

2016

Blight and Substandard Study City of Fremont, Nebraska



*JEO Consulting Group, Inc.
Project No. 160710.04*

Adopted _____, 2016

Resolution No. _____

**COMMUNITY DEVELOPMENT AGENCY OF THE
CITY OF FREMONT, NEBRASKA**

**RESOLUTION NO. 2016-007
(Blight and Substandard Declaration)**

**A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF THE
CITY OF FREMONT, NEBRASKA, MAKING A RECOMMENDATION TO THE CITY
COUNCIL OF THE CITY OF FREMONT, NEBRASKA WITH RESPECT TO THE
DECLARATION OF AN AREA WITHIN THE JURISDICTION OF THE CITY OF
FREMONT, NEBRASKA AS BLIGHTED AND SUBSTANDARD.**

WHEREAS, the City of Fremont, Nebraska (the "City") has formed a Community Development Agency (the "CDA") to undertake certain redevelopment activities and administer the programs and benefits available under the Nebraska Community Development Law, Neb. Rev. Stat. § 18-2101, et. seq., as amended (the "Act");

WHEREAS, JEO Consulting Group, Inc. has prepared the Blight & Substandard Determination Study dated May 27, 2016 (the "Blight and Substandard Study") for an area within the jurisdiction of the City legally described on the attached Exhibit "A", which is incorporated by this reference (the "Proposed Blight Area"), copies of which are on file with the City Clerk of the City of Fremont;

WHEREAS, on June 27, 2016, the Planning Commission of the City reviewed the Blight and Substandard Study, and recommended that the Proposed Blight Area be declared a blighted and substandard area within the meaning of the Act;

WHEREAS, on July 12, 2016, the Community Development Agency of the City of Fremont ("CDA") held a public hearing relating to the question of whether the Proposed Blight Area is substandard and blighted and in deed of redevelopment within the Act;

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

WHEREAS, the CDA has duly considered all statements made and material submitted related to the submitted questions.

NOW THEREFORE, it is found and recommended by the CDA of the City of Fremont as follows:

A. Substandard Recommendations:

The CDA finds and recommends that:

1. The conditions set forth in the Blight and Substandard Study demonstrate sufficient evidence of substandard conditions in the Proposed Blight Area.

2. The Proposed Blight Area contains the following Substandard Conditions within the meaning of Neb. Rev. Stat. § 18-2103(10): dilapidation or deterioration, age or obsolescence, and the following other substandard conditions: the existence of conditions which endanger life or property by fire and other causes.

BE IT RESOLVED, that based on the findings listed in paragraphs 1 through 2 above, the CDA hereby recommends that the Proposed Blight Area be declared a substandard area in need of redevelopment within the meaning of the Act and recommends adoption of the Blight and Substandard Study.

B. Blight Recommendations:

The CDA further finds and recommends that:

1. The conditions set forth in the Blight and Substandard Study demonstrate sufficient evidence of blighted conditions in the Proposed Blight Area.
2. The Proposed Blight Area contains the following Blight Conditions within the meaning of Neb. Rev. Stat. §18-2103(11): a substantial number of deteriorated or deteriorating structures, diversity of ownership, 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, improper subdivision or obsolete platting, and the existence of conditions which endanger life or property by fire or other causes, which by 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, is detrimental to the public health, safety, morals, or welfare in its present condition and use, and the average age of the residential or commercial units in the area is at least 40 years.

BE IT RESOLVED, that based on the findings in paragraphs 1 through 2 above, the CDA hereby recommends that the Proposed Blight Area be declared a blighted area in need of redevelopment within the meaning of the Act and recommends adoption of the Blight and Substandard Study.

DATED this 12th day of July, 2016.

COMMUNITY DEVELOPMENT
AGENCY OF THE CITY OF
FREMONT, NEBRASKA



Chairman

ATTEST:



Secretary



Exhibit "A"

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 25, TOWNSHIP 17 NORTH, RANGE 8 EAST OF THE 6TH P.M., DODGE COUNTY, NEBRASKA; THENCE NORTH ALONG THE EAST LINE OF SAID SECTION 25 TO THE CENTERLINE OF OLD HIGHWAY 8; THENCE WESTERLY ALONG THE CENTERLINE OF OLD HIGHWAY 8 TO THE NORTH LINE OF TAX LOT 20; THENCE WESTWARD ALONG SAID NORTH LINE EXTENDED TO THE CENTERLINE OF JONES STREET; THENCE SOUTHWARD ALONG THE CENTERLINE OF JONES EXTENDED TO THE SOUTH RIGHT OF WAY LINE OF THE RAILROAD; THENCE NORTHWESTERLY ALONG SAID SOUTH RIGHT OF WAY LINE TO THE EASTERLY LINE OF LOT 7-8, BLOCK 1, OF CLOVERLY SUBDIVISION; THENCE SOUTHWARD ON SAID EAST LINE TO THE CENTERLINE OF EAST FACTORY STREET; THENCE NORTHWESTERLY ALONG THE CENTERLINE OF EAST FACTORY STREET TO THE CENTERLINE OF SCHNEIDER STREET; THENCE SOUTHWARD ON SAID CENTERLINE TO THE NORTH RIGHT OF WAY LINE OF THE RAILROAD; THENCE SOUTHWARD ALONG SAID RIGHT OF WAY LINE TO THE NORTH LINE OF TAX LOT 514; THENCE WESTERLY TO THE NORTH LINE OF LOTS 20,21, & PT OF 22, NEW Q ADDITION; THENCE SOUTHWESTERLY ALONG SAID LINE TO THE INTERSECTION OF THE NORTHLINE, EXTENDED, OF LOT 26, NEW Q ADDITION; THENCE WESTERLY ON SAID NORTH LINE, EXTENDED, TO THE EAST LINE OF TAX LOT 82; THENCE SOUTH ALONG SAID EAST LINE EXTENDED, TO A POINT 850' SOUTH OF THE CENTERLINE OF CLOVERLY ROAD; THENCE WEST TO THE EAST LINE OF LOT 4, INGELWOOD VILLAGE; THENCE SOUTHERLY TO THE CENTERLINE OF HILLS FARM ROAD; THENCE EASTERLY ALONG SAID CENTERLINE TO THE INTERSECTION WITH THE EAST LINE OF SECTION 36, TOWNSHIP 17 NORTH, RANGE 8 EAST; THENCE NORTH ALONG SAID SECTION LINE, EXTENDED, TO THE POINT OF BEGINNING.

**CITY COUNCIL OF THE
CITY OF FREMONT, NEBRASKA**

RESOLUTION NO. 2016-116
(Blight and Substandard Declaration)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREMONT,
NEBRASKA, DECLARING AN AREA WITHIN THE JURISDICTION OF THE CITY OF
FREMONT, NEBRASKA TO BE BLIGHTED AND SUBSTANDARD.**

WHEREAS, it is desirable and in the public interest of the City of Fremont, Nebraska (the "City"), to undertake and carry-out redevelopment projects in areas of the City that are determined to be substandard and blighted, as defined in the Nebraska Community Development Law, Neb. Rev. Stat. § 18-2101, et. seq., as amended (the "Act"), and in need of redevelopment;

WHEREAS, JEO Consulting Group, Inc. has prepared the Blight & Substandard Determination Study dated May 27, 2016 (the "Blight and Substandard Study") for an area within the jurisdiction of the City legally described on the attached Exhibit "A", which is incorporated by this reference (the "Proposed Blight Area"), copies of which are on file with the City Clerk of the City of Fremont;

WHEREAS, on June 27, 2016, the Planning Commission of the City reviewed the Blight and Substandard Study, and recommended that the Proposed Blight Area be declared a blighted and substandard area within the meaning of the Act;

WHEREAS, on July 12, 2016, the Community Development Agency of the City of Fremont ("CDA") reviewed the Blight and Substandard Study, and recommended that the Proposed Blight Area be declared a blighted and substandard area within the meaning of the Act;

WHEREAS, on July 12, 2016, following the meeting of the CDA, the City Council held a public hearing relating to the question of whether the Proposed Blight Area is substandard and blighted and in need of redevelopment within the meaning of the Act;

WHEREAS, a notice of public hearing was published in the Fremont Tribune Newspaper on June 22, 2016 and June 29, 2016, the latter of which was at least ten (10) days prior to the time of the public hearing, which notice described the time, date, place and purpose of the hearing and specifically identified the area to be considered as substandard and blighted and in need of redevelopment;

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

WHEREAS, the City Council has reviewed and discussed the recommendations received from the Planning Commission; and

WHEREAS, the City Council has duly considered all statements made and material submitted related to the submitted questions.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Fremont, as follows:

A. Substandard Declaration:

The City Council finds that:

1. The conditions set forth in the Blight and Substandard Study demonstrate sufficient evidence of substandard conditions in the Proposed Blight Area.
2. The Proposed Blight Area contains the following Substandard Conditions within the meaning of Neb. Rev. Stat. § 18-2103(10): dilapidation or deterioration, age or obsolescence, and the following other substandard conditions: the existence of conditions which endanger life or property by fire and other causes.

BE IT RESOLVED, that based on the findings listed in paragraphs 1 through 2 above, the City Council hereby declares that the Proposed Blight Area is a substandard area in need of redevelopment within the meaning of the Act and adopts the Blight and Substandard Study.

B. Blight Declaration:

The City Council further finds that:

1. The conditions set forth in the Blight and Substandard Study demonstrate sufficient evidence of blighted conditions in the Proposed Blight Area.
2. The Proposed Blight Area contains the following Blight Conditions within the meaning of Neb. Rev. Stat. § 18-2103(11): a substantial number of deteriorated or deteriorating structures, diversity of ownership, 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, improper subdivision or obsolete platting, and the existence of conditions which endanger life or property by fire or other causes, which by 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, is detrimental to the public health, safety, morals, or welfare in its present condition and use, and the average age of the residential or commercial units in the area is at least 40 years.

BE IT RESOLVED, that based on the findings in paragraphs 1 through 2 above, the City Council hereby declares that the Proposed Blight Area is a blighted area in need of redevelopment within the meaning of the Act and adopts the Blight and Substandard Study.

DATED this 12th day of July, 2016.

CITY OF FREMONT, NEBRASKA

Scott Stephenson

Mayor

ATTEST:

[Signature]

City Clerk



Exhibit "A"

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 25, TOWNSHIP 17 NORTH, RANGE 8 EAST OF THE 6TH P.M., DODGE COUNTY, NEBRASKA; THENCE NORTH ALONG THE EAST LINE OF SAID SECTION 25 TO THE CENTERLINE OF OLD HIGHWAY 8; THENCE WESTERLY ALONG THE CENTERLINE OF OLD HIGHWAY 8 TO THE NORTH LINE OF TAX LOT 20; THENCE WESTWARD ALONG SAID NORTH LINE EXTENDED TO THE CENTERLINE OF JONES STREET; THENCE SOUTHWARD ALONG THE CENTERLINE OF JONES EXTENDED TO THE SOUTH RIGHT OF WAY LINE OF THE RAILROAD; THENCE NORTHWESTERLY ALONG SAID SOUTH RIGHT OF WAY LINE TO THE EASTERLY LINE OF LOT 7-8, BLOCK 1, OF CLOVERLY SUBDIVISION; THENCE SOUTHWARD ON SAID EAST LINE TO THE CENTERLINE OF EAST FACTORY STREET; THENCE NORTHWESTERLY ALONG THE CENTERLINE OF EAST FACTORY STREET TO THE CENTERLINE OF SCHNEIDER STREET; THENCE SOUTHWARD ON SAID CENTERLINE TO THE NORTH RIGHT OF WAY LINE OF THE RAILROAD; THENCE SOUTHWARD ALONG SAID RIGHT OF WAY LINE TO THE NORTH LINE OF TAX LOT 514; THENCE WESTERLY TO THE NORTH LINE OF LOTS 20,21, & PT OF 22, NEW Q ADDITION; THENCE SOUTHWESTERLY ALONG SAID LINE TO THE INTERSECTION OF THE NORTHLINE, EXTENDED, OF LOT 26, NEW Q ADDITION; THENCE WESTERLY ON SAID NORTH LINE, EXTENDED, TO THE EAST LINE OF TAX LOT 82; THENCE SOUTH ALONG SAID EAST LINE EXTENDED, TO A POINT 850' SOUTH OF THE CENTERLINE OF CLOVERLY ROAD; THENCE WEST TO THE EAST LINE OF LOT 4, INGELWOOD VILAGE; THENCE SOUTHERLY TO THE CENTERLINE OF HILLS FARM ROAD; THENCE EASTERLY ALONG SAID CENTERLINE TO THE INTERSECTION WITH THE EAST LINE OF SECTION 36, TOWNSHIP 17 NORTH, RANGE 8 EAST; THENCE NORTH ALONG SAID SECTION LINE, EXTENDED, TO THE POINT OF BEGINNING.

Introduction

Background

In 1975, the Nebraska Unicameral enacted legislation in response to the existence of areas in cities and villages that had become deteriorated and substandard for a variety of reasons. These areas were considered harmful to the social and economic well-being of the entire community in which they existed. Conditions in such areas were considered beyond the remedy and control of the normal regulatory process or impossible to reverse through the ordinary operations of private enterprise. The Community Development Law, as it is known, enables cities and villages to take steps to eliminate blight through the acquisition, clearance, and disposition of property for redevelopment or through the conservation and rehabilitation of property.

Prior to enactment of the legislation, Nebraska communities were unable to carry out redevelopment programs involving assembly of land for conveyance to private developers without the creation of an urban renewal authority approved by the voters of a municipality. The Nebraska Community Development Law (Neb. Rev. Stat. § 18-2101 to 18-2144) permits cities of all classes and villages to establish Community Redevelopment Authorities (CDAs) by ordinance. Such authority empowers CDAs to undertake broad urban renewal and municipal growth opportunities through a variety of mechanisms. This law, with subsequent amendments, has been the cornerstone of redevelopment and community development activities in Nebraska.

This Fremont Blight and Substandard Study examines existing conditions of land-use, buildings, and structures within the Designated Study Area in the City of Fremont to determine its eligibility for redevelopment activities. The area for this analysis is the Designated Study Area which is an area generally described as an industrial area south of the existing Fremont Corporate Limits. A number of potential opportunities for redevelopment exist throughout the Proposed Study Area that would allow for the City of Fremont to overcome blighted and substandard conditions. When evaluating blight and substandard conditions, the City of Fremont must adhere to Nebraska Community Development Law, as provided for in the Nebraska Revised Statutes.

Nebraska Revised State Statutes

Nebraska's Community Development Law (Neb Rev Stat §§18-2101 to 18-2154) provides guidelines under which municipalities may address concerns and develop strategies for the rehabilitation and redevelopment of deteriorating areas, as well as the prevention and elimination of substandard and blighted areas. 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 areas 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 areas 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 of a 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 Statutes §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 of sections 18-2101 to 18-2144, shall afford maximum opportunity, consistent with sound needs of the city as a whole, 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 under sections 18-2101 to 18-2144, 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. §18-2101

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 areas 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 areas 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 Statutes §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 sections 18-2101 to 18-2144 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 areas, 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 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 or blighted areas 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 areas or portions thereof. §18-2105

The main substance of a workable program is an adopted general redevelopment plan for a defined area, as well as the subsequent individual redevelopment projects that identify specific projects within a redevelopment area. Prior to adoption of a general 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 Statutes §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, 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, 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 plotted 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;

Redevelopment project means any work or undertaking in one or more community redevelopment areas:

(a) To acquire substandard and blighted areas or portions thereof, including lands, structures, or improvements the acquisition of which is necessary or incidental to the proper clearance, development, or redevelopment of such substandard and blighted areas;

(b) to clear any such areas by demolition or removal of existing buildings, structures, streets, utilities, or other improvements thereon and to install, construct, or reconstruct streets, utilities, parks, playgrounds, public spaces, public parking facilities, sidewalks or moving sidewalks, convention and civic centers, bus stop shelters, lighting, benches or other similar furniture, trash receptacles, shelters, skywalks and pedestrian and vehicular overpasses and underpasses, and any other necessary public improvements essential to the preparation of sites for uses in accordance with a redevelopment plan;

(c) to sell, lease, or otherwise make available land in such areas for residential, recreational, commercial, industrial, or other uses, including parking or other facilities functionally related or subordinate to such uses, or for public use or to retain such land for public use, in accordance with a redevelopment plan; and may also include the preparation of the redevelopment plan, the planning, survey, and other work incident to a redevelopment project and the preparation of all plans and arrangements for carrying out a redevelopment project;

(d) to dispose of all real and personal property or any interest in such property, or assets, cash, or other funds held or used in connection with residential, recreational, commercial, industrial, or other uses, including parking or other facilities functionally related or subordinate to such uses, or any public use specified in a redevelopment plan or project, except that such disposition shall be at its fair value for uses in accordance with the redevelopment plan;

(e) to acquire real property in a community redevelopment area which, under the redevelopment plan, is to be repaired or rehabilitated for dwelling use or related facilities, repair or rehabilitate the structures, and resell the property; and

(f) to carry out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements in accordance with the redevelopment plan;

Redevelopment plan means a plan, as it exists from time to time for one or more community redevelopment areas, or for a redevelopment project, which

(a) conforms to the general plan for the municipality as a whole and

(b) is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the community redevelopment area, zoning and planning changes, if any, land uses, maximum densities, and building requirements.

Purpose of the Study

This Fremont Blight and Substandard Study for the Designated Study Area is intended to give the Community Development Agency (CDA) the basis for determining the existence of blight and substandard conditions within the delineated Study Area. Through this process, the CDA may employ and exercise the power authorized in Nebraska Community Development Law to eliminate economic and/or social concerns which are detrimental to the future public health, safety, morals, and general welfare of the entire community as well as the surrounding region.

The findings of this Blight and Substandard Study will guide the structure of the Redevelopment Plan for the community concerning the Proposed Blight Area. The area evaluated for blight and substandard conditions is graphically displayed in **Figure 1**, found on **Page 10**. For purposes of this analysis, the Designated Study Area is generally described as 992 acres of land south of the city's existing corporate limits. This Study examines existing land-uses, platting, structures, hazards, and the infrastructure systems to determine whether the area meets the statutory requirements for designation as a Blight and Substandard Area, enabling the CDA to stimulate and manage development and redevelopment efforts. The City of Fremont, when evaluating blight and substandard conditions, must closely adhere to the provisions set forth in the Nebraska Revised State Statutes.

The findings of this Study will guide the general redevelopment for the designated area upon inclusion in the city's corporate limits. The General Redevelopment Plan – the companion document to the Blight and Substandard Study - will contain local objectives regarding appropriate land uses, improved traffic circulation, economic development activities, public transportation, public utilities, and other public improvements, in accordance with the provisions of the Nebraska Community Development Law. The proposed requirements in the redevelopment area shall include without being limited to:

- The boundaries of the redevelopment project area, with a map showing the existing uses and condition of the real property therein,
- A land-use plan showing proposed uses of the area,
- Information showing the standards of population densities, land coverage, and building intensities in the area after redevelopment,
- A statement of the proposed changes, if any, in zoning ordinances or maps, street layouts, street levels or grades, or building codes and ordinances,
- A site plan of the area, and
- A statement as to the kind and number of additional public facilities or utilities which will be required to support the new land uses in the area after redevelopment.

Substandard and Blight Eligibility Analysis

Fremont Designated Study Area

The Greater Fremont Development Council selected the Designated Study Area to be a portion of property for evaluation pursuant to Neb Rev Stat §18-2101 to 18-2154. The area is comprised of primarily commercial, industrial, agricultural and residential land uses. The Designated Study Area was selected for a number of reasons, including:

1. The potential for private development and redevelopment activities within the Study Area.
2. The need for improvements in infrastructure due to specific existing conditions.
3. The economic and functional obsolescence of certain uses within the Study Area.
4. The presence of Blighted and Substandard characteristics within the Study Area.
5. The need for public intervention to stimulate the development and redevelopment of vital infrastructure systems 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 these areas of the community and provide financial incentives for development. The use of the Nebraska Community Redevelopment Law by the City 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 retard 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 blight and substandard conditions.

Substandard and Blight Conditions

As set forth in Section 18-2103 (10) Neb. Rev. Stat. (reissue 1997, as amended), ***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 site conditions

- Examples include Junk 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 flood plain; 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, flood plain area, outdoor storage, site clutter).

As set forth in the Nebraska legislation, 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

- Examples include street conditions, dead ends, railroad crossings, linear downtown, narrow alleyways, blind crossings.

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

Conditions associated with accessibility/usefulness of the lots

- Examples include land lock 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, flood plain, 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, tax exempt.

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, flood plain, building materials, site access, on-site storage (cars), secluded areas 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, retards 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 (Field observation);*
- (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 window panes,*
- *Some rotted or loose windows or doors (no longer wind- or water-proof),*
- *Missing bricks or other masonry of chimney, and*
- *Makeshift (un-insulated) chimney.*

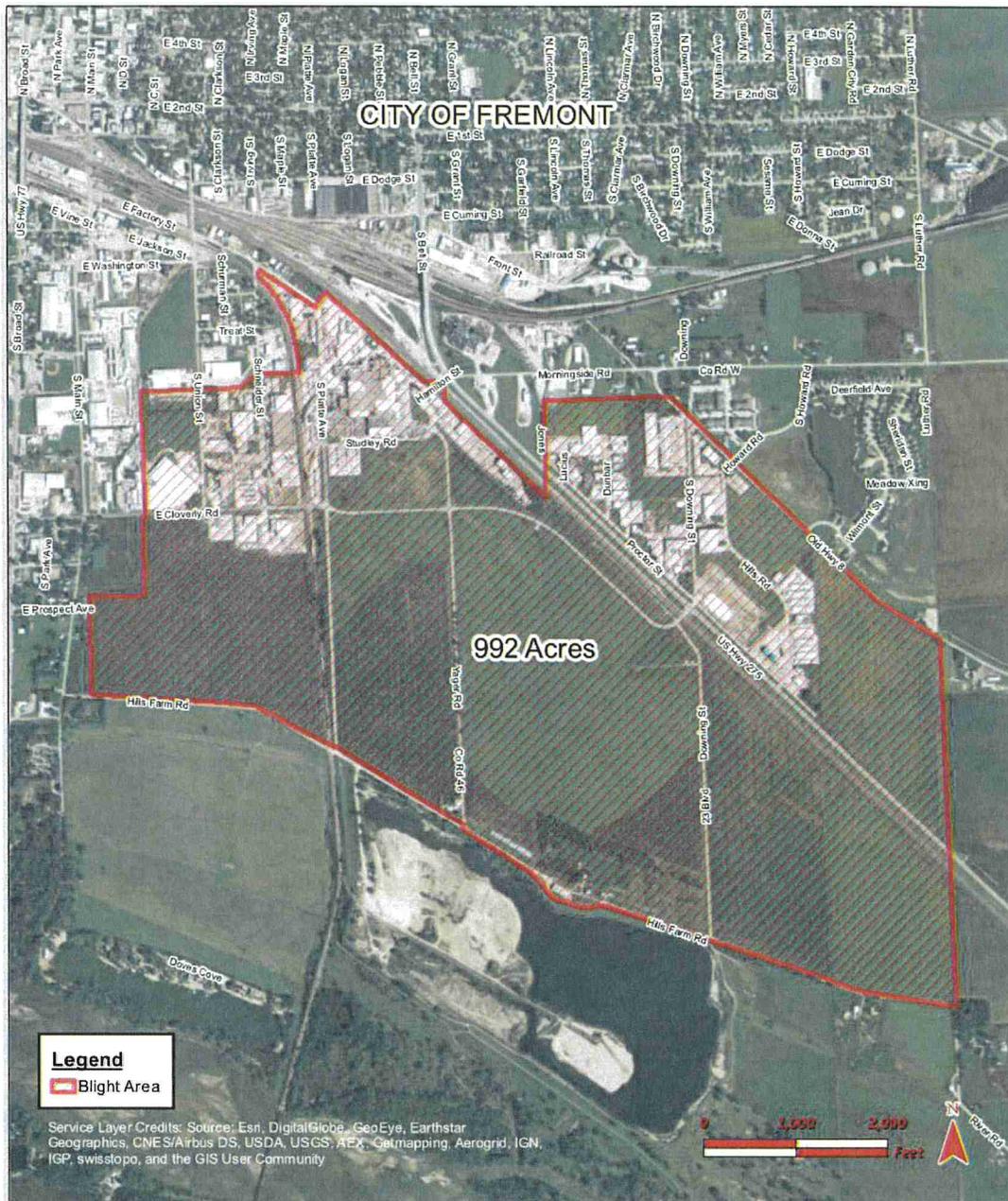
Dilapidated Condition

- *Holes, open cracks, or rotted, loose or missing material (siding, shingles, brick, concrete, tiles, plaster, floorboards) over large areas 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 initial study area as identified in the contract between the Greater Fremont Economic Development Council and JEO Consulting can be found in **Figure 1**. For this study, the initial study area will be known as the “Designated Study Area.”

Figure 1: Designated Study Area



<p>Fremont, NE</p> <p>Site Suitability Study Area 3: Blight Area</p>	<p>The map was prepared using information from several drawings supplied by JEO and/or other applicable city, county, federal or public or private entities. JEO does not guarantee the accuracy of the map or the information used to prepare this map. This is not a scaled plot.</p>	<p>Created By: C. Sloss Date: May 2016 Revised: NA Software: ArcGIS 10.2 File: 160710.04</p>
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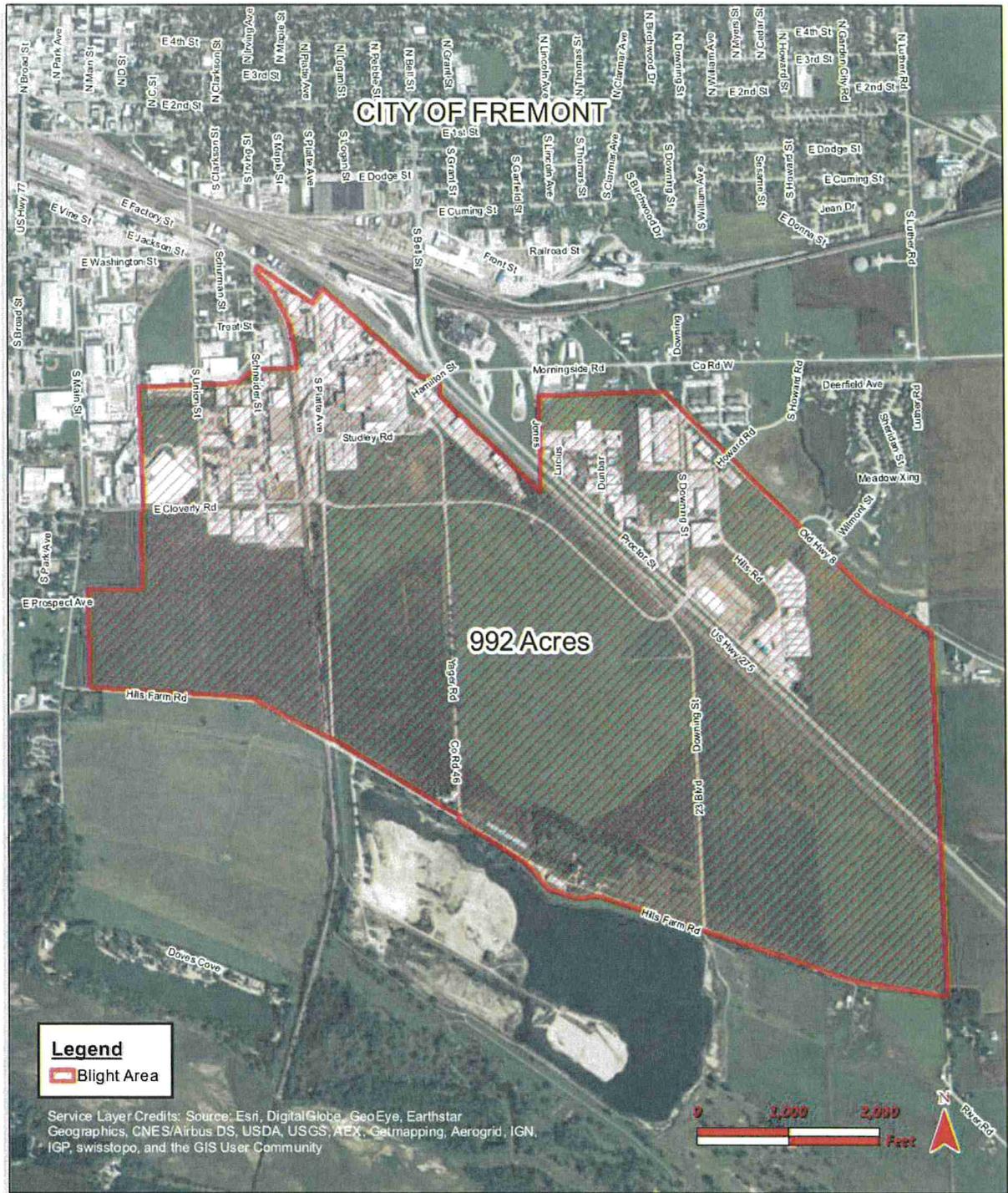
Proposed Blight Area

The Proposed Blight Area consists of approximately 992 acres, as shown in **Figure 2**. The legal description was written and reviewed by a JEO registered surveyor. Approval of the proposed Blight Area will not exceed the statutory limit of 35% declared Blighted and Substandard.

Legal Description

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 25, TOWNSHIP 17 NORTH, RANGE 8 EAST OF THE 6TH P.M., DODGE COUNTY, NEBRASKA; THENCE NORTH ALONG THE EAST LINE OF SAID SECTION 25 TO THE CENTERLINE OF OLD HIGHWAY 8; THENCE WESTERLY ALONG THE CENTERLINE OF OLD HIGHWAY 8 TO THE NORTH LINE OF TAX LOT 20; THENCE WESTWARD ALONG SAID NORTH LINE EXTENDED TO THE CENTERLINE OF JONES STREET; THENCE SOUTHWARD ALONG THE CENTERLINE OF JONES EXTENDED TO THE SOUTH RIGHT OF WAY LINE OF THE RAILROAD; THENCE NORTHWESTERLY ALONG SAID SOUTH RIGHT OF WAY LINE TO THE EASTERLY LINE OF LOT 7-8, BLOCK 1, OF CLOVERLY SUBDIVISION; THENCE SOUTHWARD ON SAID EAST LINE TO THE CENTERLINE OF EAST FACTORY STREET; THENCE NORTHWESTERLY ALONG THE CENTERLINE OF EAST FACTORY STREET TO THE CENTERLINE OF SCHNEIDER STREET; THENCE SOUTHWARD ON SAID CENTERLINE TO THE NORTH RIGHT OF WAY LINE OF THE RAILROAD; THENCE SOUTHWARD ALONG SAID RIGHT OF WAY LINE TO THE NORTH LINE OF TAX LOT 514; THENCE WESTERLY TO THE NORTH LINE OF LOTS 20,21, & PT OF 22, NEW Q ADDITION; THENCE SOUTHWESTERLY ALONG SAID LINE TO THE INTERSECTION OF THE NORTHLINE, EXTENDED, OF LOT 26, NEW Q ADDITION; THENCE WESTERLY ON SAID NORTH LINE, EXTENDED, TO THE EAST LINE OF TAX LOT 82; THENCE SOUTH ALONG SAID EAST LINE EXTENDED, TO A POINT 850' SOUTH OF THE CENTERLINE OF CLOVERLY ROAD; THENCE WEST TO THE EAST LINE OF LOT 4, INGELWOOD VILLAGE; THENCE SOUTHERLY TO THE CENTERLINE OF HILLS FARM ROAD; THENCE EASTERLY ALONG SAID CENTERLINE TO THE INTERSECTION WITH THE EAST LINE OF SECTION 36, TOWNSHIP 17 NORTH, RANGE 8 EAST; THENCE NORTH ALONG SAID SECTION LINE, EXTENDED, TO THE POINT OF BEGINNING

Figure 2: Proposed Blight Area



<p>Fremont, NE</p> <p>Site Suitability Study Area 3: Blight Area</p>	<p>The map was prepared using information from records 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 map.</p>	<p>Created By: C. Sloss Date: May 2016 Revised: NA Software: ArcGIS 10.2 File: 160710.04</p>	
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Findings and Contributing Factors

The intent of this study is to determine whether the Proposed Blight Area within the City of Fremont’s jurisdiction has experienced structural and site deterioration or if there are other negative factors which are decreasing the potential of development. On May 20 and 21, 2016, a field survey examined the blight and substandard conditions as defined by eligibility analysis section at the beginning of the document. The field study indicated the community has contributing factors; thus, the community warranted further examination with regard to blight and substandard conditions. The following factors were evaluated to determine if there is a reasonable presence of blight and substandard conditions within the Designated Study Area.

The following findings and factors review the building and structure conditions, infrastructure, and land use found within the Proposed Blight Area based upon the statutory definitions, observations of the planning team during the field survey, and explains the identified contributing factors. *Appendix A* provides a visual description and shows examples of the various conditions described that led to the determination for each factor.

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

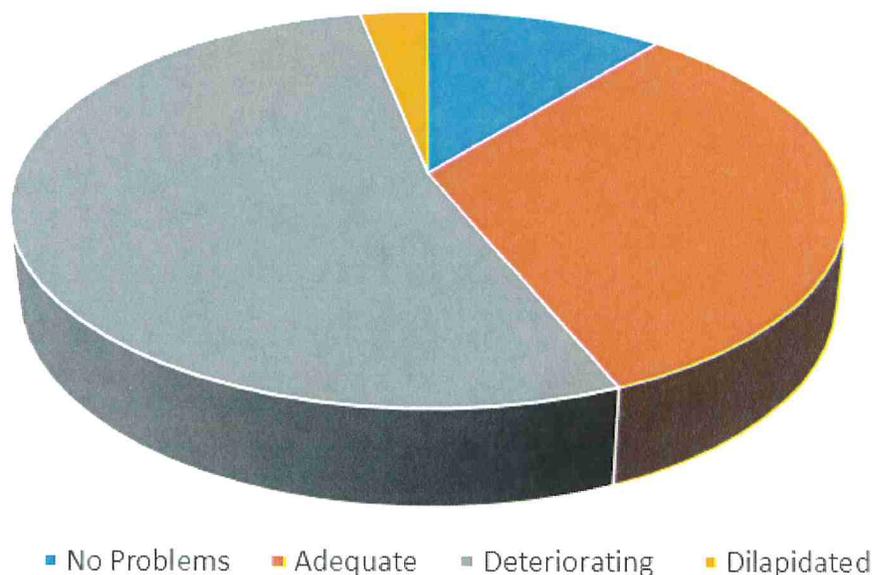
Substantial Number of Deteriorated or Deteriorating Structures

Exterior Inspections of Buildings

There were a total of 64 structures evaluated. As a rule, the primary structure for each parcel within the Proposed Blight Area was evaluated. As shown in Figure 3, the Structural Evaluation inspections rated 56% or 36 structures as deteriorating or dilapidated.

Figure 3: Structure Evaluation

Structural Analysis Rating Count



Defective or Inadequate Street Layout

Street Conditions and Accessibility

Street conditions and accessibility within the Designated 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. This area of Fremont does not contain a traditional transportation grid that connects the urban area with the City of Fremont's existing transportation pattern. Portions so the rectilinear grid extend into the study area; however, it lacks connectivity due to railroad lines, incomplete streets, large undeveloped parcels, and irregular shaped lots.

As illustrated in Figure 4, Study Area Roadway Conditions Map, the surface condition of the majority of the existing roads was deemed to be adequate. However, the roads in the Study Area generally lack curb and gutter and sidewalks to facilitate safe non-vehicular transportation routes. Hills Farm Road on the southern boundary of the study area does not meet the rural minimum standards road classifications in Nebraska due to the lack of road shoulder and drainage ditches.

In the area south of Morningside Road, west of South Downing Street and north of Proctor Street, three parallel roads dead end without any cross connection or proper turn-a-round.

There are three railroad lines crossing streets in the study area in addition to the local railroad spurs serving the existing industrial businesses in the area.

All of the above factors contribute to a finding that the area contains a significant level of defective or inadequate street layout.

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

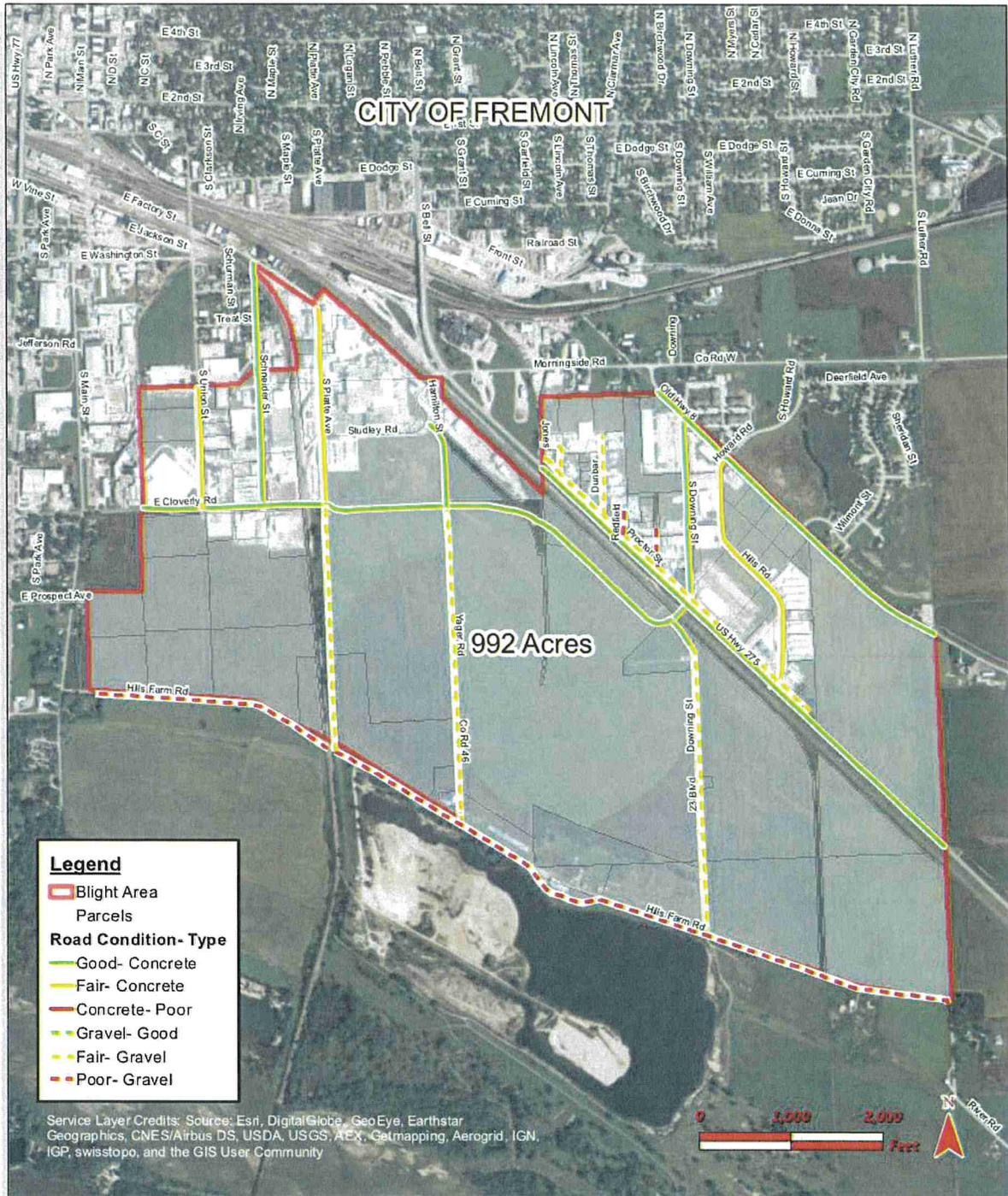
Conditions associated with accessibility/usefulness of lots

As stated before, a traditional transportation grid system was platted with a diagonal railroad. The usefulness of the angled lots along the railroad are limited due to their dimensions and acute angles. The traditional grid layout is also interrupted by the natural drainage and the Burlington Northern Railroad bisecting the western portion of the area on a north-south axis., which divides this area. As illustrated in Figure 5, Faulty Lot Layout, the lots and layouts vary and create disjointed pockets of development with some of the lots and limited access points.

The lot sizes and shape vary throughout the study area. Some lots are too narrow or too small and do not meet general current commercial/industrial development standards, while other lots are irregular in shape and make it difficult to site rectangular buildings efficiently. In addition, multiple lots lack street frontage and are considered "landlocked".

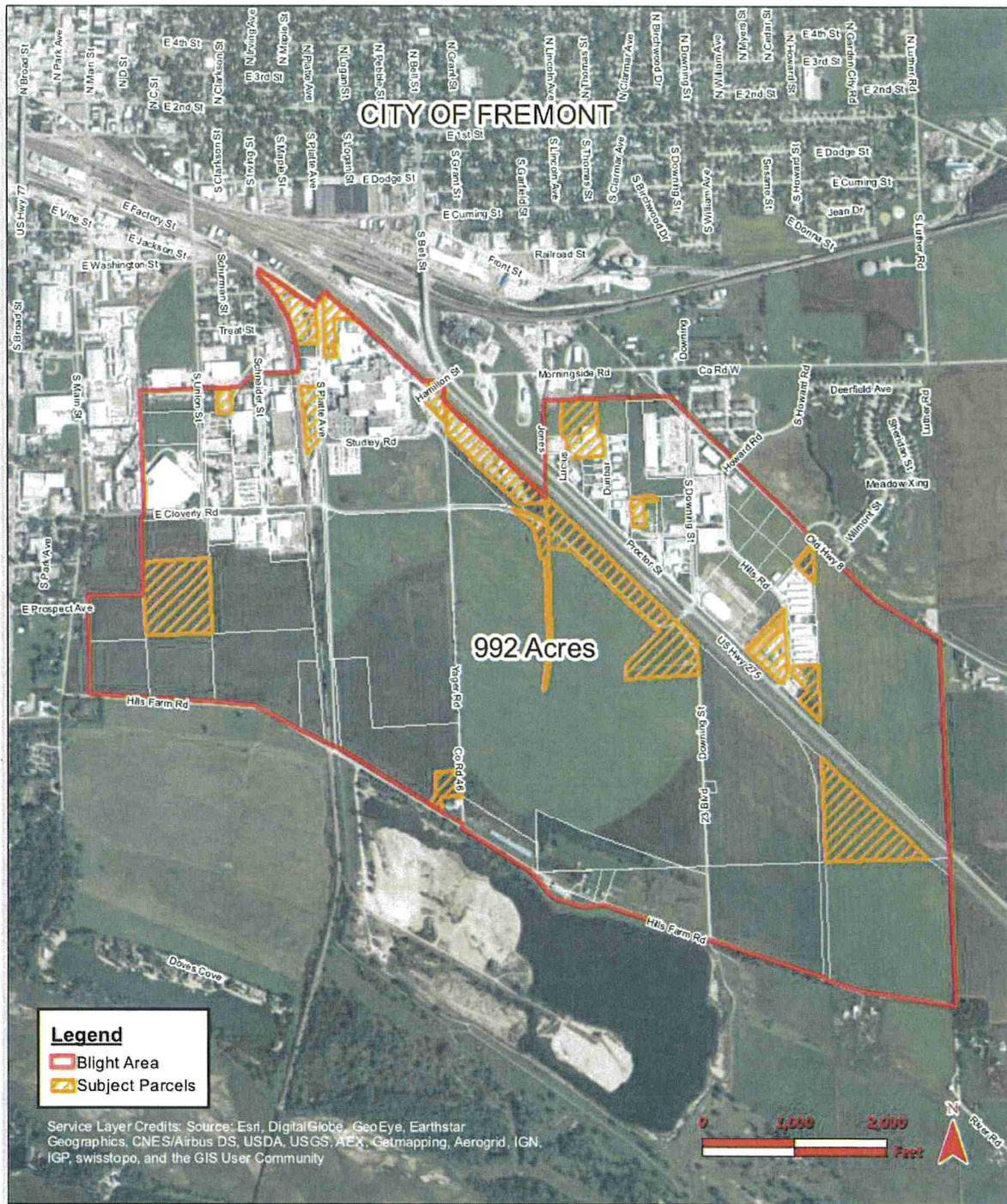
As a result of these factors, this area is considered to contain significant characteristics of faulty lot layout in relation to size, adequacy, accessibility, or usefulness

Figure 4: Study Area Road Conditions



<p>Fremont, NE</p>	<p>The 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 plot.</p>	<p>Created By: C. Sloss Date: May 2016 Revised: NA Software: ArcGIS 10.2 File: 160710.04</p>	
<p>Site Suitability Area 3: Road Conditions</p>			

Figure 5: Faulty Lot Layout



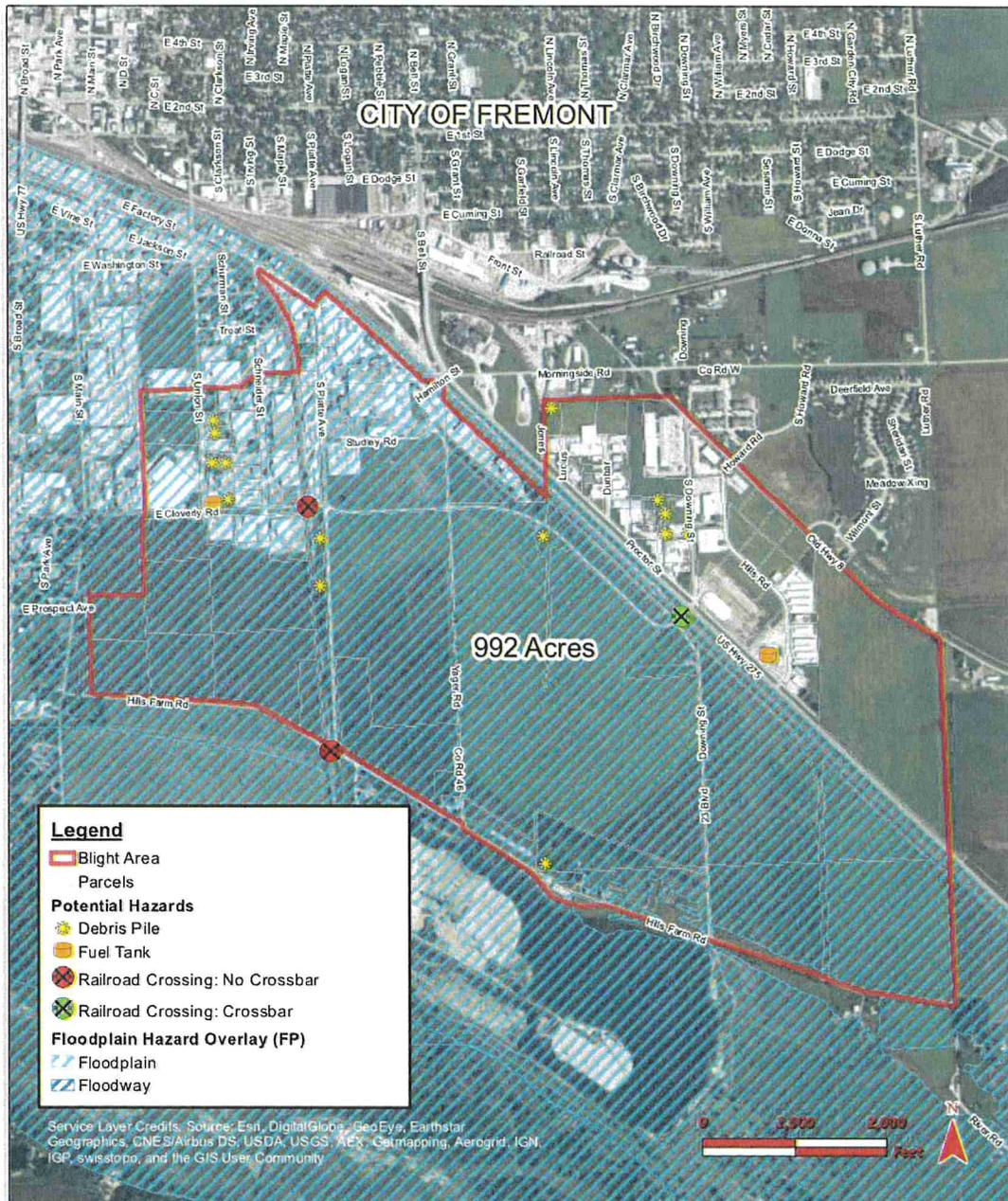
<p>Fremont, NE</p> <p>Site Suitability Study Area 3: Faulty Lot Layout</p>	<p>The map was prepared using information from record drawings supplied by JEO and/or other applicable city, county, federal or public or private entities. JEO does not guarantee the accuracy of this map or the information used to prepare this map. This is not a scaled plot.</p>	<p>Created By: C. Sloss Date: May 2016 Revised: NA Software: ArcGIS 10.2 File: 160710.04</p>	
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Unsanitary or unsafe conditions

Conditions which pose a threat to public health and safety

Multiple conditions exist in the study area which can pose a threat to public health and safety, as illustrated in Figure 6. These potential hazards include: the flood plain, debris piles, fuel tanks, standing water, and railroad crossings. In addition, the age of the structures and materials used in the construction of the older industrial buildings can pose a potential safety hazard to the general public.

Figure 6: Potential Hazards



Deterioration of site or other improvements

Debris

There were 13 examples of debris noted during the evaluation. There were examples of construction materials, junk cars, fuel tank storage, old railroad ties, felled trees and on-site storage of used materials.

Storm Drainage – With a substantial portion of the area in the 100-year flood plain and the open channel drainage, the Proposed Blight Area should have an additional analysis of storm drainage.

Dilapidated structures

A total of 36 deteriorating or dilapidated structures were documented in the study area.

Site Conditions

Many of the industrial sites are not hard surfaced lots and contain rocked or gravel areas for parking, drive aisles, and outdoor storage of materials.

Diversity of ownership

The total number of unduplicated owners

There are 42 different owners out of 92 properties.

Improper subdivision or obsolete platting

Parcels with improper or obsolete platting are identified on Figure 8, on page 19.

Obsolete platting

The lot sizes and shape vary throughout the study area. Some lots are too narrow or too small and do not meet general current commercial/industrial development standards, while other lots are irregular in shape and make it difficult to site rectangular buildings efficiently. In addition, antiquated railroad spurs are platted on several parcels where no spur currently exists.

Improper platting

Multiple lots have been part of improper platting, lack street frontage and are considered “land locked”.

The existence of conditions which endanger life or property

Sidewalk Conditions

There is a lack of sidewalks in the Proposed Blight Area.

Conflicting Land Use

There is a single family residence at 800 S Union Street that abuts industrial uses on three sides and an industrial building across the street. This conflicting land use can pose a threat to life or property to the residence.

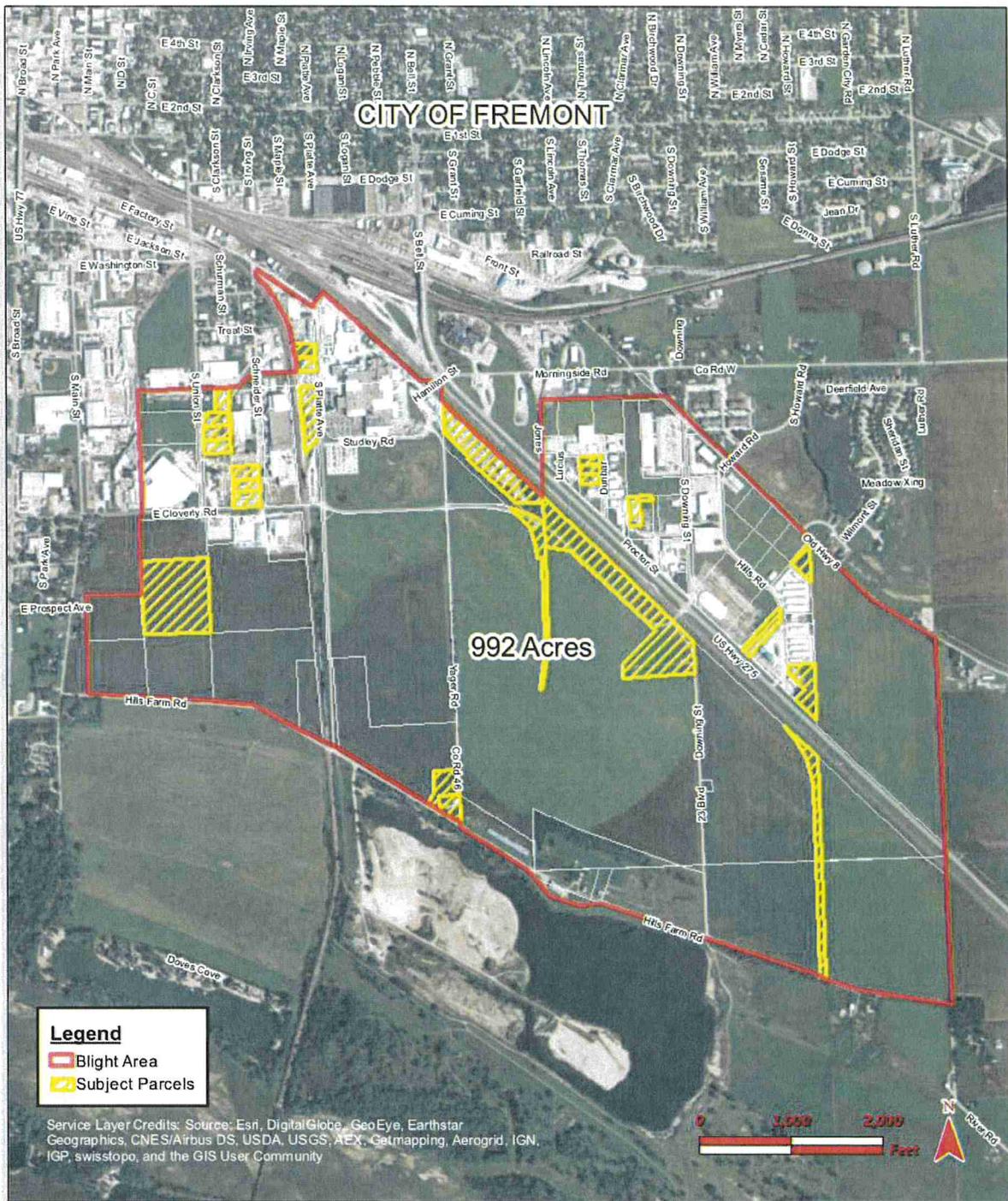
On-Site Storage

The storage of junk cars and other debris are evident within the Proposed Blight Area. These findings show a detriment to the neighborhood and should be evaluated for removal.

Floodplain

As shown in Figure 7, the 100-year flood plain poses a real threat to property damage and the safety to Fremont residents and business in the study area.

Figure 8, Improper Subdivision and Obsolete Platting



Fremont, NE

Site Suitability Study
Area 3: Improper Subdivision/Obsolete Platting

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Date: May 2016
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Software: ArcGIS 10.2
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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

Economic and/or socially undesirable land uses

There are many factors that can be detrimental to the growth of this area. Development of properties located in a floodplain are required to complete the process for a LOMA (Letter of Map Adjustment) in order to remove structures from a floodplain. The necessary financial investment required to build on the subject parcels in the flood plain are a financial disadvantage.

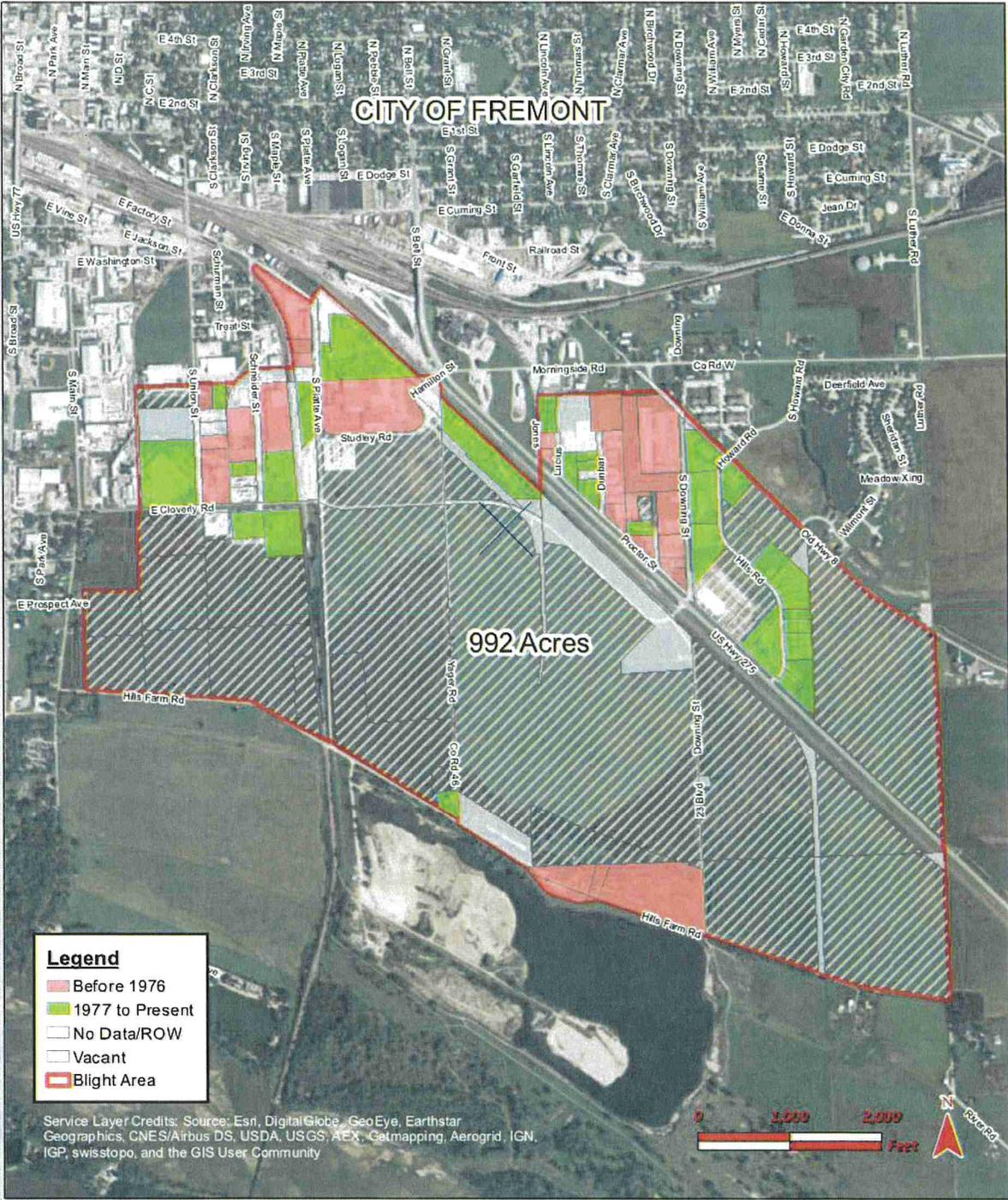
Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:

The Average Age of the Residential or Commercial Units in the Area is at Least 40 Years

Commercial Structure Age

Figure 9 depicts the location and age of buildings within the study area. Information regarding the age of the permanent structures within the Designated Study Area was provided by the Dodge County Assessor's Office, GIS data, and verified during the field survey. According to the data received, the average age of the commercial structure is 41 years of age. Because of these findings, structure age in the area is considered to be a contributing factor to the blight and substandard conditions in the Proposed Blight Area.

Figure 9: Age of Structure



Fremont, NE	The map was prepared using information from record drawings supplied by JED and/or other applicable city, county, federal or public or private entities. JED does not guarantee the accuracy of the map or the information used to prepare this map. This is not a scaled plot.	Created By: C. Sloss Date: May 2016 Revised: NA Software: ArcGIS 10.2 File: 160710.04	
Site Suitability Study Area 3: Age of Structure			

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 are:

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 Proposed Blight Area. The condition of the structures was analyzed and rated according to the schedule as defined by the U.S. Department of Housing and Urban Development (described in the *Eligibility Analysis Section*). See *Appendix A* for a visual description of the structures within the Study Area. A total of 64 structures were evaluated and 56% were deemed to be deteriorating or dilapidated. Structure condition is considered to be a contributing factor to the blight and substandard conditions in the Study Area. As a rule, the primary structure for each parcel within the Proposed Blight Area was evaluated. When possible, other ancillary structures were also evaluated.

Age or obsolescence

As shown in Figure 9, many of the buildings were built before 1976. The average age of structures in the Proposed Blight Area is 41 years old.

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

The area contains debris piles and junk cars which can lead to unwanted pests and unsanitary conditions, but not to the extent that it is deemed to be a significant substandard factor.

Other Substandard Conditions

The existence of conditions which endanger life or property

There is a lack of sidewalks in the Proposed Blight Area which may lead to dangerous conditions for pedestrians sharing the road with trucks and automobiles. Crosswalks are also absent at major intersections.

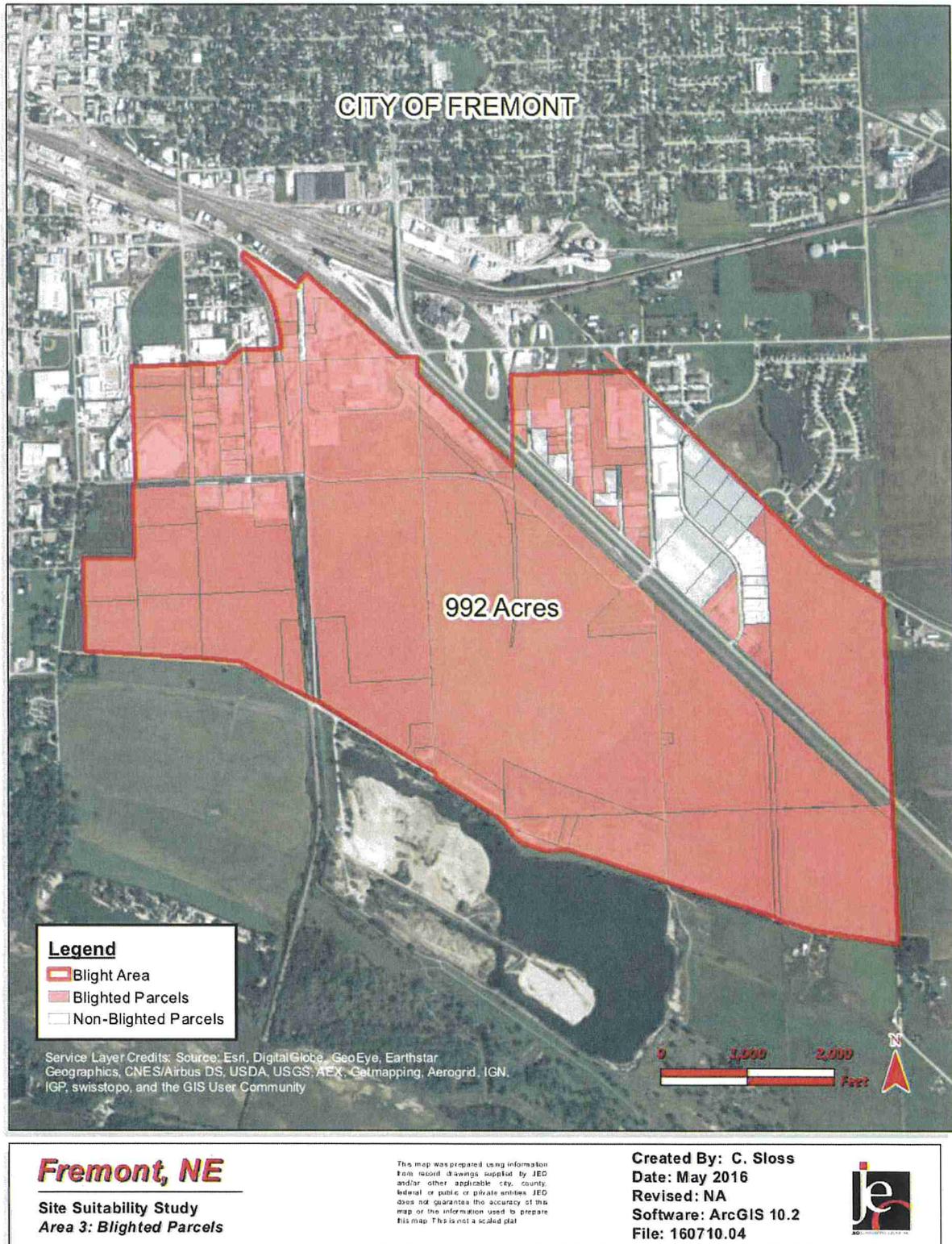
The storage of junked cars and other debris are evident within the Proposed Blight Area. These findings show a detriment to the neighborhood and should be evaluated for removal.

The 100-year floodplain exists for a number of properties in the Proposed Blight Area. Further study and projects can enhance this floodplain corridor to minimize the damage in the event of a hazardous event and potentially connect the residential developments that share this dividing corridor.

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 and safety

There are many factors that can be detrimental to the public health. Debris and deteriorating buildings can attract vermin while standing water can create mosquito habitat that can lead to transmission of disease. The age of buildings and materials used in older structures can pose a threat to the public health and safety as well as the lack of sidewalks and dangerous crossings at highway intersections. In addition, a main factor detrimental to public health and safety in this study is the 100-year floodplain.

Figure 10: Parcels with any Blight Conditions



Blighted and Substandard Findings

The Proposed Blight Area has several items contributing to the Blight and Substandard Conditions. Based on the information collected and analyzed pursuant to Nebraska Revised State Statutes, the Proposed Blight Area has several 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. Figure 10 illustrates the parcels that contain a blight or substandard condition identified in this study. These conditions include:

Blight Conditions

Blight Conditions Present

- A substantial number of deteriorated or deteriorating structures
- Diversity of ownership
- 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
- 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
- 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 or commercial units in the area is at least 40 years

Blight Conditions NOT Present

- 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:
 - Unemployment in the designated area is at least one hundred twenty percent of the state or national average
 - 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
 - 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
 - The area has had either stable or decreasing population based on the last two decennial censuses
- Tax or special assessment delinquency exceeding the fair value of the land (none identified)
- Defective or unusual conditions of title (none identified)

Substandard Conditions

Substandard Conditions Present

- Dilapidation or deterioration
- Age or obsolescence
- Other Substandard Conditions
 - The existence of conditions which endanger life or property by fire and other causes

Substandard Conditions NOT Present

- Inadequate provision for ventilation, light, air, sanitation, or open spaces
- Other Substandard Conditions
 - High density of population and overcrowding Any combination of such factors that 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.

Based upon the issues and conditions indicated from the survey of the Designated Study Area, there are sufficient criteria present to designate this Proposed Blight Area as blighted and substandard, as provided for in the Nebraska Revised Statutes.

Conclusion

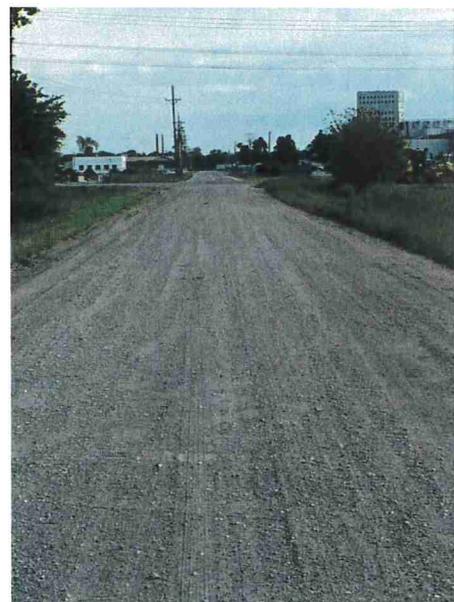
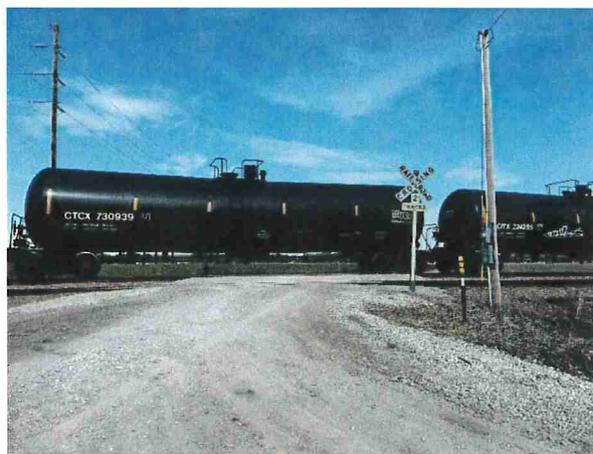
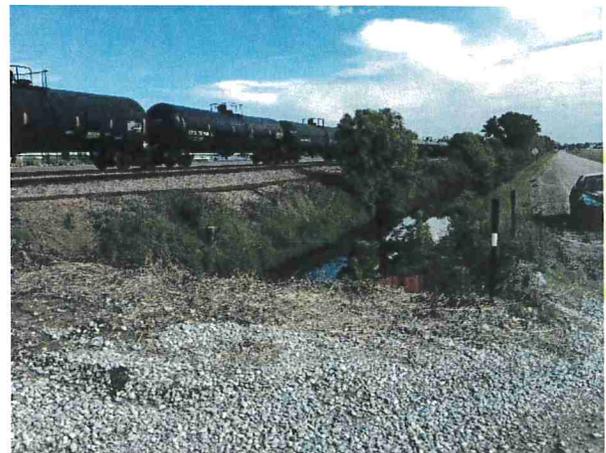
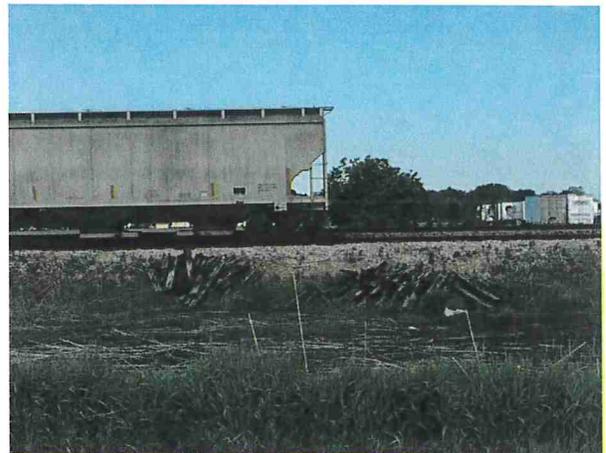
A number of conditions within the Proposed Blight Area were evaluated during the field survey which contributed to blight and substandard conditions. The conditions showing evidence of blight are interspersed throughout the Proposed Blight Area, and as such, the boundaries of the Proposed Blight Area are recommended for further action.

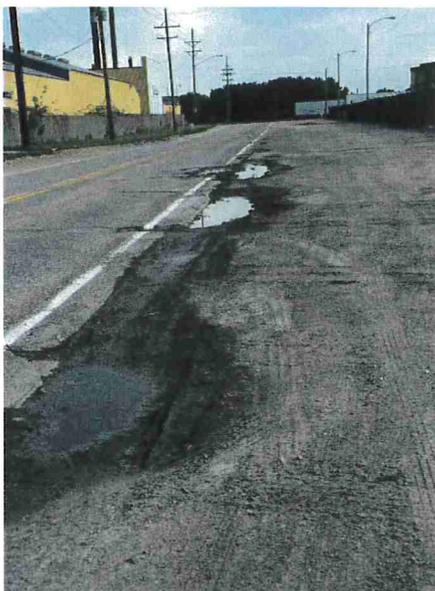
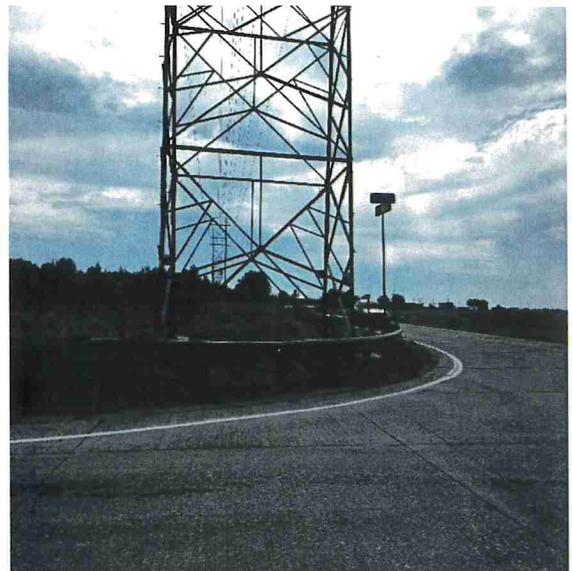
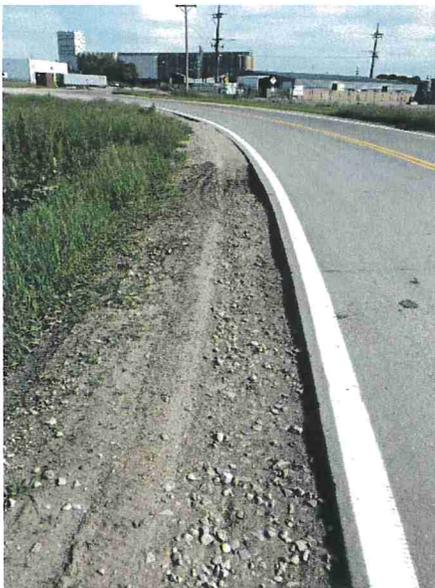
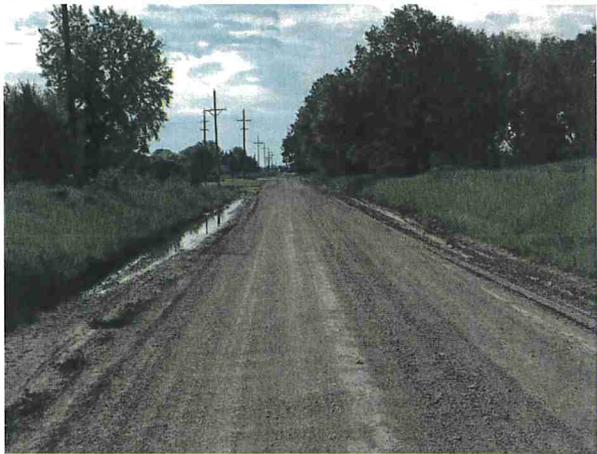
It is the professional opinion of the consultant, based on the information collected and analyzed pursuant to Nebraska Revised State Statutes, that the Proposed Blight Area contains the required conditions that would warrant a designation as blighted and substandard by the City of Fremont and the Community Development Agency.

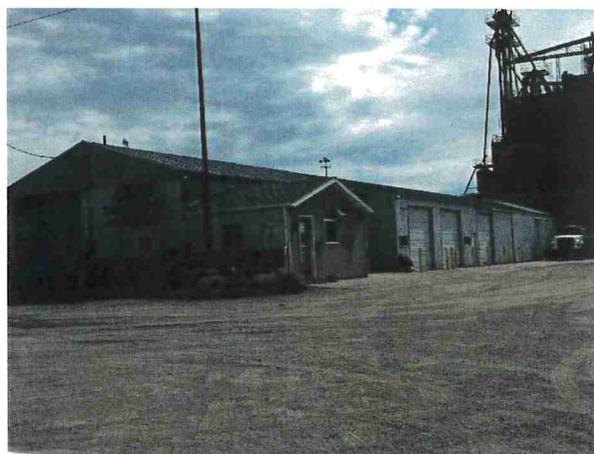
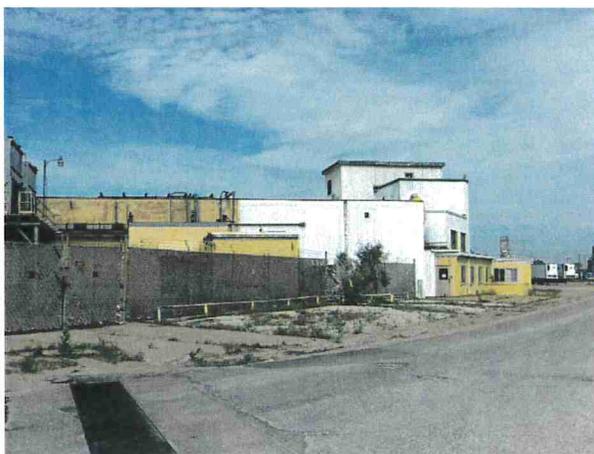
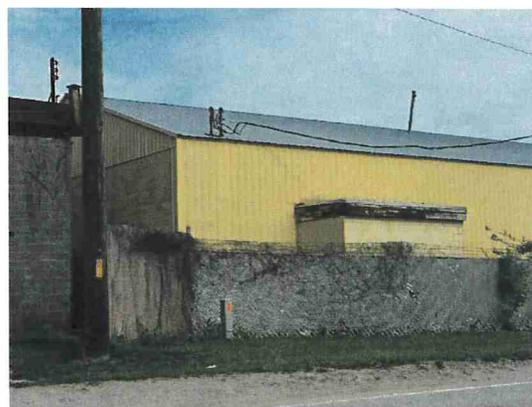
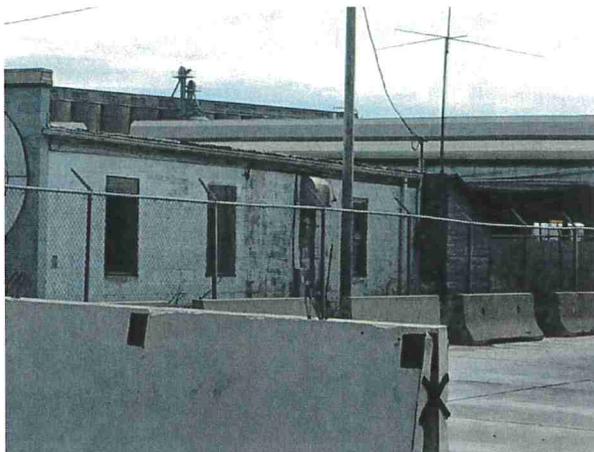
The City of Fremont should review this Blight and Substandard Study, and if satisfied with the findings contained in this Study, may, by resolution, designate the Proposed Blight Area as “Blighted and Substandard” as provided for in the Nebraska Community Law, making this Area available for redevelopment activities. The General Redevelopment Plan, when prepared, shall be developed in a manner consistent with the City of Fremont’s Comprehensive Development Plan.

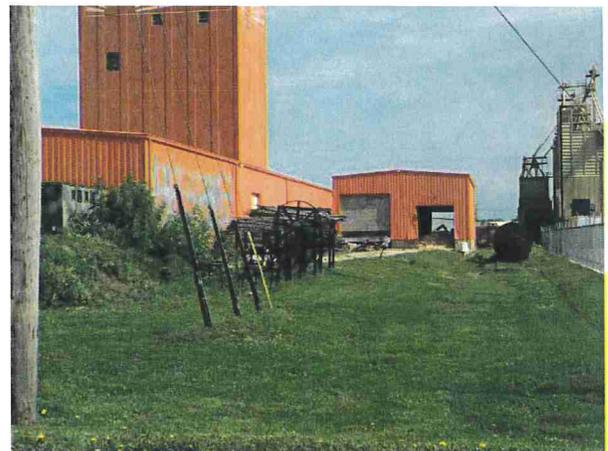
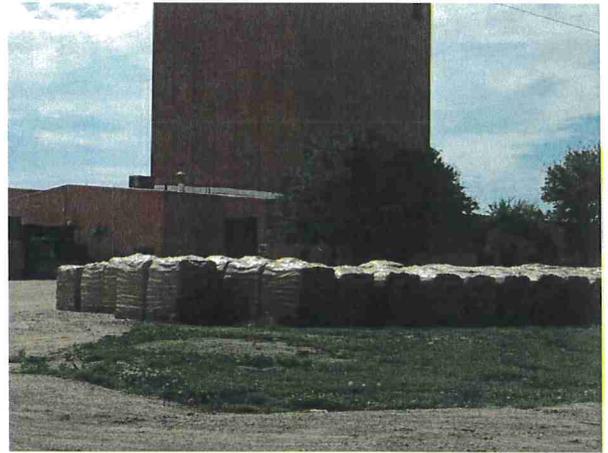
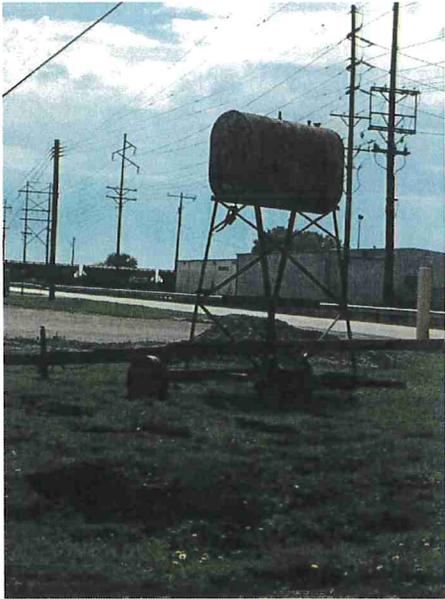
Appendix A

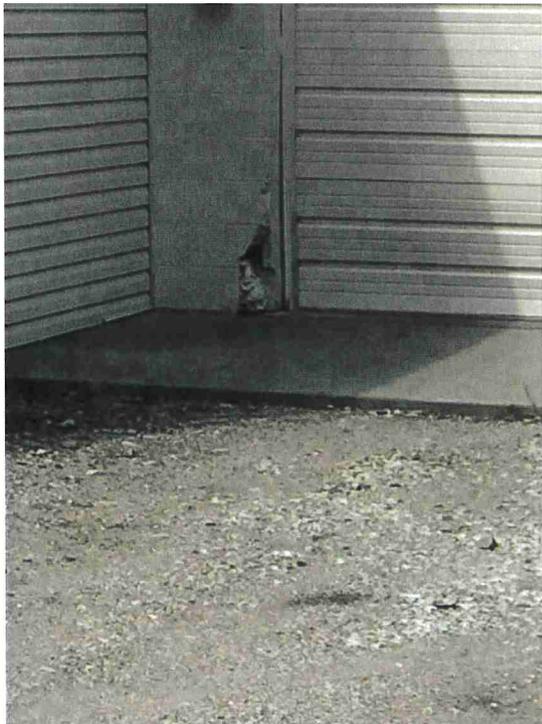
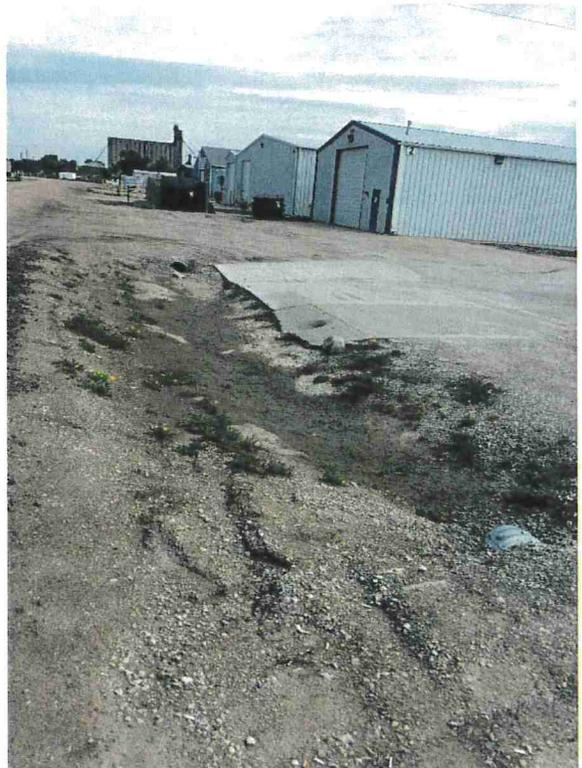
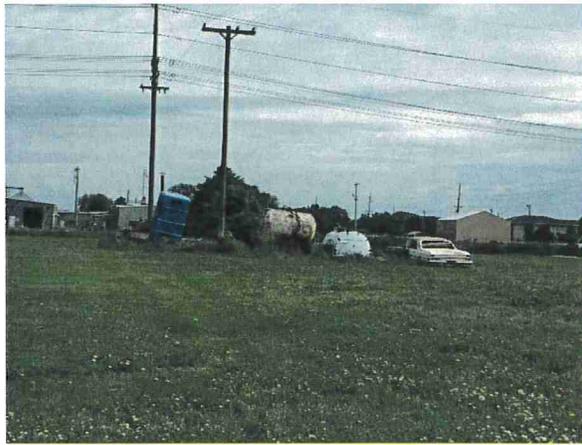
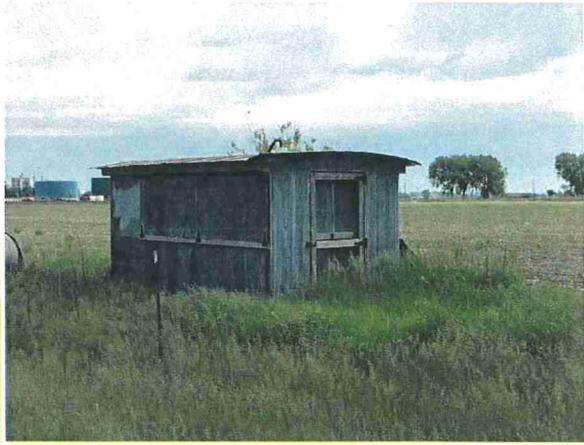
Visual Assessment – Site Photographs

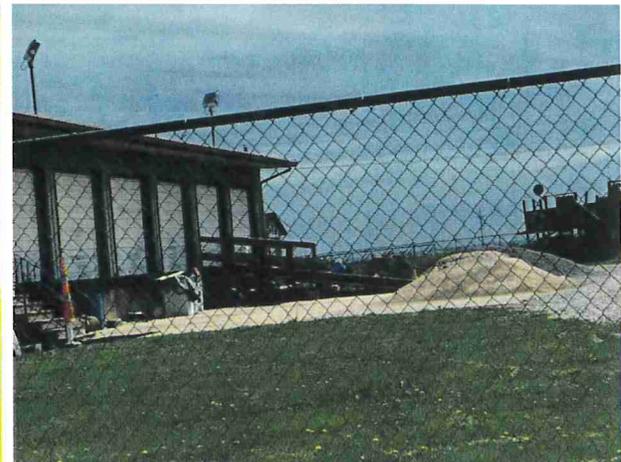
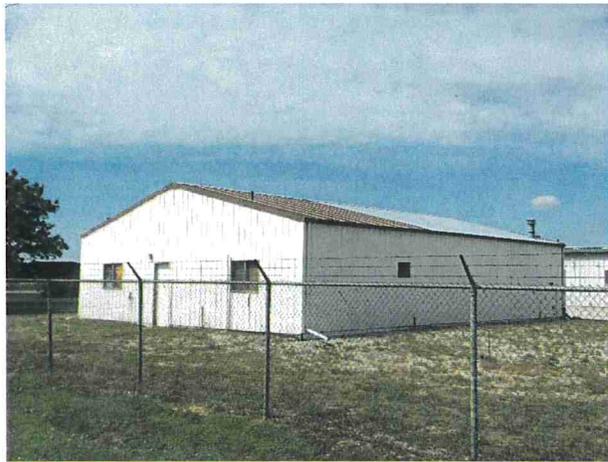












COMMUNITY DEVELOPMENT AGENCY

July 12, 2016

7:00 p.m.

The Chairman 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 Committee Members Bixby, Legband, Landholm, Schaller, Johnson, Kuhns, and Eairleywine present. 7 Members present.

Public Hearing and Resolution for blighted and substandard declaration of properties described as approximately 992 acres located in part of Sections 23, 25, 26, and 36, all in Township 17 North, Range 8 East of the 6th P.M., Dodge County, Nebraska. Chairman Getzschmen opened the public hearing. Many residents and nonresidents spoke in opposition to and in support of the item. Moved by Committee Member Schaller seconded by Committee Member Johnson to receive item titled 42 U.S. Code section 1983 – Civil action for deprivation of rights. Roll Call Vote. Committee Members Bixby, Legband, Landholm, Johnson, Kuhns, Eairleywine and Schaller voting Aye. 7 Ayes. Motion carried. Moved by Committee Member Schaller seconded by Committee Member Legband to receive Nebraska Farm Bureau list of support resolutions. Roll Call Vote. Committee Members Bixby, Legband, Landholm, Johnson, Kuhns, Eairleywine and Schaller voting Aye. 7 Ayes. Motion carried. Moved by Committee Member Landholm seconded by Committee Member Legband to receive item titled Chicken Manure: Collateral Damage from the Chicken Factory Farm. Roll Call Vote. Committee Members Bixby, Legband, Landholm, Johnson, Kuhns, Eairleywine and Schaller voting Aye. 7 Ayes. Motion carried. The public hearing was closed after receiving testimony. Committee Member Johnson moved, seconded by Committee Member Bixby to approve Resolution 2016-007. Roll call vote. Bixby, Legband, Landholm, Schaller, Johnson, Kuhns and Eairleywine voting Aye. 7 Ayes. Motion carried.

Moved by Committee Member Landholm seconded by Committee Member Legband to adjourn the meeting. Roll call vote: 7 ayes. Motion carried. Meeting adjourned at 7:40 p.m.

CITY COUNCIL MEETING

July 12, 2016

7:00 p.m.

After the Pledge of Allegiance and 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 Bixby, Legband, Landholm, Schaller, Johnson, Kuhns and Eairleywine present. 7 Council Members present.

Public Hearing and Resolution for blighted and substandard declaration of properties described as approximately 992 acres located in part of Sections 23, 25, 26, and 36, all in Township 17 North, Range 8 East of the 6th P.M., Dodge County, Nebraska. Chairman Getzschmen opened the public hearing. Residents and nonresidents spoke in opposition to and in support of the item. The public hearing was closed after receiving testimony. Committee Member Schaller moved, seconded by Committee Member Johnson to approve Resolution 2016116. Roll call vote. Bixby, Legband, Landholm, Schaller, Johnson, Kuhns and Eairleywine voting Aye. 7 Ayes. Motion carried.

Moved by Council Member Schaller seconded by Council Member Landholm to approve items 5 through 13 and items 15 through 17. Roll Call Vote. Council Members Bixby, Legband, Landholm, Johnson, Kuhns, Schaller and Eairleywine voting Aye. 7 Ayes. Motion carried.

5. Dispense with and approve June 28, 2016 minutes and June 21, 2016 minutes
6. Approval of Cement/Asphalt/Excavation worker application as presented subject to fulfillment of all licensing requirements (Rayme Fauss, Fauss Construction Inc.)
7. Resolution 2016-117 to award proposal for two factor authentication to 2FA
8. Resolution 2016-118 to allow consumption of alcohol on City property (Fremont Area Chamber of Commerce, Erika Delasancha, Taylor Ruzicka, Sportsman Shoot)
9. Resolution 2016-119 to approve special designated liquor license, Merry Martini Lounge
10. Move to receive Report of the Treasury
11. Approval of June 29 through July 12, 2016 claims and authorize checks to be drawn on the proper accounts.
12. Resolution 2016-120 Approve release of promissory note for CDBG loan outstanding from Tom & Chris Rump and replace with promissory note from Fremont Area Arts Association pending sale of building
13. Resolution 2016-121 to award proposal for Engineering Services for Upgrade of Substation B to accommodate the Elkhorn River Valley Electric Transmission Line to HDR, Inc.
15. Approve acknowledgement of the Tort Claim filed by Jake Hartmann
16. Approve acknowledgement of the Tort Claim filed by Dawn McDuffee
17. Approve acknowledgement of the Tort Claim filed by Daniel Soukup

Resignation of City Engineer and Appointment of Interim City Engineer. Moved by Committee Member Kuhns seconded by Committee Member Schaller to receive Resolution to appoint Diane Brown as Citizen Advisor for selection of City Engineer. Roll Call Vote. Council Members Bixby, Legband, Landholm, Johnson, Kuhns, Eairleywine and Schaller voting Aye. 7 Ayes. Motion carried. Councilmember Johnson moved, seconded by Councilmember Eairleywine to accept the resignation of City Engineer Zetterman. Roll call vote. Bixby, Legband, Landholm, Schaller, Johnson, Kuhns, and Eairleywine voting Aye. 7 Ayes. Motion carried.

Final reading of Ordinance to amend Subdivision Ordinance related to providing for drainage of subdivision lots. Council Member Landholm moved, seconded by Council Member Legband to continue the item. Roll call vote. Bixby, Legband, Landholm, Schaller, Johnson, Kuhns, and Eairleywine voting Aye. 7 Ayes. Motion carried.

Second Reading of Ordinance approving a request of Kevin and Lori Yount, the owners of approximately 4.5 acres located at 1510 S Main St., for approval of a Zoning Change from RR Rural Residential to GC General Commercial. Councilmember Eairleywine moved, seconded by Councilmember Kuhns to suspend the rules and move to final reading. Roll call vote. Bixby, Legband, Landholm, Johnson, Kuhns and Eairleywine voting Aye. 6 Ayes. Schaller Abstain. City Clerk provided final reading. Mayor Getzschman called for a vote on final reading. Roll call vote. Bixby, Legband, Landholm, Johnson, Kuhns and Eairleywine voting Aye. 6 Ayes. Schaller Abstain. Ordinance approved.

Approve recommendation of IMA to enter into a 3 year agreement with Blue Cross Blue Shield of Nebraska for the City of Fremont's Medical, Dental, Prescription Drug Plans, and with Blue Cross's recommended vendor for COBRA and Flex Administration. Council Member Kuhns moved, seconded by Council Member Landholm to enter into a 3 year agreement with Blue Cross Blue Shield of Nebraska for the City of Fremont's Medical, Dental, Prescription Drug Plans, and with Blue Cross's

recommended vendor for COBRA and Flex Administration as presented. Roll call vote. Bixby, Legband, Landholm, Schaller, Johnson, Kuhns, and Eairleywine voting Aye. 7 Ayes. Motion carried.

Consideration of keno satellite application of Whis's End Zone Lounge 843 & 845 South Broad Street, Fremont, NE 68025. Council Member Schaller moved, seconded by Council Member Legband to approve keno satellite application of Whis's End Zone Lounge 843 & 845 South Broad Street, Fremont, NE 68025 and sign form 50G as requested. Roll call vote. Bixby, Legband, Landholm, Schaller, Johnson, Kuhns, and Eairleywine voting Aye. 7 Ayes. Motion carried.

Consideration of contract for Dodge County Humane Society Contract for animal control services. Council Member Schaller moved, seconded by Council Member Landholm to enter into a contract with Dodge County Humane Society Contract for animal control services as presented. Roll call vote. Bixby, Legband, Landholm, Schaller, Johnson, Kuhns, and Eairleywine voting Aye. 7 Ayes. Motion carried.

Moved by Council Member Eairleywine seconded by Council Member Bixby to adjourn the meeting. Roll call vote: 7 ayes. Motion carried. Meeting adjourned at 8:31 p.m.

I, Tyler Ficken, 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 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.

Tyler Ficken, City Clerk

CITY COUNCIL OF THE
CITY OF FREMONT, NEBRASKA

RESOLUTION NO. 2017- 081

(Blight and Substandard Area Amendment)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA,
AMENDING THE CITY OF FREMONT'S DECLARATION OF AN AREA AS BLIGHTED AND
SUBSTANDARD BY CITY COUNCIL RESOLUTION NO. 2016-116.**

WHEREAS, pursuant to the Nebraska Community Development Law, Neb. Rev. Stat. § 18-2101, et. seq., as amended (the "Act") the City of Fremont, Nebraska (the "City") designated that certain area identified in City Council of the City of Fremont, Nebraska (the "City Council") Resolution No. 2016-116 (the "Blight Area") as blighted and substandard and in need of redevelopment pursuant to the Act;

WHEREAS, the City received a request from the property owner to disconnect and detach Lots 13B, 14B, and 15B of the East Inglewood Subdivision, Dodge County, Nebraska (the "Property") from the corporate limits of the City, representing approximately 2.6 acres of the 992 acre Blight Area (the "Disconnection") and the City Council has approved such request for Disconnection;

WHEREAS, the reasons for such Disconnection are completely separate from and wholly unrelated to the Blight and Substandard Study adopted by City Council Resolution No. 2016-116 (the "Study");

WHEREAS, JEO Consulting Group, Inc., the preparer of the Study, has confirmed that removal of the Property from the Blight Area does not result in any substantive changes to the Study and does not alter the overall opinions and conclusions contained in the Study; and

WHEREAS, the City Council similarly desires to amend the Blight Area identified in City Council Resolution No. 2016-116 for the sole and exclusive purpose of removing the Property from the Blight Area, which has been recommended by the Community Development Agency of the City of Fremont (the "CDA").

NOW, THEREFORE, it is found by the City Council of the City of Fremont, Nebraska, as follows:

1. The Blight Area as described in City Council Resolution No. 2016-116 should be amended to remove the Property from such area.
2. Other than the recommended amendment as set forth herein, City Council Resolution No. 2016-116 should remain in full force and effect.
3. The reason the City Council is removing the Property from the Blight Area is due to the request for Disconnection.
4. The removal of the Property from the Blight Area does not alter any of the City Council's conclusions contained in City Council Resolution No. 2016-116 and does not alter the overall conclusions of the Study.

BE IT RESOLVED, that pursuant to the Act and in light of the findings in paragraphs 1 through 4 of the above, the City Council hereby amends City Council Resolution No. 2016-116 to remove the Property from the Blight Area.

DATED this 11th day of April, 2017.

CITY COUNCIL OF THE CITY OF
FREMONT, NEBRASKA



Mayor

ATTEST:



Secretary



COMMUNITY DEVELOPMENT AGENCY OF THE
CITY OF FREMONT, NEBRASKA

RESOLUTION NO. 2017- 002

(Blight and Substandard Area Amendment)

A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF FREMONT, NEBRASKA, MAKING A RECOMMENDATION TO THE CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA WITH RESPECT TO AN AMENDMENT TO THE CITY OF FREMONT'S DECLARATION OF AN AREA AS BLIGHTED AND SUBSTANDARD BY CITY COUNCIL RESOLUTION NO. 2016-116.

WHEREAS, the City of Fremont, Nebraska (the "City") has formed a Community Development Agency (the "CDA") to undertake certain redevelopment activities and administer the programs and benefits available under the Nebraska Community Development Law, Neb. Rev. Stat. § 18-2101, et. seq., as amended (the "Act");

WHEREAS, the City designated that certain area identified in City Council of the City of Fremont, Nebraska (the "City Council") Resolution No. 2016-116 (the "Blight Area") as blighted and substandard and in need of redevelopment pursuant to the Act;

WHEREAS, the City received a request from the property owner to disconnect and detach Lots 13B, 14B, and 15B of the East Inglewood Subdivision, Dodge County, Nebraska (the "Property") from the corporate limits of the City, representing approximately 2.6 acres of the 992 acre Blight Area (the "Disconnection");

WHEREAS, the reasons for such Disconnection are completely separate from and wholly unrelated to the Blight and Substandard Study adopted by City Council Resolution No. 2016-116 (the "Study");

WHEREAS, JEO Consulting Group, Inc., the preparer of the Study, has confirmed that removal of the Property from the Blight Area does not result in any substantive changes to the Study and does not alter the overall opinions and conclusions contained in the Study; and

WHEREAS, the CDA similarly desires to amend the Blight Area identified in City Council Resolution No. 2016-116 for the sole and exclusive purpose of removing the Property from the Blight Area.

NOW, THEREFORE, it is found by the CDA of the City of Fremont, Nebraska, as follows:

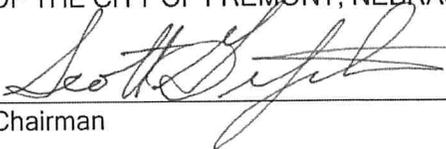
1. The Blight Area as described in City Council Resolution No. 2016-116 should be amended to remove the Property from such area.
2. Other than the recommended amendment as set forth herein, City Council Resolution No. 2016-116 should remain in full force and effect.
3. The reason the CDA is recommending that the City Council remove the Property from the Blight Area is due to the request for Disconnection.

4. The removal of the Property from the Blight Area does not alter any of the CDA's conclusions contained in CDA Resolution No. 2016-007 and does not alter the overall conclusions of the Study.

BE IT RESOLVED, that pursuant to the Act and in light of the findings in paragraphs 1 through 4 of the above, the CDA hereby recommends that the City Council amend City Council Resolution No. 2016-116 and hereby amends CDA Resolution No. 2016-007 to remove the Property from the Blight Area, provided this recommendation and amendment are conditioned upon and shall become effective upon the City Council's approval of the Disconnection.

DATED this 11th day of April, 2017.

COMMUNITY DEVELOPMENT AGENCY
OF THE CITY OF FREMONT, NEBRASKA



Chairman

ATTEST:



Secretary