

**RESOLUTION NO. 2019-1**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF  
GOTHENBURG, NEBRASKA, DECLARING A CERTAIN AREA OF THE CITY  
TO BE SUBSTANDARD AND BLIGHTED AND IN NEED OF  
REDEVELOPMENT PURSUANT TO THE COMMUNITY DEVELOPMENT  
LAW**

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

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

**WHEREAS**, Section 18-2109 of the Act requires that, prior to the preparation by the Community Redevelopment Authority of the City of a redevelopment plan for a redevelopment project, the Mayor and Council shall, by resolution adopted after the public hearings required under said section, declare the area to be a substandard and blighted area in need of redevelopment; and

**WHEREAS**, the City has received a Blight and Substandard Determination Study by Hanna Keelan Associates, as amended by that Blight Study Addendum prepared by Miller & Associates (hereinafter collectively referred to as the, "Study"), determining that certain real properties described in the Study, and which are more particularly described on Part A and Part B of Attachment #1 to the Study (hereinafter collectively referred to as the "Redevelopment Area"), qualify for declaration by the City as a substandard and blighted area in need of redevelopment. A true and correct copy of the Study is available for public inspection at Gothenburg City Hall, 409 9th Street, Gothenburg, Nebraska; and

**WHEREAS**, the City submitted to the Planning Commission of the City (the "Planning Commission") the question of whether the Redevelopment Area is blighted and substandard for purposes of review and recommendation pursuant to Section 18-2109 of the Act; and

**WHEREAS**, on Tuesday, January 8, 2019, at 5:30 p.m., the Planning Commission held a public hearing, after providing notice as required by the Act, in the Council Chambers for the City of Gothenburg at the Gothenburg City Hall, 409 9th Street, Gothenburg, Nebraska, to determine whether the Redevelopment Area should be declared substandard and blighted; and

**WHEREAS**, the Planning Commission submitted its written recommendation to the City that Part A of the Redevelopment Area meets the definition of substandard and blighted as set forth in the Act and should be declared a substandard and blighted area in need of redevelopment; and

**WHEREAS**, the Planning Commission submitted its written recommendation to the City that Part B of the Redevelopment Area meets the definition of substandard and blighted as set forth in the Act, except that such area is not currently within the corporate limits of the City, and that such area should be declared a substandard and blighted area in need of redevelopment effective immediately upon the annexation of it, or any portion thereof, into the corporate limits of the City; and

**WHEREAS**, on Tuesday, January 15, 2019, at 5:30 p.m., the Mayor and Council of the City held a public hearing (the "Public Hearing") in the Council Chambers for the City of Gothenburg at the Gothenburg City Hall, 409 9th Street, Gothenburg, Nebraska, to determine whether the Redevelopment Area should be declared substandard and blighted as required by the Act; and

**WHEREAS**, notices of the Public Hearing were published and mailed pursuant to Section 18-2115.01 of the Act and contained information on where to find a map of sufficient size to show the Redevelopment Area and where to find copies of the Study, and

**WHEREAS**, all interested parties were afforded a reasonable opportunity at the Public Hearing to express their views respecting the proposed declaration of the Redevelopment Area as a substandard and blighted area in need of redevelopment.

**WHEREAS**, the Mayor and Council reviewed and discussed the Study and the recommendations received from the Planning Commission; and

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

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

**Section 1.** Part A of the Redevelopment Area is hereby declared to be a substandard area in need of redevelopment pursuant to the Act, in that conditions now exist in the Redevelopment Area meeting the criteria set forth in Section 18-2103(31) of the Act, as described and set forth in the Study.

**Section 2.** Part A of the Redevelopment Area is hereby further declared to be a blighted area in need of redevelopment pursuant to the Act, in that conditions now exist in the Redevelopment Area meeting the criteria set forth in the Act, including, without limitation, (a) one or more of the factors set forth in Section 18-2103(3)(a) of the Act and (b) at least one of the factors set forth in (i) through (v) of Section 18-2103(3)(b) of the Act, as described and set forth in the Study.

**Section 3.** Part B of the Redevelopment Area, effective immediately upon annexation of it, or any portion thereof, into the corporate limits of the City, is hereby declared to be a substandard area in need of redevelopment pursuant to the Act, in that conditions now exist in the Redevelopment Area meeting the criteria set forth in Section 18-2103(31) of the Act, as described and set forth in the Study.

**Section 4.** Part B of the Redevelopment Area, effective immediately upon annexation of it, or any portion thereof, into the corporate limits of the City, is hereby further declared to be a blighted area in need of redevelopment pursuant to the Act, in that conditions now exist in the Redevelopment Area meeting the criteria set forth in the Act, including, without limitation, (a) one or more of the factors set forth in Section 18-2103(3)(a) of the Act and (b) at least one of the factors set forth in (i) through (v) of Section 18-2103(3)(b) of the Act, as described and set forth in the Study.

**Section 5.** The substandard and blighted conditions existing in the Redevelopment Area are beyond remedy and control solely through the regulatory process and the exercise of police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids provided by the Act, and the elimination of the substandard and blighted conditions under the authority of the Act is hereby found to be a public purpose and declared to be in the public interest.

**Section 6.** The Redevelopment Area is in need of redevelopment and is or will be an eligible site for a redevelopment project under the provisions of the Act at the time of the adoption of any redevelopment plan with respect thereto.

**Section 7.** Effective immediately upon adoption of this Resolution, all areas which have previously been declared by the City to be substandard and blighted areas in need of redevelopment but which are not included within the Redevelopment Area as set forth in the Study are hereby declared to no longer be substandard and blighted areas in need of redevelopment.

**Section 8.** This Resolution shall be published and shall take effect as provided by law.

**DATED:** January 15, 2019.

**CITY OF GOTHENBURG, NEBRASKA**

ATTEST:

By: Brandi Klopping  
Clerk

By: Joey E. Hudson  
Mayor

[SEAL]