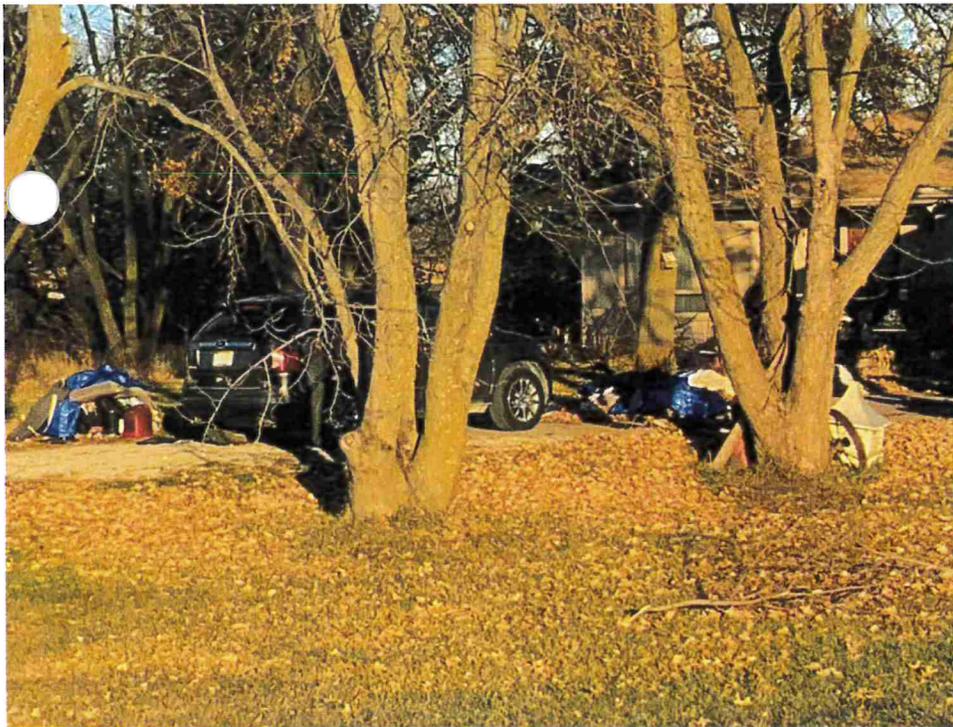


Blight and Substandard Study
City of Fremont, Nebraska

Fremont Area 10

2021



Adopted _____, 2021

Resolution _____

Introduction

Purpose of the Study

This Fremont Blight and Substandard Study of the Designated Study Area is intended to give the Community Development Agency and City Council 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 Study will guide the general redevelopment for the designated Area. 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.

Background

In 1975, the Nebraska Unicameral enacted legislation in response to the existence of area 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 area 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 the conservation and rehabilitation of the property.

Prior to the 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 the municipality. The Nebraska Community Development Law (Neb. Rev. Stat. § 18-2101 to 18-2144) permits cities of all classes and villages to establish Community Development Agencies (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 fringe industrial area in north central Fremont. A number of potential opportunities for redevelopment exist throughout the Proposed Study Area, which would allow 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 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 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 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 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 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 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

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 the adoption of a general redevelopment plan, a municipality must have 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 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;

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

(a) To acquire substandard and blighted area 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 area;

(b) to clear any such area 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 area 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 area, 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.

Substandard and Blight Eligibility Analysis

Fremont Designated Study Area

The City of Fremont selected the Designated Study Area to be a portion of the community for evaluation pursuant to Neb Rev Stat §18-2101 to 18-2154. 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 economical 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 the community and provide financial incentives for development. The use of the Nebraska Community Development 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 provisions under this state statute, 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 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 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, and 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 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, 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, 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, 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 market place.

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 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 initial study area as identified in the contract between the City of Fremont and JEO Consulting can be found in **Error! Reference source not found.** For this study, the initial study area will be known as the “Designated Study Area” which was reviewed for Substandard and Blight characteristics. The Proposed Fremont Blight and Substandard Area 10 consist of approximately 291.6 acres. The designated study area is generally the area of Yager Road on the east, Fillmore Western Railway on the southeast, N. Broad Street on the west, the Burlington Northern Santa Fe Railway on the northwest and Highway 275 on the north. Specifically, the list of parcels below are included.

Parcel Identification Numbers:

- 270101122
- 270101745
- 270138311
- 270139034
- 270103390
- 270101759
- 270101115
- 270101766
- 270101752
- 270101192
- 270101150
- 270061159
- 270101178
- 270101171
- 270101129
- 270101136
- 270101199
- 270101157
- 270101143
- 270130501
- 270139253
- 270061145
- 270101185
- 270101164
- 270139122
- 270138086
- 270129759
- 270101108
- 270101675
- 270137324
- 270137325
- 270137988
- 270137984
- 270133203
- 270139653
- 270137261
- end-----

Findings and Contributing Factors

The intent of this Study is to determine whether the Proposed Blight Area within the community has experienced structural and site deterioration or if there are other negative factors which are decreasing the potential of development. The field survey conducted on November 18, 2020 indicated the study area has such deterioration throughout the Fremont Area 10. Thus, the study area warrants further examination with regard to blighted and substandard conditions. The following factors were evaluated to determine if there is a reasonable presence of blight and substandard conditions within the Focused Study Area.

This section reviews the building and structure conditions, infrastructure, site conditions, lot layout and land use found within the Proposed Fremont Core Blight and Substandard 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 documents examples of the different conditions described that led to the determination for each factor.

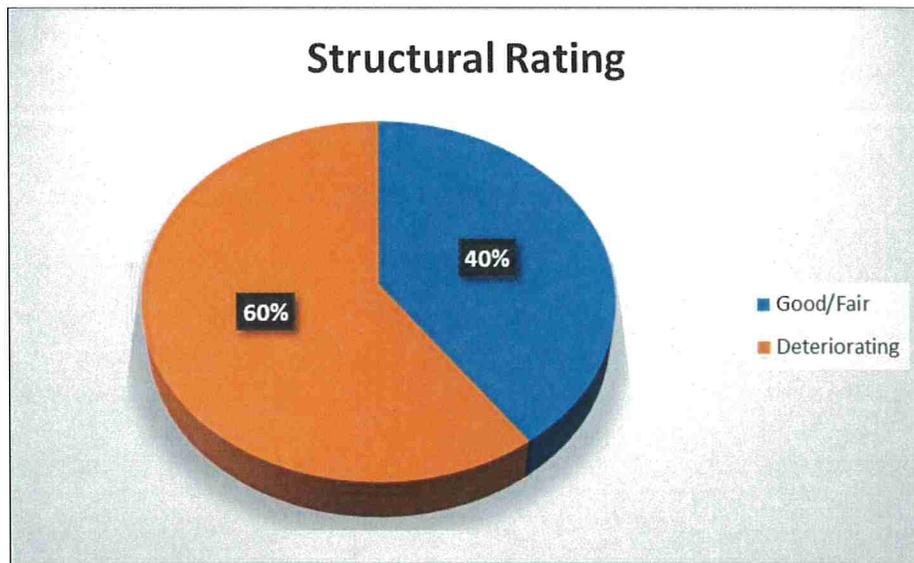
BLIGHTED CRITERIA CONDITIONS

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

As a rule, the primary structure for each parcel within the Proposed Blight Area was examined. These totals include both residential and commercial buildings. There was a total of 25 primary structures evaluated. And 60% were evaluated as deteriorating. The buildings in the study area have substantial structural or building systems issues identified from an exterior visual observation

Figure 2: Exterior Structural Conditions



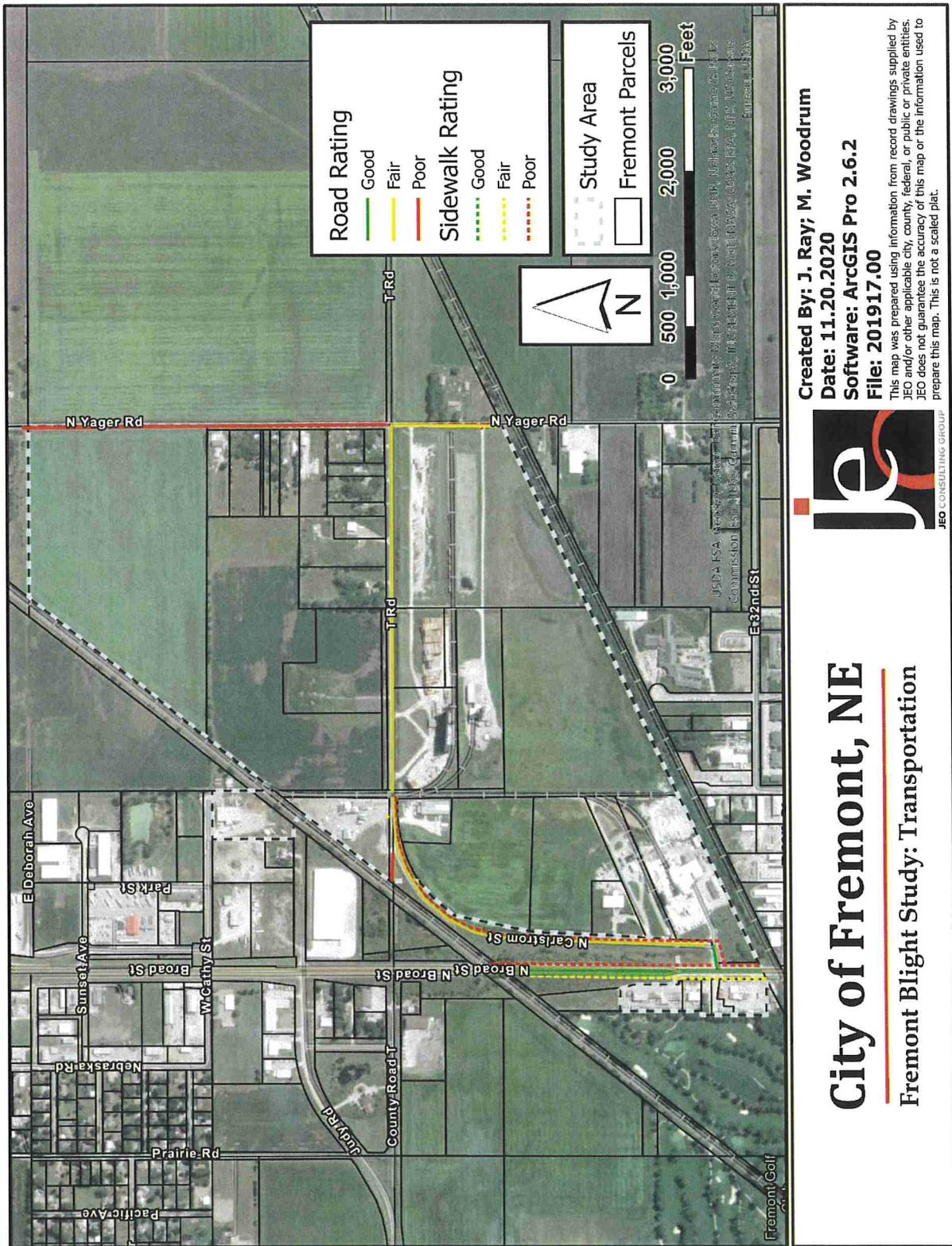
Defective or Inadequate Street Layout

Street Conditions and Accessibility

Street conditions and accessibility within the Proposed Blight Area were evaluated in relation to the provision of safe and efficient public circulation and access, and with regarded to ease of travel and appearance.

Overall, the study area has inadequate street grid to serve the area. The connectivity is disrupted by three rail lines and access controlled Highway 77 along the western portion of the area. As depicted in Figure 3, the existing street network generally received good and fair ratings, with a few exceptions. However, the street layout is considered inadequate and a contributing factor due to the lack of connectivity and parcels without street access.

Figure 3: Transportation Conditions



City of Fremont, NE

Fremont Blight Study: Transportation

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

Conditions associated with accessibility/usefulness of lots

Overall, the lot sizes vary throughout Area 10. A substantial portion of the area contains either large irregular shaped commercial lots or long and narrow lots that do not meet current commercial functionality with further subdivision or combining multiple lots. The majority of the lots were obsolete with mismatched dimensions, orientations, accessibility and multiple isolated or landlocked parcels with no street frontage. The area has substantial faulty lot layout and this specific characteristic is considered as a contributing factor.

Unsanitary or unsafe conditions

Conditions which pose a threat to public health and safety

Lack of Sidewalks

The majority of the area lacked sidewalks to allow for safe routes to employment, schools, parks, and other pedestrians.

Age and physical condition of structures

The age of structures and poor physical condition in older building stock pose a potential safety hazard to the general public. Building constructed prior to the 1970's often contains lead-based paint, asbestos, and other potentially hazardous materials.

Topography and terrain

This study area has a flat of topography that drains to the roadway ditches and stagnates in pools. Thus, the lack of elevation can be a detriment to future development and can pose as breeding grounds for mosquitoes which can transmit diseases to humans.

Onsite Storage and Debris

There were numerous individual examples of onsite storage and debris noted during the evaluation. Examples include piles of old tire, inoperable vehicles, concrete and wood piles, and on-site storage. These can pose unsafe conditions by harboring vermin and rodents as well as holding water for mosquitoes breeding areas which can spread diseases to humans.

Deterioration of site or other improvements

On site improvements

Examples of deteriorating on site improvements such as driveways, parking areas, and sidewalks were found throughout the focused study area.

Onsite Storage and Debris

There were numerous individual examples of onsite storage and debris noted during the evaluation. Examples include piles of old tire, inoperable vehicles, concrete and wood piles, and on-site storage. These can pose unsafe conditions by harboring vermin and rodents as well as holding water for mosquitoes breeding areas which can spread diseases to humans.

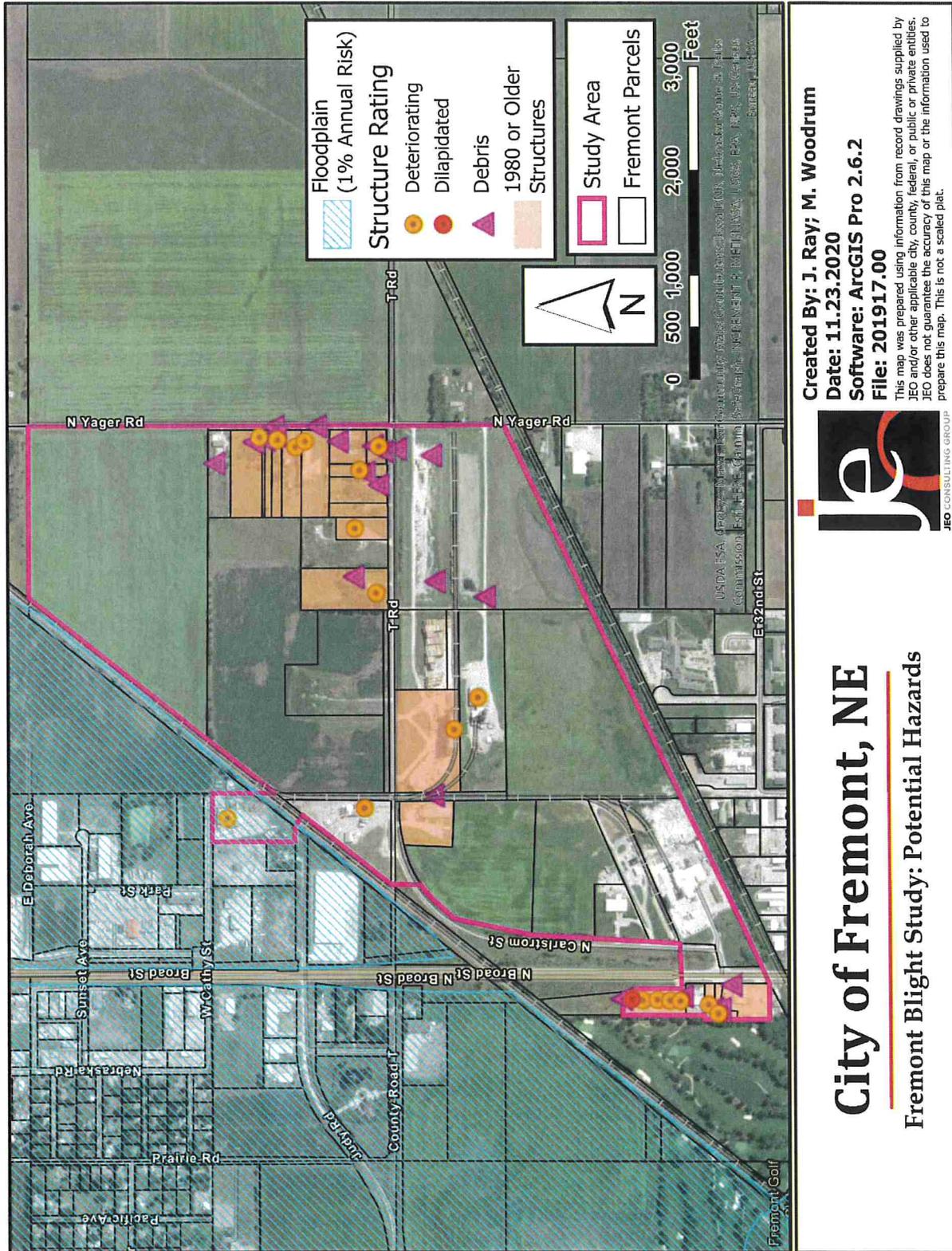
Topography and terrain

This study area has a flat of topography that drains to the roadway ditches and stagnates in pools. Thus, the lack of elevation can be a detriment to future development.

Diversity of ownership

Based upon the Dodge County Tax Assessor's data, there is a wide variety and diversity of ownership evident in the study area.

Figure 4: Potential Hazards



City of Fremont, NE

Fremont Blight Study: Potential Hazards



Improper subdivision or obsolete platting

Obsolete platting

There are properties divided into different sizes, shapes, and lack road access. A substantial portion of the area contains either large irregular shaped commercial lots or long and narrow lots that do not meet current commercial functionality with further subdivision or combining multiple lots. The majority of the lots were obsolete with mismatched dimensions, orientations, accessibility and multiple isolated or landlocked parcels with no street frontage. Therefore, this area is subject to development which lacks consistency and connectivity.

The existence of conditions which endanger life or property

Lack of Sidewalks

The majority of the area lacked sidewalks to allow for safe routes to employment, schools, parks, and other pedestrians.

Age and physical condition of structures

The age of structures and poor physical condition in older building stock pose a potential safety hazard to the general public. Building constructed prior to the 1970's often contains lead-based paint, asbestos, and other potentially hazardous materials.

Topography and terrain

This study area has a flat of topography that drains to the roadway ditches and stagnates in pools. Thus, the lack of elevation can be a detriment to future development and can pose as breeding grounds for mosquitoes which can transmit diseases to humans.

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There were numerous individual examples of onsite storage and debris noted during the evaluation. Examples include piles of old tire, inoperable vehicles, concrete and wood piles, and on-site storage. These can pose unsafe conditions by harboring vermin and rodents as well as holding water for mosquitoes breeding areas which can spread diseases to humans.

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

Economic and Functional Obsolescence were not deemed to be a contributing factor in this study area.

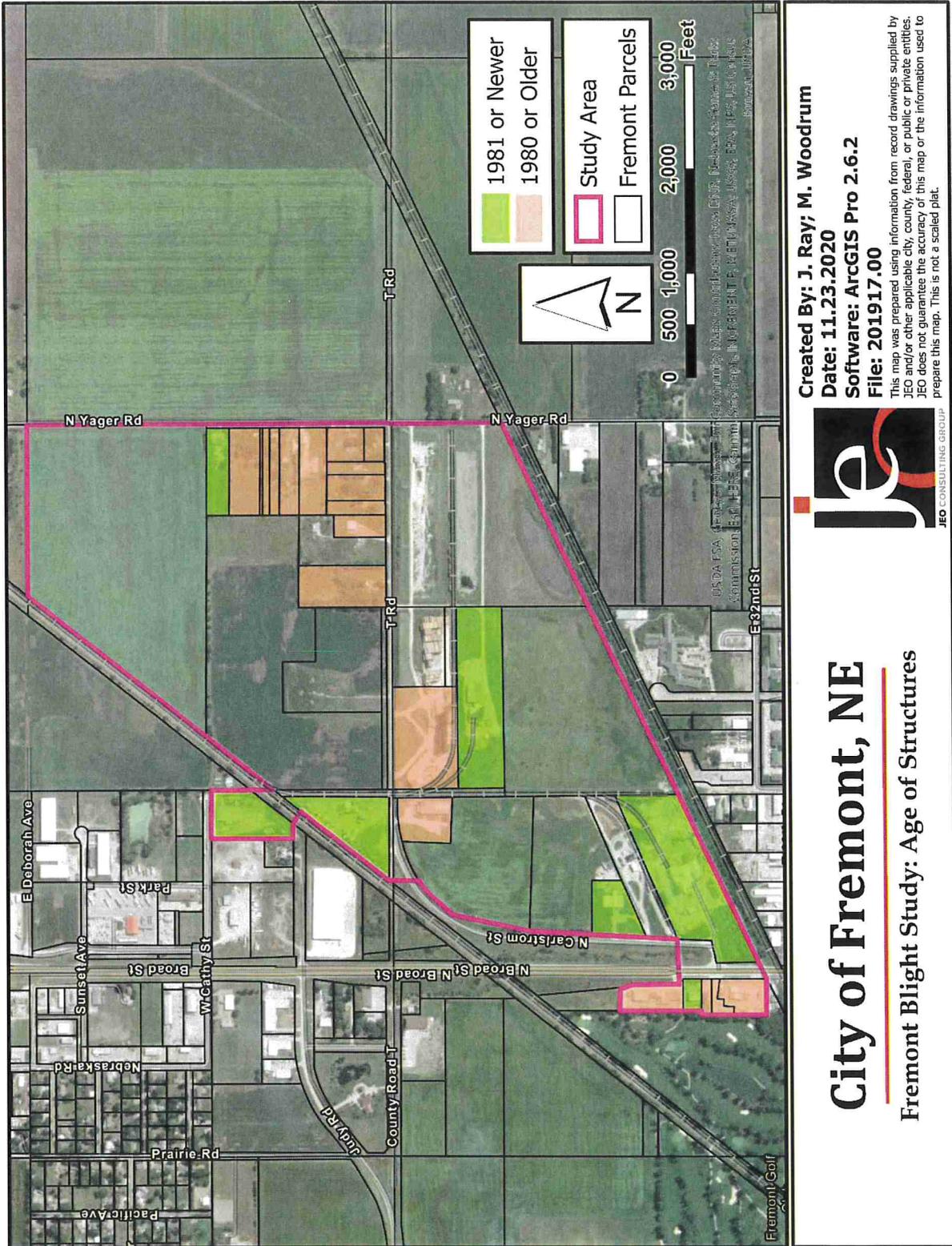
Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:

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

Structure Age

Information regarding the age of the permanent structures within the Study Area was provided by the Dodge County Assessor's Office and verified during the field survey. According to the data received, the average age of the commercial and residential structures is 52 years old. Because of these findings, the structure age of are considered to be a contributing factor to the blight and substandard conditions in the Blight and Substandard Area 10.

Figure 5: Age of Structure



City of Fremont, NE

Fremont Blight Study: Age of Structures

Created By: J. Ray; M. Woodrum
 Date: 11.23.2020
 Software: ArcGIS Pro 2.6.2
 File: 201917.00

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 plot.



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 Study 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.

There were 60% of the structures evaluated as deteriorating or dilapidated in the study area that have building systems or structural issues.

Age or obsolescence

Information regarding the age of the permanent structures within the Study Area was provided by the Dodge County Assessor's Office and verified during the field survey. According to the data received, the average age of the commercial and residential structures is 52 years old. Because of these findings, the structure age of are considered to be a contributing factor to the blight and substandard conditions in the Blight and Substandard Area.

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

Onsite storage and debris

There were 18 individual examples of onsite storage and debris noted during the evaluation. Examples include construction materials, concrete and wood piles, tires, and on-site storage. Onsite storage and debris are apparent within the Blight and Substandard Area and present potential fire risks and harboring of vermin that can spread disease. These findings show can be a detriment to development in Fremont and should be evaluated for removal

Age and physical condition of structures

The age of structures and poor physical condition in older building stock pose a potential safety hazard to the general public.

Topography and terrain

This study area has a flat of topography that drains to the roadway ditches and stagnates in pools. Thus, the lack of elevation can be a detriment to future development and can pose as breeding grounds for mosquitoes which can transmit diseases to humans.

Other Substandard Conditions

The existence of conditions which endanger life or property

The majority of conditions which endanger life and property are found within the deteriorating buildings. In addition, debris pile, the age of the structures, poor drainage and flood plain can all factor into conditions which endanger life and property.

Onsite storage and debris

There were 18 individual examples of onsite storage and debris noted during the evaluation. Examples include construction materials, concrete and wood piles, tires, and on-site storage. Onsite storage and debris are apparent within the Blight and Substandard Area and present potential fire risks and harboring of vermin that can spread disease. These findings show can be a detriment to development in Fremont and should be evaluated for removal.

Age and physical condition of structures

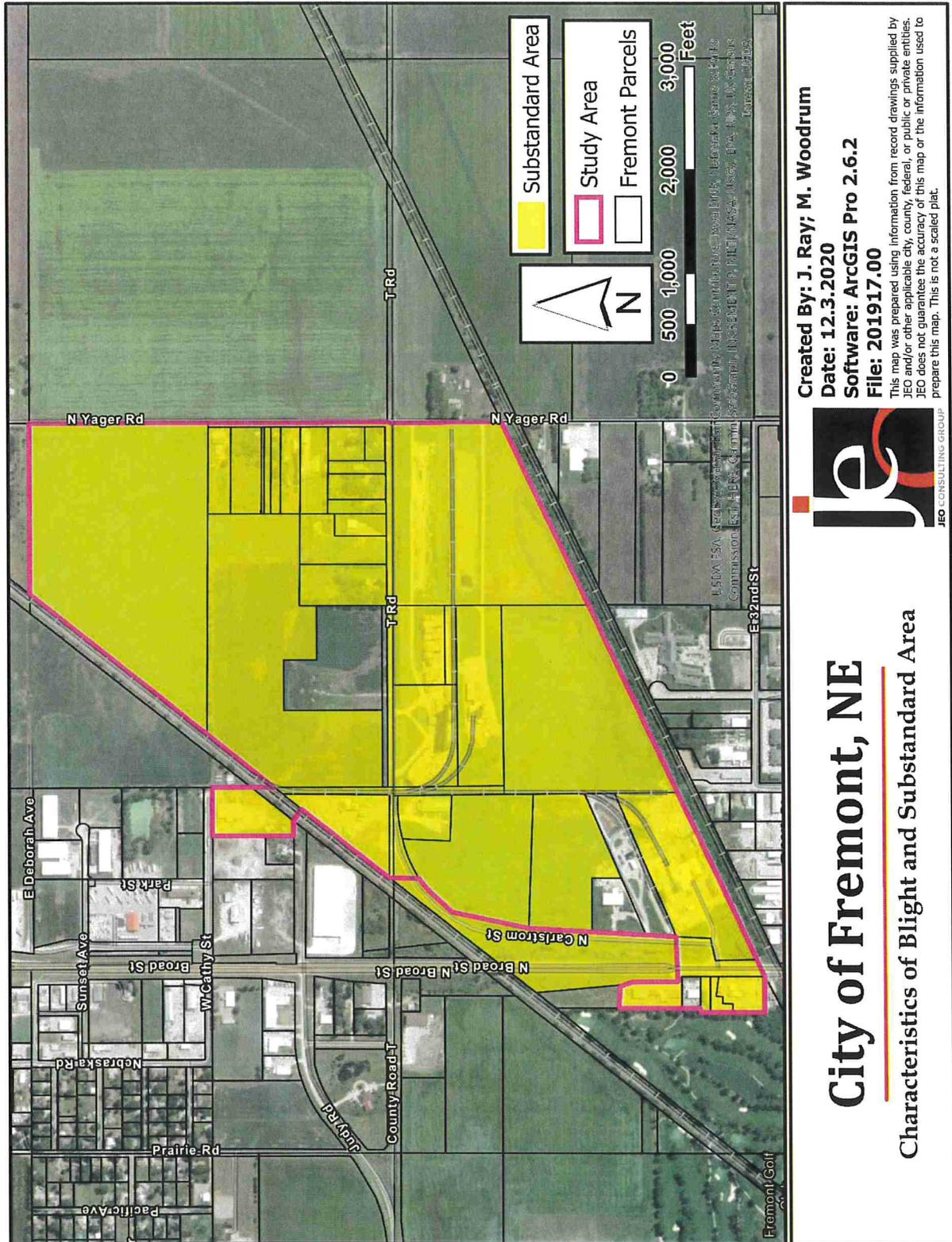
The age of structures and poor physical condition in older building stock pose a potential safety hazard to the general public.

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. The dilapidated buildings, debris and onsite storage can create problems by establishing an environment for unwanted vagrancy, as well as harboring vermin and animals that can contribute to the transmission of disease.

A total of 60% of the structures were evaluated as deteriorating or dilapidated. The poor structural condition can lead to buildings collapsing endangering the public safety.

Figure9: Parcels Showing Blight and Substandard Conditions



Blighted and Substandard Findings

The Proposed Fremont Blight Area 10 has many items contributing to the Blight and Substandard Conditions. Based on the information collected and analyzed pursuant to Nebraska Revised State Statutes, the area has various 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

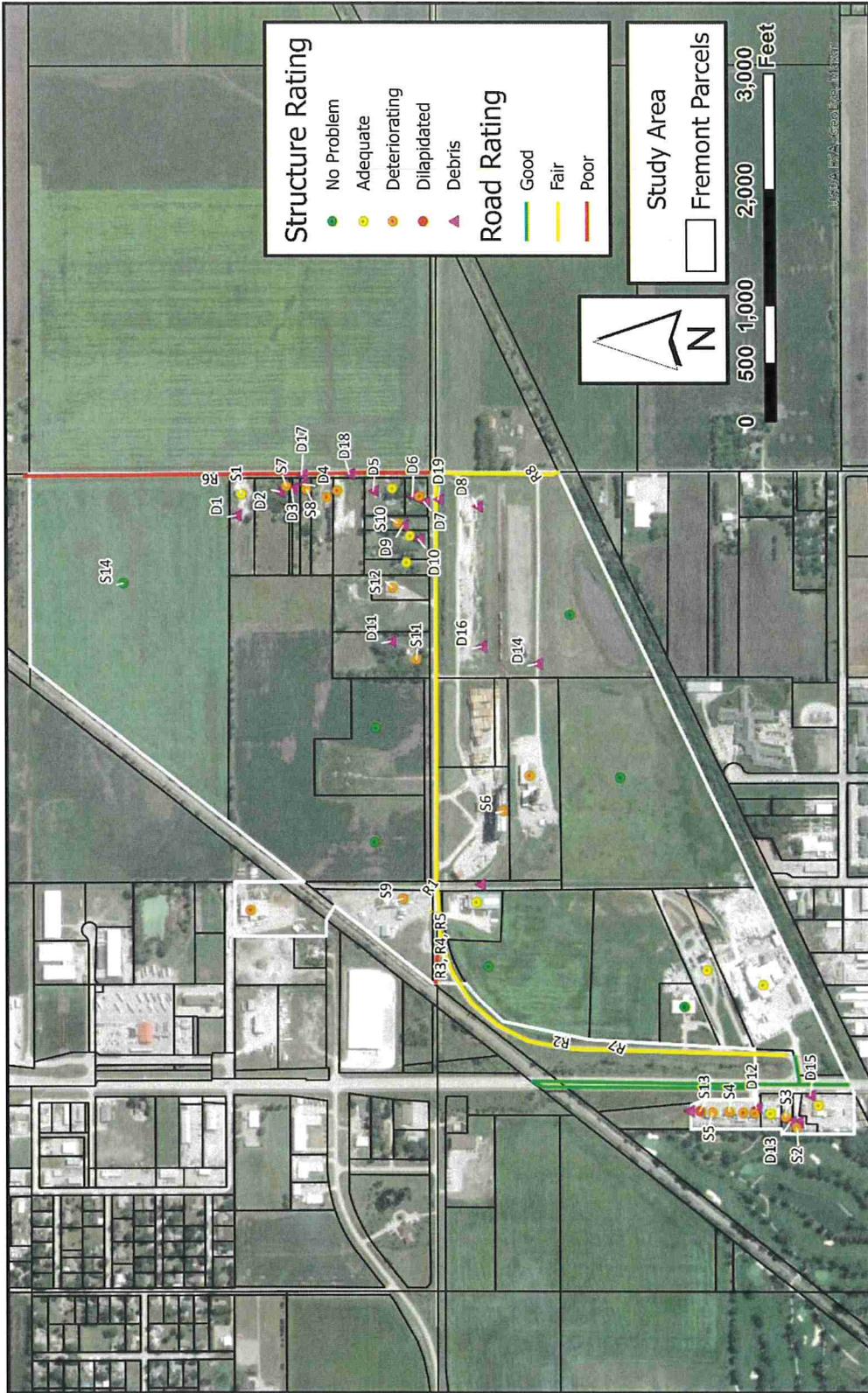
Criteria	
Structure Condition	Yes
Street Layout	Yes
Faulty Lot Layout	Yes
Unsanitary or Unsafe Conditions	Yes
Deterioration of Site	Yes
Diversity of Owners	Yes
Tax Special Assessment	No
Titles Conditions	No
Obsolete Platting	Yes
Endanger Life/Property	Yes
Any Combination	Yes
Detrimental to Public Health, Safety	Yes
BLIGHT TOTALS	10/12
Exterior Inspection of Structures	Yes
Age of Structures	Yes
Inadequate Provision for Ventilation, Sanitation	Yes
Other Substandard – (conducive to ill health, floodplain, endanger life)	Yes
SUBSTANDARD TOTALS	4/4
TOTALS	14/16

Conclusion

A number of conditions within the Proposed Fremont Blight Area 10 were evaluated during the field survey which contributed to blighted and substandard conditions. The conditions showing evidence of blight are interspersed throughout the Proposed Blight Area, and as such the boundaries of the Proposed Fremont Blight and Substandard Area 10 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 and Substandard Area 10 is warranted 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
PHOTO EXHIBIT

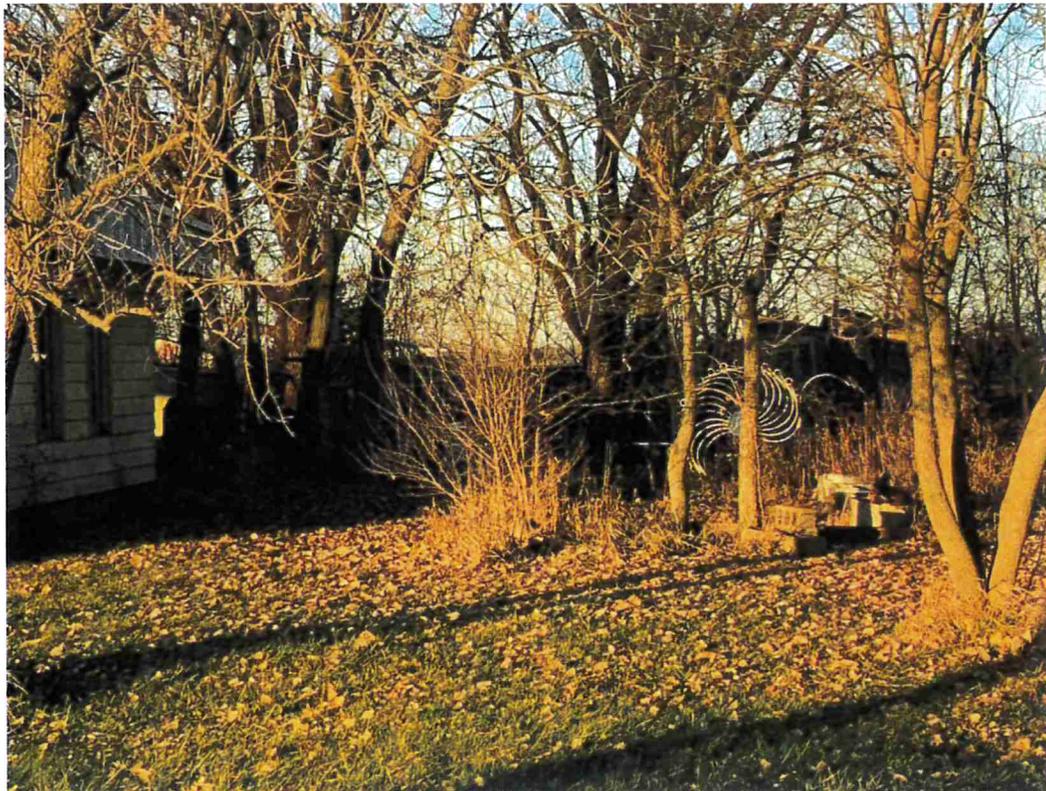


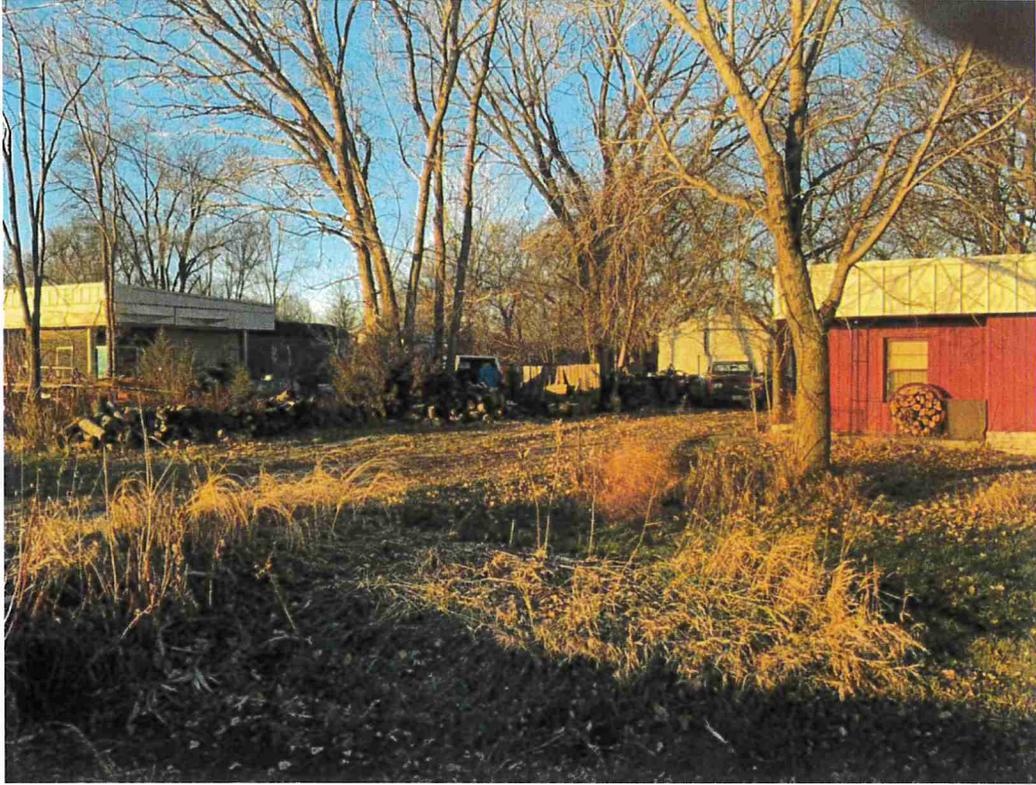
City of Fremont, NE
Blight Study Photo Reference

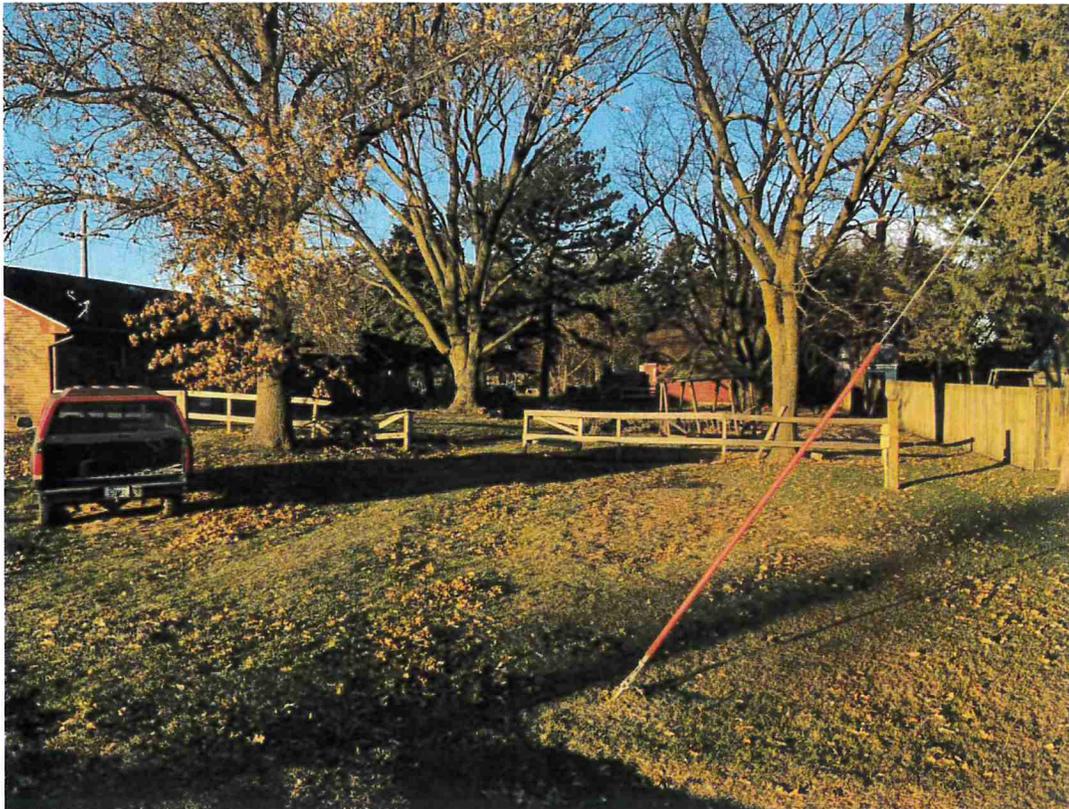
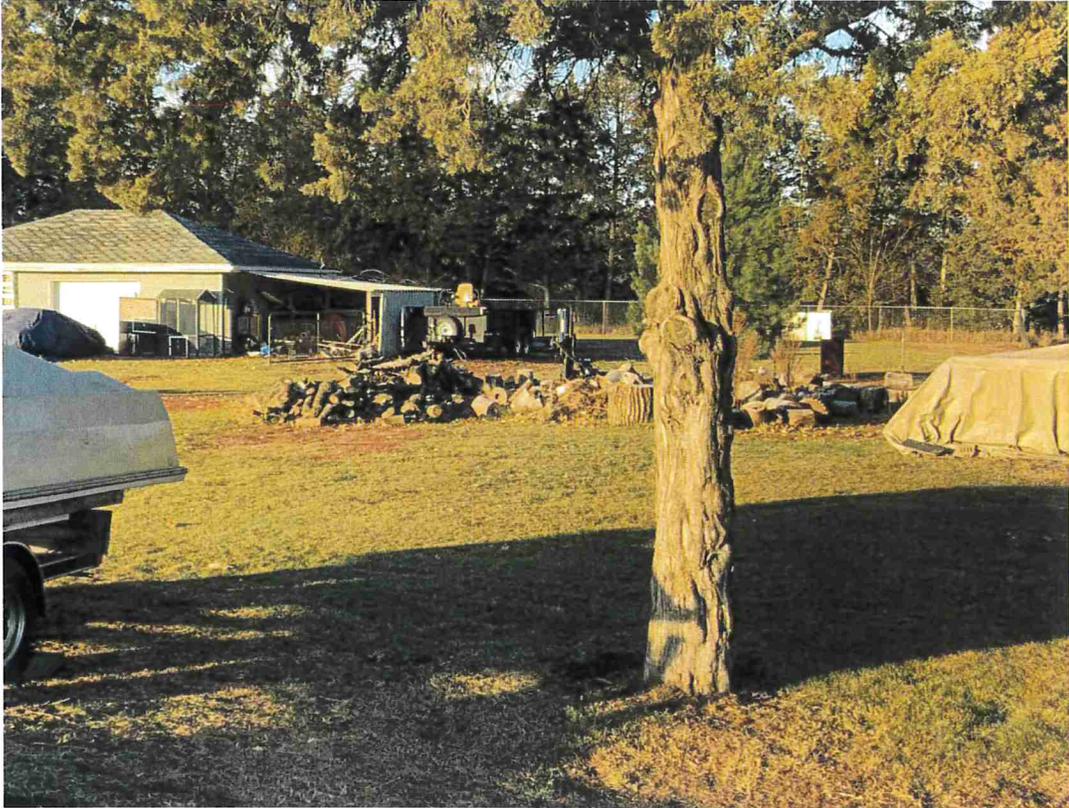
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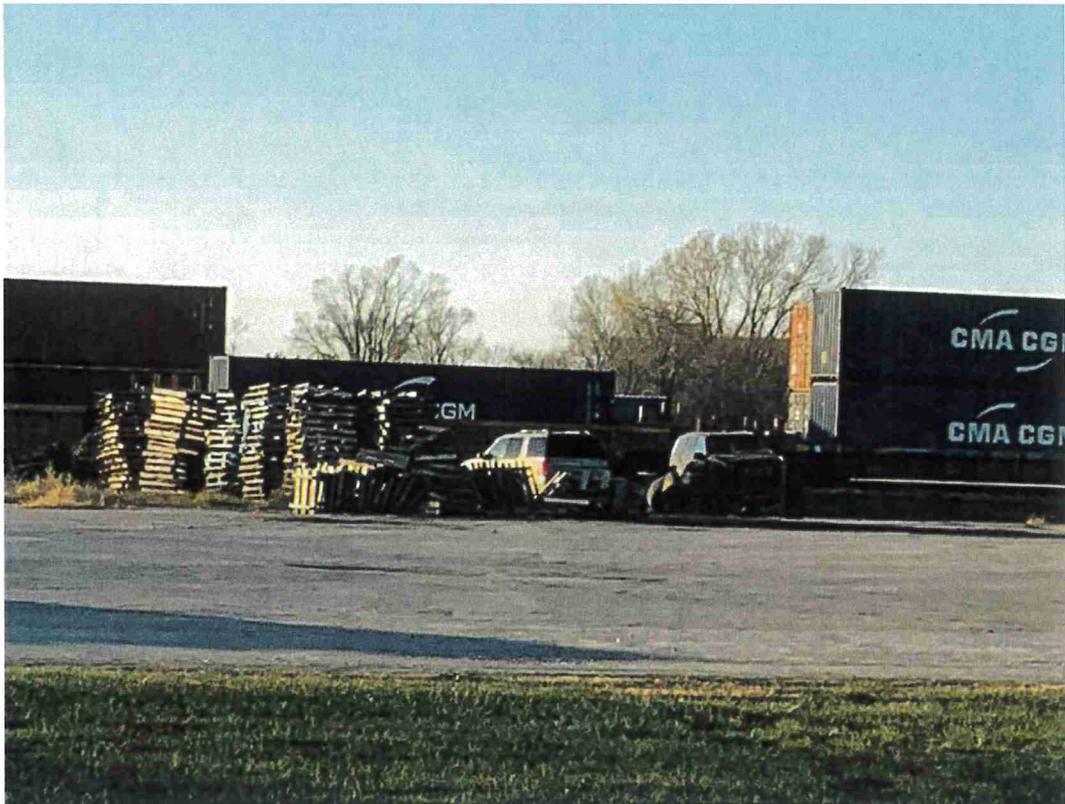
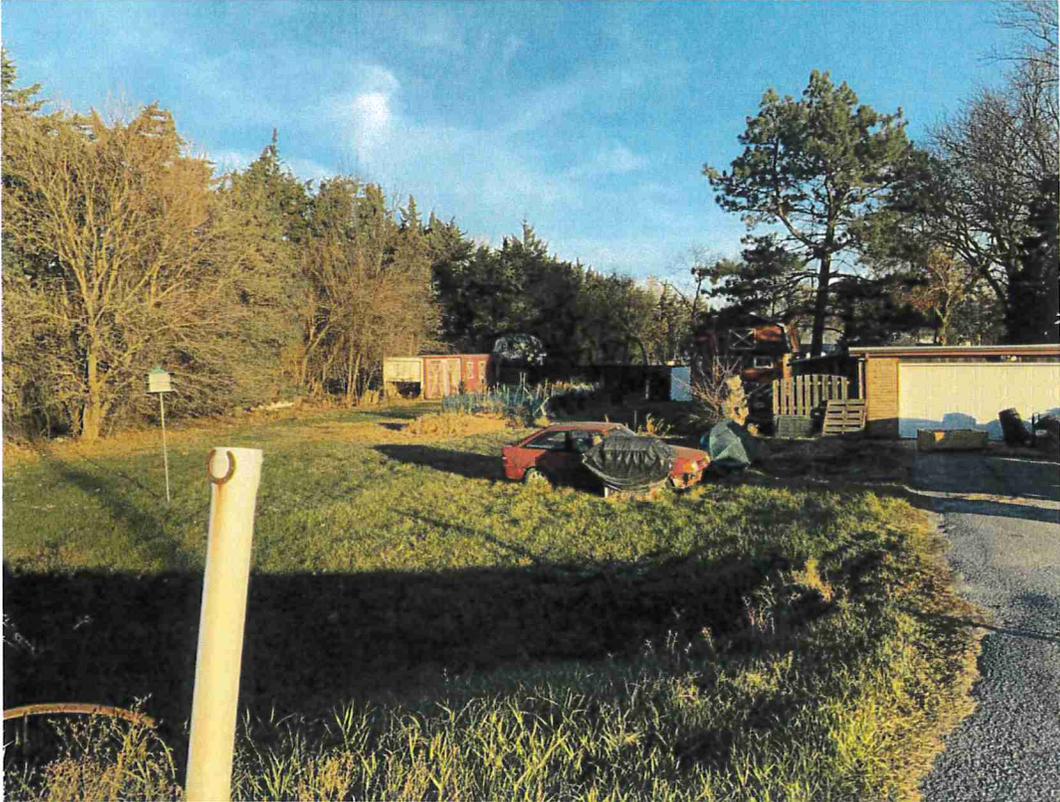
JEO CONSULTING GROUP

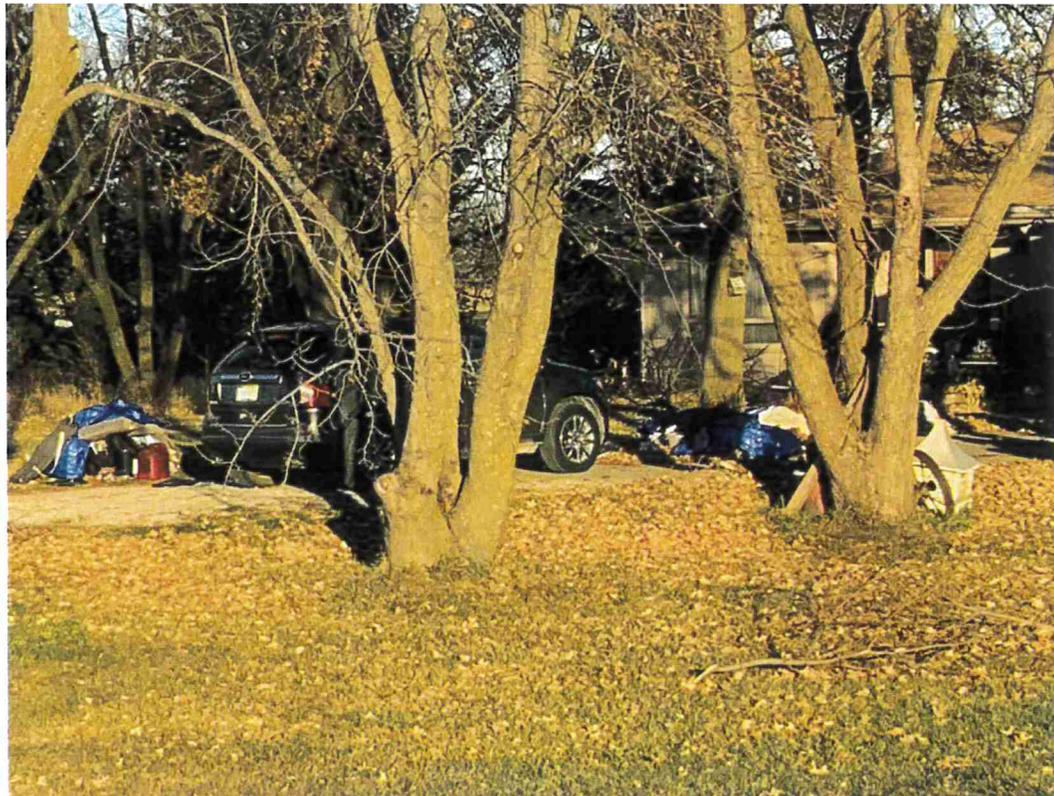
This map was prepared using information from record drawings supplied by JEO and/or other applicable city, county, federal, or public or private entities. JEO does not guarantee the accuracy of this map or the information used to prepare this map. This is not a scaled plot.



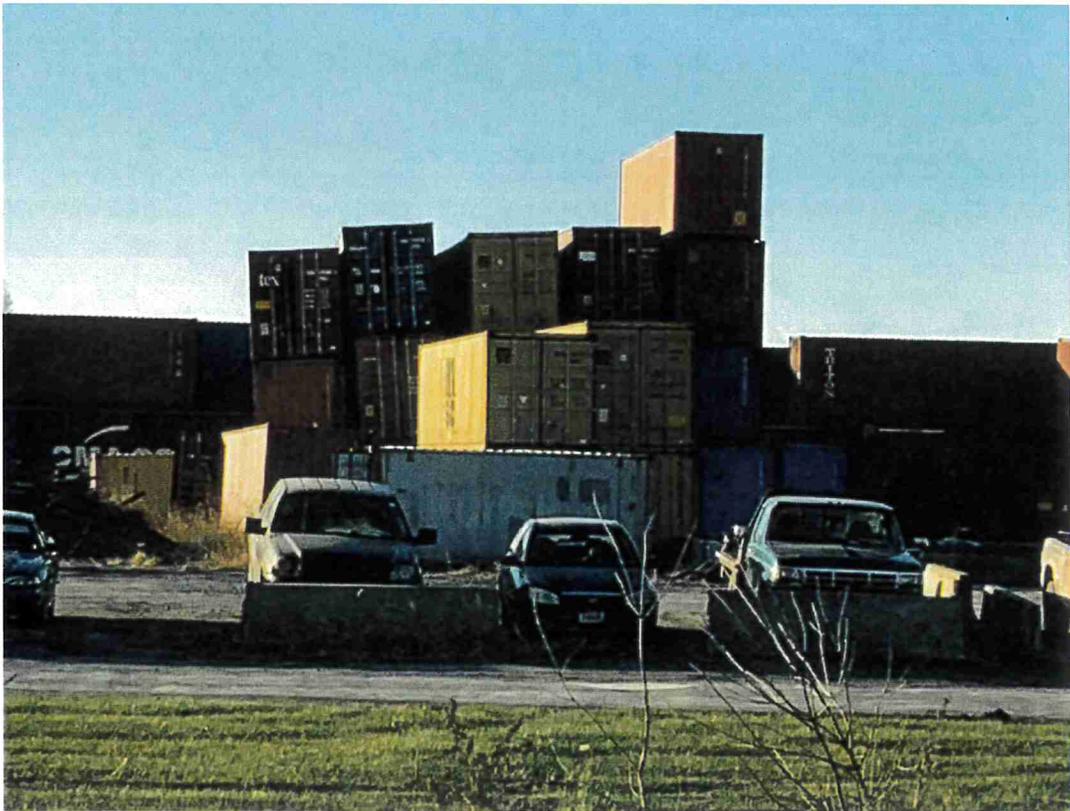
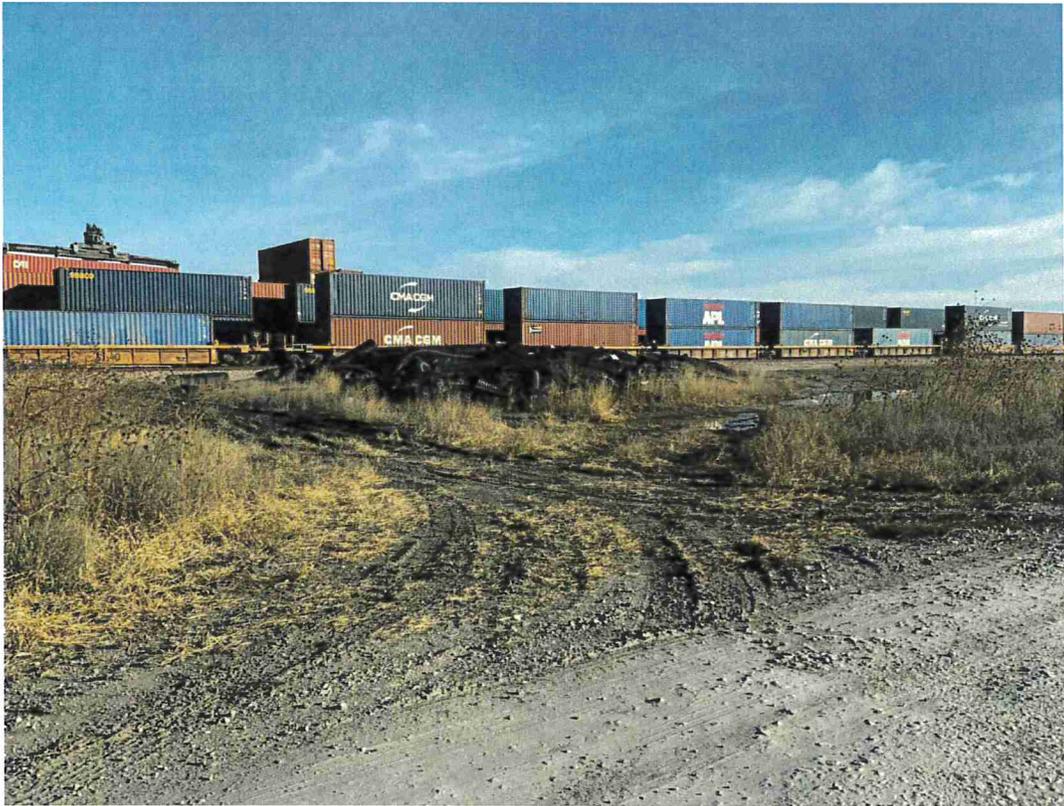


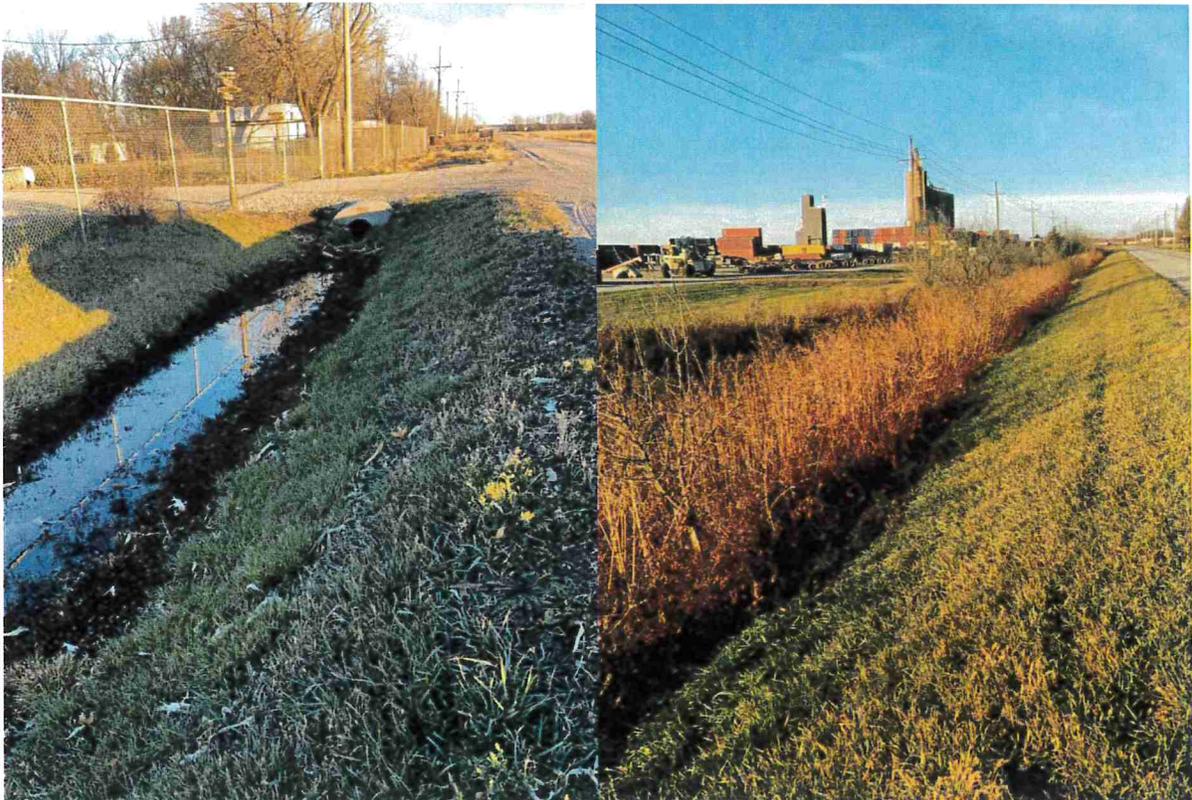








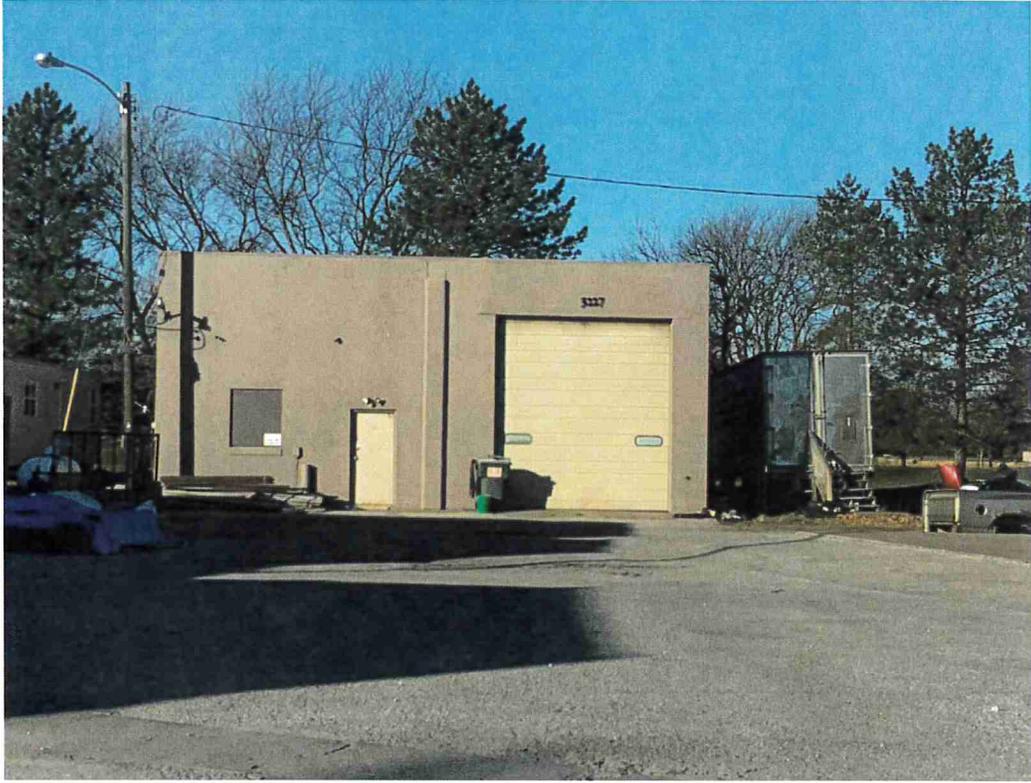




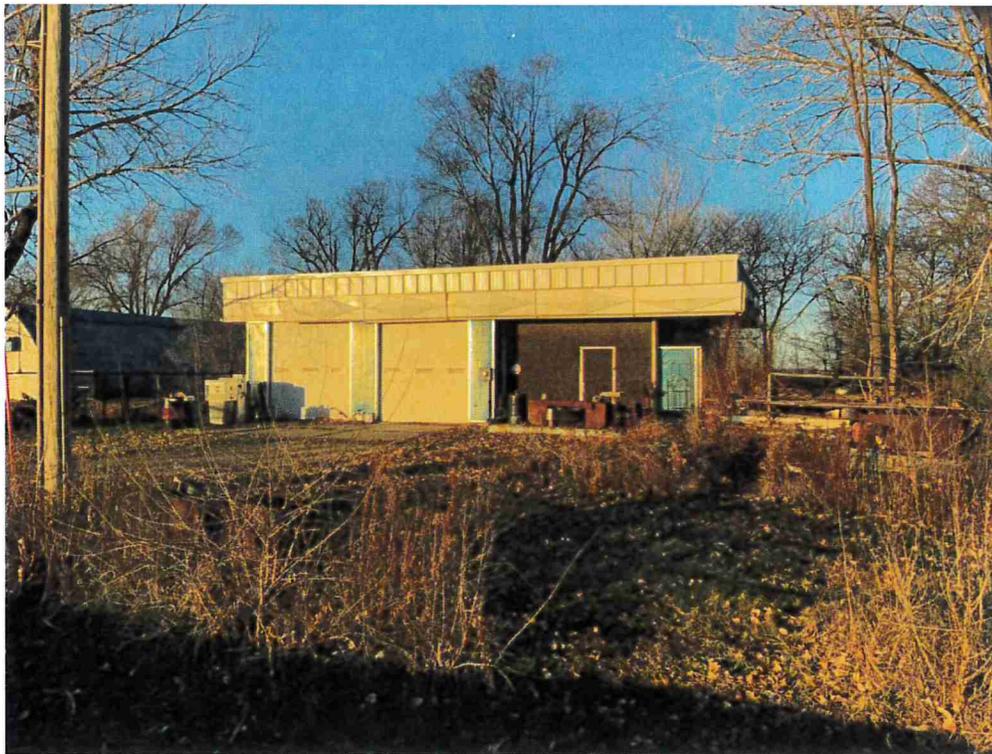
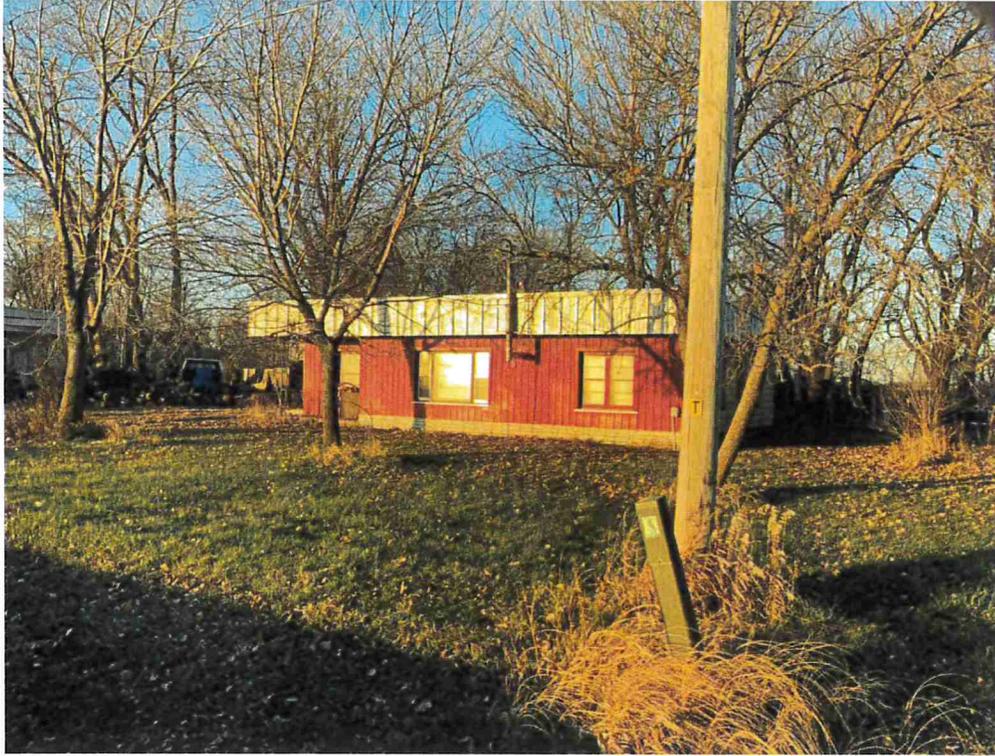


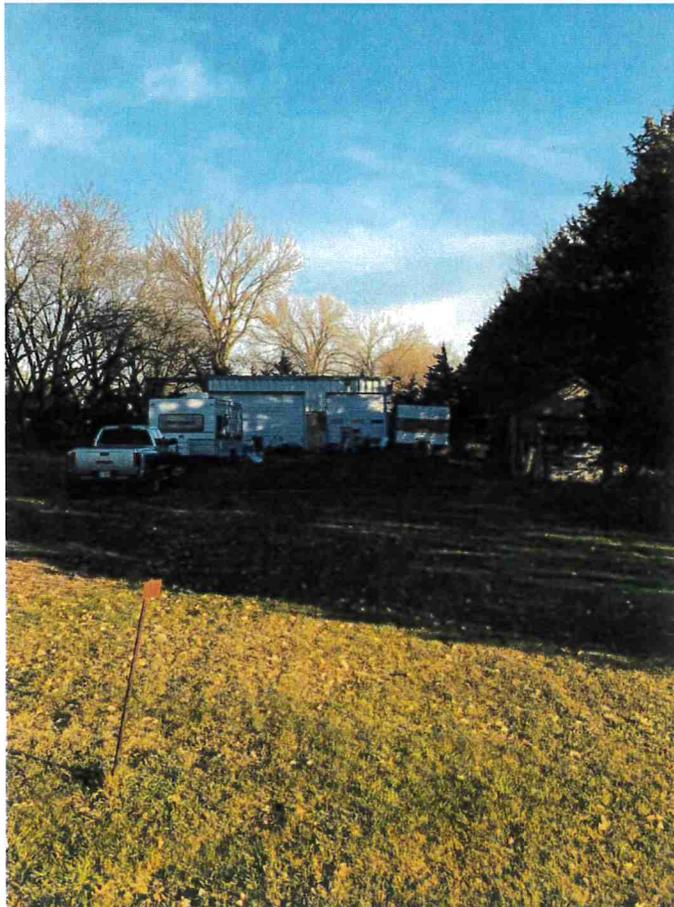
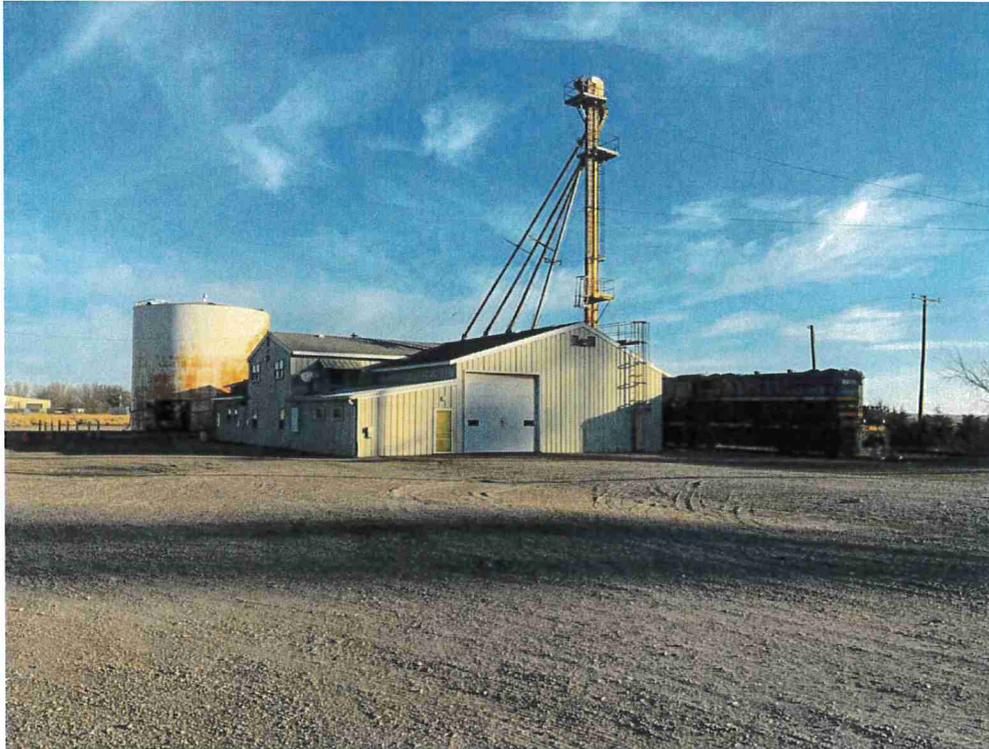


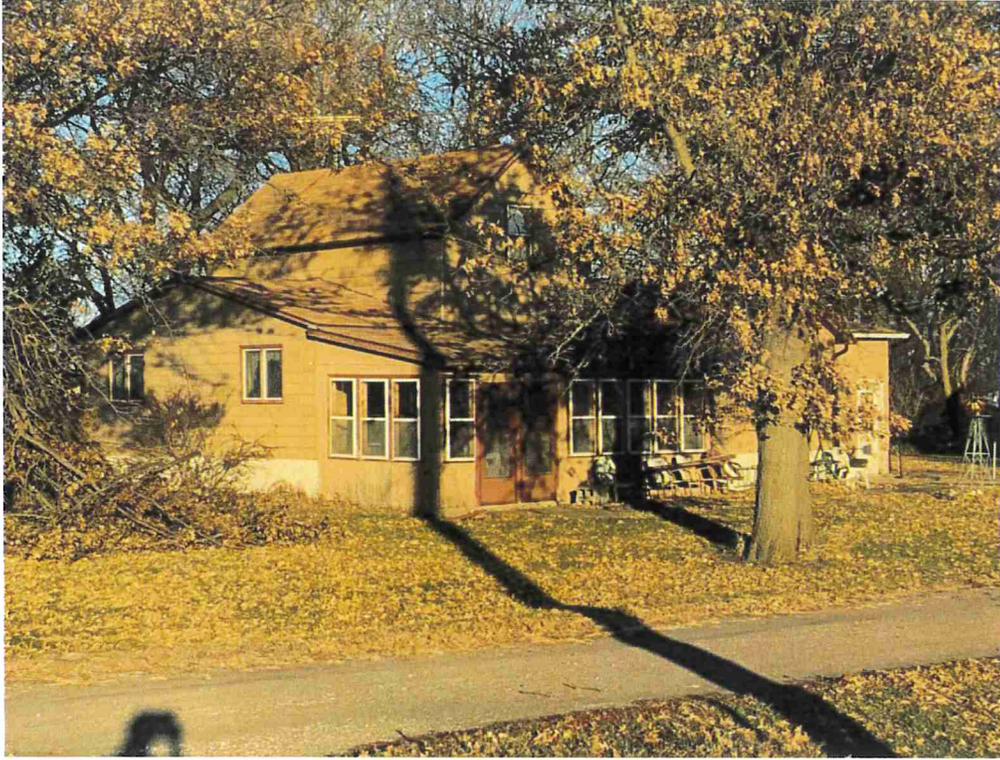


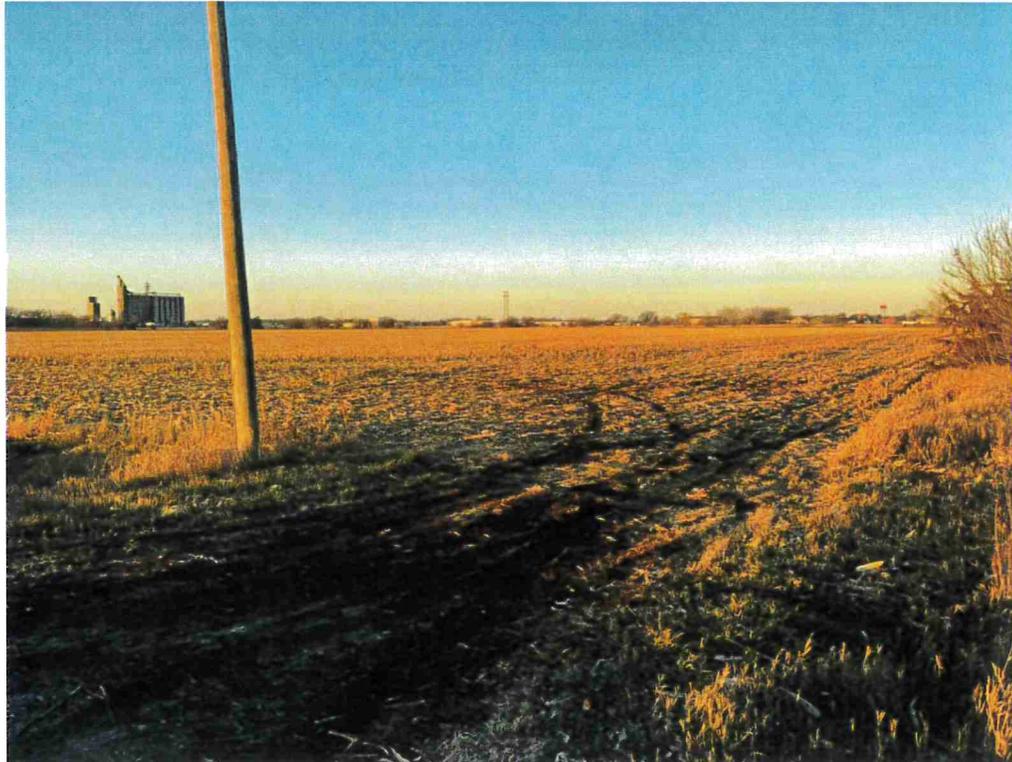
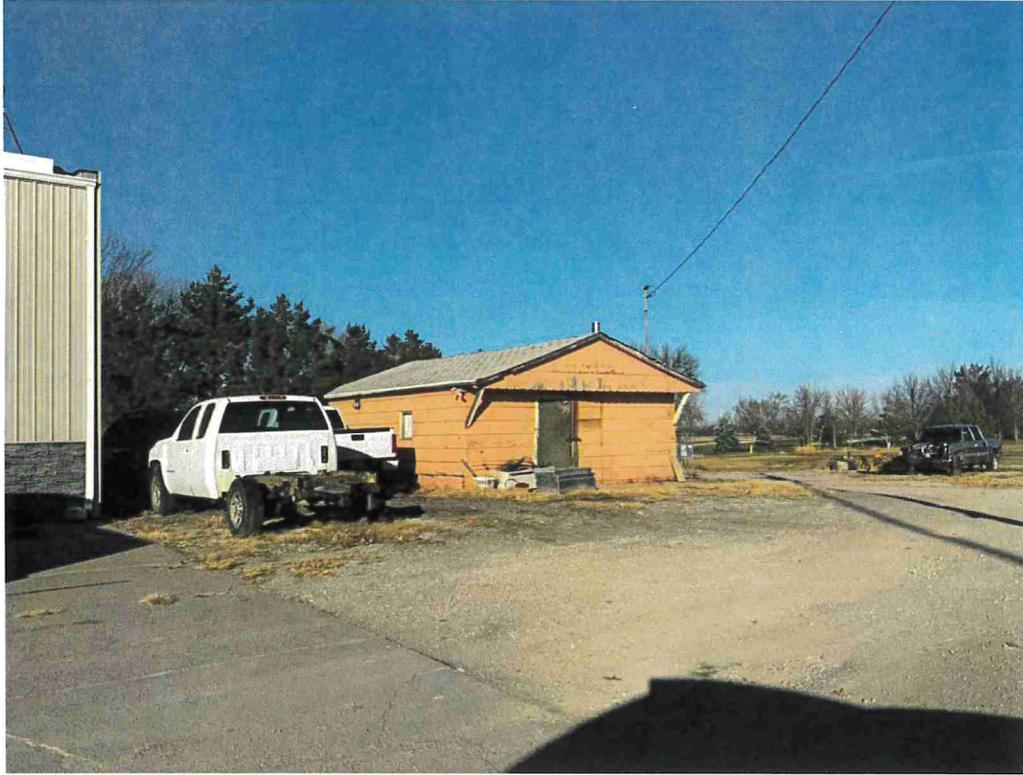












Staff Report

TO: Community Development Authority
FROM: Jennifer L. Dam, AICP
DATE: February 23, 2021
SUBJECT: Blight Study – North Fremont Redevelopment Area 10

Background: The City of Fremont commissioned JEO to prepare a Blight and Substandard Study of an area generally bounded by the abandoned railroad tracks on the south, Yager Road on the east, the extension of East Deborah Ave. on the north, the Burlington Railroad line on the northwest, and lots west of Broad Street, east of the Fremont Golf Club between the two rail lines, as shown on the attached map.

The study area contains approximately 291.6 acres, currently containing a mix of agricultural, industrial, commercial, and residential uses. The area has a mix of zoning districts including Light Industrial, General Industrial and Rural.

The purpose of the study is to examine the condition of the study area to determine whether the area meets the statutory requirements for designation as blighted and substandard, and recommend preparation of a redevelopment plan to provide financial incentives for development.

According to Nebraska Community Development Law (Neb. Rev. Stat. § 18-2101 to 18-2144), cities of the first class may create a Community Development Agency (CDA), the authority of which may respond to, “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.” (Op. cit. § 18-2102) In response to such conditions, the CDA, and subsequently the governing body of a municipality, “shall afford maximum opportunity... to the rehabilitation or redevelopment of the community redevelopment area by private enterprises... including the formulation of a workable program, the approval of community redevelopment plans... 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.” (Op. cit. § 18-2104)

The Study has examined the designated study area and has found the area to be blighted and substandard. Based on their findings, JEO, is recommending that study area be declared "Blighted and Substandard," as provided for in Nebraska Community Development Law.

This will allow property owners and developers the opportunity to utilize Tax Increment Financing to offset the costs of redevelopment if Redevelopment Plan is approved.

The Planning Commission held a public hearing on this item and recommended that the area be declared blighted and substandard with a vote of seven (7) ayes, no nays and one (1) abstention.

Fiscal Impact: N/A

RESOLUTION NO. 2021-023

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 the Blight & Substandard Determination Study for the Proposed Blight Area 10 (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 February 15, 2021 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 February 3, 2021 and February 11, 2021, 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;

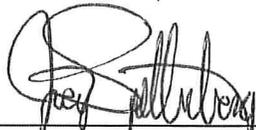
WHEREAS, the Planning Commission has reviewed the Blight and Substandard Study and the blight and substandard requirements set forth in the Act;

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 Proposed 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 23rd DAY OF FEBRUARY, 2021.



Joey Spellerberg, Mayor

ATTEST



Tyler Ficken, City Clerk



Attachment A

Designated Study Area

The initial study area as identified in the contract between the City of Fremont and JEO Consulting can be found in **Figure 1** for this study, the initial study area will be known as the "Designated Study Area" which was reviewed for Substandard and Blight characteristics. The Proposed Fremont Blight and Substandard Area 10 consist of approximately 291.6 acres. The designated study area includes the list of parcels below.

Parcel Identification Numbers:

270101122	270101178	270138086
270101745	270101171	270129759
270138311	270101129	270101108
270139034	270101136	270101675
270103390	270101199	270137324
270101759	270101157	270137325
270101115	270101143	270137988
270101766	270130501	270137984
270101752	270139253	270133203
270101192	270061145	270139653
270101150	270101185	270137261
270061159	270101164	
	270139122	

RESOLUTION NO. 2021-001

A resolution of the Community Development Authority of the City of Fremont, Nebraska, making a recommendation to the City Council with respect to the declaration of an area within the jurisdiction of the City of Fremont, Nebraska as Blighted and Substandard.

WHEREAS, JEO Consulting Group, Inc. has prepared the Blight & Substandard Determination Study for the Proposed Blight Area 10 (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 February 15, 2021 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 February 3, 2021 and February 11, 2021, 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 Proposed 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.

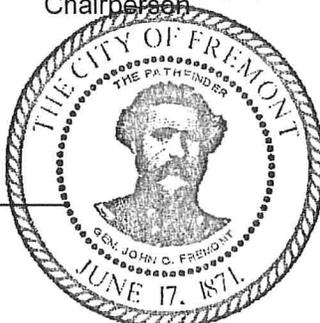
DATED this 23rd day of February, 2021.

COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF
FREMONT

Chairperson

ATTEST:

Secretary



Attachment A

Designated Study Area

The initial study area as identified in the contract between the City of Fremont and JEO Consulting can be found in **Figure 1** for this study, the initial study area will be known as the "Designated Study Area" which was reviewed for Substandard and Blight characteristics. The Proposed Fremont Blight and Substandard Area 10 consist of approximately 291.6 acres. The designated study area includes the list of parcels below.

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270139034	270101136	270101675
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270101115	270101143	270137988
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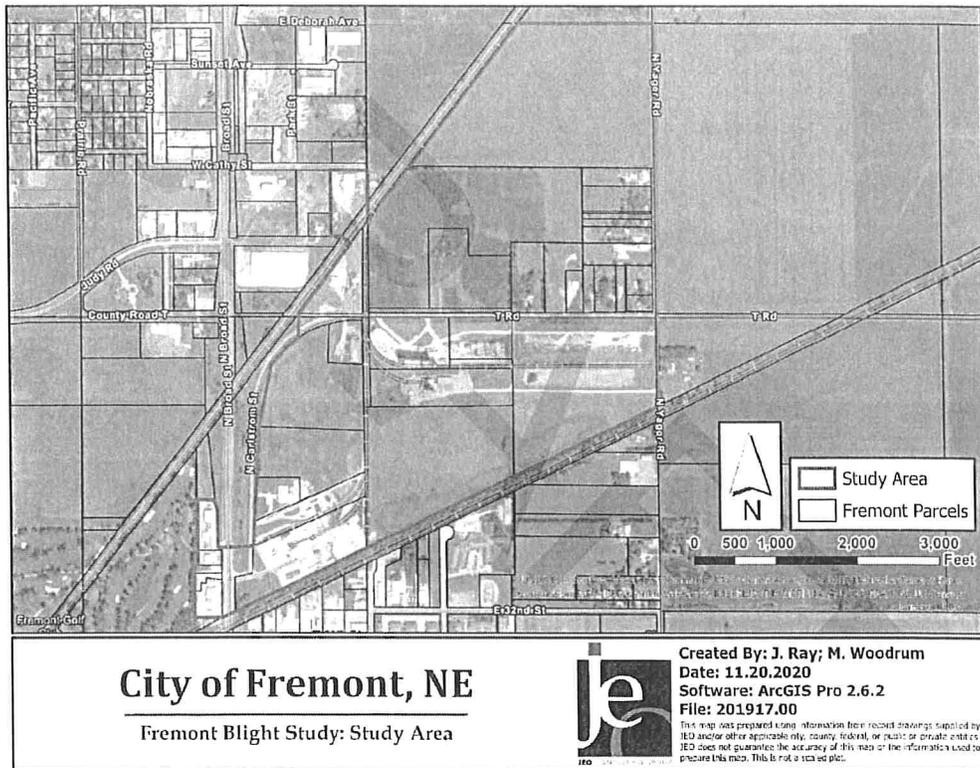


Figure 1: Proposed Blight Area

Designated Study Area & Proposed Blight Areas



CITY OF FREMONT NEBRASKA

COMMUNITY DEVELOPMENT AGENCY & REGULAR CITY COUNCIL MEETING MINUTES
February 23, 2021 - 7:00 PM
City Council Chambers 400 East Military, Fremont NE

COMMUNITY DEVELOPMENT AGENCY AGENDA

7:00 PM

MEETING CALLED TO ORDER Following the pledge of Allegiance, Mayor Spellerberg called the Community Development Agency 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 Gibson, Ellis, Ganem, Yerger, Sookram, Legband, Kuhns, and Jensen present. 8 members present.

PUBLIC HEARING

1. Resolution 2021-001 making a recommendation to the City Council with respect to the declaration of an area within the jurisdiction of the City of Fremont, Nebraska as Blighted and Substandard located approximately south of East Deborah Ave and North of the BNSF rail between North Broad Street and North Yager Road. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Yerger, Seconded by Sookram to approve Resolution 2021-001. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.

ADJOURNMENT Motion made by Gibson, seconded by Jensen to adjourn; time: 7:12 P.M. Voting Yea: Yerger, Ellis, Gibson, Legband, Ganem, Sookram, Kuhns, Jensen. Motion carried.

CITY COUNCIL REGULAR MEETING AGENDA

7:00 PM – Following the preceding Meeting

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 Council Members Gibson, Ellis, Ganem, Yerger, Sookram, Legband, Kuhns, and Jensen 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 February 23, 2021 Regular Meeting. Motion made by Yerger, Seconded by Legband to move item #25 to before the consent agenda. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. Motion made by Yerger, Seconded by Ellis to continue items 6-11. Voting Yea: Yerger, Ellis, Ganem Voting Nay: Jensen, Legband, Kuhns, Sookram, Gibson. Motion failed. Motion made by Jensen, Seconded by Legband to adopt current agenda for the February 23, 2021 Regular Meeting as amended. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.

PUBLIC HEARINGS:

2. Resolution 2021-023 of the City Council declaring an area within the jurisdiction of the City of Fremont, Nebraska as Blighted and Substandard located approximately south of East Deborah Ave and North of the BNSF rail between North Broad Street and North Yager Road. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Legband, Seconded by Ganem to approve Resolution 2021-023. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.
3. Ordinance 5555 amending ordinance No. 5427 as it pertains to the zoning map, to rezone the property generally described as located on the west side of Yager Road approximately 880 feet south of Highway 30 from R rural to PD Planned Development (first reading). Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Yerger, Seconded by Kuhns to introduce and hold first reading of Ordinance 5555. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. City Clerk provided first reading of the Ordinance.
4. Ordinance 5556 annexing by voluntary petition property generally described as Tax Lots 33, 35, 37, and a portion of Tax Lot 48 along with lots 2 and 4, block 2 L.J. Abbot Subdivision (first reading). Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Jensen, Seconded by Yerger to introduce and hold first reading of Ordinance 5556. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. City Clerk provided first reading of the Ordinance.
5. Resolution 2021-024 approving a Conditional Use Permit for the expansion of a non-standard use to allow the construction of an 807 square foot addition into the required side yard at 705 N. I Street for Salvation Army. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Yerger, Seconded by Ganem to amend the Resolution to add whereas the Salvation Army has agreed to the 2021 demolition of the northern most residential property located at 749 I street owned by the Salvation Army and that the final paragraph is amended include contingent on the Salvation Army's demolition of property located at 749 I Street to the end. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. Motion made by Jensen, Seconded by Yerger to approve

Resolution 2021-024 as amended. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.

6. Ordinance 5557 amending Exhibit B of Ordinance 5427, specifically to Table 11-502.02 Institutional, Recreation and Amusement Uses of the Unified Development Code to add the use "Personal Camp Site" (first reading). Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Kuhns, Seconded by Legband to introduce and hold first reading of Ordinance 5557. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. City Clerk provided first reading of the Ordinance.
7. Ordinance 5558 amending Exhibit B of Ordinance 5427, specifically Table 11-502.03 "Commercial Uses" to add Carwash, delete Non-transient Lodging Services, add "Restaurant, drive through" and, add "Kennels" to "Small Animal Boarding Facilities." (first reading). Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Legband, Seconded by Kuhns to introduce and hold first reading of Ordinance 5558. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. City Clerk provided first reading of the Ordinance.
8. Ordinance 5559 amending Exhibit B of Ordinance 5427, specifically Section 11-504.02 "Use Specific Provisions" to revise the provisions for "Campground" and add "Personal Camp Site" (first reading). Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Jensen, Seconded by Kuhns to introduce and hold first reading of Ordinance 5559. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. City Clerk provided first reading of the Ordinance.
9. Ordinance 5560 amending Exhibit B of Ordinance 5427, specifically Section 11-504.03 "Use Specific Provisions" to add "Restaurant, Drive Through", and "Carwash", and; to revise "Service Station", and "Small Animal Boarding Facility /Kennel and to strike "Non-transient lodging services" (first reading). Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Legband, Seconded by Kuhns to introduce and hold first reading of Ordinance 5560. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. City Clerk provided first reading of the Ordinance.
10. Ordinance 5561 amending Exhibit B of Ordinance 5427, specifically Section 11-616(b) regarding encroachments into the required yards, specifically to allow egress windows to encroach into the required yard by three feet and to allow ADA ramps to encroach into required yards provided three feet remains (first reading). Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Legband, Seconded by Gibson to introduce and hold first reading of Ordinance 5561. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. City Clerk provided first reading of the Ordinance.
11. Ordinance 5562 amending Exhibit B of Ordinance 5427, specifically Section 11-920 of the Unified Development Code regarding the definitions of Campground, Camping Unit, Carwash, Duplex, Dwelling Unit, Kennel, Lodging House, Lot, Multifamily, Personal Camp Site, Rowhome, Service Station, Storage Yard, Townhome, and Transient Lodging Services (first reading). Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by

Kuhns, Seconded by Legband to introduce and hold first reading of Ordinance 5562. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. City Clerk provided first reading of the Ordinance.

12. Resolution 2021-025 approving Conditional Use Permit for a Small Animal Boarding Facility/Kennel by FurEver Home, Inc on property generally located at 925 W. 6th St. with an outdoor exercise area extending to the south onto a portion of Tax Lot 17. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed the public hearing after receiving comments from the public. Motion made by Yerger, Seconded by Gibson to amend the Resolution to read "WHEREAS, the City Council has determined that for this application it is acceptable to reduce the setback required from residential property to 125 feet;". Voting Yea: Yerger, Ellis Legband, Kuhns, Sookram, Ganem, Gibson Abstention: Jensen. Motion carried. Motion made by Legband, Seconded by Sookram to approve Resolution 2020-025 as amended. Voting Yea: Yerger, Ellis, Legband, Kuhns, Sookram, Ganem, Gibson Abstention: Jensen. Motion carried.

NEW BUSINESS: Requires individual associated action

25. Motion to send Dodge County Humane Society a notice of termination. Motion made by Legband, Seconded by Sookram to receive letter into the record from Thomas Thomsen. Voting Yea: Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson Voting Nay: Yerger. Motion carried. Motion made by Yerger, Seconded by Gibson to terminate the contract immediately. Voting Yea: Yerger, Ellis, Sookram, Gibson Voting Nay: Jensen, Legband, Kuhns, Ganem, Spellerberg. Motion failed. Motion made by Legband, Seconded by Ganem to send Dodge County Humane Society a notice of termination. Voting Yea: Yerger, Ellis, Legband, Sookram, Ganem, Gibson Voting Nay: Kuhns Voting Abstaining: Jensen. Motion carried.

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.

13. Motion to approve February 10, 2021 through February 23, 2021 claims and authorize checks to be drawn on the proper accounts
14. Dispense with and approve February 9, 2021 City Council Meeting Minutes
15. Motion authorizing the mayor to sign the Letter of Support for the Fremont Housing Authority
16. Resolution 2021-026 authorizing an agreement with Humanities Nebraska for Keene Memorial Library to provide the Prime Time Family Reading Time program in 2021. Motion made by Yerger, Seconded by Ellis to amend the contract to add bullet point under #7 of the contract that the Library Board maintains final authority with regards to review and approval of books placed in the library under 3-705 of the municipal code. Voting Yea: Yerger, Ellis, Jensen, Sookram Voting Nay: Legband, Kuhns, Ganem, Gibson. Motion failed. Motion made by Kuhns, Seconded by Legband to approve Resolution 2021-026. Voting Yea: Yerger, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson Voting Nay: Ellis. Motion carried.

17. Resolution 2021-027 to accept State of Nebraska Contract #3124-20-2510 bid to purchase 1 (one) new 2021 Chevrolet 1500 4WD Double Cab Pickup Truck for City of Fremont Street Department
18. Resolution 2021-028 to accept State of Nebraska Contract #3124-20-2510 bid to purchase 1 (one) new 2021 Chevrolet 3500 4WD Double Cab Pickup Truck for City of Fremont Street Department
19. Resolution 2021-029 authorizing Staff to execute a purchase agreement with Platte Valley Equipment for a John Deere 5090R Tractor with loader and rear blade

UNFINISHED BUSINESS: Requires individual associated action

20. Ordinance 5550 to annex property generally located at the southwest corner of W 23rd Street and Business Park Drive at the request of Andrew Stamp on behalf of Fabrication Holdings LLC, DBA Elemetal Fabrication (final reading). Motion made by Jensen, Seconded by Legband to hold final reading of Ordinance 5550. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. City Clerk provided final reading. Mayor Spellerberg called for a final vote on the Ordinance. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Ordinance 5550 is approved.
21. Ordinance 5552 approving sale of Tech Park property to Rockhill Real Estate, LLC to relocate Pearl Academy daycare business (second reading). Motion made by Kuhns, Seconded by Jensen to hold second reading of Ordinance 5552. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried. City Clerk provided second reading.
22. Ordinance 5553 approving sale of Tech Park property to McGinn Holdings, LLC to purchase additional land for future growth (second reading). Motion made by Legband, Seconded by Kuhns to hold second reading of Ordinance 5553. Voting Yea: Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson Voting Nay: Yerger. Motion carried. City Clerk provided second reading.

NEW BUSINESS: Requires individual associated action

23. Resolution 2021-030 to approve a contract with Matrix Consulting Group to provide services to conduct a Long-Range Master Plan and Strategic Plan for Fire Department. Motion made by Yerger, Seconded by Legband to approve Resolution 2021-030. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.
24. Resolution 2021-031 approving renewal of Retail Liquor Licenses for a period from May 1, 2021 to May 1, 2022. Motion made by Legband, Seconded by Ganem to approve Resolution 2021-031. Voting Yea: Yerger, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson Voting Abstaining: Ellis. Motion carried.
26. Motion 2021-032 to approve changes Keene Memorial Library Policy Manual as recommended by Library Board. Motion made by Yerger, Seconded by Jensen to continue Resolution 2021-032 to the second meeting in March 2021. Voting Yea: Yerger, Ellis, Jensen, Legband, Kuhns, Sookram, Ganem, Gibson. Motion carried.

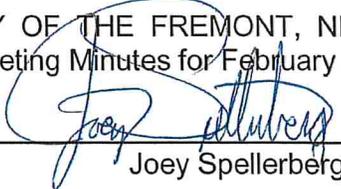
ADJOURNMENT Motion made by Legband, seconded by Sookram to adjourn; time: 10:23 P.M.
Voting Yea: Yerger, Ellis, Gibson, Legband, Ganem, Sookram, Kuhns, Jensen. Motion carried.

Agenda posted at the Municipal Building on February 17, 2021 and online at www.fremontne.gov. Agenda distributed to the Mayor and City Council on February 17, 2021. 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 February 23, 2021.



Tyler Ficken, City Clerk



Joey Spellerberg, Mayor