

## Bellevue City Council Meeting

Tuesday, February 1, 2022 6:00 PM

Bellevue City Hall

1500 Wall Street

Bellevue, NE 68005

1. PLEDGE OF ALLEGIANCE
2. INVOCATION - Father Tom Jones, Church of the Holy Spirit, 1305 Thomas Drive.
3. CALL TO ORDER AND ROLL CALL
4. OPEN MEETINGS ACT - Posted in the Entry to the Council Chambers
5. APPROVAL OF AGENDA, CONSENT AGENDA, CLAIMS, AND ADVISORY COMMITTEE REPORTS:
  - a. Approval of the Agenda
  - b. Approval of the Consent Agenda *(Items marked with an (\*) are approved where this item is, unless otherwise removed)*
    1. (\*) Approval of the January 18, 2022 Board of Equalization Meeting Minutes.
    2. (\*) Approval of the January 18, 2022 City Council Minutes.
6. (\*) APPROVAL OF CLAIMS
7. SPECIAL PRESENTATIONS: NONE
8. ORGANIZATIONAL MATTERS:
  - a. (\*) Recommend following reappointments to the Bellevue Board of Adjustment: Maria Conte, Brad Anderson, Karl Crompton, and Nick Peterson, for three-year terms ending February, 2025. (Mayor Hike)
9. APPROVED CITIZEN COMMUNICATION: NONE RECEIVED
10. LIQUOR LICENSES:
  - a. Recommend approval of application for Tightcuts Barber & Beauty LLC dba "Tightcuts Barber & Beauty" for a Class "C" Liquor License to sell beer, wine, and distilled spirits, On and Off Sale at 1308 Fort Crook Road, Bellevue and for John James as Manager. (City Clerk)
11. ORDINANCES FOR ADOPTION (3rd reading):
  - a. Ordinance No. 4069: An ordinance amending and adding a section to Article VII, Chapter 12, Bellevue Municipal Code, regarding outdoor fireplace permitting requirements. (Councilwoman Welch)
  - b. Ordinance No. 4071: An ordinance to amend agenda Section 2-29 of City Code to allow for amending of the agenda as allowed by Nebraska Law outlined in Nebraska Revised Statute 84-1411. (Legal)
12. ORDINANCES FOR PUBLIC HEARING (2nd reading):
  - a. Ordinance No. 4072: Request to rezone Lot 3, LGB Properties Replat One, from RE to RS-120 for the purpose of existing residential development. Applicant: AMZ Investments, LLC. General Location: 13510 South 36th Street. (Planning Manager)
  - b. Ordinance No. 4073: Request to rezone Lots 1 and 2, Heer and Theer Addition, being a replat of Tax Lot 6b, and that part of Tax Lot 6A2, being the north 50' of the west 175' of the east 260' of Tax Lot 6A, together with the south 15' of the east 110' of Lot 1, and the south 22' of the east 85' of the east 260' of Tax Lot 6A, together with the south 15' of the east 65' of Lot 34, Svodboda's Addition to the City of Bellevue, all located in the Southwest 1/4 of Section 36, T14N, R13E of the 6th P.M., Sarpy County, Nebraska, from RG-8-M and BGM, to BGM, for the purpose of residential and commercial development. Applicant: 1st City Development, LLC. General Location: 2304 Lincoln Road. (Planning Manager)
    1. Request for Small subdivision plat Lots 1 and 2, Heer and Theer Addition. **(No Action Required)**
  - c. Ordinance No. 4074: Request to rezone Tax Lot 6A6, located in the Northwest 1/4 of

Section 26, T14N, R13E of the 6th P.M., Sarpy County, Nebraska, from BG to RG-20 for the purpose of an adolescent care facility. Applicant: i3, LLC. General location: 105 Fort Crook Road South. (Planning Manager)

d. Ordinance No. 4075: Repealing Section 20-2 of City Code regarding sale of cigarettes, tobacco, etc. products to minors. (Legal/Administration)

13. ORDINANCES FOR INTRODUCTION (1st reading): NONE

14. PUBLIC HEARING ON MATTERS OTHER THAN ORDINANCES:

a. Request for Conditional Use Permit (CUP) for Lot 3, LGB Properties Replat One, for the purpose of an Alzheimer's/Dementia Care Home. Applicant: AMZ Investments, LLC. General Location: 13510 South 36th Street. (Planning Manager)

15. RESOLUTIONS:

a. Resolution 2022-03: A resolution approving the use of ARPA funding for the design costs for a water main extension, in the estimated amount of \$1,100,000. (Administration)

b. Resolution No. 2022-04: A resolution ordering an election to determine the continuation of the Economic Development Program, which places the continuation of the Plan on the May 10, 2022 ballot. (Administration/Legal)

c. Resolution No. 2022-05: A resolution approving and authorizing the Mayor to sign the CRRSSA Fund Purchase Agreement with NE Dept. of Transportation (NDOT) for the 2022 Major Street Resurfacing Project, in an amount of \$360,233. (Public Works Director/Engineering Manager)

16. CURRENT BUSINESS:

a. Approve and authorize the Mayor to sign a Memorandum of Understanding (MOU) with MUD for Water Main Extension Design Services project, in an amount not to exceed \$1,100,000 (funded with ARPA funds). (Community Development Director/Administration)

b. Approve and authorize Mayor to sign a Service Agreement with GRP and Associates, Inc. for medical waste disposal, in an amount not to exceed \$180. (Capt. Melvin/Chief Clary)

c. Approve and authorize the Mayor to sign an agreement with Omaha Public Power District for OPPD's facilities relocation with the 36th Street widening project, Bline to Sheridan (MAPA-5061(5), C.N. 22276), in an amount not to exceed \$599,029.07. (Public Works Director/Engineering Manager)

17. ADMINISTRATION REPORTS: Comments must be limited to items on the current Reports. **(Monthly reports are given at the first Council meeting of each month - December and January reports are attached to this Council packet).**

18. CLOSED SESSION:

19. ADJOURNMENT

# MINUTE RECORD

Bellevue Board of Equalization, January 18, 2022 Page 1

A meeting of the Mayor and Council of the City of Bellevue, sitting as the Board of Equalization, was called to order by Mayor Rusty Hike at the Bellevue City Hall at 5:30 p.m. on the 18th day of January, 2022. Present were Council Members Bob Stinson, Paul Cook, Jerry McCaw, Thomas Burns, and Kathy Welch; Absent: Don Preister.

Notice of this meeting was given in advance thereof by publication in the Omaha World Herald and Gretna Guide, and posting in two public places, the designated method for giving notice and was also given to the Mayor and all members of the City Council. A copy of the affidavit of publication, the certificate of posting, and the council's acknowledgment of receipt of notice are hereby attached to these minutes. All proceedings shown hereafter were taken while the convened meeting was open to the public.

## Open Meetings Act

Mayor Rusty Hike announced that a copy of the Open Meetings Act is posted in the entry to the City Council Chambers.

## Approval of the Agenda

Motion was made by Cook, seconded by Welch to approve the agenda.

Roll call vote on the motion to approve was as follows: Stinson, Cook, McCaw, Burns, and Welch voted yes; voting no: none; Absent: Preister.

Public hearing to consider the levy of liens for non-payment of costs associated with the mowing, trimming, removal of debris, branches & rubbish and/or general clean-up of properties within the City of Bellevue, identified in the attachment and in Resolution BOE No. 2022-0118-01.

Mayor Hike opened the meeting for public hearing to give opportunity for individuals to speak in favor of or in opposition to the proposed liens.

With no one coming forward to speak, Mayor Hike declared the public hearing closed.

One (1) email was received prior to meeting from Mr. Jim Grigsby which has been made part of the public record.

Resolution BOE No. 2022-0118-01: Levying of liens for non-payment of costs associated with the mowing, trimming, removal of debris, branched & rubbish, and/or general clean-up efforts on the identified properties within the City of Bellevue.

Motion was made by Cook, seconded by Burns, to approve BOE Resolution No. 2022-0118-01: Levying of liens for non-payment of costs associated with the mowing, trimming, removal of, debris, branches & rubbish, and/or general clean-up efforts on the identified properties within the City of Bellevue.

Motion was made by Cook, seconded by Welch to amend BOE Resolution No. 2022-0118-01 by removing the following from original list to levy liens: Bellevue Future Development LLC – paid in full; Buonafede LLC – paid in full; William and Elena Ford – paid in full and Elissa Smith – billing error. Roll call vote on the amendment was as follows: Stinson, Cook, McCaw, Burns, and Welch voted yes; voting no: none; Absent: Preister.

Roll call vote on original motion, as amended, was as follows: Stinson, Cook, McCaw, Burns, and Welch voted yes; voting no: none; Absent: Preister. Motion carried.

## Adjournment

There being no further business to come before the Board, on motion made by Burns, seconded by Welch, at 5:36 p.m., the meeting adjourned.

  
Susan Kluthe, City Clerk

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Rusty Hike, Mayor

I, the undersigned, City Clerk of the City of Bellevue, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on January 18, 2022; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agendas for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at

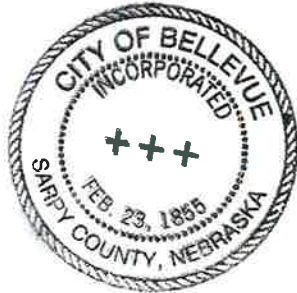
# MINUTE RECORD

Bellevue Board of Equalization, January 18, 2022 Page 2

the meeting for examination and copying by members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.



Susan Kluthe, City Clerk



# MINUTE RECORD

\*5b.2  
2/01/2022

Bellevue City Council Meeting, January 18, 2022, Page 1

A regular meeting of the Mayor and Council of the City of Bellevue was called to order by Mayor Rusty Hike at the Bellevue City Hall on the 21st of December 2021, at 6:00 p.m. Present were Council Members Bob Stinson, Paul Cook, Jerry McCaw, Don Preister, Thomas Burns, and Kathy Welch.

Notice of this meeting was given in advance thereof by publication in the Gretna/Sarpy Guide and News and posted in two public places, the designated method for giving notice and was also given to the Mayor and all members of the City Council. A copy of the affidavit of publication, the certificate of posting, and the council's acknowledgment of receipt of notice are hereby attached to these minutes. All proceedings shown hereafter were taken while the convened meeting was open to the public.

## **PLEDGE OF ALLEGIANCE AND INVOCATION**

Mayor Hike led the Pledge of Allegiance. Dr. Rick Janelle, Lead Teaching Minister, Bellevue Church of Christ, 2311 Madison Street, gave the invocation.

## **OPEN MEETINGS ACT**

Mayor Hike announced a copy of the Open Meetings Act is posted by the entry in the City Council Chambers.

## **APPROVAL OF THE AGENDA:**

**Motion** was made by Cook, seconded by Stinson, to approve the agenda.

**Motion** was made by Cook, seconded by Welch, to amend the agenda by moving Item 15a directly before 11a on the agenda. Roll call vote to approve the amendment was as follows: Stinson, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; absent: none. Motion carried.

Roll call vote to approve the agenda as amended was as follows: Stinson, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; absent: none. Motion carried.

## **APPROVAL OF THE CONSENT AGENDA:**

**Motion** was made by Stinson, seconded by Burns, to approve the consent agenda consisting of the following items: Acknowledge receipt of December 16, 2021 Planning Commission Minutes; Approval of the December 21, 2021 City Council Minutes; Acknowledge receipt of December 14, 2021 Tree Board Minutes; Approval of Claims for January 4, 2022 & January 18, 2022; Request to approve a 30-day extension for the Redwood 25 final plat, as per Section 4-11, Subdivision Regulations, and authorize the change of the expiration date on City Archery Hunt Waivers to January 31<sup>st</sup> for properly licensed and approved hunters, as determined by the designated hunt manager.

Roll call to approve the consent agenda was as follows: Stinson, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; absent: none. Motion carried.

## **SPECIAL PRESENTATIONS: NONE**

## **ORGANIZATIONAL MATTERS: NONE**

## **APPROVED CITIZEN COMMUNICATION: NONE RECEIVED**

## **LIQUOR LICENSES: NONE**

**Per amended agenda, Resolution No. 2021-53: Request to approve the Jefferson Place Redevelopment Plan for Lots 1 through 6, and Part of Lots 7 through 11A, lying south and west of Harvell Drive, Block 170, Bellevue, together with adjacent vacated streets, avenues, and alleys. Applicant: Mercury Property Management, Inc. General Location: 16th Avenue and Jefferson Street. (Planning Manager)**

**Motion** was made by Cook, seconded by Welch to approve Resolution #2021-53: Request to approve the Jefferson Place Redevelopment Plan for Lots 1 through 6, and Part of Lots 7 through 11A, lying south and west of Harvell Drive, Block 170, Bellevue, together with adjacent vacated streets, avenues, and alleys.

Ms. Bree Robbins, City Attorney, asked Ms. Tammi Palm, Planning Manager, to confirm that the Redevelopment Plan, pursuant to Resolution No. 2021-53, is in conformance with the city's Comprehensive Plan. Ms. Tammi replied that yes, the Redevelopment Plan is in conformance.

Councilman Stinson stated he was contacted by Mercury Property to be the liaison between Mercury Property and the neighborhood. Stinson said Mercury Property has agreed to a few things to try to make this a better development. He stated he thinks Mercury Property has put forth good effort to try to make this a doable situation with the neighborhood. Stinson said he was against this in the beginning but with Mercury Property coming forward, he will be voting in favor of this tonight

Councilman Burns made a comment he was frustrated with this development and would be voting no on this item and on the rezoning ordinance.

# MINUTE RECORD

Bellevue City Council Meeting, January 18, 2022, Page 2

Councilman Preister thanked Councilman Stinson for the discussion with Mercury Property and with the negotiations to try to get some things resolved for the neighborhood's interest. Preister stated he also was against this in the beginning, but it helps him knowing Mercury Property was willing to make some concessions.

Ms. Tammi Palm pointed out that what is on the agenda tonight is a specific Redevelopment Plan, including a site plan. If there were agreements made with the neighbors that would be between the developer and the neighbors. City staff would be adhering to what is in the site plan before them tonight unless it is amended in some way.

Roll call vote on motion to approve was as follows: Stinson, Cook, McCaw, and Welch voted yes; voting no: Preister and Burns; Absent: none. Motion carried.

## **ORDINANCES FOR ADOPTION (Third Reading):**

**Ordinance No. 4068: An ordinance to request to rezone Lots 1 through 10, and Outlot A, Jefferson Place Addition, being a replant of Lots 1 through 6 and Part of Lots 7-11A, lying South and West of Harvell Drive, Block 170, Bellevue, together with the adjacent vacated streets, avenues, and alleys, from RD-60-OTO to RG-28-PS, with site plan approval, for the purpose of multi-family residential development. Applicant: Mercury Property Management, Inc. General Location: 16th Avenue and Jefferson Street. (Planning Manager)**

Ordinance No. 4068: An ordinance to amend the official zoning map of the City of Bellevue, Nebraska, as provided for by Article 3 of Ordinance No. 3619 by changing the zone classification of land located at or about 16<sup>th</sup> Avenue and Jefferson Street, more particularly described in Section 1 of the ordinance and to provide an effective date was read for the third and final time.

**Motion** was made by Cook, seconded by Welch, to approve Ordinance No. 4068.

Ms. Robbins asked for Ms. Palm to confirm the Redevelopment Plan, pursuant to Ordinance No. 2021-53, is in conformance with the city's Comprehensive Plan. Ms. Tammi replied that yes, the Redevelopment Plan is in conformance.

Roll call vote on motion to approve was as follows: Stinson, Cook, McCaw, and Welch voted yes; voting no: Preister and Burns; Absent: none. Motion carried.

## **Request to small subdivision plat Lots 1 through 10, and Outlot A, Jefferson Place Addition**

**Motion** was made by Cook, seconded by Welch, to approve the request to small subdivision plat Lots 1 through 10, and Outlot A, Jefferson Place Addition.

Roll call vote was as follows: Stinson, Cook, McCaw, and Welch voted yes; voting no: Preister and Burns; Absent: none. Motion carried.

**Ordinance No. 4069: An ordinance amending and adding a section to Article VII, Chapter 12, Bellevue Municipal Code, regarding outdoor fireplace permitting requirements. (Councilwoman Welch)**

Ordinance No. 4069: An ordinance to amend Article VII, Chapter 12, of the Bellevue Municipal Code by amending section 12-172 and adding new Section 12-176 regarding outdoor fireplace permitting requirements and to provide an effective date was read for the third and final time.

**Motion** was made by Cook, seconded by Welch, to table Ordinance No. 4069 until the February 1, 2022 meeting. Roll call vote on motion to approve was as follows: Stinson, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; Absent: none. Motion carried.

**Ordinance No. 4070: An ordinance to approve the sale and conveyance of approximately 24.85 acres of property to Redwood USA LLC. (Legal)**

Ordinance No. 4070: An ordinance to approve the sale and conveyance of approximately 24.85 acres of city property to Redwood USA, LLC, an Ohio Limited Liability Company was read for the third and final time.

**Motion** was made by Welch, seconded by Stinson, to approve Ordinance No. 4070. Roll call vote on motion to approve was as follows: Stinson, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; Absent: none. Motion carried.

## **ORDINANCES FOR PUBLIC HEARING (Second Reading):**

**Ordinance No. 4067: An ordinance to amend the Municipal Code regarding disturbing the peace. (Chief Clary)**

Ordinance No. 4067: An ordinance to amend Section 20-9 of the Bellevue Municipal Code pertaining to disturbing the peace, to repeal all previous versions of the same; and to provide an effective date of this ordinance.

# MINUTE RECORD

Bellevue City Council Meeting, January 18, 2022, Page 3

Mayor Hike opened the public hearing to give opportunity for individuals to speak in favor of or in opposition.

Mr. Brian Hansen, 2704 Georgia Avenue, stated he was in support of this ordinance but not in favor of waiving the third reading unless there is a good reason for it. He also questioned Ordinance No. 4066 establishing our new wards and Council seats.

With no one else in the audience coming forth to speak in support of or in opposition to the ordinance. Mayor Hike declared the public hearing closed.

Mayor Hike asked if the City Attorney, Ms. Robbins, would respond to Mr. Hansen's comments. Ms. Robbins stated she wouldn't address the specific question on Ordinance No. 4066 since it is not on the agenda tonight but is comfortable with Councilman McCaw voting until the next election.

Councilwoman Welch asked about waiving of the third reading, which Mr. Hansen addressed. Ms. Robbins stated staff have asked to waive the third reading because there are some things in the disturbing the peace ordinance currently on the books we do not want to keep enforcing for various reasons. Staff wants to get in place so officers can train on it and move forward with a more solid disturbing the peace ordinance.

Councilman Cook stated they do not like doing this however in this case, he thinks it is critical to get this on the books so the officers on the street can start using it.

**Motion** was made Cook, seconded by Welch to waive the third reading and vote on Ordinance No. 4067 after the public hearing at tonight's meeting. Roll call vote on motion to approve was as follows: Stinson, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; Absent: none. Motion carried.

**Motion** was made Cook, seconded by Welch to approve Ordinance No. 4067. Roll call vote on motion to approve was as follows: Stinson, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; Absent: none. Motion carried.

**Ordinance No. 4071: An ordinance to amend agenda Section 2-29 of City Code to allow for amending of the agenda as allowed by Nebraska Law outlined in Nebraska Revised Statute 84-1411. (Legal)**

Ordinance No. 4071: An ordinance to amend Section 2-29 of the Bellevue Municipal Code pertaining to agenda; submission of materials; formulation; public availability, etc., to repeal all previous versions of the same; and to provide an effective date of this ordinance.

Mayor Hike opened the public hearing to give opportunity for individuals to speak in favor of or in opposition.

With no one in the audience coming forth to speak in support of or in opposition to the ordinance. Mayor Hike declared the public hearing closed. Mayor Hike stated the third and final reading of the ordinance will be heard at the Council meeting on February 1, 2022.

**ORDINANCES FOR INTRODUCTION: (First Reading)**

**Ordinance No. 4072: Request to rezone Lot 3, LGB Properties Replat One, from RE to RS-120 for the purpose of existing residential development. Applicant: AMZ Investments, LLC. General Location: 13510 South 36th Street. (Planning Manager)**

Ordinance No. 4072: An ordinance to amend the official zoning map of the City of Bellevue, Nebraska, as provided for by Article 3 of Ordinance No. 3619 by changing the zone classification of land located at or about 13510 South 36<sup>th</sup> Street, more particularly described in Section 1 of the ordinance and to provide an effective date.

Mayor Hike stated second reading and public hearing will be heard at the Council meeting on February 1, 2022.

**Ordinance No. 4073: Request to rezone Lots 1 and 2, Heer and Theer Addition, being a replat of Tax Lot 6b, and that part of Tax Lot 6A2, being the north 50' of the west 175' of the east 260' of Tax Lot 6A, together with the south 15' of the east 110' of Lot 1, and the south 22' of the east 85' of the east 260' of Tax Lot 6A, together with the south 15' of the east 65' of Lot 34, Svodboda's Addition to the City of Bellevue, all located in the Southwest 1/4 of Section 36, T14N, R13E of the 6th P.M., Sarpy County, Nebraska, from RG-8-M and BGM, to BGM, for the purpose of residential and commercial development. Applicant: 1st City Development, LLC. General Location: 2304 Lincoln Road. (Planning Manager)**

Ordinance No. 4073: An ordinance to amend the official zoning map of the City of Bellevue, Nebraska, as provided for by Article 3 of Ordinance No. 3619 by changing the zone classification of located at or about 2304 Lincoln Road, more particularly described in Section 1 of the ordinance and to provide an effective date.

Mayor Hike stated second reading and public hearing will be heard at the Council meeting on February 1, 2022.

# MINUTE RECORD

Bellevue City Council Meeting, January 18, 2022, Page 4

**Ordinance No. 4074: Request to rezone Tax Lot 6A6, located in the Northwest 1/4 of Section 26, T14N, R13E of the 6th P.M., Sarpy County, Nebraska, from BG to RG-20 for the purpose of an adolescent care facility. Applicant: i3, LLC. General location: 105 Fort Crook Road South. (Planning Manager)**

Ordinance No. 4074: An ordinance to amend the official zoning map of the City of Bellevue, Nebraska, as provided for by Article 3 of Ordinance No. 3619 by changing the zone classification of land located at or about 105 Fort Crook Road South, more particularly described in Section 1 of the ordinance and to provide an effective date.

Mayor Hike stated second reading and public hearing will be heard at the Council meeting on February 1, 2022.

**Ordinance No. 4075: Repealing Section 20-2 of City Code regarding sale of cigarettes, tobacco, etc. products to minors. (Legal/Administration)**

Ordinance No. 4075: An ordinance to repeal Section 20-2 of Article 1, Chapter 20, of the Bellevue Municipal Code regarding furnishing cigarettes, tobacco, etc. to minors and to provide an effective date.

Mayor Hike stated second reading and public hearing will be heard at the Council meeting on February 1, 2022.

**PUBLIC HEARING ON MATTERS OTHER THAN ORDINANCES: NONE**

## **RESOLUTIONS:**

**Resolution No. 2022-01: Resolution to amend the Master Fee Schedule regarding certain Planning Department fees and Cemetery fees and authorize the Mayor to sign. (Planning Manager/Public Works Director)**

**Motion** was made by Welch, seconded by Cook, to approve Resolution No. 2022-01: Resolution to amend the Master Fee Schedule regarding certain Planning Department fees and Cemetery fees and authorize the Mayor to sign. Roll call vote on the motion was as follows: Stinson, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; Absent: none. Motion carried.

**Resolution No. 2022-02: An emergency resolution regarding implementation of a Pandemic Sick Leave Policy. (HR Director)**

**Motion** was made by Burns, seconded by Preister, Resolution No. 2022-02: An emergency resolution regarding implementation of a Pandemic Sick Leave Policy. Roll call vote on motion to approve was as follows: Stinson, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; Absent: none. Motion carried.

## **CURRENT BUSINESS:**

**Approve and authorize the Mayor to sign the Deed of Reconveyance and Substitution of Trustee for 2008 Calhoun Street, in an amount not to exceed \$5,069.02. (Finance Director/CDBG Program Specialist)**

**Motion** was made by Cook, seconded by Welch, to approve and authorize the Mayor to sign the Deed of Reconveyance and Substitution of Trustee for 2008 Calhoun Street, in an amount not to exceed \$5,069.02. Roll call vote on motion to approve was as follows: Stinson, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; Absent: none. Motion carried.

**Approve and authorize the Mayor to sign the Community Development Block Grant (CDBG) Subrecipient Agreement with the Housing Foundation for Sarpy County, in an amount not to exceed \$150,000. (Finance Director/CDBG Program Specialist)**

**Motion** was made by Stinson, seconded by Welch to approve and authorize the Mayor to sign the Community Development Block Grant (CDBG) Subrecipient Agreement with the Housing Foundation for Sarpy County, in an amount not to exceed \$150,000. Roll call vote on motion to approve was as follows: Stinson, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; Absent: none. Motion carried.

**Approve and authorize the Mayor to sign the Closure and Removal Agreement with Union Pacific Railroad Company for the City of Bellevue's Schilling Drive, 9th Street to 13th Street, Bridge Removal Project, in an amount not to exceed \$55,000. (Public Works Director)**

**Motion** was made by Welch, seconded by Burns to approve and authorize the Mayor to sign the Closure and Removal Agreement with Union Pacific Railroad Company for the City of Bellevue's Schilling Drive, 9th Street to 13th Street, Bridge Removal Project, in an amount not to exceed \$55,000. Roll call vote on motion to approve was as follows: Stinson, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; Absent: none. Motion carried.

# MINUTE RECORD

Bellevue City Council Meeting, January 18, 2022, Page 5

**Approve and authorize Mayor to sign the Agreement with Felburg, Holt & Ullevig for the Galvin Road and Birchcrest Intersection Improvements Project, in an amount not to exceed \$58,100. (Public Works Director)**

**Motion** was made by Welch, seconded by Cook to approve and authorize Mayor to sign the Agreement with Felburg, Holt & Ullevig for the Galvin Road and Birchcrest Intersection Improvements Project, in an amount not to exceed \$58,100. Roll call vote on motion to approve was as follows: Stinson, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; Absent: none. Motion carried.

**Approve and authorize the Mayor to sign Amendment #2 with Jacobs Engineering Group Inc. for the Storm Drainage Project, in an amount not to exceed \$51,458. (Public Works Director)**

**Motion** was made by Stinson, seconded by Preister to approve and authorize the Mayor to sign Amendment #2 with Jacobs Engineering Group Inc. for the Storm Drainage Project, in an amount not to exceed \$51,458. Roll call vote on motion to approve was as follows: Stinson, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; Absent: none. Motion carried.

**Recommendation to approve and authorize Mayor to sign Amendment #1 to Agreement for Engineering Services for American Heroes Park and Haworth Park Wastewater System, in an amount not to exceed \$91,700. (Public Works Director)**

**Motion** was made by Cook, seconded by Welch to approve the recommendation approving and authorizing the Mayor to sign Amendment #1 to Agreement for Engineering Services for American Heroes Park and Haworth Park Wastewater System, in an amount not to exceed \$91,700.

Councilman Cook asked Mr. Mark Elbert, Community Development Director, to fill the Council in on this project. Mr. Elbert stated we have been working with Bellevue University for a few months on potentially putting their Soccer Field and Softball Field at Haworth Park. Recently we have learned it doesn't have sewer capacity to handle what Bellevue University would like to do. He stated that Public Works would also like to do some improvements at American Heroes Park which all runs to same sewer lift station. Since this would all be happening the same time, it made sense to do the work at the same time. This works with Bellevue University's Plan as well so they can move forward. There would be an MOU forthcoming on the partnership with Bellevue University, but it will not get off the ground if we don't have proper infrastructure to support the locker rooms and fields down there.

Councilman Cook stated he wanted to comment on Ms. Hawkins letter of intent received. He stated that he feels this looks like a great project and plan they have developed. It would be nice to see all the Bellevue University teams play local.

**Motion** was made by Cook, seconded by Welch to open for public hearing. Roll call vote on motion to open was as follows: Stinson, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; Absent: none. Motion carried.

Ms. Mary Hawkins, Bellevue University President, 414 Greenbriar Court, introduced two coaches she brought with her. She said they have driven teams all over the city and this would be huge for the coaches and athletes. Not having locker rooms can make it rough.

Ms. Michala Cimino, BU Head Softball Coach, 2914 Bar Harbor Drive, thinks this would be awesome being able to host their own softball camp on their own field and it is exciting. She feels it will not only be great for their student athletes but also the youth in the community.

Mr. Mark Heath Preston, BU Head Soccer Coach, 4605 Brook Circle, stated it would be fantastic not having to drive 20 minutes to practice or play in Omaha would be fantastic. He said he coached youth soccer in Bellevue for the last 12 years, so not only will this benefit their athletes but the local youth community.

Further discussion ensued.

With no one else in the audience coming forth to speak in support of or in opposition to this project. Mayor Hike declared the public hearing closed.

Roll call on the motion to approve was as follows: Stinson, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; Absent: none. Motion carried.

**Approve and authorize the Mayor to sign the Purchase Agreement with Longo Drive LLC for the sale of 2206 Longo Drive and authorize payment to Ambassador Title Services, 311 Village Point Plaza, Suite 102, Omaha, 68118 for the Library Renovation project, in an amount not to exceed \$3,450,000. (City Administrator) (Full Appraisal Report [161-pages] is available for review in City Clerk's Office - First 6-pages of report is attached)**

**Motion** was made by Stinson, seconded by McCaw to approve and authorize the Mayor to sign the Purchase Agreement with Longo Drive LLC for the sale of 2206 Longo Drive and authorize payment to

# MINUTE RECORD

Bellevue City Council Meeting, January 18, 2022, Page 6

Ambassador Title Services , 311 Village Point Plaza, Suite 102, Omaha, 68118 for the Library Renovation project, in an amount not to exceed \$3,450,000.

**Motion** was made by Cook, seconded by Stinson to open for public hearing. Roll call vote on motion to open was as follows: Stinson, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; Absent: none. Motion carried.

Mayor Hike opened the public hearing to give opportunity for individuals to speak in favor of or in opposition.

Ms. Julie Dinville, Library Director, read a letter created by the Bellevue Public Library Administrative Staff, Bellevue Public Library Advisory Board, Bellevue Library Foundation, and Friends of the Bellevue Public Library in support of the proposed purchase of the Bellevue Professional Center for the purpose of realizing a new library space. The new facility would include but not limited to quiet study rooms, a makerspace, additional meeting spaces, defined children's and young adult areas, and a drive-thru service point. This space would provide opportunities to create a fresh, engaging, flexible and inviting space where newer and better technological services can be provided.

With no one else in the audience coming forth to speak in support of or in opposition to this project. Mayor Hike declared the public hearing closed.

Further Council discussion ensued on this property. Mr. Jim Ristow, City Administrator, explained the progression followed in getting to the point of purchasing this building. He also discussed the financial benefits in repurposing this building and what the plan is for funding this project, without implementing a sales tax to pay for it.

Roll call vote on motion to approve was as follows: Stinson, Cook, McCaw, Preister, and Welch voted yes; voting no: Burns; Absent: none. Motion carried.

**Approve and authorize the Mayor to sign the Interlocal Agreement for the expansion of the Unified SSWS and Amendment to the Agency's Jurisdiction with Bellevue's Extraterritorial Jurisdiction. (City Administrator)**

Motion was made by Welch, seconded by McCaw to approve and authorize the Mayor to sign the Interlocal Agreement for the expansion of the Unified SSWS and Amendment to the Agency's Jurisdiction with Bellevue's Extraterritorial Jurisdiction. Roll call vote on motion to approve was as follows: Stinson, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; Absent: none. Motion carried.

**ADMINISTRATION REPORTS: Comments must be limited to items on the current reports. (Monthly Reports are given at the first Council Meeting of each month – December report will be attached to the February 1<sup>st</sup> Council packet).**

**CLOSED SESSION: NONE**

**ADJOURNMENT**

There being no further business to come before the Council at this time, on motion by Welch, seconded by Preister, the meeting was adjourned at 7:19 p.m. Roll call vote on motion to approve was as follows: Stinson, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; Absent: none. Motion carried.

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Susan Kluthe, City Clerk

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Rusty Hike, Mayor

I, the undersigned, City Clerk of the City of Bellevue, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on January 18, 2022; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agendas for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

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Susan Kluthe, City Clerk

# MINUTE RECORD

\*6a.  
2/01/2022

## CLAIMS FOR FEBRUARY 1, 2022

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### MAYOR

MIDLANDS PRINTING	NAME TAGS-HIKE	45.00
		<u>\$ 45.00</u>

### CITY ADMINISTRATOR

BLACK HILLS NEBRASKA GAS UTILITY	2021/12/01-2021/12/30 MONTHLY SERVICE	166.15
METROPOLITAN UTILITIES DIST	2021/12/08-2022/01/05 MONTHLY SERVICE	30.66
OFFUTT ADVISORY COUNCIL	OAC MEMBERSHIP DUES	500.00
		<u>\$ 696.81</u>

### LEGAL

SARPY COUNTY COURT	CLAIM LISTS	34.00
		<u>\$ 34.00</u>

### CABLE ADVISORY

BLACK HILLS NEBRASKA GAS UTILITY	2021/12/01-2021/12/30 MONTHLY SERVICE	141.23
METROPOLITAN UTILITIES DIST	2021/12/08-2022/01/05 MONTHLY SERVICE	22.99
		<u>\$ 164.22</u>

### CITY CLERK

BLACK HILLS NEBRASKA GAS UTILITY	2021/12/01-2021/12/30 MONTHLY SERVICE	124.61
METROPOLITAN UTILITIES DIST	2021/12/08-2022/01/05 MONTHLY SERVICE	39.86
		<u>\$ 164.47</u>

### FINANCE/RISK MANAGEMENT

AMAZON.COM, LLC	OFFICE SUPPLIES, FACE MASKS	257.46
BLACK HILLS NEBRASKA GAS UTILITY	2021/12/01-2021/12/30 MONTHLY SERVICE	216.00
CAPITAL BUSINESS SYSTEMS, INC	PRINTER EXPENSE	13.44
INDOFF	OFFICE SUPPLIES	180.13
METROPOLITAN UTILITIES DIST	2021/12/08-2022/01/05 MONTHLY SERVICE	33.72
QUADIENT INFANCE USA, INC	POSTAGE METER LEASES	2,139.73
		<u>\$ 2,840.48</u>

### LIBRARY

AMAZON.COM, LLC	PROGRAM SUPPLIES, OFFICE SUPPLIES, BOOKS, FACE MASKS, VIDEOS	929.98
BLACK HILLS NEBRASKA GAS UTILITY	2021/12/01-2021/12/30 MONTHLY SERVICE	534.76
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	220.00
CBRE, INC - VALUATION & ADVISORY SERVICES	APPRAISAL FOR LIBRARY PROJECT	6,000.00
CENGAGE LEARNING, INC	BOOKS	983.66
CENTER POINT LARGE PRINT	LARGE PRINT BOOKS	87.48
DEMCO	BOOK SUPPLIES	755.43
INGRAM LIBRARY SERVICES	BOOKS	953.38
LA VISTA PUBLIC LIBRARY	REIMB FOR DAMAGED LOANED BOOK	33.00
LAURA WHITEHEAD	REIMB FOR LOCAL MILEAGE	14.16
METROPOLITAN UTILITIES DIST	2021/12/07-2022/01/06 MONTHLY SERVICE	104.26
QUADIENT FINANCE USA	POSTAGE REFILL	1,205.00
		<u>\$ 11,821.11</u>

### ADMINISTRATIVE SERVICES

BLACK HILLS NEBRASKA GAS UTILITY	2021/12/01-2021/12/30 MONTHLY SERVICE	182.77
CAREERLINK, LLC	PROFESSIONAL PACKAGE RENEWAL	3,539.00
IDEAL PURE WATER COMPANY	BOTTLED WATER	51.50
METROPOLITAN UTILITIES DIST	2021/12/08-2022/01/05 MONTHLY SERVICE	26.06
		<u>\$ 3,799.33</u>

# MINUTE RECORD

## CLAIMS FOR FEBRUARY 1, 2022

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### CODE ENFORCEMENT

AMAZON.COM, LLC	OFFICE SUPPLIES	23.78
BLACK HILLS NEBRASKA GAS UTILITY	2021/12/01-2021/12/30 MONTHLY SERVICE	127.85
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	77.34
METROPOLITAN UTILITIES DIST	2021/12/08-2022/01/05 MONTHLY SERVICE	5.66
		<u>\$ 234.63</u>

### PUBLIC WORKS

AMAZON.COM, LLC	OFFICE SUPPLIES	12.95
AVI SYSTEMS	TRAINING ROOM AUDIOVISUAL EQUIP	10,576.06
BLACK HILLS NEBRASKA GAS UTILITY	2021/12/01-2021/12/30 MONTHLY SERVICE	215.79
HDR ENGINEERING, INC	BPW-190409 SO LIFT STATION 2021/10/24-	484.80
HDR ENGINEERING, INC	BPW-211123 HAWORTH PARK SEWER STUDY	9,212.64
HGM ASSOCIATES INC	PW FACILITY MASTER PLAN 2021/06/19-2021/12/31	8,911.17
METROPOLITAN UTILITIES DIST	2021/12/08-2022/01/05 MONTHLY SERVICE	9.50
NEBRASKA IOWA SUPPLY CO	DIESEL FUEL FOR CITY TANKS	2,510.37
		<u>\$ 31,933.28</u>

### PARKS

A-RELIEF SERVICES	PORTABLE RESTROOM-SWANSON PK	171.00
BLACK HILLS NEBRASKA GAS UTILITY	2021/12/01-2021/12/30 MONTHLY SERVICE	1,051.89
CROW LAWN CARE LLC	CODE MOWING-FONTENELLE	3,100.00
LINCOLN FENCE CONTRACTORS	TENNIS COURT FENCE UPDATE-THOMPSON PARK	4,521.00
METROPOLITAN UTILITIES DIST	2021/12/04-2022/01/04 MONTHLY SERVICE	1,366.51
		<u>\$ 10,210.40</u>

### RECREATION

CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	12.25
CHERYL MILLS	REFUND REED RENTAL DEPOSIT	325.00
MIDWEST STORAGE SOLUTIONS	FOLDING TABLES AND CHAIRS	1,103.79
		<u>\$ 1,441.04</u>

### BUILDING MAINTENANCE

AMAZON.COM, LLC	ICE MAKER KIT FOR STREET	69.95
APOLLO HEATING & A/C	REPLACE FURNACE RELAY-FOOD PANTRY	226.25
BLACK HILLS NEBRASKA GAS UTILITY	2021/12/01-2021/12/30 MONTHLY SERVICE	2,603.04
CONTROL MASTERS INC	RESET VALVE CONTROLLER	140.17
JACKSON SERVICES, INC	DOOR MAT SERVICE-CITY HALL	207.89
MENARDS	SUPPLIES, LUMBER, AUGER, SMOKE ALARMS, PAINT, HEATERS, BATTERIES	667.35
METROPOLITAN UTILITIES DIST	2021/12/07-2022/01/05 MONTHLY SERVICE	466.64
THE HOME DEPOT PRO-SUPPLY WORKS	JANITORIAL SUPPLIES	80.70
TRICO MECHANICAL SERVICES	POLE CONTACTORS, FILTERS, IGNITOR	1,495.32
VOSS LIGHTING	JANITORIAL SUPPLIES	164.86
WESTLAKE ACE HARDWARE	CAP COPPER	1.98
		<u>\$ 6,124.15</u>

### CEMETERY

BLACK HILLS NEBRASKA GAS UTILITY	2021/12/01-2021/12/30 MONTHLY SERVICE	30.76
METROPOLITAN UTILITIES DIST	2021/12/07-2022/01/06 MONTHLY SERVICE	91.39
		<u>\$ 122.15</u>

# MINUTE RECORD

## CLAIMS FOR FEBRUARY 1, 2022

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### STREETS

ALFRED BENESCH & COMPANY	BPW-190815 CAPEHART RD 2021/12/20-2022/01/16	18,138.45
ALFRED BENESCH & COMPANY	BPW-190815 CAPEHART RD 2021/10/25-2021/12/19	10,908.45
ALFRED BENESCH & COMPANY	BPW-220101 A/C RESURFACING 2021/10/22-	5,219.51
ALFRED BENESCH & COMPANY	BPW-210102 CONCRETE PROJ 2021/11/22-	3,027.18
AMAZON.COM, LLC	OFFICE SUPPLIES, PHOTO CELL PARTS	138.33
BLACK HILLS NEBRASKA GAS UTILITY	2021/12/01-2021/12/30 MONTHLY SERVICE	1,913.58
FELSBURG HOLT & ULLEVIG, INC	PBW-191017 36TH ST DESIGN DEC 2021	5,984.00
HDR ENGINEERING, INC	FT CROOK RD MASTER PLAN-2021/08/01-2021/12/31	12,033.73
HEIMES CORPORATION	BPW-210106A STORM SEWER 2021/10/6-2021/12/6	73,196.89
HEIMES CORPORATION	CULVERT REPLACEMENT TO 2022/01/17	9,948.60
HGM ASSOCIATES INC	MUD CREEK STABILIZATION 2021/03/10-2021/12/15	998.31
HGM ASSOCIATES INC	BRIDGE INSPECTIONS THRU 2021/12/31	2,114.74
JACOBS ENGINEERING GROUP, INC	BPW-210106 STORM DRAINAGE IMP 2021/11/27-2021/12/31	20,189.72
LYMAN RICHEY SAND & GRAVEL	SAND/GRAVEL	5,683.72
MENARDS	TARP STRAPS, PLUMBING SUPPLIES	62.15
METROPOLITAN UTILITIES DIST	2021/12/04-2022/01/03 MONTHLY SERVICE	1,002.29
MID-AMERICAN SIGNAL	INTERSECTION RADAR SENSORS, STREET NAME SIGNS	15,630.00
OMAHA CASHIER	SHARED MAINTENANCE W/HARRISON ST	1,125.00
PRECISE MRM LLC	FLAT DATA PLAN	1,056.00
READY MIXED CONCRETE COMPANY	CONCRETE	3,967.97
UPS STORE	FREIGHT TO RETURN PARTS	11.91
		<b>\$ 192,350.53</b>

### FLEET MAINTENANCE

911 CUSTOM, LLC	SPEAKERS, EMERGENCY LIGHTS, FLASHERS, REMOTE SIRENS	22,366.92
AMAZON.COM, LLC	SPRAY PAINT, GREASE, SNOW PLOW LIGHT KIT	931.93
ARROW TOWING	HD WECKER TOW CHARGE	350.00
ASPEN EQUIPMENT CO	SNOW PLOW TURN CYLINDERS	2,202.68
AUTO VALUE PARTS - SOUTH OMAHA	SERVICE GAUGE, FILTERS, BATTERY CLIPS, SPARK PLUGS	192.86
AUTOMOTIVE WAREHOUSE DIST, INC	PARTS, BRAKLEEN	993.42
BAUER BUILT	TIRES	1,122.92
BAXTER CHRYSLER DODGE JEEP	FUEL INJECTORS	151.50
BAXTER FORD	CABLE, CONNECTORS, ROTOR ASSY, SEPARATORS	945.56
BLACK HILLS NEBRASKA GAS UTILITY	2021/12/01-2021/12/30 MONTHLY SERVICE	1,275.89
CHARLES ALBACK	REIMB FOR CDL LICENSE	63.50
CORNHUSKER INTERNATIONAL TRUCKS	TUBE PRESSURE	65.28
CUMMINS SALES AND SERVICE	GASKET	17.06
DANIELSON / TECH SUPPLY	WHEEL WEIGHTS, TIRE DRILL EXTENSION	92.23
DULTMEIER SALES LLC	POLY FITTING, ADJ CHECK VALVE	126.15
FARM PLAN	WHEEL	392.90
GALVIN GLASS	WINDSHIELD REPAIR	34.90
GRAHAM TIRE COMPANY	TIRES	695.10
HOUSE OF MUFFLERS AND BRAKES	REPLACE CAT CONVERTERS, OXYGEN SENSOR	2,872.92
IDEAL PURE WATER COMPANY	BOTTLED WATER	71.75
INDOFF	OFFICE SUPPLIES	78.07
INTERSTATE BATTERIES	BATTERIES	1,522.80
JONES AUTOMOTIVE	TAILIGHT FLASHER	42.53
KRIHA FLUID POWER CO	COUPLERS, NIPPLES	173.46
LOGAN CONTRACTORS SUPPLY	CERAMIC ELECTRODE	160.63

# MINUTE RECORD

## CLAIMS FOR FEBRUARY 1, 2022

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### FLEET MAINTENANCE (cont'd)

MACQUEEN EQUIPMENT, LLC	GAUGE, HOSE COOLANT	165.01
MATHESON TRI-GAS INC	WELDING SUPPLIES	58.21
MENARDS	PUTTY KNIFE, PASTE JAR, TAPE, BATTERIES	73.40
METROPOLITAN UTILITIES DIST	2021/12/04-2022/01/05 MONTHLY SERVICE	142.23
MEYER LABORATORY INC	HAND SOAP	192.00
NAPA AUTO PARTS	PARTS, BELTS, VALVES, FILTERS, SOCKETS, GLOVES	691.86
NEBRASKA IOWA INDUSTRIAL FASTENERS	BLACK HEAT SHRINK	57.83
OMAHA GLASS PRO LLC	TINT WINDOW FOR P0712	85.00
OMAHA SLINGS	JAW & TURNBUCKLES	129.33
PIONEER INDUSTRIAL CORPORATION	SPRAYFLEX AEROSOL	144.79
PRECISE MRM LLC	DRIVER MODULES, ANTENNAS, GPS	5,008.31
ROCKMOUNT RESEARCH AND ALLOYS, INC	SOLDER	188.26
SWAN ENGINEERING	SEALS AND O-RINGS FOR PLOW TRUCK	157.90
TERMINAL SUPPLY CO	TERMINALS	257.51
TOYNE, INC	CONVERTOR KIT, TURN SIGNAL	750.23
TRUCK CENTER COMPANIES	PIPE HEATER, TUBE SHUNT, CLAMP, ELBOW, WASHERS, DAMPER	740.34
WALKERS UNIFORM RENTAL	UNIFORM SERVICE	179.08
WAYTEK, INC	CONNECTOR PLUGS FOR PLOW TRUCK	24.00
WELDON PARTS INC	GASKET KIT FOR COMPRESSOR	293.00
		<b>\$ 46,281.25</b>

### SOLID WASTE

PAPILLION SANITATION	GLASS RECYCLING	172.39
PAPILLION SANITATION	TRASH HAULING FEES-DEC 2021	314,695.77
		<b>\$ 314,868.16</b>

### PLANNING

BLACK HILLS NEBRASKA GAS UTILITY	2021/12/01-2021/12/30 MONTHLY SERVICE	194.21
GRETNA GUIDE & NEWS	LEGAL AD	39.56
METROPOLITAN UTILITIES DIST	2021/12/08-2022/01/05 MONTHLY SERVICE	8.59
		<b>\$ 242.36</b>

### PERMITS & INSPECTIONS

BLACK HILLS NEBRASKA GAS UTILITY	2021/12/01-2021/12/30 MONTHLY SERVICE	258.94
METROPOLITAN UTILITIES DIST	2021/12/08-2022/01/05 MONTHLY SERVICE	11.48
		<b>\$ 270.42</b>

### POLICE

ACTION SIGNS	INSTALL GRAPHICS-UNIT 634	45.00
AMAZON.COM, LLC	OFFICE SUPPLIES, DISC COPIER, CD DUPLICATOR, MONITOR, CABLES	1,431.97
A-RELIEF SERVICES	PORTABLE RESTROOM-RANGE	126.00
AUTO BODY AUTHORITY	AUTO BODY REPAIR-UNIT 634	1,970.77
BLACK DOG TACTICAL, LLC	HOBBLE RESTRAINTS	97.17
BLACK HILLS NEBRASKA GAS UTILITY	2021/12/01-2021/12/30 MONTHLY SERVICE	4,597.87
BROWNELLS	ARMORER SUPPLIES	1,119.19
CIOX - HEALTHPORT	MEDICAL RECORDS	20.00
COMPLETE TACTICAL CONSULTANTS	DEPT MEMBERSHIP FEES FOR TRAINING	1,499.50
CONSOLIDATED MANAGEMENT CO	MEALS FOR TRAINING AT THE ACADEMY	93.42
DATA RECOGNITION CORPORATION	TESTING MATERIAL	331.87
DON'S PIONEER UNIFORMS	UNIFORM-BELTZ	681.92

# MINUTE RECORD

## CLAIMS FOR FEBRUARY 1, 2022

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### POLICE (cont'd)

ENTERPRISE FM TRUST	DEA LEASE-JAN 2022	556.70
FBI NATIONAL ACADEMY ASSOCIATES, INC	MEMBERSHIP DUES-STUKENHOLTZ, DARGY	250.00
FIRE PROTECTION SERVICES, LLC	RELOCATE WALL STROBE	180.00
INTERNATIONAL ASSOCIATION OF CHIEFS OF	MEMBERSHIP-STUKENHOLTZ	190.00
J P COOKE COMPANY	POCKET XSTAMPER-HOLM	60.90
JACKSON SERVICES, INC	DOOR MAT SERVICE	83.13
JESSICA MANNING	REIMB PER DIEM FOR TRAINING	76.50
KEATING O'GARA NEDVED & PETER PC LLC	SETTLEMENT C117-1674	10,000.00
LANGUAGE TESTING INTERNATIONAL, INC	LANGUAGE TESTING-CARRILLO	63.00
LUBBEN VETERINARY SERVICE, LLC	VET VISITS	218.15
METROPOLITAN UTILITIES DIST	2021/12/08-2022/01/05 MONTHLY SERVICE	203.39
METROPOLITAN UTILITIES DIST	CHARGE FOR SURVEY INSERTS TO MUD BILLS	821.92
MID-STATES ORGANIZED CRIME	DEPT MEMBERSHIP FOR 2022	250.00
MIDWEST STORAGE SOLUTIONS	DEPOSIT FOR SPACESAVER STORAGE SYSTEM	7,467.50
MNJ TECHNOLOGIES PUBLIC SECTOR	REDUNDENT SERVERS-REPLACEMENTS	37,800.00
OFFUTT ADVISORY COUNCIL	OAC MEMBERSHIP DUES	200.00
PAMELA A VOLK	REIMB TRAINING EXPENSES	1,092.78
PM AM CORPORATION	ALARM FEES-DEC 2021	2,380.00
PROGRESSIVE BUSINESS TECHNOLOGIES	TONER KIT	66.00
SARPY COUNTY TREASURER (FISCAL	DATA PROCESSING, LRMS-OCT-MAR 2022	16,788.39
SMITH DAVIS INSURANCE INC	SURETY BOND-MEYER	40.00
SUPER SEER CORPORATION	MOTORCYCLE HELMETS	525.00
U.S. CELLULAR	2021/12/09-2022/01/08 MONTHLY SERVICE	88.56
ULTIMATE TRAINING MUNITIONS	TRAINING SIMUNITIONS	6,679.61
VERIZON WIRELESS	2021/11/24-2021/12/23 MONTHLY SERVICE	1,970.01
WATCHGUARD VIDEO	WATCHGUARD SYSTEM FOR NEW CRUISERS	4,920.00
WESTLAKE ACE HARDWARE	BULK FASTENERS	4.64
		<b>\$ 104,990.86</b>

### FIRE & RESCUE

AIRGAS USA, LLC	OXYGEN	71.27
AMAZON.COM, LLC	OFFICE SUPPLIES, EMT NOTEBOOKS, FOLDING BOARD	677.78
BLACK HILLS NEBRASKA GAS UTILITY	2021/12/01-2021/12/30 MONTHLY SERVICE	1,337.92
BOUND TREE MEDICAL, LLC	MEDICAL SUPPLIES	6,177.69
CHRISTOPHER JOBE	REIMB FOR BOOTS	130.00
CONNOR MCDONNELL	REIMB FOR BOOTS	130.00
ED M FELD EQUIPMENT CO	VALVE PLUG, SEAT ASSEMBLY, GAUGES ASSEMBLY	170.24
GREAT PLAINS UNIFORMS	CAP AND CHEST BADGES	1,787.00
MARCO TECHNOLOGIES, LLC	COPIER EXPENSE	332.29
METROPOLITAN UTILITIES DIST	2021/12/07-2022/01/04 MONTHLY SERVICE	6,444.22
PAUL GARNER	REIMB FOR SERVICE	78.46
SARPY COUNTY TREASURER (FISCAL	DATA PROCESSING, LRMS-OCT-MAR 2022	2,286.12
STRYKER SALES CORPORATION	MEDICAL SUPPLIES	557.60
TRISTAR CLAIMS MANAGEMENT	WORK COMP PPI PAYMENT	28,444.50
WESTLAKE ACE HARDWARE	SHOVEL, SNOW PUSHER	225.89
ZIRMED, INC	MONTHLY PROF CLAIMS MGT FEES	560.60
ZOLL DATA SYSTEMS INC	FRMS & RMS CONTRACTUAL	1,105.00
		<b>\$ 50,516.58</b>

### NON-DEPARTMENTAL/CONTRACTS

CENTURY LINK	2021/11/20-2021/12/19 MONTHLY SERVICE	1,237.65
LOCKTON COMPANIES, LLC	INSURANCE PREMIUMS	105,979.00
LOCKTON COMPANIES, LLC	MONTHLY WELLNESS PROGRAM-JAN 2022	1,815.00
METRO AREA TRANSIT	MAT 2021-10 2087 MILES	2,862.00
QUADIENT, INC	POSTAGE METER RENTAL 8000655-2022/2/5-2022/5/4	927.78
		<b>\$ 112,821.43</b>

# MINUTE RECORD

## CLAIMS FOR FEBRUARY 1, 2022

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### INFORMATION TECHNOLOGY

AMAZON.COM, LLC	BATTERIES, BOOTS	202.21
ELECTRONIC ENGINEERING & EQUIPMENT CO	PAGER	695.85
ONE CALL CONCEPTS	LOCATES	5.77
SARPY COUNTY TREASURER (FISCAL	DATA PROCESSING, LRMS-OCT-MAR 2022	19,546.64
TJ CABLE	LOCATES	50.00
		<u>\$ 20,500.47</u>

### WASTEWATER

AMAZON.COM, LLC	SURGE PROTECTOR, TRIMMER HEAD, OFFICE	156.62
CENTURY LINK	2021/12/22-2022/01/22 MONTHLY SERVICE	181.29
CITY OF OMAHA	SEWER FEES-OCT 2021	540,656.33
COX BUSINESS SERVICES	2022/01/04-2022/02/03 MONTHLY SERVICE	220.00
ELLIOTT EQUIPMENT CO	LEADER HCSE	570.00
GEARHART CONSTRUCTION & PLUMBING INC	REPAIR SEWER MAIN-THURSTON	14,701.35
HDR ENGINEERING, INC	WW AGENCY CONNECTION 2021/11/21-2021/12/25	1,634.19
HDR ENGINEERING, INC	BPW-201109 SO LIFT STATION 2021/11/21- 2021/12/25	11,917.20
HOSE & HANDLING, INC	VALVE HANDLE	69.16
MENARDS	SPACE HEATERS, CLEANING SUPPLIES, WATER, PROPANE CYLINDER, CHAIN	374.74
METROPOLITAN UTILITIES DIST	2021/12/03-2022/01/05 MONTHLY SERVICE	984.95
WESTLAKE ACE HARDWARE	STEEL WOOL PADS	12.98
		<u>\$ 571,478.81</u>

### COMMUNITY BETTERMENT

NEBRASKA DEPT OF REVENUE	QUARTERLY LOTTERY TAXES-DEC 2021	60,506.00
		<u>\$ 60,506.00</u>

### COMMUNITY DEVELOPMENT

ABBY HIGHLAND	CDBG CONSULTANT-DEC 2021	4,173.75
BELLEVUE JR SPORTS ASSOCIATION	BJSA SCHOLARSHIP PROGRAM	1,120.00
EASTERN NEBRASKA COMMUNITY	ENCAP EXPENSES OCT/DEC 2021	7,126.45
		<u>\$ 12,420.20</u>

### FEDERAL FORFEITURES

VERIZON WIRELESS	2021/11/22-2021/12/21 MONTHLY SERVICE	405.94
		<u>\$ 405.94</u>

**TOTAL CLAIMS FOR FEBRUARY 1, 2022** **\$1,557,284.08**

**TOTAL PAYROLL FOR JANUARY 21, 2022** **\$1,405,541.20**




\*8a.  
2/01/2022

## CITY OF BELLEVUE

OFFICE OF THE MAYOR

1500 Wall Street – Bellevue, NE 68005 – (402) 293-3022

# MEMORANDUM

**TO:** Council President Paul Cook & Council Members  
**FROM:** Mayor Rusty Hike   
**DATE:** January 20<sup>th</sup>, 2022  
**SUBJECT:** Reappointment to the Bellevue Board of Adjustment

Please consider the following for reappointment to the Bellevue Board of Adjustment.

Maria Conte  
2513 Lynnwood Dr  
Bellevue, NE 68123  
402-734-0758

Brad Anderson  
605 N Bellevue Blvd  
Bellevue, NE 68005  
402-292-5315

Karl Crompton  
13723 S 14<sup>th</sup> St  
Bellevue, NE 68123  
402-290-6265

Nick Petersen  
13404 S 44<sup>th</sup> St  
Bellevue, NE 68123  
402-960-7191

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 02/01/2022		SUBMITTED BY: Susan Kluthe, City Clerk	
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input checked="" type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input checked="" type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

Application for Tightcuts Barber & Beauty LLC dba "Tightcuts Barber & Beauty" for Class "C" Liquor License at 1308 Fort Crook Road, Bellevue to sell beer, wine, and distilled spirits and John James as Manager.

SYNOPSIS/BACKGROUND:

Tightcuts Barber & Beauty LLC dba "Tightcuts Barber & Beauty" would like a Class "C" Liquor License to sell beer, wine, and distilled spirits, On and Off Sale at 1308 Fort Crook Rd., Bellevue and for John James as Manager. Applications are turned directly into the NE Liquor Control Commission by the applicant then forwarded on to the City Clerk's Office by the NE Liquor Control Commission. The Clerk publishes a hearing notice and the application is reviewed by the Police, Planning and Clerk and then submitted to the City Council for review and recommendation, and then forwarded to the NE Liquor Control Commission for final approval (if there are no issues).

FISCAL IMPACT: \$915.00/year      BUDGETED FUNDS?: NO      GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: NO      COUNTER-PARTY:      INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION: \_\_\_\_\_

CONTRACT EFFECTIVE DATE: \_\_\_\_\_ CONTRACT TERM: \_\_\_\_\_ CONTRACT END DATE: \_\_\_\_\_

PROJECT NAME: \_\_\_\_\_

START DATE: \_\_\_\_\_ END DATE: \_\_\_\_\_ PAYMENT DATE: \_\_\_\_\_ INSURANCE REQUIRED: NO

CIP PROJECT NAME: \_\_\_\_\_ CIP PROJECT NUMBER: \_\_\_\_\_

STREET DISTRICT NAME (S): \_\_\_\_\_ STREET DISTRICT NUMBER (S): \_\_\_\_\_

ACCOUNTING DISTRIBUTION CODE: \_\_\_\_\_ ACCOUNT NUMBER: \_\_\_\_\_

RECOMMENDATION:

Recommend approval of application Tightcuts Barber & Beauty LLC dba "Tightcuts Barber & Beauty" for a Class "C" Liquor License to sell beer, wine, and distilled spirits, On and Off Sale at 1308 Fort Crook Road, Bellevue and for John James as Manager.

ATTACHMENTS:

- |                  |                   |                    |
|------------------|-------------------|--------------------|
| 1. Application   | 2. Clerk's Report | 3. Planning Report |
| 4. Police Report | 5. _____          | 6. _____           |

SIGNATURES:

LEGAL APPROVAL AS TO FORM: \_\_\_\_\_

FINANCE APPROVAL AS TO FORM: \_\_\_\_\_

ADMINISTRATOR APPROVAL AS TO FORM: \_\_\_\_\_

*[Handwritten Signature]*  
\_\_\_\_\_  
*[Handwritten Signature]*  
\_\_\_\_\_  
*[Handwritten Signature]*  
\_\_\_\_\_

# LIQUOR LICENSE APPLICATION REPORT

## City Clerk

APPLICANT: Tightcuts Barber & Beauty LLC dba Tightcuts Barber & Beauty

LOCATION/ADDRESS: 1308 Fort Crook Road, Bellevue

REQUESTED ACTION: Recommendation for Approval of a Class "C" Liquor License to sell beer, wine, and distilled spirits, On & Off Sale, at 1308 Fort Crook Road, in Bellevue, **AND** for John James as manager.

DATE APPLICATION RECEIVED: 12/30/21

FINAL DATE HEARING CAN BE HELD (45 days from receipt): 02/14/22

DATE ADVERTISED (not less than 7 nor more than 14 days): 01/12/22

### CURRENT NUMBER OF LICENSES:

Class A (Beer on sale only): 2

Class B (Beer off sale only): 0

Class C (Alcoholic liquor, on and off sale): 21

Class D (Alcoholic liquor, off sale only): 27

Class I (Alcoholic liquor on sale only): 27

Class K (Catering License with Class B, C or D license): 4

Class X (Wholesale Liquor) 1

TOTAL 82

**LIQUOR LICENSE APPLICATION REPORT  
CITY OF BELLEVUE  
PLANNING DEPARTMENT**

**DATE OF CITY COUNCIL PUBLIC HEARING:** February 1, 2022

**DATE REPORT DUE TO CITY CLERK:** by noon on January 19, 2022

**APPLICANT:** Tightcuts Barber & Beauty LLC dba "Tightcuts Barber & Beauty"

**ADDRESS:** 1308 Fort Crook Road, Bellevue 98005

**REQUESTED ACTION:** Recommendation for Approval of a Class "C" Liquor License to sell beer, On and Off Sale, at 1308 Fort Crook Road in Bellevue.

**BACKGROUND:** New Application for on and off sale

**IS THIS LOCATION WITHIN THE CITY LIMITS OF BELLEVUE?** Yes

**IS THIS LOCATION WITHIN THE CITY'S TWO-MILE ZONING JURISDICTION?** Yes

**EXISTING ZONING:** BGH - Heavy General Business District

**WILL ZONING ALLOW A LIQUOR LICENSE?** Yes

**EXISTING LAND USE:** Commercial – Barber & Beauty shop

**IS THE CURRENT USE NON-CONFORMING?** No **EXPLANATION:** \_\_\_\_\_

**ADJACENT LAND USE AND ZONING:**

**NORTH:** BGH, United States Post Office

**SOUTH:** BGH, Commercial

**EAST:** Fort Crook Rd Right-of-Way

**WEST:** BGH, Commercial

**DISTANCE FROM SCHOOL (if applicable):** N/A

**DISTANCE FROM COLLEGE (if applicable):** N/A

**DISTANCE FROM CHURCH** (if applicable): 522 feet

**IMMEDIATE NEIGHBORHOOD/AREA LAND USES:** Tightcuts Barber and Beauty LLC dba  
Tightcuts Barber and Beauty is located in a small subdivision known as Sports Place. The  
immediate area consists of commercial properties. The United States Post Office is located to  
the north off Victoria Avenue, to the west is a parking lot belonging to a vacant commercial  
property, Ho-Chunk, Inc is to the south, and Fort Crook Road Right-of-way is to the east.

**NUMBER OF PARKING SPACES REQUIRED:** N/A **PROVIDED:** N/A

**ANALYSIS OF NEIGHBORHOOD EFFECTS:** \_\_\_\_\_

**TRAFFIC:** There is no traffic impact expected.

**STREET/ACCESS:** There is no street/access impact expected.

**PEDESTRIAN:** There is no pedestrian impact expected.

**NOISE:** There is no noise impact expected.

**LIGHTING:** There is no lighting impact expected.

**GENERAL COMMENTS:** This is a commercial area that would accommodate on site liquor  
sales.

APPLICATION FOR LIQUOR LICENSE  
AND CORPORATE MANAGER

POLICE REPORT

DATE OF COUNCIL MEETING: 02/01/2022 Due to City Clerk: by noon 01/25/2022

APPLICANT: Tightcuts Barber & Beauty LLC dba "Tightcuts Barber & Beauty"

LOCATION/ADDRESS: 1308 Fort Crook Road, Bellevue

REQUESTED ACTION: Recommendation for Approval of a Class "C" Liquor License to sell beer, wine, and distilled spirits, On and Off, 1308 Fort Crook Road in Bellevue AND for John James as Manager.

INDIVIDUALS TO BE CHECKED:

<u>Name &amp; Address</u>	<u>D.O.B.</u>
<u>John James</u> <u>10829 Taylor Street, Omaha, NE 68164-2332</u>	

<u>Tiffany James</u> <u>10829 Taylor Street, Omaha, NE 68164-2332</u>	
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COMMENTS:

No objection

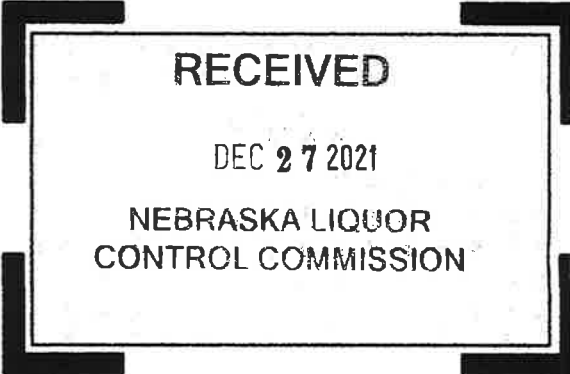
Asst Chief of Police *[Signature]*

# APPLICATION FOR LIQUOR LICENSE CHECKLIST RETAIL

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
EMAIL: [lcc.frontdesk@nebraska.gov](mailto:lcc.frontdesk@nebraska.gov)  
WEBSITE: [www.lcc.nebraska.gov](http://www.lcc.nebraska.gov)

License Class: C

License Number:  
**124705**



Office Use Only

NEW / REPLACING       TOP Yes  No

Hot List Yes  No      Initial: KF

## PLEASE READ CAREFULLY

See directions on the next page. Provide all the items requested. Failure to provide any item will cause this application to be returned or placed on hold. All documents must be legible. Any false statement or omission may result in the denial, suspension, cancellation or revocation of your license. If your operation depends on receiving a liquor license, the Nebraska Liquor Control Commission cautions you that if you purchase, remodel, start construction, spend or commit money that you do so at your own risk. Prior to submitting your application review the application carefully to ensure that all sections are complete, and that any omissions or errors have not been made. You may want to check with the city/village or county clerk, where you are making application, to see if any additional requirements must be met before submitting application to the Nebraska Liquor Control Commission.

APPLICANT NAME John T. James II Tightcuts Barber & Beauty LLC

TRADE (DBA) NAME Tightcuts Barber and Beauty

PREVIOUS TRADE (DBA) NAME \_\_\_\_\_

CONTACT PHONE NUMBER 402-609-6052

CONTACT EMAIL ADDRESS JohnJames1309@gmail.com

Cumhx      12-31-23      STG?

CTE      101 page #5

Misc Dep 12-27-21 40

Office use only	
PAYMENT TYPE <u>CASH</u>	
AMOUNT <u>\$400-</u> RCPT <u>170242</u>	
RECEIVED: <u>12/27/21</u> <u>BR</u>	
DATE DEPOSITED _____	
	<p>2100014647</p>

**CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES  
CHECK DESIRED CLASS**

RETAIL LICENSE(S) Application Fee \$400 (nonrefundable)  
CLASS C LICENSE TERM IS FROM NOVEMBER 1 - OCTOBER 31  
ALL OTHER CLASSES TERM IS MAY 1 - APRIL 30

- A BEER, ON SALE ONLY
  - B BEER, OFF SALE ONLY\*\*
  - C BEER, WINE, DISTILLED SPIRITS, ON AND OFF SALE\*\*  
Do you intend to sale cocktails to go as allowed under Neb Rev. Statute 53-123.04(4) YES  NO
  - D BEER, WINE, DISTILLED SPIRITS, OFF SALE ONLY\*\*
  - F BOTTLE CLUB,
  - I BEER, WINE, DISTILLED SPIRITS, ON SALE ONLY ~  
Do you intend to sale cocktails to go as allowed under Neb Rev. Statute 53-123.04(5) YES  NO
  - J LIMITED ALCOHOLIC LIQUOR, OFF SALE - MUST INCLUDE SUPPLEMENTAL FORM 120
  - AB BEER, ON AND OFF SALE
  - AD BEER ON SALE ONLY, BEER, WINE, DISTILLED SPIRITS OFF SALE
  - IB BEER, WINE, DISTILLED SPIRITS ON SALE, BEER OFF SALE ONLY
  - Class K Catering endorsement (Submit Form 106) - Catering license (K) expires same as underlying retail license
  - Class G Growler endorsement (Submit Form 165) - Class C licenses only
- \*\*Class B, Class C, Class D license do you intend to allow drive through services under Neb Rev. Statute 53-178.01(2) YES  NO

**ADDITIONAL FEES WILL BE ASSESSED AT THE CITY/VILLAGE OR COUNTY LEVEL WHEN THE LICENSE IS ISSUED**

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**CHECK TYPE OF LICENSE FOR WHICH YOU ARE APPLYING**

- Individual License (requires insert FORM 104)
- Partnership License (requires insert FORM 105)
- Corporate License (requires FORM 101 & FORM 103)
- Limited Liability Company (LLC) (requires FORM 102 & FORM 103)

**NAME OF ATTORNEY OR FIRM ASSISTING WITH APPLICATION (if applicable)**

Name \_\_\_\_\_ Phone Number \_\_\_\_\_  
Firm Name \_\_\_\_\_  
Email address \_\_\_\_\_  
Should we contact you with any questions on the application? YES \_\_\_\_\_ NO \_\_\_\_\_

**PREMISES INFORMATION**

Trade Name (doing business as) TightCuts Barber and Beauty  
Street Address 1308 1/2 Fort Crook RD S.  
City Bellevue County Sarpy 59 Zip Code 68005  
Premises Telephone number 402-291-7231 T 2916  
Business e-mail address TightcutsBarberandBeauty@gmail.com  
Is this location inside the city/village corporate limits YES  NO

**MAILING ADDRESS (where you want to receive mail from the Commission)**

Check if same as premises

Name John Jamar  
Street Address 10829 Taylor St  
City Omaha State NE Zip Code 68164  
+ 2332

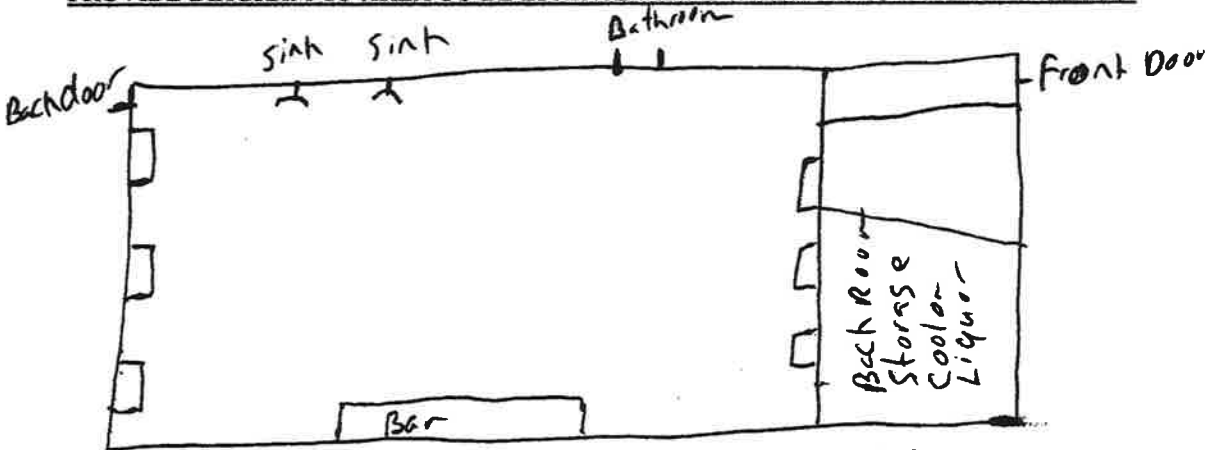
**DESCRIPTION AND DIAGRAM OF THE AREA TO BE LICENSED**

IN THE SPACE PROVIDED BELOW OR ATTACH A DRAWING OF THE AREA TO BE LICENSED.  
DO NOT SEND BLUEPRINTS, ARCHITECT OR CONSTRUCTION DRAWINGS  
PROVIDE LENGTH X WIDTH IN FEET (NOT SQUARE FOOTAGE)  
INDICATE THE DIRECTION OF NORTH AND THE NUMBER OF FLOORS OF THE BUILDING.

X Building length 40 x width 27 in feet

Is there a basement? Yes  No  If yes, length \_\_\_\_\_ x width \_\_\_\_\_ in feet  
Is there an outdoor area? Yes  No  If yes, length \_\_\_\_\_ x width \_\_\_\_\_ in feet

**PROVIDE DIAGRAM OF AREA TO BE LICENSED BELOW OR ATTACH SEPARATE SHEET**



One story bldg approx 40x27  
measurements

**APPLICANT INFORMATION**

1. **READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY §53-125(5)**

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

Include traffic violations. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

YES  NO If yes, please explain below or attach a separate page

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (city & state)	Description of Charge	Disposition
John Jany			duet from state of Spreading Chas?	
			NEA unpaid Bill	Dropped

2. Was this premise licensed as liquor-licensed business within the last two (2) years?

YES  NO

If yes, provide business name and license number \_\_\_\_\_

3. Are you buying the business of a current retail liquor license?

YES  NO

If yes, give name of business and liquor license number \_\_\_\_\_

4. Are you filing a temporary operating permit (TOP) to operate during the application process?

YES  NO

If yes

- a) Attach temporary operating permit (TOP) (Form 125)
  - a) Submit a copy of the business purchase agreement
  - b) Include a list of alcohol being purchased, list the name brand, container size and how many
  - c) Submit a list of the furniture, fixtures and equipment

5. Are you borrowing any money from any source, include family or friends, to establish and/or operate the business?

YES  NO

If yes, list the lender(s) \_\_\_\_\_

6. Will any person or entity, other than applicant, be entitled to a share of the profits of this business?

YES  NO

If yes, explain. (all involved persons must be disclosed on application)

**No silent partners** 019.01E Silent Partners; Profit Sharing: No licensee or partner, principal, agent or employee of any Retail Liquor License shall permit any other person not licensed or included as a partner, principal, or stockholder of any Retail Liquor License to participate in the sharing of profits or liabilities arising from any Retail Liquor License. (53-1,100)

7. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

YES  NO

If yes, list such item(s) and the owner. \_\_\_\_\_

8. Is premises to be licensed within 150 feet of a church, school, hospital, home for indigent persons or for veterans, their wives, and children; or within 300 feet of a college or university campus?

YES  NO

If yes, provide name and address of such institution and where it is located in relation to the premises (Nebraska Revised Statute 53-177(1) **AND PROVIDE FORM 134 – CHURCH OR FORM 135 – CAMPUS AND LETTER OF SUPPORT FROM CHURCH OR CAMPUS**

9. Is anyone listed on this application a law enforcement officer? If yes, list the person, the law enforcement agency involved and the person's exact duties. (Nebraska Revised Statute 53-125(15))

YES  NO

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business.  
a) List the individual(s) who are authorized to write checks and/or withdrawals on accounts at this institution.

West Gate Bank John James

11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

✓ 12. List the alcohol related training and/or experience (when and where) of the person(s) making application. Those persons required are listed as followed:

- Individual: Applicant and spouse; spouse is exempt if they filed Form 116 – Affidavit of Non-Participation.
- Partnership: All partners and spouses, spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Limited Liability Company: All member of LLC, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Corporation: President, Stockholders holding 25% or more of shares, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.

NLCC certified training program completed

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)

Experience

Applicant Name/Job Title	Date of Employment	Name & Location of Business

13. If the property is owned, submit a copy of the deed or proof of ownership. If leased, submit a copy of the lease covering the entire license year.

Documents must be in the name of applicant as owner or lessee

Lease expiration date 12-31-2023

Deed

Purchase Agreement

✓ 14. When do you intend to open for business? Currently Open

✓ 15. What will be the main nature of business? Hair Services

✓ 16. What are the anticipated hours of operation? 9am to 7pm

✓ 17. List the principal residence(s) for the past 10 years for **ALL** persons required to sign, including spouses.

RESIDENCES FOR THE PAST 10 YEARS					
APPLICANT CITY & STATE	YEAR		SPOUSE CITY & STATE	YEAR	
	FROM	TO		FROM	TO
John James Omaha NE	2012	2021			
John James Bellevue NE	2010	2012			

If necessary, attach a separate sheet

**PERSONAL OATH AND CONSENT OF INVESTIGATION**

**SIGNATURE PAGE -**

**PLEASE READ CAREFULLY**

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

**Applicant Notification and Record Challenge:** Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

**Must be signed in the presence of a notary public by applicant(s) and spouse(s).  
(YOU MAY NEED TO PRINT MULTIPLE SIGNATURE PAGES)**

John James  
Signature of **APPLICANT**  
(Do not sign until in the presence of the Notary Public)

\_\_\_\_\_  
Signature of **SPOUSE**  
(Do not sign until in the presence of the Notary Public)

John James  
Printed Name of **APPLICANT**

\_\_\_\_\_  
Printed Name of **SPOUSE**

State of Nebraska, County of Sarpy

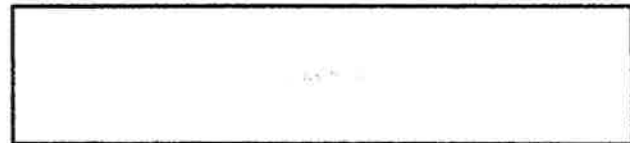
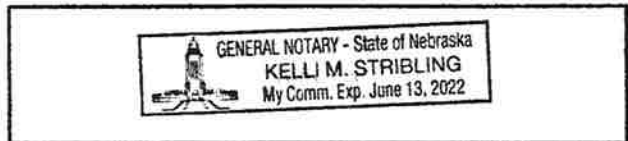
State of Nebraska, County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this  
12/2/2021  
(Date)

The foregoing instrument was acknowledged before me this  
\_\_\_\_\_  
(Date)

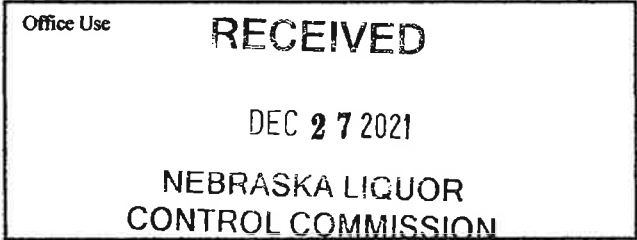
By John James  
Name of person(s) signing document in front of Notary  
Kelli M. Stribling  
Notary Public Signature

By \_\_\_\_\_  
Name of person(s) signing document in front of Notary  
\_\_\_\_\_  
Notary Public Signature



**APPLICATION FOR LIQUOR LICENSE  
LIMITED LIABILITY COMPANY (LLC)  
INSERT - FORM 3b**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.nebraska.gov](http://www.lcc.nebraska.gov)



All members including spouse(s), are required to adhere to the following requirements:

- 1) All members spouse(s) must be listed
- 2) Managing/Contact member and all members holding over 25% interest and their spouse(s) (if applicable) must submit fingerprints. See Form 147 for further information, this form MUST be included with your application.
- 3) Managing/Contact member and all members holding over 25 % shares of stock and their spouse (if applicable) must sign the signature page of the Application for License form 100 (even if a spousal affidavit has been submitted)

Attach copy of Articles of Organization (must show electronic stamp or barcode receipt by Secretary of States office)

Name of Registered Agent: \_\_\_\_\_

Name of Limited Liability Company that will hold license as listed on the Articles of Organization

Tightcuts Barber and Beauty LLC.

LLC Address: 1308 S. Fort Crook Rd.

City: Belle Vue State: NE Zip Code: 68005 + 25915

LLC Phone Number: 402-291-7231 LLC Fax Number \_\_\_\_\_

Name of Managing/Contact Member

Name and information of contact member must be listed on following page

Last Name: Jamg First Name: John MI: T

Home Address: 10829 Taylor St City: Omaha

State: NE Zip Code: 68164 + 2332 Home Phone Number: 402-609-6052

X [Signature]

Signature of Managing/Contact Member

**ACKNOWLEDGEMENT**

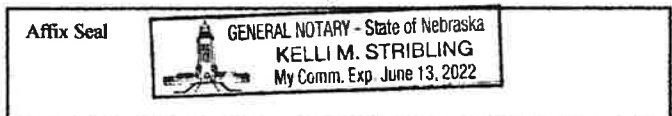
State of Nebraska  
County of Sarpy

The foregoing instrument was acknowledged before me this

12/27/21  
Date

by X [Signature] John James  
name of person acknowledge

[Signature]  
Notary Signature



List names of all members and their spouses (even if a spousal affidavit has been submitted)

Last Name: James First Name: John MI: T

Social Security Number: [REDACTED] Date of Birth: [REDACTED]

Spouse Full Name (indicate N/A if single): Tiffany James

Spouse Social Security Number: [REDACTED] Date of Birth: [REDACTED]

Percentage of member ownership ~~0~~ 100%

*\* spouse*

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

---

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse Full Name (indicate N/A if single): \_\_\_\_\_

Spouse Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Percentage of member ownership \_\_\_\_\_

Is the applying Limited Liability Company controlled by another corporation/company?

YES

NO

If yes, provide the following:

- 1) Name of corporation \_\_\_\_\_
- 2) Supply an organizational chart of the controlling corporation named above
- 3) Controlling corporation **MUST** be registered with the Nebraska Secretary of State, copy of articles must be submitted with application §53-126

---

Indicate the company's tax year with the IRS (Example January through December)

Starting Date:

Jan

Ending Date:

Dec

---

Is this a Non Profit Corporation?

YES

NO

If yes, provide the Federal ID #. \_\_\_\_\_

In compliance with the ADA, this corporation insert form 3a is available in other formats for persons with disabilities.  
A ten day advance period is requested in writing to produce the alternate format.

# Nebraska Secretary of State

## TIGHTCUTS BARBER AND BEAUTY LLC

Wed Dec 29 08:27:44 2021

**SOS Account Number**

2001005389

**Status**

Active

**Principal Office Address**

1308 S. FORT CROON RD

#13

BELLEVUE, NE 68005

**Registered Agent and Office Address**

JOHN JAMES

10829 TAYLOR ST

OMAHA, NE 68164

**Designated Office Address**

10829 TAYLOR ST

OMAHA, NE 68164

**Nature of Business**

Not Available

**Entity Type**

Domestic LLC

Qualifying State: NE

**Date Filed**

Jan 08 2020

**Next Report Due Date**

Jan 01 2023

### Filed Documents

Filed documents for TIGHTCUTS BARBER AND BEAUTY LLC may be available for purchase and downloading by selecting the Purchase Now button. Your Nebraska.gov account will be charged the indicated amount for each item you view. If no Purchase Now button appears, please contact Secretary of State's office to request document(s).

Document	Date Filed	Price	
Certificate of Organization	Jan 08 2020	\$0.45 = 1 page(s) @ \$0.45 per page	Purchase Now
Record of Determination	Apr 06 2021	\$0.45 = 1 page(s) @ \$0.45 per page	Purchase Now
Administrative Dissolution	Jun 15 2021	\$0.45 = 1 page(s) @ \$0.45 per page	Purchase Now
Reinstatement	Nov 30 2021	\$0.90 = 2 page(s) @ \$0.45 per page	Purchase Now

### Good Standing Documents

## Certificate of Organization

*A Nebraska Limited Liability Company*

### Article 1: Name of Company

The name of the limited liability company is:

TightCuts Barber and Beauty L.L.C.

(Must contain the words "Limited Liability Company" or "Limited Company", or the abbreviation "L.L.C.", "LLC", "L.C.", or "LC". "Limited" may be abbreviated as "Ltd.", and "Company" may be abbreviated as "Co.")

### Article 2: Initial Designated Office

The street address of the initial designated office is:

10829 Taylor St.

Omaha, ne 68164

(Must be a street address located in Nebraska. PO Boxes are not allowed)

### Article 3: Initial Agent for Service of Process

The name of the initial agent for service of process is: John James

The street address of the initial agent for service of process is:

10829 Taylor St

Omaha, ne 68164

(Must be a street address located in Nebraska. PO Boxes are not allowed)

### Article 4: Members

The Company has at least one Member.

### Article 5: Purpose

The purpose for which the Company is organized is to engage in any and all lawful business for which a limited liability company may be organized under the laws of the State of Nebraska.

### Article 6: Professional Service (if applicable)

If the Company is organized to render a professional service, the professional service its members, managers, professional employees, and agents are licensed or otherwise legally authorized to render in this state is:

### Article 7: Management

The Company shall be Member -managed. The name and address of the initial Member(s) is as follows:

John James      10829 Taylor St      Omaha, NE 68164

### Article 8: Effective Date of Filing

This Certificate of Organization shall be effective when filed, unless a delayed effective date is entered:

(A delayed effective date can't be more than 90 days ahead)

IN WITNESS WHEREOF, the undersigned Organizer has executed this Certificate of Organization on the date below.

1-7-20

Date



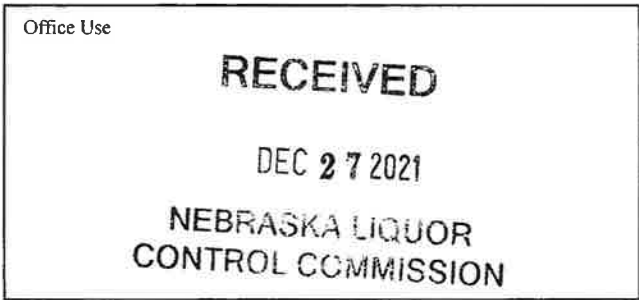
Signature of Organizer

John James

Printed Name of Organizer

**MANAGER APPLICATION  
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: www.lcc.nebraska.gov



**MUST BE:**

- ✓ Citizen of the United States. Include copy of US birth certificate, naturalization paper or current US passport
- ✓ Nebraska resident. Include copy of voter registration card or print out document from Secretary of State website
- ✓ Fingerprinted. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application
- ✓ 21 years of age or older

**Corporation/LLC information**

Name of Corporation/LLC: Tight Cut Barber and Beauty LLC

**Premises information**

Liquor License Number: \_\_\_\_\_ Class Type \_\_\_\_\_ (if new application leave blank)

Premises Trade Name/DBA: TightCut Barber and Beauty LLC

Premises Street Address: 1302 S. Fort Crook Ave S

City: Belle Four County: Sarpy Zip Code: 68005

Premises Phone Number: 402-296-7231

Premises Email address: Tightcuts Barber and Beauty@gmail.com

**The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. To see authorized officers or members search your license information [here](#).**

  
**SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER**  
(Faxed signatures are acceptable)

**Manager's information must be completed below PLEASE PRINT CLEARLY**

Last Name: James First Name: John MI: T

Home Address: 10829 Taylor St

City: Omaha County: Douglas Zip Code: 68164

Home Phone Number: 402-609-6052 +2332

Driver's License Number & State: [REDACTED]

Social Security Number: [REDACTED]

Date Of Birth: [REDACTED] Place Of Birth: Omaha

Email address: JohnJames1308@gmail.com

Are you married? If yes, complete spouse's information (Even if a spousal affidavit has been submitted)

YES  NO

*\*Spouse*

**Spouse's information**

Spouses Last Name: James First Name: Tiffany MI: IA

Social Security Number: [REDACTED]

Driver's License Number & State: [REDACTED]

Date Of Birth: [REDACTED] Place Of Birth: Omaha

**APPLICANT & SPOUSE MUST LIST RESIDENCE(S) FOR THE PAST TEN (10) YEARS**

**APPLICANT**

**SPOUSE**

CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
10829 Taylor St	2016	2021			
4243 N. 97th St	2011	2016			

**MANAGER'S LAST TWO EMPLOYERS**

YEAR FROM TO		NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
1995	2021	Tight cut) Beard & Beauty	John James	402-291-7231

**1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.**

**Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.**

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea, include traffic violations. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

YES       NO

If yes, please explain below or attach a separate page.

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (City & State)	Description of Charge	Disposition
John James			Speeding Chrg New York State	
		NFm - unpaid Bill		Dropped

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state?

YES       NO

IF YES, list the name of the premise(s):

---

3. Do you, as a manager, qualify under Nebraska Liquor Control Act (§53-131.01) and do you intend to supervise, in person, the management of the business?

YES       NO

4. List the alcohol related training and/or experience (when and where) of the person making application.

\*NLCC Training Certificate Issued: \_\_\_\_\_ Name on Certificate: \_\_\_\_\_

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)

\*For list of NLCC Certified Training Programs see [training](#)

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:

5. Have you enclosed form 147 regarding fingerprints?

YES       NO

**PERSONAL OATH AND CONSENT OF INVESTIGATION**

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has **NO** interest directly or indirectly, a spousal affidavit of non-participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

**Applicant Notification and Record Challenge:** Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

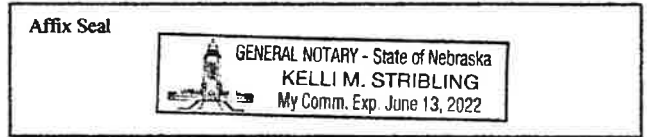
X [Signature] Signature of Manager Applicant      X [Signature] <sup>Spouse</sup> Signature of Spouse

**ACKNOWLEDGEMENT**

State of Nebraska County of Sarpy The foregoing instrument was acknowledged before me this

12-2-21 date by X John James S NAME OF PERSON BEING ACKNOWLEDGED

[Signature]  
Notary Public signature



In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

I have a Barber and Beauty Salon. We are fully established. We have been in business since 1995. We would like to add liquor to our establishment.

A handwritten signature in black ink, consisting of a stylized first name followed by a long horizontal flourish.

December 16, 2021

This is letter to state John James, Tightcuts Barber and Beauty LLC is a tenant of the Bellevue Social Center, 1308 Fort Crook Rd S, Bellevue NE, 68005.

He has been a tenant in good standing for over a decade. He is current with his monthly rent that is [REDACTED]

He will be a tenet for the foreseeable future. He has been at this location since 1995 and will be there conditionally at least until December 31, 2023.

*Robert Yazowski, by John Yazowski as POA*

Robert Yazowski, by John Yazowski as POA

**NOTICE OF PUBLIC HEARING ON APPLICATION  
FOR CLASS C LIQUOR LICENSE & MANAGER**

Notice is hereby given that Tightcuts Barber & Beauty LLC dba "Tightcuts Barber & Beauty" has filed an application for a Class "C" Liquor License at 1308 Fort Crook Rd., Bellevue, NE and Manager Application for John James.

A public hearing on the application will be held at the City Council meeting on February 1, 2022, at 6:00 p.m., in the Council Chambers, 1500 Wall Street, Bellevue, NE. At such time all persons desiring to give evidence before the City Council will be heard.

Susan Kluthe  
City Clerk

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

11a.  
02/01/2022

COUNCIL MEETING DATE: 12/07/2021	SUBMITTED BY: Councilwoman Welch	
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input checked="" type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>

SUBJECT:

Ordinance No. 4069 to amend Article VII, Chapter 12 of the Bellevue Municipal Code by Amending Section 12-172 and adding new Section 12-176 regarding outdoor fireplace permitting requirements

SYNOPSIS/BACKGROUND:

This ordinance is being introduced to update certain portions of the Definitions section of Section 12-172 to reflect the most current International Fire Code sections and to add new Section 12-176 to better reflect the permitting requirements and process of obtaining a permit for an outdoor fireplace.

FISCAL IMPACT:  BUDGETED FUNDS?:  GRANT/MATCHING FUNDS?:

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: <input type="text" value="NO"/>	COUNTER-PARTY: <input type="text"/>	INTERLOCAL AGREEMENT: <input type="text" value="NO"/>
CONTRACT DESCRIPTION: <input type="text"/>		
CONTRACT EFFECTIVE DATE: <input type="text"/>	CONTRACT TERM: <input type="text"/>	CONTRACT END DATE: <input type="text"/>
PROJECT NAME: <input type="text"/>		
START DATE: <input type="text"/>	END DATE: <input type="text"/>	PAYMENT DATE: <input type="text"/>
		INSURANCE REQUIRED: <input type="text" value="NO"/>
CIP PROJECT NAME: <input type="text"/>	CIP PROJECT NUMBER: <input type="text"/>	
STREET DISTRICT NAME (S): <input type="text"/>	STREET DISTRICT NUMBER (S): <input type="text"/>	
ACCOUNTING DISTRIBUTION CODE: <input type="text"/>	ACCOUNT NUMBER: <input type="text"/>	

RECOMMENDATION:

Approve Ordinance No. 4069 to amend Article VII, Chapter 12 of the Bellevue Municipal Code by Amending Section 12-172 and adding new Section 12-176.

ATTACHMENTS:

1. <input type="text" value="Ord 4069"/>	2. <input type="text"/>	3. <input type="text"/>
4. <input type="text"/>	5. <input type="text"/>	6. <input type="text"/>

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

*Angela Mather*  
*[Signature]*

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND ARTICLE VII, CHAPTER 12, OF THE BELLEVUE MUNICIPAL CODE BY AMENDING SECTION 12-172 AND ADDING NEW SECTION 12-176 REGARDING OUTDOOR FIREPLACE PERMITTING REQUIREMENTS AND TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA.

**Section 1.** That Section 12-172 of Chapter 12, Article VII of the Bellevue Municipal Code is hereby amended to read as follows:

**Section §12-172 DEFINITIONS**

For the purposes of section [12-172](#) to section 12-179, the following definitions shall apply:

**RECREATIONAL FIRE.** As defined in section 302.4.2.4 of the 20106 International Fire Code and shall be permitted only at designated campground areas of Haworth Park, unless a permit is obtained pursuant to section 12-174.

**OUTDOOR FIREPLACE.** Outdoor fireplaces shall include fire pits, portable fire pits, and chimeneas. These residential outdoor fireplaces use wood as a fuel and are used for containing recreational fires located at a private residence for the purpose of outdoor cooking and personal enjoyment. The term “outdoor fireplaces” does not include barbeque grills that use propane or charcoal as a fuel and are used primarily for outdoor cooking.

**PORTABLE FIRE PITS.** Commercially designed devices intended to confine and control outdoor wood fires.

**CHIMENEAS.** Outdoor patio fireplaces, usually made from clay, intended to confine and control outdoor wood fires.

**FIRE PITS.** Devices usually constructed of steel, concrete and/or stone, and constructed above ground with a heavy steel screen cover. ~~All outdoor fireplaces shall meet the following requirements:~~

~~(1) Clearances. A minimum ten-foot clearance shall be maintained between the outdoor fireplace and combustible structure or materials such as walls, roofs, fences, decks, woodpiles, and other combustible material.~~

~~(2) Construction. Outdoor fireplaces shall be constructed of concrete or approved non-combustible materials. The fire fuel area and openings shall be completely enclosed by a steel screening (spark guard) or an approved non-combustible screening material with openings no greater than one-half inch square. Vent stacks, chimneys, and chimeneas shall have a steel screen cover made of heavy wire mesh or other non-combustible material with openings no larger than one-half inch square. Not permitted are barrels, half-barrels, drums or similar constructed devices.~~

~~(3) Size. The fuel area for a fire pit shall not be larger than three feet in diameter and a height of more than two feet.~~

~~——(4) *Location.* Outdoor fireplaces shall be placed on a stable, non-combustible surface such as a concrete pad and only at grade level. Outdoor fireplaces shall not be located on combustible balconies or decks and shall not be located under any combustible balcony or any overhanging portion of a structure.~~

~~——(5) *Type of materials being burnt.* Materials allowed by this section shall be limited to untreated wood or approved fireplace starter logs. Petroleum products, rubbish, grass, leaves, cardboard, plastics, rubber or any material that may flow out of the containment or cause excessive heat, smoke, or offensive smell shall not be permitted.~~

~~——(6) *Amount of materials being burnt.* Users must:~~

~~——(a) Limit the amount of material being burnt to ensure the flames are confined inside the fuel area of the outdoor fireplace and the flames do not extend above the pit or into the chimney; and~~

~~——(b) Follow the manufacturer's recommendation on the maximum amount of fuel to be used at one time with spark guard in place.~~

~~——(7) *Supervision.* Outdoor fireplaces shall be under constant supervision by at least one responsible person of age 18 or older from the ignition of the fire until the fire is completely extinguished and embers are cooled so as to prohibit the fire from rekindling.~~

~~——(8) *Provisions for protection.* A garden hose connected to a water supply or other approved fire extinguishing equipment shall be readily available for use.~~

~~——(9) *Maintenance.* The owner is responsible to ensure proper maintenance and care is accomplished in accordance with manufacturer's instructions. At the minimum, the outdoor fireplace will be checked regularly for the appearance of cracks and other physical deterioration or loose parts.~~

~~——(10) *Discontinuance.* Smoke from any outdoor fireplace shall not create a nuisance for neighboring property owners. The fire shall be extinguished immediately upon the complaint of the neighboring property owner of any smoke nuisance. The fire chief or an authorized representative has the authority to require outdoor fireplace use to be immediately discontinued if such use is determined to constitute a hazardous or nuisance condition to occupants of surrounding property.~~

~~——(11) *Building permit.* For a fire pit, a site plan showing the location of the fire pit on the property and a detailed drawing of the construction of the fire pit shall be submitted to the Permits and Inspections Department of the City for review. A building permit will be issued based on approved plans. A building permit is not required for portable fire pits or chimeneas, provided they are commercially designed and have been approved by an independent testing laboratory.~~

**Section 2.** That Section 12-176 of Chapter 12, Article VII of the Bellevue Municipal Code is hereby added to read as follows:

**Section §12-176 OUTDOOR FIREPLACES; WHEN PERMITTED**

All outdoor fireplaces shall meet the following requirements:

(1) *Clearances.* A minimum fifteen (15) feet clearance shall be maintained between the outdoor fireplace and combustible structure or materials such as walls, roofs, fences, decks, woodpiles, and other combustible material.

(2) *Construction.* Outdoor fireplaces shall be constructed of concrete or approved non-combustible materials. The fire fuel area and openings shall be completely enclosed by a steel screening (spark guard) or an approved non-combustible screening material with openings no greater than one-half inch square. Vent stacks, chimneys, and chimeneas shall have a steel screen cover made of heavy wire mesh or other non-combustible material with openings no larger than one-half inch square. Not permitted are barrels, half-barrels, drums or similar constructed devices.

(3) *Size.* The fuel area for an outdoor fireplace shall not be larger than three feet in diameter and a height of more than two feet.

(4) *Location.* Outdoor fireplaces shall be placed on a stable, non-combustible surface such as a concrete pad and only at grade level. Outdoor fireplaces shall not be located on combustible balconies or decks and shall not be located under any combustible balcony or any overhanging portion of a structure.

(5) *Type of materials being burnt.* Materials allowed by this section shall be limited to untreated wood or approved fireplace starter logs. Petroleum products, rubbish, grass, leaves, cardboard, plastics, rubber or any material that may flow out of the containment or cause excessive heat, smoke, or offensive smell shall not be permitted.

(6) *Amount of materials being burnt.* Users must:

(a) Limit the amount of material being burnt to ensure the flames are confined inside the fuel area of the outdoor fireplace and the flames do not extend above the pit or into the chimney; and

(b) Follow the manufacturer's recommendation on the maximum amount of fuel to be used at one time with spark guard in place.

(7) *Supervision.* Outdoor fireplaces shall be under constant supervision by at least one responsible person of age 18 or older from the ignition of the fire until the fire is completely extinguished, and embers are cooled so as to prohibit the fire from rekindling.

(8) *Provisions for protection.* A garden hose connected to a water supply or other approved fire extinguishing equipment shall be readily available for use.

(9) *Maintenance.* The owner is responsible to ensure proper maintenance and care is accomplished in accordance with manufacturer's instructions. At the minimum, the outdoor fireplace will be checked regularly for the appearance of cracks and other physical deterioration or loose parts.

(10) *Discontinuance.* Smoke from any outdoor fireplace shall not create a nuisance for neighboring property owners. The fire shall be extinguished immediately upon the complaint of the neighboring property owner of any smoke nuisance. The fire chief or an authorized representative has the authority to require outdoor fireplace use to be immediately discontinued if such use is determined to constitute a hazardous or nuisance condition to occupants of surrounding property.

(11) *Permit.*

- (a) A **mechanical** permit is **required by a licensed contractor to install gas lines** for any outdoor fireplace that will be connected to a permanent gas line. **No license shall be required of any individual doing installation or repair of the gas line of the residence in which he/she owns and lives, provided such installation is done in conformity with this code and any other ordinances of the City.** For any outdoor fireplace that will be connected to a permanent gas line, a site plan showing the location of the outdoor fireplace on the property and a detailed drawing of the construction of the outdoor fireplace shall be submitted to the Permits and Inspections Department of the City for review **by said department or its designee.** A **mechanical** permit will be issued based on approved plans.
- (b) For a permanent fire pit not including the installation of a gas line, a site plan showing the location of the fire pit on the property and a detailed drawing of the construction of the fire pit shall be submitted to the Permits and Inspections Department of the City for review by said department or its designee. **A building permit will be issued on approved plans.**
- (c) A **mechanical** permit is not required for portable fire pits or chimeneas, provided they are commercially designed and have been approved by an independent testing laboratory.

**Section 3.** This Ordinance shall be in full force and take effect fifteen (15) days after its passage. The city clerk is directed to effectuate the publishing of this Ordinance in electronic form, which publication must take place within fifteen (15) days of the passage of the ordinance by the city council.

ADOPTED by the Mayor and City Council this \_\_\_\_ day of \_\_\_\_\_ 2021.

ATTEST:

\_\_\_\_\_  
Mayor, Rusty Hike

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Third Reading: \_\_\_\_\_

\_\_\_\_\_  
City Attorney

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND ARTICLE VII, CHAPTER 12, OF THE BELLEVUE MUNICIPAL CODE BY AMENDING SECTION 12-172 AND ADDING NEW SECTION 12-176 REGARDING OUTDOOR FIREPLACE PERMITTING REQUIREMENTS AND TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA.

**Section 1.** That Section 12-172 of Chapter 12, Article VII of the Bellevue Municipal Code is hereby amended to read as follows:

**Section §12-172 DEFINITIONS**

For the purposes of section 12-172 to section 12-179, the following definitions shall apply:

**RECREATIONAL FIRE.** As defined in section 302.4.2 of the 2021 International Fire Code and shall be permitted only at designated campground areas of Haworth Park, unless a permit is obtained pursuant to section 12-174.

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**Section 2.** That Section 12-176 of Chapter 12, Article VII of the Bellevue Municipal Code is hereby added to read as follows:

**Section §12-176 OUTDOOR FIREPLACES; WHEN PERMITTED**

All outdoor fireplaces shall meet the following requirements:

(1) *Clearances.* A minimum fifteen (15) feet clearance shall be maintained between the outdoor fireplace and combustible structure or materials such as walls, roofs, fences, decks, woodpiles, and other combustible material.

(2) *Construction.* Outdoor fireplaces shall be constructed of concrete or approved non-combustible materials. The fire fuel area and openings shall be completely enclosed by a steel screening (spark guard) or an approved non-combustible screening material with openings no

greater than one-half inch square. Vent stacks, chimneys, and chimeneas shall have a steel screen cover made of heavy wire mesh or other non-combustible material with openings no larger than one-half inch square. Not permitted are barrels, half-barrels, drums or similar constructed devices.

(3) *Size.* The fuel area for an outdoor fireplace shall not be larger than three feet in diameter and a height of more than two feet.

(4) *Location.* Outdoor fireplaces shall be placed on a stable, non-combustible surface such as a concrete pad and only at grade level. Outdoor fireplaces shall not be located on combustible balconies or decks and shall not be located under any combustible balcony or any overhanging portion of a structure.

(5) *Type of materials being burnt.* Materials allowed by this section shall be limited to untreated wood or approved fireplace starter logs. Petroleum products, rubbish, grass, leaves, cardboard, plastics, rubber or any material that may flow out of the containment or cause excessive heat, smoke, or offensive smell shall not be permitted.

(6) *Amount of materials being burnt.* Users must:

(a) Limit the amount of material being burnt to ensure the flames are confined inside the fuel area of the outdoor fireplace and the flames do not extend above the pit or into the chimney; and

(b) Follow the manufacturer's recommendation on the maximum amount of fuel to be used at one time with spark guard in place.

(7) *Supervision.* Outdoor fireplaces shall be under constant supervision by at least one responsible person of age 18 or older from the ignition of the fire until the fire is completely extinguished, and embers are cooled so as to prohibit the fire from rekindling.

(8) *Provisions for protection.* A garden hose connected to a water supply or other approved fire extinguishing equipment shall be readily available for use.

(9) *Maintenance.* The owner is responsible to ensure proper maintenance and care is accomplished in accordance with manufacturer's instructions. At the minimum, the outdoor fireplace will be checked regularly for the appearance of cracks and other physical deterioration or loose parts.

(10) *Discontinuance.* Smoke from any outdoor fireplace shall not create a nuisance for neighboring property owners. The fire shall be extinguished immediately upon the complaint of the neighboring property owner of any smoke nuisance. The fire chief or an authorized representative has the authority to require outdoor fireplace use to be immediately discontinued if such use is determined to constitute a hazardous or nuisance condition to occupants of surrounding property.

(11) *Building permit.* A mechanical permit is required for any outdoor fireplace that will be connected to a permanent gas line. For any outdoor fireplace that will be connected to a permanent gas line, a site plan showing the location of the outdoor fireplace on the property and a detailed drawing of the construction of the outdoor fireplace shall be submitted to the Permits and Inspections Department of the City for review. A mechanical permit will be issued based on

approved plans. A mechanical permit is not required for portable fire pits or chimeneas, provided they are commercially designed and have been approved by an independent testing laboratory.

**Section 3.** This Ordinance shall be in full force and take effect fifteen (15) days after its passage. The city clerk is directed to effectuate the publishing of this Ordinance in electronic form, which publication must take place within fifteen (15) days of the passage of the ordinance by the city council.

ADOPTED by the Mayor and City Council this \_\_\_\_ day of \_\_\_\_\_ 2021.

ATTEST:

\_\_\_\_\_  
Mayor, Rusty Hike

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Third Reading: \_\_\_\_\_

\_\_\_\_\_  
City Attorney

**CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET**

**11b.  
02/01/2022**

COUNCIL MEETING DATE: 12/21/2021		SUBMITTED BY: Legal		
AGENDA ITEM:	CONSENT AGENDA	<input type="checkbox"/>	SPECIAL PRESENTATION	<input type="checkbox"/>
LIQUOR LICENSE	ORDINANCE	<input checked="" type="checkbox"/>	PUBLIC HEARING	<input type="checkbox"/>
RESOLUTION	CURRENT BUSINESS	<input type="checkbox"/>	OTHER	<input type="checkbox"/>

**SUBJECT:**

An ordinance to amend Section 2-29 of the Bellevue Municipal Code pertaining to Agendas; Submission of Materials; Formulation; Public Availability, Etc. and to provide for an effective date.

**SYNOPSIS/BACKGROUND:**

Section 2-29 of the City Code needs revised to allow for the amending of the agenda as allowed by Nebraska Law outlined in Neb. Rev. Stat. 84-1411. While the City makes its best effort to have the agenda published to the public and city council by 4:00 p.m. on the Wednesday before the meeting, there are occasions where the agenda needs altered/amended after that publication date to include items or attachments. Modeling 2-29 off the state statute allows for such alteration. Any alternation will be provide to the city council and made available to the public.

FISCAL IMPACT:  BUDGETED FUNDS?:  GRANT/MATCHING FUNDS?:

**TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:**

IS THIS A CONTRACT?:  COUNTER-PARTY:  INTERLOCAL AGREEMENT:

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE:  CONTRACT TERM:  CONTRACT END DATE:

PROJECT NAME:

START DATE:  END DATE:  PAYMENT DATE:  INSURANCE REQUIRED:

CIP PROJECT NAME:  CIP PROJECT NUMBER:

STREET DISTRICT NAME (S):  STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRUBUTION CODE:  ACCOUNT NUMBER:

**RECOMMENDATION:**

Approve Ordinance No. 4071.

**ATTACHMENTS:**

1. Ordinance 4071 Clean Copy	2. Ordinance 4071 Redline Copy	3. <input type="text"/>
4. <input type="text"/>	5. <input type="text"/>	6. <input type="text"/>

**SIGNATURES:**

LEGAL APPROVAL AS TO FORM: \_\_\_\_\_

FINANCE APPROVAL AS TO FORM: \_\_\_\_\_

ADMINISTRATOR APPROVAL AS TO FORM: \_\_\_\_\_

*A. Bruce Robbins*  
*[Signature]*  
*[Signature]*

ORDINANCE NO. 4071

AN ORDINANCE TO AMEND SECTION 2-29 OF THE BELLEVUE MUNICIPAL CODE PERTAINING TO AGENDA; SUBMISSION OF MATERIALS; FORMULATION; PUBLIC AVAILABILITY, ETC., TO REPEAL ALL PREVIOUS VERSIONS OF THE SAME; AND TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA:

**Section 1.** That Section 2-29 of the Bellevue Municipal Code are hereby amended to read as follows:

**§2-29 AGENDA; SUBMISSION OF MATERIALS; FORMULATION; PUBLIC AVAILABILITY, ETC.**

All new ordinances or new resolutions affecting policy that are to be placed on a city council agenda must be submitted, in their proposed form, to the city administrator by noon on the Monday that is three weeks prior to the city council meeting at which the ordinance or resolution will be introduced. All reports, communications, ordinances, resolutions, contract documents or other matters to be placed on a council agenda must be submitted, in their proposed form, to the city administrator by noon on the Monday that is two weeks prior to the council meeting at which the item will be discussed. The above timeline may be expedited with approval of the city administrator. If the item is deemed to be "of an emergency nature" by the city administrator, the above timeline may be expedited. The city clerk shall prepare the agenda of all such matters under the direction of the city administrator. ~~Unless prevented by unforeseen circumstances or emergency, the~~ The agenda and all supporting documentation referenced herein shall be delivered to the council members on the Wednesday preceding the regularly scheduled Tuesday council meeting to which it pertains and shall be made available to the public no later than 4:00 p.m. on the same Wednesday. The agenda may be altered after being made available to the public and city council members as provided for in Nebraska Revised Statute 84-1411 (as may be amended) and any altered agenda shall be provided to the council members and made available to the public.

**Section 2.** This Ordinance shall be in full force and take effect fifteen (15) days after its passage. The city clerk is directed to effectuate the publishing of this Ordinance in electronic form, which publication must take place within fifteen (15) days of the passage of the ordinance by the city council.

ADOPTED by the Mayor and City Council this \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

ATTEST:

\_\_\_\_\_  
Mayor, Rusty Hike

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Third Reading: \_\_\_\_\_

\_\_\_\_\_  
City Attorney

REDLINE COPY

ORDINANCE NO. 4071

AN ORDINANCE TO AMEND SECTION 2-29 OF THE BELLEVUE MUNICIPAL CODE PERTAINING TO AGENDA; SUBMISSION OF MATERIALS; FORMULATION; PUBLIC AVAILABILITY, ETC., TO REPEAL ALL PREVIOUS VERSIONS OF THE SAME; AND TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA:

**Section 1.** That Section 2-29 of the Bellevue Municipal Code are hereby amended to read as follows:

**§2-29 AGENDA; SUBMISSION OF MATERIALS; FORMULATION; PUBLIC AVAILABILITY, ETC.**

All new ordinances or new resolutions affecting policy that are to be placed on a city council agenda must be submitted, in their proposed form, to the city administrator by noon on the Monday that is three weeks prior to the city council meeting at which the ordinance or resolution will be introduced. All reports, communications, ordinances, resolutions, contract documents or other matters to be placed on a council agenda must be submitted, in their proposed form, to the city administrator by noon on the Monday that is two weeks prior to the council meeting at which the item will be discussed. The above timeline may be expedited with approval of the city administrator. The city clerk shall prepare the agenda of all such matters under the direction of the city administrator. The agenda and all supporting documentation referenced herein shall be delivered to the council members on the Wednesday preceding the regularly scheduled Tuesday council meeting to which it pertains and shall be made available to the public no later than 4:00 p.m. on the same Wednesday. The agenda may be altered after being made available to the public and city council members as provided for in Nebraska Revised Statute 84-1411 (as may be amended) and any altered agenda shall be provided to the council members and made available to the public.

**Section 2.** This Ordinance shall be in full force and take effect fifteen (15) days after its passage. The city clerk is directed to effectuate the publishing of this Ordinance in electronic form, which publication must take place within fifteen (15) days of the passage of the ordinance by the city council.

ADOPTED by the Mayor and City Council this \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

ATTEST:

\_\_\_\_\_  
Mayor, Rusty Hike

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Third Reading: \_\_\_\_\_

\_\_\_\_\_  
City Attorney

DRAFT

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

12a.  
02/01/2022

COUNCIL MEETING DATE:	SUBMITTED BY: <u>Tammi Palm</u>		<u>Planning Manager</u>
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input checked="" type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

Request to rezone Lot 3, LGB Properties Replat One, from RE to RS-120 for the purpose of existing residential development. Applicant: AMZ Investments, LLC. General Location: 13510 South 36th Street.

SYNOPSIS/BACKGROUND:

Alicia Zuger, on behalf of AMZ Investments, LLC is requesting to rezone Lot 3, LGB Properties Replat One, from RE to RS-120 for the purpose of existing single family residential development and also to facilitate a conditional use permit request for an Alzheimer's/dementia care home. This request is compatible with the surrounding neighborhoods. The lot meets the minimum requirements for the RS-120 zoning district.

FISCAL IMPACT: No BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: NO COUNTER-PARTY: \_\_\_\_\_ INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION: \_\_\_\_\_

CONTRACT EFFECTIVE DATE: \_\_\_\_\_ CONTRACT TERM: \_\_\_\_\_ CONTRACT END DATE: \_\_\_\_\_

PROJECT NAME: \_\_\_\_\_

START DATE: \_\_\_\_\_ END DATE: \_\_\_\_\_ PAYMENT DATE: \_\_\_\_\_ INSURANCE REQUIRED: NO

CIP PROJECT NAME: \_\_\_\_\_ CIP PROJECT NUMBER: \_\_\_\_\_

STREET DISTRICT NAME (S): \_\_\_\_\_ STREET DISTRICT NUMBER (S): \_\_\_\_\_

ACCOUNTING DISTRUBUTION CODE: \_\_\_\_\_ ACCOUNT NUMBER: \_\_\_\_\_

RECOMMENDATION:

The Planning Department and Planning Commission are recommending approval of this request.

ATTACHMENTS:

- PC Recommendation
- Staff Report
- Ordinance No. 4072
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

SIGNATURES:

LEGAL APPROVAL AS TO FORM: \_\_\_\_\_  
 FINANCE APPROVAL AS TO FORM: \_\_\_\_\_  
 ADMINISTRATOR APPROVAL AS TO FORM: \_\_\_\_\_

*A. Bruehlman*  
*[Signature]*  
*[Signature]*

# City of Bellevue

## PLANNING COMMISSION RECOMMENDATION

APPLICANT: AMZ Investments, LLC

CASE #: Z-2111-24

CITY COUNCIL HEARING DATE: February 1, 2022

REQUEST: to rezone Lot 3, LGB Properties Replat One, from RE (Residential Estates) to RS-120 (Single Family Residential – 12,000 Square Foot Zone) for the purpose of existing residential development.

On December 16, 2021, the City of Bellevue Planning Commission voted six yes, zero no, three absent and zero abstained:

**APPROVAL** based upon conformance with the Zoning Ordinance, as well as a lack of perceived negative impact upon the surrounding area

VOTE:

Yes:	Six:	No:	Zero:	Abstain:	Zero:	Absent:	Three:
	Hankins						Casey
	Ritz						Perrin
	Aerni						Compton
	Cutsforth						
	Ackley						
	Jacobson						

Planning Commission Hearing (s) was held on: December 16, 2021

# CITY OF BELLEVUE PLANNING DEPARTMENT

## RECOMMENDATION REPORT # 2

CASE NUMBER: Z-2111-24

FOR HEARING OF:

REPORT #1: December 16, 2021

REPORT #2: February 1, 2022

### I. GENERAL INFORMATION

#### A. APPLICANT:

AMZ Investments, LLC  
Alicia Zuger  
1230 South 110<sup>th</sup> Street  
Omaha, NE 68144

#### B. PROPERTY OWNERS:

AMZ Investments, LLC  
Alicia Zuger  
1230 South 110<sup>th</sup> Street  
Omaha, NE 68144

#### C. GENERAL LOCATION:

13510 South 36th Street

#### D. LEGAL DESCRIPTION:

Lot 3, LGB Properties Replat One

#### E. REQUESTED ACTIONS:

1. Rezone Lot 3, LGB Properties Replat One from RE to RS-120.

#### F. EXISTING ZONING AND LAND USE:

RE, Single Family Residential

**G. PURPOSE OF REQUEST:**

The applicant is requesting a change of zone to accommodate the existing single family residence, as well as to facilitate a conditional use permit request for an Alzheimer's/dementia care home.

**H. SIZE OF SITE:**

The site is approximately 4.4 acres.

**II. BACKGROUND INFORMATION**

**A. EXISTING CONDITION OF SITE:**

The site is presently developed with a single family residence constructed in 1970, along with several detached structures and a barn.

**B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**

1. **North:** Single Family Residential, RA and AG (non-conforming)
2. **East:** Single Family Residential (across S 36<sup>th</sup> St), RS-72
3. **South:** Single Family Residential, RS-120 and AG (non-conforming)
4. **West:** Single Family Residential, RS-72-PS

**C. REVELANT CASE HISTORY:**

1. On November 19, 2015, the Planning Commission recommended approval of a request to rezone Lots 1 through 3, LGB Properties Replat One, being a replat of Lots 1 and 2, LGB Properties, and Tax Lot 1B1, all located in the Southeast ¼ of Section 8, T13N, R13E of the 6<sup>th</sup> P.M., Sarpy County, NE, from AG, RA, and RG-28 to RA, RE, and RG-28 for the purpose of existing residential use; and small subdivision plat Lots 1 through 3, LGB Properties Replat One. The City Council approved the aforementioned request on January 25, 2016.

2. On December 16, 2021, the Planning Commission recommended approval of a request to rezone Lot 3, LGB Properties Replat One, from RE to RS-120 for the purpose of accommodating an existing single family residence, as well as to facilitate a conditional use permit request for an Alzheimer's/dementia care home.

**D. APPLICABLE REGULATIONS:**

1. Section 5.08, Zoning Ordinance, regarding RS-120 uses and requirements.

### **III. ANALYSIS**

#### **A. COMPREHENSIVE PLAN:**

The Future Land Use Map of the Comprehensive Plan designates this property as rural estates.

#### **B. OTHER PLANS:**

If the applicant's zoning is approved, she is requesting a conditional use permit for the purpose of an Alzheimer's/dementia care home.

#### **C. TRAFFIC AND ACCESS:**

1. MAPA Traffic Flow Data indicates 9,600 vehicles per day along southbound 36<sup>th</sup> Street south of Capehart Road and north of Schneekloth Road.
2. The property has access from South 36<sup>th</sup> Street.

#### **D. UTILITIES:**

All utilities are available to this property.

#### **E. ANALYSIS:**

1. Alicia Zuger on behalf of AMZ Investments, LLC has submitted a request to rezone Lot 3, LGB Properties Replat One from RE to RS-120. The applicant is requesting RS-120 zoning for the existing single family residential development.
2. Ms. Zuger wishes to pursue a conditional use permit for the existing residence for the purpose of an Alzheimer's/dementia care home under the RS-120 zoning designation.
3. The existing lot and structures are in conformance with the minimum requirements of the RS-120 zoning district. The intent of the RS-120 zoning district is to permit single family residential developments and other compatible uses on relatively ample sized lots.
4. This application was sent out for review by the following departments and individuals: Public Works, Permits and Inspections, Chief of Police, Offutt Air Force Base, Fire Inspector, and the Springfield Platteview Public School District. The cover letter indicated a deadline to send comments back to the Planning Department, and also stated if the requested department did not have comments pertaining to the application, no response was needed.

No comments were received in this case.

5. The Future Land Use Map of the Comprehensive Plan designates this area as rural estates based on its current zoning. A change of zoning will require an amendment to the Future Land Use Map of low density residential use. Staff believes a low density residential use is compatible with the surrounding development.

6. The Fox Ridge Estates subdivision to the south of this property is zoned RS-120. The adjacent Heartland Hills subdivision is zoned RS-72-PS.

7. Staff believes this request is compatible with the surrounding neighborhoods.

**F. TECHNICAL DEFICIENCIES:**

None

**IV. DEPARTMENT RECOMMENDATION**

APPROVAL based upon conformance with the Zoning Ordinance, as well as lack of perceived negative impact upon the surrounding area.

**V. PLANNING COMMISSION RECOMMENDATION**

APPROVAL based upon conformance with the Zoning Ordinance, as well as lack of perceived negative impact upon the surrounding area.

**VI. ATTACHMENTS TO REPORT**

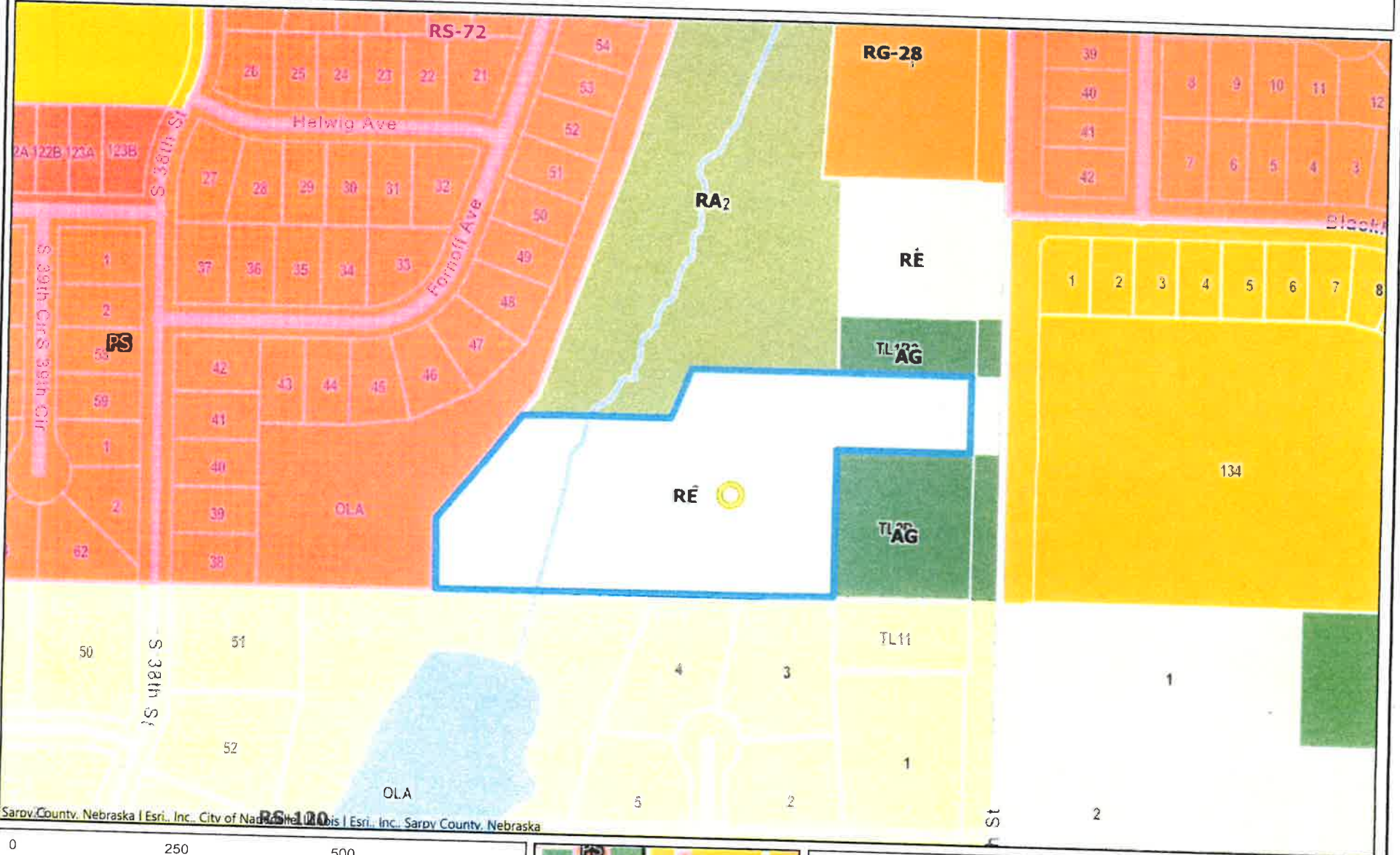
1. Zoning Map
2. 2020 GIS aerial photo of the property
3. Letter from the applicant received December 6, 2021

**VII. COPIES OF REPORT TO:**

1. Alicia Zuger, AMZ Investments, LLC
2. Public Upon Request

  
Assistant Planning Manager

  
Planning Manager: Date of Report



Sarpy County, Nebraska | Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska



Map Scale 1: 3185

This product is for informational purposes and may not have been prepared for, or be suitable for, legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.

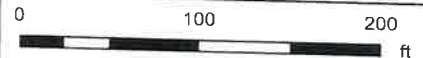


Notes





Esri, Inc. City of Naperville, Illinois | Esri, Inc. Sarpy County, Nebraska



Map Scale 1: 1592

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Notes



RECEIVED

DEC 06 2021

PLANNING DEPT.

**AMZ INVESTMENTS, LLC**

1230 S 110th Street  
Omaha, NE 68144  
(402)871-5248

City of Bellevue  
Planning Department  
1510 Wall Street  
Bellevue, NE 68005

RE: LOT 3 OF LGB PROPERTIES, SARPY COUNTY, NE

To Whom It May Concern:

AMZ Investments, LLC is requesting the Planning Commission's approval to rezone the property at 13510 S 36<sup>th</sup> Street in Bellevue, Nebraska for purposes consistent with approved conditional uses.

The property in question is currently zoned as RE and we would like to request the zoning be changed to RS-120 for the purpose of operating an Alzheimer's/Dementia Care home under the DBA Legato Living at Heartland Hills in the residence. This use is consistent with the conditional use referred to in Section 5.08.03 of the Zoning Ordinance as "Hospitals, sanitariums, rest homes, nursing homes, elderly or retirement housing, convalescent homes, other similar institutions, or philanthropic institutions".

The current residential property will be remodeled and expanded by approximately 500 square feet with the following being main points of focus:

- ◆ Our facility will accommodate 10-12 residents and will remain an ADA compliant residential style home.
- ◆ A fire-sprinkler system and proper means of egress will be installed for the safety of the residents and staff.
- ◆ Parking for up to one (1) vehicle for every two (2) residents for visitors and an additional two (2) to three (3) for staff will be provided on the premises.
- ◆ For the safety of our residents and the comfort of the surrounding neighbors and community, all doors leading in and out of the premises will be secured by an electronic lock which requires a code to be entered to gain access inside or out.
- ◆ Various caretakers, including a Registered Nurse, med aides and administrative staff, will be on site continuously and residents will be permitted to have visitors as this is a family centered environment.
- ◆ A minimum of two (2-3) staff members will be on site during daytime hours and one (1-2) staff member will be present during the overnight hours, with a Registered Nurse on call twenty-four (24) hours per day, seven (7) days per week to assist when necessary.

The included site plan lays out the proposed additional living space as well as additional parking and has a nice deck for residents to enjoy the outside. The lower level of the home will primarily be used for storage and for a staff office/meeting area as the residents are not encouraged to navigate the stairs. The main level will maintain much of the same layout with the garage being converted into three (3-4) bedrooms and two (2-3) bathrooms to accommodate more residents.

Legato Living has a solid reputation in the area of care for Alzheimer's/Dementia patients and is a family centered company who enjoys getting to know our residents and their families in a more intimate manner, which is why we have chosen the residential setting for our model.

We are looking to expand from Omaha into Sarpy county for the purposes of being accessible to more families in the Metro area and providing quality care for individuals in need in the City of Bellevue.

We hope you will consider our request and we look forward to working with you on this venture.

Sincerely,



Alicia Zuger  
President  
AMZ Investments, LLC

Enclosure:

- 1) LHH Proposed Site Plan I
- 2) LHH Proposed Site Plan II
- 3) LHH Proposed Floorplan
- 4) As-Built Survey completed by TD2



Esri, Inc. City of Naperville, Illinois | Esri, Inc. Sarpy County, Nebraska



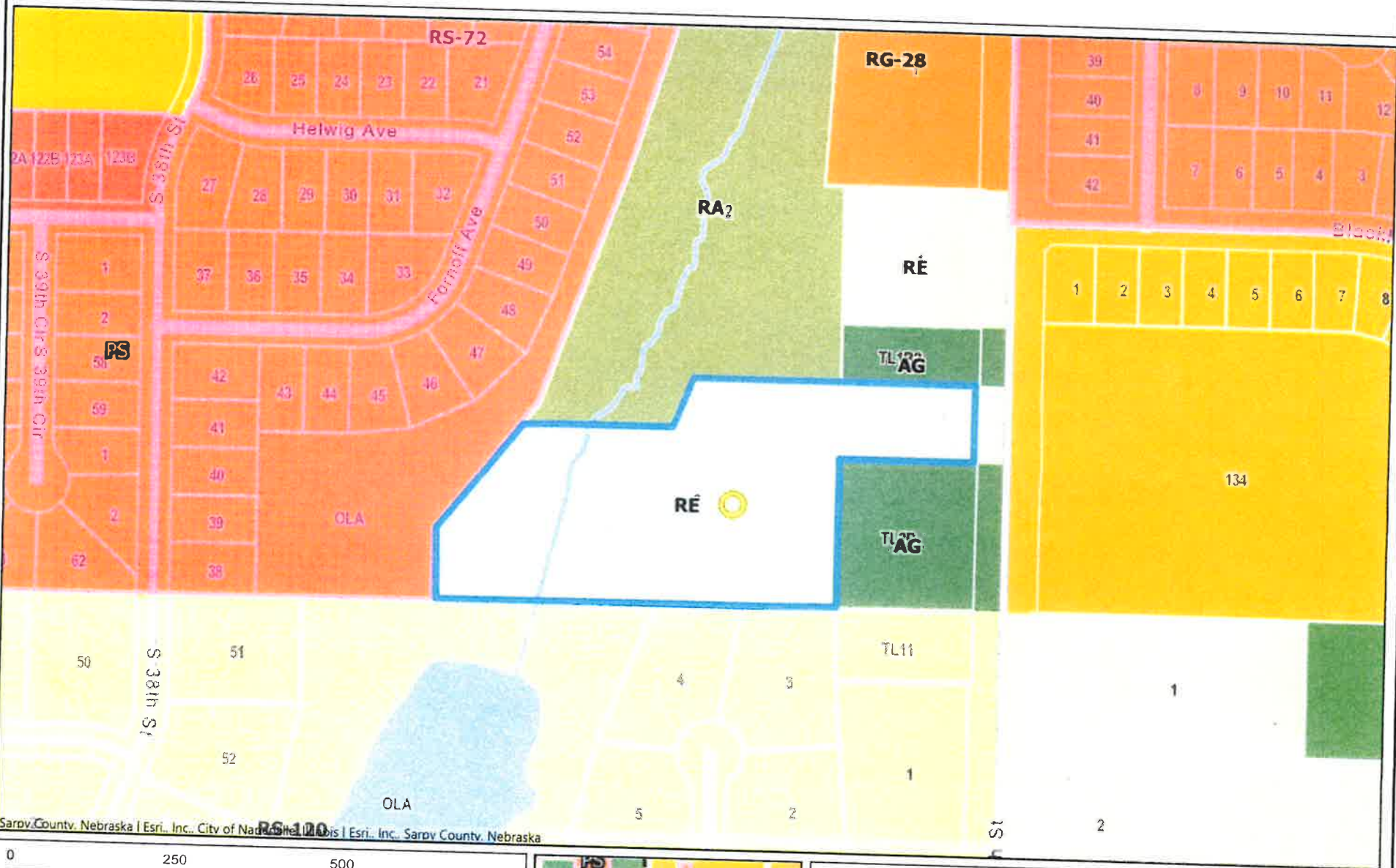
Map Scale 1: 1592

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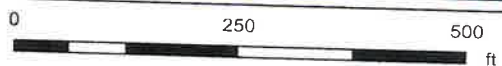


Notes





Sarpy County, Nebraska | Esri, Inc., City of Nampa, Idaho | Esri, Inc., Sarpy County, Nebraska



Map Scale 1: 3185

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Notes



ORDINANCE NO. 4072

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BELLEVUE, NEBRASKA, AS PROVIDED FOR BY ARTICLE 3 OF ORDINANCE NO. 3619 BY CHANGING THE ZONE CLASSIFICATION OF LAND LOCATED AT OR ABOUT 13510 SOUTH 36<sup>TH</sup> STREET, MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THE ORDINANCE AND TO PROVIDE AN EFFECTIVE DATE.

WHEREAS, having received a recommendation from the city of Bellevue Planning Commission and proper notice having been given and public hearing held as provided by law:

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA:

Section 1. That part of the official zoning map of the City of Bellevue, Nebraska, as provided in Article 3, of Ordinance No. 3619 is hereby amended to change the zone classification of the following described parcel of land:

Lot 3, LGB Properties Replat One, located in the Southeast 1/4 of Section 08, T13N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska

From RE (Residential Estates) to RS-120 (Single Family Residential – 12,000 Square Foot Zone)

(AMZ Investments, LLC)

Section 2. Except as amended herein, the official zoning map and the classification shown therein shall remain as heretofore existing.

Section 3. This ordinance shall take affect and be in force from and after its adoption and publication according to law.

ADOPTED by the Mayor and City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

ATTEST

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Third Reading: \_\_\_\_\_

**Susan Kluthe**

12a  
**RECEIVED**  
**JAN 25 2022**  
**CITY CLERK**

**From:** Amy Fredrickson <amy.fredrickson@live.com>  
**Sent:** Tuesday, January 25, 2022 9:39 PM  
**To:** Susan Kluthe  
**Cc:** Kim Kaye  
**Subject:** Rezone Lot 3, LGB Properties Replat 1 located at 13510 S 36th St Applicant: AMZ Investments LLC Case Z-211-24, CUP-2111-03

Susan,

We have received the letter address to Ray Fornoff (address 13602 S 36<sup>th</sup> St, Bellevue NE 68123). I am the daughter of Ray Fornoff. It is with great sadness that we inform you that Ray passed away 12/20/21. My sister Kimberly Kaye and I will be the beneficiaries of my dad's house and property, after we receive the official death certificate from Douglas County.

We understand that there is a hearing on 2/1/2022 regarding the property next to Ray's. We are still wrapping our heads around the situation, and we would like to request this hearing be postponed. Until we can get a plan together for the property and get some professional input and advise from a real estate agent, we **OPPOSE** the rezoning of the property of Lot 3.

Please let us know that you have received this message and consideration of postponing the hearing.

**Thank you!**  
**Amy Fredrickson and Kimberly Kaye**  
**Amy's Phone: 402-871-8085**  
**Kim's Phone: 402-218-9744**

**CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET**

**12b. & 12b.1  
02/01/2022**

COUNCIL MEETING DATE: 02/01/2022		SUBMITTED BY: Tammi Palm,		Title: Planning Manager	
AGENDA ITEM:		CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>		
LICQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input checked="" type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>			
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>			

**SUBJECT:**

Request to rezone Lots 1 and 2, Heer and Theer Addition, being a replat of Tax Lot 6B, and that Part of Tax Lot 6A2, being the north 50' of the west 175' of the east 260' and the south 22' of the east 85' of the east 260' of Tax Lot 6A, together with the south 15' of the west 110' of Lot 1, and the south 15' of the east 65' of Lot 34, Svoboda's Addition to the City of Bellevue, all located in the Southwest ¼ of Section 36, T14N, R13E of the 6th P.M., Sarpy County, Nebraska from RG-8-M and BGM to BGM, for the purpose of residential and commercial development, and small subdivision plat Lots 1 and 2, Heer and Theer Addition. Applicant 1st City Development, LLC. General Location: 2304 Lincoln Road.

**SYNOPSIS/BACKGROUND:**

1st City Development LLC is requesting a rezoning and a small subdivision plat of Lots 1 and 2, Heer and Theer Addition, from RG-8-M and BGM to BGM. The rezoning and replatting is being requested to accommodate the existing multi family residential/commercial development, as well as facilitate additional commercial development.

FISCAL IMPACT:  BUDGETED FUNDS?:  GRANT/MATCHING FUNDS?:

**TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:**

IS THIS A CONTRACT?:  COUNTER-PARTY:  INTERLOCAL AGREEMENT:

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE:  CONTRACT TERM:  CONTRACT END DATE:

PROJECT NAME:

START DATE:  END DATE:  PAYMENT DATE:  INSURANCE REQUIRED:

CIP PROJECT NAME:  CIP PROJECT NUMBER:

STREET DISTRICT NAME (S):  STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRUBUTION CODE:  ACCOUNT NUMBER:

**RECOMMENDATION:**

The Planning Department and Planning Commission are recommending approval.

**ATTACHMENTS:**

1. PC Recommendation	2. Staff Report	3. Ord. No. 4073
4. <input type="text"/>	5. <input type="text"/>	6. <input type="text"/>

**SIGNATURES:**

LEGAL APPROVAL AS TO FORM: \_\_\_\_\_

FINANCE APPROVAL AS TO FORM: \_\_\_\_\_

ADMINISTRATOR APPROVAL AS TO FORM: \_\_\_\_\_

*A. Bruce Collins*  
\_\_\_\_\_  
*[Signature]*  
\_\_\_\_\_  
*[Signature]*  
\_\_\_\_\_

# City of Bellevue

## PLANNING COMMISSION RECOMMENDATION

APPLICANT: 1<sup>st</sup> City Development, LLC

CASE #'s: Z-2111-22, S-2111-27

CITY COUNCIL HEARING DATE: February 1, 2022

REQUEST: to rezone Lots 1 and 2, Heer and Theer Addition, being a replat of Tax Lot 6B, and that Part of Tax Lot 6A2, being the north 50' of the west 175' of the east 260' and the south 22' of the east 85' of the east 260' of Tax Lot 6A, together with the south 15' of the west 110' of Lot 1, and the south 15' of the east 65' of Lot 34, Svoboda's Addition to the City of Bellevue, all located in the Southwest ¼ of Section 36, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska from RG-8-M (General Residential – 800 Square Foot Zone – Modified Residential District) and BGM (Metropolitan General Business District) to BGM (Metropolitan General Business District), for the purpose of residential and commercial development; and small subdivision plat Lots 1 and 2, Heer and Theer Addition.

On December 16, 2021, the City of Bellevue Planning Commission voted six yes, zero no, three absent and zero abstained:

**APPROVAL** based upon conformance with the Zoning Ordinance and Subdivision Regulations, as well as a lack of perceived negative impact upon the surrounding area. APPROVAL of an amendment to the Future Land Use Map to show this property as commercial.

VOTE:

Yes:	Six:	No:	Zero:	Abstain:	Zero:	Absent:	Three:
	Hankins						Casey
	Ritz						Perrin
	Aerni						Compton
	Cutsforth						
	Ackley						
	Jacobson						

Planning Commission Hearing (s) was held on: December 16, 2021

# CITY OF BELLEVUE PLANNING DEPARTMENT

## RECOMMENDATION REPORT # 2

CASE NUMBERS: Z-2111-22  
S-2111-27

FOR HEARING OF:  
REPORT #1: December 16, 2021  
REPORT #2: February 1, 2022

### I. GENERAL INFORMATION

#### A. APPLICANT:

1<sup>st</sup> City Development, LLC  
Attn: John Jungers  
101 West Mission Avenue  
Bellevue, NE 68005

#### B. PROPERTY OWNERS:

David and Ruth Heer  
1154 South 97<sup>th</sup> Street  
Omaha, NE 68124

#### C. GENERAL LOCATION:

2304 Lincoln Road

#### D. LEGAL DESCRIPTION:

Lots 1 and 2, Heer and Theer Addition, being a replat of Tax Lot 6B, and that Part of Tax Lot 6A2, being the north 50' of the west 175' of the east 260' and the south 22' of the east 85' of the east 260' of Tax Lot 6A, together with the south 15' of the west 110' of Lot 1, and the south 15' of the east 65' of Lot 34, Svoboda's Addition to the City of Bellevue, all located in the Southwest ¼ of Section 36, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska

#### E. REQUESTED ACTIONS:

1. Rezone Lots 1 and 2, Heer and Theer Addition, from RG-8-M and BGM to BGM.
2. Small Subdivision plat Lots 1 and 2, Heer and Theer Addition.

**F. EXISTING ZONING AND LAND USE:**

RG-8-M and BGM, Apartments/Retail

**G. PURPOSE OF REQUEST:**

The applicant is requesting a change of zone and small subdivision plat to facilitate commercial development.

**H. SIZE OF SITE:**

The site is approximately 2.42 acres.

**II. BACKGROUND INFORMATION**

**A. EXISTING CONDITION OF SITE:**

Proposed Lot 1 is presently developed with three buildings: one to the northwest with 4 apartments and 7 attached garages, one southwest with 14 apartments, and one building southeast with 2 apartments in the rear and a beauty and barber shop in the front.

**B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**

1. **North:** Single Family Residential, RS-72, BGM
2. **East:** Commercial/Retail/Office, BGM-OTO and BGH-OTO
3. **South:** Offutt Air Force Base
4. **West:** Offutt Air Force Base

**C. REVELANT CASE HISTORY:**

1. On December 16, 2021, the Planning Commission recommended approval of a request to rezone Lots 1 and 2, Heer and Theer Addition, being a replat of Tax Lot 6B, and that Part of Tax Lot 6A2, being the north 50' of the west 175' of the east 260' and the south 22' of the east 85' of the east 260' of Tax Lot 6A, together with the south 15' of the west 110' of Lot 1, and the south 15' of the east 65' of Lot 34, Svoboda's Addition to the City of Bellevue, all located in the Southwest ¼ of Section 36, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, from RG-8-M and BGM to BGM, for the purpose of a commercial development; and small subdivision plat Lots 1 and 2, Heer and Theer Addition.

**D. APPLICABLE REGULATIONS:**

1. Section 5.23, Zoning Ordinance, regarding BGM uses and requirements.
2. Chapter 5, Subdivision Regulations, regarding small subdivisions.

### **III. ANALYSIS**

#### **A. COMPREHENSIVE PLAN:**

The Future Land Use Map of the Comprehensive Plan designates these properties as commercial and multi-family residential.

#### **B. OTHER PLANS:**

None

#### **C. TRAFFIC AND ACCESS:**

1. The MAPA Traffic Flow Data estimates 7,300 vehicles per day along the south leg of Lincoln Road, south of the intersection of Lincoln Road and West Mission Avenue.
2. The property has access from Lincoln Road.

#### **D. UTILITIES:**

All utilities are available to this property.

#### **E. ANALYSIS:**

1. John Jungers, on behalf of 1<sup>st</sup> city Development LLC, has submitted a request to small subdivision plat Lots 1 and 2, Heer and Theer Addition.
2. The applicant is also requesting to rezone Lots 1 and 2, Heer and Theer Addition, Replat One from RG-8-M and BGM to BGM.
3. The applicant wishes to facilitate commercial development along the Lincoln Road Corridor.
4. The requested BGM zoning for the plat accommodates the existing development on proposed Lot 1, as well as any future commercial development on proposed Lot 2.
5. The proposed plat is in conformance with the BGM requirements.
6. This application was sent out for review by the following departments and individuals: Public Works, Permits and Inspections, Chief of Police, Offutt Air Force Base, Fire Inspector, Sarpy County Planning Director, Sarpy County Public Works Department, Sarpy County Deputy County Administrator, and the Bellevue Public School District. The cover letter indicated a deadline to send comments back to the Planning Department, and also stated if the requested department did not have comments pertaining to the application, no response was needed.

Krista Hoffart, Offutt Air Force Base Community Planner, noted that with the proximity to the Air Force Base, there may be noise associated with the active runway.

Public Works Engineering Manager Dean Dunn requested minor technical revisions to the plat. These revisions have since been made by the applicant's surveyor.

No other comments were received in this case.

7. The Future Land Use Map of the Comprehensive Plan designates this area as commercial along the northern boundary of the property, and multi-family residential for the southern half of the property. An amendment to the Future Land Use Map should be included with a request to approve a change of zone and small subdivision plat. Staff recommends the entire property be reflected as commercial.

**F. TECHNICAL DEFICIENCIES:**

None

**IV. DEPARTMENT RECOMMENDATION**

APPROVAL based upon conformance with the Zoning Ordinance and Subdivision Regulations, as well as lack of perceived negative impact upon the surrounding area.

**V. PLANNING COMMISSION RECOMMENDATION**

APPROVAL based upon conformance with the Zoning Ordinance and Subdivision Regulations, as well as lack of perceived negative impact upon the surrounding area. APPROVAL of an amendment to the Future Land Use Map to show this property as being commercial.

**VI. ATTACHMENTS TO REPORT**

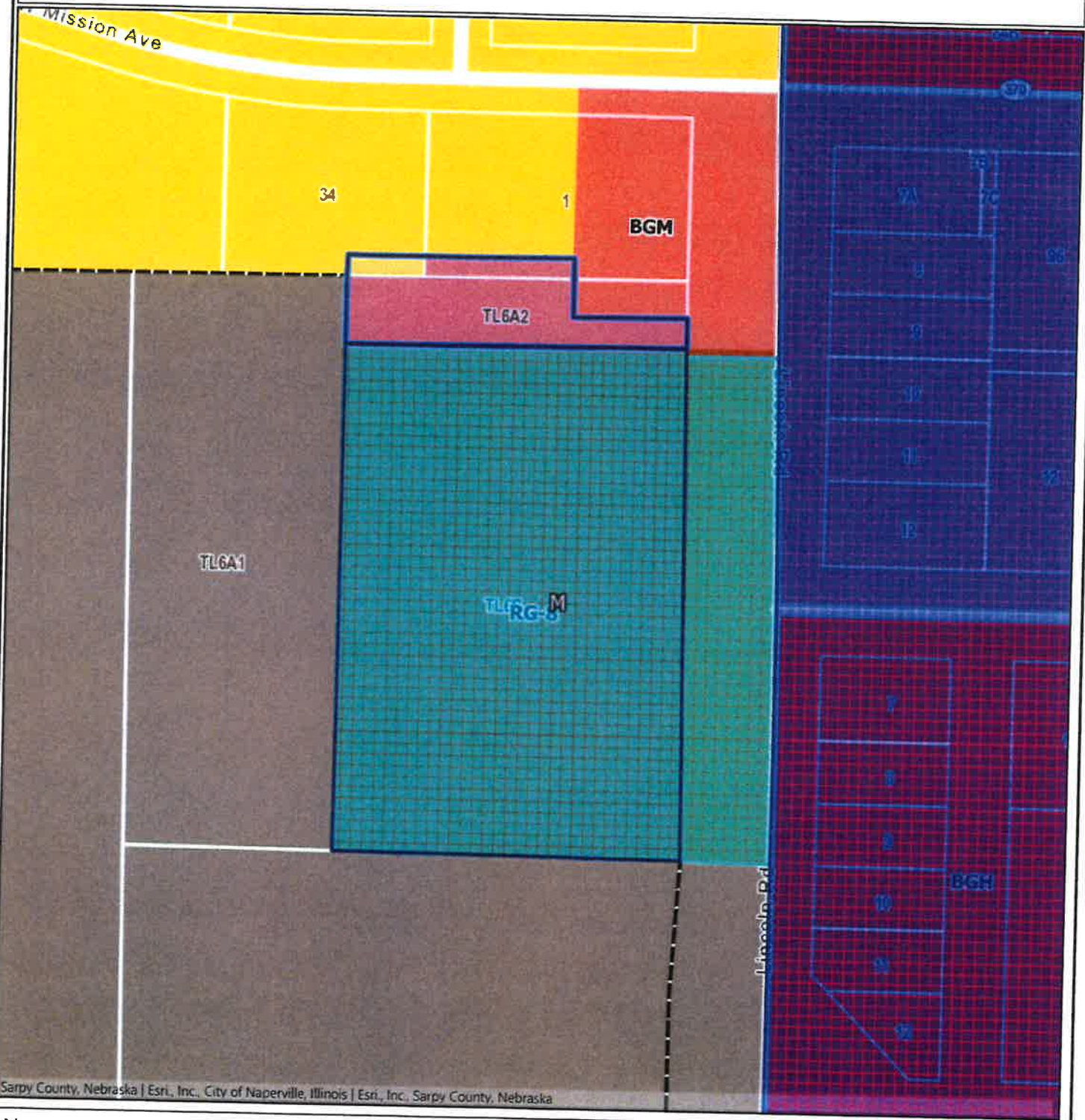
1. Zoning Map
2. 2020 GIS aerial photo of the property
3. Email from John Jungers received November 15, 2021
4. Small Subdivision plat received December 7, 2021
5. As Built Survey received November 29, 2021

**VII. COPIES OF REPORT TO:**

1. 1<sup>st</sup> City Development, LLC - John Jungers
2. Hill-Farrell Associatees, Inc. - Doug Hill
3. David and Ruth Heer
4. Public Upon Request

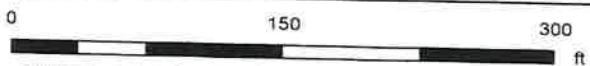
\_\_\_\_\_  
Assistant Planning Manager

*Sammi J. Palm* 01/10/2022  
\_\_\_\_\_  
Planning Manager:                      Date of Report



Sarpy County, Nebraska | Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska

Notes



Map Scale 1: 1592

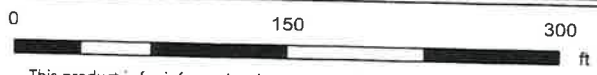
This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.





Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska

Notes



Map Scale 1: 1592

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**Dianna VanHorn**

---

**From:** John Jungers <johnjungers@gmail.com>  
**Sent:** Monday, November 15, 2021 2:43 PM  
**To:** Tammi Palm; Dianna VanHorn  
**Subject:** Rezoning

We are seeing rezoning on the Lincoln Rd property in hopes of facilitating commercial development along the Lincoln Rd corridor.

Respectfully,

John Jungers  
1st City Development LLC

Sent from my iPhone



RECEIVED

NOV 29 2021

PLANNING DEPT

# LINCOLN PLACE ADD. AS BUILT - EXISTING BUILDINGS 2302 and 2304 LINCOLN ROAD



BLOCK

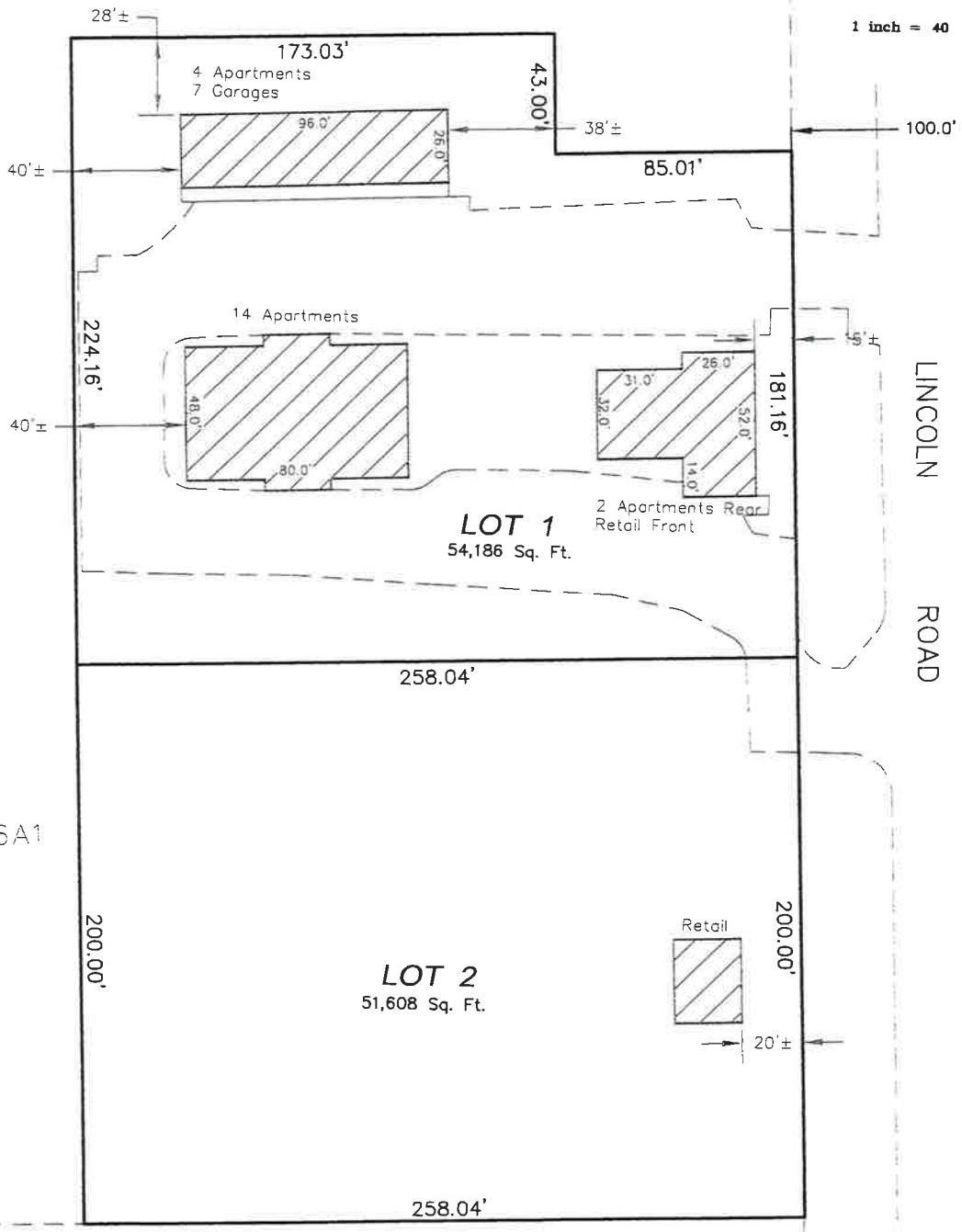
360

LINCOLN ROAD

WEST  
23rd  
AVE

BLOCK

361



LOT 6A1

DRAWN: RDH

DATE: 11/28/2021 PROJECT NO. LINCOLN PLACE ADD.

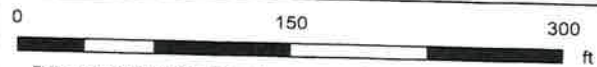


**HILL-FARRELL ASSOCIATES, INC.**  
**Land Surveyors**  
Bellevue, NE 68005 (402) 291-6100



Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska

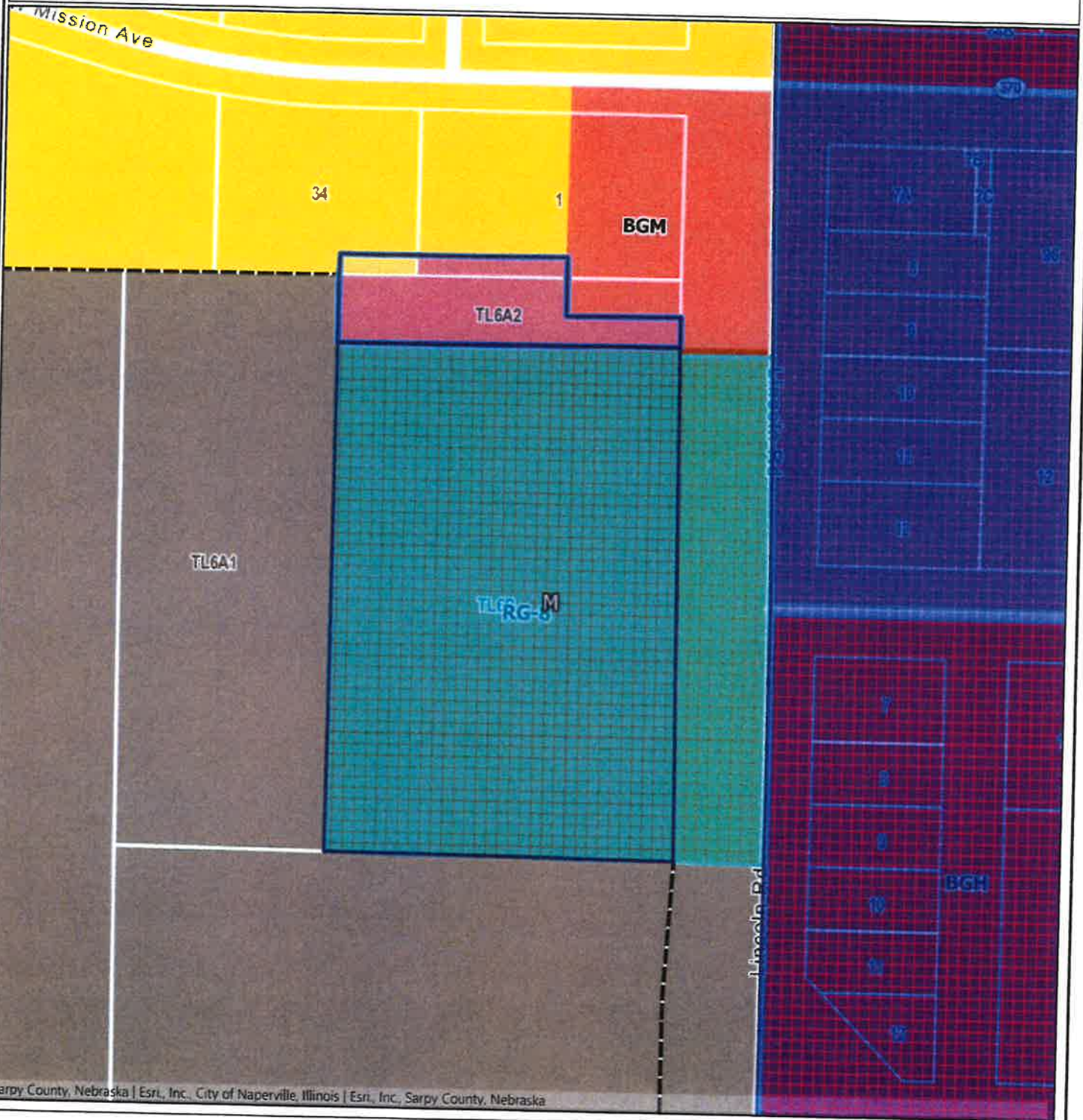
Notes



Map Scale 1: 1592

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Sarpy County, Nebraska | Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska

Notes



Map Scale 1: 1592

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# HEER AND THEIR ADDITION

WEST MISSION AVE

SURVEY: RD4004HUB  
DRAWN: RDH  
DATE: 10/22/21  
10/28/2021  
11/20/2021  
12/07/2021

RECEIVED

DEC 07 2021

PLANNING DEPT.

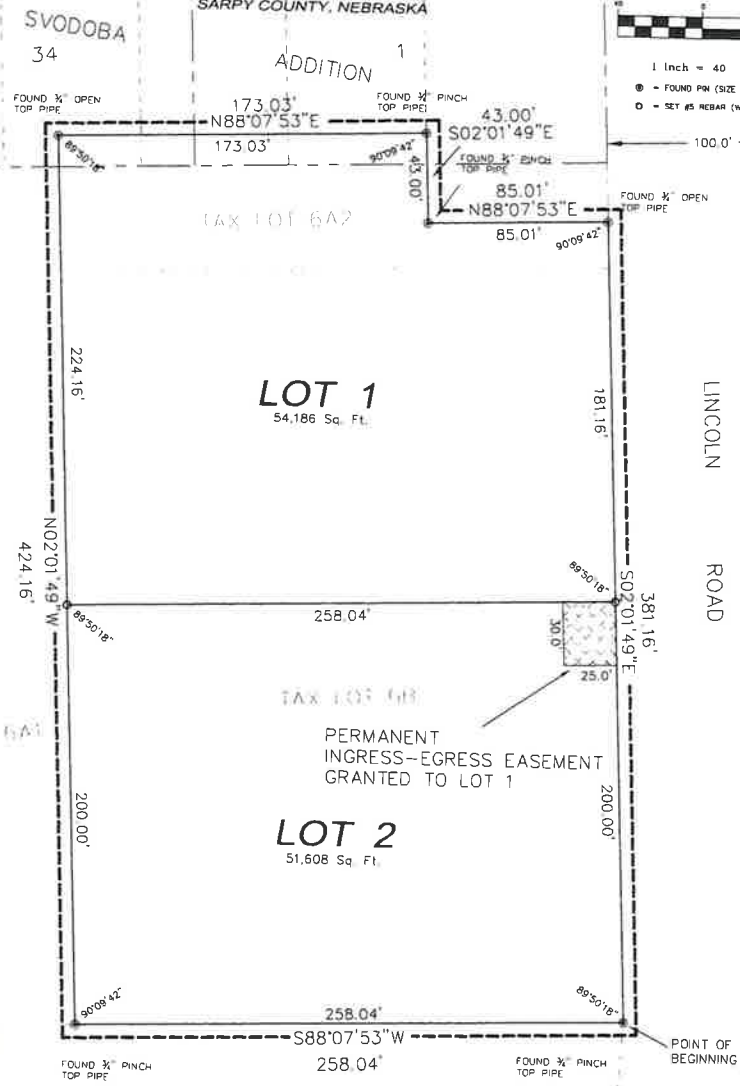
HEER AND THEIR ADDITION  
BELLEVUE, NEBRASKA  
SMALL SUBDIVISION PLAT

HILL-FARRELL ASSOCIATES, INC.  
Land Surveyors  
Bellevue, NE 68123 (402) 291-6100



PROJECT NO.  
JEFFERSON PLACE  
ADDITION PLAT 2

LOTS 1 and 2  
BEING A REPLAT OF TAX LOT 6B AND THAT PART OF TAX LOT 6A2 BEING THE NORTH 50 FEET OF THE WEST 175 FEET OF THE EAST 260 FEET AND THE SOUTH 22 FEET OF THE EAST 85 FEET OF THE EAST 260 FEET OF TAX LOT 6A, TOGETHER WITH THE SOUTH 15 FEET OF THE WEST 110 FEET OF LOT 1 AND THE SOUTH 15 FEET OF THE EAST 65 FEET OF LOT 34. SVOBODA'S ADDITION TO THE CITY OF BELLEVUE.  
SEC. 36, T14N, R13E, 6th P.M.  
SARPY COUNTY, NEBRASKA



**SURVEYOR'S CERTIFICATE**

I, RONALD D. HILL, THE UNDERSIGNED REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE ACCURATELY SURVEYED AND STAKED WITH IRON PINS THE CORNERS AS SHOWN IN "HEER AND THEIR ADDITION," BEING A REPLAT OF TAX LOT 6B AND THAT PART OF TAX LOT 6A2 BEING THE NORTH 50 FEET OF THE WEST 175 FEET OF THE EAST 260 FEET AND THE SOUTH 22 FEET OF THE EAST 85 FEET OF THE EAST 260 FEET OF TAX LOT 6A, TOGETHER WITH THE SOUTH 15 FEET OF THE WEST 110 FEET OF LOT 1 AND THE SOUTH 15 FEET OF THE EAST 65 FEET OF LOT 34, SVOBODA'S ADDITION, LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 36, TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID TAX LOT 6B, THENCE S88°07'53\"/>

DATE \_\_\_\_\_  
RONALD D. HILL NEBRASKA L.S. NO. 373

**DEDICATION**

KNOW ALL MEN BY THESE PRESENTS THAT WE, DAVID J. HEER AND RUTH M. HEER, CO-TRUSTEES OF THE DAVID AND RUTH HEER REVOCABLE TRUST, BEING THE OWNERS OF THE PROPERTY DESCRIBED WITHIN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE REPLATED INTO LOTS TO BE NUBERED AS SHOWN, SAID SUBMISSION TO BE HEREAFTER KNOWN AS "HEER AND THEIR ADDITION," AND WE DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT. WE DO HEREBY GRANT PERPETUAL EASEMENTS TO OMAHA PUBLIC POWER DISTRICT (OPPD), COX COMMUNICATIONS, AND CENTURYLINK ACROSS A FIVE (5) FOOT WIDE STRIP OF LAND ABUTTING ALL FRONT AND SIDE BOUNDARY LOT LINES; AN EIGHT (8) FOOT WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL INTERIOR LOTS; AND A SIXTEEN (16) FOOT WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL EXTERIOR LOTS. THE TERM EXTERIOR LOTS IS HEREBIN EASEMENT MAY BE REDUCED TO EIGHT (8) FEET WIDE WHEN THE ADJACENT LAND IS SURVEYED, PLATTED AND RECORDED. THE SUBDIVIDER SHALL GRANT PERPETUAL EASEMENTS TO METROPOLITAN UTILITIES DISTRICT AND/OR BLACK HILLS ENERGY, THEIR SUCCESSORS AND ASSIGNS TO ERECT, INSTALL, OPERATE, MAINTAIN, REPAIR AND RENEW PIPELINES, HYDRANTS AND OTHER RELATED FACILITIES AND TO EXTEND THEREON PIPES FOR THE TRANSMISSION OF GAS AND WATER ON, THROUGH, UNDER AND ACROSS A FIVE (5) FOOT WIDE STRIP OF LAND ABUTTING ALL CALDE-SAC STREETS. NO PERMANENT BUILDINGS OR RETAINING WALLS SHALL BE PLACED IN SAID EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID OR RIGHTS HEREBIN GRANTED.

IN WITNESS WHEREOF WE DO HEREBY SET OUR HANDS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2022

DAVID J. HEER CO-TRUSTEE OF THE DAVID AND RUTH HEER REVOCABLE TRUST  
RUTH M. HEER CO-TRUSTEE OF THE DAVID AND RUTH HEER REVOCABLE TRUST

**ACKNOWLEDGMENT OF NOTARY**

STATE OF NEBRASKA )  
COUNTY OF SARPY ) SS

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2022, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, DULY QUALIFIED AND COMMISSIONED IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DAVID J. HEER AND RUTH M. HEER, PERSONALLY KNOWN BY ME TO BE THE IDENTICAL PERSONS WHOSE NAMES APPEAR ON THIS PLAT AND THEY DID ACKNOWLEDGE THE EXECUTION THEREOF TO BE THEIR VOLUNTARY ACT AND DEED.

DATE \_\_\_\_\_ NOTARY PUBLIC \_\_\_\_\_

**APPROVAL OF BELLEVUE PLANNING COMMISSION**  
THIS PLAT OF "HEER AND THEIR ADDITION" WAS APPROVED BY THE BELLEVUE PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2021.

CHAIRPERSON  
BELLEVUE PLANNING COMMISSION

**APPROVAL OF BELLEVUE CITY COUNCIL**  
THIS PLAT OF "HEER AND THEIR ADDITION" WAS APPROVED BY THE BELLEVUE CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2022. THIS PLAT BECOMES NULL AND VOID IF NOT RECORDED WITHIN NINETY (90) DAYS OF THE ABOVE DATE.

ATTEST: \_\_\_\_\_ CITY CLERK \_\_\_\_\_ MAYOR, CITY OF BELLEVUE, NEBRASKA

**REVIEW BY SARPY COUNTY PUBLIC WORKS**  
THIS PLAT OF "HEER AND THEIR ADDITION" WAS REVIEWED BY THE SARPY COUNTY SURVEYOR'S OFFICE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2022.

SARPY COUNTY SURVEYOR/ENGINEER \_\_\_\_\_

**COUNTY TREASURER'S CERTIFICATION**  
THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY AS DESCRIBED WITHIN THIS PLAT AS SHOWN BY THE RECORDS OF THIS OFFICE.

DATE \_\_\_\_\_ SARPY COUNTY TREASURER \_\_\_\_\_

WEST  
23rd  
AVE

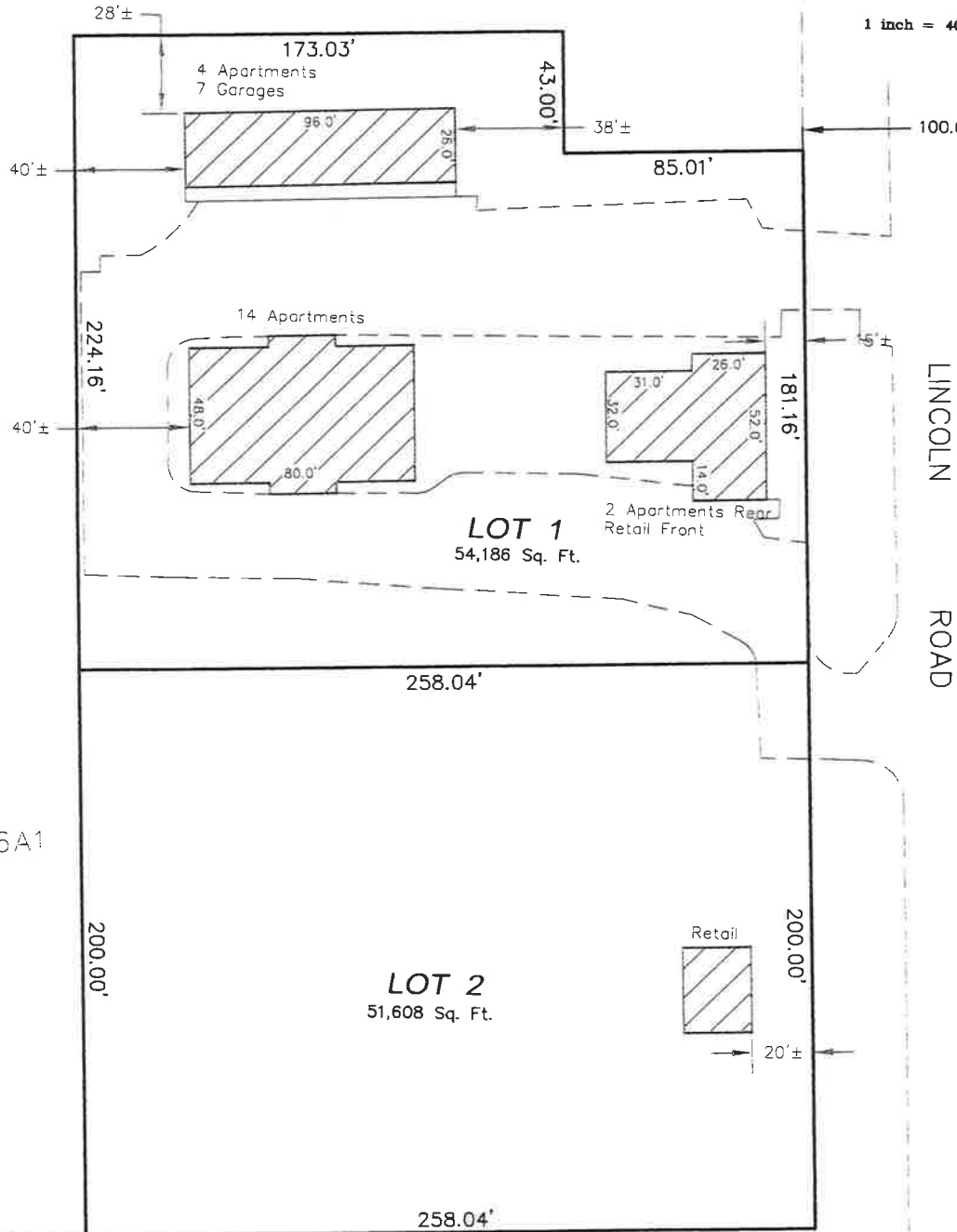
LINCOLN  
ROAD

RECEIVED

NOV 29 2021

PLANNING DEPT

# LINCOLN PLACE ADD. AS BUILT - EXISTING BUILDINGS 2302 and 2304 LINCOLN ROAD



DRAWN: RDH

DATE: 11/28/2021 PROJECT NO. LINCOLN PLACE ADD.



**HILL-FARRELL ASSOCIATES, INC.**

**Land Surveyors**

Bellevue, NE 68005 (402) 291-6100

ORDINANCE NO. 4073

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BELLEVUE, NEBRASKA, AS PROVIDED FOR BY ARTICLE 3 OF ORDINANCE NO. 3619 BY CHANGING THE ZONE CLASSIFICATION OF LAND LOCATED AT OR ABOUT 2304 LINCOLN ROAD, MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THE ORDINANCE AND TO PROVIDE AN EFFECTIVE DATE.

WHEREAS, having received a recommendation from the city of Bellevue Planning Commission and proper notice having been given and public hearing held as provided by law:

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA:

Section 1. That part of the official zoning map of the City of Bellevue, Nebraska, as provided in Article 3, of Ordinance No. 3619 is hereby amended to change the zone classification of the following described parcel of land:

Lots 1 and 2, Heer and Theer Addition, being a replat of Tax Lot 6B, and that Part of Tax Lot 6A2, being the north 50' of the west 175' of the east 260' and the south 22' of the east 85' of the east 260' of Tax Lot 6A, together with the south 15' of the west 110' of Lot 1, and the south 15' of the east 65' of Lot 34, Svoboda's Addition to the City of Bellevue, all located in the Southwest 1/4 of Section 36, T14N, R13E of the 6th P.M., Sarpy County, Nebraska

From RG-8-M (General Residential - 800 Square Foot Zone - Modified Residential District) and BGM (Metropolitan General Business District) to BGM (Metropolitan General Business District)

(1st City Development, LLC)

Section 2. This ordinance shall not take effect until such time as the small subdivision plat of Heer and Theer Addition is filed with the Sarpy County Register of Deeds in accordance with Section 5-10 of the City of Bellevue Subdivision Regulations.

Section 3. Except as amended herein, the official zoning map and the classification shown therein shall remain as heretofore existing.

Section 4. This ordinance shall take affect and be in force from and after its adoption and publication according to law.

ADOPTED by the Mayor and City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

ATTEST

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Third Reading: \_\_\_\_\_

# HEER AND THEIR ADDITION

WEST MISSION AVE

SURVEY: RD4040140  
DRAWN: RDH  
DATE: 10/22/21  
10/28/2021  
11/20/2021  
12/07/2021

**RECEIVED**  
**DEC 07 2021**  
**PLANNING DEPT.**

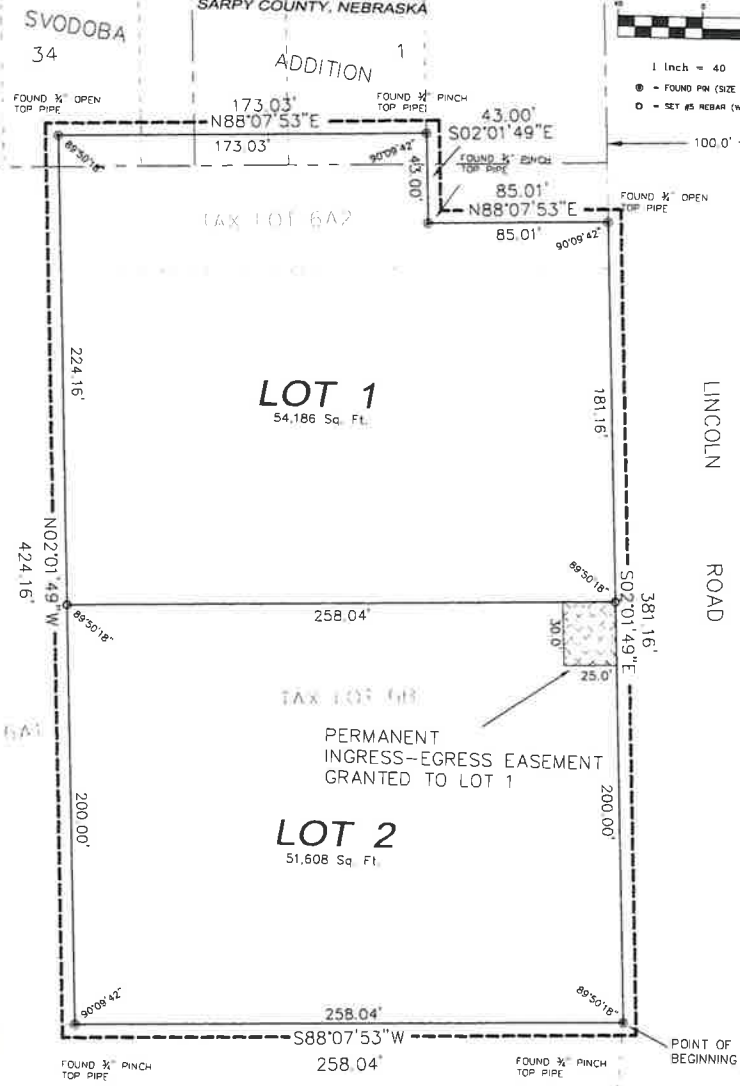
HEER AND THEIR ADDITION  
BELLEVUE, NEBRASKA  
SMALL SUBDIVISION PLAT

HILL-FARRELL ASSOCIATES, INC.  
Land Surveyors  
Bellevue, NE 68123 (402) 291-6100



PROJECT NO.  
JEFFERSON PLACE  
ADDITION PLAT 2

LOTS 1 and 2  
BEING A REPLAT OF TAX LOT 6B AND THAT PART OF TAX LOT 6A2 BEING THE NORTH 50 FEET OF THE WEST 175 FEET OF THE EAST 260 FEET AND THE SOUTH 22 FEET OF THE EAST 85 FEET OF THE EAST 260 FEET OF TAX LOT 6A, TOGETHER WITH THE SOUTH 15 FEET OF THE WEST 110 FEET OF LOT 1 AND THE SOUTH 15 FEET OF THE EAST 65 FEET OF LOT 34. SVOBODA'S ADDITION TO THE CITY OF BELLEVUE.  
SEC. 36, T14N, R13E, 6th P.M.  
SARPY COUNTY, NEBRASKA



**SURVEYOR'S CERTIFICATE**

I, RONALD D. HILL, THE UNDERSIGNED REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE ACCURATELY SURVEYED AND STAKED WITH IRON PINS THE CORNERS AS SHOWN IN "HEER AND THEIR ADDITION," BEING A REPLAT OF TAX LOT 6B AND THAT PART OF TAX LOT 6A2 BEING THE NORTH 50 FEET OF THE WEST 175 FEET OF THE EAST 260 FEET AND THE SOUTH 22 FEET OF THE EAST 85 FEET OF THE EAST 260 FEET OF TAX LOT 6A, TOGETHER WITH THE SOUTH 15 FEET OF THE WEST 110 FEET OF LOT 1 AND THE SOUTH 15 FEET OF THE EAST 65 FEET OF LOT 34, SVOBODA'S ADDITION, LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 36, TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID TAX LOT 6B, THENCE S88°07'53\"/>

DATE \_\_\_\_\_  
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RUTH M. HEER CO-TRUSTEE OF THE DAVID AND RUTH HEER REVOCABLE TRUST

**ACKNOWLEDGMENT OF NOTARY**

STATE OF NEBRASKA )  
COUNTY OF SARPY ) SS

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DATE \_\_\_\_\_ NOTARY PUBLIC \_\_\_\_\_

**APPROVAL OF BELLEVUE PLANNING COMMISSION**  
THIS PLAT OF "HEER AND THEIR ADDITION" WAS APPROVED BY THE BELLEVUE PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2021.

CHAIRPERSON  
BELLEVUE PLANNING COMMISSION

**APPROVAL OF BELLEVUE CITY COUNCIL**  
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ATTEST: \_\_\_\_\_ MAYOR, CITY OF BELLEVUE, NEBRASKA

**REVIEW BY SARPY COUNTY PUBLIC WORKS**  
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SARPY COUNTY SURVEYOR/ENGINEER \_\_\_\_\_

**COUNTY TREASURER'S CERTIFICATION**  
THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY AS DESCRIBED WITHIN THIS PLAT AS SHOWN BY THE RECORDS OF THIS OFFICE.

DATE \_\_\_\_\_ SARPY COUNTY TREASURER \_\_\_\_\_

WEST  
23rd  
AVE

LINCOLN  
ROAD

Tax Lot 6f

Tax Lot 6a1

**CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET**

**12c.  
02/01/2022**

COUNCIL MEETING DATE:	SUBMITTED BY: <u>Tammi Palm</u>	<u>Planning Manager</u>
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input checked="" type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>

**SUBJECT:**

Request to rezone Tax Lot 6A6, located in the Northwest ¼ of Section 26, T14N, R13E of the 6th P.M., Sarpy County, Nebraska, from BG to RG-20 for the purpose of an adolescent care facility. Applicant: i3, LLC. General location: 105 Fort Crook Road South.

**SYNOPSIS/BACKGROUND:**

i3, LLC, on behalf of Broadstep, is requesting to rezone the property located at 105 Ft Crook Rd S from BG to RG-20 for the purpose of an adolescent care facility. The applicant desires to repurpose the current Royal Inn Motel to a 24/7 residential adolescent care facility for youth with behavioral and mental health needs.

FISCAL IMPACT: No BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

**TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:**

IS THIS A CONTRACT?: NO COUNTER-PARTY: \_\_\_\_\_ INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION: \_\_\_\_\_

CONTRACT EFFECTIVE DATE: \_\_\_\_\_ CONTRACT TERM: \_\_\_\_\_ CONTRACT END DATE: \_\_\_\_\_

PROJECT NAME: \_\_\_\_\_

START DATE: \_\_\_\_\_ END DATE: \_\_\_\_\_ PAYMENT DATE: \_\_\_\_\_ INSURANCE REQUIRED: NO

CIP PROJECT NAME: \_\_\_\_\_ CIP PROJECT NUMBER: \_\_\_\_\_

STREET DISTRICT NAME (S): \_\_\_\_\_ STREET DISTRICT NUMBER (S): \_\_\_\_\_

ACCOUNTING DISTRIBUTION CODE: \_\_\_\_\_ ACCOUNT NUMBER: \_\_\_\_\_

**RECOMMENDATION:**

The Planning Department and Planning Commission are recommending denial of this request.

**ATTACHMENTS:**

1. <u>PC Recommendation</u>	2. <u>Staff Report</u>	3. <u>Ord No. 4074</u>
4. _____	5. _____	6. _____

**SIGNATURES:**

LEGAL APPROVAL AS TO FORM: \_\_\_\_\_

FINANCE APPROVAL AS TO FORM: \_\_\_\_\_

ADMINISTRATOR APPROVAL AS TO FORM: \_\_\_\_\_

*[Handwritten signatures]*

# City of Bellevue

## PLANNING COMMISSION RECOMMENDATION

APPLICANT: i3, LLC

CASE #: Z-2111-23

CITY COUNCIL HEARING DATE: February 1, 2022

REQUEST: to rezone Tax Lot 6A6, located in the Northwest ¼ of Section 26, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, from BG (General Business District) to RG-20 (General Residential – 2,000 Square Foot Zone) for the purpose of an adolescent care facility.

On December 16, 2021, the City of Bellevue Planning Commission voted four yes, two no, three absent and zero abstained:

***DENIAL*** based upon the Future Land Use Map and Comprehensive Plan, as well as the perceived negative impact upon the surrounding area.

### VOTE:

Yes:	Four:	No:	Two:	Abstain:	Zero:	Absent:	Three:
	Aerni		Ritz				Casey
	Cutsforth		Hankins				Perrin
	Ackley						Compton
	Jacobson						

Planning Commission Hearing (s) was held on: December 16, 2021

# CITY OF BELLEVUE PLANNING DEPARTMENT

## RECOMMENDATION REPORT # 2

CASE NUMBER: Z-2111-23

FOR HEARING OF:

REPORT #1: December 16, 2021

REPORT #2: February 1, 2022

### I. GENERAL INFORMATION

#### A. APPLICANT:

i3, LLC  
Attn: Fisher Easterling  
955 East Main Street, Ste. E, Box 92  
Lexington, SC 2964

#### B. PROPERTY OWNER:

Radhe Krishna, LLC  
105 Fort Crook Road South  
Bellevue, NE 68005

#### C. GENERAL LOCATION:

105 Fort Crook Road South

#### D. LEGAL DESCRIPTION:

Tax Lot 6A6, located in the Northwest ¼ of Section 26, T14N, R13E of the 6<sup>th</sup> P.M.,  
Sarpy County, NE

#### E. REQUESTED ACTION:

1. Rezone Tax Lot 6A6, from BG to RG-20 for the purpose of an adolescent care facility.

#### F. EXISTING ZONING AND LAND USE:

BG, Commercial Building (Royal Inn Motel)

**G. PURPOSE OF REQUEST:**

The purpose of this request is to obtain approval of a rezoning to facilitate an adolescent care facility.

**H. SIZE OF SITE:**

The site is approximately 1.87 acres.

**II. BACKGROUND INFORMATION**

**A. EXISTING CONDITION OF SITE:**

This property is developed with the Royal Inn Motel, which was constructed in 1956.

**B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**

1. **North:** Strip Retail/Commercial, BGH
2. **East:** Single Family Residential, RD-60
3. **South:** Single Family Residential, RG-28 and RD-60
4. **West:** Vacant, BG (across Fort Crook Road South)

**C. REVELANT CASE HISTORY:**

1. On December 16, 2021, the Planning Commission recommended denial of a request to rezone Tax Lot 6A6, located in the Northwest ¼ of Section 26, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, from BG to RG-20 for the purpose of an adolescent care facility.

**D. APPLICABLE REGULATIONS:**

1. Section 5.14, Zoning Ordinance, regarding RG-20 uses and requirements.

**III. ANALYSIS**

**A. COMPREHENSIVE PLAN:**

The Future Land Use Map of the Comprehensive Plan designates this area as commercial.

**B. OTHER PLANS:**

If the rezoning is approved, the applicant intends to convert the existing building into an adolescent residential care facility.

**C. TRAFFIC AND ACCESS:**

1. The MAPA Traffic Flow Data estimates 4,300 vehicles per day along the northbound leg of Fort Crook Road, north of the intersection of Fort Crook Road and Cornhusker Road.
2. This property has access from two points along Fort Crook Road South.

**D. UTILITIES:**

All utilities are available to this location.

**E. ANALYSIS:**

1. i3, LLC has submitted a request to rezone Tax Lot 6A6, located in the Northwest ¼ of Section 26, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, NE from BG to RG-20.
2. The applicant is requesting a zoning change to RG-20 in order to facilitate an adolescent residential group home facility. No platting is being requested at this time.

The applicant states Broadstep Behavioral Health is a national care provider for both adolescents and adults. They have recently added Nebraska to its geography due to a statewide shortage of care in this category. The building located at 105 Fort Crook Road South, home of the Royal Inn Motel, would be converted into an adolescent residential group home facility for those with behavioral health challenges and therapeutic needs. The adolescents in this facility would eat, sleep, recreate, and be educated on premises.

A copy of the applicant's letter detailing their request is attached to this report.

3. This property is located along the Fort Crook Road South corridor. The corridor consists of commercial/heavy commercial uses north of the property, and a mix of residential and commercial uses to the south of the property.
4. The Avery Heights residential neighborhood is adjacent to the south and east of this property.
5. This application was sent out to the following departments/individuals for review: Public Works, Permits and Inspections, Chief of Police, Offutt Air Force Base, Fire Inspector, and the Bellevue Public School District. The cover letter indicated a deadline to send comments back to the Planning Department, and also stated if the requested department did not have comments pertaining to the application, no response was needed.

Mike Christensen, Chief Building Official, commented this type of use would be considered a complete change of occupancy from its current use and would require the entire structure to be brought up to current code for the new occupancy. He stated the number of individuals needing care and the number of staff proposed is needed to classify the exact type of use.

Donald Gifford, Battalion Chief, had comments regarding the need to update the building with the proposed change of occupancy to meet the health care life safety codes.

No other comments were received on this case.

6. The Future Land Use Map of the Comprehensive Plan designates this area as Commercial.

7. The RG-20 District allows hospitals, sanitariums, rest homes, nursing homes, elderly or retirement housing, convalescent homes, other similar institutions, or philanthropic institutions as a permitted use.

8. The Fort Crook Road Corridor Redevelopment Plan, describes this sub-area as The Galvin Corner Neighborhood and designates this section of Fort Crook Road South as a mixed-use district, with retail, office, and residential uses. The Galvin Corner Neighborhood shows this specific area as a traditional multi-family residential use district, with apartments and condos.

9. Staff does not believe this request is compatible with the existing development along the Fort Crook Road corridor and the adjoining residential neighborhoods, nor is it appropriate when considering the Future Land Use Map designation of this property and the Comprehensive Plan.

**F. TECHNICAL DEFICIENCIES:**

None

**IV. DEPARTMENT RECOMMENDATION**

DENIAL based upon the Future Land Use Map and Comprehensive Plan, as well as the perceived negative impact upon the surrounding area.

**V. PLANNING COMMISSION RECOMMENDATION**

DENIAL based upon the Future Land Use Map and Comprehensive Plan, as well as the perceived negative impact upon the surrounding area.

**VI. ATTACHMENTS TO REPORT**

1. Vicinity Map/Zoning Map
2. 2020 GIS aerial photo of the property
3. Letter from Fisher Easterling received November 12, 2021.
4. Information from Fisher Easterling received December 16, 2021
5. Letter from Marty Giff received December 15, 2021.

**VII. COPIES OF REPORT TO:**

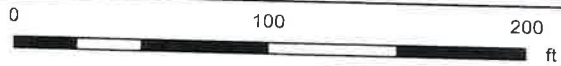
1. i3, LLC
2. Radhe Krishna, LLC
3. Don Schleining
4. Public Upon Request

  
Assistant Planning Manager

  
Planning Manager                      Date of Report



Sarpy County, Nebraska | Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska



Map Scale 1: 1128

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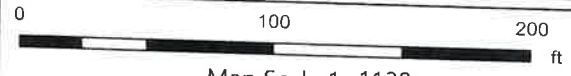


Notes





Esri, Inc. City of Naperville, Illinois | Esri, Inc. Sarpy County, Nebraska



Map Scale 1: 1128

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Notes





i3, LLC  
955 E. Main Street  
Suite E Box #92  
Lexington, SC 29072

Dear Ms. Palm:

Thank you for your time and consideration regarding the pending request to re-zone the property a 105 Fort Crook Road. As previously discussed, we are seeking a new zoning status, changing from the current "BG" designation to the appropriate "RG-20" designation. It is our understanding that this zoning change will allow for the Tenant's use as behavioral healthcare providers.

To be more specific "Broadstep Behavioral Health" is a national care provider for both adolescents and adults and has recently added Nebraska to its geography due to a stated statewide shortage of care in this category. This facility is planned for adolescent care for those with behavioral health challenges and therapeutic needs. The youth in this facility will eat, sleep, recreate, and be educated on these premises. Please let us know if there are any questions at all about this group, or the specific intentions for the property. We look forward to discussing with your group as necessary, and we look forward to being a part of the Bellevue community.

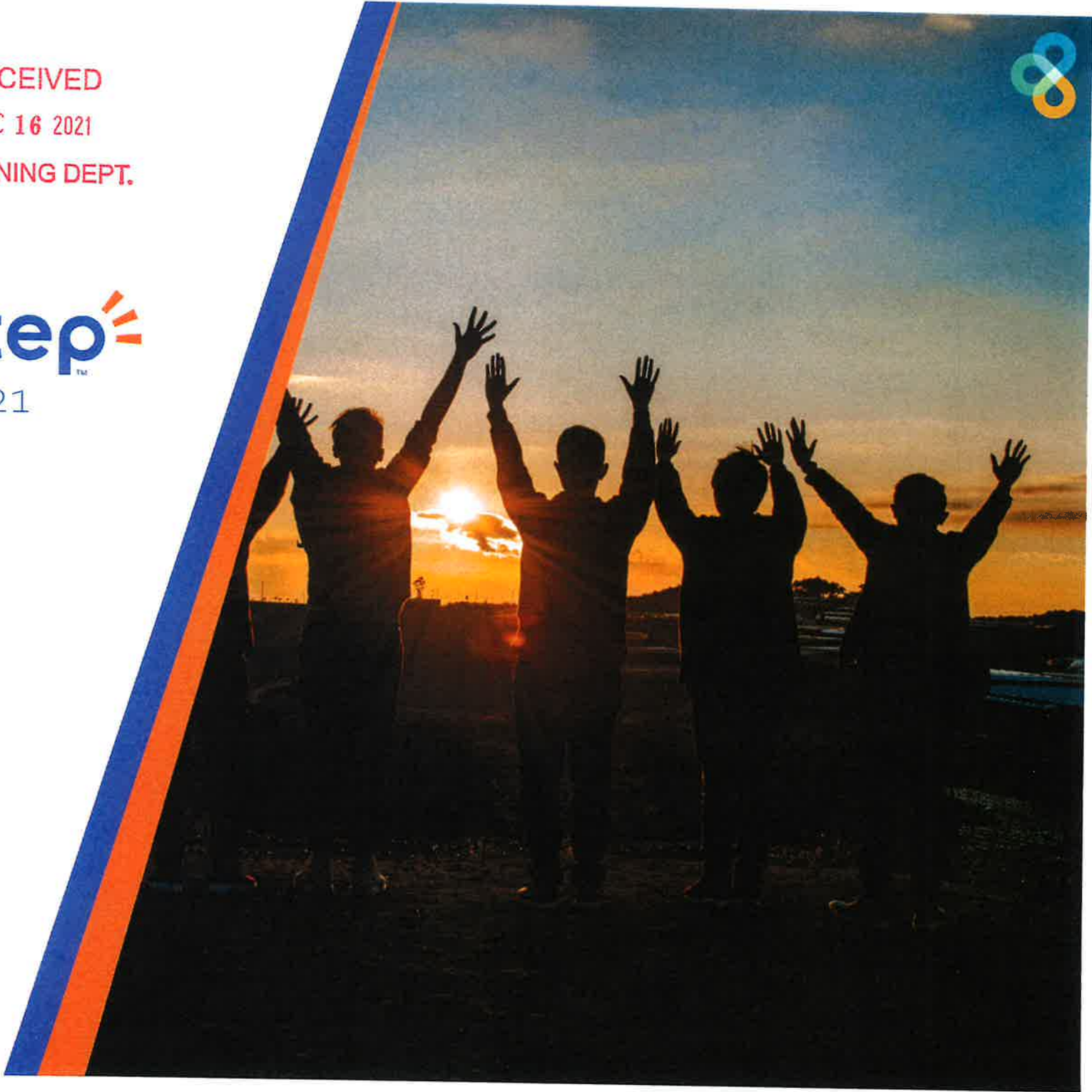
Best Regards,

Fisher Easterling

**RECEIVED**  
**NOV 12 2021**  
**PLANNING DEPT.**

RECEIVED  
DEC 16 2021  
PLANNING DEPT.

**broadstep**<sup>TM</sup>  
Bellevue, NE 2021





## Who is broadstep?



- Broadstep represents the new age efficiency of Group Homes for children and adults with intellectual and developmental disabilities (I/DD), mental illness & co-occurring disorders. When researching group homes, you find that most are “mom & pop” homes with one or two locations. Broadstep has stepped into an industry that is over-due for a corporate entrance. Group Homes are already a profitable venture but making costs more efficient is the up-side.
- Entering markets with favorable reimbursement rates, and friendlier legislation, are the leading contributors to the company's growth.
- Bain Capital, detailed on page 3, founded Broadstep as a part of their “Double Impact” strategy.
- With 94 locations across the United States, the projection for growth are strong.

It's easier to grow when you feel safe, comfortable, loved, and advocated for. So we care for the whole person, providing a continuum of physical, emotional, and mental support for children and adults with intellectual and developmental disabilities (I/DD), mental illness, and co-occurring disorders. With outcomes rooted in discovering and championing personal definitions of progress, our individuals, families, caregivers, and neighbors are building more and more communities people can call home.

**broadstep's Vision** – To be America's first choice in behavioral health and supportive living.

**broadstep's Mission** – To provide first-class behavioral health and supportive living services by being the nation's best employer, provider and community partner.

**broadstep's Values** – ACE IT with FUN: **Accountability, Compassion, Excellence, Integrity, Teamwork, Fun**



# Backed by Bain Capital

- Bain Capital is one of the world's leading private, multi-asset alternative investment firms with approximately **\$105b in assets under management**.
- As part of their public outreach, Bain Capital developed a **'double impact' investment strategy**. Double Impact allows them to invest in companies to provide both a financial as well as a societal impact.
- From Bain Capital's website:

"Impact investing has the power to build great companies that deliver both competitive financial returns and meaningful, measurable social and environmental good. Bain Capital Double Impact pursues investments where we can utilize our unique capabilities to help mission-driven companies scale and drive meaningful change.

Our goal is to scale financial and impact growth for our partner companies, which are solving critical social problems, and doing so with sustainable business models. We believe that our value-added approach, experienced team and broad platform expertise helps provide the resources and capabilities that these companies need to thrive."

## Double Impact Partners





# 105 Fort Crook Road Bellevue, NE

## Community Investment

Broadstep has chosen 105 Fort Crook Road as the next location for a campus in Nebraska.

This location will need to be re-developed with an estimated \$1,500,000 in improvements. This will be done by local contractors once due diligence and closing have been completed.

This opportunity is a **for profit entity**. Not only will Broadstep be participating in property taxes, but that assessed value will **increase significantly**.

Job creation is another large investment in the community. Broadstep projects upwards of 32 jobs to be created on this campus. These include:

- **Management Level Positions**
- **Nursing Positions**
- **Psychiatric Professionals**



# i3's Participation Strategy (Landlord)

As the future investor and landlord of the 601 Chateau Drive development i3, LLC is working towards the following:

- **Purchase the Assets for Broadstep:** i3 purchases the land and building, hires the local contractors, architects, engineers, and re-invests in the existing building.
- **Successfully Transform the Motel:** i3 is currently working with Don Schleining, and Broadstep, to renovate and re-design the Motel at 105 Fort Crook Road.
  - The project will not be a complete tear-down, but an improvement.
  - Changing the façade and landscape to an upgraded and approved design is a primary objective of our team.
- **Involvement in the Community:**
  - Broadstep's ability to change zoning in other municipalities has been successful through community involvement.



Current Motel (105 Fort Crook Road)

## Tammi Palm

---

**From:** Fisher Easterling <fisher.easterling@i3resources.com>  
**Sent:** Thursday, December 16, 2021 10:04 AM  
**To:** Tammi Palm  
**Subject:** Bellevue Broadstep "Deck"  
**Attachments:** Broadstep Deck 12.14.21\_.pdf

Tammi,

Please see the attached. Thank you!



### Fisher Easterling

Director of CRE Acquisitions & Development  
i3, LLC

c. 864.680.1170

e. [fisher.easterling@i3resources.com](mailto:fisher.easterling@i3resources.com)

w. [www.i3resources.com](http://www.i3resources.com) | [Read Family Matters](#)

[Connect on LinkedIn](#)

You worked hard for your legacy.

We'll work hard to protect it.

Because we believe that families are stronger, together.

RECEIVED  
DEC 16 2021  
PLANNING DEPT.



## Giff Property Services

2211 Thurston Circle, Bellevue, NE 68005 402-557-5999

December 15, 2016

Tammi Palm  
City of Bellevue Planning Department  
1510 Wall Street  
Bellevue, NE 68005  
tammi.palm@Bellevue.net

RE: Case #: Z-2111-23  
105 Fort Crook Road South  
PB Hearing 12-16-2021

I received notice of the proposed zoning change action for the above identified Case and property. I am an owner and the property manager of the adjacent property to the north at 2209-2229 Thurston Circle called Fort Crook Plaza. I am unable to attend the planning commission meeting, but would like to express my opinion to this matter.

My property is identified as being used for strip retail/commercial. I want to clarify that Fort Crook Plaza is a flex facility that consists of 10 bays that are used for office and warehousing purposes. There are nine overhead doors on the north elevation of my building that are used daily by full length 53' semi trucks transporting freight. There are also multiple smaller service vehicles that utilize the north overhead doors. I do not believe that adolescent occupancy of the structure immediately adjoining the parking lot of a warehousing facility like Fort Crook Plaza is safe nor appropriate.

Fort Crook Road is steadily travelled 6-lane arterial with a raised median. Ingress and egress to the 105 Fort Crook Road is only possible via northbound travel. A median break exists a block north at Thurston Circle, but U-turns are not permitted at this intersection as there is no deceleration lane. The current use of the 105 Fort Crook property as a motel already results in continual illegal U-turns at the intersection, and drivers using the my Fort Crook Plaza driveway as a circulation path causing increased risk of accidents and injury in my parking lot. I am concerned that the proposed use will have more daily patrons, resulting in more illegal traffic issues.

I therefore do not agree with the proposed rezoning for RG-20 multiple family use.

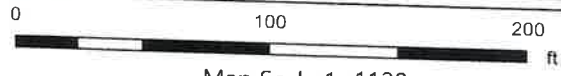
Please include this letter a part of the public record regarding the Case.

Marty Giff  
Owner/Manager  
Fort Crook Plaza

RECEIVED  
DEC 15 2021  
PLANNING DEPT.

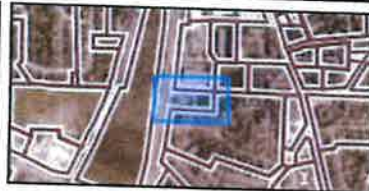


Esri, Inc. City of Naperville, Illinois | Esri, Inc. Sarpy County, Nebraska



Map Scale 1: 1128

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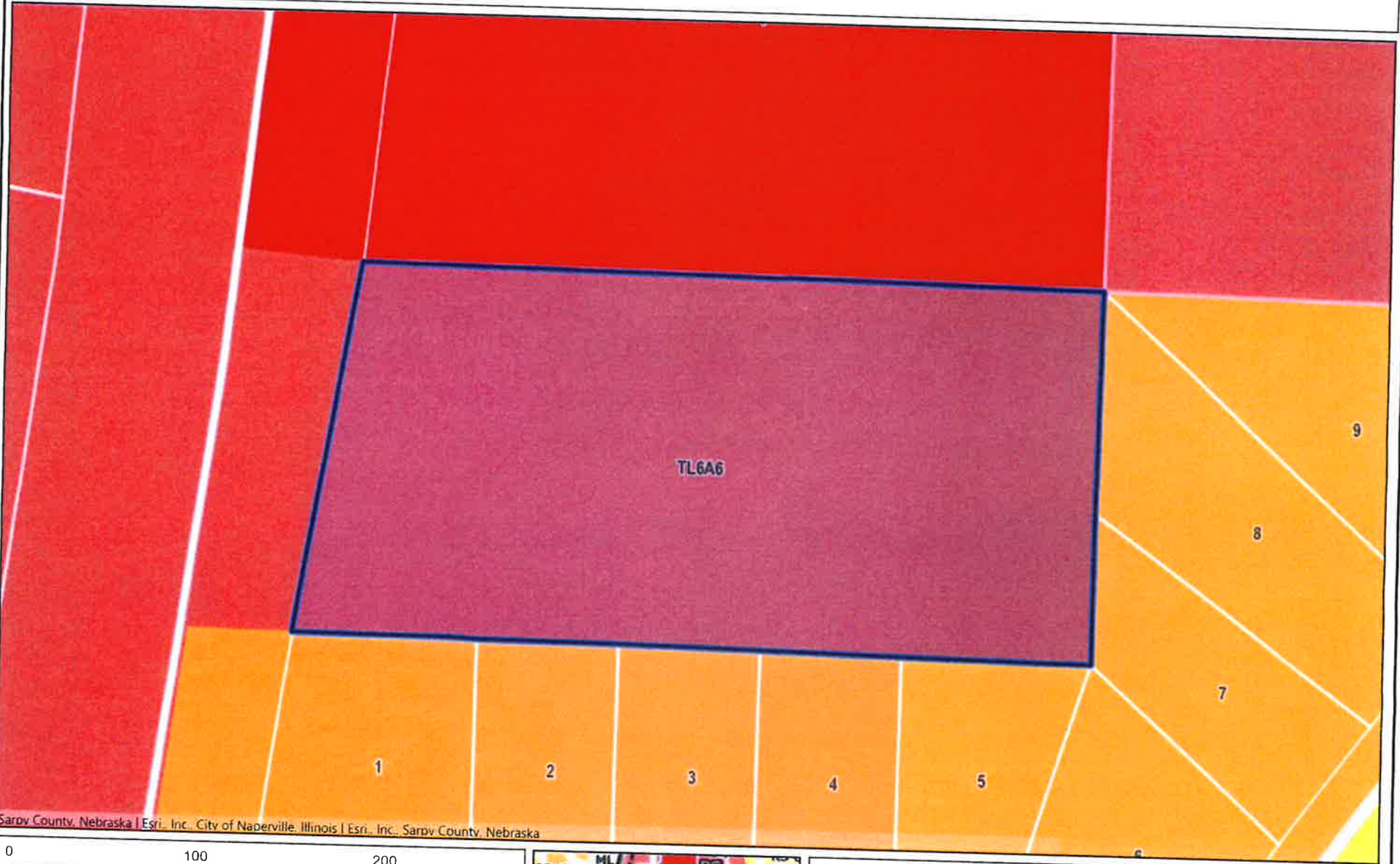


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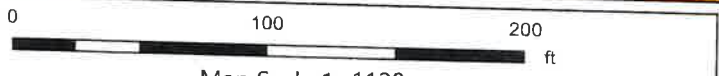




SARPY COUNTY  
NEBRASKA

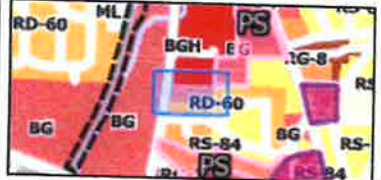


Sarpy County, Nebraska | Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska



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Notes



ORDINANCE NO. 4074

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BELLEVUE, NEBRASKA, AS PROVIDED FOR BY ARTICLE 3 OF ORDINANCE NO. 3619 BY CHANGING THE ZONE CLASSIFICATION OF LAND LOCATED AT OR ABOUT 105 FORT CROOK ROAD SOUTH, MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THE ORDINANCE AND TO PROVIDE AN EFFECTIVE DATE.

WHEREAS, having received a recommendation from the city of Bellevue Planning Commission and proper notice having been given and public hearing held as provided by law:

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA:

Section 1. That part of the official zoning map of the City of Bellevue, Nebraska, as provided in Article 3, of Ordinance No. 3619 is hereby amended to change the zone classification of the following described parcel of land:

Tax Lot 6A6, located in the Northwest ¼ of Section 26, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska

From BG (General Business District) to RG-20 (General Residential – 2,000 Square Foot Zone)

(i3, LLC)

Section 2. Except as amended herein, the official zoning map and the classification shown therein shall remain as heretofore existing.

Section 3. This ordinance shall take affect and be in force from and after its adoption and publication according to law.

ADOPTED by the Mayor and City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

ATTEST

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Third Reading: \_\_\_\_\_

**CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET**

**12d.  
02/01/2022**

COUNCIL MEETING DATE: 01/18/2022		SUBMITTED BY: Legal/Administration	
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input checked="" type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

**SUBJECT:**

Ordinance No. 4075, an ordinance to repeal section 20-2 of the Bellevue Municipal Code regarding furnishing cigarettes, tobacco, etc. to minors and to provide for an effective date.

**SYNOPSIS/BACKGROUND:**

The legislature changed the age to sell tobacco products to 21 instead of 18. The BPD does not issue citations under city code for this violation since there is an exact state statute on point regarding this item and citations would be issued under the state statute violation. It has been suggested to repeal 20-2 in our city code and just defer to state statute for enforcement of this item (as may be amended by the legislature). See Neb. Rev. Stat. 28-1419.

FISCAL IMPACT:  BUDGETED FUNDS?:  GRANT/MATCHING FUNDS?:

**TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:**

IS THIS A CONTRACT?:  COUNTER-PARTY:  INTERLOCAL AGREEMENT:

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE:  CONTRACT TERM:  CONTRACT END DATE:

PROJECT NAME:

START DATE:  END DATE:  PAYMENT DATE:  INSURANCE REQUIRED:

CIP PROJECT NAME:  CIP PROJECT NUMBER:

STREET DISTRICT NAME (S):  STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRIBUTION CODE:  ACCOUNT NUMBER:

**RECOMMENDATION:**

Approve Ordinance 4075.

**ATTACHMENTS:**

1. Ordinance - Repeal	2. <input type="text"/>	3. <input type="text"/>
4. <input type="text"/>	5. <input type="text"/>	6. <input type="text"/>

**SIGNATURES:**

LEGAL APPROVAL AS TO FORM: \_\_\_\_\_

FINANCE APPROVAL AS TO FORM: \_\_\_\_\_

ADMINISTRATOR APPROVAL AS TO FORM: \_\_\_\_\_

*A. Bregg Robb*  
\_\_\_\_\_  
*[Signature]*  
\_\_\_\_\_  
*[Signature]*  
\_\_\_\_\_

ORDINANCE NO. 4075

AN ORDINANCE TO REPEAL SECTION 20-2 OF ARTICLE I, CHAPTER 20, OF THE BELLEVUE MUNICIPAL CODE REGARDING FURNISHING CIGARETTES, TOBACCO, ETC. TO MINORS AND TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA.

**Section 1.** That Section 20-2 of Chapter 20, Article I of the Bellevue Municipal Code which reads as follows is hereby repealed and shall be “reserved” for future use.

§ 20-2 MINORS- FURNISHING CIGARETTES, TOBACCO, ETC.

No person shall give, sell or furnish any cigarettes, cigars, cigarette materials or tobacco in any form to any minor under 18 years of age.

**Section 2.** This Ordinance shall take effect and be in full force fifteen (15) days after passage of the same.

ADOPTED by the Mayor and City Council this \_\_\_\_ day of \_\_\_\_\_ 2022.

ATTEST:

\_\_\_\_\_  
Mayor, Rusty Hike

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Third Reading: \_\_\_\_\_

\_\_\_\_\_  
City Attorney

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

14a.  
2/01/2022

COUNCIL MEETING DATE: 02/01/22		SUBMITTED BY: Tammi Palm		Planning Manager	
AGENDA ITEM:		CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>		
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input checked="" type="checkbox"/>			
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>			

SUBJECT:

Request for a conditional use permit for Lot 3, LGB Properties Replat One, for the purpose of an Alzheimer's/dementia care home. Applicant: AMZ Investments, LLC. General Location: 13510 South 36th Street.

SYNOPSIS/BACKGROUND:

Alicia Zuger, on behalf of AMZ Investments, LLC, is requesting a conditional use permit for the property located at 13510 S 36th St for the purpose of an Alzheimer's/dementia care home. The applicant desires to utilize the existing single family residence in order to care for up to 10-12 patients at one time. The home will comply with all building code/state licensing requirements, and be staffed 24/7. The property is approximately 4 1/2 acres in size. All parking will be located on the property. The property has direct access to South 36th Street; no access is taken through a residential neighborhood.

FISCAL IMPACT:  BUDGETED FUNDS?:  GRANT/MATCHING FUNDS?:

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?:  COUNTER-PARTY:  INTERLOCAL AGREEMENT:

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE:  CONTRACT TERM:  CONTRACT END DATE:

PROJECT NAME:

START DATE:  END DATE:  PAYMENT DATE:  INSURANCE REQUIRED:

CIP PROJECT NAME:  CIP PROJECT NUMBER:

STREET DISTRICT NAME (S):  STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRIBUTION CODE:  ACCOUNT NUMBER:

RECOMMENDATION:

The Planning Department and Planning Commission are recommending approval of this request.

ATTACHMENTS:

- |   |  |   |
|---|--|---|
| 1. <input type="text" value="PC Recommendation"/> | 2. <input type="text" value="Staff Report"/> | 3. <input type="text" value="CUP Agreement"/> |
| 4. <input type="text"/>                           | 5. <input type="text"/>                      | 6. <input type="text"/>                       |

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

*A. Bree Robbins*  
\_\_\_\_\_  
*[Signature]*  
\_\_\_\_\_

# City of Bellevue

## PLANNING COMMISSION RECOMMENDATION

APPLICANT: AMZ Investments, LLC

CASE #: CUP-2111-03

CITY COUNCIL HEARING DATE: February 1, 2022

REQUEST: for a conditional use permit for Lot 3, LGB Properties Replat One, for the purpose of an Alzheimer's/dementia care home

On December 16, 2021, the City of Bellevue Planning Commission voted six yes, zero no, three absent and zero abstained:

**APPROVAL** based upon conformance with Section 6.06, Zoning Ordinance, as well as a lack of perceived negative impact upon the surrounding area

**VOTE:**

Yes:	Six:	No:	Zero:	Abstain:	Zero:	Absent:	Three:
	Hankins						Casey
	Ritz						Perrin
	Aerni						Compton
	Cutsforth						
	Ackley						
	Jacobson						

Planning Commission Hearing (s) was held on: December 16, 2021

# CITY OF BELLEVUE PLANNING DEPARTMENT

## RECOMMENDATION REPORT # 2

**CASE NUMBER:** CUP-2111-03

**FOR HEARING OF:**

**REPORT #1:** December 16, 2021

**REPORT #2:** February 1, 2022

### **I. GENERAL INFORMATION**

#### **A. APPLICANT:**

AMZ Investments, LLC  
Alicia Zuger  
1230 South 110<sup>th</sup> Street  
Omaha, NE 68144

#### **B. PROPERTY OWNERS:**

AMZ Investments, LLC  
Alicia Zuger  
1230 South 110<sup>th</sup> Street  
Omaha, NE 68144

#### **C. GENERAL LOCATION:**

13510 South 36th Street

#### **D. LEGAL DESCRIPTION:**

Lot 3, LGB Properties Replat One

#### **E. REQUESTED ACTIONS:**

Request for a conditional use permit for Lot 3, LGB Properties Replat One, for the purpose of an Alzheimer's/dementia care home.

#### **F. EXISTING ZONING AND LAND USE:**

RE, Single Family Residential

**G. PURPOSE OF REQUEST:**

The purpose of this request is to obtain approval of a conditional use permit to utilize the existing single family residence as an Alzheimer's/dementia care home.

**H. SIZE OF SITE:**

The site is approximately 4.4 acres.

**II. BACKGROUND INFORMATION**

**A. EXISTING CONDITION OF SITE:**

The site is presently developed with a single family residence constructed in 1970, along with several detached structures and a barn.

**B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**

- 1. **North:** Single Family Residential, RA and AG (non-conforming)
- 2. **East:** Single Family Residential (across S 36<sup>th</sup> St), RS-72
- 3. **South:** Single Family Residential, RS-120 and AG (non-conforming)
- 4. **West:** Single Family Residential, RS-72-PS

**C. REVELANT CASE HISTORY:**

1. On November 19, 2015, the Planning Commission recommended approval of a request to rezone Lots 1 through 3, LGB Properties Replat One, being a replat of Lots 1 and 2, LGB Properties, and Tax Lot 1B1, all located in the Southeast ¼ of Section 8, T13N, R13E of the 6<sup>th</sup> P.M., Sarpy County, NE, from AG, RA, and RG-28 to RA, RE, and RG-28 for the purpose of existing residential use; and small subdivision plat Lots 1 through 3, LGB Properties Replat One. The City Council approved the aforementioned request on January 25, 2016.

2. On December 16, 2021, the Planning Commission recommended approval of a request to rezone Lot 3, LGB Properties Replat One, from RA to RS-120 for the purpose of existing single family residential.

3. On December 16, 2021, the Planning Commission recommended approval of a conditional use permit for Lot 3, LGB Properties Replat One, for the purpose of an Alzheimer's/dementia care home.

**D. APPLICABLE REGULATIONS:**

- 1. Section 5.08, Zoning Ordinance, regarding RS-120 uses and requirements.
- 2. Article 6, Zoning Ordinance regarding Conditional Use Permits.

### **III. ANALYSIS**

#### **A. COMPREHENSIVE PLAN:**

The Future Land Use Map of the Comprehensive Plan designates this property as rural estates.

#### **B. OTHER PLANS:**

The applicant has requested a change of zone from RE to RS-120 to facilitate this conditional use permit request.

#### **C. TRAFFIC AND ACCESS:**

1. MAPA Traffic Flow Data indicates 9,600 vehicles per day along southbound 36<sup>th</sup> Street south of Capehart Road and north of Schneekloth Road.
2. The property has access from South 36<sup>th</sup> Street.

#### **D. UTILITIES:**

All utilities are available to this property.

#### **E. ANALYSIS:**

1. Alicia Zuger on behalf of AMZ Investments, LLC has submitted a request for a conditional use permit for Lot 3, LGB Properties Replat One, for the purpose of an Alzheimer's/dementia care home.
2. The applicant has also submitted a rezoning request from RE to RS-120. The RS-120 zoning district lists "hospitals, sanitariums, rest homes, nursing homes, elderly or retirement housing, convalescent homes, other similar institutions or philanthropic institutions" as a conditional use.
3. The applicant states the facility will provide 24-hour care for Alzheimer's/dementia patients. The existing single family residence has two bedrooms. The applicant intends to convert the attached garage into bedrooms, as well as complete an addition onto the existing ranch home. The existing garage area will be extended to the south 3½', while a 20' x 28' addition is proposed on the east side of the home, between the existing structure and South 36<sup>th</sup> Street. The home would have six bedrooms under the applicant's proposal. Attached are proposed site plans for review. The proposed addition would be 26' from the east property line and meets the 20' minimum street side yard setback of the RS-120 zoning district. Additional 36<sup>th</sup> Street right-of-way was previously dedicated through a 2016 replatting of the property. In addition, the applicant is showing the permanent sanitary and Metropolitan Utilities District easements on her site plan.

The applicant states the facility will accommodate ten to twelve residents and will remain an ADA compliant home.

4. The applicant has stated her hours of operation will be 24 hours per day, 7 days per week, with a minimum of two to three staff on site during daytime hours, and one to two staff members present during the overnight hours. A Registered Nurse will be on call 24 hours per day/7 days per week. The applicant indicates for the safety of residents and for the comfort of the surrounding neighbors and community, all doors leading in and out of the premises will be secured by an electronic lock which requires a code to be entered to gain access inside or out.

A copy of the applicant's letter detailing her request is attached to this report

5. The property has a driveway from South 36<sup>th</sup> Street. The applicant intends to use the existing 28' x 35' paved parking pad in front of the house. Additionally, she plans to add another 20' x 16' paved parking area adjacent to the existing pad. The zoning ordinance requires 2.5 parking stalls based on the size of the proposed facility. The applicant's proposed site plan meets this requirement.

The driveway is shared with the property owner to the south. That property owner has an additional driveway from South 36<sup>th</sup> Street as well. Lot 3, LGB Properties Replat One shows an 8' easement along the property line south of the residence to accommodate this shared access. The applicant's proposed parking stalls do not encroach in this easement.

6. This application was sent out to the following departments/individuals for review: Public Works, Permits and Inspections, Chief of Police, Offutt Air Force Base, Fire Inspector, Springfield Platteview Public School District, Sarpy County Administrator, Sarpy County Engineer, Sarpy County Public Works. The cover letter indicated a deadline to send comments back to the Planning Department, and stated if the requested department did not have comments pertaining to the application, no response was needed.

Don Gifford, Bellevue Fire Department, and Mike Christensen, Chief Building Official, had comments pertaining to the change of occupancy for the residence. The residence will require an approved fire sprinkler and smoke alarms. The applicant is aware of the change of occupancy and subsequent building/fire code requirements.

7. Per Section 6.06, the Zoning Ordinance requires no conditional use permit shall be granted unless the Planning Commission or City Council has found:

6.06.01 That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, moral, comfort, or general welfare of the community.

6.06.02 That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood.

6.06.03 That the establishment of the conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district.

6.06.04 Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.

6.06.05 Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

6.06.06 The use shall not include noise which is objectionable due to volume, frequency, or beat unless muffled or otherwise controlled.

6.06.07 The use shall not involve any pollution of the air by fly-ash, dust, vapors or other substance which is harmful to health, animals, vegetation or other property or which can cause soiling, discomfort, or irritation.

6.06.08 The use shall not involve any malodorous gas or matter which is discernible on any adjoining lot or property.

6.06.09 The use shall not involve any direct or reflected glare which is visible from any adjoining property or from any public street, road, or highway.

6.06.10 The use shall not involve any activity substantially increasing the movement of traffic on public streets unless procedures are instituted to limit traffic hazards and congestion.

6.06.11 The use shall not involve any activity substantially increasing the burden on any public utilities or facilities unless provisions are made for any necessary adjustments.

The Planning Department believes this application meets the criteria for approval of the Conditional Use Permit.

8. This property is over 4 acres in size, providing ample space for what the applicant is proposing. The property has direct access to South 36<sup>th</sup> Street, which is in the process of being widened from a two-lane road to a four-lane road. There will be no traffic through a local neighborhood street. Consequently, staff believes this request will have minimal impact on the surrounding neighborhood.

#### **F. TECHNICAL DEFICIENCIES:**

None

#### **IV. DEPARTMENT RECOMMENDATION**

APPROVAL based upon conformance with Section 6.06, Zoning Ordinance, as well as lack of perceived negative impact upon the surrounding area.

V. **PLANNING COMMISSION RECOMMENDATION**

APPROVAL based upon conformance with Section 6.06, Zoning Ordinance, as well as lack of perceived negative impact upon the surrounding area.

VI. **ATTACHMENTS TO REPORT**

1. Zoning Map
2. 2020 GIS aerial photo of the property
3. Letter from the applicant received December 6, 2021
4. As-built plot plan received December 6, 2021
5. Proposed site plans received December 8, 2021
6. Proposed floorplan received December 6, 2021
7. Conditional Use Permit Agreement

VII. **COPIES OF REPORT TO:**

1. Alicia Zuger, AMZ Investments, LLC
2. Public Upon Request

  
Assistant Planning Manager 1/24/22

  
Planning Manager: 01/24/22  
Date of Report



RECEIVED

DEC 06 2021

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**AMZ INVESTMENTS, LLC**

1230 S 110th Street  
Omaha, NE 68144  
(402)871-5248

City of Bellevue  
Planning Department  
1510 Wall Street  
Bellevue, NE 68005

RE: LOT 3 OF LGB PROPERTIES, SARPY COUNTY, NE

To Whom It May Concern:

AMZ Investments, LLC is requesting the Planning Commission's approval to rezone the property at 13510 S 36<sup>th</sup> Street in Bellevue, Nebraska for purposes consistent with approved conditional uses.

The property in question is currently zoned as RE and we would like to request the zoning be changed to RS-120 for the purpose of operating an Alzheimer's/Dementia Care home under the DBA Legato Living at Heartland Hills in the residence. This use is consistent with the conditional use referred to in Section 5.08.03 of the Zoning Ordinance as "Hospitals, sanitariums, rest homes, nursing homes, elderly or retirement housing, convalescent homes, other similar institutions, or philanthropic institutions".

The current residential property will be remodeled and expanded by approximately 500 square feet with the following being main points of focus:

- ◆ Our facility will accommodate 10-12 residents and will remain an ADA compliant residential style home.
- ◆ A fire-sprinkler system and proper means of egress will be installed for the safety of the residents and staff.
- ◆ Parking for up to one (1) vehicle for every two (2) residents for visitors and an additional two (2) to three (3) for staff will be provided on the premises.
- ◆ For the safety of our residents and the comfort of the surrounding neighbors and community, all doors leading in and out of the premises will be secured by an electronic lock which requires a code to be entered to gain access inside or out.
- ◆ Various caretakers, including a Registered Nurse, med aides and administrative staff, will be on site continuously and residents will be permitted to have visitors as this is a family centered environment.
- ◆ A minimum of two (2-3) staff members will be on site during daytime hours and one (1-2) staff member will be present during the overnight hours, with a Registered Nurse on call twenty-four (24) hours per day, seven (7) days per week to assist when necessary.

The included site plan lays out the proposed additional living space as well as additional parking and has a nice deck for residents to enjoy the outside. The lower level of the home will primarily be used for storage and for a staff office/meeting area as the residents are not encouraged to navigate the stairs. The main level will maintain much of the same layout with the garage being converted into three (3-4) bedrooms and two (2-3) bathrooms to accommodate more residents.

Legato Living has a solid reputation in the area of care for Alzheimer's/Dementia patients and is a family centered company who enjoys getting to know our residents and their families in a more intimate manner, which is why we have chosen the residential setting for our model.

We are looking to expand from Omaha into Sarpy county for the purposes of being accessible to more families in the Metro area and providing quality care for individuals in need in the City of Bellevue.

We hope you will consider our request and we look forward to working with you on this venture.

Sincerely,

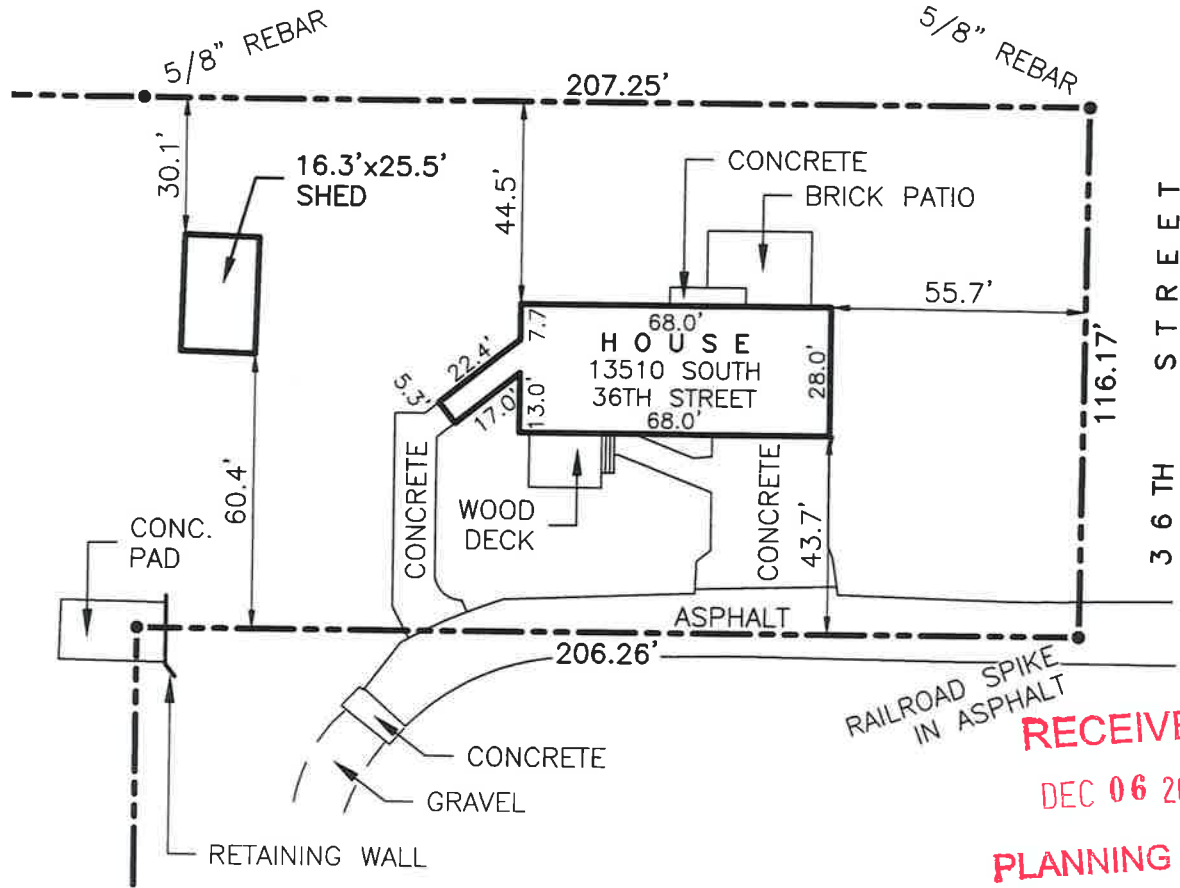
A handwritten signature in cursive script that reads "Alicia Zuger".

Alicia Zuger  
President  
AMZ Investments, LLC

Enclosure:

- 1) LHH Proposed Site Plan I
- 2) LHH Proposed Site Plan II
- 3) LHH Proposed Floorplan
- 4) As-Built Survey completed by TD2

THIS DRAWING SHOWS THE LOCATION AND DIMENSIONS OF THE IMPROVEMENTS ON PART OF LOT 3, LGB PROPERTIES REPLAT ONE, A SUBDIVISION IN SARPY COUNTY, NEBRASKA.



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**PROPERTY IS ZONED RE**

REGULATOR	REQUIREMENT
LOT AREA.....	1 ACRES MINIMUM
BUILDING COVERAGE.....	20% MAXIMUM
IMPERVIOUS COVERAGE.....	40% MAXIMUM
FRONT YARD.....	35 FEET MINIMUM
SIDE YARD.....	20 FEET MINIMUM
REAR YARD.....	35 FEET MINIMUM

**BUILDING AND SITE INFORMATION**

a. TOTAL SITE AREA.....	191,608 SQ. FT.
b. BUILDING COVERAGE.....	2,435 SQ. FT.
c. BUILDING COVERAGE (b÷a).....	1 %
d. TOTAL PAVED AREA.....	4,478 SQ. FT.
e. IMPERVIOUS COVERAGE (b+d÷a) .....	4 %



**LEGEND**

- CORNERS FOUND (3/8" REBAR IN CONC PAD UNLESS NOTED)



Job Number: 200-21-246(AB)  
 thompson, dressen & dorner, inc.  
 10836 Old Mill Rd  
 Omaha, NE 68154  
 p.402.330.8860 f.402.330.5866  
 td2co.com

Date: OCTOBER 29, 2021  
 Drawn By: BJH  
 Reviewed By:  
 Revision Date:

**AS-BUILT**

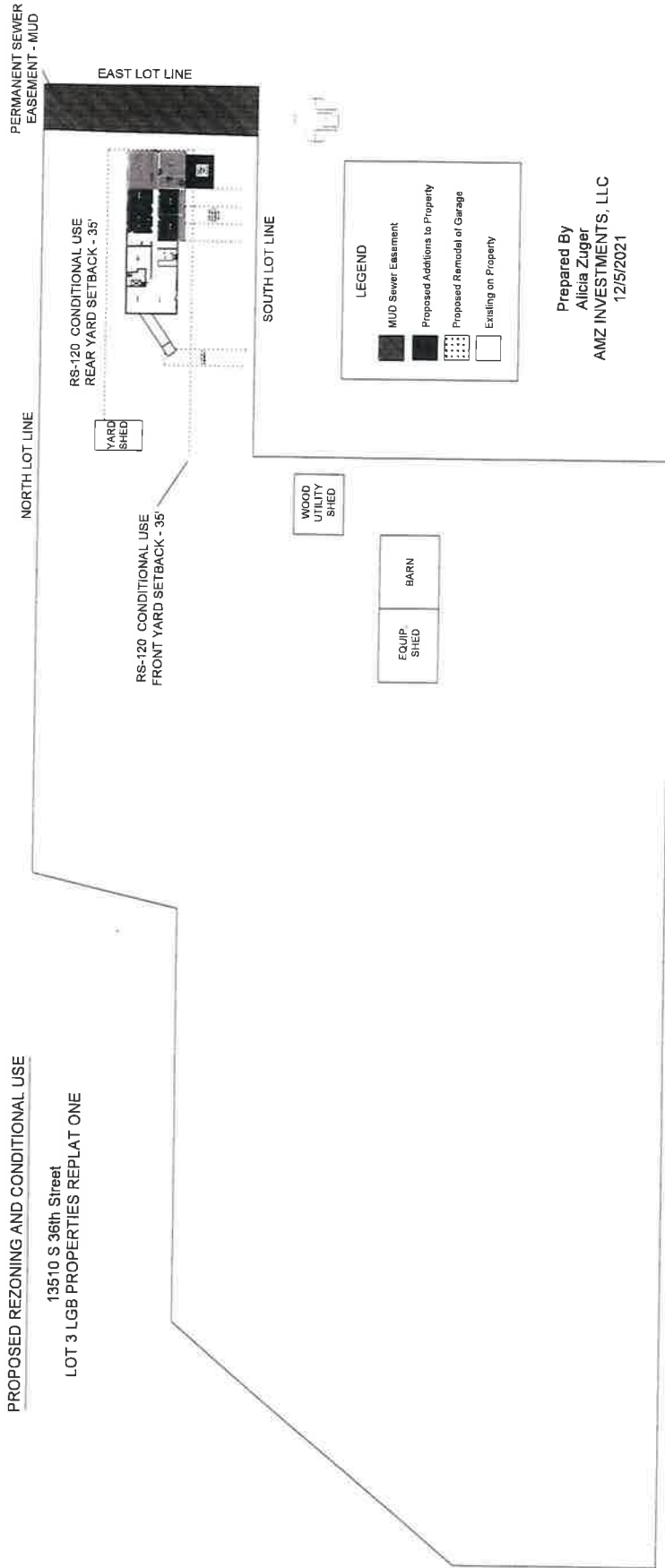
**AMZ INVESTMENTS, LLC**

Book 21-17  
 Pages 34-36

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NORTH LOT LINE

EAST LOT LINE

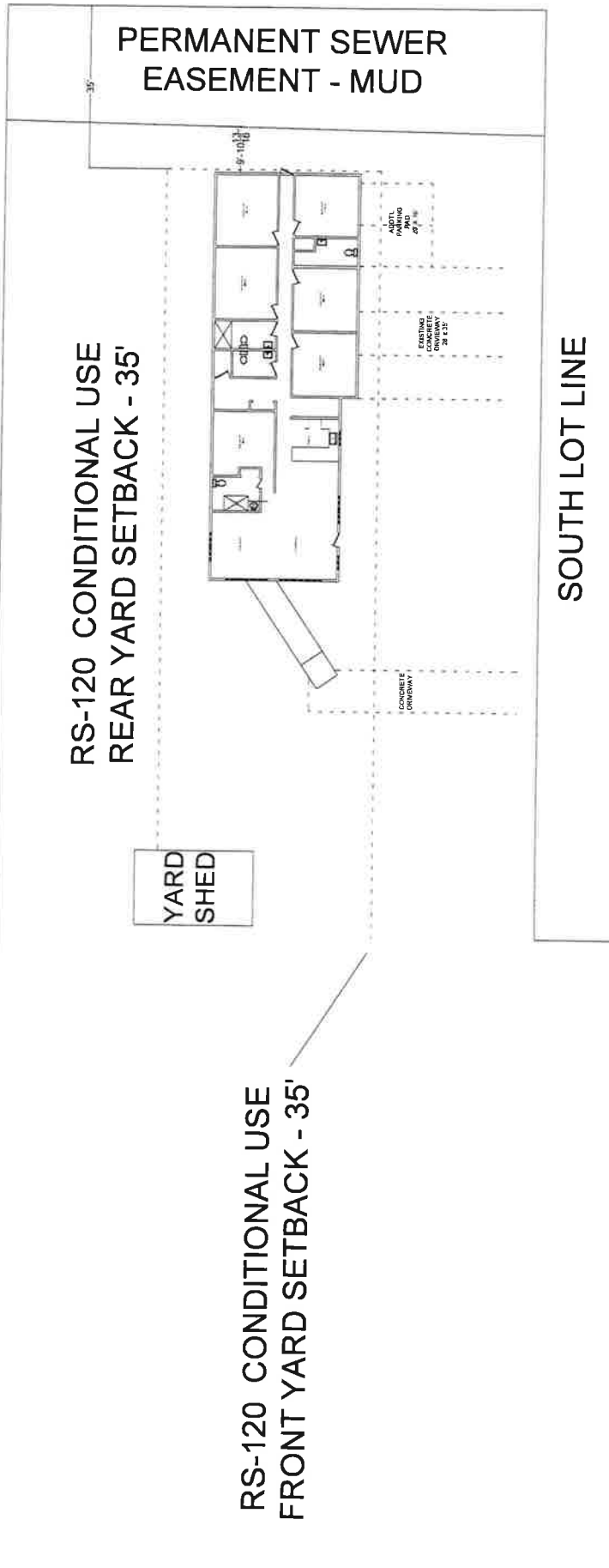
PERMANENT SEWER  
EASEMENT - MUD

RS-120 CONDITIONAL USE  
REAR YARD SETBACK - 35'

YARD  
SHED

RS-120 CONDITIONAL USE  
FRONT YARD SETBACK - 35'

SOUTH LOT LINE



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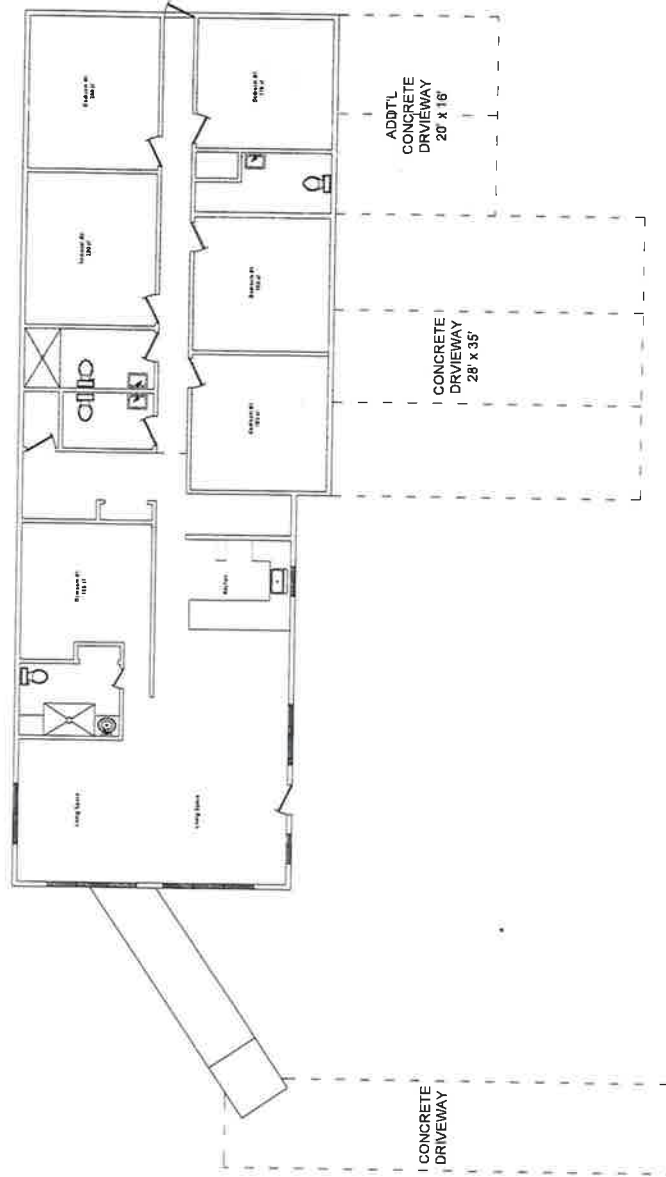
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PROPOSED REZONING AND CONDITIONAL USE

13510 S 36th Street

LOT 3 LGB PROPERTIES REPLAT ONE



LEGEND

- Proposed Additions to Property
- Proposed Removal of Garage
- Existing on Property

Prepared By  
Alicia Zuger  
AMZ INVESTMENTS, LLC  
12/5/2021

LHH Proposed Floorplan.pdf

Record & Return To:  
City of Bellevue Planning Department  
1510 Wall Street  
Bellevue, NE 68005

CITY OF BELLEVUE  
CONDITIONAL USE PERMIT  
LOT 3, LGB PROPERTIES REPLAT ONE, LOCATED IN THE SOUTHEAST ¼ OF  
SECTION 8, T13N, R13E OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA

Conditional Use Permit for AMZ Investments, LLC

This Conditional Use Permit issued this \_\_\_\_\_ day of January, 2022 by the City of Bellevue, a municipal corporation in the County of Sarpy County, Nebraska (“City”) to AMZ Investments, LLC, (“Applicant”), pursuant to the Bellevue Zoning Ordinance.

WHEREAS, AMZ Investments, LLC is the legal owner of Lot 3, LGB Properties Replat One, located in the Southeast ¼ of Section 8, Township 13 North, Range 13 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, consisting of approximately 4.4 acres, more or less (“Property”). Applicant desires to use the Property for the purpose of an Alzheimer’s/dementia care home; and

WHEREAS, Applicant has applied for a conditional use permit for the purpose of using the Property as described above; and

WHEREAS, the Mayor and City Council of the City of Bellevue are agreeable to the issuance of a conditional use permit to the Applicant for such purpose, subject to certain conditions and agreements as hereinafter provided (the “Permit”).

NOW, THEREFORE, BE IT KNOWN THAT subject to the conditions hereof, this Permit is issued to the Applicant to use the Property for the purpose described above, said use hereinafter being referred to interchangeably as a “Permitted Use” or “Use”.

**Conditions of Permit**

The conditions to which the granting of this Permit is subject are as follows:

1. Development and operation on the Property is governed by this Permit. The rights granted by this Permit are transferable and any breach of any terms hereof shall cause Permit to expire and terminate, subject to the rights of the Applicant to cure such default or deficiency as set forth in this Permit.
2. In respect to the proposed Use:
  - a. A site plan showing the Property’s boundaries, proposed structures, parking, access points, and drives, is attached hereto and incorporated herein as Exhibit “A.”

- b. The Property shall be developed and maintained in accordance with the site plan (Exhibit "A") and all other exhibits, if any, of this Agreement. Any modifications to the site plan must be submitted to the Planning Department for approval. Modifications of any other document or exhibit shall be subject to approval of the City, as directed by the City Administrator, unless otherwise expressly provided in the document or exhibit to be modified.
  - c. Applicant hereby indemnifies the City against, and holds the City harmless from, any liability, loss, claim or expense whatsoever (including, but not limited to, reasonable attorney fees and court costs) arising out of or resulting from the acts, omissions or negligence of the Applicant or its agents, employees, assigns, suppliers or invitees, including, but not limited to, any liability, loss, claim or expense arising out of or resulting from any violations of any applicable environmental or safety law, rule or regulation relating to the Applicant's Use of the Property.
3. The Applicant's right to maintain the Use of the Property, as contemplated by this Permit, shall be based on the following conditions:
- a. A periodic inspection to determine compliance with the conditions of this Permit. The Permit may be revoked only upon a finding by the City that there is a material violation of the material terms of this Permit if the violation occurs after written notice from the City to Applicant and opportunity to cure in the time and manner described below.
  - b. The Use authorized by this Permit must be initiated within 12 months after the date of the approval of this Permit otherwise such Permit shall become void.
  - c. The Use shall follow all Nebraska Health and Human Services Licensing requirements regarding health care services. A copy of required licensure shall be provided to the Planning Department.
  - d. The applicant may operate a facility providing Alzheimer's/dementia care on the Property.
  - e. No more than ten (10) to twelve (12) senior residents may be in care at the facility at any one time.
  - f. The applicant may have a staff of five on site at one time to include Certified Nursing assistants, Certified Medical Assistants, Personal Care Assistants, Registered Nurse, and office personnel.
  - g. Approved hours of operation shall be 24 hours, 7 days a week with staff on site.
  - h. All obsolete or unused structures, accessory facilities or materials with an environmental or safety hazard shall be abated and/or removed from the Property at Applicant's expense within twelve (12) months of cessation of the Use of the Property.
  - i. All signage on Property related to Use shall be in conformance with the City Zoning Ordinance.
  - j. Applicant shall record this Permit with the Sarpy County Register of Deeds at Applicant's expense.
4. Notwithstanding any other provision herein to the contrary, this Permit, and all rights granted hereby, shall expire and terminate as to a Permitted Use hereunder upon the first of the following to occur:
- a. Applicant's abandonment of the Permitted Use. There shall be a presumption that the project on the Property has been abandoned if the Applicant fails to use the Property for the Permitted Uses for any twelve (12) consecutive month period.
  - b. Cancellation, revocation, denial or failure to maintain any federal, state or local permit required for the Use, and such cancellation, revocation, denial or failure to maintain any federal, state or local rights are provided under laws, rules and regulations governing said permit.
  - c. Applicant's breach of other terms hereof and its failure to cure such breach in the time and manner set forth below.

5. In the event the Applicant fails to promptly remove any safety, environmental or other hazard or nuisance from the Property, or upon the expiration or termination of this Permit the Applicant fails to promptly remove any remaining safety, environmental or other hazard or nuisance, the City may at its option (but without any obligation to the Applicant or any third party to exercise said option) cause the same to be removed at Applicant's cost (including, but not limited to, the cost of any excavation and earthwork that is necessary or advisable in connection with the removal thereof) and the Applicant shall reimburse the City the costs incurred to remove the same. Applicant hereby irrevocably grants the City, its agents and employees, the rights, provided notice is furnished to the Applicant along with a reasonable time to remove or cure such hazard, to enter the Property and to take whatever action as is necessary or appropriate to remove any such hazards, nuisances in accordance with the terms of this Permit, and the right of the City to enter the Property as may be necessary or appropriate to carry out any other provision of this Permit.

6. If any provisions, or any portion thereof, contained in this Permit are held to be unconstitutional, invalid, or unenforceable, the remaining provisions hereof, or portions thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

7. The conditions and terms of this Permit shall be binding upon Applicant, its successors and assigns.

a. Delay of City to terminate this Permit on account of breach of Applicant of any terms hereof in accordance with the terms hereof shall not constitute a waiver of City's right to terminate this Permit, unless the City has expressly waived said breach. A waiver of the right to terminate upon any breach shall not constitute a waiver of the right to terminate upon a subsequent breach of the terms hereof, whether said breach be of the same or different nature.

b. Cure Rights. Notwithstanding any other provision of this Permit to the contrary, Applicant shall be entitled to notice and opportunity to cure a breach of this Permit as follows. City will notify the Applicant of any breach of this Permit. Cure shall be commenced and completed as soon as possible and in all cases within thirty (30) days after City provides notice of breach; provided, however, in any case that cure cannot be completed within 30 days, additional time will be allowed, so long as cure is commenced within the time required in this Section b and diligently pursued and completed as soon as possible, and allowing additional time does not present or increase risk of harm to persons or property. City shall have the right to terminate this Permit if a breach is not timely cured.

c. Nothing herein shall be construed to be a waiver or suspension of, or an agreement on the part of the City to waive or suspend, any zoning law or regulation applicable to the premises except to the extent and for the duration specifically authorized by this Permit.

d. Any notice to be given by City hereunder shall be in writing and shall be sufficiently given if sent by regular mail, postage prepaid, addressed as follows:

AMZ Investments, LLC  
c/o Alicia Zuger  
1230 South 110<sup>th</sup> Street  
Omaha, NE 68144

e. All recitals at the beginning of this document and exhibits or other documents referenced in this Permit shall be incorporated herein by reference.

Effective Date:

This Permit shall take effect upon the filing hereof with the City Clerk a signed original hereof.

The City of Bellevue

By: \_\_\_\_\_  
Rusty Hike, Mayor

ATTEST:

\_\_\_\_\_  
Susan Kluthe, City Clerk

STATE OF NEBRASKA        )  
  )SS:  
COUNTY OF SARPY         )

The undersigned, a notary public qualified in and for said county, does hereby certify that Rusty Hike and Susan Kluthe, whose names as Mayor and City Clerk respectively, of the City of Bellevue, Nebraska, a municipal corporation, are signed to the foregoing instrument and who are each known to me and known to be such officers, acknowledged before me on this day and they, in their respective capacities as Mayor and City Clerk, executed and delivered said instrument as their voluntary act and deed and voluntary act and deed of such corporation.

Witness my hand and notarial seal this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Alicia Zuger for AMZ Investments, LLC

STATE OF NEBRASKA        )  
  )SS:  
COUNTY OF \_\_\_\_\_)

The undersigned, a notary public qualified in and for said county, does hereby certify that Alicia Zuger signed the foregoing instrument, acknowledged before me on this day and she executed and delivered said instrument as her voluntary act and deed.

Witness my hand and notarial seal this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Notary Public

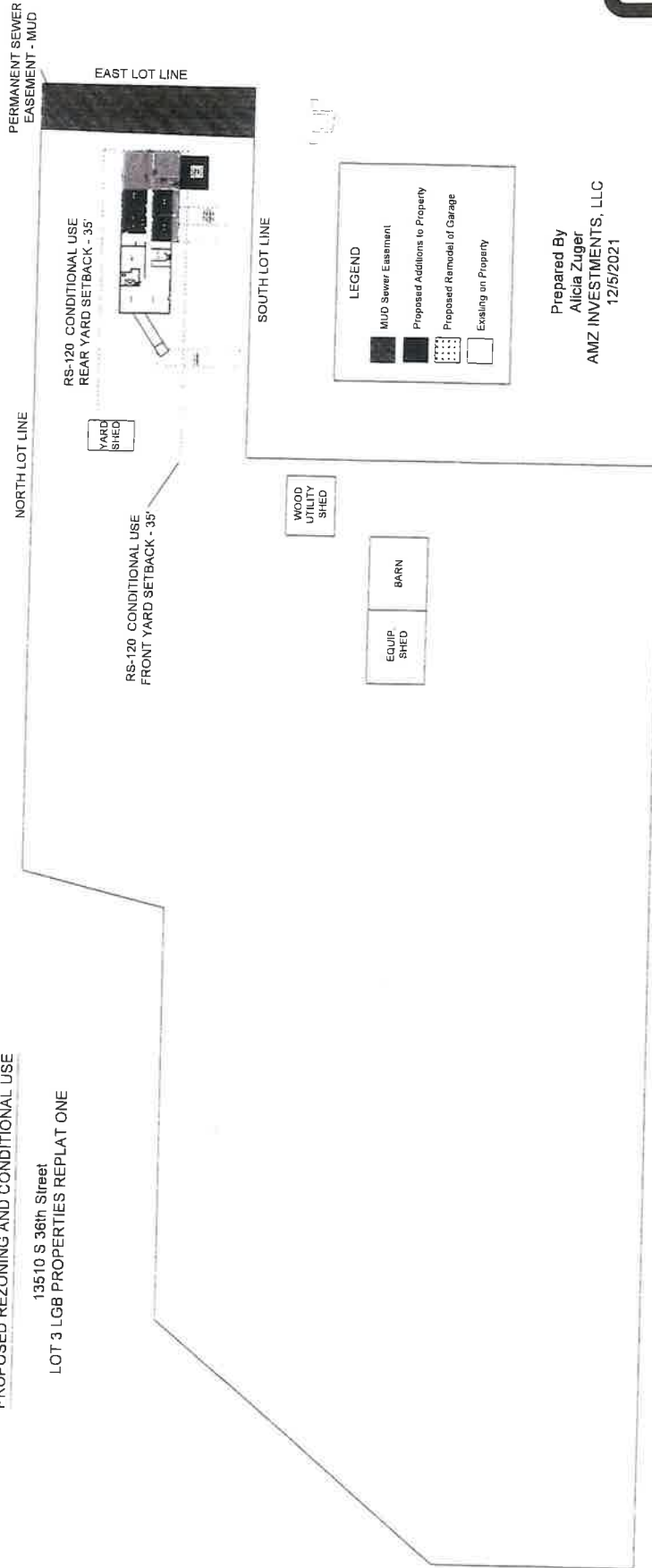
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PLANNING DEPT.

PROPOSED REZONING AND CONDITIONAL USE

13510 S 36th Street  
LOT 3 LGB PROPERTIES REPLAT ONE



Prepared By  
Alicia Zuger  
AMZ INVESTMENTS, LLC  
12/5/2021

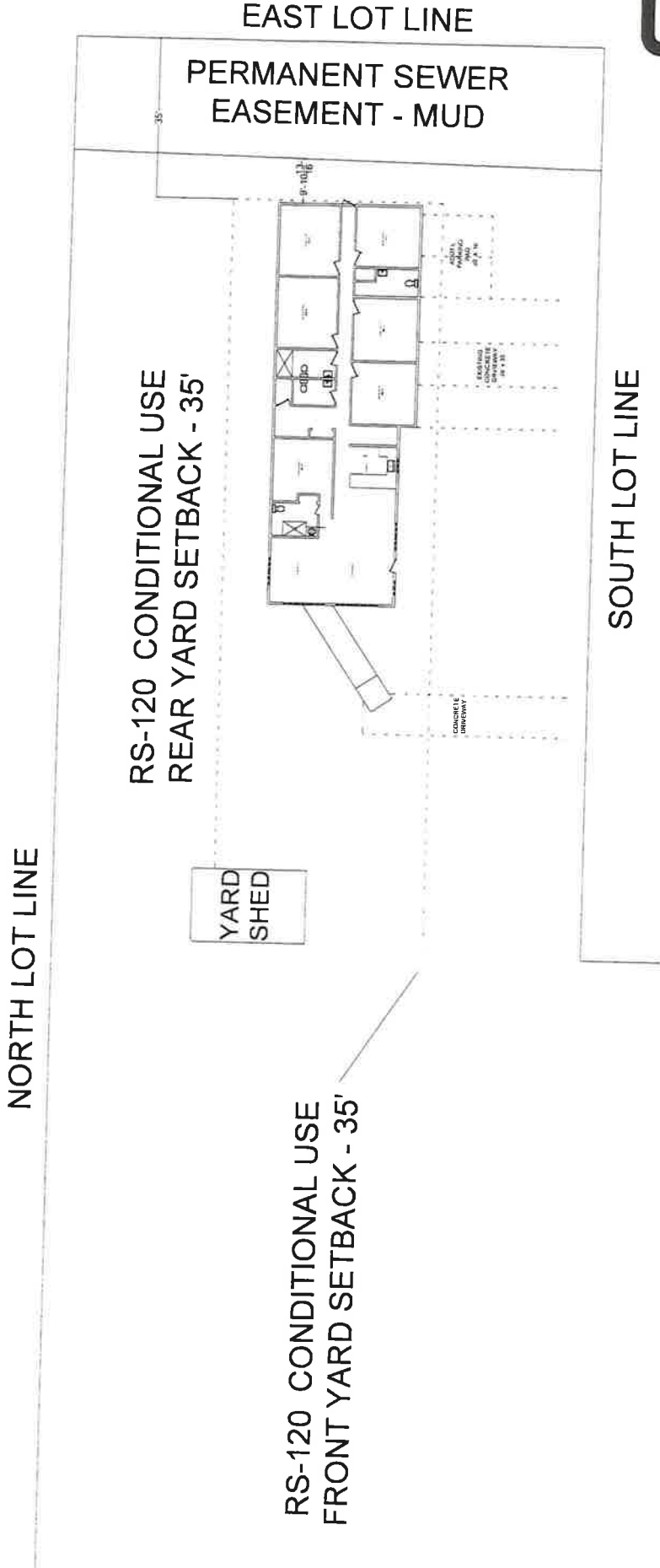
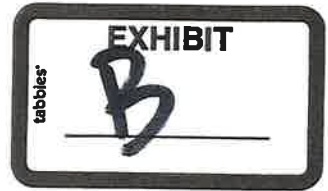
L:\H Proposed Site Plan with Easement.pdf



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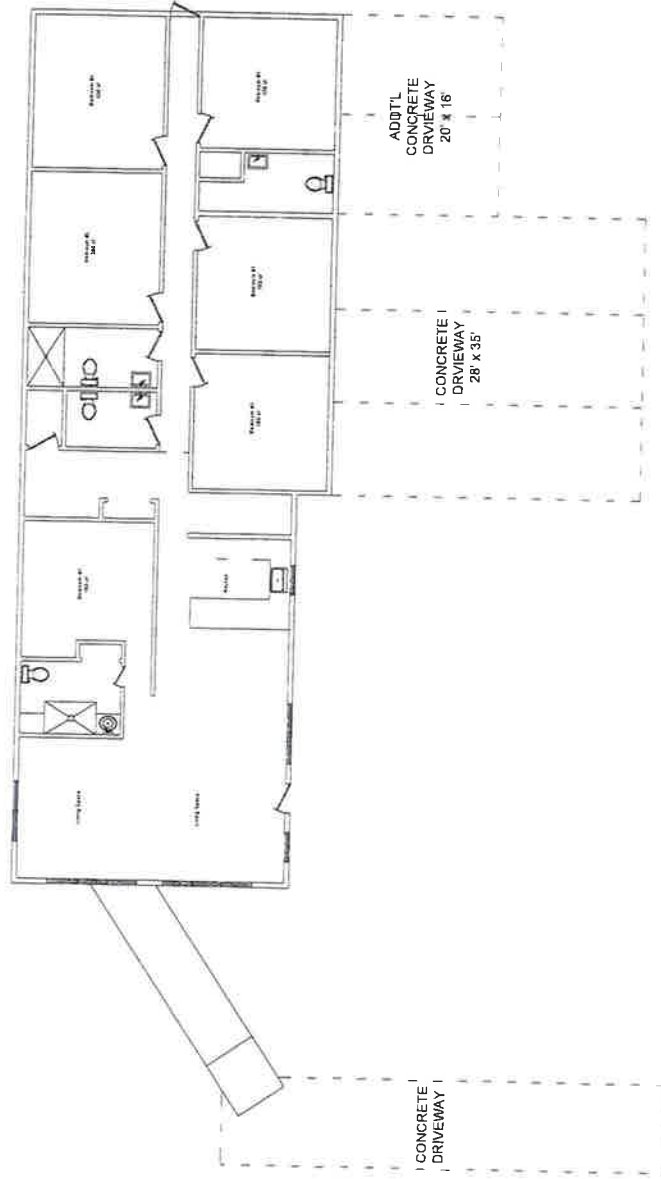
DEC 06 2021

PLANNING DEPT.




PROPOSED REZONING AND CONDITIONAL USE

13510 S 36th Street

LOT 3 LGB PROPERTIES REPLAT ONE



LEGEND

-  Proposed Additions to Property
-  Proposed Remodel of Garage
-  Existing on Property

Prepared By  
 Alicia Zuger  
 AMZ INVESTMENTS, LLC  
 12/5/2021

LHH Proposed Floorplan.pdf



CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

15a.  
2/01/2022

COUNCIL MEETING DATE: 02/01/2022		SUBMITTED BY: Administration		
AGENDA ITEM:		CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input type="checkbox"/>		ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>	
RESOLUTION <input checked="" type="checkbox"/>		CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

Resolution 2022-03, approving the use of ARPA funding for the design costs for a water main extension in the estimated amount of \$1,100,000.00

SYNOPSIS/BACKGROUND:

The City received ARPA funding to use for eligible items. The City held a public hearing to receive input for the use of funds. City staff has identified a project for the use of the funds which would be a water main extension southeast of Bellevue and the City desires to work with MUD to design the water main extension. The City intends to enter into a separate MOU with MUD (same city council meeting) regarding this item and the City seeks City Council approval to use approximately \$1,100,000 in ARPA funding for that project. By approving this Resolution, the council would authorize the City to use ARPA funding for that project.

FISCAL IMPACT: 0 (see MUD MOU)    BUDGETED FUNDS?: NO    GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: NO    COUNTER-PARTY:    INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION: \_\_\_\_\_

CONTRACT EFFECTIVE DATE: \_\_\_\_\_ CONTRACT TERM: \_\_\_\_\_ CONTRACT END DATE: \_\_\_\_\_

PROJECT NAME: \_\_\_\_\_

START DATE: \_\_\_\_\_ END DATE: \_\_\_\_\_ PAYMENT DATE: \_\_\_\_\_ INSURANCE REQUIRED: NO

CIP PROJECT NAME: \_\_\_\_\_ CIP PROJECT NUMBER: \_\_\_\_\_

STREET DISTRICT NAME (S): \_\_\_\_\_ STREET DISTRICT NUMBER (S): \_\_\_\_\_

ACCOUNTING DISTRIBUTION CODE: \_\_\_\_\_ ACCOUNT NUMBER: \_\_\_\_\_

RECOMMENDATION:

Approve the use of ARPA funding for the MUD MOU as outlined in a separate agenda item.

ATTACHMENTS:

1. Resolution	2. _____	3. _____
4. _____	5. _____	6. _____

SIGNATURES:

LEGAL APPROVAL AS TO FORM: \_\_\_\_\_

FINANCE APPROVAL AS TO FORM: \_\_\_\_\_

ADMINISTRATOR APPROVAL AS TO FORM: \_\_\_\_\_

*A. Breyer*  
*[Signature]*

**RESOLUTION NO. 2022-03**

**WHEREAS**, the City of Bellevue was awarded \$8,395,637.00 American Rescue Plan Act (ARPA) funding. To date, the City has received \$4,197,818.50 of said funding and is expected to receive the other half of the funding on or about June 7, 2022.

**WHEREAS**, the City of Bellevue held a public hearing on or about November 16, 2021 to receive input from the public and recommendations on the use of the ARPA funds received by the City of Bellevue.

**WHEREAS**, City staff has been working diligently to review all available options for the use of ARPA funding and to try to find the best use of said funding to benefit the citizens and community that is in conformance with eligible uses in the ARPA.

**WHEREAS**, the ARPA funding may only be used for eligible items as outlined in the Interim Final Rule and Final Rule (effective April 1, 2022) which generally include 1) replacing lost public sector revenue, 2) to help with public health and economic impacts, 3) for certain premium pay, and 4) to address water, sewer, and other broadband infrastructure needs.

**WHEREAS**, the City has identified a project for water main extensions in southeast Bellevue and desires to work with Metropolitan Utilities District (MUD) to design the water main extension as further outlined in a separate Memorandum of Understanding with MUD attached as **Exhibit "1"** and subject to approval by the City Council at the same meeting as approval of this Resolution.

**WHEREAS**, the City Council for the City of Bellevue desires to authorize the City to use ARPA funding for said design costs. Any additional funding for next phases, construction etc. shall be by separate agreement and Resolution for authorization of said funding for the MUD project.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA, that the City is hereby authorized to use ARPA funding for the design costs as outlined in the separate MUD MOU in the estimated amount of \$1,100,000.00.

ADOPTED AND APPROVED this \_\_\_\_\_ day of February, 2022.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

## Exhibit A

**MEMORANDUM OF UNDERSTANDING**  
**FOR**  
**WATER MAIN EXTENSION DESIGN SERVICES**  
**MUD PROJECT WP1871**

This MEMORANDUM OF UNDERSTANDING ("MOU") is entered into as of the date of the last signature below (the "Effective Date") by and between METROPOLITAN UTILITIES DISTRICT OF OMAHA, NEBRASKA, a municipal corporation and political subdivision of the State of Nebraska ("MUD") and CITY OF BELLEVUE, a municipal corporation and city of the first class of the State of Nebraska ("the City") (MUD and the City are sometimes referred to collectively in this MOU as the "Parties").

**RECITALS**

- a.** MUD operates a natural gas and drinking water utility in and around the City of Bellevue, Sarpy County, Nebraska;
- b.** The City desires that MUD extend its existing water infrastructure, consisting of water main pipelines, pump stations, valves, hydrants and other such facilities, generally along Platteview Rd., Hidden Valley Drive, South 10<sup>th</sup> St., East LaPlatte Rd, and Harlan Lewis Rd. ("Proposed Water Main Extension") as shown on the attached "Exhibit A: WP1871 Proposed Main Extension Map."
- c.** The City understands that as the areas surrounding the Proposed Water Main Extension develops, additional main extensions may be required in accordance with District's Water and/or Gas Rules and Regulations.
- d.** The Proposed Water Main Extension will require significant up-front costs related to design work ("Design Services");
- e.** HDR, Inc., an engineering and design firm based in Omaha, Nebraska, is currently designing a sewer and road project along the same corridor as the Proposed Water Main Extension for the City and has specialized knowledge of the area and the City's roadway and sewer needs;

**NOW THEREFORE**, in consideration of the above Recitals and mutual promises and covenants herein contained, and other good and valuable consideration, the receipt, sufficiency, and adequacy of which are expressly acknowledged, MUD and the City set forth their mutual understanding and agreement as follows:

## AGREEMENT

1. **Retention of Design Firm and Estimated Costs of the Design Services.** Based on the foregoing recitals, MUD shall enter into an agreement with HDR Inc., to provide for the design of the Proposed Water Main Extension (“Design Services”). Nothing in this MOU would imply or create a relationship between the City and HDR Inc. directly for the Design Services. The Design Services performed by HDR Inc. shall be at MUD’s sole discretion. The City shall have the opportunity to review and provide input on the final design of the Proposed Water Main Extension prior to moving on to any construction or implementation phase for this project. However, MUD shall have sole discretion over the final design of the project. MUD’s current estimate of the costs of the Design Services are \$1,100,000 which includes both fees payable to HDR Inc., and MUD’s internal fees related to the design. The Parties acknowledge this is an estimate only and is subject to change.
2. **Design Services Reasonable and Necessary.** The City agrees that MUD has shared sufficient information with the City to enable the City to evaluate the necessity and reasonableness of the Design Services and the costs for the same. After evaluating the information and documents provided by MUD, the City agrees that the Design Services, and the costs MUD must pay for the same, are both reasonable and necessary.
3. **Reimbursement for Design Services.** The City hereby agrees to reimburse MUD for all actual costs incurred by MUD, including internal costs, for the Design Services for the Proposed Water Main Extension. MUD shall submit invoices to the City when Design Services are estimated to be ¼ complete, ½ complete, ¾ complete and when they are complete. The City shall submit payment to MUD within 30 days of receipt of an invoice.
4. **No Obligation to Extend.** Nothing in this MOU shall be construed to require MUD or the City to proceed with construction of the water main extension. Terms of any actual water main extension will be addressed in a separate Water Main Extension Agreement to be executed in the future between MUD and the City. The City will reimburse MUD for all Design Services regardless of whether or not an actual water main extension is agreed to.
5. **Entire Agreement.** This MOU constitutes the entire agreement of the Parties regarding the matters addressed herein. No amendment, alteration, modification or addition to this MOU will be valid or binding unless expressed in writing and signed by MUD and the City.
6. **Governing Law.** This License Agreement shall be governed in all respects by the laws of the State of Nebraska.
7. **Counterparts; Electronic Signatures.** For purposes of determining the enforceability of this MOU, facsimile signatures shall be deemed originals, and this License Agreement may be executed in any number of counterparts. This License Agreement may be executed by the use of DocuSign electronic signatures.

**[Remainder of Page Left Intentionally Blank; Execution Page Follows.]**

IN WITNESS WHEREOF, MUD and the City have caused this MOU to be executed as of the Effective Date.

**METROPOLITAN UTILITIES DISTRICT OF  
OMAHA, NEBRASKA**

By: \_\_\_\_\_

Name: Mark Doyle

Title: President

Date: \_\_\_\_\_

**Approved as to form:**

\_\_\_\_\_  
Mark Mendenhall, Senior Vice President and General Counsel

**CITY OF BELLEVUE**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: Mayor

Date: \_\_\_\_\_



**CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET**

**15b.  
2/01/2022**

COUNCIL MEETING DATE: 02/01/2022	SUBMITTED BY: Administration	Legal
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>
RESOLUTION <input checked="" type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>

**SUBJECT:**

Resolution No. 2022-04 ordering an election to determine the continuation of the Economic Development Program for the City of Bellevue.

**SYNOPSIS/BACKGROUND:**

The City of Bellevue created an Economic Development Program (Plan) and pursuant to statute, is placing the question as to the continuance of the plan on the ballot for May 10, 2022 primary election. This Resolution orders said question to be placed on the ballot.

FISCAL IMPACT: 0 BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

**TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:**

IS THIS A CONTRACT?: NO COUNTER-PARTY: INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME:

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED: NO

CIP PROJECT NAME: CIP PROJECT NUMBER:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRIBUTION CODE: ACCOUNT NUMBER:

**RECOMMENDATION:**

Approve Resolution 2022-04 which places the continuation of the Plan on the May 10, 2022 ballot.

**ATTACHMENTS:**

1. Resolution 2. 3. 4. 5. 6.

**SIGNATURES:**

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

*A. B. ...*  
*[Signature]*

**RESOLUTION NO. 2022-04**

**RESOLUTION ORDERING AN ELECTION TO DETERMINE THE CONTINUATION OF THE ECONOMIC DEVELOPMENT PROGRAM FOR THE CITY OF BELLEVUE AND REQUESTING A CONSOLIDATION WITH OTHER ELECTIONS OCCURRING ON MAY 10, 2022.**

WHEREAS, pursuant to the State of Nebraska's Local Option Municipal Economic Development Act ("the Act"), the City of Bellevue ("City") created an Economic Development Program for the purposes of promoting economic development; and

WHEREAS, the Act requires that *"If, after five full budget years following initiation of the approved economic development program, less than fifty percent of the money collected from local sources of revenue is spent or committed by contract for the economic development program, the governing body of the city shall place the question of the continuation of the city's economic development program on the ballot at the next regular election"* (See Neb. Rev. Stat. 18-2718(5));

WHEREAS, after five full budget years following the initiation of the approved program, it has been confirmed that less than fifty percent of the money collected has been spent or committed within those five full budget years and the question regarding the continuation of the program shall be placed on the ballot for the May 10, 2022, election.

WHEREAS, it is appropriate for the City of Bellevue to request consolidation of the election with any and all other elections to be held on May 10, 2022.

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA, that:**

The City Council of the City of Bellevue hereby orders an election and submits to the electors of the City of Bellevue the question of the continuation of the economic development program on the May 10, 2022, primary election and directs the City Clerk to deliver a copy of this Resolution to the Sarpy County Election Commission. The Ballot Question shall generally be in this form:

## PROPOSITION NO. 1

The City of Bellevue established an Economic Development Program (the “Plan”) after approval of the voters on or about November 4, 2014. Pursuant to the Plan, the City of Bellevue, Nebraska established an Economic Development Program which appropriated funds annually for the purposes of economic development in the Highway 34 Corridor District. Shall the City of Bellevue continue its economic development program?

Yes (for the continuation of the program)

No (against the continuation of the program)

Electors desiring to vote in favor of the Proposition shall mark the appropriate space preceding the words “Yes (for the continuation of the program)”

Electors desiring to vote against the Proposition shall mark the appropriate space preceding the words “No (against the continuation of the program)”

---

I) Description of the Economic Development Program:

**The Economic Development Program as previously approved by voters is summarized as follows:**

The goals of the Bellevue Nebraska Economic Development Program support the development of new jobs, attract a variety of new businesses, broaden the tax base, generate employment opportunities, attract new capital investment, expand the labor market and the retention of existing jobs for the citizens of Bellevue by promoting development within the Highway 34 Corridor District.

III) Duration of the Program: The length of time the Program previously approved was twenty-five (25) years beginning May 1, 2015.

IV) Years for Collection of the Funds: Funding for this Program was previously approved by voters. Collection of funds for the Program shall be on all taxable sales beginning on May 1, 2015, and shall end on April 30, 2035 (twenty years).

V) Source of Funds: The source shall be (i) any existing City Sales and Use Tax, Lodging Tax, Occupancy Tax and Real Estate Tax as designated by the City Council, and (ii) any future increases of City Sales and Use Tax, Lodging Tax, Occupancy Tax and Real Estate Tax as may be approved by the voters.

VI) Total Amount to be Collected: These funds and amounts collected were previously approved by voters. The total amount to be collected is estimated to be \$375,000

per one-half year and \$750,000 per year in fiscal years 2015-2016 (one-half (1/2) fiscal year), 2016-2017, 2017-2018, 2018-2019, 2019-2020, 2020-2021, 2021-2022, 2022-2023, 2023-2024, 2024-2025, 2025-2026, 2026-2027, 2027-2028, 2028-2029, 2029-2030, 2030-2031, 2031-2032, 2032-2033, 2034-2035 and 2035-2036 (one-half fiscal year), with the revenue being allocated to the Economic Development Plan as outlined. The one-half fiscal years shall be only one-half of the estimate to be collected.

PASSED AND APPROVED this \_\_\_\_\_ day of February, 2022.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

**15c.**  
**2/01/2022**

COUNCIL MEETING DATE: 02/01/2022	SUBMITTED BY: <u>Doug Clark, Public Works Director</u>	<u>Dean Dunn, Engineering Manager</u>
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>
RESOLUTION <input checked="" type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>

**SUBJECT:**

**LPA Resolution - CRRSSA Fund Purchase Agreement**

**SYNOPSIS/BACKGROUND:**

Nebraska Department of Transportation (NDOT) has previously entered into agreement with Metropolitan Area Planning Agency (MAPA) to purchase federal Coronavirus Response and Relief Supplemental Appropriations Act (CRRSSA) funds. The purpose of this agreement is for the City of Bellevue to agree to be bound by the terms of the State/MAPA agreement in exchange for receiving a share of the cash payment in the amount of \$360,233.00.

FISCAL IMPACT: + \$360,233.00      BUDGETED FUNDS?: NO      GRANT/MATCHING FUNDS?: NO

**TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:**

IS THIS A CONTRACT?: <u>YES</u>	COUNTER-PARTY: <u>NDOT</u>	INTERLOCAL AGREEMENT: <u>NO</u>
CONTRACT DESCRIPTION: <u>CRRSSA Fund Purchase Agreement</u>		
CONTRACT EFFECTIVE DATE: <u>          </u>	CONTRACT TERM: <u>          </u>	CONTRACT END DATE: <u>          </u>
PROJECT NAME: <u>          </u>		
START DATE: <u>          </u>	END DATE: <u>          </u>	PAYMENT DATE: <u>          </u> INSURANCE REQUIRED: <u>NO</u>
CIP PROJECT NAME: <u>          </u>	CIP PROJECT NUMBER: <u>          </u>	
STREET DISTRICT NAME (S): <u>          </u>	STREET DISTRICT NUMBER (S): <u>          </u>	
ACCOUNTING DISTRUBUTION CODE: <u>          </u>	ACCOUNT NUMBER: <u>10-15-4704-9222-922201-920-00000</u>	

**RECOMMENDATION:**

City Council to approve and authorize the Mayor to sign the Resolution and CRRSSA Fund Purchase Agreement between the City of Bellevue and Nebraska Department of Transportation for the 2022 Bellevue Major Street Resurfacing project.

**ATTACHMENTS:**

- |                      |                            |                      |
|----------------------|----------------------------|----------------------|
| 1. <u>Resolution</u> | 2. <u>CRRSSA Agreement</u> | 3. <u>          </u> |
| 4. <u>          </u> | 5. <u>          </u>       | 6. <u>          </u> |

**SIGNATURES:**

LEGAL APPROVAL AS TO FORM: \_\_\_\_\_

FINANCE APPROVAL AS TO FORM: \_\_\_\_\_

ADMINISTRATOR APPROVAL AS TO FORM: \_\_\_\_\_

*A. Bruce Roberts*  
*[Signature]*  
*[Signature]*

**RESOLUTION**  
**SIGNING OF CRRSSA FUND PURCHASE AGREEMENT**

City of Bellevue  
Resolution No. 2022-05

**Whereas:** NDOT has previous entered into an agreement with the Metropolitan Area Planning Agency (MAPA) to purchase federal Coronavirus Response and Relief Supplemental Appropriations Act (CRRSSA) funds that were made available to entities within MAPA.

**Whereas:** The State's total cash payment will be equal to 90% of the CRRSSA federal funds purchased by the State from MAPA.

**Be It Resolved:** by the City Council of the City of Bellevue that:

The Mayor of the City of Bellevue is hereby authorized to sign the attached Project CRRSSA Fund Purchase Agreement between the City of Bellevue and the NDOT.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022 at \_\_\_\_\_ Nebraska.  
(Month) (Year)

The City Council of the City of Bellevue

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Board/Council Member \_\_\_\_\_  
Moved the adoption of said resolution  
Member \_\_\_\_\_ Seconded the Motion  
Roll Call: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Abstained \_\_\_\_\_ Absent  
Resolution adopted, signed and billed as adopted

Attest:

\_\_\_\_\_  
Clerk

**FEDERAL-AID TRANSPORTATION FUND  
PURCHASE-SALE LETTER AGREEMENT  
CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATION ACT  
(CRRSAA)**

**Nebraska Department of Transportation  
City of Bellevue**

THIS LETTER AGREEMENT made and entered into by and between the State of Nebraska, Department of Transportation, hereinafter referred to as the "State," and City of Bellevue, Nebraska, hereinafter referred to as Local Public Agency, or "LPA."

**RECITALS**

WHEREAS, the Metropolitan Area Planning Agency (MAPA) had the right to use certain Coronavirus Response and Relief Supplemental Appropriation Act (CRRSAA) funds for local federal-aid highway projects, and

WHEREAS, LPA, as an entity that is a part of MAPA, would have been entitled to use some of those CRRSAA funds, and

WHEREAS, MAPA has agreed to sell to State, in an Agreement dated July 28, 2021, attached hereto and made a part hereof, the right for State to purchase and use MAPA's CRRSAA funds, for State federal-aid Highway projects, in exchange for a cash payment from State that will be allocated among and paid directly to each of the local governmental entities that are a part of MAPA (See attached Agreement for anticipated allocation), and

WHEREAS, the State's total cash payment will be equal to 90% of the CRRSAA federal funds purchased by State from MAPA, and

WHEREAS, the Agreement between State and MAPA, (signed copy attached as Attachment A), contains limitations on the use that LPA can make of the cash payment received, and also includes a requirement for annual certifications from LPA to State concerning the LPA's use of the cash payment, and

WHEREAS, the purpose of this Agreement is for LPA to agree to be bound by the terms of the State/MAPA Agreement in exchange for LPA receiving a share of the cash payment.

NOW, THEREFORE, in consideration of these facts, the State and the LPA agree as follows:

**SECTION 1. Effective Date and Term of this Agreement.** This Agreement will be effective only upon the execution of this Agreement by the State. The agreement will terminate when State has received final certification from LPA that all funds received from State's purchase of the CRRSAA funds have been expended by LPA consistent with the requirements of this Agreement.

**SECTION 2. Obligations of LPA.** In exchange for the receipt of LPA's share of the cash payment from State, for State's purchase of the CRRSAA funds from MAPA, LPA agrees to be fully bound by all of the obligations of MAPA under the attached agreement, including but not limited to, the Limitations on LPA's Use of the Cash Payment set out in Section 4, and the obligation of LPA to make annual certifications to State as required in Section 5 of the attached agreement.

**SECTION 3. Obligations of State.** State agrees to make direct payment to LPA for the share of the cash payment, expected to be in the amount shown in the attached agreement in the amount of \$360,233.00, and to meet any other obligations of the attached Agreement applicable to LPA.

IN WITNESS WHEREOF, the LPA and State hereto have caused this Agreement to be executed by their proper officials thereunto duly authorized as of the dates below indicated.

EXECUTED by the LPA this \_\_\_\_ day of \_\_\_\_\_, 2022.

WITNESS:

CITY OF BELLEVUE

\_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_

EXECUTED by the State this \_\_\_\_ day of \_\_\_\_\_, 2022.

STATE OF NEBRASKA  
DEPARTMENT OF TRANSPORTATION

By \_\_\_\_\_

Title \_\_\_\_\_

**FEDERAL-AID TRANSPORTATION FUND  
PURCHASE-SALE AGREEMENT  
CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS  
ACT (CRRSAA)**

**Nebraska Department of Transportation  
Metropolitan Area Planning Agency**

THIS AGREEMENT made and entered into by and between the State of Nebraska, Department of Transportation, hereinafter referred to as the "State," and the Metropolitan Area Planning Agency, Nebraska, hereinafter referred to as Local Public Agency, or "LPA."

**RECITALS**

WHEREAS, the State and LPA have authority to enter into this Agreement and to expend funds pursuant to Neb. Rev. Stat. §§ 39-1307 and 66-4,100; and,

WHEREAS, under the Coronavirus Response and Relief Supplemental Appropriation Act (CRRSAA), the LPA was allocated \$6,377,523.00 apportionment from the Highway Infrastructure Program for LPA's use in response to the losses suffered by the LPA as the result of the Coronavirus pandemic, and

WHEREAS, the federal-aid funds made available to the LPA are of a type that would also be eligible for use by the State for federal-aid projects on certain State highway and bridge projects; and,

WHEREAS, LPA wishes to sell to State the right to use \$6,377,523.00 of LPA's CRRSAA funds for Title 23 transportation purposes in exchange for State making a cash payment to LPA.

WHEREAS, the cash payment to be made by the State to local governments within MAPA will be equal to ninety percent (90%) of the total dollar amount of federal-aid funds purchased by the State ( $\$6,377,523.00 \times .90\% = \$5,739,770.70$ ).

WHEREAS, the cash payment will be made to the local governments within MAPA no later than the end of federal fiscal year 2022, depending on State's sole determination of cash flow.

WHEREAS, State will use all of the \$6,377,523.00 received from the LPA to pay a portion of the expected construction costs for the upcoming State project identified as CN

22611, I-680 Bridges, and State will meet all standard federal-aid requirements for the use of those funds, and

WHEREAS, LPA will pass through to local governments within MAPA the cash received from State and such funds will be used by the local governments within MAPA only for the purposes set out in this agreement, and

WHEREAS, the LPA is interested in selling these federal-aid funds to the State on the terms and conditions set out in this Agreement, including certain limitations on the use of the cash received by LPA.

NOW, THEREFORE, in consideration of these facts, the State and the LPA agree as follows:

**SECTION 1. Effective Date and Term of this Agreement.** This Agreement will be effective only upon the execution of this Agreement by the State. This Agreement will terminate when State has received the last certification from the local governments within MAPA when all funds have been used constant with the terms of this agreement. The State may terminate this Agreement for any reason at any time by giving LPA advance notice 60 days prior to the date of termination.

**SECTION 2. Calculation of LPA's share of the Federal-Aid Funds Purchase.** The LPA is entitled to \$6,377,523.00 of CRRSSA funds and will be purchased by the State for use on a transportation project.

**SECTION 3. Cash Payment Calculation and Payment Date.** The cash payment to be made by the State to the local governments within MAPA will be equal to ninety percent (90%) of the total dollar amount of federal-aid funds sold by LPA to State. The total dollar amount of federal-aid funds purchased by the State is \$6,377,523.00 with a payout to the local governments within MAPA in the amount of \$5,739,770.70. Instead of paying MAPA the cash payment, State will make payment directly to the local governments within MAPA at the funding level listed in the following table:

Local Government	Funding
Douglas County	\$1,034,772
Sarpy County	\$750,265
Bellevue	\$360,233
Bennington	\$75,000
Gretna	\$75,000
La Vista	\$108,115
Omaha	\$2,804,680
Papillion	\$146,706
Ralston	\$75,000
Springfield	\$75,000
Valley	\$75,000
Waterloo	\$75,000
Boys Town	\$75,000
Cass County	\$10,000

**SECTION 4. Limitations on LPA's and local governments with MAPA Use of Cash Payment.** The portion of the cash payment received by the local government within MAPA from the State for the purchase of the funds shall be used solely for the transportation purposed eligible under CRRSAA or for the cost of construction, reconstruction, maintenance, or repair of public highways, streets, roads, or bridges and facilities, appurtenances, and roadway structures deemed necessary in connection therewith. LPA shall assist state in obtaining letter agreements from the local governments within MAPA to bind the local governments to the requirements of this section.

The phrase "facilities, appurtenances, and roadway structures deemed necessary in connection therewith," as used in the first sentence of this section, includes medians; accessory lanes; steps; handrails; sidewalks, adjoining trails, paths and related structures; drainage facilities such as storm sewers, curb or grate inlets, culverts, ditches, and other drainage structures; guardrails; lighting facilities; driveways; retaining walls and

other similar facilities that are necessary or desirable and directly related to the proper design of streets, roads and highways.

The local governments within MAPA shall segregate the cash payment and shall separately account for the cash payment received from the State within its accounting system. The cash payment funds may be used for any phase of an allowable project. The phases of an allowable project include but are not limited to: 1) preliminary engineering, 2) right-of-way acquisition, 3) utility relocations, 4) construction, and 5) construction engineering.

All roads and bridges shall be designed and constructed to meet the minimum standards of the Nebraska Board of Public Roads Classifications and Standards.

**SECTION 5. Annual Certification of Use of Cash Payment and Action Required for Improper Use of Funds.** Until all such funds have been used by the local governments within MAPA, each local government shall submit to State an annual certification in accordance with this agreement. The annual certification shall be filed with the Local Assistance Division of the State and the form shall be submitted by local government within 90 days after the end of sub entities fiscal year. Further, each local government within MAPA must immediately report to State any use of the cash payment for a nonconforming use under this Agreement. Within 60 days of discovery of any improperly diverted funds, the applicable local government within MAPA must provide the State with a repayment plan for that local government to replace the improperly diverted funds by depositing an equivalent amount of other local funds into the cash payment account. If the local government within MAPA fails to repay the funds or fails to provide a repayment plan that is acceptable to the State, the State will withhold local government's future annual payments until the applicable local government, repays all improperly diverted funds. If the local government within MAPA fails to meet the requirement of the prior sentence, the State may terminate this Agreement and apply any future funds of the local government within MAPA toward the repayment of the improperly diverted funds.

**SECTION 6. Fund Distribution.** Prior to the distribution of funds under his Agreement, LPA agrees to facilitate State obtaining a separate "Letter" Agreement from each of the local governments receiving a cash payment, with each entity agreeing to be

bound to the terms of this Agreement, including but not limited to the use of the cash distribution and the annual certification requirements.

**SECTION 7. Additional Terms and Conditions.** The parties agree to the following additional terms and conditions:

- A. Federal Legislation. The LPA authorizes the State to take such steps as are deemed by the State to be necessary or advisable for the purpose of securing the benefits of the current Federal-Aid Surface Transportation Act for this Agreement. The terms of this Agreement are subject to changes in federal legislation. The State reserves the right to (1) terminate this Agreement, in the event such changes in federal law significantly impacts, nullifies or renders impractical the continuing purchase of LPA's federal-aid funds.
- B. Application of Purchased Funds. The LPA understands that the State, at its sole discretion, intends to use the federal-aid funds purchased from LPA for the I-680 Bridges project identified in the recitals above.
- C. Audits. The LPA agrees to make its records and books available at any time to representatives or designees of the State for audit.
- D. Applicable Law. The LPA agrees to follow all applicable laws governing the transaction set out in this Agreement and the use of the State payment for local street, road, or bridge projects.
- E. Local Ordinances and Resolutions. The LPA agrees to adopt all necessary ordinances and/or resolutions and to take such legal steps as may be required to give full effect to the terms of this Agreement.
- F. Maintenance of and Commitments for Projects Constructed with Federal Funds. This Agreement does not relieve the LPA of maintaining, at its own expense, all transportation projects under its jurisdiction which have used, or will use federal funds in the future (see, 23 U.S.C. § 116). The LPA agrees to make provisions each year for the maintenance costs involved in properly maintaining all of its federal-aid routes and facilities. The LPA shall also be solely responsible for any required environmental commitments, including monitoring, and any other commitments made, after the

construction of projects on its federal-aid routes which have used, or will use federal funds in the future. In the event that the federal government withholds funds from the State related to LPA's failure to meet its obligations under this section, LPA agrees that the State, in addition to all other remedies, may withhold its future cash payments under this agreement until all funds are repaid.

- J. Right-of-Way. The LPA is advised to use or cause any sub entity to use the "Uniform Act" and keep good records when purchasing right-of-way for a project. The "Uniform Act" is the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended by the Surface Transportation and Uniform Relocation Assistance Act of 1987, and administrative regulations contained in 49 C.F.R. § 24, entitled "Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs."
- K. No Third-Party Benefits. No third-party beneficiaries are intended to be created by this Agreement, nor do the parties herein authorize anyone not a party to this Agreement to maintain a suit for damages pursuant to the terms or provisions of this Agreement.
- L. Fair Employment Practices Act. The LPA agrees to abide by Nebraska Fair Employment Practices Act, as provided by Neb. Rev. Stat. §§ 48-1101 through 48-1126, which is hereby made a part of and included in this Agreement by reference.

IN WITNESS WHEREOF, the LPA and State hereto have caused this Agreement to be executed by their proper officials thereunto duly authorized as of the dates below indicated.

EXECUTED by the LPA this 22 day of July, 2021.

WITNESS:

Pamela A. Smithe

METROPOLITAN AREA PLANNING  
AGENCY

By Douglas D. Kindig

MAPA Board Chair  
Title

EXECUTED by the State this 28<sup>th</sup> day of July, 2021.

STATE OF NEBRASKA  
DEPARTMENT OF TRANSPORTATION

By Khalif

Deputy Director - Engineering  
Title

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

16a.  
02/01/2022

COUNCIL MEETING DATE: 02/01/2022	SUBMITTED BY: Community Development Director	Administration
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input checked="" type="checkbox"/>	OTHER <input type="checkbox"/>

SUBJECT:

MOU for Water Main Extension Design Services for a project with Metropolitan Utilities District in an amount not to exceed \$1,100,00.00, to be funded with ARPA funds.

SYNOPSIS/BACKGROUND:

The City desires that MUD extend its existing water infrastructure, consisting of water main pipelines, pump stations, valves, hydrants and other such facilities, generally along Platteview Rd., Hidden Valley Drive, South 10th St., East LaPlatte Rd, and Harlan Lewis Rd as shown in attachment "A". The city will work with MUD for the design of the project and with approval from City Council, use ARPA funding for the project. The estimated design service costs is \$1,100,000.

FISCAL IMPACT: \$1,100,000 ARPA BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: NO COUNTER-PARTY: INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME:

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED: NO

CIP PROJECT NAME: CIP PROJECT NUMBER:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRUBUTION CODE: ACCOUNT NUMBER: ARPA FUNDING

RECOMMENDATION:

Approve and authorize the Mayor to sign the MOU with MUD.

ATTACHMENTS:

1. MOU and attachment 2. 3. 4. 5. 6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

*A. B. Roblin*

FINANCE APPROVAL AS TO FORM:

*[Signature]*

ADMINISTRATOR APPROVAL AS TO FORM:

*[Signature]*

**MEMORANDUM OF UNDERSTANDING**  
**FOR**  
**WATER MAIN EXTENSION DESIGN SERVICES**  
**MUD PROJECT WP1871**

This MEMORANDUM OF UNDERSTANDING ("MOU") is entered into as of the date of the last signature below (the "Effective Date") by and between METROPOLITAN UTILITIES DISTRICT OF OMAHA, NEBRASKA, a municipal corporation and political subdivision of the State of Nebraska ("MUD") and CITY OF BELLEVUE, a municipal corporation and city of the first class of the State of Nebraska ("the City") (MUD and the City are sometimes referred to collectively in this MOU as the "Parties").

**RECITALS**

- a. MUD operates a natural gas and drinking water utility in and around the City of Bellevue, Sarpy County, Nebraska;
- b. The City desires that MUD extend its existing water infrastructure, consisting of water main pipelines, pump stations, valves, hydrants and other such facilities, generally along Platteview Rd., Hidden Valley Drive, South 10<sup>th</sup> St., East LaPlatte Rd, and Harlan Lewis Rd. ("Proposed Water Main Extension") as shown on the attached "Exhibit A: WP1871 Proposed Main Extension Map."
- c. The City understands that as the areas surrounding the Proposed Water Main Extension develops, additional main extensions may be required in accordance with District's Water and/or Gas Rules and Regulations.
- d. The Proposed Water Main Extension will require significant up-front costs related to design work ("Design Services");
- e. HDR, Inc., an engineering and design firm based in Omaha, Nebraska, is currently designing a sewer and road project along the same corridor as the Proposed Water Main Extension for the City and has specialized knowledge of the area and the City's roadway and sewer needs;

**NOW THEREFORE**, in consideration of the above Recitals and mutual promises and covenants herein contained, and other good and valuable consideration, the receipt, sufficiency, and adequacy of which are expressly acknowledged, MUD and the City set forth their mutual understanding and agreement as follows:

## AGREEMENT

1. **Retention of Design Firm and Estimated Costs of the Design Services.** Based on the foregoing recitals, MUD shall enter into an agreement with HDR Inc., to provide for the design of the Proposed Water Main Extension (“Design Services”). Nothing in this MOU would imply or create a relationship between the City and HDR Inc. directly for the Design Services. The Design Services performed by HDR Inc. shall be at MUD’s sole discretion. The City shall have the opportunity to review and provide input on the final design of the Proposed Water Main Extension prior to moving on to any construction or implementation phase for this project. However, MUD shall have sole discretion over the final design of the project. MUD's current estimate of the costs of the Design Services are \$1,100,000 which includes both fees payable to HDR Inc., and MUD’s internal fees related to the design. The Parties acknowledge this is an estimate only and is subject to change.
2. **Design Services Reasonable and Necessary.** The City agrees that MUD has shared sufficient information with the City to enable the City to evaluate the necessity and reasonableness of the Design Services and the costs for the same. After evaluating the information and documents provided by MUD, the City agrees that the Design Services, and the costs MUD must pay for the same, are both reasonable and necessary.
3. **Reimbursement for Design Services.** The City hereby agrees to reimburse MUD for all actual costs incurred by MUD, including internal costs, for the Design Services for the Proposed Water Main Extension. MUD shall submit invoices to the City when Design Services are estimated to be ¼ complete, ½ complete, ¾ complete and when they are complete. The City shall submit payment to MUD within 30 days of receipt of an invoice.
4. **No Obligation to Extend.** Nothing in this MOU shall be construed to require MUD or the City to proceed with construction of the water main extension. Terms of any actual water main extension will be addressed in a separate Water Main Extension Agreement to be executed in the future between MUD and the City. The City will reimburse MUD for all Design Services regardless of whether or not an actual water main extension is agreed to.
5. **Entire Agreement.** This MOU constitutes the entire agreement of the Parties regarding the matters addressed herein. No amendment, alteration, modification or addition to this MOU will be valid or binding unless expressed in writing and signed by MUD and the City.
6. **Governing Law.** This License Agreement shall be governed in all respects by the laws of the State of Nebraska.
7. **Counterparts; Electronic Signatures.** For purposes of determining the enforceability of this MOU, facsimile signatures shall be deemed originals, and this License Agreement may be executed in any number of counterparts. This License Agreement may be executed by the use of DocuSign electronic signatures.

**[Remainder of Page Left Intentionally Blank; Execution Page Follows.]**

IN WITNESS WHEREOF, MUD and the City have caused this MOU to be executed as of the Effective Date.

**METROPOLITAN UTILITIES DISTRICT OF OMAHA, NEBRASKA**

By: \_\_\_\_\_

Name: Mark Doyle

Title: President

Date: \_\_\_\_\_

**Approved as to form:**

\_\_\_\_\_  
Mark Mendenhall, Senior Vice President and General Counsel

**CITY OF BELLEVUE**

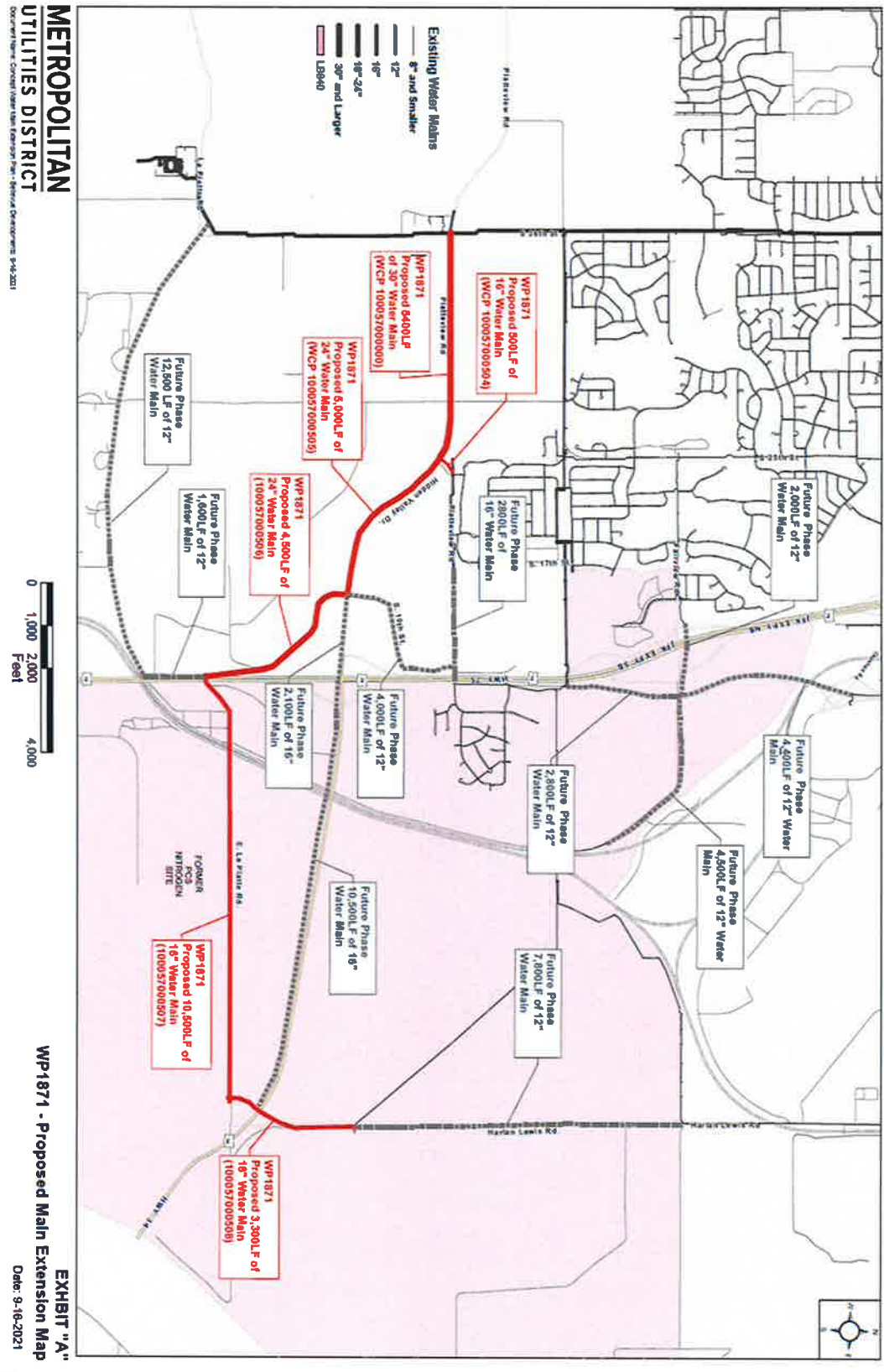
By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: Mayor

Date: \_\_\_\_\_

# EXHIBIT A: WP1871 PROPOSED MAIN EXTENSION MAP



CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

16b.  
02/01/2022

COUNCIL MEETING DATE: 01/25/2022		SUBMITTED BY: Captain Tim melvin		
AGENDA ITEM:		CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>		
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input checked="" type="checkbox"/>	OTHER <input type="checkbox"/>		

SUBJECT:

Service agreement with GRP Medical Waste Disposal

SYNOPSIS/BACKGROUND:

The BPD evidence unit has numerous items in evidence that need to be disposed of, but they are a biohazard. These items contain blood and other bodily fluids that cannot be thrown away in the regular trash. GRP Medical Waste will provide containers to put the items in and will ensure they are disposed of in an EPA approved landfill.

FISCAL IMPACT: \$180.00 BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: YES COUNTER-PARTY: INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION: Service Agreement

CONTRACT EFFECTIVE DATE: 01/01/2022 CONTRACT TERM: 3 years CONTRACT END DATE: 01/01/2025

PROJECT NAME:

START DATE: END DATE: PAYMENT DATE: INSURANCE REQUIRED: NO

CIP PROJECT NAME: CIP PROJECT NUMBER:

STREET DISTRICT NAME (S): STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRIBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

Sign service agreement with GRP

ATTACHMENTS:

1. Service Agreement	2.	3.
4.	5.	6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

*A. Bruce Rolin*  
*[Signature]*  
*[Signature]*

SERVICE AGREEMENT

MWI# ?

GRP AND ASSOCIATES, INC., hereinafter referred to as "Contractor" agrees to provide a MEDICAL WASTE DISPOSAL SERVICE for **Bellevue Police Department**, hereinafter referred to as "Customer," for a period of three (3) years starting **January 1, 2022**. The three (3) year term shall renew automatically for additional like term(s) of three (3) years unless either party shall give written notice of termination to the other party by certified mail at least thirty (30) days, but not more than ninety (90) days, prior to the scheduled renewal of the then existing term of three (3) years.

The services include, providing the containers and liners (does not include providing sharps containers) and picking up and disposing of the waste at an EPA approved site. The containers are manifested and a "Certificate of Destruction" is sent when the waste has been properly disposed of. The pick-up of the containers will be on a mutually agreed upon schedule of once every twelve (12) weeks.

Fees for disposal of the waste are:

  X   \$45.00 for the first large bio-hazard container and \$40.00 for each additional container picked up, each trip. "Sharps containers" are to be placed within the large container for disposal.

There is no charge for the disposal of sharps containers if they are put into the bio-hazard containers listed above. There is a charge even if you don't send box or sharps.

Customer certifies that all of the waste was generated by his facility or facilities under his control. **Maximum weight of any one container shall be 35 pounds.**

This is a legally binding contract. Contractor agrees to provide and Customer agrees to accept the above services and containers at the charges and frequency of collection as indicated. This Agreement also is subject to the terms and conditions that follow.

"CONTRACTOR"

"CUSTOMER"

BY: \_\_\_\_\_  
Authorized Signature  
Amanda Brown, Secretary

BY: \_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Printed Name and Title

GRP & Associates, Inc.  
218 10th Ave North  
P.O. Box 94  
Clear Lake, IA 50428-0094

**Bellevue Police Department**  
**1510 Wall Street**  
**Bellevue, NE 68005**

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

**16c.**  
**2/01/2022**

COUNCIL MEETING DATE: 02/01/2022		SUBMITTED BY: Doug Clark, Public Works Director		Dean Dunn, Engineering Manager	
AGENDA ITEM:		CONSENT AGENDA	<input type="checkbox"/>	SPECIAL PRESENTATION	<input type="checkbox"/>
LIQUOR LICENSE	<input type="checkbox"/>	ORDINANCE	<input type="checkbox"/>	PUBLIC HEARING	<input type="checkbox"/>
RESOLUTION	<input type="checkbox"/>	CURRENT BUSINESS	<input checked="" type="checkbox"/>	OTHER	<input type="checkbox"/>

**SUBJECT:**

OPPD Relocation Agreement for the 36th Street, Bline to Sheridan (MAPA-5061(5), C.N. 22276)

**SYNOPSIS/BACKGROUND:**

Agreement between Omaha Public Power District and the City of Bellevue to relocate and rebuild overhead transmission facilities for the 36th Street Bline to Sheridan Urban Widening (MAPA-5061(5) C.N. 22276) project to cover costs outside of OPPD's franchise agreement with the City. Federal funds have been obligated based on this agreement; therefore, with the execution of this agreement the City will be eligible for 80% reimbursement of funds paid to OPPD.

FISCAL IMPACT: \$599,029.07      BUDGETED FUNDS?: YES      GRANT/MATCHING FUNDS?: NO

**TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:**

IS THIS A CONTRACT?: YES      COUNTER-PARTY: Omaha Public Power District      INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION: OPPD Facilities Relocation Agreement for 36th Street, Bline to Sheridan(MAPA-5061(5) C.N. 22276)

CONTRACT EFFECTIVE DATE: 02/01/2022      CONTRACT TERM:      CONTRACT END DATE:

PROJECT NAME: 36th Street to Sheridan Urban Widening (MAPA-5061(5) C.N. 22276)

START DATE:      END DATE:      PAYMENT DATE:      INSURANCE REQUIRED: NO

CIP PROJECT NAME: South 36th Street      CIP PROJECT NUMBER: ST22(5)

STREET DISTRICT NAME (S):      STREET DISTRICT NUMBER (S):

ACCOUNTING DISTRIBUTION CODE: CIPST22(5)      ACCOUNT NUMBER: 7010

**RECOMMENDATION:**

City Council to approve and authorize the Mayor to sign the Agreement between the City of Bellevue and Omaha Public Power District in the amount not to exceed \$599,029.07 for the City of Bellevue's 36th Street, Bline to Sheridan Widening project.

**ATTACHMENTS:**


1. Agreement	2.	3.
4.	5.	6.

**SIGNATURES:**

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



January 25, 2022

Dean Dunn P.E.  
City of Bellevue  
Public Works Department

RE: MAPA-5061(5) C.N. 22276  
36<sup>th</sup> Street Bline to Sheridan Urban Widening  
Sarpy County, Nebraska

Dear Mr. Dunn:

OPPD has reviewed the following agreement between The Omaha Public Power District and The City of Bellevue, Nebraska dated 22<sup>nd</sup> day of November, 2019. We find this agreement is still valid to the current above mentioned project.

If you need any additional information please feel free to contact me.

Very truly yours,

DocuSigned by:  
  
2CB1B352CCC54E7...

Todd Mclochlin  
Manager Utilities and Right of Way Coordination

1/26/2022 | 7:14 AM CST

**AGREEMENT**

**BETWEEN**

**THE OMAHA PUBLIC POWER DISTRICT**

**AND THE**

**CITY OF BELLEVUE, NEBRASKA**

\*\*\*\*\*

**MAPA-5061(5) C.N. 22276  
36<sup>TH</sup> STREET  
BLINE TO SHERIDAN  
URBAN WIDENING  
SARPY COUNTY, NEBRASKA**

## AGREEMENT

MAPA-5061(5) C.N. 22276  
36<sup>TH</sup> STREET BLINE TO SHERIDAN  
URBAN WIDENING  
SARPY COUNTY, NEBRASKA

THIS AGREEMENT is made and entered into by and between the Omaha Public Power District hereinafter referred to as the "Utility" and the City of Bellevue, Nebraska hereinafter referred to as the "City".

### WITNESSETH:

WHEREAS, the City has plans for the Urban Widening along 36<sup>th</sup> Street from Bline Street to Sheridan Road

WHEREAS, said construction will be undertaken under the project designation MAPA-5061(5) C.N. 22276 36<sup>th</sup> Street Bline to Sheridan Urban Widening Sarpy County, Nebraska (the "Project"), and

WHEREAS, the agreement for the relocating overhead transmission facilities, set forth in the Project plans and specifications, and

WHEREAS, the City is willing to have the Utility contract and relocate and rebuild the overhead transmission facilities as part of the City's Project, subject to the terms of this Agreement, and

NOW THEREFORE, in consideration of the foregoing recitals and the promises and covenants herein, the parties hereto agree as follows:

**SECTION 1.** The Utility has designed a transmission facility and system to be constructed by the Utility or Utility's contractor according to the Utility's specifications and as set forth in the Project plans and specifications.

The Utility's engineering department has estimated the cost to remove and relocate overhead transmission facilities to be \$599,029.07

**SECTION 2.** The City shall pay the Utility 100 percent of the actual and reasonable cost of the construction effort for removing and relocating transmission facilities plus any additional required construction engineering costs.

**SECTION 3.** The City shall make payment to the Utility within thirty (30) days after receipt of billing from the Utility. When the work is completed and all costs accumulated, the Utility will submit a final statement to the City showing the payment due from the City.



## NONDISCRIMINATION CLAUSES

During The performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor"), agrees as follows:

- 1) **Compliance with Regulations:** The Contractor will comply with the Regulations of the Department of Transportation relative to nondiscrimination in federally assisted programs of the Department of Transportation (Title 49, Code of Federal Regulations, Parts 21 and 27, hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- 2) **Nondiscrimination:** The contractor, with regard to the work performed by it after award and prior to completion of the contract work, will not discriminate on the ground of handicap, race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations. Including employment practices when the contract covers a program set forth in Appendix "A", "B" and "C".
- 3) **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of handicap, race, color or national origin.
- 4) **Information and Reports:** The contractor will provide all information and reports required by the Regulations, or orders and instructions issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the State Highway Department or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the State Highway Department, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
- 5) **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the State Highway Department shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including but not limited to,

- a) withholding of payments to the contractor under the contract until the contractor complies, and/or
- b) cancellation, termination or suspension of the contract, in whole or in part.

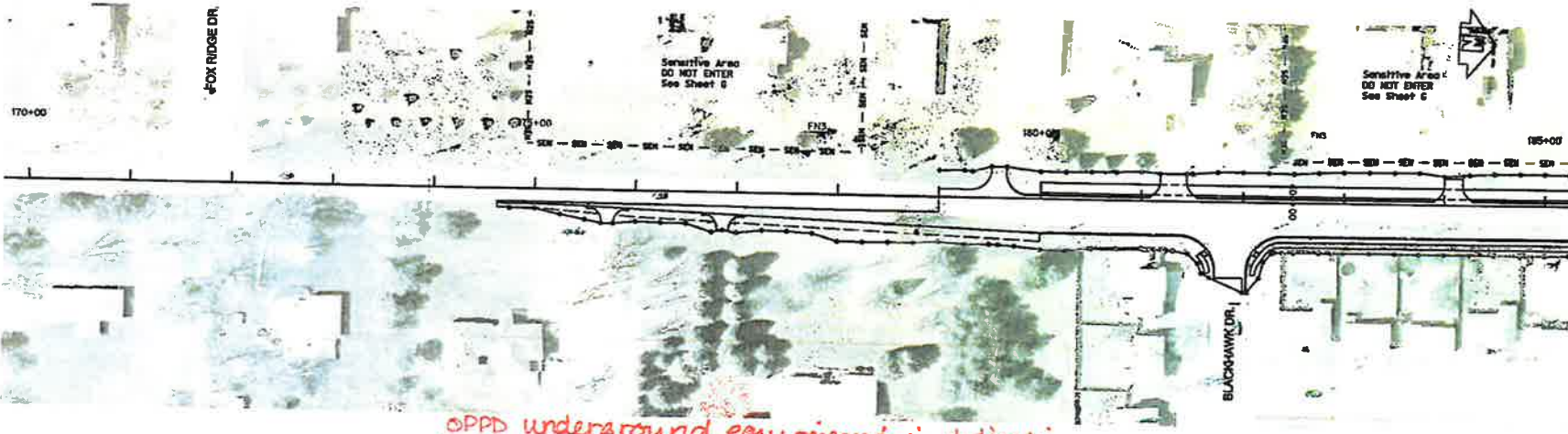
6) **Incorporation of Provisions:** The Utility's contractor will include the provisions of paragraph (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, order, or instructions issued pursuant thereto. The contractor will take such action with respect to any subcontract or procurement as the State Highway Department or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the State to enter into such litigation to protect the interests of the State, and in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

**EXHIBIT "A"**  
**PROJECT AREAS**

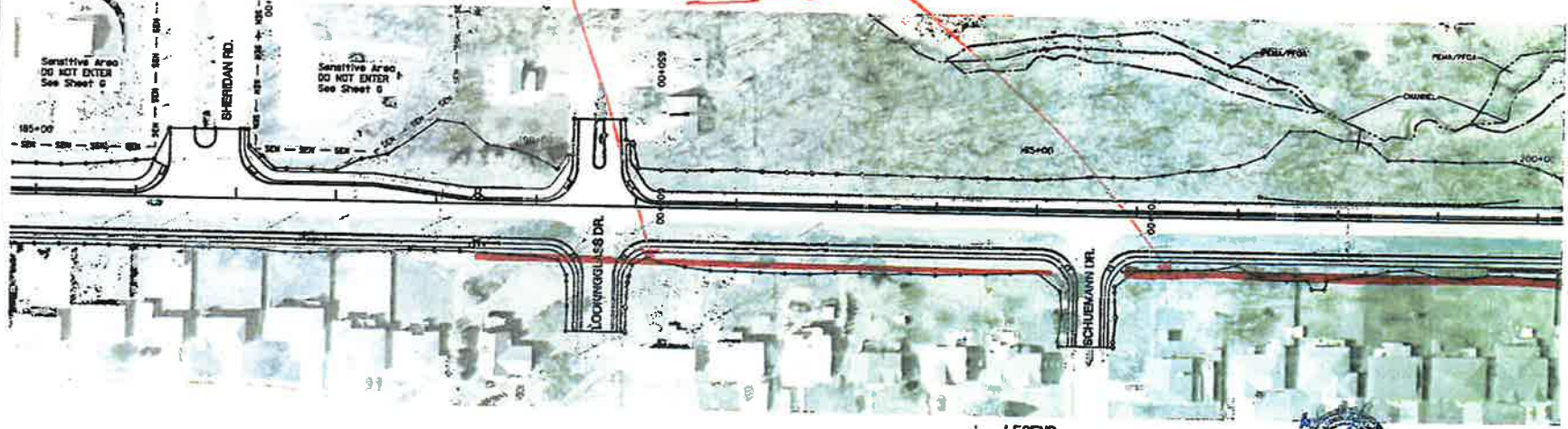
36TH STREET

olsson PROJECT NO. MAPA-0061151 SHEET NO. E1  
C.N. 22276

ROADWAY DESIGN DIVISION



OPPD underground equipment in dedication to be relocated.  
REIMBURSABLE



- LEGEND
- S- SENSITIVE AREA - DO NOT ENTER
  - H- HAZARDOUS MATERIAL SITE
  - L- LIMITS OF CONSTRUCTION
  - WETLANDS - DO NOT DISTURB
  - IMPACTED WETLANDS
  - TEMPORARY IMPACTED WETLANDS

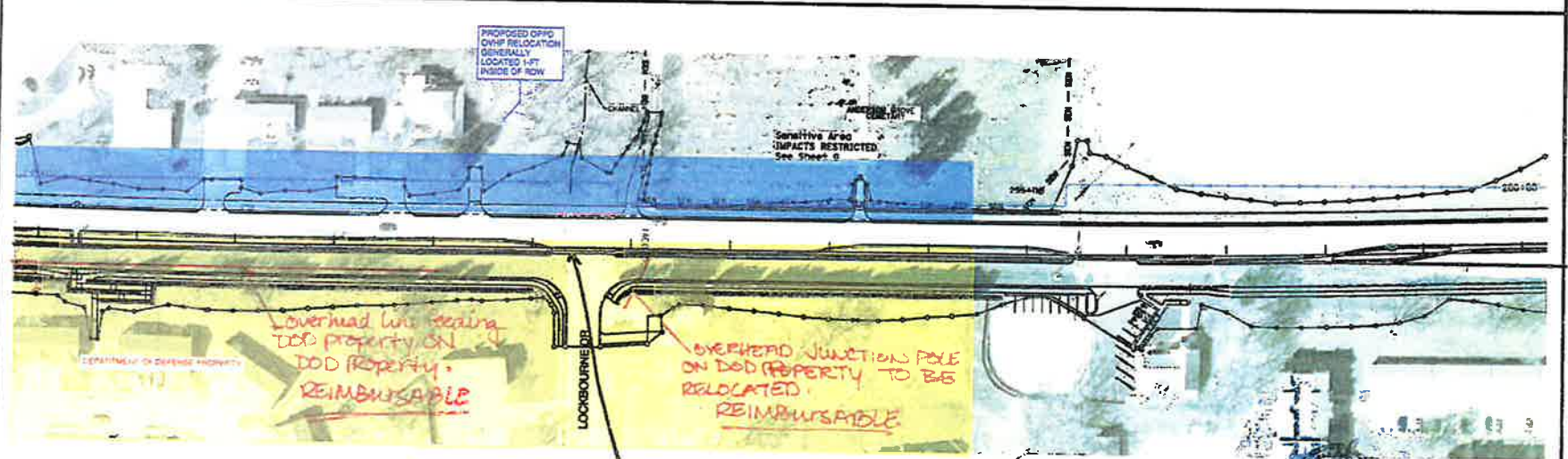
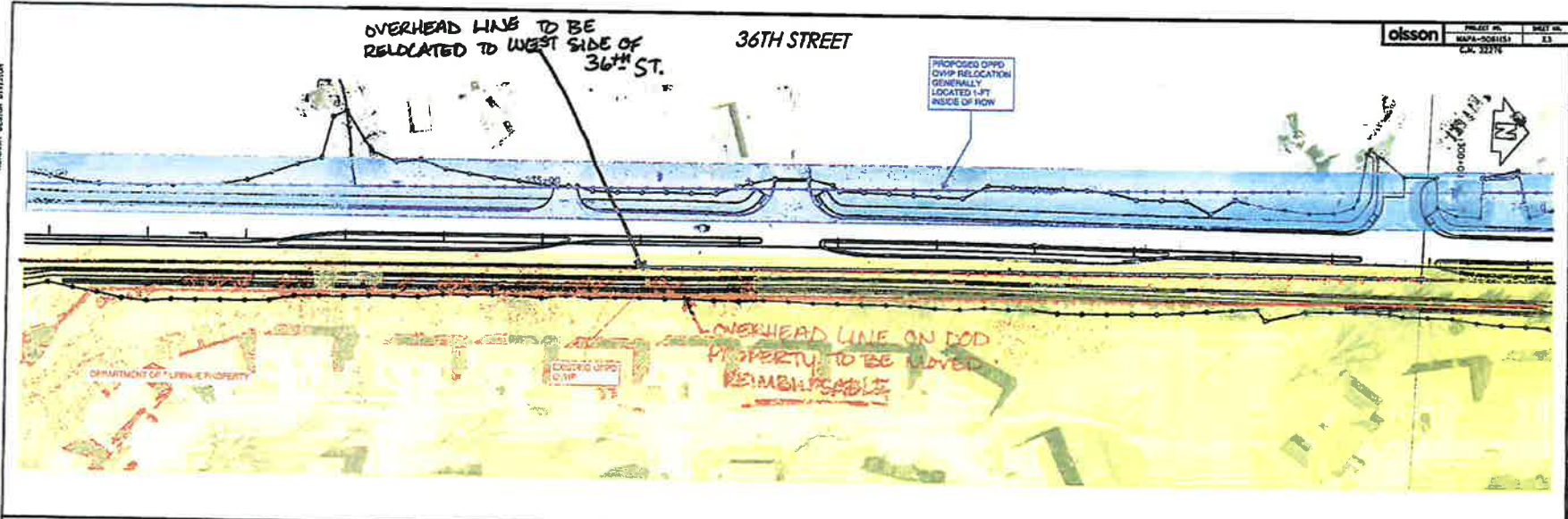


DATE:  
PLDW:  
SCALE:

P:\projects\1008-1820-A-18-Design\1008-1820-A-18-Design\1008-1820-A-18-Design\1008-1820-A-18-Design.dwg  
1/28/2018



ROADWAY DESIGN DIVISION



EXISTING OVERHEAD LINE TO BE RELOCATED TO WEST SIDE OF 36TH ST.

- SCA - SENSITIVE AREA - DO NOT ENTER
- HAZ - HAZARDOUS MATERIAL SITE
- L.C. - LIMITS OF CONSTRUCTION

LEGEND

- WETLANDS - DO NOT DISTURB
- IMPACTED WETLANDS
- TEMPORARY IMPACTED WETLANDS



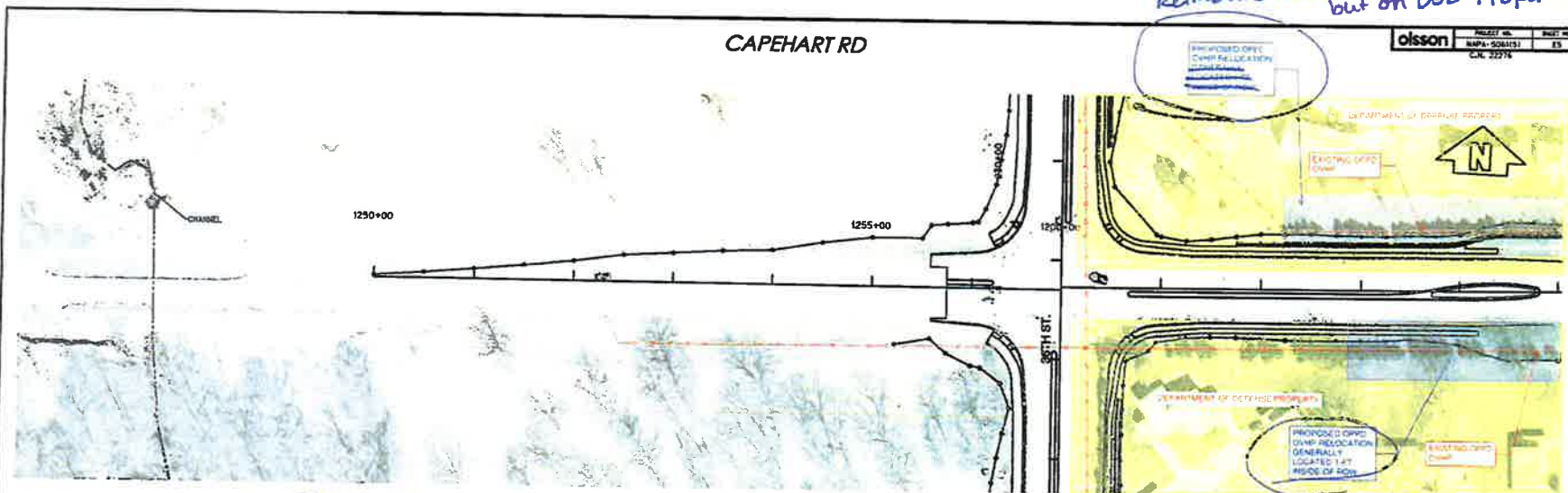
DATE: 1/1/19  
 SCALE:

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 1/1/2019 10:00:00 AM

ROADWAY DESIGN DIVISION

### CAPEHART RD

olsson PROJECT NO. MAP# 204151 SHEET NO. 15  
C.N. 22774



REIMBURSABLE - This line is on DOD Property

REIMBURSABLE FOR DOD PROPERTY  
(2 Lines along Capehart on South side)



REIMBURSABLE for southern-most line on DOD property. Northern-most line is in ROW & not reimbursable.

- LEGEND**
- - - SENSITIVE AREA - DO NOT ENTER
  - - - HAZARDOUS MATERIAL SITE
  - LIMITS OF CONSTRUCTION
  - ▨ WETLANDS - DO NOT DISTURB
  - ▨ IMPACTED WETLANDS
  - ▨ TEMPORARY IMPACTED WETLANDS



DATE: 11/08/17  
SCALE:

PROJECT NO. MAP# 204151 SHEET NO. 15  
C.N. 22774  
DATE: 11/08/17



## ESTIMATE DETAILS

ESTIMATE DETAILS

<u>AREAS</u>	<u>COSTS</u>
Department of Defense Property	\$463,905.49
City of Bellevue Sub-Divisions	\$ 80,123.58
Tree Trimming and/or Removal	\$ 55,000.00
Total	\$599,029.07

Feb 1<sup>st</sup>, 2022

**Administration**

Meeting with Blue Cross to review 2021 and 2022 plans.

Meeting with Convergence Strategy Group regarding city demographics for ED plan.

Meeting with representatives of the IAFF for upcoming contract.

Weekly Legislative meeting with Joe Kohout & Associates.

Planning meeting for AHP.

Meeting with Abby to discuss CDBG grants.

Meeting with HR regarding personnel issues.

Sarpy County Housing Task Force meeting.

Meetings with several Council members regarding agenda items.

Met with Olde Towne developer on several occasions to review and discuss plans.

Met with Steve Johnson from Twin Creek regarding flood maps, street development and future developments.

Meeting with Mayor and Heartland Marketing.

BPOA Retirement committee meeting.

Wastewater Agency meetings – multiple.

City Christmas Party

Aquatic study discussions with PW and private party.

Met with NRD regarding flood maps.

Bellevue Food Pantry planning and future direction.

Meeting with developer on Ft Crook Rd.

Review of parking ticket process with legal and BPD command.

Meeting with future Horse track ownership.

Meeting with National developer regarding defense projects.

Meeting with ENCAP

BPD food drive public announcement.

CITY OF BELLEVUE  
ADMINISTRATION REPORT

United Cities meeting.

Met with Lockwood Development on future developments.

Longo Drive tour for Library

Transactional meetings for the purchase of Longo Drive.

Project Reach site review.

LB840 review and future plan

Annexation meeting

Meeting with Kinseth Group to review Conference Center performance.

Attended Chamber ribbon cutting.

Review with Chamber on Buxton and future developments.

Meeting with City real estate representative on ongoing projects.

**City Clerk**

- Citizen Communication – Topic for Consideration Forms received by Clerk’s Office (Month of December – None received).
- Updating of Clerk’s Tab on city’s website to make it more user friendly when applying for licenses and/or permits, city code, etc.
- Codification Project Update – The 3rd Supplement has been sent to American Publishing has been updated in the manuals and on to the City Codes online.
- Annual Occupation Tax Stickers for Vending, Musical, and Mechanical Amusement Machines expire December 31<sup>st</sup>. Invoices to distributors and business mailed out. They are continuing to pay and pickup.
- Occupation Tax Reporting Pursuant to Neb. Rev. Stat. 18-1208(5) for fiscal year ending September 30, 2021 has been completed. It is posted at City Hall and on the City’s website.
- Tobacco Licenses expire December 31<sup>st</sup>. All but two have paid and picked up their license. Working on contacting the last two to see if they are still selling.
- Waste Hauler Licenses expire December 31<sup>st</sup>. Invoices mailed out. Most required information from each the haulers has been received, along with payment.
- Certification of offices to be filled has been filed with the Sarpy County Election Commissioner.
- Preparing for next BOE Meeting on January 18, 2022 @ 5:30 p.m.
- Citizen Communication – Topic for Consideration Forms received by Clerk’s Office

(Month of January – None received).

- Codification Project Update – The 3rd Supplement has been received from American Publishing and updated in the manuals and on to the City Codes online. This supplement is through Ordinance #4060, passed 10-19-2021. The 4<sup>th</sup> Supplement has been sent to American Publishing.
- Tobacco License Report has been sent to state, showing how many Tobacco Licenses are in Bellevue, along with contact information of each business.
- Notice of Automatic Renewal of Retail Liquor Licenses for all Non-Class “C” Liquor Licenses has been published. These licenses will expire April 30, 2022.

### **Planning**

Met with two developers on multi-family residential projects

Continue to work on Master Park plan and American Heroes plan

Met with a single family developer

Met with land owner on purchase of ground for development

Met with several stakeholders on large commercial development

### **Permits and Inspections**

Performed 782 Inspections

Issued 11 new permits for single family dwellings

### **Code Enforcement**

Notices Issued -305

Red Tags –39

Clean ups – 23

Calls – 1,463

Towed Vehicles –10

Tree Removals – 1

### **Communications**

Updating website and social media on road closures and snow updates

Working on the 2022 Annual Report

Working with AVI on routine maintenance to Chambers system

Working with the Foundation on 2022 Bellevue Rocks Event

Worked to help with the City Employee Holiday Luncheon. Over 275 employees participated

**Finance**

**(See Attached)**

**Public Works**

**Engineering**

- a. American Broadband Fiber Project
- b. Working with Vrana and Olsson to resolve prepare south 36<sup>th</sup> Street Improvement Project for planning for 2022
- c. Working on Development Plan Reviews
- d. Working with Lamp Rynearson on Bellevue Parks Study
- e. Working with HDR on American Heroes Master Plan Development

**Facilities**

- a. Completing Buildout for Police and Public Works
- b. Completing On Boarding & training janitorial staff
- c. Reviewing Bellevue Professional Building for Library
- d. Planning Maintenance for Bellevue Professional Building

**Fleet Services**

- a. Addressing Staffing Due to Covid Impact
- b. Preparing Equipment for Snow Removal
- c. Working to Address Employee Shortages

**Parks**

- a. Preparing for Winter Snow Removal
- b. Reviewing HDR Park Plans for AHP
- c. Participating in Lamp Rynearson System Wide Parks Study

**Streets**

- a. City Wide Street Repair
- b. Working on Storm Water Drainage Issues in the City
- c. Assisting with Evaluation of Where Fiber should be in the city
- d. Repair Stormwater System under Harvell Road

## **Wastewater**

- a. Finalizing details with Sarpy County Wastewater on south of the ridgeline costs and acres
- b. Training new Employee for the Department
- c. Assisting in Cost Estimate for Wastewater Services in AHP, Haworth Park and the Bellevue University and City of Bellevue Softball Fields
- d. Finalizing growth areas with Sarpy County Wastewater Agency

## **Police**

- 12/01 – KMTV Interview
- 12/02 – UNO Asst. Chief selection process
- 12/06 – Shop with a Cop
- 12/07 – City Council Meeting
- 12/08 – Mtg. w/ Nebraska State Patrol
- 12/09 – UNO Asst. Chief selection process
- 12/15 – Holiday Luncheon (serving)
- 12/28 – Force Investigation Team meeting
- 12/30 – Mtg w/ Nebraska State Patrol
- 01/04 – Joint Terrorism Task Force meeting
  - Meeting with Chief Carmody
- 01/05 – Bellevue Food Pantry food donation
  - Captain's and Lieutenant's meeting
- 01/06 – Meeting with SAC Kowel – FBI
- 01/11 – 1<sup>st</sup> Responders Foundation meeting
- 01/18 – Meeting with Lt. Col. Maher – Offutt
  - Meeting with Barry DeJong – MOCIC
  - Board of Equalization
  - City Council
- 1/20 – Meeting with Bonnie Moore – Sarpy County Attorney
- 1/26 – NYU meeting – police research
- 1/27 – Representative Bacon law enforcement round table
  - Law Enforcement Advisory Group meeting

CITY OF BELLEVUE  
ADMINISTRATION REPORT

**Library**

- The Bellevue Public Library served as a collection site for a Holiday Light Recycling Drive by Scouts BSA Troop 231 B and 231 G. Persons with unwanted or broken holiday string lights could drop them off in a collection box at the library from Nov. 15, 2021, through Jan. 15, 2022. The troops reported collecting at least 300 pounds of lights and the library was the most popular drop-off site.
- The Bellevue Public Library Advisory Board met for its regular monthly meeting on Jan 19. Among other items, the Board heard updates on the makerspace project and fund-raising efforts, the COVID-19 mitigation efforts at the library during the recent surge in reported cases, and the building renovation/addition project. Members of the Board as well as the Friends of the Bellevue Public Library attended the Jan. 18 City Council meeting at which the Council gave approval for the purchase of property on Longo Drive in Bellevue as a renovation site for the library.
- Winners of the second annual virtual Candy House Contest of the library were announced with each winner in three categories earning a \$25 gift card. Categories included the following: Individual under 12 years; Individual 12 years and older; and Group (2+ participants). The entries were posted online Dec. 23-Jan. 2 for the public to vote on their favorites.
- The Adult Services department put the library's new laser cutter maker machine to work right away. In addition to hosting Laser Cutter Certification classes for the public (so that individuals can safely operate the machine for their own projects), staff also created wooden luminaries as part of take-home kits to hand out during January.
- The library will be handing out another 150 passes to Omaha's Henry Doorly Zoo and Aquarium starting on Feb. 1. These passes, which are given out on a first come, first-served basis to cardholders in good standing, will be good for 60 days and admit 2 adults and up to 6 children for one day to the zoo. The passes are made possible through the Zoo & Public Library program.
- Activities in the Children's department in January included the "Dinner with an Author" virtual event with children's book author Craig Sidell. Six autographed copies of his book, "The Life and Times of Fuzzy Wuzzy" were given out to participants. The author series occurs from 6 to 7 p.m. on the first Monday of the month. Another monthly activity is the Virtual Family Trivia contest held via Zoom on the afternoon of the third Saturday with the theme for each contest varying by month. The library is working in partnership with the Plattsmouth Public Library on this activity.

**Fire (See Attached)**

1. Month-end/Year-end financials

January 2022 YTD numbers reflecting favorable results. Full year could do better than budget at this time.

**City-Wide Financial Forecast - Year-To-Date January 2022 (Preliminary)**

	Year-To-Date			Full Year	
	Actual	Better / (Worse)	Better / (Worse)	FYE 2022 Budget	Better / (Worse)
		Than Budget	Than Prior Year Actual		Than Budget
<b>Revenues</b>					
Property Taxes	2,413,047	27,885	(140,214)	30,431,712	27,885
Sales Taxes	5,380,434	214,734	639,307	15,497,100	214,734
Occupation/Business Taxes	762,052	(45,809)	27,879	2,150,283	(45,809)
Other Revenues	16,156,119	3,660,072	3,039,440	55,553,844	3,660,072
<b>Total Revenues</b>	<u>24,711,652</u>	<u>3,856,882</u>	<u>3,566,412</u>	<u>103,632,939</u>	<u>3,856,882</u>
<b>Expenditures</b>					
Personnel	11,956,038	(18,635)	(945,110)	35,734,073	(18,635)
Department Expenditures	6,585,654	1,873,634	(808,826)	24,822,087	1,873,634
Capital Expenditures	788,038	(418,563)	265,031	31,881,907	(418,563)
Other Expenditures	11,490,030	(2,785,036)	(2,678,890)	15,194,872	(2,785,036)
<b>Total Expenditures</b>	<u>30,819,760</u>	<u>(1,348,600)</u>	<u>(4,167,795)</u>	<u>107,632,939</u>	<u>(1,348,600)</u>
<b>Net Revenues</b>	<u>(6,108,108)</u>	<u>2,508,282</u>	<u>(601,383)</u>	<u>(4,000,000)</u>	<u>2,508,282</u>

2. Debt

Better than planned (lower outstanding debt). Manageable.

**City of Bellevue  
2021-22 Annual Budget  
Bonded Indebtedness**

	Total Debt	Total Debt to Valuation	Highway Allocation Bonds	Wastewater Bonds	Net GO Debt	G.O. Debt to Valuation
<b>Beginning Bonded Indebtedness at 10-01-20</b>	<b>\$ 78,905,000</b>	1.80%	\$ 7,095,000	\$ 2,175,000	\$ 69,635,000	1.59%
Principal Payments During Year	(12,630,000)		\$ (435,000)	\$ (250,000)	\$ (11,945,000)	
New Debt Issued	12,370,000		\$ 5,850,000	\$ -	\$ 6,520,000	
<b>Ending Bonded Indebtedness at 09-30-21</b>	<b>78,645,000</b>	1.72%	\$ 12,510,000	\$ 1,925,000	\$ 64,210,000	1.40%
Principal Payments During Year	(6,880,000)		\$ (435,000)	\$ (255,000)	\$ (6,190,000)	
New Debt To Be Issued	10,260,000		\$ 6,260,000	\$ -	\$ 4,000,000	
<b>Ending Bonded Indebtedness at 09-30-22</b>	<b>\$ 82,025,000</b>	1.79%	\$ 18,335,000	\$ 1,670,000	\$ 62,020,000	1.35%
Valuation: \$4,579,120,000						
<b>Budgeted Cash Balances (unrestricted) at 09-30-22</b>	<b>25,685,036</b>		\$ 12,751,276	\$ 5,840,100	\$ 7,093,659	
Cash / Debt Principal at 09-30-22			70%	350%	11%	
Cash Balances / FYE2022 Debt Service			21.8	20.1	2.0	
Debt Service Coverage Ratio				1.8		

**3. Budget Summary**

The first four months of FYE2022 are better than budget due to lower operating costs (personnel & department expenditures). We expect those expenditures to increase as departments reach full staffing. FYE 2022 will use of federal funding for some needed projects. Financial results for the year are expected to be on budget, however, inflation pressures and supply issues could have a negative effect on the budget.

**4. Select Expenditures**

The city will purchase a building that will serve as the future site for the library. The cost of the part of the building to be used for the library plus renovation costs are expected to be substantially offset by library foundation donations, a grant, and proceeds from the sale of the existing library building. The remainder of the new building currently has tenants, from which cash flow could pay for a significant part of the cost of the building over the next 15 years.

**5. Finance Activities (other than regular A/R, A/P and accounting)**

Continue to work on finding the best uses of federal funding and researching other state and federal grants. The Fiscal Year End 2021 audit report will be issued on or before March 31, 2022.



# City of Bellevue

## Fire Department

211 West 22<sup>nd</sup> • Bellevue, Nebraska 68005 • (402) 293-3153

### Bellevue Fire Department Council Report

Report Date 1/12/2022

#### A. General Items:

- QA/QI
- Year-end reports
- One new paramedic recently placed on ALS probation
- Scheduling training for first quarter 2022
- Updating Project Austin patient list
- 9 probationary firefighters completed training and started suppression shifts 1/2/2022

#### B. Training:

- Mass casualty lecture
- Ropes and knots in station training.
- Basic honor guard command training.

#### C. Inspections:

- Generator site plan review T-Mobile 3702 370 Plaza.
- Final inspection State Farm 3503 Samson Way Suite 116.
- Fire alarm acceptance test Omaha Public School 1010 Childs Rd.
- 191Final inspection Omaha Public School 1010 Childs Rd.
- Final inspection Hotworx 2012 Cornhusker Bay 400.
- Plan review remodel Walmart 2109 Town Center Dr.
- Plan review remodel Beardmore Hyundai 1203 Fort Crook Rd.
- Addended plan review Deer Creek apartments.
- Inspection of an above ground storage tank Ready Mix 1820 370 Highway.
- Final building inspection Los Solesitos Day Care 4001 Harrison St.
- State day care inspection Los Solesitos Day Care 4001 Harrison St.
- Fire alarm acceptance test Navy Federal credit Union 3604 Twin Creek Dr.
- Plan review remodel QC Kinetix 3672 Lexington Ave Suite 2.
- Plan review fire sprinkler systems for the Ascend Apartments on Childs Rd.





## City of Bellevue

### Fire Department

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#### D. Calls: December 29<sup>th</sup> through January 12<sup>th</sup>

Fire – 90

Rescue - 191

#### E. Ambulance Billing

November 1-30, 2021

\$ 129,027.00 has been billed out to insurance companies (167 insurance claims)  
<\$ 58,062.15> approximate amount we will have to write off due to mandatory  
adjustments/write-offs  
(45% of \$129,027.00)

=====

**\$ 70,964.85** is the anticipated, approximate net revenue from these insurance billings

#### Deposited into Bank:

\$ 79,927.71 deposited into the bank November 1-30, 2021

5,209.35 additional revenue in Credit/Debit card payments were received November 1-30,  
2021.

**\$ 85,137.06**TOTAL November 1-30, 2021 rescue fee revenue

#### Statement Billing:

357 statements were mailed to patients for unpaid account balances

These statements totaled \$ 216,982.23

This is money owed the City from patients who have balances on their accounts after their  
insurance has paid **OR** patients who are self-pay.



# City of Bellevue

## Fire Department

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### F. Manpower Report Staffing

#### Staffing Report from 11/29/2022 through 12/5/2021

Monday	AM	E1, T21	3-Person	No Batt. 2
Monday	PM	E1	3-Person	
Tuesday	AM	E1, T21, T31	3-Person	
Tuesday	PM	Full		
Wednesday	AM	E1, T21, T31 & E41	3-Person	No Batt. 2, No EMS
Wednesday	PM	E1, T31	3-Person	
Thursday	AM	T21, E41	3-Person	No Batt. 2
Thursday	PM	T31	3-Person	
Friday	AM	E1, T31 & E41	3-Person	No Batt. 2
Friday	PM	E1, T21, T31 & E41	3-Person	No Batt. 2
Saturday	AM	T21, T31 & E41	3-Person	
Saturday	PM	E1, T31 & E41	3-Person	
Sunday	AM	E1, T21, T31 & E41	3-Person	No Batt. 2
Sunday	PM	E1, T21, T31 & E41	3-Person	No Batt. 2

#### Staffing Report from 12/6/2021 through 12/12/2021

Monday	AM	Full		
Monday	PM	Full		
Tuesday	AM	E1, T31 & E41	3-Person	No Batt. 2
Tuesday	PM	Full		
Wednesday	AM	E1, T21, T31 & E41	3-Person	No Batt. 2, No EMS
Wednesday	PM	Full		
Thursday	AM	Full		
Thursday	PM	Full		
Friday	AM	E1, T31 & E41	3-Person	
Friday	PM	Full		
Saturday	AM	E1, T21, T31 & E41	3-Person	No Batt. 2, No EMS
Saturday	PM	E1 3-Person, E31 closed		No EMS
Sunday	AM	E1, T21, T31 & E41	3-Person	
Sunday	PM	T31	3-Person	



# City of Bellevue

## Fire Department

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### Staffing Report from 12/13/2021 through 12/19/2021

Monday	AM	T21, E41	3-Person	
Monday	PM	E1	3-Person	
Tuesday	AM	E1 & E41	3-Person	
Tuesday	PM	E41	3-Person	
Wednesday	AM	Full		
Wednesday	PM	Full		
Thursday	AM	E1, T21, T31 & E41	3-Person	No Batt. 2
Thursday	PM	Full		
Friday	AM	E1, T21, T31 & E41	3-Person	No Batt. 2
Friday	PM	E1, T21 & E41	3-Person	
Saturday	AM	E1, T21, T31 & E41	3-Person	
Saturday	PM	E1, T21, T31 & E41	3-Person	
Sunday	AM	E1, T21, T31 & E41	3-Person	No Batt. 2
Sunday	PM	E1, T21, T31	3-Person	

### Staffing Report from 12/20/2021 through 12/26/2021

Monday	AM	E1, T31 & E41	3-Person	
Monday	PM	E1, T31 & E41	3-Person	
Tuesday	AM	E1, T21, T31 & E41	3-Person	No Batt. 2
Tuesday	PM	T31	3-Person	
Wednesday	AM	E1, T21, T31 & E41	3-Person	
Wednesday	PM	E1, T21 & E41	3-Person	
Thursday	AM	E1, T21, T31 & E41	3-Person	
Thursday	PM	Full		
Friday	AM	E1, T21 3-Person, E41 closed		No Batt. 2
Friday	PM	T21 3-Person, E41 closed		No Batt. 2
Saturday	AM	E1, T31 & E41	3-Person	No Batt. 2
Saturday	PM	E1, T31	3-Person	
Sunday	AM	T21, T31 & E41 3-Person, E1 closed		No Batt. 2
Sunday	PM	E1, T21, T31 & E41	3-Person	No Batt. 2, No EMS



# City of Bellevue Fire Department

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## Staffing Report from 12/27/2021 through 1/2/2022

Monday	AM	E1, T21	3-Person	No Batt. 2
Monday	PM	Full		
Tuesday	AM	E1, T21, T31 & E41	3-Person	No Batt. 2
Tuesday	PM	E1, T21, T31 & E41	3-Person	
Wednesday	AM	E1, T31 & E41	3-Person	
Wednesday	PM	Full		No Batt. 2
Thursday	AM	E1, T21, T31 & E41	3-Person	
Thursday	PM	Full		
Friday	AM	E1, T21, T31 & E41	3-Person	No Batt. 2
Friday	PM	E1, T21, T31 & E41	3-Person	
Saturday	AM	E1, T21, T31 & E41	3-Person	
Saturday	PM	E1, T21	3-Person	
Sunday	AM	Full		
Sunday	PM	E41	3-Person	

## Staffing Report from 1/3/2022 through 1/9/2022

Monday	AM	T31 & E41	3-Person	
Monday	PM	E41	3-Person	
Tuesday	AM	T21 & E41	3-Person	No Batt. 2
Tuesday	PM	Full		
Wednesday	AM	T21, T31	3-Person	
Wednesday	PM	T31	3-Person	
Thursday	AM	E1, T31 & E41	3-Person	
Thursday	PM	T31 & E41	3-Person	
Friday	AM	E41	3-Person	
Friday	PM	Full		
Saturday	AM	E1, T31 & E41	3-Person	No Batt. 2
Saturday	PM	T31	3-Person	No Batt. 2
Sunday	AM	T31	3-Person	
Sunday	PM	Full		