

Bellevue City Council Meeting

Tuesday, March 21, 2023 6:00 PM

Bellevue City Hall

1500 Wall Street

Bellevue, NE 68005

1. PLEDGE OF ALLEGIANCE
2. INVOCATION - Pastor Paul Gardner, First City Church, 1908 Lloyd Street.
3. CALL TO ORDER AND ROLL CALL
4. OPEN MEETINGS ACT - Posted in the Entry to the Council Chambers
5. APPROVAL OF AGENDA, CONSENT AGENDA, CLAIMS, AND ADVISORY COMMITTEE REPORTS:
 - a. Approval of the Agenda
 - b. Approval of the Consent Agenda **(Items marked with an (*) are approved where this item is, unless otherwise removed)**
 1. (*) Approval of the March 7, 2023 City Council Minutes.
 2. (*) Acknowledge receipt of the February 14, 2023 Tree Board Minutes.
 3. (*) Acknowledge receipt of the 2022 Tree Board Report.
6. (*) APPROVAL OF CLAIMS.
7. SPECIAL PRESENTATIONS: NONE
8. ORGANIZATIONAL MATTERS: NONE
9. APPROVED CITIZEN COMMUNICATION: NONE RECEIVED
10. LIQUOR LICENSES:
 - a. Recommend to the Nebraska Liquor Control Commission (NLCC) the approval of the application for Bryan With A Y Industries LLC dba "The Liquor Cabinet" for a Class "D" Liquor License to sell, beer, wine, and distilled spirits, Off Sale Only, at 1007 Galvin Road South, Bellevue, NE 68005 and Bryan D. Zabawa as Manager. (City Clerk)
 - b. Recommend to the Nebraska Liquor Control Commission (NLCC) the approval of the application for an Outdoor Patio Extension to the current Liquor License for Moran's Grill LLC dba "Moran's Grill" at 3909 Twin Creek Drive #105, Bellevue, NE 68123. (City Clerk)
 - c. Recommend to the Nebraska Liquor Control Commission (NLCC) the approval of the application for Anthony M. Pleiss as the new Manager for Walmart Inc. dba "Walmart #2847" at 10504 S. 15th Street, Bellevue, NE 68136. (City Clerk)
11. ORDINANCES FOR ADOPTION (3rd reading): NONE
12. ORDINANCES FOR PUBLIC HEARING (2nd reading): NONE
13. ORDINANCES FOR INTRODUCTION (1st reading):
 - a. Ordinance No. 4117: An ordinance to update the compensation ordinance for seasonal employees. (HR Director)
 - b. Ordinance No. 4118: Request to vacate the plat of Lots 1 and 2, Heer and Theer Addition. Applicants: 1st City Development, LLC, John Jungers, and The David and Ruth Heer Revocable Trust. General Location: 2304 Lincoln Road. (Planning Manager)
14. PUBLIC HEARING ON MATTERS OTHER THAN ORDINANCES:
 - a. Request for a conditional use permit for Lot 1, First Presbyterian Church of Bellevue, for the purpose of a 165' monopole tower. Applicant: New Cingular Wireless PCS, LLC. General Location: 1220 Bellevue Blvd. S. (Planning Manager)
 - b. Recommendation to approve Event Application for Ron Roen to host a National Flag Day/Army Birthday Event on Sunday, June 11, 2023 from 12:00 p.m. - 4:00 p.m., at Washington Park and American Heroes Park and to waive the \$50 event fee. (City Clerk)
 - c. Recommend approval of application from Bellevue Community Foundation for the Bellevue Rocks Riverfront Festival on Thursday, June 8, 2023 from 4:00 p.m. to 1:00 a.m. on Friday;

Friday, June 9, 2023 from 4:00 p.m. to 1:00 a.m. on Saturday; Saturday, June 10, 2023 from 4:00 p.m. to 1:00 a.m. on Sunday; and Sunday, June 11, 2023 from 12:00 p.m. to 5:00 p.m. at American Heroes Park, Bellevue. (City Clerk)

1. 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 8, 2023 from 4:00 p.m. to 1:00 a.m. on Friday, June 9, 2023, Friday, June 9, 2023 from 4:00 p.m. to 1:00 a.m. on Saturday, June 10, 2023; Saturday, June 10, 2023 from 4:00 p.m. to 1:00 a.m. on Sunday, June 11, 2023 and on Sunday, June 11, 2023 from 12:00 p.m. to 5:00 p.m. at American Heroes Park. (City Clerk)

15. RESOLUTIONS:

a. Resolution No. 2023-05: Designating the annual Ride of Silence as a special event and authorizing the Mayor to sign and to waive the event fee. (City Clerk) **(Public Hearing required)**

16. CURRENT BUSINESS:

a. * Approve and authorize the Mayor to sign the Application Authorization Forms for CDBG-DR Funding. (Finance Director/CDBG Program Specialist)

b. Approve and authorize the Mayor to sign the proposal from Felsburg Holt & Ullevig to update the Bellevue 36th Street Benefit/Cost Analysis from Cornhusker Road to NE Hwy 370, in an amount not to exceed \$28,260.00. (Public Works Director)

c. Recommendation that the City Parks Advisory Board be abolished. (Council President Cook)

d. Amending City Council Policy Resolutions (Council President Cook/Administration)

17. ADMINISTRATION REPORTS: Comments must be limited to items on the current Reports **(March report will be attached to April 4th Meeting)**

18. CLOSED SESSION: NONE

19. ADJOURNMENT

MINUTE RECORD

*5b.1.
3/21/23

Bellevue City Council Meeting, March 7, 2023, 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 7th day of March, 2023 at 6:00 p.m. Present were Council Members Rich Casey, Paul Cook, Jerry McCaw, Don Preister, Thomas Burns, and Kathy Welch.

Also present were City Administrator Jim Ristow and Interim City Attorney Annie Mathews.

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

PLEDGE OF ALLEGIANCE AND INVOCATION

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

OPEN MEETINGS ACT

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

APPROVAL OF THE AGENDA:

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

Motion was made by Cook, seconded by Burns, to amend the agenda by moving Item 16i. right after Item 15b.

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

APPROVAL OF THE CONSENT AGENDA:

Motion was made by Burns, seconded by Casey, to approve the consent agenda consisting of the following items: Acknowledge receipt of February 15, 2023 Bellevue Board of Health Minutes; Approval of the February 21, 2023 City Council Minutes; Acknowledge receipt of the Complete Streets Annual Report; Claims; Recommend the reappointment of Rich Casey and Thomas Burns to the Hard Surface Committee; and Recommend approval of the 2023-2024 Budget Task Force.

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

SPECIAL PRESENTATIONS:

Presentation on the 2022 Annual Report with Grow Sarpy. (Jim Janicki)

Mr. Mike Rooks, Executive Director Grow Sarpy, provided an update of projects in Sarpy.

ORGANIZATIONAL MATTERS:

Approve appointment of Aimee Bataillon as the City Attorney. (Mayor Hike)

Motion was made by Cook, seconded by Welch, to approve the appointment of Aimee Bataillon as the City Attorney.

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

APPROVED CITIZEN COMMUNICATION: NONE

LIQUOR LICENSES: NONE

ORDINANCES FOR ADOPTION: (Third Reading): NONE

ORDINANCES FOR PUBLIC HEARING: (Second Reading)

Ordinance No. 4115: An ordinance to approve the Sale and Conveyance of one parcel of City Property to Jeffrey Nazeck and to authorize the Mayor to sign and request to small subdivision plat Lots 1 and 2, Compass Hill. (Administration)

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Ordinance No. 4115: An ordinance to approve the sale and conveyance of one parcel city property to Jeffrey Nazeck and to provide an effective date was read for the third and final time.

Motion was made by Casey, seconded by McCaw, to approve Ordinance No. 4115. Roll call vote to approve the motion was as follows: Casey, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; absent: none. Motion carried.

Ordinance No. 4116: Request to rezone Lots 1 and 2, Compass Hill, being a replat of Tax Lot 8A, located in the Southeast 1/4 of Section 22, T14N, R13E of the 6th P.M., Sarpy County, NE, from AG to RD-60 for the purpose of single-family residential development. Applicant: Habitat for Humanity of Sarpy County. General Location: 820 W. Avery Road. (Planning Manager)

Ordinance No. 4116: 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 820 West Avery Road, more particularly described in Section 1 of the ordinance and to provide an effective date was read for the third and final time.

Motion was made by Welch, seconded by Burns, to approve Ordinance No. 4116.

Councilwoman Welch requested clarification if the request is only for rezoning, there have been no plans for development outside of the request to rezone. She also requested clarification that plans would need to come before City Council before any development takes place.

Mrs. Tammi Palm, Planning Manager, replied correct. The small subdivision plat is to facilitate a land transfer between the current owner and Habitat for Humanity. At such time, if Habitat for Humanity wish to develop, they would need to come forward with a preliminary plat and rezoning.

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

Request to small subdivision plat Lots 1 and 2, Compass Hill.

Motion was made by Welch, seconded by McCaw, to approve the request to small subdivision plat Lots 1 and 2, Compass Hill.

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

ORDINANCES FOR PUBLIC HEARING: (Second Reading) NONE

ORDINANCES FOR INTRODUCTION (First Reading): NONE

PUBLIC HEARING ON MATTERS OTHER THAN ORDINANCES: NONE

RESOLUTIONS:

Resolution No. 2023-06: Approve the proposed first amendment to the FY2022-2023 Budget for the Sarpy County Wastewater Agency and authorize the Mayor to sign. (Public Works Director)

Motion was made by Burns, seconded by Welch, to approve Resolution No. 2023-06: Approve the proposed first amendment to the FY2022-2023 Budget for the Sarpy County Wastewater Agency and authorize the Mayor to sign. Roll call vote to approve the motion was as follows: Casey, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; absent: none. Motion carried.

Resolution No. 2023-07: Approve and authorize the Mayor to sign Resolution No. 2023-07 to provide that the Sarpy County Election Commissioner shall be responsible for verification of voters. (Legal Department)

Motion was made by Casey, seconded by Cook, to approve Resolution No. 2023-07: Approve and authorize the Mayor to sign Resolution No. 2023-07 to provide that the Sarpy County Election Commissioner shall be responsible for verification of voters. Roll call vote to approve the motion was as follows: Casey, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; absent: none. Motion carried.

Approve and authorize the Mayor to sign Agreement for Verification of Voters between the City of Bellevue and Sarpy County Election Commissioner. (Legal Department/Clerk)

Motion was made by Welch, seconded by McCaw, to approve and authorize the Mayor to sign Agreement for Verification of Voters between the City of Bellevue and Sarpy County Election Commissioner.

Councilman Burns questioned if the cost will be determined. Ms. Annie Mathews, Interim City Attorney, explained in speaking with the Election Commissioner, she did not have an exact amount she could estimate. Ms. Mathews states the agreement tries to specify, as much as possible, how the amount will

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be calculated. An itemized statement will need to be submitted to the city, prior to any payment being made.

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

CURRENT BUSINESS:

Update from Mike Christensen, Chief Building Inspector, on the progress of bringing the dwelling at 1607 Franklin Street and at 1611 Franklin Street back into habitable code compliance. (Chief Building Inspector)

Mr. Mike Christensen provided photos to be displayed. He explained in the photo of the property for 1611 Franklin Street, the stairs and the railing have been repaired. There have not been any inspections done on any of the completed work. He advised all work will cease on the property at 1607 Franklin, as it has been determined to put that property up for sale.

Councilwoman Welch clarified 1607 is going up for sale. Mr. Christensen stated it is his understanding they are accepting bids on the property. Councilwoman Welch questioned if the new owner would need to meet with him. Mr. Christensen replied yes, explaining the red tags remain with the property. Councilwoman Welch inquired if there is a certain time frame to bring the property up to code. Mr. Christensen explained that will be determined when the property is sold.

Mr. Christensen referred to the picture of the rear entrance of 1607. The stairs have been replaced and there have been no inspections. He advised one of the garages will be demolished and the permit for the demolition has been applied for. Discussion followed.

Approve and authorize the Mayor to sign the Amendment to Agreement, dated March 15, 2022, with the Nebraska Humane Society (NHS) for animal control services. (Legal)

Motion was made by Cook, seconded by McCaw, to approve and authorize the Mayor to sign the Amendment to Agreement, dated March 15, 2022, with the Nebraska Humane Society (NHS) for animal control services.

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

Approve and authorize the Mayor to sign the contract renewal with UKG Inc. for the Payroll and HRIS Software contract renewal, for the term of April 3, 2023 through April 2, 2026, in an amount not to exceed \$3,600.00. (HR Director)

Motion was made by Welch, seconded by Casey, to approve and authorize the Mayor to sign the contract renewal with UKG Inc. for the Payroll and HRIS Software contract renewal, for the term of April 3, 2023 through April 2, 2026, in an amount not to exceed \$3,600.00.

Mrs. Ashley Decker, Human Resources Manager, stated this is a contract extension from the original contract. This is an extension on the current amount budgeted.

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

Approve and authorize the Mayor to sign the Professional Service Supplemental Agreement No. 2 with Alfred Benesch & Company for the Municipal Separate Storm Sewer System (MS4) annual reporting, in an amount not to exceed \$23,265.00. (Public Works Director/Manager of Engineering Services)

Motion was made by Burns, seconded by Cook, to approve and authorize the Mayor to sign the Professional Service Supplemental Agreement No. 2 with Alfred Benesch & Company for the Municipal Separate Storm Sewer System (MS4) annual reporting, in an amount not to exceed \$23,265.00.

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

Approve and authorize the Mayor to sign the agreement with Embris Group, LLC for the study and design of the Cedar Bluffs Lift Station project, in an amount not to exceed \$133,580.00. (Public Works Director)

Motion was made by Casey, seconded by Welch, to approve and authorize the Mayor to sign the agreement with Embris Group, LLC for the study and design of the Cedar Bluffs Lift Station project, in an amount not to exceed \$133,580.00.

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

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Approve and authorize the Mayor to sign the agreement with Jacob Engineering Group Inc. for storm drainage projects, in an amount not to exceed \$349,673.00. (Public Works Director)

Motion was made by Preister, seconded by Burns, to approve and authorize the Mayor to sign the agreement with Jacob Engineering Group Inc. for storm drainage projects, in an amount not to exceed \$349,673.00.

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

Approve and authorize the Mayor to sign the Novation Agreement with the United States of America for the VA lease. (Public Works Director)

Motion was made by Welch, seconded by Preister, to approve and authorize the Mayor to sign the Novation Agreement with the United States of America for the VA lease.

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

Approve and authorize the Mayor to sign the Deed of Reconveyance and Substitution of Trustee for 609 Vernon Avenue, in an amount not to exceed \$6,893.35. (Finance Director/CDBG Program Specialist)

Motion was made by Preister, seconded by Cook, to approve and authorize the Mayor to sign the Deed of Reconveyance and Substitution of Trustee for 609 Vernon Avenue, in an amount not to exceed \$6,893.35.

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

ADMINISTRATION REPORTS: Comments must be limited to items on the current reports (February report attached to packet)

CLOSED SESSION: Litigation Update

Motion was made by Cook, seconded by Welch, for the City Council to go into Closed Session at this time for protection of the public interest. The subject matter to be discussed in closed session is Litigation Updates. The following individuals to be included during the Closed Session: Mayor Rusty Hike, City Administrator Jim Ristow, Rich Casey, Paul Cook, Jerry McCaw, Don Preister, Thomas Burns, Kathy Welch, Interim City Attorney Annie Matthews, and Community Development Director Mark Elbert.

Roll call vote on motion to go into Closed Session was as follows: Casey, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none. Motion carried.

Mayor Hike stated it was 6:33 p.m. and the Council will now go into Closed Session in the Council Chambers. He also stated matters to be discussed in closed session shall be limited to a personnel issue in order to prevent needless injury to the reputation of individuals involved in the matter.

Motion was made by Welch, seconded by Cook, to come out of Closed Session and to reconvene back into Open Session at 7:41 p.m.

Mayor Hike stated it was now 7:41 p.m. and there was a motion made by Welch, seconded by Cook, to come out of Closed Session and to reconvene back into Open Session.

Roll call vote on motion to come out of Closed Session and to reconvene back into Open Session was as follows: Casey, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none. Motion carried.

ADJOURNMENT

There being no further business to come before the Council at this time, on motion by Welch, seconded by Burns, the meeting was adjourned at 7:42 p.m. Roll call vote on motion to adjourn was as follows: Casey, Cook, McCaw, Preister, Burns, and Welch voted yes; voting no: none; absent: None. Motion carried.

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Bellevue City Council Meeting, March 7, 2023, Page 5

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 March 7, 2023; 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

February 14, 2023. Tree Board meeting minutes

Attendance: Don Preister, presiding as Joanne is out of town, Nancy Scott, Deborah Woracek all attended in person. Joining the meeting on Zoom: Jo Langabee, Scott Evans, and Tom Mruz Jim Shada also attended in person. Guests were: Jim Keepers, Gretna Tree Board (in person), also Alan Weiss, of the Papio Valley Nursery, and Jim Meier, of the Honor and Remember statewide forest for Veterans were on Zoom.

Deborah asked for all volunteer hours and miles travelled be sent to her for our records.

Joanne made a motion to approve the minutes of the January meeting. Nancy Scott seconded the motion. All approved the January minutes. **Deborah will send them to the City of Bellevue to be filed.**

Tree Festival discussion: Don opened the Tree Board meeting with the discussion for our Tree Festival to be held in the fall of 2023. This was to allow our Guests to provide their input before they needed to leave to attend other scheduled meetings. Tentative dates were brought up. September 16th with the 23rd as a rain date. Jim Shada reported that MUD is closing The west sections of Banner Park where we hoped to have the festival tree Those areas would be closed from April until further notice to facilitate the upgrading of the waste water sewer lines. Jim Shada was concerned about not having enough parking as MUD will use the parking lots for their equipment. Further discussion concerned the possibility of have a few of the trees planted in the east triangle section. We would have the main parts of the Tree Festival at another park. Jim Meier reiterated that what trees we plant for Honor and Remember should be named for a Veteran. **Jim Shada and Don will check on the MUD plans.** Jim Keepers, of the Gretna Tree Board also brought up that Sarpy County does not have a county-wide ordinance. This should be a future consideration. It was decided to table further discussion until the next Tree Board meeting.

Parks Report: Don brought copies of our new 2023 brochure from the Parks and Recreation Department. Jo reported that Jim had not sent any new actions by the parks staff. She stated that if the city gets the grant they applied for that it would include 3 tablets and the Tree Plotter software for field work. This would help with updating the tree inventory and would enable us to print out the reports rather than getting a copy of our report from the State Forestry Service. The city would have their own copy of the program and would not have to use the NFS copy.

Old Business:

Year End Report update: Jo said she will complete the minor changes to the Year End Report as soon as she returns to Bellevue. The date has already been changed in the title. Deborah moved and Jo seconded the motion and all approved to send the final report to the City Council.

City Grant: Don believes that the city should know by mid-March about the results of the grant.

Arbor Day plantings: Don has left multiple messages at both St. Bernadette's and Forest Station Elementary schools for possible Arbor Day Tree plantings. He has not heard back from either school. Jo suggested he contact Avery Elementary , as they have cut down some trees. Forest Station is the new school in Bellevue which has some connections with Fontenelle Forest. **Don will contact all 3 schools about hosting our Arbor Day Tree plantings to be held in April 2023.**

Earth Day: Green Bellevue is working on the planning for Bellevue's Earth Day activities. State Senator, Carol Blood, will let Don know if Bellevue will continue having the Farmer's Market which would also be participating in the Earth Day events. The Tree Board will also assist with any events.

Due to technical difficulties, **Scott emailed during the meeting about a Bellevue 411 article that he plans to write. It will be on winter/early spring care for trees and shrubs.**

Deborah moved we adjourn; Nancy seconded; all approved. The meeting was adjourned.

Respectfully submitted,
Deborah L. Woracek, Secretary
Bellevue Tree Board

Next meet March 14, 2023
Tentative Agenda:

Attendance

Minutes

Parks Report: Jim Shada

Old Business:

Year End Report update

City Grant

Arbor Day

Earth Day

Tree Festival Work

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CLAIMS FOR MARCH 21, 2023

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MAYOR

AT&T MOBILITY	2023/01/22-02/21 MONTHLY SERVICE	46.33
CENTURY LINK	2023/02/22-03/21 MONTHLY SERVICE	12.97
NEBRASKA DIPLOMATS	CPS-MEMBERSHIP- HIKE	350.00
		<u>409.30</u>
		\$ 409.30

CITY ADMINISTRATOR

AT&T MOBILITY	2023/01/22-02/21 MONTHLY SERVICE	92.66
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	66.74
CENTURY LINK	2023/02/22-03/21 MONTHLY SERVICE	25.10
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-MAR 2023	4,883.31
NEBRASKA DIPLOMATS	CPS-MEMBERSHIP-ELBERT, RISTOW	700.00
OMAHA PUBLIC POWER DISTRICT	2023/01/11-02/09 MONTHLY SERVICE	256.39
RELIANCE INSURANCE	LIFE INSURANCE-FEB 2023	44.12
RELIANCE INSURANCE	LTD INSURANCE-FEB 2023	84.48
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES - FEB 2023	249.91
		<u>6,402.71</u>
		\$ 6,402.71

CITY COUNCIL

JERRY MCCAWE	REIMB AIR FARE	409.65
		<u>409.65</u>
		\$ 409.65

LEGAL

AT&T MOBILITY	2023/01/22-02/21 MONTHLY SERVICE	92.66
CENTURY LINK	2023/02/22-03/21 MONTHLY SERVICE	25.52
DANIELLE FRY	WITNESS FEE	25.24
DROP BOX	CPS-CASE MANAGEMENT	19.99
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-MAR 2023	1,238.44
NEBRASKA STATE BAR ASSOCIATION	CPS-MEMBERSHIP DUES-MATHEWS	276.50
NEBRASKA.GOV	CPS-CASE MANAGEMENT	45.00
OMAHA PUBLIC POWER DISTRICT	2023/01/11-02/09 MONTHLY SERVICE	45.25
RELIANCE INSURANCE	LIFE INSURANCE-FEB 2023	15.70
RELIANCE INSURANCE	LTD INSURANCE-FEB 2023	23.65
SARPY COUNTY COURT	COURT CLAIMS CR 23 377	17.00
TANEESHA CONNOR	WITNESS FEE	25.24
UNITED STATES POSTAL SERVICE	CPS-MAILING	1.44
		<u>1,851.63</u>
		\$ 1,851.63

CABLE ADVISORY

AMAZON.COM, LLC	CPS-PRINTER SUPPLIES	360.89
AT&T MOBILITY	2023/01/22-02/21 MONTHLY SERVICE	46.33
CENTURY LINK	2023/02/22-03/21 MONTHLY SERVICE	8.65
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-MAR 2023	4,077.78
OMAHA PUBLIC POWER DISTRICT	2023/01/11-02/09 MONTHLY SERVICE	226.23
RELIANCE INSURANCE	LIFE INSURANCE-FEB 2023	25.75
RELIANCE INSURANCE	LTD INSURANCE-FEB 2023	32.98
		<u>4,778.61</u>
		\$ 4,778.61

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CLAIMS FOR MARCH 21, 2023

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CITY CLERK

CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	148.85
CENTURY LINK	2023/02/22-03/21 MONTHLY SERVICE	12.97
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-MAR 2023	2,032.26
GRETNA GUIDE & NEWS	LEGAL AD	985.75
INDOFF, INC	COPY PAPER	51.99
INFOSAFE SHREDDING	ON-SITE SHREDDING SERVICE	30.00
OMAHA PUBLIC POWER DISTRICT	2023/01/11-02/09 MONTHLY SERVICE	392.13
RELIANCE INSURANCE	LIFE INSURANCE-FEB 2023	24.96
RELIANCE INSURANCE	LTD INSURANCE-FEB 2023	31.83
SPARQDATA SOLUTIONS	SUBSCRIPTION 2023/04/01-2024/03/31	4,100.00
		\$ 7,810.74

FINANCE/RISK MANAGEMENT

AMAZON.COM, LLC	CPS-CURRENCY STRAPS, OFFICE SUPPLIES, FIRST AID SUPP	600.40
AT&T MOBILITY	2023/01/22-02/21 MONTHLY SERVICE	92.66
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	236.44
CENTURY LINK	2023/02/22-03/21 MONTHLY SERVICE	62.84
CNA SURETY DIRECT BILL	TREASURER SURETY BOND THRU 2024/04/24-SEVERSON	500.00
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-MAR 2023	5,225.88
HANEY SHOE STORE	SAFETY BOOTS-J SULLIVAN	200.00
INDOFF, INC	COPY PAPER	99.99
INFOSAFE SHREDDING	ON-SITE SHREDDING SERVICE	30.00
OMAHA PUBLIC POWER DISTRICT	2023/01/11-02/09 MONTHLY SERVICE	331.80
RED WING BUSINESS ADVANTAGE ACCOUNT	SAFETY SHOES	200.00
RELIANCE INSURANCE	LIFE INSURANCE-FEB 2023	83.84
RELIANCE INSURANCE	LTD INSURANCE-FEB 2023	129.99
RICH SEVERSON	REIMB CONFERENCE EXPENSES	155.11
STANDARD PRINTING COMPANY	A/P CHECKS	498.03
		\$ 8,446.98

LIBRARY

ABE BOOKS	CPS-BOOKS	8.55
AFFORDABLE LIBRARY	CPS-DVD CASES	490.00
AMAZON.COM, LLC	CPS-BOOKS, COMPUTERS, OFFICE SUPPLIES, PROGRAM SUPPLIES, VIDEOS	6,210.98
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE 2023/01/31-2023/02/27	1,449.12
CENTURY LINK	2023/02/22-03/21 MONTHLY SERVICE	43.23
CHICAGO DISTRIBUTION CENTER	CPS-BOOK SUPPLIES	69.93
COREL/CLERVERBRIGE	CPS-GRAPHICS SUITE 2021	218.00
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-MAR 2023	6,801.81
ENVISIONWARE, INC	SUBSCRIPTION AND MAINTENANCE	3,375.00
HEARTLAND BIKE SHARE	MEMBERSHIP FOR BIKE SHARE PASSES	624.00
INGRAM LIBRARY SERVICES	BOOKS	2,705.74
JOANN STORES	CPS-PROGRAM SUPPLIES	8.00
MATRIX BUSINESS SYSTEMS INC	COPIER EXPENSE 2023/01/31-2023/02/28	11.89
NEBRASKA LIBRARY ASSOCIATION	MEMBERSHIP DUES FOR 2023-15 EMP	725.00
OMAHA PUBLIC POWER DISTRICT	2023/01/11-02/09 MONTHLY SERVICE	1,593.69
QUADIENT LEASING USA, INC	2023/03/08-2023/06/07 POSTAGE METER LEASE	282.33

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LIBRARY (cont'd)

RELIANCE INSURANCE	LIFE INSURANCE-FEB 2023	84.15
RELIANCE INSURANCE	LTD INSURANCE-FEB 2023	105.14
RUBBER STAMPS	CPS-PROGRAM SUPPLIES	46.41
RUFF WATERS	AQUARIUM MANAGEMENT	117.93
SCOTT WELCH	CPS-MONTHLY WEB MAINTENANCE	125.00
VERIZON WIRELESS	2023/01/17-02/16 MONTHLY SERVICE	400.10
WALMART COMMUNITY	CPS-PROGRAM SUPPLIES	75.68
WALMART-CAPITAL ONE	WALMART CC STMT # 1647049550 - FEB 2023	21.50
		\$ 25,593.18

ADMINISTRATIVE SERVICES/PERSONNEL

AT&T MOBILITY	2023/01/22-02/21 MONTHLY SERVICE	138.99
CENTURY LINK	2023/02/22-03/21 MONTHLY SERVICE	60.42
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-MAR 2023	13,319.80
INFOSAFE SHREDDING	ON-SITE SHREDDING SERVICE	30.00
MATRIX BUSINESS SYSTEMS INC	COPIER EXPENSE	120.91
OMAHA PUBLIC POWER DISTRICT	2023/01/11-02/09 MONTHLY SERVICE	460.39
RELIANCE INSURANCE	LIFE INSURANCE-FEB 2023	94.35
RELIANCE INSURANCE	LTD INSURANCE-FEB 2023	119.94
UKG INC	YEAR END PRINTING SERVICE	14.80
UPS	PAYROLL MAILING	1.67
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES - FEB 2023	2,564.95
		\$ 16,926.22

CODE ENFORCEMENT

AMAZON.COM, LLC	OFFICE SUPPLIES	23.80
AT&T MOBILITY	2023/01/22-02/21 MONTHLY SERVICE	431.85
CENTURY LINK	2023/02/22-03/21 MONTHLY SERVICE	25.41
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-MAR 2023	8,961.09
OMAHA PUBLIC POWER DISTRICT	2023/01/11-02/09 MONTHLY SERVICE	107.35
RELIANCE INSURANCE	LIFE INSURANCE-FEB 2023	62.49
RELIANCE INSURANCE	LTD INSURANCE-FEB 2023	74.86
UNIVERSITY OF NEBRASKA-OMAHA	CPS-REGISTRATION FOR TRAINING-BOCKMAN, GREGURICH	190.00
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES - FEB 2023	564.45
		\$ 10,441.30

PUBLIC WORKS

AMAZON.COM, LLC	CPS-OFFICE SUPPLIES	42.98
AT&T MOBILITY	2023/01/22-02/21 MONTHLY SERVICE	345.48
AVI SYSTEMS	BPW-211022 CONTROL SYSTEM-PW	2,593.90
CENTURY LINK	2023/02/22-03/21 MONTHLY SERVICE	51.88
DINA'S TAILOR SHOP	CPS-CAP EMBROIDERING	480.00
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-MAR 2023	7,881.45
HDR ENGINEERING, INC	BPW-190409 LIFT STATION EVAL 2023/01/29-2023/02/25	355.87
LAMP RYNEARSON & ASSOCIATES	ENTERTAINMENT DISTRICT-JAN/FEB 2023	15,000.00
MARIO R RANGEL	REPLACE POST IN FENCE	275.00
MATRIX BUSINESS SYSTEMS INC	COPIER EXPENSE	113.85

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PUBLIC WORKS (cont'd)

NEBRASKA PLANNING & ZONING ASSOCIATION	CPS-NEB PLANN NG CONFERENCE-GOEDEKEN	200.00
OMAHA PUBLIC POWER DISTRICT	2023/01/11-02/09 MONTHLY SERVICE	180.28
ONE CALL CONCEPTS	DIGGERS HOTLINE-FEB 2023	1,194.80
RELIANCE INSURANCE	LIFE INSURANCE-FEB 2023	89.18
RELIANCE INSURANCE	LTD INSURANCE-FEB 2023	130.80
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES - FEB 2023	44.07
WALTER E NELSON COMPANY	UNIFORMS	249.37
		<hr/>
		\$ 29,228.91

PARKS

ALL-BRITE GLASS & SCREEN CO	PLEXIGLASS-P0210	700.00
AMAZON.COM, LLC	CPS-CHAINSAW CHAPS, POST LIGHTS FOR PARKS	4,156.00
A-RELIEF SERVICES	PORTABLE RESTROOM-SWANSON PARK	1,155.00
AT&T MOBILITY	2023/01/22-02/21 MONTHLY SERVICE	86.37
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	5.56
CENTURY LINK	2023/02/22-03/21 MONTHLY SERVICE	38.91
ECHO GROUP, INC	SUPPLIES FOR BLACKHAWK PARK	307.92
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-MAR 2023	8,496.58
HDR ENGINEERING, INC	BPW-211123 AHP WASTEWATER COLL SYS 2023/01/29-2023/02/25	19,053.77
KAY PARK RECREATION	CPS-PLASTIC CANS FOR PARKS	952.00
MENARDS	PARTS FOR NFD SIGN, PAINT, SEALANT, SUPPLIES	350.01
OMAHA PUBLIC POWER DISTRICT	2022/12/30-2023/01/31 MONTHLY SERVICE	2,674.87
PRECISE MRM LLC	FLAT DATA PLAN	325.00
RELIANCE INSURANCE	LIFE INSURANCE-FEB 2023	82.90
RELIANCE INSURANCE	LTD INSURANCE-FEB 2023	99.85
TY'S OUTDOOR POWER & SERVICE	REAR WINDOW, SEAL	674.62
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES - FEB 2023	1,962.98
WESTLAKE ACE HARDWARE	HAMMER, OIL, SUPPLIES, SPRAY PAINT	114.32
		<hr/>
		\$ 41,236.66

RECREATION

AT&T MOBILITY	2023/01/22-02/21 MONTHLY SERVICE	92.66
BIG RED LOCKSMITHS	MASTER KEYS	222.00
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	26.64
CENTURY LINK	2023/02/22-03/21 MONTHLY SERVICE	54.62
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-MAR 2023	2,660.65
JO DONS	REGISTRATIONS SIGNS, STAKES	500.00
NATIONAL RECREATION PARK ASSOCIATION	CPS-MEMBERSHIP DUES-SHADA	180.00
OMAHA PUBLIC POWER DISTRICT	2023/01/20-02/20 MONTHLY SERVICE	182.69
RELIANCE INSURANCE	LIFE INSURANCE-FEB 2023	27.63
RELIANCE INSURANCE	LTD INSURANCE-FEB 2023	37.18
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES - FEB 2023	142.61
		<hr/>
		\$ 4,126.68

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FACILITY MAINTENANCE

AMAZON.COM, LLC	CPS-FLOOR SCRUBBER, FLAGS, WATER FILTER	3,165.65
AT&T MOBILITY	2023/01/22-02/21 MONTHLY SERVICE	138.99
CENTURY LINK	2023/02/22-03/21 MONTHLY SERVICE	4.32
ECHO GROUP, INC	SUPPLIES FOR 1500 WALL ST	180.70
ELKAY SALES, INC	CPS-WATER FILTER-REED CTR	82.35
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-MAR 2023	11,964.31
FERGUSON ENTERPRISES INC #1657	PLUMBING SUPPLIES-LIBRARY	264.84
GROUNDWORKS NEBRASKA, LLC	FOUNDATION STABILIZATION-BALDWIN BLDG	14,161.96
IDEAL PURE WATER COMPANY	BOTTLED WATER	26.00
JACKSON SERVICES, INC	DOOR MAT SERVICE-1500 WALL ST	226.24
MENARDS	TOILET FLUSH VALVE	109.00
MENARDS	ICE MELT, TRAIL LIGHTS, BATTERIES, DRILL, PLUMBING SUPPLIES, ELECTRICAL SUPPLIES, LUMBER	462.06
NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY	CPS-TRAINING-WELCH	40.00
NEBRASKA STATE FIRE MARSHALL	ANNUAL ELEVATOR MAINTENANCE	240.00
OMAHA DOOR & WINDOW COMPANY	REPAIR TO BAY DOOR-NORTH SHOP	1,094.29
OMAHA PUBLIC POWER DISTRICT	2023/01/11-02/09 MONTHLY SERVICE	1,077.37
RELIANCE INSURANCE	LIFE INSURANCE-FEB 2023	84.47
RELIANCE INSURANCE	LTD INSURANCE-FEB 2023	99.47
ROBERT E GUE	REIMB FOR CDL LICENSE	64.00
SHERWIN WILLIAMS CO	PAINT	65.45
STANDARD HEATING & A/C	TROUBLESHOOT HEATING ELEMENT-GOLDENROD	1,114.36
THE HOME DEPOT PRO	JANITORIAL SUPPLIES	872.35
TK ELEVATOR CORPORATION	ELEVATOR MAINTENANCE	512.06
TRACY NIEMIER	BUSINESS PORTRAIT-NIEMIER	90.95
TRAILER PARTS SUPERSTORE	CPS-TILT TRAILER LATCH	312.67
TRICO MECHANICAL SERVICES	A/C MAINT-DIST III, FILTERS-LIBRARY	1,232.84
UNIVERSITY OF NEBRASKA-OMAHA	CPS-REGISTRATION FOR TRAINING-P RUSH, R CHANDLER	190.00
UPS STORE	FREIGHT	21.55
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES - FEB 2023	648.90
VOSS LIGHTING	JANITORIAL SUPPLIES-LIB, FLEET	555.65
WESTLAKE ACE HARDWARE	SPRAY PAINT-BALDWIN	15.98
WESTLAKE ACE HARDWARE	SPACKLE, ROLLER, CLEANING SUPPLIES	38.65
		\$ 39,157.43

CEMETERY

AT&T MOBILITY	2023/01/22-02/21 MONTHLY SERVICE	46.33
CENTURY LINK	2023/02/22-03/21 MONTHLY SERVICE	4.32
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-MAR 2023	2,826.08
OMAHA PUBLIC POWER DISTRICT	2023/01/20-02/20 MONTHLY SERVICE	944.56
RELIANCE INSURANCE	LIFE INSURANCE-FEB 2023	28.26
RELIANCE INSURANCE	LTD INSURANCE-FEB 2023	33.82
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES - FEB 2023	124.18
		\$ 4,007.55

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STREETS

AMAZON.COM, LLC	CPS-CONNECTORS, OFFICE SUPPLIES, TOOLS, PRINTER SUPP	161.88
AT&T MOBILITY	2023/01/22-02/21 MONTHLY SERVICE	231.65
BURRELL ENTERPRISES, LLC	BPW-220104 2022 CONCRETE PROJECTS	55,362.89
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	34.37
CENTURY LINK	2023/02/22-03/21 MONTHLY SERVICE	38.91
DAY ELECTRIC SERVICE, INC	INSTALL WIRING FOR STREET LIGHTS-10TH & CORNHUSKER	637.90
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-MAR 2023	41,613.50
IMSA	CPS-MEMBERSHIP DUES-C WILSON	100.00
INDEPENDENT SALT CO	ICE CONTROL SALT	23,260.22
JACOBS ENGINEERING GROUP, INC	BPW-210106 STORM DRAINAGE 2022/12/17-2023/02/24	2,341.88
LYMAN RICHEY SAND & GRAVEL	SAND/GRAVEL	9,796.40
MENARDS	GEAR DRIVE POP-UP, TOOLS, LUMBER	103.25
METROPOLITAN COMMUNITY COLLEGE	DCDL TUITION-GAMMELL, RUSH C	803.00
MID-AMERICAN SIGNAL	LED STREET SIGNS	8,648.00
NEWMAN SIGNS	DRIVING SIGNS	2,226.83
OMAHA PUBLIC POWER DISTRICT	2023/01/18-02/27 MONTHLY STREET LIGHTING SERVICE	82,429.18
OMAHA PUBLIC POWER DISTRICT	2022/12/30-2023/01/31 MONTHLY SERVICE	14,713.10
OMNI ENGINEERING	ASPHALT	2,567.25
PRECISE MRM LLC	FLAT DATA PLAN	1,350.00
READY MIXED CONCRETE COMPANY	CONCRETE	12,123.17
RELIANCE INSURANCE	LIFE INSURANCE-FEB 2023	315.26
RELIANCE INSURANCE	LTD INSURANCE-FEB 2023	379.59
SAI INTERNATIONAL, INC	CPS-UPGRADE SIGN MAKING SOFTWARE	769.99
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES - FEB 2023	6,278.31
WESTLAKE ACE HARDWARE	ADAPTER, CLAMP, PLUGS FOR SPRINKLERS	9.37
WILBUR ELLIS	WEED KILLER	199.92
		\$ 266,495.82

FLEET MAINTENANCE

A + UNITED RADIATOR REPAIR	CLEAN AND TEST CHARGE AIR COOLER	250.00
ALLIED OIL & SUPPLY COMPANY	GREASE, ANTI FRREZE	1,559.83
AMAZON.COM, LLC	CPS-ANTENNAS, FIRE EXTINGUISHERS, MUFFLER, WRENCH, WIRELESS CAMERA, DRILL BITS, WHEEL CHANGERS	1,858.43
ARROW TOWING	HD WRECKER	300.00
AT&T MOBILITY	2023/01/22-02/21 MONTHLY SERVICE	46.33
AUTO VALUE PARTS - SOUTH OMAHA	FREON, FILTERS, DRIVE BELT, CALIPERS	1,733.14
AUTOMOTIVE WAREHOUSE DIST, INC	PARTS	721.77
BAUER BUILT TIRE & SERVICE	TIRES, ALIGNMENTS	3,587.30
BAUM HYDRAULICS CORP	COUPLINGS	57.16
BAXTER FORD	PLUG, SENSORS, CYLINDER, SHOCK ABSORBERS, SEPARATOR, PARTS	3,258.50
BOBCAT OF OMAHA	NUT	2.93
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	74.73
CENTURY LINK	2023/02/22-03/21 MONTHLY SERVICE	30.26
CORNHUSKER INTERNATIONAL TRUCKS	EXT FENDER, INJECTOR, IGNITION SWITCH, CYLINDER,	2,013.49
CUMMINS SALES AND SERVICE	O-RING, GASKETS, WATER PUMP, THERMOSTAT	658.51
DANIELSON / TECH SUPPLY	LEAD WHEEL WEIGHTS	71.12
DANKO EMERGENCY EQUIPMENT	CHAIN SAW MOUNTING BRACKET	387.41

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FLEET MAINTENANCE (cont'd)

DULTMEIER SALES LLC	VALVE, NIPPLES	46.30
EDWARDS CHRYSLER DODGE JEEP RAM	STRUT TENSIONER, LOWER ARM	621.35
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-MAR 2023	19,490.61
FACTORY MOTOR PARTS CO	SPARK PLUGS, THERMOSTAT	209.25
FARM PLAN	NUTS, TIRE AND WHEEL, SPACERS	374.62
FLEET PRIDE	BRAKE ADJUSTER KIT, PARTS	734.98
FORCE AMERICA DISTRIBUTING, LLC	CABLES, PRESSURE SWITCH	238.02
GALVIN GLASS	WINDSHIELD REPAIR	49.92
HENDERSON PRODUCTS, INC	SPINNER ASSEMBLY	1,479.84
IDEAL PURE WATER COMPANY	BOTTLED WATER	87.25
INTERSTATE BATTERIES	BATTERIES	2,506.69
J & J SMALL ENGINE SERVICE	FAN KIT, FILTERS, ROLLERS, GREASE, CASTER KIT	1,450.15
JIM HAWK TRUCK TRAILERS	ELBOW	39.48
KEYMASTERS OF GREATER OMAHA, INC	KEYS	14.00
KRIHA FLUID POWER CO	FITTINGS	282.06
LIBRA SAFETY PRODUCTS	LENS CLEANING WIPES	36.60
LOGAN CONTRACTORS SUPPLY	HAND WINCH ASSEMBLY	751.84
MACQUEEN EQUIPMENT, LLC	CONVEYOR DRIVEN SPROCKET, DIRT SHOES, FILTERS	(281.33)
MATHESON TRI-GAS INC	WELDING SUPPLIES	181.79
MENARDS	SPRAY PRIMER, COUPLINGS, TOOLS, ORGANIZER, PROPANE CYLINDER, GAS	480.88
MENARDS - RALSTON	HOOK LOOP, PVC PIPE	27.99
MICHAEL TODD & COMPANY	CHAIN ADJUSTERS	65.22
NAPA AUTO PARTS	V-BELT, FILTERS, SENSORS, CABLE CONNECTORS, BRAKE PARTS CLEANER, CLAMPS, VALVE EXTENSION, PARTS METAL PROTECTANT, BOLTS, GLOVES, RIVETS, TERMINALS, DRILL BITS	1,175.22
NEBRASKA IOWA INDUSTRIAL FASTENERS	JAMB NUTS	899.56
NORTH CENTRAL AMBULANCE	2023/01/23-02/21 MONTHLY SERVICE	79.25
OMAHA PUBLIC POWER DISTRICT	BATTERY TENDER	1,248.30
O'REILLY AUTOMOTIVE PARTS	SOLENOID VALVE, PRESSURE SWITCH	49.99
POWERPLAN	TOW CHARGE MED 42 AND MED 15	497.92
QUALITY AUTO REPAIR & TOWING	LIFE INSURANCE-FEB 2023	402.60
RELIANCE INSURANCE	LTD INSURANCE-FEB 2023	168.30
RELIANCE INSURANCE	TOW CHARGE	210.68
ROGER'S TOWING	GASKET, EXHAUST, MUFFLER	100.00
ROSE EQUIPMENT	COUPLERS	1,186.61
SERVICE EXPRESS CO	TERMINALS, CABLE SEALS, CONNECTORS	38.16
TERMINAL SUPPLY CO	GREASE	451.74
TEXTRAIL TRAILER PARTS	SEAL KITS	609.74
TITAN MACHINERY	CUTOFF WHEEL TYPE	129.25
TOOL SHED OF OMAHA	LIGHT MOUNT	186.50
TRUCK CENTER COMPANIES-OMAHA	PLEATED CANVAS, BLOCK BEARINGS, WIRING HARNESS, TAP-ENDS	17.61
TY'S OUTDOOR POWER & SERVICE	FREIGHT FOR SENDING PARTS TO DANKO, FRIDGE FOR REPAIR, SIREN FOR REPAIR	620.75
UPS STORE	FUEL FOR CITY VEHICLES - FEB 2023	403.38
US BANK VOYAGER FLEET SYSTEMS	UNIFORM CLEANING SERVICE, FENDER COVERS	609.49
WALKERS UNIFORM RENTAL	WIRING FOR NEW CRUISERS	227.08
WAYTEK, INC	RUBBER MUDFLAP, AIR BAGS	1,598.64
WELDON PARTS INC	ANIT-SEIZE LUBE, DRY LUBE, KEYS	379.18
WESTLAKE ACE HARDWARE		32.55
		\$ 56,820.92

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SOLID WASTE

PAPILLION SANITATION	GLASS RECYCLING	569.75
		<u>\$ 569.75</u>

PLANNING

AT&T MOBILITY	2023/01/22-02/21 MONTHLY SERVICE	46.33
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	106.88
CENTURY LINK	2023/02/22-03/21 MONTHLY SERVICE	12.97
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-MAR 2023	2,832.71
GRETNA GUIDE & NEWS	LEGAL AD	29.87
METROPOLITAN AREA PLANNING AGENCY	BELLEVUE REDISTRICTING	2,000.00
NEBRASKA PLANNING & ZONING ASSOCIATION	NEB PLANNING CONFERENCE-PALM, HANKINS	400.00
OMAHA PUBLIC POWER DISTRICT	2023/01/11-02/09 MONTHLY SERVICE	163.06
RELIANCE INSURANCE	LIFE INSURANCE-FEB 2023	37.05
RELIANCE INSURANCE	LTD INSURANCE-FEB 2023	48.54
TAMMI PALM	REIMB CONFERENCE EXPENSES	280.05
SCOTT HANKINS	REIMB CONFERENCE EXPENSES	235.80
		<u>\$ 6,193.26</u>

PERMITS & INSPECTIONS

AT&T MOBILITY	2023/01/22-02/21 MONTHLY SERVICE	277.98
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	95.88
CARHARTT, INC	CPS-UNIFORM-C BREEN, SHELDON	578.58
CENTURY LINK	2023/02/22-03/21 MONTHLY SERVICE	21.62
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-MAR 2023	11,880.34
INDOFF, INC	CALCULATOR	77.21
INTERNATIONAL CODE COUNCIL, INC	CPS-MEMBERSHIP DUES-D SHELDON	140.00
INT'L CONFERENCE ICBO COLORADO CHAPTER	CPS-TRAINING-J COOK	412.00
MIDLANDS PRINTING	BUSINESS CARDS-CARLSON	115.40
OMAHA PUBLIC POWER DISTRICT	2023/01/11-02/09 MONTHLY SERVICE	217.87
RELIANCE INSURANCE	LIFE INSURANCE-FEB 2023	91.37
RELIANCE INSURANCE	LTD INSURANCE-FEB 2023	117.73
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES - FEB 2023	729.83
		<u>\$ 14,755.81</u>

POLICE

AIRSHIP INDUSTRIES, INC	POLE CAMERA SOFTWARE MAINTENANCE	5,610.00
AMAZON WEB SERVICES, INC	AMAZON WEB SERVICES-FEB 2023	402.21
AMAZON.COM, LLC	CPS-BATTERIES, OFFICE SUPPLIES, PRINTER SUPPLIES, SCANNER, CASE, ADAPTER	3,004.56
AMERICAN AIR LINES	CPS-AIR FARE-MILLER	456.91
ANDERSON FORD	2022 FORD INTERCEPTOR VIN#1FM5K8ABXNGB80807	39,514.00
ANDERSON FORD	2023 FORD TRANSIT VAN VIN#1FTBR2XG8PKA42590	63,505.00
A-RELIEF SERVICES	PORTABLE RESTROOM-GUN RANGE	128.00
AT&T MOBILITY	2023/01/22-02/21 MONTHLY SERVICE	4,190.18
ATHLETICO EXCEL NEBRASKA, LLC	POST OFFER SCREENING	150.00
AUTO BODY AUTHORITY	BODY DAMAGE REPAIR-UNIT 612	5,001.45
AUTO BODY AUTHORITY	TOW CHARGE-UNIT 638	100.00
AVERY L LOSCHEN	RENT FOR K9 BIUILDING-APR 2023	1,248.00
AXON ENTERPRISE, INC	TASER CARTRIDGES	3,410.00
BLUE 360 MEDIA, LLC	NEB CRIMINAL & TRAFFIC LAW MANUALS	1,730.20
CAKE SPECIALISTS	WELCOME CAKE INVOICES	145.98

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POLICE (cont'd)

CALIBRE PRESS	CPS-TRAINING-OGEA	359.00
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE-CMD	248.64
CENTURY LINK	2023/02/22-03/21 MONTHLY SERVICE	370.40
CHAD HELLER	REIMB PER DIEM FOR TRAINING	147.50
CNA SURETY DIRECT BILL	SURETY BOND-HOFFMAN	40.00
COVERT MEDIA CONSULTING	CPS-TRAINING-SOLORIO	325.00
CULLIGAN OF OMAHA	BOTTLED WATER 2023/03/01-03/31	412.15
DOUGLAS COUNTY SHERIFF OFFICE	FORENSIC FEES	50.00
DUSTIN S FRANKS	REIMB PER DIEM FOR TRAINING	147.50
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-MAR 2023	146,006.82
ENTERPRISE FM TRUST	DEA VEHICLE LEASE - FEB 2023	557.32
EXPEDIA	CPS-CAR RENTAL FOR TRAINING-DUCKER	170.93
EXPEDIA	CPS-CAR RENTAL FOR TRAINING-MELROSE	426.92
FASTSIGNS	CPS-VINYL GRAPHICS	345.00
FBI NATIONAL ACADEMY ASSOCIATES, INC	CPS-MEMBERSHIP DUES-CLARY	130.00
FIRST RESPONDERS FOUNDATION	IN-HOUSE MENTAL HEALTH CLINICIAN-FEB 2023	1,250.00
FORT CROOK ARMORY & SUPPLIES	ARMORY SUPPLIES	137.54
GALLO PROFESSIONAL POLYGRAPH SERVICES	POLYGRAPH SERVICE	400.00
GALL'S, LLC	UNIFORM ITEM-MARRS	208.60
GRAPHIC DESIGNS INTERNATIONAL, LLC	GRAPHICS FOR CRUISERS	97.05
GREAT PLAINS UNIFORMS	BALLISTIC VEST, SAFETY BOOTS	1,220.00
GROUP TWEET	CPS-SOCIAL MEDIA RENEWAL	290.00
HAMPTON INN-SCOTTSDALE, AZ	CPS-LODGING FOR TRAINING-MILOS	689.00
INFOSAFE SHREDDING	ON-SITE SHREDDING SERVICE	90.00
INT'L ASSOCIATION OF CHIEFS OF POLICE	MEMBERSHIP DUES-CLARY	190.00
INT'L ASSOCIATION OF UNDERCOVER OFFICERS	CPS-TRAINING-GREINER	495.00
INT'L ASSOCIATION OF WOMEN POLICE EXE	CPS-TRAINING-BETSWORTH	200.00
INT'L HOMICIDE INVESTIGATORS ASSOC	CPS-TRAINING-MELROSE	425.00
J P COOKE COMPANY	POCKET STAMP-MARKVE	60.90
JACKSON SERVICES, INC	DOOR MAT SERVICE	240.37
JOHN KOLBE	REIMB TRAINING EXPENSES	526.50
KSB SCHOOL LAW, PC LLO	SRO TRAINING	1,125.00
LEGAL & LIABILITY RISK MGT INSTITUTE	CPS-TRAINING-MILLER	650.00
LP POLICE	POLICE LOCATE PLAN-FEB 2023	259.90
MAGNET FORENSICS	CPS-TRAINING-PAGE	3,249.00
MARCO'S PIZZA	CPS-FOOD FOR TRAINING-MILLER	48.53
MATRIX BUSINESS SYSTEMS INC	COPIER EXPENSE	281.25
MICROSOFT STORE	CPS-SOFTWARE RENEWAL	106.99
MIDWEST LININGS	FLOOR LINING & WINDOW TINTING-CARGO VAN	1,350.00
MYZONE, INC	CPS-WELLNESS PROGRAM	75.00
NAT'L ASSOC OF WOMEN LAW ENFORCEMENT	CPS-MEMBERSHIP DUES, TRAINING-CLARY	675.00
OMAHA PUBLIC POWER DISTRICT	2023/01/11-02/09 MONTHLY SERVICE	3,956.49
PRECISION MULTIPLE CONTROLS, INC	POWER ADAPTER	118.48
RELIANCE INSURANCE	LIFE INSURANCE-FEB 2023	991.77
RELIANCE INSURANCE	LTD INSURANCE-FEB 2023	2,022.30
SILKLETTER	CPS-RECRUITS	371.00
SOUTHWEST AIRLINES	CPS-AIR FARE-MELROSE, DUCKER, KOLBE	477.17
STANARD & ASSOCIATES, INC	ENTRY LEVEL OFFICER SELECTION	508.50

MINUTE RECORD

CLAIMS FOR MARCH 21, 2023

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POLICE (cont'd)

TAP-RACK	CPS-TRAINING-SFENCER	700.00
THE CTK GROUP	CPS-TRAINING-MELROSE	500.00
TRAVELERS	AUTO LIABILITY CLAIMS-PHILLIPS	5,369.14
TWIN CREEK ANIMAL HOSPITAL	VET VISIT-ROZCO	139.39
U.S. CELLULAR	2023/02/09-03/08 MONTHLY SERVICE	88.56
U.S. SENATE	CPS-FLAG REQUEST	67.60
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES - FEB 2023	15,512.34
VISTA PRINT	BUSINESS CARDS	284.28
ZOOM VIDEO COMMUNICATIONS INC	ZOOM MEETINGS-CLARY	160.39
		\$ 323,941.71

FIRE & RESCUE

AMAZON.COM, LLC	CPS-DRY ERASE BOARD, OFFICE SUPPLIES, PRINTER SUPPLI	879.40
AT&T MOBILITY	2023/01/22-02/21 MONTHLY SERVICE	1,919.01
CENTURY LINK	2023/02/22-03/21 MONTHLY SERVICE	110.19
CHICK-FIL-A	CPS-TMA MEETING	286.59
CRAMER, LLC	CPS-LADDER REPAIR	81.68
DJ'S DUGOUT	CPS-FOOD FOR INTERVIEWS	41.59
EC DATA SYSTEMS, INC	CPS-SHARE OF FAX SERVER	7.95
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-MAR 2023	98,599.36
OMAHA PUBLIC POWER DISTRICT	2022/12/30-2023/01/31 MONTHLY SERVICE	6,023.44
RELIANCE INSURANCE	LIFE INSURANCE-FEB 2023	737.12
RELIANCE INSURANCE	LTD INSURANCE-FEB 2023	1,247.22
TAYLORS TINS	CPS-GAS MONITORS	95.00
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES - FEB 2023	9,093.32
		\$ 119,121.87

NON-DEPARTMENTAL/CONTRACTS

AATRIX EFILE CENTER	CPS-PROCESSING 1099MISC FOR VENDORS	82.74
GOTOMEETING	CPS-MONTHLY CONFERENCE CALLS-2023/01/23-2023/02/	17.12
SAM'S CLUB DIRECT	SUPPLIES	212.21
SCOTT WELCH	CPS-MONTHLY WEB MAINTENANCE	125.00
CENTURY LINK	2023/01/04-02/03 MONTHLY SERVICE	706.87
FIRST NATIONAL INSURANCE COMPANY	GENERAL LIABILITY PREMIUMS	119,415.00
FORVIS, LLP	2022 AUDIT PROGRESS BILLING #3	18,000.00
LOCKTON COMPANIES, LLC	WELLNESS NURSE ADVOCATE-MAR 2023	1,875.00
MASIMORE MAGNUSON & ASSOCIATES PC	SID 242 1099MISC PREPARATION	945.00
SARPY COUNTY COURT HOUSE	ANIMAL CONTROL-APR 2023	17,231.00
		\$ 158,609.94

INFORMATION TECHNOLOGY

AMAZON.COM, LLC	CPS-ADAPTER COUPLER, EARPIECES, GPS RECEIVER, WIRELESS KEYBOARD, MOUSE	501.03
HOSTGATOR.COM	CPS-MONTHLY DOMAIN MAINTENANCE	69.95
		\$ 570.98

2206 LONGO DR-NEW LIBRARY

FERGUSON ENTERPRISES INC #1657	ELECTRIC MOTOR	596.55
MMC MECHANICAL CONTRACTORS, INC	MEETING WITH ENGINEERS-LONGO DR	365.50
SHINE OF OMAHA	WINDOW CLEANING	963.00
		\$ 1,925.05

MINUTE RECORD

CLAIMS FOR MARCH 21, 2023

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WASTEWATER

AMAZON.COM, LLC	CPS-BATTERIES, CHAIR MAT, OFFICE SUPPLIES, FOOT REST	530.14
AT&T MOBILITY	2023/01/22-03/21 MONTHLY SERVICE	1,293.95
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	75.37
CENTURY LINK	2023/02/13-03/12 MONTHLY SERVICE	647.49
DAY ELECTRIC SERVICE, INC	INSTALL TRANSFER SWITCH-NORMANDY HILLS	2,016.45
ECHO GROUP, INC	SUPPLIES	286.24
ELLIOTT EQUIPMENT CO	CAB SWITCH CLUSTER KIT	979.32
EMPLOYEE BENEFITS SYSTEMS	HEALTH INSURANCE-MAR 2023	15,569.81
HDR ENGINEERING, INC	BPW-201109 LIFT STATION, 2023/01/29-2023/02/25	2,043.28
HDR ENGINEERING, INC	BPW-181013 QUAIL CREEK 2023/01/29-2023/02/25	4,535.94
JUDDS BROS CONSTRUCTION CO	BPW-201109 SO LIFT STATION TO 2023/01/27	73,711.80
MENARDS	HD BATTERY, PLUMBING SUPPLIES, GLOVES, BATTERIES	177.05
METRO LEASING	8735-METRO LEASE - 2023/02/27 JET TRUCK	22,836.87
NAPA AUTO PARTS	SILICONE SPRAY	8.82
NEBRASKA FURNITURE MART	OFFICE CHAIRS	695.00
OMAHA PUBLIC POWER DISTRICT	2023/01/11-02/09 MONTHLY SERVICE	3,973.51
RED WING BUSINESS ADVANTAGE ACCOUNT	SAFETY SHOES	200.00
RELIANCE INSURANCE	LIFE INSURANCE-FEB 2023	128.58
RELIANCE INSURANCE	LTD INSURANCE-FEB 2023	159.23
RJN GROUP INC	BPW-221016 GIS GAP ANALYSIS THRU 2023/02/24	1,515.00
SARPY COUNTY & CITIES WASTEWATER AGENCY	FORCE MAIN CONSTRUCTION	1,282,896.21
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES - FEB 2023	2,052.21
		\$ 1,416,332.27

ECONOMIC DEVELOPMENT- LB840

GREATER BELLEVUE AREA CHAMBER OF COMMERCE	ECONOMIC DEV CONTRACT-1ST QTR	3,000.00
		\$ 3,000.00

COMMUNITY BETTERMENT

OMAHA PUBLIC POWER DISTRICT	2023/02/23 MONTHLY SERVICE	100.19
		\$ 100.19

COMMUNITY DEVELOPMENT

ABBY HIGHLAND	CDBG CONSULTANT EXPENSE-FEB 1-28, 2023	4,061.25
EASTERN NEBRASKA COMMUNITY	CDBG FOOD DELIVERY 2023/01/01-2023/02/14	3,636.99
		\$ 7,698.24

G.O. BONDS

UMB BANK - TRUST OPERATIONS	BOND PAYMENT SERIES 2018	30,278.75
UMB BANK - TRUST OPERATIONS	SID 180-17 PAYING AGENT FEES 2022/06/01 THRU 2023/05/31	112.50
		\$ 30,391.25

TOTAL CLAIMS FOR MARCH 21, 2023 \$ 2,607,354.61

TOTAL PAYROLL FOR MARCH 3, 2023 \$ 1,496,466.22

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 03/21/2023		SUBMITTED BY: Susan Kluthe, City Clerk	
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input checked="" type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input checked="" type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

Application for Bryan With A Y Industries LLC dba "The Liquor Cabinet" for a Class D Liquor License to sell beer, wine, and distilled spirits, Off Sale Only, at 1007 Galvin Road S., Bellevue, NE 68005 and Bryan D. Zabawa as Manager.

SYNOPSIS/BACKGROUND:

Bryan With A Y Industries LLC dba "The Liquor Cabinet" for a Class "D" Liquor License to sell, beer, wine, and distilled spirits, Off Sale Only, at 1007 Galvin Rd. S., Bellevue, NE 68005 and Bryan D. Zabawa as Manager. Applications are turned directly into the NE Liquor Control Commission by the applicant then forwarded on to the City Clerk's Office by the NE Liquor Control Commission. The Clerk publishes a hearing notice and the application is reviewed by the Police, Planning and Clerk and then submitted to the City Council for review and recommendation, and then forwarded to the NE Liquor Control Commission for final approval (if there are no issues).

FISCAL IMPACT: \$615.00/year BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

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

CONTRACT DESCRIPTION: _____

CONTRACT EFFECTIVE DATE: _____ CONTRACT TERM: _____ CONTRACT END DATE: _____

PROJECT NAME: _____

START DATE: _____ END DATE: _____ PAYMENT DATE: _____ INSURANCE REQUIRED: NO

CIP PROJECT NAME: _____ CIP PROJECT NUMBER: _____

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

ACCOUNTING DISTRIBUTION CODE: _____ ACCOUNT NUMBER: _____

RECOMMENDATION:

Recommend to the Nebraska Liquor Control Commission (NLCC) the approval of the application for Bryan With A Y Industries LLC dba "The Liquor Cabinet" for a Class "D" Liquor License to sell, beer, wine, and distilled spirits, Off Sale Only, at 1007 Galvin Road South, Bellevue, NE 68005 and Bryan D. Zabawa as Manager.

ATTACHMENTS:

1. Application
2. Police Report
3. _____
4. _____
5. _____
6. _____

SIGNATURES:

LEGAL APPROVAL AS TO FORM: _____

FINANCE APPROVAL AS TO FORM: _____

ADMINISTRATOR APPROVAL AS TO FORM: _____

APPLICATION FOR LIQUOR LICENSE
AND CORPORATE MANAGER

POLICE REPORT

Date of City Council Meeting: March 21, 2023 Due to City Clerk: March 7, 2023

Applicant: Bryan With A Y Industries LLC dba "The Liquor Cabinet"

Location/Address: 1007 Galvin Road, Bellevue 68005

Requested Action:

Recommendation to approve application for Class "D" Liquor License to sell beer, wine, and distilled spirits, Off Sale Only, at 1007 Galvin Road, Bellevue 68005, AND for Bryan D. Zabawa as Manager.

Individuals to be Checked:

<u>Name & Address</u>	<u>DOB</u>
1. <u>Bryan D. Zabawa, 11178 Bridgeview Drive, Blair, 68008-6593</u>	_____
2. <u>Jennifer R. Zabawa, 11178 Bridgeview Drive, Blair, 68008-6593</u>	_____

Comments:

No issues

Signature of Reviewer: Cpt. K. Strocher

Date: 3-6-23

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

DATE OF CITY COUNCIL PUBLIC HEARING: March 21, 2023

DATE REPORT DUE TO CITY CLERK: March 7, 2023

APPLICANT: Bryan With A Y Industries LLCc dba "The Liquor Cabinet"

ADDRESS: 1007 Galvin Road S., Bellevue

REQUESTED ACTION: Recommendation to approve application for Class "D" Liquor License to sell beer, wine, and distilled spirits, Off Sale Only, at 1007 Galvin Rd. S, Bellevue, AND for Bryan D. Zabawa as Manager.

BACKGROUND: Application for Class "D" Liquor License

IS THIS LOCATION WITHIN THE CITY LIMITS OF BELLEVUE? Yes

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

EXISTING ZONING: BG (General Business District)/PCO (Planned Center Overlay)

WILL ZONING ALLOW A LIQUOR LICENSE? Yes

EXISTING LAND USE: Wine, Beer and Spirits Store

IS THE CURRENT USE NON-CONFORMING? NO EXPLANATION: _____

ADJACENT LAND USE AND ZONING:

NORTH: Commercial – BNH (vacant) and BG/PCO (across Harvell Drive)

SOUTH: Retail - BNH

EAST: Multi-family Residential (Apartments) RG-20/PS, RG-20

WEST: College /University - BG

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

DISTANCE FROM COLLEGE (if applicable): _____ 0.4 miles _____

DISTANCE FROM CHURCH (if applicable): _____ N/A _____

IMMEDIATE NEIGHBORHOOD/AREA LAND USES: The neighborhood is a mixture of commercial along Galvin Rd to the north, retail to the south, residential to the east and Bellevue University to the west across Galvin Road South.

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

ANALYSIS OF NEIGHBORHOOD EFFECTS: _____

TRAFFIC: There is no traffic impact expected.

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

PEDESTRIAN: There is no pedestrian impact expected.

NOISE: There is no noise impact expected.

LIGHTING: There is no lighting impact expected.

GENERAL COMMENTS: This is a commercial area that would accomodate on sale liquor sales.

LIQUOR LICENSE APPLICATION REPORT

City Clerk

APPLICANT: Bryan With A Y Industries LLC dba "The Liquor Cabinet"

LOCATION/ADDRESS: 1007 Galvin Road S., Bellevue

REQUESTED ACTION: Recommendation to approve new application for Class "D" Liquor License to sell beer, wine, and distilled spirits, Off Sale Only, at 1007 Galvin Road S., Bellevue, AND for Bryan D. Zabawa as Manager.

DATE APPLICATION RECEIVED: 02/10/23

FINAL DATE HEARING CAN BE HELD (45 days from receipt): 03/27/23

DATE ADVERTISED (not less than 7 nor more than 14 days): 03/08/23

CURRENT NUMBER OF LICENSES:

Class A (Beer on sale only): 2

Class B (Beer off sale only): 0

Class C (Alcoholic liquor, on and off sale): 23

Class D (Alcoholic liquor, off sale only): 26

Class I (Alcoholic liquor on sale only): 26

Class K (Catering License with Class B, C or D license): 7

Class X (Wholesale Liquor) 1

TOTAL 85

APPLICATION FOR LIQUOR LICENSE CHECKLIST RETAIL

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

License
Class: D

License Number:
125537



Office Use Only

NEW / REPLACING 122187 TOP Yes No
Hot List Yes No Initial: KF

PLEASE READ CAREFULLY

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

APPLICANT NAME Bryan Daniel Zabawa Bryan With a Y, Industries, LLC
TRADE (DBA) NAME The Liquor Cabinet
PREVIOUS TRADE (DBA) NAME Liquor Cabinet
CONTACT NAME AND PHONE NUMBER Bryan Daniel Zabawa (402) 669 - 0784
CONTACT EMAIL ADDRESS bdzabawa@gmail.com

Ø 3-31-2026 102 - Sig
Ø BPA

Atty

Office use only	
PAYMENT TYPE <u>2/18/23</u> <u>Payport</u>	
AMOUNT <u>\$400.00</u> RCPT	
RECEIVED: <u>2/18/23</u>	
DATE DEPOSITED	

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

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

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

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

CHECK TYPE OF LICENSE FOR WHICH YOU ARE APPLYING

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

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

Name Rochelle A. Mullen Phone Number (402) 397-1700
Firm Name Cline Williams Wright Johnson & Oldfather, L.L.P.
Email address rmullen@clinewilliams.com

Should we contact you with any questions on the application? YES NO

PREMISES INFORMATION

Trade Name (doing business as) Liquor Cabinet

Street Address 1007 Galvin Rd S.

City Bellevue County Sarpy 59 Zip Code 68005 +3056

Premises Telephone number (402) 292 - 6662

Business e-mail address N/A

Is this location inside the city/village corporate limits YES X NO _____

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

Check if same as premises

Name Bryan Zabawa

Street Address 11178 Bridgeview Dr

City Blair State NE Zip Code 68008 +6593

DESCRIPTION AND DIAGRAM OF THE AREA TO BE LICENSED

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

Building length 82.3 x width 23.8 in feet

Is there a basement? Yes _____ No X If yes, length _____ x width _____ in feet

Is there an outdoor area? Yes _____ No X If yes, length _____ x width _____ in feet+

*If including an outdoor area permanent fencing is required. Please contact the local governing body for other requirements regarding fencing

Number of floors of the building 1

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

APPLICANT INFORMATION

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

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

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

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

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (city & state)	Description of Charge	Disposition

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

YES NO

If yes, provide business name and license number Liquor Cabinet # 122187

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

YES NO

If yes, give name of business and liquor license number Liquor Cabinet # 122187

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

YES NO

If yes

a) Attach temporary operating permit (TOP) (Form 125)

b) Submit a copy of the business purchase agreement
 b) Include a list of alcohol being purchased, list the name brand, container size and how many

c) Submit a list of the furniture, fixtures and equipment

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

YES NO

If yes, list the lender(s) _____

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

YES NO

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

Also disclosed on LLC Form 102. Bryan & Jennifer Zabawa, Dan & Joyce Zabawa, Joel Hermsen, Jeff Nilges, Troy Hamilton

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

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

YES NO

If yes, list such item(s) and the owner. Lottery Terminal, 3 Soda Coolers and an Ice Cooler

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

YES NO

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

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

YES NO

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business.

a) List the individual(s) who are authorized to write checks and/or withdrawals on accounts at this institution.

First National Bank of Omaha / Bryan Zabawa, Joel Hermsen.

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

N/A

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

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

NLCC certified training program completed

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Bryan Zabawa	07/2016	Certified Beer Server (CBS)

Experience

Applicant Name/Job Title	Date of Employment	Name & Location of Business
Bryan Zabawa/ General Manager	2015 - 2019	Library Pub 5142 N. 90th St Omaha, NE 68134
Bryan Zabawa/ Bartender	2004 - 2005	Dave's Pub 8805 Maple St. 68134. Now operates as Brokedown Palace.

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

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

Lease expiration date 3-31-2026

Deed

Purchase Agreement

14. When do you intend to open for business? February 2023

15. What will be the main nature of business? Retail Liquor Sales

16. What are the anticipated hours of operation? Monday - Saturday 0900 - 2200 Sunday 1000 - 1800

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

RESIDENCES FOR THE PAST 10 YEARS					
APPLICANT CITY & STATE	YEAR		SPOUSE CITY & STATE	YEAR	
	FROM	TO		FROM	TO
Blair, NE	2012	Current	Blair, NE	2012	Current

If necessary, attach a separate sheet


**PERSONAL OATH AND CONSENT OF INVESTIGATION
SIGNATURE PAGE – PLEASE READ CAREFULLY**

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

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

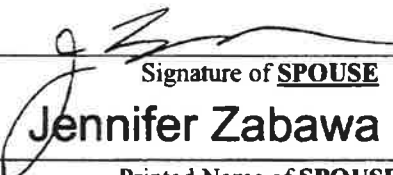
Applicant Notification and Record Challenge: Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or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

**Must be signed by all applicant(s) and spouse(s) owning more than 25%
(YOU MAY NEED TO PRINT MULTIPLE SIGNATURE PAGES)**




Signature of APPLICANT
Bryan Zabawa

Printed Name of APPLICANT



Signature of SPOUSE
Jennifer Zabawa

Printed Name of SPOUSE



Signature of APPLICANT
Bryan Zabawa

Printed Name of APPLICANT



Signature of SPOUSE
Jennifer Zabawa

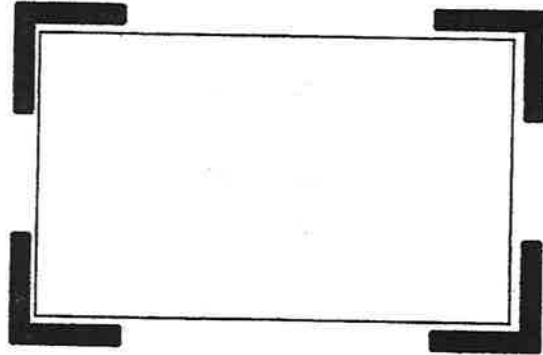
Printed Name of SPOUSE

LIMITED LIABILITY COMPANY (LLC)

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

License
Class: _____

License Number: _____



INSTRUCTIONS

1. All members and spouses must be listed
2. Managing/Contact member and all members holding over 25 % shares of stock and their spouse (if applicable) must sign the signature page of the application
3. Managing/Contact member and all members holding over 25% interest and their spouses must submit fingerprints. See Form 147 for further information
4. Attach copy of Articles of Organization

Name of Limited Liability Company that will hold license as listed on the Articles of Organization
Bryan With a Y, Industries L.L.C.

Name of Registered Agent: **Rochelle A. Mullen**

LLC Address: **1007 Galvin Rd S.**

City: **Bellevue**

State: **NE**

Zip Code: **68005**

LLC Phone Number: **(531) 222 - 9362**

LLC Fax Number: **N/A**

Name of Managing/Contact Member

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

Last Name: **Zabawa**

First Name: **Bryan**

MI: **D**

Home Address: **11178 Bridgeview Dr**

City: **Blair**

State: **NE**

Zip Code: **68008**

Home Phone Number: **(402) 669 - 0784**



Signature of Managing/Contact Member

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

Last Name: Zabawa First Name: Bryan MI: D

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

Spouse Full Name (indicate N/A if single): Jennifer Renee Zabawa

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

Percentage of member ownership 47%

**spouse*

Last Name: Hermesen First Name: Joel MI: N

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

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

Spouse Social Security Number: _____ Date of Birth: _____

Percentage of member ownership 23%

Last Name: Nilges First Name: Jeffrey MI: A

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

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

Spouse Social Security Number: _____ Date of Birth: _____

Percentage of member ownership 12%

Last Name: Hamilton First Name: Troy MI: D

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

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

Spouse Social Security Number: _____ Date of Birth: _____

Percentage of member ownership 3%

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

Last Name: Zabawa First Name: Daniel MI: L

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

Spouse Full Name (indicate N/A if single): Joyce Marilyn Zabawa

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

Percentage of member ownership 15%

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

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

Spouse Social Security Number: _____ Date of Birth: _____

Percentage of member ownership _____

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

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

Spouse Social Security Number: _____ Date of Birth: _____

Percentage of member ownership _____

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

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

Spouse Social Security Number: _____ Date of Birth: _____

Percentage of member ownership _____

Is the applying Limited Liability Company owned 100% by another corporation/LLC?

YES NO

If yes, Form 185 is required

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

Starting Date: February 15th Ending Date: December 31st

Is this a Non Profit Corporation?

YES NO

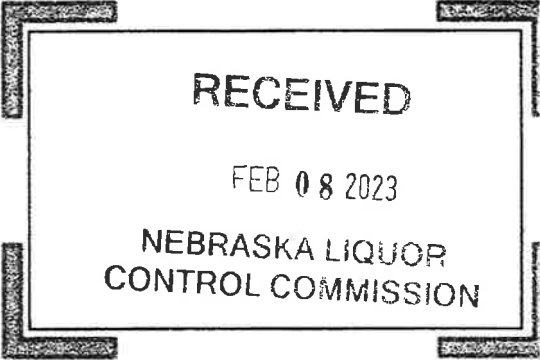
If yes, provide the Federal ID #. _____

MANAGER APPLICATION FORM 103

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

License
Class: _____

License Number: _____



MANAGER MUST:

- Be at least 21-years of age
- Complete all sections of the application.
- Form must be signed by a **member or corporate officer**
- Include Form 147 –Fingerprints are required
- Provide a copy of one of the following: US birth certificate, US Passport or naturalization papers
- Be a resident of the state of Nebraska and be a registered voter in the State of Nebraska,
- Spouse who **will** participate in the business, the **spouse must meet the same requirements as the manager applicant:**

Spouse who **will not** participate in the business

- Complete the Spousal Affidavit of Non Participation (Form 116). **Be sure to complete both halves of this form.**

CORPORATION/LLC INFORMATION

Name of Corporation/LLC: Dorian Withers Y, Industries LLC

PREMISES INFORMATION

Premises Trade Name/DBA: The Liquor Cabinet

Premises Street Address: 1007 Galvin Rd S

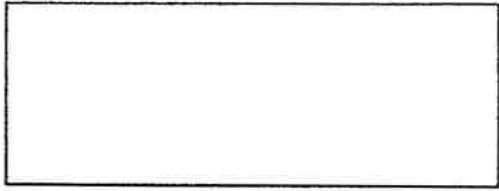
City: Bellevue County: Sarpy Zip Code: 68005

Premises Phone Number: (402) 292-6662

Premises Email address: N/A

SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER

The individual whose name is listed as a corporate officer or managing member as reported or listed with the Commission.



MANAGER INFORMATION

Last Name: Zabawa First Name: Bryan MI: D

Home Address: 11178 Bridgerview Dr.

City: Blair County: Washington Zip Code: 68008 +6593

Home Phone Number: (402) 669-0784

Driver's License Number: [REDACTED]

Social Security Number: [REDACTED]

Date of Birth: [REDACTED] Place of Birth: Bethesda, MD

Email address: bdzabawa@gmail.com

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

YES NO

**Spouse*

Spouse's information

Spouses Last Name: Zabawa First Name: Jennifer MI: R

Social Security Number: [REDACTED]

Driver's License Number: [REDACTED]

Date of Birth: [REDACTED] Place of Birth: Scottsbluff, NE

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

CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
Blair, NE	2012	Current	Blair, NE	2012	Current

MANAGER'S LAST TWO EMPLOYERS

YEAR FROM TO		NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
2021	2022	Able Transport	Gene Tietz	
2019	2021	Worldview	Tyler	

1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

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

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

YES NO

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

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (City & State)	Description of Charge	Disposition

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

YES NO

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

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

YES NO

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

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Bryan Zabawa	07/2016	Certified Beer Server

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

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:
Bryan Zabawa/Bar tender	2004-2006	Rave's Pub 8805 Maple St.
Bryan Zabawa/General Mgr.	2016-2019	Liberaty Pub 5142 N 90th St

5. Have you enclosed Form 147 regarding fingerprints?

YES NO

**PERSONAL OATH AND CONSENT OF INVESTIGATION
SIGNATURE PAGE – PLEASE READ CAREFULLY**

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

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

Must be signed by applicant and spouse.



Signature of **APPLICANT**

Bryan Zabawa

Printed Name of **APPLICANT**



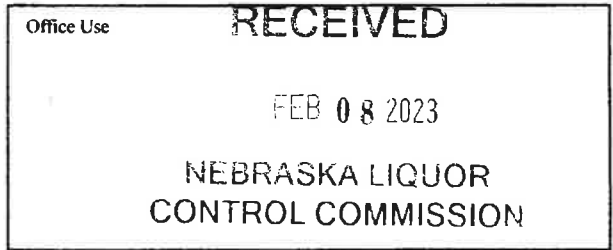
Signature of **SPOUSE**

Jennifer Zabawa

Printed Name of **SPOUSE**

**SPOUSAL AFFIDAVIT OF
NON PARTICIPATION INSERT**

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



I acknowledge that I am the spouse of a liquor license holder. My signature below confirms that I will not have any interest, directly or indirectly in the operation of the business (§53-125(13)) of the Liquor Control Act. I will not tend bar, make sales, serve patrons, stock shelves, write checks, sign invoices, represent myself as the owner or **in any way participate in the day to day operations of this business in any capacity.** The penalty guideline for violation of this affidavit is cancellation of the liquor license.

I acknowledge that I am the applicant of the non-participating spouse of the individual signing below. I understand that my spouse and I are responsible for compliance with the conditions set out above. If, it is determined that my spouse has violated (§53-125(13)) the commission may cancel or revoke the liquor license.



Signature of **NON-PARTICIPATING SPOUSE**
Jennifer Zabawa

Print Name



Signature of **APPLICANT**
Bryan Zabawa

Print Name

State of Nebraska, County of Washington

State of Nebraska, County of Washington

The foregoing instrument was acknowledged before me
this 01/24/2023 (date)


The foregoing instrument was acknowledged before me
this 01/24/2023 (date)

by Jennifer Zabawa

Name of person acknowledged
(Individual signing document)

by Bryan Zabawa

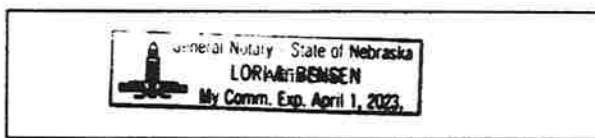
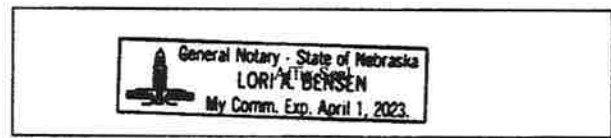
Name of person acknowledged
(Individual signing document)



Notary Public Signature



Notary Public Signature



In compliance with the ADA, this spousal affidavit of non participation is available in other formats for persons with disabilities.
A ten day advance period is requested in writing to produce the alternate format.

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 03/21/2023		SUBMITTED BY: Susan Kluthe, City Clerk	
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input checked="" type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input checked="" type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

Application for Outdoor Extension to current Liquor License for Moran's Grill LLC dba "Moran's Grill" at 3909 Twin Creek Drive #105, Bellevue.

SYNOPSIS/BACKGROUND:

Application for Outdoor Extension to current Liquor License for Moran's Grill LLC dba "Moran's Grill" at 3909 Twin Creek Drive #105, Bellevue. Applications are turned directly into the NE Liquor Control Commission by the applicant then forwarded on to the City Clerk's Office by the NE Liquor Control Commission. The Clerk sends application to be reviewed by the Police and then submitted to the City Council for review and recommendation, and then forwarded to the NE Liquor Control Commission for final approval (if there are no issues).

FISCAL IMPACT: 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:

Recommend approval to the Nebraska Liquor Control Commission the application for an Outdoor Patio Extension to current Liquor License for Moran's Grill LLC dba "Moran's Grill" at 3909 Twin Creek Drive #105, Bellevue.

ATTACHMENTS:

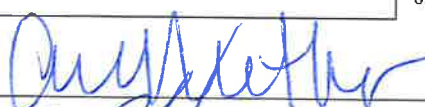
- | | | |
|---|---|-------------------------|
| 1. <input type="text" value="Application"/> | 2. <input type="text" value="Police Report"/> | 3. <input type="text"/> |
| 4. <input type="text"/> | 5. <input type="text"/> | 6. <input type="text"/> |


SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:





APPLICATION FOR LIQUOR LICENSE
AND CORPORATE MANAGER

POLICE REPORT

Date of City Council Meeting: March 21, 2023 Due to City Clerk: March 7, 2023

Applicant: Moran's Grill LLC dba "Moran's Grill"

Location/Address: 3909 Twin Creek Drive #105, Bellevue

Requested Action:

Recommend approval to the Nebraska Liquor Control Commission the application for an Outdoor Patio Extension to current Liquor License for Moran's Grill LLC dba "Moran's Grill" 3909 Twin Creek Drive #105, Bellevue

There is no need for background check on individual but just note if you have any concerns with this expansion. Thanks!

Individuals to be Checked:

	<u>Name & Address</u>	<u>DOB</u>
1.	_____	_____
2.	_____	_____

Comments:

No comments or concerns from Police.

Signature of Reviewer: Cpt. K. Strubler #171

Date: 3-6-23

ADDITION TO LICENSED AREA

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

License
Class: CK

License Number:
124914



Application Requirements:

- Fee of \$45.00 – You may pay online at www.ne.gov/go/NLCCpayport or include a check made payable to the Nebraska Liquor Control Commission
- Must include a copy of the lease, deed or purchase agreement showing ownership in the name of the applicant of area to be added.
- Must include simple hand drawn sketch showing existing licensed area and area to be ADDED, must include outside dimensions in feet (not square feet), show direction North.
DO NOT SEND BLUE PRINTS, ARCHITECT OR CONSTRUCTION DRAWINGS
- Check with your local governing body for any additional requirements that may be necessary in making this request for addition
 - Rules & Regulations Chapter 2-012.0712.07 Outdoor area shall mean an outdoor area included in licensed premises, which is used for the service and consumption of alcoholic liquors and which is contained by a permanent fence, wall or other barrier approved by the Commission and shall be in compliance with all building and fire, or other applicable local ordinances

LICENSEE NAME Steven Kranaa Moran's Grill, LLC

TRADE NAME Moran's Grill


PREMISE ADDRESS 3909 Twin Creek Drive #105

CITY BelleVue ZIP CODE 68123 COUNTY Sarpy

CONTACT PERSON Andrea Moran

PHONE NUMBER OF CONTACT PERSON 402-278-1399

EMAIL ADDRESS OF CONTACT PERSON moran'sgrill@gmail.com

Office use only	
PAYMENT TYPE <u>CK 1597</u>	 2300000878
AMOUNT <u>\$45-</u> RCPT	
RECEIVED: <u>2/7/23</u>	
DATE DEPOSITED	

FORM 110
REV 12/2022
RECEIVED

1. Will this addition cause the premises to be licensed within 150 feet of a church, school, hospital, home for indigent persons or for veterans, their wives, and children; OR within 300 feet of a college or university campus?

____ YES X NO

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

2. What is being added? Explain the type of addition that is being requested, i.e. beer garden, adding to building *if adding an outdoor area permanent fencing is required. Please contact the local governing body for other requirements regarding fencing.

We would like to add a patio with fence around it
15 ft wide + 50 ft long

DESCRIPTION AND DIAGRAM OF THE AREA TO BE LICENSED

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

Building length 75 x width 81 in feet

Is there a basement? Yes _____ No X If yes, length _____ x width _____ in feet

Is there an outdoor area? Yes _____ No X If yes, length _____ x width _____ in feet

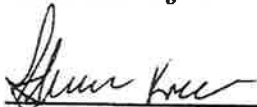
*If adding an outdoor area permanent fencing is required. Please contact the local governing body for other requirements regarding fencing

Number of floors of the building 1

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

See attached

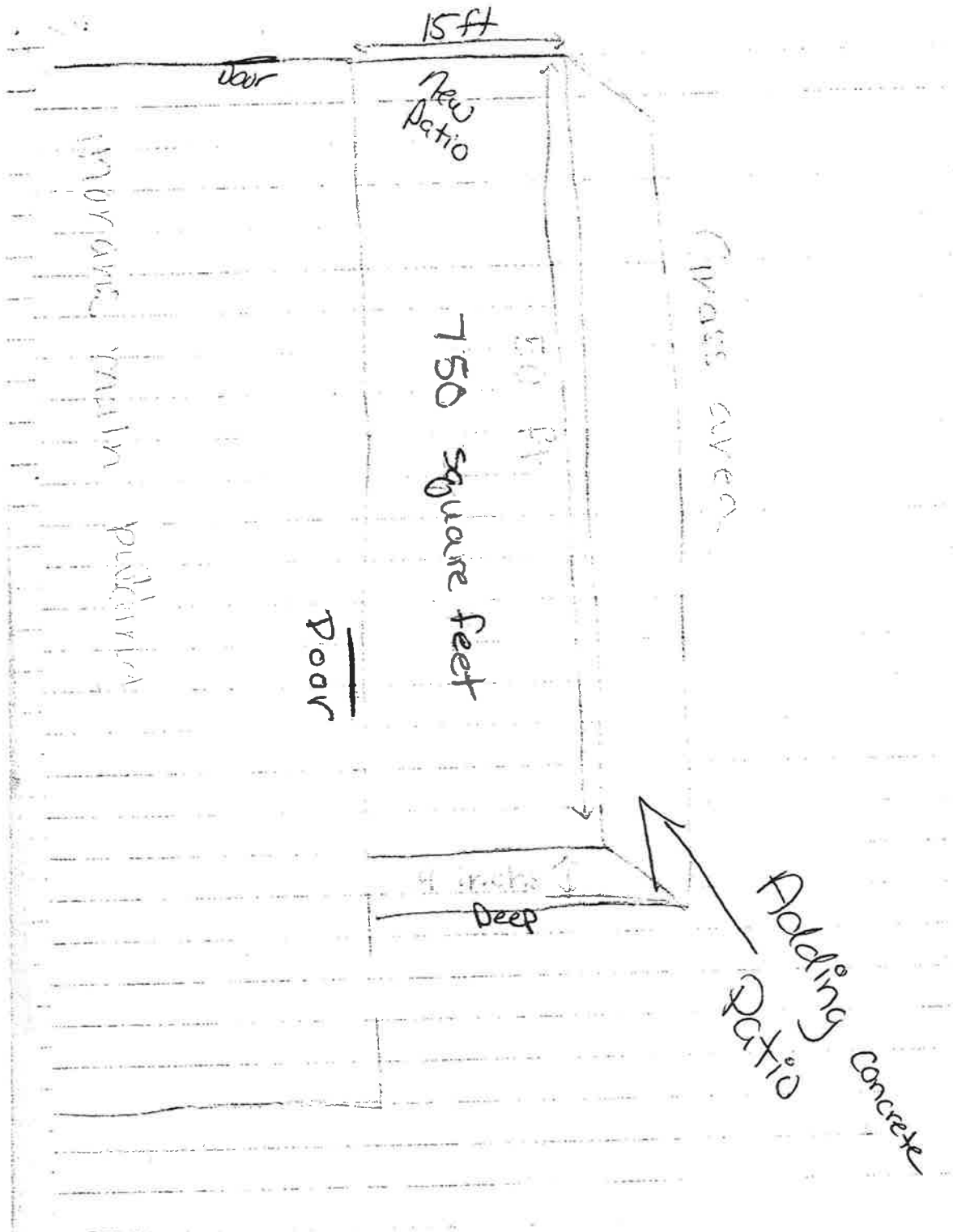
**I acknowledge that the premises as added to comply in all respects with the requirements of the act.
Neb Rev Stat §53-129**



Signature of LICENSEE

Steven Kranau

Printed Name of LICENSEE



CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 03/21/2023		SUBMITTED BY: Susan Kluthe, City Clerk	
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input checked="" type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input checked="" type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

Application for new Manager for Walmart Inc dba "Walmart #2847" at 10504 S. 15th Street, Bellevue.

SYNOPSIS/BACKGROUND:

Application for new Manager for Walmart Inc dba "Walmart #2847" at 10504 S. 15th Street, Bellevue. Applications are turned directly into the NE Liquor Control Commission by the applicant then forwarded on to the City Clerk's Office by the NE Liquor Control Commission. The Clerk sends application to be reviewed by the Police and then submitted to the City Council for review and recommendation, and then forwarded to the NE Liquor Control Commission for final approval (if there are no issues).

FISCAL IMPACT: 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:

Recommend approval the Nebraska Liquor Control Commission (NLCC) the application for Anthony M. Pleiss as the new Manager for Walmart Inc dba "Walmart #2847" at 10504 S. 15th Street, Bellevue.

ATTACHMENTS:

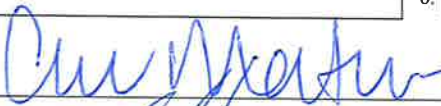
1. Application	2. Police Report	3. <input type="text"/>
4. <input type="text"/>	5. <input type="text"/>	6. <input type="text"/>


SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:





050094

**MANAGER APPLICATION
INSERT - FORM 3c**

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

Office Use
RECEIVED
DEC 07 2022
NEBRASKA LIQUOR CONTROL COMMISSION

FORM MUST BE COMPLETELY FILLED OUT IN ORDER FOR APPLICATION TO BE PROCESSED

MANAGER MUST:

- ✓ Complete all sections of the application. Be sure it is signed by a **member or corporate officer**, corporate officer or member must be an individual on file with the Liquor Control Commission
 - ⊗ Fingerprints are required. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application.
 - ✓ Provide a copy of one of the following: US birth certificate, naturalization papers or current US passport (even if you have provided this before)
 - ✓ Be a registered voter in the State of Nebraska, include a copy of voter card or print document from Secretary of State website with application
 - ✗ **Need Training**
- Spouse who **will not** participate in the business, **spouse must:**
- ✓ Complete the Spousal Affidavit of Non Participation Insert (must be notarized). The non-participating spouse completes the top half; the manager completes the bottom half. **Be sure to complete both halves of this form.**

• Need not answer question #1 of the application

Spouse who **will** participate in the business, the **spouse must:**

NA

- Sign the application
- Fingerprints are required. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application.
- Provide a copy of one of the following: birth certificate, naturalization papers or current US passport (even if you have provided this before)
- Be a registered voter in the state of Nebraska, include a copy of voter card with application
- Spousal Affidavit of Non Participation Insert **not** required



0400

**MANAGER APPLICATION
INSERT - FORM 3c**

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



MUST BE:

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

Corporation/LLC information

Name of Corporation/LLC: Walmart Inc

Premise information

Liquor License Number: 050094 Class Type D (if new application leave blank)

Premise Trade Name/DBA: Walmart 2847

Premise Street Address: 10504 S 15th St

City: Bellevue County: Sarpy Zip Code: 68136

Premise Phone Number: 402-292-0156

Premise Email address: ampleis.502847.us@wal-mart.com

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

SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER

(Faxed signatures are acceptable)

Manager's information must be completed below PLEASE PRINT CLEARLY

Last Name: Pleiss *spouse* First Name: Anthony MI: M
 Home Address: 9602 S 184th St
 City: Omaha County: Sarpy Zip Code: 68136-1593
 Home Phone Number: 605-660-5550
 Driver's License Number & State: [REDACTED] Nebraska
 Social Security Number: [REDACTED]
 Date Of Birth: [REDACTED] Place Of Birth: Omaha, Ne
 Email address: ampleis.502847.us@Wal-Mart.com

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

YES NO

Spouse's information

Spouses Last Name: Pleiss First Name: Chelsey MI: A
 Social Security Number: [REDACTED]
 Driver's License Number & State: [REDACTED] Nebraska
 Date Of Birth: [REDACTED] Place Of Birth: Yankton, SD

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

APPLICANT			SPOUSE		
CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
Omaha, NE	2011	Present	Omaha, NE	2010	Present
Yankton					

MANAGER'S LAST TWO EMPLOYERS

YEAR FROM TO		NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
2012	Present	Walmart	Carric Hungerford	402-292-0156
2012	2012	Linden Tree Lawn Care	Mike Rhodes	402-917-1744

1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

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

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

YES NO

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

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (City & State)	Description of Charge	Disposition

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

YES NO

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

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

YES NO

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

*NLCC Training Certificate Issued: RCALL 4628 Name on Certificate: Anthony Pleiss

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Anthony Pleiss		Alcohol Sales Training. 2.4

*For list of NLCC Certified Training Programs see training

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:
Anthony Pleiss / ASM	7/18/2012	Walmart - Omaha 12850 L St.
Anthony Pleiss / FE Coach	09/14/2019	Walmart - Omaha 1606 S 72nd St
Anthony Pleiss / Store Lead	11/21/2020	Walmart - Omaha 1606 S 72nd St.
Anthony Pleiss / Store Mgr	12/04/2021	Walmart - Bellevue, NE 10504 S 15 th St

5. Have you enclosed form 147 regarding fingerprints?

YES NO

PERSONAL OATH AND CONSENT OF INVESTIGATION

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

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

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

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



Signature of Manager Applicant



Signature of Spouse

ACKNOWLEDGEMENT

State of Nebraska

County of Douglas

The foregoing instrument was acknowledged before me this

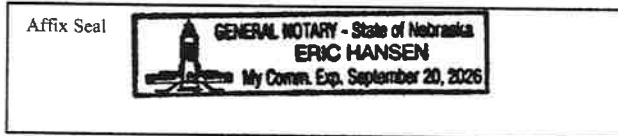
25th of October 2022
date

by Tony Pleiss

NAME OF PERSON BEING ACKNOWLEDGED



Notary Public signature



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

050094

**PRIVACY ACT STATEMENT/
SUBMISSION OF FINGERPRINTS /
PAYMENT OF FEES TO NSP-CID**

Revd 1/30/23

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

**THIS FORM IS REQUIRED TO BE SIGNED BY EACH PERSON BEING FINGERPRINTED:
DIRECTIONS FOR SUBMITTING FINGERPRINTS AND FEE PAYMENTS:**

- **FAILURE TO FILE FINGERPRINT CARDS AND PAY THE REQUIRED FEE TO THE NEBRASKA STATE PATROL WILL DELAY THE ISSUANCE OF YOUR LIQUOR LICENSE**

- Fee payment of \$45.25 per person **MUST** be made **DIRECTLY** to the Nebraska State Patrol:
It is recommended to make payment through the NSP PayPort online system at www.ne.gov/go/psp
Or a check made payable to **NSP** can be mailed directly to the following address:
*****Please indicate on your payment who the payment is for (the name of the person being fingerprinted) and the payment is for a Liquor License*****

The Nebraska State Patrol – CID Division
4600 Innovation Drive
Lincoln, NE 68521

- Fingerprints taken at NSP LIVESCAN locations will be forwarded to NSP – CID
Applicant(s) will not have cards to include with license application.
- Fingerprints taken at local law enforcement offices may be released to the applicants:
Fingerprint cards should be submitted with the application.

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

****Please Submit this form with your completed application to the Liquor Control Commission****

Trade Name BelleVue Walmart

Name of Person Being Fingerprinted: Anthony Pleiss

Date of Birth: [REDACTED] Last 4 SSN: [REDACTED]

Date fingerprints were taken: 10/25/22

Location where fingerprints were taken: Nebraska State Patrol 4411 S 108th St

How was payment made to NSP? Omaha, NE 68137

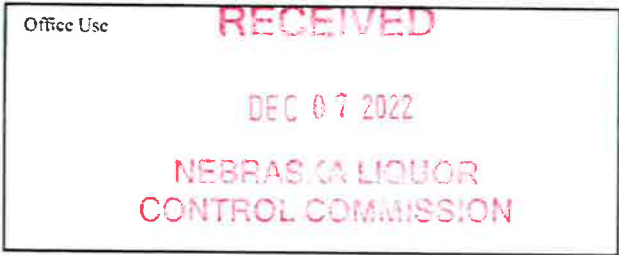
NSP PAYPORT CASH CHECK SENT TO NSP CK # _____

My fingerprints are already on file with the commission – fingerprints completed for a previous application less than 2 years ago? YES

[Signature]
SIGNATURE REQUIRED OF PERSON BEING FINGERPRINTED


**SPOUSAL AFFIDAVIT OF
NON PARTICIPATION INSERT**

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



I acknowledge that I am the spouse of a liquor license holder. My signature below confirms that I will not have any interest, directly or indirectly in the operation of the business (§53-125(13)) of the Liquor Control Act. I will not tend bar, make sales, serve patrons, stock shelves, write checks, sign invoices, represent myself as the owner or **in any way participate in the day to day operations of this business in any capacity.** The penalty guideline for violation of this affidavit is cancellation of the liquor license.

I acknowledge that I am the applicant of the non-participating spouse of the individual signing below. I understand that my spouse and I are responsible for compliance with the conditions set out above. If, it is determined that my spouse has violated (§53-125(13)) the commission may cancel or revoke the liquor license.



Signature of **NON-PARTICIPATING SPOUSE**
Chelsey Pleiss

Print Name



Signature of **APPLICANT**
Tony Pleiss

Print Name

State of Nebraska, County of Douglas

State of Nebraska, County of Douglas

The foregoing instrument was acknowledged before me
this 25th of October 2022 (date)

The foregoing instrument was acknowledged before me
this 25th of October 2022 (date)

by Chelsey Pleiss


Name of person acknowledged
(Individual signing document)

by Tony Pleiss

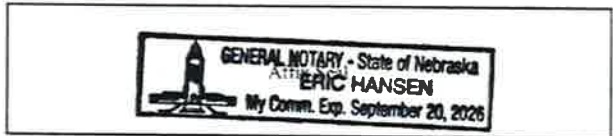
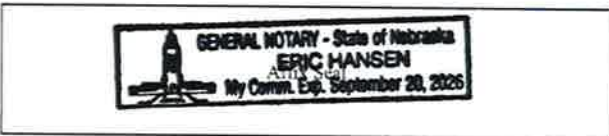
Name of person acknowledged
(Individual signing document)



Notary Public Signature



Notary Public Signature



In compliance with the ADA, this spousal affidavit of non participation is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternate format.

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

13a.
3/21/2023

COUNCIL MEETING DATE: 03/21/23		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 Seasonal Wage Update

SYNOPSIS/BACKGROUND:

The compensation ordinance is updated as needed to reflect a change in pay range for employees of the City that are unclassified seasonal employees. The ranges are based upon market rate research through a comparability study, as required by Nebraska State Statute. This change is due to the requested review by the Public Works Director and Deputy Director of Parks and Recreation.

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 NAME:

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

ACCOUNTING DISTRIBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

Approve Compensation Ordinance 4117

ATTACHMENTS:

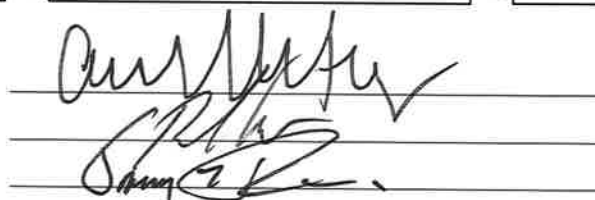
1. <input type="text" value="Ordinance No. 4117 (redlined)"/>	2. <input type="text"/>	3. <input type="text"/>
4. <input type="text"/>	5. <input type="text"/>	6. <input type="text"/>

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:



ORDINANCE NO. ~~4114~~ 4117

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. 411~~40~~; 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

<u>Section 2.</u>	<u>Appointed Officials</u>	<u>Range (monthly)</u>
	City Administrator	By Contract
	City Clerk	\$5,665 - \$8,164
	Treasurer	\$305 - \$385

<u>Section 2a.</u>	<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	\$26.57 - \$36.69
	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>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	\$16.12 - \$20.68 11.00 - \$13.00
Head Lifeguards	\$14.03 - \$18.30 11.00 - \$12.00
Lifeguards	\$12.58 - \$15.65 10.50 - \$11.00
Concession Workers	\$10.50 - \$11.00
Youth Baseball/Softball Umpires	\$10.50 - \$13.00
Track Club Coaches	\$10.50 - \$13.00
Parks Workers	\$13.33 - \$18.00 10.50 - \$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

	<u>Range (hourly)</u>
Part-Time Administrative Intern Position:	\$10.50 to \$12.00

Section 8. That Ordinance 411~~40~~ 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 _____, 2023.

Rusty Hike, Mayor

ATTEST:

Susan Kluthe, City Clerk

First Reading: _____

Second Reading: _____

Third Reading: _____

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: March 21, 2023		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 checked="" type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

Request to vacate the plat of Lots 1 and 2, Heer and Theer Addition. Applicants: 1st City Development, LLC, John Jungers, and The David and Ruth Heer Revocable Trust. General Location: 2304 Lincoln Road.

SYNOPSIS/BACKGROUND:

Lots 1 and 2, Heer and Theer Addition was previously approved and recorded at Sarpy County, NE on March 25, 2022. Since that time, it has come to the property owners' attention the plat contained an inaccurate boundary description. The issue has since been taken care of from a title perspective, and now needs to be addressed from a platting perspective. This vacation will clear the way for an amended plat to be approved and recorded in the place of the inaccurate one.

FISCAL IMPACT: No 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 NAME:

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 owners dates March 13, 2023 | 2. Previously recorded plat | 3. GIS aerial |
| 4. Ord. No. 4118 | 5. | 6. |

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

Tammi Palm

[Signature]

1st City Development LLC

101 W. Mission Ave.
Bellevue, NE 68005

Tammi Palm
Planning Manager
City of Bellevue
1510 Wall Street
Bellevue, NE 68005

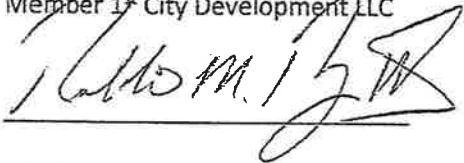
Dear Tammi,

On behalf of 1st City Development LLC, I would like to request the withdrawal of the plat recorded on 3/25/2022, which we refer to as 2302 Lincoln RD. After talking with our surveyor and Sarpy counties surveyor there were some boundary issues dating back several years that needed to be corrected. Hill Farrell has resurveyed the property with the new findings, even though minor needed to correct. We will submit the new plat to you for review in the coming days.

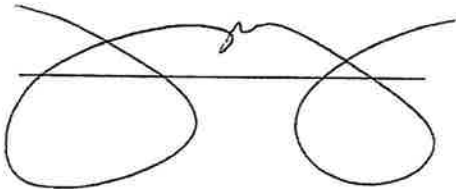
Please call me with any questions.

Sincerely,

Robbie Ryan
Member 1st City Development LLC



John Jungers



THE DAVID + RUTH HEER
Revocable Trust dated MARCH 20, 2015
David J Heer
DAVID J. HEER, TRUSTEE

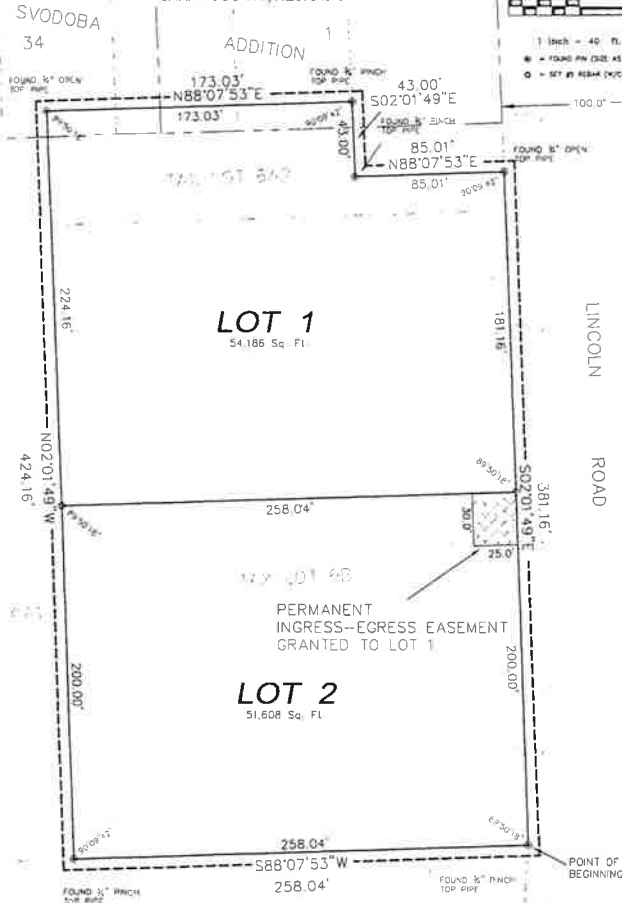
RECEIVED
MAR 13 2023
PLANNING DEPT.

HEER AND THEER ADDITION

WEST MISSION AVE

LOTS 1 and 2
BEING A REPLAT OF TAX LOT 6B AND THAT PART OF TAX LOT 6A2 BEING THE NORTH 50 FEET OF THE WEST 175 FEET OF THE EAST 250 FEET AND THE SOUTH 22 FEET OF THE EAST 85 FEET OF THE EAST 250 FEET OF TAX LOT 6A, TOGETHER WITH THE SOUTH 15 FEET OF THE WEST 110 FEET OF LOT 1 AND THE SOUTH 15 FEET OF THE EAST 65 FEET OF LOT 34, SVOBODA'S ADDITION TO THE CITY OF BELLEVUE.

SEC 36, T14N, R13E, 6th P.M.
SARPY COUNTY, NEBRASKA



FILED SARPY COUNTY NEBRASKA
INSTRUMENT NUMBER

2022-08158

03/25/2022 04:09:36 PM

Deb Houghtaling

COUNTY CLERK/REGISTER OF DEEDS

Submitter: PAYPORT N.E. JOHN

Recording Fee \$28.00

Pages 4

By JPH

PLAT

SURVEYOR'S CERTIFICATE

I, RONALD D. HILL, THE UNDERSIGNED MEASUREMENT AND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE ACCURATELY SURVEYED AND PLATED BY THIS INSTRUMENT THE CORNERS AS SHOWN ON THE ABOVE DESCRIBED ADDITION, BEING A REPLAT OF TAX LOT 6B AND THAT PART OF TAX LOT 6A2 BEING THE NORTH 50 FEET OF THE WEST 175 FEET OF THE EAST 250 FEET AND THE SOUTH 22 FEET OF THE EAST 85 FEET OF THE EAST 250 FEET OF TAX LOT 6A, TOGETHER WITH THE SOUTH 15 FEET OF THE WEST 110 FEET OF LOT 1 AND THE SOUTH 15 FEET OF THE EAST 65 FEET OF LOT 34, SVOBODA'S ADDITION, LOCATED BY THE SOUTHWEST 1/4 QUARTER OF SECTION 36, TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID TAX LOT 6A; THENCE S89°55'15\"/>

DATE: 02/10/2022
RONALD D. HILL, NEBRASKA E.S. NO. 373



DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT MR. DAVID J. HEER AND MRS. RUTH M. HEER, CO-TRUSTEES OF THE DAVID AND RUTH HEER REVOCABLE TRUST, BEING THE OWNERS OF THE PROPERTY DESCRIBED WITHIN THE SURVEYOR'S CERTIFICATE AND EMPLOYED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE REPLATED INTO LOTS 1 TO BE SUBDIVIDED AS SHOWN, SAID SUBDIVISION TO BE IDENTIFIED KNOWN AS "HEER AND THEER ADDITION", AND WE DO HEREBY CERTIFY AND APPROVE OF THE DISTRIBUTION OF OUR PROPERTY AS SHOWN ON THIS PLAT. WE DO HEREBY GRANT PERPETUAL EASEMENTS TO OMAHA PUBLIC POWER DISTRICT (OPPD) FOR COMMUNICATIONS, AND UTILITIES, AND CROSS A FIVE (5) FOOT WIDE STRIP OF LAND ABUTTING ALL FRONT AND SIDE BOUNDARY LINES, AND 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 REAR EXTERIOR LOTS ARE HEREIN DEFINED AS THOSE LOTS FORMING THE OUTER PERIMETER OF THE ABOVE DESCRIBED ADDITION. THE SIXTEEN (16) FOOT WIDE EASEMENT MAY BE REDUCED TO FIFTEEN (15) 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 HYDRANT LINES FOR THE TRANSMISSION OF GAS AND WATER OIL, THROUGH LOTS, AND ACROSS A FIVE (5) FOOT WIDE STRIP OF LAND ABUTTING ALL CURB-SIDE STREETS. NO PERMANENT BUILDINGS OR PLANNING WALLS SHALL BE PLACED IN SAID EASEMENT WAYS BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES, THAT DO NOT INTERFERE OR CLASH WITH THE ADJACENT OR ADJACENTLY GRANTED.

IN WITNESS WHEREOF WE DO HEREBY SET OUR HANDS THIS 24th DAY OF February 2022

David J. Heer, Ruth M. Heer
DAVID J. HEER, TRUSTEE OF THE DAVID AND RUTH HEER REVOCABLE TRUST

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA
COUNTY OF SARPY

ON THIS 25th DAY OF February 2022 BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, FULLY QUALIFIED AND COMMISSIONED BY AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DAVID J. HEER AND RUTH M. HEER, PERSONALLY KNOWN BY ME TO BE THE IDENTICAL PERSONS WHOSE NAMES APPEAR ON THIS PLAT AND THEY DO ACKNOWLEDGE THE EXECUTION HEREOF TO BE THEIR VOLUNTARY ACT AND DEED.

DATE: 2-24-2022

APPROVAL OF BELLEVUE PLANNING COMMISSION

THIS PLAT IS HEARD AND THIS PLAT IS APPROVED BY THE BELLEVUE PLANNING COMMISSION THIS 16th DAY OF December 2022.

APPROVAL OF BELLEVUE CITY COUNCIL

THIS PLAT IS HEARD AND THIS PLAT IS APPROVED BY THE BELLEVUE CITY COUNCIL THIS 15th DAY OF February 2022.

REVIEW BY SARPY COUNTY PUBLIC WORKS

THIS PLAT IS HEARD AND THIS PLAT IS APPROVED BY THE SARPY COUNTY SURVEYOR'S OFFICE ON THIS 25th DAY OF February 2022.

COUNTY TREASURER'S CERTIFICATION

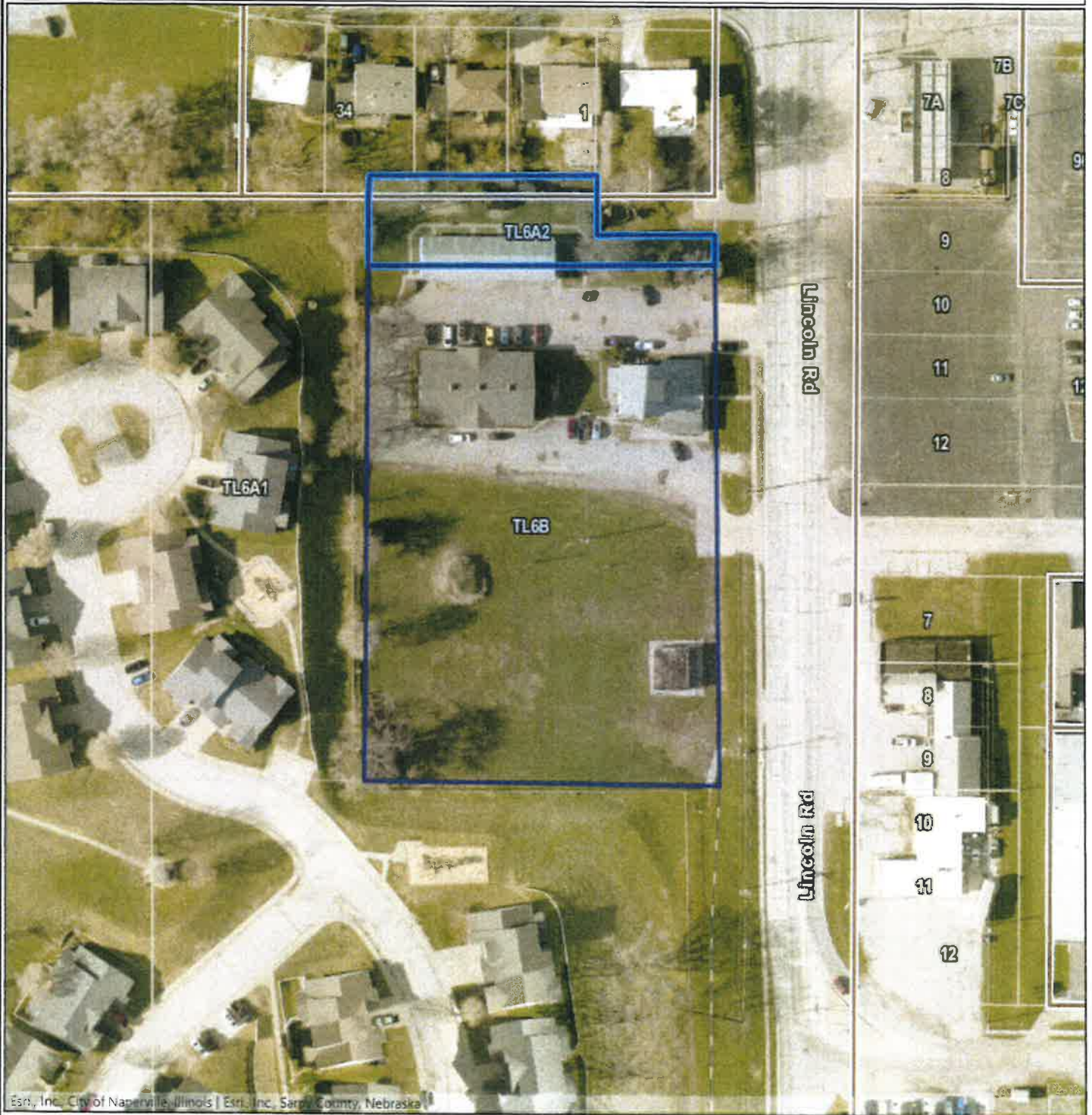
THIS IS TO CERTIFY THAT I FIND NO REQUIREMENT OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY AS DESCRIBED WITHIN THIS PLAT AS REQUIRED BY NEBRASKA REVENUE STATUTES. OFFICE DATE: 21 March 2022

SURVEY: HD0004/JPH
DRAWN: RDH
DATE: 03/25/2022
INSTRUMENT: 202208158

HEER AND THEER ADDITION
BELLEVUE, NEBRASKA
SMALL SUBDIVISION PLAT

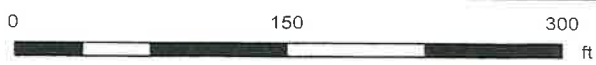
HILL-FARRELL ASSOCIATES, INC.
Land Surveyors
Bellevue, NE 68123 (402) 291-6100

PROJECT NO:
2022/
HEER AND THEER
ADDITION



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

Notes



Map Scale 1: 1592

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



ORDINANCE NO. 4118

AN ORDINANCE TO VACATE THE PLAT OF LOTS 1 AND 2, HEER AND THEER ADDITION LOCATED AT OR ABOUT 2304 LINCOLN ROAD, MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THE ORDINANCE AND TO PROVIDE AN EFFECTIVE DATE.

WHEREAS, pursuant to Nebraska Revised Statutes a City of the First Class has the power to do all acts on relation to the concerns of the City necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Nebraska Revised Statutes, the powers of the City as a body are exercised by the Mayor & City Council; and,

WHEREAS, the Mayor & City Council has the authority to adopt ordinances, resolution, and other regulations, which shall have the force and effect of law; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 19-917, plats or additions to municipalities that have been previously processed and approved may be vacated or changed when such changes are deemed by the municipality to be advantageous and in its best interest; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 19-917, the owner or all the owners of lots or lands in a plat or addition to the municipality are required to petition the municipality to vacate all or part of the plat or addition; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 19-917, the Mayor & City Council are required to approve or decline an application for vacation of a final plat; and

WHEREAS, the applicants, Robbie Ryan (1st City Development LLC), John Jungers, and The David and Ruth Heer Revocable Trust, applied for the approval of vacation of the plat for Heer and Theer Addition, generally located near 2304 Lincoln Road.

WHEREAS, the City of Bellevue Planning Manager reviewed the application for the vacation of the plat for compliance with the Bellevue City Code and made a recommendation of approval. Attached hereto and incorporated by reference, is the Application, Approval, aerial map of the property and a copy of the Plat.

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

I. Heer and Theer Addition consists of Lots 1 and 2 as platted and recorded in Sarpy County on March 25, 2022, located in the Southwest $\frac{1}{4}$ of Section 36, T14N, R14E, of the 6th P.M., Sarpy County, Nebraska.

II. The current approved plat contains an inaccurate boundary description.

III. The proposed vacation of the plat of Heer and Theer Addition is in conformity with Bellevue City Code and is deemed to be advantageous and in its best interest of the City of Bellevue.

IV. The Planning Manager recommends approval.

BE IT FURTHER RESOLVED THAT the plat of a subdivision known as Heer and Theer Addition, located in the Southwest $\frac{1}{4}$ of Section 36, T14N, R14E of the 6th P.M., Sarpy County, Nebraska is deemed to be advantageous and in its best interest of the City of Bellevue, Nebraska and is hereby vacated.

ADOPTED AND APPROVED this _____ day of April, 2023.

Mayor

ATTEST:

City Clerk

First Reading: _____

Second Reading: _____

Third Reading: _____

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: February 21, 2023		SUBMITTED BY: Tammi Palm, Planning Manager	
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input checked="" type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

Request for a conditional use permit for Lot 1, First Presbyterian Church of Bellevue, for the purpose of a 165' monopole tower. Applicant: New Cingular Wireless PCS, LLC. General location: 1220 Bellevue Blvd. South.

SYNOPSIS/BACKGROUND:

Steve Ward, on behalf of New Cingular Wireless PCS, LLC is requesting a Conditional Use Permit (CUP) for Lot 1, First Presbyterian Church of Bellevue, for the purpose of a wireless telecommunications facility consisting of a 165-foot monopole tower support structure with attendant ground-based 40' x 60' fenced equipment compound. The applicant intends to lease a 40' x 60' parcel from the property owner for the construction of the monopole tower and fenced equipment compound. The site is located in the southeast corner of the church parking lot. A 12' wide access easement is proposed with a 12' wide double-swing gate. The compound will be secured with a 6' tall vinyl privacy fence per the proposed site plan. The neighboring property, zoned RD-60, has a 5' required side yard setback if developed. The tower is shown 75' from the church's property line. This nonbuildable area would account for the 80' fall zone.

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 NAME:

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

ACCOUNTING DISTRIBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

The Planning Department and Planning Commission recommended approval of this request.

ATTACHMENTS:

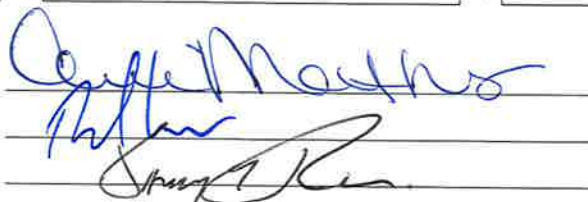
1. <input type="text"/> Planning Commission Recommendation Sheet	2. <input type="text"/> Staff Report	3. <input type="text"/> Conditional Use Permit Agreement
4. <input type="text"/>	5. <input type="text"/>	6. <input type="text"/>

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:



City of Bellevue

PLANNING COMMISSION RECOMMENDATION

APPLICANT: New Cingular Wireless PCS, LLC

CASE #: CUP-2212-07

CITY COUNCIL HEARING DATE: February 21, 2023

REQUEST: for a conditional use permit for Lot 1, First Presbyterian Church of Bellevue, for the purpose of a 165' monopole tower.

On January 26, 2023, the City of Bellevue Planning Commission voted seven yes, zero no, two absent and zero abstained:

APPROVAL based upon conformance with Section 6.06 of the Zoning Ordinance, as well as a lack of perceived negative impact upon the surrounding area; contingent upon receipt of the determination of no hazard from the FAA.

VOTE:

Yes:	Seven:	No:	Zero:	Abstain:	Zero:	Absent:	Two:
	Hankins						Aerni
	Ritz						Sims
	Cutsforth						
	Ackley						
	Bennett						
	Jacobson						
	Perrin						

Planning Commission Hearing (s) was held on: January 26, 2023

**CITY OF BELLEVUE
PLANNING DEPARTMENT**

RECOMMENDATION REPORT #2

CASE NUMBER: CUP-2212-07

FOR HEARING OF:

REPORT #1: January 26, 2023

REPORT #2: February 21, 2023

I. GENERAL INFORMATION

A. APPLICANT:

New Cingular Wireless PCS, LLC
15 Park Place Centre
Swansea, IL 62226

B. PROPERTY OWNERS:

First Presbyterian Church of Bellevue
Attn: Marty Davis
1220 Bellevue Blvd South
Bellevue, NE 68005

C. GENERAL LOCATION:

1220 Bellevue Blvd South

D. LEGAL DESCRIPTION:

Lot 1, First Presbyterian Church of Bellevue, located in the Southeast ¼ of Section 25, T14N, R13E of the 6th P.M., Sarpy County Nebraska.

E. REQUESTED ACTIONS:

Request for a conditional use permit for Lot 1, First Presbyterian Church of Bellevue for the purpose of a 165' monopole tower.

F. EXISTING ZONING AND LAND USE:

RS-84, First Presbyterian Church of Bellevue

G. PURPOSE OF REQUEST:

The purpose of this request is to obtain approval for a conditional use permit to allow for the construction of a 165' monopole tower and 40' x 60' fenced compound.

H. SIZE OF SITE:

The site is approximately 2,400 square feet.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE:

The site is located on the southeast corner of the parking lot at the First Presbyterian Church of Bellevue.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

1. **North:** Single Family Residential/RS-84, RS-120 (across Bellevue Blvd S.)
2. **East:** Single Family Residential/Vacant, RD-60
3. **South:** Single Family Residential, RS-84 (across Harvell Dr.)
4. **West:** Single Family Residential/RS-84, RS-120 (across Bellevue Blvd S.)

C. RELEVANT CASE HISTORY:

On January 26, 2023, the Planning Commission recommended approval of the applicant's request for a conditional use permit to allow for a 165' monopole tower and 40' x 60' fenced compound.

D. APPLICABLE REGULATIONS:

1. Section 5.09, Zoning Ordinance, regarding RS-84 uses and requirements.
2. Article 6, Zoning Ordinance regarding Conditional Use Permits.

III. ANALYSIS

A. COMPREHENSIVE PLAN:

The Future Land Use Map of the Comprehensive Plan designates this property as medium-density residential.

B. OTHER PLANS:

None

C. TRAFFIC AND ACCESS:

1. There are approximately 7,450 vehicles per day near the intersection of Harvell and Freeman Drive per the 2020 MAPA Traffic Count data.
2. The applicant will gain access to the proposed monopole tower by way of a guard rail opening at the southeast corner of the church parking lot.

D. UTILITIES:

All utilities are available to this property.

E. ANALYSIS:

1. Steve Ward, on behalf of New Cingular Wireless PCS, LLC, has submitted a request for a conditional use permit for Lot 1, First Presbyterian Church of Bellevue, for the purpose of a wireless telecommunications facility consisting of a 165-foot monopole tower support structure with attendant ground-based 40-foot x 60-foot fenced equipment compound. The compound will have a 6' tall vinyl privacy fence.
2. The applicant intends to lease a 40-foot x 60-foot parcel from the property owner for the construction of the monopole tower and fenced equipment compound.
3. The site is in the southeast corner of the church parking lot. A 12-foot-wide access easement is proposed with a 12-foot-wide double swing gate. The compound will be screened with a 6' tall vinyl privacy fence per the proposed site plan.
4. Section 8.05.04 requires the tower be setback 100% of the tower height from neighboring residential zoning districts unless a reduction is granted by the City Council through the conditional use permit process. The applicant requests a reduction of the required setback for the property to the east currently owned by the City of Bellevue. The proposed tower is designed with a fail point so the tower would break and fall within 80' of the center of the tower.

The neighboring property is zoned RD-60, which has a 5-foot side yard setback if it were to develop. The tower would have a minimum setback of 75 feet to the church's property line. This non-buildable area would account for the 80-foot fall zone. Subsequently, staff is supportive of a reduction of the setback.

This application was routed to OPPD for review, and they have no concerns with the proposed fall zone.

5. No additional landscape is being required based on the existing topography and the mature trees along the site. The monopole will be located at the top of a steep hill away from residential areas. There is an approximate 40' drop from the area where the tower will be located to Harvell Drive.
6. The applicant has filed for a determination of No Hazard to Air Navigation from the FAA and expects to have a response within 60 days. A permit will not be granted until such time the city is in receipt of this approval.
7. A copy of the applicant's letter detailing his requests is attached to this report for reference.
8. 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 Administrator, Sarpy County Public Works, Sarpy County Planning Department, and the Bellevue Public School District. The cover letter indicated a deadline to send comments back to the Planning Department and stated if the requested department did not have comments pertaining to the application, no response was needed.

Battalion Chief Donald Gifford commented a permit would be required for installation of the generator fuel tank. This has been communicated with the applicant.

Offutt Air Force Base expressed no concerns with this application.

9. Per Section 6.06, the Zoning Ordinance requires no conditional use permit shall be granted unless the Planning Commission or City Council has found:
 - 6.06.01 That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, moral, comfort, or general welfare of the community.
 - 6.06.02 That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood.
 - 6.06.03 That the establishment of the conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district.
 - 6.06.04 Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.
 - 6.06.05 Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
 - 6.06.06 The use shall not include noise which is objectionable due to volume, frequency, or beat unless muffled or otherwise controlled.

6.06.07 The use shall not involve any pollution of the air by fly-ash, dust, vapors or other substance which is harmful to health, animals, vegetation or other property or which can cause soiling, discomfort, or irritation.

6.06.08 The use shall not involve any malodorous gas or matter which is discernible on any adjoining lot or property.

6.06.09 The use shall not involve any direct or reflected glare which is visible from any adjoining property or from any public street, road, or highway.

6.06.10 The use shall not involve any activity substantially increasing the movement of traffic on public streets unless procedures are instituted to limit traffic hazards and congestion.

6.06.11 The use shall not involve any activity substantially increasing the burden on any public utilities or facilities unless provisions are made for any necessary adjustments.

The Planning Department believes this application meets the criteria for approval of the Conditional Use Permit.

F. TECHNICAL DEFICIENCIES:

None

IV. DEPARTMENT RECOMMENDATION

APPROVAL based upon conformance with Section 6.06, Zoning Ordinance, as well as lack of perceived negative impact to the surrounding area; contingent upon receipt of the determination of no hazard from the FAA.

V. PLANNING COMMISSION RECOMMENDATION

APPROVAL based upon conformance with Section 6.06 of the Zoning Ordinance, as well as a lack of perceived negative impact upon the surrounding area; contingent upon receipt of the determination of no hazard from the FAA.

VI. ATTACHMENTS TO REPORT

1. Zoning Map
2. 2022 GIS aerial photo of the property
3. Application for Conditional Use Permit Telecommunications Tower Site New Cingular Wireless PCS, LLC AT&T received January 17, 2023
4. Site plan received January 17, 2023
5. Enlarged Site Plan received January 17, 2023
6. Tower Elevation received January 17, 2023
7. Letter from Ed Conoan received January 26, 2023
8. Conditional Use Permit Agreement

VII. COPIES OF REPORT TO:

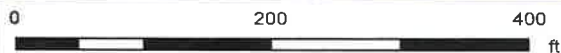
1. New Cingular Wireless PCS, LLC (Steve Ward)
2. First Presbyterian Church of Bellevue (Marty Davis)
3. Public Upon Request


Assistant Planning Manager

 02/13/23
Planning Manager Date of Report

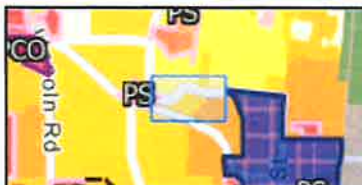


Sarpy County, Nebraska | Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska



Map Scale 1: 2257

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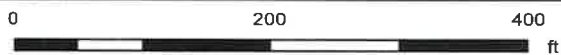


Notes





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



Map Scale 1: 2257

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Notes



RECEIVED
JAN 17 2023
PLANNING DEPT.

APPLICATION FOR CONDITIONAL USE PERMIT
TELECOMMUNICATIONS TOWER SITE
NEW CINGULAR WIRELESS PCS, LLC
AT&T

NEL01282
Bellevue E

City of Bellevue

Respectfully Submitted
Ward Development Services, LLC
December 2022

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- A. **Application for Conditional Use with Bellevue**
- B. **Narrative Statement by Applicant's Representative**
- C. **Compliance with Ordinance**
- D. **Exhibits:**
 - 1. **Vicinity Maps of the Area**
 - 2. **Aerial Maps**
 - 3. **PIN Sheet associated with the Parent Parcel**
 - 4. **TOPO Map**
 - 5. **Flood and Wetlands Maps**
 - 6. **Zoning Map**
- E. **Zoning Drawings.**

A. APPLICATION FOR CONDITIONAL USE PERMIT



**CITY OF BELLEVUE
CONDITIONAL USE PERMIT APPLICATION**

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

Applicant's Name: New Cingular Wireless PCS, LLC Contact: Steve Ward

Address: 15 Park Place Centre City: Swansea State/Zip: IL/62226

Phone: 314-503-4444 Email: steve@ward-development.com

Owner's Name (if different from applicant): First Presbyterian Church Contact: Marty Davis

Address: 1220 Bellevue S Boulevard City: Bellevue State/Zip: NE/68005

Phone: 402-291-1104 Email: jmarty909@yahoo.com

Zoning: RS-84

Legal Description of Property:

Lot One (1), First Presbyterian Church of Bellevue, an Addition to the City of Bellevue, in Sarpy County, Nebraska

Street Address of Property or Approximate Location:

1220 Bellevue Boulevard S, Bellevue, NE 68005
41.147169, -95.897342

Purpose of Conditional Use:

Construction of a 165' monopole tower and 40' x 60' fenced compound on land leased from the First Presbyterian Church

Conditional Use Fee:

1 Acre or Less \$175
More than 1 acre \$325

The following must be submitted at the time of application: 1) Application Fee, 2) Site Plan, and 3) Explanation of Request for Conditional Use Permit emailed to the City/Planning Manager. * WHEN SUBMITTING THE APPLICATION ELECTRONICALLY MAIL THE ORIGINAL SIGNED APPLICATION AND PAYMENT TO THE ADDRESS LISTED ABOVE. *

I/We the undersigned do hereby acknowledge that I/We do fully understand and agree to comply with the provisions of Chapter 5 of the City of Bellevue Zoning Ordinance No. 3619. I/We the undersigned do hereby agree to allow the City of Bellevue employees or agent working for the City of Bellevue, to enter the above referenced property as it pertains to this application.

Rev. Dr. Michael S. Smith

Signature of Owner

[Signature]

Signature of Applicant

Planning Department Use Only	
Date Submitted:	_____
Case Number:	_____
Filing Fee:	_____
Accepted By:	_____ Plat Page: _____
*Revised February 2020	

NOTICE OF POSTING

NOTICE TO THE APPLICANT/OWNER

The application you submitted to the City of Bellevue is required by State Statute 19-905 to have a notice posted in a conspicuous place on or near the property on which the action is pending. The posted notice shall be placed upon the property so that it is easily visible from the street nearest the property, and shall be posted at least ten days prior to the date of the hearing.

A City employee will post such notice on the property a minimum of ten days prior to the Planning Commission meeting. Such notice shall remain on the property and easily visible from the street nearest the property until after final action by the City Council.

State Statute 19-901 reads, in part, as follows: "It shall be unlawful for anyone to remove, mutilate, destroy, or change such posted notice prior to such hearing. Any person so doing shall be deemed guilty of a misdemeanor." As the legal owner of the property upon which the action is pending, you are responsible to insure such notice remains upon the property until final action by the City Council. If you observe the notice has been removed, mutilated, destroyed, or changed prior to the Board of Adjustment hearing, Planning Commission hearing, or the City Council hearing, please notify the Planning Department at (402) 293-3026, and the necessary action will be taken to re-post the property.

As stated above, the posting of said property is required by State Statute; therefore it is in your best interest to insure the notice remains visible during the entire process. If the notice is removed, mutilated, destroyed, or changed prior to final action by the City Council, this could cause a delay in holding the public hearing and the necessity of rescheduling the hearing.

After the final action by the Board of Adjustment or City Council, a City employee will remove the notice from the property within a reasonable time frame. If you have any questions regarding your application or the posting of your property, please contact the Planning Department at (402) 293-3026.

I/WE, THE UNDERSIGNED, DO HEREBY ACKNOWLEDGE THAT I/WE DO FULLY UNDERSTAND AND AGREE WITH THE PROVISIONS AS DESCRIBED ABOVE.

Rev. Dr. Michael S. Elliott
Signature of Owner/Owners

***PLEASE NOTE THE NOTICE OF PUBLIC HEARING SIGN WILL BE REMOVED BY CITY PERSONNEL. THE PROPERTY OWNER IS NOT TO REMOVE THE SIGN FROM THE PROPERTY.**

B. NARRATIVE STATEMENT

December 12, 2022 (Rev. 1/16/2023)

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

RE: NEL01282 Bellevue E CUP application

Re: Submittal of Application for a conditional use permit by New Cingular Wireless PCS, LLC (AT&T) to allow for the construction, operation, and maintenance of a wireless telecommunications facility consisting of a 165' monopole tower support structure with attendant ground-based equipment compound on the property leased by the applicant on a tract of land located at 1220 Bellevue S Boulevard, home of the First Presbyterian Church of Bellevue.

Dear Ms. Palm,

I write regarding the above-referenced project to supplement the Application for conditional use permit that is being concurrently filed. This letter is submitted on behalf of the owners of the property in conjunction with AT&T. AT&T is applying for this request for to construct, operate and maintain a communication property on land owned by the First Presbyterian Church of Bellevue. This letter provides a general overview of the project, including the need for the site and its design parameters.

With the filing of this Application, AT&T requests your support and a written determination that AT&T has met the criteria in the Bellevue Code of Ordinances. We also request this Application and supporting documentation be entered as part of the official records of this proceeding.

Applicant:
New Cingular Wireless PCS, LLC
7900 Xerxes Avenue S
Bloomington, MN 55435

Property Owner:
First Presbyterian Church
1220 Bellevue S Boulevard
Bellevue, NE 68005

Agents for Applicant and Property Owner:
Steven K. Ward
Ward Development Services, LLC
15 Park Place Centre
Swansea, IL 62226
(314) 503-4444 Phone
(866) 655-2853 (Facsimile)

I. Location and description of property

AT&T is proposing to provide service to the area of east Bellevue, traffic along S Harvell Dr, and the surrounding area of Sarpy County. The proposal is for AT&T to construct a 165-foot monopole tower as an antenna support structure on agriculturally used property. The site, when completed, will become part of AT&T's network that will provide continued and improved coverage to the current service area that presently in this portion of Sarpy County.

The primary objective for AT&T to place a facility at this location is to provide adequate coverage to the residents in this area of Bellevue, and vehicular traffic in all directions of the proposed site. This geographic area is part of an existing coverage area in AT&T's network. The site will provide for the newest equipment to be installed and provide citizens with additional choices for their communication needs. The site will dramatically improve AT&T in-building coverage as customers continue to use their wireless devices as their principal form of communication. Local Police and Fire departments report that about 75% of 911 calls originate from wireless devices.

II. Why and how this location was chosen

AT&T strives to enhance its network and deliver additional services and coverage to our customers. This area is currently underserved and customers in homes, businesses and cars find themselves experiencing dropped calls and capacity deficiencies. We also will provide this location to the FirstNet network for first responders.

Site Acquisition Contractors, such as Ward Development Services, are instructed by AT&T's management to target existing cell sites, rooftops, towers, and to utilize any existing structures to collocate equipment on within the Search Ring first, in order to minimize new construction, expedite improved coverage, and to meet the spirit and intent of local zoning regulations, which typically encourage collocation. There are sites in the area that were reviewed as part of our work.

1. Black Hills Electric Corp. This is a 100' monopole at 1400 Little John Way. This site does not have the elevation needed and does not meet the coverage objective
2. City of Bellevue 1025365. This is a 100' SST tower on Little John Way near water reservoirs. . This site does not have the elevation needed and does not meet the coverage objective
3. City of Bellevue 1025365. This is a 145' monopole tower on Little John Way near water reservoirs. This site has multiple antenna attachments and the elevation available is too low and does not meet the coverage objective
4. ATS tower 1717 Wayne St behind the Mustaine Apartments. This is a 120' SST Tower. This location is too far south and does not offer the elevation needed fo the network.

The above considerations and processes were followed in selecting the site that is the subject of this Application.

AT&T's objective in placing a facility on the Subject Property is to improve continued service in the area. The Federal Communications Commission ("FCC") restricts the power output on all telecommunications antennae, requiring additional sites to fill in gaps in the network. The number of wireless communications facilities correlates to the size, terrain, and amount of customer traffic in a specific area. While AT&T endeavors to collocate on existing structures wherever possible, the lack of existing structures requires a new wireless communications facility to be built. AT&T's service is limited by (Radio Frequency) coverage, which propagates from antennae located on towers. There is no other possible way to cover this area without building a new tower, as there are no co-locatable structures available in the area that meets the objectives of the Radio Frequency Engineer's criteria. AT&T consistently seeks to increase or supplement their coverage footprint so that they may serve their growing customer base. Due to the present and anticipated growth of cell phone use, complaints from existing AT&T customers losing their signal while driving in the area or while using their devices in their homes necessitate the additional coverage that will be provided by this tower. As there are no existing structures in the area, our search was to locate a property that met the intent of the requirements for a Height Variance.

This location offers good elevation, an existing access off the public street. The site is located on a vacant area away from residential uses.

I hope that by supplying you with this overview of the project that you will agree to the need for this facility and that you will be able to support our Application to provide wireless telecommunications services to the citizens of the City.

Please contact me if you have any questions or if additional information is required.

Thank you very much.

Sincerely,

Steven K Ward

Steven K. Ward,
Ward Development Services, LLC
Authorized Agent for AT&T

C. COMPLIANCE WITH ORDINANCE

Section 8.05 Wireless Communication Towers and Antennas

8.05.01 Purposes

1. This Conditional Use Permit procedure provides for the review and discretionary approval of communication towers and building and rooftop mounted antennas. These uses have site development or operating characteristics that require special consideration.
2. To encourage public review of proposed projects which would be regulated under the provisions of this ordinance.
3. To provide a procedure which allows communication towers to operate according to certain conditions without requiring a rezoning to a higher intensity district, which may not conform to the objectives of the Comprehensive Plan.
4. To maximize the use of any existing or new communication tower to reduce the number of towers needed in the community.

8.05.02 Definition of Terms

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this ordinance its most reasonable application.

“Antenna” - any exterior apparatus designed for telephonic, radio, data, Internet, or video communications through the sending and/or receiving of electromagnetic waves, and includes equipment attached to a tower or building for the purpose of providing personal wireless services, wireless telecommunications services utilizing frequencies authorized by the Federal Communications Commission for cellular, enhanced specialized mobile radio, specialized mobile radio and personal communications services, telecommunications services, and its attendant base station.

“Communication tower” – A structure principally intended to support transmitting and/or receiving antennas and accessory equipment related to telecommunications

“Height of tower” – The vertical distance between the highest point of the tower structure including the antenna, and the natural grade directly below this point.

8.05.03 Applicability

1. Communication towers which may or may not exceed the height limit of the zoning district, but with a maximum height limit of two hundred (200) feet, and accessory facilities are permitted for the following uses, subject to the requirements of Sections 8.05.04, 8.05.05, and 8.05.06:

- A. Cable television
- B. Two-way radio
- C. Common carriers and private carriers
- D. Cellular telephone
- E. Fixed-point microwave
- F. FM/AM Radio
- G. Television

2. Building and rooftop mounted antennas, subject to the requirements of Section 8.05.04, 8.05.05, and 8.05.06.

3. Accessory facilities including, but not limited to, offices, long-term vehicle storage, other outdoor storage, broadcast studios, or other uses not needed to send or receive transmissions, are not permitted unless such facility is a permitted use in the zoning district.

4. An antenna and supporting structure for the following uses are exempt from the requirements of this ordinance and are permitted in any zoning district if accessory to a permitted use and if they comply with applicable regulations of that zone:

- A. Amateur radios licensed by the FCC
- C. Citizens band radios
- D. Home satellite receive-only antennas
- E. UHF or VHF television antennas
- F. Conventional home television antennas

5. Towers for police, fire, and emergency communications, or other municipal communications, are exempt from the requirements of this ordinance.

6. Towers for military radars which are used for the purpose of defense or aircraft safety are exempt from the requirements of this ordinance.

7. Towers which have painting or lighting requirements due to the requirements of the Federal Aviation Administration or the Nebraska Department of Aeronautics are declared incompatible due to their potential hazard to navigation and are hereby expressly excluded.

8.05.04 Conditions for Approval

Conditional use permits for the purpose of installing communication towers shall be evaluated based on the following information:

1. The purpose of the tower as listed in Section 8.05.03 (1) and information pertaining to the operational need or demand for the tower.

2. The type of tower proposed; either monopole, self-supporting, or guyed mast type, and accessory facilities or structures.

The proposed tower is a monopole design.

3. The height of the proposed tower, and a determination of the minimum height necessary to accommodate the communication equipment.

A 160' antenna elevation is the optimum design for the network at this location

4. Minimum setback from all adjoining property equal to:

- A. One hundred (100) percent of the tower height from the base of the tower, not including guy anchors, to any adjoining lot zoned residential.

This setback is met to the north, south and west. The site is located in the southeast corner of the church property so as to minimize the impact to parking, snow removal etc. the property to the east is a vacant tract owned by the City of Bellevue and we ask a reduction in the setback to this property. The tower will be set back from the property line a distance of 75'. The underlying setback distance for the side yard in the neighboring RD-60 district is 5 feet. This means no structure will be built within 80' of the proposed tower. A fall letter signed by a Nebraska structural

engineer will be provided demonstrating that a fail point will be designed into the tower so that the tower would break and fall within 80' of the center of the tower.

B. Twenty (20) feet from the base of the tower, not including guy anchors, to any adjoining lot zoned nonresidential.

Not Applicable. All property is residential

C. Tower guy anchors must meet the minimum setback requirements of the zoning district.

Not applicable. Monopole tower is the design

D. The City Council may grant a reduction in the required setbacks upon a determination that such reduction will not adversely affect adjacent properties and is consistent with the intent of this ordinance.

We ask a reduction in the setback to the City property to the east. Please see 8.05.04 (A)

5. Proximity to the nearest existing tower and information to demonstrate that an existing tower cannot accommodate the communication equipment planned for the proposed tower.

This response is in the narrative section. Existing towers were reviewed and found to not meet our needs

6. The landscaping and other buffers proposed to screen the base of the tower from adjacent residential or commercial uses, streets, parks, or other public property.

The site is to be screened with an opaque fence of chain link with privacy slats. There are existing trees in the area of the tower and the tower sits on top of a grade from the roadway which prevents view of the site from the streets

7. Other proposed measures to minimize adverse visual effects on adjacent properties including the design of the tower and accessory buildings, avoidance of artificial lighting, non-interference with television and radio reception, and any other factors.

There is no lighting of the compound proposed. AT&T operates within its licensed frequencies and will not interfere with television, radio or other licensed wireless uses

The Planning Director may issue an administrative permit approving an application to locate a building mounted or rooftop mounted antenna if the application does not exceed the permitted height in the zoning district in which it is located, and will have minimal adverse effect on the surrounding property. Administrative permits will be allowed only in commercial and industrial zones. Permits for the purpose of installing building and rooftop mounted antennas shall be evaluated based on the following information:

(1) The proposal shall demonstrate the antenna and support structure are safe and the surrounding areas will not be negatively affected by support structure failure, falling ice, or other debris.

(2) Antenna attached to the wall of an existing building shall be mounted in a configuration as flush to the wall as technically possible and shall not project above the wall on which it is attached.

(3) The antenna shall be designed and located so as to minimize any aesthetic impact. The antennas shall be constructed, painted, or fully screened to match as closely as possible the color and texture of the building and wall on which it is mounted.

(4) ~~If accessory equipment or structures are present, they must blend with the surrounding buildings in architectural character and color.~~

(5) ~~Rooftop mounted antenna and any related equipment shall be completely screened from view as visible from the property line by materials that are consistent and compatible with the design, color, and materials of the building.~~

(6) ~~Antenna attached to the roof of a building must be either:~~

A. ~~Omnidirectional or whip antenna no more than seven inches in diameter; or~~

B. ~~Panel antenna no more than two feet wide and eight feet long.~~

(7) ~~The fee for the administrative permit shall be in accordance with the Master Fee Schedule.~~

~~Within 30 days of receiving a complete application, the Planning Director shall act on the request for an administrative permit. If a request for an administrative permit is not acted upon within 30 days, or is denied, or the conditions imposed thereon are unacceptable to the applicant, then the applicant may, by written notice to the Planning Director, convert the request for an administrative permit to an application for a conditional use permit through the public hearing process.~~

8.05.05 Application Requirements

An application for a Conditional Use Permit may be submitted by the property owner or their authorized representative. The application shall be filed with the Planning Department and include at least the following information:

1. A site plan showing all existing and proposed structures located within the property, total acreage of the parcel, distance to the property line and distance to structures which are adjacent to the property, scale of the drawing, north arrow and date of the drawing.

See attached plans

2. A landscape plan submitted in accordance with the Landscaping, Buffering, and Screening regulations, although additional buffering and screening may be required as a provision of the Conditional Use Permit.

3. Engineering information pertaining to tower design, building materials, equipment to be attached to the tower, accessory structures, non-interference with television and radio reception, the safety and stability of the structure, and a description of the capacity of the tower, including the number and type of antennas that it can accommodate and the basis for the calculation of capacity.

The tower will be designed to the current EIA-222 code and will be a monopole with a galvanized finish. The tower will be inside a 38' x 55' compound and surrounded by a opaque fence of chain link with privacy slats. The tower will have the capacity to hold AT&T and at least two other carriers. Each carrier uses between 6 and 9 antennas and will have remote radio heads on the platform by he antennas

4. Correspondence with the Federal Aviation Administration, Federal Communications Commission, and the Nebraska Department of Aeronautics to demonstrate progress in compliance with their requirements.

FAA form 7460 will be filed and an FAA review will be performed. We ask that our zoning be approved, and any building issuance will be conditioned on the submittal of the FAA approvals

5. A survey of existing towers including type and location, and a statement which demonstrates the need for the new tower.

This is included in the attached plans

8.05.06 Duration of Conditional Use Permit

1. A Conditional Use Permit and administrative permit shall become void two (2) years after the date of approval unless the applicant has obtained a building permit and is in the process of or has completed construction of the communication tower or antennas.

Undersotod

2. Within sixty (60) days of the completion of the construction of the tower, the applicant is required to submit an inspection certification from a registered professional engineer demonstrating compliance with the minimum criteria for specifying and designing steel antenna towers and antenna supporting structures. Certification of structural integrity must also be provided to the City every three (3) years thereafter.

We ask this be adjusted to the current EIA standard for tower inspections for monopoles at 5-year intervals.

Section 6.06 Standards

No conditional use permit shall be granted unless that Planning Commission or City Council has found:

6.06.01 That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, moral, comfort, or general welfare of the community.

The proposed tower will not be detrimental to or endanger the public health, safety, moral, comfort, or general welfare of the community.

6.06.02 That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood.

The tower is at the rear of a large property used as a church. The property has mature trees and the site sites on top of a hill that prevents view from travelers to the south. There is no negative impact to property values

6.06.03 That the establishment of the conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district.

The surrounding properties are developed

6.06.04 Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.

Adequate utilities are available for the facility

6.06.05 Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

The site is visited about once every three weeks using the existing parking lot and drives

6.06.06 The use shall not include noise, which is objectionable due to volume, frequency, or beat unless muffled or otherwise controlled.

The site produces minimal noise. There will be a backup generator and the times of its maintenance can be adjusted to accommodate any required schedule

6.06.07 The use shall not involve any pollution of the air by fly-ash, dust, vapors, or other substance which is harmful to health, animals, vegetation or other property or which can cause soiling, discomfort, or irritation.

There is no air pollution caused by the facility

6.06.08 The use shall not involve any malodorous gas or matter which is discernible on any adjoining lot or property.

The facility does not use gas

6.06.09 The use shall not involve any direct or reflected glare which is visible from any adjoining property or from any public street, road, or highway.

There will be no reflected light or glare from the facility

6.06.10 The use shall not involve any activity substantially increasing the movement of traffic on public streets unless procedures are instituted to limit traffic hazards and congestion.

The site is visited about once every three weeks using the existing parking lot and drives

6.06.11 The use shall not involve any activity substantially increasing the burden on any public utilities or facilities unless provisions are made for any necessary adjustments.

The site uses only electricity and fiber

D. EXHIBITS

2. AERIAL MAPS



3. PIN SHEET

Property Detail Report

Parcel ID: 011254513



Parcel Information

Situs: 1220 Bellevue Blvd S Bellevue NE 68005

Owner: First Presbyterian Church
Of Bellevue
1220 Bellevue Blvd S
Bellevue, NE 68005

Legal: Lot 1 First Presbyterian Church Of
Bellevue (5.234 ac)
Subdivision: First Presbyterian Church Of
Bellevue (10410)
Tax District: 10002
Approx. Size: 5.23 ac
PLSS: SE 25-14-13
City: City of Bellevue

Services

School District: Bellevue
Fire District: Bellevue Fire
Law: Bellevue Police
Electricity: OPPD
Water/Gas: MUD
Wastewater: Bellevue

Environmental

Basin(s): Missouri River - 100.0%
Floodway: n/a
Flood Zone(s):
Area of Minimal Flood Hazard - 100.0%



Zoning

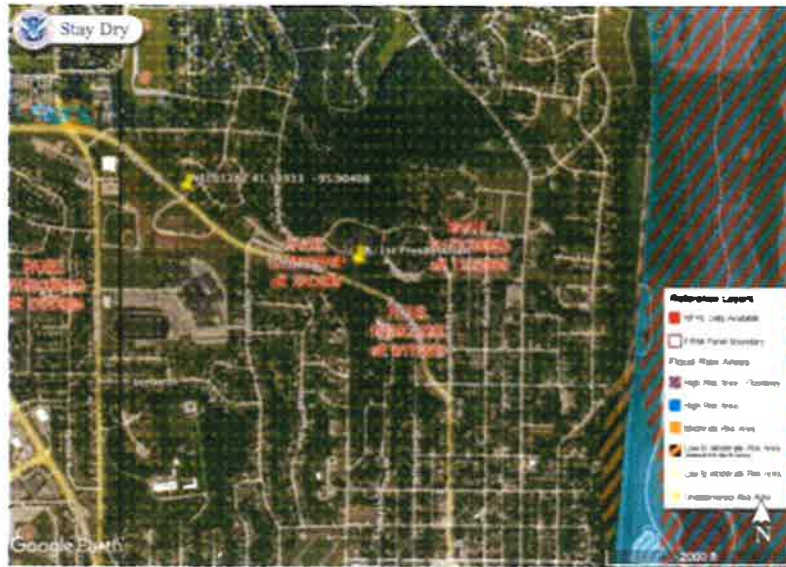
Zoning:
RS 84 - Single Family Residence - 8,400 Sq Feet (Bellevue) - 98.2%
Future Land Use:
MOR - Med Density Residential (Bellevue) - 98.2%

4. TOPO MAP

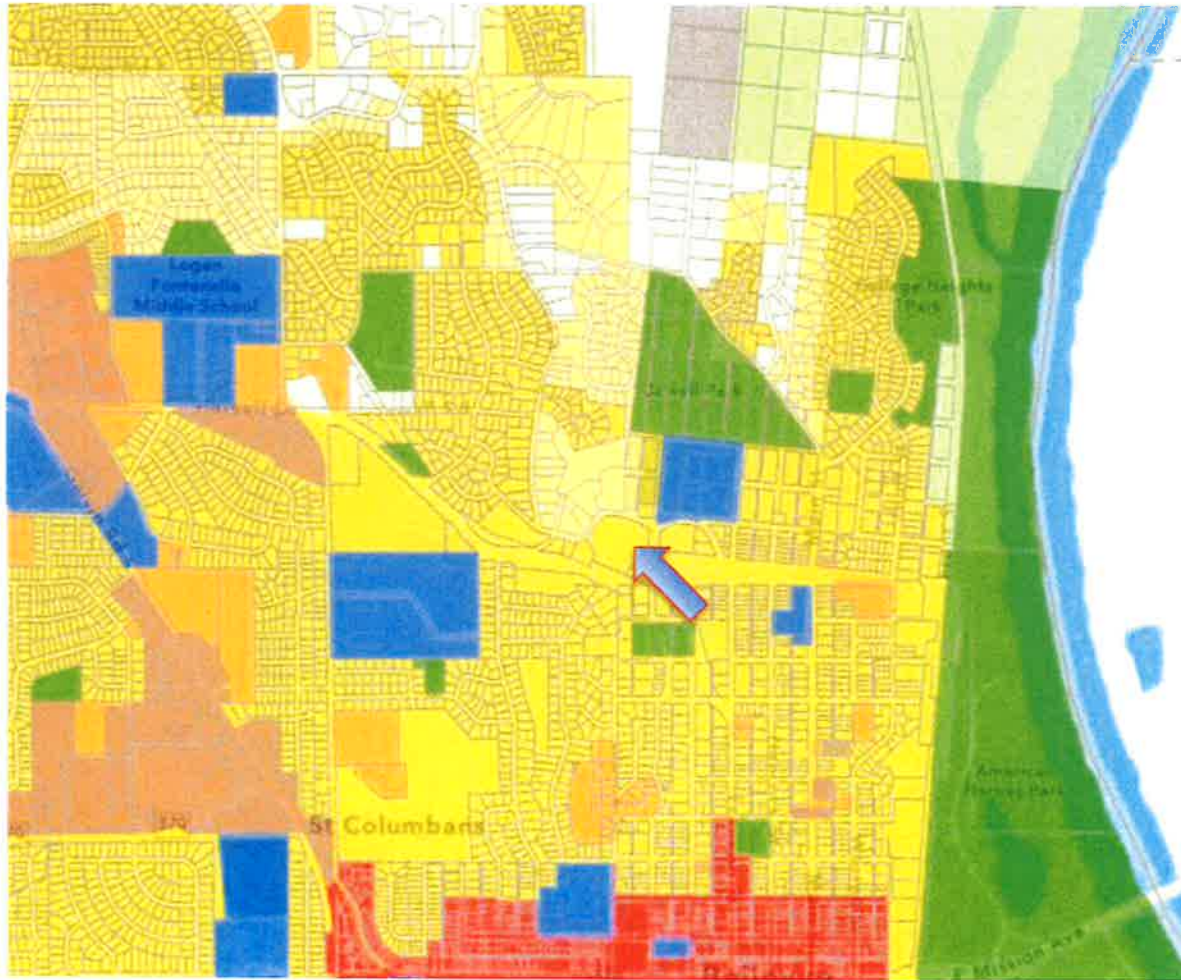


B.

5. FLOOD AND WETLANDS MAP

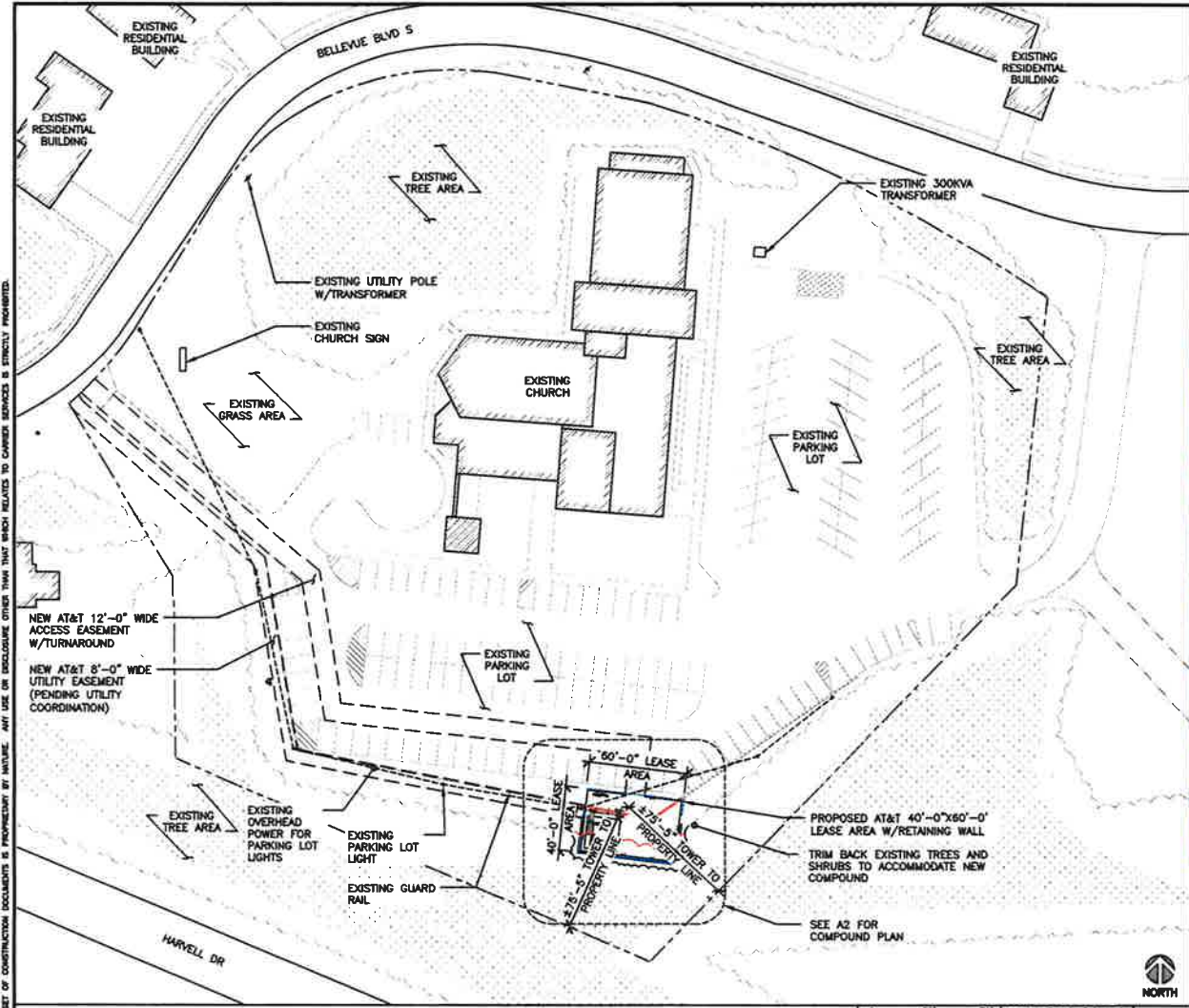


6. ZONING MAP



E. ZONING DRAWINGS

Attached



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FA # : 15796368
 PTN # : 3525A13C1N
 PACE # : MRUMW051411



ENLARGED SITE PLAN

SCALE 1"=75'-0" (11x17)
 (OR) 2"=300'-0" (22x36) 2

AERIAL

SCALE N.T.S. 1

924 NATIONAL PARKWAY
 BELL, MISSISSIPPI 39312

NEXUS
 CHEMESA SMALL
 SITE ACQUISITION SPECIALIST
 PHONE: 630.946.7171
 CHEMESA.SMALL@NEXUS.COM

WESTCHESTER SERVICES LLC
 604 PUX GLEN
 BARRINGTON, IL 60010
 TELEPHONE: 847.277.9070
 FAX: 847.277.9060
 ac@westchesterservices.com

NSB
 15796368/NEL01282
 FIRST PRESBYTERIAN
 1220 BELLEVUE BLVD S
 BELLEVUE, NE 68005

REV.	DATE	DESCRIPTION	BY
C	01/17/23	REVISED LEASE EXHIBIT	NSB
B	12/14/22	REVISED LEASE EXHIBIT	NSB
A	08/18/22	LEASE EXHIBIT	JS

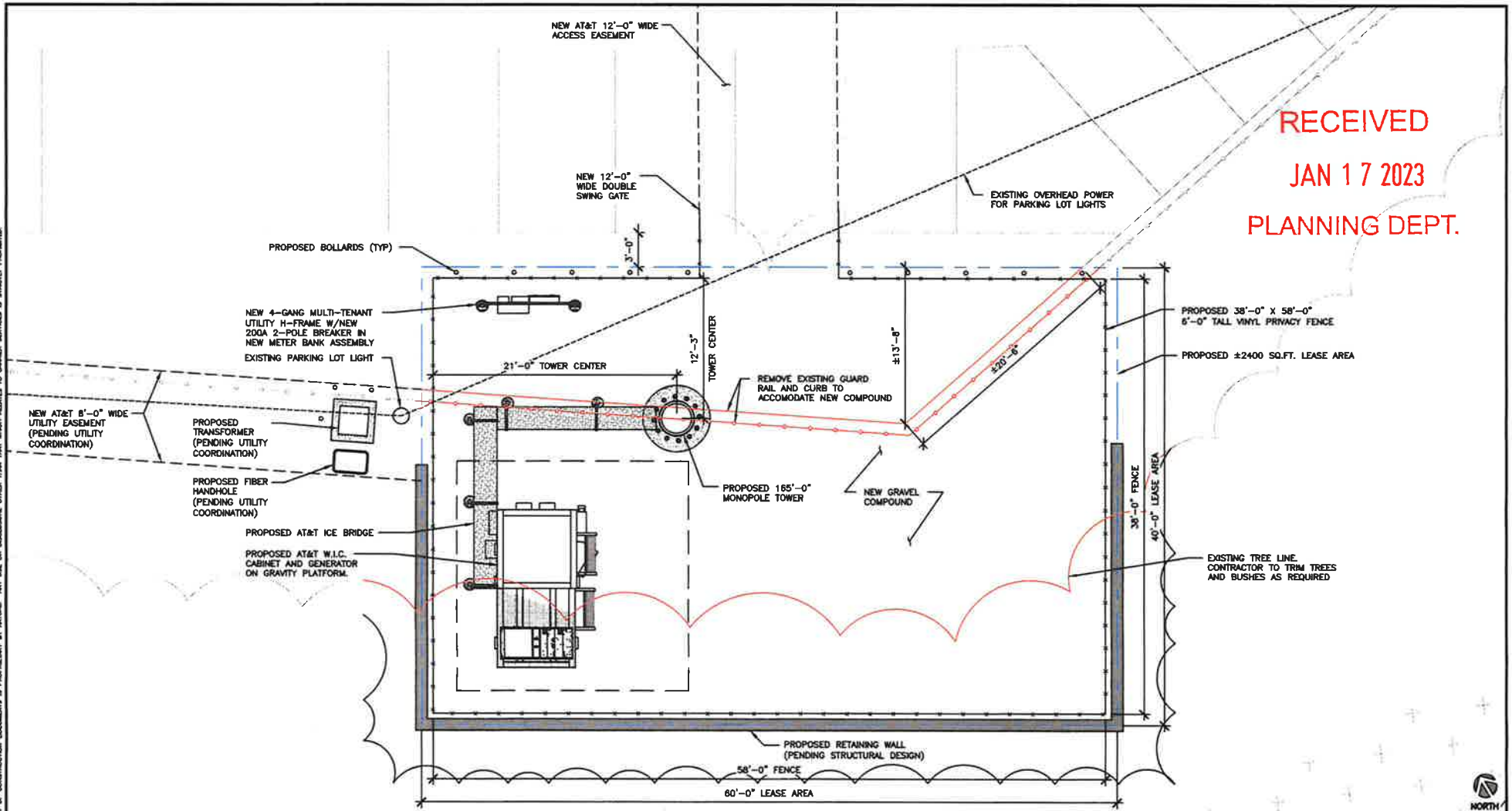
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SHEET TITLE
OVERALL SITE PLAN & AERIAL

SHEET NUMBER
LE-1

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ENLARGED PLAN

SOLID 1/8"=1'-0" (11x17)
 (OR) 1/16"=1'-0" (20x34) 1



NEXIUS

CHRISIA SMALL
 SITE ACQUISITION SPECIALIST
 PHONE 636-949-7741
 C-CHRISIA.SMALL@NEXIUS.COM



688 FOX GLEN
 BARRINGTON, IL 60010
 TELEPHONE: 847.277.0070
 FAX: 847.277.0088
 www@westchesterservices.com

NSB
 15796368/NELO1282
 FIRST PRESBYTERIAN
 1220 BELLEVUE BLVD S
 BELLEVUE, NE 68005

REV.	DATE	REVISIONS	INITIALS
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B	12/14/22	REVISED LEASE DOCUMENT	RSB
A	08/18/22	LEASE DOCUMENT	JS

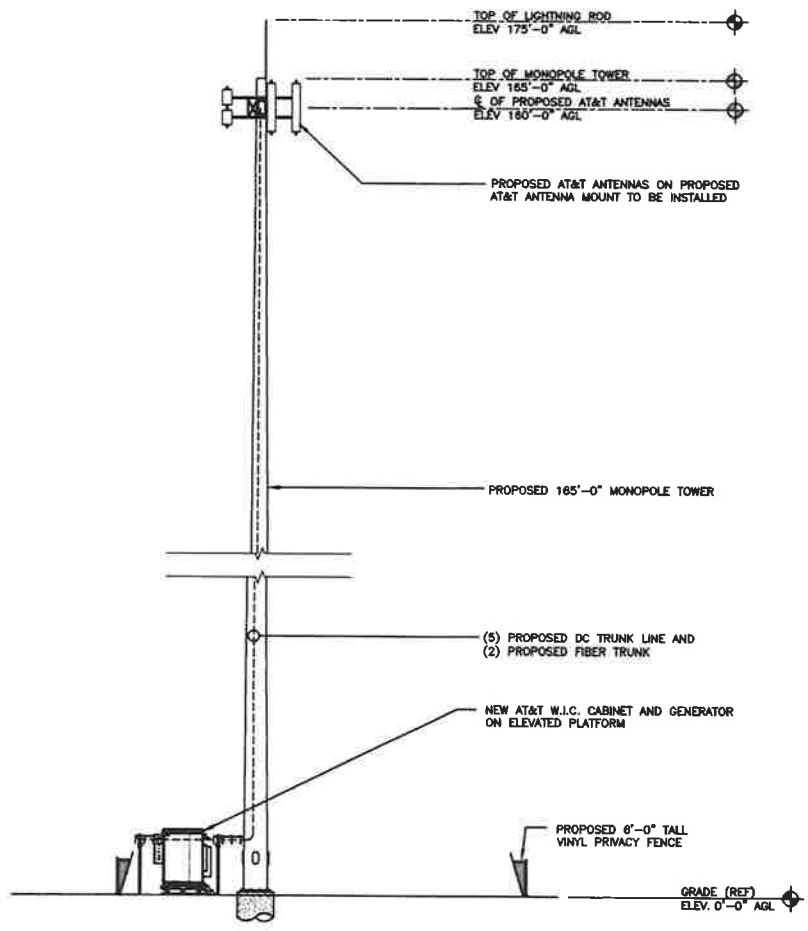
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SHEET TITLE
ENLARGED SITE PLAN

SHEET NUMBER
LE-2

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THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NEXUS. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CARRIER SERVICES IS STRICTLY PROHIBITED.



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TOWER ELEVATION

SCALE: 1"=30'-0" (1x17)
 (OR) 1"=60'-0" (2x34) 1

AT&T
 148 NATIONAL PARKWAY
 SCHUMBERG, TX 75071

NEXUS
 CHERISA SMALL
 SITE ACQUISITION SPECIALIST
 PHONE: 409-462-7711
 CHERISA.SMALL@NEXUS.COM

WESTCHESTER SERVICES LLC
 604 FOX GLEN
 HARRINGTON, TX 78030
 TELEPHONE: 817-277-0670
 FAX: 817-277-0886
 wsc@westchesterwsc.com

NSB
 15796368/NEL01282
 FIRST PRESBYTERIAN
 1220 BELLEVUE BLVD S
 BELLEVUE, NE 68005

REV.	DATE	DESCRIPTION	BY
C	01/17/23	REVISED LEASE EXHIBIT	NSM
B	12/14/22	REVISED LEASE EXHIBIT	NSM
A	02/18/22	LEASE EXHIBIT	JR

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SHEET TITLE
TOWER ELEVATION

SHEET NUMBER
LE-3

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JAN 26 2023
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Ed Conoan
1209 Bellevue Blvd. So.

Questions to the Bellevue City Planning Commission Public Hearing 1/26/23
RE: Conditional use permit for Lot 1 , First Presbyterian Church

Is it safe to be around? What is the Peak Transmission power at the top and what is the RF Exposure @ 500 feet or 152 meters from the proposed 5g tower? There is a preschool in the church. I'm retired as are several other neighbors, so that's basically 24/7 exposure at 300-400 feet. What is the expected level of RF exposure at the preschool as a % of FCC guideline?







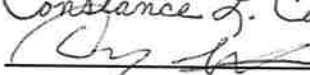
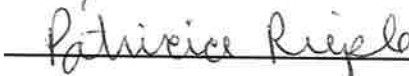




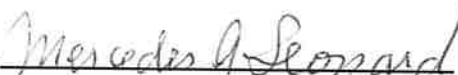
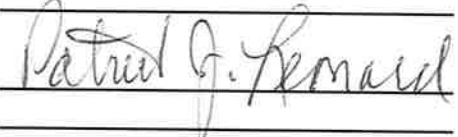
The conditional use permit requests an 80' fall zone instead of 100% of the height of the tower. Even if the tower fails at 80 feet won't the OPPD high power lines just south of the parking lot get hit? How much of Bellevue will go down if the power lines are struck by the tower?

Is this site suitable for a 165 foot tower? Did the planning department consider the site suitable even though it was created with broken road pavement as back fill? 10-15 years ago the southern parking lot was extended by backfilling the hill top with at least 30-50 Bellevue city dump trucks, full of what looked like broken pavement. Is this stable enough for a foundation?

Is this consistent with a residential neighborhood? The First Presbyterian church is a tax exempt entity. It pays no real estate taxes, I assume it pays no income taxes, and yet it seems to be in the business of leasing land for profit. How does that square with being non-profit? They are now going to profit from non-church related operations on their property. What is the public purpose for a tax exempt non-profit organizations operating for profit operations on their property in a residential neighborhood? Is this the first tower of a Cell Farm like Sherwood Forest Addition 500 Feet to the southwest?

Should the city reconsider the sidewalk waiver issued when the church added a significant northern wing? I was told by Linda Gray, church member that the waiver was granted because it was too expensive. Now the church has a new revenue source shouldn't the city and neighborhood benefit from a long overdue sidewalk to the north of their property line?

We oppose the proposed 165 Foot cell tower at the First Presbyterian Church at 1220 Bellevue Blvd. So., therefore we are asking the city council to vote against a conditional use permit which would allow a cell tower to be built 3.7 times the current height standard.

Date	Signature	Address
1 2/11/23	 Ed Coronado Beth Conoan	1209 Bellevue Blvd. So.
2 2/11/23	 Stella Hayden Jim M. [unclear]	1213 Bellevue Blvd So.
3 2/11/23	 William Wood	1300 LORD BLVD.
4 2/11/23	 [unclear]	1105 Bellevue Blvd S.
5 2-11-23	 [unclear]	1108 Bellevue Blvd S
6 2/11/23	 Richard J. Carlson Constance L. Carlson	1309 LITTLE JOHN ROAD
7 2-11-23	 [unclear]	1981 Little John Rd
8 2-11-23	 Patricia Rieple	1204 Bellevue Blvd S.
9 2-12-23	 [unclear]	1109 Bellevue Blvd So Bellevue Ne 68005
10 2-12-23	 [unclear]	1210 Bellevue Blvd S
11 2-12-23	 [unclear]	1211 Bellevue Blvd S.
12 2/13/23	 Karen Batchelor	1219 Bellevue Blvd. So.
13 2/19/23	 Mercedes A. Leonard	1106 Bellevue Blvd. So.
14 2/19/23	 Patrick G. Leonard	1106 Bellevue Blvd So.

We oppose the proposed 165 Foot cell tower at the First Presbyterian Church at 1220 Bellevue Blvd. So., therefore we are asking the city council to vote against a conditional use permit which would allow a cell tower to be built 3.7 times the current height standard.

- 15 2-20-23 David D. Anson 1001 Bellevue Blvd So 68005
Kathryn Ewing
- 16 2-20-23 Jeff N 1410 Franklin St. S 68005
Jeff N
- 17 _____
- 18 _____
- 19 _____
- 20 _____
- 21 _____

Ed & Beth Conoan
1209 Bellevue Blvd. So.
(402) 291-7926 econoan@cox.net

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FEB 15 2023
CITY CLERK

Questions to the Bellevue City Council Public Hearing 2/21/23

RE: Conditional use permit for Lot 1 , First Presbyterian Church – Proposal for a 165 foot Monopole Cell Tower.

Is this consistent with a residential neighborhood? The Lot is currently zoned RS-84 with a 35 Foot Maximum height restriction. A 165 foot proposed tower would be an order of magnitude of **3.7 times the current height standard**, (see exhibits A-1 and A-2). This is not a small variance. The tower will exceed the tree line by at least 85 feet. The elevation of the site is 1,210 feet, one of the highest areas in Bellevue. Once built, the expected profile over the city will add a visual blight to the skyline for 30 to 50 years.

Neighborhood Aesthetics. The surrounding neighborhood is large wooded lots. The proposed tower does not fit in a residential neighborhood. Once the cell tower is established on the ridge top, more will come. An example of the proliferation is within 500 feet, at Sherwood additions, with many cell towers placed in a neighborhood. When is enough, enough?

Height Requirements for 5g towers is 20-30 Feet. The trend for 5g placement is mini towers on top of street poles. Because 5g is a much shorter RF wavelength than 3g or 4g, it has trouble penetrating walls and trees, the trend will be to place mini cell towers every 1,000 feet on street poles, (see Exhibit B). If this is coming to Bellevue, then why allow the placement of massive tower which will soon be obsolete?

The applicant said that they reviewed the two towers on Little John Road and found them to be of insufficient height, at 100 Feet and 145 Feet. Given the nature of 5g and the trend for line of sight street level mini towers, **what is the real intended reach of the proposed tower?** If they are intending to connect to towers up and down the I-29 corridor, shouldn't the tower be place in a more rural setting where height is not as much of a visual problem and service the city with appropriate sized towers?

Who Benefits and who pays for the proposed tower? The First Presbyterian Church certainly benefits. They will be compensated for the use of their land. If this business model works, then the proposed tower will probably be the first of many towers. What is the public purpose of allowing a tax exempt organization operating a for-profit operation in a residential neighborhood? Homeowners within the line-of-sight may suffer a 10-20% reduction in home value. According to the county assessor's valuation, the surrounding residential valuation is \$3.3 million. The cumulative impaired value is in range of \$330,000 to \$660,000. Clearly the neighborhood households will pay for the enrichment of the Church. How is this a good public purpose?

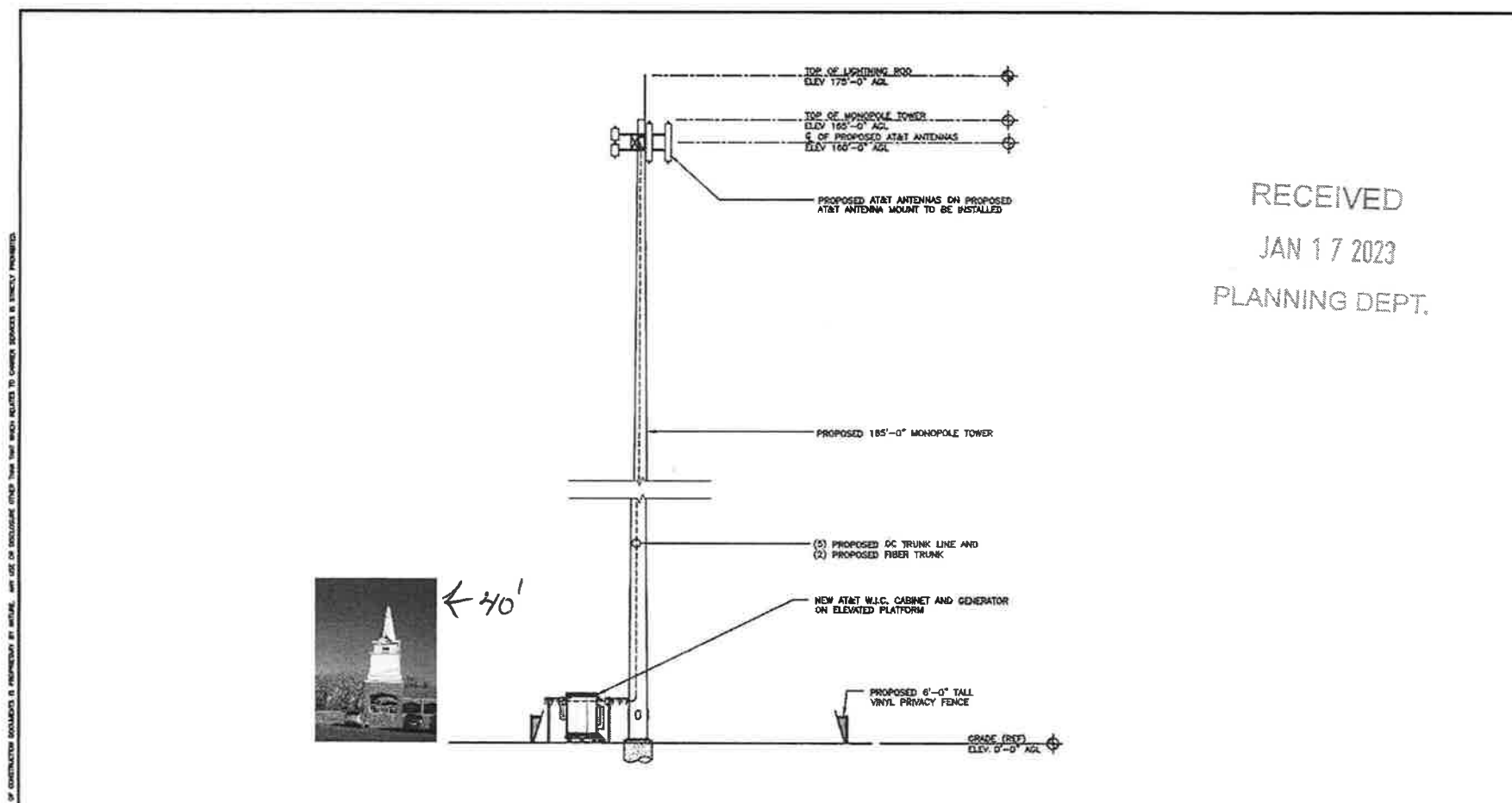
Is this site suitable for a 165 foot tower? The proposed site is over anywhere from 10 to 30 feet of broken pavement as a landfill. Did the planning department consider the fill suitable for a build and will they require the builder to take core samples before building?

The conditional use permit requests an 80' fall zone instead of 100% of the height of the tower. Even if the tower fails at 80 feet, according to OPPD the high power lines just south of the parking lot are within 70 feet of the tower. Does the 80 foot fall zone account for a 10 foot lighting rod on top of the tower?

Recommended Alternative Actions:

- Place the antennas in or on the existing church steeple. It has been done before.
- Do not build a 165 Foot tower but rather deploy mini towers on street lights which will be the industry standard within cities.
- If this location is essential for AT&T's 5g then it needs to be scaled down to a 20 Foot tower, much like the one they operate at 301 Avian Circle, (See Exhibit B). If it's appropriate there, it should work at the church. Anything else is AT&T capitalizing on a willing seller, to maximize lease revenue sold below their required height.
- If the provider needs a 165 foot monopole placed at 1,210 feet elevation, then it should be placed within an industrial or commercial tract not in a residential neighborhood.

Exhibit A-1



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JAN 17 2023
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TOWER ELEVATION

<p>AT&T</p>	<p>NEXIUS</p> <p>15 CHESAPEAKE 8750 QUINCY BLVD SUITE 200 PHOENIX, AZ 85044 C-CHESAPEAKE@VERIZON.COM</p>	<p>WESTCHESTER SERVICES LLC</p> <p>844 PLYMOUTH BASKINGRIDGE, NJ 08919 TELEPHONE: 867.377.8876 FAX: 867.377.9000 info@westchester-services.com</p>	<p>NSB 15796366/NEL01282 FIRST PRESBYTERIAN 1220 BELLEVUE BLVD S BELLEVUE, NE 68005</p>	<table border="1"> <thead> <tr> <th>REV.</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td>0</td> <td>01/17/23</td> <td>REVISED LEVIE DRAWING</td> <td>NSB</td> </tr> <tr> <td>1</td> <td>12/14/23</td> <td>REVISED LEVIE DRAWING</td> <td>NSB</td> </tr> <tr> <td>A</td> <td>04/14/23</td> <td>LEVIE DRAWING</td> <td>JS</td> </tr> </tbody> </table> <p>NOT FOR CONSTRUCTION UNLESS LANCELLED AS CONSTRUCTION SET</p>	REV.	DATE	DESCRIPTION	BY	0	01/17/23	REVISED LEVIE DRAWING	NSB	1	12/14/23	REVISED LEVIE DRAWING	NSB	A	04/14/23	LEVIE DRAWING	JS	<p>SHEET TITLE TOWER ELEVATION</p>	<p>SHEET NUMBER LE-3</p>
REV.	DATE	DESCRIPTION	BY																			
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1	12/14/23	REVISED LEVIE DRAWING	NSB																			
A	04/14/23	LEVIE DRAWING	JS																			

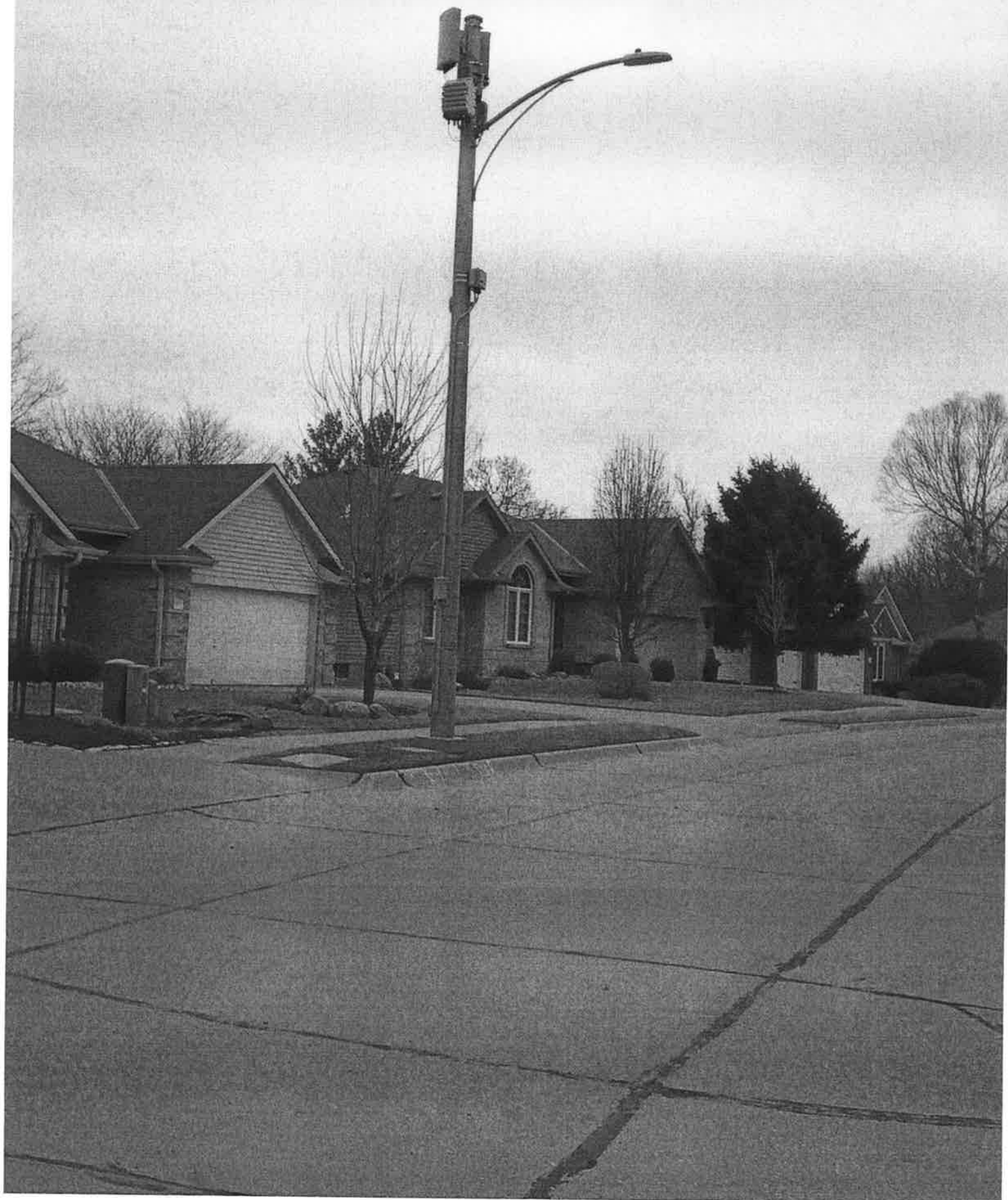
1

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Exhibit A-2 Height Comparison of the Proposed Tower to Church Steeple



Exhibit B 301 Avian Circle, Elevation 1,208 feet, AT&T Mobility



Record & Return To:
City of Bellevue Planning Department
1510 Wall Street
Bellevue, NE 68005

CITY OF BELLEVUE
CONDITIONAL USE PERMIT
LOT 1, FIRST PRESBYTERIAN CHURCH OF BELLEVUE,
LOCATED IN THE SOUTHEAST ¼ OF SECTION 25, T14N, R13E OF THE 6TH P.M., SARPY
COUNTY, NEBRASKA

Conditional Use Permit for New Cingular Wireless PCS, LLC

This Conditional Use Permit issued this 21st day of February, 2023 by the City of Bellevue, a municipal corporation in the County of Sarpy County, Nebraska (“City”) to New Cingular Wireless PCS, LLC, (“Applicant”), pursuant to the Bellevue Zoning Ordinance.

WHEREAS, First Presbyterian Church of Bellevue, is the legal owner of Lot 1, First Presbyterian Church of Bellevue, located in the Southeast ¼ of Section 25, Township 14 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska, consisting of approximately 5.23 acres (“Property”). Applicant desires to use a portion of the Property for the construction of a 165’ monopole wireless communication tower and 40 foot by 60 foot fenced compound; and

WHEREAS, Applicant has applied for a conditional use permit for the purpose of using the Property as described above; and

WHEREAS, the Mayor and City Council of the City of Bellevue are agreeable to the issuance of a conditional use permit to the Applicant for such purpose, subject to certain conditions and agreements as hereinafter provided (the “Permit”).

NOW, THEREFORE, BE IT KNOWN THAT subject to the conditions hereof, this Permit is issued to the Applicant to use the Property for the purpose described above, said use hereinafter being referred to interchangeably as a “Permitted Use” or “Use”.

Conditions of Permit

The conditions to which the granting of this Permit is subject are as follows:

1. Development and operation on the Property is governed by this Permit. The rights granted by this Permit are transferable and any breach of any terms hereof shall cause Permit to expire and terminate, subject to the rights of the Applicant to cure such default or deficiency as set forth in this Permit.
2. In respect to the proposed Use:

- a. A site plan showing the Property's boundaries, all existing and proposed easements, proposed structures, parking, access points, and drives, is attached hereto and incorporated herein as Exhibit "A".
 - b. The Property shall be developed and maintained in accordance with the site plan (Exhibit "A" and all other exhibits, if any, of this Agreement. Any modifications to the site plan must be submitted to the Planning Department for approval. Modifications of any other document or exhibit shall be subject to approval of the City, as directed by the City Administrator, unless otherwise expressly provided in the document or exhibit to be modified.
 - c. Applicant hereby indemnifies the City against, and holds the City harmless from, any liability, loss, claim or expense whatsoever (including, but not limited to, reasonable attorney fees and court costs) arising out of or resulting from the acts, omissions or negligence of the Applicant or its agents, employees, assigns, suppliers or invitees, including, but not limited to, any liability, loss, claim or expense arising out of or resulting from any violations of any applicable environmental or safety law, rule or regulation relating to the Applicant's Use of the Property.
3. The Applicant's right to maintain the Use of the Property, as contemplated by this Permit, shall be based on the following conditions:
 - a. A periodic inspection to determine compliance with the conditions of this Permit. The Permit may be revoked only upon a finding by the City that there is a material violation of the material terms of this Permit if the violation occurs after written notice from the City to Applicant and the opportunity to cure in the time and manner described below.
 - b. The Use authorized by this Permit must be initiated within 12 months after the date of the approval of this Permit otherwise such Permit shall become void.
 - c. The applicant may maintain a 165' monopole wireless communication tower and 40' x 60' fenced compound on the property.
 - d. All obsolete or unused structures, accessory facilities or materials with an environmental or safety hazard shall be abated and/or removed from the Property at Applicant's expense within twelve (12) months of cessation of the Use of the Property.
 - e. All signage on Property related to Use shall be in conformance with the City Zoning Ordinance.
 - f. Applicant shall record this Permit with the Sarpy County Register of Deeds at Applicant's expense.
4. Notwithstanding any other provision herein to the contrary, this Permit, and all rights granted hereby, shall expire and terminate as to a Permitted Use hereunder upon the first of the following to occur:
 - a. Applicant's abandonment of the Permitted Use. There shall be a presumption that the project on the Property has been abandoned if the Applicant fails to use the Property for the Permitted Uses for any twelve (12) consecutive month period.
 - b. Cancellation, revocation, denial or failure to maintain any federal, state or local permit required for the Use, and such cancellation, revocation, denial or failure to maintain any federal, state or local rights are provided under laws, rules and regulations governing said permit.
 - c. Applicant's breach of other terms hereof and its failure to cure such breach in the time and manner set forth below.
5. In the event the Applicant fails to promptly remove any safety, environmental or other hazard or nuisance from the Property, or upon the expiration or termination of this Permit the Applicant fails to promptly remove any remaining safety, environmental or other hazard or nuisance, the City may at its option (but without any obligation to the Applicant or any third party to exercise said option) cause the

same to be removed at Applicant's cost (including, but not limited to, the cost of any excavation and earthwork that is necessary or advisable in connection with the removal thereof) and the Applicant shall reimburse the City the costs incurred to remove the same. Applicant hereby irrevocably grants the City, its agents and employees, the rights, provided notice is furnished to the Applicant along with a reasonable time to remove or cure such hazard, to enter the Property and to take whatever action as is necessary or appropriate to remove any such hazards, nuisances in accordance with the terms of this Permit, and the right of the City to enter the Property as may be necessary or appropriate to carry out any other provision of this Permit.

6. If any provisions, or any portion thereof, contained in this Permit are held to be unconstitutional, invalid, or unenforceable, the remaining provisions hereof, or portions thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

7. The conditions and terms of this Permit shall be binding upon Applicant, its successors and assigns.

a. Delay of City to terminate this Permit on account of breach of Applicant of any terms hereof in accordance with the terms hereof shall not constitute a waiver of City's right to terminate this Permit, unless the City has expressly waived said breach. A waiver of the right to terminate upon any breach shall not constitute a waiver of the right to terminate upon a subsequent breach of the terms hereof, whether said breach be of the same or different nature.

b. Cure Rights. Notwithstanding any other provision of this Permit to the contrary, Applicant shall be entitled to notice and opportunity to cure a breach of this Permit as follows. City will notify the Applicant of any breach of this Permit. Cure shall be commenced and completed as soon as possible and in all cases within thirty (30) days after City provides notice of breach; provided, however, in any case that cure cannot be completed within 30 days, additional time will be allowed, so long as cure is commenced within the time required in this Section b and diligently pursued and completed as soon as possible, and allowing additional time does not present or increase risk of harm to persons or property. City shall have the right to terminate this Permit if a breach is not timely cured.

c. Nothing herein shall be construed to be a waiver or suspension of, or an agreement on the part of the City to waive or suspend, any zoning law or regulation applicable to the premises except to the extent and for the duration specifically authorized by this Permit.

d. Any notice to be given by City hereunder shall be in writing and shall be sufficiently given if sent by regular mail, postage prepaid, addressed as follows:

New Cingular Wireless PCS, LLC
15 Park Place Centre
Swansea, IL 62226

e. All recitals at the beginning of this document and exhibits or other documents referenced in this Permit shall be incorporated herein by reference.

Effective Date:

This Permit shall take effect upon the filing hereof with the City Clerk a signed original hereof.

The City of Bellevue

By: _____
Rusty Hike, Mayor

ATTEST:

Susan Kluthe, City Clerk

STATE OF NEBRASKA)
)SS:
COUNTY OF SARPY)

The undersigned, a notary public qualified in and for said county, does hereby certify that Rusty Hike and Susan Kluthe, whose names as Mayor and City Clerk respectively, of the City of Bellevue, Nebraska, a municipal corporation, are signed to the foregoing instrument and who are each known to me and known to be such officers, acknowledged before me on this day and they, in their respective capacities as Mayor and Deputy City Clerk, executed and delivered said instrument as their voluntary act and deed and voluntary act and deed of such corporation.

Witness my hand and notarial seal this ____ day of _____, 2023.

Notary Public

Steve Ward for New Cingular Wireless PCS, LLC

STATE OF ILLINOIS)
)SS:
COUNTY OF _____)

The undersigned, a notary public qualified in and for said county, does hereby certify that Steve Ward signed the foregoing instrument, acknowledged before me on this day and he executed and delivered said instrument as his voluntary act and deed.

Witness my hand and notarial seal this ____ day of _____, 2023.

Notary Public

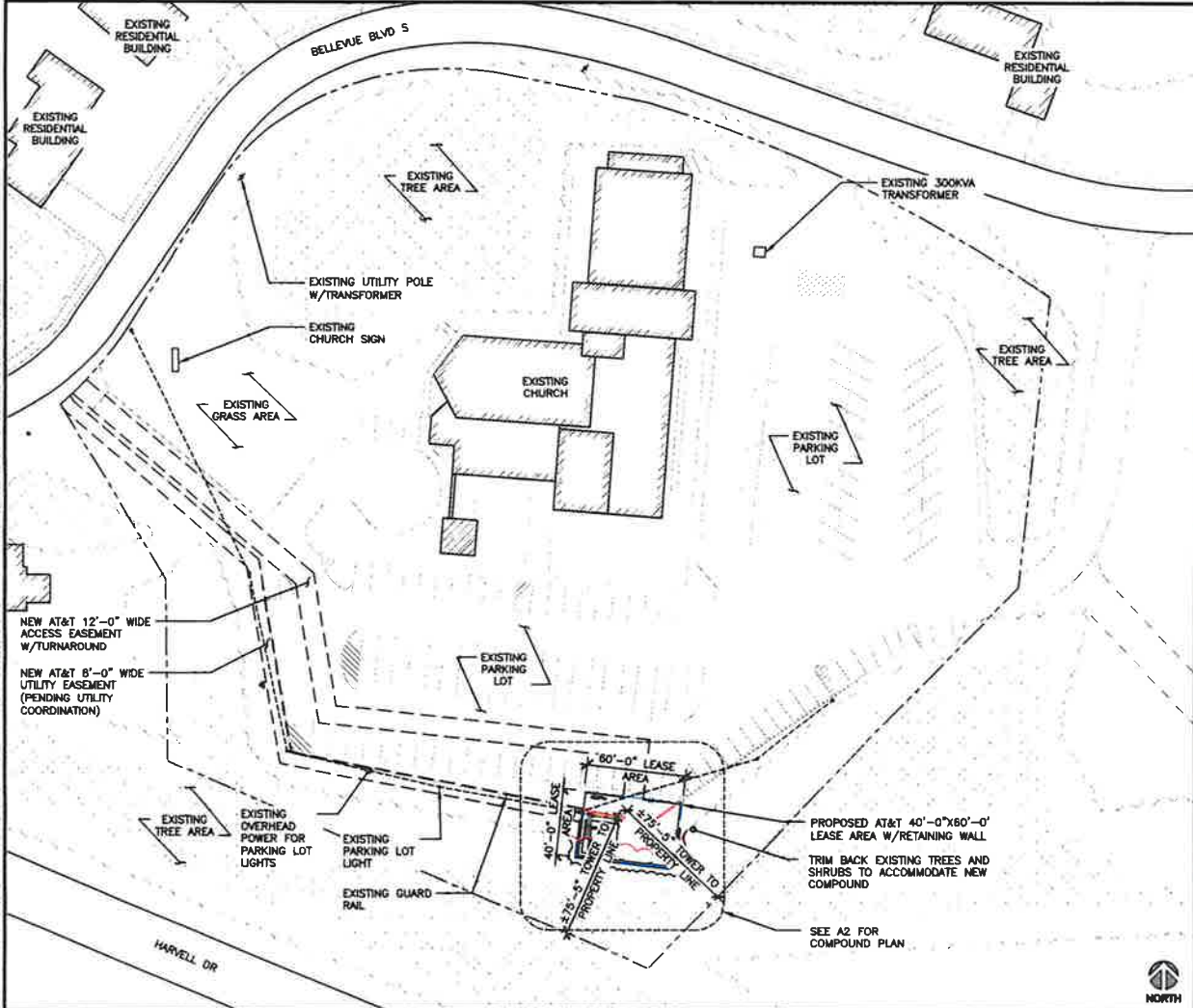
Marty Davis for First Presbyterian Church of Bellevue

STATE OF NEBRASKA)
)SS:
COUNTY OF _____)

The undersigned, a notary public qualified in and for said county, does hereby certify that Marty Davis signed the foregoing instrument, acknowledged before me on this day and he executed and delivered said instrument as his voluntary act and deed.

Witness my hand and notarial seal this ____ day of _____, 2023.

Notary Public



RECEIVED

JAN 17 2023

PLANNING DEPT.

FA # : 15796368
 PTN # : 3525A13C1N
 PACE # : MRUMW051411



ENLARGED SITE PLAN

SCALE 1"=75'-0" (11x17)
 (1"=150'-0" (22x34))

2 AERIAL

SCALE 1
 N.T.S.



NSB
 15796368/NELO1282
 FIRST PRESBYTERIAN
 1220 BELLEVUE BLVD S
 BELLEVUE, NE 68005

REV.	DATE	DESCRIPTION	BY
C	01/17/23	REVISED LEASE EXHIBIT	NSM
B	12/14/22	REVISED LEASE EXHIBIT	NSM
A	08/18/23	LEASE EXHIBIT	JS

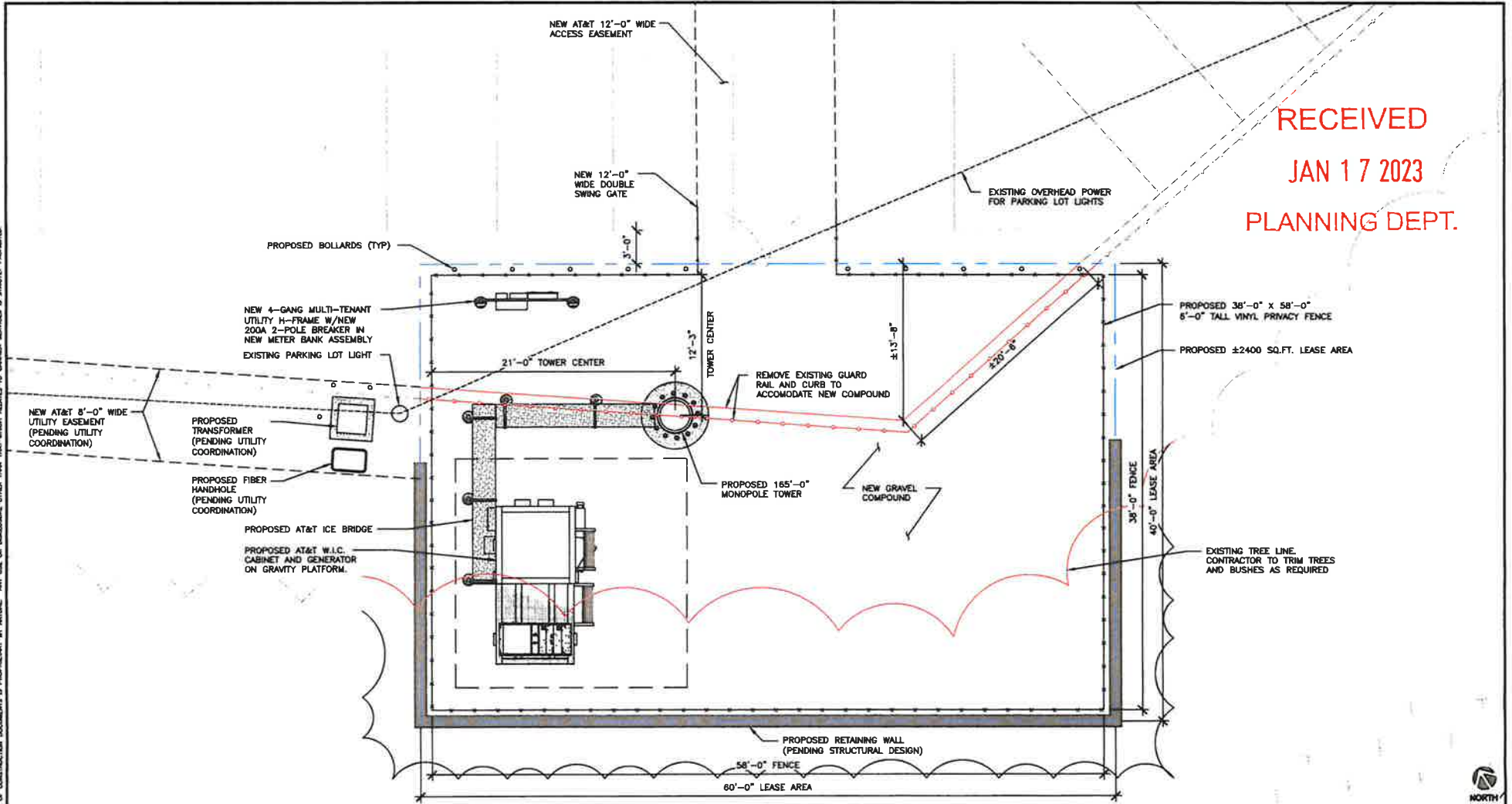
NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET

SHEET TITLE
OVERALL SITE PLAN & AERIAL

SHEET NUMBER
LE-1

THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY TO THE PARTY ORIGINATOR AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE PARTY ORIGINATOR.

RECEIVED
 JAN 17 2023
 PLANNING DEPT.



ENLARGED PLAN

SCALE: 1/8"=1'-0" (11x17)
 (OR) 1/16"=1'-0" (24x36)

1



NEXIUS
 CHERISA SMALL
 SITE ACQUISITION SPECIALIST
 PHONE: 336-846-2741
 CHERISA.SMALL@NEXIUS.COM

WESTCHESTER SERVICES LLC
 814 PO BOX 61808
 BARRINGTON, IL 60010
 TELEPHONE: 847.277.0070
 FAX : 847.277.0080
 ac@westchester-services.com

NSB
 15796368/NELO1282
 FIRST PRESBYTERIAN
 1220 BELLEVUE BLVD S
 BELLEVUE, NE 68005

REV.	DATE	REVISIONS	INITIALS
0	01/17/23	REVISED LEASE EXHIBIT	NSB
B	12/14/22	REVISED LEASE EXHIBIT	NSB
A	05/18/22	LEASE EXHIBIT	JS

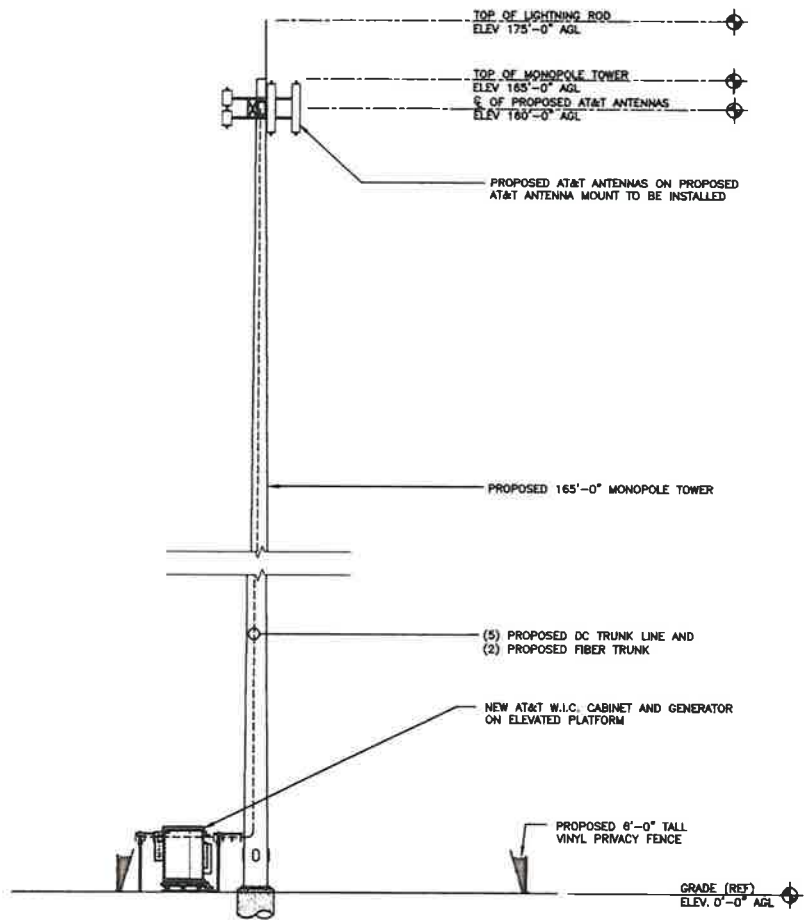
NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET

SHEET TITLE
ENLARGED SITE PLAN

SHEET NUMBER
LE-2

THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY TO WESTCHESTER SERVICES LLC. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CHARTERED SERVICES IS STRICTLY PROHIBITED.

THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY WESTCHESTER SERVICES, L.P. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CARRIED SERVICES IS STRICTLY PROHIBITED.



RECEIVED
 JAN 17 2023
 PLANNING DEPT.

TOWER ELEVATION

SCALE: 1"=25'-0" (11/17)
 (10) 5"=25'-0" (2/23/24) 1



NEXIUS
 CHERIDA SMALL
 SITE ACQUISITION SPECIALIST
 PHONE: 435-946-7741
 CHERIDA.SMALL@NEXIUS.COM

WESTCHESTER SERVICES, L.P.
 684 PINE GLEN
 BARRINGTON, IL 60018
 TELEPHONE: 847.277.0070
 FAX: 847.277.0080
 WWW.WESTCHESTERSECS.COM

NSB
 15796368/NEL01282
 FIRST PRESBYTERIAN
 1220 BELLEVUE BLVD S
 BELLEVUE, NE 68005

REV.	DATE	DESCRIPTION	BY
0	01/17/23	REVISED LEASE EXHIBIT	NSM
B	12/14/22	REVISED LEASE EXHIBIT	NSM
A	08/18/22	LEASE EXHIBIT	JS

NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET

SHEET TITLE
TOWER ELEVATION

SHEET NUMBER
LE-3

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 03/21/2023		SUBMITTED BY: Susan Kluthe, City Clerk	
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:

Event License Application - Ron Roen - National Flag Day/Army Birthday Event and waiving the \$50 event fee

SYNOPSIS/BACKGROUND:

Ron Roen is asking for an Event License for a National Flag Day/Army Birthday Event which would include starting at Washington Park and then end at American Heroes Park, from 12:00 p.m. to 4:00 p.m. on Sunday, June 11, 2023.

FISCAL IMPACT: \$00 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:

Recommendation to approve Event Application for Ron Roen to host a National Flag Day/Army Birthday Event on Sunday, June 11, 2023 from 12:00 p.m. - 4:00 p.m., Washington Park & American Heroes Park and to waive the \$50 Event Fee.

ATTACHMENTS:

1. Application for Event License
2. Comments from PD, Streets, & Parks
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]



City of Bellevue
Office of the City Clerk
1500 Wall Street • Bellevue, Nebraska 68005
(402) 293-3007

APPLICATION FOR EVENT LICENSE

The undersigned hereby makes application to conduct or operate a carnival, show, temporary amusement park, or music concert in the City of Bellevue, Nebraska, under the provisions of City Code Sections 5-36 thru 5-40, and hereby submits the following facts in support thereof:

Organization Name: Ron Roen Date: 2/28/2023

Contact Person Information for Organization:

Name: Ron Roen Phone: 402-709-0915 Email: raroen07@yahoo.com
Address: 13309 S. 26th Avenue City: Bellevue State: NE Zip: 68123

Event Information:

Event Name: National Flag Day and 248th Army Birthday Kickoff (event time 1p.m.-3p.m.)

Location of Event/Alternate Location:

Washington Park and American Heroes Park with parade from Washington Park to American Heroes

Dates of Event: 6/11/2023 Alternate Dates: Hours of Event: 12 p.m. - 4 p.m. includes setup/cleanup

What Provisions, if applicable, have been made for the following:

- 1. Sanitary Facilities: No
2. Running Water: No
3. Power: Yes
4. Parking: Yes
5. Insurance: Partnered with City Parks and Recreations

(Please provide Certificate of Insurance Naming City of Bellevue as Additional Insured)

Please address any specific requests of the Police/Parks/Streets Departments on the 2nd page.

I guarantee to the City of Bellevue that the premises will be cleaned and inspected following the above listed event on the day(s) indicated and, after inspection by the City, we will meet any additional responsible requests of the City of Bellevue as to the cleaning of the premises. For equal opportunity enjoyment for all individuals, I guarantee that all events will meet the legal requirements outlined in the American with Disabilities Act (ADA) and its amendments to prevent discrimination and enable individuals with disabilities to participate fully in all aspects of the event. I understand the \$50.00 event fee is a NON-REFUNDABLE APPLICATION FEE.

Signature of Applicant: [Handwritten Signature]

Police Department Requests:

Police motorcycle/s to lead parade and block streets between Washington Park and American Heroes Park, facilitate parade.

Parks Department Requests:

Microphone and approval of park usage.

Street Department Requests:

Work with Police Department to set up road closures for parade.

Special Request:

Request Waiver of \$50.00 event fee and certificate of insurance due to Partnering with City of Bellevue Parks and Recreation Department via Mr. Jim Shada.

FOR CITY OFFICE USE ONLY:

Notice of Hearing published in a legal newspaper on _____.

City Council hearing date: _____

License Fee of \$50 paid on: _____ Receipt #: _____



CITY OF BELLEVUE
EVENT LICENSE REVIEW FORM

City of Bellevue
City Clerk
1500 Wall Street
Bellevue, NE 68005
(402) 293-3007

- Police Department
Captain Kurt Stroehler
Sgt. Larry Lampman

- Parks Department
Jim Shada
Mark Blackburn

- Streets Department
Bobby Riggs

- Public Works Department
Doug Clark

FROM: Susan Kluthe

DATE: March 21, 2023

SUBJECT: Approve request of application for Ron Roen - National Flag Day/Army Birthday Event and waiving the \$50 event fee. Event will be on Sunday, June 11, 2023 from 12:00 p.m. - 4:00 p.m. Please review and provide any comments. Jim Ristow, City Administrator has approved. Jim Shada has visited with Mr. Roen and may have more details on this event. Let me know if you have any questions.

Please make comments on the above request and return to Susan Kluthe, by, Wednesday, March 15, 2023. I can be reached at (402) 293-3007 or susan.kluthe@bellevue.net if there are any questions concerning the above. If you fail to make comment or return this form by the deadline date, the City Clerk's Office will assume you have no position in this matter, and will therefore proceed accordingly. Thank you!

Comments

No Comments

No comments or concerns from Police.

Cpt K. Stroehler #171

Signature or Fill in Your Name

3-14-23

Date



CITY OF BELLEVUE
EVENT LICENSE REVIEW FORM

City of Bellevue
City Clerk
1500 Wall Street
Bellevue, NE 68005
(402) 293-3007

- Police Department
Captain Kurt Stroehrer
Sgt. Larry Lampman

- Parks Department
Jim Shada
Mark Blackburn

- Streets Department
Bobby Riggs

- Public Works Department
Doug Clark

FROM: Susan Kluthe

DATE: March 21, 2023

SUBJECT: Approve request of application for Ron Roen - National Flag Day/Army Birthday Event and waiving the \$50 event fee. Event will be on Sunday, June 11, 2023 from 12:00 p.m. - 4:00 p.m. Please review and provide any comments. Jim Ristow, City Administrator has approved. Jim Shada has visited with Mr. Roen and may have more details on this event. Let me know if you have any questions.

Please make comments on the above request and return to Susan Kluthe, by, Wednesday, March 15, 2023. I can be reached at (402) 293-3007 or susan.kluthe@bellevue.net if there are any questions concerning the above. If you fail to make comment or return this form by the deadline date, the City Clerk's Office will assume you have no position in this matter, and will therefore proceed accordingly. Thank you!

Comments

No Comments

Empty rectangular box for comments.

Karen Chandler
Signature or Fill in Your Name

3/14/2023
Date



CITY OF BELLEVUE
EVENT LICENSE REVIEW FORM

City of Bellevue
City Clerk
1500 Wall Street
Bellevue, NE 68005
(402) 293-3007

- Police Department
Captain Kurt Stroehler
Sgt. Larry Lampman

- Parks Department
Jim Shada
Mark Blackburn

- Streets Department
Bobby Riggs

- Public Works Department
Doug Clark

FROM: Susan Kluthe

DATE: March 21, 2023

SUBJECT: Approve request of application for Ron Roen - National Flag Day/Army Birthday Event and waiving the \$50 event fee. Event will be on Sunday, June 11, 2023 from 12:00 p.m. - 4:00 p.m. Please review and provide any comments. Jim Ristow, City Administrator has approved. Jim Shada has visited with Mr. Roen and may have more details on this event. Let me know if you have any questions.

Please make comments on the above request and return to Susan Kluthe, by Wednesday, March 15, 2023. I can be reached at (402) 293-3007 or susan.kluthe@bellevue.net if there are any questions concerning the above. If you fail to make comment or return this form by the deadline date, the City Clerk's Office will assume you have no position in this matter, and will therefore proceed accordingly. Thank you!

Comments

No Comments

PLEASE CONSIDER TRAFFIC IMPACT IN OLDE TOWNE, IN AND ALONG THE PARADE ROUTE. THE PROPOSED DATE AND TIME OF THE EVENT IS ALSO THE LAST AFTERNOON LISTED FOR BELLEVUE ROCKS. STREETS WILL WORK WITH APPROPRIATE PARTIES TO ASSIST WITH TRAFFIC CONTROL.

BOBBY RIGGS

[Handwritten signature]

Signature or Fill in Your Name

MARCH 14, 2023

Date



CITY OF BELLEVUE
EVENT LICENSE REVIEW FORM

City of Bellevue
City Clerk
1500 Wall Street
Bellevue, NE 68005
(402) 293-3007

- Police Department
Captain Kurt Stroehler
Sgt. Larry Lampman

- Parks Department
Jim Shada
Mark Blackburn

- Streets Department
Bobby Riggs

- Public Works Department
Doug Clark

FROM: Susan Kluthe

DATE: March 21, 2023

SUBJECT: Approve request of application for Ron Roen - National Flag Day/Army Birthday Event and waiving the \$50 event fee. Event will be on Sunday, June 11, 2023 from 12:00 p.m. - 4:00 p.m. Please review and provide any comments. Jim Ristow, City Administrator has approved. Jim Shada has visited with Mr. Roen and may have more details on this event. Let me know if you have any questions.

Please make comments on the above request and return to Susan Kluthe, by, Wednesday, March 15, 2023. I can be reached at (402) 293-3007 or susan.kluthe@bellevue.net if there are any questions concerning the above. If you fail to make comment or return this form by the deadline date, the City Clerk's Office will assume you have no position in this matter, and will therefore proceed accordingly. Thank you!

Comments

No Comments

Large empty rectangular box for providing comments.

Douglas R. Clark

03/13/23

Signature or Fill in Your Name

Date

Notice of Public Hearing
National Flag Day/Army Birthday Event

Notice is hereby given, pursuant to Sec. 5-36 through 5-40 of the Bellevue City Code, on Tuesday, March 21, 2023, the Bellevue City Council will hold a public hearing on the request of an Event License Application for Ron Roen to host a National Flag Day/Army Birthday Event from 12:00 p.m. until 4:00 p.m. on Sunday, June 11, 2023, starting at Washington Park and ending at American Heroes Park.

The meeting is open to the public and the public is encouraged to attend. Requests for special accommodations must be placed with the City Clerk at least forty-eight hours prior to the meeting.

Susan Kluthe
City Clerk



Ron Roen (LCDR USNR, Ret.)
March 21, 2023

National Flag Day & Army Birthday Kick-Off

Date and Time

Washington Park

1 PM Official start time

June 11, 2023

Note: Participants arrive at 12 Noon (dependent on weather)

Schedule of Events

Present Colors

- Strategic Command Joint Color Guard & Offutt Air Force Base's 55th Wing Honor Guard

Star-Spangled Banner (2 minutes)

- OAFB Band

Flyover

- NEANG KC-135, Helicopters
- *Remember the Army Air Corps*

Invocation

- Chaplain

Pledge of Allegiance

- Boy and Girl Scouts

Wreath Presentation

- WWP & RWB represented by Ron and others

Flag Presentation to City of Bellevue

- Strategic Command Joint Color Guard

Closing

- **Service Songs** and other **Patriotic Songs** - Omaha Musicians Association
- **Speech** - Requested Retired Army COL. to speak for 10 minutes
- **Flag Retirement Ceremony**- VFW

Requests



ABLE-1



LifeNet

CoB Leadership to accompany Staff and First Responders

- Placing the **WWP wreath**
- Presentation of **Commemorative Flag**

CoB Fire Apparatus Static

- **NEARNG** vehicle

Omaha Police Department

- **ABLE-1**

First Responders

- **LifeNet**

- **Photo Credits:** KC-135 photo by Lt Col James Horton, LifeNet photo from Facebook for [LifeNet 1-1 Omaha](#): **OPD ABLE-1 Photo by FlightAware**

Questions/Comments?

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 03/21/2023		SUBMITTED BY: Susan Kluthe, City Clerk	
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:

Application from Bellevue Community Foundation for the Bellevue Rocks Riverfront Festival Event on Thursday, June 8, 2023 from 4:00 p.m. to 1:00 a.m. on Friday, June 9, 2023; Saturday, June 10, 2023 4:00 p.m. to 1:00 a.m.; and Sunday, June 11, 2023 from 12:00 p.m. to 5:00 p.m. at American Heroes Park, Bellevue.

SYNOPSIS/BACKGROUND:

The "Bellevue Rocks Riverfront Festival" is an event held by the Bellevue Community Foundation which will be held at American Heroes Park. The event will be held on Thursday, June 8, 2023 from 4:00 p.m. to 1:00 a.m. on Friday, June 9, 2023; Friday, June 9, 2023 from 4:00 p.m. to 1:00 a.m. on Saturday, June 10, 2023; Saturday, June 10, 2023 from 4:00 p.m. to 1:00 a.m. on Sunday June 11, 2023; and Sunday, June 11, 2023 from 12:00 p.m. to 5:00 p.m. at American Heroes Park, Bellevue.

FISCAL IMPACT: \$50 BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

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

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME:

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

CIP PROJECT NAME: CIP PROJECT NUMBER:

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

ACCOUNTING DISTRIBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

Recommend approval of applications from Bellevue Community Foundation for the Bellevue Rocks Riverfront Festival on Thursday, June 8, 2023 from 4:00 p.m. to 1:00 a.m. on Friday, June 9, 2023; Friday, June 9, 2023 from 4:00 p.m. to 1:00 a.m. on Saturday, June 10, 2023; Saturday, June 10, 2023 from 4:00 p.m. to 1:00 a.m. on Sunday June 11, 2023; and Sunday, June 11, 2023 from 12:00 p.m. to 5:00 p.m. at American Heroes Park, Bellevue.

ATTACHMENTS:

1. Application for Event License
2. Comments from PD, Streets, & Parks
- 3.
- 4.
- 5.
- 6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

[Handwritten signatures: Amy Mather, Mark Clout]



City of Bellevue
Office of the City Clerk
1500 Wall Street • Bellevue, Nebraska 68005
(402) 293-3007

APPLICATION FOR EVENT LICENSE

The undersigned hereby makes application to conduct or operate a carnival, show, temporary amusement park, or music concert in the City of Bellevue, Nebraska, under the provisions of City Code Sections 5-36 thru 5-40, and hereby submits the following facts in support thereof:

Organization Name: Bellevue Community Foundation Date: June 8 - 11, 2023

Contact Person Information for Organization:

Name: Phil Davidson Phone: 402-293-3023 Email: lisa.rybar@bellevue.net
Address: 1500 Wall Street City: Bellevue State: NE Zip: 68133

Event Information:

Event Name: Bellevue Rocks Riverfront Festival

Location of Event/Alternate Location:

American Heroes Park

Dates of Event: June 8-11, 2023 Alternate Dates: Hours of Event: June 8, 9, & 10 - 4pm to 1:00am June 11 - 12 pm to 5 pm

What Provisions, if applicable, have been made for the following:

- 1. Sanitary Facilities: Porta Potties
2. Running Water: Portable Tanks
3. Power: Rented Generators
4. Parking: On-site, Haworth, Olde Towne with transportation
5. Insurance: Yes

(Please provide Certificate of Insurance Naming City of Bellevue as Additional Insured)

Please address any specific requests of the Police/Parks/Streets Departments on the 2nd page.

I guarantee to the City of Bellevue that the premises will be cleaned and inspected following the above listed event on the day(s) indicated and, after inspection by the City, we will meet any additional responsible requests of the City of Bellevue as to the cleaning of the premises. For equal opportunity enjoyment for all individuals, I guarantee that all events will meet the legal requirements outlined in the American with Disabilities Act (ADA) and its amendments to prevent discrimination and enable individuals with disabilities to participate fully in all aspects of the event. I understand the \$50.00 event fee is a NON-REFUNDABLE APPLICATION FEE.

Signature of Applicant: [Handwritten Signature]

RECEIVED
MAR 08 2023
CITY CLERK

Police Department Requests:

Parks Department Requests:

Street Department Requests:

Special Request:

FOR CITY OFFICE USE ONLY:

Notice of Hearing published in a legal newspaper on _____, _____.

City Council hearing date: _____

License Fee of \$50 paid on: _____ Receipt #: _____

Notice of Public Hearing
Bellevue Rocks Riverfront Festival

Pursuant to Sec. 5-36 through 5-40 of the Bellevue City Code, on Tuesday, March 21, 2023, at 6:00 p.m., the Bellevue City Council will hold a public hearing on the request of the Midlands Community Foundation/Bellevue Community Foundation to hold the Bellevue Rocks Riverfront Festival Event on Thursday, June 8, 2023 from 4:00 p.m. to 1:00 a.m. on Friday, June 9, 2023 from 4:00 p.m. to 1:00 a.m.; Saturday, June 10, 2023 from 4:00 p.m. to 1:00 a.m.; and Sunday, June 11, 2023 from 12:00 p.m. to 5:00 p.m. at American Heroes Park, Bellevue.

The meeting is open to the public and the public is encouraged to attend. Requests for special accommodations must be placed with the City Clerk at least forty-eight hours prior to the meeting.

Susan Kluthe
City Clerk



CITY OF BELLEVUE
EVENT LICENSE REVIEW FORM

City of Bellevue
Office of the City Clerk
1500 Wall Street
Bellevue, Nebraska
68005
(402) 293-3007

Police Department
 Sgt. Larry Lampman
 Capt. Kurt Stroehrer

Parks Department
 Jim Shada
 Mark Blackburn

Streets Department
 Bobby Riggs

Public Works Department
 Doug Clark

FROM: Susan Kluthe

DATE: March 8, 2023

SUBJECT: Recommend approval of applications from Bellevue Community Foundation for the Bellevue Rocks Riverfront Festival on Thursday, June 8, 2023 from 4:00 p.m. to 1:00 a.m. on Friday, June 9, 2023; Saturday, June 10, 2023 4:00 p.m. to 1:00 a.m.; and Sunday, June 11, 2023 from 12:00 p.m. to 5:00 p.m. at American Heroes Park, Bellevue.

Please make comments on the above request and return to Susan Kluthe, by, **Tuesday, March 15, 2023**. I can be reached at (402) 293-3007 or susan.kluthe@bellevue.net if there are any questions concerning the above. If you fail to make comment or return this form by the deadline date, the City Clerk's Office will assume you have no position in this matter, and will therefore proceed accordingly. Thank you!

Comments

No Comments

No comments or concerns from Police.

Cpt. K. Stroehrer #171

Signature or Fill in Your Name

3-14-23

Date



CITY OF BELLEVUE
EVENT LICENSE REVIEW FORM

City of Bellevue
Office of the City Clerk
1500 Wall Street
Bellevue, Nebraska
68005
(402) 293-3007

- Police Department
 - Sgt. Larry Lampman
 - Capt. Kurt Stroehrer

- Parks Department
 - Jim Shada
 - Mark Blackburn

- Streets Department
 - Bobby Riggs

- Public Works Department
 - Doug Clark

FROM: Susan Kluthe

DATE: March 8, 2023

SUBJECT: Recommend approval of applications from Bellevue Community Foundation for the Bellevue Rocks Riverfront Festival on Thursday, June 8, 2023 from 4:00 p.m. to 1:00 a.m. on Friday, June 9, 2023; Saturday, June 10, 2023 4:00 p.m. to 1:00 a.m.; and Sunday, June 11, 2023 from 12:00 p.m. to 5:00 p.m. at American Heroes Park, Bellevue.

Please make comments on the above request and return to Susan Kluthe, by **Tuesday, March 15, 2023**. I can be reached at (402) 293-3007 or susan.kluthe@bellevue.net if there are any questions concerning the above. If you fail to make comment or return this form by the deadline date, the City Clerk's Office will assume you have no position in this matter, and will therefore proceed accordingly. Thank you!

Comments

No Comments

BOBBY RIGGS

Signature or Fill in Your Name

MARCH 14, 2023

Date



CITY OF BELLEVUE
EVENT LICENSE REVIEW FORM

City of Bellevue
Office of the City Clerk
1500 Wall Street
Bellevue, Nebraska
68005
(402) 293-3007

- Police Department
 - Sgt. Larry Lampman
 - Capt. Kurt Strocher

- Parks Department
 - Jim Shada
 - Mark Blackburn

- Streets Department
 - Bobby Riggs

- Public Works Department
 - Doug Clark

FROM: Susan Kluthe

DATE: March 8, 2023

SUBJECT: Recommend approval of applications from Bellevue Community Foundation for the Bellevue Rocks Riverfront Festival on Thursday, June 8, 2023 from 4:00 p.m. to 1:00 a.m. on Friday, June 9, 2023; Saturday, June 10, 2023 4:00 p.m. to 1:00 a.m.; and Sunday, June 11, 2023 from 12:00 p.m. to 5:00 p.m. at American Heroes Park, Bellevue.

Please make comments on the above request and return to Susan Kluthe, by, **Tuesday, March 15, 2023**. I can be reached at (402) 293-3007 or susan.kluthe@bellevue.net if there are any questions concerning the above. If you fail to make comment or return this form by the deadline date, the City Clerk's Office will assume you have no position in this matter, and will therefore proceed accordingly. Thank you!

Comments

No Comments

Karen Chardler
Signature or Fill in Your Name

3/14/2023
Date



**CITY OF BELLEVUE
EVENT LICENSE REVIEW FORM**

**City of Bellevue
Office of the City Clerk
1500 Wall Street
Bellevue, Nebraska
68005
(402) 293-3007**

- Police Department
 - Sgt. Larry Lampman
 - Capt. Kurt Stroehler

- Parks Department
 - Jim Shada
 - Mark Blackburn

- Streets Department
 - Bobby Riggs

- X Public Works Department
 - X Doug Clark

FROM: Susan Kluthe

DATE: March 8, 2023

SUBJECT: Recommend approval of applications from Bellevue Community Foundation for the Bellevue Rocks Riverfront Festival on Thursday, June 8, 2023 from 4:00 p.m. to 1:00 a.m. on Friday, June 9, 2023; Saturday, June 10, 2023 4:00 p.m. to 1:00 a.m.; and Sunday, June 11, 2023 from 12:00 p.m. to 5:00 p.m. at American Heroes Park, Bellevue.

Please make comments on the above request and return to Susan Kluthe, by, **Tuesday, March 15, 2023**. I can be reached at (402) 293-3007 or susan.kluthe@bellevue.net if there are any questions concerning the above. If you fail to make comment or return this form by the deadline date, the City Clerk's Office will assume you have no position in this matter, and will therefore proceed accordingly. Thank you!

Comments

X No Comments

Douglas R Clark
Signature or Fill in Your Name

03/13/23
Date

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 03/21/2023		SUBMITTED BY: Susan Kluthe, City Clerk	
AGENDA ITEM:	CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input checked="" type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input checked="" type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

Recommend approval of a Special Designated Liquor License for Midlands Community Foundation/Bellevue Community Foundation

SYNOPSIS/BACKGROUND:

The Bellevue Community Foundation would like to be able to sell beer and distilled spirits for Bellevue Rocks Riverfront Festival on Thursday, June 8, 2023 from 4:00 p.m. to 1:00 a.m. on Friday; Friday, June 9, 2023 from 4:00 p.m. to 1:00 a.m. on Saturday; Saturday, June 10, 2023 from 4:00 p.m. to 1:00 a.m. on Sunday; and Sunday, June 11, 2023 from 12:00 p.m. to 5:00 p.m. at American Heroes Park, Bellevue. SDL applications are turned in directly to the City Clerk's Office. Application is reviewed by the Police, submitted to the City Council for review and recommendation, and then forwarded to the Nebraska Liquor Control Commission for issuance (if there are no issues).

FISCAL IMPACT: \$160.00 BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

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

CONTRACT DESCRIPTION:

CONTRACT EFFECTIVE DATE: CONTRACT TERM: CONTRACT END DATE:

PROJECT NAME:

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

CIP PROJECT NAME: CIP PROJECT NUMBER:

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

ACCOUNTING DISTRIBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

Recommend to the Nebraska Liquor Control Commission (NLCC) the approval of Special Designated Liquor License (SDL) application from Midlands Community Foundation/Bellevue Community Foundation for the Bellevue Rocks Riverfront Festival on Thursday, June 8, 2023 from 4:00 p.m. to 1:00 a.m. on Friday; Friday, June 9, 2023 from 4:00 p.m. to 1:00 a.m. on Saturday; Saturday, June 10, 2023 from 4:00 p.m. to 1:00 a.m. on Sunday; and Sunday, June 11, 2023 from 12:00 p.m. to 5:00 p.m. at American Heroes Park, Bellevue.

ATTACHMENTS:

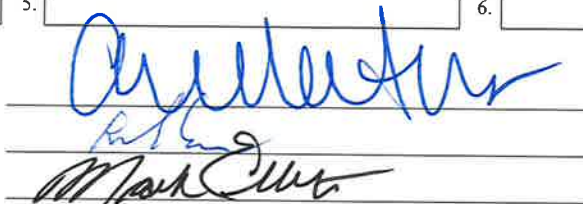
- Application
- Police Report
-
-
-
-

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:



**Special Designated License
Local Recommendation (Form 200)**

Applications must be entered on the portal after local approval – no exceptions
Late applications are non-refundable and will be rejected

Midlands Community Foundation (Bellevue Community Foundation)

Retail Liquor License Name or *Non-Profit Organization (*Must include Form #201 as Page 2)

1500 Wall Street, Bellevue, NE 68005

Retail Liquor License Address or Non-Profit Business Address

51-0191738

Retail License Number or Non-Profit Federal ID #

<u>Consecutive Dates only</u>	6/08/2023	6/09/2023	6/10/2023	6/11/2023		
Event Date(s):						
Event Start Time(s):	4:00 PM	4:00 PM	4:00 PM	12:00 PM		
Event End Time(s):	1:00 AM	1:00 AM	1:00 AM	5:00 PM		

Alternate Date: None

Alternate Location Building & Address: None

Event Building Name: American Heroes Park

Event Street Address/City: 2500 Payne Drive, Bellevue, NE

Indoor area to be licensed in length & width: X

Outdoor area to be licensed in length & width: 400 X 500 (Diagram Form #109 must be attached)

Type of Event: Community Festival Estimate # of attendees: 30,000

Type of alcohol to be served: Beer Wine Distilled Spirits
(If not marked, you will not be able to serve this type of alcohol)

Event Contact Name: Jim Ristow Event Contact Phone Number: 402-650-2537

Event Contact Email: jim.ristow@bellevue.net

*Signature Authorized Representative:  Printed Name Phil Davidson

I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

*Retail licensee – Must be signed by a member listed on permanent license
*Non-Profit Organization – Must be signed by a Corporate Officer

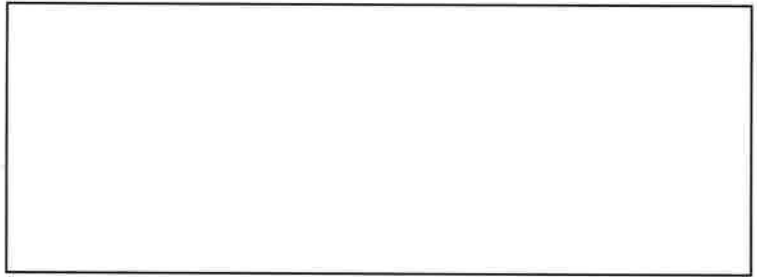
Local Governing Body completes below:

The local governing body for the City/Village of _____ **OR** County of _____ approves
the issuance of a Special Designated License as requested above. (Only one should be written above)

Local Governing Body Authorized Signature Date

**APPLICATION FOR SPECIAL
DESIGNATED LICENSE
Non-Profit Applicants ONLY**

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



This page is required to be completed by Non-Profit applicants only.

**Application for Special Designated License
Under Nebraska Liquor Control Act
Affidavit of Non-Profit Status**

I HEREBY DECLARE THAT THE CORPORATION MAKING APPLICATION FOR A SPECIAL DESIGNATED LICENSE UNDER THE NEBRASKA LIQUOR CONTROL ACT IS EITHER A MUNICIPAL CORPORATION, A FINE ARTS MUSEUM INCORPORATED AS A NONPROFIT CORPORATION, A RELIGIOUS NONPROFIT CORPORATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, A POLITICAL ORGANIZATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, OR ANY OTHER NONPROFIT CORPORATION, THE PURPOSE OF WHICH IS FRATERNAL, CHARITABLE, OR PUBLIC SERVICE AND WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES AS PER §53-124.11(1).

AS SIGNATORY I CONSENT TO THE RELEASE OF ANY DOCUMENTS SUPPORTING THIS DECLARATION AND ANY DOCUMENTS SUPPORTING THIS DECLARATION WILL BE PROVIDED TO THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY AGENT OF THE LIQUOR CONTROL COMMISSION IMMEDIATELY UPON DEMAND. I ALSO CONSENT TO THE INVESTIGATION OF THIS CORPORATE ENTITY TO DETERMINE IT'S NONPROFIT STATUS.

I AGREE TO WAIVE ANY RIGHTS OR CAUSES OF ACTION AGAINST THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY PARTY RELEASING INFORMATION TO THE AFOREMENTIONED PARTIES.

Midland's Community Foundation

NAME OF CORPORATION

51-8191738

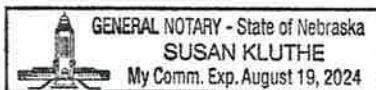
FEDERAL ID NUMBER

[Handwritten Signature]

SIGNATURE OF TITLE OF CORPORATE OFFICERS

THE ABOVE INDIVIDUAL STATES THAT THE STATEMENT ABOVE IS TRUE AND CORRECT: IF ANY FALSE STATEMENT IS MADE ON THIS APPLICATION, THE APPLICANT SHALL BE DEEMED GUILTY OF PERJURY AND SUBJECT TO PENALTIES PROVIDED BY LAW. (SEC. §53-131.01) NEBRASKA LIQUOR CONTROL ACT

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 14th DAY OF March 2023.



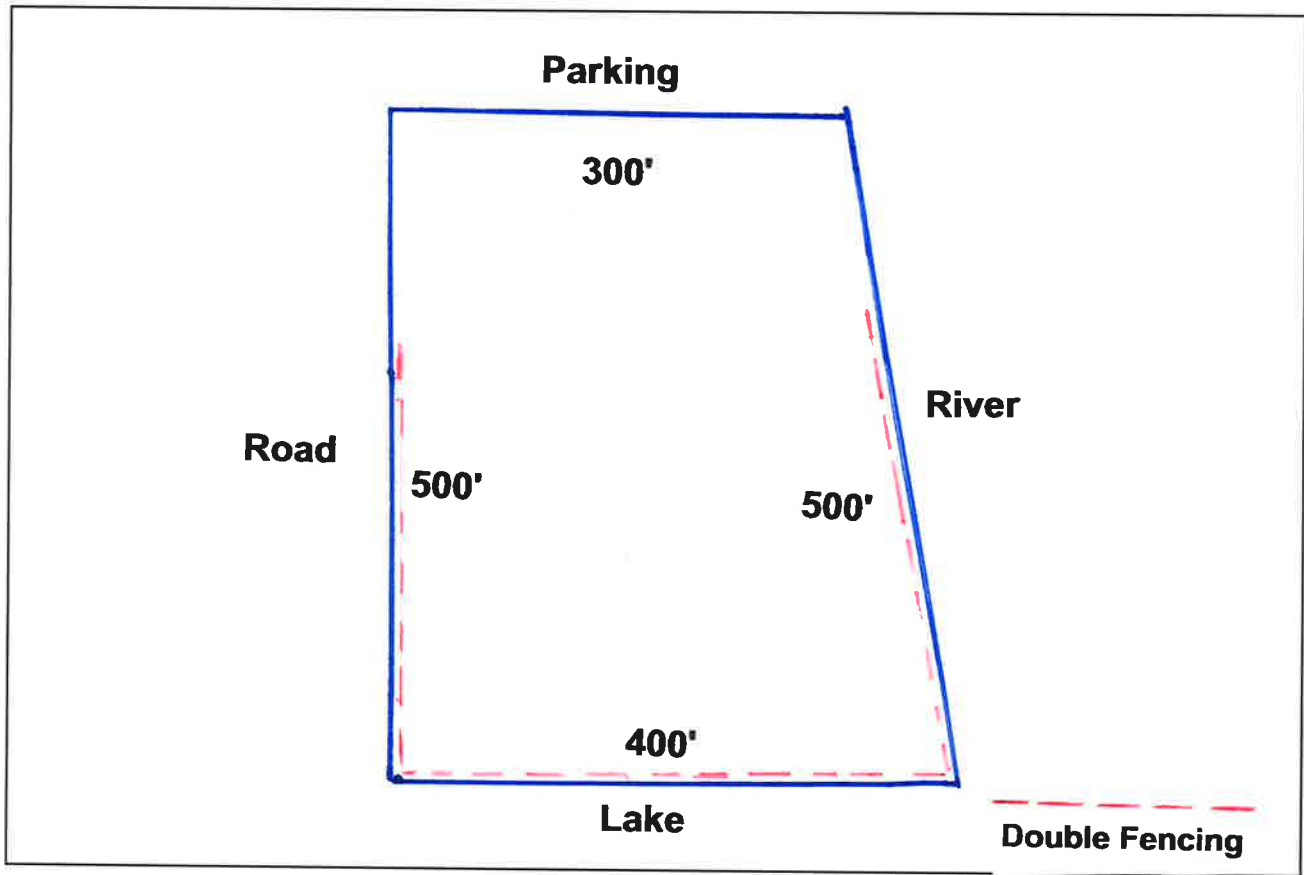
[Handwritten Signature]
NOTARY PUBLIC SIGNATURE & SEAL

OUTDOOR AREA DIAGRAM

HOW AREA WILL BE PATROLLED Bellevue Police Department

- IF APPLICABLE, OUTDOOR AREA MUST BE CONNECTED TO INDOOR AREA IF INDOOR AREA IS TO LICENSED
- MEASUREMENT OF OUTER WALLS OF AREA TO BE LICENSED MUST INCLUDED LENGTH & WIDTH IN FEET
- DOUBLE FENCING IS REQUIRED FOR ALL NON-PROFIT ORGANIZATIONS UNLESS FORM #140 IS FILED WITH THIS FORM AND IS APPROVED BY THE COMMISSION
- RETAILER LIQUOR LICENSE HOLDERS ARE NOT REQUIRED TO DOUBLE FENCE, ALTHOUGH MEASURES NEED TO BE TAKEN TO SECURE THE AREA

DIAGRAM OF PROPOSED AREA:





City of Bellevue
Office of the City Clerk
1500 Wall Street • Bellevue, Nebraska 68005 • (402) 292-3007

**SPECIAL DESIGNATED LIQUOR LICENSE
POLICE REPORT**

Date Emailed: 3/14/2023 Due to City Clerk by: 3/15/2023

Applicant: Midlands Community Foundation/Bellevue Community Foundation`

Location/Address: American Heroes Park, Bellevue

Date/Dates: June 8 -11, 2023 Time: As stated in requested action

Requested Action:

Recommend approval of application from Bellevue Community Foundation for the Bellevue Rocks Riverfront Festival on Thursday, June 8, 2023 from 4:00 p.m. to 1:00 a.m. on Friday; Friday, June 9, 2023 from 4:00 p.m. to 1:00 a.m. on Saturday; Saturday, June 10, 2023 from 4:00 p.m. to 1:00 a.m. on Sunday; and Sunday, June 11, 2023 from 12:00 p.m. to 5:00 p.m. at American Heroes Park, Bellevue

Comments:

No comments or concerns from Police.

No Comment:

Approved:

Denied:

Date Sent to Council if Denied Administratively: _____

Cpt. K. Strober
Signature

3-14-23
Date

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 03/07/2023		SUBMITTED BY: Susan Kluthe, City Clerk	
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 checked="" type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

Annual "Ride of Silence" - Bellevue Bicycle Club

SYNOPSIS/BACKGROUND:

The Bellevue Bicycle Club will be doing their annual "Ride of Silence" on Wednesday, May 17, 2023, from approximately 6:30 p.m. to 9:00 p.m., beginning at West Papio Trailhead on Raynor Parkway, then to proceed east to 36th Street, south to Twin Creek Drive, west on Twin Creek Drive to 42nd Street, south to Highway 370, east to Fort Crook Road, then northbound to Chandler Road. At Chandler Road the riders will U-turn and ride south on Fort Crook Road back to Highway 370, west to 36th Street, then back north to the West Papio Trailhead. Because of the usage of the State Highway, a Resolution is needed to show the City's NDOT compliance.

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:

Recommendation to approve Resolution #2023-05; authorize the Mayor to sign and waive the \$50 event fee.

ATTACHMENTS:

- | | | |
|--------------------------|---------------------------------------|----------------------------------|
| 1. Application for Event | 2. Certificate of Insurance | 3. letter from Mr. Michael McGee |
| 4. Resolution #2023-05 | 5. Comments from PD, Streets, & Parks | 6. _____ |

SIGNATURES:

LEGAL APPROVAL AS TO FORM: _____

FINANCE APPROVAL AS TO FORM: _____

ADMINISTRATOR APPROVAL AS TO FORM: _____

[Handwritten signatures in blue ink]



City of Bellevue
Office of the City Clerk
1500 Wall Street - Bellevue, Nebraska 68005
(402) 293-3007

APPLICATION FOR EVENT LICENSE

The undersigned hereby makes application to conduct or operate a carnival, show, temporary amusement park, or music concert in the City of Bellevue, Nebraska, under the provisions of City Code Sections 5-36 thru 5-40, and hereby submits the following facts in support thereof:

Organization Name: BELLELVUE BICYCLE CLUB Date: 2/10/2023

Contact Person Information for Organization:

Name: Michael McGee Phone: 402-707-4128 Email: mgmcgee.us@gmail.com

Address: 702 Fort Crook Road South City: Bellevue State: NE Zip: 68005

Event Information:

Event Name: 2023 RIDE OF SILENCE

Location of Event: Twin Creek Trailhead, 3601 Raynor Pkwy, Bellevue NE 68133

Dates of Event: Wed May 17th 2023 Alternate Dates: n/a Hours of Event: 6:30 P. M. - 9:00 P. M.

What Provisions, if applicable, have been made for the following:

- 1. Sanitary Facilities: no
2. Running Water: no
3. Power: no
4. Parking: on site parking will be sufficient
5. Insurance: see insurance certificate

(Please provide Certificate of Insurance Naming City of Bellevue as Additional Insured)

Please address any specific requests of the Police/Parks/Streets Departments on the 2nd page.

I guarantee to the City of Bellevue that the premises will be cleaned and inspected following the above listed event on the day(s) indicated and, after inspection by the City, we will meet any additional responsible requests of the City of Bellevue as to the cleaning of the premises. For equal opportunity enjoyment for all individuals, I guarantee that all events will meet the legal requirements outlined in the American with Disabilities Act (ADA) and its amendments to prevent discrimination and enable individuals with disabilities to participate fully in all aspects of the event. I understand the \$50.00 event fee is a NON-REFUNDABLE APPLICATION FEE.

Signature of Applicant: Michael McGee 2/23/2023

Police Department Requests:

Parks Department Requests:

Street Department Requests:

FOR CITY OFFICE USE ONLY:

Notice of Hearing published in a legal newspaper on _____.

City Council hearing date: _____

License Fee of \$50 paid on: _____ Receipt #: _____



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

02/09/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER American Specialty Insurance & Risk Services, Inc. 7609 W. Jefferson Blvd., Suite 100 Fort Wayne IN 46804	CONTACT NAME: _____ PHONE (A/C, No, Ext): _____ FAX (A/C, No): _____ E-MAIL ADDRESS: _____																				
	<table border="1"> <tr> <th colspan="2">INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A:</td> <td>Arch Insurance Company</td> <td>11150</td> </tr> <tr> <td>INSURER B:</td> <td></td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A:	Arch Insurance Company	11150	INSURER B:			INSURER C:			INSURER D:			INSURER E:			INSURER F:	
INSURER(S) AFFORDING COVERAGE		NAIC #																			
INSURER A:	Arch Insurance Company	11150																			
INSURER B:																					
INSURER C:																					
INSURER D:																					
INSURER E:																					
INSURER F:																					
INSURED League of American Wheelmen dba League of American Bicyclists 1612 K Street NW, Suite 1102 Washington DC 20006																					

COVERAGES **CERTIFICATE NUMBER:** 1002081866 **REVISION NUMBER:**


THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input checked="" type="checkbox"/> OTHER: OTHER		N	SBCGL0054506	02/01/2023	02/01/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ Excluded PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMP/OP AGG \$ 5,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N	N/A			PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

- Coverage applies to BELLEVUE BICYCLE CLUB, 505 N HARRISON CIR, PAPHILLION, NE 68046.

- Notable Exclusions: Racing. Time trials involving racing between individuals (a covered time trial is an individual timing activity). Commercially-operated tours. Commercial bicycle repair shops. Bicycle rental programs. Construction or engineering of bicycle trails or paths. Organizing or supervising a program that involves the regular transportation of minors to and from school. Activities involving mopeds or any other vehicle with manual power source;

CERTIFICATE HOLDER BELLEVUE BICYCLE CLUB 505 N HARRISON CIR PAPHILLION NE 68046	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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**BELLEVUE BICYCLE CLUB
NEBRASKA**

City Administrator
Jim Ristow
1500 Wall Street
Bellevue, NE 68005

February 10, 2023

Request for Resolution for Use of Highway 370 for an Event

Dear Mr. Ristow,

The Bellevue Bicycle Club requests the City Council Approval for use of Highway 370 under Nebraska State Statute 39-1359.

The "Ride of Silence" is a worldwide memorial ride to honor those injured or killed in traffic accidents while cycling on the public roadways. The event will take place on Wednesday May 17th, 2023 (the third Wednesday of May) beginning at 7:00 P.M.

The ride will begin from the West Papio Trailhead on Raynor Parkway. From there, the ride will proceed east to 36th street, south to Twin Creek Drive, west on Twin Creek Drive to 42nd Street, south to Highway 370, east to Fort Crook Road then northbound to Chandler Road. At Chandler Road, the riders will U-turn and ride south on Fort Crook Road back to Highway 370, west to 36th street, then north to the trailhead. This ride is simultaneously at the same time the Bellevue Police Department is hosting the local area law enforcement motorcycle officers' training course. The police motorcycles will escort the bicycle riders while on the public roadway.

The Bellevue Bicycle Club is appreciative of your assistance with this event.

Respectfully submitted,

Michael McGee

Vice-President Bellevue Bicycle Club
402-707-4128
Mgmcgee.us@gmail.com

RESOLUTION NO. 2023-05

WHEREAS, the Bellevue Bicycle Club will hold the annual “Ride of Silence” (“special event”) in the City on May 17, 2023, and,

WHEREAS, a portion of Nebraska Highway 370 (“highway property”) located within the corporate limits of the City of Bellevue (“City”) will be used for bicycle riders beginning at West Papio Trailhead on Raynor Parkway, then to proceed east to 36th Street, south to Twin Creek Drive, west on Twin Creek Drive to 42nd Street, south to Highway 370, east to Fort Crook Road, then northbound to Chandler Road. At Chandler Road the riders will U-turn and ride south on Fort Crook Road back to Highway 370, west to 36th Street, then back north to the West Papio Trailhead, on Wednesday, May 17, 2023, from approximately 6:30 p.m. until 9:00 p.m., in conjunction with the special event; and,

WHEREAS, the need for barricades, signage and/or other traffic control devices is not anticipated and damage to, or modification of, road surfaces is not expected; and,

WHEREAS, the procession of bicycle riders will be escorted by local law enforcement; and,

WHEREAS, Nebraska state law allows the use of the state highway system by the City, including full and partial lane closures, for special events as designated by the City, provided the following conditions are met:

- a) The roadway is located within the official corporate limits or zoning jurisdiction of the City;
- b) The City shall have the legal duty to protect the highway property from any damage that may occur arising out of the special event and the state shall not have any such duty during the time the City is in control of the highway property designated for the event;
- c) Any existing statutory or common law duty of the state to protect the public from damage, injury, or death shall become the duty of the City, and the state shall not have such statutory or common law duty during the time the City is in control of the property designated for the special event.

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

The City of Bellevue hereby designates the annual “Ride of Silence” as a special event under LB589/Neb. Rev. Stat. § 39-1359, and hereby notifies the State of Nebraska that it acknowledges and accepts the duties imposed by such law and if a claim is made against the state, shall indemnify, defend, and hold harmless the state from all claims, demands, actions, damages, and liability, including reasonable attorney’s fees, that may arise as a result of full and partial lane closures of the highway property in conjunction with the annual “Ride of Silence.”

PASSED AND APPROVED this 21st day of March, 2023.

ATTEST:

Susan Kluthe, City Clerk

Rusty Hike, Mayor

Approved as to Form:

City Attorney



CITY OF BELLEVUE
EVENT LICENSE REVIEW FORM

City of Bellevue
Office of the City Clerk
1500 Wall Street
Bellevue, Nebraska
68005
(402) 293-3007

- Police Department
 - Sgt. Larry Lampman
 - Capt. Kurt Stroehler

- Parks Department
 - Jim Shada
 - Mark Blackburn

- Streets Department
 - Bobby Riggs

- Public Works Department
 - Doug Clark

FROM: Susan Kluthe

DATE: March 13, 2023

SUBJECT: Approve request of application for the Bellevue Bicycle Club to host the "Ride of Silence." The event will take place Wednesday, May 18, 2023 from 6:30 p.m. to approximately 9:00 p.m. The route is in the Event Application and the Resolution. Please review and provide comment.

Please make comments on the above request and return to Susan Kluthe, by **Tuesday, March 15, 2023**. I can be reached at (402) 293-3007 or susan.kluthe@bellevue.net if there are any questions concerning the above. If you fail to make comment or return this form by the deadline date, the City Clerk's Office will assume you have no position in this matter, and will therefore proceed accordingly. Thank you!

Comments

No Comments

No comments or concerns from Police.

Cpt. K. Stroehler #171
Signature or Fill in Your Name

3-14-23
Date



CITY OF BELLEVUE
EVENT LICENSE REVIEW FORM

City of Bellevue
Office of the City Clerk
1500 Wall Street
Bellevue, Nebraska
68005
(402) 293-3007

- Police Department
 - Sgt. Larry Lampman
 - Capt. Kurt Stroecher

- Parks Department
 - Jim Shada
 - Mark Blackburn

- Streets Department
 - Bobby Riggs

- Public Works Department
 - Doug Clark

FROM: Susan Kluthe

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Please make comments on the above request and return to Susan Kluthe, by, *Tuesday, March 15, 2023*. I can be reached at (402) 293-3007 or susan.kluthe@bellevue.net if there are any questions concerning the above. If you fail to make comment or return this form by the deadline date, the City Clerk's Office will assume you have no position in this matter, and will therefore proceed accordingly. Thank you!

Comments

No Comments

Karen Chardler
Signature or Fill in Your Name

3/14/2023
Date



CITY OF BELLEVUE
EVENT LICENSE REVIEW FORM

City of Bellevue
Office of the City Clerk
1500 Wall Street
Bellevue, Nebraska
68005
(402) 293-3007

- Police Department
 - Sgt. Larry Lampman
 - Capt. Kurt Strocher

- Parks Department
 - Jim Shada
 - Mark Blackburn

- Streets Department
 - Bobby Riggs

- Public Works Department
 - Doug Clark

FROM: Susan Kluthe

DATE: March 13, 2023

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Please make comments on the above request and return to Susan Kluthe, by, **Tuesday, March 15, 2023**. I can be reached at (402) 293-3007 or susan.kluthe@bellevue.net if there are any questions concerning the above. If you fail to make comment or return this form by the deadline date, the City Clerk's Office will assume you have no position in this matter, and will therefore proceed accordingly. Thank you!

Comments

No Comments

Douglas R. Clark

03-13-23

Signature or Fill in Your Name

Date

Susan Kluthe

From: Bobby Riggs
Sent: Tuesday, March 14, 2023 7:29 AM
To: Susan Kluthe
Subject: RE: Event Appl & Review Form
Attachments: Ride of Silence Appl..pdf; Event Review Form Ride of Silence.docx

No comments or known conflicts

Bobby Riggs

City of Bellevue
Street Superintendent
Office: (402) 293-3126
E-mail: Bobby.Riggs@bellevue.net



<https://bellevue.net/>

From: Susan Kluthe <Susan.Kluthe@bellevue.net>
Sent: Monday, March 13, 2023 4:06 PM
To: Kurt Stroehrer <Kurt.Stroehrer@bellevue.net>; Larry Lampman <Larry.Lampman@bellevue.net>; Doug Clark <doug.clark@bellevue.net>; Bobby Riggs <Bobby.Riggs@bellevue.net>; Jim Shada <Jim.Shada@bellevue.net>
Subject: Event Appl & Review Form

Please review, comment, sign & date and return to me.

Thanks!

Susan Kluthe

City Clerk

City of Bellevue

1500 Wall Street

Bellevue, NE 68005

402.293.3007

susan.kluthe@bellevue.net

Notice of Public Hearing
Ride of Silence Event Application

The City of Bellevue will hold a public hearing on Tuesday, March 21, 2023, at 6:00 p.m., for the annual Ride of Silence on Wednesday, May 17, 2023 beginning at 7:00 p.m. to approximately 8:30 p.m., along a route specified within their application.

The meeting is open to the public and the public is encouraged to attend. Requests for special accommodations must be placed with the City Clerk at least forty-eight hours prior to the meeting.

Susan Kluthe
City Clerk

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 03/21/23		SUBMITTED BY: Finance/CDBG	
AGENDA ITEM:	CONSENT AGENDA <input checked="" 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:

Authorize the Mayor to sign the Application Authorization Form for CDBG-DR Funding

SYNOPSIS/BACKGROUND:

The State of Nebraska Department of Economic Development received CDBG Disaster Recovery funding to assist with the 2019 flooding associated with disaster declaration DR-4420. Bellevue is eligible to apply for reimbursement of FEMA match funds. This is the application from requesting reimbursement of FEMA match funds in the amount of \$58,090.98.

FISCAL IMPACT: \$58,090.98 BUDGETED FUNDS?: No GRANT/MATCHING FUNDS?: Yes

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: _____

CIP PROJECT NAME: _____ CIP PROJECT NAME: _____

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

ACCOUNTING DISTRIBUTION CODE: _____ ACCOUNT NUMBER: _____

RECOMMENDATION:

Authorize the Mayor to sign the Application Authorization Forms. No other action is required at this time.

ATTACHMENTS:

1. Grant Application Forms
2. _____
3. _____
4. _____
5. _____
6. _____

SIGNATURES:

LEGAL APPROVAL AS TO FORM: _____

FINANCE APPROVAL AS TO FORM: _____

ADMINISTRATOR APPROVAL AS TO FORM: _____

Ann Mertes

Shay JR.

CDBG-DR PA MATCH APPLICATION FOR FUNDING

Directions: The purpose of the Application for Funding is to capture eligibility and the local match need. Applicants seeking local match through the CDBG-DR funding must fill out the Application for Funding in its entirety and provide the requested attachments.

General Information

Prompt	Response
Applicant Name:	City of Bellevue
Applicant Physical Address:	1500 Wall Street Bellevue, NE 68005
Federal I.D. Number:	476006099
DUNS Number: <small>By April of 2022, the federal government will stop using the DUNS number to uniquely identify entities. At that point, entities doing business with the federal government will use a Unique Entity Identifier (SAM) created in SAM.gov.</small>	54156260
System for Award Management (SAM)- Commercial and Government Entity (CAGE) CODE:	34FKO
Contact Person Name/Title:	Abby Highland, CDBG Program Specialist
Contact Person Email:	abby.highland@outlook.com
Contact Person Phone:	(443)655-2123
Alternative Point of Contact (if applicable):	N/A
Applicant Type:	<input checked="" type="checkbox"/> Local Government <input type="checkbox"/> Special District <input type="checkbox"/> Nonprofit

Project Overview

Project Name (as shown in Grants Portal):	City Wide Road and Culvert Damage
FEMA Program:	PA
FEMA Project Number:	99307
FEMA Project Category:	C - Roads and Bridges
Project Physical Address (Including Lat/Long):	Harlan Lewis Road, 41.12148, -95.89005
Project Manager Name/Title:	Karen Eidenmiller, Business Manager, Authorized Representative
Project Manager Email:	karen.eidenmiller@bellevue.net
Project Manager Phone Number:	(402) 293-3172

CDBG-DR PA MATCH APPLICATION FOR FUNDING

Project Details

Prompt	Response
Is this project dependent on any additional projects/activities not being funded by PA?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, please describe how this project is dependent on any additional projects/activities:	N/A
Has the Scope of Work for your FEMA funded project changed since the project was obligated by FEMA?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, describe the changes in the Scope of Work.	N/A - Scope has not changed for this project.
Does the project encompass multiple counties?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes to the above, please list the additional counties:	N/A
What is the LMI percentage for the project service area?	71.26%
FEMA Environmental Review Completion Date:	1/28/2020
Project Start Date:	2/21/2020
For the out-of-state levees, please fill out the design completion date, permit and construction start, and FEMA project closeout date. If applicable for project phase.	
Design Complete:	There was no design work. This project was to clean silt out of the culverts and an asphalt overlay of the road.
Construction Completion Date: Construction completion date refers to date that the project was completed, but it is not a closeout date.	3/21/2021
FEMA Project Closeout Date: Project Closeout date refers to the date that FEMA closed out the project (i.e., date of final payment, reporting, and project is 100% closeout).	FEMA Project has not been closed out. FEMA doesn't closeout a project until they all the projects are all completed.

Project Tie-Back

Please provide a clear description of the project's tie-back to Winter Storm Ulmer. How was the community impacted? How does this project address those impacts? How will the project foster the community's recovery from this event?	<p>During the 2018-2019 winter season, Nebraska experienced record low temperatures that created frost depths approximately two feet deep and ice cover on rivers and creeks that eventually caused ice jams in several locations. By February 2019, the recorded temperatures were 12 to 15 degrees lower than normal across most of the state. Between March 12-15, 2019, Winter Storm Ulmer, a bomb cyclone, roughly equivalent in power to a Category 2 hurricane, moved across Nebraska. The severe winter weather brought record-breaking damage, straight-line winds, and the state's worst flooding event in 50 years. Recorded wind gusts during the cyclone approached 80 mph in many parts of the state and contributed to blizzard conditions and excessive rainfall.</p> <p>The damage from the storm led to Federal disaster declarations (DR-4420) in 84 of the State's 93 counties (and four tribal areas). The eastern side of the state was particularly impacted by flooding, resulting in fatalities, evacuations, and search and rescue missions. By April - May 2019, the rapid melting of ice and snow resulted in flooded rivers and ice jams that breached levees, damaged infrastructure, and destroyed thousands of homes and businesses. In many areas, the flood damage was exacerbated by thick river ice breaking off in an atypically severe manner. Bridges were washed away by flooding or rendered impassable due to accumulated ice chunks.</p> <p>The City of Bellevue received FEMA funding under DR-4420, and this CDBG-DR Infrastructure Match project is related to the work necessary to recover from DR-4420. Winter Storm Ulmer resulted in floodwaters from the Missouri River causing the closure of Harlan Lewis Road. The damage included damage to Harlan Lewis Road due to surface flooding, Industrial Dr. and 35th Ave road damage due to six feet of flood water, and damage to culverts due to debris causing culvert blockage.</p> <p>The City Wide Road and Culvert Damage project directly responds to the impacts of Winter Storm Ulmer in the City of Bellevue. Once the floodwaters receded, the City completed roads and culverts repairs at two locations along Harlan Lewis Road, one at the intersection of 25th streets, and the other at the entrance of Paradise Lakes neighborhood. These improvements will foster community recovery from the storm by restoring the roads and culverts to pre-disaster conditions.</p>
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Project Description

Project Description: Please provide a detailed description of the project and the work involved:	<p>As a result of DR 4420, the Federal Emergency Management Agency (FEMA) provided applicants assistance through FEMA's Public Assistance Program. As per DR-4420-NE Amendment 015, FEMA PA provides funding to repair or rebuild infrastructure with FEMA funding 90% of the project cost and local jurisdictions responsible for the remaining 10%. CDBG-DR funding will be utilized for the 10% cost share required by the local jurisdiction.</p> <p>The City Wide Road and Culvert Damage project will utilize force account for the repairs to Harlan Lewis Road and Industrial Drive and 35th Ave to restore the road back to pre-disaster design, function and capacity (in-kind) within the existing footprint. The work includes the removal and replacement of asphalt pavement on Harlan Lewis Road; the removal and replacement of concrete pavement and asphalt pavement on Industrial Drive; and removal of dirt from ditch line on Industrial Drive and 35th Ave; and the removal and replacement of asphalt pavement on 35th Ave. Additionally, the project will repair 12 damaged culverts including the clean out of a metal culvert pipes, RCP culvert pipes, and a PVC culvert pipe.</p>
What does the project construction involve?	Repair to roads and culverts damaged due to flooding along Harlan Lewis Road and 35th Ave.

Will the project involve acquisition (see Uniform Relocation Act)?	No.
Please describe any project milestones/deliverables during project construction.	NA
Please indicate the entity responsible for operations and maintenance of the project.	City of Bellevue
<i>National Objective</i>	
National Objective:	X Low-to-Moderate Income (LMI): LMI projects are located in an area where at least 51% of persons qualify as LMI households. The LMI percentage cannot be rounded up.
If an LMI project, please note the percentage and include how the project contributes to and benefits LMI persons in the service area. If Urgent Need, describe how the project addresses and alleviates an urgent need.	The community in which this project has restored is an LMI community of 71.28%. Roads are crucial to the everyday life of those who live in the community, not only do they allow for those to commute to and from work and school, they play a virtual role in any future evacuation in the event of a disaster.
What are the CDBG-DR eligible activities that will be accomplished? PA Match Program eligible activities correspond to FEMA PA Categories C-G, including Permanent Repairs to Roads and Bridges (C); Water Control Facilities (D); Buildings and Equipment (E); Utilities (F); Parks, Recreational Facilities, and Other Facilities (G).	This project will utilize FEMA PA Category C - Roads and Bridges for the permanent repairs to roads within the community.

CDBG-DR PA MATCH APPLICATION FOR FUNDING

Project Funding

Directions: Please list all funds contributing to the project below. If the funding type is not applicable, list "\$0.00" under the Amount column and leave the remainder of the row blank. Please specify the sources of funding; e.g. CDBG-DR, GEF, FEMA PA or FEMA HMGP.

Project Funds	Amount (\$)	Source	Status	Use
CDBG-DR Requested Funds (Local Match):	\$ 3,149.97	CDBG-DR	Requested	
NEMA - Governor's Emergency Fund:	\$ 3,149.97	GEF	Obligated	
Local Funds:	\$0.00	N/A	N/A	
Private Funds:	\$0.00	N/A	N/A	
Other State Funds:	\$0.00	N/A	N/A	
Other Funds/Insurance	\$0.00	N/A	N/A	
FEMA Funds:	\$ 56,699.54	FEMA PA	Obligated	
Total Project Amount:	\$ 62,999.48			

CDBG-DR Infrastructure Match PA Application for Funding Signature Page

Directions: DED requests that the Chief Elected Official sign each Application (one signature form per each project submission). Please print this form, sign, scan, and upload it to the respective project folder in Sharefile.

FEMA Project #: 88715

By signing this form, the Chief Elected Official certifies that the information provided is true, accurate and complete.

Application Authorization

Signature:	
Printed Name:	Rusty Hike
Title:	Mayor
Applicant Name:	City of Bellevue, NE
Date:	March 21, 2023

CDBG DR PA MATCH APPLICATION FOR FUNDING

Directions: The purpose of the Application for Funding is to capture eligibility and the local match need. Applicants seeking local match through the CDBG-DR funding must fill out the Application for Funding in its entirety and provide the requested attachments.

General Information

Project	Resubmit
Applicant Name:	City of Bellevue
Applicant Physical Address:	1500 Wall Street Bellevue, NE 68005
Federal I.D. Number:	476006099
DUNS Number: <small>By April of 2022, the federal government will stop using the DUNS number to uniquely identify entities. At that point, entities doing business with the federal government will use a Unique Entity Identifier (SAM) created in SAM.gov.</small>	54156260
System for Award Management (SAM)- Commercial and Government Entity (CAGE) CODE:	34FKO
Contact Person Name/Title:	Abby Highland, CDBG Program Specialist
Contact Person Email:	abby.highland@outlook.com
Contact Person Phone:	(443) 655-2123
Alternative Point of Contact (if applicable):	N/A
Applicant Type:	<input checked="" type="checkbox"/> Local Government <input type="checkbox"/> Special District <input type="checkbox"/> Nonprofit

Project Overview

Project Name (as shown in Grants Portal):	Bellevue Parks
FEMA Program:	PA
FEMA Project Number:	88719
FEMA Project Category:	G - Parks, Recreational Facilities, and Other Items
Project Physical Address (Including Lat/Long):	2402 Payne Drive; 41.13483, -95.88406
Project Manager Name/Title:	Karen Eidenmiller, Business Manager, Authorized Representative
Project Manager Email:	karen.eidenmiller@bellevue.net
Project Manager Phone Number:	(402) 293-3172

CDBG-DR PA MATCH APPLICATION FOR FUNDING

Project Details

Prompt	Response
Is this project dependent on any additional projects/activities not being funded by PA?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, please describe how this project is dependent on any additional projects/activities:	N/A
Has the Scope of Work for your FEMA funded project changed since the project was obligated by FEMA?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, describe the changes in the Scope of Work.	N/A - Scope has not changed for this project.
Does the project encompass multiple counties?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes to the above, please list the additional counties:	N/A
What is the LMI percentage for the project service area?	44.39%
FEMA Environmental Review Completion Date:	2/10/2021
Project Start Date:	2/25/2021
For the questions below, please fill out the design completion date, construction completion date, and FEMA project closeout date, if applicable for project phase.	
Design Complete:	There was no design work required for the project. The project was to remove silt from the park, repairs ballfields and concession building.
Construction Completion Date: <small>Construction completion date refers to date that the project was completed, but it is not a closeout date.</small>	2/26/2021
FEMA Project Closeout Date: <small>FEMA Project Closeout date refers to the date that FEMA closed out the project (i.e., date of final payment, reporting, and project is 100% closeout).</small>	Project has not been closed out. FEMA doesn't closeout a project until they all the projects are all completed.

Project Tie-Back

<p>Please provide a clear description of the project's tie-back to Winter Storm Ulmer. How was the community impacted? How does this project address those impacts? How will the project foster the community's recovery from this event?</p>	<p>During the 2018-2019 winter season, Nebraska experienced record low temperatures that created frost depths approximately two feet deep and ice cover on rivers and creeks that eventually caused ice jams in several locations. By February 2019, the recorded temperatures were 12 to 15 degrees lower than normal across most of the state. Between March 12-15, 2019, Winter Storm Ulmer, a bomb cyclone, roughly equivalent in power to a Category 2 hurricane, moved across Nebraska. The severe winter weather brought record-breaking damage, straight-line winds, and the state's worst flooding event in 50 years. Recorded wind gusts during the cyclone approached 80 mph in many parts of the state and contributed to blizzard conditions and excessive rainfall.</p> <p>The damage from the storm led to Federal disaster declarations (DR-4420) in 84 of the State's 93 counties (and four tribal areas). The eastern side of the state was particularly impacted by flooding, resulting in fatalities, evacuations, and search and rescue missions. By April - May 2019, the rapid melting of ice and snow resulted in flooded rivers and ice jams that breached levees, damaged infrastructure, and destroyed thousands of homes and businesses. In many areas, the flood damage was exacerbated by thick river ice breaking off in an atypically severe manner. Bridges were washed away by flooding or rendered impassable due to accumulated ice chunks.</p> <p>The City of Bellevue received FEMA funding under DR-4420, and this CDBG-DR Infrastructure Match project is related to the work necessary to recover from DR-4420. Winter Storm Ulmer resulted in direct damage to Sigler Field and American Heroes Park.</p> <p>The Bellevue Parks project directly responds to the impacts of Winter Storm Ulmer in the City of Bellevue. American Heroes Park clean up consisted of cleaning the roads and parking lots to restore the park to pre-flood conditions with the primary work attributed to the removal of silt. Sigler Field consisted of silt removal, repairs to ballfields, the repair and cleaning of bathrooms, concession stand, dugouts, playground equipment, tennis courts, and bleachers. Equipment in the concession stand also needed to be replaced including the refrigerator and microwave. Plumbing in the bathrooms were also replaced. These improvements will foster community recovery from the storm by restoring the park to pre-disaster conditions.</p>
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Project Description

<p>Project Description: Please provide a detailed description of the project and the work involved:</p>	<p>As a result of DR 4420, the Federal Emergency Management Agency (FEMA) provided applicants assistance through FEMA's Public Assistance Program. As per DR-4420-NE Amendment 015, FEMA PA provides funding to repair or rebuild infrastructure with FEMA funding 90% of the project cost and local jurisdictions responsible for the remaining 10%. CDBG-DR funding will be utilized for the 10% cost share required by the local jurisdiction.</p> <p>The Bellevue Parks project will consist of repairs to Sigler Field and American Heros Park to restore facilities back to pre-disaster design, capacity and function (in-kind material) within the existing footprint. The work includes replacement of the refrigerator, water heater, electrical transformer, electrical panel, and microwave at the concession stand; replacement of softball infields; replacement of the wood storage shed with overhead door at the maintenance shed; replacement of fixtures in restrooms; and replacement of tennis courts and nettings and posts, and limestone gravel at Sigler Field. Additional work includes the removal and replacement of an electrical panel, aqua control electrical panel, electric panel for fountain lights, junction box, electric panel, electric panel box, aqua drive electric panel, pump, and hunter timer for pump at Site 1; replacement of dirt base, river rock, and mulch at Site 2, Site 3, Site 4, and Site 5; removal and replacement of electric panel, fountain control panel, and transformer at Site 6; removal and replacement of a transformer, switch box, safety switch, meter, electric panel, and ground level junction box at Site 7; and removal and replacement of an electric control panel at Site 8.</p>
<p>What does the project construction involve?</p>	<p>The Bellevue Parks project construction will involve the restoration of facilities back to pre-disaster design, capacity and function (in-kind material) within the existing footprint.</p>
<p>Will the project involve acquisition (see Uniform Relocation Act)?</p>	<p>No</p>
<p>Please describe any project milestones/deliverables during project construction.</p>	<p>This project is 100% complete. No additional milestones are required.</p>
<p>Please indicate the entity responsible for operations and maintenance of the project.</p>	<p>City of Bellevue</p>
<p><i>National Objective</i></p>	
<p>National Objective:</p>	<p><input checked="" type="checkbox"/> Urgent Need: Urgent Need projects will alleviate existing conditions which pose a serious and immediate threat to the health or welfare of the community which have recently become urgent. The Applicant is unable to finance the project on its own, and other funding sources are not available.</p>
<p>If an LMI project, please note the percentage and include how the project contributes to and benefits LMI persons in the service area. If Urgent Need, describe how the project addresses and alleviates an urgent need.</p>	<p>Parks are crucial to the everyday life of those who live in the community, not only do they allow for recreational opportunities, they play a vital role for ecosystem health and flood mitigation.</p>
<p>What are the CDBG-DR eligible activities that will be accomplished? PA Match Program eligible activities correspond to FEMA PA Categories C-G, including Permanent repairs to Roads and Bridges (C); Water Control Facilities (D); Buildings and Equipment (E); Utilities (F); Parks, Recreational Facilities, and Other Facilities (G).</p>	<p>This project will utilize CDBG-DR Match funding for the permanent repairs to Parks, Recreational Facilities, and Other Facilities within the community.</p>

CDBG-DR PA MATCH APPLICATION FOR FUNDING

Project Funding

Directions: Please list all funds contributing to the project below. If the funding type is not applicable, list "\$0.00" under the Amount column and leave the remainder of the row blank. Please specify the sources of funding; e.g. CDBG-DR, GEF, FEMA PA or FEMA HMGP.

Project Funds:	Amount (\$)	Source	Status	Use
CDBG-DR Requested Funds (Local Match):	\$ 8,584.78	CDBG-DR	Requested	
NEMA - Governor's Emergency Fund:	\$ 8,584.77	GEF	Obligated	
Local Funds:	\$0.00	N/A	N/A	
Private Funds:	\$0.00	N/A	N/A	
Other State Funds:	\$0.00	N/A	N/A	
Other Funds/Insurance:	\$0.00	N/A	N/A	
FEMA Funds:	\$ 154,525.96	FEMA PA	Obligated	
Total Project Amount:	\$ 171,695.51			

CDBG-DR Infrastructure Match PA Application for Funding Signature Page

Directions: DED requests that the Chief Elected Official sign each Application (one signature form per each project submission). Please print this form, sign, scan, and upload it to the respective project folder in Sharefile.

FEMA Project #: 88716

By signing this form, the Chief Elected Official certifies that the information provided is true, accurate and complete.

Application Authorization

Signature:	
Printed Name:	Rusty Hike
Title:	Mayor
Applicant Name:	City of Bellevue, NE
Date:	March 21, 2023

CDBG-DR PA MATCH APPLICATION FOR FUNDING

Directions: The purpose of the Application for Funding is to capture eligibility and the local match need. Applicants seeking local match through the CDBG-DR funding must fill out the Application for Funding in its entirety and provide the requested attachments.

General Information

Prompt	Response
Applicant Name:	City of Bellevue
Applicant Physical Address:	1500 Wall Street Bellevue, NE 68005
Federal I.D. Number:	476006099
DUNS Number: <small>By April of 2022, the federal government will stop using the DUNS number to uniquely identify entities. At that point, entities doing business with the federal government will use a Unique Entity Identifier (SAM) created in SAM.gov.</small>	54156260
System for Award Management (SAM)- Commercial and Government Entity (CAGE) CODE:	34FKO
Contact Person Name/Title:	Abby Highland, CDBG Program Specialist
Contact Person Email:	abby.highland@outlook.com
Contact Person Phone:	(443)655-2123
Alternative Point of Contact (If applicable):	N/A
Applicant Type:	<input checked="" type="checkbox"/> Local Government <input type="checkbox"/> Special District <input type="checkbox"/> Nonprofit

Project Overview

Project Name (as shown In Grants Portal):	South Lift Station
FEMA Program:	Public Assistance
FEMA Project Number:	88716
FEMA Project Category:	F-Utilities
Project Physical Address (Including Lat/Long):	3530 Madison Street, 41.12532, -95.90058
Project Manager Name/Title:	Karen Eidenmiller, Business Manager/Authorized Representative
Project Manager Email:	karen.eidenmiller@bellevue.net
Project Manager Phone Number:	(402)293-3172

CDBG-DR PA MATCH APPLICATION FOR FUNDING

Project Details

Prompt	Response
Is this project dependent on any additional projects/activities not being funded by PA?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, please describe how this project is dependent on any additional projects/activities:	N/A
Has the Scope of Work for your FEMA funded project changed since the project was obligated by FEMA?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, describe the changes in the Scope of Work.	N/A
Does the project encompass multiple counties?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes to the above, please list the additional counties:	N/A
What is the LMI percentage for the project service area?	52.50%
FEMA Environmental Review Completion Date:	8/7/2020
Project Start Date:	8/20/2020

For the questions below, please fill out the design completion date, construction completion date, and FEMA project closeout date, if applicable for project phase.

Design Complete:	N/A
Construction Completion Date: Construction completion date refers to date that the project was completed, but it is not a closeout date.	N/A. The project is currently under construction due to a delay with obtaining materials for the project.
FEMA Project Closeout Date: Project Closeout date refers to the date that FEMA closed out the project (i.e., date of final payment, reporting, and project is 100% closeout).	Project is currently under construction and has not been closed out. FEMA doesn't closeout a project until all the projects in the disaster are all completed.

Project Tie-Back

Please provide a clear description of the project's tie-back to Winter Storm Ulmer. How was the community impacted? How does this project address those impacts? How will the project foster the community's recovery from this event?	<p>During the 2018-2019 winter season, Nebraska experienced record low temperatures that created frost depths approximately two feet deep and ice cover on rivers and creeks that eventually caused ice jams in several locations. By February 2019, the recorded temperatures were 12 to 15 degrees lower than normal across most of the state. Between March 12-15, 2019, Winter Storm Ulmer, a bomb cyclone, roughly equivalent in power to a Category 2 hurricane, moved across Nebraska. The severe winter weather brought record-breaking damage, straight-line winds, and the state's worst flooding event in 50 years. Recorded wind gusts during the cyclone approached 80 mph in many parts of the state and contributed to blizzard conditions and excessive rainfall.</p> <p>The damage from the storm led to Federal disaster declarations (DR-4420) in 84 of the State's 93 counties (and four tribal areas). The eastern side of the state was particularly impacted by flooding, resulting in fatalities, evacuations, and search and rescue missions. By April - May 2019, the rapid melting of ice and snow resulted in flooded rivers and ice jams that breached levees, damaged infrastructure, and destroyed thousands of homes and businesses. In many areas, the flood damage was exacerbated by thick river ice breaking off in an atypically severe manner. Bridges were washed away by flooding or rendered impassable due to accumulated ice chunks.</p> <p>The City of Bellevue received FEMA funding under DR-4420, and this CDBG-DR Infrastructure Match project is related to the work necessary to recover from DR-4420. Winter Storm Ulmer resulted in direct damage to the City of Bellevue's South Lift Station when 7 feet of floodwater surrounded the facility and damaged the pump station's electric supply, back-up power generation, waste water pump motor control circuits (VFD's), and pump motors and pumps. There was not any damage noted to the structure itself (building, wet well, force main piping etc.). Although there was adjacent construction ongoing in the area related to the sanitary sewer gravity collection system, there was not any construction occurring or planned to occur on/at the Pump Station.</p> <p>The South Lift Station project directly responds to the impacts of Winter Storm Ulmer in the City of Bellevue. The original lift station was built within the Paradise Park subdivision which is located in a flood prone area. As a piece of critical infrastructure in the City of Bellevue, it was in the best interest of the residents in the area to move it out of the floodplain for public safety and to protect from future disasters.</p>
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Project Description

Project Description: Please provide a detailed description of the project and the work involved:	<p>As a result of DR 4420, the Federal Emergency Management Agency (FEMA) provided applicants assistance through FEMA's Public Assistance Program. As per DR-4420-NE Amendment 015, FEMA PA provides funding to repair or rebuild infrastructure with FEMA funding 90% of the project cost and local jurisdictions responsible for the remaining 10%. CDBG-DR funding will be utilized for the 10% cost share required by the local jurisdiction.</p> <p>The South Lift Station project consists of the restoration of the facility back to its pre-disaster design, function, and capacity within the existing footprint. The work includes the relocation of the South Lift Station out of the floodplain and the removal/replacement of lift pumps, EA panel, generator, variable frequency drives, rubber flapper check valves, actuators, gear boxes, plug valves, manual actuators, transfer switch, air release valves, HP motor, Allen-Bradley Panel View 550, magnetic flow meter, fused knife switch, circuit breaker panel, transformer, mounted room heater, and dehumidifier.</p>
What does the project construction involve?	This project involves the relocation of the South Lift Station out of the floodplain.

<p>Will the project involve acquisition (see Uniform Relocation Act)?</p>	<p>The project does not involve acquisition.</p>
<p>Please describe any project milestones/deliverables during project construction.</p>	<p>The original project was written to repair the facility to pre-disaster condition and use mitigation funding to elevate and seal the facility to help keep it operational during flood events. The city's intent was to build a new lift station on property that was outside the flood plain. Since the project was written to repair the existing lift station, a new scope of work was requested to relocate the lift station out of the floodplain. The new scope of work included constructing a new facility of identical function and capacity in a new location. The proposed change in scope in work was reviewed and satisfied program eligibility and environmental and historic compliance requirements required by FEMA. The new scope of work was approved by FEMA on November 9, 2021. FEMA conducted the environmental reviews prior to either of these projects being repaired/constructed. There are no other federal funds involved in these projects.</p>
<p>Please indicate the entity responsible for operations and maintenance of the project.</p>	<p>City of Bellevue, Public Works Department</p>
<p><i>National Objective</i></p>	
<p>National Objective</p>	<p><input checked="" type="checkbox"/> Low-to-Moderate Income (LMI): LMI projects are located in an area where at least 51% of persons qualify as LMI households. The LMI percentage cannot be rounded up.</p>
<p>If an LMI project, please note the percentage and include how the project contributes to and benefits LMI persons in the service area. If Urgent Need, describe how the project addresses and alleviates an urgent need.</p>	<p>The lift station will cover the area from College Heights south of Bellevue to the Brown River. The area covers 10 census tracts with a low-and moderate income population of 52.5%.</p>
<p>What are the CDBG-DR eligible activities that will be accomplished? PA Match Program eligible activities correspond to FEMA PA Categories C-G, including Permanent Repairs to Roads and Bridges (C); Water Control Facilities (D); Buildings and Equipment (E); Utilities (F); Parks, Recreational Facilities, and Other Facilities (G).</p>	<p>F-Utilities; Public Facilities and Improvements, 570.201c</p>

CDBG-DR PA MATCH APPLICATION FOR FUNDING

Project Funding

Directions: Please list all funds contributing to the project below. If the funding type is not applicable, list "\$0.00" under the Amount column and leave the remainder of the row blank. Please specify the sources of funding; e.g. CDBG-DR, GEF, FEMA PA or FEMA HMGP.

Project Funds	Amount (\$)	Source	Status	Use
CDBG-DR Requested Funds (Local Match):	\$ 34,703.18	CDBG-DR	Requested	
NEMA - Governor's Emergency Fund:	\$ 34,703.18	GEF	Obligated	
Local Funds:	\$0.00	N/A	N/A	
Private Funds:	\$0.00	N/A	N/A	
Other State Funds:	\$0.00	N/A	N/A	
Other Funds/Insurance:	\$0.00	N/A	N/A	
FEMA Funds:	\$ 624,657.20	FEMA PA	Obligated	
Total Project Amount:	\$ 694,063.55			

CDBG-DR Infrastructure Match PA Application for Funding Signature Page

Directions: DED requests that the Chief Elected Official sign each Application (one signature form per each project submission). Please print this form, sign, scan, and upload it to the respective project folder in Sharefile.

FEMA Project #: 88719

By signing this form, the Chief Elected Official certifies that the information provided is true, accurate and complete.

Application Authorization

Signature:

Printed Name:

Rusty Hike

Title:

Mayor

Applicant Name:

City of Bellevue, NE

Date:

March 21, 2023

CDBG-DR PA MATCH APPLICATION FOR FUNDING

Directions: The purpose of the Application for Funding is to capture eligibility and the local match need. Applicants seeking local match through the CDBG-DR funding must fill out the Application for Funding in its entirety and provide the requested attachments.

General Information

Prompt	Response
Applicant Name:	City of Bellevue
Applicant Physical Address:	1500 Wall Street Bellevue, NE 68005
Federal I.D. Number:	476006099
DUNS Number: <small>By April of 2022, the federal government will stop using the DUNS number to uniquely identify entities. At that point, entities doing business with the federal government will use a Unique Entity Identifier (SAM) created in SAM.gov.</small>	54156260
System for Award Management (SAM)- Commercial and Government Entity (CAGE) CODE:	34FKO
Contact Person Name/Title:	Abby Highland, CDBG Program Specialist
Contact Person Email:	abby.highland@outlook.com
Contact Person Phone:	(443)655-2123
Alternative Point of Contact (if applicable):	N/A
Applicant Type:	<input checked="" type="checkbox"/> Local Government <input type="checkbox"/> Special District <input type="checkbox"/> Nonprofit

Project Overview

Project Name (as shown in Grants Portal):	Public Works Facilities
FEMA Program:	PA
FEMA Project Number:	88715
FEMA Project Category:	E - Buildings and Equipment
Project Physical Address (Including Lat/Long):	205 Industrial Drive Bellevue, NE 68005, 41.12681, -95.89193
Project Manager Name/Title:	Karen Eidenmiller, Business Manager, Authorized Representative
Project Manager Email:	karen.eidenmiller@bellevue.net
Project Manager Phone Number:	(402) 293-3172

CDBG-DR PA MATCH APPLICATION FOR FUNDING

Project Details

Project	Response	
Is this project dependent on any additional projects/activities not being funded by PA?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, please describe how this project is dependent on any additional projects/activities:	N/A	
Has the Scope of Work for your FEMA funded project changed since the project was obligated by FEMA?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, describe the changes in the Scope of Work.	N/A - Scope has not changed for this project.	
Does the project encompass multiple counties?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes to the above, please list the additional counties:	N/A	
What is the LMI percentage for the project service area?	41.87%	
FEMA Environmental Review Completion Date:	11/17/2020	
Project Start Date:	12/2/2020	
<p>For the questions below, please fill in the design completion date, construction completion date, and FEMA project closeout date, if applicable to project phase.</p>		
Design Complete:	NA	
Construction Completion Date: <small>Construction completion date refers to date that the project was completed, but it is not a closeout date.</small>	New facility – design is not complete. Pending purchase of land so the design could change depending on the property purchased.	
FEMA Project Closeout Date: <small>FEMA Project Closeout date refers to the date that FEMA closed out the project (i.e., date of final payment, reporting, and project is 100% closeout).</small>	Project has not been closed out. FEMA doesn't closeout a project until they all the projects in the disaster are all completed.	

Project Tie-Back

<p>Please provide a clear description of the project's tie-back to Winter Storm Ulmer. How was the community impacted? How does this project address those impacts? How will the project foster the community's recovery from this event?</p>	<p>During the 2018-2019 winter season, Nebraska experienced record low temperatures that created frost depths approximately two feet deep and ice cover on rivers and creeks that eventually caused ice jams in several locations. By February 2019, the recorded temperatures were 12 to 15 degrees lower than normal across most of the state. Between March 12-15, 2019, Winter Storm Ulmer, a bomb cyclone, roughly equivalent in power to a Category 2 hurricane, moved across Nebraska. The severe winter weather brought record-breaking damage, straight-line winds, and the state's worst flooding event in 50 years. Recorded wind gusts during the cyclone approached 80 mph in many parts of the state and contributed to blizzard conditions and excessive rainfall.</p> <p>The damage from the storm lead to Federal disaster declarations (DR-4420) in 84 of the State's 93 counties (and four tribal areas). The eastern side of the state was particularly impacted by flooding, resulting in fatalities, evacuations, and search and rescue missions. By April - May 2019, the rapid melting of ice and snow resulted in flooded rivers and ice jams that breached levees, damaged infrastructure, and destroyed thousands of homes and businesses. In many areas, the flood damage was exacerbated by thick river ice breaking off in an atypically severe manner. Bridges were washed away by flooding or rendered impassable due to accumulated ice chunks.</p> <p>The City of Bellevue received FEMA funding under DR-4420, and this CDBG-DR Infrastructure Match project is related to the work necessary to recover from DR-4420. Winter Storm Ulmer resulted in flooding of the Public Works Facility consisting of seven buildings. Floodwaters of 8 to 10 feet remained on site for two weeks, causing mold to quickly grow within the buildings while the water receded.</p> <p>The Public Works Facilities project directly responds to the impacts of Winter Storm Ulmer in the City of Bellevue. This project will relocate Public Works Facilities out of the floodplain. These improvements will foster community recovery from the storm by reducing service interruptions to residents and preventing damage in the event of a future flood. Without a Public Works Facility, there would be no road maintenance, no snow removal, no emergency repairs to inlets, etc. The city cannot rebuild on that site due to our insurance company refusing to insure the property. The Public Works facility is responsible to repair the roads, removes snow from the roads, cleans out inlets so the sewer systems run properly, fix potholes and culverts. This location housed the employee and equipment that act as a "first responders" in the event of a community disaster or a snowstorm. They are first on the scene to set up barricades and remove snow so the police and fire can respond to an emergency.</p>
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Project Description

<p>Project Description: Please provide a detailed description of the project and the work involved:</p>	<p>As a result of DR 4420, the Federal Emergency Management Agency (FEMA) provided applicants assistance through FEMA's Public Assistance Program. As per DR-4420-NE Amendment 015, FEMA PA provides funding to repair or rebuild infrastructure with FEMA funding 90% of the project cost and local jurisdictions responsible for the remaining 10%. CDBG-DR funding will be utilized for the 10% cost share required by the local jurisdiction.</p> <p>The Public Works Facilities project will consist of repairs to South Public Works Facility to restore this facility back to its pre-disaster design, function and capacity within the existing footprint. The work consists of the removal and replacement of corrugated metal siding, corrugated metal roofing, metal door, overhead rolling steel doors, and interior door at the Fabrication Shop and Parks Department; removal and replacement of block siding, wood siding, asphalt roof shingle, metal door, and overhead rolling steel doors at the Streets Department; removal and replacement of corrugated metal roofing, corrugated metal siding, exterior metal doors, overhead rolling steel doors, and interior metal doors for the Maintenance Building; removal and replacement of block siding, asphalt roof shingle, and metal door at Shed 1; removal and replacement of plywood, asphalt roof shingle, and metal door at Shed 2; and removal and replacement of wood siding, asphalt roof shingle, and overhead rolling steel doors at Shed 3.</p>
<p>What does the project construction involve?</p>	<p>This project involves the relocation of Public Works Facilities out of the floodplain.</p>
<p>Will the project involve acquisition (see Uniform Relocation Act)?</p>	<p>No.</p>
<p>Please describe any project milestones/deliverables during project construction.</p>	<p>The project is ongoing as the City purses the acquisition of land to build a new Public Works facility.</p>
<p>Please indicate the entity responsible for operations and maintenance of the project.</p>	<p>City of Bellevue</p>
<p><i>National Objective</i></p>	
<p>National Objective:</p>	<p>X Urgent Need: Urgent Need projects will alleviate existing conditions which pose a serious and immediate threat to the health or welfare of the community which have recently become urgent. The Applicant is unable to finance the project on its own, and other funding sources are not available.</p>
<p>If an LMI project, please note the percentage and include how the project contributes to and benefits LMI persons in the service area. If Urgent Need, describe how the project addresses and alleviates an urgent need.</p>	<p>Urgent Need will be utilized as the National Objective for this project. The goal is to repair South Public Works Facility to restore this facility back to its pre-disaster design, function and capacity within the existing footprint. This will allow the City of Bellevue to continue to provide public works services to the community.</p>
<p>What are the CDBG-DR eligible activities that will be accomplished? PA Match Program eligible activities correspond to FEMA PA Categories C-G, including Permanent repairs to Roads and Bridges (C); Water Control Facilities (D); Buildings and Equipment (E); Utilities (F); Parks, Recreational Facilities, and Other Facilities (G).</p>	<p>This project will utilize CDBG-DR Match funding for the permanent repairs to buildings and equipment within the community and will utilize FEMA PA Category E - Buildings and Equipment.</p>

CDBG-DR PA MATCH APPLICATION FOR FUNDING

Project Funding

Directions: Please list all funds contributing to the project below. If the funding type is not applicable, list "\$0.00" under the Amount column and leave the remainder of the row blank. Please specify the sources of funding; e.g. CDBG-DR, GEF, FEMA PA or FEMA HMGP.

<i>Project Funds</i>	<i>Amount (\$)</i>	<i>Source</i>	<i>Status</i>	<i>Use</i>
CDBG-DR Requested Funds (Local Match):	\$ 11,653.05	CDBG-DR	Requested	
NEMA - Governor's Emergency Fund:	\$ 11,653.05	GEF	Obligated	
Local Funds:	\$0.00	N/A	N/A	
Private Funds:	\$0.00	N/A	N/A	
Other State Funds:	\$0.00	N/A	N/A	
Other Funds/Insurance:	\$0.00	N/A	N/A	
FEMA Funds:	\$ 209,754.81	FEMA PA	Obligated	
Total Project Amount:	\$ 233,060.89			

CDBG-DR Infrastructure Match PA Application for Funding Signature Page

Directions: DED requests that the Chief Elected Official sign each Application (one signature form per each project submission). Please print this form, sign, scan, and upload it to the respective project folder in Sharefile.

FEMA Project #: 99307

By signing this form, the Chief Elected Official certifies that the information provided is true, accurate and complete.

Application Authorization

Signature:	
Printed Name:	Rusty Hike
Title:	Mayor
Applicant Name:	City of Bellevue, NE
Date:	March 21, 2023

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: March 21, 2023		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 type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>	
RESOLUTION <input type="checkbox"/>	CURRENT BUSINESS <input checked="" type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

36th St. Discretionary Grant Benefit/Cost and updated Traffic Analysis

SYNOPSIS/BACKGROUND:

This proposal describes the scope of services necessary to conduct an updated traffic operations analysis, crash analysis and a benefit/cost analysis for the proposed improvements to 36th Street, from Cornhusker Road to Nebraska Highway 370. Services include project management/coordination, Data compilation/research, Traffic forecasting, operations and safety analysis, benefit cost analysis, memo & graphics. Upon completion of this analysis, the City will be able to better advance applications for federal funding opportunities.

FISCAL IMPACT?: \$28,260.00 BUDGETED FUNDS?: YES GRANT/MATCHING FUNDS?:

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: YES COUNTER-PARTY: Felsburg Holt & Ullevig 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: 36th Street Study CIP PROJECT NAME: CIPST20(5)

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

ACCOUNTING DISTRUBUTION CODE: 7010 ACCOUNT NUMBER: 10-15-1037-202013-751-6033-00000

RECOMMENDATION:

Approve and authorize Mayor to sign the Bellevue 36th St benefit/cost analysis with Felsburg Holt & Ullevig

ATTACHMENTS:

1. Scope of Services	2.	3.
4.	5.	6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM:

FINANCE APPROVAL AS TO FORM:

ADMINISTRATOR APPROVAL AS TO FORM:

Doug Clark
Mark Ellis



December 22, 2022

Dave Goedecken, PE
City Engineer
City of Bellevue, Nebraska
1510 Wall Street
Bellevue, NE 68005

Reference: Bellevue 36th Street Discretionary Grant Benefit/Cost and Updated Traffic Analysis

Mr Goedecken:

This proposal describes the scope of services necessary to conduct an updated traffic operations analysis, crash analysis and a benefit/cost analysis for the proposed improvements to 36th Street, from Cornhusker Road to Nebraska Highway 370. The purpose of this study is to better document the traffic and crash analysis as an update to our June 18, 2021 memorandum, *36th Street Feasibility Study*, provided to Jeff Roberts. The study will calculate the anticipated benefits of the project with the most current data and the resulting values will support a determination of the projected benefit/cost ratio associated with the proposed improvements. Upon the completion of this analysis, the City will be able to better advance applications for Federal discretionary grant funding opportunities for the project.

In order to address the existing and future traffic operations at signalized intersections along the project corridor, the study will include evaluation of the following locations:

- Existing signalized intersections in the study area are as follows:
 - 36th Street & Cornhusker Road
 - 36th Street & Raynor Parkway
 - 36th Street & Sampson Way
 - 36th Street & Nebraska Highway 370

- Existing unsignalized (two-way stop controlled) intersections include:
 - 36th Street & Pratt Plaza
 - 36th Street & Landings Drive
 - 36th Street & Old 36th Street
 - 36th Street & Cedar Island Road
 - 36th Street & Brook Drive
 - 36th Street & Edgerton Drive
 - 36th Street & Summit Plaza Drive

The study will evaluate the following time periods:

- Existing year (2022) AM and PM peak hours
- Future proposed year (2042) for AM and PM peak hours
 - 2042 No-Build
 - 2042 Build w/ 4-lane Urban Cross Section

Scope of Services

Task I – Project Management/Coordination

We anticipate having two meetings with the City to review the traffic analysis and for the BCA results. In addition, there will be ongoing communications through email and telephone to discuss the status of the

project. This task also includes preparing monthly invoices and progress reports. Any additional meetings shall be billed at our standard hourly rates.

Task 2 – Data Compilation / Research

The June 18, 2021, *36th Street Feasibility Study* was reviewed to determine completeness and usefulness of turning movement counts that could be used for this study. Study counts will be over five years old by the time the BCA would be used for federal discretionary fund applications and would need to be updated.

Data collection will include gathering information about the proposed improvements. This information is available from FHU's ongoing preliminary design work completed through the Public Works Department including the following items:

- Preliminary Design Plans
- Preliminary Cost estimates to construct 4-Lane Urban Cross Section
- Roadway and bridge maintenance costs (2019-2021)
- Traffic Counts at 11 Study Area Intersections (listed above)
- City Synchro files with Current Signal Timings
- MAPA 2045 Traffic Projections
- Most Recent Crash History Along 36th Street and intersections with Cornhusker Road and Nebraska Highway 370 (2019-2021)
- Bicycle and Pedestrian counts available from the City, NDOT, and/or PMR-NRD
- Crash Modification Factors to be applied to safety benefits

FHU will review all the crash data sets and determine which periods provide the most complete, accurate set of crash data to be used in the Benefit Cost Analysis (BCA).

Task 3 – Traffic Forecasting

This traffic analysis will need to take into account the future land uses and growth in the study area to ensure the exiting roadway network and intersections have the capacity to hand the future traffic demand. The Metropolitan Area Planning Agency (MAPA) will provide year 2045 traffic projections which will be used for future traffic analysis. Procedures documented in the *Transportation Research Board's publication NCHRP 765* will be used to forecast traffic volumes for AM and PM peak hours at study intersections.

FHU will evaluate the MAPA 2045 traffic forecasts to determine the anticipated land use included in the model for the area. If necessary, FHU will adjust the 2045 traffic forecasts to incorporate traffic associated with the major new developments not anticipated by the model.

If necessary, the *Institute of Transportation Engineers' (ITE) Trip Generation*, Tenth Edition, 2017 will be utilized to develop trip generation estimates. The trip assignment will be based on existing, local travel patterns and applied to the study area network.

Assumptions

- 2045 future traffic forecasts (ADT) will be provided to FHU by MAPA.
- Growth rate determination will be based on the difference between MAPA's base year model, and their future 2045 model.
- The existing full movement intersections of 36th Street with Brook Drive may be constructed with three quarter access and modifying the traffic at Raynor Parkway to the north. This will require a redistribution of traffic volumes along the corridor.
- Scenarios will include:
 - 2022 Existing Conditions (AM & PM)
 - 2042 No-Build (AM & PM)
 - 2042 Build w/ 4-lane Urban Cross Section

Task 4 – Operations and Safety Analysis

FHU will assess the current level of congestion, measured by level of service (LOS), experienced at the study area intersections under existing (2022) and future proposed (2042) traffic conditions. The analysis will validate that the configuration developed in the preliminary design will accommodate the updated traffic volumes.

The operations analysis will evaluate the following time periods:

- 2022 Existing Conditions (AM & PM)
- 2042 No-Build (AM & PM)
- 2042 Build w/ 4-lane Urban Cross Section

Crash analysis will be conducted using the most recent, complete, and accurate three-year crash history along the corridor. The City will provide crash data from 2019-2021. This analysis will establish the baseline for calculating project related benefits. A predictive crash analysis will also be conducted for the future roadway conditions and Year 2042 traffic volumes to determine future costs associated with crashes within the study area. This information will be used in the BCA.

Task 5 – Benefit Cost Analysis (BCA)

A BCA will be conducted to calculate the anticipated benefit/cost ratio and be based on current USDOT guidance. A planning level cost estimate will be provided to construct the 4-lane Urban Cross Section. Four core metrics will be used to calculate the anticipated annual benefits:

1. Value of Time (\$/hr)
2. Vehicle Operation (\$/mile)
3. CO2 Emissions (\$/mile)
4. Crash Reduction Savings (\$/crash)

The current BCA guidance also includes the potential to recognize benefits as data is available to verify. These additional benefits may be quantified include:

5. Facility and Vehicle Amenities (\$/multiple criteria)
6. Health (\$/induced trip)
7. Other (\$/VMT)

Task 6 – Memo & Graphics

The purpose of this cost-benefit and traffic analysis is to provide information regarding the most current anticipated benefits associated with the proposed improvements. A summary memo of the traffic, safety and benefit/cost analysis will be provided to the City for their use. A more detailed description of this analysis can be developed from the results to be incorporated into a future discretionary grant submittal package should the project move forward.

Schedule

We anticipate completing the benefit cost analysis and submitting the summary memorandum within two months (60 days) of receiving notice of proceed.

Fee Estimate

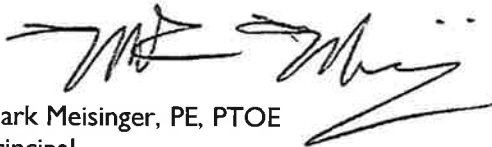
FHU proposes to conduct this analysis based on a time and materials basis, with an estimated maximum not to exceed amount of **\$28,260**. A more detailed breakdown of the costs by task is shown below.

TASKS	LABOR COSTS
Task 1 – Project Management/Coordination	\$2,070
Task 2 – Data Compilation / Research	\$2,390
Task 3 – Traffic Forecasting	\$1,080
Task 4 – Operations and Safety Analysis	\$3,760
Task 5 – Benefit Cost Analysis	\$6,840
Task 6 – Memo & Graphics	\$4,960
Total Labor	\$21,100
Traffic Counts	\$7,000
Direct Expenses (Counts, Mileage and Printing)	\$ 160
TOTAL LABOR AND DIRECT EXPENSES	\$ 28,260

If the conditions of this proposal are acceptable, please print out this letter, sign below and send it back for our files. In an effort to expedite the study, please call or send an e-mail with the signed proposal back as your acceptance. If you have any questions about this proposal, please call Mark Meisinger or Jesse Poore at (402) 445-4405. By signing this contract, the client acknowledges the attached standard provisions.

Sincerely,

FELSBURG HOLT & ULLEVIG



Mark Meisinger, PE, PTOE
 Principal



Jesse Poore, AICP
 Project Manager

 Accepted By

 Title

 Date

Attachment

O:\Marketing\Proposals\Letter Proposals\City of Bellevue\36th Street 2022 BCA\36th Street Discretionary Grant and Traffic Analysis V02.docx

Letter Agreement Standard Provisions

A. SERVICES BY THE CONSULTANT

The **CONSULTANT** agrees to perform all services, hereunder, using reasonable skill and judgment in accordance with applicable professional standards. **CONSULTANT** agrees to keep the **CLIENT** informed on its progress through periodic reports, and to maintain accurate records relating to its services for this project.

The **CONSULTANT** agrees to provide, directly or by association with such other Consultants or Contractors as it may deem necessary to further the interest of the **CLIENT**, the basic services as described in the Scope of Work provided in the signed Letter Proposal or Letter Agreement.

B. RESPONSIBILITIES OF THE CLIENT

The **CLIENT** shall provide and make available to the **CONSULTANT**, for his use, all maps, property descriptions, surveys, previous reports, historical data, and other information within its knowledge and possession relative to the services to be furnished hereunder. Data so furnished to the **CONSULTANT** shall remain the property of the **CLIENT** and will be returned upon completion of its services.

The **CLIENT** shall make provisions for the **CONSULTANT** to enter upon public and private properties as required for the **CONSULTANT** to perform its services hereunder.

C. EXTRA WORK

The **CLIENT** may desire to have the **CONSULTANT** perform work or render services other than those provided in Scope of Work. This will be Extra Work. Work shall not proceed until so authorized by the **CLIENT**. Payment for all work under this Agreement shall be on an hourly basis plus expenses in accordance with the attached rate schedule. Charges for outside services, expenses, and subconsultant work will be billed at 1.10 times the invoice amount.

D. TIME OF BEGINNING AND COMPLETION

Execution of the Letter Proposal is authorization by the **CLIENT** for the **CONSULTANT** to proceed with the work (Time of Beginning). The original Time of Completion is as noted in the Letter Agreement.

E. PAYMENT

Unless otherwise provided herein, **CONSULTANT** shall submit monthly invoices for Basic, Additional or Special Services and for Reimbursable Expenses each month for work that has been performed. If hourly, invoices will be based on labor and expenses incurred. If lump sum, invoices will be based on the percentage of work completed.

Payments not made within 60 days of the billing date shall bear interest at the rate of 1% per month which is an annual interest rate of 12%. If any portion of, or an entire account remains unpaid 90 days after billing, the **CLIENT** shall pay all costs of collection, including reasonable attorney's fees.

F. DELAYS

If the **CONSULTANT** is delayed at any time in the progress of work by any act or neglect of the **CLIENT** or its agents, employees or contractors, or by changes in the work, or by

extended reviews by the **CLIENT**, fire, unavoidable casualties, or by any causes beyond the **CONSULTANT'S** control, the time schedule shall be extended for a reasonable length of time, and **CONSULTANT'S** compensation may be subject to renegotiation for increased expenses due to escalation of prices, extended services, rework, and/or other expenses incidental to such delays.

G. OWNERSHIP OF DOCUMENTS

All drawings, specifications, reports, records, and other work products developed by the **CONSULTANT** associated with this project are instruments of service for this project only and shall remain the property of the **CONSULTANT** whether the project is completed or not. The **CONSULTANT** shall furnish originals or copies of such work product to the **CLIENT** in accordance with the services required hereunder. Reuse of any of the work product of the **CONSULTANT** by the **CLIENT** on an extension of this project or on any other project without the written permission of the **CONSULTANT** shall be at the **CLIENT'S** risk and the **CLIENT** agrees to defend, indemnify, and hold harmless the **CONSULTANT** from all claims, damages, and expenses including attorney's fees arising out of such unauthorized reuse by the **CLIENT** or by others acting through the **CLIENT**. Any reuse or adaptation of the **CONSULTANT'S** work product shall entitle the **CONSULTANT** to equitable compensation.

H. INSURANCE

During the course of the services, the **CONSULTANT** shall maintain Workmen's Compensation Insurance in accordance with the Workmen's Compensation laws of the State of Nebraska Professional Liability Insurance with a minimum coverage of \$1,000,000 per occurrence, \$2,000,000 aggregate; Automobile Liability with a combined single limit coverage of \$1,000,000; and Commercial General Liability of \$1,000,000 per occurrence, \$2,000,000 aggregate. Upon request, the **CONSULTANT** shall provide certificates of insurance to the **CLIENT** indicating compliance with this paragraph.

I. TERMINATION

Either the **CLIENT** or the **CONSULTANT** may terminate this Agreement at any time with or without cause upon giving the other party fourteen (14) calendar days prior written notice. The **CLIENT** shall within sixty (60) calendar days of termination pay the **CONSULTANT** for all services rendered and all costs incurred up to the date of termination, in accordance with the compensation provisions of this contract.

J. DISPUTES

Any claim, dispute, or other matter in question between the **CLIENT** and the **CONSULTANT**, arising out of or relating to either's obligations to the other under this Agreement, shall, if possible, be resolved by negotiation between the **CLIENT'S** representative and the **CONSULTANT** Principal-in-Charge for the Project. **CLIENT** and **CONSULTANT** each commit to seeking resolution of such matters in an amicable, professional, and expeditious manner. If a matter cannot be resolved by these parties, no later than thirty (30) calendar days after either party submits an issue in writing for resolution,

representatives from executive management of the **CLIENT** and **CONSULTANT** shall attempt to resolve the matter through additional good faith negotiations. If resolution cannot be reached within an additional thirty (30) calendar days, the **CLIENT** and **CONSULTANT** agree that all such unresolved disputes shall be submitted to nonbinding mediation.

Pending final resolution of the dispute, the **CONSULTANT** shall proceed diligently with the performance of the Basic Services as described in Article A, as directed by the **CLIENT**, and the **CLIENT** shall continue to pay the undisputed payments due to the **CONSULTANT** for such services in accordance with the payment provisions of this Agreement.

K. GOVERNING LAW

Unless otherwise agreed in writing, this Agreement and the interpretation thereof shall be governed by the law of the State of Nebraska.

L. SUCCESSORS AND ASSIGNS

The **CLIENT** and the **CONSULTANT** each binds itself and its partners, successors, executors, administrators and assigns to the other party of this Agreement and to the partners, successors, executors, administrators and assigns of such other party with respect to all covenants of this Agreement. Neither party shall assign or transfer its interest in this Agreement without the written consent of the other.

M. EXTENT OF AGREEMENT

This Agreement represents the entire and integrated agreement between the parties and supersedes all prior negotiations and representations. Nothing herein shall be deemed to create any contractual relationship between the **CONSULTANT** and any other consulting business, or contractor, or material supplier on the project, nor obligate it to furnish any notices required under other such contracts, nor shall anything herein be deemed to give anyone not a party to this Agreement any right of action against a party which does not otherwise exist without regard to this Agreement.

N. NOTICES

All notices and instructions given by either party to the other shall be in writing, and shall be deemed to be properly served if delivered to the address of record shown below, or if deposited in the United States Mail properly stamped with the required postage and addressed to such party at the address in the Letter Proposal or Letter Agreement. The date of service of a notice sent by mail shall be deemed to be the day following the date on which said notice is so deposited. Either party hereto shall have the right to change its address by giving the other party written notice thereof.

O. ACCURACY OF SERVICES AND LIMITATION OF LIABILITY

The **CONSULTANT** shall use reasonable professional skill and judgment in providing the services, hereunder, but does not warrant that such services are without errors and/or omissions. If, during the authorized use and prudent interpretation of documents or advice furnished by the **CONSULTANT**, an error or omission is discovered within a reasonable time, the **CONSULTANT** shall be responsible for correction of any work which must be removed or altered to meet the project requirements, provided the **CONSULTANT** is given a

reasonable opportunity to make remedial recommendations and to correct or arrange for the correction of the work itself. The **CONSULTANT** will not be liable for the cost of procurement of work or services performed in correcting such errors and/or omissions where such work or services result in a value to the Project over and above that which the original work or services provided.

In providing opinions of probable construction cost, the **CLIENT** understands that the **CONSULTANT** has no control over costs or the price of labor, equipment, or materials, or the Contractor's method of pricing, and that the opinions of probable construction costs provided herein are to be made based on the **CONSULTANT'S** qualifications, and experience. The **CONSULTANT** makes no warranty, expressed or implied, as to the accuracy of such opinions as compared to bid or actual costs.

The **CONSULTANT** agrees, to the fullest extent permitted by law, to indemnify and hold the **CLIENT** harmless from any damage, liability or cost (including reasonable attorneys' fees and costs of defense) to the extent caused by the **CONSULTANT'S** negligent acts, errors or omissions in the performance of professional services under this Agreement and those of his or her subconsultants or anyone for whom the **CONSULTANT** is legally liable.

The **CLIENT** agrees, to the fullest extent permitted by law, to indemnify and hold the **CONSULTANT** harmless from any damage, liability or cost (including reasonable attorneys' fees and costs of defense) to the extent caused by the **CLIENT'S** negligent acts, errors or omissions and those of his or her contractors, subcontractors or consultants or anyone for whom the **CLIENT** is legally liable, and arising from the project that is the subject of this Agreement. **CLIENT'S** amount of indemnity or costs incurred in providing the indemnity shall be limited to the same amount as the **CONSULTANT'S** liability is listed below.

As negotiated as a part of this Agreement, to the fullest extent permitted by law, and notwithstanding any other provision of this Agreement, the total liability, in the aggregate, of the **CONSULTANT** and the **CONSULTANT'S** officers, directors, partners, employees, agents and subconsultants, to the **CLIENT** and anyone claiming by, through or under the **CLIENT**, for any and all claims, losses, costs or damages of any nature whatsoever arising out of, resulting from or in any way related to the Project or the Agreement from any cause or causes, including but not limited to the negligence, professional errors or omissions, strict liability, breach of contract or warranty, express or implied, of the **CONSULTANT** or the **CONSULTANT'S** officers, directors, employees, agents or subconsultants, or any of them, shall not exceed the total amount of \$100,000.

Upon execution of the Letter Agreement or Letter Proposal, the **CLIENT** thereby agrees to the terms of these Special Provisions.

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 03/21/2023		SUBMITTED BY: Council President Paul Cook <i>PC</i>	
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 type="checkbox"/>	OTHER <input type="checkbox"/>	

SUBJECT:

City Parks Advisory Board (CPAB)

SYNOPSIS/BACKGROUND:

On June 18th, 2019, the City Council approved a request to establish the City Parks Advisory Board. On September 17th, 2019, the City Council approved the appointments of four (4) citizens for this Board, and their terms of service.

The City Parks Advisory Board submitted Meeting Minutes in 2019 and 2020. The City Parks Advisory Board has not submitted any documentation for the years 2021 and 2022, although requests were made for a written report. Also, the terms of service for all members has expired.

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

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

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

RECOMMENDATION:

I am recommending that the City Parks Advisory Board be abolished.

ATTACHMENTS:

- | | | |
|---------------------------------------|-------------------------|-------------------------|
| 1. Report from Council President Cook | 2. <input type="text"/> | 3. <input type="text"/> |
| 4. <input type="text"/> | 5. <input type="text"/> | 6. <input type="text"/> |

SIGNATURES:

LEGAL APPROVAL AS TO FORM: _____

FINANCE APPROVAL AS TO FORM: _____

ADMINISTRATOR APPROVAL AS TO FORM: _____

Paul Cook

Sam R

Date: March 15th, 2023

To: Mayor Rusty Hike
Councilman Don Preister
Councilman Thomas Burns

Councilwoman Kathy Welch
Councilman Jerry McCaw
Councilman Rich Casey

RE: City Parks Advisory Board

On June 18th, 2019, the City Council approved a request to establish the City Parks Advisory Board. On September 17th, 2019, the City Council approved the appointments of four (4) citizens for this Board, and their terms of service.

The City Parks Advisory Board submitted Meeting Minutes in 2019 and 2020. The City Parks Advisory Board has not submitted any documentation for the years 2021 and 2022, although requests were made for a written report. Also, the terms of service for all members has expired.

I am recommending that the City Parks Advisory Board be abolished. Please advise if you have any questions.

Respectfully submitted,



Paul Cook
City Council President
Ward III
City of Bellevue
1500 Wall Street
Bellevue, NE 68005

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE: 03/21/2023		SUBMITTED BY: Council President Paul Cook	
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:

Amend City Council Policy Resolutions

SYNOPSIS/BACKGROUND:

Pursuant to City Council policy, in January of every odd numbered year, City Council Policy Resolutions shall be reviewed. This review took place and certain amendments were suggested. These amendments are recommended by Council President Paul Cook. The amendments consist of updates to page numbers and some formatting changes, along with more specific amendments to Policy Resolutions 1, 20, and 39.

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 NAME:

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

ACCOUNTING DISTRIBUTION CODE: ACCOUNT NUMBER:

RECOMMENDATION:

Approve amendments to City Council Policy Resolutions

ATTACHMENTS:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

SIGNATURES:

LEGAL APPROVAL AS TO FORM: 

FINANCE APPROVAL AS TO FORM: 

ADMINISTRATOR APPROVAL AS TO FORM: 



We Influence The World!

CITY COUNCIL POLICIES

City of Bellevue, NE

Approved on March 21, 2023

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POLICY RESOLUTION 1

CITY POLICY

Overall policy for the City shall be developed and adopted by the City Council. The City Administrator will develop and adopt departmental, administrative, financial and personnel policies and procedures to reflect City Council policy.

All ordinances and resolutions adopted by the City Council shall also constitute policy. Policy shall apply to all departments and functions funded by the City.

CITY CLERK

The City Clerk will maintain a separate folder for Council Policy Resolutions. Any policy affecting the City Council will be set forth as Council Policy. All new Council ~~persons~~ members will receive a "Council Policy" folder when they take office.

Council Policy will be reviewed in January of every odd numbered year. The City Clerk will notify the City Attorney and City Council members in December of every even numbered year of the upcoming review that is due in January of every odd numbered year. City Council members will submit changes to the City Attorney by January 10th of every odd numbered year. Proposed changes will be added to the document for City Council member review, prior to placing the amendments on the City Council agenda. Upon completion of review, the document will be placed on the City Council agenda.

In December of each year, the City Clerk shall send to all council members the list of all members on our Boards, Commissions, Task Forces and Committees. This list will include the terms of each member.

Reviewed	6/14/82
	1/24/83
	2/11/85
	1/26/87
	1/23/89
	2/25/91
	3/93
	2/95
	2/97
	2/99
	1/01
	3/02
	1/03
Revised	10/07
Reviewed	3/09
	1/11
	1/13
Revised	1/21
	03/23

POLICY RESOLUTION 1

CITY POLICY

- ~~—— Overall policy for the City shall be developed and adopted by the City Council.~~
- ~~—— The City Administrator will develop and adopt departmental, administrative, financial and personnel policies and procedures to reflect City Council policy.~~
- ~~—— All ordinances and resolutions adopted by the City Council shall also constitute policy. Policy shall apply to all departments and functions funded by the City.~~

POLICY RESOLUTION 2

COMPLAINTS

“DELETED”

SEE POLICY RESOLUTION 20 AND POLICY RESOLUTION 39

DRAFT

Adopted	4/77
Deleted	3/93
Revised	1/21
Reviewed	03/23

POLICY RESOLUTION 3

CONSENT AGENDA

The business of the City Council shall be taken up for consideration in substantially the order provided for in the City Code of the City of Bellevue.

Those items on the City Council agenda considered routine by the City Administrator shall be marked with an asterisk (*) and, unless the Mayor or a member of the City Council requests that an item so marked on the City Council agenda be removed from the consent agenda and action be taken separately on said item in the order appearing on the City Council agenda, those items so marked shall be approved, adopted, accepted, etc., by a single motion and vote of the City Council. Agenda items involving the spending of funds shall not be placed under consent agenda. Additionally, agenda items with funds being spent will list the exact dollar amount or “not to exceed” dollar amount in the agenda item.

Those items so approved under the heading “Consent Agenda” will appear in the City Council minutes in their proper form, individually, and in the order of their appearance on the City Council agenda.

Adopted	1/79
Reviewed	1/8/79
	6/14/82
	1/24/8
	2/11/85
	1/26/87
	1/23/89
	2/25/91
	3/93
	2/95
	2/97
	2/99
	1/01
	3/02
	1/03
Revised	10/07
Reviewed	3/09
	1/11
	1/13
Revised	1/21
Reviewed	03/23

POLICY RESOLUTION 4

PURCHASING AND PAYMENTS

It is the policy of the City of Bellevue that all statutes, ordinances, and resolutions are to be followed in the process of procuring goods and services on behalf of the City. Such policy includes, but is not limited to, approving purchases prior to ordering, properly segregating duties in the process, and proper application of the bid process for large purchases; provided, notwithstanding any state statutes to the contrary, all purchases for goods and services in excess of \$30,000.00, except for professional and other services considered by the City Administrator, with the concurrence of the City Attorney, to be unique or non-competitive, shall be put out for public bidding following the procedures outlined in Neb. Rev. Stat. §§73-101 through 73-106. The City Administrator or his/her designee may approve all purchases for goods and services as well as outside professional services rendered under \$10,000.00. Items shall not be separated into smaller or separate items for the purpose of circumventing these listed dollar requirements. The City Council may waive these procedures if the goods or services to be procured can only be obtained from a vendor that is considered the sole source of such product. All payments for goods and services so procured will be approved by the City Council, will be recorded in the financial statements in a timely manner and will be properly reflected in those statements. The City will not pay for any goods or services it has not received.

In the event of a major public works incident, natural disaster, pandemic, state of emergency or departmental situation that requires the immediate expenditure or the commitment to expend local funds, the Mayor or the City Administrator or his/her designee may (a) approve the issuance of a handwritten check, if appropriate; (b) formally commit the City to expend funds to cover the costs to be incurred; and (c) approve the use of a City of Bellevue credit card by an authorized member of the City staff. (Under no circumstances may the credit card be used for cash advances.)

Detailed processes and procedures for purchasing and for the related payments to vendors will be maintained in the City's administrative and financial policies to ensure compliance with the above overall policy.

Adopted	2/79
Reviewed	4/23/79
	6/14/82
	1/24/83
	2/11/85
	1/26/87
	1/23/89
	2/25/91
	3/93
	2/95
	2/97
	2/99
	3/02
	8/23/04
Revised	10/07
Reviewed	3/09
Revised	6/14/10
Reviewed	1/11
Revised	4/9/18
	1/21
Reviewed	03/23

POLICY RESOLUTION 5

CONTINGENCY FUND AND SHORT-TERM BORROWING

A Contingency fund shall not exist; however, the City Council may approve short-term inter-fund borrowing. The Nebraska legislature created Neb. Rev. Stat. 13-503 which limits the amount of cash that a municipality has in its cash reserve for the budget period to no more than 50%. There however is an exception for special reserve funds which are created as needed. The City Council may approve short-term borrowing between funds that occurs for less than one year.

DRAFT

Adopted	3/79
Deleted	3/93
Revised	1/21
Reviewed	03/23

POLICY RESOLUTION 6

INSURANCE CLAIMS

The City purchases liability insurance to protect its citizens from risks and catastrophes.

Legal channels are available for claimants who are not satisfied with decisions made by the City's insurance carriers on behalf of the City.

Under State Statutes the City's elected officials have personal liability for honoring insurance claims that have been deemed invalid by the City's insurance carriers.

For the above reasons it is the policy of the City of Bellevue that the City Council will concur in the decisions made on behalf of the City by the City's insurance carriers, and will not honor claims made against the City when these claims have been deemed invalid by the insurance carriers.

DRAFT

Adopted	1/80
Reviewed	2/11/80
	6/14/82
	1/24/83
	2/11/85
	1/26/87
	1/23/89
	2/25/91
	3/93
	2/95
	2/97
	2/99
	1/01
	3/02
	1/03
Revised	10/07
Reviewed	3/09
	1/11
	1/13
	1/21
	03/23

POLICY RESOLUTION 7
ANNEXATION OF SMALL DEVELOPMENTS

“DELETED”

SEE CITY CODE

DRAFT

Adopted	4/82
Deleted	3/93
Revised	1/21
Reviewed	03/23

POLICY RESOLUTION 8
EXPENSE REIMBURSEMENTS

All elected officials and employee expense accounts will be for reimbursements of expenses actually incurred. Any exceptions to this will be approved separately prior to the event and documented in City Council minutes.

On an annual basis during the budget process, the City Council will be provided from the Finance Department. A review of all the expense accounts to which an elected official or employee of the City may have access.

The City Administrator will administer this policy directing all elected officials and employees to exercise discretion, diligence and economy in incurring such expenses.

Adopted	6/82
Reviewed	6/14/81
	1/24/83
	2/11/85
	2/24/86
	1/26/87
	1/23/89
	2/25/91
	3/93
	2/95
	2/97
	1/01
	3/02
	1/03
Revised	10/07
Reviewed	3/09
	1/11
	1/13
Revised	1/21
Reviewed	03/23

POLICY RESOLUTION 9
COUNCIL MEETING PREPARATION

Recognizing that the individual City Council members wish to be informed and prepared to act upon agenda items and to have the maximum opportunity to investigate and discuss items of Council business, the agenda shall be distributed to the Council on a Wednesday preceding the regularly scheduled Tuesday meetings.

City Council members desiring to place an item on the City Council agenda shall make the request to the City Administrator. Council agendas are prepared by the City Clerk under the direction of the City Administrator. City Council member requests shall be written and shall state the specific issue, background and shall identify the action the City Council member is requesting to be considered. Supporting written information, whenever available, shall always be submitted with the request to the City Administrator by noon on the Monday that is one week prior to the City Council meeting at which the item will be discussed. If a City Council member wishes to introduce a new ordinance or new resolution affecting policy, the item must be submitted, in its proposed form, to the City Administrator by noon on the Monday that is two weeks prior to the City Council meeting at which the ordinance or resolution will be introduced. The timelines outlined above are to allow adequate time for staff to research the item, provide a cost analysis, and a written recommendation.

If the item is declared “of an emergency nature” by the City Administrator, the above timeline may be expedited.

Written supportive information for agenda items shall accompany the agenda. If additional supportive information becomes available after the distribution of the agenda, the City Council may vote to continue the item.

Emergency items may be considered by the City Council and will comply with all statutes for presentation and consideration.

It is in the expressed interest of this City Council to encourage open and public discussion of City Council business between members of the City Council and the public.

Adopted	2/83
Reviewed	1/24/83
	2/11/85
	1/26/87
	1/23/89
	2/25/91
	3/93
	2/95
	2/97
	2/99
Revised	1/01
Reviewed	3/02
	1/03
Revised	10/07
Reviewed	3/09
	1/11
Revised	7/23/12
Reviewed	1/13
Revised	1/21
Reviewed	03/23

DRAFT

POLICY RESOLUTION 10
BUDGET

“DELETED”

SEE STATE STATUTE AND CITY CODE

DRAFT

Adopted	3/83
Deleted	3/93
Revised	1/21
Reviewed	03/23

POLICY RESOLUTION 11

LEGISLATIVE COMMUNICATIONS

The City Council recognizes the paramount importance to the City of Bellevue of careful monitoring of action by the legislative branches of County, State and Federal Government to enable the City to either support or oppose legislation or initiate action favorable to our residents.

The City Council encourages its members and members of the City staff to give their attention to the activities of the legislative bodies of the County, State and Federal governments and to communicate with them on matters of City concern.

If the City Council has approved an official position on a legislative matter, the City Administrator may authorize City employees to participate on the City's behalf on City time.

If the City Council has not adopted an official position, any individual appearing to communicate with the legislative branches shall make it clear that their statements and actions are theirs as an individual and they do not appear as representatives of the City of Bellevue.

No member of the City Council or City employee shall represent the City of Bellevue's position to any public body without specifically being designated to do so.

In the event that action on behalf of the City's interests is necessary or advantageous before the City Council shall have the opportunity to adopt an official policy, the City Administrator shall be authorized to permit staff members to act or appear as City representatives, with such representatives indicating that the City Council has not officially adopted a position.

The City Council shall undertake to do whatever is necessary to provide for adequate monitoring of County, State and Federal legislative activity and for early review and analysis of community needs so as to enable the City to initiate activity and not merely respond. The City may coordinate efforts with the League of Municipalities, Sarpy Cities, and the NE Association of County Officials.

Adopted	2/83
Reviewed	1/24/83
	2/11/85
	1/26/87
	1/23/89
	2/25/91
	3/93
	2/95
	2/97
	2/99
Revised	1/01
Reviewed	3/02
	1/03
Revised	10/07
Reviewed	3/09
	1/11
	1/13
Revised	1/21
Reviewed	03/23

DRAFT

POLICY RESOLUTION 12
CITY COUNCIL LEGISLATIVE POSITIONS

Members of the City Council will, from time to time, take positions on issues of interest to this City.

Any Legislative Bill (“LB”) to be discussed will include a full and current copy of the LB text to all City Council members, City Attorney, City Administrator, and appropriate City staff prior to the City Council meeting.

On the City Council agenda, the number of the legislative bill to be discussed will appear as well as a one sentence description of its purpose, which will be in accordance with the Public Meetings Law.

This policy will be superseded only by a declaration of an emergency and a majority vote of the members of the City Council.

Adopted	5/83
Reviewed	2/28/83
	2/11/85
	1/26/87
	1/23/89
	2/25/91
	3/93
	2/95
	2/97
	2/99
Revised	1/01
Reviewed	3/02
	1/03
Revised	10/07
Reviewed	3/09
	1/11
	1/13
Revised	1/21
Reviewed	03/23

POLICY RESOLUTION 13

APPOINTMENT OF CITIZENS TO BOARDS/COMMISSIONS

It shall be the policy of the City Council to accept Mayoral recommendations for appointments of citizens to boards/commissions at a given City Council meeting. At the meeting the City Council may then vote to approve or disapprove those nominations if the City Council has received written notice of the expiration of the term of any appointment and (to the extent the Mayor's recommendation is for a new appointee) has received a list of the proposed appointee's qualifications together with a letter from the appointee indicating a willingness to serve. If the Mayoral recommendation is for an appointment to fill a vacancy for an unexpired term, the preceding sentence shall not apply but the Mayor shall notify the City Council as soon as reasonably practical after becoming aware of the vacancy; in such instances the City Council shall promptly vote on the recommendation in order to permit the body for which the appointment is made to conduct its business. The City Clerk maintains a list of all appointments and City Council members may request a copy of the list for review and consideration at any time.

In order to ensure that an adequate number of interested appointees are available the Mayor will develop and maintain a pool of qualified candidates.

Nothing in this policy shall prevent a City Council member from submitting individuals for consideration for Mayoral recommendation as long as the names of such proposed nominees (with a list of qualifications) are submitted to the Mayor's office (i) at least fourteen days prior to the normal expiration of the term or (ii) in the case of an appointment to an unexpired term as soon as practical following notice from the Mayor that the vacancy has occurred understanding that an appointment must be promptly made to ensure that the body may continue to conduct its business.

The City Council will strive to have representatives from all City Council wards to serve on boards and commissions, when applicable.

Adopted	1/85
Reviewed	2/11/85
	1/26/87
	1/23/89
	2/25/91
	3/93
	2/95
Revised	2/97
Reviewed	1/01
	3/02
	1/03
Revised	10/07
Reviewed	3/09
	1/11
Revised	1/13
	1/21
Reviewed	03/23

POLICY RESOLUTION 14

RULES OF ORDER

It shall be the policy of the City of Bellevue to operate its meetings of commissions, boards, committees and the City Council under the most recent edition of “Robert’s Rules of Order” and in compliance with the Open Meeting Act.

In compliance with the American Disabilities Act, any person who requires a modification or accommodation in order to participate in a meeting should contact the City Clerk’s Office at (402) 293-3007 at least 48 hours prior to the meeting.

The City Attorney is designated the official parliamentarian for the City Council.

Adopted	2/85
Reviewed	2/11/85
	1/26/87
	1/23/89
	2/25/91
	3/93
	2/95
	2/97
	2/99
	1/01
	3/02
	1/03
Revised	10/07
Reviewed	3/09
Revised	3/10
Reviewed	1/11
	1/13
Revised	1/21
Reviewed	03/23

POLICY RESOLUTION 15

VEHICLES

The City Administrator shall prepare a list of city personnel authorized to take city vehicles nightly to their residences. This list shall be reviewed and approved semi-annually. The list shall not include public safety vehicles, as such list will be maintained by the Police Department separately. These lists shall also be made available to the City Council members upon request.

DRAFT

Adopted	3/86
Deleted	3/93
Revised	5/09
Reviewed	1/11
	1/13
Revised	1/21
Reviewed	03/23

POLICY RESOLUTION 16
COUNCIL TASK FORCES

From time to time it will be beneficial for the City Council to investigate, fact find, seek solutions and remedies to issues of policy or operations of government. To facilitate such efforts, it shall be the policy of the City Council to establish Task Forces as working groups.

A Task Force may only be requested by the Mayor or any City Council member. The City Council shall approve the Task Force, and its defined task and objectives, which shall be presented in writing by the City Council member requesting the Task Force. The members of a Task Force shall be appointed by the City Council member requesting the Task Force and shall be approved by the City Council. The members may include up to three (3) City Council members and additional city personnel, if approved by the City Administrator. The City Council shall set a start date and a tentative end date for each Task Force.

The City Clerk shall maintain a Task Force file containing all member names and contact information, starting and ending dates, defined task with objectives, final written report and any further action taken by the City Council as it relates to the Task Force. Task Force members shall be listed on the city's website during the time the Task Force is active.

Upon completion of the defined task, a written report shall be presented at a regular meeting to the City Council for review. The Task Force shall automatically be disbanded after the presentation of the written report unless further action is requested and approved by majority vote of the City Council. In the event further action is requested and approved, the Task Force shall continue until the defined task or further action is completed, at which time another written report shall be presented at a regular meeting to the City Council for review. If at that time no further action is requested and approved, the Task Force shall automatically be disbanded.

Adopted	3/16
Revised	1/21
Reviewed	03/23

POLICY RESOLUTION 17

STANDING COMMITTEES

Standing Committees may be established to deal with matters that involve a continuous flow of the City's work. Standing Committees may be created from federal law, state law, city ordinance, or city policy. A Standing Committee may only be requested by the Mayor or any City Council member. The City Council shall approve the Standing Committee and its defined purpose which shall be presented in writing by the member requesting the Standing Committee. The members of a Standing Committee shall be appointed and approved as stated in Policy Resolution 13 unless stated otherwise in a law, ordinance, or policy. The members may include up to three (3) City Council members and additional city personnel, if approved by the City Administrator.

Standing Committee meetings shall be posted on the city's website noting the date, time, and location of the meeting. Standing Committee members shall be listed on the city's website along with their active term, if applicable. The City Clerk shall maintain a Standing Committee file containing defined purposes, all member names and contact information, terms served, written reports presented, and any further action taken by the City Council as it relates to the Standing Committee. Upon the request of the Mayor or any City Council member, but at least yearly, Standing Committees shall submit a written report of its activities to the Mayor and City Council for review. The City Clerk shall maintain a list of all Standing Committees and a copy of all written reports provided to the Mayor and City Council.

If there is a request or need to abolish a Standing Committee, it must be requested by the Mayor or a City Council member who will prepare a written report explaining the reason for such action. The City Council shall make the final decision to continue or abolish a Standing Committee.

Adopted	2/87
Reviewed	2/9/87
	1/23/89
	2/25/91
	3/93
	2/95
	2/97
	2/99
	1/01
	3/02
	1/03
	10/07
	3/09
	1/11
	1/13
Revised	3/16
	1/21
Reviewed	03/23

POLICY RESOLUTION 18
AUTHORIZATION FOR APPROVAL OF IMMEDIATE AND/OR EMERGENCY
DISBURSEMENT OF FUNDS

“DELETED”

SEE POLICY RESOLUTION 4 AND POLICY RESOLUTION 5

DRAFT

Adopted	2/87
Reviewed	2/9/87
	1/23/89
	2/25/91
	3/93
	2/95
	2/97
	2/99
Revised	1/01
Reviewed	3/02
	1/03
Deleted	10/07
Revised	1/21
Reviewed	03/23

POLICY RESOLUTION 19

TRAVEL EXPENSE POLICY

Travel Expense Policy- The Mayor, City Administrator, City Attorney, City Council Members or employees traveling on behalf of the City of Bellevue (“City”) and performing approved City business, will be reimbursed for their travel expenses. Travel expenses shall include, but not be limited to, transportation and/or mileage costs, lodging expenses, meal expenses and registration costs. References in this policy to employees shall also be applicable to the Mayor, City Administrator, Assistant City Administrator, City Attorney and the City Council (see section 16).

1. **Pre-Approval of Travel** – Travel to attend conferences or training or to conduct other City business requires the prior authorization of the employee’s supervisor and department head. Attendance by department heads requires the approval of the City Administrator. A “Travel and Training Authorization Form” (Exhibit 1) is required to be completed and signed prior to incurring any expenses. Travel and training requests should clearly state (1) the purpose of the trip, (2) the specific need to the employee to travel, and (3) the estimated costs of the travel, including any registration fees.

Individual departments may require additional documentation regarding travel approval and evaluation of travel.

Requests to attend conferences and training during the last six months of an employee’s employment with the City will usually be denied. Local meetings may be approved.

With the exception of the City Administrator, the City will not pay for more than four (4) trips of more than 50 miles outside of the Bellevue city limit per budget year (October 1 to September 30) unless approved in advance by the department head, the Finance Director and the City Administrator, according to section 17 of this policy. The City Administrator and Assistant City Administrator are exempt from the policy exception request in section 17, to the extent such request pertains to training seminars and/or out-of-town trips per budget year, due to their annual accreditation requirements to which both are contractually obligated.

2. **Air Travel** – Air travel shall only be authorized when it is more economical than surface transportation. Reimbursement for commercial air travel will be limited to “coach” fare. First class travel is not allowed. Airfares should be the most economical flight available.

An exception to the most economical flight may be granted if significant time savings is achieved using a direct flight versus connecting flights. All exceptions to the most economical airfare must be approved in advance by the department head or City Administrator. Considerations will also be given during a pandemic or public health emergency regarding health and safety and the best method of travel.

3. **Conferences and Training-** City employees are encouraged to attend conferences and training, within the constraints of departmental budgets, to obtain, maintain or enhance key knowledge and skills related to the employee's profession.

Payment may be made directly to a vendor or as reimbursement to an employee for expenses incurred on behalf of the City. Original invoices/receipts and documentation showing the date, purpose and agenda of the conference or training must be attached to the employee's travel expense report.

The payment of meals and nonalcoholic beverages for City employees attending a conference or training is allowable if the employee is in travel status or the meal is included in the overall conference pricing.

An employee not in travel status will be reimbursed for actual costs incurred for attendance at official functions, conferences or hearings, not included in normal day-to-day operations of his or her department. These costs may include meals.

4. **Lodging-** Employees shall report only actual expenses paid for lodging. Business telephone calls and parking charges incurred at the lodging site may be included on the lodging bill. Lodging expenses may either be directly billed to the City, paid with a City credit card or claimed on a travel expense report. If claimed on a travel expense report, detailed receipts for lodging are required to be filed with the claim.

Personal lodging expenses incurred such as movies, purchases of personal items, etc. should be deducted from lodging receipts prior to requesting reimbursement.

Lodging will be reimbursed when an employee is "away from home overnight". The Internal Revenue Service states: "You are away from home overnight if your duties require you to be away from the general area of employment for a period substantially longer than an ordinary day's work and, during released time while away, it is reasonable for you to need and to get sleep or rest to meet the demands of your employment or business. The absence must be of such duration that you cannot reasonably leave and return to that location before and after each day's work."

It is City's policy that a person generally be more than 50 miles from his or her workplace in order to be eligible for lodging. There may be, under certain circumstances, reasons to pay for lodging for distances less than 50 miles. Such reasons include, but are not limited to work requirements, medical conditions or weather. In those instances, the reason must be clearly stated as part of the substantiation and documentation of expenses.

5. **Meals -**

- a) **Overnight Travel-** Employees traveling on City business can claim the current Government Services Administration (GSA) daily rate for meals and incidentals applicable to the City's zip code (68005). The GSA zip code 68005 daily rate for

meals and incidentals will apply to travel to all locations. This rate will be posted on the City's intranet and can also be found at the GSA website at <http://www.gsa.gov/portal/category/21287> (enter the 68005 zip code to find rate).

For all full travel days, the rate paid will be the GSA rate. For the first and last day of travel, the per diem amount paid will be 75% of the GSA per diem rate (this is consistent with Federal guidelines).

The per diem rate covers all taxes and tips. Employees will not be reimbursed separately for those items.

No reimbursement will be made for alcoholic beverages.

- b) Same-Day Travel- Employees with approved same-day travel will be reimbursed for meals and incidentals based upon actual costs incurred.

Employees are required to adequately document and substantiate all meals and incidentals submitted for reimbursement. Undocumented and unsubstantiated costs will not be reimbursed. Receipts are required for all receiptable transactions. Non-receiptable transactions, such as vending machine purchases, must clearly explain the nature and purpose of the purchase and why no receipt was obtained.

- 6. Vehicle Costs- An employee will be reimbursed for use of a personal vehicle while on City business (this does not include commuting miles) at the prevailing standard rate as established by the Internal Revenue Service through its Revenue Procedures.

This rate will be posted on the City's intranet and can also be found at the IRS website at <http://www.irs.gov/> (enter "mileage rates" in the Search box to find the current year Revenue Procedure with the mileage rate).

If more than one City employee is riding in a personal vehicle being used for travel while on City business, only the owner of vehicle will be reimbursed for mileage. Mileage will not be paid to other occupants.

Vehicle usage must be economical based upon total travel costs (mileage, lodging, meals, employee travel time) when determining whether to travel by vehicle or air. Employees do not have the option to select vehicle travel if the distance of the trip makes vehicle travel less economical when considering all travel costs and lost productive employee time.

Department heads may require employees to utilize City-owned vehicles (as opposed to personal vehicles) if the use of the City-owned vehicle will be more economical. An employee's personal vehicle may be considered for use if a City-owned vehicle is not available, the employee is including personal travel during the trip, or the employee has other valid reasons for using a personal vehicle. The Travel and Training Authorization

Form will indicate to the travel approver the vehicle (personal or City) intended to be used for the trip.

Employees will be reimbursed mileage for both overnight and same-day travel. The guidelines for reimbursement of mileage are the same for both.

When renting a vehicle, rental car insurance coverages should be declined. Car rental is covered by the City's insurance.

7. **Long-Distance Telephone Calls** - Charges for long distance telephone calls are an allowable City expenditure if:
 - a. They are related to City business or
 - b. The employee is in a travel status on City business and the calls are in accordance with an approved City policy.

Employees are encouraged to use the most economical method available for telephone calls.

8. **Reimbursement to One Employee for Two or More Employees' Expenses** - One employee may be reimbursed for actual expenses incurred on behalf of another City employee, such as when two employees eat a meal and one employee pays the bill. The employee to be reimbursed must provide the City with the same detailed information that would have been required of each City employee had they been billed individually. In all cases when one employee is requesting reimbursement for expenses of more than one City employee, detailed receipt policies must be adhered to, employees' names listed and documents cross-referenced, when applicable. If two employees are billed jointly, but each pays half and each requests reimbursement separately, the documents must be cross-referenced, since one employee usually will not have a detailed original receipt.

The highest-level employee should pay the bill if paying on behalf of one or more other employees. Lower level employees are not allowed to pay for expenses incurred by their supervisors or department heads, which would subsequently be approved by the supervisor or department head.

9. **Paying for Travel Expenses** — Several methods are available for payment of travel expenses, as follows:
 - a. Direct payment by the City to the business.
 - b. Use of a City assigned credit card for individuals authorized to hold a City credit card.
 - c. Use of the employee's personal credit card (to be reimbursed upon submission of an approved travel expense report).
 - d. Request and receipt of a travel cash advance.

For conferences and training, employees are encouraged to contact the Purchasing department to arrange direct payment by the City.

10. **Cash Advances** — Cash advances may be made to employees to cover the estimated costs of lodging, ground transportation, and meals and incidentals. If actual expenses submitted exceed the amount of the advance, the City will reimburse to the employee the difference. If the advance exceeds the actual expenses submitted, the employee should submit a check with his/her travel expense report to reimburse the City for the difference.

Approval of cash advances is required by supervisors and department heads. Cash advances requested by department heads are to be approved by the City Administrator.

11. **Travel Expense Report** - A "Travel Expense Report" (Exhibit 2) for the incurred expense must be completed and submitted by the employee to his/her supervisor and department head for approval. Department heads are required to submit travel expense reports to the City Administrator for approval.

Employees must substantiate and document the cost for travel, lodging, meals and other expenses. To be reimbursed, the expense must be a necessary expense, the reason/purpose of the expense clearly stated, and the dates and amounts incurred documented.

Receipts are required for all expenditures that are not covered by per diem rates, regardless of the amount. In rare cases where a receipt is not available (example: vending machine purchases), an explanation of the date, time, amount and items purchased should be provided.

Each receipt must provide the required detail about the expense (date and specific items purchased). Credit card receipts with only total amounts will not be considered adequate documentation. Employees will be required to obtain the necessary detail documentation in order to be reimbursed.

In rare cases when the receipt provided by the merchant for minor expenditures does not detail the purchase, the employee should clearly explain what was purchased and provide a notation with the expense report indicating that no additional receipt detail was available from the merchant.

Failure to have a detailed receipt or provide necessary detail for non-receipted or non-itemized minor purchases shall make the expense a personal expense.

Travel expense reports must be submitted for approval no later than thirty days after the final day on which the expenses were incurred. Failure to submit expenses within the required time frame may result in expenses not being reimbursed.

12. **Personal Expenses** - Employees using personal credit cards for City business must exclude any personal expenses from those submitted for reimbursement. Whenever possible, employees are encouraged to make personal and City business expenditures separately.

Payments made directly by the City or with City issued credit cards must never include any personal costs. If a personal cost is mistakenly paid for by the City, it must be reimbursed by the employee within three (3) business days. All personal costs paid for by the City and reimbursed by the employee will be reported to the Audit Committee. Use of City issued credit cards for personal expenses will result in disciplinary actions which may include termination.

13. **Employee and Approval Signatures**

- a. **Employee Signatures** - The employee claiming reimbursement of expenses must sign the travel expense report. By signing the travel expense report, the employee asserts that expenses submitted are appropriate and legitimate expenses incurred in accordance with the City's Travel Expense Policy. **Knowingly falsifying travel expense reports will result in disciplinary actions which may include termination.**
- b. **Approval Signatures** — Supervisors, department heads and/or the City Administrator shall insure that cost incurred are appropriate and legitimate and in accordance with the City's Travel Expense Policy. Expenses that do not meet the policy requirements for reimbursement shall be clearly noted and removed from the expense report.

14. **Travel with Family Members** — Family members may wish to attend meetings or conferences with employees who are traveling. Any additional costs incurred related to the attendance of family members are the responsibility of the employee.

15. **Training Attendance Evaluation** — Following the attendance at any conference or training, the employee is required to complete and provide to Personnel a "Travel Attendance Evaluation Form" (see Exhibit 3). This form documents the quality of the training, the benefits of attendance and whether it is recommended that attendance at similar sessions in the future occur. This is due within 10 days after the completion of the trip.

16. **Applicability of Policy and Approval of Travel Expenses for Non-Employees and the City Administrator** — All provisions of this policy are also applicable to non-employees (i.e. the Mayor and City Council) traveling to conduct approved City business.

Pre-approval of travel, approval of travel expense advances, and approval of travel expense reports for the Mayor, City Attorney, Assistant City Administrator and the City Council is the responsibility of the City Administrator and the Finance Director.

Pre-approval of travel, approval of travel expense advances and approval of travel expense reports for the City Administrator are the responsibility of the Mayor.

17. **Policy Exceptions** — Policy exceptions may be granted with the approval of the department head, the Finance Director and the City Administrator. Policy exception requests must clearly state the nature and reason for the policy exceptions. All policy exceptions will be summarized and reported to the Finance Compliance and Control Manager, who will report the exceptions to the Audit Committee.

Adopted	4/87
Reviewed	2/3/87
Revised	1/23/89
Reviewed	2/25/91
	3/93
	2/95
	2/97
	2/99
	1/01
	2/02
Revised	3/02
Reviewed	1/03
Deleted	10//07
Revised	1/13
	1/21
Reviewed	03/23

DRAFT

POLICY RESOLUTION 20

INFORMATION REQUESTS AND COMPLAINTS

The Mayor and the City Council reserve the right to make inquiries of City management staff regarding municipal operations or activities. In an effort to coordinate the timely dissemination of accurate and concise information, the inquiry will be directed to the City Administrator's office for referral to the appropriate department.

Department Heads are responsible for keeping the City Administrator informed of all Mayor and/or City Council direct contacts and requests for information. The City Administrator will be responsible for the coordination of the preparation and distribution of the response to the inquiry.

The Mayor, City Council and individual members thereof do not have the authority to issue directives to any subordinate of the City Administrator. All requests for action on the part of a City employee must be processed through the City Administrator's office.

Complaints concerning any City department or City employee coming from a City Council member or from a member of the public-at-large, shall be referred to the City Administrator or a designated staff member.

On all communications (emails, letters, etc.) received by more than one council member, it is the responsibility of the representative ward council member to ensure a response is prepared and communicated to the party in a timely manner. The representative council members may contact the City Administrator for assistance; however, the representative council member is responsible to make sure a response is completed. The representative council member will notify the other council members of the outcome. However, in all cases, any council member may respond to any citizen communication.

Adopted	5/87
Reviewed	2/9/87
	1/23/89
	2/25/91
	3/93
	2/95
	2/97
	2/99
Revised	1/01
Reviewed	3/02
	1/03
Revised	10/07
Reviewed	3/09
	1/11
	1/13
Revised	1/21
Revised	03/23

DRAFT

POLICY RESOLUTION 21

SALARY AND COMPENSATION OF THE MAYOR AND CITY COUNCIL

“DELETED”

SEE CITY CODE

DRAFT

Adopted	6/87
Reviewed	2/9/87
	1/23/89
	2/25/91
	3/22/93
	2/13/95
	2/10/97
Revised	1/26/98
Reviewed	2/8/99
	1/01
	3/02
	1/03
Deleted	10/07
Revised	1/21
Reviewed	03/23

POLICY RESOLUTION 22

RIGHT-OF-WAY DEDICATION

DELETED

SEE CITY CODE

DRAFT

Adopted	1/89
Reviewed	6/26/89
	2/25/91
	3/93
	2/95
	2/97
	2/99
Revised	1/01
Reviewed	3/02
	1/03
Revised	10/07
Reviewed	3/09
	1/11
Deleted	1/21
Reviewed	03/23

POLICY RESOLUTION 23

GUIDELINES FOR USE OF COMMUNITY BETTERMENT FUNDS

“DELETED”

DRAFT

Adopted	2/89
Reviewed	11/13/89
	2/25/91
	3/93
	2/95
	2/97
	2/99
	1/01
	3/02
	1/03
Deleted	10/07
Reviewed	1/21
	03/23

POLICY RESOLUTION 24

STAFF SOLICITATIONS

It is a policy of the City Council that there will be no solicitations to businesses, citizens, groups or organizations in the community for or on behalf of the City of Bellevue without the Council 's approval, with the exception of gathering items for the City's holiday party and other staff appreciation events.

Adopted	1/90
Reviewed	4/9/90
	2/25/91
	3/93
	2/95
	2/97
	2/99
Revised	1/01
Reviewed	3/02
	1/03
Revised	10/07
Reviewed	3/09
	1/11
	1/13
Revised	1/21
Reviewed	03/23

POLICY RESOLUTION 25

CITY EMPLOYEES PROHIBITED FROM PURCHASING SURPLUS PROPERTY

“DELETED”

DRAFT

Adopted	1/91
Reviewed	3/25/91
	3/93
Deleted	2/10/97
Reviewed	1/21
	03/23

POLICY RESOLUTION 26

REVIEW OF COMPREHENSIVE PLAN AND FUTURE LAND USE MAP

At the first meeting in March, beginning March, 2012, and at least every three years thereafter, the Bellevue City Council will review the Comprehensive Plan as adopted in February, 2009. The purpose is to compare the Plan with actual land use changes, if any, during the review period.

DRAFT

Adopted	2/91
Reviewed	5/13/91
	3/93
	2/95
	2/97
	2/99
	1/01
	3/02
	1/03
Revised	10/07
Reviewed	3/09
Revised	5/09
Reviewed	1/11
	1/13
	1/21
	03/23

POLICY RESOLUTION 27

INQUIRIES REGARDING FORMER OR CURRENT CITY EMPLOYEES

“DELETED”

SEE POLICY RESOLUTION 20

DRAFT

Adopted	1/93
Reviewed	3/93
	2/95
	2/99
	1/01
	3/02
	1/03
Deleted	10/07
Revised	1/21
Reviewed	03/23

POLICY RESOLUTION 28

CONTRACTS AND AGREEMENTS REQUIRED TO BE SIGNED BY THE MAYOR

All original contracts and agreements involving the expenditure of public funds or other valuable consideration shall be submitted to the City Attorney for approval as to form and content before forwarding the contract or agreement to the City Council for consideration or action.

All contracts and agreements will be received and approved by the City Administrator and approved by the City Council, except the City Administrator or his/her designee may approve all contracts under \$10,000.00 without approval of the City Council and may sign contracts that are not for payment of any goods or services. Contracts may not be separated into smaller amounts in order to avoid the requirements outlined herein.

Professional contracts will be reviewed annually.

Adopted	2/93
Reviewed	3/93
	2/95
	2/97
	2/99
	1/01
	3/02
	1/03
Revised	10/07
Reviewed	3/09
	1/11
	1/13
Revised	1/21
Reviewed	03/23

POLICY RESOLUTION 29

REIMBURSEMENT OF EXPENSES FOR ATTENDANCE AT FUNCTIONS, HEARINGS OR MEETINGS ON BEHALF OF THE CITY

Appointed officials, employees, volunteers and elected officials who are serving in a recognized City volunteer organization of the City may be reimbursed for the actual and necessary expenses incurred for attendance at an official function, hearing, or meeting on behalf of the City, if the official, employee, or volunteer received approval for reimbursement prior to such attendance from the City Administrator. The City Administrator may, at his/her discretion, deny the request, approve the request, or require that the person requesting same receive approval for reimbursement of the expenses from the City Council at a regularly scheduled meeting.

This policy resolution shall apply to City officials, employees, or volunteers, whether or not the official, employee, or volunteer has access to a City expense account. This policy resolution does not authorize the expenditure of City funds to pay for any expenses incurred by a spouse of, or any other person traveling with, an elected or appointed official, employee, or volunteer. This policy resolution shall not apply to reimbursement of expenses for the City Council members.

State Law Reference: 13-2203(1)(a).

Adopted	3/93
Reviewed	2/95
	2/97
	2/99
Revised	1/01
Reviewed	3/02
	1/03
Revised	10/07
Reviewed	3/09
Revised	5/09
Reviewed	1/11
Revised	3/12
Reviewed	1/13
	1/21
	03/23

POLICY RESOLUTION 30

**EXPENDITURE OF PUBLIC FUNDS FOR PLAQUES, CERTIFICATES OF ACHIEVEMENT
OR OTHER AWARDS**

1. Authorization is given for the expenditure of City funds for plaques, certificates of achievement, or items of value awarded to elected or appointed officials, employees, or volunteers, including those persons serving on boards or commissions of the City of Bellevue.
2. Such plaques, certificates of achievement, or items of value awarded shall not be given without prior approval of the Mayor or the City Administrator.
3. Such plaques, certificates of achievement, or items of value awarded may only be given for meritorious service on behalf of the City of Bellevue.
4. The dollar limit on the value of any plaque, certificate of achievement, or item of value to be awarded is hereby set at \$150.00.
5. This policy resolution shall not be amended or altered more than one time in any twelve—month period. No City funds shall be expended for plaques, certificates of achievement, or items of value awarded to elected or appointed officials, employees, or volunteers except as provided in this policy.

State Law Reference 13—2203(3)

Adopted	4/93
Reviewed	2/95
Revised	2/97
	2/99
	1/01
	3/02
	1/03
Proposed Deletion	10/07
Reviewed	3/09
Revised	5/09
Reviewed	1/11
	1/13
	1/21
	03/23

POLICY RESOLUTION 31

EXPENDITURE OF CITY FUNDS FOR MEALS AND BEVERAGES

This City Council hereby approves the expenditure of City funds for nonalcoholic beverages and meals, when the City Administrator has approved the expenditure in advance, for the following purposes:

1. Nonalcoholic beverages provided to individuals attending City Council meetings or other public meetings held by or for the City of Bellevue;

State Law Reference 13—2203(2)(a)

2. Nonalcoholic beverages and meals provided for any individuals while performing or immediately after performing training, relief, assistance or support activities in emergency situations, including, but not limited to, tornado, severe storm, fire, or accident;

State Law Reference 13—2203(2)(b)(i)

3. Nonalcoholic beverages and meals provided for any volunteers during or following participation in an activity approved by and done on behalf of the City of Bellevue, including, but not limited to, mowing parks, picking up litter, removing graffiti, or snow removal;

State Law Reference 13—2203(2)(b)(ii)

4. Nonalcoholic beverages and meals provided at a recognition dinner that may be held once each year for elected or appointed officials, employees, or volunteers of the City of Bellevue. Such annual recognition dinner may be held separately for employees of each department or separately for volunteers, or any of them in combination. The maximum cost per person of such dinner shall not exceed \$50.00.

State Law Reference 13—2203(2)(b)(iii)

No City funds shall be expended for beverages and/or meals except as provided in this policy.

Adopted	5/93
Reviewed	2/95
	2/97
	2/99
	1/01
	3/02
Reviewed	1/03
Proposed Deletion	10/07
Reviewed	3/09
Revised	5/09
Reviewed	1/11
	1/13
Revised	6/19
Reviewed	1/21
	03/23

DRAFT

POLICY RESOLUTION 32
NAMING OF PUBLIC FACILITIES

“DELETED”

SEE CITY CODE

DRAFT

Adopted	7/97
Reviewed	2/99
	1/01
	3/02
	1/03
Revised	10/07
Reviewed	3/09
	1/11
Deleted	3/12
Revised	1/21
Reviewed	03/23

POLICY RESOLUTION 33

CELLULAR TELEPHONES

“DELETED”

DRAFT

Adopted	2/8/99
Revised	1/01
	3/02
Reviewed	1/03
Deleted	10/07
Reviewed	1/21
	03/23

POLICY RESOLUTION 34

CONTRACT CLAIMS AGAINST THE CITY

All contract claims made against the City shall be handled in the following manner:

1. Promptly after the receipt of a proper claim, the City Clerk shall schedule a hearing upon the claim to be heard by the City Council at a regularly scheduled meeting. In determining the date for the hearing, the City Clerk shall receive guidance from the City Administrator and the City Attorney in order to assure that the City has an appropriate amount of time to prepare for the hearing.
2. Once the claim is set for hearing, the City Clerk shall mail a notice to the claimant which shall include a statement that the City is in receipt of the claim and the date, time and location of the hearing. Such notice shall be mailed at least twenty—one days prior to the scheduled hearing. Such notice shall be mailed to the address specified in the claim or at such other address as provided to the City.
3. During the time period from the date of the City Clerk' s receipt of the claim until the hearing, the claimant or its representative (s) shall have access to the City's files only to the extent required by any state, federal or local public records laws, nor including court discovery rules.
4. At no time shall the claimant, the City or their respective representative (s) be required to produce witnesses, documents or things or be required to answer any written or oral questions.
5. At the hearing, the claimant, its counsel or representative (s) may make an oral presentation and/or present evidence by way of documents, things or witnesses. The City' s representative (s) will then have the opportunity to make an oral presentation and/or present evidence by way of documents, things or witnesses. The City Council shall receive all evidence offered at the hearing. The claimant, its counsel or representative (s) shall have the right to question any City representative or witness that makes a presentation to the City Council at the hearing and the City' s representative (s) shall have the same right as the claimant, its representatives and witnesses. The presentations shall be limited to a reasonable time given the facts of the claim; a reasonable time shall be determined at the sole discretion of the Mayor or, if the Mayor is not in attendance, the presiding person at such City Council meeting.

6. The hearing shall be recorded in the same manner that the City Council Meeting is regularly recorded.
7. The claim shall be heard and decided by all of the City Council Members who are in attendance during the hearing. If any City Council Member has a conflict, cannot be impartial, will present evidence at the hearing or will be a witness at the hearing, such City Council Member shall recuse himself or herself and shall not participate in the hearing, any deliberations or the decision. The City Council may conduct its deliberations at any time and the deliberations shall be held in a non—public forum. There shall be no time limit for the City Council to render a decision.
8. The City Clerk shall notify the claimant of the City Council decision in accordance with Nebraska law.
9. If at any time prior to the first date set for hearing, the claimant or the City decides it is necessary to continue the hearing, the hearing shall be continued until the next regularly scheduled City Council Meeting. There shall be no further continuances unless agreed to by the City and the claimant, in which case, the continuance can be for as long as agreed.
10. The claimant' s rights to seek judicial review of the City Council' s decision are not affected by these procedures and shall continue to be governed by Nebraska law. The claimant shall have the right to receive a transcript of the hearing upon proper request and the payment of the normal costs associated with obtaining a transcript of a City Council Meeting.
11. If any part of these procedures is found by the Nebraska Supreme Court to be in violation of Nebraska law, then all of these procedures shall be void.

Adopted	4/23/01
Reviewed	3/02
	1/03
	10/07
	3/09
	1/11
	1/13
	1/21
	03/23

POLICY RESOLUTION 35

PRINCIPLES OF CONDUCT AND DECORUM

It is the belief of the members of the Bellevue City Council that the proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that public deliberations and actions be conducted in an atmosphere free from personal animosity and hostility; that governmental decisions and policy be made in proper channels of the government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, the City Council adopts the following principles of conduct and decorum for meetings of the City Council and when conducting city business, which rules may be amended and/or rescinded at any time. If any portion of these rules of conduct and decorum are found to conflict with any City ordinance or State law, the provisions of City ordinance or State law shall be followed.

Principles of Conduct and Decorum for Meetings of the City Council

The principles of conduct and decorum shall consist of the following:

- (a) The Mayor, members of the City Council, City officials and employees shall (i) respect and adhere to the American ideals of government, rule of law, principles of public administration and high ethical conduct in the performance of public duties; (ii) represent and work for the common good of the City and not for any private interest ; (iii) refuse to accept gifts of favors or promises of future benefits which might compromise or tend to impair independent judgment or action; and (iv) provide fair and equal treatment for all persons and matters coming before the City Council. Any such violation may be considered misconduct and such person may be subject to sanctions as outlined in City Code 2-208.
- (b) Any statements made during City Council meetings or when conducting city business, by the Mayor, members of the City Council, City officials and employees, or members of the general public shall not involve personal or slanderous attacks on individuals, regardless of whether the individual so attacked is an elected official, a city official or employee, or a member of the general public. Any such violation may be considered misconduct and such person may be subject to sanctions as outlined in City Code 2-208.
- (c) During City Council meetings and while conducting city business, the Mayor, members of the City Council, City officials and employees, or members of the general public shall not, by conversation or otherwise, delay, interrupt, or disrupt the proceedings of the City Council, or refuse to obey the orders of the presiding

officer regarding the rules of conduct and decorum. Any such violation may be considered misconduct and such person may be subject to sanctions as outlined in City Code 2-208.

- (d) Any issue presented for consideration by the Mayor, members of the City Council, City officials and employees, or members of the general public, shall be made to the City Council as a body through the presiding officer and shall not be directed solely to the Mayor, any particular member of the City Council, any City official or employee or any member of the general public.
- (e) The use of vulgar, threatening, abusive or disparaging language; inappropriate sexual behavior or remarks; or racial or ethnic slurs, directed at the Mayor, any particular member of the City Council, any City official or employee or any member of the general public shall not be tolerated. Any such violation may be considered misconduct and such person may be subject to sanctions as outlined in City Code 2-208.
- (f) The Mayor, members of the City Council and City officials shall not knowingly violate any statute or lawfully adopted rule or regulation relating to his/her official duties. Any such violation may be considered misconduct and such person may be subject to sanctions as outlined in City Code 2-208.
- (g) The Mayor, members of the City Council and City officials shall not commit a wrongful or unjust doing of some act in which the doer has no right to perform, or which he/she has stipulated by contract not to do. Any such violation may be considered misconduct and such person may be subject to sanctions as outlined in City Code 2-208.
- (h) Members of the public who do not follow proper decorum after a warning in a public hearing may be barred from further testimony at that meeting or removed from the Council chambers.

Adopted	4/28/03
Reviewed	10/07
	3/09
	1/11
	1/13
Revised	12/19
Reviewed	1/21
	03/23

POLICY RESOLUTION 36
PURCHASING/TRAVEL CARD POLICY
“DELETED”

SEE POLICY RESOLUTION 4 AND POLICY RESOLUTION 8

DRAFT

Adopted	41/9/06
Proposed for Deletion	10/07
Deleted	5/09
Revised	1/21
	03/23

POLICY RESOLUTION 37

**COUNCIL MEMBERS PARTICIPATION IN CITY EMPLOYEE HEALTH, DENTAL
AND/OR LIFE INSURANCE PLANS**

City Council members may participate in any or all of the insurance programs provided by the City. These programs consist of the health, dental or life insurance plans. One hundred percent of the premium for such insurance coverage shall be reimbursed to the City of Bellevue on a monthly basis by the City Council member.

DRAFT

Adopted	5/09
Reviewed	1/11
	1/13
	1/21
	03/23

POLICY RESOLUTION 38

COUNCIL MEMBERS' EXPENSE ACCOUNT

There is hereby authorized and established for the use of each of the Council Members an expense account up to \$3,000.00 based on an annual appropriation by the Council. The expense account may be used by each of the Council Members' expenses of up to \$3, 000.00 per year, which expenses are associated with official city business and for which there is no other established account or policy for reimbursement which could otherwise be used for said expenses. Each request for payment or reimbursement must be accompanied by a statement which contains:

- a) A brief explanation of the nature of the business;
- b) A cost estimate or quote from the vendor or receipts paid by the Council Member;
and
- c) Other information as may be required by the City Finance Director.

Travel, meals and lodging incurred in connection with the following types of activities set forth below constitute authorized expenses:

1. Communicating with representatives of local, regional, state and national government on City policy provisions;
2. Attending educational seminars designed to improve officials' skill and information levels;
3. Participating in local, regional, state and national organizations of cities whose activities affect the City's interests;
4. Attending City events; or events sponsored by organizations or entities whose activities affect the City's interests where the primary purpose of the event is to discuss subjects which relate to City business;
5. Implementing City approved policies; and
6. Meals where the primary purpose of the meal is to conduct City—related business (other than simply meeting constituents) as long as the amount of such meal meets applicable federal and state standards as to when meal reimbursement may be allowed.

From time to time, it may be necessary for an official to request a cash advance to cover anticipated expenses while traveling or doing business on the City's behalf. Such request for an advance should be submitted to the City Finance Director no later than ten (10) working days prior to the need for the advance with the following information:

1. The purpose of the expenditure(s);
2. Whether the expenditure is for an authorized activity;
3. The anticipated amount of the expenditure(s) (for example: hotel rates, meal costs, and transportation expenses); and

4. The dates of the expenditure(s).

Any unused advance must be returned to the City within five (5) working days of the official's return, along with an expense report and receipts documenting how the advance was used in compliance with this expense policy.

These funds may be authorized for payment or reimbursed to the Council Members or vendor upon the Council Member's submission of a completed expense statement. The Council Member shall file the statement with the City Finance Director within two (2) months of the expenditure in order to qualify for the expense payment or reimbursement of the expense. The City Finance Director shall not approve the payment unless the statement is complete. The City Administrator shall keep an accounting of the expenses and report the expenses to the Mayor and Council Members every six (6) months.

DRAFT

Adopted	11/22/10
Reviewed	1/11
	1/13
	1/21
	03/23

POLICY RESOLUTION 39

PUBLIC PARTICIPATION AT CITY COUNCIL MEETINGS

The City of Bellevue recognizes and upholds the right of citizens, organizations and groups to attend, observe and participate in regularly scheduled public meetings of the Bellevue City Council. The following rules are established for participation by members of the general public, organizations or groups:

MATTERS NOT ON THE CITY COUNCIL AGENDA

Any person, organization or group may request the opportunity to speak regarding any matter not included on the City Council's agenda. The following conditions for participation shall apply:

1. Each person, organization or group who wishes to speak shall submit a written request, on a form provided by the City Clerk, to the City Clerk by the end of the business day that is at least five (5) calendar days prior to a scheduled meeting. The written request shall state the person's name, address, phone number, email, and topic, with a brief description of what is going to be said in regard to such topic. If the City Administrator determines that the topic and/or description are too vague, the person may be asked to clarify the item. The City Clerk shall notify the requestor of the placement of the item on the agenda. If the City Administrator determines that the topic and/or description are too vague, the person may be asked to clarify the item. If the City Administrator determines that the item shall not be placed on the agenda under the Approved Citizen Communication, he/she shall forward the written request to the representative ward council member and the ~~at-large~~ council member of the next ward in succession for consideration by 5:00 p.m. on the Wednesday before the council meeting and shall copy the City Clerk on same. If either the ward council member or the ~~at-large~~ council member of the next ward in succession notifies the City Administrator by 5:00 p.m. on the Thursday before the council meeting and determines that the written request should be placed on the agenda, it shall be placed on the agenda.
2. Each person, organization or group who has been placed on the agenda shall be recognized by the Mayor or the presiding officer.
3. Presentations shall be limited to five (5) minutes per speaker unless a majority of the Councilmembers present votes to suspend the rule to provide for more or less time. If there are numerous requests to address the City Council on the same topic, the Mayor may recognize representatives to speak.
4. An organization or group wishing to speak before the City Council shall speak through its appointed spokesperson, who shall be the person required to submit the

aforementioned form requesting to speak. The Mayor or presiding officer may limit the number of persons permitted to speak for any organization or group. If the City Administrator receives multiple written requests for the same topic or from the same organization, he/she may require the consolidation of said requests and require the appointment of one spokesperson.

MATTERS ON THE CITY COUNCIL AGENDA

Any person, organization or group may request the opportunity to speak regarding any matter on the City Council's agenda. The following conditions for participation shall apply:

1. Each person, organization or group who wishes to speak (except for items requiring a public hearing) shall submit a written request, on a form provided by the City Clerk, to the City Clerk prior to the start of the scheduled meeting. The written request shall state the person's name, address, and agenda item on which the individual, organization or group wishes to speak.
2. The Mayor or the presiding officer, at the appropriate time on the agenda, shall recognize each person, organization or group who has requested to speak.
3. Presentations shall be limited to three (3) minutes per speaker unless a majority of the Councilmembers present votes to suspend the rule to provide for more or less time. If there are numerous requests to address the City Council on the same topic, the Mayor or presiding officer may recognize representatives to speak.
4. An organization or group wishing to speak before the City Council shall speak through its appointed spokesperson, who shall be the person required to submit the aforementioned form requesting to speak. The Mayor or presiding officer may limit the number of persons permitted to speak for any organization or group.

GENERAL PROVISIONS

1. All persons speaking at a City Council meeting shall address the Mayor and Council as a whole, and not the public in general.
2. All persons addressing the City Council shall state his or her name, address, organization or group represented, if any, and shall confine his or her comments to the specific agenda item upon which he or she has requested to speak.
3. All persons speaking at a City Council meeting are expected to conduct themselves in a courteous manner. Comments shall not involve personal or slanderous attacks on employees, members of the City Council or members of the general public. The use of

profane, vulgar, inflammatory, threatening, abusive or disparaging language or racial or ethnic slurs will not be tolerated.

4. The Mayor or presiding officer may instruct the Sergeant at Arms to remove any person from the City Council Chamber who continues to conduct himself or herself in a disorderly manner and causes a disruption to the meeting.

4.5. Persons addressing the City Council are not permitted to yield their allotted time or any remaining time to another person wishing to address the City Council.

DRAFT

Revised	2/26/19
Reviewed	1/21
Revised	03/23