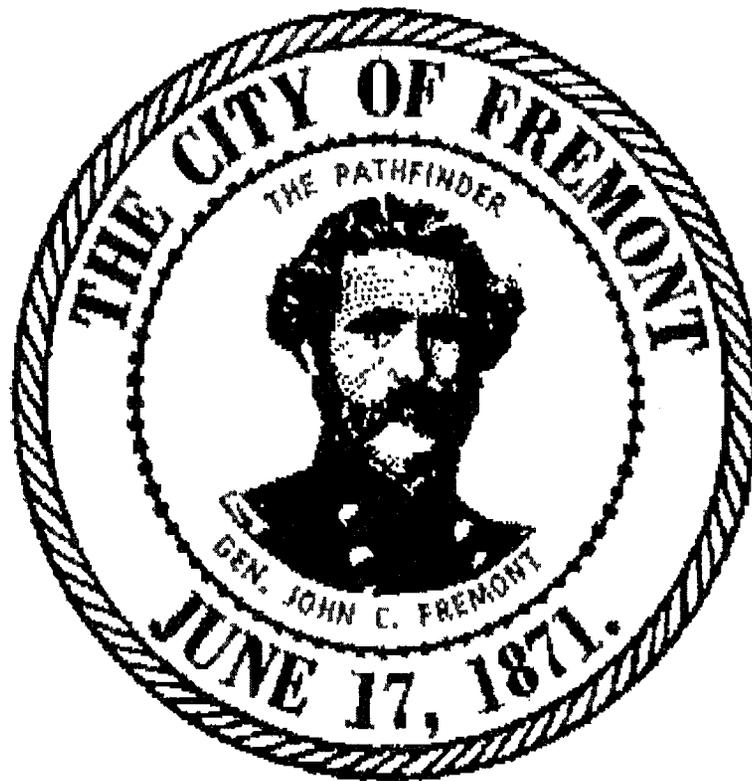


Blight & Substandard Determination Study

City of Fremont, Nebraska

March 2011

(DRAFT)



Study Purpose

The purpose of this study is to determine if a portion of the City of Fremont, Nebraska should be considered "Blighted and Substandard" under the criteria set forth in the Nebraska Community Development Law (NCDL). The definitions and criteria set in the NCDL were utilized as the nexus for this study.

Study Area

The area of study is delineated on Figure 1, Location Map.. While the field survey reviewed a broader area of the community, it was determined to include only those areas of the community which exhibited characteristics of blight.

Criteria

The definition and criteria for Blighted and Substandard are as follows.

Blighted

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

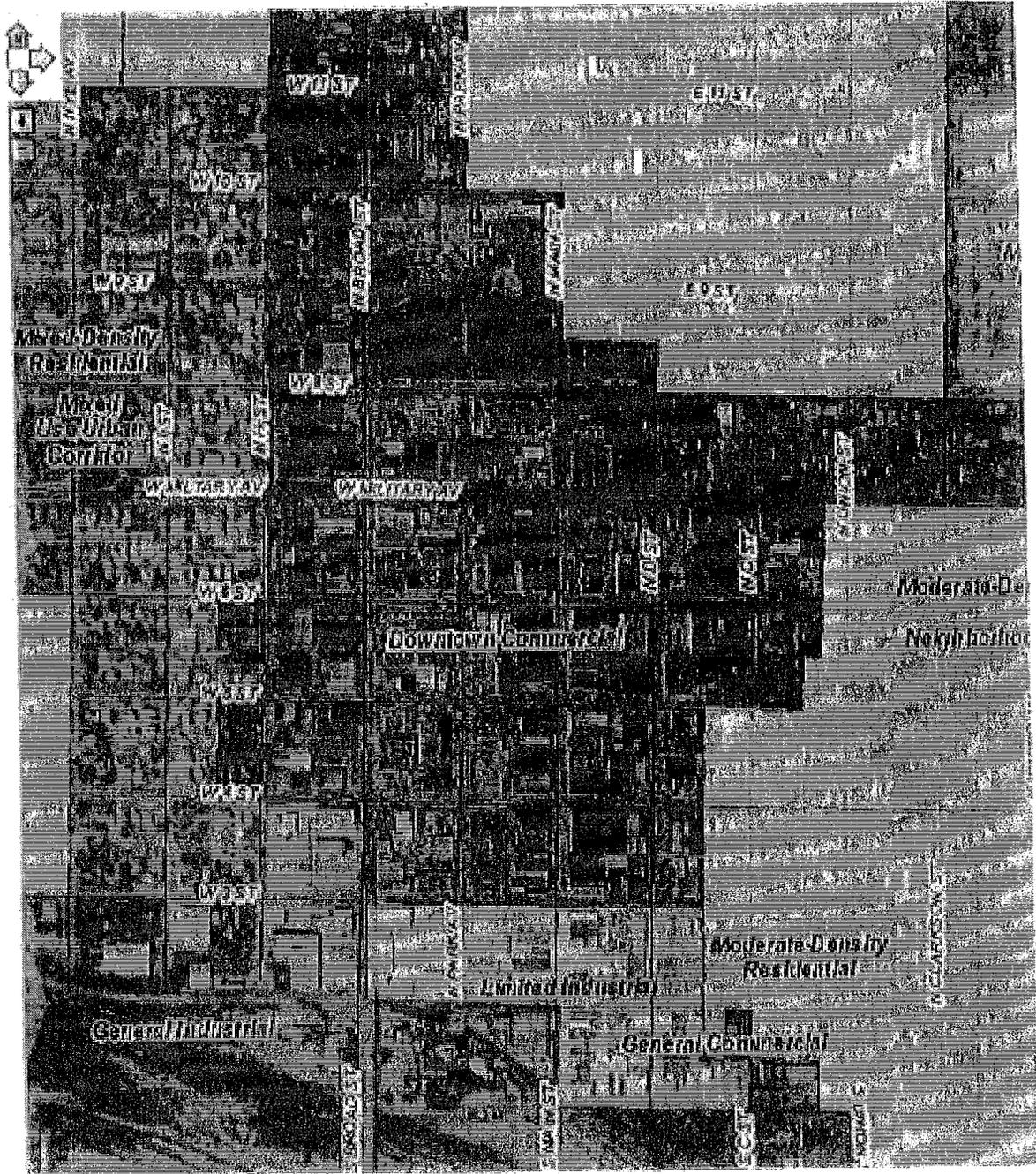


Figure 1, Location Map

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

Substandard

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:

- a. Dilapidated/deterioration;
- b. Age or obsolescence;
- c. Inadequate provision for ventilation, light, air, sanitation or open spaces;
- d. High density of population and overcrowding;
- e. The existence of conditions which endanger life or property by fire and other causes; or

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.

While it may be concluded the mere presence of a majority of the stated factors may be sufficient to make a finding of blight and substandard, this evaluation was made on the basis that the existing 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. In addition, this study was conducted on the basis that the blight and substandard criteria are reasonably distributed within the Study Area to determine the presence of blight and substandard conditions. The basic distribution factor assures that non-blighted areas are not determined to be substandard or blighted simply due to proximity to the area which is blighted and substandard.

The approach and methodology utilized in conducting the Blight and Substandard Determination Study included an assessment of the factors and criteria cited in the NCDL as factors that contribute to making an area blighted or substandard. Data relating to the factors such as land use compatibility, site conditions, adequacy of the parcel, condition of the public infrastructure, building condition, and unsafe or unsanitary conditions were determined through a field survey on a parcel by parcel basis of the entire study area on between February 21 and March 6, 2011. Additional data was retrieved from the US Census Bureau, Nebraska Department of Labor, and Dodge County records to assess population, unemployment, diversity of ownership, age of structures, tax or special assessments, title information, and subdivision plat.

Analysis of Blight

The determination and rating of a building's structural condition is a significant component of any blight and substandard determination. Thus, the systematic survey process utilized to classify the conditions must be based upon established and consistent criteria. A structural and infrastructure survey form was utilized to assure consistent evaluation. This evaluation included an exterior structural survey of buildings, a parcel-by-parcel field inventory and a review of available reports and documents containing information which could substantiate the existence of blighted conditions.

The field survey included a detailed evaluation of the exterior structural components (foundations, walls, columns, and roof structure) and secondary building components (wall surfaces, paint, roof, windows, doors, porches, chimneys, gutters and downspouts) of both primary and secondary buildings. A numerical formula was then utilized to classify the structure's condition into five categories. The follow depicts the numerical formula and defines the categories.

<u>Ranking</u>	<u>Numerical Value</u>
No defects	1
Minor Defects	2
Major defects	3
Critical Defects	4

<u>Building Condition</u>	<u>Point System</u>		
	<u>Structural Components</u>	<u>Secondary Components</u>	<u>Combined Ranking</u>
Sound	3 or less	8 or less	11 or less
Minor Deficiencies	4 - 6	9 - 13	13 - 19
Major Deficiencies	7 - 8	14 - 17	20 - 25
Substandard	9 - 10	18 - 19	26 - 30
Dilapidated	10 or more	20 or more	30 or more

Sound: A sound structure is in good condition and that will remain in good condition with routine and normal maintenance.

Minor Deficiencies: A structure that requires minor repairs to correct deficiencies usually by the property owner.

Major Deficiencies: A deteriorating structure that requires major repairs usually from a professional craftsman to correct the deficiencies.

Substandard: A deteriorating structure that requires significant repairs from a professional craftsman which may not be feasible.

Dilapidated: An uninhabitable structure that should be demolished.

- Dilapidated or Deteriorating Structures

The field survey included a detailed evaluation of the exterior structural components (foundations, walls, columns, and roof structure) and building components (wall surfaces, roofs, windows, doors, porches, chimneys, gutters and downspouts) of both primary and secondary buildings. The structures were classified in five categories building conditions. Of the primary buildings, 44% exhibited dilapidated or deteriorating components; while, 42% of the secondary structures exhibited dilapidated or deteriorating components. The presences of a substantial number of deteriorating or dilapidated structures in the study area are a contributing factor to blight.

- Existence of defective or inadequate street layout;

The entire Study Area consists of a rectilinear street grid. The study area does not meet 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 and antiquated 22 foot wide commercial lots can inhibit development in the study area. The study area meets

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

- Insanitary or unsafe conditions;

The field survey identified 48 sites where various amounts of combustible items are stored or where junk, debris or waste tires have been dumped. Many items are near or against walls of the primary or secondary structures creating a substantial fire hazard. The substantial presence of debris is a contributing factor to criterion of blighted.

- Deterioration of site or other improvements;

The field survey evaluated the condition of site improvements, including streets, curbs and gutters, sidewalks, off street parking, fences and site drainage. Few properties in the study area have adequate sidewalks. In addition, ponding was present in several areas indicating a lack of adequate drainage. 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 numerous individuals or entities. The study area meets the diversity of ownership criterion of blighted.

- Tax or Special Assessment

The Dodge County records did not reveal any excessive tax or special assessment. The tax rate is not a criterion of blighted.

- Defective or unusual conditions of title;

No defective or unusual conditions of title were identified. Thus, the defective or unusual conditions of title are not a criterion of blighted.

- Improper subdivision or obsolete platting;

The configuration of lots, some without access to public streets and antiquated 22 feet wide commercial lots can inhibit development in the study area. The study area meets the improper subdivision or obsolete platting criterion of blighted.

- Conditions which endanger Life or Property by Fire or Other Causes;

The field survey identified 48 sites where various amounts of combustible items are stored or where there are junk, debris or waste tires. Many items are near or against walls of the primary or secondary structures creating a substantial fire hazard. Ponding was present in several areas indicating a lack of adequate drainage. The substantial presence of debris is a contributing factor to 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; .

The blighted factors identified in this survey, as well as the absence of streetscape and landscape improvements, the absence of signage, and the underutilized upper floors of

commercial structures constitutes an economic liability for the City of Fremont and contributes to the haphazard development and decline of this area.

- 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:
 1. Unemployment in the study or designated blighted area is at least one hundred twenty percent of the state or national average;
 2. The average age of the residential or commercial units in the area is at least 40 years;
 3. 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;
 4. 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
 5. The area has had either stable or decreasing population based on the last two decennial censuses.

Based upon the field survey and Dodge County records, the average age of the commercial structures in the area is at least 40 years. Thus, the presence of one condition as criterion of blighted was identified.

Analysis of Substandard Criteria

- Dilapidated or Deteriorating Structures

The field survey included a detailed evaluation of the exterior structural components (foundations, walls, columns, and roof structure) and building components (wall surfaces, roofs, windows, doors, porches, chimneys, gutters and downspouts) of both primary and secondary buildings. The structures were classified in five categories. Of the primary buildings, 44% exhibited dilapidated or deteriorating components; while, 42% of the secondary structures exhibited dilapidated or deteriorating components. The presences of a substantial number of deteriorating or dilapidated structures in the study area are a contributing factor to blight.

- Age or obsolescence;

Based upon the field survey and Dodge County records, the average age of the residential units in the area is at least 40 years. The study area does meet the age of structure criterion for substandard.

- Inadequate provision for ventilation, light, air, sanitation or open spaces;

The field study identified numerous structures with antiquated and/or inoperable windows. In addition, the majority of district is impervious and lacks open space. The study area does meet the inadequate provision of open space criterion for substandard.

- Conditions which endanger Life or Property by Fire or Other Causes;

The field survey identified 48 sites where various amounts of combustible items are stored of where there are junk, debris or waste tires. Many items are near or against walls of the primary or secondary structures creating a substantial fire hazard. Ponding was

present in several areas indicating a lack of adequate drainage. The substantial presence of debris and ponding water are a contributing factors to criterion of blighted.

- 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.

The study area does not meet the public health, safety, and crime criterion for substandard.

CONCLUSION

The conclusion of this study is that a portion of the downtown district in the City of Fremont, Nebraska should be considered "Blighted and Substandard" under the criteria set forth in the Nebraska Community Development Law (NCDL). The conclusions presented in this study are 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 as part of the public record.



DISTRICT MAP

RESOLUTION NO. PC 2011-011

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FREMONT, NEBRASKA, MAKING RECOMMENDATIONS WITH RESPECT TO A BLIGHT AND SUBSTANDARD STUDY FOR THE DOWNTOWN AREA IN THE CITY PURSUANT TO THE NEBRASKA COMMUNITY DEVELOPMENT ACT.

WHEREAS, the Mayor and City Council of the City of Fremont, Nebraska, (the "City") by its Ordinance created the Community Development Agency of the City of Fremont, Nebraska (the "Agency") pursuant to Sections 18-2101 through 18-2154, Reissue Revised Statutes of Nebraska, as amended (the "Act");

WHEREAS, the City has adopted and has in place a Comprehensive Plan, which includes a general plan for development of the City, within the meaning of Section 18-2110 of the Act;

WHEREAS, this Commission has received a study to determine whether an area within the city should be declared blighted and substandard under the Act for purposes of review and recommendation pursuant to Section 18-2109 of the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF FREMONT, NEBRASKA, AS FOLLOWS:

RESOLVED, that the Planning Commission hereby makes the following findings with respect to the Downtown Area Study prepared by the Planning Department, (the Study):

1. The Planning Commission has reviewed the Study (a copy of which is attached to this resolution as Attachment "A") as to its conformity with the general plan for the development of the City as a whole; and
2. The Planning Commission confirms that the area described in the Study meets the definition of blighted and substandard as set forth in the Act.
3. The Planning Commission makes no other recommendation with regard to such Study.

RESOLVED FURTHER, that any Resolution passed and approved prior to the passage, approval and publication of this Resolution which is in conflict with the terms and provisions of this Resolution is hereby repealed. This Resolution shall take effect and be in full force and effect from and after its passage, approval and publication as required by law. The provisions of this Resolution are separable, and invalidity of any phrase, clause or part of this Resolution shall not affect the validity or effectiveness of the remainder of this Resolution.

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DATED: August 15, 2011

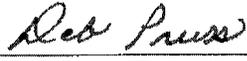
PLANNING COMMISSION OF THE CITY
OF FREMONT, NEBRASKA

ATTEST:

By: 

~~Dev Sopkram, Chair~~

BRAD FOOKEN, Vice Chairman

By: 

Deb Pruss, Recording Secretary

STAFF REPORT

TO: Mayor and City Council
FROM: Clark Boschult, City Engineer
DATE: August 25, 2011
SUBJECT: Blight and Substandard Study Downtown

Recommendation: Approve Resolution with Revisions to Study

Background: Consider Resolution approving Blight and Substandard designation for Downtown Area.

The Planning Commission on 8-15-11 voted 8-0 to recommend approval of the designation with revisions as proposed to the Study.

This designation is the first step in a development process that allows for Tax Increment Financing (TIF) of improvements. The second step in the process involves preparation of a redevelopment plan for a specific property. Once the property is improved, the incremental increase in property taxes can be used to repay a portion of the property infrastructure improvement costs. TIF was used in redevelopment of the former downtown power plant into residential apartments.

Necessary revisions to the Study include:

1. Cover Sheet – Include name of study area
2. Page 1 Study
 - a. Include boundary of study area
 - b. Include legal description of lots, blocks and subdivisions
3. Page 1 Location Map
 - a. Provide boundary of study area
 - b. Provide land uses of study area and adjoining areas
4. Page 5 “Improper Subdivision or Obsolete Platting” – Provide exhibits to support conclusion of improper or obsolete platting and areas without access to public streets
5. Page 6 “Age of Structures” – Provide inventory of structures to document conclusion of age of structures
6. Page 6 “Dilapidated or Deteriorating Structures”
 - a. Provide photographs of property documenting this conclusion
 - b. Provide structure survey results to document 44% primary and 42% secondary structures as “dilapidated and deteriorating”

10A8

RESOLUTION NO. _____

A Resolution of the Mayor and City 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, August 30, 2011 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 August 11, 2011 and August 18, 2011, 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 August 5, 2011, 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 present 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 Areas as blighted and substandard and in need of redevelopment, and the Mayor and Council reviewed and discussed a Downtown Area Blight Study, Fremont, Nebraska, March, 2011, (the "Blight Study") prepared by the City Planning Department, 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 August 15, 2011, 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 in the attached Exhibit "A".

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, (1) 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 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.

PASSED AND APPROVED THIS ____ DAY OF _____, 2011

Scott Getzschman, Mayor

ATTEST:

Kimberly Volk, MMC, City Clerk

EXHIBIT "A"

BLIGHT AND SUBSTANDARD STUDY

DOWNTOWN BUSINESS AREA LEGAL DESCRIPTION

1ST TO 2ND

Block 203 located north of the former C & NW Railroad Right-of-Way, Block 204 and Lots 3, 4, 5 and 6 in Block 205, together with adjoining vacated alleys, all in Original Town, Fremont, Dodge County, Nebraska.

2ND TO 3RD

Blocks 185, 184, 183 and Lots 5 and 6, Block 182, together with adjoining vacated alleys, all in Original Town, Fremont, Dodge County, Nebraska.

3RD TO 4TH

Blocks 171, 172, 173, 174 and Lots 4, 5 and 6, Block 175, together with adjoining vacated alleys, all in Original Town, Fremont, Dodge County, Nebraska.

4TH TO 5TH

Blocks 156, 155, 154, 153 and Lots 2 thru 6 inclusive, Block 152, together with adjoining vacated alleys, all in Original Town, Fremont, Dodge County, Nebraska.

5TH TO 6TH

Lots 1 and 2, Block 140, the North 46.66 feet of the East 15.5 feet of Lot 7 and the North 46.66 feet of Lot 8, Block 140, Blocks 141, 142, 143, 144 and Lots 3, 4, 5 and the West 59 feet of Lot 6, Block 145, together with adjoining vacated alleys, all in Original Town, Fremont, Dodge County, Nebraska.

6TH TO MILITARY AVENUE

Blocks 126, 125, 124, 123 and Lots 3, 4 and 5, Block 122, together with adjoining vacated alleys, all in Original Town, Fremont, Dodge County, Nebraska.

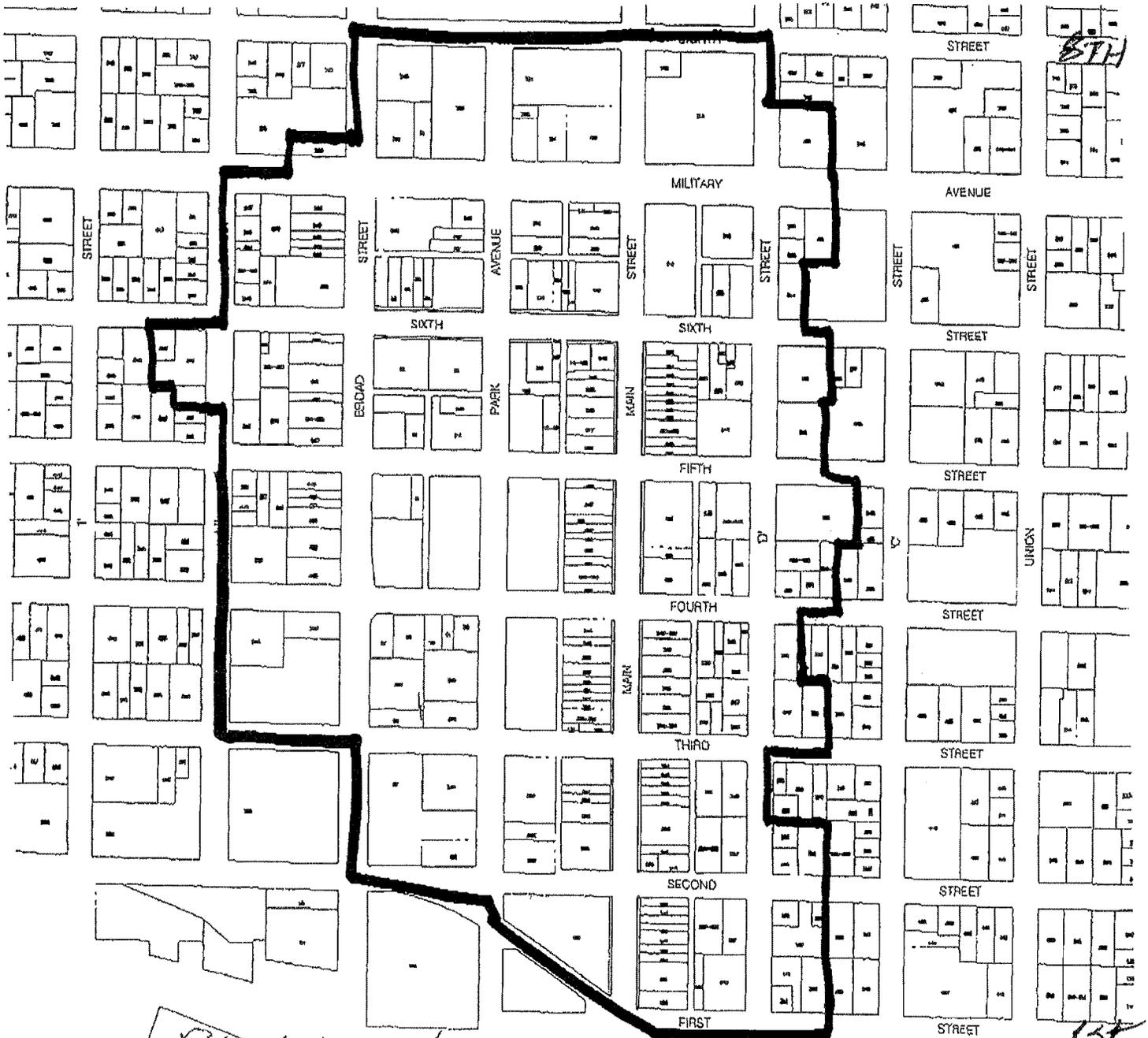
MILITARY AVENUE TO 8TH

The South 44 feet of Lots 9 and 10, Block 111, Blocks 112, 113, 114 and Lots 5 and 6 and the South 10.5 feet of Lots 3 and 4, Block 115, together with adjoining vacated alleys, all in Original Town, Fremont, Dodge County, Nebraska.

REL'D 8-11-11
FROM LBO-TR.

"H"

"D"



BLHAT & SUBSTANDARD
STUDY AREA MAP
DISTRICT MAP

RESOLUTION NO. 2011-127

A Resolution of the Mayor and City 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, August 30, 2011 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 August 11, 2011 and August 18, 2011, 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 August 5, 2011, 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 present 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 Areas as blighted and substandard and in need of redevelopment, and the Mayor and Council reviewed and discussed a Downtown Area Blight Study, Fremont, Nebraska, March, 2011, (the "Blight Study") prepared by the City Planning Department, 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 August 15, 2011, 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 in the attached Exhibit "A".

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, (1) 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 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.

PASSED AND APPROVED THIS 30th DAY OF August, 2011


Scott Getzschman, Mayor

ATTEST:


Kimberly Volk, MMC, City Clerk



CITY COUNCIL MEETING

August 30, 2011

7:00 P.M.

After the budget study session, presentation of a flag from the Daughters of the American Revolution and the Pledge of Allegiance, the Mayor called the meeting to order. Roll call vote showed Council Members Johnson, Stange, Navarrette, Eairleywine, Bixby, Anderson, Schaller and Gitt 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 August 26, 2011 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 Bixby, seconded by Council Member Navarrette to approve the legality of the meeting. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Anderson, seconded by Council Member Bixby to dispense with the minutes of August 9, 2011 and the special Council meeting of August 16, 2011 and approve of same. Roll call vote: 8 ayes. Motion carried.

The City Clerk read a resolution, by title only, to approve the requests to consume alcohol on City property as follows: Maggie Campbell, Christensen Field Main Arena, October 15, 2011; Glorian Wickham, Moller Center, October 1, 2011. Moved by Council Member Johnson, seconded by Council Member Anderson to approve Resolution No. 2011-120. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Gitt, seconded by Council Member Navarrette to accept the resignation of Josh Coates from the CDBG Revolving Loan Fund Review Committee. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Schaller, seconded by Council Member Gitt to accept the resignation of Mary Reynolds from the Friends of the Fremont Area Parks. Roll call vote: 8 ayes. Motion carried.

The City Clerk read a resolution, by title only, approving Special Designated Permits as follows: Fergy's Total Package, 431 North Union, September 24, 2011; Whis's End Zone Lounge, 845 South Broad, September 25, 2011; Whis's End Zone Lounge, 1710 West 16th, October 15, 2011. Moved by Council Member Bixby, seconded by Council Member Eairleywine to approve Resolution No. 2011-121. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Stange, seconded by Council Member Schaller to approve the liquor manager application of Rita Cruse for JMJ Enterprises dba Irv's Deli & More, 345 North Main. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Anderson, seconded by Council Member Navarrette to open the public hearing on the Class I liquor license application of Laura Crawford dba Thornhill Grill, 732 North Park. Roll call vote: 8 ayes. Motion carried.

There being no testimony, moved by Council Member Stange, seconded by Council Member Schaller to close the public hearing. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Eairleywine, seconded by Council Member Navarrette to approve the application for a Class I liquor license for Laura Crawford dba Thornhill Grill, 732 North Park. Roll call vote: 8 ayes. Motion carried.

The City Clerk read a resolution, by title only, considering the Class I liquor license for Laura Crawford dba Thornhill Grill, 732 North Park. Moved by Council Member Stange, seconded by Council Member Johnson to approve Resolution No. 2011-122. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Bixby, seconded by Council Member Eairleywine to open the public hearing on the Class IK liquor license application of Mark Avis dba Pork Finger Productions/Club U, 1900 East Military. Roll call vote: 8 ayes. Motion carried.

There being no testimony, moved by Council Member Stange, seconded by Council Member Anderson to close the public hearing. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Bixby, seconded by Council Member Anderson to approve the application for a Class IK liquor license for Mark Avis dba Pork Finger Productions/Club U, 1900 East Military. Roll call vote: 8 ayes. Motion carried.

The City Clerk read a resolution, by title only, considering the Class IK liquor license for Mark Avis dba Pork Finger Productions/Club U, 1900 East Military. Moved by Council Member Navarrette, seconded by Council Member Stange to approve Resolution No. 2011-123. Roll call vote: 8 ayes. Motion carried.

The Mayor offered the names of Toni Vering, Lloyd Brooks and Albert Nielsen to the CDBG Revolving Loan Fund Review Committee. Moved by Council Member Navarrette, seconded by Council Member Stange to approve the reappointment of Toni Vering and Lloyd Brooks for a three year term and the appointment of Albert Nielsen to fill an unexpired term ending August 2013. Mr. Nielsen will be the representative from the Village of Inglewood. Roll call vote: 8 ayes. Motion carried.

With the Resource Committee recommendation, moved by Council Member Navarrette, seconded by Council Member Stange to approve August 10 - 30, 2011 claims, except project payment, and authorize checks to be drawn on the proper accounts. Roll call vote: 8 ayes. Motion carried.

The City Clerk read a resolution, by title only, calling in for payment outstanding Swimming Pool Bonds dated August 1, 2006. Moved by Council Member Eairleywine, seconded by Council Member Johnson to approve Resolution No. 2011-124. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Bixby, seconded by Council Member Anderson to suspend the rules and place on final reading the ordinance authorizing the issuance of Swimming Pool Refund Bonds in the amount of \$4,165,000. Roll call vote: 8 ayes. Motion carried.

The City Clerk gave the final reading, by title only, of an ordinance authorizing the issuance of Swimming Pool Refund Bonds. Roll call vote: 8 ayes. Ordinance No. 5215 passed.

With the Resource Committee recommendation, moved by Council Member Navarrette, seconded by Council Member Eairleywine to approve the request of the Fremont Senior Board for a Keno match in

the amount of \$2,047.75 for purchase of thirty (30) chairs, eight (8) tables and one (1) cart for the Fremont Friendship Center. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Johnson, seconded by Council Member Stange to approve the request of Jast, LLC dba Bloom Optical to erect an addition to an existing building at 2921 North Clarkson enlarging the existing conditional use in lieu of rezoning to a Commercial District. Roll call vote: 8 ayes. Motion carried.

The City Clerk read a resolution, by title only, approving the request of Steve Schiferl to combine Lot 1 and 2, River Road Subdivision into one lot. Moved by Council Member Anderson, seconded by Council Member Bixby to approve Resolution No. 2011-125. Roll call vote: 8 ayes. Motion carried.

The City Clerk gave the third reading, by title only, of an ordinance approving the request of Midland University to vacate 10th Street from Clarkson Street to Logan Street. Discussion for and against the request was heard. Moved by Council Member Gitt, seconded by Council Member Anderson to receive and file petitions against the closing of 10th and Logan Street. Roll call vote: 8 ayes. Motion carried. Roll call vote on the Ordinance: 8 ayes. Ordinance No. 5216 passed.

The City Clerk gave the third reading, by title only, of an ordinance approving the request of Midland University to vacate Logan Street from 8th to 10th Street. Discussion for and against the request was heard. Roll call vote: 8 ayes. Motion carried. Ordinance No. 5217 passed.

The City Clerk read a resolution, by title only, approving the request of Midland University to vacate the public access easement and the utility easement on Platte Avenue from 10th to 11th Street. Moved by Council Member Schaller, seconded by Council Member Johnson to approve Resolution No. 2011-126. Roll call vote: 8 ayes. Motion carried.

The City Clerk gave the third reading, by title only, of an ordinance approving the request of the City of Fremont to rezone part of the N ½ SW ¼ and N ½ SE ¼ of 12-17-8 from AG – Agricultural/Urban Reserve District to LI – Limited Industrial District. Roll call vote: 8 ayes. Ordinance No. 5218 passed.

The City Clerk gave the first reading, by title only, of an ordinance annexing a part of the SE ¼ of Section 11, part of the SW ¼ of Section 12, and part of the W ½ W ½ SE ¼ of Section 12, all in Township 17 North, Range 8 East of the 6th P.M. (City of Fremont Technology Park). The second reading will be at the next regular Council meeting.

The City Clerk read a resolution, by title only, designating the downtown area as blighted and substandard. Moved by Council Member Bixby, seconded by Council Member Johnson to approve Resolution No. 2011-127. Roll call vote: 8 ayes. Motion carried.

The City Clerk gave the first reading, by title only, of an ordinance annexing a part of the NW ¼ of 19-17-9 (area north of Department of Utilities service center). The second reading will be at the next regular Council meeting.

The City Clerk read a resolution, by title only, to accept and award the bid to US Asphalt Company in the amount of \$228,019.20 for Main Street Asphalt Resurfacing. Moved by Council Member Schaller, seconded by Council Member Gitt to approve Resolution No. 2011-128. Roll call vote: 8 ayes. Motion carried.

The City Clerk read a resolution, by title only, to approve plans, specifications, estimate of cost and grant permission to advertise for bids for Christensen Field Event Center Renovation. Moved by Council Member Anderson, seconded by Council Member Eairleywine to approve Resolution No. 2011-129. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Johnson, seconded by Council Member Navarrette to continue to the September 13, 2011 Council meeting amendments to the restrictive covenants for Morningside North Business Park. Roll call vote: 8 ayes. Motion carried.

The City Clerk gave the first reading, by title only, of an ordinance amending Zoning Ordinance No. 3939, Article 10, pertaining to sign regulations. The second reading will be at the next regular Council meeting.

The City Clerk read a resolution, by title only, to approve project payment as follows: PR#1 to Luxa Construction in the amount of \$6,314.18 for Johnson Road Turn Lane Improvements. Moved by Council Member Schaller, seconded by Council Member Johnson to approve Resolution No. 2011-130. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Anderson, seconded by Council Member Navarrette to accept the HIDTA Supplement grant in the amount of \$4,500 for the III Corp Drug Task Force. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Schaller, seconded by Council Member Bixby to accept the National Association of Drug Diversion Investigators grant in the amount of \$5,000 for the III Corp Drug Task Force. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Eairleywine, seconded by Council Member Navarrette to accept the Nebraska Crime Commission grant in the amount of \$170,000 for the III Corp Drug Task Force. Roll call vote: 8 ayes. Motion carried.

The City Clerk read a resolution, by title only, approving the Class C liquor license renewals. Moved by Council Member Bixby, seconded by Council Member Johnson to approve Resolution No. 2011-131. Roll call vote: 8 ayes. Motion carried.

The City Clerk read a resolution, by title only, assessing a nuisance lien in the amount of \$285.71 against part of the West ½ fractional Block 21, Jensen's (249 West Washington) – owner: Leigh Lynn Lichty. Moved by Council Member Stange, seconded by Council Member Eairleywine to approve Resolution No. 2011-132. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Johnson, seconded by Council Member Anderson to refer the tort claim from NIRMA on behalf of Dodge County for phone reprogramming expenses after power outage to our insurance carrier and city attorney. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Stange, seconded by Council Member Bixby to accept the grant from the Nebraska Department of Roads Public Rail and Transportation in the amount of \$77,156 for city bus service. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Eairleywine, seconded by Council Member Anderson to open the public hearing on the 2011-2012 fiscal year budget. Roll call vote: 8 ayes. Motion carried.

Council Member Schaller stated he felt there was confusion about the budget in regards to staffing and changing in budget numbers. He also stated there is a budget problem and morale problem within the employees. Member Schaller believes there are other ideas and places to save money besides cutting positions, in particular four (4) positions. He stated he has not received figures estimating what it will cost the city to use private companies to do maintenance for buildings. He stated he will not be voting in favor of the budget.

Testimony was then received from citizens:

Craig Corn discussed declining property values and the lower tax base. He would have liked to see past projects held off in order to save the current proposed elimination of jobs. He would like to have Department Heads eliminate their own jobs instead of the proposed employees. Mr. Corn stated he would like the City to have a backup plan, vote against the budget and put more time in to make the budget work.

Larry Jirsak stated Acting Library Director Laura England did eliminate her position as Assistant Library Director.

Ann Stephens stated her concerns about Library budget cuts and implementation of a volunteer program. She gave an overview of current volunteers. She commended the Library Board and urged Council Members to be a volunteer at the Library to see what it would encompass.

Jan Thieren stated the Library is the smallest department in the city with the largest cuts being made.

Laura England-Biggs, acting Library Director, clarified that volunteers would not be used to do the duties of the proposed eliminated positions. Those duties would be assumed by other staff.

There being no further testimony, moved by Council Member Stange, seconded by Council Member Navarrette to close the public hearing. Roll call vote: 8 ayes. Motion carried.

The City Clerk gave the first reading, by title only, of an Ordinance adopting the 2011-2012 fiscal year budget statement termed the annual appropriation bill. The second reading will be at the Special Council meeting September 6, 2011.

Moved by Council Member Stange, seconded by Council Member Gitt to continue to the Special Council meeting on September 6, 2011 the public hearing to set the final City tax rate for 2011-2012 fiscal year. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Navarrette, seconded by Council Member Johnson to continue to a Special Council meeting on September 6, 2011 a Resolution setting property tax request at \$4,936,943 for 2011-2012 fiscal year. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Stange, seconded by Council Member Anderson to continue to the Special Council meeting on September 6, 2011 a Resolution setting final City tax rate of 0.348351/\$100 valuation for 2011-2012 fiscal year. Roll call vote: 8 ayes. Motion carried.

The City Clerk read a resolution, by title only, setting final City tax rate of 0.24443/\$100 valuation for Splash Station debt service for 2011-2012 fiscal year. Moved by Council Member Bixby, seconded by Council Member Navarrette to approve Resolution No. 2011-133. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Johnson, seconded by Council Member Eairleywine to continue to the Special Council meeting on September 6, 2011 consideration of additional 1% increase in base limitation on restricted fund authority for 2011-2012 fiscal year. Roll call vote: 8 ayes. Motion carried.

The City Clerk gave the third reading, by title only, of an ordinance pertaining to pay plan for City of Fremont officers and employees for 2011-2012 fiscal year. Roll call vote: 7 ayes, 1 nay (Schaller). Ordinance No. 5219 passed.

The City Clerk read a resolution, by title only, rejecting the bids and authorizing to re-advertise for bids for brick repair at the Power Plant. Moved by Council Member Stange, seconded by Council Member Anderson to approve Resolution No. 2011-134. Roll call vote: 8 ayes. Motion carried.

The City Clerk read a resolution, by title only, awarding the bid to Briem Engineering in the amount of \$95,770.00 for boiler life study for Unit 6 & 7. Moved by Council Member Bixby, seconded by Council Member Stange to approve Resolution No. 2011-135. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Anderson, seconded by Council Member Bixby to approve the request of Just Good Food dba Mel's Diner for outside City sewer and water connection at 4240 North Broad Street. Roll call vote: 8 ayes. Motion carried.

The Mayor stated the next regular meeting will be September 13, 2011 with a special meeting on September 6, 2011 at 5:30 p.m.

Moved by Council Member Gitt, seconded Council Member Navarrette to adjourn the meeting. Roll call vote: 8 ayes. Motion carried. Meeting adjourned at 8:20 p.m.

Scott Getzschman, Mayor

Attest: Kimberly Volk, MMC, City Clerk

I, Kimberly Volk, 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. 2012-093

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA, , MAKING RECOMMENDATIONS WITH RESPECT TO AMENDING THE BLIGHT AND SUBSTANDARD STUDY FOR THE DOWNTOWN AREA IN THE CITY PURSUANT TO THE NEBRASKA COMMUNITY DEVELOPMENT ACT.

WHEREAS, the Mayor and City Council of the City of Fremont, Nebraska, (the "City") by its Ordinance created the Community Development Agency of the City of Fremont, Nebraska (the "Agency") pursuant to Sections 18-2101 through 18-2154, Reissue Revised Statutes of Nebraska, as amended (the "Act");

WHEREAS, the City has adopted and has in place a Comprehensive Plan, which includes a general plan for development of the City, within the meaning of Section 18-2110 of the Act;

WHEREAS, the City has previously received a study to determine whether an area within the city should be declared blighted and substandard under the Act for purposes of review and recommendation pursuant to Section 18-2109 of the Act;

WHEREAS, the City has adopted the previously mentioned study to determine whether an area within the city should be declared blighted and substandard under the Act for purposes of review and recommendation pursuant to Section 18-2109 of the Act;

WHEREAS, The City has previously declared the downtown area blighted and substandard under the Act for purposes of review and recommendation pursuant to Section 18-2109 of the Act under City Council Resolution 2011-127;

WHEREAS, The City has determined the need to add an additional two tracts of land to the downtown area that has been declared blighted and substandard under the Act for purposes of review and recommendation pursuant to Section 18-2109 of the Act;

WHEREAS, The two additional tracts of land are located at 301 E 1st Street (a.k.a Tax Lot 564, Block 212, Original Town, City of Fremont, Nebraska); and 445 E 1st Street (a.k.a. Turner Square Subdivision Lot 2, City of Fremont, Nebraska);

WHEREAS, The Planning Commission has recommended that the proposed additional tracts of land be included in the downtown area that has been declared blighted and substandard under the Act;

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

RESOLVED, that the City Council of the City of Fremont, Nebraska hereby makes the following findings with respect to the amending Downtown Area Study and subsequent declaration of Blight and Substandard Conditions:

1. The City Council has reviewed the additions to the Study as to its conformity with the general plan for the development of the City as a whole; and
2. The City Council confirms that the additional area proposed to be included in the Study meets the definition of blighted and substandard as set forth in the Act.

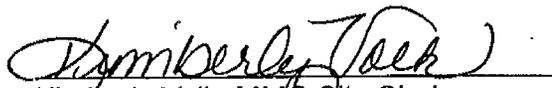
3. The City Council makes no other recommendation with regard to such Study.

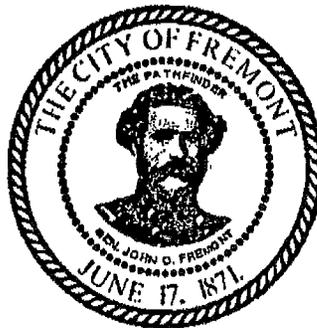
RESOLVED FURTHER, that Resolution No. 2011-127 passed August 30, 2011 is hereby rescinded. This Resolution shall take effect and be in full force and effect from and after its passage. The provisions of this Resolution are separable, and invalidity of any phrase, clause or part of this Resolution shall not affect the validity or effectiveness of the remainder of this Resolution.

PASSED AND APPROVED THIS 29TH DAY OF MAY, 2012


Scott Getzschman, Mayor

ATTEST:


Kimberly Volk, MMC City Clerk



STAFF REPORT

TO: Mayor and City Council
FROM: Rian Harkins, Planning Director
DATE: 22 May 2011
SUBJECT: Amendment of Blight & Substandard Declaration of Downtown Area

Recommendation: Staff recommends approval of the Blight Declaration amendment.

Request: Modify the blight study, and the subsequent blight/ substandard declaration, of the downtown area to include two additional properties.

Background: To facilitate the ability of two additional properties to participate in potential redevelop opportunities, and provide the city with the most flexibility possible, staff has studied two additional tracts for inclusion of the downtown area as an amendment of Resolution PC 2011-011, which declared the downtown area blighted and substandard.

The two additional tracts of land are located at 301 E 1st Street (a.k.a Tax Lot 564, Block 212, Original Town, City of Fremont, Nebraska); and 445 E 1st Street (a.k.a. Turner Square Subdivision Lot 2, City of Fremont, Nebraska).

The Planning Commission voted 9-0 to approve this item on 21 May 2012.

Findings: There are three primary structures on these two tracts (two on one tract and a single building on the second tract of land), with each structure noted to be over 40 years of age. In addition, the population of these properties has been stagnant or declining due to the vacancy of some buildings and the remainder used as office space.

The three structures noted are in deteriorating and/or dilapidated condition due to walls cracking, a porch sagging, and the presence of window, door, and foundation issues. The drainage is fairly inadequate, and the little existing infrastructure is in a deteriorating condition (especially the curb and gutter). No sidewalk is present on either property.

CITY COUNCIL MEETING
May 29, 2012
7:00 P.M.

After the study session and the Pledge of Allegiance, the Mayor called the meeting to order. Roll call vote showed Council Members Johnson, Stange, Navarrette, Eairleywine, Bixby, Anderson, and Hoppe present; Gitt absent – 7 present, 1 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 25, 2012 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 Bixby, seconded by Council Member Navarrette to approve the legality of the meeting. Roll call vote: 7 ayes. Motion carried.

Moved by Council Member Anderson, seconded by Council Member Bixby to open the public hearing of the Citizen Advisory Review Committee on Economic Development Program. Roll call vote: 7 ayes. Motion carried.

There being no testimony, moved by Council Member Navarrette, seconded by Council Member Johnson to close the public hearing. Roll call vote: 7 ayes. Motion carried.

Moved by Council Member Stange, seconded by Council Member Eairleywine to open the public hearing on the final draft of the Comprehensive Plan with Long Range Transportation Plan and Parks & Recreation Master Plan. Roll call vote: 7 ayes. Motion carried.

City Planner Harkins gave an overview of the plan. Carl Schaffner, 1901 Parkview Drive, stated he would like a bike path corridor from the Fremont Middle School to the proposed new ball complex by Old Highway 275.

There being no further testimony, moved by Council Member Stange, seconded by Council Member Navarrette to close the public hearing. Roll call vote: 7 ayes. Motion carried.

Moved by Council Member Bixby, seconded by Council Member Hoppe to amend the Comprehensive Plan by striking the following: "The utility fund pays for oversizing of mains, with the developer paying to extend the lines beyond the current system." from page 3.10 under WATER - PLANNING AND DEVELOPMENT POLICY and from page 3.11 under SANITARY SEWER – PLANNING AND DEVELOPMENT POLICY; "For each customer, the City will fund new mains up to 100 feet from the existing system from the existing system for each customer, with the costs for an additional length of main borne by the developer/owner." from page 3.13 under NATURAL GAS – PLANNING AND DEVELOPMENT POLICY; and, "Currently, electric lines are extended overhead with an additional cost borne by the developer/owner for underground service." from page 3.14 under ELECTRIC – PLANNING AND DEVELOPMENT POLICY. Roll call vote: 5 ayes, 2 nays (Stange and Johnson). Motion carried.

Moved by Council Member Bixby, seconded by Council Member Anderson to amend the Comprehensive Plan by adding Deer Pointe Development and the Technology Park to page 3.5 under FUTURE DEVELOPMENT OPPORTUNITIES. Roll call vote: 7 ayes. Motion carried.

Moved by Council Member Hoppe, seconded by Council Member Eairleywine to reject proposed revision to the Comprehensive Plan of removing from page 4.14 "Consider a biennial Mandatory Rental Inspection Program under RECOMMENDED ACTIONS. Roll call vote: 6 ayes, 1 nay (Bixby). Motion carried.

Moved by Council Member Bixby, seconded by Council Member Navarrette to amend the Comprehensive Plan by striking from page 7.8 "Overarching Authority. The Comprehensive Plan shall function as the City's lead policy guide for growth and development of Fremont. All other City plans that relate to growth and development (including but not limited to transportation and utility plans) shall be revised to conform to the Comprehensive Plan." Roll call vote: 6 ayes, 1 nay (Johnson). Motion carried.

Moved by Council Member Bixby, seconded by Council Member Anderson to approve Resolution No. 2012-079 adopting the Comprehensive Plan as amended. Roll call vote: 7 ayes. Motion carried.

Moved by Council Member Johnson, seconded by Council Member Stange to approve the consent agenda. Roll call vote: 7 ayes. Council Member Bixby abstained on Health Care Professionals and Don Peterson & Associates request to subdivide 620 East 23rd Street into two lots and Sylvia Gocken request to subdivide 1212 CR X into two lots. Motion carried.

- Dispense with reading of minutes May 1, 2012 and May 8, 2012
- May 9 – May 29, 2012 claims
- Resolution No. 2012-080 granting permission to consume alcohol on City property for Sarah Kallhoff, Christensen Field, July 21, 2012, auction; Maria Caudelb, Moller Center, July 21, 2012, baptism; Louise Bauer, Christensen Field, July 7, 2012, wedding; Jolene Brown, Moller Center, May 17, 2013, graduation; John C Fremont Days, Inc, Christensen Field Outdoor Arena, July 13 & 14, 2012, rodeo and Wolz & Ilgenfritz parking lots and 4th Street between lots, July 14, 2012, dance; Big Red Whitetails, City Auditorium, September 8, 2012, fundraising banquet
- Resolution No. 2012-081 approving Special Designated Permit applications Rise's Drive-In: 700 East 10th, June 2, 2012, reception; 1710 West 16th, July 28, 2012 and August 11, 2012, reception; Archbishop Bergan Catholic School, 431 North Union, July 14, 2012, dance/reception/fundraiser; John C Fremont Days, Inc, 1710 West 16th, July 13 & 14, 2012, rodeo; John C Fremont Days, Inc, Wolz & Ilgenfritz parking lots and 4th Street between lots, July 14, 2012, street dance
- Resignation of Caralee Johnson from Ridge Cemetery Association
- Appointment of Paul Marsh to Ridge Cemetery Association to fill an unexpired term ending December 2012
- Tom Sawyer to move an "A" frame building from 1665 N Bell to 1621 S Ridge Rd
- Cement license application of Ronald Fauss and Fauss Construction
- Cement and Excavation application of Michael Wiekhorst and Investors for Infrastructure

- Showtime Sales and Marketing, 410 North Bell, to be placed on Criminal Trespass Ordinance
- Department of Environmental Quality grant to hold scrap tire cleanup event for Dodge County to be held November 3, 2012
- Hold Harmless Agreement extension with Nebraska Department of Motor Vehicles for motorcycle driver license skills tests at the football field parking lot, 9th and Lincoln
- Space and Service contract with Eastern Nebraska Office on Aging
- Jackson Services contract for uniforms and mats
- Resolution No. 2012-082 designating parking restrictions on 22nd Street, Christy Street to Garden City Road
- Resolution No. 2012-083 authorizing Agreement with Nebraska Dept of Aeronautics for transfer of Non-Primary Entitlement Grant Funds from 2007 Runway Safety project
- Resolution No. 2012-084 authorizing execution of professional architectural services agreement for Keene Library Roof Replacement
- Resolution No. 2012-085 to accept and award bids for Luther Road Turn Lane Improvements
- Resolution No. 2012-086 vacating part of utility easement in Block 1, Christensen Business Park
- Resolution No. 2012-087 approving In Bloom Flowers to erect awning projecting into public right-of-way at 520 North Main
- Resolution No. 2012-088 approving project payment to Fauss Construction for Christensen Field Event Center Renovation; Luxa Construction for 19th Street Reconstruction; Papa Trucking for Tract Clearing at 730 East 1st Street
- John C Fremont Days, Inc for various street closings July 13 - 15, 2012
- John C Fremont Days, Inc route for Ridge Road Run July 14, 2012 and route for Pathfinder Duathlon July 15, 2012
- John C Fremont Days, Inc to hang banners across Main Street July 14, 2012 for auto and bike show
- Resolution No. 2012-089 approving Health Care Professionals and Don Peterson & Associates request to subdivide part Lot B, R & Z Addition and Lot 1&2, Rodamar Addition (620 East 23rd Street) into two lots
- Resolution NO. 2012-090 approving Sylvia Gocken request to subdivide part SE¼ SE ¼ 33-17-8, Saunders CC (1212 CR X) into two lots
- Resolution No. 2012-091 rescinding nuisance liens against 730 East First

- Resolution No. 2012-092 approving specifications and grant permission to advertise for bids for new ambulance for Fire Dept

Moved by Council Member Navarrette, seconded by Council Member Stange to approve Change Order No. 7 in the amount of (\$1,707) for Christensen Field Event Center Remodel project. Roll call vote: 7 ayes. Motion carried.

The City Clerk gave the first reading, by title only, of an ordinance amending FMC 6-406 relating to Criminal Trespass. The second reading will be at the next regular Council meeting.

The City Clerk gave the first reading, by title only, of an ordinance creating Paving District No. 549 encompassing the alley from 5th to 6th Street, between Platte and Logan. The second reading will be at the next regular Council meeting.

The City Clerk gave the first reading, by title only, of an ordinance approving the request of Sylvia Gocken to rezone the SE ¼ SE ¼ 33-17-8 Saunders County (1212 CR X) from AG Agricultural District to RR Rural Residential District. The second reading will be at the next regular Council meeting.

Moved by Council Member Bixby, seconded by Council Member Johnson to approve Resolution No. 2012-093 amending the Blight & Substandard declaration of the Downtown Area. Roll call vote: 7 ayes. Motion carried.

Moved by Council Member Navarrette, seconded by Council Member Anderson to approve the conditional use application of Irving Development to add a second floor residential space as a permitted conditional use at 408/414 North Main Street. Roll call vote: 6 ayes, 1 abstain (Bixby). Motion carried.

Moved by Council Member Bixby, seconded by Council Member Stange to approve the Community Block Development Grant for Downtown Revitalization and the agreement with NENEDD to administer the grant. Roll call vote: 7 ayes. Motion carried.

Moved by Council Member Eairleywine, seconded by Council Member Bixby to adjourn the meeting. Roll call vote: 7 ayes. Meeting adjourned at 8:08 p.m.

Scott Getzschman, Mayor

Attest: Kimberly Volk, MMC, City Clerk

I, Kimberly Volk, 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. 2014-090

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA, MAKING RECOMMENDATIONS WITH RESPECT TO THE BLIGHT AND SUBSTANDARD STUDY FOR THE DOWNTOWN AREA PURSUANT TO THE NEBRASKA COMMUNITY DEVELOPMENT ACT.

WHEREAS, the Mayor and City Council of the City of Fremont, Nebraska, (the "City") by its Ordinance created the Community Development Agency of the City of Fremont, Nebraska (the "Agency") pursuant to Sections 18-2101 through 18-2154, Reissue Revised Statutes of Nebraska, as amended (the "Act");

WHEREAS, the City has adopted and has in place a Comprehensive Plan, which includes a general plan for development of the City, within the meaning of Section 18-2110 of the Act;

WHEREAS, the City has received a study to determine whether an area within the city should be declared blighted and substandard under the Act for purposes of review and recommendation pursuant to Section 18-2109 of the Act;

WHEREAS, the City has attached a legal description of the area, which is included in the study;

WHEREAS, On August 15, 2011 the Planning Commission has reviewed and recommends the area be declared blighted and substandard pursuant to the provisions of Section 18-2109 of the Act;

WHEREAS, The City has determined that multiple factors exist that allow the area to be declared blighted and substandard under the Act;

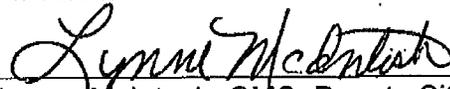
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA, AS FOLLOWS:

RESOLVED, that the City Council hereby makes the following findings with respect to the Downtown area with regard to a declaration of Blight and Substandard Conditions:

1. The City Council has reviewed the Study as to its conformity with the general plan for the development of the City as a whole; and
2. The City Council confirms that the area proposed in the Study meets the definition of blighted and substandard as set forth in the Act.
3. Resolution No. 2012-093 passed May 29, 2012 is hereby rescinded. This Resolution shall take effect and be in full force and effect from and after its passage. The provisions of this Resolution are separable, and invalidity of any phrase, clause or part of this Resolution shall not affect the validity or effectiveness of the remainder of this Resolution.

PASSED AND APPROVED THIS 27th DAY OF MAY, 2014

ATTEST:


Lynne McIntosh, CMC, Deputy City Clerk




Scott Getzschman, Mayor

STAFF REPORT

TO: Mayor and City Council

FROM: Rian Harkins, AICP, Planning Director

DATE: 22 May 2014

SUBJECT: Council public hearing on the designation of blighted and substandard conditions in the Downtown Area.

Recommendation: 1) open the public hearing; 2) receive public testimony; 3) close the public hearing

Request: Consider a declaration of blighted and substandard conditions for the Downtown Area.

Background: This blight study is for an area that encompasses the core downtown area and some adjacent blocks on the fringe of the downtown. The original study was done in 2011 and had been updated to provide additional information.

The blight study looked at a number of factors as outlined in state statutes, more particularly the Community Development Act. The study meets at least one of the criteria established in state statutes for blighted conditions, along with a number of supporting criteria that contribute to blighted and substandard conditions in the area.

The Planning Commission recommended approval of this item August 15, 2011. Council reviewed this item, but is being brought back before Council due to a lack of a public hearing at the time.

Findings: The blight and substandard study is within conformance with the comprehensive plan as well as state statutes.

#6

COMMUNITY DEVELOPMENT AGENCY MEETING

May 27, 2014

7:12 P.M.

The Mayor called the meeting to order and stated a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas. Roll call showed Members Stange, Eairleywine, Kuhns, Anderson, Navarrette, Hoppe and Johnson present, Member Bixby absent – 7 present, 1 absent.

Moved by Member Stange, seconded by Member Kuhns to continue consideration of a Resolution approving a general redevelopment plan for 23rd & Bell Redevelopment Area. Roll call vote: 7 ayes. Motion carried.

Moved by Member Navarrette, seconded by Member Eairleywine to continue consideration of a Resolution approving a general redevelopment plan for Morningside Business Park project. Roll call vote: 7 ayes. Motion carried.

Moved by Member Johnson, seconded by Member Hoppe to refer back to the Planning Commission for the purpose of reconsidering the redevelopment plan for the Downtown District project. Roll call vote: 6 ayes, 1 abstain (Navarrette). Motion carried.

Moved by Member Eairleywine, seconded by Member Anderson to adjourn. Roll call vote: 7 ayes. Meeting adjourned at 7:16 p.m.

CITY COUNCIL MEETING

May 27, 2014

7:00 P.M.

After the study session, the Mayor called the meeting to order and stated a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas. Roll call showed Council Members Stange, Navarrette, Hoppe, Kuhns, Eairleywine, Anderson and Johnson present, Council Member Bixby absent – 7 present, 1 absent.

Moved by Council Member Johnson, seconded by Council Member Navarrette to open the Public Hearing on declaration of blight and substandard conditions at 23rd and Bell Redevelopment area. Roll call vote: 7 ayes. Motion carried.

Chuck Johannsen, First State Bank & Trust Fremont, requested to add a parcel of land that is directly west of the Fremont Technology Park and adjacent north of the Fremont Mall to the current blight study. He also requested the blight study to be referred back to the Planning Commission for their consideration. Mr. Johannsen stated he has contacted NENEDD and they have agreed to update the study adding the requested approximate 28 acres.

Scott Meister, Pinnacle Bank Fremont, requested to add a parcel of land that is north of the Holiday Inn Express and abutting the Fremont Technology Park on the north and west side to the current blight study. He also requested the blight study to be referred back to the Planning Commission for their consideration.

Moved by Council Member Navarrette, seconded by Council Member Eairleywine to receive a drawing from First State Bank and Pinnacle Bank showing the parcels being requested to be added to the blight study. Roll call vote: 7 ayes. Motion carried.

Mayor Getzschman stated the blight study needs to be continued and referred back to the Planning Commission so that the process can start over. He further stated he has discussed this with the other parties involved in the current blight study and as there are currently no projects that will be held up they are okay with a continuance.

Council Member Navarrette inquired who would be responsible for paying NENEDD for an updated blight study. City Administrator Shotkoski stated the original study was a cost share between the City and another property owner but that the cost to update the study will be shared between First State Bank and Pinnacle Bank.

Moved by Council Member Kuhns, seconded by Council Member Stange to close the Public Hearing on the declaration of blight and substandard conditions at 23rd and Bell Redevelopment area. Roll call vote: 7 ayes. Motion carried.

Moved by Council Member Johnson, seconded by Council Member Anderson to refer back to the Planning Commission for further study the declaration of the blight and substandard conditions at 23rd and Bell Redevelopment area and continue the Resolution declaring the area blighted and substandard. Roll call vote: 7 ayes. Motion carried.

Moved by Council Member Johnson, seconded by Council Member Hoppe to open the Public Hearing on the declaration of blight and substandard conditions for Downtown District project. Roll call vote: 6 ayes, 1 abstain (Navarrette). Motion carried.

There being no discussion, moved by Council Member Eairleywine, seconded by Council Member Anderson to close the Public Hearing on the blight and substandard conditions for Downtown District project. Roll call vote: 6 ayes, 1 abstain (Navarrette). Motion carried.

Moved by Council Member Johnson, seconded by Council Member Eairleywine to approve Resolution 2014-090 declaring the Downtown District as blighted and substandard. Roll call vote: 6 ayes, 1 abstain (Navarrette). Motion carried.

Moved by Council Member Johnson, seconded by Council Member Navarrette to continue the Public Hearing and refer back to the Planning Commission for further study, due to a large part of the area currently being outside of the city limits, the declaration of blight and substandard conditions of Morningside Business Park project. Roll call vote: 7 ayes. Motion carried.

Moved by Council Member Anderson, seconded by Council Member Stange to continue a Resolution declaring Morningside Business Park project blighted and substandard. Roll call vote: 7 ayes. Motion carried.

Moved by Council Member Kuhns, seconded by Council Member Johnson to recess the meeting. Roll call: 7 ayes. Meeting recessed at 7:12 p.m.

Moved by Council Member Kuhns, seconded by Council Member Johnson to reconvene the meeting. Roll call: 7 ayes. Meeting reconvened at 7:16 p.m.

Moved by Council Member Anderson, seconded by Council Member Navarrette to continue the Public Hearing on the general redevelopment plan for 23rd and Bell Redevelopment area. Roll call vote: 7 ayes. Motion carried.

Moved by Council Member Stange, seconded by Council Member Kuhns to continue the Resolution approving general redevelopment plan for 23rd and Bell Redevelopment area. Roll call vote: 7 ayes. Motion carried.

Moved by Council Member Johnson, seconded by Council Member Eairleywine to continue the Public Hearing on the general redevelopment plan for Downtown District project. Roll call vote: 6 ayes, 1 abstain (Navarrette). Motion carried.

Moved by Council Member Eairleywine, seconded by Council Member Kuhns to continue the Resolution on general redevelopment plan for Downtown District project. Roll call vote: 6 ayes, 1 abstain (Navarrette). Motion carried.

Moved by Council Member Johnson, seconded by Council Member Navarrette to approve the consent agenda. Roll call vote: 7 ayes. Motion carried.

- Dispense with reading of and approve May 13, 2014 minutes
- May 14 – 27, 2014 claims
- Resolution No. 2014-094 approving consumption of alcohol on city property for Michelle Vrana, Christensen Field, June 6, 2015, wedding reception
- Resolution No. 2014-095 approving Special Designated Permit application for F & T Inc, 1710 West 16th, June 14, 2014, reception; Rise's Drive-In Liquor, 1544 East Military, July 19, 2014, reception; Rise's Drive-In Liquor, 1710 West 16th, October 18, 2014, reception; DeSauce Developments, 541 North Broad, June 13, 2014, reception; Burtonian Enterprises, 1682 East 23rd Ave North, May 31, 2014, beer garden; Burtonian Enterprise, 2410 North Colorado Ave, May 31, 2014, reception; Burtonian Enterprise, 1700 East 23rd, June 3, 2014, reception; Burtonian Enterprise, 1682 East 23rd Ave North, June 7, 2014, beer garden; Burtonian Enterprise, 925 North Broad, June 21, 2014, reception
- Liquor license manager application of Cassandra Hull for Quik-Pik, 2010 North Bell Street
- Fremont Rotary Club request to allow parking on Airport Road and public property adjacent for Fly-In Breakfast at Fremont Municipal Airport on August 24, 2014 from 7:30 a.m. to 11:30 a.m.
- Resolution No. 2014-097 assessing nuisance lien in the amount of \$229.30 against North 54.48' Lots 1 and 2, Block 8, Hawthorne Heights Proposed 2nd addition, 2141 North H, owner: Jesus and Sarah Sanchez
- Resolution No. 2014-098 approving Group Med Partnership request to subdivide part Tax Lot 44 SE ¼ SW ¼ 9-17-8 into two lots

- Resolution No. 2014-099 approving Group Med Partnership request to combine part Tax Lot 44 SE ¼ SW ¼ 9-17-8 into one lot
- Resolution No. 2014-100 adopting Sign Maintenance policy

Moved by Council Member Hoppe, seconded by Council Member Kuhns to approve Resolution No. 2014-096 removing two parking stalls on north side of 4th between Broad and Park as requested by Dodge County. Roll call vote: 7 ayes. Motion carried.

Moved by Council Member Anderson, seconded by Council Member Hoppe to continue Ron Vlach request for conditional use to erect oversized accessory building, 2450 West Military Avenue. Board of Adjustment continued the item at their May 27, 2014 meeting. Roll call vote: 7 ayes. Motion carried.

Moved by Council Member Navarrette, seconded by Council Member Hoppe to approve Dodge County SID #2 request for a waiver of Article V, Section F of the subdivision regulations relating to street standards. Roll call vote: 6 ayes, 1 nay (Johnson). Motion carried.

Moved by Council Member Anderson, seconded by Council Member Hoppe to introduce an Ordinance annexing property located SW corner of NW ¼ 19-17-9, Fremont Nebraska. Roll call vote: 7 ayes. Motion carried.

The Deputy City Clerk gave the first reading, by title only, of an Ordinance annexing property located SW corner of NW ¼ 19-17-9, Fremont Nebraska. The second reading will be at the next regular Council meeting.

Moved by Council Member Navarrette, seconded by Council Member Johnson to certify the results of May 13, 2014 primary election. Roll call vote: 7 ayes. Motion carried.

Moved by Council Member Johnson, seconded by Council Member Hoppe to introduce an Ordinance continuing ½ percent sales tax. Roll call vote: 7 ayes. Motion carried.

The Deputy City Clerk gave the first reading, by title only, of an Ordinance continuing ½ percent sales tax. Moved by Council Member Eairleywine, seconded by Council Member Stange to suspend the rules and place the Ordinance on final reading. Roll call vote: 7 ayes. Motion carried.

The Deputy City Clerk gave the final reading, by title only, of an Ordinance continuing ½ percent sales tax. Roll call vote: 7 ayes. Ordinance No. 5306 passed.

The Mayor announced the next meeting would be June 10, 2014.

Moved by Council Member Kuhns, seconded by Council Member Stange to adjourn the meeting. Roll call vote: 7 ayes. Motion carried. Meeting adjourned at 7:50 p.m.

I, Lynne McIntosh, the undersigned Deputy 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 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 the 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 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. Lynne McIntosh, CMC, Deputy City Clerk

Blight and Substandard Study

for the

Fremont Downtown Area

Prepared 2011

Updated May 2014



Prepared by:

Fremont Planning Department

Study Purpose

The purpose of this study is to determine if a portion of the City of Fremont, Nebraska should be considered “Blighted and Substandard” under the criteria set forth in the Nebraska Community Development Law (NCDL). The definitions and criteria set in the NCDL were utilized as the nexus for this study.

Study Area

The area of study is delineated on Figure 1, Location Map. While the field survey reviewed a broader area of the community, it was determined to include only those areas of the community which exhibited characteristics of blight.



Legal Description of the Redevelopment Area

The legal description for the downtown redevelopment area is the same as adopted in the resolution that declared it a blighted and substandard area; which was more particularly described as:

Block 203 located north of the former C & NW Railroad Right-of-Way, Block 204 and Lots 3, 4, 5 and 6 in Block 205, together with adjoining vacated alleys, all in Original Town, Fremont, Dodge County, Nebraska.

Blocks 185, 184, 183 and Lots 5 and 6, Block 182, together with adjoining vacated alleys, all in Original Town, Fremont, Dodge County, Nebraska.

Blocks 171, 172, 173, 174 and Lots 4, 5 and 6, Block 175, together with adjoining vacated alleys, all in Original Town, Fremont, Dodge County, Nebraska.

Blocks 156, 155, 154, 153 and Lots 2 thru 6 inclusive, Block 152, together with adjoining vacated alleys, all in Original Town, Fremont, Dodge County, Nebraska.

Lots 1 and 2, Block 140, the North 46.66 feet of the East 15.5 feet of Lot 7 and the North 46.66 feet of Lot 8, Block 140, Blocks 141, 142, 143, 144 and Lots 3, 4, 5 and the West 59 feet of Lot 6, Block 145, together with adjoining vacated alleys, all in Original Town, Fremont, Dodge County, Nebraska.

Blocks 126, 125, 124, 123 and Lots 3, 4 and 5, Block 122, together with adjoining vacated alleys, all in Original Town, Fremont, Dodge County, Nebraska.

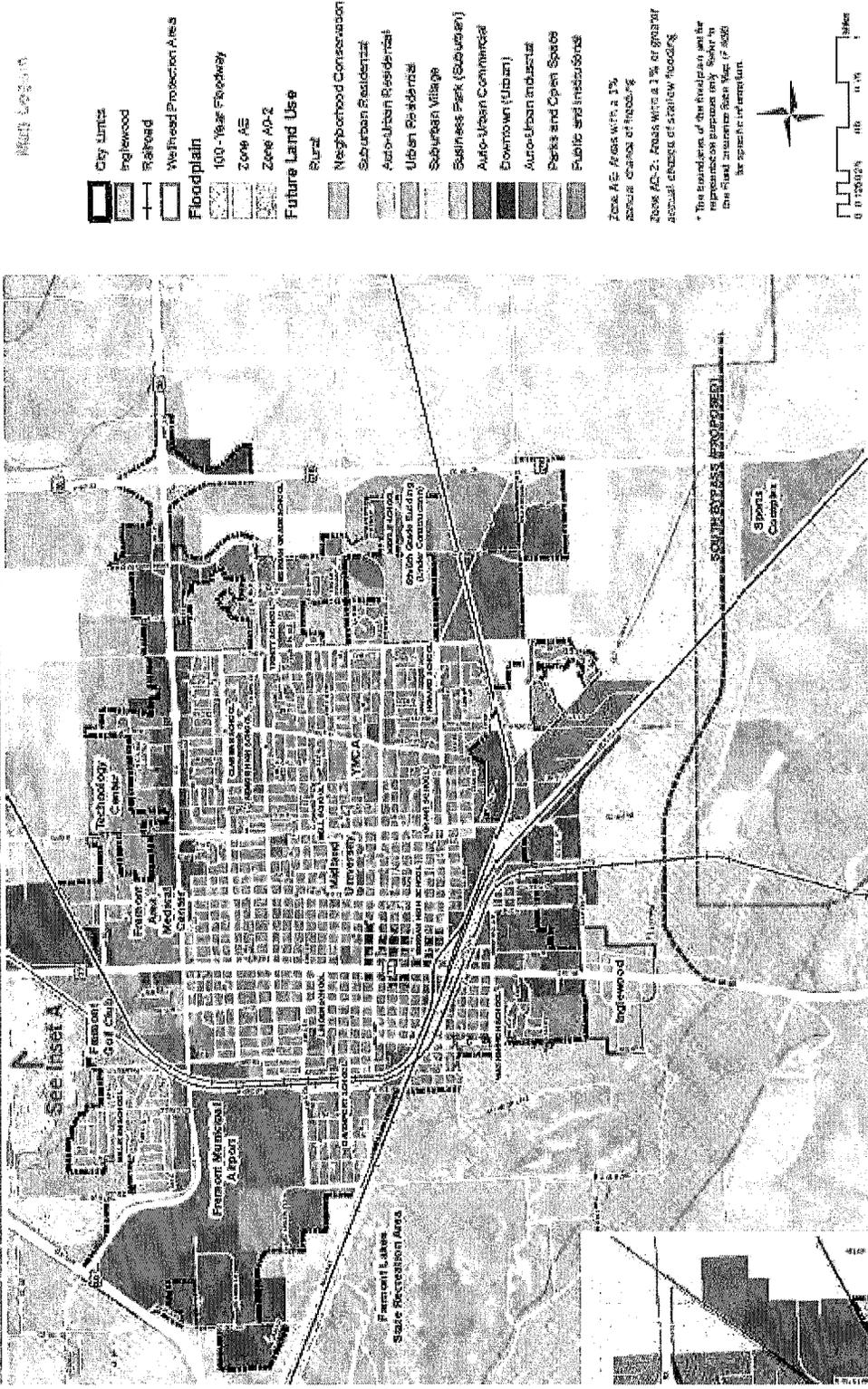
The South 44 feet of Lots 9 and 10, Block 111, Blocks 112, 113, 114 and Lots 5 and 6 and the South 10.5 feet of Lots 3 and 4, Block 115, together with adjoining vacated alleys, all in Original Town, Fremont, Dodge County, Nebraska.

Tax Lot 564, Block 212, Original Town, City of Fremont, Nebraska

Turner Square Subdivision Lot 1 and Lot 2, City of Fremont, Nebraska

Land Use Patterns in the Study Area

The land uses patterns in the study area can be described as primarily commercial in nature, with some residential, public/quasi-public, and parks/open space uses scattered throughout the area. The future land use map from the comprehensive plan notes that the area is designated as downtown commercial, and is included in the study on the following page.



Criteria

The definition and criteria for an area to be declared Blighted and Substandard under state statutes are as follows.

Blighted

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 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 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;
 - 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 **Substandard**

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:

- a. Dilapidated/deterioration;
- b. Age or obsolescence;
- c. Inadequate provision for ventilation, light, air, sanitation or open spaces;
- d. High density of population and overcrowding;
- e. The existence of conditions which endanger life or property by fire or other causes; or

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.

While it may be concluded the mere presence of a majority of the stated factors may be sufficient to make a finding of blight and substandard, this evaluation was made on the basis that the existing 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. In addition, this study was conducted on the basis that the blight and substandard criteria are reasonably distributed

within the Study Area to determine the presence of blight and substandard conditions. The basic distribution factor assures that non-blighted areas are not determined to be substandard or blighted simply due to proximity to the area which is blighted and substandard.

The approach and methodology utilized in conducting the Blight and Substandard Determination Study included an assessment of the factors and criteria cited in the NCDL as factors that contribute to making an area blighted or substandard. Data relating to the factors such as: land use compatibility, site conditions, adequacy of parcel, condition of public infrastructure, building condition, and unsafe or unsanitary conditions were determined through a field survey of the area in May 2014. Additional data was retrieved from the US Census Bureau, Nebraska Department of Labor, and Dodge County records to assess population, unemployment, diversity of ownership, age of structures, tax or special assessments, title information, and subdivision plat.

Analysis of Blighted and Substandard Criteria

Analysis of Blighted Structures

The determination and rating of a building's structural condition is a significant component of any blight and substandard determination. Thus, the systematic survey process utilized to classify the conditions must be based upon established and consistent criteria. A structural and infrastructure survey form was utilized to assure consistent evaluation. This evaluation included an exterior structural survey of buildings, a parcel-by-parcel field inventory and a review of available reports and documents containing information which could substantiate the existence of blighted conditions.

The field survey included a detailed evaluation of the exterior structural components (foundations, walls, columns, and roof structure) and secondary building components (wall surfaces, paint, roof, windows, doors, porches, chimneys, gutters and downspouts) of both primary and secondary buildings. Buildings were then classified into Excellent, Average, Fair, Poor, and Dilapidated.

Excellent: A sound structure is in good condition and that will remain in good condition with routine and normal maintenance.

Average: A structure that requires minor repairs to correct deficiencies, usually made by the property owner.

Fair: A deteriorating structure that requires major repairs usually from a professional craftsman to correct the deficiencies.

Poor: A deteriorating structure that requires significant repairs from a professional craftsman which may not be feasible.

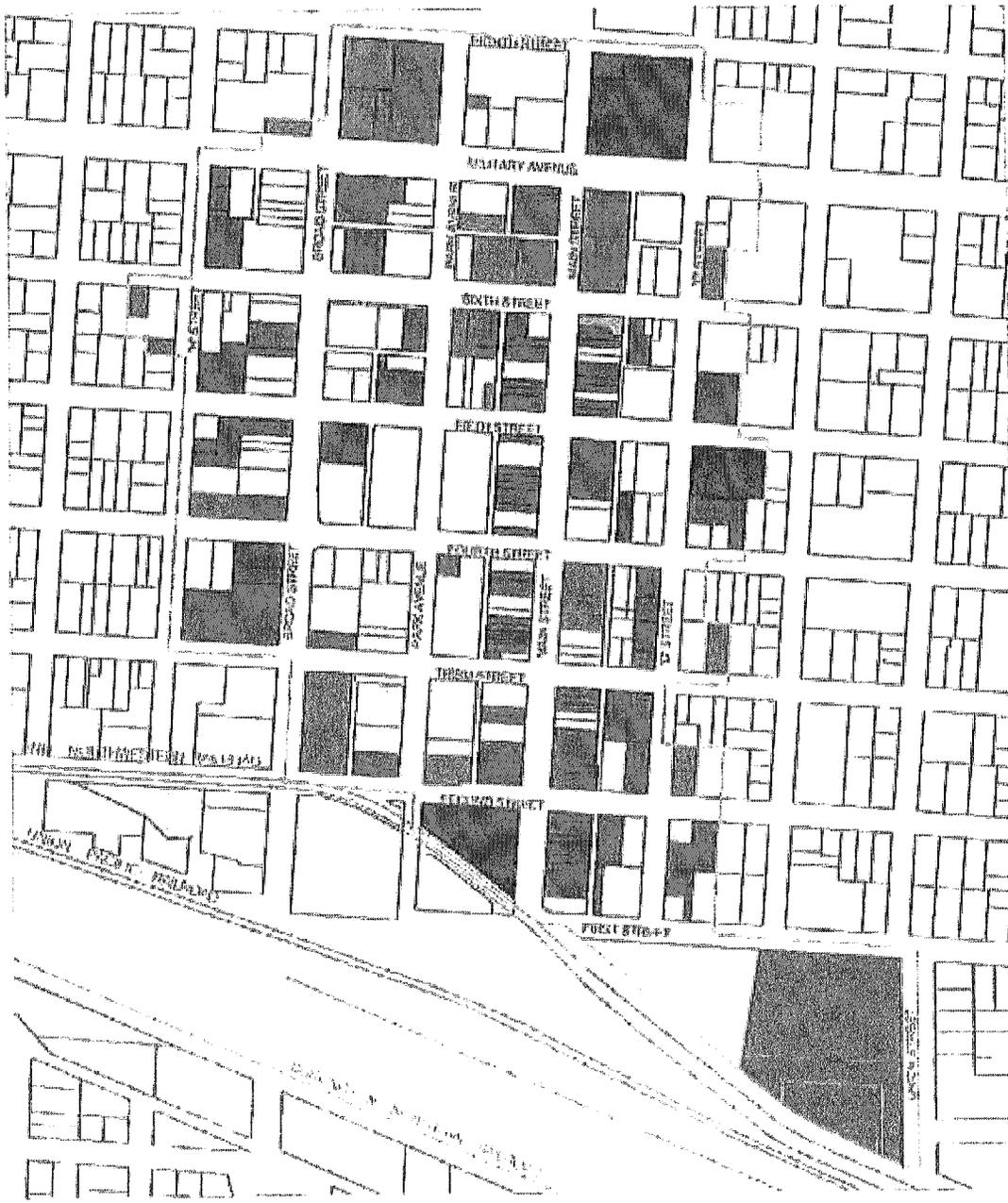
Dilapidated: An uninhabitable structure that should be demolished.

Of the 169 primary buildings, 106 were noted to be in a poor or dilapidated state, which represents approximately 63% of the structures in the study area. There were 49 structures noted to be in fair condition, with the remainder noted in either an average or excellent condition. The presence of a substantial number of deteriorating or dilapidated structures in the study area are a contributing factor to blight. The following graphic illustrates the conditions of structures in the study area.

CITY OF FREMONT BLIGHT STUDY BUILDING CONDITION

MAY 21, 2014

-  EXCELLENT
-  AVERAGE
-  FAIR
-  POOR
-  DILAPIDATED

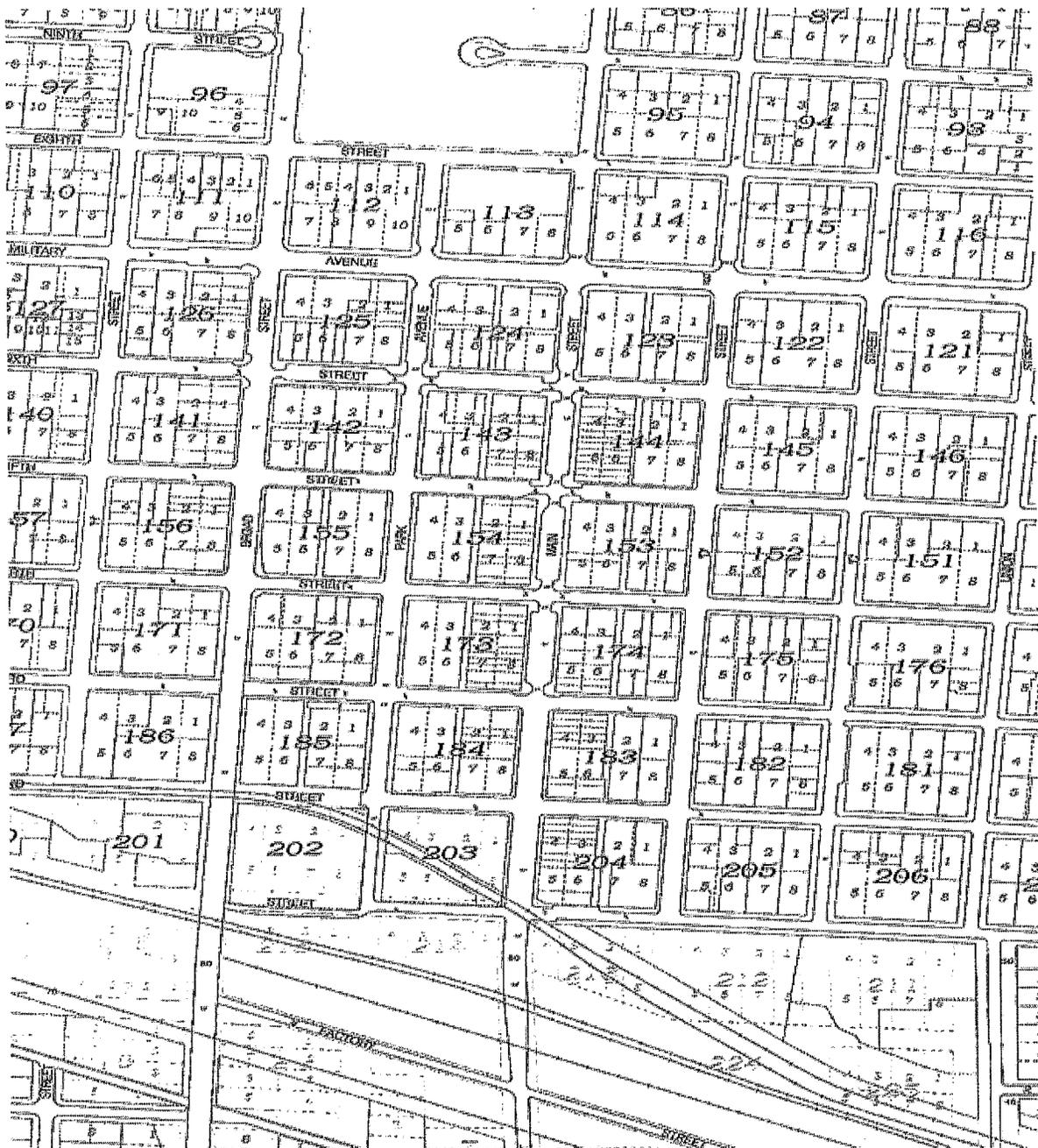


- Existence of defective or inadequate street layout;

The entire Study Area consists of a rectilinear street grid. The study does not meet 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, a few without access to public streets and antiquated 22 feet wide commercial lots can inhibit development in the study area as shown on the graphic below. Additionally, many lots that were originally much larger have been split multiple times over and now are in a much smaller configuration. The study area meets the faulty lot layout in relation to size, adequacy, accessibility, or usefulness criterion of blighted and substandard.

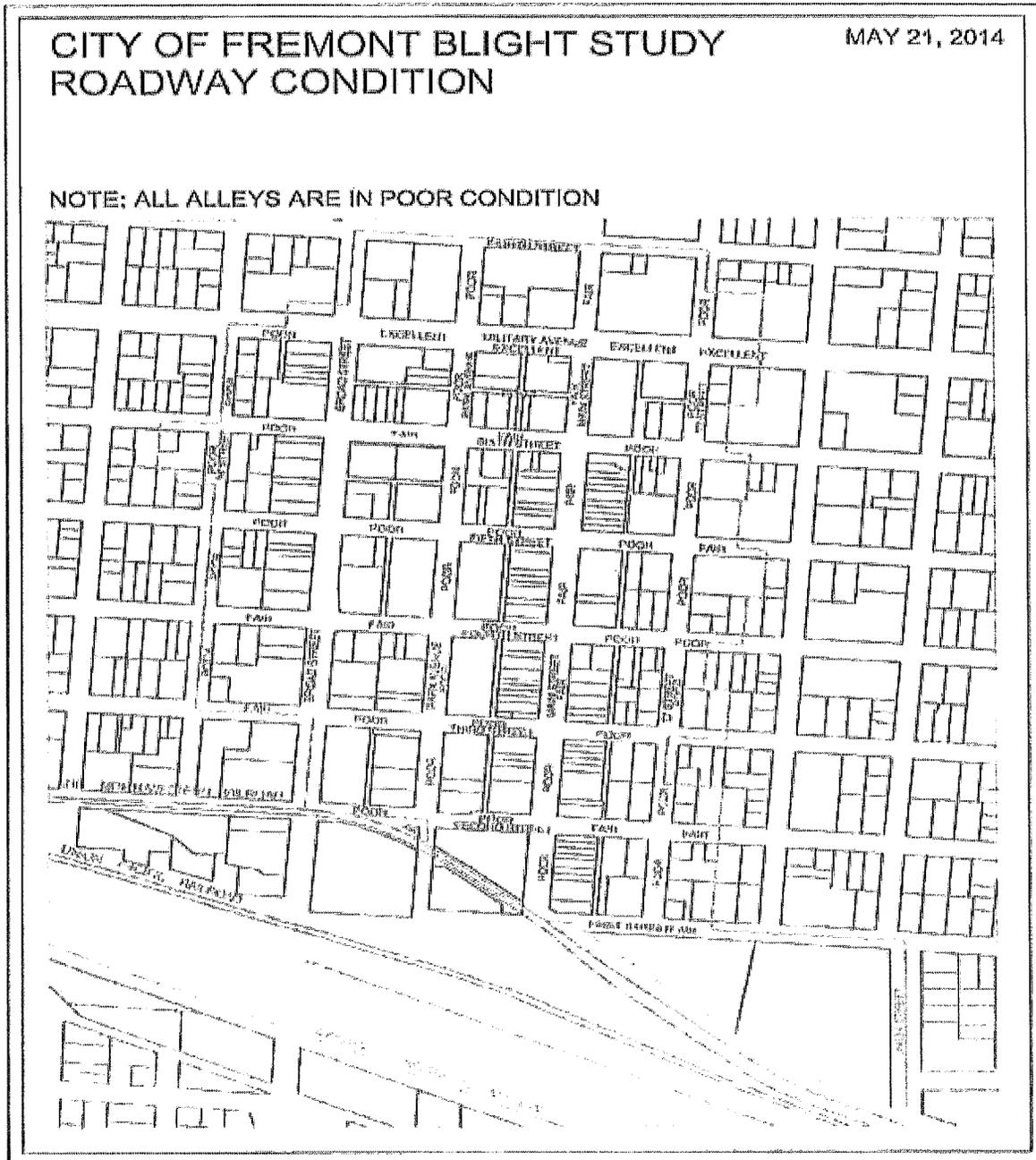


- Insanitary or unsafe conditions;

While the field survey identified some sites where various amounts of combustible items may be stored or where junk, debris, or waste tires may have been dumped, there was little evidence to suggest that was currently happening on a wide scale in the study area. Many items are near or against walls of the primary or secondary structures creating a substantial fire hazard. The substantial presence of debris is a contributing factor to criterion of blighted.

- Deterioration of site or other improvements;

The field survey evaluated the condition of site improvements, including streets, curbs and gutters, sidewalks, off street parking, fences, and site drainage. Multiple properties in the study area have inadequate sidewalks, particularly along numbered streets, Park Street, and D Street. Many blocks of streets In addition, ponding was present in several areas indicating a lack of adequate drainage. This was also true of many alleys in the area as presented in the graphic below. The study area meets the deterioration of the site or other improvements criterion of blighted.



- Diversity of ownership;

Based on available property records, land in the study area is owned by numerous individuals or entities. The study area meets the diversity of ownership criterion of blighted.

- Tax or Special Assessment;

The Dodge County records did not reveal any excessive tax or special assessment. The tax rate is not a criterion of blighted.

- Defective or unusual conditions of title;

No defective or unusual conditions of title were identified. Thus, the defective or unusual conditions of title are not a criterion of blighted.

- Improper subdivision or obsolete platting;

The configuration of lots, including some with antiquated 22 feet wide commercial lots which can inhibit development in the study area. In addition, there are a number of lots with irregular boundary configurations. The study area meets the improper subdivision or obsolete platting criterion of blighted.

- Conditions which endanger Life or Property by Fire or Other Causes;

The field survey identified 48 sites where various amounts of combustible items are stored of where there are junk, debris, or waste tires. Many items are near or against walls of the primary or secondary structure creating a substantial fire hazard. Ponding was present in several areas indicating a lack of adequate drainage. The substantial presence of debris is a contributing factor to 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;

The blighted factors identified in the survey as well as the absence of streetscape and landscape improvements, the absence of signage, and the underutilized upper floors of commercial structures constitutes an economic liability for the City of Fremont and contributes to the haphazard development and decline of this area.

- Is detrimental to the public health, safety, morals, or welfare in its present conditions and use; and in which at least one or more of the following conditions exists:
 1. Unemployment in the study or designated blighted area is at least one hundred twenty percent of the state or national average;
 2. The average age of the residential or commercial units in the area is at least 40 years;
 3. 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;
 4. 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
 5. The area has had either stable or decreasing population based on the last two decennial censuses.

Based upon the field survey and Dodge County records, the average age of the structures in the area is at least 40 years. Thus, the presence of one condition as criterion of blighted was identified.

Analysis of Substandard Criteria (not already analyzed)

- Age or obsolescence;

Based upon the field survey and Dodge County records, the average age of the structures in the area is at least 40 years. The study area does meet the age of structure criterion for substandard.

- Inadequate provision for ventilation, light, air, sanitation or open spaces;

The field study identified numerous structures with antiquated and/or inoperable windows. In addition, the majority of district is impervious and lacks open space. The study area does meet the inadequate provision of open space 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.

The study area does not meet the public health, safety, and crime criterion for substandard.

Conclusion

The conclusion of this study is that a the downtown district in the City of Fremont, Nebraska should be considered “Blighted and Substandard” under the criteria set forth in the Nebraska Community Development Law (LCDL). The conclusions presented in this study are 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 as part of the public record.

2024

City of Fremont Downtown Area Blight Study



JEO Consulting Group, Inc.

RESOLUTION NO. 2024-083

A Resolution of the City Council of the City of Fremont, Nebraska, declaring an area within the jurisdiction of the City of Fremont, Nebraska as Blighted and Substandard.

WHEREAS, JEO Consulting Group, Inc. has prepared an update to the Blight & Substandard Determination Study to the Downtown Fremont Blight and Substandard Study (the "Blight and Substandard Study"), copies of which are on file with the City Clerk of the City of Fremont, Nebraska;

WHEREAS, the Planning Commission held a public hearing on March 18, 2024 relating to the question of whether the Proposed Blight Area described on the attached Exhibit "A" (the "Proposed Blight Area"), should be declared blighted and substandard and in need of redevelopment, as defined in and pursuant to the Nebraska Community Development Law, Neb. Rev. Stat. § 18-2101, et seq., as amended (the "Act");

WHEREAS, a notice of public hearing was published in the Fremont Tribune Newspaper on March 23, 2024 and March 30, 2024, the latter of which was at least ten (10) days prior to the time of the public hearing, which notice described the time, place, date and purpose of the hearing, and specifically identified the area to be considered as blighted and substandard and in need of redevelopment;

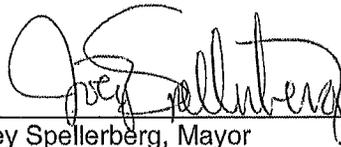
WHEREAS, the Planning Commission has reviewed the Blight and Substandard Study and the blight and substandard requirements set forth in the Act;

WHEREAS, the Planning Commission finds that the conditions set forth in the Blight and Substandard Study demonstrate sufficient evidence of substandard conditions in the Proposed Blight Area.

WHEREAS, the Planning Commission further finds and recommends that the conditions set forth in the Blight and Substandard Study demonstrate sufficient evidence of blighted conditions in the Proposed Blight Area.

NOW THEREFORE BE IT RESOLVED, the Community Development Agency of the City of Fremont, Nebraska recommends that the updated Downtown Blight and Substandard Area be declared a blighted and substandard area with the meaning of the Act and the City Council adopts the recommendation of the Community Development Agency and further adopts the Blight and Substandard Study.

PASSED AND APPROVED THIS 9th DAY OF APRIL, 2024.

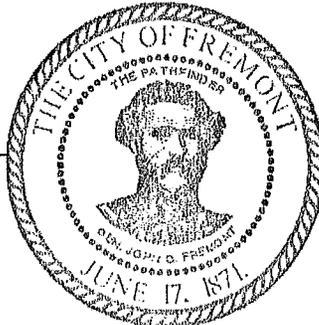


Joey Spellerberg, Mayor

ATTEST:



Tyler Ficken, City Clerk



STAFF REPORT

TO: Community Development Authority
FROM: Jennifer L. Dam, AICP, Planning Director
DATE: April 9, 2024
SUBJECT: Updated Blight & Substandard Declaration Downtown Area

Recommendation: Motion to approve Resolution 2024-005

Background:

JEO Consulting Group was contracted to update the Downtown Area Blight Study to review an expanded area to determine if the statutory requirements for designation of the 166.63-acre area as blighted and substandard with a recommendation to update the Downtown Redevelopment Plan to allow redevelopment activities.

JEO found that the following Blighted Criteria Conditions exist within the area that contribute to a recommendation of a blight designation:

- 73% of the 297 structures within the area were graded as deteriorating or dilapidated.
- 10% of the streets and sidewalks were rated as poor and 80% as fair.
- Varying size, adequacy, accessibility or usefulness of the lot layout is a contributing factor.
- Unsanitary or unsafe conditions were found to be contributing to the recommendation of blight designation.
 - Those conditions included debris piles in 15 locations; standing water; old structures (average age of 108 years for residential and 94 years for commercial);
- Poor condition of parking, driveways and outdoor storage.
- Drainage issues
- 73% of the structures (297 total) were graded as deteriorating or dilapidated.
- A diversity of ownership of parcels.
- Obsolete platting.
- The existence of conditions which endanger life or property, including debris, the 2% chance flood plain, poor drainage and the age of structure.

JEO found that the following criteria existed to determine that the area is substandard:

- Dilapidated and deteriorated buildings
- Age or obsolescence.
- Poor drainage and sanitation.
- And other substandard conditions.

The Planning Commission held a Public Hearing on March 18, 2024 and recommended approval with a vote of 7-0

Blight Study Legal Description Fremont Downtown

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF SECTION 14 AND IN SECTION 23, ALL IN TOWNSHIP 17 NORTH, RANGE 8 EAST OF THE SIXTH P.M., IN FREMONT, DODGE COUNTY, NEBRASKA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 8, BLOCK 69, ORIGINAL TOWN OF FREMONT, ALSO BEING THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF NORTH "H" STREET AND THE NORTH RIGHT-WAY LINE OF WEST 10TH STREET; THENCE EASTERLY ON SAID NORTH RIGHT-OF-WAY OF WEST 10TH STREET TO THE SOUTHWEST CORNER OF BLOCK 62, BARNARDS SUBDIVISION, ALSO BEING THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF UNION STREET AND SAID NORTH RIGHT-WAY LINE OF WEST 10TH STREET; THENCE SOUTHERLY ON SAID EAST RIGHT-OF-WAY LINE OF UNION STREET TO NORTH RIGHT-OF-WAY LINE OF EAST 1ST STREET; THENCE EASTERLY ON SAID NORTH RIGHT-OF-WAY LINE OF EAST 1ST STREET TO THE NORTHERLY EXTENSION OF SAID EAST RIGHT-OF-WAY LINE OF UNION STREET; THENCE SOUTHERLY ON SAID EAST RIGHT-OF-WAY LINE OF UNION STREET AND ITS NORTHERLY EXTENSION TO NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE NORTHWESTERLY ON SAID NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD TO THE SOUTHEAST CORNER OF BLOCK 186, ORIGINAL TOWN OF FREMONT, NEBRASKA, ALSO BEING THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF NORTH BROAD STREET AND SAID NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE NORTHERLY ON SAID WEST RIGHT-OF-WAY LINE OF NORTH BROAD STREET TO THE NORTHEAST CORNER OF SAID BLOCK 186, ALSO BEING THE INTERSECTION OF SAID WEST RIGHT-OF-WAY LINE OF NORTH BROAD STREET AND THE SOUTH RIGHT-OF-WAY LINE OF 3RD STREET; THENCE WESTERLY ON SAID SOUTH RIGHT-OF-WAY LINE OF 3RD STREET TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 6, BLOCK 170, ORIGINAL TOWN OF FREMONT; THENCE NORTHERLY SAID WEST LINE AND ITS SOUTHERLY EXTENSION TO THE NORTHWEST CORNER OF SAID LOT 6; THENCE EASTERLY ON THE NORTH LINE OF SAID LOT 6 TO SOUTHWEST CORNER OF THE EAST 35 FEET OF LOT 7 OF SAID BLOCK 170; THENCE NORTHERLY ON THE WEST LINE OF SAID EAST 35 FEET OF LOT 7 TO THE SOUTH RIGHT-OF-WAY LINE OF WEST 4TH STREET; THENCE WESTERLY ON SAID SOUTH RIGHT-OF-WAY LINE OF 4TH STREET TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 6, BLOCK 157, ORIGINAL TOWN OF FREMONT; THENCE NORTHERLY SAID WEST LINE AND ITS SOUTHERLY EXTENSION TO THE NORTHWEST CORNER OF SAID LOT 6; THENCE NORTHERLY ON THE WEST LINE OF LOT 3 OF SAID BLOCK 157 TO THE SOUTH RIGHT-OF-WAY LINE OF 5TH STREET; THENCE NORTHERLY ON THE SOUTHERLY EXTENSION AND WEST LINE OF LOT 6, BLOCK 140, ORIGINAL TOWN OF FREMONT TO THE NORTHWEST CORNER OF SAID LOT 6; THENCE EASTERLY ON THE NORTH LINE OF SAID LOT 6, A DISTANCE OF 4 FEET; THENCE NORTHERLY, A DISTANCE OF 52 FEET; THENCE WESTERLY, A DISTANCE OF 4 FEET TO THE WEST LINE OF LOT 3 OF SAID BLOCK 140; THENCE NORTHERLY ON SAID WEST LINE TO THE SOUTH RIGHT-OF-WAY LINE OF 6TH STREET; THENCE NORTHERLY TO THE SOUTHWEST CORNER OF LOT 9, BLOCK 127, ORIGINAL TOWN OF FREMONT; THENCE NORTHERLY ON THE WEST LINE OF SAID LOT 9 TO THE NORTHWEST CORNER OF SAID LOT 9; THENCE EASTERLY ON THE NORTH LINE OF SAID LOT 9 TO THE SOUTHEAST CORNER OF LOT 6 OF SAID BLOCK 127; THENCE NORTHERLY ON THE EAST LINE OF SAID LOT 6 TO THE NORTHEAST CORNER OF SAID LOT 6; THENCE NORTHERLY ON THE EAST LINE AND NORTHERLY EXTENSION OF LOT 3 OF SAID BLOCK 127 TO THE NORTH RIGHT OF WAY LINE OF WEST MILITARY AVENUE; THENCE EASTERLY ON SAID NORTH RIGHT-OF-WAY OF WEST MILITARY AVENUE TO SOUTHEAST CORNER OF LOT 8, BLOCK 110, ORIGINAL TOWN OF FREMONT, ALSO BEING THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF NORTH "H" STREET AND SAID NORTH RIGHT-WAY LINE OF WEST MILITARY AVENUE; THENCE NORTHERLY ON SAID WEST RIGHT-OF-WAY LINE OF NORTH "H" STREET TO THE POINT OF BEGINNING.

Introduction

Purpose of the Study

This Fremont Downtown Area blight and substandard study of the designated study area is intended to give the Community Development Agency and City Council the basis for considering the existence of blight and substandard conditions within the delineated study area. Through this process, the City of Fremont's Community Development Agency may employ and exercise the power authorized in Nebraska Community Development Law to eliminate and prevent blighted and substandard conditions that are detrimental to the future public health, safety, morals, and general welfare of the entire community as well as the surrounding region. If the City of Fremont finds and determines, based on substantial evidence in the record before it, that the recommended Blight and Substandard Area (detailed below and referred to herein as "Fremont Downtown Area Blight Study Area") meets the statutory conditions for an area that is blighted, substandard, and in need of redevelopment, the designated study area will become a Redevelopment Area under the Community Development Law (Neb. Rev. Stat. §§ 18-2101 to 18-2155).

This blight and substandard study examines the existing conditions of land use, physical and other constraints, buildings, and structures within the designated study area in the City of Fremont to determine its eligibility for redevelopment activities. Potential opportunities for redevelopment exist throughout the designated study area, which would allow the City of Fremont to overcome blighted and substandard conditions and avoid issues that could lead to blight and substandard conditions. When evaluating blight and substandard conditions, the City of Fremont must adhere to Nebraska Community Development Law.

Nebraska Revised State Statutes

The Community Development Law provides guidelines under which municipalities may address concerns and develop strategies for the rehabilitation and redevelopment of deteriorating area, as well as the prevention and elimination of substandard and blighted area. The Legislature has declared, in pertinent part:

It is hereby found and declared that there exist in cities of all classes and villages of this state area which have deteriorated and become substandard and blighted because of the unsafe, insanitary, inadequate, or overcrowded condition of the dwellings therein, or because of inadequate planning of the area, or excessive land coverage by the buildings thereon, or the lack of proper light and air and open space, or because of the defective design and arrangement of the buildings thereon, or faulty street or lot layout, or congested traffic conditions, or economically or socially undesirable land uses...These conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids herein provided...It is further found and declared that the prevention and elimination of blight is a matter of state policy, public interest, and statewide concern and within the powers and authority inhering in and reserved to the state, in order that the state and its municipalities shall not continue to be endangered by area which are focal centers of disease, promote juvenile delinquency, and consume an excessive proportion of their revenue. §18-2102

Consistent with these findings, municipalities have been granted the power to address deterioration, substandard conditions, and blight through any number of means, including “the formulation of a workable program, the approval of community redevelopment plans consistent with the general plan for the development of the city, the exercise of its zoning powers, the enforcement of other laws, codes, and regulations, relating to the use of land and the use and occupancy of buildings and improvements, the disposition of any property acquired, and the providing of necessary public improvements.” Neb. Rev. Stat. §18-2104.

Nebraska Revised Statute §18-2104 enables a municipality to declare that blight and substandard conditions exist. The statute reads,

The governing body of a city, to the greatest extent it deems to be feasible in carrying out the provisions, shall afford maximum opportunity, consistent with sound needs of the city, to the rehabilitation or redevelopment of the community redevelopment area by private enterprises. The governing body of a city shall give consideration to this objective in exercising its powers, including the formulation of a workable program, the approval of community redevelopment plans consistent with the general plan for the development of the city, the exercise of its zoning powers, the enforcement of other laws, codes, and regulations relating to the use and occupancy of buildings and improvements, the disposition of any property acquired, and providing of necessary public improvements.

The process of improving an area begins with the creation of a municipality-wide workable program for utilizing appropriate private and public resources to address the specific conditions to be improved. Such workable programs may include “provision for the prevention of the spread of blight into areas of the municipality which are free from blight through diligent enforcement of housing, zoning, and occupancy controls and standards; the rehabilitation or conservation of substandard and blighted area or portions thereof by re-planning, removing congestion, providing parks, playgrounds, and other public improvements by encouraging voluntary rehabilitation and by compelling the repair and rehabilitation of deteriorated or deteriorating structures; and the clearance and redevelopment of substandard and blighted area or portions thereof.” Neb. Rev. Stat. §18-2105.

The statutes provide a means for the governing body of a municipality to address and develop strategies for rehabilitation and redevelopment of the community. Nebraska Revised Statute §18-2105 also grants authority to the governing body to formulate a redevelopment program. The statute reads:

The governing body of a city or an authority at its direction for the purposes of the Community Development Law may formulate for the entire municipality a workable program for utilizing appropriate private and public resources to eliminate or prevent the development or spread of urban blight, to encourage needed urban rehabilitation, to provide for the redevelopment of substandard and blighted area, or to undertake such of the aforesaid activities or other feasible municipal activities as may be suitably employed to achieve the objectives of such workable program. Such workable program may include, without limitation, provision for the prevention of the spread of blight into area of the municipality which are free from blight through diligent enforcement of housing, zoning and occupancy controls and standards; the rehabilitation or conservation of substandard or blighted area or portions thereof by replanning, removing congestion, providing parks, playgrounds, and other public improvements by encouraging voluntary rehabilitation and by compelling the repair and rehabilitation of deteriorated or deteriorating structures; and the clearance and redevelopment of substandard and blighted area or portions thereof. §18-2105

Prior to the adoption of a redevelopment plan, a municipality must have an adopted comprehensive plan (§18-2110) and shall have declared the redevelopment area to be a substandard and blighted area in need of redevelopment (§18-2109).

The important community development terms are defined in Nebraska Revised Statute §18-2103, several of which are shown below (organization and emphasis added):

Substandard area means an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare;

Blighted area means an area, which

(a) 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, unsanitary 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, or the existence of conditions which endanger life or property by fire and other causes, or 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,

(b) in which there is at least one of the following conditions:

- (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average;
- (ii) the average age of the residential or commercial units in the area is at least forty years;
- (iii) more than half of the platted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time;
- (iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or

(v) the area has had either stable or decreasing population based on the last two decennial censuses.

In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a village shall not designate an area larger than one hundred percent of the village as blighted;

Substandard and Blight Eligibility Analysis

Designated Study Area

The designated study area is property within the corporate limits for evaluation pursuant to the Community Development Law. The area is a mixed commercial, industrial, and residential district. The designated study area was selected for a number of reasons, including:

1. The general area was previously studied and declared Blighted and Substandard.
2. The presence of blighted and substandard characteristics within the study area.
3. The potential for private development and redevelopment activities within the study area.
4. The need for improvements in infrastructure due to specific existing conditions.
5. The economical and functional obsolescence of certain properties within the study area.
6. The need for public intervention to stimulate the development and redevelopment of vital infrastructure systems and housing to support these private redevelopment efforts.

Once declared substandard and blighted, the City of Fremont can stimulate and manage future development in this area by creation and use of the redevelopment plan and its statutory authority to provide financial incentives for private development.

Through the redevelopment process, the City of Fremont can guide future development in the community and provide financial incentives for development. The use of the Nebraska Community Redevelopment Law by the City of Fremont is intended to improve the community and enhance the quality of life for all residents by eliminating conditions that contribute to the spread of blight and hinder private reinvestment in the area due to these factors. Using the Nebraska Community Development Law, Fremont can eliminate negative factors and implement programs and/or projects identified to improve conditions, thereby removing, or preventing blight and substandard conditions.

Substandard and Blight Conditions

As set forth in section 18-2103(31), **substandard area** shall mean an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which by reason of the following:

1. Dilapidation/deterioration*

Exterior inspection of buildings to note deficiencies (sound, minor, major, dilapidated)

- Examples include structural (walls, foundation, roof), building systems (gutters, roof surface, chimney), and architectural systems (fire escapes, weatherization, steps, exterior paint, site conditions).

2. Age or obsolescence

Estimate age of structures (40+ years criteria)

3. Inadequate provision for ventilation, light, air, sanitation, or open spaces

Overall sight conditions

- Examples include junked cars or debris, cluttered alleyways, antiquated infrastructure systems (overhead power lines), outdoor storage/sanitation facilities, unpaved parking/outdoor storage.

4. Other substandard conditions

- (a) High density of population and overcrowding (census); or
- (b) The existence of conditions which endanger life or property by fire and other causes as unsanitary and unsafe conditions which endanger life or property by fire and other natural causes floodplain; or
- (c) Any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; is detrimental to the public health, safety, morals, or welfare (includes sanitation concerns, inadequate infrastructure systems (sewer, water service mains, storm sewers), poor lighting, crime statistics, floodplain area, outdoor storage, site clutter).

As set forth in the Community Development Law, a **blighted area** shall mean an area, which by reason of the presence of:

1. **A substantial number of deteriorated or deteriorating structures***
Exterior inspection of buildings to note deficiencies (sound, minor, major, dilapidated)
 - Examples include structural (walls, foundation, roof), building systems (gutters, roof surface, chimney), and architectural systems (fire escapes, weatherization, steps, exterior paint, site conditions).
2. **Existence of defective or inadequate street layout**
Condition of streets/inadequate access including sidewalks
 - Examples include street conditions, dead ends, railroad crossings, linear downtown, narrow alleyways, blind crossings, and sidewalk condition.
3. **Faulty lot layout in relation to size, adequacy, accessibility, or usefulness**
Conditions associated with accessibility/usefulness of the lots
 - Examples include land locked parcels, odd shaped lots, undersized lots, lots with accessibility concerns.
4. **Unsanitary or unsafe conditions**
Conditions which pose a threat to public health and safety
 - Examples include age and physical condition of structures, floodplain, lack of public infrastructure systems, unsanitary conditions, ventilation concerns.
5. **Deterioration of site or other improvements**
Field observation of age and condition of public utilities, debris, and inadequate public improvements
 - Examples include lack of off-street parking, storm drainage, junk cars, dilapidated structures, debris, on-site storage, congested overhead power lines.
6. **Diversity of ownership**
The total number of unduplicated owners
 - Examples include the necessity of to acquire numerous lots is a hindrance to redevelopment. However, land assemblage of larger proportions necessary for major developments, is more economically feasible and will attract financial support, as well as public patronage required to repay such financial support. Such assemblage is difficult without public intervention.
7. **Tax or special assessment delinquency exceeding the fair value of the land**
Examination of public records to determine the status of taxation of properties
 - Examples include delinquent taxes, real estate taxes or special assessments exceeding the fair market value.
8. **Defective or unusual conditions of title**
Examine public records to determine any defective or unusual title defects
 - Examples include improper filings, liens, defective titles, etc.
9. **Improper subdivision or obsolete platting**
Examine public records to determine improper subdivision and obsolete platting
 - Examples include undersized lots, improper zoning, lot configuration, easement concerns, never recorded vacated streets, accessibility concerns.
10. **The existence of conditions which endanger life or property by fire or other causes**
Examine conditions which endanger life or property

- Examples include inadequate, undersized, or inoperative public infrastructure systems, floodplain, building materials, site access, on-site storage (cars), secluded area for pests and vermin to thrive, inadequate surface drainage, street/sidewalk conditions, etc.
11. **Any combination of such factors, substantially impairs or arrests the sound growth of the community, hinders the provision of housing accommodations, or constitutes an economic or social liability**
Economic and/or socially undesirable land uses
- Examples include incompatible land uses, economic obsolescence, functional obsolescence which relates to the property's ability to compete in the marketplace.
12. **Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:**
- (a) Unemployment in the designated blighted area is at least one hundred twenty percent of the state or national average (Census statistics);
 - (b) The average age of the residential or commercial units in the area is at least 40 years (Public Records);
 - (c) More than half of the plotted and subdivided property in the area is unimproved land that has been within the city for 40 years and has remained unimproved during that time (Public records);
 - (d) The per capita income of the designated blighted area is lower than the average per capita income of the city or village in which the area is designated (Census); or
 - (e) The area has had either stable or decreasing population based on the last two decennial censuses (Census).

*Where structural conditions are evaluated, individual structures are rated in accordance with the following rating schedule as defined by the U.S. Department of Housing and Urban Development: no problem, adequate condition, deteriorating condition, or dilapidated condition. The following descriptions define the rating schedule used to assess and evaluate building and structure conditions:

No Problem

No structural or aesthetic problems are visible.

Adequate Condition

- Slight damage to porches, steps, roofs, etc. is present on the structure,
- Slight wearing away of mortar between bricks, stones, or concrete blocks,
- Small cracks in walls or chimneys,
- Cracked windows,
- Lack of paint, and
- Slight wear on steps, doors, and door and window frames.

Deteriorating Condition

- Holes, open cracks, rotted, loose, or missing materials in parts of the foundation, walls, (up to one-quarter of the wall), or roof (up to one-quarter of roof),
- Shaky, broken, or missing steps or railings,
- Numerous missing and cracked windowpanes,
- Some rotted or loose windows or doors (no longer wind- or waterproof),
- Missing bricks or other masonry of chimney, and
- Makeshift (un-insulated) chimney.

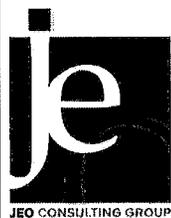
Dilapidated Condition

- Holes, open cracks, or rotted, loose or missing material (siding, shingles, brick, concrete, tiles, plaster, floorboards) over large area of foundation, on walls or on roof,
- Substantial sagging of roof, floors, or walls,
- Extensive damage by fire, flood, or storm, and
- Inadequate original construction such as makeshift walls, roofs made of scrap materials, foundations or floors lacking, or converted barns, sheds, and other structures not adequate for housing.

Designated Study Area

The study area as identified can be found in Figure 1. For this study, the study area will be known as the "Designated Study Area" which was reviewed for substandard and blight characteristics.

Figure 1: Designated Study Area



City of Fremont, NE

Fremont Downtown Blight Study Area

Created By: J. Ray; N. Schroeder
Date: January 2024
Software: ArcGIS Pro 3.1.2
File: R231940.00

This map was prepared using information from record drawings supplied by JEO and/or other applicable city, county, federal, or public or private entities. JEO does not guarantee the accuracy of this map or the information used to prepare this map. This is not a scaled plat.

Recommended Blight and Substandard Area

Based upon the review of the designated study area, and its context with the community, JEO Consulting Group recommends the designated study area be recommended as a Blight and Substandard Area. This area consists of approximately 166.63 acres. The following boundary description delineates the Recommended Area:

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF SECTION 14 AND IN SECTION 23, ALL IN TOWNSHIP 17 NORTH, RANGE 8 EAST OF THE SIXTH P.M., IN FREMONT, DODGE COUNTY, NEBRASKA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 8, BLOCK 69, ORIGINAL TOWN OF FREMONT, ALSO BEING THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF NORTH "H" STREET AND THE NORTH RIGHT-WAY LINE OF WEST 10TH STREET; THENCE EASTERLY ON SAID NORTH RIGHT-OF-WAY OF WEST 10TH STREET TO THE SOUTHWEST CORNER OF BLOCK 62, BARNARDS SUBDIVISION, ALSO BEING THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF UNION STREET AND SAID NORTH RIGHT-WAY LINE OF WEST 10TH STREET; THENCE SOUTHERLY ON SAID EAST RIGHT-OF-WAY LINE OF UNION STREET TO NORTH RIGHT-OF-WAY LINE OF EAST 1ST STREET; THENCE EASTERLY ON SAID NORTH RIGHT-OF-WAY LINE OF EAST 1ST STREET TO THE NORTHERLY EXTENSION OF SAID EAST RIGHT-OF-WAY LINE OF UNION STREET; THENCE SOUTHERLY ON SAID EAST RIGHT-OF-WAY LINE OF UNION STREET AND ITS NORTHERLY EXTENSION TO NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE NORTHWESTERLY ON SAID NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD TO THE SOUTHEAST CORNER OF BLOCK 186, ORIGINAL TOWN OF FREMONT, NEBRASKA, ALSO BEING THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF NORTH BROAD STREET AND SAID NORTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE NORTHERLY ON SAID WEST RIGHT-OF-WAY LINE OF NORTH BROAD STREET TO THE NORTHEAST CORNER OF SAID BLOCK 186, ALSO BEING THE INTERSECTION OF SAID WEST RIGHT-OF-WAY LINE OF NORTH BROAD STREET AND THE SOUTH RIGHT-OF-WAY LINE OF 3RD STREET; THENCE WESTERLY ON SAID SOUTH RIGHT-OF-WAY LINE OF 3RD STREET TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 6, BLOCK 170, ORIGINAL TOWN OF FREMONT; THENCE NORTHERLY SAID WEST LINE AND ITS SOUTHERLY EXTENSION TO THE NORTHWEST CORNER OF SAID LOT 6; THENCE EASTERLY ON THE NORTH LINE OF SAID LOT 6 TO SOUTHWEST CORNER OF THE EAST 35 FEET OF LOT 7 OF SAID BLOCK 170; THENCE NORTHERLY ON THE WEST LINE OF SAID EAST 35 FEET OF LOT 7 TO THE SOUTH RIGHT-OF-WAY LINE OF WEST 4TH STREET; THENCE WESTERLY ON SAID SOUTH RIGHT-OF-WAY LINE OF 4TH STREET TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 6, BLOCK 157, ORIGINAL TOWN OF FREMONT; THENCE NORTHERLY SAID WEST LINE AND ITS SOUTHERLY EXTENSION TO THE NORTHWEST CORNER OF SAID LOT 6; THENCE NORTHERLY ON THE WEST LINE OF LOT 3 OF SAID BLOCK 157 TO THE SOUTH RIGHT-OF-WAY LINE OF 5TH STREET; THENCE NORTHERLY ON THE SOUTHERLY EXTENSION AND WEST LINE OF LOT 6, BLOCK 140, ORIGINAL TOWN OF FREMONT TO THE NORTHWEST CORNER OF SAID LOT 6; THENCE EASTERLY ON THE NORTH LINE OF SAID LOT 6, A DISTANCE OF 4 FEET; THENCE NORTHERLY, A DISTANCE OF 52 FEET; THENCE WESTERLY, A DISTANCE OF 4 FEET TO THE WEST LINE OF LOT 3 OF SAID BLOCK 140; THENCE NORTHERLY ON SAID WEST LINE TO THE SOUTH RIGHT-OF-WAY LINE OF 6TH STREET; THENCE NORTHERLY TO THE SOUTHWEST CORNER OF LOT 9, BLOCK 127, ORIGINAL TOWN OF FREMONT; THENCE NORTHERLY ON THE WEST LINE OF SAID LOT 9 TO THE NORTHWEST CORNER OF SAID LOT 9; THENCE EASTERLY ON THE NORTH LINE OF SAID LOT 9 TO THE SOUTHEAST CORNER OF LOT 6 OF SAID BLOCK 127; THENCE NORTHERLY ON THE EAST LINE OF SAID LOT 6 TO THE NORTHEAST CORNER OF SAID LOT 6; THENCE NORTHERLY ON THE EAST LINE AND NORTHERLY EXTENSION OF LOT 3 OF SAID BLOCK 127 TO THE NORTH RIGHT OF WAY LINE OF WEST MILITARY AVENUE; THENCE EASTERLY ON SAID NORTH RIGHT-OF-WAY OF WEST MILITARY AVENUE TO SOUTHEAST CORNER OF LOT 8, BLOCK 110, ORIGINAL TOWN OF FREMONT, ALSO BEING THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF NORTH "H" STREET AND SAID NORTH RIGHT-WAY LINE OF WEST MILITARY AVENUE; THENCE NORTHERLY ON SAID WEST RIGHT-OF-WAY LINE OF NORTH "H" STREET TO THE POINT OF BEGINNING.

Findings and Contributing Factors

The intent of this study is to determine whether the Fremont Downtown Area Blight Study Area within the community has experienced structural and site deterioration or if there are other negative factors which are decreasing the development potential for the area. The field survey conducted on Tuesday through Friday, January 2-5, 2024, indicated the study area has such deterioration or lack of municipal infrastructure, thus the study area warrants further examination regarding blighted and substandard conditions. The following factors were evaluated to determine if there is a reasonable presence of blight and substandard conditions within the Fremont Downtown Area Blight Study Area.

This section reviews the building and structure conditions, infrastructure, site conditions and land use found within the Fremont Downtown Area Blight Study Area based upon the statutory definitions, planning team observations during the field survey, and explains the identified contributing factors. *Appendix A* provides a visual description and documents examples of the different conditions that led to each factor's determination. See *Appendix A* for a visual description of the site conditions, debris, condition of public infrastructure, deteriorating structures and other observed conditions within the Fremont Downtown Area Blight Study Area.

BLIGHTED CRITERIA CONDITIONS

As set forth in the Nebraska legislation, a blighted area shall mean an area, which by reason of the presence of the following.

Substantial Number of Deteriorated or Deteriorating Structures

As a rule, the primary structure for each parcel within the Fremont Downtown Area Blight Study Area was examined. A total of 297 structures or 73% of the structures within the designated study area were graded as deteriorating or dilapidated. Figure 2 illustrates the distribution of the structural ratings within the study area. This is considered a significant contributing factor.

Figure 2, Structural Rating





City of Fremont, NE
Fremont Downtown Blight Study:
Structural Rating

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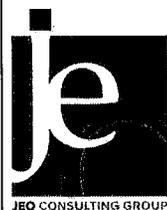
Created By: J. Ray; N. Schroeder
Date: January 2024
Software: ArcGIS Pro 3.1.2
File: R231940.00

Defective or Inadequate Street Layout

Street Conditions and Accessibility

Street and sidewalk conditions within the Fremont Downtown Area Blight Study Area were evaluated in relation to the provision of safe and efficient public circulation and access, and with regard to ease of travel and appearance. The transportation infrastructure conditions are illustrated on Figure 3.

Figure 3, Transportation



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 Date: January 2024
 Software: ArcGIS Pro 3.1.2
 File: R231940.00

City of Fremont, NE
Fremont Downtown Blight Study:
Transportation

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Approximately 10 percent of the transportation infrastructure (streets and sidewalks) were rated as poor and 80% as fair. Overall, the Fremont Downtown Area Blight Study Area has good connectivity



with the adjacent streets and only minor obstructions of the grid network. This is not considered a significant enough to be a major contributing factor.

Faulty lot layout in relation to size, adequacy, accessibility, or usefulness

Throughout the Fremont Downtown Area Blight Study Area, the lot sizes and shapes vary. Most commercial lots in the area are too narrow to adequately accommodate modern commercial building standards with some as narrow as 17 feet. Several buildings have been constructed on more than one lot and straddle property lines. Three lots were noted as “landlocked” and lacked legal access to a public Right of Way. In addition, some lots are “L” shaped, have 45-degree angles or are odd shaped diminishing the usefulness of the area.

Overall, this factor is considered to be a contributing factor.

Unsanitary or unsafe conditions

Conditions which pose a threat to public health and safety

Debris

Debris piles consisting of used tires, building materials, tree limbs, barrels, and a demolished camper were noted in the field analysis in 15 locations. This can contribute to harboring rodents and vermin as well as pose a potential mosquito breeding area to spread disease. In addition, the debris piles could pose a fire hazard to nearby structures and residents.

Floodplain

The entire study area is within the 500-year flood plain and has the potential to create unsafe localized flooding.

Drainage

During the field analysis many areas were noted on parcels with standing water as well as streets with broken or missing curb and gutter which can hinder the storm drainage causing erosion and creating unsafe conditions.

Age of Structure

Structures constructed prior to 1978 may contain lead-based paint which can pose health and human development risks to children with chipping or peeling. The average of residential and commercial structures in area is 108 years (1916) and 94 years (1930), respectively.

As a result, this factor is considered to be contributing the recommended blight designation.



Deterioration of site or other improvements

The age of the structures and condition of public utilities, debris, and inadequate public improvements.

Parking and driveways

The field analysis noted numerous parking lots, driveways and outdoor storage areas that lacked hard surfaces or were in poor condition.

Debris

Debris piles consisting of used tires, building materials, tree limbs, barrels, and a demolished camper were noted in the field analysis in 15 locations. This can contribute to harboring rodents and vermin as well as pose a potential mosquito breeding area to spread disease. In addition, the debris piles could pose a fire hazard to nearby structures and residents.

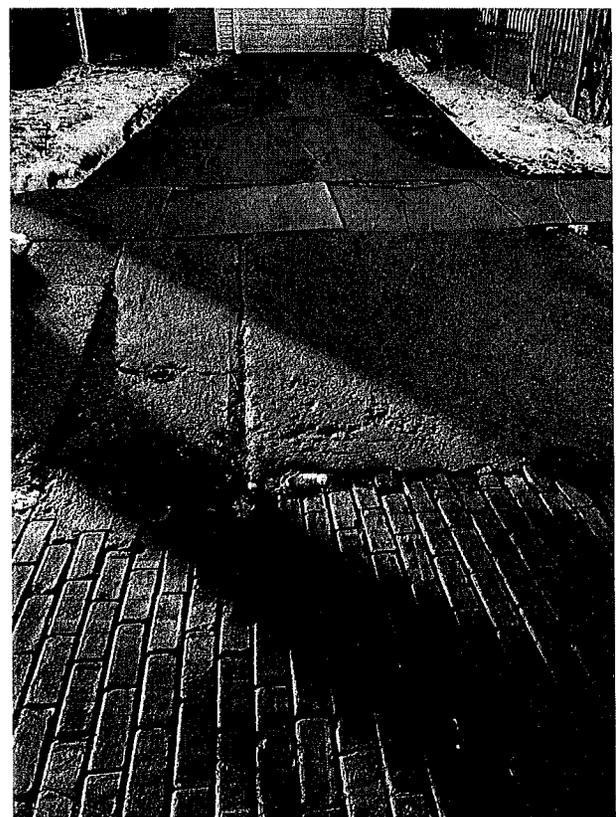
Drainage

During the field analysis many areas were noted on parcels with standing water as well as streets with broken or missing curb and gutter which can hinder the storm drainage causing erosion and creating unsafe conditions.

Structural Rating

A total of 297 structures or 73% of the structures within the designated study area were graded as deteriorating or dilapidated.

As a result, this factor is considered to be contributing the recommended blight designation.



Diversity of ownership

The diversity of ownership is evident in the Fremont Downtown Area Blight Study Area. There are 348 unique private property owners in the Fremont Downtown Area Blight Study Area.

As a result, this factor is considered to be contributing to the recommended blight designation.

Tax or special assessment delinquency exceeding the fair value of the land

There was no evidence identified of taxes or special assessments exceeding the fair market value of the parcels in the study area.

Defective or unusual conditions of title

There was no evidence identified of defective or unusual conditions of title of the parcels in the study area.

As a result, this factor is not considered to be contributing to the recommended blight designation.

Improper subdivision or obsolete platting

Obsolete platting

Throughout the Fremont Downtown Area Blight Study Area, the lot sizes and shapes vary. Most commercial lots in the area are obsolete by being too narrow to adequately accommodate modern commercial building standards. Several buildings have been constructed on more than one lot and straddle property lines. In addition, some lots are "L" shaped or odd shaped diminishing the usefulness of the area.

As a result, this factor is considered to be contributing the recommended blight designation.

The existence of conditions which endanger life or property

Conditions which pose a threat to public health and safety.

Debris

Debris piles consisting of used tires, building materials, tree limbs, barrels, and a demolished camper were noted in the field analysis in 15 locations. This can contribute to harboring rodents and vermin as well as pose a potential mosquito breeding area to spread disease. In addition, the debris piles could pose a fire hazard to nearby structures and residents.

Floodplain

The entire study area is within the 500-year flood plain and has the potential to create unsafe localized flooding.

Drainage

During the field analysis many areas were noted on parcels with standing water as well as streets with broken or missing curb and gutter which can hinder the storm drainage causing erosion and creating unsafe conditions.

Age of Structure

Structures constructed prior to 1978 may contain lead-based paint which can pose health and human development risks to children with chipping or peeling. The average of residential and commercial structures in area is 108 years (1916) and 94 years (1930), respectively.

As a result, this factor is considered to be contributing the recommended blight designation.



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.

The combination of deterioration of the structures, site improvements and debris are factors observed in the field analysis that could impair sound growth or redevelopment of the community.

As a result, it is considered a substantial contributor to the Fremont Downtown Area Blight Study Area to be considered 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 of the following conditions:

The average age of the residential structures in the area is at least 40 years.

The average of residential and commercial structures in area is 108 years (1916) and 94 years (1930), respectively. This is considered a substantial contributor to the Fremont Downtown Area Blight Study Area to be considered blighted.

SUBSTANDARD CRITERIA

A **substandard area** shall mean an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which by reason of the following:

Dilapidation/deterioration

As part of the Blight and Substandard Study, a Structural Conditions Survey was completed along with an analysis of the land-use patterns in the Fremont Downtown Area Blight Study Area. A total of 297 structures or 73% of the structures within the designated study area were graded as deteriorating or dilapidated. Figure 2 illustrates the distribution of the structural ratings within the study area. This is considered a significant contributing factor.

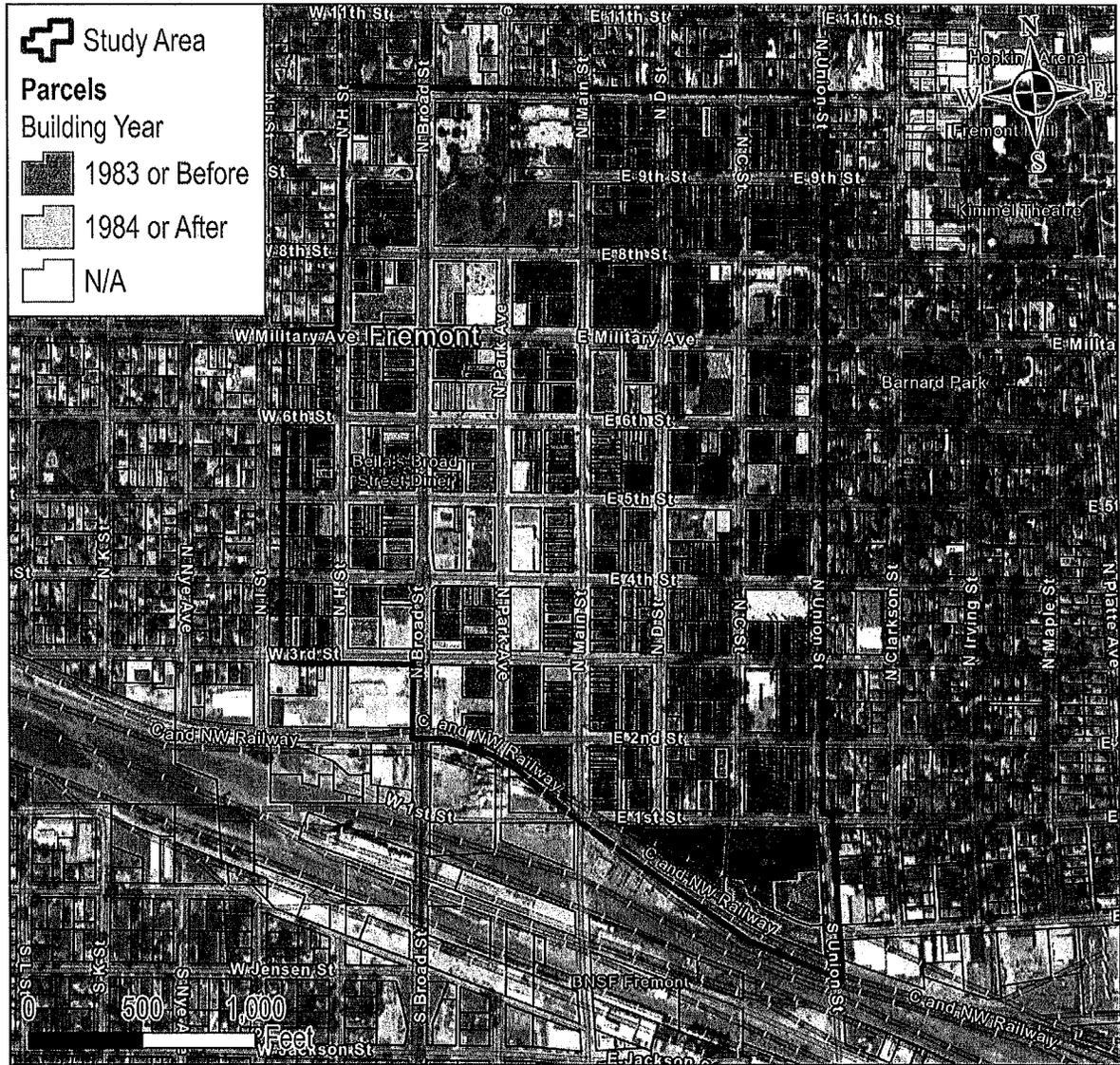
Age or obsolescence

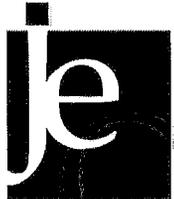
Information regarding the age of the permanent structures within the Fremont Downtown Area Blight Study Area was provided by the Dodge County Assessor's Office.



The average age of the residential structures in the area is at least 40 years. The average of residential and commercial structures in area is 108 years (1916) and 94 years (1930), respectively. This is considered a substantial contributor to the Fremont Downtown Area Blight Study Area to be considered blighted. Note: The data containing the age of the public and quasi-public structures was not available and was not included in the age of structures analysis.

Figure 5: Age of Structure





JEO CONSULTING GROUP

Created By: J. Ray; N. Schroeder
 Date: January 2024
 Software: ArcGIS Pro 3.1.2
 File: R231940.00

City of Fremont, NE

Fremont Downtown Blight Study: Age of Structures

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Inadequate provision for ventilation, light, air, sanitation, or open spaces

Poor Drainage and Sanitation

The Fremont Downtown Area Blight Study Area contains areas of trash and debris as well as some inadequate drainage . However, this alone is not considered significant to be considered a contributing factor.

Other Substandard Conditions

The existence of conditions which endanger life or property.

Debris

Debris piles consisting of used tires, building materials, tree limbs, barrels, and a demolished camper were noted in the field analysis in 15 locations. This can contribute to harboring rodents and vermin as well as pose a potential mosquito breeding area to spread disease. In addition, the debris piles could pose a fire hazard to nearby structures and residents.

Floodplain

The entire study area is within the 500-year flood plain and has the potential to create unsafe localized flooding.

Drainage

During the field analysis many areas were noted on parcels with standing water as well as streets with broken or missing curb and gutter which can hinder the storm drainage causing erosion and creating unsafe conditions.

Age of Structure

Structures constructed prior to 1978 may contain lead-based paint which can pose health and human development risks to children with chipping or peeling. The average of residential and commercial structures in area is 108 years (1916) and 94 years (1930), respectively.

The existence of conditions which endanger life or property are considered a contributing factor.

Figure 6: Parcels Showing Blight and Substandard Criteria



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 File: R231940.00

City of Fremont, NE

Fremont Downtown Blight Study: Characteristics of Blight & Substandard Area

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Blighted and Substandard Findings

The Fremont Downtown Area Blight Study Area has many items contributing to the blight and substandard conditions. Based on the information collected and analyzed pursuant to Nebraska Revised Statutes, the area has a myriad of items that were considered beyond the remedy and control of the normal regulatory process of the City of Fremont or impossible to reverse through the ordinary operations of private enterprise. These conditions include:

Table 1: Summary Matrix

Criteria	
Structure condition	Yes
Street layout	No
Faulty lot layout	Yes
Unsanitary or unsafe conditions	Yes
Deterioration of site	Yes
Diversity of owners	Yes
Tax special assessment	No
Titles conditions	No
Obsolete platting	Yes
Endanger life/property	Yes
Any combination	Yes
Age of structure	Yes
BLIGHT TOTALS	9/12
Exterior inspection of structures	Yes
Age of structures	Yes
Inadequate provision for ventilation, sanitation	No
Other Substandard – (conducive to ill health, floodplain, endanger life)	Yes
SUBSTANDARD TOTALS	3/4
TOTALS	12/16

Conclusion

Several conditions within the Fremont Downtown Area were observed during the field survey which warrant a designation as blighted and substandard. The conditions showing evidence of blight are interspersed throughout the Fremont Downtown Area Blight Study Area, and as such, parcels within the boundaries of the Fremont Downtown Area Blight Study Area are recommended for further action.

It is the professional opinion of the consultant, based on the information collected and analyzed pursuant to Nebraska Revised Statutes, that the Fremont Downtown Area Blight Study Area contains the required conditions that would warrant a designation as blighted and substandard by the City of Fremont and the Community Development Agency. The City of Fremont should review this Blight and Substandard Study, and if satisfied with the findings contained in this study, may, by resolution, designate the Fremont Downtown Area Blight Study Area as “Blighted and Substandard” as provided for in the Community Development Law.

Figure 7 Recommended Blight and Substandard Designation



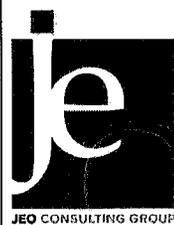
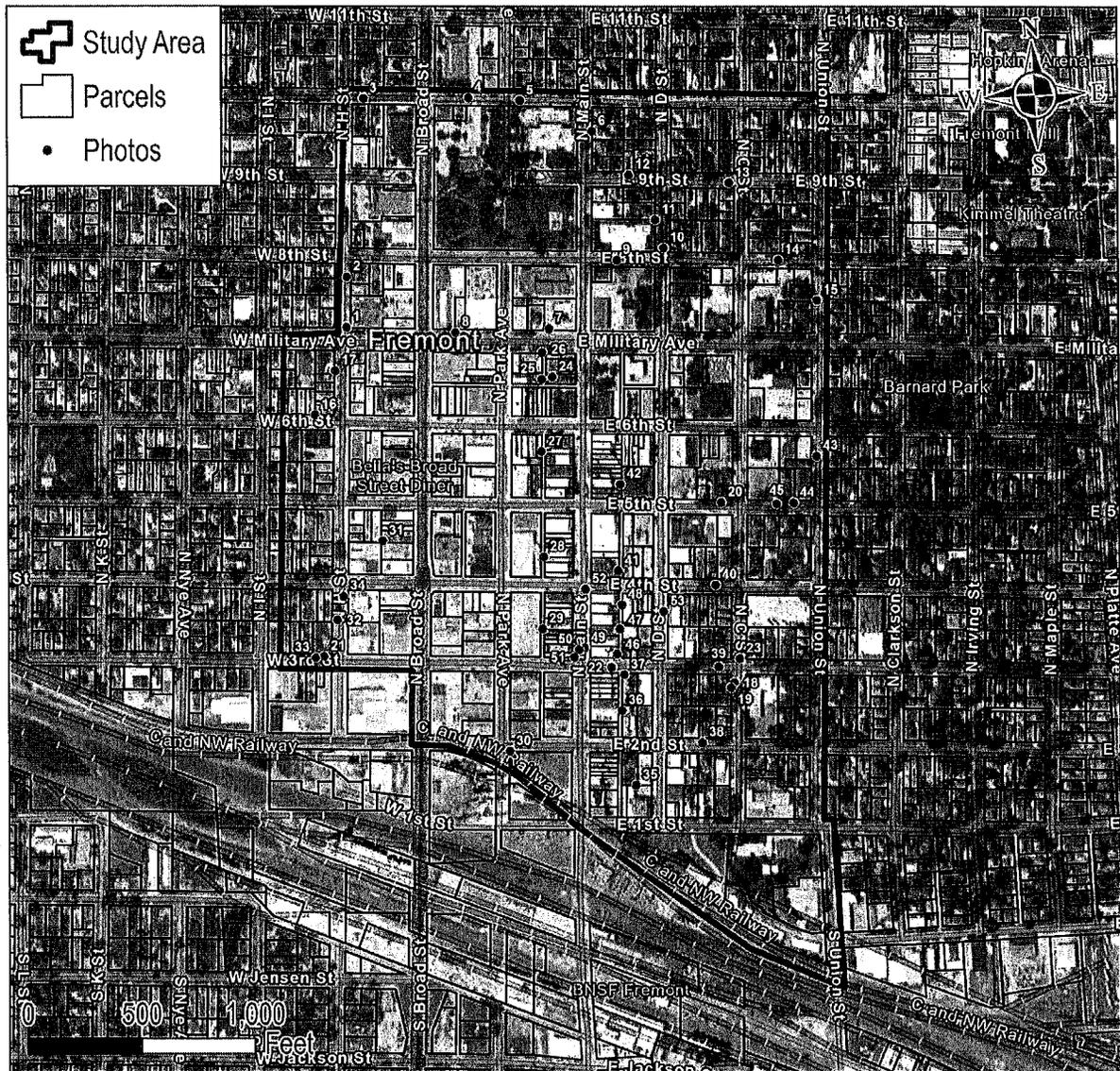
Created By: J. Ray; N. Schroeder
 Date: January 2024
 Software: ArcGIS Pro 3.1.2
 File: R231940.00

City of Fremont, NE

Fremont Downtown Blight Study: Recommended Blight & Substandard Area

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Appendix A
Photo Exhibit



JEO CONSULTING GROUP

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Date: January 2024
Software: ArcGIS Pro 3.1.2
File: R231940.00

City of Fremont, NE

Fremont Downtown Blight Study: Photo Guide

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Location 1



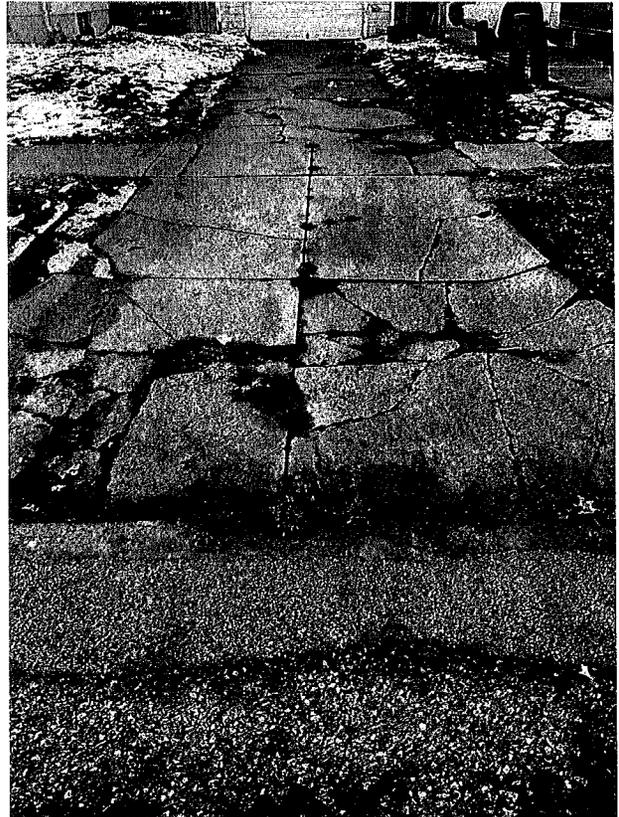
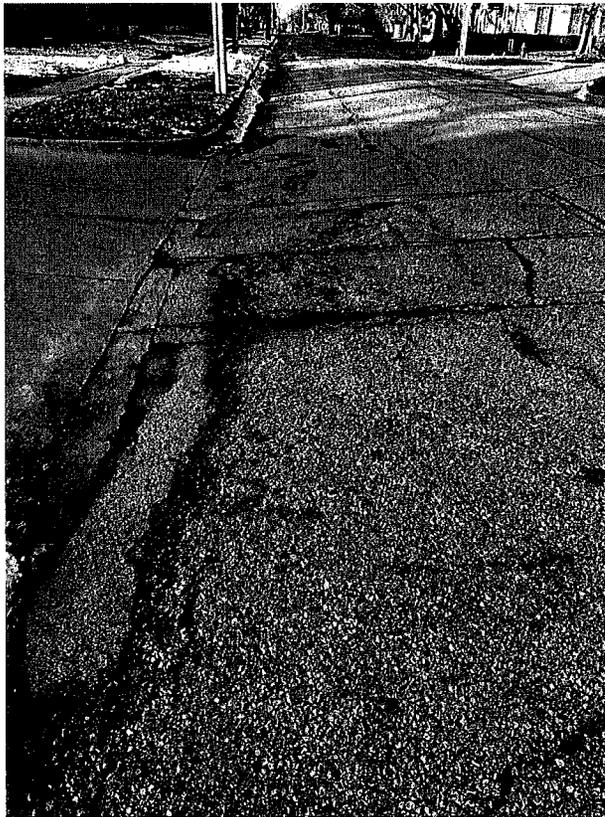
Location 2



Location 3



Location 4



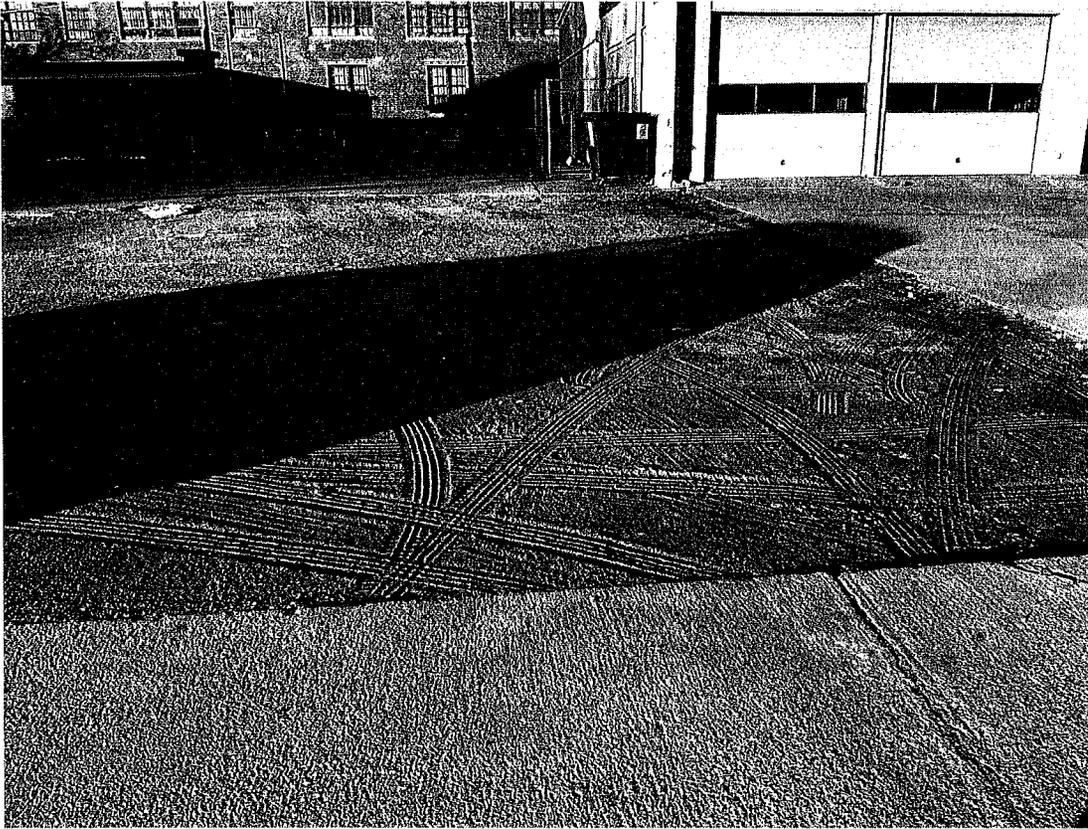
Location 5



Location 6



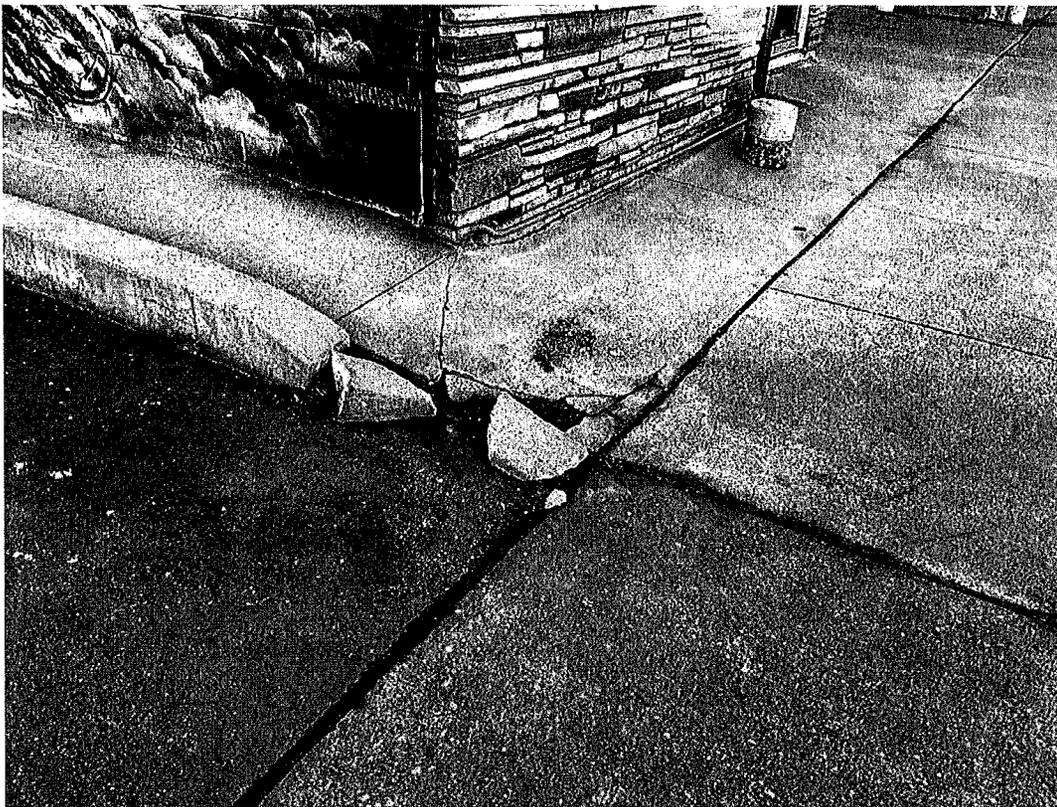
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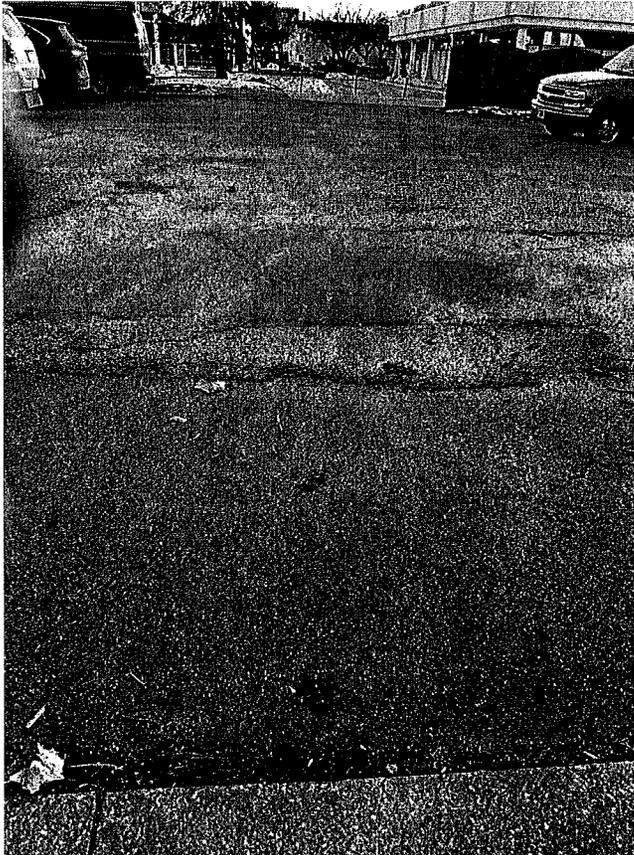


Location 8





Location 9





Location 10



Location 11



Location 12



Location 13



Location 14



Location 15



Location 16



Location 17



Location 18



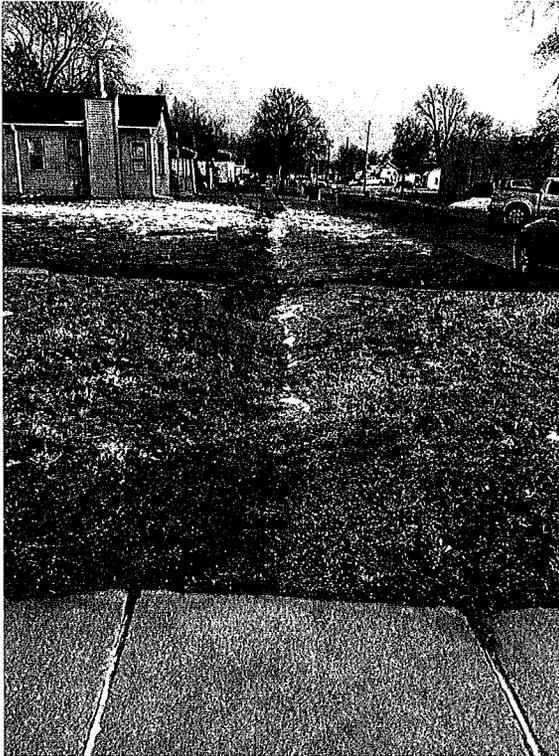
Location 19



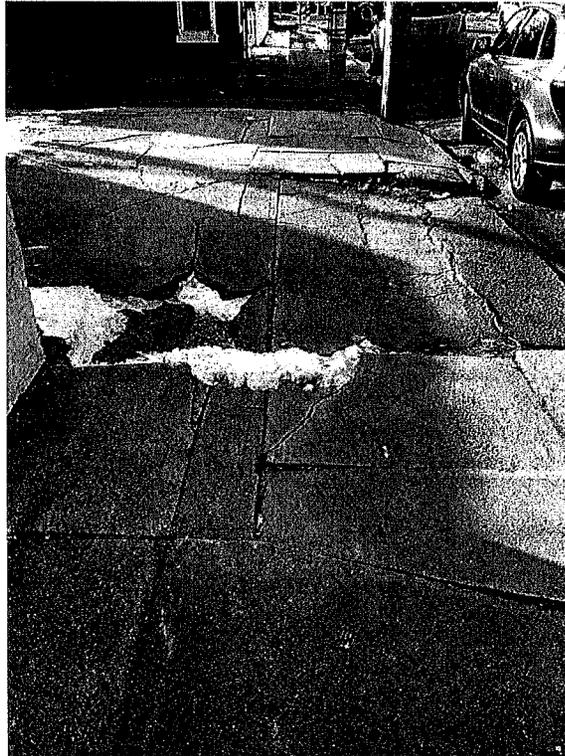
Location 20



Location 21



Location 22



Location 23

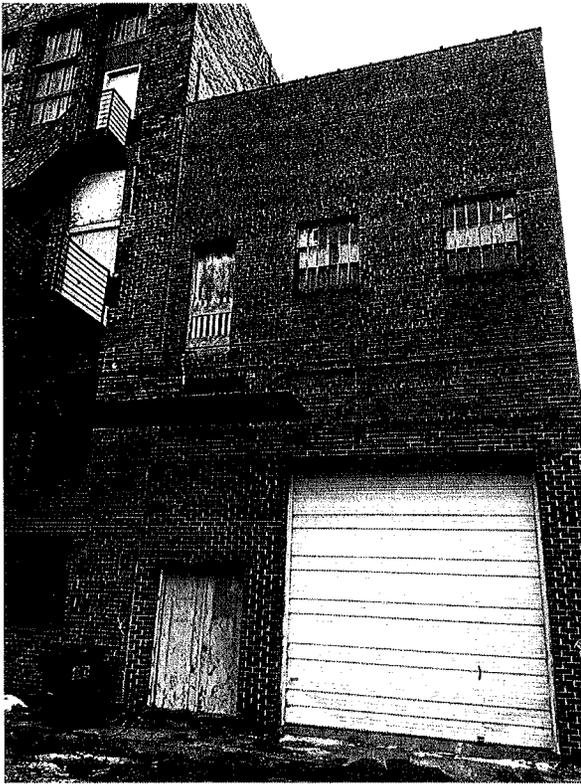


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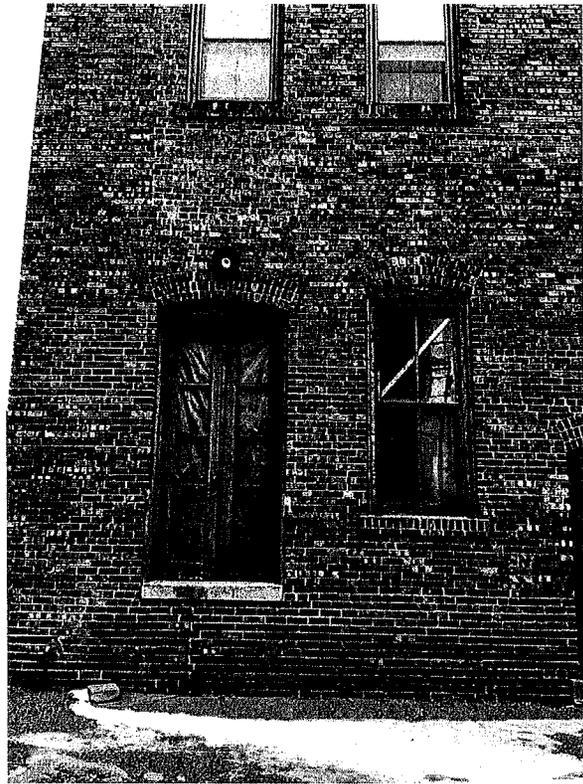


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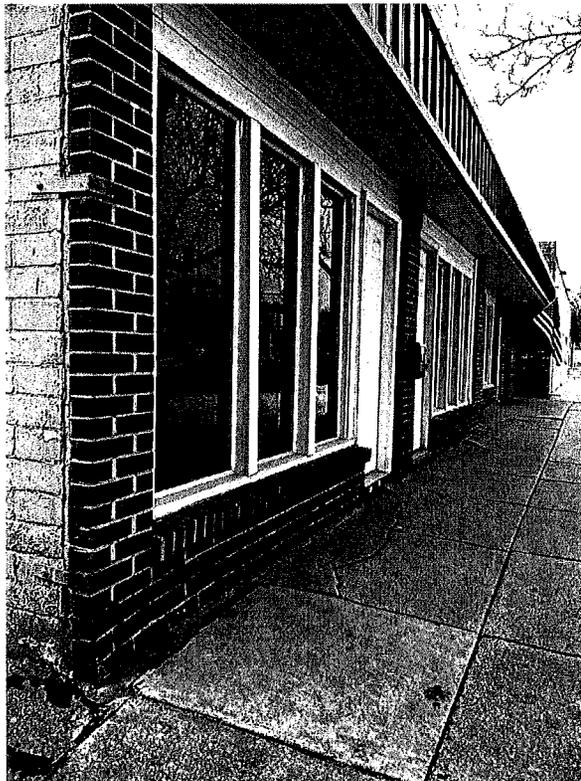


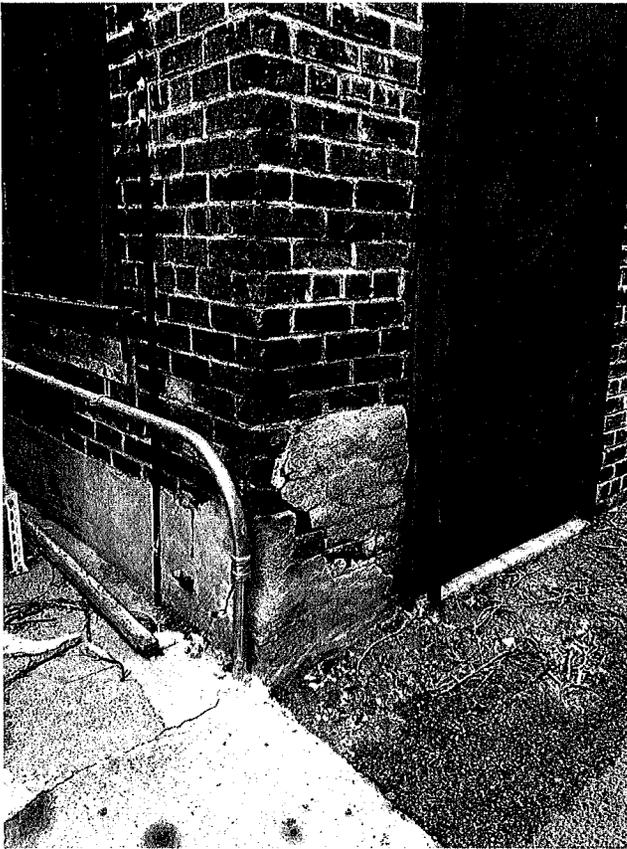


Location 26

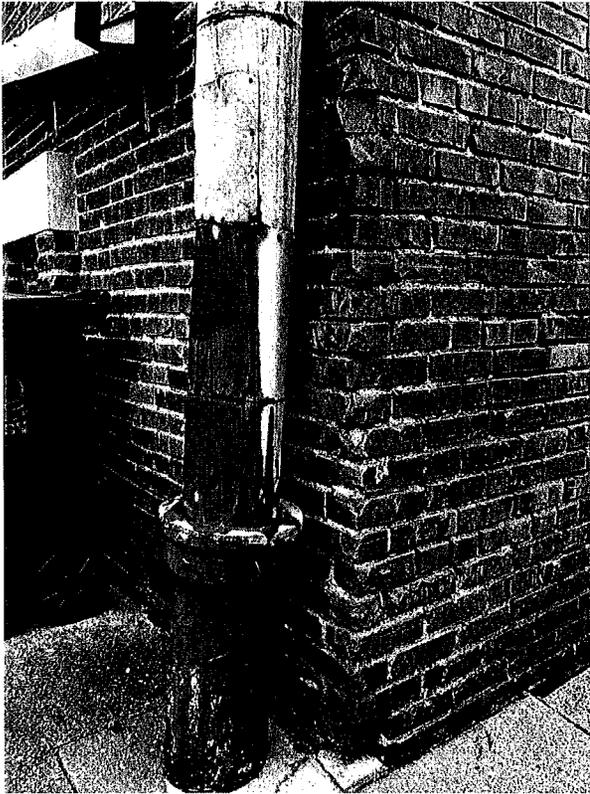


Location 27

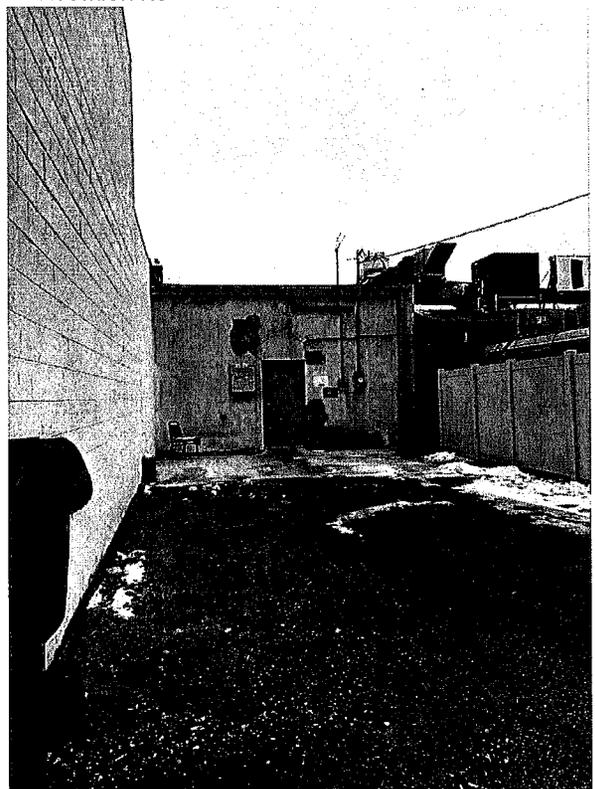
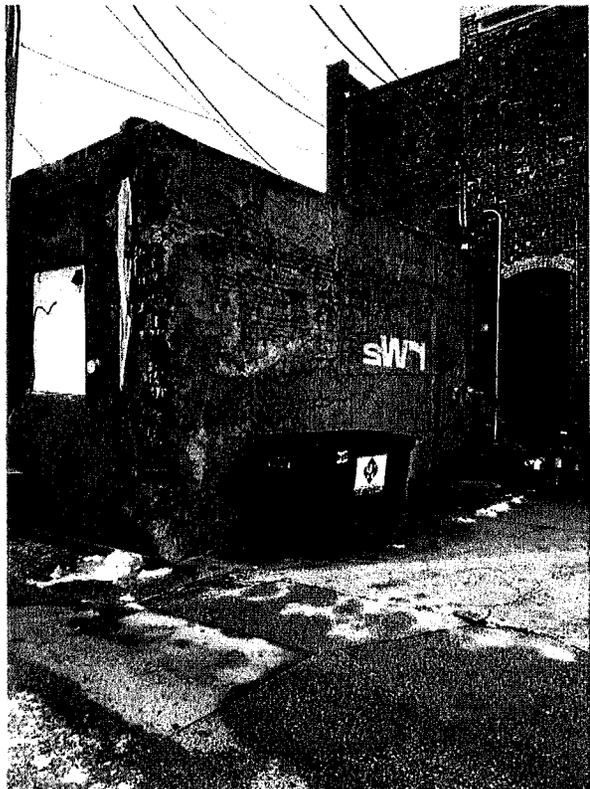


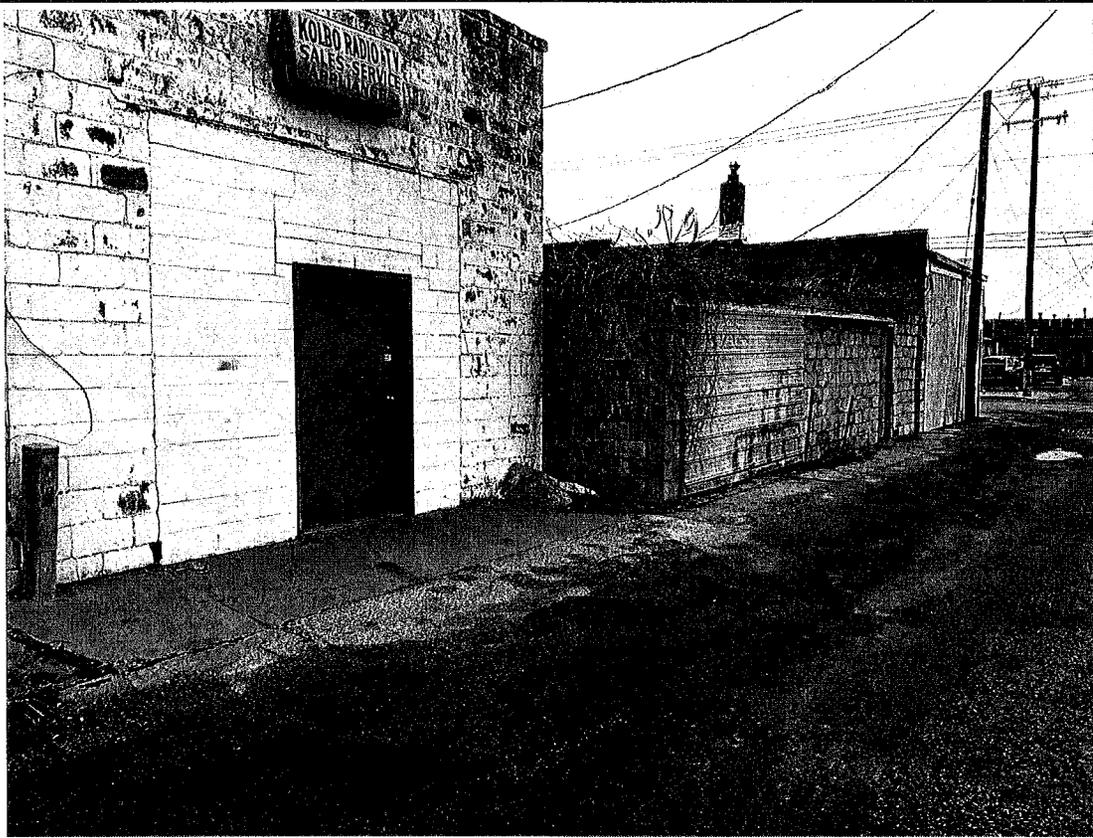


Location 28



Location 29



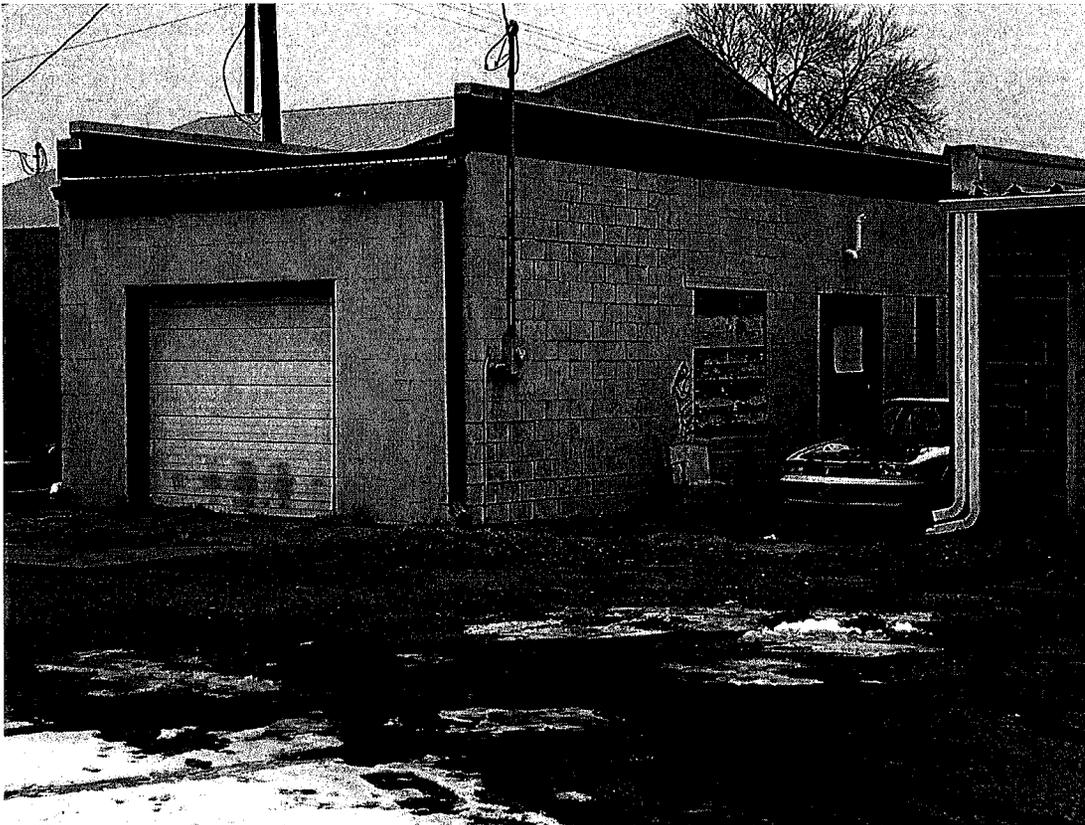


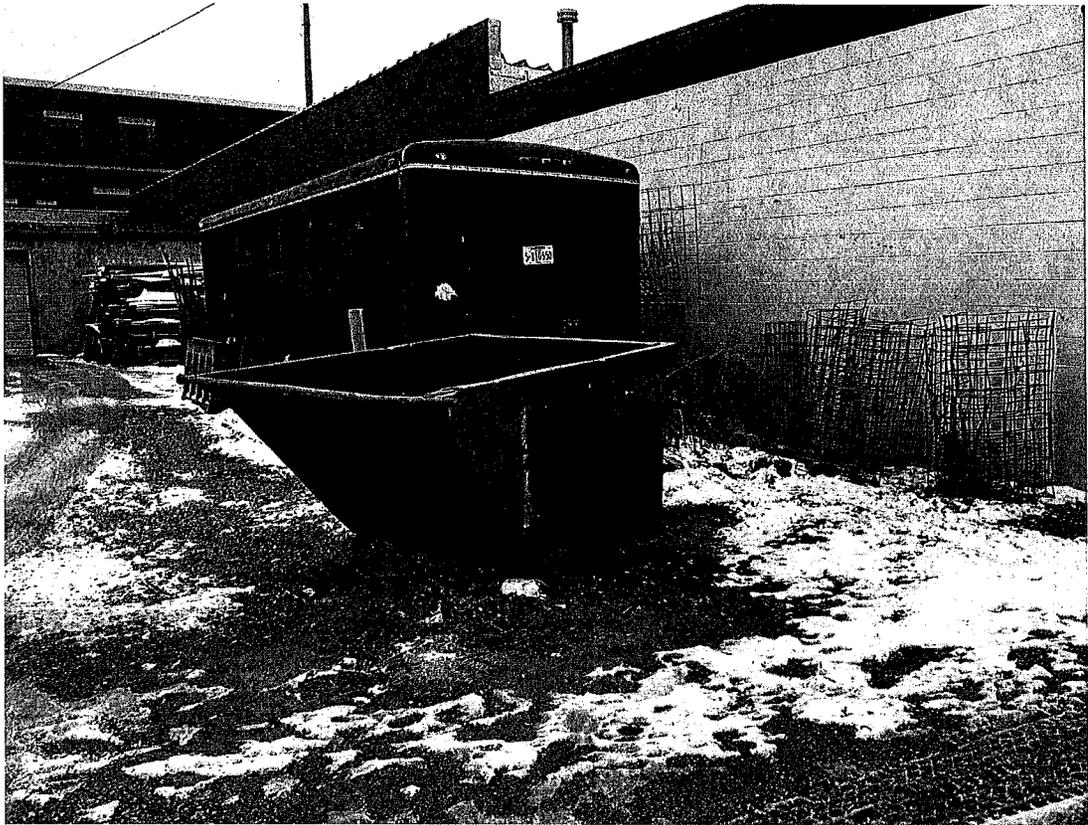
Location 30





Location 31





Location 32





Location 33



Location 34



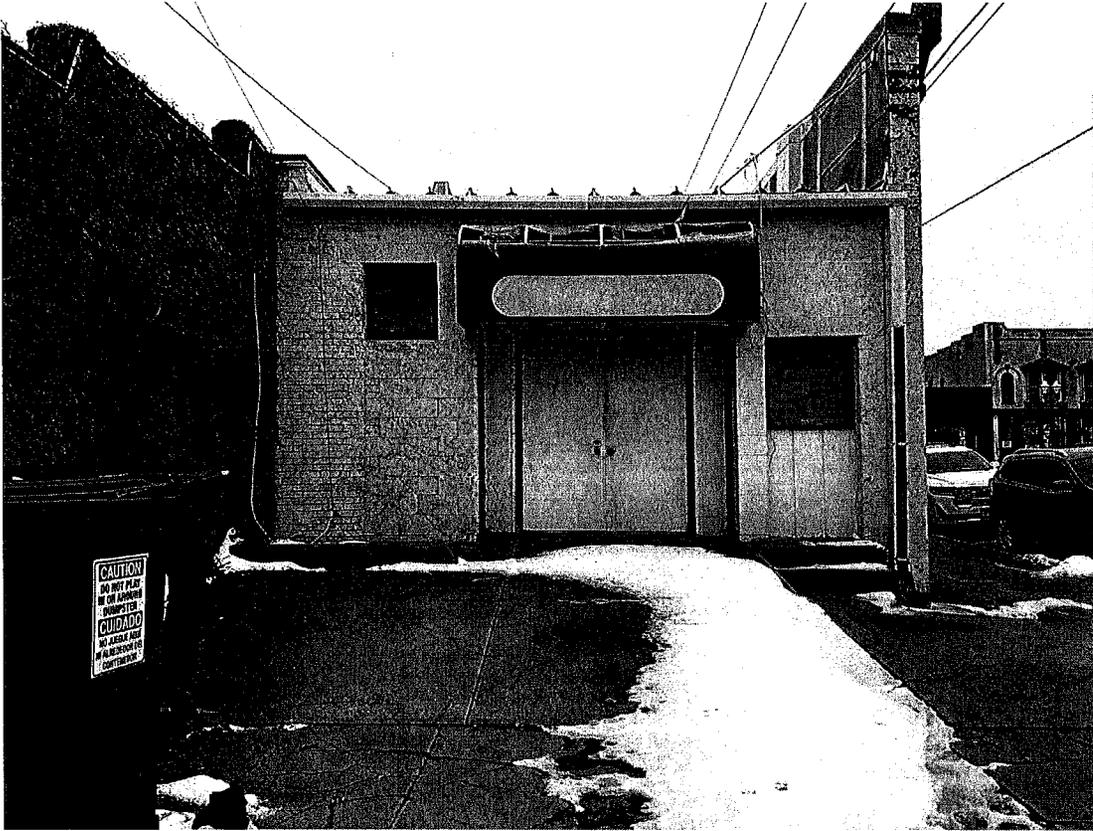
Location 35



Location 36



Location 37



Location 38





Location 39





CITY OF FREMONT NEBRASKA

COMMUNITY DEVELOPMENT AGENCY & REGULAR CITY COUNCIL MEETING MINUTES
April 09, 2024 - 7:00 PM
City Council Chambers 400 East Military, Fremont NE

COMMUNITY DEVELOPMENT AGENCY MINUTES

MEETING CALLED TO ORDER Following the Pledge of Allegiance, Mayor Spellerberg called the Community Development Agency to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.

ROLL CALL Roll call showed Members Ganem, Lathrop, Vaughan, Von Behren, Jensen, Dinkins, Horner and Sookram present; 8 members present.

PUBLIC HEARING

1. Resolution 2024-005 to update the Downtown Fremont Blight and Substandard Study covering an area generally located between 10th St. on the north; Union St. on the east; the railroad between Union St. and Broad St., and 3rd St. between Broad St. and I St. on the south; 50 feet east of I Street to Military Ave. then H Street between Military and 10th St. on the west. The properties are located in Section 23, Township 17 N, Range 8E and in Section 14, Township 17 N, Range 8 E, Fremont, Dodge County, Nebraska. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing. Motion made by Jensen, Seconded by Sookram to approve Resolution 2024-005. Voting Yea: Ganem, Jensen, Sookram, Vaughan, Lathrop, Von Behren, Dinkins, Horner. Motion carried.

ADJOURNMENT Motion made by Jensen, seconded by Sookram to adjourn; time: 7:18 P.M. Voting Yea: Lathrop, Horner, Dinkins, Von Behren, Vaughan, Jensen, Ganem, Sookram. Motion carried.

CITY COUNCIL REGULAR MEETING MINUTES

MEETING CALLED TO ORDER Mayor Spellerberg called the City Council Meeting to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.

ROLL CALL Roll call showed Members Ganem, Lathrop, Vaughan, Von Behren, Jensen, Dinkins, Horner and Sookram present; 8 members present.

MAYOR COMMENTS

(There will be no discussion from the Council or the public regarding comments made by the

Mayor. Should anyone have questions regarding the comments, please contact the Mayor after the meeting)

1. Motion to adopt current agenda for the April 9, 2024 Regular Meeting. Motion made by Sookram, Seconded by Vaughan to adopt current agenda for the April 9, 2024 Regular Meeting. Voting Yea: Ganem, Jensen, Sookram, Vaughan, Lathrop, Von Behren, Dinkins, Horner. Motion carried.

PUBLIC HEARINGS:

2. Resolution 2024-083 to update the Downtown Fremont Blight and Substandard Study covering an area generally located between 10th St. on the north; Union St. on the east; the railroad between Union St. and Broad St., and 3rd St. between Broad St. and I St. on the south; 50 feet east of I Street to Military Ave. then H Street between Military and 10th St. on the west. The properties are located in Section 23, Township 17 N, Range 8E and in Section 14, Township 17 N, Range 8 E, Fremont, Dodge County, Nebraska. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing. Motion made by Ganem, Seconded by Jensen to approve Resolution 2024-083. Voting Yea: Ganem, Jensen, Sookram, Vaughan, Lathrop, Von Behren, Dinkins, Horner. Motion carried.
3. Resolution 2024-084 for Conditional Use Permit for an Outdoor Electronic Message sign on property generally located at 1100 S. Bud Boulevard, Fremont, NE. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing. Motion made by Horner, Seconded by Vaughan to approve Resolution 2024-084. Voting Yea: Ganem, Jensen, Sookram, Vaughan, Lathrop, Von Behren, Dinkins, Horner. Motion carried.
4. Ordinance 5673 for a Change of Zone from GI, General Industrial to AR, Auto Urban Residential for a portion of the vacated Clarmar Street located between Railroad Street and Cuming Street. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing. Motion made by Jensen, Seconded by Sookram to introduce and hold first reading of Ordinance 5673. Voting Yea: Ganem, Jensen, Sookram, Vaughan, Lathrop, Von Behren, Dinkins, Horner. Motion carried. City Clerk provided first reading of Ordinance 5673.
5. Ordinance 5674 annexing a portion of the vacated Clarmar Street located between Railroad Street and Cuming Street into the City of Fremont. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing. Motion made by Sookram, Seconded by Ganem to introduce and hold first reading of Ordinance 5674. Voting Yea: Ganem, Jensen, Sookram, Vaughan, Lathrop, Von Behren, Dinkins, Horner. Motion carried. City Clerk provided first reading of Ordinance 5674.
6. Ordinance 5675 amending Fremont Municipal Code Section 11-614.01A to Exclude Swimming Pools from the Calculation of Impervious Coverage. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing. Motion made by Sookram, Seconded by Vaughan to receive letter into the record in support of the proposed change. Voting Yea: Ganem, Jensen, Sookram, Vaughan, Lathrop, Von Behren, Dinkins, Horner. Motion carried. Motion made by Vaughan, Seconded by Horner to introduce and hold first reading of Ordinance 5675. Voting Yea: Ganem, Jensen, Sookram, Vaughan, Lathrop, Von Behren, Dinkins, Horner. Motion carried. City Clerk provided first reading of Ordinance 5675. Motion made by Jensen, Seconded by Lathrop to suspend the ruled and move to final reading of Ordinance 5675. Voting Yea: Ganem,

Jensen, Sookram, Vaughan, Lathrop, Von Behren, Dinkins, Horner. Motion carried. City Clerk provided final reading of Ordinance 5675. Mayor Spellerberg called for a final vote on Ordinance 5675. Voting Yea: Ganem, Jensen, Sookram, Vaughan, Lathrop, Von Behren, Dinkins, Horner. Ordinance 5675 was approved.

CONSENT AGENDA: All items in the consent agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or a citizen so requests, in which event the item will be removed from the consent agenda and considered separately. Motion made by Horner, seconded by Sookram to approve consent agenda items 7, 9-11 and 14-19. Voting Yea: Ganem, Jensen, Sookram, Vaughan, Lathrop, Von Behren, Dinkins, Horner. Motion carried.

7. Resolution 2024-096 approving the purchase of two Police Cruiser Ford Explorers from Anderson Ford of Lincoln
8. Motion to approve March 27, 2024 through April 9, 2024 claims and authorize checks to be drawn on the proper accounts. Motion made by Jensen, Seconded by Vaughan to amend the claims to pay FurEver Homes \$20,000, an increase from \$12,903.68. Voting Yea: Ganem, Jensen, Sookram, Vaughan, Lathrop, Von Behren, Dinkins, Horner. Motion carried. Motion made by Jensen, Seconded by Sookram to to approve March 27, 2024 through April 9, 2024 claims and authorize checks to be drawn on the proper accounts as amended in the amount of \$6,752,122.59. Voting Yea: Ganem, Jensen, Sookram, Vaughan, Lathrop, Von Behren, Dinkins, Horner. Motion carried.
9. Receive Report of the Treasury
10. Dispense with and approve March 26, 2024 City Council Meeting minutes
11. Resolution 2024-086 to Award Bid for the Lift Station Generator Preventative Maintenance Program to Nebraska Generator Service
12. Resolution 2024-087 affirming the existing policies and approving the proposed changes to the Department of Utilities Customer Service Policy Packet. Motion made by Jensen, Seconded by Ganem to approve Resolution 2024-087. Voting Yea: Ganem, Jensen, Sookram, Lathrop, Von Behren, Dinkins, Horner Voting Nay: Vaughan. Motion carried.
13. Move to receive and file Fremont Housing Agency Annual Report. Motion made by Von Behren, Seconded by Vaughan to receive and file Fremont Housing Agency Annual Report. Voting Yea: Ganem, Jensen, Sookram, Vaughan, Lathrop, Von Behren, Dinkins, Horner. Motion carried.
14. Resolution 2024-088 authorizing the Mayor to sign the Agreement with Kronos/UKG for their Human Resources Information System software package, UKG Ready
15. Motion to approve the Cement/Asphalt/Excavate worker license application(s)
16. Resolution 2024-091 authorizing City Staff to award bid and execute a purchase order with Strobel Energy Group Wastewater Treatment Plant (WWTP) Headworks Piping replacement
17. Resolution 2024-093 authorizing the Mayor to sign a change order with SirsiDynix on behalf of Keene Memorial Library - Master Agreement

18. Receive and file 2023-2024 Tax-Increment (TIF) Financing Annual Report
19. Resolution 2024-097 approving the purchase of three Police Cruiser Tahoes from Husker Auto Group

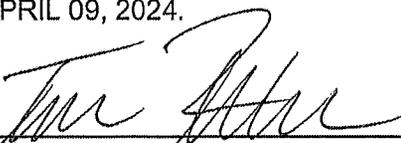
NEW BUSINESS: Requires individual associated action

20. Resolution 2024-094 approving the Master Fee Schedule for the City of Fremont and the Department of Utilities and to authorize Staff to assess those fees accordingly to the users of those services. Motion made by Vaughan, Seconded by Jensen to approve Resolution 2024-094. Voting Yea: Ganem, Jensen, Sookram, Vaughan, Lathrop, Von Behren, Dinkins, Horner. Motion carried.
21. Discussion regarding adoption of Outdoor Special Event application process. City Council discussed the adoption of Outdoor Special Event application process. No action was taken.
22. Resolution 2024-095 for Unit 8 Turbine Valve and Generator Field Inspection, and Generator Stator Rewind at Lon D. Wright Power Plant. Motion made by Vaughan, Seconded by Sookram to approve Resolution 2024-095. Voting Yea: Ganem, Jensen, Sookram, Vaughan, Lathrop, Von Behren, Dinkins, Horner. Motion carried.
23. Resolution 2024-098 authorizing the Mayor to sign a three-year extension agreement with North Risk Partners for City of Fremont/Department of Utilities' brokerage services for property and casualty insurance. Motion made by Jensen, Seconded by Sookram to approve Resolution 2024-098. Voting Yea: Ganem, Jensen, Sookram, Vaughan, Lathrop, Von Behren, Dinkins, Horner. Motion carried.

ADJOURNMENT Motion made by Jensen, seconded by Vaughan to adjourn; time: 8:18 P.M. Voting Yea: Lathrop, Horner, Dinkins, Von Behren, Vaughan, Jensen, Ganem, Sookram. Motion carried.

Agenda posted at the Municipal Building on April 3, 2024 and online at www.fremontne.gov. Agenda distributed to the Mayor and City Council on April 3, 2024. This meeting is preceded by publicized notice in the Fremont Tribune on the last Thursday of the preceding month and the agenda, including any notice of study session or public hearing, is displayed in the Municipal Building and is open to the public. The official current copy is available at City Hall, 400 East Military, City Clerk's Office. The City Council reserves the right to go into Executive Session at any time. A copy of the Open Meeting Law is posted in the City Council Chambers for review by the public. The City of Fremont reserves the right to adjust the order of items on the agenda.

APPROVED AND ACCEPTED AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA COMMUNITY DEVELOPMENT AGENCY & REGULAR CITY COUNCIL MEETING MINUTES FOR APRIL 09, 2024.


Tyler Ficken, City Clerk


Joey Spellerberg, Mayor

RESOLUTION NO. 2024-005

A Resolution of the Community Development Authority of the City of Fremont, Nebraska, declaring an area within the jurisdiction of the City of Fremont, Nebraska as Blighted and Substandard.

WHEREAS, JEO Consulting Group, Inc. has prepared an update to the Blight & Substandard Determination Study to the Downtown Fremont Blight and Substandard Study (the "Blight and Substandard Study"), copies of which are on file with the City Clerk of the City of Fremont, Nebraska;

WHEREAS, the Planning Commission held a public hearing on March 18, 2024 relating to the question of whether the Proposed Blight Area described on the attached Exhibit "A" (the "Proposed Blight Area"), should be declared blighted and substandard and in need of redevelopment, as defined in and pursuant to the Nebraska Community Development Law, Neb. Rev. Stat. § 18-2101, et seq., as amended (the "Act");

WHEREAS, a notice of public hearing was published in the Fremont Tribune Newspaper on March 23, 2024 and March 30, 2024, the latter of which was at least ten (10) days prior to the time of the public hearing, which notice described the time, place, date and purpose of the hearing, and specifically identified the area to be considered as blighted and substandard and in need of redevelopment;

WHEREAS, the Planning Commission has reviewed the Blight and Substandard Study and the blight and substandard requirements set forth in the Act;

WHEREAS, the Planning Commission finds that the conditions set forth in the Blight and Substandard Study demonstrate sufficient evidence of substandard conditions in the Proposed Blight Area.

WHEREAS, the Planning Commission further finds and recommends that the conditions set forth in the Blight and Substandard Study demonstrate sufficient evidence of blighted conditions in the Proposed Blight Area.

NOW THEREFORE BE IT RESOLVED, the Community Development Agency of the City of Fremont, Nebraska recommends that the updated Downtown Blight and Substandard Area be declared a blighted and substandard area with the meaning of the Act and further recommends the adoption of the Blight and Substandard Study.

PASSED AND APPROVED THIS 9th DAY OF APRIL, 2024.



Joey Spellberg, Mayor

ATTEST: 

Tyler Ficken, City Clerk

