.

■ Subject Site: Subjective Criteria

The subject site displays the presence of the following blighting conditions:

1. *Presence of deteriorating structures or site conditions.* The existing structure on the site is vacant, a building that has remained vacant for over 10 years. The city has maintained the property in sound condition during this period. However, a structure that remains vacant faces inevitable deterioration, particularly given other demands on city maintenance funds. The continuing disuse of the property could lead to conditions of structural deterioration and the consequent emergence of conditions that threaten public safety.
2. *Faulty lot layout.* Contemporary development requires a site large enough to accommodate adequate off-street parking. The subject site, including the powerhouse building, does not provide adequate on-site area to provide surface parking. While parking may be furnished within the building, the cost of providing covered parking is extraordinarily high, and may be unfeasible through conventional financing techniques. The inadequate size of the lot producing high building coverage makes development of interior parking necessary.
3. *Factors which arrest the sound growth of the community.* Downtown development is a key priority of both the Fremont comprehensive plan and the city's downtown area specific plan, entitled *Fremont: The Future in the Past*. Both documents identify a need for additional downtown development, including creation of additional housing opportunities. Continuation of the powerhouse structure in its current state of vacancy continues a blighting influence in the Main Street district and prevents the city some satisfying such sound growth objectives as continued downtown development and affordable housing development.

Conclusion

Based on this analysis, the property is located in an area that displays the presence of three of the objective criteria for blight declaration:

1. Unemployment is over 120% of the state average.
2. The average age of residential structures is at least 40 years.
3. The per capita income of the area is lower than that of Fremont as a whole.

On the specific project site, two of the objective criteria are satisfied:

1. The average age of residential or commercial structures is over 40 years.
2. The population of the site has remained stable or declined during the last two decennial censuses.

In addition, three of the subjective criteria are satisfied:

1. The deterioration of site, buildings, or other improvements.
2. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness.
3. Presence of factors that substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use.

Presence of Substandard Conditions

In addition, the current deteriorated and vacant condition of the existing structures on the powerhouse site present conditions that because of dilapidation and vacancy, may be particularly conducive to fire and vandalism. As such, the site further qualifies as a "substandard" site based on the criteria established by Section 18-2103(10).

Conformance with the Comprehensive Plan

A declaration of blight and substandard conditions on the subject site conforms with the Fremont Comprehensive Plan because it:

- Is located in an area designated as eligible for a blight declaration. (*The Fremont Plan*, pages 266-269).
- Implements the recommendation for adaptive reuse of the powerhouse building, potentially using redevelopment financing techniques such as tax increment financing. (*The Fremont Plan*, pages 223).

Blighted and Substandard Area Declaration

By virtue of the findings of this study, the subject site is hereby declared blighted and substandard, pursuant to the requirements of Nebraska State Statute.

11c9.

CITY OF FREMONT
PLANNING COMMISSION
FEBRUARY 18, 2002
7:00 P.M.

RECOMMENDATIONS AND FINDINGS

Consider designation of blighted and substandard conditions for old historic Power Plant property located on the North 140 feet of Block 113, Original Town, now City of Fremont, including portions of vacated alleys, as platted and recorded in Dodge County, Nebraska. DC – Downtown Commercial District.

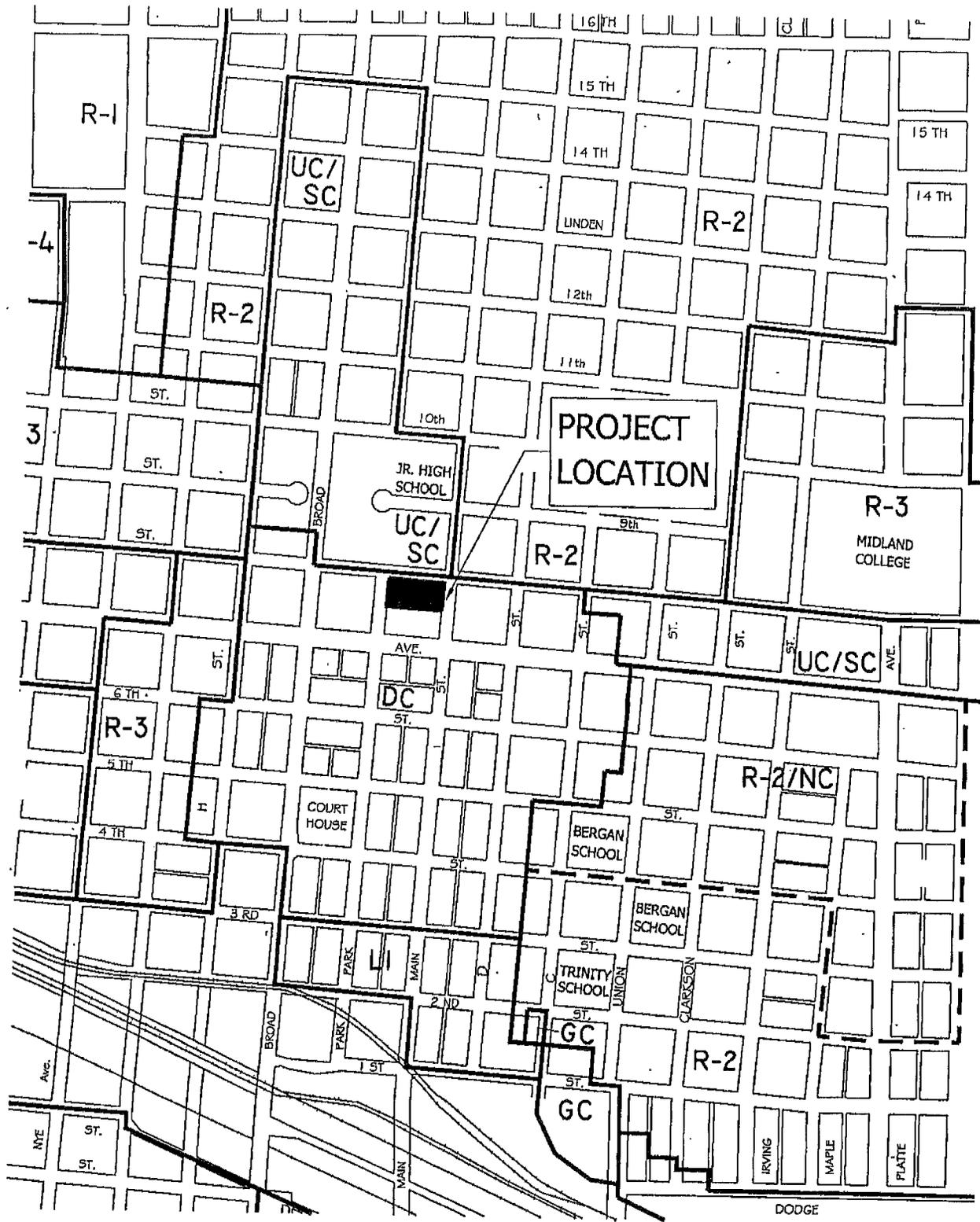
IT IS THE RECOMMENDATION OF THE PLANNING COMMISSION THAT THIS REQUEST BE:

APPROVED X
DENIED
CONTINUED
WITHDRAWN

VOTE:
 9 AYES
 0 NAYS
 0 ABSTAIN

REASONS/STIPULATIONS

Recommend acceptance of study as prepared and submitted by Shukert for process involving tax increment financing.



City of Fremont
 Original Town
 N. 140' of Blk. 113
 Fremont, NE
 ZONED: D C
 DATE: 2 - 2002

RESOLUTION NO. 2002-032

A Resolution of the City Council of Fremont, Nebraska approving designation of blighted and substandard conditions for old historic Power Plant located on the North 140 feet of Block 113, Original Town, now City of Fremont including portions of vacated alleys, as platted and recorded in Dodge County, Nebraska

BE IT RESOLVED by the Mayor and City Council of the City of Fremont, Nebraska, as follows:

Section 1. The Mayor and City Council have previously referred to the City's Planning Commission the Fremont Historic Powerhouse Site Blight Study dated February 1, 2002, prepared by RDG Crose Gardner Shukert, which makes certain determinations concerning the following area proposed to be declared blighted and substandard:

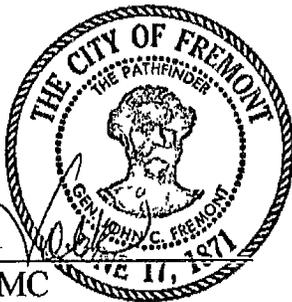
The old historic Power Plant property located on the North 140 feet of Block 113, Original Town, now City of Fremont, including portions of vacated alleys, as platted and recorded in Dodge County, Nebraska.

Section 2. The City Planning Commission has recommended that the study be approved and adopted and that the area is an area which meets the criteria for designation as blighted and substandard in need of redevelopment

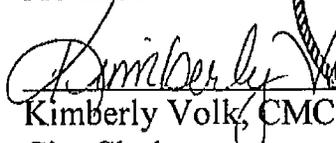
Section 3. Based upon the study, the recommendation of the Planning Commission and analysis and review of the conditions of property located within the area, the Mayor and Council hereby find, determine and declare that the area is an area which meets the criteria for designation as blighted and substandard in need of redevelopment under the terms of Section 18-2103 (10) and (11) and Section 18-2109, R.R.S. Neb. 1997, as amended, in that such real estate is affected by conditions as set forth in the study.

Section 4. Upon the reference by the City's redevelopment agency (authority) of any plan or plan modifications with respect to the area, the City Clerk is hereby authorized to set a hearing and publish and mail notice of such hearing as required by law.

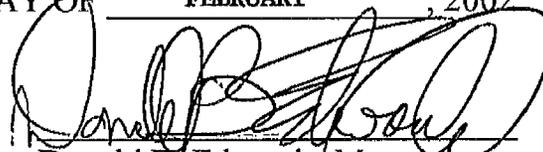
PASSED AND APPROVED THIS 26th DAY OF FEBRUARY, 2002



ATTEST:


Kimberly Volk, CMC
City Clerk

HistPowerPlant


Donald B. Edwards, Mayor

Council Member 

offers this resolution and moves its adoption,

seconded by Council Member 

A Resolution of the City Council of Fremont, Nebraska approving designation of blighted and substandard conditions for old historic Power Plant located on the North 140 feet of Block 113, Original Town, now City of Fremont including portions of vacated alleys, as platted and recorded in Dodge County, Nebraska

BE IT RESOLVED by the Mayor and City Council of the City of Fremont, Nebraska, as follows:

Section 1. The Mayor and City Council have previously referred to the City's Planning Commission the Fremont Historic Powerhouse Site Blight Study dated February 1, 2002, prepared by RDG Crose Gardner Shukert, which makes certain determinations concerning the following area proposed to be declared blighted and substandard:

The old historic Power Plant property located on the North 140 feet of Block 113, Original Town, now City of Fremont, including portions of vacated alleys, as platted and recorded in Dodge County, Nebraska.

Section 2. The City Planning Commission has recommended that the study be approved and adopted and that the area is an area which meets the criteria for designation as blighted and substandard in need of redevelopment

Section 3. Based upon the study, the recommendation of the Planning Commission and analysis and review of the conditions of property located within the area, the Mayor and Council hereby find, determine and declare that the area is an area which meets the criteria for designation as blighted and substandard in need of redevelopment under the terms of Section 18-2103 (10) and (11) and Section 18-2109, R.R.S. Neb. 1997, as amended, in that such real estate is affected by conditions as set forth in the study.

Section 4. Upon the reference by the City's redevelopment agency (authority) of any plan or plan modifications with respect to the area, the City Clerk is hereby authorized to set a hearing and publish and mail notice of such hearing as required by law.

Council Member [Signature] offers this resolution and moves its adoption, seconded by Council Member [Signature]

PASSED AND APPROVED THIS 9th DAY OF April, 2002

[Signature]
Donald B. Edwards, Mayor

ATTEST:

[Signature]
Kimberly Volk, CMC City Clerk



CITY COUNCIL MEETING
February 26, 2002
7:00 P.M.

The meeting was called to order by Mayor Edwards. Roll call vote showed Council Members Bolton, Lemons, S-Marsh, Schaller, and Warner present, Council Members Benson and E-Vaughan absent - 6 present, 2 absent.

The City Clerk read a notice that this meeting was preceded by publicized notice in the Fremont Tribune and on Radio KHUB and the agenda displayed in the Municipal Building, Fremont Police Station and the Dodge County Courthouse and distributed to the Mayor and Council on February 22, 2002 and is open to the public. Moved by Council Member Lemons, seconded by Council Member Bolton to approve the legality of the meeting. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared the motion carried.

Moved by Council Member Warner, seconded by Council Member S-Marsh to dispense with reading of minutes of the last regular meeting and approve of same. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared the motion carried.

Moved by Council Member Bolton, seconded by Council Member S-Marsh to open the Public Hearing on designating the old historic Power Plant property located on the north 140 feet of Block 113, Original Town, as blighted and substandard. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared the motion carried.

The City Clerk read a resolution, by title only, offered by Council Member Schaller, seconded by Council Member Mruz to approve the requests to consume alcoholic beverages on City property as follows: Fremont First Central Credit Union, City Auditorium, March 2, 2002; J&C Simmentals, Christensen Field Livestock Building, March 7-11, 2002; Fremont Horse Arena Improvement Association, Christensen Field Indoor Arena and Multi-Purpose Building, April 5-6, 2002; Myron Anthony, Christensen Field Senior Center, May 25, 2002; Bernard Kassmeier, Moller Center, May 25, 2002; Steve Knigge and Angela Phillips, Christensen Field, June 1, 2002 and Krisann Rinas, City Auditorium, June 29, 2002. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared Resolution No. 2002-028 approved.

Moved by Council Member S-Marsh, seconded by Council Member Bolton to continue the request of Julie Hoffman to paint house numbers on curbs. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared the motion carried.

Moved by Council Member Lemons, seconded by Council Member Schaller to continue and refer to Resources Committee the request of Michelle Thayer for a yearly vending license at 1039 E. 23rd. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared the motion carried.

The City Clerk read a resolution, by title only, offered by Council Member Mruz, seconded by Council Member Schaller to approve the Special Designated Permits as follows: Archbishop Bergan Booster Club, St. Patrick's Auditorium, March 16, 2002; Fremont Horse Arena Improvement Association, Christensen Field Multi-Purpose Building & Indoor Arena, April 5 & 6, 2002 and Dave's Drive-In Liquor, St. Patrick's Auditorium, May 18, 2002. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared Resolution No. 2002-029 approved.

The Mayor offered the name of Patti E-Vaughan as a member to the Fremont Airport Zoning Board. Moved by Council Member Lemons, seconded by Council Member Bolton to approve the reappointment. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared the motion carried.

The Mayor offered the name of Bob Warner as a member to the Fremont Airport Zoning Board. Moved by Council Member S-Marsh, seconded by Council Member Schaller to approve the reappointment. Roll call vote showed Council Member Warner abstaining and all other Council Members present voting aye - 5 ayes, 1 abstaining. Thereupon the Mayor declared the motion carried.

The Mayor offered the name of Gary Bolton as a City representative to the Northeast Nebraska Economic Development District Board. Moved by Council Member Lemons, seconded by Council Member S-Marsh to approve the appointment. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared the motion carried.

The City Clerk gave the second reading, by title only, of an ordinance to create Sanitary Sewer Extension District on Lincoln Avenue from 500 feet north of 23rd Street to 27th Street. The third reading will be at the next regular Council meeting.

The City Clerk gave the second reading, by title only, of an ordinance to create Water Main Extension District on Lincoln Avenue from 500 feet north of 23rd Street to 27th Street. The third reading will be at the next regular Council meeting.

The City Clerk read a ordinance, by title only, to create Paving District No. 532, Lincoln Avenue from 600 feet north of 23rd Street to 27th Street. The third reading will be at the next regular Council meeting.

The City Clerk read a resolution, by title only, offered by Council Member Warner, seconded by Council Member Schaller to remove parking on 19th Street from Lincoln Avenue thirty feet east.. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared Resolution No. 2002-030 approved.

Moved by Council Member S-Marsh, seconded by Council Member Schaller to suspend the rules and place on final reading an ordinance directing the sale and conveyance of lots 1, 2, 3 and 4 in the Christensen Business Park to Natura Properties, LLC. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared the motion carried. The City Clerk gave the final reading, by title only. Roll call vote on the ordinance showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared Ordinance No. 3982 passed.

Moved by Council Member Lemons, seconded by Council Member S-Marsh to suspend the rules and place on final reading an ordinance directing the sale and conveyance of the north 140 feet of Block 113, Original Town, (old power plant) to MDI Limited Partnership #36. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared the motion carried. The City Clerk gave the final reading, by title only. Roll call vote on the ordinance showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared Ordinance No. 3983 passed.

There being no discussion, moved by Council Member S-Marsh, seconded by Council Member Bolton to close the Public Hearing on designating the old historic Power Plant property located on the north 140 feet of Block 113, Original Town, as blighted and substandard. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared the motion carried.

The City Clerk read a resolution, by title only, offered by Council Member Bolton, seconded by Council Member Warner to approve the CDBG Reuse Funds for Housing Rehabilitation Project. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared Resolution No. 2002-031 approved.

The City Clerk gave the third reading, by title only, of an ordinance to rezone Tax Lot 100 of 2-T17N-R8E of the 6th P.M. from AG-Agricultural/Urban Reserve District to LI - Light Industrial District. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared Ordinance No. 3984 passed.

Moved by Council Member S-Marsh, seconded by Council Member Bolton to approve the request of Abel Limon to enlarge and change existing non-conforming use to office space and commercial uses at 1157 East Military Avenue and erect addition with a variance for side yard and other street yard setback. Approval is subject to the following Planning Commission stipulations: 1) non-conforming use as office is less intensive than current market/restaurant use. Once use change to less intensive, owner cannot go back to more intensive market/restaurant use. 2) addition to be used for vehicle storage only and not office space. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared the motion carried.

Moved by Council Member Mruz, seconded by Council Member Schaller to continue to the March 5, 2002 meeting the request of Myra Hill and Blake and Tanya Dillon to subdivide into two lots part of the NW ¼ SW ¼ of 14-T17N-R8E of 6th P.M. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared the motion carried.

The City Clerk gave the first reading, by title only, of an ordinance to rezone from R2 – Moderate Density Residential to L1 - Limited Industrial part of Lots 1-4, Block 9, Jensen's Addition. The second reading will be at the next regular Council Meeting.

Moved by Council Member Bolton, seconded by Council Member S-Marsh to continue to the March 5, 2002 meeting the request of Einspahr Construction, Inc. to have a Planned Development District, Lots 1-10, Block 1, Heritage Square Subdivision. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared the motion carried.

Moved by Council Member Lemons, seconded by Council Member Bolton to continue to the March 26, 2002 meeting the consideration of the Final Plat of a Replat of Lots 1-10, Block 1, Heritage Square Subdivision. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared the motion carried.

Moved by Council Member S-Marsh, seconded by Council Member Mruz to approve the Preliminary Plat of Lincoln Park Addition, part of the SW ¼ SW ¼ of 12-T17N-R8E of 6th P.M. Approval is subject to the following Planning Commission stipulations: 1) Existing ground elevations to be certified for flood insurance regulations; 2) Lift Station to be moved to 27th Street to allow future sanitary flow into 32nd Street interceptor sewer and future elimination of lift station; 3) other street yard building setback to be 25 feet in lieu of 15 feet to comply with Zoning Ordinance; 4) existing barn partially in Lincoln Avenue right-of-way to be removed by subdivider prior to final platting; 5) Subdivider to review connecting street in lieu of proposed cul-de-sacs at 25th and 26th street prior to final platting. Cul-de-sacs may pose problems for truck turning and limit on-street parking; 6) indicated existing zoning is incorrect and to be corrected. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared the motion carried.

Moved by Council Member Schaller, seconded by Council Member Mruz to approve the Preliminary Plat of Central Park Addition, a part of the NW ¼ SE ¼ 12-T17N-R8E of the 6th P.M. Approval is subject to the following Planning Commission stipulations: 1) existing ground elevations to be certified for flood insurance regulations; 2) current zoning AG not GC as indicated; 3) easements 10 feet total width, to be provided as follows: Block 1, Lot 14/13, 11/10, 7/6 and 3/2; Block 2, Lot ¾, 5/6, Block 3, Lot ¾, 5/6; Block 4, Lot 2/3, 15/16, 23/24; Block 5, Lot 2/3, 5/10, 6/10, 5/8, 7/8; 4) isolated tract at NW corner Lot 17, Block 4 to be connected to Lot 21 (common ground); 5) walk way easement, Block 4, Lot 11/10, to be 10 feet in lieu of 8 feet and paved; 6) proposed preliminary plat with new drainage system substituted during Planning Commission meeting subject to City Engineering staff review. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared the motion carried.

The City Clerk read a resolution, by title only, of a resolution offered by Council Member Lemons, seconded by Council Member Mruz to approve designation of blighted and substandard conditions for old historic Power Plant property located on the north 140 feet of Block 113, Original Town including portions of vacated alleys, as platted and recorded in Dodge County, Nebraska. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared Resolution No. 2002-032 approved.

The City Clerk read a resolution, by title only, offered by Council Member Warner, seconded by Council Member Mruz to accept itemized statement of cost, complete cost, schedule of assessments and set date of Board of Equalization for: a) Paving District No. 529, 16th Street from Luther Road to Johnson Road; b) Sanitary Sewer Improvement District No. S-98-1, Ohio Street, from Seaton to Ridge Road; c) Water Main Improvement District No. W-98-1, Ohio Street to Ridge Road. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared Resolution No. 2002-033 approved.

The City Clerk read a resolution, by title only, offered by Council Member Schaller, seconded by Council Member Bolton to approve the One-Six Year Street Improvement Plan. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared Resolution No. 2002- 034 approved

The City Clerk read an ordinance, by title only, amending Criminal Trespass Ordinance. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared Ordinance No. 3985 passed.

The City Clerk read a resolution, by title only, offered by Council Member Schaller, seconded by Council Member S-Marsh approving liquor licenses from May 1, 2002 to May 1, 2003. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared Resolution No. 2002-035 approved.

The City Clerk read a resolution, by title only, offered by Council Member Lemons, seconded by Council Member Mruz to adopt revised pension plan documents to comply with federal requirements (GUST). Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared Resolution No. 2002-036 approved.

The City Clerk read a resolution, by title only, offered by Council Member Mruz, seconded by Council Member S-Marsh to accept and award the bid for gas component for the Combustion Turbine Peaking Unit to Gas Packagers, Inc. in the amount of \$463,000.00. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared Resolution No. 2002-037 approved.

The City Clerk read a resolution, by title only, offered by Council Member S-Marsh, seconded by Council Member Lemons to approve plans, specifications and estimate of cost for site work grading for Combustion Turbine Peaking Unit and grant permission to advertise for bids for an estimated cost of \$370,000.00. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared Resolution No. 2002-038 approved.

The City Clerk read a resolution, by title only, offered by Council Member Schaller, seconded by Council Member Lemons to accept and award bid for transporting Biosolids to Goree Backhoeing in the amount of \$35,500.00. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared Resolution No. 2002-039 approved.

The Mayor announced a special meeting will be held on March 5, 2002 at 5:15 P.M. and the next regular City Council meeting will be March 12, 2002 at 7:00 p.m.

Moved by Council Member Lemons, seconded by Council Member Schaller to adjourn the meeting. Roll call vote showed all Council Members present voting aye - 6 ayes. Thereupon the Mayor declared the motion carried. Meeting adjourned at 7:40 p.m.

Donald B. Edwards, Mayor

ATTEST:
Kimberly Volk, City Clerk

I, the undersigned City Clerk hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council; 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 Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes 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 meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Kimberly Volk, CMC, City Clerk

CITY COUNCIL MEETING

April 9, 2002

7:00 P.M.

The meeting was called to order by Mayor Edwards. Roll call vote showed Council Members Bolton, Lemons, Benson, S-Marsh, Schaller, E-Vaughan, Mruz and Warner present - 8 present.

The City Clerk read a notice that this meeting was preceded by publicized notice in the Fremont Tribune and on Radio KHUB and the agenda displayed in the Municipal Building, Fremont Police Station and the Dodge County Courthouse and distributed to the Mayor and Council on April 5, 2002 and is open to the public. Moved by Council Member Lemons, seconded by Council Member Benson to approve the legality of the meeting. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried.

Moved by Council Member Warner, seconded by Council Member S-Marsh to dispense with reading of minutes of the last regular meeting and approve of same with one change on page 5, paragraph 1, changing the amount from \$2,592.00 to \$3,558.00 per year. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried.

The City Clerk read a resolution, by title only, offered by Council Member Mruz, seconded by Council Member Schaller to approve the requests to consume alcoholic beverages on City property as follows: Lori Kumm, Moller Center, May 4, 2002; Claire Smutz, Christensen Field Meeting Room, May 11, 2002; Raneer Dion, Moller Center, May 12, 2002; David Flor, City Auditorium, May 18, 2002. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared Resolution No. 2002-074 approved.

Moved by Council Member Lemons, seconded by Council Member Benson to approve the request of Oriental Trading Company to use a temporary office trailer from June 1, 2002 through November 30, 2002. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried.

Moved by Council Member Bolton, seconded by Council Member Schaller to approve the request of FEVR for no parking on east side of Somers Avenue 16th to 19th Street, May 3 -5, 2002 and May 9 - 11, 2002 between 8:00 a.m. and 6:00 p.m. for "Days Out with Thomas" event. This approval is granted with the understanding that the Chamber of Commerce will notify the residents of Somers Street of the temporary no parking. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried.

The City Clerk read a resolution, by title only, offered by Council Member Schaller, seconded by Council Member Mruz to approve the Special Designated Permits as follows: Cornhusker Beverage, City Auditorium, May 25, 2002 and Dave Drive-In, City Auditorium, August 31, 2002. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared Resolution No. 2002-075 approved.

Moved by Council Member S-Marsh, seconded by Council Member Schaller to approve the manager application of Jeff D. Grell for HyVee Inc. dba HyVee Food Store, 2850 E. 23rd. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried.

The Mayor offered the name of Gene Martin as a member to the Housing Authority. Moved by Council Member E-Vaughan, seconded by Council Member Lemons to approve the reappointment for a term ending 2007. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried.

Moved by Council Member S-Marsh, seconded by Council Member Bolton to open a Public Hearing to consider annexation of a part of the E 1/2 SW ¼ SW ¼ and W ½ SE ¼ SW ¼ of 12-T17N-R8E of 6th p.m. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried.

There being no discussion, moved by Council Member Benson, seconded by Council Member S-Marsh to close the Public Hearing on consideration of annexing a part of the E 1/2 SW ¼ SW ¼ and W ½ SE ¼ SW ¼ of 12-T17N-R8E of 6th p.m. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried.

The City Clerk gave the first reading, by title only, of an ordinance annexing the E 1/2 SW ¼ SW ¼ and W ½ SE ¼ SW ¼ of 12-T17N-R8E of 6th p.m. Roll call vote showed all Council Members voting aye - 8 ayes. The second reading will be at the special Council meeting on April 23, 2002.

Moved by Council Member E-Vaughan, seconded by Council Member Schaller to approve the request of Fremont MainStreet to erect kiosks at 4 locations with Director of Public Works Boschult's approval. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried.

With Resources Committee recommendation, moved by Council Member E-Vaughan, seconded by Council Member Lemons to approve the claims for March 2002 and authorize checks to be drawn on the proper accounts. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried.

The City Clerk read a resolution, by title only, offered by Council Member E-Vaughan, seconded by Council Member Schaller to approve the conveyance of real estate in Memorial Park to the YMCA for construction of an indoor ice skating arena. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared Resolution No. 2002-076 approved.

With Resources Committee recommendation, moved by Council Member Schaller, seconded by Council Member S-Marsh to approve the request for Keno match funds of \$14,030.00 by Ann Stephens, Library Director, to purchase a new computer and filtering appliances for Keene Memorial Library. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried.

Moved by Council Member Bolton, seconded by Council Member S-Marsh to open a Public Hearing considering the designation of old historic Power Plant property located on the north 140 feet of Block 113, Original Town, as blighted and substandard. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried.

Following discussion of other possible locations for the Fire Department to use as training sites, moved by Council Member Lemons, seconded by Council Member Benson to close the Public Hearing on designating old historic Power Plant property located on the north 140 feet of Block 113, Original Town, as blighted and substandard. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried.

The City Clerk gave the second reading, by title only, of an ordinance establishing compensation for elected officials repealing Ordinance No. 3865. The third reading will be at the special Council meeting on April 23, 2002.

Moved by Council Member E-Vaughan, seconded by Council Member S-Marsh to open a Public Hearing considering annexation of part of the N 1/2 16-T17N-R8E of 6th P.M. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried.

There being no discussion, moved by Council Member S-Marsh, seconded by Council Member Mruz to close the Public Hearing on considering annexation of part of the N 1/2 16-T17N-R8E of 6th P.M. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried.

The City Clerk gave the first reading, by title only, of an ordinance to annex a part of the N 1/2 16-T17N-R8E of the 6th P.M. The second reading will be at the special Council meeting April 23, 2002.

The City Clerk gave the second reading, by title only, of an ordinance to rezone from AG-Agricultural/Urban Reserve District to CC-Community Commercial District, to R-2 Moderate Density Residential District and to R1-Single Family Residential District, part of Lot 3, Block 1 and part of Lot 1, Block 2, Diers Addition and part of the NW ¼ and part of the NE ¼ of 18-T17N-R9E of the 6th P.M. The third reading will be at the next regular council meeting.

The City Clerk read a resolution, by title only, offered by Council Member Warner, seconded by Council Member E-Vaughan to approve the plans, specifications and estimate of cost and grant permission to advertise for bids or Ridge Cemetery Fence Improvements. Roll call vote showed all Council Members voting aye – 8 ayes. Thereupon the Mayor declared Resolution No. 2002-077 approved.

The City Clerk gave the first reading, by title only, of an ordinance creating Paving District No. 533 in Cambridge Square 1st Addition, Victoria Lane. The second reading will be at the special Council meeting April 23, 2002.

The City Clerk gave the first reading, by title only, of an ordinance creating Paving District No. 534 in Cambridge Square 1st Addition, Oxford Street. The second reading will be at the special Council meeting April 23, 2002.

The City Clerk gave the first reading, by title only, of an ordinance to adopt the 2002 National Electrical Code, with amendments. The second reading will be at the special Council meeting April 23, 2002.

The City Clerk read a resolution, by title only, offered by Council Member Lemons, seconded by Council Member Mruz to repeal Resolution No. 2002-024 and to accept an itemized statement of complete cost, revised schedule of assessments and set date of Board of Equalization for Water Connection District No. WC-00-1. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared Resolution No. 2002-078.

The City Clerk read a resolution, by title only, approving designation of blighted and substandard conditions for old historic Power Plant property located on the north 140 feet of Block 113, Original Town, now City of Fremont, including portions of vacated alleys, as platted and recorded in Dodge County. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared Resolution No. 2002-079.

Moved by Council Member E-Vaughan, seconded by Council Member Bolton to ordered debris removed at 728 North Grant - owner: Robert McMurray. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried.

Moved by Council Member S-Marsh, seconded by Council Member Bolton to continue the request to remove debris at 106 North Crosby - Owner: Michael Bittner. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried.

Moved by Council Member E-Vaughan, seconded by Council Member Mruz to remove from the agenda the requests to remove debris at 115 North Morrell - Owner: Arthur Thibodeau and 250 West 16th Street - Owner: Mathew Zinn. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried.

The City Clerk read a resolution, by title only, offered by Council Member Warner, seconded by Council Member Schaller to file a debris lien against 311 West 3rd Street (Lot 1, Blk 181, O.T.) owner: Paula Nachtman. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared Resolution No. 2002- 080 approved

The City Clerk read a resolution, by title only, offered by Council Member Mruz, seconded by Council Member Schaller to authorize the Mayor to sign the contract and all related documents with the State of Nebraska, Department of Economic Development for CDBG Contract No. 01-ED-017 (Natura Manufacturing). Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared Resolution No. 2002-081 approved.

The City Clerk read a resolution, by title only, offered by Council Member Bolton, seconded by Council Member E-Vaughan authorizing the Mayor to sign a contract with NENEDD for administration of CDBG Contract No. 01-ED-017 (Natura Manufacturing). Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared Resolution No. 2002-082 approved.

The City Clerk read a resolution, by title only, offered by Council Member S-Marsh, seconded by Council Member Mruz authorizing the Mayor and City Clerk to request Community Development Block Grant Funds for CDBG Contract No. 01-ED-017 (Natura Manufacturing). Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared Resolution No. 2002-083 approved.

The City Clerk read a resolution, by title only, offered by Council Member Mruz, seconded by Council Member Benson to approve specifications, estimate of cost and grant permission to advertise for bids for Water Analysis Panel for the Lon D. Wright Power Plant for an estimated cost of \$220,000.00. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared Resolution No. 2002-084 approved.

Moved by Council Member Benson, seconded by Council Member E-Vaughan to accept and file the Annual Report from Fremont Housing Authority. Francis Dymond, Executive Director of the Fremont Housing Authority gave the report. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried.

The Mayor announced a special meeting will be held on April 23, 2002 at 5:15 P.M. and the next regular City Council meeting will be April 30, 2002 at 7:00 p.m.

Moved by Council Member Bolton, seconded by Council Member Mruz to adjourn the meeting. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried. Meeting adjourned at 7:50 p.m.

Donald B. Edwards, Mayor

ATTEST:

Kimberly Volk, City Clerk

I, the undersigned City Clerk hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council; 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 Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes 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 meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Kimberly Volk, CMC, City Clerk

REDEVELOPMENT AGENCY MEETING

April 9, 2002

7:50 p.m.

The meeting was called to order by Mayor Edwards. Roll call vote showed Council Members Bolton, Lemons, Benson, S-Marsh, Schaller, E-Vaughan, Mruz and Warner present - 8 present.

The City Clerk read a notice that this meeting was preceded by publicized notice in the Fremont Tribune and on Radio KHUB and the agenda displayed in the Municipal Building, Fremont Police Station and the Dodge County Courthouse and distributed to the Mayor and Council on April 5, 2002 and is open to the public. Moved by Council Member Lemons, seconded by Council Member E-Vaughan to approve the legality of the meeting. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried.

Moved by Council Member Lemons, seconded by Council Member S-Marsh to amend the redevelopment plan for old historic Power Plant property at 8th and Park Avenue by changing each item that states "Resolution No. 2002-032 on February 26, 2002" to "Resolution No. 2002-079 on April 9, 2002". Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried.

Moved by Council Member S-Marsh, seconded by Council Member Bolton to approve the amended redevelopment plan and submit it to the Planning Commission. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried.

Moved by Council Member Benson, seconded by Council Member S-Marsh to adjourn the meeting. Roll call vote showed all Council Members voting aye - 8 ayes. Thereupon the Mayor declared the motion carried. The meeting adjourned at 7:55 p.m.

Donald B. Edwards, Mayor

ATTEST:
Kimberly Volk, City Clerk

I, the undersigned City Clerk hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council; 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 Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes 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 meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Kimberly Volk, CMC, City Clerk