

Bellevue City Council Meeting

Monday, April 9, 2018 6:00 PM

Bellevue City Hall

1500 Wall Street

Bellevue, NE 68005

1. PLEDGE OF ALLEGIANCE
2. INVOCATION - Father Tom Jones, Church of the Holy Spirit, 1305 Thomas Drive
3. CALL TO ORDER AND ROLL CALL
4. OPEN MEETINGS ACT - Posted in the Entry to the Council Chambers
5. APPROVAL OF AGENDA CONSENT AGENDA MINUTES AND ADVISORY COMMITTEE REPORTS :
 - a. Approval of Agenda
 - b. Approval of Consent Agenda
 1. *Approval of the Minutes of the March 26, 2018, Meeting of the City Council
 2. *Approve and authorize Mayor to sign Renewal of Lease Agreement with Eastern NE Community Action Partnership (ENCAP) for space (Administrative Services)
 3. *Approving the Appointment of Scott Evans to the Tree Board for a four-year term until May 2022 and Approving the Reappointment of Holly Hofreiter and Joanne Langabee to the Tree Board for a four-year term until May 2020 (Mayor)
6. APPROVAL OF CLAIMS
7. SPECIAL PRESENTATIONS
 - a. Proclamation declaring April 27, 2018 as "Arbor Day"
 - b. Proclamation declaring April 29, 2018 as "Earth Day"
8. LIQUOR LICENSES:
 - a. Cutch, Inc., dba "First Watch" - Application for a Class "I" Liquor License to Sell Beer, Wine, and Distilled Spirits, On Sale Only, at 2015 Pratt Ave., Ste. 105 and for Gregory Cutchall as Manager (City Clerk)
9. ORDINANCES FOR ADOPTION (3rd reading):
 - a. Ordinance No. 3902: Amending the Zoning Ordinance regarding Household Pets (Planning Director)
 - b. Ordinance No. 3903: Rezoning Lot 2, Wolf Creek Replat 7, from BG to RG-20-PS for the purpose of multi-family residential development. Applicant Wolf Creek Apartments, LLC General Location: South 15th Street, South of Cornhusker Road (Planning Director)
 1. Approval of Site Plan for Lot 2, Wolf Creek Replat 7
10. ORDINANCES FOR PUBLIC HEARING (2nd reading): NONE
11. ORDINANCES FOR INTRODUCTION (1st reading): NONE

12. PUBLIC HEARING ON MATTERS OTHER THAN ORDINANCES:

- a. Show Cause Hearing on the Proposed
Condemnation of the Structure Located at
2611 Harrison Street (Chief Building
Inspector)

1. Resolution No: 2018-09: Condemning the
structure located at 2611 Harrison Street
and Ordering it to be Torn Down and
Debris Removed by May 11, 2018

- b. Show Cause Hearing on the Proposed
Condemnation of the Structure located at
15006 South 20th Street (Chief Building
Inspector)

1. Resolution No. 2018-10: Condemning the
structure located at 15006 South 20th
Street and Ordering it to be Torn Down
and Debris Removed by May 11, 2018

- c. Public Hearing on the Event License
Application of the Freedom Running Company
to use Haworth Park and City Streets on May
26, 2018, from 7:00 a.m. to 11:00 a.m. for a
Half Marathon, 10k, 5k, and Family Walk/Run
(City Clerk)

13. RESOLUTIONS: NONE

14. CURRENT BUSINESS:

- a. Approval of Revised Council Policy Resolution
4 - Purchasing and Payments (Finance
Director)

- b. Approval to Rescind Contract Approval with
Felsburg, Holt and Ullevig to prepare a
report on the procedures and cost associated
with establishing a quiet zone parallel to
Fort Crook Road. (Councilman Burns)

15. ADMINISTRATION REPORTS - Comments must be limited
to items on the current Reports

16. PUBLIC REQUESTS TO BE HEARD

17. CLOSED SESSION: NONE

18. ADJOURNMENT

MINUTE RECORD

Bellevue City Council Meeting, March 26, 2018, Page 1

A regular meeting of the Mayor and Council of the City of Bellevue was called to order by Mayor Rita Sanders at the Bellevue City Hall on the 26th day of March, 2017, at 6:00 p.m. Present were Council Members John Hansen, Paul Cook, Pat Shannon, Donald Preister, Thomas Burns, and Jim Moudry.

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

Pledge of Allegiance

Mayor Sanders led the Pledge of Allegiance.

Open Meetings Act

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

Approval of the Agenda

Motion was made by Hanson, seconded by Shannon, to postpone Items 12a and 12b, show cause hearings on the proposed condemnations of the structures located at 2611 Harrison and 15006 South 20th Street and Resolutions No. 2018-09 & No. 2018-10, respectively, until the next meeting on April 9th. Roll call vote on the motion was as follows: Hansen, Cook, Shannon, Preister, Burns, and Moudry voted yes; voting no: none. Motion carried.

Motion was made by Shannon, seconded by Moudry, to move Items 9a and 9a.1, Ordinance No. 3889, relative to the City of Bellevue Cemetery's compliance to State Statute and Resolution No. 2018-11 adopting the Cemetery Rules, to Items 11a and 11a.1 as a lot of changes had been made since it was first proposed. Roll call on the motion was as follows: Shannon and Moudry voted yes; voting no: Hansen, Cook, Preister, and Burns. Motion failed.

Motion was made by Shannon, seconded by Moudry, to approve the agenda as amended. Roll call vote on the motion was as follows: Hansen, Cook, Shannon, Preister, Burns, and Moudry voted yes; voting no: none. Motion carried.

Approval of the Consent Agenda

Motion was made by Preister, seconded by Cook, to approve the consent agenda which included the following: approving the Minutes of the March 12, 2018, Council meeting; minutes of the March 12, 2018, Board of Equalization meeting; the Complete Streets Annual Report; the Deed of Reconveyance on 7515 Ira Circle; the Eighth Extension to the Custom Farming Contracts with Justin Thoms at 36th Street & Capehart Road and at the Bellevue Sports Complex at Cunningham Road, West of Harlan Lewis Road; and the Retail Services Agreement for the annual maintenance of the AV Equipment at the Fire Training Site through AVI in the amount of \$5,200. Roll call vote on the motion was as follows: Hansen, Cook, Shannon, Preister, Burns, and Moudry voted yes; voting no: none. Motion carried.

Approval of Claims

Motion was made by Preister, seconded by Burns, to approve the payment of claims as presented. Roll call vote on the motion was as follows: Hansen, Cook, Shannon, Preister, Burns, and Moudry voted yes; voting no: none. Motion carried.

SPECIAL PRESENTATIONS:

Proclamation: Designating April 2 - 8, 2018 as "National Community Development Week"

Mayor Sanders read a proclamation designating April 2 through 8 as "National Community Development Week."

Annual Tree Board Report - Tree Board Member David Anson

Mr. David Anson presented the annual Tree Board report and reviewed some highlights of the past year. Mr. Preister said this was the ninth year for the Board and thanked the Board members and all of the volunteers.

Presentation and Acceptance of the 2016-2017 Annual Audited Financial Statement - Amy Shreck, BKD CPAs & Advisors

Ms. Amy Shreck presented the 2016-17 Annual Audit as completed by BKD. She and Finance Director Rich Severson fielded questions from the Council.

Motion was made by Cook, seconded by Preister, to accept the 2016-2017 Annual Audited Financial Statement as presented. Roll call vote on the motion was as follows: Hansen, Cook, Shannon, Preister, Burns, and Moudry voted yes; voting no: none. Motion carried.

LIQUOR LICENSES: None

MINUTE RECORD

Bellevue City Council Meeting, March 26, 2018, Page 2

ORDINANCES:

Ordinance No. 3889: Relative to the City of Bellevue Cemetery's compliance to State Statute (Third Reading)

Ordinance No. 3889, an ordinance to add new Article II, Bellevue Cemetery, Sections 21-31 to 21-37, to the Bellevue Municipal Code pertaining to the operation, maintenance, and rules and regulations of the Bellevue Cemetery; to repeal all ordinances in conflict herewith as heretofore existing; and to provide for the effective date of this ordinance, was read by title only for the third and final reading.

Motion was made by Preister, seconded by Burns, that Ordinance No. 3889 be adopted. Mayor Sanders asked "Shall Ordinance No. 3889 be passed and adopted?" and upon roll call the following voted yes: Hansen, Cook, Shannon, Preister, Burns, and Moudry; voting no: none. Mayor Sanders proclaimed Ordinance No. 3889 passed and adopted.

Resolution No. 2018-11: Adoption of the Cemetery Rules

Motion was made by Preister, seconded by Shannon, to approve Resolution 2018-11.

Motion was made by Shannon, seconded by Preister, to open for public hearing on the Resolution. Roll call vote on the motion was as follows: Hansen, Cook, Shannon, Preister, Burns, and Moudry voted yes; voting no: none. Motion carried.

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

Mr. Michael Wills stated he still had some issues with the rules, but was thankful for all the work put in on them.

Mayor Sanders asked for additional public comment. No one in the audience came forth to speak in support of or in opposition to the resolution. Mayor Sanders declared the public hearing closed.

Mayor Sanders called to vote.

Roll call vote on the motion was as follows: Hansen, Cook, Shannon, Preister, Burns, and Moudry voted yes; voting no: none. Motion carried.

Ordinance No. 3902: Amending the Zoning Ordinance regarding Household Pets (Second Reading)

Ordinance No. 3902, an ordinance to amend Sections 5.07.04, 5.08.04, 5.09.04, 5.10.04, 5.11.04, 5.12.04, 5.13.04, 5.14.04, and 5.15.04, Ordinance No. 3619, Bellevue Zoning Ordinance, relating to the keeping of household pets; to repeal such Sections as heretofore existing; to provide an effective date of the ordinance; and to provide for the publication of this ordinance in pamphlet form, was read by title only for the second time and presented for public hearing.

Mayor Sanders asked for public comment. No one in the audience came forth to speak in support of or in opposition to the ordinance. Mayor Sanders declared the public hearing closed.

Mayor Sanders stated the third reading of the ordinance will be heard at the next Council meeting on April 9th.

Ordinance No. 3903: Rezoning Lot 2, Wolf Creek Replat 7, from BG to RS-20-PS, with Site Plan approval, for the purpose of multi-family residential development. Applicant: Wolf Creek Apartments, LLC General Location: South 15th Street, South of Cornhusker Road (Second Reading)

Ordinance No. 3903, 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 South 15th Street and Cornhusker Road, more particularly described in Section 1 of the ordinance and to provide an effective date, was read by title only for the second time and presented for public hearing.

Mr. Jim Buser representing the current property owner, Mr. Scott Brown and Mr. Rob Luellen with Quantum Real Estate, Mr. Bob Dean representing the Seldin Company, and Mr. Adam Denney and Mr. Mark Meisinger with Felsburg, Holt, Ullevig were all present to speak in support of the project. Council discussion ensued.

Mayor Sanders opened the meeting to a public hearing to give opportunity for individuals to speak in favor of or in opposition to the rezoning request.

Ms. Kathy Welch thinks this is a great opportunity, but traffic at 15th and Cornhusker is a nightmare. Mr. Dwight Beaton stated the Council needs to look at this closely before voting in two weeks. Mr. Steve Dawes agreed the project looks great, but traffic is a problem in that area.

Mayor Sanders asked for additional public comment. No one in the audience came forth to speak in support of or in opposition to the **rezoning ordinance**. Mayor Sanders declared the public hearing closed.

Mayor Sanders stated the third reading of the ordinance will be heard at the next Council meeting on April 9th.

PUBLIC HEARINGS ON MATTERS OTHER THAN ORDINANCES:

These items were removed from this agenda and postponed to the April 9th meeting.

RESOLUTIONS: None

MINUTE RECORD

Bellevue City Council Meeting, March 26, 2018, Page 3

CURRENT BUSINESS:

Approval of an Agreement for Engineering Services between the City of Bellevue and HDR Engineering, Inc. for the Quail Creek Basin Capacity Evaluation Project, not to exceed \$10,000

Motion was made by Shannon, seconded by Cook, to approve and authorize the Mayor to sign the agreement for engineering services between the City of Bellevue and HDR Engineering, Inc., in an amount not to exceed \$10,000. Roll call vote on the motion was as follows: Hansen, Cook, Shannon, Preister, Burns, and Moudry voted yes; voting no: none. Motion carried.

Approval to Purchase All-in-One Computers from Dell in the amount of \$42,903.19 - replacing 23 City Department and 8 Library Lab Computers

Motion was made by Preister, seconded by Burns, to approve the purchase of all-in-one computers from Dell in the amount of \$42,903.19. Roll call vote on the motion was as follows: Hansen, Cook, Shannon, Preister, Burns, and Moudry voted yes; voting no: none. Motion carried.

Approval to Purchase a New Medic Unit from North Central Emergency Vehicles in the amount of \$219,534, a MX-PROR3 Stretcher and Stair PRO Model 6252 from Stryker for \$10,016.42, and Three Inspection Trips totaling \$2,000 for a grand total of \$231,550.42

Motion was made by Shannon, seconded by Cook, to approve the purchase a New Medic Unit from North Central Emergency Vehicles in the amount of \$219,534, a MX-PROR3 Stretcher and Stair PRO Model 6252 from Stryker for \$10,016.42, and three inspection trips totaling \$2,000 for a grand total of \$231,550.42.

Council discussion ensued.

Roll call vote on the motion was as follows: Hansen, Cook, Shannon, Preister, Burns, and Moudry voted yes; voting no: none. Motion carried.

Approval of the Agreement with the Greater Bellevue Area Chamber of Commerce for Economic Development Consulting Services in the amount of \$12,000 per year

Motion was made by Burns, seconded by Hansen, to approve the agreement for \$12,000 per year. Roll call vote on the motion was as follows: Hansen, Cook, Shannon, Preister, Burns, and Moudry voted yes; voting no: none. Motion carried.

Approval of the Agreement with the Sarpy County Economic Development Corporation for Economic Development Consultation Services in the amount of \$15,000 per year

Motion was made by Cook, seconded by Hansen, to approve the agreement for \$15,000 per year. Roll call vote on the motion was as follows: Hansen, Cook, Shannon, Preister, Burns, and Moudry voted yes; voting no: none. Motion carried.

Approval of an Agreement with WatchGuard Video, to purchase Nine In-Car 4RE Video Camera Systems with Body Cameras in the amount of \$60,149.62

Motion was made by Shannon, seconded by Preister, to approve the purchase from Watchguard Video in the amount of \$60,149.62. Roll call vote on the motion was as follows: Hansen, Cook, Shannon, Preister, Burns, and Moudry voted yes; voting no: none. Motion carried.

ADMINISTRATION REPORTS:

Mayor Sanders asked if there were any questions on the reports presented. Mr. Priester thanked Mayor Sanders for all of the time she spends representing the City. He thanked her for her dedication and service.

PUBLIC REQUESTS TO BE HEARD: None

CLOSED SESSION: None

ADJOURNMENT:

There being no further business to come before the Council at this time, on motion by Cook, seconded by Moudry, at 8:12 p.m. the meeting adjourned.


Sabrina Ohnmacht, City Clerk

Rita Sanders, Mayor

<<Acknowledgement on the following page.>>

MINUTE RECORD

Bellevue City Council Meeting, March 26, 2018, Page 4

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 26, 2018; 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.



Sabrina Ohmsch
City Clerk

*56:2
4-9-18

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	April 09, 2018	AGENDA ITEM TYPE:
SUBMITTED BY: Administrative Services - Karen Jackson		SPECIAL PRESENTATION
		LIQUOR LICENSE
		ORDINANCE
		PUBLIC HEARING
		RESOLUTION
		CURRENT BUSINESS
		OTHER (SEE CLERK)

SUBJECT:

Authorization to approve Renewal of Lease Agreement for Space with Eastern NE. Community Action Partnership

SYNOPSIS:

This is the renewal of a three year lease agreement between the City and ENCAP. This lease includes the additional building at 1912 Hancock to be used as the new Food Pantry warehouse (closing the current location.) The City provides the building space and ENCAP staffs the food pantry distribution location at 1908 Hancock St.

FISCAL IMPACT:

Utility expenses

BUDGETED ITEM: ☒ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

Council has previously approved the BMA Food Pantry warehouse expenses. Utilities for both buildings are budgeted in the Building Maintenance budget.

RECOMMENDATION:

Authorize the Mayor to sign the lease renewal with ENCAP.

BACKGROUND:

This arrangement began in 2007 when the City Human Service Department was consolidated with the Personnel department in the City Hall Annex. ENCAP staff provides vital services to low income residents in Bellevue including but not limited to food pantry assistance. Moving the food pantry warehouse to the now vacant 1912 Hancock St. location will increase the efficiency of the distribution process and reduce City expenditures by closing the warehouse on Galvin Rd. that has been financially supported with Community Betterment funds.

ATTACHMENTS:

1	Service Agreement for Space
2	
3	

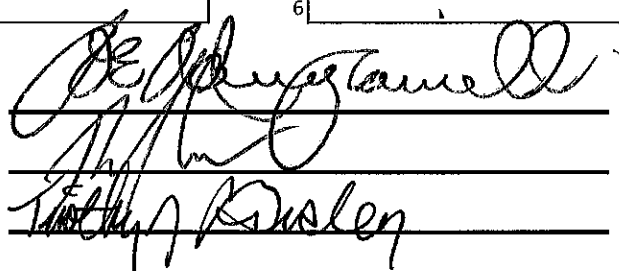
4	
5	
6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:



SERVICE AGREEMENT FOR SPACE

THIS AGREEMENT made and executed this ____ day of _____ 2018, by and between City of Bellevue (hereinafter referred to as "City") and the Eastern Nebraska Community Action Partnership (hereinafter referred to as "Occupant").

WITNESSETH: That City hereby demise unto Occupant space at the Bellevue City Office, 1908 Hancock Street and 1912 Hancock Street (the premises), Bellevue, Nebraska beginning April 1, 2018, in accordance with the terms and conditions as hereinafter set forth.

1) PURPOSE. Occupant agrees to use and occupy the premises solely for the purpose conforming to its regularly established practices not inconsistent with the educational and charitable purposes of the City.

2) TERM. This Agreement shall be for a term of three (3) years commencing April 1, 2018, and ending March 30, 2021, provided however, that either party hereto may terminate this Agreement at the end of any agreement month upon sixty (60) days prior written notice to the other.

3) SERVICE CHARGE. In consideration of the use of the above described premises and the educational and charitable character of both of the parties hereto the costs of services provided by City for subject premises shall be \$0.00/month for accepting the responsibility to serve as the food pantry outlet for the City of Bellevue Human Service Office a minimum of four (4) days a week.

4) SERVICES. City agrees to furnish the following services to Occupant in connection with the latter's occupancy of subject premises:

- a) Air Conditioning & Heating. Air conditioning and heat, daily during normal business hours, Sundays and legal holidays excepted.
- b) Water. Cold water from the City's mains for drinking, lavatory and toilet purposes and hot water for lavatory purposes from the regular supply.
- c) Electric Current. City shall provide all current used on said premises.
- d) Storage. (If available for supplies necessary for daily operations)
- e) Other. Snow removal, mowing, pest control and refuse disposal.

5) CONDITIONS OF PREMISES. Effective with the execution of this agreement, within 60 days, the occupant will transfer all food stored in the current trailer located at 104 Galvin Rd. to 1912 Hancock St. Thereafter the City will cease to provide maintenance of the warehouse trailer. Occupant has examined said premises prior to its acceptance and the execution of this Agreement, and is satisfied with the physical condition thereof, including all equipment and appurtenances, and its taking possession of the premises shall be conclusive evidence of its receipt thereof in good and satisfactory order, and repair, except as otherwise specified herein, and Occupant agrees and admits that no representation as to the condition or repair thereof has been made by the City, its agency, which is not herein expressed or endorsed herein; and likewise agrees and admits that no agreement or promise to decorate, alter, repair, or improve said premises including all equipment and appurtenances, either before or after the execution hereof, not contained here, has been made by City of its agency and

Occupant further agrees that it will, at the termination of this Agreement, return said premises to City in as good condition as when received, ordinary wear and tear excepted.

6) REPAIRS. In consideration of the foregoing demise, Occupant agrees during the term of this agreement at its expense to keep the premises in good and substantial order and repair, and to make all necessary repairs, renewals, replacements and decorations upon or in connection with said premises, including all windows and doors and glass, wherever located, and excepting only the exterior of the premises, but not excepting windows, doors and any glass.

7) ASSIGNING AND SUBLETTING. Occupant is prohibited from assigning this agreement or demising any portion of subject premises without the prior written consent of the City.

8) ALTERATIONS, DECORATIONS. Occupant must obtain the prior written consent of the City for all alterations, decorations and changes of permanent nature, said consent not to be unreasonably withheld by the City.

9) WAIVER OF SUBROGATION. Each party hereto waives any and every claim which arises or may arise in its favor and against the other party hereto during the term of this agreement or any renewals or extension thereof for any and all loss of, or damage to, any of its property located within or upon, or constituting a part of, the premises leased to Occupant hereunder, which loss or damage is covered by valid and collectable fire and extended coverage insurance policies, to the extent that such loss or damage is recoverable under said insurance policies. Said mutual waivers shall be in addition to, and not in limitation or derogation of, any other waiver or release contained in this agreement with respect to any loss of, or damage to, property of the parties hereto. Inasmuch as the above mutual waiver will preclude the assignment of any aforesaid claim by way of subrogation (or otherwise) to an insurance company (or any other person), each party hereby agrees that it shall immediately give to each insurance company which has issued it policies of fire and extended coverage insurance, written notice of the terms of said mutual waivers, and have said insurance policies properly endorsed if necessary, to prevent the invalidation of said insurance coverage by reason of said waivers.

10) PERSONAL PROPERTY AT RISK. It is agreed that all personal property in subject premises shall be at the risk of Occupant only, and the City shall not be liable for any damage to said premises, to said personal property or to Occupant or other parties or property, caused by water, steam, sewage, gas or odors, or by any act of neglect of other occupants or other person(s), or caused in any other manner whatsoever, other than by negligence of the City.

11) RULES AND REGULATIONS. It is further agreed that the City may from time to time formulate and publish reasonable rules and regulations regarding the use of the subject premises and the building in which they are located, and with primary emphasis on health, safety and economy of operation and that Occupant shall abide by all such reasonable rules and regulations.

12) IDENTIFICATION. It is further agreed the Occupant shall be permitted to identify itself by name or appropriate insignia at the entry to subject premises, at two suitable location(s) on the exterior of the building in which said premises are located. Such identification, however, shall be subject to the approval of the City as to placement and character, it being the intent of the City to assure uniformity in this regard on the part of all occupants.

13) **INSURANCE.** It is further agreed that Occupant will not invalidate any policies of insurance now or hereafter placed on said building, and that Occupant will pay all extra insurance premiums on said building, if any is required on account of extra risk caused by Occupant's use of subject premises. City shall be named as additional insured on the occupant's liability insurance policy. City shall be notified of any cancellations of any liability insurance coverage during the term of this service agreement for space; occupant will replace any cancelled coverage in a timely manner. Failure to do so will be cause for default under this agreement.

14) **DAMAGE BY FIRE OR OTHER CASUALTY.** It is further agreed that if, during continuance of this agreement, subject premises shall be so damaged by fire or other casualty as to be rendered unfit for occupancy, and the repair of such damage shall not be commenced within thirty (30) days thereafter, it shall be optional with either party to terminate this agreement by written notice to the other.

15) **DEFAULT.** In the event of default by Occupant in respect to any of the terms of this agreement, the City may reenter subject premises without formal notice or demand and hold the same thereafter as if this agreement had not been made, without prejudice, however, to any right of action or remedy of the City in respect to any breach of Occupant of any of the covenants herein contained and without prejudice to any right of action of the City to recover accrued service charges.

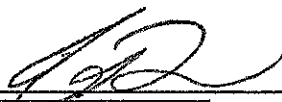
16) **WAIVER - NONE.** The failure of the City to insist upon a strict performance of any of the covenants or conditions of this agreement or to exercise any right or option therein conferred in any one or more instances, shall not be construed as a waiver or relinquishment for the future of any such covenants, conditions, rights or options, but the same shall remain in full force and effect; and the doing by the City or any act or thing which the city is not obligated to do hereunder shall not be deemed to impose any obligation upon the city to do any such act or thing in the future or in any way change or alter any of the provisions of this agreement.

17) **CITY OF BELLEVUE'S RIGHT CUMULATIVE - NO CHANGE HEREOF EXCEPT IN WRITING.** All rights and remedies of the City under or in connection with this agreement shall be cumulative and none shall be exclusive of any other rights or remedies allowed by law. No agreements shall be held as changing or in any manner modifying, adding to or detracting from any of the terms or conditions of this service agreement, unless such agreement shall be in writing, executing by both parties hereto.

18) **CONDITIONS OF OCCUPANT.** Occupant agrees to the following conditions: Occupant will provide their own office equipment, phone, internet, and cable service. Occupant can opt to activate the wired-in security service at its own expense. Failure to provide food distribution for the city of Bellevue a minimum of four (4) days a week will void the "no charge" rent status and a new lease agreement will be negotiated. When the Occupant must, due to circumstances outside its control (e.g. severe weather, staff illness, necessary repairs, etc.), limit or close food distribution temporarily, it will notify the City, residents, and key community partners in a timely manner.

IN WITNESS WHEREOF, the parties hereto have executed this renegotiated agreement.

EASTERN NEBRASKA COMMUNITY ACTION PARTNERSHIP

By: 
Authorized Signature
Its: Executive Director
4/4/18
Date

CITY OF BELLEVUE

Mayor

Date

ATTEST:

City Clerk

#56.3
4-9-18

Sabrina Ohnmacht

From: Lisa Rybar
Sent: Wednesday, March 21, 2018 3:35 PM
To: Don Preister; Jim Moudry; 'John Hansen'; Pat Shannon; Paul Cook; Thomas Burns
Cc: Rita Sanders; Sabrina Ohnmacht
Subject: Appointment & Reappointment to Tree Board
Attachments: 0196_001.pdf

Good Afternoon City Council, Please see attached for your consideration for appointment(Scott Evans), and also Reappointment (Joanne Langabee & Holly Hofreiter) to the Tree Board it will be placed on the April 9th, 2018 Council Agenda for approval.

Please feel free to call if you have in questions.

Thank you

Lisa Rybar

Executive Secretary
Office of the Mayor
210 W Mission Ave
Bellevue, NE 68005
Phone: 402-293-3022
Fax: 402-293-3058

From: Bellevue Mayor`s Office [mailto:copier@bellevue.net]
Sent: Wednesday, March 21, 2018 3:25 PM
To: Lisa Rybar
Subject: Scanned Document from Mayor`s Office

Sabrina Ohnmacht

From: Don Preister
Sent: Saturday, March 03, 2018 10:53 AM
To: Rita Sanders
Cc: Joe Mangiamelli; Sabrina Ohnmacht; Scott Evans; Jo Langabee; Holly Hofreiter; Mary Anna Anderson
Subject: Fw: Tree Board
Attachments: Scott E Evans Resume 2018.pdf

Dear Mayor Sanders,

Please consider the appointment to the Bellevue Tree Board, Scott Evans, who's resume is attached. His appointment will start in May, for a 4 year term. He will replace Mary Anna Anderson, who's term ends then. Scott will also take Mary Anna's position as the Certified Arborist on the board. Scott's position with the University Extension, along with his training and certifications, make him an excellent appointment. He has already been working with the Tree Board making valuable contributions. I recommend him to you for this appointment.

I also ask you to please consider reappointments to the Tree Board for another 4 year term, Joanne Langabee and Holly Hofreiter. Their resume's and original requests were submitted 4 years ago. They have served well, making valuable contributions to the health and well being of city trees. Both have agreed to, and are pleased to, continue serving on the board. I recommend them to you.
Thank you.

Don Preister
Bellevue City Council, Ward 5
Green Bellevue President
www.greenbellevue.org
www.facebook.com/Green.Bellevue
don.preister@bellevue.net
402-733-6660

From: Scott Evans <scott.evans@unl.edu>
Sent: Tuesday, February 27, 2018 11:04 AM
To: Don Preister
Subject: Tree Board

Hi Don –

I would like to formally petition to be appointed to the Bellevue Tree Board. I have attached my resume for reference and consideration. Please let me know if you need anything else.

Thank you,



Scott Evans

Horticulture Program Coordinator

Nebraska Extension in Douglas-Sarpy Counties

Scott E. Evans

4861 S. 157th St, Omaha, NE 68135
Work: 402-444-7874 – scott.evans@unl.edu

Highlights

- International Society of Arboriculture Certified Arborist and Tree Risk Assessment Qualified
- Proficient instructor in traditional and non-traditional classroom settings
- Lawn and landscape plant health diagnostics

Experience

Horticulture Program Coordinator

November 2014 – present

Nebraska Extension in Douglas-Sarpy Counties

Coordinator for Nebraska's largest Extension Master Gardener program. Classroom facilitator. Co-founder of the Nebraska Pollinator Habitat Certification.

Senior Horticulturist

March 2002 to November 2014

Mulhall's Nursery - Omaha, NE

Established a consumer friendly environment, helping people with plant identification, product knowledge and proper product applications, along with disease and insect identification and solutions. Marketing new ideas and products, resulting in increased sales, greater product turnaround and inventory reduction.

Slot Supervisor

May 1999 to February 2002

Bluffs Run Casino - Council Bluffs, IA

Education

Master of Agriculture: Agriculture and Horticulture, 2011

University of Nebraska-Lincoln - Lincoln, NE

Bachelor of Science: Biology and Geology, 1999

Northwest Missouri State University - Maryville, MO

B.S. Biology: emphasis in botany, ecology and environmental science.

B.S. Environmental Geology

Certifications and Licenses

Nebraska Arborist Association Certified Arborist #15678

International Society of Arboriculture MW-5684A

Nebraska Department of Agriculture Pesticide Applicator License Noncommercial #09067

Joanne Langabee is a retired science teacher. After retiring she became a certified Master Gardener and Master Naturalist. She has been volunteering for the city of Bellevue since 2006, planting and maintaining the city rose gardens, being on the Green Bellevue Board and the Bellevue Tree Board. While being a Tree Board member she has been involved with the Arbor Day plantings, attending the Tree USA Ceremony, working the Tree Board table at Earth Day, helping plant trees in the parks in the fall and going to every park in the city to evaluate the conditions of the trees making recommendations as to which trees should be removed, are dangerous and in good conditions. Joanne has also attended workshops on trees, put on by the extension office, which include How to Deal with Emerald Ash Bore, Tree Basics and Tree Diseases. At Hitchcock Nature Center on Oak Wilt disease.

HOLLY HOFREITER

10504 S. 25th Avenue, Bellevue, NE 68123

hollyhofreiter@gmail.com

Phone 402-991-0421

Education and Certification

Masters in Science Education (Outdoor Education) - Northern Illinois University
Bachelors in Science (Biology) - Illinois State University
Illinois Teaching Certificate- Grades 6-12 Life Science

Professional Experience

ELL Assistant, Meadows Elementary, Ralston, NE 2011

Teacher - Belvidere Alternative H.S., Belvidere, IL 2009-2010
Developed and taught an environmental science hands-on curriculum.

Christian Education Director

First Presbyterian Church, Morrison, IL 2000-2004
With the Christian Education Committee, selected a rotation Sunday school curriculum and set goals for the education program.
Directed the designing of rooms, recruited teachers and equipped them to teach, and organized the schedule for Sunday school.
Created, organized, and implemented intergenerational church services and events.

Christian Educator- Youth

First Presbyterian Church, Sterling, IL 1997-2000
Created, organized, and implemented high school youth activities, events, and mission trips with the help of other adult volunteers.

Education Coordinator

Severson Dells Nature Center, Rockford IL 1992-1997
Worked with staff and teachers to develop and implement field trips and in-school programs that were experienced based and related to classroom topics.
Trained and organized volunteers to help with educational programs.
Created and led intergenerational programs and events.

Related Experiences

Nebraska Master Naturalist Program
Bellevue West High School Project (Developing natural areas and gardens on campus)
2016 Tree Care Workshop
Volunteer at Lauritzen Gardens and Fontennelle Forest

MINUTE RECORD

6
4-9-18

CLAIMS FOR APRIL 9, 2018

PAGE 1

MAYOR

ERWIN'S JEWELRY	KEY TO THE CITY-D URWIN RETIREMENT	25.00
		<u>\$ 25.00</u>

CITY ADMINISTRATOR

CAKE EXPRESSIONS	CPS-CAKE FOR CITY HALL OPEN HOUSE	95.00
DUSTERS	CPS-MEALS FOR SPARQ TRAINING	61.00
OMAHA WORLD HERALD CO	BELLEVUE MAGAZINE PICTURE	299.00
RELIANCE STANDARD LIFE INSURANCE	LIFE INSURANCE-APR 2018	24.48
RELIANCE STANDARD LIFE INSURANCE	LTD INSURANCE-APR 2018	51.35
SPARTAN NASH STORES, LLC	CPS-SUPPLIES FOR CITY HALL OPEN HOUSE	37.86
		<u>\$ 568.69</u>

CABLE ADVISORY

RELIANCE STANDARD LIFE INSURANCE	LTD INSURANCE-APR 2018	29.92
RELIANCE STANDARD LIFE INSURANCE	LIFE INSURANCE-APR 2018	20.59
		<u>\$ 50.51</u>

CITY CLERK

RELIANCE STANDARD LIFE INSURANCE	LIFE INSURANCE-APR 2018	18.00
RELIANCE STANDARD LIFE INSURANCE	LTD INSURANCE-APR 2018	25.80
		<u>\$ 43.80</u>

FINANCE/RISK MANAGEMENT/SAFETY

CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	82.89
GREAT PLAINS ADA CENTER	CPS-RENEW MEMBERSHIP-WOODARD	25.00
HANEY SHOE STORE	SAFETY SHOES	348.97
INDOFF	OFFICE SUPPLIES	777.22
RELIANCE STANDARD LIFE INSURANCE	LTD INSURANCE-APR 2018	120.24
RELIANCE STANDARD LIFE INSURANCE	LIFE INSURANCE-APR 2018	73.69
VAST CONFERENCE REBILL	CPS-MONTHLY CONFERENCE CHARGE	22.71
		<u>\$ 1,450.72</u>

LIBRARY

BLACK HILLS NEBRASKA GAS UTILITY CO	MONTHLY SERVICE-2018-3-16	588.13
CENGAGE LEARNING, INC	RENEW SUBSCRIPTION-TESTING & ED REF CENTER	1,849.31
CENGAGE LEARNING, INC	RENEW SUBSCRIPTION-CHILTON LIB	1,849.31
CENTER POINT LARGE PRINT	LARGE PRINT BOOKS	261.02
DEMCO	CANVAS TOTES	138.11
DILLONS CUSTOMER CHARGES	SUPPLIES	52.22
INGRAM LIBRARY SERVICES	BOOKS	1,642.30
MARCO TECHNOLOGIES, LLC	COPIER EXPENSE	195.23
RELIANCE STANDARD LIFE INSURANCE	LIFE INSURANCE-APR 2018	70.56
RELIANCE STANDARD LIFE INSURANCE	LTD INSURANCE-APR 2018	92.56
SUBURBAN NEWSPAPERS	RENEW SUBSCRIPTION	43.00
WESTLAKE ACE HARDWARE	FANS	97.96
		<u>\$ 6,879.71</u>

MINUTE RECORD

CLAIMS FOR APRIL 9, 2018

PAGE 2

ADMINISTRATIVE SERVICES

INDOFF	OFFICE SUPPLIES	16.01
OMAHA WORLD HERALD CO	LEGAL AD	9.43
PAYCHEX of NEW YORK, LLC	PAYROLL PROCESSING 3/9/2018	1,660.48
PAYCHEX of NEW YORK, LLC	PAYROLL PROCESSING 3/23/2018	1,661.70
RELIANCE STANDARD LIFE INSURANCE	LTD INSURANCE-APR 2018	119.75
RELIANCE STANDARD LIFE INSURANCE	LIFE INSURANCE-APR 2018	85.39
SOCIETY FOR HUMAN RESOURCE	CPS-CERTIFICATION -RABBASS	100.00
		<hr/>
		\$ 3,652.76

PUBLIC WORKS

BLACK HILLS NEBRASKA GAS UTILITY CO	MONTHLY SERVICE-2018-3-16	125.17
CVS PHARMACY	CPS-SUPPLIES	42.35
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2018-3-15	187.50
RELIANCE STANDARD LIFE INSURANCE	LIFE INSURANCE-APR 2018	50.40
RELIANCE STANDARD LIFE INSURANCE	LTD INSURANCE-APR 2018	82.53
		<hr/>
		\$ 487.95

PARKS

BLACK HILLS NEBRASKA GAS UTILITY CO	MONTHLY SERVICE-2018-3-16	49.04
LAMP RYNEARSON & ASSOCIATES	PROFESSIONAL SVCS-SWIMMING POOL	25,983.87
MENARDS	CEDAR LINE POST, SPLIT RAIL	475.66
RELIANCE STANDARD LIFE INSURANCE	LIFE INSURANCE-APR 2018	102.10
RELIANCE STANDARD LIFE INSURANCE	LTD INSURANCE-APR 2018	143.37
WALKERS UNIFORM RENTAL	UNIFORM SERVICE	13.42
ZERO WASTE USA	CPS-DOG WASTE ROLL BAGS	78.99
		<hr/>
		\$ 26,846.45

RECREATION

CHRIS GODEMANN	REFUND FOR BASEBALL	3.00
HAUFF MID-AMERICA SPORTS	SCOREBOOK BASEBALL	396.00
RELIANCE STANDARD LIFE INSURANCE	LTD INSURANCE-APR 2018	18.70
RELIANCE STANDARD LIFE INSURANCE	LIFE INSURANCE-APR 2018	12.67
SHOPKO STORES OPERATING CO, LLC	POSTER BOARDS, FOAM BOARDS	11.96
		<hr/>
		\$ 442.33

BUILDING MAINTENANCE

ANDERSON BROTHERS ENGINEERING	BLOWER ASSEMBLY	131.00
ATLAS COPCO COMPRESSORS, LLC	REPAIR AIR COMPRESSORS	650.45
BIG RED LOCKSMITHS	KEYS	49.00
BLACK HILLS NEBRASKA GAS UTILITY CO	MONTHLY SERVICE-2018-3-16	4,345.19
CARBON DAY AUTOMOTIVE	CPS-CHARGING STATION EXP	70.00
DRURY HOTELS	CPS-LODGING FOR TRAINING-ZIMMER	419.28
FERGUSON ENTERPRISES INC #1657	PLUMBING SUPPLIES	766.32
JACKSON SERVICES, INC	DOOR MATS SERVICE- WALL ST	140.43
MECHANICAL SALES, INC	SERVICE VALENT ERVS	1,091.00
MENARDS	REVERSIBLE PULL SAW, BATTERIES, PLUMBING SUPPLIES, CLIPS, STAPLES	308.73
METROPOLITAN UTILITIES DIST	MONTHLY SERVICE-2018-3-15	1,068.62
PLIBRICO REFRACTORY CONSTRUCTION	TWO YEAR AGREEMENT	1,995.00
PLIBRICO REFRACTORY CONSTRUCTION	SERVICE CALL, 2ND FLOOR COLD EAST SIDE	317.00

MINUTE RECORD

CLAIMS FOR APRIL 9, 2018

PAGE 3

BUILDING MAINTENANCE (cont'd)

RELIANCE STANDARD LIFE INSURANCE	LIFE INSURANCE-APR 2018	56.16
RELIANCE STANDARD LIFE INSURANCE	LTD INSURANCE-APR 2018	61.75
ROCHESTER MIDLAND CORPORATION	WATER ENERGY TEAM BILLING	270.00
WESTLAKE ACE HARDWARE	PVC PIPE	13.27
		<hr/>
		\$ 11,753.20

CEMETERY

BLACK HILLS NEBRASKA GAS UTILITY CO	MONTHLY SERVICE-2018-3-16	24.52
MAX I WALKER	UNIFORM PURCHASE-J HOUGHTALING	24.49
RELIANCE STANDARD LIFE INSURANCE	LIFE INSURANCE-APR 2018	16.13
RELIANCE STANDARD LIFE INSURANCE	LTD INSURANCE-APR 2018	22.53
		<hr/>
		\$ 87.67

STREETS

ASPHALT & CONCRETE MATERIALS	ASPHALT	499.25
BLACK HILLS NEBRASKA GAS UTILITY CO	MONTHLY SERVICE-2018-3-16	4,382.67
CONSOLIDATED CONCRETE	CONCRETE	1,212.75
LOGAN CONTRACTORS SUPPLY	BLUNT TOOTH	73.67
LYMAN RICHEY SAND & GRAVEL	SAND/GRAVEL	2,463.16
MARTIN PRODUCTS SALES, LLC	BULK OIL	294.00
MAX I WALKER	UNIFORM PURCHASES (2)	492.40
MENARDS	LUMBER, PAINT, CONCRETE MIX, STEEL POST, CLOG BUSTER	235.86
METRO LEASING	BOOK METRO LEASE - 8698	9,587.45
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2018-3-15	10,709.30
READY MIXED CONCRETE COMPANY	CONCRETE	5,815.59
RELIANCE STANDARD LIFE INSURANCE	LTD INSURANCE-APR 2018	326.58
RELIANCE STANDARD LIFE INSURANCE	LIFE INSURANCE-APR 2018	244.80
VOGEL WEST	PAINT SUPPLIES	141.36
WALKERS UNIFORM RENTAL	UNIFORM SERVICE	13.42
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		\$ 36,492.26

FLEET MAINTENANCE

A&L HYDRAULICS, INC	LIFT CYLINDER	569.45
ALLIED OIL & TIRE COMPANY	OIL	313.96
AMERICAN VAN & TRUCK EQUIPMENT	CPS-FORD ALUMINUM PARTITION	353.28
AUTO VALUE PARTS - SOUTH OMAHA	COOLANT, PARTS	146.09
AUTOMOTIVE WAREHOUSE DIST, INC	PARTS	1,035.24
BARSKA HEADQUARTERS	CPS-KEY CABINET	499.98
BARTON SOLVENTS, INC	PARTS SOLVENT	242.91
BAXTER CHRYSLER DODGE JEEP	OIL SWITCH, UPPER FARM, RADIATOR	547.34
BAXTER FORD	STEP ASSEMBLY, MIRRORS	623.99
BEARDMORE CHEVROLET	ARM REST	76.81
BELLEVUE TIRE & AUTO SERVICE	TIRES	389.46
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	15.07
COLORVISION CORPORATION	PORTABLE WORK BENCH	23.45
CUMMINS CENTRAL POWER	SERVICE WORK ON ENG 1	385.70
DANIELSON / TECH SUPPLY	SHOP BENCH VISE, VALVE, REPAIR KITS	285.00
DANKO EMERGENCY EQUIPMENT	CONVERSION BALL REPAIR KITS	670.41

MINUTE RECORD

CLAIMS FOR APRIL 9, 2018

PAGE 4

FLEET MAINTENANCE (cont'd)

FACTORY MOTOR PARTS CO	HEATING AND AIR, RELAY, RESISTORS, FUEL PUMP, SEALS	166.49
GALVIN GLASS	WINDSHIELD	232.25
GCR TIRES & SERVICE	TIRES	173.00
GLOBAL INDUSTRIAL EQUIPMENT	CPS-FACE SHIELDS	120.58
INDOFF	OFFICE SUPPLIES	62.47
INTERSTATE BATTERIES	BATTERY	98.95
J & J SMALL ENGINE SERVICE	AIR FILTER, COVER	68.62
J THOMAS PARTS	CPS-REPLACEMENT BELT FOR TORO	93.40
JIM HAWK TRUCK TRAILERS	FIRE EXTINGUISHER	45.04
KELLY SUPPLY COMPANY	GREASELESS LUBRICANT	115.80
MATHESON TRI-GAS INC	WELDING SUPPLIES	441.33
MAX I WALKER	UNIFORM PURCHASES (3)	363.27
MENARDS	SPEAKER WIRE, SPRAYER, WRENCH, SANDER, PROPANE, PAINT, SUPPLIES	188.56
MEYER LABORATORY INC	HAND CLEANER	42.00
NAPA AUTO PARTS	IMPACT WRENCH, COMPRESSOR, BELTS, SOCKETS, FILTERS, GREASE, COOLANT, FITTINGS, SUPPLIES	399.35
NEBRASKA IOWA INDUSTRIAL FASTENERS	FLAT HEAD SOCKETS, DRILL BITS, BLADES, RIVETS, NUTS	346.75
P&M HARDWARE	PARTS, FILTERS, BELTS	1,056.46
POWERPLAN	O-RINGS,CAP SCREWS,VALVE, RIM & WHEEL	3,806.76
RELIANCE STANDARD LIFE INSURANCE	LIFE INSURANCE-APR 2018	122.54
RELIANCE STANDARD LIFE INSURANCE	LTD INSURANCE-APR 2018	173.28
SERVICE EXPRESS CO	COUPLERS, TRANSFER PUMP	106.40
TED'S MOWER SALES & SERVICE	BELTS	117.45
TITAN MACHINERY	RING	6.49
TURFWERKS	HYD FILTER	58.70
UPS STORE	FREIGHT TO SEND BACK LIGHT BAR BOARD	11.16
WALKERS UNIFORM RENTAL	UNIFORM SERVICE	77.40
WAYTEK, INC	CPS-PARTS	710.78
WESTLAKE ACE HARDWARE	SUPPLIES	1.69
WOODHOUSE FORD SOUTH	SEALING RING, FLOOR CONNECTORS	194.43
		<hr/>
		\$ 15,579.54

SOLID WASTE

SARPY COUNTY LANDFILL	YEARLY USAGE FEE	120.00
		<hr/>
		\$ 120.00

PLANNING

BLACK HILLS NEBRASKA GAS UTILITY CO	MONTHLY SERVICE-2018-3-16	125.17
HAMPTON INN	LODGING FOR TRAINING (2)	530.20
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2018-3-15	169.89
RELIANCE STANDARD LIFE INSURANCE	LIFE INSURANCE-APR 2018	34.27
RELIANCE STANDARD LIFE INSURANCE	LTD INSURANCE-APR 2018	50.26
		<hr/>
		\$ 909.79

MINUTE RECORD

CLAIMS FOR APRIL 9, 2018

PAGE 5

PERMITS & INSPECTIONS

AMERICAN BACKFLOW PREVENTION ASSOC	MEMBERSHIP DUES-J COOK	75.00
BLACK HILLS NEBRASKA GAS UTILITY CO	MONTHLY SERVICE-2018-3-16	156.47
FAIRFIELD INN	CPS-LODGING FOR TRAINING -CHRISTENSEN	212.50
IDEAL PURE WATER COMPANY	BOTTLED WATER	45.75
INDOFF	COPY PAPER	67.98
MARCO TECHNOLOGIES, LLC	COPIER EXPENSE	151.14
MARRIOTT DENVER TECH	CPS-LODGING FOR TRAINING (3)	1,465.00
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2018-3-15	226.52
RELIANCE STANDARD LIFE INSURANCE	LIFE INSURANCE-APR 2018	76.03
RELIANCE STANDARD LIFE INSURANCE	LTD INSURANCE-APR 2018	108.62
SHELL SUPER STORE	CAR WASH	7.50
		<hr/>
		\$ 2,592.51

POLICE/CODE ENFORCEMENT

2010 FBINAA CONFERENCE	CPS-FBI RETRAINER-DARGY	100.00
ALAMO RENT-A-CAR	CPS-CAR RENTAL FOR TRAINING-KIRWAN, MARRS	61.04
A-RELIEF SERVICES	PORTABLE RESTROOM-RANGE	101.00
ASHLEY MEYERS	REIMB FOR FUEL FOR TRAINING	20.03
AUTO BODY AUTHORITY	DAMAGE TO UNIT 112 & 116, TOW CHARGES	3,035.65
AXON INTERPRISE, INC	CARTRIDGES FOR TRAINING	1,976.00
BELLEVUE FORT CROOK, LLC	RENT FOR K9 BUILDING-APR 2018	1,200.00
BIG RED LOCKSMITHS	UNLOCK VEHICLE	50.00
BLACK HILLS NEBRASKA GAS UTILITY CO	MONTHLY SERVICE-2018-3-16	2,722.51
BROWNELLS	CPS-ARMORER TRAINING-WIECH, BRYL	39.98
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	134.84
CITY TREASURER-COUNCIL BLUFFS	SWAT TRAINING-RENT CB RANGE	120.00
COMFORT INN BAINS MOTELS	CPS-LODGING FOR TRAINING (2)	150.88
COX COMMUNICATIONS	SUBPEONA FOR INVESTIGATIONS	250.00
CRAIG WIECH	REIMB FOR MEALS FOR TRAINING	34.16
DANIEL GERMAN	ADVANCE FOR MEALS PER DIEM	280.50
DOUGLAS COUNTY SHERIFF OFFICE	FORENSIC FEES	100.00
GALLO PROFESSIONAL POLYGRAPH SERVICES,	POLYGRAPH SERVICE	350.00
GREAT PLAINS UNIFORMS	TACTICAL VEST-J MCDANIEL	680.00
GUIDANCE SOFTWARE, INC	MAINTENANCE SUPPORT FOR ENCASE FORENSIC	2,083.83
INDOFF	OFFICE SUPPLIES	368.99
INTERNATIONAL ASSOCIATION OF CHIEFS OF	CPS-TRAINING-DARGY	425.00
J P COOKE COMPANY	POCKET XSTAMPER	69.40
JAY KIRWAN	REIMB FOR TRAINING EXPENSES	122.09
JO DON'S	ENGRAVE PLATE-J BARTLEY	8.00
LAURIE SYNOWIECKI	SETTLEMENT	106,789.61
MENARDS	CLEANING SUPPLIES FOR MATS FOR TRAINING, LUMBER FOR RANGE	46.34
MIDLANDS PRINTING	ENVELOPES, THANK YOU CARDS	1,368.45
MPH INDUSTRIES	NEW RADAR UNITS FOR CRUISERS	1,556.74
MY BINDING.COM	CPS-JUMBO CARD POUCHES-VAN HOUTEN	32.64
NATIONAL ASSOCIATION OF SCHOOL	CPS-TRAINING-MEYERS	495.00
NATIONAL COUNCIL FOR BEHAVIORIAL	TRAINING CLASS FOR MENTAL HEALTH	2,000.00
NEWMAN SIGNS	SIGN FOR OFFICER OF THE YEAR	15.36

MINUTE RECORD

CLAIMS FOR APRIL 9, 2018

PAGE 6

POLICE/CODE ENFORCEMENT

OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2018-3-15	4,130.61
RELIANCE STANDARD LIFE INSURANCE	LIFE INSURANCE-APR 2018	920.60
RELIANCE STANDARD LIFE INSURANCE	LTD INSURANCE-APR 2018	1,738.86
SECRETARY OF STATE	NOTARY RENEWALS-GERMAN, JASHINSKE	60.00
SOUTHWEST AIRLINES	CPS-AIR FARE (7)	2,537.17
SUNSET LAW ENFORCEMENT, LTD	AMMO FOR SWAT	2,421.00
WESTLAKE ACE HARDWARE	KEYS	9.95
		<hr/>
		\$ 138,606.23

FIRE & RESCUE

BLACK HILLS NEBRASKA GAS UTILITY CO	MONTHLY SERVICE-2018-3-16	1,796.15
BOUND TREE MEDICAL, LLC	MEDICAL SUPPLIES	2,291.41
EC DATA SYSTEMS, INC	CPS-FAX SERVICES	7.95
INDOFF	OFFICE SUPPLIES	305.07
JP MORGAN CHASE-ARAMARK UNIFORM SVC	LINEN SERVICE-ALL DIST	3,148.93
LaRUE DISTRIBUTING, INC	COFFEE SUPPLIES	41.98
MARLOW WHITE, INC	CPS-RAIN CAP COVERS	103.50
MENARDS	CLEANING SUPPLIES	142.08
METROPOLITAN UTILITIES DIST	MONTHLY SERVICE-2018-3-12	261.33
NFPA CERTIFICATION DEPARTMENT	CPS-TRAINING-GIFFORD	350.00
PAY.GOV/CWS MEDICARE	CPS-APPLICATION FEE	569.00
RELIANCE STANDARD LIFE INSURANCE	LTD INSURANCE-APR 2018	801.17
RELIANCE STANDARD LIFE INSURANCE	LIFE INSURANCE-APR 2018	468.86
SPRINT	MONTHLY SERVICE	122.97
WALMART COMMUNITY	CLEANING SUPPLIES, COFFEE SUPPLIES	66.60
ZIRMED, INC	MONTHLY PROF CLAIMS MANAGEMENT FEE	124.00
		<hr/>
		\$ 10,601.00

NON-DEPARTMENTAL/CONTRACTS

METRO AREA TRANSIT	MAT SERVICE-FEB 2018, 2186 MILES	4,277.00
MIDLANDS PRINTING	BUSINESS CARDS	736.26
SARPY COUNTY COURT HOUSE	ANIMAL CONTROL - APRIL 2018	12,796.61
SCOTT WELCH	CPS-MONTHLY WEB MAINTENANCE	125.00
WALMART COMMUNITY	MOUSE PADS FOR CHAMBER	47.52
		<hr/>
		\$ 17,982.39

INFORMATION TECHNOLOGY

ACCESS	BACKUP STORAGE TAPES	381.62
CORE TECHNOLOGIES, INC	COMMUNICATIONS BILLABLE TIME SERVICES	312.00
GRAYBAR ELECTRIC	COMMUNICATION PARTS	55.77
HOSTGATOR.COM	CPS-MONTHLY DOMAIN FEE	59.95
MOTOROLA SOLUTIONS, INC	EARPIECES W/TRANSLUCENT TUBE	1,351.20
TESSCO	COMMUNICATION PARTS	61.24
		<hr/>
		\$ 2,221.78

MINUTE RECORD

CLAIMS FOR APRIL 9, 2018

PAGE 7

WASTEWATER

BIG RED LOCKSMITHS	DUPLICATE KEYS	285.00
CITY OF OMAHA	SEWER FEES-NOV 2017	341,559.36
MAX I WALKER	UNIFORM PURCHASE-E RAMOS	42.00
MENARDS	TEAM MEETING SUPPLIES	66.70
RELIANCE STANDARD LIFE INSURANCE	LIFE INSURANCE-APR 2018	69.70
RELIANCE STANDARD LIFE INSURANCE	LTD INSURANCE-APR 2018	98.53
		<hr/>
		\$ 342,121.29

G.O. BONDS

AMERICAN NATIONAL BANK	BOND PRINC O/G WIRE FEE	20.00
AMERICAN NATIONAL BANK	BOND INTEREST O/G WIRE FEE	20.00
CHASE NYC	BOND PRINCIPAL PAYMENT	100,000.00
CHASE NYC	BOND WIRE PAYMENT	1,675.00
		<hr/>
		\$ 101,715.00

BELLEVUE MUNICIPAL BUILDING-1500 WALL ST

BLACK HILLS NEBRASKA GAS UTILITY CO	MONTHLY SERVICE-2018-3-16	1,174.70
		<hr/>
		\$ 1,174.70

TOTAL CLAIMS FOR APR 9, 2018	\$ 722,405.28
TOTAL PAYROLL FOR MAR 23, 2018	<hr/>
	\$ 917,341.35
	<hr/>

Arbor Day Proclamation

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4-9-18

Whereas: In 1872, J Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas: This holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas: Arbor Day is now celebrated annually throughout the nation and the world, and

Whereas: Trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs by moderating the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

Whereas: Trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other products, and

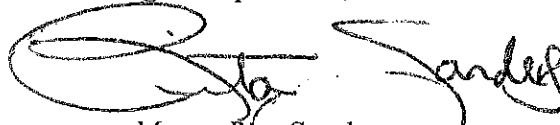
Whereas: Trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

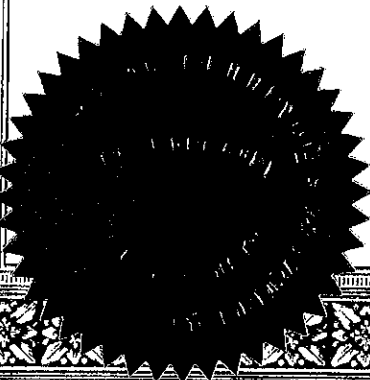
Whereas: Trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW THEREFORE, I, Rita Sanders, Mayor of Bellevue, do hereby proclaim April 27th as Arbor Day in the City of Bellevue and I urge everyone to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and;

I urge everyone to plant trees to gladden the heart and promote the well being of this and future generations.

Signed April 27th, 2018


Mayor Rita Sanders



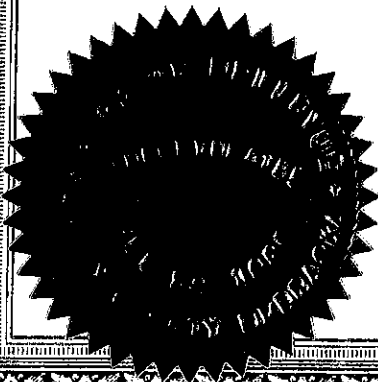
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4-9-18

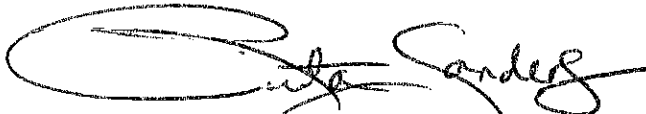
Earth Day Proclamation 2018

- WHEREAS: On April 22, 1970, in massive coast-to-coast rallies, 22 million Americans took to the streets, parks, and auditoriums to take a stand for a healthy, sustainable environment, and
- WHEREAS: Now, 48 years later, humanity is facing tremendous global challenges affecting every community. This year, the Earth Day Network is mobilizing the world to end Plastic Pollution, as it is estimated that by 2050 there will be more plastic in the world's oceans than fish, and
- WHEREAS: Earth Day continues to be one of political action and civic participation; an opportunity to bring awareness to the impact we each make on the environment and inform decision making at every level, and
- WHEREAS: The Sarpy County Earth Day Expo is an opportunity to educate, inspire and encourage the conservation, protection, and the appreciation of our natural resources and community, and
- WHEREAS: In Sarpy County, we pledge to focus on meeting the needs of the present without compromising the needs of future generations.

Now Therefore, I Mayor Rita Sanders hereby reconfirm the City of Bellevue's commitment as an Earth friendly community and I have the distinct honor of Proclaiming April 29, 2018 our official

Earth Day Celebration




Rita Sanders, Mayor

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

8a
4.9.18

COUNCIL MEETING DATE:	04/09/2018	AGENDA ITEM TYPE:
SUBMITTED BY: Sabrina Ohnmacht, City Clerk	SPECIAL PRESENTATION	<input type="checkbox"/>
	LIQUOR LICENSE	<input checked="" type="checkbox"/>
	ORDINANCE	<input type="checkbox"/>
	PUBLIC HEARING	<input type="checkbox"/>
	RESOLUTION	<input type="checkbox"/>
	CURRENT BUSINESS	<input type="checkbox"/>
	OTHER (SEE CLERK)	<input type="checkbox"/>

SUBJECT:

Application of Cutch Inc., dba "First Watch - Bellevue," for a Class "I" liquor license to sell beer, wine, and distilled spirits, on sale only, at 2015 Pratt Avenue, Suite 105, in Bellevue and for Mr. Gregory Cutchall as Manager.

SYNOPSIS:

This location was the former "Egg and I."

FISCAL IMPACT:

Yearly licensing fees of \$765

BUDGETED ITEM: ☐ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

n/a

RECOMMENDATION:

See attached Police and Planning reports.

BACKGROUND:

See attached reports and application.

ATTACHMENTS:

- 1 Clerk's Report
- 2 Police Report
- 3 Planning Report

4 Application

5

6

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:

n/a

n/a

LIQUOR LICENSE APPLICATION REPORT

City Clerk

APPLICANT: Cutch Inc., dba "First Watch - Bellevue"

LOCATION/ADDRESS: 2015 Pratt Avenue, Suite 105, Bellevue 68123

REQUESTED ACTION: Recommendation for Approval of a Class "I" Liquor License to sell beer, wine, and distilled spirits, On Sale Only, at 2015 Pratt Avenue, Suite 105, in Bellevue, **AND** for Greg Cutchall as manager.

DATE APPLICATION RECEIVED: 3/15/18

FINAL DATE HEARING CAN BE HELD (45 days from receipt): 4/30/18

DATE ADVERTISED (not less than 7 nor more than 14 days): 3/28/18

CURRENT NUMBER OF LICENSES:

Class A (Beer on sale only): 1

Class B (Beer off sale only): 1

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

Class D (Alcoholic liquor, off sale only): 24

Class I (Alcoholic liquor on sale only): 30

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

Class X (Wholesale Liquor) 1

TOTAL 84

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

DATE OF CITY COUNCIL PUBLIC HEARING: April 9, 2018

DATE REPORT DUE TO CITY CLERK: ASAP

APPLICANT: Cutch Inc. dba "First Watch - Bellevue"

ADDRESS: 2015 Pratt Avenue, Suite 105, Bellevue 68123

REQUESTED ACTION: Recommendation for Approval of a Class "I" Liquor License to sell beer, wine, and distilled spirits, On Sale Only, at 2015 Pratt Avenue, Suite 105 in Bellevue.

BACKGROUND: Location previously operated as an Egg and I.

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-PCO (General Business – Planned Center Overlay)

WILL ZONING ALLOW A LIQUOR LICENSE? Yes

EXISTING LAND USE: Commercial

IS THE CURRENT USE NON-CONFORMING? No **EXPLANATION:** n/a

ADJACENT LAND USE AND ZONING:

NORTH: Commercial, BG

SOUTH: Commercial, BG-PCO

EAST: Commercial, BG

WEST: Commercial, BG

DISTANCE FROM SCHOOL (if applicable): n/a

DISTANCE FROM COLLEGE (if applicable): n/a

DISTANCE FROM CHURCH (if applicable): n/a

IMMEDIATE NEIGHBORHOOD/AREA LAND USES: This property is part of a
commercial strip along Cornhusker Road.

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.

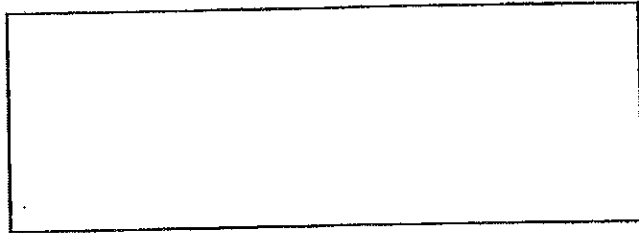
NOISE: There is no noise impact expected.

LIGHTING: There is no lighting impact expected.

GENERAL COMMENTS: This is a commercial area which would accommodate liquor
sales.

**APPLICATION FOR LIQUOR LICENSE
RETAIL**

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/



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

RETAIL LICENSE(S)

Application Fee \$400 (nonrefundable)

- ☐ A BEER, ON SALE ONLY
☐ B BEER, OFF SALE ONLY
☐ C BEER, WINE, DISTILLED SPIRITS, ON AND OFF SALE
☐ D BEER, WINE, DISTILLED SPIRITS, OFF SALE ONLY
☒ I BEER, WINE, DISTILLED SPIRITS, ON SALE ONLY
☐ 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 license (requires catering application form 106) \$100.00

Additional fees will be assessed at city/village or county level when license is issued

Class C license term runs from November 1 -- October 31
All other licenses run from May 1 -- April 30
Catering license (K) expires same as underlying retail license

CHECK TYPE OF LICENSE FOR WHICH YOU ARE APPLYING

- ☐ Individual License (requires insert 1 FORM 104)
☐ Partnership License (requires insert 2 FORM 105)
☒ Corporate License (requires insert 3a FORM 101 & 3c FORM 103)
☐ Limited Liability Company (LLC) (requires form 3b FORM 102 & 3c FORM 103)

NAME OF ATTORNEY OR FIRM ASSISTING WITH APPLICATION (if applicable)
Commission will call this person with any questions we may have on this application

Name Bill Nervi - CFO Phone number: 402-558-3333 x 18

Firm Name Cutshall Management Company

PREMISES INFORMATIONTrade Name (doing business as) First Watch - BellevueStreet Address #1 32045 Pratt Ave, Ste 105

Street Address #2 _____

City BellevueCounty SarpyZip Code 68123Premises Telephone number 402-981-3448Business e-mail address bellevue@firstwatchmo.comIs this location inside the city/village corporate limits: YES x NO _____

Mailing address (where you want to receive mail from the Commission)

Name Culch, Inc. - First Watch - BellevueStreet Address #1 13305 Birch Dr, Ste 201

Street Address #2 _____

City OmahaState NEZip Code 68164**DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED**
READ CAREFULLY

In the space provided or on an attachment draw the area to be licensed. This should include storage areas, basement, outdoor area, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building. No blue prints please. Be sure to indicate the direction north and number of floors of the building.

****For on premises consumption liquor licenses minimum standards must be met by providing at least two restrooms**

Building: length 75 x width 70 in feetIs there a basement? Yes _____ No xIs there an outdoor area? Yes _____ No x

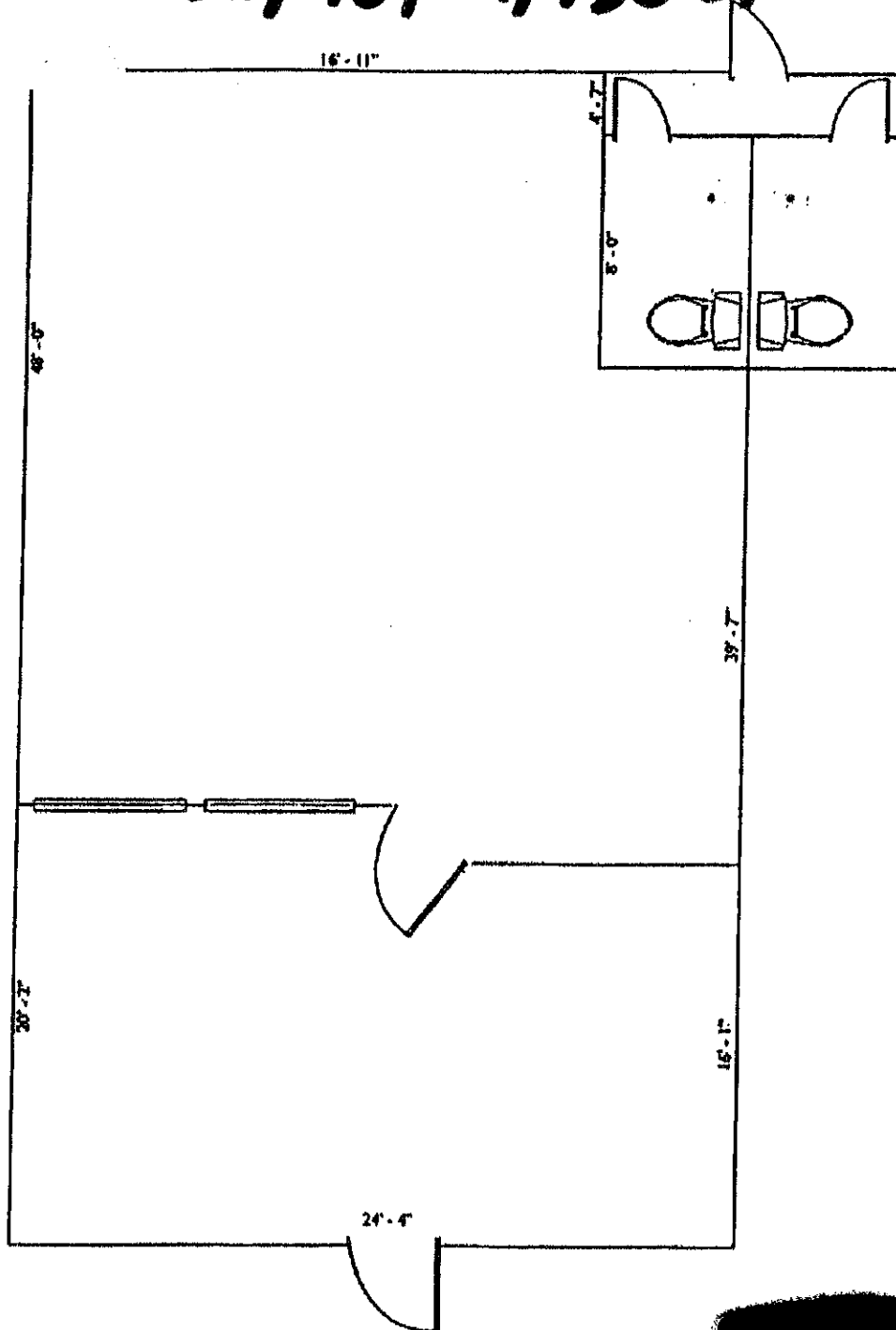
If yes, length _____ x width _____ in feet

If yes, length _____ x width _____ in feet

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

SITE PLAN

BAY 109 - 1,750 SF



ACCESS

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.

X 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
Greg Cutchall	05/1989	Omaha, NE	Motorboat: Numbering required	Paid fine & court cost

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

 YES X NO

If yes, give name of business and liquor license number _____

- a) Submit a copy of the sales 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

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

 YES X NO

If yes, give name and license number _____

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

 YES X NO

If yes:

- a) Attach temporary operating permit (TOP) (Form 125)
- b) TOP will only be accepted at a location that currently holds a valid liquor license.

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) Security National Bank

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

☐ YES ☒ NO

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

No silent partners

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

☐ YES ☒ NO

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

8. Is premises to be licensed within 150 feet of a church, school, hospital, home for the aged or 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 (Neb. Rev. Stat. 53-177)(1)

Provide letter of support or opposition, see FORM 134 -- church or FORM 135 - campus

9. Is anyone listed on this application a law enforcement officer?

☐ YES ☒ NO

If yes, list the person, the law enforcement agency involved and the person's exact duties.

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

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

Security National Bank - Greg Cutchall

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.

see attached list

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)
Greg Cutchall	06/2015	RBST Online Training

List of NLCC certified training programs

Experience:

Applicant Name/Job Title	Date of Employment:	Name & Location of Business
Greg Cutchall	1989	30+ years owning various NE Restaurant location

13. If the property for which this license is sought 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 show title or lease held in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed.**

X Lease: expiration date 12/31/2026

Deed

Purchase Agreement

14. When do you intend to open for business? currently open - converting from Egg & I to First Watch 3/9/18

15. What will be the main nature of business? restaurant serving food & alcoholic beverages

16. What are the anticipated hours of operation? Daily 7AM - 3 PM

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 AND SPOUSE MUST COMPLETE					
APPLICANT: CITY & STATE	YEAR FROM TO		SPOUSE: CITY & STATE	YEAR FROM TO	
14307 Cumling St. Omaha, Ne 68154	2016	current	14307 Cumling St. Omaha, Ne 68154	2016	current
7303 N 151st Cir, Bennington NE 68007	2002	2016	7303 N 151st Cir, Bennington NE 68007	2002	2016

If necessary attach a separate sheet.

Supplement
To
Application For Liquor License & Manager Application Form 3-c

Question 11, Page 6 of 8

Question 2, Page 4 of 6

Gregory S. Cutchall holds the following active liquor licenses:

Old Market Ventures, LLC

Nebraska

Jams Grill & Bar, 1101 Harney Street, Omaha, NE 67102

Ownership 100%

License No. IBK-86124

Famous Dave's – Eagle Run, 13015 Birch Dr., Omaha, NE 68164

Ownership 100%

License No. IK-87936

CUTCH, Inc.

Nebraska

First Watch – 1222 S. 71st Street Bay B & C, Omaha, NE 68106

Ownership 100%

License No. I-79406

First Watch – 2865 S. 168th Street, Omaha, NE 68130

Ownership 100%

License No. I-122096

First Watch – 3605 N. 147th Street Suite 108 Omaha, NE 68116

Ownership 100%

License No. I-122097

Jams Enterprises, LLC

Nebraska

Jams Grill & Bar – 7814 Dodge Omaha, NE 68114

Ownership 88%

License No. CK-110017

LoLo's MWD, LLC

Nebraska

LoLo's Chicken & Waffles – 1201 E. State Hwy 114, Ste. 100 Southlake, TX 86092

Ownership 100%

License No. MB944330

Gregory S. Cutchall has previously held the following terminated liquor licenses:

Old Market Ventures, LLC

Nebraska

Famous Dave's, 12020 Anne Street, Omaha, NE 68137
Ownership 100%
License No. I-80949
Sold Dec 2014

Famous Dave's, 7051 Ames Avenue, Omaha, NE 68134
Ownership 100%
License No. I-76080
Closed Oct 2014

Famous Dave's, 2015 Pratt Avenue, Bellevue, NE 68123
Ownership 100%
License No. I-76078
Sold Dec 2014

Twin Peaks, 173330 West Center Road, Omaha, NE 68130
Ownership 100%
License No. IK-76079
Sold Sept 2015

IOWA

Twin Peaks, 4570 University Ave., West Des Moines, IA 50266
Ownership 100%
License No. LC0038997
Sold Sept 2015

Famous Dave's Barbecue, 3515 Metro Crossing Drive, Council Bluffs, IA 51501
Ownership 100%
License No. LC0035191
Closed 9/15/16

CUTCH, Inc.

Nebraska

Austin's Steakhouse, 12020 Anne Street, Omaha, NE 68137
Ownership 100%
License No. I-57581
Converted to Famous Dave's under Old Market Ventures, LLC

Burger Star / Big Cheese – 23151 Nebraska Crossing Drive, Suite A101, Gretna, NE 68028
Ownership 100%
License No. I-105583
Closed 5/30/16

Cutchall Management Kansas, LLC

Kansas

Famous Dave's Barbecue, 131 East 14th Street, Kansas City, Missouri 64016
Ownership 100%
License No. 177024, 177025, 177026
Closed in April 2011

Famous Dave's Barbecue, 9719 E. 21st Street N., Wichita, KS 67206
Ownership 100%
License No. 13-002-2087-01
Closed in Dec 2014

Famous Dave's Barbecue – Speedway, 1320 Village West Parkway, Kansas City, Kansas 66111
Ownership 100%
License No. 13001506801
Sold in Dec 2014

Missouri

Famous Dave's Barbecue, 1201 Branson Landing Boulevard, Branson, Missouri 65616
Ownership 100%
License No. 177248, 177249
Sold in 2009

Famous Dave's, 4010 Branson Airport Blvd, Hollister, MO 65672
Ownership 100%
License No. 180917, 180918
Sold in 2009

LoLo's MWD, LLC

Nebraska

LoLo's Chicken & Waffles – 7051 Ames Ave. Omaha, NE 68104
Ownership 60%
License No. I-113966
Sold 6/1/17

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

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

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

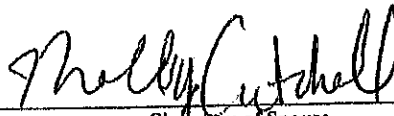
Must be signed in the presence of a notary public by applicant(s) and spouse(s). See guideline for required signatures



Signature of Applicant

Greg Cutchall

Print Name



Signature of Spouse

Molly Cutchall

Print Name

Signature of Applicant

Print Name

Signature of Spouse

Print Name

ACKNOWLEDGEMENT

State of Nebraska
County of Douglas

The foregoing instrument was acknowledged before me this

2/20/18

date

by

Greg and Molly Cutchall

name of person(s) acknowledged (individual(s) signing)



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.

APPLICATION FOR LIQUOR LICENSE
CORPORATION
INSERT - FORM 3a

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.loc.nebraska.gov

Office Use

RECEIVED

FEB 20 2013

NEBRASKA LIQUOR
CONTROL COMMISSION

Officers, directors and stockholders holding over 25% shares of stock, including spouses, are required to adhere to the following requirements:

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

Attach copy of Articles of Incorporation

Name of Registered Agent: Greg Cutchall

Name of Corporation that will hold license as listed on the Articles
Cutch, Inc.

Corporation Address: 13305 Birch Dr. Ste 201

City: Omaha State: NE Zip Code: 68164

Corporation Phone Number: 402-558-3333 Fax Number: 402-558-1512

Total Number of Corporation Shares Issued: 10,000

Name and notarized signature of President/CEO (Information of president must be listed on following page)

Last Name: Cutchall First Name: Gregory MI: S

Home Address: 14307 Cuming St City: Omaha

State: NE Zip Code: 68154 Home Phone Number: 402-965-4135

[Signature]
Signature of President/CEO

ACKNOWLEDGEMENT

State of Nebraska
County of Douglas

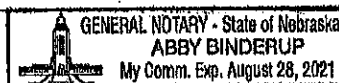
The foregoing instrument was acknowledged before me this

2/20/13
Date

by Greg Cutchall
name of person acknowledge

[Signature]

Affix Seal



List names of all officers, directors and stockholders including spouses (even if a spousal affidavit has been submitted)

Last Name: Cutchall First Name: Gregory MI: S

Social Security Number: _____ Date of Birth: _____

Title: President/Secretary Number of Shares 10,000

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

Spouse Social Security Number: _____ Date of Birth: _____

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Title: _____ Number of Shares _____

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

Spouse Social Security Number: _____ Date of Birth: _____

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Title: _____ Number of Shares _____

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

Spouse Social Security Number: _____ Date of Birth: _____

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Title: _____ Number of Shares _____

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

Spouse Social Security Number: _____ Date of Birth: _____

Is the applying corporation controlled by another corporation/company?

☐ YES

☒ NO

If yes, complete controlling corporation insert form 185

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

Starting Date: Jan _____ Ending Date: Dec _____

Is this a Non-Profit Corporation?

☐ YES

☒ NO

If yes, provide the Federal ID # _____

RECEIVED
FEB 20 2018
NEBRASKA LIQUOR
CONTROL COMMISSION

**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

Office Use

☒ 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**

Molly C. Cutchall

Print Name


Signature of **APPLICANT**

Gregory S Cutchall

Print Name

State of Nebraska, County of Douglas

The foregoing instrument was acknowledged before me

this 2/20/18 (date)

by Molly Cutchall

Name of person acknowledged
(Individual signing document)

State of Nebraska, County of Douglas

The foregoing instrument was acknowledged before me

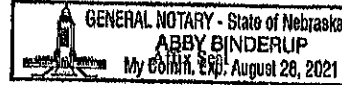
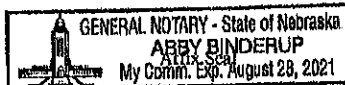
this 2/20/18 (date)

by Greg Cutchall

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.

**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

FEB 20 2018

**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

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:

- 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

BARCODE

**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

MUST BE:

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

Corporation/LLC information

Name of Corporation/LLC: Cutch, Inc.

Premises information

Liquor License Number: _____ Class Type 1 (If new application leave blank)

Premises Trade Name/DBA: First Watch - Bellevue


Premises Street Address: 2015 Pratt Ave. Ste 105

City: Bellevue County: Sarpy Zip Code: 68123

Premises Phone Number: 402-991-3448

Premises Email address: bellevue@firstwatchcmc.com or bill@cutchallmanagement.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: Gregory First Name: Cutchall MI: S
Home Address: 14307 Cuming
City: Omaha County: Douglas Zip Code: 68154
Home Phone Number: 402-965-4135
Driver's License Number & State: _____
Social Security Number _____
Date Of Birth: _____ Place Of Birth: Tucson, AZ
Email address: greg@cutchallmanagement.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: Cutchall First Name: Molly MI: C
Social Security Number: _____
Driver's License Number & State: _____
Date Of Birth: _____ Place Of Birth: Des Moines, IA

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
14307 Cuming Omaha, NE	2016	Current	14307 Cuming Omaha, NE	2016	Current
7303 N 151st Cir Bennington, NE	2002	2016	7303 N 151st Cir Bennington, NE	2002	2016

MANAGER'S LAST TWO EMPLOYERS

YEAR FROM TO		NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
1989	present	Cutchall Management Co.	Self	402-558-3333
	1989	Chix, Inc	Robert Cutchall	Deceased

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
Cutchall, Greg, S	05/1989	Omaha, NE	Motorboat: Numbering required	Fine and Court Costs

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: RB-0047104 Name on Certificate: Gregory Cutchall

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Gregory Cutchall	06/2015	RBST Online Training

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

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:
Gregory Cutchall	1989	30+ years owning various NE restaurant locations

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.

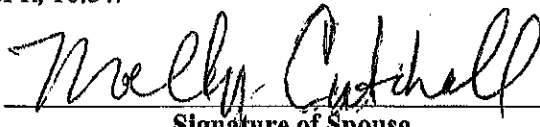
The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action 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


2/20/18

date

by

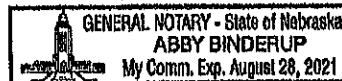
Greg and Molly Cutchall

NAME OF PERSON BEING ACKNOWLEDGED



Notary Public signature

Affix Seal



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.

Business Plan

Cutch, Inc will own and operate a restaurant, First Watch - The Daytime Café, serving both food and alcoholic beverages (mainly Mimosa's and Bloody Mary's) for both breakfast and lunch. The hours will be from 7:00AM to 2:30PM. The location will be at 2015 Pratt Ave Suite 105 in Bellevue, Nebraska and the facility will contain 5,250 sq. ft. and will seat approximately eighty-five. The restaurant will be managed by the Member/Manager of the applicant, Cutch, Inc.

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

9a
4-9-18

COUNCIL MEETING DATE:	March 12, 2018	AGENDA ITEM TYPE:
		SPECIAL PRESENTATION <input type="checkbox"/>
		LIQUOR LICENSE <input type="checkbox"/>
SUBMITTED BY:		ORDINANCE <input checked="" type="checkbox"/>
Chris Shewchuk, Planning Director		PUBLIC HEARING <input type="checkbox"/>
		RESOLUTION <input type="checkbox"/>
		CURRENT BUSINESS <input type="checkbox"/>
		OTHER (SEE CLERK) <input type="checkbox"/>

SUBJECT:

Request to amend Sections 5.07.04, 5.08.04, 5.09.04, 5.10.04, 5.11.04, 5.12.04, 5.13.04, 5.14.04, and 5.15.04 of the Bellevue Zoning Ordinance regarding household pets.

SYNOPSIS:

The proposed amendment brings the Zoning Ordinance into conformance with the City Code with regard to the recently approved Pet Avocation Permit.

FISCAL IMPACT:

None

BUDGETED ITEM: ☐ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

--

RECOMMENDATION:

The Planning Department and Planning Commission have recommended approval to this Zoning Ordinance text amendment.

BACKGROUND:

The Zoning Ordinance currently limits residences to three household pets over the age of six months. On January 22, 2018 the City Council passed Ordinance No. 3894 which allows up to five dogs or cats, and no more than a total of six dogs and cats, over the age of six months with the approval of a Pet Avocation Permit from the Nebraska Humane Society. This text amendment brings the Zoning Ordinance into conformance with the provisions of the City Code regarding the permitted number of household pets.

ATTACHMENTS:

- 1 PC recommendation
- 2 Planning Department staff memo
- 3 Proposed Ordinance

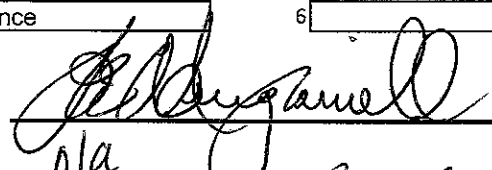
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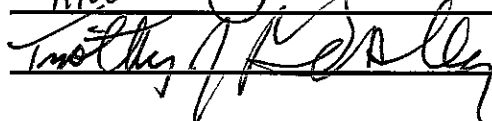
SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:



n/a


City of Bellevue

PLANNING COMMISSION RECOMMENDATION

APPLICANT: City of Bellevue

CITY COUNCIL HEARING DATE: March 26, 2018

REQUEST: To amend Sections 5.07.04, 5.08.04, 5.09.04, 5.10.04, 5.11.04, 5.12.04, 5.13.04, 5.14.04, and 5.15.04, City of Bellevue Zoning Ordinance, regarding the keeping of household pets.

On February 22, 2018, the City of Bellevue Planning Commission voted nine yes, zero no, zero abstained, and zero absent to recommend:

APPROVAL based the Planning Department's recommendation.

VOTE:

Yes:	Nine:	No:	Zero:	Abstain:	Zero:	Absent:	Zero:
	Madden						
	Perrin						
	Cain						
	Baumgartner						
	Jacobson						
	Ackley						
	Casey						
	Ritz						
	Smith						

Planning Commission Hearing (s) was held on: February 22, 2018



City of Bellevue

Office of the Planning Department

To: Mayor Sanders
City Council
City Administrator Joe Mangiamelli
From: Chris Shewchuk, Planning Director
Date: March 5, 2018
Subject: Zoning Ordinance Text Amendment

On January 22, 2018 the City Council approved Ordinance No. 3894 amending the City Code with regard to the number of pets permitted per dwelling unit. The ordinance allows residents to apply for and receive a "Pet Animal Avocation Permit" from the Nebraska Humane Society. Upon approval of such a permit, a resident would be allowed to keep up to five dogs or five cats total and no more than six total dogs and cats six months of age or older.

Approval of Ordinance No. 3894 created a conflict with the provisions of the zoning ordinance. In each residential zoning district (RE, RS-120, RS-84, RS-72, RD-60, RG-50, RG-28, RG-20, and RG-8), the keeping of dogs, cats, and other household pets is a permitted accessory use, but it is limited to three animals over 6 months of age. In order to bring the zoning ordinance into conformance with the amended City Code, the Planning Department is proposing to amend Sections 5.07.04 (RE), 5.08.04 (RS-120), 5.09.04 (RS-84), 5.10.04 (RS-72), 5.11.04 (RD-60), 5.12.04 (RG-50), 5.13.04 (RG-28), 5.14.04 (RG-20), and 5.15.04 (RG-8), Permitted Accessory Uses as follows:

The keeping of dogs, cats, and other household pets, but limited to 3 animals over six months of age, except as provided for in Sections 6.0, 6.23, and 6.47 of the Bellevue City Code.

PLANNING DEPARTMENT RECOMMENDATION:

APPROVAL of the proposed amendment based upon previous action of the City Council.

PLANNING COMMISSION RECOMMENDATION:

APPROVAL based upon the Planning Department's recommendation.

ORDINANCE NO. 3902

AN ORDINANCE TO AMEND SECTIONS 5.07.04, 5.08.04, 5.09.04, 5.10.04, 5.11.04, 5.12.04, 5.13.04, 5.14.04, AND 5.15.04, ORDINANCE NO. 3619, BELLEVUE ZONING ORDINANCE, RELATING TO THE KEEPING OF HOUSEHOLD PETS; TO REPEAL SUCH SECTIONS AS HERETOFORE EXISTING; TO PROVIDE AN EFFECTIVE DATE OF THE ORDINANCE; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

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

Section 1. That Section 5.07.04 of Ordinance No. 3619 is hereby amended to read as follows:

5.07.04 Permitted Accessory Uses:

1. Accessory structures no larger than three thousand (3,000) square feet provided they meet the following requirements:
 - A. The accessory structure shall comply with the applicable space limitations, including maximum building height, for the principal structure on the lot.
 - B. The accessory structure shall be adequately screened, in accordance with the provisions of Article 9, from abutting residential properties.
 - C. Use of the accessory structure shall be limited to the residents of the lot upon which the structure is located.
 - D. The accessory structure shall not be used for a home based business or any other commercial use.

The Planning Director shall determine that the purpose, design, and construction of the accessory structure shall be compatible or otherwise in keeping with the surrounding neighborhood.
2. Amateur radio towers and associated facilities, as per Section 8.05.
3. Buildings and uses customarily incidental to the permitted and conditional uses, provided they are located to the rear or side of the primary structure, including private sheds, barns, stables, and garages, provided size of the accessory structure is in conformance with these regulations.
4. Family Child Care Home I.
5. Guest houses, not rented or otherwise conducted as a business.
6. Home based businesses, as per Section 8.04.
7. Incidental public safety uses such as emergency sirens.
8. Living quarters for not more than two persons regularly employed on the premises, but not including labor camps or dwellings for transient labor.
9. Offices incidental to and necessary for conducting a permitted use.
10. Portable Outdoor Storage shall be a permitted accessory uses subject to the following conditions:
 - A. Portable outdoor storage shall be permitted for no more than seven days in any thirty day period.
 - B. Portable outdoor storage containers shall be no more than eight feet wide, eight feet high, and sixteen feet long.
 - C. Portable outdoor storage containers shall be placed on an approved hard surface.
 - D. No more than one portable outdoor storage container may be located on a lot at any one time.
11. Private stables, corrals and paddocks when located no closer than 20 feet from any property line, no closer than 50 feet from a street line and no closer than 40 feet from any dwelling on the same or adjoining property. No horse or other equine shall be kept on a lot of less than one acre and two horses, or other equines, may be kept on an acre, but for each additional horse or other equine above two kept there shall be an additional 20,000 square feet in lot area.
12. Raising of hens, as per Section 8.12.
13. Residential and small wind energy systems, subject to Section 8.09.
14. Roadside stands not exceeding 400 square feet in floor area, for the sale of agricultural products grown on the premises.
15. Temporary buildings incidental to construction work where such buildings or structures are removed upon completion of work.

16. The keeping of dogs, cats, and other household pets, but limited to 3 animals over six months of age, except as permitted for in Sections 6.0, 6.23, and 6.47 of the Bellevue City Code.

Section 2. That Section 5.08.04 of Ordinance No. 3619 is hereby amended to read as follows:

5.08.04 Permitted Accessory Uses:

The following accessory uses are permitted in the RS-120 District:

1. Amateur radio towers and associated facilities, as per Section 8.05.
2. Buildings and uses customarily incidental to the permitted and conditional uses, provided they are located to the rear or side of the primary structure, including private sheds and garages, provided size of the accessory structure is in conformance with these regulations.
3. Family Child Care Home I
4. Guest houses, not rented or otherwise conducted as a business.
5. Home based businesses, as per Section 8.04.
6. Incidental public safety uses such as emergency sirens.
7. Living quarters for not more than two persons regularly employed on the premises.
8. Offices incidental to and necessary for conducting a permitted use.
9. Portable Outdoor Storage shall be a permitted accessory uses subject to the following conditions:
 - A. Portable outdoor storage shall be permitted for no more than seven days in any thirty day period.
 - B. Portable outdoor storage containers shall be no more than eight feet wide, eight feet high, and sixteen feet long.
 - C. Portable outdoor storage containers shall be placed on an approved hard surface.
 - D. No more than one portable outdoor storage container may be located on a lot at any one time.
10. Private stables, corrals and paddocks when located no closer than 20 feet from any property line, no closer than 50 feet from a street line and no closer than 40 feet from any dwelling on the same or adjoining property. No horse or other equine shall be kept on a lot of less than one acre and two horses, or other equines, may be kept on an acre, but for each additional horse or other equine above two kept there shall be an additional 20,000 square feet in lot area.
11. Residential and small wind energy systems, subject to Section 8.09.
12. Temporary buildings incidental to construction work where such buildings or structures are removed upon completion of work.
13. The keeping of dogs, cats, and other household pets, but limited to 3 animals over six months of age, except as provided for in Sections 6.0, 6.23, and 6.47 of the Bellevue City Code.

Section 3. That Section 5.09.04 of Ordinance No. 3619 is hereby amended to read as follows:

5.09.04 Permitted Accessory Uses:

The following accessory uses are permitted in the RS-84 District:

1. Amateur radio towers and associated facilities, as per Section 8.05.
2. Buildings and uses customarily incidental to the permitted and conditional uses, provided they are located to the rear or side of the primary structure, including private sheds and garages, provided size of the accessory structure is in conformance with these regulations.
3. Family Child Care Home I.
4. Guest houses, not rented or otherwise conducted as a business.
5. Home based businesses, as per Section 8.04.
6. Incidental public safety uses such as emergency sirens.
7. Living quarters for not more than two persons regularly employed on the premises.
8. Offices incidental to and necessary for conducting a permitted use.
9. Portable Outdoor Storage shall be a permitted accessory uses subject to the following conditions:
 - A. Portable outdoor storage shall be permitted for no more than seven days in any thirty day period.
 - B. Portable outdoor storage containers shall be no more than eight feet wide, eight feet high, and sixteen feet long.
 - C. Portable outdoor storage containers shall be placed on an approved hard surface.
 - D. No more than one portable outdoor storage container may be located on a lot at any one time.

10. Residential and small wind energy systems, subject to Section 8.09.
11. Temporary buildings incidental to construction work where such buildings or structures are removed upon completion of work.
12. The keeping of dogs, cats, and other household pets, but limited to 3 animals over six months of age, except as provided for in Sections 6.0, 6.23, and 6.47 of the Bellevue City Code.

Section 4. That Section 5.10.04 of Ordinance No. 3619 is hereby amended to read as follows:

5.10.04 Permitted Accessory Uses:

The following accessory uses are permitted in the RS-72 District:

1. Amateur radio towers and associated facilities, as per Section 8.05.
2. Buildings and uses customarily incidental to the permitted and conditional uses, provided they are located to the rear or side of the primary structure, including private sheds and garages, provided size of the accessory structure is in conformance with these regulations.
3. Family Child Care Home I
4. Guest houses, not rented or otherwise conducted as a business.
5. Home based businesses, as per Section 8.04.
6. Incidental public safety uses such as emergency sirens.
7. Living quarters for not more than two persons regularly employed on the premises.
8. Offices incidental to and necessary for conducting a permitted use.
9. Portable Outdoor Storage shall be a permitted accessory uses subject to the following conditions:
 - A. Portable outdoor storage shall be permitted for no more than seven days in any thirty day period.
 - B. Portable outdoor storage containers shall be no more than eight feet wide, eight feet high, and sixteen feet long.
 - C. Portable outdoor storage containers shall be placed on an approved hard surface.
 - D. No more than one portable outdoor storage container may be located on a lot at any one time.
10. Residential and small wind energy systems, subject to Section 8.09.
11. Temporary buildings incidental to construction work where such buildings or structures are removed upon completion of work.
12. The keeping of dogs, cats, and other household pets, but limited to 3 animals over six months of age, except as provided for in Sections 6.0, 6.23, and 6.47 of the Bellevue City Code.

Section 5. That Section 5.11.04 of Ordinance No. 3619 is hereby amended to read as follows:

5.11.04 Permitted Accessory Uses:

The following accessory uses are permitted in the RD-60 District:

1. Adult Care Center.
2. Amateur radio towers and associated facilities, as per Section 8.05.
3. Buildings and uses customarily incidental to the permitted and conditional uses, provided they are located to the rear or side of the primary structure, including private sheds and garages, provided size of the accessory structure is in conformance with these regulations.
4. Congregate housing.
5. Emergency Shelters.
6. Family Child Care Home I.
7. Guest houses, not rented or otherwise conducted as a business.
8. Home based businesses, as per Section 8.04.
9. Incidental public safety uses such as emergency sirens.
10. Living quarters for not more than two persons regularly employed on the premises.
11. Offices incidental to and necessary for conducting a permitted use.
12. Portable Outdoor Storage shall be a permitted accessory uses subject to the following conditions:
 - A. Portable outdoor storage shall be permitted for no more than seven days in any thirty day period.
 - B. Portable outdoor storage containers shall be no more than eight feet wide, eight feet high, and sixteen feet long.
 - C. Portable outdoor storage containers shall be placed on an approved hard surface.
 - D. No more than one portable outdoor storage container may be located on a lot at any one time.

13. Residential and small wind energy systems, subject to Section 8.09.
14. Temporary buildings incidental to construction work where such buildings or structures are removed upon completion of work.
15. The keeping of dogs, cats, and other household pets, but limited to 3 animals over six months of age, except as provided for in Sections 6.0, 6.23, and 6.47 of the Bellevue City Code.

Section 6. That Section 5.12.04 of Ordinance No. 3619 is hereby amended to read as follows:

5.12.04 Permitted Accessory Uses:

The following accessory uses are permitted in the RG-50 District:

1. Adult Care Center.
2. Amateur radio towers and associated facilities, as per Section 8.05.
3. Buildings and uses customarily incidental to the permitted and conditional uses, provided they are located to the rear or side of the primary structure, including private sheds and garages, provided size of the accessory structure is in conformance with these regulations.
4. Congregate housing.
5. Emergency Shelters.
6. Family Child Care Home I.
7. Guest houses, not rented or otherwise conducted as a business.
8. Home based businesses, as per Section 8.04.
9. Incidental public safety uses such as emergency sirens.
10. Living quarters for not more than two persons regularly employed on the premises.
11. Offices incidental to and necessary for conducting a permitted use.
12. Portable Outdoor Storage shall be permitted accessory uses subject to the following conditions:
 - A. Portable outdoor storage shall be permitted for no more than seven days in any thirty day period.
 - B. Portable outdoor storage containers shall be no more than eight feet wide, eight feet high, and sixteen feet long.
 - C. Portable outdoor storage containers shall be placed on an approved hard surface.
 - D. No more than one portable outdoor storage container may be located on a lot at any one time.
13. Residential and small wind energy systems, subject to Section 8.09.
14. Temporary buildings incidental to construction work where such buildings or structures are removed upon completion of work.
15. The keeping of dogs, cats, and other household pets, but limited to 3 animals over six months of age, except as provided for in Sections 6.0, 6.23, and 6.47 of the Bellevue City Code.

Section 7. That Section 5.13.04 of Ordinance No. 3619 is hereby amended to read as follows:

5.13.04 Permitted Accessory Uses:

The following accessory uses are permitted in the RG-28 District:

1. Adult Care Center.
2. Amateur radio towers and associated facilities, as per Section 8.05.
3. Buildings and uses customarily incidental to the permitted and conditional uses, provided they are located to the rear or side of the primary structure, including private sheds and garages, provided size of the accessory structure is in conformance with these regulations.
4. Congregate housing.
5. Emergency Shelters.
6. Family Child Care Home I.
7. Guest houses, not rented or otherwise conducted as a business.
8. Home based businesses, as per Section 8.04.
9. Incidental public safety uses such as emergency sirens.
10. Living quarters for not more than two persons regularly employed on the premises.
11. Offices incidental to and necessary for conducting a permitted use.
12. Residential and small wind energy systems, subject to Section 8.09.
13. Temporary buildings incidental to construction work where such buildings or structures are removed upon completion of work.
14. The keeping of dogs, cats, and other household pets, but limited to 3 animals over six months of age, except as provided for in Sections 6.0, 6.23, and 6.47 of the Bellevue City Code.

Section 8. That Section 5.14.04 of Ordinance No. 3619 is hereby amended to read as follows:

5.14.04 Permitted Accessory Uses:

The following accessory uses are permitted in the RG-20 District:

1. Adult Care Center.
2. Amateur radio towers and associated facilities, as per Section 8.05.
3. Buildings and uses customarily incidental to the permitted and conditional uses, provided they are located to the rear or side of the primary structure, including private sheds and garages, provided size of the accessory structure is in conformance with these regulations.
4. Congregate housing.
5. Emergency Shelters.
6. Family Child Care Home I.
7. Guest houses, not rented or otherwise conducted as a business.
8. Home based businesses, as per Section 8.04.
9. Incidental public safety uses such as emergency sirens.
10. Living quarters for not more than two persons regularly employed on the premises.
11. Offices incidental to and necessary for conducting a permitted use.
12. Residential and small wind energy systems, subject to Section 8.09.
13. Temporary buildings incidental to construction work where such buildings or structures are removed upon completion of work.
14. The keeping of dogs, cats, and other household pets, but limited to 3 animals over six months of age, except as provided for in Sections 6.0, 6.23, and 6.47 of the Bellevue City Code.

Section 9. That Section 5.15.04 of Ordinance No. 3619 is hereby amended to read as follows:

5.15.04 Permitted Accessory Uses:

The following accessory uses are permitted in the RG-8 District:

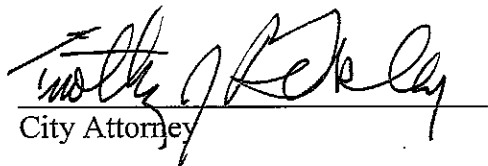
1. Adult Care Center.
2. Amateur radio towers and associated facilities, as per Section 8.05.
3. Buildings and uses customarily incidental to the permitted and conditional uses, provided they are located to the rear or side of the primary structure, including private sheds and garages, provided size of the accessory structure is in conformance with these regulations.
4. Congregate housing.
5. Emergency Shelters.
6. Family Child Care Home I.
7. Guest houses, not rented or otherwise conducted as a business.
8. Home based businesses, as per Section 8.04.
9. Incidental public safety uses such as emergency sirens.
10. Living quarters for not more than two persons regularly employed on the premises, but not including labor camps or dwellings for transient labor.
11. Offices incidental to and necessary for conducting a permitted use.
12. Residential and small wind energy systems, subject to Section 8.09.
13. Temporary buildings incidental to construction work where such buildings or structures are removed upon completion of work.
14. The keeping of dogs, cats, and other household pets, but limited to 3 animals over six months of age, except as provided for in Sections 6.0, 6.23, and 6.47 of the Bellevue City Code.

Section 10. That Sections 5.07.04, 5.08.04, 5.09.04, 5.10.04, 5.11.04, 5.12.04, 5.13.04, 5.14.04, and 5.15.04 of Ordinance No. 3619, the Bellevue Zoning Ordinance, as heretofore existing are hereby repealed.

Section 11. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as required by law.

ADOPTED by the Mayor and City Council this _____ day of _____, 2018.

APPROVED AS TO FORM:


City Attorney

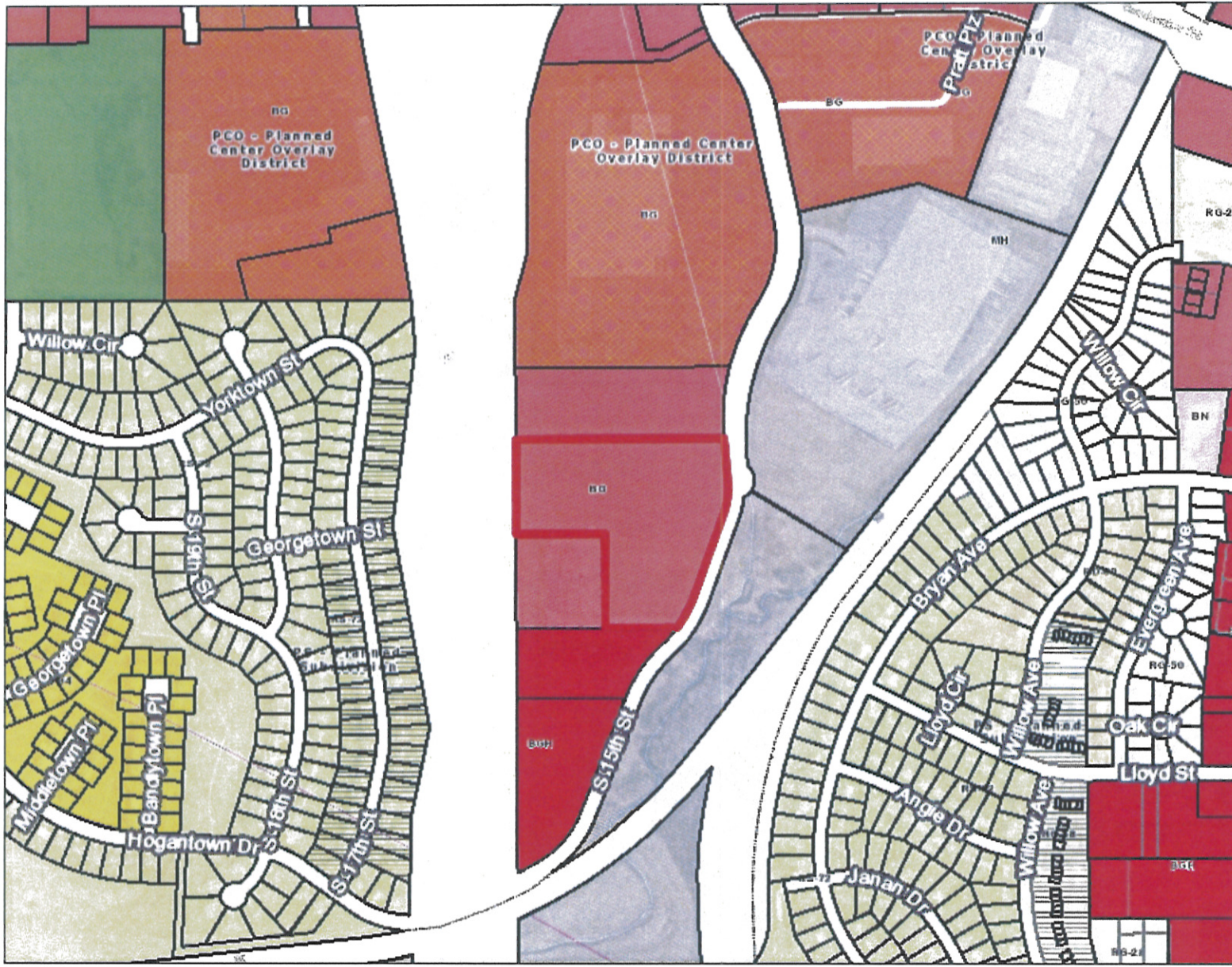
ATTEST

City Clerk

Mayor

First Reading: _____
Second Reading: _____
Third Reading: _____

Zoning Map Lot 2, Wolf Creek Replat 7



Location



Legend

- Tax Parcels
- Road Centerlines
- 2016 Aerial Photo
- Red: Band_1
- Green: Band_2
- Blue: Band_3

1: 6,642

0 277 554 1107
Feet

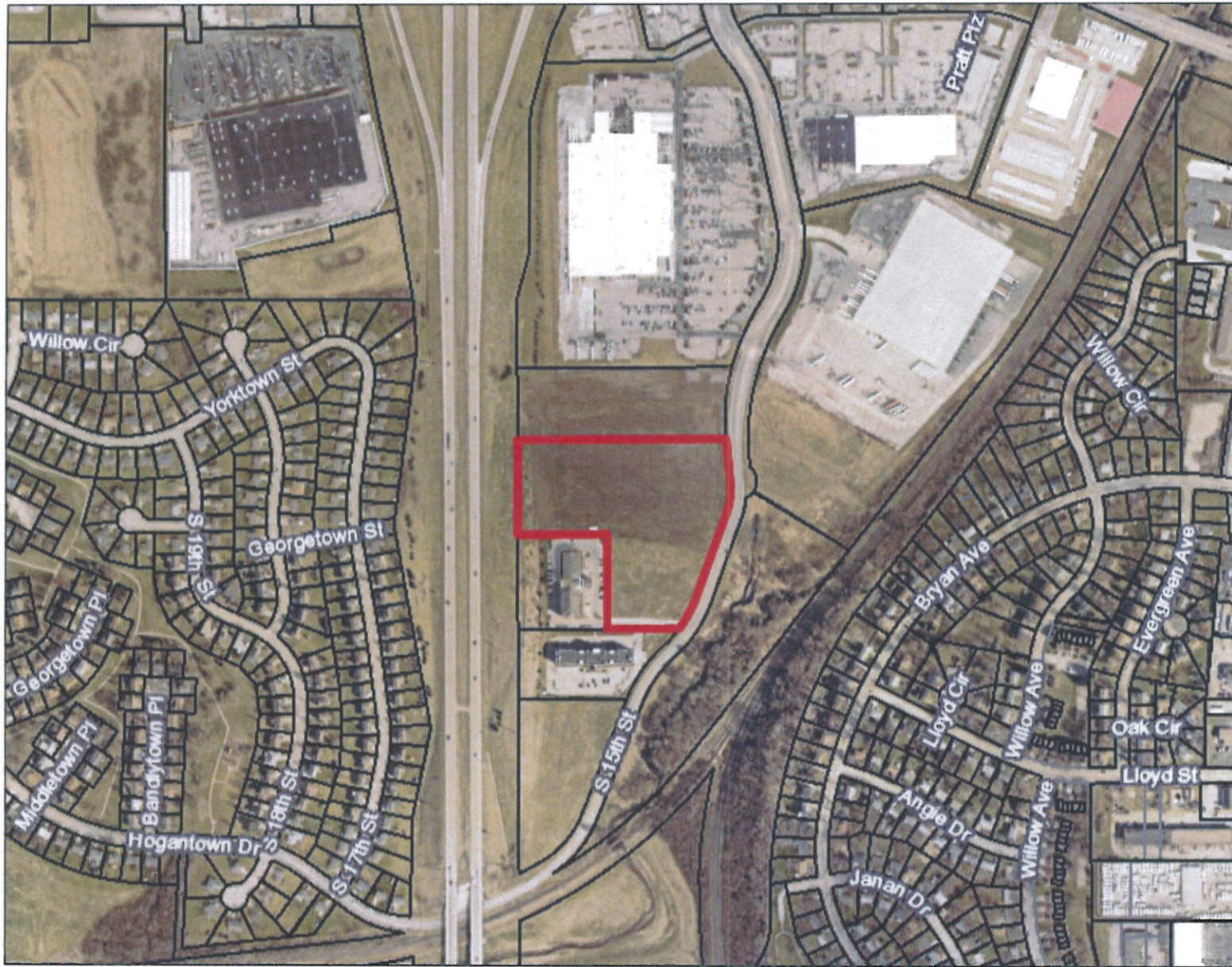
This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.

Sarpy County GIS

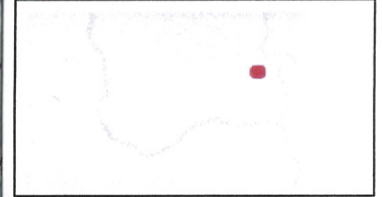


1210 Golden Gate Dr.
Suite 1130
Papillion, NE 68046
maps.sarpy.com

Lot 2, Wolf Creek Replat 7



Location



Legend

- Tax Parcels
Road Centerlines
2016 Aerial Photo
- Red: Band_1
 - Green: Band_2
 - Blue: Band_3

1:6,642

0 277 554 1107
Feet

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.

Sarpy County GIS



1210 Golden Gate Dr.
Suite 1130
Papillion, NE 68046
maps.sarpy.com

X. PHOTOGRAPHS OF PROPERTY



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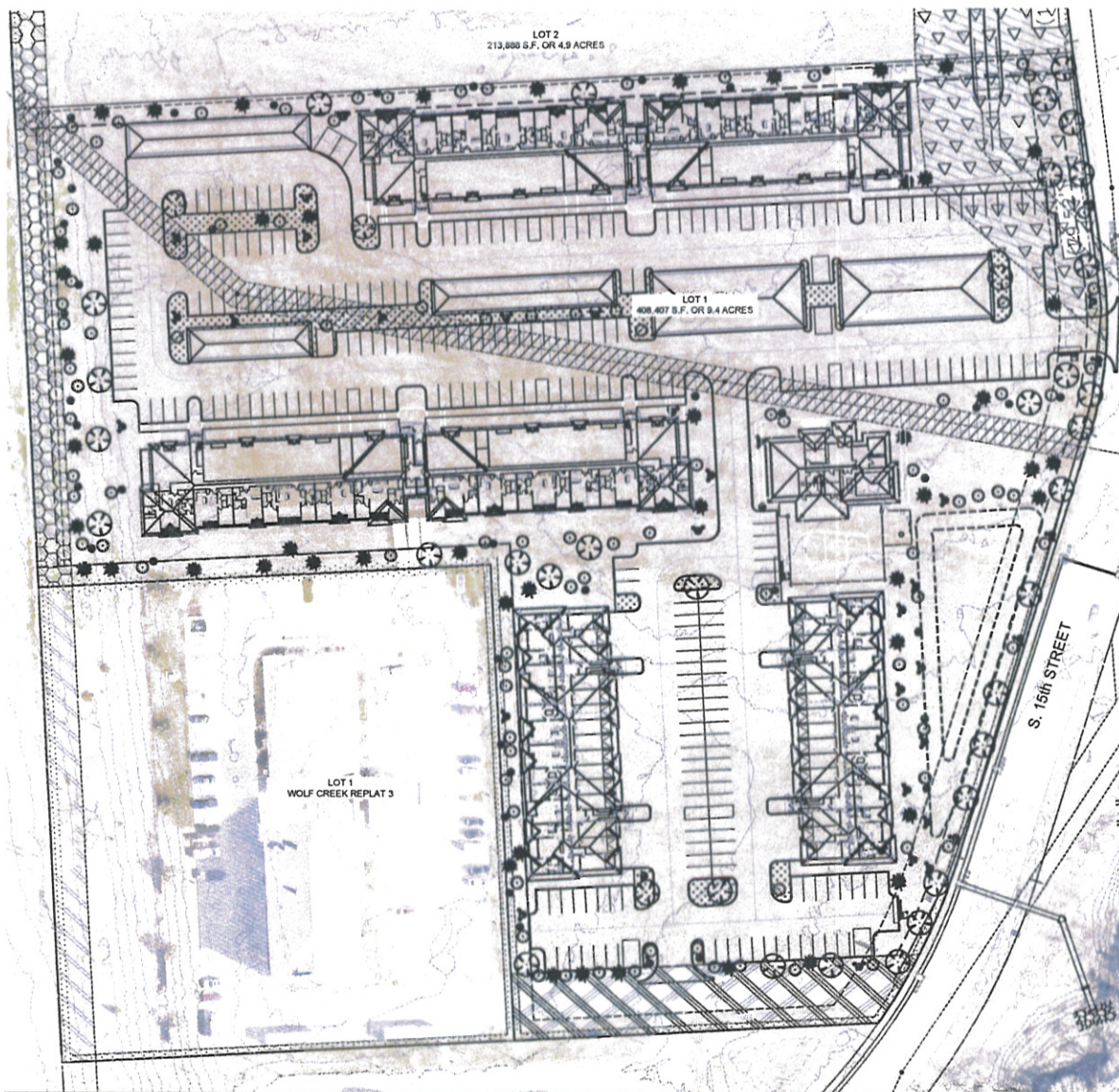
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REQUIRED LANDSCAPE TREES		
SECTION 8.11.6 (B) MULTI-FAMILY PER UNIT REQUIREMENT (1 TREE PER 2 UNITS)		
TREE TYPE	REQUIRED	PROVIDED
DECIDUOUS SHADE	-	9
CONIFEROUS/EVERGREEN	50	50
ORNAMENTAL	-	86
SHRUB	-	129
TOTAL	-	274
SECTION 8.11.6 (BA) 1 TREE PER 40 L.F. OF FRONTAGE		
DECIDUOUS SHADE	-	14
ORNAMENTAL	-	6
SHRUBS	-	18
TOTAL	-	48
SECTION 8.11.6 (10A & B) PARKING LANDSCAPING (19 S.F. LANDSCAPED PER PARKING STALL AND 1 TREE PER 300 S.F. REQUIRED LANDSCAPING)		
DECIDUOUS TREE	13	13
INTERIOR LANDSCAPING		12,700 S.F.

LANDSCAPE TREE SCHEDULE								
QTY.	BOTANICAL NAME	COMMON NAME	PLANTING METHOD	SIZE @ PLANTING	SPACING	MATURE SPREAD	MATURE HEIGHT	
OVERSTORY DECIDUOUS TREES								
12	ACER RUBRUM 'AUTUMN BLAZE'	AUTUMN BLAZE MAPLE	B&B	2" CAL.	AS SHOWN	35'	45'	
12	ACER SACCHARUM 'LEGACY'	LEGACY SUGAR MAPLE	B&B	2" CAL.	AS SHOWN	420'	50'	
12	QUERCUS RUBUR	RED OAK	B&B	2" CAL.	AS SHOWN	50'	60'	
UNDERSTORY/ORNAMENTAL								
31	ACER GINNALA	AMUR MAPLE	B&B	1.5" CAL.	AS SHOWN	20'	20'	
31	AMELANCHIER ARBOREA	DOAWY SERVICEBERRY	B&B	1.5" CAL.	AS SHOWN	15'	30'	
30	KOELREUTERIA PANICULATA	GOLDEN RAIN TREE	B&B	1.5" CAL.	AS SHOWN	30'	30'	
CONIFEROUS TREE								
14	PICEA PUNGENS 'GLAUCA'	COLORADO BLUE SPRUCE	B&B	6" HT.	AS SHOWN	15'	25'	
14	PICEA GLAUCOA DENSATA	BLACK HILLS SPRUCE	B&B	6" HT.	AS SHOWN	25'	50'	
12	PINUS FLEXILIS FLEXILIS	LIMBER PINE	B&B	6" HT.	AS SHOWN	25'	40'	
10	PINUS HEIDREICHII	BOSNIAN PINE	B&B	6" HT.	AS SHOWN	20'	40'	
DECIDUOUS SHRUBS								
18	ARONIA ARBUTIFOLIA 'BRILLANTISSIMA'	RED CHOKEBERRY	CONT.	#5	AS SHOWN	3'	7'	
18	AMELANCHIER ALNIFOLIA 'REGENCY'	REGENCY SERVICEBERRY	CONT.	#3	AS SHOWN	5'	5'	
18	RHUS ARNICA 'GRO LOW'	FRAGRANT SUMAC	CONT.	#3	60" O.C.	5'	3'	
18	SPIRAEA BETULIFOLIA 'TOR'	BIRCHLEAF SPIREA	CONT.	#3	36" O.C.	3'	3'	
EVERGREEN SHRUBS								
18	JUNIPERUS SPITZERIANA 'SEA GREEN'	SEE GREEN JUNIPER	CONT.	#3	6" O.C.	7'	4'	
18	JUNIPERUS CHINENSIS 'MANEY'	MANEY JUNIPER	CONT.	#3	6" O.C.	6'	3'	
19	JUNIPERUS HORIZONTALIS 'BLUE CHIP'	BLUE CHIP JUNIPER	CONT.	#3	6" O.C.	5'	1'	
20	JUNIPERUS PROCUMBENS 'NANA'	JAPANESE JUNIPER	CONT.	#3	6" O.C.	5'	1'	



thompson, dreesen & dörner, inc.
10836 Old Mill Rd
Omaha, NE 68154
p.402.330.8860 www.td2co.com

Wolf Creek
Apartments

Wolf Creek
Apartments, L.L.C.

FEB 13 2018

PLANNING DEPT

No.	Description	MAJ.DD.YY
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Drawn By: RTM Reviewed By: DEK
Job No: 1431-107 Date: 02-01-18

Rezoning Submittal
Landscaping Plan

C3.0



Mr. Chris Shewchuk
Bellevue Planning Director
1510 Wall Street
Bellevue, NE 68005

Re: Rezoning Request Lot 2, Wolf Creek Replat 7

Dear Chris:

This letter serves as a supplement to the application to rezone the approximate 9.37 +/- acre property legally described as Lot 2, Wolf Creek Replat 7 located in the Wolf Creek subdivision in Bellevue, Nebraska (the "Property") from its existing BG zoning to RG-20-PS. The Property is currently surrounded by hotels to the south and west, a vacant outlot and railroad tracks to the east, Kennedy Freeway to the west, and commercial to the north. The rezoning of the Property is necessary to accomplish several key benefits for the City of Bellevue.

The applicant is proposing to develop six (6) three (3) story multi-family buildings along with a clubhouse and pool. Despite the difficulties in layout due to a sewer line running diagonally from the northwest corner to the southeast portion of the lot which contains a no build easement of twenty (20) feet, we believe we have put together a project that will benefit the current and future residents of Bellevue, the commercial owners, and the City of Bellevue.

1. Lack of Marketability for the Land

The property has been in a finished developed condition for over 20 years and yet the owner has had no interest from any commercial users for the land. The retail market is currently saturated with empty space. Locally, Hancock Fabric and Gordmans left over 100,000 sq. ft. of empty space at the corner of 15th Street & Cornhusker. The retail landscape has also shifted with less retailers looking to expand, and instead, retailers are more likely to reduce the size of their stores or eliminate the underperforming stores. Furthermore, the Property is not well suited for a retail development with the sewer line running through the middle of the property as users are limited to the location of the buildings and consequently, reduced visibility from Kennedy Freeway.

2. Multi-family housing needed in Mixed Use areas

The applicant had a market study prepared which showed the need for 204 multi-family units to serve the needs of the community, especially Bellevue University and Offutt Air Force Base. Shopping centers today are being developed with multi-family communities either near or part of the shopping center to support the retailers. These types of mixed used developments are commonplace in the Douglas and Sarpy county marketplaces. In our case, the Bellevue retailers located at 15th & Cornhusker would benefit from the proposed 204 multi-family units due to its close proximity to the multi-family dwellings

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and the residents would benefit from being able to walk to the stores and purchase goods and services. The walkability between the shopping center and the multi-family units is consistent with current planning models. It is also what people are asking and looking for when determining a place to live.

3. Reduction of traffic

We understand 15th & Cornhusker is one of the busiest intersections in Bellevue. The applicant had a traffic study completed on November 3, 2017, by Felsburg, Hot & Ullevig. The study found that traffic would be reduced daily by approximately 4,414 cars due to changing the zoning from BG to RG-20-PS. More importantly, peak hour traffic would be significantly reduced by 228 cars in the morning and 365 cars in the evening.

Change In Trips by Land Use

Facility	Daily Trips	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Wolf Creek Land Use Total	1,502	22	72	94	72	42	114
Commercial Land Use Total	5,916	193	129	322	245	234	479
Difference in Generated Traffic (Commercial - Proposed)	+4,414	+171	+57	+228	+173	+192	+365

4. Assessed Valuation

The land was valued at \$406,981 in 2012 and since increased to \$946,468 in 2016. The applicant is proposing an apartment project with clubhouse and pool that may increase the property valuation to over Ten Million Dollars (\$10,000,000). That is a 956.6% potential increase in property valuation.

We are sincerely looking forward to working with the City of Bellevue on the development of the Property. We see this project as a win for all parties involved and the current and future residents of the City of Bellevue. Should you or anyone else require or desire any additional information, please do not hesitate to ask.

Yours truly,

Scott Brown



City of Bellevue

Public Works Administration

1510 Wall Street • Bellevue, Nebraska 68005 • (402) 293-3025

MEMO TO: Tammi Palm

FROM: Dean Dunn *DAD*

DATE: February 15, 2018

SUBJECT: REZONING REVIEW – LOT 2 OF WOLF CREEK REPLAT 7

Public Works has reviewed FHU's response memo and its revised traffic impact analysis dated 2/12/2018 and 2/13/2018 respectively. The memo and revised traffic impact analysis were in response to Public Work's request for additional information or clarification on the following items:

1. Clarify why traffic through Willow Springs is expected to maintain the same trip distribution regardless of how bad the intersection delay/level of service and queuing at 15th & Cornhusker Road becomes.
2. Clarify why impacts to 10th & Cornhusker, Wolf Creek Drive, and cut-through traffic behind Wolf Creek Plaza was not addressed in the report.
3. The comparison between the possible future residential and commercial development did not continue in the discussion of future conditions. To adequately understand the consequences of selecting one type of development over another, all information should be presented. In this case, provide counterpart analysis for the commercial development scenario.
4. Clarify how signal optimization at 15th & Cornhusker will affect traffic/intersections east and west (Fort Crook Road to 25th Street) and whether additional traffic studies have been completed, are underway, or are required.

Public Works still has concerns regarding the degree of impact Willow Springs may face under the two scenarios. Under the FHU response regarding the trip distribution through Willow Springs, it was stated that *"Traffic using Hogantown Drive and Lewis and Clark Road through the Willow Springs neighborhood would be expected to increase 3 to 4 times under the commercial scenario."* This statement is slightly misleading and should be clarified by stating it is based on comparing only the trips generated by each of the two scenarios (residential vs. commercial). A similar misrepresentation occurs with the response comment explaining *"With a less intense land use on the site, traffic through the Willow Springs neighborhood would be lessened"* and should be clarified by mentioning it is when compared to the commercial scenario.

To provide a better understanding, on following page, Table PW-1 may help illustrate the overall anticipated change in peak hour traffic volume based on the current study's assumptions.

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FEB 15 2018

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City of Bellevue

Public Works Administration

1510 Wall Street • Bellevue, Nebraska 68005 • (402) 293-3025

TABLE PW-1. TOTAL PEAK HOUR TRAFFIC VOLUMES

15 TH Street to Willow Springs								
Scenario	FROM Willow Springs		TO Willow Springs		Total		% Increase vs. Existing	
	AM	PM	AM	PM	AM	PM	AM	PM
2017 Existing	258	87	3	148	261	235	---	---
2022 Residential	259	91	7	150	266	241	1.9%	2.6%
2022 Commercial	268	99	9	160	277	259	6.1%	10.2%

The FHU report and response appears to contradict itself when maintaining their 5% trip distribution assumption while stating, *"the commercial scenario will cause significantly higher delay and longer queues compared to the residential scenario"* and *"traffic would need to experience significant delays for drivers to alter their route"*. Given these statements, it would seem that the potential impacts to Willow Springs may be understated.

With respect to the impacts to 10th and Cornhusker being ignored to provide a conservative analysis at 15th and Cornhusker, it stands to reason that the analysis of the traffic impacts at 15th and Cornhusker may be overstated based on the previously mentioned statement that *"traffic would need to experience significant delays for drivers to alter their route."*

In comparing the impacts between the residential versus the commercial scenarios on the 15th and Cornhusker intersection, both scenarios appear to negatively impact the surrounding traffic as summarized by *"both the commercial and residential scenarios will increase delay and queueing at the intersection of S. 15th Street with Cornhusker Road. However, the commercial scenario will cause significantly higher delay and longer queues compared to the residential scenario."*

The Public Works Department understands there is a need to improve the Cornhusker Road corridor from Fort Crook Road and 25th Street. While a feasibility study is not yet being contracted, Public Works will be pursuing a study to determine the needed modifications. Once the study is completed, the necessary steps will be taken to program, design, and construct the necessary modifications to improve the efficiency of the corridor which includes the intersection at 15th Street.

With this in mind, the only recommendation made involving improvements to the intersection was to optimize signal timings. In absence of any recommendations involving immediate major reconstruction, the question becomes one of the degree of impact the City of Bellevue is willing to accept versus the opportunity costs involved. The degree of impact is summarized in the report's Table 9 (Lane Group Delay Build Comparison) and Table 10 (95% Queue Lengths Build Comparison). The opportunity costs to be considered are having the land left undeveloped, having the land developed to produce higher property taxes, or having the land developed to produce higher property taxes and sales tax revenue.

ORDINANCE RECORD

No. 728—REDFIELD & COMPANY INC., OMAHA

ORDINANCE NO. 3903

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 SOUTH 15TH STREET AND CORNHUSKER ROAD, MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THE ORDINANCE AND TO PROVIDE AN EFFECTIVE DATE.

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

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

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

Lot 2, Wolf Creek Replat 7, located in the Southeast $\frac{1}{4}$ of Section 27, T14N, R13E of the 6th P.M., Sarpy County, Nebraska

From BG (General Business District) to RG-20-PS (General Residence, 2,000 Square Foot Zone, Planned Subdivision District)

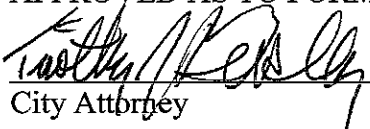
(Wolf Creek Apartments, LLC)

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

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

ADOPTED by the Mayor and City Council this _____ day of _____, 2018.

APPROVED AS TO FORM:


City Attorney

ATTEST

City Clerk

Mayor

First Reading: _____

Second Reading: _____

Third Reading: _____

Sabrina Ohnmacht

106
3.26.18

From: Stephen Horner <shorner@vikingprt.com>
Sent: Friday, March 23, 2018 8:02 AM
To: Sabrina Ohnmacht
Cc: sbrown@quantumgre.com; JBuser@pheblaw.com; krhogan@cox.net
Subject: Bellevue, NE - Proposed Multi-Family Development adjacent to US 75
Attachments: Letter of Support for Quantum RE.PDF

Sabrina,

Please see attached for a letter from Viking Partners Wolf Creek, LLC, owner of Wolf Creek Shopping Center in Bellevue, NE. We are in favor of the proposed multifamily development adjacent to Walmart.

Please let me know if you would like to discuss further.

Thank you,

Stephen Horner

Asset Manager

4901 Hunt Road, Suite 102

Cincinnati, Ohio 45242

O: 513.985.1110 || M: 513.290.0785

shorner@vikingprt.com || www.vikingpartnersllc.com



VIKING PARTNERS



VIKING PARTNERS

4901 Hunt Road, Suite 102
Cincinnati, Ohio 45242
O 513-793-9919
F 513-793-9929

March 23, 2018

Via email: Sabrina.ohnmacht@bellevue.net
Bellevue City Council
Attn: Sabrina Ohnmacht, City Clerk
1500 Wall Street
Bellevue, NE 68005

Dear Sabrina,

Viking Partners is the owner of Wolf Creek Shopping Center, which is located across the street from the Walmart at Cornhusker Road in Bellevue, NE.

We support the requested zoning change for your proposed multi-family development at the site adjacent to Walmart. We would welcome the additional rooftops resulting from this development to the area.

Sincerely,
Viking Partners Wolf Creek, LLC

Bret A. Caller

Sabrina Ohnmacht

From: Mary B. Hawkins <mhawkins@bellevue.edu>
Sent: Sunday, March 25, 2018 8:47 PM
To: Sabrina Ohnmacht
Cc: Rita Sanders; Scott Brown; Rob Luellen
Subject: Wolf Creek Apartments

Dear Sabrina,

Please forward this message to City Council members before the Council meeting on Monday, March 26th. Thank you.

City Council Members:

I want to ask you to support the request to build the Wolf Creek Apartments. Bellevue University has had numerous discussions with apartment owners and developers on our housing needs and believe that Wolf Creek will provide options for adult students and for our staff and faculty. They are ready to build and we really need more apartments like the ones planned for this development. Currently, new faculty and staff whom we relocate to Bellevue have limited options. Most prefer to rent for a year or so while they become familiar with the area and have time to decide on purchasing a home. I have personally intervened to assist new faculty. There are not many choices given the high occupancy rate in Bellevue. We have met with Scott Brown and Rob Luellen on several occasions and feel confident that the Wolf Creek apartments will provide a quality, market-priced and convenient location for them.

Our other need is to purchase and build housing to support our students. Some may be interested in Wolf Creek, especially our graduate students who may have families. Currently, we have 258 Chinese students, 230 Indian students, another nearly 200 students from a number of other countries. The Indian students live in west Omaha now because they couldn't find rentals in Bellevue. We also have 178 athletes. We have struggled to find housing that meets our needs. The challenge is that the students generally need to start the leases in August. This creates a difficult demand profile for existing apartments. We have leased housing for the international students and athletes, but when we do this, we are displacing existing tenants. Our intention is to build units so that we can provide a secure environment and one that is located in proximity to campus and services such as grocery shopping, restaurants, and banks.

I know that there are questions on the mixed use area where they propose to build Wolf Creek Apartments. However, I know that this profile is preferred by younger renters. More and more cities are creating residential opportunities in mixed retail and business areas. I actually believe this is one of the attractive features of this proposed apartment complex.

I do not think we have sufficient apartment housing, especially more up to date units. We are not the only organization that is growing in Bellevue. I know Nebraska Medicine Bellevue continues to try to fill positions in a variety of jobs at different salary levels. I understand that there are possible new missions for Offutt. All of these mean growth for Bellevue and will require good, quality housing options for our community.

I am happy to answer questions and explain our plans. I hope you will consider approving the Wolf Creek Apartment proposal.

Sincerely,
Mary Hawkins



Mary Hawkins | President

Bellevue University, 1000 Galvin Road South, Bellevue, Nebraska 68005 | www.bellevue.edu

Phone: 402.557.7005 | Mobile: 402.301.6408 | mhawkins@bellevue.edu

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Sabrina Ohnmacht

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I am happy to answer questions and explain our plans. I hope you will consider approving the Wolf Creek Apartment proposal.

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

96
4-9-18

COUNCIL MEETING DATE:	March 12, 2018	AGENDA ITEM TYPE:
		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 (SEE CLERK) <input type="checkbox"/>

SUBMITTED BY:	
Chris Shewchuk, Planning Director <i>CMS</i>	

SUBJECT:

Request to rezone Lot 2, Wolf Creek Replat 7, from BG to RS-20-PS, with site plan approval, for the purpose of multi-family residential development. Applicant: Wolf Creek Apartments, LLC. General Location: South 15th Street, south of Cornhusker Road.

SYNOPSIS:

The applicant is requesting a change of zone from BG to RS-20-PS in order to build a multi-family residential development. There are four apartment buildings, garage structures, and a club house proposed for this site. There will be a total of 204 dwelling units in this project.

FISCAL IMPACT:

None

BUDGETED ITEM: ☐ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

N/A

RECOMMENDATION:

The Planning Department recommends denial of this request; the Planning Commission has recommended approval of this change of zone request and the site plan.

BACKGROUND:

Scott Brown, for Wolf Creek Apartments, LLC, is requesting approval of a change of zone from BG to RG-20-PS to allow for the construction of a 204-unit multi-family residential development. Site plan approval for the residential development is also being requested at this time. The Planning Department has recommended denial of this request due to the incompatibility of the residential zoning with the surrounding business and industrial zoning; if the change of zone is approved by the Council, the Planning Department recommends approval of the site plan. The Planning Commission has recommended approval of this request due to other locations within a mile of this site having similar zoning patterns.

ATTACHMENTS:

- 1 PC recommendation
- 2 Planning Department staff report
- 3 Proposed Ordinance

- 4
- 5
- 6

SIGNATURES:

ADMINISTRATOR APPROVAL:

[Signature]

FINANCE APPROVAL:

n/a

LEGAL APPROVAL:

[Signature]

City of Bellevue

PLANNING COMMISSION RECOMMENDATION

APPLICANT: Wolf Creek Apartments, LLC

GENERAL LOCATION: South 15th Street and Cornhusker Road

CASE #: Z-1801-01

CITY COUNCIL HEARING DATE: March 26, 2018

REQUEST: to rezone Lot 2, Wolf Creek Replat 7, from BG to RG-20-PS, with site plan approval, for the purpose of multi-family residential development.

On February 22, 2018, the City of Bellevue Planning Commission voted seven yes, two no, zero abstained, and zero absent to recommend:

APPROVAL based upon compatibility with other residential and heavy manufacturing areas within one mile of this development. **APPROVAL** of an amendment to the Comprehensive Plan, which will make this request in conformance with the Zoning Ordinance. **APPROVAL** of the site plan as presented.

VOTE:

Yes:	Seven:	No:	Two:	Abstain:	Zero:	Absent:	Zero:
	Madden		Casey				
	Perrin		Smith				
	Cain						
	Baumgartner						
	Jacobson						
	Ackley						
	Ritz						

Planning Commission Hearing (s) was held on: February 22, 2018

CITY OF BELLEVUE PLANNING DEPARTMENT

RECOMMENDATION REPORT # 2

CASE NUMBERS: Z-1801-01

FOR HEARING OF:

REPORT #1: February 22, 2018

REPORT #2: March 26, 2018

I. GENERAL INFORMATION

A. APPLICANT:

Wolf Creek Apartments, LLC
Scott Brown
1925 North 120th Street
Omaha, NE 68154

B. PROPERTY OWNER:

Hogan Wolf Creek North, LLC
c/o: Jim Buser
10250 Regency Circle, Suite 300
Omaha, NE 68114

C. GENERAL LOCATION:

South 15th Street and Cornhusker Road

D. LEGAL DESCRIPTION:

Lot 2, Wolf Creek Replat 7, located in the Southeast ¼ of Section 27, T14N, R13E of the 6th P.M., Sarpy County, Nebraska.

E. REQUESTED ACTIONS:

1. Rezone Lot 2, Wolf Creek Replat 7, from BG to RG-20-PS with site plan approval.

F. EXISTING ZONING AND LAND USE:

BG, Vacant

G. PURPOSE OF REQUEST:

The purpose of this request is to obtain approval of a rezoning and site plan for the construction of a 204 unit multi-family residential development.

H. SIZE OF SITE:

The site is approximately 9.37 acres.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE:

The site is presently vacant and covered in vegetation.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

1. **North:** Vacant/Commercial
2. **East:** Blue Buffalo Warehouse and Distribution Center/MH
3. **South:** Commercial/BGH
4. **West:** Highway 75 right-of-way

C. REVELANT CASE HISTORY:

1. On December 28, 2017, an administrative plat was approved for Lots 1 and 2, Wolf Creek Replat 7, being a replat of Lot 2, Wolf Creek Replat 3.
2. The Planning Commission recommended approval of a request to rezone Lot 2, Wolf Creek Replat 7, from BG to RG-20-PS, with site plan approval, for the purpose of multi-family residential development on February 22, 2018.

D. APPLICABLE REGULATIONS:

1. Section 5.14, Zoning Ordinance, regarding RG-20 uses and requirements.
2. Section 5.17, Zoning Ordinance, regarding Planned Subdivision District.

III. ANALYSIS

A. COMPREHENSIVE PLAN:

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

B. OTHER PLANS:

None

C. TRAFFIC AND ACCESS:

1. The 2016 MAPA Traffic Flow Chart estimates 14,200 vehicles per day along 15th Street South and Cornhusker Road.
2. The property has access from two points along South 15th Street.

D. UTILITIES:

All utilities are available to this property.

E. ANALYSIS:

1. Scott Brown, on behalf of Wolf Creek Apartments, LLC has submitted a request for a rezoning for Lot 2, Wolf Creek Replat 7, from BG to RG-20-PS for the purpose of a multi-family residential development.
2. Staff does not believe this proposed residential development is compatible with the surrounding neighborhood. The adjacent zonings include BG (General Business), BGH (Heavy General Business), and MH (Heavy Manufacturing). The intent of these adjacent zonings is to provide for a wide range of retail and service establishments, as well as the widest range of industrial operations permitted in the city. Furthermore, the intent of the MH zone goes on to state "It is the zone for location of those industries which have not reached a technical stage in processing which renders them free of nuisance factors or where economics precludes construction and operation in a nuisance free manner." While the current distribution center across the street from the proposed development may not be offensive to most residents, this existing zoning district allows for permitted uses such as temporary batch plants, livestock yards, and junk yards with auto parts salvage and auto wreckage; none of which are compatible with a residential development.
3. In conjunction with the change of zone, the applicant is also requesting site plan approval for the apartment buildings.
4. The proposal consists of 204 units in three buildings. The buildings are a mix of studio, one-, two-, and three-bedroom units. The applicant has indicated the apartments will range in size from 500 square feet (studio) to in excess of 1,300 square feet (three-bedroom). Additionally, five detached garaged structures are proposed.

5. The site plan shows 306 surface parking stalls for the development, in addition to 102 garage spaces (attached and detached), for a total of 408 parking spaces. The ordinance requires a minimum of 408 parking stalls.

6. The applicant is proposing a clubhouse with a private 24-hour fitness center and a heated saltwater pool with a sundeck as recreational opportunities for residents. Additionally, the applicant indicates some of the project's amenities will include two buildings with elevators, an onsite pet bathing station, enclosed dog area for pet exercise, a social room in the clubhouse, as well as the convenience of the surrounding Wolf Creek commercial area.

7. The landscape plan has been reviewed by staff and meets the minimum requirements of the zoning ordinance.

8. The applicant has submitted building elevations. These elevations will need to be revised to meet the city's required design standards. This information has been conveyed to the applicant and his architect.

9. The site plan shows an existing monument sign for the adjacent Holiday Inn Express on proposed parking stalls. This has been brought to the applicant's attention and will need to be addressed if the site plan is approved.

10. A traffic study was required by staff and submitted with this application. This study has been reviewed by the Public Works Department.

The traffic study indicates that the overall current level of service (LOS) for the intersection of 15th Street and Cornhusker Road is "D" during the AM peak hour and "E" during the PM peak hour, although some movements are at LOS "F" during this time. As a result of either residential or commercial development at this site, the proposed 2022 level of service would remain at "D" during the AM peak hour and at "E" during the PM peak hour, but delay times on some movements would increase significantly.

The traffic study recommends "that signal timings be optimized at the signalized intersection of S. 15th Street with Cornhusker Road. With optimized timings, the intersection is anticipated to operate at LOS D in both the AM and PM peak periods under 2022 Wolf Creek build traffic conditions."

The applicant states based on the traffic study completed by Felsburg Holt & Ullevig, traffic would be reduced significantly during peak hours by changing the zoning from BG to RG-20-PS. The Public Works Department has pointed out the traffic study compares trips generated by each of the two scenarios (residential versus commercial). The claim of a reduction in peak-hour traffic in the traffic study and by the applicant is misleading; both the proposed residential development and a potential commercial development would cause increases in peak-hour

traffic, however, the increase resulting from residential development would be less than that resulting from commercial development.

Dean Dunn, Public Works Engineering Manager, expressed traffic concerns relating to the impact at 15th Street and Cornhusker Road, 10th Street and Cornhusker Road, as well as increased traffic through the Willow Springs neighborhood. Mr. Dunn stated in comparing the impacts between the residential versus the commercial scenarios on the 15th and Cornhusker intersection, both scenarios appear to negatively impact the surrounding traffic as summarized by the traffic study: “both the commercial and residential scenarios will increase delay and queuing at the intersection of S. 15th Street with Cornhusker Road. However, the commercial scenario will cause significantly higher delay and longer queues compared to the residential scenario.”

The Planning Department was particularly concerned about the impact of this development through the Willow Springs neighborhood. Based upon current trip distribution patterns, both the residential and commercial development would have minimal impacts on Willow Springs as shown on the memo from Dean Dunn. The traffic study also points out that increased delays at 15th and Cornhusker may cause drivers to alter their routes to avoid the increased delays.

Mr. Dunn commented the Public Works Department understands there is a need to improve the Cornhusker Road corridor from Fort Crook Road to 25th Street. He mentioned the Public Works Department will be pursuing a study to determine the needed modifications. Once this is completed, Mr. Dunn stated “the necessary steps will be taken to program, design, and construct the necessary modifications to improve the efficiency of the corridor which includes the intersection at 15th Street. Mr. Dunn stated the only apparent recommendation from the traffic study was to optimize signal timings. Subsequently, he further commented “In absence of any recommendations involving immediate major reconstruction, the question becomes one of the degree of impact the City of Bellevue is willing to accept versus the opportunity costs involved.” He concluded by stating “The opportunity costs to be considered are having the land left undeveloped, having the land developed to produce higher property taxes, or having the land developed to produce higher property taxes and sales tax revenue.”

11. This application was sent out to the following departments for review: Public Works, Streets Department, Permits and Inspections, Acting Chief of Police, Offutt Air Force Base, Fire Inspector, and the Bellevue Public School District. The cover letter indicated a deadline to send comments back to the Planning Department, and also stated if the requested department did not have comments pertaining to the application, no response was needed.

Traci Stites, Offutt Air Force Base, stated she was surprised the city would consider this request in this particular location. She questioned how the proposed development fits into the city’s masterplan. Ms. Stites indicated this does not seem

a desirable location for residential development given it backs up to Highway 75 and is across the street from an industrial facility.

David Stukenholtz, Acting Chief of Police, expressed traffic concerns. Captain Stukenholtz stated, "Although it will add significant vehicular traffic to Cornhusker at both 15th St. and 10th St. during peak hours my greater concern is the Willow Springs area. The Cornhusker Road intersections are controlled by traffic signals so traffic may need to wait through an additional cycle. The Willow Springs subdivision only has stop signs and speed bumps so I am fearful that since the proposed units are near the Southern end of 15th St. more traffic may attempt to get out of the area through the south exit. The Willow Springs area has been a point of emphasis on the enforcement side of things for several years."

Dean Dunn, Public Works Engineer, had technical comments pertaining to the traffic study.

No other comments were received on this case.

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

F. TECHNICAL DEFICIENCIES:

None

IV. DEPARTMENT RECOMMENDATION

DENIAL based upon incompatibility with the surrounding neighborhood and lack of conformance with the Comprehensive Plan. If the Planning Commission or City Council votes to approve the change of zone, the Planning Department would recommend approval to the site plan for multi-family development.

V. PLANNING COMMISSION RECOMMENDATION

APPROVAL based upon compatibility with other residential and heavy manufacturing areas within one mile of this development. APPROVAL of an amendment to the Comprehensive Plan, which will make this request in conformance with the Zoning Ordinance. APPROVAL of the site plan as presented.

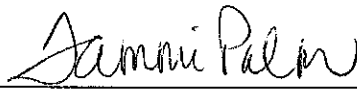
VI. ATTACHMENTS TO REPORT

1. Zoning Map
2. GIS aerial photo of the property
3. Site plan received March 15, 2018
4. Exterior and interior photos of proposed apartments received January 19, 2018
5. Landscape plan received February 13, 2018
6. Justification letter received February 14, 2018

7. Traffic Study review memo from Dean Dunn, dated February 15, 2018

VII. COPIES OF REPORT TO:

1. Wolf Creek Apartments, LLC
2. Hogan Wolf Creek North, LLC
3. Thompson, Dreessen & Dorner, Inc.
4. Public Upon Request



Prepared by:


Planning Director

3/5/18
Date of Report

12a
3-26-18
4-9-18

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	March 26, 2018	AGENDA ITEM TYPE:
		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 (SEE CLERK) <input type="checkbox"/>

SUBMITTED BY:	
Mike Christensen Chief Building Official	

SUBJECT:

Condemnation of 2611 Harrison St. Bellevue, NE 28147

SYNOPSIS:

The structure located at 2611 Harrison St Bellevue, NE 68147 has been vacant for several years and is beginning to collapse from its own weight and deterioration .

FISCAL IMPACT:

If the structure is removed by the City, the funds would need to come from the Community Betterment Funds

BUDGETED ITEM: ☒ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

--

RECOMMENDATION:

The building continues to deteriorate with no effort to make repairs and therefore the recommendation is that the structure be ordered torn down, the debris removed and the premises placed in a safe condition.

BACKGROUND:

The structure has been vacant for a number of years with no effort what so ever to make any repairs and has continued to deteriorate to its current condition.

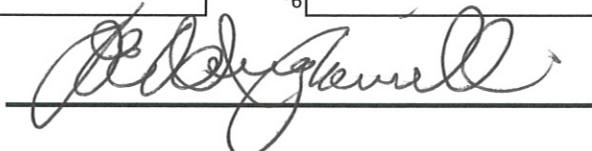
ATTACHMENTS:

1	photo
2	
3	

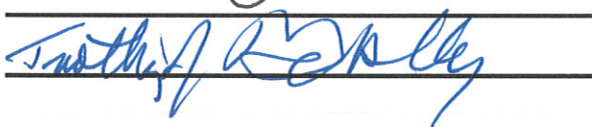
4	
5	
6	

SIGNATURES:

ADMINISTRATOR APPROVAL:



FINANCE APPROVAL:



LEGAL APPROVAL:



City of Bellevue
Permits and Inspections
1510 Wall St. ▪ Bellevue, Nebraska 68005 ▪

MEMO

February 28, 2018

From: Michael Christensen, ^{MC} Chief Building Official
Permits and Inspections
City of Bellevue

To: Sabrina Ohmacht
City Clerk

Subject: 2611 Harrison St. Bellevue, NE 68147 LEGAL DESCRIPTION; LOT 8A
ARMOURDALE

Dear Ms. Ohmacht,

In accordance with the provisions outlined in the Bellevue City Code; Section 8-47, I am notifying you that the structure located at 2611 Harrison St. Bellevue, NE 68147 has been deemed a public nuisance in accordance with said section. The permits department has received several complaints concerning the condition of this property.

On June 3, 2015 a certified letter was sent to the owner of the property listed above and a copy of the letter was taped to the front door of the property. The letter stated that the roof was failing, the soffits had deteriorated to a state of disrepair along with the deck at the rear of the property. The owner contacted the permits department the very next day 6/4/2015 and stated that he would be in to pull all necessary permits to repair the property.

There has been no response from the owner since that time and the structure has continued to deteriorate. Subsequently, I am sending this report to you with my opinion the structure as described above should be placed on the City Council agenda for condemnation action. If you have any questions, I am available to discuss them at your convenience.

2611 HARRISON ST



12a.1
4.9.18

RESOLUTION No. 2018-09

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
BELLEVUE, NEBRASKA**, that upon the facts presented, the structures located on

Lot 8A Armourdale, Bellevue, Sarpy County, Nebraska,

and located at 2611 Harrison Street, Bellevue, Nebraska, be and hereby are determined under Section 8-50 of the Bellevue City Code to be a public nuisance, unsafe for human occupancy because of the unsafe, unsanitary and dangerous condition, and the owners of the structures are ordered and directed to cause the structures to be torn down, the debris removed and the premises placed in a safe condition, by May 11, 2018, and if not done by May 11, 2018, the City shall tear down and remove the structures and debris, place the premises in a safe condition and assess the costs thereof against the property.

Passed and approved this _____ day of _____, 2018.

Mayor

ATTEST:

City Clerk

APPROVED as to Form:

City Attorney

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

126
3-26-18
4.9.18

COUNCIL MEETING DATE:	March 26, 2018	AGENDA ITEM TYPE:
SUBMITTED BY: Mike Christensen Chief Building Official		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 (SEE CLERK) <input type="checkbox"/>

SUBJECT:

Condemnation of 15006 S 20th St. Bellevue, NE 28123

SYNOPSIS:

The structure located at 15006 S 20th St Bellevue, NE 68123 was damaged from the tornado on June 16th 2017.

FISCAL IMPACT:

If the structure is removed by the City, the funds would need to come from the Community Betterment Funds

BUDGETED ITEM: ☒ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

--

RECOMMENDATION:

Representatives for the property need to show cause why such building should not be condemned as a nuisance. Otherwise the building should be ordered torn down, the debris removed and the premises placed in a safe condition.

BACKGROUND:

The structure was damaged from the tornado on June 16th 2017 and there has been no effort to obtain permits for repairs or to demolish the structure. All other structures in this neighborhood have been repaired or are in the process of being repaired. Recently the permits department has received several complaints regarding the condition of the structure and concerns for the safety or welfare of the residents of the neighborhood.

ATTACHMENTS:

1	photo
2	photo
3	photo

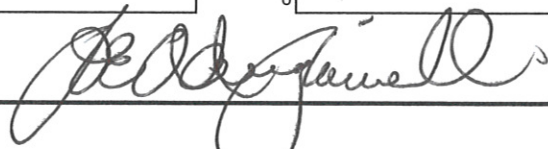

4	
5	
6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:



City of Bellevue
Permits and Inspections
1510 Wall St. ▪ Bellevue, Nebraska 68005 ▪

MEMO

February 28, 2018

From: Michael Christensen, ^{MC} Chief Building Official
Permits and Inspections
City of Bellevue

To: Sabrina Ohmacht
City Clerk

Subject: 15006 S 20th St. Bellevue, NE 68123 LEGAL; LOT 94 HYDA HILLS

Dear Ms. Ohmacht,

In accordance with the provisions outlined in the Bellevue City Code; Section 8-47, I am notifying you that the structure located at 15006 S 20th St. Bellevue, NE 68123 has been deemed a public nuisance in accordance with said section. The structure was damaged from the tornado on June 16, 2017 and there has been no effort to obtain permits for repairs or to demolish the structure.

On December 28, 2017 a certified letter was sent to the owner of the property listed above, as well as to Travelers Insurance and Loancare Mortgage Company. All of the letters were received and signed for in early January, 2018. The letter stated that six months had passed since the structure suffered damage from the tornados on June 16, 2017 and no permits had been obtained to repair the structure.

The owner contacted the permits department and stated that they could not come to an agreement with the insurance company and so no repairs were going to take place. Since then there have been several complaints from area neighbors concerning the safety and welfare of the residents of the neighborhood. Subsequently, I am sending this report to you with my opinion the structure as described above should be placed on the City Council agenda for condemnation action. If you have any questions, I am available to discuss them at your convenience.

(1)



(2)



(3)

15006 > 20 21



126-1
4-9-18

RESOLUTION No. 2018-10

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
BELLEVUE, NEBRASKA,** that upon the facts presented, the structures located on

Lot 94 Hyda Hills, Bellevue, Sarpy County, Nebraska,

and located at 15006 South 20th Street, Bellevue, Nebraska, be and hereby are determined under Section 8-50 of the Bellevue City Code to be a public nuisance, unsafe for human occupancy because of the unsafe, unsanitary and dangerous condition, and the owners of the structures are ordered and directed to cause the structures to be torn down, the debris removed and the premises placed in a safe condition, by May 11, 2018, and if not done by May 11, 2018, the City shall tear down and remove the structures and debris, place the premises in a safe condition and assess the costs thereof against the property.

Passed and approved this _____ day of _____, 2018.

Mayor

ATTEST:

City Clerk

APPROVED as to Form:

City Attorney

12c
4.9.18

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	April 9, 2018	AGENDA ITEM TYPE:
		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 (SEE CLERK) <input type="checkbox"/>

SUBJECT:

P/H: Event License Application - Freedom Running Company (fka Nebraska Running Company) for a Half Marathon, 10k, 5k, and Family Walk/Run

SYNOPSIS:

The Freedom Running Company (fka Nebraska Running Company) is hosting a Half Marathon, 10k, 5k, and Family Walk/Run on May 26, 2018, using American Heroes Park, Haworth Park, and City Streets from 7:00 a.m. to 11:00 a.m. - the "Memorial March"

FISCAL IMPACT:

\$50 Event License Fee

BUDGETED ITEM: ☐ YES ☒ NO

PROJECT # & TRACKING INFORMATION:

RECOMMENDATION:

Approval of the Event.

BACKGROUND:

Freedom Running Company is sponsoring this event. Profits being donated to The War on Terror Memorial in American Hero's Park. A small portion of Mission Ave. will be blocked off for approx. 60 - 90 minutes for runners. Half marathon and 10k runners will go through Offutt

ATTACHMENTS:

- 1 Application
- 2 Comments from PD, Streets & Parks
- 3

- 4
- 5
- 6

SIGNATURES:

ADMINISTRATOR APPROVAL:

n/a

FINANCE APPROVAL:

n/a

LEGAL APPROVAL:



CITY OF BELLEVUE

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:

Date: 3/

APPLICANT (Name/Address/Phone #): Jayne Ramos
13807 Clearwater Dr. Papillion NE. 68133 / 4022975547

CORPORATION (Name/Address): Freedom Running Company
7508 S 84th St. La Vista, NE. 68128

CORPORATION OFFICERS: Jayne & Joseph Ramos

PROPOSED ACTIVITY: 5K, 10K, Half-marathon family walk/run

DAY/DATE OF PROPOSED ACTIVITY: May 26, 2018 Saturday

LOCATION OF PROPOSED ACTIVITY: American Hero's Park

HOURS OF OPERATION: 7AM - 11AM

WHAT PROVISIONS, IF APPLICABLE, HAVE BEEN MADE FOR THE FOLLOWING:

1. Sanitary Facilities: porta john
2. Running Water:
3. Power: generator
4. Parking: Hawthorn Park / American Hero's Park
5. Insurance: Trek and field, business insurance/liability

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.

Signature of Applicant: Jayne Ramos freedomrunningcompany@gmail.com

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 #: _____

Police Department Requests: _____

only if required.

Parks Department Requests: _____

none

Street Department Requests: _____

Cones / partial street block from 7am-8am
will provide traffic attendants for duration of mission &
will be using AFB & keystone trail for
most of run. (w/ the exception of the
very first part of run.) 60 min(ish)

FREEDOM RUNNING COMPANY-PROFITS being donated to The War on Terror Memorial in American Hero's Park

WHEN: MAY 26, 2018

TIME: 7:00AM-11:00AM

WHAT WE WILL NEED: A small portion Mission Ave to be blocked off for approximately 60- 90 minutes for runners.

9LINE will ne ON site for any medical attention.

Traffic Guards & cones will be completely along path

*******ONLY THE HALF MARATHON & 10K WILL GO THROUGH OFFUTT*******

All finishers will receive a medal and shirt! First 100 participants will receive a water bottle!

THIS RACE WILL BENEFIT NEBRASKA'S FIRST WAR ON TERROR MEMORIAL IN AMERICAN HEROS PARK. (Please see below for detailed information about this non-profit.)

5k, 10k, Half-Marathon

American Heroes Park (AHP) is on its way to becoming Bellevue, NE's premier

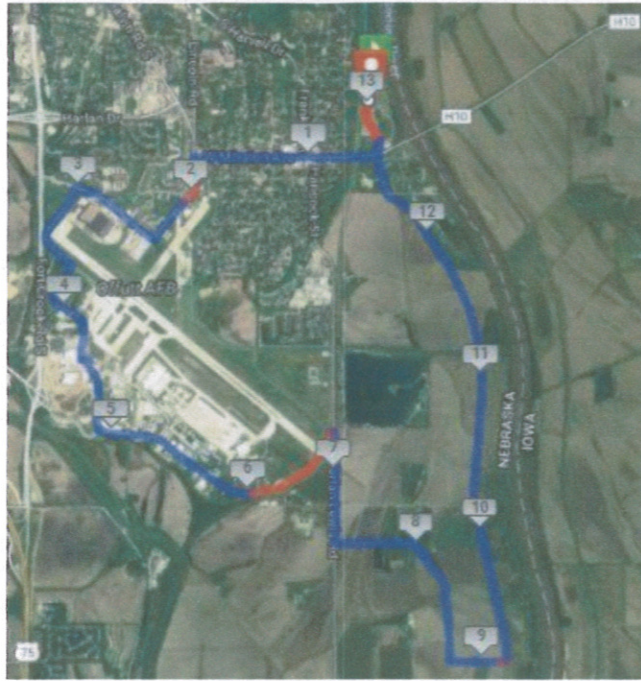
recreation site. In January 2018, Bellevue City Council approved a War on Terror Memorial at no cost to the city. Now it's up to AHP Volunteers to make it happen - but we can't do it without your support.

AHP Volunteers partnered with Freedom Running Company to host the kick-off

fundraiser - the "Memorial March" - on May 26th!

Why are we doing this? Bellevue is a deeply patriotic community, and Nebraska has given so much to secure our nation's freedom. It is time to dedicate a monument to:

- Memorialize Nebraska's sons and daughters who sacrificed their lives in the War on Terror;**
- Recognize Nebraska's War on Terror Gold Star families; and**
- Recognize all US service members who serve/served in the War on Terror.**



1/2 marathon





Susan Kluthe

From: Brian Madison
Sent: Wednesday, April 04, 2018 7:50 AM
To: Susan Kluthe; Bobby Riggs
Subject: RE: Event Application - Freedom Running Company

I see no issues from a Parks perspective.

Brian

From: Susan Kluthe
Sent: Tuesday, April 03, 2018 3:04 PM
To: Bobby Riggs; Brian Madison
Subject: Event Application - Freedom Running Company

Please review and okay your department.

Thanks!
Susan

Susan Kluthe

From: Bobby Riggs
Sent: Wednesday, April 04, 2018 10:30 AM
To: Susan Kluthe; Brian Madison
Cc: Larry Lampman; 'freedomrunningcompany@gmail.com'; Sabrina Ohnmacht
Subject: RE: Event Application - Freedom Running Company
Attachments: Sharpcopier@bellevue.net_20180403_124723.pdf

As proposed, I do see some issues which would need additional clarification prior to approval. PD is included in the response as event sponsors would need to look beyond simple traffic barricading. Any partial, temporary closure of Mission Ave would require Police presence to allow for some traffic movement in my estimation. Perhaps we would be looking at a more extensive notification and coordination process by which west-bound traffic from IA is detoured or restricted near I-29 and before the Bellevue Bridge for a short time from 7 to 8 am day of. (?)

The applicant is included in my response.
If we could work through these details a little closer I would appreciate that and can ultimately approve.

Thanks,

Bobby Riggs
Street Superintendent
City of Bellevue
Office: (402) 293-3126
Fax: (402) 293-3077
E-mail: Bobby.Riggs@bellevue.net

From: Susan Kluthe
Sent: Tuesday, April 03, 2018 3:04 PM
To: Bobby Riggs; Brian Madison
Subject: Event Application - Freedom Running Company

Please review and okay your department.

Thanks!
Susan

14a
4.9.18

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	April 9, 2018	AGENDA ITEM TYPE:	
SUBMITTED BY: Rich Severson, Finance Director		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 (SEE CLERK)	<input type="checkbox"/>

SUBJECT:

Revision to Council Policy Resolution 4 -- Purchasing and Payments

SYNOPSIS:

Policy Resolution 4 currently requires any City purchases for goods and services in excess of \$10,000.00 to be put out for public bids. The attached proposed Policy Resolution 4 increases the threshold amount for requiring bids to \$30,000.00, which is consistent with state statute.

FISCAL IMPACT:

Less staff time preparing bids for goods and services.

BUDGETED ITEM: ☐ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

N/A

RECOMMENDATION:

Approval of revised Council Policy Resolution 4 -- Purchasing and Payments.

BACKGROUND:

The City has followed state statute for requiring bids to be put out for purchases of goods and services. This revisions reflects the current state statute requirements.

ATTACHMENTS:

- 1 Policy Resolution 4--Purchasing and
- 2
- 3

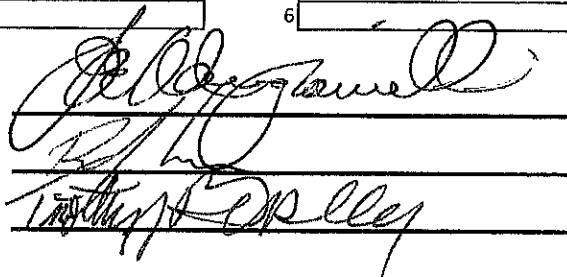
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- 6

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:



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 \$130,000.00, except for professional and other services considered by the ~~council~~ 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 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 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
Reviewed:	6/14/82
Reviewed:	1/24/83
Reviewed:	2/11/85
Reviewed:	1/26/87
Reviewed:	1/23/89
Reviewed:	2/25/91
Reviewed:	3/93
Reviewed:	2/95

Reviewed:	2/97
Reviewed:	2/99
Reviewed:	3/02
Reviewed:	8/23/04
Revised:	10/07
Reviewed:	03/09
Revised:	6/14/10
Reviewed:	1/11
Revised:	4/9/18

POLICY RESOLUTION 4
PURCHASING AND PAYMENTS

Clean
copy

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 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 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	Reviewed:	2/97
Reviewed:	6/14/82	Reviewed:	2/99
Reviewed:	1/24/83	Reviewed:	3/02
Reviewed:	2/11/85	Reviewed:	8/23/04
Reviewed:	1/26/87	Revised:	10/07
Reviewed:	1/23/89	Reviewed:	03/09
Reviewed:	2/25/91	Revised:	6/14/10
Reviewed:	3/93	Reviewed:	1/11
Reviewed:	2/95	Revised:	4/9/18

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

146
4.9.18

COUNCIL MEETING DATE:	04/09/2018	AGENDA ITEM TYPE:	
SUBMITTED BY:	Joe Mangiameli, City Administrator at the request of City Councilmember Thomas Burns	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 (SEE CLERK)	<input type="checkbox"/>

SUBJECT:

Rescind contract approval with Felsburg, Holt and Ullevig for review for railroad quiet zones installation

SYNOPSIS:

Staff was asked to prepare necessary documentation to cause "quiet zone" installations at five crossings of the Union Pacific Railroad Company trackage along Fort Crook Road. Staff does not have the expertise to conduct the required analysis for consideration by the railroad and recommended the engagement of a qualified consultant.

FISCAL IMPACT:

\$12,000

BUDGETED ITEM: ☐ YES ☒ NO

GRANT/MATCHING FUNDS

☐ YES ☐ NO

IF NO, EXPLAIN:

IF YES, %, \$, EXPLAIN:

If approved, this cost would necessitate a reduction in scope of a project or delay of a project proposed for the 2018 construction season.

PROJECT NAME, CALENDAR AND CODING:

Requestor	Project Name:	
	Expected Start Date:	Expected End Date:
	CIP Project Name:	
	MAPA # and Name:	
	Street District # and Name:	
Finance	Distribution Code:	
	GL Account #:	GL Account Name:

RECOMMENDATION:

At City Councilmember Burn's request, the award of the engineering contract with Felsburg, Holt and Ullevig approved on March 12 for installation of "quiet zone" equipment at railroad company crossings west of Fort Crook Road should be reviewed by the City Council.

BACKGROUND:

In 2017, City Council President Moudry reviewed information regarding the installation of "quiet zones" on the federal website and asked staff to develop documentation to support the same. Staff did not have the expertise to undertake such an effort but believed the proposed locations for the quiet zone crossing did not meet the required criteria. Staff did, however, seek outside consultant services to ascertain whether the criteria could be met and, if so, to prepare the necessary applications for Union Pacific Railroad Company review. Railroad review is generally \$5,000 to \$10,000 per location and the installation costs range from \$250,000 to \$500,000 per crossing and the city is responsible for maintenance expenses following installation. If the railroad approved the installation(s), a design contract and cost estimate would be developed for consideration and inclusion in the Capital Improvement Program and 2018-2019 budget.

ATTACHMENTS:

1	Request from CMember Burns	4	
2	Communication from Pub. Wks. Dir.	5	
3		6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:

[Handwritten signatures of Joe Mangiameli and Thomas Burns]

Joe Mangiamelli

From: Thomas Burns
Sent: Thursday, March 29, 2018 6:22 AM
To: Joe Mangiamelli; Jeff Roberts
Cc: Don Preister; johnfhansen2597@gmail.com; Jim Moudry; Paul Cook; Pat Shannon; Rita Sanders
Subject: Felsburg Holt and Ullevig proposal for the rail road quiet zone

Joe,

Regarding the study to be conducted for rail road quiet zones.

I would like this to be put on the next meetings agenda for reconsideration. After speaking with you more about it, I do not think that it is something that the city should follow through on. If anyone has further questions please feel free to ask. Do not reply all. Thank you so much!

-Thomas Burns



City of Bellevue
Public Works Administration
1510 Wall Street • Bellevue, Nebraska 68005 • (402) 293-3025

April 03, 2018

RE: Railroad Quiet Zone

Mayor Sanders and City Council Members:

As you may recall, on March 12, 2018 City Council approved a proposal from Felsburg Holt & Ullevig to prepare a technical writing on the procedures and cost associated with establishing a "safe" quiet zone parallel to Fort Crook Road. Just to be clear this project was not initiated by Public Works or Administration.


If directed, we will continue the technical writing, and cost associated, utilizing FHU who has the experience and expertise to create a "safe" quiet zone that meets industry safety standards and provides the protection for our citizens. This can be completed in approximately 60 days.

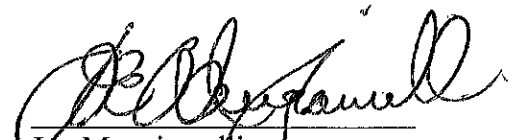
Simply relying on a calculator that does not put into place any enhanced safety features, (which is frowned upon by the industry) would be indefensible and places the liability on the City in the event of an accident or worse. Nor does it ensure that the railroad (Union Pacific) will concur with the potential installation.

Railroad review we are advised, generally require a deposit of \$5,000 - \$10,000 per location. Installation costs as you might guess are substantial and become the City's responsibility following.

As you reconsider your March 12, 2018 vote please take into account the safety, and potential liability that could result by not utilizing the expertise of FHU if you still want to move forward with this project.

Sincerely,


Jeffrey L. Roberts P.E.
Public Works Director/City Engineer


Joe Mangiameli
City Administrator

Mailing Address: 210 West Mission Avenue • Bellevue, Nebraska 68005





City of Bellevue

Office of the City Administrator

April 2, 2018

To: Mayor Sanders, City Council President Mpudry and
Members of the Bellevue City Council
From: Joseph A. Mangiamelli, City Administrator
Subject: Overview - Activities report

The following is an overview of my activities during the period since our last City Council meeting. Numerous meetings and events attended as indicated:

- *Met with city Leadership Team to review City Council meeting and discuss upcoming issues
- *Met w/staff to review small cell wireless legislation and siting requests
- *Met w/staff and Offutt personnel regarding potential small cell agreement w/Mobilitie
- *Met w/Chair Firefighters Retirement Committee for meeting agenda setting and posting
- *Met w/representative of local PACE financing tool for possible implementation in Bellevue
- *Met w/staff to review ENCAP agreement extension and revisions
- *Attended Sarpy Wastewater and Sewer Agency meeting representing Bellevue
- *Met w/staff to discuss Jerry Ryan Plaza naming
- *Met with Police Retirement Committee
- *Issued RFP for Champions Baseball Village property sale
- #Met with United Cities of Sarpy County lobbyist and member city representatives
- *Opened proposals received for Library Feasibility Assessment
- *Met w/Acting Police Chief Stukenholtz and citizen Scot Sorensen to explain city towing policy for impounded vehicle
- *Met w/staff to review upcoming agenda items for 4/09 meeting
- *Attended Firefighters Retirement Committee meeting
- *Met w/Ryan Bartucci regarding
- *Met w/staff to review code provisions for group homes
- *Met w/staff to review unclassified pay scales/steps
- *Met w/Department Heads and Division Managers for quarterly updates of activities
- *Met w/local broker to discuss reuse of Champions Baseball Village property
- *Attended "Years of Service" recognition event

#Discussion items included update on legislative session and projections for next week prior to adjournment, LB 389 (small cell) budget and tax reduction bills



City of Bellevue
Office of Administrative Services
1500 Wall Street • Bellevue, Nebraska 68005 •

Department Activity Report

Administrative Services Director

- FMLA case management (4)
- Leadership team meeting 3/27
- Ultipro activation calls: 3/28, 4/04
- Conduct Employee Appreciation Committee meeting 3/22
- New hire employee orientations (2)
- Schedule & set agenda for all department head meeting 4/5
- Assist with ENCAP lease renewal.
- Assist (1) department head with job description update & review.
- Attend Senior Board meeting 2/2.
- Attend agenda meeting 4/3.
- Prepare and send Years of Service 1st qtr. invite to employees/supervisors
- Ultimate Software on-line training (continued).
- Review and update Key Position profiles for the Succession Plan for posting. (continued)
- Assisting with updating the ADA Transition Plan (continued)
- Activity Report preparation.

Human Resources Manager

- Personnel issues – (0) matters under review
- ACA variable hour tracking
- ACA Year-end reporting finalization
- UltiPro user acceptance testing
- UltiPro time management setup
- UltiPro status meetings 03/21 and 03/28
- Payroll conversion pay code testing
- Employee access assignment
- Preparing for go live on UltiPro (April 6th)
- Payroll processing 03/23 payroll

As per your request the following is a synopsis of the day to day activity performed by the HR Coordinator and Personnel Technician, March 19 through April 2, 2018

- **Record Management:**

Prep,

Input and Record Payroll Changes for processing for March 23rd and April 6 payroll

- Processed Address Changes – 4 Name Change - 0
- Travel & Training Requests Processed 13 Narratives Received - 1
- Miscellaneous Copies and Secretarial work for Admin Svcs. Director to include revisions to job descriptions. Prepare and process all of Human Service, Administrative Service and HR Requisitions. Advertise, accept and process applications for the various Department Heads.
-
- Recorded Performance Evaluations – 2 Verifications of Employment – 3

- **Applicants/Recruitment:** Park & Recreational Seasonal, Electrical Inspector, Building Inspector, Fabrication Supervisor

- Regret letters- Assistant Recreation Superintendent

- **Benefit Orientation/Employee Exits/Resignations:**

- 1 - Full Time Exit
- 2 – Full Time Benefit Orientation
- 1 - Promotion
- 1 – Return from Leave
- 0 – Transfer
- 0 –Leave of Absence
- 3 – Resignations/Terminations

- **Benefit Administration:**

- COBRA Notices – 4
- Retirement Enrollment/Rollovers - 4 Retirement Payout/Withdrawal - 1
- Processed 457 Transfers/Enrollments/Changes - 7 TASC Resign - 2
- Beneficiary Changes - 0 QDRO - 0
- Processed New or changes to Principal Loan – 1
- Audited and sent to Finance for payment EBS, Reliance, MetLife and AFLAC bills
- Reconcile Retiree Payments and notified the retirees of payment amounts due.
- Updating data base with new amounts for voluntary life insurance
- Updating data base with new Life and AD&D amounts due to increases last year
- Updating data base with new LTD amounts
- Auditing all beneficiaries for retirement and life

- **Payroll Administration:**

- Prep, E-Verify and Process New Hires - 2

- Background Checks - 2
- Medical Testing for New Employees - 2
- Salary authorizations sheets sent to supervisors, directors and City Administrator in preparation for payroll increases and performance awards.
- Audited TASC payroll verification and sent PVR and finalization to finance
- Input into new system and Paychex system new employees - 8
-
- **Reports:**
- Prepared Activity Report for HR Manager
-
- **On-Going Projects:**
- Scan and File all Performance Management reports, target and scored target.
- Prep new contract year sheets for Grade/Step/Anniversary Date/Changes
- Auditing of Personnel Files to include updating database with new information
- Auditing of I-9 forms
- Cover Human Service Desk for absent Secretary and during lunch hour.
- Prepare orientation packets & manuals for new employees.
- Auditing benefit deductions for new payroll software
- **Training:** 2018 DOL Rules: Navigating the Latest Wage and Hour Rules - Cathey
- **Civilian Retirement Committee:** Coordinating Employee Education Workshop for April

**City of Bellevue
Human Service Dept. Monthly Report
March 2018**

The following activities were undertaken by the *Human Service Program Specialist* for the month of *March 2018*:

A. Attended the following meetings:

- 1) Bellevue Ministerial Meetings...3/1, 3/8, 3/15, 3/22, 3/29
- 2) Community Response....3/5, 3/12, 3/19, 3/26
- 3) Energy Meeting...3/15
- 4) BMA Regional...3/13
- 5) ENCAP Lease Meeting...3/19

B. Other tasks undertaken:

- 1) Compiled Bellevue Food Pantry Statistics for February.
- 2) Compiled financial assistance numbers for March.

C. Social Assistance Cases:

Emergency food orders 1
Crisis counseling 17
Application for MUD assistance 1
Application for rent assistance 3
Assisted with OPPD 7

Application for Black Hills Assistance 0

Adult Crisis Assistance 0

Community Response...1

No Show...5

Total households approved for financial/pantry assistance: 18

Total households assisted/referrals: 39

These client contacts provided direct food crisis assistance to 1 adult and 0 children.

Total of 1 individual assisted.

The Program Specialist interacted on 56 collateral calls on behalf of clients.

The Human Service Office assisted with 1 food order and issued 1 food voucher and recorded another 264 cases for food assistance on the food pantry data base for a total of 265 households, (Combined total between Bellevue Human Services and ENCAP).

Due to moratoriums being lifted at the first of April, many residents are seeking assistance with their utility bills.

Unfortunately, many of these utility bills are far beyond our scope of assistance. I have already spoken with clients whose bills are between \$800-\$1300.00, leaving us unable to help. I have attempted to tap into other agencies for assistance and I have had some success with that.

Specialized Transportation - traveled 2,303 miles; with 371 passenger boardings; and registered three new clients.



City of Bellevue

Office of the City Clerk

1500 Wall Street • Bellevue, Nebraska 68005 • (402) 293-3007

April 4, 2018

From: Sabrina Ohnmacht, City Clerk

RE: Information for Administration Report

Today, April 4th, is Susan's two-year anniversary with the City. ☺

Reviewing proposals from a couple different companies on recodification.

Early preparation stages for another Board of Equalization hearing/meeting for weed liens in the near future.

I have several vehicles I will need to take to the County for licensing.

Fireworks Applications became available on the 2nd and are due by the 30th.



CITY OF BELLEVUE FINANCE DEPARTMENT

1500 Wall Street – Bellevue, NE 68005 – (402) 293-3000

Bellevue Finance Department Status Report April 9, 2018

ACCOUNTING AND FINANCE

- Issued FYE2017 Audit Report
- Began 2018-2019 Budget Process
- Treasury management
- Reviewed and Managed E-req's
- Provided answers to departments regarding actuals and budget
- Authorized CDBG reimbursement request
- Issued payments for approved expenses
- Weekly conference calls with Ultimate group for new payroll software
- Testing of Ultimate PR downloads for our GL
- Worked with ANB on new payroll system and how it relates to our banking
- Processed credit card transactions and reconciled statements
- Prepared Minute Record / Researched bills on minute record
- Verified and booked receipts from PayPort System and Haworth Camping System
- Sales Tax and Lodging Tax monthly analysis and JE
- Lease analyses
- March Bank Reconciliations
- Monthly allocations
- Data entry of journal entries for department
- Booked various cash receipts, confirmed deposits, researched undocumented cash receipts
- Downloaded payroll and imported into Abila accounting software
- Reclassified expenses between departments, working extensively with Public works departments
- Adjusted rights to approved used in Abila system
- Preliminary work on quarterly forecast file
- Worked on Capital Expenditures file

CDBG:

- Continued to research project eligibility for CDBG funding and answered questions regarding application completion. Applications for 20a8 funding are due April 13.
- Submitted semi-annual Labor Standards Report and Minority Enterprise Business Report to HUD.
- Reviewed IDIS projects requiring explanation and remediation plan due to timeliness and began preparing necessary information.
- Reviewed Buckley 2110 Office Rehab projected and proposed next steps moving forward with environmental assessment.
- Continued to prepare for recognition of Community Development Week and provide information and reminders for the ceremony at the State of Nebraska.

RISK MANAGEMENT:

- Continued processing existing claims and worked to bring open claims towards resolution and closure
- Continued to investigate/accept/deny new claims
- Conferred with nurses, employees, and claims administrator on complex injury claims
- Researched claim payments and reimbursements
- Processed appropriate invoices for payment
- Continued to manage modified duties for restricted employees
- Continued to coordinate the 2018 Employee Wellness Program
- Continued processing safety boot requests for eligible employees
- Conferred with Legal on litigation and/or potential litigation matters
- Provided new employee orientation to one new Wastewater employee
- Greeted visitors during City Hall Open House
- Researched OSHA standard updates for Street Department Operations and provided new PPE
- Began updating city vehicle insurance schedule
- Began running MVR's on all required City drivers

Safety Inspector assisted Finance Department with:

- Moved the final remaining items from 210 Mission Ave to 1500 Wall Street (City Hall)
- Conducted all duties associated with auctioning surplus equipment
- Total Gov Deals sales to date: **\$242,000 in sales**

Respectfully submitted,

Rich Severson
Finance Director, City of Bellevue



City of Bellevue

Fire Department

211 West 22nd • Bellevue, Nebraska 68005 • (402) 293-3153

Bellevue Fire Department Council Report

Report Date 4/4/2018

A. General Items:

- QA/QI
- New part time firefighter orientation and training this week
- End of month reports
- Continue training/preparations for disaster drill 5-18
- Creating new ALS Exams
- Preparing to do new Acting Captains switch on B shift next week
- Preparing and sending out April's Pre-Incident Plan Assignments
- Continue to work on Ultimate payroll system

B. Training:

- Continue Mass Casualty Incident training
- Scott air pack computer accountability training
- Simple and Rapid triage
- Apartment Fire training with Omaha Fire

C. Inspections:

- Plan review Bob Fitness
- Plan review Domino's Pizza
- Daycare inspection Megan's Munchkins
- Daycare inspections on two Release Ministries Homes.

D. Calls:

Fire – 45

Rescue - 149



City of Bellevue

Fire Department

211 West 22nd • Bellevue, Nebraska 68005 • (402) 293-3153

E. Ambulance Billing

March 1-31, 2018,2018

\$ 168,535.00 has been billed out to insurance companies (209 insurance claims)

<\$ 75,840.75>approximate amount we will have to write off due to mandatory adjustments/write-offs
(45% of \$168,535.00)

\$ 92,694.25 is the anticipated, approximate net revenue from these insurance billings

Deposited into Bank:

\$ **93,475.01** deposited into the bank March 1-31, 2018.

\$ **2,118.89** in Credit/Debit card payments for March 1-31, 2018.

\$ **95,593.90** **TOTAL** March 1-31, 2018 rescue fee revenue

Statement Billing:

287 statements were mailed to patients for unpaid account balances.

These statements totaled \$158,162.17.

This is money owed the City from patients who have balances on their accounts after their insurance has paid **OR** patients who are self-pay.

F. Manpower Report Staffing

Staffing Report from 3/19/2018 through 3/25/2018

Monday	AM	E-1,21,31,41	3-Person	
Monday	PM	Full		
Tuesday	AM	Full		
Tuesday	PM	Full		
Wednesday	AM	Full		
Wednesday	PM	Full		
Thursday	AM	Full		
Thursday	PM	Full		
Friday	AM	Full		
Friday	PM	E-21,41	3-Person	
Saturday	AM	E-1	3-Person	
Saturday	PM	E-1,21,31,41	3-Person	
Sunday	AM	E-1,21,31,41	3-Person	EMS ASST. O.O.S.
Sunday	PM	Full		

Staffing Report from 3/26/2018 through 4/1/2018



City of Bellevue

Fire Department

211 West 22nd • Bellevue, Nebraska 68005 • (402) 293-3153

Monday	AM	E-21,31,41	3-Person	
Monday	PM	E-31	3-Person	
Tuesday	AM	Full		
Tuesday	PM	Full		
Wednesday	AM	E-21,41	3-Person	
Wednesday	PM	Full		
Thursday	AM	E-21	3-Person	
Thursday	PM	Full		
Friday	AM	E-41	3-Person	
Friday	PM	E-41	3-Person	
Saturday	AM	E-41	3-Person	
Saturday	PM	Full		
Sunday	AM	E-1,21,31,41	3-Person	
Sunday	PM	E-1,31	3-Person	



City of Bellevue

Bellevue Public Library

1003 Lincoln Road • Bellevue, Nebraska 68005 • (402) 293-3157

Memo

To: Joe Mangiamelli, City Administrator

From: Julie Dinville, Library Director

Date: 3/27/2018

- The Bellevue Public Library Board met in regular session on Wednesday, March 21. Included on the agenda was an overview of the 2018 Adult Library Program by Frankie Hannan, Head of Adult Services, and a review of the 2017-2020 Technology Plan for the library.
- Director Julie Dinville visited the Plattsmouth Public Library to review some of the equipment Plattsmouth was loaned as part of the Nebraska Library Commission's Library Innovation Studio project. The equipment included a laser cutter, 3-D printer, CNC router, vinyl cutter, embroidery machine, heat press, laminator, button maker, and electrical and robotic projects. Plattsmouth Director Karen Mier explained some of the projects the public had completed using the equipment as well as the necessary supplies, training, and operation of the equipment. Such equipment are key components to many maker spaces being housed in many libraries. The NLC project was open to libraries in communities of less than 25,000.
- Children's Librarian Michelle Bullock recently attended the Belleaire Elementary's Literacy Night with the help of Junior Friend Gavin Dame. Together they gave out nearly 337 (donated) books, as well as sticky bunnies, pens and necklaces. In addition, they handed out calendars with details on library events and explained library services while meeting with attendees at the event.
- The Library was recently able to purchase portable chairs, a table, and pop-up canopy to be used for outreach activities by library staff through funds from the Friends of the Bellevue Public Library and the Bellevue Library Foundation. The Friends are also helping the library purchase a tablecloth with the "Bellevue Public Library" on it to use for such events.
- Frankie Hannan, attended the 2018 Public Library Association (PLA) annual conference by teleconference on Thursday and Friday, March 22 and 23. Hannan received a continuing education scholarship from the Three Rivers Library System to fund her virtual attendance in the program.



City of Bellevue

Bellevue Public Library

1003 Lincoln Road • Bellevue, Nebraska 68005 • (402) 293-3157

Memo

To: Joe Mangiamelli, City Administrator

From: Julie Dinville, Library Director

Date: 4/3/2018

- The library hosted an American Red Cross Babysitting certification course on Saturday, March 31. All 10 slots were filled by students who spent the day completing training and certification. The course was sponsored by the library's Young Adult Department.
- The 2018 Adult Library Program began with preregistration on Saturday, March 31, and officially got underway on Monday, April 2. This year's theme is "Libraries Rock!" During the six-week program, participants can turn in the titles of books that they read or listen to as drawing slips to win prizes. Prizes will be awarded weekly and grand prizes will be awarded at the conclusion of the program. The final day of the ALP is May 12th. The Friends of the Bellevue Public Library assisted with the preregistration and the April 2 registration and are contributing the grand prizes.
- The Bellevue Public Library began its 2018 OmahaGives campaign on April 2. The library will again be offering raffle baskets. This year they are: "Showstopper" featuring an HDTV and Netflix subscription; "Master Crafter" with a 10-drawer tool chest and 320-piece tool set; "Gamer's Dream" with an Xbox One S console, extra controller and Official Minecraft Annual 2018 book; "Iconic Bellevue Eats" with gift certificates to several local restaurants; and "Fantastic" with 2 tickets to author Craig Johnson's meet-and-greet event Aug. 17, plus his "Longmire" DVD collection, a Kindle Fire and an Amazon gift card. All the baskets are valued at \$350 or more. Tickets are \$1 each, 6 for \$5, and 12 for \$10. All monies go to the Bellevue Library Foundation for library programs and services. Special activities have also been planned, including several on the OmahaGives day itself, May 23.
- As part of the Adult Library Program, programs featuring a wide variety of music have been planned at the library. The first event will be Wednesday, April 4, starting at 12 p.m. featuring the Bellevue East High School Jazz Ensemble. Other programs will be as follows: Thursday, April 5, at 7 p.m. featuring the USAF Heartland of America - Offutt Brass ensemble; Sunday, April 8, at 2 p.m. with *Music from the Pioneers: A Musical Smorgasbord* with Humanities Nebraska speaker Chris Sayre; Wednesday, April 11, at 12 p.m. with the Truth Be Told - Handbell Duo; Wednesday, April 18, at 12 p.m. featuring the Ring of Flutes; Wednesday, April 25, at 12 p.m. with Irish music by Erin Lewis and Friends; Wednesday, May 2, at 12 p.m. with the West Connection group from Bellevue West High School; and Wednesday, May 9, at 12 p.m. with Appalachian music by Collin Hatcher. Those attending the noontime performances are welcomed to bring a sack lunch to enjoy while listening to the music. All programs are free and open to the public.



City of Bellevue

Office of the Planning Department

To: Mayor Sanders, City Council, and City Administrator Mangiamelli
From: Chris Shewchuk, Planning Director *CMS*
Date: April 3, 2018
Subject: Department comments for Administration Report

I attended a meeting with other Sarpy County jurisdictions regarding the future waste water plan and growth management policies for the southern Sarpy area. There will be two more follow-up meetings on this topic.

Staff met with developers regarding a potential redevelopment of the property formerly occupied by Summer Kitchen Cafe at Wolf Creek Plaza.

We met with representatives of Offutt AFB, the City Attorney's Office, Mobilitie and other City staff to discuss a draft agreement to allow the installation of small cell antennas at various locations in the City.

I met with prospective developers of vacant property on Gregg Road, north of Cornhusker—they are completing their due diligence before finalizing the purchase of the property.

Ten new single-family residence permits were reviewed by the Planning Department in the last two weeks.

We received no new applications for the April meeting of the Planning Commission.

I will be out of the office on Thursday and Friday, April 5 and 6.

INTEROFFICE MEMORANDUM

TO: JOE MANGIAMELLI
FROM: ACTING CHIEF STUKENHOLTZ
SUBJECT: DIRECTORS BRIEF
DATE: 4/4/2018

Attended FBI National Academy Association Spring Conference

Detective Ryan Roskey was recognized at the Speaking of Children Conference for his work in human trafficking investigations.

Attended an incident management software demonstration at the LaVista Police Department

Code Enforcement Stats:

March 23, 2018	March 30, 2018
-----------------------	-----------------------

Calls – 233	241
-------------	-----

Notices:

Zoning – 2	4
Nuisance – 56	35
Clean Ups – 0	0
Tree Removal – 0	0
Certified Notices – 7	15
Officer Initiated – 22	15
Towed Vehicles – 2	4
Red Tags – 4	3
Snow Removal Notices – 0	0



Public Works Director's Report

April 09, 2018

Disclaimer: The following is a synopsis of the department reports submitted weekly to the Public Works Director. This is not an all inclusive list of work details or responsibilities submitted by each department. This list may be altered as unforeseen situations dictate.

Administration: Jeff Roberts

- Comprehensive review of all budgeting, invoicing and revenue reporting and processes (all departments)
- Develop/prioritize conditions assessment for replacement plan (WW)
- Meetings
 - Director meetings 04.09.17, 04.23.18
 - Superintendent meetings 04.15.18, 04.29.18
 - MAPA TTAC 04.19.18

Engineering: Dean Dunn

- American Heroes Park Phase 6 – Design
- Various design projects
- Planning and P&I plan review as needed
- SWPPP monitoring for NDEQ compliance as needed
- Meetings
 - FHWA monthly meeting 04.18.18
 - UCC monthly meeting 04.11.18

Parks: Brian Madison

- Working on Work Orders that are submitted
- Tree maintenance in various parks
- Winter Duties

Recreation: Jim Shada

- Flag Football League begins today and runs every Monday through the month of April from 6:00 pm - 7:30 pm at Baldwin Field #1.
 - As in past years Bellevue East High School Coaches and players assists in running this activity.
- Registration continues throughout the week and also on Saturday from 10:00 am – 12 pm.



City of Bellevue
Public Works Department
1510 Wall Street • Bellevue, Nebraska 68005 • (402) 293-3025

- Weather permitting Club Baseball/Softball games and practices begin this week at Baldwin, Haworth and McCann Ballfields.

Street Maintenance: Bobby Riggs

- Various ditch repairs and cleanout
- Grade, rock roads and alleys
- Winter Duties

Waste Water: Epiphany Ramos

- Jetting as weather allows
- Repairing lines found during jetting and TV scheduled inspections as needed
- Lift station inspections on Monday and Thursday
- Update GIS mapping
- Walk all inaccessible lines and inspect all manholes, ongoing
- Working on administrative procedures and expectations.

Fleet Maintenance: Todd Jarosz

BIWEEKLY REPAIRS BY DEPARTMENT		
Report Date: January 08, 2018		
Department	No. of Repairs	No. of Hours
Administration		
Finance		
Human Services	3	8
Public Works	1	1
Parks	15	57
Recreation		
Cemetery	4	9
Streets	13	48
Fleet Maintenance	1	1
Permits & Inspections		
Police	27	202
Fire	13	306
Wastewater	2	15

Reported hours are taken from work orders submitted for the week. Some work orders may reflect a large amount of hours performed which would mean the unit was in the shop for an extended period of time. Work may be carried over from one week into another.



City of Bellevue
Public Works Department
1510 Wall Street • Bellevue, Nebraska 68005 • (402) 293-3025

The number of hours documented on repair tickets does not include the hours it takes for Fleet Maintenance personnel to shuttle cars to and from the shop, to deliver cars to designated locations for out sourced work (i.e. window/windshield replacement, body work, warranty work) and running for parts, etc.

NEXT REPORT 04.23.18

