

SOUTH BROAD STREET BLIGHT STUDY

Fremont, Nebraska

April 30, 2010

HDR Engineering, Inc.(HDR) was engaged to conduct a blighted and substandard study (blight study) for the South Broad Street area near the south city limits of Fremont, from West Cloverly Road north to West Marcella Road on the west side of South Broad Street. The study area contains approximately 23 acres of land area under diverse ownership. The study area contains 24 parcels, several of which are irregular.

This blight study evaluation included a detailed exterior structural survey, a parcel-by-parcel field inventory, conversations with pertinent City of Fremont department staff and a review of available reports and documents containing information which could substantiate the existence of blighted and substandard conditions, as set forth in Section 18-2103 of the Nebraska Revised Statutes.

In summary, the HDR evaluation **indicates** the predominant presence of statutory defined blighting factors to substantiate the existence of blighted and substandard conditions in the study area. The following report provides a detailed description of the HDR evaluation for the South Broad Street Blight Study.

STUDY AREA

The study area (see the attached Blight Survey Area map) may generally be described as: the parcels within the boundary beginning at a point at the southeast corner of the Blight Survey Area (see the L-shaped, Tax Lot 5 at the northwest corner of the intersection of South Broad Street and West Cloverly Road) extending north along South Broad Street approximately 1527 feet to the northeast corner of Tax Lot 7; extending west approximately 651 feet along the north boundary of Tax Lot 7; extending south approximately 1549 feet to the southwest corner of Tax Lot 9; extending east approximately 550 feet to the point of beginning. The area lies entirely within the corporate limits of the City of Fremont, Dodge County, Nebraska.

SUBSTANDARD AREA

As set forth in Section 18-2103 (10) Nebraska Revised Statutes, a **Substandard Area** shall mean one in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which by reason of the presence of:

1. Dilapidated/deterioration;
2. Age or obsolescence;
3. Inadequate provision for ventilation, light, air, sanitation or open spaces;
4. High density of population and overcrowding;
5. The existence of conditions which endanger life or property by fire and other causes; or
6. Any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, and is detrimental to the public health, safety, morals or welfare.

This evaluation included a detailed **exterior structural survey of 21 structures**, a parcel-by-parcel field inventory, conversations with pertinent City of Fremont department staff and a review of available

reports and documents containing information which could substantiate the existence of substandard conditions.

The survey **indicates** the following factors to substantiate the existence of substandard conditions in the study area.

- Age or obsolescence;
Approximately 4 of the 21 structures are over 40 years old.

The study area does not meet the age of structure criterion for substandard.

- Inadequate provision for ventilation, light, air, sanitation or open spaces;
While substantial land within the study area is undeveloped, none of this land area is open space adequate for recreation or use by the surrounding residents because it is privately owned and often inadequately maintained.

The study area does meet the inadequate provision of open space criterion for substandard.

- The existence of conditions which endanger life or property by fire and other causes;
The entire study area lies within the 100 year flood plain of the Platte River as delineated by the Federal Emergency Management Agency in 2008. All property in the flood plain must be built above flood level.

The study area does meet the conditions which endanger life or property criterion for substandard.

- Any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, and is detrimental to the public health, safety, morals or welfare.
Undeveloped, unimproved parcels within the study area have become the location for apparently illegal activities such as the dumping sites for junk, trash, debris and large quantities of dirt or fill materials. In addition, several large parcels are used for the outside storage of equipment, much of which appears to be inoperative or obsolete.

The study area does meet the public health, safety, and crime criterion for substandard.

BLIGHTED AREA

As set forth in Section 18-2103 (11) Nebraska Revised Statutes, a **Blighted Area** shall mean an area, which by reason of the presence of:

- A substantial number of deteriorated or deteriorating structures;
- Existence of defective or inadequate street layout;
- Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- Insanitary or unsafe conditions;
- Deterioration of site or other improvements;
- Diversity of ownership;
- Tax or special assessment 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 or other causes;
- Any combination of such factors, 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; and in which there is at least one or more of the following conditions exists:
 - a. Unemployment in the study or designated blighted area is at least one hundred twenty percent of the state or national average;
 - b. The average age of the residential or commercial units in the area is at least 40 years;
 - c. More than half of the platted and subdivided property in an area is unimproved land that has been within the city for 40 years and has remained unimproved during that time;
 - d. The per capita income of the study or designated blighted area is lower than the average per capita income of the city or village in which the area is designated; or
 - e. The area has had either stable or decreasing population based on the last two decennial censuses.

While it may be concluded the mere presence of a majority of the stated factors may be sufficient to make a finding of blight, this evaluation was made on the basis that existing blight factors must be present to an extent which would lead reasonable persons to conclude public intervention is appropriate or necessary to assist with any development or redevelopment activities. Secondly, the distribution of blighted factors throughout the study area must be reasonably distributed so basically good areas are not arbitrarily found to be blighted simply because of proximity to areas which are blighted.

As noted above, this evaluation included a detailed **exterior structural survey of 21 structures**, a parcel-by-parcel field inventory, conversations with pertinent City of Fremont department staff and a review of available reports and documents containing information which could substantiate the existence of substandard conditions.

The survey **indicates** the following factors to substantiate the existence of blighted conditions in the study area. These factors include:

- Existence of defective or inadequate street layout;
Though within the incorporated limits of the City of Fremont, the city street grid does not extend into the study area. Access to public streets in the study area are limited to South Broad and West Cloverly Streets.

West Marcella Road is a private drive providing access to the mobile home park immediately to the west of the Study Area. The configuration of internal streets in the adjacent mobile home parks renders the study area essentially inaccessible from the north and west. The absence of a complete street network has inhibited development in the study area.

The study area meets the existence of defective or inadequate street layout criterion of blighted.

- Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
The configuration of lots, some without access to public streets, has inhibited development in the study area. Several lots, while one to two acres in size, are long and narrow and are not conducive to subdivision or development. Lot sizes are: 132' x 660', 66' x 660', 132' x 566', and 66' x 454'. Two parcels totaling nearly two and a half acres have no direct access to public

right-of-ways and, as platted, would require easements or private drives to develop.

The study area meets the faulty lot layout in relation to size, adequacy, accessibility, or usefulness criterion of blighted.

- **Insanitary or unsafe conditions;**

The entire study area lies within the 100 year flood plain of the Platte River as delineated by the Federal Emergency Management Agency in 2008. All property in the flood plain must be built above flood level.

Undeveloped, unimproved parcels within the study area have become the site for apparently illegal activities such as the dumping sites for junk, trash, debris and large quantities of dirt or fill materials. In addition, several large parcels are used for the outside storage of equipment, much of which appears to be inoperative or obsolete.

The study area meets the insanitary or unsafe conditions criterion of blighted.

- **Deterioration of site or other improvements;**

Few properties in the study area have adequate paved parking areas. Gravel parking lots are of varying conditions. Ponding was present in several areas indicating a lack of adequate drainage.

West Cloverly Road, South Main Street, and West Marcella Road do not have curb and gutter contributing to inadequate stormwater management in the study area.

The study area meets the deterioration of site or other improvements criterion of blighted.

- **Diversity of ownership;**

Based on available property records, land in the study area is owned by eight individuals or entities.

The study area meets the diversity of ownership criterion of blighted.

- **Improper subdivision or obsolete platting;**

Lots are irregularly sized and subdivided. Long lots are remnants of previous agricultural uses. Evenly dimensioned lots in the study area like 80' x 132', 230' X 222' are too small for many of today's industrial and general commercial uses.

The study area meets the improper subdivision criterion of blighted.

- **Any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability;**

Broad Street is U.S. Highway 77 and its intersection with West Cloverly Road forms with primary south gateway into Fremont. The blighted factors identified in this survey, as well as the absence of streetscape and landscape improvements, the absence of signage, and the incompatible mix of land uses constitutes an economic liability for the City of Fremont and contributes to the haphazard development and decline of this area.

The study area meets the sound growth of the community or constitutes and economic or

social liability criterion of blighted.

- Is detrimental to the public health, safety, morals or welfare in its present condition and use; and in which there is at least one or more of the following conditions exists:
 - The average age of the residential or commercial units in the area is at least 40 years.

Condition does not exist.

- More than half of the plotted and subdivided property in an area is unimproved land that has been within the city for 40 years and has remained unimproved during that time.

Based on an analysis completed with data from the City of Fremont GIS and annexation documents, the study area is 23 acres, has been within the City limits for 40 years, and the “developed” (with existing buildings and/or pavement) area is 9 acres, constituting 39% developed, and 12 acres or 61% are unimproved.

Condition does exist.

- The area has had either stable or decreasing population based on the last two decennial censuses.

Due to the small size of the study area, representative decennial census population comparisons at block level were not available.

CONCLUSION

The conclusions presented in this study are those of the consultant based on an examination of available data and existing study area conditions. The study should be presented to the jurisdictional authority, the City of Fremont, for legal review. If satisfied with the summary of findings contained herein, the City of Fremont may adopt a resolution making a finding of blighted and substandard and this study part of the public record.

PROPERTY PHOTOS

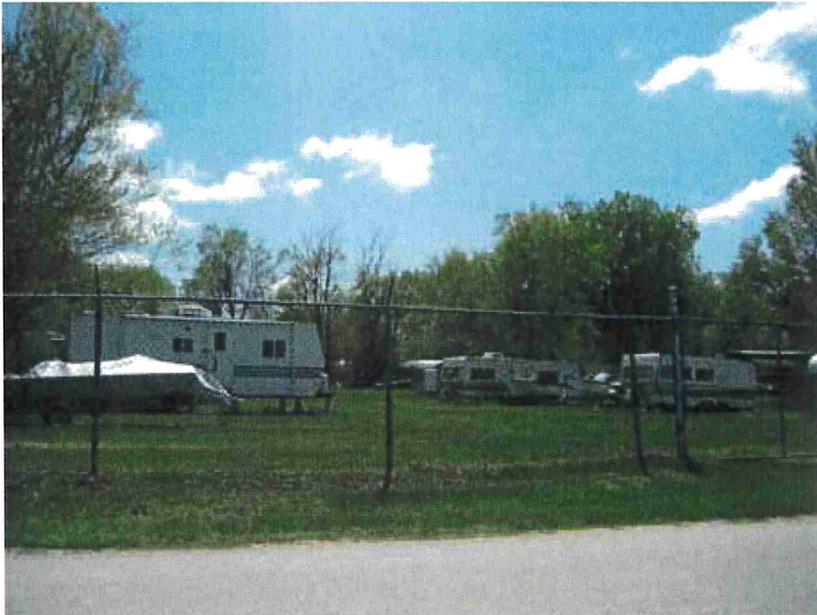


805 South Broad is currently used as self storage.



805 1/2 South Broad

PROPERTY PHOTOS (CONT.)

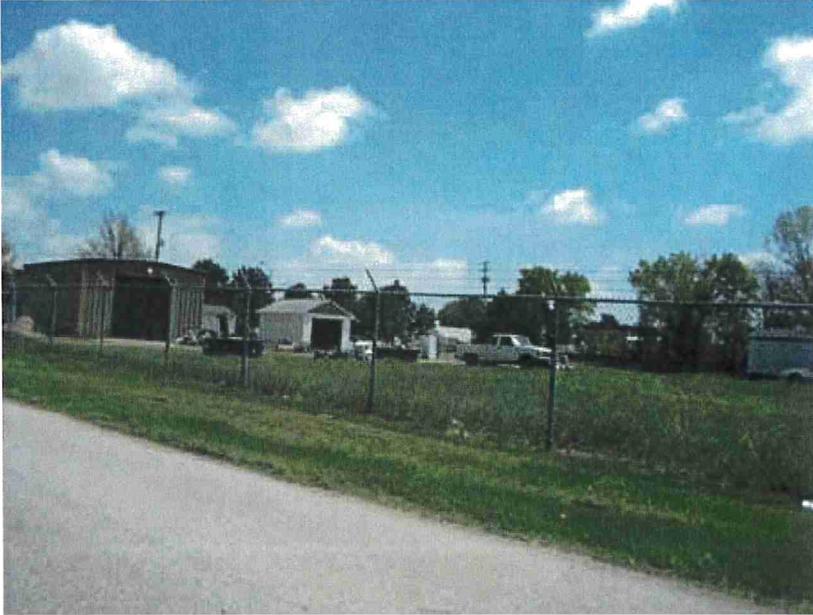


Unimproved storage space at 809 South Broad.



Unimproved storage space at 809 South Broad.

PROPERTY PHOTOS (CONT.)



Unimproved storage space at 809 South Broad.



Casey's Convenience Store at 821 South Broad
Storage buildings behind the convenience store (260 and 312 Shuster
Ranch Road) are for sale.

PROPERTY PHOTOS (CONT.)



Dumping on vacant lots in Shuster Ranch Subdivision.



Undeveloped lots in Shuster Ranch Subdivision.

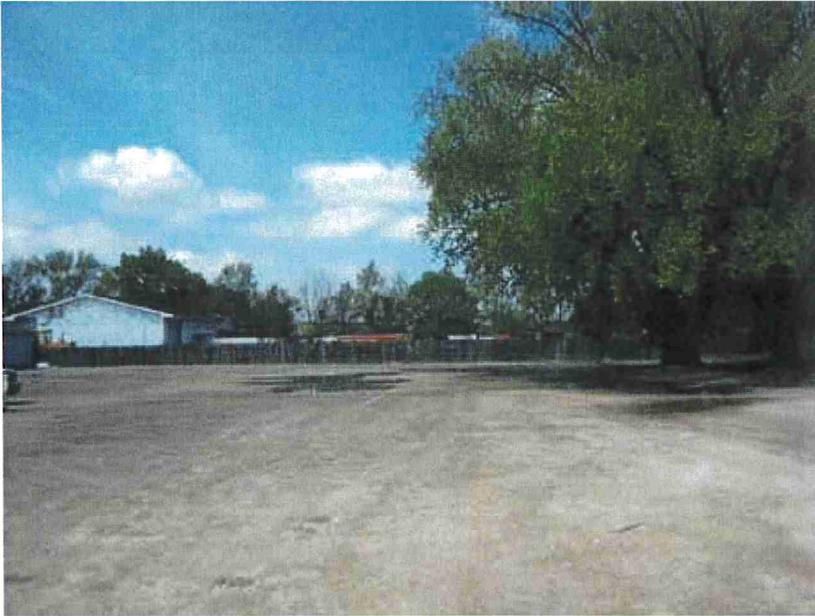
PROPERTY PHOTOS (CONT.)



839 South Broad



Unimproved outdoor storage at 839 South Broad.
PROPERTY PHOTOS (CONT.)

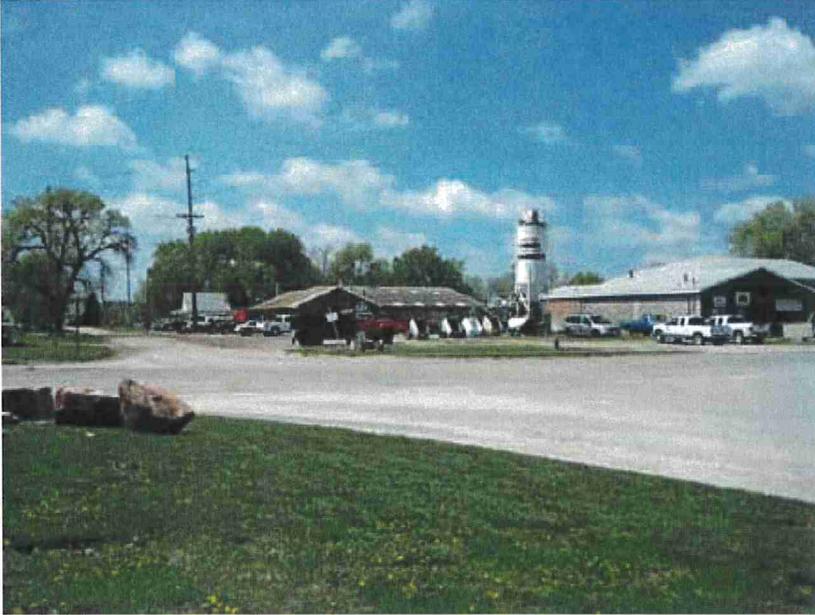


843 South Broad is a parking lot for the tavern to the south.

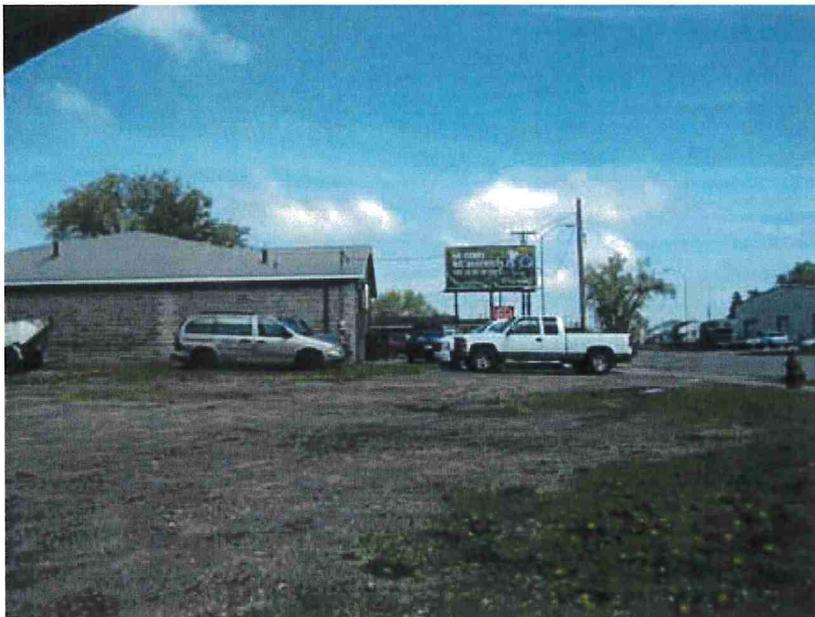


Whis' Tavern with apartment above at 845 South Broad. Portions of the structure appear to be over 40 years old.

PROPERTY PHOTOS (CONT.)

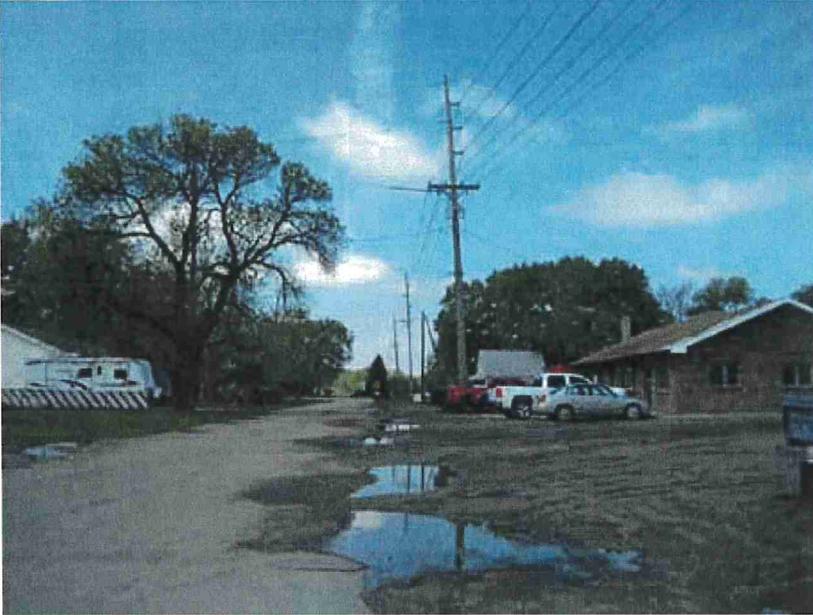


Northwest corner of South Broad and West Cloverly.



Unimproved parking on northwest corner of South Broad and West Cloverly.

PROPERTY PHOTOS (CONT.)



View of West Cloverly from South Broad.
Building on right is 849 South Broad (220 West Cloverly). Portions of the structure are over 40 years old.



306 West Cloverly is the only single family residence in the study area.
The residence appears to be over 40 years old.

PROPERTY PHOTOS (CONT.)



Vacant lots to the west of 306 West Cloverly.



Hwy 77/ Broad Street is the southern gateway to Fremont.

City Council Meeting
June 8, 2010
7:00 P.M.

Following the study session, the meeting was called to order by Mayor Edwards. Roll call showed Council Members Bolton, Navarrette, Kuhr, Gitt, Getzschman, Bixby and Anderson present; Council Member Gilfry absent - 7 present, 1 absent.

The City Clerk read a notice that this meeting was preceded by publicized notice in the Fremont Tribune and Radio KHUB and the agenda, including notice of study session, displayed in the Municipal Building, Fremont Police Station and the Dodge County Courthouse and distributed to the Mayor and Council on June 3, 2010 and is open to the public. The City Clerk also stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas. Moved by Council Member Bolton, seconded by Council Member Navarrette to approve the legality of the meeting. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared the motion carried.

Moved by Council Member Getzschman, seconded by Council Member Anderson to dispense with reading of the minutes of the May 25, 2010 Council meeting as corrected and approve of same. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared the motion carried.

The City Clerk read a resolution, by title only, offered by Council Member Gitt, seconded by Council Member Anderson to approve consumption of alcohol on City property as follows: Cynthia Davis, Moller Center, June 25, 2010. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared Resolution No. 2010-099 approved.

The City Clerk read a resolution, by title only, offered by Council Member Gitt, seconded by Council Member Anderson to approve the applications for special designated permit as follows: Pathfinder Entertainment, 406 North Main, July 10, 2010; Silver Dollar Lounge, Love Larson Opera House, July 10, 2010; DeSauce Developments, City Auditorium, July 10, 2010; Archbishop Bergan Alumni Association, St. Patrick's Auditorium, July 10, 2010. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared Resolution No. 2010-100 approved.

Moved by Council Member Navarrette, seconded by Council Member Bolton to approve the manager application of June Cullom for Kwik Shop #651 dba Kwik Shop #651, 710 North Broad. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared the motion carried.

Moved by Council Member Getzschman, seconded by Council Member Bixby to approve the cement worker application of Brad Ruwe and Ruwe Built. Approval is subject to fulfillment of all licensing requirements. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared the motion carried.

The Mayor offered the name of Doug Haave to the Board of Public Works. Moved by Council Member Bolton, seconded by Council Member Navarrette to approve the reappointment for a five year term ending June 2015. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared the motion carried.

The Mayor offered the name of Tony Brown to the Mechanical Examining Board. Moved by Council Member Anderson, seconded by Council Member Getzschman to approve the reappointment for a five year term ending June 2015. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared the motion carried.

With the Resource Committee recommendation, moved by Council Member Bolton, seconded by Council Member Bixby to approve the claims for May 16-31, 2010 and authorize checks to be drawn on the proper accounts. Roll call vote showed all Council Members present voting aye – 7 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 Bixby to approve the request of Abe Krasne Home Furnishings to encroach into the public alley right-of-way with air conditioning units at 450 North Main. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared Resolution No. 2010-101 approved.

The City Clerk gave the second reading, by title only, of an ordinance approving the request of Borisow Properties, LLC to establish a Planned Unit Development for a multi-family development complex at 1615 East Military. Bo Borisow, owner, requested approval of the ordinance. The third reading will be at the next regular Council meeting.

Moved by Council Member Bolton, seconded by Council Member Getzschman to continue, at the request of the applicant, to the June 29, 2010 meeting the resolution ordering necessary repairs of the structure at 508 North Main. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared the motion carried.

Moved by Council Member Navarrette, seconded by Council Member Bixby to open the public hearing to declare South Broad Blight Redevelopment Area “blighted and substandard”. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared the motion carried.

There being no testimony, moved by Council Member Bolton, seconded by Council Member Getzschman to close the public hearing. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared the motion carried.

The City Clerk read a resolution, by title only, offered by Council Member Getzschman, seconded by Council Member Anderson to declare South Broad Redevelopment Area as blighted and substandard. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared Resolution No. 2010-102 approved.

Moved by Council Member Navarrette, seconded by Council Member Bolton to recess the meeting. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared the motion carried. Meeting recessed at 7:09 p.m.

Community Development Agency
June 8, 2010
7:00 P.M.

The meeting was called to order by Mayor Edwards. Roll call showed Members Bolton, Navarrette, Kuhr, Gitt, Getzschman, Bixby and Anderson present; Member Gilfry absent - 7 present, 1 absent.

The City Clerk read a notice that this meeting was preceded by publicized notice in the Fremont Tribune and 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 June 3, 2010 and is open to the public. The City Clerk also stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas. Moved by Member Bolton, seconded by Member Anderson to approve the legality of the meeting. Roll call vote showed all Members present voting aye – 7 ayes. Thereupon the Mayor declared the motion carried.

The City Clerk read a resolution, by title only, recommending South Broad Blight Redevelopment Area plan & contract to the City Council. Roll call vote showed all Members present voting aye – 7 ayes. Thereupon the Mayor declared CDA Resolution No. 2010-002 approved.

Moved by Member Bolton, seconded by Navarrette to adjourn. Roll call vote showed all Members present voting aye – 7 ayes. Thereupon the Mayor declared the motion carried. Meeting adjourned at 7:11 p.m.

Moved by Council Member Bolton, seconded by Council Member Navarrette to reconvene the City Council meeting. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared the motion carried. Meeting reconvened at 7:12 p.m.

Moved by Council Member Bolton, seconded by Council Member Anderson to open the public hearing regarding South Broad Blight Redevelopment Area plan and contract. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared the motion carried.

Mike Bacon, attorney for developers, highlighted the cost benefit analysis and stated 20-35 jobs not related to the project will be created. He also stated the bond term will be for 15 years and explained how tax increment financing is done. Steve Hull, Vice President Greater Fremont Development Council, stated the GFDC fully supports the project. There being no further testimony, moved by Council Member Bolton, seconded by Council Member Navarrette to close the public hearing. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared the motion carried.

The City Clerk read a resolution, by title only, offered by Council Member Gitt, seconded by Council Member Getzschman adopting the South Broad Redevelopment Area plan and contract. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared Resolution No. 2010-103 approved.

Moved by Council Member Navarrette, seconded by Council Member Bolton to authorize the Mayor to execute and approve a contract with the Schemmer Associates for Comprehensive Plan Update and Long Range Transportation Plan. Approval is subject to amendment of the contract on page 10, section G, striking "The State, on behalf of". Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared the motion carried.

The City Clerk gave the second reading, by title only, of an ordinance vacating part of the south right-of-way of 22nd Street from Broad to Park at the request of Shawn May. The third reading will be at the next regular Council meeting.

The City Clerk read a resolution, by title only, offered by Council Member Bixby, seconded by Council Member Navarrette ordering the repair and replacement of public sidewalk at 215 North Main. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared Resolution No. 2010-104 approved.

The City Clerk read a resolution, by title only, offered by Council Member Bixby, seconded by Council Member Getzschman to approve the plans, specifications, estimate of cost and grant permission to advertise for bids for traffic signal improvement installation at 23rd Street and Diers Parkway. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared Resolution No. 2010-105 approved.

The City Clerk read a resolution, by title only, offered by Council Member Gitt, seconded by Council Member Getzschman to approve project payments as follows: PR#2 in the amount of \$92,453.00 to Gifford Realty for Keene Memorial Library HVAC Replacement; PR#2&Final in the amount of \$8,529.95 to Ahern Fire Protection for Keene Memorial Library Fire Sprinkler System. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared Resolution No. 2010-106 approved.

The City Clerk gave the third reading, by title only, of an ordinance requiring key lock boxes. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared Ordinance No. 5164 passed.

The City Clerk read a resolution, by title only, offered by Council Member Kuhr, seconded by Council Member Bixby to disclaim interest in vehicles stored at Nielsen's Towing and Impoundment per letter dated May 11, 2010. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared Resolution No. 2010-107 approved.

The City Clerk read a resolution, by title only, offered by Council Member Navarrette, seconded by Council Member Kuhr to accelerate the unpaid balance of special assessments against the west 62.6' of Lot 6, Block 38, Northside – owner: Bradley & Todd Hoppe. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared Resolution No. 2010-108 approved.

The City Clerk read a resolution, by title only, offered by Council Member Getzschman, seconded by Council Member Kuhr to accelerate the unpaid balance of special assessments against part of Lot 9 & 10, Block 38, Northside – owner: Karla Schulze. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared Resolution No. 2010-109 approved.

The City Clerk read a resolution, by title only, offered by Council Member Kuhr, seconded by Council Member Getzschman to accept and award bid for backup generator for well field. Project has the Board of Public Works approval. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared Resolution No. 2010-110 approved.

The Mayor announced the next meeting will be June 29, 2010 at 7:00 p.m.

Moved by Council Member Bolton, seconded by Council Member Anderson to adjourn the meeting. Roll call vote showed all Council Members present voting aye – 7 ayes. Thereupon the Mayor declared the motion carried. Meeting adjourned at 7:23 p.m.

Donald B. Edwards, Mayor

ATTEST: Kimberly Volk, MMC, 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 agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; 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 and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

Kimberly Volk, MMC, City Clerk

RESOLUTION NO. 2010-102

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF FREMONT, NEBRASKA DECLARING A CERTAIN AREA OF THE CITY TO BE BLIGHTED AND SUBSTANDARD AND IN NEED OF REDEVELOPMENT PURSUANT TO THE COMMUNITY DEVELOPMENT LAW, CHAPTER 18, ARTICLE 21, REISSUE REVISED STATUTES OF NEBRASKA, AS AMENDED

WHEREAS, it is necessary, desirable, advisable, and in the best interests of the City of Fremont, Nebraska (the "City"), for the City to undertake and carry out redevelopment projects in certain areas of the City that are determined to be blighted and substandard and in need of redevelopment; and

WHEREAS, the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the "Act"), prescribes the requirements and procedures for the planning and implementation of redevelopment projects; and

WHEREAS, Section 18-2109 of the Act requires that, prior to the preparation by the Community Development Agency of the City of a redevelopment plan for a redevelopment project, the Mayor and Council shall, by resolution, declare the area to be blighted and substandard; and

WHEREAS, on Tuesday, June 8, 2010, at 7:00 p.m., the Mayor and Council of the City held a public hearing (the "Public Hearing") in the Council Room at the Fremont City Hall, 400 East Military in the City, to determine whether that certain area more fully described below (the "Redevelopment Area") should be declared blighted and substandard and in need of redevelopment as required by the Act; and

WHEREAS, notice of the Public Hearing was published in *The Fremont Tribune*, a legal newspaper of general circulation in the City, on May 12, 2010, and May 19, 2010, which notice described the time, date, place and purpose of the Public Hearing and the legal description of the Redevelopment Area; the last publication of such notice being at least ten days prior to the time of the Public Hearing; and

WHEREAS, on or before May 12, 2010, such date being at least 10 days prior to the time of the Public Hearing, the City mailed notice of the Public Hearing by United States Certified Mail, return receipt requested, sufficient postage affixed, to all registered neighborhood associations whose area of representation is located in whole or in part within a one-mile radius of the Redevelopment Area and to the president or chairperson of the governing body of each county, school district, community college, educational service unit, and natural resources district with real property in the Redevelopment Area, which notice included the time, date, place, and purpose of the Public Hearing and included a map of sufficient size to show the Redevelopment Area; and

WHEREAS, the Public Hearing was conducted and all interested parties were afforded a reasonable opportunity to express their views respecting the declaration of the Redevelopment Area as blighted and substandard and in need of redevelopment, and the Mayor and Council reviewed and discussed a SOUTH BROAD STREET BLIGHT STUDY, Fremont, Nebraska,

April 30, 2010

(the “**Blight Study**”) prepared by HDR ENGINEERING, INC., Architects and Engineers; and

WHEREAS, the Mayor and Council submitted the question of whether the Redevelopment Area was blighted and substandard and in need of redevelopment to the Planning Commission of the City for its review and recommendation on May 11, 2010, and the Mayor and Council reviewed and discussed the recommendations received from the Planning Commission; and

WHEREAS, the Mayor and Council desire to determine whether the Redevelopment Area is blighted and substandard and in need of redevelopment in accordance with the Act.

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

Section 1. The Redevelopment Area is hereby declared to be substandard and in need of redevelopment pursuant to the Act, in that conditions now exist in the Redevelopment Area meeting the criteria set forth in Section 18-2173(17) of the Act, as described and set forth in the Blight Study. The Redevelopment Area is more particularly described as follows, to wit:

The study area may generally be described as: the parcels within the boundary beginning at a point at the southeast corner of the Blight Survey Area (Tax Lot 5 at the northwest corner of the intersection of South Broad Street and West Cloverly Road) extending north along South Broad Street approximately 1527 feet to the northeast corner of Tax Lot 7; extending west approximately 651 feet along the north boundary of Tax Lot 7; extending south approximately 1549 feet to the southwest corner of Tax Lot 9; extending east approximately 550 feet to the point of beginning. The area lies entirely within the corporate limits of the City of Fremont, Dodge County, Nebraska.

The legal description of parcels contained within the study area, based on the Dodge County Property Report, includes:

TL 2 1A 23 17 8
TL 69 4.52A 26 17 8
Sawyer Sub Lot 1 Blk 1
Sawyer Sub Lot 2 Blk 1
Sawyer 2nd Sub Lot 1 Blk 2
Sawyer 2nd Sub Lot 1 Blk 2
Sawyer 2nd Sub Lot 1 Blk 3
Sawyer 2nd Sub Lot 2 Blk 3
Sawyer 2nd Sub Lot 3 Blk 3
Sawyer 2nd Sub Lot 4 Blk 3
Sawyer 2nd Sub Lot 5 Blk 3
Sawyer 2nd Sub Lot 6 Blk 3
Sawyer 2nd Sub Lot 7 Blk 3
TL 90 1.98A 26 17 8
TL 64 .63A 26 17 8
TL 65 .64A 26 17 8
TL 63 .41A 26 17 8
TL 14 & TL 18 1.95A 26 17 8
TL 19 1A 26 17 8
TL 5, 6, 8 & 9 26 17 8.

Section 2. The Redevelopment Area is hereby further declared to be blighted and in need of redevelopment pursuant to the Act, in that conditions now exist in the Redevelopment Area meeting the criteria set forth in the Act, including, without limitation, (a) one or more of the factors set forth in Section 18-2103(11)(a) of the Act and (b) at least one of the factors set forth in (i) through (iv) of Section 18-2103(11)(b) of the Act, as described and set forth in the Blight Study.

Section 3. The blighted and substandard conditions existing in the Redevelopment Area are beyond remedy and control solely through the 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 Act, and the elimination of the blighted and substandard conditions under the authority of the Act is hereby found to be a public purpose and declared to be in the public interest.

Section 4. The Redevelopment Area is in need of redevelopment and is or will be an eligible site for a redevelopment project under the provisions of the Act at the time of the adoption of any redevelopment plan with respect thereto.

Section 5. This Resolution shall be published and shall take effect as provided by law.

Council member Scott Sipek offers this Resolution,
seconded by Council member John Anderson

PASSED AND APPROVED THIS 8th DAY OF JUNE 2010

Donald B. Edwards
Donald B. Edwards, Mayor

ATTEST:

Kimberly Volk
Kimberly Volk, MMC
City Clerk



RESOLUTION NO. 2010-069

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA, DIRECTING THAT A STUDY TO DETERMINE WHETHER PORTIONS OF THE CITY QUALIFY TO BE DECLARED AS BLIGHTED AND SUBSTANDARD PURSUANT TO THE NEBRASKA COMMUNITY DEVELOPMENT LAW AND OTHER MATTERS.

WHEREAS, it is desirable and in the public interest that the City of Fremont, Nebraska, a municipal corporation and City of first class, undertake and carry out urban redevelopment projects in areas of the City which are determined to be substandard and blighted and in need of redevelopment; and

WHEREAS, Chapter 18, Article 21, Nebraska Reissue Revised Statute of 2007, as amended, known as the Community Development Law, (the "Act") is the Urban Renewal and Redevelopment Law for the State of Nebraska and prescribes the requirements and procedures for the planning and implementation of urban redevelopment projects; and

WHEREAS, the City in accordance with the laws of the State of Nebraska applicable to cities of the first class has duly prepared and approved a general plan for the development of the City known as its Comprehensive Plan, all as required by Section 18-2110 of the Act; and

WHEREAS, Section 18-2109 of the Act, as amended, require that, prior to the preparation by the City of a redevelopment plan for a redevelopment project, this Council as governing body of the City, should, by resolution, find and determine that the area is a substandard and blighted area as defined in the Act; and

WHEREAS, the City wishes to determine if there is evidence that demonstrates that a portion of an area as shown and described herein constitutes a substandard and blighted area as defined in said the Act;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA:

1. That City Administrator is directed to cause a study to be undertaken of property generally South of Empire Avenue and generally along Highway 77, within the city limits to determine if portions thereof constitute a substandard and blighted area as defined by the Act and is in need of redevelopment.
2. Upon receipt by the office of the City Clerk of a copy of such study, Clerk is directed to deliver said study to the Planning Commission of the City for its recommendation thereon.

Passed and approved this 27th day of April, 2010.

Council Member [Signature] offers this resolution, seconded by Council Member

[Signature]

[Signature]
Richard B. Edwards, Mayor

ATTEST:.

[Signature]
Kimberly Volk, MMC, City Clerk



RESOLUTION NO. 2010-084

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA, DIRECTING THAT THE STUDY PREPARED BY HDR ENGINEERING, INC., RECOMMENDING PORTIONS OF THE CITY BE DECLARED AS BLIGHTED AND SUBSTANDARD PURSUANT TO THE NEBRASKA COMMUNITY DEVELOPMENT LAW BE REFERRED TO THE PLANNING COMMISSION FOR ITS RECOMMENDATION AND REVIEW; DIRECTING THAT A PUBLIC HEARING BE HELD ON THE ISSUE OF WHETHER SUCH PORTIONS OF THE CITY SHOULD BE DECLARED AS BLIGHTED AND SUBSTANDARD; AND DIRECTING THAT PUBLIC NOTICE BE MADE ACCORDING TO THE NEBRASKA COMMUNITY DEVELOPMENT LAW.

WHEREAS, it is desirable and in the public interest that the City of Fremont, Nebraska, a municipal corporation and City of first class, undertake and carry out urban redevelopment projects in areas of the City which are determined to be blighted and substandard and in need of redevelopment; and

WHEREAS, Chapter 18, Article 21, Nebraska Reissue Revised Statutes of 2007, as amended, known as the Community Development Law, (the "Act") is the Urban Renewal and Redevelopment Law for the State of Nebraska and prescribes the requirements and procedures for the planning and implementation of urban redevelopment projects; and

WHEREAS, the City in accordance with the laws of the State of Nebraska applicable to cities of the first class has duly prepared and approved a general plan for the development of the City known as its Comprehensive Plan, all as required by Section 18-2110 of the Act; and

WHEREAS, Section 18-2109 of the Act, as amended, requires that, prior to approval of a redevelopment plan for a redevelopment project, this Council as governing body of the City, should, by resolution, find and determine that the area is a blighted and substandard area as defined in the Act; and

WHEREAS, the City has received a study by HDR ENGINEERING, INC., recommending that certain properties described in the study qualify for declaration by the City as a blighted and substandard area as defined in said the Act;

WHEREAS, Section 18-2109 of the Act, as amended, require that, prior to the declaration of such area as a blighted and substandard, the governing body of the City shall submit the question of whether such area is blighted and substandard to the Planning Commission of the City for its review and recommendation;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA:

1. The City Clerk is directed to forward the study prepared by HDR ENGINEERING, INC., a copy of which is attached hereto as Exhibit "A" to the Fremont Planning Commission for its recommendation and review as to whether the property described in the study should be declared blighted and substandard as defined by the Act.

2. The City Council shall hold a public hearing on June 8, 2010 in the City Council Chambers of City Hall, 400 East Military, Fremont, Nebraska 68025, at the hour of 7:00 P.M., to receive public comment prior to the consideration of a resolution of the City declaring such area blighted and substandard and in need of redevelopment pursuant to the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended.

3. The City Clerk is directed to publish and mail notice of such hearing pursuant to Section of 18-2115 of the Act.

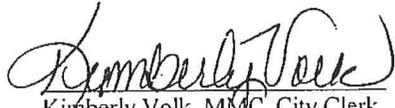
Councilmember Scott Steph offers this resolution, seconded by

Councilmember [Signature]

Passed and approved this 11th day of May, 2010


Donald B. Edwards, Mayor

ATTEST:


Kimberly Volk, MMC, City Clerk



**Community Development Agency
May 11, 2010 7:00 P.M.**

Following the Pledge of Allegiance and the study session, the meeting was called to order by Mayor Edwards. Roll call showed Members Bolton, Navarrette, Kuhr, Gilfry, Gitt, Getzschman, Anderson and Bixby present - 8 present, 0 absent.

The City Clerk read a notice that this meeting was preceded by publicized notice in the Fremont Tribune and the agenda displayed in the Municipal Building, Fremont Police Station and the Dodge County Courthouse and distributed to the Mayor and Council on May 6, 2010 and is open to the public. The City Clerk also stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas. Moved by Member Bolton, seconded by Member Navarrette to approve the legality of the meeting. Roll call vote showed all Members voting aye – 8 ayes. Thereupon the Mayor declared the motion carried.

The City Clerk read a resolution, by title only, directing the Redevelopment Plan prepared by South Broad Commercial Services, LLC for a portion of the City pursuant to the Nebraska Community Development law be referred to the Planning Commission for its review and recommendation as to conformity with the general plan for development of the City as a whole and notifying the City Council of the intent to enter into a Redevelopment contract after the passage of 30 days. Roll call vote showed all Members voting aye – 8 ayes. Thereupon the Mayor declared CDA Resolution No. 2010-001 approved.

Moved by Member Bolton, seconded by Member Getzschman to adjourn the meeting. Roll call vote showed all Members voting aye – 8 ayes. Thereupon the Mayor declared the motion carried. Meeting adjourned at 7:04 p.m.

**City Council Meeting
May 11, 2010
7:00 P.M.**

The meeting was called to order by Mayor Edwards. Roll call showed Council Members Bolton, Navarrette, Kuhr, Gilfry, Gitt, Getzschman, Anderson and Bixby present - 8 present, 0 absent.

The City Clerk read a notice that this meeting was preceded by publicized notice in the Fremont Tribune and Radio KHUB and the agenda, including notice of study session, displayed in the Municipal Building, Fremont Police Station and the Dodge County Courthouse and distributed to the Mayor and Council on May 6, 2010 and is open to the public. The City Clerk also stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas. Moved by Council Member Bolton, seconded by Council Member Anderson 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 Getzschman, seconded by Council Member Bixby to dispense with reading of the minutes of the April 27, 2010 Council meeting and approve of same. 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 Gitt, seconded by Council Member Getzschman to approve consumption of alcohol on City property as follows: Kelsey Ferrin, Moller Center, June 24, 2010; Scott Schaller, Moller Center, May 23, 2010; Jessie Smith/Adam Stouffer, Christensen Field Main Arena, June 18, 2011; John C. Fremont Days, Inc., Wolz & Ilgenfritz parking lot and 4th Street between lots, July 10, 2010; John C. Fremont Days, Inc., Christensen Field Outdoor Arena, July 9 & 10, 2010; John C. Fremont Days, Inc., Wolz & Ilgenfritz parking lots north end, July 10, 2010; Maria Hinojosa, Christensen Field Main Arena, June 19, 2010. Roll call vote showed all Council Members voting aye – 8 ayes. Thereupon the Mayor declared Resolution No. 2010-081 approved.

Moved by Council Member Gilfry, seconded by Council Member Navarrette to approve the request of Sue Harr, The Studio, to place flower planters in the City right-of-way at 502 North Main. Approval is contingent upon receipt of certificate of insurance naming the City as additional insured and a minimum of four feet maintained on the sidewalk. 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 Getzschman, seconded by Council Member Gitt to approve the applications for special designated permit as follows: John C. Fremont Days, Inc., Wolz & Ilgenfritz lots and 4th Street, July 10, 2010; John C. Fremont Days, Inc., Christensen Field Outdoor Arena, July 9 & 10, 2010; John C. Fremont Days, Inc., Wolz & Ilgenfritz lots north end, July 10, 2010; Little Chief, Inc., 1700 East 23rd Street, June 1, 2010; Little Chief, Inc., City Auditorium, June 10, 2010; Little Chief, Inc., City Auditorium, June 12, 2010. Roll call vote showed all Council Members voting aye – 8 ayes. Thereupon the Mayor declared Resolution No. 2010-082 approved.

Moved by Council Member Gilfry, seconded by Council Member Getzschman to approve the cement worker applications of Patrick Cleary and Michael Hudson & Pave the Way Concrete. Approval is subject to fulfillment of all licensing requirements. Roll call vote showed all Council Members voting aye – 8 ayes. Thereupon the Mayor declared the motion carried.

Moved by Council Member Gilfry, seconded by Council Member Anderson to allow Council Member Getzschman to abstain from consideration of Class C liquor license application of Burtonian Enterprises dba Tin Lizzy, 1684 East 23rd. Roll call vote showed Council Member Getzschman abstaining, all other Council Members voting aye – 7 ayes, 1 abstain. Thereupon the Mayor declared the motion carried. Moved by Council Member Navarrette, seconded by Council Member Bixby to open the public hearing on the Class C liquor license application of Burtonian Enterprises dba Tin Lizzy, 1684 East 23rd. Roll call vote showed Council Member Getzschman abstaining, all other Council Members voting aye – 7 ayes, 1 abstain. Thereupon the Mayor declared the motion carried.

The Mayor asked if anyone would like to speak on the item. There being no comments, moved by Council Member Bolton, seconded by Council Member Anderson to close the public hearing. Roll call vote showed Council Member Getzschman abstaining, all other Council Members voting aye – 7 ayes, 1 abstain. Thereupon the Mayor declared the motion carried.

Moved by Council Member Navarrette, seconded by Council Member Bolton to recommend approval of the Class C liquor license application of Burtonian Enterprises dba Tin Lizzy, 1684 East 23rd. Roll call vote showed Council Member Getzschman abstaining, all other Council Members voting aye – 7 ayes, 1 abstain. Thereupon the Mayor declared the motion carried. The City Clerk read a resolution, by title only, offered by Council Member Bixby, seconded by Council Member Gitt to consider the Class C liquor license application of Burtonian Enterprises dba Tin Lizzy, 1684 East 23rd. Roll call vote showed Council Member Getzschman abstaining, all other Council Members voting aye – 7 ayes, 1 abstain. Thereupon the Mayor declared Resolution No. 2010-083 approved.

The Mayor offered the name of Doug Haave as a member of the Board of Public Works. Moved by Council Member Bolton, seconded by Council Member Bixby to approve the appointment to fill an unexpired term ending June 2010. Roll call vote showed all Council Members voting aye – 8 ayes. Thereupon the Mayor declared the motion carried.

The Mayor offered the name of Dave Shelso as chairman to the Board of Public Works. Moved by Council Member Navarrette, seconded by Council Member Anderson to approve the appointment. Roll call vote showed all Council Members voting aye – 8 ayes. Thereupon the Mayor declared the motion carried.

With the Resource Committee recommendation, moved by Council Member Gilfry, seconded by Council Member Bixby to approve the claims for April 16-30, 2010 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 gave the third reading, by title only, of an ordinance updating and amending FMC Chapter Four. Roll call vote showed all Council Members voting aye – 8 ayes. Thereupon the Mayor declared Ordinance No. 5162 passed.

The City Clerk read a resolution, by title only, offered by Council Member Getzschman, seconded by Council Member Gitt directing the Broad Street Blight Study, as prepared by HDR Engineering, be referred to the Planning Commission and a public hearing be set for June 8, 2010 to determine whether portions of the City, generally along Highway 77 and south of Empire Avenue, be declared as blighted and substandard. Roll call vote showed all Council Members voting aye – 8 ayes. Thereupon the Mayor declared Resolution No. 2010-084 approved.

The City Clerk read a resolution, by title only, offered by Council Member Getzschman, seconded by Council Member Gitt directing a public hearing be set for June 8, 2010 to consider the Redevelopment Plan prepared by South Broad Commercial Services LLC. Roll call vote showed all Council Members voting aye – 8 ayes. Thereupon the Mayor declared Resolution No. 2010-085 approved.

The City Clerk gave the first reading, by title only, of an ordinance pertaining to storm water pollution regulations. The second reading will be at the next regular Council meeting.

The City Clerk read a resolution, by title only, offered by Council Member Gitt, seconded by Council Member Bixby to approve project payments as follows: PR#1 in the amount of \$37,970.05 to Ahern Fire Protection for Keene Memorial Library Fire Sprinkler System; PR#1 in the amount of \$72,982.00 to Gifford Realty for Keene Memorial Library HVAC Replacement; PR#1 in the amount of \$82,581.21 to M.E. Collins for Broad Street Paving, Deborah Avenue North. Roll call vote showed all Council Members voting aye – 8 ayes. Thereupon the Mayor declared Resolution No. 2010-086 approved.

The City Clerk gave the first reading, by title only, of an ordinance requiring key lock boxes. The second reading will be at the next regular Council meeting.

The City Clerk read a resolution, by title only, offered by Council Member Anderson, seconded by Council Member Bixby to levy a special tax and assessment against the north 54.48' of Lots 1 & 2, Block 8, Hawthorne Heights 2nd (2141 North H) in the amount of \$7,709.71 for cost of demolition. Owner of record is HSBC Bank USA. Roll call vote showed all Council Members voting aye – 8 ayes. Thereupon the Mayor declared Resolution No. 2010-087 approved.

The City Clerk read a resolution, by title only, offered by Council Member Anderson, seconded by Council Member Getzschman authorizing the Mayor to sign a contract for lead shot removal at the Izaak Walton former trap range, 20th Avenue and Christensen Field Road, with Advanced Range Management Services, LLC. Roll call vote showed all Council Members voting aye – 8 ayes. Thereupon the Mayor declared Resolution No. 2010-088 approved.

The City Clerk read a resolution, by title only, offered by Council Member Getzschman, seconded by Council Member Anderson to approve plans, specifications and grant permission to advertise for bids for repair of sanitary sewer manholes. Cost estimate is \$41,000 and project has the Board of Public Works approval. Roll call vote showed all Council Members voting aye – 8 ayes. Thereupon the Mayor declared Resolution No. 2010-089 approved.

City Attorney Skokan advised the City Council they could go into executive session for a strategy session for pending litigation regarding the mandate in the Supreme Court Initiative Case (Wanda Kotas, Jerry Hart and John Weigert). He stated four issues qualified for executive session that needed to be discussed: the legal effect of the mandate and City's options under mandate; setting date of election; briefing on Council activity regarding election; and, hiring of special counsel for the matter. Moved by Council Member Anderson, seconded by Council Member Navarrette to go into executive session for a strategy session for pending litigation. The Mayor stated a motion had been made to go into executive session for a strategy session for pending litigation and asked for any discussion. There being none, the Mayor stated the pending motion was to go into executive session for the purpose of discussing a strategy session for pending litigation. Roll call vote showed all Council Members voting aye – 8 ayes. Thereupon the Mayor declared the motion carried to go into executive session for the purpose of discussing a strategy session for pending litigation. Executive session began at 7:18 p.m.

Moved by Council Member Bolton, seconded by Council Member Navarrette to come out of executive session. Roll call vote showed all Council Members voting aye – 8 ayes. Thereupon the Mayor declared the motion carried. Executive session ended at 7:55 p.m.

Moved by Council Member Bolton, seconded by Council Member Getzschman directing the City Clerk to set a special election for June 22, 2010 for the petition initiative of Wanda Kotas, Jerry Hart and John Weigert. Roll call vote showed all Council Members voting aye – 8 ayes. Thereupon the Mayor declared the motion carried.

The Mayor announced the next meeting will be May 25, 2010 at 7:00 p.m.

Moved by Council Member Anderson, seconded by Council Member Bixby 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 7:56 p.m.

Donald B. Edwards, Mayor

ATTEST: Kimberly Volk, MMC, 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 agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; 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 and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

Kimberly Volk, MMC, City Clerk