

Bellevue City Council Meeting +++AMENDED AGENDA+++

Tuesday, April 19, 2022 6:00 PM

Bellevue City Hall

1500 Wall Street

Bellevue, NE 68005

1. PLEDGE OF ALLEGIANCE
2. INVOCATION -Pastor Andrew Diorio, Midlands Bible Baptist Church, 2407 Chandler Road East.
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. (*) Acknowledge receipt of March 24, 2022 Planning Commission Minutes.
 2. (*) Approval of the April 5, 2022 City Council Minutes.
 3. (*) Acknowledge receipt of the 2021 Tree Board Report
 4. (*) Acknowledge receipt of the March 8, 2022 Tree Board Minutes.
6. (*) APPROVAL OF CLAIMS.
7. SPECIAL PRESENTATIONS:
 - a. Proclamation declaring April 19, 2022 as "Arbor Day" in Bellevue, NE. (Councilman Preister)
8. ORGANIZATIONAL MATTERS:
 - a. (*) Recommendation to reappoint Joanne Langabee, Scott Evans, and Deborah Woracek to the Tree Board to serve another four-year term, ending May 2026. (Mayor)
9. APPROVED CITIZEN COMMUNICATION:
 - a. +++ Request by Peter Grayson to address City Council regarding removal of the demolition order on 1302 Main Street Bellevue, Nebraska.
10. LIQUOR LICENSES: NONE
11. ORDINANCES FOR ADOPTION (3rd reading): NONE
12. ORDINANCES FOR PUBLIC HEARING (2nd reading):
 - a. Ordinance No. 4084: Request to rezone Lots 1 and 2, Overlook Addition, being a replat of Tax Lot 10B, located in the Southwest ¼ of Section 10, T13N, R13E of the 6th P.M., Sarpy County, Nebraska from AG to RS-120 for the purpose of single family residential development. Applicants: Cheryl and James Francois. General Location: 2006 Fairview Road. (Planning Manager)
 1. Request to Small Subdivision Plat Lots 1 and 2, Overlook Addition. **(No Action Required)**
 - b. Ordinance No. 4085: Request to rezone Lot 1, Powers Addition, from ML to RE for the purpose of single family residential development. Applicant: Jeremiah Winsor. General Location: 304 E. La Platte Road. (Planning Manager)
 - c. Ordinance No. 4086 (Annexation Area #1): Request to annex Sanitary and Improvement Districts # 67 Normandy Hills and # 242 Cedar View; and all abutting rights-of-way. Applicant: City of Bellevue. (Planning Manager)
 - d. Ordinance No. 4087 (Annexation Area #2): Request to annex Tax Lot 9A1 except right of way, Section 23-13-13, Tax Lot 9B except right of way, Section 23-13-13, and the Irregular Northeasterly Part of Tax Lots 14A and 14B, Section 23-13-13; all located in Section 23, T13N, R13E of the 6th P.M.; and all abutting rights-of-way. Applicant: City of Bellevue. (Planning Manager)

e. Ordinance No. 4088 (Annexation Area #3): Request to annex Tax Lots 5A and 16A and the Northeast ¼ of the Northwest ¼, and the North ½ of the Southeast ¼, West of Road, located in Section 23, T13N, R13E of the 6th P.M., and Part of Tax Lot 3, Lying West of 5th Street, located in Section 14, T13N, R13E of the 6th P.M.; and all abutting rights-of-way.

Applicant: City of Bellevue. (Planning Manager)

f. Ordinance No. 4089 (Annexation Area #4): Request to annex Part of Tax Lot F1A, and Part of Tax Lot J except part taken for NRD, Tax Lot F1B, and Part of Tax Lot H, Part of Tax Lot F1A, Part of Tax Lot J taken for NRD, and Part of Tax Lot K, all located in Section 11, T13N, R13E of the 6th P.M.; Part of Lots 12A, 13B, and 14B, Butterfields Subdivision, Part of Lot 13A North of drainage ditch and Part of Lot 14, Butterfields Subdivision, all except part for NRD, Part of Lot 13 and Part of Lot 14, Butterfields Subdivision, all for NRD (Parcel ID 011605117), Part of Tax Lot 14 located in Section 11, T13N, R13E of the 6th P.M. together with Lots 13C and 12B, Butterfields Subdivision; Part of vacated State Right-of-Way in the East ½ of the East ½ of the Southeast ¼ and adjacent Tax Lot 14, Section 10, T13N, R13E of the 6th P.M., Part of vacated State Right-of-Way in the Southwest ¼ of the Southwest ¼ West of Fort Crook Road South, Section 11, T13N, R13E of the 6th P.M., and Lot 1C, Palmtag's Subdivision; and all abutting rights-of-way. Applicant: City of Bellevue. (Planning Manager)

g. Ordinance No. 4091: An ordinance to amend certain sections of Chapter 18 of the Bellevue Municipal Code and to add new sections pertaining to parking enforcement. (Legal)

h. Ordinance No. 4092: An ordinance amending Chapter 20, Article 1, Sections 20-16 and 20-20.1 of City Code relating to certain offenses. (Legal/Police Chief)

i. Ordinance No. 4093: An ordinance requesting to vacate all of 37th Street between Marie Street and Veys Street abutting within "Veys Hill Haven Addition" and Lot 2 and 3, Block 1, Veys Hill Haven Addition and Lots 2, 3A, 3B, 4, 5, and 6 of Block 2, Veys Hill Haven Addition located in Section 20, T14N, R13E of the 6th P.M., Sarpy County, Nebraska. (Public Works Director)

j. Ordinance No. 4094: An ordinance to amend Chapter 28, Article III, Section 28-77 and 28-77.1 of City Code amending certain language pertaining to costs and other fees relating to permitting. (Public Works Director)

k. Ordinance No. 4095: An ordinance to amend Section 8-18 of Chapter 8 of City Code pertaining to Fire Section 903.3.1.2 of the 2021 International Building Code. (Chief Building Inspector/Fire Chief)

l. Ordinance No. 4096: An ordinance to amend Section 12-36 (903.3.1.2) of the 2021 International Fire Code. (Chief Building Inspector/Fire Chief)

13. ORDINANCES FOR INTRODUCTION (1st reading):

a. +++ Ordinance No. 4097: A compensation ordinance reflecting pay ranges for employees of the City that are unclassified. (HR Director) **(Request to waive the rule requiring three readings, hold a public hearing tonight, and vote after the public hearing at tonight's meeting).**

14. PUBLIC HEARING ON MATTERS OTHER THAN ORDINANCES:

a. Show Cause Hearing on the proposed Condemnation of the structure(s) at 209 Industrial Drive, Bellevue 68005. (Chief Building Inspector)

1. Resolution No. 2022-08: Condemning the structure(s) located at 209 Industrial Drive, Bellevue 68005.

15. RESOLUTIONS: NONE

16. CURRENT BUSINESS:

a. Request to approve a 30-day filing extension for the Redwood 25 final plat, as per Section 4-11, Subdivision Regulations. (Planning Manager)

b. Approve and authorize the Mayor to sign a three-year contract with Lumen (CenturyLink Communications) for long distance phone service for IP based desk phones at an average cost of \$400.00 per month for all city phones. (Chief Guido)

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 - April report will be attached to the May 3rd Council packet.)**

18. CLOSED SESSION: NONE

19. ADJOURNMENT

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Bellevue Planning Commission Meeting, March 24, 2022, Page 1

The Bellevue Planning Commission held a regular meeting on Thursday, March 24, 2022, at 6:00 p.m. in the Bellevue City Council Chambers. Upon roll call, present were Commissioners Casey, Hankins, Ritz, Aerni, Cutsforth, Ackley, Compton, and Perrin. Absent was Commissioner Jacobson. Also present were Tammi Palm, Planning Department Manager, and Angela Curry, Assistant Planning Manager.

Notice of this meeting was given in advance thereof by publication in the Gretna Guide and News and posting in two public places and was also given to the Chairperson and members prior to the meeting. These minutes were written and available for public inspection within ten days of the meeting.

Cutsforth announced a copy of the Open Meetings Act was posted in the entry to the City Council Chambers.

Motion was made by Ackley, seconded by Compton, to approve the minutes of the January 27, 2022, regular meeting as presented. Upon roll call, Casey, Hankins, Ritz, Aerni, Ackley, Compton, and Perrin, voted yes. Cutsforth abstained. Motion carried.

Cutsforth asked if there were any updates or additions to staff reports. Palm advised emails were received from Marty Giff, Bruce Stohman, and Clara Arnsdorff, in opposition to agenda Item 3.b. Those emails were given to the Commissioners in advance of the meeting and would become part of the public record.

Motion was made by Ackley, seconded by Casey, to accept into the record all staff reports, attachments, memos, and handouts regarding each application including the additions. Upon roll call, all present voted yes. Motion carried unanimously.

Cutsforth explained the consent agenda procedures.

The following items were on the consent agenda:

Item 2.a.: Request to final plat Lots 1 through 38, and Outlot A, Chandler Creek, being a platting of Tax Lot H2 located in the Southwest ¼ of Section 16, T14N, R13E of the 6th P.M., Sarpy County, Nebraska. Applicant: TKC Chandler, LLC. General location: South 35th Street and W Chandler Rd. Case #: S-2202-07.

Item 2.b.: Request to rezone Lots 1 and 2, Overlook Addition, being a replat of Tax Lot 10B, located in the Southwest ¼ of Section 10, T13N, R13E of the 6th P.M., Sarpy County, Nebraska from AG to RS-120 for the purpose of single-family residential development; and small subdivision plat Lots 1 and 2, Overlook Addition. Applicant: Cheryl and James Francois. General location: 2006 Fairview Road. Case #'s: Z-2202-02, S-2202-03.

There was no one present to speak in favor of, or in opposition to these requests. Subsequently, Cutsforth closed the public hearing.

MOTION made by Ackley, seconded by Hankins, to recommend APPROVAL of the consent agenda items. APPROVAL on agenda item 2.a. based upon conformance with the preliminary plat. APPROVAL on agenda item 2.b. based upon the Planning Department's recommendation. Upon roll call, all present voted yes. Motion carried unanimously.

Item 2.a. will proceed to CITY COUNCIL for PUBLIC HEARING on April 5, 2022.

Item 2.b. will proceed to City Council for PUBLIC HEARING ON April 19, 2022.

Cutsforth explained the public hearing procedures

PUBLIC HEARING was held on a request to rezone Lot 1, Powers Addition, from ML to RE for the purpose of existing single family residential development. Applicant: Jeremiah Winsor. General Location: 304 E La Platte Road. Case #: Z-2202-03.

Cutsforth asked staff for updates. Palm stated the rezoning request is for property on La Platte Road that was previously legal non-conforming. She stated the existing single-family residence on the property has been vacant since the March 2019 flood. Palm said the property is currently zoned ML (Light Manufacturing) which specifically excludes residential use. Palm stated since the property has been vacant for more than twelve months the zoning ordinance states it must revert to the current zoning regulation uses. She said the owner is requesting a zoning change to RE (Residential Estates)

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to repair the existing structure and use it as residential property. Palm stated staff is recommending denial based on the surrounding area being zoned ML and shown in the Future Land Use Map for light industrial development. She said the property surrounding this property is currently under contract for light industrial development.

Jeremy Winsor, 2331 Hogantown Dr, Bellevue, NE, stated he was not going to demolish the current structure on the property. He stated that regardless of the zoning or the development surrounding the property he intended to renovate the house and possibly construct an additional building.

Jeff Wichmann, Plattsmouth, NE, stated he owns the property abutting this property. He stated his property is approximately ninety acres and is under contract with a developer who intends to use the property as light manufacturing. He said he opposes the zoning change.

There was no one else present to speak in favor of, or in opposition to this request. Subsequently, Cutsforth closed the public hearing.

Hankins inquired if building permits could be obtained on the structure. Palm stated if the property is not rezoned for residential use, he would not be able to apply for residential permits. She stated the house could be renovated as a commercial office, but Mr. Winsor would not be allowed to live in the structure.

Ackley stated he recalls a request in this area for rezoning to use a barn as a church and that request was denied because the plan for this area has always been for light manufacturing. Palm stated there was a previous request on this property in 2013 which was also denied for that reason.

Ackley stated he was not sure how long Mr. Winsor had owned the property, but this area was planned for light manufacturing and that is the reason the Planning Department is recommending denial.

MOTION was made by Ackley, seconded by Perrin to recommend DENIAL of a request to rezone Lot 1, Powers Addition, from ML to RE for the purpose of existing single family residential development. Applicant: Jeremiah Winsor. General Location: 304 E La Platte Road. Case #: Z-2202-03. DENIAL of the application based upon the Future Land Use Map of the Comprehensive Plan designating this property for light industrial use. Upon roll call, all present voted yes. MOTION carried unanimously.

This item will proceed to City Council for PUBLIC HEARING ON April 19, 2022.

PUBLIC HEARING was held on site plan approval for Lots 237A1A1, 237C, 237D, 237E, 237F, & 238C, Fontenelle, for the purpose of an 11-unit apartment building. Applicant: MFR Partners XVI, LLC. General location: Country Club Court and West Martin Drive. Case #: Z-2202-04.

Casey stated as a resident of Fontenelle Hills and the current president of the Fontenelle Home-Owner's Association he would recuse himself from this item.

Commissioner Casey left the chambers at 6:15 p.m.

Cutsforth asked staff for updates. Palm stated as previously mentioned the Planning Department received three emails regarding this item which were forwarded to the Planning Commissioners. Palm stated Fontenelle Hills apartments had an 11-unit structure destroyed by fire and the request is for site plan approval to build the replacement structure on one of their two parcels. She said this property is unique because it is all zoned under an original PUD (Planned Unit Development). She stated the original site plan from 1968 is attached to the report. Palm said staff is recommending approval of this request.

David Levy, 1700 Farnam St., Omaha, NE, was present on behalf of the applicant. Levy stated this is a one-for-one replacement of a building destroyed by fire. He stated the new building is similar in geometry and size; 11-units and twenty-two parking spaces. Levy said the site where the building that was destroyed by fire is steep and does not meet current building or ADA (American Disability Act) requirements. He said his clients have performed studies to find the best location for the replacement building. Levy stated this site complies with the zoning and the Future Land Use Map. Levy stated his clients have reached out to the neighbors on Martin Drive. He said they realize that this is a visual change on West Martin Drive and they would provide landscape screening.

Patrick Mullins, 201 W. Martin Dr., Bellevue, NE, stated he was opposed to the request and had concerns of what this would do to his property values. He stated he has concerns of expanding this

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development. Mullins stated Fontenelle Hills is a unique development and W. Martin Drive is the entrance to that development. He said he thinks the new building would be an eye-sore and does not fit the existing architecture of the apartment complex. Mullins stated the landscaping would not hide or disguise the poor fit of the building. He said there have been deer hit in his front yard, his mailbox and yard destroyed due to the heavy traffic from the existing apartment complex. Mullins stated the sewer system is already stressed and adding to that stress would not be in the best interest of the neighborhood.

Norman McLaughlin, 105 W. Martin Dr., Bellevue, NE, stated he was also opposed to the request and completely agreed with the previous speaker. He stated people who move into a neighborhood expect some changes but not a three-story apartment building across the street from them.

Jon Ostrand, 207 W. Martin Dr., Bellevue, NE, stated his home is directly across the street from the proposed building and he is adamantly opposed to it. He stated the developer dropped off a letter yesterday stating their plans. Ostrand stated the corner by his house is very busy and would only increase with this building. He said although the office across the street is closed, there are still Amazon drivers dropping off packages there and backing in and out of his driveway. Ostrand said if the developer were to demolish some of the older structures they could build in the previous location.

Alan Stone, 101 W. Martin Dr., Bellevue, NE, stated he moved into the area in 2020 from Kansas City. He said they were attracted to the beauty of the Fontenelle Hills area. Stone said the traffic and noise continue to escalate. Stone recommended finding a more suitable location. Stone asked if more buildings would be built on this same parcel.

Steven Mansavage, 203 W. Martin Dr., Bellevue, NE, stated he agreed with all the previous concerns of his neighbors. He stated he has lost three trees, two mailboxes, a camper trailer, and a basketball hoop because of traffic. Mansavage stated if this site plan were approved, he would like to have speed bumps installed and an upgrade in the sewer system.

Catherine Barrett, 211 Avian Circle S., Bellevue, NE, stated her rear property line abuts the apartment complex. She stated when the apartment building was destroyed by fire two years ago all the bats relocated to her property which is an indication there is a lot of deferred maintenance not occurring on these properties. Barrett stated she had problems with bats and feral cats in her yard. She stated when she contacts the apartment complex, they do nothing. She stated the garages are falling apart and some have no doors. She said her concern is they do not maintain the existing property so what guarantee do the neighbors have regarding this new building. Barrett stated they are not a good neighbor.

Ryan McLaughlin, 105 W. Martin Dr., Bellevue, NE, stated he is opposed to the apartment building. He stated he moved from California to Fontenelle Hills which is one of the prettiest areas in Bellevue. He said they need to focus on maintaining the existing property and not add any additional structures.

Jean Fisher, 113 W. Martin Dr., Bellevue, NE stated she was present on behalf of her mother who has lived in the area for 30 years. She stated the new building does not fit aesthetically or with the busy street. Fisher stated they have had vandalism and deer hit in their front yard. She said the traffic, the noise, and the lack of care and concern for the neighborhood has deteriorated dramatically in the last 15 years. Fisher stated she would like the Commission to consider the impact this would have on a lot of families.

There was no one else present to speak in favor of, or opposition to this request. Subsequently, Cutsforth closed the public hearing.

Levy stated he understood people have concerns with the neighborhood and do not like an apartment complex near them. He stated the building is a replacement for an 11-unit building in a complex that has been there for approximately forty-five to fifty years. Levy stated the request is to replace an in-kind building destroyed by fire. He said the building could not be replaced in the same location for reasons regarding the steep slope and ADA compliance. Levy stated the request is for one building only and if another building were to be built it would require further site plan approval. He stated there have been complaints about the condition of the existing buildings and the rendering of the new building being a bit bright. Levy said if the new building is too modern or too bright, they would welcome recommendations of the aesthetics to make it blend in with the existing buildings. Levy stated although he does not want to dismiss the complaints of the neighbors, the reason we are here is zoning and land use on this property. Levy stated this proposal complies with the city's zoning and the Future Land Use Map. He stated his client has not received complaints from the city regarding this property. Levy

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stated if people have complaints or concern regarding the maintenance of the property, they welcome hearing them and would respond to those complaints.

Tom Jizba, 14445 N 192nd St., Bennington, NE, stated he is a civil engineer and was present on behalf of the applicant. He stated the proposed structure complies with all requirements of the city and ADA. Jizba stated the building is approximately 60 feet from West Martin Drive. He stated a substantial retaining wall would allow the proposed structure to be pushed back into the side of the hill which would allow for parking, green space, and landscaping to the front of the building. Jizba said the views of the site would not change a lot. He stated the proposed building is on the curb of West Martin Drive, and there would be no on-street parking or access from West Martin Drive. Jizba stated the Amazon deliveries would be moving to the sales office on Tanglewood Court which would relieve part of the congestion on West Martin Drive.

Levy stated all access to the proposed building would be from Tanglewood Court or Country Club Court.

Aerni stated he wanted to address the emails sent by neighbors. He said one concern was the floor plan shows four units on three floors with one unit being for storage. Levy stated that is a true storage area for the people who live in the building. He said it would also be a room for the utilities of the building. Aerni inquired if the proposed building could be built on the previous site. Levy stated the previous site could not meet ADA or building code requirements. Jizba added the previous site also did not meet the City of Bellevue Fire Department access requirements. Discussion ensued regarding alternate sites and meeting ADA requirements on those sites. Aerni asked staff to explain why a new building would be allowed to be built on a different parcel from the original. Palm stated the entire complex is owned by the same owner. She stated both parcels are extremely difficult to develop because of the topography so the owner has completed studies that would help place the building on the best possible parcel. Levy stated these two parcels were zoned and approved as a single development. Discussion ensued regarding original development of the two parcels.

Ritz asked staff if the site plan approval was for the one parcel and not both. Palm stated that was correct. She stated if the developer ever wanted to build on the other parcel they would have to go through the same process. Ritz inquired if a building were to be built on the same site as the one destroyed by fire would they have to go through this process. Palm stated if they wanted to rebuild in the exact same location site plan approval would not be required. Discussion ensued regarding any new structures and the process for those structures.

Ackley asked if townhomes had been considered, rather than an apartment building. He said aesthetically townhomes might be a better choice. Levy stated the goal was to replace the building destroyed by fire with a fresher and more modern building. Ackley stated he appreciated that, but this was a new site, and the neighbors were concerned with another building. Ackley stated some of the concerns were regarding poor maintenance on the existing buildings. He inquired if there was a history of a developer being required to get those complaints remedied to construct a new building. Palm stated issues with maintenance would potentially go through Code Enforcement and she was not aware of any complaints. Palm said statements have been made regarding why these buildings were being destroyed by fire. She said the existing buildings are older and possibly were not built to any type of building or fire codes. Palm stated any building built today must meet very specific building and fire codes.

Compton asked staff if the building had not been destroyed by fire would the developer be able to make this request. Palm stated they would. She said any change to the original site plan would require the owner to request site plan approval.

Ackley inquired, as some of the existing buildings become dilapidated or destroyed by fire what would be their plan for the new buildings, since topography and current zoning would be an issue. Levy stated he could not speculate on any of the buildings being destroyed by fire in the future. He stated the existing buildings were built to code at that time. Levy said Tammi makes a great point that the new building would be built to current codes. He stated on any property there is an ongoing maintenance program. Levy said he did not have the fire department report, and he was not aware if the cause of the fire was a maintenance or age-related. Palm addressed Mr. Ackley's question. She stated in her opinion the property owner is severely limited on new construction. Based on topography, there are very few sites on this property that would meet ADA and fire code requirements. Levy stated that was a great point and that is what they have found with this application.

Ackley stated he would prefer to hold this item over for a month to allow for discussion of possible

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townhomes, rowhouses or something better fitting to the neighborhood. Ritz stated his concern was a different picture next month would look better but not change anything. Discussion ensued regarding the types of structures that would better fit in the neighborhood.

Ackley stated he had made a proposal for something similar to single-family housing but was unsure if the neighbors would agree.

Palm stated she would like to hear from the applicant whether they would want to investigate structures other than an apartment building or if the applicant would want to move forward with the application as is. Levy stated because the building was destroyed by fire the new building is largely funded by insurance proceeds and they would not fund a building or buildings that were substantially different from the original building. He said his clients had worked incredibly hard to find this site as a replacement building the insurance company would approve. Levy stated he understood the exterior looked different from the other buildings and they would be happy to work between now and City Council to make the building blend in better. Ritz asked if the insurance company had a timeframe of when construction needed to begin. Levy stated construction needed to begin this year to comply with the requirements of the insurance claim.

MOTION was made by Ackley to re-open the public hearing, no one seconded. Motion died for lack of second.

MOTION was made by Ritz, seconded by Aerni to recommend DENIAL for site plan approval for Lots 237A1A1, 237C, 237D, 237E, 237F, & 238C, Fontenelle, for the purpose of an 11-unit apartment building. Applicant: MFR Partners XVI, LLC. General location: Country Club Court and West Martin Drive. Case #: Z-2202-04. DENIAL based upon the fact that this building is proposed on a different parcel from the original site where the building was destroyed by fire. Upon roll call, Hankins, Ritz, Aerni, and Ackley voted yes, Cutsforth and Perrin voted no, Casey abstained. MOTION carried.

This item will proceed to City Council for PUBLIC HEARING ON May 3, 2022.

Ackley stated he appreciated the input tonight and the applicant coming back with this application. He stated there was a recommendation for approval on their previous request because the new building was proposed to be built on the original site of the building destroyed by fire. He said the recommendation tonight to deny is based on the location being different from the original site.

Commissioner Casey returned to the chamber at 7:18 p.m.

PUBLIC HEARING was held on a request to annex Sanitary and Improvement Districts #67 Normandy Hills and #242 Cedar View; and all abutting rights-of-way. Applicant: City of Bellevue.

Cutsforth asked staff for updates. Palm stated SIDs (Sanitary and Improvement Districts) #67 and #242 were before the Planning Commission and City Council approximately two years ago for annexation. She stated these SIDs were part of a larger annexation package with property to the north. Palm said litigation on the northern property prevented the city from moving forward with the Normandy Hills and Cedar View annexation. Palm stated the city was successful in that litigation on the northern property, so Normandy Hills and Cedar View are now contiguous to the city limits. She said with annexation the SIDs' tax levy is replaced with the city's levy, and city services such as street maintenance and police are provided. Palm stated Normandy Hills lost a second access when Highway 75 was designated as freeway by the state; a frontage road to the north is currently the only access point out of the subdivision. She stated one of the questions that would come up tonight would be the second access. Palm said the state and county were not going to provide any type of secondary access. She said the city does have a plan to provide a secondary access however, nothing has been engineered at this time. Palm stated with the annexation packages in their totality the city believes that development to the south is imminent. She stated there were plans for infrastructure along the Highway 34 corridor to be completed within the next couple of years. Palm said part of that development would then open the door for a secondary access to the south. Palm stated Hwy 34 is a controlled access but there is a secondary access point that lined up with 8th Street.

Daniel Ruffner, 806 Bordeaux Ave., Bellevue, NE, stated he was not in favor of the annexation, but he has spoken to Council Members and the Mayor, and was told it would be approved. Ruffner asked once annexed when will the street department start concrete panel replacement. He asked would garbage collection change and what will the monthly rate be. Ruffner asked if the city would allow parking on one side of the street only. He asked if the sewer use fee that is billed on the MUD (Metropolitan Utilities District) bill would change. Ruffner feels the only benefit from the annexation

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would be a library card.

Palm stated the Street Department had completed a general analysis on maintenance. She stated she did not have a timeline for the street repair, but the Street Department would do a thorough analysis if the annexation were approved. She said the city would look at the SID's current engineer reports and analysis. Palm stated the city has contracted with Papillion Sanitation for garbage collection and from her experience the city gets a much cheaper rate than an SID does. She said garbage collection is billed through your MUD bill and the city would arrange the transition so residents would not have to contact Papillion Sanitation; it would be automatic. Palm stated billing would be determined by the number of containers and size of container you choose for recycling, yard waste, and garbage. Palm stated the city typically does not allow parking on both sides of the street. She said part of the Street Department's analysis would be to look at locations of mailboxes and utility poles to determine which side of the street parking would be allowed on and then no parking signs would be posted. Palm stated sewer fees would also be billed on your MUD bill and she was unsure of what those fees would be but would research it.

Ruffner stated some of the residents have storage sheds that don't meet the current zoning regulations would they be grandfathered. Palm stated these subdivisions were already in the city's zoning jurisdiction so none of that would change; those existing sheds would be considered legal non-conforming.

Jared Biltoft, 14918 Bordeaux Ave., Bellevue, NE, stated he did not understand the benefits of the city's annexation. Biltoft stated the city will siphon the SID's money because it is financially feasible for the city. He stated the city's master plan was to push Bellevue all the way to Hwy 34. Biltoft stated the primary function of a SID is to install and maintain public improvements such as street, sewer, and utility lines but every time the SID tries to do these improvements the city bullies us and sends us cease and desist letters. He stated when Bellevue annexes the SID, they would assume any debt it has, and SID #67 is solvent. Biltoft stated he had seen the long-term transportation plan but until there is development between Normandy and Offutt there is nothing but farmland. He said until there was development in those areas, they should remain a SID.

Heidi Aylward, 14915 Versaille St., Bellevue, NE, inquired if the city had an ordinance on the parking of RV's (Recreational Vehicles) that would be enforced once the SID was annexed. She stated a neighbor had parked his RV in his yard and people were living in it. Aylward stated the covenants had expired so nothing could be done about it. Palm stated the zoning ordinance does not allow living in an RV. She said it could be used to stay in for a period of up to 14 days in a calendar year. Palm stated there are also restrictions regarding parking an RV. She said regulations are; it must be parked on a hard surface, it must be parked two feet from the property line, it could not impede on the sidewalk or right-of-way, and there are regulations on size of RV that can be parked in residential zoning. Aylward asked what is happening with the apartments that were approved to be built. Palm stated there was site plan approval for the apartments, but once COVID hit and the cost of materials increased they could no longer afford to build. She stated to her knowledge the property had been sold to another developer but there was no application on file for development, so she is unaware of their intent.

Kevin Bousema, 1116 Grenoble Dr., Bellevue, NE, inquired regarding the timeline of the annexation. Palm stated if approved June 2, 2022, would be the effective date. Bousema asked what the difference was between SID #67 and #242. Palm stated #242 is Cedar View which is a separate SID and # 67 is Normandy Hills. Bousema stated the anticipated mill levy increase for these SIDs if annexed was less for Cedar View than Normandy Hills. Palm stated that is correct based on current mill levy and valuations. Discussion ensued regarding the average price of a home in Normandy Hills. Bousema stated sales tax will increase to 7%. Discussion ensued regarding the additional amount of sales tax the city would collect. Bousema asked what would happen if you do not need the trash pick-up. Palm stated she is not sure if you can opt out of the service, that would need to be a discussion with the Wastewater Department. Bousema stated Sarpy County had been very good to the Normandy residents, so he is not seeing the benefits of being annexed. He stated his taxes will increase by about \$6,000 dollars.

There was no one else present to speak in favor of, or opposition to this request. Subsequently, Cutsforth closed the public hearing.

Palm stated SIDs are not meant to be SIDs forever, they are designed in such a way that it is always meant for the city to eventually annex those areas. She said that is why the city has an ETJ (extraterritorial jurisdiction) and the areas are already governed by our building code, fire code, and zoning ordinance because the SID is part of the city's natural growth and progression. Palm stated

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Bellevue Planning Commission Meeting, March 24, 2022, Page 7

these SIDs have been there for a long time and because of their location it took some time for the city to annex them.

Ackley stated Nebraska's State Statute allows builders to put in roads, infrastructure, lighting, water, and sewer and sell bonds to do it, so it does not have to come out-of-pocket. He stated in other locations the developer must take a tremendous risk of putting in millions of dollars of infrastructure. Ackley said most SIDs are on the edge of a city, so the developer takes a risk knowing that if this development is successful and the bonds pay down it is the next growth area for the city. Ackley stated from a city perspective you have been driving on our roads and using our services for a number of years without the city collecting any tax to do so. Ackley stated we are welcoming you into the city and unfortunately it comes with a minor tax increase for some, but others will see a decrease when brought in. Discussion ensued regarding a piece of land purchased by the City of Bellevue to the south of these SIDs.

Ritz stated these SIDs are under our ETJ but are unable to vote for public figures or have representation from the Mayor or City Council. He stated these SIDs will now have representation from their Council Member to help with the second access to these SIDs.

Casey stated this is the best opportunity to get a second access in and out of the area.

Cutsforth stated the issue of the second access was discussed two years ago when this annexation was being considered. She stated being annexed is the best solution to getting back that second access point that is needed.

Ackley stated his concern with the annexation was land zoned AG (Agricultural District) would they lose their AG status for tax purposes. Palm stated nothing in these SIDs is zoned AG. She stated this proposal contains commercial, multi-family, or single-family residential zoning. Palm stated there are some parcels zoned AG in other annexation packages to be discussed later on in the agenda and the statute allows the city to take in ground that is urban and suburban in nature. Ackley asked staff if the owners of the AG land were notified, they would no longer qualify for tax credits. Palm stated the Planning Department did not provide specific information regarding taxes in the notice. She stated the best person to give that type of information would be the Sarpy County Assessor. Other than impacting greenbelt status she is not aware of the potential impact the annexation would have on property values. Ackley stated his concern for the owners if they were not planning to sell or develop, they would face the biggest tax burden.

Casey asked staff about the concrete replacement cease and desist order. Palm stated when the city intends to annex an area State Statute requires we give notice, which in turn freezes the SID's assets. She stated the city gave these SIDs notice two years ago but once the annexation was withdrawn the SIDs could have done those repairs. Palm said we sent an updated notice with this request, which then froze the SID's assets once again.

MOTION was made by Aerni, seconded by Ritz, to recommend APPROVAL of a request to annex Sanitary and Improvement Districts #67 Normandy Hills and #242 Cedar View; and all abutting rights-of-way. Applicant: City of Bellevue. APPROVAL based upon the positive financial impact on the City and the natural growth and development of the City. Upon roll call, all present voted yes. MOTION carried unanimously.

This item will proceed to City Council for PUBLIC HEARING ON April 19, 2022.

PUBLIC HEARING was held on a request to annex Tax Lot 9A1 except right of way, Section 23-13-13, Tax Lot 9B except right of way, Section 23-13-13, and the Irregular Northeasterly Part of Tax Lots 14A and 14B, Section 23-13-13; all located in Section 23, T13N, R13E of the 6th P.M.; and all abutting rights-of-way. Applicant: City of Bellevue.

Cutsforth asked staff for updates. Palm stated there were no updates.

There was no one present to speak in favor of, or opposition to this request. Subsequently, Cutsforth closed the public hearing.

MOTION was made by Aerni, seconded by Compton, to recommend APPROVAL of a request to annex Tax Lot 9A1 except right of way, Section 23-13-13, Tax Lot 9B except right of way, Section 23-13-13, and the Irregular Northeasterly Part of Tax Lots 14A and 14B, Section 23-13-13; all located in Section 23, T13N, R13E of the 6th P.M.; and all abutting rights-of-way. Applicant: City of Bellevue.

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Bellevue Planning Commission Meeting, March 24, 2022, Page 8

APPROVAL based upon the positive financial impact on the City and the natural growth and development of the City. Upon roll call, all present voted yes. MOTION carried unanimously.

This item will proceed to City Council for PUBLIC HEARING ON April 19, 2022.

PUBLIC HEARING was held on a request to annex Tax Lots 5A and 16A and the Northeast ¼ of the Northwest ¼, and the North ½ of the Southeast ¼, West of Road, located in Section 23, T13N, R13E of the 6th P.M., and Part of Tax Lot 3, Lying West of 5th Street, located in Section 14, T13N, R13E of the 6th P.M.; and all abutting rights-of-way. Applicant: City of Bellevue.

Cutsforth asked staff for updates. Palm stated there were no updates.

John Iske, 15402 S 5th St., Bellevue, NE stated he represents 1904 Farm, LLC. Iske stated he is the fourth generation on this farm. He stated they have farmed this area for 113 years. Iske stated Mr. Ackley represented them on a previous lawsuit with the NRD. Iske stated before Hwy 34 was constructed they had a 106-acre field there and it was cut in half. He stated they had to give up land for that and now they are opposed to this annexation. Iske stated Mr. Ryan who was part of the Normandy Hills SID requested Sarpy County look at a second access road through his property, so the County sent out a survey crew to survey their property without notifying him. He stated they removed them from the property and then received a call from the County Commissioners asking why. He said they had a meeting with the Commissioners, and he drove them around the area. Iske made mention of a utility easement from the edge of the park in Normandy Hills down to the road by Darling National, LLC, which he believed could be used for a second access to the subdivision. Iske stated no studies were done concerning the drainage through his property when Highway 34 was constructed. He stated he had tried to explain to the engineers working on that project that water flows downhill but they didn't listen. He stated there are two drainageways through that area; one goes up to Cedar View which runs into the Papio Creek and is considered a federal waterway. Iske stated that area is considered no till to conserve the yellow clay ground from soil erosion. He stated if a second access into these SIDs were allowed at 8th Street, if there was an accident on Hwy 34 the traffic would flow through these SIDs.

Ackley stated he had a potential conflict of interest and recused himself. Commissioner Ackley left the chamber at 8:15 p.m.

Kathy Iske, 16505 Iske Dr., Bellevue, NE, stated she received a letter a week ago indicating they would be annexed and the map attached was wrong. She stated the total property is being farmed and she is not sure what benefits the annexation would provide to them. Palm asked if the letter she received was mailed to her correct address because they were mailed on the 4th of March. Ms. Iske stated she had received the letter on the 8th of March. Ms. Iske stated she read a statute that states when annexation occurs the city has to have detailed plans and costs of providing services. She stated they are on a well and septic system so what type of services could be provided by the city. Ms. Iske stated she knew Bellevue was marching to the Platte River, but this annexation seems premature. Palm stated statutorily the City of Bellevue is required to send a 10-day notice, and a legal ad was published in the paper. Palm stated the litigation on the Darling property was recently resolved. She said it went to the District Court, the Nebraska Supreme Court, and then was remanded back to the District Court, and that was nearly a two-year process. Palm said the family could continue farming the property if that was their desire. She stated the one benefit she can think of is because development is marching south, should the family decide to sell the land it had the potential to be more valuable. Palm stated there was now a plan in place for the South Sarpy Sewer infrastructure to be installed by 2024. She stated MUD (Metropolitan Utilities District) would be installing water lines approximately 6 months after that. Ms. Iske asked what the justification and amount of tax increase was. Palm stated she could not say exactly, but based on existing valuation, the annexation would result in an increase of \$430.50 per \$100,000 assessed valuation. Palm stated there would also be greenbelt implications. She stated they would have to talk to the County Assessor about what potential impact that would have on the valuation. Discussion ensued regarding city services available if annexed and the process of the annexation.

There was no one present to speak in favor of, or opposition to this request. Subsequently, Cutsforth closed the public hearing.

Ritz stated based on the staff report this annexation did not seem to be in the positive interest of the city for annexation. He stated he thought there was a precedence set that properties with greenbelt status would be excluded, so from his prospective he would be voting against this portion of the annexation packages. Aerni stated the Planning Commission recommended denial, but the City Council approved all those previous annexations. Cutsforth stated those annexations with greenbelt

MINUTE RECORD

Bellevue Planning Commission Meeting, March 24, 2022, Page 9

status were a case-by-case basis and not all of them were a recommendation of denial. Ritz stated those areas that were recommended for approval were not being farmed.

MOTION was made by Aerni, seconded by Casey, to recommend APPROVAL of a request to annex Tax Lots 5A and 16A and the Northeast ¼ of the Northwest ¼, and the North ½ of the Southeast ¼, West of Road, located in Section 23, T13N, R13E of the 6th P.M., and Part of Tax Lot 3, Lying West of 5th Street, located in Section 14, T13N, R13E of the 6th P.M.; and all abutting rights-of-way. Applicant: City of Bellevue. APPROVAL based upon the positive financial impact on the City and the natural growth and development of the City. Upon roll call, Casey, Aerni, Cutsforth, and Compton voted yes, Hankins, Ritz, and Perrin voted no, Ackley abstained. MOTION carried.

This item will proceed to City Council for PUBLIC HEARING ON April 19, 2022.

Commissioner Ackley returned to the chamber at 8:35 p.m.

PUBLIC HEARING was held on a request to annex Part of Tax Lot F1A, and Part of Tax Lot J except part taken for NRD, Tax Lot F1B, and Part of Tax Lot H, Part of Tax Lot F1A, Part of Tax Lot J taken for NRD, and Part of Tax Lot K, all located in Section 11, T13N, R13E of the 6th P.M.; Part of Lots 12A, 13B, and 14B, Butterfields Subdivision, Part of Lot 13A North of drainage ditch and Part of Lot 14, Butterfields Subdivision, all except part for NRD, Part of Lot 13 and Part of Lot 14, Butterfields Subdivision, all for NRD (Parcel ID 011605117), Part of Tax Lot 14 located in Section 11, T13N, R13E of the 6th P.M. together with Lots 13C and 12B, Butterfields Subdivision; Part of vacated State Right-of-Way in the East ½ of the East ½ of the Southeast ¼ and adjacent Tax Lot 14, Section 10, T13N, R13E of the 6th P.M., Part of vacated State Right-of-Way in the Southwest ¼ of the Southwest ¼, West of Fort Crook Road South, Section 11, T13N, R13E of the 6th P.M., and Lot 1C, Palmtag's Subdivision; and all abutting rights-of-way. Applicant: City of Bellevue.

Cutsforth asked staff for updates. Palm stated a large portion of this area was recently rezoned to ML (Light Manufacturing) for Papillion Sanitation who will be moving headquarters to this location. She stated a portion of this property north of Fairview Road was also rezoned and a developer intended to submit a building permit for a large warehouse facility.

There was no one present to speak in favor of, or opposition to this request. Subsequently, Cutsforth closed the public hearing.

MOTION was made by Aerni, seconded by Ritz, to recommend APPROVAL of on a request to annex Part of Tax Lot F1A, and Part of Tax Lot J except part taken for NRD, Tax Lot F1B, and Part of Tax Lot H, Part of Tax Lot F1A, Part of Tax Lot J taken for NRD, and Part of Tax Lot K, all located in Section 11, T13N, R13E of the 6th P.M.; Part of Lots 12A, 13B, and 14B, Butterfields Subdivision, Part of Lot 13A North of drainage ditch and Part of Lot 14, Butterfields Subdivision, all except part for NRD, Part of Lot 13 and Part of Lot 14, Butterfields Subdivision, all for NRD (Parcel ID 011605117), Part of Tax Lot 14 located in Section 11, T13N, R13E of the 6th P.M. together with Lots 13C and 12B, Butterfields Subdivision; Part of vacated State Right-of-Way in the East ½ of the East ½ of the Southeast ¼ and adjacent Tax Lot 14, Section 10, T13N, R13E of the 6th P.M., Part of vacated State Right-of-Way in the Southwest ¼ of the Southwest ¼, West of Fort Crook Road South, Section 11, T13N, R13E of the 6th P.M., and Lot 1C, Palmtag's Subdivision; and all abutting rights-of-way. Applicant: City of Bellevue. APPROVAL based upon the positive financial impact on the City and the natural growth and development of the City. Upon roll call, all present voted yes. MOTION carried unanimously.

Meeting adjourned at 8:41 p.m.



Dianna Van Horn
Planning Secretary

MINUTE RECORD

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4/19/2022

Bellevue City Council Meeting, April 5, 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 5th of April, 2022, 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. Father Tom Jones, Church of the Holy Spirit, 1305 Thomas Drive, 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 Welch, to approve the agenda.

Motion was made by Cook, seconded by Welch, to amend the agenda by moving item 15a. after item 10a. on the agenda. Roll call vote to approve the motion 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 Cook, to approve the consent agenda consisting of the following items: Approval of the March 15, 2022 City Council Minutes; Approval of Claims; Recommendation to appoint Sarah Mlnarik to the Bellevue Advisory Board, to serve the remaining term of Valerie Doll, until June 2023; and Approve and authorize the Mayor to sign the Temporary Work Area Easement for work necessary in connection with the Offutt Air Force Base Cunningham and Harlan Road Fortification Project for a period of 10-years.

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:

Presentation on the 2021 Annual Report with Grow Sarpy. (Andrew Rainbolt)

Mr. Josh Charvat, Grow Sarpy, provided information on the 2021 Annual Report with Grow Sarpy.

Proclamation declaring April 22, 2022 as "Earth Day" in Bellevue, NE. (Green Bellevue Committee)

Dr. Kerri Pillen, 1119 Birchcrest Drive, spoke on behalf of the Green Bellevue Committee.

Mr. Bob Fusselman, 1227 St. Andrews Road, mentioned you can ride your bike to the Earth Day activities in Omaha.

Mayor Hike read and presented the Earth Day Proclamation, declaring April 22, 2022 as "Earth Day."

ORGANIZATIONAL MATTERS: NONE

APPROVED CITIZEN COMMUNICATION: NONE

LIQUOR LICENSES:

Recommend to the Nebraska Liquor Control Commission (NLCC) the approval of application for Papa Chucks Corporation dba "Papa Chucks Bar and Grill" for a Class "I" Liquor License to sell beer, wine, and distilled spirits, On Sale Only, at 910 Fort Crook Road S., Bellevue and for Charles Patillo as Manager. (City Clerk)

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

Mr. Charles Patillo, 412 W. 29th Avenue, was present to answer questions.

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Bellevue City Council Meeting, April 5, 2022, Page 2

No one else in the audience came forth to speak in support of or in opposition to the application. Mayor Hike declared the public hearing closed.

Motion was made by Cook, seconded by Welch, to recommend to the Nebraska Liquor Control Commission (NLCC) the approval of application for Papa Chucks Corporation dba "Papa Chucks Bar and Grill" for a Class "I" Liquor License to sell beer, wine, and distilled spirits, On Sale Only, at 910 Fort Crook Road S., Bellevue and for Charles Patillo as Manager. Roll call vote was as follows: Stinson, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; absent: none. Motion carried.

Approval of Resolution No. 2022-10: Requesting approval to operate a satellite keno location at the business operated by Papa Chucks Corporation dba "Papa Chucks Bar and Grill" at 910 Fort Crook Road S., Bellevue, NE and authorize the Mayor to sign. (City Clerk)

Motion was made by Stinson, seconded by Welch, to approve Resolution No. 2022-10: Requesting approval to operate a satellite keno location at the business operated by Papa Chucks Corporation dba "Papa Chucks Bar and Grill" at 910 Fort Crook Road S., Bellevue, NE and authorize the Mayor to sign. 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.

Recommend to the Nebraska Liquor Control Commission (NLCC) the approval of application for El Arepon Venezuelan Craft & Kitchen LLC dba "El Arepon" for a Class "I" Liquor License to sell beer, wine, and distilled spirits, On Sale Only, at 1021 W. 23rd Avenue, Bellevue, NE and for Richard Menoza Pinto as Manager. (City Clerk)

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

Mr. Richard Menoza, 1021 W. 23rd Avenue, was present to answer questions.

No one else in the audience came forth to speak in support of or in opposition to the application. Mayor Hike declared the public hearing closed.

Motion was made by Burns, seconded by Cook, to recommend to the Nebraska Liquor Control Commission (NLCC) the approval of application for El Arepon Venezuelan Craft & Kitchen LLC dba "El Arepon" for a Class "I" Liquor License to sell beer, wine, and distilled spirits, On Sale Only, at 1021 W. 23rd Avenue, Bellevue, NE and for Richard Menoza Pinto as Manager. Roll call vote was as follows: Stinson, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; absent: none. Motion carried.

ORDINANCES FOR ADOPTION (Third Reading): NONE

ORDINANCES FOR PUBLIC HEARING (Second Reading): NONE

ORDINANCES FOR INTRODUCTION: (First Reading)

Ordinance No. 4084: Request to rezone Lots 1 and 2, Overlook Addition, being a replat of Tax Lot 10B, located in the Southwest ¼ of Section 10, T13N, R13E of the 6th P.M., Sarpy County, Nebraska from AG to RS-120 for the purpose of single-family residential development. Applicants: Cheryl and James Francois. General Location: 2006 Fairview Road. (Planning Manager)

Ordinance No. 4084: 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 2006 Fairview Road, more particularly described in Section 1 of the ordinance and to provide an effective date.

Mayor Hike stated the second reading and public hearing of the ordinance will be heard at the Council meeting on April 19, 2022.

Ordinance No. 4085: Request to rezone Lot 1, Powers Addition, from ML to RE for the purpose of single-family residential development. Applicant: Jeremiah Winsor. General Location: 304 E. La Platte Road. (Planning Manager)

Ordinance No. 4085: 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 304 E. La Platte Road, more particularly described in Section 1 of the ordinance and to provide an effective date.

Mayor Hike stated the second reading and public hearing of the ordinance will be heard at the Council meeting on April 19, 2022.

Ordinance No. 4086 (Annexation Area #1): Request to annex Sanitary and Improvement Districts # 67 Normandy Hills and # 242 Cedar View; and all abutting rights-of-way. Applicant: City of Bellevue. (Planning Manager)

MINUTE RECORD

Bellevue City Council Meeting, April 5, 2022, Page 3

Ordinance No. 4086: An ordinance to annex to the City of Bellevue, Sarpy County, Nebraska, certain lands, lots, and real estate lying within the below described boundaries, and designating an effective date.

Mayor Hike stated the second reading and public hearing of the ordinance will be heard at the Council meeting on April 19, 2022.

Ordinance No. 4087 (Annexation Area #2): Request to annex Tax Lot 9A1 except right of way, Section 23-13-13, Tax Lot 9B except right of way, Section 23-13-13, and the Irregular Northeasterly Part of Tax Lots 14A and 14B, Section 23-13-13; all located in Section 23, T13N, R13E of the 6th P.M.; and all abutting rights-of-way. Applicant: City of Bellevue. (Planning Manager)

Ordinance No. 4087: An ordinance to annex to the City of Bellevue, Sarpy County, Nebraska, certain lands, lots, and real estate lying within the below described boundaries, and designating an effective date.

Mayor Hike stated the second reading and public hearing of the ordinance will be heard at the Council meeting on April 19, 2022.

Ordinance No. 4088 (Annexation Area #3): Request to annex Tax Lots 5A and 16A and the Northeast ¼ of the Northwest ¼, and the North ½ of the Southeast ¼, West of Road, located in Section 23, T13N, R13E of the 6th P.M., and Part of Tax Lot 3, Lying West of 5th Street, located in Section 14, T13N, R13E of the 6th P.M.; and all abutting rights-of-way. Applicant: City of Bellevue. (Planning Manager)

Ordinance No. 4088: An ordinance to annex to the City of Bellevue, Sarpy County, Nebraska, certain lands, lots, and real estate lying within the below described boundaries, and designating an effective date.

Mayor Hike stated the second reading and public hearing of the ordinance will be heard at the Council meeting on April 19, 2022.

Ordinance No. 4089 (Annexation Area #4): Request to annex Part of Tax Lot F1A, and Part of Tax Lot J except part taken for NRD, Tax Lot F1B, and Part of Tax Lot H, Part of Tax Lot F1A, Part of Tax Lot J taken for NRD, and Part of Tax Lot K, all located in Section 11, T13N, R13E of the 6th P.M.; Part of Lots 12A, 13B, and 14B, Butterfields Subdivision, Part of Lot 13A North of drainage ditch and Part of Lot 14, Butterfields Subdivision, all except part for NRD, Part of Lot 13 and Part of Lot 14, Butterfields Subdivision, all for NRD (Parcel ID 011605117), Part of Tax Lot 14 located in Section 11, T13N, R13E of the 6th P.M. together with Lots 13C and 12B, Butterfields Subdivision; Part of vacated State Right-of-Way in the East ½ of the East ½ of the Southeast ¼ and adjacent Tax Lot 14, Section 10, T13N, R13E of the 6th P.M., Part of vacated State Right-of-Way in the Southwest ¼ of the Southwest ¼ West of Fort Crook Road South, Section 11, T13N, R13E of the 6th P.M., and Lot 1C, Palmtag's Subdivision; and all abutting rights-of-way. Applicant: City of Bellevue. (Planning Manager)

Ordinance No. 4089: An ordinance to annex to the City of Bellevue, Sarpy County, Nebraska, certain lands, lots, and real estate lying within the below described boundaries, and designating an effective date.

Mayor Hike stated the second reading and public hearing of the ordinance will be heard at the Council meeting on April 19, 2022.

Ordinance No. 4090: An ordinance to approve the Sale and Conveyance of Two Parcels of City Property to Carla Alexandra Miller, in an amount of \$20,000 per lot. (Administration) (Requesting to waive the rule requiring three readings, hold a public hearing tonight, and vote after the public hearing at tonight's meeting.)

Motion was made by Cook, seconded by Welch, to waive the rule requiring three readings, hold a public hearing, and vote after the public hearing at tonight's meeting.

Councilman Preister requested an explanation on the reason for the request to suspend the rules.

Mr. Jim Ristow, City Administrator, explained the two lots have typography issues making it difficult to develop. The purchaser is willing to purchase the two lots and the adjoining property. The request to waive the three readings is due to the purchaser's VA loan and contingency to purchase the adjoining property. Conversation ensued.

Roll call to approve the motion 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.

No one in the audience came forth to speak in support of or in opposition to the report. Mayor Hike declared the public hearing closed.

Motion was made by Stinson, seconded by Cook, to approve Ordinance No. 4090. Roll call to approve the motion 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, April 5, 2022, Page 4

Ordinance No. 4091: An ordinance to amend certain sections of Chapter 18 of the Bellevue Municipal Code and to add new sections pertaining to parking enforcement. (Legal)

Ordinance No. 4091: An Ordinance to amend Chapter 18, Sections 18-31, 18-34, 18-35, 18-37, 18-51, 18-52, 18-53, 18-65, 18-66, 18-74, 18-90, 18-91, 18-92, 18-93, 18-100 and 18-136 of the Bellevue Municipal Code pertaining to parking enforcement, to repeal all previous versions of the same and to add new sections 18-67 through 18-70; and to provide an effective date.

Mayor Hike stated the second reading and public hearing of the ordinance will be heard at the Council meeting on April 19, 2022.

Ordinance No. 4092: An ordinance amending Chapter 20, Article 1, Sections 20-16 and 20-20.1 of City Code relating to certain offenses. (Legal/Police Chief)

Ordinance No. 4092: An ordinance to amend Chapter 20, Article I, Sections 20-16 and 20-20.1, of the Bellevue Municipal Code pertaining to offenses, to repeal all previous versions of the same and to provide an effective date.

Mayor Hike stated the second reading and public hearing of the ordinance will be heard at the Council meeting on April 19, 2022.

Ordinance No. 4093: An ordinance requesting to vacate all of 37th Street between Marie Street and Veys Street abutting within "Veys Hill Haven Addition" and Lot 2 and 3, Block 1, Veys Hill Haven Addition and Lots 2, 3A, 3B, 4, 5, and 6 of Block 2, Veys Hill Haven Addition located in Section 20, T14N, R13E of the 6th P.M., Sarpy County, Nebraska. (Public Works Director)

Ordinance No. 4093: An ordinance declaring the necessity, expediency and propriety of vacating all of 37th Street Between Marie Street and Veys Street, Abutting within "Veys Hill Haven Addition" an addition to the City of Bellevue, Sarpy County, Nebraska, Lot 2 & 3 Block 1 Veys Hills Haven Addition and Lots 2, 3A, 3B, 4, 5 and 6, Block 2, Veys Hill Haven Addition located in Section 20, T14N, R13E of the 6th P.M., Sarpy County, Nebraska. Not to heretofore vacated, repealing all ordinances and all parts of ordinances in conflict herewith, and designating an effective date.

Mayor Hike stated the second reading and public hearing of the ordinance will be heard at the Council meeting on April 19, 2022.

Ordinance No. 4095: An ordinance to amend Section 8-18 of Chapter 8 of City Code pertaining to Fire Section 903.3.1.2 of the 2021 International Building Code. (Chief Building Inspector/Fire Chief)

Ordinance No. 4095: An ordinance to amend Section 8-18 of Chapter 8 of the Bellevue City Code pertaining to the 2021 Edition of the International Building Code; to repeal Section 8-18 of Chapter 8 of the Bellevue City Code as heretofore existing; to provide for the publication of this ordinance and to provide for the effective date of this ordinance.

Mayor Hike stated the second reading and public hearing of the ordinance will be heard at the Council meeting on April 19, 2022.

Ordinance No. 4096: An ordinance to amend Section 12-36 (903.3.1.2) of the 2021 International Fire Code. (Chief Building Inspector/Fire Chief)

Ordinance No. 4096: An ordinance to amend Section 12-36.1 of the Bellevue Municipal Code pertaining to the Bellevue Fire Prevention Code; to repeal Section 12-36.1 of Chapter 12 of the Bellevue City Code as heretofore existing; to provide for the publication of this ordinance and to provide for the effective date of this ordinance.

Mayor Hike stated the second reading and public hearing of the ordinance will be heard at the Council meeting on April 19, 2022.

PUBLIC HEARING ON MATTERS OTHER THAN ORDINANCES:

Show Cause Hearing on the proposed Condemnation of the structure(s) at 1302 Main Street, Bellevue 68005. (Chief Building Inspector)

Mayor Hike opened the meeting to a public hearing to give opportunity for individuals to speak in favor of the proposed condemnation and Resolution. 2022-09.

Ms. Bree Robbins, City Attorney, explained at the March 15, 2022 meeting this item was tabled to tonight's meeting. The homeowner had requested time to obtain permits by tonight's meeting.

Mr. Mike Christensen, Chief Building Official, provided pictures and a description of the damage caused by a storm and condition of the property. He stated today at 2:15 p.m., the Permits Department received an email for permits for drywall repair, soffit repair, roof repair, and gutters. There were no structural details included or if any of the work meets code. He provided a description of the work that needs to be done.

MINUTE RECORD

Bellevue City Council Meeting, April 5, 2022, Page 5

Councilman Cook questioned if the homeowner was aware of the meeting. Mr. Christensen stated he was aware. Ms. Robbins advised the homeowner was at the last meeting and the item was continued to tonight's meeting.

Councilman McCaw requested clarification on what the expectations were for tonight's meeting. Ms. Robbins stated the homeowner agreed he would hire a licensed contractor and obtain permits by April 5th.

Councilman McCaw questioned if the homeowner obtained the permits. Mr. Christensen stated no. Application was made for drywall repairs, soffit repair, and roof repair. There are no structural details or electrical.

Councilwoman Welch inquired if three weeks was ample time. Mr. Christensen replied yes.

Ms. Robbins questioned if a permit could be issued as is with what was submitted at 2:15 today. Mr. Christensen replied no. Conversation ensued.

No one else in the audience came forth to speak in support of or in opposition to the report. Mayor Hike declared the public hearing closed.

Resolution No. 2022-09: Condemning the structure(s) located at 1302 Main Street, Bellevue 68005.

Motion was made by Stinson, seconded by Burns, to approve Resolution No. 2022-09: Condemning the structure(s) located at 1302 Main Street, Bellevue 68005. 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.

Approval of Event Application of the Bellevue Community Foundation to host the Bellevue Rocks Riverfront Festival on Thursday, June 9, 2022 from 4:00 p.m. to 1:00 a.m. on Friday, June 10, 2022; Friday, June 10, 2022 from 4:00 p.m. to 1:00 a.m. on Saturday, June 11, 2022 and Saturday, June 11, 2022 from 4:00 p.m. to 1:00 a.m. on Sunday, June 12, 2022 at American Heroes Park. (City Clerk)

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

No one in the audience came forth to speak in support of or in opposition to the report. Mayor Hike declared the public hearing closed.

Motion was made by Welch, seconded by Stinson, to approve the Event Application of the Bellevue Community Foundation to host the Bellevue Rocks Riverfront Festival on Thursday, June 9, 2022 from 4:00 p.m. to 1:00 a.m. on Friday, June 10, 2022; Friday, June 10, 2022 from 4:00 p.m. to 1:00 a.m. on Saturday, June 11, 2022 and Saturday, June 11, 2022 from 4:00 p.m. to 1:00 a.m. on Sunday, June 12, 2022 at American Heroes Park. 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.

Recommend to Nebraska Liquor Control Commission approval of a Special Designated Liquor License (SDL) for the Bellevue Community Foundation to set up a beer garden at the Bellevue Rocks Riverfront Festival on Thursday, June 9, 2022 from 4:00 p.m. to 1:00 a.m. on Friday, June 10, 2022, Friday, June 10, 2022 from 4:00 p.m. to 1:00 a.m. on Saturday, June 11, 2022 and on Saturday, June 11, 2022 from 4:00 p.m. to 1:00 a.m. on Sunday, June 12, 2022 at American Heroes Park. (City Clerk)

Motion was made by Stinson, seconded by Welch, to recommend to Nebraska Liquor Control Commission approval of a Special Designated Liquor License (SDL) for the Bellevue Community Foundation to set up a beer garden at the Bellevue Rocks Riverfront Festival on Thursday, June 9, 2022 from 4:00 p.m. to 1:00 a.m. on Friday, June 10, 2022, Friday, June 10, 2022 from 4:00 p.m. to 1:00 a.m. on Saturday, June 11, 2022 and on Saturday, June 11, 2022 from 4:00 p.m. to 1:00 a.m. on Sunday, June 12, 2022 at American Heroes Park. 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.

Request to final plat Lots 1 through 38, and Outlot A, Chandler Creek, being a platting of Tax Lot H2, located in the Southwest 1/4 of Section 16, T14N, R13E of the 6th P.M., Sarpy County, Nebraska. Applicant: TKC Chandler, LLC. General Location: South 35th Street and W. Chandler Road. (Planning Manager)

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

No one in the audience came forth to speak in support of or in opposition to the application. Mayor Hike declared the public hearing closed.

Motion was made by Welch, seconded by McCaw, to approve the final plat Lots 1 through 38, and Outlot A, Chandler Creek, being a platting of Tax Lot H2, located in the Southwest 1/4 of Section 16, T14N, R13E of the 6th P.M., Sarpy County, Nebraska. Applicant: TKC Chandler, LLC. General Location: South 35th Street and W. Chandler Road.

MINUTE RECORD

Bellevue City Council Meeting, April 5, 2022, Page 6

Councilman Preister mentioned the diagram indicates the lots to the far east and far west is not straight. In the future, as the intersection is reconfigured and houses are being built, how will this be adjusted for space for sidewalks. Mrs. Tammi Palm, Planning Manager, explained this was looked at while reviewing the preliminary plat. The Public Works Engineers looked at the right-of-way that abuts the property to the north. Due to the irregular shape of the right-of-way, there is actually an access right-of-way. The developer wanted to make it a straight line and make it symmetrical, but the city said no. The city wants to keep it for future potential improvement such as sidewalks. Mrs. Palm stated she is confident there is enough there.

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.

Request to approve the Chandler Creek Subdivision Agreement. (Planning Manager)

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

No one in the audience came forth to speak in support of or in opposition to the application. Mayor Hike declared the public hearing closed.

Motion was made by Welch, seconded by McCaw, to approve the Chandler Creek Subdivision Agreement. 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.

RESOLUTIONS: NONE

CURRENT BUSINESS:

Approve and authorize the Mayor to sign the CDBG subrecipient agreement with Lift Up Sarpy County for the Car Match Assistance Program, in an amount not to exceed \$15,000.00. (Finance Director/CDBG Specialist)

Motion was made by Burns, seconded by Preister, to approve and authorize Mayor to sign the CDBG subrecipient agreement with Lift Up Sarpy County for the Car Match Assistance Program, in an amount not to exceed \$15,000.00. 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 Mayor to sign the amendment extending the CDBG-CV subrecipient agreement with the Housing Foundation for Sarpy County for the CDBG-CV Housing Assistance Program, in an amount not to exceed \$145,479. (Finance Director/CDBG Specialist)

Motion was made by Burns, seconded by Preister, to approve and authorize Mayor to sign the amendment extending the CDBG-CV subrecipient agreement with the Housing Foundation for Sarpy County for the CDBG-CV Housing Assistance Program, in an amount not to exceed \$145,479. 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 Redevelopment Agreement and Redevelopment Promissory Note, allowing up to \$1,807,000.00 plus accrued interest, to offset TIF eligible expenses, for TKC Chandler LLC Redevelopment Project located on Tax Lot H2 and Lot 5, Edward Warren Addition. (City Clerk)

Motion was made by Welch, seconded by Stinson, to approve and authorize the Mayor to sign the Redevelopment Agreement and Redevelopment Promissory Note, allowing up to \$1,807,000.00 plus accrued interest, to offset TIF eligible expenses, for TKC Chandler LLC Redevelopment Project located on Tax Lot H2 and Lot 5, Edward Warren Addition. 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 contract with Municipal and Contractors Sealing Products, Inc. (MCSP) for the Harvell Drive Storm Sewer Emergency Repair Project, in an amount not to exceed \$215,127.90 plus potential City initiated Change Orders of up to 10% (\$21,512.79 for a total project cost of \$236,640.69). (Public Works Director)

Motion was made by Cook, seconded by Burns, to approve and authorize the Mayor to sign the contract with Municipal and Contractors Sealing Products, Inc. (MCSP) for the Harvell Drive Storm Sewer Emergency Repair Project, in an amount not to exceed \$215,127.90 plus potential City initiated Change Orders of up to 10% (\$21,512.79 for a total project cost of \$236,640.69). 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, April 5, 2022, Page 7

Approve and authorize the Mayor to sign the contract with Royalty Roofing and Renovation for a new roof at Bellevue's Professional Building, 2206 Longo Drive, in an amount not to exceed \$126,285.80. (Public Works Director)

Councilman Preister questioned if the EDPM materials taken off the roof will be recycled. Mr. Clark stated he believes all the materials will go to the landfill.

Motion was made by Stinson, seconded by McCaw, to approve and authorize the Mayor to sign the contract with Royalty Roofing and Renovation for a new roof at Bellevue's Professional Building, 2206 Longo Drive, in an amount not to exceed \$126,285.80. 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.

ADMINISTRATION REPORTS: Comments must be limited to items on the current reports. (Monthly Reports are given at the first Council Meeting of each month – February and March reports is attached to the April 5th packet)

Councilman Cook commented the audit report is included in the Administration Reports. The report is a "unmodified" clean opinion and a good report for the City of Bellevue.

Councilman Preister commented the VA is talking about upgrading the VA Outlet and expanding the existing site. Mr. Ristow explained their current lease goes for two more years. There is discussion on the future expansion to keep them in the building. The submittal will be done by the end of April.

Councilman Preister referred to a grant for over \$400,000 in the Public Works Department. He requested more information. Mr. Clark advised an outside grant writer was brought in and approximately \$489,000.00 was received. Discussion followed.

Councilman Preister commented the Police Department has received National News. The Police Department is leading in new recruits.

Councilman Preister commented on the reduced debt in the Finance Report due to consolidation of re-bonding.

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 7:18 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.

Susan Kluthe, City Clerk

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 April 5, 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.

Susan Kluthe, City Clerk



City of Bellevue, Nebraska 2021 Tree Board Report

Tree Board Contributions

Bellevue Tree Board volunteers have performed many varied services to increase and enhance our community trees for improved quality of life, including:

- Celebrated Arbor Day at Stonecroft Park with Mayor's Proclamation & 11 trees planted, with a grant of \$1200 from NRD. Additional 13 trees planted at American Hero Park from the same grant money
- Re-certified by the Arbor Day Foundation as a Tree City, USA for 11th year, also earning the Growth Award
- Responded to Council, Administration and citizen requests for tree inspections and advised them
- Advised on yearly tree inventory report to Parks Dept. those trees that need to be removed or work needed on trees
- Conducted Bellevue's Emerald Ash Borer Response Plan (EAB Plan)
- EAB Plan status: 171 original ash trees, with 2019 annexation, adding ash trees to the inventory, and removals, now there are 165 ash trees in city parks and land that are being monitored. No EAB identified in Bellevue.
- Started carving ash tree stumps in Washington Park with grants, \$4000
- Collaborated with UNL County Extension Office certified arborists, alerting citizens to EAB updates and misinformation
- Coordinated action with the Council to approve Bellevue City Tree Plan
- Volunteers tended the Veterans' Home Rain and other Gardens with weeding, pruning, care
- Continued hazardous tree response in conjunction with Parks' staff
- Inventory assessment of trees is an on-going process. This year the number of total trees on city property is 3231, with 24 trees planted in Stonecroft and American Hero Parks. This number includes all of the areas annexed in 2019.
- All trees are now inventoried in a program called Tree Plotter that is operated by the State Forestry Department. Parks staff have free access.
- Updated the city tree inventory and provided copies to Jim Shada, Park Superintendent
- Conducted 10 Tree Board planning meetings with minutes to City Clerk

- Inspected and summarized dying and dangerous trees for Code Enforce.
- Participated in tree workshops, conferences and continuing education about trees
- Tree Board certified arborists conducted tree inspections for city staff
- Tree Board volunteers pruned 100 public trees
- Collaborating with Fontenelle Forest, Game & Parks and Nebraska Forest Service staff, on area-wide oak forest revitalization, including Jewell Park
- Consulted on removal of diseased trees in cemetery and other city locations
- Continued to monitor and assess diseased oak trees in Cemetery
- Partnered with library staff, supporting their efforts with books and children's programs, plus, maintained their butterfly gardens
- Maintained membership in the Alliance for Community Trees (ACTrees) and participated in their webinars about tree care
- Mulch donated by TB member; Craig Kimball Tree Service, value \$3,000
- Assessing invasive honeysuckle in Jewell Park and area
- Continued leading the efforts to restore Jewell Park with neighbors and staff, including support of the new Parks Board
- Encouraged Bellevue University to become a Tree Campus, USA
- Started restoration on the rain garden at 36th St trailhead.
- Remained available to the Mayor and Council for projects and recommendations
- Continue to label new trees by use of \$1000 grant from Green Bellevue.
- 1,138 total trees planted on city property by volunteers and grants in 12 years
- Information on tree care and trees has been put on Bellevue 411 and BTV
- Tree Board Goals and Objectives, Roles of President, Vice President and Secretary have been written, submitted and approved by the City Council
- President, Vice President and Secretary have been elected
- Developing Logo and Letterhead for the Tree Board
- Keeping Park Board informed of what the Tree Board is doing
- Cared for the grant funded and member planted pollinator bed, at Sarpy County Museum, that included trees and shrubs
- Gave away 75 trees to the public with an Arbor Day grant of \$10,000

Continued next page

A total of 995 hours of service performed @ \$25	\$ 24,875
A total of 1827 miles driven by volunteers @\$0.58	\$ 1,060
Total grant funds received and spent	\$ 18,200
Total financial contributions	\$ 0
Total 2021 financial contribution to Bellevue	\$ 44,135
Total of previous 11 years' contributions	\$409,337
Cumulative 12-year financial contribution to Bellevue	\$453,472

Cumulative total contributions to city trees & community well-being: Priceless!

In service to Bellevue and trees: the Bellevue Tree Board,

Scott Evans, Certified Arborist: International Society of Arboriculture (ISA); UNL Extension Horticulturist

Craig Kimball, Certified Arborist, owner, Kimball Tree Service

Joanne Langabee, Certified Master Naturalist

Tom Mruz, Gardener, Tree Planter

Deborah Woracek, Certified NE Master Naturalist, CIG, F. Forest Raptor Educator

Nancy Scott, Certified Master Gardener, past Certified Arborist, Nurseryman, NNLA

Holly Hofreiter, Biologist, Certified NE Master Naturalist

Don Preister, Bellevue City Council

Supported by:

Jim Shada, Mark Blackburn, City of Bellevue Parks Department

Graham Herbst, NE Forest Service Arborist/Educator

Michelle Foss, Fontenelle Forest Director of Resource Stewardship

plus, other professional tree, nursery and landscape people

Our gratitude and respect go out to each of these dedicated public servants.



City of Bellevue

March 8, 2022, Tree Board minutes

Attendance: Joanne Langabee, Don Preister, Nancy Scott, Tom Mruz, and Deborah Woracek attended in person. Scott Evans and Craig Kimball were excused. Jim Shada and Doug Clark were absent. We have one position open.

Jo reminded all to turn in their time and mileage to Deborah. Deborah had a paper for attendees to write their hours and miles travelled.

Approve Minutes:

Joanne Langabee asked if there were any corrections to the previous month's meeting minutes. There being none, Don Preister motioned to approve the February minutes, Joanne seconded the motion. It was approved with all present voted to approve.

Deborah will send in the FINAL minutes to the City of Bellevue for filing.

Park Report – Jim Shada texted the following to Jo the following report which she read to the Board:

“With the unseasonable weather the month of February, the Park staff has been able to do some Tree work in the Parks and Trails.

Please find listed below the tree trimming that has been completed:

Fire Training Site - Trimmed trees along fence line

- removed volunteer & suckers along fence line

Daniel's Trail - Trimmed up trees along trail for mowers clearance

- Cleaned up volunteer trees & suckers

Lakewood Village - Park & Trail, cleaned up fallen branches

- Trimmed trees

Reed Center - Cut down 3 Ash trees

- Cut down 5 Elm Trees

- Cut up fallen trees along Parking Lot & removed them

Thompson Park - Cut down 5 Ash trees

- Cut down 1 Elm tree

College Heights - Trimmed 1 Oak & 1 Elm tree

Baldwin Field - Cut down 3 Ash trees

Dowding Pool - Cut down 1 Ash tree

- Trimmed up 5 other trees

Heber Park - Cut down 4 Ash trees

McCann Park - Trimmed volunteer trees & suckers along fence line (east side of park)
- Trimmed up trees for mower clearance
Fleet Maintenance - Cut down 11 Ash trees
- Trimmed all trees
- Cut out volunteer trees from spruce trees

We used this equipment at every site: skid steer, chipper truck and 2 dump trucks

Thank You for your support!"

Don voiced concern that healthy Ash trees may be cut down. He asked Jo to coordinate with Mark Blackburn, Parks Forman, and doing the inventory. Jo replied that she has done so. She reported that Graham Herbst has now given Mark a login for the Tree Plotter program that she and the State Forestry use. We may have to consider cost sharing with the Forestry Service in the future. Jo thinks it would be less than \$1000. She also said the program allows you to include photos of damage to trees. This is the program that has active mapping capabilities and will make our tree inventory a dynamic product that can be kept current. Jo has been getting very good cooperation from Mark and staff, that is appreciated.

Nancy was concerned that a rare Hawthorne behind her house was cut down.

There was no City report as Doug Clark was not present.

Old Business

Arbor Day – Don said he contacted two schools, with both Lewis & Clark Middle and St. Bernadette's School agreeing to have us plant trees for them on the 28th of April. We will meet at 9am at Lewis & Clark and then go to St. Bernadette's at 11am. We may need to meet earlier to dig holes at the schools. Jo mentioned that it is the 150th year of Arbor Day and that we need to emphasize this when we advertise the events. **Jo will contact Christy at the NE State Forestry or the Arbor Day Foundation to get a copy of the logo to use.** Don needs this for the city Proclamation to be read at the April 19th Council meeting. He will send it to other local towns with tree boards.

Earth Day – We are participating in the combined Sarpy County and Earth Day Omaha Celebration, to be held in Elmwood Park on Saturday April 23, 2022. There will also be activities promoted for a full month, April 22–May 22, both in person and virtual events.

Starting at 9 am we will plant 20 trees in Willow Springs Park on April 30th. Willow Springs is a long narrow park. Jo asked if Nancy would help pick up trees. Don will ask the nursery that has our 25 trees on hold, if they could deliver them instead. **Don, Jo, and Nancy will coordinate this.** We will need volunteers to help with this event. **Don is checking with COX for 20 employee volunteers.**

We will mulch trees from 6-8pm both May 4th & 11th at Daniell Trail and Two Springs Park.

On May 14th 10-noon, we will prune trees in Heroes Park.

Volunteers will need to be recruited for all these events.

Don asked Tom about the Passport events that the tree board is hosting to be listed with the Sarpy Earth Day activities. All previously mentioned events are to be included. Tom said he had sent all of our information to be added to the Earth Day Platform.

Washington Park carvings – Don said work will continue with warmer weather.

Bellevue 411 articles – Don and Jo both reported that they have seen the article posted on social media, that Scott Evans wrote about winter tree watering.

NRD grant – Jo did not apply as we already have 25 trees that remained from last fall's tree give away.

Mtg. with Bellevue Parks staff, Graham Herbst, and Jo – Jo met with Jim Shada, Mark Blackburn, and Graham Herbst to discuss plans and our tree inventory project. She reported that it was a very productive meeting. Mark B. likes the system.

Possible new Board Member – Don contacted Connie Jones, who declined joining the Board at this time. Jo said that **Holly Hofreiter** missed serving and may be willing to return. She could attend meetings over zoom if her health required it. **Jo will approach her again.** All were encouraged by Don, to think of candidates for the Board.

Renewing Board to Council - Don will need to send renewal for expiring terms of the Board members, for the April 19th City Council meeting.

New Business

Tree planting – The April 30 planting was recorded under Old Business, Earth Day.

Annual Report – Don started the report then sent it out for input. **He will resend the draft. Jo said she could work on it with Don.**

Deborah brought up that she cannot manipulate the new logo to use it on our minutes, that are sent to be filed with the City. She requested a usable copy.

Don asked what the city has as IPM in place. **Jo will talk to Mark B. about it.**

Don asked us to do the parks survey. Enter any parks we think need improvement, like new trees and to include photos of any damaged trees. He also wants that information sent to Diana Fiala, who is with MAPA, and who will be the speaker at next Sunday's Green Bellevue meeting. She is working on the metro urban canopy project, so requested getting local information for her talk.

Jo asked Don if the trail at the north end of Heroes Park, damaged in the 2019 flood, is permanently closed. He said it is. People hike it at their own risk. Jo has seen hikers.

Winter projects for next winter – Deborah suggested we work on our five-year maintenance plan as one of our future projects. It was decided that all think of possible projects, then discuss at a future meeting, after Arbor and Earth Day events.

Next meeting April 12, 2022

Nancy Scott motioned to adjourn; Deborah Woracek seconded the motion. All voted yes, meeting was adjourned at 11:30 am.

Respectfully submitted,

Deborah L. Woracek, Secretary
Bellevue Tree Board

Tentative agenda for April 12, 2022

Attendance

Volunteer Hours

Approve Minutes

Park Report – Jim

City Report – Doug

Old Business

Arbor Day

Earth Day

Washington Park carvings

Bellevue 411 articles

Annual Report

New or returning Board Members

Renewing Board to Council

Results of meeting with parks on IPM

Award from Daughter's of the American Revolution

New Business

Tree City USA Growth Award

Everett Park

Winter projects for next winter

MINUTE RECORD

CLAIMS FOR APRIL 19, 2022

MAYOR

CENTURY LINK	MONTHLY SERVICE	12.60
		<u>\$ 12.60</u>

CITY ADMINISTRATOR

BLACK HILLS ENERGY	MONTHLY SERVICE	199.81
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	64.33
CENTURY LINK	MONTHLY SERVICE	24.38
GREATER BELLEVUE AREA CHAMBER OF COMMERCE	USSTRATCOM ANNUAL LUNCHEONS	320.00
MONTE EVANS	BUSINESS PICTURES	399.80
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES-MAR 2022	185.30
		<u>\$ 1,193.62</u>

LEGAL

CENTURY LINK	MONTHLY SERVICE	24.79
		<u>\$ 24.79</u>

CABLE ADVISORY

BLACK HILLS ENERGY	MONTHLY SERVICE	169.84
CENTURY LINK	MONTHLY SERVICE	8.40
COX BUSINESS SERVICES	MONTHLY SERVICE	9.04
		<u>\$ 187.28</u>

CITY CLERK

BLACK HILLS ENERGY	MONTHLY SERVICE	149.86
CENTURY LINK	MONTHLY SERVICE	12.60
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	121.57
INFOSAFE SHREDDING	SHREDDING SERVICE	30.00
RAMADA MIDTOWN-GRAND ISLAND	LODGING FOR TRAINING-HARBIN	464.75
		<u>\$ 778.78</u>

FINANCE/RISK MANAGEMENT

AMAZON.COM, LLC	OFFICE SUPPLIES, PRINTER SUPPLIES, EAR MUFFS, CREDIT FOR FACE MASKS	-138.93
BLACK HILLS ENERGY	MONTHLY SERVICE	259.76
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	112.04
CENTURY LINK	MONTHLY SERVICE	61.06
COSGRAVE COMPANY	US FLAGS	229.85
QUADIANT FINANCE USA, INC	POSTAGE REFILL	1,500.00
		<u>\$ 2,023.78</u>

LIBRARY

AMAZON.COM, LLC	3D PRINTER, PRIVACY PANELS, OFFICE SUPPLIES, SCANNER, VIDEOS, BOOKS	5,742.57
BLACK HILLS ENERGY	MONTHLY SERVICE	385.71
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	232.48
CBRE, INC - VALUATION & ADVISORY SERVICES	APPRAISAL	3,500.00
CENTURY LINK	MONTHLY SERVICE	42.00
COX BUSINESS SERVICES	MONTHLY SERVICE	107.39
DELL MARKETING L.P.	COMPUTER EQUIPMENT-GRANT	2,052.00
INGRAM LIBRARY SERVICES	BOOKS	2,632.49
KITCHEN SINK COMMUNICATIONS	PROPOSAL WRITING, CONSULTATION	5,710.00
LAURA WHITEHEAD	REIMB FOR NOTARY COMMISSION	30.00
MATRIX BUSINESS SYSTEMS INC	COPIER EXPENSE	16.77
OCLC INC	MONTHLY CATALOGING-APR 2022	1,384.67

MINUTE RECORD

CLAIMS FOR APRIL 19, 2022

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LIBRARY (cont'd)

OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE	1,506.55
RUFF WATERS	AQUARIUM MAINTENANCE	91.98
SCOTT WELCH	MONTHLY WEB HOSTING	125.00
SHOWCASES	CARRYING CASES	174.36
VERIZON WIRELESS	MONTHLY SERVICE	400.10
		<hr/>
		\$ 24,134.07

ADMINISTRATIVE SERVICES/PERSONNEL

AMAZON.COM, LLC	STORAGE BOXES	61.35
BLACK HILLS ENERGY	MONTHLY SERVICE	219.79
CENTURY LINK	MONTHLY SERVICE	58.70
INFOSAFE SHREDDING	SHREDDING SERVICE	30.00
MATRIX BUSINESS SYSTEMS INC	COPIER EXPENSE	72.41
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE	93.00
ONE SOURCE	BACKGROUND CHECKS	417.30
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES-MAR 2022	2,648.22
		<hr/>
		\$ 3,600.77

CODE ENFORCEMENT

ACTION SIGNS	INSTALL GRAPHICS	150.00
AMAZON.COM, LLC	NOTARY STAMP, PENS	36.63
BLACK HILLS ENERGY	MONTHLY SERVICE	40.59
CENTURY LINK	MONTHLY SERVICE	24.69
PAPILLION SANITATION	CODE DUMPSTER	391.97
POSITIVE CONCEPTS	THERMAL ROLLS OF PAPER	750.00
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES-MAR 2022	823.19
		<hr/>
		\$ 2,217.07

PUBLIC WORKS

AMAZON.COM, LLC	BULLETIN BOARD	62.99
BLACK HILLS ENERGY	MONTHLY SERVICE	68.51
CENTURY LINK	MONTHLY SERVICE	50.40
MATRIX BUSINESS SYSTEMS INC	COPIER EXPENSE	156.67
ONE CALL CONCEPTS	DIGGERS HOTLINE-MAR 2022	953.18
SARPY CO REGISTER OF DEEDS	RECORDING FEE	26.00
TOTAL TOOL SUPPLY, INC	FLUORESCENT PAINT	449.28
		<hr/>
		\$ 1,767.03

PARKS

AMAZON.COM, LLC	DOG WASTE BAGS	302.40
A-RELIEF SERVICES	PORTABLE RESTROOM-CITY PARKS	1,520.00
BLACK HILLS ENERGY	MONTHLY SERVICE	779.05
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	7.85
CENTURY LINK	MONTHLY SERVICE	37.80
COX BUSINESS SERVICES	MONTHLY SERVICE	214.78
CROW LAWN CARE LLC	CODE CLEAN UP	900.00
MENARDS	WRAP LIGHT, LINE POSTS, PUSH BROOM, SPREADER, PAINT	241.79
METROPOLITAN UTILITIES DIST	MONTHLY SERVICE	3,587.90
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE	2,331.97
TY'S OUTDOOR POWER & SERVICE	POWER BROOM ATTACHMENT	9,862.40
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES-MAR 2022	1,835.94
WESTLAKE ACE HARDWARE	SWING CHAIN COIL	362.59
		<hr/>
		\$ 21,984.47

MINUTE RECORD

CLAIMS FOR APRIL 19, 2022

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RECREATION

AQUA-CHEM	LOUNGE CHAISES	2,580.00
B&D DIAMOND PRO	BALLFIELD MAINTENANCE-SUN VALLEY, BALDWIN	9,862.00
CENTURY LINK	MONTHLY SERVICE	53.07
COX BUSINESS SERVICES	MONTHLY SERVICE	88.39
MIDWEST IMPRESSIONS	FLAG FOOTBALL JERSEYS, SOCCER SHIRTS	3,091.40
QUALITY FENCE CO	CHAIN LINK FENCE	3,368.00
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES-MAR 2022	104.21
		<hr/>
		\$ 19,147.07

BUILDING MAINTENANCE

BLACK HILLS ENERGY	MONTHLY SERVICE	2,391.39
CARPENTER PAPER CO	JANITORIAL SUPPLIES	884.03
CENTURY LINK	MONTHLY SERVICE	4.20
COMMERCIAL RECREATION SPECIALISTS	DUMPING BELLS-GILBERT POOL	510.85
CONTROL MASTERS, INC	MOVED MASTER SELECTION TO PAGE	290.00
FERGUSON ENTERPRISES INC #1657	PLUMBING SUPPLIES	96.25
IDEAL PURE WATER COMPANY	BOTTLED WATER	33.00
JACKSON SERVICES, INC	DOOR MAT SERVICE-CITY BLDGS	207.89
MENARDS	TRASH CANS, CLEANING SUPPLIES, LIMESTONE, ADHESIVE, BATTERIES	337.40
MMC MECHANICAL CONTRACTORS, INC	BOILER NOT WORKING	349.50
OMAHA PNEUMATIC EQUIPMENT CO	NEW CHAMPION COMPRESSOR	5,184.62
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE	1,174.76
ROTO-ROOTER SERVICES CO	CLEAR MAIN SEWER PIPE	402.46
SHERWIN WILLIAMS CO	PAINT	36.96
THE HOME DEPOT PRO	JANITORIAL SUPPLIES	2,130.97
TREES SHRUBS AND MORE	MULCH	189.00
TRICO MECHANICAL SERVICES	REPLACE EXHAUST FAN	1,500.00
TRISTAR RISK MANAGEMENT, INC	WORK COMP FUNDING-MAR 2022	10,446.86
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES-MAR 2022	426.16
VOSS LIGHTING	JANITORIAL SUPPLIES	474.60
WESTLAKE ACE HARDWARE	PLUMBING SUPPLIES, VACUUM HOSE	41.33
WINDOWS TINTING	COMMERCIAL WINDOW FILM INSTALLATION	392.13
		<hr/>
		\$ 27,504.36

CEMETERY

BELLEVUE MEMORIAL CHAPEL	REIMB FOR OVERCHARGES	340.00
BLACK HILLS ENERGY	MONTHLY SERVICE	36.07
CENTURY LINK	MONTHLY SERVICE	4.20
COX BUSINESS SERVICES	MONTHLY SERVICE	83.39
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE	818.34
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES-MAR 2022	284.47
		<hr/>
		\$ 1,566.47

STREETS

AMAZON.COM, LLC	CUTTING BLADES FOR PLOTTER, IMPACT WRENCH	229.65
BLACK HILLS ENERGY	MONTHLY SERVICE	1,830.48
CENTURY LINK	MONTHLY SERVICE	37.80
CONCRETE SUPPLY, INC	CONCRETE	544.00
COX BUSINESS SERVICES	MONTHLY SERVICE	274.17
DELL MARKETING L.P.	2 COMPUTERS	3,508.80

MINUTE RECORD

CLAIMS FOR APRIL 19, 2022

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STREETS (cont'd)

HDR ENGINEERING, INC	BPW 210313 FT CROOK MSTR PLAN 2022/02/27-03/26	30,990.00
HGM ASSOCIATES INC	BPW 211224 BRIDGE REPAIRS THRU 2022/03/15	20,811.80
INDEPENDENT SALT CO	ICE CONTROL SALT	8,549.49
LOGAN CONTRACTORS SUPPLY	FINISH BROOM, CONCRETE PLACERS, NAIL STAKES, HANDLE	3,217.30
MAGDALENO RIVERA	REIMB FOR CDL LICENSE	59.50
MENARDS	SHOVELS, LUMBER, HAMMER, NAILS, BATTERIES	857.65
METRO LEASING	8748-METRO LEASE-2022/03/25 INT'L TRUCKS (6)	26,953.86
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE	2,799.89
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE	70,226.02
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE	11,543.82
READY MIXED CONCRETE COMPANY	CONCRETE	29,260.28
TRAVELERS	LIABILITY CLAIMS	12,740.00
TRISTAR RISK MANAGEMENT, INC	WORK COMP FUNDING-MAR 2022	652.77
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES-MAR 2022	3,839.33
		\$ 228,926.61

FLEET MAINTENANCE

911 CUSTOM, LLC	PARTITION BUCKLE UTILITY, ULTRASTINGER LED	307.50
AA WHEEL & TRUCK SUPPLY, INC	BALL, U-CHANNEL, COUPLER, BREAK-AWAY-KIT, SEALS	338.37
ALLIED OIL & SUPPLY COMPANY	OIL	3,036.65
AMAZON.COM, LLC	CIRCUIT BREAKER, COUPLINGS, FILTERS, PLIERS, SPOT LIGHT	597.55
AUTO VALUE PARTS - SOUTH OMAHA	TURBO MOUNTING GASKET SET, TUBES, SPARK PLUGS, WHEEL NUTS	244.37
AUTOMOTIVE WAREHOUSE DIST, INC	PARTS, BRAKLEEN, STARTING FLUID, THREADLOCKER, BLACKJACK	1,121.82
AUTOZONE, INC	BATTERIES, SEALANT, TRANSMISSION MOUNT	486.91
BAUER BUILT	TIRES	2,633.02
BAXTER CHRYSLER DODGE JEEP	GASKETS, SEALS	68.14
BAXTER FORD	TUBE, CABLE, BOLTS, ELEMENTS, SEALS, GASKETS, FILTER	585.36
BLACK HILLS ENERGY	MONTHLY SERVICE	988.32
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	55.06
CENTURY LINK	MONTHLY SERVICE	29.40
COX BUSINESS SERVICES	MONTHLY SERVICE	107.39
CUMMINS SALES AND SERVICE	GASKETS	8.84
DULTMEIER SALES LLC	VALVE REPAIR KIT, TEFLON SEALS	83.00
ELKHART BRASS MFG CO	REBUILD PISTON VALVE	920.61
FACTORY MOTOR PARTS CO	PARTS, IGNITION WIRE, PUMP ASSEMBLY, IGNITION COIL, SPARK PLUGS	170.36
GRAHAM TIRE COMPANY	TIRES	2,825.21
GRAINGER	ELECTRIC WINCH, GLOVES	2,447.06
INLAND TRUCK PARTS CO	BRAKE DRUM, FREIGHT	520.10
INTERSTATE BATTERIES	BATTERIES	2,428.10
INTERSTATE POWER SYSTEMS, INC	LABOR FOR BRAKE ISSUES	485.48
J & J SMALL ENGINE SERVICE	HYD OIL, TIRES, OIL, ROLLER, SEALS, GASKETS	1,952.55
JUDAH CASTER COMPANY	CASTERS	25.00
KRIHA FLUID POWER CO	HOSE ASSEMBLY, BULKHEAD RUN TEE	1,350.07
LOGAN CONTRACTORS SUPPLY	HYD FILTER	49.00

MINUTE RECORD

CLAIMS FOR APRIL 19, 2022

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FLEET MAINTENANCE (cont'd)

MACQUEEN EQUIPMENT, LLC	VALVE STEM, RIM, SHACKLES, TRANSDUCER WATER LEVEL, STEERING PUMP	2,380.74
MATHESON TRI-GAS INC	WELDING SUPPLIES, GLOVES	159.70
MENARDS	PARTS, CIRCULAR SAW BLADES	64.00
MENARDS - RALSTON	AIR FRESHNER	19.84
NAPA AUTO PARTS	FILTERS, WIPER BLADES, ACTUATOR, CONNECTORS, SWAY BAR FRAME, ENGINE MOUNT, CLAMPS	1,533.26
NEBRASKA IOWA INDUSTRIAL FASTENERS	PARTS, DRIL BITS, TERMINALS, CABLES	328.40
OFFERMAN EQUIPMENT LLC	ROTATION SWITCHES, MICROSWITCH	293.97
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE	1,092.26
OMAHA SLINGS	CABLES, SHACKLES, EYE BOLTS	567.34
O'REILLY AUTOMOTIVE PARTS	10 AMP MINI LITE	9.99
P&M HARDWARE	CASTER SEALS	133.60
POWERPLAN	SPRINGS, SOLENOID, BOLTS	210.14
SWAN ENGINEERING	O-RINGS	50.38
TOOL SHED	CUTOFF WHEELS, TIP HOLE SAW	225.61
TOYNE, INC	VALVE BODY, CABLE	861.67
TY'S OUTDOOR POWER & SERVICE	FUEL PUMP, INTAKE GASKET	33.97
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES-MAR 2022	589.40
WALKERS UNIFORM RENTAL	UNIFORM SERVICE	198.93
WATCHGUARD VIDEO	VIDEO CABLES AND ANTENNAS	529.00
		<u>\$ 33,147.44</u>

SOLID WASTE

PAPILLION SANITATION	GLASS RECYCLING 2022/3/1-3/8	369.85
		<u>\$ 369.85</u>

PLANNING

BLACK HILLS ENERGY	MONTHLY SERVICE	61.66
CENTURY LINK	MONTHLY SERVICE	12.60
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	122.64
GRETNA GUIDE & NEWS	LEGAL ADS	31.56
		<u>\$ 228.46</u>

PERMITS & INSPECTIONS

AMAZON.COM, LLC	INTERCOM SPEAKER	48.89
BLACK HILLS ENERGY	MONTHLY SERVICE	82.21
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	74.28
CENTURY LINK	MONTHLY SERVICE	21.00
INFOSAFE SHREDDING	SHREDDING SERVICE	120.00
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES-MAR 2022	976.61
		<u>\$ 1,322.99</u>

POLICE

ABM SUPPLY	ULTRA LITE WEIGHT HELMETS	2,550.00
AMAZON.COM, LLC	3-SHELF STORAGE UNIT, CAMERA, BULLETIN BOARD, HEADPHONES, KITCHEN WARE, DVD-DISCS, USB DRIVES	3,512.53
ARACELI VAZQUEZ	TRAINING EXPENSES	96.50
A-RELIEF SERVICES	PORTABLE RESTROOM-GUN RANGE	128.00
ASHLEY SIMET	REIMB FOR DAMAGED PHONE	230.82
AVERY L LOSCHEN	RENT FOR K9 BUILDING-MAY 2022	1,248.00

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CLAIMS FOR APRIL 19, 2022

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POLICE (cont'd)

BENEFIT PLANS	POLICE PENSION PLAN-APR 2022-MD, JG, MG	8,817.56
BLACK HILLS ENERGY	MONTHLY SERVICE	1,459.71
CENTURY LINK	MONTHLY SERVICE	359.91
CONNER PSYCHOLOGICAL SERVICES PC	WELLNESS CHECKS, FITNESS FOR DUTY	3,300.00
COX BUSINESS SERVICES	MONTHLY SERVICE	184.99
CRYSTAL KENNY	REIMB FOR PHONE CASE AND SCREEN PROTECTOR	64.04
CULLIGAN OF OMAHA	BOTTLED WATER	530.30
EFFECTIVE COMMUNICATIONS INC	SOCIAL MEDIA LIABILITY COURSE	407.00
GALLO PROFESSIONAL POLYGRAPH SERVICES	POLYGRAPH SERVICES	400.00
GOVDIRECT, INC	BATTERY	146.26
GREAT PLAINS UNIFORMS	BALLISTIC VEST, UNIFORM SHIRTS	7,109.56
HITOUCH BUSINESS SERVICES CREDIT	COPY PAPER	539.80
HOTSY EQUIPMENT CO	WORK ON PRESSURE WASHER	424.18
IDEAL IMAGES, INC	SHIRTS, HATS, T-SHIRTS	1,085.00
INTREPID NETWORKS,LLC	INTREPID NETWORK ANNUAL SERVICE FEE 2022/3/29	3,960.00
JACKSON SERVICES, INC	DOOR MAT SERVICE	148.79
JOE MILOS	REIMB TRAINING EXPENSES	127.50
KELLER SEEDING & SUBCONTRACTING	2022 GUN RANGE LEASE	2,500.00
LAWS COMMUNICATIONS, LLC	INCOMING SOCIAL MEDIA TRAINING	4,153.23
LENS EQUIPMENT	YEARLY RENEWAL FOR GPD TRACKERS-2022/05/01 & 08	998.00
LP POLICE	LOCATE MONTHLY PLAN-MAR 2022	129.95
MATRIX BUSINESS SYSTEMS INC	COPIER EXPENSE	495.54
MENARDS	TOOLS, SUPPLIES, SCRAPER	183.47
MIDWEST STORAGE SOLUTIONS	SHELVES	450.00
MIKE HOLM	REIMB FOR CAR REMOTE BATTERY	6.06
MMC MECHANICAL CONTRACTORS, INC	INSTALL NEW DUCT WORK FOR NEW OFFICES	349.50
NICHOLAS GREINER	REIMB TRAINING EXPENSES	641.75
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE	83.16
POLICE EXECUTIVE RESEARCH FORUM	SENIOR MGT INSTITUTE-STROEHER	9,700.00
POWERDMS	PROFESSIONAL SUBSCRIPTION 2022/4/1-2023/3/31	6,826.50
SETCOM CORP	WIRELESS MOTORCYCLE CABLE KIT	959.93
TRAVELERS	LIABILITY CLAIMS	3,037.99
TRISTAR RISK MANAGEMENT, INC	WORK COMP FUNDING-MAR 2022	7,923.10
TROY BOYLE	REIMB FOR FORENSIC INTERVIEW	43.55
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES-MAR 2022	14,504.13
VERIZON WIRELESS	MONTHLY SERVICE	2,126.25
WALMART-CAPITAL ONE	WALMART CAPITAL ONE STMT 2022/03/19	141.94
WESTLAKE ACE HARDWARE	GEAR TIES, TOOL BOX, CABLE, PADLOCKS	150.01
		\$ 92,234.51

FIRE & RESCUE

AMAZON.COM, LLC	COFFEE SUPPLIES, SCANNER, TONER, SUPPLIES FOR TRAINING	804.33
BLACK HILLS ENERGY	MONTHLY SERVICE	1,408.96
BOUND TREE MEDICAL, LLC	MEDICAL SUPPLIES	6,007.11
CENTURY LINK	MONTHLY SERVICE	107.06
COX BUSINESS SERVICES	MONTHLY SERVICE	576.95
MARCO TECHNOLOGIES, LLC	COPIER EXPENSE	325.25
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE	5,425.96
STRYKER SALES CORPORATION	MEDICAL SUPPLIES	1,334.20
TRISTAR RISK MANAGEMENT, INC	WORK COMP FUNDING-MAR 2022	4,721.12
U.S. CELLULAR	MONTHLY SERVICE	477.32
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES-MAR 2022	8,230.16
VERLO MATTRESS	MATTRESSES AND COVERS, BOXSPRINGS	5,232.00
		\$ 34,650.42

MINUTE RECORD

CLAIMS FOR APRIL 19, 2022

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NON-DEPARTMENTAL/CONTRACTS

BELLEVUE ECONOMIC ENHANCEMENT FOUNDATION	BUXTON PROJECT	10,000.00
BKD & ASSOCIATES, LLP	2021 AUDIT PROGRESS BILLING-FINAL	20,700.00
CENTURY LINK	MONTHLY SERVICE	538.32
COX BUSINESS SERVICES	MONTHLY SERVICE	638.37
GREATER BELLEVUE AREA CHAMBER OF COMMERCE	ECONOMIC DEVELOPMENT AGREEMENT	6,000.00
SARPY COUNTY COURT HOUSE	ANIMAL CONTROL-DIFFERENCE FOR 4 MONTHS	14,429.00
SARPY COUNTY COURT HOUSE	ANIMAL CONTROL-MAY 2022	17,060.00
		\$ 69,365.69

INFORMATION TECHNOLOGY

AMAZON.COM, LLC	ADAPTER	55.88
MNJ TECHNOLOGIES DIRECT, INC	WEB SMART SWITCHES	492.00
MOTOROLA SOLUTIONS, INC	BRACKET	18.92
ONE CALL CONCEPTS	LOCATE	15.66
PCS MOBILE	GETAC OFFICE CRADLE	325.79
TESSCO	LOAD RESISTOR, CRIMP, PRESELECTOR	500.03
WESTLAKE ACE HARDWARE	CLEANING SUPPLIES, CALIPER, MICROMETER	57.16
		\$ 1,465.44

2206 LONGO DR (ANNEX)

COX BUSINESS SERVICES	2022/03/27-04/26 MONTHLY SERVICE	106.86
JIFFY/LEVENSON'S	JANITORIAL SUPPLIES	1,582.12
LONGO DRIVE, LLC	2206 LONGO DR TOTAL CAM EXPENSE 2/10-2/28/22-OPPD	2,677.06
LONGO DRIVE, LLC	2206 LONGO DR TOTAL CAM EXPENSE 2/10-2/28/22-MUD	1,095.42
LONGO DRIVE, LLC	2206 LONGO DR TOTAL CAM EXPENSE 2/10-2/28/22-CENTURY LINK	85.31
LONGO DRIVE, LLC	2206 LONGO DR TOTAL CAM EXPENSE 2/10-2/28/22-REGAL-JANITORIAL	2,853.46
LONGO DRIVE, LLC	2206 LONGO DR TOTAL CAM EXPENSE 2/10-2/28/22-STERICYCLE	111.31
LONGO DRIVE, LLC	2206 LONGO DR TOTAL CAM EXPENSE 2/10-2/28/22-PAP TRASH	173.71
LONGO DRIVE, LLC	2206 LONGO DR TOTAL CAM EXPENSE 2/10-2/28/22-TK ELEVATOR	124.75
LONGO DRIVE, LLC	2206 LONGO DR TOTAL CAM EXPENSE 2/10-2/28/22-WATER LINK	292.89
MENARDS	BOILER DRAIN, BALL VALVE	47.95
METROPOLITAN UTILITIES DIST	MONTHLY SERVICE	236.67
NEBRASKA STATE FIRE MARSHAL	ANNUAL ELEVATOR INSPECTION	120.00
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE	5,654.76
PAPILLION SANITATION	MONTHLY SERVICE	652.44
REGAL FACILITY MANAGEMENT	2022/03/01-3/31 MONTHLY SERVICE	4,205.10
SARPY COUNTY TREASURER'S OFFICE	2021 PROPERTY TAXES-2206 LONGO DR	77,061.43
TRASH AWAY INC	LITTER PICK UP 03/12/22	60.00
WATERLINK INC	MONTHLY SERVICE-MARCH 2022	431.63
		\$ 97,572.87

MINUTE RECORD

CLAIMS FOR APRIL 19, 2022

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WASTEWATER

CENTURY LINK	MONTHLY SERVICE	572.00
CITY OF OMAHA	SEWER BILLING	540,008.99
COX BUSINESS SERVICES	MONTHLY SERVICE	83.39
ELLIOTT EQUIPMENT CO	PIG TAIL, GAUGE, PINS, BALL JOINTS, ROD END	465.81
HDR ENGINEERING, INC	WW AGENCY CONNECT EVAL 2022/2/27-3/26	1,718.83
HDR ENGINEERING, INC	BPW 201109 S LIFT STA PHASE 2 2022/2/27-3/26	17,799.48
HDR ENGINEERING, INC	BPW 211123 WW COLLECTION SYS 2022/2/27-3/26	5,384.76
HDR ENGINEERING, INC	BPW 190409 LIFT STA EVAL 2022/2/27-3/26	1,947.50
JUDDS BROS CONSTRUCTION CO	BPW 201109 S LIFT STATION TO 2022/3/31	330,201.89
NAPA AUTO PARTS	MINIATURE LAMPS, FILTERS, EQUIP CLEANER, OIL	180.86
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE	2,969.49
TRISTAR RISK MANAGEMENT, INC	WORK COMP FUNDING-MAR 2022	137.55
U.S. CELLULAR	MONTHLY SERVICE	767.52
UPS STORE	SHIPPING CHARGES	40.22
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES-MAR 2022	1,490.18
		<u>\$ 903,768.47</u>

COMMUNITY BETTERMENT

OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE	100.16
		<u>\$ 100.16</u>

COMMUNITY DEVELOPMENT

EASTERN NEBRASKA COMMUNITY	CDBG FOOD DELIVERY PROGRAM	5,865.13
		<u>\$ 5,865.13</u>

FEDERAL FORFEITURES

OPTIMAL TRAINING AND EQUIPMENT LLC	PSD GLOVES	2,990.00
VERIZON WIRELESS	MONTHLY SERVICE	446.03
		<u>\$ 3,436.03</u>

TOTAL CLAIMS FOR APRIL 19, 2022 \$ 1,578,596.23

TOTAL PAYROLL FOR APRIL 1, 2022 \$ 1,385,427.60

City of Bellevue Nebraska

Office of the Mayor

Arbor Day

Proclamation 2022

WHEREAS in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees, *and*

WHEREAS 2022 marks the 150th Anniversary of Arbor Day, *and*

WHEREAS this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, *and*

WHEREAS Arbor Day is now observed throughout the nation and the world, *and*

WHEREAS trees can be a solution to combating climate change by reducing the erosion of our precious topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen, and providing habitat for wildlife, *and*

WHEREAS trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products, *and*

WHEREAS trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, *and*

WHEREAS ceremonies with tree plantings will be done at Lewis & Clark Middle and St. Bernadette schools on April 28th, *and*

WHEREAS trees — wherever they are planted — are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Rusty Hike, Mayor of the City of Bellevue do hereby proclaim as **ARBOR DAY** In the City of Bellevue, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, *and*

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Rusty Hike Mayor



*8a.
4/19/2022



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: April 11, 2022
SUBJECT: Reappointment to the Tree Board

Please consider the following for reappointment to the Bellevue Tree Board, they will serve a four-year term ending May 2026.

Joanne Langabee
507 N 3rd Street
Bellevue, NE

Deborah Woracek
1806 Main St
Bellevue, NE 68005

Scott Evans
Douglas County Extension Arborist
8015 W Center Rd
Omaha, NE 68124



City of Bellevue
Office of the City Administrator
1500 Wall Street • Bellevue, Nebraska 68005 • (402) 292-3023

TOPIC FOR CONSIDERATION FOR CITY COUNCIL AGENDA

If you have a specific topic that you would like the City Council to consider at a future meeting, please list your name and contact information and the topic. The matter will be reviewed and forwarded to the city staff for appropriate action or scheduled for a future meeting of the City Council, as may be necessary. You will be notified of any staff recommendation or action take on your request or when the matter will be presented to the City Council for consideration.

Name: Peter Grayson

Address: 816 Driftwood Drive Papillion NE 68046

Telephone Number: (402) 203-8455 Email Address: pgrayson@hotmail.com

Date Submitted: 4/15/2022 Date of Requested City Council Meeting: 4/19/2022

Description of Requested Topic:
Removal of demolition order on 1302 Main Street Bellevue Ne 68005

For Office Use Only:
Date of City Council Meeting: _____ Applicant Contacted: _____

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

12a.
4/19/2022

COUNCIL MEETING DATE: 04/19/2022		SUBMITTED BY: Tammi Palm,		Title: Planning Manager	
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 Lots 1 and 2, Overlook Addition, being a replat of Tax Lot 10B, located in the Southwest 1/4 of Section 10, T13N, R13E of the 6th P.M., Sarpy, County, Nebraska, from AG, to RS-120 for the purpose of residential development; and small subdivision plat Lots 1 and 2, Overlook Addition. Applicants: Cheryl & James Francois. General Location: 2006 Fairview Road.

SYNOPSIS/BACKGROUND:

Cheryl and James Francois have submitted a request to small subdivision plat Lots 1 and 2, Overlook Addition. The applicant has also requested a change of zone from AG to RS-120 for both lots. The properties are currently zoned AG. The current Tax Lot is non-conforming due to the fact it is less than 20 acres. Proposed Lot 1 is developed with an existing house and proposed Lot 2 is vacant. The requested change of zone will match the existing zoning of the adjacent properties and will also bring the property into conformance.

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 have recommended approval of this application.

ATTACHMENTS:

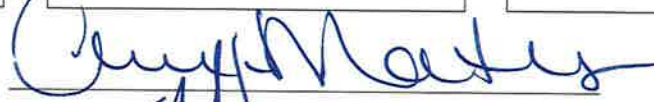

1. <input type="text" value="PC Recommendation"/>	2. <input type="text" value="Staff Report"/>	3. <input type="text" value="Ord. No. 4084"/>
4. <input type="text"/>	5. <input type="text"/>	6. <input type="text"/>

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

City of Bellevue

PLANNING COMMISSION RECOMMENDATION

APPLICANT: Cheryl & James Francois

CASE #'s: S-2202-03, Z-2202-02

CITY COUNCIL HEARING DATE: April 19, 2022

REQUEST: to rezone Lots 1 and 2, Overlook Addition, being a replat of Tax Lot 10B, located in the Southwest ¼ of Section 10, T13N, R13E of the 6th P.M., Sarpy County, Nebraska from AG (Agricultural District) to RS-120 (Single-Family Residential – 12,000 Square Foot Zone) for the purpose of residential development; and small subdivision plat Lots 1 and 2, Overlook Addition

On March, 24, 2022, the City of Bellevue Planning Commission voted eight yes, zero no, one absent and zero abstained:

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

VOTE:

Yes:	Eight:	No:	Zero:	Abstain:	Zero:	Absent:	One:
	Casey						Jacobson
	Hankins						
	Ritz						
	Aerni						
	Cutsforth						
	Ackley						
	Compton						
	Perrin						

Planning Commission Hearing (s) was held on: March 24, 2022

CITY OF BELLEVUE PLANNING DEPARTMENT

RECOMMENDATION REPORT # 2

CASE NUMBERS: Z-2202-02
S-2202-03

FOR HEARING OF:
REPORT #1: March 24, 2022
REPORT #1: April 19, 2022

I. GENERAL INFORMATION

A. APPLICANT:

Cheryl & James Francois
2006 Fairview Road
Bellevue, NE 68123

B. PROPERTY OWNER:

Cheryl & James Francois
2006 Fairview Road
Bellevue, NE 68123

C. GENERAL LOCATION:

2006 Fairview Road

D. LEGAL DESCRIPTION:

Lots 1 and 2, Overlook Addition, being a replat of Tax Lot 10B, located in the Southwest $\frac{1}{4}$ of Section 10, T13N, R13E of the 6th P.M., Sarpy County, Nebraska.

E. REQUESTED ACTIONS:

1. Rezone Lots 1 and 2 Overlook Addition, from AG to RS-120.
2. Small Subdivision Plat Lots 1 and 2, Overlook Addition

F. EXISTING ZONING AND LAND USE:

AG, Single Family Residential

G. PURPOSE OF REQUEST:

The purpose of this request is to obtain approval of a rezoning and small subdivision plat for the purpose a residential development.

H. SIZE OF SITE:

The site is approximately .76 acres.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE:

The site is presently being used residentially.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

- 1. **North:** Single Family Residential, RS-72-PS
- 2. **East:** Single Family Residential, RS-72-PS
- 3. **South:** Single Family Residential, RS-72
- 4. **West:** Single Family Residential, RS-120

C. REVELANT CASE HISTORY:

On March 24, 2022, the Planning Commission recommended approval of a request to rezone Lots 1 and 2 Overlook Addition, being a replat of Tax Lot 10B, located in the Southwest ¼ of Section10, T13N, R13E of the 6th P.M., Sarpy, County, NE from AG to RS-120 for the purpose of residential development: and small subdivision plat Lots 1 and 2, Overlook Addition.

D. APPLICABLE REGULATIONS:

- 1. Section 5.08, Zoning Ordinance, regarding RS-120 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 this area as Agriculture.

B. OTHER PLANS:

None

C. TRAFFIC AND ACCESS:

1. MAPA traffic data indicates 5,800 vehicles per day along Fairview Road near the intersection of South 25th Street.
2. Access will be shared from the existing drive on Fairview Road. An additional drive will not be allowed.

D. UTILITIES:

All utilities are available or will be constructed to this development.

E. ANALYSIS:

1. Cheryl and James Francois have submitted a request for a small subdivision plat for Lots 1 and 2 Overlook Addition for the purpose of a residential development.
2. The applicant is also requesting a change of zone from AG to RS-120 (Single Family Residential) for both lots. Proposed Lot 1 contains a house and proposed Lot 2 is currently vacant.

The property is presently zoned AG. The current tax lot is non-conforming due to the fact it is less than 20 acres.

The proposed RS-120 zone requires a 10-foot side yard setback. The applicant has indicated a change of zone will match the residential lots adjacent to this property. It will also bring the property into conformance.

The proposed lots meet the minimum requirements of the RS-120 zoning district.

3. 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, Sarpy County Planning Director, Sarpy County Public Works Department, Sarpy County Deputy 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.

Michael Sharp, Sarpy County Land Surveyor, and Matt Knight, Public Works Engineer, made comments pertaining to technical revisions to the small subdivision plat. The applicant's engineer has since satisfied these comments.

No other comments were received on this case.

4. With this plat, the applicant is dedicating an additional 50' of right-of-way for Fairview Road.

5. A maintenance agreement regarding the shared access will be filed with the final plat.

F. TECHNICAL DEFICIENCIES:

None

IV. DEPARTMENT RECOMMENDATION

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

V. PLANNING COMMISSION RECOMMENDATION

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

VI. ATTACHMENTS TO REPORT

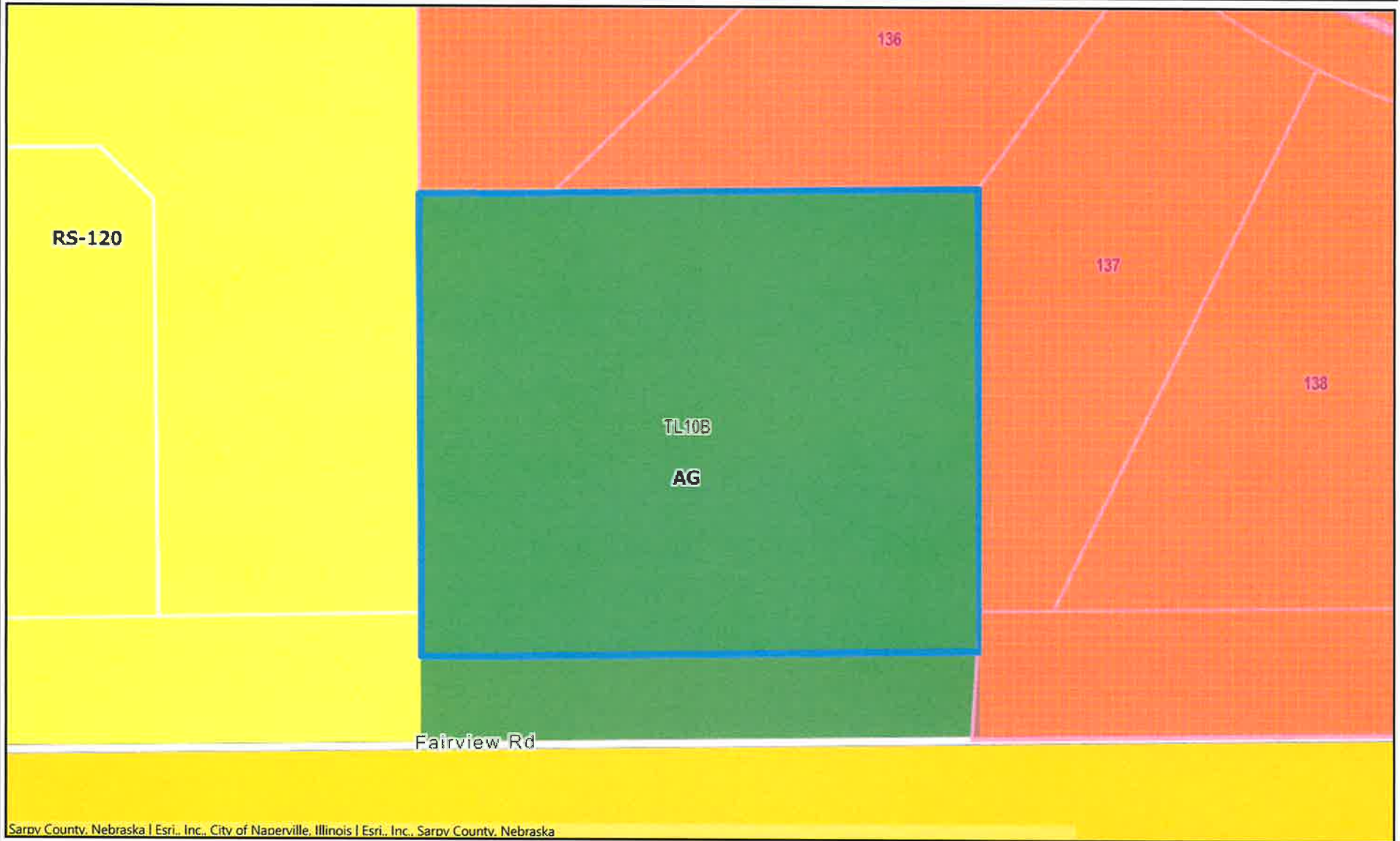
1. Zoning Map
2. 2020 GIS aerial photo of the property
3. Small subdivision plat received March 17, 2022
4. As Built received February 10, 2022
5. Letter from Dennis Whitfield received February 10, 2022

VII. COPIES OF REPORT TO:

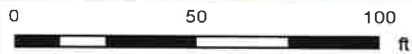
1. Cheryl and James Francois
2. DWS Land Surveying (Dennis Whitfield)
3. Public Upon Request


Assistant Planning Manager

 03/29/20
Planning Manager Date



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



Map Scale 1: 796

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: 796

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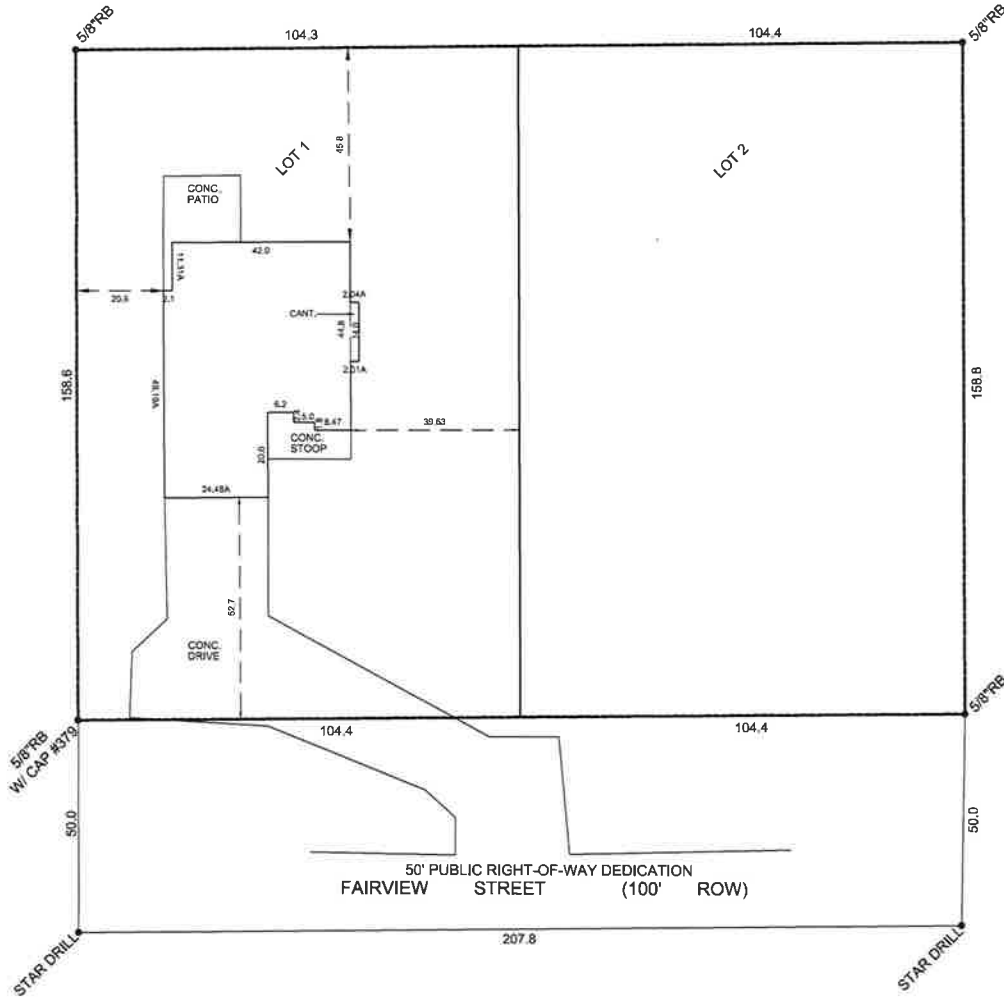


Notes



ASBUILT SURVEY

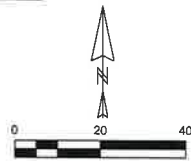
This is a drawing showing the location and dimensions of existing improvements on proposed Lots 1 and 2, OVERLOOK ADDITION, an Addition to the City of Bellevue, as surveyed, platted and recorded in Sarpy County, Nebraska



ZONING
 Current - AG
 Proposed - RS 120

RECEIVED
FEB 10 2022
PLANNING DEPT.

 Signature of Land Surveyor
 Date: 12-2-21
 Project No. 125-52
 Registration No. L. S. 449
 Name: CHERY AND JAMES FRANCOIS
 Official Address: 2006 FAIRVIEW ROAD



D
W
S
 Land Surveying
 Dennis L. Whitfield, PE, LS
 2915 Sheridan Road
 Bellevue, NE 68123
 (402) 292-1221



Land Surveying

2915 Sheridan Road
Bellevue, NE 68123-1993

402-292-1221
dws-services@cox.net

January 24, 2022

Ms. Tammi Palm, Planning Director
City of Bellevue
1510 Wall Street
Bellevue, NE 68005

RE: Proposed "OVERLOOK ADDITION"
Zoning Justification Request

Dear Ms. Palm,

As an attachment to previously filled, "City of Bellevue Rezoning Application" for referenced Plat, the following shall be considered as justification for such;

- Structure on proposed Lot 1 of "OVERLOOK ADDITION" was originally on Tax Lot 10B in the Southwest 1/4 of Section 10, Township 13 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska. Lot area will decrease. To allow for location and usage of existing structure, a rezoning is requested from AG to RS120. Structure now on proposed Lot 1 will conform to 5.08.05 of the Bellevue Zoning Ordinance.
- Proposed Lot 2 of "OVERLOOK ADDITION" is currently undeveloped originally on Tax Lot 10B in the Southwest 1/4 of Section 10, Township 13 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska. To allow for development and conform to surrounding Lots, a rezoning is requested from AG to RS120. Future structure on proposed Lot 2 will be able to conform to 5.08.05 of the Bellevue Zoning Ordinance.

Please advise should additional questions or concerns need to be addressed.

Best Regards,

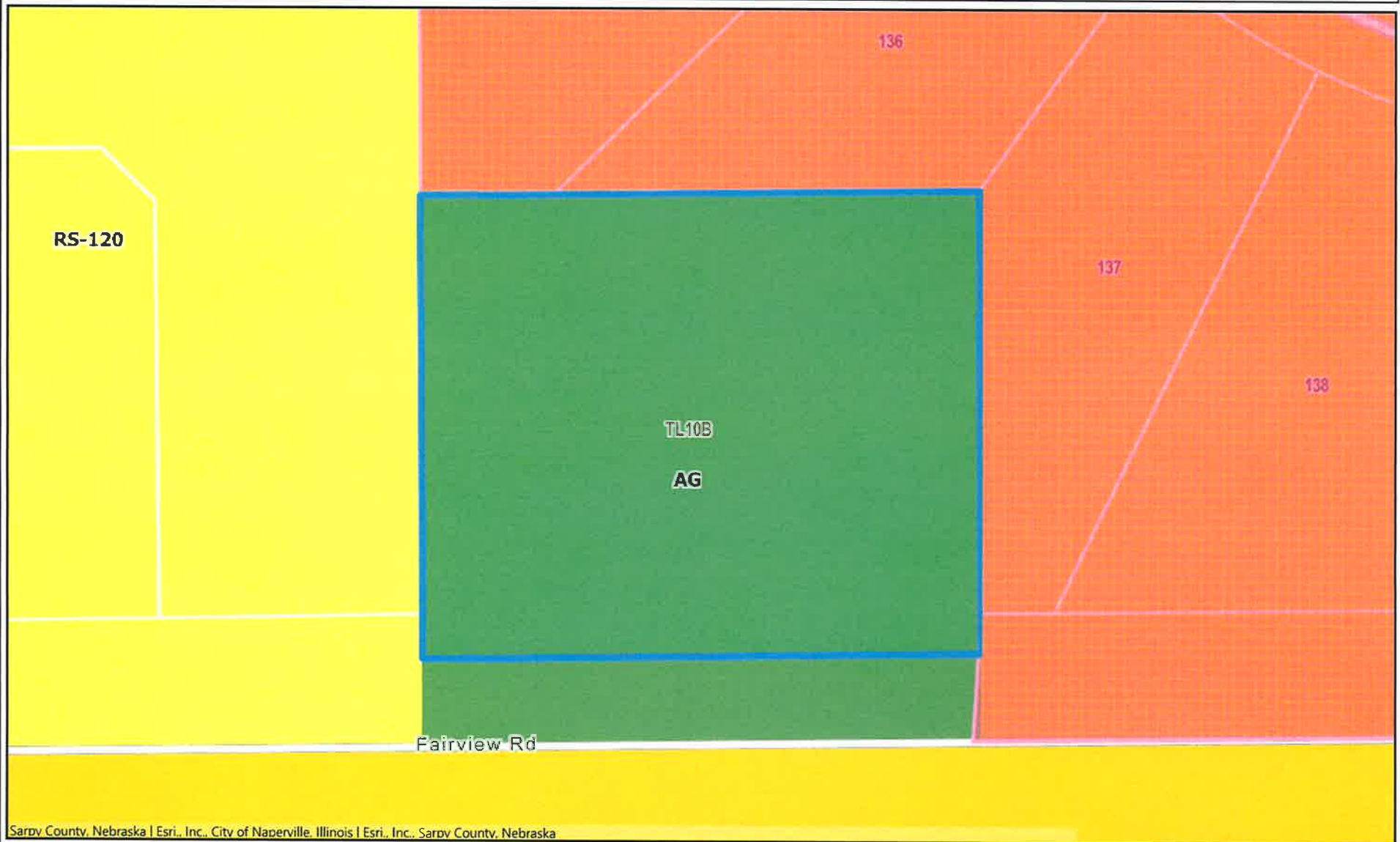
A handwritten signature in blue ink, appearing to read 'Dennis L. Whitfield', is written over a light blue horizontal line.

Land Surveyor for the Owner,
Dennis L. Whitfield, P.E., L.S.

RECEIVED

FEB 10 2022

PLANNING DEPT.



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



Map Scale 1: 796

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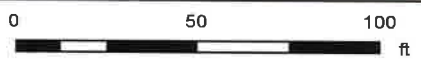


Notes





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



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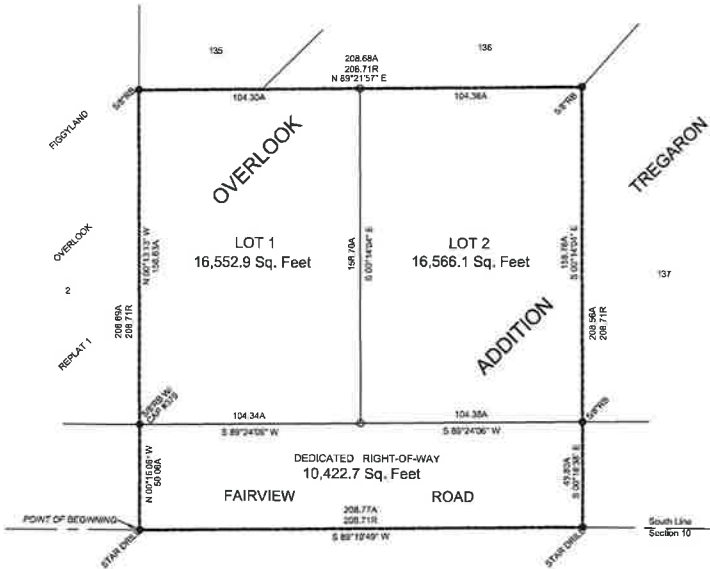
Notes



OVERLOOK ADDITION

LOTS 1 & 2

Being a Platting of TAX LOT 10B,
in the Southwest 1/4 of Section 10,
Township 13 North, Range 13 East
of the 6th P.M., Sarpy County, Nebraska.



LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I have made a boundary survey of the subdivision herein and that permanent monuments have been found or set at all corners of said subdivision to be known as OVERLOOK ADDITION, being a platting of Tax Lot 10B, in the Southwest 1/4 of Section 10, Township 13 North, Range 13 East of the 6th P. M., Sarpy County, Nebraska, more particularly described as follows:

Beginning at the Southwest corner of said Tax Lot 10B; thence North 00°15'06" West (assumed Bearing) along the West line of said Tax Lot 10B a distance of 50.06 feet; thence continuing along said West line North 00°13'13" West a distance of 158.63 feet to the Northwest corner of said Tax Lot 10B; thence North 89°21'57" East along the North line of said Tax Lot 10B a distance of 208.66 feet to the Northeast corner of said Tax Lot 10B; thence South 00°14'04" East along the East line of said Tax Lot 10B a distance of 158.76 feet; thence continuing on said East line South 00°18'38" East a distance of 49.80 feet to the Southeast corner of said Tax Lot 10B; thence South 89°19'49" West along the South line of said Tax Lot 10B a distance of 208.77 feet to point of beginning and containing 1.0 acres more or less.

Dennis L. Whitfield, L.S. 449

Date: 11-12-21

DEDICATION

Know all men by these presents that we, James M Francois, and Cheryl L Francois, husband and wife, being the owners of the property described within the Surveyor's Certificate and embraced within this Plat, have caused said land to be Replatted as shown, said addition to be hereafter known as "OVERLOOK ADDITION", and we do hereby ratify and approve of the deposition of the property as shown on this plat, and we do hereby dedicate to the public for public use, the street and we do further 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 herein defined as those lots forming the outer perimeter of the above described addition. The sixteen (16) foot wide 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 cul-de-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 herein granted.

In witness whereof, we do set our names this ____ day of _____, 2022.

James M Francois

Cheryl L Francois

ACKNOWLEDGEMENT OF NOTARY

Slate of Nebraska)

) SS

County of _____)

On this ____ day of _____ 20____, before me, a Notary Public duly commissioned and qualified in and for said County, appeared James M Francois and Cheryl L Francois, husband and wife, known by me to be the identical persons whose names are affixed to the Dedication on this Plat, and did acknowledge the execution inherent to be their voluntary act and deed.
My Commission expires _____.

Notary Public

COUNTY TREASURER'S CERTIFICATION

This is to certify that I find no regular or special taxes due or delinquent against the property as described in the Surveyor's Certificate and as shown by the records of this office.

Sarpy County Treasurer

Date

BELLEVUE CITY COUNCIL APPROVAL

This Plat of "OVERLOOK ADDITION" was approved by the City Council of Bellevue on this ____ Day of _____. Approval of this final Plat shall become null and void Ninety (90) days from the date of City Council approval if this Plat is not filed with the Register of Deeds as provided in Section 4-10 of the City of Bellevue Subdivision Regulations.

Mayor

Attest

APPROVAL OF CITY OF BELLEVUE PLANNING COMMISSION

This Plat of "OVERLOOK ADDITION" was approved by the City of Bellevue Planning Commission.

Chairman of City Planning Commission

Date

REVIEWED BY SARPY COUNTY PUBLIC WORKS

This Plat of "OVERLOOK ADDITION" was reviewed by the Sarpy County Surveyor's Office.

Sarpy County Engineer / Surveyor

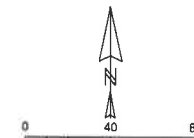
Date

Reserved for Sarpy County Deeds Office

RECEIVED
MAR 17 2022
PLANNING DEPT.

OVERLOOK ADDITION
City of Bellevue - Small Subdivision

DWS Land Surveying
2915 Sheridan Road, Bellevue, NE 68123

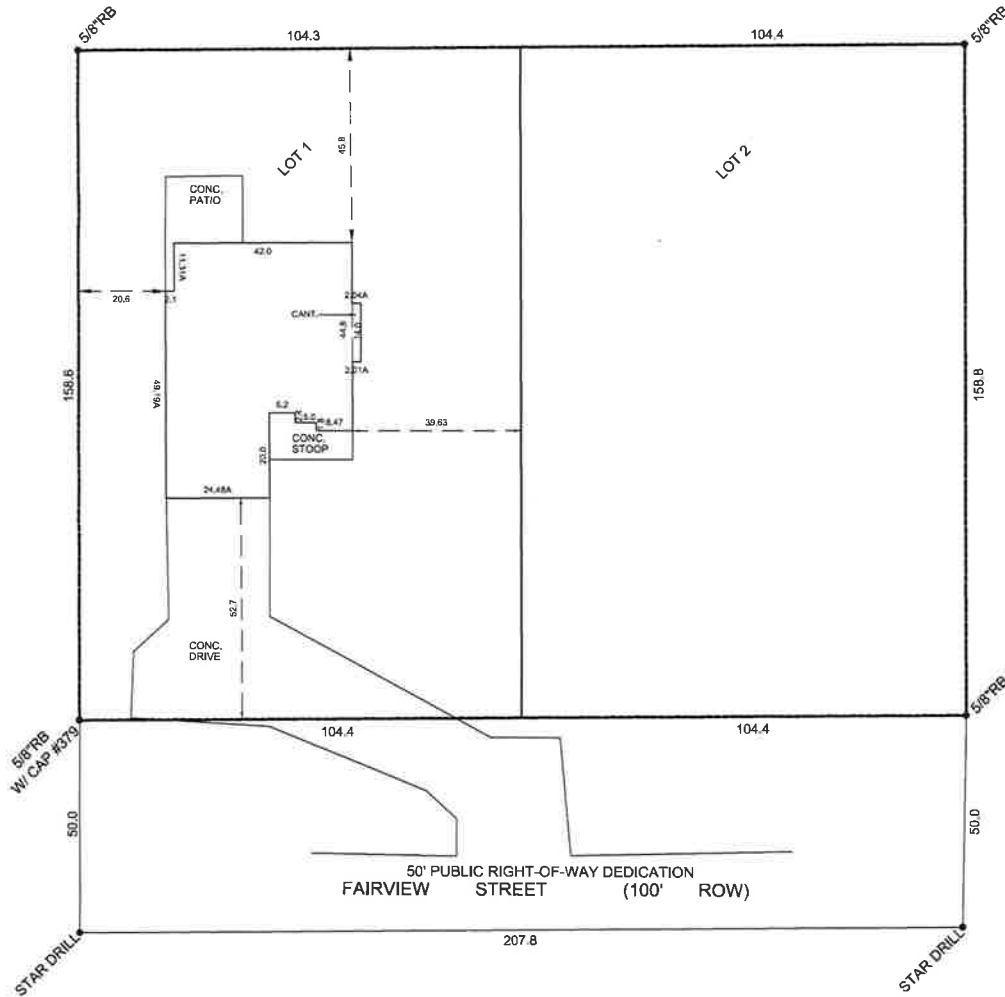


LEGEND	
o	Pine Set
o	Iron Pin
■	Pine Found
R	Record Dimension
P	Plat Dimension
A	Actual Dimension
PT	Pinch Top
OT	Open Top
RB	Rebar
C	Centerline
⊙	Section Corner
lc	Long Chord
SB	Smooth Bar

Date: 11-12-21
Project: 125-52C
Sheet: 1 of 1

ASBUILT SURVEY

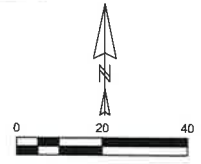
This is a drawing showing the location and dimensions of existing improvements on proposed Lots 1 and 2, OVERLOOK ADDITION, an Addition to the City of Bellevue, as surveyed, platted and recorded in Sarpy County, Nebraska



ZONING
 Current - AG
 Proposed - RS 120

RECEIVED
FEB 10 2022
PLANNING DEPT.

 Signature of Land Surveyor
 Date: 12-2-21
 Project No. 125-52
 Registration No. L.S. 449
 Name: CHERY AND JAMES FRANCOIS
 Official Address: 2006 FAIRVIEW ROAD



D
W
S
 Land Surveying
 Dennis L. Whitfield, PE, LS
 2915 Sheridan Road
 Bellevue, NE 68123
 (402) 292-1221

ORDINANCE NO. 4084

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 2006 FAIRVIEW 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, Overlook Addition, being a replat of Tax Lot 10B, located in the Southwest ¼ of Section 10, T13N, R13E of the 6th P.M., Sarpy County, Nebraska

From AG (Agricultural District) to RS-120 (Single-Family Residential – 12,000 Square Foot Zone)

(Cheryl & James Francois)

Section 2. This ordinance shall not take effect until such time as the small subdivision plat of Overlook 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: _____

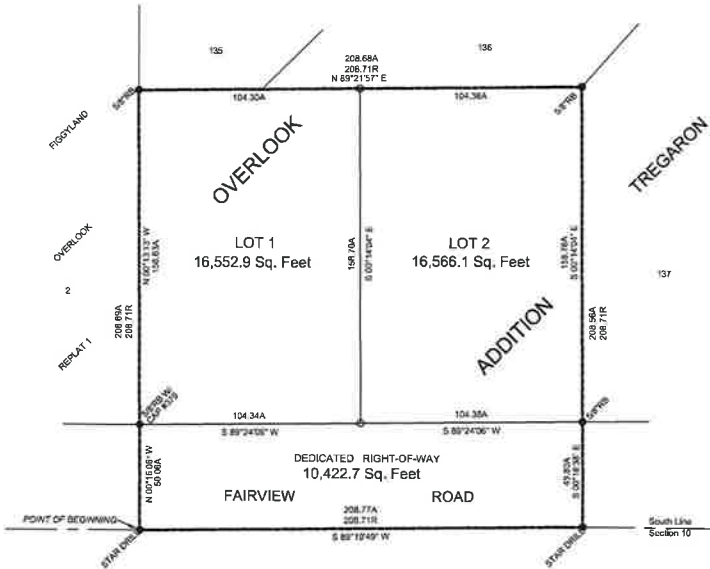
Second Reading: _____

Third Reading: _____

OVERLOOK ADDITION

LOTS 1 & 2

Being a Platting of TAX LOT 10B,
in the Southwest 1/4 of Section 10,
Township 13 North, Range 13 East
of the 6th P.M., Sarpy County, Nebraska.



LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I have made a boundary survey of the subdivision herein and that permanent monuments have been found or set at all corners of said subdivision to be known as OVERLOOK ADDITION, being a platting of Tax Lot 10B, in the Southwest 1/4 of Section 10, Township 13 North, Range 13 East of the 6th P. M., Sarpy County, Nebraska, more particularly described as follows:

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Dennis L. Whitfield, L.S. 449

Date: 11-12-21

DEDICATION

Know all men by these presents that we, James M Francois, and Cheryl L Francois, husband and wife, being the owners of the property described within the Surveyor's Certificate and embraced within this Plat, have caused said land to be Replatted as shown, said addition to be hereafter known as "OVERLOOK ADDITION", and we do hereby ratify and approve of the deposition of the property as shown on this plat, and we do hereby dedicate to the public for public use, the street and we do further 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 herein defined as those lots forming the outer perimeter of the above described addition. The sixteen (16) foot wide 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 cul-de-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 herein granted.

In witness whereof, we do set our names this ____ day of _____, 2022.

James M Francois

Cheryl L Francois

ACKNOWLEDGEMENT OF NOTARY

Slate of Nebraska)

County of _____) SS

On this ____ day of _____ 20____, before me, a Notary Public duly commissioned and qualified in and for said County, appeared James M Francois and Cheryl L Francois, husband and wife, known by me to be the identical persons whose names are affixed to the Dedication on this Plat, and did acknowledge the execution inherent to be their voluntary act and deed.
My Commission expires _____.

Notary Public

COUNTY TREASURER'S CERTIFICATION

This is to certify that I find no regular or special taxes due or delinquent against the property as described in the Surveyor's Certificate and as shown by the records of this office.

Sarpy County Treasurer

Date

BELLEVUE CITY COUNCIL APPROVAL

This Plat of "OVERLOOK ADDITION" was approved by the City Council of Bellevue on this ____ Day of _____. Approval of this final Plat shall become null and void Ninety (90) days from the date of City Council approval if this Plat is not filed with the Register of Deeds as provided in Section 4-10 of the City of Bellevue Subdivision Regulations.

Mayor

Attest

APPROVAL OF CITY OF BELLEVUE PLANNING COMMISSION

This Plat of "OVERLOOK ADDITION" was approved by the City of Bellevue Planning Commission.

Chairman of City Planning Commission

Date

REVIEWED BY SARPY COUNTY PUBLIC WORKS

This Plat of "OVERLOOK ADDITION" was reviewed by the Sarpy County Surveyor's Office.

Sarpy County Engineer / Surveyor

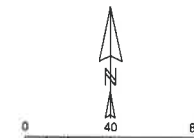
Date

Reserved for Sarpy County Deeds Office

RECEIVED
MAR 17 2022
PLANNING DEPT.

OVERLOOK ADDITION
City of Bellevue - Small Subdivision

DWS
Land Surveying
2915 Sheridan Road, Bellevue, NE 68123



LEGEND	
o	Pine Set
o	Iron Pin
■	Pine Found
R	Record Dimension
P	Plat Dimension
A	Actual Dimension
PT	Pinch Top
OT	Open Top
RB	Rebar
C	Centerline
⊙	Section Corner
lc	Long Chord
SB	Smooth Bar

Date: 11-12-21
Project: 125-52C
Sheet: 1 of 1

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

12b.
4/19/2022

COUNCIL MEETING DATE: 04/19/2022		SUBMITTED BY: Tammi Palm,		Title: Planning Manager	
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 1, Powers Addition, from ML to RE, for the purpose of a single family residence. Applicant: Jeremiah Winsor. General Location: 304 East La Platte Road.

SYNOPSIS/BACKGROUND:

Jeremiah Winsor is requesting a rezoning of Lot 1, Powers Addition, from ML to RE for the purpose of a single family residence. The property is presently zoned ML and the applicant is requesting a change of zone to RE to allow him to repair and utilize the existing single family residence as a permitted use. The property was used as a single family residence prior to the March 2019 flood and the rezoning would allow him to use it as a single family residence once again. Since the property has been vacant for 3 years, the zoning ordinance requires the use conform with the current light industrial zoning.

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 Denial.

ATTACHMENTS:

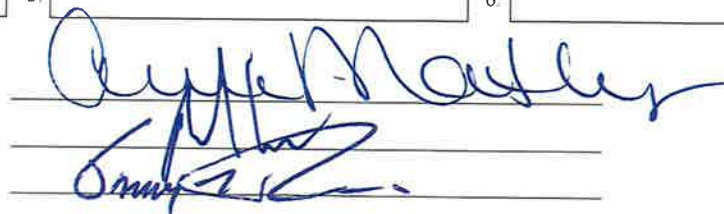
1. <input type="text" value="PC Recommendation"/>	2. <input type="text" value="Staff Report"/>	3. <input type="text" value="Ord. No. 4085"/>
4. <input type="text"/>	5. <input type="text"/>	6. <input type="text"/>

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:



City of Bellevue

PLANNING COMMISSION RECOMMENDATION

APPLICANT: Jeremiah Winsor

CASE #: Z-2202-03

CITY COUNCIL HEARING DATE: April 19, 2022

REQUEST: to rezone Lot 1, Powers Addition, from ML (Light Manufacturing) to RE (Residential Estates) for the purpose of existing single family residential development.

On March 24, 2022, the City of Bellevue Planning Commission voted eight yes, zero no, one absent and zero abstained:

DENIAL based upon the Future Land Use Map of the Comprehensive Plan designating this property for light industrial use.

VOTE:

Yes:	Eight:	No:	Zero:	Abstain:	Zero:	Absent:	One:
	Casey						Jacobson
	Hankins						
	Ritz						
	Aerni						
	Cutsforth						
	Ackley						
	Compton						
	Perrin						

Planning Commission Hearing (s) was held on: March 24, 2022

CITY OF BELLEVUE PLANNING DEPARTMENT

RECOMMENDATION REPORT # 2

CASE NUMBER: Z-2202-03

FOR HEARING OF:

REPORT #1: March 24, 2022

REPORT #1: April 19, 2022

I. GENERAL INFORMATION

A. APPLICANT:

Jeremiah Winsor
2331 Hogantown Drive
Bellevue, NE 68123

B. PROPERTY OWNERS:

Jeremiah Winsor
2331 Hogantown Drive
Bellevue, NE 68123

C. LOCATION:

304 East La Platte Road

D. LEGAL DESCRIPTION:

Lot 1 Powers Addition, located in the Southeast $\frac{1}{4}$ of Section 23, T13N, R13E of the 6th P.M., Sarpy County, Nebraska.

E. REQUESTED ACTIONS:

1. Rezone Lot 1, Powers Addition, from ML to RE.

F. EXISTING ZONING AND LAND USE:

ML, Vacant/ Former Single Family Residential

G. PURPOSE OF REQUEST:

The purpose of this request is to obtain a rezoning for the purpose of an existing single-family residence. The residence is presently vacant.

H. SIZE OF SITE:

The site is approximately 1.09 acres.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE:

The site is presently developed with a partially renovated single family residence, constructed in 1906. The home was damaged in the 2019 floods and has been vacant since that time.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

- 1. **North:** ML, Vacant/Agricultural
- 2. **East:** ML, Developed with a 40' x 60' pole barn
- 3. **South:** ML, (PCS Nitrogen Fertilizer property)/Vacant
- 4. **West:** ML, Vacant/Agricultural

C. REVELANT CASE HISTORY:

- 1. On April 25, 2013, the Planning Commission recommend denial of a request to rezone Lot 1, Powers 4th Addition, being a replat of Lot 1, Powers Addition, and part of Tax Lot 11, located in the Southeast ¼ of Section 23, T13N, R13E of the 6th P.M., Sarpy County, Nebraska from ML to RE for the purpose of an existing single family residence and accessory structures; and small subdivision plat Lot 1, Powers 4th Addition. Denial based upon the Future Land Use Map of the Comprehensive Plan designating this property for light industrial use. The applicant withdrew the request prior to it moving forward to the City Council.
- 2. On March 24, 2022, the Planning Commission recommended denial of a request to rezone Lot 1, Powers Addition, from ML to RE for the purpose of an existing single family residential development.

D. APPLICABLE REGULATIONS:

- 1. Section 5.07, Zoning Ordinance, regarding RE uses and requirements.

III. ANALYSIS

A. COMPREHENSIVE PLAN:

The Future Land Use Map of the Comprehensive Plan designates this property as being light industrial.

B. OTHER PLANS:

None

C. TRAFFIC AND ACCESS:

1. There is no MAPA traffic data available for this area.
2. This property has access via a private driveway from East La Platte Road.

D. UTILITIES:

This property is served by a private well and septic system.

E. ANALYSIS:

1. Jeremiah Winsor has submitted a request to rezone Lot 1, Powers Addition, for the purpose of an existing single family residence.
2. This property is presently zoned ML. The applicant is requesting a change of zone to the RE zoning district to allow him to fix up and utilize the existing single family residence as a permitted use. Mr. Winsor writes the property was used as a single family residence prior to the 2019 floods and the rezoning would bring this property into conformance and allow him to continue its use as a single family residence. Please refer to the applicant's justification letter attached to this report.
3. Section 5.27.04 specifically excludes single family residences in the ML zoning district.
4. The intent of the RE zoning district is to allow low density residential uses on larger parcels of land which are compatible with adjacent urban growth. The minimum lot size is one acre.
5. The current structure and land in combination is considered a non-conforming use. The existing structure has remained vacant and void of improvements for more than twelve (12) consecutive months after the 2019 floods; and therefore, should only be used in conformance with the regulations of the district in which it is located per Section 4.19.

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, 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.

No comments were received on this case.

7. The Future Land Use Map of the Comprehensive Plan shows this area as being light industrial. With construction of the Highway 34 corridor, forthcoming infrastructure, and anticipated development of this area, staff does not believe it is appropriate to rezone this property as Residential Estates, in opposition to the Comprehensive Plan and Future Land Use Map.

F. TECHNICAL DEFICIENCIES:

None

IV. DEPARTMENT RECOMMENDATION

DENIAL based upon the Future Land Use Map of the Comprehensive Plan designating this property for light industrial use.

V. PLANNING COMMISSION RECOMMENDATION

DENIAL based upon the Future Land Use Map of the Comprehensive Plan designating this property for light industrial use.

VI. ATTACHMENTS TO REPORT

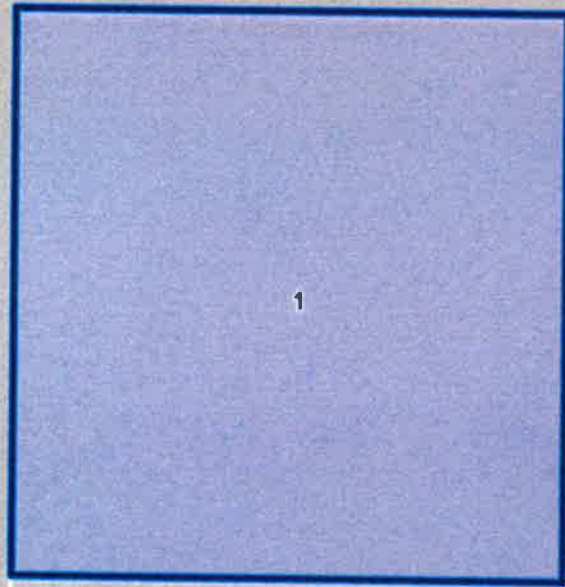
1. Zoning Map
2. 2020 GIS aerial photo of the property
3. Letter from the applicant received February 16, 2022

VII. COPIES OF REPORT TO:

1. Jeremiah Winsor
3. Public Upon Request


Assistant Planning Manager


Planning Manager Date of Report



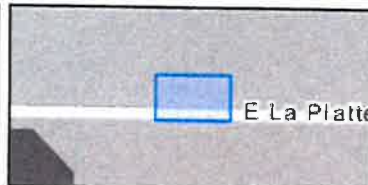
E La Platte Rd

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



Map Scale 1: 1128

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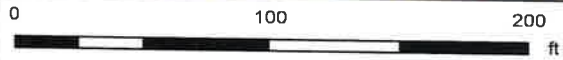
Notes





E La Platte Rd

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



Map Scale 1: 1128

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Notes



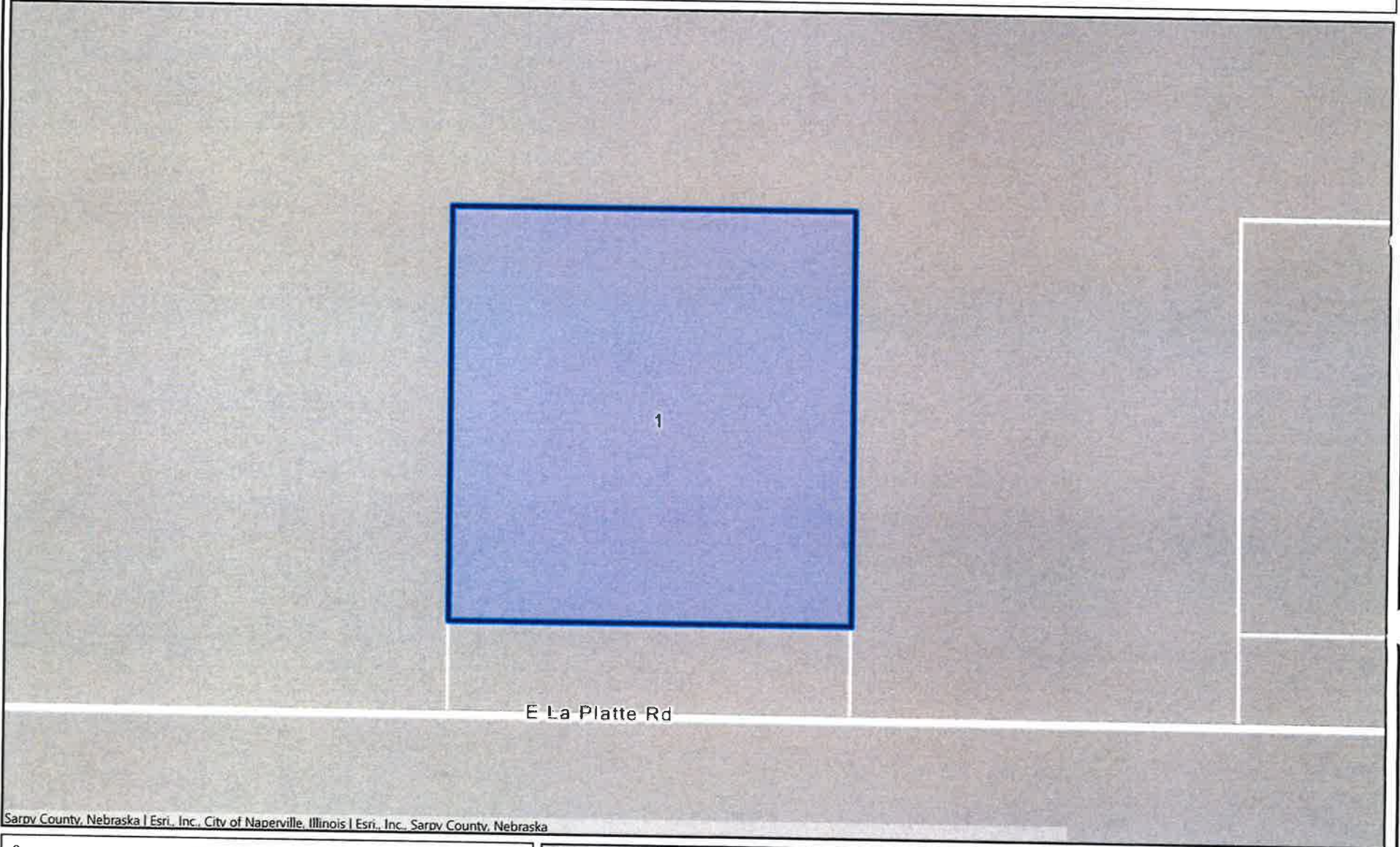
2-16-22

304 E. LA PLATTE RD.

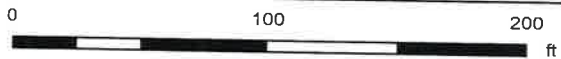
TO WHOM IT MAY CONCERN. THIS PROPERTY
WAS USED AS A SINGLE FAMILY RESIDENCE
PRIOR TO THE 2019 FLOODS, I WISH TO
CONTINUE TO USE IT AS A SINGLE FAMILY
RESIDENCE.

Jeremiah J. Winsor

RECEIVED
FEB 16 2022
PLANNING DEPT.

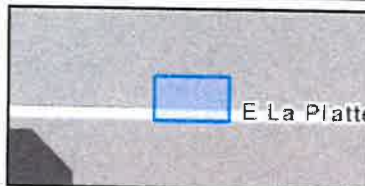


Sarpy County, Nebraska | Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska



Map Scale 1: 1128

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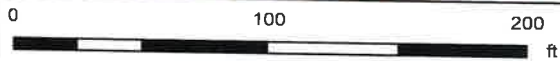
Notes





E La Platte Rd

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



Map Scale 1: 1128

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Notes



ORDINANCE NO. 4085

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 304 E LA PLATTE 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:

Lot 1, Powers Addition, located in the Southeast ¼ of Section 23, T13N, R13E of the 6th P.M., Sarpy County, Nebraska

From ML (Light Manufacturing) to RE (Residential Estates District)

(Jeremiah Winsor)

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

12c.
4/19/2022

COUNCIL MEETING DATE: 04/19/2022	SUBMITTED BY: Tammi Palm	TITLE: Planning Manager
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 annex Sanitary and Improvement Districts #67, Normandy Hills and #242 Cedar View; and all abutting rights-of-way. Applicant: City of Bellevue.

SYNOPSIS/BACKGROUND:

A review of debt, potential City revenue as a result of annexation, and the ability of various City departments to provide services to the residents of these areas indicate it is feasible for the City to annex SID #67 and SID #242 at this time. This annexation is part of an annexation package consisting of two SID's and miscellaneous lots. The Planning Departments memorandum regarding the fiscal analysis and department review of the proposed annexation package is attached.

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 have recommended approval of this annexation request.

ATTACHMENTS:


1. Planning Commission Recommendation Sheet	2. Staff Report	3. Ord. No. 4086
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:



City of Bellevue

PLANNING COMMISSION RECOMMENDATION

APPLICANT: City of Bellevue

CITY COUNCIL HEARING DATE: April 19, 2022

REQUEST: to annex Sanitary and Improvement Districts #67 Normandy Hills and #242 Cedar View; and all abutting rights-of-way.

On March 24, 2022, the City of Bellevue Planning Commission voted eight yes, zero no, one absent and zero abstained:

APPROVAL based upon the positive financial impact on the City and the natural growth and development of the City.

VOTE:

Yes:	Eight:	No:	Zero:	Abstain:	Zero:	Absent:	One:
	Casey						Jacobson
	Hankins						
	Ritz						
	Aerni						
	Cutsforth						
	Ackley						
	Compton						
	Perrin						

Planning Commission Hearing (s) was held on: March 24, 2022



City of Bellevue

Office of the Planning Department

To: City Council
Mayor Rusty Hike
City Administrator Jim Ristow
From: Angela Curry, Assistant Planning Manager
Date: March 28, 2022
Subject: City of Bellevue annexation proposal

The City of Bellevue is proposing to annex the following two Sanitary and Improvement Districts into the city limits:

SID #67 Normandy Hills
SID #242 Cedar View

In addition to these SIDs, we are also proposing the annexation of an additional twenty (20) parcels that are currently adjacent to the City or will be upon approval of the SID annexations. Individual maps of the SIDs and the twenty (20) additional lots are attached.

FINANCIAL ANALYSIS

When the City annexes Sanitary and Improvement Districts, it assumes both its assets and liabilities. Assets include the infrastructure installed by the SID as well as any cash and investments held by the SID. Liabilities include any outstanding debt, in the form of bonds or warrants. The City will levy taxes on the properties (as it does on all property within the City) to generate funds for debt payments and the provision of City services. Any cash and investments held by the SIDs can also be used to pay debt.

The two SIDs proposed for annexation have an assessed valuation for 2021 of \$50,147,165 which will generate \$305,898 of property tax revenue for the City, based upon the current levy amount. The SIDs also currently have \$347,544 in cash and investments on deposit with the County Treasurer. The initial incremental increase in cash flow for the SID's would be \$356,348 and the potential future capital expenditures would be \$5,495,000. On the liability side, SID #242 has \$60,000 in outstanding bonded indebtedness. Annual debt payments for the bonded indebtedness are \$11,800. Annual tax revenue after debt service payments is expected to be \$294,098 prior to accounting for how the cash and investments are utilized. An increase in state aid, sales tax and other expenditures is expected to be \$191,795. The unincorporated lots will add another \$1,377,798 of valuation, \$8,406 of tax revenue, and an increase of \$58,458 in state aid, sales tax, and other debt to the annexation package. A chart showing figures for the individual SIDs and unincorporated lots is attached for your review.

In addition to property tax revenue, the City will also receive sales tax revenue from items delivered to residences in these areas, as well as from automobile purchases. Occupation taxes would also be collected on such things as phone and cable bills. The amount of revenue generated from these sources is unknown at this time.

Based upon the projected revenue and costs associated with this annexation, including the departmental needs for personnel and equipment as noted below, this annexation package is financially feasible for the City to undertake. Long-term capital projects will need to be addressed separately through the budget and CIP process.

DEMOGRAPHICS

The areas proposed for annexation consist of 272 parcels and 336 dwelling units, including apartments. The population estimate of 668 is based upon the 2020 Census.

DEPARTMENT REVIEW

The annexation proposal was sent out to other City departments for review, with a request for each to identify additional personnel and equipment needed to provide services to these areas. Based on the information provided the estimated increase in department costs would be \$214,554.00. Below is a summary of those comments; full responses are attached to this report.

Parks Department - one Park and open space, tree maintenance, one playground; no additional staff or equipment needed to maintain the four annexation areas. However, per Tom Woodard, Normandy Hills Park equipment and playground surface have several safety concerns. The park equipment will need to be renovated and made ADA accessible. Based on what Mr. Woodard has identified the estimated cost would be \$50,000.00 - \$70,000.00

Wastewater - infrastructure is satisfactory with minimal immediate repairs needed. Wastewater revenue would allow the department to continue to operate within its current operating margin

Street Department - additional 13.81 lane miles to maintain; increase in State Highway Allocation funding of \$112,728; 1 additional FTE personnel (\$50,000); increase in operational expenses of (\$109,502); capital expenses-one single-axle plow truck and one motor-grader (\$425,000)

Police Department - analyzed the SIDs in this annexation proposal would have a limited impact and no additional personnel or equipment needs at this time.

Fire Department - no impact. This area is already covered by the Bellevue Fire Department.

AFFECT ON ANNEXED AREAS

Areas that are annexed into the City will begin receiving City services on the effective date of the annexation. These services include street maintenance and snow removal, park maintenance (where applicable), police response, wastewater service, trash removal, free library cards, and specialized transportation services.

Property taxes

The impact of the property tax levy of the City is shown in the chart below (based upon current levy amounts). In determining future taxes, the levies for the SID and the three districts were removed and replaced with the City tax levy. Total tax amounts are impossible to predict as they are subject to changes in assessed valuations and changes in the tax levy of the various taxing jurisdictions.

<u>SID#</u>	<u>Change in levy</u>	<u>Change in property taxes per \$100,000 valuation</u>
67	0.130500	\$130.50
242	-0.069500	-\$69.50
Area #2	0.430500	\$430.50
Area #3	0.430500	\$430.50
Area #4	0.430500	\$430.50

The unincorporated lots will have a more significant increase in their property tax rates since they are not currently paying a SID tax. These parcels will see an increase of 0.430500 in the mil levy, or \$430.50 per \$100,000 of valuation.

Property tax changes will be effective for taxes assessed in 2022 and due in 2023.

Sales Taxes

City residents are required to pay City sales taxes on items delivered to their homes. This will affect people who buy items on-line or have deliveries from stores such as Nebraska Furniture Mart. The sales tax will also apply to new vehicle purchases. The City's sales tax rate is 1.5%.

Trash pick-up

The City contracts with Papillion Sanitation for residential trash pick-up in the city limits. Residents have the option of choosing 35-, 65-, or 95-gallon trash containers at a cost of \$14.10, \$17.10, or \$19.99 per month, respectively. Residential recycling and yard waste are included in the monthly charge. Billing for trash pick-up is included in the monthly MUD water/gas bill for residents and is not optional for residents. If a new resident wishes to keep his/her current trash service they may, but they will still be billed for Papillion Sanitation service on their MUD bill.

School Districts

The annexation has no effect on school district boundaries.

Post Office/Zip Code

The annexation has no effect on zip codes and which post office serves a particular area.

Planning, Zoning, Building Permits

All areas under consideration for annexation are currently within the City's extra-territorial jurisdiction and are subject to planning, zoning, and permitting requirements. Annexation will have no effect on this. Current uses of a property will be allowed to remain provided they were lawfully established.

Wastewater

Bellevue residents currently pay a minimum monthly wastewater service fee of \$18.79. Non-residents pay the City of Omaha minimum fee of \$39.18, new residents will see a monthly savings of approximately \$20.

Pets

City residents are required to license their pets through the Nebraska Humane Society. There is no change to the number of permitted household pets (three) as that regulation is in the Zoning Ordinance.

Other

In addition to those items above, residents will be able to run for City offices and vote in local elections and be eligible to be appointed to City boards and commissions that require residency. Residents will also pay lower fees for some recreational programs and be able to get a library card free of charge.

PLANNING DEPARTMENT RECOMMENDATION

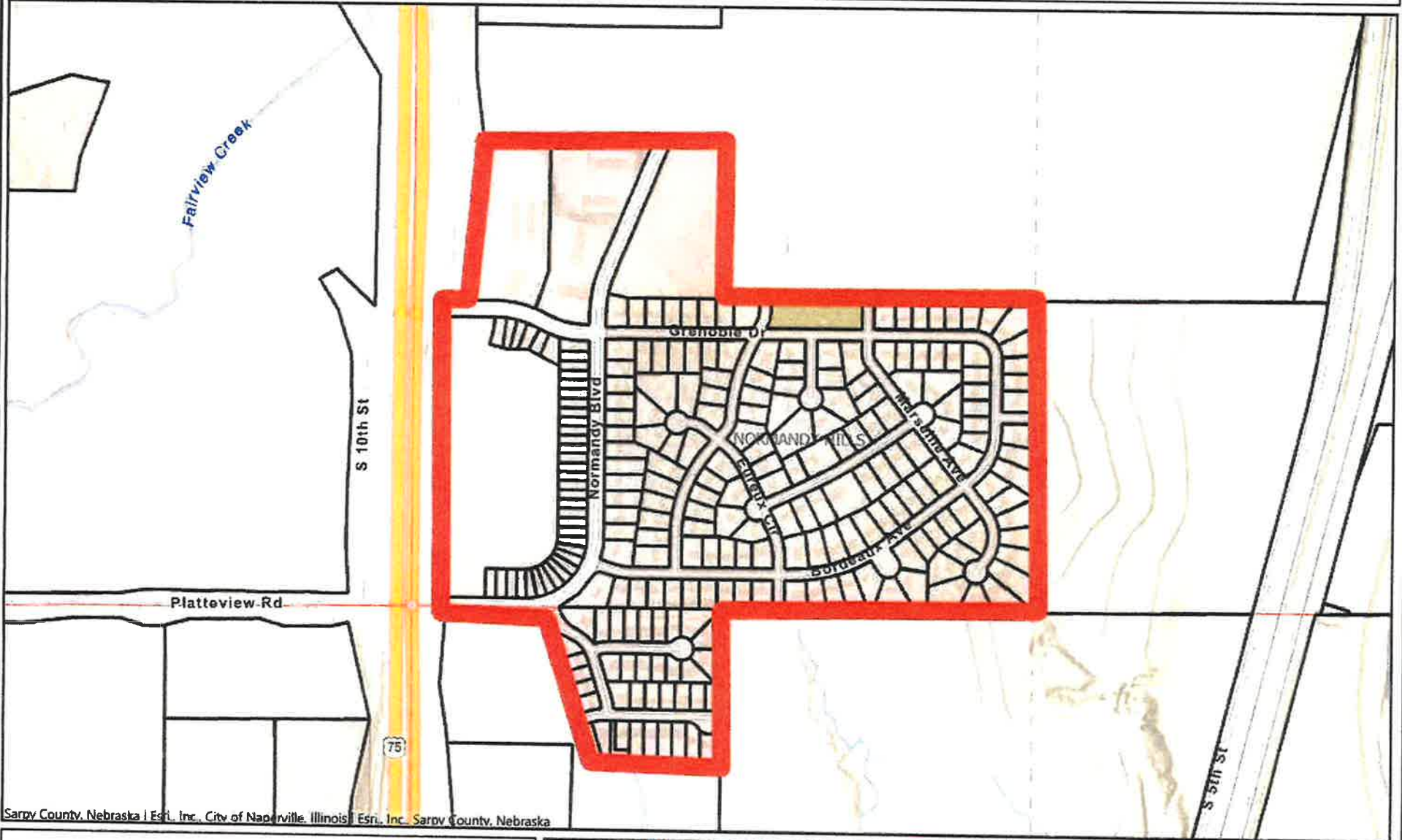
APPROVAL based upon the positive financial impact on the City and the natural growth and development of the City.

PLANNING COMMISSION RECOMMENDATION

APPROVAL based upon the positive financial impact on the City and the natural growth and development of the City.



Annexation Area 1 - SIDs 67 and 242

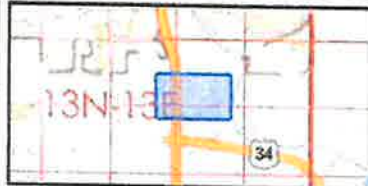


Sarpy County, Nebraska | Esri, Inc. | City of Naperville, Illinois | Esri, Inc. | Sarpy County, Nebraska



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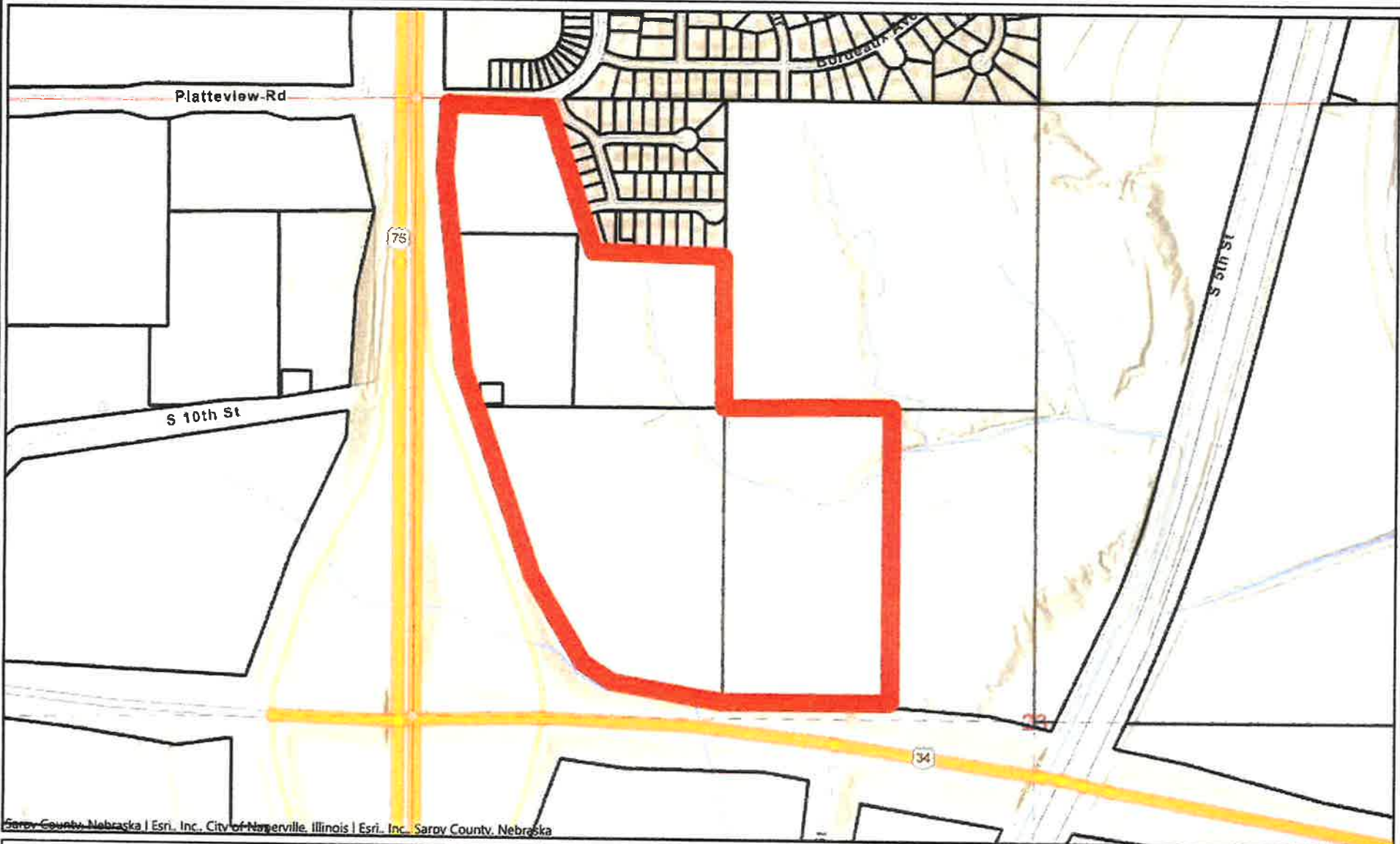
Notes



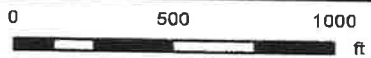


SARPY COUNTY
NEBRASKA

Annexation Area 2



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



Map Scale 1: 9028

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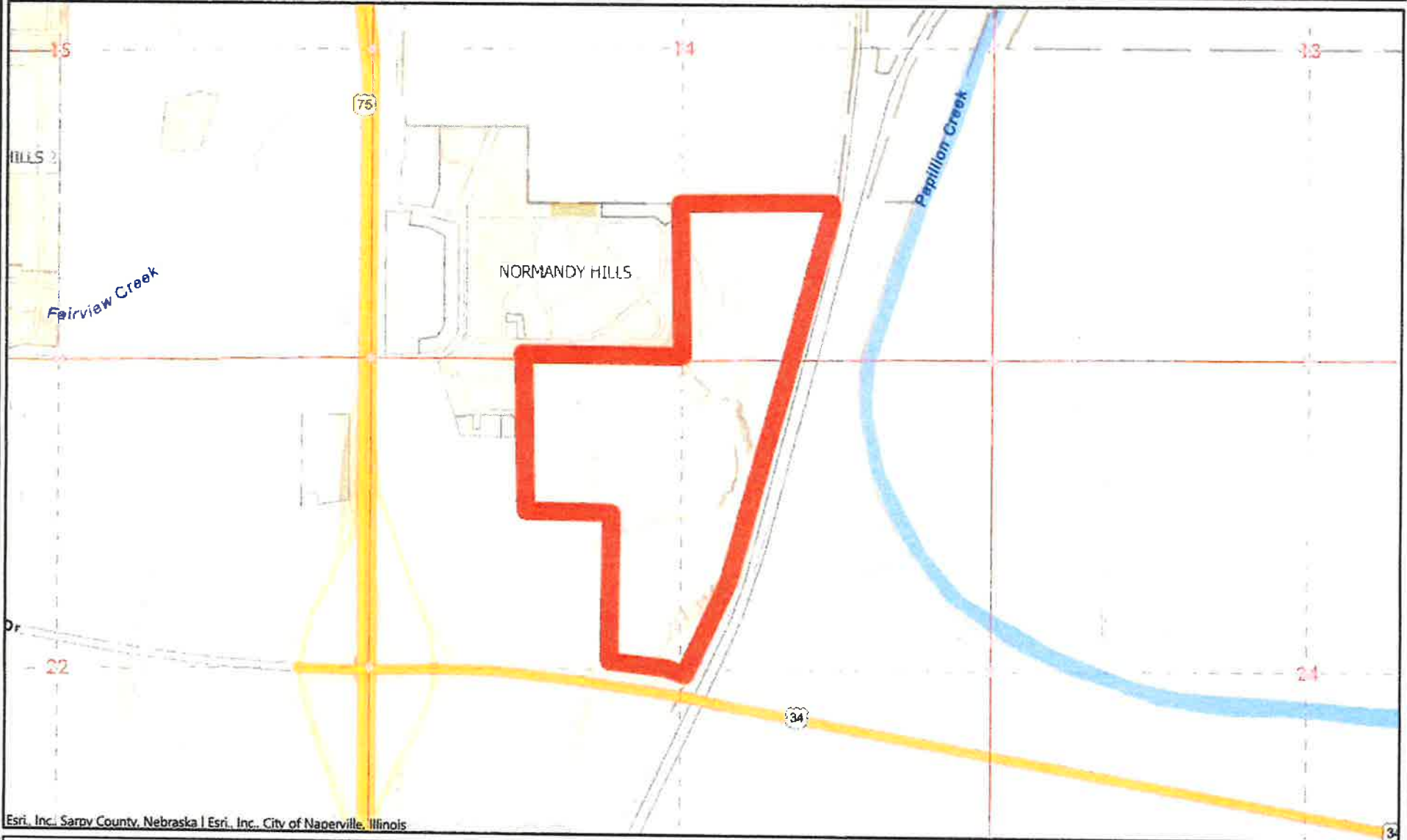
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SARPY COUNTY
NEBRASKA

Annexation Area #3



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



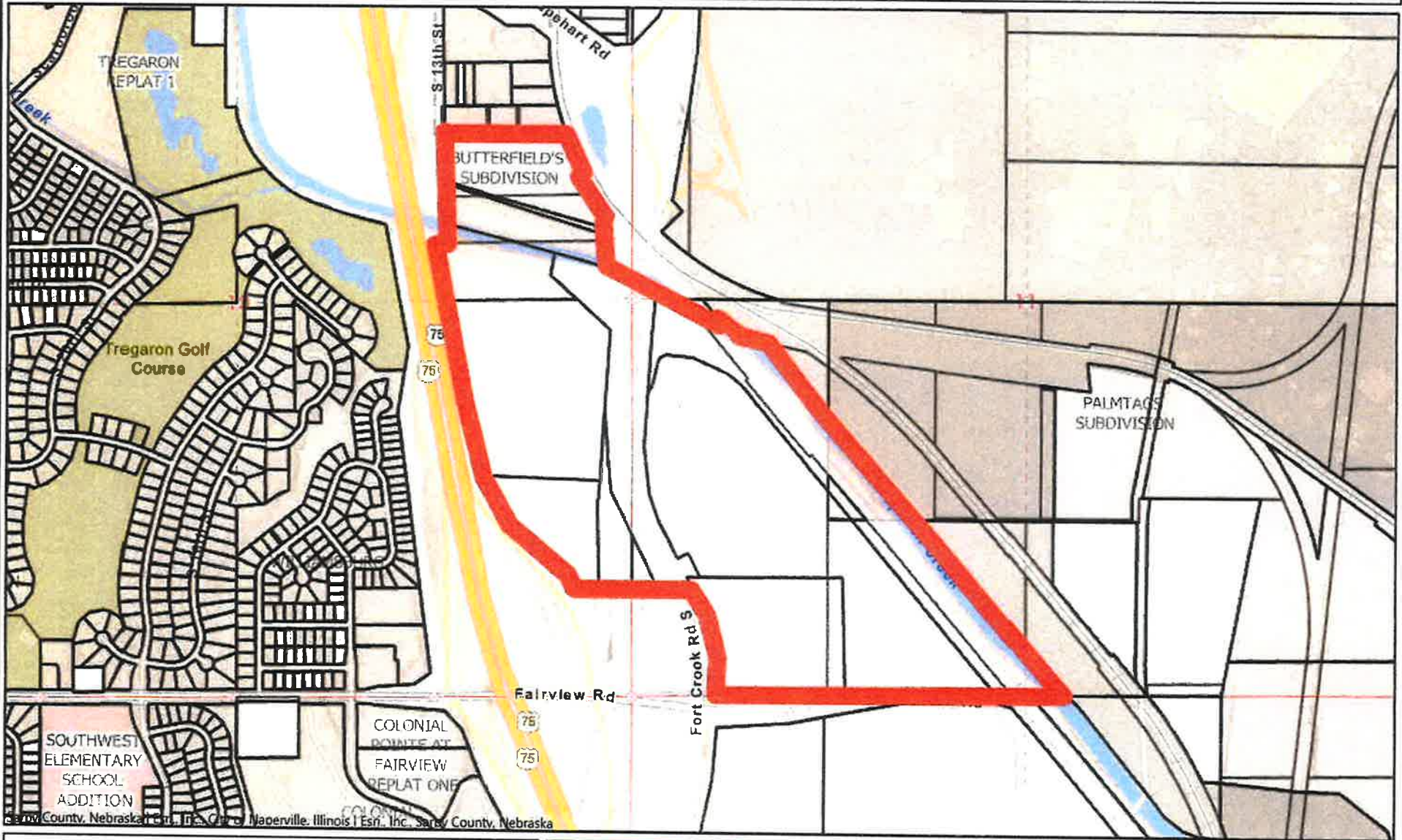
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Notes





Map Scale 1: 14274

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Notes



Annexation Area/SID #	Annexation Area/SID Name	2021 Valuation	Cash And Investments	Bonded Debt	Annual Debt Service	City Tax Levy Revenue	Tax Revenue Minus Debt Service	Increase In State Aid, Sales Tax & Other	Increase In Department Costs	Initial Incremental Increase in Cash Flow	Potential Future Capital Expenditures
67	Normandy	\$ 42,268,815	\$ 307,908	\$ -	\$ -	\$ 257,840	\$ 257,840	\$ 171,465	\$ 103,431	\$ 325,874	\$ 5,495,000
242	Cedar View	\$ 7,878,350	\$ 39,636	\$ 60,000	\$ 11,800	\$ 48,058	\$ 36,258	\$ 20,330	\$ 26,114	\$ 30,474	
Area #2	Area #2	\$ 442,378	\$ -	\$ -	\$ -	\$ 2,699	\$ 2,699	\$ 232	\$ -	\$ 2,931	
Area #3	Area #3	\$ 578,615	\$ -	\$ -	\$ -	\$ 3,530	\$ 3,530	\$ 35,420	\$ 51,706	\$ (12,756)	
Area #4	Area #4	\$ 356,805	\$ -	\$ -	\$ -	\$ 2,177	\$ 2,177	\$ 22,806	\$ 33,303	\$ (8,320)	
		\$ 51,524,963	\$ 347,544	\$ 60,000	\$ 11,800	\$ 314,304	\$ 302,504	\$ 250,253	\$ 214,554	\$ 338,203	\$ 5,495,000



City of Bellevue

Parks Department

8201 South 42nd Street • Bellevue, Nebraska 68147 • (402) 293-3122


MEMO

RECEIVED

MAR 07 2022

PLANNING DEPT.

To: Doug Clark
Tammi Palm
Angela Curry

From: Jim Shada 

Subject: Proposed Annexation Packages

Date: March 7, 2022

As per your request, after reviewing the four annexation packages, the Parks Department would not require any additional staff or equipment needs to maintain the four annexation areas. However, Normandy Hills Park equipment and playground surface has several safety concerns. Please find attached Mr. Tom Woodard's assessment. Based on what Tom has pointed out, I would estimate it would cost between \$50,000.00-\$70,000.00 to renovate the park equipment and make it ADA accessible.

Thank you,

Jim Shada
Parks & Recreation Director

information

Tom Woodard

Mon 3/7/2022 10:44 AM

To: Jim Shada <Jim.Shada@bellevue.net>;

1 attachments (4 MB)

Normandy Hills.docx;

If you need more specifics I can get that for you as needed. Let me know..Tom

**Normandy Hills
March 7, 2022**



This 2-5 playground assembly is an older unit but I did not observe any notable Safety concerns. The whole playground is covered in pea gravel which is not the best for impact safety but is acceptable.





It was released in January 1995 by the U.S. Consumer Product Safety Commission that any and all animal swings were to be removed from public playgrounds due to impact with small children.



In 2004 the CPSC banned all wood structures in public playground due to theca wood and over time rotting at the base causing potential tip over. Also standards started in 1999 will not allow swings attached to a playground assembly.



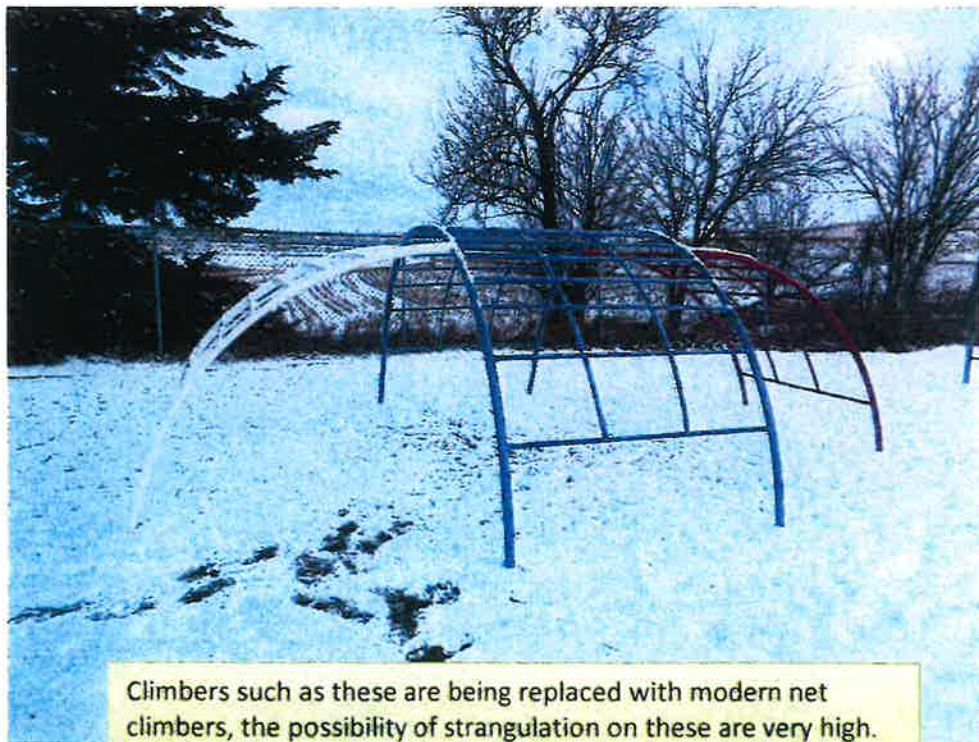
These bucket seats are not of the CPSC approved swings nor are they ADA compliant.



Tire swings are only allowed on a frame by itself. Very specific safety standards have to be followed on this type of swing.



This type of swing is allowed , however the wood structure over it is not, too many areas for little ones to get hurt climbing in and around.



Climbers such as these are being replaced with modern net climbers, the possibility of strangulation on these are very high.



The spinner is in good shape as well as the picnic shelter.





There is not any ADA accessible routes from the sidewalk to the playground area.





This Park does offer a fenced in Basketball court , it might server as a tennis court as well



City of Bellevue Waste Water Department

8902 Cedar Island Road • Bellevue, Nebraska 68147 • (402) 293-3135

To: Tammi Palm
CC: Doug Clark
From: Epiphany Ramos
RE: Annexation Report Request Dated 02/17/2022 – Normandy Hills and undeveloped lots
Date: February 28, 2022

I have reviewed the proposed annexation areas and have found the sanitary infrastructure to be satisfactory, with likely minimal pipeline repairs needed immediately. There appear to be at least two manhole structures that will require immediate repairs via confined space access. The condition of the lift station is unknown due to inability to gain access, however it was operational upon inspection. There is also approximately 500' of 4" force main that could not be inspected. Upgrades to the lift station will be needed to standardize communications and components to meet current WW Operations and Maintenance Plan objectives. Immediate intense cleaning and PACP inspection will be required upon annexation which will take approximately 2 months for my current staff to complete and will create backlog for the existing scheduled workload. Once this initial cleaning and inspection is completed, routine maintenance and scheduled capital improvement planning should begin. Our operating margin is currently at approximately 30%, we would be able to maintain this margin within these locations as well.

The below chart contains the basic information requested for these areas, Total FTE (full-time employee) required is annually. We calculate FTE based on resource load per asset unit. Used here is the total existing linear feet of pipeline, structures, and lift station assets currently maintained by the department within the O&M program model. An additional .25 FTE, and corresponding expense budget maintaining a 30% operating margin, would be required to service the annexation outlined below. Existing equipment and fleet can be utilized for routine maintenance.

	Total ft of Sanitary Pipe	Total Structures	Total Units	Est Annual Revenue	Average Remaining Life of Assets (YR)	Total FTE needed for Maint
SID	67 10761	55	238	\$ 118,209.84	75	0.08
and CedarView	500 (Force Main)	1 (Lift Station)	0	\$ -	10	0.13

RECEIVED

FEB 28 2022

PLANNING DEPT.





City of Bellevue

Street Department

206 Industrial Dr • Bellevue, Nebraska 68005 • (402) 293-3126

MEMORANDUM

To: Doug Clark Public Works Director
From: Bobby Riggs Street Superintendent
Subject: 2021 Annexation Package Impact Review
Date: March 7, 2022

RECEIVED

MAR 7 2022

PLANNING DEPT.

I. SID AREAS

Lane Mile Additions – 1.92 % increase over existing

○ **Package, Total Lane Miles = 12.81**

- Area 1 - #67 – Normandy Hills = 5.66 #242 – Cedar View = 1.59
- Area 2 - No lane mile impact
- Area 3 - Lane Miles – 3.90
- Area 4 - Lane Miles - 2.57

II. COSTS:

A. DEPARTMENT OPERATIONAL BUDGET

Required increases to for maintenance, material costs to maintain existing service levels

- i.) The Street Dept. fiscal 2021-2022 operational maintenance budget (667 lane miles) is funded at \$5,701,618.00 in total. This rate of funding breaks down to \$8,548.15 per lane mile for the department's operational expenditures. This package totals 12.81 lane miles and would require a baseline funding adjustment of 1.92 % above the current year's budgeted levels to meet annual operational needs.

***Note: This number does not factor in the request for additional staff, equipment, or regulatory sign installation in SIDs, where warranted. A reasonable assumption would be an additional year-one cost of nearly \$6,500 dollars for signs, posts, and hardware to cover the potential new areas which would be completed this fiscal year.*

Estimated year-one, base-line operational budget increase for FY21-22: \$109,471.

Mailing Address: 210 West Mission Avenue Bellevue, Nebraska 68005





City of Bellevue

Street Department

206 Industrial Dr • Bellevue, Nebraska 68005 • (402) 293-3126

B. C.I.P. CONSIDERATIONS (Year-one costs)

i.) MANPOWER NEEDS

Recommendation (Current + Prior Annexations, Historical Staffing Numbers)

As of year-end, fiscal 2021-21, the Street Department provided street pavement maintenance, snow removal, sign/signal maintenance and bi-annual street-sweeping on nearly 670 lane miles of roads.

The department should look to seek a staffing ratio of 1 employee per 15.00 lane miles to meet operational needs.

This package approaches the threshold to add 1 full-time employee and would be needed as the department staffing level is currently far under the ratio.

FY 2021-22 increased department Personnel cost assumption, above current levels for one full-time staff addition - \$50,000

ii.) EQUIPMENT NEEDS

To provide current levels of service during snow removal operations in the winter months, the department used thirty-four (38) pieces of equipment to clear roads in the winter last year. This averages 17.63 lane miles per unit. The proposed areas in this package would require adding one plow route for operations in the winter.

Equipment additions – One (1) single-axle plow truck, one (1) motor-grader.

Estimated first-year equipment cost to cover areas, above potential approved budget - \$425,000

iii.) AREA 3

Special consideration should be given to this area, namely the roadway and bridge conditions. Road resurfacing and significant bridge rehabilitation will cost upwards of 5 million dollars and should be programmed immediately.

C. REVENUE

i.) HIGHWAY ALLOCATION

Projected revenue increase

Highway Allocation funding is somewhat fluid and subject to change with revenue fluctuation.

Mailing Address: 210 West Mission Avenue Bellevue, Nebraska 68005





City of Bellevue

Street Department

206 Industrial Dr • Bellevue, Nebraska 68005 • (402) 293-3126

Revenue projections in this report are based solely on fiscal 21-22 budget forecast reduced to a per lane mile estimate.

Fiscal 2021-22 budget – \$5,871,407 for 2021 lane mile levels. This budget forecast equates to roughly \$8,800 per lane mile in revenue from the Highway Trust fund on an annual basis.

The 12-month anticipated increase to Highway Allocation revenue levels from this proposed package would be \$112,728.

Mailing Address: 210 West Mission Avenue Bellevue, Nebraska 68005



Tammi Palm

From: Ken Clary
Sent: Wednesday, March 9, 2022 9:23 AM
To: Tammi Palm
Cc: Dave Stukenholtz; Jim Ristow
Subject: RE: proposed annexation packages

Tammi,

I apologize for the delay. At this time the impact would be limited regarding the proposed annexations. The only currently populated area of the annexations is Normandy Hills. Sarpy County shows 213 total calls for service in that area over the previous year. I believe our District 712 or 742 cars could absorb those calls over the short term. I will add the caveat that – as this area is built-out and we annex more area around Hwy 34 and Hwy 75, that will likely need to be added as a stand-alone district (adding the need for four additional officers). Talking to Mark, that will likely be in the timeline of 2024 or 2025. So, to summarize, the current impact would be negligible and we will discuss further with future annexations in that area.

KC

From: Tammi Palm <Tammi.Palm@bellevue.net>
Sent: Wednesday, March 9, 2022 8:40 AM
To: Ken Clary <ken.clary@bellevue.net>
Subject: FW: proposed annexation packages

Hi Chief,

Just a reminder – can I get your comments on these proposed annexations? We're putting our report together and I want to make sure I have any Police needs documented.

Thanks!

Best regards,

Tammi Palm

Planning Manager
City of Bellevue
1510 Wall Street
Bellevue, NE 68005
(402) 293-3038

From: Tammi Palm
Sent: Thursday, February 17, 2022 10:45 AM
To: Mark Elbert <mark.elbert@bellevue.net>; Doug Clark <doug.clark@bellevue.net>; Ashley Decker <ashley.decker@bellevue.net>; Susan Kluthe <Susan.Kluthe@bellevue.net>; Julie Dinville <Julie.Dinville@bellevue.net>; Perry Guido <Perry.Guido@bellevue.net>; Ken Clary <ken.clary@bellevue.net>
Cc: Richard Severson <richard.severson@bellevue.net>; 'Angela Curry' <angela.curry@bellevue.net>; Bree Robbins <bree.robbins@bellevue.net>
Subject: proposed annexation packages

Tammi Palm

From: Gifford, Donald (235)
Sent: Tuesday, February 22, 2022 6:23 AM
To: Tammi Palm
Cc: Guido, Perry
Subject: FW: proposed annexation packages
Attachments: Annex Area 1 GIS Map.pdf; Annex Area 2 GIS map.pdf; Annex Area 3 GIS Map.pdf; Annex Area 4 GIS Map.pdf

Tami,
Chief Guido ask me to investigate this, there is no impact to the fire department due to the fire department already covers the areas in the proposed annexation package.

Donald Gifford
Battalion Chief
City of Bellevue Fire Department
Inspections Bureau
Email Donald.gifford@bellevue.net
Phone 402-682-6630
Cell 402-515-8545

From: Tammi Palm <Tammi.Palm@bellevue.net>
Date: February 17, 2022 at 10:44:45 AM CST
To: Mark Elbert <mark.elbert@bellevue.net>, Doug Clark <doug.clark@bellevue.net>, Ashley Decker <ashley.decker@bellevue.net>, Susan Kluthe <Susan.Kluthe@bellevue.net>, Julie Dinville <Julie.Dinville@bellevue.net>, Perry Guido <Perry.Guido@bellevue.net>, Ken Clary <ken.clary@bellevue.net>
Cc: Richard Severson <richard.severson@bellevue.net>, Angela Curry <angela.curry@bellevue.net>, Bree Robbins <bree.robbins@bellevue.net>
Subject: proposed annexation packages

Good morning,

The city is proposing four annexation packages to be heard at our March 24 Planning Commission meeting. I have attached maps of each area. Please distribute amongst your departments as necessary and please provide detailed impact information (i.e. additional staff needs, equipment, etc.) back to me by **March 7**.

Please breakdown your impacts per proposed annexation area if possible and as applicable, as we will look at each of these areas separately through the public hearing process.

Please let me know if you have any questions.

Thanks!

ORDINANCE NO. 4086

AN ORDINANCE TO ANNEX TO THE CITY OF BELLEVUE, SARPY COUNTY, NEBRASKA, CERTAIN LANDS, LOTS AND REAL ESTATE LYING WITHIN THE BELOW DESCRIBED BOUNDARIES, AND DESIGNATING AN EFFECTIVE DATE

WHEREAS, ALL OF THE LOTS, LANDS, AND REAL ESTATE LYING WITHIN THE BOUNDARIES DESCRIBED AS FOLLOWS TO WIT:

Lot 1 Bousema Addition Replat One, and

Lots 3A and 3B, 6 through 18, 27 through 104, 106, and 108 through 176, Normandy Hills, and

Lots 1 and 2, Normandy Hills Replat 2, and

Lots 1 and 2, Normandy Hills Replat III, and

Lots 1 through 8, and Outlot A, Normandy Hills Replat 4, and

Lots 1A and 1B, and Lot 2, Twin Valley Church Replat 1 Addition, and

Lots 1A through 16B, and Lots 36A through 38B French Village, and

Lots 1 through 23, 30, and 33 through 37, Cedar View, and

Lots 1, 3 through 7, and Outlot A, Cedar View Replat I, and

Lots 1 and 2, Cedar View Replat II, and

all abutting rights-of way.

ARE CONTIGUOUS AND ADJACENT TO THE CITY OF BELLEVUE, NEBRASKA, AND ARE URBAN OR SUBURBAN IN CHARACTER, AND

WHEREAS, SAID REAL ESTATE WILL RECEIVE MATERIAL BENEFITS AND ADVANTAGES FROM ANNEXATION TO THE SAID CITY.

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

Section 1. All of the real estate lying within the area heretofore described be and the same hereby is included within the boundaries and territory of the City of Bellevue, Nebraska, and said lands and the persons residing thereon shall hereafter be subject to all of the rules, regulations, ordinances, taxes, and all other burdens and benefits of other persons and territory included with the City of Bellevue, Nebraska

Section 2. This ordinance shall be in full force and be effective on June 2, 2022.

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

APPROVED AS TO FORM:

City Attorney

ATTEST

City Clerk

Mayor

First Reading: April 05, 2022
Second Reading: April 19, 2022
Third Reading: May 03, 2022

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

12d.
4/19/2022

COUNCIL MEETING DATE: 04/19/2022		SUBMITTED BY: Tammi Palm		TITLE: Planning Manager	
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 annex Tax Lot 9A1 except right of way, Section 23-13-13, Tax Lot 9B except right of way, Section 23-13-13, and the Irregular Northeasterly Part of Tax Lots 14A and 14B, Section 23-13-13; all located in Section 23, T13N, R13E of the 6th P.M.; and all abutting rights-of-way. Applicant: City of Bellevue.

SYNOPSIS/BACKGROUND:

A review of debt, potential City revenue as a result of annexation, and the ability of various City departments to provide services to the residents of these areas indicate it is feasible for the City to annex these lots at this time. This annexation is part of an annexation package consisting of two SID's and miscellaneous lots. The Planning Departments memorandum regarding the fiscal analysis and department review of the proposed annexation package is attached.

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 have recommended approval of this annexation request.

ATTACHMENTS:


1. Planning Commission Recommendation Sheet	2. Staff Report	3. Ord. No. 4087
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:



City of Bellevue

PLANNING COMMISSION RECOMMENDATION

APPLICANT: City of Bellevue

CITY COUNCIL HEARING DATE: April 19, 2022

REQUEST: to annex Tax Lot 9A1 except right of way, Section 23-13-13, Tax Lot 9B except right of way, Section 23-13-13, and the Irregular Northeasterly Part of Tax Lots 14A and 14B, Section 23-13-13; all located in Section 23, T13N, R13E of the 6th P.M.; and all abutting rights-of-way.

On March 24, 2022, the City of Bellevue Planning Commission voted eight yes, zero no, one absent and zero abstained:

APPROVAL based upon the positive financial impact on the City and the natural growth and development of the City.

VOTE:

Yes:	Eight:	No:	Zero:	Abstain:	Zero:	Absent:	One:
	Casey						Jacobson
	Hankins						
	Ritz						
	Aerni						
	Cutsforth						
	Ackley						
	Compton						
	Perrin						

Planning Commission Hearing (s) was held on: March 24, 2022



City of Bellevue

Office of the Planning Department

To: City Council
Mayor Rusty Hike
City Administrator Jim Ristow
From: Angela Curry, Assistant Planning Manager
Date: March 28, 2022
Subject: City of Bellevue annexation proposal

The City of Bellevue is proposing to annex the following two Sanitary and Improvement Districts into the city limits:

SID #67 Normandy Hills
SID #242 Cedar View

In addition to these SIDs, we are also proposing the annexation of an additional twenty (20) parcels that are currently adjacent to the City or will be upon approval of the SID annexations. Individual maps of the SIDs and the twenty (20) additional lots are attached.

FINANCIAL ANALYSIS

When the City annexes Sanitary and Improvement Districts, it assumes both its assets and liabilities. Assets include the infrastructure installed by the SID as well as any cash and investments held by the SID. Liabilities include any outstanding debt, in the form of bonds or warrants. The City will levy taxes on the properties (as it does on all property within the City) to generate funds for debt payments and the provision of City services. Any cash and investments held by the SIDs can also be used to pay debt.

The two SIDs proposed for annexation have an assessed valuation for 2021 of \$50,147,165 which will generate \$305,898 of property tax revenue for the City, based upon the current levy amount. The SIDs also currently have \$347,544 in cash and investments on deposit with the County Treasurer. The initial incremental increase in cash flow for the SID's would be \$356,348 and the potential future capital expenditures would be \$5,495,000. On the liability side, SID #242 has \$60,000 in outstanding bonded indebtedness. Annual debt payments for the bonded indebtedness are \$11,800. Annual tax revenue after debt service payments is expected to be \$294,098 prior to accounting for how the cash and investments are utilized. An increase in state aid, sales tax and other expenditures is expected to be \$191,795. The unincorporated lots will add another \$1,377,798 of valuation, \$8,406 of tax revenue, and an increase of \$58,458 in state aid, sales tax, and other debt to the annexation package. A chart showing figures for the individual SIDs and unincorporated lots is attached for your review.

In addition to property tax revenue, the City will also receive sales tax revenue from items delivered to residences in these areas, as well as from automobile purchases. Occupation taxes would also be collected on such things as phone and cable bills. The amount of revenue generated from these sources is unknown at this time.

Based upon the projected revenue and costs associated with this annexation, including the departmental needs for personnel and equipment as noted below, this annexation package is financially feasible for the City to undertake. Long-term capital projects will need to be addressed separately through the budget and CIP process.

DEMOGRAPHICS

The areas proposed for annexation consist of 272 parcels and 336 dwelling units, including apartments. The population estimate of 668 is based upon the 2020 Census.

DEPARTMENT REVIEW

The annexation proposal was sent out to other City departments for review, with a request for each to identify additional personnel and equipment needed to provide services to these areas. Based on the information provided the estimated increase in department costs would be \$214,554.00. Below is a summary of those comments; full responses are attached to this report.

Parks Department - one Park and open space, tree maintenance, one playground; no additional staff or equipment needed to maintain the four annexation areas. However, per Tom Woodard, Normandy Hills Park equipment and playground surface have several safety concerns. The park equipment will need to be renovated and made ADA accessible. Based on what Mr. Woodard has identified the estimated cost would be \$50,000.00 - \$70,000.00

Wastewater - infrastructure is satisfactory with minimal immediate repairs needed. Wastewater revenue would allow the department to continue to operate within its current operating margin

Street Department - additional 13.81 lane miles to maintain; increase in State Highway Allocation funding of \$112,728; 1 additional FTE personnel (\$50,000); increase in operational expenses of (\$109,502); capital expenses-one single-axle plow truck and one motor-grader (\$425,000)

Police Department - analyzed the SIDs in this annexation proposal would have a limited impact and no additional personnel or equipment needs at this time.

Fire Department - no impact. This area is already covered by the Bellevue Fire Department.

AFFECT ON ANNEXED AREAS

Areas that are annexed into the City will begin receiving City services on the effective date of the annexation. These services include street maintenance and snow removal, park maintenance (where applicable), police response, wastewater service, trash removal, free library cards, and specialized transportation services.

Property taxes

The impact of the property tax levy of the City is shown in the chart below (based upon current levy amounts). In determining future taxes, the levies for the SID and the three districts were removed and replaced with the City tax levy. Total tax amounts are impossible to predict as they are subject to changes in assessed valuations and changes in the tax levy of the various taxing jurisdictions.

<u>SID#</u>	<u>Change in levy</u>	<u>Change in property taxes per \$100,000 valuation</u>
67	0.130500	\$130.50
242	-0.069500	-\$69.50
Area #2	0.430500	\$430.50
Area #3	0.430500	\$430.50
Area #4	0.430500	\$430.50

The unincorporated lots will have a more significant increase in their property tax rates since they are not currently paying a SID tax. These parcels will see an increase of 0.430500 in the mil levy, or \$430.50 per \$100,000 of valuation.

Property tax changes will be effective for taxes assessed in 2022 and due in 2023.

Sales Taxes

City residents are required to pay City sales taxes on items delivered to their homes. This will affect people who buy items on-line or have deliveries from stores such as Nebraska Furniture Mart. The sales tax will also apply to new vehicle purchases. The City's sales tax rate is 1.5%.

Trash pick-up

The City contracts with Papillion Sanitation for residential trash pick-up in the city limits. Residents have the option of choosing 35-, 65-, or 95-gallon trash containers at a cost of \$14.10, \$17.10, or \$19.99 per month, respectively. Residential recycling and yard waste are included in the monthly charge. Billing for trash pick-up is included in the monthly MUD water/gas bill for residents and is not optional for residents. If a new resident wishes to keep his/her current trash service they may, but they will still be billed for Papillion Sanitation service on their MUD bill.

School Districts

The annexation has no effect on school district boundaries.

Post Office/Zip Code

The annexation has no effect on zip codes and which post office serves a particular area.

Planning, Zoning, Building Permits

All areas under consideration for annexation are currently within the City's extra-territorial jurisdiction and are subject to planning, zoning, and permitting requirements. Annexation will have no effect on this. Current uses of a property will be allowed to remain provided they were lawfully established.

Wastewater

Bellevue residents currently pay a minimum monthly wastewater service fee of \$18.79. Non-residents pay the City of Omaha minimum fee of \$39.18, new residents will see a monthly savings of approximately \$20.

Pets

City residents are required to license their pets through the Nebraska Humane Society. There is no change to the number of permitted household pets (three) as that regulation is in the Zoning Ordinance.

Other

In addition to those items above, residents will be able to run for City offices and vote in local elections and be eligible to be appointed to City boards and commissions that require residency. Residents will also pay lower fees for some recreational programs and be able to get a library card free of charge.

PLANNING DEPARTMENT RECOMMENDATION

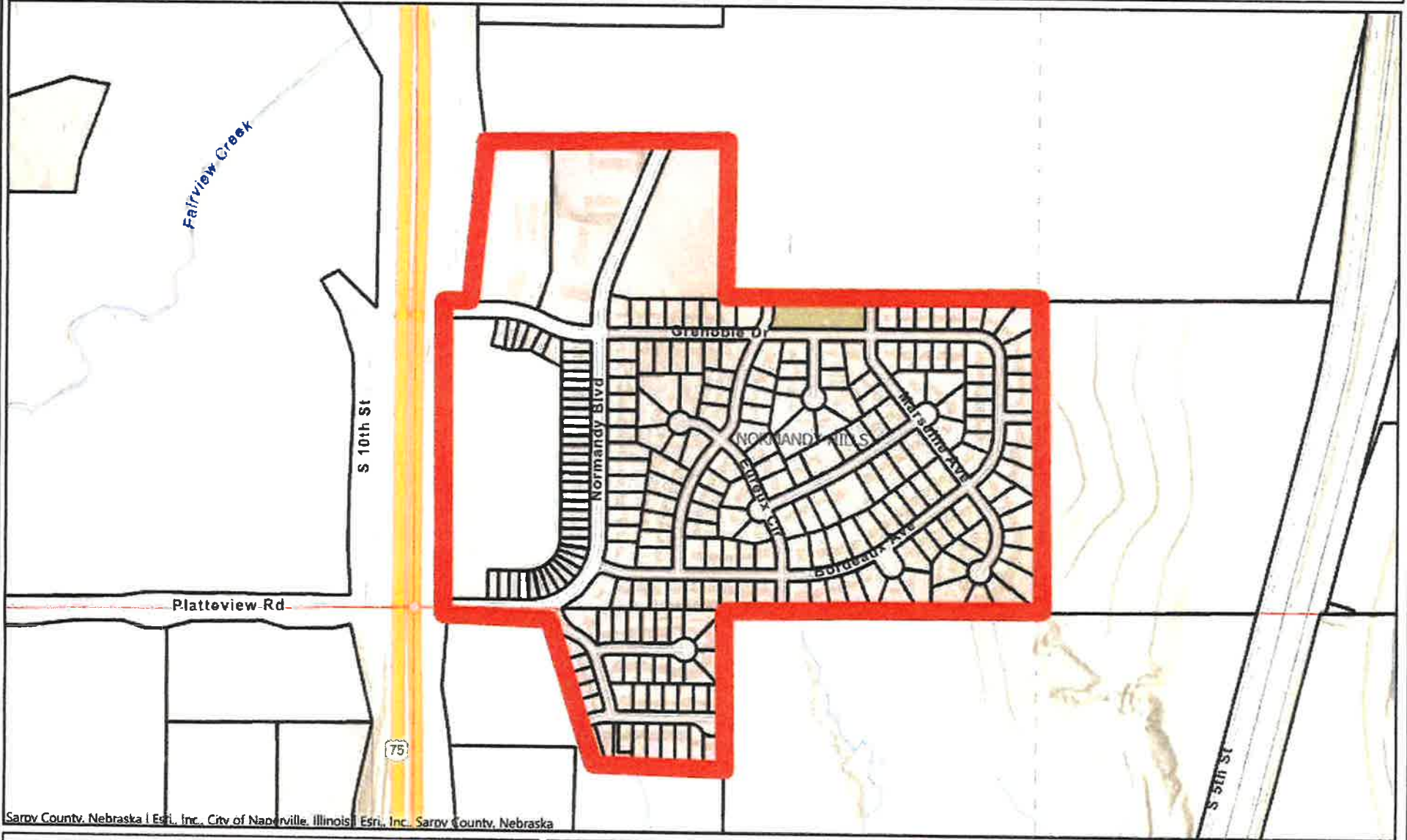
APPROVAL based upon the positive financial impact on the City and the natural growth and development of the City.

PLANNING COMMISSION RECOMMENDATION

APPROVAL based upon the positive financial impact on the City and the natural growth and development of the City.



Annexation Area 1 - SIDs 67 and 242



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



Map Scale 1: 9028

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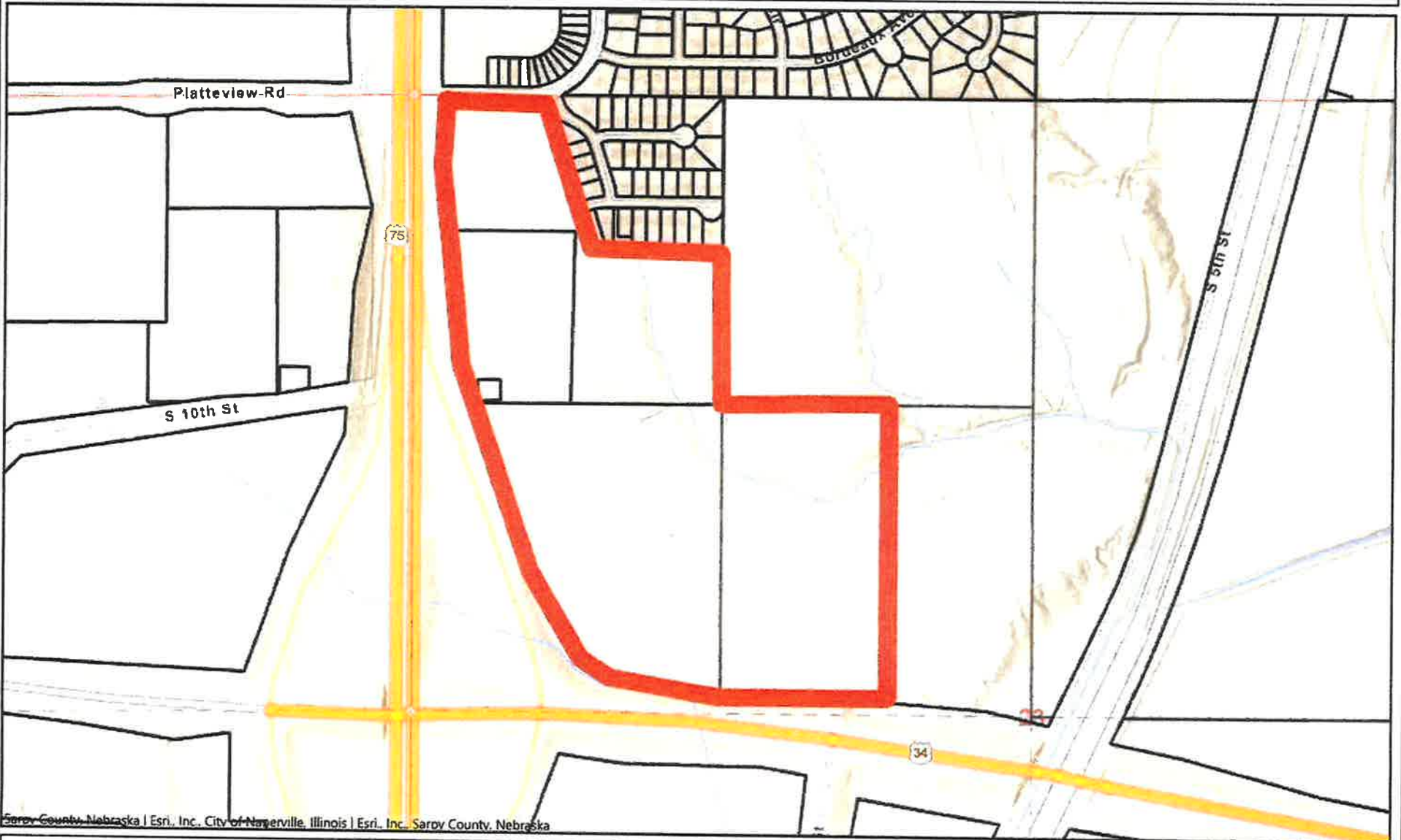
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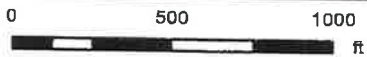


SARPY COUNTY
NEBRASKA

Annexation Area 2



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



Map Scale 1: 9028

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.



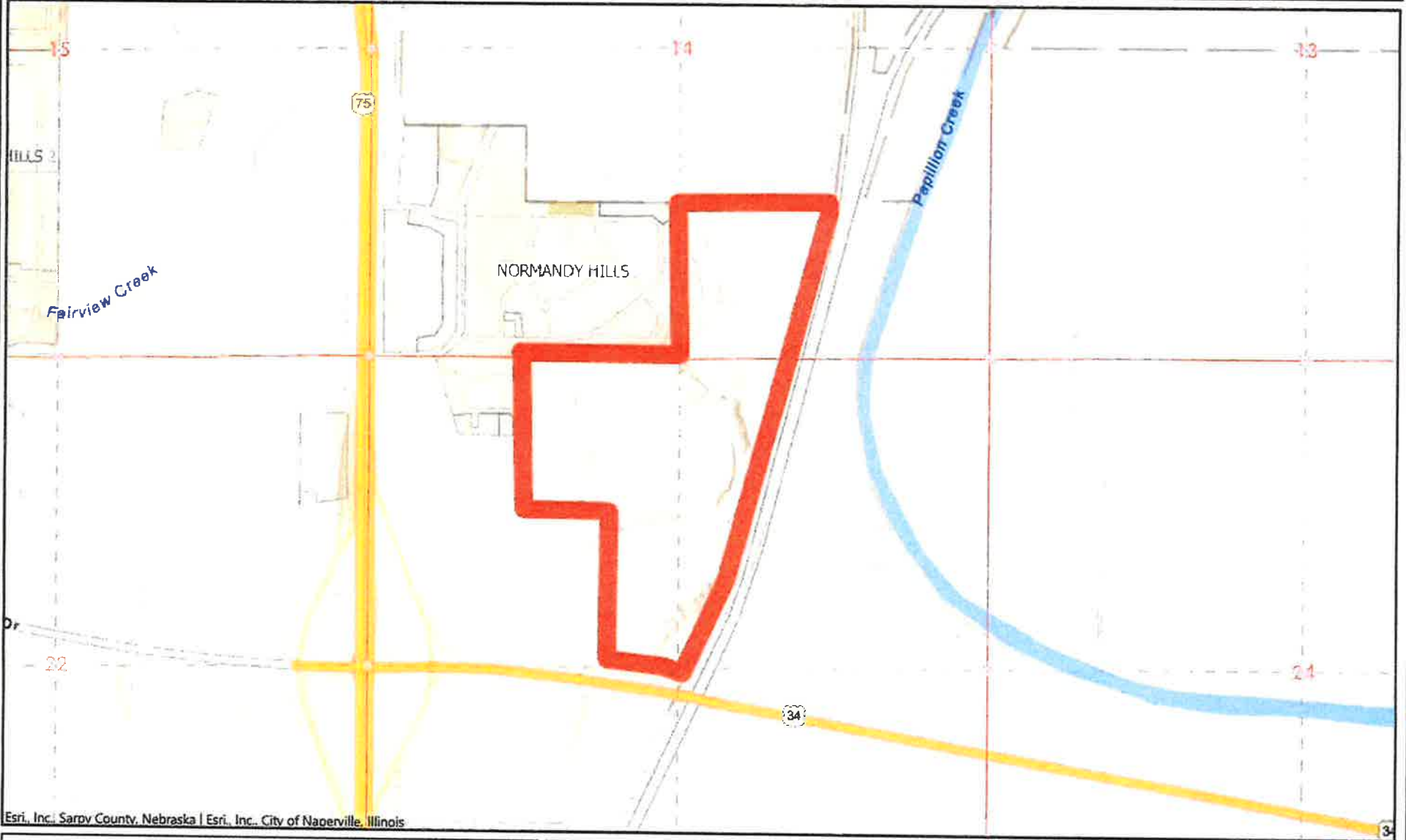
Notes





SARPY COUNTY
NEBRASKA

Annexation Area #3



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



Map Scale 1: 18056

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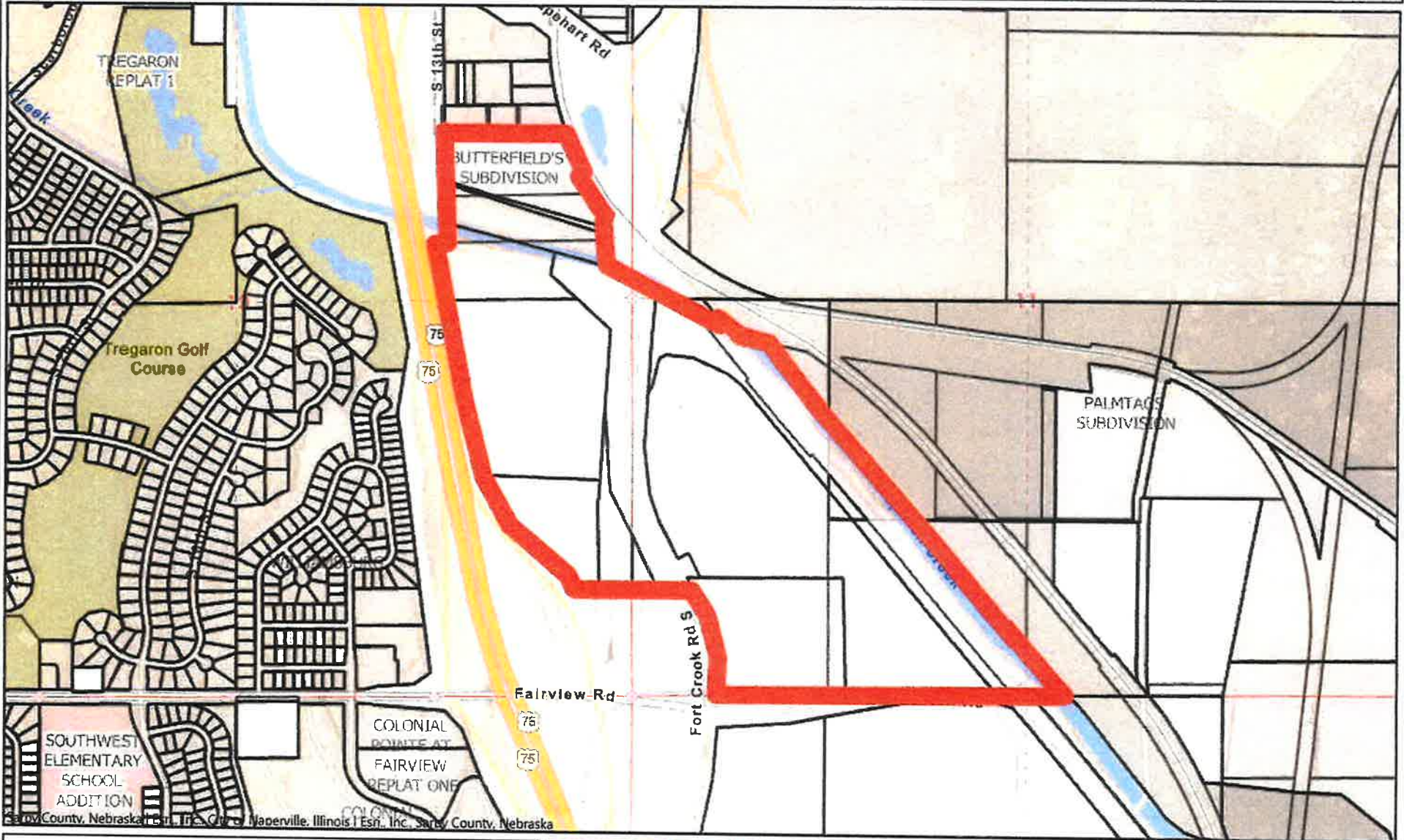
Notes





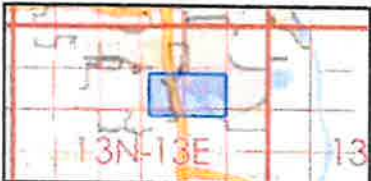
SARPY COUNTY
NEBRASKA

Annexation Area 4



Map Scale 1: 14274

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Notes



Annexation Area/SID #	Annexation Area/SID Name	2021 Valuation	Cash And Investments	Bonded Debt	Annual Debt Service	City Tax Levy Revenue	Tax Revenue Minus Debt Service	Increase In State Aid, Sales Tax & Other	Increase In Department Costs	Initial Incremental Increase in Cash Flow	Potential Future Capital Expenditures
67	Normandy	\$ 42,268,815	\$ 307,908	\$ -	\$ -	\$ 257,840	\$ 257,840	\$ 171,465	\$ 103,431	\$ 325,874	\$ 5,495,000
242	Cedar View	\$ 7,878,350	\$ 39,636	\$ 60,000	\$ 11,800	\$ 48,058	\$ 36,258	\$ 20,330	\$ 26,114	\$ 30,474	
Area #2	Area #2	\$ 442,378	\$ -	\$ -	\$ -	\$ 2,699	\$ 2,699	\$ 232	\$ -	\$ 2,931	
Area #3	Area #3	\$ 578,615	\$ -	\$ -	\$ -	\$ 3,530	\$ 3,530	\$ 35,420	\$ 51,706	\$ (12,756)	
Area #4	Area #4	\$ 356,805	\$ -	\$ -	\$ -	\$ 2,177	\$ 2,177	\$ 22,806	\$ 33,303	\$ (8,320)	
		\$ 51,524,963	\$ 347,544	\$ 60,000	\$ 11,800	\$ 314,304	\$ 302,504	\$ 250,253	\$ 214,554	\$ 338,203	\$ 5,495,000



City of Bellevue

Parks Department

8201 South 42nd Street • Bellevue, Nebraska 68147 • (402) 293-3122


MEMO

RECEIVED

MAR 07 2022

PLANNING DEPT.

To: Doug Clark
Tammi Palm
Angela Curry

From: Jim Shada 

Subject: Proposed Annexation Packages

Date: March 7, 2022

As per your request, after reviewing the four annexation packages, the Parks Department would not require any additional staff or equipment needs to maintain the four annexation areas. However, Normandy Hills Park equipment and playground surface has several safety concerns. Please find attached Mr. Tom Woodard's assessment. Based on what Tom has pointed out, I would estimate it would cost between \$50,000.00-\$70,000.00 to renovate the park equipment and make it ADA accessible.

Thank you,

Jim Shada
Parks & Recreation Director

information

Tom Woodard

Mon 3/7/2022 10:44 AM

To: Jim Shada <Jim.Shada@bellevue.net>;

1 attachments (4 MB)

Normandy Hills.docx;

If you need more specifics I can get that for you as needed. Let me know..Tom

**Normandy Hills
March 7, 2022**



This 2-5 playground assembly is an older unit but I did not observe any notable Safety concerns. The whole playground is covered in pea gravel which is not the best for impact safety but is acceptable.





It was released in January 1995 by the U.S. Consumer Product Safety Commission that any and all animal swings were to be removed from public playgrounds due to impact with small children.



In 2004 the CPSC banned all wood structures in public playground due to the wood rotting at the base causing potential tip over. Also standards started in 1999 will not allow swings attached to a playground assembly.





This type of swing is allowed , however the wood structure over it is not, too many areas for little ones to get hurt climbing in and around.



Climbers such as these are being replaced with modern net climbers, the possibility of strangulation on these are very high.



The spinner is in good shape as well as the picnic shelter.





There is not any ADA accessible routes from the sidewalk to the playground area.





This Park does offer a fenced in Basketball court , it might server as a tennis court as well



City of Bellevue

Waste Water Department

8902 Cedar Island Road • Bellevue, Nebraska 68147 • (402) 293-3135

To: Tammi Palm
CC: Doug Clark
From: Epiphany Ramos
RE: Annexation Report Request Dated 02/17/2022 – Normandy Hills and undeveloped lots
Date: February 28, 2022

I have reviewed the proposed annexation areas and have found the sanitary infrastructure to be satisfactory, with likely minimal pipeline repairs needed immediately. There appear to be at least two manhole structures that will require immediate repairs via confined space access. The condition of the lift station is unknown due to inability to gain access, however it was operational upon inspection. There is also approximately 500' of 4" force main that could not be inspected. Upgrades to the lift station will be needed to standardize communications and components to meet current WW Operations and Maintenance Plan objectives. Immediate intense cleaning and PACP inspection will be required upon annexation which will take approximately 2 months for my current staff to complete and will create backlog for the existing scheduled workload. Once this initial cleaning and inspection is completed, routine maintenance and scheduled capital improvement planning should begin. Our operating margin is currently at approximately 30%, we would be able to maintain this margin within these locations as well.

The below chart contains the basic information requested for these areas, Total FTE (full-time employee) required is annually. We calculate FTE based on resource load per asset unit. Used here is the total existing linear feet of pipeline, structures, and lift station assets currently maintained by the department within the O&M program model. An additional .25 FTE, and corresponding expense budget maintaining a 30% operating margin, would be required to service the annexation outlined below. Existing equipment and fleet can be utilized for routine maintenance.

	Total ft of Sanitary Pipe	Total Structures	Total Units	Est Annual Revenue	Average Remaining Life of Assets (YR)	Total FTE needed for Maint
SID	67 10761	55	238	\$ 118,209.84	75	0.08
and CedarView	500 (Force Main)	1 (Lift Station)	0	\$ -	10	0.13

RECEIVED

FEB 28 2022

PLANNING DEPT.





City of Bellevue

Street Department

206 Industrial Dr • Bellevue, Nebraska 68005 • (402) 293-3126

MEMORANDUM

To: Doug Clark Public Works Director
From: Bobby Riggs Street Superintendent
Subject: 2021 Annexation Package Impact Review
Date: March 7, 2022

RECEIVED

MAR 7 2022

PLANNING DEPT.

I. SID AREAS

Lane Mile Additions – 1.92 % increase over existing

○ **Package, Total Lane Miles = 12.81**

- Area 1 - #67 – Normandy Hills = 5.66 #242 – Cedar View = 0.59
- Area 2 - No lane mile impact
- Area 3 - Lane Miles – 3.99
- Area 4 - Lane Miles -2.57

II. COSTS:

A. DEPARTMENT OPERATIONAL BUDGET

Required increases to for maintenance, material costs to maintain existing service levels

- i.) The Street Dept. fiscal 2021-2022 operational maintenance budget (667 lane miles) is funded at \$5,701,618.00 in total. This rate of funding breaks down to \$8,548.15 per lane mile for the department's operational expenditures. This package totals 12.81 lane miles and would require a baseline funding adjustment of 1.92 % above the current year's budgeted levels to meet annual operational needs.

***Note: This number does not factor in the request for additional staff, equipment, or regulatory sign installation in SIDs, where warranted. A reasonable assumption would be an additional year-one cost of nearly \$6,500 dollars for signs, posts, and hardware to cover the potential new areas which would be completed this fiscal year.*

Estimated year-one, base-line operational budget increase for FY21-22: \$109,471.

Mailing Address: 210 West Mission Avenue Bellevue, Nebraska 68005





City of Bellevue

Street Department

206 Industrial Dr • Bellevue, Nebraska 68005 • (402) 293-3126

B. C.I.P. CONSIDERATIONS (Year-one costs)

i.) MANPOWER NEEDS

Recommendation (Current + Prior Annexations, Historical Staffing Numbers)

As of year-end, fiscal 2021-21, the Street Department provided street pavement maintenance, snow removal, sign/signal maintenance and bi-annual street-sweeping on nearly 670 lane miles of roads.

The department should look to seek a staffing ratio of 1 employee per 15.00 lane miles to meet operational needs.

This package approaches the threshold to add 1 full-time employee and would be needed as the department staffing level is currently far under the ratio.

FY 2021-22 increased department Personnel cost assumption, above current levels for one full-time staff addition - \$50,000

ii.) EQUIPMENT NEEDS

To provide current levels of service during snow removal operations in the winter months, the department used thirty-four (38) pieces of equipment to clear roads in the winter last year. This averages 17.63 lane miles per unit. The proposed areas in this package would require adding one plow route for operations in the winter.

Equipment additions – One (1) single-axle plow truck, one (1) motor-grader.

Estimated first-year equipment cost to cover areas, above potential approved budget - \$425,000

iii.) AREA 3

Special consideration should be given to this area, namely the roadway and bridge conditions. Road resurfacing and significant bridge rehabilitation will cost upwards of 5 million dollars and should be programmed immediately.

C. REVENUE

i.) HIGHWAY ALLOCATION

Projected revenue increase

Highway Allocation funding is somewhat fluid and subject to change with revenue fluctuation.

Mailing Address: 210 West Mission Avenue Bellevue, Nebraska 68005





City of Bellevue Street Department

206 Industrial Dr • Bellevue, Nebraska 68005 • (402) 293-3126

Revenue projections in this report are based solely on fiscal 21-22 budget forecast reduced to a per lane mile estimate.

Fiscal 2021-22 budget – \$5,871,407 for 2021 lane mile levels. This budget forecast equates to roughly \$8,800 per lane mile in revenue from the Highway Trust fund on an annual basis.

The 12-month anticipated increase to Highway Allocation revenue levels from this proposed package would be \$112,728.

Mailing Address: 210 West Mission Avenue Bellevue, Nebraska 68005



Tammi Palm

From: Ken Clary
Sent: Wednesday, March 9, 2022 9:23 AM
To: Tammi Palm
Cc: Dave Stukenholtz; Jim Ristow
Subject: RE: proposed annexation packages

Tammi,

I apologize for the delay. At this time the impact would be limited regarding the proposed annexations. The only currently populated area of the annexations is Normandy Hills. Sarpy County shows 213 total calls for service in that area over the previous year. I believe our District 712 or 742 cars could absorb those calls over the short term. I will add the caveat that – as this area is built-out and we annex more area around Hwy 34 and Hwy 75, that will likely need to be added as a stand-alone district (adding the need for four additional officers). Talking to Mark, that will likely be in the timeline of 2024 or 2025. So, to summarize, the current impact would be negligible and we will discuss further with future annexations in that area.

KC

From: Tammi Palm <Tammi.Palm@bellevue.net>
Sent: Wednesday, March 9, 2022 8:40 AM
To: Ken Clary <ken.clary@bellevue.net>
Subject: FW: proposed annexation packages

Hi Chief,

Just a reminder – can I get your comments on these proposed annexations? We're putting our report together and I want to make sure I have any Police needs documented.

Thanks!

Best regards,

Tammi Palm

Planning Manager
City of Bellevue
1510 Wall Street
Bellevue, NE 68005
(402) 293-3038

From: Tammi Palm
Sent: Thursday, February 17, 2022 10:45 AM
To: Mark Elbert <mark.elbert@bellevue.net>; Doug Clark <doug.clark@bellevue.net>; Ashley Decker <ashley.decker@bellevue.net>; Susan Kluthe <Susan.Kluthe@bellevue.net>; Julie Dinville <Julie.Dinville@bellevue.net>; Perry Guido <Perry.Guido@bellevue.net>; Ken Clary <ken.clary@bellevue.net>
Cc: Richard Severson <richard.severson@bellevue.net>; 'Angela Curry' <angela.curry@bellevue.net>; Bree Robbins <bree.robbsins@bellevue.net>
Subject: proposed annexation packages

Tammi Palm

From: Gifford, Donald (235)
Sent: Tuesday, February 22, 2022 6:23 AM
To: Tammi Palm
Cc: Guido, Perry
Subject: FW: proposed annexation packages
Attachments: Annex Area 1 GIS Map.pdf; Annex Area 2 GIS map.pdf; Annex Area 3 GIS Map.pdf; Annex Area 4 GIS Map.pdf

Tami,
Chief Guido ask me to investigate this, there is no impact to the fire department due to the fire department already covers the areas in the proposed annexation package.

Donald Gifford
Battalion Chief
City of Bellevue Fire Department
Inspections Bureau
Email Donald.gifford@bellevue.net
Phone 402-682-6630
Cell 402-515-8545

From: Tammi Palm <Tammi.Palm@bellevue.net>
Date: February 17, 2022 at 10:44:45 AM CST
To: Mark Elbert <mark.elbert@bellevue.net>, Doug Clark <doug.clark@bellevue.net>, Ashley Decker <ashley.decker@bellevue.net>, Susan Kluthe <Susan.Kluthe@bellevue.net>, Julie Dinville <Julie.Dinville@bellevue.net>, Perry Guido <Perry.Guido@bellevue.net>, Ken Clary <ken.clary@bellevue.net>
Cc: Richard Severson <richard.severson@bellevue.net>, Angela Curry <angela.curry@bellevue.net>, Bree Robbins <bree.robbins@bellevue.net>
Subject: proposed annexation packages

Good morning,

The city is proposing four annexation packages to be heard at our March 24 Planning Commission meeting. I have attached maps of each area. Please distribute amongst your departments as necessary and please provide detailed impact information (i.e. additional staff needs, equipment, etc.) back to me by **March 7**.

Please breakdown your impacts per proposed annexation area if possible and as applicable, as we will look at each of these areas separately through the public hearing process.

Please let me know if you have any questions.

Thanks!

ORDINANCE NO. 4087

AN ORDINANCE TO ANNEX TO THE CITY OF BELLEVUE, SARPY COUNTY, NEBRASKA, CERTAIN LANDS, LOTS AND REAL ESTATE LYING WITHIN THE BELOW DESCRIBED BOUNDARIES, AND DESIGNATING AN EFFECTIVE DATE

WHEREAS, ALL OF THE LOTS, LANDS, AND REAL ESTATE LYING WITHIN THE BOUNDARIES DESCRIBED AS FOLLOWS TO WIT:

Tax Lot 9A1 except right of way, located in Section 23, T13N, R13E of the 6th P.M, Sarpy County, Nebraska and

Tax Lot 9B except right of way, located in Section 23, T13N, R13E of the 6th P.M, Sarpy County, Nebraska and

Irregular Northeasterly Part of Tax Lots 14A and 14B; located in Section 23, T13N, R13E of the 6th P.M. Sarpy County, Nebraska, and

all abutting rights-of-way.

ARE CONTINGUOUS AND ADJACENT TO THE CITY OF BELLEVUE, NEBRASKA, AND ARE URBAN OR SUBURBAN IN CHARACTER, AND

WHEREAS, SAID REAL ESTATE WILL RECEIVE MATERIAL BENEFITS AND ADVANTAGES FROM ANNEXATION TO THE SAID CITY.

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

Section 1. All of the real estate lying within the area heretofore described be and the same hereby is included within the boundaries and territory of the City of Bellevue, Nebraska, and said lands and the persons residing thereon shall hereafter be subject to all of the rules, regulations, ordinances, taxes, and all other burdens and benefits of other persons and territory included with the City of Bellevue, Nebraska

Section 2. This ordinance shall be in full force and be effective on June 2, 2022.

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

APPROVED AS TO FORM:

City Attorney

ATTEST

City Clerk

Mayor

First Reading: April 05, 2022
Second Reading: April 19, 2022
Third Reading: May 03, 2022

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

12e.
4/19/2022

COUNCIL MEETING DATE: 04/19/2022		SUBMITTED BY: Tammi Palm		TITLE: Planning Manager	
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 annex Tax Lots 5A and 16A and the Northeast ¼ of the Northwest ¼, and the North ½ of the Southeast ¼, West of Road, located in Section 23, T13N, R13E of the 6th P.M., and Part of Tax Lot 3, Lying West of 5th Street, located in Section 14, T13N, R13E of the 6th P.M.; and all abutting rights-of-way. Applicant: City of Bellevue.

SYNOPSIS/BACKGROUND:

A review of debt, potential City revenue as a result of annexation, and the ability of various City departments to provide services to the residents of these areas indicate it is feasible for the City to annex these lots at this time. This annexation is part of an annexation package consisting of two SID's and miscellaneous lots. The Planning Departments memorandum regarding the fiscal analysis and department review of the proposed annexation package is attached.

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 have recommended approval of this annexation request.

ATTACHMENTS:

1. <input type="text" value="Planning Commission Recommendation Sheet"/>	2. <input type="text" value="Staff Report"/>	3. <input type="text" value="Ord. No. 4088"/>
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:



City of Bellevue

PLANNING COMMISSION RECOMMENDATION

APPLICANT: City of Bellevue

CITY COUNCIL HEARING DATE: April 19, 2022

REQUEST: to annex Tax Lots 5A and 16A and the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, and the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$, West of Road, located in Section 23, T13N, R13E of the 6th P.M., and Part of Tax Lot 3, Lying West of 5th Street, located in Section 14, T13N, R13E of the 6th P.M.; and all abutting rights-of-way.

On March 24, 2022, the City of Bellevue Planning Commission voted eight yes, zero no, one absent and zero abstained:

APPROVAL based upon the positive financial impact on the City and the natural growth and development of the City.

VOTE:

Yes:	Seven:	No:	Zero:	Abstain:	One:	Absent:	One:
	Casey			Ackley			Jacobson
	Hankins						
	Ritz						
	Aerni						
	Cutsforth						
	Compton						
	Perrin						

Planning Commission Hearing (s) was held on: March 24, 2022



City of Bellevue

Office of the Planning Department

To: City Council
Mayor Rusty Hike
City Administrator Jim Ristow
From: Angela Curry, Assistant Planning Manager
Date: March 28, 2022
Subject: City of Bellevue annexation proposal

The City of Bellevue is proposing to annex the following two Sanitary and Improvement Districts into the city limits:

SID #67 Normandy Hills
SID #242 Cedar View

In addition to these SIDs, we are also proposing the annexation of an additional twenty (20) parcels that are currently adjacent to the City or will be upon approval of the SID annexations. Individual maps of the SIDs and the twenty (20) additional lots are attached.

FINANCIAL ANALYSIS

When the City annexes Sanitary and Improvement Districts, it assumes both its assets and liabilities. Assets include the infrastructure installed by the SID as well as any cash and investments held by the SID. Liabilities include any outstanding debt, in the form of bonds or warrants. The City will levy taxes on the properties (as it does on all property within the City) to generate funds for debt payments and the provision of City services. Any cash and investments held by the SIDs can also be used to pay debt.

The two SIDs proposed for annexation have an assessed valuation for 2021 of \$50,147,165 which will generate \$305,898 of property tax revenue for the City, based upon the current levy amount. The SIDs also currently have \$347,544 in cash and investments on deposit with the County Treasurer. The initial incremental increase in cash flow for the SID's would be \$356,348 and the potential future capital expenditures would be \$5,495,000. On the liability side, SID #242 has \$60,000 in outstanding bonded indebtedness. Annual debt payments for the bonded indebtedness are \$11,800. Annual tax revenue after debt service payments is expected to be \$294,098 prior to accounting for how the cash and investments are utilized. An increase in state aid, sales tax and other expenditures is expected to be \$191,795. The unincorporated lots will add another \$1,377,798 of valuation, \$8,406 of tax revenue, and an increase of \$58,458 in state aid, sales tax, and other debt to the annexation package. A chart showing figures for the individual SIDs and unincorporated lots is attached for your review.

In addition to property tax revenue, the City will also receive sales tax revenue from items delivered to residences in these areas, as well as from automobile purchases. Occupation taxes would also be collected on such things as phone and cable bills. The amount of revenue generated from these sources is unknown at this time.

Based upon the projected revenue and costs associated with this annexation, including the departmental needs for personnel and equipment as noted below, this annexation package is financially feasible for the City to undertake. Long-term capital projects will need to be addressed separately through the budget and CIP process.

DEMOGRAPHICS

The areas proposed for annexation consist of 272 parcels and 336 dwelling units, including apartments. The population estimate of 668 is based upon the 2020 Census.

DEPARTMENT REVIEW

The annexation proposal was sent out to other City departments for review, with a request for each to identify additional personnel and equipment needed to provide services to these areas. Based on the information provided the estimated increase in department costs would be \$214,554.00. Below is a summary of those comments; full responses are attached to this report.

Parks Department - one Park and open space, tree maintenance, one playground; no additional staff or equipment needed to maintain the four annexation areas. However, per Tom Woodard, Normandy Hills Park equipment and playground surface have several safety concerns. The park equipment will need to be renovated and made ADA accessible. Based on what Mr. Woodard has identified the estimated cost would be \$50,000.00 - \$70,000.00

Wastewater - infrastructure is satisfactory with minimal immediate repairs needed. Wastewater revenue would allow the department to continue to operate within its current operating margin

Street Department - additional 13.81 lane miles to maintain; increase in State Highway Allocation funding of \$112,728; 1 additional FTE personnel (\$50,000); increase in operational expenses of (\$109,502); capital expenses-one single-axle plow truck and one motor-grader (\$425,000)

Police Department - analyzed the SIDs in this annexation proposal would have a limited impact and no additional personnel or equipment needs at this time.

Fire Department - no impact. This area is already covered by the Bellevue Fire Department.

AFFECT ON ANNEXED AREAS

Areas that are annexed into the City will begin receiving City services on the effective date of the annexation. These services include street maintenance and snow removal, park maintenance (where applicable), police response, wastewater service, trash removal, free library cards, and specialized transportation services.

Property taxes

The impact of the property tax levy of the City is shown in the chart below (based upon current levy amounts). In determining future taxes, the levies for the SID and the three districts were removed and replaced with the City tax levy. Total tax amounts are impossible to predict as they are subject to changes in assessed valuations and changes in the tax levy of the various taxing jurisdictions.

SID#	Change in levy	Change in property taxes per \$100,000 valuation
67	0.130500	\$130.50
242	-0.069500	-\$69.50
Area #2	0.430500	\$430.50
Area #3	0.430500	\$430.50
Area #4	0.430500	\$430.50

The unincorporated lots will have a more significant increase in their property tax rates since they are not currently paying a SID tax. These parcels will see an increase of 0.430500 in the mil levy, or \$430.50 per \$100,000 of valuation.

Property tax changes will be effective for taxes assessed in 2022 and due in 2023.

Sales Taxes

City residents are required to pay City sales taxes on items delivered to their homes. This will affect people who buy items on-line or have deliveries from stores such as Nebraska Furniture Mart. The sales tax will also apply to new vehicle purchases. The City's sales tax rate is 1.5%.

Trash pick-up

The City contracts with Papillion Sanitation for residential trash pick-up in the city limits. Residents have the option of choosing 35-, 65-, or 95-gallon trash containers at a cost of \$14.10, \$17.10, or \$19.99 per month, respectively. Residential recycling and yard waste are included in the monthly charge. Billing for trash pick-up is included in the monthly MUD water/gas bill for residents and is not optional for residents. If a new resident wishes to keep his/her current trash service they may, but they will still be billed for Papillion Sanitation service on their MUD bill.

School Districts

The annexation has no effect on school district boundaries.

Post Office/Zip Code

The annexation has no effect on zip codes and which post office serves a particular area.

Planning, Zoning, Building Permits

All areas under consideration for annexation are currently within the City's extra-territorial jurisdiction and are subject to planning, zoning, and permitting requirements. Annexation will have no effect on this. Current uses of a property will be allowed to remain provided they were lawfully established.

Wastewater

Bellevue residents currently pay a minimum monthly wastewater service fee of \$18.79. Non-residents pay the City of Omaha minimum fee of \$39.18, new residents will see a monthly savings of approximately \$20.

Pets

City residents are required to license their pets through the Nebraska Humane Society. There is no change to the number of permitted household pets (three) as that regulation is in the Zoning Ordinance.

Other

In addition to those items above, residents will be able to run for City offices and vote in local elections and be eligible to be appointed to City boards and commissions that require residency. Residents will also pay lower fees for some recreational programs and be able to get a library card free of charge.

PLANNING DEPARTMENT RECOMMENDATION

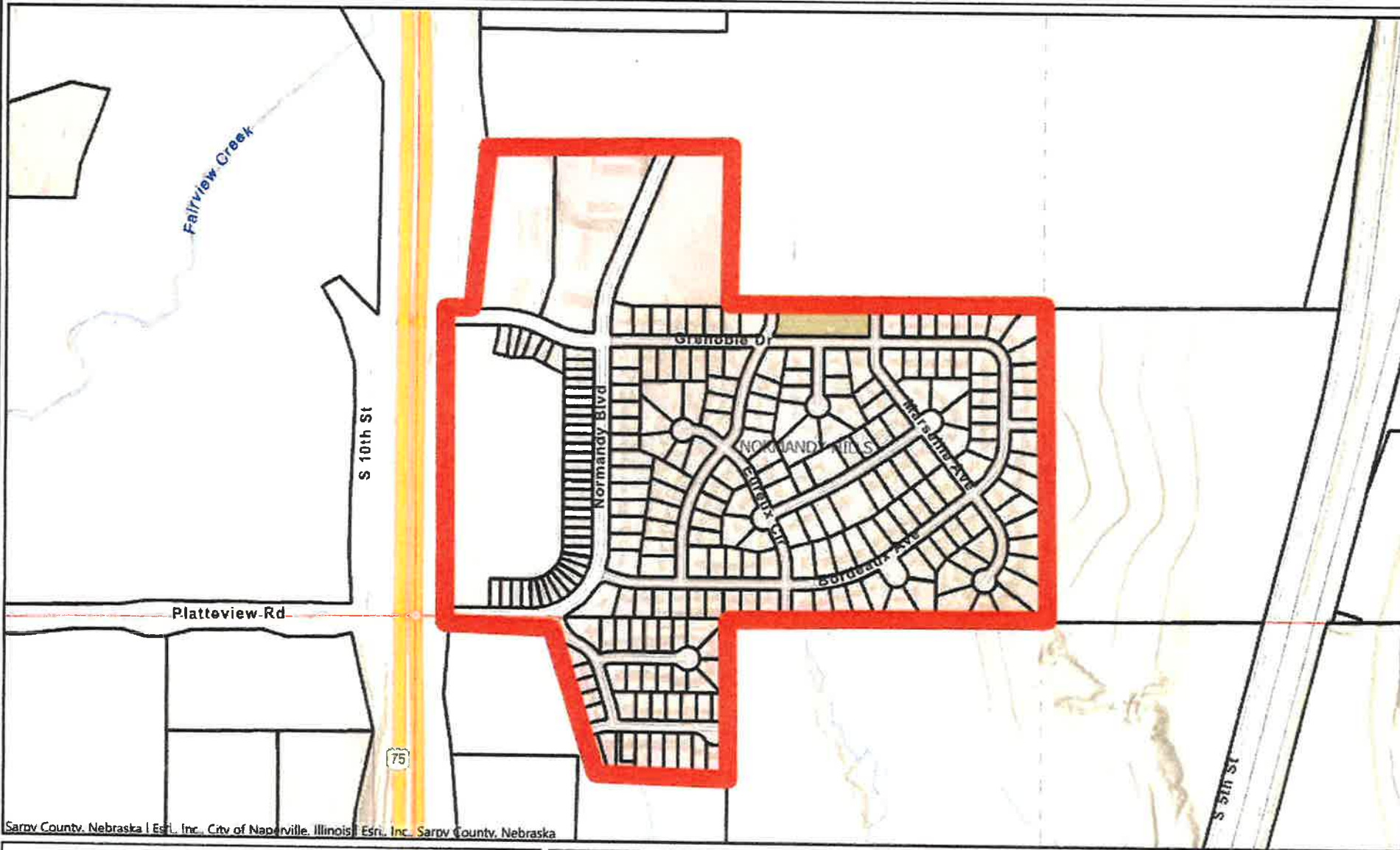
APPROVAL based upon the positive financial impact on the City and the natural growth and development of the City.

PLANNING COMMISSION RECOMMENDATION

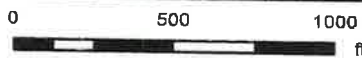
APPROVAL based upon the positive financial impact on the City and the natural growth and development of the City.



Annexation Area 1 - SIDs 67 and 242



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



Map Scale 1: 9028

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





SARPY COUNTY
NEBRASKA

Annexation Area 2



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



Map Scale 1: 9028

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.



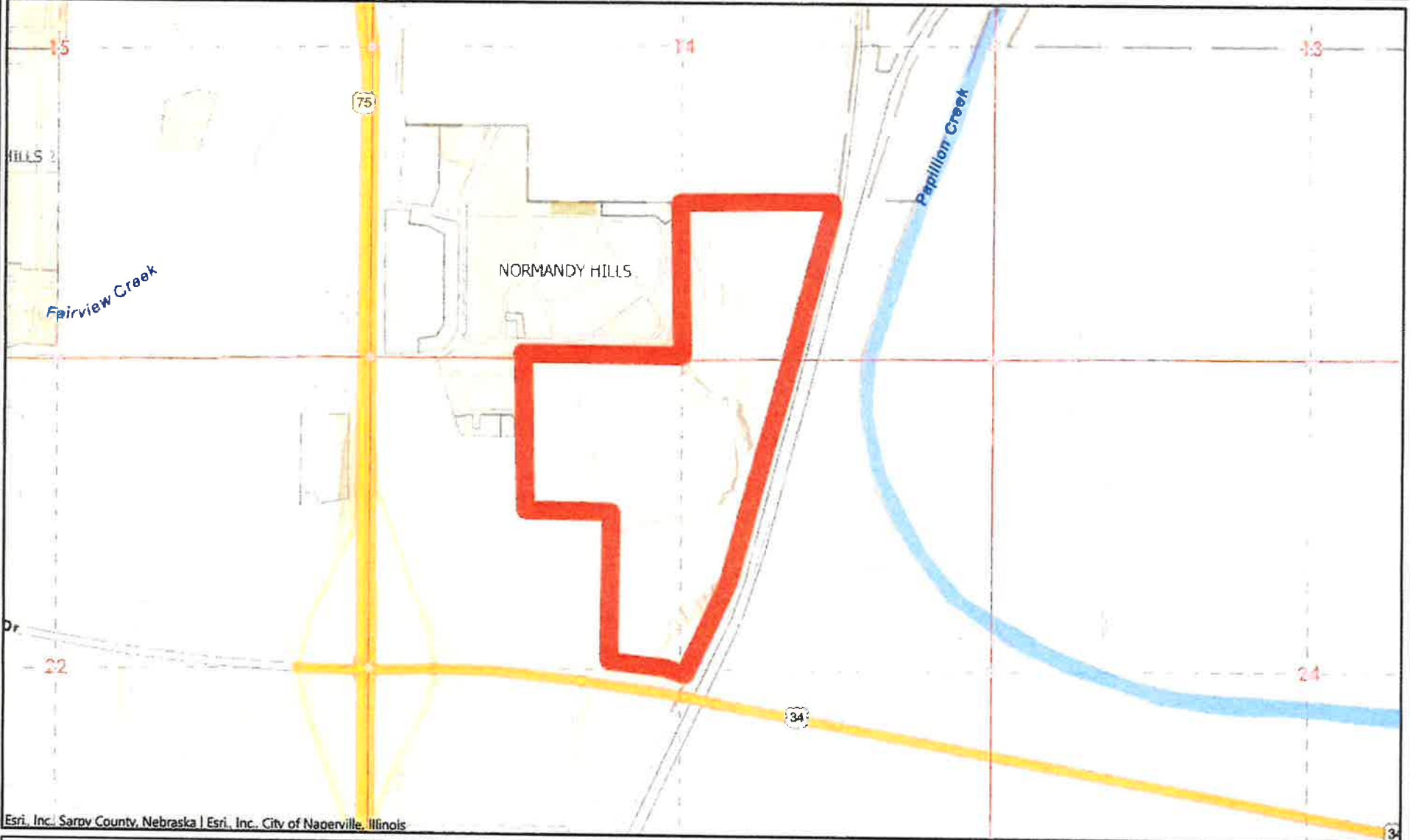
Notes





SARPY COUNTY
NEBRASKA

Annexation Area #3



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



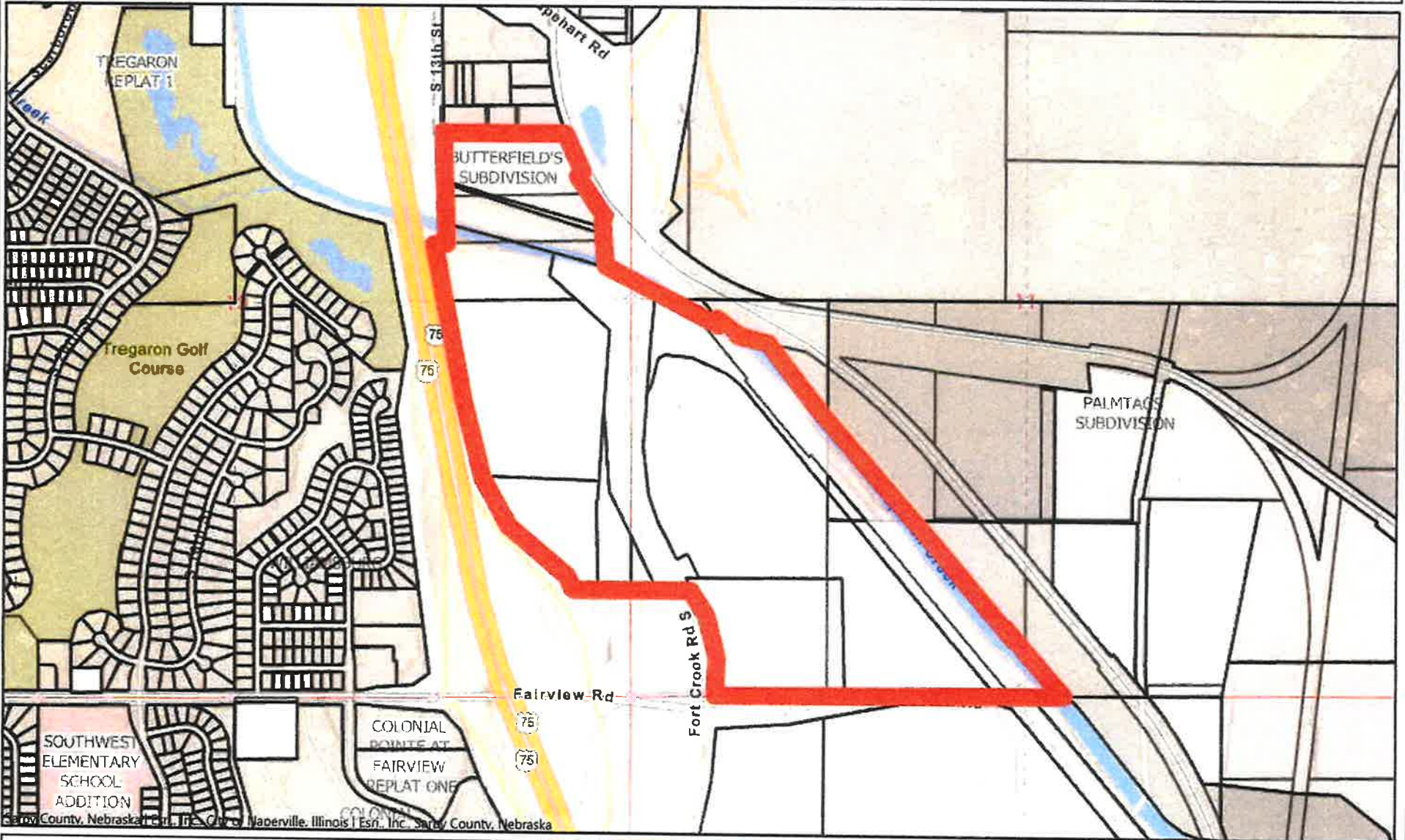
Map Scale 1: 18056

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Notes





Map Scale 1: 14274

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Notes



Annexation Area/SID #	Annexation Area/SID Name	2021 Valuation	Cash And Investments	Bonded Debt	Annual Debt Service	City Tax Levy Revenue	Tax Revenue Minus Debt Service	Increase In State Aid, Sales Tax & Other	Increase In Department Costs	Initial Incremental Increase in Cash Flow	Potential Future Capital Expenditures
67	Normandy	\$ 42,268,815	\$ 307,908	\$ -	\$ -	\$ 257,840	\$ 257,840	\$ 171,465	\$ 103,431	\$ 325,874	\$ 5,495,000
242	Cedar View	\$ 7,878,350	\$ 39,636	\$ 60,000	\$ 11,800	\$ 48,058	\$ 36,258	\$ 20,330	\$ 26,114	\$ 30,474	
Area #2	Area #2	\$ 442,378	\$ -	\$ -	\$ -	\$ 2,699	\$ 2,699	\$ 232	\$ -	\$ 2,931	
Area #3	Area #3	\$ 578,615	\$ -	\$ -	\$ -	\$ 3,530	\$ 3,530	\$ 35,420	\$ 51,706	\$ (12,756)	
Area #4	Area #4	\$ 356,805	\$ -	\$ -	\$ -	\$ 2,177	\$ 2,177	\$ 22,806	\$ 33,303	\$ (8,320)	
		\$ 51,524,963	\$ 347,544	\$ 60,000	\$ 11,800	\$ 314,304	\$ 302,504	\$ 250,253	\$ 214,554	\$ 338,203	\$ 5,495,000



City of Bellevue

Parks Department

8201 South 42nd Street • Bellevue, Nebraska 68147 • (402) 293-3122


MEMO

RECEIVED

MAR 07 2022

PLANNING DEPT.

To: Doug Clark
Tammi Palm
Angela Curry

From: Jim Shada 

Subject: Proposed Annexation Packages

Date: March 7, 2022

As per your request, after reviewing the four annexation packages, the Parks Department would not require any additional staff or equipment needs to maintain the four annexation areas. However, Normandy Hills Park equipment and playground surface has several safety concerns. Please find attached Mr. Tom Woodard's assessment. Based on what Tom has pointed out, I would estimate it would cost between \$50,000.00-\$70,000.00 to renovate the park equipment and make it ADA accessible.

Thank you,

Jim Shada
Parks & Recreation Director

information

Tom Woodard

Mon 3/7/2022 10:44 AM

To: Jim Shada <Jim.Shada@bellevue.net>;

1 attachments (4 MB):

Normandy Hills.docx;

If you need more specifics I can get that for you as needed. Let me know..Tom

**Normandy Hills
March 7, 2022**



This 2-5 playground assembly is an older unit but I did not observe any notable safety concerns. The whole playground is covered in pea gravel which is not the best for impact safety but is acceptable.





It was released in January 1995 by the U.S. Consumer Product Safety Commission that any and all animal swings were to be removed from public playgrounds due to impact with small children.



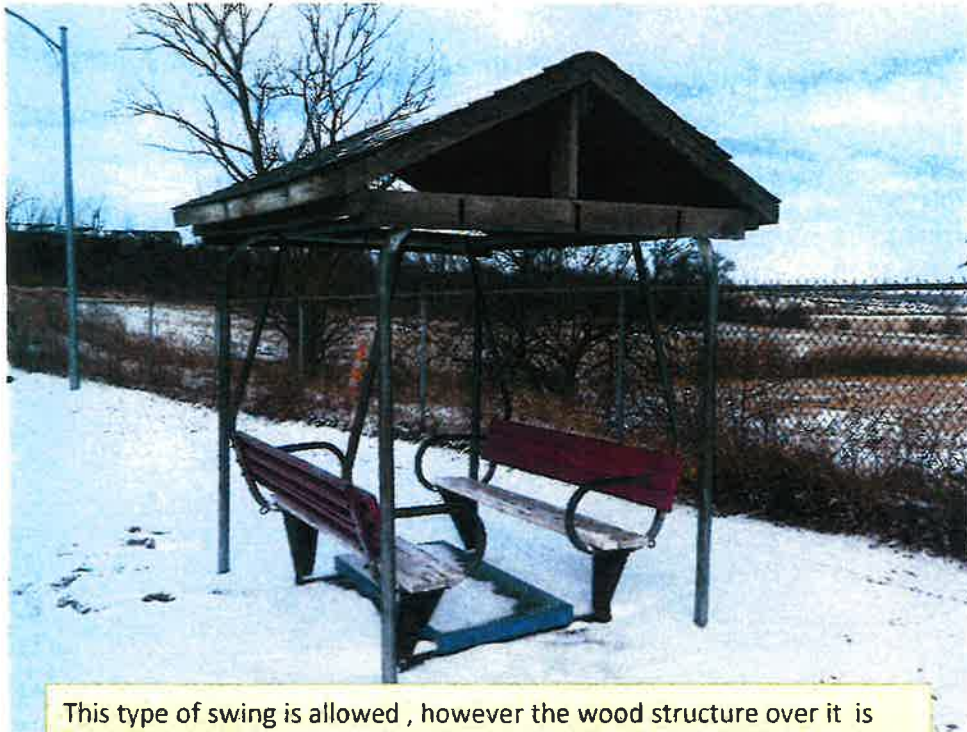
In 2004 the CPSC banned all wood structures in public playground due to the wood rotting at the base causing potential tip over. Also standards started in 1999 will not allow swings attached to a playground assembly.



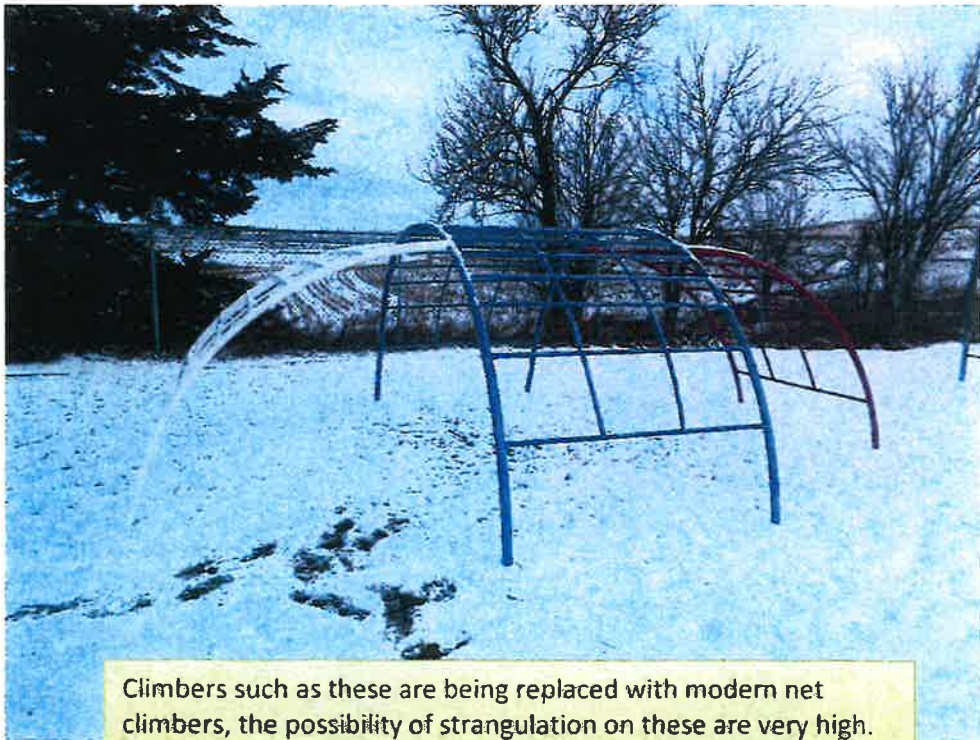
These bucket seats are not of the CPSC approved swings nor Are they ADA compliant.



Tire swings are only allowed on a frame by itself. Very specific safety standards have to be followed on this type of swing.



This type of swing is allowed , however the wood structure over it is not, too many areas for little ones to get hurt climbing in and around.



Climbers such as these are being replaced with modern net climbers, the possibility of strangulation on these are very high.



The spinner is in good shape as well as the picnic shelter.





There is not any ADA accessible routes from the sidewalk to the playground area.





This Park does offer a fenced in Basketball court , it might server as a tennis court as well



City of Bellevue Waste Water Department

8902 Cedar Island Road • Bellevue, Nebraska 68147 • (402) 293-3135

To: Tammi Palm
CC: Doug Clark
From: Epiphany Ramos
RE: Annexation Report Request Dated 02/17/2022 – Normandy Hills and undeveloped lots
Date: February 28, 2022

I have reviewed the proposed annexation areas and have found the sanitary infrastructure to be satisfactory, with likely minimal pipeline repairs needed immediately. There appear to be at least two manhole structures that will require immediate repairs via confined space access. The condition of the lift station is unknown due to inability to gain access, however it was operational upon inspection. There is also approximately 500' of 4" force main that could not be inspected. Upgrades to the lift station will be needed to standardize communications and components to meet current WW Operations and Maintenance Plan objectives. Immediate intense cleaning and PACP inspection will be required upon annexation which will take approximately 2 months for my current staff to complete and will create backlog for the existing scheduled workload. Once this initial cleaning and inspection is completed, routine maintenance and scheduled capital improvement planning should begin. Our operating margin is currently at approximately 30%, we would be able to maintain this margin within these locations as well.

The below chart contains the basic information requested for these areas, Total FTE (full-time employee) required is annually. We calculate FTE based on resource load per asset unit. Used here is the total existing linear feet of pipeline, structures, and lift station assets currently maintained by the department within the O&M program model. An additional .25 FTE, and corresponding expense budget maintaining a 30% operating margin, would be required to service the annexation outlined below. Existing equipment and fleet can be utilized for routine maintenance.

	Total ft of Sanitary Pipe	Total Structures	Total Units	Est Annual Revenue	Average Remaining Life of Assets (YR)	Total FTE needed for Maint
SID	67 10761	55	238	\$ 118,209.84	75	0.08
and CedarView	500 (Force Main)	1 (Lift Station)	0	\$ -	10	0.13

RECEIVED

FEB 28 2022

PLANNING DEPT.





City of Bellevue

Street Department

206 Industrial Dr • Bellevue, Nebraska 68005 • (402) 293-3126

MEMORANDUM

To: Doug Clark Public Works Director
From: Bobby Riggs Street Superintendent
Subject: 2021 Annexation Package Impact Review
Date: March 7, 2022

RECEIVED

MAR 7 2022

PLANNING DEPT.

I. SID AREAS

Lane Mile Additions – 1.92 % increase over existing

o **Package, Total Lane Miles = 12.81**

- Area 1 - #67 – Normandy Hills = 5.66 #242 – Cedar View = 0.59
- Area 2 - No lane mile impact
- Area 3 - Lane Miles – 3.99
- Area 4 - Lane Miles – 2.57

II. COSTS:

A. DEPARTMENT OPERATIONAL BUDGET

Required increases to for maintenance, material costs to maintain existing service levels

- i.) The Street Dept. fiscal 2021-2022 operational maintenance budget (667lane miles) is funded at \$5,701,618.00 in total. This rate of funding breaks down to \$8,548.15 per lane mile for the department's operational expenditures. This package totals 12.81 lane miles and would require a baseline funding adjustment of 1.92 % above the current year's budgeted levels to meet annual operational needs.

***Note: This number does not factor in the request for additional staff, equipment, or regulatory sign installation in SIDs, where warranted. A reasonable assumption would be an additional year-one cost of nearly \$6,500 dollars for signs, posts, and hardware to cover the potential new areas which would be completed this fiscal year.*

Estimated year-one, base-line operational budget increase for FY21-22: \$109,471.

Mailing Address: 210 West Mission Avenue Bellevue, Nebraska 68005





City of Bellevue

Street Department

206 Industrial Dr • Bellevue, Nebraska 68005 • (402) 293-3126

B. C.I.P. CONSIDERATIONS (Year-one costs)

i.) MANPOWER NEEDS

Recommendation (Current + Prior Annexations, Historical Staffing Numbers)

As of year-end, fiscal 2021-21, the Street Department provided street pavement maintenance, snow removal, sign/signal maintenance and bi-annual street-sweeping on nearly 670 lane miles of roads.

The department should look to seek a staffing ratio of 1 employee per 15.00 lane miles to meet operational needs.

This package approaches the threshold to add 1 full-time employee and would be needed as the department staffing level is currently far under the ratio.

FY 2021-22 increased department Personnel cost assumption, above current levels for one full-time staff addition - \$50,000

ii.) EQUIPMENT NEEDS

To provide current levels of service during snow removal operations in the winter months, the department used thirty-four (38) pieces of equipment to clear roads in the winter last year. This averages 17.63 lane miles per unit. The proposed areas in this package would require adding one plow route for operations in the winter.

Equipment additions – One (1) single-axle plow truck, one (1) motor-grader.

Estimated first-year equipment cost to cover areas, above potential approved budget - \$425,000

iii.) AREA 3

Special consideration should be given to this area, namely the roadway and bridge conditions. Road resurfacing and significant bridge rehabilitation will cost upwards of 5 million dollars and should be programmed immediately.

C. REVENUE

i.) HIGHWAY ALLOCATION

Projected revenue increase

Highway Allocation funding is somewhat fluid and subject to change with revenue fluctuation.

Mailing Address: 210 West Mission Avenue Bellevue, Nebraska 68005





City of Bellevue Street Department

206 Industrial Dr • Bellevue, Nebraska 68005 • (402) 293-3126

Revenue projections in this report are based solely on fiscal 21-22 budget forecast reduced to a per lane mile estimate.

Fiscal 2021-22 budget – \$5,871,407 for 2021 lane mile levels. This budget forecast equates to roughly \$8,800 per lane mile in revenue from the Highway Trust fund on an annual basis.

The 12-month anticipated increase to Highway Allocation revenue levels from this proposed package would be \$112,728.

Mailing Address: 210 West Mission Avenue Bellevue, Nebraska 68005



Tammi Palm

From: Ken Clary
Sent: Wednesday, March 9, 2022 9:23 AM
To: Tammi Palm
Cc: Dave Stukenholtz; Jim Ristow
Subject: RE: proposed annexation packages

Tammi,

I apologize for the delay. At this time the impact would be limited regarding the proposed annexations. The only currently populated area of the annexations is Normandy Hills. Sarpy County shows 213 total calls for service in that area over the previous year. I believe our District 712 or 742 cars could absorb those calls over the short term. I will add the caveat that – as this area is built-out and we annex more area around Hwy 34 and Hwy 75, that will likely need to be added as a stand-alone district (adding the need for four additional officers). Talking to Mark, that will likely be in the timeline of 2024 or 2025. So, to summarize, the current impact would be negligible and we will discuss further with future annexations in that area.

KC

From: Tammi Palm <Tammi.Palm@bellevue.net>
Sent: Wednesday, March 9, 2022 8:40 AM
To: Ken Clary <ken.clary@bellevue.net>
Subject: FW: proposed annexation packages

Hi Chief,

Just a reminder – can I get your comments on these proposed annexations? We're putting our report together and I want to make sure I have any Police needs documented.

Thanks!

Best regards,

Tammi Palm

Planning Manager
City of Bellevue
1510 Wall Street
Bellevue, NE 68005
(402) 293-3038

From: Tammi Palm
Sent: Thursday, February 17, 2022 10:45 AM
To: Mark Elbert <mark.elbert@bellevue.net>; Doug Clark <doug.clark@bellevue.net>; Ashley Decker <ashley.decker@bellevue.net>; Susan Kluthe <Susan.Kluthe@bellevue.net>; Julie Dinville <Julie.Dinville@bellevue.net>; Perry Guido <Perry.Guido@bellevue.net>; Ken Clary <ken.clary@bellevue.net>
Cc: Richard Severson <richard.severson@bellevue.net>; 'Angela Curry' <angela.curry@bellevue.net>; Bree Robbins <bree.robbins@bellevue.net>
Subject: proposed annexation packages

Tammi Palm

From: Gifford, Donald (235)
Sent: Tuesday, February 22, 2022 6:23 AM
To: Tammi Palm
Cc: Guido, Perry
Subject: FW: proposed annexation packages
Attachments: Annex Area 1 GIS Map.pdf; Annex Area 2 GIS map.pdf; Annex Area 3 GIS Map.pdf; Annex Area 4 GIS Map.pdf

Tami,
Chief Guido ask me to investigate this, there is no impact to the fire department due to the fire department already covers the areas in the proposed annexation package.

Donald Gifford
Battalion Chief
City of Bellevue Fire Department
Inspections Bureau
Email Donald.gifford@bellevue.net
Phone 402-682-6630
Cell 402-515-8545

From: Tammi Palm <Tammi.Palm@bellevue.net>
Date: February 17, 2022 at 10:44:45 AM CST
To: Mark Elbert <mark.elbert@bellevue.net>, Doug Clark <doug.clark@bellevue.net>, Ashley Decker <ashley.decker@bellevue.net>, Susan Kluthe <Susan.Kluthe@bellevue.net>, Julie Dinville <Julie.Dinville@bellevue.net>, Perry Guido <Perry.Guido@bellevue.net>, Ken Clary <ken.clary@bellevue.net>
Cc: Richard Severson <richard.severson@bellevue.net>, Angela Curry <angela.curry@bellevue.net>, Bree Robbins <bree.robbins@bellevue.net>
Subject: proposed annexation packages

Good morning,

The city is proposing four annexation packages to be heard at our March 24 Planning Commission meeting. I have attached maps of each area. Please distribute amongst your departments as necessary and please provide detailed impact information (i.e. additional staff needs, equipment, etc.) back to me by **March 7**.

Please breakdown your impacts per proposed annexation area if possible and as applicable, as we will look at each of these areas separately through the public hearing process.

Please let me know if you have any questions.

Thanks!



ORDINANCE NO. 4088

AN ORDINANCE TO ANNEX TO THE CITY OF BELLEVUE, SARPY COUNTY, NEBRASKA, CERTAIN LANDS, LOTS AND REAL ESTATE LYING WITHIN THE BELOW DESCRIBED BOUNDARIES, AND DESIGNATING AN EFFECTIVE DATE

WHEREAS, ALL OF THE LOTS, LANDS, AND REAL ESTATE LYING WITHIN THE BOUNDARIES DESCRIBED AS FOLLOWS TO WIT:

Tax Lots 5A and 16A and the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, and the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$, West of Road, located in Section 23, T13N, R13E of the 6th P.M., Sarpy County, Nebraska, and

Part of Tax Lot 3, Lying West of 5th Street, located in Section 14, T13N, R13E of the 6th P.M. Sarpy County, Nebraska, and

all abutting rights-of-way.

ARE CONTINGUOUS AND ADJACENT TO THE CITY OF BELLEVUE, NEBRASKA, AND ARE URBAN OR SUBURBAN IN CHARACTER, AND

WHEREAS, SAID REAL ESTATE WILL RECEIVE MATERIAL BENEFITS AND ADVANTAGES FROM ANNEXATION TO THE SAID CITY.

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

Section 1. All of the real estate lying within the area heretofore described be and the same hereby is included within the boundaries and territory of the City of Bellevue, Nebraska, and said lands and the persons residing thereon shall hereafter be subject to all of the rules, regulations, ordinances, taxes, and all other burdens and benefits of other persons and territory included with the City of Bellevue, Nebraska

Section 2. This ordinance shall be in full force and be effective on June 2, 2022.

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

APPROVED AS TO FORM:

City Attorney

ATTEST

City Clerk

Mayor

First Reading: April 05, 2022
Second Reading: April 19, 2022
Third Reading: May 03, 2022

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

12f.
4/19/2022

COUNCIL MEETING DATE: 04/19/2022		SUBMITTED BY: Tammi Palm		TITLE: Planning Manager	
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 annex Part of Tax Lot F1A, and Part of Tax Lot J except part taken for NRD, Tax Lot F1B, and Part of Tax Lot H, Part of Tax Lot F1A, Part of Tax Lot J taken for NRD, and Part of Tax Lot K, all located in Section 11, T13N, R13E of the 6th P.M.; Part of Lots 12A, 13B, and 14B, Butterfields Subdivision, Part of Lot 13A North of drainage ditch and Part of Lot 14, Butterfields Subdivision, all except part for NRD, Part of Lot 13 and Part of Lot 14, Butterfields Subdivision, all for NRD (Parcel ID 011605117), Part of Tax Lot 14 located in Section 11, T13N, R13E of the 6th P.M. together with Lots 13C and 12B, Butterfields Subdivision; Part of vacated State Right-of-Way in the East 1/2 of the East 1/2 of the Southeast 1/4 and adjacent Tax Lot 14, Section 10, T13N, R13E of the 6th P.M., Part of vacated State Right-of-Way in the Southwest 1/4 of the Southwest 1/4, West of Fort Crook Road South, Section 11, T13N, R13E of the 6th P.M., and Lot 1C, Palmtag's Subdivision; and all abutting rights-of-way. Applicant: City of Bellevue.

SYNOPSIS/BACKGROUND:

A review of debt, potential City revenue as a result of annexation, and the ability of various City departments to provide services to the residents of these areas indicate it is feasible for the City to annex these lots at this time. This annexation is part of an annexation package consisting of two SID's and miscellaneous lots. The Planning Departments memorandum regarding the fiscal analysis and department review of the proposed annexation package is attached.

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 have recommended approval of this annexation request.

ATTACHMENTS:

- | | | |
|--|--|---|
| 1. <input type="text" value="Planning Commission Recommendation Sheet"/> | 2. <input type="text" value="Staff Report"/> | 3. <input type="text" value="Ord. No. 4089"/> |
| 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: _____

*REVISED 10/2019

City of Bellevue

PLANNING COMMISSION RECOMMENDATION

APPLICANT: City of Bellevue

CITY COUNCIL HEARING DATE: April 19, 2022

REQUEST: to annex Part of Tax Lot F1A, and Part of Tax Lot J except part taken for NRD, Tax Lot F1B, and Part of Tax Lot H, Part of Tax Lot F1A, Part of Tax Lot J taken for NRD, and Part of Tax Lot K, all located in Section 11, T13N, R13E of the 6th P.M.; Part of Lots 12A, 13B, and 14B, Butterfields Subdivision, Part of Lot 13A North of drainage ditch and Part of Lot 14, Butterfields Subdivision, all except part for NRD, Part of Lot 13 and Part of Lot 14, Butterfields Subdivision, all for NRD (Parcel ID 011605117), Part of Tax Lot 14 located in Section 11, T13N, R13E of the 6th P.M. together with Lots 13C and 12B, Butterfields Subdivision; Part of vacated State Right-of-Way in the East ½ of the East ½ of the Southeast ¼ and adjacent Tax Lot 14, Section 10, T13N, R13E of the 6th P.M., Part of vacated State Right-of-Way in the Southwest ¼ of the Southwest ¼, West of Fort Crook Road South, Section 11, T13N, R13E of the 6th P.M., and Lot 1C, Palmtag’s Subdivision; and all abutting rights-of-way.

On March 24, 2022, the City of Bellevue Planning Commission voted eight yes, zero no, one absent and zero abstained:

APPROVAL based upon the positive financial impact on the City and the natural growth and development of the City.

VOTE:

Yes:	Eight:	No:	Zero:	Abstain:	Zero:	Absent:	One:
	Casey						Jacobson
	Hankins						
	Ritz						
	Aerni						
	Cutsforth						
	Ackley						
	Compton						
	Perrin						

Planning Commission Hearing (s) was held on: March 24, 2022



City of Bellevue

Office of the Planning Department

To: City Council
Mayor Rusty Hike
City Administrator Jim Ristow
From: Angela Curry, Assistant Planning Manager
Date: March 28, 2022
Subject: City of Bellevue annexation proposal

The City of Bellevue is proposing to annex the following two Sanitary and Improvement Districts into the city limits:

SID #67 Normandy Hills
SID #242 Cedar View

In addition to these SIDs, we are also proposing the annexation of an additional twenty (20) parcels that are currently adjacent to the City or will be upon approval of the SID annexations. Individual maps of the SIDs and the twenty (20) additional lots are attached.

FINANCIAL ANALYSIS

When the City annexes Sanitary and Improvement Districts, it assumes both its assets and liabilities. Assets include the infrastructure installed by the SID as well as any cash and investments held by the SID. Liabilities include any outstanding debt, in the form of bonds or warrants. The City will levy taxes on the properties (as it does on all property within the City) to generate funds for debt payments and the provision of City services. Any cash and investments held by the SIDs can also be used to pay debt.

The two SIDs proposed for annexation have an assessed valuation for 2021 of \$50,147,165 which will generate \$305,898 of property tax revenue for the City, based upon the current levy amount. The SIDs also currently have \$347,544 in cash and investments on deposit with the County Treasurer. The initial incremental increase in cash flow for the SID's would be \$356,348 and the potential future capital expenditures would be \$5,495,000. On the liability side, SID #242 has \$60,000 in outstanding bonded indebtedness. Annual debt payments for the bonded indebtedness are \$11,800. Annual tax revenue after debt service payments is expected to be \$294,098 prior to accounting for how the cash and investments are utilized. An increase in state aid, sales tax and other expenditures is expected to be \$191,795. The unincorporated lots will add another \$1,377,798 of valuation, \$8,406 of tax revenue, and an increase of \$58,458 in state aid, sales tax, and other debt to the annexation package. A chart showing figures for the individual SIDs and unincorporated lots is attached for your review.

In addition to property tax revenue, the City will also receive sales tax revenue from items delivered to residences in these areas, as well as from automobile purchases. Occupation taxes would also be collected on such things as phone and cable bills. The amount of revenue generated from these sources is unknown at this time.

Based upon the projected revenue and costs associated with this annexation, including the departmental needs for personnel and equipment as noted below, this annexation package is financially feasible for the City to undertake. Long-term capital projects will need to be addressed separately through the budget and CIP process.

DEMOGRAPHICS

The areas proposed for annexation consist of 272 parcels and 336 dwelling units, including apartments. The population estimate of 668 is based upon the 2020 Census average household size of 2.61 persons per dwelling unit.

DEPARTMENT REVIEW

The annexation proposal was sent out to other City departments for review, with a request for each to identify additional personnel and equipment needed to provide services to these areas. Based on the information provided the estimated increase in department costs would be \$214,554.00. Below is a summary of those comments; full responses are attached to this report.

Parks Department - one Park and open space, tree maintenance, one playground; no additional staff or equipment needed to maintain the four annexation areas. However, per Tom Woodard, Normandy Hills Park equipment and playground surface have several safety concerns. The park equipment will need to be renovated and made ADA accessible. Based on what Mr. Woodard has identified the estimated cost would be \$50,000.00 - \$70,000.00

Wastewater - infrastructure is satisfactory with minimal immediate repairs needed. Wastewater revenue would allow the department to continue to operate within its current operating margin

Street Department - additional 13.81 lane miles to maintain; increase in State Highway Allocation funding of \$112,728; 1 additional FTE personnel (\$50,000); increase in operational expenses of (\$109,502); capital expenses-one single-axle plow truck and one motor-grader (\$425,000)

Police Department - analyzed the SIDs in this annexation proposal would have a limited impact and no additional personnel or equipment needs at this time.

Fire Department - no impact. This area is already covered by the Bellevue Fire Department.

AFFECT ON ANNEXED AREAS

Areas that are annexed into the City will begin receiving City services on the effective date of the annexation. These services include street maintenance and snow removal, park maintenance (where applicable), police response, wastewater service, trash removal, free library cards, and specialized transportation services.

Property taxes

The impact of the property tax levy of the City is shown in the chart below (based upon current levy amounts). In determining future taxes, the levies for the SID and the three districts were removed and replaced with the City tax levy. Total tax amounts are impossible to predict as they are subject to changes in assessed valuations and changes in the tax levy of the various taxing jurisdictions.

<u>SID#</u>	<u>Change in levy</u>	<u>Change in property taxes per \$100,000 valuation</u>
67	0.130500	\$130.50
242	-0.069500	-\$69.50
Area #2	0.430500	\$430.50
Area #3	0.430500	\$430.50
Area #4	0.430500	\$430.50

The unincorporated lots will have a more significant increase in their property tax rates since they are not currently paying a SID tax. These parcels will see an increase of 0.430500 in the mil levy, or \$430.50 per \$100,000 of valuation.

Property tax changes will be effective for taxes assessed in 2022 and due in 2023.

Sales Taxes

City residents are required to pay City sales taxes on items delivered to their homes. This will affect people who buy items on-line or have deliveries from stores such as Nebraska Furniture Mart. The sales tax will also apply to new vehicle purchases. The City's sales tax rate is 1.5%.

Trash pick-up

The City contracts with Papillion Sanitation for residential trash pick-up in the city limits. Residents have the option of choosing 35-, 65-, or 95-gallon trash containers at a cost of \$14.10, \$17.10, or \$19.99 per month, respectively. Residential recycling and yard waste are included in the monthly charge. Billing for trash pick-up is included in the monthly MUD water/gas bill for residents and is not optional for residents. If a new resident wishes to keep his/her current trash service they may, but they will still be billed for Papillion Sanitation service on their MUD bill.

School Districts

The annexation has no effect on school district boundaries.

Post Office/Zip Code

The annexation has no effect on zip codes and which post office serves a particular area.

Planning, Zoning, Building Permits

All areas under consideration for annexation are currently within the City's extra-territorial jurisdiction and are subject to planning, zoning, and permitting requirements. Annexation will have no effect on this. Current uses of a property will be allowed to remain provided they were lawfully established.

Wastewater

Bellevue residents currently pay a minimum monthly wastewater service fee of \$18.79. Non-residents pay the City of Omaha minimum fee of \$39.18, new residents will see a monthly savings of approximately \$20.

Pets

City residents are required to license their pets through the Nebraska Humane Society. There is no change to the number of permitted household pets (three) as that regulation is in the Zoning Ordinance.

Other

In addition to those items above, residents will be able to run for City offices and vote in local elections and be eligible to be appointed to City boards and commissions that require residency. Residents will also pay lower fees for some recreational programs and be able to get a library card free of charge.

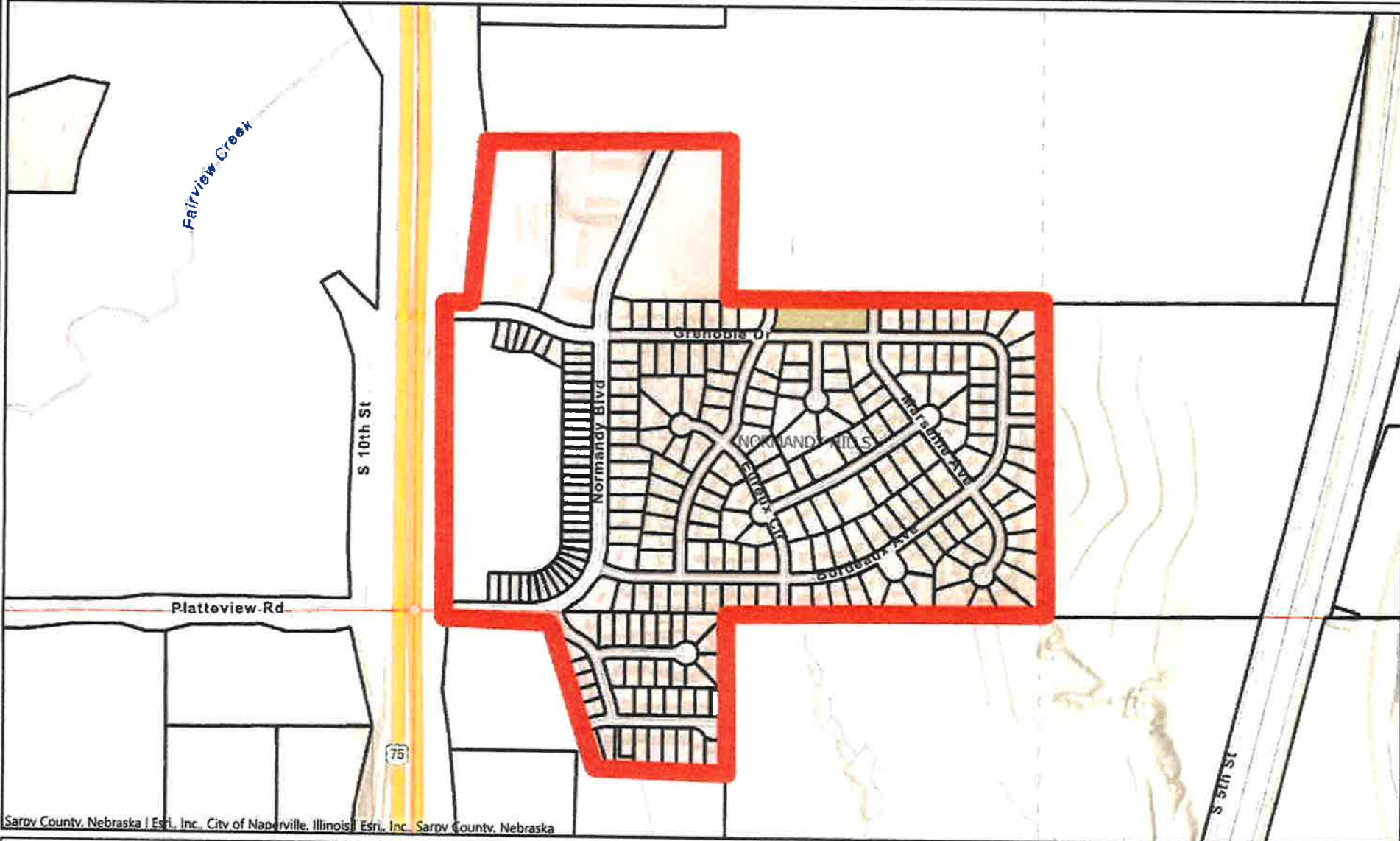
PLANNING DEPARTMENT RECOMMENDATION

APPROVAL based upon the positive financial impact on the City and the natural growth and development of the City.

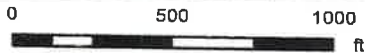
PLANNING COMMISSION RECOMMENDATION

APPROVAL based upon the positive financial impact on the City and the natural growth and development of the City.

Annexation Area 1 - SIDs 67 and 242



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



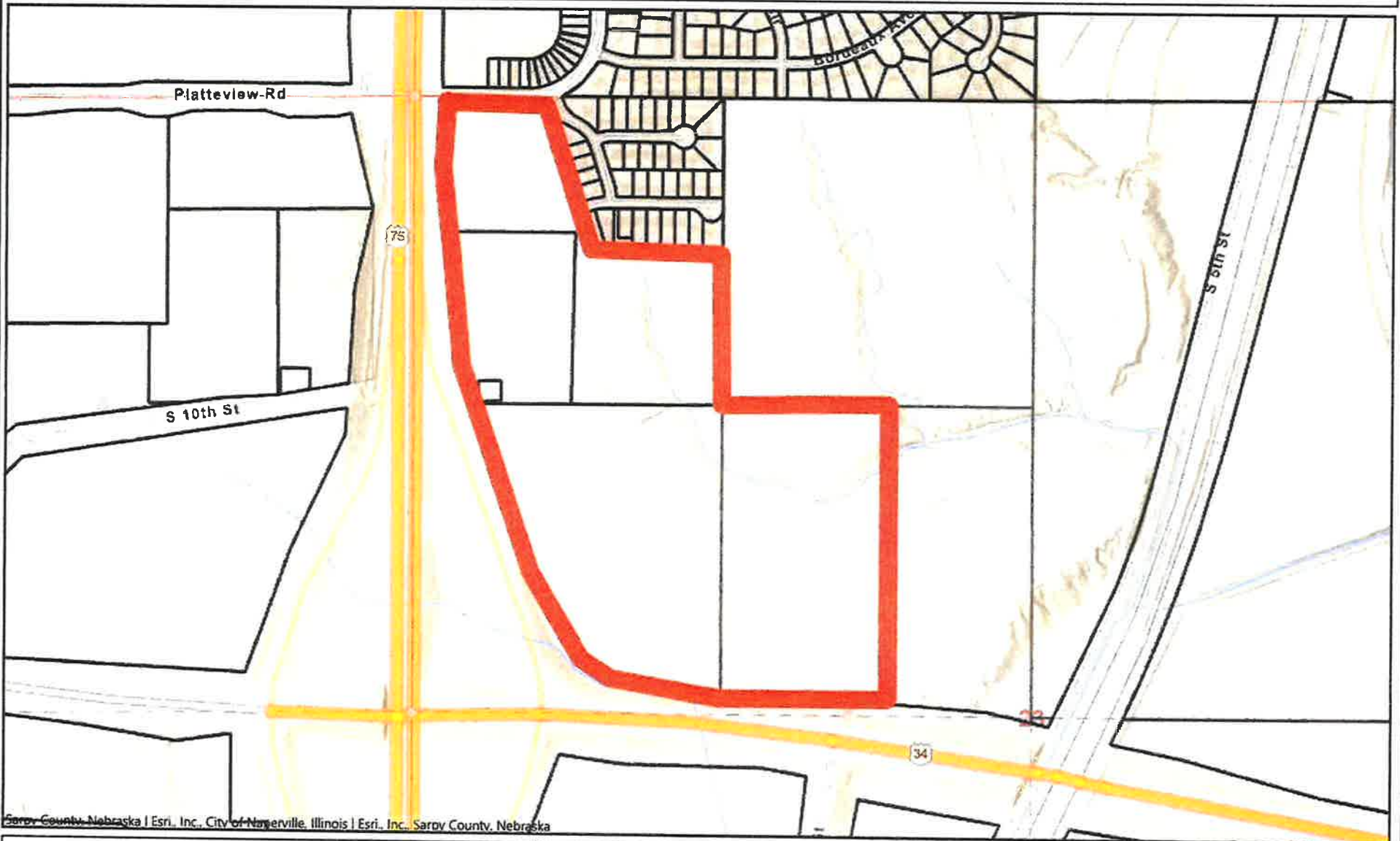
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Notes





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



Map Scale 1: 9028

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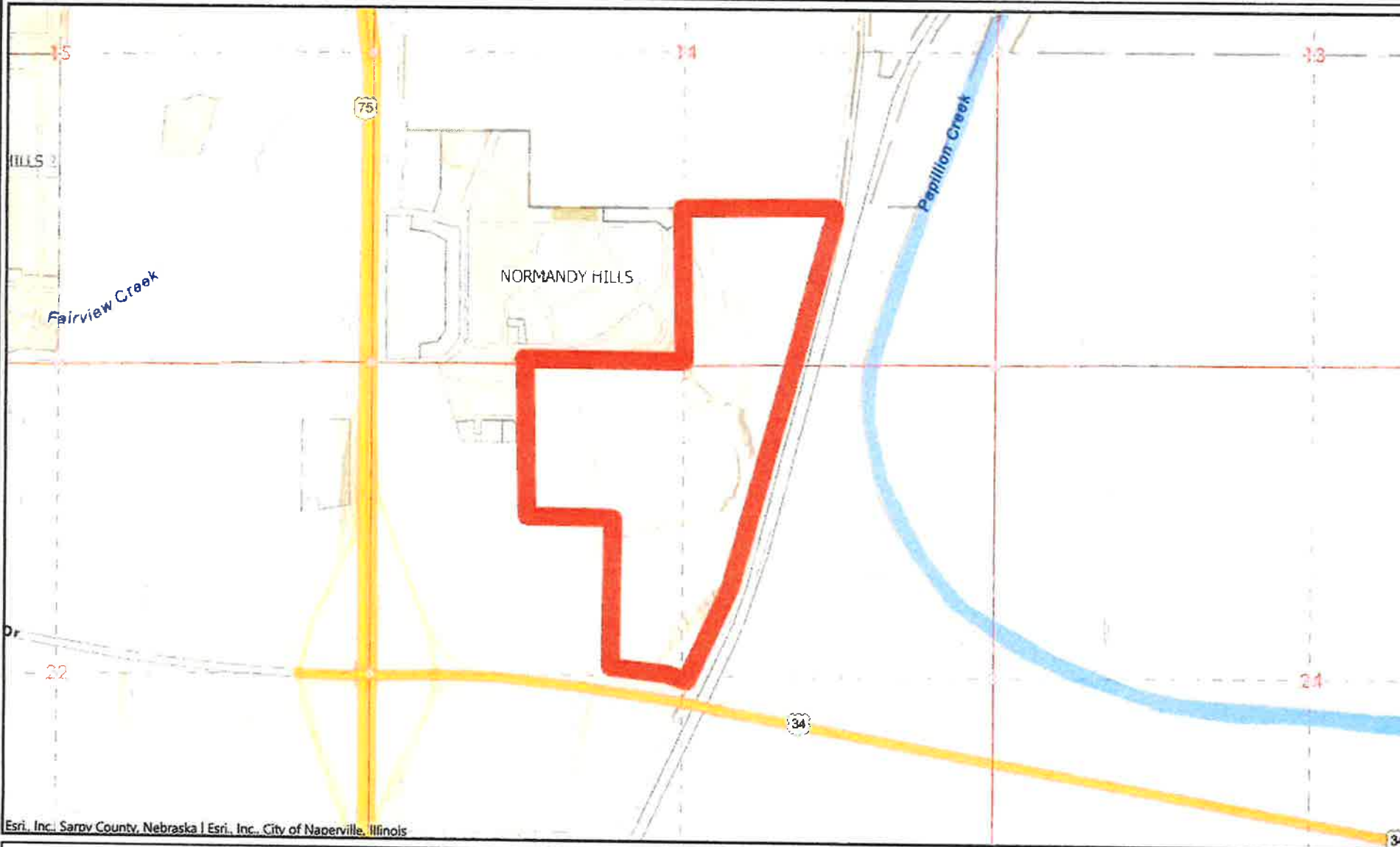
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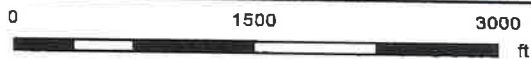


SARPY COUNTY
NEBRASKA

Annexation Area #3

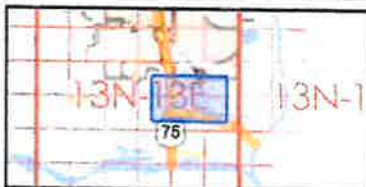


Esri, Inc. Sarpy County, Nebraska | Esri, Inc., City of Naperville, Illinois



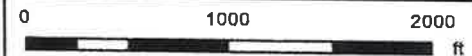
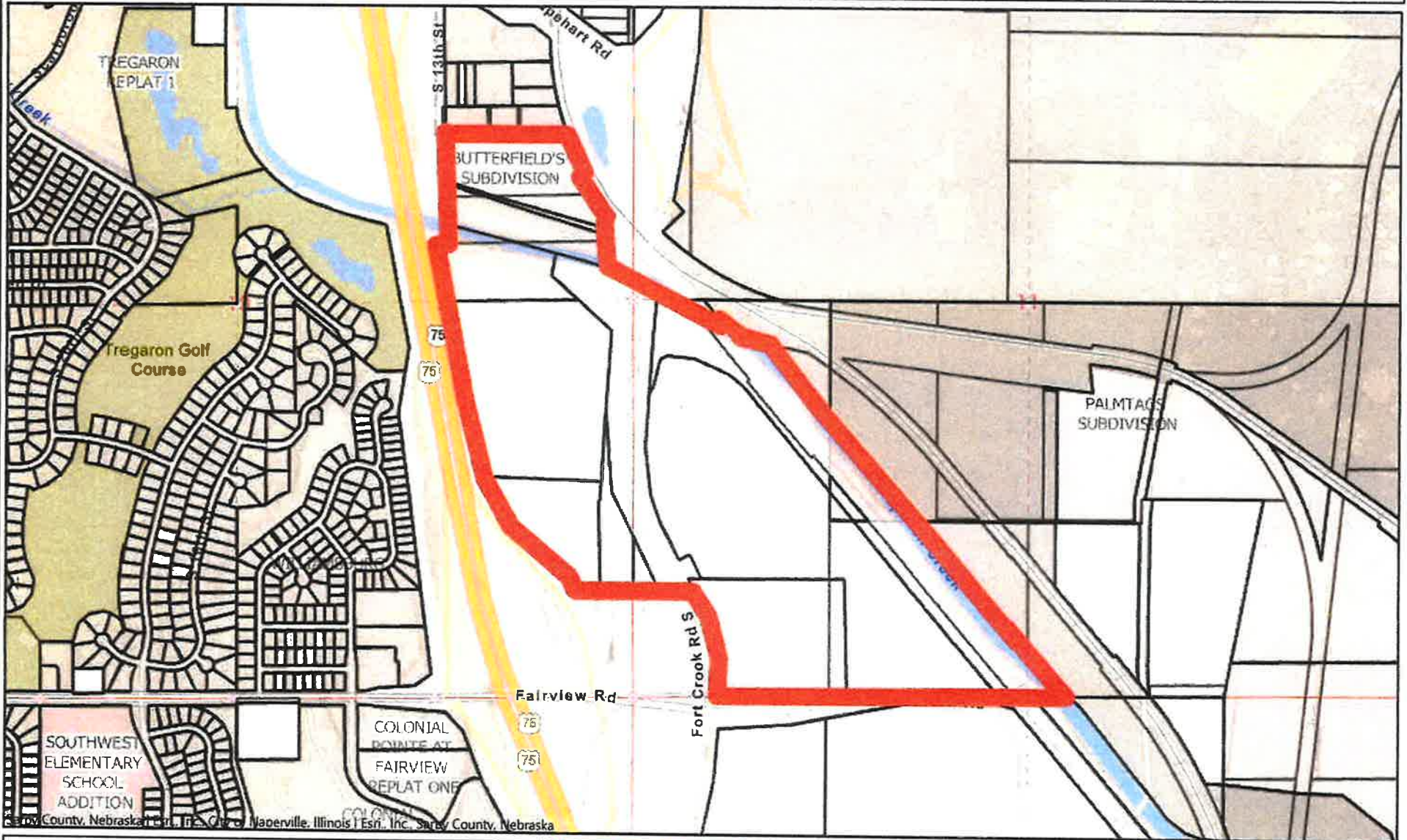
Map Scale 1: 18056

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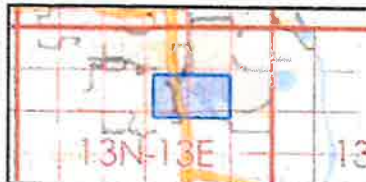
Notes





Map Scale 1: 14274

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



Annexation Area/SID #	Annexation Area/SID Name	2021 Valuation	Cash And Investments	Bonded Debt	Annual Debt Service	City Tax Levy Revenue	Tax Revenue Minus Debt Service	Increase In State Aid, Sales Tax & Other	Increase In Department Costs	Initial Incremental Increase in Cash Flow	Potential Future Capital Expenditures
67	Normandy	\$ 42,268,815	\$ 307,908	\$ -	\$ -	\$ 257,840	\$ 257,840	\$ 171,465	\$ 103,431	\$ 325,874	\$ 5,495,000
242	Cedar View	\$ 7,878,350	\$ 39,636	\$ 60,000	\$ 11,800	\$ 48,058	\$ 36,258	\$ 20,330	\$ 26,114	\$ 30,474	
Area #2	Area #2	\$ 442,378	\$ -	\$ -	\$ -	\$ 2,699	\$ 2,699	\$ 232	\$ -	\$ 2,931	
Area #3	Area #3	\$ 578,615	\$ -	\$ -	\$ -	\$ 3,530	\$ 3,530	\$ 35,420	\$ 51,706	\$ (12,756)	
Area #4	Area #4	\$ 356,805	\$ -	\$ -	\$ -	\$ 2,177	\$ 2,177	\$ 22,806	\$ 33,303	\$ (8,320)	
		\$ 51,524,963	\$ 347,544	\$ 60,000	\$ 11,800	\$ 314,304	\$ 302,504	\$ 250,253	\$ 214,554	\$ 338,203	\$ 5,495,000



City of Bellevue

Parks Department

8201 South 42nd Street • Bellevue, Nebraska 68147 • (402) 293-3122


MEMO

RECEIVED

MAR 07 2022

PLANNING DEPT.

To: Doug Clark
Tammi Palm
Angela Curry

From: Jim Shada 

Subject: Proposed Annexation Packages

Date: March 7, 2022

As per your request, after reviewing the four annexation packages, the Parks Department would not require any additional staff or equipment needs to maintain the four annexation areas. However, Normandy Hills Park equipment and playground surface has several safety concerns. Please find attached Mr. Tom Woodard's assessment. Based on what Tom has pointed out, I would estimate it would cost between \$50,000.00-\$70,000.00 to renovate the park equipment and make it ADA accessible.

Thank you,

Jim Shada
Parks & Recreation Director

information

Tom Woodard

Mon 3/7/2022 10:44 AM

To: Jim Shada <Jim.Shada@bellevue.net>;

1 attachments (4 MB)

Normandy Hills.docx;

If you need more specifics I can get that for you as needed. Let me know..Tom

**Normandy Hills
March 7, 2022**



This 2-5 playground assembly is an older unit but I did not observe any notable Safety concerns. The whole playground is covered in pea gravel which is not the best for impact safety but is acceptable.





It was released in January 1995 by the U.S. Consumer Product Safety Commission that any and all animal swings were to be removed from public playgrounds due to impact with small children.



In 2004 the CPSC banned all wood structures in public playground due to the wood rotting at the base causing potential tip over. Also standards started in 1999 will not allow swings attached to a playground assembly.



These bucket seats are not of the CPSC approved swings nor Are they ADA compliant.



Tire swings are only allowed on a frame by itself. Very specific safety standards have to be followed on this type of swing.



This type of swing is allowed , however the wood structure over it is not, too many areas for little ones to get hurt climbing in and around.



Climbers such as these are being replaced with modern net climbers, the possibility of strangulation on these are very high.



The spinner is in good shape as well as the picnic shelter.





There is not any ADA accessible routes from the sidewalk to the playground area.





This Park does offer a fenced in Basketball court , it might server as a tennis court as well



City of Bellevue

Waste Water Department

8902 Cedar Island Road • Bellevue, Nebraska 68147 • (402) 293-3135

To: Tammi Palm
 CC: Doug Clark
 From: Epiphany Ramos
 RE: Annexation Report Request Dated 02/17/2022 – Normandy Hills and undeveloped lots
 Date: February 28, 2022

I have reviewed the proposed annexation areas and have found the sanitary infrastructure to be satisfactory, with likely minimal pipeline repairs needed immediately. There appear to be at least two manhole structures that will require immediate repairs via confined space access. The condition of the lift station is unknown due to inability to gain access, however it was operational upon inspection. There is also approximately 500' of 4" force main that could not be inspected. Upgrades to the lift station will be needed to standardize communications and components to meet current WW Operations and Maintenance Plan objectives. Immediate intense cleaning and PACP inspection will be required upon annexation which will take approximately 2 months for my current staff to complete and will create backlog for the existing scheduled workload. Once this initial cleaning and inspection is completed, routine maintenance and scheduled capital improvement planning should begin. Our operating margin is currently at approximately 30%, we would be able to maintain this margin within these locations as well.

The below chart contains the basic information requested for these areas, Total FTE (full-time employee) required is annually. We calculate FTE based on resource load per asset unit. Used here is the total existing linear feet of pipeline, structures, and lift station assets currently maintained by the department within the O&M program model. An additional .25 FTE, and corresponding expense budget maintaining a 30% operating margin, would be required to service the annexation outlined below. Existing equipment and fleet can be utilized for routine maintenance.

	Total ft of Sanitary Pipe	Total Structures	Total Units	Est Annual Revenue	Average Remaining Life of Assets (YR)	Total FTE needed for Maint	
SID	67	10761	55	238	\$ 118,209.84	75	0.08
and CedarView	500 (Force Main)	1 (Lift Station)	0	\$ -	10	0.13	

RECEIVED

FEB 28 2022

PLANNING DEPT.





City of Bellevue

Street Department

206 Industrial Dr • Bellevue, Nebraska 68005 • (402) 293-3126

MEMORANDUM

To: Doug Clark Public Works Director
From: Bobby Riggs Street Superintendent
Subject: 2021 Annexation Package Impact Review
Date: March 7, 2022

RECEIVED

MAR 7 2022

PLANNING DEPT.

I. SID AREAS

Lane Mile Additions – 1.92 % increase over existing

○ **Package, Total Lane Miles = 12.81**

- Area 1 - #67 – Normandy Hills = 5.66 #242 – Cedar View = 0.59
- Area 2 - No lane mile impact
- Area 3 - Lane Miles – 3.99
- Area 4 - Lane Miles -2.57

II. COSTS:

A. DEPARTMENT OPERATIONAL BUDGET

Required increases to for maintenance, material costs to maintain existing service levels

- i.) The Street Dept. fiscal 2021-2022 operational maintenance budget (667 lane miles) is funded at \$5,701,618.00 in total. This rate of funding breaks down to \$8,548.15 per lane mile for the department's operational expenditures. This package totals 12.81 lane miles and would require a baseline funding adjustment of 1.92 % above the current year's budgeted levels to meet annual operational needs.

***Note: This number does not factor in the request for additional staff, equipment, or regulatory sign installation in SIDs, where warranted. A reasonable assumption would be an additional year-one cost of nearly \$6,500 dollars for signs, posts, and hardware to cover the potential new areas which would be completed this fiscal year.*

Estimated year-one, base-line operational budget increase for FY21-22: \$109,471.

Mailing Address: 210 West Mission Avenue Bellevue, Nebraska 68005





City of Bellevue Street Department

206 Industrial Dr • Bellevue, Nebraska 68005 • (402) 293-3126

B. C.I.P. CONSIDERATIONS (Year-one costs)

i.) MANPOWER NEEDS

Recommendation (Current + Prior Annexations, Historical Staffing Numbers)

As of year-end, fiscal 2021-21, the Street Department provided street pavement maintenance, snow removal, sign/signal maintenance and bi-annual street-sweeping on nearly 670 lane miles of roads.

The department should look to seek a staffing ratio of 1 employee per 15.00 lane miles to meet operational needs.

This package approaches the threshold to add 1 full-time employee and would be needed as the department staffing level is currently far under the ratio.

FY 2021-22 increased department Personnel cost assumption, above current levels for one full-time staff addition - \$50,000

ii.) EQUIPMENT NEEDS

To provide current levels of service during snow removal operations in the winter months, the department used thirty-four (38) pieces of equipment to clear roads in the winter last year. This averages 17.63 lane miles per unit. The proposed areas in this package would require adding one plow route for operations in the winter.

Equipment additions – One (1) single-axle plow truck, one (1) motor-grader.

Estimated first-year equipment cost to cover areas, above potential approved budget - \$425,000

iii.) AREA 3

Special consideration should be given to this area, namely the roadway and bridge conditions. Road resurfacing and significant bridge rehabilitation will cost upwards of 5 million dollars and should be programmed immediately.

C. REVENUE

i.) HIGHWAY ALLOCATION

Projected revenue increase

Highway Allocation funding is somewhat fluid and subject to change with revenue fluctuation.

Mailing Address: 210 West Mission Avenue Bellevue, Nebraska 68005





City of Bellevue

Street Department

206 Industrial Dr • Bellevue, Nebraska 68005 • (402) 293-3126

Revenue projections in this report are based solely on fiscal 21-22 budget forecast reduced to a per lane mile estimate.

Fiscal 2021-22 budget – \$5,871,407 for 2021 lane mile levels. This budget forecast equates to roughly \$8,800 per lane mile in revenue from the Highway Trust fund on an annual basis.

The 12-month anticipated increase to Highway Allocation revenue levels from this proposed package would be \$112,728.

Mailing Address: 210 West Mission Avenue Bellevue, Nebraska 68005



Tammi Palm

From: Ken Clary
Sent: Wednesday, March 9, 2022 9:23 AM
To: Tammi Palm
Cc: Dave Stukenholtz; Jim Ristow
Subject: RE: proposed annexation packages

Tammi,

I apologize for the delay. At this time the impact would be limited regarding the proposed annexations. The only currently populated area of the annexations is Normandy Hills. Sarpy County shows 213 total calls for service in that area over the previous year. I believe our District 712 or 742 cars could absorb those calls over the short term. I will add the caveat that – as this area is built-out and we annex more area around Hwy 34 and Hwy 75, that will likely need to be added as a stand-alone district (adding the need for four additional officers). Talking to Mark, that will likely be in the timeline of 2024 or 2025. So, to summarize, the current impact would be negligible and we will discuss further with future annexations in that area.

KC

From: Tammi Palm <Tammi.Palm@bellevue.net>
Sent: Wednesday, March 9, 2022 8:40 AM
To: Ken Clary <ken.clary@bellevue.net>
Subject: FW: proposed annexation packages

Hi Chief,

Just a reminder – can I get your comments on these proposed annexations? We're putting our report together and I want to make sure I have any Police needs documented.

Thanks!

Best regards,

Tammi Palm

Planning Manager
City of Bellevue
1510 Wall Street
Bellevue, NE 68005
(402) 293-3038

From: Tammi Palm
Sent: Thursday, February 17, 2022 10:45 AM
To: Mark Elbert <mark.elbert@bellevue.net>; Doug Clark <doug.clark@bellevue.net>; Ashley Decker <ashley.decker@bellevue.net>; Susan Kluthe <Susan.Kluthe@bellevue.net>; Julie Dinville <Julie.Dinville@bellevue.net>; Perry Guido <Perry.Guido@bellevue.net>; Ken Clary <ken.clary@bellevue.net>
Cc: Richard Severson <richard.severson@bellevue.net>; 'Angela Curry' <angela.curry@bellevue.net>; Bree Robbins <bree.robbins@bellevue.net>
Subject: proposed annexation packages

Tammi Palm

From: Gifford, Donald (235)
Sent: Tuesday, February 22, 2022 6:23 AM
To: Tammi Palm
Cc: Guido, Perry
Subject: FW: proposed annexation packages
Attachments: Annex Area 1 GIS Map.pdf; Annex Area 2 GIS map.pdf; Annex Area 3 GIS Map.pdf; Annex Area 4 GIS Map.pdf

Tami,
Chief Guido ask me to investigate this, there is no impact to the fire department due to the fire department already covers the areas in the proposed annexation package.

Donald Gifford
Battalion Chief
City of Bellevue Fire Department
Inspections Bureau
Email Donald.gifford@bellevue.net
Phone 402-682-6630
Cell 402-515-8545

From: Tammi Palm <Tammi.Palm@bellevue.net>
Date: February 17, 2022 at 10:44:45 AM CST
To: Mark Elbert <mark.elbert@bellevue.net>, Doug Clark <doug.clark@bellevue.net>, Ashley Decker <ashley.decker@bellevue.net>, Susan Kluthe <Susan.Kluthe@bellevue.net>, Julie Dinville <Julie.Dinville@bellevue.net>, Perry Guido <Perry.Guido@bellevue.net>, Ken Clary <ken.clary@bellevue.net>
Cc: Richard Severson <richard.severson@bellevue.net>, Angela Curry <angela.curry@bellevue.net>, Bree Robbins <bree.robbins@bellevue.net>
Subject: proposed annexation packages

Good morning,

The city is proposing four annexation packages to be heard at our March 24 Planning Commission meeting. I have attached maps of each area. Please distribute amongst your departments as necessary and please provide detailed impact information (i.e. additional staff needs, equipment, etc.) back to me by **March 7**.

Please breakdown your impacts per proposed annexation area if possible and as applicable, as we will look at each of these areas separately through the public hearing process.

Please let me know if you have any questions.

Thanks!

ORDINANCE NO. 4089

AN ORDINANCE TO ANNEX TO THE CITY OF BELLEVUE, SARPY COUNTY, NEBRASKA, CERTAIN LANDS, LOTS AND REAL ESTATE LYING WITHIN THE BELOW DESCRIBED BOUNDARIES, TO THE CITY OF BELLEVUE, SARPY COUNTY, NEBRASKA, AND DESIGNATING AN EFFECTIVE DATE.

WHEREAS, ALL OF THE LOTS, LANDS, AND REAL ESTATE LYING WITHIN THE BOUNDARIES DESCRIBED AS FOLLOWS TO WIT:

Part of Tax Lot F1A, Section 11, T13N, R13E of the 6th P.M., Sarpy County, Nebraska, and

Part of Tax Lot J except part taken for NRD, Section 11, T13N, R13E of the 6th P.M., Sarpy County, Nebraska, and

Tax Lot F1B, Section 11, T13N, R13E of the 6th P.M., Sarpy County, Nebraska, and

Part of Tax Lot H, Section 11, T13N, R13E of the 6th P.M., Sarpy County, Nebraska, and

Part of Tax Lot F1A, Section 11, T13N, R13E of the 6th P.M., Sarpy County, Nebraska, and

Part of Tax Lot J taken for NRD, Section 11, T13N, R13E of the 6th P.M., Sarpy County, Nebraska, and

Part of Tax Lot K, Section 11, T13N, R13E of the 6th P.M., Sarpy County, Nebraska, and

Part of Lots 12A, 13B, and 14B, Butterfields Subdivision, and

Part of Lot 13A North of drainage ditch and Part of Lot 14, Butterfields Subdivision, all except part for NRD, and

Part of Lot 13 and part of Lot 14, Butterfields Subdivision, all for NRD (Parcel ID 011605117), and

Part of Tax Lot 14 located in Section 11, T13N, R13E of the 6th P.M., Sarpy County, Nebraska, Lots 13C and 12B, Butterfields Subdivision, and

Part of vacated State Right-of-Way in the East ½ of the East ½ of the Southeast ¼ and adjacent Tax Lot 14, Section 10, T13N, R13E of the 6th P.M., Sarpy County, Nebraska, and

Part of vacated State Right-of-Way in the Southwest ¼ of the Southwest ¼, West of Fort Crook Road South, Section 11, T13N, R13E of the 6th P.M., Sarpy County, Nebraska, and

Lot 1C, Palmtag's Subdivision, and

all abutting rights-of-way.

ARE CONTIGUOUS AND ADJACENT TO THE CITY OF BELLEVUE, NEBRASKA, AND ARE URBAN OR SUBURBAN IN CHARACTER, AND

WHEREAS, SAID REAL ESTATE WILL RECEIVE MATERIAL BENEFITS AND ADVANTAGES FROM ANNEXATION TO THE SAID CITY.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE

CITY OF BELLEVUE, NEBRASKA:

Section 1. All of the real estate lying within the area heretofore described be and the same hereby is included within the boundaries and territory of the City of Bellevue, Nebraska, and said lands and the persons residing thereon shall hereafter be subject to all of the rules, regulations, ordinances, taxes, and all other burdens and benefits of other persons and territory included with the City of Bellevue, Nebraska

Section 2. This ordinance shall be in full force and be effective on June 2, 2022.

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

APPROVED AS TO FORM:

City Attorney

ATTEST

City Clerk

Mayor

First Reading: April 05, 2022
Second Reading: April 19, 2022
Third Reading: May 03, 2022

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

12g.
4/19/2022

COUNCIL MEETING DATE: 04/05/2022		SUBMITTED BY: Legal	
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:

AN ORDINANCE TO AMEND CHAPTER 18, SECTIONS 18-31, 18-34, 18-35, 18-37, 18-51, 18-52, 18-53, 18-65, 18-66, 18-74, 18-90, 18-91, 18-92, 18-93, 18-100 And 18-136 OF THE BELLEVUE MUNICIPAL CODE PERTAINING TO PARKING ENFORCEMENT, TO REPEAL ALL PREVIOUS VERSIONS OF THE SAME AND TO ADD NEW SECTIONS 18-67 THROUGH 18-70; AND TO PROVIDE AN EFFECTIVE DATE.

SYNOPSIS/BACKGROUND:

This ordinance is being introduced to streamline the parking enforcement provisions of the City code. Historically, code enforcement enforces the majority of parking violations in the city. The City's main recourse for a continued parking violation is towing the vehicle and assessing the costs of towing and storage to the custodian or owner of the vehicle. The parking ticket fines currently in the master fee schedule are rarely utilized in enforcing parking violations (attached is a proposed amended master fee schedule, which would eliminate the parking ticket fines and will be placed on the May 5, 2022 agenda to coincide with the third reading of this ordinance). The proposed amendments and additions intend to more clearly outline this process. Various amendments are also proposed to more appropriately delegate authority in certain traffic/road related areas to the Public Works Director or designee rather than the Chief of Police.

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 No. 4091 and authorize Mayor to sign.

ATTACHMENTS:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

Amy Meath
[Signature]
[Signature]

*REVISED 10/2019

ORDINANCE NO. 4091

AN ORDINANCE TO AMEND CHAPTER 18, SECTIONS 18-31, 18-34, 18-35, 18-37, 18-51, 18-52, 18-53, 18-65, 18-66, 18-74, 18-90, 18-91, 18-92, 18-93, 18-100 And 18-136 OF THE BELLEVUE MUNICIPAL CODE PERTAINING TO PARKING ENFORCEMENT, TO REPEAL ALL PREVIOUS VERSIONS OF THE SAME AND TO ADD NEW SECTIONS 18-67 THROUGH 18-70; 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 Sections 18-31, 18-34, 18-35 and 18-37 of Chapter 18, Article II are hereby amended to read as follows:

§ 18-31 AUTHORITY TO DESIGNATE LOCATION.

The ~~chief of police~~ Public Works Director or his or her designee shall designate the location of traffic-control signs, signals and devices when and as required under the traffic ordinances of this city to make effective the provisions of such ordinances, and may designate the location of such additional traffic-control devices as he may deem necessary to regulate traffic under the traffic ordinances of this city or under state law, or to guide or warn traffic.

§ 18-34 TRAFFIC LANES.

(A) The ~~chief of police~~ Public Works Director or his or her designee is hereby authorized to designate the location of traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.

(B) Where such traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lanes except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

§ 18-35 CROSSWALKS AND SAFETY ZONES.

The ~~chief of police~~ Public Works Director or his or her designee is hereby authorized:

(A) To designate the location of, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary.

(B) To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians.

§ 18-37 PLAY STREETS—AUTHORITY TO ESTABLISH AND PLACE APPROPRIATE SIGNS, ETC.

The ~~chief of police~~ Public Works Director or his or her designee shall have authority to declare any street or part thereof a play street and to place appropriate signs or devices in the roadway indicating and helping to protect the same.

Section 2. That Sections 18-51, 18-52 and 18-53 of Chapter 18, Article III are hereby amended to read as follows:

§ 18-51 GENERALLY.

(A) The city council shall designate the streets and parts of streets and the alleys on which vehicular traffic shall move only in one direction.

(B) The ~~police department~~ public works department or other qualified designee shall see that appropriate signs are placed in visible positions designating such streets and alleys as one-way streets and alleys.

§ 18-52 SIGNS GENERALLY.

Whenever any ordinance of this city designates any one-way street or alley the ~~chief of police~~ Public Works Director or his or her designee shall designate the location of signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

§ 18-53 CHANGE IN DIRECTION OF MOVEMENT.

(A) The ~~chief of police~~ Public Works Director or his or her designee is hereby authorized to determine and designate streets, parts of streets or specific lanes thereon upon which vehicular traffic shall proceed in one direction during one period and the opposite direction during another period of the day and shall designate the location of appropriate markings, signs, barriers or other devices to give notice thereof. The ~~chief of police~~ Public Works Director or his or her designee may designate the location of signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the roadway.

(B) It shall be unlawful for any person to operate any vehicle in violation of such markings, signs, barriers or other devices so placed in accordance with this section.

Section 3. That Sections 18-65, 18-66, 18-74, 18-90, 18-91, 18-92, 18-93 and 18-100 of Chapter 18, Article IV are hereby amended to read as follows:

§ 18-65 ~~PARKING VIOLATIONS BUREAU; FINE SCHEDULE PARKING ENFORCEMENT; AUTHORITY OF POLICE DEPARTMENT AND OTHER AUTHORIZED PERSONNEL.~~

~~(A) There is hereby created in the city the parking violations bureau as a branch of the office of the city clerk. It shall be the duty of the city clerk to collect all fines for violations of all parking ordinances enacted under this Code.~~

~~(B) The city clerk shall immediately notify any person who fails to pay a parking fine within seven days after the violation. The parking fines shall be payable at the office of the city clerk. Should any such fines not be paid within 30 days of the violation, the city attorney shall file a complaint against such person in the appropriate court.~~

~~— (C) All money collected by the city clerk under this section shall be transferred to the city treasurer at the end of each month. The city clerk shall keep accurate records of such fines paid to the city treasurer.~~

~~It shall be the duty of the police department, or such code enforcement inspectors as assigned by the chief of police to enforce all parking ordinances of this city. Any person violating any section of this Article is subject to enforcement of such provisions by the police department or any such code enforcement inspector pursuant to this section.~~

§ 18-66 LONG AND CONTINUOUS PARKING.

No owner of any motor vehicle shall use the streets or other public thoroughfares of the city for long and continuous parking when such use interferes with traffic or maintenance of public thoroughfares to the extent of becoming a nuisance. The owner of any such vehicle shall remove the same upon notice, in writing, by the ~~police department enforcing officer~~ and within ~~24 hours the time stated on such notice~~. ~~Upon failure to obey the order of such officers, the vehicles shall be ordered impounded as a nuisance, and the owners required to pay the necessary costs and storage.~~

§ 18-74 PERMIT FOR LOADING OR UNLOADING AT ANGLE CURB.

(A) The ~~chief of police public works department~~ is authorized to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein.

(B) It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.

§ 18-90 ADJACENT TO SCHOOLS.

(A) The ~~chief of police Public Works Director or his or her designee~~ is hereby authorized to designate the location of signs indicating no parking upon either or both sides of any street adjacent to any school property when such parking would, in his ~~or her~~ opinion, interfere with traffic or create a hazardous situation.

(B) When official signs are erected indicating no parking upon either side of a street adjacent to any school property as such authorized herein, no person shall park a vehicle in any such designated place.

§ 18-91 ON NARROW STREETS.

(A) The ~~chief of police Public Works Director or his or her designee~~ is hereby authorized to designate the location of signs indicating no parking upon any street when the width of the roadway does not exceed twenty (20) feet, or upon one side of a street as indicated by such signs when the width of the roadway does not exceed thirty (30) feet.

(B) When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign.

§ 18-92 ON ONE-WAY ROADWAYS.

In the event a highway includes two (2) or more separate roadways and traffic is restricted to one direction upon any such roadway, no person shall stand or park a vehicle upon the lefthand side of such one-way roadway unless signs are erected to permit such standing or parking. The ~~chief of police~~ Public Works Director or his or her designee is authorized to determine when standing or parking may be permitted upon the lefthand side of any such one-way roadway and erect signs giving notice thereof.

§ 18-93 NEAR HAZARDOUS OR CONGESTED PLACES.

(A) The ~~chief of police~~ Public Works Director or his or her designee is hereby authorized to determine and designate by proper signs places not exceeding one hundred (100) feet in length in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.

(B) When official signs are erected at hazardous or congested places as authorized herein no person shall stop, stand or park a vehicle in any such designated place.

§ 18-100 SAME—REMOVAL OF VEHICLES BY POLICE DEPARTMENT.

(A) It shall be unlawful to park, or otherwise leave a vehicle unattended in violation of section 18-98 or 18-99 of this Code. Members of the police department and code enforcement inspectors are authorized to remove by tow or otherwise, or cause to be towed or otherwise removed, any vehicle parked or left unattended in violation of section 18-98 or 18-99 of this Code to another place or location on a street or to a lot, garage, or other facility designated by the police department or the city.

(B) Whenever a vehicle is towed or removed from a street as authorized in this section and the member of the police department or code enforcement inspector knows or has ascertained from the registration records in the vehicle the name and address of the owner thereof, such member of the police department or code enforcement shall, as soon as is reasonably practicable, give or cause to be given notice to such owner of the fact of such tow or removal and the reason therefor and of the place to which such vehicle has been removed.

(C) The owner and other person lawfully entitled to the possession of any vehicle removed, towed or stored shall be charged with the reasonable cost of removal and towing and storage fees. Any person towing, removing or storing a vehicle shall be entitled to retain possession of such vehicle until such charges are paid.

Section 4. That Sections 18-67, 18-68, 18-69 and 18-70 of Chapter 18, Article IV, Division I, are hereby added to read as follows:

§18-67 DECLARATION OF NUISANCE

The parking of a vehicle in violation of any applicable provision of this Code or state law is hereby declared to constitute an obstruction of the streets and a public nuisance.

§18-68 NOTICE AND ORDER TO REMOVE

If any vehicle is found in violation of any applicable provisions of this Article and is not found to be subject to immediate removal under Section 18-6 of this Chapter, the enforcing officer shall affix thereto a parking violation notice and order to move or remove such vehicle. Such parking violation notice shall order the vehicle to be moved or removed within the time stated therein.

§18-69 TOWING OF VEHICLES.

Whenever any vehicle is found by a police officer or code enforcement inspector parked in violation of any ordinances or state statute and such notice and order to remove was provided pursuant to Section 18-68, or which is subject to removal under Section 18-6, the police officer or code enforcement inspector may remove and convey the vehicle by means of towing it or otherwise impounding the vehicle to the garage or lot designated by the city for such purpose.

§18-70 PAYMENT OF COSTS OF REMOVAL AND STORAGE

In such case when a vehicle is towed or removed to a garage or lot designated by the city for such purpose, the owner, driver, or operator responsible for the vehicle shall pay such towing fees and storage costs as may be established by the Master Fee Schedule and the contract between the city and such person or company operating such garage or lot.

Section 5. That Section 18-136 of Chapter 18, Article VI is hereby amended to read as follows:

§ 18-136 PENALTY.

Any person who violates the provisions of this article shall be subject to having his or her vehicle towed ~~pursuant to Section 18-69 of this Code, or having placed on his or her vehicle a parking ticket by any police officer or code enforcement officer. Said parking ticket shall be for the sum of \$50.00 and the owner or operator of any such vehicle shall, within seventy two hours, pay the same to the office of the city treasurer to be deposited in the city's general fund. If said ticket is not paid within said seventy two hour period, the parking violation shall constitute an offense, and the owner or operator of said vehicle shall upon conviction thereof be subject to a fine of \$50.00. If the identity of the operator of a motor vehicle cannot be determined, the owner or person in whose name such vehicle is registered shall be held prima facie responsible for such infraction.~~

Section 6. 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 _____ 2022.

ATTEST:

Mayor, Rusty Hike

City Clerk

APPROVED AS TO FORM:

First Reading: _____

Second Reading: _____

Third Reading: _____

City Attorney

ORDINANCE NO. 4091

AN ORDINANCE TO AMEND CHAPTER 18, SECTIONS 18-31, 18-34, 18-35, 18-37, 18-51, 18-52, 18-53, 18-65, 18-66, 18-74, 18-90, 18-91, 18-92, 18-93, 18-100 And 18-136 OF THE BELLEVUE MUNICIPAL CODE PERTAINING TO PARKING ENFORCEMENT, TO REPEAL ALL PREVIOUS VERSIONS OF THE SAME AND TO ADD NEW SECTIONS 18-67 THROUGH 18-70; 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 Sections 18-31, 18-34, 18-35 and 18-37 of Chapter 18, Article II are hereby amended to read as follows:

§ 18-31 AUTHORITY TO DESIGNATE LOCATION.

The Public Works Director or his or her designee shall designate the location of traffic-control signs, signals and devices when and as required under the traffic ordinances of this city to make effective the provisions of such ordinances and may designate the location of such additional traffic-control devices as he may deem necessary to regulate traffic under the traffic ordinances of this city or under state law, or to guide or warn traffic.

§ 18-34 TRAFFIC LANES.

(A) The Public Works Director or his or her designee is hereby authorized to designate the location of traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.

(B) Where such traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lanes except when lawfully passing another vehicle or preparatory to making a lawful turning movement.

§ 18-35 CROSSWALKS AND SAFETY ZONES.

The Public Works Director or his or her designee is hereby authorized:

(A) To designate the location of, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary.

(B) To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians.

§ 18-37 PLAY STREETS—AUTHORITY TO ESTABLISH AND PLACE APPROPRIATE SIGNS, ETC.

The Public Works Director or his or her designee shall have authority to declare any street or part thereof a play street and to place appropriate signs or devices in the roadway indicating and helping to protect the same.

Section 2. That Sections 18-51, 18-52 and 18-53 of Chapter 18, Article III are hereby amended to read as follows:

§ 18-51 GENERALLY.

(A) The city council shall designate the streets and parts of streets and the alleys on which vehicular traffic shall move only in one direction.

(B) The public works department or other qualified designee shall see that appropriate signs are placed in visible positions designating such streets and alleys as one-way streets and alleys.

§ 18-52 SIGNS GENERALLY.

Whenever any ordinance of this city designates any one-way street or alley the Public Works Director or his or her designee shall designate the location of signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

§ 18-53 CHANGE IN DIRECTION OF MOVEMENT.

(A) The Public Works Director or his or her designee is hereby authorized to determine and designate streets, parts of streets or specific lanes thereon upon which vehicular traffic shall proceed in one direction during one period and the opposite direction during another period of the day and shall designate the location of appropriate markings, signs, barriers or other devices to give notice thereof. The Public Works Director or his or her designee may designate the location of signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the roadway.

(B) It shall be unlawful for any person to operate any vehicle in violation of such markings, signs, barriers or other devices so placed in accordance with this section.

Section 3. That Sections 18-65, 18-66, 18-74, 18-90, 18-91, 18-92, 18-93 and 18-100 of Chapter 18, Article IV are hereby amended to read as follows:

§ 18-65 PARKING ENFORCEMENT; AUTHORITY OF POLICE DEPARTMENT AND OTHER AUTHORIZED PERSONNEL.

It shall be the duty of the police department, or such code enforcement inspectors as assigned by the chief of police to enforce all parking ordinances of this city. Any person violating any section of this Article is subject to enforcement of such provisions by the police department or any such code enforcement inspector pursuant to this section.

§ 18-66 LONG AND CONTINUOUS PARKING.

No owner of any motor vehicle shall use the streets or other public thoroughfares of the city for long and continuous parking when such use interferes with traffic or maintenance of public

thoroughfares to the extent of becoming a nuisance. The owner of any such vehicle shall remove the same upon notice, in writing, by the enforcing officer and within the time stated on such notice.

§ 18-74 PERMIT FOR LOADING OR UNLOADING AT ANGLE CURB.

(A) The public works department is authorized to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein.

(B) It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.

§ 18-90 ADJACENT TO SCHOOLS.

(A) The Public Works Director or his or her designee is hereby authorized to designate the location of signs indicating no parking upon either or both sides of any street adjacent to any school property when such parking would, in his or her opinion, interfere with traffic or create a hazardous situation.

(B) When official signs are erected indicating no parking upon either side of a street adjacent to any school property as such authorized herein, no person shall park a vehicle in any such designated place.

§ 18-91 ON NARROW STREETS.

(A) The Public Works Director or his or her designee is hereby authorized to designate the location of signs indicating no parking upon any street when the width of the roadway does not exceed twenty (20) feet, or upon one side of a street as indicated by such signs when the width of the roadway does not exceed thirty (30) feet.

(B) When official signs prohibiting parking are erected upon narrow streets as authorized herein, no person shall park a vehicle upon any such street in violation of any such sign.

§ 18-92 ON ONE-WAY ROADWAYS.

In the event a highway includes two (2) or more separate roadways and traffic is restricted to one direction upon any such roadway, no person shall stand or park a vehicle upon the lefthand side of such one-way roadway unless signs are erected to permit such standing or parking. The Public Works Director or his or her designee is authorized to determine when standing or parking may be permitted upon the lefthand side of any such one-way roadway and erect signs giving notice thereof.

§ 18-93 NEAR HAZARDOUS OR CONGESTED PLACES.

(A) The Public Works Director or his or her designee is hereby authorized to determine and designate by proper signs places not exceeding one hundred (100) feet in length in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.

(B) When official signs are erected at hazardous or congested places as authorized herein no person shall stop, stand or park a vehicle in any such designated place.

§ 18-100 SAME—REMOVAL OF VEHICLES BY POLICE DEPARTMENT.

(A) It shall be unlawful to park, or otherwise leave a vehicle unattended in violation of section 18-98 or 18-99 of this Code. Members of the police department and code enforcement inspectors are authorized to remove by tow or otherwise, or cause to be towed or otherwise removed, any vehicle parked or left unattended in violation of section 18-98 or 18-99 of this Code to another place or location on a street or to a lot, garage, or other facility designated by the police department or the city.

(B) Whenever a vehicle is towed or removed from a street as authorized in this section and the member of the police department or code enforcement inspector knows or has ascertained from the registration records in the vehicle the name and address of the owner thereof, such member of the police department or code enforcement shall, as soon as is reasonably practicable, give or cause to be given notice to such owner of the fact of such tow or removal and the reason therefor and of the place to which such vehicle has been removed.

(C) The owner and other person lawfully entitled to the possession of any vehicle removed, towed or stored shall be charged with the reasonable cost of removal and towing and storage fees. Any person towing, removing or storing a vehicle shall be entitled to retain possession of such vehicle until such charges are paid.

Section 4. That Sections 18-67, 18-68, 18-69 and 18-70 of Chapter 18, Article IV, Division I, are hereby added to read as follows:

§18-67 DECLARATION OF NUISANCE

The parking of a vehicle in violation of any applicable provision of this Code or state law is hereby declared to constitute an obstruction of the streets and a public nuisance.

§18-68 NOTICE AND ORDER TO REMOVE

If any vehicle is found in violation of any applicable provisions of this Article and is not found to be subject to immediate removal under Section 18-6 of this Chapter, the enforcing officer shall affix thereto a parking violation notice and order to move or remove such vehicle. Such parking violation notice shall order the vehicle to be moved or removed within the time stated therein.

§18-69 TOWING OF VEHICLES.

Whenever any vehicle is found by a police officer or code enforcement inspector parked in violation of any ordinances or state statute and such notice and order to remove was provided pursuant to Section 18-68, or which is subject to removal under Section 18-6, the police officer or code enforcement inspector may remove and convey the vehicle by means of towing it or otherwise impounding the vehicle to the garage or lot designated by the city for such purpose.

§18-70 PAYMENT OF COSTS OF REMOVAL AND STORAGE

In such case when a vehicle is towed or removed to a garage or lot designated by the city for such purpose, the owner, driver, or operator responsible for the vehicle shall pay such towing fees and storage costs as may be established by the Master Fee Schedule and the contract between the city and such person or company operating such garage or lot.

Section 5. That Section 18-136 of Chapter 18, Article VI is hereby amended to read as follows:

§ 18-136 PENALTY.

Any person who violates the provisions of this article shall be subject to having his or her vehicle towed pursuant to Section 18-69 of this Code.

Section 6. 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 _____ 2022.

ATTEST:

Mayor, Rusty Hike

City Clerk

APPROVED AS TO FORM:

First Reading: 04/05/2022
Second Reading: _____
Third Reading: _____

City Attorney

RESOLUTION NO. _____

WHEREAS, the Bellevue City Council passed and adopted the code of the City of Bellevue, Section 11-120 of Article VII, which provides for a Master Fee Schedule for various permits, fees and taxes to be collected by the City of Bellevue, and

WHEREAS, the code of the City of Bellevue, Section 11-120 of Article VII, provides that the Master Fee Schedule may be established and amended by resolution of the Bellevue City Council, and

WHEREAS, the Bellevue City Council has determined that the Master Fee Schedule established by Resolution 2009-04, passed March 9, 2009, shall be amended from time to time to fix various fees and taxes for goods and services provided by the City, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Bellevue that Resolution 2009-04 establishing the Master Fee Schedule, and last amended by Resolution No. ~~2021-54~~ 2022-01 passed ~~December 21, 2021~~ January 18, 2022 is amended as follows:

MASTER FEE SCHEDULE

BUILDING & USE FEES

Arterial Street Improvement Program (“ASIP”) fees:

1. For all new agricultural construction, including single family dwellings and buildings for uses permitted in the Agricultural District, a fee of \$1,500.00 shall be charged at the time the building permit is issued.
2. For all the new residential construction, including single family dwellings, town homes (per living unit), and duplexes (per living unit), a fee of \$1,500.00 shall be charged at the time the building permit is issued.
3. For new mobile home pads, a fee in the amount of \$1,000.00 per unit shall be charged when the site is permitted.
4. For new multi-family residential construction, a fee in the amount of \$5,000.00 per development acre shall be charged when the building permit is issued.
5. For new civic, office and commercial use type construction, as defined in the City of Bellevue’s Zoning Code, a fee in the amount of \$5,000.00 per development acre (as such term is defined in Bellevue City Code Section 28-179) shall be charged when the building permit is issued.
6. For new industrial construction, a fee in the amount of \$1,000.00 per development acre shall be charged when the building permit is issued.

Building Permit

Building, Plumbing, Mechanical
Electrical and Grading

1997 Uniform Administrative Code fees as amended

Penalty Fee

4x regular permit fee

BUILDING & USE FEES (Continued)

Refund Policy Up to 80% in accordance with Section 304.6 of the 1997 Uniform Administrative Code;
NO refund will be given after 180 days

Pre-connect deposit fees \$500
Penalty Fee 2nd revocation \$1,500
Penalty Fee 3rd revocation \$5,000

**Papio Creek and South Sarpy Watershed Partnership Fees
(Effective July 1, 2021 – June 30, 2022)**

Residential – up to a four plex \$ 978 per dwelling unit
Multi-family – greater than a four plex \$4302 per gross acre
Commercial and Industrial \$5214 per gross acre

These fees shall apply to the issuance of building permits for new development and significant redevelopment of property in the Papio Creek and South Sarpy Watersheds, as provided for in the Papio Creek Watershed Partnership Agreement and the South Sarpy Watershed Partnership Agreement. Developing subdivisions platted prior to 2009 shall be exempt from the collection of Watershed Fees.

Plan Review Fee (New Construction)

Commercial 25% of building permit fee

Demolition of Building Permit (\$25,000 bond for each)

Residential accessory structures less than 1200 square feet \$40

One- and two-family dwellings Determined by total cost of contract as calculated from Table 3-A of the 1997 Uniform Administrative Code

Non-residential structures Determined by 40% of Sarpy County assessed value and calculated from Table 3-A of 1997 Uniform Administrative Code

Building Moving Permit (120 sq. ft. or greater) \$25

Sheds Shed based on the 1997 Uniform Administrative Code fees as amended by ordinance.

FIRE ALARM/FIRE EXTINGUISHING SYSTEM FEES

Smoke Detectors (low voltage)	\$ 1.10 each
Pull Stations	\$ 1.10 each
Heat Detectors	\$ 1.10 each
Water Flow Switches	\$ 1.10 each
Tamper Switches	\$ 1.10 each
Panel/ Circuit Connections	\$ 4.75 each
Remote Annunciators	\$ 1.10 each
Range Hood Fire Extinguishing	\$10.65 each
Issuance Fee	\$23.50 each
Issuing each Supplemental	\$ 7.25 each

CITY LICENSE – PLUMBING; MECHANICAL; SEWER; CONTRACTOR

License Fees

Mechanical Master/Master Plumber/ Sewer Layer	\$75 initial/\$75 renewal
Journeyman Plumber/Mechanical Journeyman/ Sheet Metal Journeyman/Mechanical Apprentice	\$25 initial/\$25 renewal
Lawn Sprinkler Contractor/Lawn Sprinkler Installer	\$25 initial/\$25 renewal
Apprentice Plumber	\$25 initial/\$25 renewal
Late Renewal Fees after Expiration of License Master & Journeyman Plumber/Master & Journeyman Mechanical/Sewer Layer/ Lawn Sprinkler Contractor & Installer	\$20 per month or part of/ up to 3 months.
Reinstatement fee for Mechanical, Plumbing, Lawn Sprinkler, Tile Layer Licenses	yearly license fee + late fees X2
Special Master Mechanical/Plumber (1 job only)	\$150
CLASS A General Contractor Unlimited	\$250 per year
CLASS B General Contractor Limited	\$200 per year
CLASS C Residential Contractor Unlimited	\$100 per year
CLASS D Residential Contractor Limited	\$ 75 per year
CLASS E Roofing Contractor Unlimited	\$ 50 per year
Late Contractor Renewal Fees after Expiration of License	
Class A General Contractor Unlimited	\$100/mo. or part of, up to 3 months
Class B General Contractor Limited	\$100/mo. or part of, up to 3 months
Class C Residential Contractor Unlimited	\$50/mo. or part of, up to 3 months
Class D Residential Contractor Limited	\$50/mo. or part of, up to 3 months
Class E Roofing Contractor Unlimited	\$20/mo. or part of, up to 3 months

CITY LICENSE – PLUMBING; MECHANICAL; SEWER; CONTRACTOR (Continued)

Reinstatement fee for all Contractor licenses	yearly license fee + late fees X 2
Special Contractor License (1 job only)	
Class A General Contractor Unlimited	\$1,000
Class B General Contractor Limited	\$1,000
Class C Residential Contractor Unlimited	\$ 500
Class D Residential Contractor Limited	\$ 200
Class E Roofing Contractor Unlimited	\$ 100
Decorative Appliance/Gas Log Contractor	\$75 (1-time fee, no renewal fee)
Decorative Appliances/Gas Log Installer	\$25 (1-time fee, no renewal fee)
Water Conditioning Contractor	\$75 (1-time fee, no renewal fee)
Water Conditioning Installer	\$25 (1-time fee, no renewal fee)
In-ground Private Pools Plumbing Permit	\$84.25
In-ground Private Pools Electrical Permit	\$73
Above Ground Private Pools (20' in diameter or larger)	\$25
Single Family Dwelling Roofing Permits (tear off & reroof)	\$40
Single Family Siding Permits	\$25

CURB CUT AND GRINDING

Permit fee with curb requiring cut plus the 4' apron on each side done by City or Contractor	\$25 + \$17.50 per sq. ft of cut to 6 ft additional 10% per foot beyond 6 ft.\$25
Extended Permit & Subsequent Extended Permits Winter Charge	\$200 additional 10% for cuts or grinds from November 15 th to April 1 st
Request for Waiver (sidewalk construction/repair)	\$30

FIRE AND RESCUE SQUAD FEES

Basic Life Support, Non-Emergency (BLS)	\$365.00
Basic Life Support, Emergency (BLS-Emergency)	\$650.00
Advanced Life Support, Non-Emergency (ALS)	\$475.00
Advanced Life Support, Emergency Level I (ALS1)	\$750.00
Advanced Life Support, Emergency Level 2 (ALS2)	\$950.00
Specialty Care Transport (SCT)	\$765.00
Treat and Release	\$ 75.00
Mileages (loaded miles)	\$ 15.00
Haz-Mat Fees	Fee based on material, equipment and manpower per call
EMS Patient Care Report	\$ 20.00 handling fee + .50 per page copying fee

FIRE TRAINING FACILITY FEES

***Fees outlined for use of the fire training facility may be waived or reduced by the Bellevue Fire Chief, with permission/approval from the City Council for good cause shown. If the use of the Fire Training Facility needs to be made prior to the time it can be brought before the City Council for approval, the City Administrator may approve the waiver or reduction of fees for good cause shown.**

Training Tower Only	TMA Fee/Public Fee
Annual Usage	
5-4 Hour Scheduled Events Per Year	\$ 400.00/ \$ 700.00
10-4 Hour Scheduled Events Per Year	\$ 800.00/ \$1,400.00
15-4 Hour Scheduled Events Per Year	\$1,200.00/ \$2,150.00
Hour Rate	
4 Hours	\$100.00/ \$150.00
8 Hours	\$200.00/ \$300.00
1 Gas/Tower Operator	Included/ Included
*Plus Consumable Material Used	

Training Tower and Fire Simulator	TMA/ Public Fee
Annual Usage	
5-4 Hour Scheduled Events Per Year	\$ 800.00/ \$1,950.00
10-4 Hour Scheduled Events Per Year	\$1,600.00/ \$3,900.00
15-4 Hour Scheduled Events Per Year	\$2,400.00/ \$5,850.00
Single Usage	
1-4 Hour Scheduled Event	\$200.00 / \$400
Natural Gas	Included/ Included
1 Gas/Tower Operator	Included/ Included
*Additional Gas Operator	\$25.00 p/h / \$32.50 p/h
*Plus Consumable Material Used	

Rail Car Simulator	TMA Fee/Public Fee
Annual Usage	
5-4 Hour Scheduled Events Per Year	\$ 640.00/ \$ 640.00
10-4 Hour Scheduled Events Per Year	\$1,280.00/ \$1,280.00
Single Usage	
1-4 Hour Scheduled Event	\$160.00 / \$160.00
Natural Gas	Included/ Included
1 Gas/Tower Operator	Included/ Included

FIRE TRAINING FACILITY FEES (Continued)

Confined Space	TMA Fee/Public Fee
Annual Usage	
5-4 Hour Scheduled Events Per Year	\$ 800.00/ \$1,450.00
10-4 Hour Scheduled Events Per Year	\$1,600.00/ \$2,800.00
Single Usage	
1-4 Hour Scheduled Event	\$200.00 / \$300.00
2 Observers	Included/ Included
Driving Area	TMA Fee/Public Fee
Annual Usage	
5-4 Hour Scheduled Events Per Year	\$400.00 / \$400.00
10-4 Hour Scheduled Events Per Year	\$800.00 / \$800.00
Single Usage	
1-4 Hour Scheduled Event Per Year	\$100.00 / \$100.00
1 Observer	Included/Included
Cones	Included/Included
Extrication Area	TMA Fee/Public Fee
Annual Usage	
5-4 Hour Scheduled Events Per Year	\$400.00 / \$400.00
10-4 Hour Scheduled Events Per Year	\$800.00 / \$800.00
Single Usage	
5-4 Hour Scheduled Event Per Year	\$100.00 / \$100.00
1 Observer	Included/Included
*Each Vehicle	\$ 50.00 / \$50.00
Classroom Area	TMA Fee/Public Fee
Annual Usage:	
Contract Bellevue FD Training Site	
Single Usage	
Room 1	
1-4 Hour Scheduled Events Per Year	\$150.00 / \$150.00
10-4 Hour Scheduled Events Per Year	\$300.00 / \$300.00
Room 2	
1-4 Hour Scheduled Events Per Year	\$100.00 / \$100.00
10-4 Hour Scheduled Events Per Year	\$200.00 / \$200.00
Room 3	
1-4 Hour Scheduled Events Per Year	\$100.00 / \$100.00
1-8 Hour Scheduled Events Per Year	\$200.00 / \$200.00

FIRE TRAINING FACILITY FEES (Continued)

Rooms 1, 2 and 3	
1-4 Hour Scheduled Events Per Year	\$300.00 / \$300.00
1-8 Hour Scheduled Events Per Year	\$600.00 / \$600.00
Available AV Equipment	Included/Included
Chairs	Included/Included
Janitorial Fee	Included/Included
Entire Training Site	TMA Fee/Public Fee
Annual Usage	Contact Bellevue FD Training Site
Single Use:	
1-4 Hour Scheduled Events Per Year	\$ 600.00 / \$ 600.00
1-8 Hour Scheduled Events Per Year	\$1,200.00 / \$1,200.00

FIRE INSPECTION FEE SCHEDULE

Hospitals:	
50 Beds or Less	\$ 50.00
51 – 100	\$100.00
101 and Up	\$150.00
Health Care Facilities	
50 Beds or Less	\$ 50.00
51 – 100	\$100.00
101 and Up	\$150.00
Hospital and Nursing Home Revisits	\$50.00 up to one hour \$25.00 for each additional ½ hour NOT TO EXCEED \$150.00
Liquor Inspections:	
Non-Consumption Establishment	\$50.00
Consumption Establishments	\$75.00
Revisits for either	\$50.00
Child Care Inspections:	
1 to 8 Children	\$40.00
9 to 12 Children	\$50.00
13 or More Children	\$60.00
Revisits for any of the above	\$40.00
Foster Care Inspections:	
Initial Inspection	\$20.00
Revisit Inspection	\$20.00
Investigative Reports:	
Fee for Reports	\$3.00 plus actual cost of printing

CODE ENFORCEMENT FEES

Seasonal Grass Mowing (required within a 12-month period commencing Jan. 1 of each year)

1st mowing	\$200/min/hour + \$50 Admin fee
2nd mowing	\$400/min/hour + \$50 Admin fee
3rd or subsequent mowing	\$600/min/hour + \$50 Admin fee

CODE ENFORCEMENT FEES (Continued)

Snow Removal

1 st removal	\$100/min/hour + \$50 Admin fee
2 nd removal	\$200/min/hour + \$50 Admin fee
3 rd removal	\$300/min/hour + \$50 Admin fee

General Clean-up (includes junk, litter, concrete, building materials, tires, furniture, appliances, dog/cat waste, or similar)

Small	\$300/min/hour + \$50 Admin fee
Large	\$500/min/hour + \$50 Admin fee

Trees and Brush (does not include contracted tree removal that would include jobs beyond the expertise of city crews)

Small	\$300/min/hour + \$50 Admin fee
Large	\$700/min/hour + \$50 Admin fee

Graffiti removal \$200/min/hour + \$50 Admin fee

Application Fee for Nuisance Violation Hearing \$35

POLICE RANGE TRAINING FACILITY

Facility may only be utilized by approved law enforcement agencies at the availability of a Bellevue Police Firearms Instructor; each request must be reviewed and/or modified and approved by the Chief of Police

\$100/hour

GRADE PERMIT FEES

10 acres or less	1997 Uniform Administrative Code Fees as amended + \$750 NPDES Fee
More than 10 acres	1997 Uniform Administrative Code Fees as amended + \$1,250 NPDES fee

ZONING FEES

Comprehensive Plan Amendment	\$ 500
Change of Zone	
less than 1 acre	\$ 175
1-5 acres	\$ 325
over 5 acres	\$ 525
Zoning Text Amendment	\$ 250
Subdivision Text Amendment	\$ 250
Conditional Use Permit	
1 acre or less	\$ 175
more than 1 acre	\$ 325
Conditional Use Permit Amendment	
1 acre or less	\$ 175
more than 1 acre	\$ 325
Administrative Review of Wireless Antennas	\$ 150
Preliminary Platting	\$1,000 + \$10 per lot
Final Platting	\$ 600 + \$5 per lot
Revised Preliminary Plat	\$1,000 + \$10 per lot
Extension of Date for Preliminary & Final Plats	\$ 200
Small Subdivision Plat	\$ 250 Administrative Approval + \$ 300 City Council Approval
Vacation of Plat	\$ 150
Board of Adjustment Application	\$ 300
Flood Plain Development Permit	\$ 50
Sign Permit (by size of sign)	
35 square feet or less	\$ 40
36 – 75 square feet	\$ 80
76 – 150 square feet	\$150
151 – 300 square feet	\$200
Over 300 square feet	\$300
Awnings	\$ 4.00/100 square foot of vertical projected area of awning or fraction thereof; \$40 minimum
Design Review Board Hearing Request	\$ 250
Application for Hearing/Hard Surface Parking Comm.	\$ 100
Zoning Verification Letter	\$ 50

SMALL WIRELESS FACILITIES (SWF) FEES

All permits necessary to deploy including but not limited to excavation, electrical, and building permit (s).	\$500.00 per application containing as few as one (1) and up to five (5) SWF \$100.00 for each additional SWF
An application of a new, modified, or replacement utility pole or support structure intended to support one or more SWF's and the associated SWF.	\$250 per pole or structure

OCCUPATION TAXES

Liquor License Occupation Taxes & Fees

(Annual fee in addition to State License Fees)

Class A Liquor License Holder	\$200
Class B Liquor License Holder	\$200
Class C Liquor License Holder	\$600
Class D Liquor License Holder	\$400
Class I Liquor License Holder	\$500
Class K Catering	\$200
Class L Craft Breweries	\$500
Class Y Farm Winery License Holder	\$500
Special Designated Permit	\$ 40/day
Transfer of Liquor License to Another Location	\$ 25 processing fee
Addition to Currently Licensed Premises	\$ 25 processing fee
Publication Charges	\$ 15
Natural Gas Distributors	3 % of Annual Gross
Telephone Companies Occupation Tax (includes land lines, wireless, cellular, & mobile)	6.25% of gross receipts
Hotel Operators Occupation Tax	5.5% of gross receipts
Music, Vending, & Amusement Machines	
Musical Machine for Profit	\$ 25/machine + \$100/year distributor
Tobacco	\$ 25/machine
Electronic Video/Mechanical	
Amusement Machine for Profit	\$ 25/machine + \$100/year distributor
Merchandise Vending Machine for Profit	\$ 5.00/machine + \$75/year distributor

OTHER FEES

Arborist	\$ 75 initial/\$50 renewal
Barricades	
Rental Deposit Fee	\$ 50/barricade/day
Construction Use	\$ 50/barricade/day (5 days maximum)
Beekeeping Permit	\$ 20
Bicycle License	\$ 2
Bus Bench Permit	\$ 75/per bench
Cemetery:	
Open/Close Fees: (includes Pre-Pay)	\$ 850 Full Size \$ 450 Cremains \$ 400 Infant \$ 275 Niche
Saturday Funeral (extra charge)	\$ 100
Winter Funerals (extra charge) (December 1 – March 1)	\$ 40

OTHER FEES (Continued)

Other Fees:	\$ 10 Stone Setting Permit \$ 100 Government Marker setting fee \$ 125 Attach VA Marker to Niche Door or or Engraving
Disinterment Fees:	\$1,100 Full size \$ 600 Cremains \$ 555 Infant
Grave Spaces:	\$ 800 Full Size (New Sections G & H) \$ 125 Infant \$ 800 Niche
Walkway Plots	\$1,000
Columbarium Plots	\$1,200 Row 1 (Top of Columbarium) \$1,000 Row 2 \$ 800 Row 3 \$ 600 Row 4 \$ 400 Row 5
Green Burial Space:	\$1,600 Full Size (includes marker)
In-Ground Cremation Space:	\$ 900 (includes marker)
Scattering Garden:	\$ 400 (includes brass plaque)
Commemorative Street Application Fee	\$25
Dog, Cat & Pot-Bellied Pig Fees (Collected by NE Humane Society-not City of Bellevue)	
Dog/Cat License (Annual Fee)	\$5 each if spayed/neutered, (no charge for owners age 65 and older) \$15 each if not spayed/neutered (\$5 of fee held in trust for owner and refunded if proof of sterilization shown within 6 months)
Pot-bellied Pig License (Annual Fee)	\$35
Dog, Cat, & Pot-bellied Pig License Handling Fee (if not applied for in person)	\$5
Dog, Cat, & Pot-bellied Pig License Replacement if Lost	\$ 0.50
Dog, Cat Pet Advocacy Permit	Obtained thru the NE Humane Society \$100 for initial permit \$50 annual renewal fee
Dog, Cat, & Pot-bellied Pig Capture and Confinement Fee	\$13/per day Kennel Fee 1 st impoundment \$30

Vaccination Fee	2 nd impoundment \$60 3 rd impoundment \$100 \$20 (in trust and refunded upon proof of vaccination within 9 months)
Purchase of Unclaimed Animal Fee	Nebraska Humane Society Adoption Fee plus license fee
Kennel License (if allowed by zoning)	\$100/year

OTHER FEES (Continued)

Dog & Cat License Late Charge	Double applicable license fee
Pot-bellied Pig License Late Charge	\$50
Feral Cat Colony Caretaker Permit Fee (Collected by NE Humane Society- <i>not</i> City of Bellevue)	\$25
Election Filing Fee	1% of Annual Salary of Position (per State Statute)
Farmers Market Fees (City-Run)	
Season Vendor	\$200 per season
Electricity	\$ 25 per outlet per season
Weekly Vendor	\$ 10 per week
Electricity	\$ 2 per outlet per week
Farmers Market – Privately Operated on City Property (with prior City approval of application) Season Operator Fee (electricity included)	\$0
Fireworks Annual License Fee (Non-Profits Only)	\$ 600 + \$1,000 bond
Fireworks Annual Distributor or Jobber License Fee	\$1,000
Hen Permit Fee (Five Year)	\$ 100
Ice Cream Vendor Fee	\$50 per person
Ice Cream Vehicle Inspection Fee	\$25 per truck
Mini-Bus	\$ 2 each way per trip in town \$ 4 each way per trip out of town
Opening Burning Permit	\$10 (per State Statute)
Parking Ticket Fee	
 If paid within 7 days of violation due	\$5/\$10/\$25
 If paid after 7 days but within 30 days	Fine Doubles
Pawnbrokers Permit Fee	\$50/year and \$5,000 surety bond
Pet Store and/or Grooming Shop License	\$50/year
Transfer of Ownership	\$ 5
Returned Check (NSF) & Returned ACH Transaction Fee	\$25

OTHER FEES (Continued)

Temporary Business Licenses:

Seasonal Merchant	\$25 license valid for 1 month \$50 license valid for 4 months \$15 one-month extension – maximum of two (2) one-month extensions ONLY applies to 4 month license
Itinerant Merchant/Peddlers/Solicitor/ Street Vendor/Transient Merchant	\$50/day/person or \$300/year/person plus Certificate of Insurance naming City as Additional Insured + \$10 non-refundable processing fee to be certified to license fee issued
Carnival/Circus/Public Amusement Show/ Music Concert/Temporary Amusement Park	\$50/event to be paid by event organizer or sponsor + \$10/day, or portion thereof, for each ride, show, tent, booth, concession stand, etc., when in operation and open to the public
Tobacco License	\$15 license fee per State Statute + \$10 administrative fee

Trash and Recycling Residential Collection Fee, effective June 1, 2020

\$14.99 per month, per residence for 35-gallon service
\$18.19 per month, per residence for 65 gallon service
\$21.19 per month, per residence for 95-gallon service
\$15.00 for each bulky item pick up
\$2.00 for each one-half (1/2) cubic yard extra material, not to exceed 25 pounds
\$1.00 for each extra bag of material, not to exceed 13 gallons or 25 pounds
\$9.30 for each additional cart

Tree Damage

Tree DBH (Diameter at Breast Height)	
Up to 4"	\$ 600
>4" to 8"	\$ 850
>8" to 12"	\$1,340
>12" to 16"	\$2,370
>16" to 20"	\$3,700
>20" to 24"	\$5,300
>24" to 28"	\$6,700
Over 28"	\$6,700 + \$500 for every inch over 28"

OTHER FEES (Continued)

Limb Circumference	
Up to 4"	\$350
>4" to 8"	\$500
>8" to 12"	\$700
Vehicle Impoundment Fees	
Tow Fee	\$80/\$75 for motorcycles
Storage Fee	\$20/per day
Storage for Victimless Incidents – City lots	\$20/day outside; \$40 day inside
Administration Fee	\$30
Extraordinary tows (i.e. flatbed and accident clean up)	Per towing company contract
Street/Alley Vacation	
Application Fee	\$50
Administrative Fee	\$300

PUBLIC RECORDS

Audio Tapes, Video Tapes, CD/DVD or other media	\$10 per tape, CD, DVD, or other media
Comprehensive Plan	\$50
Zoning Map	\$5
Zoning Ordinance w/Map	\$25
Subdivision Regulations	\$15
Bellevue City Maps 200E3	\$0.75 - \$20 depending upon size (price range for all maps, plats, etc., reproduced by Public Works)
Fire Report	\$50
Police Report	\$10
Police Photos	
(Digital)	\$20 per CD or other digital media device
35 mm photos	\$20 per roll
Certification by City Clerk	\$5 certification fee + cost of copies
Records Search Fee (paper or electronic)	\$5 per request + applicable copy fee
Copy Fee (paper or electronic)	\$0.25 per page

If the estimated cost of any public records request is more than fifty (50) dollars, the City may require the requester to furnish a deposit prior to fulfilling such request. "A special service charge reflecting the calculated labor cost may be included in the fee for time required in excess of four cumulative hours since that large of a request may cause some delay or disruption of the other responsibilities of the custodian's office, except that the fee for records shall not include any charge for the services of an attorney to review the requested public records seeking a legal basis to withhold the public records from the public." (R.R.S.84-172)

ALARM SYSTEMS/FALSE AND NUISANCE ALARMS

Registration Fee for Alarm System	\$25
Renewal Fee for Alarm System	\$25
Late Registration Charge	Double

False Alarm Fee for any false alarm generated by the registrant’s alarm system, a fee in accordance with the following schedule (from 1 January through 31 December of each year) shall be charged:

Number of False/Nuisance Alarms	False/Nuisance Alarm Charge
1	No Charge
2	\$125
3	\$250
4	\$275

LIBRARY FEES

Membership

Non-resident Membership, Semi-Annual (Family)	\$20
Non-resident Membership, Annual (Family)	\$40
Non-resident Student Fee, Annual	\$10
Replacement of Lost Card	\$1

Fines:

Books, Audio Books, CD’s, DVDs	\$0.10/day
USB Language Kits, Watt Detectors	\$1/ day
Leisure Passes	\$5 for replacement

Interlibrary Loan:

Postage	\$3 per item
Lost Interlibrary Loan Items	Price set by lender

Proctor Fees

Prints	\$0.10/page (single sided)
Postage	\$3 per item

Lost Items

Replacement cost of item (or purchase like item as replacement)

Damaged Items

Damage cost assessed up to full value of item

LIBRARY FEES (Continued)

Materials Processing

Replacement of Materials \$2 per item (for replacement of hubs, spine labels, book covers, plastic inserts for books on CD, clear hanging bags, music CD Cases, CD and DVD locks, DVD cases, AV inserts)

Replacements for Books on CD Cases \$ 8 for small, \$ 9 for medium, \$ 10 for large

Copier/Printer Rates

Black & White Copies/Prints \$0.10/page (single sided)

Color Prints \$0.50/page (single sided)

RECREATION FEES

100% BEFORE first day

Reed Center – Rental

\$325 – Friday/Sunday

\$375 – Sunday

\$175 – Non profit

Field Rentals

\$30 per hour light fee +

\$175 per day

\$200 per day – non-resident

Jr. T-Ball

\$25

T-Ball/Coach Pitch

\$35

Baseball/Softball

\$40

Adult Softball – Church League

\$60

Baseball/Softball Spring Training

\$10

Tennis Lessons

Juniors \$20

Adults \$25

Swimming Pools:

Swimming Lessons \$35

Swimming League \$35

Daily Swim Fee

Youth (18 - Under) \$3.00

Adult (19 & Over) \$5.00

Wading Pool (2 year – Adult) \$2.00

Seniors (55 & Over) Free

Pool Parties

Pool Rental Fee \$100

Lifeguard Fee \$ 40

*Bellevue residents pay the lower fee

Track Club	\$35
Youth Sports Camp	\$30 single session \$40 both sessions
Youth Lacrosse Camp	\$30
Youth Soccer League	\$40
Youth Flag Football League	
Spring	\$35
Fall	\$35
Historic Presbyterian Church Rental Fee	\$375

SEWER CONNECTION FEES

Residential	
Single Family Dwelling (includes manufactured/ modular/mobile homes)	\$ 900
Duplex	\$1,600
Multiple Family	\$700 per unit
Commercial/Industrial	\$3,900 per acre, minimum \$1,950 based on the building footprint
Sewer Tap Inspection Fee	
Service Line (all sizes)	\$118
Re-inspection Fee (after two inspections)	\$47

TAX INCREMENT FINANCING (TIF) FEES

Application Fee	\$ 500
Processing Fee	\$3,000
Administrative Fee (upon approval of redevelopment plan based on requested TIF principal amount)	
TIF principal amount:	
First \$500,000	None
Next \$1,500,000	1.5%
Next \$2,000,000	1%
No fees of TIF amounts over \$4,000,000	

The maximum fee as a result of this section is \$42,500. By way of illustration, the fee on a loan with a TIF principal amount of three million dollars is \$32,500, which is calculated by taking one and one-half (1.5) percent of the amount between a half million and two million (\$22,500) and one percent of the next million dollars (\$10,000).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Bellevue City Council of the City of Bellevue, Nebraska that this Master Fee Schedule shall become effective on the _____ day of _____, 2022~~1~~.

PASSED AND APPROVED THIS _____ DAY OF _____, 2022~~1~~.

CITY OF BELLEVUE

Mayor

ATTEST:

City Clerk

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

12h.
4/19/2022

COUNCIL MEETING DATE: 04/05/2022		SUBMITTED BY: Legal		Police Department	
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. 4092, amending Chapter 20, Article I, Sections 20-16 and 20-20.1 of the Bellevue Municipal Code related to certain offenses.

SYNOPSIS/BACKGROUND:

After certain new sections were removed from Chapter 19 of the City Code (for code enforcement) and placed in Chapter 20 of the City Code (for police enforcement) it became apparant that some items needed to be amended and revising for enforcement of the same.

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 DISTRUBUTION CODE:		ACCOUNT NUMBER:			

RECOMMENDATION:

Approve Ordinance No. 4092.

ATTACHMENTS:

- | | | |
|------------------------|----|----|
| 1. Ordinance (redline) | 2. | 3. |
| 4. Ordinance (clean) | 5. | 6. |

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

ORDINANCE NO. 4092

AN ORDINANCE TO AMEND CHAPTER 20, ARTICLE I, SECTIONS 20-16 and 20-20.1, OF THE BELLEVUE MUNICIPAL CODE PERTAINING TO OFFENSES, TO REPEAL ALL PREVIOUS VERSIONS OF THE SAME 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 Sections 20-16 and 20-20.1 of Chapter 20, Article I are hereby amended to read as follows:

§ 20-16 HORNS, SIGNALING DEVICES, DRUMS, RADIOS, PHONOGRAPHS, ETC.

A. It shall be unlawful ~~to do any of the following: (1) Sound any horn, drum or signaling device which creates any unreasonably loud or harsh sound and the sounding of any such device, horn or drum is for any unnecessary and unreasonable period of time. This section shall not apply to:~~ for any person within the City to operate any radio, horn, drum, speaker, stereophonic sound system, signaling device, phonograph, other machine or device for producing or amplifying sound, or similar device, in such a manner as to be plainly audible to any person at any point or place more than 50 feet from the source. The prohibition herein shall not apply to:

1. The use of any such signaling device or horn as a danger warning; or
2. The use of any such signaling device or horn during the participation of a sporting event or other school function if being used in connection with the operations of the sporting event or school function.
- ~~3. The use of any horn, whistle or other device operated by engine exhaust; or~~
- ~~4. The use of any such signaling device when traffic is for any reason held up.~~

~~(2) To use, operate or permit to be played, used or operated any radio receiving set, musical instrument, phonograph or other machine or device for the producing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vicinity, vehicle or chamber in which such machine or device is operated and who are voluntarily listeners thereto;~~

~~(3) To operate any such horn, drum, signaling device, radio, musical instrument, phonograph, or other machine or device between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this article.~~

B. Waiver.

1. This section shall not apply when:

- a. The city council finds and declares that it is in the best interests of the general public and welfare ~~that section (A) that subsection (A), (B) and/or (C)~~ be waived after proper consideration of the facts and circumstances surrounding certain events to be held at public use facilities;
- b. The city council waives the above provisions so as to permit the use, operation, or playing of any ~~said prohibited sound or device during a specified time and specified dates stated in said application for waiver at a such radio receiving set, musical instrument, phonograph, or other machine or device for the production of sound at any fully enclosed, public-use facility during the hour from 11:00 p.m. to 12:00 a.m. (midnight);~~ upon the application and approval of any eligible organization or individual;
- c. Application is made by any individual or organization for the use of a city-owned facility ~~or other public use facility~~ and said waiver and application is submitted to the city clerk and after being scheduled to be heard during a regularly scheduled city council meeting, the city council determines whether or not it is in the general public interest to grant the ~~waiver for the specified time and date. said one-hour waiver.~~

§ 20-20.1 ~~OBSTRUCTION OR INTERFERENCE WITH INGRESS OR EGRESS ETC. OBSTRUCTING DRIVEWAYS, ALLEYS, SIDEWALKS, ETC.~~

~~(A) It shall be unlawful to interfere with, obstruct, stop, or stand on any public right-of-way, public or private street, alley, highway, sidewalk, driveway, stream, ditch, drainage, or within any intersection thereof or drainage in any manner which physically interferes with or obstructs ingress or egress of the same.~~

~~(B) Within two feet of either side of the opening of a private driveway, public driveway or established alley;~~

~~(C) It shall be unlawful to stop or stand within any intersection of a street, highway, roadway or sidewalk area in any manner which interferes with the use thereof by the public interferes with or obstructs the ingress or egress of the same.~~

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

ORDINANCE NO. 4092

AN ORDINANCE TO AMEND CHAPTER 20, ARTICLE I, SECTIONS 20-16 and 20-20.1, OF THE BELLEVUE MUNICIPAL CODE PERTAINING TO OFFENSES, TO REPEAL ALL PREVIOUS VERSIONS OF THE SAME 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 Sections 20-16 and 20-20.1 of Chapter 20, Article I are hereby amended to read as follows:

§ 20-16 HORNS, SIGNALING DEVICES, DRUMS, RADIOS, PHONOGRAPHS, ETC.

- A. It shall be unlawful for any person within the City to operate any radio, horn, drum, speaker, stereophonic sound system, signaling device, phonograph, other machine or device for producing or amplifying sound, or similar device, in such a manner as to be plainly audible to any person at any point or place more than 50 feet from the source. The prohibition herein shall not apply to:
1. The use of any such signaling device or horn as a danger warning; or
 2. The use of any such signaling device or horn during the participation of a sporting event or other school function if being used in connection with the operations of the sporting event or school function.
- B. Waiver.
1. This section shall not apply when:
 - a. The city council finds and declares that it is in the best interests of the general public and welfare that section (A) be waived after proper consideration of the facts and circumstances surrounding certain events to be held at public use facilities;
 - b. The city council waives the above provisions so as to permit the use, operation, or playing of any said prohibited sound or device during a specified time and specified dates stated in said application for waiver at a public-use facility upon the application and approval of any eligible organization or individual;
 - c. Application is made by any individual or organization for the use of a city-owned facility or other public use facility and said waiver and application is submitted to the city clerk and after being scheduled to be heard during a regularly scheduled city council meeting, the city council determines whether or not it is in the general public interest to grant the waiver for the specified time and date.

§ 20-20.1 OBSTRUCTION OR INTERFERENCE WITH INGRESS OR EGRESS ETC.

(A) It shall be unlawful to interfere with, obstruct, stop, or stand on any public right-of-way, public or private street, alley, highway, sidewalk, driveway, stream, ditch, drainage, or within any intersection thereof in any manner which physically interferes with or obstructs ingress or egress of the same.

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: 04/05/2022

Second Reading: _____

Third Reading: _____

City Attorney

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

12i.
4/19/2022

COUNCIL MEETING DATE: 04/05/2022		SUBMITTED BY: Doug Clark		Public Works Director	
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:

Street/Alley Vacation Application (SV 2202-01)

SYNOPSIS/BACKGROUND:

Request to vacate all of 37th Street between Marie Street and Veys Street abutting within "Veys Hill Haven Addition" an Addition to the City of Bellevue, Sarpy County, Nebraska. Lot 2 & 3 Block 1 Veys Hill Haven Addition and Lots 2, 3A, 3B, 4, 5 & 6 of Block 2 Veys Hill Haven Addition located in Section 20, T14N, R13E of 6th P.M., Sarpy County, Nebraska.

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 the request to vacate all of 37th Street between Marie Street and Veys Street abutting within "Veys Hill Haven Addition" an Addition to the City of Bellevue, Sarpy County, Nebraska. Lot 2 & 3 Block 1 Veys Hill Haven Addition and Lots 2, 3A, 3B, 4, 5 & 6 of Block 2 Veys Hill Haven Addition located in Section 20, T14N, R13E of the 6th P.M., Sarpy County, Nebraska.

ATTACHMENTS:

1. Ordinance 4093	2. Application	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. Breyer
[Signature]
[Signature]



Application Number: SV-2202-01

Date of Application: Feb. 03, 2022

Public Works Department
1500 Wall Street
Bellevue, NE 68005
Ph: 402-293-3025

STREET/ALLEY VACATION APPLICATION

Name: Otoniel Garcia (for Salvacion / Iglesia)

Address: 8806 S 36th Street
Street

Omaha, NE 68147
City/State/Zip Code

Phone Number: (402) 706-9330

Briefly state the reason for this request: 37th street between Marie St. and Veys St. mostly serves private lots owned by Iglesia Pentecostes Roca Salvacion. The owner plans to improve street to support the construction of a new church building along with associated parking lots. Maintenance of the improvements would be performed by the owner.

Legal description of street/alley to be vacated: _____

All of 37th street located within "VEYS HILL HAVEN ADDITION"

an Addition to the City of Bellevue, Sarpy County, Nebraska.

Please attach a copy of the Street / Alley Vacation Petition as required.



Signature of Applicant

STREET / ALLEY VACATION PETITION

Please read the following carefully:

The following information is required by the Public Works Department and is to assist you in the property preparation of this petition by calling your attention to the following requirements:

1. Only the signature of the legal owner (s) whose property abuts the street or alley to be vacated is valid.
2. The person who signs the petition must be recorded property owners as listed in the Book of Deeds in the Sarpy County Register of Deeds Office. Ownership will be verified by the Public Works Department.

We, the undersigned owners of property, representing more than 75% of the abutting property, hereby ask and petition that the necessary action be taken to vacate: _____

37th Street, between Marie Street (north boundary) and Veys Street (south boundary)

and we, hereby respectively waive any and all damages, or claims for damages, by reason of said vacating.

NAME OF OWNER	DATE SIGNED	DESCRIPTION OF PROPERTY
<i>Daniel R. Van</i>	<i>2-6-2022</i>	<i>3703 Marie St</i>
<i>Melissa meeting</i>	<i>2-6-2022</i>	<i>3703 Marie St</i>

*DRR
Melissa meeting*

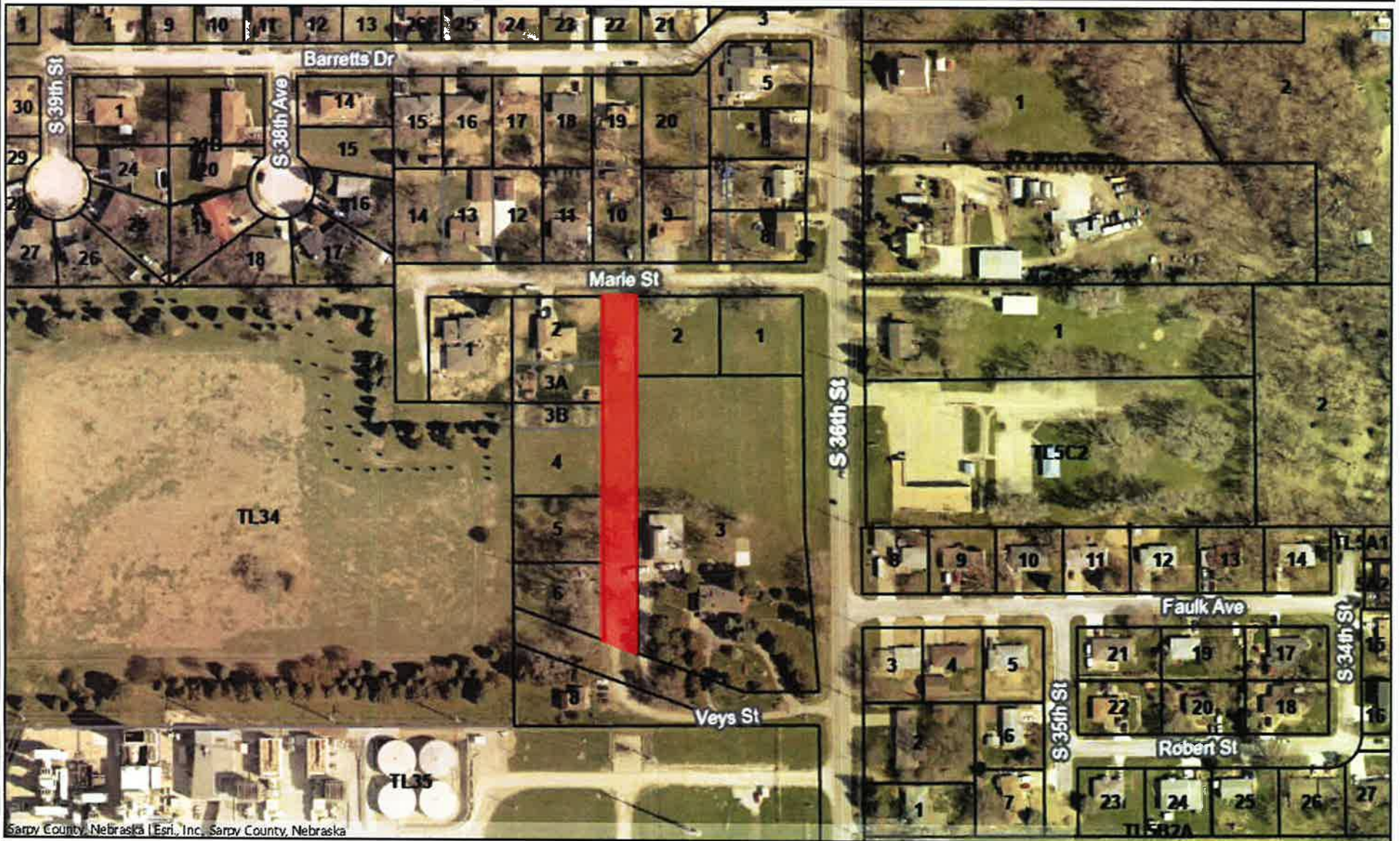
STREET / ALLEY VACATION AGREEMENT

That portion of the street/alley platted in VEYS HILL HAVEN ADDITION

SE 1/4, NE 1/4, Section 20, Township 14 North, Range 13 East of the 6th P.M.

located in the City of Bellevue, Sarpy County, Nebraska, be, and hereby is, vacated; the vacating of the property herein described, and the reversion thereof, pursuant to applicable law, shall be subject to the conditions and limitation that there is reserved to the City of Bellevue the right to maintain, operate, repair and renew sewers now existing therein and in the future to construct, maintain, repair and renew additional or other sewers; and also the right to authorize the public utilities and cable television systems to construct, maintain, repair, or renew and operate now or hereafter installed water mains, gas mains, pole lines, conduits, electrical transmission lines, sound and signal transmission lines, and other similar services and equipment and appurtenances above, on and below the surface of the ground for the purpose of serving the general public or abutting property; and the right so reserved shall also include such lateral connection or branch lines as may be ordered, desired, or permitted by the City of Bellevue or such other utility, and to enter upon the premises to accomplish the above purposes at any and all times. All vegetation upon the premises, including but not limited to, trees, bushes, and crops, and all structures upon the premises, including but not limited to, buildings, walls, fences, drives, and walks, may be damaged or removed as necessary in the exercise of the rights herein reserved without compensation to any person.

EXHIBIT "A"



Sarpy County, Nebraska | 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 Ordinance No. 4085
37th Street Vacation



ORDINANCE NO. 4093

AN ORDINANCE DECLARING THE NECESSITY, EXPEDIENCY AND PROPRIETY OF VACATING ALL OF 37th STREET BETWEEN MARIE SREET AND VEYS STREET ABUTTING WITHIN "VEYS HILL HAVEN ADDITION" AN ADDITION TO THE CITY OF BELLEVUE, SARPY COUNTY, NEBRASKA. LOT 2 & 3 BLOCK 1 VEYS HILL HAVEN ADDITION AND LOTS 2, 3A, 3B, 4, 5 & 6 BLOCK 2 VEYS HILL HAVEN ADDITION LOCATED IN SECTION 20, T14N, R13E OF 6th P.M., SARPY COUNTY, NEBRASKA. NOT HERETOFORE VACATED, REPEALING ALL ORDINANCES AND ALL PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DESIGNATING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Bellevue, Nebraska, has determined that no damages will accrue to any citizen of the City of Bellevue, nor to any owners of property herein by reason of the proposed vacation.

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

Section 1. It is hereby declared necessary, expedient and proper to vacate all of 37th Street between Marie Street and Veys Street abutting within "Veys Hill Haven Addition" an Addition to the City of Bellevue, Sarpy County, Nebraska. Lot 2 & 3 Block 1 Veys Hill Haven Addition and Lots 2, 3A, 3B, 4, 5 & 6 of Block 2 Veys Hill Haven Addition located in Section 20, T14N, R13E of 6th P.M., Sarpy County, Nebraska. As shown in Exhibit "A", and, be and hereby is, vacated; the vacating of the property herein described, and the reversion thereof, pursuant to applicable law, shall be subject to the conditions and limitation that there is reserved to the City of Bellevue the right to maintain, operate, repair and renew sewers now existing therein and in the future to construct, maintain, repair and renew additional or other sewers;

and also the right to authorize the public utilities and cable television systems to construct, maintain, repair or renew and operate now or hereafter installed water mains and gas mains, pole lines, conduits, electrical transmission lines, sound and signal transmission lines and other similar services and equipment and appurtenances above, on and below the surface of the ground for the purpose of serving the general public or abutting property;

and the right so reserved shall also include such lateral connection or branch lines as may be ordered, desired or permitted by the City or such other utility and to enter upon the premises to accomplish the above purposes at any and all times. All vegetation upon the premises, including but not limited to, trees, bushes and crops and all structures upon the premises, including, but not limited to, buildings, walls, fences, drives and walks, may be damaged or removed as necessary in the exercise of the rights herein reserved without compensation to any person.

Section 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall become effective after its passage, approval and publication according to law.

Section 4. The City retains the rights to all easements.

Passed and approved this _____ day of _____, 20__.

APPROVED AS TO FORM:

City Attorney

ATTEST

City Clerk

Mayor

First Reading: 04/05/2022
Second Reading: _____
Third Reading: _____

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

12j.
4/19/2022

COUNCIL MEETING DATE: 04/05/2022		SUBMITTED BY: Public Works		
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:

An ordinance to amend Chapter 28, Article III, Section 28-77 and 28-77.1 of the Bellevue Municipal Code pertaining to offenses, to repeal all previous versions of the same and to provide an effective date.

SYNOPSIS/BACKGROUND:

After review, updates were needed regarding certain costs pertaining to permit and other applicable collectible fees in order to ensure compensation to the City for the work necessary to perform the outlined tasks.

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:

ATTACHMENTS:

1. Redline 2. Clean Copy 3. Ord. No. 4094

4. 5. 6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

A. Bryn Roblin
[Signature]

ORDINANCE NO. 4094

AN ORDINANCE TO AMEND CHAPTER 28, ARTICLE III, SECTIONS 28-77 and 28-77.1 OF THE BELLEVUE MUNICIPAL CODE PERTAINING TO OFFENSES, TO REPEAL ALL PREVIOUS VERSIONS OF THE SAME 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 Sections 28-77 and 28-77.1 of Chapter 28, Article III are hereby amended to read as follows:

§ 28-77 CURB AND STREET CUT PERMIT APPLICATION PROCEDURES; INITIAL AND EXTENDED PERMITS; RECOVERY OF COST AND EXPENSE; INSPECTION.

(A) Any person required by this division to obtain a permit shall apply for such permit by making a written application with the public works administrative division. All applications for an initial permit or an extended permit shall describe the extent and character of the work to be done and shall be accompanied by a paving, curb and/or sidewalk cut plan or excavation plan showing the location and dimensions of the proposed cut or excavation and any other information as may be necessary for the enforcement of this Code. The public works administrative division shall keep a record of all paving, curb and sidewalk cuts and excavations in the public right-of-way.

(B) Any initial permit issued by the public works administrative division shall expire at the end of 20-business days after its date of issuance. If a permittee under an initial permit does not satisfactorily complete the work described in the application before the expiration of the initial permit, then in order to complete and/or rectify such work, such permittee shall apply for and receive an extended permit from the public works administrative division. Any extended permit issued by the public works administrative division shall expire at the end of 20 business days after its date of issuance. If, prior to the expiration of an initial permit or extended permit, as the case may be, an applicant does not

- (1) Satisfactorily complete the work described in such permit; or
- (2) Apply for and receive an extended permit or subsequent extended permit for such work, then such applicant, upon the expiration of such permit, shall cease all work referenced in the application; and the city, acting through its public works director, may either:
 - (a) Perform or authorize the performance of the work as described in such application in accordance with sections 28-77.1 and 28-80; or
 - (b) Restore the property as may be reasonably possible to its original condition by backfilling, tamping and replacing any paving and/or seeding any grass which was removed by the applicant.

(C) Whenever the city incurs any cost or expense in performing, ~~or~~ authorizing the performance of work or restoration, ~~permitting, or inspection of said performance,~~ pursuant to this section, the applicant under such permit(s) shall be liable to the city for such cost and/or expense. ~~which shall be calculated in accordance with section 28-77.1(C).~~ The city shall send a written statement to such applicant setting forth the amount of money due to the city for such cost and/or expense and such amount shall be payable to the city within 15 days after the date it is mailed by the city. If not paid within such period, interest shall accrue from and after the date of the statement at a rate of 16 percent per annum or the highest rate allowable by law, whichever is greater. In addition, any applicant deemed liable by the city pursuant to this subsection shall, after the date the city mails such applicant a written statement detailing the city's cost and/or expense, be prohibited from obtaining any other initial or extended permit pursuant to this division, unless and until the city has fully recovered its cost and/or expense, including any accrued interest, which is owed to the city by such applicant. An applicant shall be prevented from obtaining any other initial or extended permit under the foregoing sentence regardless of whether the permit requested by the applicant is for work at the same location as the location the city incurred its cost and/or expense in performing or authorizing the performance of work or restoration on behalf of such applicant under such applicant's prior application.

(D) It shall be the duty of the public works director to inspect or cause an inspection to be made of the place of entry into the paving, curb, sidewalk or public right-of-way area after work has been completed. If, following inspection, the public works department determines in its sole discretion that all work has been performed in a satisfactory manner, then the permittee shall be so notified and shall be relieved of any further obligations of performing work described in the permit.

§ 28-77.1 PAVING, CURB AND SIDEWALK CUT AND PUBLIC RIGHT-OF-WAY EXCAVATION PERMIT APPLICATION FEES; AUTHORITY TO PERFORM CURB WORK; PAVING CUTTING FEES; BARRICADING.

(A) Before any initial permit shall be issued under the provisions of this division, the applicant therefor shall pay an application fee in the amount of \$25.00 for the city's processing and inspection services. Before any extended permit or subsequent extended permit shall be issued under the provisions of this division, the applicant therefor shall pay an application fee in the amount of \$200.00 for the city's processing and inspection services.

(B) If any street cutting, curb grinding, curb removal or public right-of-way excavation work is required to be performed under a permit issued pursuant to this division, then the public works director may authorize such work to be performed by a pre-approved contractor in accordance with sections 28-80 and 28-81. Notwithstanding the foregoing, all curbs shall be ground per ~~Plate No. 310 of the City of Omaha Standard Plate Specifications for public~~ Public works Works construction. No curbs shall be saw cut without permission of the public works director.

(C) Whenever the city performs any paving cuts and/or removal work, in addition to the application fees described above in subsection (A), the applicant shall pay to the city:

(1) The cost for cutting, street backfilling, tamping, and replacing concrete, asphalt, or other hard surface paving, which cost shall be charged at the rate of ~~\$17.50~~ \$35.00 per square foot to a maximum depth of six feet. For each additional foot in depth beyond six feet, a charge of ten percent per foot shall be added. Any cut within four feet of a construction joint shall be removed to the joint. No side of any street cut shall be less than four feet. The city will saw, knock out and remove the pavement. The contractor shall complete his work, backfill one foot above whatever utility he has repaired and remove all excess dirt. The city will then complete the backfill and repour the street. All street cuts performed between November 15 and April 1 of each year shall pay a ten percent winter charge.

(2) Such amounts so paid shall compensate the city for cutting, refilling, tamping, or paving such portion of the pavement. If the actual cost to the city of such cutting, refilling, tamping, or repaving shall exceed the amount paid, the applicant shall pay the city the difference in cost upon demand being made therefor.

(D) All paving cut locations must be barricaded by the applicant prior to the commencement of any cutting. All traffic control devices shall meet the requirements, including but not limited to the location requirements, prescribed in the Manual of Uniform Traffic Control Devices (MUTCD) and whenever a new edition of the MUTCD is published, such new edition shall supercede the old edition for purposes of this section 28-77.1(D). All barricades shall be a minimum of two feet wide, reflectorized and equipped with a flashing light. Curb grinding does not require barricading.

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

ORDINANCE NO. 4094

AN ORDINANCE TO AMEND CHAPTER 28, ARTICLE III, SECTIONS 28-77 and 28-77.1 OF THE BELLEVUE MUNICIPAL CODE PERTAINING TO OFFENSES, TO REPEAL ALL PREVIOUS VERSIONS OF THE SAME 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 Sections 28-77 and 28-77.1 of Chapter 28, Article III are hereby amended to read as follows:

§ 28-77 CURB AND STREET CUT PERMIT APPLICATION PROCEDURES; INITIAL AND EXTENDED PERMITS; RECOVERY OF COST AND EXPENSE; INSPECTION.

(A) Any person required by this division to obtain a permit shall apply for such permit by making a written application with the public works administrative division. All applications for an initial permit or an extended permit shall describe the extent and character of the work to be done and shall be accompanied by a paving, curb and/or sidewalk cut plan or excavation plan showing the location and dimensions of the proposed cut or excavation and any other information as may be necessary for the enforcement of this Code. The public works administrative division shall keep a record of all paving, curb and sidewalk cuts and excavations in the public right-of-way.

(B) Any initial permit issued by the public works administrative division shall expire at the end of 20-business days after its date of issuance. If a permittee under an initial permit does not satisfactorily complete the work described in the application before the expiration of the initial permit, then in order to complete and/or rectify such work, such permittee shall apply for and receive an extended permit from the public works administrative division. Any extended permit issued by the public works administrative division shall expire at the end of 20 business days after its date of issuance. If, prior to the expiration of an initial permit or extended permit, as the case may be, an applicant does not

(1) Satisfactorily complete the work described in such permit; or

(2) Apply for and receive an extended permit or subsequent extended permit for such work, then such applicant, upon the expiration of such permit, shall cease all work referenced in the application; and the city, acting through its public works director, may either:

(a) Perform or authorize the performance of the work as described in such application in accordance with sections 28-77.1 and 28-80; or

(b) Restore the property as may be reasonably possible to its original condition by backfilling, tamping and replacing any paving and/or seeding any grass which was removed by the applicant.

(C) Whenever the city incurs any cost or expense in performing, authorizing the performance of work or restoration, permitting, or inspection of said performance, pursuant to this section, the applicant under such permit(s) shall be liable to the city for such cost and/or expense. The city shall send a written statement to such applicant setting forth the amount of money due to the city for such cost and/or expense and such amount shall be payable to the city within 15 days after the date it is mailed by the city. If not paid within such period, interest shall accrue from and after the date of the statement at a rate of 16 percent per annum or the highest rate allowable by law, whichever is greater. In addition, any applicant deemed liable by the city pursuant to this subsection shall, after the date the city mails such applicant a written statement detailing the city's cost and/or expense, be prohibited from obtaining any other initial or extended permit pursuant to this division, unless and until the city has fully recovered its cost and/or expense, including any accrued interest, which is owed to the city by such applicant. An applicant shall be prevented from obtaining any other initial or extended permit under the foregoing sentence regardless of whether the permit requested by the applicant is for work at the same location as the location the city incurred its cost and/or expense in performing or authorizing the performance of work or restoration on behalf of such applicant under such applicant's prior application.

(D) It shall be the duty of the public works director to inspect or cause an inspection to be made of the place of entry into the paving, curb, sidewalk or public right-of-way area after work has been completed. If, following inspection, the public works department determines in its sole discretion that all work has been performed in a satisfactory manner, then the permittee shall be so notified and shall be relieved of any further obligations of performing work described in the permit.

§ 28-77.1 PAVING, CURB AND SIDEWALK CUT AND PUBLIC RIGHT-OF-WAY EXCAVATION PERMIT APPLICATION FEES; AUTHORITY TO PERFORM CURB WORK; PAVING CUTTING FEES; BARRICADING.

(A) Before any initial permit shall be issued under the provisions of this division, the applicant therefor shall pay an application fee in the amount of \$25.00 for the city's processing and inspection services. Before any extended permit or subsequent extended permit shall be issued under the provisions of this division, the applicant therefor shall pay an application fee in the amount of \$200.00 for the city's processing and inspection services.

(B) If any street cutting, curb grinding, curb removal or public right-of-way excavation work is required to be performed under a permit issued pursuant to this division, then the public works director may authorize such work to be performed by a pre-approved contractor in accordance with sections 28-80 and 28-81. Notwithstanding the foregoing, all curbs shall be ground per the City of Omaha Standard Specifications for Public Works Construction. No curbs shall be saw cut without permission of the public works director.

(C) Whenever the city performs any paving cuts and/or removal work, in addition to the application fees described above in subsection (A), the applicant shall pay to the city:

(1) The cost for cutting, street backfilling, tamping, and replacing concrete, asphalt, or other hard surface paving, which cost shall be charged at the rate of \$35.00 per square foot to a maximum depth of six feet. For each additional foot in depth beyond six feet, a charge of ten percent per foot shall be added. Any cut within four feet of a construction joint shall be removed to the joint. No side of any street cut shall be less than four feet. The city will saw, knock out and remove the pavement. The contractor shall complete his work, backfill one foot above whatever utility he has repaired and remove all excess dirt. The city will then complete the backfill and repour the street. All street cuts performed between November 15 and April 1 of each year shall pay a ten percent winter charge.

(2) Such amounts so paid shall compensate the city for cutting, refilling, tamping, or paving such portion of the pavement. If the actual cost to the city of such cutting, refilling, tamping, or repaving shall exceed the amount paid, the applicant shall pay the city the difference in cost upon demand being made therefor.

(D) All paving cut locations must be barricaded by the applicant prior to the commencement of any cutting. All traffic control devices shall meet the requirements, including but not limited to the location requirements, prescribed in the Manual of Uniform Traffic Control Devices (MUTCD) and whenever a new edition of the MUTCD is published, such new edition shall supercede the old edition for purposes of this section 28-77.1(D). All barricades shall be a minimum of two feet wide, reflectorized and equipped with a flashing light. Curb grinding does not require barricading.

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: 04/05/2022
Second Reading: _____
Third Reading: _____

City Attorney

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

12k.
4/19/2022

COUNCIL MEETING DATE:	SUBMITTED BY: Mike Christensen-Permits & Inspections		Perry Guido-Fire
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:

Amendment to the Fire section of 903.3.1.2 of the 2021 International Building Code

SYNOPSIS/BACKGROUND:

This code change allows the City of Bellevue to remain equivalent to the State Building Code instead of being more restrictive.

FISCAL IMPACT: N/A 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 amendments as amended in the ordinance

ATTACHMENTS:

- | | | |
|-------------------|----|----|
| 1. Ordinance 4095 | 2. | 3. |
| 4. | 5. | 6. |

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

A. Bryer-Rohlf
[Signature]
[Signature]

AN ORDINANCE TO AMEND SECTION 8-18 OF CHAPTER 8 OF THE BELLEVUE CITY CODE PERTAINING TO THE 2021 EDITION OF THE INTERNATIONAL BUILDING CODE; TO REPEAL SECTION 8-18 OF CHAPTER 8 OF THE BELLEVUE CITY CODE AS HERETOFORE EXISTING; TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

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

Section 1. That Section 8-18 of Chapter 8 of the Bellevue City Code is hereby amended to read as follows:

Sec. 8-18. Amendments and changes to codes adopted in Section 8-17.

(A) The 2021 International Building Code is hereby amended, altered, modified and changed in the following respects:

(1) **Amend Section 202, Definitions, by adding the following definitions:**

ELECTRICAL CODE: The electrical code for this jurisdiction shall be Chapter 10 of the Bellevue City Code.

FIRE CODE: The fire code for this jurisdiction shall be Chapter 12 of the Bellevue City Code and all codes adopted therein.

FUEL GAS CODE: The fuel gas code for this jurisdiction shall be the International Fuel Gas Code.

ICC ELECTRICAL CODE: Wherever reference is made to the ICC Electrical Code it shall mean "Electrical Code". See definition for "Electrical Code".

INTERNATIONAL FIRE CODE: Whenever reference is made to the International Fire Code it shall mean "Fire Code".

INTERNATIONAL MECHANICAL CODE: Whenever reference is made to the International Mechanical Code, it shall mean "Mechanical Code" See definition for "Mechanical code.

INTERNATIONAL PLUMBING CODE: Wherever reference is made to the International Plumbing Code it shall mean "Plumbing Code". See definition for "Plumbing Code".

MECHANICAL CODE: The mechanical code for this jurisdiction shall be Article VII Chapter 27 of the Bellevue City Code.

PLUMBING CODE: The plumbing code for this jurisdiction shall be Article IV Chapter 27 of the Bellevue City Code.

(2) **AMEND Section (F) 903.3.1.2 NFPA 13R sprinkler systems, to read as follows:**

Automatic sprinkler systems in Group R occupancies up to and including four stories in height in buildings not exceeding 60 feet (18 288 mm) in height above grade plane shall be permitted to be installed throughout in accordance with NFPA 13R. ~~with where the Group R occupancy meets all of the following conditions:~~

- ~~1. Four stories or fewer above grade plane.~~
- ~~2. The floor level of the highest story is 30 feet (9144 mm) or less above the lowest level of fire department vehicle access.~~
- ~~3. The floor level of the lowest story is 30 feet (9144 mm) or less below the lowest level of fire department vehicle access.~~

The number of stories of Group R occupancies constructed in accordance with Sections 510.2 and 510.4 shall be measured from ~~grade plane~~ the horizontal assembly creating separate buildings.

(2)(3) **Section 1502.5 Rain water. Add a new section as follow:**

When roofs are sloped to drain over the edge, scuppers or gutters and down spouts, adequately sized, pitched, and supported, shall be installed to conduct rain water to ground level. Rain water shall be discharged at least three (3) feet away from the building foundation in a direction parallel to the adjoining property line when the discharge point is within twenty (20) feet of the adjoining property line.

Exception: Structures with no sub-grade spaces.

(3)(4) **Section 1807.1.4 Permanent Wood Foundation Systems.**

Delete this section in its entirety.

(4)(5) **Section 1809.12 Timber footings.**

Delete this section in its entirety.

(5)(6) **Section 1809.5 Frost protection. Delete this section and the exceptions in their entirety and replace with:**

Except where erected on solid rock or otherwise protected from frost, foundation walls, piers, and other permanent supports of buildings and structures larger than seven hundred fifty (750) square feet in area or ten (10) feet in height shall extend below the established frost line. The established frost line shall be 42 inches below the exterior grade of the structure.

Exceptions:

1. The bottom surface of footings for unattached garages and accessory structures of wood or metal not more than seven hundred fifty (750) square feet in area shall not be less than one (1) foot below grade.
2. The bottom surface of foundations that bear on rock surfaces is not required to be below the established frost line provided the rock does not have seams or cracks or contain disintegrated material that could serve as reservoirs for water which could be subject to freezing.

(7)(8) **Chapter 29, Plumbing Systems. Delete this chapter in its entirety and change to read as follows:**

Plumbing systems shall be installed in accordance with Chapter 27 of the Bellevue City Code.

(B) The 2018 International Energy Conservation Code is hereby amended, altered, modified and changed in the following respects:

(1) **Amend Section R303.3 Maintenance information, by deleting the second and third sentences from this section.**

(2) **Amend Table R402.1.2, by changing climate zone 5 and Marine 4 – Basement Wall R-value to read as follows:**

13

(3) **Section R402.4.1.2 testing:**

Delete this section in its entirety.

(4) **Amend Section R403.3.3 Duct Testing (mandatory), by adding exception 3 to read as follows:**

Exception 3. A duct air-leakage test shall not be required for ducts that are sprayed with closed cell foam.

(5) **Amend Section R403.3.5 Building Cavities (mandatory), by adding an exception as follows:**

Exception: Interior building cavities may be used as ducts or plenums for return air when completely panned and sealed.

(6) **Amend Section R403.5.1.1 Circulation systems to read as follows:**

Heated water circulation systems shall be provided with a circulation pump. The system return pipe shall be a dedicated return pipe or a cold-water supply pipe. Gravity and thermosiphon circulation systems shall be prohibited. Controls for circulation hot water system pumps shall start the pump based on the identification of a demand for hot water within the occupancy. The controls may automatically turn off the pump when the water in the circulation loop is at the desired temperature and when there is no demand for hot water.

(7) **Amend Section R403.6 Mechanical ventilation (Mandatory), to read as follows:**

When buildings and dwelling units are provided with mechanical ventilation it shall meet the requirements of Section M1505 of the International Residential Code or with other approved means of ventilation. Outdoor air intakes and exhausts shall have automatic or gravity dampers that close when the ventilation system is not operating.

(8) **Delete Section R403.8 Systems serving multiple dwelling units in its entirety.**

Section 2. That Section 8-18 of Chapter 8 of the Bellevue City Code as heretofore existing are hereby repealed.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed and approved this ____ day of _____, 2022.

Mayor

Attest:

City Clerk

First Reading 04/05/2022

Second Reading _____

Third reading _____

APPROVED AS TO FORM:

City Attorney

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

121.
4/19/2022

COUNCIL MEETING DATE:	SUBMITTED BY: Perry Guido-Fire	Mike Christensen-Permits & Inspections
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:

Amendment to section 903.3.1.2 of the 2021 International Fire Code

SYNOPSIS/BACKGROUND:

This code change allows the City of Bellevue to remain equivalent to the State Building Code instead of being more restrictive.

FISCAL IMPACT: N/A 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 amendments as amended in the ordinance

ATTACHMENTS:

1. Ordinance 40960 2. 3. 4. 5. 6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

A. Buehler

FINANCE APPROVAL AS TO FORM:

[Signature]

ADMINISTRATOR APPROVAL AS TO FORM:

[Signature]

AN ORDINANCE TO AMEND SECTION 12-36.1 OF THE BELLEVUE MUNICIPAL CODE PERTAINING TO THE BELLEVUE FIRE PREVENTION CODE; TO REPEAL SECTION 12-36.1 OF CHAPTER 12 THE BELLEVUE CITY CODE AS HERETOFORE EXISTING; TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE AND TO PROVIDE FOR THE 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 12-36.1 of the Bellevue Municipal Code is hereby amended to read as follows:

Sec. 12-36.1 Amendments and changes to code adopted in Sec 12-36 adoption of International Fire Code.

(A) The International Fire Code, 2021 Edition, is amended and changed in the following respects:

- (1) **Amend Section 308.1.4 Open flame cooking devices.** By deleting exception 2 and by changing exception 3 to read as follows:

Exceptions:

2. LP-gas cooking devices having LP-gas container with a water capacity not greater than 20 pounds.

- (2) **Amend Section 503.2.1 Dimensions.** Change “20 feet” to “24 feet”.

- (3) **Delete Section 503.2.7 Grade,** and substitute the following language:

“The grade of the fire apparatus access road shall be a maximum of 10%”

- (4) **Delete Section 507.5.3 (1)** and substitute the following language:

Private fire hydrants (all types) shall be certified, inspected, flow tested, and maintained by the Metropolitan Utilities District.

- (5) **Section 609.1 General.** Insert “and NFPA 96”

- (6) **Section 903.2.8 Group R.** Add Exception to read as follows.

Exception: Sprinkler systems are not required in R-3 One- and two-family dwellings, or Townhouses that are separated into separate buildings by a common two (2) hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263. Such walls shall not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical, cable and telephone installations are permitted, but shall be installed in accordance with the adopted electrical code in Chapter 10 of the Bellevue City Code. Penetrations of electrical boxes shall be in accordance with Section R302.4 2012 IRC.

- (7) **AMEND Section 903.3.1.2 NFPA 13R sprinkler systems, to read as follows:**

Automatic sprinkler systems in Group R occupancies up to and including four stories in height in buildings not exceeding 60 feet (18 288 mm) in height above grade plane shall be permitted to be installed throughout in accordance with NFPA 13R. ~~with where the Group R occupancy meets all of the following conditions:~~

- ~~1. Four stories or fewer above grade plane.~~
- ~~2. The floor level of the highest story is 30 feet (9144 mm) or less above the lowest level of fire department vehicle access.~~
- ~~3. The floor level of the lowest story is 30 feet (9144 mm) or less below~~
- ~~4. the lowest level of fire department vehicle access.~~

The number of stories of Group R occupancies constructed in accordance with Sections 510.2 and 510.4 of the International Building Code shall be measured from ~~grade plane~~ the horizontal assembly creating separate buildings.

(7)(8) Amend Section 3405.1 Individual piles. Add new first sentence, “These regulations shall apply to outdoor storage of tires where fifty (50) or more tires are stored”. Change “5,000 square feet (464.5 M2)” to “2,500 square feet (232.3 M2)” and change “50,000 cubic feet (1416 M3)” to “25,000 cubic feet (707.92 M3)”. Add, “A maximum of two tire piles may be established on a single site”.

~~(8)(9) Delete Section 3405.6~~

(9)(10) Add Section 3405.8 Bond. Add as a new Section to read as follows:

Bond. As a condition of the issuance or continuation of any permit authorizing the outdoor storage of tires, the applicant or permittee shall file with the city clerk a bond in favor of the City, with good and sufficient surety, in the amount of \$20,000. This bond shall be conditioned that the applicant or permittee, as principal, shall faithfully perform all of the requirements imposed upon the outdoor tire storage operation by federal, state, and local law; and shall perform such cleanup, moving or removal of tires as is required by federal, state or local law. This section shall apply immediately to all applications or renewal requests submitted after the effective date of this Section.

Holders of permits as of the effective date of this Section shall file the required bond within 90 days of the effective date of this Section.

Once every two (2) years after the effective date of this Section, the City shall inspect all sites licensed under this Section. If such an inspection finds that the fair and reasonable cost to lawfully remove and dispose of all tires stored on the site exceeds \$20,000, then the amount of the required bond for that site shall be immediately increased to equal that cost. In such case, the license holder shall be so notified, and shall provide the required bond within thirty (30) days. Nothing in this Section shall be construed to permit the storage of a volume of tires in excess of that which is otherwise allowed by law.

~~(10)(11) Amend Section 3407.1 Where required.~~ To read as follows:

Where required. A firmly anchored fence or other approved method of security that controls unauthorized access to the storage yard shall surround the storage yard.

~~(11)(12) Amend Section 3407.2 Construction.~~ Change “6 feet (1829mm) high” to “10 feet (2048mm high)”.

~~(12)(13) Amend Section 3504.2.1 When required.~~ Change “30 minutes” to “2 hours” and change “extend” to “modify”

~~(13)(14) Amend Section 5601.1.3 Fireworks.~~

Delete Exceptions 1 and 2 and renumber 3 and 4.

~~(14)(15) Amend Appendix D Fire Apparatus Access Roads:~~ Change all 20 feet widths to 24 feet widths.

(B) The following Reference Standards for this Fire Code are amended as follows:

- (1) Change “ICCEC- 21 ICC Electrical Code” to “Electrical Code: The electrical code for this jurisdiction shall be as adopted by Chapter 10 of the Bellevue Municipal Code and all codes adopted therein”
- (2) Change “IBC- 21 International Building Code” to Building Code: The building code for the jurisdiction shall be as adopted by Chapter 8 of the Bellevue Municipal Code and all codes adopted therein”.
- (3) Delete “IEBC- 21 International Existing Building Code”.
- (4) Change “IFGC- 21 International Fuel Gas Code” to “Fuel Gas Code: The fuel gas code for this jurisdiction shall be as adopted in Chapter 27 to the Bellevue Municipal Code”.
- (5) Change “IMC- 21 International Mechanical Code” to “Mechanical Code: The mechanical code for this jurisdiction shall be as adopted by Chapter 27 of the Bellevue Municipal Code”.
- (6) Change “IPC- 21 International Plumbing Code” to “Plumbing Code: The plumbing code for this jurisdiction shall be as adopted by Chapter 27 of the Bellevue Municipal Code”.
- (7) Change “IRC- 21 International Residential Code” to “International Residential Code: The International Residential Code shall be as adopted by Chapter 8 of the Bellevue Municipal Code”.
- (8) Delete. “IUWIC-21 International Urban-Wildlife Interface Code”.

Section 2. That Section 12-36.1 of Chapter 12 of the Bellevue City Code as heretofore existing are hereby repealed.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed and approved this ____ day of _____, 2022.

Mayor

Attest:

City Clerk

First Reading 04/05/2022

Second Reading _____

Third reading _____

APPROVED AS TO FORM:

City Attorney

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

13a.
4/19/2022

COUNCIL MEETING DATE: 04/19/2022		SUBMITTED BY: Ashley Decker		HR Director	
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:

Compensation Ordinance

SYNOPSIS/BACKGROUND:

The compensation ordinance is updated as needed to reflect pay ranges for employees of the City that are unclassified. This change we are requesting is due to the unprecedented labor market shortage. The HR Director and Public Works Director ask that the public hearing and vote for this ordinance be held on the April 19th meeting so as not to delay hiring. If we do not act and implement these wage changes we are facing a staffing shortage never before seen that would result in the closing of pools, limited pool hours, reduction in youth sport offerings and limited mowing and grounds services.

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 Compensation Ordinance 4097

ATTACHMENTS:

1.
2.
3.
4.
5.
6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

[Handwritten signatures in blue ink over horizontal lines]

ORDINANCE NO. 40974057

AN ORDINANCE OF THE CITY OF BELLEVUE, NEBRASKA, CLASSIFYING THE EMPLOYEES OF THE CITY; FIXING THE RANGES OF COMPENSATION OF SUCH EMPLOYEES; PROVIDING A PAY RANGE SCHEDULE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; REPEALING ORDINANCE NO. 40574038; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. The Mayor and Council do hereby find and adopt as classification of employees of the City of Bellevue and the ranges of compensation to be paid for such classification as follows:

A. Civilian Employees Association of Bellevue (Civilian Non-Management)

<u>Job Classification</u>	<u>Range</u>
As established in Contract	By Contract

B. Bellevue Professional Management Association (Management and Professional)

<u>Grade</u>	<u>Range</u>
As established in Contract	By Contract

Section 2.	<u>Appointed Officials</u>	<u>Range (monthly)</u>
	City Administrator	By Contract
	City Clerk	\$5,665 - \$8,164
	Treasurer	\$305 - \$385

Section 2a.	<u>Unclassified</u>	<u>Range (monthly)</u>
	Ambulance Billing Account Manager	\$4,980 - \$6,684
	Assistant City Attorney	\$ 6,848 - \$10,119
	City Attorney	\$8,750 - \$11,364
	Community Development Director	By Contract
	Community Relations Media Coordinator	\$5,866 - \$7,925
	Acctg, Reporting & Compliance Manager	\$6,458 - \$ 9,032
	Deputy Director Parks & Rec	\$ 5,935 - \$ 8,642
	Finance Director	\$7,942 - \$ 11,248
	Fire Chief	\$8,304 - \$ 11,534
	Human Resources Generalist	\$4,241 - \$ 6,488
	Human Resources Director	\$7,108 - \$ 10,662
	Manager of Engineering Services	\$7,353 - \$ 10,057
	Library Director	\$7,190 - \$ 9,887
	Planning Manager	\$6,315 - \$ 8,693

Police Chief	\$8,708 - \$12,012
Public Works Director	\$8,538 - \$11,813
Public Works Engineer II	\$6,238 - \$8,791
Risk Manager	\$5,562 - \$7,498

Section 2b.	<u>Unclassified</u>	<u>Range (hourly)</u>
	CATV Specialist	\$22.09 - \$30.38
	Executive Secretary	\$25.09 - \$33.26
	Emergency Medical Services Supervisor	\$40.16 - \$51.56
	Human Resources Assistant	\$22.60 - \$30.61
	Sr. HRIS/Payroll Specialist	\$23.90 - \$32.97

Section 2c. If the wages for the City Clerk and the employees listed in Section 2a, Section 2b and Section 5 are above the top step of the wage range for their position, their wage will be red-circled, or frozen, until the wage range catches up to them. Beginning October 1, 2022, in order to maintain competitive market pay, the wage ranges listed for City Clerk, Section 2a, Section 2b and Section 5 will be increased by 2% annually for the beginning and ending wage on October 1 of each year.

Section 3. Bellevue Police Officers Association

<u>Job Classification</u>	<u>Range (hourly)</u>
Police Officer	By Contract
Sergeant	By Contract

Section 4. Bellevue Police Command Staff Association

<u>Job Classification</u>	<u>Range (hourly)</u>
Police Captain	By Contract
Police Lieutenant	By Contract

Section 5. Fire Command

<u>Unclassified</u>	<u>Range (monthly)</u>
Assistant Fire Chief	\$8,041 - \$ 10,482

Section 5a. International Association of Firefighters Local 4906 (Fire Command Staff)

<u>Job Classification</u>	<u>Range</u>
Battalion Fire Chief	By Contract
Fire Captain	By Contract
Firefighters	By Contract

Section 6. Seasonal:

<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>		
\$9.00	\$9.25	\$9.50	\$9.75	\$10.00		
<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>		
\$10.25	\$10.50	\$10.75	\$11.00	\$11.25		
<u>K</u>	<u>L</u>	<u>M</u>	<u>N</u>	<u>O</u>		
\$11.50	\$11.75	\$12.00	\$12.25	\$12.50		
<u>P</u>	<u>Q</u>	<u>R</u>	<u>S</u>	<u>T</u>		
\$12.75	\$13.00	\$13.25	\$13.50	\$13.75		
<u>U</u>	<u>V</u>	<u>W</u>	<u>X</u>	<u>Y</u>		
\$14.00	\$14.25	\$14.50	\$14.75	\$15.00		
<u>Z</u>	<u>A-1</u>	<u>B-1</u>	<u>C-1</u>	<u>D-1</u>	<u>E-1</u>	<u>F-1</u>
\$15.25	\$15.50	\$15.75	\$16.00	\$16.25	\$16.50	\$16.75
<u>Position</u>				<u>Hourly Range</u>		
Swimming Supervisor				\$12.00 - \$16.75		
Youth Baseball Supervisor				\$12.00 - \$16.75		
Recreation Activities Supervisor				\$12.00 - \$16.75		
Track Supervisor				\$12.00 - \$16.75		
Tennis Supervisor				\$12.00 - \$16.75		
Swimming Pool Managers				\$11.00 - \$13.00		
Head Lifeguards				\$11.00 - \$12.00		
Lifeguards				\$10.00 - \$11.00		
Concession Workers				\$9.50 - \$11.00		
Youth Baseball/Softball Umpires				\$9.50 - \$13.00		
Track Club Coaches				\$9.50 - \$13.00		
Parks Workers				\$9.50 - \$14.00		

Section 7. Part-Time Positions:

Part-Time Administrative Positions:

<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>
\$18.04	\$18.67	\$19.32	\$20.00	\$20.70	\$21.42

Unclassified Part-Time Positions

Range (hourly)

Part-Time Administrative Intern Position: \$9.00 to \$12.00

Section 7a. Bellevue Professional Firefighters Association (Part-Time Firefighters)

Job Classification

Range (hourly)

Firefighters

By Contract

Section 8. That Ordinance ~~40574038~~ is hereby repealed.

Section 9. That payments based upon the above schedules for employees made prior to the effective date of this Ordinance are hereby ratified.

Section 10. That this Ordinance shall be published in pamphlet form.

Section 11. That upon the effective date of this ordinance, all legislative format shall be removed and the Ordinance placed in proper format with the approved amendments.

Section 12. That the ordinance shall be in full force and effect and after its passage, approval and publication according to law.

PASSED AND APPROVED THIS _____ day of _____, 2021.

Rusty Hike, Mayor

ATTEST:

Susan Kluthe, City Clerk

First Reading: _____

Second Reading: _____

Third Reading: _____




City of Bellevue
Parks Department

8201 South 42nd Street • Bellevue, Nebraska 68147 • (402) 293-3122

MEMO

To: Doug Clark
Public Works Director

From: Jim Shada 

Subject: Pay scale for Summer Help-2022

Date: April 13, 2022

The new pay scale for summer help was created by the Administrative Services Department. The reason for this is to be competitive with the current job market. The last two years we have had great difficulty getting enough staff to fill our summer seasonal help. For example, lifeguard pay at Bellevue Lied Activity Center is \$11.50-\$12.50 per hour. Our lifeguard pay is \$10.00-\$13.00 per hour. (Top pay is for pool managers) McDonalds starting pay is \$15.00 per hour. Our youth baseball /softball umpire pay is \$9.50-\$13.50 per hour. Other youth baseball/softball leagues pay their umpires in the range of \$15.00-27.00 per game. Lawn care companies' salary range is \$15.00-\$20.00 per hour. Bellevue's rate of pay is \$9.50-\$14.00 per hour.

This is a brief overview of what we are dealing with. By implementing the new pay scale for summer help it will allow us to be more competitive with the current job market. The proposed new pay scale for summer help is included in the 2021-2022 Parks & Recreation Departments budgets.

Thank you for this consideration!



City of Bellevue
Recreation Department
1200 Lord Blvd.

Mailing Address: 1500 Wall St – Bellevue, NE 68005 – (402) 293-3142

**City of Bellevue Summer Employment
Online Applications Being Taken Now
Visit website @bellevue.net
Employment Opportunities**



Positions Include:

Swimming Supervisor	\$12.00 - \$16.75
Youth Baseball Supervisor	\$12.00 - \$16.75
Recreation Activities Supervisor	\$12.00 - \$16.75
Track Supervisor	\$12.00 - \$16.75
Tennis Supervisor	\$12.00 - \$16.75
Swimming Pool Managers	\$11.00 - \$13.00
Head Lifeguards	\$11.00 - \$12.00
Lifeguards	\$10.00 - \$11.00
Concession Workers	\$ 9.50 - \$11.00
Youth Baseball/Softball Umpires	\$ 9.50 - \$13.00
Track Club Coaches	\$ 9.50 - \$13.00
Park Workers	\$ 9.50 - \$14.00

For additional information pertaining the above mentioned positions, please contact the City of Bellevue Recreation Department 402-293-3142.

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 03/15/2022		SUBMITTED BY: Mike Christensen		Permits & Inspections
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:
 Condemnation of 209 Industrial Dr. Bellevue, NE 68005

SYNOPSIS/BACKGROUND:
 The structures located at 209 Industrial Dr. Bellevue, NE 68005 suffered damage during the 2019 floods. Since then the property was sold to Andrew Workshops LLC 3835 California St. Omaha, NE 68131. The property was cleaned of debris and has been sitting untouched for a year. Plans were then submitted in late December of 2021, but did not include any details for the complete structural rebuild of the roof structure on the south building. The architect responsible for the plans was contacted and informed that the plans were structurally incomplete to bring the south building into code compliance, and there has been no response since then.

FISCAL IMPACT: \$15,000.00 BUDGETED FUNDS?: YES 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:
 Representatives for the structures located at 209 Industrial Dr. need to show cause why such structures should not be condemned as a public nuisance. Otherwise the structures should be ordered torn down, the debris removed and the premises placed in a safe condition.

ATTACHMENTS:

1. photo 2. photo 3.
 4. 5. 6.

SIGNATURES:
 LEGAL APPROVAL AS TO FORM: 
 FINANCE APPROVAL AS TO FORM: 
 ADMINISTRATOR APPROVAL AS TO FORM: 



City of Bellevue
Permits and Inspections
1510 Wall St. ▪ Bellevue, Nebraska 68005 ▪

February 15, 2022

From: Mike Christensen^{MC}, Chief Building Official
Permits and Inspections
City of Bellevue, Nebraska

To: Susan Kluthe
City Clerk

Subject: 209 Industrial Dr. Bellevue, Ne 68005
LEGAL: TAX LOTS M&K 41-13-13 (0.51 AC)

In accordance with the provisions outlined in the Bellevue City Code; Section 8-47, I am notifying you that the building/structures located at 209 industrial Dr. Bellevue, NE 68147, has been deemed a public nuisance in accordance with said section. The property owner as noted in the Sarpy County Assessors records is listed as Andrew Workshops LLC. 3835 California St. Omaha, NE 68131. The building/structures sustained damage from the floods in the spring of 2019 that resulted in the structures being unfit for human habitation, and have been placarded as such. In the initial notification process in February of 2021 a certified letter was sent to the owner and accepted stating the deficiencies of the property.

The property was then cleaned of debris and has sat untouched since. A second certified letter was sent in November of 2021 once again stating the deficiencies of the property Plans were then submitted in late December of 2021, but did not include any details for the complete structural rebuild of the roof on the south building/structure. The architect responsible for the plans was contacted and informed that the plans were structurally incomplete to bring the south building/structure into code compliance.

Since that time there has been no attempt to submit corrected plans to repair the building/structures, or to obtain a demolition permit and the structures remain placarded as unfit for human habitation. Therefore, I am sending this report to you with in my opinion that the building/structures as described above should be placed on the City Council agenda for condemnation action. If you have any questions, I am available to discuss them at your convenience.

①



2





City of Bellevue
Office of the City Clerk

1500 Wall Street • Bellevue, Nebraska 68005 • (402) 293-3007

February 23, 2022

COPY

Andrew Workshops LLC
3835 California Street
Omaha, NE 68131

Re: Structure located at **209 Industrial Drive** Bellevue, Nebraska
LEGAL: Tax Lots M & K 41-13-13 (0.51 AC)

To Whom It Concerns:

Enclosed is a Notice of Hearing before the Bellevue City Council to consider the condemnation of the structure on the property located at 209 Industrial Drive in Bellevue, Nebraska. The records in the Sarpy County Register of Deeds and the Sarpy County Treasurer's offices indicate you are the owner of record of this property.

This public hearing will be held on Tuesday, March 15, 2022, in the City Council Chambers at City Hall, 1500 Wall Street in Bellevue, Nebraska.

If you have any questions concerning this matter, please feel free to contact the Chief Building Official, Mike Christensen, at 402-293-3015, or me at the number listed above.

Yours truly,

Susan Kluthe, CMC/AAE
Bellevue City Clerk

CC: Mike Christensen

NOTICE OF HEARING

Andrew Workshops LLC
OWNER OF: Tax Lots M & K 41-13-13 (0.51 AC)
LOCATED AT 209 Industrial Drive
BELLEVUE, SARPY COUNTY, NEBRASKA,
AND TO ALL OTHER PERSONS WITH ANY INTEREST IN THAT PROPERTY

In accordance with Sections 8-48 and 8-49 of the Code of the City of Bellevue, Nebraska, notice is hereby given that a hearing will be held before the City Council on

Tuesday, March 15, 2022 at 6:00 p.m.

in the City Council Chambers at Bellevue City Hall, 1500 Wall Street and evidence adduced to determine whether the structure located on the above-described property should be considered a public nuisance in accordance with the provisions of the Code of the City of Bellevue, Nebraska. Interested persons have the right to make objections to such a determination and to present evidence at the hearing. The Bellevue City Council may order the building be torn down and debris removed and the costs of such actions may be specially assessed against the property.

If special accommodations are required, please contact the City Clerk at 402-293-3007 at least forty-eight hours prior to the meeting.


Susan Kluthe
Bellevue City Clerk

RESOLUTION NO. 2022-08

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA, that upon the facts presented, the structure(s) located on Tax Lots M & K 41-13-13 (0.51 AC), Bellevue, Sarpy County, Nebraska,

and located at 209 Industrial Drive, Bellevue, Nebraska, be and hereby are determined under Section 8-50 of the Bellevue City Code to be a public nuisance, unsafe for human occupancy because of the unsafe, unsanitary and dangerous condition, and the owners of the structures are ordered and directed to cause the structures to be torn down, the debris removed and the premises placed in a safe condition, by April 15, 2022, and if not done by April 15, 2022, the City shall tear down and remove the structures and debris, place the premises in a safe condition and assess the costs thereof against the property.

Passed and approved this 15th day of March, 2022.

Mayor

ATTEST:

City Clerk

APPROVED as to Form:

City Attorney

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 04/19/2022		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 type="checkbox"/>
RESOLUTION	<input type="checkbox"/>	CURRENT BUSINESS	<input checked="" type="checkbox"/>	OTHER	<input type="checkbox"/>

SUBJECT:

Request to approve a 30-day filing extension for the Redwood 25 final plat, as per Section 4-11, Subdivision Regulations.

SYNOPSIS/BACKGROUND:

Redwood USA, LLC is requesting a 30-day extension for their Redwood 25 final plat, as allowed per Section 4-11, Subdivision Regulations. Staff is recommending approval of this request so they may facilitate their closing.

FISCAL IMPACT: None 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 recommends approval of this request.

ATTACHMENTS:

- | | | |
|-------------------------------|-----------------------|----------|
| 1. Letter from Lamp Rynearson | 2. Email from Redwood | 3. _____ |
| 4. _____ | 5. _____ | 6. _____ |

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

A. Brey Roblin

FINANCE APPROVAL AS TO FORM:

[Signature]

ADMINISTRATOR APPROVAL AS TO FORM:

[Signature]

VIA Email

October 13, 2021

14710 W. Dodge Rd., Ste. 100
Omaha, NE 68154
[P] 402.496.2498
[F] 402.496.2730
LampRynearson.com

Tammi Palm
Planning Manager
City of Bellevue
1510 Wall Street
Bellevue, NE 68005
(402) 293-3038

RECEIVED
MAR 30 2022
PLANNING DEPT.

REFERENCE: Redwood Homes – Bellevue 25
Final Plat – Delay Request
Job No.: 0121027.01-003

Dear Ms. Palm:

Redwood 25 final plat was approved by Bellevue City Council on August 3, 2021, as per the 90 day filing requirement, the original deadline to file the plat was November 1, 2021.

We request a 30 day extension of the deadline to file the plat. The new deadline would be December 1, 2021. We request this extension for the following reasons:

1. The final plat cannot be recorded until the property transfer has occurred and Redwood Home is the owner.
2. Redwood Homes is coordinating with their lender to provide the necessary documentation to approve the loan for property transfer including
 - a. Verification of site plan approval
 - b. Additional coordination with seller regarding timing of property transfer
 - c. Documentation on the proposed ROW dedication for the new Bellevue Public Street, Wolf Creek Drive
3. Coordination of Signatures and other miscellaneous items.

We met with Bellevue Planning on October 13, 2021 to review the issues and believe we have a clear path forward.

Redwood Homes – Bellevue 25
Final Plat – Delay Request
October 13, 2021
Job No.: 0121027.01-003
Page 2

Please note we may need to ask for an additional 30 day extension(s) to coordinate the items noted above. The Developer, Redwood Homes, is committed to this project. Lamp Rynearson has been authorized, by Redwood Homes, to produce final construction plans and we are working towards an early December complete construction document submittal for Building Permit.

Please place this request for an extension on the next Bellevue City Council Agenda. We will submit a check in the amount of \$200 to the City of Bellevue for the extension fee.

Thank you for your attention to this matter and help with this process.

Sincerely,

LAMP RYNEARSON

A handwritten signature in blue ink that reads "John E. Coolidge, P.E." with a stylized flourish at the end.

John E. Coolidge, P.E.
Vice President

c: Paul DeKruiff

Tammi Palm

RECEIVED

MAR 30 2022

PLANNING DEPT.

From: Michael Kall <MKall@byRedwood.com>
Sent: Wednesday, March 30, 2022 9:06 AM
To: Tammi Palm
Cc: Paul DeKruiff
Subject: Bellevue Plat Extension for Redwood 25th and Cornhusker, Submission Date 03-30-2022
Attachments: LTR PALM Final Plat Delay Request 211013.pdf

Tammi,

Pursuant to our ongoing discussion regarding the Plat Extension for Redwood 25th and Cornhusker, this email will serve as our request for an additional 30-day extension per the letter from Lamp Ryneason on October 13, 2021, Copy Attached. As you know, we will need several extensions due in part to our local lender requiring the following to fund and close on our construction loan:

- Survey/Plat – If not part of Site Plan/Engineering Plans already
- Zoning – Approval of Prel Site Plan and/or Rezoning
- Utility Will Serve Letters (Gas/Electric/Telecom/Sanitary/Water). If Sanitary or Water PTI(Permit To Install) that would be ok to use and not need Will Serve Letter.
- Approved Civil Engineering Drawings/Letter of Approval
- Approved Architectural Plans – Could be a plan review letter without a building permit, however we will need addressing or Building Permit Issued

We will send you a check for the 30-day Plat Extension Fee today. Please confirm receipt of this email.

Would you also be able to confirm how long this extension would last?

Thanks again for all your help. We look forward to moving this deal forward and being part of Bellevue.

Thank You,

Michael Kall

Acquisitions Coordinator



Mobile: [216.299.4810](tel:216.299.4810) byRedwood.com

7007 East Pleasant Valley Road, Independence, OH 44131

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CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 04/19/2022		SUBMITTED BY: Chief Perry Guido		
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:

Phone long distance service for desk phones

SYNOPSIS/BACKGROUND:

This is a three year contract with Lumen (Centurylink communications) for long distance phone service for our IP based desk phones. The average cost per month for all city phones is \$400.00. See pages 8,9 and 10 of the attached contract for pricing.

FISCAL IMPACT: \$400.00 per month BUDGETED FUNDS?: YES GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: YES	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:

Approve contract

ATTACHMENTS:

1. Lumen contract	2.	3.
4.	5.	6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

[Handwritten signatures]

LUMEN MASTER SERVICE AGREEMENT

This Master Service Agreement ("Agreement") is between **CENTURYLINK COMMUNICATIONS, LLC DBA LUMEN TECHNOLOGIES GROUP** ("Lumen") and **CITY OF BELLEVUE - NE** ("Customer") and is effective on the date the last party signs it (the "Effective Date"). This Agreement provides the terms and conditions applicable to Customer's purchase of products and services ("Service") from Lumen.

1. Term. The term of the Agreement will commence on the Effective Date and continue until the expiration of the last Service term, unless earlier terminated in accordance with the Agreement ("Term").

2. Service. Lumen will provide Service in accordance with the Agreement, including all applicable Service Schedules, Service Exhibits, Statements of Work, Order(s), pricing attachments, and any other documents that are attached or expressly incorporated into the Agreement ("Service Attachments"). The following Service Attachments, if any, are initially attached and incorporated into the Agreement. Additional Service Attachments may be added by Amendment or by Customer placing an Order.

- **Domestic Voice Service Exhibit**

3. Order(s). Customer may submit requests for Service in a form designated by Lumen ("Order"). The term for a Service is defined in the applicable Service Attachment ("Service Term"). Unless otherwise set forth in a Service Attachment, Service will continue month-to-month at the expiration of the Service Term at the existing rates, subject to adjustment by Lumen on 30 days' written notice. Lumen will notify Customer of acceptance of requested Service in the Order by delivering (in writing or electronically) the date by which Lumen will install Service (the "Customer Commit Date"), by delivering the Service, or by the manner described in a Service Attachment. Renewal Orders will be accepted by Lumen's continuation of Service. For moves, adds or changes agreed to by Lumen, Customer will pay Lumen's then current charges unless otherwise specifically stated in a Service Attachment.

4. Cancellation and Termination Charges. Unless otherwise set forth in a Service Attachment:

(a) Customer may cancel an Order (or portion of an Order) prior to the delivery of a Connection Notice upon written notice to Lumen identifying the affected Order and Service. If Customer does so, Customer will pay Lumen a cancellation charge equal to the sum of: (1) for "Off-Net" Service, third party termination charges for the cancelled Service; (2) for "On-Net" Service, one month's monthly recurring charges for the cancelled Service; (3) the non-recurring charges for the cancelled Service; and (4) Lumen's out-of-pocket costs (if any) incurred in constructing facilities necessary for Service delivery. "Off-Net" is defined as local access circuits not provided on the network owned and operated by Lumen and its affiliates. "On-Net" is defined as local access circuits provided on the network owned and operated by Lumen and its affiliates.

(b) Customer may terminate a specified Service after the delivery of a Connection Notice upon 30 days' written notice to Lumen. If Customer does so, or if Service is terminated by Lumen as the result of Customer's default, Customer will pay Lumen a termination charge equal to the sum of: (1) all unpaid amounts for Service actually provided; (2) 100% of the remaining monthly recurring charges for months 1-12 of the Service Term; (3) 50% of the remaining monthly recurring charges for month 13 through the end of the Service Term; and (4) if not recovered by the foregoing, any termination liability payable to third parties resulting from the termination and any out-of-pocket costs of construction to the extent such construction was undertaken to provide Service under this Agreement. The charges in this Section represent Lumen's reasonable liquidated damages and are not a penalty.

5. Scheduled Maintenance and Local Access. Scheduled maintenance will not normally result in Service interruption. Unless otherwise set forth in a Service Attachment, if scheduled maintenance requires Service interruption Lumen will: (1) provide Customer seven days' prior written notice, (2) work with Customer to minimize interruptions and (3) use commercially reasonable efforts to perform such maintenance between midnight and 6:00 a.m. local time. If third-party local access services are required for the Services, Customer will: (1) provide Lumen with circuit facility and firm order commitment information and design layout records to enable cross-connects to Lumen Service(s) (provided by Lumen subject to applicable charges), (2) cooperate with Lumen (including changing demarcation points and/or equipment and providing necessary LOAs) regarding circuit grooming or re-provisioning, and (3) where a related Service is disconnected, provide Lumen a written disconnection firm order commitment from the relevant third-party provider. Lumen may re-provision any local access circuits from one Off-Net provider to another or to the Lumen On-Net service, and such changes will be treated as scheduled maintenance.

6. Service Levels.

(a) Any "Service Level" applicable to Services are contained in the Service Attachments applicable to each Service. If Lumen does not meet a Service Level, Lumen will issue to Customer a credit as stated in the applicable Service Attachment on Customer's request, except that credits will not be provided for Excused Outages. Lumen's maintenance log and trouble ticketing systems are used to calculate Service Level events. Excused Outages mean scheduled maintenance under Section 5 and force majeure events, unless otherwise defined in a Service Attachment.

(b) Unless otherwise set forth in a Service Attachment, to request a credit, Customer must contact Customer Service (contact information is located at <https://www.lumen.com/en-us/home.html>) or deliver a written request with sufficient detail to identify the affected Service. The request for credit must be made within 60 days after the end of the month in which the event occurred. Total monthly credits will not exceed the charges for the affected Service for that month. Customer's sole remedies for any nonperformance, outages, failures to deliver or defects in Service are contained in the Service Levels applicable to the affected Service.

7. Right of Termination for Installation Delay. Unless otherwise set forth in a Service Attachment, in lieu of installation Service Level credits, if Lumen's installation of Service is delayed by more than 30 business days beyond the Customer Commit Date, Customer

LUMEN MASTER SERVICE AGREEMENT

may terminate the affected Service without liability upon written notice to Lumen, provided such written notice is delivered prior to Lumen delivering a Connection Notice for the affected Service. This Section will not apply where Lumen is constructing facilities to a new location not previously served by Lumen.

8. Default. If (a) Customer fails to make any payment when due and such failure continues for five business days after Lumen's written notice, or (b) either party fails to observe or perform any other material term of this Agreement and such failure continues for 30 days after the other party's written notice, then the non-defaulting party may: (i) terminate this Agreement and/or any Order, in whole or in part, and/or (ii) subject to Sections 9.1 (Damages Limitations) and 6 (Service Levels), pursue any remedies it may have at law or in equity.

9. Liabilities and Disclaimers.

9.1 Damages Limitations. Neither party will be liable for any damages for lost profits, lost revenues, loss of goodwill, loss of anticipated savings, loss of data or cost of purchasing replacement services, or any indirect, incidental, special, consequential, exemplary or punitive damages arising out of the performance or failure to perform under this Agreement or any Order.

9.2 Disclaimer of Warranties. LUMEN MAKES NO WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED, EITHER IN FACT OR BY OPERATION OF LAW, STATUTORY OR OTHERWISE, INCLUDING WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE, EXCEPT THOSE EXPRESSLY SET FORTH IN THIS AGREEMENT OR ANY APPLICABLE SERVICE ATTACHMENT.

10. Billing and Payment.

10.1 Commencement of Billing. Unless otherwise set forth in a Service Attachment, Lumen will deliver written or electronic notice (a "Connection Notice") to Customer when Service is installed, at which time billing will commence ("Service Commencement Date"). If Customer notifies Lumen within three days after delivery of the Connection Notice that Service is not functioning properly, Lumen will correct any deficiencies and, upon Customer's request, credit Customer's account in the amount of 1/30 of the applicable monthly recurring charge (MRC) for each day the Service did not function properly. If Lumen cannot complete installation due to Customer delay or inaction, Lumen may begin charging Customer for the Service, and Customer will pay such charges.

10.2 Payment of Invoices and Disputes. Unless otherwise set forth in a Service Attachment, invoices are delivered or made available monthly and due 30 days after the invoice date. Fixed charges are billed in advance and usage-based charges are billed in arrears. Customer's payments to Lumen must be made via an ACH transfer or any Lumen approved payment portal (e.g., Control Center) in the currency stated on the invoice. Lumen may charge administrative fees where Customer's payment and invoice preferences deviate from Lumen's standard practices. Past due amounts bear interest at 1.5% per month or the highest rate allowed by law (whichever is less). Lumen may charge Customer reasonable attorneys' fees and any third-party collection costs Lumen incurs in collecting such amounts. Customer is responsible for all charges regarding the Service, even if incurred as the result of unauthorized use. If Customer reasonably disputes an invoice, Customer must pay the undisputed amount and submit written notice of the disputed amount (with details of the nature of the dispute and the Services and invoice(s) disputed). Disputes must be submitted in writing within 90 days from the date of the invoice. If Lumen determines in good faith that a disputed charge was billed correctly, Customer must pay such amounts within 10 days after Lumen provides notice of such determination. Customer may not offset disputed amounts from one invoice against payments due on the same or another account.

10.3 Taxes and Fees. Customer is responsible for all taxes and fees arising in any jurisdiction imposed on Customer, Lumen, or a Lumen affiliate incident to the provision, sale or use of Service. This includes value added, consumption, sales, use, gross receipts, withholding, excise, ad valorem, franchise or other taxes, fees, duties or surcharges (e.g., regulatory and 911 surcharges), along with similar charges stated in a Service Attachment (collectively "Taxes and Fees"). This does not include taxes based on Lumen's net income. Some Taxes and Fees, and costs of administering them, are recovered through a percentage surcharge(s) on the charges for Service. If Customer is required by law to make any deduction or withholding of withholding Taxes from any payment due under this Agreement to Lumen, then, Customer must increase the gross amount payable so that, after any deduction or withholding for such withholding Taxes, the net amount paid to Lumen will not be less than Lumen would have received had no such deduction or withholding been required. Charges for Service are exclusive of Taxes and Fees. Customer may present Lumen with an exemption certificate that eliminates Lumen's obligation to pay certain Taxes and Fees. The exemption will apply prospectively. For additional details on taxes and surcharges that are assessed, visit <http://www.lumen.com/taxes>.

10.4 Credit Approval and Deposits. Customer will provide Lumen with credit information as requested. Lumen may require Customer to make a deposit as a condition of Lumen's acceptance of any Order or continuation of: (a) usage-based Services; or (b) non-usage based Service where Customer fails to timely pay Lumen or Lumen reasonably determines that Customer has had an adverse change in financial condition. Deposits will not exceed two months' estimated charges for Service and are due upon Lumen's written request. When Service is discontinued, the deposit will be credited to Customer's account and the balance refunded.

10.5 Regulatory and Legal Changes. If changes in applicable law, regulation, rule or order materially affect delivery of Service, the parties will negotiate appropriate changes to this Agreement. If the parties cannot reach agreement within 30 days after Lumen's notice requesting renegotiation, Lumen may, on a prospective basis after such 30-day period, pass any increased delivery costs on to Customer. If Lumen does so, Customer may terminate the affected Service on notice to Lumen delivered within 30 days of the cost increase taking effect.

LUMEN MASTER SERVICE AGREEMENT

11. Customer Premises; Title to Equipment. If access to non-Lumen facilities is required for the installation, maintenance, grooming, movement, upgrade and/or removal of Lumen network or equipment, Customer will, at its expense: (a) secure such right of access and (b) arrange for the provision and maintenance of power and HVAC as needed for the proper operation of such equipment and network. Title to Lumen-provided equipment (including software) remains with Lumen. Customer will not create or permit to be created any encumbrances on Lumen-provided equipment.

12. Acceptable Use Policy and Data Protection. Customer must comply with the Acceptable Use Policy ("AUP"), which is available at <http://www.centurylink.com/aboutus/legal/acceptable-use-policy.html>, for Services purchased under this Agreement. Lumen may reasonably modify this policy to ensure compliance with applicable laws and regulations and to protect Lumen's network and customers. If Customer will use the Services to process personal data subject to privacy or data protection law that requires specific terms in place with service providers, Customer is responsible for requesting such terms from Lumen.

13. Critical 9-1-1 Circuits. The Federal Communications Commission's 9-1-1 reliability rules mandate the identification and tagging of certain circuits or equivalent data paths that transport 9-1-1 calls and information ("9-1-1 Data") to public safety answering points. These circuits or equivalent data paths are defined as Critical 911 Circuits in 47 C.F.R. Section 12.4(a)(5). Lumen policies require tagging of any circuits or equivalent data paths used to transport 9-1-1 Data. Customer will cooperate with Lumen regarding compliance with these rules and policies and will notify Lumen of all Services Customer purchases under this Agreement utilized as Critical 911 Circuits or for 9-1-1 Data.

14. International Services. For Services provided outside the United States, Customer or its local affiliate may be required to enter into a separate local country addendum/agreement (as approved by local authorities) ("LCA") with the respective Lumen affiliate that provides the local Service(s). Such Lumen affiliate will invoice Customer or its local affiliate for the respective local Service(s).

15. General Terms.

15.1 Force Majeure. Neither party will be liable, nor will any credit allowance or other remedy be extended, for any failure of performance or equipment due to causes beyond such party's reasonable control ("force majeure event").

15.2 Assignment and Resale. Neither party may assign its rights or obligations under this Agreement or any Service Attachment without the prior written consent of the other party, which will not be unreasonably withheld. However, either party may assign its rights and obligations under this Agreement or any Order without the consent of the other party: (1) to any subsidiary, parent, or affiliate that controls, is controlled by, or is under common control with that party; (2) pursuant to the sale or transfer of substantially all of the business or relevant assets of that party; or (3) pursuant to any financing, merger, or reorganization of that party. This Agreement and all Service Attachments will apply to any permitted transferees or assignees. Any assignee of Customer must have a financial standing and creditworthiness equal to or better than Customer's. Unless otherwise set forth in a Service Attachment, Customer may provide Service to third parties or use the Services in connection with goods or services provided by Customer to third parties ("Customer Provided Services"). Customer will indemnify, defend and hold Lumen and its affiliates harmless from any claims arising from or related to any Customer Provided Services. If Customer sells telecommunications services, Customer certifies that it has filed all required documentation and will at all times have the requisite authority with appropriate regulatory agencies respecting the same. No thing in this Agreement confers upon any third party any right, benefit or remedy.

15.3 Affiliates. Lumen may use a Lumen affiliate or a third party to provide Service to Customer, but Lumen will remain responsible to Customer for Service delivery and performance. Customer's affiliates may purchase Service under this Agreement, and Customer will be jointly and severally liable for all claims and liabilities related to Service ordered by any Customer affiliate.

15.4 Notices. Notices will be in writing and deemed received if delivered personally, sent via facsimile, pre-paid overnight courier, electronic mail (if an e-mail address is provided below) or sent by U.S. Postal Service or First Class International Post. Unless otherwise provided for in a Service Attachment, requests for disconnection of Service (other than for default) must be submitted to Lumen via Customer's portal at <https://www.centurylink.com/business/login/> or via the following website / link: <https://www.lumen.com/help/en-us/disconnects.html> and will be effective 30 days after receipt (or such longer period set forth in a Service Attachment). Notices for billing inquiries/disputes or requests for Service Level credits must be submitted to Lumen via Customer's portal at <https://www.centurylink.com/business/login/> or via Email at: billing@lumen.com. Customer failure to follow this process and/or provide complete information may result in continued charges that will not be credited. All legal notices will be addressed to Lumen at: 931 14th Str., #900, Denver, CO 80202; Fax: 888-778-0054; Attn.: Notice Coordinator; and to any electronic or physical address of Customer as provided in the Agreement or in its absence, to Customer's address identified on the Order or as reflected in Lumen's records, Attn. General Counsel.

15.5 Confidentiality. Neither party will: (a) disclose any of the terms of the Agreement; or (b) disclose or use (except as expressly permitted by, or required to achieve the purposes of, the Agreement) the Confidential Information received from the other party. A party may disclose Confidential Information if required to do so by a governmental agency, by operation of law, or if necessary in any proceeding to establish rights or obligations under the Agreement. Each party will limit disclosure and access to confidential information to those of its employees, contractors, attorneys or other representatives who reasonably require such access to accomplish the Agreement's purposes and who are subject to confidentiality obligations at least as restrictive as those contained in this Agreement. "Confidential Information" means any commercial or operational information disclosed by one party to the other in connection with the Agreement and does not include any information that: (a) is in the public domain without a breach of confidentiality; (b) is obtained from a third party without violation of any obligation of confidentiality; or (c) is independently developed by a party without reference to the Confidential Information of the other party.

LUMEN MASTER SERVICE AGREEMENT

15.6 Intellectual Property Ownership; Use of Name and Marks. Nothing in the Agreement or the performance of it will convey, license, or otherwise transfer any right, title, or interest in any intellectual property or other proprietary rights held by either party or its licensors. Neither party will use the name or marks of the other party or any of its affiliates for any purpose or issue any press release or public statement relating to this Agreement without the other party's prior written consent.

15.7 Governing Law; Amendment. This Agreement will be governed and construed in accordance with the laws of the State of New York, without regard to its choice of law rules. Each party will comply with all applicable laws, rules and regulations associated respectively with Lumen's delivery or Customer's use of the Service under the Agreement. This Agreement, including any Service Attachments, constitutes the entire and final agreement and understanding between the parties with respect to the Service and supersedes all prior agreements relating to the Service. Lumen is not subject to any obligations that are not explicitly identified in this Agreement. This Agreement may only be modified or supplemented by an instrument executed by an authorized representative of each party. No failure by either party to enforce any right(s) under the Agreement will constitute a waiver of such right(s).

15.8 Relationship and Counterparts. The relationship between the parties is not that of partners, agents, or joint venturers. This Agreement may be executed in one or more counterparts, all of which taken together will constitute one instrument. Digital signatures and electronically exchanged copies of signed documents will be sufficient to bind the parties to this Agreement.

CENTURYLINK COMMUNICATIONS, LLC D/B/A LUMEN TECHNOLOGIES GROUP

CITY OF BELLEVUE - NE

Authorized Signature

Authorized Signature

Name Typed or Printed

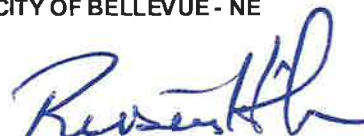
Name Typed or Printed

Title

Title

Date

Date



Rusty Hike

Mayor

4-19-2022

Customer's Address for Notices: 1500 Wall Street, BELLEVUE, NE 68005;
Customer's Facsimile Number (if applicable): (402) 293-3055
Person Designated for Notices: General Counsel

**LUMEN MASTER SERVICE AGREEMENT
DOMESTIC VOICE SERVICE EXHIBIT**

1. General; Definitions. Capitalized terms not defined in this Service Exhibit are defined in the Agreement. CenturyLink will provide domestic Voice Services ("Service") under the terms of the Agreement, Tariff, RSS, ISS, and this Service Exhibit.

"Net Rate" is in lieu of all other rates, discounts, and promotions.

"Access Arbitrage" is the use of a scheme, device, or any other means to exploit or benefit from the difference between the rates for Voice Services provided by CenturyLink and the originating or terminating charges imposed by the Local Exchange Carrier. Examples of Access Arbitrage include: (i) using switching equipment or a call processing system (such as a prepaid card, calling card, or teleconferencing platform) to segregate calls and systematically route to CenturyLink calls that are characterized by a greater discrepancy between the access costs and the price charged by CenturyLink; (ii) routing calls through a call processing system such that the percentage of high cost minutes routed to CenturyLink using the Service is more than 11.4%; (iii) segregating calls within another carrier's network or a call processing system to systematically route calls to CenturyLink where the access costs exceed the price of long distance service provided by CenturyLink; (iv) transporting intrastate traffic into a different state in order to cause the traffic to be rated by CenturyLink at a lower Interstate rate than would otherwise apply; or (v) any other means to exploit or benefit from the difference between the rates for Services and the originating or terminating access charges imposed by the local exchange carrier.

"SLA" means the service level agreement specific to the Service, located at <http://www.centurylink.com/legal/>, which is subject to change.

1.1 Description. Voice Service consists of domestic Long Distance service, domestic Toll Free (including features), domestic worldcard[®] and domestic Directory Assistance service. Domestic Long Distance service is available both Interstate and Intrastate, through switched and dedicated facilities. Toll Free Services is also available through switched or dedicated facilities. CenturyLink is required by the FCC to state in this Service Exhibit that Customer is prohibited from using any Toll Free telephone number, or other telephone number advertised or widely understood to be Toll Free, in a manner that would violate FCC rule 47 CFR 64.1504. worldcard offers domestic calling card services available either Interstate or Intrastate and is available through switched access only. Directory Assistance offers one rate to Voice Service customers domestically. The SLA provides Customer's sole and exclusive remedy for service interruptions or service deficiencies of any kind whatsoever for the Service. worldcard offers domestic calling card services available either interstate or intrastate and is available through switched access only. worldcard is offered with three options: 1) the standard option includes CenturyLink's trademarks and telephone number; 2) the "cologo" option includes CenturyLink's and Customer's names and trademarks and/or logos and will include either CenturyLink's or Customer's telephone number; and 3) the "private label" option only includes Customer's names trademarks and/or logos and will include either CenturyLink's or Customer's telephone number. If Customer selects the cologo or private label worldcard options, then Customer grants CenturyLink permission to create a card using Customer's name, trademarks and/or logos as provided to CenturyLink by Customer. Customer further agrees that even though Customer's name, trademarks, logo and/or phone number may appear on the cards, except for Customer's rights in its name, trademarks, and/or logo, CenturyLink will be sole owner of all right and title in and to all intellectual property associated with the cards and the worldcard service. Furthermore, if Customer selects either the cologo or private label cards, then Customer agrees to indemnify and hold CenturyLink harmless for any costs, fees, damages, or expenses of any sort incurred by CenturyLink as a result of claims arising from CenturyLink's use of Customer's name, trademarks or logo in accordance with this Agreement. In addition to the other worldcard charges listed herein, Customer will pay to CenturyLink any set-up charges associated with the design and production of the cologo and private label cards. CenturyLink will notify Customer of the total amount of set-up charges prior to production of the cards. If Customer objects to the set-up charges, then the parties will work together to create a less expensive design than originally requested by Customer (this sentence and the previous sentence combined constitute the "Set-up Process"). If Customer revokes the use of its mark for the cologo or private label cards or requests new cards due to its mark changing, then Customer must cease using those cards and CenturyLink will issue replacement cards that either do not include Customer's mark or contain the new mark, as appropriate. The Set-up Process will apply to the replacement cards and Customer will pay CenturyLink the set-up charges for the replacement cards. The person(s) named on the calling card and those identified on CenturyLink's records for the associated account are jointly and severally responsible for the charges made using the calling card. The calling card is not transferable, but the cardholder may authorize others to use it. The cardholder is responsible for all charges incurred by authorized users, and giving the calling card to someone else or telling someone else the security code is such authorization. The calling card will be cancelled at the cardholder's request. CenturyLink may cancel the calling card if the cardholder cancels or fails to pay, if CenturyLink suspects fraud, improper, or unauthorized use or observes unusual use, or if it changes its policies for issuing worldcard calling cards. CenturyLink may cancel the calling card without notice. CenturyLink is not liable for any damages for any reason due to the cancellation of, or failure to accept the calling card. If a calling card is canceled for any reason, the cardholder must notify all authorized users and destroy all calling cards. The cardholder should notify CenturyLink immediately if the cardholder changes address or telephone number or if a calling card is lost, stolen, or misplaced or if a cardholder suspects unauthorized use or misuse of a calling card. To report a loss, theft, or suspected misuse, please call 1 800-860-1020. Some uses of the worldcard calling card may be subject to rules, regulations, and tariffs of state public utility commissions and the Federal Communications Commission.

1.2 Domestic IP Voice. Domestic IP Voice Service consists of IP intrastate and interstate dedicated Long Distance and IP dedicated Toll Free. Domestic IP Voice accepts intrastate and interstate dedicated Long Distance traffic in IP format and converts such traffic for transmission across the telecommunications network. Domestic IP Voice also accepts domestic Toll Free traffic and converts it into VoIP format for transmission to Customer. The pricing for Domestic IP Voice services is the same as for non-IP intrastate and interstate dedicated Long Distance and non-IP dedicated Toll Free. Domestic IP Voice does not support local services, 911, E911, V911, operator services, local number portability, or directory listings. All use of Domestic IP Voice will comply with and be subject to the service guide, AUP, and applicable sections of the SLA which are posted at <http://www.centurylink.com/legal/>. CenturyLink reserves the right to refuse to accept, suspend, or limit any or all of Customer's IP traffic not complying with the service guide technical specifications or that CenturyLink believes is adversely affecting other customers on the CenturyLink network. The service guide and AUP are incorporated into the Agreement by this reference. CenturyLink may reasonably modify the service guide, AUP, and SLA to

**LUMEN MASTER SERVICE AGREEMENT
DOMESTIC VOICE SERVICE EXHIBIT**

ensure compliance with applicable laws and regulations and to protect CenturyLink's network and customers, and such change will be effective upon posting to the Web site.

1.3 CenturyLink 8XX Outbound Service. CenturyLink 8XX Outbound Service ("8XX Outbound") allows Customer to place Toll Free TDM or IP calls to CenturyLink owned or non-CenturyLink owned Toll Free numbers on Customer's CenturyLink dedicated access lines ("DALs"). 8XX Outbound is only available on DALs provisioned on CenturyLink DMS250, NGS, and IPLD switched. 8XX Outbound is not subject to an SLA. 8XX Outbound is governed by the CenturyLink RSS and/or Tariffs. CenturyLink reserves the right, upon 30 calendar days prior written notice to Customer, to cancel or modify 8XX Outbound. If Customer does not agree to the 8XX Outbound modifications, then Customer must notify CenturyLink prior to the expiration of the 30 day time frame that Customer wishes to cancel 8XX Outbound. Customer's continued use of 8XX Outbound after the 30-day time frame will indicate that Customer agrees to the modifications. **Limitations.** CenturyLink provides 8XX Outbound by routing and terminating the toll-free call to a CenturyLink dedicated facility that is connected to a LEC facility to allow re-origination to the dialed Toll Free number. CenturyLink is only responsible for getting the call to the LEC for re-origination. CenturyLink cannot provide any kind of support or help troubleshoot problems with toll free origination or termination once the call is delivered to the LEC for re-origination. Because all outbound Toll Free calls will re-originate from a LEC central office, the outbound toll-free call will route as if the call originates from the LEC central office, and not from the geographic location of Customer's DAL. If there is regional (i.e., calls only allowed to originate from specific states or disallowed from specific states) or point of call (geographic) routing on the dialed Toll Free number, the call may not be completed. From time to time CenturyLink may add, change, and/or remove the central offices from which calls are re-originated, without notice to Customer. Customer requests for 8XX Outbound changes or additions, including additional 8XX Outbound traffic volumes, are subject to availability and CenturyLink's acceptance of the order.

2. Compliance.

2.1 Access Arbitrage. If CenturyLink determines the number of calls routed to CenturyLink using Access Arbitrage exceeds 11.4% of Customer's total call volume, CenturyLink will apply a per minute Access Arbitrage Fee to 95% of their high cost minutes. In addition, CenturyLink may immediately restrict, suspend, or discontinue Service used in connection with Access Arbitrage upon notice of such violation to Customer. Inbound and outbound per minute "Access Arbitrage Fees" are \$0.10 per minute for switched Services and \$0.05 per minute for dedicated Services. For more detailed information about Access Arbitrage, please refer to the RSS.

2.2 Non-Completed Calls. "Non-completed Call Percentage Threshold" means 30% of all attempted calls, both completed and non-completed. If the percentage of Customer's calls that do not complete (out of all attempted calls) meets or exceeds the Non-completed Call Percentage Threshold for any given monthly billing cycle, CenturyLink may, upon 30 calendar days notice to Customer, disconnect any and all circuit(s) providing Service on which the Non-completed Call Percentage Threshold was exceeded.

3. Term. This Service Exhibit will expire or terminate cotemporary with the Agreement, unless terminated earlier by either party by providing 60 days advance written notice.

4. Charges. Customer will pay all applicable rates and charges for the Services and features set forth in the pricing document CenturyLink provides to Customer as part of the Agreement or an amendment to the Agreement. The Services and features are usage-based. If Customer uses a Service or feature for which CenturyLink has not provided the rates in a separate document, then Customer will pay the applicable Tariff, RSS, or ISS rates and charges for the subject Service or feature. Customer is responsible for all metered usage charges and per call charges that occur from the point Service is available for Customer use, regardless of whether CenturyLink notifies Customer of Service availability. Domestic Long Distance calls crossing state boundaries, within the same LATA, will be billed at the interstate rate. The rates do not include costs associated with local access or CPE, which rates are described in the Service Exhibits specific to those services or in a separate agreement for such service. Customer's 8XX Outbound will bill the same rates as Customer's dedicated outbound Long Distance (1+). Customer understands and agrees that all 8XX Outbound calls will be billed to the trunk group owner, even if the dialed Toll Free numbers belong to CenturyLink. CenturyLink reserves the right, upon 30 calendar days prior written notice to Customer, to charge an MRC for 8XX Outbound. If Customer does not agree to the MRC, then Customer must notify CenturyLink prior to the expiration of the 30 day time frame that Customer wishes to cancel 8XX Outbound. Customer's continued use of 8XX Outbound after the 30-day time frame will indicate that Customer agrees to pay the MRC.

5. Other Terms.

5.1 General. Any references to a Revenue Commitment or Contributory Charges will not apply to this Service Exhibit.

5.2 Cancellation and Termination Charges. This Section replaces Section 4.6, the Cancellation and Termination Charges set forth in the Agreement:

Termination. Either party may terminate an individual Service: (a) as set forth above with 60 days' prior written notice to the other party, or (b) for Cause. If an individual Service is terminated by Customer for any reason other than for Cause or by CenturyLink for Cause, then Customer will pay any and all charges that are accrued but unpaid as of the termination date. If the Agreement is terminated by Customer for any reason other than for Cause, or by CenturyLink for Cause prior to the conclusion of the Term, all Services are deemed terminated, and Customer will pay any and all charges that are accrued but unpaid as of the termination date. "Cause" means the failure of a party to perform a material obligation under the Agreement, which failure is not remedied: (a) for payment defaults by Customer, within five days of separate written notice from CenturyLink of such default; or (b) for any other material breach, within 30 days after written notice (unless a shorter notice period is identified in a Service Attachment).

**LUMEN MASTER SERVICE AGREEMENT
DOMESTIC VOICE SERVICE EXHIBIT**

5.3 Installation, Maintenance and Repair. The following are supplemental terms to the Scheduled Maintenance and Local Access section of the Agreement: (a) Provision of Services is subject to availability of adequate capacity and CenturyLink's acceptance of a complete Order Form and (b) Customer is responsible for any facility or equipment repairs on Customer's side of the demarcation point. Customer may request a technician dispatch for Service problems. Before dispatching a technician, CenturyLink will notify Customer of the dispatch fee. CenturyLink will assess a dispatch fee if it determines the problem is on Customer's side of the demarcation point or was not caused by CenturyLink's facilities or equipment on CenturyLink's side of the demarcation point. "Order Form" includes both order request forms and quotes issued by CenturyLink. If a CenturyLink service requires a quote to validate the Order Form pricing, the quote will take precedence over the order request form, but not over the Service Exhibit.

5.4 Service Notices. Notices for disconnection of Service must be submitted to CenturyLink via Email at: BusinessDisconnects@Centurylink.com. Notices of non-renewal for Services must be sent via e-mail to: CenturyLink, Attn.: CenturyLink NoRenew, e-mail: Norenew@centurylink.com. Notices for billing inquiries/disputes or requests for Service Level credits must be submitted to CenturyLink via Customer's portal at <https://www.centurylink.com/business/login/> or via Email at: Care.Inquiry@Centurylink.com. All other routine operational notices will be provided by Customer to its CenturyLink sales representative.

5.5 Access Arbitrage. If CenturyLink determines the number of calls routed by Customer via Access Arbitrage exceeds 11.4% of Customer's total call volume, CenturyLink will apply to 95% of their high cost minutes an inbound and outbound per minute fee of \$0.10 for switched Services and \$0.05 per minute for dedicated Services. In addition, CenturyLink may immediately restrict, suspend, or discontinue Service used in connection with Access Arbitrage upon notice of such violation to Customer. "Access Arbitrage" is the methodology used by Customer to exploit or benefit from the difference between the rates for CenturyLink voice Services and the originating or terminating charges imposed by the Local Exchange Carrier, which includes: (i) using switching equipment or a call processing system (such as a prepaid card, calling card, or teleconferencing platform) to segregate and systematically route calls to CenturyLink characterized by a greater discrepancy between the access costs and the price charged by CenturyLink; (ii) routing calls through a call processing system where the percentage of high cost minutes routed to CenturyLink using the Service exceeds 11.4%; (iii) segregating calls within another carrier's network or a call processing system to systematically route calls to CenturyLink where the access costs exceed the price of long distance service provided by CenturyLink; (iv) transporting intrastate traffic into a different state in order to cause the traffic to be rated by CenturyLink at a lower Interstate rate than would otherwise apply; or (v) any other means to exploit or benefit from the difference between the rates for Services and the originating or terminating access charges imposed by the local exchange carrier.

5.6 Acceptable Use Policy and Use of Service. CenturyLink may also terminate the Domestic IP Voice Service for Cause under this Section where Customer's use of the Domestic IP Voice Service: (a) is contrary to the AUP, (b) constitutes an impermissible traffic aggregation or Access Arbitrage, (c) avoids Customer's obligation to pay for communication services, and (d) violates the Use of Service terms or compliance terms. Customer may have obligations under 47 CFR 9.5 relating to 911 if Customer combines the Service with other products creating a VoIP or VoIP-like service that facilitates the transmission of voice services.

5.7 Use of Service. CenturyLink may also terminate Service for Cause under this Section where Customer's use of the Service: (a) constitutes an impermissible traffic aggregation or Access Arbitrage, (b) avoids Customer's obligation to pay for communication services, and (c) violates the use of Service terms or compliance terms applicable to the Service. "Cause" means the failure of a party to perform a material obligation under the Agreement, which failure is not remedied: (a) for payment defaults by Customer, within five days of separate written notice from CenturyLink of such default; or (b) for any other material breach, within 30 days after written notice (unless a shorter notice period is identified in a Service Attachment).

5.8 CPNI. CenturyLink is required by law to treat CPNI confidentially. Customer agrees that CenturyLink may share CPNI within its business operations (e.g., wireless, local, long distance, and broadband services divisions), and with businesses acting on CenturyLink's behalf, to determine if Customer could benefit from the wide variety of CenturyLink products and services, and in its marketing and sales activities. Customer may withdraw its authorization at any time by informing CenturyLink in writing. Customer's decision regarding CenturyLink's use of CPNI will not affect the quality of service CenturyLink provides Customer. "CPNI" means Customer Proprietary Network Information, which includes confidential account, usage, and billing-related information about the quantity, technical configuration, type, destination, location, and amount of use of a customer's telecommunications services. CPNI reflects the telecommunications products, services, and features that a customer subscribes to and the usage of such services, including call detail information appearing in a bill. CPNI does not include a customer's name, address, or telephone number.

5.9 Conflicts. If a conflict exists among the provisions of the Service Attachments, the order of priority will be as follows: the Service Exhibit, the RSS or ISS, the general terms of the Agreement, SLA, SOW (if any) and Order Form, as applicable, and then any other documents attached or expressly incorporated into the Agreement. "ISS" means CenturyLink's Information Services Schedule incorporated by this reference and posted at: http://www.centurylink.com/tariffs/clc_info_services.pdf. "RSS" means CenturyLink's Rates and Services Schedule incorporated by this reference and posted at http://www.centurylink.com/tariffs/fcc_clc_ixc_rss_no_10.pdf. "Tariff" includes as applicable: CenturyLink state tariffs, price lists, price schedules, administrative guidelines, catalogs, and rate and term schedules incorporated by this reference and posted at <http://www.centurylink.com/tariffs>.

**LUMEN MASTER SERVICE AGREEMENT
LONG DISTANCE AND TOLL FREE RATE ADDENDUM**

This Long Distance and Toll Free Rate Addendum ("Rate Addendum") applies to a CenturyLink® Loyal Advantage® Agreement signed by authorized representatives of CenturyLink Communications, LLC and Customer ("Agreement"). Capitalized terms not defined in this Rate Addendum are defined in the Agreement. This Rate Addendum is incorporated by reference and made a part of the Agreement.

1. General. This Rate Addendum establishes interstate and intrastate pricing for CenturyLink's domestic switched and dedicated long distance service, toll free service and included VoIP Services. ("Addendum Pricing"). The Addendum Pricing is available to existing CenturyLink business customers who need to modify, or do not currently have CenturyLink long distance service, toll free service, or VoIP Services and sign an amendment or Order Form to add one or more of those services to their existing Agreement, along with this Rate Addendum. VoIP Services include CenturyLink® Hosted VoIP Service, CenturyLink IQ® SIP Trunk Service, CenturyLink® SIP Trunk, Managed Office Service, and Managed Office Essentials Service. The Addendum Pricing is applicable to individual accounts, as well as master customer accounts and associated discount group accounts. Customers failing to meet the eligibility requirements outlined in this section will not receive Addendum Pricing. The Addendum Pricing is only valid through the Cutoff Date. However, CenturyLink may, in its sole discretion, accept orders and quotes beyond that date, and any such orders and quotes will be subject to the terms of this Rate Addendum.

2. Addendum Pricing. The Addendum Pricing will apply after installation. Customer will receive the Addendum Pricing shown below. Specifically regarding Hosted VoIP Service, CenturyLink IQ SIP Trunk Service, CenturyLink® SIP Trunk, Managed Office, Managed Office Essentials, the Addendum Pricing will apply in lieu of the ISS rates and constitutes the LD/TF Offer referenced in the Order Form and the applicable Service Exhibit or the applicable Service-specific sections in "Section II. Additional Service-Specific Terms and Conditions" of the DT&C. The Addendum Pricing may not be combined with any other discounts or offers for the Services, including custom pricing and the Pennies for your Long Distance and Toll Free Offer Attachment. Notwithstanding anything to the contrary in the Service Exhibit(s), the Addendum Pricing in this Rate Addendum will apply as written.

(a) Long Distance Interstate and Intrastate Addendum Pricing. CenturyLink will charge the Customer the applicable Net Rate per Minute for the voice service usage in the "Interstate" table, based upon the tier of Customer's combined spend for minutes of use the prior month for the following Long Distance and Toll Free voice services: (i) interstate switched and dedicated TDM voice; (ii) interstate dedicated IP Voice (iii) interstate VoIP Services that receive Rate Addendum pricing, and (iv) international voice services (collectively the "Monthly Voice Usage Spend"). Taxes, fees, surcharges, monthly recurring and nonrecurring charges do not contribute to the Monthly Voice Usage Spend. Customer's spend on international long distance and Toll Free voice minutes of use contribute to the Monthly Voice Usage Spend but these services are not eligible for the pricing under the "Interstate" table. For all intrastate (which includes interLATA and intraLATA usage within a state's boundary unless specified below) inbound 8XX and outbound voice service usage, CenturyLink will charge the Customer at the below Net Rate per Minute for the applicable service in the "Intrastate" table unless otherwise noted.

Customer's Monthly Voice Usage Spend is calculated in United States dollars ("USD").

Service Term: 36 Months							
Customer Name	CITY OF BELLEVUE - NE			Currency	USD		
INTERSTATE							
Rates are per minute with 18 second minimum / 6 second rounding All calls less than \$0.01 will be charged a penny minimum							
Destination	Billing Code →	DEDICATED		SWITCHED		CenturyLink IP Voice and VoIP*	
	Monthly Voice Usage Spend in USD	2018 DVTF B Toll Free Net Rate Per Minute	2018 DV1 B Outbound Net Rate Per Minute	2018 SVTF B Toll Free Net Rate Per Minute	2018 SV1 B Outbound Net Rate Per Minute	2018 IPTF B Toll Free Net Rate Per Minute*	2018 IPLD B Outbound Net Rate Per Minute
Interstate	1 - 500 USD	0.0148	0.0140	0.0250	0.0250	0.0139	0.0125
Interstate	501 - 5,000 USD	0.0141	0.0120	0.0250	0.0250	0.0135	0.0115
Interstate	5,001 - 15,000 USD	0.0139	0.0100	0.0250	0.0250	0.0130	0.0100
Interstate	15,001 - 25,000 USD	0.0135	0.0095	0.0250	0.0250	0.0125	0.0095
Interstate	25,001 - 50,000 USD	0.0130	0.0092	0.0250	0.0250	0.0120	0.0090
Interstate	50,001 + USD	0.0120	0.0090	0.0250	0.0250	0.0115	0.0080
*CenturyLink IP Voice and VoIP Toll Free calls will show up on the invoice under the "Inbound Switched" header							

INTRASTATE							
Rates are per minute with 18 second minimum / 6 second rounding All calls less than \$0.01 will be charged a penny minimum							
Destination	Billing Code →	DEDICATED		SWITCHED		CenturyLink IP Voice and VoIP*	
	STATE	2018 DVTF B Toll Free Net Rate Per Minute	2018 DV1 B Outbound Net Rate Per Minute	2018 SVTF B Toll Free Net Rate Per Minute	2018 SV1 B Outbound Net Rate Per Minute	2018 IPTF B Toll Free Net Rate Per Minute*	2018 IP B Outbound Net Rate Per Minute

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Intrastate	ALABAMA	0.0180	0.0100	0.0290	0.0290	0.0125	0.0100
Intrastate	ALASKA	N/A	N/A	0.1995	0.1995	N/A	N/A
Intrastate	ARIZONA	0.0270	0.0100	0.0360	0.0360	0.0260	0.0100
Intrastate	ARKANSAS	0.0200	0.0100	0.0330	0.0330	0.0190	0.0100
Intrastate	CALIFORNIA	0.0180	0.0100	0.0290	0.0290	0.0125	0.0100
Intrastate	COLORADO	0.0270	0.0100	0.0330	0.0330	0.0260	0.0100
Intrastate	CONNECTICUT	0.0180	0.0100	0.0270	0.0270	0.0125	0.0100
Intrastate	DELAWARE	0.0180	0.0100	0.0290	0.0290	0.0125	0.0100
Intrastate	District of Columbia	0.0180	0.0100	0.0290	0.0290	0.0160	0.0100
Intrastate	FLORIDA	0.0200	0.0100	0.0330	0.0330	0.0190	0.0100
Intrastate	GEORGIA	0.0180	0.0100	0.0290	0.0290	0.0125	0.0100
Intrastate	HAWAII*	N/A	N/A	0.0360	0.0360	N/A	N/A
Intrastate	IDAHO	0.0330	0.0100	0.0360	0.0360	0.0310	0.0100
Intrastate	ILLINOIS	0.0180	0.0100	0.0270	0.0270	0.0125	0.0100
Intrastate	INDIANA	0.0180	0.0100	0.0270	0.0270	0.0125	0.0100
Intrastate	IOWA	0.0330	0.0100	0.0360	0.0360	0.0310	0.0100
Intrastate	KANSAS	0.0200	0.0100	0.0330	0.0330	0.0210	0.0100
Intrastate	KENTUCKY	0.0200	0.0100	0.0330	0.0330	0.0190	0.0100
Intrastate	LOUISIANA*	0.0180	0.0100	0.0290	0.0290	0.0125	0.0100
Intrastate	MAINE	0.0220	0.0100	0.0330	0.0330	0.0210	0.0100
Intrastate	MARYLAND	0.0180	0.0100	0.0290	0.0290	0.0125	0.0100
Intrastate	MASSACHUSETTS*	0.0180	0.0100	0.0290	0.0290	0.0125	0.0100
Intrastate	MICHIGAN	0.0180	0.0100	0.0270	0.0270	0.0125	0.0100
Intrastate	MINNESOTA	0.0270	0.0100	0.0330	0.0330	0.0260	0.0100
Intrastate	MISSISSIPPI	0.0180	0.0100	0.0290	0.0290	0.0160	0.0100
Intrastate	MISSOURI	0.0270	0.0100	0.0360	0.0360	0.0260	0.0100
Intrastate	MONTANA	0.0420	0.0100	0.0360	0.0360	0.0420	0.0100
Intrastate	NEBRASKA	0.0270	0.0100	0.0330	0.0330	0.0260	0.0100
Intrastate	NEVADA	0.0180	0.0100	0.0290	0.0290	0.0160	0.0100
Intrastate	NEW HAMPSHIRE	0.0220	0.0100	0.0330	0.0330	0.0210	0.0100
Intrastate	NEW JERSEY	0.0180	0.0100	0.0290	0.0290	0.0125	0.0100
Intrastate	NEW MEXICO	0.0180	0.0100	0.0290	0.0290	0.0210	0.0100
Intrastate	NEW YORK*	0.0180	0.0100	0.0290	0.0290	0.0125	0.0100
Intrastate	NORTH CAROLINA	0.0220	0.0100	0.0330	0.0330	0.0210	0.0100
Intrastate	NORTH DAKOTA	0.0550	0.0100	0.0600	0.0600	0.0550	0.0100
Intrastate	OHIO	0.0180	0.0100	0.0270	0.0270	0.0125	0.0100
Intrastate	OKLAHOMA	0.0180	0.0100	0.0290	0.0290	0.0210	0.0100
Intrastate	OREGON	0.0180	0.0100	0.0290	0.0290	0.0160	0.0100
Intrastate	PENNSYLVANIA	0.0180	0.0100	0.0290	0.0290	0.0160	0.0100
Intrastate	PUERTO RICO	0.0974	0.0974	0.0974	0.0974	0.0974	0.0974
Intrastate	RHODE ISLAND	0.0200	0.0100	0.0290	0.0290	0.0125	0.0100
Intrastate	SOUTH CAROLINA	0.0180	0.0100	0.0290	0.0290	0.0125	0.0100
Intrastate	SOUTH DAKOTA	0.0550	0.0100	0.0600	0.0600	0.0550	0.0100
Intrastate	TENNESSEE	0.0200	0.0100	0.0330	0.0330	0.0125	0.0100
Intrastate	TEXAS	0.0180	0.0100	0.0290	0.0290	0.0125	0.0100
Intrastate	UTAH	0.0200	0.0100	0.0290	0.0290	0.0190	0.0100
Intrastate	VERMONT	0.0330	0.0100	0.0360	0.0360	0.0310	0.0100
Intrastate	VIRGINIA	0.0180	0.0100	0.0290	0.0290	0.0125	0.0100
Intrastate	WASHINGTON	0.0220	0.0100	0.0330	0.0330	0.0210	0.0100
Intrastate	WEST VIRGINIA	0.0180	0.0100	0.0290	0.0290	0.0125	0.0100
Intrastate	WISCONSIN	0.0180	0.0100	0.0290	0.0290	0.0160	0.0100
Intrastate	WYOMING	0.0220	0.0100	0.0290	0.0290	0.0210	0.0100

* **Filing Concurrence.** CenturyLink may be required to submit an Agreement for a particular Service and any subsequent addenda for Service to certain regulatory agencies for approval because the rates in the Agreement are being offered on an individual case basis ("ICB"). Although the general terms and conditions of this Agreement are effective on the Effective Date, those service-specific rates, terms, and conditions that require filing with or approval by regulatory agencies ("ICB Terms") will not become effective for a given jurisdiction until the filing and approval requirements for that jurisdiction are fulfilled. Service will be offered in accordance with the applicable Tariff until the ICB Terms become effective. If Customer receives reduced pricing under the Agreement and a regulatory agency later invalidates the ICB Terms after they had become effective, Customer will pay to CenturyLink any difference in the amounts

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listed in the applicable Tariff for the Service and the amounts Customer was charged for the Service. When approved by the regulatory agencies, Customer may add additional quantities of Services under the terms of the Agreement with no further filing required. In the event a regulatory agency does not approve the Agreement, the parties will enter into good faith negotiations to mutually resolve the failure to receive the necessary approval. The Agreement for a particular Service remains in full force and effect for Service in all other jurisdictions.

Domestic Interstate Directory Assistance	Net Rate (all states)
Directory Assistance – per call (up to two numbers may be provided per call)	\$1.9900

(b) Toll Free INBOUND MRCs. The rate of \$1.00 applies for each CenturyLink 8XX number in excess of the first 8XX number in which CenturyLink provides Service as the “Responsible Organization” (meaning the party held accountable for providing such Service). CenturyLink does not charge an 8XX MRC for the first 8XX in which CenturyLink provides Service as the Responsible Organization.

(c) Toll Free INBOUND Features Addendum Pricing. Customer will pay the following NRCs, MRCs, Change Charges and Surcharges, if applicable, for the features listed below (“Feature(s)”). Pricing is subject to change without notice and is subject to applicable federal, state and local taxes, fees and surcharges. Availability of the Toll Free Features for VoIP Services is limited.

Feature	NRC	MRC	Change	Surcharge
Alternate Call Routing	\$50.00 per 8XX	\$50.00 per 8XX	\$50.00 per 8XX	N/A
Busy Ring No Answer (BRNA)	\$50.00 per 8XX	\$50.00 per 8XX	\$50.00 per 8XX	\$0.01 per call
Day of Week Routing (DOW)	\$50.00 per 8XX	\$50.00 per 8XX	\$50.00 per 8XX	N/A
Day of Year (Holiday) Routing (DOY)	\$50.00 per 8XX	\$0.00	\$50.00 per 8XX	N/A
Dialed Number Identification Service (DNIS) ⁽¹⁾	\$15.00 per 8XX	\$0.00	\$15.00 per 8XX	N/A
Direct Termination Overflow (DTO) ⁽¹⁾	\$50.00 per 8XX	\$50.00 per 8XX	\$50.00 per 8XX	N/A
EZ Route–Enhanced Reporting Manager (ERM)	\$500.00 per 8XX	\$0	\$0	\$0
EZ Route–Menu and Database ⁽²⁾	\$150.00 per 8XX	\$50.00 per 8XX	\$0.00	\$0.04 per call
EZ Route–Speech Recognition Menu & Database Routing ⁽²⁾	\$150.00 per 8XX	\$50.00 per 8XX	\$0.00	\$0.08 per call
EZ Route–Percent Allocation, Time of Day, Day of Week, Area Code & Customer – Entered Digit Routing ⁽²⁾	Included with EZ Route	Included with EZ Route	Included with EZ Route	Included with EZ Route
EZ Route–Bridging	\$0.00	\$0.05 per MOU	\$0.00	\$0.00
EZ Route Enhanced Reporting Manager (ERM)	\$500.00	\$0.00	\$0.00	\$0.00
Extended Call Coverage (ECC)	\$0.00	\$0.00	\$0.00	N/A
Fast Transfer and Release (FTnR) ⁽¹⁾	\$1,000.00 per 8XX	\$100.00 per 8XX	\$100.00 per 8XX	\$0.05 per transfer
Geographic Routing (GeoRouting)	\$50.00 per 8XX	\$50.00 per 8XX	\$50.00 per 8XX	N/A
Industry Toll Free Directory Assistance	\$35.00 per 8XX (standard) \$100.00 per 8XX (expedite)	\$3.00 per 8XX	\$35.00 per 8XX (standard) \$100.00 per 8XX (expedite)	\$2.00 per query
Menu Routing	\$250.00 per 8XX	\$25.00 per 8XX	\$100.00 per 8XX	\$0.05 per call
Percent Allocation Routing	\$50.00 per 8XX	\$50.00 per 8XX	\$50.00 per 8XX	N/A
Project Account Codes (PAC)	\$15.00 per 8XX	\$15.00 per 8XX	\$15.00 per 8XX	N/A
CenturyLink GeoPlus®	This advanced routing option is only offered through an alliance with AdGeo. Please contact AdGeo directly at 888-947-3100 or visit http://www.QwestGeoPlus.com Log-in: qwest PIN: qwest1			
Real Time ANI ⁽¹⁾	\$0.00	\$0.00	\$0.00	N/A
Tailored Call Coverage (TCC)	\$50.00 per 8XX	\$0.00	\$50.00 per 8XX	N/A
Time of Day Routing (TOD)	\$50.00 per 8XX	\$50.00 per 8XX	\$50.00 per 8XX	N/A
Control Center for Toll Free	\$0.00	\$0.00	\$0.00	N/A
Super Trunk Overflow ⁽¹⁾	\$50.00 per 8XX	\$50.00 per 8XX	\$50.00 per 8XX	N/A
In Switch Overflow Trunk	\$50.00 per 8XX	\$50.00 per 8XX	\$50.00 per 8XX	N/A
Quota Routing	\$250.00 per 8XX	\$50.00 per 8XX	\$50.00 per 8XX	N/A

⁽¹⁾ Feature Not Available for any VoIP Service.

⁽²⁾ Limited to 150 nodes per application.

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3. Miscellaneous. All other terms not specifically set forth in this Rate Addendum, including without limitation, any other rate elements, including local loops, are as stated in the Agreement, RSS, Tariffs or Rate Sheet. This Rate Addendum is added to the Agreement and becomes effective on the signature date of the Order Form or amendment adding this Rate Addendum to the Agreement ("Rate Addendum Effective Date"). This Rate Addendum and the Addendum Pricing will terminate upon expiration or termination of CenturyLink's domestic long distance, toll free, or VoIP service or of the Agreement. All other terms set forth in the Agreement will remain in effect. The order of control in descending order is: this Rate Addendum; the Agreement. These documents set forth the entire understanding between the parties as to the subject matter and supersede any prior written or verbal statements, representations, and agreements concerning the subject matter.